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PROCEEDINGS AND DEBATES OF THE 92^{d} CONGRESS, SECOND SESSION

SENATE—*Wednesday, July 26, 1972*

The Senate met at 10 a.m. and was called to order by Hon. Lowell P. Weicker, Jr., a Senator from the State of Connecticut.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord, our Father-God, who knowest all our thoughts and actions, grant that we may sincerely, faithfully, and honestly serve Thee in our daily work. Grant us the gift of loyalty. For our homes, give us love and obedience; for our country, sacrifice and service; for our church, reverence and devotion. Wilt Thou so renew the people's love of home and country and church as to make this Nation a great bastion of spiritual power for the whole world and the hope of freedom for men everywhere. May our lives be so illuminated by Thy truth that Thy kingdom of justice, peace, and brotherhood may be advanced.

In Thy holy name we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Ellender).

The assistant legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., July 26, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. Lowell P. Weicker, Jr., a Senator from the State of Connecticut, to perform the duties of the Chair during my absence.

Allen J. Ellender,
President pro tempore.

Mr. WEICKER thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3772) to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 25, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Labor of the Committee on Labor and Public Welfare, the Subcommittee on National Penitentiaries of the Committee on the Judiciary, the Subcommittee on Oceans and International Environment of the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Agriculture and Forestry, the Committee on Finance, and the permanent Subcommittee on Investigations of the Government Operations Committee be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER (Mr. Hollings). Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 930 and 934.

The PRESIDING OFFICER. Without objection, it is so ordered.

CEDAR KEYS NATIONAL WILDLIFE REFUGE, FLA.

The bill (H.R. 736) to designate certain lands in the Cedar Keys National Wildlife Refuge in the State of Florida as wilderness was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 92–980), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill, H.R. 736, would designate approximately 375 acres of the Cedar Keys National Wildlife Refuge in the State of Florida as wilderness. The wilderness so established would be administered by the Secretary of the Interior in accordance with applicable provisions of the Wilderness Act of September 3, 1964 (78 Stat. 890; 16 U.S.C. 1131). S. 3119 is a companion bill to H.R. 736 and was also considered by the committee.

DESCRIPTION OF THE AREA

The four proposed outer islands of the Cedar Keys National Wildlife Refuge are located approximately 3 miles seaward of Levy County, Fla. They are known as Seahorse, Snake, Deadmans, and North Keys, embracing approximately 375 acres. These outer islands are of great value as nesting areas for colonial birds. More abundant nesting species include the white ibis, common egret, double-crested cormorant, snowy egret, Louisiana heron, and great blue heron. In addition, the refuge provides nesting and year-round habitat for several "threatened species." These include the bald eagle, the brown pelican, and the osprey.

The composition of the islands is primarily that of narrow white sand beaches, salt marshes, and mangrove swamps. The mineral potential, according to reports from U.S. Geological Survey and the U.S. Bureau of Mines, is slight. The phosphate-bearing formations of Florida are not present here and the possibility of oil and gas development is remote. There is no commercial timber or grazing of livestock.

The islands themselves, with the exception of Seahorse Key, have little visible evidence of man's activities. A lighthouse was constructed on Seahorse Key in 1855, but it has not been in use since 1915. There is also a marine laboratory adjacent to the lighthouse that is maintained by the University of Florida as a base for scientific research of marine resources. The laboratory was established in 1952 under a 20-year permit from the Bureau of Sport Fisheries and Wildlife. The laboratory will not interfere with the administration of the Cedar Keys Wilderness. Originally the Department of the Interior recommended the deletion of these facilities from the proposed wilderness by means of a 6-acre exclusion that would have completely bisected the island. Subsequently, this recommendation was modified to include only a 3-acre exclusion covering the lighthouse, laboratory, and the docks, but leaving a connecting corridor along the south shore of the island. This modification would give a wilderness area of 375 acres rather than 372 as indicated in the departmental report.

Because of its small size and the importance to colonial birds, the proposed Cedar Keys Wilderness will be able to support only limited public use. It can, however, be effectively used for wildlife-oriented recreational activities, shell collecting, and beachcombing during certain periods of the year when the disturbance of nesting birds is minimal.

COST

No additional budgetary expenditures are involved in the enactment of H.R. 736.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs unanimously reports and recommends enactment of H.R. 736.

EMERGENCY LOAN DISASTER RELIEF

The bill (S. 3840) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for emergency loan disaster relief, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), is amended by adding at the end thereof the following new section:

"SEC. 328. (a) Notwithstanding any other provision of law, in the administration of this subtitle and the rural housing loan program under section 502 of title V of the Housing Act of 1949, as amended (42 U.S.C. 1472), in the case of property loss or damage or injury resulting from a major disaster as determined by the President or a natural disaster as determined by the Secretary of Agriculture which occurred after June 30, 1971, and prior to July 1, 1973, the Secretary—

"(1) to the extent such loss or damage or injury is not compensated for by insurance or otherwise, (A) shall cancel the principal of the loan, except that the total amount so canceled shall not exceed the greater of (i) 50 per centum of the original principal amount of such loan but not more than $5,000; or (ii) the per centum that would be canceled of a loan of the same size under regulations established by the Small Business Administration under this Act, and (B) may defer interest payments or principal payments, or both, in whole or in part, on any loan made under this section during the first three years of the term of the loan except that any such deferred payments shall bear interest at a rate per annum to be determined by the Secretary of the Treasury or that established by the Small Business Administration under the provisions of this Act, whichever is lower: *Provided,* That no one borrower shall be eligible to receive more than one such cancellation for any single disaster.

"(2) to the extent such loss or damage or injury is not compensated for by insurance or otherwise, may grant any loan for repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required loan is otherwise available from private sources.

"(3) may, in the case of the total destruction or substantial property damage of homes or farm service buildings and related structures and equipment, refinance any mortgage or other liens outstanding against the destroyed or damaged property if such property is to be repaired, rehabilitated, or replaced, except that the amount refinanced shall not exceed the amount of the physical loss sustained. Any such refinancing shall be subject to the provisions of clauses (1) and (2) of this section.

"(b) Notwithstanding any other provision of law, the provisions of subsection (a) of this section shall also apply to the administration of the programs referred to in such subsection in the case of any property loss or damage or injury, including loss or damage to agricultural crops, resulting from flood or excessive prolonged rain, drought, or other natural disaster occurring on or after June 30, 1971, in any area determined by the President to be a major disaster area or in any area determined by the Secretary of Agriculture to have suffered a natural disaster during such period.

"Disaster Loan Interest Rates

"(c) Any loan made under this section shall not exceed the current cost of repairing or replacing the disaster loss or damage or injury in conformity with current codes and specifications. Any loan made under this section shall bear interest at a rate per annum to be determined by the Secretary of the Treasury or that established by the Small Business Administration under the provisions of this Act, whichever is lower.

"Age of Applicant for Loan

"(d) In the administration of any Federal disaster loan program under the authority of this section, the age of any adult loan applicant shall not be considered in determining whether such loan should be made or the amount of such loan.

"Applicability of Benefits

"(e) The benefits provided under this section shall be applicable to all loans qualifying hereunder, whether approved before or after the date of enactment of this section.

"(f) The President shall conduct a thorough review of existing disaster relief legislation as it relates to emergency loans and housing loans administered by the Farmers Home Administration of the United States Department of Agriculture, and not later than January 31, 1973, he shall transmit to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report containing specific legislative proposals for the comprehensive revision of such legislation in order to—

"(1) adjust the benefits and the coverage available to persons affected by disasters;

"(2) improve the execution of the program by simplifying and eliminating unnecessary administrative procedures; and

"(3) prevent the misuse of benefits made available under the program."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–984), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BACKGROUND

Senate bill S. 3795 was jointly referred to the Committees on Agriculture and Forestry and Banking, Housing, and Urban Affairs. This bill, and subsequent proposals from the Office of Management and Budget, would provide relief to victims of hurricane and tropical storm Agnes and for damage suffered in the Rapid City, S. Dak., disaster as well. S. 3799 provides for special disaster relief after June 1, 1972, as it relates to the activities of the Farmers Home Administration emergency loan authorities.

The committee discussed these and other proposals and decided to report an original bill.

EXPLANATION

This original bill relates to the authorities of the Farmers Home Administration as they concern emergency loans (7 U.S.C. 1961–67) and rural housing loans under section 502 of title V of the Housing Act of 1949, as amended (42 U.S.C. 1472).

It provides—

(1) for loans, to the extent that such loss, damage or injury is not compensated for by insurance or otherwise, to victims of any major disaster declared by the President or natural disaster declared by the Secretary of Agriculture occurring during the period June 30, 1971 and July 1, 1973;

(2) for cancellation of a part of the original principal amount of such loans. The amount of such cancellation would be determined as follows:

"(a) No borrower shall be eligible to receive more than one cancellation with respect to any single declared disaster.

"(b) The amount of the cancellation shall not exceed the greater of (i) fifty per centum of the original principal of the loan but not more than $5,000; or (ii) the per centum of the original principal that would apply to a loan of the same size advanced by the Small Business Administration under provisions of this Act, with the remainder of such loan bearing an interest rate established by the Secretary of the Treasury or that established for Small Business Administration loans under provisions of this Act, whichever is lower."

(3) for deferral of interest payments or principal payments, or both, in whole or in part during the first three years of the term of such loans, except that such deferred payments shall bear interest at a rate per annum established by the Secretary of the Treasury or established by the Small Business Administration under provisions providing for disaster relief, whichever is lower;

(4) in the case of total destruction or substantial property damage for refinancing of any mortgage or lien to the extent of the physical loss sustained;

(5) that such loans may be made without regard to whether the required financial assistance is otherwise available from private sources;

(6) that the benefits shall be applicable to all loans qualifying hereunder, whether approved before or after enactment of this Act; and

(7) for the submission of a report by the President to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives by January 31, 1973, containing specific legislative proposals for the comprehensive revision of existing disaster relief legislation as it relates to emergency loans and housing loans administered by the Farmers Home Administration.

This bill contains amendments of the emergency loan and the rural housing programs of the Farmers Home Administration that will provide benefits to farm families and rural residents who have been victims of the Agnes; Rapid City, S. Dak.; and Minnesota drought and similar disasters that have been declared major disasters by the President or have been declared natural disasters by the Secretary of Agriculture during the period June 30, 1971, and prior to July 1, 1973. The provisions of this bill are intended to work in a coordinated fashion with similar provision authorized for administration by the Small Business Administration.

There is no doubt that disasters covered by this bill have had a significant adverse impact on the economic life of victims. Present disaster loans do not provide great enough benefits for those individuals whose homes, businesses, and lives have been shattered. The provisions of this bill are designed to correct this inequity and permit a rebuilding of the economic life of those who have suffered. It is emergency legislation of the first order.

Next year, after receiving the views of the President the committee intends to study this problem intensively and to recommend legislation of a permanent nature.

THE PRESIDENT'S MESSAGE

To the Congress of the United States:

Tropical Storm Agnes has caused unparalleled destruction in many areas of the eastern United States. More than 128,000 homes and businesses have been damaged or destroyed, and whole communities have been dealt a heavy blow. The losses to so many individuals cannot be measured only in terms of destruction of property and belongings; they must also be counted in terms of loss of jobs, disruption of families, personal privation, and anxiety about the future. In the whole history of our Nation, we have not before encountered such massive destruction over so wide spread an area as a result of natural disaster.

Individuals, private groups, and governments have responded magnificently to this calamity in the finest tradition of neighbor helping neighbors. The stamina, the courage, and the spirit to fight back and recover are already evident throughout the devastated areas. My statement of July 12, 1972, summarized these impressive efforts. I also pointed out at that time, however, that an unparalleled disaster requires extraordinary measures to help in recovery. I announced my intention to recommend to the Congress supplementary and massive measures aimed at short- and long-term recovery. I herewith transmit those recommendations, and the proposed legislation to carry them out.

My proposals are in three parts:

First, I propose the Agnes Recovery Act of 1972. This measure deals with disaster loans for homeowners, farmers, and businessmen. Because of the unprecedented scope of the destruction, unprecedented measures to deal with it are required. Under the provisions of this proposal, disaster loans for Agnes victims would be changed from present law in the following ways:

The maximum amount of principal which can be cancelled or forgiven would be increased from $2,500 to $5,000 on loans made by the Small Business Administration or the Farmers Home Administration.

The forgiveness feature would be applicable to the first dollar of a loan rather than after the repayment of the first $500 of principal as is now the case.

The interest rate on the loans would be dropped to 1 percent instead of its current rate of 5⅛ percent.

This liberalized assistance to individual homeowners and small businessmen can mean the difference between recovery and bankruptcy or ruin. The situation is urgent. Individual people are now making decisions on whether to rebuild or not. While my proposal would apply retroactively to all victims of Agnes, it is important to them to know now the terms of assistance which will be available to them.

Therefore, I call on the Congress to respond to this emergency by acting on the Agnes Recovery Act so that it can become law within one week.

Second, I recommend supplemental appropriations totaling $1,569,800,000 for this emergency, the largest single request of its kind in our history. The vast majority of these funds would be used for disaster loans, with $1.3 billion for the Small Business Administration and $1.8 million for the Farmers Home Administration. The SBA funds would be used to provide loans for homeowners and small businessmen in disaster areas whose property has been damaged or destroyed. The FHA funds would provide sufficient personnel to process expeditiously loan requests in rural areas, for which adequate loan funds now exist. Also included in my supplemental request are:

An additional $200 million for the President's Disaster Relief Fund, to speed repair and reconstruction of public facilities and to provide temporary housing, food and unemployment compensation.

$40 million for the Economic Development Administration, $16 million for the Appalachian Regional Commission and $12 million for the Corps of Engineers, all to assist in the recovery of damaged communities. The funds for the Corps of Engineers would go toward flood control projects in the Susquehanna River Basin.

Third, I recommend that the existing authorization for appropriations for highway emergency relief be increased by $200 million. Current authority limits amounts to $50 million per year, which is clearly not adequate to cope with a disaster of this magnitude.

I urge that the Congress also act promptly on these second and third proposals.

The Federal Government must act quickly and decisively to do its part in providing relief and aiding recovery in a cooperative effort with the States and communities struck by Agnes. We can do no less. I am confident that the Congress will share this view.

RICHARD NIXON.

THE WHITE HOUSE, *July 17, 1972.*

ESTIMATED COST

In accordance with section 252 of the Legislative Reorganization Act of 1970 the committee agrees with the estimate of the Farmers Home Administration that the total cost of this legislation which expires July 1, 1973, will amount to about $200 million.

Mr. MANSFIELD subsequently said: Mr. President, I enter a motion that the vote by which Calendar No. 934 (S. 3840), providing emergency loan disaster relief, was passed, together with its third reading, he reconsidered.

The PRESIDING OFFICER. The motion is entered.

SENATE TRIBUTE TO ORDER OF AHEPA

Mr. MANSFIELD. Mr. President, one of the outstanding fraternal organizations is the Order of Ahepa, which is composed of Greeks who have become Americans, and Americans of Greek descent. They have performed an outstanding service to the Nation through the years. In every State of the Union they have been considered exemplary in their conduct, their integrity has been unquestioned, they have been nonpolitical and nonpartisan in outlook, and they have made great contributions to the welfare of this Republic.

Mr. President, today in the House of Representatives, Representative JOHN BRADEMAS of Indiana, a Congressman and a great one, of Greek descent, is introducing a resolution similar to the one which the distinguished Republican leader and I now send to the desk and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 331) as follows:

Resolved, That the Senate of the United States congratulates the Order of the American Hellenic Educational Progressive Association on its fiftieth anniversary and commends the Order on its many contributions to strengthening American democracy.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCOTT. Mr. President, this is a fitting tribute, it seems to me, for the majority leader and myself to render to the Order of Ahepa as symbolic of the loyalty of Greek-Americans, of their distinguished civic and charitable record within this organization, and also as American citizens.

Americans who travel abroad have observed time and again that some countries are far more pro-American than others. Among the countries where the peoples are most friendly and most pro-American in their reaction, I would consider Greece to be at the very top, along with Australia and a few other countries who still remember the roles assumed by the United States over the years in its respect for its own obligations to other countries in the world.

Our Greek Americans are among the finest citizens in this country. They have contributed so much to our culture. They have brought with them the memory and the traditions of their own great and ancient land. It is a great privilege to be able to join in support of this resolution.

Mr. ROBERT C. BYRD. Mr. President, the 26th of July 1972, marks the golden anniversary of The American Hellenic Education Progressive Association, or the Order of Ahepa, as it is more generally known.

The Order of Ahepa was founded in Atlanta, Ga., on July 26, 1922, and its jurisdiction extends through 49 States, Canada, and Australia. The 430 local chapters of Ahepa have always given generously, and supported enthusiastically, community undertakings in the fields of education, charity, and civic improvement. The Order has always been most active and generous with its contributions and work on a national and international scale, as well as on the purely local level.

Educational institutions, cultural centers, and victims of natural disasters—in the United States, Greece, Ecuador, Turkey, Israel and the Near East—have benefited over the years through the generosity and humanitarianism of this fraternal order.

My own State of West Virginia has a vigorous Ahepa organization, with chapters in the cities of Charleston, Huntington, Wheeling, Clarksburg, Weirton, and Bluefield. These West Virginians take justifiable pride in the many accomplishments their fine organization has achieved during the 50 years of its existence, and I commend them and their associates nationwide.

I join my colleagues in the Senate in wishing long life and further success to AHEPA.

Mr. President, I ask unanimous consent to include in the RECORD the names of West Virginia's local chapter officers.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

WEST VIRGINIA

LOCAL CHAPTER OFFICERS

Steve Zacharias, President, Charleston.
John Babalis, Vice President, Charleston.
Manuel Pappas, Secretary, Charleston.
Peter Christo, Treasurer, Charleston.
James P. Stavros, President, Huntington.
Dr. Phillip Maroudis, Vice President, Huntington.
Mike Maniskas, Secretary, Huntington.
Dan J. Baker, Treasurer, Huntington.
George Varlas, President, Wheeling.
Efstathios K. Grammenos, Vice President, Wheeling.
Nicholas Mamakos, Secretary, Wheeling.
James Giannirakis, Corresponding Secretary, Wheeling.
George Matzaris, Treasurer, Wheeling.
James Calaitges, President, Clarksburg.
Steven Trahanis, Vice President, Clarksburg.
George Samaras, Secretary, Clarksburg.
Angelo Koukoulis, Treasurer, Clarksburg.
Gust Moroudas, President, Weirton.
Gary Mastromichalis, Vice President, Weirton.

Matthew Melonas, Secretary, Weirton.
John Fotis Frangakis, Treasurer, Weirton.
Nick Soter, President, Bluefield.
Nick Simos, Vice President, Bluefield.
Gus Theodorou, Secretary, Bluefield.
John Dellis, Treasurer, Bluefield.

CURRENT DISTRICT LODGE OFFICERS

Lambros A. Svingos, Governor, Huntington.
Alex Skirpan, Athletic Director, Barboursville.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEICKER. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the resolution, as we have a strong and active organization of the AHEPA in the State of Connecticut, of whose accomplishments we are very proud.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUGHES. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the resolution also.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. HOLLINGS). On behalf of the Presiding Officer, who is a member of that organization, I would add my name also without objection, as a cosponsor of the resolution.

Mr. SAXBE. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the resolution submitted by the distinguished Senator from Montana and others commending AHEPA on its 50th anniversary.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I welcome the opportunity to join the distinguished majority leader and other colleagues in saluting AHEPA. As one Irishman who went to Greece as a guest of the AHEPA a few years ago I wish to express my singular joy in connection with this measure.

Mr. President, I ask unanimous consent that my name be added as a cosponsor of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRIFFIN. Mr. President, today, the Order of Ahepa is celebrating its golden anniversary.

Since its founding in Atlanta, Ga., this fraternal organization has made many significant contributions to the betterment of American life. In addition to its well known work in disaster relief, AHEPA has made generous contributions to such worthy causes as construction of libraries and research institutions to providing scholarships for needy students.

In addition, the Order of Ahepa encourages its members and others in the community to participate fully in the political process and instructs its members in the principles of American citizenship.

The Order of Ahepa has been particularly effective in my home State of Michigan. I am pleased to register a vote of appreciation to the order for its outstanding service and to extend my warm congratulations on the occasion of its golden anniversary.

I ask that my name be added as a cosponsor of Senate Resolution 331 that was adopted this morning concerning AHEPA's golden anniversary.

Mr. TAFT. Mr. President, 50 years ago, on July 26, the Order of Ahepa was founded in Atlanta, Ga. This distinguished group of Greek Americans has been striving ceaselessly in the last five decades to achieve their nine main objectives which are as follows:

First. To promote and encourage loyalty to the United States of America.

Second. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

Third. To instill in its membership a due appreciation of the privileges of citizenship.

Fourth. To encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor.

Fifth. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation.

Sixth. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture.

Seventh. To promote good fellowship, and endow its members with the perfection of the moral sense.

Eighth. To endow its members with a spirit of altruism, common understanding, mutual benevolence, and helpfulness.

Ninth. To champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

The fraternal order is, then, appropriately titled the American Hellenic Educational Progressive Association. I am proud of the fine chapters in Ohio scattered across the State in 19 major cities, and am equally honored to be able to congratulate AHEPA at this time for their tremendous results and achievements of their goals. A list of the Ohio chapter officers is as follows:

Ohio—Local Chapter Officers

Mike N. Revelos, President, Middletown.
John Pantel, Vice President, Middletown.
V. P. Karras, Secretary, Middletown.
Pete Laras, Treasurer, Middletown.
Christie P. Anderson, President, Springfield.
Dr. Peter Stangas, Vice President, Springfield.
Leon P. Anderson, Secretary, Springfield.
George J. Stathopoulos, Treasurer, Springfield.
Angelo Kalipolitis, President, Zanesville.
Pericles Vlahos, Vice President, Zanesville.
Gus H. Kallipolitis, Secretary, Zanesville.
Gus Calis, Treasurer, Zanesville.
George N. Giovas, President, Mansfield.
Peter Gasuras, Vice President, Mansfield.
Nick Giovas, Secretary, Mansfield.
George Margaritis, Treasurer, Mansfield.
Michael Lambros, Secretary & Treasurer, Lima.
James Agnos, President, Lima.
James Selos, President, Lakewood.
Andy Maniatopoulos, Vice President, Lakewood.
Militiadis Sofianos, Secretary, Lakewood.
Nick Tsarnas, Treasurer, Lakewood.
Harry Neofes, President, Hamilton.
Christ N. Jonson, Vice President, Hamilton.
Jack S. Carr, Secretary, Hamilton.
John Lazares, Treasurer, Hamilton.
Xenophon Zapis, President, Cleveland.
George Montsopoulos, Vice President, Cleveland.
Ronald G. Roy, Secretary, Cleveland.
Christ Boukis, Treasurer, Cleveland.
Kelly Esber, President, Canton.
Chris Diamant, Vice President, Canton.
Gregory Pelay, Secretray, Canton.
Harry Biris, Treasurer, Canton.
Anthony Kariotis, President, Akron.
William E. Noland, Vice President, Akron.
Nicholas T. George, Secretary, Akron.
Athanasios Bouzas, Treasurer, Akron.
Earnest T. Paris, President, Massillon.
Lewis Dolmas, Vice President, Massillon.
Alexander Paris, Secretary, Massillon.
Gus Syrios, Treasurer, Massillon.
Frank Manios, President, Warren.
Phil Anastasiadis, Vice President, Warren.
Nick Pitinii, Secretary, Warren.
William Keriotis, Treasurer, Warren.
Peter Tsakos, President, Youngstown.
Peter Georgiadis, Vice President, Youngstown.
William G. Glaros, Secretary, Youngstown.
Joseph Mitchell, Treasurer, Youngstown.
Van Sotraides, Preident, Steubenville.
Michael Vitellas, Vice President, Steubenville.
William C. Lakios, Secretary, Steubenville.
Peter Manuel, Treasurer, Steubenville.
Charles M. Michaels, President, Dayton.
Charles Krandall, Vice President, Dayton.
James Tsimekles, Secretary, Dayton.
Ted G. Boudouris, Executive Secretary, Dayton.
James Zavakos, Treasurer, Dayton.
Anastasios N. Stathopoulos, President, Toledo.
Michael Vassiliou, Vice President, Toledo.
Gust J. Bellas, Secretary, Toledo.
Nick T. Photos, Treasurer, Toledo.
George A. Fotos, President, Cincinnati.
Nick Triantos, Vice President, Cincinnati.
Anestis J. Coudorodis, Secretary, Cincinnati.
Paul Dimitry, Treasurer, Cincinnati.
Nick C. Polites, President, Columbus.
Dr. Charles Tzagournis, Vice President, Columbus.
George Bavelis, Secretary, Columbus.
Leo Adamantides, Treasurer, Columbus.
Steve Chekouras, President, Lorain.
Louis Vlahos, Vice President, Lorain.
Aris Varouh, Secretary, Lorain.
James Cardasis, Treasurer, Lorain.

CURRENT NATIONAL OFFICERS

Gust J. Herouvis, Supreme Trustee, Akron.

CURRENT DISTRICT LODGE OFFICERS

John C. Conzaman, Lt. Governor, Lakewood.
Nick A. Contes, Secretary, Steubenville.
Ted J. Leakas, Treasury, Dayton.
Gregory Palioyras, Marshall, Cincinnati.
Tom Chase, Advisor, Columbus.

PAST NATIONAL OFFICERS

George Nick George, Past Supreme Lodge, Akron.
Hon. John M. Manos, Past Supreme Lodge, Bay Villiage.
George J. Cavalaris, Past Supreme Lodge, Oxford.
Thomas L. Chase, Past Supreme Lodge, Columbus.
Gus G. County, Jr., Past Supreme Lodge, Toledo.

Constantine G. Economou, Past Supreme Lodge, Youngstown.

Angelo F. Mavrigan, Past Supreme Lodge, Youngstown.

Mr. ROTH. Mr. President, I am pleased to salute and congratulate a fine organization on its 50th anniversary; an organization of which many of our Nation's leaders are members: the Order of Ahepa.

I am personally acquainted with many of the ideals and contributions of the Order of Ahepa because we have had a local chapter in my home State of Delaware for 47 years. I know many members and have attended several local functions, so I can say from personal experience that the order has contributed greatly to the betterment of American life. In Delaware, the local chapter has kept Greek-Americans aware of their Hellenic heritage and culture, but also reminded them constantly of the benefits available here in the United States which were not and are not available in Greece itself. Largely because of the dedication and spirit of AHEPA members, we find them constantly involved in community projects and actively participating in community affairs.

AHEPA is, of course, an acronym standing for the Order's full name, the American Hellenic Educational Progressive Association. Membership in the Order of Ahepa is open to men of good moral character who are citizens of the United States of America, or Canada, or who have declared their intention to become citizens. The AHEPA family is composed of four separate organizations, all of which work in harmony on a local, district, and national level. They are: the Order of Ahepa; the Daughters of Penelope, the senior women's auxiliary; the Sons of Pericles, the junior young men's auxiliary; and Maids of Athena, the junior young women's auxiliary. The Order was founded on July 26, 1922, in Atlanta, Ga., and during its early years was composed primarily of Greek-Americans who had recently immigrated to the United States. During those years, the members concentrated on assisting their newly arrived countrymen in adjusting to their new American environment. In Wilmington, for instance, the local chapter assisted in obtaining citizenship papers for the fellow countrymen and was largely responsible for organizing the Greek Orthodox Church. The first church was situated on the third floor of a local building, but with the help of AHEPA, it was later able to move to what is now an attractive and imposing church building.

It is this type of spirit which has helped the Greek-Americans in my home State become and remain among the finest of our citizens. But today, the order counts many besides Greek-Americans as members. Former President Truman is a member, as was the late President Franklin D. Roosevelt; in addition, many Senators and Representatives, as well as local officials, are members. Because I think the roster of members is long and impressive, I am attaching a list of some of the more well known.

As impressive as the list of prominent members is, however, I think a truer indication of the order's worth is the extent to which the local members and chapters engage in community projects. In my home State, it is usual to find the members deeply involved in and committed to fundraising drives for charities or worthwhile causes—most recently, members were ringing doorbells to raise funds for the Multiple Sclerosis Foundation. And, although AHEPA itself is nonpolitical and nonsectarian, the members themselves are active participants in the political decisionmaking process, as evidenced by the large number who hold elective or appointive office.

In short, Mr. President, AHEPA has succeeded admirably fulfilling the goals set 50 years ago in Atlanta. Today, the Order continues to grow, while instilling in its members the qualities which we respect and desire in citizens. Ahepans reflect a profound interest in civic, political, social and commercial activities; they are loyal themselves, and encourage loyalty in others; they remember and respect the Hellenic traditions, but not to the detriment of their State or Nation; and, they seek and encourage education, not just for its own sake, but as a means of self-fulfillment.

I personally would like to congratulate the Order of Ahepa and all of its members of this their 50th anniversary. I hope and trust that 50 years from now my successor here in the Senate will congratulate Ahepan's on their 100th anniversary.

I ask unanimous consent to have printed in the RECORD a list of some members of AHEPA.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

MEMBERS OF THE ORDER OF AHEPA

Former President Harry S. Truman.

Vice President Spiro T. Agnew.

Former Vice President Hubert H. Humphrey, (presently U.S. Senator).

U.S. SENATORS

George D. Aiken, J. Caleb Boggs, Frank Church, Norris Cotton, Sam J. Ervin, Jr., Ernest F. Hollings, Thomas J. McIntyre, Edmund S. Muskie, Claiborne Pell, William B. Spong, Jr., Strom Thurmond, (late Senator Everett Dirksen).

U.S. REPRESENTATIVES

John Anderson, Thomas L. Ashley, Wayne N. Aspinall, Mario Biaggi, Edward P. Boland, Frank T. Bow, John Brademas, Clarence Brown, Joel T. Broyhill, James A. Burke, Donald D. Clancy, Silvio O. Conte.

Thomas N. Downing, Dante B. Fascell, Gerald R. Ford, Nick Galifianakis, Peter N. Kyros, F. Bradford Morse, Edward J. Patten, Roman C. Pucinski, Paul S. Sarbanes, Bob Wilson, John W. Wydler, Gus Yatron.

GOVERNORS

Warren Hearnes, Missouri.

Robert McNair, South Carolina.

Nelson Rockefeller, New York.

Robert Scott, North Carolina.

George Wallace, Alabama.

U.S. Secretary of Commerce Peter G. Peterson.

Assistant Secretary of Treasury Eugene Rossides.

Deputy Assistant to the President Tom Korologos.

Federal Power Commission Chairman John Nassikas.

Mr. BEALL. Mr. President, in the last 50 years, the Order of Ahepa, the American Hellenic Education Progressive Association, has made countless contributions to the betterment of American life. This month the fraternity is celebrating its golden anniversary, and I wish to join with many of my colleagues in extending my congratulations to them on this significant occasion.

Since its founding on July 26, 1922, in Atlanta, Ga., the society has grown to encompass 430 local chapters in 49 States Australia and Canada. AHEPA chapters have long supported local community activities in the fields of education, charity, and civic improvement, and have done much to improve the lives of many Americans.

AHEPA members can take justifiable pride in a record of service to its fellow man. Thus, I commend AHEPA for a proud past and offer it my best wishes, for a most successful future.

Mr. ALLOTT. Mr. President, 50 years ago today, in Atlanta, Ga., an organization was founded that was to grow into one of the most distinguished and productive fraternal organizations in the Nation. The organization was—and is—the Order of Ahepa, the American Hellenic Educational Progressive Association.

The great strength of America is the readiness of private citizens to band together to serve the public good. The Order of Ahepa is an example of that strength in action. And it certainly has been "in action" during the last half century. The order's civic and humanitarian activities include:

Relief of Florida hurricane victims.

Relief of Mississippi flood victims.

Relief of Corinth earthquake victims.

For the War Orphans of Greece.

Relief of Dodecanese earthquake victims.

For the fatherless children of refugees, through the Near East Relief.

For the Hellenic Museum.

National scholarships to worthy students.

For the Theological Seminaries at Brookline and Pomfret.

AHEPA Franklin D. Roosevelt Memorial at Hyde Park.

Ypsilanti and Dilboy Memorials.

Sons of Pericles Memorial to the American Philhellenes of 1821, at Missolonghi, Greece.

Relief of Turkish earthquake victims.

For the Patriarchate of Jerusalem.

For the Patriarchate of Constantinople.

Ecuadorean relief.

Kansas City flood relief.

Greek war relief.

AHEPA hospitals in Athens and Thessaloniki, and seven health centers in Greece.

AHEPA Agricultural College in Greece.

Ionian Islands earthquake relief.

AHEPA Preventorium in Volos.

Penelopian Shelter Home in Athens.

Ahepa Hall for Boys at St. Basil's Academy.

The AHEPA School at St. Basil's Academy, Garrison, N.Y.

Sale of $500 million in U.S. war bonds

during World War II as an official issuing agency of the U.S. Treasury.

Truman Library.

Dr. L George Papanicolaou Cancer Research Institute of Miami.

The AHEPA Truman Memorial, Athens, Greece.

The New Smyrna Beach, Fla., monument commemorating the first landing of Hellenes in the new world in the year 1768.

The AHEPA education journey to Greece student program.

We in Colorado are proud of our State's chapters. Mr. Sam Nakis, supreme president of the Order of Ahepa, has provided me with a list of the various Ahepa officers in Colorado. I extend special congratulations to these community leaders, and I ask unanimous consent that this list be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

List of Colorado Officers

LOCAL CHAPTER OFFICERS

Deno P. Dikeou, President, Denver

James P. Damaskos, Vice President, Denver.

Menelaos Moutsos, Secretary, Denver.

Spero D. Cosmos, Treasurer, Denver.

James P. Dikeou, President, Denver.

George Daddis, Vice President, Denver.

John P. Dikeou, Secretary, Denver.

Tom Kostas, Treasurer, Denver.

Nick Frangos, President, Denver.

Alex Baker, Vice President, Denver.

James DeBerry, Secretary, Denver.

Theodore N. Morris, Treasurer, Denver.

Tom J. Koustas, President, Denver.

Gus Jimas, Vice President, Denver.

Nick Tsiouvaras, Secretary, Denver.

Harold G. Kallas, Treasurer, Denver.

Christ Kapantas, President, Colorado Springs.

George N. Argos, Vice President, Colorado Springs.

Gus J. Lambrose, Secretary, Colorado Springs.

Nick Ellis, Treasurer, Colorado Springs.

James G. Melonas, President, Walsenburg.

James Pappas, Vice President, Walsenburg.

P. K. Kallas, Secretary & Treasurer, Walsenburg.

CURRENT NATIONAL OFFICERS

George P. Dikeou, Supreme Board of Trustees, Denver.

CURRENT DISTRICT LODGE OFFICERS

George Wm. Athens, Lt. Governor, Denver.

Theodore G. Argeris, Treasurer, Denver.

Dr. Pete G. Frangos, MD, Marshall, Denver.

John W. Toscas, Advisor, Denver.

James G. Damaskos, Athletic Director, Aurora.

PAST NATIONAL OFFICERS

Spero J. Cosmos, Past Supreme Lodge, Aurora.

Lee G. Rallis, Past Supreme Lodge, Denver.

Panayes G. Dikeou, Past Supreme Trustee, Denver.

Gus G. Gatseos, Past Supreme Trustee, Denver.

Mr. JAVITS. Mr. President, I wish to pay tribute to Americans of Greek origin today, July 26, when the Order of Ahepa, the well-known American Hellenic Association, celebrates its golden anniversary. The order was founded July 26, 1922, in Atlanta, Ga.

Since they have been in the United States, Americans of Greek origin have given honorary distinguished citizens to the service of our Nation in public and private and in many fields, take great pride in the fact that this is the origin, too of the Vice President of the United States.

In the course of the 50 years of its existence, the Order of Ahepa has made many significant contributions to the enrichment of American life.

The objects of AHEPA are:

First. To promote and encourage loyalty to the United States of America.

Second. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

Third. To instill in its membership a due appreciation of the privileges of citizenship.

Fourth. To encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor.

Fifth. To pledge its members to do their utmost to stamp out any and all political corruption; to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation.

Sixth. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture.

Seventh. To promote good fellowship, and endow its members with the perfection of the moral sense.

Eighth. To endow its members with a spirit of altruism, common understanding, mutual benevolence, and helpfulness.

Ninth. To champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

The Order of Ahepa has contributed to many worthy causes during the 50 years of its existence on a national and international level. Such causes include:

First. Relief of Florida hurricane victims.

Second. Relief of Mississippi flood victims.

Third. Relief of Corinth earthquake victims.

Fourth. For the War Orphans of Greece.

Fifth. Relief of Dodecanese earthquake victims.

Sixth. For the fatherless children of refugees, through the Near East relief.

Seventh. For the Hellenic Museum.

Eighth. National scholarships to worthy students.

Ninth. For the Theological Seminaries at Brookline and Pomfret.

Tenth. Ahepa Franklin D. Roosevelt Memorial at Hyde Park.

Eleventh. Ypsilanti and Dilboy Memorials.

Twelfth. Sons of Pericles Memorial to the American Philhellenes of 1821, at Missolonghi, Greece.

Thirteenth. Relief of Turkish earthquake victims.

Fourteenth. For the Patriarchate of Jerusalem.

Fifteenth. For the Patriarchate of Constantantinople.

Sixteenth. Ecuadorean relief.

Seventeenth. Kansas City flood relief.

Eighteenth. Greek war relief.

Nineteenth. Ahepa hospitals in Athens and Thessaloniki, and seven health centers in Greece.

Twentieth. Ahepa Agricultral College in Greece.

Twenty-first. Ionian Islands earthquake relief.

Twenty-second. Ahepa Preventorium in Volos.

Twenty-third. Penelopian Shelter Home in Athens.

Twenty-fourth. Ahepa Hall for Boys at St. Basil's Academy.

Twenty-fifth. The Ahepa School at St. Basil's Academy, Garrison, N.Y.

Twenty-sixth. Sale of $500 million in U.S War Bonds during World War II as an official issuing agency of the U.S. Treasury.

Twenty-seventh. Truman Library.

Twenty-eighth. Dr. George Papanicolaou Cancer Research Institute at Miami.

Twenty-ninth. The Ahepa Truman Memorial, Athens, Greece.

Thirtieth. The New Smyrna Beach, Fla., monument commemorating the first landing of Hellenes in the new world in the year 1768.

Thirty-first. The Ahepa educational journey to Greece student program

America's response to the Greek heritage is a glorious chapter in American history. On December 3, 1822, President James Monroe included the following words in his message to Congress:

> The mention of Greece fills the mind with the most exalted sentiments, and arouses in our bosoms the best feelings of which our nature is susceptible. Superior skill and refinement in the arts, heroic gallantry in action, disinterested patriotism, enthusiastic zeal and devotion in favor of public liberty, are associated with our recollections of ancient Greece. That such a country should have been overwhelmed, and so long hidden as it were, from the world, under a gloomy despotism, has been a cause of unceasing and deep regret to generous minds of ages past. It was natural, therefore, that the reappearance of these people in their original character, contending in favor of their liberties should produce the great excitement and sympathy in their favor which have been so signally displayed throughout the United States . . .

I would like on this occasion to call to the attention of the Congress the names of the distinguished officers of the Order of Ahepa and of those from my own State, New York, and I ask unanimous consent to have the list of names printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

List of New York Officers

LOCAL CHAPTER OFFICERS

Andrew Gallis, President, Brooklyn.

Constantine Ziotas, Vice President, Brooklyn.

George Gallis, Secretary, Brooklyn.

Peter Gardianos, Treasurer, Brooklyn.

James Raptis, President, Wellsville.

George Raptis, Vice President, Wellsville.

John Giopulos, Secretary, Wellsville.

George Giopulos, Treasurer, Wellsville.

Thomas Cholakis, President, Troy.

Louis Huban, Vice President, Troy.

John Fentekes, Secretary, Troy.

George Vellis, Treasurer, Troy.

Steven Agrapides, Secretary, Brooklyn.

John Candemeres, President, Corona.

Steve Georgeson, Vice President, Corona.

James Anthros, Secretary, Corona.
Terry S. Triades, Treasurer, Corona.
Peter A. Issaris, President, Glen Falls.
Michael Constant, President, Staten Island.
N. Filippidis, Vice President, Staten Island.
James P. Trivelas, Secretary, Staten Island.
John Antonopoulos, Financial Secretary, Staten Island.
G. Smirlis, Treasurer, Staten Island.
Lucas Chaconas, President, New York City.
George Tirakis, Vice President, New York City.
Peter Vanos, Secretary, New York City.
Leo Vrouletis, Recording Secretary, New York City.
Peter Chaconas, Treasurer, New York City.
Peter Balafas, President, Washington Heights.
Louis Sollas, Vice President, Washington Heights.
Eugene J. Yanas, Secretary, Washington Heights.
Charles J. Drewes, Executive Secretary, Washington Heights.
George Carahals, Treasurer, Washington Heights.
Christos Christodoulou, President, St. James.
Vasilios G. Bouklas, Vice President, St. James.
Nicholas J. Pouletsos, Secretary, St. James.
Anthony Kalergis, Treasurer, St. James.
Peter N. Chahales, President, Ridgewood-Maspeth.
Peter Pappas, Vice President, Ridgewood-Maspeth.
David Saporta, Secretary, Ridgewood-Maspeth.
George T. Douris, Treasurer, Ridgewood-Maspeth.
Michael Sapounakis, President, Riverdale.
Peter Kines, Vice President, Riverdale.
Manny Zafiros, Corresponding Secretary, Riverdale.
Poul M. Sapounakis, Secretary & Treasurer, Riverdale.
Stephen Karas, President, New Rochelle.
Peter Atha, Vice President, New Rochelle.
James Plevitis, Secretary, New Rochelle.
Stanley Townsen, Treasurer, New Rochelle.
Thomas G. Anastassiou, President, Babylon.
John Kouvisis, Vice President, Babylon.
Gus Corbett, Secretary, Babylon.
Thomas Tatigikis, Treasurer, Babylon.
George D. Kakoullis, President, Kingston.
Dinos Koskoletos, Vice President, Kingston
James Kolocotronis, Secretary, Kingston.
Sarantos E. Matthews, Treasurer, Kingston.
Sam J. Diaconis, President, Freeport.
James S. Kalathakis, Vice President, Freeport.
Tom P. Matthews, Secretary, Freeport.
Alex C. Kouvatsos, Treasurer, Freeport.
John Vullis, President, New York City.
George Kamburis, Vice President, New York City.
John Zirimis, Secretary, New York City.
John P. Krones, Executive Secretary, New York City.
James Fusscas, Treasurer, New York City.
Ernest Macrides, President, Syracuse.
Peter K. Marinos, Vice President, Syracuse.
Robert J. Harris, Secretary, Syracuse.
Nikos Athanas, Treasurer, Syracuse.
Aristotle Mirones, President, Brooklyn.
Dimitrios Sideratos, Vice President, Brooklyn.
Steve Xanthos, Secretary, Brooklyn.
William Carris, Treasurer, Brooklyn.
Nicholas Zervoulakos, President, New York City.
Nick Nicolas, Vice President, New York City.
George Dimas, Secretary, New York City.
Vasilios Kassimatis, Treasurer, New York City.
George P. Mougios, President, Yonkers.
Peter Panopoulos, Vice President, Yonkers.
Mathew Panagis, Secretary, Yonkers.
Anthony Koumpias, Treasurer, Yonkers.
Van Litto, President, Rochester.
Costas Demas, Vice President, Rochester.
C. Diamond, Secretary, Rochester.
G. Bardanis, Treasurer, Rochester.
Sam Chianis, Secretary, Binghamton.
Peter A. Romas, Treasurer, Binghamton.
Stephen A. Vasaka, President, Jamaica.
Ernest Kares, Vice President, Jamaica.
Stavros Z. Theodorou, Secretary, Jamaica.
Kostas Zimaras, Treasurer, Jamaica.
Angelo E. Pefanis, President, Buffalo.
Tasos Kellaris, Vice President, Buffalo.
Chris Liaros, Secretary, Buffalo.
Nick Kafasis, Treasurer, Buffalo.
George J. Ropas, President, Astoria.
George Smaragdas, Vice President, Astoria.
George Demetriades, Secretary, Astoria.
Nick Toumas, Treasurer, Astoria.
James Vasilakos, President, Elmira.
Gus Dumas, Vice President, Elmira.
George Bacalles, Secretary, Elmira.
John K. Diveris, Treasurer, Elmira.
Jason Goumas, President, Newburgh.
Peter Karnavezos, Vice President, Newburgh.
James Lorotonda, Secretary, Newburgh.
Steve Karageorge, Treasurer, Newburgh.
Nicholas Cherevas, President, Schenectady.
John Pappas, Vice President, Schenectady.
Nicholas Markopoulos, Secretary, Schenectady.
Peter Corsones, Treasurer, Schenectady.
Leo Costes, President, Watertown.
Aleck Vasil, Vice President, Watertown.
Gus N. Dusckas, Secretary, Watertown.
Andrew Binaxas, Treasurer, Watertown.
James Thomas, President, Albany.
Alex Spyropoulos, Vice President, Albany.
Theodore Sokaris, Secretary, Albany.
Theodore Kondoprias, Treasurer, Albany.
Alex Athanas, President, Utica.
C. S. Alexander, Vice President, Utica.
Aristedes Fourtounis, Secretary, Utica.
Andrus Fourtounis, Treasurer, Utica.
Louis F. Labrinos, President, Poughkeepsie.
Nick T. Matheos, Vice President, Poughkeepsie.
Peter Givas, Executive Secretary, Poughkeepsie.
George Janis, Receiving Secretary, Poughkeepsie.
William Chamuris, Treasurer, Poughkeepsie.
Constantine Psillis, President, Hempstead.
Chris Constantine, Secretary, Hempstead.
John Piniat, Treasurer, Hempstead.
William Lazarou, President, Bronx.
Chris Bibas, Vice President, Bronx.
James Koutsikas, Secretary, Bronx.
Constantine Kaganis, Treasurer, Bronx.
George Haziris, President, New York City.
John Thymios, Vice President, New York City.
Dr. Nicholas G. Lignos, Secretary, New York City.
Alexander Zachary, Executive Secretary, New York City.
Andrew Stamboulidis, Treasurer, New York City.

CURRENT NATIONAL OFFICERS

Dennis J. Livadas, Supreme Counsellor, Rochester.
Peter J. Georges, Supreme Governor, Brooklyn.
James K. Zolotas, Supreme Trustee, 1st Vice Chairman, New York City.
George L. Bourney, Supreme Trustee, 2nd Vice Chairman, West Hempstead.
Charles J. Drewes, Publication Board, Bronx.

CURRENT DISTRICT LODGE OFFICERS

Thomas J. Lukas, Governor, New York City.
Tasos Kellaris, Lt. Governor, Eggertsville.
Charles J. Drewes, Secretary, Bronx.
James Goumas, Treasurer, Nyack.
Theodore Kyrkostas, Marshall, Little Neck.
Ernest Kanes, Advisor, Jamaica.
George Carcales, Athletic Director, Buffalo.

PAST NATIONAL OFFICERS

Stephen S. Scopas, Past Supreme President, Douglaston.
Nicholas Coffinas, Past Supreme President, Brooklyn.
Kimon A. Doukas, Past Supreme President, New York City.
Gus Cherevas, Past Supreme President, Flushing.
Stephen Parnassa, Past Supreme Lodge, New York City.
Andrew J. Dritsas, Past Supreme Lodge, New York City.
Stephen J. Pechewlys, Past Supreme Lodge, Poughkeepsie.
George Dimas, Past Supreme Lodge, Riverdale.
George Laskaros, Past Supreme Lodge, Searington.
John Kiamos, Past Supreme Lodge, Yonkers.
Louis J. Dukas, Past Supreme Lodge, Bronxville.
Gus Nicholas, Past Supreme Lodge, Brooklyn.
Theodore Alexander Bardy, Past Supreme Lodge, New York City.
Peter G. Chingos, Past Supreme Lodge, New York City.
Peter T. Kourides, Past Supreme Lodge, New York City.
George Papaeleas, Past Supreme Lodge, New York City.
Emanuel M. Kontokosta, Past Supreme Trustee, Brooklyn.
Jack Zarcadoolas, Past Supreme Trustee, Douglaston.

Mr. STAFFORD. Mr. President, today marks the 50th anniversary of the founding of the Order of Ahepa—the American Hellenic Educational Progressive Association. I would like to join with those of my colleagues who are offering congratulations to this organization on its contributions to the cause of freedom and understanding.

I would also like to cite the leadership of Vermont officials of the Order of Ahepa for their contributions to the cause of good citizenship in my State. They are President Nicholas Zontas, Vice President Nicholas Pappas, Secretary Chris Lines and Treasurer Nicholas Zontanos.

These officials, along with members of the Order of Ahepa, are dedicated to efforts to impress their fellow Americans with the importance of cooperative citizenship participation to further the cause of freedom at all levels of our Government.

Mr. MONTOYA. Mr. President, a very special birthday is being celebrated today. The 50th anniversary of the Order of Ahepa takes place on July 16, 1972.

With this golden anniversary, the Order of Ahepa has passed the test of time in showing itself to be a dedicated, sincere, civic-minded group. Local chapters have always given generously for scholarships, natural disasters, memorials, and worthwhile charities. Since this organization's founding on July 26, 1922, its members have made many additional contributions, created interest in Greek culture, and have championed the cause of citizenship in this country.

In saluting the entire order, I would like to call special attention to the two fine New Mexico chapters and their officers. Serving as officers in the Santa Fe chapter are Mr. Pete Daskalos, president; Mr. John Panos, vice president;

Mr. P. C. Dakis, secretary; and Mr. Theo M. Keros, treasurer. The Albuquerque chapter is led by Mr. Tom Manole, president; Mr. Albert Romero, vice president; Mr. James Pavlakos, secretary; and Mr. Gus D. Bruskas, treasurer. These two New Mexico chapters are credits to their fine organization.

On behalf of the citizens of New Mexico, I offer my heartiest congratulations to the Order of Ahepa. May they be granted 50 more successful years of service.

Mr. THURMOND. Mr. President, the Order of Ahepa, the American Hellenic Educational Progressive Association, is celebrating its golden anniversary this month following its Atlanta, Ga., founding on July 26, 1922.

During its half century of operation, the Order of Ahepa, a nonpartisan, nonsectarian fraternal organization, has conducted innumerable activities and contributed generously to projects directed toward one common goal—the improvement and betterment of our social, moral, and family life.

Mr. President, I am proud to participate in saluting an organization whose prime objective is to promote loyalty to the United States of America and to encourage fellowship, altruism, and mutual benevolence among its members.

On the civic level, the local chapters of AHEPA strongly urge their members to be model citizens and good neighbors through planned civic activities and worthy fund drives. The fraternity has been awarding scholarships to deserving students on the local and national levels for 41 years.

During its 50 years of existence, the Order of Ahepa has contributed vigorously to national and international causes including the relief of Florida hurricane victims, the Truman Library, Greek war relief, and aid to fatherless children of Near East refugees. These, plus many more contributions, distinguish the Order of Ahepa as a forerunner in the American tradition of aiding less fortunate peoples of the world.

Mr. President, I am very pleased to salute this fine organization for its outstanding record in upholding America's heritage of citizenship and integrity.

Mr. FANNIN. Mr. President, today marks the golden anniversary of the Order of Ahepa, the American Hellenic Educational Progressive Association. This fine organization was founded in Atlanta, Ga., on July 26, 1922.

During the past half century the Order of Ahepa has made many contributions to the betterment of American life. It has aided the victims of hurricanes, floods, and earthquakes; it has helped war orphans and refugees; it has provided scholarships for needy students, and it has contributed museums and memorials. These activities have aided people in the United States, in Greece, and in many other nations of the world.

Arizona has two chapters. In Phoenix, the president is Nick Bichekas, the vice president is Mike Sorich, the secretary is Thomas J. Pappas, and the treasurer is Nick Habib. The Tucson officers are Angelos Skoubis, president; Clarence A. Drake, secretary; and Anthony Diamontopoulos, treasurer. Another Tucson member, Andrew Fasseas, is past supreme president of the Order of Ahepa.

Mr. President, I am pleased today to join in paying tribute to this organization, and I ask unanimous consent to have printed in the RECORD the objectives of Ahepa.

There being no objection, the objects were ordered to be printed in the RECORD, as follows:

OBJECTS OF AHEPA

1. To promote and encourage loyalty to the United States of America.
2. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.
3. To instill in its membership a due appreciation of the privileges of citizenship.
4. To encourage its members to always be profoundly interested and actively participating in the political, civic, social and commercial fields of human endeavor.
5. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor and integrity of every nation.
6. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic Culture.
7. To promote good fellowship, and endow its members with the perfection of the moral sense.
8. To endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness.
9. To champion the cause of Education, and to maintain new channels for facilitating the dissemination of culture and learning.

Mr. PROXMIRE. Mr. President, the Order of Ahepa is a secret fraternal organization which is nonpolitical and nonsectarian. The word "Ahepa" is an acrostic for American Hellenic Educational Progressive Association. Today the Order of Ahepa marks its 50th year of contributing to the betterment of American life.

The Order of Ahepa is composed of four separate organizations, all of which are coordinated on a local, district, and national level. The divisions of the "Ahepa Family" are: The Order of Ahepa, The Daughters of Penelope—senior women's auxiliary—The Sons of Pericles—junior young men's auxiliary—Maids of Athena—junior young women's auxiliary.

The members of AHEPA are men in all walks of life. They share the common goal of good fellowship and common understanding.

Many of our prominent government leaders are or have been members of AHEPA. The late President Franklin D. Roosevelt became a member of AHEPA as Governor of New York and maintained his membership throughout his lifetime. Other members include former President Harry S. Truman and Vice President SPIRO T. AGNEW.

The Order of Ahepa has made financial contributions to many worthy causes during the last 50 years. The national and international contributions include: relief of Florida hurricane victims, relief of Mississippi flood victims, relief for the fatherless children of refugees in the Near East, and national scholarships to worthy students.

The 430 local AHEPA chapters have a tradition of supporting community undertakings in the fields of education, charity, and civic improvement. The presidents of Wisconsin local chapters are George T. Mouzes of Racine, Frank Dionesopoulos of Milwaukee, and Peter Frank of Fond du lac.

Ahepans work toward the improvement of social, moral, and family life. Through their programs, they endeavor to fulfill the ideals of the American people.

Mr. SPONG. Mr. President, the Order of Ahepa celebrates its golden anniversary today, having been founded July 26, 1922, in Atlanta, Ga.

During this half century the Order of Ahepa has made many contributions to the betterment of American life, and I am pleased to wish for this organization many more years of service to the country. I am proud to be a member.

The objects of AHEPA are: First. To promote and encourage loyalty to the United States of America; second, to instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind; third, to instill in its membership a due appreciation of the privileges of citizenship; fourth, to encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor; fifth, to pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation; sixth, to promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic Culture; seventh, to promote good fellowship, and endow its members with a spirit of altruism, common understanding, mutual benevolence, and helpfulness; and ninth, to champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

The Order of Ahepa has contributed financially to many worthy causes during its 50 years of existence, on a national and international level. These contributions do not take into account the many local activities of chapters within the realm of their communities. Local AHEPA chapters have always given generously and vigorously supported local community undertakings in the fields of education, charity, and civic improvement. The national and international contributions include; relief of Florida hurricane victims, relief of Mississippi flood victims, relief of Corinth Earthquake victims, for the War Orphans of Greece, relief of Dodecanese Earthquake victims, for the fatherless childen of refugees through the Near East Relief, for the Hellenic Museum, national scholarships to worthy students, for the theological seminaries at Brookline and Pomfret, AHEPA Franklin D. Roosevelt Memorial at Hyde Park, Ypsilanti and Dilboy Memorials, sale of

$500 million in U.S. war bonds during World War II as an official issuing agency of the U.S. Treasury, and the Truman Library.

Mr. BROCK. Mr. President, the spirit of voluntarism is one of the fundamental elements of our American system. We Americans have become so accustomed to witnessing it we sometimes forget how fortunate we are to live in a country where voluntarism exists without compulsion or persuasion.

The American Hellenic Educational Progressive Association is an excellent example of what a group of likeminded individuals can do to promote the public good through voluntarism. This fraternal order was founded in Atlanta, Ga., and now boasts 430 chapters dedicated to local community efforts in the fields of education, charity, and civil improvement. At the national and international levels, the AHEPA's have given generously to a host of worthy causes.

Today marks the 50th anniversary of this nonpolitical, nonsectarian order. The AHEPAs' bond derives from a desire to promote the finest ideals of our heritage and its members should be justifiably proud of its fine record of service to their country and humanity.

Mr. President, it is with great pleasure that I ask the entire Senate to join me in congratulating the Order of Ahepa on their 150th anniversary.

As my State of Tennessee is privileged to have four local chapters of the order, I ask unanimous consent that the names of the local chapter officers be printed in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

Order of Ahepa,
Washington, D.C.

Tennessee

local chapter officers

Sam Gaddis, President, Nashville.
George Kaludis, Vice President, Nashville.
Andrew Pasayan, Secretary, Nashville.
George Gianikas, Treasurer, Nashville.
George Paris, President, Knoxville.
John Kotsianas, Vice President, Knoxville.
Dr. John G. Cavalaris, Secretary, Knoxville.
George Mitchell, Treasurer, Knoxville.
James Wilson, President, Chattanooga.
Paul A. Georgeson, Vice President, Chattanooga.
Nicholas P. Mitchell, Secretary, Chattanooga.
Gus Pete Gulas, Treasurer, Chattanooga.
Rev. Nikiforos Maximos, Corresponding Secretary, Chattanooga.
Frank Argol, President, Memphis.
Bill Argol, Vice President, Memphis.
Louis Kavelaras, Secretary, Memphis.
Gregory Bacopulos, Treasurer, Memphis.

current district lodge officers

Tom Stergios, Secretary, Memphis.

past national officers

Speros J. Zepatos, Past Supreme Lodge, Memphis.

Mr. MANSFIELD. Then, Mr. President, it appears that the resolution has the unanimous approval of the Senate.

The PRESIDING OFFICER. Without objection, the resolution is unanimously agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 331

Whereas the greatness of the United States has been achieved through the contributions of men and women of good will of all races and creeds, who have cherished the ideals of democracy which originated in ancient Greece; and

Whereas the Order of the American Hellenic Educational Progressive Association AHEPA, was founded fifty years ago in Atlanta, Georgia, to serve as an enduring link between the achievements and values of Hellenic civilization and those of contemporary American society; and

Whereas the order of Ahepa's 50,000 members have pledged themselves to promote and encourage loyalty to the country of which they are citizens and to oppose political corruption and tyranny; and

Whereas the Order of Ahepa has an extraordinary record of providing assistance to victims of natural disasters and international conflicts; and

Whereas the Order's members strive to promote good fellowship, common understanding, and mutual benevolence: Now, therefore, be it

Resolved, That the Senate of the United States congratulates the Order of the American Hellenic Educational Progressive Association on its fiftieth anniversary and commends the order on its many contributions to strengthening American democracy.

TOM EAGLETON, DEMOCRATIC VICE-PRESIDENTIAL CANDIDATE

Mr. SCOTT. Mr. President, Tom Eagleton is a fine and decent man. I say to our opponents, "You have made statements which become you. Go on with your campaign."

Mr. WEICKER. Mr. President, in light of yesterday's developments, I would be remiss in not passing along certain observations on one of our colleagues, with whom I had the distinction of working for over a year. Specifically, I refer to my association with the junior Senator from Missouri (Mr. Eagleton) on the Senate District of Columbia Committee.

I found him to be possessed of both a deep sensitivity for other people's problems and a keen ability to solve them. He is a man of warmth and integrity.

I am going to be spending a good portion of the next few months working for the Republican team of President Nixon and Vice President Agnew—which team, on the basis of the record, I believe, deserves reelection.

But I also want people to know that I have absolute confidence and, indeed, pride in Tom Eagleton, and should he win I have no doubts he will fulfill with distinction the duties of Vice President of the United States.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. MANSFIELD. Mr. President, may I say that I am delighted that this initiative has come from the Republican side. I am delighted to join with my colleagues on that side to say publicly, as I said to the press earlier this morning, that I think Tom Eagleton has been a great Senator, so far as the majority is concerned, and that he has my utmost faith, confidence, and trust. He has been most cooperative. He has undertaken some difficult assignments in his service in the Senate and handled them with the greatest success and not in a partisan manner.

And I want the Record to show that, so far as I am concerned, I think he is one of the best Senators we have, that his service, the work he has performed and the responsibility he has undertaken have been truly outstanding. Indeed, Tom Eagleton's integrity and devotion are unquestioned; nor is there any question about his qualifications and capabilities—physically, mentally, or otherwise. He has my confidence and, to my knowledge, the confidence of this entire body with regard to any task he undertakes.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. HUGHES. Mr. President, I too would like to commend the minority leader for bringing up this subject this morning.

Just 3 years and 7 months ago I came into the U.S. Senate. One of the class of my colleagues was Tom Eagleton, of the State of Missouri.

I had the opportunity to know Tom Eagleton before, when he was Attorney General of Missouri and also a Lieutenant Governor of the State of Missouri, which is a neighboring State to the State of Iowa.

In the last 3 years and 7 months I have got to know the man by working by his side in the Committee on Labor and Public Welfare and also in subcommittee work and by working with him on the floor of the Senate.

I have known him in the privacy of his own home and in the general fellowship of the Senate and the things relating to it. I have been impressed by the man's integrity and personal strength and his spiritual strength.

I simply add my words of commendation to and confidence in the man, Tom Eagleton, whom I hold in as great regard as any other man I know.

I personally certify that Tom Eagleton is perfectly capable of holding any office in this land that the people of the land might see fit to elevate him to.

Mr. President, again I thank the minority leader for having had the opportunity this morning to express confidence in a fine and distinguished Senator and a very great and devoted man indeed.

Mr. SCOTT. Mr. President, I thank the Senator from Iowa.

Let us as political parties show the Nation that we can conduct a political campaign at the highest level and bring credit to the people and to ourselves.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. ROBERT C. BYRD. Mr. President, I want to express my appreciation and my respect for the minority leader and the Senator from Connecticut (Mr. Weicker) for the statements they have made with regard to our colleague Tom Eagleton.

I wish also to express my support for

Mr. Eagleton in making the courageous statement about his private life and also my approval of the statements made by the distinguished majority leader and my colleague the Senator from Iowa (Mr. Hughes). I share those feelings without reservation.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. Hollings). Under the previous order, the Senator from Iowa is recognized for not to exceed 15 minutes.

THE NATIONAL PEACE POLL

Mr. HUGHES. Mr. President, on Monday evening, July 24, history was made in this chamber.

I refer to the passage of the Cooper amendment, as modified by Senator Brooke, to the foreign aid authorization bill.

It was the first time that either House has asserted the constitutional right of the Congress to bring our participation in a war to an end by cutting off the funds.

Although the foreign aid bill itself was ultimately defeated, the vote on the Cooper amendment was nonetheless a milestone.

It signified, in my judgment, not only a major change of conviction on the part of the Senate, but a far-reaching change of viewpoint on the part of the American people.

From the quiet crossroads of rural America to the central cities and suburbs of our great metropolitan areas, there has been a steadily increasing revulsion on the part of the people against our involvement in the Indochina war.

A few weeks ago, the Wall Street Journal carried a haunting news story about the change of public opinion in a typical midwestern community, Dodge City, Kans.

I have long believed that one of the great untold stories about the peace movement in our country is its strength in the grassroots communities of America. In urban centers and college towns, the vitality of the peace sentiment has long been known.

In fairness, it should be acknowledged that there are many good citizens who believe that the majority of the American people still support the war policies of the administration, including the escalation of the bombing of the North, the mining of the harbors, and the preservation of the Thieu regime in Saigon.

Men and women of good conscience in the Congress will obviously vote on the overriding issue of war and peace the way they believe to be best for the country. But the will of the people is, and should be, an important element in the decisionmaking.

Do the American people want Congress to end the war?

The report of the professional public opinion polls is not altogether conclusive.

For the better part of 2 years, the polls have consistently reported that about three-quarters of the American people support immediate and total withdrawal from Southeast Asia.

On the other hand, in apparent contradiction, other polls have reported majority support for some of the war policies such as the escalation of the bombings and the mining of the harbors.

Public opinion polls, although highly useful and generally reliable, are ordinarily based on samplings of say 1,000 or 1,500 interviews. Usually, several questions are asked.

We have yet to have a reliable, national reading on the single, overriding question: "Should Congress end American involvement in the war?"

Two months ago, the Senator from California (Mr. Cranston) and I began an undertaking, called Peace Alert U.S.A. in which we were joined by Representatives Riegle and McCloskey, and 68 other Members of the Congress and a distinguished list of private citizens.

The primary feature of Peace Alert U.S.A. is a national peace poll, which seeks to get the answers of rank and file Americans to the simple question: Should Congress bring the war to an end by cutting off the funds?

Today I take the floor to invite those colleagues of both Houses who have not yet joined the congressional sponsors of Peace Alert U.S.A. to participate in our effort to attract a massive citizen response in 50 States to this central question.

Although most of us who are the original sponsors of Peace Alert are identified with the peace cause, it is not the purpose of the national peace poll to attempt to dictate a yes vote. We feel it is time that all members of Congress should know how the majority of the people feel. The national peace poll is a straightforward effort to determine the will of the people throughout America, pro or con.

Our first objective is to get ads displaying the peace poll ballot in each of the 671 daily newspapers in the country, which have a combined circulation of 52 million. We are also asking people to print and distribute ballots in their own communities and to get the ballots run in churches, business, and union bulletins.

The basic ads publishing the ballots are free of inflammatory rhetoric. The national peace poll is a legitimate effort to get a vital answer we all need to know.

The ads carrying the national peace poll are funded by private subscription. Generally by local citizens placing the ads in their hometown newspapers.

The national headquarters of Peace Alert U.S.A., manned by a small staff of young people, is at 233 Massachusetts Avenue NE., Washington, D.C. 20002. Supervision is by a volunteer board of private citizens of whom the national coordinator is William Meyers, a New York City businessman.

Like most public interest efforts that depend on voluntary help and funding, Peace Alert U.S.A. has necessarily developed at a modest pace.

Yet it is clear at this point that the concept has "caught on" and that many people are eager to voice their opinion, pro or con, through a direct vote in the national peace poll. Tens of thousands of ballots are now being received and will be tabulated by States with the results reported to Senators and Congressmen of each State.

Ads carrying the national peace poll have now appeared or are scheduled to appear in more than 100 daily newspapers with combined circulation of more than six million. In addition, the ads have been carried in trade, labor, and church publications with estimated total circulation well over another million.

Thus far, the ballots have been running more than 20 to 1 in favor of Congress ending the war.

More than 11,000 ballots have been received from my own State of Iowa and these have totaled more than 75 percent in favor of peace.

Obviously, it would be impossible to list all of the persons who have voted, but as a symbolic indication of the vitality of the peace movement in an inland state, I would like you to see a list of 1,000 names of Iowans who have written to ask Congress to terminate our involvement in Southeast Asia by cutting off the funds for continuing the war.

It is my hope that other colleagues participating in Peace Alert U.S.A. will advise the Congress of the reaction they have encountered in their states to the national peace poll.

I ask unanimous consent that, for the information of the Senate, the following items be printed in the Record: The national peace poll ballot, the congressional sponsors and private citizen members of the national board of Peace Alert U.S.A., and the list of 1,000 Iowa citizens to which I have just alluded.

There being no objection, the material was ordered to be printed in the Record, as follows:

National Peace Poll

Should Congress bring the war to an end by cutting off the funds?

Yes ———— ------------No———— --

Name ----------------------------------

Address --------------------------------

Telephone no.--------------------------

Send this ballot to: National Peace Poll, Box 1621, Washington, D.C. 20013

Within the next few weeks, Congress must make a decision on whether to vote funds for the War in Vietnam. By setting a date to terminate the funds, it can legislate the withdrawal of our forces and insure the return of our prisoners. Or it can vote to continue the war. Your opinion will influence how they will vote.

Peace Alert USA

NATIONAL BOARD

National co-chairmen

Sen. Harold E. Hughes (D-Iowa).
Rep. Paul McCloskey, Jr. (R-Cal.).
Sen. Alan Cranston (D-Cal.).
Rep. Donald Riegle, Jr. (R-Mich.).

Congressional sponsors

House

Bella Abzug (NY).
Joseph Addabbo (NY).
Frank Annunzio (Ill).
Thomas Ashley (Ohio).
Les Aspin (Wisc).
Herman Badillo (NY).
N. J. Begich (Alaska).

Jonathan Bingham (NY).
Edward Boland (Mass).
Phillip Burton (Calif).
Emanuel Celler (NY).
William Clay (Mo).
George Collins (Ill).
John Conyers (Mich).
Ronald Dellums (Calif).
Charles Diggs (Mich).
John Dow (NY).
Robert Drinan (Mass).
Don Edwards (Calif).
Joshua Eilberg (Pa).
Marvin Esch (Mich).
Walter Fauntroy (DC).
Donald Fraser (Minn).
Kenneth Gray (Ill).
William J. Green (Pa).
Michael Harrington (Mass).
Augustus Hawkins (Calif)
Ken Hechler (W.Va.).
Henry Helstoski (NJ).
William Hungate (Mo).
Joseph Karth (Minn).
Ed Koch (NY).
Robert Kastenmeier (Wisc).
Robert Leggett (Calif).
Ralph Metcalfe (Ill).
Abner Mikva (Ill).
Parren Mitchell (Md).
John E. Moss (Calif).
Robert Nix (Pa).
Bertram Podell, (NY).
Charles Rangel (NY).
Thomas Rees (Calif).
Ogden Reid (NY).
Henry Reuss (Wisc).
Peter Rodino (NJ).
Benjamin Rosenthal (NY).
Edward Roybal (Calif).
William F. Ryan (NY).
James Scheuer (NY).
John Seiberling (Ohio).
Frank Thompson (NJ).
Morris Udall (Ariz).
Charles Vanik (Ohio).
Jerome Waldie (Calif).
Lester Wolff (NY).
Sidney Yates (Ill).
Louis Stokes (Ohio).
Al Ullman (Ore).

Senate

Frank Church (Idaho).
Mike Gravel (Alaska).
Fred Harris (Okla).
Philip Hart (Mich).
Vance Hartke (Ind).
Daniel Inouye (Hawaii).
Walter Mondale (Minn).
Frank Moss (Utah).
William Proxmire (Wisc).
Adlai Stevenson III (Ill).
John Tunney (Calif).
Harrison Williams (NJ).

Other members

William Meyers, Chairman, Fund for New Priorities in America, National Coordinator.

Kingman Brewster—Connecticut.

Max Cleland—State Senator, Georgia.

William Doering—Chairman, Council for a Livable World.

Marriner S. Eccles—Chairman of Executive Committee, Utah International, Salt Lake City.

Governor Jack Gilligan—Ohio.

Elinor S. Gimbel—New York.

Al Grospiron—Oil and Chemical Workers, Denver.

Pat Gorman—Amalgamated Meatcutters and Butcher Workmen of North America.

Father Theodore M. Hesburgh—President, University of Notre Dame.

Jesse Jackson—Operation Push, Chicago.

Rear Admiral Gene La Rocque, U.S. Navy (Ret.)—Director, Center for Defense Information.

Allard Lowenstein—New York.

Governor Pat Lucey—Wisconsin.

Louis Lundborg—Former Chairman of the Board, Bank of America.

Layton Olson—Exec. Director, National Student Lobby, D.C.

Donna Reed Owen—Co-chairman, Another Mother for Peace.

Maurice Paprin—Exec. Vice President, National Realty Committee.

Major Jubel R. Parten—Texas.

Bernard L. Schwarz—Business Executive, New York.

Bishop James Thomas—Methodist Bishop of Iowa.

Harold Willens—National Chairman, Business Education Fund.

Harris Wofford—President, Bryn Mawr.

Leonard Woodcock—President, United Auto Workers, Detroit.

Jerry Wurf—President, American Federation of State, County and Municipal Employees, AFL-CIO, D.C.

Randolph P. Compton—Investment Banker, and Chairman, Fund for Peace, New York.

A Thousand Iowans Who Voted Yes That Congress Should End the War

Mrs. Nora Ouverson, Clear Lake.
Sue Patterson, Iowa City.
Jonathan Penner, Coralville.
Chris Meacham, Nichols.
Charlene Higon, Iowa City.
Mary Caipoun, Ames.
Louis Dreibelbies, Marion.
Mrs. Eva Dreibelbies, Marion.
Max Efner, Ames.
Marjory Prugh, Des Moines.
Donald Graves, Ames.
Lynne McMahon, Iowa City.
Allyson Marks, Iowa City.
Robert Smith, Waterloo.
Audrey Smith, Waterloo.
Mattie Staufacker, George.
Mr. Theodore A. Vorwald, Dubuque.
Mrs. Theodore Vorwald, Dubuque.
Linda Bernel, Muscatine.
Charles Riley, Ames.
Doris Coon, Forest City.
Doris Bachellor, Clear Lake.
Jane Dickens, Iowa City.
Kevin Keating, Iowa City.
Claudia Heeper, Indianola.
Louis Bultera, Cedar Falls.
Mary Edwards Fulton, Fairfield.
Mrs. Julie Parker, Des Moines.
Roland J. Musselman, Ft. Dodge.
Richard Lowenberg, Iowa City.
Becky Obermeier, Waterloo.
Mrs. Mary Autenrieth, Paulina.
Jack K. Hixon, Iowa City.
Mary Lu Jessen, Ricketts.
Pamela Lafrentz, Kiron.
Larry L. Peterson, George.
Elven Vanze, Pella.
Susan Earley, Iowa City.
Dorothy L. Morse, Council Bluffs.
Becky Banken, Forest City.
Robert Fox, Charles City.
Richard Terry, Muscatine.
Barbara Baker, Iowa City.
Ann Ebert, Ames.
Barbara Saison, Ames.
John Stegemann, Boyden.
Sister M. Davis, Sioux City.
Ray Bauill, Clear Lake.
Paul Burstowicz, Ames.
Catherine Burstowicz, Ames.
Susan Bourque, Iowa City.
Harold Crisp, Brooks
V. Beckler, Tiffin.
Sara Frederick, Iowa City.
H. Gronewold, Atlantic.
E. K. Adkins, Adel.
Joan McCarthy, Ames.
Darvin Yoder, Iowa City.
Arthur Campney, Newton.
Bill Miller, Boone.
Beverly McLeod, Iowa City.
J. E. Webb, Spencer.
Dwight Vogel, Le Mars.
Mr. William Young, Iowa City.
Duane Isely, Ames.
Charlotte Mitchell, Cincinnati.
Becky Morgan, Iowa City.
Lloyd Kaufman, Des Moines.
David Moore, Mt. Vernon.
Robert Mulgueen, Council Bluffs.
Mr. Lawrence Snyder, Corning.
Mrs. Lawrence Snyder, Corning.
Vicki Harms, Iowa City.
David Hanneman, Vinton.
Gary Frommelt, Guttenberg.
Kristy Lindsay, Davenport.
Mrs. C. F. Pugh, Grinnell.
Paula Larew, Iowa City.
Mrs. Maude Layland, Hamlin.
Mr. Harold Graham, Kingsley.
Mrs. Harold Graham, Kingsley.
V. Humphrey, Ft. Dodge.
Mrs. Walter Hahn, Muscatine.
Sue Ferguson, Iowa City.
R. Cadwallader, Oskaloosa.
Mrs. R. N. Carney, Des Moines.
Janet Lloyd, Iowa City.
Karen Stefanko, Iowa City.
Carold Martin, Iowa City.
Anntonette Adams, Ottumwa.
Arthur Douglas, Marshalltown.
Ruth Douglas, Marshalltown.
Linda Sawyer, Iowa City.
Charles Muster, George.
Shelly Floyd, Grinnell.
Monica Green, Ellsworth.
Linda Kaufman, Iowa City.
Perry Hutchinson, Ames.
Mr. A. J. Barrett, Eagle Grove.
Mrs. A. J. Barrett, Eagle Grove.
Janice Olson, Iowa City.
Jan Wade, Iowa City.
Timothy Broer, Iowa Falls.
Doris King, Iowa City.
Mrs. Keith Merrill, Spirit Lake.
Elsie Vega, Bellevue.
Norma Brose, Mitchellville.
Carolyn Cook, Iowa City.
C. Davis, Ottumwa.
Lawrence Snyder, Corning.
Vera Snyder, Corning.
Doris Boes, Carroll.
Chuck Fisher, Iowa City.
Mr. David Morgan, Cedar Falls.
Mrs. David Morgan, Cedar Falls.
Diana Peck, Iowa City.
Mr. Merle Tjossem, Paullina.
Mrs. Merle Tjossem, Paullina.
Dorothy Tache, Carroll.
Betty Killer, Des Moines.
Mrs. Edward Meerdink, Muscatine.
Jim Hank, Iowa City.
Kathy Biesler, Iowa City.
John Leavy, Marshalltown.
Sue Wratten, Iowa City.
John C. Kent, West Des Moines.
Mark Withron, Ames.
LaDonna Brunk, Eldora.
Mrs. Geraldine Guy Summers, Rockwell City.
Rick Larson, Marshalltown.
Mrs. Lillian Lohff, Lytton.
C. Wellner, Iowa City.
Keith Delap, Des Moines.
Margaret Hamer, Pisgah.
W. E. Pritchard, Clarinda.
Betty Kitzman, Ames.
G. K. O'Neil, Des Moines.
Greg Dirks, Marshalltown.
Robert M. VanDensen, Cedar Rapids.
Andrea Cody, Mason City.
Eugen Young, Grinnell.
Mrs. Charles Anderson, St. Charles.
Phil Gibson, Shenandoah.
Ron Brunk, Eldora.
Joe Kapone, Marshalltown.
Jan Hjelmaas, Farnhamville.
Linda Koch, Des Moines.
Geraldine Edmonds, Pisgah.
Mary Anne Gibson, Shenandoah.
Irene Farley, Marshalltown.

Richard Grier, Deep River.
Mrs. Robert Leo Jones, Mason City.
Ann Ziton, Burlington.
Gordon E. Rosenthal, Clear Lake.
Mike Sash, Melbourne.
Tom Underkofler, Marshalltown.
Frank Boriskey, Albion.
Timothy Farley, Iowa City.
Mrs. Gordon E. Rosenthal, Clear Lake.
Mrs. F. D. Peters, Des Moines.
Mrs. Emily Schach, Burlington.
Mark Woodruff, Marshalltown.
Mary Maureen Miller, Des Moines.
Nell Kress, Pisgah.
Rick LaFrentz, Marshalltown.
Claudia Sterler, Sibley.
Thomas O'Meara, Dubuque.
Robert Kutzer, Grundy Center.
Mrs. G. J. Hruska, Belmond.
Bill Condie, Marshalltown.
Colleen Alton, Pisgah.
Velma Kutzer, Grundy Center.
Jan D. Michael, West Branch.
James Lynch, Davenport.
Terrieta Curtis, Bennett.
Virginia Seifert, Dewitt.
Larry Roling, Charlotte.
Cathy Woounes, Iowa City.
Rodney Belvows, Bennett.
Michael Fritt, Preston.
Ed Burkin, Charlotte.
Sister Mary Stanislaus, Dubuque.
Deanna Behrens, Bennett.
Camella Lynch, Davenport.
Richard Buckles, Iowa City.
Virgene VanDierendorch, Dewitt.
Mrs. Joe Frier, Charlotte.
Victor Hess, Bennett.
Mrs. Claire Powell, Davenport.
Debra Sheluk, Iowa City.
Catherine Fleagle, Dewitt.
James Cleere, Davenport.
Charlotte Hess, Bennett.
Terry Giebeleton, New Liberty.
Gary Martin, Iowa City.
Diane Burrows, Bennett.
Dennis Etzel, Davenport.
Phyllis L. Parrott, Dewitt.
Chip Walter, Bennett.
Linda Olson, Davenport.
Phil Hermigton, New Liberty.
Clark Joslin, Iowa City.
Jan Shindel, Dewitt.
Ron Westerfield, Davenport.
Mark Bergen, Iowa City.
John Glesner, Dewitt.
Marvin Anderson, Hardy.
Roger Frick, Bennett.
Roger Wright, Bennett.
Duwayne Helkinn, Stockton.
Philip Lockhart, Davenport.
Mary Mulherin, Iowa City.
Marcia Glesener, Dewitt.
Katherine Lynch, Davenport.
Sharon Hein, Bennett.
Richard Hein, Bennett.
Gerard Banowetz, Charlotte.
Larry Frott, Preston.
Blanda Collins, Davenport.
Kenneth Roling, Preston.
Jim Love, Iowa City.
Donald Regenwether, Spragueville.
Gisela Regenwether, Spragueville.
Michele Zimmerman, Iowa City.
Margaret E. Roach, West Union.
Steve Stimmel, Ames.
Barb P. Schweitzer, Sr., Columbus Junction.
Mrs. Bernard E. Malone, Strawberry Point.
Kent Zimmerman, Iowa City.
Mrs. Steven Marlier, Ames.
Erwin Rohde, Cherokee.
Ellen Cioccio, Des Moines.
Norma Schweitzer, Columbus Junction.
Jean Fisher, Springfield.
Curti Sinster, Ames.
JoeAnna Cheatom, Des Moines.
Edna Hern, Knoxville.
Mr. George Chusty, Iowa City.
Judi Metcalf, Dubuque.
Helen Burns, Ames.
Mary Mascher, Iowa City.
Ms. Betty Wurtz, Des Moines.
Katherine Riniker, Durango.
Pat Leister, Ames.
Julie Asmus, Dubuque.
Louise Petersen, Des Moines.
Kevin McGuire, Cresco.
Judy Evans, Iowa City.
C. W. Jones, Ames.
James Bertin, Des Moines.
Mrs. Betty Allen, Dubuque.
Ann Biedermar, Iowa City.
Margaret Jones, Ames.
Patricia Riniker, Durango.
Susan Smith, Iowa City.
Beverly Yokas, Dubuque.
Rosemary Straud, Jesup.
Marlin Lemonds, Iowa City.
Marsha Petersen, Iowa City.
Eduardo Zelaya, Dubuque.
Barb Young, Iowa City.
Mrs. Dave Wooten, Ames.
Alice Jones, Des Moines.
Nancy Newell, Cedar Falls.
Sue Crosby, Iowa City.
David Wooten, Ames.
Harry Wolk, Des Moines.
Jane Moffie, Iowa City.
John Roe, Ames.
Elisabeth M. Johnson, Norwalk.
Ernie Noack, New Providence.
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Blanche Deahl, Centerville.
Jane Groue, Unionville.
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Fern Graber, Wayland.
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Marery Dodge, Dubuque.
Warren Miller, Washington.
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Jerry Ferguson, West Des Moines.
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Gregory Platt, Dubuque.
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Sheilia Troy, Mount Vernon.
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Ray Cox, Udell.
Dillon Graber, Wayland.
Kenneth Hindman, Dubuque.
James Poulson, Dubuque.
Dolores Henry, Des Moines.
James Hodges, Burlington.
Julin Poulsen, Dubuque.
Mary Cox, Udell.
Kathy McNamara, Des Moines.
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Mary Trainor, Cedar Rapids.
Steve Smith, Marion.
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Maryann Konz, Des Moines.
Tom Murphy, Cedar Rapids.
Betty Ann Boulton, Dubuque.
Sister Mary Bede, Dubuque.
Randy Hale, Cedar Rapids.
John C. Kent, Des Moines.
Yolanda Grave, Unionville.
Annette Burger, Moravia.
John Mason, Udell.
Florence M. Heuke, Dubuque.
Mary Novak, Cedar Rapids.
Mary Mason, Udell.
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Richard Wheat, Cedar Rapids.
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Donna Miller, Des Moines.
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Rose Ryan, Vinton.
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Jenean Arnold, Iowa City.
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Isabel Brown, Ottumwa.
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Lorraine Swenson, Alto Vista.
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Joe Greene, Jr., Ellsworth.
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Mrs. Richard Leu, Fairfield.
Jim Cramer, Iowa City.
Mr. William Leslie, Muscatine.
Micket Bahr, Dubuque.
Mrs. William Leslie, Muscatine.

Mr. HUGHES. Mr. President, whatever our individual views may be about the wisdom of our involvement in this undeclared war, I believe all will agree that it has lasted far too long.

It has dragged on, in one form or another, through several administrations until we have arrived at the highly sophisticated and destructive aerial war we are fighting today. We are all happy that our ground forces have been reduced below 50,000, but there can be no rejoicing over the fact that air and sea forces have been increased in recent months and U.S. bombing in June was the heaviest for any month in 2½ years.

I wonder if everyone fully realizes how long this tragic, costly conflict has lasted—even that part of the war that has gone on under the present administration.

The United States' war against Nazi Germany in World War II—the big war of a generation ago—lasted 1,244 days, from December 11, 1941, until May 8, 1945.

That part of the Indochina war that has taken place since President Nixon took office on January 20, 1969—at a time when the country was already desperately war weary—until today has lasted 1,284 days.

This is more than a month longer than it took us in the big war to build an Army from scratch, invade the continents of Africa and Europe, and defeat the greatest aggressive military power that had yet been seen on earth.

Mr. President, the killing, the torment, the misguided, incredibly costly effort in Indochina has gone on far too long.

I believe it is time that the Congress should exercise its constitutional power and responsibility to bring our involvement in this tragic war to an end.

I deeply believe that the American people overwhelmingly want us to take this healing action.

In any event, it is time that we found out directly from the American people what their answer is to the one overriding question:

Should Congress bring the war to an end?

I ask your support for the national peace poll, exclusively dedicated to getting that answer.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order there will now be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 3 minutes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIETNAM

Mr. MANSFIELD. Mr. President, in relation to what the distinguished Senator from Iowa (Mr. HUGHES) has just said, I ask unanimous consent to have printed in the RECORD a news release from the Office of the Assistant Secretary of Defense, Public Affairs, under date of July 6, 1972, carrying the list of casualties, not only American but also South Vietnam, other free world forces, and other forces. This summary is cumulative from the 1st of January 1961, through the 1st of July 1971.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

SOUTHEAST ASIA CASUALTIES STATISTICAL SUMMARY

The Department of Defense released today the cumulative casualties reported in connection with the conflict in Southeast Asia as of 1 July 1972.

Total U.S. deaths from action by hostile forces is the sum of the following categories: Killed in Action, Died of Wounds, Died While Missing, and Died While Captured. Lines 1 through 4 subdivide casualties by cause or category. Line 5 provides an additional breakdown of the same totals by environment (air or ground). Totals are cumulative from 1 January 1961 through 1 July 1972.

U.S. CASUALTIES RESULTING FROM ACTION BY HOSTILE FORCES

	Army	Navy[1]	Marine Corps	Air Force	Total
1. Killed	25, 333	1, 064	11, 472	474	38, 343
2. Wounded or injured:					
(a) Died of wounds	3, 512	143	1, 449	48	5, 152
(b) Nonfatal wounds:					
Hospital care required	96, 733	4, 114	51, 365	881	153, 093
Hospital care not required	104, 618	5, 883	37, 190	2, 406	150, 097
Total					303, 190
3. Missing:					
(a) Died while missing	1, 673	185	5	428	2, 291
(b) Returned to control	54	7	6	34	101
(c) Current missing	258	126	89	646	1, 119
4. Captured or interned:					
(a) Died while captured or interned	15		3	2	20
(b) Returned to control	57	3	5	6	71
(c) Current captured or interned	83	150	25	257	515
5. Deaths:					
(a) From aircraft accidents/incidents:					
Fixed Wing	90	161	143	733	1, 127
Helicopter	2, 146	66	429	75	2, 916
(b) From ground action	28, 097	1, 165	12, 357	144	41, 763
Total deaths[2]	30, 533	1, 392	12, 929	952	45. 806

Footnotes at end of table.

COMBAT DEATHS FOR OTHER FORCES IN VIETNAM—SINCE JAN. 1, 1961

Force	RVNAF[3] [4]	Other free world forces	Enemy[4]
6. Total deaths	165,268	5,076	859,641

U.S. CASUALTIES NOT THE RESULT OF HOSTILE ACTION—SINCE JAN. 1, 1961

	Army	Navy[1]	Marine Corps	Air Force	Total
7. Current missing	118		12		130
8. Deaths:					
(a) From aircraft accidents/incidents:					
Fixed Wing	272	177	46	282	777
Helicopter	1,866	55	242	19	2,182
(b) From other causes	4,970	624	1,391	285	7,270
Total deaths	7,108	856	1,679	586	10,229

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[1] Navy figures include Coast Guard.
[2] Sum of lines 1, 2a, 3a, and 4a.
[3] Does not include paramilitary losses.
[4] Included in adjustments from previous periods and is subject to later adjustment in turn.

Note:

Wounded	303,190
Combat dead	45,806
Noncombat dead	10,229
Dead	56,035
Total casualties	359,225

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from this morning's Los Angeles Times entitled "The Rationale of Bombing," along with an editorial from the Boston Globe of July 21, 1972, entitled "Horror Nears the Absolute."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, July 26, 1972]

THE RATIONALE OF BOMBING

The controversy over bombing the dikes of North Vietnam obscures more fundamental questions about the present American strategy.

North Vietnam has been unable to produce any convincing evidence to support its allegations of deliberate bombing of the dikes. Some objective observers have seen explosive damage. Secretary of Defense Laird has acknowledged that some dikes may have been damaged inadvertently in attacks on nearby "military targets." It would be an inexcusable incident of this war if by intent or accident some dikes should be ruptured. They are the life support system of the nation. The military has an overwhelming obligation to see that it doesn't happen.

But, given the intensity of the American bombardment of the North, it could happen. The level of bombing throughout Vietnam is almost beyond belief. The total bombs in June alone was 112,460 tons, double the terrible rate of last January. The earth has never known such an intensive aerial attack.

The purpose of the bombing and the blockade were precisely defined by President Nixon on May 8. He said that the "sole purpose" was to protect American troops in South Vietnam and to "prevent the creation of a Communist government by a brutal aggression" against South Vietnam. That purpose would appear to have been achieved. None of the 43,000 remaining American troops is in jeopardy. American officers have said confidently that no risk of conquest remains in this Communist aggression.

Why, then, is Mr. Nixon tightening the screw? The only explanation would seem to be that there is a conviction in the White House that more excruciating pressure will produce peace in Paris.

A negotiated settlement under these circumstances is not impossible. This is evident in the presence in Paris of the North Vietnamese negotiators, and their willingness to meet publicly and privately even while the bombing and blockade continue.

Not impossible, but not likely, either. For, just as Hanoi is vulnerable to bombardment, so Mr. Nixon also is vulnerable to the war. It did not take the controversy over the bombing of the dikes to inspire the Senate action on Monday: It was the toughest in both language and numbers in a long line of antiwar actions, fair measure of American discontent with the war.

The President persuaded a majority of Americans that he was justified in a harsh response to the cruel Communist attack. The attack has been blunted, probably defeated. So what can now justify a prolongation and extension of the bombardment? Certainly not an assumption that smart bombs can pave the way to peace in Vietnam.

HORROR NEARS THE ABSOLUTE

The wonder is not so much that the North Vietnamese and others throughout Indochina have been able to survive the almost incredible tonnage of bombs that are poured down on them day and night from American bombers.

The larger wonder is that Americans themselves, from the President down to the least one of us, are not so sickened by carnage that the thought of just one more innocent peasant blown to bits as he toils in his small field would be more than even the most callous could bear.

Were it one of the soulless monsters recorded in history on whose orders death and destruction were poured unceasingly from the sky, it would be appalling and almost unbelievable enough. But it is an American President who has ordered it, and American young men in American planes who carry out his terrible orders. The total inhumanity of what Americans are doing on orders of an American President devastates the spirit enough even without reading news accounts by columnist Joseph Kraft and others of the bits of human bodies they have seen in Hanoi rubble and Haiphong in a country so pockmarked with craters that it resembles a lunar landscape.

Consider the escalation of the tonnage in the first six months of this year while the war, as White House spokesmen persist in putting it, is being "wound down." The 56,790 tons dropped on Indochina in January was not enough. It was raised to 67,536 tons in February, 70,000 in March, 91,670 in April, 105,729 in May and 112,460 in June, a 100 percent increase in death and destruction in six months. Is there anyone for still more of it in July and August?

Bombs, more and more sophisticated as we sharpen our techniques for killing, are falling at the rate of more than 3700 every day, 155 every hour, two or three every minute, with scarcely an hour when our bombers are not overhead, cursed by the peasants running for cover, their hearts hardened with hatred.

Peace, if it can be engineered now (one day's reports are contradicted by the next day's developments), will save the whole of Indochina from further American-made and American-delivered devastation. But America itself will be a long time recovering from what it has done not only to a land of peasants but to itself.

CHINA

Mr. MANSFIELD. Mr. President, on the question of China, I ask unanimous consent to have printed in the RECORD a very thoughtful article which was published in the Missoulian, Missoula, Mont., July 18, 1972, entitled "It Was Never Ours To Lose."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IT WAS NEVER OURS TO LOSE

One of the myths of the 1950s was that somehow the United States had "lost" China.

The myth's content was that if the U.S., especially the Democratic national leadership, had done things differently the Communists under Mao Tse-tung could have been prevented from taking over the mainland.

Often a myth can best be exposed by taking the perspective of someone else. In the case of China, the best perspective is that of the Soviet Union.

On June 25 the New York Times published a story saying that Dr. Boris N. Zanegin, a Soviet scholar in China, is visiting the U.S. this year to study Communist China's foreign policy. Zanegin was described in the story as "a Chinese-speaking member of the Soviet Academy of Sciences and a leading sinologist."

What makes his visit interesting is that the Soviet Union is in dire need to beef up its knowledge of China. That might seem odd, since both are Communist countries with years of close association in the past which share an immense border and many common problems.

But the fact is that Soviet scholarly knowledge of China is in worse shape than our own—hence Zanegin's visit—because in the past the Soviet Union also "lost" China.

Harrison E. Salisbury in a New York Times article last September pointed out that not only has the Soviet Union "lost" China, it has turned that trick FOUR times.

China was "lost" by the Soviets in 1927, when Chiang Kai-shek cracked down on the left elements of the Nationalist Kuomintang party and sent his Soviet political and military advisers packing. It was "lost" to Moscow again in the 1930s, when Mao Tse-tung rose to leadership of the Chinese Communists and held it during and after the Communists' Long March across China.

It was "lost" to the Soviets the third time in 1949 when the Peoples Republic of China was proclaimed by Mao—a man the Soviets could not control. That's the same event in which we "lost" China. And of course China was "lost" by Nikita S. Khrushchev between 1958 and 1960—the start of the most recent hostilities between the two Communist regimes.

Three of those Soviet "losses" of China occurred under Stalin. At each "loss," Stalin in his anger purged Soviet scholars, diplomats, military experts, party members and others who had expertise on China.

Soviet studies of China revived in the 1950s. But when the latest "loss" occurred, Soviet police closed down the new Institute of China Studies of the Soviet Academy of Sciences and even forbade China scholars to handle material about Maoist China, Salisbury wrote.

"Even 20 years after the death of Stalin, Soviet China studies have not yet recovered to where they stood before the great purges," Salisbury said.

Our own mythical "loss" of China can be seen in better perspective by viewing the Soviet experience. Neither the Soviet Union nor the United States ever had China to lose.

And our own witch-hunt of the 1950s which sought to track down and disgrace those Americans who allegedly "lost" China is revealed, like the Soviet purges, as an exercise in pure madness.

The brutal nature of the Soviet reaction to their "losses" of China makes the United States by comparison look most enlightened. Our tradition of academic freedom from political interference protected most China scholars here from the craziness caused by our mythical "loss," and China studies continued to prosper in America.

Which is why Dr. Zanegin is visiting the United States to learn about Communist China.

QUORUM CALL

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

EXPLANATION NEEDED FOR TUSKEGEE STUDY

Mr. **ALLEN**. Mr. President, as a Senator from the State of Alabama with the terests of the people of Alabama and the Nation, I am shocked to read press accounts that for 40 years the U.S. Public Health Service has conducted a study in which human beings with syphilis induced to serve as guinea pigs, have gone without medical treatment for the disease and a few have died of its late effects, even though an effective therapy was eventually discovered.

The study was conducted to determine from autopsies what the disease does to the human body.

Officials of the health service who initiated the experiment have long since retired. Current officials, who say they have serious doubts about the morality of the study, also say that it is too late to treat the syphilis in any surviving participants in the study.

Doctors in the service say they are now rendering whatever other medical services they can give to the survivors while the study of the disease's effects continues.

Press reports indicate that the experiment called the Tuskegee study began in 1932 with about 600 black men, most poor and uneducated, from the Tuskegee, Ala., area.

Four hundred of the group had syphilis. Two hundred are said never to have received treatment for the venereal infection, while 200 did. A control group of 200 had no syphilis and did not receive any specific therapy.

To have allowed this callous Tuskegee study to continue even after discovery of a cure for syphilis only adds to the feeling of shock and disbelief that an experiment of this sort could have been carried on over a 40-year period during which time medication and treatment is alleged to have been withheld from some 200 participants in the study.

These 200 people in the community who were known by the Public Health Service to have syphilis were allowed to continue in the community, to be inflicted upon the residents of that community, with no treatment whatsoever from the Public Health Service.

If these reports be true, it is an affront to human dignity and a cruel action against Alabama citizens.

Mr. President, the people of Alabama and the American people as a whole deserve an immediate and full explanation of this unfortunate affair and the assurance that there are no such other experiments hidden away in the science laboratories of the Nation.

The Public Health Service should come forward immediately with an explanation of why Alabama citizens, though poor, uneducated and diseased should be treated in any such fashion—why the Public Health Service, charged with ministering to the health needs of the people of this country should deliberately withhold treatment from 200 Alabama citizens in need of treatment, of whom the Public Health Service stands charged of knowing and inducing to become part of an experiment which denied treatment to them.

The **PRESIDING OFFICER**. The Senator's 3 minutes have expired.

Mr. **ALLEN**. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **ALLEN**. Mr. President, the Public Health Service enjoys an excellent reputation for humanitarian service and, in defense of its reputation and great record, it should be given an opportunity to fully explain this whole tragic affair.

Mr. President, I ask unanimous consent that articles reporting on the Tuskegee study in the Washington Evening Star and News and in the New York Times be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Star and News, July 25, 1972]

HUMAN GUINEA PIGS—SYPHILIS PATIENTS DIED UNTREATED

(By Jean Heller)

For 40 years the U.S. Public Health Service has conducted a study in which human guinea pigs, not given proper medical treatment, have died of syphilis and its side effects.

The study was conducted to determine from autopsies what the disease does to the human body.

PHS officials responsible for initiating the experiment have long since retired. Current PHS officials, who say they have serious doubts about the morality of the study, also say it now is too late to treat syphilis in any of the study's surviving volunteers.

But PHS doctors say they are rendering whatever other medical services they can give to the survivors while the study of the disease's effects continues.

The experiment, called the Tuskegee Study, began in 1932 with about 600 black men, mostly poor and uneducated, from Tuskegee, Ala., an area which had the highest syphilis rate in the nation at the time.

One-third of the group was free of sphyilis; two-thirds showed evidence of the disease. In the syphilitic group, half were given the best treatment known at the time, but the other half, about 200 men, received no treatment at all for syphilis, PHS officials say.

As incentives to enter the program, the men were promised free transportation to and from hospitals, free hot lunches, free medicine for any diseases other than syphilis and free burial after autopsies were performed.

The Tuskegee Study began 10 years before penicillin was discovered to be a cure for syphillis and 15 years before the drug became widely available. Yet even after penicillin became common, and while its use probably could have helped or saved a number of the experiment subjects, the drug was not given to them, according to Dr. J. D. Millar.

He is chief of the venereal disease branch of the PHS' Center for Disease Control in Atlanta and is now in charge of what remains of the Tuskegee Study. Dr Millar said in an interview he has serious doubts about the program.

"I think a definite moral problem existed when the study was undertaken; a more serious moral problem was overlooked in the post-war years when penicillin became available but was not given to these men; and a moral problem still exists," Dr. Millar said.

"But the study began when attitudes were much different on treatment and experimentation. At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation, I don't believe the program would be undertaken," he said.

Syphilis, a highly infectious disease spread by sexual contact, can cause, if untreated, bone and dental deformations, deafness, blindness, heart disease and central nervous system deterioration.

No figures were available on when the last death occurred in the program. And one official said that apparently no conscious effort to halt the program was made after it got underway.

A 1969 Center for Disease Control study of 276 treated and untreated syphilitics who participated in the Tuskegee Study showed that seven had died as a direct result of syphilis. Another 154 died of heart disease.

CDC officials say they cannot determine at this late date how many of the heart disease deaths were caused by syphilis or how many additional deaths could be linked to the disease.

Don Prince, another official of the Center for Disease Control, said that he does not know the names of PHS officials who initiated the study.

HALT HELD DESIRABLE

Like Dr. Millar, he said he believes the study should have been concluded with penicillin treatment after World War II.

"I don't know why the decision was made in 1946 not to stop the program," Prince said. "I was unpleasantly surprised when I first came here and found out about it. It really puzzles me."

At the beginning of 1972, according to center data, 74 of the untreated syphilitics were still living. All of them, Dr. Millar said, were men who did not suffer any potentially fatal side effects from their bouts with the disease.

Some of them received penicillin and antibiotics in past years for other ailments, Prince said, but none has ever received treatment for syphilis. Now, both men agree, it's too late.

Recent reviews of the Tuskegee Study by CDC indicate that treatment now for survivors is medically questionable, Dr. Millar said. Their average age is 74 and massive penicillin therapy, with possible ill side effects, is deemed too great a risk to the individuals, particularly for those whose syphilis is now dormant.

However, Dr. Millar added, there was a point in time when survivors could have been treated with at least some measure of success.

"The most critical moral issue about this experiment arises in the post-war era, the years after the end of World War II when penicillin became widely available.

"Looking at it now, one cannot see any reason they could not have been treated directly for syphilis at that time."

For survivors of the Tuskegee Study, the PHS is currently providing the best medical treatment it can, Prince said.

"We see to it that they get a complete physical at least every two years," he said. "We can't treat them for syphilis but we can treat them for hernias and arthritis and any other problems they have. I guess you'd say we're doing all we can."

[From the New York Times, July 26, 1972]

SYPHILIS VICTIMS IN U.S. STUDY WENT UNTREATED FOR 40 YEARS

(By Jean Heller)

WASHINGTON, July 25.—For 40 years the United States Public Health Service has conducted a study in which human beings with syphilis, induced to serve as guinea pigs, have gone without medical treatment for the disease and a few have died of its late effects, even though an effective therapy was eventually discovered.

The study was conducted to determine from autopsies what the disease does to the human body.

Officials of the health service who initiated the experiment have long since retired. Current officials, who say they have serious doubts about the morality of the study, also say that it is too late to treat the syphilis in any surviving participants in the study.

Doctors in the service say they are now rendering whatever other medical services they can give to the survivors while the study of the disease's effects continues.

The experiment, called the Tuskegee Study, began in 1932 with about 600 black men, mostly poor and uneducated, from Tuskegee, Ala., an area that had the highest syphilis rate in the nation at the time.

Four hundred of the group had syphilis and never received deliberate treatment for the venereal infection. A control group of 200 had no syphilis and did not receive any specific therapy.

Some subjects were added to the study in its early years to replace men who had dropped out of the program, but the number added is not known. At the beginning of this year, 74 of those who received no treatment were still alive.

As incentives to enter the program, the men were promised free transportation to and from hospitals, free hot lunches, free medicine for any disease other than syphilis and free burial after autopsies were performed.

COULD HAVE BEEN HELPED

The Tuskegee Study began 10 years before penicillin was found to be a cure for syphilis and 15 years before the drug became widely available. Yet, even after penicillin became common, and while its use probably could have helped or saved a number of the experiment subjects, the drug was denied them, Dr. J. D. Millar says.

Dr. Millar is chief of the venereal disease branch of the service's Center for Disease Control in Atlanta and is now in charge of what remains of the Tuskegee Study. He said in an interview that he has serious doubts about the program.

Dr. Millar said that "a serious moral problem" arose when penicillin therapy, which can cure syphilis in its early stages, became available in the late nineteen-forties and was withheld from the patients in the syphilis study. Penicillin therapy became, Dr. Millar said, "so much more effective and so much less dangerous" than preexisting therapies.

"The study began when attitudes were much different on treatment and experimentation," Dr. Millar said. "At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation, I don't believe the program would be undertaken."

Members of Congress reacted with shock to the disclosure today that the syphilis experimentation on human guinea pigs had taken place.

A MORAL NIGHTMARE

Senator William Proxmire, Democrat of Wisconsin, a member of the Senate Appropriations subcommittee that oversees Public Health Service budgets, called the study "a moral and ethical nightmare."

"It's incredible to me that such a thing could ever have happened," he said in a statement. "The Congress should give careful consideration to compensating the families of these men."

Senator Edward M. Kennedy, Democrat of Massachusetts, chairman of the Senate Health Subcommittee, said through a committee spokesman that he deplored the facts of the case and was concerned about whether any other such experiments existed.

Syphilis is a highly contagious infection spread by sexual contact. If untreated, it can cause bone and dental deformations, deafness, blindness, heart disease and deterioration of the central nervous system.

No figures were available as to when the last death in the program occurred. One official said that no conscious effort was apparently made to halt the program after it got under way.

UNCERTAINTY ON DEATHS

A 1969 study of 276 untreated syphilitics who participated in the Tuskegee Study showed that seven had died as a direct result of syphilis. The 1969 study was made by the Atlanta center, whose officials said they could not determine at this late date how many additional deaths had ben caused by syphilis.

However, of the 400 men in the original syphilitic group, 154 died of heart disease that officials in Atlanta said was not specifically related to syphilis. Dr. Millar said that this rate was identical with the rate of cardio-vascular deaths in the control, or non-syphilis, group.

However, several years ago an American Medical Association study determined that untreated syphilis reduces life expectancy by 17 per cent in black men between the ages of 25 and 50, a precise description of the Tuskegee Study subjects.

Don Prince, another official in the venereal disease branch of the center, said that the Tuskegee Study had contributed some knowledge about syphilis, particularly that the morbidity and mortality rate among untreated syphilitics was not so high as previously believed.

Dr. Millar said that the study was initiated in 1932 by Dr. J. R. Heller, assistant surgeon general in the service's venereal disease section, who subsequently became division chief.

Of the decision not to give penicillin to the untreated syphilitics once it became widely available, Dr. Millar said, "I doubt that it was a one-man decision. These things seldom are. Whoever was director of the VD section at that time, in 1946 or 1947, would be the most logical candidate if you had to pin it down."

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. WEICKER) laid before the Senate the following letters, which were referred as indicated:

PROPOSED NARCOTIC ADDICTS TREATMENT ACT OF 1972

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs (with an accompanying paper); to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 6503. An act for the relief of Captain Claire E. Brou (Rept. No. 92–986).

By Mr. HARTKE, from the Committee on Veterans' Affairs, with amendments:

S. 2161. A bill to amend chapters 31, 34 and 35 of title 38, United States Code, to increase the vocational rehabilitation subsistence allowances, the educational assistance allowances, and the special training allowances paid to eligible veterans and persons under such chapters (Rept. No. 92–988).

ECONOMIC OPPORTUNITY AMENDMENTS OF 1972—CONFERENCE REPORT (S. REPT. NO. 92–987)

Mr. NELSON, from the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes, submitted a report thereon, which was ordered to be printed.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. NELSON:

S. 3845. A bill for the relief of Mercedes Toalino de Romero, Patricia Romero, Magda Romero and Mercedes Nela Romero. Referred to the Committee on the Judiciary.

By Mr. COOK:

S. 3846. A bill to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs. Referred to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. ALLEN):

S. 3847. A bill for the relief of John Bestor Robertson, Jr. Referred to the Committee on Post Office and Civil Service.

STATEMENTS ON INTROUCED BILLS AND JOINT RESOLUTIONS

By Mr. COOK:

S. 3846. A bill to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs. Referred to the Committee on the Judiciary.

NARCOTIC ADDICT TREATMENT ACT OF 1972

Mr. COOK. Mr. President, I am pleased to introduce today, for the administration, the narcotic addict treatment act of 1972, a bill which will set up a legal basis for present and new narcotic treatment programs while simultaneously serving to eliminate diversions of narcotic drugs into the street traffic. In view of the importance of providing medical treatment to narcotic addicts and the increasing acceptance of treatment modalities which involve the continuous furnishing of narcotic drugs such as methadone, problems of safeguarding against diversion have become acute.

This legislation has become necessary as a result of an evolution in medical opinion. On April 6, 1972, the Food and Drug Administration published in the Federal Register a notice of its intention to permit the use of methadone for the maintenance treatment of narcotic addiction for all addicts for whom it is medically justified. Although entirely appropriate on the basis of medical opinion, this, nevertheless, underscores the need for additional legal controls against diversion. In order to strengthen the legal authority of the Department of Justice to protect against diversion, the separate registration of practitioners who utilize narcotic drugs in the treatment of addiction and the application of special drug security requirements is necessary.

The recent and extremely rapid expansion of drug treatment programs of this sort makes legislation along this line most urgent. In 1968 there were fewer than 400 patients enrolled in methadone treatment programs nationwide, today there are over 60,000. Similarly, in 1964 the production quota set by BNDD for methadone was some 190 pounds; the production quota for 1972 is just over 5,700 pounds. This represents an unprecedented development in medical practice. We have never previously had any appreciable number of patients receiving legitimate narcotic drugs on a daily basis. Unfortunately, the opportunity for the diversion of these drugs and the abuse of their prescription has increased proportionately and now presents a growing medical and law enforcement problem.

Of the nearly 79,000 narcotic addicts presently undergoing treatment for their addiction, over two-thirds of these patients are involved in methadone programs. What is disturbing is the increasing number of these addicts who are addicted to methadone itself. A recent study in Miami found that nearly 7 percent of the addicts then entering narcotics treatment programs tested positive only for methadone and that nearly 40 percent tested positive for methadone along with other narcotic drugs. Clearly then, methadone is a drug abused as frequently as any other narcotic and its potential for abuse is increasingly reflected in its expanding illicit traffic.

A recent report in New York City found that over 92 percent of the addicts surveyed had had an opportunity to purchase quantities of methadone illegally. In the first 9 months of last year, the Bureau of Narcotics and Dangerous Drugs, through undercover agents, purchased or seized 138,181 dosages of the drug from various illicit sources. The principal sources of this diversion, however, seem to lie not with the manufacturer but at the point of the drugs legal distribution to the public.

Just last weekend, in Baltimore, 2 gallons of methadone were stolen from a clinic at gunpoint. The immediate result was one death and several hospitalizations from overdoses of the stolen drug. In 1971 methadone accounted for 170 of the 1,300 narcotic-related deaths in New York City; for the first 5 months of 1972 the count has already reached 160. Here in Washington, where methadone accounted for 14 percent of the narcotic-related deaths in 1971, it is responsible for nearly 40 percent of the recorded deaths this year. Surely this problem has reached sizable enough proportions that immediate legislative action and regulation is necessary.

Up until now the Bureau of Narcotics and Dangerous Drugs has required a separate registration for all maintenance programs but has lacked the authority to require this of detoxification programs. Currently the only authority for a separate registration is predicated on the research status of methadone treatment programs and such authority was never intended to apply to the massive treatment efforts now in progress. The statutory basis for the control of genuine research is necessarily inadequate for the regulation of well-defined clinical programs involving tens of thousands of persons being supplied with narcotic medication.

The proposed expanded approval of methadone to the status of a new drug will make the inadequacies and loopholes in the Government's current ability to control its diversion even more apparent. Presently a physician can dispense methadone to patients, on a large scale or on a regular basis, without regulation under the premise that it is detoxification treatment. Once methadone is relisted as an approved new drug the Government will no longer have authority over treatment programs either. These facts are appreciated within concerned Government agencies and the proposal of these amendments has been purposely correlated with other administrative and regulatory measures to correct the situation.

Section 2 of the proposed amendments will add the definitions of three new terms to the controlled substances act which are crucial in determining the applicability of the remaining provisions of this bill. The terms in question are "maintenance treatment," "detoxification treatment," and "emergency treatment," which, in the context of the treatment of narcotic addicts, have reasonably specific meaning within the national medical community. Such specific differentiation will also enable the Justice Department, in conjunction with HEW, to establish more specific and comprehensive regulatory authority over the handling of these narcotic drugs.

Section 3 will provide for a separate registration under the Controlled Substances Act, of those practitioners who wish to administer or dispense narcotic drugs to narcotic addicts in the course of treatment programs. The registration will be predicated on treatment standards set by the Secretary of Health, Education, and Welfare and on standards prescribed by the Attorney General relating to specific matters which are of primary importance in limiting the diversion of narcotic drugs into illicit channels. The impact of these latter standards on the quality of medical services is also recognized, and the Attorney General is accordingly required to obtain the concurrence of the Secretary of Health, Education, and Welfare as to any standards he imposes regarding the quantities of narcotic drugs to be disposed for unsupervised use. The requirement for special registration will not apply to practitioners who may have occasion to administer narcotic drugs in the course of emergency treatment to narcotic addicts since the necessity for such treatment cannot be anticipated in advance.

Section 4 provides for the denial, revocation, or suspension of the separate registration on the basis of standards promulgated under the preceding section. In any such case, the means of undertaking administrative action will be in accordance with existing provisions of the controlled substances act.

Finally, section 5 amends the current bookkeeping requirements to require that practitioners who supply narcotic drugs to narcotic addicts for the treatment of their addiction in either of the designated circumstances, keep a record of drug administrations as is currently required for dispensations. This is an essential provision to enable the Justice Department personnel to conduct drug accountability audits. The circumstances in such cases are fundamentally different from those in which the general practitioner may occasionally administer narcotic drugs for analgesia to patients who are little tempted to divert them and who lack the capability and knowledge for doing so. This provision has been intentionally drafted so as to insure that access to these records shall only be used in connection with investigations of or proceedings against a registrant thereby retaining the customary benefits of patient confidentiality.

In view of the desire to make medical treatment available to as many narcotic addicts as possible and to encourage the medical profession to meet the challenge of this difficult social problem, it is necessary to establish the basis for adequate controls as soon as possible. Therefore, I urge the enactment of this proposal at the earliest practicable time.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 32

At the request of Mr. KENNEDY, the Senator from Texas (Mr. BENTSEN) was added as a cosponsor of S. 32, the Conversion Research, Education, and Assistance Act.

S. 301

At the request of Mr. KENNEDY, the Senator from Massachusetts (Mr. BROOKE) was added as a cosponsor of S. 301, a bill to authorize the Secretary of the Interior to establish the Bunker Hill National Historic Site in the city of Boston, Mass.

S. 987

At the request of Mr. HANSEN, the Senator from Colorado (Mr. ALLOTT) was added as a cosponsor of S. 987, a bill to amend the Social Security Act, to provide for a medical and hospital care system popularly known as medicredit.

S. 2161

At the request of Mr. THURMOND, the Senator from Delaware (Mr. BOGGS) was added as a cosponsor of S. 2161, a bill to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the vocational rehabilitation subsistences allowances, and the special training allowances paid to eligible veterans and persons under such chapters.

S. 2738

At the request of Mr. HUGHES, the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 2738, a bill to amend titles 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria.

S. 3612

At the request of Mr. HUMPHREY, the Senator from West Virginia (Mr. RANDOLPH), the Senator from Illinois (Mr. STEVENSON), and the Senator from Minnesota (Mr. MONDALE) were added as cosponsors of S. 3612, a bill to establish a National Institute of Justice, in order to provide a national and coordinated effort for the reform of the judicial system in the United States, and for other purposes.

S. 3749

At his own request, Mr. CHURCH was added as a cosponsor of S. 3749, a bill to authorize the Secretary of Agriculture to encourage and assist the several States in carrying out a program of animal health research.

S. 3764

At the request of Mr. KENNEDY, the Senator from North Dakota (Mr. BURDICK) was added as a cosponsor of S. 3764, a bill to amend the Public Health Service Act to provide for the extension of grants to provide professional and technical training in the field of family medicine.

S. 3792

At the request of Mr. BUCKLEY, the Senator from New Jersey (Mr. CASE) was added as a cosponsor of S. 3792, a bill to designate certain lands in the Eastern United States for inclusion in the National Wilderness Preservation System.

S. 3825

At the request of Mr. WEICKER, the Senator from Oregon (Mr. HATFIELD) was added as a cosponsor of S. 3825, a bill to improve the efficiency of the Nation's highway system, allow States and localities more flexibility in utilizing highway funds, and for other purposes.

S. 3841

At the request of Mr. HANSEN, the Senator from Nebraska (Mr. CURTIS) was added as a cosponsor of S. 3841, a bill to amend the Internal Revenue Code of 1954 to provide for an estate tax charitable deduction in the case of certain charitable remainder trusts.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973—AMENDMENTS

AMENDMENT NO. 1361

(Ordered to be printed and to lie on the table.)

Mr. BUCKLEY submitted an amendment intended to be proposed by him to the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

AMENDMENT NO. 1362

(Ordered to be printed and to lie on the table.)

Mr. GOLDWATER submitted an amendment intended to be proposed by him to the bill (H.R. 15495), supra.

AMENDMENT NO. 1363

(Ordered to be printed and to lie on the table.)

Mr. TOWER (for himself and Mr. HOLLINGS) submitted an amendment intended to be proposed by them jointly to the bill (H.R. 15495), supra.

AMENDMENT NO. 1369

(Ordered to be printed and to lie on the table.)

Mr. HARTKE submitted an amendment intended to be proposed by him to the bill (H.R. 15495), supra.

AMENDMENT NO. 1370

(Ordered to be printed and to lie on the table.)

Mr. HATFIELD submitted an amendment intended to be proposed by him to the bill (H.R. 15495), supra.

STATE TAXATION OF INSURED BANKS—AMENDMENT

AMENDMENT NO. 1364

(Ordered to be printed and referred to the Committee on Banking, Housing and Urban Affairs.)

FULL DEPOSIT INSURANCE FOR PUBLIC FUNDS

Mr. PROXMIRE. Mr. President, I am submitting an amendment to S. 3652 to provide 100 percent insurance for public deposits in federaly insured banks and savings and loan associations. In addition, the amendment requires federally insured banks and savings and loan associations to cash Government checks. These provisions are identical to titles I and III of H.R. 15656 which has been approved by the Subcommittee on Bank Supervision and Insurance of the House Banking Committee. Title II of that legislation also includes certain restrictions on the authority of the States to tax federally insured commercial banks similar to S. 3652 which is now before the Senate Banking Committee.

The Senate Banking Committee has scheduled hearings on S. 3652 for August 1 and 2 and plans to meet in executive session the following week to consider the legislation. It therefore seems likely that the Senate will be able to consider S. 3652 before adjourning on August 18. However, the House legislation which contains a similar provision restricting State taxation of commercial banks also contains five other titles. It is doubtful that the House bill will be ready by the time the Senate bill is passed. In order to expedite the consideration of the State taxation issue, I believe it would be useful for the Senate to consider at least the major provisions of the House legislation when it holds hearings on S. 3652. Should the Senate decide to accept these additional provisions, there is a good chance the House would accept the entire Senate bill without a lengthy conference. On the other hand, should the Senate reject these provisions, we will be in a much stronger position for upholding our position in the conference committee. Either way, I believe there is merit to include the provisions on insurance for public deposits and the cashing of Government checks in the Senate Banking Committee's hearings on S. 3652. I am therefore introducing the amendment primarily to get these issues before the Senate Banking Committee. While the two provisions appear to have general merit, I want to reserve final judgment until the hearings have been completed.

The provision dealing with the cashing of Government checks would prevent federally insured banks and savings and loan associations from refusing to cash any check drawn upon the Treasury on the grounds that the payee does not have an account with the bank or association if the check is presented by the payee together with adequate identification. This provision is intended to benefit persons of limited means who frequently do not have checking accounts or savings accounts and who have encountered difficulty in cashing Government checks. Many such persons regularly receive Government checks in the mail including welfare recipients. As long as a check is drawn on the U.S. Treasury, any insured financial institution should be required to cash it without imposing aditional requirements on the payee.

The second provision of my amendment would provide 100 percent deposit insurance for public funds maintained at federally insured banks and savings and loan associations. The present law limits the amount of insurance for each account to $20,000. Most public accounts are far in excess of this amount. At the present time, State and local governments have over $30 billion in savings deposits at commercial banks but less than $500 million at savings and loan associations and less than $50 million at mutual savings banks. Thrift institutions have about one-half of all savings deposits but they have less than 2 percent of State and local savings deposits.

The reason thrift institutions have not been able to attract their proportionate share of public funds is basically due to the law in most States which requires that all funds deposited in thrift institutions must be fully insured by the Federal Government. However, funds deposited in commercial banks need not be fully insured provided the bank secures the deposit with pledged collateral. Public deposits at commercial banks are generally secured by Treasury obligations or State and local obligations owned by the bank.

Full deposit insurance for public funds would permit thrift institutions to compete with commercial banks on a more equal basis for public funds. It does not seem fair that thrift institutions should have less than 2 percent of public savings deposits when they comprise half the savings market. Since thrift institutions invest the bulk of their savings in home mortgages, the housing market would benefit to the extent State and local governments placed a greater percentage of their savings deposits in these institutions. Full deposit insurance for public funds can thus be an effective way of getting more money into the housing industry in support of our national housing goals.

It has been argued that full deposit insurance for public funds would give commercial banks less of an incentive to invest in State and local obligations since public funds are often collateralized by these obligations. I believe this argument should be carefully examined by the committee before full deposit insurance for public funds is approved. We should not unduly disrupt the market for municipal bonds in our efforts to improve the housing market and maintain competitive equality between financial institutions.

DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION PROGRAMS APPROPRIATIONS, 1973—AMENDMENTS

AMENDMENTS NOS. 1365 AND 1366

(Ordered to be printed and to lie on the table.)

Mr. PEARSON submitted two amendments intended to be proposed by him to the bill (H.R. 15690) making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1973, and for other purposes.

AMENDMENT NO. 1368

(Ordered to be printed and to lie on the table.)

Mr. MOSS submitted an amendment intended to be proposed by him to the bill (H.R. 15690), supra.

NATIONAL SCHOOL LUNCH ACT—AMENDMENT

AMENDMENT NO. 1367

(Ordered to be printed and referred to the Committee on Agriculture and Forestry.)

Mr. HUMPHREY (for himself, Mr. MONDALE, Mr. CRANSTON, Mr. CASE, Mr. WILLIAMS, Mr. EAGLETON, Mr. HART, Mr. MCGOVERN, Mr. TUNNEY, Mr. JAVITS, and Mr. BAYH) submitted an amendment in the nature of a substitute intended to be offered by them jointly to the bill (S. 3691) to amend the National School Lunch Act, as amended, to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs and the establishment of a national infant feeding program.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 1336

At the request of Mr. SAXBE, the Senator from Illinois (Mr. STEVENSON) the Senator from Utah (Mr. MOSS), the Senator from Minnesota (Mr. MONDALE), the Senator from California (Mr. CRANSTON), the Senator from Wisconsin (Mr. PROXMIRE), and the Senator from Arkansas (Mr. FULBRIGHT) were added as cosponsors of amendment No. 1336 proposed to the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

AMENDMENT NO. 1357

At the request of Mr. METCALF, the Senator from Utah (Mr. MOSS) was added as a cosponsor of admendment No. 1357 intended to be proposed to the bill (H.R. 14370) to provide payments to localities for high-priority expenditures, to encourage States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Roger C. Cramton, of Michigan, to be an Assistant Attorney General, vice Ralph E. Erickson, elevated.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Tuesday, August 1, 1972, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ADDITIONAL STATEMENTS

SENATOR EAGLETON

Mr. GOLDWATER. Mr. President, yesterday, after Senator THOMAS EAGLETON voluntarily disclosed that he had been hospitalized several times for fatigue, different members of the communications media asked me to comment, because of my experience in 1964 when a newspaper columnist who made his living destroying reputations and fostering distortions charged me with having once had a nervous breakdown. Once such a charge is made, the effect is impossible to dispel even though the allegation is entirely false.

As I understand it, Senator EAGLETON, who is the Democrat Party nominee for Vice President, volunteered the information concerning his hospital visits after newsmen had confronted the McGovern staff with accounts of it.

Mr. President, nobody who has never been subjected to such a charge can possibly understand what the effect can be upon an honorable public official and the members of his family. It is my feeling that psychological subjects are matters for doctors to discuss and for laymen to avoid. Consequently, I would hope that this whole matter could immediately be dropped and forgotten. Senator EAGLETON is no different from former Presidents, Vice Presidents, and Congressmen who served their country brilliantly even though they at one time suffered some physical incapacitation.

As one who has watched the kind of unnecessary barbarism that can be engendered by unscrupulous members of the press in cases like this I implore my Republican colleagues and those Democrats who are opposed to the McGovern-Eagleton ticket not to allow this factor to enter into the realm of political discussion. Senator EAGLETON, by his courageous performance yesterday, has indicated the truth of his claim that his health is now "solid and sound," both for the fall campaign and for the possibility as serving as Vice President.

NURSE PRACTITIONERS: FILLING A NEED

Mr. CHURCH. Mr. President, no health care system can be effective without the necessary manpower to deliver services. But, in my view, too little attention has been given to creative ways of developing new types of health manpower and making the best use of what we now have.

Nurse practitioners are a partial answer to this problem. They are providing valuable services. They are filling a need.

My own State of Idaho provides excellent examples of what nurse practitioners can do. The story of their contributions in Idaho has been effectively described in a recent article in the American Journal of Nursing. Mr. President, I ask unanimous consent that this article—entitled, "The Cambridge-Council Concept or Two Nurse Practitioners Make Good"—be printed at the close of my remarks.

As chairman of the Special Committee on Aging, I am especially interested in how health care for the elderly might be improved through the expanded use of nurse practitioners. It seems to me that they offer much promise in this regard.

But it has been brought to my attention that restrictive medicare regulations are now limiting the capacity of nurse practitioners to perform in the most effective fashion. For this reason, I have written the Secretary of Health, Education, and Welfare requesting that he consider changes in these medicare regulations so that the full potential of nurse practitioners may be realized as they try to serve our elderly. Mr. President, I ask unanimous consent that a copy of my letter to Secretary Richardson also be printed in the RECORD at the end of my statement.

One of the outstanding pioneers in developing the concept of nurse practitioners in Idaho was Dr. John A. Edwards. He was a coauthor of the article I am requesting to be reprinted in the RECORD. It was also his letter to me that supplied the ideas that I have brought to Secretary Richardson's attention.

The State of Idaho and the cause of nurse practitioners suffered a major loss a few days ago with the untimely passing of Dr. Edwards. I mourn his death, and I share in the grief felt by all who knew him and were helped by him.

The memory of Dr. Edwards' work in promoting nurse practitioners, I firmly believe, should inspire further efforts in this important area. I intend to do all within my power to contribute to this vital endeavor.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

JULY 10, 1972.

Hon. ELLIOT L. RICHARDSON,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: Nurse practitioners are, as you know, serving a very useful function in many parts of our Nation. Their capacity to perform in the most effective fashion is, however, limited by current Medicare regulations. For this reason, I am writing to request your consideration of needed changes in those regulations.

Under existing Medicare regulations, as described to me in a recent letter from an Idaho constituent, nurse practitioner services are not reimbursable under Medicare unless a physician is physically present and taking active part in the care of the patient.

This regulation seems unfair and unwise to me because it is not always feasible for a physician to be present, and yet valuable and needed services by the nurse practitioner can still be rendered in his absence. Let me offer two examples from my State of Idaho to illustrate the advantages in utilizing nurse practitioners and the difficulties caused by the current Medicare regulations.

The small town of Cambridge, Idaho, has no resident physician but does have one full-time nurse practitioner at its Medical Clinic. Many of the individuals this nurse practitioner sees are Medicare patients. One day a week a physician from a town twenty-five miles from Cambridge visits its Medical Clinic and reviews the patients' charts. Moreover, this physician is in regular communication with the Cambridge nurse practitioner by phone. The doctor also reviews most of her decisions at the time they are made or from the charts at the time of his weekly visit.

A second example from Idaho concerns residents of nursing homes. Reports indicate that it is almost impossible to obtain house calls for those in nursing homes or to have any meaningful physician follow-up of any kind. Nurse practitioners are filling this vacuum.

Clearly, these two examples point to the essential work being done by nurse practitioners in Idaho and the barriers to their effective performance caused by the Medicare regulations. Certainly these regulations must be having a similar undesirable result in many other parts of the country.

It seems ironic to me that the Department of Health, Education, and Welfare would encourage the development of nurse practitioners, while also curtailing their usefulness through restrictive Medicare regulations.

May I suggest the following as a proposed solution to the difficulties resulting from existing Medicare regulations in the area of nurse practitioners. Would it not be wise to do away with the current restrictive regulations and provide for Medicare reimbursement for the services of nurse practitioners who are acting in accordance with their respective State medical practices acts?

I will appreciate very much your careful consideration of this important matter, and I hope that you will be receptive to a modification of the Medicare regulations in the manner I have suggested.

Sincerely,

FRANK CHURCH,
Chairman.

THE CAMBRIDGE-COUNCIL CONCEPT OR TWO NURSE PRACTITIONERS MAKE GOOD

The hand-lettered sign on the door reads, "Office hours 9–5 Mon.-Fri." and the waiting room in the former pool hall is starting to fill when Nurse Practitioner Kay Ortman begins to see her patients. This now usual and accepted occurrence in Cambridge, a rural farming community of 383 persons in west central Idaho, would not have been conceivable or even probable in any Idaho town a year earlier.

A winding, hilly 22 miles away, in not-much-larger Council, Nurse Practitioner Jane Curtis begins to screen patients coming to that clinic. In contrast to her Cambridge colleague, she has close at hand the physicians with whom both work. Still, she will refer only some of the patients to them. Others she will deal with by herself.

These two specially trained nurse practitioners represent major changes in how health care is given in the Cambridge-Council area. They are the essential elements in a project sponsored by the Mountain States Regional Medical Program.

THE NEED

The State of Idaho encompasses some 83,000 square miles of ruggedly beautiful terrain with a population of 698,000 people clustered in small urban-rural centers along the rivers and valleys of the state. As in most of the nation, most of its health professionals—approximately 90 percent—tend to locate in urban areas. Many small communities and 5 counties have no resident physicians at all.

Two family practice physicians who live in Council (pop. 900), serve a total population of 6,000 dispersed over a 100-mile radius, including Cambridge. During twenty-four years of practice, the senior physician lost five colleagues to the conveniences of urban practice and living. There are few physicians willing to take on the 24-hour day, 365 day-per-year responsibility faced by the rural practitioner. The last resident physician in Cambridge died five years ago. Efforts to replace him were futile despite the community's activities to raise funds for a new clinic facility, as a special attraction. Increasingly, it became apparent that new ways of extending medical services would be the solution to the area's health care problems. The Mountain States RMP set out to demonstrate how, through the use of nurse practitioners.

One of the first steps was a "town meeting" of physicians and nurses from the area, including the nurses on the 20-bed Council hospital staff, and others concerned with the program. Although there were some reservations about the scope and outcome of such a nurse-practitioner project, the group expressed a willingness to permit a well-controlled one to take place.

Stanford University Medical Center, in cooperation with Area III of the California RMP, was launching a special program to prepare nurse practitioners for just such needs, and agreed to accept two Idaho nurses in its first class of five. The two Council physicians agreed to employ the nurses and to help with their continued education after they completed the course, and the project director of the Stanford program proceeded to select the two nurses.

The Stanford program was ideal—short enough (four months) to make it possible for the nurses to be away, and flexible in its prerequisites. The two nurses who entered the program are of varying backgrounds. Jane Curtis is a graduate of a 3-year hospital school of nursing with 20 years' experience, including four years as director of nursing service at the Council Hospital. Kay Ortman is a fairly recent graduate of a baccalaureate program with experience as a staff nurse in a 500-bed urban hospital, as well as nine months at the community hospital in Council. When the project began, she was counseling in a satellite mental health center in Cambridge.

Their training program, which started October 1, 1970, was intensive and concentrated for the first three months with clinical experience at the Stanford Medical Center and nearby clinics. The fourth month was spent working in rural clinics, in California, with family physicians. Content and experience were geared primarily to acquiring additional skills ordinarily perceived as medical with the assumption that the nursing background provided a sound basis on which to build. These included taking and recording histories; giving complete physical examinations (including neurologic and pelvic with Pap smears); suturing minor lacerations not involving tendons or nerves; managing chronic disease problems; managing geriatric patients; treating common infectious or self-limiting illnesses; performing and interpreting laboratory screening tests, such as C.B.C. and differential, Hgb., urinalysis, sed. rates; normal deliveries; giving well-child care; and giving routine prenatal and postnatal care.

A three-month, six-month and one-year evaluation by the project director in the home setting would be an integral portion of the program. No tuition was required. Travel and living expenses were paid by Mountain States Regional Medical Program.

PREPARING THE COMMUNITY

Sustained involvement and information sharing not only among local participants but among all health professionals and agencies throughout the state have been vital. From the beginning, there has been an exchange of information and ideas among members of the nursing licensing board, the state nurses association, and appropriate committees of the state medical association. The program was explained in detail to the Joint Liaison Committee of the Idaho Nurses Association which has representation from all state areas.

The Idaho Nurses' Association surveyed all nurses in the state (3,153) shortly after the program was instituted to inform them and get their reactions. The Idaho Medical Association sent a similar survey to all physicians (525). Of the respondents, 82 percent of the nurses and 68 percent of the physicians indicated that they saw the nurse practitioner role as valid. Thirty-three percent of the nurses indicated they would be interested in pursuing such a role; 32 percent of the physicians said they would be interested in employing such a person in their own practice. There was some, but not a marked, difference between the two groups as to what functions should be performed.

Midway in the first four months, while the nurses were at Stanford, a meeting was held with representatives from the medical and nursing associations and licensing boards, the Board of Pharmacy, the hospital association, the dental association, schools of nursing in the state, and the Regional given by the director of the Stanford program and the senior Council physician.

The numerous speaking tours in various areas of the State—Boise, Twin Falls, Lewiston and McCall—by the two nurses and one of the physicians have been an effective means of providing a forum for discussion, lessening those reservations and resistance that may exist.

PRACTICING IN COUNCIL

Although the training period was essentially the same for both practitioners, each has developed a unique position on the health care team in her respective community. In Council, Mrs. Curtis initially worked in a side-by-side supervised practice with the two physicians in the clinic and in the hospital, developing competencies rapidly.

The day begins for her by making morning hospital rounds with the physician if he is there when she updates progress records. Mrs. Curtis makes rounds for the physician if he is unavailable. At the clinic, she screens patients, referring to the physician those beyond her level of competency. She sees many children, treats upper respiratory ailments and ear, nose and throat problems, and gives immunizations.

An important activity for her is patient education. The patient may be too bewildered or disoriented to really absorb the physician's instructions. The nurse takes the time to have the patient tell in his own words how he understands instructions. Often patients discuss with her problems with which they hesitate to trouble the busy physician.

An increasing number of women request that the nurse practitioner do their pelvic exams and Pap smears, stating that they dislike to take up the physician's valuable time when "nothing is wrong with me." The mother in labor seems comforted to see a familiar face—the same one she saw during her prenatal care. With the physician present, the nurse has delivered 23 babies in ten months—a healthy record for a town of 900!

Having had extensive experience as a surgical nurse, as well as the training at Stanford, this nurse practitioner has sufficient background to function also as a first surgical assistant. Her other activities include making house calls to shut-ins and invalids, and managing emergency room problems.

Every third night she takes call. After evaluating the patient's status she may take care of the problem herself, such as suturing a minor laceration, or ordering essential lab work. If the problem requires medical consultation, treatment may be authorized by the physician via phone or may require his presence. By-laws approved by the hospital Board of Trustees enable the nurse practitioner to admit patients, initiate lab work and x-rays and provide emergency treatment.

The physician and nurse practitioner discuss diagnosis and proposed treatment of patients. Other members of the clinic staff include a lab technician, a receptionist, and an office nurse. An intercom telephone between the clinic and the hospital, which is one mile away, keeps the staff in touch with the progress of acute hospital patients.

For Ms. Curtis, adjusting to the increased responsibilities took some time. Previous patterns engendered in basic education and 20 years of experience in the traditional nursing role made for some discomfort in working as a close associate of the physician. Learning to give orders rather than just take them requires time. She found that the most difficult part of mastering the new role was staying in that role.

PRACTICING IN CAMBRIDGE

The nurse practitioner in the Cambridge clinic must function without the daily onsite presence of a physician. A receptionist is the only other full-time staff person at the clinic although the services of a local licensed practical nurse are available on occasion. The clinic is situated in a burned-out building which was purchased and renovated into a modern clinic facility with funds raised entirely by the community with labor donated by local townspeople. In addition to the usual examining rooms, laboratory, and reception areas, space is provided for a dentist and optometrist who make weekly visits.

Each of the physicians travels to the clinic one afternoon a week to see patients with the practitioner. Three days a week patients are seen only by her. She has the options of taking care of the problem without any medical assistance, calling the physician for consultation, sending the patient to Counsel for further diagnostic work-up, sending him to the physician immediate, or rescheduling a visit on the day a physician will be there.

As with the practitioner in Council, Ms. Ortman takes histories and gives complete physical examinations, routine prenatal and post-natal care, emergency treatment, and immunizations. She makes frequent house calls to homebound patients particularly to geriatric patients.

A typical day for the Cambridge practitioner may include treating a 43-year-old man with chronic otitis media; administering intramuscular antibiotics after ascertaining an intolerance for the oral drug; consulting by phone with the physician on adjusting medications for a patient with Parkinson's disease; removing sutures from a 5-year-old child who had a cardiac catheterization in Seattle; performing a pelvic exam on a woman with chronic pelvic inflammatory disease; seeing a patient for thyroid regulation; removing foreign bodies from the surface of eyes; referring a patient with a suspected fracture from a logging-mill accident for diagnostic x-rays; performing routine physical examinations on pre-school children, high-school athletes, and bus-drivers.

Because the economy is largely agricultural or forestry-connected, the incidence of allergy with sinus problems is high, necessitating desensitization injections. Ms. Ortman estimates that she herself can handle 90 percent of all upper respiratory tract infections.

She finds that she has the time to give supportive therapy to the large number of women presenting menopausal symptoms and receiving hormonal treatment, and, in well-child care, to discuss development and nutrition, and to offer anticipatory guidance and reassurance to parents. She is often able to determine changes in cardiac status, making appropriate changes in therapy. Patients with acute illness, with positive lab findings, are generally referred to the physician either by phone consultation or a visit. Referrals to specialists may be made after consultation by phone with the Council physician, if a problem is acute.

A lab technician is not available in the clinic so that the nurse must perform her own laboratory procedures. Feeling a need for additional training in this area, Ms. Ortman spent extra time perfecting her techniques with the hospital lab technician in council.

Because the nurse is the only immediate medical resource, she may be called at anytime—nights as well as weekends. Three quarters of these problems can be handled over the phone.

Many people in Cambridge are seeking medical attention for their problems much earlier since the nurse practitioner is in the community, and they do not have to travel miles for medical assistance. More than ever, patients present themselves before a problem becomes a crisis and it is possible to emphasize the value of preventive medicine. One 86-year-old woman came to the Cambridge Clinic shortly after it opened, complaining of shoulder pain she associated with a fall some six months earlier. Unwilling to travel the 2 miles to Council, the woman suffered until she could seek the services of the new nurse practitioner. She ordered an x-ray, confirming the diagnosis of an anterior dislocation of the shoulder, and gave much needed relief to a gratified patient.

The community is very proud of the Cambridge clinic and its acceptance is excellent. During June of 1971, the second month of full operation of the clinic, 352 visits were recorded; in October, 302. In the first five and one-half months' experience, there are records on 437 families even though the population of Cambridge is less than 400. Cambridge Clinic draws from the surrounding communities of Hell's Canyon, Brownlee, Indian Valley, and Midvale. In that same period, the nurse estimates that physician consultation or referral was required on an average of 19 percent of the patients seen in a given week. Most patients have learned that the practitioner's judgment can be trusted and they feel comfortable with her.

COMMON POLICIES AND CONCERNS

Both clinics have converted to problem-oriented records, permitting better communication with the physician and allowing a much broader approach to the patient. All records are reviewed by a physician. Prescriptions written by the nurse practitioners are countersigned by a physician when he is at the clinic.

The nurses are on a fixed salary. All billings are handled through each clinic's office, and there is no differentiation in charges for services performed by the nurse practitioner. In addition to malpractice insurance carried by the nurses themselves, the physicians pay a minimal fee for additional insurance to cover the nurse practitioners.

Health professionals have become increasingly concerned about the legality of having delegated to nurses more and more functions ordinarily understood to be within the practice of medicine. The advent of the nurse practitioner caused further concern in Idaho. Therefore, a physician (co-author of this article) and a nurse legislator had introduced into the 1971 Idaho legislature a bill to amend the Idaho Nurse Practice Act, which passed in February. This permits the professional nurse to perform acts "of medical diagnosis or prescription of therapeutic or corrective measures . . . *as may be authorized by rules and regulations jointly promulgated by the Idaho state board of medicine and the Idaho board of nursing which shall be implemented by the Idaho board of nursing.*" This liberal and progressive law allows the nurse practitioner to function effectively without the constraints which might result in other legislation licensing physician's assistants or by the use of rigid definitions in the medical or nursing practice acts.

Continuing education is as vital to the nurse practitioner as to any other health professional. The regular contact with the physician provides a constant teacher-student relationship with considerable give and take. Both are stimulated to do further study. All of the medical consultants to the community, including the Idaho Department of Health teams, the University of Oregon Medical School Circuit Riders, and the Southwest Idaho Medical Society, have helped to teach the nurse practitioners how to handle problem cases.

There is a need for such education on a formal basis. Idaho has no medical school, and, to date, no training for the nurse practitioner exists in the state, although two schools of nursing are exploring the development of such programs.

AN EXCITING FUTURE

What is the future of the program? Physicians in the project view it with increasing enthusiasm as experience grows. Their morale is improved, with more freedom to carry out community activities and spend more time with their families without throwing additional strain on their medical associates. In addition, physician time is released for those problems requiring a high level of medical skill. With this kind of doubling of the health care team, more patients can be cared for without further increasing the physicians' loads.

The nurse practitioners have found more professional satisfaction than in any previous experience and feel they are making a unique contribution as part of the health team with a special emphasis on "care" to the patient. They realize that they are completing their first year of such practice under the watchful eyes of the entire state. Other rural communities with similar manpower problems are interested in instituting this concept into their own areas.

Certainly, because of this project, health care is more available and more accessible to a greater number of Idahoans in this segment of the state. And the project seems to have proved already that if the problem of medical manpower shortage is to be solved, the use of nurses in such expanded roles is one important solution.

OBSERVATIONS ON H.R. 14370—GENERAL REVENUE SHARING

Mr. BUCKLEY. Mr. President, this morning I testified before the Senate Finance Committee on certain dangers inherent in the general revenue-sharing concept incorporated in the State and Local Fiscal Assistance Act of 1972 (H.R. 14370). I also proposed an alternative approach to helping local and State governments meet their current fiscal crises without incurring these dangers.

Mr. President, I would like to call my observations to the attention of all my colleagues and I ask unanimous consent that my testimony and the exhibits thereto be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TESTIMONY ON GENERAL REVENUE SHARING TO BE GIVEN BEFORE THE SENATE FINANCE COMMITTEE ON JULY 26, 1972

Mr. Chairman, I am grateful for the opportunity to present my thoughts on the State and Local Fiscal Assistance Act of 1972 which is now before your Committee.

There is an old saying in the legal profession that hard cases make bad law. I think the same may also be said of legislation designed to meet emergencies.

H.R. 14370 has been designed in substantial measure to meet the very real financial crises which threaten state and local governments across the country. I know that in my own state of New York, a number of our county and municipal governments are on the verge of financial collapse, not because they have been improvident, but because they have had obligations mandated to them which have grown far more rapidly than the tax bases available to them for the financing of these obligations.

A major contributor to the problem, as Governor Rockefeller pointed out in his testimony last week, has been the explosion of Federal categorical grant programs which distort local priorities and bleed off their revenues. This has introduced major dislocations into state and local planning and it has led to the imposition of ever heavier tax burdens on their citizens. The whole situation has been brought to a head in the last few years because of steadily rising costs and the increased demands and lagging revenues resulting from the recent recession.

I believe heroic measures are clearly justified—but we need to make sure that the specific measures adopted will not result in fundamental changes in our governmental institutions which will do major and continuing harm long after the current crises have been resolved. It is my fear that the "general revenue sharing" concept incorporated in H.R. 14370 will have the inevitable effect of institutionalizing a new approach to state and local financing in which there are a number of inherent dangers.

The first of these is that it will divorce the responsibility for the collection of revenues to be shared from the responsibility for their expenditure. Experience and logic suggest that the greatest inducement to the prudent expenditure of public funds is to require those who spend them to justify to the public the taxes that are required to finance the expenditures.

It can be argued that this legislation is only a five year duration, and that the monies which it will distribute represent so small a proportion of total state and local budgets that my concern is more theoretical than practical. I would answer by saying that we would be naive if we thought that it would be politically possible, after five years, to abandon the program. Too many state and local officials would lobby against a return to a system which would require them once again to justify the full burden of state and local taxes required to finance their programs. Nor can we assume that there will be other than increasing pressures for ever larger federal contributions so as to spare these officials from the necessity of having to find new revenues with which to finance ever more ambitious programs.

The second objection to general revenue sharing is related to the first. We are faced with a crisis because, over the past decade, governmental expenditures at the state and local levels have grown at an average rate of 17 per cent per year, while their sources of tax revenues have been growing at a far slower rate. As a result, many jurisdictions—especially those largely dependent on property taxes—have reached the virtual limits of their ability to tax. By this I mean their tax rates have reached the upper limits of the willingness of the taxpayers to pay as well as the limits imposed by the fact that they are beginning to cause productive citizens and businesses to move elsewhere.

It seems to me that at least in the longer range, the solution to this dilemma is not to find new, external sources of revenues with which to finance this extraordinary growth of state and local expenditures, but to find ways of curbing that growth. If we open the federal treasury for the financing of state and local governments, we may bring them temporary relief but we will merely postpone the time when they will be required to make the hard-headed cost and program cutting decisions which are needed to bring the growth in their expenditures into some sort of balance with the growth of the economy.

Ordinary citizens can bring effective pressures to bear at the state and local levels. There is little they can do, as a practical matter, to force economies at the national level. These pressures have been brought to bear in a most effective way in my own state. As a result of a minor tax rebellion and the voting down of various bond proposals, stringent measures have been taken in New York in the last two years to cut expenses, to re-examine and tighten programs, and to lighten public payrolls. The savings to date have been significant; and in the process, the administration of a number of programs—notably welfare—has been improved. I seriously question whether all of these reforms could have been achieved had H.R. 14370 been enacted two years ago.

As President Jackson observed in his 1833 message vetoing a revenue sharing proposal, "I am quite sure that the intelligent people of our several states will be satisfied, on a little reflection, that it is neither wise nor safe to release the members of their local legislatures from the responsibility of levying the taxes necessary to support their state governments and vest it in Congress, over most of whose members they have no control."

A third objection to general revenue sharing has to do with its corrosive effect on the federal-state relationship. The federal government has already intruded far too deeply on state and local responsibilities through the proliferation of categorical grant programs. These have had the effect, in too many areas, of converting state and local governments into mere administrative agents for federal programs. This is why I so strongly endorse the Administration's special revenue sharing proposals.

General Revenue Sharing, however, will have the effect of increasing the dependence of state and local governments on Washington rather than diminishing it. These governmental units will come to plan their budgets around the expectation of a steady and, I believe, ever-increasing flow of funds from the federal treasury. Yet Congress will have the continuing power to interrupt that flow or to introduce restrictions on the uses to which the funds can be put. In fact, the House bill has already taken the first step in the direction of control by designating that monies distributed to some 39,000 localities can only be used for "high-priority expenditures" as Congress, and not the localities, defines those priorities. Ultimately, this could lead to great instability in state and local financing, and to an ever more rigid federal control over them.

Finally, H.R. 14370 will help prolong the dangerous myth that monies handed out by Washington to the states and localities originates somewhere else than in the pockets of their citizens. The adoption of this bill will not lighten the overall tax burden on our citizens. To the extent that the program will be financed out of federal borrowing, the full impact may be deferred, but it will catch up with the taxpayers with compound interest. General Revenue Sharing may well have the effect of providing some measure of relief from excessive property taxes. But this is something which does not require federal intervention to accomplish.

There is no doubt but that in many states today there is a serious mismatch between local services required and the tax base available to support them. By the same token, there is no major source of income, other than import duties, which is not also available to state governments. This suggests that given the time and the will, internal adjustments can be made within each state to achieve the most equitable distribution of the taxation required to meet governmental needs within the state.

I said at the outset that states and localities across the nation are caught up in a financial emergency, and that I believe heroic measures are in order to help tide them over this period of crisis. What, then, would I propose as an alternative to H.R. 14370?

Last year, I proposed legislation which would accomplish the basic objective of providing state and local governments with an emergency source of revenue, but on a basis which I felt to be consistent with sound fiscal policy and the maintenance of the political integrity of the Federal system. I have described the bill, S. 1577, as "Revenue Shifting."

This bill would achieve the objective of getting $5 billion into the hands of state and local governments by reducing Federal tax receipts by $5 billion, while authorizing the Internal Revenue Service to collect on behalf of each state the savings in Federal income taxes which are realized by its citizens. The legislation also authorizes each state to direct the IRS to collect from its residents on its behalf, more or less than is provided for in the amount to be collected in its capacity as agent for each state. Thus each state retains ultimate responsibility for the amount of the taxes which are collected from its citizens for state and local purposes.

The net effect of this legislation would be to shift $5 billion from the Federal government to the states in a manner which will make it clear to each taxpayer how much he is paying to his state and local governments for state and local purposes. Under this alternative proposal, the Federal government will not be sharing its revenues with the states. Rather it will be sharing its personal tax base and its tax collecting facilities. I would like to introduce as an exhibit to my testimony, a more detailed description of the mechanics and effects of my "Revenue Shifting" proposal which I used as the basis for testimony before the House Ways and Means Committee in June of last year. I also ask that a copy of S. 1577 be printed in the RECORD as an exhibit.

I was interested to note that the House bill incorporates provisions which will authorize the federal collection of state individual income taxes in a manner somewhat comparable to my own suggestion, although the House provision would not become operative until 1974. This suggests that if your committee were to accept my basic "Revenue Shifting" approach and to add to it the requirement that the states distribute the taxes collected on their behalf in accordance with the "pass through" provision of H.R. 14370, the basic emergency objectives of the bill would be met without sacrifice to the direct accountability for taxation which is so essential to responsible government. This would be accomplished in a manner consistent with basic provisions now in the House bill.

If your committee cannot see its way clear to adopting the "Revenue Shifting" approach, then I would urge you at the very least to limit the general revenue sharing aspects of H.R. 14370 to two years. This would provide the states with time within which to amend their laws to insure that no unit of government has a tax base which is inadequate to finance the responsibilities which are assigned to it by state law. It would thus be made clear that the general revenue sharing legislation adopted by the Congress is of a short-term, emergency nature designed to do nothing more than to tide the states and localities over their current crises for a long enough period to permit them to get their fiscal houses in order.

"REVENUE SHIFTING" ALTERNATIVE TO GENERAL REVENUE SHARING

SUMMARY DESCRIPTION

Concept

The alternative herein proposed substitutes a *shifting* of income tax revenues to the states for the contemplated sharing of federal revenues with the states. The purpose of the "revenue shifting" proposal is to insure that ultimate responsibility for raising tax funds and for spending them rests with the same political unit. It accomplishes the same ends as general revenue sharing, in that it provides for an immediate increase in funds available to the states without increasing the cost to the taxpayer.

Conceptually, this involves a sharing by the Federal government of its personal income tax base and tax collecting facilities with the states. The revenues to be shifted to the states are to be collected on their behalf, and are subject to increase or decrease at the direction of the states.

Mechanism

Revenue shifting can be placed into effect through legislation which would accomplish the following:

(1) Federal personal income tax rates would be reduced by a percentage ("X" per cent) which would reduce the estimated revenue to be collected for use by the Federal government for Federal purposes ("the Federal tax collection") by the amount which is to be shifted to the states (e.g., $5 billion.)

(2) Simultaneously with the collection of the reduced amount of personal income taxes for the Federal government and subject to the rights reserved to the states in (3) below, IRS would be directed to collect as *agent* for each state an additional amount computed as a percentage ("Y" per cent) of the Federal tax collection; "Y" being the percentage calculated to result in the collection on behalf of the states of the aggregate revenues which are to be shifted to the states.

(3) Each state would be authorized to direct IRS to collect, on its behalf, from its residents a larger or smaller percentage. Absent specific instructions to the contrary, IRS would collect the amount stipulated in (2) above.

Illustration

A hypothetical illustration may be helpful. Assume that the Federal government currently collects $100 billion in personal income taxes from the residents of the fifty states, and that it is desired to shift $5 billion of these revenues to the states to be used for state and local purposes. Federal personal income tax rates are reduced by 5 percent, with the result that Federal government revenues are reduced by the $5 billion which IRS is directed to collect on behalf of the states.

Assume further that the residents of State "Z" currently pay $10 billion out of the $100 billion in personal income taxes which are collected by the Federal government. Under the revenue shifting concept, Federal tax collections from residents of State "Z" would be reduced to $9.5 billion. At the same time, IRS would automatically collect an additional $500 million on behalf of State "Z" unless the legislative of State "Z" gives specific instructions to the contrary.

DISCUSSION

A. Some Arguments Advanced in Favor of Administration's Proposal:

1. State and local governments are experiencing a fiscal crisis in part as a result of the fact that the traditional state and local government tax bases (sales and property taxes) have not expanded as rapidly as the expenditures they are required to finance. The plight of the states encourages shifting responsibilities to Washington, at the expense of local initiative. Therefore, an alternative source of funds for these governments is required.

2. The Federal government has preempted the most attractive tax base (91 per cent of income tax collections in the United States are collected by the Federal government), and has done so in a highly efficient manner. By relating revenues to be shared to personal income, the revenue sharing proposal provides state and local governments with a source of revenue whose growth potential is more closely correlated with the growth of the economy than that of the traditional state and local sources of revenue.

3. The Federal government can (a) relieve the current fiscal crisis at the state and local levels, (b) stem the impulse to concentrate still more power in Washington, and (c) allow the state and local governments to share in the income tax base through the Administration's general revenue sharing mechanism.

B. Weaknesses of the Administration's Proposal:

1. The Administration proposal divides the responsibility for the collection of revenues and for their expenditure. A taxing authority ought to be directly accountable for the proper and efficient use of the tax revenues collected. This is a fundamental principle of responsibility which ought not to be waived lightly.

2. The Federal structure presupposes the autonomy and self-sufficiency of the states with regard to those areas of responsibility which belong to them. To the extent to which the states become dependent on the Federal government for an important source of revenue they lose their independence of potential Federal regulation.

3. The Administration proposal will tend to limit the zeal with which state and local officials will try to limit expenditures. Once the revenue sharing precedent has been set, pressures will inevitably grow to pass on to the Federal government an ever larger share of the cost of state and local government.

4. The Administration's proposal does least for the states with the greatest need for alternative sources of tax revenue (e.g., California, Michigan, New York, Pennsylvania, etc.) because the tax system will return proportionately more to the poorer states than they contribute to Federal revenues. In other words, the more urbanized states will be required to continue to subsidize expenditures by states which in many cases are making a smaller tax effort, and which, because of their less industrialized-urbanized character, have fewer demands for state and local services of the kind now threatening to bankrupt their more "affluent" neighbors.

5. The Administration's proposal disguises the true cost to the taxpayers of their state and local governments because of the persistent delusion that funds dispensed by Washington originate in somebody else's pockets.

C. "Revenue Shifting" as an Alternative:

The basic concept of the alternative herein proposed ("revenue shifting") has been adapted from the system now in effect in Canada for the division of personal income tax collections between the Dominion and the provincial governments. It involves a substitution of a sharing of the Federal personal income tax base and collection facilities for a sharing of the Federal government's revenues. Its effect is to shift to the states a portion of the personal income taxes now collected by the Federal government.

The revenue shifting concept, which can accomplish the main objectives of the Administration's proposal while avoiding its weaknesses, requires legislation which will

(1) effect an across-the-board reduction in Federal personal income tax rates of "X" per cent, "X" being the percentage required to reduce estimated collections for Federal use by the amount of the revenue which is to be shifted to the states;

(2) direct the Internal Revenue Service to collect on behalf of each state from its residents an additional amount equivalent to "Y" per cent of the Federal tax collection, "Y" being the percentage required to equal the amount of revenue to be shifted to the states;

(3) authorize each state to direct the IRS to reduce, increase or eliminate the amount of the state share to be collected on its behalf;

(4) require that tax returns for the Federal and state tax collections be made on a single or joint form in which it is clearly indicated which portion of an individual's tax is being raised on behalf of the Federal government and which on behalf of the state.

D. Illustration of "Revenue Shifting" Mechanics:

The overall objective of the Administration's proposal is to increase state and local revenues by $5 billion without increasing the existing burden on taxpayers. The revenue shifting proposal can achieve this objective in the manner described below, based on the Tax Foundation's estimate that the Federal government will collect $93.7 billion in personal income taxes in FY 1972.

1. Federal personal income tax rates are reduced by 5.34 per cent thereby reducing the personal income tax yield by $5 billion. This will reduce the total Federal personal income tax collections to $88.7 billion nationally.

2. In addition to the personal income taxes which it is to collect for the federal government, the IRS is directed to collect on behalf of each state (unless such state otherwise directs) an additional increment which in the aggregate would result in the distribution to the states of $5 billion. Based on this illustration, this would mean that IRS would collect an increment of 5.6 per cent above the amount collected on behalf of the Federal government.

3. Assuming no state *specifically* directs otherwise, the collection of this 5.6 per cent increment above the personal income taxes collected by the IRS for the purposes of the Federal government would result in a distribution to the states of $5 billion.

4. Under this proposal, an individual state would be able to authorize the IRS to collect more or less than the 5.6 per cent increment from its residents. Thus a state which elected not to have IRS collect any taxes on its behalf could, in effect, provide a 5.34 per cent tax cut for its residents. On the other hand, another state which is particularly hard pressed for revenue could elect to authorize the IRS to collect more than the increment as an alternative to increasing its sales tax, for example.

E. Advantages of the "Revenue Shifting" Alternative:

1. Because the states have the power to direct IRS to increase, reduce or eliminate the amount to be collected on their behalf, they retain full responsibility for and authority over the taxation of their citizens for state and local needs. No precedent is set for Federal "bail-outs" for states which may have overextended themselves."

2. Because the personal income tax form filed with the Internal Revenue Service will specify how much of the tax is being collected for the Federal government and how much for the state, the taxpayer is spared the illusion that money transferred by IRS to his state is somehow Washington's money and not his money.

3. The states are enabled to share to a greater extent in what has been the Federal government's personal income tax base; and, in addition, they are provided with the convenience and economy of utilizing the existing Federal tax collection machinery.

4. The revenue shifting proposal avoids making the states dependent on the Federal government for another substantial source of income, and therefore avoids the danger of ultimate Federal dictation. Once the plan is in operation, its cost to the Federal government will be negligible, amounting as it will to just the cost of transferring to each state the amount collected on its behalf. Thus the system, once established, would not be endangered by future Congressional economies.

5. It eliminates the invisible subsidies which, under the Revenue Sharing proposals, are paid to some, often "low tax effort" states at the expense of the more urban, industrialized states which are currently experiencing the most critical need for funds.

NARCOTICS AND THE WAR IN SOUTHEAST ASIA

Mr. PROXMIRE. Mr. President, there are many many reasons why the United States should get out of Vietnam. First and foremost, after more than 40,000 American dead and the expenditure of far more than $100 billion, there is nothing to be gained from further aid to the South Vietnamese. If they are unable to fight for themselves now, they never will be able to do so.

But there is now a further and more urgent reason. Thousands of American servicemen have been "hooked" on drugs while fighting there. Furthermore, key regions in Southeast Asia are now the centers for much of the drugs that are coming into the United States.

Just as Congress has been told year after year that the war is going well and each day we see how weak and helpless our allies are without our military protection so we have also been told that the battle against drugs has the active and sincere cooperation of our Southeast Asian allies. But it now appears from the evidence presented to my Subcommittee on Foreign Operations and from a series of articles in the New York Times by Seymour Hersh, that our allies in Southeast Asia are harboring a major and growing source of drugs which addict our servicemen and which are sold to our youth at home. I believe that the drug problem alone is sufficient reason to get out of the war and out of Southeast Asia. And now is the time to do it. The war in Southeast Asia is not worth a single drug addicted American.

Critics of our involvement in Southeast Asia have often pointed to the adverse domestic consequences of our military activities there. Our economy continues to suffer from the inflation first brought on by the war. Essential programs for housing, health care, urban renewal, rural regeneration, and environmental protection are postponed. Reforms in our welfare system, our tax structure, and our system of revenue distribution are sacrificed on the altar of foreign military priorities.

But Mr. President, to me the most bitter consequence of this war is the cruel and callous way in which the interests of our own people are disregarded. The evidence has been mounting over the last 2 or 3 years that a major cause of our drug problem has its foundation in and has been exacerbated by the war in Vietnam.

ISSUE RAISED WITH SECRETARY ROGERS

When I have raised this issue with Secretary of State Rogers and other administration spokesmen as chairman of the Foreign Operations Subcommittee, they have assured me that the Governments of Thailand, Laos, and South Vietnam are cooperating fully in the battle against international drug traffickers. Nelson Gross senior adviser to the Secretary of State and coordinator for international narcotics matters, in a letter to me claimed that the "Governments of Southeast Asia are not engaged in drug trafficking. Indeed, the Governments of Laos, Thailand, and Vietnam have committed themselves and are actively engaged in countering the drug problem in their respective countries." That is what he wrote.

INTERNAL MEMO DENIES PUBLIC OPTIMISM

The administration's public optimism does not square with their nonpublic assessments. Seymour Hersh pointed out in a New York Times article on July 24, 1972 that the administration is quite pessimistic about controlling drug production and distribution from these countries. Mr. Hersh quoted a February 21, 1972 report prepared by the Central Intelligence Agency, the State Department, and the Defense Department as saying that narcotics control was unlikely "because the governments in the region are unable and, in some cases, unwilling to do those things that would have to be done by them if a truly effective effort were to be made." Hersh also reported that the document says that the basic problem results from "corruption, collusion, and indifference at some places in some governments, particularly Thailand and South Vietnam."

Paradoxically, the administration has tried to publicly discredit and contradict similar charges when they were presented to my subcommittee by Mr. Alfred McCoy. They failed to reveal a similar conclusion reached by their own agencies.

Why is there such a difference between the administration's public story, on the one hand, and the administration's internal reports, on the other? It certainly appears to be true that control of narcotics in Southeast Asia has taken a backseat to the administration's war policy.

WAR POLICIES NOT WORTH SUFFERING AND BROKEN LIVES

Mr. President, I must reject this kind of policy and I shudder at the suffering and broken lives it has brought about. We may have as many as 560,000 young Americans who are addicted to heroin, and as many as 100,000 addicted veterans who are now or will be flooding our woefully inadequate treatment and rehabilitation facilities. How can we possibly condone the continued poisoning of our youth in the name of military priorities? How can we tell mothers and fathers that their children's lives have been hopelessly ruined because the Vietnam war has had a far higher priority than control of narcotics? Have Americans become so hardened by years of death and destruction that they will even tolerate the flow of narcotics because it might displease our allies? I hope and pray that the answer is "No."

Nothing should be more important than preventing dangerous drugs from falling into the hands of our children. President Nixon proclaimed, a little more than 1 year ago, that drug abuse was our No. 1 domestic problem. I call for a genuine commitment by the Nixon administration to ending narcotics production and traffic in Thailand, Laos, and South Vietnam. The sensitivity of these alleged allies is not worth a broken life. What heroin is doing to this country is far more serious than any military danger we face in Southeast Asia. It is time that we make the drug traffic our No. 1 foreign policy priority.

Mr. President, I ask unanimous consent to insert the article by Seymour Hersh in the Record at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Report to United States Sees No Hope of Halting Asian Drug Traffic

(By Seymour M. Hersh)

Washington, July 23.—A Cabinet-level report has concluded that, contrary to the Nixon Administration's public optimism, "there is no prospect" of stemming the smuggling of narcotics by air and sea in Southeast Asia "under any conditions that can realistically be projected."

"This is so," the report, dated Feb. 21, 1972, said, "because the governments in the region are unable and, in some cases, unwilling to do those things that would have to be done by them if a truly effective effort were to be made."

The report prepared by officials of the Central Intelligence Agency, the State Department and the Defense Department noted that "the most basic problem, and the one that unfortunately appears least likely to any early solution, is the corruption, collusion and indifference at some places in some governments, particularly Thailand and South Vietnam, that precludes more effective suppression of traffic by the governments on whose territory it takes place."

The report sharply contradicted the official Administration position and Government intelligence sources say its conclusions are still valid today. In May, Secretary of State William P. Rogers told a Senate subcommittee that "we think all the countries are cooperating with us and we are quite satisfied with that cooperation."

Similarly, Nelson G. Gross, Senior Adviser to the Secretary of State and Coordinator for International Narcotics Matters, testified before Congress in June on the subject of narcotics smuggling that "the governments of Thailand, Laos and Vietnam have already joined us in the fight and, while we have a long way to go, we feel that during the past year some real progress has been achieved."

All officials concerned with the drug problem acknowledge that the United States agencies, under personal prodding from President Nixon, have begun an intensive effort to stem the international narcotics traffic. But critics contend that the effort is far less effective today than Administration officials say it is.

CRITICS' CHARGES BACKED

Two leading critics of what they allege to be the Government's laxness in stopping the flow of narcotics are Representative Robert H. Steele, Republican of Connecticut, and Alfred W. McCoy, a 26-year-old Yale graduate student who has written a book on narcotics in Southeast Asia. The New York Times reported Saturday that Mr. McCoy's allegations concerning the C.I.A. and the drug traffic had been the subject of an intense and unusually public rebuttal by the agency.

The Cabinet-level report, made available to The Times, buttressed many of the charges made by the two critics, particularly about the pivotal importance of Thailand to the international drug smugglers. Thailand is also a major Air Force staking area.

STEELE HINTED AT PAYOFFS

In a report on the world heroin problem last year, Mr. Steele wrote that "from the American viewpoint, Thailand is as important to the control of the illegal international traffic in narcotics as Turkey. While all of the opium produced in Southeast Asia is not grown in Thailand, most of it is smuggled through that country."

Mr. Steele's report, filed with the House Committee on Foreign Affairs, noted that many American citizens had established residence in Bangkok, and had moved into the narcotics trade. The report added that the inability of the United States to have a few notorious States to have a few smugglers deported had led some intelligence officials to conclude that the men were paying Thai officials for protection.

Mr. McCoy said in testimony before Congressional committees last month that hundreds of tons of Burmese opium passed through Thailand every year to international markets in Europe and the United States and that 80 to 90 per cent of the opium was carried by Chinese Nationalist paramilitary teams that were at one time paid by the C.I.A.

There are a number of opium refineries along the northern Thai border, he said, and much of the processed high-quality heroin is shipped by trawler to Hong Kong.

THAI-U.S. AGREEMENTS CITED

"Even though they are heavily involved in the narcotics traffic," Mr. McCoy testified, "these Nationalist Chinese irregulars units are closely allied with the Thai Government." He said that Thai Government police units patrol the northern border area and collect an "import duty" of about $2.50 a pound of raw opium entering Thailand. All this activity, he said, is monitored by United States intelligence agencies.

Mr. Gross, the State Department's adviser on international narcotics, said in his Congressional testimony that "During the past year the Thais have increased their efforts in the drug field with United States and United Nations' Assistance." He cited two agreements, signed in late 1971, calling for more cooperation and more long-range planning between Thai and United States officials to stamp out the trade.

"Based on all intelligence information available," Mr. Gross testified, "the leaders of the Thai Government are not engaged in the opium or heroin traffic, nor are they extending protection to traffickers." He added that the top police official in Thailand had publicly stated that he would punish any corrupt official.

The cabinet-level report, submitted to the Cabinet Committee on International Narcotics Control, asked "highest priority" for suppression of the traffic by Thai trawlers, noting that each trawler "would represent something like 6 per cent of annual United States consumption of heroin."

The report said that the trawler traffic should have priority because "it is possible to attack the Thai trawler traffic without seeking the cooperation of Thai authorities and running the attendant risk of leaks, tip-offs and betrayals."

After such a seizure, the report said, the United States Embassy in Bangkok could "repeat with still greater force and insistence the representations it has already often made to the Government of Thailand" for more effective efforts "to interdict traffic from the north of Thailand to Bangkok and also the loading of narcotics on ships in Thai harbors."

At another point in the report, a general complaint was voiced. "It should surely be possible to convey to the right Thai or Vietnamese officials the mood of the Congress and the Administration on the subject of drugs," the report said. "No real progress can be made on the problem of illicit traffic until and unless the local governments concerned make it a matter of highest priority."

Representatives Steele, Lester L. Wolff, Democrat of Nassau County, and Morgan F. Murphy, Democrat of Illinois, have sponsored legislation that would cut off more than $100-million in foreign aid to Thailand unless she took more action to halt the production and traffic of heroin. Their measure cleared the House Foreign Affairs Committee on June 21 and is included in the Foreign Assistance Act, now pending.

THE TROUBLED AEROSPACE INDUSTRY

Mr. ROTH. Mr. President, many sectors of American industry face severe problems which must be met in the 1970's. Production costs continue to rise while highly dedicated and technologically advanced foreign competition squeezes on traditional U.S. markets. Perhaps one of the most troubled of all is the U.S. aerospace industry; the problems which they face are unique because of their heavy dependence on Government funds to sustain them. Overmanaged and overfacilitized, these large corporations, which burgeoned in the 1960's, face a problem in trimming down to meet reduced military spending and reduced airplane orders by airline customers, as well as finding some way to reduce the costs of their products.

The aerospace industry is the backbone of our national security and must be kept strong. But, in this case, strength does not derive from size, but from the quality of technology which can be brought to bear, and the efficiency with which a product can be produced. The rapid buildup of the industry in the 1960's caused the dilution of managerial and technological excellence, the results of which have been graphically demonstrated by a myriad of program cost overruns caused by less than excellent management.

The legacy of overcapacity of the industry was the subject of some concern during the debate over the Lockheed loan guarantee. It seemed apparent at that time that the market would not profitably support three domestic producers of large jet transports. Lockheed had placed itself in such a precarious position that failure to achieve the necessary financing might well have caused the company to collapse with very serious impact both on our then sluggish economy and very high unemployment in many communities throughout the Nation. Because of this, and because the Government commitment was well protected, I gave my support to the guarantee. But that situation, and the reticence of the bankers to lend without a guarantee, is a prime example of the syndrome of overcapacity to which I earlier referred.

The problem of overstaffing is equally severe and contributes to a large degree to the enormous costs which continue to plague our defense programs. Improving defense management has been the goal of the administration since Mr. Nixon took office and notable achievements have been made. The Fitzhugh report contained numerous recommendations, some of which have been introduced. Notable among those is the move toward increased use of prototypes, a procedure where the first article of a system is rapidly built and tested by a small team prior to a decision to enter into production. Design teams in France, Russia, Sweden, and in the well known Lockheed "Skunk Works" in the United States, have successfully been applying the principles of prototype development for many years, producing aircraft quickly and efficiently with a minimum of staffing and management.

I know the distinguished chairman of the Armed Services Committee was deeply concerned about the expense of our weapon systems when he said last year:

> If the geometric cost increase for weapon systems is not sharply reversed, then even significant increases in our defense budget may not insure the force levels required for our national security.

I also know of his interest in prototypes as a means of increasing the effectiveness of our procurement procedures, as recent hearings before his committee amply demonstrate.

Mr. President, in a speech made before the Aviation and Space Writers Association in New York last month, the Deputy Chief of Staff of the Air Force for Research and Development, Lt. Gen. Otto Glasser, discussed the problem of overcapacity in the aerospace industry and the use of prototypes to improve weapon system procurement. I feel the speech is most noteworthy and while I do not endorse all of his comments, I believe it will be of interest to my colleagues. General Glasser qualifies as one of the most experienced men in the Nation in the area of military research and development.

In addressing the subject of overcapacity, General Glasser candidly states:

> Not only are there too many companies, but collectively they have more production capacity than we have any conceivable future need for. The passing of relatively ineffective (and I might add inexpensive) DC–3s and P–51s has gradually rendered obsolete and archaic our production oriented industry. We will never build 18,000 B–1s as we did the B–24, and we will never build 14,000 F–15s as we did P–51s in World War II. Nor is the 20,000 production record of the DC–3 likely to be toppled by any contemporary production run. Yet, the production orientation of industry persists.

Referring to the inefficiencies and cost caused by overcapacity he says:

> These costs appear in the next contract or the next subcontract, driving up costs so that quantities are even further reduced.

On prototyping:

> There needs to be more mergers and more transitions to a new product line. This is a slow process at best and is evolutionary.
>
> There is hope, however, that the prototype activities might accelerate the evolution. For one thing, the really competent design team might emerge for a steady flow of awards, thus causing the ascendance of the highly successful and dependable team and the atrophy and eventual demise of the least competent.

Mr. President, the aerospace industry is an important part of our national security posture as well as a major contributor to the transportation needs of the country. It means hundreds of thousands of jobs throughout the Nation, as well as substantial contributions to our balance of payments by foreign sales of commercial aircraft.

I believe General Glasser's statement strikes at the heart of some most important problems and is deserving of thoughtful consideration by my colleagues. I, therefore, ask unanimous consent that General Glasser's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

PROTOTYPING AND THE AEROSPACE INDUSTRY

(By Lt. Gen. Otto J. Glasser)

When I was asked to discuss prototyping, I had to ask myself: "Why?" What is the interest behind prototypes? I can't think of any subject that has generated such spontaneous and immediate support as has prototyping. Our reasons for supporting prototypes was simple and straightforward. Here was an inexpensive way to demonstrate, in hardware, new ideas or improvements on old ideas for improved military capabilities. The benefits of risk reduction, cost insight, expanded options and all the other benefits of fly-before-buy seemed obvious enough to us. There were two important fringe benefits as well. First, we could exercise some of our design teams in the cold, cruel world of real hardware, rather than in the oversimplified and forgiving world of paper designs. Second, because these were very small inexpensive programs, there was general acceptance of the notion that they could be conducted with streamlined management and minimum paperwork. Indeed, to some of us, the return to the 25-page Request for Proposal was in itself sufficient reward to justify the experiment.

Importantly, one could have these real-life, hardware experiences for about the same money which was previously devoted to concept formulation packages and contract definition programs, which produced nothing but paper.

But others saw different benefits. Too many in industry saw the prototype as the camel's nose under the tent. If they could only get the article designed and flying, then brochuremen could take over from there. As a minimum, foreign sales could be expected. The sticky question of what new source of production funds would be tapped to finance this bonanza has yet to be answered.

Key figures in all echelons of government could see in the prototype program an end to the aggravating cost overruns, schedule slips and performance underruns that have plagued us for so long. "Fly Before Buy", "Performance Milestones", "Design to Cost" and catch-phrases were as reverently repeated as the sayings of Mao!

Especially vocal were the students of management who have been especially prolific both in the press and in testimony, extolling the outstanding performance of the French, Russian, and Swedish aerospace industries and assigning a major share of the credit for their success to prototyping.

In short, prototyping is viewed as a panacea. Each sees in it the fulfillment of his dreams and the balm for his frustrations.

It is a bit like a friend of mine——

But let's get back to prototyping. Is it really the answer? Is it really all it's cracked up to be? Has the millennium really arrived when cost overruns, schedule slips, and all the rest are things of the past?

In characteristic pentagonese, the answer is Yes and No! There is absolutely no question that a well run prototype program will provide a generous return on our investment, and I think we're off to a very good start with our cheap, lightweight fighter prototype. As we expand the prototype program, we will develop more competent and more experienced design teams. We will increase our options for future developments for the inventory. We will gain insight into potential risks both technical and financial. And, hopefully, we will mend our management ways. But let's not expect too much! There are still other problems.

The analysts who attribute European success to prototyping have not recognized other important aspects of the European experience. As a matter of fact, I am convinced that the problem lies within the areospace industry itself assisted, of course, by government. For reasons we could discuss the U.S. aerospace industry has become overbuilt, overmanned, and overmanaged. First. Not only are there too many companies, but collectively they have more production capacity than we have any conceivable future need for. The passing of relatively ineffective (and I might add inexpensive) DC–3s and P–51s has gradually rendered obsolete and archaic our production oriented industry. We will never build 18,000 B–1s as we did the B–24, and we will never build 14,000 F–15s as we did P–51s in World War II. Nor is the 20,000 production record of the DC–3 likely to be toppled by any contemporary production run. Yet, the production orientation of industry persists." One reads a great deal about the inefficiency of underused educational facilities. Well, what about the inefficiency of unused aerospace facilities? Who pays for these inefficiencies? We both know the answer to that. Second. These costs appear in the next contract or the next subcontract, driving up costs so that quantities are even further reduced.

Let's look at the European examples. Does France do that? No. As long ago as 1936, France began collecting its fragmented industry into a nationalized sector and a private sector. Today, that collectivization is essentially complete with only Aerospatiale and Dassault remaining as full-fledged companies. Even here, the emphasis is less on production. Dassault is much more of a design and development agency than it is a production plant. Major portions of the production are farmed out to production companies having little or no engineering design capability.

The design bureaus of Russia do not produce their designs. Production is assigned to a production agency based on availability and current workload. And, of course, Sweden, with its lone corporation, never faces the problem.

Let's look at another major difference between U.S. and European organizations. The

European approach is characterized by very small, tightly integrated design teams manned by "top of their graduating class" engineers. Every man is an expert with considerable latitude for decision and very streamlined and abbreviated supervisory and management channels. Paperwork of all types is brief, concise, and limited in distribution. Contracts, directives and reports run to tens of pages rather than tens of volumes.

But what of the U.S. counterpart? We are literally suffocating from excess manning and excessive management—and I find it hard to separate cause from effect. An additional management procedure requires additional people to carry it out. In turn, this expanded team of managers comes up with proposed new economies and new efficiencies which require more directives, more controls, more reports and, in turn, more people—Ad Nauseam. I don't mean to discredit all managers and all management, but when you have more monitors than doers, the time has come to reverse the trend. I believe middle management featherbedding has become an endemic disease in the U.S., not only in industry, but in all echelons, public and private.

Well, what can be done to improve this dreary picture? Attractive as it may seem to be able to direct industry into an optimum configuration, this could only be achieved at the expense of our free enterprise system—and that is simply too high a price to pay. No, the problem is up to all of us and especially the Board of Directors and stockholders. There needs to be more mergers and more transitions to a new product line. This is a slow process at best and is evolutionary.

There is hope, however, that the prototype activities might accelerate the evolution. For one thing, the really competent design team might emerge for a steady flow of awards, thus causing the ascendance of the highly successful and dependable team and the atrophy and eventual demise of the least competent. The corporation that never wins an award, might get the word and convert to a different product line. The outstanding company might recognize from his prototype efforts the efficacy and efficiency of the streamlined approach and he might even apply it to his regular business. The millennium would be achieved when the government also recognized these rewards and did likewise!

I'm sure this Utopian scene I have sketched is a long way off but I also know that until some of us in government, in industry, and all other walks get with it and actively work toward it, it will continue to be just that—a Utopian goal. Prototyping is the first step in the right direction. We've taken that. Now, let's get about the others with equal enthusiasm.

Before I conclude, I wish to announce a significant step in our program development. The F–15 air superiority fighter will be publicly shown for the first time on June 26 at a rollout ceremony at McDonnell-Douglas St. Louis plant. This is an important milestone for the Air Force and for national security.

GEN. JOHN H. MICHAELIS

Mr. SYMINGTON. Mr. President, the outstanding career of one of our most distinguished military leaders, recently retired, should be a source of pride to all Americans.

Gen. John Hersey Michaelis, commander in chief of United Nations Command and commanding general of U.S. Forces in Korea, is leaving the Army after more than 34 years of devoted service to his country.

Born into an Army family at the Presidio of San Francisco in 1912, the future general served as private and private first class with the 29th Infantry before entering the U.S. Military Academy in 1932.

From 1936 to 1941, Lieutenant Michaelis served with the 10th Infantry in Kentucky, with the Philippine Scouts, and under General "Vinegar Joe" Stillwell at Fort Ord, Calif.

As a captain he joined the original 501st Parachute Battalion in 1941, was promoted to major, and after attending the Command and General Staff College accelerated wartime course, joined the 502d Parachute Infantry, 101st Airborne Division in June 1942.

With the launching of the Normandy landings of June 6, 1944, Lieutenant Colonel Michaelis took command of the 502d and in July received a battlefield promotion to colonel. His regiment received the Distinguished Unit Citation.

In September he led his regiment in the airborne assault on Holland, where he was twice wounded.

By December 1944 he had returned to duty as chief of staff of the 101st Airborne Division—in time to take part in its unforgettable stand at Bastogne.

In March 1945 he was returned to the United States to recover from his wounds.

During the next 3 years General Michaelis performed various duties on the War Department General Staff, including that of senior aide to Army Chief of Staff General Eisenhower.

Early in 1949 he was assigned to a staff position with the 8th U.S. Army in Japan; and when the Korean conflict erupted in June 1950 he was immediately assigned to command the 27th Infantry Regiment.

During the next 8 months he received two battlefield promotions and was several times decorated, while his regiment received two U.S. Distinguished Unit Citations and the Korean Presidential Unit Citation. Particularly memorable were the regiment's critically important defensive and counterattacking operations in the area near Taegu in August and September.

After serving as assistant commander of the 25th Infantry Division for several months, he was sent to Paris for duty at General Eisenhower's Supreme Headquarters Allied Powers Europe, where he assisted in the training of NATO forces. As General Eisenhower's personal representative at the European Defense Conference, he participated in the effort which resulted in the entry of German Army elements into the NATO forces and formed the basis of the European Coal and Steel Community and the European Defense Community.

Following duty as Commandant of Cadets at West Point, General Michaelis returned to Europe in 1954 and became the first commanding general of Southern European Task Force, the U.S. Army's atomic command. Later for several years he served as the Army's chief liaison officer with the Congress, followed by successive commands of U.S. Army Alaska, of V Corps U.S. Army Europe, Allied Land Forces Southeastern Europe, and 5th U.S. Army.

General Michaelis returned to Korea in 1969, first as Deputy Commanding General, 8th U.S. Army, later to the position from which he is now retiring.

It is a high honor indeed to salute my able friend, Gen. John H. Michaelis, as he concludes his most distinguished career as soldier-diplomat in war and peace.

PROPOSAL FOR LEGISLATIVE AUTHORITY FOR SELECT COMMITTEE ON SMALL BUSINESS

Mr. BEALL. Mr. President, I am a cosponsor and strong supporter of Senate Resolution 38, which would provide legislative authority to the present Select Committee on Small Business, on which I serve. I ask unanimous consent that my letter to Chairman JORDAN, outlining the importance of small business to America and the importance of Senate Resolution 38 to the small business community, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. B. EVERETT JORDAN,
Chairman, Senate Committee on Rules and Administration, Washington, D.C.

DEAR MR. CHAIRMAN: As a cosponsor of S. Res. 38 and as a member of the Senate Select Small Business Committee, I strongly urge that action be taken on this resolution which would provide legislative authority for the Senate Small Business Committee.

As you well know, small business and the small businessman are essential for the health and well-being of our nation. In addition, they provide an important opportunity for disadvantaged and other citizens to participate in the growing prosperity of the country. Yet, the small businessman faces growing difficulties. He is overwhelmed with laws and regulations and paper work is becoming unbearable. He is confused by the complicated tax laws. Unlike big business he cannot afford an army of accountants and attorneys. In short, it is already tough for the small businessman and it is getting even tougher.

I believe it is important that the voice and views of the small businessman be heard and acted upon by the Congress. An important step in that direction and in the preservation of the independence and viability of small business throughout the country would be the enactment of S. Res. 38. I, therefore, urge favorable committee action.

With best wishes, I am

Sincerely yours,

J. GLENN BEALL, Jr.

Mr. BEALL. Mr. President, the fight for proper recognition of the small business community in the Congress has been going on for some time. In fact, my late father, then serving in the Senate, was a cosponsor of this measure when it was introduced in 1955. The problems of the small businessman required action then. Since 1955, Federal regulations, paperwork, and other demands have multiplied greatly; thus making it imperative that the small businessman be given not only a forum where he can voice his concerns and his problems—as is the case with the Senate Select Committee on Small Business—but that the committee be given the authority to act legislatively in response to these problems.

I ask unanimous consent that a letter I received from Mr. George J. Burger, Sr., vice president of the National Federation of Independent Business, together with some background information on the history of efforts to secure action on bills similar to Senate Resolution 38, be printed in the RECORD.

Mr. Burger believes "that the future of small business—4½ million or more and their employees—is now at stake" and also urges early and favorable action on this legislation.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS,
San Mateo, Calif., June 13, 1972.
Subject: Senate Resolution 38.
Hon. J. GLENN BEALL, Jr.,
U.S. Senate,
Committee on Commerce,
Washington, D.C.

MY DEAR SENATOR BEALL: I want to take the time to congratulate you on your letter to me on May 24, in answer to my letters to you on the above subject matter. Your letter to Senator Jordan, Chairman of the Senate Rules Committee, for the needed action on legislative authority for the Senate Small Business Committee, is a masterpiece, and is following up a splendid leadership of the three original sponsors; the late Senator Wherry (Nebraska), the late Senator Thye (Minnesota) 1955; and it is noted that the name BEALL (Maryland) was one of the co-sponsors at that time. This was followed by the late Senator Prouty of Vermont.

I mention this background, as your letter of May 26 to Senator Jordan presented foolproof argument to the Rules Committee to act on this proposition resting with the Committee seventeen years.

Senator Beall, it is my hope and trust, as a matter of general information for your colleagues in the Senate, that you insert in the Record your letter to Senator Jordan and my covering letter.

I make this request as this will be helpful information also to the 310,000 or more members of the Federation in the fifty states, but it will also be interesting reading and will be noted in reading the Congressional Record; and it will be well noted by small business nationwide.

Again, congratulations,
Sincerely,
GEORGE J. BURGER, SR.,
Vice President.

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS,
San Mateo, Calif., May 17, 1972.
Subject: 23-year background present S. Res. 38 providing legislative authority for the Senate Small Business Committee
Hon. J. GLENN BEALL, Jr.,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: To your credit, in behalf of small business, you are co-sponsor of the above Resolution. In your busy day, due to the ever-increasing workload facing you and other Members of the Congress—due to increasing national and international trends—it is my hope that you will be able to give the time to review the enclosures which are wholly on the record so that small business of our Nation enjoys the same rights and privileges as the standing committees of Labor and Agriculture.

Note the items marked—as to the action of the late Senator Prouty (Vermont), page 30, of the January 15, 1963 CONGRESSIONAL RECORD. His action at that time was following up the then action of the late Senator Thye (Minnesota) on the original proposition, the bi-partisan action of 54 members of the United States Senate in co-sponsoring the Resolution. Senator Thye's action was following up the leadership of the late Senator Wherry (Nebraska) and the action on that day, February 20, 1950. Although legislative authority was not granted, for the first time—due to a compromise—the committee was made a continuing committee of the Senate (minus legislative authority). Then the next step was taken in the Senate by unanimous action on July 1, 1955, that the appointment to membership on the committee should be accomplished in the same manner and form as on the standing committees of the Senate.

Senator, the future of small business (4½ million or more and their employees) is now at stake. The writer comes to this conclusion with 60 years background in small business. May I request you for a second time to give your personal attention to this communication and to follow through wholly on the record in contacting the Chairman of the Rules Committee, requesting his action in releasing the Resolution to the floor of the Senate for action.

Finally, the Rules Committee need have no worry if legislative authority is granted to the Senate Small Business Committee—that such action would bring about invasion of the jurisdiction of other standing committees (taxes, etc.). The committee having legislative authority would have plenty to do on the basic problems facing small business (equitable distribution). May I hear from you as to your action?

Sincerely yours,
GEORGE J. BURGER,
Vice President.

Release From the National Federation of Independent Business, January 6, 1955

George J. Burger, Vice President, National Federation of Independent Business said today the bipartisan action of the 54 members of the United States Senate in joining together in the introduction by Senator Edward J. Thye (R) Minnesota of the resolution giving standing committee status to the present Small Business Committee is a definite indication that these members of the Senate sponsoring the resolution are determined to give all out aid and protection to independent business throughout the nation. He adds that this is a milestone in long overdue recognition by the Congress of the United States to the basic problems of small business.

The resolution is known as S. Res. 16 and has been referred to the Committee Rules and Administration for action.

The co-sponsors of the resolution are as follows: Hon. Edward J. Thye, Hon. John Sparkman, Hon. Gordon Allott, Hon. Frank A. Barrett, Hon. J. Glenn Beall, Hon. George H. Bender, Hon. Francis Case, Hon. Dennis Chavez, Hon. Norris Cotton, Hon. Price Daniel, Hon. James H. Duff, Hon. Henry Dworshak, Hon. Sam Ervin, Hon. Walter F. George, Hon. Barry Goldwater, Hon. Theodore F. Green, Hon. Thomas Hennings, Hon. Lister Hill, Hon. Hubert Humphrey, Hon. Irving M. Ives, Hon. Henry Jackson, Hon. Olin D. Johnston, Hon. Estes Kefauver, Hon. John Kennedy, Hon. Robert S. Kerr, Hon. Thomas Kuchel, Hon. William Langer, Hon. Herbert Lehman, Hon. Warren Magnuson, Hon. George Malone, Hon. Mike Mansfield, Hon. Edward Martin, Hon. Thomas E. Martin, Hon. John L. McClellan, Hon. Patrick V. McNamara, Hon. Karl Mundt, Hon. John O. Pastore, Hon. Frederick G. Payne, Hon. Leverett Saltonstall, Hon. Andrew Schoeppel, Hon. W. Kerr Scott, Hon. Margaret Chase Smith, Hon. Stuart Symington, Hon. Arthur V. Watkins, Hon. Herman Welker, Hon. Alexander Wiley, Hon. Milton R. Young, Hon. William A. Purtell, Hon. James E. Murray, Hon. Earle C. Clements, Hon. Paul Douglas, Hon. Wayne Morse, and Hon. George Smathers, and Hon. Russell Long.

Small business also notes the action of the President in recommending the continuance of the Small Business Administration Act.

[From the CONGRESSIONAL RECORD, Jan. 15, 1963]

GRANT OF LEGISLATIVE AUTHORITY TO SELECT COMMITTEE ON SMALL BUSINESS

Mr. PROUTY. Mr. President, I submit, for appropriate reference, a resolution which grants full authority in legislative matters to the Select Committee on Small Business. Cosponsoring the resolution with me are Senators SCOTT, YOUNG of North Dakota, MOSS, BOGGS, and KEATING.

There are over 4½ million small businesses in this country, Mr. President. They are a most important segment of our economy. Unlike other facets of the economy, so-called big business, labor, and agriculture, our small businesses are without geographical limitation. They are equally important to our urban, metropolitan, suburban, and rural communities.

The growth and expansion of our Federal Government and its ever increasing regulatory activities have changed considerably the atmosphere of governmental relations with our small business enterprises. There is, it seems to me, sufficient basis for the Senate to consider establishing in its Select Committee on Small Business a committee which has jurisdictional authority over legislation peculiarly affecting the small businesses of this Nation.

A brief history of the Senate Small Business Committee demonstrates the development of the importance of this group over the years.

On October 9, 1940, about 23 years ago, the committee was authorized by resolution to be established in the Senate. Such eminent Senators as Murray, of Montana; Taft of Ohio, and the present Senator Ellender, of Louisiana, served on that original committee.

At the commencement of each succeeding Congress, the Special Committee on Small Business was reconstituted until February 20, 1950, when the Senate acted upon resolutions which gave permanent, continuing status to the Small Business Committee. The vote at that time was 56 yeas to 26 nays, and included bipartisan support.

Then, on July 1, 1955, practically unanimous vote of the Senate provided that appointment to membership on the Small Business Committee should be accomplished in the same manner as appointent to the standing committees of the Senate.

Thus, we can readily see the development of the Select Committee on Small Business to its present status.

I submit, Mr. President, that the importance of the small business in every American community—over 4½ million strong—now warrants the next step in enhancement of the position of the committee itself. The small business legislation which is introduced in and acted upon by each session of the Congress seems to me to require action by a committee with full authority to draft and report bills which relate peculiarly to the small businesses and the men who run them. The work in this area is sufficiently important to warrant the full legislative jurisdiction enjoyed by other committees in order that its membership can develop an expertise in the field which is so common among members of the standing committees of the Senate.

Mr. President, our small business community needs confidence.

I submit, Mr. President, that the adoption of this resolution by the Senate is sorely needed to build that confidence. The President himself recognized that this is true. He stated that our small businesses were "failing at a record rate." Further a weekly staff report of the Small Business Committee in April of 1962 reported that the failure rate was then the highest in 20 years.

The committee itself has demonstrated its own importance.

The Senate has recognized the increasing need for the work of the committee, through its continued development of the prestige and importance attached to its work.

And, finally, the small business community, with its very large effect upon the entire Nation has attained a position of sufficient importance to the community that its legislative problems warrant the services of a committee with functions and powers such as are contemplated by this resolution.

Mr. President, I ask that this resolution, which I now offer, may lie on the table for 1 week in order that other interested Senators might have an opportunity to join with us in its sponsorship.

The President pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the table, as requested by the Senator from Vermont.

The resolution (S. Res. 30) was referred to the Committee on Rules and Administration, as follows:

"*Resolved,* That S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended, is amended to read as follows:

"'That there is hereby created a select committee to be known as the Committee on Small Business, to consist of seventeen Senators to be appointed in the same manner and at the same time as the chairman and members of the standing committees of the Senate at the beginning of each Congress, and to which shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the problems of American small business enterprises.

"'It shall be the duty of such committee to study and survey by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation.

"'Such committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the committee or otherwise within its jurisdiction.'

"Sec. 2. Subsection (d) of rule XXV of the Standing Rules of the Senate is amended by striking out in paragraph 2, the words 'under this rule'."

FAIR LABOR STANDARDS AMENDMENTS OF 1972

Mr. NELSON. Mr. President, at the request of the Senator from South Dakota (Mr. McGovern), I ask unanimous consent to have printed in the Record a statement by him relative to S. 1861, the Fair Labor Standards Amendments of 1972.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator McGovern

I wholeheartedly support S. 1861, The Fair Labor Standards Amendments of 1972, and urge that the Senate speedily approve this bill.

Over the years the Fair Labor Standards Act has moved millions of people out of poverty, without harming at all our rates of employment, the state of the economy, or efforts to stem inflation. S. 1861 provides much needed improvement in existing minimum wage and overtime laws by expanding coverage and increasing the minimum wage. It is far superior to the watered-down version passed by the House last month and provides equitable treatment for employees currently not covered by the Fair Labor Standards Act.

S. 1861 increases the minimum wage to $2.20 an hour, and increases by 8.4 million the number of workers covered by the Fair Labor Standards Act. It removes exemptions currently applicable to certain classes of workers from minimum wage or overtime coverage. Finally, it strengthens the Equal Pay Act of 1963 and demonstrates a commitment to the principle of equal rights for working women by including executive, administrative and professional positions in Fair Labor Standards coverage.

An increase in the minimum wage in 1972 is fully justified on economic grounds alone. The present minimum wage of $1.60 an hour yields a worker who works full-time all year an annual gross income of only $3,328, $800 below the poverty line. The minimum wage provided in this bill yields only $4,576 annually, less than $500 above the poverty line. I doubt that any member of this body would attempt to live within this income, yet opponents of this bill are telling low-wage workers to live on less than that, even though they are working full-time.

The Consumer Price Index has risen 26% since the Fair Labor Standards Act was amended in 1966. Since 1968, when the present $1.60 minimum wage became effective, the Index has risen another 21%. The increase provided for in S. 1861, therefore, will do little more than enable low-wage workers to keep pace with an ever-increasing cost of living.

In the January, 1970, 4(d) Report to Congress on the Fair Labor Standards Act, the Secretary of Labor stated:

"One of the major goals of this administration is to get people off the welfare rolls and onto payrolls. Once having achieved that, unless the worker receives the minimum wage, he is more likely to fall back on the welfare rolls."

If this is a serious goal, then there is no reasonable alternative to enactment of the minimum wage rates provided in S. 1861.

In the thirty years since the enactment of the Fair Labor Standards Act, many exemptions from minimum wage and overtime coverage have been created for specific classes of employees. The net effect of these loopholes has been to provide cheap labor for employers, by forcing ordinary people to suffer low wages and long hours. This unfair burden must be removed, and we are long overdue in doing it.

S. 1867 also extends Fair Labor Standards coverage to whole classes of employees not previously covered—among domestic service employees in private homes and state and local government employees.

In the case of individual establishments in covered retail chains, more workers will be brought in by considering the gross annual receipts of the entire chain instead of the receipts of each individual outlet. Further, unlike the watered-down version passed by the House, this bill does not legislate discrimination based on age by adding a subminimum wage to the Fair Labor Standards Act.

In 1969, the Bureau of the Census estimated that there were approximately 340,000 women employed as domestic in private homes in the United States, with average annual incomes of $1,926. As well as paying low wages, domestic work is irregular and these jobs offer few, if any, non-wage benefits. Therefore, on the basis of need, a better case can be made for including domestic workers under the provision of the Fair Labor Standards Act than for almost any other class of newly-covered worker. It is unthinkable that some women in this country are working for approximately $.92 an hour while receiving no non-wage benefits at all.

A similarly strong case can be made for those farm workers newly covered under the provisions of S. 1861, the migrant workers of the United States. Most Americans are now aware of the deplorable conditions in which migrant farm workers must work and live—and the low wages, long hours, the indescribably dirty and unsafe living accommodations.

S. 1861 addresses itself only to one segment of the problems of the migrant worker—low wages. But it represents a substantial step forward. The Report of the Labor and Public Welfare Committee tells a story of a five-member migrant family that traveled for an entire summer and earned wages amounting to less than $.25 an hour. For this miserable wage, all members of the family, including a six year old child, worked fifteen hours a day, seven days a week. There is simply no place in this Nation, nor any justification, for that kind of condition to persist.

By extending Fair Labor Standards Act coverage to virtually all nonsupervisory employees of state and local governments, S. 1861 completes work started by the Congress when it passed the 1966 Amendments covering employees of state and local hospitals, schools, and other institutions. According to statistics available from the Department of Labor, approximately 79,000 public employees will benefit from initial coverage, and approximately 241,000 will benefit when the minimum wage is raised to $2.20 an hour two years after the bill is passed.

The argument has been raised that extension of the federal minimum wage, coupled with an increase in the minimum wage, will work an undue hardship on the states. But statistics compiled by the Department of Labor show this to be an erroneous assumption. The cost of raising public employees to the $1.80 minimum wage would result in an annual wage bill increase of only 0.1 per cent. When public employee wages are raised to the $2.20 minimum, the annual wage bill will only increase by 0.2 per cent. This burden is hardly onerous when compared to the benefits for the employees affected.

On the issue of overtime, a Department of Labor study entitled "Nonsupervisory Employees in State and Local Government" states:

"The increase in the weekly wage bill that would be required by the payment of additional half-time for all hours over forty is estimated at one per cent. It should be noted that the actual impact of a 40-hour overtime standard would be somewhat less than this amount since some state and local government units currently have provisions for premium overtime pay."

These date anticipated coverage of policemen and firemen, the major source of overtime in most communities. Since public safety officers are phased-in over a five-year period, the cost impact would be significantly less than indicated in the Report.

The question of constitutionality, another problem raised with respect to the extension of minimum wage coverage to public employees has been raised and dealt with in Maryland v. Wirtz, 392, U.S. 183 (1967), which upheld the coverage of state and local government employees under the Fair Labor Standards Act.

In sum, the enactment of S. 1861 will demonstrate the Senate's firm commitment to justice and equality for working men and women throughout the country.

It will enhance the dignity of honest labor not by cheap exhortations, but by a solid public policy of a fair reward for a full day's work.

That is a principle which deserves the overwhelming support of the Senate.

RECONFIRMATION OF FEDERAL JUDGES BY THE SENATE

Mr. HARRY F. BYRD, JR. Mr. President, the legislature of the State of Michigan on June 27 gave final approval to a concurrent resolution endorsing legislation which I have proposed requiring the periodic reconfirmation of Federal judges by the Senate.

In the Michigan Legislature, the resolution—Senate Concurrent Resolution No. 360—was offered by Senators John Bowman and James Gray and cosponsored by Representatives O'Brien, Symons, Pilch, Wierzbicki, James F. Smith, Loren D. Anderson, Huffman, and Law.

I welcome the action of the Michigan Legislature in support of Senate Joint Resolution 106 proposing an amendment to the U.S. Constitution.

A hearing was held on my proposal by the Subcommittee on Constitutional Amendments of the Judiciary Committee on May 19. This was the first time a Senate committee ever had held hearings on such a proposal.

I am grateful to the Michigan Legislature for its manifest interest in Senate Joint Resolution 106.

I fully support the concept of an independent judiciary. The amendment I have introduced simply provides a method by which the courts might be made more accountable to the people.

ALLIANCE FOR RAIL COMMUTER PROGRESS

Mr. MATHIAS. Mr. President. On October 29, 1971, a coalition of rail commuters founded the Alliance for Rail Commuter Progress, whose mission is to promote the utilization of commuter rail services throughout the Washington metropolitan area.

I wish to recognize this association for its work with commuter problems and in particular several of its members who, with notable effort, compiled a survey of current rail commuters on the B. & O. Brunswick Division Line. The survey, which has previously been placed in the Record, provides evidence in support of my views on the need for an expanded commuter service for the Washington metropolitan area. A list of those who conducted this survey follows:

Grace and Charles Burroughs, 686 College Parkway, Rockville, Md., 20850.

Lorena and Richard Lemons, 1900 Snow Drop Lane, Silver Spring, Md., 20906.

John Pentecost, 107 Grove Avenue, Washington Grove, Md., 20880.

Cabell Poindexter, 18908 Smoothstone Way No. 6, Gaithersburg, Md., 20760.

Saul Snyder, 13601 Valley Drive, Rockville, Md., 20850.

M. Jean Spokely, 12308 Clement Lane, Silver Spring, Md., 20902.

Nellie and David G. Spokely, 12308 Clement Lane, Silver Spring, Md., 20902.

Stephanie S. Chaconas, 19313 Olney Mill Road, Olney, Md., 20832.

A FINE TRIBUTE TO SENATOR HUBERT HUMPHREY

Mr. PROXMIRE. Mr. President, everyone delights in Hubert Humphrey's bubbling friendliness, his amazing vitality and energy, and the absence of hate and vindictiveness in his heart.

He has just finished a hard fight for the nomination to the Presidency. If it had not been for the splits in the party 4 years ago, the disaster of the 1968 convention, and the shortness of time to overcome the problems, Hubert Humphrey would be President of the United States today. No man ever did more for his party and for his country and for the people of the United States only to have that loyalty unrequited by fate and events.

The Los Angeles Times last Sunday published an article entitled "Fighting the Good Fight—for the Last Time," which is a moving and truthful piece. While it is true that Hubert Humphrey may never again have a chance to fight for the Presidency, it is not true that he has fought the good fight for the last time. There will be many issues and many causes which will entice this remarkable man's attention and concern during the period when he serves in the Senate of the United States.

The article by Ernest B. Furgurson is such a fine tribute to Senator Humphrey and his lovely and loyal and noble wife Muriel that I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fighting the Good Fight—for the Last Time

(By Ernest B. Furgurson)

How many times, before Tuesday noon, must Muriel Humphrey have seen her husband stand in front of a microphone with tears welling in his eyes and heard him concede defeat but vow to keep up the good fight anyway, and said to herself as she tried to smile, "Thank God, it's the last time."

This time, at long last, it is, and a great many Americans besides Mrs. Humphrey are grateful for that fact. Many of those, of course, are the senator's opponents, who jeered him when he was too young and radical and sneered at him when he was too old and "conservative" by bombthrowers' standards.

But even more of them are his friends, who through all these years have felt tears well up themselves every time Humphrey bore up under defeat again.

He was, it is true, the easiest politician in recent times to deride and make fun of. He was also the easiest to love, for the simple reason that he himself was so full of love. You might say he based his whole political career on it.

That is why it was so hard for his friends that night in May, 1960, in Charleston, when he acknowledged that John Kennedy had won not only the West Virginia primary but was on his way to the nomination.

That was the night the hillbilly singer kept doing "I'm Gonna Vote for Hubert Humphrey" over and over to the tune of "That Old Time Religion," and, of course, the whole thing could not have had the poignancy anywhere else that it did in a seedy hotel room at the end of a poverty-stricken campaign in those poor and rainy hills.

That is why it hurt them again to see him on the stage in the Leamington Hotel in Minneapolis the morning after election day in 1968, when he had to wait overnight to be sure that his courageous campaign against Richard Nixon, starting from disaster, had fallen just 500,000 votes short. That time, many of us wrote, surely was the end of his quest, the burial of the dream he had chased for a quarter-century even then.

But that was before he was reinspired by reelection to the Senate by such an overwhelming vote. In the short intermission when he was teaching at Macalester College, he already was anticipating 1972.

That also was before Chappaquiddick. It was before he devised his strategy of staying out of this year's primaries unless the front-runner faltered, and then scrapped it. It was before the new Humphrey with the double-knit wide lapels and mod hairdo came back into presidential politics.

Many of his old admirers wished he had not. Then he and they picked up hope when he ran strongly in early tests. But as it turned out, many of them came to be sorry he had done so well, because when he smelled the prospect of nomination again, it overcome his better judgment.

He wavered on busing. He said anybody who challenged the unit rule in California after it was over would be a spoilsport, and then he did just that. These past weeks have been the only time I ever knew his friends to feel it necessary to apologize for him.

Yet, now that it is done for the last time, those moments of tawdriness are hardly sub-footnotes in a long and rich biography. After he faced his staff and then the public and cameras, when he put his right arm about his wife's shoulders, pulled her to him and almost literally leaned on her, what he had said and done finally got through even to the young McGovernites in their hair and acid-rock outfits, and they applauded him without an ugly word.

The obvious thing, seeing that, was to reflect on what their own hero had been threatening to do to the party if he were the one who lost.

Hubert Humphrey never walked away from a fight, but when he had fought, he never turned away from the Democratic Party—nor even, I am certain, had a fleeting thought of doing so.

He defended his party against Communist infiltration after the war and labored to purge it of the shrugging attitude to racism that had traditionally assured it of the solid South. He led it to leadership on civil rights, the test-ban treaty, voting rights, Medicare. He was totally loyal under the most painful circumstances.

This sounds like an obituary, although if the country is lucky, he will be in the Senate another 20 years. Whether he is living or dead, when his party convenes again, it will honor itself if it puts his giant portrait on the wall along with Jackson, Roosevelt, Stevenson and the rest.

In fact, it would honor itself even more if it put up a picture of them both, Hubert and Muriel, with his arm tight about her shoulders.

COMPETITIVE PRACTICES OF PHARMACEUTICAL INDUSTRY

Mr. HUGHES. Mr. President, for more than 5 years, the Senator from Wisconsin (Mr. Nelson), as chairman of the Monopoly Subcommittee of the Senate Select Small Business Committee, has been investigating the competitive practices of the pharmaceutical industry.

He has uncovered evidence of a wide variety of shocking practices that are both dangerous and irrational. Perhaps the most shocking has been the material he uncovered concerning drug advertising and promotion, particularly that part of it aimed directly or indirectly at young children.

Living within a drug culture which is becoming increasingly dependent on drugs, legal and illegal, many leading medical authorities are now warning that the very clever industry advertising, particularly on television, is making children susceptible to the idea that any problem can be solved by a pill. It does not stretch the syllogism to see that it is only a step from the prescribed tranquilizer to the illegally sold amphetamine, to the illegal drug.

In an enlightening article entitled "Is TV Selling Your Children on Drugs?" published in Family Health magazine, Senator NELSON outlines the situation. The article should be read by every concerned parent in America. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS TV SELLING YOUR CHILDREN ON DRUGS?

(By SENATOR GAYLORD A. NELSON)

Not long ago, a worried California mother picked up her pen to write me a letter about a family problem which increasingly disturbed her. She realized it was a problem millions of other mothers must share, and she was anxious to know what might be done to solve it.

"All the drug commercials on TV seem to have an effect on my children," she wrote. "They are especially interested in sleeping-pill commercials. My six-year-old daughter and eight-year-old son have on several occasions got out of bed and told me they couldn't get to sleep and nagged me for sleeping pills.

"Neither my husband nor I take prescription or over-the-counter sleeping pills, and my children have admitted to me that the idea that they should take sleeping pills comes from television commercials."

This letter reached my desk about the same time as another, from a physician whose supervision of the methadone clinic in a major city hospital put him in daily contact with hundreds of addicts. He did not mince his words:

"TV advertisers are teaching our children to use drugs, including the dangerous ones. It seems to me that any child or emotionally immature adult subjected to the daily and incessant barrage of messages offering 'fast . . . fast . . . fast' or 'instant' relief from every care of life by simply swallowing pills would be tempted to try them—and, finding they do not live up to the glowing promises, would then resort to stronger ones.

"That many of them arrive at heroin is not surprising. But I know of no drug except heroin or morphine which will produce the dramatic relief from all worldly cares as TV vividly pictures."

I quote these two examples from the rising tide of mail addressed to my office because they highlight a situation which threatens the health and well-being of the American people in every age group, but most particularly our children.

For nearly five years now, the Senate group of which I am chairman—its official title is the Subcommittee on Monopoly of the Select Committee on Small Business—has been exploring the effects of drug promotion and advertising on our admittedly drug-oriented society.

Since May 1971, our Washington hearings have focused on nonprescription drugs, those imaginatively named products which are constantly advertised on the nation's 7500 television stations and sold over the counter in every pharmacy, in most of the nation's supermarkets, and even in some cigar stores.

Nobody has the least idea how many over-the-counter drugs are on the market. The best guess that the Food and Drug Administration can come up with is somewhere between 100,000 and 200,000. According to industry figures, over $300 million was spent to advertise nonprescription drugs on television in 1970, with many companies spending more than 30 percent of their gross revenues on advertising.

In that same year, three drug companies spent close to $19 million to promote children's medicines on television, and most of the commercials were aimed directly at children.

A few days before his term as Federal Communications Commissioner expired, Thomas J. Houser, the father of three children, appeared before our committee. He testified that:

"Fifteen million youngsters from the age of two through eleven watch Saturday morning television. They see as much as sixteen minutes of commercials per hour, opposed to eight minutes during an adult prime-time hour. In 1970, this children's advertising meant eighty million dollars in network sales alone.

"Many parents feel their children are being exploited, and they resent it. They are against pushing vitamins to children. They also resent animated cartoon characters who lead children into a pilltaking fantasy. If your five-year-old child feels he has iron-poor blood, a TV commercial offers him vitamins with and without iron.

"Children should not be making medical decisions, yet our children are being sold directly and are constantly exposed to the pressure."

Another Federal Communications Commissioner, Nicholas Johnson, spoke in support of his colleague's viewpoint. "I do not see how anyone who is seriously concerned with the effect of television on children can ignore the testimony you have heard or fail to move now against the commercial exploitation of children, both in the life style that television purveys to them and the specific drug and drug-related products—candy aspirin, cough medicines, animal or cartoon vitamins—that are huckstered on programs designed to capture children for advertisers."

Many studies have been conducted to demonstrate the impact of television as an "electronic hypochondriac," as one witness described it. Probably the most impressive of these was a survey organized by Dr. David Lewis of Harvard Medical School and Beth Israel Hospital in Boston. Dr. Lewis' team carried around with them a display case containing samples of drug products advertised on television.

"Most adults were familiar with advertising on television," Dr. Lewis reported, "but some were not. In contrast, all the children who crowded around us were familiar with the products we carried. Even small children—four, five, and six—pointed knowingly to several of the samples and repeated or sang the commercials for them. I don't think I really appreciated the extent of the power of advertising until I heard the kids singing the ads."

His concern was much the same as that of the methadone-clinic supervisor who wrote to me: "Such widespread promotion of drugs, their magical qualities, and the immediacy of their effects may be factors that encourage our children to experiment with their chosen array of drugs, whose effects are just as immediate, just as magical, and just as wonderful for them."

It is a short step from singing the commercials to trying out the products advertised. Mail from parents and teachers tells me that children as young as nine or 10 go out and buy over-the-counter drugs containing caffeine or other stimulants, then take four or five of them all at once.

The logical consequence is that they might pursue the habit until they get into hard drugs, addictive drugs. That is the tragedy.

The late Sir William Osler, distinguished physician and writer, once observed, "The desire to take medicine is perhaps the greatest feature that distinguishes man from animals." Self-medication—the freedom to walk into a drugstore and prescribe for yourself—is a part of our health-care system.

But how many adults, let alone children, really need the products they buy over the counter or, indeed, are suffering from any specific ailment that might actually be relieved by those products?

Many physicians believe that as many as four out of five patients who visit a doctor's office have only vague, undefined psychogenic complaints without physical origins. The point is made by the old, well-known joke about a woman who habitually attended a clinic for free medical care.

There was, in fact, nothing wrong with her, but she came to tell her troubles to the doctor, who listened, humored her, and even came to look forward to her visits. One day, she did not show up. When she arrived the following morning, her doctor said, "We missed you yesterday. What happened? Why didn't you come?"

"To tell you the truth," she apologized, "I was sick."

What so many advertisers have done is to promote the concept that our ordinary, day-to-day anxieties constitute diseases that their products will relieve or cure. They offer escape from problems and pressures that once were rightly regarded as a normal, everyday part of human experience.

Such advertising promises panaceas for almost every stress and strain. You're a newcomer in town who can't make friends? *Take a pill.* An organization man who can't adjust to altered status in his company? *Take a pill.* A woman who can't get along with her new daughter-in-law? *Take a pill.* An executive who can't accept retirement? *Take a pill.* A woman who fears she is growing old? *Take a pill.* A college student worried about grades? *Take a pill.*

Drug advertising is not, of course, confined to television. One magazine advertisement I vividly recall shows a large picture of a little girl with a fat tear rolling pathetically down her cheek. *If your child is worried about school, the dark, separation, dental visits, monsters, give her a pill.* This time the drug is lemon-flavored.

We, as adults, must face the fact that the pill dependency of adult, middleclass America has affected the kids. Roughly five *billion* pills are bought by Americans each year. That's 65 for every man, woman, and child in this country.

Dr. Donald B. Louria, chairman of the Department of Preventive Medicine and Public Health at the New Jersey College of Medicine and Dentistry, and an expert in the field of drug abuse, told our committee: "Let no one delude himself into thinking there is no nexus between excessive self-medication and the use of illegal drugs. Good epidemiological studies show that parents who use inordinate amounts of medicaments breed children who have a far greater likelihood of using illicit drugs."

He presented the results of three independent surveys showing that relationship. According to a study done by Dr. Reginald Smart of Toronto, "If the mother is a daily tranquilizer user, then the child is three-and-a-half times more likely to use marijuana, ten times more likely to use opiates, five times more likely to use stimulants or LSD, and seven times more likely to use tranquilizers than a comparable child whose mother was not a daily tranquilizer user. Marijuana was used by more than a third of youngsters whose mothers used tranquilizers daily, compared to only a tenth of other youngsters."

Dr. Richard H. Blum's investigations in California revealed that 31 percent of young people who were intensive users of amphetamines, and 68 percent of young men and women who were intensive users of tranquilizers, had parents who used stimulants of the same kind.

At the time he appeared as a witness, Dr. Louria had not completed his own study of 12,000 high school and junior high school students in northern New Jersey, but the data he had gathered up to then showed that the chances of students "shooting" methedrine were five-and-a-half times greater than a comparable group if their fathers were on tranquilizers and three times greater if their mothers were taking tranquilizers.

As Dr. Louria concluded, "All of the studies say the same thing—that if you want your child to use illicit drugs, then be a user of tranquilizers or stimulants or sedatives yourself, or an excessive user of alcohol or tobacco."

The responsibility of parents is left in no doubt. They should recognize that it is a foolish mistake at best—and it may be a tragic error with long-term consequences for children—continually to prescribe drugs for themselves, because pill-taking mothers and fathers set an example for their sons and daughters.

The expert testimony presented at our hearings over the past several years leads to some other conclusions, valid for all of us. For one thing, most ordinary aches and pains are self-limiting; they will go away even if you do nothing.

So before anyone buys over-the-counter drugs, he should ask himself whether it is really necessary—and whether it is really as effective as some advertising would have him believe.

In the words of Dr. Charles Edwards, Commissioner of the Food and Drug Administration, "Thirty to seventy percent of any group tested will experience relief of anxiety when given a placebo and told it will be effective." A placebo, I might add, has been defined as an inert ingredient that has no pharmacologic effect on a person. In other words, something like a speech by a politician.

My own rule is to take no drugs at all, except perhaps a couple of aspirin tablets if I have a mild headache, and the last time I took an aspirin must have been two or three years ago.

Aspirin is an effective over-the-counter drug, the best and most widely known of the analgesics, or painkillers. I believe that if you develop a headache or similar moderate ache or pain occasionally, it is not dangerous to prescribe aspirin for yourself, and it will reduce or eliminate the pain. All our witnesses stated that analgesics, or pain relievers, are generally effective, though the advertising claims for some of these products are often false or deceptive.

However, if the pain persists, it is a grave mistake to take any over-the-counter analgesic over an extended period of time. What is needed then is a doctor's diagnosis and treatment. As Dr. Edwards testified, whenever anyone takes any kind of drug, including aspirin, there is a certain element of risk involved, ranging from very minimal to very high. It is important, therefore, to ensure that the benefits gained in taking the drug outweigh the possible risks that are involved.

You may well be tempted to ask, "What is the United States Government doing about consumer protection in over-the-counter drug selling and advertising?"

The only answer is, "An ineffective job, but promising to do far better." The FDA is undertaking a comprehensive analysis of these products ever attempted, calling on the services of outside experts to evaluate every category of OTC drugs. The task is not quite so staggering as it may seem; the vast majority of the pills and potions are made up of roughly 200 basic ingredients. The National Academy of Sciences-National Research Council, in its drug-efficacy study for the FDA, has already reviewed 400 nonprescription drugs which are broadly representative of thousands of drugs on the market. Many drugs have been found to lack the substantial evidence of efficacy required by law. The FDA's own study, which is expected to be completed in about three years, should drive dangerous items from the drugstore shelves, increase consumer confidence in worthwhile products, and spur the manufacturers to formulating better products for self-prescription.

There is little doubt that our Senate hearings were influential in stirring Federal action. We found that there are three major government agencies with responsibilities in protecting the consumer. These agencies are the Federal Communications Commission, the Federal Trade Commission, and the Food and Drug Administration.

The law says that the FCC controls all radio and television channels and shall grant licenses for operating radio and TV stations only "if the public interest, convenience, and necessity would be served thereby." When I questioned Dean Burch, Chairman of the FCC, on this point, he felt that the task of checking on misleading television promotion of OTC drugs to children and adults rested with the FTC.

The law says that the FDA, in general, has the responsibility for ensuring the safety and efficacy of both prescription and nonprescription drugs. But a parade of FDA witnesses argued that action taken in the courts to combat false and misleading claims was frustratingly slow. The FTC has had similar experience.

Nobody was clear as to who has what jurisdiction, what resources, what authority to combat the drug culture as we see it enticingly portrayed on television.

In the meantime, the buildup continues unabated, with drugs filling in where cigarette advertising left off when it was finally banned from the air waves—with our children being taught to pick their own pills and brought up to believe that a pill is the answer to everything.

AMERICAN ASSOCIATION OF RETIRED PEOPLE

Mr. ALLOTT. Mr. President, I was pleased just prior to our recent recess for the Democratic Convention, to be invited to attend a portion of the Biennial Convention of the American Retired Persons Association, and the National Retired Teachers Association, being held in the District of Columbia.

I was especially pleased that the invitation was extended to me by members of the association from my State of Colorado and that it was possible for a number of those members and their families to be here for that convention.

For the information of my colleagues, I ask unanimous consent that a summary of the "14 Years of Achievement" of the American Association of Retired Persons be printed in the RECORD at the conclusion of my remarks.

An article in the June–July publication of this organization, "Modern Maturity" by Hubert Pryor, the editor, says:

> Those who join AARP are brought together by the compelling need in today's culture for an identity and purpose that others would deny them or only pay lip service to. They know that working together, they can develop the activities and interests they could not develop alone.

That article concludes with a quotation from Robert Louis Stevenson which Mr. Pryor denominates as one signifying, in its deepest connotations, the aspirations of the American Association of Retired People:

> So long as we love, we serve; so long as we are loved by others I should say we are almost indispensable and no man is useless while he has a friend.

With this philosophy, I am sure the accomplishments of the AARP, and the NRTA, will continue to grow during its 15th year and those which follow.

The organization's publication also contains an article about the centennial of the National Park System being celebrated this year and it includes a description of how our senior citizens can enjoy the camping facilities in our national parks. Particularly, in view of this, it gave me pleasure to convey the report to the Colorado people present at the Dr. Ethel Percy Andrus memorial dinner on June 14 that on the day before, the conference on the Golden Eagle Passport program bill, out of the Senate Interior and Insular Affairs Committee, of which I am the ranking Minority Member, had finally agreed on a provision in the Senate-passed bill, introduced by Senator ALAN BIBLE, which is of great benefit to persons 62 years of age or over. Under the terms of that provision, such persons are entitled to free admission to all units of our national parks as well as recreation areas administered by the Forest Service. They also are granted a 50-percent reduction of charges for the use of camping and similar facilities.

I was happy to cosponsor Senator BIBLE's bill and commend him for not only the bill but also his leadership as chairman of the Parks and Recreation Subcommittee, acting chairman of the full Interior and Insular Affairs Committee and chairman of the conference, in all of which capacities he guided the bill to enactment.

For their contribution, I thank the AARP and all of its members in Colorado including those who were here from Colorado for the convention, Miss Olga Hellbeck, Pueblo; Mrs. M. Z. Joiner, Denver; Mrs. Ida Crockett, Clark; Mrs. Myrtle Jones, Grand Junction; Noralf Nessett, Colorado Springs; Arnold Johanson, Colorado Springs, and Julian Ebersold, Park.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

FOURTEEN YEARS OF ACHIEVEMENT

1958

AARP is founded and incorporated under the laws of the District of Columbia as a voluntary, nongovernmental, nonprofit and nonpartisan organization, with a membership of mature men and women, proudly self-reliant who see in their retirement years a great opportunity for self-expression and self-fulfillment.

Modern Maturity, a bimonthly magazine, is published with full colored illustrations. It is dedicated to satisfying the social and cultural needs of mature individuals by providing a picture window on the world about. It also portrays to that world the true story of older folk as men and women of action: artists, writers, sportsmen, travelers, civic servants and welfare volunteers—first issue October-November.

AARP Health Insurance Plan, a special group policy underwritten by one of the leading insurance companies of the United States, makes its appearance as the first nationwide health insurance for all persons 65 and over. The U.S. Department of Health, Education, and Welfare named this accomplishment a significant social achievement.

AARP Travel Service offers the Grand Circle Tour of Europe geared to the interests of the mature, personally conducted with cost all-inclusive.

1959

AARP Services and inaugurated, among which are the following:

AARP Drug Service with its first unit in Washington, D.C., offers drugs, prescriptions, vitamins, medical appliances and other health aids at substantial savings to members.

Veterans Administration Volunteer Service welcomes AARP participation.

AARP News Bulletin makes its appearance.

AARP Geriatric Nursing Home, the Acacias, is established and opens in September.

AARP Hospitality House opens in St. Petersburg, Florida.

Executive Headquarters are located in Washington early in the year and staff increased.

AARP testifies at the House Ways and Means Committee and Senate Sub-Committee Hearings.

1960

AARP Health Insurance offices and programs expand, due to membership demand.

AARP President named to National Advisory Committee for White House Conference on Aging.

AARP conducts, in St. Petersburg, an Open Forum called the "Little White House Conference on Aging" at which 2,000 persons in attendance discuss "Aging with a Future," with national leaders as speakers.

AARP opens the second drug service, the Florida Retired Persons Pharmacy in St. Petersburg.

AARP testifies at the Congressional investigation of the Drug Industry and its rate of profit.

AARP explores housing problems of older persons.

AARP presents "Ever Since April," a play written for the Association to depict the tragedy of chronologically enforced retirement and the hero-victim's restoring his self-respect through concern for others.

The Social Security Information Officer, begins a page report for each issue of Modern Maturity.

AARP's Executive Staff conducts a week of lectures and discussions at Chautauqua on "Modern Maturity for a Brighter Tomorrow—A Positive Approach for Enriching the Later Years."

AARP's First Chapter is organized.

AARP Drug Service, in Washington, D.C., expands, necessitating removal to more commodious quarters.

AARP absorbs the membership and obligations of the Journal of Lifetime Living.

1961

AARP participates in White House Conference on Aging, a national forum called to consider fact-finding from all the states, recommending: the development of plans for action to assure older persons equal opportunity to engage in gainful employment; to provide housing suited to their needs at a price they can afford to pay; assistance in developing studies and interests to make aging a period of reward and satisfaction.

AARP co-sponsors Freedom House with Douglas Fir Plywood Association.

AARP cooperates with the U.S. Treasury Department in developing a pre-retirement program for its employees.

AARP and NRTA members express interest in the good of the newly organized Retirement Research and Welfare Association, a philanthropic association whose report on Retirement Conditions was presented at the White House Conference on Aging.

AARP Travel Service adds Southern Mediterranean and Scandinavian Tours to its popular Grand Circle Tour.

AARP expands its Health Insurance Program with a new history-making Out-of Hospital Major Medical Plan.

AARP and NRTA appoint a Legislative Council of twenty-one persons.

1962

AARP, in conjunction with NRTA, holds its first series of Area Conferences.

AARP's and NRTA's Denver Convention is remarkable for the inspirational message of Estes Kefauver, the crusader for purity of drugs, consumer protection and freedom of AARP Blue Print on Aging, advocating the establishment of National, State and Local Commissions on Aging and a Senior Service Corps.

AARP makes available for its members a low-cost Testamentary Life Insurance.

AARP plans and conducts a week-long Chautauqua Institute on "The Changing Image of Aging."

AARP Travel Service adds British Isles Tour to its European Tours.

AARP dedicates a Hospitality House in Long Beach, California.

AARP's growing family of chapters continues to expand.

AARP Mmbers respond to questionnaire regarding "Employment After Retirement." The Report by Retirement Research and Welfare Association is published in *Modern Maturity*.

AARP initiates pilot demonstration projects in counseling, training and placing older workers, in cooperation with the Department of Labor and State Employment Offices.

AARP Drug Service has expanded, requiring additional office space in Washington, D.C.

AARP continues to keep vigil on National Legislation and Social Security developments; continues to offer Congressional Committees considered testimony and statements on matters affecting older people; and keeps the membership currently informed through the columns of AARP publications.

1963

AARP Travel Service inaugurates its first Around-the-World by air tours and offers its first European Air-Tour and Caribbean Cruise.

AARP begins its hearing aid service for members at reduced prices (discontinued in 1965).

AARP with NRTA announces it will participate at the New York World's Fair 1964–65 and their officers and Fair officials break ground for the Association's Dynamic Maturity Pavilion.

ARP International is organized in Copenhagen and expansion to other lands begins.

AARP Hospitality House in Washington, D.C., is officially opened in August.

AARP establishes its Institute of Lifetime Learning and Every Wednesday Morning Lecture Series in the Dupont Circle Building in Washington, D.C., in September.

AARP in conjunction with NRTA holds nine Area Conferences thus establishing the plan of Area Conferences to be held during the odd numbered years and alternating with National Biennial Conventions on the even numbered years.

AARP's third drug outlet, The California Retired Persons Pharmacy, opens in Long Beach.

AARP and NRTA receive Freedom Foundation Awards for their publications *Modern Maturity* and the NRTA *Journal* with a third award to their Editor.

1964

The Dynamic Maturity Pavilion is opened at the New York World's Fair on April 22, 1964, with its Hall of Fame, picturing AARP's and NRTA's officers nationwide and illustrating the accomplishments of the Associations.

Hospitality Centers are busily welcoming members in St. Petersburg, Long Beach and Washington, D.C.

AARP Chapters now number 300.

Institute of Lifetime Learning program has growing popularity and adds new courses.

Drug Service in Washington, D.C. moves to a new and larger location, and expands its Drug Service in Long Beach, California, into new and more adequate quarters.

Grand Circle Part II Tour, Swiss Holiday and Tour, American Heritage Tour, are all added to the expanding Travel program.

AARP holds its first independent Biennial Convention in Rochester, New York, June 14–18.

AARP Membership Division moves into its larger and more functional building, newly constructed in Ojai, California.

AARP story in *Reader's Digest* on "Dynamic Retirement is Their Goal" results in 100,000 inquiries.

1965

AARP membership participation in Retirement Research and Welfare Association enables it to conduct its own projects related to the health and welfare of the aging and also contribute financially to outside philanthropic projects.

Travel Service offers its first World Cruise and Tour.

Drug Service extends mail order service in the states of California and Florida from its Long Beach and St. Petersburg locations.

AARP and the American Medical Association cooperate in health information program and AARP introduces its emergency Medical Alert and identification card.

AARP highlights its Church and Industry Programs.

New Hospitality Lounge and Institute of Lifetime Learning quarters are opened in Long Beach, California. The Every Wednesday Morning Lecture Series is inaugurated.

AARP enters the pre-retirement field with the publication of *Dynamic Maturity*, a bimonthly magazine focused on the needs of persons approaching retirement and needing help to build a satisfying rewarding maturity.

AARP Travel Service adds a Western Division and tours to its expanding program.

AAPU nation-wide organization plan is established through the appointment of nine Area Vice Presidents, nine Area Associate Vice Presidents and State Directors for the majority of the states.

Dynamic Maturity Pavilion closes October 17, having had a total attendance of 450,000 persons for 1964–65.

AARP with NRTA holds a third series of nine Area Conferences, the theme being "For What Do We Strive in '65?"

1966

AARP introduces its new "Coordinated-Care" Group Health Insurance Program to supplement Medicare, underwritten by one of the leading insurance companies of the United States.

AARP requires Chapters to adopt standard bylaws and assists them to become incorporated under the laws of their own states.

AARP opens three centers for Consumer Information: Washington, D.C.; Long Beach, California; St. Petersburg, Florida.

AARP's Presidential, Editorial and Chapter Offices are now located in Long Beach, California.

AARP maintains in Washintgon, D.C., the offices of the Executive Vice President, the Executive Director, the Federal and Legislative Relationships, the Church, Industrial and Community Divisions and the Institute of Lifetime Learning with Hospitality Lounge and Every Wednesday Morning Lecture Series.

AARP breaks ground for the building expansion of the geriatric nursing home, Acacias, in Ojai, California.

AARP completes months of earnest study exploring the problems of hearing aids. Conclusions indicate that it is not possible to obtain an adequate price-saving hearing aid for members.

AARP Travel Service expands travel get-together programs and offers increased number of tours.

AARP legislative staff prepares an informative pamphlet, "Tax Facts for Older Americans," available at cost of printing and mailing.

AARP International officials participate in the 7th International Congress of Gerontology in Vienna, Austria, and present awards for significant contributions to retirement living.

AARP holds its Biennial Convention in Salt Lake City, Utah, September 7–9, with an exciting and stimulating program of inspiration, business, tours and entertainment.

AARP offers radio 13-week courses entitled "Let's Listen to Lifetime Learning," recorded on tape by the Long Beach Institute of Lifetime Learning and made available upon request to radio stations on a loan basis.

AARP's Modern Maturity begins presentation of a Home Study Course, "The World's Great Religions."

AARP's Public Relations Department inaugurates a Speakers' Bureau to co-ordinate speakers from national headquarters, elected and appointive officers and representatives of the services.

1967

AARP's Western Headquarters moves to a new location, Times Building, Long Beach, California, where the California Retired Persons Pharmacy, Travel Service, Western Division; Insurance Plan offices; Institute of Lifetime Learning and Hospitality Lounge can have more adequate space and be located in the same building.

AARP Insurance Plan Headquarters transfers to Philadelphia, to expanded facilities and program, but still maintains offices in Washington, D.C.

AARP Travel Service, Western Division, offers greatly expanded program and increases its staff to service tours and cruises from the West Coast.

AARP with NRTA conducts its fourth series of nine Area Conferences with "Pride in Participation" being the theme of each conference.

AARP aids in the development of an automobile insurance program, Driverplan 55 Plus, introduced by states and underwritten by American Maturity Insurance Company of Philadelphia, Pennsylvania.

AARP co-sponsors with the National Safety Council a Defensive Driver Improvement Course to be offered to members in states where Driverplan 55 Plus insurance is available.

AARP's Board of Directors adopts necessary revisions in the Bylaws to strengthen management affairs of the Association and officer progression. The post of Executive Director is divided into five areas of responsibility with an Executive Director assigned to each: National and International Relations; Services; Membership and Publications; Field Operations and Development; Business Management.

AARP expands its Standing Committees to include Public Affairs Committees with greater emphasis on local and national community involvement.

AARP's Drug Service adds a line of convalescent supplies to its service to members.

AARP and NRTA complete the construction of addition to Acacias Nursing Home which increases the capacity to 50 patients. A new approach to nursing care is inaugurated in the Andrus Apartments—eight semi-care units.

AARP's philanthropic interest, Retirement Research and Welfare Association, moves from the Washington, D.C., Eastern Headquarters to the Western Headquarters in Long Beach, California.

AARP with NRTA establishes Regional Offices in Atlanta, Georgia; Kansas City, Missouri; New York City; Toledo, Ohio; and Long Beach, California. The responsibilities of these offices are assigned to Regional Representatives.

AARP's Founder and President, Dr. Ethel Percy Andrus, suffers a heart attack and expires July 13, 1967. Mr. George W. Schluderberg succeeds her as President.

AARP with NRTA holds a National Memorial Service in memory of Dr. Andrus in Washington, D.C., on August 23 and a Western Memorial Service at Lincoln High School in Los Angeles, California, on September 17.

1968

AARP's *Modern Maturity* presents a Memorial Edition in commemoration of its Founding Editor, Dr. Ethel Percy Andrus.

AARP's publications' editorial responsibilities are assumed by a new editor and additional members are added to the editorial staff.

AARP with NRTA appoints the Dr. Andrus National Memorial Committee for the purpose of researching and recommending an appropriate memorial to their Founder.

AARP's Group Insurance Program now has offices in St. Petersburg, Florida; Washington, D.C.; Chicago, Illinois; Denver, Colorado; Los Angeles, Long Beach and San Francisco California; in addition to the home office in Philadelphia, Pennsylvania.

AARP's Travel Service now offers group tours everywhere in the world from its two locations, New York City and Long Beach, California.

AARP's Institute of Lifetime Learning offers consultant service to AARP Chapters interested in founding an institute as a service to their members. The radio series is expanded with two additional series, "Let's Listen to Our Executive Directors" and "Let's Listen to Our Instructors." These tapes are available on a loan basis from the Institute of Lifetime Learning in Long Beach, California.

AARP continues to keep members informed of legislation affecting older Americans and frequently testifies at hearings of both Senate and House committees.

AARP Chapters now number 500.

AARP's Executive Committee of the Board of Directors holds quarterly meetings during the year. The Board of Directors meets twice, in January and in September.

AARP arranges with the Sheraton Hotel Corporation of America for special reduced rates for members on presentation of a valid membership card for week-end reservations.

AARP is awarded a National Safety Council citation in recognition of its nationwide Defensive Driving Program.

AARP holds its third Biennial Convention in Pittsburgh, Pennsylvania, September 4–5–6 with a delegate assembly of 250 members conducting business sessions and programs of inspiration and entertainment and tours of the city. Attendance exceeds 1,000.

AARP Biennial Convention reports include one by the Dr. Andrus Memorial Committee on its research and evaluation of more than 200 suggestions of an appropriate memorial to its founder. The recommendation to establish the Ethel Percy Andrus Gerontology Center at the University of Southern California in Los Angeles as a memorial in keeping with Dr. Andrus' humanitarian philosophy is approved by the Board of Directors and delegates.

AARP and *Modern Maturity* receive Freedom awards.

AARP establishes a Regional Office in Salt Lake City, to serve Area VIII.

AARP and NRTA approve changing the name of the Western Headquarters from the Times Building to the Andrus Building.

AARP and NRTA publish a collection of Dr. Andrus' selected editorials in a book entitled "The Wisdom of Ethel Percy Andrus."

AARP members, chapters and business friends send contributions to Retirement Research and Welfare Association in memory of the late Dr. Andrus, founder of AARP and RRWA. The sum of these contributions constitutes the first donation to the Dr. Ethel Percy Andrus Memorial Fund, established for the purpose of receiving tax exempt contributions toward the total pledge of $2,000,000 made by AARP and NRTA for the construction of the Ethel Percy Andrus Gerontology Center.

AARP membership is over 1,250,000.

1969

AARP Chapters, planning to conduct an Institute of Lifetime Learning, are offered a guidebook, "Formula for Success" by the Institute of Lifetime Learning, Washington, D.C. The Institute introduces its "Home Study" program making available the first three courses.

AARP Board of Directors approves changes in titles to establish one Executive Director and three Directors: Services, National Affairs, Membership Processing and Publications.

AARP's Legislative Staff prepares the 1969 edition of "Tax Facts for Older Americans" and the Legislative Council holds its annual meeting to plan legislative objectives to benefit older Americans.

AARP's Insurance Service offers a Nursing Home and Nursing Care Plan to members.

AARP with NRTA holds the fifth series of nine Area Conferences, the theme being "Our Proud Heritage and You." The Associations' film, "Dynamic Maturity," is shown at each Conference. Total attendance at the nine Conferences reached 10,000.

AARP's fourth drug outlet, Missouri Retired Persons Pharmacy, opens in Kansas City, Missouri to serve all states.

AARP Travel Service adds four U.S. tours to its ever increasing world-wide program providing tours for every month of the year.

AARP members contribute to the purchase of more than 10,000 copies of the book, "The Wisdom of Ethel Percy Andrus" thus placing it on the best-seller list.

AARP booklets on topics of interest to members are published during the year.

AARP and NRTA serve as the delegate agency to administer Project Work (Wanted: Older Residents with Know-how) for the Office of Economic Opportunity in Long Beach, California, through a matching grant from O.E.O.

A second O.E.O. program, "Project Late Start," is also administered from Washington, D.C. by the two Associations. AARP and NRTA are awarded a grant by the U.S. Department of Labor to administer the "Community Aides Project" in six cities.

AARP establishes Regional Offices for Area VII in Dallas, Texas; for Area III in Washington, D.C., for Area I in Boston, Massachusetts. It now has a Regional Office in each of the nine areas.

AARP announces the availability of temporary employment for members through the services of Mature Temps, Inc. in two major cities with plans for extending the service nationwide to 20 other cities.

AARP Book Buying Service arranges with book publishers to offer titles at a reduced price to members through its introductory catalog.

AARP membership totals 1,800,000.

1970

AARP Membership Division expands to larger quarters by moving from Ojai to the Andrus Building, Long Beach, California.

AARP announces the generosity of contributions made to the Dr. Ethel Percy Andrus Memorial Fund as it passes the halfway mark toward the pledged goal of $2,000,000.

AARP's Legislative Counsel and staff conduct the annual meeting of the Legislative Council to outline the legislative objectives and priorities for the year and hosts members of Congress and leaders of allied organizations.

AARP co-sponsors a pilot project "Income Tax Help for the Elderly by the Elderly" under the auspices of the Institute of Lifetime Learning with volunteer personnel trained by the Internal Revenue Service to assist members in 18 cities with their Income Tax Returns.

AARP with WPIX, New York City, co-produces a color television series "The Golden Years," for nationwide distribution.

AARP's pre-retirement program makes available to business and industry a series of publications as well as subscriptions to *Dynamic Maturity* and memberhip in AARP.

AARP chapters over 700 in number necessitate the appointment of additional volunteer directors in many states.

AARP members in Washington, D.C., may now attend Institute of Lifetime Learning Classes, without cost of travel, under the newly inaugurated decentralized plan of holding classes in several locations in the area.

AARP members are offered a life insurance policy, "Coordinated Life" in addition to health and automobile insurance plans.

AARP holds its fourth Biennial Convention in Oklahoma City, Oklahoma, at the Skirvin Hotel, May 19–20–21, with "Action in the 70s" as the theme. The delegate assembly elects national officers for the two-year term, 1970–1972, and members of the Board of Directors for the class of 1976. Mr. Fred Faassen becomes the Association's third president.

AARP News Bulletin become a monthly publication beginning with the June issue.

AARP officials attend the site dedication ceremony, June 2, for the Ethel Percy Andrus Gerontology Center on the Campus of the University of Southern California.

AARP contributes to the planning for the 1971 White House Conference on Aging through a financial donation and the assignment of the services of one of the Washington, D.C., full-time staff members.

AARP–NRTA Pharmacy, Washington, D.C., adds a "walk-in" department to its nationwide mail order service.

AARP Travel Services include off-season tours for members who prefer to travel in the fall and winter months.

AARP's two-millionth member visits the nation's Capital where he and his wife are welcomed to the White House by President Richard M. Nixon and to the Washington Headquarters by AARP's president and staff.

AARP's first chapter, Youngtown, Arizona, celebrates its tenth anniversary on the first day of October.

AARP-recommended individual Scheduled Benefit Accident Policy is made available to all members.

AARP membership exceeds 2,211,000.

1971

AARP elected and appointed officers and staff members attend the groundbreaking ceremonies for the Ethel Percy Andrus Gerontology Center at the University of Southern California, Los Angeles, on January 20.

AARP Legislative Council's annual meeting to outline the legislative objectives for the year is highlighted by a visit to the White House to meet President Richard M. Nixon.

AARP with NRTA plans to hold nine area conferences during the year. The theme for this sixth series is "Developing Strategy for Aging in the 70s".

AARP with NRTA launches the expansion of their "Consumer Information Desk" program designed to help older Americans avoid frauds and stretch the shopping dollar.

AARP–NRTA Regional Office is established in St. Petersburg, Florida, with an Assistant Regional Representative assigned to the State of Florida.

AARP and NRTA members, attending the Area VII Conference in Dallas, Texas, witness the presentation of the first Institute of Lifetime Learning Charter to the sponsoring groups, San Antonio AARP Chapter No. 95 and San Antonio RTA.

AARP News Bulletin is enlarged to tabloid size beginning with the June issue and will continue to be published monthly, with the exception of a combined issue for July-August, and will be edited by a Washington, D.C., staff, independent of the editorial staff of Modern Maturity.

AARP with NRTA inaugurates a new Vacation-Holiday program to be held in five different locations.

AARP and NRTA members attending the Area V Conference in Chicago at the Pick Congress Hotel are honored by the personal appearance of President Richard M. Nixon to deliver a major address to more than 3,000 members.

AARP's pre-retirement planning program now has more than 760 business and government employers providing gift subscriptions to Dynamic Maturity magazine for employees nearing retirement age.

AARP Travel Service now offers nine motor-coach tours for those members who prefer to travel in the United States. Six new 14-day tours to Europe are added to its ever expanding travel program.

AARP Insurance Plan Headquarters in Philadelphia move to new and expanded offices.

AARP and NRTA officials, four in number, appear on a nationally televised show to discuss the activities and services of the Association.

AARP-NRTA Pharmacy Service establishes a fifth location in Hartford, Connecticut.

AARP establishes a new division known as Action for Independent Maturity (AIM) structured for persons 50 to 64 years of age and still employed. *Dynamic Maturity*, enlarged in size and edited by an independent editorial staff, becomes the official bimonthly membership publication for AIM with its November issue.

AARP-recommended Lifetime Income Plan, designed for members with sufficient financial means to consider annuities, is offered to members.

AARP members and staff, numbering 26, are official delegates attending the White House Conference on Aging, November 28-December 3. Deeply involved since its inception the Association prepared and published four booklets for distribution to the more than 3,500 delegates.

AARP-NRTA Area IX Conference in December, brings the total attendance during 1971 to over 18,000. Area Conferences have been held in 47 different cities since the first series in 1962.

AARP membership totals 3,137,293.

1972

AARP announces the successful achievement by the Dr. Ethel Percy Andrus Memorial Fund of its pledged goal of $2,000,000.

AARP-NRTA Legislative Council holds its annual meeting to determine the priorities and legislative objectives for the year.

AARP members in 43 states may have free assistance from the more than 1,000 volunteer tax counselors, trained by the Internal Revenue Service, through the Tax Aid program administered by the Institute of Lifetime Learning.

AARP with NRTA inaugurates a health education program, Vigor in Maturity (VIM), to be made available to local groups.

AARP members may participate in Vacation-Holiday programs in 10 different locations this year.

AARP honors its three-millionth member at a ceremony in Boston, Massachusetts.

AARP arranges special rate privileges for Association members with Marriott Hotels, Inc., and Rodeway Inns of America in addition to the Sheraton Hotels and Inns.

AARP's 1,000th chapter, Media, Pennsylvania, receives its Chapter Charter.

AARP secures special rate privileges for members through arrangements with Avis Rent-A-Car System, Inc., and Hertz Rent-A-Car.

AARP holds its fifth Biennial Convention in Washington, D.C., at the Sheraton Park Hotel, June 12–15. The delegates assembly elects national officers for the two-year term, 1972–74, and members of the Board of Directors for the class of 1978. Mr. Foster J. Pratt becomes the Association's fourth president.

THE NATIONAL INSTITUTE OF JUSTICE NEEDED TO ESTABLISH PRIORITIES AND GOALS IN LAW ENFORCEMENT

Mr. HUMPHREY. Mr. President, once again I invite attention to the grave shortcomings of the current Law Enforcement Assistance Administration, established as a crimefighting unit within the Department of Justice 4 years ago.

A very comprehensive article about the LEAA appeared in the Washington Post yesterday. Written by Nick Kotz and Bob Woodward, the article is entitled, "U.S. Adrift in a Crime Fight; Federal Aid Marred by Politics, Confusion."

According to the authors:

LEAA money is still not getting out to the program.

Only 49 percent of funds allocated since 1968 have been spent.

Millions of dollars are tied up in bank accounts, drawing interest, in violation of the law.

LEAA has no clear direction or priorities.

Evaluation mechanisms are lacking.

While President Nixon is claiming that the fight against crime is being won, and pointing to the crime statistics, his chief crimefighter, and LEAA Administrator, Jerris Leonard, is far more cautious. In fact, one of his high priorities is to redesign crime statistics so that he can have more confidence in them.

Leonard is quoted as saying:

> There isn't any empirical proof available, or measurement available today, so that you can show that infusion of "X" numbers of dollars in this particular area has had an impact broadly across the crime scene, so that you can say that there was a direct overall resulting crime reduction.

He calls some of the claims about the reduction in crime rates "stretching a point," and says:

> Now that doesn't do the citizens of Philadelphia any good, because their crime rate is up, not down.

In 1968, President Nixon called for decisive action against crime in the United States. When he became President, the budget of LEAA was $63 million. By the end of fiscal year 1971, its third year of operation, LEAA had expended $860 million of Federal funds. Yet, where has this money gone? With a lack of coordination among police, courts, and corrections personnel and philosophies, Kotz and Woodward point out that—

Despite the new efforts at cooperation, there still exist fundamental disagreements about who should get the federal aid and how it should be spent.

Most city officials contend that state officials, who are now responsible for distributing funds, divide the money for maximum political benefit rather than concentrating on urban areas with the worst crime problems.

Overall the federal crime-stopping program still seems to be adrift—caught in a maze of politics, bureaucracy and somewhat confused purposes.

Clearly, the evidence of this article has shown us that our energies must be directed to the improvement and reform of the entire justice system through an informed coordination of review, research and reform.

The legislation to create a National Institute of Justice, introduced recently by me and Senators Metcalf, Bible, Moss, Baker, Percy, Randolph, Stevenson, and Mondale, is addressed to this need. No longer can we act half-heartedly or blindly to halt crime. The great minds of America must come together to seek solutions of the broadest application to the judicial, criminal and corrections systems, or we shall never effectively combat crime.

I ask unanimous consent to have printed in the Record this useful article by Nick Kotz and Bob Woodward, and excerpts from an interview with Jerris Leonard, Administrator of the Federal Law Enforcement Assistance Administration.

There being no objection, the article and excerpts were ordered to be printed in the Record, as follows:

United States Adrift in Crime Fight—Federal Aid Marred by Politics, Confusion

(By Nick Kotz and Bob Woodward)

The Nixon administration's multi-million-dollar war on crime is being fought with some unusual weapons. They include mini-bikes for California youngsters and Army tanks for Birmingham, Ala., policemen.

The federal government's anti-crime program gave $422,073 last year to California for the "National Youth Project Using Mini-Bikes." Mini-bikes are described in the grant application as "outreach tools" to attract junior high school students. The project aims "to develop and improve their self-concept thereby reducing juvenile delinquency and to promote safe off-street mini-bike use."

The project manager says the program is a smashing success, reaching thousands, and he's asking for $700,000 more this year.

The federal anti-crime effort soon will supply the Birmingham police department with three Army tanks, costing $67,000 and ordered by a former police chief concerned with riots.

"It's ludicrous really," says Birmingham Police Capt. Jim Parsons. "The best use probably would be to paint them pink, mount firehoses on the top, and let poor kids play in the water."

Yet the same police officers who criticize tanks and mini-bikes believe they have been helped by other federally * * *.

Parsons, who in 1971 was named "Alabama Police Officer of the Year," is enthusiastic about a new multi-channel communications system that "is cutting down on our response time in answering crime calls" and a psychological testing program "that we hope will help us recruit people who are temperamentally suited to be good police officers."

Overall, however, despite improved administration and some successful and innovative projects, the federal crime-stopping program still seems to be adrift—caught in a maze of politics, bureaucracy and somewhat confused purposes. In addition, even the experts disagree and are not sure how to cut down on crime.

Interviews with elected officials and police officers in several parts of the country indicate a continuing controversy over the effectiveness and proper use of federal aid to reduce crime and to improve the nation's criminal justice system.

The federal program is administered by the Justice Department's Law Enforcement Assistance Administration (LEAA) and was authorized by the 1968 Safe Streets Act. Congress broke precedent with the tradition of keeping the federal government out of local law enforcement because of concern over urban riots, a startling rise in violent crimes and a realization that local law enforcement agencies were crippled by lack of funds.

Rarely has so much federal money been made available so fast with so little control. States and local governments have received $1.5 billion with $850 million more being distributed this year.

LEAA has gone through numerous transformations of shape, purpose and leadership in its stormy four-year life. It originally was paralyzed by a bipartisan, three-man leadership imposed by a Congress distrustful of former Attorney General Ramsey Clark. It has had three directors, and for one 10-month period, had none.

TANGLED IN POLITICS

The emphasis on spending has shifted repeatedly: from anything "innovative" to any kind of traditional equipment, from equipment to "people programs," from loose federal supervision to ever stricter federal rules and audits, from state control to more city control over funds, from an emphasis on police to an increased emphasis on courts and prisons.

And from the outset the program has been tangled in partisan national politics. The effectiveness of the program is certain to become an issue in the 1972 election campaign since President Nixon pledged in his 1968 campaign to reduce crime and now claims LEAA has produced results.

The President said last week that his administration is winning its battle "to roll back the wave of crime which swept our nation in the 1960s." He attributed reduced crime rates to his emphasis on crime control, increased federal aid through LEAA, and his appointment of "no-nonsense judges." As proof of success, he cited FBI-compiled national statistics showing that crime increased only 1 per cent in the first quarter of 1972, compared with a 6 per cent rise a year earlier.

Many Democrats, including members of a House government operations subcommittee, respond that the LEAA program has been marked by monumental mismanagement, waste of funds, and a failure to reduce crime.

Some critics also contend that the program's failures indicate the unworkability of the President's revenue sharing proposals. Most LEAA funds are awarded to states in "block grants" with far fewer restrictions than in traditional federal aid programs. Under revenue sharing, the federal government would have even less control over how funds are spent.

LEAA Administrator Jerris Leonard, in an interview last week, was far more cautious and modest than the President or Attorney General Richard Kleindienst in claiming that Republican efforts and LEAA funds have had definitive results in reducing crime.

He said many in criminal justice question the accuracy of the present crime reporting system. "The best you can do from crime statistics is get a direction," he said. "We're headed in the right direction. But to argue that therefore we were 12 percentage points better in 1971 than (former Attorney General) Ramsey Clark was in 1968 is really stretching a point."

Furthermore, Leonard said LEAA is for the first time trying to develop methods of measuring the effectiveness of various crime fighting efforts.

At present, he said, it cannot be proved that a specific federal aid program helped reduce crime because "you are talking about many variables—the entire attitude of the country and parts of the country, the economic situation, the extent to which other federal programs are in fact successful, the war in Vietnam."

A review of the LEAA 450-page annual report shows that police in nearly every state have received money to set up a special organized crime units and special civil disturbance units.

In addition, the most popular police programs include crime labs, computers, communication gear and helicopters.

Drug programs, special studies, seminars, prosecutor training, and judges' conferences are popular court and corrections projects.

Some companies were formed for the apparent purpose of selling equipment or consultant services to law enforcement agencies.

"Under the provisions of the Safe Streets Act, sophisticated, micro-miniature intelligence equipment (wiretapping, eavesdropping and alarm devices) is available to your department," declares a flyer of the B. R. Fox Co. of Holmes, N.Y.

Sometimes, police chiefs changed their opinions of various problems after federal aid became available.

For example, D.C. Police Chief Jerry V. Wilson always played down the mention or possible existence of organized crime here until he sought LEAA funding for a 12-man unit at a cost of $313,234.

"The problem of organized crime has been identified as a very real and serious threat to the citizens of D.C.," Wilson said in the grant application.

On the positive side, officials at all levels say that LEAA has accomplished the following:

Provided the major funding source for innovation, experimentation and in-depth analysis of law enforcement.

Created, if not forced, planning and the first real exchange among the police, courts and corrections officials.

Raised the possibility of dramatic change, especially in corrections where some officials are reconsidering the question of whether putting criminals in jail is the best rehabilitation.

Focused on the drug problem, and provided much of the funding for narcotics programs, whether it be through the methadone maintenance that provides the heroin substitute to addicts or through stepped-up federal and local police enforcement.

"I think the program is a success today," says LEAA Administrator Leonard. "And I think anyone who didn't admit that this program was in deep trouble at one time just isn't being realistic."

Even some of the program's critics acknowledge that Leonard has improved administration and cut down on wasteful or illegal uses of funds.

NARCOTICS PRIORITY

Describing the atmosphere at the first state meetings of policemen, judges, prosecutors, and corrections officers, Leonard said: "Everyone tried to figure out what the hell it was we were there for. These were people who had been enemies, really. They were enemies for the simple reason that there was never enough money, so they were always fighting for a pie that was too small. And they couldn't think in a systems way. It didn't occur to the judge that if the police arrested more people, that was going to create a problem for him in his court. Nor did it occur to the corrections people that as more people were convicted, something had to be done with them after sentencing."

Stressing the new cooperation, James Mercer, chief of planning of the California program, said criminal justice officials for the first time have agreed on priorities.

Mercer said the state crime agency made narcotics abuse its first priority and has funded 60 programs all over the state, "in which narcotics agents are working together." In another coordinated effort, he said police in the six largest California cities are concentrating on preventive measures to decrease burglaries.

Despite the new efforts at cooperation, there still exist fundamental disagreements about who should get the federal aid and how it should be spent.

Most city officials contend that state officials, who now are responsible for distributing funds, divide the money for maximum political benefit rather than concentrating on urban areas with the worst crime problems.

TOO MUCH POLITICS

"They're spreading the money around too thinly," says Capt. Palmer Stinson of the Oakland, Calif., police department. "One city may have 50 to 60 per cent of the crime in a region but it doesn't get enough funds."

William Lacy, director of the Chicago program, complains, for example, that the village of Cahokia was given money for take-home police cars even though the chief said there was no crime problem. "If it was a $25 billion program that would be okay," says Lacy. "I think the intent of Congress was to attack the problem where it is. There's too much politics in the distribution of funds."

"We've had problems with the state planning agency," said Birmingham's Capt. Parsons. "It's been pretty common throughout the country. Many state governments have been traditionally rurally dominated and any government agency will sooner or later reflect its political environment.

"Some of the rural sheriffs with political pull at the state level were able to get a lot of money for gadgetry. One sheriff's office with 18 men got closed circuit television, vehicles, and riot control equipment. He was funding his whole operation with federal funds."

Parsons said Birmingham, with the state's largest population and largest crime problem, received only $89,000 out of $8 million distributed in Alabama the first few years of the program, but that changes in the federal law are now forcing the state to pass more money to the city.

St. Paul Mayor Lawrence Cohen, expressed the same complaint, saying: "A lot of the money is being given to towns that don't need it. It's political expediency. There are a lot of political power plays. We have a small college town that received several thousand dollars for riot equipment. It's never had a riot or a threat of one."

Cohen, along with many officials, feels that hundreds of millions of dollars may have been wasted because LEAA did not initially require testing of program effectiveness.

For example, St. Paul, Minn., received more than $200,000 for a program in which 125 police cars were purchased for patrolmen to take home at night and drive when off-duty. "The idea was that if you made police cars obvious in all parts of the community it would reduce crime," says Cohen. "I doubt that it reduced crime, but we don't have any way of knowing. The program was implemented without any controls or methods of measuring results.

"Let's face it. The cities were out shopping. It's like they went to a supermarket. And I don't think a lot of cities made the commitment to carry programs once the federal funding stopped. So what are the lasting results? There aren't any."

Local officials disagree over whether more adequate anti-crime efforts would result from President Nixon's revenue sharing plan.

Captain Stinson in Oakland believes revenue sharing would eliminate "the worst bureaucratic problems" in getting the money to cities that need it most.

Captain Parsons in Birmingham opposes revenue sharing and would like to see "more stringent controls so that those who are willing to develop good projects would get all the money." He adds: "You can throw money in by the bushel basket and not improve enforcement. If you gave some of these people money with no strings, they would never buy anything but hardware, or they would cut back on the local share and just use federal funds to replace it."

LEAA's Leonard is in the difficult position of trying to justify a revenue-sharing plan in which his agency would be eliminated—at the same time he is asking Congress for more money so he can increase tougher auditing and supervision of state and local government.

Beyond any question, Leonard's chief preoccupation to date has been with strengthened federal monitoring to improved state and local programs and to eliminate abuses.

Leonard's need to correlate his real problems today with the administration's future plans produces some apparent inconsistencies.

For example, Leonard said he will again request increased funds for auditing state and local programs in 1974, but in 1975 he will start the process of reducing his agency's size to meet the goal of eliminating it by 1981.

The most concrete disagreements over LEAA spending concern the uses of money, particularly for purchase of equipment.

UNUSUAL PROJECTS

The Democratic majority on a House government operations subcommittee headed by Rep. John Monagan (D-Conn.) charged several months ago:

The block grant programs of LEAA have too often been characterized by inefficiency, waste, maladministration, and in some cases corruption . . . Too large a proportion of these funds have been wasted on diversion for partisan political purposes, on exorbitant consultants' fees, on equipment and vehicles which are misused or not needed, on excessive payments to equipment suppliers resulting from widespread absence of competitive bidding and unethical relationships between state and local officials and suppliers' representatives."

The committee's Republican minority replied that abuses of the program were isolated ones, and claimed that LEAA had moved to correct virtually all the problems cited in the report. The minority said—and many city officials agree—that the Monagan subcommittee completely omitted mention of innovative programs that were successful.

The emphasis on equipment has produced what are at least highly unusual projects. In addition to Birmingham's tanks, and California's mini-bikes, Washington Post inquires have turned up such projects as:

$175,000 to the U.S. Army to develop a homemade-bomb neutralizer. The Army contributed $30,000 to the project, but wound up receiving seven of the eight neutralizers. The Justice Department got the other one according to Ralph Miller, chief of munitions support at the U.S. Army Explosion Ordnance Center, Picatinny Arsenal, Dover, N.J. He said the 150-pound device, which injects a chemical into a package containing the home made bomb, is secret, the first of its kind, and designed to counter what he called "the radical threat." Miller said the Justice Department had its unit and a spare Army unit in Miami Beach for the Democratic National Convention and will have them there for the Republican National Convention next month. Cost for the Justice Department bomb neutralizer was about $175,000; the Army's expense was less than $5,000 for each unit, according to Miller.

RENOVATE LEAA OFFICE

The LEAA's National Institute of Law Enforcement and Criminal Justice, the research arm of the agency, granted more than $1.1 million in Maryland in fiscal year 1971. More than 90 per cent of that money went to federal agencies and nearly $350,000 to the Army.

$103,749 to the Maryland Department of Corrections to train 100 inmates to become welders in 1971. Though the money was received more than a year ago, not a single welder has been trained. Joseph Varese of the department said that most of the money of Corrections at Jessup for a welding classroom. The delay was unavoidable, he said, and it should start in September.

$344,862 to the city of San Clemente, Calif., during the last three years because "the residency of the President of the U.S. makes it necessary for the city to provide for crowd and demonstration control." Police Chief Clifford G. Murray said the money was obtained with ease and used to hire 10 more patrolmen, and equipment including two new police cars.

$395,424 to the Miami Beach police department for the national political conventions.

$65,094 to renovate LEAA administrator Leonard's 13th floor offices at 633 Indiana Ave. NW, including $6,023 for his bathroom, according to records in the General Services Administration.

Questioned about the emphasis on equipment spending, Leonard said: "There was a need for equipment. It's easy to write an equipment application and you spend the money quickly and so you go out and buy it.

"But more importantly, the vast majority of the funds were spent for communications equipment and every crime commission report has said that one of the basic problems the police have is their inability to communicate so they can reduce response time.

Leonard cited a "command and control" project in Dallas, utilizing computers which he said has reduced response time on police calls from 13 minutes to three minutes and has saved 18,000 man-hours of time.

He praised a $60 million Los Angeles equipment project in which the police dispatcher will classify an incoming call and computer equipment then "will literally dispatch the nearest units. The police car will have a computer terminal in it which will dispatch that car to the location."

A central issue is whether LEAA can best achieve crime reduction through a massive organizational and intellectual overhaul of the criminal justice system, called the "soft approach," or whether the "hard" solutions such as more and better police, prosecutors, judges, corrections officers and equipment will achieve those ends.

Following the release last spring of the Monagan report criticizing LEAA, administrator Leonard indicated he favors the hard solutions.

ACADEMIC APPROACH

The majority on the Monagan committee, Leonard said in a memorandum printed in the Congressional Record, "appear to be unable to come down hard against crime."

"Rather, they talk about such academic things as improving the criminal justice system, forgetting that the point of the program is to reduce crime."

Some of Leonard's staff, state administrators and perhaps even Leonard himself do not fully agree with that position.

It is perhaps an irony, or even conceivably a strength of the program, that the total LEAA picture includes as much of the soft, the "academic things," as the hard things.

In Chicago, for example, Leonard highly praised a program in which exconvicts are given jobs in local government. "We're trying to see if good jobs will keep men from returning to crime," said Chicago director Lacy. "These ex-cons are pleased. They never dreamed they would be able to work for government. Hopefully, we will then be able to move them from government into private industry."

Another Chicago project features police community services aides to whom citizens can complain about police or other municipal service.

Sarah Carey, of the Lawyers Committee for Civil Rights Under Law, is generally critical of the program, yet praises a Massachusetts program "which has made impressive changes in the methods of handling juvenile offenders." The new system features community-based facilities, home treatment and other alternatives to trials and incarceration, and the closing down of old juvenile prisons.

Leonard stressed in an interview that he believes LEAA has made progress in meeting complaints of the Leadership Conference on Civil Rights.

The civil rights group charged LEAA with employment discrimination and with improperly aiding such agencies as the Alabama and Mississippi Highway Patrols, neither of which had a single black officer.

Leonard said his agency has hired more minority workers, although not enough to satisfy him. He contends he cannot do much more than seek to persuade states to end employment discrimination in law enforcement.

The most basic issue over LEAA's future is whether the agency is providing leadership to seek better answers to improving criminal justice and reducing crime.

In an interview last week, Rep. Monagan, chairman of the Subcommittee on Legal and Monetary Affairs of the House Government Operations Committee, said his staff's year-long study of LEAA shows that the program's leadership is still marked by "ineptness and ineffectiveness."

"The Nixon administration is trying frantically to provide evidence that they are controlling crime. There is no evidence, no visible impact to show they are," he said.

Since his subcommittee's very critical report was released in May, Monagan said the most recent figures available on LEAA show the same story of "paralysis."

For example, LEAA's own data show that, since the beginning of the program in 1968 to the end of last year, only $270 million of the $550 million allocated to the states actually was disbursed to the local governments. That means only 49 per cent of the money for the project grants has been spent.

At the end of last year, the state had more than $16 million in LEAA money that was being held in bank accounts and bonds in violation of the law on grant-in-aid programs, Monagan's staff said last week.

"There doesn't seem to be any unifying, overall concept," Monagan said.

Without that there's no point in serving as a conduit for federal aid. We can't tell where they are going."

"Next year the program comes up for reauthorization, and the Judiciary Committee will make a thorough review," he said.

LEAA still has no real accountability and evaluation process while being caught in a large bureaucracy imposed between the money and the crime problem, Monagan said.

Henry Ruth, head of New York City's Criminal Justice Coordinating Council and a former LEAA official, emphasizes that the biggest LEAA problem is lack of consensus on priorities. He thinks that all should agree on subjects like reducing court backlogs, and improving after care for ex-convicts.

"LEAA is sort of at the crossroads," says Ruth. "The cities need federal funds on a sustained basis. You can't keep planting new seeds if you can't water the old."

CLARK CRITICIZES

"We've been battered so badly," says one LEAA official, "that we've become defensive on all issues—resulting in little or no internal communiaction and very bad communication with the outside. (Leonard refused for two months to authorize the Washington Post to interview any LEAA official except in a group meeting with him present.)

"It has become an administrative nightmare. It's a question of what rules and policies apply on what day for a grant to be approved."

Former Attorney General Ramsey Clark said the initial "terrible mistake" was placing control of the program with the states, which have no experience with law enforcement, rather than with the cities. Since the program started, he said, "I think there has been an almost total failure of leadership at the federal level."

Leonard believes his first job was to bring order out of chaos. He believes he now has a chance to provide leadership and develop meaningful programs by concentrating LEAA's discretionary money on 10 special "impact cities," which are getting $10 million each for intensified LEAA programs.

He speaks hopefully of crime analysis teams that will permit the police "to better deploy manpower to the right areas at the right time of day on the right day of the week and at the right month of the year."

Leonard offers as evidence of LEAA's success letters from several dozen police chiefs and mayors telling how the program has helped them.

Sergeant Myles Warren of the Kansas City Police Department says LEAA has helped his department with new equipment, including six helicopters, but that the real issue is training.

"Technology is good; it's necessary, but it also can be a cop out," says Warren. "You can have the most sophisticated machinery in the world, but if your people aren't trained, it's not worth anything."

Hundreds of police officers have been working on advanced training and college degrees through the help of LEAA funds.

One of them is Captain Parsons, the 39-year-old administrative assistant to the Birmingham police chief. Parsons joined his department 18 years ago as a high school drop out. He now is a senior in college.

"We've a long way to go," he says. "Very few of the old police officers understood research or cared much about it. They felt what we really needed was more equipment and manpower. That's not enough. These old guys are passing on and younger officers realize the old ways have not solved our problems."

Leonard Says No Program Is Perfect

"Well, since I came aboard a little over a year ago, I think that the major focus and thrust of this agency has been to address the singular issues of crime and delinquency. (However) . . . there isn't any empirical proof available, or measurement available today, so that you can show that infusion of 'X' numbers of dollars in this particular area has had an impact broadly across the crime scene, so that you can say that there was a direct overall resulting crime reduction."

ON CRIME RATE

"In fact the overall crime rate nationally may actually drop this year. In other words, this may be the first year in 13 when we have an overall decrease. Now that doesn't do the citizens of Philadelphia any good because their crime rate is up, not down, but it does tell us that the overall efforts in the criminal justice system are at least heading us in the right direction."

ON LEAA

"No federal program, no matter how good it is, no matter how hard the people in it work, when it gives money to the local levels of government, is going to be perfect. So there are always going to be some problems. The second thing that's important to remember is that state 'X' today may have an excellent program because the governor has taken a personal interest, he's appointed top-notch people to the supervisory board, he's gone out and found the best criminal justice planner he could find to be the executive director of the state planning agency, and in November he gets beat, and in January a clunk comes in who appoints his brother-in-law, who is a broken-down dentist. And we're always going to have some of that. There's always going to be 5, 10, 15 states, because of the political situation, that are not going to meet the test."

ON CONSULTANTS

"I think there are many areas in which consultants can perform a very useful function . . . in a few cases, the use of consultants has been abused, but when you take some of the small states, with the amount of planning funds they've had available, they can't put on board on a full-time basis the number of people that they need to develop a good, comprehensive plan. Consultants are like newspaper reporters. Some of them are good, and some of them are bad."

ON MEASURING SUCCESS

Question: "Do you believe it, though, when these people, when (D.C. Police Chief) Jerry Wilson writes you and says, 'Thanks for the several million dollars, and we'd like it again and it really helped.' Do you believe that?"

Leonard: "Yea, I believe it because I've talked to Jerry Wilson personally I've talked to . . . other police chiefs. I've talked to some judges, where they're making use of these funds. I have talked to some corrections people who recognize that the establishment of halfway houses, particularly in the youth area, that better rehabilitative services, better services generally to the offender and the potential offender and the youth area, that these things are having an impact. I don't know how else to find it out."

SUMMARY

"Well, to be a little political at the end. (Former Attorney General) Ramsey Clark approved the purchase of a tank and machine guns for Louisiana. So everybody gets the idea that they can buy tanks and machine guns. Not while I'm the administrator of this agency. And one of the things we had to do around here was to slap some hands because of these people having learned practices from the past that I wasn't going to put up with. And so there's—some of it was just the imposition of discipline within the program."

FORTY YEARS OF FEDERAL EXPERIMENTS ON VICTIMS OF SYPHILIS

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Record an article by Jean Heller of the Associated Press which documents a 40-year Federal experiment on a group of some several hundred persons who were victims of syphilis. In my judgment, this shocking revelation amounts to a moral wasteland. I find it inconceivable that Federal officials using taxpayers' funds would continue to deny seriously ill persons the benefit of medical science in the name of science. In the late 1940's, penicillin was found to be effective in the treatment of syphilis, yet more than 200 individuals were denied its benefits such that those who were responsible for the study could continue to investigate the effects of the disease in man.

Mr. President, the Subcommittee on Health. of which I am chairman, is responsible for most of the health legislation which authorizes the health activities of HEW, including the Center for Disease Control under whose auspices this frightful experiment was continued. As chairman of the Health Subcommittee, I intend to look further into this matter and take whatever additional steps may be required in order to prevent the repetition of a circumstance such as this.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Testers Let Many Die of Syphilis

(By Jean Heller)

During a 40-year federal experiment, a group of syphilis victims was denied proper medical treatment for their disease. Some participants died as a result, but survivors now are getting whatever aid is possible, the U.S. Public Health Service says.

The experiment, conducted by the PHS, was designed to determine through autopsies what damage untreated syphilis does to the human body.

Of about 60 Alabama black men who originally took part in the study, 200 or so were allowed to suffer the disease and its side effects without treatment, even after penicillin was discovered as a cure for syphilis. Treatment then probably could have saved or helped many of the experiment participants, PHS officials say.

They contend that survivors of the experiment are now too old to treat for syphilis, but add that PHS doctors are giving the men thorough physical examinations every two years and are treating them for whatever other ailments and diseases they have developed.

Sen. William Proxmire (D-Wis.), a member of the Senate Appropriations Subcommittee which oversees PHS budgets, called the study "a moral and ethical nightmare."

"It's incredible to me that such a thing could ever have happened," he said in a statement. "The Congress should give careful consideration to compensating the families of these men."

Sen. Edward M. Kennedy (D-Mass.), chairman of the Senate Health Subcommittee, said through a committee spokesman that he deplores the facts of the case and is concerned about whether any other such experiments exist.

The syphilis experiment, called the Tuskegee Study, began in 1932 in Tuskegee, Ala., an area which had the highest syphilis rate in the nation at the time.

When the study began, the discovery of penicillin as a cure for syphilis was still 10 years away and the general availability of the drug was 15 years away, treatment in the 1930's consisted primarily of doses of arsenic and mercury.

Of the 600 original participants in the study, one-third showed no signs of having syphilis; the other had the disease. According to PHS data, half the men with syphilis were given the arsenic-mercury treatment, but the other half, about 200 men, received no treatment for syphilis at all.

Men were persuaded to participate by promises of free transportation to and from hospitals, free hot lunches, free medical treatment for ailments other than syphilis and free burial.

Seventy-four of the untreated syphilitics were still alive last January.

Syphilis is a highly contagious infection spread through sexual contact. If left untreated it can cause blindness, deafness, deterioration of bones, teeth and the central nervous system, insanity, heart disease and death.

In 1969, the PHS' Center for Disease Control in Atlanta which has been in charge of the Tuskegee Study, reviewed records of 276 syphilitics, both treated and untreated, who participated in the experiment.

It found that seven men had died as a direct result of syphilis. Another 154 died of heart failure, but CDC officials say they cannot determine now how many of these deaths were caused by syphilis or how many additional deaths may have been linked to the disease.

PHS officials responsible for initiating the Tuskegee Study have long since retired and current PHS officials say they do not know their identity. But the current officials say, in retrospect, they believe the study may have been a moral mistake.

"I think a definite moral problem existed when the study was undertaken, a more serious moral problem was overlooked in the postwar years when penicillin became available but was not given to these men, and a moral problem still exists," said Dr. J. D. Miller, chief of the venereal disease branch of the CDC.

"But the study began when attitudes were much different on treatment and experimentation," he added. "At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation, I don't believe the program would be undertaken."

Don Prince, another official in the venereal disease branch of CDC, said the Tuskegee Study has shown that the morbidity and mortality rate of untreated syphilitics was not as high as previously believed, but he said he thought the study should have been halted with penicillin treatment for the participants after World War II.

"I don't know why the decision was made in 1946 not to stop the program," Prince said. "I was unpleasantly surprised when I first came here and found out about it. It really puzzles me."

CHANGES IN U.S. MARKETING SYSTEM

Mr. HANSEN. Mr. President, on April 19, 1972, the Wall Street Journal printed a very interesting article by one of its former editors, Mr. Vermont Royster. Mr. Royster's article entitled "Man in the Middle" does an outstanding job of highlighting the changes which have taken place in the marketing system of the United States of America over the last generation.

I am sure that most of my colleagues remember the days to which Mr. Royster refers when products were purchased directly from the producer or with little or no processing.

This is a far cry from our purchase of food products today in supermarkets where everything is carefully graded, packaged, and ready to put on the dinner table with a minimal amount of effort.

However, too many public officials, rather than leveling with the people and pointing out the reason for food increases instead charge those who produce our food products and those who move food products from the farm to the dinner table with taking advantage of the consumer.

The American consumer, in order to understand the picture, needs more information such as that provided by Mr. Royster in his very fine article. We must all remember that food is still one of the greatest bargains available to the U.S consumer.

Mr. President, I ask unanimous consent that the article entitled "Man in the Middle," written by Vermont Royster, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Man in the Middle

Tucked away in the recesses of memory is one of a little boy tagging along to the grocery store in a small Southern town, more years ago than need be mentioned.

The grocer was a big man, or so it seemed, bald on top, girdled in a white apron beneath which was a well-rounded paunch as befitted a man who lived amid good things to eat. He sticks in memory because a polite "good morning" won an all-day sucker.

The store was delightful in other ways. It smelled good, the odors wafted about by a huge overhead fan whirling lazily in the summer heat. And it was full of marvels.

At the rear were piles of potatoes, the dusty earth still clinging to them; on the side counter were baskets of tomatoes, cucumbers, lettuce, maybe, if it was in season, other vegetables, sometimes a melon. All there to be carefully picked over, often after a consultation between my mother and my friendly grocer.

The chickens were in the back room, cackling away, their feet tied together but even so stirring enough to send feathers flying. One would be put on the floor of the Essex to be hauled home, neck wrung in the back yard and after considerable headless flopping about to be plucked on the porch.

Good beef was a rarity, our town being far from a stockyard. Its availability was always announced loudly by the grocer, which led to careful inspection, much discussion and finally perhaps some slicing with a long knife like a sultan's scimitar. Nearby in the ice chest would be tubs of butter ready for scooping.

But a small boy was easily distracted. Along the floor were rows of bins with glass covered tops permitting longing looks at cakes and cookies piled inside.

If you were politely patient, and everybody was in a good humor, a small bag would be gathered, weighed and put in with the more prosaic things that were supposed to be good for you.

Once home the kitchen was a-bustle. The pea-pods were opened, the beans strung, eggs sorted, bacon sliced. There was much to do between shopping and eating.

It's all much simpler now. The air-conditioned supermarket is a different marvel. At the deep-freeze counter there are things in and out of season, the peas already podded, the beans strung and cut, everything ready for the boiling pot. Laid out along the meat counter are steaks and chops, ground meat, roasts of varying sizes, chickens cleaned and trussed, all neatly wrapped in their little plastic covers, pre-weighed and price-marked.

As neatly packaged are the potatoes, tomatoes, lettuce and cabbage. The sliced melons are clothed in see-through blouses; the radishes and celery bundled like bouquets. On the gourmet shelves are the delicacies of the world at your fingertips. Less romantic, perhaps, but from shopping to dinner is now a matter of minutes.

The prices too are quite different. In part because those who govern us have take so little care of our money. In part because those who labor between the fields and the shelves have taken so much care to make things better.

The man in the middle takes those peas from the field, de-pods them, quickly freezes them, weighs and packages them, hauls them in refrigerated trucks half across the country. He kills and plucks the chickens, sometimes even divides them into legs and breasts for finicky housewives. Others squeeze the oranges, slice the pineapples, shell the shrimp and deliver them thousands of miles from the groves or sea-beds.

Yet this middle-man, so you read in your morning paper, is a villain still. There is a gap, so it's noted, between what the cattleman gets on the hoof and what you pay for your Saran-wrapped steak, and therein lies outrage. The complainants range from the Secretary of Agriculture to the lady in your house.

And not in the grocery store only. We all have some atavistic understanding of the role of the producer, whether of peas or sheet-steel. What lies between producer and consumer is mysterious, and so in troubled times, nefarious. No posses ride to lynch the farmer; quite often we are ready to hang the butcher.

Anyway, no medals are struck for the middle-man, though without him New York City would starve in a week and even in smaller places we would be back to no beef in summer and no orange juice in winter. No one thinks, buying pills at the corner pharmacy, of the two-fold miracle: that they should be made at all and that you can pick them up for the asking in, say, Selma, Ala. The second is no less than the first.

Indeed, the chief thing that separates a primitive society from an advanced one is the expanding role of the middle-man, he who takes the raw material, processes it, subdivides it, transports it, stores it, packages it if need be and has it ready for the consumer when it is wanted. Nor is the difference economic only; it is sociological as well. Without the middle-man we would have no such society as we have.

That all this raises the price is perfectly true, just as the complainants say. But it raises the price because a real value has been added, even if the value is only convenience. We pay more for a pill or a tube of toothpaste because the druggist must carry a huge stock, but the inconvenience would be not having the pill when we are sick or the toothpaste when we were full of cavities.

All this ought to be tiresomely self-evident. It is so to our tax gatherers, who are already muttering about a value-added tax to be levied on each stage of this process. That tax philosophy may be burdensomely regressive but it acknowledges an economic reality.

Yet the rest of us are hardly ever persuaded. When steak prices go soaring we never think it's because more dollars are available to spend on steak; that is, that our dollars have become worth less. We never reflect on the curiosity of government economists urging us to spend more to get the economy moving again—indeed printing more money for us to spend—and lamenting the while that more people buy steak and push the price up. The villainy, somehow, is that gouging in the middle.

Just the other day the lady of the house was grumbling about the price of chicken pieces. But the suggestion that she buy them feathered and pluck them made her think I'd lost my cotton-pickin' mind.

HUMAN RIGHTS: THE RESTORATION OF CREDIBILITY

Mr. **PROXMIRE**. Mr. President, I rise to continue my daily effort to win Senate ratification of the Genocide Treaty.

The Senate has balked time and again on the most crucial question of this century—the inherent rights of mankind. It is time for the Senate to recognize the impact of its delay upon the people of the United States and all mankind.

In 1945, the Senate overwhelmingly ratified the United Nations Charter. In doing so, it pledged to uphold "the dignity and worth of the human person." Since that time, the Senate has continuously reneged on our pledge to the peoples of the world.

Our nonratification of the Genocide Treaty has jeopardized our Nation's integrity. Our delay has provided our detractors with propaganda and grounds for questioning our fundamental principles.

By paying only lipservice to universal human rights, the Senate has endangered the credibility of our country. Its failure to support this treaty, which is in accordance with our national goals, is a source of international disillusionment.

Can we continue to assume a position of world leadership when we, ourselves, do not acknowledge the inherent rights of mankind? Can we expect other countries to respect these rights if we do not do so?

Let the Senate restore the international credibility of the United States. Let the Senate ratify the United Nations Convention against the crime of genocide.

FEDERATION OF SOUTHERN COOPERATIVES—FUTURE PROGRESS THREATENED BY OEO DEFUNDING ACTION

Mr. **HUMPHREY**. Mr. President, for some time I have been following the activities of the Federation of Southern Cooperatives, and I have been gratified at the way they are helping the poor of the South pull themselves up economically.

Unfortunately, the Office of Economic Opportunity has recently seen fit to withdraw its funding of the federation—a loss of $500,000 that will directly affect 100 job holders in the federation, and indirectly hurt thousands of poor families.

The apparent reason that the federation lost this money is that there was a lack of proper communication between the good people who run the cooperatives and the people at OEO.

Now OEO has asked the federation to resubmit an application for money for this year, and I strongly urge the friends of rural cooperatives in this Congress to insist that this application be fully funded so that the good work of the federation can continue.

Recently, an article about the efforts and the problems of the federation appeared in the Atlanta Journal Constitution. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

BACK TO SOUTH: COOPERATIVE TAKES STEP INTO FUTURE

(By Leonard Ray Teel)

EPES, ALA.—"He did the money-making thing in the big city and now he's back and is going to do the farm thing," James Jones said.

Jones was walking down a lane at the Federation of Southern Cooperatives' research and training institute near Epes when he noticed Leonard Nash's car with California plates.

Nash was a short distance away, in class. After 11 years away he had come back to the South three months ago and got involved in a cooperative. Now he was attending a workshop, and trying to learn the basics of cattle raising.

Unlike Nash, Jones had not left the South. He had stayed and marched in the civil rights movement, then had gone to work trying to help poor Southerners raise their incomes. Now he is director of the federation's training center.

Jones believed all along, as Nash does now, that if young Southerners could raise their incomes they wouldn't have to leave their rural homes for the cities of the North and West.

That belief was at the heart of the cooperative movement which grew along with the sit-ins and marches, the Civil Rights Act and the Voting Rights Act in the 1960s.

"The civil rights movement gave them confidence that by sticking together they could win some things and that same kind of thing works in a cooperative," Jones said. He had been in those sit-ins and the Selma march, as a member of the Student Non-violent Coordinating Committee.

By 1967 the various cooperatives realized the need for unifying. By then there were cooperative members could improve their for credit unions and even for people who wanted to save money buying food.

Twenty-two cooperatives in 1967 founded the private, non-profit Federation of Southern Cooperatives, with the long-range idea that it could attract government and private grants and establish a training center where cooperative members could improve their skills and develop new jobs.

The idea has worked. The budget for 1967 was only $15,000, but the Federation began attracting support. Some donors have been the Ford Foundation ($500,000 in 1971), the Department of Labor ($249,296 last year), the Board of Mission of the United Methodist Church, and the Rockefeller Brothers Fund.

That support increased steadily until this year, when the Federation ran into a disagreement with its main government sponsor, the U.S. Office of Economic Opportunity. Last year's budget of about $2 million now will have to be cut about a half-million dollars since OEO has withdrawn its money on the grounds that the Federation opposed a management study of its operations.

The study was required by Congress but the Federation's executive director and staff insisted that the $400,000 for the study "would constitute a virtual waste of precious funds."

Although some staff members have already been laid off because of the cutoff of OEO funds, the present work and planning for the future is continuing, the executive director, Charles Prejean, says.

In his 12th floor office in Atlanta, Prejean and his staff are planning to involve poor people in the changing economy of the South, to give low-income people more choices in making a living.

The Federation's main concern is for poor black people. About 95 per cent of the members are black, although there are some low-income whites from the Appalachian Mountain areas, Mexican-Americans from Texas and Indians from Oklahoma and Mississippi. One Georgia co-op, Georgia Mountain Arts Products, sells the pottery, carvings, quilts and other crafts of people in several North Georgia counties. Their shop is at Tallulah Falls.

"There are changes taking place in almost all of your rural counties. Black folks need to be involved in this—everybody should have an opportunity to be involved in this industrial revolution that's taking place," Prejean said.

For example, the planned development of the Tennessee-Tombigbee interstate waterway would create many new jobs. "These will benefit us, provided we could train people to be more than janitors in these projects," Prejean said.

The Tombigbee River flows through western Alabama toward Mobile Bay, and washes along a half-mile of the 1,164 acre tract the Federation bought a few years ago for training poor people in raising vegetables, cattle and pigs. Ranging over the pastures are 240 cattle, and the Federation hopes to have 400.

Not far from the barn is the new classroom where, one week recently, a group of trainees were learning how to run credit unions more efficiently. In another classroom, Leonard Nash was involved in discussing how he can make a living in the South.

Excused from class for a few minutes, Nash sat on the patio, tilted his chair back and spoke about his ideas. He talked with a sense of certainty, because his visions are very fresh and far-sighted, coming to him like a revelation earlier this year when he was in California and unhappy.

"Out West, with so many people, you're so removed from your own destiny," Nash said.

"What I saw was the South was really developing . . . changing their own way of living . . . I know I can do something to change the situation . . . I have to see that black people get out of the situation . . . The system has been driving the young black people out of the slums of the North and the slums of the West."

So Nash quit his $10,000 a year job as a longshoreman, and brought his wife and two children to the rundown 42 acres that had been in his family for years near Palmetto, La. His wife was from Chicago and had never lived in an old farmhouse without a bathroom; they used a chamberpot until Nash could put in some plumbing with the help of the nearest cooperative. Now he is training with the hope of raising cattle, and possibly luring his two brothers home from Detroit.

"I believe black people don't have to die to find heaven," Nash said. "If there's another heaven when I die, then I'll be double happy. But I want to bet this one first!"

"And I want to see to it that all black people have a heaven too. They can see me in heaven, and I can help pull my brothers up an inch. And when he's up he can pull me up."

After Nash joined the Federation's workshop at Epes he met another Southerner, who had also just returned from California. He and George Cheathon, 24, of Tallulah, La., have attended some of the same classes. For many of the same reasons, Cheathon had decided to return to the South, and now he wants to learn how to run a consumer cooperative "to have that satisfaction of helping somebody else."

The training Nash and Cheathon are trying to get through the Federation will be the key to whether he, and other poor people, can succeed in the cooperative movement.

"Their economic operations must be based on the latest technology or must be in activities which are labor intensive and not subject to mechanization," explain Ray Marshall and Lamond Godwin, authors of "Cooperatives and Rural Poverty in the South."

"If the co-ops acquire the equipment and develop, they can have a significant impact on the incomes of small farmers," they write.

Thus, the loss of the $500,000 federal funding was a setback this year. Efforts are being made already to seek reinstatement of the money, but no action has been taken yet. One big hope is a new bill in Congress which would allow more money for cooperatives in the belief that the problems of the city begin when people can't make a living in the country. This belief is held by Georgia's U.S. Sen. Herman Talmadge and others in Congress, North and South, who support the work of cooperatives.

In Atlanta, the Federation's executive director, Prejean, thinks optimistically about the chances for poor people to help themselves through cooperatives.

"I think we could hook into some of the industrial development in the South," Prejean said, "if we are allowed to exist long enough."

INCREASING ECONOMIC POWER TO MOST CONCENTRATED INDUSTRIES

Mr. HARRIS. Mr. President, the ITT case has brought home to many the increasing economic power of our most concentrated industries. The cost of this concentration to the consumer—according to several experts, is in excess of $50 billion annually.

But these figures are very large and hard to grasp. Moreover, even if they can be comprehended, some do not understand how economic concentration and the power to control the market may affect them personally.

I would like to deal briefly with an example of the cost of concentration at a more accessible level—that of one industry in one State. James R. Green, of the University of Northern Iowa, recently did a study of the effects of pharmaceutical practices in my home State of Oklahoma on consumer drug prices.

Professor Green's study centers on Oklahoma's pharmaceutical antisubstitution law. This law in its original version was intended to prevent pharmacists from substituting a similar drug for the preparation actually prescribed by the physician. But more recently, under the urging of the larger drug firms, the law has been interpreted to rule that a pharmacist cannot substitute a different brand of an identical drug for the brand specifically prescribed by the physician.

The advantage of this interpretation to the large company is clear. Too many doctors get their prescribing information from the salesmen of the large pharmaceutical houses. Consequently, most of their prescribing is done in terms of brand names which describe one particular company's product. With a strict antisubstitution law, the large drug firms can use their market power to give them effective monopoly control over demand for a particular drug.

Professor Green's work goes into some detail in its researching of the pricing effects of Oklahoma's antisubstitutional law; and it analyzes the attitudes and practices of Oklahoma pharmacists concerning the differences between trade-name and generic drugs.

Mr. President, Professor Green makes some disturbing discoveries. For just eight drugs surveyed, he says:

> The total welfare loss . . . amounts to approximately one and one-half million dollars for one year in the state of Oklahoma . . . the estimated welfare loss on these drugs is larger than the amount Oklahoma consumers actually spent on them.

What does this mean, when it is translated into human terms? It means, Mr. President, that consumers of my State not only had to pay vastly inflated prices for drugs of the same quality available at far less expense under generic name; many of them also had to suffer physically and economically because they simply could not afford to pay for the brand name drug at all.

Mr. President, Professor Green goes on to estimate, from his own thorough research, the total welfare loss to the citizens of my State from the antisubstitution practices of pharmacists. That figure, in Oklahoma alone, is well over $142 million for just 8 drugs. This figure represents the direct and indirect losses to the public resulting from the ability of the biggest drug companies to sell brand-name drugs at hugely inflated prices.

I want to place Professor Green's figures in their proper perspective, Mr. President. For just one industry, operating in just one State, the direct and indirect costs of inordinate market power are well in excess of $1½ million each year—for just eight products.

When this kind of cost to the consumer is projected to include all concentrated industries nationally, it is easy to see how reputable economists estimate the cost to the consumer or economic concentration to be at least $50 billion a year.

Mr. President, Dr. Green's study of the Oklahoma antisubstitution law offers excellent insights into the larger problems which affect us all today—problems linked to the huge power of our largest industries. I ask unanimous consent that this study be printed in the Record at the conclusion of these remarks.

There being no objection, the study was ordered to be printed in the Record, as follows:

The Welfare Effects of an Antisubstitution Law in Pharmacy

(This article is based upon part of an unpublished Ph. D. dissertation, "The Welfare Effects of an Antisubstitution Law in Pharmacy on the State of Oklahoma" (Oklahoma State University, 1972). The author wishes to thank his principal adviser, Joseph M. Jadlow, for his enduring support and comments on an earlier draft of this paper.)

(By James R. Green, Assistant Professor of Economics)

(Note.—Figures referred to are not printed in the Record.)

I. INTRODUCTION

The United States prescription drug industry has twice in the last decade been investigated in lengthy Congressional Hearings for an alleged lack of competition among drug producers.[1] This study investigates a specific piece of legislation known as an antisubstitution law and views its possible impact upon price competition in the prescription drug industry. Where less competition results in higher prices of products and smaller quantities purchased, there is a loss in economic well-being to consumers. The focus of this study is on the antisubstitution law of the State of Oklahoma. The law itself is investigated and an attempt is made to measure the possible loss in economic welfare to the consumers of prescription drugs in Oklahoma.

II. DRUG INDUSTRY STRUCTURE AND CONDUCT

The drug industry consists of 1300 drug firms, about half of which produce ethical (or prescription) drugs. Out of these approximately 650 ethical drug producers, 136 account for 95 percent of the ethical drug sales.[2] Furthermore, 314 of the top 500 drugs were produced and sold by only twenty-four drug firms.[3] These same twenty-four firms were the producers of 129 of the 200 largest-selling drugs.

When the generic name-trade name breakdown is used, fifty of the top 500 drugs were sold by their generic names; the remaining 450 were all trade-name products.[4] So 314 of the 450 trade-name drugs on the list were sold by only twenty-four firms. Sixteen of the top 200 drugs were listed by their generic names. Thus 129 of the 184 trade-name drugs on the top 200 list were sold by the twenty-four firms.

It is clear that the majority of the largest selling drugs are trade-name drugs and that

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Footnotes at end of table.

these trade-name drugs are sold by a relatively small number of firms. The twenty-four firms alluded to are listed in Table I. The market shares listed in column three are those which were calculated by the author. For comparison, market shares calculated by Arthur D. Little are listed in column four. Apparently, a large share of the ethical drug market is held by these twenty-four firms for whom relatively good sales data are available.

TABLE I.—RELATIVE SIZE OF 24 DRUG FIRMS

Firm	Sales in 1968 (millions)[1]	Percent of—[2]		Assets (millions)[1]
		Total	Sales	
(1)	(2)	(3)	(4)	(5)
Chas Pfizer	$725.816	12.8	7	$260.624
Warner-Lambert	717.750	12.7		335.389
Merck, Sharpe & Dome	583.108	10.3	7	298.338
Eli Lilly & Co	479.618	8.5	7	260,624
Warren-Teed	423.361	7.5		185.993
American Home Products	379.964	6.7	7	425.535
Sterling	366.632	6.5		220.257
Abbot Labs	350.955	6.2	3	167.879
Pittman-Moore	297.447	5.2		775.856
Smith, Kline & French	282.986	5.0	5	134.007
Upjohn	249.930	4.4		176.561
Parke-Davis	250.983	4.4		244.608
Squibb	238.980	4.2	4	254.293
Schering	179.099	3.2		106.469
Bristol-Myers	178.633	3.2		307.143
G. D. Searle	147.724	2.6	3	97.479
Richardson-Merrell	123.114	2.2		134.737
Baxter	122.153	2.2		59.571
A. H. Robins	115.428	2.0	3	50,690
W. H. Rorer	114,010	2.0		59,571
Carter-Wallace	84,944	1.5		47.827
Syntex	73.752	1.3		52.658
Massengill	19.870	.4		7.574
Alcon	15.748	.3		6.570

[1] Source: Moody's Industrial Manual (New York, 1960).
[2] Source: Personal Communication, Arthur D. Little, Inc. May 15, 1970.

Unfortunately, information and data for the small drug producers are scarce. Over 400 of the 650 U.S. ethical drug firms are relatively small and are often labeled as "the generic producers," although they do, in some cases, sell their products under trade names.[5] Few of the generic firms conduct research and development or hold patents on their products. The companies' sales in this group ordinarily range from one to ten million dollars.[6]

Most drugs which are developed can be patented and for seventeen years can be sold by only the manufacturer holding the patent if he so chooses. During the seventeen year period many large drug concerns promote their drugs primarily by using their trade names, although they are required by law in written advertisement to include the generic name in at least one-half size the type of that used for the trade name. Physicians then write prescriptions using only their trade names. The physicians may or may not even be aware of the generic name of the drug.

After the patent period has elapsed other manufacturers can, and in many cases do, begin to manufacture the drug. The entering firms may assign their own trade names to the drug or they may simply sell it by its generic name alone. It would thus appear that a growing amount of competition in a particular drug would develop after its patent has expired. This, however, for many drugs, has not resulted.

The picture drawn above of concentration and the composition of the drug industry is inadequate to determine the degree of competition in the industry. The above evidence gives a description of overall concentration whereas the more relevant concept for economic analysis is that of industry concentration—with the "industry" defined on the basis of cross elasticity of demand. A particular drug is obviously not a good substitute on the demand side for every other drug.

Ethical drugs may be classified in a number of ways. The major breakdown of drugs is by therapeutic category. However, certain contra-indications may prohibit the use of some drugs if others are already being taken. Among drugs in a certain therapeutic category there still exists a degree of substitutability. Even though this is true, drugs in a single therapeutic category may differ by potency, toxicity and number and nature of adverse reactions. The point to be made here is that for any particular drug there usually is a substitute, although it may be a relatively poor one. Certainly, between therapeutic classes the degree of substitutability is negligible.

A relevant drug market then, from an economist's standpoint, is a therapeutic category which includes drugs with varying degrees of substitutability. The demand curve for a particular drug would not be perfectly inelastic, although the demand curve for an entire therapeutic class might approach this. Thus the price elasticity of the demand curve for a particular drug would depend upon the willingness of doctors to prescribe it, and upon their knowledge of other drugs in the class. The degree of elasticity would also depend on the various other factors (adverse reactions, etc.) mentioned above and the consumer's willingness and ability to have a prescription filled.

III. THE ANTISUBSTITUTION LAW

This section presents the nature and economic implications of the antisubstitution law. It discusses the manner in which the law came into existence and the possible economic effect of the law.

History

The Oklahoma antisubstitution law was enacted in 1961. The law itself states:

"It shall be unlawful for any pharmacist being requested to sell, furnish, or compound any drug, medicine, chemical or other pharmaceutical preparation, by prescription or otherwise, to substitute or cause to be substituted therefor, without authority of the prescriber or purchaser, any other drug, medicine, chemical, or pharmaceutical preparation." [7]

Substitution, as the physical act was originally conceived, meant to substitute literally one generic drug for another. For example, if a pharmacist received a prescription for penicillin, it would be deemed illegal substitution if he dispensed another antibiotic such as tetracycline. The practice of this type of substitution obviously could have adverse repercussions. With substitution defined in this way, the pharmacist is obliged under an antisubstitution law to dispense the drug which the physician has prescribed. References to substitution, under this definition, have been occurring for hundreds of years. The first historical reference to it was made in 880 B.C.[8]

The above definition of substitution was used for many years until, in the early 1950's, some firms of the ethical drug industry sought to have the definition enlarged. In the words of a prominent physician:

"In 1955 the National Pharmaceutical Council was kind enough to give to all the world a new definition of substitution. Substitution previously was understood to be to substitute one drug for another. But in 1955 the National Pharmaceutical Council, as part of its program, enlarged this definition and has been pushing it ever since." [9]

The "new" definition, as it was espoused by the National Pharmaceutical Council (a group of twenty-two trade-name firms), was that substitution meant the substituting of one brand of a drug for another brand, even though the drug involved was physically identical in each case. In other words, one manufacturer's brand of, say, meprobamate could not be substituted for another manufacturer's brand even though in each instance the drug is still meprobamate.

The National Pharmaceutical Council's campaign to get this definition of substitution accepted by state boards of pharmacy is described in detail in the hearings on the drug industry conducted by Senator Estes Kefauver in the late 1950's.[10] The success of its campaign is evidenced by the fact that in 1954 only about eight states had antisubstitution laws and these were written under the "old" definition of substitution.[11] At present, forty-seven states have antisubstitution laws and the practice of substituting is prohibited by professional ethics in two others. In addition to this fact, the *American Druggist* placed the rate of substitution in 1957 at 4.3 percent compared with 14.7 percent in 1953, a substantial decline.[12] Apparently, substitution, as defined for determination of this percentage, includes both types of substitution.

The rigorous efforts of the National Pharmaceutical Council included the compilation of a state-by-state list of the situation regarding the legality of substitution in each state.[13] The list was dated January, 1958. Regarding Oklahoma, it was stated in the list that:

"There is no particular authority in the law but the [State] Board [of Pharmacy] will cooperate to the best of its ability. The Board would like to have some shopping done in the state to determine the extent of the problem."[14]

It was assumed in a National Pharmaceutical Council memorandum dated December 19, 1955 that the incidence of substitution in Oklahoma was not significant. This suggests that there would have been little substitution without the law since the practice of substitution was not prevalent even before its enactment. However, since 1955, much information concerning generic equivalency has come to light and pharmacist's attitudes regarding substitution may have changed or the threat of legal consequences may have always been present.

The legality of antisubstitution laws of various states has been upheld many times. There has been one notable exception. In the State of Michigan, Wayne County Circuit Court Judge Carl M. Weideman held that substituting the generic drug prednisone for the trade-name version. Meticorten was not substitution as defined in the law since chemically and by assay the drugs were identical.[15] However, the meaning of this decision is not clear because, in this instance, the prescribing physician had given prior approval to the substitution.

In addition to rulings under antisubstitution laws, it has been held in at least two cases that substitution of a generic drug for a trade-name drug is a violation of the manufacturer's trademark under the Lanham Act of 1946 and, therefore, constitutes unfair competition on the part of the pharmacist who substitutes.[16]

Effect on competition

If the type of market conduct described above involving large-scale promotional and R & D practices of the dominant drug manufacturers is continued, the antisubstitution law can help these firms maintain monopoly positions for certain drugs. In order for the antisubstitution law to be responsible for any welfare loss resulting from monopoly the following conditions must be present:

(1) Some drug firms must be marketing their drug under trade names. If all drugs were marketed under generic names alone, the antisubstitution law would be inconsequential in stifling competition.

(2) There must be no patent currently in effect for the drug and/or the drug must have generic equivalents available. A patent conveys a monopoly position to the firm holding the patent on a particular drug. Substitu-

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tion would be impossible since there would be no available substitutes. An exception to this condition exists when the patent is licensed to other manufacturers or if the drug is sold in bulk to other manufacturers to be repackaged and sold under their own trade names or by generic name.

(3) Some physicians must be prescribing drugs, which have generic equivalents, by trade name. If all drugs were prescribed by generic name then the choice of the manufacturers would be left to the pharmacist, although it is possible for the consumers to exert some influence in the decision by "shopping around." This discretionary power would also exist in the absence of an antisubstitution law.

(4) Pharmacists must be willing and able to substitute generic drugs or less expensive trade-name drugs for higher-priced trade-name drugs. Pharmacists, upon receiving a prescription for a trade-name drug must be willing to substitute a lower-priced generic equivalent. Otherwise the absence of an antisubstitution law alone would not engender price competition among brands of a drug. Some people, such as Newell Stewart of the National Pharmaceutical Council, have argued that. "For a pharmacist to impose his judgment upon that of the physician is assuming a responsibility he is not qualified to assume."[17] Others think differently. This question is examined more fully later.

In addition to the pharmacist's willingness to substitute lower-priced generic equivalents, he must have the ability to do so. The ability of a pharmacist to substitute a lower-priced generic equivalent upon receipt of a trade-name prescription is directly dependent upon the pharmacist's inventory. Since many physicians today do prescribe by trade name, it may be that pharmacists do not stock generic-name drugs. In this event, substitution could not occur. The nature of pharmacists' inventories is explored in this study.

The above conditions must be present for a firm to maintain a monopoly position for a drug as a result of the antisubstitution law and product differentiation. The first condition, from evidence already presented, is present to a considerable extent in the ethical drug industry.

The second condition certainly is present in a number of cases. In a recent Task Force study, a list was compiled of the 409 most frequently prescribed drugs for individuals sixty-five years of age and older.[18] Of these 409 drugs, 293 were still under patent and thirty products were available and actually dispensed under generic name. This left eighty-six drugs which were ordinarily sold under trade names but which were also available under their generic names. Therefore, there are several high-volume-selling drugs which satisfy the second condition.

With regard to the third condition, the large drug manufacturers have apparently been successful in their promotion of trade-name drugs. The National Prescription Audit indicates that over 90 percent of all prescriptions were written by use of trade names.[19]

Conclusions on the fourth condition are presented later. The information gathered for this study relates to this question.

IV. WELFARE LOSS MODEL

At least three well-known studies have been conducted to investigate the welfare loss from monopoly elements in the U. S. Economy.[20] The studies of Harberger and Schwartzman found the welfare loss to be inconsequential (less than 0.1 percent of national income). Kamerschen's research turned up a somewhat larger figure of 5.4 to 6.2 percent of national income. The range is a result of varying the assumptions of the analysis.

It should be pointed out that, in general, these studies have all dealt with rather broad industry classifications and profit data rather than cost data were used as a means of estimating the misallocation of resources.

The criticisms often made of consumer's surplus as a welfare tool are many times directed at the restrictive assumptions which must be made. Therefore, most of the assumptions involved in the three empirical studies mentioned above are listed below. For the Harberger and Schwartzman studies, Kamerschen has pointed out twenty-three assumptions.[21] It is not necessary to reproduce the entire list here but instead only to give the most salient ones, especially those which concern the present research.

1. All three studies assume that all production takes place at constant costs. This assumption was made for convenience since profit data could then easily determine the extent of the reallocation of resources necessary to eliminate excess profits. The present study also makes this assumption because the nature of the production process gives all indications of a lack of economies of scale.

2. Harberger assumes an elasticity of one, Schwartzman of one and two, and Kamerschen estimates elasticities for the various industries. For the present study, elasticity estimates for the relevant drug have been calculated.

3. All three studies assume the industries are in long-run equilibrium positions. This is also necessary in the present study to insure that prices and outputs are at equilibrium levels.

4. Studies of this type must necessarily assume that whatever redistribution of income occurs is not a welfare loss. This assumption may alternatively be stated as one which provides that the marginal utility of income is the same for everyone or that fiscal adjustments are made to keep everyone's money income the same. This is not the same assumption that Alfred Marshall made when he held the marginal utility of money constant.[22] Constancy of the marginal utility of money was appropriately criticized by Paul Samuelson [23] and was shown to be unnecessary by Winch.[24]

5. It must also be assumed that all the industries are producing for direct consumption. L. W. McKenzie has shown that where intermediate products are involved Hotelling's formula does not apply.[25]

6. In order to avoid complexities which would be introduced by second best considerations, it is necessary to assume that resource misallocations arising from exogenous factors are absent. F. M. Scherer has noted that second-best considerations are of little significanec in the prescription drug industry because of its weak interdependence with other sectors of the economy.[26]

7. Ten of the other assumptions listed by Kamerschen had to be introduced as a result of the profit data which they were using. Since profit data are not used in the present study, these assumptions do not need to be made here.

It was stated above that production conditions in the drug industry indicate that approximately constant costs are present. The actual costs of producing ethical drugs is a closely-guarded trade secret. However, the nature of the production process and the limited volumes in which individual drugs are produced give definite indications that constant returns to scale, accompanied by constant costs, are present in a large part of the industry's production.

The two leading therapeutic classes by new and refill prescription sales in 1968 were antibiotics and hormones, in that order.[27] Batch methods predominate in their manufacture. In order to increase output, the firm must add one or more fermentation vats and these will be identical to those already in use. This implies constant returns to scale.[28]

On the basis of this sort of information, it appears that constant costs are present to a large extent in the drug industry. This apparent lack of economies of scale leads one to the conclusion that smaller drug firms face approximately the same costs of production that the larger firms do.

The market for a particular prescription drug can be graphically shown as that of figure 1. Figure 1(a) shows the demand and cost conditions facing a large producer selling a specific trade-name drug. Figure 1(b) depicts the demand and cost conditions facing all the firms which sell the generic version of the same drug.

The conditions of demand facing the producer of a trade-name drug is made up essentially of two components. First, there are those physicians who prescribe by trade name thus allowing the pharmacist no discretion in filling the prescription (assuming an antisubstitution law is present) regardless of the prices of generic equivalents. Implicit within this component of demand is that a group of consumers will have their prescriptions filled regardless of the price, at least in the portion of the demand curve under consideration. This element of demand is represented by the completely inelastic demand curve $^{d}T_1$ in Figure 1(a). The second component of the demand for a trade-name producer's drug is somewhat more elastic. This element is composed of price-conscious physicians and of institutions (such as some hospitals) who purchase their drugs on the basis of competitive bidding or by government agencies (e.g., the Military Medical Supply Agency) who follow a similar procedure. Consumers of the drugs who follow such alternatives as refusing to have their prescriptions filled or who "shop around" on the basis of price would contribute to this less than perfectly inelastic portion of the demand curve. This component of demand is represented by $^{d}T_2$ in Figure 1(a). As a result of these two components of demand, the total demand for a trade-name producer's drug is shown as $^{d}T_1 + {}^{d}T_2$ which is the horizontal summation of $^{d}T_1$ and $^{d}T_2$.

Since the cost conditions facing the trade-name producer are those of constant costs long-run marginal cost equals long-run average costs. The curve depicting this situation is labeled on Figure 1(a) as LMC=LAC.

The market conditions for producers who sell the same drug by its generic name are pictured in Figure 1(b). The demand curve facing these producers is downward-sloping to the right and is labeled d_G. This is very plausible since, if a drug is prescribed by generic name, the pharmacist can dispense any manufacturer's version of the drug he chooses and it is possible that he will dispense, at least to some extent, on the basis of price. In the event of competitive bidding, price again is a primary factor determining the choice of a particular producer.

Cost conditions for generic producers have also been shown to indicate constant costs with long-run marginal cost equalling long-run average costs. This is labeled LMC=LAC in Figure 1(b). Since the level of average costs for generic producers was the same as that faced by the trade-name producers, the LMC and LAC curves on both graphs are at the same level.

Since conditions which approximate pure competition are present in the market for a particular generic drug, the price and output levels are determined by the market forces of demand and supply. As indicated on Figure 1(b), the price of the generic version of the drug is determined as P_G which is equal to the level of average costs. The output of all generic producers is shown as X_G. Therefore, the equilibrium price level of the generic drug is equal not only to the average costs of the generic producer, but also to the average cost level of the trade-name producer. The level of average costs

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for the trade-name producer is, therefore, also labeled as P_G on Figure 1(a)

The price and output levels of the trade-name drug are determined by the trade-name producer in the usual monopoly fashion. The marginal revenue curve associated with the trade-name producer's demand curve is drawn in Figure 1(a) as MR_T. Assuming that the trade-name producer is attempting to maximize profits, he will equate marginal revenue with long-run marginal costs. The price and output levels of the trade-name drug are thus determined to be P_T and x_T, respectively.

In order to describe the welfare loss resulting from the lack of competition for the trade name producer, it is necessary to indicate the level of output and price which would prevail for the trade-name drug if the industry were one of pure competition. If the price level were bid down to the competitive level, it would equal long-run average costs. Given the demand conditions facing the trade-name firm, at a price of P_G the industry would sell an output of x_C. Thus, the resulting welfare loss is shown as the area of the triangle ABC in Figure 1(a).

The analysis described above obviously applies when there is a single firm producing the trade-name drug and there are many firms producing the generic version of the drug. This situation is, of course, only possible in instances where the patent on a drug has expired or when lower-cost generic equivalents are available. In the case of several drugs, however, even though the patent has expired, there still remain several large producers manufacturing and selling the drug under a trade name. In this study, when there are two or more large firms selling different trade-name versions of a single drug, each is considered a monopolist. In the presence of an antisubstitution law, this effectively is the case.

V. THE SAMPLE DATA AND THE WELFARE LOSS

The data collected for this study can be separated into two categories: (1) data relating to the calculation of the welfare loss and (2) information relating to the effectiveness of the antisubstitution law in stifling competition. Both types of data were collected via mailed questionnaires to pharmacists in Oklahoma.

The drug sample consists of eight drugs which have both trade and generic versions available. The eight drugs are all important drugs, in terms of sales, and are drawn from the top ten therapeutic categories by volume. The drugs, their therapeutic categories and their various versions are listed in Table II.

TABLE II.—*Generic versions of drugs by therapeutic category*

THERAPEUTIC CATEGORY AND DRUGS INCLUDED ON SAMPLE

1. Antibiotics:
Tetracycline HCl (250 mg):
Generic:
  Achromycin
  Achromycin–V
  Tetracyn
Penicillin G. Potassium (400,000 U):
Generic: Pentids
2. Hormones:
Dexamethasone (.75 mg):
Generic: Decadron
3. Ataraxics:
Meprobamate (400 mg):
Generic:
  Equanil
  Meprospan
  Miltown
4. Analgesics:
APC/codeine (½ gr):
Generic: Empirin Compound/codeine
5. Cardiovascular Preparations:
Reserpine (.25 mg):
Generic: Serpasil
Digoxin (.25 mg):
Generic: Lanoxin
6. Sedatives and Hypnotics:
Chloral Hydrate (7½ gr):
Generic: Noctec

The questionnaire was mailed to every pharmacy in Oklahoma and 34.6 percent were returned. The responses were reasonably uniform on the basis of size of community, type of pharmacy and size of pharmacy.

The welfare loss estimates required monopoly price levels and marginal cost levels for each drug and the quantities of each drug. The elasticities for each trade-name drug were calculated using the method developed by Kamerschen [29] which is the reciprocal of the Lerner index of monopoly power. Weighted-average prices paid by pharmacists were calculated for each drug and elasticity estimates were found. The elasticity estimates are listed in Table III and are all greater than one in absolute value.

TABLE III.—*Elasticity of demand estimates for the sampled trade-name drugs*

	Elasticity
Tetracycline:	
Achromycin &	−1 .387
Achromycin–V	−3, 608
Meprobamate:	
Equanil	−1. 474
Meprospan	−1. 189
Miltown	−1. 465
Digoxin: Lanoxin	−8. 566
Chloral Hydrate: Noctec	−1. 609
Penicillin G Potassium: Pentids	−1. 315
Reserpine: Serpasil	−1. 231
Dexamethasone: Decadrone	−1. 549
APC/codeine: Empirin/codeine	−165. 227

The welfare loss estimates calculated from the data extrapolated to 100 percent of the pharmacies for a one-year period are listed in Table IV. The total welfare loss arising from these eight drugs amounts to approximately one and one-half million dollars for one year in the State of Oklahoma. This represents just over 100 percent of the total sales of these drugs during the same period.[30] In other words, the estimated welfare loss on these drugs is larger than the amount Oklahoma consumers actualy spent on them. It should be recognized that this figure does not consider any welfare loss from other trade-name drugs which have generic equivalents available or that arising from the many drugs which are still under patent and thus have no generic equivalents yet available. It is also only the estimated loss for a single state.

TABLE IV.—*Oklahoma welfare loss estimates for 1 month from the sample of pharmacies*

[In thousands of dollars]

Tetracycline:	
Achromycin and Achromycin–V	6. 119
Tetracyn	. 367
Meprobamate:	
Equanil	13. 540
Meprospan	3. 359
Miltown	4. 645
Digoxin: Lanoxin	. 113
Chloral Hydrate: Noctec	. 389
Penicillin G Potassium: Pentids	5. 334
Reserpine: Serpasil	4. 458
Dexamethasone: Decadron	2. 592
APC/codeine Empirin/codeine	. 009
Total	40. 923

VI. EFFECTIVENESS OF THE ANTISUBSTITUTION LAW

Whether or not elimination of the antisubstitution law would bring about price competition among different manufacturers' versions of a particular drug depends upon a number of factors. If the antisubstitution law were eliminated, each prescription for a drug, whether it was written by generic or trade name, could be considered a generic prescription since the pharmacist could fill the prescription with any manufacturers' version of the drug he chose.

Information was therefore collected with regard tothe attitudes of pharmacists in filling prescriptions. Some of the questions asked of pharmacists are shown in Table V. First, if a pharmacist received a generic prescription, would he fill it with the lowest-priced drug? Essentially, the attitude being investigated here is whether or not pharmacists consider the price of a drug when dispensing it to a consumer. The responses to this question are listed in Table VI(a). Of the pharmacists who responded to this question, 38 percent answered that they would dispense the lowest-priced drug on a generic prescription. There were 48 percent who responded that they would not dispense the lowest-priced drug. It is interesting to note that 14 percent entered as a response that it would depend upon what the lowest-priced drug was. Their responses were, in general, that they would dispense the lowest-priced drug consistent with what they considered to be acceptable quality. Many stated that generic versions of a drug produced by "reputable" manufacturers would be of acceptable quality. If this group is added to those who would dispense the lowest-priced drug, the total is brought to 52 percent which is a majority of the pharmacists surveyed.

TABLE V—*Attitudinal questions asked of pharmacists*

1. If you were given a prescription which was written by generic name, would you fill it with the lowest-priced drug?
Yes———. No———.
Why or why not?————————
2. Would you always fill a generic prescription with a trade-name drug?
Yes———. No———.
Why or why not?————————
3. If you were given a prescription for a trade-name drug and if it was legal to substitute a lower-priced generic, would you do so?
Yes———. No———.
Why or why not?————————
4. In those drugs which are usually prescribed by trade name but also have generic equivalents, does your inventory include the generic equivalent?
Always———.
Usually———.
Seldom———.
Never———.

TABLE VI.—*Pharmacists' responses to a generic prescription*

LOWEST-PRICED DRUG ON A GENERIC PRESCRIPTION

Response:	*Percent of pharmacists*
Yes	38
No	48
Depends	14
Total	100

TRADE-NAME DRUG ON A GENERIC PRESCRIPTION

Response:	*Percent of pharmacists*
Yes	27
No	73
Total	100

A related question, asked of pharmacists, pertained to whether or not they would always dispense a trade-name drug when given a prescription written by generic name. This question measures, to some degree, the effectiveness of the promotional efforts of the large, trade-name manufacturers. The responses are listed in Table VI(b). Of the respondents to this question, only 27 percent of the pharmacists indicated that they would always dispense a trade-name drug when handed a generic prescription. On the other hand, 73 percent of the pharmacists stated

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Footnotes at end of article.

that they would, at least in some cases, dispense a generic version of a drug. A variety of reasons were listed for doing so, including: lower prices, confidence in the quality of generic drugs, and profitability.

The most important question asked of pharmacists for the purpose of this study related to the willingness and ability of pharmacists, in the absence of an antisubstitution law, to substitute lower-priced generic versions of drugs for higher-priced, trade-name drugs called for on a prescription if it were legal to do so. The responses are shown in Table VII(a). Of the pharmacists responding to the question of willingness to substitute, 58 percent answered that they would not substitute one brand of a drug on a prescription written for another brand of the same drug unless it was first approved by the physician. With the physician's approval, substitution is, of course, presently legal. Of the remaining pharmacists, 34 percent stated that they would in most cases freely substitute *brands* of drugs. The remaining 8 percent of the pharmacists said that they would sometimes substitute depending upon their professional assessment of the alternative brands of the drug available.

Table VII.—Pharmacists' responses on generic equivalents

WILLINGNESS TO SUBSTITUTE

Response:	*Percent of pharmacists*
Yes	34
No	58
Sometimes	8
Total	100

STOCK OF GENERIC EQUIVALENTS

Response:	*Percent of pharmacists*
Always	0
Usually	38
Seldom	55
Never	6
Total	99

Reasons given by the pharmacists who would not substitute were mainly twofold. First, they did not trust generic manufacturers' products and, therefore, would not be responsible for their distribution, and/or secondly, they felt the choice of a particular manufacturer's version of a drug was to be made by the physician and they would not question that choice.

Pharmacists who stated that they would sometimes or most of the time substitute versions of a drug gave many of the same reasons that were listed for dispensing the lowest-priced drug on a prescription written by generic name. Additional motives were also mentioned. These included: (1) trade-name drugs are "over-priced," (2) it would allow them to compete more effectively with other pharmacies, (3) it would permit them to exercise their professional judgment, (4) the profit per prescription filled is larger when the acquisition cost is lower, (5) it would enable them to reduce their inventories since fewer brands of a single drug would need to be stocked, and (6) quantity discounts could be achieved since they would be able to purchase larger quantities of the fewer necessary brands of a drug.

Reasons five and six listed above would likely alter the current composition of pharmacists' inventories. One of the questions asked of pharmacists dealt with the nature of their current inventories. They were asked to what extent they stocked generic equivalents of drugs which are usually prescribed by trade name. From question four of Table V it can be seen that the alternative responses were, for pragmatic reasons, rather broad.

The reported composition of pharmacists' inventories is shown in Table VII(b). Of the pharmacists responding to this question, only one stated that he always had the generic equivalent for a trade-name drug in stock. On the other hand, only 6 percent responded that they never stocked generically equivalent drugs. The "usually" and "seldom" responses were reasonably close, 38 percent reporting that they usually had a generic equivalent in stock and 55 percent stating that they seldom did. Currently then, many pharmacies do not stock generic equivalents and could not substitute even if it were legal to do so.

The responses to all of the above questions asked of pharmacists indicated that the antisubstitution law is quite effective in blocking competition among different brands of a single drug. A summary evaluation of the responses of pharmacists lists the following important findings:

(1) Most pharmacists will not always dispense a trade-name drug upon receiving a prescription which is written by generic name. Thus, pharmacists apparently think they can, in many cases, rely on generically equivalent drugs from a quality standpoint.

(2) Almost one-half (42 percent) of the pharmacists surveyed would, if given the legal opportunity, substitute lower-priced generic equivalents upon receiving a prescription written by trade name. This would, undoubtedly, foster price competition at the retail or pharmacy level and thus encourage other pharmacists to substitute different brands of drugs.

(3) Over one-half of the pharmacists responding seldom or never presently stock generic equivalent drugs. Since the pharmacists' demand for drugs is derived from the prescriptions they receive, it would be expected that elimination of the antisubstitution law would have a significant impact on the pharmacists' demands. Pharmacists, in the absence of an antisubstitution law, could stock only those manufacturers' versions of a drug that they desired. Therefore, the present nature of pharmacists' inventories could be substantially altered and need not be a discouraging factor in proposing that elimination or revision of the antisubstitution law would engender price competition among various brands of a single drug.

VII. CONCLUSIONS

The welfare loss to consumers as a result of antisubstitution laws is considerable in light of the fact that the estimations of this study are for such a small sample of drugs and such a small section of the country. To recommend repeal of all antisubstitution laws would border on irresponsibility. It is rather recommended that the language of those laws be made such that a pharmacist clearly has the opportunity to exercise his professional judgment in choosing a particular manufacturer of a drug. The results of this study indicate that it would yield definite benefits for consumers both immediately and through the long-run effects of increased competition at the manufacturer level.

FOOTNOTES

[1] See U.S. Senate, Committee on the Judiciary, Subcommittee on Antitrust and Monopoly, Hearings, *Administered Prices in the Drug Industry*, 86th Cong., 2d sess., 1960, and U.S. Senate, Select Committee on Small Business, Subcommittee and Monopoly, Hearings, *Competitive Problems in the Drug Industry*, 90th Cong., 2d sess., 1967.

[2] Pharmaceutical Manufacturers Association, *Prescription Drug Industry Fact Book* (Washington, D.C., 1968), p. 1.

[3] R. A. Gosselin & Company, Inc., *National Prescription Audit: General Information Report* (7th ed.; Dedham, Mass., 1968), pp. 43–47.

[4] When a new drug is discovered or invented by a firm's R and D establishment it is ordinarily assigned three names. The chemical name describes the molecular composition of the drug. The generic name is the so-called common name of the drug and is the official name which is listed in the U.S. Pharmacopoeia. Finally, some drug firms assign a trade-name to the drug which is peculiar to a single manufacturer. To use a non-prescription drug example, the chemical name of a particular drug is acetylsalicylic acid. Its generic name is aspirin and a manufacturer might assign a trade name to the drug of "Aspel."

[5] U.S. Department of Health, Education and Welfare, *Task Force on Prescription Drugs: The Drug Makers and the Drug Distributors* (Washington, D.C., 1969), p. 9.

[6] Ibid.

[7] Oklahoma Session Laws, 1961, Title 58, Chap. 8, Section 21.

[8] Statement of Newell Stewart, Executive Vice-President, National Pharmaceutical Council, Inc. in U.S. Senate, Committee on the Judicary, Subcommite on Anti-trust and Monopoly, Hearings, *Administered Prices in the Drug Industry*, 86th Cong., 2d sess., 1960, p. 8285–8288.

[9] Statement of Dr. August H. Groeschel, Associate Director, The New York Hospital, New York in U.S. Senate, *Administered Prices . . .*, p. 11576.

[10] Ibid., p. 1ff.

[11] Ibid., p. 11714.

[12] Robert A. Hardt, *Journal of the American Pharmaceutical Association, Practical Pharmacy Edition*, XVIII, February, 1967, reproduced in U. S. Senate, *Administered Prices . . .*, pp. 11756–11760.

[13] Exhibit 405 of Statement of Newell Stewart in U. S. Senate, *Administered Prices . . .*, p. 11802.

[14] Ibid., p. 11807.

[15] Ibid., p. 11761.

[16] R. G. Kedersha, "The Impact of Brand Name Prescription Products on the Traditional Practices of High Prescription Volume Pharmacies in Northern New Jersey: A Study of the Brand Name vs. Generic Name Prescription Product Problem" (unpub. Ph. D. dissertation, New York University, 1964), p. 38.

[17] U.S. Senate, *Administered Prices . . .*, p. 11699.

[18] U.S. Department of Health, Education and Welfare, *Task Force on Prescription Drugs: The Drug Users*, pp. 38–57.

[19] Gosselin, p. 22.

[20] Arnold C. Harberger, "Monopoly & Resource Allocation," *American Economic Review*, XLIV (1954), p. 77, David Kamerschen, "An Estimation of the 'Welfare Losses' from Monopoly in the American Economy," *Western Economic Journal*, IV (1966), pp. 221–236, and David Schwartzman, "The Burden of Monopoly," *Journal of Political Economy*, LXVIII (1960), p. 627.

[21] David R. Kamerschen, "An Estimation of the 'Welfare Losses' from Monopoly in the American Economy" (unpublished Ph. D. thesis, Michigan State University, 1964), pp. 68–69.

[22] Alfred Marshall, *Principles of Economics*, 8th edition, (New York, 1950).

[23] P. A. Samuelson, "Constancy of the Marginal Utility of Income," *Studies in Mathematical Economics and Econometrics*, ed. O. Lange (Chicago, 1942).

[24] David N. Winch, "Consumer's Surplus and Compensation Principles," *American Economic Review*, LV (1965), pp. 395–423.

[25] L. W. McKenzie, "Ideal Output and the Interdependence of Firms," *Economic Journal*, LXI (1951), pp. 785–803.

[26] F. M. Scherer, *Industrial Market Structure and Economic Performance* (Chicago, 1970), p. 26.

[27] Gosselin, p. 10.

[28] Henry Steele, "Monopoly & Competition in the Ethical Drugs Industry," *Journal of Laws and Economics*, V (1962, p. 134.

[29] D. R. Kamerschen and Phillip P. Caruso, "Two Shorthand Methods for Estimating

Product Price Elasticities," *Metroeconomica*, XVII, p. 103.

[30] It has been shown elsewhere that P_T must be three times P_G for this over 100 percent of sales welfare loss to occur on a drug. See Appendix to "The Welfare Effects of an Antisubstitution Law in Pharmacy on the State of Oklahoma" (unpublished Ph. D. dissertation, Oklahoma State University, 1972).

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

SUBCOMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Minerals, Materials, and Fuels may be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered .

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the unfinished business, H.R. 15495, which the clerk will please read by title.

The assistant legislative clerk read the bill by title, as follows:

> A bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Ohio (Mr. Saxbe) No. 1336. The time on that amendment is limited to 5 hours, to be equally divided between and controlled by the Senator from Ohio (Mr. Saxbe) and the manager of the bill (Mr. Stennis).

Without objection, the amendment will be printed in the Record at this point:

> On page 12, line 6, strike out $3,165,200,000" and insert in lieu thereof "$2,866,200,000".
>
> On page 12, between lines 15 and 16, insert a new section as follows:
>
> "Sec. 102. None of the funds authorized by this or any other Act may be used for the purpose of procuring any items in connection with the construction of the CVN-70 nuclear attack aircraft carrier."

Mr. SAXBE. Mr. President, I suggest the absence of a quorum, and ask that it be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. SAXBE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SAXBE. Mr. President, the Senate Armed Services Committee in reporting this legislation strongly supported the authorization request of $299 million to fund long leadtime components for the CVN–70, the fourth nuclear carrier in our Navy fleet. The ship will ultimately carry a price tag of nearly $1 billion. This cost figure is before the important addition of expensive F–14 airplanes and manpower. I believe that this important issue should be brought before the full Senate for consideration.

The issue, as so ably put forth by the distinguished chairman of our committee (Mr. Stennis) is whether we will be assured modernity for the U.S. carrier fleet by 1980. I do not question that the CVN–70 will be the most modern carrier in the world, nor that she will be well sailed and effective in the best tradition of the U.S. Navy.

However, I do disagree with the chairman and many officials of the Department of Defense and many Navy officers on the question of whether the carrier will be the backbone of a powerful Navy in the 1970's and 1980's. I am deeply convinced that there are more important priorities for maintaining the U.S. position on the high seas.

Carriers are useful as mobile airfields for conflicts such as we are now engaged in in Vietnam. They show our colors around the world, heralding our presence. But, carriers are extremely costly and, more important, very vulnerable. In times of all-out war our carriers would be prime targets for several weapons in our adversary's arsenal.

In short, to spend so much money on the CVN–70 to accomplish the sea control duties set forth by the chairman seems a great waste. I am talking about cost-effectiveness.

It certainly is not in keeping with what I feel our foreign commitments will be by the time the CVN–70 is commissioned.

The President's Guam doctrine does not call for the addition of more expensive fleet of carriers with sophisticated airplanes and nearly 5,000 men. Instead, the President proposes to assist our allies with material aid rather than intervention. This requires the United States to be able to control sealanes and thereby be able to utilize them to give that vital support to our allies. In that sea control role, the aircraft carrier is far less effective than the attack submarines and missile-launching surface ships developed by our adversaries for just this sea control purpose. They have worked hard to achieve nuclear parity with the United States. They have worked equally hard since 1962 to develop a sea control capability to hinder our ability to project aircraft carrier force. We must face up to this challenge in the sea control role by using our naval resources wisely on ships and submarines designed for the sea control role rather than buying another aircraft carrier which is only marginally good for this purpose.

Because of the factors I have just described to you I oppose the carrier when it was considered before the Armed Services Committee. My opposition continues unabated. On Monday of this week I introduced an amendment to strike the necessary funds from the military procurement bill to provide the long leadtime moneys for the CVN–70.

When we are striving to achieve a realistic defense budget, it appears to me to be pure folly to ask the U.S. taxpayers to bear the cost of the carrier when there are valid reasons for scrapping the program altogether, or at least to delay the initial funding.

First, it is obvious to even the most unsophisticated students of naval logistics that carriers are extremely vulnerable and indefensible targets in this era of sophisticated submarines and missile-launching surface ships.

Second, many of the roles assigned to the carrier in the overall defense policy can be equally served or better served by other weapons systems such as attack submarines, missile-launching destroyers, and the proposed sea control ship.

Further, if I understand correctly the function of this carrier within the overall parameters of our naval defense policy objective, our present carrier capabilities will provide for the force level deemed adequate by Secretary Laird.

In addition to the initial costs, we must be prepared to realistically appraise what the operational costs of the CVN–70 carrier will be. We are talking about an initial cost of $299 million for long-leadtime items of this carrier. Present estimates of total construction costs are in the $1 billion level. Who knows what that figure will actually be when proposed construction starts?

I say this with due regard for the tremendous cost overruns that we have experienced in almost every branch of military construction.

Operating costs over the life of this carrier, fully outfitted, range as high as an astronomical $8 billion when the operating costs of a total carrier air wing are cranked into the equation.

Finally, I stand opposed to this item in the fiscal year 1973 military procurement authorization bill for two more very basic fundamental reasons. One, we will not prejudice our defense posture by not proceeding on this item at this time.

I think it is obvious that this same item was passed over last year because it was deemed that it would not prejudice our defense posture if it was passed over that year; and I suggest it would not be prejudicial if it were passed over this year. To merely delay this for 1 year will not cause irreparable harm. The second basic obvious reason is that, unlike other issues which we will consider later, aircraft carriers are not part of our nuclear deterrent.

For all of the above reasons I submit that this body would be well advised to seriously consider the deletion of this item from the military procurement bill now before us.

Mr. President, I yield the floor to the Senator from Mississippi.

Mr. STENNIS. I beg the Senator's pardon; I was conferring with my staff member.

Mr. SAXBE. I have completed my statement.

Mr. STENNIS. I see. Mr. President, how much time is allotted to each side, please?

The PRESIDING OFFICER. Two and one-half hours to either side.

Mr. STENNIS. Mr. President, I yield myself now such time as I may use.

I want to warn my colleagues, and I hope I shall have a further chance when there are more of them here, that in my opinion this is a highly important matter. It is not just another carrier to please someone. There has been a definite milestone passed in the way of a decision by the Department of Defense as to how many carriers we should have beginning in the 1980's and for that decade, unless something extraordinary happens to change the plan. That decision involves a sizable reduction in the total number of carriers that we have now from 15 down to 12. That is a 20-percent reduction, with attendant savings in the cost of operation. It involves a new pattern of planning as to the role and operation of the carriers.

Since I have been honored by the Senate to be chairman of this committee, I have been greatly concerned about this question of the carriers, how many we need, and how many new ones, if any, will be needed. There was a carrier in the bill in calendar year 1969, and it went out on the idea of a future study. I was a member of that study group. Then in 1970 and 1971, there was not a firm, definite, unequivocal item in the budget for a carrier. I objected, and said I did not favor proceeding unless the President firmly and finally made the request and said "I need it," or the equivalent.

During that period, there has been no decision about how many carriers we would settle on for the future, but something new has happened, and that was that the decision has now been made, and has been outlined publicly by Mr. Laird: Twelve carriers only for the 1980's and beyond, barring some extraordinary event.

That cleared the atmosphere in a great many ways. I am glad that he could see fit to make this reduction, but it underscores, in my opinion, in every possible way, that if we are only to have 12, then we must be certain that those 12 incorporate all or virtually all the modernity that there is available—certainly that the newest ones must carry all the advantages of technology and expertise capabilities, not only as to their own power but in all the things that make the carrier the remarkable instrumentality in the military world that it is.

So I based my argument, and I think the committee based its opinion, in recommending a carrier strictly on that basic concept of a modern carrier fleet for the 1980's.

If that concept is bought, I respectfully say that most of the argument is over; because without starting another one now that is comparable to the two we already are building—and they will be coming off in their time—we would have a fleet that was not up to par or up to the capabilities we could have. I make very urgent the vital need for as many as possible with the utmost modernity.

A great deal has been said, and there have been many arguments, about the place of the carrier. I do not challenge the ability of anyone to make a judgment with respect to that. But let us just consider the matter a little. They say that a carrier just would not last in a nuclear war. Frankly, I do not think anything is going to last that is in the area where the nuclear weapons hit. It does not make any difference whether it is a carrier or whatever, because the atmosphere will be saturated, and for other reasons. Still, it would be more probable that carriers could avoid being hit.

I will pass that for the time being and go to a conventional war. That is all we have ever had so far, except the few minutes at the end of World War II.

We would have these six carriers—these moving airfields, and that is what they are—of the *Essex* class, that is the World War II carrier, plus those that are more modern. I will refer to the record about conventional wars and what the carriers have done and their survivability. I am not talking at random now. I am talking about things that have happened and what I have concluded over the years.

Coming now to the cold war, I do not believe that any single weapon has as much of a deterring effect and a constructive effect, all put together, as a carrier. I believe the fact that a carrier can be shifted from place to place, from ocean to ocean, from sea to sea; that a carrier can be alined with other weaponry, and they can be alined with each other, going from one trouble spot to the other on the shortest notice, is well known. It is a deterrent effect that operates day and night among all the informed people who are in control of the governments all over the world. I think it has been an amazing influence since World War II.

I am talking about the activities in a conventional war—just the fact that we have had them, have improved them, have improved the planes that go with them. Now, right now, this minute, in the Mediterranean Sea, in that area of the world, carriers are the most powerful single factor, day and night, with respect to deterrence. On the other side of the world, at this minute, in a conventional war, President Nixon has recently moved them into action there, and we have plenty of them. Five were there within a very few hours. With all their expertise and the avionics, they have been carrying on in a splendid way. The way those planes have been coming and going, they have been very effective, and they have had a very low rate of loss. Very few planes operating from the carriers have been lost, in this day of radar and related equipment. I do not think we have to search for a better illustration in this troubled time.

We can go back to World War II, when we did not lose a carrier to land-based air. We may hear a great deal in this debate about the vulnerability of the carrier. Let us remember that we never have lost a carrier since World War II. We were up against a very formidable Navy in World War II. Throughout that war, we never lost a carrier to land-based air.

This carrier, CVN-70, would be the most modern of all. The equipment, the nerve center, the avionics, and so forth, add up to an ability to protect itself much better than the *Essex* class, the World War II carrier. The modern carriers have a far better chance to survive in conventional war, and even in nuclear war, than they have had heretofore.

The Navy was very positive, under severe cross-examination, that if the carrier cannot survive, no other ship can survive. I have concluded that that is correct. There is no such thing as invulnerability. But if the carrier cannot survive, no other ship can survive; and as long as we have those carriers and they survive, it increases tremendously the chances for the other ships to survive. We will not have any contest over that.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. AIKEN. I think the Senator is making a very strong argument in favor of not only carriers but in particular a nuclear-powered carrier at this time.

I have noticed that the opposition to the carriers comes, apparently, from three sources: First, from people who are against war, anyway, and apparently believe that if we did not have any weapons, everybody else would throw theirs down. That has hardly been proven by the pages of history. Another group opposes carriers on the ground that they would be vulnerable in the event of a nuclear war, and I do not doubt that they would be. Everything would be vulnerable in a nuclear war, including the Capitol itself.

But, by far, the greater part of the opposition to the carriers seems to come from those who are opposed to a nuclear fueled carrier. They believe that it would be much better to have an oil burning carrier than one which is fueled by nuclear engines.

I have observed that a nuclear powered carrier really runs circles around those which are fueled wth conventional fuel, we might say.

But something else enters the picture: A nuclear-powered carrier requires nuclear-powered escort ships, frigates. I think they used to use destroyers. We call them frigates. They are not as large as a destroyer. They protect the carriers so well that nothing less than a nuclear bomb would be likely to destroy or cripple the carrier itself now.

This campaign that is going on against nuclear powered ships has gone into other countries. There seem to be forces encouraging other countries to deny nuclear powered U.S. ships the right to enter their ports. Of course, I have to admit that a nuclear-powered ship does not go into a foreign port and buy enormous quantities of oil, which would not only yield a good profit to the country but also the companies that provided the oil.

This opposition apparently extends also to the nuclear powered submarine because the nuclear powered submarine and particularly the proposed *Trident* would eliminate the need for foreign bases. It would have a range great enough and a cruising power strong enough so that, if necessary, it could operate entirely from our own ports. It would not be dependent upon any other country. It certainly would not detract from our defenses in the least.

Until we are assured that there is not going to be any other war, I feel that while we do not have to have an overwhelming superiority over other nations, we do have to have at least an adequate force.

The nuclear powered Navy, in my opinion, has done more to prevent a third world war than any other factor in our entire Military Establishment, and in saying that I am not attempting to downgrade the Air Force, the Army, or the Marines in the least, because they certainly are necessary, too. But, as a deterrent, the nuclear powered submarine I think, has been the greatest factor.

I just do not like to see a campaign going on to require us to build less effective naval ships when other countries are not so hampered.

Mr. STENNIS. If the Senator will yield to me on that point for one comment, I am certainly glad to hear the Senator's statement. His testimony is worth a great deal. The Senator has been a member of the Joint Atomic Energy Committee for many years.

Mr. AIKEN. About 15 years.

Mr. STENNIS. Yes, 15 years at least, and an ex-officio member of the Appropriations Committee for a great number of those years.

Mr. AIKEN. And the Committee on Foreign Relations.

Mr. STENNIS. And Foreign Relations, too.

He has an amazing background there of hard experience and is a man that makes the hard decisions. He does not shun them. I am very much impressed with what he said. I have been there with him in many of the conferences.

One thing I look back on as a mistake that I made, and an outstanding one, was when we had the contest as to whether one of the carriers would be nuclear powered or not. I voted against nuclear power. I believe the carrier was the *John F. Kennedy*, was it not? I have lived to regret that mistake greatly. It was a mistake. I was not convinced, though, then, as I am now. It is one of the 12 carriers we referred to. If it had nuclear power it would be worth so much more.

So I want to thank the Senator from Vermont and to urge him to speak on, along that line.

Mr. AIKEN. We have plenty of uses for all the oil that the world is ever likely to produce—maybe over the next 10, or even 50 years; but if we can conserve that very valuable resource—I do not downgrade the petroleum industry in any way, in fact they are very effective, and effective also in world affairs. In some instances, I believe they have prevented bloodshed in certain countries of the world. In one or two instances, I think that they may have been responsible for it.

Mr. SAXBE. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. SAXBE. I just do not like being lumped into three general classes here. As the Senator says, the opposition stems from three classes, one of which applies to my position.

Certainly I am a supporter of nuclear-powered vessels. We have 16 carriers at the present time. If the Navy wants 12 carriers, which they say they do, under the life of 12 carriers, including *Midway* on which we spent $200 million to modernize, we do not have to get into procurement on any other carrier to keep the 12 carriers going until 1977.

The Russians, I am sure the Senator is aware of, have no carriers and have no plans to build one, yet they are contemplated as being our primary adversary. In fact, no other country is indicated.

But when the Senator says that the opponents of those who think we do not need a carrier or weapons are the ones who oppose nuclear power and are the ones who think that they can be better used, I find myself sitting outside looking in, because I think it is a question now of cost effectiveness and whether what we have done over the past 3 years has been right or wrong in passing over.

Mr. AIKEN. I assume that the efforts of my esteemed colleague from Ohio is to save money perhaps more than anything else. I certainly do not list him as in any of the three categories. But there are those three categories, and we know perfectly well that the oil interests have been concentrating on acquisition of power not only in this field but in many other fields. Sometimes I wish they would devote as much effort to promoting safety in the coal mines which they control as they do to preventing the development of nuclear energy for making electricity.

Mr. SAXBE. One of the strong arguments the Navy uses is that the reason we need to keep a carrier force, on the sea control ship of some kind, is due to dependence on the import of oil. In other words, unless we control our sealanes, we will be embarrassed in getting the tremendous amount of oil necessary into our country. If for no other reason, I have actively supported the development of nuclear power for our domestic needs rather than a reliance on importing foreign oil.

But in this particular carrier, what we are talking about is such a tremendous amount of money, such a tremendous amount of manpower—it takes almost 5,000 men on one of these carriers—it is my belief that with the present carrier force and with the life expectancy of the carriers we have, we will still have a carrier deterrent and then we can turn the badly needed dollars into the development of our sea control ships which cost less than $100 million apiece and are much less costly to operate and do not require a whole flotilla of ships to go with it. At the same time, I do not think we can overlook the fact that we now have five carriers standing off the little country of Vietnam, dumping everything that they can dump on that little country, without any great, obvious effect. I think we have to consider exactly what we are getting done on cost effectiveness, when we are going for another carrier with no greater strike potential into this fleet. Our opposition is not going to be in Vietnam, I do not think. If we are girding for anything, it is for opposition with Russia. And I think that we have to assess the Russian potential. They say that they can sink our carriers with submarines or can launch cruise missiles that cruise at around 3,000 feet.

Mr. AIKEN. Mr. President, Russia has been concentrating on increasing the number of nuclear submarines in their force and also increasing the numbers of other ships greatly. We have before us now the SALT treaty which is supposed to help regulate that to some degree.

Russia has made great progress in the development of the submarines. In some way they achieve the same level we have and have even surpassed us in some ways.

I am aware of the fact, however, that there is a great deal of opposition to nuclear powered submarines, and particularly to the new class of submarines, submarines that we have to develop if we are to keep up with the Russians at all.

As I say, our nuclear powered submarines have been, I think, our greatest deterrent to a world war. I am sure that the small war going on in Vietnam would have been greatly expanded—in what area, I do not know—had it not been for the fact that even with the submarines now in existence we could drop missiles on almost any part of the world.

I hope that we never have to do that. However, if we are equipped with those capabilities, we are less likely to have to do it.

Mr. SAXBE. Mr. President, the Foreign Relations Committee has been holding hearings—as we have also in the Armed Services Committee—on the tremendous amount of information on the SALT agreement. I think it is significant that Russia does not even consider a carrier enough of a threat to include it in the SALT agreement. We must make a certain number of dollars available. And we all recognize that there is a limited amount available, and the question is whether we should not try to live up to our potential under the SALT agreement rather than spending it on something that is outside of the SALT agreement and has very little to do with a nuclear second strike capability or reaction strike.

Mr. AIKEN. Mr. President, I think Russia was very anxious to develop a striking power or superiority in the field of nuclear-powered submarines in a hurry. And it does take quite a while to build a nuclear-powered carrier or any other kind of carrier. I do not know how many years we will take to construct this new CVN 70.

Mr. SAXBE. We would have 16 carriers, and if they contemplate retiring four by 1977, we would still go to 1985 before the life expectancy of the 12 newer ones. That includes the rebuilding of the *Midway* which the Navy says is the most comprehensive overall job that any ship ever had.

Mr. AIKEN. Mr. President, I notice

that two of the carriers returned home from Vietnam waters the other day. The *Enterprise* was one of them.

Mr. SAXBE. They were rotated on station, I believe. I do not have the confirming figures before me, but I believe five carriers are on station in Vietnam. Six are usually in the rotation.

Mr. AIKEN. I think so. I do not like to spend money building up in preparation for war. However, I do feel that we can spend it more advantageously in some ways than in others.

I thank the Senator from Mississippi for letting me express myself because I have felt keenly about this now for many, many years. I have felt that it is desirable to do everything we can to prevent war and that the nuclear-powered Navy offers the best hope we have.

Mr. STENNIS. Mr. President, I thank the Senator from Vermont very much. I wish there were more Senators present to hear him. In view of the importance of this matter, I hope that the Senator can find a way to be here some time later and use some of the time to discuss this matter.

I do not think there is any Member of the Senate who can match the Senator from Vermont in experience and background in this field. And certainly the Senator is no so-called war hawk or any other kind of hawk.

Now, Mr. President, to continue—and I am not going to take a great deal of time—I am told now by the Navy, under their responsibility to our committee and to the Senate, that on this question of survivability, there is no such thing as complete survivability. I have been told that after extensive tests involving 15 torpedoes—and they have ways of making these tests and figuring out the chances of survival—there would be a 50–50 chance of survival under those adverse conditions, using 15 torpedoes directed at a single ship. Part of the test consisted of air-to-surface, as well as surface-to-surface. And the percentage there was the same. And also the cruise missile figured in the test. And it came out with this 50–50 chance of survival.

Mr. President, reference has been made here to the SALT talks and the fact that Russia did not insist on having a limitation upon our carriers. I point out that there is no limitation on any surface ships in the SALT agreement. Everything there was related to nuclear power, and what they were limiting there was the nuclear weapons. And the surface ships of all kinds were not covered. However, there is this major point, too. We have, except in World War II, never had an adversary that had a navy of its own or that had carriers or that had the capacity to really give us trouble. However, now the situation has altogether changed in the last few years. So the Soviets have carried out a very effective effort. They are rapidly maturing and have an effective navy. It does not include carriers. But there are submarines and their other vessels are more and more formidable day by day.

When it comes to keeping the seas open in peacetime or during war, certainly that is important to us. There is no argument about that. It is true that these carriers pose a threat to an adversary. It is true that a carrier and all that goes with the carrier is what we rely on in great measure to keep these sea lanes open, whether for oil or whatever it may be.

As the Senator from Vermont so aptly illustrated, that is not a downgrading of any other weapon or any other kind of airpower. This kind of airpower is just one of the necessities. And this matter is far more urgent and demanding now than it was when we first started taking up the matter of this particular carrier.

It is far more urgent than it was before we reached this decision about having only 12 carriers. On the time element, if we are going to have this nuclear carrier ready after shakedown and so forth by 1980, this is the year we have to move.

I have not jumped into this matter hurriedly. I could relate more in detail my insistence through the years that we not start on it until it was necessary. But I was convinced before this budget was submitted that it was necessary and wise to move now. To make sure on that because the Navy had interpreted my action for 2 or 3 years as being adverse to the carrier, I called them up from my home in Mississippi in December. I said if they made a firm request for a carrier, in view of the whole situation, I would unhesitatingly support it. I give these matters here now by way of review.

Mr. President, I have been on the Committee on Armed Services for a long time. Quite a few Members here have been in this body for only 2, 4, or 6 years. I think they are entitled to know the personal thinking of Senators who have been here longer than that. So let us not think we any longer have a choice to put things off, because we are challenged on the seas. Even though it is not with carriers there is a very formidable threat. I will not repeat that now.

I want to address myself to the *Midway* carrier, and we are glad we have it. I think it was worth the money to modernize it. I do not want to junk it or relegate it to the rear. Whatever usefulness is left in it in 1980, it certainly would be wise to keep it in condition for a while, I would think. That can be done very easily.

Frankly, the facts are in and it is time to sum up and get down to the decision here calling for a review of the situation.

I have just called on these gentlemen in the military who are most knowledgeable on the military, in my opinion. I asked the Chairman of the Joint Chiefs of Staff, Admiral Moorer, as to the situation now as he saw it, and what about the *Midway*. Someone might say, "Oh, well, you know an admiral is going to support a carrier. It is his duty." Do not ever write off Admiral Moorer as just a talk piece or as playing a record. He is one of the most knowledgeable men I have known in the military and I take very seriously what he states as fact and as his opinion. When I ask him, "Do you base your reputation as a professional military man on these conclusions?", he always very conclusively says, "Yes."

Mr. President, I have a letter dated yesterday, July 25, 1972. The letter states:

CHAIRMAN OF THE JOINT
CHIEFS OF STAFF,
Washington, July 25, 1972.

Hon. JOHN C. STENNIS
Chairman, Senate Armed Services Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN,

During consideration of the advance funding for a nuclear-powered aircraft carrier, CVAN–70, in the FY–73 Military Procurement Authorization Legislation the future role of *Midway* has been questioned. I would like to relate to you my personal knowledge of the overhaul and modernization work accomplished on this ship and the resulting effects on *Midway's* future usefulness.

When *Midway's* modernization was proposed, in March 1965, I recommended to the Chief of Naval Operations that this action not be accomplished. I had served on board *Midway* for two years earlier in my Naval career and was well aware of the fact that *Midway*, together with her sister ships—*Roosevelt* and *Coral Sea*—were constructed at the end of World War II with substandard material and, thus, were difficult to maintain. In addition, I was well aware that the nature of her construction was such as to make the type of major alterations planned in the modernization program very costly.

The reply I received was that it was not a question of modernizing *Midway* versus a new carrier but, rather, modernization of *Midway* versus *nothing*. This was the firm position taken by the Office of the Secretary of Defense at that particular time. Under these restrictions, the Navy agreed to the modernization of *Midway* in order to gain a carrier deck that would be adequate for aircraft of the mid-70's. (I did succeed, however, after becoming the Chief of Naval Operations, in obtaining approval of cancellation of a similar modernization planned for *Roosevelt*).

As you are well aware, the *Midway* modernization was directed to providing effective aircraft handling and control facilities. It could not replace the hull and machinery, which are now twenty-six years old, nor could it compensate for the material shortcomings resulting from wartime construction. As I have stated in testimony before your Committee, the *Midway* is a satisfactory carrier now, but its relative effectiveness will continue to decline in the years ahead.

The sense of urgency which has been felt regarding construction of CVAN–70 is based on the clear need to provide a minimum level of modernization for our aircraft carrier forces. *Midway* of the 1980s—over thirty-five years old—could never substitute for this modern, capable nuclear-powered aircraft carrier.

As you know, I would be more than happy to discuss this matter with you further at your convenience should you desire.

Warmest personal regards.

Sincerely,

T. H. MOORER,
Admiral, U.S. Navy.

Mr. President, that shows the hard nuts and bolts of these matters and these decisions have been made. Here is a man that the President of the United States turns to for advice on the most involved and critical decisions he has to make concerning the military. He turns to others besides Admiral Moorer, but Admiral Moorer is one of them. He not only holds the title, but he is the man at the top for this concern.

He has given us what I wanted, and that is, he has given us the facts of life with respect to this carrier and whether this carrier deck is adequate for aircraft of the mid-1970's. The length of the deck is determined by the weight of the planes they carry. I have heard people say that that deck is too long. Well, Mr. President, if you are going to have these heavier planes you are going to have these long runways.

Mr. SAXBE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SAXBE. Mr. President, I think the Senator has raised an important point here. We are talking about three carriers in the Midway class that have not been converted. We are talking about dollars, and I have here Admiral Zumwalt's contention about the *Midway*.

The *Midway* was originally commissioned in 1945 and was the first of three *Midway* class carriers. Its original cost was $85.6 million. On January 31, 1970, *Midway* emerged from a 4-year conversion which cost almost $200 million. As a comparison, the *Kennedy*, a *Forrestal* class carrier, was completed 2 years earlier at a cost of $279 million. The conversion of *Midway* included such major items as new deck-edge elevators, new catapults and arresting gear, an enlarged angled deck, increased air conditioning, modernized berthing spaces, the Navy tactical data system and a ships inertial navigation system.

At the time the *Midway* was placed back in commission, the Navy issued a press release on January 30, 1970, which, in part, stated:

> *Midway's* conversion was the most comprehensive modernization ever made to a U.S. Navy ship. She will be capable of handling the largest and most complex carrier aircraft and weapons systems in the Navy's arsenal through the 1980's.

I submit they have three more of these comparable ships that they are going to junk. If they need aircraft carriers so desperately as to embark on a $1 billion ship, they could be converted if they are going to handle the most sophisticated weapons systems we are going to put on them. The cost of this is so fantastic it is beyond the grasp of most people.

The cost of this carrier with its planes is $10 for two each man, woman, and child in the United States. The cost exceeds the Federal budget for a year in the State of Ohio. The entire budget for the State of Ohio does not equal the cost of this carrier.

We are talking about cost effectiveness. If we need only 12 carriers, we want them to be the best, but I submit we cannot afford to junk plans for carriers that the Navy says can be converted for $200 million into handling anything they can set up.

I do not question the need for the protection of our sea lanes. I sometimes wonder if the carrier is not the answer to a threat that does not exist. That is because there are no comparable carriers our enemy has any place else in the world, and if we are going to take these carriers around to show the flag, that obviously is in conflict with the Guam doctrine, in which the President said we are not going to stick our nose into other people's business, we are not going to have any more Dominican Republics, we are not going to have any more Lebanons, and we are not going to have any more Vietnams. Therefore, our primary thrust is going to be able to stand up against the Russian threat.

Mr. STENNIS. Mr. President, I am going to conclude my remarks within a few minutes. The Senator from Maine (Mrs. SMITH) is here. I understand she will speak later. I have sent word to the Senator from Vermont that I would yield time to him next.

Mr. President, continuing with a broad outline of my remarks on this matter, I conferred yesterday, at my request, with Admiral Rickover and asked him about this. We want to get right down to the bottom of things as they are now, not what they were 6 months ago, and so forth. I asked him to give me his hard opinion with reference to the *Midway*, and this is what he has to say in response:

> It is not clear how long the Midway can be retained in service, as no carrier has ever been extended in operation beyond 29 years. She underwent an extensive modernization between 1966 and 1970. When the carrier in the bill joins the fleet in 1981, the Midway then will be 36 years old.

Mr. President, this new naval power and threat of the Soviets is recognized and found all the way through the bill we are considering. The Navy items are really very costly, and a great part is due to this very threat I have referred to.

Mr. President, for the time being, I shall try to conclude. I do not think the basic issue here, though, is whether we have the 12th carrier, CVN-70, which is the way they refer to the present carrier; the issue is whether it will be required to replace the *Midway* in 1980.

The premise of the amendment, as I understand it, to take out the funds for the carrier, is that the *Midway* carrier will be fully capable beyond 1980 and that, therefore, construction of CVN-70 is not necessary at this time in order to have a fully modern force level of 12 carriers at that time.

I greatly appreciate and respect the Senator from Ohio. He is a very valuable member of our committee. He hits hard on the things he believes in. His conclusions are not hastily drawn. He is very sincere in this entire matter. I have nothing but admiration for him in that he would draw this issue.

Let me observe, however, Mr. President, that at no time has any responsible witness testified that we will need less than 12 attack carriers for the 1980's. In fact, in only 1 year—1950—since World War II, has there been a force level of less than 12 attack carriers. In 1950, there were 11 attack carriers and from that point on the number has varied between 15 and 18 attack carriers. Regardless of whether there will be 12 or 15 carriers, testimony to the committee has consistently supported the need for 12 fully capable and modern carriers. And CVN-70 is required as the 12th modern carrier. By 1980, when CVN-70 is ready to join the fleet, the force of fully modern carriers will be limited to 11 ships—eight conventionally powered *Forrestal* class carriers and three nuclear powered carriers. CVN-70 would be the 12th fully capable carrier.

CVN-70, the fourth nuclear carrier, will enable stationing of two nuclear carriers on each coast. These four carriers will provide for rapid reinforcement of naval forces on station in distant waters, or for contingency response in other areas. They will be able to move rapidly to areas of potential crisis without waiting for logistic forces. These carriers will represent a capability to increase naval strength in a distant area with closely controlled, credible, and yet numerically reduced forces.

Despite the recent extensive modernization of the *Midway*, she cannot be considered a modern and fully capable carrier. It may come as a surprise, but even now under some conditions the *Midway* cannot launch a fully loaded and fully fueled A-7 or A-6 aircraft. I will talk more about comparative capability later.

"MIDWAY" USEFUL SERVICE LIFE OF 30 YEARS

Navy experience with ships shows that about 30 years of active service can be expected of a combat ship and the carrier is no exception. Modernization programs help and ships are operated beyond their service life, but at a reduced level of effectiveness. There are some parts of a ship that experience wear and tear that a modernization program cannot overcome.

The *Midway* is now 28 years of age, only 2 years away from the end of normal service life. The fact that the *Midway* can continue to serve through the 1970's is a tribute to the extensive modernization program. But there is a limit to the amount of wear and fatigue a ship can take.

Little can be done to further increase the volume and electrical power that the more modern weapons require.

Little more weight can be added or the ship becomes unstable and modern weapons are heavier.

Piping, hull, and machinery deterioration can be stopped only by complete replacement.

And further modernization cannot be justified in view of the age of the major ship elements that cannot be replaced.

Mr. President, I referred earlier to the *Midway* not being a modern and fully capable carrier. I think it would be of value to take a few minutes to discuss relative carrier capabilities. There were major areas of the ship that simply could not be updated to today's standards during the *Midway* modernization period.

First. Catapults—the *Midway* has two catapults compared to four catapults on the nuclear carrier. And the modern catapults can launch aircraft with greater amounts of fuel and ordnance in lower wind conditions and hotter weather. The four catapults give greater capability and flexibility to speed the launch of a combat strike.

I think all can appreciate the problem if the *Midway* were to lose one or both of her catapults, either from battle damage or malfunction. There is no doubt in my mind that the additional catapults on the modern carriers are of immense value from an operational standpoint.

Second. Elevators—the *Midway* has three elevators compared to four on the modern nuclear carriers. One more elevator does not seem that important, but one of the real problems on a carrier is repositioning aircraft for successive strike missions. The hotter the action, the more valuable the additional elevator becomes.

Third. Aviation ordnance and fuel—The nuclear carrier has 2.5 times the ordnance capacity and 3.1 times the aviation fuel capacity of the Midway carrier. This makes the nuclear carrier far less dependent on replenishment ships. Said another way, the nuclear carrier can fight for significantly longer periods than can the *Midway*.

Fourth. Torpedo protection—Because of improved design, the nuclear carrier has almost half again more capability to withstand torpedo damage. Neither the nuclear carrier nor the *Midway* can be considered invulnerable, but the modern nuclear carrier has, because of improved design, a far better chance to survive attacks.

In summary, the nuclear carrier has far greater capability—25 percent more aircraft, vastly greater firefighting equipments, better defensive systems—and when you consider the virtually ununlimited endurance of nuclear propulsion, there can be no doubt of the superior qualities of CVN–70.

Mr. President, the earliest CVN–70 can be delivered is 1980. By that time, the *Midway* will be 35 years old, or 5 years beyond the 30-year service life expectancy. The *Midway* is doing a good job now, and she will continue to perform well.

I am satisfied, however, that the Navy needs 12 fully capable and modern carriers. The $299 million in long lead funds in this bill will start the long construction process on CVN–70. And CVN–70 is required as the 12th modern carrier in the 1980's.

Mr. President, I urge defeat of the pending amendment which would effectively deny the required modernization of the Navy carrier force.

Mr. President, I yield 10 minutes to the Senator from South Carolina and yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 10 minutes.

Mr. THURMOND. Mr. President, I rise in opposition to the pending amendment, offered by the distinguished senior Senator from Ohio (Mr. SAXBE) which would strike from the military procurement bill the Navy's funds for a fourth nuclear aircraft carrier.

Mr. President, the genesis of the Navy's fourth nuclear-powered aircraft carrier has been lengthy and uncertain. This carrier, for which initial funding was originally planned for the 1970 budget, has been delayed by fiscal constraints and high level analyses until now its approval has become a matter of greatest urgency.

As these delays have occurred, we have watched both inflation and the interruption of vital component assembly lines act to drive the construction cost up. Also, we have viewed with increasing concern the now rapidly approaching retirement dates for the World War II carriers in our Navy.

One cannot help but be alarmed when considering the recent reductions in this Nation's naval carrier forces and contemplating the further inevitable reductions in the next few years. Since 1965, the number of carriers in active service has been reduced by one-third, from 24 to the 16 operating today. But with ominous implications of future weakness is the fact that seven of our 16 operating carriers are World War II designed ships, ships now in the last years of their expected 30-year active service lives.

The Navy's replacement program is certainly a limited one—two carriers are presently under construction, the *Nimitz* and the *Eisenhower*, and the third one, CVN–70, is contained in this bill. The initial nuclear carrier, the *Enterprise*, is at sea, and when CVN–70 is completed—about 8 years from now, around 1980—the Nation will have two nuclear carriers for each coast.

By that time, Mr. President, obsolescence will have removed or severely restricted our older ships, and the effective carrier force will be only 12 ships—half the number of 1965.

Will the world situation have changed to reduce our need for a Navy? I doubt it. There is no indication now that our Nation can forego the flexible strength provided by carrier forces. The ability of aircraft carriers to move in international waters to nearly any scene of tension or crisis will continue to be essential.

We can look at the Mediterranean for ready examples of this naval requirement. There the carriers serve as visible reminders of U.S. strength. They symbolize our interest in that critical but turbulent region. They actually provide the balanced force that, in many situations, could only come by sea to aid our friends in their time of need.

Mr. President, it should also be pointed out that after hearings and consideration by the members of the Senate Armed Services Committee, the Defense Department request for this fourth nuclear carrier passed the committee by a decisive 12-to-3 vote.

In closing, allow me to summarize the points for CVN–70:

First. This carrier merely modernizes our carrier force, and with a smaller carrier force likely in the future these fewer ships should have more range and power.

Second. Admiral Zumwalt calls this item "the item of highest priority in the budget." Secretary of Defense Melvin Laird and Chief of Staff Adm. Thomas Moorer also describe CVN–70 as a priority item.

Third. It would cost much more to build a nuclear carrier in future years than now, when the construction line is set up at Norfolk.

Fourth. Carriers show the flag, are the cheapest airbases in the world, and give us a great capability in limited war situations.

Fifth. Our carrier force is getting old. At the end of fiscal year 1973 the average age of the current 16-carrier force will be 18 years, with two ships over 28 years.

Mr. President, I urge my colleagues to reject amendment No. 1336.

Mr. SAXBE. Mr. President, I yield such time as he may require to the Senator from Minnesota.

Mr. MONDALE. I thank the Senator from Ohio. I would like to say, before I comment on the pending amendment offered by the distinguished Senator from Ohio, how deeply I appreciate the fairness and the generosity of the Senator from Mississippi (Mr. STENNIS) in dealing with this issue over the past few years. The first amendment by which I raised the issue some years back posed the question of the proper attack carrier force level. This amendment generated a series of debates, hearings, and other actions surrounding the question of the number of attack carriers which we need. Throughout all of these deliberations, the Senator from Mississippi has been understanding, generous, and thoughtful, and even though we have disagreed on the matter, I did want to say at the outset of my participation in this debate how much I appreciate his thoughtfulness.

Mr. President, I strongly support the pending amendment of the distinguished Senator from Ohio to strike the proposed funding of a fourth nuclear attack carrier, the CVAN–70. A careful review of the most recent testimony has shown again, I believe, that the Navy has failed to make the necessary case for spending the $299 million authorized in this bill for CVAN–70's long leadtime items, or in the larger sense, for spending the $1 billion now estimated as the final delivery cost for this most expensive ship in history.

I want to make it clear that I do not advocate the elimination of the attack carrier from our fleet. Nor have I ever advocated such a position.

Carriers have played an important military role in the past, and they can continue to do so in the future.

I strongly believe, therefore, that we must continue to maintain an appropriate number of carriers. But the basic issue now, as in the past, is how many carriers we need for national defense.

The Navy has tried to justify the CVAN–70 on general grounds of fleet obsolescence. However, even if we accept the Navy's own "rule of thumb" that a carrier is obsolete after 30 years—a very questionable assumption, as I stated in testimony on April 8, 1970 before the Joint Senate-House Armed Services Subcommittee on the CVAN–70—the fleet will still consist of the following 12 fully modern attack carriers until the mid–1980's. Until then, we will have:

Eight large-deck *Forrestal* class carriers, the oldest of which was commissioned in 1955;

One modernized *Midway* carrier, which rejoined the fleet in January, 1970 after a 4-year conversion costing $197.2 million; on January 30, 1970, the Defense Department stated that:

> The Midway will be capable of handling the largest and most complex carrier aircraft and weapons systems in the Navy's arsenal through the 1980's.

I have heard some debate on this floor today to the contrary, but that is the position of the Defense Department, and that is what, in their minds, justified the expense of approximately $200 million.

One *Enterprise* nuclear attack carrier, commissioned in 1961;

Within the next 3 years, two more

Nimitz class nuclear carriers will have joined the fleet.

The oldest of these 12 carriers will not reach the 30-year limit until 1985.

Thus, the burden of proof for this billion-dollar investment in the CVAN-70 is to show why more than 12 fully modern carriers are essential to national security. Yet nowhere has the Navy made that case.

Moreover, since a primary mission of carriers is providing tactical air power, there are several important factors—bearing upon the relative merits of carriers vis-a-vis land bases for tactical aircraft—which indicate that a 13th modern carrier is not essential—and that 12 carriers or even less are adequate to meet our present and future national security needs.

First, there is substantial evidence that carriers are a far more expensive means of delivering tactical air power than land bases.

According to the Navy's own estimates, the CVAN-70 will cost $951 million. However, in light of the enormous cost overruns experienced on the two *Nimitz*-class carriers now under construction—CVAN-68 and CVAN-69—this $951 million estimate for the CVAN-70 cannot be considered a reliable figure.

A March 1972 study by the General Accounting Office disclosed that the projected combined cost of the CVAN-68 and the CVAN-69 is now $1,779.8 million—an increase of $833.3 million—or 88 percent—over the original Navy planning estimate of $946.5 million for both carriers. In other words, there has been an overrun of 88 percent in the cost of those two carriers nearing completion. Thus, it is quite likely that the final cost of the CVAN-70 will also greatly exceed present estimates.

Potential cost overruns reveal only a part of the total cost implications of the CVAN-70. Since every carrier is equipped with an air wing—and since the Navy only operates the carrier with a task force—these procurement costs must also be considered.

According to the Navy's own figures, the initial procurement cost of a carrier air wing is $869.6 million. And the initial procurement cost of four DLGN's, nuclear-powered guided missile frigates—which the Deputy Chief of Naval Operations testified would be an ideal escort for a nuclear attack carrier—is $1,019.6 thousand. Thus, the total initial procurement cost for a carrier task force is just over $2.8 billion.

Even this $2.8 billion figure does not reflect the complete cost implications in authorizing the CVAN-70. Using the Navy's own figures, the total cost for procurement and operation of one complete nuclear attack carrier task force over a 30-year period will be $10,184.9 million. In other words, what we are agreeing to do today is to undertake—if we defeat this amendment—an aircraft carrier whose cost of completion implications over the next 30 years is $10,184,000,000. And this estimate does not include such items as basing costs and the cost of the logistical ships necessary for support of the carrier.

If we approve the authorization for the CVAN-70 contained in this bill, we will be committing ourselves to a $10 billion plus expenditure over the next 30 years.

A land base is a far cheaper operation. According to the Air Force, a base in the Pacific can be built for under $75 million; the bare base support program can convert an existing civilian runway for about $50 million.

It is not surprising, therefore, that studies by the Office of the Assistant Secretary of Defense for Systems Analysis have concluded that a sea-based wing is 40 percent more expensive than a land-based wing. I believe all these cost factors argue compelling against procuring an additional nuclear carrier at this time.

In addition to the comparative cost of land and sea-based air power, there is also the issue of the relative vulnerability of these two means of delivering tactical air power. Again, the evidence indicates that the carrier suffers a major disadvantage in its vulnerability to attack by modern missiles and submarines.

While modern technology has augmented the defense of land bases—including new methods for protection, maintenance, and rapid repair—the latest weapons and reconnaissance developments have made carriers easier to find and to damage to the point of making them inoperable. Furthermore, the necessary compensation for this increased vulnerability—the need to maneuver widely and commit the carrier's air power to defensive actions—diminishes the overall offensive capability of the carrier's tactical strike force.

Experts have concluded, therefore, that carriers would not be suitable for use in any situation where an enemy could concentrate land based aircraft, missiles, or submarines against them. Since this would minimize, if not rule out altogether action in any conflict in which the Soviet Union were involved, vulnerability would dictate that the use of the carrier's force would be limited to those contingencies involving only smaller powers—another strong reason why 12 modern carriers or less would be adequate for our national security needs over the foreseeable future.

In a recent prize-winning essay printed in the July 9, 1972, issue of the Proceedings of the United States Naval Institute, Navy Commander Roy Beavers expressed grave concern about the impact of modern military realities on the role of the carrier—and the refusal of naval planners to recognize these realities.

As Commander Beavers pointed out:

> Carrier air warfare is not the dominant reality of present naval warfare, and the U.S. Navy is being challenged by a foe whose navy is not similarly configured. On the contrary, the Soviets are building a navy which is in closer conformity with the prevailing dominant reality of naval warfare—the combat superiority of the submarine.

After observing that "the advance of submarine technology—since World War II has put the modern submarine out of combat reach by known of foreseeable surface and air ASW techniques," Commander Beavers then posed this question:

> Is it going to take a war at sea to prove that the U.S. Navy's capital ship—the aircraft carrier, though defended by its costly retinue of escorts and umbrella of manned aircraft—is ill-suited to contest command of the seas against challenges emanating from the capital ship of the Soviet Navy, the attack submarine?
>
> The history of warfare confirms the dictum that technology cannot be defied with impunity.

In response to these arguments about the carrier's vulnerability, Admiral Moorer, former Chief of Naval Operations, told a VFW Convention in August, 1969 that:

> In some 50 wars or near wars since 1946, we have not lost a carrier or had one damaged owing to hostile action.

At my request, the Navy sent me a classified list of these wars or near wars.

The list includes six wars or near wars in which a carrier was merely alerted and was not actually present. In at least half of the total incidents, the carrier was only remotely involved, and the alleged enemy had absolutely no capacity—and usually no desire—to damage an attack carrier. Thus, the list included such wars or near wars as the Haiti disorders and the Zanzibar riots. The original classified list submitted by the Navy included other incidents of this type, but the Navy refused to declassify several of them.

The fact that the Navy would resort to this type of argument in response to questions concerning the carrier's vulnerability may be indicative of their uneasiness about this problem. In any event, these questions still remain.

Finally, any effort to define the proper size of our carrier fleet should take into account the existing and potential U.S. capability for providing land-based tactical air power. I believe that the present carrier fleet duplicates and overlaps this land-based capability.

Carrier task forces are assigned to the two major trouble areas of the world—the Western Pacific and the Mediterranean. But our capacity to deploy land-based tactical air power is more than adequate in these areas, as well as in most other parts of the globe where peace or U.S. interests may be threatened.

The U.S. Air Force maintains 21 wings of tactical fighters and bombers in active forces at home and abroad.

The geographical spread of overseas bases either operated by, or available to, the United States gives us an impressive land-based tactical capability, especially in the Mediterranean and the Western Pacific. In Europe, the United States alone—not including NATO forces—has bases in eight countries, with approximately 475 tactical aircraft; at least four of those bases are within striking distance of the Mediterranean. In the Pacific, we have bases in six countries, in addition to our bases in Guam and Hawaii, with about 325 tactical aircraft. In total, there are 47 major U.S. Air Force bases outside the continental United States.

The United States also has the capacity for creating new land bases as needs arise. There are at least 700 overseas civilian air fields which the Air Force, within 3 days time, claims it can convert to a fully equipped tactical air base using the prepositioned kits of the bare base support program.

Furthermore, the range of modern tactical aircraft is between 2 and 3 times greater than that of the older jets. This increased range is expanded even further by the use of midair refueling. Consequently, our overseas landbased planes are capable of reaching many more targets than they were even 10 years ago; and U.S. based tactical aircraft can be operational anywhere in the world in a short period of time.

The Navy contends that the reduction in the number of our overseas land bases justifies the need for the CVAN–70. While these bases have decreased from 119 in 1957 to 47 at the present time, the number of tactical air wings has increased from 16 to 21 during the same period. More important, the greatly increased range of these planes—both in the United States and overseas—means that far fewer land bases can provide ample tactical air support in any areas of potential conflict. And the bare base support program enables the United States to supplement existing land bases to the extent that it is necessary to do so. Even with fewer overseas land bases, then, carriers still overlap and duplicate our land-based capability.

This point about overlap and duplication was dramatically illustrated in a September 1969 letter and memorandum from the Department of the Air Force to Senator HATFIELD. Senator HATFIELD asked whether the loss of overseas land bases had jeopardized the Air Force's tactical air capability. The Air Force responded that:

> The capability of USAF tactical air has in no sense been diminished by land base inactivations.

The memorandum to Senator HATFIELD also contained an extremely significant statement about the overall capability of land-based tactical air power, which reads as follows:

> There are enough land air bases in Southeast Asia and Europe to base all the tactical fighter aircraft which the Joint Chiefs of Staff estimate are required to meet a major contingency in those areas.

It may be argued that this statement by the Air Force should be disregarded, since it is merely a reflection of the long-standing Air Force-Navy controversy over the role of land- versus sea-based air power. But before rejecting this evaluation as anti-Navy propaganda, the Senate should consider whether or not the Navy's insistence on funding the CVAN–70 in fiscal year 1973 might also be classified as the effort by one service to maintain its position—with little regard for military realities.

In short, the Congress is faced with conflicting claims; on the one hand, the Air Force asserts that carriers are essentially redundant in furnishing tactical air power; on the other hand, the Navy claims we need a large carrier fleet and argues that the obsolescence of that fleet makes the CVAN–70 essential. Without thorough investigation, I do not believe we can reject as self-serving the claim of one service, while accepting the claim of another service as the complete truth.

My own view is that the truth lies somewhere between these conflicting claims. While I believe that some carriers are necessary to insure flexibility in our overall tactical air capability, I also believe that there is no need for a fleet consisting of more than 12 large modern carriers.

This is a view shared by many defense experts—both within and outside the Government. For example, Rear Adm. Gene La Rocque—a former carrier task force commander who recently retired from the Navy and who is now Director of the Center for Defense Information—has strongly opposed the funding of CVAN–70.

Stuart B. Barber, former assistant director of the Navy's long range objectives group, has expressed similar opposition. And two members of the Joint Chiefs of Staff—the Chiefs of Staff of both the Army and the Air Force—have also questioned the need to fund CVAN–70 in fiscal year 1973.

In order to justify the funding now of the CVAN–70, the Navy must show that a 13th modern carrier is essential. I think it is clear that they have failed to meet this burden.

Refusing to authorize the CVAN–70 until the Navy can justify a fourth nuclear carrier will in no way jeopardize national security. Since our potential adversaries—including both the Soviet Union and China—have no attack carriers and since we now have 16—with the assurance that there will be 12 fully modern carriers under the Navy's own criteria until 1985—we can afford to insist upon a clear justification for such a massively expensive project.

In light of the present deficit in the Federal budget, we should not approve the CVAN–70 on a fund now, justify later basis.

I believe that there are far more urgent and justifiable demands on limited Federal funds, both within the defense budget and in other areas of critical national importance. And I also believe that the hard-pressed American taxpayer wants his tax money directed toward these more urgent needs.

But regardless of my position, the central fact remains that the Navy has failed to make its case for the present funding of the CVAN–70.

I therefore urge the Senate to approve Senator SAXBE's amendment deleting all funds authorized for this carrier.

Mr. President, I ask unanimous consent to have printed in the RECORD an article written by Drew Middleton, entitled "Nuclear Sub, Not the Carrier, Called Dominant Sea Weapon"; and an article published in the U.S. Naval Institute proceedings for July 1972 written by Comdr. Roy Beavers, U.S. Navy, entitled "The End of an Era."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

NUCLEAR SUB, NOT THE CARRIER, CALLED DOMINANT SEA WEAPON

(By Drew Middleton)

The aircraft carrier's role as the Navy's primary weapon and the traditionalism of the present naval building program are challenged in this month's Proceedings of the United States Naval Institute, the most prestigious of American service publications.

Comdr. Roy Beavers expresses the fear, felt by many other officers, that the nuclear-powered, nuclear-armed submarine emphasized in the Soviet naval program, is the dominant weapon of modern sea warfare rather than the carrier.

Arguments doubting the carrier's primacy have appeared in Congress and other professional publications in the past. They take issue with the Navy's basic concept of the carrier's superiority to all other sea weapons; a concept originating in the victories of World War II and endorsed by admirals who won recognition as carrier airmen in those victories.

Commander Beaver's views appear in an essay in the July issue of the Proceedings. The essay won second honorable mention in the publication's prize essay contest for 1972.

KEY DISCUSSION SOURCE

The naval institute is a private, professional society of those interested in naval and maritime affairs. Although it is not a part of the Navy Department, articles in the Proceedings often discuss issues that worry professional officers.

Adm. Elmo R. Zumwalt Jr., Chief of Naval Operations, is president of the institute.

Commander Beavers bases his analysis of American naval needs on the argument that Soviet policy in this decade will be aimed at limiting American freedom of action.

As evidence, he cites an article in the Soviet journal Soviet Law and Government, by G. A. Arbatov, considered by many to be Russia's leading expert on the United States.

Mr. Arbatov, assessing Soviet and American strategy, wrote that "The matter at issue is essentially that of limiting the freedom of action of imperialism—above all United States imperialism."

Commander Beavers contends that the United States is building the wrong sort of Navy around the wrong capital ship, the carrier, to meet the Soviet challenge to "U.S. command of the seas, i.e., capacity for assuring the use of the seas as required by the United States and its allies."

COMMAND OF THE SEAS

The Soviet challenge, he says, is based upon the submarine and one to two hundred modern Soviet submarines nuclear powered and armed with the latest missiles can deny command of the seas to the U.S. Navy's surface forces.

He himself is not a submariner. His last sea duty was as executive officer of the destroyer George K. Makenzie and he is at present attached to the Arms Control and Disarmament Agency in Washington.

The Navy, the writer says, has refused to recognize that advances in submarine technology have given undersea weapons systems the edge over surface systems such as the carrier.

ADVANTAGE OF SUBMARINE

The modern submarine, Soviet or American, Commander Beavers contends, is "out of combat reach by known or foreseeable surface and air antisubmarine warfare techniques." According to this argument, the carrier is vulnerable to the submarine, but the submarine is not vulnerable to the carriers' surface or air defenders.

"This conclusion may still be disputed by some," the officer writes, "but the record—of futile and costly air and surface programs—is a lengthy one that speaks for itself." The Navy spends about $3-billion on anti-submarine warfare.

THE END OF AN ERA

(By Commander Roy Beavers)

". . . We are at the end of an era. The postwar order of international relations—the configuration of power that emerged from the Second World War—is gone. With it are gone the conditions which have determined the assumptions and practice of United States foreign policy since 1945.

"No single sudden upheaval marked the end of the post war era in the way that the World Wars of this century shattered the prewar orders of international relations. But the cumulative change since 1945 is profound nonetheless. . . ."[1]

The quarter of a century that began with the end of World War II and extended roughly to 1970 was an era of virtually unchallenged U.S. supremacy in international power. The foundations of that power—which facilitated the accomplishment of both U.S. national security and foreign policy goals—were threefold: nuclear war military supremacy, economic and technological supremacy, and a global military presence. Each of these functioned not only to further U.S. interests throughout most of the world, they also constituted the underpinnings of confidence and mutual commitment which upheld the Western alliance system, sheltering America's allies until the prosperity and vigor that had been lost as a result of World War II was restored. That era of unchallenged U.S. world power leadership is passing. Each of the three foundations cited above is now under severe stress.

Soviet "parity" in strategic weaponry for general nuclear war is being conceded and legitimized via the Strategic Arms Limitations Talks (SALT). The U.S. global military presence is eroding faster than many will admit—but not fast enough for some Senators who insist upon America's unilateral withdrawal from Europe. And—while America's economic and technological strength remains preeminent—it is being challenged on a broad front by friend and foe alike. This preeminence, particularly in the vital military technology area, is not assured in the indefinite future.

The Soviet parity in strategic nuclear weapons and much of the erosion of the U.S. global military presence have occurred because of the evolution of circumstances partially beyond our control, but some of these circumstances—the U.S. stand-down in strategic deployment during the past eight years and a growing American indifference to our global military positions—are also of our own doing. The result is a world in which, as the President has said, U.S. foreign and defense policy must rest on a new set of premises.

Under the "sufficiency" criterion of the Nixon Doctrine, nuclear general war deterrence forces are maintained at levels which guarantee that, even should the enemy attack first with his total strategic nuclear forces, the United States would have sufficient survivable strategic nuclear forces to deliver a counterattack that would inflict equally intolerable consequences upon the attacker. It is evident that in this formulation, weapon survivability is a critical aspect of sufficiency, and this has led—albeit belatedly—to a more widespread recognition of the advantages to be gained by sea-based nuclear deterrent systems.[2]

In his 25 February 1971, "State of the World" report to the Congress and to the American people, the President listed a number of nonmilitary manifestations of the new era in the order of international relations: for example, the regained economic vitality, social cohesion, and political self-assurance of the nations that came out of World War II in a shattered condition. The President emphasized that this regained economic vitality is particularly true of Western Europe and Japan, both of which are now capable of doing more in their own defense. In addition, many new nations have gained independence and growing self-confidence. It is noteworthy that these new nations seem to want to face neither East nor West ideologically. (One might observe that their most consistent ideology is nationalism.) Finally, as the President observed in his "State of the World" report, the nature of the monolithic Communist challenge which America and other Free World allies faced in the 1950s has been transformed. It is no longer monolithic and the direction or target of "Communism" is now more ambiguous. As the President reported to the Congress in February 1971: "In the era of Communist solidarity, we pursued an undifferentiated negotiating approach toward Communist countries. In the new era, we see a multipolar Communism marked by a variety of attitudes toward the rest of the world."

At the same time, the U.S. global presence in the form of bases, forces, and aid and sympathy is being withdrawn, reduced, repudiated by the recipients or the U.S. Congress, and otherwise permitted to expire throughout much of the world. Nevertheless, on the basis of the historical record, serious students of power politics are likely to conclude that there will continue to be situations calling for U.S. global involvement on behalf of our own interests and our remaining commitments to loyal allies—however much America's current crop of neo-isolationists may wish it otherwise.

It is evident to students of geopolitics that the momentous changes now underway in U.S. foreign policy—propelled both by the Nixon Doctrine and a national disillusionment with global politics—portend an era in which the role of seapower is likely to become more critical to national security and foreign policy interests. The dynamics of this situation have focused attention upon America's ability—or deteriorating ability, as the case may be—to provide for its national security and foreign policy needs on a global scale that is both within the economic means of this nation and consistent with domestic and international political realities.

The Nixon Doctrine. America's new foreign policy has been characterized in many ways, ranging from "a return to isolationism," manifested by charges of withdrawal from commitments, to "a reinvigoration of the Cold War and Containment of the Soviet Union" under a new policy name. A few have suggested that the Nixon Doctrine means surrender to America's enemies of the past two decades. Some, of course, assert that our new foreign policy is little more than a public relations gimmick.

None of the above explanations are very perceptive. The fundamental break with America's foreign policy in the recent past, as contained in the Nixon Doctrine, is its emphasis upon the more realistic assumption that foreign policy should be pursued primarily on the basis of national self-interest as perceived in terms of national security and survival, rather than in terms of ideological missionaryism.

"National security and survival" is, in itself, a very broad concept that should encompass all elements of national power, such as economic soundness and strength, technological leadership, political, diplomatic and psychological (national willpower) viability, and, of course, the military dimension. American foreign policy has always been more or less cognizant of these interrelated factors. But the important fact to note here is the departure which the Nixon Doctrine represents from America's historic foreign policy obsession that it was essential to America's national security to remake the rest of the world in our own image and convert all peoples to our own system of government. There are many flaws in this historic presumption, not the least being that such a policy has failed to further America's national security and survival prospects. It should have been evident, long before the U.N. vote on China membership, that America's policies were creating more antagonism against the United States, or at best disinterested ho-hums on the part of allies who now feel secure, than have these policies actually advanced the "free-world" concept which ideologically governed America's postwar foreign policy through 1968.

The Nixon Doctrine attempts to come to grip with this condition on a more realistic basis. It is not afraid to view the world in "balance of power" terms rather than the "good guy"/"bad guy" perceptions of the past 25 years. It recognizes that we now live in a world where virtually all ideologies, except perhaps chauvinistic nationalism, have lost much of their previous force. It is a dynamic world with much potential for the shifting of allegiances as national and regional power centers vie for access to the world's human and material resources. This writer suggests that "victory"—i.e., survival—in such a world is likely to be governed by this "access" criterion.

As one would expect, in this balance of power world of shifting allegiances, international competition loses much of its bipolar character. The number of competing global power centers is on the increase, and the readiness of weaker states to cross ideological lines for political, military or economic gain (self interest) is also more evident.

A balance of power foreign policy world heightens the opportunities for imaginative and creative diplomacy. Indeed, it renders imperative such diplomacy. This kind of diplomacy, in turn, calls for alert and open-minded public support; predicated on a thorough understanding of the balance of power national interests involved.

The President's China policy, which has generated so much interest of late, is a case in point. Most Americans are aware that China is a nation of considerable importance to the peace of Asia today, but the important fact for all Americans to understand about China is its potential for power and influence not only in Asia, but also throughout the world in the future. We do not yet know the exact goals of the President's China policy, but one can surmise that they ultimately will include the achievement of a U.S.-China relationship emphasizing shared interests rather than excessive concern over differing governmental systems.

Opportunities for similarly creative diplomacy under the Nixon Doctrine are evident elsewhere—the arms control scene, for example. The Nixon Doctrine emphasizes that is an "era of negotiation," setting forth the hope that the present decade may lead to genuine détente between East and West. The negotiation portion of the Nixon Doctrine is a consistent extension of the balance of power realities cited earlier. We seek greater participation by other countries—particularly, but not exclusively, our allies—in the formulation of policies affecting the peace of the world and the enrichment of human life via the development of the world's human and material resources. Perhaps the letter clause should now define the Free World. Such a definition, for example, could include Yugoslavia, Romania, perhaps China, and many others, as well as the traditional Free World grouping of the past.

In spite of the hard realism bespoken by the Nixon Doctrine, vestiges of America's missionary-like foreign policy remain. As this essay is being written, in November 1971, the U.S. Senate is engaged in a debate over the future of America's foreign aid program. One block of Senators—some of the same who undercut U.S. policy in Vietnam—now argue that their particular standards and opinions, concerning the policies and political systems of U.S. aid recipients, should be the controlling criteria. Their standards would rule out some of America's most steadfast allies. This is a retreat from the realities of the present world environment. The application of this kind of a morality test to foreign policy is a luxury only affordable by nations clearly mandated—in terms of power as well as righteousness—to impose as well as judge the national policies and political systems of other sovereign states. This presumptuous, albeit altruistic, approach cannot govern America's international posture in the decades ahead. If it does, we may find ourselves with few allies and a great many enemies.

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[1] The President's February 25, 1971, Report to the Congress, *U. S. Foreign Policy for the 1970's* (U.S. Government Printing Office, Washington, D.C., 1971).

[2] This thesis was expounded some 13 years ago. *See* Roy I. Beavers, Jr., "Seapower and Geopolitics in the Missile Age," U.S. Naval Institute *Proceedings,* June 1959, pp. 41–47.

The Soviet Doctrine. A brief examination of the Soviet view of the present world is instructive. In a comprehensive discussion of "socialist" foreign policy, appearing in the Soviet Journal *Soviet Law and Government,*[3] Russia's foremost American expert, G. A. Arbatov, is explicit. Writing about what he describes as "the era of transition from capitalism to Sovietism," Arbatov tells us that Washington's past "global political strategy" is untenable. He cites as the main evidence for his thesis the U.S. experiences in Vietnam, which he calls "U.S. imperialism" and describes as a socialist victory. While predicting further progress for the world's socialist forces, Arbatov advances the thesis that "imperialism" is able to go "only so far as it is permitted to go—permitted by the objective situation and by the strength of the resistance of its adversaries."

Then he states:

"It is precisely this understanding of political reality that underlies the tactics of the communist movement and of all anti-imperialist forces at the present stage. (p. 146) . . . The matter at issue is essentially that of further limiting the freedom of action of imperialism—above all, U.S. imperialism." (p. 147)

Aside from the usual polemics—his Marxian hypnosis with the "imperialism" bogeyman—Arbatov has told it straight. The coming decades mark a period in which Soviet strategy towards the West appears to be aimed mainly at "limiting the freedom of action" of the United States.

In *Between Two Ages,* Professor Zbigniew Brzezinski of Columbia University has summarized the future U.S.-Soviet rivalry thus:

"American-Soviet rivalry is hence likely to become less ideological in character, though it may become more extensive geographically and more dangerous in terms of the power involved. Increased direct contacts between the two nations, restraints imposed by mutual recognition of the destructiveness of present weapons systems and lessened ideological expectations for the Third World could make American-Soviet relations more stable. Nevertheless, more and more areas on the globe could become the objects of moves and countermoves if the growth in long range Soviet military forces, particularly conventional air-sea-lift capabilities, extends American-Soviet rivalry to areas previously considered beyond the Soviet reach."

Pursuit of a policy by the Soviets aimed at "limiting the freedom of action" of the United States—the ongoing Soviet naval buildup and deployment is perhaps the best signal of their intentions—would in effect mean continued conflict between East and West in the lower regions of the spectrum of conflict, i.e., limited/cold war, where the issue is access to the world's human and material resources. In short, continued Soviet insistence upon an "era of transition from capitalism to Sovietism" does not bode well for détente. Such insistence ultimately would also be expected to undermine that portion of the Nixon Doctrine which seeks an era of negotiation.

The foregoing observations do not argue that the United States should abandon its efforts at negotiation. They do suggest that negotiation, too, must be pursued on a realistic "balance of power" basis. Realistically we might recognize, for example, that even negotiation can be aimed at "limiting freedom of action." The Soviet party leader, Leonid Brezhnev, recently hinted that such is his goal, by suggesting that the U.S. Navy should withdraw from the far oceans of the world.

"But at the same time American politicians consider it normal and natural that their 6th Fleet is constantly in the Mediterranean—next door . . . to the Soviet Union—and the 7th Fleet off the shores of China and Indochina. We have never considered, and do not now consider, that it is an ideal situation when the navies of the great powers are cruising about for long periods far from their own shores, and we are prepared to solve this problem, but to solve it, as they say, on an equal basis."

If the need should arise, the United States cannot project power into Europe and Asia by land and by air as easily as can the Soviet Union, Soviet lines of communication are interior to virtually all of its "allies," while the Western World is in essence a maritime alliance.

Brezhnev's proposal, therefore, is a one-sided one that, if adopted, would set the stage for added Russian encroachment upon the world's human and material resources—such as recently carried out under the "Brezhnev doctrine" in Czechoslovakia, and as historically pursued by the Soviet Union throughout Eastern Europe.

A Navy for the New Era. The readers of this journal will recognize that Brezhnev, as well as Arbatov and Brzezinski in quotations cited earlier, is high-lighting a world in which the decisive edge in military power will go to the most versatile and flexible projection at the "limited" and "cold" war levels—in essence, naval power. Additionally, the Nixon Doctrine shift in the U.S. military posture worldwide—the cutback of American troops and bases overseas, accompanied by a shift in much of the military manpower burden away from the United States—places added emphasis upon naval power for the welding together and sustenance of the Western alliance.

Not surprisingly, then, the Soviet Union is now embarked upon a naval expansion program that is rapidly overtaking the United States. The Soviet submarine force—nearly three times the U.S. Navy's in number of boats—is improving in quality, and may already pose a challenge to U.S. command of the seas, i.e., capacity for assuring the use of the seas as required by the United States and its allies. Order dimensions of Soviet naval power are also being dramatically expanded. The newest surface-to-air missile (SAM) armed Soviet surface combatants are proving that they are capable of independent operations in a moderately hostile air-war environment. Prior to the introduction of these SAM missile combatants, the Soviet surface navy had traditionally confined its operations to waters contiguous to its own shores. Simultaneously, the Soviets have gained the right to use naval and air facilities at key strategic locations in the Mediterranean and Indian Ocean regions. The rapid growth of the Soviet merchant marine, at a time when the U.S. merchant fleet is aging faster than it is being replaced, completes a total picture which suggests that Arbatov's description of Soviet policy, as one which seeks to limit U.S. global freedom of action. is well on its way to fulfillment.

Primary military responsibility for meeting this Soviet challenge falls upon the U.S. Navy. This statement can be modified by whatever extent the Nixon Doctrine succeeds in reviving naval power elsewhere in the Western Alliance.

The U.S. Navy has begun to rebuild to meet this challenge, but it is rebuilding along the traditional lines of the past. New ships are replacing old ships of like type, better armed, many times more costly, marginally more seaworthy—still essentially on a type-for-type basis that is leading in the end to a navy that promises to look very much like the U.S. Navy after World War II.

Principal reliance for command of the seas still evolves upon carrier air power, screened by missile-armed surface units,[4] yet it is uncertain that our carriers will confront any significant surface or air challenge. The Soviets are circumventing that challenge via their emphasis on the submarine. This prospect of a minimal surface or air challenge would be fortunate if it gave the U.S. command of the seas by default—but it does not. One to two hundred modern Soviet submarines, nuclear-powered and armed with the latest missiles, can deny command of the seas to the U.S. Navy's surface forces. This appears to be the direction the Soviets are taking. The Soviet Navy now has some 400 submarines, and they are building—both SSNs and SSBNs—at a rate surpassing present U.S. submarine construction capabilities. The majority of present Soviet submarines are not "modern." Only a few are equipped with the advanced missiles. Thus, there is still time. But many readers will share the uneasiness felt by this writer and expressed by the question: Will the navy we are now building prove to be ill-conceived, in terms of its force configuration, for meeting the Soviet challenge cited above?

The investment in new destroyers will not meet that challenge. Yet destroyers continue to be designed and produced on the basis of, and charged with, the primary mission of countering the forthcoming Soviet submarine force. A recent, now famous, article appeared in this journal and brought to light some serious misgivings about the ASW inadequacies of the U.S. Navy's most modern destroyers and destroyer escorts.[5] Possibly that author dwelt upon the wrong issue. He might better have asked: Why are we building destroyers for ASW?

The U.S. Navy's investment in air ASW is only marginally more hopeful. The well known CVS (ASW carrier) issue is perhaps enough of a dead horse that it need not be flogged further here. But, in that matter, also, the issue is the same. The present state of air and surface ASW technology, combined with pressing cost considerations, raises uneasy feelings and grave questions about the inordinate portions of our limited rebuilding budget and manpower resources which are being invested in such marginally effective programs.

The point here is not to point the finger of guilt at some hard-working and much maligned project officer—or at any of the Navy's vested interests. We are all in this Navy guilty of refusing to abide by the dictum of the most intolerant taskmaster of all—the technological state of the art. The well known fact is that the advance of submarine technology (operating characterictics, armament and sonar capabilities) since World War II has put the modern submarine out of combat reach by known or foreseeable surface and air ASW techniques. This conclusion may still be disputed by some, but the record—of futile and costly surface and air ASW programs—is a lengthy one that speaks for itself.

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[3] Translated and reprinted under the title "American Foreign Policy on the Threshold of the 1970s" in *Orbis,* Spring 1971, pp. 134–153. All page citations in the text are from this issue of *Orbis.*

[4] "We control the seas with our aircraft carriers, capable of sinking surface ships, surfaced submarines, shooting down aircraft and, with our F–14 aircraft, shooting down the missiles from any one of those enemy sources," Admiral Zumwalt said in the 13 September 1971 issue of *U.S. News & World Report.*

[5] *See* Robert H. Smith, "A United States Navy for the Future," U.S. Naval Institute *Proceedings,* March 1971, pp. 18–25. Captain Smith's most pregnant observation seems to have been overlooked in the ensuing controversy. ". . . we have clung to the fiction of a primary, and even offensive, ASW role for the surface ship long after it has become obvious that it cannot fulfill that role against the modern submarine." (p. 22)

Naval warfare has been so dramatically altered by the advance of submarine technology over the past 25 years as to have essentially reversed the role of the submarine from one primarily of interdiction to that of representing the ship of the line in terms of command of the seas. The modern, nuclear-powered, fast, quiet, long-endurance, deep-diving, perhaps cruise missile-armed attack submarine not only promises to drive from the seas those surface units that dare to opposite it; *the submarine is also proving to be the best of all platforms for ASW.*

Is it going to take a war at sea to prove that the U.S. Navy's capital ship—the aircraft carrier, though defended by its costly retinue of escorts and umbrella of manned aircraft—is ill-suited to contest command of the seas against challenges emanating from the capital ship of the Soviet Navy, the attack submarine? The history of warfare confirms the dictum that technology cannot be defied with impunity. As a consequence of World War I, the French learned that the *élan* of attack—the offense—was not adequate to overcome the technology of the then dominant defense—the machinegun. Applying that lesson to their policies between the wars, the French came to rely for their national security primarily on the defense fortifications of the Maginot Line. But, in the meantime the technology of land warfare had changed. The offense had become dominant in the shape of the fast, armored warfare which comprised *blitzkrieg*. This misplaced French confidence in a technology of warfare that was out of date for its task, led to Vichy.

The U.S. Navy could be making a similar mistake. We won command of the seas at Midway, the Coral Sea, and the Philippine Sea with the aircraft carrier task force. We opposed a similarly configured navy, and there was no doubt that naval carrier air warfare was the dominant reality of that time. But carrier air warfare is not the dominant reality of present naval warfare, and the U.S. Navy is being challenged by a foe whose navy is not similarly configured. On the contrary, the Soviets are building a navy which is in closer conformity with the prevailing dominant reality of naval warfare—the combat superiority of the submarine.

There is a case to be made for carriers and destroyers in our naval program, but it is not the one most often advanced, and it doesn't support the "Cadillac" versions of those ships the U.S. Navy now seeks, certainly not so long as the higher priority, submarine, "command of the seas" requirement is unfulfilled. (It may also make a better case for the Marines and the "amphib" Navy than is currently in fashion.) It is the cold/limited war case as articulated above by Brezhnev, Arbatov, and Brzezinski.

While the cold/limited war scenarios of East-West conflict are not the worst case assumptions, the mutual balance of terror that makes general war a non-option, leads rather obviously to the cold/limited war scenarios being the most probable kinds of conflict. That is where the action is almost certainly going to be. The issue is access to the world's resources; and the contest is, first, one of command of the seas, and second, projection of power and influence in the Mahan tradition when political decisions so dictate. Ultimate victory can be lost or won without a general war ever taking place.

Given current fiscal limitations, the latter dimension of naval planning may require greater compromise than the command of the seas (submarine) role vis-a-vis "ideal" ships and hardware. Remembering that nuclear general war has become a non-option through mutual deterrence, the command of the seas task will merit next highest priority, for it preserves survival against the ultimate limited war challenge—the physical isolation of America from its allies.

Thus the third priority, the U.S./power projection navy, is the logical area for compromise of "Cadillac" ambitions in favor of economy and more units at less unit cost—rather than to stint our command of the seas submarine forces—if funds provided by the Congress are not adequate to legitimate needs in both areas. We can take some comfort that the power projection task by surface forces is the task wherein the most support from the remainder of the maritime alliance can be expected. The Nixon Doctrine highlights that aspect as well. Imaginative programs, like the "Personnel Exchange Program" with allied navies, recently instituted by the U.S. Navy, can fortify the Nixon Doctrine on this score.

The new era of American diplomacy, the Nixon Doctrine, derives from a forthright recognition of the changes that have taken place in the world since 1945—the new realities that now govern the domestic and international political environments. America's new naval policy must start with a clear understanding of those same realties.

In addition, America's new naval policy must—as forthrightly—acknowledge the technological realities that now govern naval warfare, and proceed from the premises dictated thereby. To paraphrase the President's words, quoted at the beginning of this essay: *No single sudden upheaval or technological event has marked the end of the World War II era of naval warfare in the way that world wars often shatter pre-existing assumptions about warfare. But the cumulative changes in naval warfare since 1945 are profound nonetheless.*

We are indeed at the end of an era—in the technology of naval warfare as well as in foreign policy. The question is: Are we now building a new navy that is as realistic as our new foreign policy?

ALTER THE ALTERATIONS

(By Captain Ben W. Blee)

A week after taking command of an aging Navy landing ship dock (LSD), the new commanding officer received an official letter from his force commander: "Altogether too many unauthorized alterations have been made to your ship in past years. You will immediately restore the ship to her original arrangement."

The new CO called for the blueprints and compared them with the ship. The charges were all too true, but to put the ship back in original condition would be a staggering job, making the ship much more comfortable than when she was first built according to World War II Royal Navy specifications.

The next day, the CO called on the staff officer. "Commander," he asked, "do you really mean I am to rearrange the ship just as she was according to these old British Admiralty plans?"

"You read the letter," came the terse reply.

"All right," exclaimed the CO. "Then here is my requisition for 460 hammocks to replace the bunks and foam rubber mattresses, and here's another for eight casks of rum to go in what is now the barber shop. That was the spirits room, you know, so the crew could have its grog." With that, he left the flabbergasted commander and returned to his ship.

Not another word was ever heard about the matter.

Mr. SPONG. Mr. President, will the Senator from Minnesota yield?

Mr. MONDALE. I am glad to yield to the Senator from Virginia.

Mr. SPONG. The Senator from Minnesota has been consistent in his opposition to aircraft carriers throughout the past 5 or 6 years, but I would like to ask a question or two as to his attitude at the moment on the carrier question. Two or three years ago, when one of our more extensive debates took place, perhaps not the Senator from Minnesota but some of those who were contesting the authorization of an additional carrier and pressing for a study of the carrier situation questioned the aircraft carrier as an effective instrument of national security or as an effective weapon. Does the Senator from Minnesota question that today?

Mr. MONDALE. No, I do not. I think we need a naval attack carrier force. What I am questioning is the size of the force. I do not believe, nor do I think that the Defense Department any longer maintains, that the carrier has a strategic role. It is basically a tactical weapon. In the mid-1960's, Secretary McNamara stated that the Defense Department no longer saw the carrier as having a strategic nuclear role but instead viewed it basically as a tactical weapon. I think that is correct. I accept that. I question whether we need 13 fully modern attack carriers through the middle of the 1980's.

Mr. SPONG. The Senator used the figure of 12 or less in his remarks earlier this morning. Would the Senator give me some idea of what he considers the minimum carrier force necessary to achieve the tactical needs he foresees in the world today?

Mr. MONDALE. I do not know what that number should be. What we are debating here is, do we need a 13th modern carrier. The burden is on the Navy to justify that need. I do not think they have sustained it. How much below 12 I would go, I do not know. I am not in a position to say.

Mr. SPONG. I am pleased we have come to certain conclusions, that a 12-carrier modern force—and this is the Navy's position—will be necessary.

I want to make a few remarks that may have been covered. The fact is that the *Midway*, which is the 13th carrier in the Senator's computation, is a carrier that is 28 years old regardless of its refurbishing. We are now talking about a carrier that will not join the fleet until 1980?

Mr. MONDALE. That is correct.

Mr. SPONG. Well, on that basis, it is the view of the Senator from Virginia that the *Midway* by 1980 will not meet what I consider to be the minimum need of 12 modern carriers. Now the Senator from Minnesota is aware that insofar as the catapults are concerned, the fuel situation, and other factors with regard to the *Midway*, they simply do not measure up to what the modern carrier should have.

Mr. MONDALE. I agree that this is a fact in dispute, one that each Senator will have to resolve in his own mind.

The argument I made is based on the statement issued by the Defense Department on January 30, 1970, in which it said:

> Midway's conversion was the most comprehensive modernization ever made to a U.S. Navy ship. She will be capable of handling the largest and most complex carrier aircraft and weapons systems in the Navy's arsenal through the 1980s.

That is a statement by the Defense Department made on January 30, 1970. Thus, it seems somewhat illogical that they would spend $200 million outfitting a ship that they would expect to become obsolete within a few years.

The Senator from Virginia may be right, but that is my case and I suppose each Senator will have to decide for himself.

Mr. SPONG. Of course they will. I do not agree with all the Navy said. Second, I believe we are going to need modern carriers that meet the minimum requirements with regard to elevators, torpedo protection, and catapults. The *Midway* is a carrier that has a 27-year-old hull, regardless of the repairs made.

Mr. SAXBE. Mr. President, will the Senator from Virginia yield?

Mr. SPONG. In just a minute.

It is the position of the Senator from Virginia that we are faced now with a decision whether to go forward with a carrier that will be ready in 1980. In my judgment, we need 12 modern carriers.

Mr. MONDALE. If the Senator believes that we need 12, as I believe the Navy does, the *Midway* is adequate to be the 12th.

Mr. SPONG. I do not agree. It will not be adequate because of the time frame in which we are operating.

Mr. MONDALE. That is a factual difference we have. My case does not go beyond that.

Mr. SPONG. I am glad to yield now to the Senator from Ohio.

Mr. SAXBE. The Senator indicates that this fleet of modern carriers he contemplates is necessary. Does that mean we have got to continue to lay one down every year until we turn them all over?

Mr. SPONG. I do not say that is necessary. I believe in the broad picture of today's security needs, and also the broad picture of diplomatic needs throughout the world, we should go forward with this carrier.

That is my own opinion. I will face up to the factual situation with regard to future construction when we come to it. I regret that the Navy hesitated for one year insofar as this carrier is concerned. I regret the enormous expenditure. However, I see these modern carriers and the need for a fourth nuclear carrier as a necessary part of our security needs if we are to have credibility throughout the next 15 or 16 years when hopefully negotiations will lead to a peaceful world.

Mr. SAXBE. Mr. President, where would the Senator draw the line in negotiations if the carriers increase in cost next year to $2 billion?

Mr. SPONG. When I believe the costs exceed the need, then I will have to face up to it when we debate future carriers. However, so far as this carrier is concerned, insofar as the need for a fourth nuclear carrier, I doubt that the *Midway*, as I have said, will meet the needs I envision in the early 1980's and I feel this request is justified and, therefore, I support it.

The purpose of my earlier questions was that the argument has shifted because at one time we were arguing whether we should build any more carriers. I believe that we should have a minimum of 12 effective aircraft carriers in the 1980's. That opinion is subject to review and change each year.

To answer the Senator's question, based upon the present cost estimates and allowing even for some of the overruns, I believe we should sustain the committee's recommendations with regard to this carrier.

Mr. MONDALE. Mr. President, I think there may have been some parts of that debate in which there was an implication that some here opposed all aircraft carriers. I have always stated that there was a role for the aircraft carrier. I have raised questions concerning the proper size of the aircraft carrier force and the relationship between sea-based and land-based airpower.

Mr. SPONG. I am pleased the Senator from Minnesota has clarified that. However, when the debate took place 3 and 4 years ago, we found ourselves arguing about why the Russians were not building carriers. And implicit in that debate somewhere was the fact that the British had abandoned carriers because they did not believe they remained an effective naval instrument.

We brought into the debate the British debates that showed what stopped them was the fact that they could not afford carriers any longer. It did not reflect a diminished opinion of the aircraft carrier as a tactical weapon.

Mr. MONDALE. Mr. President, I do not have my earlier statement here. However, I do recall referring to the fact that the Russians did not have an attack carrier in their Navy and that as far as I then knew, and as far as I now know, they have no plans to build an attack carrier.

At that time, we had 16 attack carriers in our fleet. Today we still have 16. However, some of them are close to being outmoded.

The question I raised then—and now—concerned the proper size of the U.S. naval attack carrier force level. I believed then—and I believe now—that the fact that the Russians do not have a single attack carrier has great bearing on the question of the number of carriers we need.

Mr. SPONG. Mr. President, I appreciate the Senator's remarks.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. PASTORE. Mr. President, I do not pretend for a moment to be a military expert or historical prophet nor do I have the omniscience to say whether we need 12 or 13 nuclear carriers if America is to have a future. I leave it to men more knowledgeable on military strategy to determine that for me. However, I do know as Chairman of the Joint Committee on Atomic Energy that one of the fortunate things we did in 1961 was to put in operation the *Enterprise*. When we had the critical situation in the Middle East, it was well that the *Bainbridge*, the *Long Beach*, and the *Enterprise* were there and they sped ahead. Their maneuverability is without question. We had their skippers before our committee and we were grateful for their testimony. There is no question that the ultimate thing will be a nuclear Navy. Half the Navy today is conventional. We only have one nuclear carrier in operation. The *Nimitz* will not be in operation until 1973, if they meet their schedule. As to the *Eisenhower*, that vessel will not go into operation until 1975. We are talking about this new one, the CVN–70. As I understand it, the projected date is 1980. And we will be lucky if we get it then.

It might well be, as the carriers that we have get older and older and we have to put them in mothballs, that we will need to have 13. However, there is not any living soul that can tell us—today—in 1972 what the world situation will be in 1980.

If we look around, we will find that we can rely less and less on land air bases. We are committed in Spain and we find fault because every time we have to renew that lease, we have to make a bigger contribution. We pay more and more—and we have been told that in several parts of the world we are being pressed in the same way.

I do not think that we can properly compare the American Navy with the Russian Navy. I think their complex is entirely different from ours. The aircraft carrier has always been an integral part of the U.S. Navy. We are a two-ocean Nation and since great carriers cannot go through the canal, we must adequately patrol both oceans. Yes—by 1980, if we are going to employ nuclear aircraft carriers, we ought to have two in the Atlantic and two in the Pacific if we are going to have proper protection.

That is the reason for this CVN–70. I know that we can argue and wrestle in a paper bag until the cows come home as to whether we need it or not. We can never know until the time comes. However, I hope that we will not fall into a sense of false security. This is still a very tense and critical world.

I assume that we have certain détentes with Red China and with Russia. I applaud that. However, the Russians are building more missiles and warships. The Red Chinese will be building them, too. And in time Japan will be building them.

The point is that the survival and security of our Nation depends on our supremacy of the seas. We learned that from the experience of England. How does that relate to the Russians when we are being pushed around on land and our fishermen are being pushed around at sea in different parts of the world? It is good to have an aircraft carrier at hand with adequate planes to make troublesome people understand that America is not going to be pushed around.

That is what that is all about. We are talking about priorities—the price of peace through adequate power. I realize that this is going to cost a lot of money. However, let us not wind up by being the richest nation in the cemetery. We have talked about the cost. I know that it runs into billions and billions of dollars. I realize that. Some things have been abused, and some things have to be cut out. However, after all, the Joint Chiefs of Staff have said these nuclear carriers are absolutely necessary. The head of the U.S. Navy has said that this is a must.

Mr. President, I am telling you, whether he is right or wrong, I am going to give him the benefit of the doubt, because I am afraid, if today we are wrong, the only thing we can say in time of peril to come is, "God help us."

Mr. STENNIS. Mr. President, I estimate that the Senator from Rhode Island used about 10 minutes, and I ask that the time he consumed be charged to my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. I yield 10 minutes to the Senator from Vermont.

Mr. STAFFORD. Mr. President, I appreciate the distinguished chairman of the Committee on Armed Services (Mr. STENNIS) yielding to me. I had the privilege 2 or 3 years ago to serve on the Joint House-Senate Committee on the Construction of the CVN-70, which was led by the Senator from Mississippi. My convictions with regard to him that I held at that time I still hold, and with regard to the construction of the CVN-70. I appreciate the opportunity to listen to the distinguished Senator from Virginia (Mr. SPONG), and I heartily agree with what he had to say about the construction of this carrier, also.

CVN-70 AND SURVIVABILITY AT SEA

I fully support the distinguished chairman of the Armed Services Committee in providing funds for advance procurement on a new carrier. The question of vulnerability has been raised so often that a detailed analysis is warranted to dispel the arguments that persist.

The total threat to a naval carrier force at sea is very much a function of the type of war or type of challenge considered. In a nuclear war, anything struck by a nuclear warhead, whether it be a ship or a city, will be destroyed. The tremendous advantage of a carrier is that it is not a fixed target which can be carefully programed for ballistic missile attack. The mobility of the ship target offers considerable protection, which increases with the range—and time of flight—of the weapon considered. Against ICBM attack, the aircraft carrier, in contrast to cities, industrial complexes, land air bases, missile sites, and similar fixed targets, is virtually immune to pretargeting. It can move 12 miles or more during the time of flight of an ICBM. If its position is precisely known at a given time, 3 hours later the carrier is somewhere in the area of a circle of more than 25,000 square miles. Because of the mobility of the carrier forces and the complexity of their defenses, the probability is very high that many of these ships would survive to deliver their own punch.

A general war fought with conventional weapons, a more likely possibility because of nuclear parity in the world today, would not be the short exchange assumed for the nuclear war. The survivability of naval forces at sea would develop during the extended, coordinated operations of all naval forces. The primary threat to surface ships in general war is antiship missiles launched by submarines, both surfaced and submerged; long-range aircraft; and surface ships.

The effectiveness of these systems can be significantly reduced by a concentrated effort of naval forces. No carrier travels alone. Indeed, as tensions develop larger grouping of ships randomly disposed are concentrated to give a defense in depth providing multiple opportunities to destroy the incoming enemy. One or more carriers provide air-to-air defense while other ships serve as surface-to-air missile, gun, antisubmarine, and electronic platforms. Submarines are included with their inherently more capable sonar to counter hostile submarines.

Not the least of the enemy's problems is to detect the carrier task force in the vast ocean operating areas. Assuming that the force could be located, the enemy has an additional problem of identifying the individual ships to determine which is the carrier as the force maneuvers, changes composition, courses, and speeds. A submarine must maneuver to firing position, which may be extremely difficult to do if the carrier is traveling at high speed. Aircraft must come into visual range to identify the carrier. Hostile air, surface, and submarine forces can be detected long before they enter the carrier's operating area. The detection of the missile launch vehicle can be accomplished by various carrier, escort, and carrier aircraft sensors.

An attacker must penetrate a defense in depth comprised of various combinations of aircrafts, surface ships, and submarines. The task force has a number of defenses that can engage the enemy before he launches his weapons, after they are launched, and during their flight. Initial defense is the detection and destruction of the delivery vehicles. The guided missiles themselves become the primary target in the next defensive phase. Some of these missiles are not dissimilar in general size and performance to aircraft, and are therefore vulnerable to the task force's antiaircraft defenses. To reach the carrier, the antiship missiles must evade fighter aircraft, and then successfully penetrate the surface-to-air missile defenses of the screening guided missile ships in the task force. Finally, any surviving enemy missiles are exposed to the highly effective fire of short range, point defense missiles and to automatic gunfire from ships of the task force.

If a modern carrier should sustain hits from conventional bombs, torpedoes, or missiles, damage will occur, but that does not mean that the ship will be sunk or even put out of action. Modern carriers are extremely tough ships. The *Essex* class fought through the aircraft, kamikaze, and submarines attacks of World War II without a single loss to enemy action. Subsequent carrier designs have incorporated even more extensive protective features, such as armored flight decks, improved torpedo protection systems, and internal damage limiting features which make them very difficult to sink or put out of action.

Mr. President, it is worth noting that the strength of a modern carrier to resist damage was demonstrated in 1969 when the *Enterprise* sustained damage to its flight deck during a training exercise. Nine bombs were detonated. On that occasion all essential systems in the ship were maintained in operative condition, they controlled the effect of the fire, and they could have resumed all scheduled operations in hours after the debris was cleared from the flight deck.

The carrier gives our forces the best protective capability we can build into our ships. The *Nimitz* class carriers are the best protected and least vulnerable ever designed. The added protection is provided by the extensive use of armor plating against bombs and guided missiles and improved antitorpedo hull design.

These built-in protective systems include:

Extensive armor protection for the flight deck, sides, and underwater body designed to have a high probability of defeating high order contact and penetrating explosives.

The watertight compartmentation throughout the hull which divides the ship into more than 2,000 watertight and shock resistant compartments designed to confine damage to small areas.

Redundancy of essential systems for command and control, aircraft operations, ship control, ship propulsion, and damage control designed to provide means for continuing effective offensive and defensive action while limiting damage, extinguishing fires, and restoring casualties from hits.

In addition to consideration of open warfare, as discussed to this point, it is instructive to examine carrier vulnerability in a "cold war"a— time of political tension without open conflict. Here the aircraft carrier faces no real threat. It operates in international waters, under complete and unquestioned U.S. control. This is in contrast to the threat posed to overseas land bases. These have been found vulnerable to political attack—our overflight privileges have been revoked, our base operating privileges restricted as host nations have examined their own interests during periods of rising tension.

Vulnerability is not a simple subject—it has many aspects. But a modern aircraft carrier such as CVN-70 is designed to carry out its assigned mission in the face of intense opposition. It is designed to go in harm's way. Its survivability is high.

I urge the defeat of the amendment by the Senator from Ohio. I yield back my time.

Mr. SAXBE. Mr. President, I yield myself such time as may be required.

CVN-70 will be the biggest, most expensive ship ever built. While the United States has built a Navy around an aircraft carrier capable of bringing tactical intervention to any part of the globe, the Soviet Union has built a Navy of attack submarines and missile launching destroyers designed to give control of the sea lanes. It is these missile launching ships and submarines, combined with Soviet naval aviation capabilities, which pose such lethal threat to the U.S. carriers.

The United States has allowed this situation to occur for a number of reasons. At the end of the Second World War we were really the only significant Navy left in the ocean. We did not have to worry about sea control, and operating under our own nuclear umbrella, we could send an aircraft carrier anywhere we wanted to intervene.

In face of this threat the Soviet Union developed a fleet of defensive naval bombers. Developing first the propeller-driven, Bear, the later jet, Badgers Bombers, the Soviet deployed these land-based bombers as a defense against the United States' almost unlimited ability to project its power into Soviet soil.

However, the Soviet Union found this situation unacceptable. The U.S. policy of containment was most certainly containing Russian national influence as well as containing ideological communism. The Russians set out to redress this balance. They have now achieved parity in strategic areas.

Of course, we know about this in the SALT talks.

While the United States spent over $100 billion in a counterinsurgency war in South East Asia. The Soviet Union in that same time period was building a sea control navy. The Russians' policy drew great fire from the Chinese, who accused them of no longer caring about revolution but being concerned only with their position as a great power. The Chinese were probably correct. The Russians endured the criticism and went ahead to build a navy which might in the future be able to prevent the United States from conducting air operations in places like Gulf of Tonkin. But more seriously the Russians created a navy that eventually be able to prevent us from being able to continue commerce with our European allies.

I will go into more detail on the vulnerability of our carriers due to the Soviet development of a sea control force.

The Soviet Naval Air Wing consists of approximately 500 bombers. Most of these are based near north-west and Black Sea coasts of the U.S.S.R. The remainder are located near Ylodivastock on the Pacific coast. These include 300 TU–16, Badger bombers, 100 TU–16 Badger reconnaissance tankers—some of these reconnaissance planes have been replaced with more modern T–22, Blinders—50 IL–28 torpedo equipped Beagle light bombers, and 50 TU–95 Bear reconnaissance aircraft. The Blinder and Badger are capable of launching cruise missiles. The Badger as the heart of threat is capable of launching 2,200 mile Kelt missiles: Two 80 mile range Kennel missiles; or one 200 mile range Kipper missile; and possibly a new Mach–3 missile with a 300- to 400-mile range.

Most of these are what is known as cruise ranges, most difficult to detect and certainly most lethal against any carrier.

The 920 miles per hour Blinder bomber is capable of launching the 300 mile range Kitchen missile which is extremely difficult to defend against.

The Soviet Union's subsurface threat consists of 235 torpedo firing attack submarines, of which 25 are nuclear powered. Many of these subs carry the very effective acoustic homing torpedo. The Soviets also have approximately 66 cruise missile launching submarines, of which 35 are nuclear powered. The Soviets are presently engaged in a construction program for Charlie class submarines, capable of subsurface launching of cruise missiles.

Finally, the Soviet surface threat includes a total of 58 cruisers and destroyers equipped with surface to surface cruise missiles or with surface to air missiles. These include *Krest, Kynda,* and *Sverdlov* class cruisers. It includes *Krivak, Kavin, Krupny, Kildin, Kashin* and *Katlin* class destroyers. In addition to these missile launching destroyers, the U.S.S.R. has 63 of the more traditional gun carrying destroyers.

The combination of this Soviet air, surface, and subsurface threat makes our carriers extremely vulnerable.

I think that we have to take into account that whistling in the dark on the carrier's invulnerability is not going to solve the problem of putting over $1 billion into one target and $3 billion into one small carrier group. It seems to me that we must take note of this, and we must try to spend our money where it will be most useful; that the sea control ships that we now have on the boards can accomplish what the carriers can also do, but they can accomplish it at the cost of less than $1 billion, and also that we can make a sufficient number of these for the tremendous cost of this one carrier that we are debating here today.

I think it was significant that the junior Senator from Virginia, in whose State they make these ships, and where, I am sure, it is of prime interest to keep the shipyards going, commented on the fact that England finally gave up making the carrier because, they said, they could not afford it.

I submit that there is a cost that we cannot afford, and I think we are there right now. In other words, this country, as rich as it is, cannot afford to lay out a projected $10 billion—I repeat, $10 billion, an amount which is needed for so many things in this country—and lay out this amount for one carrier with a questionable survivability, with the tremendous threat being built up against it.

We want this country to be strong. I want it to live up to the capacity of its SALT agreement, which I question we are going to be able to afford—in other words, to live up to what we have limited ourselves to. This carrier is not in the SALT agreement. It is outside it. The Russians do not consider it as a basic threat, or certainly not to the type of warfare they plan. I am convinced the type of warfare they plan involves the use of nuclear power—not as actually utilizing it, but as a threat of nuclear power and the supremacy of nuclear weapons to permit them to achieve by peaceful means the supremacy of Europe and the supremacy of the Far East.

I think the SALT talks and the SALT agreement obviously are going to give them that opportunity. But this is something we can ill afford. This is something we are making a very hard decision on.

It is interesting to me that when I first announced that I was going to sponsor this amendment and speak on it on the floor, the only people I heard from in the country who asked me to back off were the people—some in Ohio—who say, "Well, our business depends on supplying stuff for this carrier. Our projected work schedule for the next several years depends upon this carrier."

I am sure that on all defense spending the commercial interests are bound to trickle in, and there are even some who go so far as to say that perhaps this is a way of seeding the economy, in other words, that this money spent on defense in our airplane factories, our space programs, and our military spending for the Navy, the Air Force, and the Army is the best way of giving private enterprise a shot in the arm, because it results in jobs.

But I submit that even in this area—and I do not discount this contribution to our economy—there are ways that we can benefit our economy much more. The building of a carrier at a cost of $1 billion for the ship alone, $3 billion for the planes that goes with it, and a projected 10-year cost of $10 billion, is just beyond our means at this time.

Mr. President, I yield the floor.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXCESSIVE SPENDING—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. HART) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Finance:

To the Congress of the United States:

This is an urgent appeal for the Congress to join with me to avoid higher taxes, higher prices and a cut in purchasing power for everyone in the Nation.

Just when we have succeeded in cutting the rate of inflation in half, and just when we have succeeded in making it possible for America's workers to score their largest real spendable income gains in eight years, this tangible, pocketbook progress may be wiped out by proposed excessive spending.

Specifically, Federal spending for the fiscal year 1973 (which began on July 1, 1972) already is estimated to be almost $7 billion higher than was planned in my budget.

That figure by itself is bad enough. But even more spending beyond the budget—and beyond emergency flood relief funds—appears to be on the way.

The inevitable result would be higher taxes and more income-eating inflation in the form of higher prices.

I am convinced the American people

do not want their family budgets wrecked by higher taxes and higher prices, and I will not stand by and permit such irresponsible action to undermine the clear progress we have made in getting America's workers off the inflation treadmill of the 1960's.

While specific Federal programs are important to many people and constituent groups, none is more important to all the American taxpayers than a concerted program to hold down the rate of taxes and the cost of living.

In view of this serious threat I again urge the Congress—in the economic interest of all American citizens—to enact a spending ceiling of $250 billion. I urgently recommended a spending ceiling when I submitted the fiscal 1973 budget earlier this year.

Our concern with sustaining the increasing purchasing power of all the people requires and demands such responsible action. Our concern with the cost of living requires and demands such responsible action. Our determination to avoid higher taxes requires and demands such action. The basic fiscal integrity of the Nation requires and demands such action.

At fault is the hoary and traditional procedure of the Congress, which now permits action on the various spending programs as if they were unrelated and independent actions. What we should have—and what I again seek today—is that an annual spending ceiling be set first, and that individual program allocations then be tailored to that ceiling. This is the anti-inflationary method I use in designing the Federal budget.

The present Congressional system of independent, unrelated actions on various spending programs means that the Congress arrives at total Federal spending in an accidental, haphazard manner. That is no longer good enough procedure for the American people, who now realize that their hard-won economic gains against inflation are threatened by every deficit spending bill—no matter how attractive the subject matter of that bill might be. And there are impressive gains which I am committed to help guard:

—*We have achieved a substantial success in our battle against the inflation we inherited in 1969. Instead of the more than 6 percent of 1969, we are now down to a rate of 2.9 percent per year. Inflation has been cut in half.*

—*We have cut the personal income tax so that a family of four with an income of $5,000 has had its individual income taxes reduced by 66 percent since 1969, and a family of four with an income of $10,000 has had its income tax reduced by 26 percent since that date.*

—*We have thus brought about conditions in which real, spendable weekly earnings have risen 4 percent in the last year, the largest such gain since 1964.*

If we permit unbridled increases in Federal spending to go on month after month, however, we are in real danger of losing the advantages of the tax cuts and our victories in the battle against inflation.

These are the compelling reasons which require me to ask again in the most urgent and explicit language I can frame that the Congress enact at the earliest possible opportunity a spending ceiling—without loopholes or exceptions—to force Government spending back to the $250 billion level in fiscal year 1973.

I again remind the Congress of the situation I cited last January, when I submitted the fiscal year 1973 budget:

> It will be a job-creating budget and a non-inflationary budget only if spending is limited to the amount the tax system would produce if the economy were operating at full employment.
>
> Those who increase spending beyond that amount will be responsible for causing more inflation.

Since that time, various congressional actions and inactions have heavily underscored all of the reasons I then made for speedy passage of a spending ceiling.

Such a ceiling cannot be completely effective unless the Congress enacts it as I have requested—without exceptions and without loopholes. But if the Congress fails to do this, I do not propose to sit by and silently watch individual family budgets destroyed by rising prices and rising taxes—the inevitable end to spending of this magnitude.

With or without the cooperation of the Congress, I am going to do everything within my power to prevent such a fiscal crisis for millions of our people.

Let there be no misunderstanding: If bills come to my desk calling for excessive spending which threatens the Federal budget, I will veto them.

It is now generally recognized that the national economy is in a period of vigorous expansion. The gross national product soared at an annual growth rate of 8.9 percent in the second quarter of the year—the best such increase since 1965. About 2½ million additional civilian jobs have been added in the last year.

We do not plan to reduce or restrict the very substantial fiscal stimulation we have already provided. But *further* massive Federal stimulation of the economy at this time—whatever its superficial political attractiveness—is certain to lead to the kind of inflation that even wage-price control machinery would find impossible to restrain.

In other words, the American people will have to pay, and pay quickly, for excessive Federal spending—either by higher taxes or by higher consumer prices, or both. Such an intolerable burden would shortly cause an end to the period of economic growth on which we are embarked.

There are desirable features in some of the individual bills now pending in the Congress, but to them have been attached some very excessive spending proposals.

The Federal Government cannot do everything that might be desirable. Hard choices must be made by the Congress in the national interest, just as a family must decide what it will buy with the money it has. Moreover, the experience of the past decade proved that merely throwing money at problems does not automatically or necessarily solve the problems.

I have every confidence that the American people, in this era of wide public awareness of inflation and wide public opposition to its clear causes, understand these realities about Federal spending.

I believe that all of us, the President and the Congress, have a clear duty to protect the national interest in general prosperity—and therefore to resist temptations to over-spend for desirable special programs, or to spend for partisan political advantage.

I favor and have submitted to the Congress responsible and effective programs designed to cleanse the air, to purify the water, to develop and preserve rural America, to improve education, and for many other worthy purposes. No individual and no political party has a monopoly on its concern for the people, individually and in groups. But I am required always to ask:

What is best for *all* the people? What are the hard choices that must be made so that the general welfare is secured? Of what use is it for us to pass these measures, and more, if they are going to destroy the family budget by higher prices and more taxes?

No matter what the political pressures, no matter how frequently I may be told that in an election year a President cannot veto a spending measure, I will simply not let reckless spending of this kind destroy the tax reductions we have secured and the hard-won successes we have earned in the battle against inflation. I intend to continue to do my utmost to preserve the American family budget and to protect it from the ravages of higher taxes and inflation.

The time for fiscal discipline has long since come. The threat demands bold and difficult decisions. Let the Congress make them now.

RICHARD NIXON.

THE WHITE HOUSE, *July 26, 1972.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. HART) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the Speaker has affixed his signature to the following enrolled bills:

S. 2945. An act to amend title 10 of the United States Code to permit the appointment by the President of certain additional persons in the service academies;

S. 3772. An act to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes; and

H.R. 8708. An Act to extend the authority of agency heads to draw checks in favor of

financial organizations to other classes of recurring payments, and for other purposes.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. WEICKER).

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Virginia.

Mr. SPONG. I thank the Senator from Mississippi.

Mr. President, I support the distinguished chairman of the Armed Services Committee in his continued effort to maintain our maritime supremacy. The advance funding for a nuclear-powered carrier in the report manifests this resolve.

The funds requested in the budget this year for long leadtime contracts for the Navy's fourth nuclear-powered aircraft are an advance commitment by this Congress for important naval strength extending well into the 21st century. The ship we are discussing now will join the Navy in 1980, and can be expected to act throughout the world as an impressive representative of the United States for at least the next 30 years.

It is important that we realize the time frame for this ship. In evaluating the requirement for its construction we must consider the needs of this Nation for proper forces for national defense.

Two primary truths guide our analysis of the future. These are:

First, the United States is a maritime Nation, whose economy is closely linked with overseas nations in all corners of the globe; and,

Second, the course of our progress in our foreign relationships is toward a decreased United States military presence in foreign nations and an increased reliance on foreign military forces to provide for a stable peace.

We are dependent on overseas trade to provide us with essential raw materials and to exchange agricultural products and manufactured goods. A look at the future shows an ever-increasing dependence on this worldwide trade. In energy sources alone we see our already significant overseas dependence increasing to commanding levels. We now import about 20 percent of our petroleum. As the demand for energy increases in the years ahead we can expect our overseas requirements to increase. The National Petroleum Council projects a need for importation of over 40 percent of our petroleum in the next decade. Our increasing dependence on distant Eastern Hemisphere sources is clear. Of course, petroleum is not the only essential import. We depend on overseas sources for an almost endless list of materials: asbestos, chromite, coffee, bauxite, copper, to name a few.

Our economy depends on the overseas export of agricultural products and manufactured goods.

A disruption in the extensive seaborne trade that carries these essential imports and exports would have immediate, widespread effects on this country. This is quite apparent in today's world, and is an assured fact in the 1980's world. Our ever-increasing dependence on world trade means that we cannot permit even a threat of disruption of trade routes.

As we evaluate the effectiveness of our Armed Forces to handle the situations they will meet in the future, we must make certain of their strength to resist coercion in distant, vital trade areas. We must be sure that the Armed Forces we will have will be able to resist threats to overseas trade.

The future course of our Armed Forces, and the military and naval posture we will assume, are evolving now as we give up our overseas bases and reduce the numbers of personnel stationed abroad. Increased reliance on military forces of other nations to maintain a stable peace in distant parts of the world is a proper concept. World stability is to the advantage of all peoples, and all should share in efforts to maintain it. However, our own vital interests are so closely tied to unhindered seaborne trade that we must maintain the flexible strength that may be needed to assist allies to resist distant challenges. So it is apparent that the continuing reduction in our forces stationed overseas will lead to an increased emphasis on the flexibility and responsiveness of our future Armed Forces.

These facts impact directly on the consideration of funds for this fourth nuclear-powered aircraft carrier. A look at the future requirements for Armed Forces has led to emphasis on flexibility and responsiveness. And these are the words that best describe the characteristics of aircraft carriers as we have seen them over the past years.

Aircraft carriers are uniquely capable of providing credible strength in a distant region of the world—strength that can be concentrated as needed to meet any situation. They have the important capability that they can be deployed to an area of rising tensions or potential crisis and held offshore in international waters, thus signaling our interest in the area and our ability to intervent. without actually committing us to land troops.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. SPONG. I yield.

Mr. TOWER. The Senator is suggesting, then, that the carrier is indeed an instrument of diplomacy?

Mr. SPONG. It is.

Mr. TOWER. It is one means of showing the flag without being overbearing or familiar?

Mr. SPONG. Yes. I believe carriers, and particularly nuclear carriers, have a role in the world that I perceive in the next 10 years, during which hopefully negotiations will take place and our posture will not be diminished by the credibility of our force, and, second, where we will be able to show the flag and, if you will, use our Navy as the Russians are presently using theirs.

Mr. TOWER. And is it not true that in spite of the nuclear stand-off, we can foresee possible brush fire situations in which conventional capabilities will be necessary?

Mr. SPONG. I foresee the possibility of those. I certainly hope they are not going to take place, but I see a 10-year period of pushing and shoving. It is going to be necessary that we have this carrier force for those reasons, as well as security needs.

Mr. TOWER. I thank the Senator, and I associate myself with his remarks.

Mr. SPONG. I thank the Senator very much.

Nuclear power has been shown to add an important dimension of timely responsiveness to the carrier's other characteristics. Not only can a nuclear-powered carrier be moved in international waters to the scene of an impending crisis, but it can respond with continuous high speed, unrestricted by concern for any prior establishment of logistic lines of supply. And when a nuclear-powered carrier arrives at a distant station it has a greater amount of jet fuel and other aircraft supplies than a conventional carrier since it does not have to use space in its hull to carry fuel oil.

The need for carriers for this mission will be very important in future years. They will provide us with that essential capability to resist coercion in distant areas with credible strength. The aircraft carrier whose funds are in this budget will be an important member of our future naval forces. It will serve as a stimulus to bolster our aging carrier force. Because of its nuclear power, and its capability to support all modern aircraft, it will be effective well into the 21st century.

The years ahead are fraught with uncertainties. Diplomatic moves do not negate the need for adequate defensive forces. Essential to this is a strong Navy.

If the Nation is dedicated to negotiation in an effort to assure peace in the future, both diplomacy and a strong deterrent capability are necessary to forge a feasible foreign policy. Our discussion and negotiations throughout the world will be credible only if we maintain a persuasive naval force. Our prospects for success through diplomacy will be bright only if other nations respect our capabilities.

We should not be lured into a sense of false security by apparent breakthroughs. This carrier is still a long way off. It will not be built overnight.

Certainly, its cost is great. But the risks involved in reducing our capabilities on the seas is far, far greater. I hope the funds will be approved.

Mr. STENNIS. Mr. President, I am authorized by the Senator from Ohio to yield, for him, 5 minutes to the Senator from Arkansas (Mr. FULBRIGHT).

Mr. FULBRIGHT. Mr. President, I am

pleased to join with the Senator from Ohio (Mr. SAXBE) and others in cosponsoring the amendment to delete all funds for long leadtime components for CVN-70, a nuclear-powered aircraft carrier.

The committee would provide $299 million for the CVN-70, which would eventually be a billion-dollar project. Currently the United States has 16 fully operational aircraft carriers in service. Two nuclear carriers, the *Nimitz* and the *Dwight D. Eisenhower*, are under construction, and one, the *Enterprise*, is already in service. The Soviet Union has no aircraft carriers and no sea-based fixed-wing aircraft. In fact, I know of no evidence that anybody, any nation anywhere, is planning to build any aircraft carriers. If there was ever an obsolete weapon, this certainly is one. I think one of the reasons why it is obsolete is that the policy which originally justified it is also obsolete.

I was interested in the exchange that the Senator from Texas and the Senator from Virginia just had. This aircraft carrier, it was said, is a precision instrument of diplomacy. What kind of diplomacy? The only thing I can think of that this means is that this is a continuation of the interventionist diplomacy we used to follow in the Caribbean, when we intervened in the Dominican Republic or in any of the so-called banana republics.

It was a period which did not lead to the enhancement of the prestige or influence or standing of the United States. It was a period we have disavowed, when looking back upon it, just as we have disavowed our venture into empire building at the time of the war against the Philippines and Cuba.

In other words, it is true that it is a precision instrument of diplomacy, if the diplomacy is to be directed toward the intimidation and coercion of smaller countries around the world. It is useful for that purpose, and that is the only purpose I can think of for which it is useful.

I do not think anyone believes that in an all-out war with a major country, the aircraft carrier would be very useful, because it is so vulnerable. It is vulnerable, certainly to submarine attacks. That is one reason why I think other countries have not built them and do not intend to build them.

The basic trouble with the aircraft carrier is that the original policy which justified it—sometimes called Pax Americana—is no longer, I believe, the policy or the coming policy of this country. I think we have learned our lesson—I hope we have—in Vietnam and other places.

Recently, we ventured into the Indian Ocean with great fanfare, with the carrier *Enterprise*. Most of the world and many Americans felt that it was a very foolish and shortsighted thing to do.

In any case, I believe that this type of intervention is obsolete and should not be continued. This kind of instrument—that is, this precision instrument diplomacy—the aircraft carrier, would be an incentive, would tend to induce intervention in many places where, with a little passage of time and patience, there would be no need to intervene.

This comes back to the role the United States is to play. Are we going to continue to be the policeman of the world? Are we going to continue to "keep peace" in every corner of the world with our own Armed Forces, unilaterally, or are we going to move to work with the United Nations or with other countries to try to act in a cooperative manner? I believe the latter is the coming policy and is the proper policy for this country. I think that the recent efforts of the President in going to Peking and Moscow indicate a change in the approach of the United States.

I simply do not believe that there is any justification for undertaking this new nuclear powered aircraft carrier. For many years ahead, we will have all the carriers we could need. As I have already mentioned, we have 16. Even when some of the older carriers are retired in years ahead, we will still have at least 12 carriers available for service.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I yield 2 additional minutes to the Senator.

Mr. FULBRIGHT. I am greatly troubled by this "interventionist" nature of aircraft carriers. We have the recent example, which I mentioned earlier, of the *Enterprise* being dispatched to the Indian Ocean last December. That was one of the major steps in a series of inept and unfortunate actions taken by the administration in regard to the India-Pakistan war.

Vice Adm. Jerome H. King, Deputy Chief of Naval Operations, mentioned this episode during his testimony before the Committee on Armed Services earlier this year. Admiral King said:

> In many situations, one of which occurred only recently you will recall in the Indian Ocean, our carrier air power is the only available means by which we can get tactical air power of the highest quality in a position to bear on certain situations of national interest. I refer, of course, to the movement of *Enterprise* into the Indian Ocean. We regard the carrier as vital for sea control in the high-threat areas which Admiral Zumwalt has described, and in the face of a growing Soviet worldwide deployment.
>
> I might add that one would expect that in the future the high threat areas on which we would face Soviet ships backed up by Soviet airpower may expand. There is, as you are, I am sure, aware, some growing Soviet interest in seapower that includes tactical air or at least airpower of some kind at sea in spreading areas of the world.
>
> We regard the attack carrier airpower as essential to combat this present and growing threat. To insure the credibility of our alliances, we must back it up. Our carrier force must not be allowed to stagnate and grow older with time without doing something about modernization.
>
> Finally, of course, the peacetime presence mission of the attack carriers, particularly those which are nuclear powered, is one of our most effective instruments of national power. We must back up the President's decision and be prepared to back them up at any time with effective ready forces that can move out rapidly and deploy in a timely manner.
>
> We learned a few things in the Indian Ocean deployment of *Enterprise*. Perhaps lessons learned is not the way to say that. We established again the validity of some known facts; namely, if you want to move rapidly with a force to a distant point and arrive ready for any required action, the nuclear-powered carrier is the way to do it. *Enterprise* was on her way in a very short time from her position in the South China Sea when the order was passed to move her to the Indian Ocean. She had to wait for her escorts to be fueled, but within 9 hours that had been accomplished and she moved rapidly through the straits to the position directed by the President.

I think the implications of Admiral King's remarks are all too clear, Mr. President. This is an illustration of the prevailing attitude. First, that such a matter is the President's decision. Congress is to have no part in it. No one even thought even to mention that it should be a congressional or a Government decision. It is seen as the President's decision.

With this kind of instrument at his disposal, the President could move immediately, before Congress, the press, or the public knows. We are encouraging the President to undertake such actions by giving him additional instruments of this kind. In a sense, approval of another carrier is an implicit approval of the policy of intervening in anybody's business around the world where the Executive sees fit to do so.

I believe we already have more means than we could possibly use to get ourselves involved in the affairs of other nations. Aircraft carriers are not normally used to evacuate U.S. diplomatic personnel and their wives from troubled areas.

We have maintained a large number of carriers off Vietnam, and before we approve an additional carrier, I think we should consider what the results have been of our 8 years of bombing in Southeast Asia. As retired Adm. Gene La Rocque asked in a letter to the Washington Post:

> What has been the net military effect? At what cost in men, money and aircraft? Has it strengthened or weakened the will of the North Vietnamese? Have eight years of bombing increased our national security? Will more bombing do the same?

Mr. President, other proponents of this amendment have spoken about some of the other reasons why this is such a questionable project. For example, there is the matter of vulnerability, which I mentioned briefly. The carrier is an extremely expensive sitting duck for surface, subsurface, and air-launched cruise missiles, and a variety of other forms of attack.

An article by Navy Comdr. Roy Beavers in the U.S. Naval Institute proceedings has summarized the doubts about the role of the carrier in relation to the submarine. Commander Beavers wrote:

> Principal reliance for command of the seas still evolves upon carrier air power, screened by missile-armed surface units; yet it is uncertain that our carriers will confront any significant surface or air challenge.

Commander Beavers poses the question:

> Is it going to take a war at sea to prove that the U.S. Navy's capital ship—the aircraft carrier, though defended by its costly retinue of escorts and umbrella of manned aircraft—is ill-suited to contest command of the seas against challenges emanating from the capital ship of the Soviet Navy, the attack submarine?

Mr. President, I believe the case against the CVN-70 is overwhelming. I hope the

Senate will approve the amendment to strike funds for this costly project, which is unjustified and which cannot in any way be considered an important priority for our society.

Mr. STENNIS. Mr. President, I yield 8 minutes to the Senator from **Texas**.

Mr. TOWER. Mr. President, the distinguished chairman of the Armed Services Committee has my full support in the request for advance funding for a nuclear-powered carrier.

In considering the request for advance funding of the Navy's fourth nuclear-powered aircraft carrier, the present status and the future trend of U.S. oversea presence must be examined. The policy we have proclaimed to guide our change in the structure of our oversea military establishment—the Nixon doctrine—calls for a reduction in numbers of oversea bases, outside of Europe, and an increased reliance by foreign nations on their own forces to provide for their security. We have seen the initial fruits of this policy with our withdrawal from certain oversea bases in such countries as England, Japan, the Philippines, Turkey, Spain, and Korea.

Nevertheless, the United States is an outward-looking nation. Our economy is intertwined with those of other nations of the world. We are vitally dependent on free world trade to provide raw materials and to deliver manufactured goods and agricultural products. As a recognition of this interdependence, we are members of alliances with over 40 nations of the world, thus our policy of withdrawal from oversea bases with a consequent increased reliance on the forces of other nations requires also that we have a capability to support our allies or to prevent coercion, if necessary.

Incidentally, noting what the distinguished Senator from Arkansas (Mr. FULBRIGHT) just said, he seems to imply our policy was one of intimidation of smaller countries. It is certainly not that. Quite the contrary. Our policy is to try to prevent intimidation of smaller and weaker powers by the stronger powers in the world.

It is this vital ability to concentrate strength in a distant area that must be examined to determine the adequacy of our future military forces as the Nixon doctrine is implemented. This examination reveals the urgent requirement for a Navy of adequate strength and flexibility to meet distant challenges in future years.

Our experiences in the Mediterranean serve as possible examples of the future course of events in other areas. We entered the last decade with a strong of land bases nearly surrounding this critical sea. However, during the 1960's the numbers of bases steadily decreased. In Morocco, we were forced to vacate three airbases in spite of having, in effect, paid over $800 million rent over nearly 10 years in the form of economic aid and military assistance. In France, we were asked to leave nine airbases. In 1970, we were forced to leave Wheelus Airbase in Libya, our last base along the North African coastline. Elsewhere our use of overseas bases has been restricted by host governments. News accounts of the most recent renegotiation of our base-use agreement with Spain report that we have consented to "prior consultations" before we use those airbases for actions not directly involving Spain.

Our responses to two different situations in the eastern Mediterranean show the effects of these base losses on our possible actions. In July 1958, we responded to a request for support by the Government of Lebanon. Our actions at that time provided a rapid concentration of Navy, Marine, Air Force, and Army units from the 6th Fleet, from Europe, and from the United States. The total assembled force contained the rising tensions and assured continued stability for the area. In September 1970, after our exensive Mediterranean base structure had been virtually eliminated by closures and restrictions, we were again faced with a period of rising tensions in the eastern Mediterranean. This time our response was to reinforce the Sixth Fleet with an additional aircraft carrier—at sea in the Caribbean when the situation began to build—and with amphibious units. Our response was entirely naval. President Nixon has commented:

> The Jordanian crisis of 1970 demonstrated the importance of being able to employ forces to stabilize a local situation involving great power interests.

The contrasting responses in these two situations foretell of our future requirements for Armed Forces. In 1958, with an extensive supporting base structure, we provided aid with elements of all services. In 1970, after losing this base system, we met a rising crisis with naval power. The flexibility of these naval forces, their capability to move rapidly to reinforce distant units without the prior permission of a foreign nation, their ability to remain offshore in international waters signifying our interest in local developments without committing us in advance—all of these capabilities contributed to the utility of the naval response.

This 1970 experience warns us to look to our future naval strength. The numbers of overseas bases will continue to decline, and our capability to aid our friends or to resist coercion in distant places will depend even more than ever on effective naval units, and, in particular, on the naval strength embodied in modern aircraft carriers.

The nuclear-powered aircraft carrier in this budget is vital to our naval responsiveness in future years. It will replace a wornout World War II carrier in our dwindling fleet. It will have the speed and flexibility of response so essential in the future if we are to be able to provide support for friends and allies without an extensive worldwide base structure.

It has been argued the costs are high. But we must examine what we get for the price. CVN-70 will be a mobile, thus flexible and more difficult to destroy, airbase.

At this point, Mr. President, I should like to say a word about vulnerability. Every conventional weapons system we have, including every air base, every missile silo, has some degree of vulnerability. Every ICBM has some degree of vulnerability to destruction by an antiballistic missile system.

So the argument of vulnerability should not suffice to cause us to cancel a very important and sophisticated weapons system. There is nothing in our inventory that is not, in some degree, vulnerable. Therefore, I do not regard vulnerability as a valid argument.

It will have air superiority, ASW reconnaissance, and close air support weaponry. We will not spend hundreds of millions of dollars on a fixed concrete land base only to lose it when asked to leave. We will not be stuck with fixed airfields when the situation demands flexibility the world over. We will not have a sitting duck airfield, its location known already to the Soviets for a preemptive strike. I ask my colleagues to remember the Second World War carriers that sustained hit after hit and remained afloat in action. I ask you to recall more recently the accident aboard the nuclear-powered *Enterprise* in 1969 when in spite of awesome damage to the carrier it could have been back in action in a matter of a few hours had it been necessary. The carrier is no more vulnerable to attack or nuclear weapons than the fixed base, and, in fact, because of its mobility, is significantly less vulnerable.

My colleague has argued that we do not need CVN-70, because we are already retiring four outdated carriers reducing our force level to 12. Mr. President, by 1980, when CVN-70 is scheduled to be completed, seven out of our current 16 carriers will have served beyond their useful lives. The gap must be filled. CVN-70 will do the job.

Mr. President, I am reluctant to lecture the Senate on the vital nature of sea power and the maintenance of the United States as a major world power.

Everything of bulk importance moves by sea. The sea lanes must be kept free if we are to maintain the degree of commercial intercourse with other countries that is necessary to sustain our own economy. I think it is no argument to say that the Soviets see no particular value in a carrier. It may be that the Soviets do see some value in a carrier, but because we have a strong carrier force they do not believe they could counter such a strong force as our own.

The PRESIDING OFFICER (Mr. STEVENSON). The time of the Senator from Texas has expired.

Mr. TOWER. Mr. President, under the authority of the distinguished chairman of the committee, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 minutes.

Mr. TOWER. I do not believe that we should pattern all our weapons systems or tactics or strategies after those of the Soviet Union.

I do not think that we should assume that the Soviets never make mistakes. It is conceivable that they do. I do not think we ought to assume that the Soviets will never build a carrier of the type we have under discussion today. It is possible that they may have one on the ways at this moment.

The Soviet design is to be able to disrupt ocean traffic in specific parts of the world or to dominate a specific area and not maintain the type of force necessary to keep all oceans in this world and all of the vital sea passages open to free traffic.

I urge the defeat of the amendment of the Senator from Ohio so that we may continue the modernization of our Navy and so that people like myself, who served in the Navy and are currently in a reserve status, can continue to have great pride in being a part of the greatest Navy in the world.

Mr. SAXBE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER (Mr. Stevenson). The Senator from Ohio is recognized.

Mr. SAXBE. Mr. President, I cannot help but note that throughout these speeches today it has been repeated a number of times that not one carrier was sunk during wartime and that they are not vulnerable. There is evidence to indicate that every carrier that was hit during war had to retire from its station.

Mr. TOWER. Mr. President, will the Senator yield at that point?

Mr. SAXBE. Mr. President, I yield.

Mr. TOWER. Mr. President, I do not believe that anyone contended that no carrier was sunk during a war. Certainly carriers were sunk. And certainly they have a degree of vulnerability. But it is right to maintain that it is not vulnerability alone that is concerned. Virtually every weapon in our system has a degree of vulnerability.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. SAXBE. I yield.

Mr. MONDALE. Mr. President, one point that I think is often missed in this debate is that the carrier is vulnerable and is becoming increasingly more vulnerable to air and submarine assault, particularly with modern missiles. The Russians have highly sophisticated nuclear weapons and very speedy missilery which places these carriers in very great jeopardy.

However, there is a second point. Since the carrier is vulnerable to air attack, missile attack, and submarine attack, whenever it is threatened the very serious question immediately rises as to whether it should be deployed to the position of danger. If it is not deployed to such a position, much of its tactical advantage is lost. In addition, it may have to use a tremendous percentage of its tactical wing, that is supposed to be for the purpose of offensive tactical attack, for the purpose of defense. That means that a high portion of the money we spend on a carrier is not going for the purpose of tactical striking power, but instead for the purpose of carrier self-defense.

There have been studies done based on the carrier's experience in the Korean war and World War II to show that a significant portion of the tactical power of attack carriers was absorbed in defending the carriers. And increasingly I think these considerations argue against high numbers of attack carriers.

We now have 16 such carriers, and will have 12 fully modern carriers through the mid-1980's. The CVAN-70 would make 13.

The Russians do not have a single attack carrier and, to my knowledge, they do not plan to build one. We stand alone in the world in insisting on the construction of more carriers.

It must be pointed out as well that we are not just holding our own on carriers; for each new nuclear carrier has about twice as much capability as the carrier it is replacing.

So, at a time when none of our potential adversaries have any attack carriers or plan to build any, we are actually increasing our aircraft carrier capability; and are doing so in light of growing questions about its vulnerability and its usefulness. Much of that information is to be found in some of the documents I submitted earlier.

Mr. President, I am very hopeful that the amendment offered by the Senator from Ohio will be approved.

Mr. SAXBE. Mr. President, one of the disturbing things that comes into any discussion of a weapons system, and particularly something as expensive as this, is when we try to analyze what is said on the floor and the reason for it.

I am almost of an opinion today that the decision that is going to be made on this multibillion-dollar carrier project is not going to be based on how much it will add to the military power of this country, but on other elements—the employment, the business interests, the allegiance of former Navy men to the Navy, and the idea that the Navy concept cannot be abandoned and that they have to have it.

It is very disturbing. And I think that if nothing else ought to be said here, we should call to the attention of the country the fact that this is a questionable expenditure.

AIRCRAFT CARRIER VULNERABILITY

In the period since World War II, carriers have seen extensive combat in Korea and Vietnam. They have also been used on numerous occasions to "show the flag," provide air cover for evacuation of U.S. civilians, and the like. In none of these situations have the carriers been attacked by enemy submarines, aircraft, or surface ships. Although our experience has been in more limited wars, U.S. defense planning continues to be dominated, and rightfully so, by large-scale conventional wars in which the Soviet Union is heavily involved. It is, therefore, crucial that we evaluate the vulnerability of aircraft carriers in such wars, both in absolute terms and relative to land-based tactical aircraft which perform many of the same missions.

Perhaps the most important disadvantage of the aircraft carrier is its greater vulnerability to air and submarine attack than the land-based air wing. On the one hand, we have learned, in recent years, how to build aircraft shelters, how to protect fuel and maintenance facilities, and how to repair runways rapidly so that losses of aircraft on the ground to air attack using conventional weapons can be reduced to very low levels and disruption of operations can be minimized.

On the other hand, technology and other developments have made the aircraft carriers more, rather than less, vulnerable. First, the development by the Soviet Union of large air-to-surface missiles with conventional warheads and terminal guidance has made it possible to launch the equivalent of World War II kamikaze attacks without sacrificing pilots and aircraft.

RECONNAISSANCE DEVELOPMENT

Second, the development of satellite and long-range aircraft reconnaissance has radically reduced the ability of naval task forces to hide in the broad expanses of the oceans. Further, because the carriers will generally be involved in strikes against land targets, they will have to remain in the same general area for long periods of time to have much effect.

Third, these developments, as well as more sensitive submarine sonars and higher speed submarines, make it much easier for submarines to find and attack the carriers. Finally, both antiair and antisubmarine defense, while they can exact high attrition over a long period of time, remain so unreliable in any particular engagement that they cannot guarantee that no more than a few attackers will penetrate.

As a result of these developments, a strong case can be made that the carriers could not remain on station in any situation where the Soviets could concentrate their land-based aircraft or their submarines against them.

Although it is difficult to sink an aircraft carrier—and no modern carrier—*Essex* class or later—was sunk in World War II—it is much easier to damage it enough that flight operations are impossible and to force it to return to port for an extended period of time for repairs. Particularly in the context of current planning for a conventional war with the Soviets lasting not much longer than 90 days, forcing the carrier out of action for 3 months or more is almost as good, from the enemy's point of view, as sinking it.

Mr. President, I have before me a summary showing the results of kamikaze attacks on U.S. carriers—CV's—in World War II, which I ask unanimous consent to have printed in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

RESULTS OF WORLD WAR II KAMIKAZE ATTACKS ON AIRCRAFT CARRIERS

Number of hits	Number of cases	Number forced to return to port
All aircraft carriers:		
1	10	6
2 or more	4	4
"Essex" class or later:		
1	8	5
2 or more	3	3

Source: Samuel E. Morison, History of the United States Naval Operations in World War Two, Little, Brown & Co., Boston, Mass., 1958–62, vols. 12 to 15, passim.

Mr. SAXBE. Mr. President, we can see that 60 percent of those taking one hit by a kamikaze, and all those taking more than one hit, were forced to return to port for repairs and that the improved damage control features of the *Essex* class and later carriers did not improve these figures.

Based on this evidence and making ample allowance for improvements in damage control since World War II, it appears that four or five hits by Soviet air-to-surface missiles would be enough to force a carrier to retire. Similarly, four or five hits on the carrier's screws by submarine-launched acoustic homing torpedoes can reasonably be expected to cause enough loss of propulsion power to make normal flight operations impossible and to reduce greatly the carrier's ability to avoid further damage.

Because there would only be a small number of carriers deployed, perhaps 10 or 12, and because only a few hits on each, whether by air-to-surface missiles or torpedoes, are needed to force it to retire, it seems unlikely that the carriers could be successfully defended against a concentrated attack by sophisticated land-based aircraft or submarines, regardless of foreseeable technological advances and regardless of the funds, within reasonable limits, devoted to defenses.

No feasible defense will be able to prevent four or five air-to-surface missiles or torpedoes from getting through and hitting the carrier. In fact, both air defenses and antisubmarine defenses typically have a low probability of success on any given engagement, so that, if the enemy needs only a few successful penetrations to accomplish his objective, he will be able to do so.

Some purely illustrative calculations using a simplified model will elucidate the structure of the problem. Suppose the Soviets are willing to lose 25 bombers, each capable of carrying one air-to-surface missile, and perhaps their fighter escorts, to disable a carrier. This is not unreasonable since the Soviets have some 300 air-to-surface missile-capable bombers in their naval aviation force. We assume the air-to-surface missiles have 80-percent reliability and, optimistically, that our fighter defense would have a 40-percent chance of shooting down a given bomber in a single engagement, that all of the bomber losses occur prior to air-to-surface missile launch, and that our surface-to-air missile systems have an 80-percent probability of shooting down an incoming air-to-surface missile.

ELECTRONIC DEVICES

With these assumptions, the bombers would get six hits on the carrier, more than enough to force it to retire. If we are less optimistic and assume that the fighters have a 20-percent kill probability and the missile defenses a 60-percent kill probability, then the expected number of hits would be 32, and a much smaller bomber force would be enough. Thus, even with optimistic assumptions, the carrier cannot be successfully defended against air attack. If the performance of defensive systems does not reach these high expectations, then the level of damage increases rapidly.

Mr. STENNIS. Mr. President, I think there is time to spare for everyone who might wish to speak. I hope we can move forward on this matter and perhaps reach a vote a little earlier this afternoon. If we use all the time now, the vote would not come until about 3 o'clock.

Mr. SAXBE. I do not think we shall need all the time we have.

Mr. STENNIS. I just mention that.

Mr. President, I yield to the Senator from Arizona for 10 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. GOLDWATER. Mr. President, I thank the chairman for yielding.

Mr. President, I rise in opposition to this amendment, although I have to say with all candor and honesty and I have been inclined more against the carrier than for it. But I think in view of the world situation today and the world situation we can see in the coming few years that a carrier force is going to be needed although I think the day is at hand when we can see the end of the carrier as a viable, needed instrument of weaponry.

Mr. President, one of the reasons I have come to this conclusion is the fact that the Navy has spelled out very clearly that the force of carriers is going to be at 12, and the fact we want to build this additional carrier does not mean we are going to wind up with 15, 16, or 18 more. I think we need 12 at the present time because we need at least two carriers in the Atlantic, we need at least two carriers in the Pacific at all times, for the foreseeable future we will need at least one, and possibly two in the Mediterranean, and then we always have the problem of some ships being tied up for alternation, modernization, and so forth.

Mr. President, in arriving at my decision in support of the carrier I tried to answer questions that are, of course, impossible to answer. But in looking at the world today, where could possible trouble spots arise?

Mr. President, even if the war in Southeast Asia ends tomorrow I do not think we can erase that as a trouble spot for years and years to come. I think the Red Chinese are determined to take over Southeast Asia and eventually Asia. This does not mean we are going to get into the act, but in looking over the 57-odd treaties we have around the world, most of them are with countries that could not support large land armies or even large land-based aircraft, so until we can get some understanding around the world I think this force of 12 carriers is certainly going to be needed because of the possibility of wars where we are not going to be able to fight them in a conventional way.

The carrier has been very valuable in the China Sea. I have been on two of them. I watched what they have done.

I heard argument on the floor that the carrier is not a strategic weapon, that it is a tactical weapon. Basically, that is true, but not exactly true in the Southeast Asia war. In this war, carrier-based planes are being used for strategic purposes in that they are daily attacking targets of supply, including pipelines, railroads, highways, bridges, and other targets that would be of value to the North Vietnamese.

So they are operating more as a strategic force than as a tactical force. We have the majority of our carriers now in the far Pacific.

Not long ago during hearings before the Committee on Armed Services I asked the commanding chief of the Navy, "What would happen in the Mediterranean if we were faced with a sudden decision by the Soviets to attack us? Would we survive?" He made this statement—and I am paraphrasing; I do not have the exact words—"We could not survive without augmentation." I asked, "What is augmentation?" He said, "Carriers." Then he added that at that time the closest carrier was a carrier in drydock down in Virginia; the rest of the carriers were on their way to the Southeast Asia theater.

The Mediterranean itself, as far as the need for carriers is concerned, is a spot where we either have carriers or we give up the Mediterranean. I say that because we very foolishly, in the course of history, have given up our friendship with countries around the perimeter of the Mediterranean whose land and whose air bases we could have used for land-based aircraft that could have augmented and supplemented the might of the carrier, until today the entire air effort on the southern flank of NATO, with the exception of Turkish and Greece based American aircraft—if they would still allow us to have them—will have to be carried by aircraft carriers.

The argument is made that these ships are very vulnerable, and as an Air Force man I have to agree that they are. I have serious doubts about their survivability if the Russians have the same type of weapons that we have. But they have some advantages that we are prone to overlook. In their defense, they have great mobility and they have great speed. They have speed faster than any Soviet submarine known at the present time. In fact, we might say that this speed is somewhat of a handicap.

I was in Subic Bay last January when the *Enterprise* reported through the Straits of Malacca into the Indian Ocean, and the entire fleet of accompanying ships had to speed up full draft, and then they could not keep up with the carrier, and this carrier had to reduce its speed.

In fact, I hope we never build a ship in the United States that is not nuclear powered. I do not care whether it has cargo purposes, attack purposes, defense purposes, or submersible purposes. I do not care what its purpose is. I think we ought to say goodby to the oil burner and get along with nuclear propulsion, which we should have done long ago.

The capability of the aircraft carrier has always been one of its great defenses. If anyone is familiar with the pictures, or actually familiar with the maneuvers in the Pacific in World War II, one can recall the wakes of the ships as they moved to avoid attacks made by the Japanese, even the kamikaze, and it added tremendously to the winning of the war in that area.

They are, of course, susceptible to air attack, as is any air base, whether it is on the land or sea, but they do have aircraft to fight back and they have surface-to-air missiles now that are extremely good. And when we bring the Phoenix missile system into operation on the F–14, or whatever aircraft it winds up on, we will have a very, very fine, highly sophisticated air missile system that will give protection to the carriers.

We have a greatly improved antisubmarine capability. We have an ability that we cannot discuss of knowing where the enemy submarines are. We have the ability of detecting them from the air that we did not have in prior years. And while we cannot erase submarines as a threat to the carrier, nevertheless, it is a greatly diminished threat.

We have developed electronics to a highly sophisticated point, and we are still developing and improving them, to the point where we can use electronics as countermeasures in telling us where the submarine is, the speed at which it is traveling, and so forth.

There is a lot of talk about how much this carrier is going to cost. I realize it is money, and a lot of money—over $1 billion. I recall that the first of our big carriers cost around $300 million. This is over $1 billion. We hear talk about $30 billion over the lifetime of the carrier. I do not know just where these figures come from. We cannot find them substantiated by experience or in the Navy's testimony.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. Mr. President, I yield 2 additional minutes to the Senator from Arizona.

Mr. GOLDWATER. The nuclear carrier does not require the accompanying vessels that an oil burning carrier does. It does not have to be refueled. It does have to be occasionally refueled with aviation gasoline and oil, and it has to take on board supplies, most of which are flown to the deck of the carrier.

I am not going to be able to vote for a carrier forever and ever and ever, but I think the state of our Navy being what it is today requires additional muscle. Frankly, our Navy is in as bad shape now as it was in the late 1930's. We knocked 300 ships out of the line last year. Another 300 are coming out of the line this year. We are a Navy that, in quality, is second to the Soviets; in numbers is becoming second to the Soviets.

I repeat my opening remarks. In the wars that I see possible, which I pray never will happen, I think the carrier is going to be a needed instrument. A war against the Soviets or Red China or any large land mass, of course, would negate that, but I do not see any possibilities of that coming in the future, and I pray that the efforts of our President, with President Nixon's travels around the world, and his efforts to bring about a basis by which we can talk instead of fight, will give us the means of getting peace throughout the world.

Mr. President, I am going to vote for the carrier. I hope it is the last time that I will be asked to vote for it.

Mr. STENNIS. Mr. President, I thank the Senator from Arizona.

I am glad to yield 5 minutes to the Senator from Virginia (Mr. HARRY F. BYRD, JR.).

Mr. HARRY F. BYRD, JR. Mr. President, I support the position of the chairman of the Armed Services Committee and the position of the committee in regard to the need for another nuclear aircraft carrier. The committee, while not unanimous, voted 12 to 3 in favor of this proposal.

The CVN–70 will represent only the fourth nuclear aircraft carrier in the U.S. Navy. It seems to me, Mr. President, if we are going to have a Navy, it is very important that it be a modern Navy. I submit that we cannot have a modern Navy without a reasonable number of nuclear vessels and a reasonable number of nuclear aircraft carriers. We have only one in service today, the *Enterprise*. The *Nimitz* and the *Eisenhower* are under construction. The CVN–70 would be No. 4.

The United States cannot escape its position of responsibility in this imperfect world. I do not favor a policy of intervention, certainly not a policy of unilateral intervention, but I believe in looking at the world as it is, not as we might wish it to be. In the world as it is, the aircraft carrier is an important instrument of national policy.

The existence of the 6th Fleet in the Mediterranean is, I think, a stabilizing influence on what is perhaps the most strategic area in the world. Certainly, it is a very explosive area.

In my judgment, it would be a lot less stable than it is today were it not for the existence of the 6th Fleet. And the 6th Fleet, of course, is built around aircraft carriers.

The aircraft carrier is the principal tactical weapons system through which the Navy carries out its missions of insuring the free use of sealanes and delivering strategic nuclear power ashore. I believe very strongly that we must have a strong Navy, and the aircraft carrier is a vital part of such a Navy.

When we analyze the carriers which we now have, and when we take into consideration that the CVN–70 will not be available for use before 1980, we can better visualize, I think, the importance of approving, at this session of Congress, the long leadtime items for this new carrier.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. STENNIS. I yield the Senator 3 additional minutes.

Mr. HARRY F. BYRD, JR. When the CVN–70 becomes operational, most of the carriers now in use will be more than 20 years of age. As a matter of fact, the *Enterprise*, which is the only nuclear carrier we now have, will be 20 years of age itself at the time the CVN–70 becomes operational.

Mr. President, the Senate committee responsible for considering in detail the need for a new carrier is almost, though not entirely, unanimous in the belief that another carrier is needed and is justified. I subscribe to that view. I hope the Senate will approve the long leadtime items, totaling $299 million, which are in this military procurement authorization bill, so that the work can be begun on the CVN–70, which, as I have noted before, even under those conditions will not be available for operation until 1980.

Mr. STENNIS. Mr. President, I thank the Senator from Virginia for his contribution to the debate, and I am glad to yield now to the Senator from Maine such time as she may require.

Mrs. SMITH. I thank the Senator.

Mr. President, I oppose this amendment because I think it would impair our national security and would be false economy to delete the nuclear aircraft carrier from the bill.

I have withheld final judgment on this issue for some time because I did not feel that the Secretary of Defense and the chairman of the Joint Chiefs of Staff had been sufficiently definitive and positive on the future plans of the aircraft carriers.

Finally, this year they have shed what I have considered to be vague and nebulous ambivalence in the past on future plans. They now say without equivocation or qualification that this proposed carrier is desperately vital to our future national security. I believe them. I do so because of the following reasons:

First, whether most of us will admit it or not, the Vietnam experience has driven the American people more and more toward a new isolationism—and a part of the result of that isolationism is the rapid decrease in our overseas land bases and our pull-back to a neo-fortress-American policy. This leaves us no choice but to rely on the aircraft carriers as our floating, highly mobile bases that we can project and withdraw at will according to our defense needs and not leave us at the mercy of some foreign country telling us to close our land bases and get out as France did so abruptly and recently.

Second, we need the aircraft carriers to keep the sealanes open. Very frankly we cannot rely completely on the submarines and the surface ships to do this.

Third, of course, this proposed carrier is expensive. But there simply are not any basement bargains in national security. Money saved from false economy means nothing if a nation is so weakened in its national defense that it can be, and is, taken over by an enemy because of the economizing on national defense.

Fourth, we need the submarines but they are no substitute for the carrier. Do not underestimate the psychological importance of the visibility of the carrier in the Mediterranean, the Pacific, the Atlantic, or the Indian Ocean as a stabilizing deterrent to aggression.

Fifth, nor is the proposed sea control ship a complete substitute for the carrier. Its top speed is limited. Its role is limited to low threat situations. Its offensive and defensive capabilities are much less. It is supplementary, not an alternative, to the carrier.

For these reasons, I urge the defeat of this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, and that what time is used be charged equally to both sides.

Mr. SAXBE. That is agreeable.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, after a conference, the Senator from Ohio and I find that not much more time is needed, and we have agreed that we will ask unanimous consent that the vote on this amendment occur at 2:15 p.m. and that the time between then and now be equally divided between the proponent of the amendment and the manager of the bill.

The PRESIDING OFFICER (Mr. CHILES). Is there objection? The Chair hears none, and it is so ordered.

Mr. SAXBE. Mr. President, I yield 10 minutes to the Senator from Illinois.

Mr. STEVENSON. I thank the Senator from Ohio for yielding.

Mr. President, the $299 million the Navy is asking for this year for CVN–70 is only the downpayment on the most expensive ship in the world—a billion-dollar carrier. Eight years from now, when this ship is launched, I am certain it will have cost well over a billion dollars. For this staggering investment, we will have purchased just one ship. That $1 billion cost does not include the additional cost, perhaps as high as $2 billion, for its complement of aircraft and supporting ships.

Before Congress can sensibly accept the Navy's arguments in behalf of this carrier, it must also accept the Navy's perception of its military role in the world. The Navy perceives for itself four necessary naval capabilities. Such capabilities ought to be based on a realistic appraisal of the American military role, the American strategy and policy, in the world. But we have no clearly perceived strategy in the world. The Navy's capabilities are instead based on ancient habits and old, discredited policies.

The Navy assumes four necessary capabilities: "assured second strike," "control of sea lanes and areas," "projection of power ashore," and "overseas presence."

There can be no doubt about the first capability. We must have a capable nuclear deterrent. But the carrier has nothing to do with deterrence. It contributes almost nothing to our nuclear defense.

We are told by the Navy that it is "consonant" with the Nixon doctrine to "project power ashore" from the sea. That is the second capability. But I question whether that really is the meaning of the Nixon doctrine—that American forces must be stationed around the globe on carriers for fighter and bomber missions. Are we going to be in brush fire wars everywhere; prepared to put them out at all times and in all places in the world? I doubt that. I doubt that even if this were a necessary capability, the carrier would be an effective means of implementing it. Half of our entire carrier force off Vietnam could not prevent a massive invasion from the north.

It is said, also, that this billion-dollar carrier is needed for another essential naval capability—"overseas presence," deploying force worldwide and showing our flag. That assumption, too, should be tested against the changing realities of the 1970's and 1980's. I believe gunboat diplomacy is a thing of the past. We last tried it in the Bay of Bengal during the India-Pakistani conflict, and we accomplished three things—we prolonged the war, we angered the Indians without benefiting the Pakistanis, and we made ourselves look, in President Nixon's words, like a "pitiful, helpless giant." By showing the flag, we accomplished nothing more certainly than our own humiliation. This kind of gunboat diplomacy is, at best, obsolete; and even if it were not, it is a capability which could be fulfilled with other and less expensive vessels.

Last; it is said that the billion-dollar carrier is required to "control the seas." But must we control the sea lanes to every corner of the world? Is it necessary? It is even possible in an age of nuclear submarines, guided missiles, and nuclear weapons. It is said that we must be able to control the sea lanes in order to import oil. At the same time, we are proposing eventually to import Russian oil in Russian ships. And in the case of oil imports would not any enemy cut foreign oil production at its source?

This carrier's missions simply do not make sense. They are based on 19th century naval capabilities which have little or no relation to the political and military realities of the late 20th century. It is instead, I fear, a monument to interservice politics and rivalry; and, as many naval men are quick to concede privately, it is little more than a multi-billion dollar status symbol for naval men who belong to a different era.

Even if this billion dollars should be spent on the Navy, it should not be spent on another nuclear carrier. We have a dozen carriers already which have many years of life remaining.

We expect to build an entire fleet of "sea control carriers" which will be able to perform all the missions of this carrier. For what we are paying for this carrier, we could get nine "sea control carriers."

By buying one huge platform, we compound the vulnerability of the carrier by giving an enemy one target to aim at. Carriers are vulnerable. Thirty-eight percent of carriers hit once during action in World War II were forced out of action. Seventy-five percent of carriers hit twice were forced out of action. The average time these crippled carriers were out of action was over 2 months.

Carriers are vulnerable to nuclear submarine attack. Repeatedly in naval exercises, including exercises with allied forces, submarines have been able to penetrate carrier defenses undetected.

The carrier is a sitting duck for the nuclear submarine. It is also vulnerable to attack by surface-to-surface missiles; and, as Senator GOLDWATER conceded a moment ago, it is vulnerable to attack from the air. Its vulnerability will continue to increase as technology continues to increase the effectiveness of offensive weapons without compensating improvements in defensive weapons.

It has been said in the course of this debate that all ships are vulnerable to submarine attack. That is true. But nine ships are harder to attack and to knock out than one. Nine smaller ships, at the same price of the CVN–70, could provide more flexibility and more firepower, with far more safety against attack.

Mr. SAXBE. Mr. President, will the Senator yield so that we can ask for the yeas and nays at this time?

Mr. STEVENSON. I yield.

Mr. SAXBE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. STEVENSON. Its cost is greatly augmented because it is nuclear. Why? It must be provisioned regularly with food, fuel for its planes, and ammunition. Why not with oil for its engines? Its newly acquired antisub role could be performed less expensively by existing land-based planes and new, less expensive multi-purpose vessels, including sea-based planes and helicopters. Its sea control mission could be performed less expensively by destroyers, patrol frigates, and other less expensive surface vessels—if sea control against the most modern nuclear submarines is possible by any means. Its shore support mission might be performed by surface-to-surface missiles launched from less expensive naval platforms or by planes launched from existing carriers or additional less expensive carriers. Why must we place so many of our eggs in this one most fragile and expensive basket? It is vulnerable to destruction and heavy damage from attack by airborne missiles. The Navy's own exercises demonstrate that it is vulnerable to attack from the nuclear submarine. The Navy has better ways of spending this billion dollars.

Mr. President, I could go on at some length but time is running out. Let me conclude by saying that each new arms program, including this carrier, brings a response from the other side, leaving us by and large in the same relative position military, but a little closer to the flash point, and always poorer economically. If we do not pass this amendment, the billion dollars for the carrier will be lost forever. That money will never be available for public safety, pollution control, or education here at home.

Nor will the billion dollars for this carrier ever be available for development and humanitarian assistance in the rest of the world. All this carrier will ever contribute to the world is "showing the flag" or "protection of power ashore." We have better things to do with our money than to build a fourth nuclear carrier.

Mr. TOWER. Mr. President, I send to the desk an amendment to the one under consideration and ask that it be printed.

I also ask unanimous consent that the name of the Senator from South Carolina (Mr. HOLLINGS) be added as a cosponsor of my amendment.

The PRESIDING OFFICER. Without objection, the amendment will be received and will be printed; and, without objection, the Senator from South Carolina will be listed as a cosponsor of the Senator's amendment.

Mr. STENNIS. Mr. President, I yield myself 8 minutes, or so much thereof as I may use.

I am not going to detain the Senate but a few minutes. We have already agreed to vote at 2:15 p.m. today. I want to refer to the fact that I stated this morning since the Department of Defense's firm decision to set the carrier force in the 1980's at 12, that this has cleared up the situation considerably. It is a firm figure. We know where we are. The debates on this subject for the past several years have demonstrated that there should be a firm clearing up of the situation. It is a strengthening. It makes it much easier to vote for this carrier with confidence.

We all assert that we must have a carrier fleet. Most of us agree that it should be modern. That means nuclear power and, thus, increased range and time saving and all the other things that go with it.

So I want to say to those who have opposed the carrier, who are now suggesting a reduction, as well as to those who have opposed the idea of a modern fleet, that I think this is a fine illustration of what debate, planning, and replanning can do. The result is strength.

As I said this morning—and I go now to what I think are some of the most important and knowledgeable responsible sources on many of these matters—I conferred yesterday with Admiral Zumwalt. I hold in my hand a letter dated yesterday from him. I asked him to summarize some of the advice he had given me.

Let me read one paragraph from it:

> My strongest initiatives over the past few years have been aimed at the development of small, low-cost systems. It is precisely the umbrella of our more capable, more sophisticated forces such as the CVN-70 that make it possible for us to recommend a mix, including these low-cost systems.

Mr. President, I said this morning that there are many other ships and ship systems in the bill because we are having to strengthen our Navy in a variety of ways. There is no doubt about the correctness of what Admiral Zumwalt said in that paragraph, when he said it serves as an umbrella—the carrier does—protecting the other necessary ships we have in order to make for a balanced Navy.

The Senator from Rhode Island made a telling point this morning, with reference to nuclear-powered carriers, when he vividly portrayed the need for two in the Pacific and two in the Atlantic, to be the leaders, so to speak, in modernity and everything else, for the two carrier fleets, one to the west and one to the east.

This will be the fourth nuclear-powered carrier that will give just that leadership. It will be the fourth part of the umbrella to which I have referred.

I had a conference yesterday, frankly, to review and bring out again in his own vivid way, the recommendations of Admiral Rickover. I read a few of his remarks this morning.

Mr. President, I now ask unanimous consent, in view of the pressure of time, to have printed in the RECORD additional remarks and paragraphs from Admiral Rickover as well as the remainder of the letter from Admiral Zumwalt.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHIEF OF NAVAL OPERATIONS,
July 25, 1972.

Hon. JOHN C. STENNIS,
Chairman, Committee on Armed Services,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: I wanted to provide you with our latest views on the nuclear aircraft carrier (CVN-70) at this critical time in the Senate's consideration of the ship. As I have stated previously, I consider CVN-70 the highest priority program in the Navy budget. While we are moving out imaginatively on many fronts with new technology—from satellites to lasers—to develop more effective and less expensive ways of accomplishing the vital missions of the Navy, all our work shows clearly that the aircraft carrier will remain the fundamental element of naval forces for the foreseeable future—without which no strategy is viable and no other forces will be effective.

As you know, in recent years our carrier force has experienced the most severe reduction of any major U.S. weapon system, declining from 23 at end FY-68 to 16 at the end of the current fiscal year. Included in the current force of 16 are 7 carriers built during World War II which are of limited combat effectiveness even now, and are near the end of their service life. Our sense of great urgency regarding CVN-70 derives from the fact that this ship has now been delayed three years past its planned start date, and with approval of advanced funding now it will still not join the fleet until FY 1981! By that time, our carrier force level will have dropped to about 12, half that of a few years ago. One of those 12 will be USS MIDWAY, in her 35th year of service, and well beyond any possibility of significant extension. Thus, I would emphasize that CVN-70 represents an absolute minimum replacement effort, already overdue, in a force level that is declining at a dangerous rate, is seriously low now, and is projected to continue dropping. In fact, due to the 8-year construction period, funding of CVN-70 now is essential even for maintenance of carrier force levels below 12 in the 1980s.

Our past experience, our fleet exercises, and our analyses, all show the carrier to be the most basic building block of this country's naval forces for the future. As a maritime nation, leader of the Free World's oceanic coalition, we must have control of the seas to survive.

While a navy oriented strongly to submarines, as is the Soviet Navy, can be effective in denying sea control to others, it cannot exercise this control—as this country must. The carrier force, and CVN-70, are essential both to gaining control of the seas and to projection of forces from the seas. CVN-70 will be vital in major wars, such as a NATO conflict with the Warsaw Pact, and in peripheral wars and confrontations. In fact, in the face of our forced reduction in carrier force level to 12, CVN-70 becomes even more crucial as the linch-pin of our rapid-reaction nuclear carrier task forces. With CVN-70, we will have two nuclear carriers in a ready status on each coast. These fast, powerful, high-endurance ships will offset to a considerable degree our reduced force level, allowing rapid reinforcement of deployed forces in crisis, and serving as a deterrent to escalation through early arrival on the scene of a confrontation. The Jordanian crisis of 1970 was a classic example of the utility of carriers—often the only U.S. forces that can reach the scene in time to prevent outbreak of violence. As this country gradually reduces its overseas forces, carriers provide the flexibility and mobility that allow employment of tactical airpower wherever needed, world-wide.

As you know, my strongest initiatives over the past few years have been aimed at development of small, low-cost systems. Yet it is precisely the umbrella of our more capable, more sophisticated forces, such as CVN-70, that make it possible for us to recommend a mix including these low-cost systems.

While it is fashionable to regard the carrier as being vulnerable to cruise missile and torpedo attack, this is true only in a relative sense. In most forseeable types of confrontation or conflict, the threat to the carrier will be non-existent or minimal. Even in a full-scale war at sea with the Soviet Union, a carrier task force is harder to find, tougher to attack, and more difficult to damage, than almost any other military force. Charged with the responsibility for carriers, I am completely confident of their survivability or I would not recommend them. If our carriers cannot survive, no other U.S. military force is viable.

Finally, as regards cost, I would like to reemphasize that CVN-70 is, in all particulars, essentially the same ship as USS *Nimitz* (CVN-68) and USS *Eisenhower* (CVN-69). The increased cost of CVN-70 over its sister ships is almost entirely attributable to the escalation which has been common to all U.S. industry, and has been most significant in shipbuilding. All possible actions have been taken, and will continue, to acquire the essential capability of CVN-70 at minimum cost.

Warmest regards,

E. R. ZUMWALT, Jr.,
Admiral, U.S. Navy.

DEPARTMENT OF THE NAVY,
Washington, D.C., July 25, 1972.

Hon. JOHN C. STENNIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR STENNIS: Your letter of July 25, 1972 requested my current thoughts as to why we should proceed immediately with the CVN 70 and TRIDENT program requested by the Administration and the Secretary of Defense in the FY 1973 budget now before Congress.

I have attached two point papers which reflect my current views on these programs. I hope they are responsive to your needs.

I would be pleased to respond to any other specific questions you may have.

Respectfully,

H. G. RICKOVER.

JULY 25, 1972.

STATEMENT OF ADMIRAL RICKOVER

NEED FOR THE NUCLEAR CARRIER CVN 70

A primary mission of our Navy is to insure that our first line naval striking forces can carry out their mission against the threats the Soviets are presently developing.

Our major surface warships must have this capability, or we may end up without a credible deterrent to Communist encroachments which do not warrant escalation to a nuclear war. The all-nuclear carrier task force with nuclear powered carriers as the heart of the task force, has the best chance of countering the nonnuclear naval threat the Soviets are developing.

For the foreseeable future the aircraft carrier will be the principal offensive striking arm of the Navy in a nonnuclear war. No other weapon system under development can replace the long-range, sustained, concentrated firepower of the carrier air wing. Torpedo-firing nuclear submarines, cruise missile-firing nuclear submarines, nuclear frigates and antiair and antisubmarine capabilities, all are needed to supplement and augment the capabilities of the nuclear carrier. But it is the carrier which provides the offensive punch.

It is widely understood that American nuclear superiority over the past 25 years has deterred nuclear war; it is not as widely understood that our naval superiority over this period has deterred lesser wars. If we do not maintain the capabiilty to operate our first-line naval striking forces in all areas required by our national interests, we will have given up the ability to carry out sustained military operations away from our shores, not only by the Navy but by the other services as well. The nuclear powered aircraft carrier CVN 70 is essential to this capability.

The number of U.S. overseas land airbases is declining. We had 105 in 1957. We have less than 50 now, 14 of which are in Vietnam and Thailand. 8 more are in Turkey, Spain, Japan, the Philippines, and Okinawa where political forces are already trying to throw us out, leaving only 28. Sea-based tactical aircraft are required when land bases are not available or do not have the capacity to meet the required tactical needs. The aircraft carriers can provide this sea-based tactical air power.

The only reliable long range weapon system our surface ships have is carrier based aircraft. As new aircraft and aircraft weapons are developed they can be added to a carrier air wing.

Our carriers are vulnerable to attack by Soviet cruise missiles—as are all surface ships and land installations within range. However, the best defense our surface ships have against such missiles is carrier based aircraft. Without the carriers and the aircraft they carry, all other surface warships, replenishment ships, and amphibious forces, will be more vulnerable. The nuclear carrier task force, with the advantage of nuclear propulsion to permit unlimited operation at high speed is the most powerful, least vulnerable surface ship force in the history of naval warfare.

If an opponent is successful in developing weapons that can sink large numbers of our carriers and we are not successful in developing adequate counterweapons—or if we simply do not build sufficient modern carriers to protect our sealanes—the United States will have to change its national objectives to be consistent with the inability to conduct overseas military operations.

The CVN 70 is needed to replace an aging World War II design carrier which cannot cope with the Soviet threat of the 1980s and beyond. The CVN 70 will be able to operate the most advanced models of tactical aircraft. She will increase the number of nuclear powered carriers in the fleet by one-third. She will be operating with the fleet well into the 21st century.

Older carriers have no growth potential left. Even with the extensive modernization accomplished in each class, deficiencies remain in relation to carrier requirements for the 1980s.

If the Navy retires carriers at 30 years of age—the current Navy estimate of useful life of a carrier—we will have a carrier force of 11 to 12 carriers through 1985 with no new carrier construction. Funding CVN 70 now will allow a force of 12 to 13 carriers between 1980 and 1985. The range in force estimates depends on the age when the *Midway* is retired.

It is not clear how long the *Midway* can be retained in service, as no carrier has ever been extended in operation beyond 29 years. She underwent an extensive modernization beyond 1966 and 1970. When the CVN 70 joins the fleet in 1981, the *Midway* will be 36 years old.

Attack carriers are being operated harder than any surface ships in naval history. As the number of carriers is reduced, the requirements placed on each carrier is increased. No carrier to date has been in service more than 29 years. The carriers in the fleet today were designed to specifications which assumed a 20 year ship life. Therefore the assumption that all of our present carriers can provide 30 years or more of reliable operation is questionable.

The reasons for building the CVN 70 *now* are the acute need for force modernization and the fact that while carrier force levels have decreased sharply, the world-wide tactical air strike requirements have not. In addition, for the first time in the quarter century since World War II the United States is faced with a naval threat challenging our ability to maintain free use of the seas. The mobility and sustained fire power available only in a nuclear carrier is required to counter this threat.

With the CVN 70, the number of carriers less than 30 years old in 1981 will be half the number the Navy had in operation in 1966. The declining number of overseas bases coupled with the decline in the number of carriers requires each carrier in the active force to be the most capable, least vulnerable ship it is possible to build—a CVN.

Mr. STENNIS. Mr. President, I revert now to where I started. Someone referred to what kind of diplomacy does the carrier carry in peacetime. May I suggest that it is a silent diplomacy. The carriers speak loudly by just silently finding their way around all over the sea lanes of the world carrying our flag. It is also a preparedness diplomacy which has been proved over and over again.

I frankly worried about this matter of getting a carrier fleet to a definite size. We planned for it and talked about how many ships would be necessary to do what and how many modern ships we would have. I am very happy to see this one now in the bill and I hope it stays there because I think this is the minimum number of nuclear-powered carriers with all the modernity of equipment and facilities and everything that goes with it. This is the minimum number that we should settle for, for the time being. I hope that "for the time being" means it will prove to be several years.

So I urge my colleagues to vote against the pending amendment.

I yield the floor.

Mr. SAXBE. Mr. President, I believe for me to make my concluding remarks it would be necessary for the Senator from Mississippi to yield me some time.

Mr. STENNIS. Yes. I yield the Senator whatever time I have remaining.

Mr. SAXBE. As I recall, the vote is set in 5 minutes and I certainly intend to conclude my remarks by that time.

Mr. STENNIS. I am delighted to yield to the Senator such time as I have remaining.

Mr. SAXBE. Mr. President, I believe that we have had full exposure today on this carrier question. I think we could talk a whole lot longer about it and not say a great deal more.

The issue is one of cost effectiveness. There has been no serious debate on this floor of the fact that we consider the carrier an essential part of our defense system, at least for the time being. However, I think that we must also recognize the serious question of how long can we continue to build carriers as sea control ships when they are not cost effective for this job. Not only are they inefficient as sea control vessels, but they are vulnerable to "smart" missiles which are carried by aircraft and by ships smaller than the carrier. Our competition on the high seas continues to build these efficient sea control tools in increasing number and effect. We will have to assess whether we can afford to put a carrier out there at a cost of $1 billion, and a cost of $3 billion for the air wing, to be a target for these cheaper tactical missiles and delivery systems.

We talk a great deal about the use of these missiles in North Vietnam and say that we can knock out the third plank in a bridge, put one in the mouth of a tunnel, or down a chimney.

With those weapons available to us I am relatively confident that the Soviets possess the know how and the hardware to penetrate even the sophisticated defenses of our carriers should they choose to do so.

So, here we are putting all of our money into this great big carrier. I have never believed that the amendment would carry because too many people are directly interested in getting the carriers going. I prophesy that this carrier will never be completed because sooner or later it will sink in that with the smart missiles that we have, either airborne, seaborne, or submarine carried, we cannot afford to put these targets out there. These smaller, cheaper more cost effective weapons can do the job better. And, I am just talking about conventional warfare. Now, when we get to nuclear warfare, the fact is obvious that a carrier is not meant to survive any kind of nuclear attack. And the fact that it can move 20 miles while an ICBM is in the air is not significant when we think that they are not going to waste a 50-megaton warhead or even a MIRV warhead in hitting a carrier when they can do the same thing with a cruise missile launched not more than 300 miles away.

These are facts that will become increasingly prominent as the years go by.

I prophesy that what we are saying today is the last argument of the Senate on the floor as to whether to build a carrier, because even those who support the carrier will not be brave enough to do it on another go-round. Obviously we are pricing ourselves out of business, $10 billion down the hole with a carrier that can be sunk with a motorboat.

Mr. President, I just think it is a good thing that we have discussed this matter today and brought it up. I think these arguments will be repeated many times and there will be arguments from now on because we point out the fact that the carrier is the dodo, and though there is a great nostalgic feeling among Navy men about the carriers and among the admirals who want to sail them, this nostalgia is not worth $10 billion.

It is great to fly the flag. However, we do not need 3 foot of armor on a flag deck to take it around with a happy crew on it and park it in Hong Kong or in a Mediterranean port when we can do the same thing with a cheaper ship.

For these reasons we have offered our amendment. And, as I say, we have done so without much hope of its being passed. This is the last time the carrier will be debated on the floor. And, as I prophesy, this is a carrier that will never be used. And I hope it never will be used.

I thank the Senator and I believe the hour has come to vote.

Mr. SCOTT. Mr. President, the national budget for fiscal year 1973, now being considered by the Congress, allocates $299 million to long leadtime funding for a third nuclear-powered aircraft carrier of the *Nimitz* class, CVN–70. Approval of the long leadtime funds this year and of the balance funding in fiscal year 1974 will permit the Navy to proceed with a construction schedule which calls for delivery of the ship in 1980.

Since this ship requires a significant capital investment, its place in our future defense needs is being closely examined and carefully analyzed. The facts emerging from these considerations this year are verifying that principal conclusion known from previous studies—an adequate number of modern aircraft carriers are essential to our national security.

When a prudent man, with concern for his family's future, purchases a new home, his first concern is for insurance coverage sufficient to protect his investment against foreseeable losses. After he has provided this protection, then he may decide what he can afford for his home—necessities, conveniences, and even luxuries. The home air-conditioning unit comes after the insurance policy has been paid for.

The same principal applies to our concern for the future of this Nation. If we are to survive we must provide, with first priority on our resources, an adequate assurance of national security. Only after we have provided for the national defense can we allocate resources to the many desirable projects for improving our way of life.

The nuclear-powered aircraft carrier in this budget is a key element of the forces we will provide for national defense in the 1980's and beyond.

To realize just what this carrier will mean to the Nation we should look at the types and numbers of naval forces we will need in the future. For the past 30 years aircraft carriers have been the principal surface ships of the Navy. They have forged their reputations in war and in peace as mobile, powerful, versatile weapon systems ready for any challenge. As we look to the future, we see we must maintain this type of strength. The aircraft carrier will continue to be the principal conventional weapon that will permit our Navy to exercise its unique capability to respond to threats, to protect our citizens, to deter war.

Our present force of proven aircraft carriers is facing serious limitations due to obsolescence. We have 16 carriers in active service today—and they are responding to all requirements from the Mediterranean to the western Pacific. But of these 16, seven are old World War II-designed ships rapidly nearing the end of their expected 30-year service lives. Our replacement program is limited to three ships—two carriers are being built and will be completed in 1973 and 1975; the third is the ship whose funds are in the budget now, a ship that cannot join the fleet before 1980. These three ships are members of the same class. They will have the same nuclear propulsion system, the same hulls, the same major components. They will serve as replacements for worn-out World War II veteran carriers. In effect, these three ships will replace seven old carriers in the front lines of our naval forces.

These numbers—three new carriers requested or under construction to replace seven aging veterans—underscore the concern we have for the adequacy of our future level of national defense. We are reducing the numbers of ships we will have to lead our Navy, but we must maintain a solid nucleus of these powerful, versatile aircraft carriers. The carrier in this budget represents a construction program stretched out and deferred to the point that our naval strength for the 1980's and beyond is in serious jeopardy.

We cannot permit the forces we have for our protection to become ineffective and weak through unrestrained obsolescence. The duty of Congress is to provide and maintain a Navy—a Navy strong enough to make a key contribution to our total national defense. The nuclear-powered carrier now in the budget will be a vital member of the Navy of the 1980's and beyond. It is part of that essential insurance policy we must provide.

Mr. MOSS. Mr. President, three of the administration's top economic policy makers gave their views Monday on how to reduce spending by the Federal Government.

Herbert Stein, Chairman of the Council of Economic Advisers, Treasury Secretary George Shultz, and Budget Director Casper Weinberger, warned the Nation that our economy is reaching a critical point and urged control of Government spending to prevent another rise in the inflational spiral.

Mr. Stein was quoted in the Washington Post as declaring that one of the first ways to hold down spending is to "stop some of those bills that are floating around Congress." While Mr. Stein did not specify what bills he was referring to, the inference was apparently directed at the categories of health and education, two areas where Congress is voting bigger outlays than the President asked.

Well, Mr. President, I suggest that contrary to Mr. Stein's views, the health, education, and general well-being of the people of this Nation are crucial matters that should not be relegated to offhand treatment either by this Congress or by any administration truly concerned with the direction our country is headed.

Yet to a certain extent I can agree with Mr. Stein. There are some bills "floating around Congress" which do contain great and unnecessary expenses. Congress, as I am sure Mr. Stein would agree, should seek out these specific areas of excess and make reductions accordingly.

It, is indeed, ironic that 2 days after the administration's call for economy the Senate is debating the military procurement bill, H.R. 15495.

The administration does not approve of the Senate appropriating $31.3 billion for labor, health, education, and welfare. At the same time we are urged to rubber-stamp a defense budget of over $80 billion and a military procurement outlay of $20.5 billion which includes $299 million for a nuclear carrier, $171.4 million for the SAM–D missile, and more than $900 million for the Trident submarine.

Today we are considering the nuclear aircraft carrier. The Navy is requesting $299 million in the fiscal year 1973 budget for long-lead items for the CVN–70.

Of course, we all know that this is just the beginning. The Navy estimates that the final cost of this ship will be nearly $1 billion. Obviously this does not include a second billion for aircraft to fly from the ship, or a third billion for other ships needed to support it at sea.

There are two major factors for opposing the CVN–70. First, defense planners have realized the true role of the carrier in quick response tactical situations. Rejecting the idea that carriers are strategic strike platforms, they have accordingly reduced the desired force level for carriers from 16 to 12.

Fundamentally, we have learned a cruel lesson from Vietnam: that our foreign policy should be less interventionist. This in turn should lead to even lower requirements for the carrier—the most easily used tool of tactical intervention.

I realize that this is essentially an argument based upon far-ranging and basic questions of our view of the world and our role in it. There is room for disagreement.

But the second factor, is far less complicated: nuclear carriers cost a lot of money. We should pause and examine whether there really is a reason to unnecessarily raise costs to such a high level. Now that the CVN–70 has been delayed 3 years, it is more economical to wait approximately 5 more years to begin replacing our aging *Forrestal* and converted *Midway* carriers. In 5 years we could begin, if necessary, an entirely new program of replacing carriers thereby gaining cost savings due to concurrent construction of replacement carriers.

As I pointed out in a statement June 2, in this body, less than 2 years ago the Navy spent $202 million to refurbish the carrier *Midway*. At that time Navy press releases ballyhooed the accomplishment as extending the 25-year-old ship's life span "through the 1980's."

But in the past 2 years the Navy's position has, to put it mildly, become more modest. Now the *Midway's* lifespan is put at "to 1980."

So what is the Senate to think? Was the Navy guilty of deliberate distortion in order to justify a 240-percent cost overrun on the refurbishing of the *Midway?* Or was it simply a matter of pie-in-the-sky optimism that had no justification in reality?

Either way, the Senate should not be duped again.

I think we would do well to heed Mr. Stein's advice. And I think we should begin today by voting to delete $299 million for the nuclear carrier. Then we should go on to cut $578 million from the Trident and $171.4 million from the SAM–D missile.

By deleting these three items the Federal Government can save more than $1 billion in money that otherwise would not feed one single person, house one single family, or cure one single illness.

Mr. Stein is correct in wanting to trim the budget. But he is wrong in his priorities.

We must stop spending too much money for weapons or capabilities that are redundant at best or harmful at worst.

I suggest that the right way to cut

spending is to save a billion dollars in unneeded weapons that do not add a single significant link in our Nation's security. Let us begin today by voting against the nuclear carrier.

Mr. MUSKIE. Mr. President, I will vote for the Saxbe amendment to delete the $299 million authorization for a new nuclear carrier. I do not believe it is necessary to begin procurement of a new nuclear carrier at this time.

The proposed carrier, CVN–70, is an impressive ship. The cost is equally impressive—a billion dollars. An additional $2 billion will be required for aircraft and escorts that make up the total carrier weapons system. Projected costs over the expected 30-year lifetime of this nuclear carrier are estimated at over $10 billion—30 times more than the initial investment on long leadtime items that we are voting on today.

An investment of this magnitude requires the closest possible scrutiny. I do not believe it is yet clear what our carrier requirements will be during the coming decades. The administration only recently reduced its estimate of force level requirements for carriers from 16 to 12—consistent with the principles of the Nixon doctrine and in keeping with the trend toward more limited security commitments abroad.

It is clear that aircraft carriers today do not have a strategic role—that is, they are not part of our nuclear deterrent force of ICBM's, SLBM's, and strategic bombers. Moreover, it does not seem to me that aircraft carriers have a cost-effective role to play in a sea control mission—even though an antisubmarine capability is now being contemplated for the CVN–70 in addition to its attack role. I believe that this mission would be better handled by the projected new sea control ship—SCS—and by guided missile launching cruisers and destroyers.

The primary mission of aircraft carriers is as a mobile tactical air field for immediate limited response. In view of our changing foreign policy priorities, it is not clear how many carriers will be required to satisfy this primary mission in the future. But even assuming that the administration's estimate of 12 carriers is justified, we would not need to begin replacing existing carriers for at least several more years.

I, therefore, believe it is premature to commit ourselves this year to procurement of a new nuclear carrier. We will have a much clearer idea in future years whether this very expensive investment is truly justified. In the meantime, our security and our interests abroad will be more than adequately protected.

Mr. CRANSTON. Mr. President, I am pleased that my distinguished friend and colleague from Ohio has taken the lead on the issue of the CVN–70. I see no reason for supporting a stepped-up timetable for an enormously expensive project whose value is already in doubt.

The planned force level for carriers is 12. But we already have 16 carriers. Until the mid-1980's, the U.S. fleet will still consist of 12 fully modern attack carriers. These are: the nuclear attack carrier U.S.S. *Enterprise*, two more nuclear carriers already under construction, the U.S.S. *Midway*, and 8 *Forrestal* class carriers. The Soviets and the Chinese have none.

It is true that by 1980 only four of these carriers will be less than 15 years old, and only two will be less than 10 years old. But carriers are designed for at least a 30-year life span, not counting major improvements, modifications, and retrofit programs carried out along the way. Assuming that the Navy is correct that a carrier is obsolete after 30 years, the oldest of the present carriers will not reach the 30-year limit until 1980. And allowing an 8-year leadtime for construction and development, maintaining that force level of 12 would still not require funding the CVN–70 until 1977.

So why all the rush?

Mr. President, it seems to me that we are always being told that some fancy weapon or another is the last word, or that some costly improvement program will solve any problems for a long time to come. No sooner do we vote the money than the Department of Defense comes up with the discovery that our national security requires some vast new expenditure.

The case of the CVN–70 offers a typical example. When the carrier U.S.S. *Midway* rejoined the fleet in January 1970 after a 4-year conversion costing $187.2 million, the Department of Defense stated in a press release that:

> The *Midway* . . . will be capable of handling the largest and most complex carrier aircraft and weapons systems in the Navy's arsenal *through the 1980's*," (Emphasis added.)

But suddenly we are told that our national security requires a new commitment to a multibillion-dollar program this year. So I ask again: Why all the rush?

Mr. President, this years' authorization bill includes $299 million for long leadtime items for the carrier. This money will be mainly for the nuclear propulsion plant. The $299 million is merely an initial commitment. The total construction cost of the CVN–70 will be approximately $1 billion.

But this $1 billion figure does not include operating costs, basing costs, and other logistical ships. If these costs are added, the total figure is at least $2.3 billion. Based on actual experience with the U.S.S. *Enterprise*, estimates of annual operating costs for the CVN–70 are at least $49.5 million. Over a 30-year span, the total operating costs for the carrier alone would be $1.5 billion. Counting the costs of a total carrier air wing—including fighter-bombers, tankers, reconnaissance planes, helicopters, and so on—the total cost of procurement and operating costs over a 30-year period is over $8 billion, and this figure does not even include the cost of escort ships.

Proponents of the carrier have argued that the CVN–70 is necessary to defend Israel. Now, the same thing can be said about any number of different weapons systems. But the truth is that we already have the planned force level of 12 carriers, of which three are or will be nuclear. These three are the U.S.S. *Enterprise*, the U.S.S. *Eisenhower*, and the U.S.S. *Nimitz*.

Surely it does not take much military imagination to see that we could meet any conceivable threat against Israel. I have not yet heard it argued that our present force level is inadequate for Israel's safety. If 12 carriers are enough—and they certainly should be—then the issue of Israel is a red herring.

Mr. President, we should remember that the carrier has no strategic value to speak of. In the event of a nuclear exchange with the Soviet Union, the CVN–70 is a billion-dollar "sitting duck". It is highly vulnerable to missile attack. It would most likely be used in an offshore operation, for which there are already enough carriers.

I am not saying that carriers in general are usless. I am saying that the CVN–70 in particular is simply too much, too soon—and too expensive. The time may well come when it is worth the cost. But that time has not arrived.

Mr. ROTH. Mr. President, since World War II, the maintenance of a stable and peaceful world has depended to a large extent upon the military capability of the United States. For a variety of reasons, I believe that we must maintain our posture of defense preparedness. Among other things, the present uncertainties of world politics entail too much risk for us to do otherwise.

But I am also convinced that we must engage in a continuing reevaluation of the extent to which the United States can maintain the military capability to which we have come to consider necessary. Frankly, the cost of individual weapons has become so great in the past few years that it is becoming increasingly difficult to maintain a viable force at a reasonable cost. The $1 billion cost of CVN–70 is a perfect example of the incredible financial expenditures which are required to perform the role which the United States has assumed.

Appropriating such large sums becomes increasingly difficult to justify when placed in the context of a Federal budget which was in deficit of $26 billion for fiscal year 1972, and which for 1973 has a projected deficit of around $30 billion. Such deficits require that we exercise restraint in Federal spending in the defense as well as the domestic sector. I believe that the administration has provided a framework in the Nixon doctrine which will allow us to realistically evaluate our military requirements while we move into an era of increased understanding and economic cooperation with the U.S.S.R. and China.

Nevertheless, the diminished value of the defense dollar and the difficulty of finding funds for military forces, makes it increasingly imperative that those of us in the Congress understand the military requirements which dictate the selection of one weapons system rather than another. Furthermore, we must insure that the money we appropriate is spent and managed efficient and effectively.

I believe the nuclear carrier, CVN–70, for which $299 million is requested for long leadtime items is an excellent case to illustrate some of the points which I have made. A carrier in World War II cost about $83 million. That cost had risen to $181 million by the Korean war. The two sister ships of CVN–70, CVN–68 and 69, are now expected to cost $628 million and $676 million respectively. CVN–70 itself is estimated to cost slightly less than a billion dollars. This, of course, does not include the aircraft complement at about $500 million and annual operating costs at about $100 million, and the costs of escort vessels.

If a force level of 12 carriers is planned, it appears that for the foreseeable future we must plan on about $1.5 to $2 million a year for replacement and operation of our carrier fleet. Truly an impressive sum.

Mr. President, I do not believe that we can afford that kind of annual expense continuously for the foreseeable future, and I would like the Navy to take a harder look at how they can provide Naval airpower without the kind of price tag that the large nuclear carriers entail. Specifically, I believe that more serious consideration should be given smaller carriers which when mixed with the nuclear CVA's might provide a more flexible and survivable naval air arm for the control of the seas mission. The Navy should be commended for its innovation of the sea control ship which is certainly a step in the right direction.

In spite of my deep concern about the cost of CVN–70 and the long term plan for our carrier forces, I believe that we should provide the funds for this program from the point of view of replacing existing carriers which will be exceeding their useful life by the time CVN–70 becomes operational. To do otherwise would entail reducing our carrier force size below the level of 12 which is currently planned, a reduction which I do not believe has been sufficiently justified, or depending on a naval vessel which has exceeded its useful life, which I think would be unwise.

Mr. President, I support the request for the funds to initiate the CVN–70 program, but in so doing serve notice that I believe that less expensive ways of supplying naval air power must be found and I encourage the Navy to look for them.

CVN–70 AND THE FUTURE CARRIER FORCE

Mr. HRUSKA. Mr. President, I fully support the distinguished chairman of the Armed Services Committee in the need to start construction of another nuclear-powered carrier now.

The genesis of the Navy's fourth nuclear-powered aircraft carrier has been lengthy and uncertain. This carrier, whose initial funding was originally planned for the 1970 budget, has been delayed by fiscal constraints and high level analyses until now its approval has become a matter of greatest urgency. As these delays have occurred, we have watched both inflation and the interruption of vital component assembly lines act to drive the construction cost up. And we have viewed with increasing concern the now rapidly approaching retirement dates for the World War II carriers in our Navy.

One cannot help but be alarmed when he considers the recent reductions in our naval carrier forces and contemplates the further inevitable reductions in the next few years. Since 1965 the number of carriers in active service have been reduced by one-third, from 24 to 16 operating today. But with ominous implications of future weakness is the fact that seven of our 16 operating carriers are World War II designed ships, ships now in the last years of their expected 30-year active service lives.

Our replacement program is certainly a limited one—two carriers are building, one is requested.

For these ships decision time occurs several years before active service time. The carrier whose advance funds are requested now cannot be completed before 1980. By that time obsolescence will have removed or severely restricted our older ships, and the effective carrier force will be only 12 ships—half the number of 1965.

Will the world situation have changed to reduce our need for a Navy? I doubt it. There is no indication now that our Nation can forego the flexible strength provided by carrier forces. Their ability to move in international waters to nearly any scene of tension or crisis will continue to be essential.

We can look at the Mediterranean for ready examples of this naval requirement. There the carriers serve as visible reminders of U.S. strength. They symbolize our interest in that critical but turbulent region. And they actually provide the balanced force that, in many situations, could only come by sea to aid our friends in their time of need.

This fourth nuclear-powered aircraft carrier will be a key member of our Navy of the future. It will replace an overage carrier in the fleet. In effect, as obsolescence takes its toll of so many of our older carriers, a new carrier will have to do the jobs of more than one of our present ships.

We must maintain a powerful and versatile Navy. We must provide effective naval carrier forces for our defense.

For these reasons I urge my colleagues to defeat the pending amendment so that we can continue to maintain our sea strength at the needed level.

Mr. SAXBE. Mr. President, I yield back the remainder of my time.

Mr. STENNIS. Mr. President, if we could do so, I would suggest the absence of a quorum and I will then ask that it be called off.

The PRESIDING OFFICER. The hour of 2:15 has arrived.

Mr. STENNIS. Mr. President, I withdraw that request.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG (after having voted in the negative). Mr. President, I have a pair with the junior Senator from Missouri (Mr. Eagleton). If he were present and voting, he would vote "aye." I have already voted "nay." I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Nevada (Mr. Cannon), the Senator from Missouri (Mr. Eagleton), the Senator from Louisiana (Mr. Ellender), the Senator from Georgia (Mr. Gambrell), the Senator from North Carolina (Mr. Jordan) and the Senator from South Dakota (Mr. McGovern) are necessarily absent.

I further announce that the Senator from New Jersey (Mr. Williams) is absent on official business.

On this vote, the Senator from South Dakota (Mr. McGovern) is paired with the Senator from Georgia (Mr. Gambrell). If present and voting, the Senator from South Dakota would vote "yea" and the Senator from Georgia would vote "nay."

I further announce that, if present and voting, the Senator from South Dakota (Mr. McGovern) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker) and the Senator from Illinois (Mr. Percy) are necessarily absent.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The result was announced—yeas 29, nays 60, as follows:

[No. 315 Leg.]

YEAS—29

Brooke
Burdick
Case
Chiles
Church
Cranston
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hughes
Humphrey
Javits
Kennedy
Mansfield
Metcalf
Mondale
Moss
Muskie
Nelson
Proxmire
Randolph
Saxbe
Stevenson
Symington
Tunney
Weicker

NAYS—60

Aiken
Allen
Allott
Anderson
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Buckley
Byrd,
Harry F., Jr.
Byrd, Robert C.
Cook
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hollings
Hruska
Inouye
Jackson
Jordan, Idaho
Magnuson
Mathias
McClellan
McGee
McIntyre
Miller
Montoya
Packwood
Pastore
Pearson
Pell
Ribicoff
Roth
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Taft
Talmadge
Thurmond
Tower
Young

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Long, against.

NOT VOTING—10

Baker
Cannon
Eagleton
Ellender
Gambrell
Jordan, N.C.
McGovern
Mundt
Percy
Williams

So Mr. Saxbe's amendment (No. 1336) was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ERVIN and Mr. TOWER moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I want to make a few brief words this afternoon about the major issue which will concern us tomorrow—the amendment to delete $508.4 million from the Trident submarine program, and thereby to deny all funds for the acceleration of that program. I have sent a brief letter to each Senator this afternoon outlining the key issues involved in this amendment.

It is important to understand that the funds which are requested for the Trident submarine program this year are funds which we are eventually going to have to spend in any case. This is not a new and untried strategic concept. The Trident submarine is simply an improvement—an important qualitative improvement—in our existing force of ballistic-missile submarines. It will be quieter and therefore less vulnerable to detection by Soviet antisubmarine warfare forces. It will carry a much longer range missile and will thus be able to operate from bases in the United States. But, building nuclear-powered ballistic-missile submarines is something which we know how to do, and know how to do well.

The important point to remember is that the Soviets not only have many more submarines than we do, but they are building them at a much faster rate. I state this not because we must necessarily match the Soviets missile for missile and submarine for submarine. The potential threat to our own ballistic-missile submarine forces comes not from Soviet ballistic-missile submarines, but from the more than 300 Soviet attack submarines. Many of these are diesel powered, but an increasing proportion are modern, quiet, and nuclear powered. It is these Soviet nuclear attack submarines, and the rate at which they are being built, which could in the future be a serious threat to the survivability of our own ballistic-missile submarine force.

Our ballistic-missile submarines are going to be the backbone of our strategic deterrent. There might be areas of military spending in which we should be able to make reductions. But, I submit that the backbone of our strategic deterrent is the last place where we should be willing to gamble—to try to get by with that which is barely enough. This is one area where we must be absolutely certain that our force will not become vulnerable in the future. And this is one reason why many Senators, however they have felt about some other military programs, have spoken so favorably on behalf of our strategic ballistic-missile submarine force. The growing Soviet antisubmarine threat—particularly the very large fleet of Soviet attack submarines—means that we should move as fast as we can to insure that our own ballistic-missile submarines will be secure and safe for the foreseeable future.

The funds which are requested in fiscal year 1973 budget will not increase the overall cost of the Trident submarine program—they will merely be used to make the submarine available sooner, in 1978 rather than 1981. This will not be a crash program. It could be done even faster. It is an accelerated program, but a prudent and reasonable one. It will be managed by the same Navy development teams, including Admirals Rickover and Smith, which have so successfully and economically developed and produced the Polaris and Poseidon weapon systems. When it comes into the force in 1978 it can begin to replace the 10 older Polaris submarines which we cannot equip with modern missiles and, later, it will replace the older models of our other ballistic-missile submarines as well.

I know that many Members wish that the savings from SALT agreements could be greater. But largely as a result of the SALT agreements the committee has already been able to reduce the spending on strategic systems in this bill by $931 million. These reductions in the Safeguard ABM program are a beginning step toward further savings that may eventually accrue from arms control agreements. But, until more comprehensive agreements are reached, we simply do not dare to gamble with the potential vulnerability of our ballistic-missile submarines. This is not a subject about which we must only be certain, it is one about which we must be absolutely certain.

I urge you to vote tomorrow against this reduction in funding for this vital part of our strategic forces.

Mr. THURMOND. Mr. President, the Trident submarine amendment, offered by the distinguished junior Senator from Texas (Mr. BENTSEN) would strike from the bill over $500 million allocated for the Navy's new nuclear-powered Trident missile launching submarine.

This cutback would seriously delay Trident, which is a top priority program and represents the only new strategic missile system under development by the United States.

Mr. President, as a strong supporter of the $906.4 million for Trident as approved by the Senate Armed Services Committee, I would like to list a few points as to why this amendment should be defeated.

First, Trident is the only new strategic missile system under development in our strategic arsenal. We have Poseidon in our present missile boats and, of course, Minuteman III in our land-based deterrent. But Trident is the only strategic missile system which will give us a more powerful missile in future years.

Second, all information indicates Trident will become our most invulnerable strategic weapon system in the years ahead because this submarine's increased range will permit it to operate in much larger portions of the world's seas.

Third, the Trident system will be a critical backup in the event new antisubmarine technology by the Soviets reduces the effectiveness of our present sea-based strategic submarine force. The Soviets are known to be conducting intensive research in antisubmarine warfare techniques and this threat must be recognized in our future planning.

Fourth, the Soviets presently have the United States "over the barrel," so to speak, in that during the past few years this Nation has not developed any new strategic missile systems.

The Soviet momentum in the strategic missile area obviously placed them in a strong position during the strategic arms limitation talks. However, in pressing forward with Trident the momentum will soon shift to our side if the Senate approves the funds in this bill.

Fifth, approval of the pending amendment would delay the Trident program from 1 to 3 years. This delay would mean higher costs because of inflation and other economic factors.

Finally, Mr. President, it should be noted that President Nixon and Secretary of Defense Melvin Laird have designated the Trident submarine program as the top priority item in the current defense budget.

President Nixon will be soon negotiating SALT II, and, of course, Secretary Laird must see that we begin today those systems needed to assure our defense in the next decade. The importance they both attach to this program should not be overlooked by my colleagues as they consider the pending amendment.

Mr. President, our sea-based missile launched submarines are a vital part of the Triad deterrent strategic systems. Even the proponents of this amendment recognize we must eventually have Trident as their amendment leaves $398 million in the bill for research and development for this new nuclear submarine.

In closing let me urge my colleagues to reject this amendment as it would result in delaying a top priority program and would also mean higher costs for this system in years ahead.

Mr. President, I ask unanimous consent that a letter dated July 26, 1972, to Members of the Senate on the Trident program be placed in the RECORD following these remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., July 26, 1972.

DEAR COLLEAGUE: The Senate will vote tomorrow on an amendment No. 1348, to reduce the funds for the Trident submarine program by $508.4 million and thereby deny all funds which have been requested for the acceleration of that program. I believe it is important to understand that this acceleration in the program will not add to the overall cost of Trident—it will merely make the submarine available sooner, in 1978 rather than in 1981. And this is a weapon system which it is inevitable that we are going to need. I urge you to join me in opposing the deletion of these funds.

The most important reason for the acceleration is the large and growing fleet of Soviet attack submarines which, together with other Soviet anti-submarine forces, will threaten the survivability of our own Polaris/Poseidon ballistic missile submarines. The Soviets can confront our forty-one Polaris/Poseidon submarines with over 300 attack submarines, and an increasing proportion of these Soviet submarines are modern, quiet, and nuclear-powered. Thus, it is extremely important for us to do everything necessary to continue to have the most modern and quietest missile submarines to be safe from this potential threat to our deterrent at sea. This is one area of military technology with which we must not gamble and try to get by with that which is barely enough. We must be absolutely certain that our sea-based deterrent, which may well come to be the backbone of our strategic force, will not become vulnerable in the future. In short, we need the Trident submarine—which will be significantly quieter than and technologically superior to the Polaris/Poseidon submarines—as soon as we can get it.

The Trident program is not a new strategic concept. It is a program which will be managed by the same Navy teams, including Admirals Rickover and Smith, which have so successfully produced the Polaris and Poseidon weapon systems. It will simply be a superior submarine which will begin to replace the ten older Polaris boats which cannot be equipped with modern missiles. And, of course, by carrying the longer-range Trident II missile the Trident submarine will be able to operate from bases closer to home and within a much larger ocean area than our older submarines.

It is natural that some might wish for the savings from SALT to be greater, but as we come to rely more and more on the submarines of our sea-based deterrent as the backbone of our nuclear force, we dare not take any chances with the quality of that force. Largely as a result of the SALT Agreements, the Committee was able to reduce spending on strategic systems in this bill by $931 million.

I urge you to vote against this further reduction in funding for this important part of our strategic forces.

Sincerely,

JOHN C. STENNIS.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 26, 1972, he presented to the President of the United States the following enrolled bills:

S. 1152. An act to facilitate the preservation of historic monuments, and for other purposes;

S. 2945. An act to amend title 10 of the United States Code to permit the appointment by the President of certain additional persons in the service academies; and

S. 3772. An act to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes.

SYSTEM FOR FIXING RATES OF PAY FOR PREVAILING RATE EMPLOYEES OF THE GOVERNMENT

Mr. McGEE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 9092.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 9092) to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McGEE. I move that the Senate insist upon its amendments and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McGEE, Mr. RANDOLPH, Mr. BURDICK, Mr. FONG, and Mr. BOGGS conferees on the part of the Senate.

ORDER TO LAY UNFINISHED BUSINESS ASIDE TEMPORARILY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily and that we return to it this evening at the conclusion of the consideration of H.R. 13324.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, I cannot hear a word the Senator said.

SEVERAL SENATORS. We cannot hear the Senator.

Mr. PROXMIRE. Mr. President, I did not hear the Senator.

Mr. GOLDWATER. I did not hear a word.

Mr. MANSFIELD. I asked unanimous consent that the pending business be laid aside temporarily and remain in that status until completion of the maritime bill this evening.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MARINE MAMMAL PROTECTION ACT OF 1972

Mr. MANSFIELD. Mr. President, under the unanimous consent agreement already entered into, I ask that the Senate proceed to the consideration of Calendar No. 824, S. 2871.

The PRESIDING OFFICER. The clerk will read the bill by title.

The assistant legislative clerk read the bill by title, as follows: A bill (S. 2871) to protect marine mammals; to establish a Marine Mammal Commission, and for other purposes.

The Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is on the amendment by the Senator from Alaska (Mr. STEVENS).

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays on passage were ordered.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk proceeded to read the amendment (No. 1360).

Mr. STEVENS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, offered by Mr. STEVENS for himself and Mr. GRAVEL (No. 1360) is as follows:

On page 52, line 7, to page 53, line 6, strike section 109(a) and substitute a new subsection 109(a) as follows:

(a)(1) As authorized under this Act and other applicable law or as necessary to comply with the purposes and policies of this Act the Secretary shall conduct periodic scientific studies, including, but not limited to, research, censusing, habitat acquisition and improvement, death rates and causes, birth rates, food supply, pollution effects, and the relationship of each mammal species and stock to the ecosystem, concerning the marine mammals living naturally within the limits of the jurisdiction of the States.

(2)(A) The exclusive right and power of the States to conserve, control, and manage marine mammals in or on lands and waters within their jurisdictions for public use and benefit in accordance with applicable State law, are, subject to the provisions hereof, recognized, confirmed, and established in the respective States.

(B) This subsection shall not be construed as affecting the responsibilities and rights of departments or agencies of the United States to conserve and develop, subject to the provisions of this subsection, the natural resources, including fish and wildlife, on lands owned or controlled by the United States within the territorial boundaries of any States or as depriving the United States of the right to protect and preserve its lands from destruction or depredation by wildlife to the same extent and in the same manner permitted to any owner of land by the laws of the State in which such land or waters are located. There are hereby specifically reserved and excepted from the operation of this subsection:

(i) All rights and powers of the Congress of the United States to control and regulate the taking of fish and wildlife under any international treaty or convention to which the United States is a party but only with respect to those species or fish or wildlife expressly named in said treaties or conventions.

(ii) All rights and powers of the United States in and on areas over which the States have ceded exclusive jurisdiction to the United States.

(iii) All rights and powers over any species of marine mammal ceded or granted to the United States by any State.

(C) Notwithstanding anything contained in any Act of the Congress or in any rule or regulation promulgated by any Federal department or agency it is hereby declared to be the intent of the Congress that no provision of any Act shall be construed or implemented in any manner as to displace, preempt, or deprive the several States of their primary and historically recognized authority to control, regulate, and manage marine mammals in or on any lands or waters under State jurisdiction, including all lands and waters owned by the United States or in which the United States Government has an interest.

(3) The Secretary may make findings based upon scientific studies that a particular marine mammal species within State jurisdiction may become endangered unless Federal regulations are imposed, in which case State laws and regulations shall cease to apply to that species and this Act and other Federal laws and regulations promulgated pursuant thereto shall apply.

Mr. STEVENS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. Will the Senator suspend until the Chair completes making this statement?

Debate on the amendment will be limited to 35 minutes, 15 minutes to the Senator from Alaska (Mr. STEVENS), 10 minutes to the Senator from South Carolina (Mr. HOLLINGS), and 10 minutes to the Senator from Oklahoma (Mr. HARRIS), immediately after which a vote will occur on the amendment, followed by a vote on the committee amendment in the nature of a substitute, as amended, and the third reading of the bill. After the third reading of the bill the Senator from Oklahoma (Mr. HARRIS) will have 10 minutes for debate and the Senator from South Carolina (Mr. HOLLINGS) will have 10 minutes before the vote on final passage.

The Senator from Alaska.

Mr. STEVENS. Mr. President, at the time last evening when we were finishing the consideration of the ocean mammals bill, the manager of the bill, my good friend from South Carolina, realized that he could not accept the amendment I offered.

There is an agreement for a limitation of time of 35 minutes on this amendment. I will attempt to be as brief as possible.

The Senate has already passed this legislation. In the last Congress, it passed S. 1232, which was introduced by Senators Moss, Bible, Cannon, and Church, protecting the rights of States to manage fish and wildlife resources within their borders.

This bill is before us today. For the first time, without any scientific findings, the Senate will completely take over from the coastal States and those States which are on the lakes which have ocean mammals in them, the jurisdiction of the management of ocean mammals.

My amendment seeks to confirm to the States the right to manage ocean mammals as a part of their wildlife, and it provides that if the Secretary finds any species may become an endangered species, the Secretary may take over the management of that species, and from that time on Federal law would prevail as to that species.

My State of Alaska has many ocean mammals. Again, so there is no misunderstanding, the States that we are primarily talking about are Alaska, Washington, Oregon, California, the States in the Great Lakes area, and Florida. All we seek is that there must be a finding, before Federal jurisdiction preempts, that a particular endangered species may be endangered.

This bill does not find that ocean mammals are generally endangered species. There has been no finding that States cannot properly manage these mammals.

My friend, the chairman of the subcommittee, quoted the report of the Nation's leading mammalogist that none of these mammals are endangered at the present time; that all of them are in better condition now than they have been for the last 70 years.

The State of Alaska has a very widely known management program, as my colleagues on the Senate subcommittee know. Many of the people who have come into Federal agencies, within the two Departments involved, have served their apprenticeships, so to speak, in the Alaska State Department of Fish and Game.

At the time Alaska became a State, Congress provided that Alaska could not have jurisdiction over its fish and wildlife resources until the Secretary of the Interior in fact certified that we had a management program; a department of fish and game that could manage its fish and wildlife resources.

Mr. President, I ask you not to misunderstand what is going on. There is a group in this country whose basic purpose is to stop the killing of all wild animals. They would stop the hunting of moose, deer, and caribou; the shooting of geese, ducks, and rabbits. Their whole goal is to stop hunting of all wild animals. This ocean mammal bill is the first step.

Unfortunately, the Federal Government is granted jurisdiction in this area. Without scientific basis this grant of jurisdiction would take away from the coastal States the management of their ocean mammals.

Again, there is nothing unique in what I seek to do in my amendment. The Department of the Interior issued, on September 17, 1970, an order, and I ask unanimous consent that the text of this order from the Federal Register be printed in the Record after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. STEVENS. It issued a regulation which states this very basic thing. It states that—

> The effective husbandry of such resources—requires the cooperation of State and Federal Government because:
>
> (a) The several States have the authority to control and regulate the capturing, taking and possession of fish and resident wildlife by the public within State boundaries;

We are talking about fish and wildlife resources.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STEVENS. Let me take 5 more minutes, then.

This is an order issued by the Department of the Interior, to which my friend from Oklahoma would have transferred the complete jurisdiction for these mammals yesterday. It provides that the Federal agencies will:

> 1. Within their statutory authority, institute fish and wildlife habitat management practices in cooperation with the States which will assist the States in accomplishing their respective, comprehensive, statewide resource plans;
>
> 2. Permit public hunting, fishing and trapping within statutory limitations and in a manner compatible with the primary objectives for which the lands are administered. Such hunting, fishing, and trapping and the possession and disposition of fish, game and fur animals shall be conducted in all other respects within the framework of applicable State laws,

I repeat that: All trapping, hunting, and fishing, on Federal lands or within the jurisdiction of the States, is today conducted under the Department of the Interior in accordance with applicable State laws. But this bill says that the Federal Government will take over the jurisdiction of ocean mammals completely, wherever they may be located.

I am presenting this amendment primarily, because of the support of the State fish and game commissioners of the individual States. I believe the major wildlife conservation organizations want the States to have jurisdiction. I also believe that they want the Federal Government to have jurisdiction in any area where a particular ocean mammal species may become endangered.

The bill before us covers the blue whale, the gray whale, the bowhead whale, the fur seal, the hair seal, the harbor seal, the ring seal, the gray seal, the leopard seal, the walrus, the sea otter, and the polar bear. Those are all found in my State in great abundance. Notwithstanding the existence of the Endangered Species Act, the taking of not one of them has been prohibited, because they are endangered species. Yet this act would make a congressional finding that the management of all those mammals requires professional jurisdiction now, and for no reason.

There is no reason to support the concept that ocean mammals cannot be managed within their jurisdictions by the coastal States—out to the 3-mile limit. I remind my colleagues that S. 1232, sponsored by Senators Moss, Bible, Cannon, and Church; S. 1401, sponsored by Senators Fannin, Bennett, Ervin, Goldwater, Griffin, Hatfield, Holland, Thurmond, and myself; and in the 90th Congress, S. 2951, sponsored by Senators Bible, Cannon, Church, Cotton, Allott, Hansen, Magnuson, Moss, Bennett, and Spong, all so provided. S. 1232 passed the Senate on December 8, 1969. This has been a basic principle of many Senators, going back to the days when I was with the Department of the Interior.

I remember many such bills. I remember when Senator Frank Barrett, of Wyoming, was the great champion of State fish and game laws within State jurisdiction, affecting their fishing and wildlife resources.

That is all I argue for. I argue for maintaining the status quo with respect to all fish and game laws as they apply to ocean mammals, unless there is some finding to support the concept that such mammals may become an endangered species.

The PRESIDING OFFICER. Who yields time?

Mr. HARRIS. Mr. President, I rise to oppose the pending amendment. I am pleased that the distinguished manager of the bill, the Senator from South Carolina (Mr. Hollings) also intends to speak in opposition to this amendment, because I believe it is contrary to the entire movement in Congress, over the past year particularly, to gain greater protection for ocean mammals. It does not matter whether a Senator supports the unamended committee bill or the package of amendments which I and 13 other Senators yesterday submitted. Those concerned about the plight of ocean mammals should vote against the Stevens amendment.

The Stevens amendment would completely reverse the original purpose of those interested in this legislation. The House bill, for example, calls for Federal preemption of State law. Section 109 of the House bill reads:

> Except as provided in subsection (b), no State may adopt any law or regulation relating to the taking of marine mammals or attempt to enforce any State law or regulation relating to such taking. The Secretary is authorized and directed to enter into cooperative arrangement with the appropriate officials or any State for the protection and management of marine mammals; except that such arrangements must be consistent with the purposes and policies of this title.

I believe that that provision, a stronger provision than in the Senate bill, is preferable to the language in the Senate bill. The Senate bill already weakens this section by providing only that no State may adopt a law inconsistent with the proposed legislation.

Other sections of the Senate bill are weaker than the House version. The Stevens amendment would carry the process of getting this bill a final step. As Senator STEVENS stated on the floor yesterday:

> The basic concept is that within the State's jurisdiction, State laws prevail and, as I said earlier, this means out to the 3 mile limit.

Mr. President, this amendment would deny the protection of the Federal Government to practically every mammal this legislation is designed to protect. Beyond the 3-mile limit, the Federal Government's authority is largely invalid unless confirmed through international treaty. Under the Stevens amendment within the 3-mile limit, the Federal Government's authority would have to bow to State law unless the animal was on the endangered species list.

In short, Mr. President, the amendment we are considering, would nullify the purpose of this entire bill, and I am pleased to join with the distinguished manager of the bill and others in vigorously opposing its adoption.

I reserve the remainder of my time.

Mr. MAGNUSON. Mr. President, will the Senator from South Carolina yield me 1 minute?

Mr. HOLLINGS. Yes.

Mr. MAGNUSON. Mr. President, I would like to speak against this amendment which I would argue would greatly weaken the thrust of the bill. Throughout our deliberations in committee and on the floor it has been emphasized over and over that our objective is to reach an optimum sustainable population for every species of marine mammal. We have set up a moratorium on the taking and importation of marine mammals to enable us to reach that objective.

What the Senator from Alaska's amendment would do would be to provide a clear way around the moratorium and the objective it is designed to achieve. As I read the amendment, it would allow States to ignore the moratorium whenever they choose unless the Federal authorities make findings that a particular marine mammal species within State jurisdictions "may become endangered." In other words we are saying that unless a marine mammal species is endangered or likely to become endangered the mammals can be taken, the States willing, as freely as is desired.

Does this not change the entire objective of the bill? Would we not be accused of saying throughout the bill that optimum sustainable population is our objective and that then with one amendment wiping out that objective? Put another way, would we not be accused of merely reenacting the Endangered Species Act, with slight modifications, so that we protect only those species which may become endangered.

I say, Mr. President, that we should not change what has been our goal all along in the waning minutes of debate on this bill. If the Senator from Alaska seeks cooperation between the Federal and State authorities in the administration of marine mammal programs, that cooperation is already adequately provided for in the bill as reported. The committee expressly considered the possibility of allowing States to repeal the moratorium and rejected that idea as inconsistent with the purposes of the bill. I strongly urge Mr. President, that we reject it again and preserve what in my view is a very excellent conservation measure.

Mr. HOLLINGS. Mr. President, the reference made by my distinguished colleague from Alaska is somewhat misleading. He is appealing to the Senate on the basis that this is the first time we are going to take such authority away from the States; that untouchable State rights have been an adopted principle accepted and approved by the U.S. Senate for lo these many years, and specifically on a voice-adopted measure, S. 1232, back in 1969.

The fact is that in 1969 we did voice-vote a bill, but we do not have to go back that far. It never passed the House and became law. The Department of the Interior, the very authority invoked by the Senator from Alaska to persuade the Senate, opposed it, and it died in the House of Representatives. It would die again in this Congress if it were really debated upon its merits.

Let us go to the merits of the bill, and show that it was not for the first time. I think the distinguished Senator from Alaska should know that less than a year ago he appeared on this floor, when we had before us the prohibition of shooting wild animals from aircraft—preempting the States, if you please, and not for the first time. We have done this with the bald eagle, with the golden eagle, and we have done it many other times when there has been an overriding interest on behalf of the people of this country. Under the commerce clause it has been held time and again that Congress and the Federal Government have the authority to preempt the States in these cases. The Senator from Alaska cooperated in the preemption by Federal law, and he did it so enthusiastically. He said:

> On the other hand, I would like to prohibit the taking of all animals by any person from any motor vehicle.

Not just airplanes; he wanted to preempt the States from allowing the taking with motorized vehicles, where the States have the authority to regulate their motor vehicular traffic.

So this is not the first time, and my distinguished friend is completely familiar with the legal background here. The Senators will see that this was admitted into the RECORD last night during our debate, the case of Zabel against Tabb, citing the Submerged Lands Act, on which our late colleague Senator Holland and Price Daniel of Texas took the leadership. We turned over to the several States the jurisdiction and the authority over the submerged lands. The question arose as to the water column above, the fish and wildlife, and the courts held, after considering the Submerged Lands Act, that Congress intended to retain and did retain all its constitutional powers over commerce and the territorial sea and did not relinquish certain portions of that power.

So we have a court decision in 1970 reaffirming this, and the Senator from Alaska, by his vote in November, reaffirming the exact principle.

Now let us get to the philosophy, because I think this is where the danger lies. If we only go to the Senator's amendment and read the last phrase of this three-page amendment, which I thought at one time I could accept and found I could not, he says:

> The Secretary may make findings based upon scientific studies that a particular marine mammal species within State jurisdiction may become endangered unless Federal regulations are imposed. . . .

That is not the philosophy of this bill. This is not an endangered species act. This is not just a species depletion act. This is a special animal act whereby the Congress of the United States comes in and says:

> The marine mammals covered herein are special. We are not going to allow them to be depleted. We are not going to allow them to become endangered. We are going to have them maintained to the optimum sustainable population under the terms of the Act.

We give special treatment to these particular mammals, and we take jurisdiction within Federal law.

As section (D) of the amendment says:

> Notwithstanding anything contained in any Act of the Congress or in any rule or regulation promulgated by any Federal department or agency it is hereby declared to be the intent of the Congress that no provision of any Act shall be construed or implemented in any manner as to displace, preempt, or deprive the several States of their primary and historically recognized authority to control, regulate . . .

And everything else included. That is absolutely contrary to this bill. It is the intent of this bill to preempt, displace, and otherwise deprive the several States of the authority until such time as the Federal Government grants such authority to continue consistent with this act.

We have an international interest. The polar bears wander all over the pack ice of the Bering Sea and come into Alaska, which used to be Siberia, as well as Soviet Russia, Canada, and Greenland.

From my front door, in Charleston, I can see porpoises as close to my house as the door to this Chamber. I can see porpoises out of my front window every morning and every evening.

They cannot be considered simply under statewide jurisdiction—and neither can the polar bears, the manatees, sea lions, seals, sea otters, the whales and other marine mammals.

If we could obtain international control, we would do it. But the first step is to have a national policy and provide world leadership, and that is what Congress is doing in this act.

So we develop that national policy and admittedly deprive the several States of authority, saying that we are going to operate a program until we are satisfied that State policy is satisfactory, and then we can allow State law to be maintained. If we do not do this, what occurs? If we were to adopt the amendment of the Senator from Alaska, we would have gone through a very deliberate, thought out, ordered process whereby the Senate has established a moratorium. Not just 15 years, because under the Magnuson amendment, which was adopted last night, it is a perpetual moratorium unless repealed by Congress. The exceptions to the moratorium are for the Natives, for the fur seal treaty, for the matter of research and public display; and the other exceptions have to do with commercial fishing, and that is only for 2 years, and to allow national wildlife management decisions in the best interest of the animals.

As to the general authority given to the Secretary of Commerce and the Secretary of the Interior, we use very careful language to say:

> Mr. Secretary, you can only waive the moratorium under certain circumstances; you have to promulgate regulations; and in promulgating those regulations, you have to have public hearings, you have to have consultation with the Marine Mammal Commission. Thereupon, after the regulation, with hearings, findings, appeals, and court review, if necessary, you then issue your permits, again in accordance with the amendment of the Senator from Virginia which was adopted last evening, offering the opportunity of a further hearing.

The Senator from Alaska says, here on page 52:

> Let that all apply beyond the 3-mile limit. Within the 3-mile limit and within the several States, let it not apply.

If you talk about a do-nothing Congress, we showed it on Monday, in my judgment, after having 14 rollcall votes and doing nothing; and we would prove it conclusively if we were to adopt the amendment of the Senator from Alaska and say:

> Oh, no; within the 3-mile limit and within the several States, we have not changed anything. We have not touched the walruses, the seals, the manatees, the polar bears while they are within the 3-mile limit. With all the discussion we have had in Congress, all we have done is to protect the hump-backed whale or other such mammals out in the middle of the ocean, most of which are already an endangered species.

That would be an exercise in futility. It would ruin the structure of the bill. It is directly the antithesis of the philosophy of this measure, and I hope the amendment will be defeated.

I say to my colleagues that we have worked out and desire Federal cooperation with the States. We say that the State laws or regulations relating to marine mammals can be sustained if any State adopts or enforces regulations that are consistent with this act.

It is encompassed in this act, as stated in the report; and there is no better way to do it than to read that part of the report, to show what was on our minds:

> The reference in section 109(a) to section 101 is designed to emphasize that, in order to qualify, a state's laws must provide for a moratorium of the same nature required under the Act. However, the discretionary judgments and rulemaking activities during the moratorium which the Act provides for could be carried on by state authorities and not the Secretary.

So we encourage and seek a teamwork arrangement between State authorities and the Federal Government, if it is approved by the Secretary. This does not, of course, waive all Federal jurisdiction under this section. In fact, I point to the report which says:

> Whenever the Secretary finds that a State is not in substantial compliance with either section, as the case may be, he may resume the responsibility under this Act.

So what we are trying to do is to work with the fish and game and wildlife people. The State of Alaska has maintained authority and capability in this field. In fact, every time I ask a technical question, I find that there is some Alaskan Native with experience who came south and got into our Department of the Interior or Department of Commerce. I have no fear that the Departments of Interior and Commerce are going to work with the departments in California, Oregon, Washington, Florida, and particularly the State of Alaska.

I am convinced that we will not have any difficulty with the State of Alaska being permitted to maintain its outstanding marine mammal program under the provisions of this section so long as they go along with the permit procedure, the regulation procedure, adhere to the moratorium, and keep up to snuff.

The PRESIDING OFFICER. All time of the Senator from South Carolina has expired.

Mr. STEVENS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Alaska has 5 minutes.

Mr. STEVENS. I yield myself 5 minutes.

Mr. President, I am indebted to the Senator from South Carolina for mentioning the prohibiting shooting from aircraft bill. That regulates the means of taking. It does not regulate the taking per se.

As a practical matter, State laws have applied within the 3-mile limit. Contrary to what the Senator from Oklahoma says, Federal law applies beyond the 3-mile limit. We have the 12-mile zone, including the contiguous zone. Beyond that we have the jurisdiction declared by President Truman in connection with the creatures of the Outer Continental Shelf. We have jurisdiction. We have jurisdiction declared by Congress many times in various ways, pursuant to the North Pacific Fisheries Treaty Act, and pursuant to the Fur Seal Treaty.

In any event, we have never before taken away from any State its jurisdiction over wildlife within its borders without a finding that was substantiated by some type of scientific evidence. That is all I ask.

The Senator from South Carolina fails to mention that, for the first time, my amendment would grant to the Secretary the right to take away the jurisdiction of any State over the mammals within its jurisdiction if he fears that the mammal may become an endangered species. The Endangered Species Act itself already would permit the protection of anything that was an endangered species.

The Senator from South Carolina quoted from my amendment, and I am happy he did that, because I took that language directly from S. 2312, the bill that was introduced by the Senator from Utah (Mr. MOSS) and by the Senator from Nevada (Mr. CANNON) both States that have expressed great concern over this in the past.

Mr. President, I have a number of letters on this subject. I do not have time to read all the letters I have before me. They are letters received from fish and game commissioners from Idaho and Oregon, from the president of the department of natural resources in Minnesota, from various States that have been involved, including Kansas, which has written to its two Senators, the Minnesota Conservation Federation, the department of natural resources, St. Paul, Minn. I ask unanimous consent to have these letters printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

GAME COMMISSION,
OFFICE OF THE DIRECTOR,
Portland, Oreg., April 4, 1972.

Hon. ERNEST F. HOLLINGS,
Chairman, Oceans and Atmosphere Subcommittee, Senate Commerce Committee, Washington, D.C.

DEAR SENATOR HOLLINGS: Your Committee's favorable consideration of S. 3161 (Marine Mammals) as introduced by Senator Stevens is respectfully requested.

We in Oregon are proud of the progress we are making in development and management of coastal marine resources, including seals, sea lions and sea otters, and can see no logic or reason in the proposed federal pre-emption of constructive state programs for those species as provided in S. 2639.

We recognize the need for federal initiative in management of pelagic marine mammals that are outside state boundaries and support that objective.

Your cooperation in this important matter is appreciated.

Sincerely yours,
JOHN W. MCKEAN,
Director.

STATE GAME AND
FISH COMMISSIONERS,
Boise, Idaho, April 12, 1972.

Hon. TED STEVENS,
Member, Ocean and Atmosphere Subcommittee of the Senate Commerce Committee, Senate Office Building, Washington, D.C.

DEAR SENATOR STEVENS: In February I had the privilege of testifying before the members of the Oceans and Atmosphere Subcommittee of the Senate Commerce Committee on several bills having to do with management of marine mammals. At that time you were in the process of introducing S. 3161, and I did not have the opportunity to comment on it.

I have carefully reviewed S. 3161 and strongly support this legislation. It not only clarifies jurisdiction of marine mammals, but clearly gives the states presently carrying out sound marine mammal management practices the authority to properly continue their present marine mammal programs. In addition, it provides for a close, cooperative program between the states and federal government in this area. S. 3161 has been reviewed by other member states of the Western Association, and we strongly urge the passage of this legislation. This bill will provide for the federal government to continue its proper role outside of state jurisdiction areas and not pre-empt state rights where they are presently being properly managed.

Your consideration in the furtherance of S. 3161 will be greatly appreciated.

Very truly yours,
CARL N. CROUSE,
Chairman, Legislative Committee.

APRIL 21, 1972.

Hon. THEODORE F. STEVENS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR STEVENS: I am writing to you as a member of the Senate Commerce Committee because of the concern of the International Association of Game, Fish and Conservation Commissioners over proposed legislation on marine mammals. The Subcommittee on Oceans and Atmosphere is wrestling with a number of bills intended to further the protection of marine mammals, and it is my Association's strong desire that the resulting legislation will embody the principles of enlightened wildlife management to which the Association is dedicated.

The Association would be among the first to affirm that man's treatment of the vast resource represented by the marine mammals has for the most part been reprehensibly wasteful and shortsighted. This has been largely due, we believe, to the international aspect of their occurrence. A resource that belongs to everyone is too often cared for by no one. There is the utmost needs to establish effective international protection for many over-exploited and endangered species, particularly the larger whales. Lacking international accord, the United States must act unilaterally to restrain its own nationals from taking depleted species and to restrict the importation of products derived from such animals.

At the same time, we strongly oppose "shotgun" or "blanket" legislation which allows for no discrimination between species in need of complete protection against further harvest at this time and those whose welfare permits or even needs a continuing regulated utilization. In short, a proper enactment of total protection to benefit the highly endangered blue whale could be seriously damaging if applied to the northern fur seals of the Pribilof Islands. We strongly oppose a blanket legislated moratorium on the taking of all marine mammals by U.S. nationals and urge legislation to allow the appropriate Secretary to establish flexible regulations geared to the status and requirements of each separate species.

To insure that regulations established for the management of each species are kept current with the welfare of each species, the Association urges the enactment of wording similar to the following:

"Within six months from the date of enactment of this Act and every 12 months thereafter, the Secretary shall report to the public and the Congress on the current status of all marine mammal species and populations subject to the provisions of this Act. His report shall describe those actions taken and those measures believed necessary, including where appropriate, the establishment or removal of moratoria on taking, to assure the well-being of such marine mammals."

Unquestionably, the proper protection and management of mammals whose normal habitat is the open ocean demand federal regulation and international cooperation. Nevertheless, many marine mammals spend all or a large part of their normal lives in waters close to shore, or even hauled out upon land. These mammals have properly been of great concern to the states whose jurisdiction includes these shorelands and near-shore waters. Most of these ocean-bordering states have legislation or regulations, management programs, and research projects dealing with these near-shore animals. Some of the bills before the subcommittee would so preempt state authority that these productive programs might be abruptly halted before federal programs could be implemented to replace them. It is very important that adopted legislation provide for the utmost cooperation between federal and state agencies, to keep what is good in present programs and to provide for full coordination with desirable new programs relating to marine mammals. My Association earnestly recommends a provision for federal-state cooperation like that in Section 109 of S. 3161 and a provision for federal grants-in-aid of marine mammal research like Section 110 of S. 3161.

Finally, the International Association of Game, Fish and Conservation Commissioners is convinced that the welfare of marine mammals and of man requires that the legislation to be adopted incorporates both the concept and the definition of "management", such as the following:

"The term 'management' means the collection and application of biological information for the purposes of increasing and maintaining the number of animals within species and populations of marine mammals at the optimum carrying capacity of their habitat. Management includes the entire scope of activities that constitute a modern scientific resource program, including, but not limited to, research, census, law enforcement, and habitat acquisition and improvement. Also included within this term, when and where appropriate, is the periodic or total protection of species or populations as well as regulated taking."

I apologize for the length and detail of this letter, but I consider the subject before us so important as to necessitate a careful, considered effort from all of us who are concerned.

Sincerely,

Ralph A. MacMullan.

April 26, 1972.

Hon. Earl F. Hollings,
Chairman, Subcommittee on Oceans and Atmosphere, Senate Committee on Commerce, Washington, D.C.

We are vitally concerned with legislation presently before the Subcommittee on Oceans and Atmosphere of the Senate Committee on Commerce which preempt the rights of the states to manage wildlife resources within the territorial limits of the coastal states. We are concerned because of the continuous erosion of the rights of the states to manage its fish and wildlife resources. We therefore, urge you to adopt the provisions for Federal-State cooperative programs as set forth in Sections 109 and 110 of S-3161 which was introduced by Senator Ted Stevens of Alaska.

Joseph C. Greenley,
Director,
Idaho Fish and Game Department.

Forestry, Fish and Game Commission,
Pratt, Kans., April 27, 1972.

Senator Robert Dole,
U.S. Senate,
Washington, D.C.

Dear Senator Dole: S. 3161, an Act concerning the conservation of marine mammals, is being considered by the Senate Commerce Committee.

This bill (1) recognizes the role of scientific efforts necessary to formulate management programs and develop international treaty recommendations, (2) provides authority for the Secretary to impose moratoria on those species or segments of populations needing protection, and (3) would provide a vehicle for strong State-Federal cooperative research and management programs.

S. 3161 is a positive bill whereas H.R. 10420, recently passed by the House, is weak in these areas.

I also understand the Subcommittee on Oceans and Atmosphere, chaired by Senator Ernest F. Hollings (S.C.) is considering legislation even less desirable than H.R. 10420.

When S. 3161 is passed out of committee for action on the floor, I urgently and respectfully request your support.

Respectfully,

Richard D. Wettersten,
Director.

Forestry, Fish and Game Commission,
Pratt, Kans., April 28, 1972.

Senator James B. Pearson,
U.S. Senate,
Washington, D.C.

Dear Senator Pearson: House and Senate bills, H.R. 10420 and S. 3161, are directed toward the conservation of marine mammals.

S. 3161 is much to be preferred in that it (1) recognizes the roll of scientific data gathering necessary to formulate managemen programs and develop treaty recommendations, (2) provides authority for the Secretary to impose moratoria on those species or segments of populations needing protection, and (3) would enable State and Federal agencies to work together in a strong cooperative program of research and management.

I also understand the Subcommittee on Oceans and Atmosphere, chaired by Senator Ernest F. Hollings (So. Carolina) is considering both bills but that H.R. 10420 is receiving the most attention. This bill recently passed by the House is weak in the important areas where S. 3161 is strong. We look at H.R. 10420 as a negative bill in that it ignores scientific findings on the management of certain marine mammals.

Your support of S. 3161 and your opposition to H.R. 10420 is urgently and respectfully requested.

Best wishes,

Sincerely,

Richard D. Wettersten,
Director.

Department of Natural Resources,
St. Paul, Minn., April 27, 1972.

Senator Walter F. Mondale,
Senator Hubert H. Humphrey,
Senate Office Building,
Washington, D.C.

Re marine mammal legislation

Dear Senators: Our Department has received information on proposed marine mammal legislation from the International Association of Game, Fish and Conservation Commissioners, the Wildlife Management Institute, and other sources.

We understand that the Senate Subcommittee on Oceans and Atmosphere of the Senate Commerce Committee is considering H.R. 10420, which was approved by the House on March 9, 1972, and S. 3161. Although Minnesota is not directly involved in marine mammal management, we are interested in seeing that the proper type of management for these wildlife species is carried out on a scientific basis. We are concerned that H.R. 10420 will result in poor legislation in that it would declare a blanket moratorium and states' rights would be pre-empted. Because of this, we hope that you will oppose H.R. 10420 in its present language.

S. 3161, introduced by Senator Stevens of Alaska, is a sound marine mammal bill which we recommend be supported. It calls for a strong federal-state cooperative program with authority for the Secretary of Interior to impose selective moratoria as might be necessary.

Your help and assistance in arriving at sound marine mammal management legislation which will not pre-empt states' rights will be appreciated.

Sincerely,

Robert L. Herbst,
Commissioner,
Department of Natural Resources.

Minnesota Conservation Federation,
Hopkins, Minn., May 8, 1972.

Hon. Ernest Hollings,
U.S. Senate,
Washington, D.C.

Dear Senator Hollings: The 12,000 member Minnesota Conservation Federation is adamantly opposed to H.R. 10420, the Marine Mammals Bill.

While there is a need for additional protection for some of the marine mammals, an outright ban on taking all marine mammals has little scientific, economic, or moral justification.

The Bill is obviously pointed toward the eventual elimination of all hunting, everywhere, and if passed would be the first step toward that goal.

Senator Ted Stevens of Alaska has introduced S. 3161, this bill is realistic in that it extends protection where needed and also provides for cooperative Federal-State research and management.

The Federation strongly urges your assistance in defeating H.R. 10420 and in passing S. 3161.

Sincerely,

Al Farmes,
Chairman, Legislative Committee.

Jefferson City, Mo., *April 27, 1972.*

Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
Washington, D.C.

Dear Senator Magnuson: I am writing to express the support of the Missouri Department of Conservation for S. 3161 relative to the conservation of marine mammals.

As you know, a number of bills dealing with this subject are under consideration at the present time. Many of them would eliminate sound and effective scientific management in favor of complete protection in the continental United States. There is every reason to believe that the ultimate result of such legislation would be detrimental to the resource because of its probable effect on exploitation on the high seas by citizens of other countries.

We feel very strongly that any successful wildlife conservation program must be based on a scientific approach, and that it must be a joint cooperative effort between the States and the Federal government. It seems to us that S. 3161 would accomplish these objectives, and we urge your favorable consideration of this bill rather than other proposals.

Sincerely,

Larry R. Gale,
Associate Director.

South Carolina
Wildlife Resources Department,
Columbia, S.C., April 28, 1972.

Senator Ernest F. Hollings,
Senate Office Building,
Washington, D.C.

Dear Fritz: I tried to call you yesterday and again this morning and was unable to reach you. I am very concerned over the proposed legislation in Congress that I understand is now in your Committee on marine mammals.

I think we are all in thorough accord that more attention should be given these mammals. I feel very strongly that complete protection of these mammals is not in their best interest and will defeat the purpose that we all seek. A scientific management of this resource should be provided and include a regulated harvest of only the surplus. Experience in other species indicates that when a specie is placed on complete protection, which does not include a good management program, it usually results in a further decline in population. This is a very important resource and can be scientifically managed to sustain a strong, healthy population rather than having complete protection where the surplus die of starvation, disease or old age. I also feel that the states that have a program for the protection and management of these mammals should be permitted to continue to manage them and other states who do not have such a program be encouraged to establish one. The legislation should provide, however, that if the states having jurisdiction over these mammals do not provide such a program for management and protection of this resource, that the Secretary of the Interior would intervene and provide such a program. I hope that you will revise your Bill S–3112 to conform with most of the provisions of S–3161.

I know that you will do all you can to provide adequate management for this very important resource and not be led by the complete protectionist group that opposes the harvest of anything.

If I can do anything for you here in South Carolina, please let me know. With kind personal regards, I am

Sincerely,

James W. Webb,
Executive Director.

Department of Game, Fish, and Parks,
Pierre, S. Dak., April 28, 1972.

Hon. Warren Magnuson,
Chairman, Commerce Committee, U.S. Senate, Washington, D.C.

Dear Senator Magnuson: I am writing to express my concern over proposed legislation involving the taking of marine mammals. It is my understanding that the House has recently passed H.R. 10420 which is considered by most marine mammal experts and leading conservationists to be inadequate and to reflect the extreme and ridiculous (albeit well-meaning) view of the anti-hunting and protectionist groups.

I am advised that a sound marine mammal bill has been introduced in the Senate—S. 3161. I am also advised that the staff of the Subcommittee on Oceans and Atmosphere is marking up the bill to amend it. I believe such amendment would be unwise if it follows H.R. 10420.

Two matters of most serious concern are that the marked up bill will contain either a five or fifteen year moratorium on the taking of any marine mammals and the possibility of federal preemption of states rights relating to those marine mammals that are in the normal jurisdiction of the coastal states. It is extremely important that these amendments be deleted in order that scientific and proper management programs may be maintained. States rights should not be preempted in this case and no blanket moratorium should be established, but rather the law should allow for the Secretary of the Interior to apply selective moratorium based on scientific conservation.

I respectively request that you call this matter to the attention of members of the Subcommittee on Oceans and Atmosphere and the Committee on Commerce so that the Congress of the United States does not give voice to the ridiculous principle that "complete protection is good conservation."

Sincerely,

R. A. Hodgins,
Director.

U.S. Senate,
Committee on Commerce,
Washington, D.C., April 28, 1972.

Mr. Bernard W. Corson,
Director, Fish and Game Department, State of New Hampshire, Concord, N.H.

Dear Buck: Thank you for your letter of April 14 concerning the preemptive aspects of the marine mammal legislation pending before the Subcommittee on Oceans and Atmosphere of the Committee on Commerce.

I am enclosing for your inspection a copy of *Staff Working Draft No. 2* of the "Marine Mammal Protection Act of 1972". I wish to emphasize that this is all it is—a "Working Draft". It is an attempt by the Committee staff to formulate a legislative proposal based upon the several approaches embodied in the bills referred to the Committee, and the testimony received during our hearings on the legislation. It does not represent the official Committee position.

You will note that on page 30, section 109, provision is made for Federal preemption but with an exception which would permit the States to adopt standards more stringent than those issued pursuant to the Federal law. In addition, the Secretary is authorized to enter into cooperative arrangements with individual States for administrative and enforcement purposes.

I would like very much to have your comments on Staff Working Draft No. 2, as well as information concerning the marine mammal protection laws of the State of New Hampshire so that I might watch carefully the effect of Federal legislation upon our own State programs.

Thank you for informing me of your interest in this matter.

With best wishes,

Sincerely,

Norris Cotton,
U.S. Senator.

New Hampshire Fish and Game Dept.,
May 3, 1972.

Hon. Norris Cotton,
U.S. Senate,
Washington, D.C.

Dear Norris: Thank you for the copy of the Working Draft No. 2 of the "Marine Mammal Protection Act of 1972". I have read it over carefully and find it confirms reports that preservation rather than sound scientific management is the direction this bill is taking. This, therefore, makes Section 109 quite meaningless since it would be hardly likely that any state would find legitimate cause to adopt more stringent regulations.

From New Hampshire's point of view this bill will supercede our seal protection law (RSA 210:3b) which presently exempts commercial lobstermen and commercial fishermen who take them accidently in the process of fishing and on purpose when they are destroying fishing gear. We do not believe that more stringent regulations are necessary to protect our seals, but if we did I feel we are quite capable of prividing such regulations in state controlled waters.

As written, I have to feel that Staff Working Draft No. 2 sets a very dangerous precedent of establishing federal jurisdiction over mineral resources historically under state control and does so with no evidence that state control has been responsible for a decline in the resources. I have little argument with federal regulations controlling the interstate shipment or importation of marine mammals or by-products, where such animals require protection, but I fail to understand the language of Sction 2 "Findings and Declaration of Policy". Item 5–b which stretches credibility and under the same rational could include every living organism, and Item 6 where its states management "to achieve an optimum sustainable population keeping in mind the health and stability of the marine ecosystem". In the first place, every "ecosystem' is dynamite in nature, ever changing and never stable. This leaves Item 6 in a completely subjective state and subject to a wide variety of interpretations.

Although marine mammals may not be as important to the state of New Hampshire as they are in some other states, we certainly have some valuable marine rsources that could become subject to similiar federal regulations once the precedent is set. I have to feel that we can best look after the interest of the state of New Hampshire if we are allowed to retain historic jurisdiction over such resources that we have accepted the responsibility for, both legally and morally. for well over one hundred years. I am very concerned that the final mark-up of this bill will not be in the best interests of some scientific management of not only marine mammals but of other marine living resources as well.

Thank you for your consideration in this matter.

Sincerely yours,

Bernard W. Corson,
Director.

The Quack,
May 2, 1972.

Hon. Ernest F. Hollings,
Chairman of the Subcommittee of Oceans and Atmosphere, Senate Office Building, Washington, D.C.

Dear Mr. Hollings: The Oregon Duck Hunters Association-Mallard Chapter, an organization of sportsmen dedicated to the conservation of migratory waterfowl, wildlife resource, and outdoor recreation, are deeply concerned with H.R. 10420 now pending in Congress.

This organization strongly recommends legislation that requires good sound management for the protection, growth and survival of marine mammals. However, H.R. 10420 by preempting the coastal states in the management of resident marine mammals is not, in our opinion, the sound legislation required to accomplish the desired goal.

Washington, Oregon, California, and other coastal states are deeply concerned with the welfare of their resident marine wildlife, which includes such mammals as the sea otter, seal, sea lion, etc. Their fish and wildlife commissions are well staffed with dedicated personnel, especially trained in the management of marine wildlife. Their involvement includes research, constructive programs such as rehabilitation and personnel work with commercial fisheries, and outside interests to secure their cooperation.

These mammals need the good sound management that can and should be provided by coordinated Federal-State programs.

S. 3161, also in the Senate, is a more realistic bill. It gives the Federal Government the authority to assure ample protection for the survival of our marine mammals. It also vests in the states the responsibility of managing the resident marine mammals within their coastal jurisdiction. In so doing, it encourages and offers an incentive for the Federal and State agencies to work together in providing the management this type of marine wildlife requires and deserves.

The membership strongly recommends S. 3161 and urges your support in its passage.

Sincerely Yours,

HENRY G. HELBER,
Legislative Chairman.

ARKANSAS GAME AND FISH COMMISSION,
Little Rock, Ark., May 4, 1972.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Committee on Commerce, Old Senate Office Building, Washington, D.C.

DEAR SENATOR MAGNUSON: The Arkansas Game and Fish Commission recently joined numerous other conservation agencies and organizations in expressing adamant opposition to the House-passed Ocean Mammals Protection Bill, H.R. 10420.

Commission opposition to this proposed legislation is based on the following reasons:

1. This legislation would institute a "hands off" policy toward ocean mammals with either a five or fifteen year blanket moratorium on the harvesting of any of the specified animals. A preservationist attitude reflecting emotionalism rather than fact is discernible in the proposed moratorium. The moratorium is totally unnecessary and unacceptable to professional biologists and resource managers throughout the country who have examined this legislation.

2. This legislation would be preemptive of states' rights to manage resident wildlife populations.

3. This type of legislation is a "foot in the door" for federal management of all wildlife, including resident populations of inland states.

4. To provide for sound and proper management of wildlife resources, it is necessary to apply scientific methods and procedures developed over many years through research, experience and knowledge of professional biologists, and specialists of many other scientific disciplines. It should be noted that these professionals are invariably opposed to this non-scientific, unprofessional, emotional approach to wildlife management.

H.R. 10420 is entirely inadmissible as factual or useful legislation for the management of an important natural resource.

Yours very truly,

ANDREW H. HULSEY,
Director.

FEDERAL PREEMPTION OF MARINE RESOURCES MANGEMENT IN STATE WATERS—AN IMMEDIATE THREAT THAT DEMANDS IMMEDIATE ACTION

BRIEF BACKGROUND NOTES

Ever since John McKean brought in his emergency proposal on marine mammal legislation and PMFC approved it unanimously as Resolution 8, this office has been busy pressing for modification of objectionable sections in pending legislation which would pre-empt state research and management inside the three-mile limit. I learned on my Washington visit that the Anderson-Dingell bill (H.R. 10420) had gone so far through the Congressional mill that it was not likely to be modified now, despite any impact by our arguments for states rights.

I was advised by both House and Senate staff to concentrate on influencing Senate attitudes—that if the final Senate-approved bill included proper State-Federal interaction in research and management, we then had a good chance that the Senate view would prevail in Conference Committee. (*We have good indications of support for our views on the House side too—as I see it, this is now a strategy matter, with good chance for success if the Senate goes our way.*

Subsequent events on the Senate side include introduction February 22 of a new bill (S. 3112) by Senator Ted Stevens of Alaska. This bill had been "drafted by a group of professional wildlife conservationists and environmentalists" (Stevens: Congr. Record) and includes language on state-federal relations which properly recognizes state authority within territorial waters (see attachment). The Subcommittee on Oceans and Atmospheric (of the Commerce Committee) has held a series of hearings on the seven marine mammal bills before it, and has heard testimony from Carl Crouse representing the Western Association of Game and Fish Commissioners, the National Association, and PMFC; also from Ben Hilliker representing the State of Alaska. Senator Packwood's testimony included insertion of our PMFC letter of February 9 into the hearing record. (Senator Stevens is a member of that Subcommittee.)

RECENT DEVELOPMENTS

On February 16 I wrote Senator Stevens commending his action, and requesting his support of the PMFC position (cf. attachment). His two responses endorsed our stand, and requested our help in reaching other Senators of our delegations (copies of his letters attached).

Yesterday I called Washington, D.C. and learned that the Subcommittee still is deliberating on these bills. The word was that Ted Stevens was fighting hard within the Subcommittee for his position, and had a good chance of success, but that if he failed there, he probably would carry the issue to the floor of the Senate.

FEBRUARY 16, 1962.

Hon. TED STEVENS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR STEVENS: I have read recently of your concern for the seal-hunting rights of Alaska's Aleuts in the face of Federal legislation which seeks to supplant the international treaties under which the fur seals are harvested. Since it is well established that this harvesting is consistent with good management practices, and since it sustains an historic way of life for an important segment of our population, this championship of the Aleut cause seems both just and equitable.

We believe you also will be concerned about the language and intent of certain of these marine mammal protection bills to pre-empt State authority and responsibility to manage living resources within the three-mile limit of the territorial seas. You may recall that PMFC's Resolution 8 spoke strongly to this issue, pointing out that State ownership and responsibilities within the three-mile limit had been established by the Submerged Lands Act of 1953.

I recently prepared a letter to Senator Bob Packwood (copy enclosed) commenting on his bill S. 2639, which does not appear to contain the objectionable pre-emption concept and language of H.R. 10420, and presumably S. 3112. We commend to your consideration, and hopefully your support, the general rationale developed in this letter, and particularly the tentative alternative language we have suggested on page 3.

You will note that in Senator Packwood's letter I used examples from California to illustrate the magnitude of State investment which could be dismantled and wasted if Federal pre-emption of responsibility were to take place. I know that equivalent examples could be developed for Alaska. We feel confident that you will wish to exert your own influence as member of the key Subcommittee on Oceans and Atmosphere to assure that Federal legislation does not needlessly undermine present State conservation policies and practices, particularly where these are demonstrably efficient, and are consonant with Federal goals and policies.

Your comments and reactions concerning our stand of this issue will be most welcome. We count on your influence and support to see that the language of these bills is modified so that they do not threaten dismantlement of our extensive State commitments of manpower and other resources to existing effective programs of marine mammal management within territorial seas.

Yours sincerely,

JOHN P. HARVILLE,
Executive Director

PACIFIC MARINE FISHERIES COMMISSION,
Portland, Oreg., April 3, 1972.

Hon. ERNEST F. HOLLINGS,
Chairman, Oceans and Atmospheric Subcommittee of the Senate Commerce Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR HOLLINGS: As your Subcommittee continues its deliberations on marine mammal legislation, we respectfully urge that full and favorable consideration be accorded the enhancement of effective federal-state interactions in management of these important marine resources. We believe that state-federal cooperative action is a cornerstone of the American governmental system, and that threats of federal pre-emption in areas of established state jurisdiction dangerously undermine the balanced responsibilities inherent in that system.

We emphasize further that pre-emption of State authority for research and management of marine mammals could only result in disruption and waste of the initiative, long-term effort, and considerable commitment of manpower and resources already invested by many of our states in on-going effective programs for marine mammal conservation and management. For example, the State of California presently assigns two biologists full time to continuing researches on the California Sea Otter, a species brought back from near extinction by State initiative, and long under intensive study. California also invests some 12,000 man-hours yearly in patrol activities designed to protect marine mammals, near-shore game fish, and marine plants. Marine mammal protection accounts for about 15% of this total patrol effort. Clearly there are economies and major efficiencies in this kind of multi-purpose action by a State's organized patrol force. Your Subcommittee has heard similar testimony from the State of Alaska indicating the great investments by Alaska in marine mammal conservation and management.

We cannot believe that Congress would wish to dismantle existing strong State programs having obvious operational values and cost-effectiveness. Neither do we believe that federal pre-emption of all marine mammal management automatically will produce the enlightened long-range program the American people are demanding. For these reasons, we are opposed to the federal pre-emption concept articulated in H.R. 10420, and presumably in the Senate companion bill. We support instead the concept of separate jurisdiction but shared research and conservation concerns which are enunciated in paragraph 109 of Senator Ted Stevens' S. 3112 bill.

These specific comments are based upon earlier formal action by the Pacific Marine Fisheries Commission at its November 1971 annual meeting. At that time our five compact states unanimously adopted a resolution which stated that the Submerged Lands Act of 1953 had confirmed state title to and ownership of natural resources within the three-mile limit, and therefore that PMFC strongly opposed any federal intent to pre-empt state responsibilities for managing marine mammals within state waters (text of resolution attached).

We respectfully request your support and your leadership in assuring that the bill endorsed by your Subcommittee will enhance, not undermine, productive State-Federal interactions. The real goal for all concerned is the welfare of our priceless marine mammal resources. We believe this shared goal can best be served by a bill that sponsors and supports cooperation, not conflict, among responsible jurisdictions.

Yours sincerely,

John P. Harville,
Executive Director.

April 21, 1972.

Hon. Theodore F. Stevens,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

Dear Senator Stevens: I am writing to you as a member of the Senate Commerce Committee because of the concern of the International Association of Game, Fish and Conservation Commissioners over proposed legislation on marine mammals. The Subcommittee on Oceans and Atmosphere is wrestling with a number of bills intended to further the protection of marine mammals, and it is my Association's strong desire that the resulting legislation will embody the principles of enlightened wildlife management to which the Association is dedicated.

The Association would be among the first to affirm that man's treatment of the vast resource represented by the marine mammals has for the most part been reprehensibly wasteful and shortsighted. This has been largely due, we believe, to the international aspect of their occurrence. A resource that belongs to everyone is too often cared for by no one. There is the utmost need to establish effective international protection for many over-exploited and endangered species, particularly the larger whales. Lacking international accord, the United States must act unilaterally to restrain its own nationals from taking depleted species and to restrict the importation of products derived from such animals.

At the same time, we strongly oppose "shotgun" or "blanket" legislation which allows for no discrimination between species in need of complete protection against further harvest at this time and those whose welfare permits or even needs a continuing regulated utilization. In short, a proper enactment of total protection to benefit the highly endangered blue whale could be seriously damaging if applied to the northern fur seals of the Pribilof Islands. We strongly oppose a blanket legislated moratorium on the taking of all marine mammals by U.S. nationals and urge legislation to allow the appropriate Secretary to estabish flexible regulations geared to the status and requirements of each separate species.

To insure that regulations established for the management of each species are kept current with the welfare of each species, the Association urges the enactment of wording similar to the following:

"Within six months from the date of enactment of this Act and every 12 months thereafter, the Secretary shall report to the public and the Congress on the current status of all marine mammal species and populations subject to the provisions of this Act. His report shall describe those actions taken and those measures believed necessary, including where appropriate, the establishment or removal of moratoria on taking, to assure the well-being of such marine mammals."

Unquestionably, the proper protection and management of mammals whose normal habitat is the open ocean demand federal regulation and international cooperation. Nevertheless, many marine mammals spend all or a large part of their normal lives in waters close to shore, or even hauled out upon land. These mammals have properly been of great concern to the states whose jurisdiction includes these shorelands and near-shore waters. Most of these ocean-bordering states have legislation or regulations, management programs, and research projects dealing with these near-shore animals. Some of the bills before the subcommittee would so preempt state authority that these productive programs might be abruptly halted before federal programs could be implemented to replace them. It is very important that adopted legislation provide for the utmost cooperation between federal and state agencies, to keep what is good in present programs and to provide for full coordination with desirable new programs relating to marine mammals. My Association earnestly recommends a provision for federal-state cooperation like that in Section 109 of S. 3161 and a provision for federal grants-in-aid of marine mammals research like Section 110 of S. 3161.

Finally, the International Association of Game, Fish and Conservation Commissioners is convinced that the welfare of marine mammals and of man requires that the legislation to be adopted incorporates both the concept and the definition of "management", such as the following:

"The term 'management' means the collection and application of biological information for the purposes of increasing and maintaining the number of animals within species and populations of marine mammals at the optimum carrying capacity of their habitat. Management includes the entire scope of activities that constitute a modern scientific resource program, including, but not limited to, research, census, law enforcement, and habitat acquisition and improvement. Also included within this term, when and where appropriate, is the periodic or total protection of species or populations as well as regulated taking."

I apologize for the length and detail of this letter, but I consider the subject before us so important as to necessitate a careful, considered effort from all of us who are concerned.

Sincerely,

Ralph A. MacMullan,
President.

April 26, 1972.

Hon. Earl F. Hollings,
Chairman, Subcommittee on Oceans and Atmosphere, Senate Committee on Commerce, Washington, D.C.:

We are vitally concerned with legislation presently before the Subcommittee on Oceans and Atmosphere of the Senate Committee on Commerce which preempt the rights of the states to manage wildlife resources within the territorial limits of the coastal states. We are concerned because of the continuous erosion of the rights of the states to manage its fish and wildlife resources. We, therefore, urge you to adopt the provisions for Federal-State cooperative programs as set forth in Sections 109 and 110 of S-3161 which was introduced by Senator Ted Stevens of Alaska.

Joseph C. Greenley,
Director, Idaho Fish and Game Department.

Western Association of
State Game and Fish Commissioners,
Boise, Idaho, April 12, 1972.

Hon. Ted Stevens,
Member, Oceans and Atmosphere Subcommittee of the Senate Commerce Committee, Senate Office Building, Washington, D.C.

Dear Senator Stevens: In February I had the privilege of testifying before the members of the Oceans and Atmosphere Subcommittee of the Senate Commerce Committee on several bills having to do with management of marine mammals. At that time you were in the process of introducing S. 3161, and I did not have the opportunity to comment on it.

I have carefully reviewed S. 3161 and strongly support this legislation. It not only clarifies jurisdiction of marine mammals, but clearly gives the states presently carrying out sound marine mammal management practices the authority to properly continue their present marine mammal programs. In addition, it provides for a close, cooperative program between the states and federal government in this area. S. 3161 has been reviewed by other member states of the Western Association, and we strongly urge the passage of this legislation. This bill will provide for the federal government to continue its proper role outside of state jurisdiction areas and not pre-empt state rights where they are presently being properly managed.

Your consideration in the furtherance of S. 3161 will be greatly appreciated.

Very truly yours,

Carl N. Crouse,
Chairman, Legislative Committee.

State of Oregon Game Commission,
Portland, Oreg., April 4, 1972.

Hon. Ernest F. Hollings,
Chairman, Oceans and Atmosphere Subcommittee, Senate Commerce Committee, Senate Office Building, Washington, D.C.

Dear Senator Hollings: Your Committee's favorable consideration of S. 3161 (Marine Mammals) as introduced by Senator Stevens is respectfully requested.

We in Oregon are proud of the progress we are making in development and management of coastal marine resources, including seals, sea lions and sea otters, and can see no logic or reason in the proposed federal preemption of constructive state programs for those species as provided in S. 2639.

We recognize the need for federal initiative in management of pelagic marine mammals that are outside state boundaries and support that objective.

Your cooperation in this important matter is appreciated.

Sincerely yours,

John W. McKean,
Director.

Arkansas Game and Fish Commission,
Little Rock, Ark., May 17, 1972.

Re: S. 3161.

Hon. Warren G. Magnuson,
Chairman, Senate Committee on Commerce,
Old Senate Office Building,
Washington, D.C.

Dear Senator Magnuson: The Arkansas Game and Fish Commission has been engaged in the review of proposed Ocean Mammal legislation since the inception of earlier legislative efforts to this effect in the House.

In evaluating the various bills introduced before the House on Ocean Mammal Protection, the Commission was cognizant of a preservationist attitude which essentially substituted emotionalism for scientific fact in bills drafted. Much of the context of existing Ocean Mammal legislation would preempt states' rights in the management of specific marine mammals and would constitute a dangerous precedence with regard to management of resident wildlife populations in all of the United States. H.R. 10420, the House-passed Ocean Mammals Protection Bill, was officially opposed by the Commission as being entirely inadmissible as factual or useful legislation for the management of an important natural resource.

Upon examining Senator Stevens' Marine Mammals Bill, S. 3161, the Commission finds many desirable clauses which reflect the recommendations of professional wildlife managers. Highly important in this respect is the section of Senator Stevens' Bill which would substitute selective moratoria for blanket legislative action which could result in a 15-year moratorium. The terms "optimum sustained yield," "optimum carrying capacity" and "management," as defined under Section III, are particularly useful and well adapted to the application of scientific knowledge in the management of marine mammal resources.

Sections 109 and 110 of Senator Stevens' Bill covering cooperation with the various states is especially gratifying to the Arkansas Game and Fish Commission. S. 3161 is certainly much more palatable and acceptable to the Arkansas Game and Fish Commission than other accompanying legislative proposals.

Very truly yours,

ANDREW H. HULSEY,
Director.

STATE OF WEST VIRGINIA,
DEPARTMENT OF NATURAL RESOURCES,
Charleston, May 15, 1972.

Hon. ROBERT C. BYRD,
New Senate Office Building, Washington, D.C.

DEAR SENATOR BYRD: Legislation for the protection of marine mammals is currently under consideration by the Senate Committee on Commerce. The West Virginia Department of Natural Resources would like to solicit your support in successful passage of S. 3161 which calls for a strong federal-state cooperative program, with financial assistance for approved work; authority for the Secretary to impose selective moratoria, as deemed necessary, to give protection directly to species or population segments that may need it; and a large role for science in obtaining necessary information, designing management approaches, and developing treaty recommendations.

We also would like your support in opposing H.R. 10420 which would impose a blanket five-year moratorium on the taking or import of any marine mammal; would have the Federal Government preempt all marine mammals, including those frequenting state lands and waters; minimizes opportunity for state input into coordinated federal-state programs; and is generally deficient in recognizing the strong contribution science can make to the well-being of marine mammals.

Your favorable consideration of these suggestions would be greatly appreciated.

Sincerely,

IRA S. LATIMER, Jr.,
Director.

Mr. STEVENS. Mr. President, every one of the State departments of fish and game is worried about this precedent. Well they might be, because the same group that the Senator from Oklahoma is working with wants to stop killing all wild animals. This would be just the first step. Next would be the brown bear, then the moose, and then the caribou.

I ask my good friend from South Carolina, with the Senator from Washington sitting in the Chamber, what law governs the salmon when they come into the State of Washington after they have been out to sea for 4 years?

It is the State law of Washington.

Then, when they go into Idaho, what law governs them then?

It is the State law of Idaho.

Mr. President, we have always respected, in our State, great concern for fish and wildlife within our borders.

For the first time, I am very sorry to disagree with my friend from South Carolina. This bill will bring about a very dangerous precedent.

In closing, I would again say that the reason the bill was introduced is that S. 1232 was passed by the Senate and that is the bill that is the model for my amendment. However, S. 1232 was not passed by the House. The reason was that the Department of Interior in its regulations incorporated provisions of that bill. I have already placed Interior's order in the RECORD.

In 1970, the Department of the Interior acceded to the request of the public land States and said that, henceforth, it will be State law that governs hunting and fishing within the boundaries of any area that is under the jurisdiction of the State. I think that should be the same policy here.

I would point out to my friends that we are not talking about something that affects other people's lives very much.

But there are 300,000 bearded seals in Alaska. Three hundred thousand, and they are not an endangered species. They are not in any danger.

Some 1 to 2 percent of the bearded seals are harvested annually by nonnatives. That is what we are talking about here. These people can no longer harvest the seals.

Half the coastline on the west coast is in Alaska, my State. There is no way the Federal Government can enforce the provisions of this bill. Our State has protected ocean mammals by its enforcement officers in the Department of Fish and Game. We have done so creditably, I believe. There are more ocean mammals in Alaskan waters today than there were when we became a State. That should be an example to the rest of the country of what can be done with enlightened management under an efficient State fish and game program.

EXHIBIT 1

PRESERVATION, USE AND MANAGEMENT OF FISH AND WILDLIFE RESOURCES

On July 17, 1970, notice of a proposed regulation was published in the Federal Register (35 F.R. 11526). The proposed regulation was issued by the Secretary of the Interior. Its purpose was to strengthen and support the missions of the various States and the Department of the Interior in the cooperative preservation, use and management of the Nation's Fish and Wildlife Resources.

The notice afforded interested persons an opportunity to file data, views, or arguments pertaining thereto not later than 30 days following its publication in the FEDERAL REGISTER.

Views received have been considered in the final regulation which is published below:

Regulation of the Secretary of the Interior Relating to Certain Responsibilities of Interior Agencies and the States in the Preservation, Use and Management of the Nation's Fish and Wildlife Resources.

The Secretary of the Interior recognizes that fish and wildlife resources must be maintained for their aesthetic, scientific, recreation and economic importance to the people of the United States, and that because fish and wildlife populations are totally dependent upon their habitat, the several States and the Federal Government must work in harmony for the common objective of developing and utilizing these resources. It is the policy of the Secretary of the Interior further to strengthen and support, to the maximum extent possible, the missions of the States and the Department of the Interior in the attainment of this objective.

The effective husbandry of such resources requires the cooperation of State and Federal Government because:

(a) The several States have the authority to control and regulate the capturing, taking and possssion of fish and resident wildlife by the public within State boundaries;

(b) The Congress, through the Secretary of the Interior, has authorized and directed to various Interior agencies certain responsibilities for the conservation and development of fish and wildlife resources and their habitat.

Accordingly, the following procedures will apply to all areas administered by the Secretary of the Interior through the National Park Service, Bureau of Sport Fisheries and Wildlife, Bureau of Land Management and Bureau of Reclamation (hereinafter referred to as the Federal agencies). These Federal agencies will:

1. Within their statutory authority, institute fish and wildlife habitat management practices in cooperation with the States which will assist the States in accomplishing their respective, comprehensive, statewide resource plans;

2. Permit public hunting, fishing and trapping within statutory limitations and in a manner compatible with the primary objectives for which the lands are administered. Such hunting, fishing, and trapping and the possession and disposition of fish, game and fur animals shall be conducted in all other respects within the framework of applicable State laws, including requirements for the possession of appropriate State licenses or permits. The Federal agencies may, after consultation with the States, close all or any portion of land under their jurisdiction to public hunting, fishing, or trapping in order to protect the public safety or to prevent damage to Federal lands or resources thereon, and may impose such other restrictions as are necessary to comply with management objectives;

3. Consult with the States and comply with State permit requirements in connection with the activities listed below, except in instances where the Secretary of the Interior determines that such compliance would prevent him from carrying out his statutory responsibilities:

(a) In carrying out research programs involving the capturing, taking of possession of fish and wildlife or programs involving introduction of fish and wildlife;

(b) For the planned and orderly removal of surplus or harmful populations of fish and wildlife except where emergency situations requiring immediate action make such consultation and compliance with State permit requirements infeasible;

(c) In the disposition of fish and wildlife taken under (a) or (b) as provided above.

4. Exempted from this regulation are the following:

(a) The control and regulation by the United States, in the area in which an international convention or treaty applies, of the taking of those species and families of fish and wildlife expressly named or otherwise covered under any international treaty or convention to which the United States is a party;

(b) Any species of fish and wildlife control over which has been ceded or granted to the United States by any State;

(c) Areas over which the States have ceded exclusive jurisdiction to the United States.

5. Nothing contained herein shall be construed as permitting public hunting, fishing, or trapping on National Parks, Monuments, or Historic areas of the National Parks System, except where Congress or the Secretary of the Interior has otherwise declared that hunting, fishing, or trapping is permissible.

6. The Federal agencies and States will enter into written cooperative agreements containing the plans, terms, and conditions of each party in carrying out the intent of this regulation when such agreements are desired by the States. Such agreements will be reviewed periodically by both parties and, when appropriate, adjusted to reflect changed conditions.

Dated: September 10, 1970.

WALTER J. HICKEL,
Secretary of the Interior.

[F.R. Doc. 70-12340; Filed, Sept. 16, 1970; 8:45 a.m.]

Mr. GRIFFIN. Mr. President, if the amendment proposed by the distinguished Senator from Alaska (Mr. STEVENS) were adopted, this marine mammal bill would not apply to the taking of mammals in the United States of America. It would apply only to the importation of mammals taken outside the United States.

I opposed similar proposals in the Committee on Commerce, and I oppose this amendment. If this amendment were to pass, it would make much of the entire legislative effort to protect ocean mammals something of a futile gesture.

Either we need a marine mammal bill or we do not. I believe the evidence clearly indicates we do need a national policy to provide some measure of protection for these precious and unique creatures of the sea.

Obviously marine creatures recognize no State boundaries. Neither their protection nor sound conservation practices would be achieved if we were to deliberately apply one set of rules to the taking of mammals within the 3-mile territorial limit and another set beyond that limit.

Mr. President, the Federal Government already has the authority to protect endangered species, including marine mammals. It also has authority to regulate the taking of fur seals under international treaty as well as enforcing the prohibition against the shooting of animals from aircraft.

This authority is interrelated with the purpose and provisions of S. 2871, and the scope of Federal jurisdiction under the pending bill and existing law should be coextensive.

As the Deputy Assistant Secretary for Fish, Wildlife and Parks of the Department of the Interior, Mr. Curtis Bohlen, pointed out in testimony before the Subcommittee on Oceans and Atmosphere, most of the marine mammals are a truly international resource.

An effective program to protect marine mammals will require not only U.S. leadership, but international cooperation. It is hard to see how this cooperation can be achieved if we pass discriminatory legislation which sets a tough standard for foreign countries, but at home would allow the States to do as they please.

Mr. President, I urge the Senate to reject the amendment.

The PRESIDING OFFICER (Mr. ROTH). All time of the Senator has now expired.

Mr. GRAVEL. Mr. President, is there any time left at all?

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from Alaska (Mr. STEVENS).

On this question the yeas and nays have been ordered, and the clerk will call the role.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Louisiana (Mr. ELLENDER), the Senator from Georgia (Mr. GAMBRELL), the Senator from North Carolina (Mr. JORDAN), the Senator from South Dakota (Mr. McGOVERN), and the Senator from Nevada (Mr. CANNON) are necessarily absent.

I further announce that the Senator from New Jersey (Mr. WILLIAMS) is absent on official business.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New York (Mr. BUCKLEY) and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from New York (Mr. BUCKLEY) and the Senator from Illinois (Mr. PERCY) would each vote "nay."

The result was announced—yeas 26, nays 63, as follows:

[No. 316 Leg.]

YEAS—26

Allott
Bellmon
Bennett
Boggs
Brock
Burdick
Cook
Cotton
Curtis
Dole
Dominick
Fannin
Goldwater
Gravel
Hansen
Hatfield
Hruska
Jordan, Idaho
McGee
Metcalf
Pearson
Saxbe
Scott
Stevens
Tower
Young

NAYS—63

Aiken
Allen
Anderson
Bayh
Beall
Bentsen
Bible
Brooke
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Case
Chiles
Church
Cooper
Cranston
Eastland
Ervin
Fong
Fulbright
Griffin
Gurney
Harris
Hart
Hartke
Hollings
Hughes
Humphrey
Inouye
Jackson
Javits
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McIntyre
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pell
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Smith
Sparkman
Spong
Stafford
Stennis
Stevenson
Symington
Taft
Talmadge
Thurmond
Tunney
Weicker

NOT VOTING—11

Baker
Buckley
Cannon
Eagleton
Ellender
Gambrell
Jordan, N.C.
McGovern
Mundt
Percy
Williams

So Mr. STEVENS' amendment was rejected.

The PRESIDING OFFICER. The question now occurs on agreeing to the committee amendment in the nature of a substitute as amended. [Putting the question.]

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLINGS. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. HARRIS. Mr. President, I intend to vote against the bill.

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order.

The Senator from Oklahoma will proceed.

Mr. HARRIS. Mr. President, I intend to vote against the bill. I believe the Senate has passed up a historic opportunity. If the amendment offered by the senior Senator from New Jersey, myself, and others to impose a firm 5-year moratorium, without the loopholes this bill provides, had passed then the Senate would have written a new chapter in environmental policy and would have saved these wonderful ocean mammals for all time. But we did not do that.

One firm in South Carolina which processes seal skins now receives a subsidy from the Federal Government and as a side effect might lose this money if a firm 5-year moratorium had passed. As yesterday's debate revealed, the Fouke Fur Co. not only wants the special exemption to kill seals in the Pribilofs, as the bill now expressly provides, but it also wishes to import seal skins from South Africa and Uruguay. Under the proposed legislation it will be permitted to apply for a waiver to import the day after the bill is signed into law.

The major defense offered against a firm 5-year moratorium was the example of a small British island which allegedly suffers from an overpopulation of seals after a 20-year moratorium. The Senator from Idaho (Mr. CHURCH) effectively demolished this argument when he pointed out that citing the example of a 20-year moratorium under circumstances which remain unclear to everyone in the Senate is not proof that a 5-year moratorium is unwise. Indeed, no one has yet named a mammal that would get "out of control" in a 5-year period. On the contrary, there is solid evidence that animal populations are regulated effectively by nature and we are below optimum populations in the kinds of mammals covered by this bill.

Mr. President, I state again that I stand ready to support efforts which would compensate parties adversely affected by a decision to cut off the seal kill in Alaska. I would support legislation to assist such people in finding new jobs—the 240 employees of Fouke in South Carolina and the 600 inhabitants of the Pribilofs.

But I cannot in good conscience support a bill which perpetuates the slaughter of seals and other mammals simply on the grounds that we cannot do the right thing, because some people will lose their jobs. Where will such an argument lead us on defense spending? Our country is able to provide our people with better, more useful jobs. We cannot support arrangements for providing jobs that are badly managed and so costly to the taxpayer.

The Natives benefit very little. By most Government accounts only 40 of the 600 inhabitants of the Pribilofs have full time work, because of the seal kill. There are 157 temporary jobs. A 1970 report by the marine mammal resources program puts the figure for Native employment from the Pribilof Islands themselves at only 22.

Figures in the annual report of sealing operations for 1970 show that in recent years recruitment of the Pribilof people for the hunt has decreased by 41 percent while recruitment of people from the continental United States has risen 200 percent.

Fouke, Mr. President, has had a total monopoly over this trade since the early 1920's. In 1965, GAO tried to press for competition. Fouke took the issue to court and GAO backed down.

In 1971 Fouke's profit was 23 percent, according to the Department of Commerce. Meanwhile, the U.S. Government lost several hundred thousand dollars on this business arrangement with Fouke.

The contract with Fouke provides that the U.S. Government even pays part of the advertising costs for Fouke. For all we know, Fouke's ads against congressional action in this area may have been paid by the U.S. taxpayer.

Although the U.S. Government has had a contract with Fouke since the early 1920's, no one knows who owns Fouke. In the House hearings, requests to receive a list of stockholders were denied. So the U.S. taxpayer is in the position of handing money blindfolded to a special interest.

Mr. President, I am opposed to this bill and I intend to vote against it, because it is deficient in several particular respects. We did not provide for the killing of porpoises and to put that at a zero rate as we should have done, in a 2-year period, although we made progress in that regard by the amendment which we were able to work out with the Senator from South Carolina.

We did not provide for the forfeiture of vessels as we should have, although we did make some progress in that regard in the bill. I am grateful for those improvements.

The bill also is fatally deficient in that primarily we did not agree to a firm 5-year moratorium to stop all this killing. We did not stop the killing of seals in the Pribilof Islands and we did not transfer jurisdiction from the Secretary of Commerce to the Secretary of Interior.

We should stop killing all these marine mammals, but I particularly want to call attention to the continued killing of the polar bear in Alaska.

Mr. President, I ask unanimous consent to have printed in the Record an article dated April 3, 1972, which was published in Anchorage, Alaska, entitled "How Guides Can Tiptoe Around the State Game Laws."

There being no objection, the article was ordered to be printed in the Record, as follows:

How Guides Can Tiptoe Around the State Game Laws

(By Dan Gross)

Ray Loesche's career as a hunting guide has been hit and miss in Alaska's judicial arena, but the hits haven't been very hard.

He was nailed in 1963 for wanton waste of game meat, found not guilty in 1965 for guiding without a license, escaped a charge of not being present when his client was hunting in 1968 (dismissal), and got pinched in 1969 for failure to punch a moose ticket. Fine $25.

But this year it looked, momentarily, like real trouble. Last spring one of his assistant guides, Ron Lawson, and client, Don Breckenridge, shot a brown bear on the Alaska Peninsula after Loesche dropped them off in his Super Cub. Lawson didn't have a license, wasn't a resident, and according to Alaska Hoyle you aren't supposed to do some other things like shooting bear fresh off a plane.

Lawson didn't have something else, the $1,800 to pay for the fines. Loesche did and paid. Afterward the magistrate in King Salmon told Loesche that if he ever appeared in court there again he (the magistrate) would confiscate his (Loesche's) airplane.

Loesche's situation got worse. He appeared before a hearing of the Fish and Game Board in Anchorage, up for revocation of his license. But just about the time his case was launched it turned out that the key testimony was hearsay and the case was shelved on a technicality. Hearsay not usually admissible in court, is generally admissable at hearings.

A local taxidermist revealed recently that "one of the bandit guides worked for Egan's re-election, got some money coming in and received promises that the governor would ease up on the harassment of some of the guides by the fish and game enforcement division."

Who the guide might be is anybody's guess.

But in a piece of literature sent out by Loesche to some of his clients, he said.

"There were a total of 300 (polar bear) permits drawn Sept. 4 (1970) . . . Not one of my hunters was drawn.

"Now for new developments. Prior to the election, gubernatorial candidate Bill Egan assured a number of Alaska guides that if he were elected, he would throw out the current basis for issuance of polar bear permits for the coming season. As a result, a number of us did what we could to help him get elected. He was successful and will take office in December. He still assures us that one of his first actions will be to make the necessary changes and the season will be open. So, we are going ahead and confirming our hunts, and getting signed permit applications on hand, so we are ready to comply with whatever the new regulation is going to be. So, get in touch and let's have these polar bear hunts confirmed and ready to go when the time comes. We do have space available."

The political animal also plays the game in another way, juggling seasons, closed and open areas, not necessarily for the benefit of the animals.

Recently the Kodiak Island brown bear season was extended five days by "emergency" order of the Fish and Game Board.

The reason is a mystery.

One source offered the suggestion: "Ask (Fish and Game Commissioner Wallace) Noerenberg. It's probably one of his friends or Egan's who can't get up here in time for the regular season. With spring and fall seasons there are 70 days to hunt bear there and there's not one damn biological reason to extend it five more days."

The emergency order itself, however, gives a reason. It says that the Kodiak bear (shot as vermin by island ranchers and, together with the Alaska Peninsula bears, subject to the most intensive pressure on any of the big bruins on the North American continent) is underharvested. The order was recommended by the Kodiak Advisory Board. It may be only incidental, but Oscar Dyson, chairman of the Fish and Game Board, lives on Kodiak Island.

While politicians may play game with game, guides on the Arctic coast have boiled their procedures down into a science. There are roughly five methods used to bag a white bear. Here is a brief do-it-your-self guide.

One. A non-resident hunter has money but no polar bear permit. A resident has a permit but not enough money to afford the hunt, so a guide takes both on a hunt in two planes. They get back and the resident claims to have killed the bear. Guide pays off resident. the hide later is handed over to non-resident.

Two. The guide buys the permit from someone who has drawn one fairly. Black market cost—$500 to $1,000. The hunter claims to be going on a photography sightseeing trip or a wolf hunt and kills the bear. The hide is skinned and cached out on the ice. Later the guide gets original permittee to sign the paperwork. Hide is then relayed through taxidermist to the hunter.

Three. Guide tells the hunter he has a permit the hunter can use. The hunter, who doesn't know any better, kills the bear. The guide then has the second plane conceal the skin, then gets the hunter out of town before he can do any barroom bragging. The guide then ships the hide to a taxidermist for shipment to the hunter.

Four. The biggest. Taxidermists, mostly outside firms, sometimes working with guides, work together with other taxidermists. The hunter shows up at the taxidermist and says. "I don't have a permit, but I want a bear and am willing to pay for it." The taxidermist checks out the hunter to make sure he is clean, not a ringer for state or federal enforcement agencies. The taxidermist then bargains with a guide for a kickback. (They usually average around $1,000), or extracts a promise of getting the trophy contract. The hunter comes to Alaska for a wolf hunt or photographic outing. Some of these "photographers" who are investing upwards of $3,000 on their expedition have been seen carrying Instamatics.

The hunter is met at the village, flies out, kills the bear and the skin is shipped out of state as "wolf hides" or "personal luggage."

Five. Guide takes out the hunter who has honestly drawn a permit. Hunter kills trophy. The party later spots a bigger bear and the hunter says. "I'd rather have that bear." Guide says. "Okay, but it will cost you more. I have a permit to get a bear for a museum and we could use it for the first bear." Hunter kills the second bear, pays the extra tab. Guide peddles the first on the black market, $600 to $1,500 green or between $2,000 and $3,000 finished.

Mr. HARRIS. Mr. President, that article makes clear that polar bears continue to be killed against the law; they should not be killed, but they will be killed under this bill, as will a great many other mammals.

Mr. President, I wish to call attention to a letter I received today from Alice Herrington, chairman of the Committee for Humane Legislation. The first paragraph of the letter states:

> We hope that you will cease all efforts with respect to S. 2871. What started out as a measure to stop the needless slaughter of ocean mammals has become a bill to legalize that slaughter. The moratorium in the amended bill is absolutely meaningless, with is present loophole of "general permits."

Mr. President, I intend to vote against the bill.

Mr. HOLLINGS. Mr. President, I yield 1 minute to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, while I wish my amendment had been agreed to, I accept the judgment of the Senate and I intend to support the bill, because I think it is a good bill under all the circumstances. I feel we have a workable amendment to protect Alaska Natives under a system to provide for regulated taking under the Department of Interior and the Department of Commerce.

I think under this bill we have just increased the budget for NOAA by five times to provide for enforcement that has been previously provided by State fish and game agencies, but I am certain we will see this budget increased.

Mr. President, I ask unanimous consent to have printed in the Record a statement which was prepared by one of my constituents, Henry Kanayurak of Barrows, Alaska, the northernmost village in the United States and one of the few remaining native whaling villages.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT OF HENRY KANAYURAK

> Honorable Senators, members of the Senate Commerce Committee, I would like to point to you some facts and points of interest on behalf of my people, the Eskimos, who at this time are very discontent due to the amended legislative passage which is now in progress at this time in the hands of the Senate Commerce Committee.
>
> First of all, I would like to tell you a little about an Eskimo. The Eskimo inhabits both coastal and interior regions in Alaska and are solely dependent on the animals both on land and sea for survival and livelihood in their small but bland communities during the jobless years.
>
> Some communities are solely and completely dependent on the Native arts and crafts made from the byproducts of the sea mammals involved in the proposed Senate bill.
>
> Eskimo in his every day life is a meek and gentle person who only wishes to live his own life style, irregardless of the environment around him.
>
> They are a smiling and happy people so long as they are assured of their food stores in their ice cellars and their winter's supply of clothing and bedding on hand.
>
> We are a poor race moneywise, but on the other hand, you could consider us the richest of the rich because we are happy in the way we live and you can't buy happiness with money. But this is also about to be taken away from us, with nothing to fall back to but the bleak and bleary tundra, which cannot offer us anything such as vegetation besides the few migratory animals.
>
> We are but few in our proud race and the Eskimo population up to date is in the neighborhood of 14,000 in Alaska. In comparison to the population of the Bowhead Whale which is reportedly in the neighborhood of 52,000 and on the increase, which is reported to be in the declining and extinction status, then under all deliberations should constitute a re-enactment to the Senate bill on sea mammals in progress to provide for this proud race and give them complete freedom for the taking of these animals which they only take for survival and livelihood, which in turn is the basic backbone of their traditional customs as well as their elite culture.
>
> You must look to these people as an elite group, for they are the ones who are near extinction in comparison to the population of sea mammals you so consider to be declining and near extinction.

Mr. STEVENS. Mr. President, in answer to the Senator from Oklahoma, I wish to point out that the Alaska limits of taking bear provide one polar bear may be taken every 4 years. There are 20 being taken by Alaskans at this time. I do not see that that is depleting the resources of bears at all.

I wish to thank the chairman of the committee for his cooperation.

Mr. HOLLINGS. Mr. President, specifically as to the charge that this is a fur seal bill, obviously it is not a special interest bill. The word "Fouke" does not appear in the bill. The word "subsidy" does not appear in the bill. There is a procedure whereby the Department of Commerce negotiates a contract with the processor, which simply happens to be Fouke. Russia would not like to have to bring its furs to Greenville, S.C., but they must do that to get the desired quality. Uruguay, Canada, Japan, and every other country has failed to duplicate the process of Fouke, as the records of this small family company would so show. The contract was open for the period of 1961 to 1966. The Department of the Interior sought other bidders for the processing. As a result of that, the United States lost hundreds of thousands of dollars. I think the figure was about $500,000 worth of seal pelts, which had to be thrown out. It so happens that this contract is renegotiated annually at the insistence of the Department of Commerce. With reference to the money received for the fur seal processed by Fouke Fur, the furs belong to the United States and the company simply receives payment for processing.

It is unfortunate to raise that red herring and say that what we are really doing is passing a red herring bill. I am indebted to the Senator from Oklahoma for his persuasiveness on this marine mammal bill, to the Senator from New Jersey (Mr. Williams), and many others, as well as to the House members involved, the Fund for Animals, the Friends of Animals, and many different organizations who sought legislation. Their interest certainly precedes my own modest drive to bring this measure before the Congress.

I notice that the Senator from Oklahoma put a New York Times editorial into the Record which reads in part:

> Although the House bill contained some exemptions from this moratorium, the Senate version goes even further in permitting exceptions. Far too much discretion is granted to the Commerce and Interior Departments to issue permits and waive restrictions.

And therefore it is a weaker bill.

That is absolutely false. In the House bill, we do not have the strict procedures for waiving the moratorium. Second, there is no marine mammal consultation required under the House bill as required by the Senate bill soon to be passed, I hope, by the Senate. Next, on page 13 of H.R. 10420, it can be seen that the Secretary has general authority to grant a hearing. Not so under the Senate bill and the amendment of the Senate.

Now, when we come to commercial fishing, under the House version there is only general cognizance of this problem. In the Senate version we have a $1 million annual research program under the Secretary of Commerce, and then we have a strict procedure for requirements with regard to the types of nets and observers on board the ships and other regulatory provisions regarding all the nations involved, for example, in the yellowfin tuna fishery.

These were provisions that were hammered out by the various staffs and Members and the various agencies that came before us. I think we have an excellent bill to present to the American people that finally brings into legislation affecting marine mammals principles much like those proposed by the Senator from Maine (Mr. Muskie) on water quality, which took State jurisdiction because of environmental concern, an overriding concern, at the Federal level, and we have preempted the States on environment.

In this case we have preempted the States on marine mammals until the Federal Government assigns responsibility to State authorities, when warranted. We have said very strongly that we cannot allow these mammals to be depleted, as well as allow them to be endangered, before we act. We are going to say, here and now, that they are special mammals and we are going to give them protection under national law, international treaties, and under research legislation.

Mr. President, I urge passage of the bill.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on passage of the bill. All time has been yielded back or has expired. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. Eagleton), the Senator from Louisiana (Mr. Ellender), the Senator from Georgia (Mr. Gambrell), the Senator from North Carolina (Mr. Jordan), and the Senator from South Dakota (Mr. McGovern) are necessarily absent.

I further announce that the Senator from New Jersey (Mr. Williams) is absent on official business.

I further announce that, if present and voting, the Senator from Georgia (Mr. Gambrell) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New York (Mr. BUCKLEY) and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from New York (Mr. BUCKLEY) and the Senator from Illinois (Mr. PERCY) would each vote "yea."

The result was announced—yeas 88, nays 2, as follows:

[No. 317 Leg.]

YEAS—88

Aiken
Allen
Allott
Anderson
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Brooke
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Goldwater
Griffin
Gurney
Hansen
Hart
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Young

NAYS—2

Gravel
Harris

NOT VOTING—10

Baker
Buckley
Eagleton
Ellender
Gambrell
Jordan, N.C.
McGovern
Mundt
Percy
Williams

So the bill (S. 2871) was passed, as follows:

S. 2871

An act to protect marine mammals; to establish a Marine Mammal Commission; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Marine Mammal Protection Act of 1972".

FINDINGS AND DECLARATION OF POLICY

SEC. 2. The Congress finds that—

(1) certain species and population stock of marine mammals are, or may be, in danger of extinction or depletion as a result of man's activities;

(2) such species and population stocks should not be permitted to diminish beyond the point at which they cease to be a functioning element in the ecosystem of which they are a part, and, consistent with this major objective, they should not be permitted to diminish below their optimum sustainable population. Further, measures should be immediately taker to replenish any species or population stock which has already diminished below that population. In particular, efforts should be made to protect the rookeries, mating grounds, and areas of similar significance for each species of marine mammals from the adverse effect of man's actions;

(3) there is inadequate knowledge of the ecology and population dynamics of such marine mammals and of the factors which bear upon their ability to reproduce themselves successfully;

(4) negotiations should be undertaken immediately to encourage the development of international arrangements for research on, and conservation of, all marine mammals;

(5) marine mammals and marine mammal products either—

(A) move in interstate commerce, or

(B) affect the balance of marine ecosystems in a manner which is important to other animals and animal products which move in interstate commerce, and that the protection and conservation of marine mammals is therefore necessary to insure the continuing availability of those products which move in interstate commerce; and

(6) marine mammals have proven themselves to be resources of great international significance, esthetic and recreational as well as economic, and it is the sense of the Congress that they should be protected and encouraged to develop to the greatest extent feasible commensurate with sound policies of resource management and that the primary objective of their management should be to achieve an optimum sustainable population keeping in mind the optimum carrying capacity of the habitat and the health and stability of the marine ecosystem.

DEFINITIONS

SEC. 3. For the purposes of this Act—

(1) The term "depletion" or "depleted" means any case in which the number of individuals within a species or population stock—

(i) is at such a level that, in the determination of the Secretary, such species or stock is threatened with extinction,

(ii) has declined to a significant degree over a period of years, and the Secretary determines that such decline is continuing or is likely to resume, and that as a result such species or stock is likely to become threatened with extinction within the foreseeable future.

(2) The term "district court of the United States" includes the District Court of Guam, District Court of the Virgin Islands, District Court of Puerto Rico, District Court of the Canal Zone, and, in the case of American Samoa and the Trust Territory of the Pacific Islands, the District Court of the United States for the District of Hawaii.

(3) The term "humane" in the context of the taking of a marine mammal means that method of taking which involves the least possible degree of pain and suffering practicable to the mammal involved.

(4) The term "marine mammal" means any mammal which (A) is morphologically adapted to the marine environment (including sea otters and members of the orders Sirenia, Pinnipedia and Cetacea), or (B) primarily inhabits the marine environment (such as the polar bear); and, for the purposes of this Act, includes any part of any such marine mammal, including its raw, dressed, or dyed fur or skin.

(5) The term "marine mammal product" means any item of merchandise which consists, or is composed in whole or in part, of any marine mammal.

(6) The term "optimum sustainable population" means, with respect to any population stock, the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the optimum carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.

(7) The term "optimum carrying capacity" means the ability of a given habitat to support the optimum sustainable population of a species or population stock in a healthy state without diminishing the ability of the habitat to continue that function.

(8) The term "person" includes (A) any private person or entity, and (B) any officer, employee, agent, department, or instrumentality of the Federal Government, of any State or political subdivision thereof, or of any foreign government.

(9) The term "population stock" or "stock" means a group of marine mammals of the same species or smaller taxa in a common spatial arrangement, that interbreed when mature.

(10) The term "Secretary" means—

(A) the Administrator of the National Oceanic and Atmospheric Administration, Department of Commerce, as to all responsibility, authority, funding, and duties under this Act with respect to members of the order Cetacea and members, other than walruses, of the order Pinnipedia, and

(B) the Secretary of the Interior as to all responsibility, authority, and duties under this Act with respect to all other marine mammals covered by the Act.

(11) The term "moratorium" means a complete cessation of the taking of marine mammals and a complete ban on the importation into the United States of marine mammals and marine mammal products, except as provided in this Act.

(12) The term "take" means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.

(13) The term "United States" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, the possessions of the United States, and the Trust Territory of the Pacific Islands.

(14) The term "waters under the jurisdiction of the United States" means—

(A) the territorial sea of the United States, and

(B) the fisheries zone established pursuant to the Act of October 14, 1966 (80 Stat. 908; 16 U.S.C. 1091–1094).

(15) The terms "management" and "conservation" mean the collection and application of biological information for the purposes of increasing and maintaining the number of animals within species and populations of marine mammals at the optimum carrying capacity of their habitat. They include the entire scope of activities that constitute a modern scientific resource program, including, but not limited to, research, census, law enforcement, and habitat acquisition and improvement. Also included within these terms, when and where appropriate, is the periodic or total protection of species or populations as well as regulated taking.

TITLE I—CONSERVATION AND PROTECTION OF MARINE MAMMALS

MORATORIUM

SEC. 101. (a) There shall be a moratorium on the taking and importation of marine mammals and marine mammal products, commencing on the effective date of this Act, during which time no permit may be issued for the taking of any marine mammal and no marine mammal or marine mammal product may be imported into the United States except in the following cases:

(1) Permits may be issued by the Secretary for taking and importation for purposes of scientific research and for public display if—

(A) the taking proposed in the application for any such permit, or

(B) the importation proposed to be made, is first reviewed by the Marine Mammal Commission established under title II of this Act. The Commission and Committee shall recommend any proposed taking or importation which is consistent with the purposes and policies of section 2 of this Act. The Secretary shall, if he grants approval for importation, issue to the importer concerned a certificate to that effect which shall be in such form as the Secretary of the Treasury prescribes and such importation may be made upon presentation of the certificate to the customs officer concerned.

(2) During the twenty-four calendar months initially following the effective date of this Act, the taking of marine mammals incidental to the course of commercial fishing operations shall be permitted, and shall not be subject to the provisions of sections 103 and 104 of this Act: Provided, That such taking conforms to such regulations as the Secretary is authorized and directed to impose pursuant to section 111 hereof to insure that those techniques and equipment are used which will produce the lowest feasible fatalities to marine mammals in such commercial fishing operations. Subsequent to such twenty-four months, marine mammals may be taken incidentally in the course of commercial fishing operations and permits may be issued therefor pursuant to section 104 of this Act, subject to regulations prescribed by the Secretary in accordance with section 103 hereof. In any event it shall be the immediate goal that the incidental kill or incidental serious injury of marine mammals permitted in the course of commercial fishing operations goal shall be reduced to insignificant levels approaching a zero mortality and serious injury rate. The Secretary shall request the Committee on Scientific Advisories on Marine Mammals to prepare for public dissemination detailed estimates of the numbers of mammals killed or seriously injured under existing commercial fishing technology and under the technology which shall be required subsequent to such twenty-four-calendar-month period. The Secretary of the Treasury shall ban the importation of commercial fish or products from fish which have been caught with commercial fishing technology which results in the incidental kill or incidental serious injury of ocean mammals in excess of United States standards. The Secretary shall insist on reasonable proof from the government of any nation desiring to export fish or fish products to the United States of the effects on ocean mammals of the commercial fishing technology in use for products exported by such nation to the United States.

(3) (A) The Secretary, on the basis of the best scientific evidence available and in consultation with the Marine Mammal Commission, is authorized and directed, from time to time, having due regard to the distribution, abundance, breeding habits, and times and lines of migratory movements of such marine mammals, to determine in accordance with the procedures in section 103(d) of this Act, when, to what extent, if at all, and by what means, it is compatible with this Act to waive the requirements of this section so as to allow taking, or importing of any marine mammal, or any marine mammal product, and then to adopt suitable regulations, issue permits and make determinations in accordance with sections 102, 103, 104, and 110 of this Act permitting and governing such taking and importing, in accordance with such determinations: *Provided, however,* That the Secretary, in making such determinations, must be assured that the taking of such marine mammal is in accord with sound principles of resource protection and conservation as provided in the purposes and policies of this Act: *Provided further, however,* That no marine mammal or no marine mammal product may be imported into the United States unless the Secretary certifies that the program for taking marine mammals in the country of origin is consistent with the provisions and policies of this Act. Products of nations not so certified may not be imported into the United States for any purpose, including processing for exportation.

(B) Except for scientific research purposes as provided for in paragraph (1) of this subsection, during the moratorium no permit may be issued for the taking of any marine mammal which is classified as belonging to an endangered species pursuant to the Endangered Species Conservation Act of 1969 (16 U.S.C. sec. 668aa to 668cc-6) or has been designated by the Secretary as depleted, and no importation may be made of any such mammal.

(b) The provisions of this Act shall not apply with respect to the taking of any marine mammal (other than a marine mammal, the taking of which has been prohibited as one belonging to an endangered species pursuant to the Endangered Species Conservation Act of 1969) by any Indian, Aleut, or Eskimo who dwells on the coast of the North Pacific Ocean or the Arctic Ocean if such taking—

(1) is for subsistence purposes by Alaskan natives who reside in Alaska, or

(2) is done for purposes of creating and selling authentic native articles of handicrafts and clothing: *Provided,* That only authentic native articles of handicrafts and clothing may be sold in interstate commerce; *And provided further,* That any edible portion of marine mammals may be sold in native villages and towns in Alaska or for native consumption. For the purposes of this subsection, the term "authentic native articles of handicrafts and clothing" means items composed wholly or in some significant respect of natural materials, and which are produced, decorated, or fashioned in the exercise of traditional native handicrafts without the use of pantographs, multiple carvers, or similar mass copying devices. Traditional native handicrafts include, but are not limited to weaving, carving, stitching, sewing, lacing, beading, drawing, and painting; and

(3) in each case, is not accomplished in a wasteful manner.

Notwithstanding the preceding provisions of this subsection, when, under this Act, the Secretary determines any species or stock of marine mammal subject to taking by Indians, Aleuts, or Eskimos to be depleted, he may prescribe regulations upon the taking of such marine mammals by any Indian, Aleut, or Eskimo described in this subsection. Such regulations may be established with reference to species or stocks, geographical description of the area included, the season for taking, or any other factors related to the reason for establishing such regulations and consistent with the purposes of this Act. Such regulations shall be prescribed after notice and hearing required by section 104 of this Act and shall be removed as soon as the Secretary determines that the need for their imposition has disappeared.

(c) In order to minimize undue economic hardship to persons subject to this Act, other than those engaged in commercial fishing operations referred to in section 101(a) (2), the Secretary, upon any such person filing an application with him and upon filing such information as the Secretary may require showing, to his satisfaction, such hardship, may exempt such person or class of persons from provisions of this Act for no more than one year from the effective date of this Act, as he determines to be appropriate.

PROHIBITIONS

Sec. 102. (a) Except as provided in sections 101, 103, 104, 111, and 113 of this Act, it is unlawful—

(1) for any person subject to the jurisdiction of the United States or any vessel or other conveyance subject to the jurisdiction of the United States to take any marine mammal on the high seas;

(2) for any person or vessel or other conveyance to take any marine mammal in waters or on lands under the jurisdiction of the United States except as expressly provided for by an international treaty, convention, or agreement to which the United States is a party and which was entered into before the effective date of this title or in any statute implementing any such agreement;

(3) for any person to use any port, harbor, or other place under the jurisdiction of the United States for any purpose in any way connected with the taking or importation of marine mammals or marine mammal products; and

(4) for any person, with respect to any marine mammal taken in violation of this title—

(A) to possess any such mammal; or

(B) to transport, sell, or offer for sale any such mammal or any marine mammal product made from any such mammal; and

(5) for any person to use, in a commercial fishery, any means or methods of fishing in contravention of any regulations or limitations, issued by the Secretary for that fishery to achieve the purposes of this Act.

(b) Except pursuant to a permit for scientific research issued under section 104(c) of this Act, it is unlawful to import into the United States any marine mammal if such mammal was—

(1) pregnant at the time of taking;

(2) nursing at the time of taking, or less than eight months old, whichever occurs later;

(3) taken from a species or population stock which the Secretary has, by regulation published in the Federal Register, designated as a depleted species or stock or which has been listed as an endangered species under the Endangered Species Conservation Act of 1969; or

(4) taken in a manner deemed inhumane by the Secretary.

(c) It is unlawful to import into the United States any of the following:

(1) Any marine mammal which was—

(A) taken in violation of this title; or

(B) taken in another country in violation of the law of that country.

(2) Any marine mammal product if—

(A) the importation into the United States of the marine mammal from which such product is made is unlawful under paragraph (1) of his subsection;

(B) the sale in commerce of such product in the country of origin of the product is illegal;

(3) Any fish, whether fresh, frozen, or otherwise prepared, if such fish was caught in a manner which the Secretary has proscribed for persons subject to the jurisdiction of the United States, whether or not any marine mammals were in fact taken incident to the catching of the fish.

(d) Subsections (b) and (c) of this section shall not apply—

(1) with respect to any marine mammal or marine mammal product imported into the United States before the effecive date of this title;

(2) in the case of marine mammals or marine mammal products, as the case may be, to which subsection (b) (3) of this section applies, to such items imported into the United States before the date on which the Secretary publishes notice in the Federal Register of his proposed rulemaking with respect to the designation of the species or stock concerned as depleted or endangered; or

(3) in the case of marine mammals or marine mammal products to which subsection (c) (1) (B) or (c) (2) (B) of this section applies, to articles imported into the United States before the effective date of the foreign law making the taking or sale, as the case may be, of such marine mammals or marine mammal products unlawful.

(e) This Act does not affect any marine mammal or marine mammal product taken prior to the effective date of this Act.

REGULATIONS ON TAKING OF MARINE MAMMALS

Sec. 103. (a) The Secretary, on the basis of the best scientific evidence available and in consultation with the Marine Mammal Commission, shall prescribe such regulations with respect to the taking and importing of animals from each species of marine mammal (including regulations on the taking and importing of individuals within population stocks) as he deems necessary and appropriate to insure that such taking will be consistent with the purposes and policies set forth in section 2 of this Act.

(b) In prescribing such regulations, the Secretary shall give full consideration to all factors which may affect the extent to which such animals may be taken or imported, including but not limited to the effect of such regulations on—

(1) existing and future levels of marine mammal species and population stocks;

(2) existing international treaty and agreement obligations of the United States;

(3) the marine ecosystem and related environmental considerations;

(4) the conservation, development, and utilization of fishery resources; and

(5) the economic and technological feasibility of implementation.

(c) The regulations prescribed under subsection (a) of this section for any species or population stock of marine mammal may include, but are not limited to, restrictions with respect to—

(1) the number of animals which may be taken or imported in any calendar year pursuant to permits issued under section 104 of this Act;

(2) the age, size, or sex (or any combination of the foregoing) of animals which may be taken or imported, whether or not a quota prescribed under paragraph (1) of this subsection applies with respect to such animals;

(3) the season or other period of time within which animals may be taken or imported;

(4) the manner and locations in which animals may be taken or imported; and

(5) fishing techniques which have been found to cause undue fatalities to any species of marine mammal in a fishery.

(d) Regulations prescribed to carry out this section must be made on the record after opportunity for an agency hearing, except that, in addition to any other requirements imposed by law with respect to agency rulemaking, the Secretary shall publish and make available to the public either before or concurrent with the publication of notice in the Federal Register of his intention to prescribe regulations under this section—

(1) a statement of the estimated existing levels of the species and population stocks of the marine mammal concerned;

(2) a statement of the expected impact of the proposed regulations on the optimum sustainable population of such species or population stock;

(3) a statement describing the scientific evidence before the Secretary upon which he proposes to base such regulations; and

(4) any studies made by or for the Secretary or any recommendations made by or for the Secretary or the Marine Mammal Commission which relate to the establishment of such regulations.

(e) Within six months from the effective date of this Act and every twelve months thereafter, the Secretary shall report to the public through publication in the Federal Register and to the Congress on the current status of all marine mammal species and population stocks subject to the provisions of this Act. His report shall describe those actions taken and those measures believed necessary, including where appropriate, the issuance of permits pursuant to this Act to assure the well-being of such marine mammals.

PERMITS

SEC. 104. (a) The Secretary may issue permits which authorize the taking or importation of any marine mammal.

(b) Any permit issued under this section shall—

(1) be consistent with any applicable regulation established by the Secretary under section 103 of this Act, and

(2) specify—

(A) the number and kind of animals which are authorized to be taken or imported,

(B) the location and manner (which manner must be determined by the Secretary to be humane) in which they may be taken, or from which they may be imported.

(C) the period during which the permit is valid, and

(D) any other terms or conditions which the Secretary deems appropriate.

In any case in which an application for a permit cites as a reason for the proposed taking the overpopulation of a particular species or population stock, the Secretary shall first consider whether or not it would be more desirable to transplant a number of animals (but not to exceed the number requested for taking in the application) of that species or stock to a location not then inhabited by such species or stock but previously inhabited by such species or stock.

(c) Any permit issued by the Secretary which authorizes the taking or importation of a marine mammal for purposes of display or scientific research shall specify, in addition to the conditions required by subsection (b) of this section, the methods of capture, supervision, care, and transportation which must be observed pursuant to and after such taking or importation. Any person authorized to take or import a marine mammal for purposes of scientific research shall furnish to the Secretary a report on all activities carried out by him pursuant to that authority.

(d) (1) The Secretary shall prescribe such procedures as are necessary to carry out this section, including the form and manner in which application for permits may be made.

(2) The Secretary shall publish notice in the Federal Register of each application made for a permit under this section. Such notice shall invite the submission from interested parties, within thirty days after the date of the notice, of written data or views, with respect to the taking or importation proposed in such application.

(3) The applicant for any permit under this section must demonstrate to the Secretary that the taking or importation of any marine mammal under such permit will be consistent with the purposes of this Act and the applicable regulations established under section 103 of this Act.

(4) If within thirty days after the date of publication of notice pursuant to paragraph (2) of this subsection with respect to any application for a permit any interested party or parties request a hearing in connection therewith, the Secretary shall, within sixty days following such date of publication, afford to such party or parties an opportunity for such a hearing.

(5) As soon as practicable (but not later than thirty days) after the close of the hearing or, if no hearing is held, after the last day on which data, or views, may be submitted pursuant to paragraph (2) of this subsection, the Secretary shall (A) issue a permit containing such terms and conditions as he deems appropriate, or (B) shall deny issuance of a permit. Notice of the decision of the Secretary to issue or to deny any permit under this paragraph must be published in the Federal Register within ten days after the date of issuance or denial.

(6) Any applicant for a permit, or any party opposed to such permit, may obtain judicial review of the terms and conditions of any permit issued by the Secretary under this section or of his refusal to issue such a permit. Such review, which shall be pursuant to chapter 7 of title 5, United States Code, may be initiated by filing a petition for review in the United States district court for the district wherein the applicant for a permit resides, or has his principal place of business, or in the United States District Court for the District of Columbia, within sixty days after the date on which such permit is issued or denied.

(e) (1) The Secretary may modify, suspend, or revoke in whole or part any permit issued by him under this section—

(A) in order to make any such permit consistent with any change made after the date of issuance of such permit with respect to any applicable regulation prescribed under section 103 of this Act, or

(B) in any case in which a violation of the terms and conditions of the permit is found.

(2) whenever the Secretary shall propose any modification, suspension, or revocation of a permit under this subsection, the permittee shall be afforded opportunity, after due notice, for a hearing by the Secretary with respect to such proposed modification, suspension, or revocation. Such proposed action by the Secretary shall not take effect until a decision is issued by him after such hearing. Any action taken by the Secretary after such a hearing is subject to judicial review on the same basis as is any action taken by him with respect to a permit application under paragraph (5) of subsection (d) of this section.

(3) Notice of the modification, suspension, or revocation of any permit by the Secretary shall be published in the Federal Register within ten days from the date of the Secretary's decision.

(f) Any permit issued under this section must be in the possession of the person to whom it is issued (or an agent of such person) during—

(1) the time of the authorized or taking importation;

(2) the period of any transit of such person or agent which is incident to such taking or importation; and

(3) any other time while any marine mammal taken or imported under such permit is in the possession of such person or agent. A duplicate copy of the issued permit must be physically attached to the container, package, enclosure, or other means of containment, in which the marine mammal is placed for purposes of storage, transit, supervision, or care.

(g) The Secretary shall establish and charge a reasonable fee for permits issued under this section.

(h) Consistent with the regulations prescribed pursuant to section 103 of this Act and to the requirements of section 101 of this Act, the Secretary may issue, to persons who are members of a class found by the Secretary to have common needs requiring them to take marine mammals, general permits for the taking of such marine mammals, together with regulations to cover the use of such general permits.

PENALTIES

SEC. 105. (a) Any person who violates any provision of this title or of any permit or regulation issued thereunder may be assessed a civil penalty by the Secretary of not more than $10,000 for each such violation. No penalty shall be assessed unless such person is given notice and opportunity for a hearing with respect to such violation. Each unlawful taking or importation shall be a separate offense. Any such civil penalty may be remitted or mitigated by the Secretary for good cause shown. Upon any failure to pay a penalty assessed under this subsection, the Secretary may request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found, resides, or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any such action.

(b) Any person who knowingly violates any provision of this title or of any permit or regulation issued thereunder shall, upon conviction, be fined not more than $20,000 for each such violation, or imprisoned for not more than one year, or both.

VESSEL FINE, CARGO FORFEITURE AND REWARDS

SEC. 106. (a) Any vessel or other conveyance subject to the jurisdiction of the United States that is employed in any manner in the unlawful taking of any marine mammal shall have its entire cargo or the monetary value thereof subject to seizure and forfeiture. All provisions of law relating to the seizure, judicial forfeiture, and condemnation of cargo for violation of the customs laws, the disposition of such cargo, and the proceeds from the sale thereof, and the remission or mitigation of any such forfeiture, shall apply with respect to the cargo of any vessel or other conveyance seized in connection with the unlawful taking of a marine mammal insofar as such provisions of law are applicable and not inconsistent with the provisions of this title.

(b) Any vessel subject to the jurisdiction of the United States that is employed in any manner in the unlawful taking of any marine mammal shall be liable for a civil penalty of not more than $25,000. Such penalty shall be assessed by the Federal district court in the district having jurisdiction over the vessel. Clearance of a vessel against which a penalty has been assessed, from a port of the United States, may be withheld until such penalty is paid, or until a bond or otherwise satisfactory surety is posted. Such penalty shall constitute a maritime lien on such vessel which may be recovered by action in rem in the federal district court of the United States having jurisdiction over the vessel.

(c) The Secretary is authorized to pay an amount equal to one-half of the fine incurred but not to exceed $2,500 to any person who furnishes information which leads to a conviction for a violation of this Act. Any officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall not be eligible for payment under this section.

ENFORCEMENT

SEC. 107. (a) Except as otherwise provided in this title, the Secretary shall enforce the provisions of this title. The Secretary may utilize, by agreement, the personnel, services, and facilities of any other Federal agency for purposes of enforcing this title.

(b) The Secretary may also designate officers and employees of any State or of any possession of the United States to enforce the provisions of this title. When so designated, such officers and employees are authorized to function as Federal law enforcement agents for these purposes, but they shall not be held and considered as employees of the United States for the purposes of any laws administered by the Civil Service Commission.

(c) The judges of the United States district courts and the United States magistrates may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue such warrants or other process, including warrants or other process issued in admiralty proceedings in United States districts courts, as may be required for enforcement of this title and any regulations issued thereunder.

(d) Any person authorized by the Secretary to enforce this title may execute any warrant or process issued by any officer or court of competent jurisdiction for the enforcement of this title. Such person so authorized may, in addition to any other authority conferred by law—

(1) with or without warrant or other process, arrest any person committing in his presence or view a violation of this title or the regulations issued thereunder;

(2) with a warrant or other process, or without a warrant if he has reasonable cause to believe that a vessel or other conveyance subject to the jurisdiction of the United States or any person on board is in violation of any provision of this title or the regulations issued thereunder, search such vessel or conveyance and arrest such person;

(3) seize the cargo of any vessel or other conveyance subject to the jurisdiction of the United States used or employed contrary to the provisions of this title or the regulations issued hereunder or which reasonably appears to have been so used or employed; and

(4) seize, whenever and wherever found, all marine mammals and marine mammal products taken or retained in violation of this title or the regulations issued thereunder and shall dispose of them in accordance with regulations prescribed by the Secretary.

(e)(1) Whenever any cargo or marine mammal or marine mammal product is seized pursuant to this section, the Secretary shall expedite any proceedings commenced under section 105 (a) or (b) of this Act. All marine mammals or marine mammal products or other cargo so seized shall be held by any person authorized by the Secretary pending disposition of such proceedings. The owner or consignee of any such marine mammal or marine mammal product or other cargo so seized shall, as soon as practicable following such seizure, be notified of that fact in accordance with regulations established by the Secretary.

(2) The Secretary may, with respect to any proceeding under section 105 (a) or (b) of this Act, in lieu of holding any marine mammal or marine mammal product or other cargo, permit the person concerned to post or other surety satisfactory to the Secretary pending the disposition of such proceeding.

(3)(A) Upon the assessment of a penalty pursuant to section 105(a) of this Act, all marine mammals and marine mammal products or other cargo seized in connection therewith may be proceeded against in any court of competent jurisdiction and forfeited to the Secretary for disposition by him in such manner as he deems appropriate.

(B) Upon conviction for violation of section 105(b) of this Act, all marine mammals and marine mammal products seized in connection therewith shall be forfeited to the Secretary for disposition by him in such manner as he deems appropriate. Any other property or item so seized may, at the discretion of the court, be forfeited to the United States or otherwise disposed of.

(4) If with respect to any marine mammal or marine mammal product or other cargo so seized—

(A) a civil penalty is assessed under section 105(a) of this Act and no judicial action is commenced to obtain the forfeiture of such mammal or product within thirty days after such assessment, such marine mammal or marine mammal product or other cargo shall be immediately returned to the owner or the consignee; or

(B) no conviction results from an alleged violation of section 105(b) of this Act, such marine mammal or marine mammal product or other cargo shall immediately be returned to the owner or consignee if the Secretary does not, within thirty days after the final disposition of the case involving such alleged violation, commence proceedings for the assessment of a civil penalty under section 105(a) of this Act.

INTERNATIONAL PROGRAM

SEC. 108. (a) The Secretary, through the Secretary of State, shall—

(1) immediately initiate negotiations for entering into of bilateral or multilateral agreements with other nations for the protection and conservation of all marine mammals covered by this Act;

(2) immediately initiate negotiations with all foreign governments which are engaged in, or which have persons or companies engaged in, commercial fishing operations which are found by the Secretary to be unduly harmful to any species of marine mammal, for the purpose of entering into bilateral and multilateral treaties with such countries to protect marine mammals. The Secretary of State shall prepare a draft agenda relating to this matter for discussion at appropriate international meetings and forums;

(3) encourage such other agreements to promote the purposes of this Act with other nations for the protection of specific ocean and land regions which are of special significance to the health and stability of marine mammals;

(4) initiate the amendment of any existing international treaty for the protection and conservation of any species of marine mammal to which the United States is a party in order to make such treaty consistent with the purposes and policies of this Act;

(5) seek the convening of an international ministerial meeting on marine mammals before July 1, 1973, for the purposes of (A) the negotiation of a binding international convention for the protection and conservation of all marine mammals, and (B) the implementation of paragraph (3) of this section; and

(6) provide to the Congress by not later than one year after the date of the enactment of this Act a full report on the results of his efforts under this section.

(b) In addition to the foregoing, the Secretary shall, in consultation with the Marine Mammal Commission defined in section 201 of this Act, initiate a study of the North Pacific fur seals to determine whether herds of such seals subject to the jurisdiction of the United States are presently at their optimum sustainable population and what population trends are evident. If the Secretary finds that such herds are below their optimum sustainable population and are not trending upward toward such level, or have reached their optimum sustainable population but are commencing a downward trend, and believes the herds to be in danger of depletion, he shall, through the Secretary of State, immediately initiate negotiations for the modification of the North Pacific Fur Seal Convention, signed on February 9, 1957, as extended, to reduce or halt the taking of seals to the extent required to assure that such herds attain and remain at their optimum sustainable population. Should such modification be deemed unnecessary or negotiations to achieve the same be unsuccessful, the Secretary shall, through the Secretary of State, take such steps as may be necessary to continue the existing North Pacific Fur Seal Convention beyond its present termination date so as to continue to protect and conserve the North Pacific fur seals and to prevent a return to pelagic sealing.

FEDERAL COOPERATION WITH STATES

SEC. 109. (a) Except as provided in this section, no State may adopt any law or regulation relating to the taking of marine mammals within its jurisdiction or attempt to enforce any State law or regulation relating to such taking: *Provided,* That (1) any State may adopt or enforce any law or regulation relating to the taking of marine mammals if such law or regulation is consistent with this Act or any rules or regulations issued hereunder; (2) nothing in this Act shall prevent a State or local government official or employee, in the course of his duties as such an official or employee, from taking a marine mammal in a humane manner when such taking is (a) for the protection or welfare of such mammal or for the protection of the public health and welfare; and (b) does not involve the killing of such mammal, and (c) includes steps designed to assure the return of such mammal to its natural habitat; and (3) if, upon review, the Secretary determines that the laws and regulations of a State relating to a species of marine mammal are consistent with the policies and purposes of this Act, the provisions of this Act then relating to such marine mammals which are subject to such State's jurisdiction shall not apply except for this section, section 101, section 110, and section 111(b)(2)–(8): *Provided further, however,* Notwithstanding the provisions of subsections (a) and (c) of this section, the Secretary shall continue to monitor and review the laws and programs of the States which have assumed responsibility for marine mammals under this Act. Whenever the Secretary finds that a State is not in substantial compliance with either subsections (a) or (c), as the case may be, he may resume responsibilities under this Act for the marine mammals within such State's jurisdictions superceding such State laws to the extent which, after notice and opportunity for hearing, he deems necessary.

(b) The Secretary is authorized to make grants to each State whose laws and regulations relating to protection and management of marine mammals which primarily inhabit waters or lands within the boundaries of that State are found to be consistent with the purposes and policies of this Act. The purpose of such grants shall be to assist such States in developing and implementing State programs for the protection and management of such marine mammals. Such grants shall not exceed 50 per centum of the costs of a particular program's development and implementation. To be eligible for such grants, State programs shall include planning and such specific activities, including, but not limited, to research, censusing, habitat acquisition and improvement, or law enforcement as the Secretary finds contribute to the purposes and policies of this Act. The Secretary may also, as a condition of any such grant, provide that State agencies report at regular intervals on the status of species and populations which are the subject of such grants.

(c) The Secretary is authorized and directed to enter into cooperative arrangements with the appropriate officials of any State for the delegation to such State of the administration and enforcement of this Act: *Provided,* That any such arrangement shall contain such provisions as the Secretary deems appropriate to insure that the purposes and policies of this Act will be carried out.

MARINE MAMMAL RESEARCH GRANTS

SEC. 110. (a) The Secretary is authorized to make grants, or to provide financial assistance in such other form as he deems appropriate, to any Federal or State agency, public or private institution, or other person for the purpose of assisting such agency, institution, or person to undertake research in subjects which are relevant to the protection and conservation of marine mammals.

(b) Any grant or other financial assistance provided by the Secretary pursuant to this section shall be subject to such terms and conditions as the Secretary deems necessary to protect the interests of the United States and shall be made after review by the Marine Mammal Commission.

(c) There are authorized to be appropriated for the fiscal year in which this section takes effect and for the next four fiscal years such sums as may be necessary to carry out this section, but the sums appropriated for any such year shall not exceed $3,000,000, one-third of such sum to be available to the Secretary of the Interior and two-thirds of such sum to be made available to the Administrator of the National Oceanic and Atmospheric Administration.

COMMERCIAL FISHERIES GEAR DEVELOPMENT AND FINANCIAL ASSISTANCE

SEC. 111. (a)(1) The Administrator of the National Oceanic and Atmospheric Administrator of the National Oceanic and Atmospheric Administration is hereby authorized and directed to immediately undertake a program of research and development for the purpose of devising improved fishing methods and gear so as to reduce to the maximum extent practicable the incidental taking of marine mammals in connection with commercial fishing. At the end of the full twenty-four calendar month period following the effective date of the Act, said Administrator shall deliver his report in writing to the Congress with respect to the results of such research and development. For the purposes of this subsection, there is hereby authorized to be appropriated the sum of $1,000,000 for the fiscal year ending June 30, 1973, and the same amount for the next fiscal year. Funds appropriated for this section shall remain available until expended.

(2) The Administrator, after consultation with the Marine Mammal Commission, is authorized and directed to issue, as soon as practicable, such regulations, covering the twenty-four-month period referred to in section 101(a)(2) of this Act, as he deems necessary or advisable, to reduce to the lowest practicable level the taking of marine mammals incidental to commercial fishing operations. Such regulations shall be adopted pursuant to section 553 of title 5, United States Code. In issuing such regulations, the Administrator shall take into account the results of any scientific research under section 111(a)(1) and, in each case, shall provide a reasonable time not exceeding four months for the persons affected to implement such regulations.

(3) Additionally, the Administrator and Secretary of State are directed to commence negotiations within the Inter-American Tropical Tuna Commission in order to effect essential compliance with the regulatory provisions of this Act so as to reduce to the maximum extent feasible the incidental taking of marine mammals by vessels involved in the tuna fishery. The Administrator and Secretary of State are further directed to request the Director of Investigations of the Inter-American Tropical Tuna Commission to make recommendations to all member nations of the Commission as soon as is practicable as to the utilization of said methods and gear.

(4) Furthermore, after timely notice and during the period of research provided in this section, duly authorized agents of the Administrator are hereby empowered to board and to accompany any commercial fishing vessel documented under the laws of the United States, there being space available, on a regular fishing trip for the purpose of conducting research or observing operations in regard to the development of improved fishing methods and gear as authorized by this subsection. Such research and observation shall be carried out in such manner as to minimize interference with fishing operations. The Administrator shall provide for the cost of quartering and maintaining such agents. No master, operator, or owner of such a vessel shall impair or in any way interfere with the research or observation being carried out by agents of the Administrator pursuant to this subsection.

(b)(1) The Administrator is hereby authorized under such rules and regulations and upon such terms and conditions as he may prescribe to guarantee loans made to private borrowers by private lending institutions for the cost of equipping, altering, modifying, or improving commercial fishing vessels in order to comply with any requirements imposed by this Act or any rules, regulations, limitations, or permits issued by the Administrator thereunder with respect to the reduction or elimination of the taking of marine mammals incidental to commercial fishing.

(2) Any loan guarantees made under the provisions hereof shall be on such terms, conditions, and criteria as the Administrator determines, subject, however, to the following minimum restrictions and limitations:

(A) Loans shall bear interest (exclusive of premium charges and service charges, if any) at rates not to exceed such per centum per annum on the principal obligation outstanding as the Administrator determines to be reasonable, taking into account the range of interest rates prevailing in the private credit markets.

(B) Loans shall mature in not more than ten years.

(C) The Administrator and the lender may require appropriate security or other reasonable assurance of repayment.

(D) No commitment to guarantee a loan shall be made by the Administrator unless he finds at or prior to the time such commitment is made, that the project with respect to which the loan is executed will be in his opinion (i) economically sound, and (ii) consistent with the efficient and wise use of the fishery resources.

(E) The Administrator is authorized to fix a premium charge for the guaranteeing of loans under this subsection. Such charge shall not be less than one-half of 1 per centum per annum nor more than 1 per centum per annum of the average principal amount of the loan outstanding. Premium payments shall be made when moneys are first advanced under the loan and on each anniversary date thereafter. All such premium charges shall be computed and shall be payable to the Administrator under such regulations as he may prescribe.

(F) The Administrator shall charge and collect such amounts as he may deem reasonable for the investigation of applications for guarantees, for appraisal of properties for which a loan is requested, for the issuance of commitments, and for inspection of properties during the performance of any activities described in paragraph (1) of this subsection: *Provided,* That such charges shall not be more than one-half of 1 per centum of the original principal amount of the loan to be guaranteed. Unless otherwise agreed, the charge for such services shall be paid by the borrower.

(G) An applicant for a loan guarantee relating to a fishing vessel must be a citizen or national of the United States as defined in section 742 of title 16, United States Code.

(H) The Administrator must be satisfied that the applicant possess the ability, experience, resources, and other qualifications necessary to enable him to operate and maintain the fishing vessel for which he is applying for a loan and that the lender is responsible and able to service the loan properly.

(3) There is hereby created a Loan Guarantee Fund which shall be used by the Administrator as a revolving fund for the purpose of carrying out the provisions of this subsection. All moneys received under the provisions of paragraph (2) of this subsection shall be deposited in the fund. There is authorized to be appropriated for the Loan Guarantee Fund not to exceed $1,000,000 for the fiscal year ending June 30, 1973, and the next fiscal year.

(4) The full faith and credit of the United States is solemnly pledged to the payment of all guarantees made under this subsection with respect to both principal and interest.

(5) The Administrator shall upon payment of the guarantee to the lender be entitled to take on assignment from the lender any collateral or security given by the borrower or others in connection with the loan.

(6) Any amount paid by the Administrator pursuant to a loan guarantee authorized by this subsection shall be paid in cash. If at any time the money in the Loan Guarantee Fund authorized herein is not sufficient to pay any amount the Administrator is required to pay pursuant to a loan guarantee authorized by this subsection, the Adminis-

trator is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Administrator with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury which shall be not more than the higher of (1) 2½ per centum per annum, (2) the average annual interest rate on all interest-bearing obligations of the United States when forming a part of the public debt as computed at the end of the fiscal year preceding the issuance by the Administrator and adjusted to the nearest one-eighth of 1 per centum. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations of the Administrator to be issued hereunder and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States.

(7) The aggregate unpaid principal amount of the loans guaranteed under this subsection and outstanding at any one time shall not exceed $20,000,000.

(8) There is hereby authorized to be appropriated for administrative expenses such sums as may be necessary to carry out the provisions of this subsection.

REGULATIONS AND ADMINISTRATION

SEC. 112. (a) The Secretary, in consultation with any other Federal agency to the extent that such agency may be affected, shall prescribe such regulations as are necessary and appropriate to carry out the purposes of this title.

(b) Each Federal agency is authorized and directed to cooperate with the Secretary, in such manner as may be mutually agreeable, in carrying out the purposes of this title.

(c) The Secretary may enter into such contracts, leases, cooperative agreements, or other transactions as may be necessary to carry out the purposes of this title and on such terms as he deems appropriate with any Federal or State agency, public or private institution, or other person.

(d) The Secretary shall review annually the operation of each program in which the United States participates involving the taking of marine mammals on land. If at any time the Secretary finds that any such program cannot be administered on lands owned by the United States or in which the United States has an interest in a manner consistent with the purposes of policies of this Act, he shall suspend the operation of that program and shall forthwith submit to Congress his reasons for such suspension, together with recommendations for such legislation as he deems necessary and appropriate to resolve the problem.

APPLICATION TO OTHER TREATIES AND CONVENTIONS; REPEAL

SEC. 113. (a) The provisions of this title shall be deemed to be in addition to and not in contravention of the provisions of any existing international treaty, convention, or agreement, or any statute implementing the same which may otherwise apply to the taking of marine mammals. Upon a finding by the Secretary that the provisions of any international treaty, convention, or agreement, or any statute implementing the same has been made applicable to persons subject to the provisions of this title in order to effect essential compliance with the regulatory provisions of this Act so as to reduce to the lowest practicable level the taking of marine mammals incidental to commercial fishing operations, section 105 of this Act may not apply to such persons.

(b) The proviso to the Act entitled "An Act to repeal certain laws providing for the protection of sea lions in Alaska waters", approved June 16, 1934 (16 U.S.C. 659), is repealed.

AUTHORIZATIONS

SEC. 114. (a) There are authorized to be appropriated not to exceed $2,000,000 for the fiscal year ending June 30, 1973, and the four next following fiscal years to enable the Department of Commerce to carry out such functions and responsibilities as it may have been given under this title.

(b) There are authorized to be appropriated not to exceed $700,000 for the fiscal year ending June 30, 1973, and not to exceed $525,000 for each of the next four fiscal years thereafter to enable the Department of the Interior to carry out such functions and responsibilities as it may have been given under this title.

TITLE II—MARINE MAMMAL COMMISSION

ESTABLISHMENT OF COMMISSION

SEC. 201. (a) There is hereby established the Marine Mammal Commission (hereafter referred to in this title as the "Commission").

(b)(1) The Commission shall be composed of five members who shall be appointed by the President. The President shall make his selection from a list, submitted to him by the Chairman of the Council on Environmental Quality, the Secretary of the Interior, the Administrator of the National Oceanic and Atmospheric Administration and the heads of the National Science Foundation and the National Academy of Sciences, of individuals knowledgeable in the fields of marine ecology and resource management, and who are not in a position to profit from the taking of marine mammals. No member of the Commission may, during his period of service on the Commission, hold any other position as an officer or employee of the United States except as a retired officer or retired civilian employee of the United States.

(2) The term of office for each member shall be five years; except that of the members initially appointed to the Commission, the term of one member shall be for one year, the term of one member shall be for two years, the term of one member shall be for three years, the term of one member shall be for four years, and the term of one member shall be for five years. No member is eligible for reappointment; except that any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed (A) shall be appointed for the remainder of such term, and (B) is eligible for reappointment for one full term. A member may serve after the expiration of his term until his successor has taken office.

(c) The President shall designate a Chairman (hereafter referred to in this title as the "Chairman") from among its members.

(d) Members of the Commission shall each be compensated at a rate equal to the daily equivalent of the rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service) by the Chairman with the approval of the Commission and shall be paid at a rate not in excess of the rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code. The Executive Director shall have such duties as the Chairman may assign.

DUTIES OF COMMISSION

SEC. 202. (a) The Commission shall—

(1) undertake a review and study of the activities of the United States pursuant to existing laws and international conventions relating to marine mammals, including, but not limited to, the International Convention for the Regulation of Whaling, the Whaling Convention Act of 1949, the Interim Convention on the Conservation of North Pacific Fur Seals, and the Fur Seal Act of 1966;

(2) conduct a continuing review of the condition of the stocks of marine mammals, of methods for their protection and conservation, of humane means of taking marine mammals, of research programs conducted or proposed to be conducted under the authority of this Act, and of all applications made pursuant to section 103 of this Act for permits for scientific research;

(3) review studies made or in progress and recommend to be undertaken such other studies as it deems necessary or desirable in connection with its assigned duties as to the protection and conservation of marine mammals;

(4) recommend to the Secretary and to other Federal officials such steps as it deems necessary or desirable for the protection and conservation of marine mammals;

(5) recommend to the Secretary of State appropriate policies regarding existing international arrangements for the protection and conservation of marine mammals, and suggest appropriate international arrangements for the protection and conservation of marine mammals;

(6) recommend to the Secretary of the Interior such revisions of the Endangered Species List, authorized by the Endangered Species Conservation Act of 1969, as may be appropriate with regard to marine mammals; and

(7) recommend to the Secretary, other appropriate Federal officials, and Congress such additional measures as it deems necessary or desirable to further the policies of this Act, including provisions for the protection of the Indians, Eskimos, and Aleuts whose livelihood may be adversely affected by actions taken pursuant to this Act.

(b) The Commission shall consult with the Secretary at such intervals as it or he may deem desirable, and shall furnish its reports and recommendations to him, before publication, for his comment.

(c) The reports and recommendations which the Commission makes shall be matters of public record and shall be available to the public at all reasonable times. All other activities of the Commission shall be matters of public record and available to the public in accordance with the provisions of section 552 of title 5, United States Code.

(d) Any recommendations made by the Commission to the Secretary and other Federal officials shall be responded to by those individuals within one hundred and twenty days after receipt thereof. Any recommendations which are not followed or adopted shall be referred to the Commission together with a detailed explanation of the reasons why those recommendations were not followed or adopted.

COMMITTEE OF SCIENTIFIC ADVISERS ON MARINE MAMMALS

SEC. 203. (a) The Commission shall establish, within ninety days after its establishment, a Committee of Scientific Advisers on Marine Mammals (hereafter referred to in this title as the "Committee"). Such Committee shall consist of nine scientists knowledgeable in aspects of the marine sciences and the commercial fishing industry with particular emphasis on marine ecology and marine mammal affairs appointed by the Chairman after consultation with the Director of the National Science Foundation, the Chairman of the National Academy of Sciences, and the Secretary of the Smithsonian Institution, and the Chairman of the Council on Environmental Quality.

(b) Except for United States Government employees, members of the Committee shall each be compensated at a rate equal to the daily equivalent of the rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day such member is engaged in the actual performance of duties vested in the Committee. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(c) The Commission shall consult with the Committee on all studies and recommendations which it may propose to make or has made, on research programs conducted or proposed to be conducted under the authority of this Act, and on all applications made pursuant to section 103 of this Act for permits for scientific research. Any recommendations made by the Committee or any of its members which are not adopted by the Commission shall be transmitted by the Commission to the appropriate Federal agency and to the appropriate committees of Congress with a detailed explanation of the Commission's reasons for not accepting such recommendations.

COMMISSION REPORTS

Sec. 204. The Commission shall transmit to Congress, by January 31 of each year, a report which shall include—

(1) a description of the activities and accomplishments of the Commission during the immediately preceding year; and

(2) all the findings and recommendations made by and to the Commission pursuant to section 202 of this Act, together with the responses made to these recommendations.

COORDINATION WITH OTHER FEDERAL AGENCIES

Sec. 205. The Commission shall have access to all studies and data compiled by Federal agencies regarding marine mammals. With the consent of the appropriate Secretary or Agency head, the Commission may also utilize the facilities or services of any Federal agency and shall take every feasible step to avoid duplication of research and to carry out the purposes of this Act.

ADMINISTRATION OF COMMISSION

Sec. 206. The Commission, in carrying out its responsibilities under this title, may—

(1) employ and fix the compensation of such personnel;

(2) acquire, furnish, and equip such office space;

(3) enter into such contracts or agreements with other organizations, both public and private;

(4) procure the service of such experts or consultants or an organization thereof as is authorized under section 3109 of title 5, United States Code (but at rates for individuals not to exceed $100 per diem); and

(5) incur such necessary expenses and exercise such other powers,

as are consistent with and reasonably required to perform its functions under this title. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman and the Administrator of the General Services Administration.

AUTHORIZATIONS

Sec. 207. There are authorized to be appropriated for the fiscal year in which this title is enacted and for the next four fiscal years thereafter such sums as may be necessary to carry out this title, but the sums appropriated for any such year shall not exceed $500,000.

EFFECTIVE DATE

Sec. 208. The provisions of this Act are to take effect upon the expiration of the sixty-day period following the date of its enactment.

Mr. HOLLINGS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Commerce be discharged——

Mr. ROBERT C. BYRD. Mr. President, may we have order, so that the manager of the bill can be heard, and his request?

The PRESIDING OFFICER. The Senate will please be in order.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of H.R. 10420.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 10420.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 10420) to protect marine mammals; to establish a Marine Mammal Commission; and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of H.R. 10420.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that all after the enacting clause be stricken and that the language of S. 2871, as amended and passed, be inserted in lieu thereof.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 10420) was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 10420) was passed.

Mr. HOLLINGS. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Roth) appointed Mr. Pastore, Mr. Hollings, Mr. Inouye, Mr. Hart, Mr. Stevens, Mr. Cook, and Mr. Weicker conferees on the part of the Senate.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that S. 2871 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized, in the engrossing of the bill, to correct any technical or clerical changes.

The PRESIDING OFFICER. Without objection, it is so ordered.

GRANTS FOR COMMUNICABLE DISEASE CONTROL

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3442.

The PRESIDING OFFICER (Mr. Roth) laid before the Senate the amendments of the House of Representatives to the bill (S. 3442) to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes which were to strike out all after the enacting clause and insert:

That section 317 of the Public Health Service Act (42 U.S.C. 347b) is amended to read as follows:

"GRANTS FOR VACCINATION PROGRAMS AND OTHER COMMUNICABLE DISEASE CONTROL PROGRAMS

"Sec. 317. (a) The Secretary may make grants to States and, with the approval of the State health authority, to political subdivisions of States to assist in meeting the costs of communicable disease control programs. In making a grant under this section the Secretary shall give consideration to the relative extent, in the area served by the applicant, of the problems which relate to one or more of the communicable diseases referred to in subsection (h)(1) and to the level of performance of the applicant in preventing and controlling such diseases.

"(b)(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary. Except as provided in paragraph (2), such application shall be in such form, submitted in such manner, and containing such information, as the Secretary shall by regulation prescribe.

"(2) An application for a grant for a fiscal year beginning after June 30, 1973, shall—

"(A) set forth with particularity the objectives (and their priorities, as determined in accordance with such regulations as the Secretary may prescribe) of the applicant for each of the programs he proposes to conduct with assistance from a grant under this section;

"(B) contain assurances satisfactory to the Secretary that, in the fiscal year for which a grant under this section is applied for, the applicant will—

"(i) conduct such programs as may be necessary to develop an awareness in those persons in the area served by the applicant who are most susceptible to the diseases referred to in subsection (h)(1) of the importance of immunization against such diseases, to encourage such persons to seek appropriate immunization, and to facilitate access by such persons to immunization services; and

"(ii) where appropriate, conduct such programs as may be necessary for the detection and treatment of venereal diseases in persons in the area served by the applicant, including persons who have venereal diseases but who do not have the symptoms of such diseases; and

"(C) provide for the reporting to the Secretary of such information as he may require concerning (i) the problems, in the area served by the applicant, which relate to any communicable disease referred to in subsection (h)(1), and (ii) the communicable disease control programs of the applicant.

"(3) Nothing in this section shall be construed to require any State or any political subdivision of a State to have a communicable disease control program which would require any person, who objects to any treatment provided under such a program, to be treated or to have any child or ward of his treated under such a program.

"(c)(1) Payments under grants under this section may be made in advance on the basis of estimates or by way of reimbursement, with necessary adjustments on account of underpayments or overpayments, and in such installments and on such terms and conditions as the Secretary finds necessary to carry out the purposes of this section.

"(2) The Secretary, at the request of a recipient of a grant under this section, may reduce such grant by the fair market value of any supplies (including vaccines and other preventive agents) or equipment furnished to such recipient and by the amount of the pay, allowances, travel expenses, and any other costs in connection with the detail of an officer or employee of the Government to the recipient when the furnishing of such supplies or equipment or the detail of such an officer or employee is for the convenience of and at the request of such recipient and for the purpose of carrying out the program with respect to which the grant under this section is made. The amount by which any such grant is so reduced shall be available for payment by the Secretary of the costs incurred in furnishing the supplies or equipment, or in detailing the personnel, on which the reduction of such grant is based.

"(d) The Secretary shall develop a plan under which personnel, equipment, medical supplies, and other resources of the Service and other agencies under his jurisdiction may be effectively utilized to meet epidemics of, or other health emergencies involving, any disease referred to in subsection (h)(1). There are authorized to be appropriated to the Secretary $5,000,000 for the fiscal year ending June 30, 1973, $5,000,000 for the fiscal year ending June 30, 1974, and $5,000,000 for the fiscal year ending June 30, 1975, for costs incurred in utilizing such resources in accordance with such plan.

"(e)(1) There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1973, $50,000,000 for the fiscal year ending June 30, 1974, and $50,000,000 for the fiscal year ending June 30, 1975, for grants under this section for communicable disease control programs relating to venereal diseases.

"(2) There are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1973, $10,000,000 for the fiscal year ending June 30, 1974, and $10,000,000 for the fiscal year ending June 30, 1975, for grants under this section for communicable disease control programs relating to tuberculosis.

"(3) There are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1973, $5,000,000 for the fiscal year ending June 30, 1974, and $5,000,000 for the fiscal year ending June 30, 1975, for grants under this section for communicable disease control program for measles.

"(4) There are authorized to be appropriated $20,000,000 for the fiscal year ending June 30, 1973, $20,000,000 for the fiscal year ending June 30, 1974, and $20,000,000 for the fiscal year ending June 30, 1975, for grants under this section for communicable disease control programs other than communicable disease control programs for which appropriations are authorized by paragraph (1), (2), or (3).

"(5) Not to exceed 50 per centum of the amount appropriated for any fiscal year under any of the preceding paragraphs of this subsection may be used by the Secretary for grants for such fiscal year under programs for which appropriations are authorized under any one or more of the other paragraphs of this subsection if the Secretary determines that such use will better carry out the purposes of this section.

"(f) Nothing in this section shall limit or otherwise restrict the use of funds which are granted to a State or to a political subdivision of a State under other provisions of this Act or other Federal law and which are available for the conduct of communicable disease control programs from being used in connection with programs assisted through grants under this section.

"(g) The Secretary shall submit to the President for submission to the Congress on January 1 of each year a report (1) on the extent of the problems presented by the diseases referred to in subsection (h)(1), (2) on the effectiveness of the activities, assisted under grants under this section, in preventing and controlling such diseases, and (3) setting forth a plan for the coming year for the prevention and control of such diseases.

"(h) For the purposes of this section:

"(1) The term 'communicable disease control program' means a program which is designed and conducted so as to contribute to national protection against tuberculosis, venereal disease, rubella, measles, Rh disease, poliomyelitis, diphtheria, tetanus, whooping cough, or other communicable diseases which are transmitted from State to State, are amenable to reduction, and are determined by the Secretary to be of national significance. Such term includes vaccination programs, laboratory services, and studies to determine the communicable disease control needs of States and political subdivisions of States and the means of best meeting such needs.

"(2) The term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Virgin Islands, and the District of Columbia."

Sec. 2. The amendment made by the first section o fthis Act shall apply to grants made under section 317 of the Public Health Service Act after June 30, 1972, except that subsection (d) of such section as amended by the first section of this Act shall take effect on the date of enactment of this Act.

And amend the title so as to read: "An Act to amend the Public Health Service Act to extend and revise the program of assistance under that Act for the control and prevention of communicable diseases."

Mr. Kennedy. Mr. President, I move that the Senate disagree to the amendment of the House on S. 3442, and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Kennedy, Mr. Williams, Mr. Nelson, Mr. Eagleton, Mr. Cranston, Mr. Hughes, Mr. Pell, Mr. Mondale, Mr. Schweiker, Mr. Javits, Mr. Dominick, Mr. Packwood, Mr. Beall, and Mr. Taft conferees on the part of the Senate.

NATIONAL HEART, BLOOD VESSEL, LUNG, AND BLOOD ACT OF 1972

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3323.

The PRESIDING OFFICER (Mr. Roth) laid before the Senate the amendment of the House of Representatives to the bill (S. 3323) to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes, which was to strike out all after the enacting clause and insert:

SHORT TITLE

Section 1. This Act may be cited as the "National Heart, Blood Vessel, Lung, and Blood Act of 1972".

FINDINGS AND DECLARATION OF PURPOSE

Sec. 2. (a) Congress finds and declares that—

(1) diseases of the heart and blood vessels collectively cause more than half of all the deaths each year in the United States and the combined effect of the disabilities and deaths from such diseases is having a major social and economic impact on the Nation;

(2) elimination of heart and blood vessel diseases as significant causes of disability and death could increase the average American's life expectancy by about eleven years and could provide for annual savings to the economy in lost wages, productivity, and costs of medical care of more than $30,000,000,000 per year;

(3) chronic lung diseases have been gaining steadily in recent years as important causes of disability and death, with emphysema alone being the fastest rising cause of death in the United States;

(4) chronic respiratory diseases affect an estimated ten million Americans, emphysema an estimated one million, chronic bronchitis an estimated four million, and asthma an estimated five million;

(5) thrombosis (the formation of blood clots in the vessels) may cause, directly or in combination with other problems, many deaths and disabilities from heart disease and stroke which can now be prevented;

(6) blood and blood products are essential human resources whose value in saving life and promoting health cannot be assessed in terms of dollars; and

(7) the greatest potential for advancement against heart, blood vessel, lung, and blood diseases lies in the National Heart and Lung Institute, but advancement against such diseases depends not only on the research programs of that Institute but also on the research programs of other research institutes of the National Institutes of Health.

(b) It is the purpose of this Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack upon heart, blood vessel, lung, and blood diseases.

HEART, BLOOD VESSEL, LUNG, AND BLOOD DISEASE PROGRAMS

Sec. 3. Part B of title IV of the Public Health Service Act is amended (1) by redesignating section 413 as section 419A, (2) by redesignating section 414 as section 418, and (3) by adding after section 412 the following new sections:

"NATIONAL HEART, BLOOD VESSEL, LUNG, AND BLOOD DISEASE PROGRAM

"Sec. 413. (a) The Director of the Institute, with the advice of the Council, shall develop a plan for a National Heart, Blood Vessel, Lung, and Blood Disease Program (hereafter in this part referred to as the 'Program') to expand, intensify, and coordinate the activities of the Institute respecting heart, blood vessel, lung, and blood diseases (including its activities under section 412) and shall carry out the Program in accordance with such plan. The Program shall be coordinated with the other research institutes of the National Institutes of Health to the extent that they have responsibilities respecting such diseases and shall provide for—

"(1) investigation into the epidemiology, etiology, and prevention of all forms and aspects of heart, blood vessel, lung, and blood diseases, including investigations into the social, environmental, behavioral, nutritional, biological, and genetic determinants and influences involved in the epidemiology, etiology, and prevention of such diseases;

"(2) studies and research into the basic biological processes and mechanisms involved in the underlying normal and abnormal heart, blood vessel, lung, and blood phenomena;

"(3) research into the development, trial, and evaluation of techniques, drugs, and devices (including computers) used in, and approaches to, the diagnosis, treatment, and prevention of heart, blood vessel, lung, and blood diseases and the rehabilitation of patients suffering from such diseases;

"(4) establishment of programs for the conduct and direction of field studies, large-scale testing and evaluation, and demonstration of preventive, diagnostic, therapeutic, and rehabilitative approaches to such diseases;

"(5) studies and research into blood diseases and blood, and into the use of blood for clinical purposes and all aspects of the management of its resources in this country, including the collection, preservation, fractionalization, and distribution of it and its products;

"(6) the education and training of scientists and clinicians in fields and specialties (including computer sciences) requisite to the conduct of programs respecting heart, blood vessel, lung, and blood diseases;

"(7) public and professional education relating to all aspects of such diseases and the use of blood and blood products and the management of blood resources;

"(8) establishment of programs for study and research into heart, blood vessel, lung, and blood diseases of children (including cystic fibrosis, hyaline membrane, and hemolytic and hemophilic diseases) and for the development and demonstration of diagnostic, treatment, and preventive approaches to these diseases; and

"(9) the establishment of programs for study, research, and evaluation of emergency medical services for people in critical condition in connection with heart, blood vessel, lung, or blood diseases.

The Program shall give special emphasis to the continued development in the Institute of programs relating to atherosclerosis, hypertension, thrombosis, and congenital abnormalities of the blood vessels as causes of stroke, and to effective coordination of such programs with related stroke programs in the National Institute of Neurological Diseases and Stroke.

"(b) (1) The plan required by subsection (a) of this section shall (A) be developed within one hundred and eighty days after the effective date of this section, (B) be transmitted to the Congress, and (C) set out the Institute's staff requirements to carry out the Program and recommendations for appropriations for the Program.

"(2) The Director of the Institute shall, as soon as practicable after the end of each calendar year, prepare in consultation with the Council and submit to the President for transmittal to the Congress a report on the activities, progress, and accomplishments under the Program during the preceding calendar year and a plan for the Program during the next five years.

"(c) In carrying out the Program, the Director of the Institute, under policies established by the Director of the National Institutes of Health and after consultation with the Council and without regard to any other provision of this Act, may—

"(1) if authorized by the Council, obtain (in accordance with section 3109 of title 5, United States Code, but without regard to the limitation in such section on the number of days or the period of such service) the services of not more than fifty experts or consultants who have scientific or professional qualifications;

"(2) acquire, construct, improve, repair, operate, and maintain heart, blood vessel, lung, and blood disease laboratories and research and other necessary facilities and equipment, and related accommodations as may be necessary, and such other real or personal property (including patents) as the Director deems necessary; and acquire, without regard to the Act of March 3, 1877 (40 U.S.C. 34), by lease or otherwise through the Administrator of General Services, buildings or parts of buildings in the District of Columbia or communities located adjacent to the District of Columbia for the use of the Institute for a period not to exceed ten years; and

"(3) enter into such contracts, leases, cooperative agreements, or other transactions, without regard to sections 3648 and 3709 of the Revised Statutes of the United States (31 U.S.C. 529, 41 U.S.C. 5), as may be necessary in the conduct of his functions, with any public agency, or with any person, firm, association, corporation, or educational institution.

"(d) The Director of the Institute shall conduct a program to provide the public and the health professions with health information with regard to cardiovascular and pulmonary diseases. In the conduct of such program, special emphasis shall be placed upon dissemination of information regarding diet, exercise, stress, hypertension, cigarette smoking, weight control, and other factors affecting the prevention of arteriosclerosis and other cardiovascular diseases and of pulmonary diseases.

"HEART, BLOOD VESSEL, LUNG, AND BLOOD DISEASE CONTROL PROGRAMS

"Sec. 414. (a) The Director of the Institute, under policies established by the Director of the National Institutes of Health and after consultation with the Council, shall establish programs as necessary for cooperation with other Federal health agencies, State, local, and regional public health agencies, and nonprofit private health agencies in the diagnosis, prevention, and treatment of heart, blood vessel, lung, and blood diseases, appropriately emphasizing the prevention, diagnosis, and treatment of such diseases of children.

"(b) There are authorized to be appropriated to carry out this section $20,000,000 for the fiscal year ending June 30, 1973, $30,000,000 for the fiscal year ending June 30, 1974, and $40,000,000 for the fiscal year ending June 30, 1975.

"NATIONAL RESEARCH AND DEMONSTRATION CENTERS FOR HEART, BLOOD VESSEL, LUNG, AND BLOOD DISEASES

"Sec. 415. (a) The Director of the Institute may provide for the development of—

"(1) fifteen new centers for basic and clinical research into, training in, and demonstration of, advanced diagnostic, prevention, and treatment methods for heart, blood vessel, and blood diseases; and

"(2) fifteen new centers for basic and clinical research into, training in, and demonstration of, advanced diagnostic, prevention, and treatment methods for chronic lung diseases (including bronchitis, emphysema, asthma, cystic fibrosis, and other lung diseases of children).

Centers developed under this subsection may be supported under subsection (b) or under any other applicable provision of law. The research, training, and demonstration activities carried out through any such center may relate to any one or more of the diseases referred to in paragraphs (1) and (2) of this subsection.

"(b) The Director of the Institute, under policies established by the Director of the National Institutes of Health and after consultation with the Council, may enter into cooperative agreements with public or nonprofit private agencies or institutions to pay all or part of the cost of planning, establishing, or strengthening, and providing basic operating support for, existing or new centers (including centers established under subsection (a)) for basic or clinical research into, training in, and demonstration of, advanced diagnostic, prevention, and treatment methods for heart, blood vessel, lung, or blood diseases. Funds paid to centers under cooperative agreements under this subsection may be used for—

"(1) construction, notwithstanding section 405,

"(2) staffing and other basic operating costs, including such patient care costs as are required for research,

"(3) training, including training for allied health professions personnel, and

"(4) demonstration purposes.

The aggregate of payments (other than payments for construction) made to any center under such an agreement may not exceed $5,000,000 in any year. Support of a center under this subsection may be for a period of not to exceed five years and may be extended by the Director of the Institute for additional periods of not more than five years each, after review of the operations of such center by an appropriate scientific review group established by the Director. As used in this section, the term 'construction' does not include the acquisition of land.

"INTERAGENCY TECHNICAL COMMITTEE

"Sec 416. (a) The Secretary shall establish an Interagency Technical Committee on Heart, Blood Vessel, Lung and Blood Diseases and Blood Resources which shall be responsible for coordinating those aspects of all Federal health programs and activities relating to heart, blood vessel, lung, and blood diseases and to blood resources to assure the adequacy and technical soundness of such programs and activities and to provide for the full communication and change of information necessary to maintain adequate coordination of such programs and activities.

"(b) The Director of the Institute shall serve as Chairman of the Committee and the Committee shall include representation from all Federal departments and agencies whose programs involve health functions or responsibilities as determined by the Secretary.

"NATIONAL HEART AND LUNG ADVISORY COUNCIL

"Sec. 417. (a) There is established in the Institute a National Heart and Lung Advisory Council to be composed of twenty-one members as follows:

"(1) The Secretary and the chief medical officer of the Veterans' Administration (or their designees) and a medical officer designated by the Secretary of Defense shall be ex officio members of the Council.

"(2) Eighteen members appointed by the Secretary.

Nine of the appointed members shall be selected from among the leading medical or scientific authorities who are skilled in the science relating to diseases of the heart, blood vessels, lungs, and blood; two of the appointed members shall be selected from persons enrolled in residency programs providing training in heart, blood vessel, lung, or blood diseases; and seven of the appointed members shall be selected from members of the general public who are leaders in the fields of fundamental or medical sciences or in public affairs.

"(b)(1) Each appointed member of the

Council shall be appointed for a term of four years, except that—

"(A) any member appointed to fill a vacancy occuring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(B) of the members first appointed after the effective date of this section, five shall be appointed for a term of four years, five shall be appointed for a term of three years, five shall be appointed for a term of two years, and three shall be appointed for a term of one year, as designated by the Secretary at the time of appointment.

Appointed members may serve after the expiration of their terms until their successors have taken office.

"(2) A vacancy in the Council shall not affect its activities, and eleven members of the Council shall constitute a quorum.

"(3) The Council shall supersede the existing National Advisory Heart Council appointed under section 217, and the appointed members of the National Advisory Heart Council serving on the effective date of this section shall serve as additional members of the National Heart and Lung Advisory Council for the duration of their terms then existing, or for such shorter time as the Secretary may prescribe.

"(4) Members of the Council who are not officers or employees of the United States shall receive for each day they are engaged in the performance of the functions of the Council compensation at rates not to exceed the daily equivalent of the annual rate in effect for grade GS–18 of the General Schedule, including traveltime; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703, title 5, United States Code, for persons in the Government service employed intermittently.

"(c) The Secretary (or his designee) shall be the Chairman of the Council.

"(d) The Director of the Institute shall (1) designate a member of the staff of the Institute to act as Executive Secretary of the Council, and (2) make available to the Council such staff, information, and other assistance as it may require to carry out its functions.

"(e) The Council shall meet at the call of the Chairman, but not less often than four times a year."

AUTHORIZATION OF APPROPRIATIONS FOR PART B OF TITLE IV OF THE PUBLIC HEALTH SERVICE ACT

Sec. 4. Part B of title IV of the Public Health Service Act is amended by adding at the end thereof the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 419B. For the purpose of carrying out this part (other than section 414), there are authorized to be appropriated $350,000,000 for the fiscal year ending June 30, 1973, $400,000,000 for the fiscal year ending June 30, 1974, and $450,000,000 for the fiscal year ending June 30, 1975."

AUTHORITY OF THE DIRECTOR OF THE NATIONAL HEART AND LUNG INSTITUTE TO APPROVE GRANTS

Sec. 5. Section 419A of the Public Health Service Act (as so redesignated by section 3 of this Act) is amended—

(1) by striking out "grants-in-aid" in subsection (a) and inserting in lieu thereof "except as provided in subsection (c), grants-in-aid"; and

(2) by adding after subsection (b) the following new subsection:

"(c) Under procedures approved by the Director of the National Institutes of Health, the Director of the National Heart and Lung Institute may approve grants under this Act for research and training in heart, blood vessel, lung, and blood diseases—

"(1) in amounts not to exceed $35,000 after appropriate review for scientific merit but without review and recommendation by the Council, and

"(2) in amounts exceeding $35,000 after appropriate review for scientific merit and recommendation for approval by the Council."

CONFORMING AMENDMENTS TO PART B OF TITLE IV OF THE PUBLIC HEALTH SERVICE ACT

Sec. 6. (a) Section 411 of the Public Health Service Act is amended by striking out "National Heart Institute" and inserting in lieu thereof "National Heart and Lung Institute".

(b) Section 412 of such Act is amended—

(1) by striking out "heart" each place it occurs (except in the heading) and inserting in lieu thereof "heart, blood, vessel, lung, and blood";

(2) by striking out "Surgeon General" and inserting in lieu thereof "Secretary";

(3) by striking out "National Advisory Heart Council" and inserting in lieu thereof "National Heart and Lung Advisory Council";

(4) by redesignating paragraphs (a), (b), (c), (d), (e), (f), and (g) as paragraphs (1), (2), (3), (4), (5), (6), and (7), respectively; and

(5) by amending the section heading to read as follows:

"RESEARCH AND TRAINING IN DISEASES OF THE HEART, BLOOD VESSELS, LUNG, AND BLOOD".

(c) Section 418 of such Act (as so redesignated by section 3 of this Act) is amended—

(1) by inserting "(a)" immediately after "Sec. 418." and by adding at the end thereof the following new subsection:

"(b) (1) The Council shall advise and assist the Director of the Institute with respect to the Program established under section 413. The Council may hold such hearings, take such testimony, and sit and act at such times and places, as the Council deems advisable to investigate programs and activities of the Program.

"(2) The Council shall submit a report to the President for transmittal to the Congress not later than January 31 of each year on the progress of the Program toward the accomplishment of its objectives."

(2) by striking out "Surgeon General" each place it occurs (except paragraph (f)) and inserting in lieu thereof "Secretary";

(3) by striking out "heart" each place it occurs and inserting in lieu thereof "heart, blood vessel, lung, and blood";

(4) by striking out "Surgeon General" in paragraph (f) and inserting in lieu thereof "Secretary, the Director of the National Institutes of Health, and the Director of the National Heart and Lung Institute"; and

(5) by redesignating paragraphs (a), (b), (c), (d), (e), and (f) as paragraphs (1), (2), (3), (4), (5), and (6), respectively.

(d) Section 419A of such Act (as so redesignated by section 3 of this Act) is amended—

(1) in subsection (a), by (A) striking out "Surgeon General" and inserting in lieu thereof "Secretary", and (B) striking out "heart" and inserting in lieu thereof "heart blood vessel, lung, and blood"; and

(2) in subsection (b), by (A) striking out "The Surgeon General shall recommend to the Secretary acceptance of conditional gifts, pursuant to section 501," and inserting in lieu thereof "The Secretary may, in accordance with section 501, accept conditional gifts", and (B) striking out "heart" and inserting in lieu thereof "heart, blood vessel, lung, and blood".

(e) The heading for part B of such Act is amended to read as follows:

"Part B—National Heart and Lung Institute".

CONFORMING AMENDMENTS TO OTHER PROVISIONS OF THE PUBLIC HEALTH SERVICE ACT

Sec. 7. (a) Section 217 of such Act is amended—

(1) by striking out "the National Advisory Heart Council," each place it occurs in subsection (a);

(2) by striking out "heart diseases," in subsection (a) and by striking out "heart," in subsection (b).

(b) Sections 301(d) and 301(i) of such Act are each amended by striking out "National Advisory Heart Council" and inserting in lieu thereof "National Heart and Lung Advisory Council".

REPORT TO CONGRESS

Sec. 8. The Secretary of Health, Education, and Welfare shall carry out a review of all administrative processes under which the National Heart, Blood Vessel, Lung, and Blood Disease Program, established under part B of title IV of the Public Health Service Act, will operate, including the processes of advisory council and peer group reviews, in order to assure the most expeditious accomplishment of the objectives of the Program. Within one year of the date of enactment of this Act, the Secretary shall submit a report to the Congress of the findings of such review and the actions taken to facilitate the conduct of the Program, together with recommendations for any needed legislative changes.

EFFECTIVE DATE

Sec. 9. This Act and the amendments made by this Act shall take effect sixty days after the date of enactment of this Act or on such prior date after the date of enactment of this Act as the President shall prescribe and publish in the Federal Register.

Mr. KENNEDY. Mr. President, I move that the Senate disagree to the amendment of the House on S. 3323, and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Roth) appointed Mr. Kennedy, Mr. Williams, Mr. Nelson, Mr. Eagleton, Mr. Cranston, Mr. Hughes, Mr. Pell, Mr. Mondale, Mr. Schweiker, Mr. Javits, Mr. Dominick, Mr. Packwood, Mr. Beall, and Mr. Taft conferees on the part of the Senate.

MARITIME PROGRAMS

The PRESIDING OFFICER (Mr. Roth). Under the previous order, the Senate will now proceed to the consideration of H.R. 13324, which will be stated by title.

The legislative clerk read as follows:

> A bill (H.R. 13324) to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce.

The Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments on page 1, line 11, after the word "modern", strike out "breakbulk" and insert "or reconstructed"; on page 2, line 11, after "New York", strike out "$7,670,000" and insert "$7,854,000"; after line 14, insert a new section, as follows:

SEC. 2. Section 905(a) of the Merchant Marine Act, 1936, is amended as follows:

(1) By inserting after the words "except that" the words "in the context of section 607 of this Act concerning capital construction funds and".

(2) By striking out the words "to the extent provided in uniform regulations promulgated by the Secretary of Commerce".

(3) By inserting before the period at the end thereof the words "in their operation or in competing for charters, subject to rules and regulations promulgated by the Secretary of Commerce pursuant to section 204(b) of this Act".

And, on page 3, after line 2, insert a new section, as follows:

SEC. 3. Section 901(b)(1) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1241 (b)(1)), is amended by inserting in the first sentence after the words "or commodities" and before the words "the appropriate agency", the words "or shall issue to any person, firm, or corporation, on a quota basis, allocations or licenses for the importation of crude and unfinished oils and finished products, not including residual fuel oil to be used as fuel and Number 2 fuel oil".

Mr. LONG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. LONG. On my time.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, H.R. 13324 would authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce. Section 1 of the bill is the authorization of appropriations and provides slightly in excess of $556 million for construction and operation of ships, research and development programs, expenses of the National Defense Reserve Fleet, and maritime training at the U.S. Merchant Marine Academy and State marine schools. The committee made only two amendments to the authorization of appropriations, one of a minor technical nature and the other an increase of $184,000 to cover certain Federal pay increases as requested by the administration. Section 2 of the bill makes a technical amendment to the Merchant Marine Act, 1936, as amended, to correct certain deficiencies in the act we adopted in 1970—Public Law 91-469—as it relates to bulk cargo carriers. The committee report, No. 92-841, explains these two sections in detail and, since I believe that there is no controversy with respect to these provisions, I would like to address my remarks primarily to section 3 of the bill which is a committee amendment.

That section would amend section 901 (b)(1) of the Merchant Marine Act, 1936, to require that at least 50 percent of certain oil imports brought in on a quota basis be carried on U.S.-flag vessels to the extent such vessels are available at fair and reasonable rates. Residual fuel oil and No. 2 fuel oil are excluded from the requirement. The effect of this amendment would be to add oil imports which are licensed by the Government on a quota basis to those classes of commodities which are already required to be carried on U.S.-flag vessels, including certain cargo shipped for the account of the Government or financed by the Government.

I would like to outline briefly why the committee took this action and the benefits that are expected to flow from enactment of the legislation.

First, enactment of the legislation is necessary for our security in order to maintain the tanker capability to move our emergency oil requirements. We have had the capability to do this in the past. Enactment of this legislation is necessary to preserve it;

Second, it will result in a balance-of-payments benefit estimated at $300 million next year, $500 million annually by 1980, and $800 million annually by 1985;

Third, it will provide 100,000 goods jobs for American workers that would otherwise be surrendered to foreign labor;

Fourth, it will provide additional badly needed protection for our marine environment;

Fifth, it will not increase consumer costs; and

Sixth, unlike the various proposals under study by the administration, it will not increase subsidies for construction and operation of ships. Instead of increasing the burden on our taxpayers, it will finance these ships out of the large profits made on foreign oil.

The primary reason for this amendment is national security. At present, virtually none of our oil imports are carried on U.S.-flag vessels. While this situation was perhaps tolerable so long as our Nation was largely self-sufficient with respect to its emergency petroleum requirements, it is no longer. When we were largely self-sufficient in oil, American vessels carried the total waterborne movement of oil; for example, from production facilities in the gulf to consumers on the east coast.

However our reliance on oil imports is growing. It has been widely estimated that by 1980 we will be dependent on imports for nearly 50 percent for our petroleum requirements and that by 1985, the figure will be substantially over 50 percent. This situation results in a double risk: dependence on foreign sources for our supply of oil and dependence on foreign sources for transportation of our supply. This is particularly serious when it is realized that in the past, oil crises have generally resulted from transportation dislocation such as the closing of the Suez Canal and war or hostile action, rather than problems at the source of the oil itself.

At the same time that our oil imports have been growing, the U.S. tanker fleet engaged in domestic trades is being severely impacted because of the expansion of the Colonial pipeline and other economic factors. Earlier this year, approximately 11 percent of existing U.S. tonnage was laid up. While the recent step-up of war activities in Southeast Asia and a surge of grain shipments to Bangladesh have substantially reduced this figure, this is obviously temporary in nature and after these contingencies subside the general trend of increased layup can be expected to reassert itself. Some have estimated that within 3 years, under normal circumstances, 20 percent of existing U.S. tanker tonnage will be laid up.

Of course layup of these vessels cannot continue forever. Sooner or later they will have to be scrapped or transferred to foreign registry. When that occurs, the surge capability that our domestic trade tanker fleet has provided us in past national emergencies will no longer be available to us.

Clearly, this cannot be allowed to occur. We can assure ourselves of the tanker capability that we need only by fostering a U.S.-flag fleet actively engaged in the carriage of our oil imports.

Of all the major nations, only the United States depends on others to carry virtually all of its petroleum imports. Japan carries about 60 percent of its oil imports. France has laws requiring French-flag carriage of its oil imports that have resulted in its carrying 48 percent of its imports, though its laws require even more. Britain carries 28 percent of its oil imports on its own vessels and Italy 24 percent. While we do not have separate figures for oil for Germany, that nation carries 25 percent of its total imports.

Enactment of this legislation would result in our being on a par with Britain and Italy, though still far below France and Japan. In effect, enactment of the bill would result in about 25 percent of our waterborne oil imports coming on U.S.-flag vsesels since residual fuel oil and No. 2 fuel oil amounting to approximately half of our imports are excluded from the 50-percent requirement.

Those who argue that this bill is not needed on national security grounds have stated that we should rely on the tanker fleets of our NATO allies and U.S.-owned foreign-flag vessels. But a review of these fleets indicates that changes that have occurred, including in their size and other characteristics, would make many of them unavailable to us in times of emergency. Even after enactment of the legislation we would continue to rely in large measure on these vessels. However, as our dependence on foreign oil imports increases, it would be foolish to put all our eggs in a single basket—foreign-flag vessels.

In a sense, enactment of this legislation reflects not a change in policy but a continuation of longstanding national policy. So long as the overwhelming majority of our waterborne movements of oil were in the coastwise trade from one U.S. port to another, the cabotage laws, dating back to the 18th century, saw to it that all the vessels engaged in the movement were U.S.-flag vessels. This assured the tanker capacity we needed. Now, however, with the shift in our sources of oil to foreign imports, the cabotage laws standing by themselves no longer provide that assurance. Enactment of H.R. 13324 will assure that we have at least some capability to carry our urgently needed petroleum requirements. In addition, having some U.S. tanker transport capability will provide us with the option of shifting from an embargoed oil source to an alternative producer, thus affording some protection with respect to the problems that arise from our increased dependence on foreign sources of oil.

As chairman of the Committee on Finance, I am particularly concerned with another important benefit that will result from enactment of this legislation; that is, the beneficial impact on our balance of payments. One Government agency estimated that the balance-of-payments benefit resulting from requiring carriage of 50 percent of our oil imports would amount to $300 million in 1973 alone. Other estimates indicated that without enactment of this legislation we will have an annual deficit on tanker carriage of crude oil alone of $1.2 billion in 1980 and $2 billion in 1985. The cumulative deficit for the period 1975–85 would be $14 billion. There is no need to remind Senators that last year our Nation had a balance-of-payments deficit of over $22 billion on a net liquidity basis. Clearly, the dollar outflow needed to pay for foreign tankers as our oil imports increase in the future will be difficult to offset in the current state of the Nation's monetary affairs. It would greatly aggravate our already serious problems. It has been estimated that enactment of this legislation would save about 40 percent of these amounts or approximately $500 million in 1980, increasing to nearly $800 million in 1985. The cumulative balance of payments saving for the period 1975–85 has been estimated at $5.6 billion.

Another important beneficial result from passing this legislation would be its impact on domestic employment. I am sure that Senators have heard from representatives of our working people in this regard. Organized labor has estimated that enactment of the legislation will result in well over 100,000 new jobs. As many as 9,000 seafaring jobs would be created, and the balance would be in shipbuilding, manufacturing, and related industries such as steel and manufacture of components.

It should be noted that these are not make-work jobs. Vessels will be built for and operated in our trades in any event to carry our increased oil imports. The question is whether a portion of these vessels will be built and operated by Americans or whether these jobs will all be ceded to foreign labor.

At this time, when we have a high rate of unemployment and economic hardship, and when our Nation is confronted with the task of finding 20 million new jobs over the next several years, I submit that a decision to export 100,000 good jobs is unthinkable. Defeating this bill would do just that.

Another important benefit of passing this legislation will be the additional protection it affords our marine environment. The tremendous projected increases in oil imports and in tankers plying our waters can result in increased potential harm to our marine environment. If these vessels are all of foreign registry, the problem is magnified. U.S.-flag vessels are generally subject to more stringent vessel and manning standards than are foreign vessels. Further, our Government's ability to specify and enforce antipollution standards on foreign vessels is extremely limited. Enactment of the legislation will permit us to assure that the safest standards will be maintained consistent with our own national policies. It will also provide our Nation additional leverage for requiring that foreign tankers calling at our ports meet criteria for a safe, healthy environment.

Having discussed what the bill does, I feel compelled to also set forth what the bill does not do. For there have been a number of wild predictions of dire consequences that would flow from enactment of this legislation.

Foremost among these charges has been that the bill will tremendously increase consumer cost. Because of its special responsibility with respect to consumers, the Committee on Commerce gave careful attention to this matter. The committee concluded that enactment of the bill will not appreciably increase consumer cost, if at all.

Before explaining the reason why it is unlikely that the bill will result in any increase of cost being passed on to consumers, I believe it is important to look at the magnitude of the cost involved. The Department of Commerce presented a range of estimates on the cost involved depending on different hypotheses. The highest estimate was that the added cost of U.S.-flag vessels would amount to approximately 10½ cents per barrel on our oil imports or $24.7 million currently. This amounts to about one-fourth cent per gallon. It should be kept in mind that this cost relates to a part of waterborne imports of oil only. If it were to be spread across all our oil consumption that price increase would amount to less than a penny per barrel.

So even if the increased cost were passed on to consumers, it would not be very significant. However, it is unlikely that it will be passed on to consumers. The committee report contains a substantial discussion of this at pages 11 and 12 and 26–32. I commend it to my colleagues. In brief, the lack of impact on consumer prices would result from the oil import quota program itself. When crude oil is purchased abroad, it is at a much lower price than U.S. oil. But when it is sold here, it sells at prices reflecting domestic production and transportation cost. That is the purpose of the quota program—to keep American prices up to a level where they compensate marginal U.S. production cost, uninfluenced by low-cost foreign supplies. This is intended to stimulate U.S. production and exploration. The difference between low-cost foreign oil and high-cost domestic oil is represented in the value of import tickets that are given away by the Government, but which are freely traded and have a market value. Since the bill would in no way affect U.S. production or transportation cost, it would not increase consumer prices, but only reduce the value of import tickets. This analysis has been adopted in other contexts by the Chairman of the Cabinet Task Force on Oil Import Control, the New England Governors Conference, Consumers Union, Senator PROXMIRE's staff on the Joint Economic Committee, and others. In the specific context of this legislation, that analysis was adopted by the Department of Commerce and a number of noted economists.

As I have indicated, the weight of authority, economic analysis, and empirical data all support the view that this legislation will not result in any increase in consumer cost. However, even if all of the additional cost were passed through to consumers it would not be very substantial. Certainly, it would be far less than the additional consumer costs that are argued to flow from restrictions on importation of textiles, shoes, steel, and other commodities. Nonetheless, quotas on these items have been championed by some of the opponents of this bill. I find it difficult to reconcile those two positions. Certainly, if quotas are merited to protect certain regional interests at the price of some slightly higher consumer costs, they should be merited to protect our national interest in an area vital to our security and balance of payments.

Another charge which I believe requires response is that enactment of this legislation will export our refining capacity. Certainly, the exemption of No. 2 fuel oil will create some economic incentive to refine that oil abroad. However, the Department of Interior has complete control of this matter. If it does not wish to export refining capacity it need only prevent the throwing open of allocations on No. 2 fuel oil and the importation of that oil at the expense at what might otherwise be imports of crude oil to be refined domestically.

Another charge that has been made is that in the short run there will not be sufficient American tonnage available to carry 50 percent of our oil imports. It has been alleged that this will result in an increase in the use of domestic, Canadian and Mexican oil. This is wholly inaccurate. The requirement for using American flag vessels only applies "to the extent such vessels are available at fair and reasonable rates." If they are not available at fair and reasonable rates, the requirement is waived.

Similarly, a shortage of American vessels it has been alleged will result in tremendous escalations in U.S.-flag tanker rates. This cannot occur since if vessels are not available at rates determined to be fair and reasonable based on capital and operating costs, and a reasonable profit, the requirement does not apply and foreign tankers can be used.

One concern that has been expressed by our friends in agriculture is that the legislation may be a precedent for requiring U.S.-flag carriage of agricultural exports. That is wholly incorrect. Trying to mix oil imports and grain exports makes a lot less sense when the proverbial mixing of apples and oranges. Particularly at this time when agricultural exports make up one of the few bright spots in our trade and payments balances, there would be little sympathy for a legislative requirement that would disadvantage our exports. The same is not true, of course, with respect to oil imports.

In closing, I would like to comment on a letter from the Secretary of Commerce on behalf of the administration dated June 12, 1972 that was recently inserted into the CONGRESSIONAL RECORD. While endorsing the need for developing a strong and vigorous U.S.-tanker fleet, the administration took the position that it was "inappropriate to adopt oil import cargo preference at this time" and that possible amendments to the Merchant Marine Act were under evaluation by the administration to obtain that objective. Further, the administration indicated that it would send its findings to the Congress by September 15, 1972.

Mr. President, while I would always welcome any suggestions by the administration, I do not believe that the administration study proposed is a reason to defeat this legislation. Whenever anyone seeks to delay action, a study is proposed. We have had enough delay for studies. Even if the administration were to submit alternatives by September 15, 1972 as is promised, it would be virtually impossible to enact those proposals into law in the short time that would then be remaining in this Congress. Rather, it seems to me more sensible to proceed with the legislation at hand. What is important to note is that there is general agreement from the administration that the problem exists—that we must develop an adequate tanker fleet.

Further, I think it is important to note that, in essence, the administration proposals amount simply to more Government subsidy. But our Federal Treasury is already overburdened. We are experiencing record deficits. By contrast, enactment of section 3 of the bill would accomplish the objective of building a tanker fleet without additional Government subsidies. No construction or operating subsidy would be involved—in effect, vessels to carry this oil would not be eligible for these subsidies since they would not be in competition with foreign vessels, but operating in a restricted market.

I think it is far preferable to finance the building of the tanker fleet we need out of the windfall profits made on foreign oil—profits that will increase greatly as oil imports increase—rather than further strain our already overburdened taxpayers. This is particularly fair when it is noted that it is the switch in source from domestic to foreign oil that makes this legislation necessary.

I urge Senators to vote for the bill, and specifically section 3. Our security, commerce, domestic employment, and balance of payments require no less.

Mr. President, there are now under construction, mostly in Japanese yards, supertankers which will be longer than three football fields laid end to end. It will be enormously expensive. They are great ships, the great super ships of the future. Not a single one of them is being projected to be built in American yards. However, they will be paid for with American money. They will not have American machinery or American labor aboard those ships.

This amounts to more than $10 million of jobs and a deficit that we cannot afford heaped on top of $20 billion-plus deficit that we now have with no prospect and no hope of correcting it.

The only way we can correct this kind of deficit is in an area such as this where we have power to act unilaterally and say that a certain amount of this business must be done by American firms.

Mr. President, there have been discussions of the cost to the consumers. We propose, and we do so in this amendment, to eliminate the question of residual fuel oil, No. 2 fuel oil, and to protect against any increased cost to New England. As far as the rest of it is concerned, we have studied this matter very carefully. We are satisfied that what determines the price of oil in this country is not the foreign cost. It is not the foreign price. The price of foreign oil landed here is about $2.50 as against a domestic price of about $3.50 or $3.40.

There is almost $1 difference between the domestic price of oil and the foreign price which makes those oil import tickets very valuable. The result would be that there would be about a 10-cent difference in the price of a ticket as a result of requiring that one-fourth of these imports be in American bottoms.

Mr. President, it has been suggested that this might have some small impact on small independent refineries. I believe that an amendment will be offered—and as far as I am concerned, I would be willing to accept that amendment—to make it clear that the smaller refineries will not be affected by this legislation in any respect whatsoever. With reference to the oil import quota system, they would continue to operate to their advantage.

I do not think that the same argument will be made to benefit the major refineries, some of which are situated in my own State, the most efficient refineries and the largest in the world. I do not think that we can make too much of an argument for them. In fact, the weakest kind of an argument, I think, is to argue that there should be tickets for these major refineries.

Why should we have to go to the largest and most efficient refineries on God's green earth to give them oil import tickets and give them a competitive advantage.

Mr. President, I represent a State in which some of these refineries are located. They are run by fine people. Why should we have to give an efficient producer in the business a subsidy? With whom is he competing? He is competing with himself.

I can understand why we should have to give an advantage to some small refineries to help them compete with the giants who have all the advantage of size and economic location. But the 3.5 percent allotted to these major companies, these refineries, along the seaboard, the gulf, the west coast, and the east coast is an advantage that is really not required for those companies to stay in business and make a good profit.

I am for those people. They are good companies. I stood here on the floor and fought for them in every way I knew how when they sustained a $7 million tax increase in their tax bill in 1969.

When the same issue comes up again, I hope to fight for them and for the independent producers also.

This costs these companies $25 million in addition to the $7 million they would have to sustain. This would provide 100,000 jobs to American working people.

How would we go about providing those jobs? I think those same companies would like us to meet this problem by providing enough of a subsidy for ship construction and wage differentials to try to outcompete the Chinese labor recruited in Hong Kong, the Pakistanis hired in the Malay States, or the South Americans hired at 10 cents an hour somewhere around the Caribbean.

Mr. President, this is not the efficient way to meet this problem. To try to meet it in that way would cost $1 billion. We would be taxing the American working people, who are already paying enough taxes, for the benefit of those engaged in other businesses. There is no need to do it in that way.

At a mere cost of $25 million a year to the major companies, these 100,000 jobs can be provided. That is a small price to pay for 100,000 good jobs. That works out to about $250 a job.

What is the alternative? If, under the family assistance plan, we put these same men on welfare, it would cost a minimum of $2,400 a year, or 10 times that much?

Mr. President, there is one point in the Democratic platform on which I would agree. I did not agree with all of the points. However, I agree that we should quit exporting all the good jobs this generates and keep some of them for ourselves. That is what we are talking about here.

As it stands right now, 75 percent of the oil that is produced and moved around in this country is produced by American labor at American wage standards.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. LONG. In a moment, I will.

Some years ago 100 percent of its was produced with American labor at American wage standards and moved around in American equipment and American containers. Now we have lost 25 percent of it. We are projected to lose 50 percent of it. This is going to be the biggest single item in a disaster that will bankrupt America. To provide jobs for whom? The Chinamen, Pakistanis, South Americans, Africas, Indians, Asians, or anyone else the Senator may name.

I am willing to be generous to all of them. They are good fellows. However, I would be generous to them if I had enough money to be generous to them.

Mr. President, we are busted. We are broke. Soon we will realize that we are no longer the Andy Gump of the world. We are no longer in a position to go out and to throw our wealth around profusely.

As it is, we have been running a $20 billion a year deficit for a period of time. I applaud the generous efforts of John

Connally to try to do something about it. I am sorry that he achieved practically nothing.

The balance-of-payments deficit is as bad as it was. These people have been telling us for some time that we had $60 billion overseas in America holdings than there were here. We have been running at a $20 billion deficit, and it will not take any longer than 3 years to use that up. All of these American investments are overseas. If we do not do something about this, these various nations will wind up seizing all of these American refineries and American ships and will wind up holding the whole bunch. And the dollar will not be worth the paper it is printed on unless we do something about this bad situation.

Ask those who are getting the greatest benefit out of our enormous deficit that they share a little of this burden, and I have in mind the major oil companies doing business overseas.

The PRESIDING OFFICER. Who yields time?

Mr. COTTON. Mr. President, I yield myself such time as I require for a brief statement. I would like to use the first moment of that time to ask the distinguished Senator from Louisiana, the manager of the bill, if in the interest of expediting this matter we should not at this time agree to those committee amendments to the bill that we can agree to, excluding this section 3, which is the subject of controversy, and then, when the time comes, to vote on that particular one.

Mr. LONG. Mr. President, I ask unanimous consent that the Senate might at this point vote on sections 1 and 2 of the bill. I know of no opposition to those sections of the bill.

Mr. COTTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COTTON. Mr. President, can we request a division so that the committee amendments can be adopted with the exception of section 3, which is the subject of this discussion?

Mr. LONG. Mr. President, I suggest we agree to sections 1 and 2 and then divide section 3.

Mr. COTTON. Yes.

Mr. LONG. Mr. President, I ask unanimous consent that we proceed to agree to sections 1 and 2.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection and it is so ordered. Those committee amendments are agreed to en bloc.

Mr. LONG. That is on 1 and 2?

The PRESIDING OFFICER. That is correct.

Mr. COTTON. I thank the distinguished Senator.

(The committee amendments agreed to en bloc are as follows:)

On page 1, line 11, after the word "modern", strike out "breakbulk" and insert "or reconstructed"; on page 2, line 11, after "New York", strike out "$7,670,000" and insert "$7,854,000"; after line 14, insert a new section, as follows:

SEC. 2. Section 905(a) of the Merchant Marine Act, 1936, is amended as follows:

(1) By inserting after the words "except that" the words "in the context of section 607 of this Act concerning capital construction funds and".

(2) By striking out the words "to the extent provided in uniform regulations promulgated by the Secretary of Commerce".

(3) By inserting before the period at the end thereof the words "in their operation or in competing for charters, subject to rules and regulations promulgated by the Secretary of Commerce pursuant to section 204(b) of this Act".

Mr. LONG. With regard to section 3, I believe section 3 is the part that the Senator had in mind.

Mr. COTTON. Yes.

Mr. LONG. That would leave section 3 as the pending amendment. Does the Senator care to offer an amendment to strike section 3?

Mr. COTTON. To strike section 3? We who do not want it to be agreed to have only to oppose its adoption.

The PRESIDING OFFICER. The Senator is correct. The question would come on agreeing to the amendment.

Mr. COTTON. Mr. President, I yield myself as much time as I may require for a brief opening statement. I yield this time out of the time allocated to the discussion of section 3, the oil section in controversy.

Mr. Preident, I am not going to make a lengthy dissertation. I merely want to make a few observations and then yield time to other Senators who are waiting to be heard.

Mr. President, for the last three Congresses, certainly the last 6 years, and probably longer—in fact, almost as long as I have served on the Committee on Commerce under the able leadership of the distinguished Senator from Washington (Mr. MAGNUSON)—the Committee on Commerce has stood as the champion of the consumer. I think it can be safely and accurately said there has been more legislation to protect the consumer that has originated from the Committee on Commerce than from any other committee. Much of it has been at the instigation of the able chairman, the Senator from Washington. There has been more legislation to insure the safety of the consumer, to protect the consumer against fraud, to protect the consumer against being exploited, than almost any other subject covered by that committee.

It is rather shocking to me, therefore, Mr. President, to find this language suddenly attached to a bill that was simply an authorization bill for the necessary appropriations to maintain the maritime program of this Government.

The appropriations that this bill authorizes have already passed the House and the Senate. A savings clause has been provided that they shall be effective when this authorization passes, which is all the more reason why the bill must be passed and passed expeditiously. That is why we are here today.

To have attached by the committee suddenly to this bill, which is under the pressure of necessity of passing, to make valid the appropriations to maintain our merchant marine academies, to maintain the Maritime Administration, to maintain our merchant marine subsidies, a rider which is of such controversial nature, is beyond understanding. This is an amendment which in the opinion of this Senator is absolutely contrary to the policy of our great committee through past years. It is a distinct blow at the American consumer, and it is a very distinct blow to all those who live in those sections of the country where they have hard and cold winters and where one of the greatest problems to the householder and the consumer, the citizen, is the matter of heating the house.

In addition to that, we are fast approaching a power crisis. I can speak with some knowledge of this because citizens of New England have written to me and I will put in the RECORD later statements from Governors of three of the New England States protesting this amendment.

In my own section of New England, where we are in grave danger of power shortages of brownouts, we have already had a catastrophic blackout.

I have a letter, which I will insert in the RECORD, which indicates that there are about to be opened two powerplants highly necessary to furnish the required power to heat and to light New England and keep its machinery in motion, each of which will consume 5 million barrels of crude oil annually.

Now, crude oil is not exempted in this amendment, so it is not only a blow to the consumer, the householder who needs to heat his home, but it is a blow to the power capacity upon which our people are so dependent.

I doubt if the New England States differ in their problems—they may in their power problems somewhat—from other States which at times in the year have a rather cold climate.

Mr. President, I merely want to say I have listened with interest to the exposition by my distinguished friend from Louisiana, for whom I have the highest regard. No Senator on this floor is more able or more sincere, nor has anyone contributed more, in my opinion, in the years of his service on some of the most important committees in this body than the Senator from Louisiana (Mr. LONG).

Much of what he had to say sounded good, but it just does not stand the test of commonsense.

He said we will not have the tanker capacity for emergencies unless we force through this amendment on this emergency bill at this particular time.

There are two answers to that.

I have here a letter from the Secretary of Commerce. One answer to that is a letter I have here from the Secretary of Commerce who tells us:

> First of all, the Department, in cooperation with the Office of Emergency Preparedness and the Navy Department, is updating the analysis of the nature and size of the U.S. flag tanker fleet necessary to respond to our Nation's requirements. This study . . .

Says the Secretary—

> Includes determination of the fleet necessary to respond to changes which may arise in national security requirements from increases in oil imports as a percentage of the national energy supply, and from any decline in the number of naval auxiliary tankers in operation.
>
> Further, the Administration is evaluating various initiatives to bring into being and sustain an appropriate fleet level. As indi-

> cated in our aforementioned letters to the Chairmen, we believe the 1970 amendments to the Merchant Marine Act provide the basic tools to create a healthy and competitive fleet. However, our current analysis includes identification and evaluation of further legislative changes to that Act. We have already concluded that the restrictions on the ownership of foreign assets and on trading flexibility should be removed from the Merchant Marine Act. Moreover, we are also evaluating other initiatives including:
>
> Federally-funded ship construction programs permitting government leasing of ships to private operators.

That means oil tankers—

> Further construction incentives such as loan guarantees and interest subsidies.
>
> Retroactive construction subsidies.
>
> Rate subsidies.
>
> Provisions to offset in whole or in part tax disadvantages of U.S. flag operation as compared to foreign operation.

That is the first answer. In his letter he says those recommendations will reach the Congress, he expects, the 15th day of September.

I know, of course, what the answer of my good friends supporting this amendment will be to that, and I share somewhat their view. They will say that is too late, that whatever program for ship subsidy, construction, and operation of tankers reaches the Congress on September 15 cannot be acted on until the next Congress comes in next January. To that I certainly agree.

But there is another answer to this right in the bill that is before us. It is written into the bill before us, which is the authorization for appropriations, and provides $250 million for the construction of ships, many of which will be tankers.

The Maritime Administration has already authorized the construction of 13 tankers, six of them supertankers, those huge tankers that were described to the Senate a few moments ago so eloquently by the distinguished Senator from Louisiana.

In view of that fact, where is this horrible emergency?

I do not blame Senators here on the floor and on the Commerce Committee who represent shipbuilding constituencies. I do not reproach them in the slightest degree for representing their constituents and for striving in every way they can, even to attaching to this emergency bill this amendment, to promote construction of ships in their shipyards. They are just as justified in representing their constituents as I am justified in representing the constituents up in New England who suffer from import quotas on our oil and who have seen prices go up.

The distinguished Senator from Louisiana says that this is not going to cost the consumers, that there is such a differential between what the oil companies pay for their oil imports when they reach this country and the price to consumers, that all this can be absorbed so that the consumer cannot be hurt.

Just get in your car some day and drive, as I drive every day I can go there, due to the lack of air service in northern New England, over the highways from Boston to northern New England and see the long lines of tank trucks transporting oil into the hinterlands, up into the North Country, for distribution to retailers and then distribution to the consumers. Just watch that performance, and then tell me that when you put up the price of oil that reaches our shore it is not going to affect the price of oil when it reaches the home of the consumer.

Anybody who knows, or who exercises plain, hardheaded old horsesense, knows that in trying to protect consumers, there is one thing we must ever bear in mind: That when we put up the cost to the producer, the jobber, the retailer, all of that cost is going to be passed on to the consumer. You cannot have your cake and eat it, too, Mr. President.

The proponents of the bill say that due to the exemptions of No. 2 oil and residual oil, the consumer is not going to be hurt. They talk about doing something to protect the small independent oil refinery. They talk about doing something to protect and lessen the blow on the petrochemical industry of this country. Then they turn around and say that the proposal will create 100,000 jobs, when already these amendments that are being prepared by the proponents of this measure will cut in half all this matter of job protection. I repeat, you cannot have your cake and eat it, too.

The maritime unions, quite justifiably, are depending on this amendment to furnish more jobs. The ship building industry, after reading of this amendment, quite naturally are depending on the amendment to furnish more ship construction. But you cannot have it both ways, I say to my friend from Louisiana. You cannot pass an amendment that is going to start constructing ships more rapidly than the 13 tankers that have already been authorized, and not have the price of oil raised to the consumer. So somebody is bound to be fooled by this amendment. And when it is all said and done, the amendment, Mr. President, is not only a hasty action, but is an unnecessary action in view of what is in the rest of the bill to increase our tanker fleet. Furthermore, let me read this list of opponents of this proposal:

It is opposed by the Commerce Department. I shall later put into the RECORD the letter from the Secretary of Commerce in which he opposes this amendment.

It is opposed by the State Department. The letter from the State Department, Mr. President, deals with all this talk about France, Italy, and these other countries, that have legal restrictions that oil be shipped in their bottoms. This aspect was analyzed by the State Department, and the State Department takes the position that it will be harmful, that we will suffer from the retaliation of these other countries, and that it will not get us more jobs but will cost us jobs.

Then I shall put into the RECORD a letter from the Department of Defense. What does the Department of Defense say? It says that this amendment, if adopted, will be harmful to the security of this country.

Then, Mr. President, I can add to that letters from consumer organizations in this country opposing the amendment.

I can add a letter from the Federal Office of Consumer Affairs, which is now opposing the amendment. And only today—and I never really expected to get any help from this gentleman—I have heard that Ralph Nader is opposed to this amendment, and for once I am on the side of the angels.

So, Mr. President, this in summary is the opposition to this amendment. It is not the kind of legislation that we have a right to expect from the great Committee on Commerce that has stood as a champion of the consumer all through these years. It is hasty. It is unnecessary, because already in other parts of the bill action is being taken to increase our fleet.

Therefore, it is my hope that Congress will reject this particular amendment and give it more studied and careful action later, action which will mean that the cost of any subsidies, construction or operation, will be borne by all the taxpayers, and not just the consumers of oil.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. COTTON. I am glad to yield to my distinguished colleague from Rhode Island.

Mr. PASTORE. First of all, I want to compliment my distinguished colleague from New England for the excellent presentation that he has made with reference to the matter about which he just spoke. I am primarily concerned with the New England consumer. What does it mean to him?

I want to say here and now that we in New England, we who need residual oil and need No. 2 heating oil for our homes, between oil quotas and increased costs incurred by this amendment, would be receiving a double whammy, no matter how you look at it. First of all, this idea of the quotas is an artificial restriction that has caused our consumers to pay outrageously more for their heating oil. The price has skyrocketed to almost a prohibitive level, worsened by the fact that we have had some very cold winters.

It was never intended that residual oil be included within this directive discretion of the President, it goes back to the time of Eisenhower, and has not been changed by the Kennedy, the Johnson, or the present administration. From time to time they have opened up the spigot a little, and poured a little more oil into New England. I suppose this was intended to appease in some way the great clamor of objections being raised by the consumers.

Of course, after all, we realize we have to protect in some degree the domestic oil industry, and we all want to do that. We want to see the oil men prosper. But they have received super-consideration. The oil industry has been a sacred cow, and we have given it protective subsidies. In instances this has been to the extent that some of the big oil companies do not pay a cent of income tax. This is because of some of the gimmicks passed by Congress from time to time giving them special consideration.

Here we are now with a gimmick that adds another cost to the consumer. Now, I realize we have to build up an American transport fleet. I really think that needs to be done—but in a logical way. I think this particular bill is not doing it wisely. As the Senator from New Hampshire has pointed out, it is doing it at the expense of the New England consumer for certainly the oil industry is going to pass along the billions of dollars involved.

If you look at the price we have to pay for oil, with all this inflation and what has happened to employment in our part of the country, this proposal, I repeat, is heaping injury on injury, and I hope the position of the Senator from New Hampshire will be sustained.

Mr. COTTON. I thank my distinguished colleague, the ranking majority member of our committee, for his comments, which are so very true. I now yield 10 minutes, or more if he desires it, to the distinguished Senator from Kentucky.

Mr. COOK. I thank the distinguished Senator from New Hampshire. I appreciate the remarks of the Senator from Rhode Island.

It distresses me to see an anticonsumer bill come out of the Committee on Commerce. I say that to the chairman of the distinguished committee.

Before I read a prepared statement, I should like to have a slight degree of attention from the manager of the bill, because the manager of the bill said that he did not want the major oil companies that are located in his part of the country to have a subsidy. What in the world is this appropriation bill but a subsidy? Page 8 of the report lists about 12 American companies that are receiving a subsidy for the operation of their vessels and their lines as a result of this appropriation.

Second, I should like to read what this bill is all about, because it is in the nature of a subsidy on top of a subsidy. The Federal Government is making the subsidy in the nature of appropriation, and then we are going to impose on the consumer, by a year close to 1980, and perhaps sooner, a billion-dollar additional subsidy to put this into effect.

The Senator from Louisiana waved and waved and said we have to create 100,000 jobs. I want to read from the report on bill, because this has been his for some time.

> The Merchant Marine Act, 1970 (P.L. 91–469), which was approved by the Senate with only a single dissenting vote, provided a new maritime policy, and the most thorough going revision of our maritime program in nearly two generations. The legislation was intended to arrest the disastrous decline in our maritime capability, which had seen our fleet fall from first to sixth among the nations of the world and reduced to carrying less than 4 percent, by tonnage, of our waterborne foreign commerce. In addition to setting forth a program for the construction of 300 modern and efficient merchant vessels over ten years, Public Law 91–469 contained numerous reforms and improvements in existing law.

That is what that bill was intended to do. Now we are told, if we listen to the Senator from Louisiana, that we are not doing that at all; that we are not building any ships; that we have to build more. If he wants to amend it and make it 400, if he wants to amend it and make it 500, if he wants to increase the $232 million to $332 million or $432 million, let us do it. I will support him in the amendment right now.

But let us go to another section of the report, because we are not supposed to let these ships go to other countries and to foreign registries. The report says:

> Meanwhile, the U.S. tanker fleet engaged in domestic trades is being severely impacted because the expansion of the Colonial pipeline and other economic factors. Approximately 11% of existing U.S. tonnage is laid-up and this is projected to increase substantially. As these vessels are scrapped or transferred to foreign registry, the surge capability they have provided in past national emergencies will no longer be available to us.

I can only say that if we are going to make this a subsidy bill, let us increase the subsidy, but let us not do it to the consumer.

We were talking about subsidizing these major companies. The report lists 12 major shipping companies in the United States that receive the bulk of the subsidy that we are about to pass, and obviously we should pass it.

Therefore, I rise in support of the amendment of the Senator from New Hampshire—not the amendments now. It will be a matter of whether we choose to accept or reject title III of this act. This section, which includes the requirement that 50 percent of all imports of crude oil and unfinished oil products under quota be transported by U.S. flag vessels, poses serious national questions.

I think there is another section in the Democratic national platform that the Senator referred to, and that section in the Democratic national platform said that we should get rid of the import quotas on oil, if I am not mistaken. I do not know whether the Senator from Louisiana is going to embrace that part of the platform or whether he just had reference to the part he wanted to emphasize in his remarks.

I concur, of course, in the central purpose of the legislation, which is to enlarge and expand U.S. tanker transport capability, but I have grave doubts as to the soundness and economic advisability of the method proposed in section 3 of the bill before us.

The cargo preference provision would for the first time extend to commercial cargoes a restriction heretofore confined to Government and Government-financed cargoes. Such a break with basic principles of freedom of trade and economic efficiency is not to be undertaken lightly I greatly fear that we would be making a dangerous departure from the tenets of American international economic policy if we adopt the proposition embodied in section 3.

In this connection, I am seriously concerned about significant disparities between the committee majority and minority reports and other available data on crucial issues of fact and economics. One point dramatically illustrates the differences in economic analysis to which I refer. The majority report computes the increased transportation costs of imported petroleum items under a U.S.-flag preference requirement on the premise that American-flag tankers would be used, and I quote, "For shorter hauls where costs would be minimized in fulfilling the 50-percent requirement." Indeed, the majority report characterizes the use of American-flag vessels for long-haul carriage as "irrational." Since the cost of transporting a barrel of crude is approximately 10 times as great if the crude is brought from the Middle East rather than from Venezuela, the length of haul actually required by the cargo preference provision becomes of critical importance to the validity of any economic projections.

Significantly, and contrary to the premise of the majority report, importers do not have a free hand to restrict use of U.S.-flag vessels to the "rational" short haul. The statute which the proponents of section 3 seek to amend clearly provides that:

> Government officials administering the statute shall insure a fair and reasonable participation of United States-flag commercial vessels in such cargoes by geographic areas.

This proviso, a part of 46 United States Code, section 1241(b)(1), has been consistently interpreted by responsble Government agencies to require cargo preference on a country-by-country or area-by-area basis. In short, if section 3 of H.R. 13324 is enacted, long haul, as well as short- and intermediate-haul, U.S.-flag tanker transportation will immediately be required. Thus, it seems inevitable to me that substantial increases in the cost of imported crude oil will occur.

For these reasons, I cannot take comfort in the committee majority's cost projections, and am compelled to assume the view of Government and industry analyses, which measure the impact of the cargo preference provisions at more than $1 billion annually by 1980. The Senator said that the cost of these programs would be a billion dollars. If he wants the billion dollars to come from the consumer, perhaps that is the way to do it.

I am further distressed at the committee majority report's conclusion that, whatever the magnitude of increased transportation costs caused by enactment of the cargo preference amendment for oil, it would in no event affect prices consumers pay for petroleum products. Such a conclusion strikes me as an exercise in theoretical economics without any basis in fact. The Cabinet Task Force on Oil Import Control found that the economic benefits of cheaper foreign crude imported under the mandatory oil import program are passed through to consumers. It seems totally illogical to me, therefore, to assert that increased costs of foreign oil imported under the mandatory oil import program will not also be passed on to consumers. Thus, in a letter of April 20, 1972, to the distinguished chairman of the Committee on Commerce, Assistant Secretary of Interior Hollis Dole, states:

> S. 3404 would substantially increase the cost of imported oil to consumers. American crews are two to three times more costly than foreign crews. The increased cost of imported oil would be borne mostly by east

coast consumers. Assuming that this country's dependence on foreign oil increases at the current rate, S. 3404 could raise the cost of imported oil by as much as a billion dollars annually by 1985.

It appears also that the majority report neglects any consideration of the discriminatory impact of the proposed legislation upon independent refiners—those who have little domestic crude oil production in relation to the quantities required for their refinery operations.

To the extent the substantially increased costs of the 50-percent requirement are not borne by consumers, the independent refiner segment of the oil industry will bear a disproportionately severe impact. The independent refiners have no substantial ownership link with the crude oil supply which they refine, thus being compelled to purchase their raw material requirements principally from their major company competitors. The allocations of imported oil they receive enable the independents to obtain domestic crude, by exchange of their allocations with the majors, and to average down their overall raw material costs. Independent refiners currently are afforded relatively larger import quotas than are their major competitors in order to approach a competitive balance. The principal result of this proposal for the independents will be to substantially decrease their ability to obtain domestic crude oil, and reduce the values of their offshore import allocations. Recent experience as to the effects of increased tanker rates empirically verifies this conclusion.

Thus, the viability and competitive vigor of the independent refiner segment will be seriously undermined, resulting over the long term in increased prices of oil products to consumers.

I am particularly concerned with the prospect of substantial injury to competition in the oil industry arising from impairment of the independent refining and marketing segment which provides a vital competitive influence and a corresponding restraint on price inflation.

Finally, I am deeply troubled by the failure of the majority report to give adequate consideration to the administration's views on national security implications of the cargo preference extension, as set forth in the State Department letter of April 28, 1972, to the Senator from Washington.

In conclusion, I am convinced that the issues raised by the proposed extension of cargo preference require further detailed analysis. The consequences of error are far too serious to permit hasty action. By separating section 3 from the maritime program authorization legislation, any need for action at this time in cargo preference is removed.

By letter dated June 12, 1972, and addressed to the distinguished ranking member of the Committee on Commerce, Mr. Cotton, Secretary of Commerce Peterson publicly reiterated the administration's opposition to the 50-percent U.S. bottoms requirement of section 3 and advised that cognizant Government agencies were evaluating far preferable initiatives to accomplish section 3's avowed purpose of stimulating U.S. shipbuilding and maritime employment. Secretary Peterson stated that this evaluation would be made available to Congress "not later than September 15, 1972," and urged that, in the interim, no action be taken on section 3.

Notwithstanding Secretary Peterson's rationale for postponing consideration of this proposition, I must oppose this measure as one which will work to the severe disadvantage of millions of American consumers, while benefiting a small, isolated special interest—namely manufacturers of supertankers. Even for them the economic benefits will be relatively short lived, while the adverse impact on consumers of oil products will grow steadily worse, as we rely more and more on imported crude oil in the years to come.

Mr. President, I only wish I might have had a shipbuilding facility on the Ohio River so that I could take advantage of this, but I just got the notion that supertankers cannot get down the Ohio River and on down the Mississippi to New Orleans. I do not have an east coast of Virginia and I do not have an east coast of Maryland.

Mr. President, in summary I contend this proposition, while well-motivated, is anticonsumer, protectionist, and inflationary. It is hardly the time to burden our economy and our citizens with such a dangerous precedent. I oppose the provisions of section 3, and urge my colleagues to join in supporting the Senator from New Hampshire in attempting to remove it.

Mr. President, I might say in conclusion, with respect to the opening remarks of the Senator from Louisiana (Mr. Long), that I thought we were taking up a bill on maritime appropriations, but I find out, after listening to almost the entire speech, that we are taking up a bill on section 3.

I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3542. An act to amend title 37, United States Code, to authorize payment of travel and transportation allowances to certain members of the uniformed services in connection with leave;

H.R. 14542. An act to amend the act of September 26, 1966, Public Law 89-606, to extend for 4 years the period during which the authorized numbers for the grades of major, lieutenant colonel, and colonel in the Air Force may be increased, and for other purposes; and

H.R. 14911. An act to amend titles 10 and 37, United States Code, to authorize members of the Armed Forces who are in a missing status to accumulate leave without limitation, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 15950. An act to amend section 125 of title 23, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as a result of recent floods and other disasters; and

H.R. 15951. An act to authorize the Secretary of the Army to undertake a national program of inspection of dams.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Armed Services:

H.R. 3542. An act to amend title 37, United States Code, to authorize payment of travel and transportation allowances to certain members of the uniformed services in connection with leave;

H.R. 14542. An act to amend the act of September 26, 1966, Public Law 89-606, to extend for 4 years the period during which the authorized numbers for the grades of major, lieutenant colonel, and colonel in the Air Force may be increased, and for other purposes; and

H.R. 14911. An act to amend titles 10 and 37, United States Code, to authorize members of the Armed Forces who are in a missing status to accumulate leave without limitation, and for other purposes.

MARITIME PROGRAMS

The Senate continued with the consideration of the bill (H.R. 13324) to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce.

Mr. ROBERT C. BYRD. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. ROBERT C. BYRD. Mr. President, I have an amendment which I hope the manager of the bill will accept, which is an amendment to section 3, and I ask unanimous consent that, notwithstanding the fact that all time on section 3 has not yet expired, I be permitted to offer the amendment at this time.

The PRESIDING OFFICER (Mr. Cranston). Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment as follows:

On page 3, line 10, insert the following: After the second appearance of the word "fuel" insert a comma and delete the word "and" and after the second appearance of the word "oil" delete the quote and period and insert the following: "and petrochemical plant allocations and licenses".

Mr. ROBERT C. BYRD. Mr. President, I offer this amendment—on behalf of myself and Senator Randolph—for the purpose of making an exception for petrochemical plant allocations and feed stocks similar to the exception already made for home fuel oil, which provision, added in committee, requires that 50 percent of all oil be carried in U.S.-flag ships.

The cargo preference requirement which would be imposed by section 3 of

H.R. 13324 would have a direct and significant adverse effect on the U.S. petrochemical industry. Regardless of its impact on consumer prices, the use of U.S. flag tankers would increase the cost of oil imported into the United States.

In the case of the petrochemical industry, this increase in cost of oil imports would directly increase the production cost of petrochemicals. Petroleum—in the form of crude oil or certain unfinished oils, chiefly naphtha—is the basic raw material—or feedstock—which the petrochemical industry converts into chemicals and plastics, and an increase in the cost of raw materials will directly increase the cost of production.

The cost increase which would result from the cargo preference requirement is especially troublesome to the petrochemical industry because it would have to be paid by U.S. petrochemical producers, but not by its overseas competitors. This would give foreign petrochemical producers a cost advantage over U.S. producers.

This cost advantage would have several effects.

First, it would tend to make U.S. exports most costly and therefore, less competitive. Petrochemical exports from the United States have exceeded $2 billion a year for the last 2 years—but these exports have leveled off in the face of rapidly increasing production capacity abroad and rising production costs at home. Production capacity in Europe has increased sixteenfold since 1959, and Japanese capacity has been increasing at a rate of 50 percent per year for the past decade. The combined European and Japanese capacity now exceeds that of the United States.

U.S. exports of petrochemicals account for about 10 percent of domestic production. Exports for 1971 were valued at $2.1 billion while domestic production is estimated at $22 billion.

The disadvantage of higher feedstock costs to domestic petrochemical producers will probably have its most serious effect on exports to third country markets—those without local petrochemical production—where U.S. producers compete head on with European and Japanese manufacturers and these are important growth markets.

Second, the cost disadvantage will tend to increase the level of imports. Imports of petrochemicals into the United States have increased 600 percent since 1964 and are now about $1 billion a year. They now account for 5 percent of the domestic market and the share is rising.

As a result of nearly static exports and rising levels of imports, the petrochemical industry's positive contribution to the U.S. balance of trade has declined in recent years from nearly $1.4 billion in 1968 to $1.1 billion in 1971. The balance of trade in 1972 is estimated to be only $910 million.

In addition, the cost disadvantage, over the longterm, may discourage investment in expanded petrochemical facilities in the United States. Raw material costs are of great importance to the petrochemical industry. In the case of ethylene, for example, which is the primary petrochemical produced and consumed in the greatest volume, raw material costs can amount to as much as 85 percent of the cost of production and any increase in these costs is of real significance.

A cost increase of 25 cents a barrel of imported crude, as estimated by the Interior Department for the cargo preference provisions, would increase the cost of producing ethylene from imported oil by about 5 percent, and would require an increase of some 3 percent in the selling price of ethylene today. Since the petrochemical industry earns an average profit of only 6.3 percent on sales, a cost increase of 3 percent can be highly damaging to both sales and profits. Such a cost disadvantage would, clearly have a dampening effect on new investments in petrochemical facilities in the United States.

The U.S. petrochemical industry, a $20 billion industry with more than 350,000 employees, would be unfairly and needlessly handicapped if the cargo preference applied to its imports of petrochemical feedstocks. At the present time, these imports are small—only about 100,000 barrels per day—out of more than 4 million barrels per day of total imports.

The impact on the State of West Virginia is clear. West Virginia was the home of the petrochemical industry and has long been one of the Nation's leaders in petrochemical production. More than 5,000 West Virginians are directly employed in petrochemical production and thousands more are indirectly affected by the welfare of the industry. An increase in the cost of oil—the raw material for petrochemical production—would damage the ability of this major West Virginia industry to compete for sales and markets. In short—the failure to take account of the needs of the petrochemical industry in this legislation could cost West Virginia jobs.

In the light of these circumstances, I urge the adoption of the amendment adding petrochemical feedstocks to the list of commodities which are excluded from cargo preference.

SENATOR RANDOLPH SUPPORTS PROTECTION FOR U.S. PETROCHEMICAL PRODUCERS

Mr. RANDOLPH. Mr. President, I am gratified for the opportunity to join my able colleague, the majority whip (Mr. Robert C. Byrd) in an amendment which will help to protect the petrochemical producers of the United States.

This amednment which will add "petrochemical feedstocks" to the list of commodities to be excluded from cargo preference will aid the petrochemical industry and its 350,000 employees by insuring that the industry is not further restricted in its ability to compete in export markets.

As my distinguished colleague has explained, the higher costs of oil imports under the cargo preference requirement will increase the production costs of petrochemicals. Crude oil or certain unfinished oils constitute the basic raw material utilized by the petrochemical industry, and any increase in the cost of oil imports clearly will impact the cost of production.

The most serious disadvantage of these higher production expenditures for the petrochemical industry involves the very competitive export markets in which the industry does business. Historically, petrochemicals have provided a significant export program for our Nation with a vital contribution to our balance of trade. However, in recent years the trade surplus derived from U.S. exports of petrochemicals has decreased significantly. In 1968, the favorable balance of trade from petrochemicals was $1.4 billion. By 1971, it had lessened to $1.1 billion and the estimate of the petrochemical trade surplus for 1972 is only $910 million.

This critical decrease in trade surplus appears to have resulted in most part from the increased petrochemical production capacity of foreign competitors; rising production costs at home; and a higher level of petrochemical imports into the United States.

Additionally, it should be stressed that the total value of exports—as opposed to the trade surplus—has leveled off in recent years.

Given these conditions, Mr. President, I do not think that the Senate would want to legislate a program which would provide an advantage to those countries competing with our domestic industry in the world petrochemical markets. The cargo preference requirement would do just that—it would impose an unfair restriction on the ability of the American petrochemical industry to compete with foreign producers. Because of the higher costs of oil imports under the cargo preference requirement increased expenditures for raw materials would be paid by U.S. producers but not by their overseas competitors. This advantage to foreign producers would have a particularly adverse effect in third country markets—those countries which do not have petrochemical facilities—where the U.S. industry is in direct competition with other petrochemical producing nations.

Further, any industry already confronted with higher production costs; a leveling of export volume; increased imports; and expanding foreign competition will have difficulty in making determinations to invest in expanded facilities. That very possibly may be the situation in which our petrochemical industry will find itself and the cargo preference requirement will be an additional obstacle to future investment.

Mr. President, I strongly urge the Senate to adopt this amendment to add "petrochemical feedstocks" to the list of commodities which are excluded from cargo preference and I ask unanimous consent that a chart on the balance of trade in petrochemicals be printed in the Record.

There being no objection, the chart was ordered to be printed in the Record, as follows:

U.S. BALANCE OF TRADE IN PETROCHEMICALS

[In millions of dollars]

	1964	1965	1966	1967	1968	1969	1970	1971	Estimate as of May 1972
Exports	1,584	1,450	1,547	1,594	1,874	1,827	2,092	2,093	2,010
Imports	159	265	341	340	491	545	733	973	1,100
Total	1,425	1,185	1,206	1,254	1,383	1,282	1,359	1,120	910

Source: U.S. Department of Commerce, Bureau of the Census FT110, FT 135 U.S. Imports, FT 140, U.S. Exports and Textile Organon for synthetic fiber trade data, as compiled by Arthur D. Little, Inc.

Mr. LONG. Mr. President, I have no objection to the amendment and I do not believe that those of us who favor the committee amendment would object.

Mr. COTTON. Mr. President, I have no objection to the amendment if it will help to soften the petrochemical industry, which I doubt that it will, but insofar as it will be effective, I am for the amendment.

Mr. ROBERT. C. BYRD. I thank the distinguished manager of the bill and I thank the distinguished Senator from New Hampshire (Mr. Cotton).

Mr. LONG. Mr. President, I yield back my time.

Mr. ROBERT C. BYRD. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia (Mr. Robert C. Byrd).

The amendment was agreed to.

Mr. SPONG. Mr. President, will the Senator from Louisiana yield me 5 minutes?

Mr. LONG. I yield 5 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 5 minutes.

Mr. SPONG. Mr. President, I want to say that the distinguished Senator from New Hampshire (Mr. Cotton) has been ever vigilant and ever consistent in his opposition to this proposal. When the subcommittee hearings were held some months ago, he gave notice that he was very much concerned for the New England consumer. He has demonstrated that concern. He did so in the hearings and most eloquently here on the floor of the Senate this afternoon. But we would be mistaken to label this out of hand as an anti-consumer bill. This bill has eliminated residual and No. 2 fuel oil despite statements made here on the floor by those who, I am sure, feel that they can substantiate them.

There is evidence from the hearings on the bill that the consumer will not suffer in New England.

The Senator from Louisiana (Mr. Long) has ably covered the three principal reasons why this legislation is needed.

One, it will create employment, and that is certainly a concern to all of us. Two, in addition to creating jobs—and certainly there is some chauvinism and parochialism on my part that more ships be built, and I would be the first to concede that the Senator from Louisiana has in mind the balance-of-payments situation. I yield to the judgment of the Senator from Louisiana with regard to that because I think it is a field in which he has demonstrated special expertise.

Third, I think that the area in which we must show some concern is the question of national security. I am mindful that some reference has been made here to a letter from the Department of Defense, but I want the Senate to be aware of these figures; namely, it is estimated that by 1980, if the present trend continues, we will be dependent upon foreign sources for 50 percent of our oil supplies. Over the past several years our domestic fleet, our domestic tankers, have been laid up to the degree that we are now the only major country in the world which relies upon flag ships of other nations to carry their oil products.

I would say to those who are concerned about the consumers of New England that they had best be mindful of the possibility of an emergency arising in which we would be cut off with no tankers at all for the transportation of any fuel whatsoever.

Let us look at what has happened since 1970 when we passed legislation for which we had the greatest hopes—legislation which was supposed to bring about the construction of many new ships and tankers. How many have been built? I think maybe one or two. I am glad to hear that 13 have now been contracted for.

Listen to this: "As of 1972, 854,000 deadweight tons, 27 tankers, American-flag tankers, were laid up, doing nothing."

This bill concerns cargo. It concerns the necessity for some American-flag ships to carry that cargo. At the present time we have no American-flag tankers transporting oil. We have only two ships under construction despite the subsidy program, because there is little incentive to build tankers when there is no cargo available for them. Admittedly the bill has some protection. But it is not anti-consumer. It has as its basis the national security.

And I would suggest that it would indeed be a sad day for this country, if we had some type of a crisis tying up foreign-flag tankers and we had not one American tanker to fill the gap.

Mr. LONG. Mr. President, will the Senator yield?

Mr. SPONG. Mr. President, I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, the argument was made, and made eloquently, that we cannot have it both ways.

The PRESIDING OFFICER (Mr. Kennedy). The time of the Senator has expired.

Mr. LONG. Mr. President, I yield the Senator from Virginia an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for an additional 2 minutes.

Mr. LONG. Mr. President, if it is the consumer that has to pay for the benefit of the bill, can the Senator from Virginia tell me why those major oil companies are fighting to keep this amendment from becoming law?

Mr. SPONG. I fail to understand that. However, this is not the first piece of legislation which had a variety of opposition and which led me to believe that it was desirable legislation.

Mr. LONG. Mr. President, I have tried time and again to defend and protect those people when I thought I should do so. I will do it again. However, I remember the time when the Washington Post had pictured me in a cartoon, and I had on oil derrick for a hat.

I have represented the oil companies on many occasions. So, I do not think that one would regard me as being an enemy of this group.

It is the estimate of the Department of Commerce—with them—that those costs will be $25 million. They think they will have to pay this $25 million, and so do I.

If they thought the consumers would have to pay it, they would not be this upset about it. This $25 million is less than what we had in conference between the Senate and House on the tax bill, on what these same oil companies were going to pay on foreign oil profits.

So, by the time we get down to it, this is not a big item. I commend their leadership and their executives on the fact that they do not want to pay it. I would not want to pay it if I were they and could get out of it. However, our country is losing $300 million for the lack of having something like this on the statute books. It will be $500 million by 1980 and $1.8 billion more deficit by 1985. We will be losing 100,000 good jobs that we ought to have for American working people.

That is a mighty small price for the oil companies to pay to sustain that $25 million of costs to move this foreign oil and benefit American labor.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I yield 2 additional minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for an additional 2 minutes.

Mr. SPONG. Mr. President, this very day we have debated the problem of whether to build a fourth nuclear aircraft carrier. And one of the arguments implicit in that debate was the protection of the oil routes of the world. We recognized that it would cost $1 billion to build that aircraft carrier.

Mr. President, we can build all the aircraft carriers in the world to guard the oil routes of the world. And if we have some kind of an emergency where we are utterly dependent on foreign bottoms and foreign oil, not only will the consumers of New England have a problem, but the United States will also have a problem.

Mr. President, the measure now pending—H.R. 13324—contains an amendment which would have a favorable impact on the economy for both the present and the future.

By requiring a minimum of certain petroleum imports to be transported by American-flag tankers, we would be giving a new life to our sadly depleted maritime industry. And we would be opening the door for a minimum of 100,000 new jobs in the shipbuilding and shipping industries.

H.R. 13324 would provide protection for consumers as well. It would guarantee that Americans will have a steady, reliable source of the energy fuels that are necessary to maintain a viable economy.

In addition, H.R. 13324 would enable the United States to keep pace with the rest of the industrialized world by providing the incentive for the development of a merchant fleet that will be capable of serving our own country's oceanborne transportation requirements.

The committee voted favorably on this measure because it recognized the dangers inherent in any threat to our energy-fuel supply, and realized that the greatest problem area is in the field of transportation. Our Nation simply cannot afford to live with the possibility of a prolonged interruption in our flow of petroleum from overseas sources.

Mr. President, every Senator is aware of the depressed state of the American merchant marine and the shipbuilding industry. In just the past 3 years our American-flag fleet has declined from more than 900 vessels to just over 600 ships. Our fleet contains 700,000 deadweight tons of tankers that are idle. They lack charters for the importation of oil. There is no immediate hope for carrying oil from the Alaskan North Slope because of the delay in the trans-Alaska pipeline.

The poor health of our merchant marine has infected the shipbuilding industry. Employment in shipyards in the last year alone dropped by 10,000 jobs. The backlog of orders for new ships in U.S. yards has tumbled so low that several shipyards are in economic difficulty.

Should our shipyards continue to slump, we will have additional thousands of Americans unemployed—and we will see a traditional and proud American industry virtually destroyed.

Enactment of H.R. 13324 could reverse this situation.

American capital is prepared to the extent of $13 billion for construction of the new tankers that would be necessary to supply the transportation for America's oil under this bill. Our Nation would once again have an adequate corps of seafarers, with an estimated 13,000 new jobs opening for the unique skills and abilities of men who, like their ships, are now idle.

So it is obvious that this measure would have a wide-ranging effect upon the Nation's employment picture. The AFL–CIO executive board recognized the potential of the bill to strengthen our employment situation when it declared in February that:

> The construction of the several hundred ships that would be required by passage of S. 3404 would revitalize our shipbuilding industry, providing tens of thousands of jobs for skilled men and women at a time when unemployment is a major problem.

For its employment-producing benefits alone, H.R. 13324 deserves favorable consideration. However, there are several other equally important advantages that would flow from the enactment of this bill.

At the outset, let me say that H.R. 13324 would not add a penny to either the budget of the U.S. Government or the budget of the American consumer. My contention is supported by the fact that oil imports into the United States are governed by a unique and rather complex system generally referred to as the oil import ticket system. Under this program, imported crude is priced by the major oil companies at the level of domestically produced petroleum.

Thus—even though the foreign oil arrives in the United States at a cost that is 90 cents a barrel below the price of our domestic crude—it is sold to the American consumer at the domestic price.

As a result, the oil importer gains 90 cents in profit for each barrel of oil his ticket allows him to bring into the United States under our oil import quota system. This 90-cent profit margin has fluctuated with the price that foreign producers and tanker operators have charged for petroleum and its transportation. However, a significant profit margin for the ticket-holding importer has been the rule.

Today we find that import tickets are a prized possession with a value to the importer of 90 cents a barrel or more—none of which is passed on to the consumer. And the amount of petroleum being imported through this system is growing rapidly as the administration increases the amount of oil that is permitted to be brought into our Nation. As these imports grow, so grows the importer's profits.

H.R. 13324 would not change this system of oil import pricing. The domestic selling price of crude will prevail. The moderately higher cost of utilizing American-flag tankers to transport our petroleum imports will be absorbed in the 90-cent profit margin of the ticket holder—and even here the effect will be slight.

The Commerce Department has estimated that the use of American-flag tankers will add 10.5 cents per barrel to the price ticket holders would pay for transporting foreign crude to our shores. If U.S. ships were used for half of these imports, profit margins would be reduced by half of that amount—or just over a nickel a barrel. This would still leave a ticket holder with a profit of 85 cents between the cost of foreign crude and its transportation. In other words, the east coast landed price for imported oil would remain approximately 85 cents a barrel less than the domestic price.

The Joint Economic Committee has concluded that the quota program in itself prevents the consumer from gaining any benefit from lower-priced imported oil. The committee has reported:

> Imported oil is sold in the United States at domestic prices even though it costs much less and the differential is pocketed by the international major oil companies.

It is clear that the slight additional cost resulting from the use of American-flag tankers would in no way affect the ultimate cost of imported oil to the consumer, so long as the ticket system prevails. The American importer would not have to resort to any type of price increase to protect his profit parity. The same situation prevails for oil imports used by petrochemical companies and farm-product manufacturers, including the makers of fertilizers. Because the selling price of the petroleum products they purchase would remain stable at the domestic price of crude, H.R. 13324 would in no way increase the cost of their products to the consumer.

The Commerce Committee, in approving H.R. 13324, took two steps to alleviate the apprehensions of some, especially in the New England area, about the effects of this bill. We eliminated No. 2 home heating oil and residual fuel oil, used primarily by utilities, from the provisions of the bill. This step was taken even though residual oil represents almost half of all U.S. petroleum imports. The committee felt obliged to take this step to assure there would be no possible change in the price structure of utilities. The committee investigated every possible area of concern for the American consumer before approving the bill.

Mr. President, our seriously deteriorating balance-of-payments condition would be noticeably improved as American workers and American companies—rather than foreign interests—are paid for the transportation of a share of our oil imports. By voting for H.R. 13324, we will be revitalizing an industry, strengthening our economy, and protecting ourselves against future emergencies.

Mr. COTTON. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 1 minute.

Mr. COTTON. Mr. President, I want to call the attention of the Senators who have indulged in this colloquy to the fact that since the enactment of the 1970 law, 30 new ships are either under construction or have been constructed, of which 18—more than half—are tankers aggregating 2.2 million dead weight tons, representing $660.7 million in shipyard contracts. This will also reflect itself in jobs.

Mr. MAGNUSON. Mr. President, would the Senator yield to me to ask a question?

The PRESIDING OFFICER. The Senator's 1 minute has expired. Who yields time?

Mr. LONG. Mr. President, I yield 5 minutes to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 5 minutes.

Mr. BEALL. Mr. President, I am not going to read the prepared statement I have on this particular legislation because I think both the chairman of the subcommittee and the distinguished Senator from Virginia have covered the points to be made about the security of our country and the importance of the bill, the merchant marine, the balance of payments, the jobs involved, and the standard of living involved, and the effects on our economy. They have made their points very well. I will not bore the Members of the Senate by repeating those remarks.

That editorial supports this particular section of the pending bill. However, I want to speak briefly on the points raised by the distinguished Senator from New Hampshire, the ranking Republican member of our committee. And it is with great reluctance that I take the floor to take a position contrary to the views held by the distinguished ranking minority member of the Commerce Committee. I have the highest respect for him and for the leadership he provides on the committee. I understand that he is motivated by the interests of his constituency, and that motivates him to take this position on the bill.

I am concerned when he talks of the bill being an anticonsumer measure. First of all, there has been no testimony presented other than hearsay evidence that in any way substantiates any claim that the cost of oil to the consumer is going to rise because of the enactment of this particular section of the bill. As a matter of fact, we have had evidence presented, both in the subcommittee and before the full committee to the contrary. There is no evidence that the cost to consumers is going to go up.

But I think there is something that should be of concern to the consumer about this section. I think this is a consumer measure and it is in keeping with high standards. It is of interest to consumers whether they are in New England, middle America, or on the west coast. It is in the interest of the consumer to make sure that his supply of oil is guaranteed.

I wish to point out to the senior Senator from New Hampshire that there is no way we can guarantee oil to heat homes in America if we are at the mercy of foreign countries for this 80 percent of oil that is to be needed in the next few years. So I think it is necessary to guarantee this supply of oil and to preserve the consumer interest that we pass this particular amendment to the bill.

I would suggest it is in the consumer interest when we are creating 100,000 jobs because in creating 100,000 jobs we are raising the standard of living of people over the country who are consumers. I think for this reason also this is a consumer amendment and should be agreed to.

I was concerned also when the point was raised about the State Department opposing the amendment because it might bring about retaliatory action on the part of other countries.

I call attention to page 24 of the committee report, paragraph (g) where there is reference to international precedents. It states:

G. International precedents

As has been noted earlier, there is ample precedent in the actions of other nations for the legislation here proposed to require that 50 percent of certain oil imports be carried on U.S.-flag vessels. For example, material presented in the hearings indicated that France demands that two-thirds of her oil imports be carried aboard French ships. Even oil carried by American-owned companies to their own refineries in France must be transported in French-flag vessels. Spain, Chile, and Peru require that oil imported to their lands be carried by tankers bearing their flags. Other material presented at the hearings indicated that Japan, by administrative procedure and various incentives and inducements, guarantees that its fleet carries at least half of all its oil imports.

What kind of retaliatory measure can these countries take? They are already requiring that at least 50 percent be carried in their vessels. I think it is time we took some retaliatory measures of our own and tried to protect our own fleet and suppliers and to see that prices will not go up for the American consumer.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BEALL. I am happy to yield to the Senator from Louisiana.

Mr. LONG. The whole oil import quota system is justified on the basis of national security, to begin with. So if the entire quota system is justified on the basis of national security it would follow that anything you do is for the national security and all these agreements are based on national security.

Mr. BEALL. I agree. I think it is in the interest of national security, in building a merchant fleet, and in the interest of the consumer this amendment should be agreed to.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which was published in the Baltimore News-American.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VITAL AMENDMENT

Sen. J. Glenn Beall, Jr., R-Md., is cosponsor of an amendment to the Maritime authorization bill which is of vital importance to Baltimore as a seaport and as a shipbuilding center. Rep. Edward A. Garmatz, D-Md., originated it.

The amendment would require that at least 50 per cent of the oil imported to the United States on a quota basis, other than residual fuel oil to be used as fuel and No. 2 fuel oil, be carried on U.S.-flag vessels.

At present, virtually none of the oil flowing into this country from the Middle East, South America and other producing countries is carried on U.S.-flag vessels. This means that the U.S. is almost wholly dependent on foreign-flag vessels to carry oil that makes up an increasingly larger share of the nation's total needs. It is estimated that by 1985—only 13 years away—the U.S. will be dependent on imports for 50 per cent of its petroleum requirements.

If the amendment passes, it will result in a spurt in construction of U.S.-flag tankers which would provide at least a nucleus of a tanker fleet under our control in case of an emergency.

The Senate Commerce Committee estimates that over 85,000 jobs in shipbuilding, manfacturing and related industries would be created by the 50 per cent requirement, and some 9,000 to 13,000 seafaring jobs. The impact in Baltimore would be highly beneficial—to Bethlehem Steel, Maryland Shipbuilding, maritime unions, the port, and others.

By eliminating imports of residual fuel oil from the requirement, the amendment seeks to prevent consumer price increases caused by shipping oil in U.S.-flag tankers, which admittedly are more expensive to operate. As for the other oil, Sen. Beall views the amendment's effect as not increasing costs to consumers but merely transferring part of the existing cost of the mandatory oil import program from one beneficiary to another, i.e., from benefit to refiners to benefit for the tanker segment of the industry. Crude oil is purchased abroad at much lower prices than that produced in the U.S., but it sells here at prices comparable to domestic oil under the oil import quota act. The refineries now benefit from the quota system; the tanker industry would do so under the Beall amendment. We hope it passes.

Mr. BEALL. Mr. President, H.R. 13324 authorizes appropriations for several important maritime programs for the Department of Commerce. It also adopts the provisions of a bill that I cosponsored with our distinguished colleague from Virginia (Senator SPONG) relating to the importation of foreign oil on American flagships. It is this portion of the bill that I want to discuss just briefly at this juncture.

The provisions of this amendment mandate the transportation of 50 percent of all oil imports on American flagships. Before getting into the substance of the amendment let me talk briefly about the exemptions from this requirement which were added by the committee to lessen any chance that this measure would adversely affect the consumer.

First we have deleted from the bill the transportation of home heating oils, commonly referred to as No. 2 fuel oil. I know that this is of the utmost concern to my colleague from New Hampshire and the other Members of the Senate from the northeast section of the Nation.

We have likewise exempted residual crude petroleum, the fuel used by utilities to provide heat, power, and light.

It is further interesting to note that the House committee has exempted approximately 140 small independent refineries each having an imput of 30,000 barrels of crude oil a day or less.

Now, let me move to what this amendment would do.

As an American, I am proud that we are largely self-reliant—able to stand on our own two feet and seldom required to place our future in the hands of other nations. But I am concerned that this might not continue to be the case unless we act now to prevent what I feel to be a serious challenge to our strength and defense capability.

At present, and increasingly in the future, this Nation must rely on foreign flagships to provide us with the oil imports vital to our economic well being. This is an unhealthy situation and in a time of emergency, a potentially disastrous situation. There is no question that our ability to defend ourselves to the fullest is largely dependent on the sufficient supply of strategic materials of which oil is perhaps the most important.

Neither is there any question that in the future we will become increasingly dependent on foreign sources for the oil which we must have. As a result we can expect the need to transport oil to our shores to increase many times in the coming decades, and unfortunately as matters stand now, we can only look to foreign vessels to bring this oil to us when we need it. Obviously this is a most undesirable situation and this legislation is designed to correct that.

Under this measure we can stimulate the construction of a modern U.S. tanker fleet capable of supplying the needs of the United States in a time of emergency. These ships will be owned and operated by Americans. We will not have to rely on the good will of any foreign government to make certain that our defense capability continues undiminished.

Mr. President, I see no need to recount the statistics presented at the hearings and printed in the report which bear out the need for a modern U.S. tanker fleet. For the adequate defense of our Nation, a fleet that we can control, rely on, and operate is an absolute necessity.

Now let me say just a few words about the other benefits that will accrue from such a fleet.

In an age where our balance of payments is of such deep concern, it would be irresponsible to consider a measure such as this without the fullest consideration of its impact on this balance. I think we can, therefore, be proud of the fact that this legislation will without question lead to a beneficial impact resulting in an estimated $300 million contribution to the plus side of the ledger in 1973 alone. Furthermore, it is estimated that the 50-percent requirement will provide a plus of $483 million in 1980, rising to a plus of $783 million annually by 1985.

Conversely, unless this legislation is enacted, we can expect our oil import program to increase our deficit in coming years. In 1970 tanker payments accounted for an outflow of $393,000,000 in our balance of payments. With the great increase expected in oil imports this negative payment will increase proportionately and we could expect that this factor would generate an annual deficit of more than $1.2 billion in 1980 and as much as $2 billion a year by 1985 with a cumulative deficit for the 1975–85 period of about $14 billion.

Another benefit that will accrue is the expectation that the legislation will increase employment for thousands of Americans in the shipbuilding industry and in related industries such as steel manufacturing and others.

Nine to 13,000 seafaring jobs will be created—26,000 jobs in the shipbuilding industry and nearly 80,000 jobs in related fields, would result from this legislation. From this base, the entire economy would benefit and the United States would regain a measure of the world shipping trade that we have lost over the years to foreign competitors. The alternative is a continued loss of this business to others, and resulting decline in jobs and economic value from this portion of our economy.

Finally, Mr. President, I want to point out that this bill is also significant from the environmental standpoint. Our citizens are increasingly disturbed over the oil spills that have wreaked havoc on our beaches and destroyed wildlife in our waters. In many cases these spills were from foreign tankers not built up to American specifications and therefore not made with the protection of the environment in mind. These foreign vessels are not subject to the strict control needed to minimize these potential hazards to our environment in the future. If all imports of oil are carried on foreign vessels, we will be severely limited in our ability to prevent the kind of accidents that have caused Americans so much anguish in the recent years.

Enactment of the 50 percent requirement would give us better control over at least a major portion of the oil import carriers and provide us with additional leverage to make other flag vessels come up to our higher standards.

Mr. President, I could go on extolling this legislation, but I do not believe that will be necessary. This is legislation that is needed and I urge my colleagues to support this measure so we can send it to the President for his signature, and get this program underway without further delay.

Mr. COTTON. Mr. President, I yield myself 2 minutes. I wish to ask the Senator from Maryland one question.

Who is going to pay for these ships that will have to be constructed under this amendment, which simply forces a percentage of imports to be in American bottoms? Who is going to pay for those ships?

Mr. BEALL. It would be a combination of the people who use the ships and owned them. The people who own the ships are going to pay for them.

Mr. COTTON. They are not building the ships yet. Does the Senator think that they are so filled with philanthropy that if they are required to pay for the ships that they are not going to pass that on to the American consumer?

Mr. BEALL. No; I suggest that argument is answered by the chairman of the committee. He said the cost differential will be provided for in tickets traded between oil companies.

Mr. COTTON. Mr. President, I yield myself 2 minutes to say that anyone who believes that ships that are forced to be constructed, if this amendment is agreed to, will be paid for by the oil companies, and that it will not be passed on to the consumer, believes in Santa Claus.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter from the State Department.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., June 27, 1972.

Hon. NORRIS COTTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COTTON: The Secretary of State has asked me to reply to your letter of June 16, 1972 requesting the Department's views on H.R. 13324 and the report of the Senate Committee on Commerce accompanying it (Report No. 92–841). The specific question at issue is the new Section 3 of the bill which would require that 50 percent of imported oil, not including residual fuel oil and No. 2 fuel oil, be carried on United States flag tankers.

The Department is opposed to Section 3 of the proposed legislation and believes its enactment would be harmful to our foreign economic relations.

With respect to the statement in the Committee report (p. 24) that there is "ample precedent" for restrictions on oil imports to national flag vessels, we question whether these precedents are either ample or relevant. While France for many years has had the requirement that two thirds of its oil be imported under French flag, waivers of this requirement are frequently granted. Spain, Chile, and Peru are not major shipping nations and their actions can hardly be deemed a precedent for action by the United States. In the case of Chile and Peru, moreover, the reservation of oil cargoes is simply a part of measures reserving half of *all* imports to national flag lines. It is natural to expect that Japan, with by far the largest shipbuilding industry in the world and low operating costs, and totally dependent on foreign sources for its oil, might have a national policy to carry a substantial share of its oil imports in its own ships, but Japan does not have any cargo reservation laws and, so far as we are aware, there is no "guarantee" of a 50 percent participation by Japanese vessels in this trade. In short, it does not follow that the United States should abandon a long established shipping policy of freedom of choice of carrier for commercial shipments because a few other countries have for their own national reasons instituted cargo preferences on oil imports.

The Committee report (p. 25) states that "this legislation is required by our national security, and therefore it is not inconsistent with our treaty commitments." This Department did not agrue that the legislation would be inconsistent with our treaty commitments if there were a justification on security grounds. It simply expressed the belief that the national security need for this legislation had not been demonstrated. As the Department pointed out in its testimony before the Senate Committee on Commerce (S. 3404, May 1, 1972), while recognizing that oil imports will come increasingly from areas which are, politically speaking, relatively unstable, we consider that it is the source of supply, rather than the means of transportation which poses the primary problem from a national security standpoint. We also note that the Secretary of Commerce has written you (June 12, 1972) that his Department, together with the Office of Emergency Preparedness and the Navy Department is now reviewing the national security needs for the United States flag tanker fleet, specifically taking into account the increasing requirements for oil imports. Until this study has been completed it would seem premature to justify the need for this legislation on national security grounds. If it were determined that the national security required transporting half of our oil imports in United States flag tankers, there would still be an option whether to achieve this result through direct subsidies, as intended under the Merchant Marine Act of 1970, or by indirect subsidies (cargo reservations).

The Committee's report (p. 25) states the opinion that a 50 percent oil import reservation "seems no more inconsistent with (treaty) provisions calling for 'national treatment' and 'most-favored-nation treatment' than practices in which the United States and other nations have long engaged." In support of this broad generalization, the report argues that our treaties do not explicitly make any distinction between government-financed or government-generated cargoes on the one hand and commercial cargoes on the other. This Department believes that the distinction is clear as a matter of treaty interpretation and important as a matter of shipping policy. It is accepted internationally that the treaties relate to government actions which affect normal commercial shipments and do not apply to shipments made by governments for their own account or where they are acting in a proprietary capacity. We have interpreted the latter as covering certain export shipments which would not ordinarily move without special loan terms offered by the government, and this has not been contested. Most of our major trading partners, which are also important maritime nations, share the view that purely commercial cargoes should be free to move in accordance with normal private business decisions and should not be directed through discriminatory government legislation. These are also the nations with whom, for the most part, we have treaty obligations.

It is true that some other nations, especially in South America, have adopted cargo reservation measures of considerably broader scope which may in some cases interfere with what we would consider normal commercial shipments. We have treaties calling for "national treatment" and "most-favored-nation treatment" with only two of these countries (Argentina, 1853, and Colombia, 1846), but these and all other South American nations which have cargo reservations favoring their own national flag shipping lines (Brazil, Chile, Ecuador, Peru, Venezuela) have in fact removed any discrimination against United States flag lines by granting them equal access to all government-controlled cargoes in our bilateral trade. The United States in turn allows 50 percent participation by its trading partner in the carriage of our own "government-generated" cargoes in the bilateral trade. In effect, and without any intergovernmental agreements, each government is giving "national treatment" to the ships of its trading partner so far as government-controlled cargoes are concerned. The governments have also approved, on our side by the Federal Maritime Commission, agreements between the national shipping lines based on the equal access principle and calling for a pooling and equal division of revenues from all traffic actually carried by the parties. These agreements do not in themselves restrict the freedom of all carriers to compete for normal commercial cargoes. They are not, as the Senate report implies, agreements between governments with terms which are inconsistent with our FCN treaty obligations.

It is true as the Senate report points out that certain oil producing states are considering the establishment of national flag tankers fleets to carry a portion of their oil exports. It does not follow, however, that because certain oil exporting states may in the future adopt restrictive measures which we consider uneconomic and ill-advised, the United States should anticipate their example. Carried to a logical conclusion such actions could result in completely bilateralizing the oil transport business. Such a development could destroy the flexibility which has enabled oil importers to use the most efficient and lowest cost vessels for their oil transport needs regardless of flag, a practice which in the long run benefits oil consumers in this country.

Though not mentioned in the Senate report, there is one additional point that we feel should be made. This Department, in collaboration with other interested agencies has for many years protested to foreign governments against the spread of national cargo preference legislation and regulation into the field of commercial cargoes. Though difficult to measure with exactness, we believe that the United States representations to these governments have helped in many cases to maintain a climate of competitive opportunity for United States shipping in our foreign trades and has benefited our merchant marine. The enactment of Section 3 of the proposed legislation would do much to destroy the credibility of any future United States representations along these lines.

If we can be of any further assistance in this matter, please do not hesitate to let us know.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. McINTYRE. Mr. President, will the senior Senator from New Hampshire yield to me for 10 minutes on this motion.

Mr. COTTON. Is the chairman of the full committee willing that I should do that and then get out of the way?

Mr. MAGNUSON. I wanted to say something on the bill but no one wants me to do it. [Laughter.]

Mr. COTTON. I yield.

Mr. McINTYRE. Mr. President, I rise in support of the position taken by Senator COTTON, my good friend, and the distinguished senior Senator from our great State of New Hampshire, which I understand to be in opposition to the inclusion of section 3 in this bill.

I commend my distinguished senior colleague for what the Senator from Virginia (Mr. SPONG) referred to as "vigilence," because in matters concerning oil industries and the ramifications thereof, and what they do to consumers in New England we in New England had better be alert.

I must support this motion with some reluctance. Two groups that I have given my strong support to during my service in the Senate, consumers and this Nation's merchant marine, are forced into conflicting positions with regard to this legislation.

The issue here is not the need to strengthen this country's merchant marine—that I have consistently supported. The State of New Hampshire is a coastal State and the fine harbor at Portsmouth has a long and recognized history as a seafaring city. The issue here—as I see it—is not whether there is need to give assistance to our merchant marine but the manner in so doing.

The bill that we are discussing today has taken the importation of foreign crude oil as a vehicle. I am firmly convinced this is not the correct approach. The basis for my position is that crude oil imports into this country are now controlled by a very discriminatory and unfair quota system with a $5 billion to $7 billion cost that is not borne equitably by all the citizens of this country. To attach a 50 percent U.S.-flagship requirement on the import of crude oil on top of an outdated and unfair quota will only increase this unjust burden on consumers.

The operation of the mandatory oil import quota system is particularly unfair to New England and my State of New Hampshire. Since there is no oil production in close proximity to New England and our region is not serviced by any major oil pipeline, we must rely almost totally on ships to bring us our much needed oil supplies. This is not true in other regions of the country which are fortunate enough to have vast quantities of oil close at hand or are serviced by large pipelines.

An amendment offered by the able Senator from Virginia (Mr. SPONG) exempting residual fuel oil and home heating oil from the legislation, was accepted by the committee. This amendment will have a very beneficial effect on the impact of this legislation on consumers of those products.

However, a substantial amount of the oil products used along the eastern seaboard, which includes gasoline, are produced at refineries along the east coast from foreign crude oil. The result of the legislation, if passed, will result in higher prices on literally hundreds of petroleum products and even though Senator SPONG's amendment will somewhat mitigate the impact of the proposal the cost and burden is still too much to justify passage.

The proponents of this proposal are stating that its enactment will not increase cost to consumers.

I understand that the main proponents are the maritime unions and shipbuilders. Their basis for this argument is that prices in the United States are controlled by domestic crude oil prices and not by foreign imports. This is essentially true and has been one of the main considerations in my opposition to the Mandatory Oil Import Quota System. This quota system allows those refiners fortunate to import foreign crude oil to pocket the difference between the cost of foreign crude oil and domestic. This price difference at the present time, I understand, is between 75 cents and $1 a barrel.

Currently, oil producers throughout the United States are pushing for increased crude oil prices on domestically produced oil. The price of domestic oil today is around $3.50 a barrel. If the flagship requirement is passed, the result will be immediate pressure for substantial increases in domestic crude oil prices. So, the end result, in my opinion, of accepting this provision will inevitably result in price increases to consumers for their petroleum products.

The President's Cabinet-level task force that studied the oil import quota system in its 1970 report to President Nixon clearly stated that the cost of this quota is not shared equally among all the citizens of our country. And because of the fact that New England must rely on ships to supply its petroleum needs, this bill today would only add to that unfair and unjust burden.

Recent statements by the Secretary of the Interior, Mr. Morton, have given greater emphasis to what has been termed "our pending energy crisis." It is now estimated that between 1980 and 1985 this country must rely on foreign sources to meet up to 50 percent of its oil demand. The mandatory oil import quota system was implemented in 1959 to discourage reliance on foreign oil sources and to encourage domestic exploration and production. The fact, however, clearly show that this has not been the case.

While crude oil production in this country and exploration expenditures have remained fairly constant, the opposite is true outside the country. Major international oil companies have greatly expanded their worldwide search for oil, and we are now informed that over the next several years we must increase crude oil imports by 1 million barrels per day per year.

In fact, just recently, the President issued a proclamation increasing crude oil imports by an additional 230,000 barrels a day for 1972 which will mean that for the remainder of this year there will be additional imports of over 400,000 barrels a day.

With regard to this legislation before us, the issue must be raised as to whether it is not time for the President to accept the advice given him by the majority of his Cabinet-level task force to abolish the quota and to replace it with a tariff. This, in my opinion, would be much more equitable for all the citizens of this country.

With regard to the dire situation facing our merchant marine, revenues generated by a tariff could well be used to strengthen the U.S. merchant flagship fleet. But I say again that as long as the mandatory oil import quota system is in existence, it is unfair to place an additional burden on consumers that would result from enacting legislation as reported out by the committee.

Another point should be raised with regard to this legislation and that is the appropriateness of requiring a set percentage of the import of any product that must be brought in by U.S. flagships. Traditionally U.S.-flagship requirements have dealt with exports not imports. While it may be that this approach is necessary, I think we must be cognizant of the possibility of retaliation by the trade partners. If we can impose such a requirement on their imports into our country then what is to stop them from placing similar requirements on goods they purchase from us?

So I close my remarks at this time, and thank my distinguished colleague from New Hampshire for his vigilance and watchfulness in this matter.

Mr. MAGNUSON. Mr. President, will the Senator yield me 5 minutes?

Mr. LONG. I yield 5 minutes to the Senator from Washington.

Mr. MAGNUSON. I did not want to belabor this matter too much, but I think many matters that have been put into the Record today should be cleared up.

I just heard the Senator from New Hampshire express some fear of retaliation. Retaliation from what? All these countries have almost 90 percent of their quotas, their shipments and their cargoes, in their own bottoms. When we ask for something for ourselves that we do not have now, what are they going to retaliate with?

Retaliate? It is like suggesting, when someone has been robbing you for a long time and evading taxes for a long time, and he is told, "Wait a minute. We are going to have you pay your fair share and share the burden," what is he going to retaliate?

The oil companies do not want this amendment and they have done a pretty good job lobbying since we put it in the bill. Perhaps it does not belong in the bill, but unless we start to do something, we are going to find ourselves in a dangerous position. We are now 16th in the world in shipbuilding. I expect to pick up a paper some day to see that the Belgian Congo is ahead of us.

The distinguished Senator from New Hampshire says we have provided for shipbuilding in the bill. We have. That is what this amendment is all about. When we do that, we are going to give them some cargo to carry, so they can pay taxes and pay American seamen.

Something has been mentioned here about security. It has nothing to do with security, believe me.

I have a letter here from Admiral Zumwalt saying just the opposite from what the Senator said. I do not know where the Senator from New Hampshire's letter came from, but they have always gone on the theory that what we want is control over our ships and our allies' ships in the world; therefore that we need to build a merchant marine and tanker ships.

The oil companies want to haul under foreign flags. Panama has a bigger merchant marine than we do, tonnage wise. So does Nicaragua. So does Liberia. Who finances them under foreign flags? The oil companies.

The Senator from New Hampshire was there when we used to meet in the little room over here, when we tried to do something about foreign flags, runaway flags, and we were told that most tankers were under foreign flags so they could evade taxes.

The Panamanian Oil Co., which was then owned by them—and this is true of all of them; they have these foreign companies, and when they make a profit, they keep it and bring it in in the year when it is most propitious for them, taxwise. That is your foreign fleet.

But the Defense Department says, "Oh, we have them under control." Some control, shipping in the Gulf and in the Indian Ocean, financed by American oil companies, flying a Greek flag, with an Italian captain and an Indian crew. Some control they will have over that, if something happens.

In World War II, all our allies said, "Oh, we will have a big fleet; everything is under control, with the joint military people all over the world." Those were our allies. And we found, after 2 months, that they wanted all their tonnage for themselves, and we spent $9 billion building up a merchant marine of Liberty ships and other ships that are now obsolete; $9 billion, and we had to do it—sometimes we built them in as little as 60 days. If Senators want to get into that with foreign flags again, that is all right with me.

I do not know about the State Department; they are always against anything. Some days I think maybe we ought to appropriate some money in one of our appropriation bills to hire about six Greyhound buses and take them on a Cook's tour of the United States, to find out what is going on. It would do them good to give them a leave of absence. Sure, they are opposed to this because they might have to dicker with some countries. Those guys might get mad about it.

Retaliation? Retaliation against what? They have been retaliating against us, these foreign countries, with ships' fees, harbor fees, and all kinds of insurance, and they are government subsidized. So let us talk about our own business for awhile.

I am concerned about the balance-of-trade deficit which has been mentioned here. I will not belabor it, but it is the highest it has been in the history of our country, and this has a lot to do with it. If I had my way, I think I would bring them in 100 percent in American ships. We pay money for that oil.

I do not know about the evidence—we did not have any evidence that there was going to be any change in the consumer prices. There may be. I know, as my friend from New Hampshire has said, that when something goes higher, the consumer pays in the long run. But if we make these American oil companies pay, and tell them to bring their own ships back under the American flag and employ American people, it will not hurt the consumer, I will tell you that, and we will get the taxes from them that they are now evading all over the world, every place.

Mr. LONG. Mr. President, will the Senator yield at that point?

Mr. MAGNUSON. Yes.

Mr. LONG. The Senator knows that right now the domestic price of oil is about $3.50, and the foreign price is about $2.50. There is a dollar difference. Will the Senator tell me how much the consumer is saving out of that dollar?

Mr. MAGNUSON. None of it.

Mr. LONG. He is not saving one penny of that dollar, none of it.

Mr. MAGNUSON. No.

Mr. LONG. So that if the foreign costs goes up somewhat, so that the difference is, let us say, 90 cents instead of a dollar, it still will not make any difference to the consumer.

What is the explanation? When you understand the fact that these little people domestically are competing with these larger companies, that is what is holding the price down. As far as these little people are concerned, their price is as low as it always was, for every domestic producer. They have to use American labor. They have to use these same American working people the major oil companies do not want to hire.

Mr. MAGNUSON. And they do not hire them.

Mr. LONG. Let 'me put it this way: When a little independent company in my State or any other State of this Union produces its oil, it cannot haul it away to the ship; he has got to pay some fellow with a truck, and pay 10 times as much for transportation as these big companies are paying, and that trucker is an American working man. He has got to pay his own people to haul the oil. Suppose he can put it in a ship; he has got to pay an American union at American wages, and he has the same problem of negotiating with a labor union that these major oil companies do not want to be bothered with. He does not have that choice.

As far as any little fellow producing oil in this country is concerned, paying American taxes and American wages, he has got to comply with all of these American standards, and he is having a difficult time competing with these foreign oil companies, many of them American-based, which have all the advantages. That is where the big profits are, but they are not giving the consumer any advantage of the fact that it costs less to produce over there. They are coming in and selling it for the same price as this little fellow can get for his oil, who is paying the American scale of wages every step of the way.

Mr. MAGNUSON. We are just subsidizing cheap labor; that is all we are doing. And the cheapest you can find—someone said, "That's fine, because then the consumer might get a better deal." But if we work on that theory all the way down the line, we should not manufacture one thing in this country, should we, because it would be cheaper to ship it in. Not a thing.

Mr. LONG. But the point is——

Mr. MAGNUSON. We should take everything and ship it all in, because they have cheaper labor, and it will be cheaper if we operate on that theory right down to the end of the line.

Mr. LONG. The Senator and I know that if the consumer was the fellow who had to pay the $25 million, we would not have all this work by the larger oil companies to defeat this amendment. If the consumer were paying it, rather than the oil companies, the oil companies would not have done all this work to try to defeat it.

Mr. MAGNUSON. And another thing I think they ought to take into consideration, if this keeps up, is that we are now down to 4.2 percent of all our exports and imports being shipped in American bottoms—4.2 percent; and we are 14th in shipbuilding.

If they would bring their ships back and pay taxes, we would not have had this situation. They do not want to do that; and they do not want us to pass this little bill. That is the whole nubbin of this thing, and I just think we ought to. I do not particularly like it on this bill, but it is germane to the bill, we have held hearings on it, the Commerce Committee reported it out. But in the meantime, oh, boy, they have been pretty busy.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LONG. Will the Senator yield me half a minute?

Mr. MAGNUSON. I want 1 more minute, to take another shot at them.

Mr. COOK. Mr. President, will the Senaor yield?

Mr. MAGNUSON. They get the benefit of oil depletion, but they do not want to fly American flags or employ American workmen. No, they want the benefit, and they want the second benefit of hiring the cheapest labor they can find in the world. Then they con people into saying, "Well, it will be cheaper for you." Well, I say let us quit making anything here, and it will be cheaper for everybody.

I appreciate what the Senator from New Hampshire has said about me and my Commerce Committee activity. For all of us in the committee, I say I think this is the best bill to take care of the people up in New England. And we will make the oil companies buckle down to pay the difference.

Mr. LONG. Mr. President, will the Senator yield me 1 additional minute?

Mr. MAGNUSON. I yield the floor.

Mr. LONG. I would just like to ask the Senator a question. As much as we are interested in consumers, is it not true that we have done everything that we could conceive of to be assured that the consumer would not in any way be injured by this bill? He is protected by price controls as it is, but what is really protecting him is domestic competition, and not the foreign price. And it is not true that that consumer also needs the benefit of a little money to spend?

Mr. MAGNUSON. Yes.

Mr. LONG. We are trying to provide him with 100,000 good jobs.

Mr. MAGNUSON. To pay some taxes, which the oil companies do not pay.

Several Senators addressed the Chair.

Mr. COTTON. Mr. President, I yield myself 2 minutes.

Mr. MAGNUSON. Oh, may I put in the RECORD one more thing?

Mr. COOK. Regular order, Mr. President.

Mr. MAGNUSON. Will the Senator yield me a minute? I want to put in the RECORD something that bothers me considerably up in my country.

I do not want a lot of foreign tankers that are not built right coming into Puget Sound with oil. We get some of them, and the pollution problem is one that the people around here had better think about, because an American tanker is better built and better manned.

Mr. CRANSTON. Mr. President, will the Senator yield me 10 minutes?

Mr. LONG. I yield.

Mr. CRANSTON. Mr. President, I ask unanimous consent that during the time yielded to me I may offer an amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CRANSTON. Mr. President, I send to the desk an amendment and ask that it be stated.

Mr. COTTON. Mr. President, was there a unanimous-consent request?

Mr. CRANSTON. Yes. I asked unanimous consent, after consulting Senator LONG, that I may bring up an amendment which will not consume any substantial time.

Mr. COTTON. Mr. President, we have a debate here——

Mr. LONG. I suggest to the Senator that he withhold the unanimous-consent request until he has offered his amendment and everyone has had a chance to hear it.

The PRESIDING OFFICER. The amendment would not be in order without the unanimous-consent request.

Mr. COTTON. As a matter of fact, I would like to wind up some of these points. Some assertions have been made, and other Senators want to be heard. I am sure the Senator from California will have ample opportunity to present his amendment and to argue his amendment. We are on the committee amendment. I am sorry, but I am constrained to object.

I yield myself 2 minutes, and then I will yield to the Senator from Kentucky. I must object at this point. I certainly will yield later.

Mr. President, if I am permitted to do so by the manager of the bill, if he does not object, I yield myself 2 minutes.

The PRESIDING OFFICER. The Chair had already ruled that objection had not been heard.

Mr. CRANSTON. Mr. President, I will be glad to withdraw my request.

Mr. COTTON. I did not hear the request.

The PRESIDING OFFICER. The Senator has withdrawn the amendment.

Mr. COTTON. I thank the Senator.

Mr. President, if I am permitted to do so, I would simply say that I was very thrilled by the able speech of the distinguished and beloved chairman of the committee, and the dialog with the distinguished Senator from Louisiana, to the end that what we should do is to haul these oil companies in here and make them pay taxes and make them sail under our flag. If there is one Senator who is in a position to deal with the oil companies and plug up the great loopholes we hear so much about, it is the distinguished Senator from Louisiana, the chairman of the great Committee on Finance. If that is what we should do, let us do it, and we will raise the flag and follow his noble leadership.

But this amendment is not going to do that. This amendment is going to force the oil companies to provide bottoms. And who is going to pay for it? Do not try to tell me that it is not going to be passed on to the consumer.

I am not representing the oil companies here. The Senator from Kentucky is not representing them. The Senators from New England who have spoken and are going to speak are not representing the oil companies. They can take care of themselves. We are interested in the consumer.

Under this bill ships are going to be built, and all the taxpayers will pay for them, not just the people who buy oil. If you want to get hold of the oil companies, go right ahead and do it, instead of putting this amendment into this maritime bill. Go ahead, in the great Committee on Finance, and let us have responsibility and let us have taxes paid by people who are making the money, and let us plug up these loopholes.

It is news to me, and it amazes me, to have my good friend charge us with something which, obviously, if it is true—of course, I would not know anything about those things—could have been handled long ago.

Mr. STAFFORD. Mr. President, I am opposed to the provision of H.R. 13324, the maritime authorization bill, that would extend the 50 percent U.S.-flag requirement of the cargo-preference law to the importation of crude oil.

I oppose the amendment for two major reasons:

It has not been fully considered.

It would force substantial increases in

oil prices in New England—and throughout the country.

The amendment being considered by the Senate today marks a radical departure from prior procedure and policy. What we are considering is direct interference in the private transactions and shipments of private companies. To be sure, the commodity involved, oil, is subject to import quotas, but we are still interfering unnecessarily, and imposing restrictions that cannot be justified under previous precedents with respect to the cargo preference laws.

The amendment has not been fully considered. I understand that hearings were recently held by the Commerce Committee on a separate bill containing the cargo preference provision. Many questions were raised; many were left unanswered. In brief, I do not believe that the Senate has been given enough information on which to make a decision. We are being asked to vote on a bill with major implications without having answers to some very critical questions.

I have several major ones that have not been answered, and I am sure that other Senators do as well.

A prime question involves the impact of the bill on petroleum product prices. Proponents of the bill say that importers could absorb the cost and realize a reduced value for their import licenses; I believe this will not and probably cannot happen so easily and that the increased costs of shipment will be passed on to consumers in the form of higher prices. The point is that no one knows, and we are being asked to pass a bill that may force American consumers to pay hundreds of millions—perhaps billions—each year in additional fuel oil and gasoline costs. Past trends would seem to indicate that the consumer would be the victim.

Another question involves the impact on the cost of domestic shipments of oil from the U.S. gulf coast to the northeastern States. Obviously, the amendment would create a tremendous demand on U.S. tankers, far in excess of the present carrying capacity. This will surely force the cost of domestic shipments of gasoline and No. 2 fuel oil up sharply. The impact on New England, where most oil comes in by tanker and much of it comes from the gulf coast, would be severe. The provision exempting imports of No. 2 fuel oil will be of no help, since only 4 percent of the No. 2 fuel oil consumed in the Northeast is imported; the cost of shipping the remaining 96 percent will, as I have indicated, go up. Once again, the point is that we simply do not know what the impact on shipping costs—both domestic and foreign—will be.

A second critical question involves the administration of this provision. How will it be applied—by company, by ship, by port? Once again, we have no answers.

This is a major piece of legislation, with profound impact. I cannot support it on the basis of so little information, and its tendency for adverse impact on the consumer.

Third, the impact on New England.

As I have already indicated, this bill is certain to force petroleum prices up. At a minimum, I believe that the price of gasoline and heating oil in New England will increase by 1 to 2 cents per gallon; if prices increase by 1 cent, the consumers of New England alone will be forced to bear added expense of $100 million per year.

In New York State alone, a 1-cent increase will cost consumers more than $100 million per year.

Nationwide, the added costs are likely to be several billion dollars per year, adding to the already artificially high oil cost to the consumer.

Mr. President, the implications of this bill for every American citizen are immense. As responsible legislators, we have an obligation to take a closer look, to demand all the facts before we act.

I urge that this provision be deleted from H.R. 13324.

Mr. HANSEN. Mr. President, I fully support the views of the distinguished senior Senator from New Hampshire, and am greatly concerned about the adverse impact on the United States which would result from passage of the cargo-preference provision of the maritime authorization bill.

I believe it can be demonstrated that the provision would inevitably result in increased costs to the U.S. consumer, an argument which has already been convincingly made. I also believe that the provision would of necessity create serious difficulties for our international trade and foreign policies generally, and I would like to draw your attention to some of the problems in these fields.

First, the provision would place the United States in the position of being the first major trading nation which, by law, imposed an outright flag preference on privately owned commercial cargoes. This would, of course, violate provisions in more than 30 treaties with other nations to which the United States is a party. But, even if we were to accept the breaking of these treaties with equanimity—which I am sure we are not—we would in fact be setting a pattern which would be contrary to our interests.

Already, some oil-producing countries are talking about building their own flag fleets. Any action that we might take to restrict the movement of oil may well be the catalyst that precipitates drastic action by the oil-producing countries. Such action would inevitably reduce the availability and flexibility of tanker tonnage we need to insure our ability to meet U.S. demand for oil supplies in the future. At a time when the oil-producing nations are showing an increasing ability and determination to control world markets for their crude oil, it would be foolish indeed to force an extra weapon for this purpose into their hands.

Such countermeasures by foreign countries could easily cancel out any balance-of-payments gains we might achieve by use of U.S.-flag vessels in our international oil operations, apart from the real danger that American ships could be subject to political boycotts in the Middle East and elsewhere.

Certainly no one can disagree that an adequate supply of energy is vital to the American economy and to our Nation's security. To maintain such security may call for such steps as emergency storage, faster siting of nuclear plants, as well as increased American-flag shipping capability. But we must not delude ourselves into the belief that relying on American-flag tankers to supply half our oil imports will automatically give us greater energy security—especially if the proposed action forces a serious migration of ships of the U.S. effective control fleet to the flags of less friendly nations.

Historically, there have been frequent, crippling labor interruptions on American ships and docks. The question is: Can this Nation afford that risk when, in a mere 8 years, one-half of all the oil used in the United States will probably be brought in from overseas?

Also, Mr. President, as the Department of Defense has pointed out in a letter to the able ranking minority member of the Commerce Committee, Mr. Cotton, the burden of "cargo-preference" will fall unevenly on various groups of firms in U.S. petroleum refining and marketing.

The small refiners have enough problems now in competing with the integrated companies who have their own crude production, both domestic and overseas. These smaller refiners will be more damaged than the large ones because they now receive a relatively larger share of crude oil import quotas, and they will correspondingly lose more when their import rights, burdened by "cargo-preference" costs, lose some of their value.

I yield to no one in my contention that the United States needs a strong merchant fleet. But we need to achieve this objective without creating international crises and encouraging retaliation against U.S. shipping interests. I believe that construction remedies for the ills of the U.S. merchant fleet can be found. I do not believe that this piece of legislation will accomplish our objectives.

Mr. BROOKE. Mr. President, I rise to state my agreement with the remarks of my distinguished colleague, the Senator from New Hampshire (Mr. Cotton), who seeks to strike section 3 of H.R. 13324. This section would require that at least 50 percent of oil imported into the United States be transported in U.S.-flag tankers.

For reasons relating not only to the national interest in broad security terms but also to the interests of taxpayers and of all consumers of oil products, I am opposed to the provisions of this bill requiring that 50 percent of our oil imports be shipped in American bottoms.

The Senate is being asked to approve an authorization involving some $555 million for subsidies and other expenses under section 1 of the bill. However, this may not be the only cost involved. Even though we are told that section 3 will not result in additional cost to the Government at least in the near term, section 3 could involve literally billions of dollars of costs in future years—much of it borne by the American consumer. In fact, the Department of Interior has estimated that the additional cost to the consumer could reach $1 billion by 1985.

The committee report says that this

cost will be borne by the oil companies who allegedly can afford it. This may be true in the immediate future, but it will not be long before the costs will necessarily be passed on to consumers.

The costs as estimated in the committee report of approximately 10 cents per barrel of oil for using higher-cost American-flag ships, are valid only if the oil comes from nearby places like Venezuela or North Africa. The real cost may be five times as much, it seems, if most of the oil has to come from the Persian Gulf or points in the Middle East. By 1985, we may have to import as much as half of our total oil consumption—largely from those areas.

I think it is fair to say that the cost of our oil products is going to go up in the future, for a variety of reasons, and some of the causes may not be under our own control. I will not say that passage of this bill, as amended, would be the cause of all those increases. But this bill will help to increase those costs, and that burden will not simply be borne by the oil companies and their stockholders.

Section 3 carefully exempts residual in home heating oil from the 50-percent limitation. However, we still must recognize that substantial quantities of these products are refined domestically from foreign crude oil. Therefore, the price of these products will increase as the cost of foreign crude oil from which they are derived also increases. Every citizen who heats his home with oil must eventually feel the effect of this crude oil cost increase.

We should know what the long-term costs will be and who will bear them. Unfortunately, the Committee on Commerce in its report on this bill—page 31—did not really face up to this issue. It stated that its cost estimates were based on U.S.-flag vessels built and operated without construction-differential and operating-differential subsidies. It went on to say:

> Of course, to the extent that such subsidies were utilized in building and operating vessels carrying cargoes subject to this legislation, the cost differential between foreign and U.S.-flag vessels would be reduced.

It would have been more accurate to say that the cost to the taxpayer would be increased. The report concluded:

> The issue of whether vessels built and operated with these subsidies may carry cargoes reserved to U.S.-flag vessels is currently the subject of an administrative proceeding before the Maritime Subsidy Board, Docket S. 244.

The committee did not express views on this issue in light of the pending administrative proceeding.

Little more than a year ago, Congress overwhelmingly approved the Merchant Marine Act of 1970, the administration's program to help rebuild our merchant fleet, and in so doing agreed for the first time to subsidize the construction and operation of a bulk carrier fleet under the U.S. flag. Previously, for 35 years, we have subsidized only regularly scheduled liner services. We also accepted two important principles; that our merchant fleet, after receiving subsidies to put it on a competitive basis, should compete for new business, throughout the world; and that indirect, hidden forms of subsidy, such as cargo preference, should be phased out in favor of direct subsidies.

Section 3 of the bill would do just the opposite. It would expand the area of hidden subsidy, which is already very large, and it would give tanker operators a monopoly position with respect to a large part of our imports.

It has also been pointed out that this legislation offers significant additional benefits to our shipbuilding industry, to employment and to the Nation's balance of payments. Benefits which I completely support. However, these benefits can also be received if our tanker fleet is built up through subsidies as contemplated under the President's program. The difference is that the cost, and how it will be borne, will be known and can be evaluated and will have to be approved. I believe that it is the proper way to proceed.

The most persuasive arguments which have been advanced by proponents of section 3 are those that relate to our national security requirements. The committee report deals with this subject at some length. But to the extent that these arguments are valid, they do not support the conclusion that a 50-percent cargo reservation is the only way or the best means to achieve the objective.

On the contrary, it would appear that a direct subsidy program would be a far better solution than a cargo reservation requirement, because the matter would certainly encourage other countries—particularly the oil producing countries who already control the sources of supply—to adopt similar measures and extend their control to the transportation of their oil.

Moreover, the 50-percent requirement posed by section 3 of this bill could create a new trade barrier at a time when the United States is urging other countries to dismantle their restrictions against U.S. imports. If such a cargo reservation precedent is set with petroleum products, it would also be applied to other bulk cargoes, for example, farm products. This would increase the cost to the American consumer of many more goods than simply oil and its byproducts.

As matters now stand, we and our NATO allies control about 90 percent of the world's tanker fleet, and this has served us well in emergencies. But if the oil-producing countries insist upon carrying half of their exports in tankers under their own control, we will be faced with a completely new situation. Any such possibility has even greater security implications for our allies, who are more heavily dependent upon oil imports, than it may have for us.

The administration, through Secretary Peterson, has promised to review the security aspects, to evaluate the various alternative ways to sustain an appropriate tanker fleet, and to submit its findings and recommendations to the interested committees of both Houses not later than September 15 of this year.

Given the complexity and the undoubted importance of this matter, I believe the Senate should not act without hearing those recommendations.

Mr. President, anything I say now is anticlimactic, after the very deeply felt speech delivered by the distinguished Senator from New Hampshire (Mr. COTTON). He has practically said it all. He speaks not only for himself but also for the junior Senator from Massachusetts; and though I cannot speak for the other members of the New England delegation. I think he spoke for all the members of the New England delegation when he so clearly and forcibly set forth the position of the New England delegation in regard to the plight of the consumer, the cost of oil over the years, and the continued increases in petroleum prices.

I hope that the eloquent plea of the distinguished Senator from New Hampshire will be listened to and adhered to by all Senators.

Mr. COTTON. Mr. President, I have only 1 minute remaining on the amendment. I yield that 1 minute and 1 minute on the bill to the Senator from Kentucky.

Mr. COOK. Mr. President, I listened intently to the distinguished Senator from Washington talk about all the lobbyists. I want to get the record straight, and I want it in the RECORD, so far as this Senator is concerned, because this Senator has not been talked to by any major oil company in the United States. They have not discussed this matter with me at any time, under any circumstances.

The only conversation this Senator had with anyone other than Members of this body and members of the Committee on Commerce was with a representative of one of the major international seamen's organizations in the United States, who discussed this matter with me in the Senate reception room. I invited the gentleman to come by my office, because I wanted to talk to him about this matter; I wanted his ideas on it. He said that he absolutely would come by, and he did not come by.

So, relative to the great discussion of the distinguished chairman of the Committee on Commerce, that they are all over the halls and have been to see everybody, I want him to know that they did not come to see me.

Therefore, I suppose that if I owe them some allegiance, I wrote a nine-page speech for nothing, because none of them came by to see me.

As a matter of fact, the one organization in the United States that the Senator from Louisiana and the Senator from Washington said would be vitally interested in this, and that is the American workingman, the gentleman who said he would come by my office, but did not come by.

Mr. CRANSTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. Mr. President, I yield 10 minutes to the Senator from California.

Mr. CRANSTON. Mr. President, I renew my request and ask unanimous consent to bring up my amendment at this time.

Mr. LONG. May I suggest that the Senator ask that his amendment be read? He can then ask unanimous consent.

Mr. CRANSTON. Fine. Mr. President, will the clerk please state the amendment?

The PRESIDING OFFICER (Mr. KENNEDY). The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 3, line 10, after the words "Number 2 fuel oil" insert a comma and the following: "and that portion of imports of crude oil required because of environmental considerations for electric power generation or low sulfur residual fuel oil refined therefrom to meet environmental standards imposed by law in generating electric power and sold for use by electric utilities".

Mr. CRANSTON. Mr. President, if I may briefly explain the amendment——

Mr. COTTON. Mr. President, I assume that we have unanimous consent that such time as is left on the pending amendment will be used by the Senator from California on his amendment; is that correct?

The PRESIDING OFFICER. A request has not been received or granted yet.

Is there objection to consideration of the Cranston amendment at this time?

Mr. LONG. He is using my time right now.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. I thank all Senators for their cooperation.

The PRESIDING OFFICER. The Chair rules that there is 1 hour on the amendment.

Mr. CRANSTON. I shall not take more than 10 minutes, probably less.

Mr. LONG. Go ahead.

Mr. COTTON. The time is being used on this new amendment, but we do not lose our right to whatever time is left on the amendment which is pending; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG. Mr. President, I ask unanimous consent that notwithstanding the unanimous consent agreement, we might consider this amendment an amendment to the amendment. I believe it can be disposed of in short order.

The PRESIDING OFFICER. Will the Senator please state his unanimous consent again?

Mr. LONG. I ask unanimous consent that, notwithstanding the presnt unanimous-consent agreement, we consider the amendment of the Senator from California at this time.

The PRESIDING OFFICER. The amendment is under consideration.

Mr. CRANSTON. Mr. President, I thank all Senators and the Presiding Officer for their cooperation.

Mr. COTTON. Mr. President, I am very sorry, but a parliamentary inquiry——

The PRESIDING OFFICER. The Senator from New Hampshire will state it.

Mr. COTTON. Is this an amendment to the committee amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to suggest the absence of a quorum with the time not to be taken out of anyone's time.

Mr. COTTON. We do not need that now. Go right ahead.

Mr. MANSFIELD. Mr. President, I withdraw my unanimous-consent request.

Mr. CRANSTON. Mr. President, this amendment would exempt public utility companies engaged in the business of generating, transmitting, and distributing electric energy for heating and electric power purposes from the provisions of the section 3 of H.R. 13324.

Electric companies have an obligation to provide at the lowest reasonable cost, indispensable and reliable electric service to meet the requirements of their customers.

In order to fulfill this responsibility they must be able to procure suitable fuels at reasonable prices which will meet stringent air pollution control requirements. The enactment of section 3 of H.R. 13324 in its present form would have the net effect of a significant increase in rates to east and west coast customers of electric companies for the following reasons:

First. Economists have shown that there will be an increase in transportation cost through the use of U.S.-flag vessels. Major oil companies and refiners will absorb this cost on the import quota ticket rather than pass the cost on to the consumer.

Second. Most oil purchase contracts between refineries and utility companies include escalation provisions which automatically pass on to the utility company the increase in crude prices and in transportation cost.

Third. Utility companies do not have oil import quota tickets available to them under import regulations. They would not be able to absorb the increased cost in transportation because the value of the tickets has been included in the price the refiner quotes in his contract with the utility company.

Fourth. The end result of an increase in transportation cost, would be reflected in the cost that utility consumers pay for electricity.

Presently the cost impact on the west coast would be greater than on the east coast. However, as eastern utilities convert more and more plants from residual fuel oil to crude, and air pollution requirements become more restrictive, this conversion will have a similar impact on use of crude oils by utilities on the east coast later in this decade.

The situation in the west coast is different, and the problem is immediate. The pollution regulations require that utilities burn crude oil with 0.5 percent maximum sulfur content. The principal supplies of low sulfur oil of the quality required to comply with air pollution control regulations which are available to west coast utilities are manufactured from crude oil imported from Indonesia. The cost of this oil will increase as more and more U.S-flag ships are used to transport foreign oil.

It is estimated by Southern California Edison that the 50-percent quota requirement would result in a 20 to 30 cents per barrel increase in cost. To the consumer this would represent an increase cost of $30 to $50 million per year. The study of the National Association of Electric Companies, an association which consists of 137 electric light and power companies, agrees that the impact of section 3 will be greatest on the west coast where the supply of low sulfur crude is deficient.

Mr. President, I respectfully urge my colleagues, and address my remarks particularly to the distinguished and able Senator from Louisiana (Mr. LONG), urging support of my amendment which will exempt needed low surfur fuels from flag ship restrictions, and protect the American consumer from this enormous increased cost.

Mr. LONG. Mr. President, I have no objection to the amendment.

Mr. COTTON. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER (Mr. BURDICK). The Senator from New Hampshire is recognized for 2 minutes.

Mr. COTTON. Mr. President, I welcome the amendment. It is a good amendment. However, I want to have the RECORD show one thing so that we will not forget it. When we started out in the Commerce Committee with section 3, it was all inclusive, and then within the Commerce Committee it was amended by exempting No. 2 fuel oil and residual fuel oil.

Now we come to the Chamber this afternoon and we have had an amendment offered and adopted exempting the petrochemical industry. Now our good friend from California has come along with a further list of exemptions. That is all good.

But I just want the Senate to remember that eloquent speech by the Senator from Louisiana (Mr. LONG) and other Senators, when they said that this great amendment would produce 100,000 jobs and help our balance of payments by $5.5 billion.

I ask the Senate to remember that every amendment we add will bring down the 50 percent of oil to be carried in American bottoms—I do not know to what percentage—40 percent, 30 percent, 25 percent. We cannot have our cake and eat it too.

I am almost tempted to object, Mr. President, so that the 100,000 American jobs and that $5.5 billion in balance of payments does not go out the window with this and every amendment.

So, I welcome this amendment. I am for it. Let us have some more. [Laughter.]

Mr. CRANSTON. I thank the Senator.

Mr. TUNNEY. Mr. President, will my colleague yield to me?

Mr. CRANSTON. I am happy to yield to my good friend.

Mr. TUNNEY. I want to compliment my senior colleague from California for introducing this amendment. It demonstrates clearly his great concern for environmental problems in California.

The effect of the amendment will be that air pollution control regulations in California will be met. I am proud to be a cosponsor of this amendment because I think it is critically important to the environmental needs of California.

Mr. CRANSTON. Mr. President, I thank my colleague for his help on this as on so many other matters.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. LONG. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California (putting the question).

The amendment was agreed to.

Mr. MUSKIE. Mr. President, I will vote to strike the oil cargo preference provision from the maritime authorization bill for two primary reasons—such a provision would most likely result in higher fuel prices for Maine and all of New England, and it would further entrench the oil import quota system which I have been trying to alter or abolish for years.

We, in New England, have suffered from high fuel prices for too many years. They have eroded family budgets and retarded the economic development of our region. I simply could not sanction any proposal which might intensify these problems.

I have carefully considered the arguments of those supporters of the cargo preference provision who contend that its passage would strengthen the shipbuilding industry. The health of that industry, particularly as it affects Bath Iron Works, concerns me deeply. I have concluded that expansion of our domestic tanker fleet, a worthy national goal, should be accomplished through a program of direct subsidies, financed out of general revenues, that distributes the cost among all taxpayers. That expansion, if indeed it would be fostered by the cargo preference provision, should not be financed solely by oil consumers through increased fuel costs.

We must protect the interests of consumers and promote our shipbuilding industry. These goals can be pursued without conflict. The cargo preference provision needlessly created such conflict, jeopardizing the interest of consumers. I cannot support such a measure.

Mr. MATHIAS. Mr. President, today I rise to express my support for the committee amendment to the maritime authorization bill which has ben advocated by my colleague from Maryland (Mr. BEALL) and by the Senator from Virginia (Mr. SPONG) providing that 50 percent of crude oil imported into the United States be carried in American-flag vessels.

I have long felt that in a period of national economic strain, it is important to shape policies which will maintain the strength of our Merchant Marine and help American vessels compete effectively in the world's markets. While we should never shrink from healthy competition, we cannot ignore the impact of challenges from foreign flag ships which are directly or indirectly subsidized by their governments. To do so is to overlook the tragic object lesson now visible in Baltimore harbor where some of our greatest passenger liners, the pride of our merchant fleet, built with Government assistance, now lie idle and rusting because there is no competitive role for them on the high seas. It is a sad sight to replace the memory of the great Baltimore Clipper Ships.

If this is the fate of ships whose construction was subsidized, how much more perilous is the fate of ships built in American yards, to American standards at American rates if there is no preference given them in carrying American cargoes? The fact that the tankers contemplated by the bill will be built privately with the efficiency that characterizes unsubsidized construction and operated without subsidy, should make it possible to grant a preference at minimum cost. And the cost, whatever it is, will be obvious and honest, and not hidden in Government budgets and tax bills.

There are today about 27 private tankers laid up for lack of cargoes. If we cannot find a way to put them to work neither they nor any other ships built under this or any other bill will survive. They will soon go to the wreckers or to foreign flags.

I have examined the effects the committee amendment would have on our employment, industrial production, national security and balance of payments. While its effect will bring some pluses and some minuses, I think that, on balance, it is a necessary part of our program. I am convinced that it will go far toward assuring that the American shipping industry remains vital, competitive, and healthy.

ORDER FOR ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stands in adjournment until 10 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Later in the day this order was changed to provide for the Senate to convene at 9:45 a.m. tomorrow.)

MARITIME PROGRAMS

The Senate continued with the consideration of the bill (H.R. 13324) to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce.

Mr. COTTON. Mr. President, I yield 5 minutes to the distinguished senior Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 5 minutes.

Mr. KENNEDY. Mr. President, I thank the Senator from New Hampshire.

Mr. President, I rise to support the proposal of the Senator from New Hampshire.

I have had the opportunity for the last hour to listen to the various arguments and debate on the whole question of the oil import program. We hear from time to time the claim that the oil import program is very important for the national defense. What we fail to realize is that New England has a population consisting of approximately 6 percent of the population of the country and consumes 22 percent of the heating oil.

Mr. President, we need this product in New England. It is as important as food, clothing, and shelter to the people of New England.

Even if there were a legitimate national security basis for the oil import business, why should the people of New England have to pay a disproportionate share for national security?

If there is a national security burden to be met, it should be met by all the taxpayers throughout this country so that the people of New England will not have to pay a disproportionate amount of their consumption dollars for the national security of this country, in addition to what they pay in taxes.

The cost for national security ought to be distributed equally among the taxpayers of the country. And generally it is, except for the oil program which hits so hard on New England. And the real shame is that the oil import barriers cannot in fact be justified on the grounds of national security.

Mr. President, this program, whenever we test the arguments that it is on the basis of national security, has failed time and time again. Under the present administration we had a definitive task force report that said oil import barriers should be terminated, but again the response was that the oil program exists for national security reasons. That argument has been discredited repeatedly. However, every time the facts are stated, they are ignored. The oil import program still limps along.

Mr. President, I do not want to see this provision written into law by any stretch of the imagination. We should be moving away from the import barriers, not writing new law based on them. I do not know why we have to subsidize this expense and put it on the backs of the taxpayers of New England any longer or in new ways. If we want to build a shipbuilding industry, let us spread the responsibility equally among the American people. Let us establish that as a matter of policy, and we will do it and do it equitably. However, this program will put it—again via the price foil—on the backs of the New England consumers. All we have to do is to look at the figures given by the oil industries themselves or by the Interior Department to see that this will mean a higher oil cost for those of us in New England. This is not justified. And let no one assume here on the floor of the Senate that the consumers' interest in this is going to be served by a 50-percent requirement.

I have shipbuilders in my State. We have the Fall River Shipyard, run by General Dynamics. I have heard from them and have heard from those who work in the shipbuilding industry. This is a question on which the feelings run deeply among the people up in my part of the country, among shipbuilders, the seafarers, and a number of the other unions.

But no matter how constructive the goal, we cannot meet it with a device that will add millions of dollars to the consumers' oil bills in Massachusetts and throughout New England. I think we do a great discredit to that part of the country when we try to justify this at the cost of a particular section of the country.

It has no place in this bill.

The Senator from New Hampshire (Mr. COTTON) has pointed out, and I think dramatically and accurately, the facts pertaining to this situation. I hope that the Senate is going to follow his good judgment and return this matter to the committee.

Mr. COTTON. Mr. President, I yield 3 minutes on the bill to the distinguished Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes.

Mr. JAVITS. Mr. President, I shall support the effort of the Senator from New Hampshire to defeat this provision in the committee bill because I believe, although we are not actually located in the New England States, but are more toward the Middle Atlantic States, that we have a great consumer problem, too, in respect to fuel oil. However, more than that, we are a great industrial State which is engaged in imports and exports in a very important way. We are a great financial State and understand something about the working of finance.

Mr. President, this is but another example of restrictive amendments which look so good on their face when it is said that they will help American labor and help American shipbuilding. However, we never figure on the side effects, and it is the side effects that kill us.

At long last, the consumers strike out against these rigidities which the farm people long ago realized the consumers would rebel against. In the final analysis, they ran into trouble, and they are now taking the place of the trade unions as the advocate of reciprocal trade and the trade unions have gone protectionist. This works out so that we have retaliation and more closed doors as well as increasing the cost of living unduly. It taxes the consumers who do not receive the benefits.

The more we have to depend on foreign oil the more that retaliation will come about in many respects, including the matter of ultimate responsibility.

So I believe that the restrictiveness of trade is counterproductive to the interests of the country.

I am glad that the consumers are awakening to that fact, and I want to help them awaken further to it.

For those basic reasons, I support the amendment of the Senator from New Hampshire.

Mr. COTTON. Mr. President, I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 1 minute.

Mr. COTTON. Mr. President as I indicated earlier I have a number of letters supporting our position and I ask unanimous consent to have printed at this point in the RECORD, a letter from the Honorable Kenneth M. Curtis, Governor of Maine; a letter from the Honorable Deane C. Davis, Governor of Vermont; a letter from the Honorable Francis W. Sargent, Governor of Massachusetts; a letter from Mrs. Virginia Knauer, of the office of Consumer Affairs; a letter from the Secretary of Commerce; and a letter from the General Counsel of the Department of Defense.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OFFICE OF THE GOVERNOR,
Augusta, Maine, June 23, 1972.

Hon. NORRIS COTTON,
U.S. Senator, New Hampshire,
Senate Office Building,
Washington, D.C.

DEAR SENATOR COTTON: I strongly share your reservations about the oil import cargo preference provisions Section 3 of HR–13324. The Committee report's attempt to use the logic of our suit in support of this provision is ridiculous. While the oil industry has never hesitated to pocket the difference between low cost foreign oil and more expensive domestic oil, they have also been quick to pass on any cost increases.

If you would like a more detailed discussion of the release between this provision and the New England Governors' suit, I would recommend that you contact Richard Frank at the Center for Law and Social Policy in Washington. Mr. Frank is handling our suit.

Sincerely,

KENNETH M. CURTIS,
Governor of Maine.

EXECUTIVE CHAMBER,
Montpelier, Vt., June 28, 1972.

Hon. NORRIS COTTON,
U.S. Senate, Committee on Commerce,
Washington, D.C.

DEAR NORRIS: I certainly support your position in opposition to the oil import cargo preference provision in H.R. 13324. As you indicate in your testimony, it appears to add greater insult to our injury and would make the Mandatory Oil Import Program even more firmly entrenched—at New England's expense.

It disturbs me to think that the proponents of the bill took our New England Governors' Conference comments out of context to support such a proposal. By copy of this letter I am asking our Conference Director to help straighten out the record on that point.

Your efforts, along with all our New England delegation, are greatly appreciated in trying to bring relief to our region on this agonizingly complex and very burdensome fuel oil problem.

With best personal regards,

Cordially,

DEANE C. DAVIS.

EXECUTIVE DEPARTMENT,
Boston, Mass., July 14, 1972.

Hon. NORRIS COTTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COTTON: I appreciate your thoughtfulness in providing me with a copy of H.R. 13324 and the accompanying report of the Senate Committee on Commerce.

I find the Committee quote on the complaint filed by the New England Governors' Conference in Federal District Court most interesting and agree that section 3 of the bill would obviously result in additional costs to New England consumers.

I, of course, support your efforts to delete the import cargo preference provision from H.R. 13324.

Sincerely,

FRANCIS W. SARGENT.

OFFICE OF CONSUMER AFFAIRS,
Washington, D.C., June 28, 1972.

Hon. NORRIS COTTON,
U.S. Senator,
Washington, D.C.

DEAR SENATOR COTTON: This is in response to your letter of June 16, 1972, requesting my comments concerning the oil import cargo preference amendment to H.R. 13324.

As you know, this amendment would require that at least fifty percent of all oil imported under the quota system, excluding residual fuel oil and No. 2 home heating oil, be transported in American flag tankers. The objective of this amendment, to develop and maintain a healthy U.S. tanker fleet, is a laudable one with which I fully concur. I believe, however, that the President's Maritime Program—rather than the oil import quota system—is the appropriate vehicle for achieving this goal.

While I am not expert in the workings of the international oil market, I am convinced that passage of the proposed cargo preference amendment would not be in the best interests of consumers. Notwithstanding the contentions of its sponsors, I believe that this measure would almost certainly lead eventually to a significant increase in the retail price of many oil products.

In addition, it could very well contribute to the further erosion of the financial condition of the smaller independent refiners who currently play a vital competitive role in the gasoline and oil products markets.

Finally, it sets a dangerous precedent by extending the cargo preference concept to the private sector—thus inviting reprisals by foreign nations and possibly stimulating a "shipping war" which could easily lead to the widespread adoption of cargo reservation measures covering a variety of bulk cargoes. For the consumer, this would mean the escalation in consumer prices which inevitably accompanies the impositon of such trade restrictions.

For these reasons, I agree with your characterization of the oil import cargo preference amendment as an anti-consumer measure, and strongly oppose its enactment.

Sincerely,

VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

JUNE 12, 1972.

Hon. NORRIS COTTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COTTON: This is in response to your letter of June 7, 1972, requesting the position of the Department of Commerce with respect to the oil import cargo preference amendment associated with the bill H.R. 13324.

The Departmental position remains as stated in our letter to Chairman Garmatz of the House Committee on Merchant Marine and Fisheries, dated April 28, 1972, and our letter to Chairman Magnuson of the Senate Commerce Committee, dated May 2, 1972. In those letters, this Department reaffirms its support of the goal of developing and maintaining a strong and vigorous U.S. tanker fleet but also states its view that the President's Maritime Program is the more appropriate vehicle for achieving this goal. We believe further information, set forth below, on the steps being taken by the Administration toward such a U.S. tanker fleet goal would be appropriate.

First of all, the Department, in cooperation with the Office of Emergency Preparedness and the Navy Department, is updating the analysis of the nature and size of the U.S. flag tanker fleet necessary to respond to our Nation's requirements. This study includes determination of the fleet necessary to respond to changes which may arise in national security requirements from increases in oil imports as a percentage of the national energy supply, and from any decline in the number of naval auxiliary tankers in operation.

Further, the Administration is evaluating various initiatives to bring into being and sustain an appropriate fleet level. As indicated in our aforementioned letters to the Chairmen, we believe the 1970 amendments to the Merchant Marine Act provide the basic tools to create a healthy and competitive fleet. However, our current analysis includes identification and evaluation of further legislative changes to that Act. We have already concluded that the restrictions on the ownership of foreign assets and on trading flexibility should be removed from the Merchant Marine Act. Moreover, we are also evaluating other initiatives including:

Federally-funded ship construction programs permitting government leasing of ships to private operators.

Further construction incentives such as loan guarantees and interest subsidies.

Retroactive construction subsidies.

Rate subsidies.

Provisions to offset in whole or in part tax disadvantages of U.S. flag operation as compared to foreign operation.

We expect to make our findings and recommendations on these and other possible initiatives available to the interested Committees of both Houses not later than September 15, 1972. This report would also include a comparison of such initiatives with the proposal that commercial oil imports be reserved by law to U.S. flag tankers.

Accordingly, the Department and the Administration believe it inappropriate to adopt oil import cargo preference at this time, and therefore would hope that congressional action on the authorization for Maritime appropriations could be pursued independently.

Sincerely,

PETER G. PETERSON.

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, D.C., July 21, 1972.

Hon. NORRIS COTTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COTTON: This is in response to your letter of June 16, 1972, requesting comment with respect to certain portions of the Committee report on H.R. 13324, 92d Congress, a bill "To authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce." The portions of the report to which you make reference are those justifying the bill's oil import cargo preference amendment on the grounds of national security and the unavailability of vessels of the so-called "Effective U.S. Controlled Fleet (EUSC)."

The growing dependence of the United States on foreign oil is a matter of great concern to the Department of Defense. That dependence poses a threat to the security and well being of the nation, in the event that availability of foreign oil is denied, whether through political, economic or military actions.

A key factor in insuring our capability to move oil over hostile seas, or to provide flexibility of source, is an adequate tanker fleet which can be relied on for delivery of whatever oil is available during periods of political or economic stress of war. U.S. flag vessels with American crews are the most reliable source of ocean transport. Availability of Effective U.S. Controlled (EUSC) vessels or other foreign flag vessels is of course less assured. However, in view of the probable denial of some oil sources, a possible reduction in world civil consumption in times of stress, and the surplus in world tanker tonnage, it does not appear that non-availability of tankers, although of concern, would be the only problem in some future crisis. From a security standpoint, we believe the oil problem centers heavily on the availability of the oil itself, and in time of war, the ability to provide adequate protection for tankers on the high seas.

Even if it were to be concluded that a substantial portion of our oil import should move in U.S. flag vessels for security reasons, we do not believe that H.R. 13324 would accomplish that purpose. By exempting fuel oil from its provisions the bill would leave the East Coast totally dependent on foreign vessels for vital segment of its oil supply. And by financially penalizing the U.S. refiner of fuel oils who would be required to import half his crude oil in U.S. flag vessels, it would discourage increases in domestic fuel oil refining capacity, already in critically short supply, and encourage expanded offshore construction of refineries with attendant security risks.

The bill would lend further encouragement to the already developing trend towards the construction of offshore transshipment terminals, and do much to eliminate the economic pressure for construction of deep water ports in the U.S. In the process, the 50% U.S. flag rule would apply to a declining volume of direct shipments from oil sources to the U.S., and to an increasing volume of short haul relay movements. The total U.S. flag tonnage likely to result from application of H.R. 13324 under those circumstances would be only a small fraction of the total tonnage involved in the delivery of oil to the United States.

The degree of improved security which might accrue from the relatively small gain in U.S. flag vessels would be more than offset by likely developments resulting from application of similar legislation by foreign nations on which we depend for oil. A growing percentage of our imports might then depend on the availability of giant crude carriers wearing the flag of oil supplying nations instead of the third party nations now providing flags of convenience. Thus, a nation which chose to deny supply of its oil, could simultaneously deny us the means to transport replacement oil from other sources.

In view of the foregoing, it is the view of the Department of Defense that the enactment of Section 3 of H.R. 13324, as reported in the Senate, would be inimical to the nation's security.

Sincerely,

J. FRED BUZHARDT.

Mr. COTTON. Mr. President, I am ready to yield back the remainder of my time.

Mr. LONG. Mr. President, I yield 1 minute to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mr. TUNNEY. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The second assistant legislative clerk read as follows:

> On page 3, line 10, strike out "Number 2 fuel oil" and insert in lieu thereof a comma and "Number 2 fuel oil and allocations or quotas to petroleum refiners with inputs of 50,000 barrels per day or less".

The PRESIDING OFFICER. Is there objection to the consideration of the amendment? The Chair hears no objection.

Mr. TUNNEY. Mr. President, Senator CRANSTON and I are calling up an amendment to the Maritime Authorization Act for the purpose of preventing an undue hardship which would be imposed upon a segment of the petroleum industry. Our amendment would exempt small refiners with inputs of 50,000 barrels per day or less from the requirement to import 50 percent of their petroleum imports on American-flag vessels.

Our amendment responds to the fact that small independent refiners would be impacted more severely than large refiners by the cargo preference provision of the bill. These small companies have a greater proportional amount of their raw material needs tied to foreign imports.

The greater dependence upon imported crude oil occurs as a result of the administration of the oil import program which has long recognized that independent small refining companies without crude oil production of their own require treatment under the program which would balance the impact of foreign imports. For example in California over 95 percent of the crude oil production is owned or controlled by the major oil companies which means that the many small refiners in California must obtain their crude oil supplies from their large company competitors. A similar situation faces small independent refiners in other areas of the country.

To balance the impact of foreign imports, the oil import program includes a sliding scale crude oil allocation mechanism whereby the small companies are allowed a larger percentage of their raw material needs to be tied to the foreign imports. For us to pass the Maritime Authorization Act without giving recognition to the need for the small refiner would be to ignore the decade of precedent in the administration of the oil import program.

More importantly, if we ignore the need for the amendment, proportionately higher costs will be imposed upon the small companies. These costs will severely affect their ability to remain competitive. They will jeopardize their ability to remain in business.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. TUNNEY. I yield.

Mr. PASTORE. What does this do to the consumer?

Mr. TUNNEY. It will benefit the consumer.

Mr. PASTORE. In what way?

Mr. TUNNEY. It will exempt another 215 barrels per day of oil from the requirement that 50 percent of the oil be shipped in American bottoms.

Mr. PASTORE. Does the Senator mean insofar as the Senator's amendment is concerned?

Mr. TUNNEY. Did I say 215 barrels? I meant to say 215,000 barrels per day.

Mr. PASTORE. What is that again?

Mr. TUNNEY. It would mean 215,000 barrels per day would be exempt from the requirement that 50 percent of the imported oil be shipped in American bottoms. It is a further exemption. I think those from New England would be for the amendment.

Mr. PASTORE. I would hope that the Senator would elucidate further how this will benefit New England. I really do not understand the Senator's logic.

Mr. TUNNEY. Small refineries would be exempted from the provision in the proposed legislation that 50 percent of the oil imported would have to be imported in American bottoms. They would not have to import on American bottoms. They could import it on foreign bottoms.

Mr. PASTORE. I thank the Senator.

Mr. TUNNEY. The amendment would have little effect on the purpose of the bill. We should recognize the need for preserving competition in the petroleum industry by means of this amendment which would allow the small refiner to compete with the large oil companies.

The amendment would have little effect on the purposes of the bill since the oil import allocations to the 50,000 barrels per day—or less—refiners in 1971 amounted to a very small percentage of the total of all waterborne petroleum imports into the United States.

During 1971, a total of 2,960,621 barrels daily of licensed crude, unfinished oils and finished products were imported by water into the United States and Puerto Rico. Of this total, the crude and unfinished oils allocations to the small refiners totaled only about 215,000 barrels per day.

The amendment already contained in the maritime authorization bill exempting residual fuel oil and No. 2 fuel oil would affect some 1,535,198 barrels per day of residual imports and some 52,043 barrels per day of No. 2 fuel oil using 1971 data as a reference point.

In summary, this amendment is necessary because the bill could have a more severe impact upon small refiners, which impact would add costs which would jeopardize the economic viability of this segment of the industry. The exemption would have a minimal impact upon the purposes of this bill since the small refiner's allocations amount to less than 8 percent of the total waterborne petroleum imports into the United States This minimal impact should be balanced with the beneficial aspect of assisting the small refiners to remain in business and thus preserving their competitive force in the petroleum industry to the benefit of the American consuming public.

Mr. KENNEDY. Mr. President, will the Senator yield for a question?

Mr. TUNNEY. I yield.

Mr. KENNEDY. If there is an exemption for those who produce 50,000 barrels or less is that figure subtracted from the total amount or does it just exclude the 50,000 barrels? In New England, 50 percent would be in foreign bottoms, but the Senator does not include oil imported for small refineries.

Mr. TUNNEY. Oil for small refineries is exempted.

Mr. KENNEDY. But in New England we will have 50 percent of our oil come in foreign bottoms, but this would be confined to those producing more than 50,000 barrels.

Mr. PASTORE. Mr. President, if the Senator will yield, I understand the exemption does weaken the bill.

Mr. LONG. Mr. President, will the Senator yield?

Mr. TUNNEY. I yield.

Mr. LONG. In the committee we exempted residual fuel oil and No. 2. I thought we had done everything we could think of for New England in committee. I do not know how we could do more for them. They do not have any small refineries.

Mr. PASTORE. We have lived long enough to know that when you raise the price of meat you raise the price of poultry and fish, and the whole effect of this is going to be to increase the price.

I want this to be clear because I received telegrams and telegrams from all the labor unions of this country and nobody on this floor has been more amenable to the side of the labor unions than the senior Senator from Rhode Island. But the fact remains that when you begin fooling around with the question of prices and what you are going to exempt and not exempt, and the minute you begin to subsidize anything, unless you do it under the General Treasury you are going to hurt the consumer. All I am saying here is if you are going to give a subsidy to build an American fleet, and I think you should, take it out of the General Treasury but not out of the backs of the citizens of New England.

Mr. LONG. This amendment will not cost New England anything. Here is who is concerned about it. Mobil Oil Co. is concerned. They put an ad in the newspaper opposing this amendment.

Mr. PASTORE. Tell me how much internal revenue taxes they paid last year. Will the Senator tell me whether or not they took advantage of the 22.5-percent oil depletion allowance?

Mr. LONG. If the Senator had his way he would have taxed Mobil Oil on the same tax level or more.

Mr. PASTORE. I would have taxed them on the same level that I taxed you as an individual.

Mr. LONG. I am not arguing about taxes. Here is an assessment. It will cost $25 million to do what we think we should. Our best estimate is that it is worth 25,000 jobs. We have exempted residual fuel oil and No. 2 fuel oil. We do not want to have an impact on the Senator's State but domestic oil sells for $1 above foreign oil and if they must have the advantage let them use American labor.

Mr. PASTORE. Whatever the added cost is it will have to be paid out of the American Treasury and it should not be placed on the backs of the American consumer; then, I will vote for the bill.

Mr. LONG. It cannot be put on the backs of the consumers. The price is fixed by domestic prices and not by foreign prices. That price is $1 below the other price now.

Furthermore, we have price controls nowadays. Has the Senator not heard about that? We voted for that. So it cannot be put on the backs of the consumers.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. TUNNEY. I yield.

Mr. PASTORE. After all, all of us have an interest in this matter.

Only a short while ago, John Connally had a big, big party for President Nixon in Texas, and all those small oil dealers and speculators that we are shedding tears for here today flew there, in what? Do you know what, Mr. President? Gulfstream jet planes. Mr. President, do you know how much money they raised for President Nixon? Millions and millions of dollars.

For whom are we crying here tonight on the floor of the Senate? The fellow who drives around in an air-conditioned Cadillac and has a Gulfstream jet airplane, or are we crying here for the poor housewife who has to pay the bill to keep her house warm?

Mr. LONG. The people we are talking about are voting the same way the Senator from Rhode Island is.

Mr. PASTORE. The housewife or Connally?

Mr. LONG. I am talking about the people who attended John Connally's barbecue. They would have the Senate vote the way the Senator from Rhode Island is voting.

Mr. PASTORE. Oh, no; they do not. They are going to vote the way the Senator from Louisiana is going to vote.

Mr. LONG. Oh, no.

Mr. TUNNEY. Mr. President, who has the floor?

Mr. LONG. Believe me, these boys up in New England do not know they are taking the same side that the major oil companies are taking. If the Senator does not know it, he is voting the way Mobil Oil Co. wants him to vote, if he will take a look at the advertisement in the paper.

Mr. PASTORE. I do not care about propaganda. All I know is about the bills that come in.

Mr. LONG. If the Senator does not believe he is supporting the side of the oil companies, he should read the wires I received.

Mr. PASTORE. All I know is that I look at the bills as they come in and they are higher than they have ever been before. When we get through with this bill, they will be still higher.

Mr. LONG. They will not be higher because of this bill.

Mr. COTTON. Mr. President, will the Senator yield to me?

Mr. PASTORE. I do not have the floor.

Mr. TUNNEY. Mr. President, may we have order?

Mr. MAGNUSON. Mr. President, will the Senator yield me just 1 minute?

Mr. TUNNEY. I yield 1 minute to the Senator.

Mr. MAGNUSON. We are getting the Senate all confused. The oil people do not want this amendment.

Mr. LONG. The major companies do not.

Mr. PASTORE. But do they want the bill?

Mr. MAGNUSON. Which bill?

Mr. PASTORE. This bill. Do they want this bill?

Mr. MAGNUSON. No, they do not want the bill.

Mr. PASTORE. Oh, I do not know about that. If they did not want the bill, the Senator from Louisiana would not be handling it.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

Mr. MAGNUSON. Those are the people who do not want this bill, this section 3—the oil people. That is all there is to it. I am just as concerned about the people in New England and what they pay in prices as anyone else. The Senator from Rhode Island knows that, after years of association.

Mr. PASTORE. Of course I do, but I have to pay the bill.

Mr. MAGNUSON. He absolutely knows it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. May I have 1 more minute?

Mr. TUNNEY. I yield 1 minute.

Mr. MAGNUSON. If the Senator carries this to extremes and says we are going to get something cheaper because it is subsidized by cheap labor, then we ought to quit doing everything in the United States and bring in everything that is cheaper.

Mr. PASTORE. I do not say that at all. What we have done here——

Mr. MAGNUSON. The Senator is not going to get me mixed up.

Mr. PASTORE. We have protected the oil industry in this country. We have instituted the idea of quotas.

Mr. MAGNUSON. That is not this.

Mr. PASTORE. But that is what is involved.

Mr. TUNNEY. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 17 minutes. To whom does he yield?

Mr. TUNNEY. The Senator from New Hampshire asked me to yield to him. I yield to him.

Mr. COTTON. I thank the Senator and, Mr. President, I ask that the time I take be taken from my time on the bill.

It is my understanding that the amendment offered by the distinguished Senator from California removes the exemption of No. 2 oil?

Mr. TUNNEY. No; it does not.

Mr. COTTON. It leaves that as it is?

Mr. TUNNEY. It leaves that in.

Mr. COTTON. Is it designed to help the small, independent refiner?

Mr. TUNNEY. That is correct.

Mr. COTTON. Mr. President, on my time, I should like to read this letter. Apparently the small independent refiners do not appreciate this amendment, because, unsolicited, to my desk came this letter from the Independent Refiners Association of America:

> My Dear Senator Cotton: I wish to clarify and emphasize our total opposition to Section 3 of H.R. 13324 which would impose a flag tanker requirement on oil imports.
>
> It has come to our attention that some of those favoring the flag tanker requirement are suggesting that an exemption for refiners with capacities up to 50,000 barrels per day may solve the independent refiner's problems. It has even been suggested that independent refiners may support the flag tanker requirement if there is such an exemption.
>
> We wish to state for the record that we oppose the flag tanker requirement even with such an exemption. While exemptions may lessen the impact to some extent for those exempted, only total elimination of the flag tanker requirement will adequately protect consumers and independent refiners.
>
> The figure of 50,000 barrels per day, by the way, does not coincide with the independent refiner group—those refiners who do not own or control to any substantial degree the crude oil required for their operation.
>
> Very truly yours,
>
> Edwin Jason Dryer,
> *General Counsel.*

I thank the Senator for yielding.

Mr. TUNNEY. Mr. President, in response to what the Senator from New Hampshire has read into the Record, I have had the opportunity to meet with a good number of small refiners, and they have indicated that they are opposed to section 3, but, on the other hand, they say that if they do not have this exemption that I am suggesting in my amendment, an exemption on 50,000 barrels a day or less, they are going to be wiped out, that the small refineries in California and other parts of the Nation are going to be wiped out and put out of business.

I think the small refiners are playing a very important role in this country in keeping prices down. They are helping to keep prices down. Therefore, I would think anyone who would like to see more exemptions, as the Senator from New Hampshire would, granted to section 3 would support this amendment.

Mr. LONG. Mr. President, I might say it is easy enough for me to understand the letter the Senator read. It is because the major oil companies run quite a bit of their production through these independent refiners. The small petroleum producers told me they would like to testify for the measure the committee recommended on the House side. They told me they were for this, but they have had a lot of pressure from these major companies since that time and they have to do business with them. So we did not hear from them when we held hearings on the Senate side.

So it is easy for me to understand how major companies are able to put all sorts of pressure on the independent refiners and plead their case for them.

I do not blame them for doing it. I just think it shows their effectiveness and it shows that whoever is looking after their interests is doing a good job. But let us not kid ourselves as to who is really against this amendment. It is the major oil companies. Nobody wants to hurt the small refiners. Nobody wants to increase the cost of oil in New England. No one wants to cause an air pollution problem in California. But we are all aware that the major oil companies are the big beneficiaries of the oil import quota system, and we think somebody else should get some benefit out if it, such as American labor. We do not think there is any point in exporting another 100,000 jobs that could be used in America. That is all there is to it.

I do not want to oppose the Senator's amendment. It is perfectly all right with me. As far as I am concerned, I am willing to vote for the amendment.

Mr. TUNNEY. I thank my distinguished colleague from Louisiana for his indication of support. Mr. President, I have completed my remarks, and am ready to yield back the remainder of my time, if we can get a vote.

Mr. COTTON. For a vote on the Senator's amendment?

Mr. TUNNEY. For a vote on my amendment.

Mr. COTTON. Then we will try to move fast with the other votes.

Mr. LONG. Mr. President, if no one wants to speak against the amendment, I yield back the remainder of time in opposition.

The PRESIDING OFFICER (Mr. Burdick). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from California (Mr. Tunney).

The amendment was agreed to.

Mr. COTTON. Mr. President, I yield myself 2 minutes on the bill. This debate has gone on long enough.

Every time that these proponents of section 3 have squirmed and squirmed and offered amendments to pacify someone, it has served to prove that this section 3 was a rotten apple when it started or whether it is 20 percent, or whether it still 50 percent, or when it is 30 percent, or whether it is 20 percent, or whether it is 15 percent, these great wicked oil companies they have been talking about are not going to pay the bill. The consumer is going to pay the bill, and we can orate from now until hell freezes over, but the fact is there, and we cannot dodge it.

As far as the consumers of New England are concerned, we have been pressed enough. If we are going to build more ships than are already in this bill let the taxpayers pay the cost. As the Senator from Massachusetts so well said:

> Let the taxpayers build them; don't make the consumers build them.

I am perfectly willing to yield back the remainder of my time.

Mr. LONG. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. LONG. Mr. President, I am prepared to surrender back the remaining time on the amendment.

Mr. SPONG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SPONG. Are we voting on the amendment of the Senator from New Hampshire?

Mr. LONG. No, on the committee amendment as amended.

Mr. COTTON. We are voting on the committee amendment which I oppose.

The PRESIDING OFFICER (Mr. Burdick). The question is on agreeing to the committee amendment which is known as section 3, as amended, on page 3, after line 2 of the bill. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. YOUNG (when his name was called). Mr. President, on this vote I have a pair with the senior Senator from Louisiana (Mr. Ellender). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. MONDALE (when his name was called). Mr. President, on this vote I have a pair with the distinguished Senator from Hawaii (Mr. Inouye). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. NELSON (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Missouri (Mr. Eagleton). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. JAVITS. (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Minnesota (Mr. Humphrey). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from South Dakota (Mr. McGovern). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. PELL (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Idaho (Mr. Church). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Idaho (Mr. Church), the Senator from Missouri (Mr. Eagleton), the Senator from Louisiana (Mr. Ellender), the Senator from Georgia (Mr. Gambrell), the Senator from Oklahoma (Mr. Harris), the Senator from Minnesota (Mr. Humphrey), the Senator from Hawaii (Mr. Inouye), the Senator from North Carolina (Mr. Jordan), the Senator from Arkansas (Mr. McClellan), the Senator from South Dakota (Mr. McGovern) are necessarily absent.

I further announce that the Senator from New Jersey (Mr. Williams) is absent on official business.

I further announce that, if present and voting, the Senator from Arkansas (Mr. McClellan) and the Senator from Georgia (Mr. Gambrell) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker), the Senator from New York (Mr. Buckley) and the Senator from Illinois (Mr. Percy) are necessarily absent.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

Also, the Senator from Tennessee (Mr. Brock), the Senator from Nebraska (Mr. Curtis), the Senator from Arizona (Mr. Goldwater) and the Senator from Alaska (Mr. Stevens) are necessarily absent.

If present and voting, the Senator from Illinois (Mr. Percy) would vote "nay."

On this vote, the Senator from Tennessee (Mr. Baker) is paired with the Senator from New York (Mr. Buckley). If present and voting, the Senator from Tennessee would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 33, nays 41, as follows:

[No. 318 Leg.]

YEAS—33

Allen
Beall
Bennett
Bible
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cranston
Dole
Ervin
Gravel
Gurney
Hart
Hartke
Hatfield
Hollings
Hughes
Jackson
Long
Magnuson
Mathias
Metcalf
Montoya
Moss
Packwood
Schweiker
Sparkman
Spong
Symington
Thurmond
Tunney

NAYS—41

Aiken
Allott
Bayh
Bellmon
Bentsen
Boggs
Brooke
Burdick
Cook
Cooper
Cotton
Dominick
Eastland
Fannin
Fong
Fulbright
Griffin
Hansen
Hruska
Jordan, Idaho
Kennedy
McGee
McIntyre
Miller
Muskie
Pastore
Pearson
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Scott
Smith
Stafford
Stennis
Stevenson
Taft
Talmadge
Tower
Weicker

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—6

Javits, against.
Mansfield, against.
Mondale, against.
Nelson, against.
Pell, against.
Young, against.

NOT VOTING—20

Anderson
Baker
Brock
Buckley
Church
Curtis
Eagleton
Ellender
Gambrell
Goldwater
Harris
Humphrey
Inouye
Jordan, N.C.
McClellan
McGovern
Mundt
Percy
Stevens
Williams

So the committee amendment on page 3, after line 2, as amended, was rejected.

Mr. COTTON. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. COOK. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1355

Mr. SPARKMAN. Mr. President, I call up my amendment No. 1355 and ask that it be stated.

The PRESIDING OFFICER (Mr. McIntyre). The amendment will be stated.

The assistant legislative clerk read as follows:

Add at the end of the bill the following:

Sec. 4 (a) Any State may apply to the Secretary of Commerce (hereafter referred to in this Act as the "Secretary") for Liberty ships which, but for the operation of this Act, would be designated by the Secretary for scrapping if the State intends to sink such ships for use as an offshore artificial reef for the conservation of marine life.

(b) A State shall apply for Liberty ships under this Act in such manner and form as the Secretary shall prescribe, but such application shall include at least (1) the location at which the State proposes to sink the ships, (2) a certificate from the Administrator, Environmental Protection Agency, that the proposed use of the particular vessel or vessels requested by the State will be compatible with water quality standards and other appropriate environmental protection requirements, and (3) statements and estimates with respect to the conservation goals which are sought to be achieved by use of the ships.

(c) Before taking any action with respect to an application submitted under this Act, the Secretary shall provide copies of the application to the Secretary of the Interior, the Secretary of Defense, and any other appropriate Federal officer, and shall consider comments and views of such officers with respect to the application.

Sec. 5. If, after consideration of such comments and views as are received pursuant to section 4(c), the Secretary finds that the use of Liberty ships proposed by a State will not violate any Federal law, contribute to degradation of the marine environment, create undue interference with commercial fishing or navigation, and is not frivolous, he shall transfer without consideration to the State all right, title, and interest of the United States in and to any Liberty ships which are available for transfer under this Act if—

(1) the State gives to the Secretary such assurances as he deems necessary that such ships will be utilized and maintained only for the purposes stated in the application and, when sunk, will be charted and marked as a hazard to navigation;

(2) the State agrees to secure any licenses or permits which may be required under the provisions of any other applicable Federal law;

(3) the State agrees to such other terms and conditions as the Secretary shall require in order to protect the marine environment and other interests of the United States; and

(4) the transfer would be at no cost to the Government with the State taking delivery of such Liberty ships at fleetside of the National Defense Reserve Fleet in an "as is—where is" condition.

Sec. 6. A State may apply for more than one Liberty ship under this Act. The Secretary shall, however, taking into account the number of Liberty ships which may be or become available for transfer under this Act, administer this Act in an equitable manner with respect to the various States.

Sec. 7. A decision by the Secretary denying any application for a Liberty ship under this Act is final.

Mr. LONG. Mr. President, for the benefit of Senators who have worked so long and hard today, I do not anticipate that we will have any more rollcall votes unless someone wants to insist on one on final passage. So far as I am concerned, the bill will pass on a voice vote. Otherwise, if I thought it would not, I would put the vote off until tomorrow.

I make this statement so that Senators can make their plans. I know of no more controversial amendments.

Mr. SPARKMAN. Mr. President, last year along with my colleague, Senator Allen, I introduced a bill, S. 2243, which would authorize the Secretary of Commerce to transfer surplus Liberty ships to a State for use by the State in promoting marine life conservation. Specifically, under our bill, States would be authorized to sink these old ships offshore for the purpose of creating an artificial fishing reef. The ships that will be made available for this purpose will be those that are designated by the Secretary of Commerce to be scrapped.

Similar bills were introduced in the House of Representatives. Hearings were held by the Subcommittee on Merchant Marine of the House Committee on Merchant Marine and Fisheries, and the committee reported the bill late last month. As yet, no further action has been taken in the House.

Mr. President, the amendment that we are offering at this time would accomplish the same purpose as the bill we introduced earlier and the bill which is now pending in the House of Representatives. Our bill was referred here in the Senate to the Commerce Committee. That committee requested comments from the Department of Commerce, the Department of Interior, the Department of the Navy, the General Accounting Office, and the Justice Department. Responses were received from these agencies, and I ask unanimous consent to have these five responses printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

General Counsel of the
Department of Commerce,
Washington, D.C., November 10, 1971.
Hon. Warren G. Magnuson,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in further reply to your request for the views of this Department concerning S. 2243, a bill—

"To authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs."

S. 2243 would authorize the Secretary of Commerce to transfer certain Liberty ships, otherwise scheduled to be scrapped, to States for use as offshore artificial reefs for the conservation of marine life. A State would apply for these Liberty ships in accordance with regulations to be prescribed by the Secretary of Commerce. Information on the location where the State proposes to sink the ships and the conservation goals sought to be achieved would be required to be included in such application. Prior to taking any action, the Secretary of Commerce would provide copies of the application to the Secretary of the Interior, the Secretary of the Army and any other appropriate Federal officer, and obtain their comments and views. If the Secretary of Commerce finds that such use of these Liberty ships does not violate Federal law and is not frivolous, and the State agrees to the required terms and conditions, including the furnishing of assurances that the vessels will be used for the stated purpose, he would be authorized to transfer without consideration to the applicant State all right, title, and interest of the United States in such vessels.

This Department generally supports S. 2243 as we have vessels in the National Defense Reserve Fleet that would be suitable for the purpose of the bill. Further, sunken ships are known to concentrate fish and other marine life. The deliberate creation of such artificial reefs could enhance marine life habitat, thus providing benefits to sport fishermen and some commercial fishing activities. Such reefs may also be attractive to scuba divers. However, if such structures are not located properly, they can interfere with commercial fishing activities, navigation, or offshore drilling and mining. Sunken ships could also present a special hazard if pollutants, such as lubricants and the remnants of toxic cargoes, were not removed prior to scuttling.

The responsibility to set specific terms and conditions would be assigned to the Secretary of Commerce under section 3 of the proposed bill. However, to assure proper consideration by the Secretary of Commerce of situations such as noted above and to stipulate where, how, and in what condition the vessels would be transferred to applicant States, we suggest the following additions and changes:

Page 2, lines 2 and 3—strike "and (2)" and insert in lieu thereof "(2) a certificate from the Administrator, Environmental Protection Agency, that the proposed use of the particular vessel or vessels requested by the State will be compatible with water quality standards and other appropriate environmental protection requirements, and (3)"

Page 2, line 9—substitute the word "consider" for the word "obtain"

Page 2, lines 11 through 13—revise to read "Sec. 3. If, after consideration of such comments and views as are received pursuant to section 2(b), the Secretary finds that the use of Liberty ships proposed by a State will not violate any Federal law, contribute to degradation of the marine environment, create undue interference with commercial fishing or navigation, and is not frivolous, he shall transfer without consideration to"

Page 2, lines 17 through 20—revise to read "(1) the State gives to the Secretary such assurances as he deems necessary that such ships will be utilized and maintained only for the purposes stated in the application and, when sunk, will be charted and marked as a hazard to navigation."

Page 2, line 21—revise to read "(2) the State agrees to secure any licenses or permits which may be required under the provisions of any other applicable Federal law and (3) the State agrees to such other terms and condi-"

Page 3, line 2—insert between the words "the" and "interests" the words "marine environment and other" and add "and" after the words "United States."

Page 3, after line 2—add "(4) the transfer would be at no cost to the Government with the State taking delivery of such Liberty ships at fleetsite of the National Defense Reserve Fleet in an "as is-where is" condition."

There is enclosed an environmental impact statement with respect to this legislation as required by Public Law 91–190.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of this report to your Committee from the standpoint of the Administration's program.

Sincerely,

Karl E. Bakke,
Acting General Counsel.

[U.S. Department of Commerce]

Environmental Impact Statement—Use of Surplus Liberty Ships as Artificial Reefs

The legislation proposed to allow surplus Liberty ships to be used by States in marine life conservation programs, would authorize the Secretary of Commerce to transfer certain Liberty ships, otherwise scheduled to be scrapped, to States for use as offshore artificial reefs. These vessels would be placed on the continental shelf in designated reef sites selected by the States with technical assistance from the National Marine Fisheries Service and with proper authorization from the U.S. Army Corps of Engineers.

The environmental impact of the proposed action: The environmental impact of using these vessels to build artificial reefs on the continental shelf would be beneficial if properly located. The shelf off the Atlantic and Gulf States, an expanse of shallow ocean bottom stretching from the coast out to a depth of about 600 feet, is the area inhabited by the majority of our valuable sport and commercial fish. However, much of this shelf area is relatively unproductive with little or no irregular, hard substrate (relief). Such hard substrate, or relief, is necessary for the encrusting organisms such as barnacles, hydroids, corals, and mussels to settle. It also provides protective areas, food sources, and spawning sites for finfish.

Many marine animals need solid substrates to complete their life cycles and it is well known that coral reefs, rock ledges, and other areas of relief on the shelf are effective habitats for numbers of fishes and invertebrates.

These ships could form the nucleus of large artificial reefs which would increase the area of favorable habitat and provide more food and shelter for finfish and invertebrates. The increase in favorable habitat should effectively increase the carrying capacity of the shelf and would potentially increase the survival rate of both fish and some shellfish in these areas.

Most Liberty ships are more than 250 feet long and as much as 80 feet high. Since the Coast Guard regulations require 60 feet clearance for surface vessels, such artificial reef sites must necessarily be located at depths of 150 feet or more. Some reefs ranging up to 200 feet deep have been effective for sport fishing. While the possibility exists that such artificial reefs might conflict with commercial fishing, offshore mining activities, or other potential uses, it is felt that the review mechanism for site selection provided in the proposed bill, as well as legal controls already in existence, can insure adequate resolution of such conflicts. If this bill is enacted, the Department of Commerce would assume the responsibility to assure adequate review of reef sites at the State level.

It should also be noted that there already exist a number of areas where there is no commercial fishing but which meet other requirements for sport fishing reefs. In creating artificial reefs, sites would be selected in areas where there is 1) adequate water over the reef; 2) no interference with commercial fishing; and 3) assured accessibility to sport fishermen and divers. Such requirements would tend to make these carefully sunken vessels beneficial rather than harmful, or at least no more harmful than natural reefs or accidentally sunken wrecks.

In addition, it should be stated that the creation of reefs using surplus ships does not constitute a violation of the Government's anti-dumping policy. Dumping tends to be random, a "non-use" of surplus products. Reef sites, on the other hand, are deliberately selected with definite criteria for use. Construction of a reef requires a permit from either the Coast Guard or Army Corps of Engineers depending on the location. At this time, the reef site is informally identified on all pertinent charts. Before such a permit can be be issued, practice in accordance with the Fish and Wildlife Coordination Act requires that the application be reviewed by the Bureau of Sport Fisheries and Wildlife (Department of Interior) and the National Marine Fisheries Service (Department of Commerce). Furthermore, in the case of any Federal, or Federally-sponsored project such as this would be, the Environmental Protection Act requires the prior filing of environmental impact statements, which again ultimately would receive review by both N.M.F.S. and B.S.F.W.

Coupled with the above criteria for reef site selection, it is important that the final attitude of the sunken vessel on the ocean floor be predetermined to provide the most efficient position as an effective habitat for fish and invertebrates. In the case of Liberty ships, sinking them in an upright position at a precise location will require the flooding of at least two watertight compartments. Opening sea cocks in the machinery must be augmented by additional flooding holes in the forward transverse bulkhead so that the cargo compartment forward of the machinery space will flood progressively. Under such flooding conditions, in which the ship could possibly capsize and land on her side, it may be necessary to flood additional forward and aft compartments to insure that sinking will occur in a reasonably upright position. This could be accomplished by explosive charges in each compartment holing in the shell plating, a procedure which would also permit access for fish into the ship's interior.

In studying this proposal, the National Marine Fisheries Service recommends scuttling by explosion. However, if explosive holing in the shell plating is deemed undesirable from an ecologic point of view, flooding valves can be installed in each hold, fitted with reach rods to the main dock. Before sinking, the vessels should first be detoxified, all portholes and floatables should be removed, and hatches and passages opened. All of these steps will facilitate the later entry of fish. It should be added that scuttling would necessarily take place only in calm weather.

Any adverse environmental effects which cannot be avoided should the proposal be implemented: The activities proposed should not have any significant adverse effect on the environment as long as proper precautions are followed. All hulks made available for this purpose would be carefully inspected to assure that all toxic materials, fuels, or other contaminants have been removed or rendered non-toxic.

Alternatives to the proposed action: In many areas along the Atlantic and Gulf coasts where 202 of the total Reserve Fleet of 219 Liberty ships are located, the shelf slopes very gradually and the real need is for nearshore reefs in shallow water. For such sites, use of smaller surplus vessels, such as small naval craft, would be more desirable. As noted earlier, Coast Guard regulations would necessarily preclude sinking of Liberty ships in shallow seas.

Other reef materials have been proven to be as good as, or superior to, metal vessels. These include large rocks, concrete block, certain types of building rubble, special concrete structures, and rubber tires. Most of these can be used effectively in shallow water, which would provide reefs more accessible to sport fishermen. In constructing deep water reefs, however, we find no better alternative than surplus Liberty ships, particularly when the cost to the State government is considered.

The relationships between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity: These artificial reefs would provide almost immediate benefit in terms of increased catches by anglers and also help to maintain and enhance long-term productivity of the marine environment by providing more areas of favorable habitat for fish and invertebrates. It is not possible to affix a dollar value to this estimated increase in human well being and marine productivity, however. Ultimately, much of these hulks would disintegrate or be buried in the substrate after which the area would return to its original condition unless additional reef materials were provided.

Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented: In using these vessels, we are scuttling scrap metal which could be reused in industry. The scrap sale value of one of these ships on the world market is estimated to be about $100,000. In addition, it is estimated that the costs to a State receiving Liberty ships to construct deep water reefs would average $40,000 per ship, which includes detoxification, towage and actual sinking operations.

Use of Liberty ships for the formation of artificial reefs may increase our fishery resources. However, at this time it is not possible to project a specific dollar value to the resulting increases to compare with the scrap value of the ships.

Department of the Interior,
Washington, D.C., July 29, 1971.
Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Your Committee has recently requested the comments of this Department on S. 2243, a bill "To authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs".

The Department has no objection to enactment of S. 2243, if amended as suggested by the Department of Commerce.

S. 2243 would make possible the acquisition by States of surplus Liberty ships for use in the construction of artificial reefs. Upon application by a State, the Secretary of Commerce would be authorized to transfer title without consideration and to impose upon the transfer such terms and conditions as he deems appropriate to protect the interests of the United States. It is further provided that each application would be submitted by the Secretary of Commerce for comments of the Secretary of the Interior, the Secretary of the Army, and other interested Federal officers.

Sunken ships are valued as points of concentration for fish and other marine life. The deliberate creation of artificial reefs could enhance marine life habitat, providing benefits to sport and commercial fishermen. Such reefs may also be attractive to scuba divers. Unfortunately, iron and steel are among the least satisfactory materials for construction of artificial reefs because of their tendency to disintegrate and despoil the marine environment. Sunken ships would present a special hazard if pollutants such as lubricants and the remnants of toxic cargoes were not removed prior to scuttling.

For these reasons, we would suggest that no such transfer as is contemplated by S. 2243 be authorized without careful consideration of the environmental consequences. We also recommend that participating States be required to chart and mark such vessels, once sunken. These precautions would minimize the hazard to navigation and protect against damage to fishing equipment.

We believe that amendments proposed by the Department of Commerce would afford an opportunity to review the environmental consequences of each transfer, and assure that no ship is used in a way that would violate existing or prospective water quality standards. As stated by the Department of Commerce in its report on this bill, the amendments would require approval by the Environmental Protection Agency of each proposed transfer, and would condition approval upon continued compliance with applicable water quality standards.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,
Nathaniel Reed,
Assistant Secretary of the Interior.

Department of the Navy,
Washington, D.C., July 29, 1971.
Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

Dear Mr. Chairman: Your request for comment on S. 2243, a bill "To authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs," has been assigned to this Department by the Secretary of Defense for the preparation of a report expressing the views of the Department of Defense.

This bill would authorize the Secretary of Commerce, under certain conditions, to transfer Liberty ships to any State that requests them. The ships would be ones designated for scrapping, and the requesting States must intend to sink the ships as offshore artificial reefs.

Under section 2(b) applications submitted for the use of surplus Liberty ships as provided by the bill are to be furnished by the Secretary of Commerce to the Secretary of the Army for comment. The sinking of such ships involves national security requirements in the continental shelf area. Accordingly, the bill should be revised to reflect Department of Defense interest rather than Secretary of the Army interest. It is recommended that the designation "Secretary of Defense" be substituted for "Secretary of the Army" in section 2(b), page 2, line 8 of the bill.

It is assumed that implementation of the legislation would take into consideration such requirements, for example, as marking and charting the derelicts to assure that commercial fishermen will be aware of their presence to avoid fouling their nets on them, and that excess oil, toxic residues and other contaminants be removed from the vessels before they are submerged.

With regard to the impact of this bill upon the environment, the Department of the Navy, on behalf of the Department of Defense, defers to the Department of Commerce.

Subject to the foregoing comments, the Department of the Navy, on behalf of the Department of Defense, interposes no objection to S. 2243.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report on S. 2243 for the consideration of the Committee.

For the Secretary of the Navy.
Sincerely yours,
Lando W. Zech, Jr.,
Captain, U.S. Navy, Deputy Chief.

Deputy Attorney General,
Washington, D.C., August 3, 1971.
Hon. Warren G. Magnuson,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

Dear Senator: This is in response to your request for the views of the Department of Justice on S. 2243, a bill "To authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs."

This bill has been examined, but since its subject matter does not directly affect the activities of the Department of Justice, we would prefer not to offer any comment concerning it.

Sincerely,
Richard G. Kleindienst,
Deputy Attorney General.

Comptroller General
of the United States,
Washington, D.C., August 12, 1971.
Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

Dear Mr. Chairman: Your letter of July 14, 1971, requests our comments on S. 2243, 92d Congress, entitled: "A BILL To authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs."

We have no special information as to the advantages or disadvantages of the proposed legislation and, therefore, we have no comments as to its merits.

Sincerely yours,
R. F. Keller,
Deputy Comptroller General of the United States.

Mr. SPARKMAN. Mr. President, none of these agencies opposes this legislation. The response from the Department of Commerce includes an environmental impact statement, as required by law. This statement confirms the beneficial impact upon the environment which will result from the creation of these artificial fishing reefs. As stated in the environmental statement:

> These artificial reefs would provide almost immediate benefit in terms of increased catches by anglers and also help to maintain and enhance long-term productivity of the marine environment by providing more areas of favorable habitat for fish and invertebrates.

The Department of Commerce and the Department of the Navy suggested amendments to the bill as introduced. These suggested changes have been incorporated into the amendment that we are offering at this time.

Mr. President, it is well known that sunken ships do enhance marine life habitat. The creation of these artificial reefs is extremely beneficial for both sport and commercial fishing interests. Several of the States have been able to obtain surplus ships from other sources and have been very successful in improving the sport and commercial fishing off their shores. I hope that the Senate will approve this amendment in order that these surplus Liberty ships can also be made available for this most worthwhile purpose.

Mr. LONG. Mr. President, I know of no objection to the amendment. The committee did not have an opportunity to study it but the Senator discussed it with some of us on the committee. We know of no reason why we cannot agree to the amendment. We will be happy to take it to conference and if anyone in the House has any objection to it, we will take care of it then.

Mr. President, I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. McINTYRE). The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 13324) was read the third time, and passed.

The title was amended, so as to read: "An Act to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce, and for related purposes."

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL SPENDING

Mr. HARRY F. BYRD, JR. Mr. President, today, the President of the United States directed an urgent appeal to Congress to join him in avoiding higher taxes, higher prices, and cutting the purchasing power for everyone in the Nation.

President Nixon has sent the communication to Congress, a copy of which I hold in my hand. It is five pages long and deals with Government spending.

He expresses deep concern that the Federal budget and Federal spending has gotten out of control.

Let me quote one paragraph from his statement:

> The American people will have to pay and pay quickly for excessive Federal spending either by higher taxes or by higher consumer prices, or both—

Then he adds:

> which is an intolerable burden which would shortly cause an end to the period of economic growth on which we are embarked.

Mr. President, I share the President's deep concern about Federal spending. I am convinced that Federal spending has gotten out of control. I am convinced that both Congress and the administration have permitted spending to get out of control.

I welcome the President's statement. I say on the floor of the Senate tonight that I support the President in any endeavor to set the Government's financial house in order.

Mr. President, I am pleased to say that he directed a special communication to the Senate and to the House of Representatives which he called an urgent appeal for the Congress to join with me in avoiding higher taxes, higher prices, and a cut in purchasing power for everyone in the Nation.

Mr. President, if Congress does not get spending under control and if the administration does not get spending under control, then it will mean just what the President says in his communication tonight—higher taxes, higher prices, and a cut in purchasing power for everyone in the Nation.

Federal spending has been out of control for several years now. For fiscal year 1971, the Federal funds deficit was $30 billion. For the fiscal year which ended last month, the Federal funds deficit was $32 billion. The administration estimates that the deficit for the current fiscal year will be $38 billion. The senior Senator from Virginia estimates that it will be $45 billion. However, in any case even if one takes the lower figure, the accumulated Federal funds deficit for the 3-year period—1971, 1972, and 1973—will be more than $100 billion.

I say that there is just reason and just cause for the President submitting today to the Congress of the United States an urgent appeal to get the Federal spending under control.

In the course of this communication, President Nixon urged an enactment by Congress of a spending ceiling of $250 billion.

The distinguished and able Senator from Delaware has been advocating that and has presented legislation to accomplish that. I support the Senator from Delaware and I support the President in the need for the enactment of a spending ceiling. I personally think that $250 billion is too high. However, in any case, I support a legitimate spending ceiling as an attempt hopefully at beginning to get Federal spending under control.

Mr. President, I want to say again that I support and that I applaud the statement submitted to Congress today by the President of the United States. I shall cooperate with him and support him in his endeavors to get spending under control.

As I visualize it, we can only get spending under control if there is a full cooperation between the executive branch and the congressional branch. So far as I am concerned, I shall support the President's recommendation for a spending ceiling, and I shall cooperate fully with the President in any endeavor to bring some order into the chaotic financial conditions with which the Government is faced at the present time.

The PRESIDING OFFICER. What is the will of the Senate?

Mr. HARRY F. BYRD, JR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSE BILL REFERRED

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that H.R. 15635, the Juvenile Delinquency Prevention Act, be taken from the table and appropriately referred.

The PRESIDING OFFICER (Mr. McINTYRE). Without objection, it is so ordered.

The bill (H.R. 15635) to assist elementary and secondary schools, community agencies, and other public and nonprofit private agencies to prevent juvenile delinquency, and for other purposes, was read twice by its title and referred to the Committee on the Judiciary.

ORDER FOR ADJOURNMENT TO 9:45 A.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 9:45 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS HARRY F. BYRD, JR., JAVITS, AND ROTH TOMORROW; FOR ROUTINE MORNING BUSINESS; AND FOR UNFINISHED BUSINESS TO BE LAID BEFORE THE SENATE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after the two leaders have been recognized under the standing order on tomorrow, the able and distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, Jr.) be recognized for not to exceed 15 minutes; that he be followed by the distinguished senior Senator from New York (Mr. JAVITS) for not to exceed 15 minutes; that he be followed by the distinguished junior Senator from Delaware (Mr. ROTH) for not to exceed 15 minutes; and that following the remarks of the Senator from Delaware (Mr. ROTH) there be a period for the transaction of routine morning business for not to exceed 15 minutes, at the conclusion of which the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO LAY ASIDE TEMPORARILY UNFINISHED BUSINESS AND PROCEED TO A SECOND TRACK ITEM

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the disposition of the Bentsen amendment on tomorrow, or no later than 5 p.m. tomorrow in the event that the Bentsen amendment has been disposed of prior to 5 p.m., it be in order for the distinguished majority leader to lay aside temporarily the unfinished business and proceed to a second track item and that the unfinished business remain in a temporarily laid aside status until the close of business on tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEE ON VETERANS AFFAIRS TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE REPORT ON S. 2161

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Veterans Affairs be authorized to have until midnight tonight to file a report on S. 2161.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR 3-MINUTE LIMITATION ON STATEMENTS DURING ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business tomorrow be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM THURSDAY, JULY 27, 1972, TO 10 A.M. ON FRIDAY, JULY 28, 1972

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow it stand in adjournment until 10 a.m. on Friday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM FRIDAY, JULY 28, 1972 TO 10 A.M. SATURDAY, JULY 29, 1972

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business on Friday it stand in adjournment until 10 a.m. on Saturday, July 29, 1972. This order may be changed depending upon the circumstances.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows.

The Senate will convene at 9:45 a.m. After the two leaders have been recognized under the standing order, the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, Jr.) will be recognized for not to exceed 15 minutes, following which the distinguished senior Senator from New York (Mr. JAVITS) will be recognized for not to exceed 15 minutes, following which the distinguished junior Senator from Delaware (Mr. ROTH) will be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements limited therein to 3 minutes, at the conclusion of which the Chair will lay before the Senate the unfinished business, H.R. 15495, the military procurement bill. The pending question at that time will be on the adoption of the amendment No. 1348 by Mr. BENTSEN, the so-called Trident amendment. There is a time limitation on that amendment of 7 hours. Whether or not that 7 hours will be utilized remains to be seen.

In any event, there will be a rollcall vote on the adoption of the Bentsen amendment.

Upon the disposition of the amendment by Mr. BENTSEN—depending upon the hour at that time—the Senate will proceed to the consideration of the second track item. At this time, it appears that the second track item will be H.R. 15690, the bill making appropriations for the Department of Agriculture. However, the distinguished majority leader will exercise his options with respect to whether or not he will call up that bill as a second track item tomorrow. It could be that it would not come up tomorrow and it might be put over until another date. However, as things appear now, I would say there is a fairly good chance that the Agriculture appropriation bill will be the second track item tomorrow. In that event, there will be yea and nay votes on amendments and on final passage of the bill.

Mr. President, if Senators and the Presiding Officer will indulge me briefly, I will suggest the absence of a quorum because I want to be sure about the order for tomorrow and the unanimous-consent orders with respect thereto before entering a motion to adjourn.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 9:45 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9:45 a.m. tomorrow.

The motion was agreed to; and at 7:25 p.m. the Senate adjourned until tomorrow, Thursday, July 27, 1972, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate July 26, 1972:

TENNESSEE VALLEY AUTHORITY

William Lewis Jenkins, of Tennessee, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1981, vice Frank E. Smith, term expired.

IN THE AIR FORCE

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8607, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be captain (dental)

Mead, John H., [redacted].

To be first lieutenant (dental)

Klish, John W., [redacted].

To be captain (judge advocate)

Olson, Dennis L., [redacted].

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be first lieutenant

Ahearn, Francis W., [redacted].
Algire, Richard G., [redacted].
Amerise, Leonard A., [redacted].
Anderson, Thomas E., [redacted].
Armstrong, William P., Jr., [redacted].
Arnold, Harry W., [redacted].
Aulabaugh, Stanley E., Jr., [redacted].
Bagley, Alfred R., [redacted].
Baker, Gary H., [redacted].
Baker, Lawrence H., [redacted].
Banning, Thomas M., III, [redacted].
Barbier, Allison J., Jr., [redacted].
Barclay, Douglas G., [redacted].
Barna, Theodore K., [redacted].
Bass, Arnie, [redacted].
Barreras, Allen J., [redacted].
Bauer, Merrill K., [redacted].
Bean, William R., Jr., [redacted].
Beard, Terry L., [redacted].
Beavers, William H., [redacted].
Bell, Donald W., [redacted].
Bell, Robert J., [redacted].
Bellamy, William N., [redacted].
Beli, James H., [redacted].
Bentley, Robert S., [redacted].

Beran, Jeffrey L., [redacted].
Berry, Dennis J., [redacted].
Berry, William E., Jr., [redacted].
Blackman, Johnny N., Jr., [redacted].
Blair, James D., [redacted].
Booth, Thomas R. L., [redacted].
Bowie, Claude P., Jr., [redacted].
Boyle, Jerry D., [redacted].
Branson, Phillip A., [redacted].
Brewer, Myron T., Jr., [redacted].
Brohammer, Ronald G., [redacted].
Bruner, Walter K., [redacted].
Buecker, Robert C., [redacted].
Bugado, Harold B., [redacted].
Bunger, Dixon R., [redacted].
Busch, Howard R., II, [redacted].
Byrne, Mary, [redacted].
Calhoun, Wendell M., [redacted].
Camerota, Peter P., [redacted].
Campbell, William H., Jr., [redacted].
Cantrell, John L., [redacted].
Carruthers, Riley W., [redacted].
Carter, James E., [redacted].
Christensen, Charles R., [redacted].
Clancey, Daniel J., Jr., [redacted].
Clark, Wayne E., [redacted].
Clarke, James B., [redacted].
Clayton, Eugene W., Jr., [redacted].
Cleland, William I., [redacted].
Coffey, Michael D., [redacted].
Collins, Clifton M., [redacted].
Cone, Robert D., [redacted].
Conklin, Hugh R., Jr., [redacted].
Cooey, Robert L., Jr., [redacted].
Cook, John W., [redacted].
Cooley, John D., [redacted].
Cooper, Paul R., [redacted].
Cornwell, Leroy J., III, [redacted].
Cossa, Ralph A., [redacted].
Cottenier, Michael F., [redacted].
Coursey, Richard J., [redacted].
Cox, Herman B., Jr., [redacted].
Cox, James W., [redacted].
Cox, Larry W., [redacted].
Cummings, David D., [redacted].
Cunningham, Joseph M., [redacted].
Cunningham, Richard C., [redacted].
Dauma, Stephen S., [redacted].
Davenport, Michael R., [redacted].
Davis, Charles M., [redacted].
Deak, Robert, [redacted].
Dilling, Paul W., [redacted].
Disrud, Roger G., [redacted].
Dixon, Lonnie D., [redacted].
Domin, Dennis D., [redacted].
Drummond, Dennis M., [redacted].
Duncan, William J., [redacted].
Edwards, Terrell, Jr., [redacted].
Ehrhart, Robert C., [redacted].
Ellef, Peter N., [redacted].
Ellis, John R., [redacted].
Emerson, Kenneth R., [redacted].
Engelbrecht, Donald J., [redacted].
Farnam, Thomas J., [redacted].
Feldman, William M., [redacted].
Fenstad, Terry M., [redacted].
Ferrell, Clyde T., [redacted].
Ferris, Donald F., [redacted].
Fields, Robert E., [redacted].
Finkleman, David, [redacted].
Flaherty, Daniel J., Jr. [redacted].
Fleener, Stanley M., Jr., [redacted].
Flint, Foster J., Jr. [redacted].
Foster, Anthony, [redacted].
Frazier, Robert H., [redacted].
Freeborn, Robert A., [redacted].
Gallagher, Raymond R., [redacted].
Gandy, Murry P., Jr. [redacted].
Gard, Jon A., [redacted].
Gaylord, William W., III, [redacted].
Geary, Jeffrey A., [redacted].
Gembarowski, Charles J., [redacted].
Gent, David C., [redacted].
Georgatus, Jerry T., [redacted].
Geuss, Adam R., [redacted].
Gibson, Donnie C., [redacted].
Gill, Paul F., [redacted].
Girard, Richard N., [redacted].
Godfrey, Larry J., [redacted].
Gonterwitz, Joseph, [redacted].
Goodman, Robert A., [redacted].
Goss, Jerry W., [redacted].
Gothard, James E., [redacted].
Gough, Daniel G., [redacted].
Green, Terry F., [redacted].
Grotheer, Kurt V., Jr., [redacted].
Hair, Stanley V., [redacted].
Hall, Fredrick M., [redacted].
Hamm, Stephen E., [redacted].
Hansen, David B., [redacted].
Harling, John H., [redacted].
Harrington, Marion R., [redacted].
Harris, Lynn A., [redacted].
Hartley, John J., II, [redacted].
Hartman, Donal F., Jr., [redacted].
Hasley, Richard L., Jr., [redacted].
Hawkins, William A., Jr., [redacted].
Hawley, Edwin A., Jr., [redacted].
Hawley, Robert J., [redacted].
Helms, David L., [redacted].
Henderson, Ed J., Jr., [redacted].
Hennessy, Mark E., [redacted].
Hensley, James I., [redacted].
Hind, Edwin A., Jr., [redacted].
Holdsworth, David E., [redacted].
Honda, Melvin K., [redacted].
Honea, William R., [redacted].
Houghton, William D., Jr., [redacted].
Howard, Sidney R., [redacted].
Hoyler, James G., [redacted].
Hrncir, Stanley G., Jr., [redacted].
Hubbell, James T., [redacted].
Hughes, John E., [redacted].
Ingold, Richard R., [redacted].
Innis, David H., [redacted].
Jacobs, John F., [redacted].
Jacoby, Jerome N., [redacted].
Jefferson, Ardell R., [redacted].
Justice, James W., [redacted].
Katu, Ken H., [redacted].
Kelleher, Daniel E., [redacted].
Kessmann, Lois Ann, [redacted].
King, Bruce A., [redacted].
Kittle, James L., [redacted].
Kleinsasser, Vernon E., [redacted].
Knoke, Paul O., [redacted].
Koch, David J., [redacted].
Kohn, George W., [redacted].
Kraai, Gary A., [redacted].
Kraus, David C., [redacted].
Krebs, Frederick D., [redacted].
Kucharczyk, Jerry E., [redacted].
Kuehn, Robert J., Jr., [redacted].
Kuminecz, John P., [redacted].
Lacy, George M., Jr., [redacted].
Lambert, Darrell R., [redacted].
Lambert, Robert W., [redacted].
Lampe, George P., [redacted].
Lampkin, Leonard E., Jr., [redacted].
Lane, Ashley H., [redacted].
Larson, Wayne D., [redacted].
Lawrence, George E., Jr., [redacted].
Lennen, Ralph A., [redacted].
Lepore, Juliann, [redacted].
Lind, David W., [redacted].
Linnevers, Charles M., [redacted].
List, Leonard L., [redacted].
Lloyd, Russell F., [redacted].
Lockhard, Daniel E., [redacted].
Lubelczyk, Chester S., [redacted].
Lunardi, Daniel B., [redacted].
Lundquist, Arthur C., [redacted].
Lux, Louis A., [redacted].
Mackinnon, John D., III, [redacted].
Maddox, Robert A., [redacted].
Marlow, Frederick K., [redacted].
Marsh, John C., [redacted].
Marsh, Larry L., [redacted].
Marshall, Richard J., [redacted].
Martin, Michael A., [redacted].
Martini, Arthur P., [redacted].
Mason, Alonzo C. J., II, [redacted].
Mcafee, Leonard C., Jr., [redacted].
McCarthy, Michael J., [redacted].
McCormick, Samuel D., [redacted].
McVey, Wesley T., Jr., [redacted].
Melching, Howard A., [redacted].
Melhart, Leonard J., Jr., [redacted].
Middleton, Robert M., [redacted].
Middleton, William W., [redacted].
Milewski, Mitchell, Jr., [redacted].
Miller, Daniel T., [redacted].
Miller, Gary L., [redacted].
Miller, Paul H., [redacted].
Mills, David M., III, [redacted].
Mongomery, Terry H., [redacted].
Moore, Douglas A., [redacted].
Muehlberger, Gerald L., [redacted].
Mullen, Russell E., [redacted].
Musser, Thomas S., Jr. [redacted].
Nadeau, Robert L., [redacted].
Nagle, Bruce M., [redacted].
Neill, Joe E., [redacted].
Nevins, Christopher F., [redacted].
Newton, Gary F., [redacted].
Newton, Lester F., [redacted].
Newton, Richard W., [redacted].
Obar, William D., [redacted].
Olson, James I., [redacted].
Olson, Ronald B., [redacted].
Overall, James W., [redacted].
Plumb, Morton V., Jr., [redacted].
Poland, Robert F., [redacted].
Polifka, Karl L., Jr., [redacted].
Polster, Harmon, [redacted].
Porter, Paul W., [redacted].
Potter, Greg A., [redacted].
Pouch, John L., III, [redacted].
Power, William F., [redacted].
Prairie, Maurice R., [redacted].
Price, Michael B., [redacted].
Priddy, Ronald N., [redacted].
Quay, Gary P., [redacted].
Quinn, James D., [redacted].
Rauschuber, Robert F., [redacted].
Reed, David M., [redacted].
Repple, Clair D., [redacted].
Rinderknecht, Lawrence R., [redacted].
Roane, Mack D., [redacted].
Robertson, Anthony A., [redacted].
Robison, Everett J., Jr., [redacted].
Rock, Albert C., III, [redacted].
Rogers, Thomas P., III, [redacted].
Roye, Ronald A., [redacted].
Runyon, David C., [redacted].
Ryan, Thomas W., [redacted].
Samuelson, Norman F., [redacted].
Sarp, James S., [redacted].
Scarboro, William E., Jr., [redacted].
Schollmeyer, Bruce W., [redacted].
Schreiber, David F., [redacted].
Schuessler, Norman G., Jr., [redacted].
Schultz, Karen, [redacted].
Schwab, Howard M., [redacted].
Seals, Wanda H., [redacted].
Seares, David F., [redacted].
Seidman, Robert L., [redacted].
Selby, Michael J., [redacted].
Shapiro, Richard D., [redacted].
Shervais, Stephen, Jr., [redacted].
Shields, Edward J., Jr., [redacted].
Simcox, Lawrence S., Jr., [redacted].
Slaughter, John C., [redacted].
Smidy, Kenneth I., [redacted].
Smith, James H., [redacted].
Smith, Kurt P., [redacted].
Snider, David K., [redacted].
Somers, Richard C., [redacted].
Speckmann, James R., [redacted].
Spire, Mary K., [redacted].
Spitler, William M., [redacted].
Stevenson, Jack L., [redacted].
Story, Donald H., [redacted].
Streich, Elton F., III, [redacted].
Stringer, McNeil S., III, [redacted].
Suggs, John S., [redacted].
Sullivan, Shaun M., [redacted].
Sullivan, Timothy D., [redacted].
Tahnk, William R., [redacted].
Talley, Kenneth R., [redacted].
Tatum, Gail F., [redacted].
Thaten, Peter R., [redacted].
Thomas, David M., [redacted].
Thompson, Jeffrey E., [redacted].
Tilton, Joel T., [redacted].
Toebbe, Nelson E., [redacted].
Tomlinson, Edward M., [redacted].
Treutler, Christian H., [redacted].
Trull, Ronald V., [redacted].

Tuck, William M., Jr., [redacted].
Turney, Kenneth D., [redacted].
Tyler, Stephen R., [redacted].
Ullmann, Wilmer R., [redacted].
Urban, Eric J., [redacted].
Vandecar, Steven M., [redacted].
Verhaeghe, Timothy A., [redacted].
Verna, Philip V., [redacted].
Vernon, James N., [redacted].
Vonsien, Robert R., [redacted].
Vonworley, Warren, [redacted].
Walker, Cole E., [redacted].
Walz, Leslie I., [redacted].
Weaver, Donald R., [redacted].
Webb, Virgil H., [redacted].
Wehrle, John R., [redacted].
Weidler, James H., [redacted].
Weigle, Harold A., [redacted].
Welch, Craig J., Jr., [redacted].
Wells, David M., [redacted].
Welty, Lester F., [redacted].
Werner, Richard C., [redacted].
Wessel, Gregory H., [redacted].
Westenburg, Jack A., [redacted].
Whelan, Robert E., Jr., [redacted].
Wiley, John, III, [redacted].
Wilinski, Gregory T., [redacted].
Willey, Lester R., [redacted].
Williams, James T., [redacted].
Williams, James W., [redacted].
Willoughby, Robert B., [redacted].
Willoz, John L., [redacted].
Wilson, Robert A., [redacted].
Winkle, Stephen N., [redacted].
Wirsing, Francis H., [redacted].
Wolf, Edward G., [redacted].
Woodworth, Richard A., [redacted].
Yager, Thomas L., [redacted].
Yoder, James S., [redacted].
Youngblood, Robert D., [redacted].
Zall, Jonathan E., [redacted].
Zeglis, Frank T., III, [redacted].
Zens, Michael L., [redacted].
Zimmercan, Edric A., [redacted].
Zimmerman, Raymond C., [redacted].

To be second lieutenant

Mentecki, Joseph A., [redacted].
Simpson, Searcy L., Jr., [redacted].

The following persons for promotion in the Air Force Reserve, under the provisions of section 8376, title 10, United States Code, and Public Law 92–129.

Lieutenant colonel to colonel

CHAPLAIN

Lawler, Edward R., [redacted].

MEDICAL CORPS

Mahon, Charles B., [redacted].
Neal, William R., [redacted].
Traynor, Joseph E., [redacted].

Major to lieutenant colonel

Anstead, Samuel A., [redacted].
Austin, John L., [redacted].
Barnhill, Mark D., [redacted].
Brannan, Daniel W., [redacted].
Brown, Rubert R., [redacted].
Chandler, Scott T., [redacted].
Daniel, Moncie L., III, [redacted].
Dooley, Floyd R., [redacted].
Ehrichs, Gene J., [redacted].
Fitzgerald, Ralph G., [redacted].
Flanagan, Charles A., [redacted].
Haglund, Ronald L., [redacted].
Heileman, George F., [redacted].
Henderson, Elgie L., [redacted].
Henderson, William L., [redacted].
Hill, Nathaniel L., [redacted].
Jones, Stanley, [redacted].
Krum, Philip L., [redacted].
Kuhlman, Joseph F., Jr., [redacted].
Lesser, Ronald, [redacted].
Lomazzi Gerald J., [redacted].
Lowry, James A. D., Jr., [redacted].
MacDonald, Clifford E., Jr., [redacted].
Maxey, William F., [redacted].
McDaneil, William R., [redacted].
Mead, Richard N., [redacted].
Mendelsohn, Melvin L., [redacted].
Miller, Floyd W., [redacted].
Mizinski, Adam W., III, [redacted].
Moore, Dun R., [redacted].
Obert, Jerry O., [redacted].
Riley, Daniel A., [redacted].
Rosenbarten, Jordan S., [redacted].
Schwertner, Harold W., [redacted].
Smith, Gerald W., [redacted].
Smith, Mark A., Jr., [redacted].
Smith, Ted L., [redacted].
Surber, James A., Jr., [redacted].
Tokanel, Dumiiru, [redacted].
Underwood, William E., [redacted].
Ward Lloyd C., [redacted].
Watson, Billie W., [redacted].
Whelchel, William L., [redacted].
Whiting, Richard E., [redacted].
Zimmet, Laddie L., [redacted].

CHAPLAINS

Jakubiak, Arthur J., [redacted].

MEDICAL CORPS

Sandiego, Armando G., [redacted].
Verwest, Hadley M., Jr., [redacted].

NURSE CORPS

Anderson, Patricia A., [redacted].

The following persons for appointment in the Reserve of the Air Force, in the grades indicated, under the provisions of section 593, title 10, United States code and Public Law 92–129, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform duties indicated.

To be lieutenant colonel (medical)

Ringler, Harold L., Jr., [redacted].

To be lieutenant colonel (dental)

Shervheim, Myron I., [redacted].

The following persons for reappointment to the active list in accordance with sections 1210 and 1211 title 10, United States Code, in the grade, of lieutenant colonel, Regular Air Force, and for appointment in accordance with section 8447(B), title 10, United States Code, in the grade of lieutenant colonel, U.S. Air Force.

LINE OF THE AIR FORCE

Ellet, Marshall J., [redacted].
Ryan, John E., [redacted].
Zartman, Monroe D., [redacted].

Richard M. Gough, [redacted] Line of the Air Force, for appointment in accordance with section 8447(B), title 10, United States Code, in the grade of lieutenant colonel, U.S. Air Force.

Belisario D. J. Flores, [redacted] for appointment in the Reserve of the Air Force (Line of the Air Force) in the grade of lieutenant colonel, under the provisions of sections 593 and 8351, title 10, United States Code and Public Law 92–129.

HOUSE OF REPRESENTATIVES—*Wednesday, July 26, 1972*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, offered the following prayer:

This commandment we have from Him, that he who loves God should love his brother also.—I John 4: 21.

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit that we may perfectly love Thee and worthily magnify Thy holy name. Give to these representatives of our people clear minds, clean hearts, and courageous spirits as they face the demanding duties of this present hour.

In the midst of crucial days may they maintain their integrity and their good will as they continue to labor for justice, unity, and peace.

Grant that they may be one in spirit as they work for—

"The peace that comes of purity,
And strength to simple justice due;
For so runs our loyal dream of Thee,
God of our Nation, make it true."

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on July 18, 1972, the President approved and signed a bill of the House of the following title:

H.R. 15869. An act to extend for 90 days the time for commending actions on behalf of an Indian tribe, band, or group.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 15950. An act to amend section 125 of title 28, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as a result of recent floods and other disasters; and

H.R. 15951. An act to authorize the Secretary of the Army to undertake a national program of inspection of dams.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 2945. An act to amend title 10 of the United States Code to permit the appointment by the President of certain additional persons to the service academies.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 5. An act to promote the public welfare.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 15418, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1973

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on H.R. 15418, the Department of the Interior and related agencies appropriation bill for fiscal year 1973.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

CONFERENCE REPORT (H. REPT. No. 92–1250)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15418) "making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its amendments numbered 5, 8, 16, 17, and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 6, 22, 24, 30, 31, 32, 36, 37, and 38, and agree to the same.

Amendment Numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$301,056,000"; and the Senate agree to the same.

Amendment Numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$83,141,000"; and the Senate agree to the same.

Amendment Numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$150,450,000"; and the Senate agree to the same.

Amendment Numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$43,490,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$73,489,500"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$42,701,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$255,604,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$32,760,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$172,748,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$74,514,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$27,825,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 4, 7, 9, 10, 12, 15, 19, 21, 23, 26, 28, 35, and 39.

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DAVID R. OBEY,
SIDNEY R. YATES,
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WENDELL WYATT,
Managers on the Part of the House.

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ALLEN J. ELLENDER,
TED STEVENS,
MILTON R. YOUNG,
MARK O. HATFIELD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15418), making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending June 30, 1973, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Amendment No. 1: Appropriates $78,065,000 or management of lands and resources as proposed by the Senate instead of $77,980,000 as proposed by the House.

Bureau of Indian Affairs

Amendment No. 2: Appropriates $301,056,000 for education and welfare services instead of $298,968,000 as proposed by the House and $302,706,000 as proposed by the Senate. The decrease below the amount proposed by the Senate includes reductions of $750,000 for housing assistance for California rural Indians; $1,000,000 of Johnson-O'Malley funds for education of Indian children; $500,000 for upgrading dormitory living and quality of personnel and programs of boarding schools; and an increase of $600,000 for the pre-kindergarten pilot porgram. Of the additional amount provided for scholarships, $50,000 shall be designated for Navajo scholarships.

Amendment No. 3: Appropriates $83,141,000 for resources management instead of $84,816,000 as proposed by the House and $82,645,000 as proposed by the Senate. The reduction of $1,175,000 below the amount proposed by the House includes increases of $25,000 for a study of the feasibility of developing an Alaskan Native Arts and Crafts Institute; $60,000 for soil and moisture conservation; and reductions of $900,000 for tribal government development programs; and $360,000 for environmental quality services.

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $55,960,000 for construction instead of $55,384,000 as proposed by the House and $55,575,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase over the amount proposed by the Senate includes additions of $1,000,000 for the Colorado River Irrigation Project, Arizona; $500,000 for construction and equipment, Navajo Community College, Arizona; $750,000 for planning and design of the Chemawa Indian School, Oregon; $135,000 for the Middle Gila Phreatophyte Control Project, San Carlos Indian Reservation, Arizona; $70,000 for planning and design, Brockton High School, Montana; and reductions of $1,500,000 for the Navajo Indian Irrigation Project, New Mexico; $320,000 for school facilities, Lame Deer, Montana, Public School District; and $250,000 for school facilities, Lower Brule Sioux Indian Reservation, South Dakota.

The 1972 conference report on the Interior and Related Agencies Appropriation Bill (H. Rept. 92–386) contained the following language:

"The managers agree that the allocation of Federal funds for the East Charles Mix School District 102, Wagner, South Dakota shall be in the same ratio as the number of Indian children to the non-Indian children projected to be enrolled for the first school year following essential completion of construction."

The managers are in agreement that this language should be rescinded and that funds appropriated for public schools shall be available for construction when it has been determined that local school authorities have incurred bonded indebtedness for the construction of local schools to the fullest possible extent, in accordance with applicable State law and have otherwise levied maximum school taxes as permitted by State law.

Amendment No. 5: Restores language providing not to exceed $70,000 for assistance to the Brockton High School on the Fort Peck Indian Reservation, Montana, as proposed by the House and stricken by the Senate.

Amendment No. 6: Deletes language providing not to exceed $85,000 for assistance to the Lodge Grass School on the Crow Indian Reservation, Montana, as proposed by the House and stricken by the Senate.

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides language that not to exceed $450,000 shall be for assistance to the Rocky Boy School District, Rocky Boy Indian Reservation, Montana.

Amendment No. 8: Deletes language proposed by the Senate providing that not to exceed $320,000 shall be for assistance to the Lame Deer Public School District No. 6, Northern Cheyenne Reservation, Montana.

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides language that not to exceed $465,000 shall be for assistance to the Dunseith, North Dakota, Public School District No. 1.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which proposes language relating to the Alaska Native Fund and provides that $500,000 can be advanced to Regional Corporations; and that an additional advance of $1,000,000 may be distributed among the Regional Corporations.

Geological Survey

Amendment No. 11: Appropriates $150,450,000 for surveys, investigations, and research instead of $150,000,000 as proposed by the House and $151,200,000 as proposed by the Senate. The increase of $450,000 over the amount proposed by the House includes additions of $600,000 for topographic surveys and mapping; $150,000 for the earth resources observation systems (EROS); and a reduction of $300,000 for initiation of a land resources analysis program.

Bureau of Mines

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $60,091,000 for conservation and development of mineral resources instead of $58,491,000 as proposed by the House and $57,891,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase over the amount proposed by the House includes $500,000 for research at Boulder City, Nevada, on geothermal resources ($150,000) and sulphur utilization ($350,000); $800,000 for research at Rock Springs, Wyoming, on filling critical mine void areas; and $300,000 for planning and designing of a pilot plant to convert wood wastes to low-sulphur oil.

Office of Coal Research

Amendment No. 13: Appropriates $43,490,000 for salaries and expenses instead of $42,330,000 as proposed by the House and $46,990,000 as proposed by the Senate. The increase over the amount provided by the House includes $500,000 for magnetohydrodynamic power generation; $500,000 for a Coal-Oil-Gas project; and $160,000 for a contract with the University of Utah.

The managers are concerned about the lack of utilization of a facility involving such a large government investment in the Cresap plant. The Department of the Interior is directed to determine, at the earliest applicable date, the exact future use of the Cresap, West Virginia, pilot plant. If it is determined that this facility can be utilized, at an advantageous cost to the Government, to permit continuation of coal research, the Department will be expected to submit to the Congress a viable program for Cresap and to request the funds needed for implementation.

Bureau of Sport Fisheries and Wildlife

Amendment No. 14: Appropriates $73,489,500 for management and investigations of resources instead of $73,529,500 as proposed by the House and $73,477,000 as proposed by the Senate. The reduction under the amount proposed by the House includes an addition of $110,000 for the San Francisco Bay National Wildlife Refuge; and a decrease of $150,000 for technical assistance to foreign countries in connection with endangered species.

The managers on the part of the House and the Senate are in agreement that $250,000 shall be transferred from wildlife services (animal damage control) to management and enforcement.

The managers on the part of the House and the Senate agree to a total construction program for the Bureau of Sport Fisheries and Wildlife of $9,070,100 which shall be funded from the unobligated balance available as of July 1, 1972 of funds originally appropriated for construction of the National Fisheries Center and Aquarium. In addition to the $6,258,000 for projects in the budget estimate, the 1973 construction program shall include the following projects: National Fishery Research Laboratory, La Crosse, Wisconsin, $575,000; Wolf Creek National Fish Hatchery, Kentucky, $504,900; Makah National Fish Hatchery, Washington, $350,000; Northern Plains Fishery Station, Valentine, Nebraska, $225,000; Muscatatuck National Wildlife Refuge, Indiana, $173,200; St. Marks National Wildlife Refuge, Florida (Otter Lake), $170,000; Site selection, land acquisition, and preliminary engineering, Northeast Fisheries Development Center, Pennsylvania, $200,000; Salton Sea Feasibility Study, California, $100,000; San Marcos National Fish Hatchery, Texas, $90,000; Horicon National Wildlife Refuge, Wisconsin, $83,000; Nashua National Fish Hatchery, New Hampshire, $76,000; Improvement, Tewaukon, North Dakota, National Wildlife Refuge, $140,000; Planning and land acquisition, salmon hatchery, White River, Vermont, $125,000.

National Park Service

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $89,421,000 for management and protection instead of $88,671,000 as proposed by the House and $89,385,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The increase over the amount proposed by the House includes $750,000 for the establishment and operation of a regional ecological services laboratory at the Mississippi Test Facility/Slidell Computer Center.

Amendment No. 16: Appropriates $73,312,000 for maintenance and rehabilitation of physical facilities as proposed by the House instead of $73,362,000 as proposed by the Senate.

Amendment No. 17: Deletes language proposed by the Senate to provide not to exceed $50,000 for reconstruction of certain streets in Harpers Ferry, West Virginia.

Amendment No. 18: Appropriates $42,701,000 for construction instead of $41,711,000 as proposed by the House and $43,026,000 as proposed by the Senate. The increase over the amount provided by the House includes $170,000 for the Lake Mead National Recreation Area, Nevada; $90,000 for planning a sewage disposal facility at Harpers Ferry National Historical Park; $50,000 for reconstruction of Bent's Old Fort, Colorado; $280,000 for employees' quarters and operating facilities, Canyonlands National Park, Utah; and $400,000 for planning of an office building at Denver, Colorado. The managers agree that actual construction of the building and the cost thereof shall be the responsibility of the General Services Administration.

Amendment No. 19: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which includes language to provide $90,000 for planning a sewage system and treatment plant in cooperation with the towns of Harpers Ferry and Bolivar, West Virginia.

Amendment No. 20: Deletes language proposed by the Senate which would authorize $550,000 for construction of facilities at the Golden Spike National Historic Site.

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $5,416,000 for parkway and road construction (liquidation of contract authority) instead of $5,766,000 as proposed by the House and $13,416,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Conference action on this item provides a $20,416,000 program, which includes the budgeted program less $500,000 for Constitution Gardens, National Capital Parks Area, plus the additions of the House and the Senate.

Funds to liquidate contract authority are reduced by $15,000,000 in view of the large unexpended balance of prior appropriations and the lag in obligation of available funds as a result of delays in final preparation of environmental impact statements.

The managers direct that no approved project be delayed unduly or abandoned without having first notified the Committees on Appropriations of the Senate and the House of Representatives and having secured the specific approval of each Committee with respect to each project involved.

Amendment No. 22: Appropriates $11,559,000 for preservation of historic properties as proposed by the Senate instead of $11,624,000 as proposed by the House.

Office of the Secretary

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $15,295,100 for salaries and expenses instead of $15,419,000 as proposed by the House and $15,470,100 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The reduction below the amount proposed by the House includes an increase of $160,000 for four area management offices in Albuquerque, Atlanta, San Francisco, and Portland; and reductions of $191,900 for cooperative programs with Japan and Germany and $92,000 for new positions in Public Land Management.

Amendment No. 24: Appropriates $500,000 for salaries and expenses (special foreign currency program) as proposed by the Senate instead of $750,000 as proposed by the House.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

Forest Service

Amendment No. 25: Appropriates $255,604,000 for forest land management instead of $257,872,000 as proposed by the House and $252,899,000 as proposed by the Senate. The decrease below the amount proposed by the House includes a reduction of $2,500,000 for Project FALCON, and an increase of $232,000 for stream rehabilitation in Alaska.

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $61,143,000 for forest research instead of $59,268,000 as proposed by the House and $60,833,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase over the amount proposed by the House includes: pinyon-juniper research, Reno, Nevada, $315,000; intensive culture of southern pines, Alexandria, Louisiana, $420,000; intensive culture of southern hardwoods ($150,000 timber management research and $200,000 wildlife habitat research), Stoneville, Mississippi, $350,000; research in Alaska: watershed management ($100,000); forest recreation ($100,000); and fire and atmospheric science ($100,000), $300,000; management of upland wildlife habitat in the Lake States, St. Paul, Minnesota, $300,000; black walnut tree research, Carbondale, Illinois, ($120,000 insect research and $120,000 disease research), $240,000; and a reduction of $50,000 for strip mining research at Logan, Utah.

Amendment No. 27: Appropriates $32,760,000 for State and private forestry cooperation instead of $27,760,000 as proposed by the House and $37,760,000 as proposed by the Senate. The increase over the amount proposed by the House includes $5,000,000 for cooperation in forest fire control as authorized by section 2 of the Clarke-McNary Act.

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $48,581,900 for construction and land acquisition instead of $43,953,900 as proposed by the House and $44,203,900 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase over the amount proposed by the Senate includes: laboratory construction, Corvallis, Oregon, $1,500,000; construction of Redwoods laboratory, Arcata, California, $800,000; construction of shrub improvement laboratory, Provo, Utah, $760,000; construction of headhouse-greenhouse, Rhinelander, Wisconsin, $335,000; La Croix Ranger District, Minnesota, $293,500; Lava Lands Visitor Center and Benham Falls Camp Ground, Oregon, $239,500; water-related development construction, Allegheny National Forest, Pennsylvania, $300,000; and development of recreation-public use areas, Deschutes National Forest, Oregon, $150,000.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Services and Mental Health Administration

Amendment No. 29: Appropriates $172,748,000 for Indian health services instead of $169,787,000 as proposed by the House and $173,398,000 as proposed by the Senate. The reduction of $650,000 below the amount proposed by the Senate includes $150,000 for the Indian mental health program; and $500,000 for additional positions for ambulatory care clinics.

Amendment No. 30: Appropriates $44,549,000 for Indian health facilities as proposed by the Senate instead of $44,099,000 as proposed by the House.

INDIAN CLAIMS COMMISSION

Amendment No. 31: Appropriates $1,075,000 for salaries and expenses as proposed by the Senate instead of $1,090,000 as proposed by the House.

Amendment No. 32: Provides a limitation of $10,000 for expenses of travel as proposed by the Senate instead of $25,000 as proposed by the House.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Amendment No. 33: Appropriates $74,514,000 for salaries and expenses instead of $74,714,000 as proposed by the House and $74,314,000 as proposed by the Senate.

Amendment No. 34: Appropriates $27,825,000 to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to Section 5(c) of the Act instead of $28,025,000 as proposed by the House and $27,625,000 as proposed by the Senate.

SMITHSONIAN INSTITUTION

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $51,633,000 for salaries and expenses instead of $51,682,000 as proposed by the House and $52,243,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The decrease below the amount proposed by the Senate includes reductions of $350,000 for research on the pulsed lighting project and $300,000 for the Hirshhorn Museum; and an increase of $40,000 for public service.

Amendment No. 36: Appropriates $3,500,000 for museum programs and related research (special foreign currency program) as proposed by the Senate instead of $4,000,000 as proposed by the House.

Amendment No. 37: Appropriates $5,014,000 for restoration and renovation of buildings as proposed by the Senate instead of $5,064,000 as proposed by the House.

NATIONAL GALLERY OF ART

Amendment No. 38: Technical correction of printing error as proposed by the Senate.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate providing $1,500,000 for operation and maintenance costs of the John F. Kennedy Center for the Performing Arts for fiscal year 1972 which are attributable to the non-performing functions of the Center as provided in Public Law 92–313.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1973 recommended by the Committee of Conference, with comparisons to the fiscal year 1972 total amount, the 1973 budget estimate, and the House and the Senate bills for 1973 follows:

New budget (obligational) authority, fiscal year 1972	$2,436,659,035
Budget estimates of new (obligational) authority, fiscal year 1973 (as amended)	[1] 2,527,154,000
House bill, fiscal year 1973	2,529,558,200
Senate bill, fiscal year 1973	2,550,922,800
Conference agreement	2,548,935,300
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1972	+112,276,265
Budget estimates of new (obligational) authority fiscal year 1973 (as amended)	[2] +21,781,300
House bill, fiscal year 1973	+19,377,100
Senate bill, fiscal year 1973	−1,987,500

[1] Includes $6,814,000 for American Revolution Bicentennial Commission not considered by the House.

[2] Including reduction in liquidation of contract authority, the excess over the budget amounts to $6,975,300.

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Managers on the Part of the Senate.

SIGNS OF THINGS TO COME

(Mr. SIKES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, a growing influence by Russia in India and India's new satellite Bangladesh apparently has been accurately forecast. There are now at the Chittagong Harbor in Bangladesh 800 Russian Navy men including an admiral, a dock area cordoned off by Russian marines and a helicopter service to shuttle personnel back and forth to Dacca, the capital. The Russian presence is "explained" by the need for their assistance in clearing the harbor of the wreckage of war. A more realistic assessment is that Russia is establishing a major land-based facility on the Indian subcontinent to add to their fleet's already substantial capabilities in the Indian Ocean.

AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION

(Mr. HAYS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HAYS. Mr. Speaker, 50 years ago on July 26, the Order of AHEPA, American Hellenic Educational Progressive Association, was founded in Atlanta, Ga. Today it has chapters in 49 States, Canada, and Australia. This association is all that its name implies. It is American, Greek oriented, dedicated to education and keyed to the advancement of the political, civic, social and commercial betterment of the citizenry. It is nonpolitical, nonsectarian, yet it embraces a deep loyalty to the United States and is imbued with the greatest of religious characteristic—to champion morality, to fight tyranny, and to promote national and individual recognition of the personal rights, prosperity, honor, and integrity. It is benevolent, giving generously to victims of disaster and to the furthering of education.

It is an organization of "families" comprised of people from all walks of life who meet for social and educational advancement. They engage in and encourage participation in public affairs and they promote U.S. citizenship or Greek emigrees, making them knowledgeable of the benefits and obligations which accompany such citizenship.

Members of AHEPA are citizens or who have indicated that they intend to become citizens. The tree of AHEPA may have sentimental Greek roots, but the trunk and the foliage are truly American, and America is a better Nation for its existence.

THREE BUDGETS—ALL THREE IN TROUBLE

(Mr. MAHON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MAHON. Mr. Speaker, yesterday I made reference to the ominous fiscal situation confronting the Government, pointing out, among other things, that the projected Federal funds deficit for the current fiscal year 1973 was recently estimated at $37.8 billion and that, in my opinion, it may well exceed $40 billion.

Much reference is currently being made to our worsening fiscal situation, using a variety of figures. There are a variety of budgetary concepts in use. There is, first, the unified budget, second, the so-called full-employment budget, and third, the Federal funds budget.

The Federal funds concept in my opinion is the more important and meaningful to watch in assessing the true fiscal condition of the Treasury. Only general federally owned receipts and expenditures are involved.

In contrast, the unified budget—the one used generally in the budget message and by the Government's fiscal experts—combines Federal funds and the various trust funds such as highways and social security. Because the trust funds have been in surplus, this concept to that extent minimizes the critical deficit situation in respect to Federal funds. The trust fund surpluses are borrowed and used for general Federal expenditure purposes, but, of course, must be repaid with interest.

Then there is what I have referred to as the Alice-in-Wonderland budget—the so-called full-employment budget—under which essentially the unified budget expenditures are compared to so-called full-employment revenues, that is, revenues calculated to be collected under the existing tax structure if—I repeat "if" for emphasis—if the economy were operating at so-called full employment which I believe has generally been assumed to represent about a 4-percent unemployment level.

Of course, by whatever method of measurement, the budget is seriously out of balance. And every current sign points to a worsening situation.

SALUTE TO AHEPA

(Mr. **MYERS** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. **MYERS**. Mr. Speaker, this month the Order of Ahepa is celebrating its golden anniversary. Founded on July 26, 1922, in Atlanta, Ga., the American Hellenic Educational Progressive Association has made countless contributions to many worthy causes.

The association has vigorously supported local community undertakings in the fields of education, charity, and civic improvement. On the occasion of their golden anniversary, I would like to join my colleagues in commending Indiana chapters of AHEPA for their work throughout the State.

FISCAL DISCIPLINE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–329)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

This is an urgent appeal for the Congress to join with me to avoid higher taxes, higher prices and a cut in purchasing power for everyone in the Nation.

Just when we have succeeded in cutting the rate of inflation in half, and just when we have succeeded in making it possible for America's workers to score their largest real spendable income gains in eight years, this tangible, pocketbook progress may be wiped out by proposed excessive spending.

Specifically, Federal spending for the fiscal year 1973 (which began on July 1, 1972) already is estimated to be almost $7 billion higher than was planned in my budget.

That figure by itself is bad enough. But even more spending beyond the budget—and beyond emergency flood relief funds—appears to be on the way.

The inevitable result would be higher taxes and more income-eating inflation in the form of higher prices.

I am convinced the American people do not want their family budgets wrecked by higher taxes and higher prices, and I will not stand by and permit such irresponsible action to undermine the clear progress we have made in getting America's workers off the inflation treadmill of the 1960's.

While specific Federal programs are important to many people and constituent groups, none is more important to all the American taxpayers than a concerted program to hold down the rate of taxes and the cost of living.

In view of this serious threat I again urge the Congress—in the economic interest of all American citizens—to enact a spending ceiling of $250 billion. I urgently recommended a spending ceiling when I submitted the fiscal 1973 budget earlier this year.

Our concern with sustaining the increasing purchasing power of all the people requires and demands such responsible action. Our concern with the cost of living requires and demands such responsible action. Our determination to avoid higher taxes requires and demands such action. The basic fiscal integrity of the Nation requires and demands such action.

At fault is the hoary and traditional procedure of the Congress, which now permits action on the various spending programs as if they were unrelated and independent actions. What we should have—and what I again seek today—is that an annual spending ceiling be set first, and that individual program allocations then be tailored to that ceiling. This is the anti-inflationary method I use in designing the Federal budget.

The present Congressional system of independent, unrelated actions on various spending programs means that the Congress arrives at total Federal spending in an accidental, haphazard manner. That is no longer good enough procedure for the American people, who now realize that their hard-won economic gains against inflation are threatened by every deficit spending bill—no matter how attractive the subject matter of that bill might be. And there are impressive gains which I am committed to help guard:

—*We have achieved a substantial success in our battle against the inflation we inherited in 1969. Instead of the more than 6 percent of 1969, we are now down to a rate of 2.9 percent per year. Inflation has been cut in half.*

—*We have cut the personal income tax so that a family of four with an income of $5,000 has had its individual income taxes reduced by 66 percent since 1969, and a family of four with an income of $10,000 has had its income tax reduced by 26 percent since that date.*

—*We have thus brought about conditions in which real, spendable weekly earnings have risen 4 percent in the last year, the largest such gain since 1964.*

If we permit unbridled increases in Federal spending to go on month after month, however, we are in real danger of losing the advantages of the tax cuts and our victories in the battle against inflation.

These are the compelling reasons which require me to ask again in the most urgent and explicit language I can frame that the Congress enact at the earliest possible opportunity a spending ceiling—without loopholes or exceptions—to force Government spending back to the $250 billion level in fiscal year 1973.

I again remind the Congress of the situation I cited last January, when I submitted the fiscal year 1973 budget:

> It will be a job-creating budget and a non-inflationary budget only if spending is limited to the amount the tax system would produce if the economy were operating at full employment."
>
> Those who increase spending beyond that amount will be responsible for causing more inflation.

Since that time, various congressional actions and inactions have heavily underscored all of the reasons I then made for speedy passage of a spending ceiling.

Such a ceiling cannot be completely effective unless the Congress enacts it as I have requested—without exceptions and without loopholes. But if the Congress fails to do this, I do not propose to sit by and silently watch individual family budgets destroyed by rising prices and rising taxes—the inevitable end to spending of this magnitude.

With or without the cooperation of the Congress, I am going to do everything within my power to prevent such a fiscal crisis for millions of our people.

Let there be no misunderstanding: If bills come to my desk calling for excessive spending which threatens the Federal budget, I will veto them.

It is now generally recognized that the national economy is in a period of vigorous expansion. The gross national product soared at an annual growth rate of 8.9 percent in the second quarter of the year—the best such increase since 1965. About 2½ million additional civilian jobs have been added in the last year.

We do not plan to reduce or restrict the very substantial fiscal stimulation we have already provided. But *further* massive Federal stimulation of the economy at this time—whatever its superficial political attractiveness—is certain to lead to the kind of inflation that even wage-price control machinery would find impossible to restrain.

In other words, the American people will have to pay, and pay quickly, for excessive Federal spending—either by higher taxes or by higher consumer prices, or both. Such an intolerable burden would shortly cause an end to the period of economic growth on which we are embarked.

There are desirable features in some of the individual bills now pending in the Congress, but to them have been attached some very excessive spending proposals.

The Federal Government cannot do everything that might be desirable. Hard choices must be made by the Congress in the national interest, just as a family must decide what it will buy with the money it has. Moreover, the experience of the past decade proved that merely throwing money at problems does not automatically or necessarily solve the problems.

I have every confidence that the American people, in this era of wide public awareness of inflation and wide public opposition to its clear causes, understand these realities about Federal spending.

I believe that all of us, the President and the Congress, have a clear duty to protect the national interest in general prosperity—and therefore to resist temptations to over-spend for desirable special programs, or to spend for partisan political advantage.

I favor and have submitted to the Congress responsible and effective programs designed to cleanse the air, to purify the water, to develop and preserve rural America, to improve education, and for many other worthy purposes. No individual and no political party has a monopoly on its concern for the people, individually and in groups. But I am required always to ask:

What is best for *all* the people? What are the hard choices that must be made so that the general welfare is secured? Of what use is it for us to pass these measures, and more, if they are going to destroy the family budget by higher prices and more taxes?

No matter what the political pressures, no matter how frequently I may be told that in an election year a President cannot veto a spending measure, I will simply not let reckless spending of this kind destroy the tax reductions we have secured and the hard-won successes we have earned in the battle against inflation. I intend to continue to do my utmost to preserve the American family budget and to protect it from the ravages of higher taxes and inflation.

The time for fiscal discipline has long since come. The threat demands bold and difficult decisions. Let the Congress make them now.

RICHARD NIXON.

THE WHITE HOUSE, *July 26, 1972.*

SPENDING CEILING NECESSARY

(Mr. CORMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CORMAN. Mr. Speaker, I anticipate supporting a spending ceiling. I think the ceiling is too low. I think the deficit is much too high.

Obviously, the Nixon administration's record on managing the budget is dismal. For fiscal 1971, the President forecast a $2 billion surplus. He came out with a $23 billion deficit. The expected $38.8 deficit for 1972 was cut back because of underestimating spending and overestimating tax withholdings. The 1973 budget has a $25.5 billion builtin deficit. What it really will be is hard to tell. Budget estimates from the White House have been deplorably inexact.

The administration has desperately tried to avoid talk of a tax increase, but we ought to be honest and admit that we need a tax increase.

When the President talks of fiscal responsibility, he talks with less than clean hands.

He ran through the House—and is now using similar tactics in the Senate—a $30 billion revenue-sharing proposal.

He is spending more money for exotic weapons for mass destruction than has ever been spent in the history of the country.

Over 3 years ago he proposed to get more people off welfare and on payrolls. There are today more people trying to find jobs—and unable to find them—than at any time in the past generation.

His disaster program is admittedly wasteful and inefficient. Farm subsidy payments are higher than ever before.

Yet, strangely, the administration is saying that the budget is being thrown out of kilter because Congress is giving $120 a month to people who are dying of black lung disease, and because we are giving social security recipients a few more dollars for food.

One wonders how President Nixon defines fiscal responsibility.

CALL OF THE HOUSE

Mr. CABELL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 282]

Abourezk
Alexander
Anderson, Tenn.
Ashley
Baker
Baring
Belcher
Biaggi
Blanton
Blatnik
Broomfield
Cederberg
Clark
Clay
Conyers
Davis, Ga.
Diggs
Dowdy
Dulski
Edmondson
Esch
Evins, Tenn.
Flynt
Foley
Fulton
Gallagher
Gettys
Giaimo
Gray
Gubser
Hagan
Hébert
Henderson
Landgrebe
Landrum
Long, La.
McClure
McDonald, Mich.
McEwen
McKinney
McMillan
Macdonald, Mass.
Mayne
Michel
Murphy, N.Y.
Nedzi
Patman
Pelly
Powell
Rarick
Rooney, N.Y.
Ryan
Scheuer
Seiberling
Teague, Calif.
Terry
Waggonner
Winn

The SPEAKER. On this rollcall 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR CONSIDERATION OF H.R. 11128, INDIAN RIGHTS ON HOPI AND NAVAJO RESERVATIONS

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, and on behalf of the gentleman from California (Mr. SISK), I call up House Resolution 1054 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1054

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11128) to authorize the partition of the surface rights in the joint use area of the 1882 Executive Order Hopi Reservation and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1054 provides an open rule with 1 hour of general debate for consideration of H.R. 11128, the purpose of which is to partition land in which the Hopi and Navajo Indians have an undivided joint and equal interest and to provide for allotments to certain Palute Indians.

By court decree, the Hope and Navajo Tribes have joint and equal rights to the use of the land involved. However, the Navajo Tribe has refused to allow the Hope Tribe to exercise its joint and equal right. The Hope Tribe has attempted negotiations for 10 years without success and there seems to be no alternative to a partition of the joint-use area.

The legislation provides that the surface estate in approximately half of the joint-use area is added to the Hopi Reservation and the other half is added to the Navajo Reservation. About 775 Navajo families will need to move from the Hopi land and two Hopi families will need to move from the Navajo land.

Joint ownership of the mineral rights is not changed by the legislation.

The sum of $16 million is authorized to relocate the families, part of which may revert to the Treasury if a majority of the Navajo heads of family who are relocated elect not to buy additional relocation land for addition to the Navajo Reservation.

The few Paiute families living there will receive allotments to the land they occupy.

Mr. Speaker, I urge the adoption of the rule.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

PARLIAMENTARY INQUIRY

Mr. Speaker, first I would like to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. SMITH of California. As I understand the program, we are going to consider the rules now on this Indian rights bill, and the architect and engineers bill. There are two other bills, H.R. 7060, firefighters retirement, and H.R. 440, customs and immigration inspectors retirement.

Is it contemplated, Mr. Speaker, that

if we complete these bills at an early hour, we will then proceed with the other two bills this afternoon?

The SPEAKER. The Chair would like to proceed with the legislative program as far as possible and take all four bills; provided that the House can adjourn at a reasonable hour.

Mr. SMITH of California. I thought maybe the Members would like to know, and I would like to know for the rules.

The SPEAKER. If we can, we will take the four bills. The Chair might state we plan to take the first two rules now.

Mr. SMITH of California. As far as House Resolution 1054 is concerned, it does provide for 1 hour of debate under an open rule for the consideration of H.R. 11128, which has to do with partition of land rights between the Hopi and Navajo Indian Tribes. The gentleman from New York has adequately explained this rule.

The primary purpose of H.R. 11128 is to partition two land tracts in which the Navajo and Hopi Indian tribes have a joint interest.

A problem has arisen because the two tribes are unable to use the land jointly in harmony. Violence and bloodshed have resulted.

The first tract of land was made a part of the Hopi Reservation in 1882. However, many Navajos moved into the area, and in 1958 Congress authorized a three-judge court to settle the issue. The court provided each tribe with a clear title to some land, and set up a 1,822,000-acre tract as a joint-use area.

With regard to this joint-use area, the bill provides that the surface estate in approximately half the area is added to the Hopi Reservation, and the other half is added to the Navajo Reservation. Joint ownership of the subsurface estate is not changed. About 775 Navajo families will have to move from the Hopi land. Two Hopi families will have to move from the Navajo land.

The second tract of land covered by the bill is a joint-use area established by statute in 1934, when the Navajo Reservation was enlarged. The problems here are the same as in the first tract. This bill adds to the Hopi Reservation both surface and subsurface estates in 208,600 acres, and extinguishes all Hopi and other Indian claims to the remainder of the area. The few Paiute families living there will receive allotments to the land they occupy.

The cost of the bill is $16,000,000 which will be used to relocate families that have to be moved.

The committee report contains a letter from the Department of the Interior supporting the bill.

There are no minority views in the committee report.

The Committee on Interior and Insular Affairs reported the bill by a voice vote.

Mr. Speaker, I urge adoption of the rule.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 12807, SELECTION OF ARCHITECTS AND ENGINEERS BY FEDERAL AGENCIES

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1053 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1053

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12807) to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1053 provides an open rule with 1 hour of general debate for consideration of H.R. 12807, the purpose of which is to amend the Federal Property and Administrative Services Act to establish the policy of the Federal Government in the procurement of architectural and engineering services.

Public announcement must be made of all requirements for architectural and engineering services and contracts must be negotiated on the basis of competence and qualification.

Firms will be encouraged to furnish statements annually regarding their qualifications and performance. For each proposed project the agency head shall evaluate the statements on file and shall consult with at least three firms and select in order of preference at least three firms deemed most qualified to provide the required services.

Contracts are to be negotiated with the most qualified firm at compensation determined to be fair. In the event negotiations fail with the first most qualified firm, then the agency head should negotiate with the second choice and, in the event of failure there, go to the third choice. If negotiations fail there, he should make new selections and start over.

Similar legislation was passed by the House during the last Congress and was reported by the Senate committee but never acted upon by the Senate because of adjournment.

No additional cost to the Government is anticipated by the enactment of the legislation.

Mr. Speaker, I urge the adoption of the rule.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from New York (Mr. DELANEY), House Resolution 1053 provides an open rule with 1 hour of debate for consideration of H.R. 12807, which has to do with amending the Federal Property and Administrative Services Act of 1949 to provide for selection of architects and engineers by Federal agencies.

The purpose of H.R. 12807 is to establish a uniform Federal policy for selecting architectural and engineering services for the Government.

In the past, architects and engineers have been obtained by a Government agency negotiating with a single firm, selected as most qualified on the basis of available information. In the event the negotiation is not successful because of disagreement about the fee, the next firm in order of qualifications is chosen for negotiation.

The advantage of this system is that architectural and engineering firms are under no pressure to compromise the quality of the design or the level of effort they will contribute to it in order to underbid a competitor. Firms are free to suggest optimum design approaches that may cost more to design, but can save in construction costs, and otherwise increase the quality of the building to be constructed.

This bill puts into statutory form the traditional system Government agencies have been using. There is no additional cost anticipated as a result of this bill.

An alternative to the traditional system was proposed by the Comptroller General in a report on April 20, 1967. In that report the Comptroller General recommended regular competitive negotiations. Under regular competitive negotiations, the quality and quantity of the product or service the Government is to receive and the price the Government is to pay are negotiated at the same time with all of the prospective contractors.

The Committee on Government Operations approved the bill by a voice vote, following failure of a motion to recommit to the subcommittee, which was defeated by a vote of 23 to 7.

Mr. Speaker, I urge adoption of the rule.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INDIAN RIGHTS ON HOPI AND NAVAJO RESERVATIONS

Mr. HALEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11128) to authorize the partition of the surface rights in the joint use area of the 1882 Executive order Hopi Reservation and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Florida.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11128, with Mr. STEED in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida (Mr. HALEY) will be recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. SAYLOR) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. HALEY).

Mr. HALEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Chairman and members of the committee, H.R. 11128 partitions between the Navajo and Hopi Tribes some reservation land in which the two tribes have an undivided joint and equal interest.

In 1882, an Executive order was issued setting aside a reservation of approximately 2,472,095 acres for the Hopi Indians and such other Indians as the Secretary of the Interior may see fit to settle thereon. The purpose of the 1882 reservation was to protect the Hopis from encroachment by both the Navajos and non-Indians.

In 1882, the entire Navajo Reservation was located east of the Hopi Reservation, and the two reservations did not adjoin each other. During the years following 1882, however, the Navajo Reservation was expanded by a series of Executive and legislative actions, and today the Navajo Reservation completely surrounds the 1882 reservation for the Hopis. The Navajo Reservation now contains 12,449,000 acres, and the tribe owns an additional 921,000 acres located outside the reservation boundaries.

The Navajos were a semi-nomadic people who did not stay within their reservation boundaries. They were constantly moving into new areas. In 1882, about 300 Navajos resided within the 1882 reservation established for the Hopis. The number steadily increased, and by 1958 the number was 8,800.

The friction between the Navajos and the Hopis was great. The Hopis claimed that the Navajos had no right to be in the 1882 reservation at all, and the Navajos claimed that they were there by permission of the Secretary of the Interior. In 1958, Congress enacted a statute authorizing a three-judge U.S. District Court to adjudicate these conflicting claims and to determine the property rights of each tribe.

The court found as fact that no Secretary of the Interior had ever specifically settled any Navajos on the 1882 reservation, that the Navajos had moved there without any official authorization, but that since 1931 the Secretary of the Interior had acquiesced in their presence and had impliedly exercised his authority to settle them there. The court held that the Hopis had an exclusive right and interest in about 650,000 acres of the reservation known for administrative purposes as Grazing District No. 6, and that the Hopi Tribe and the Navajo Tribe had joint, undivided, and equal rights and interests in the remainder of the reservation, consisting of about 1,822,000 acres.

Notwithstanding the fact that the court determined that the two tribes have equal rights and interests in the 1,822,000 acres, the Navajos were then and are now in actual possession, and they have refused for the 10 years since the court's decision to permit the Hopis to use any part of the joint-use area. Moreover, the Secretary of the Interior has failed to do anything to permit the Hopis to exercise their joint-use rights. He has in fact refused to permit them to do so.

The joint-use area is badly overgrazed by the Navajos, perhaps to the extent of 400 percent, and the Secretary has been unable to persuade the Navajos to reduce grazing to the carrying capacity of the land. The Secretary has also refused to cancel any of the Navajo grazing permits and issue new permits to the Hopis.

Because of the severe overgrazing of the joint-use area, the Navajo livestock are constantly trespassing on the Hopi exclusive area, where the forage is better, and the Hopis are impounding those trespassing livestock. Violence and bloodshed have resulted. The Hopis are not only denied their joint-use rights, but their exclusive Hopi area is also threatened.

During the past 10 years the two tribes have attempted to negotiate a joint-use agreement, but the negotiations have failed. The Navajo position was, and still is, that they are in possession of the land and will not relinquish any part of it unless the United States provides lieu land to which the Navajos can be moved. The Navajos actually oppose that solution and ask that the United States purchase the Hopi interest in the joint-use area and give it to the Navajo Tribe. The Hopi position was, and still is, that they have been pushed back and encircled by the Navajos, that the Navajos have invaded and taken large parts of the 1882 reservation which was intended to be for the benefit of the Hopis, that the Hopis will give up no more land, and that the Navajos must vacate one-half of the joint-use area in order to give effect to the court decree.

A second problem relates to Navajo-Hopi conflict over lands immediately west of the 1882 reservation. When the boundaries of the Navajo Reservation were enlarged by the act of June 14, 1934 (48 Stat. 960), the vacant lands within the reservation boundaries were withdrawn for the benefit of the Navajos and such other Indians as were already located thereon. Hopi Indians were then living in the villages of Moencopi and Tuba City, which lie west of the 1882 Hopi Reservation, and Hopi Indians were living on the land between these villages and the 1882 reservation. The Hopi Indians have by statute the same type of joint interest in this land that the Court determined they have in the joint-use area of the 1882 reservation.

The problems in the two areas are the same. The Navajo population pressures are compressing the Hopis into smaller and smaller areas, and the two tribes are unable to use the land jointly in harmony. There is a need to delineate the lands each tribe is entitled to use.

The Subcommittee on Indian Affairs held extensive hearings on H.R. 11128. Representatives of the Hopi Tribe and the Navajo Tribe presented their views in great detail. The Assistant Secretary for Public Land Management and the Commissioner of Indian Affairs also testified in detail.

The Navajo representative opposed the bill on the ground that the two tribes should settle their dispute by negotiation. The Hopi representatives urged the enactment of the bill on the ground that negotiations had been attempted for 10 years and had failed because the Navajos refused to consider any agreement that allowed the Hopis to exercise their judicially decreed right to an equal use of the land.

The Department of the Interior recommended the enactment of the bill if the alternatives were considered and found to be impractical. The Assistant Secretary testified that he saw no solution other than partition of the land as provided in the bill.

The committee concluded that the Navajo Tribe had refused to allow the Hopi to exercise its joint and equal right to use the land, as decreed by the court, and that there was no reasonable basis for believing that the Navajo Tribe would change its position on this basic issue as the result of further negotiation. The Navajo Tribe is in possession of the land, and it has adamantly refused to discuss any plan that called for a relinquishment of its possession. The committee also concluded that the Hopi tribe was unwilling to sell its undivided but equal interest in the land, either for money or in exchange for other land, and that there is no practical alternative to a partition of the joint use as provided in the bill.

The bill provides that the surface estate in approximately half of the joint-use area is added to the Hopi Reservation and other half is added to the Navajo Reservation. About 775 Navajo families will need to move from the Hopi land, and two Hopi families will need to move from the Navajo land. The bill authorizes the appropriation of $16 million to relocate these families. Joint ownership of the subsurface estate is not changed by the bill.

With respect to the 1934 reservation, the bill adds to the Hopi Reservation both the surface and subsurface estates in 208,600 acres, and extinguishes all Hopi and other Indian claims to the remainder of the area. The few Paiute families living there will receive allotments to the land they occupy.

I am convinced that the enactment of this bill is necessary to resolve a highly emotional issue, which has resulted in violence and bloodshed. There is no other way to permit the Hopi to exercise their joint and equal rights in the land. It is unfortunate that a partition of the land will require about 775 Navajo families to move, but those families came into the area without permission, and they have no moral or legal right to monopolize the use of the land by excluding the Hopis. Moreover, the bill provides generous financial assistance for relocating these families.

I urge enactment of the bill.

Mr. SAYLOR. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of H.R. 11128, a bill to authorize the partition of the surface rights in the joint-use area of the 1882 Executive order Hopi Reservation and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes.

The purpose of this bill is to legislatively settle a dispute between the Navajo and Hopi Indian tribes—a dispute that we all have been hearing about via the news media, depicted as a range war. In fact, it has reached that proportion. Not incidentally, a purpose of this bill is to rectify the nonfeasance of past administrations regarding this matter.

The roots of the dispute between the Hopi and Navajos go back to 1882 when, by Executive order, about 2,500,000 acres in Arizona were set aside for the Hopi Indians and such other Indians as the Secretary of the Interior might see fit to settle thereon. The purpose of that reservation of land for the Hopi peoples was to protect that essentially agrarian and peaceful nation from encroachment by their neighboring more nomadic Navajos and non-Indians. Although the Hopi reservation was in proximity to the Navajo reservation, the two were separated. Today, however, the Navajo reservation surrounds the 1882 Hopi Reservation and more than 8,000 Navajos live within the Hopi Reservation.

The friction between the two tribes that prompted the establishment of the 1882 reservation reached crisis proportions by 1958. Hopis claimed Navajos had no right to the 1882 reservation, and Navajos claimed the Secretary of the Interior's permission to the same lands. Congressional action was necessary and the resultant legislation authorized establishment of a special Federal District Court to adjudicate the claims and determine respective property rights.

In retrospect, legislation similar to that before us today might have precluded additional congressional action.

The special three-man court found:

That since 1931, the Secretary of the Interior had acquiesced in the Navajo's presence on the 1882 reservation thereby, by implication, exercising his authority to settle Navajos thereon;

That the Hopis had exclusive right to about 650,000 acres known as Grazing District 6; and

That both tribes had joint, undivided equal interests in the remainder of the 1882 reservation, or about 1,800,000 acres.

Unfortunately, the court did not partition the lands.

The Navajos have been and still are in exclusive possession of the approximately 1,800,000 acre "joint use area" and refuse to permit access to the Hopis. The Secretary of the Interior, too, has done nothing to further the Hopis right to that joint use area. Overgrazing of the area by as much as 400 percent has resulted in Navajo livestock trespassing upon the Hopi exclusive-use area where forage is richer. The Navajos have refused to reduce their grazing to the carrying capacity of the land and the Hopis have impounded trespassing Navajo livestock. Violence has resulted. Negotiation between the two tribes has failed.

A similar situation exists on what is commonly known as the 1934 Navajo Reservation. That reservation was, in effect, an enlargement of the then existing Navajo reservation. Hopis and other Indians living in the enlarged area were granted joint use rights, but have been driven into smaller and smaller groups with diminishing land base by the constantly expanding Navajos. The situation is similar and equally volatile.

The Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs held exhaustive hearings on this legislation and the full committee carefully considered the subcommittee's work. The bill before us today has the unanimous approval of the Committee on Interior and Insular Affairs. The committee recognized that the only acceptable solution to the problem was partition and relocation. The committee recognized that complete satisfaction for both tribes was impossible. The committee carefully weighed the equities: On the one hand, the estimated rights of 6,000 Hopis to their lands, and on the other, the needs of 130,000 Navajos to continue their traditional semi-nomadic way of life.

The committee concluded that the most practicable solution was to partition the surface estate of the joint use area, one half to the Navajos, and one half to the Hopis. Division of proceeds from jointly held mineral interests are readily mathematically ascertainable and have not been fraught with the problems plaguing the surface estate. The committee therefore decided that subsurface rights should remain in joint ownership. About 208,600 acres of the 1934 reservation will be reserved exclusively for the Hopis.

Approximately 775 Navajos families and two Hopi families will be moved as a result of the partition. The Federal Government cannot deny some culpability in this matter. It, therefore, is fitting that adequate relocation assistance be provided. The bill authorizes $16 million for that purpose. As originally drafted, $20 million were authorized, but the Committee on Interior and Insular Affairs, in its wisdom, determined that a maximum of $16 million would do the job. If Navajo families who will be moved elect to be relocated within the Navajo Reservation, it is anticipated that not all of those moneys will be needed. Sufficient moneys are authorized, however, to purchase additional lands to resettle Navajo families if desirable.

There are a few Paiute families living within the 1934 reservation. These families will receive allotments to the lands which they now occupy.

The Committee on Interior and Insular Affairs worked long and diligently on this legislation. The committee concensus is that this bill embodies the most practicable solution to a volatile situation. The partition is arbitrary. Neither tribe will be fully satisfied. It will be expensive. Nevertheless, passage of this legislation will, in the opinion of the committee and of the Department of the Interior, squelch the sparks now smoldering and prevent conflagration.

I urge your support for the passage of H.R. 11128.

Mr. HALEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill is before the House today because the Secretaries of the Interior and the Commisioners of Indian Affairs during the past 40 years have not done their jobs properly. I am not criticizing the present incumbents alone, but include prior administrations under both parties.

When the Hopi Reservation was established in 1882, it was for the benefit of the Hopi Indians and such other Indians as the Secretary of the Interior might see fit to settle thereon. During the next 50 years the Secretary did nothing affirmative to settle any other Indians on the reservation, but he stood by, silently, while the Navajo Indians moved into the reservation in steadily increasing numbers. He allowed this movement to continue in spite of protests from the Hopis and in spite of the fact that the 1882 reservation was established to protect the Hopi Indians from the pressure of the Navajos.

Furthermore, he did nothing to control by grazing permits the areas that could be used by Navajos and the areas that could be used by Hopis. He just did nothing, and the Navajos took over two-thirds of the grazing area of the reservation.

In 1958, the Secretary passed the buck to Congress, saying that he did not know what the rights of the two tribes were, notwithstanding the fact that he had full legal authority to control settlement on the reservation. He asked Congress to pass an enabling act to permit a three-judge court to decide what kind of property rights his predecessors had created.

Congress enacted this legislation, and the court made its decision. The court decided that the Hopis had exclusive rights in about one-third of the reservation, and that the Hopi and Navajo Tribes had joint and equal rights in the remaining two-thirds of the reservations.

Again the Secretary and the Commissioner of Indian Affairs failed to perform their administrative responsibilities. Although the court had decided that the two tribes had equal rights to the use of the land, the Navajo Tribe refused to allow the Hopi Tribe to use any of the land and the Secretary did nothing. As a trustee responsible for administering the land he not only did nothing, but he actually thwarted the efforts of the Hopis by refusing to issue to them any grazing permits. For 10 years the Navajo have stalled, in effect ignoring the court's decree, and for 10 years the Secretary, as trustee, allowed the Navajos to retain exclusive control notwithstanding the Hopi's equal use rights.

Now the buck has been passed to Congress again. Since the Secretary will not administer the land for the joint use of the two tribes, Congress is asked to partition the joint-use area and give half of it to the Navajo Tribe and half of it to the Hopi Tribe. It is true that the Secretary has no authority to partition the legal title to the land, but he does have authority to administer the land in a manner that assigns use areas to each tribe. He has not done this.

Although I am critical, I am also a realist, and I am convinced that legislation to partition the joint-use area is necessary in the light of the facts as they exist today.

This bill should be enacted for that purpose.

The major problem involved in a partition of the land is the fact that about 775 Navajo families live on the one-half of the joint-use area that will go to the Hopis. These 775 families will have to be relocated. The bill as amended by the committee authorizes the appropriation of $16 million for this purpose. This is a generous amount.

The Department of the Interior estimated that the value of the houses, fences, wells, and other improvements on the land that will be left behind by these 775 families will average about $2,000 each, and that actual moving expenses will average $600 each. If the 775 families move over onto the Navajo Reservation and construct comparable dwellings and improvements, the total cost of moving and construction would be around $4 million, assuming that comparable facilities may cost twice the value of the facilities that are vacated. The bill provides for the payment of these costs in full, and also provides an additional $12 million which could be used to purchase new land on which to relocate the 775 families if a majority of them want to purchase land, rather than move onto the present Navajo Reservation. If the $12 million is not used to purchase land it will revert to the U.S. Treasury.

The committee did not regard the United States as obligated to pay for the relocation of the Navajo families who moved onto the 1882 reservation without any official authorization or financial assistance from the Government. The committee believed, however, that the actions of the Department of the Interior during the past 40 years contributed to the problem, and that it is only equitable for the Government to minimize the social impact involved in the relocation. The Government will do so by paying for the cost of purchasing additional grazing land, the cost of moving, and the cost of acquiring comparable replacement housing. If a majority of the displaced families do not want to purchase additional grazing land and live on it, then the appropriation authorized for that purpose will revert to the U.S. Treasury, and the cost of the Government will be less than $16 million.

The Department of the Interior asked that the money appropriated for relocation purposes be made available to provide better replacement housing than the displaced Navajos now have. The bill, however, provides only for comparable replacement housing. Although better housing is undoubtedly needed, this is not a housing bill and the housing need is not related to the partition of the land. Better housing should be financed under other programs and not tied to this bill.

I am convinced that there is no feasible alternative to the enactment of this bill. The dispute involves a deep emotional attachment to the land by both the Navajo Tribe and the Hopi Tribe. It has been brewing for more than 40 years. The courts have determined that the two tribes have joint and equal rights in the land. The two tribes cannot use the land jointly. History has demonstrated this fact. A partition of the land is necessary unless Congress is willing to expropriate the Hopi interest in the land and give it to the Navajos. I am not willing to take that action.

Mr. Chairman, I urge, in all justice and in all fairness, the enactment of this bill.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from New Mexico (Mr. LUJAN).

Mr. LUJAN. Thank you, Mr. Chairman.

I get up today for two reasons. One has to do with yesterday. I was all prepared to make a speech on the floor in support of a bill I had up yesterday, and then all of a sudden somebody asked that it be passed and I got left standing at the altar, so I thought today I might take a little time to try to point out some of the issues involved in this legislation.

Mr. Chairman, this legislation proposes to cut a joint-use area in half. There is some question as to whether it is half or quite a bit more that is going to one side or the other.

Basically the proposition is to cut the joint-use area between the Hopis and the Navajos and assign a certain area to each one of the tribes. Further, it proposes to appropriate some funds to buy other properties in order to compensate the Navajos for the loss of this land.

We could go into a lot of issues on this particular problem. First of all, there is a problem as to where the animals of the Navajo Tribe are going to graze. That is one problem which comes up. Second, there is the problem of the court decisions which have maintained it is a joint use area for use by both tribes. There is also an unfairness in the situation where it gives half of the land to 6,000 Hopis when there are over 100,000 Navajos.

All of these things are very self-evident, Mr. Chairman, and point up the fact that it is just really not an equitable situation.

What bothers me the most is the relocation of some 6,000 people who now occupy this joint use area. Six thousand Navajos. It is reminiscent of one time when they were marched for 100 days from Fort Sumner into the present reservation. That is what we are getting ready to do again in relocating 6,000 people. We have from time immemorial felt that we ought to have people make their own decisions. We have moved in this Congress in that direction with revenue-sharing proposals. We have all criticized very much the Bureau of Indian Affairs for its paternalism. All that the Navajos have asked for is give us an opportunity to resolve this problem among ourselves.

There was discussion in the committee of setting up some sort of mechanism whereby there might be so many people representing the Hopis, so many representing the Navajos, and so many as impartial members of this particular board and give both tribes the opportunity to work the problem out between themselves. Then, if they were not able to come to a satisfactory resolution, this board would make the decision and both tribes would have to adhere to whatever the decision was.

Mr. Chairman, I come before this House today to oppose this legislation simply on the basis that I think the best way to proceed is to let the two parties work out some sort of equitable settlement between themselves.

Thank you very much.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. STEIGER).

Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I will be happy to yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Chairman, it has been mentioned by the gentleman from New Mexico, who just preceded the gentleman from Arizona in the well, that there is a question as to where these Navajos will have to go, and a number of other Members of the House have asked me that same question. Therefore I would ask the gentleman from Arizona: Does the Hopi Tribe have any other land other than the grazing land in District No. 6, and the one-half of the reservation that they are being given now? And, also, how much land does the Navajo Tribe have?

Mr. STEIGER of Arizona. Mr. Chairman, I thank the gentleman for the questions, and I will be happy to respond.

All of the Hopi lands lie within the jurisdiction of what is known as the joint-use land, and include district 6. I think that the land that belongs to the Navajos now, outside of the joint-use land, outside of the 1.8 million acres, amounts to something somewhere in the neighborhood of 12 million acres. I think the gentleman must recognize that we are talking about in excess of 100,000 Navajos, and there are only 6,000 Hopi Indians, so I think we should keep this in context.

But the gentleman does raise an excellent point because it does appear if one just listens to this discussion, as if the

Navajos had no place to go, in effect, and that simply is not so.

Mr. SAYLOR. That is the reason I asked the question, because other Members of the House have raised this same question.

Mr. STEIGER of Arizona. I thank the gentleman.

Mr. Chairman, I would tell the members of the committee that I do represent the district where this particular situation exists, and it is not a happy situation. In essence, the chairman of the full committee, the chairman of the subcommittee, and the ranking member of the subcommittee have explained the problem very specifically, and completely accurately.

What has happened is because, in my view, of the dereliction of the Federal Government in the past, including the courts, the executive department, and the Congress, who have permitted a bad situation, if you will, and a combination of the movement of Navajos into the joint-use area, plus the drought, has forced Navajo livestock men to put their livestock on what is clearly Hopi land. That is what brought this matter to a head.

We have had in the past year and a half a series of violent contacts between the two tribes.

In 1962 the Supreme Court of the United States upheld a Federal district court's decision in the case of Healing against Jones, which agreed that the Hopi Indians had an undivided half interest in the joint-use lands. But the court stopped there. They did not say how this undivided interest would be acquired by the Hopi, how it would be utilized by them, and the Navajos continued to use it, continued to use it, and continued to move in on the lands.

The Members have received a letter from Chairman MacDonald this morning of the Navajo Tribe, and in that letter he talked about 6,000 Navajos who have lived on that land since their birth. I do not think the chairman meant to deceive us, but that simply is not the case. Approximately half of these people have moved in there since the decision in Healing against Jones, and it cannot by any stretch of the imagination be said that they have been there since their birth.

Mr. Chairman, this bill contains a sum of money. If those 770-some families of Navajos should elect to do so, or a majority of them, there are moneys provided for in this bill for the acquisition of new lands for the Navajo Tribe to be used as a home for these people who are being displaced. I do not think there is anyone, except for the people affected, the Navajo Council and Chairman MacDonald, who regrets having to move these people more than I do, and very practically, this presents a very real political problem.

It is my rationale that this money is a valid expenditure on the part of the Federal Government because it is the result of dereliction by the Federal Government that this matter has been allowed to reach the state in which it now exists.

Even the Congress has failed to face this issue squarely. The best example of that is that some 8 years ago, I believe, a Navajo-Hopi Boundary Dispute Commission was formed in the Congress made up of Members of this body and of the other body. To the best of my knowledge, that Commission has never met and I suspect that if they had met, they would have accomplished no more than by not meeting. So in that sense, they did render a service.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. SAYLOR. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. STEIGER of Arizona. I thank the Chairman and I thank the gentleman from Pennsylvania.

I will tell you, my friends, like any other arbitrary decision, this one really satisfies nobody. But I am convinced that if we do not take action here in this body and if we permit the violence to build and wait until somebody loses his life or until a number of people lost their lives, then we are obviously going in panic into some alternative solution.

I tell you, my friends, what we do here today will resolve this situation, probably to nobody's satisfaction except that it will resolve it and these two peoples can then live in peace, hopefully from here on out.

Mr. LUJAN. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman.

Mr. LUJAN. I thank the gentleman for yielding.

The implication has been made here in the discussion as to who has how much land—and that it would be very simple for the Navajos just to move into the rest of the Navajo Nation.

Is it not true, however, that that is not a practical solution? The animals that graze on that joint-use-area land—and these are not big ranches—these are people who own just a few head of sheep or a few head of cattle—is it not true that this is not practical nor possible to move these animals in there because there is just not very good land and it could not accommodate these additional animals?

Mr. STEIGER of Arizona. I agree with the gentleman. That is why we put money in the bill for the acquisition of new lands for the tribes for the purpose of relocating some livestock land on this new land.

I will tell you, my colleagues, I think under the conditions the Navajos do not recognize that this is probably the best bill they are going to get. But I will not speak for their view of this matter, but I will tell you that we sincerely believe—this is the best bill they can get. This is a difficult and complex situation and one that nobody likes and nobody appreciates, but it is a situation that must be resolved.

Mr. UDALL. Mr. Chairman, the Interior Committee has written a bill which attempts to resolve a longstanding, bitter and sometimes bloody land dispute between the Hopi and Navajo Tribes. The committee has resolved this matter in a very direct and aggressive manner—by simply drawing a line between the disputed lands and partitioning them to reflect ownership as determined by the Supreme Court in Healing against Jones.

I do not criticize the committee for taking this approach inasmuch as it is one logical way to deal with this problem. And yet, like so many lawyers in this chamber, I have run across cases where the direct and logical approach was perhaps not the wisest, where actions were taken in the name of justice only to find their result was more injustice and misery. The bill and case before us present such a dilemma.

Our real purpose in this legislation ought not to be division of land, but the making of peace. The committee has apparently concluded that peace can be achieved if only the Congress will draw an artificial barrier separating lands that for many years have been jointly, if imperfectly, used by the tribes. My instincts tell me that is not the answer. My instincts tell me that if the answer were that simple the problem would have been settled long ago—and without a series of encounters referred to by some journalists as a frontier range war.

If I can be allowed to stretch an analogy, this boundary settlement reminds me of one drafted by the world's major powers in Geneva 18 years ago. In an attempt to end an interminable war in Indochina, a line was drawn in Vietnam and that country was to be partitioned between the governments of the north and south. As we know, that line had far more impact on the minds of Western diplomats than on the lives of the Vietnamese.

Arizona is not Vietnam, and the Navajos and Hopis are not the Vietnamese. And yet I wonder if the Interior Committee bill before us today does not in a lesser sense make the same mistake made by the great powers in 1954.

We can draw a line today and solve the problem in our own minds, but what do we do if the tribes fail, as well as they might, to accept our logic? How many national guardsmen are we prepared to send to the reservation to enforce this boundary?

I have always believed in the search for peace one should not limit his options. And yet the bill before us limits options in the extreme; it obviates negotiations between the tribes because there is nothing left to talk about; it does not force them to compromise, and hopefully to learn to live together in the process, but rather it hardens the lines and makes them powerless to solve their own dispute even if they were so inclined.

There are some hard, tough facts of life which argue against the committee approach.

There is a lingering mistrust among Arizona Indian tribes of their white brothers, and consequently any direct action the Congress takes to settle this dispute under our system of law will be viewed with suspicion not only by the Navajos—who are uniformly opposed to the bill—but also by a large segment of the Hopi tribe, the so-called traditionalists who have not accepted the white man's ways.

There is the problem of numbers. There are roughly 140,000 Navajos and

6,000 Hopis. Within the lands granted by the committee to the Hopis, live more than 700 Navajo families. This is barren, overgrazed land, and they subsist mostly in dirt floor hogans, without plumbing, electricity, or running water. Yet, their roots are in this land, and they love it more than we can understand. The committee bill is for them an eviction notice, even if ornamented with the carrot of Federal assistance, and there is reason to believe they will not react favorably.

While the Hopis tend to live in villages—within defined territorial units—the Navajos are seminomads. By tradition they are farmers and sheepmen, and they tend to roam the land without respect for borders established by what we consider the normal authorities. Few Hopis, if any, actually live on the open range and their need for land both in terms of population and tradition does not approach that of neighboring Navajos. The committee-approved boundary, if enforced, would no doubt exacerbate tensions inevitably brought on by the differing life styles and needs of the tribes.

In the face of this apparent and seemingly inevitable conflict, is it possible for the tribes to live together in peace? I would hope it is, and yet I have to wonder whether the piece of legislation before us today serves that end. If peaceful coexistence is possible, it will only be achieved in my opinion through the mutual consent of the Navajo and Hopi people.

Therefore, I would ask my colleagues to fall back from this aggressive, imposed solution, even though they might be tempted by its logic. Let me recommend to the House and Senate Interior Committees the broad outline of an approach which I feel would remove much of the sting from the final outcome, no matter which tribe ultimately prevailed.

I suggest that the Congress create a commission, made up solely of Indian representatives, to arbitrate this dispute. The commission should probably have five members—one Hopi, one Navajo, and three other Indians appointed by the President from a list submitted by the Congress of American Indians. The commission would hold onsite hearings, conduct detailed studies and guide negotiations between the tribes. Ultimately, if no mutual understanding could be reached on the joint-use area, the commission would draw a boundary. I have a hunch that under the pressure of time and this kind of commission, the tribes would find a solution they could live with; even if they failed the boundary would be drawn by an all-Indian commission, and their cases would have been made in a forum, unlike the Congress, where the tribes would feel comfortable in the knowledge that their traditions and needs are fully understood.

If I understand the Court's decision in Healing against Jones, the Congress was left with many options in dealing with this delicate problem. While I can understand the thinking and the impatience of the Interior Committee I seriously question the wisdom of taking such direct, aggressive action. I will vote against H.R. 11128, and I urge my colleagues to do likewise.

Under unanimous consent, I append to my remarks the following letter to my colleagues written by Navajo tribal chairman, Peter MacDonald.

EXECUTIVE OFFICE OF THE CHAIRMAN, THE NAVAJO NATION,
Window Rock, Ariz., July 26, 1972.

DEAR CONGRESSMAN: Today you will be called upon to vote on H.R. 11128. On behalf of the Navajo Nation, I ask you, I plead with you, to vote against that bill.

H.R. 11128 would expel about 6,000 of my people from the land on which they have lived since their birth and on which they and their ancestors have depended for their livelihood. The people affected, most of whom are sheepherders, would have their lives totally disrupted. Family ties would be severed. Sacred beliefs, deeply rooted in the lands where the Navajos were born, would be disturbed. Children yet unborn would suffer from the dislocation caused by H.R. 11128.

What the bill would do is move Navajo *people* to make room for Hopi *livestock*. The Hopis, living in their traditional villages, do not plan to move onto the land from which the Navajos will be expelled. They will merely increase their livestock herds.

There is no doubt that the Hopis have a legal interest in the land with which H.R. 11128 deals, co-equal with the interests of the Navajos. But this legal interest can be respected in some way other than by visiting misery on 6,000 Navajo people. We have offered proposals to provide a fair solution to the problem, without damaging the lives of anyone. You, the Congress, have the power to arrange for a fair settlement, to give everyone his legal rights, without expelling thousands of people from their home land. We ask you to arrange for a fair settlement by voting against H.R. 11128.

There have been rumors circulated about outbreaks of serious violence between Navajos and Hopis; there have been stories about people getting killed. No one has, in fact, been killed and many of the reports of violence are greatly exaggerated. There is no doubt that a problem exists, but H.R. 11128, the Navajo expulsion bill, will not solve it.

The bill before you says that the entire task of expelling the Navajos will cost $16,000,000. The fact is that it will cost the American taxpayers millions of dollars more. Schools and public health installations serving the 6,000 people who are about to be expelled have cost some $40,000,000. New facilities may now have to be built for these people elsewhere. The welfare and other social service costs which will be expended on the expelled Navajos will add many millions more. The damage done to thousands of human lives will be immeasurable. The ultimate financial cost may come to $100,000,000—all just to make room for Hopi livestock.

I urge you not to sacrifice people to cattle and sheep. Please vote against H.R. 11128.

Sincerely yours,

PETER MACDONALD,
Chairman.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

Mr. HALEY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the surface rights in and to that portion of the Hopi Indian Reservation created by the Executive Order of December 16, 1882 in which the United States district court found the Hopi and Navajo Indian Tribes to have joint, undivided, and equal interests in the case entitled Healing against Jones (210 Fed. Supp. 125 (1962), affirmed 373 U.S. 758) shall be partitioned in kind as provided in this Act.

SEC. 2. Hereafter the United States shall hold in trust exclusively for the Hopi Indian Tribe and as a part of the Hopi Indian Reservation, the surface interests in and to the following described lands:

Commencing at the northeast corner of the Executive Order Reservation of December 16, 1882, 110 degrees 00 minutes west longitude by 36 degrees 30 minutes north latitude;

thence due south, 40.6 miles to mile 209 on the east boundary of the Executive Order Reservation of 1882, as surveyed by United States Bureau of Land Management in 1963 and 1964, to the true point of beginning;

thence due south, 9.9 miles, following the east boundary of the Executive Order Reservation of 1882 to the centerline of State Route 264;

thence southwesterly, 33,900 feet, following the centerline of State Route 264, to the center of its junction with State Route 77;

thence southerly, 7.73 miles, following the centerline of State Route 77;

thence west, 31 degrees 30 minutes south, 29,300 feet, to the southwest corner of section 6, township 25 north, range 21 east;

thence west, 11.5 miles, following the section lines to the northwest quarter corner of section 7, township 25 north, range 19 east;

thence southwesterly 16,500 feet, to the intersection of the section line between sections 14 and 23, township 25 north, range 18 east, and the Old Polacca-Winslow Road;

thence southerly ¼ miles, following the centerline of the Old Polacca-Winslow Road, to the south boundary of the Executive Order Reservation of 1882;

thence due west, 26 miles, following the south boundary of the Executive Order Reservation of 1882, to a point due south of Monument Point, also know as Finger Point and Katchina Point;

thence due north, 18,250 feet, to Monument Point;

thence northwesterly, following the rim of Garces Mesa, to the western extremity thereof, located in the southwest quarter of section 1, township 25 north, range 13 east;

thence northwesterly, 2.4 miles, following a fence line, to the end of the fence line and the southern extremity of Garces Mesa, located in the southeast quarter of section 27, township 26 north, range 13 east;

thence northerly, following the rim of Garces Mesa to a point where said rim intersects the line common to the northeast quarter and the northwest quarter of section 22, township 26 north, range 13 east;

thence north, 1,500 feet, to the north quarter corner of section 22, township 26 north, range 13 east;

thence north northeasterly, 6,000 feet, to the northeast corner of section 15, township 26 north, range 13 east;

thence north, 3,500 feet, along the section line;

thence west 16 degrees 30 minutes north, 4,800 feet, to the end of a fence adjoining Dimmebito Wash;

thence west 16 degrees 30 minutes north, 4,000 feet, following the fence, to the top of a rim;

thence north 53 degrees west, 5,900 feet, following a fence, to the top of Moencopi Plateau;

thence northwesterly, 9,300 feet, following the rim of the plateau to its junction with the west boundary of the Executive Order Reservation of 1882, 4,650 feet south of mile 110;

thence due north, 41 miles to the centerline of United States Route 164;

thence northeasterly, 5 miles, following the centerline of Route 164 to the junction of a road to the east;

thence south 30 degrees east 4¼ miles, to the top of the rim;

thence southerly, 1.1 miles, following the rim;

thence east 11 degrees south, 2.6 miles, to a point where the Black Mesa Slurry Pipeline intersects the 36 degree 15 minute parallel;

thence northeasterly, 8.2 miles, following the north boundary of the pipeline right of way;

thence north 59 degrees east, 3.2 miles, to the junction of two major drainages from the north;

thence north 44 degrees east, 2.7 miles, to the easterly bend in a pickup road;

thence northeasterly, 3.6 miles, following the said road, to a point where the road bears abruptly to the southeast;

thence northeasterly, 4¼ miles, following the divide;

thence due east, 3 miles, to 110 degrees 30 minutes west longitude;

thence east 27 degrees 30 minutes south, 2.9 miles, to a point where the east boundary of the right of way for the proposed State Second Mesa Kayenta Road crosses the Moencopi Wash;

thence southerly, 20½ miles, following the east boundary of the proposed road right-of-way to a point south of Big Mountain Dam where a line from Gum Point bearing north 54 degrees 02 minutes west will intersect the east boundary of the right-of-way;

thence south 54 degrees 02 minutes east, 21.8 miles to Gum Point;

thence southeasterly, 8½ miles, following the northern rim of the mesa to mile 209 on the east boundary of the Executive Order Reservation of 1882, to the point of beginning; excepting the Hopi Reservation as established by the decree of the United States District Court on September 28, 1962, in said case of Healing against Jones; containing nine hundred and four thousand two hundred and sixty-five acres, more or less.

SEC. 3. Hereafter, the United States shall hold in trust exclusively for the Navajo Indian Tribe and as a part of the Navajo Indian Reservation the surface interests in and to the following described lands:

All of the lands within the Hopi Executive Order Reservation of December 16, 1882, except the lands described in section 2 of this Act and the exclusive Hopi Reservation as established by the decree of the United States District Court on September 28, 1962, in said case of Healing against Jones; containing nine hundred seventeen thousand eight hundred and fifteen acres, more or less.

SEC. 4. Partition of the surface of the lands described in sections 2 and 3 hereof shall not affect the existing status of the coal, oil, gas and all other minerals within or underlying said lands.

All coal, gas, oil and minerals of every kind, shall be managed jointly by the Hopi and Navajo Tribes, subject to such supervision and approval by the Secretary of the Interior or as otherwise required by law, and the proceeds therefrom shall be divided between the said tribes, share and share alike.

SEC. 5. Hereafter the United States shall hold in trust exclusively for the Hopi Indian Tribe and as a part of the Hopi Indian Reservation all right, title, and interest in and to the following described land which is a portion of the land described in the Act of June 14, 1934 (48 Stat. 960), on which the Hopi Tribe was located on the date of said Act and outside of the Hopi Executive Order Reservation:

Beginning at a point along the rim of Moencopi Plateau where the plateau meets the Navajo purchased land at approximately 5,000 feet elevation, said point being on the north boundary of section 9, township 29 north, range 11 east (projected);

thence northerly and northwesterly along the rim of Moencopi Plateau to a point on the projected section line between section 11 and section 12, township 31 north, range 10 east;

thence north along said section line to the center of Moencopi Wash;

thence up the center of Moencopi Wash to a point where it meets the west boundary of allotment No. 54;

thence south and east to the southeast corner of allotment 52;

thence north to the southwest corner of allotment numbered 50;

thence east and north around allotment numbered 50 to the northeast corner thereof;

thence west to the centerline of the highway;

thence northerly and easterly along the centerline of the highway to a point on the centerline of section 28, township 32 north, range 11 east;

thence north along the centerline of sections 28, 21, 16, 9 and 4, township 32 north, range 11 east, to the north quarter corner of said section 4;

thence east along the north lines of sections 4, 3, 2 and 1, township 32 north, range 11 east, to the northeast corner of said section 1, said corner being on the range line between ranges 11 and 12 east;

thence south along said range line to the center of Moencopi Wash;

thence up the center of Moencopi Wash to the west boundary of the Hopi Executive Order Reservation of December 16, 1882;

thence south along said west boundary to a point where a northeasterly extension of the Buck Pasture Fence would intersect said boundary;

thence southwesterly to Windmill numbered A-149;

thence westerly along the section line on the south boundary of section 6, township 29 north, range 12 east, and continuing along the section lines on the south boundary of sections 1, 2, 3, and 4, township 29 north, range 11 east, to the point of beginning.

SEC. 6. The Secretary of the Interior, hereinafter called the "Secretary", is hereby authorized to allot in severalty to individual Paiute Indians, not now members of the Navajo Indian Tribe, who are located within the area described in the said Act of June 14, 1934, and who were located within said area or are direct descendants of Paiute Indians who were located within said area on the date of said Act, land in quantities as specified in the Act of February 8, 1887 (24 Stat. 388), as amended, and patents shall be issued to them for such lands in the manner and with the restrictions as provided in sections 331, 348, and 349 of title 25, United States Code.

SEC. 7. Hereafter the United States shall hold in trust exclusively for the Navajo Indian Tribe and as a part of the Navajo Indian Reservation the lands described in the said Act of June 14, 1934, except the lands described in sections 2 and 5 hereof and the lands in the exclusive Hopi Indian Reservation commonly known as Land Management District 6, and further excepting those lands allotted pursuant to section 6 hereof.

SEC. 8. The Secretary is authorized and directed to remove all Navajo Indians and their personal property, including livestock, from the lands described in sections 2 and 5 of this Act. Such removal shall take place over a period of ten years with approximately 10 per centum of the Navajo occupants to be removed each year. No movement of Navajo Indians onto any of the lands described in section 2 and 5 of this Act or Land Management District 6 shall be lawful unless advance written approval of the Hopi Tribe is obtained. No Navajo Indian shall hereafter be allowed to increase the number of livestock he grazes on the areas described in sections 2 and 5 of this Act, nor shall he retain any grazing rights subsequent to his removal therefrom.

SEC. 9. The Secretary is authorized and directed to remove all Hopi Indians and their personal property, including livestock, from the lands described in sections 3 and 7 of this Act. Such removal shall take place over a period of two years with approximately 50 per centum of the Hopi occupants to be removed each year. No movement of Hopi Indians onto any of the lands described in sections 3 and 7 of this Act shall be lawful unless advance written approval of the Navajo Tribe is obtained. No Hopi Indian shall hereafter be allowed to increase the number of livestock he grazes on the areas described in sections 3 and 7 of this Act, nor shall he retain any grazing rights subsequent to his removal therefrom.

SEC. 10. (a) Navajo Indians moved pursuant to section 8 of this Act shall be given priority for assignment of lands included within the Navajo Indian irrigation project. The Secretary in cooperation with the Navajo Tribal Council shall determine the size of parcels within the project to be assigned to such Indians as necessary to provide them with an economic base.

(b) Notwithstanding the provisions of section 3 of the Act of June 13, 1962 (76 Stat. 90), as amended by the Act of September 25, 1970 (80 Stat. 867), the Navajo Tribe shall not be required to pay the United States for any federally owned lands included within the Navajo Indian irrigation project which are assigned to Indians moved pursuant to this Act.

(c) The value of lands acquired by the Navajo Tribe in fee and included in the project as provided in section 3(b) of said 1962 Act which are assigned to Indians moved pursuant to this Act shall be credited against any sums the Navajo Tribe owes or may in the future owe to the United States under section 3 of said 1962 Act.

(d) The Secretary is hereby authorized to declare that any federally owned lands within the areas described in section 3(a) of said 1962 Act, as amended, not susceptible to irrigation and not needed for project works or canals are held in trust by the United States for the Navajo Tribe.

(e) The Secretary is also authorized to acquire by purchase, exchange, or condemnation, any non-Government lands within said areas which are not susceptible to irrigation and which are not needed for project works or canals. After acquisition, said lands shall be held in trust by the United States for the Navajo Tribe.

(f) The lands transferred to or acquired for the Navajo Tribe pursuant to (d) and (e) shall be available for assignment to Navajo Indians moved pursuant to section 8 of this Act who do not desire to locate on Navajo Indian irrigation project lands or who cannot be accommodated on such lands.

SEC. 11. Hopi Indians moved pursuant to section 9 of this Act shall be given priority to assignments of land within the areas vocated by Navajo Indians. The Secretary in cooperation with the Hopi Tribe Council shall determine the size of parcels necessary to provide resettled Hopi Indians with an economic base.

SEC. 12. (a) All Hopi and Navajo Indians moved pursuant to the provisions of this Act shall be considered "displaced persons," within the meaning of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894). For the purpose of determining payments due under that Act, such Indians shall be deemed to own the land on which their habitation is located.

(b) The United States shall purchase from each such Indian any habitation and other improvements owned by him on the area from which he is being moved. The purchase price shall be the fair market value of such improvements.

(c) In addition to the above payments, the Secretary shall pay to each Indian family moved pursuant to this Act the sum of $3,000 for indeterminable expenses and personal hardship.

Sec. 13. The Navajo Tribe shall pay to the Hopi Tribe the fair rental value as determined by the Secretary for all Navajo Indian use of the lands described in sections 2 and 5 of this Act subsequent to the date of this Act.

Sec. 14. The Hopi Tribe shall pay to the Navajo Tribe the fair rental value as determined by the Secretary for all Hopi Indian use of the lands described in sections 3 and 7 of this Act subsequent to the date of this Act.

Sec. 15. The Navajo Tribe and the Hopi Tribe may each commence or defend in the United States District Court for the District of Arizona an action or actions against each other for the following purposes:

(a) For an accounting of all sums collected by the Navajo Indian Tribe since September 28, 1962, as trader license fees or commissions, lease rentals or proceeds or other similar charges for the doing of business or the use of lands within the Executive Order Reservation of December 16, 1882. The Hopi Indian Tribe shall be entitled to judgment for one half of all sums so collected, together with interest at the rate of 6 per centum per annum.

(b) For the determination and recovery of the fair value of the grazing and agricultural use by the Navajo Tribe and its individual members since the 28th day of September 1962, of the undivided one-half interest of the Hopi Tribe in the Executive Order Reservation of December 16, 1882, outside of Land Management District 6, together with interest at the rate of 6 per centum per annum.

(c) For the adjudication of any claims that either the Hopi or Navajo Tribe may have against the other for damages to the lands to which title was quieted by the United States District Court for the District of Arizona in said tribes, share and share alike, subject to the trust title of the United States, without interest. The claims shall be limited to occurrences since the establishment of grazing districts on said lands in the year 1936, pursuant to section 6 of the Act of June 18, 1934 (48 Stat. 984).

Neither laches nor the statute of limitations shall constitute a defense to any action authorized by this Act for existing claims if commenced within two years from the effective date of this Act.

Sec. 16. The Navajo or the Hopi Tribe may institute such further original, ancillary, or supplementary actions against the other tribe as may be necessary or desirable to insure the quiet and peaceful enjoyment of the reservation lands of said Hopi and Navajo Indians by said tribes and the members thereof, and to fully accomplish all objects and purposes of this Act. Such actions may be commenced in the United States District Court for the District of Arizona by either of said tribes against the other.

Sec. 17. The United States shall not be an indispensable party to any action or actions commenced pursuant to this Act. Any judgment or judgments by the court shall not be regarded as a claim or claims against the United States.

Sec. 18. All applicable provisional and final remedies and special proceedings provided for by the Federal Rules of Civil Procedure and all other remedies and processes available for the enforcement and collection of judgments in the district courts of the United States may be used in the enforcement and collection of judgments obtained pursuant to the provisions of this Act.

Sec. 19. The Secretary is hereby authorized and directed to accomplish the followings:

(a) Survey and monument the boundaries of the Hopi Reservation as defined in sections 2 and 5 of this Act.

Sec. 20. There is hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

Mr. ASPINALL (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COMMITTEE AMENDMENTS

Mr. ASPINALL. Mr. Chairman, inasmuch as the committee amendments are all interwoven and inter-related and have to do with clerical errors and the description of lands and since these matters were discussed during general debate, I ask unanimous consent that the committee amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: Page 3, line 7, strike out "northwest" and insert "north".

Page 3, line 13, strike out "¼" and insert "4¼".

Page 5, strike all of lines 3 through 25 and insert in lieu thereof the following:

thence south 27 degrees 30 minutes east, 4.9 miles to the top of the rim at temporary BM at 6133 on USGS map White Cave Springs 2SW:

thence due east 4.7 miles to the north boundary of the Black Mesa Slurry Pipeline right-of-way;

thence northeastly 26,900 feet following the north boundary of pipeline right-of-way;

thence north 54 degrees 30 minutes east 18,000 feet to the junction of two major drainages from the north;

thence north 82 degrees east 4,700 feet to a pickup road, passing through temporary survey station 6167 T;

thence northeasterly 15,600 feet following said road to a point where road bears abruptly southeast;

thence northeasterly 21,700 feet following the divide east of Black Mesa Wash to a point on a road 1,300 feet southwest of station VCAB 1–75;

thence southeasterly following the divide through station 7037 T, 6895 T, and 6804 T to station 6047 A;

thence easterly following the divide and southerly through station 4–236 A to the Second Mesa—Kayenta road right-of-way;

thence southerly 21 miles, following the east.

Page 6, lines 13 and 14, strike out "containing nine hundred and four thousand two hundred and sixty-five acres," and insert "the surface interests added to the Hopi Reservation containing nine hundred and five thousand one hundred acres,".

Page 6, line 21, strike out "section 2" and insert "sections 2 and 21".

Page 6, lines 24 and 25, strike out "nine hundred seventeen thousand eight hundred and fifteen acres," and insert "nine hundred sixteen thousand nine hundred and eighty acres,".

Page 7, strike out all of line 5 and insert in lieu thereof: "All such coal, oil, gas and all other minerals within or underlying said land shall be".

Page 7, line 7, strike out "such".

Page 7, line 8, strike out "or".

Page 7, line 18 through Page 9, line 13, strike out the present text and insert:

Beginning at a point on west boundary of Executive Order Reservation of 1882 where said boundary is intersected by R/W of U.S. Route 164;

thence south southwest along the center line of said Route 164, a distance of approximately 8 miles to a point where said centerline intersects the township line between Townships 32 and 33N, R 12E;

thence west, a distance of approximately 9 miles, to the N corner of section 4, township 32N, R. 11E;

thence south, a distance of approximately 4¾ miles, following the centerlines of sections 4, 9, 16, 21 and 28 to a point where said centerlines intersect the R/W of U.S. Route 164;

thence southwesterly, following the centerline of U.S. Route 164, a distance of approximately 11 miles, to a point where said centerline intersects the R/W of U.S. Route 89;

thence southerly, following the centerline of U.S. Route 89, a distance of approximately 11 miles, to the south boundary of section 2, township 29N, R. 9E (unsurveyed);

thence east following the south boundaries of sections 2, and 1, township 29N, R. 9E, sections 6, 5, 4, etc., township 29N, R. 10E, and continuing along the same bearing to the northwest corner of section 12, township 29N, R. 11E (unsurveyed);

thence south, a distance of 1 mile to the southwest corner of section 12, township 29N, R. 11E (unsurveyed);

thence east, a distance of 1 mile to the northwest corner of section 18, township 29N, R. 12E (unsurveyed);

thence south, a distance of 1 mile, to the southwest corner of section 18, township 29N, R. 12E (unsurveyed);

thence east, a distance of approximately 9 miles, following the section lines, unsurveyed, on the north boundaries of sections 18, 17, 16, etc. in township 29N, R. 12E and continuing to a point where said section lines intersect the west boundary of Executive Order Reservation of 1882;

thence due north, along the west boundary of the Executive Order Reservation of 1882, a distance of approximately 27½ miles to the point of beginning; containing 208,600 acres, more or less.

Page 9, lines 24 and 25, after "sections" strike ou the remainder of the sentence and insert in lieu thereof: "1, 5 and 6 of that Act, as amended."

Page 10, line 13, strike out "ten" and insert "five" and strike out "10" and insert "20".

Page 10, lines 14 through 17, strike out "No movement of Navajo Indians onto any of the lands described in sections 2 and 5 of this Act or Land Management District 6 shall be lawful" and insert "No further settlement of Navajo Indians on the lands described in sections 2 and 5 of this Act or Land Management District 6, shall be permitted".

Page 11, lines 2, 3, and 4, strike out "No movement of Hopi Indians onto any of the lands described in sections 3 and 7 of this Act shall be lawful" and insert "No further settlement of Hopi Indians on the lands described in sections 3 and 7 of this Act shall be permitted".

Page 11, line 10 through page 12, line 20, strike out all of section 10 and renumber the succeeding sections accordingly.

Page 13, lines 3 through 18, strike out all of section 12 and insert a new section 11 as follows:

Sec. 11. There is authorized to be appropriated to remain available until expended the sum of $16,000,000, which the Secretary of the Interior shall expend as follows:

(a) If a majority of the Navajo heads of household being moved pursuant to this Act, who vote in a referendum conducted by the Secretary of the Interior, vote to use a part of the money appropriated to acquire land upon which all of the Navajo families being moved may be relocated if they so desire, the Secretary shall use for that purpose as much of the money as may be necessary. Title to the land acquired shall be taken by the United States in trust for the Navajo Tribe. The remainder of the money appropriated shall be used, under regulations of the Secretary:

(1) to pay actual reasonable moving expenses of both Navajo and Hopi families who are being moved, and

(2) to pay the fair market value of any improvements left on the land from which a family is moved, and

(3) to pay the cost of a comparable replacement dwelling for each displaced family, reduced by the amount of any payment under paragraph (2).

(b) If the funds appropriated are not sufficient to pay all of the costs and expenses referred to in subsection (a), they shall be apportioned on an equitable basis pursuant to regulations of the Secretary. Appropriated funds in excess of the amount needed for such purposes shall be returned to the general fund of the Treasury.

(c) If a majority of those voting in the referendum provided for in subsection (a) do not favor the acquisition of Navajo tribal land for the relocation of all Navajo families being moved, the entire amount appropriated may be used for the purposes specified in subsections (a) (1), (2), and (3).

(d) No payment to or for the benefit of any one household under subsections (a) (1), (2), and (3) shall exceed $15,000.

(e) Improvements left on the land from which a family is moved may be sold by the Secretary of the Interior to the tribe that owns the land on which the improvements are located, or to any member thereof, at not less than their fair market value.

Page 14, after line 2, insert a new section as follows:

SEC. 14. Nothing herein contained shall affect the title, possession, and enjoyment of the lands heretofor allotted to individual Hopi and Navajo Indians for which patents have been issued. Hopi Indians living on the Navajo Reservation shall be subject to the jurisdiction of the Navajo Tribe and Navajo Indians living on the Hopi Reservation shall be subject to the jurisdiction of the Hopi Indian Tribe.

Page 14, after line 2 and following the new section 14, insert the following new section:

SEC. 15. The Secretary of the Interior and his authorized representatives are hereby authorized and directed to immediately commence reduction of all the livestock now being grazed upon the lands within the joint-use-area of the 1882 Executive Order Reservation and complete such reductions to carrying capacity of said lands, as determined by the usual range capacity standards employed under title 25, Section 151.6 of the Code of Federal Regulations, within one year from the effective date of this Act.

Page 14, strike all of lines 3 through 8 and insert the following, renumbering the succeeding sections accordingly:

SEC. 16. The Hopi Tribe may commence an action or actions against the Navajo Tribe in the United States District Court for the District of Arizona for an accounting of all sums collected by the Navajo Tribe since September 17, 1957, as trader.

Page 14, Strike all of line 15 through page 15, line 9.

Page 15, line 18, strike out "other." and insert

other, acting through the Chairman of the respective tribal councils, for and on behalf of said tribes, including all villages, clans, and individual members thereof.

Page 16, lines 6 and 7, strike out "accomplish the following: (a) Survey" and insert in lieu thereof: "Survey".

Page 16, strike out lines 9 and 10.

Page 16, after line 10, add a new section as follows:

SEC. 21. The members of the Hopi Tribe shall have perpetual use of Cliff Spring as shown on USGS 7½ minute Quad named Toh Ne Zhonnie Spring, Arizona, Navajo County dated 1968; and located 1,250 feet west and 200 feet south of the intersection of 36 degrees, 17 feet and 30 inches north latitude and 110 degrees, 9 feet west longitude, as a shrine for religious ceremonial purposes, together with the right to gather branches of fir trees growing within a 2 mile radius of said spring for use in such religious ceremonies, and the further right of ingress, egress and regress between the Hopi Reservation and said spring. The Hopi Tribe is hereby authorized to fence said spring upon the boundary line as follows:

Beginning at a point on the 36 degrees, 17 feet, 30 inches north latitude line 500 feet west of its intersection with 110 degrees, 9 feet west longitude line, the point of beginning;

thence, north 46 degrees, west 500 feet to a point on the rim top at elevation 6,900 feet;

thence southwesterly 1,200 feet (in a straight line) following the 6,900 feet contour;

thence south 46 degrees east 600 feet;

thence north 38 degrees east, 1,300 feet to the point of beginning, 23.8 acres more or less. *Provided,* That if and when said spring is fenced the Hopi Tribe shall pipe the water therefrom to the edge of the boundary as hereinabove described for the use of residents of the area. The natural stand of fir trees within said 2-miles radius shall be conserved for such religious purposes.

Page 16, line 12, strike out "such sums as are necessary" and insert "not to exceed $16,000,000".

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 11128), to authorize the partition of the surface rights in the joint use area of the 1882 Executive Order Hopi Reservation and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes, pursuant to House Resolution 1054, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid upon the table.

SELECTION OF ARCHITECTS AND ENGINEERS

Mr. BROOKS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12807) to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. BROOKS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12807, with Mr. STEED in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. BROOKS) will be recognized for 30 minutes and the gentleman from Alabama (Mr. BUCHANAN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BROOKS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, in April 1967, the Comptroller General submitted an audit report to the Congress that was duly referred to the House Government Activities Subcommittee, which I serve as chairman, recommending that Congress clarify Federal procurement laws relating to the selection of architects and engineers. The Comptroller General, in his report, concluded that the traditional method of AE selection that had been used for some 30 years was of questionable legality, but that he would not impose his ruling on the departments and agencies until Congress had an opportunity to clarify the law.

The subcommittee made an extensive review of the Comptroller General's report and concluded that the traditional system of AE service procurement then in use in the Federal Government, as well as by practically everyone in private business and industry, constituted the best approach for Government agencies to take in acquiring these essential services.

Under this system, AE firms are ranked on the basis of their qualifications and experience to perform a particular project, and then fee negotiations are undertaken with the firm considered to be the most qualified. Based upon an evaluation of these proposed costs, if he refuses to agree to a fair and reasonable price, then these negotiations are canceled, to be taken up with the next most qualified individual or firm.

As there is no standard of performance available at the time of contract, this unique approach must be used to provide the Government with the highest quality plans and specifications. If routine contract negotiation procedures were used and the amount of the fee to be paid the AE firm discussed incident to the determination of qualifications, less responsible firms could quote a lower fee and have an advantage in obtaining the contract, and then make up for the reduction in fee by delivering lower quality plans and specifications to the Government.

More than 5 years have elapsed since the Comptroller General initially submitted his report to the Congress. the House approved comparable legislation during the last Congress, which unfortunately, was not approved by the Senate before adjournment. We must clarify the legality of these procedures without further delay.

If at some future time the recommendations of the Federal Procurement Commission suggest a more effective procurement approach, then Congress can act affirmatively on such recommendations.

Mr. BUCHANAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 12807 which regulates the procedure by which the Federal Government procures architectural and engineering services.

The distinguished chairman of the subcommittee has presented in detail the background factors that justify and make necessary the enactment of this legislation. I need not take the time of this body to elaborate upon this to any great extent. Allow me to say, however, that we are here today to preserve the general status quo in the Federal Government's procedures in procuring architectural and engineering services.

In 1967, the Comptroller General concluded that A. & E. services were being procured by Federal agencies in violation of the competitive negotiation requirements of Federal procurement law and regulation in that price is not made a foremost consideration at the time applicants' proposals were being considered. Instead, agencies at the initial stage review primarily the qualifications of the applicants and their general design concepts in keeping with the type of project under consideration and manner of services required. The outer limits of project costs are considered at this initial stage, as are the general design concepts, but the intricate specific details are reserved for the subsequent stage.

By adhering to the above procedures, Federal agencies maintain a flexibility in the procurement of A. & E. services. Once the broad nature of the services required are made public, any and all firms are free to propose performing the work in as innovative, original and unique a manner as possible. The type of services required and the outer limits of costs place parameters on that which can be reasonably proposed, but within these rather broad boundaries, the incentive is conferred upon all qualified firms—large and small—to use their talents and imagination to come forward with the most rewarding type of plans.

Following this preliminary stage, the Federal agency selects that firm which it believes most qualified to perform the task. And enters into specific cost negotiations. If a satisfactory contract cannot be negotiated, the agency will commence negotiation with the firm it considers next most qualified; and so on until a satisfactory contract is agreed to.

The above procedure, as I indicated above, is the one which H.R. 12807 seeks to keep in effect. Although the Comptroller General interpreted Federal law and regulations as disallowing the continuation of the above type procedure, he determined that such should remain in effect until Congress had legislated the type of procedure it thought most efficient and effective.

In the 91st Congress, the House passed a bill very similar to the one before you. The closing rush of business, however, prevented the Senate from taking action.

We are here again, therefore, to act as the Comptroller General suggested.

There are those, including the distinguished chairman of the Government Operations Committee and the Comptroller General, who take exception to the bill before us. They claim that the legislation will impede adequate price competition in the procurement of A. & E. services; and also that it will set a bad precedent as far as the procurement of other professional services are concerned While I have great admiration for the opponents of the bill and while I applaud their sincerity in urging economy in government, I do not believe they have made their case.

The procurement of professional services is difficult and complicated. There is little correlation between the procurement of such services and the purchase of durable items and supplies. The heart of the former is the unique capability of the mind—incapable of hard and fast measurement, as in the case of a physical item. When one seeks to acquire the services of a physician, surgeon, lawyer, or architect or engineer, one is looking for competency and training, and also for originality, innovation and inspiration. Directing our attention to A. & E. services, the choice of procurement must not lie solely on the basis of price alone. Rather, such must be based upon that design or proposal which can most capably and efficiently do the job over a period of time. It may be hackneyed, but the old saw about being pennywise and pound foolish seems highly appropriate in this case. This is to say, if procurement of such services are limited strictly to price competition, a tolerable building or structure might be constructed but it could well prove to be far less durable in the long run and maintenance costs might be doubly large. Moreover, it might be so ugly in appearance that its shorter lifespan could become a joyful relief.

I find it most interesting that while those who oppose H.R. 12807 do so primarily because it retains flexibility in price, they fail to cite, to my knowledge, an instance where existing procurement procedures—those we are here seeking to preserve—have produced an inferior design or led to the charging of an excessive fee. On the other hand, I have considerable concern that too great an accentuation on price will ultimately lead to the procurement of inferior buildings and structures.

I am as concerned about economy and efficiency in Government as anyone. If I believed that enactment of this bill would produce unacceptable costs or lead to unreasonable profits, I could not support it. To the contrary, however, I am convinced that retention of the present time-tested procedure will assure the greatest cost efficiency, taking all factors into consideration.

Can there be any doubt that if we required cost and fees to be considered at the earliest stage of negotiations, as opponents of this bill urge, that such will become the primary consideration guiding the procurement of A. & E. services? This can only lead to acceptance by Federal agencies of the lowest cost offer. If they did otherwise, under such circumstances, the lowest bidders would undoubtedly file bid protests, initiate court actions, and demand congressional investigations. In no time at all, Federal agencies would be cowed into awarding contracts for services to the lowest priced bidders. What deterioration in design this would lead to can only be imagined. The corner-cutting on price, the stereotyping of designs, the overall cheapening of projects can be the only outcome. I do not consider this wise; nor do I consider it good government.

It needs to be stressed in connection with the above, that I can only foresee harm to the cause of small business if H.R. 12807 is not enacted. Under the procedures to be codified in this bill, the procuring agency will be in a better position to confer awards upon small businesses who demonstrate originality and innovation, as well as competency, even if their cost proposals may not be the lowest. If, however, price becomes the major criterion, the large concerns are going to be able to absorb costs and lower prices to drive out small A. & E. firms. Similarly, the advancing of cost considerations to an earlier stage—as opponents of the bill advocate—will require A. & E. firms to prepare detailed and costly designs, plans, models, drawings, and specifications for submission with bids involving price. The great expense thus involved when measured against the prospects of receiving an award will generally limit competition to the larger firms which can afford to absorb such costs.

Finally, to those Members who urge delay in enacting this legislation until the Procurement Commission has acted, I appreciate their reasoning but respectfully believe we in Congress are fully capable of acting on this matter with the record before us. This issue has been pending for sufficient years now so that our action here can be taken in confidence without fear of making a serious mistake. If anything uncovered by the Procurement Commission should make us change our minds, then we can correct that in a future Congress. I feel I can urge action now with such assurance because I am only requesting the preservation of the status quo which has served us well to date.

Mr. Chairman, I urge support for H.R. 12807.

Mr. BROOKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi (Mr. GRIFFIN).

Mr. GRIFFIN. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I rise in support of H.R. 12807. Being the author of H.R. 157, a similar bill, I am particularly interested in this measure.

The history of this legislation goes back to 1967 when the Comptroller General cast doubts upon the legality of the traditional method of competitive negotiations for architectural-engineering services procurement. The Comptroller General suggested in his report that the amount of the fee to be charged by the architect or engineer be directly considered incident to the evaluation of relative qualifications and experience in the selection of their services. It was the concern of the Comptroller General that the broadest possible competition be insured in the procurement of such services. I certainly concur in his concern but I feel that the best manner to insure such competition is in the traditional manner as provided for by this legislation.

Believing that the traditional approach that has operated to the best interest of both the public and the Government for many years, I introduced legislation in the 91st Congress that would have put this approach in statutory form. My bill was similar to H.R. 16443 which was adopted by this House on November 30, 1970. However, this legislation was not considered by the Senate.

Again at the beginning of the 92d Congress, I introduced this legislation, H.R. 157. This bill is almost identical to H.R. 12807, now before this house.

Under the traditional approach as reflected in this legislation, members of this profession compete on the basis of their qualifications and experience. Then the firm or individual deemed to be the most qualified to design a particular project would be granted a contract assuming that after thorough negotiation he was willing to perform the work at a fee that is considered fair and reasonable to the government. This is called a competitive negotiation system. Any architectural or engineering firm interested in performing a project can have its qualifications and capability to design a project first ranked. Certainly, there are many firms that might be able to do a particular project. However, there are numerous considerations that must enter into the decision to insure quality, and which suggest the relative capability of the firms. Such variations as experience and expertise in government work might enter into this determination.

After the architectural-engineering firms have been ranked in order of qualification, the traditional approach of procurement, as reflected in this legislation, provides for fee negotiation with the highest ranking firm. If after the negotiations, the firm fails or refuses to accept the contract at the price the government considers fair and reasonable, then the next highest ranking firm begins negotiation.

As you can see, under this system, the government has the opportunity to acquire the services of the most qualified architects and engineers at a fair and reasonable cost determined by the government. This system protects the interests of the taxpayers. An architect or engineer must, having first demonstrated his qualifications in competition, negotiate his fee and demonstrate that, on the basis of the project, it is fair and reasonable. If a firm's position is found to be unreasonable, then negotiations can terminate and begin with the next ranking firm. This in no way destroys or limits competition as some would have us believe.

On the contrary, I believe it improves it. This system adds a new dimension to competition, that of quality and experience. If we were to change this method to allow procurement with first the amount of fee the factor in the selection of the architect-engineer, then each architect-engineer would be pressured to lower his fee, as well as the quality of his work. While many quality firms would be limited in their competition because of the fee, many firms which lack skill and experience can compensate for their deficiencies in the competition with lower fee quotations. There is no doubt but that there are numerous firms that could quote low fees, but can they perform quality work? Such an approach would force the Federal Government to compromise on quality. I do not think that such would be in the best interest of the American people.

Certainly, the taxpayer and this Government might achieve a cheaper project cost from an architect-engineer initially, but it would run the risk of lowering quality that can result in higher costs in the long run. It would definitely be difficult to justify such when we can easily insure against its occurrence. I think we would be doing a much greater service if we can insure quality for our money also.

The legislation that I have sponsored, and which is before us today, helps to insure that the best qualified architectural-engineering firm will be procured at a fair and reasonable cost to the Government. This approach has met with great success for many years and I think it imperative that we place this method in statutory form. I do not believe we can afford to sacrifice quality in design that a change in procurement procedure might bring about. I think it is in the best interests of the Government, and the American taxpayer, that this legislation be adopted.

Mr. Chairman, I urge approval of H.R. 12807.

Mr. BROOKS. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Government Operations Committee, the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to H.R. 12807, relative to the procurement of architect-engineer services by the Federal Government. The reasons why I oppose this bill are set forth in my dissenting views to the legislative report. See House Report 92–1188, page 26. I will include these views as part of my remarks. Also, I will include a letter from the Comptroller General of the United States, dated July 25, 1972, restating and affirming opposition to H.R. 12807. The Department of Justice and the Office of Management and Budget also are opposed to its enactment.

Mr. Chairman, this bill, to put it in the bluntest terms, is special-interest legislation. It is designed for the aid and comfort of certain professional groups. It is the result of an intense lobbying effort. According to an account in Business Week of June 10, 1972, the American Institute of Architects assessed its 24,000 members $10 a head for a special fund to launch a legislative campaign. The purpose of that campaign is to overcome the effects of antitrust actions by the Department of Justice, which has obtained consent decrees in antimonopoly suits against several professional societies which bar price competition in their codes of ethics. To date, consent decrees apply to the American Institute of Architects, the American Society of Civil Engineers, and the American Institute of Certified Public Accountants.

H.R. 12807 is a bad bill for many reasons:

It is against the letter of the procurement laws.

It is against the spirit of the antitrust laws.

It sets a bad precedent for other groups to seek special exemptions from the procurement and antitrust laws.

It tries to preempt the findings and recommendations of the Commission on Government procurement, which will report on this and other subjects later in the year.

It is detrimental, in my opinion, to the opportunities for new and innovative firms to get Government design or engineering contracts.

It is awkwardly drawn and out of context with other legislation relating to the procurement of goods and services by the Federal Government.

In sum, it is bad law and bad policy.

Let me touch briefly on each of these points.

The bill is against the letter of the procurement laws because these laws call for competitive negotiations. The Comptroller points out that architect-engineer or other professional services are not exempt from the law. Competition in this context does not necessarily mean price competition. It can mean technical competition. This bill insulates architect-engineer services from meaningful competition.

The bill is against the spirit of the antitrust laws. You will hear it said by sponsors of the bill that it does not violate the antitrust laws. Whether it does or does not, certainly the bill is anticompetitive in its thrust and direction. Why else would the Attorney General be conducting lawsuits and obtaining consent decrees?

The bill is bad precedent. Architect-engineer services are not that clearly defined. They merge into other technical and professional services procured by the Federal Government. Does "architect" include "landscape architect"? Does "engineer" include "sanitary engineer"? Where does the definition end? And if one group is exempt from competition, why not another group? Soon the procurement laws would be undermined.

The bill tries to preempt the findings and recommendations of the Commission on Government Procurement. That Commission is a creature of Congress. It was created to advise the Congress on statutory and administrative improvements in the procurement area. Its report will be available by December 31 of this year. Why the rush to enactment?

I ask, why the rush? The sponsors of the bill say all it will do is put into law what has been done in practice. If so, there is no need for haste. What has been done for 30 years can continue for a few more months. Why not wait for the considered findings and recommendations of an expert group?

This bill is detrimental to opportunities for new business and small business in professional areas. A special survey by the Comptroller General, cited and summarized in my minority views, shows that the bulk of architect-engineer contracts are awarded to a small number of large firms. Twenty architect-engineer firms receive 60 to 75 percent of the Government business.

This bill is awkwardly drawn and out of context with the procurement laws. It does not amend the Armed Services Procurement Act. It does not amend the procurement title of the Federal Property Act. It creates a new title IX, tacked on to the Federal Property Act, and not only raises problems of interpretation but literally requires the agency head to negotiate the contracts. My dissenting views discuss the legislative complexities.

In sum, Mr. Chairman, H.R. 12807 is bad law and bad policy. It is special-interest legislation. It is anticompetitive. It sets bad precedent. It distorts the procurement legislation. And worst of all, perhaps, it denies the flexibility needed by the Government procuring agencies in determining what will best serve the Government's interest.

Mr. Chairman, later on, when the committee is in the House, I will ask permission to insert some additional material in the file, including the letter from the Comptroller General under date of July 25, so that it may be cleared for the other body.

I might say that this bill or a bill similar to this passed the House once before and it never was passed in the Senate. I predict the same thing will happen to it over there.

Mr. Chairman, the material is as follows:

COMPTROLLER GENERAL OF
THE UNITED STATES,
Washington, D.C., July 25, 1972.
Hon. CHET HOLIFIELD,
Chairman, Committee on Government Operations, House of Representatives.

DEAR MR. CHAIRMAN: In response to your request, we are furnishing you our comments on H.R. 12807, 92d Congress, as reported out by the House Committee on Government Operations on June 28, 1972. (House Report No. 92–1188).

H.R. 12807 would amend the Federal Property and Administrative Services Act of 1949 to establish Federal policy with respect to the selection of firms and individuals to perform architectural, engineering and related services for the Federal Government. In our letter of April 10, 1972, printed on page 13 of the House report we recommended that H.R. 12807, as introduced, not be favorably considered because the bill would establish a method of procurement for architect-engineer services which would not allow for sufficient competition. We also expressed the view that action on the bill should be postponed until the Congress has had an opportunity to consider the views of the Commission on Government Procurement, which is considering the procurement of professional services, including architect-engineer services.

We have carefully reviewed our previous recommendation in light of H.R. 12807 as reported by the Committee and we find no basis for changing our views.

Section 902 in part declares it to be the policy of the Federal Government to secure architectural and engineering services on the basis of demonstrated competence and qualifications for the type of professional services required and at fair and reasonable prices. We, of course, endorse this objective. We do not, however, believe that the selection procedures provided for by H.R. 12807 are best for achieving this goal. As I stated in my testimony on H.R. 12807 before the Subcommittee on Government Activities (printed on pp 14–16 of the House report) the concept of competitive negotiation can be successfully applied to the procurement of architect-engineer services without adversely affecting the quality of the services to be provided. I would emphasize that it has been applied to the procurement of other professional services such as management counselling and research and development without adverse effect.

Let me stress again at this point that competitive negotiation is not to be confused with the formalized competitive bidding procedures which generally require award to the responsible bidder submitting the lowest price providing the bid is responsive to the Government's advertised requirements. Competitive negotiation contemplates the consideration of factors in addition to price. The contracting agency is charged with the responsibility of awarding a contract for the required services to the best advantage of the Government, "price and other factors considered." Under competitive negotiation procedures, a consideration of "other factors" pertinent to the procurement may well require the contracting officer to select one offeror over another offeror submitting a lower price.

By committee amendment, section 902 contains a further policy declaration that the "Federal Government * * * publicly announce all requirements for architectural and engineering services * * *." As noted in your views on H.R. 12807 a survey made by our Office showed that the top twenty architect-engineer firms selected by the major Federal procurement agencies during fiscal year 1971 received the bulk of awards in terms of dollar value. Thus, this declaration is, in our view, a helpful step in increasing the opportunity for architectural and engineering firms to participate in the Federal Government's procurement of services.

Section 903 sets forth a mandatory procedure to be employed in the selection of contractors to perform architect-engineer services. As the first step in the selection procedure, the agency head would invite architect-engineer firms to submit statements of qualifications and performance data in accordance with the terms of the solicitation. Issuance of a solicitation would, of course, be necessary to comport with the policy declaration of section 902 requiring notice of the Government's requirements. In addition to the responses to the solicitation, the agency would also review and evaluate the annual qualification and performance data filed by architect-engineer firms. Section 903, as amended, would then require the agency head to "conduct discussions with no less than three firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required." This requirement takes the place of the proviso to section 904(a) of the original bill which is eliminated. The proviso would have afforded the agency head an option to "request alternative methods of approach to the solution of problem and concepts of the scope of services required."

That discussions before selection are mandatory is an improvement in H.R. 12807. However, from the standpoint of fostering competition it seems to us that the real question is the scope and content of the required discussions. With respect to the effect of the discussion requirement, the Report (at p. 8) states:

"This new language assures as extensive an evaluation of alternative approaches and design concepts as is possible without requiring actual design work to be performed by the firms that are interested in obtaining the design contract.

"Unless the Government were willing to pay more than one A/E firm for their services before the time of contract, it is unrealistic to expect any firm to design the structure that is subject to the contract without some type of remuneration. * * *."

* * * * *

"The language, of course, does not preclude the submission of such material on the part of any firm. However, this additional work, unless supported by clear manifestations of qualifications and excellence, should not be given undue consideration * * *."

It is recognized that appropriate agency implementation would be necessary to carry out section 903. However, the intent of section 903, as stated in the Committee report, militates against the meaningfulness of any discussions of design concepts both as to content and overall impact on the selection process. Also, total project costs seems to play little part in the discussions contemplated by section 903. As I said in my testimony, the Government's primary interest in this area should be with the total cost of construction, whether the design will be both functional and esthetic and whether the design will produce the lowest life cycle costs of the facility. Section 903 does not afford the agency head the latitude to explore thoroughly the factors necessary to a decision of which design approach offers the lowest total-life cycle cost for the proposed facility. The cost of architect-engineer services (which admittedly account for a small percentage of the total construction costs) should not be controlling. The design and life cycle costs are the pertinent factors that must be assessed if an intelligent judgment is to be made. The architect-engineer proposed fees should become decisive only when two or more firms making proposals are found to be equal in all other areas.

Finally, we renew our recommendation that legislative action be postponed pending the Commission on Government Procurement report on the procurement of professional services which will be made in December of this year. Passage of H.R. 12807 at this time would deny to the Congress the benefits of the Commission's report. During my testimony on H.R. 12807, I referred to the need to assess the anti-competitive nature of the architect-engineer selection procedures required by the bill. Since that time consent decrees eliminating the anti-competitive provisions of the codes of ethics of various professional societies have been approved by the courts. In view of these current developments, we think that it is even more important that the Congress should have the opportunity to consider the views of the Commission before acting. The question is not whether H.R. 12807 violates the antitrust concept; rather, it is whether the Government as a major user of professional services should sanction in legislation a noncompetitive philosophy.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

DISSENTING VIEWS OF HON. CHET HOLIFIELD

I am opposed to H.R. 12807 as reported from the Committee on Government Operations. This is, in a sense, special-interest legislation. It would freeze into law certain procurement practices with regard to architectural and engineering services. The Comptroller General has criticized these practices as not conforming to the basic procurement laws and as depriving the Government of the benefits of competition in this procurement area.

The issue, at bottom, arises from a statutory requirement for *competitive negotiations* when procurement by formal advertising is not feasible. This requirement is carried in the Armed Services Procurement Act.[1] There is no comparable provision in the Federal Property and Administrative Services Act, but the General Services Administration has entered the substance of the requirement in the Federal Procurement Regulations.[2]

Although the Armed Services Procurement Act does not exempt architect-engineer services from the requirement for competitive negotiations, the Federal departments and agencies generally treat them in a manner different from other negotiated procurements. It is customary to negotiate with a single firm selected as the most qualified on the basis of information on file or otherwise obtainable. In the event the negotiation is not successful because of disagreement about the fee, the next firm in order of qualification is chosen for negotiation.

The Comptroller General, after making a study of this procurement area pursuant to a directive from the Congress,[3] decided that the prevailing procurement practice did not accord with the statutory requirement for competitive negotiation. Recognizing, however, that this was a controversial area lacking a clear statement of congressional intent, he signified willingness to defer action to effect compliance with the law pending congressional clarification of the subject.[4]

Professional organizations of architects and engineers have lobbied strenuously for this bill to prevent possible action by the Comptroller General which would introduce competitive negotiations for the procurement of their services by the Government.[5] From their viewpoint, exempting legislation takes on added urgency and importance because a number of them have been the subject of suit by the Department of Justice for violation of the antitrust laws. The violation stems from agreements in professional codes of ethics not to engage in price competition for services sought by clients. Consent decrees have been obtained by the Department of Justice in three instances to date, resulting in the elimination of the price ban from codes to ethics. The American Society of Civil Engineers, the American Institute of Architects, and the American Institute of Certified Public Accountants have signed consent decrees.

H.R. 12807 does not, by itself, exempt architects and engineers from the antitrust laws, which apply to private as well as public business. What this bill does is constrain the Government from engaging in competitive negotiations for the procurement of their services, and it relieves architects and engineers from the obligation to compete on a price basis in dealing with the Federal Government. In this sense, the bill is anti-competitive and against the spirit of the antitrust laws.

The issue of price competition in this context has to be examined more closely. The statutory requirement for competitive negotiations is not limited to price. It includes competition on a technical basis. These factors of price and technique are closely interwoven. Thus, if architectural or engineering designs submitted by several competing offerors were judged equally satisfactory, it would be proper to make an award decision on the basis of the price (fee) most favorable to the Government. In another and more important sense, technical competition can yield a design which, even at a higher fee, could result in lower total costs, considering construction or maintenance and other costs incurred over the life of a project.

H.R. 12807 would prevent the Government from requesting competitive proposals for architect-engineer services in the search for innovative techniques and money-saving solutions. The only competition permitted by the bill is the ranking of firms for one-at-a-time negotiation, not the ranking of proposals for comparative evaluation. This means that the blue ribbon professional firms, those that are larger and longer-established, always get first crack at the Government business. Although some Government spokesmen contend that small architectural and engineering firms are given ample opportunity to obtain contract awards, the fact is that the awards are highly concentrated and the small firms are confined to the small jobs.

A special survey, made by the Comptroller General at the request of a Member of the subcommittee handling the bill, shows that the top 20 architect-engineer firms selected by each of three Government procuring agencies, during fiscal year 1971, received the bulk of the awards in dollar terms. The National Aeronautics and Space Administration awarded 77 percent of its architect-engineer business to the 20 top firms, the General Services Administration awarded 71.6 percent, and the Department of Defense awarded 61 percent. Only in the case of the Corps of Engineers (civil functions) did the percentage drop to 40.5 percent, probably reflecting the wider geographical and functional dispersion of the Corps' activities.

Great fears have been expressed by sponsors of this bill and if competitive proposals are required for each project, then the competition inevitably will become one of price bidding; and that the Government, in consequence, will be driven to select the inferior firm with the lowest offer at great risk to the quality of performance. The argument frequently is cast in terms of advertising for sealed bids. In my opinion this is a complete bugaboo. No one is suggesting that professional services of this kind be purchased through advertising and sealed bids. Architect-engineer services are negotiated. The Comptroller General does not contend, and neither do I, that architect-engineer firms should be selected simply on the basis of the lowest fees offered. The real point is that unless the Government has an opportunity to receive and evaluate competing proposals for the best way to get a job done, it will not be able to assure itself that the public interest is fully served. There is a proper place for competition in the procurement of architect-engineer as well as other kinds of services.

It is my belief that if we intend to effect improvements to the procurement rules currently in effect, we should strive to encourage the kind of competition which will produce better ideas, which at the same time are likely to be more economical to the Government. A good technical proposal, written in terms of a specific project, and spurred by competition, may well produce a new and worthwhile concept that will reduce the cost of construction or maintenance. To me, there is no assurance simply in the reputation or past performance of individual firms that the Government will obtain the most advantageous ideas and plans for a particular size or type of building or facility. It may be that the firms are mainly concerned with how their fees are computed, but the procuring agency should be most concerned about the total cost of the project and the intrinsic values of the ideas which different firms may have.

This bill would prevent such competition. Therefore, it sets a bad procedure, for Government procuring officers should not be prevented by statute from using their best judgment in choosing the most advantageous way to serve the public need. At the very least, procurement officers should have an option to invite competitive design proposals. This bill does not even accord them that option.

When an earlier version of this bill was brought to the House floor in the fall of 1970, an amendment proposed by a Member from Texas (Mr. Eckhardt) would have permitted procuring agencies to consider alternate conceptual designs in terms of feasibility and cost before entering into contract negotiations.[6] It would have given the procuring agencies some measure of flexibility in selecting the best qualified firm after comparing proposals. That amendment was adopted, and the bill passed the House but failed of passage in the Senate.

Even that modest gesture toward competition is eliminated from the present bill. H.R. 12807, as reported, does carry some awkward language requiring agency heads to conduct discussions with no less than three firms in ranking their qualifications for negotiation. It should be clearly understood that this language does not authorize competitive negotiations or comparative evaluations of specific proposals from architect-engineer firms. To emphasize the point, this language is not even carried in the section of the bill dealing with negotiations.

The bill also is bad precedent. I can foresee that if the bill is enacted, the door is opened to removing other technical and professional services from competition. Many other services are just as technical, sophisticated, and demanding as architect-engineer services. Why should we fence off by statute the procurement of these services, and then open the gate to other similar demands?

The bill is not only bad procedure and bad precedent, it is badly drawn. If the intent were simply to make it clear that architect-engineer services are not subject to the statutory requirement for competitive negotiation, then that purpose could have been effected by an amendment to the applicable section of the Armed Services Procurement Act or to the procurement title (III) of the Federal Property and Administrative Services Act. This bill does neither. It proposes a new title IX to the Federal Property and Administrative Services Act, with some new definitions and some new procedural language of uncertain meaning and application.

For example, the bill requires that contracts for architect-engineer services shall be negotiated by the "agency head." This term is defined to mean "the Secretary, Administrator, or head of a department, agency or bureau of the Federal Government." The bill makes no provision for delegating this negotiating function to a procurement officer. One might suppose that the delegation is implied, except for the fact that the existing authority of the GSA Administrator or other agency heads to delegate is spelled out specifically with respect to property management in title II of the law, procurement in title III, and foreign excess property in title IV.[7] The failure to spell out such authority in H.R. 12807, which is a new title, would seem to impose upon agency heads the burden of personally negotiating for the procurement of architect-engineering services.

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[1] 10 U.S.C. 2304(g).

[2] 41 CFR 1-1.301-1, 1-3.101(c), 1-3.805-1 (a). The prefatory statement in section 1-3.805-1 contemplates that the procedures, as outlined, may not be applicable in some cases. Architect-engineer and other "special services" are mentioned by way of illustration. There is no mandatory exemption for such services, unlike the provisions of H.R. 12807.

[3] House Report No. 80-1748, July 20, 1966, p. 10. The study was initiated after the National Aeronautics and Space Administration sought unsuccessfully to get a waiver of statutory fee limitations in the procurement of architect engineer services. The fee issue is not treated to H.R. 12807.

[4] Report to the Congress by the Comptroller General of the United States, "Government-wide Review of the Administration and Certain Statutory and Regulatory Requirements Belating to Architect-Engineer Fees" (B-152306), April 1967, p. 33.

[5] According to an account in *Business Week*, June 10, 1972, p. 20, the American Institute of Architects assessed each of its 24,000 members $10 for a special fund to start a legislative campaign at the Federal and State levels to prohibit competitive bidding for architectural services.

[6] CONGRESSIONAL RECORD, vol. 116, pt. 29, p. 39084.

Finally, the bill is badly timed. The Commission on Government Procurement, which was created by the Congress to study Government-wide procurement policies, procedures, and practices and make recommendations for improvement, will submit its report to the Congress by the end of the year.[8] The procurement of architect-engineer services has received intensive study and will be one of the matters included in the Commission report. Before legislation on so complex and controversial a subject, the Congress ought at least to have the benefit of the Commission's findings and recommendations.

Chet Holifield.

Mr. BUCHANAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. Horton).

Mr. HORTON. Mr. Chairman and members of the committee, I am opposed to taking action on this bill at this time.

I am one of the two members of the Procurement Commission appointed by the House. Mr. Holifield, who has just spoken, is the other member. I served on the Government Procurement Commission, and that Commission, as you know is a statutory Commission which was appointed by the Congress with the purpose of making an indepth study of the many complex issues in the procurement of goods and services by the Federal Government. This Commission is mandated by law to submit its report to the Congress at the end of this year. As a matter of fact, Mr. Holifield and I have left a meeting of that Commission in process now, at the Capitol, in a 4-day session in connection with its deliberations. The Commission intends fully to discharge its mandate of reporting to the Congress by the end of this year. It seems to me it is ill-advised to take action on this bill now with regard to architect-engineer services prior to the time the Commission, which made an indepth study of this matter, makes its report.

I invite your attention to the report. There is a letter at the bottom of page 23 and the top of page 24 signed by the chairman of the Procurement Commission, Mr. Perkins McGuire, in which he points out two of the 16 study groups of the Commission submitted material on this matter which we have under consideration here today.

I was one of the commissioner advisers to the task force subcommittee which made a study in this area. We are now in the process of making our deliberations.

I might also point out there is at the present time no action going to be taken by the Comptroller General or by the Attorney General or by the Office of Management and Budget with regard to the present practice until after the Commission makes its report. So I see nothing that would be harmed by leaving the situation as it is.

So, Mr. Chairman, I personally feel it is ill advised, especially in view of the fact that the Commission has this matter under active consideration. The Commission had the opportunity to look into the matter in depth, and the Congress ought to wait, I believe, until the Commission has had an opportunity to make its report and its recommendations.

What we are doing essentially, if we enact this legislation, is to say by statute that this shall be the manner in which the procurement of architect and engineer services shall be done in the future. I think it would be much better for us to wait until we have had an opportunity for the recommendations of the Commission to be made public and for that report to be made to the Congress.

I think also, if you want to talk about the subject matter itself, that there are some other factors that ought to be considered. One of the points that is made in the argument for the enactment of this legislation is that the Comptroller General and others are advocating primary reliance upon price competition. I happened to have been an attorney before I came to the Congress, and in that profession I certainly did not feel that professional services should be based primarily on price competition. The services of doctors or lawyers, architects or engineers, should not be contracted for on just the price basis. Rather, other factors must be considered that can provide excellence within a competitive framework. Such sophisticated matters must be fully considered in any proposed legislation.

I would hope that the Congress would not pass this legislation at this time, but would await the results of the recommendations of the Procurement Commission, and then at that time take action based upon a careful consideration of that which has been recommended by the Procurement Commission.

Mr. BROOKS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. Moorhead).

Mr. MOORHEAD. Mr. Chairman, I rise first to commend the chairman of the subcommittee who has served as a member of this subcommittee for a number of years and, second, I take this time to direct a question to the gentleman for the purpose of clarification of the legislation, and also for the purpose of making some legislative history.

Mr. Chairman, I would like to know whether, in your opinion, the services of landscape architects would come within the confines of the proposed legislation?

Mr. BROOKS. Mr. Chairman, if the gentleman will yield, the bill would cover the various types of architects insofar as the term implies that the individual is professionally trained and qualifies under appropriate State law to practice the profession. The bill does not extend to other types of services, but, of course, does not exclude the use of this approach for the procurement of other types of services when allowed under appropriate provisions of law, regulations, or practice.

Insofar as landscape architects are concerned, this bill would apply when the controlling jurisdiction, under appropriate registration laws, requires that persons acquire and maintain a proper level of professional excellence.

Mr. MOORHEAD. Mr. Chairman, I thank the gentleman very much for his reply.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BUCHANAN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I take this time in order to concur in the answer given by the chairman of the subcommittee, the gentleman from Texas (Mr. Brooks) as to landscape architects being included where the State or licensing authority would so consider them as architects.

I appreciate the gentleman from Pennsylvania (Mr. Moorhead) raising the question. I hope this will clarify it for the record, that we concur in the answer given by the Chairman.

Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa (Mr. Schwengel).

Mr. SCHWENGEL. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of H.R. 12807. The legislation is needed. It is needed to clarify the situation with regard to the Government's relationship to architects and engineers.

The General Accounting Office's opinion, which raised questions about the relationship between government and A. & E.'s, has been interpreted differently by various agencies. Some are requiring bids, others are not. The GAO persists in its position that A. & E.'s must submit price quotations unless Congress clarifies the law. Agency personnel, faced with the uneasy prospect of acting contrary to GAO's recommendation, are beginning to bend to the pressure.

Within the last several months, in response to an objection raised over a Geological Survey invitation to engineers to submit price quotations with their qualifications to perform a particular job, the agency told the National Society of Professional Engineers:

> I'm sure you recognize that the Geological Survey must operate within Federal Procurement Regulations . . . policies and procedures, GAO guidelines, etc.

Within the past year the Department of Commerce, in response to a Consulting Engineers Council protest over the agency's price competition requirement, said:

> Perhaps you are aware of Comptroller General decisions that revolve around government requests for price information.

A February 23, 1971, letter from the Director of Contracts Management at the

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[7] 41 U.S.C. 486(d), 257(a), and 514(b).

[8] Public Law 91-129, approved Nov. 26, 1969, as amended by Public Law 92-47, approved July 9, 1971.

Environmental Protection Agency cited not only the Comptroller General's opinion on this matter but also noted that the 91st Congress failed to enact H.R. 16443, in defense of its decision to request price quotations for professional services procurements. Interestingly, a January 20, 1971, letter from EPA's Water Quality Office is frank to admit that a contract for a highly technical engineering study was awarded on the basis of a low bid.

These are only a few examples which indicate that the General Accounting Office's views on price competition for professional services are almost certain to prevail unless Congress steps in and asserts itself on this matter. It is apparent that enactment of legislation, such as H.R. 12807, is the only action which the Comptroller General will accept as reflecting the intent of Congress.

This issue first arose in 1967 when GAO took a position that the traditional procedures were improper. Confusion has been growing since that time. There is a need for this legislation now to eliminate the growing confusion as to Congress' desires.

The traditional professional procedures covered by this bill have long provided the Government with quality design services at a fair and reasonable cost. No evidence has been provided to the contrary.

A. & E. services represent only a small fraction of a project's total cost but that fraction has a considerable influence on the remainder of the cost, both construction cost and lifetime maintenance cost. Professional services such as these cannot be precisely defined as to scope and, therefore, price competition in the usual "bidding" sense cannot result in serving the best interests of the Government.

Passage of H.R. 12807 will continue to assure A. & E. services in the best interest of the Government through: First, high quality design; second, economical construction and maintenance; and, third, protection of the health, safety, and welfare of the public.

H.R. 12807 should be passed.

Mr. FASCELL. Mr. Chairman, I rise in support of H.R. 12807, a bill to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government.

Basically, the tenets of this legislation hold that the traditional manner of selecting architects and engineers to work for the Government is sound. Under this system, architects and engineers interested in performing a particular contract are first ranked according to their qualifications and capabilities to design a particular facility. Having ranked the architects and engineers, the Government then proceeds to negotiate a fee with the highest ranking firm. If, after negotiations, the highest ranking firm fails to agree to perform the contract at a price Government negotiators consider fair, then negotiations with that firm are terminated and begun again with the next ranking firm.

I supported legislation similar to this in the 91st Congress, when it was considered and passed by the House, and I support the bill under consideration today when it was before the Government Operations Committee. I again support this proposal for several reasons.

First, this system favors selection of the most skilled and responsible members of the architecture and engineering professions. Under this system, architects and engineers find no need to compromise the quality of the design or the level of effort they will contribute to it in order to meet lower fee quotations of other architects and engineers.

Second, this system protects the taxpayers. Having won the competition on the basis of capability, the winning architects and engineers must then negotiate their fee. They must demonstrate, on the basis of projected costs, that this fee is fair and reasonable. They must accept whatever adjustment the Government demands if they wish to obtain the contract. They know that if they hold out for an unreasonable fee, the Government will terminate negotiations and award the contract to another architect and engineer at a fair price.

Third, if we were to go to regular competitive bidding, where each potential contractor is pitted against the others in terms of fee and quality of product, then we could not achieve an optimum method of procuring contractors' services for the Government. If architects' and engineers' fees were reduced using this bidding method, the savings would inevitably be reflected in a reduction of the architects' and engineers' design costs, rather than their projected margin of profit. This in turn means that the Government would tend to obtain lower quality plans and specifications which could mean high construction and maintenance costs and generally lower quality buildings and facilities.

Thus, I urge the passage of H.R. 12807 so that the Government has the opportunity to acquire the services of the most qualified architects and engineers at a price that is both fair and reasonable to the taxpayer.

Mrs. HICKS of Massachusetts. Mr. Chairman, we are all aware of the impact of the fruits of architecture and engineering upon our visual environment. Through their talents architects and engineers can contribute to the physical and visual well-being of the Nation's inhabitants by their design and construction of efficient and pleasant buildings. In view of the vast sums of tax dollars appropriated yearly for the design and construction of Federal buildings, the Government should strive to obtain the best professional services at the most reasonable cost to the taxpayer. This is not to suggest, however, that the Government should contract with a lowest bidder at the expense of safe, functional design and construction. Ideally the selection process for professional services of architects and engineers of the Federal Government should serve as a model for the Nation.

H.R. 12807/H.R. 157, the architect-engineer selection bill, seeks to establish a Federal policy for the selection of the professional services of architects and engineers by amending the Federal Property and Administrative Services Act of 1949 to include a new title IX on the selection of architects and engineers. In doing this the bill responds to an April 1967 recommendation of the Comptroller General that Congress clarify the legality of the traditional manner in which Federal departments and agencies select architects and engineers to perform services for the Federal Government.

Basically the bill does not represent a radical change from existing policy nor does it introduce any new ideas. What it would achieve is the legislative confirmation of traditional practices in relation to the Federal selection of architects and engineers while insuring the best results for the taxpayer and the Government.

The bill would define two steps in the selection of professional services from architects and engineers. First, architects and engineers interested in a Government contract would be ranked according to their qualifications and capability to construct or design the particular facility in question. Thus, quality is assured the Government at the beginning of the selection process. The agency in question would then rank at least three firms in order of professional capability. Second, after ranking at least three firms in the order of their qualifications, the agency would negotiate fees with the highest ranking firm. If the negotiations failed to produce satisfactory results, in that the firm would refuse to accept the agency's proferred fee, the agency would close negotiations with the firm and consider the next ranking firm. Thus, in the second step of selection, the interests of the taxpayer are protected by requiring the firm to accept the agency's offer.

Essentially, these steps are in accordance with the traditional method of selecting professional services of architects and engineers.

Two arguments have been raised in opposition to this approach. First, it has been argued that the ranking system would automatically eliminate smaller, less established firms and would give preference to the 20 or 30 large established firms in the Nation. Probably the larger firms would often be awarded contracts to manage the larger projects, but the smaller firms would not be excluded from these and other Government contracts. According to the bill, the agency head may, before ranking the highest qualified firm, request alternative methods of approach to the solution of the problem and concepts of the scope of services required. With this option, as Mr. George White, Architect of the Capitol, noted at hearings, the bill offers "the best and most feasible method for the appropriate selection of architects and engineers which will yield the highest quality of services for the least amount of expenditure of the taxpayer's dollar."

Another argument frequently raised by opponents of this bill is that by ranking the candidate firms before fee is considered, the Government may loose negotiating leverage and risk agreements to fees higher than warranted by the scale and complexity of the work. Such a situation is unlikely to occur, however, since the procuring agency regulations would limit this fee offer to 6 percent of the estimated construction costs.

As the subcommittee of the House Committee on Government Operations established at the hearings held on H.R. 12807 and H.R. 157 on March 14 and April 18 of this year, the passage of these bills would prevent the development of a procurement system in which price would be the principal factor in selection of a firm with professional capability being relegated to a secondary consideration. In other words the Federal Government should not be a party to "price shopping" that undermines our engineering and architectural professions. This bill would legally embody the traditional methods of selecting architects and engineers and would indicate congressional approval of the selection method.

I would conclude by noting that the professional services of architects and engineers are more than mere commodities to be purchased at the lowest price. They are intangible reflections of visual senses and perceptions as well. We cannot expect to purchase these services and talents at the lowest price and still receive the highest quality for the price will sometimes be relative but the quality should never be compromised. The architect-engineer selection bill seeks to ascertain the best quality for the Government while imposing the least burden on the taxpayer.

Would you care to buy a medical operation at the lowest bid?

Mr. ROSTENKOWSKI. Mr. Chairman, I rise in support of this bill as reported by the Committee on Government Operations. This bill, which would provide legislative sanction to the current method of selecting firms to perform architectural and engineering services for the Federal Government, provides for an effective and efficient manner in which to acquire government services.

I have always supported measures which insure the broadest possible competition in the procurement of public services. Such competition is our only insurance of equitable and reasonable prices. I support this bill because it would encourage the selection of the most qualified members of the architectural and engineering professions to perform work for the Government at fair prices.

It is mandatory that our Government contract with architectural and engineering firms of the highest caliber for the most reasonable fee. H.R. 12807 meets this need and I therefore offer my wholehearted support of this legislation.

Mr. KLUCZYNSKI. Mr. Chairman, this legislation has my full support.

More than 5 years ago, in April 1967, the Comptroller General formally advised the Congress that he had questions as to the legality of architect/engineer service procurement procedures that had been used by Government agencies for more than 30 years. He asked that the statutes involved be clarified.

This legislation clarifies the legality of the traditional system of A. & E. procurement, and I do not believe that Congress can further delay in removing any question of illegality from these procedures.

This bill simply casts in statutory form the traditional manner in which architects and engineers have been selected by Federal departments and agencies and also reflects the system that is generally used throughout industry, business, and State, and local governments.

If the Procurement Commission at some later date should recommend a system that offers the government a better advantage, then Congress can adopt a new approach.

Underlying the need for this legislation is a multibillion-dollar Federal construction program. The cost of designing the buildings and other structures that are involved in this program is relatively small in contrast to the total expenditure in construction funds. It is essential, in my mind, that we, at this time at least, maintain the system reflected in this bill, which optimizes competition among members of these professions for Government work on the basis of proven capability, competence, and experience, but also protects the taxpayers in requiring that the firm deemed to be the most qualified must, as a result of extensive fee negotiation based upon his projected cost, agree to perform the design work at a fair and reasonable price.

Routine competitive negotiation cannot fulfill this function as, at the time of contract, there is no standard of performance available by which to measure the level of effort or nature of the design various A. & E.'s would offer. In the absence of a standard competitive base, if the Government also considered the amount of the A. & E.'s fee at the time of determining their relative qualifications, firms would be forced to lower the level and quality of their effort in order to match the lower fee quotations of less responsible or less competent members of their professions and could end up to the disadvantage of the Government.

Accordingly, I recommend approval of this bill.

Mr. DORN. Mr. Chairman, I rise in enthusiastic support of this fair and reasonable legislation first introduced by the distinguished gentlemen from Texas. It has been my pleasure to join with Mr. Brooks and sponsor this legislation since 1970, and I am delighted that we are again considering this legislation on the floor today. H.R. 12807 will assure that the Federal Government will continue to receive the highest quality of professional architectural and engineering design services at fair and reasonable prices. This bill confirms what for many years has been the method by which the Government has selected responsible firms to perform these professional services. Utilization of this system requires the Federal agency head to select firms on the basis of their professional qualifications and prior record. This procedure is an economical saving for the American taxpayer. Understandably, the best and proper design of a structure will result in a lower cost to the Government for construction, operation, and maintenance. Medical care for our people is not selected on a lowest bid basis, and neither should we allow Government contracts for professional services to be granted on the basis of cheapest price.

Mr. Chairman, this bill contains adequate safeguards for the public's interest. Should the agency head be unable to negotiate a fair and reasonable contract with the most qualified firm then he is bound by the law to negotiate with the next firm, and so on down the eligible list.

Members of the various professional architectural and engineering societies have supported this bill as a fair and practical manner in which to negotiate contracts. The professional architects and engineers in this Nation are dedicated and devoted to their respective professions. I am grateful to them for their service to our country and for the deep sense of integrity which is demonstrated daily by these men and women of science. The good reputation which has been generated by these professionals is vital as their livelihood and work standards depend on this established reputation.

Mr. Chairman, in supporting H.R. 12807, I also salute and commend our architects and engineers and hope that today's high school students will consider this noble vocation and join the exaulted ranks of the professional architects and engineers.

Mr. Chairman, this is sound fiscal and economy-minded legislation which is truly in the public interest. I support it and urge my colleagues to do the same.

Mr. MATSUNAGA. Mr. Chairman, H.R. 12807 deserves the strong support of this House. It would amend the Federal Property and Administrative Services Act of 1949 to establish Government policy in the procurement of architectural, engineering, and related services.

For more than 30 years the Federal Government has, in obtaining these services, used the method which H.R. 12807 would codify. The purpose of the legislation before us is merely to assure that the present system of selection is in accord with the intent of Congress. Moreover, the present procurement practices constitute the most efficient and effective method by which to acquire these professional services.

Stated simply, this system involves two steps: first, determine the qualifications of the professional; second, determine the fee.

In the usual bidding procedure, price plays a predominant role. The lowest bidder, whether he be saint or scoundrel, usually gets the contract. Too often the lowest bidder, understandably anxious to get the contract, has underestimated his costs and is forced into compromises in order to avoid serious losses in the execution of the contract. The Government is generally a sad victim of such an unfortunate contractual situation.

H.R. 12807, on the other hand, would prevent such a situation from occurring. Qualified architects and engineers would be rated by the Federal agency involved on a variety of factors—experience, expertise in a specialty, geographical considerations, workload and availability of senior staff, to name a few.

Having ranked the competitors in order of their capabilities to perform the specific project, the agency would, under H.R. 12807, as it does now, negotiate the fee with the highest ranking professional man or firm. If no reasonable fee can be agreed on, the agency then begins negotiations with the next highest ranking man or firm.

Thus, Mr. Chairman, despite its high ranking, the top firm must demonstrate that its fee is fair and reasonable, or the agency will break off negotiations and begin them with a competitor.

The system protects the interests of the taxpayers, and the interests of the professionals, who need not compromise solid quality to meet the cut-rate prices of ill-qualified competitors.

I urge the bill's adoption.

Mr. BROOKS. Mr. Chairman, I have no further requests for time.

Mr. BUCHANAN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) is amended by adding at the end thereof the following new title:

"TITLE IX—SELECTION OF ARCHITECTS AND ENGINEERS

"DEFINITIONS

"SEC. 901. As used in this title—

"(1) The term 'firm' means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice the professions of architecture or engineering.

"(2) The term 'agency head' means the Secretary, Administrator, or head of a department, agency, or bureau of the Federal Government.

"(3) The term 'architectural and engineering services' includes those professional services of an architectural or engineering nature as well as incidental services that members of these professions and those in their employ may logically or justifiably perform.

"POLICY

"SEC. 902. The Congress hereby declares it to be the policy of the Federal Government to negotiate contracts for architectural and engineering services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.

"REQUESTS FOR DATA ON ARCHITECTURAL AND ENGINEERING SERVICES

"SEC. 903. In the procurement of architectural and engineering services, the agency head shall encourage firms engaged in the lawful practice of their profession to submit annually a statement of qualifications and performance data. The agency head, for each proposed project, shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall select therefrom, in order of preference, based upon criteria established and published by him, no less than three of the firms deemed to be the most highly qualified to provide the services required.

"NEGOTIATION OF CONTRACTS FOR ARCHITECTURAL AND ENGINEERING SERVICES

"SEC. 904. (a) The agency head shall negotiate a contract with the highest qualified firm for architectural and engineering services at compensation which the agency head determines is fair and reasonable to the Government: *Provided, however,* That if deemed appropriate the agency head may, before selecting the highest qualified firm, request alternative methods of approach to the solution of the problem and concepts of the scope of services required. In making such determination, the agency head shall take into account the estimated value of the services to be rendered, the scope, complexity, and professional nature thereof.

"(b) Should the agency head be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price he determines to be fair and reasonable to the Government, negotiations with that firm should be formally terminated. The agency head should then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the agency head should terminate negotiations. The agency head should then undertake negotiations with the third most qualified firm.

"(c) Should the agency head be unable to negotiate a satisfactory contract with any of the qualified firms, he shall, in his discretion, either select additional firms in order of their competence and qualification, or reissue a new request for proposals."

Mr. BROOKS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: Page 2, line 19, strike out "to negotiate" and insert in lieu thereof "to publicly announce all requirements for architectural and engineering services, and to negotiate".

Page 3, lines 10 and 11, strike out "and shall select" and insert in lieu thereof "and shall conduct discussions with no less than three firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services and then shall select".

Page 3, strike out "Government; in line 20 and all that follows down through the period on page 4, line 2, and insert in lieu thereof "Government."

Page 4, strike out "with any of the qualified firms" in line 16 and all that follows down through the end of line 19 and insert in lieu thereof the following: "with any of the selected firms, he shall select additional firms in order of their competence and qualification and continue negotiations in accordance with this section until an agreement is reached."

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. HICKS OF WASHINGTON

Mr. HICKS of Washington. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HICKS of Washington: On page 4, after line 24, insert the following:

SEC. 2. (a) Section 2304(g) of title 10, United States Code, as amended is further amended by inserting therein, immediately after the words "all negotiated procurements", the following: "(except procurements of architectural or engineering services)".

(b) Section 2304 is further amended by adding the following new subsection at the end thereof:

(i) In the procurement of architectural and engineering services, the agency head shall encourage firms engaged in the lawful practice of their profession to submit annually a statement of qualifications and performance data. The agency head, for each proposed project, shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with no less than three firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services and then shall select therefrom, in order of preference, based upon criteria established and published by him, no less than three of the firms deemed to be the most highly qualified to provide the services required.

(j)(1) The agency head shall negotiate a contract with the highest qualified firm for architectural and engineering services at compensation which the agency head determines is fair and reasonable to the Government. In making such determination, the agency head shall take into account the estimated value of the services to be rendered, the scope, complexity, and professional nature thereof.

(2) Should the agency head be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price he determines to be fair and reasonable to the Government, negotiations with that firm should be formally terminated. The agency head should then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firms, the agency head should terminate negotiations. The agency head should then undertake negotiations with the third most qualified firm.

(3) Should the agency head be unable the negotiate a satisfactory contract with any of the selected firms, he shall select additional firms in order of their competence and qualification and continue negotiations in accordance with this section until an agreement is reached.

Mr. HICKS of Washington (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

Mr. HOLIFIELD. Mr. Chairman, it is quite a long amendment and I think it would be wise to read the amendment. Therefore, I object.

The CHAIRMAN. Objection is heard.

The Clerk concluded the reading of the amendment.

The CHAIRMAN. The gentleman from Washington (Mr. HICKS) is recognized.

Mr. HICKS of Washington. Mr. Chairman and members of the Committee, the purpose of this amendment is to meet one of the objections raised by the chairman of the full committee, the gentleman from California (Mr. HOLIFIELD), and that is to amend the Armed Services Procurement Act.

Mr. Chairman, this bill, as reported, does not cover architect and engineer service procurement in the Department of Defense and other agencies under the Armed Services Procurement Act of 1947 as amended. Military procurement does not fall within the substantive jurisdiction of the House Government Operations Committee and Mr. BROOKS, the author of H.R. 12807, in scrupulous observation of committee jurisdiction limited the proposal he introduced to contracts by the General Services Administration. During the last Congress, when similar legislation came before the House, I offered an amendment extending the legislation to the Armed Services Procurement Act. As a member of the Armed Services Committee as well as a member of the subcommittee that has had this problem under careful review for a number of years, I believe that the proposal should extend to all A/E procurement throughout the Government.

I subscribe to this proposal and support it, but believe that this bill is deficient unless it applies to A/E procurement throughout the Government and that is the purpose of my amendment which I have offered. I urge the adoption of the amendment.

Mr. BROOKS. Mr. Chairman, I rise in support of the amendment. I feel that it would be helpful to extend the bill to the military.

Mr. BUCHANAN. Will the gentleman yield?

Mr. BROOKS. I am happy to yield to my good friend from Alabama.

Mr. BUCHANAN. Mr. Chairman, I say to the gentleman that I concur with the views of the distinguished chairman of the subcommittee and see no objection on this side to the amendment.

Mr. HOLIFIELD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think had I a chance to see this amendment before it was offered, it would have been subject to a point of order in that it amends some legislation which was passed by the Armed Services Committee and is not under the jurisdiction of this committee, but I did not have an opportunity to look at the amendment and therefore was unaware of what the section referred to here in the United States Code contained, and I had no time to look it up. However, I am not going to address myself to it on the basis of a point of order. I am going to address my remarks to the substance of the amendment.

This amendment is a little over a page and a half of language, but it does not establish competition in the procurement of architects' and engineers' services either as to price or to design, or performance, or any other kind of a factor that you would consider in the obtaining of procurement services if you were spending your own money.

Down in paragraph (b) (1) it says that the agency—

> Shall conduct discussions with no less than three firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services.

What does "conduct discussions" mean? That does not mean the giving of additional firms the opportunity to present competitive designs to the agency buying the service. It might be a design even that would be more costly, but in terms of the overall endurance of the building, it might be far more economical. It might be cheaper in the capital investment cost and, therefore, save the Government money and still give the Government just as good a building. It might be the utilization of materials of a different kind, newer materials, or materials that would be more suitable and at the same cost.

To "conduct discussions" does not give that right of competition and design and presentation of new ideas and new concepts by smaller firms, and all that sort of thing. You are still restricted to three names at the top that have been arbitrarily selected on the basis of their past performance. Maybe they are good firms.

As I said in my prepared remarks a few minutes ago, over 70 percent of architect and engineering services go to 20 big firms.

What is the little architect and engineer going to do? How is he ever going to get a performance record commensurate with the big firms? The answer is he cannot.

"The selection of additional firms shall be made in order of performance"—what does that mean?

I prefer an architectural company A and I do not prefer B or C, or I do not prefer D or E. In other words, it is an arbitrary selection on the basis of the preference of the agency.

The CHAIRMAN. The time of the gentleman from California has expired.

(By uanimous consent, Mr. HOLIFIELD was allowed to proceed for 1 additional minute.)

Mr. HOLIFIELD. So, Mr. Chairman, I say that this is an extension of the irresponsibility of this method of doing business with public funds through other agencies of the Government, beyond the GSA, which is the only agency under the jurisdiction of the Government Operations Committee.

I ask for the defeat of the amendment offered by the gentleman from Washington, (Mr. HICKS).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. HICKS).

The question was taken; and on a division (demanded by Mr. BROOKS) there were—ayes 16, noes 20.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. ECKHARDT

Mr. ECKHARDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ECKHARDT: Strike the second sentence of section 903 and insert the following in lieu thereof—
>
> "The agency head, for each project, shall solicit design proposals, including an estimate of the life cycle costs and the proposed fee for providing the required services, and, after a consideration of the design proposals submitted and the statements of qualifications and performance data on file with the agency or submitted in response to the solicitation, shall conduct discussions with no less than three firms regarding design and engineering concepts, estimated life cycle costs and proposed fees and the relative utility of alternative methods of approach for furnishing the required services. He then shall select therefrom, in order of preference, based upon criteria established and published by him, no less than three of the firms deemed to be the most highly qualified to provide the services required."

Mr. ECKHARDT. Mr. Chairman, the bill, as offered, does not take into account a comparison of both design and fee costs with respect to projects. The bill as drafted would favor those engineering firms which are well established in order of their presumed qualifications. Such would greatly favor established firms and would not take into account a comparison of innovative design which might result in lesser costs, as would be provided in this amendment.

The amendment would afford an opportunity to consider all the factors involved with respect to architecture and engineering; design concepts, the question of life cycles, the proposed fee for providing the required services, and other considerations which ought to be taken into account.

This amendment would simply permit all these factors to be taken into account.

I ask for an aye vote on the amendment.

Mr. BROOKS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to confess to the Members that we have been a little slow in getting this legislation back to the floor again, after it passed the House in the last session of Congress, but we have worked on the problem for 5 years in an effort to reach the best solution.

There is no question about the fact that the fair way, the intelligent way, insofar as the public and taxpayers are concerned, is to have architect-engineer contracts awarded on the basis of the highest qualifications assuming a fair and reasonable fee can be negotiated. If we are going to discuss the fee along with the qualifications, we are going to compromise the quality of the services.

Submission of complex support data would rule out of competition all of the small architect-engineer firms that cannot afford to design a structure without having a contract.

Essentially, if one plans to build a building that will cost $100 million, the architect-engineer fee is going to run 3 or 4 or 5 or 6 percent. If one picks a bad architect-engineering firm, picks one that is not very well qualified, the cost of that building could escalate 5, 10, 20, or 50 percent. Anybody who builds buildings picks architects and engineers with extreme care, and then discusses with them how much to pay them.

I had occasion only yesterday to have lunch with one of the big contractors in this country. I asked him, "How do you employ architects and engineers?" He said, "I pick the best one I can get, and then work out a price agreement with him." He said, "I cannot afford, if I am going to survive as a businessman, to have a building constructed that is poorly designed, that might not be structurally sound and esthetically interesting, and that cannot be maintained and operated over a period of years."

I ask the Members to defeat this amendment as being in direct contravention of the intention of this legislation, and the procedure under which the Government, industry, and private business in this country has operated for many years.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I am pleased to yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Suppose we had two firms of equal competence, but that one of them would do the job, say, for 10 percent less than the other, or that the architectural plans called for 10 percent less than the other. Which then would the law as amended indicate the agency would approve?

Mr. BROOKS. The law as we propose it and as has been practiced for many years by GSA, provides that the agency choose the three architect-engineers that are the most qualified, and then discuss fee with the highest qualified of the three.

It may be that his price is too high, and if he insists on his price, they can tell him, "We are not going to do that." Unless he agrees to a fair and reasonable price they reject him and go to the next qualified architect-engineer and negotiate a fee granting him a contract if he will agree to a fair and reasonable fee.

Mr. BROWN of Ohio. Mr. Chairman, I move to strike the last word. I should like to pursue my questions of the gentleman from Texas (Mr. BROOKS).

If I understand the amendment of the gentleman from Texas (Mr. ECKHARDT) it would provide that if there were two firms equally qualified in the eyes of the agency and one of them had a lower price, that price factor would go into the consideration of the determination as to whom would get the contract. Is that correct?

Mr. BROOKS. I do not believe that is quite so.

The rule and the procedure for many years, and the procedure now, is that they choose the three who are most qualified, and then negotiate a fair and reasonable price with the most qualified. If they are not pleased with the price they reject him. Then they go to the next of the three they feel are most competent to do the job.

My objection to the gentleman's suggestion that the fee to be paid be a consideration is that anybody who wants the job can cut his fee to get the contract and the Government gets a design of minimum quality.

Mr. BROWN of Ohio. My question was directed to explain this, because, if I understand it correctly, it does give us the opportunity to take into account the question of price, and I see nothing wrong or immoral or unprofessional or unconstitutional in trying to save the taxpayers some money.

Mr. ECKHARDT. Will the gentleman yield?

Mr. BROWN of Ohio. I am glad to yield to the gentleman.

Mr. ECKHARDT. The gentleman is absolutely right. My amendment does not in any way avoid consideration of qualifications, but if qualifications are equal, then the question of price looms up as the most important issue.

Under the original bill, as I understand it, you may not reach the question of a price comparison until you have found that the lower bidder is in fact more qualified than the higher bidder. It seems to me to be utterly ridiculous to require the Comptroller General or anyone else who is making the contract not to consider qualifications as well as price and design and life cycle and all of those other factors that go into a prudent contract.

Mr. BROWN of Ohio. Let me ask a hypothetical question. Under the bill without your amendment presumably you have to negotiate with the first firm on your list and only if you have found his price to be undesirable could you go to the second. Under your amendment, as I understand it, you would look at the top three qualified people and if one guy—let us say the second man—was 95 percent as qualified—although I must admit I do not know how such judgments are arrived at—and if he was willing to do the job for 10 percent less, then presumably the price differential would be taken into consideration along with his qualifications and the Government might be getting more for its money. Is that right?

Mr. ECKHARDT. Well, that is correct except, as the gentleman pointed out, it is difficult to decide whether one firm is 95 percent qualified. This is really a rather subjective judgment unless price can be taken into account.

What we are doing in this bill is simply assigning the job to the most prestigious firm.

Mr. BROWN of Ohio. But the gentleman does not see anything wrong with the Federal Government getting more for its money; does he?

Mr. ECKHARDT. Certainly not; and that is the purpose of this amendment.

Mr. BROOKS. Will the gentleman allow me to answer that question?

Mr. BROWN of Ohio. I will be happy to.

Mr. BROOKS. If they followed your procedure, it will cost the Government millions and millions of dollars. If you were planning to build a building in Ohio and you advertised for architectural engineering services and you get the lowest bidder on a straight price basis and let him build you a building, then you will have to dig into your principal to pay the deficit.

Mr. BROWN of Ohio. I will tell the gentleman I have had occasion to build buildings, and I must say the price had some consideration for me when I was dealing with my own money. I do not think the fact that we are dealing with the taxpayers' money should change our plans one iota in that regard.

Mr. BROOKS. We are not talking about construction of a building. This bill is designed to protect the taxpayers by selecting the most qualified A. & E.'s whose services are essential to efficient buildings.

Mr. HOLIFIELD. Mr. Chairman, I rise in support of the Eckhardt amendment.

Now, Mr. Chairman, we get right down to the guts of this thing, which is: do you want competition in the spending of public dollars the same as you would want it with your own?

The Eckhardt amendment says that the agency head shall solicit design proposals. Do you get that? Not to go to architect and engineering company A and say "Will you design me a proposal," but it says to solicit proposals, including an estimate of the life cylcle cost.

We can build a cheaper building whose life is 10 years, or you can build a better building, that costs more, that will last for 20 years, but it does not cost twice as much.

And then it says:

> After a consideration of the design proposal submitted and the statements and qualifications and performance data on file with the agency or submitted in response to the solicitation, shall conduct discussions—

You know, I opposed an amendment that said "shall conduct discussions." Why? Because we give it the guidelines—

> With no less than three firms regarding design and engineering concepts, estimated life cycle costs, and proposed fees—

That is just one of the factors—

> And the relative utility of alternate methods of approach for furnishing the required services.

We are giving them the guidelines for the discussion, and then what happens?

> He then shall select therefrom, in order of preference—

The one that he thinks is the best—

> based upon criteria established and published by him—

Which I have just enunciated.

> No less than three of the firms deemed to be the most highly qualified to provide the services required.

Now, he selects three of them, and from among those three picks the one he wants, but he has already discussed with him the design, he has had the performance records and data before him, he has had all the information he needs to make a wise selection, and then he selects all three.

But under the Brooks bill he selects three on the basis of performance data, and then he talks to A, if for any reason he does not like A then he talks to B, if for any reason he does not like B then he talks to C. Then he can select three more if he does not like any of the three of them. But if he selects the first one he has had but one design before him, one estimate on costs, one estimate on the method of approach and so forth. And I am not talking about the completed specifications that the architect and engineer would present; I am talking about the conceptual conception of the building to be built.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I think that anyone who has looked around Washington lately and has considered the buildings that have been built over the last two or three administrations has to conclude that there is a uniform style to them that might be identified as "early ugly." It seems to me that if you wish to build all of them alike, and not for attractiveness, we at least ought to have the opportunity to get that type of architecture done at the lowest possible cost.

Mr. HOLIFIELD. The gentleman is correct. If I am going to build a six-room house I am going to call up an architect and say, "I want six rooms, and what I want is such and such. Will you give me a conceptual design?" Then I will look at it. Then I will say, "What do you think it will cost for that design?" And then I will select that, not on the cost alone but on quality, as one of the factors in the selection of a qualified architect. It is not on the basis of doing it for the cheapest price, it is based on doing it for the best results and the best quality of work, and the price that it costs.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, I thank the gentleman for yielding. One of the things that puzzles me a little about this is, is there any opportunity under the Brooks bill for a firm that may be a pretty good firm——

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. HOLIFIELD was allowed to proceed for 2 additional minutes.)

Mr. LONG of Maryland. Mr. Chairman, if the gentleman will permit me to continue: Is there an opportunity for such a firm to propose what might turn out to be a far better design for this particular building and to have an opportunity to show what it can do?

Mr. HOLIFIELD. Of course.

Mr. LONG of Maryland. I am a little worried about the possibility that only the top firms are going to get the business.

Mr. HOLIFIELD. That is what has happened under the procedures used heretofore. Seventy percent of the Government work has gone to 20 percent of the contracting firms.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. SCHEUER. Not only is 70 percent of all work going to 20 percent of the firms, but here on Capitol Hill, as has been discussed many times on the floor of this House, there are four or five firms that apparently have had over the decades an arm lock on all work on Capitol Hill.

I could not agree more that in the competitive stream, design concepts should be an integral part of all negotiations.

Mr. HOLIFIELD. The gentleman will get that in the Eckhardt amendment, but he will not get it in the Brooks bill.

Mr. SCHEUER. Let me say very briefly, the State Department is following that concept and they are awarding contracts for the designs of embassies overseas and they are using a competitive design process.

Mr. HOLIFIELD. The Brooks bill is the last bastion to protect the privilege of the architectural and engineering firms to deal on a noncompetitive basis in the awarding of public contracts.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. WHITE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the fact is that the end contract design itself is evidence of the competency of the firm and those who will be allowing the contract can have an opportunity to see this end product before the contract is awarded and before the building is built.

Mr. HOLIFIELD. That is right.

Here we are spending public funds and in my own case, if I were spending my own funds, we should have more than one design to look at.

The only way you can get the second design under the Brooks bill is to have a falling out with the architectural and engineering firm "A" and disregard him completely and then take the second man and look at his alone without competition.

Mr. BUCHANAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to underline just two or three things.

In the first place, we do not propose here some new system or some innovation. We propose to protect and preserve a system that has worked—and I think quite well—not only in the Federal Government but in the way that State governments and many people in private industry have handled this same matter of architectural and engineering services.

This is the system that the General Services Administration has testified that they favor our continuing. They also favor the enactment of this legislation to protect and to preserve what has demonstrated itself to be a good system.

Now we can consider the broad parameters of price under the present system. If a man or a firm makes an offer and is selected but will not come forward with a reasonable price, he can be rejected for that purpose.

But the fact is that the end product is what we seek. We are seeking to build buildings that are safe and sound and that will stand the test of time. We seek quality and excellence.

I am of the opinion that if we try to insist on some kind of design competition, we will rule out many of the smaller firms and many of the newer firms which would not be able to do the work at their own risk and expend the funds necessary to participate in such competition.

I think we would narrow the field rather than to broaden it.

Mr. BROWN of Ohio. How does the little firm get on the list? How do you get this favored treatment under the law, as proposed in the amendment?

Mr. BUCHANAN. Much of the work is done by the smaller firms at this point.

Mr. BROWN of Ohio. That is apparently not true in Washington on Capitol Hill from the statistics that the gentleman from New York gave and the gentleman from California.

Mr. BUCHANAN. I will say to the gentleman, I cannot assume responsibility for what may take place on Capitol Hill, but I would say this is a big country and these buildings have been built all over this country and have been for many years—and we have a system that is working.

A few moments ago, the distinguished chairman of the committee indicated that we should not run ahead of the Government procurement commission. If you pass this amendment, you are running far beyond and ahead of any recommendations that may have been made.

We are saying here: Let us preserve and protect a system that is working. Let us not try some innovation that may not work and that may result in poor quality.

If I were facing major surgery, I would not go out and get a group of doctors to submit bids on which one would operate on me the cheapest.

If I were involved in a lawsuit and I had much to gain or to lose by the outcome of that lawsuit, I would not go out for lawyers to submit bids on the price to determine who would represent me in that lawsuit. Nor do I think we should do this on architectural and engineering services. I do not feel it is wise to create the new system—this innovation.

In all the testimony we had, we have heard nothing advanced about the defects and the evils of the present system or the poor buildings that have been built.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman.

Mr. GROSS. I would like to see enough innovation to put an end to the kind of business that went on with the Rayburn Building. That started out and was supposed to cost some $65 million and it wound up costing $130 million.

The same contractor built a veterans' hospital in Massachusetts and it started to fall down before they ever got a patient into the hospital.

Mr. BUCHANAN. I will say to the gentleman in response that the Architect of the Capitol, at that point, as I understand it, had responsibility for that structure, and we are talking about securing the services of private architects and engineers on the basis of their competence, in vivid contrast to what happened on the Rayburn Building.

Mr. SCHEUER. Will the gentleman yield.

Mr. BUCHANAN. I will be happy to yield.

Mr. SCHEUER. The Rayburn Building was designed by private architects as would be selected under this procedure. The Architect of the Capitol did not have any role in the design other than to advise the architects as to some of the technical requirements of the job. It was designed by private architectural and engineering firms.

I would like to say that as one who had some involvement in the field of architectural and engineering development, it is common knowledge across the country that the present system of selecting Federal architects is not working and is not resulting in attractive economic architecture. I think the Rayburn Building is a perfect example of that.

Mr. RANDALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just now came on the floor and was handed a copy of the amendment which I understand has been offered by the gentleman from Texas

(Mr. ECKHARDT). As a member of the full Committee on Government Operations, although not a member of the Subcommittee on Government Activities, it should be clear, that if we are tempted to adopt this amendment we are knocking out the very objective of the bill H.R. 12807 and that is to avoid competitive bidding for professional services. If you read the amendment carefully it says:

> The agency head, for each project, shall solicit design proposals, including an estimate of the life cycle costs——

That means all emphasis—when the selection is made—shall be on the question of costs. I thought the purpose of the gentleman from Texas (Mr. BROOKS) was to clarify the selection of architectural/engineering services from among the best qualified members of the professions of architects and engineers at fair and reasonable prices.

This same legislation passed the House before in the last Congresses. I am certain we have all read about some of the tragedies in this country which may have been due to the faulty design of dams. I suggest maybe the best way to consider whether you are going to be for this measure today or not is to imagine yourself standing below a high dam and then look up to discover these are some cracks and fissures. This kind of sight should make you immediately wonder what engineer designed that dam, whether he was a competent engineer or not, and also whether all the mathematical computations had been carefully made as to stresses and strains by the very best engineers in the profession.

There have been too many tragedies within the last year in this country, due to collapse of weakened dams, to shop around for the cheapest possible engineers regardless of competence.

When we are sick we do not shop around for the cheapest physician—but instead get the very best available regardless of the cost. This proposal to require bidding by the architectural/engineering professions to slightly reduce costs is just not in the public interest in the long run, when we are building or constructing important government projects that must stand the test of time for 100 years or more.

Mr. BUCHANAN. Will the gentleman yield?

Mr. RANDALL. I will be glad to yield.

Mr. BUCHANAN. A moment ago the gentleman from New York indicated that it was common knowledge that the present system is not working. This subcommittee has held hearings both in this and the past Congress. We have not heard such testimony. But, I do believe, as the gentleman implies in the well, that if there is evidence all over this country of sound buildings, well built under the present system, then it is demonstrated it is one worth keeping because of the emphasis on costs.

Mr. RANDALL. I thank the gentleman for his contribution.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I would be glad to yield to the gentleman from Texas, the chairman of the subcommittee that reported this bill.

Mr. BROOKS. It has been the feeling of heads of the GSA under both Democratic and Republican administrations that this system of choosing qualified architects at reasonable and fair fees protects the public interest and saves billions of dollars. It helps prevent shoddy buildings from being erected. Regarding the Rayburn Building, I believe the buildings in the congressional complex are generally selected by the Congress and not the GSA.

Mr. BROWN of Ohio. Will the gentleman yield?

Mr. RANDALL. I will be glad to yield.

Mr. BROWN of Ohio. We all know what it protects. We all know what the present arrangement protects. It protects the interest of the people giving out the contracts. I think that is sort of an obvious thing—the politics involved in this whole situation. It is very clear that what we ought to try to do is get a better job done for the citizens of this country in terms of what we get for the money we spend.

Mr. RANDALL. Of course, it is patently and obviously unfair to bring the Rayburn Building into debate over this bill. Whatever happened here was not the faul of the architects or engineers but repeated changes made by the Congressional Building Commission. There are thousands of government buildings all across this country which are smaller projects than the Rayburn Building that have been built well and economically by carefully selected engineers and architects. To single this one building as an exception, is not fair, nor is it pertinent to the debate on this bill.

Mr. Chairman, when all is said and done all that is provided for by this bill is to continue to select or procure architectural and engineering services in the time-honored and long respected system of picking these professional services just as an individual would select his doctor, his lawyer, or his dentist. That means the Government should select architects and engineers upon the basis of competence and skill based upon a reputation which must be earned or deserved or else it does not exist. Competitive negotiation on the other hand is just another description for a requirement that architects and engineers be made to bid against each other in a fort of haggling process similar or akin to some of the open air bazaars of the Middle East.

The most effective and efficient manner to procure professional services is provided by H.R. 12807, which on page 2 at lines 22 and 23 declares the policy of the Federal Government is to announce all of the requirements for all architectural and engineering services and negotiate contracts on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.

How better could the purpose or objective of this bill be expressed than in the foregoing wording? The competence defined in the bill is not something that is determined by a self-serving brochure or letter of self-praise. Such competence can only be based on what has been demonstrated in the past and that means to cite the projects that have been handled by these architectural and engineering firms and have been completed to the satisfaction of the owner or sponsor of each completed project.

If there should be any concern that there will be any monopoly or exclusion of the many firms to the benefit of one favored firm, such a contingency is clearly provided against on page 3 of the bill where it is spelled out that the agency head shall conduct discussions with no less than three firms regarding the anticipated concepts and the relative utility of alternative methods. Then and only then is the agency head to negotiate a contract with the highest or best qualified firm at a price which the agency determines is fair and reasonable to the government taking into account the estimated value of the services, the complexity and professional manner thereof.

H.R. 12807 then proceeds to provide for the contingency where the most qualified firm cannot seem to be retained at a fair and reasonable price to the Government in such circumstances the agency may undertake negotiations with the second most qualified firm and then later on with the third most qualified firm. But the last section in the bill enables the agency when it is finally unable to negotiate a satisfactory contract with the three that may have been first selected to select additional firms and consider them in the order of their competence and qualifications and continue negotiations until an agreement is reached.

One question that we must all squarely consider before we can in good conscience vote for this bill is a consideration of whether this legislation violates the antitrust laws as the Comptroller General has seemed to imply. In this regard it is interesting to note that the Antitrust Division of the Department of Justice may have filed suits against the American Society of Civil Engineers and American Industry of Architect against the provisions of ethics of these organizations that it is not professional for members to submit price proposals that would amount to price competition for professional services.

Yet as late as April 18 of this year the report reveals that Mr. Bruce Wilson, Acting Deputy Assistant Attorney General of the Antitrust Division in direct response to a question raised by the gentleman from Texas (Mr. BROOKS) as to whether this bill violated the antitrust laws of the United States replied that this bill was clearly not in violation of the antitrust laws.

In all fairness, it should be made clear that the committee vote on H.R. 12807 was not unanimous but rather comes to the floor due to the defeat of a motion to recommit this bill to the subcommittee by a vote of 23 to 7. Because of such a division within the committee, I think perhaps we should take a brief look at the content of some dissenting views. First, let me suggest that every member of the committee respects our beloved chairman, the gentleman from California (Mr. HOLIFIELD). None of us could ever be disagreeable with him, but if we are to be fair to ourselves, we must point out that in his dissenting views he seems to indicate this bill would prevent competition and set some kind of a bad precedent or procedure for Government procuring offices. Well, of course, a study of the bill will show there is competition among the three firms selected as the most qualified. This bill does not set a precedent of any kind because while the procurement procedures for the selection of professional services need clarifying the very same procedure in this bill has been followed for many years. This bill creates no new precedent.

Another point raised by our distinguished and beloved chairman from California is that the bill is badly timed. In this he is joined by his ranking counterpart, the gentleman from New York (Mr. HORTON), who predicates his objection entirely on the contention that Congress should wait until the Commission on Government Procurement has made a report on the procurement of architect and engineering services.

Both of these distinguished gentlemen suggest that we wait a few months without fixing any time as to when the report will be rendered. The worst thing about this kind of argument is that it contends the Congress has no business working its will until the Commission makes some kind of findings and recommendations. If my memory serves me correctly this Commission was proposed and created by the House Committee on Government Operations. It may very well be performing some useful functions, but it has been in existence for quite some time and at least two or perhaps more members of the Commission on Government Procurement have known for a long while of the pending bill as it provides for procurement of architects and engineers. If the Commission has any findings or recommendations, it certainly should have had them ready for consideration before we consider this bill today.

No, Mr. Chairman, an architect or engineer is just as much of a professional man as a doctor, dentist, or lawyer. As long as we continue to select those who operate upon our bodies or those who protect our lives and property then just so long should we continue in the best interests of our Government to select architects and engineers based upon demonstrated competence who will give us the best possible services rather than through some kind of bidding arrangement which may give us the cheapest but thereby not the best services.

Mr. CLARK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am against the amendment offered. I heartily support the Brooks bill.

The Federal Government is embarked upon a multimillion-dollar construction program aimed at providing the necessary facilitits to meet the public's needs. It is of vital importance that this program be effective and efficient. This means that the design and construction of Federal buildings must be of the highest quality.

The legislation before us today is designed with this in mind. It encourages competition in the award of architectural and engineering contracts. It is tailored to select those members of these professions who are the most qualified. And, it requires those selected to agree to a fair and reasonable price for their services so as to protect the interests of the taxpayers. The bill also requires extensive discussions with architectural and engineering firms incident to the selection process, but does not require submission of preliminary designs and plans and other work which could prove costly and, in practical terms, deny the opportunity to compete for Government work to smaller firms and the younger members of these professions.

This bill has been very carefully considered, and a comparable proposal was approved by the House of Representatives during the last Congress. The bill deserves the support of all Members, and I hope that it will be approved by the House today and promptly enacted into public law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. ECKHARDT).

The question was taken; and the Chairman announced that the noes appeared to have it.

TELLER VOTE WITH CLERKS

Mr. ECKHARDT. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. ECKHARDT. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. ECKHARDT, BROOKS, HOLIFIELD, and BUCHANAN.

The Committee divided, and the tellers reported that there were—ayes 114, noes 276, not voting 43, as follows:

[Roll No. 283]

[Recorded Teller Vote]

AYES—114

Abourezk
Abzug
Adams
Addabbo
Anderson, Calif.
Ashbrook
Ashley
Aspin
Badillo
Barrett
Bennett
Betts
Biester
Bingham
Brademas
Brinkley
Brown, Ohio
Broyhill, N.C.
Burton
Carlson
Chisholm
Conable
Conte
Conyers
Crane
Daniels, N.J.
Danielson
Dellenback
Dellums
Dennis
Dingell
Dow
Drinan
Dwyer
Eckhardt
Edwards, Calif.
Erlenborn
Eshleman
Evans, Colo.
Findley
Fish
Ford, William D.
Fraser
Gaydos
Gibbons
Goldwater
Green, Oreg.
Green, Pa.
Griffiths
Gross
Hall
Halpern
Hansen, Idaho
Harrington
Harsha
Hastings
Hawkins
Hechler, W. Va.
Heckler, Mass.
Holifield
Horton
Jacobs
Kastenmeier
Kemp
Latta
Leggett
Link
Long, Md.
McClory
McFall
McKinney
Macdonald, Mass.
Mallary
Mathis, Ga.
Mazzoli
Mikva
Miller, Calif.
Miller, Ohio
Minish
Mink
Mitchell
Mollohan
Mosher
Moss
Obey
O'Konski
Pelly
Pike
Price, Tex.
Pryor, Ark.
Quie
Railsback
Rangel
Rees
Reuss
Riegle
Robison, N.Y.
Rosenthal
Rousselot
Roy
Roybal
Scheuer
Schmitz
Sebelius
Seiberling
Shipley
Steele
Steiger, Ariz.
Symington
Van Deerlin
Vanik
White
Wiggins
Wolff

NOES—276

Abbitt
Abernethy
Albert
Alexander
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Aspinall
Baker
Baring
Begich
Belcher
Bell
Bergland
Bevill
Biaggi
Blackburn
Boggs
Boland
Bolling
Brasco
Bray
Brooks
Brotzman
Brown, Mich.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Caffery
Camp
Carey, N.Y.
Carney
Carter
Casey, Tex.
Cederberg
Celler
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Ill.
Collins, Tex.
Colmer
Conover
Corman
Cotter
Coughlin
Culver
Curlin
Daniel, Va.
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Denholm
Dent
Derwinski
Devine
Dickinson
Donohue
Dorn
Downing
Duncan
du Pont
Edwards, Ala.
Eilberg
Esch
Fascell
Fisher
Flood
Flowers
Ford, Gerald R.
Forsythe
Fountain
Frelinghuysen
Frenzel
Frey
Fuqua
Galifianakis
Garmatz
Gettys
Giaimo
Gonzalez
Goodling
Grasso
Gray
Griffin
Grover
Gubser
Gude
Haley
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harvey
Hathaway
Hays
Heinz
Helstoski
Hicks, Mass.
Hicks, Wash.
Hillis
Hogan
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Keating
Keith
King
Kluczynski
Koch
Kyl
Kyros
Landrum
Lennon
Lent
Lloyd
Lujan
McCloskey
McCollister
McCormack
McDade
McKay
McKevitt
McMillan
Madden
Mahon
Mailliard
Mann
Martin
Mathias, Calif.
Matsunaga
Meeds
Melcher
Metcalfe
Michel
Mills, Md.
Minshall
Mizell
Monagan
Montgomery
Moorhead
Morgan
Murphy, Ill.
Myers
Natcher
Nelsen
Nichols
Nix
O'Hara
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pirnie
Poage
Poff
Powell
Preyer, N.C.
Price, Ill.
Pucinski
Purcell
Quillen
Randall
Reid
Rhodes
Roberts
Robinson, Va.
Rodino
Roe
Rogers
Roncalio
Rostenkowski
Roush
Runnels
Ruppe
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Schneebeli
Schwengel
Scott
Shoup
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Ullman
Vander Jagt
Veysey
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalen
Whalley
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NOT VOTING—43

Anderson, Tenn.
Blanton
Blatnik
Bow
Broomfield
Chamberlain
Clay
Davis, Ga.
Diggs
Dowdy
Dulski
Edmondson
Evins, Tenn.
Flynt

Foley
Fulton
Gallagher
Hagan
Hébert
Henderson
Kee
Kuykendall
Landgrebe
Long, La.
McClure
McCulloch
McDonald, Mich.
McEwen
Mayne
Mills, Ark.
Murphy, N.Y.
Nedzi
Podell
Rarick
Rooney, N.Y.
Rooney, Pa.
Ryan
Slack
Smith, Iowa
Stokes
Stuckey
Teague, Tex.
Terry

So the amendment was rejected.

Mr. HORTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will not take the full 5 minutes but I do want to take this time to state that it is my intention to offer a straight motion to recommit this bill to the Committee on Government Operations.

As I explained during the course of debate, I am one of two Commissioners along with the gentleman from California (Mr. HOLIFIELD) on the Government Procurement Commission.

The Government Procurement Commission has under consideration and will report back to Congress this year recommendations in this very field.

It seems to me it is inappropriate for the Congress to act until this Commission has an opportunity to make its report.

I would hope that we would take no action on this bill and give the Government Procurement Commission an opportunity to make its report so that at that time we will have all of the information before us.

Accordingly, Mr. Chairman, I will move to recommit the bill to the Committee on Government Operations in the hope that that motion will pass.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 12807) to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government, pursuant to House Resolution 1053, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HORTON

Mr. HORTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HORTON. I am, Mr. Speaker.

Mr. SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HORTON moves to recommit the bill, H.R. 12807, to the Committee on Government Operations.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT ON H.R. 12350, CONTINUATION OF PROGRAMS AUTHORIZED UNDER THE ECONOMIC OPPORTUNITY ACT

Mr. PERKINS submitted the following conference report and statement on the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes:

CONFERENCE REPORT (H. Rept. No. 92-1246)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Economic Opportunity Amendments of 1972".

EXTENSION OF ECONOMIC OPPORTUNITY ACT

SEC. 2. (a) Sections 171, 245, 321, 408, 615, and 835 of the Economic Opportunity Act of 1964, as amended, are each amended by striking out "five succeeding fiscal years" and inserting in lieu thereof "eight succeeding fiscal years".

(b) Section 523 of such Act is amended by striking out "four succeeding fiscal years" and inserting in lieu thereof "seven succeeding fiscal years."

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. (a) (1) For the purpose of carrying out parts A, B, and E of title I (relating to work and training) of the Economic Opportunity Act of 1964, there are authorized to be appropriated $950,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year.

(2) For the purpose of carrying out Neighborhood Youth Corps programs under paragraphs (1) and (2) of section 123(a) of such Act, there are further authorized to be appropriated $100,000,000 for the fiscal year ending June 30, 1973, and $200,000,000 for the fiscal year ending June 30, 1974. No State shall, with respect to any such fiscal year, receive less than $3,000,000 of the amounts appropriated pursuant to this paragraph or six-tenths of 1 per centum of the amounts so appropriated, whichever is less.

(b) (1) For the purposes of carrying out the Project Headstart program described in section 222(a) (1) of the Economic Opportunity Act of 1964, there are authorized to be appropriated $700,000,000 for the fiscal year ending June 30, 1973, and $500,000,000 for the fiscal year ending June 30, 1974.

(2) The Secretary of Health, Education, and Welfare shall establish policies and procedures designed to assure that not less than 10 per centum of the total number of enrollment opportunities in the Nation in the Headstart program shall be available for handicapped children (as defined in paragraph (1) of section 602 of the Elementary and Secondary Education Act of 1965, as amended) and that services shall be provided to meet their special needs. The Secretary shall implement his responsibilities under this paragraph in such a manner as not to exclude from any project any child who was participating in the program during the fiscal year ending June 30, 1972. Within six months after the date of enactment of this Act, and at least annually thereafter, the Secretary shall report to the Congress on the status of handicapped children in Headstart programs, including the number of children being served, their handicapping conditions, and the services being provided such children.

(3) For the purpose of carrying out the Follow Through program described in section 222(a) (2) such Act, there are authorized to be appropriated $100,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year.

(c) (1) For the purpose of carrying out titles II, III, VI, VII, IX, and X of the Economic Opportunity Act of 1964, there are authorized to be appropriated $1,000,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year.

(2) Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this section, of the amounts appropriated pursuant to paragraph (1) of this subsection for the fiscal year ending June 30, 1973, and for the succeeding fiscal year, the Director of the Office of Economic Opportunity shall for each such fiscal year reserve and make available not less than $328,900,000 for programs under section 221 of the Economic Opportunity Act of 1964 and not less than $71,500,000 for Legal Services programs under section 222(a) (3) and title IX of such Act.

(3) The Director shall allocate and make available the remainder of the amounts appropriated for carrying out the Economic Opportunity Act of 1964 for each fiscal year pursuant to paragraph (1) of this subsection (after funds are reserved for the purposes specified in paragraph (2) of this subsection) in such a manner, subject to the provisions of subsection (d) of this section, that with respect to each fiscal year—

(A) $402,400,000 shall be for the purpose of carrying out title II of which $114,000,000 shall be for the purpose of carrying out the Comprehensive Health Services program described in section 222(a) (4), $62,500,000 shall be for the purpose of carrying out the Emergency Food and Medical Services program described in section 222(a) (5), $25,000,000 shall be for the purpose of carrying out the Family Planning program described in section 222(a) (6), $8,800,000 shall be for the purpose of carrying out the Senior Opportunities and Services program described in section 222(a) (7), $18,000,000 shall be for the purpose of carrying out the Alcoholic Counseling and Recovery program described in section 222(a) (8), $18,000,000 shall be for the purpose of carrying out the Drug Rehabilitation program described in section 222 (a)(9), $5,000,000 shall be for the purpose of carrying out the Environmental Action program described in section 222(a)(10), $15,000,000 shall be for the purpose of carrying out the Rural Housing Development and Rehabilitation program described in section 222(a)(11), $10,000,000 shall be for the purpose of carrying out the Design and Planning Assistance program described in section 226, $4,500,000 shall be for the purpose of carrying out the Youth Recreation and Sports program described in section 227, $7,500,000 (of which $2,500,000 shall be available for carrying out demonstration projects) shall be for the purpose of carrying out the Consumer Action and Cooperative program described in section 228, and $117,600,000 shall be for the purpose of carrying out programs and activities authorized under sections 230, 231, 232, and 233 of such title;

(B) $38,000,000 shall be for the purpose of carrying out part B of title III (relating to assistance for migrant and seasonal farmworkers);

(C) $18,000,000 shall be for the purpose of carrying out title VI (relating to administration and coordination) and title X (relating to evaluation); and

(D) $58,000,000 shall be for the purpose of carrying out title VII (relating to community economic development).

(d) Adjustments in allocations for the specific purposes set forth in clauses (A) through (D) of paragraph (3) of subsection (c) of this section shall be made by the Director as follows:

(1) If the amounts appropriated pursuant to paragraph (1) of subsection (c) for any fiscal year are not sufficient to assure that the full amount of the allocation specified for each of the purposes set forth in clauses (A) through (D) of paragraph (3) of subsection (c) will be provided for such fiscal year—

(A) the Director shall first allocate and make available (i) not less than $18,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year, to be used for the Alcoholic Counseling and Recovery program, and (ii) not less than $30,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year, to be used for the Emergency Food and Medical Services program; and

(B) the Director shall then determine the amount by which particular allocations (except for allocations under subparagraph (A) of this paragraph) are to be reduced, the sum of which reductions shall be equal to the total amount by which the appropriations are not sufficient to fund fully all such allocations.

(2) Any further adjustments increasing or decreasing such allocations (after any adjustments in such allocations as may be made under paragraph (1) of this subsection) shall be made by the Director in accordance with section 616 of the Economic Opportunity Act of 1964.

The Director shall promptly report to the Congress adjustments in allocations resulting from his determinations under this subsection.

(e)(1) There are authorized to be appropriated $58,000,000 for the fiscal year ending June 30, 1973, to be used for Domestic Volunteer Service programs under title VIII of the Economic Opportunity Act of 1964, as amended, of which (A) the amount of $44,500,000 shall be available for carrying out full-time volunteer programs designed to strengthen and supplement efforts to eliminate poverty under part A of such title VIII, and (B) the amount of $13,500,000 shall be available (notwithstanding the 10 per centum limitation set forth in the second sentence of section 821 of such Act) for carrying out programs designed to strengthen and supplement efforts to eliminate poverty under part B of such title VIII.

(2) If the sums authorized to be appropriated under paragraph (1) of this subsection are not appropriated and made available in full, then such sums as are so appropriated and made available for such fiscal year shall be allocated so that—

(A) any amounts appropriated not in excess of $37,000,000 shall be used for carrying out programs designed to strengthen and supplement efforts to eliminate poverty under part A of such title VIII;

(B) any amounts appropriated in excess of $37,000,000 but not in excess of $50,500,000 shall be used for programs designed to strengthen and supplement efforts to eliminate poverty under part B of such title VIII; and

(C) any amounts appropriated in excess of $50,500,000 shall be used for programs designed to strengthen and supplement efforts to eliminate poverty under part A of such title VIII.

(3) Section 833 of the Economic Opportunity Act of 1964 is amended (A) in subsection (b) thereof by striking out "under part A" and inserting in lieu thereof "under this title", and (B) in subsection (c) thereof by striking out "a volunteer under part A of this title" and inserting in lieu thereof "a full-time volunteer receiving either a living allowance or a stipend under this title".

(f) In addition to the amounts authorized to be appropriated and allocated pursuant to subsection (c) and (e) of this section, there are further authorized to be appropriated for carrying out the Economic Opportunity Act the following sums:

(1) $31,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year, to be used for the Community Economic Development program under title VII;

(2) $50,000,000 for the fiscal year ending June 30, 1973, and $100,000,000 for the fiscal year ending June 30, 1974, to be used for the Legal Services program under title IX;

(3) $21,200,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year, to be used for the Senior Opportunities and Services program described in section 222(a)(7);

(4) $16,000,000 to be used for Domestic Volunteer Service programs under title VIII, of which $8,000,000 shall be available for carrying out full-time volunteer programs under part A of such title VIII for ninety days after the enactment of this Act of which amount $2,000,000 shall be available without regard to the limitation placed on the expenditure of funds by section 24 of this Act for programs, projects, or activities for which academic credit is granted to volunteer participants and $8,000,000 shall remain available for expenditure in accordance with the provisions of such title during the fiscal year ending June 30, 1973.

TRANSFER OF FUNDS

SEC. 4. (a) Section 616 of the Economic Opportunity Act of 1964 is amended by inserting: "for fiscal years ending prior to July 1, 1972, and not to exceed 20 per centum" immediately before the words "for fiscal years ending thereafter".

(b) Section 616 of such Act is further amended by striking out the semicolon the first time it appears therein and all matter thereafter through "$10,000,000" the second time it appears in such section.

TRAINING PROGRAMS FOR YOUTH

SEC. 5. Section 125(a) of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new sentence: "The Director shall insure that low-income persons otherwise capable of such participation who reside in public or private institutions shall be eligible for participation in programs under this part.".

PROHIBITION OF ELECTIONS OR OTHER DEMOCRATIC SELECTION PROCEDURES ON SABBATH DAYS

SEC. 6. Section 211 of the Economic Opportunity Act of 1964 (42 U.S.C. 2791) is amended by adding at the end thereof a new subsection (g) as follows:

"(g) The Director shall ensure that no election or other democratic selection procedure conducted pursuant to clause (2) of subsection (b), or pursuant to clause (2) of subsection (f), shall be held on a Sabbath Day which is observed as a day of rest and worship by residents in the area served."

COMMUNITY ACTION BOARDS

SEC. 7. The last sentence of section 211(b) of the Economic Opportunity Act of 1964 is amended by striking out "three" and inserting in lieu thereof "five" and by striking out "six" and inserting in lieu thereof "ten".

(b) Section 211(b)(1) of such Act is amended to read as follows: "(1) one-third of the members of the board are elected public officials, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the board, membership on the board of appointive public officials may be counted in meeting such one-third requirement,".

PARTICIPATION OF THE NON-POOR IN HEADSTART PROGRAMS

SEC. 8. Section 222(a)(1) of the Act is amended by striking out the comma and all the language following the words "make payment" and inserting in lieu thereof the following: "in accordance with an appropriate fee schedule established by the Secretary, based upon the ability of the family to pay, which payment may be made in whole or in part by a third party in behalf of such family, except that any such charges with respect to any family with an income of less than the lower living standard budget shall not exceed the sum of (i) an amount equal to 10 per centum of any family income which exceeds $4,320 but does not exceed 85 per centum of such lower living standard budget, and (ii) an amount equal to 15 per centum of any family income which exceeds 85 per centum of such lower living standard budget but does not exceed 100 per centum of such lower living standard budget, and, if more than two children from the same family are participating, additional charges may be made not to exceed the sum of the amounts calculated in accordance with clauses (i) and (ii) with respect to each additional child. No charge will be made with respect to any child who is a member of any family with an annual income equal to or less than $4,320, with appropriate adjustments in the case of families having more than two children, except to the extent that payment will be made by a third party. Funds appropriated for the purpose of carrying out this section shall be used first to continue ongoing Headstart projects, or new projects serving the children from low-income families which were being served during the preceding fiscal year. There shall be reserved for such projects from such funds an amount at least equal to the aggregate amount received by public or private agencies or organizations during the preceding fiscal year for programs under this section. The Secretary may defer but not later than April 1, 1973, the establishment of a fee schedule under this paragraph upon certification that the establishment of such fee schedule would hinder the orderly operation of such projects prior to such time."

COMPREHENSIVE HEALTH SERVICES CHARGES

SEC. 9. Section 222(a)(4)(A)(ii) of the Economic Opportunity Act of 1964 is amended by striking out "such services may be available on an emergency basis or pending a determination of eligibility to all residents of such areas" and inserting in lieu thereof "pursuant to such regulations as the Director may prescribe, persons provided assistance through programs assisted under this paragraph who are not members of low-income families may be required to make payment, or have payment made in their behalf, in whole or in part for such assistance".

DRUG REHABILITATION PROGRAM

SEC. 10. (a) Section 222(a)(8) of the Economic Opportunity Act of 1964 is amended by striking out the last sentence thereof.

(b) Section 222(a)(9) of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: "The Director is authorized to undertake special programs aimed at promoting employment opportunities for rehabilitated addicts or addicts enrolled and participating in methadone maintenance treatment or therapeutic programs, and assisting employers in dealing with addiction and drug abuse and dependency problems among formerly hard-core unemployed so that they can be maintained in employment. In undertaking such programs, the Director shall give special priority to veterans and employers of significant numbers of veterans with priority to those areas within the States having the highest percentages of addicts. The Director is further authorized to establish procedures and policies which will allow clients to complete a full course of rehabilitation even though they become non-low-income by virtue of becoming employed as a part of the rehabilitation process. That there shall be no change in income eligibility criteria for initial admission to treatment and rehabilitation programs under this Act."

NEW SPECIAL EMPHASIS PROGRAMS

SEC. 11. Section 222(a) of the Economic Opportunity Act of 1964 is further amended by inserting at the end thereof the following:

"(10) An 'Environmental Action' program through which low-income persons will be paid for work (which would not otherwise be performed) on projects designed to combat pollution or to improve the environment. Projects may include, without limitation: cleanup and sanitation activities, including solid waste removal; reclamation and rehabilitation of eroded or ecologically damaged areas, including areas affected by strip mining; conservation and beautification activities, including tree planting and recreation area development; the restoration and maintenance of the environment; and the improvement of the quality of life in urban and rural areas.

"(11) A program to be known as 'Rural Housing Development and Rehabilitation' designed to assist low-income families in rural areas to construct and acquire ownership of adequate housing, to rehabilitate or repair existing substandard units in such areas, and to otherwise assist families in obtaining standard housing. Financial assistance under this paragraph shall be provided to nonprofit rural housing development corporations and cooperatives serving areas which are defined by the Farmers Home Administration as rural areas, and shall be used for, but not limited to, such purposes as administrative expenses; revolving development funds; nonrevolving land, land development and construction writedowns; rehabilitation or repair of substandard housing; and loans to low-income families. In the construction, rehabilitation, and repair of housing for low-income families under this paragraph, the services of persons enrolled in Mainstream programs may be utilized. Loans under this paragraph may be used for, but not limited to, such purposes as the purchase of new housing units, the repair, rehabilitation and purchase of existing units, and to supplement existing Federal loan programs in order that low-income families may benefit from them. The repayment period of such loans shall not exceed thirty-three years. No loans under this paragraph shall bear an interest rate of less than 1 per centum per annum, but if the Director, after having examined the family income of the applicant, the projected housing costs of the applicant, and such other factors as he deems appropriate, determines that the applicant would otherwise be unable to participate in this program, he may waive the interest in whole or in part and for such periods of time as he may establish except that (1) no such waiver may be granted to an applicant whose adjusted family income (as defined by the Farmers Home Administration) is in excess of $3,700 per annum and (2) any applicant for whom such a waiver is provided shall be required to commit at least 20 per centum of his adjusted family income toward the mortgage debt service and other housing costs. Family incomes shall be recertified annually, and monthly payments for all loans under this paragraph adjusted accordingly."

PUERTO RICO

SEC. 12. (a) Effective after June 30, 1972, section 225(a) of such Act is amended by striking out "Puerto Rico,".

(b) Effective after June 30, 1972, the first sentence of paragraph (1) of section 609 of such Act is amended by striking out the word "or" the second time it appears in such sentence and inserting in lieu thereof a comma and the following: "Puerto Rico, or".

NON-FEDERAL CONTRIBUTION CEILING

SEC. 13. Section 225(c) of the Economic Opportunity Act of 1964 is amended by inserting after the second sentence thereof the following new sentence: "The Director shall not require non-Federal contributions in excess of 20 per centum of the approved cost of programs or activities assisted under this Act."

SPECIAL PROGRAMS AUTHORIZED

SEC. 14. Part B of title II of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new sections:

"DESIGN AND PLANNING ASSISTANCE PROGRAMS

"SEC. 226. (a) The Director shall make grants or enter into contracts to provide financial assistance for the operating expenses of programs conducted by community-based design and planning organizations to provide technical assistance and professional architectural and related services relating to housing, neighborhood facilities, transportation and other aspects of community planning and development to persons and community organizations or groups not otherwise able to afford such assistance. Such programs shall be conducted with maximum use of the voluntary services of professional and community personnel. In providing assistance under this section, the Director shall afford priority to persons in urban or rural poverty areas with substandard housing, substandard public service facilities, and generally blighted conditions. Design and planning services to be provided by such organizations shall include—

"(1) comprehensive community or area planning and development;

"(2) specific projects for the priority planning and development needs of the community; and

"(3) educational programs directed to local residents emphasizing their role in the planning and development process in the community.

"(b) No assistance may be provided under this section unless such design and planning organization—

"(1) is a nonprofit organization located in the neighborhood or area to be served with a majority of the governing body of such organization comprised of residents of that neighborhood or area;

"(2) has as a primary function the goal of bringing about through the involvement of the appropriate community action agency or otherwise, maximum possible participation of local residents, especially low-income residents, in the planning and decisionmaking regarding the development of their community; and

"(3) will carry out its design and planning services principally through the voluntary participation of professional and community personnel (including, where available, VISTA volunteers).

"(c) Design and planning organizations receiving assistance under this section shall not subcontract with any profitmaking organization or pay fees for architectural or other professional services.

"(d) The Director shall make whatever arrangements are necessary to continue pilot or demonstration projects of demonstrated effectiveness of the type described in this section receiving assistance under section 232 of this Act during the fiscal year ending June 30, 1971.

"YOUTH RECREATION AND SPORTS PROGRAM

"SEC. 227. (a) In order to provide to disadvantaged youth recreation and physical fitness instruction and competition with high-quality facilities and supervision and related educational and counseling services (including instruction concerning study practices, career opportunities, job responsibilities, health and nutrition, and drug abuses education) through regular association with college instructors and athletes and exposure to college and university campuses and other recreational facilities, the Director shall make grants or enter into contracts for the conduct of an annual youth recreation and sports program concentrated in the summer months and with continued activities throughout the year, so as to offer disadvantaged youth living in areas of rural and urban poverty an opportunity to receive such recreation and educational instruction, information, and services and to participate in such physical fitness programs and sports competitions.

"(b) No assistance may be provided under this section unless satisfactory assurances are received that (1) not less than 90 per centum of the youths participating in each program to be assisted under this section are from families with incomes below the poverty level, as determined by the Director, and that such participating youths and other neighborhood residents, through the involvement of the appropriate community action agency or otherwise, will have maximum participation in program planning and operation and (2) all significant segments of the low-income population of the community to be served will be served on an equitable basis in terms of participating youths and instructional and other support personnel.

"(c) Programs under this section shall be administered by the Director, through grants or contracts with any qualified organization of colleges and universities or such other qualified nonprofit organizations active in the field with access to appropriate recreational facilities as the Director shal determine in accordance with regulations which he shall prescribe. Each such grant or contract and subcontract with participating institutions of higher education or other qualified organizations active in the field shall contain provisions to assure that the program to be assisted will provide a non-Federal contribution (in cash or in kind) of no less than 20 per centum of the direct costs necessary to carry out the program. Each such grant, contract, or subcontract shall include provisions for—

"(1) providing opportunities for disadvantaged youth to engage in competitive sports and receive sports skills and physical fitness instruction and education in good health and nutrition practices;

"(2) providing such youth with instruction and information regarding study practices, career opportunities, job responsibilities, and drug abuse;

"(3) carrying out continuing related activities throughout the year;

"(4) meeting the requirements of subsection (b) of this section;

"(5) enabling the contractor and institutions of higher education or other qualified organizations active in the field located conveniently to such areas of poverty and the students and personnel of such institutions or organizations active in the field to participate more fully in the community life and in solutions of community problems; and

"(6) serving metropolitan centers of the United States and rural areas, within the limits of program resources.

"CONSUMER ACTION AND COOPERATIVE PROGRAMS

"SEC. 228. (a) The Director shall make grants or enter into contracts to provide financial assistance for the development, technical assistance to and conduct of consumer action and advocacy and cooperative programs, credit resources development programs, and consumer protection and education programs designed to demonstrate various techniques and models and to carry out projects to assist and provide technical assistance to low-income persons to try to improve the quality, improve the delivery, and lower the price of goods and services, to obtain, without undue delay or burden, financial credit at reasonable cost, and to develop means of enforcing consumer rights, developing consumer grievance procedures and presenting consumer grievances, submitting consumer views and concerns for protection against unfair, deceptive, or discriminatory trade and commercial practices and educating low-income persons with respect to such rights, procedures, grievances, views and concerns.

"(b) No assistance may be provided under this section unless the grantee or contracting organization or agency is a nonprofit organization and has as a primary function the goal of bringing about, through the involvement of the appropriate community action agency or otherwise, maximum possible participation of low-income persons in the project.

"(c) The Director shall make whatever arrangements are necessary to continue pilot or demonstration projects of demonstrated effectiveness, or which have not yet been evaluated until such time as an evaluation is conducted and the effectiveness determined and to carry out evaluations of such projects, of the type described in this section receiving assistance under section 232 of this Act during the fiscal year ending June 30, 1971 or June 30, 1972."

TERMINATION OF ASSISTANCE

SEC. 15. Section 231 of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following:

"(d) If any member of a board to which section 211 (b) is applicable files an allegation with the Director that an agency receiving assistance under this section is not observing any requirement of this Act, or any regulation, rule, or guideline promulgated by the Director under this Act, the Director shall promptly investigate such allegation and shall consider it; and, if after such investigation and consideration he finds reasonable cause to believe that the allegations are true, he shall hold a hearing, upon the conclusion of which he shall notify all interested persons of his findings. If he finds that the allegations are true, and that, after being afforded a reasonable opportunity to do so, the agency has failed to make appropriate corrections, he shall forthwith terminate further assistance under this title to such agency until he has received assurances satisfactory to him that further violations will not occur."

SPECIAL ASSISTANCE

SEC. 16. Part C of title II of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

"SPECIAL ASSISTANCE

"SEC. 234. (a) The Director may provide financial assistance for projects conducted by public or private nonprofit agencies which are designed to serve groups of low-income individuals who are not being effectively served by other programs under this title. In administering this section, the Director shall give special consideration to programs designed to assist older persons and other low-income individuals who do not reside in low-income areas and who are not being effectively served by other programs under this title.

"(b) For the purpose of carrying out this section, there are authorized to be appropriated (in addition to amounts otherwise authorized to be appropriated for carrying out the Economic Opportunity Act of 1964) $50,000,000 annually for the fiscal year ending June 30, 1973, and for the succeeding fiscal year."

DISTRIBUTION OF FINANCIAL ASSISTANCE

SEC. 17. Section 224 of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following:

"(8) Consistent with the provisions of this Act, the Director shall assure that financial assistance under this title will be distributed on an equitable basis in any community and within any State so that all significant segments of the low-income population are being served."

AMENDMENT TO MIGRANT FARMWORKERS PROGRAM

SEC. 18. Section 312(b) (3) of the Economic Opportunity Act of 1964 is amended by inserting after the word "Government" the words "employment or".

DAY CARE STANDARDS

SEC. 19. Section 522(d) of the Act is amended by adding a new sentence after the words "local levels." as follows: "Such standards shall be no less comprehensive than the Federal interagency day care requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968."

PROHIBITION OF POLITICAL ACTIVITY

SEC. 20. Section 603 of the Act is amended by adding at the end thereof the following new subsection:

"(c) No part of any funds appropriated to carry out this Act, subpart (1) of part B of title V of the Higher Education Act of 1965, or any program administered by ACTION shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity, the Teacher Corps, or ACTION, who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term 'election' has the same meaning given such term by section 301(a) of the Federal Election Campaign Act of 1971, and the term 'Federal office' has the same meaning given such term by section 301(c) of such Act."

DEFINITION OF LOWER LIVING STANDARD BUDGET

SEC. 21. Section 609 of the Act is amended by adding at the end thereof the following:

"(5) the term 'lower living standard budget' means that income level (adjusted for regional and metropolitan, urban and rural differences and family size) determined annually by the Bureau of Labor Statistics of the Department of Labor and referred to by such Department as the 'lower living standard budget'."

GUIDELINES

SEC. 22. Part A of title VI of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

"GUIDELINES

"SEC. 623. All rules, regulations, guidelines, instructions, and application forms published or promulgated pursuant to this Act shall be published in the Federal Register at least thirty days prior to their effective date."

NONDISCRIMINATION

SEC. 23. Part A of title VI of the Economic Opportunity Act of 1964 is further amended by adding at the end thereof the following new section:

"NONDISCRIMINATION PROVISIONS

"SEC. 624. (a) The Director shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any such program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

"(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with, any program or activity receiving assistance under this Act. The Director shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Director to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program or activity receiving assistance under this Act."

POVERTY LINE

SEC. 24. Part A of title VI of the Economic Opportunity Act of 1964 is further amended by inserting the following new section at the end thereof:

"POVERTY LINE

"SEC. 625. (a) Every agency administering programs authorized by this Act in which the poverty line is a criterion of eligibility shall revise the poverty line at annual intervals, or at any shorter interval it deems feasible and desirable.

"(b) The revision required by subsection (a) of this section shall be accomplished by multiplying the official poverty line (as defined by the Office of Management and Budget) by the average percentage change in the consumer price index during the annual or other interval immediately preceding the time at which the revision is made.

"(c) Revisions required by subsection (a) of this section shall be made and issued not more than thirty days after the date on which the necessary consumer price index data becomes available."

COMMUNITY ECONOMIC DEVELOPMENT

SEC. 25. (a) The Economic Opportunity Act is amended by inserting immediately after title VI the following new title:

"TITLE VII—COMMUNITY ECONOMIC DEVELOPMENT

"STATEMENT OF PURPOSE

"SEC. 701. The purpose of this title is to encourage the development of special programs by which the residents of urban and rural low-income areas may, through self-help and mobilization of the community at large, with appropriate Federal assistance, improve the quality of their economic and social participation in community life in such a way as to contribute to the elimination of poverty and the establishment of permanent economic and social benefits.

"Part A—Special Impact Programs

"STATEMENT OF PURPOSE

"Sec. 711. The purpose of this part is to establish special programs of assistance to private locally initiated community corporations and related nonprofit agencies, including cooperatives, or organizations conducting activities which (1) are directed to the solution of the critical problems existing in particular communities or neighborhoods (defined without regard to political or other subdivisions or boundaries) within those urban and rural areas having concentrations or substantial numbers of low-income persons; (2) are of sufficient size, scope, and duration to have an appreciable impact in such communities, neighborhoods, and rural areas in arresting tendencies toward dependency, chronic unemployment, and community deterioration, and (3) hold forth the prospect of continuing to have such impact after the termination of financial assistance under this title.

"ESTABLISHMENT OF PROGRAMS

"Sec. 712. (a) The Director is authorized to provide financial assistance to community development corporations and to cooperatives and other nonprofit agencies in conjunction with qualifying community development corporations for the payment of all or part of the costs of programs which are designed to carry out the purposes of this part. Such programs shall be restricted in number so that each is of sufficient size, scope, and duration to have an appreciable impact on the area served. Such programs may include—

"(1) economic and business development programs, including programs which provide financial and other assistance (including equity capital) to start, expand, or locate businesses in or near the areas served so as to provide employment and ownership opportunities for residents of such areas, and programs including those described in title IV of this Act for small businesses in or owned by residents of such areas;

"(2) community development and housing activities which create new training, employment, and ownership opportunities and which contribute to an improved living environment; and

"(3) manpower training programs for unemployed or low-income persons which support and complement economic, business, housing, and community development programs, including without limitation activities such as those described in part B of title I of this Act.

"(b) The Director shall conduct programs assisted under this part so as to contribute, on an equitable basis between urban and rural areas, to the elimination of poverty and the establishment of permanent economic and social benefits in such areas.

"REQUIREMENTS FOR FINANCIAL ASSISTANCE

"Sec. 713. (a) The Director, under such regulations as he may establish, shall not provide financial assistance for any program or component project under this part unless he determines that—

"(1) such community development corporation is responsive to residents of the area under guidelines established by the Director;

"(2) all projects and related facilities will, to the maximum feasible extent, be located in the area served;

"(3) projects will, where feasible, promote the development of entrepreneurial and management skills and the ownership or participation in ownership of assisted businesses and housing, cooperatively or otherwise, by residents of the area served;

"(4) projects will be planned and carried out with the maximum participation of local businessmen and financial institutions and organizations by their inclusion on program boards of directors, advisory councils, or through other appropriate means;

"(5) the program will be appropriately coordinated with local planning under this Act, the Demonstration Cities and Metropolitan Development Act of 1966, and with other relevant planning for physical and human resources of the areas served;

"(6) the requirements of subsections 122 (e) and 124(a) of this Act have been met;

"(7) preference will be given to low income or economically disadvantaged residents of the areas served in filling jobs and training opportunities; and

"(8) training programs carried out in connection with projects financed under this part shall be designed wherever feasible to provide those persons who successfully complete such training with skills which are also in demand in communities, neighborhoods, or rural areas, other than those for which programs are established under this part.

"(b) Financial assistance under this section shall not be extended to assist in the relocation of establishments from one location to another if such relocation would result in an increase in unemployment in the area of original location.

"(c) The level of financial assistance for related purposes under this Act to the area served by a special impact program shall not be diminished in order to substitute funds authorized by this part.

"APPLICATION OF OTHER FEDERAL RESOURCES

"Sec. 714. (a) Small Business Administration Program.—

"(1) Funds granted under this part which are invested, directly or indirectly, in a small business investment company or a local development company shall be included as 'private paid-in capital and paid-in surplus,' 'combined paid-in capital and paid-in surplus,' and 'paid-in capital' for purposes of sections 302, 303, and 502, respectively, of the Small Business Investment Act of 1958.

"(2) Within ninety days of the enactment of the Economic Opportunity Amendments of 1972, the Administrator of the Small Business Administration, after consultation with the Director, shall prescribe such regulations as may be necessary and appropriate to insure the availability to community development corporations of such programs as shall further the purposes of this part.

(b) Economic Development Administration Programs.—

"(1) Areas selected for assistance under this part shall be deemed 'redevelopment areas' within the meaning of section 401 of the Public Works and Economic Development Act of 1965, and shall qualify for assistance under the provisions of title I and title II of that Act.

"(2) Within ninety days of the enactment of the Economic Opportunity Amendments of 1972, the Secretary of Commerce, after consultation with the Director, shall prescribe such regulations as may be necessary and appropriate to insure the availability to community development corporations of such programs as shall further the purposes of this part.

"(c) Programs of the Department of Housing and Urban Development.—The Secretary of Housing and Urban Development, after consultation with the Director, shall take all necessary steps (1) to assure that community development corporations assisted under this part or their subsidiaries, shall qualify as sponsors under section 106 of the Housing and Urban Development Act of 1968, and sections 221, 235, and 236 of the National Housing Act of 1949; (2) to assure that land for housing and business location and expansion is made available under title I of the Housing Act of 1949 as may be necessary to carry out the purposes of this part; and (3) to assure that funds are available under section 701(b) of the Housing Act of 1954 to community development corporations assisted under this part.

"(d) Coordination and Cooperation.—The Director shall take such steps as may be necessary and appropriate, in coordination and cooperation with the heads of other Federal departments and agencies, so that contracts, subcontracts, and deposits made by the Federal Government or in connection with programs aided with Federal funds are placed in such a way as to further the purposes of this part.

"(e) Reporting on Other Federal Resources.—On or before six months after the date of enactment of the Economic Opportunity Amendments of 1972, and annually thereafter, the Director shall submit to the Congress a detailed report setting forth a description of all Federal agency programs which he finds relevant to achieving the purposes of this part and the extent to which such programs have been made available to community development corporations receiving financial assistance under this part including specifically the availability and effectiveness of programs referred to in subsections (a), (b), and (c) of this section. Where appropriate, the report required under this subsection also shall contain recommendations for the more effective utilization of Federal agency programs for carrying out the purposes of this part.

"FEDERAL SHARE

"Sec. 715. Federal grants to any program carried out pursuant to this part, including grants used by community development corporations for capital investments, shall (1) not exceed 90 per centum of the cost of such program including costs of administration unless the Director determines that assistance in excess of such percentage is required in furtherance of the purposes of this part, and (2) be made available for deposit to the grantee, under conditions which the Director deems appropriate, within thirty days following approval by the Director and the local community development corporation of the grant agreement. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services. Capital investments made with funds granted as a result of the Federal share of the costs of programs carried out under this part, and the proceeds from such capital investments, shall not be considered Federal property.

"Part B—Rural Programs

"STATEMENT OF PURPOSE

"Sec. 721. It is the purpose of this part to meet the special economic needs of rural communities or areas with concentrations or substantial numbers of low-income persons by providing support to self-help programs which promote economic development and independence, as a supplement to existing similar programs conducted by other departments and agencies of the Federal Government. Such programs should encourage low-income families to pool their talents and resources so as to create and expand rural economic enterprise.

"FINANCIAL ASSISTANCE

"Sec. 722. (a) The Director is authorized to provide financial assistance, including loans having a maximum maturity of 15 years and in amounts not resulting in an aggregate principal indebtedness of more than $3,500 at any one time, to any low-income rural family where, in the judgment of the Director, such financial assistance has a reasonable possibility of effecting a permanent increase in the income of such families, or will contribute to the improvement of their living or housing conditions, by assisting or permitting them to—

"(1) acquire or improve real estate or reduce encumbrances or erect improvements thereon;

"(2) operate or improve the operation of farms not larger than family sized, including but not limited to the purchase of feed, seed, fertilizer, livestock, poultry, and equipment; or

"(3) participate in cooperative associations, or to finance nonagricultural enterprises which will enable such families to supplement their income.

"(b) The Director is authorized to provide financial assistance to local cooperative associations in rural areas containing concentrations or substantial numbers of low-income persons for the purpose of defraying all or part of the costs of establishing and operating cooperative programs for farming, purchasing, marketing, processing, and to improve their income as producers and their purchasing power as consumers, and to provide such essentials as credit and health services. Costs which may be defrayed shall include but not be limited to—

"(1) administrative costs of staff and overhead;

"(2) costs of planning and developing new enterprises;

"(3) costs of acquiring technical assistance; and

"(4) initial capital where it is determined by the Director that the poverty of the families participating in the program and the social conditions of the rural area require such assistance.

"LIMITATIONS ON ASSISTANCE

"SEC. 723. (a) No financial assistance shall be provided under this part unless the Director determines that—

"(1) any cooperative association receiving assistance has a minimum of fifteen active members, a majority of which are low-income rural persons;

"(2) adequate technical assistance is made available and committed to the programs being supported;

"(3) such financial assistance will materially further the purposes of this part; and

"(4) the applicant is fulfilling or will fulfill a need for services, supplies, or facilities which is otherwise not being met.

"(b) The level of financial assistance for related purposes under this Act to the area served by a program under this part shall not be diminished in order to substitute funds authorized by this part.

"PART C—SUPPORT PROGRAMS

"TRAINING AND TECHNICAL ASSISTANCE

"SEC. 731. (a) The Director shall provide directly or through grants, contracts, or other arrangements such technical assistance and training of personnel as may be required to effectively implement the purposes of this title. No financial assistance shall be provided to any public or private organization under this section unless the Director provides the beneficiaries of these services with opportunity to participate in the selection of and to review the quality and utility of the services furnished them by such organization.

"(b) Technical assistance to community development corporations and both urban and rural cooperatives may include planning, management, legal, preparation of feasibility studies, product development, marketing, and the provision of stipends to encourage skilled professionals to engage in full-time activities under the direction of a community organization financially assisted under this title.

"(c) Training for employees of community development corporations and for employees and members of urban and rural cooperatives shall include, but not be limited to, on-the-job training, classroom instruction, and scholarships to assist them in development, managerial, entrepreneurial, planning, and other technical and organizational skills which will contribute to the effectiveness of programs assisted under this title.

"DEVELOPMENT LOAN FUND

"SEC. 732. (a) The Director is authorized to make or guarantee loans (either directly or in cooperation with banks or other organizations through agreements to participate on an immediate or deferred basis) to community development corporations and to cooperatives eligible for financial assistance under section 712 of this title, to families under section 722(a), and to local cooperatives eligible for financial assistance under section 722(b) for business, housing, and community development projects who the Director determines will carry out the purposes of this title. No loans, guarantees, or other financial assistance shall be provided under this section unless the Director determines that—

"(1) there is reasonable assurance of repayment of the loan;

"(2) a loan is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs; and

"(3) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made. Loans made by the Director pursuant to this section shall bear interest at a rate not less than a rate determined by the Secretary of the Treasury taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus such additional charge, if any, toward covering other costs of the program as the Director may determine to be consistent with its purposes, except that, for the five years following the date on which funds are initially available to the borrower, the rate of interest shall be set at a rate considered appropriate by the Director in light of the particular needs of the borrower, which rate shall not be lower than 1 per centum. All such loans shall be repayable within a period of not more than thirty years.

"(b) The Director is authorized to adjust interest rates, grant moratoriums on repayment of principal and interest, collect or compromise any obligations held by him, and to take such other actions in respect to such loans as he shall determine to be necessary or appropriate, consistent with the purposes of this section.

"(c)(1) To carry out the lending and guaranty functions authorized under this part, there shall be established a Development Loan Fund consisting of two separate accounts, one of which shall be a revolving fund called the Rural Development Loan Fund and the other of which shall be a revolving fund called the Community Development Loan Fund. The capital of each such revolving fund shall remain available until expended.

"(2) The Rural Development Loan Fund shall consist of such amounts as may be deposited in such Fund by the Director out of funds made available from appropriations for the purposes of carrying out this title.

"(3) The Community Development Loan Fund shall consist of such amounts as may be deposited in such fund by the Director out of funds made available from appropriations for the purpose of carrying out this title. The Secretary may make deposits in the Community Development Loan Fund in any fiscal year in which he has made available for grants to community development corporations not less than $60,000,000 out of funds made available from appropriations for the purpose of carrying out this title.

"EVALUATION AND RESEARCH

"SEC. 733. (a) Each program for which grants are made under this title shall provide for a thorough evaluation of the effectiveness of the program in achieving its purposes, which evaluation shall be conducted by such public or private organizations as the Director may designate, and all or part of the costs of evaluation may be paid from funds appropriated to carry out this part. The results of such evaluations, together with the Director's findings and recommendations concerning the program, shall be included in the report required by section 608 of this Act.

"(b) The Director shall conduct, either directly or through grants or other arrangements, research designed to suggest new programs and policies to achieve the purposes of this title in such ways as to provide opportunities for employment, ownership, and a better quality of life for low-income residents. The Director shall particularly investigate the feasibility and most appropriate manner of establishing development banks and similar institutions and shall report to the Congress on his research findings and recommendations not later than June 30, 1973.

"PART D—GENERAL

"PROGRAM DURATION AND AUTHORITY

"SEC. 741. The Director shall carry out programs provided for in this title during the fiscal year ending June 30, 1972, and for the three succeeding fiscal years. For each fiscal year only such sums may be appropriated as the Congress may authorize by law."

(b) Part D of title I of the Economic Opportunity Act of 1964 is repealed.

AMENDMENT WITH RESPECT TO VOLUNTEER PROGRAMS

SEC. 26. (a) Section 801 of the Economic Opportunity Act of 1964 is amended as follows: In the second sentence of section 801, after the words "to eliminate poverty" insert the words "and to deal with environmental problems focused primarily upon the needs of low-income persons and the communities in which they reside".

(b) Section 811(a) of such Act is amended:

(1) by striking out the first sentence thereof, and

(2) by inserting in lieu thereof: "Volunteers under this part shall be required to make a full-time personal commitment to achieving the purpose of this title and the goals of the projects or programs to which they are assigned."

(c) Section 820(a) of such Act is amended:

(1) by striking out the first sentence of subsection (a) and

(2) by inserting in lieu thereof: "The Director shall develop programs designed to expand opportunities for persons to participate in a direct and personal way, on a part-time basis or for short periods of service either in their home or nearby communities or elsewhere, in volunteer activities contributing to the elimination of poverty and otherwise in furtherance of the purpose of this title."

(d) The first sentence of section 821 of such Act is amended, effective July 1, 1972, by inserting before the period at the end thereof a comma and the following: "and such programs shall include any program, project, or activity otherwise authorized under the provisions of this title for which academic credit is granted to volunteer participants in connection with their volunteer service (not including time devoted to training)".

LEGAL SERVICES PROGRAM

SEC. 27. (a) The Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new title:

"TITLE IX—NATIONAL LEGAL SERVICES CORPORATION

"DECLARATION OF POLICY

"SEC. 901. The Congress hereby finds and declares that—

"(1) it is in the public interest to provide greater access to attorneys and appropriate institutions for the orderly resolution of grievances and the peaceful settlement of disputes within the system of justice;

"(2) many low-income persons are unable to afford the cost of legal services or of access to appropriate institutions;

"(3) access to legal services and appropriate institutions for all citizens of the United States not only is a matter of private and local concern, but also is of appropriate and important concern to the Federal Government;

"(4) the integrity of the attorney-client relationship and of the adversary system of justice in the United States require that there be no political interference with the provision and performance of legal services;

"(5) existing legal services programs have provided economical, effective, and comprehensive legal services to the client community so as to bring about the peaceful settlement of disputes within the system of justice; and

"(6) a private nonprofit corporation should be created to encourage the availability of legal services and legal institutions to all citizens of the United States, free from extraneous interference and control.

"ESTABLISHMENT OF CORPORATION

"SEC. 902. (a) There is established a nonprofit corporation, to be known as the 'National Legal Services Corporation' (hereinafter in this title referred to as the 'Corporation') which shall not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this title, and, to the extent consistent with this title, to the District of Columbia Nonprofit Corporation Act. The right to repeal, alter, or amend this title is expressly reserved.

"(b) No part of the net earnings of the Corporation shall inure to the benefit of any private person.

"(c) The Corporation, and legal services programs assisted by the Corporation, shall be eligible to be treated as an organization described in section 170(c)(2)(B) of the Internal Revenue Code of 1954 or as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code. If such treatments are conferred in accordance with the provisions of such Code, the Corporation, and legal services programs assisted by the Corporation, shall be subject to all provisions of such Code relevant to the conduct of organizations exempt from taxation.

"PROCESS OF INCORPORATION AND ORGANIZATION

"SEC. 903. (a) There shall be a transition period of at least six months following the date of enactment of the Economic Opportunity Amendments of 1972 for the process of incorporation and initial organization of the Corporation.

"(b) The Director of the Office of Economic Opportunity shall serve as the incorporating trustee for the purposes of this section.

"(c)(1) Not later than sixty days after the enactment of the Economic Opportunity Amendments of 1972, the incorporating trustee, after consulting with and receiving the recommendations of national organizations of persons eligible for assistance under this title, shall establish the initial Clients Advisory Council to be composed of eleven members selected, in accordance with procedures established by the incorporating trustee which meet the requirements of section 905(a)(2), from among individuals eligible for assistance under this title.

"(2) Not later than sixty days after the enactment of the Economic Opportunity Amendments of 1972, the incorporating trustee after consulting with and receiving the recommendations of associations of attorneys actively engaged in conducting legal services programs, shall establish the initial Project Attorneys Advisory Council to be composed of eleven members selected, in accordance with procedures established by the incorporating trustee which meet the requirements of section 905(b)(2), from among attorneys who are actively engaged in providing legal services under any existing legal services program.

"(d) Not later than ninety days after the enactment of the Economic Opportunity Amendments of 1972, all recommendations as provided in section 904(a)(2) for persons to serve on the initial board of directors shall be submitted to the President.

"(e) During the ninety-day period of incorporation of the Corporation the incorporating trustee shall take whatever actions are necessary to incorporate the Corporation, including the filing of articles of incorporation under the District of Columbia Nonprofit Corporation Act, and to prepare for the first meeting of the board of directors, except the selection of the executive director of the Corporation.

"(f) The responsibilities of the incorporating trustee shall terminate upon the first meeting of the board of directors, such meeting to occur following appointment of all members of such board.

"(g) During the ninety-day period immediately following the meeting referred to in subsection (f) of this section, the board shall take whatever action is necessary to prepare to begin to carry out the activities of the Corporation pursuant to section 906 of this Act.

"DIRECTORS AND OFFICERS

"SEC. 904. (a) The Corporation shall have a board of directors consisting of nineteen individuals appointed by the President, by and with the advice and consent of the Senate, one of whom shall be elected to serve as chairman annually by such board. Members of the board shall be appointed as follows: (1) Ten members from among individuals in the general public, not less than six of whom shall be members of the bar of the highest court of a State; (2) five members who are representative of the organized bar and legal education; (3) two members from among individuals eligible for assistance under this title; and (4) two members from among former legal services project attorneys. The American Bar Association, the Association of American Law Schools, the National Bar Association, the National Legal Aid and Defender Association, and the American Trial Lawyers Association may submit recommendations to the President with respect to members to be appointed as provided in clause (2), the Clients Advisory Council may submit recommendations to the President with respect to members to be appointed in clause (3), and the Project Attorneys Advisory Council may submit recommendations to the President with respect to members to be appointed as provided in clause (4).

"(b) The directors appointed under subsection (a) shall be appointed for terms of three years except that—

"(1) the terms of the directors first taking office shall be effective on the ninety-first day after the enactment of the Economic Opportunity Amendments of 1972;

"(2) the terms of the directors first taking office shall expire, as designated by the President at the time of appointment, as follows—

"(A) in the case of directors appointed under clause (1) of section 904(a), three at the end of three years, four at the end of two years, and three at the end of one year;

"(B) in the case of directors appointed under clause (2) of section 904(a), two at the end of three years, one at the end of two years, and two at the end of one year;

"(C) in the case of directors appointed under clause (3) of section 904(a), one at the end of three years and one at the end of one year;

"(D) in the case of directors appointed under clause (4) of section 904(a), one at the end of three years and one at the end of two years; and

"(3) any director appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(c) The Corporation shall have an executive director, who shall be an attorney, and such other officers, as may be named and appointed by the board of directors at rates of compensation fixed by the board, who shall serve at the pleasure of the board. No individual shall serve as executive director of the Corporation for a period in excess of six years. The executive director shall serve as a member of the board ex officio and shall serve without a vote.

"(d) No political test or qualification shall be used in selecting, appointing, or promoting any officer, attorney, or employee of the Corporation. No officers or employees of the Corporation shall receive any salary from any source other than the Corporation during the period of employment by the Corporation.

"(e) All meetings of the board, executive committee of the board, and advisory councils shall, whenever appropriate, be open to the public, and proper notice of such meetings shall be provided to interested parties and the public a reasonable time prior to such meetings.

"(f)(1) No person who is a paid employee or consultant of the Corporation or of any grantee of the Corporation may serve on the board of directors.

"(2) No member of the board may participate in any decision, action, or recommendation with respect to any matter which directly benefits that member or any firm or organization with which that member is then currently associated.

"(g) The board shall, in consultation with the respective advisory councils, provide for rules with respect to meetings of the Clients Advisory Council and the Project Attorneys Advisory Council.

"ADVISORY COUNCILS; EXECUTIVE COMMITTEE

"SEC. 905. (a)(1) The board, after consulting with and receiving the recommendations of national organizations of persons eligible for assistance under this title, shall provide for the selection of a Clients Advisory Council subsequent to the first such council established under section 903(c)(1) of this title to be composed of not more than eleven members selected in accordance with procedures established by the board, including terms of office, qualification, and method of selection and appointment, from among individuals who are eligible for assistance under this title.

"(2) Procedures for selecting members of the Clients Advisory Council must insure that all areas of the country and significant segments of the client population are represented, and in no event may more than one representative on such Council be from any one State. The Clients Advisory Council shall advise the board of directors and the executive director on policy matters relating to the needs of the client community and may act as liaison between the client community and legal services programs through such activities as it deems appropriate, including informational programs in languages other than English. The Clients Advisory Council may submit to the President recommendations as provided in section 904(a) for persons to serve on the board of directors.

"(b)(1) The board, after consulting with and receiving the recommendations of associations of attorneys actively engaged in conducting legal services programs, shall provide for the selection of a Project Attorneys Advisory Council subsequent to the first such council established under section 903(c)(2) of this title to be composed of not more than eleven members selected in accordance with procedures established by the board, including terms of office, qualifications, and method of selection and appointment, from among attorneys who are actively engaged in providing legal services under this title.

"(2) Procedures for selecting members of the Project Attorneys Advisory Council must ensure that all areas of the country are represented, and in no event may more than one representative on such Council be from any one State. The Project Attorneys Advisory Council shall advise the board of directors and the executive director on policy matters relating to the furnishing of legal services to members of the client community. The Project Attorneys Advisory Council may submit to the President recommendations as provided in section 904(a) for persons to serve on the board of directors.

"(c) The board shall provide for sufficient resources for each Advisory Council in order to pay such reasonable travel costs and expenses as the board may determine.

"(d) The board may establish an executive committee of five members of the board, which shall include the chairman of the board, and at least one director appointed pursuant to clause (2) of section 904(a), and one appointed pursuant to clause (3) or (4) of such section. Not less than three of the members of the executive committee shall be from among those members of the board appointed pursuant to clause (1) of section 904(a) of this title. The chairman of the board shall serve as the chairman of the executive committee. The chairman of the executive committee may designate another member of the executive committee to act in his absence.

"ACTIVITIES AND POWERS OF THE CORPORATION

"SEC. 906. (a) Effective ninety days after the date of the meeting referred to in section 303(f) of this Act, in order to carry out the purposes of this title the Corporation is authorized to—

"(1) provide financial assistance to qualified programs furnishing legal services to members of the client community;

"(2) provide financial assistance to pay the costs of contracts or other agreements made pursuant to section 903 of this title;

"(3) carry out research, training, technical assistance, experimental, legal paraprofessional and clinical assistance programs, and special emphasis programs to provide legal services to migrant or seasonal farmworkers, Indians, and the elderly poor;

"(4) through financial assistance and other means, increase opportunities for legal education among individuals who are members of a minority group or who are economically disadvantaged;

"(5) provide for the collection and dissemination of information designed to coordinate and evaluate the effectiveness of the activities and programs for legal services in various parts of the country;

"(6) offer advice and assistance to all programs providing legal services and legal assistance to the client community conducted or assisted by the Federal Government including—

"(A) reviewing all grants and contracts for the provision of legal services to the client community made under other provisions of Federal law by any agency of the Federal Government and making recommendations to the appropriate Federal agency;

"(B) reviewing and making recommendations to the President and Congress concerning any proposal whether by legislation or executive action, to establish a federally assisted program for the provision of legal services to the client community; and

"(C) upon request of the President, providing training, technical assistance, monitoring and evaluation services to any federally assisted legal services program;

"(7) establish such procedures and take such other measures as may be necessary to assure that attorneys employed by the Corporation and attorneys paid in whole or in part from funds provided by the Corporation carry out the same duties to their clients and enjoy the same protection from interference as if such an attorney was hired directly by the client, and to assure that such attorneys adhere to the same Code of Professional Responsibility and Canons of Ethics of the American Bar Association as are applicable to other attorneys;

"(8) establish standards of eligibility for the provision of legal services to be rendered by any grantee or contractee of the Corporation with special provision for priority for members of the client community whose means are least adequate to obtain private legal services;

"(9) establish policies consistent with the best standards of the legal profession to assure the integrity, effectiveness, and professional quality of the attorneys providing legal services under this title;

"(10) prescribe criteria to be used in determining the level of income (considering family size and other relevant factors) which will result in a person's being unable to obtain private legal counsel because of inadequate financial means, and hence a member of the client community; and

"(11) carry on such other activities as would further the purposes of this title.

"(b) In the performance of the functions set forth in subsection (a), the Corporation is authorized to—

"(1) make grants, enter into contracts, leases, cooperative agreements, or other transactions, in accordance with bylaws established by the board of directors appropriate to conduct activities of the Corporation;

"(2) accept unconditional gifts or donations of services, money, or property, real, personal, or mixed, tangible or intangible, and use, sell, or otherwise dispose of such property for the purpose of carrying out its activities;

"(3) appoint such attorneys and other professional and clerical personnel as may be required and fix their compensation in accordance with the provision of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule rates;

"(4) promulgate regulations containing criteria specifying the manner of approval of applications for grants and contracts based upon the following considerations—

"(A) the most economical, effective, and comprehensive delivery of legal services to the client community in both urban and rural areas;

"(B) peaceful settlement of disputes within the system of justice; and

"(C) maximum utilization of the expertise and facilities of organizations presently specializing in the delivery of legal services to the client community;

"(5) establish and maintain a law library;

"(6) establish procedures for the conduct of legal services programs assisted by the Corporation containing a requirement that the applicant will give assurances that the program will be supervised by a policymaking board on which the members of the legal profession constitute a majority (except that the Corporation may grant waivers of this requirement in the case of a legal services program which, upon the date of enactment of the Economic Opportunity Amendments of 1972, has a majority of persons who are not lawyers on its policymaking board) and members of the client community constitute at least one-third of the members of such board.

"(c) In any case in which services, otherwise authorized, are performed for the Federal Government by the Corporation, the Corporation, shall be reimbursed for the cost of such services pursuant to an agreement between the executive director of the Corporation and the head of the agency of the Federal Government concerned.

"(d) The Corporation shall insure that attorneys employed full time in programs funded by the Corporation refrain from any outside practice of law unless permitted as pro bono publico activity pursuant to guidelines established by the Corporation.

"(e)(1) The Corporation shall establish and publish procedures and guidelines to ensure that no funds or personnel made available by the Corporation shall be used to undertake to influence the passage or defeat of any proposed convention, constitutional amendment, code, statute, executive order, ordinance, regulation, rule, or similar enactment or promulgation considered in any form by any legislative body by representations to such body (or committee or member thereof) or any similar activity except where—

"(A) an attorney representing an eligible member of the client community is requested by such member to make such representation or undertake such activity and such representation or activity is carried out in a manner which does not identify the Corporation or any legal services program receiving assistance from the Corporation with such representation or activity;

"(B) personnel of the Corporation or any legal services program receiving financial assistance from the Corporation are requested by a legislative body (or committee or member thereof) to make such representation or undertake such activity.

"(2) Procedures and guidelines established by the Corporation under paragraph (1) of this subsection shall ensure that, where applicable, representations or activities permitted under that paragraph are undertaken in a manner which is consistent with the Code of Professional Responsibility and Canons of Ethics of the American Bar Association.

"(3) No funds provided by the Corporation shall be utilized for any activity which is planned and carried out to disrupt the orderly conduct of business by the Congress or State or local legislative bodies, for any demonstration, rally, or picketing aimed at the family or home of a member of a legislative body for the purpose of influencing his actions as a member of that body, and for conducting any campaign of advertising carried on through the commercial media for the purpose of influencing the passage or defeat of legislation.

"(f) The Corporation shall insure that no attorneys or other persons employed by it or employed or engaged in programs funded by the Corporation shall, in any case, solicit the client community or any member of the client community for professional employment; and no funds of the Corporation shall be expended in pursuance of any employment which results from any such solicitation. For the purpose of this subsection, solicitation does not include mere announcement or advertisement, without more, of the fact that the National Legal Services Corporation is in existence and that its services are available to the client community, and does not include any conduct or activity which is permissible under the Code of Professional Responsibility and Canons of Ethics of the American Bar Association governing solicitation and advertising.

"(g) The Corporation shall establish guidelines for consideration of possible appeals to be implemented by each grantee or contractee of the Corporation to insure the efficient utilization of resources. Such guidelines shall in no way interfere with the attorney's responsibilities and obligations under the Code of Professional Responsibility and Canons of Ethics of the American Bar Association.

"(h) At a reasonable time prior to the Corporation's approval of any grant or contract application, the Corporation shall notify the State bar association of the State in which the recipient will offer legal services. Notification shall include a reasonable description of the grant or contract application and request the State bar association for comments and recommendations on such grant or contract application.

"(i) No funds or personnel made available by the Corporation pursuant to this title shall be used to provide legal services with respect to any criminal proceeding nor shall any funds or personnel made available by the Corporation pursuant to this title be used to provide legal services in civil actions to persons who have been convicted of a criminal charge where the civil action arises out of alleged acts or failures to act connected with the criminal conviction and is brought against an officer of the court or against a law enforcement official, except as provided by regulations issued by the Corporation.

"NONPROFIT AND NONPOLITICAL NATURE OF THE CORPORATION

"SEC. 907. (a) The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

"(b) No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as reasonable compensation for services.

"(c) The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

"(d) (1) The Corporation shall insure that all employees of the Corporation or of legal services programs assisted by the Corporation, while engaged in activities carried on by the Corporation or by legal services programs, refrain (A) from any partisan or nonpartisan political activity associated with a candidate for public or party office, and (B) from any voter registration activity other than legal representation in civil judicial or administrative proceedings or in connection with legal advice as to adherence to applicable, local state or federal registration requirements, and (C) from any activity to provide voters or prospective voters with transportation to the polls. Employees of the Corporation or of programs assisted by the Corporation shall not at any time identify the Corporation or the program assisted by the Corporation with any partisan or nonpartisan political activity associated with a candidate for public or party office.

"(2) Employees of the Corporation shall be deemed to be State or local employees for purposes of chapter 15 of title 5 of the United States Code.

"(3) Programs assisted by the Corporation shall be deemed to be State or local agencies for purposes of clauses (1) and (2) of section 1502(a) of such title.

"(4) The Board of Directors shall set appropriate guidelines for the private political activities of full-time employees of legal services programs assisted by the Corporation.

"(e) The Corporation shall insure that all employees of the Corporation or of legal services programs assisted by the Corporation, while engaged in activities carried on by the Corporation or by legal services programs assisted by the Corporation, refrain from participation in, and refrain from encouragement of others to participate in, any of the following activities:

"(1) any illegal demonstration, picketing, boycott, or strike; or

"(2) any form of direct action which is in violation of an outstanding injunction of any Federal, State, or local court; or

"(3) any form of direct action which is designed to involve physical violence, destruction of property, or physical injury to persons.

"(f) The board of directors of the Corporation shall issue rules and regulations to provide for the enforcement of this section, which rules shall include as one available remedy, but not be limited to, provisions, in accordance with the types of procedures prescribed in the provisions of section 914 of this Act, for emergency suspension of assistance to a legal services program assisted pursuant to this title, summary suspensions of an employee of the Corporation or of any legal services program assisted by the Corporation, and the termination of assistance and employment as deemed appropriate for violations of this section.

"ACCESS TO RECORDS AND DOCUMENTS RELATED TO THE CORPORATION

"SEC. 908. (a) Copies of all records and documents pertinent to each grant and contract made by the Corporation shall be maintained in the principal office of the Corporation in a place readily accessible and open to public inspection during ordinary working hours for a period of at least five years subsequent to the making of such grant or contract.

"(b) Copies of all reports pertinent to the evaluation, inspection, or monitoring of grantees and contractees shall be maintained for a period of at least three years in the principal office of the Corporation subsequent to such evaluation, inspection, or monitoring visit. Upon request, to the extent authorized by the Corporation the substance of such reports may be furnished to the grantee or contractee who is the subject of the evaluation, inspection, or monitoring visit and may be available for inspection to the President of the United States and Members of Congress.

"(c) The Corporation shall afford notice and reasonable opportunity for comment to interested parties prior to issuing regulations and guidelines, and it shall publish in the Federal Register on a timely basis all its bylaws, regulations, and guidelines.

"(d) The Corporation shall be subject to the provisions of the Freedom of Information Act.

"FINANCING OF THE CORPORATION

"SEC. 909. In addition to any funds reserved and made available for payment to the Corporation from appropriations for carrying out the Economic Opportunity Act of 1964 for any fiscal year, there are further authorized to be appropriated for payment to the Corporation such sums as may be necessary for any fiscal year. Funds made available to the Corporation from appropriations for any fiscal year shall remain available until expended.

"RECORDS AND AUDIT OF THE CORPORATION AND THE RECIPIENTS OF ASSISTANCE

"SEC. 910. (a) The accounts of the Corporation shall be audited annually in accordance with generally accepted auditing standards by any independent licensed public accountant certified or licensed by a regulatory authority of a State or political subdivision. Each such audit shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audit shall be made available for inspection to the person conducting the audit, and, upon request, to the President of the United States and to Members of Congress, consistent with the necessity of maintaining the confidentiality required by the best standards of the legal profession, and full facilities for verifying transactions with the balance, or securities held by depositories, fiscal agents, and custodians shall be afforded to any such person. The report of each such independent audit shall be included in the annual report required under this title. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the assets and liabilities, and surplus or deficit of the Corporation, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the income and expenses of the Corporation during the year, and a statement of the sources and application of funds, together with the opinion of the independent auditor of those statements.

"(b) (1) The accounts and operations of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States, consistent with the necessity of maintaining the confidentiality required by the best standards of the legal profession. Any such audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representative of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or used by the Corporation pertaining to its accounts and operations, including the reports pertinent to the evaluation, inspection, or monitoring of grantees and contractors required to be maintained by section 908(b) and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of the Corporation shall remain in the possession and custody of the Corporation.

"(2) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform the Congress of the operations and conditions of the Corporation, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other transaction or undertaking observed in the course of the audit, which in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the executive director and to each member of the board at the time submitted to the Congress.

"(c) (1) Each grantee or contractee, other than a recipient of a fixed price contract awarded pursuant to competitive bidding procedures, under this title shall keep such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(2) The Corporation or any of its duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this title. The President or any of his duly authorized representatives and the Comptroller General of the United States or any of his duly authorized representatives shall also have access thereto for such purpose during any fiscal year for which Federal funds are available to the Corporation, consistent with the necessity of maintaining the confidentiality required by the best standards of the legal profession.

"REPORTS TO CONGRESS

"SEC. 911. The Corporation shall prepare an annual report for transmittal to the President and the Congress on or before the 30th day of January of each year, summarizing the activities of the Corporation and making such recommendations as it may deem appropriate. This report shall include findings and recommendations concerning the preservation of the attorney-client relationships and adherence to the Code of Professional Responsibility of the American Bar Association in the conduct of programs supported by the Corporation. The report shall include a comprehensive and detailed report of the operations, activities, financial condition, and accomplishments of the Corporation, together with the additional views and recommendations, if any, of members of the board.

"DEFINITIONS

"Sec. 912. As used in this title, the term—

"(1) 'State' means the several States and the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(2) 'Corporation' means the National Legal Services Corporation established pursuant to this title;

"(3) 'client community' means individuals unable to obtain private legal counsel because of inadequate financial means;

"(4) 'member of the client community' includes any person unable to obtain private legal counsel because of inadequate financial means;

"(5) 'legal services' includes legal advice, legal representation, legal research, education concerning legal rights and responsibilities, and similar activities (including, in areas where a significant portion of the client community speaks a language other than English as the predominant language, or is bilingual, services to those members of the client community in the appropriate language other than English);

"(6) 'legal profession' refers to that body composed of all persons admitted to practice before the highest court of at least one State of the United States; and

"(7) 'nonprofit', as applied to any foundation, corporation, or association, means a foundation, corporation, or association, no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual.

"PROHIBITION ON FEDERAL CONTROL

"Sec. 913. (a) Except as provided for in subsection (b) of this section, nothing contained in this title shall be deemed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the Corporation or any of its grantees or contractees or employees, or over the charter or bylaws of the Corporation, or over the attorneys providing legal services pursuant to this title, or over the members of the client community receiving legal services pursuant to this title.

"(b) Nothing in this section shall be construed as limiting the authority of the Office of Management and Budget or the Office of Economic Opportunity to initiate and to conclude necessary reviews respecting adherence to the provisions of this title, and to review and submit comments upon the Corporation's annual budget request at the time it is transmitted to the Congress.

"(c) Reviews under subsection (b) of this section shall be conducted in accordance with the Code of Professional Responsibility and Canons of Ethics of the American Bar Association governing the confidentiality of the attorney client relationship.

"SPECIAL LIMITATIONS

"Sec. 914. The board shall prescribe procedures to ensure that—

"(1) financial assistance shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations, unless the grantee or contractee has been given reasonable notice and opportunity to show cause why such action should not be taken; and

"(2) financial assistance shall not be terminated, an application for refunding shall not be denied, and an emergency suspension of financial assistance shall not be continued for longer than thirty days, unless the grantee or contractee has been afforded reasonable notice and opportunity for a timely, full, and fair hearing.

"COORDINATION

"Sec. 915. The President may direct that particular support functions of the Federal Government, such as the General Services Administration, the Federal telecommunications system, and other facilities, be utilized by the Corporation or its grantees or contractees to the extent not inconsistent with other applicable law.

"TRANSFER MATTERS

"Sec. 916. (a) Notwithstanding any other provision of law, on and after such date as may be prescribed by the Director of the Office of Management and Budget, or six months after the enactment of the Economic Opportunity Amendments of 1972, whichever is the earlier, all rights of the Office of Economic Opportunity to capital equipment in the possession of legal services programs assisted pursuant to sections 222(a)(3), 230, 232, or any other provision of the Economic Opportunity Act of 1964, shall become the property of the National Legal Services Corporation.

"(b) Effective six months after the date of enactment of the Economic Opportunity Amendments of 1972, all personnel, assets, liabilities, property, and records as determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with any function of the Director under section 222 (a)(3) of this Act shall be transferred to the Corporation. Personnel transferred (except personnel under schedule A of the excepted service) under this subsection shall be transferred in accordance with applicable laws and regulations, and shall not be reduced in classification or compensation for one year after such transfer. The Director shall take whatever action is necessary and reasonable to seek suitable employment for personnel who would otherwise be transferred pursuant to this subsection who do not wish to transfer to the Corporation.

"(c) Collective bargaining agreements in effect on the date of enactment of the Economic Opportunity Amendments of 1972 covering employees transferred pursuant to subsection (b) of this section shall continue to be recognized by the Corporation until altered or amended pursuant to law."

(b)(1) The Director of the Office of Economic Opportunity shall take such action as may be necessary, in cooperation with the executive director of the National Legal Services Corporation, to arrange for the orderly continuation by such Corporation of financial assistance to legal services progams assisted pursuant to sections 222(a)(3), 230, 232, or any other provision, of the Economic Opportunity Act of 1964. Whenever the Director of the Office of Economic Opportunity determines that an obligation to provide financial assistance pursuant to any contract or grant agreement for such legal services will extend beyond six months after the date of enactment of this Act, he shall include in any such contract or agreement provisions to assure that the obligation to provide such financial assistance may be assumed by the National Legal Services Corporation, subject to such modifications of the terms and conditions of that contract or grant agreement as the Corporation determines to be necessary.

(2) Effective six months after the date of enactment of this Act, or ninety days after the date of the meeting referred to in section 903(f) of this Act, whichever is later, section 222(a)(3) of Economic Opportunity Act of 1964 is repealed.

(3) The Director of the Office of Economic Opportunity shall conduct a study of alternative methods of delivery of legal services to eligible clients including but not limited to judicare, vouchers, prepaid legal insurance, and contracts with law firms and shall make recommendations to the Congress on or before June 30, 1973, concerning improvements, changes, or alternative methods for delivery of such services.

(4) Part A of title VI of the Economic Opportunity Act of 1964 is further amended by inserting at the end thereof the following new section:

"INDEPENDENCE OF NATIONAL LEGAL SERVICES CORPORATION

"Sec. 626. Nothing in this Act, except title IX, and no reference to this Act unless such reference refers to title IX, shall be construed to affect the powers and activities of the National Legal Services Corporation."

EVALUATION

Sec. 28. (a) The Economic Opportunity Act of 1964 is further amended by inserting at the end thereof the following new title:

"TITLE X—EVALUATION

"COMPREHENSIVE EVALUATION OF PROGRAMS

"Sec. 1001. (a) The Director shall provide for the continuing evaluation of programs under this Act and of programs authorized under related Acts, including evaluations that describe and measure, with appropriate means and to the extent feasible, the impact of such programs, their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, and including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. The Director may, for such purposes, contract or make other arrangements for independent evaluations of those programs or individual projects.

"(b) The Director shall to the extent feasible develop and publish standards for evaluation of program effectiveness in achieving the objectives of this Act. He shall consider the extent to which such standards have been met in deciding whether to renew or supplement financial assistance authorized under any section of this Act.

"(c) In carrying out this title, the Director may require community action agencies to provide independent evaluations.

"COOPERATION OF OTHER AGENCIES

"Sec. 1002. Federal agencies administering programs related to this Act shall—

"(1) cooperate with the Director in the discharge of his responsibility to plan and conduct evaluations of such poverty-related programs as he deems appropriate, to the fullest extent permitted by other applicable law; and

"(2) provide the Director on a cooperative basis with such agency, with such statistical data, program reports, and other materials, as they collect and compile on program operations, beneficiaries, and effectiveness.

"CONSULTATION

"Sec. 1003. (a) In carrying out evaluations under this title, the Director shall, whenever possible, arrange to obtain the opinions of program participants about the strengths and weaknesses of programs.

"(b) The Director shall consult, when appropriate, with State agencies, in order to provide for jointly sponsored objective evaluation studies of programs on a State basis.

"PUBLICATION OF EVALUATION RESULTS

"Sec. 1004. (a) The Director shall publish summaries (prepared by the evaluator) of the results of evaluative research and evaluations of program impact and effectiveness no later than sixty days after its completion.

"(b) The Director shall take necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

"(c) The Director shall publish summaries of the results of activities carried out pursuant to this title in the report required by section 608 of this Act.

"EVALUATION BY OTHER ADMINISTERING AGENCIES

"SEC. 1005. The head of any agency administering a program authorized under this Act may, with respect to such program, conduct evaluations and take other actions authorized under this title to the same extent and in the same manner as the Director under this title. Nothing in this section shall preclude the Director from conducting such evaluations or taking such actions otherwise authorized under this title with respect to such programs."

(b)(1) Subsection (a) of section 113, subsections (b) and (c) of section 132, section 154, section 233, and section 314(b) of the Economic Opportunity Act of 1964 are repealed.

(2) Section 632(2) of such Act is amended by striking out "carry on a continuing evaluation of all activities under this Act, and".

(3) Sections 132 and 314 of such Act are each amended by striking out "(a)".

FUNCTIONS OF DIRECTOR

SEC. 29. Notwithstanding the provisions of section 602(d) of the Economic Opportunity Act of 1964, the Director of the Office of Economic Opportunity shall not delegate his functions under section 221 and title VII of such Act to any other agency.

AMENDMENT TO THE OLDER AMERICANS ACT OF 1965

SEC. 30. (a) Section 611(a) of the Older Americans Act of 1965 (42 U.S.C. 3044(b)) is amended by adding at the end thereof the following new sentence: "The Director of ACTION may approve assistance in excess of 90 per centum of the cost of the development and operation of such projects if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this section."

(b) The amendment made by subsection (a) of this section shall be effective from the date of enactment of this Act. In the case of any project with respect to which, prior to such date, a grant or contract has been made under such section or with respect to any project under the Foster Grandparent program in effect prior to September 17, 1969, contributions in cash or in kind from the Bureau of Indian Affairs, Department of the Interior, toward the cost of the project may be counted as part of the cost thereof which is met from non-Federal sources.

And the Senate agree to the same.

CARL D. PERKINS,
ROMAN C. PUCINSKI,
AUGUSTUS F. HAWKINS,
WILLIAM D. FORD,
PATSY T. MINK,
LLOYD MEEDS,
ALBERT H. QUIE,
JOHN N. ERLENBORN,
WILLIAM A. STEIGER,
EARL B. RUTH,
Managers on the Part of the House.
GAYLORD NELSON,
EDWARD M. KENNEDY,
WALTER F. MONDALE,
ALAN CRANSTON,
HAROLD E. HUGHES,
ADLAI E. STEVENSON III,
JENNINGS RANDOLPH,
ROBERT TAFT, JR.,
JACOB K. JAVITS,
RICHARD S. SCHWEIKER,
PETER H. DOMINICK,
J. GLENN BEALL, JR.,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the House bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The points in disagreement and the conference resolution of them are as follows:

The House bill authorized $2,304,066,000 for fiscal year 1972 and $3,000,000,000 for fiscal year 1973. Of these amounts $350,000,000 a year was reserved for local initiative programs and a specific authorization of $500,000,000 for fiscal 1972 and $1,000,000,000 for fiscal 1973 was authorized for Project Headstart.

The Senate amendment authorized the following amounts:

[In millions]

	1972	1973	1974
Department of Labor programs:			
Title IABE	$900.0	$950.0	$950.0
Special NYC	500.0	500.0	500.0
Health, education, and welfare programs:			
Headstart	500.0	500.0	500.0
Follow through	100.0	100.0	100.0
ACTION programs: VISTA	37.0	58.0	----------
OEO programs:			
Total titles II, III, VI, VII, IX, X	(950.0)	(1,000.0)	(1,000.0)
Local initiative [1]	328.9	328.9	328.9
Legal services [1]	7.15	71.5	71.5
Comprehensive health	114.0	114.0	114.0
Emergency food	62.5	62.5	62.5
Family planning	25.0	25.0	25.0
SOS	8.8	8.8	8.8
Alcoholic counseling	18.0	18.0	18.0
Drug rehabilitation	18.0	18.0	18.0
Environmental action	5.0	5.0	5.0
Rural housing	10.0	10.0	10.0
Consumer action	7.5	7.5	7.5
Design and planning	10.0	10.0	10.0
Youth recreation and sports	6.0	6.0	6.0
T. & T.A., SEOO, R. & D.	117.6	117.6	117.6
Title III migrants	38.0	38.0	38.0
Titles VI and X	18.0	18.0	18.0
Title VII	58.0	58.0	58.0
Other	33.2	83.2	83.2
Add ons:			
Title VII		62.0	62.0
Legal services		100.0	100.0
Rural housing		5.0	5.0
VISTA	16.0	----------	----------
SOS		21.2	21.2
Urban housing	20.0	20.0	20.0
Special assistance	50.0	50.0	50.0

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[1] These amounts are reservations as well as authorization levels.

The Senate amendment provided that in the case where appropriations were not sufficient to meet authorizations the Director must allocate in each fiscal year at least $18,000,000 for Alcoholic Counseling and Recovery and $30,000,000 for the Emergency Food and Medical Services program. There was no comparable House provision.

The Conference agreement contains the following authorizations of appropriations:

[In millions]

	1973	1974
Department of Labor programs:		
Title I.A., B. & E.	$950.0	$950.0
Special NYC	100.0	200.0
Health, education, and welfare programs:		
Headstart	700.0	500.0
Follow Through	100.0	100.0
ACTION programs (VISTA)	58.0	----------
OEO programs (total for titles II, III, VI, VII, IX, X)	(1,000.0)	(1,000.0)
Local initiative	328.9	328.9
Legal services	71.5	71.5
Comprehensive health	114.0	114.0
Emergency food	62.5	62.5
Family planning	25.0	25.0
SOS	8.8	8.8
Alcoholic counseling	18.0	18.0
Drug rehabilitation	18.0	18.0
Environmental action	5.0	5.0
Rural housing	15.0	15.0
Consumer action	7.5	7.5
Design and planning	10.0	10.0
Youth recreation and sports	4.5	4.5
T. & T. A., SEOO, R. & D.	117.6	117.6
Title III	38.0	38.0
Titles VI and X	18.0	18.0
Title VII	58.0	58.0
Other	79.7	79.7
Add ons:		
Title VII	31.0	31.0
Legal services	50.0	100.0
SOS	21.2	21.2
Special assistance	50.0	50.0
Title VIII (VISTA)	16.0	----------
Total	3,076.2	2,952.2

The Conference agreement also contains the mandatory spending levels contained in the Senate amendment for the Alcoholic Counseling and Recovery program and the Emergency Food and Medical Service program.

In section 3(c)(2) of the Conference Report, the term "reserve and make available" is used in connection with the reservation of funds for local initiative programs. By this the conferees mean that the sums required to be "made available" shall be newly obligated during each of the fiscal years for which such sums are required to be made available.

The Senate amendment authorized the Secretary of HEW to establish procedures to assure that not less than 10% of the enrollment opportunities in Project Headstart in the nation be available for handicapped children. There was no comparable House provision. The House recedes.

The House bill extended the authority for programs under the Act for two additional years. The Senate amendment extended the provision for three additional years. The House recedes.

The Senate amendment extended the length of time a person can serve on a community action board from three to six consecutive years and increased the total number of years a person may serve to twelve years. There was no comparable House provision. The conference agreement extends the length of service on a community action board to five consecutive years and increases the total number of years to ten.

The House bill required that the public officials who comprise one-third of each community action agency board be elected officials except where fewer than the requisite number of elected officials were available and willing to serve, in which case appointive public officials could be counted toward fulfilling the requirements of this subsection. There was no comparable Senate provision. The Senate recedes with the understanding that elected officials refers to those with general governmental responsibilities or responsibilities encompassing anti-poverty programs—not to officials with limited or administrative responsibilities in specialized areas, such as a water district commissioner.

The House bill established guidelines which must be followed by the Secretary of Health, Education, and Welfare in promulgating fee schedules for the participation of non-low-income children in Project Headstart. No charge could be made with respect to any child who was a member of a family with an annual income less than $4,320. A graduated fee schedule was prescribed up to the level of the lower living standard budget as determined by the Bureau of Labor Statistics. Beyond that point the Secretary is given discretion. There was no comparable Senate provision. The Senate recedes.

The Conference agreement further provides that if the Secretary of HEW certifies that the establishment of such a fee schedule would substantially impair the ongoing Headstart programs, he may postpone their effectiveness, but under no circumstances may such establishment be postponed beyond April 1, 1973.

The Senate amendment allowed addicts enrolled and participating in methadone maintenance treatment or therapeutic programs to participate in the program. The House bill limited participation to rehabilitated addicts. The House recedes.

The Senate amendment allowed the Director to undertake special programs assisting employers in dealing with problems of employee "drug abuse and dependency". The House bill only allowed programs dealing with "drug abuse". The House recedes.

The Senate amendment required that priority be given to areas within the States having the highest percentage of addicts. There was no comparable House provision. The House recedes.

Both the House bill and the Senate amendment called upon the Director to establish procedures whereby addicts undergoing rehabilitation and participation in this program who, during the course of such rehabilitation, became non-low-income as a result thereof would nevertheless remain eligible to participate in this program until they had completed a full course of rehabilitation. The House bill also made clear that there is to be no exception to income criteria for initial entry into the program. The Senate amendment had no comparable provision. The Senate recedes.

Both the House bill and the Senate amendment established an Environmental Action program through which low-income persons would be paid for working on projects to combat pollution or to improve the environment. The Senate amendment also required that such work projects be those which would not otherwise be performed. There was no comparable House provision. The House recedes. The purpose of the provision in the Senate amendment is to insure that the program be operated in such a way as not to displace persons currently employed in similar tasks, but the conferees wish to make clear that they do not expect the Director to arbitrarily use the language as an excuse for not funding programs authorized under this section.

Both the House bill and the Senate amendment authorized a new program to be known as Rural Housing and Rehabilitation. In addition, the Senate amendment allowed the use of persons enrolled in Mainstream programs in the construction, rehabilitation, and repair of housing for low-income persons under this paragraph. The House recedes. The conferees wish it clearly understood that this new program in intended for a limited number of sponsors in order to fully demonstrate its potential. The conferees expect that the program will be administered in the national office of the Office of Economic Opportunity and that no regionalization of the program will take place until Congress has had an opportunity to assess its effectiveness.

The Senate amendment placed the administrative responsibility for the Youth Recreation and Sports Program with the Director of the Office of Economic Opportunity. The House bill placed such responsibility with the Secretary of Health, Education, and Welfare. The House recedes. The conferees wish to make clear that the Director of the Office of Economic Opportunity is given the discretion to continue to enter into delegation agreements he considers appropriate.

(a) The Senate amendment specifically required the participation of all significant segments of low-income population to be served. There was no comparable House provision. The House recedes.

(b) The Senate amendment provided $6,000,000 per year. The House bill authorized $3,000,000 for carrying out the purposes of this section. The conference agreement provides for an authorization of $4,500,000 per year for each of the fiscal years ending prior to July 1, 1974.

The House bill and the Senate amendment authorized the Director to provide financial assistance for projects designed to serve groups of low-income individuals who are not being effectively served by other programs under this title. The Senate amendment authorized $50 million for fiscal year 1972 and the two succeeding fiscal years. The House bill authorized $50 million for fiscal year 1972 and such sums as may be necessary for each succeeding fiscal year, creating in effect a permanent authorization. The House recedes.

The House bill provided for the equitable distribution of financial assistance under the Act to all significant segments of the low-income population within a State and within a community. The Senate amendment required such equitable distribution only within a community. The Senate recedes.

The House bill prohibited the use of funds appropriated for Teacher Corps or ACTION from being used to finance any activity designed to influence the outcome of any election, or for voter registration, or to pay the salary of any officer or employee of OEO, Teacher Corps or ACTION who in an official capacity engages in such activity. As used in this amendment, "election" and "Federal office" are defined as in the Federal Election Campaign Act of 1971. There was no comparable Senate provision. The Senate recedes.

The House bill required that any standards for day care programs be no less comprehensive than the interagency day care requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968. There was no comparable Senate provision. The Senate recedes.

The Senate amendment amended section 616 of the Economic Opportunity Act to increase the portion of an allocation that may be transferred from one program or activity to another from 15% to 25%. The amendment also deleted the limitation which placed a ceiling on the amount that may be transferred into a program. Existing law provided that such transfers could not result in increasing by more than 100% any program for which there was available $10 million or less or by increasing by 25% any program for which amounts available were in excess of $10 million. The House bill reduced the authority of the Director to transfer earmarked funds to 10% of the amount appropriated or allocated. The House bill further limited the degree to which the program or activity could be increased. The conference agreement increases the portion of an allocation that may be transferred from one program to another to 20 per centum.

The House bill prohibited any funds appropriated for programs administered by the Office of Economic Opportunity or ACTION from being used to finance any activity in which students in higher education perform voluntary or community service where, as a condition for eligibility for funds, an institution is required to award credit to students for training or experience derived from such voluntary or community service. There was no comparable Senate provision. The House recedes.

The Senate amendment prohibited the Director from providing financial assistance to anyone under this Act unless the grant, contract or agreement under which funds are to be provided specifically provides that no person with responsibilities in the operation of such program will discriminate because of race, creed, color, national origin, sex, political affiliation or beliefs. There was no comparable House provision. The House recedes.

The Senate amendment prohibited sex discrimination, to be enforced in accordance with Civil Rights Act procedures. There was no comparable House provision. The House recedes.

The House bill required the national poverty action plan to be presented by December 31, 1971. The Senate amendment required submission by August 1, 1972. The House bill required subsequent plans no later than December 31st of succeeding years. The Senate amendment required subsequent reports on January 31st of each year. The dates provided in both the House and Senate bill presented a situation where it would have been impossible for the agency to comply. Therefore, the conferees dropped the specific date that the national poverty action plan was to be presented to the Congress. It is the intention of the conferees, however, that at the earliest possible date the Office of Economic Opportunity submit such a plan.

Both the House bill and the Senate amendment consolidated all evaluation activities into a single title. They differed in the following respects:

(a) The Senate amendment specified that such evaluations may be made of programs under the Office of Economic Opportunity Act, or related Acts. There was no comparable House provision. The House recedes.

(b) The Senate amendment qualified the directives to develop evaluation standards with the words "to the extent feasible". There was no comparable House provision. The House recedes.

(c) The House bill required the results of evaluation to be considered in renewing financial assistance. There was no comparable Senate provision. The Senate recedes.

(d) The Senate amendment required the Director to exchange data "on a cooperative basis with such agency". There was no comparable House provision. The Houses recedes.

(e) Under the House bill the Director would "consult where appropriate with States to sponsor jointly funded evaluations" while the Senate amendment read "may consult when appropriate". The Senate recedes.

(f) The House bill required the publication of evaluations where the Senate amendment only required the publication of summaries of such evaluations. The conference agreement requires that summaries prepared by the evaluator be published. The conferees want to make clear that the publication of such summaries in no way relieves the Director from existing obligations to make evaluation reports in their entirety available to the Congress.

(g) The Senate bill authorized the head of any agency administering a program authorized by the Act to conduct evaluations or take other actions authorized under this title but specified that nothing in this section would preclude the Director from conducting such evaluations or taking such actions as otherwise authorized under the Act. There was no comparable House provision. The House recedes.

Both the House bill and Senate amendment established a new title of the Economic Opportunity Act to create a National Legal Services Corporation. They differed in the following respects:

(a) The House bill indicated the policy of providing Legal Services "as a means of securing orderly change, responsiveness and reform", while the Senate amendment stated the policy as "the peaceful settlement of disputes within the system of justice". The House recedes.

(b) The House bill provided that the Corporation be granted tax exempt status. The Senate amendment provided that the Corporation be eligible for tax exempt status if it met the requirements of the Internal Revenue Code. Further, the Senate amendment provided that if such treatment was provided the Corporation, then the Corporation and programs assisted by the Corporation were subject to the provisions of the Code regarding the conduct of tax exempt organizations. The House recedes.

(c) The House bill provided for an incorporating trusteeship composed of:

The Attorney General, Director of the Office of Economic Opportunity, Associate Director for Legal Services, Chairman of the Executive Committee of the National Advisory Committee to Legal Services, the presidents, or their designees, of the following organizations: American Bar Association, Association of American Law Schools, National Bar Association, National Legal Aid and Defender Association, and American Trial Lawyers Association.

The Senate amendment required that the Director of the Office of Economic Opportunity serve as incorporating trustee and carry out his responsibility in consultation with, the National Advisory Committee to Legal Services and appropriate Office of Economic Opportunity regulations.

The conference agreement provides that the Director of the Office of Economic Opportunity shall serve as the incorporating trustee. While deleting any statutory requirement that the Director of the Office of Economic Opportunity consult with the National Advisory Committee for Legal Services, the conferees expect that the Director will take advantage of the expertise of and consult with the National Advisory Committee in carrying out his responsibilities under this section.

(d) Both the Senate amendment and House bill required the establishment of advisory councils; the Senate amendment required adequate regional representation in the initial as well as the regular councils. The House recedes.

(e) The House bill required the Director to supply to the incorporating trusteeship a list of all legal services programs. There was no comparable Senate provision. The House recedes.

(f) The Senate amendment provided for the termination of the responsibilities of the incorporating trustee upon the first meeting of the board after the appointment of all board members. There was no comparable House provision. The House recedes.

(g) The House bill provided for a board of directors of 17 individuals appointed by the President, one to be elected as chairman, as follows:

6 from members of the general public, three of whom shall be members of the highest court in any jurisdiction.

2 from lists submitted by the Judicial Conference.

2 from lists submitted by the Clients Advisory Council—both of whom must be persons eligible for assistance.

2 from lists submitted by the Project Attorneys Advisory Council.

5—one each—from lists submitted by each of the following organizations:

American Bar Association
Association of American Law Schools
National Bar Association
National Legal Aid and Defender Association
American Trial Lawyers Association

The Senate amendment provided for a board of directors of 19 members appointed by the President, one elected by a majority to serve as chairman, to be appointed as follows:

10 from the general public—six of whom shall be members of the highest court in any jurisdiction

2 from recommendations of the Clients Advisory Council—at least one of whom must be a person eligible for assistance

2 from recommendations of the Project Attorneys Advisory Council

5—one each—from recommendations of the following organizations:

American Bar Association
Association of American Law Schools
National Bar Association
National Legal Aid and Defender Association
American Trial Lawyers Association

One of the directors shall represent and be from among groups who speak other than English as a predominant language.

The Conference agreement provides that the Corporation shall have a Board of Directors consisting of nineteen individuals all of whom are appointed by the President with the advice and consent of the Senate, one of whom shall be elected annually to serve as Chairman. The members of the Board shall be appointed as follows: ten members from individuals in the general public, at least six of whom shall be members of the bar of the highest court of a State; five members who are representative of the organized bar and legal education; two members selected from individuals eligible for assistance under this title; and two members from among former legal services project attorneys. The American Bar Association, The American Association of Law Schools, the National Bar Association, the National Legal Aid and Defender Association and the American Trial Lawyers Association may submit recommendations to the President with respect to those members who are representative of the organized bar and legal education. The Clients Advisory Council may submit recommendations to the President with respect to the members to be appointed to the board who are individuals eligible for assistance under this title. The Project Attorneys' Advisory Council may submit recommendations to the President with respect to the members to be appointed to the board who are former legal services project attorneys. "Representative of" means "an outstanding individual" from the organized bar or legal education, and does not mean that an individual is on the board to represent a specific organization.

The conferees expect that the Committee on Labor and Public Welfare of the Senate, prior to submitting its report to the Senate on nominations to the Board of Directors of the Corporation, will hold public hearings to afford interested parties a chance to be heard in respect to the individuals nominated by the President.

The conferees are mindful that 20% (57 of 266) of the Legal Services grantees provide substantial amounts of service to Spanish-speaking clients. For Calendar Year 1969, 12.5% of the recipients were estimated to be Spanish-speaking. Therefore, while not retaining the Senate provision requiring such an appointment, the conferees expect that at least one director would represent and be chosen from the population within the nation of persons who speak a language other than English as their predominant language.

(h) The House bill prohibits any employee or consultant of the Corporation or grantee from serving on the board. The Senate amendment provided that if any association making recommendations for any appointment to the board is an applicant for a grant and provides legal representation funded under this Act to members of the client community such appointment shall be invalid and be added to those made by the President. The conference agreement includes the House provision.

(i) The House bill provided that the board may establish an executive committee of from 5 to 7 members of the board, one of whom is to be the chairman of the board, one of whom is to be a board member originally recommended by the Client Advisory Council or Project Attorneys Advisory Council, one of whom is to be a board member originally recommended by the professional legal organizations, and one of whom is to be a board member who was appointed from the general public. The Senate amendment allowed the board to establish an executive committee of five board members consisting of the chairman, one member from recommendations of the legal or professional organizations, and one member from recommendations of the Client's Advisory Council or Project Attorney's Advisory Council. Not less than three members are to be from the general public, and the chairman of the board must be chairman of the executive committee.

The conference agreement allows the Board to establish an Executive committee of five members, three of whom shall be from the members from the general public, one of whom shall be from the organized bar and legal education and one of whom shall be from individuals eligible for assistance under this title or former project attorneys. The chairman of the Board shall be a member of the executive committee and serve as its chairman.

(j) The Senate amendment authorized special emphasis programs for migrants, Indians, and the elderly poor. There was no comparable House provision. The House recedes.

(k) The House bill authorized the Corporation to prescribe criteria to be used in determining the level of income which will render a person a member of the client community. There was no comparable Senate provision. The Senate recedes.

(l) Both the Senate amendment and the House bill restrict the use of funds or personnel for the purpose of lobbying.

The House bill applied this restriction to all attorneys while engaged in legal service activities who were not representing clients or a group of clients or who were not requested by a legislative body or member thereof, to make such representation. The Senate amendment restricted such activities except where the attorney was requested to provide such representation by a client provided that the attorney did not identify the corporation or individual program with the purpose of such representation, or by a legislative body or member thereof.

The Senate amendment further required the Corporation to insure that representations permitted under this section are carried out in a manner that is consistent with the Code of Professional Responsibility and Canons of Ethics of the American Bar Association. The conference agreement contains the more comprehensive Senate language.

(m) The Senate amendment required that the Corporation request the State bar association for comments and recommendations on approved grants or contracts for programs operated within the State. There was no comparable House provision. The House recedes.

(n) The House bill prohibited the Corporation from providing legal services in civil suits to persons who have been convicted of a criminal charge where such civil suit arises out of alleged acts or failures connected with the criminal conviction and is brought against a court official or law enforcement official. There was no comparable Senate provision.

The Conference agreement prohibits the Corporation from providing legal services in civil actions to persons who have been convicted of a criminal charge where such civil action arises out of alleged acts or failures to act connected with a criminal conviction and such action is brought against a court official or law enforcement official, except as provided by regulations promulgated by the Corporation.

(o) Both the House bill and Senate amendment prohibited voter registration activity other than "legal representation". In the Senate amendment the exception reads "legal representation in civil, judicial (or administrative proceedings or in connection with legal advice as) to adherence to applicable local, State or Federal registration requirements". The House recedes.

(p) The Senate amendment made employees of the Corporation and programs assisted by the Corporation subject to provisions of the Hatch Act. There was no comparable House provision. The House recedes.

(q) The Senate amendment further prohibited employees from illegal picketing, boycotting or any action in violation of an outstanding injunction or any activity designed to involve violence or damage to property or injury to persons, and required the board to issue rules and procedures to enforce these prohibitions. There was no comparable House provision. The House recedes.

(r) Both the House bill and the Senate amendment required that copies of evaluations be made available upon request to grantees or contractees. The Senate limited such availability to the extent authorized by the Corporation but made the President and Members of Congress eligible to receive such reports. There was no comparable House provision. The House recedes.

(s) The Senate amendment required that 20% of the funds appropriated to the Corporation be used to provide funds to eligible clients 55 years of age or older. There was no comparable House provision.

The Conference agreement deletes the requirement that 20 percent of the funds appropriated to the Corporation be used to provide legal services to eligible clients of 55 years of age or over. By deleting this requirement, the conferees wish to make clear that it is their intention that the Corporation establish regulations and guidelines to insure that the elderly poor receive an equitable portion of the funds appropriated to the Corporation. In this regard, the provisions of section 906(a)(3) of this Act provide for special emphasis programs for the elderly poor, as well as migrant or seasonal farm workers and Indians.

(t) The House bill allowed the President or his duly authorized representative and the Comptroller General access to books, documents, etc., of recipients of aid from the Corporation. The Senate amendment allowed such access only to the Comptroller General. The Senate recedes.

(u) The Senate amendment allowed the Office of Management and Budget and O.E.O. to initiate and conduct reviews respecting adherence to this title and to review and comment on the Corporation's budget submission, provided that such reviews are in accordance with the Code of Professional Responsibility and Canons of Ethics of the American Bar Association governing confidentiality of the attorney-client relationship. There was no comparable House provision. The House recedes.

(v) The Senate amendment required the Director to cooperate in the orderly transfer of functions and responsibility from O.E.O. to the Corporation. There was no comparable House provision. The House recedes.

(w) The Senate amendment required the Director to make a study of alternative methods of delivering legal services and make recommendations to the Congress by June 30, 1973. There was no comparable House provision. The House recedes.

The Senate amendment established a new program in title II, Design and Planning Assistance Programs, providing for the Director to fund to community-based design and planning organizations to provide technical assistance and professional services to community organizations and to continue existing section 232 programs of a comparable nature and authorized $10 million for each fiscal year. There was no comparable House provision. The House recedes.

The Senate amendment established a new program in title II, Consumer Action and Cooperative Programs, providing for the Director to fund programs in consumer advocacy and protection and to continue existing section 232 programs of a similar nature, and authorized $7.5 million for each of three fiscal years. There was no comparable House provision. The House recedes.

The Senate amendment established a new program in title II, Urban Housing Demonstration Projects, to authorize the Director to provide financial assistance for demonstration projects in urban areas, and authorized $20.0 million for each of three fiscal years. There was no comparable House provision. The Senate recedes.

While the conferees did not adopt the new specific authority for Urban Housing Demonstration Projects contained in the Senate amendment, they expect the Director of the Office of Economic Opportunity to increase funding of projects to assist low-income families living in neighborhoods characterized by abandonment and deteriorating residential housing to maintain and upgrade existing substandard residential housing in such neighborhoods. The projects are to be carried out by appropriate community based organizations including tenant associations. It is anticipated that such projects may include financial assistance in the form of grants and loans for administrative expenses and to defray costs of repair and moderate rehabilitation, for tenant organization and counselling, management and maintenance services, and for encouragement of home ownership by low-income families. It is anticipated that such projects will be funded from general sources available under the Act, including general demonstration authority and authority under Title VII, Community Economic Development, to the extent consistent with that title; however, no such projects are to be funded from sums made available under the new Rural Housing and Rehabilitation programs.

The Senate amendment prohibited the Director from delegating his functions under section 221 and title VII of such Act, notwithstanding the provisions authorizing delegation of programs of section 602 of the Economic Opportunity Act. There was no comparable House provision. The House recedes.

The Senate amendment combined the existing title I-D Special Impact Program and title III-A Rural Loan Program into a new unified Community Economic Development Program (title VII). This new title provided expanded authorization for grants as well as loans to rural cooperatives. There was no comparable House provision. The House recedes.

The rules of the House forbid managers on the part of the House from accepting Senate amendments that provide for appropriations within authorization bills. It was felt that the transfer of funds from one agency to another and the requirement that interest payments on loans from a revolving fund be returned to the fund rather than to the Treasury would violate the rule against including appropriations provisions in authorizing legislation.

It was therefore necessary for the conferees reluctantly to delete those provisions of title VII that detailed the operation of the newly authorized Community Development and Rural Development revolving funds, to delete those provisions that would have transferred the assets of the existing title III-A loan fund from the Department of Agriculture back to the Office of Economic Opportunity for consolidation with the new Rural Development revolving fund, and to delete those provisions in title VII that would have repealed title III-A. As approved by the conferees, title VII authority for a Rural Development Loan revolving fund will exist in addition to the authority in title III-A for the present Rural Loan revolving fund. It is the intent of the conferees, to the extent not prohibited by law, that the revolving funds authorized by title VII operate as is common with such funds, i.e., that repayments of principal shall be returned to the fund to be available for new loans and that the budget provide for the appropriation of the amount of the interest paid on such loans to the fund, to be used to offset the cost of operating such funds. Further, it is the intent of the conferees that the Office of Economic Opportunity seek to operate the Rural Loan fund provisions of title VII and those under title III-A in close conjunction pending legislation to transfer the title III-A loan fund to this title. In deleting the language in title VII that detailed the operation of the new revolving funds it was necessary to delete the provision authorizing the use of interest payments to the funds to defray administrative expenses. However the conferees wish to make it clear that it is their understanding that the statutory authority of the Director to make payments out of the existing title III-A revolving fund for "loans, participation, and guarantees" encompasses the same authority as is provided in other federally supported revolving funds to defray such costs as are necessarily incurred in the administration of loans from such revolving funds.

The Senate amendment amended title VIII of the Act by making clear authority for VISTA volunteers to work on environmental problems focused primarily on the needs of low-income persons and the communities in which they reside. There was no comparable House provision. The House recedes.

The Senate amendment added a new section to title VI requiring frequent review and revision of the poverty levels based on the changes in the consumer price index. There was no comparable House provision. The House recedes.

The Senate amendment authorized persons who are otherwise eligible and live in public and private institutions to participate in Neighborhood Youth Corps programs. There was no comparable House provision. The House recedes.

The Senate amendment amended section 211 by requiring the Director to insure no local community action agency election be held on a Sabbath Day. There was no comparable House provision. The House recedes.

The Senate amendment amended the Federal property and Administrative Service Act of 1949 by requiring the GSA to continue its policy of making excess property available to a grantee of any agency under a program established by law for which funds had been appropriated. There was no comparable House provision. The Senate recedes because the rules of the House prohibit House conferees from agreeing to a nongermane Senate amendment.

CARL D. PERKINS,
ROMAN C. PUCINSKI,
AUGUSTUS F. HAWKINS,
WILLIAM D. FORD,
PATSY T. MINK,
LLOYD MEEDS,
ALBERT H. QUIE,
JOHN N. ERLENBORN,
WILLIAM A. STEIGER,
EARL B. RUTH,
Managers on the Part of the House.
GAYLORD NELSON,
EDWARD M. KENNEDY,
WALTER F. MONDALE,
ALAN CRANSTON,
HAROLD E. HUGHES,
ADLAI E. STEVENSON,
JENNINGS RANDOLPH,
ROBERT TAFT, JR.,
JACOB K. JAVITS,
RICHARD S. SCHWEIKER,
PETER H. DOMINICK,
J. GLENN BEALL, JR.,
Managers on the Part of the Senate.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. YOUNG of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 7060, RETIREMENT OF FIREFIGHTERS UNDER CIVIL SERVICE RETIREMENT PROGRAM

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1056 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1056

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7060) to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Post Office and Civil Service now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the Committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 7060, the Committee on Post Office and Civil Service shall be discharged from the further consideration of the bill S. 916, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 7060 as passed by the House.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. SMITH) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1056 provides an open rule with 1 hour of general debate for consideration of H.R. 7060, the purpose of which is to include firefighters within the provisions of the Code relating to retirement of government employees engaged in hazardous occupations. The resolution further provdies that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment. After passage of H.R. 7060, the Committee on Post Office and Civil Service shall be discharged from further consideration of S. 916 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

Under the civil service retirement law, early retirement privileges are granted to employees serving in hazardous positions. They may retire at age 50 with 20 years of service at 2 percent of the high 3-year average salary for each year of service.

The retirement must be recommended by the head of the employing agency and his recommendation must be approved by the Civil Service Commission.

Heretofore, positions granted the preferential retirement have been in the field of law enforcement. H.R. 7060 would extend the hazardous occupation provisions to Federal firemen who primarily perform work directly connected with the control and extinguishment of fires, or the maintenance and use of firefighting equipment.

Over 10,000 Federal firemen would be affected by the legislation at an estimated cost of $6.7 million in each of the next 30 years.

Mr. Speaker, I urge the adoption of the rule.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the distinguished gentleman from Texas has explained House Resolution 1056 and the purpose of the bill H.R. 7060. I will simply add some additional comments, Mr. Speaker.

In addition to having to do with hazardous duties under the civil service retirement law, the bill specifically authorizes retirement at full annuity at age 50 after 20 years of firefighting service for about 12,300 Federal firefighters, most of whom are employed by the Department of Defense. Under present law, retirement at full annuity is possible only after employees reach age 55 and complete 30 years of service. The bill would also provide a more liberal formula for computing the annuities of these employees.

This bill would increase the unfunded liability of the Civil Service Retirement and Disability Fund by approximately $198,700,000. This increase would require amortization through appropriations of $6,700,000 in each of the next 30 years.

Both the U.S. Civil Service Commission and the Office of Management and Budget are opposed to this bill. They note that hazardous duty is usually compensated by higher pay, which, in turn, produces a larger retirement benefit. They further point out the overly liberalized benefits in this bill will have little effect on recruiting, only a minor effect on retention, and yet a far-reaching morale effect on other Federal employees in hazardous occupations who are not similarly benefited.

Minority views have been filed by Congressmen GROSS and DERWINSKI. In addition to the argument presented above, they note that the injury frequency rate among Federal firefighters is considerably less than that of municipal firefighters primarily due to better fire prevention techniques.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 440, RETIREMENT OF IMMIGRATION AND CUSTOMS INSPECTORS

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules and on behalf of the gentleman from New York (Mr. DELANEY), I call up House Resolution 1055 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1055

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 440) to amend the Civil Service Retirement Act, as amended, to provide annuities for additional personnel engaged in hazardous occupations. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute now printed in the bill. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1055 provides an open rule with 1 hour of general debate for consideration of H.R. 440, the purpose of which is to extend to customs and immigrant inspectors the same retirement benefits accorded to law enforcement personnel under the hazardous duty provisions of the civil service retirement law.

Employees serving in hazardous positions are granted the privilege of retiring at age 50 with 20 years of service at 2 percent of the high 3-year average salary for each year of service.

The retirement must be recommended by the head of the employing agency and his recommendation must be approved by the Civil Service Commission.

Positions granted the preferential retirement have been in the field of law enforcement. H.R. 440 would extend the hazardous occupation provisions to customs and immigration inspectors. No customs or immigrant inspectors who had not in fact been exposed to hazards over a 20-year period would be eligible for such preferential consideration.

It is estimated that additional cost to the Government will be $3.2 million in each of the next 30 years.

Mr. Speaker, I urge the adoption of the rule.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as stated by the distinguished gentleman from Texas (Mr. Young), House Resolution 1055 does provide a 1-hour open rule for the consideration of H.R. 440, customs and immigration inspectors early retirement.

The alleged purpose of H.R. 440 is to give customs and immigration inspectors the same preferential treatment already provided for Federal law enforcement personnel under the hazardous duty provisions of the civil service retirement law.

This bill would authorize retirement at full annuity at age 50 after 20 years of service for about 5,000 customs and immigration inspectors. This bill would also provide a more liberal formula for computing the annuities of these employees.

With regard to cost, it is estimated that this bill would increase the unfunded liability of the Civil Service retirement and disability fund by approximately $51,400,000. This would result in additional costs of $3,200,000 in each of the next 30 years.

The U.S. Civil Service Commission and the Office of Management and Budget are both opposed to this bill. They note that hazardous duty is generally compensated by higher pay levels which results in higher retirement pay. They conclude that the overly liberalized retirement benefits in this bill will have little effect on recruiting and only a minor effect on retention, while creating additional demands by other Federal workers who do not get this preferential treatment.

Minority views were filed by Congressmen Gross, Derwinski, Johnson of Pennsylvania, Mills of Maryland, and Mallary opposing this bill as unwarranted, costly, and likely to open the floodgates of a host of other Federal employees who can equally argue for similiar retirement treatment. These Members recommend that rather than approach this subject on a piecemeal basis, as has been the practice in the past, the committee should thoroughly restudy the entire subject of preferential early retirement.

Mr. Speaker, I personally have been friendly with the customs and immigration inspectors since back in 1936, when I was a member of the FBI. I have great respect for them. I have worked with many of them time and time again.

In all honesty, Mr. Speaker, I do not believe there are very many of them—perhaps a few percentage points—who actually engage in hazardous duty. From our mail we know that we get requests time and time again to check on the immigration status of some individual, to find out if that individual can stay as a permanent resident, rather than have to go home. We write letters by the scores to our home offices asking them to check the files.

I have great respect for the office in Los Angeles, Calif., who have always been most cooperative.

In all honesty, I do not believe it can be said that they spend too much of their time chasing bank robbers, or kidnapers, or going into hijacking of airplanes. I am inclined to believe we might be going just a little bit too far in this bill, if we include all of the customs and immigration inspectors—all of them—as being engaged in hazardous duties; 5,000 of them would be included.

I repeat again, Mr. Speaker, I do want to be sympathetic, because I feel they have been cooperative with me, but I feel it would be going a little bit too far to say that all of these men are engaged in hazardous duties and thus entitled to special preference such as is given to those who really are engaged in hazardous duties.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RETIREMENT OF FIREFIGHTERS UNDER CIVIL SERVICE RETIREMENT PROGRAM

Mr. WALDIE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7060) to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7060, with Mrs. Griffiths in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California (Mr. Waldie) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. Gross) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. Waldie).

Mr. WALDIE. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman and members of the committee, the bill before us now is the bill that would extend early retirement benefits to firefighters. I make that distinction because the next bill is the one that deals with the customs and immigration inspectors. This bill deals with the firefighters, and I make that distinction further because this bill was before this House on a prior time. We passed it 2 years ago and the Senate passed it, and the President vetoed it. This bill has been passed now by the Senate in this Congress without opposition, and it is before the House again.

It seems to me the merits of the bill are pretty obvious. The code section at the present time permits early retirement benefits to be provided to those employees of the Federal Government whose primary duties involve law enforcement. The procedure whereby that beneficial result comes about is as follows. In an agency in which employees are located whose primary duties involve law enforcement the head of that agency may recommend to the Civil Service Commission that particular employees within his agency fall within that definition. So when they seek early retirement they may be accorded it if his recommendation is favorable and the Civil Service Commission concurs.

This bill simply says that if it is proper for law enforcement employees to have early retirement because of hazard then that would dictate similar treatment for fire-fighting employees.

The reason why you permit law enforcement employees to have early retirement is because they are subjected to great hazards in the performance of their duties. The statistics are quite clear that the hazards to which members of the Federal Bureau of Investigation, for example, are subjected are not as extensive, as a matter of fact, as the hazards to which firefighters in the Federal installations are subjected. The number proportionately of deaths that occur to the employee force of firefighters in the Federal installations is higher than the number of deaths incurred in the FBI, for example. The amount of injuries that occur statistically to the firefighters engaged in that hazardous occupation is greater than statistically the amount of injuries that occur to the FBI special agents. Therefore, if the Congress decided in their wisdom, and properly so, that FBI agents were subject in their law enforcement duties to great hazard and therefore should be entitled to early retirement benefits, it would seem equally clear that there was an inadvertent perhaps omission to permit language that would include hazardous occupations other than law enforcement.

That is exactly what this bill does. It permits the inclusion of language in the statute which now limits hazardous occupations by definition to those engaged in law enforcement. It now includes language, if this bill is adopted that states the definition of hazardous occupation will extend to those also engaged in firefighting for the Federal Government. The mere inclusion of that language in this statute by congressional enactment, however, would accord no precise benefit to any particular Federal employee.

The fact is, though, if Congress enacts this bill and thereby permits an agency to determine that particular firefighters within that agency are engaged in such activities as may constitute hazardous employment, and therefore should be entitled to early retirement, all we in the Congress are doing is authorizing the agency to make that determination. Additionally, the Civil Service Commission has to examine and confirm the agency's decision. So in fact we ourselves, acting on behalf of this legislation, do not make any determination whatsoever. We do not say a single firefighter in Federal employment is entitled to early retirement. By the passage of this bill all we do is permit the agency heads to determine that firefighters in their employ should be entitled to early retirement, and that decision must be confirmed by the Civil Service Commission.

It is responsible legislation, and I urge its adoption.

Mr. MATSUNAGA. Madam Chairman, will the gentleman yield?

Mr. WALDIE. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Madam Chairman, I rise in support of the bill H.R. 7060, and in support of the position taken by the gentleman in the well. I commend the gentleman for bringing this legislation to the floor; it is long overdue.

As Members of the House well know, this is legislation which passed both Houses late in the 91st Congress, only to be "pocket vetoed" by the President. It is my firm belief that that veto was a mistake, based on misinformation. That is why, on the first legislative day of the 92d Congress, I reintroduced my bill (H.R. 227) which is virtually identical to H.R. 7060.

Approximately 36,000 people qualify under the current early retirement provision, which permits retirement at age 50, after 20 years service or more.

The rationale of the present law is that Federal law enforcement personnel are subjected to hazardous duties and must, therefore, maintain a youthful, vigorous work force. This reasoning applies equally to Federal firefighting personnel.

Everyone seems willing to admit that firemen are indeed engaged in a hazardous occupation. That is a gross understatement. Firemen have a job death rate five times that of the average industrial occupation.

The administration, however, seeks to distinguish between firemen generally and federal firemen. The latter, it is said, operate in the "controlled environment," and thereby somehow avoid the degree of hazards faced by municipal fire departments.

In answer to that assertion, we need only to examine the facts: for fiscal year 1968, Federal firefighters battled over 19,000 fires. In those fires, 376 persons lost their lives, and $295 million worth of property was lost.

A study conducted last year by the Naval Fire Officers' Association uncovered even more startling statistics. Of the total of 2,707 employees covered by the survey, 336, or one out of every eight, had retired with some form of disability in the 5 years immediately preceding. The total number of injuries sustained during the survey period was 1,390, affecting more than 50 percent of the firefighters.

Statistics from the State of Illinois indicate that Federal fire departments have three times as many men retired with disabilities as the average municipal fire department.

Clearly, Madam Chairman, the dangers faced by Federal firemen are equal to, if not greater than, those encountered by municipal firemen. Federal firemen must extinguish fires in substandard housing, barracks, ship manufacturing areas, and hospitals. Many of these structures are of World War II vintage, constructed of highly combustible material, with inadequate fire stops and fire exits, and open stairwells.

The substantial risks that face Federal firemen should be borne by a young, vigorous corps of men. The most efficient way to obtain that vigorous firefighting force is to permit older firemen to retire at an earlier time than normal. In addition, of course, the Federal firefighter deserves the measure of equity that H.R. 7060 would grant him. There are approximately 10,000 Federal firemen, about 350 of them in my own State of Hawaii. These brave men serve, at the risk of their limbs and even their lives, as an insurance policy against the loss of lives and property in federally controlled areas.

For these two overriding reasons—to insure a physically strong Federal firefighting force, and to recognize the great risks to limb and life involved in firefighting, I urge the House to approve H.R. 7060 today.

Mr. WALDIE. Madam Chairman, I reserve the balance of my time.

Mr. GROSS. I yield myself such time as I may consume.

Madam Chairman, I invite the attention of the Members to the minority views contained in the report accompanying this bill.

I am opposed to this bill. It is bad legislation, and should be defeated. The President vetoed an identical bill in the last Congress, and I am confident that if this bill is enacted, it too will be vetoed.

The civil service retirement fund was never intended to be used to accomplish any type of personnel objective. Its sole purpose is to provide decent annuities for Federal employees after retirement.

Certainly the fund was never intended to compensate employees for engaging in hazardous duties. Hazardous duty compensation, where warranted, is and should be a part of salary rather than involved in the retirement system.

Federal firefighters, in view of certain physical requirements relevant to the nature of their duties, now enter the service at a grade higher than other similar occupational specialties. Additionally, in recognition of substantial amounts of standby time required in their jobs, they are paid additional premium pay up to 25 percent. Consequently, the average salary today of a Federal firefighter is slightly under $11,000 per year, and this figure is used for calculating their retirement.

It should also be pointed out that Defense installations, where these firefighters work, have comprehensive fire prevention programs and more supervision, and unlike municipal firefighters, they work under an extremely controlled environment. Therefore, the injury frequency rate among Federal firefighters is considerably less than that of municipal firefighters. In 1970, for example, municipal firefighters in the United States suffered 36.33 man-hours lost time because of injury for every million hours worked—where firefighters in the Department of Defense, the principal employer of firefighters, lost only 2.21 man-hours per million hours worked. Obviously the degree of hazard is definitely low.

There is another compelling reason for rejecting H.R. 7060. The objective of Congress in providing preferential retirement rights and benefits for law enforcement personnel was to improve the quality, efficiency, and productivity of that activity by making law enforcement a young man's service. It was believed that the preferential retirement provisions would reduce turnover in the service and encourage retirement at an earlier age because the liberalized retirement formula made this economically feasible. This preferential retirement provision was not provided because of hazard—but primarily because the duties they performed required a young and vigorous force. There is no demonstrated need for encouraging Federal firefighters to retire at an earlier than normal age, and it appears there is little indication they would. As a matter of fact, great numbers of Federal firefighters are retired from city and municipal governments and pursue a second career to retirement in the Federal service.

I might also point out, Madam Chairman, that enactment of this bill would set a most undesirable precedent. There are countless other occupational specialties in the Federal service which could, and would, claim similar preferential treatment. A case in point is the next bill on today's schedule which would give preferential retirement treatment to Customs' employees.

If these two bills are enacted today, we can expect a long procession of similar bills providing identical treatment for a long list of occupations which in the past have been seeking this advantage. This list includes: deputy marshals, whose duties are limited to office administration, civilian marine officers, employees in any occupation where there is a greater than normal exposure to disease or accident, employees engaged in operating civilian-manned vessels or dredges, immigration inspectors, appraiser guards in the Bureau of Customs, postal employees who carry firearms and whose duties include protection of the mail, civilian armed guards charged with maintaining security of U.S. naval shore establishments, Panama Canal ship pilots, aircraft pilots, collection officers with Internal Revenue Service, coal mine inspectors and investigators, and employees engaged in construction or maintenance of high-voltage powerlines. I repeat—that if this bill is enacted, the employees in these occupations would, with persuasive logic, demand equal treatment in the matter of more liberal retirement rights and benefits.

Madam Chairman, in fairness to all other Federal employes who have a very important stake in the retirement fund and who would be called upon to pay for this preferential treatment of Federal firefighters, I urge that this bill be defeated.

Mr. GROSS. Madam Chairman, I yield 5 minutes to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Madam Chairman, I rise in support of H.R. 7060, a bill which would include firefighters under the preferential early retirement provision of the Civil Service Retirement Act.

Before getting too far into the arguments as to why firefighters should be accorded early retirement, let me just say at the outset that this legislation is not to placate firefighters—but rather to finally recognize and properly reward them for demanding and hazardous duties. In doing so, we will assure that the firefighting service will be a young, able work force capable of effectively carrying out its responsibilities.

The firefighter's occupation is hazardous. Many of these firefighters are permanently employed in the Forestry Service. The vast majority are employed by the Department of Defense, the type and degree of hazard is different than that experienced by a municipal firefighter.

To illustrate, a large number of Department of Defense installations have predominately combustible structures with substandard building spacing and substandard housing and barracks-type buildings prevailing. Many Department of Defense firefighters are engaged in and are exposed to fires involving dangerous cargo—weapons systems aboard ships and aircrafts, both conventional and nuclear—radiation sources; exotic fuels; liquid oxygen; heavy chlorine and liquified petroleum gas fillings and storage operations; large fuel dispensing and storage operations; chemical and propellant storage and handling operations; missile and rocket manufacturing and testing; ammunition storage, rework and loading operations; heavy industrial operations; bacteriological operations; and many other operations that expose them to toxic and explosively hazardous fire situations.

Federal firefighters are required to perform these duties during emergency situations, all times—day and night, and are exposed to extreme heat and cold. It is reported by noted physicians that this is a burden on the cardiovascular system. Hypertension is also a result of exposure to extreme cold conditions.

It should also be borne in mind that Federal firefighters are required to work a 72-hour week, and work intermittently day and night.

Madam Chairman, it seems evident that firefighters do indeed qualify for preferential early retirement, and it is up to the Congress to see that they get it. I urge approval.

Mr. GROSS. Madam Chairman, I yield 10 minutes to the gentleman from Maryland (Mr. HOGAN).

Mr. HOGAN. Madam Chairman, H.R. 7060, which I introduced, is before us today in an attempt to bring equity to Federal firefighters by extending to them preferential early retirement benefits.

Both Houses of Congress passed this bill during the 91st Congress, but unfortunately, the President saw fit to veto it. I am hopeful this will not be the case this time. Under this bill Federal firefighters, for the first time, would be eligible for full retirement after attaining age 50 with 20 years of service. The annuity would be computed at the rate of 2 percent of the employee's high 3-year average salary multiplied by his total years of service.

The opponents of this legislation have focused their fire on several arguments, which I will try to refute. Their first argument is that Federal fighters are already being compensated for their hazard by higher levels of pay. Let us examine this. At the present time, Federal firefighters do receive a differential in pay of 25 percent, but they receive it for working 72 hours a week, for working intermittently, night and days, for working on Sundays—41 Sundays annually—and for work on holidays without any additional compensation.

I might also add, Madam Chairman, because of the long irregular hours and low entrance grade for firefighters GS-3—$5,828—recruitment of firefighters is a serious problem. In fact, in testimony before our Subcommittee on Retirement, Health Benefits, and Insurance in 1971, the International Association of Firefighters reported that the Civil Service Commission had found it necessary as a recruitment incentive, to give additional compensation to firefighters, along with the 25 percent premium pay, in the Great Lakes area, the San Francisco area, and the District of Columbia. Firefighting is one of the most dangerous professions in the world. The fact that the firefighters fatality rate is 275 percent greater than the rate for the overall workforce. Federal firefighters experience three itmes the average of compensable injuries incurred by the total Federal civilian employee population.

Permit me to list the various types of potential hazards indigenous to a Federal firefighter at military bases, which employ the majority of Federal firefighters: special weapons, chemicals, waterfront craft, nuclear power, missiles, reactors, radioactive sources, liquid oxygen, highly flammable gaseous oxygen, stored radiation materials, removal of missile fuels, nuclear power reactors where situated, presence of numerous missile-laden vessels, required standby services for transfer of LOX—liquid oxygen when combined with benzene becomes a high explosive mixture—radiation materials, ammunition, missile loadings and unloadings.

Firefighters perform their duties during emergency situations, at all times of the day and night, while exposed to extremely high temperatures. Noted physicians say that this is a burden on the cardiovascular system. The pulse rate increases and the stroke volume of the heart decreases.

Federal firemen also perform much of their duties in the extreme cold. Authorities, in their research, have found that this may produce persistent hypertension. A firefighter is exposed to carbon dioxide and other poisonous gases, which unquestionably do damage to the heart and vascular system.

At a nearby Federal installation, in a 5-year period, 10 percent of the firefighting force was lost because of heart ailments—the average age of these men was only 44 years.

In February 1971, questionnaires were sent to Navy and Marine Corps fire chiefs by the Naval Fire Officers Association. A total of 80 questionnaires were completed, which covered 2,707 Federal civilian firefighters. The results, based on the past 5 years, were as follows: total number of injuries—1,390; heart attacks—on duty 51, off-duty 91; deaths—on duty 11; off-duty 71. The major cause of deaths was heart attacks which accounted for 49 of the total listed. Disability retirements—heart, 79; back injuries, 44; hypertension, 37; emphysema, 21; eyesight, 20; hearing, 19; arthritis, 19; and other, 97.

Madam Chairman, I bring these facts and statistics to the attention of our colleagues to demonstrate that the occupation of firefighting is one of the most hazardous in the world. In my own district, I have a number of military installations. One is the Naval Ordnance Laboratory at Indian Head, Md. I do not know of any place in the world more hazardous than that facility, where they make propellants, rockets, and torpedoes, and the firefighters there have an unbelievably difficult and hazardous job.

And, still another argument is that to include firefighters under preferential early retirement provisions would create a bad, costly precedent. I disagree. I sincerely believe that our committee and the Congress is fully capable of deciding what groups of employees are deserving and which ones are not deserving of early retirement benefits. As in plenty of other circumstances, we will decide each case on its merits.

The comments made regarding "controlled environment" used by the gentleman from Iowa when applied to firefighting at Department of Defense military installations is not only a misnomer but is in fact, grossly untrue.

Statistics clearly demonstrate that Federal firefighters are confronted with a variety of hazardous and complex situations which in many instances far exceed those encountered by municipal firefighters.

While it is readily admitted that there are installations where only common type hazards prevail, the vast majority of activities, that is, air stations, shipyards, missile and test centers, naval stations, ordnance and weapons stations, and research of development type stations, do in fact expose the firefighting force to a greater degree of potential hazard and possible injury than those faced by the average municipal firefighter.

The vast majority of Federal firefighters at military installations are called upon to respond to an ever increasing variety of emergency situations seldom encountered by his municipal counterpart. For example—at air stations, firefighters fight aircraft-type fires as well as structural type fires; at naval shipyards engaged in nuclear powered shipbuilding or repair work, firefighters are often subjected to radiation hazards far in excess of that which is considered routine or normal. Additionally, the vast majority of military installations employing firefighters have mutual aid pacts with adjoining cities and towns which require response into these areas when major fires occur. In reality the Federal firefighters are called upon not only to combat fires at their own installation but are required to assist at major conflagrations occurring in areas outside of their own jurisdictions.

A large number of our Department of Defense installations have predominately combustible structures with substandard building spacing and substandard housing and barracks type buildings prevailing. Many DOD firefighters are engaged in and are exposed to fires involving dangerous cargo—weapons systems aboard ships and aircraft, both conventional and nuclear—radiation sources; exotic fuels; liquid oxygen; heavy chlorine and liquified petroleum gas filling and storage operations; large fuel dispensing and storage operations; chemical and propellant storage and handling operations; missile and rocket manufacturing and testing; ammunition storage, rework and loading operations; heavy industrial operations; aircraft overhaul and flight operations; shipboard berthing overhaul and repair operations; fuel, weapons and component testing and evaluation operations; heavy wooded and brush firefighting operations; bacteriological operations; and many other operations that expose them to toxic and explosively hazardous fire situations.

A few examples of the results of these exposures are:

In December 1971 at Naval Air Station, Memphis, three firefighters sustained burns while rescuing trapped building occupants. Five occupants were rescued and two persons perished in the fire. At this same activity one firefighter perished in a 1967 fire, 12 other firefighters were injured. At another fire that same year 18 firefighters were injured in a building fire.

In 1968 at Naval Air Station, Kingsville, Tex., one firefighter was killed when an aircraft struck the firetruck on which he was riding. A building fire at Naval Air Station, Jacksonville, Fla., caused injury to nine firefighters.

At Wright Patterson Air Force Base, three firefighters perished due to suffocation at a large building fire.

At Chanute Air Force Base, Ill., in 1970, one firefighter died from suffocation in a basement fire.

At MacDill Air Force Base, Tampa, Fla., three firefighters perished as a result of a helicopter crash, in 1969.

At Travis Air Force Base, Calif., in 1951, five firefighters perished and four firefighters were permanently disabled as a result of a fire and crash that took the life of General Travis. One firefighter died at this base in May 1971 as a result of a fire deliberately started during a riot.

Five firefighters died at a major Danang fire in 1967. Two firefighters perished at an aircraft fire at Bien Hoa in 1968. Another B–12 aircraft explosion killed two firefighters in 1969, in another Vietnam crash.

At the Naval Base in Subic Bay, Philippine Islands, six firefighters suffered chemical eye burns in 1968 and required medical airlift to Clark Air Force Base.

At the Long Beach Naval Shipyard, there were 11—22 percent of the fire department—firefighter disability retirements under age 55 in the past 3 years.

At Air Missile Test Center, Point Mugu, Calif., the fire department has experienced seven disability retirements in the past 3 years, five heart attack victims and 20 firefighter on-the-job injuries.

At the Charleston, S.C., Naval Shipyard, six firefighters were involuntarily separated in the past year because of failure to pass the rigid medical requirements imposed on firefighters exposed to radiation hazards.

At George Air Force Base, Calif., three fire chiefs suffered heart attacks between 1956 and 1964, and two firefighters died when an airplane crashed into a fire vehicle.

These are just a few statistical examples that were readily available. Other statistics gathered during this very brief and sketchy survey indicate that "on the job injuries, heart attacks, deaths and disability retirements" among Federal firefighters are increasing. The latest survey depicting these statistics, was conducted on February 4, 1971 and is enclosed for your information. As you can see, prior to that time we were experiencing over five deaths, over nine heart attacks, over 91 injuries, and over 22 disability retirements every month in the Federal Fire Service.

The U.S. Civil Service Commission's Fire Protection and Prevention Position Classification Standards—GS–081—of April 1971 recognizes the hazardous nature of Federal firefighting. On pages 3 and 4 of these Standards they state, under the heading, "Hazardous Nature of Firefighting":

> There is no such thing as a "safe" fire. While most are kept under control, all fires have the potential of causing physical harm to persons and property. The nature of the fire protection occupation is such that fire fighters are regularly exposed to fires that are out of control, and therefore, to a variety of dangerous situations. Hazards encountered by firefighters include (1) the possibility of burns and other effects of heat, smoke inhalation, falling materials, explosion; (2) exposure to toxic materials and bacteriological agents; (3) dealing with victims of fire in varying states of fright and panic, or participating in mob or riot control; (4) operating or riding on firetrucks at high speeds under adverse conditions, e.g., through congested areas, etc.

A fire is a fire and the same type fires and hazards that burn, cripple and kill municipal firefighters also burn, cripple and kill Federal firefighters as is portrayed in death and disability statistics.

The same human nature trends of ignorance and carelessness that prevails in the civilian community also prevails on military installations. This together with the scope and type of hazards prevalent at most military installations, overrides any probability of Federal firefighters working in a so-called controlled environment.

The same criteria used to justify preferential treatment of law enforcement personnel will, under this legislation, be applied to Federal firefighters, as it should be. In fact, Mr. Chairman, employees of 14 Federal agencies are presently receiving hazardous duty retirement benefits. These include the employees of the Federal Bureau of Investigation; Secret Service; U.S. marshals; Department of Correction, District of Columbia government; U.S. prison guards; border patrol; Fish and Wildlife Service; headquarters of special investigation—Air Force, Army, and Navy; U.S. Board of Parole; U.S. Customs Service; IRS, agents and investigators; and Immigration and Naturalization Service.

The time has come, Madam Chairman, to play fair with the Federal firefighter by providing him and the service the retirement benefits which will insure a young, capable work force.

I strongly urge prompt and strong approval of this important legislation.

Mr. GROSS. Madam Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Madam Chairman, there are many arguments against firefighter early retirement.

Extension of preferential early retirement benefits to Federal firefighters would have serious precedential effects for other groups of Federal employees with "hazardous" duties. It should be noted that the basis for early retirement is not the element of hazard, per se, in an occupation, but rather, the need for a younger and more vigorous workforce than would ordinarily be the case.

There have been no job-related fatalities in the firefighter force of the Department of Defense for the last 2 calendar years.

The importance of a young and vigorous workforce to the Federal firefighting capability has not been demonstrated. In fact, retirees from municipal fire departments and from the military service have proven to be a valuable source of personnel for Federal fire departments.

The retirement system is not an appropriate means for solving personnel problems, or for recognizing arduous or hazardous work. Hazardous work should be, and is, reflected in classification of the positon which, where hazard is an element, in turn establishes a higher rate of pay and increases retirement benefits.

The average retirement age of firefighters retired for disability—53—cited in the committee's report is exactly the same as that of disability retirees from other occupations and is thus not a valid measure of the degree of hazard in an occupation. Furthermore, if a firefighter is unable to perform his duties because of physical disabilty, he can be retired, even if under age 50, on a guaranteed minimum annuity of 40 percent of high three, which is equal to using the 2 percent—law enforcement—multiplier for 20 years. Finally, if disability is service connected, FECA pays 66⅔ percent of final salary—and 75 percent if there are dependents—which is considerably better than disability retirement.

Madam Chairman, may I restate my firm opposition to H.R. 7060.

This legislaton, H.R. 7060, is another attempt to extend preferential retirement benefits to firefighters. As recent as 1970, the President vetoed a similar bill. And, there is not anything to suggest he would not do the same thing again.

In the President's veto message, he cited the following reasons for his decision:

First, Federal firefighters already receive compensation for the hazards of their work in the form of higher levels of pay and higher retirement benefits;

Second, a case has not been made that firefighters, who work in a controlled environment and are exposed to a lower incidence of fires, qualify for early retirement benefits, as do law enforcement personnel; and

Third, enactment of the bill would unfairly provide preferential retirement treatment to one particular group of employees with hazardous duties, at the exclusion of other groups of employees with an equal degree of hazard who do not qualify for such benefits.

Madam Chairman, the thoughts as expressed by the President in 1970 are just as pertinent now as they were then. Approval of this bill would not be in accord with the purpose of the current provisions in the retirement law, and any departure from this purpose would result in an ill-conceived concept with costly consequences. The retirement system is a proper and necessary employment tool to enable management to recruit qualified employees. Likewise it is helpful to employees to know that some day, when they grow older and no longer can function as effectively as they once did, they can retire on annuity without facing serious financial problems. However, the retirement system was never intended as a substitute for compensation to the employee. Compensation to any employee should be reflected in wages, not through the retirement system.

Madam Chairman, the cost of this bill is $108.7 million in an additional unfunded liability. Frankly, I know it will pass but I presume it will be vetoed.

Mr. DANIELS of New Jersey. Madam Chairman, I rise in support of H.R. 7060, the purpose of which is to extend to Federal firefighters the same treatment the civil service retirement law accords other Federal personnel engaged in hazardous duty.

For more than 20 years, the retirement law has provided for early retirement entitlement and a preferred computation formula for certain employees whose duties involve hazardous conditions. Historically, the law has recognized hazardous occupations as only those in the criminal law enforcement segment of the Federal workforce.

However, a review of the hearings before the Retirement Subcommittee indicates that the work of firemen is often more perilous than that of persons engaged in enforcing criminal laws. Data published with respect to fire losses involving Federal property is, I believe, indicative of the magnitude of responsibility and risk undertaken by civilian employees of the Government's firefighting service. For example, in one recent year the Government suffered property losses of more than one-quarter billion dollars in 22,000 fires. Injuries incurred in those incidents exceeded 1,700, and deaths totaled 354. More recently, this data revealed that 376 persons died and over 2,200 were injured in fires that incurred losses amounting to almost $300 million.

Certainly, under these circumstances, this legislation not only is justified, but will correct an inequity of more than 20 years' standing. Therefore, Madam Chairman, I urge adoption of the bill.

Mr. LEGGETT. Madam Chairman, this legislation is long overdue. In my view, the hazards of Federal firefighters' duties indicate the desirability for early retirement benefits for a number of reasons:

First, firefighting is indubitably hazardous. The occupational fatality rate for firefighters is six times the national industrial average;

Second, when a man gives us 20 years of his life under hazardous conditions, that is enough for us to ask. He has earned retirement; and

Third, studies show that each year after age 50 a man is kept in service as a firefighter, the greater his chances of having a serious accident. It is inevitable that his strength and speed will reduce with age.

We already recognize these principles in our earlier retirement provisions for Federal law enforcement officers. Now I believe fairness requires us to extend these same benefits to firefighters.

Mr. STEELE. Mr. Chairman, at this time, I would like to express my support for favorable passage of H.R. 7060. It is time that we extend to our Nation's firefighters the same early retirement benefits now enjoyed by our Federal law enforcement personnel.

Since the civil service retirement law pertains to those people employed in hazardous duties, there is no doubt that Federal firefighters should be included in this category. Our Nation's firefighters are daily confronted with hazards which most of us never encounter in a lifetime. Many of these hazards are far more perilous than those encountered by law enforcement personnel already covered by the civil service retirement law. At the present time, there is an estimated 10,000 Federal firefighters who are not covered by the preferential retirement benefits of the civil service retirement law.

Additionally, the rate of occupational deaths is proportionately higher for firefighters than for FBI agents who receive the early retirement benefits. As aptly pointed out in the committee report on H.R. 7060, the ability of the average man to avoid and overcome the hazards of firefighting decreases as he grows older. Each year the firefighter's susceptibility to injury increases. In light of these factors, Federal firefighters should be afforded early retirement.

Today, in our consideration of H.R. 7060, we should vote favorably to include Federal firefighters in the provisions of the civil service retirement law, granting those men who daily risk their lives fighting fire the same preferential early retirement already received by their law enforcement counterparts. It is my hope that after successful passage in the House, our colleagues in the Senate will act upon this bill swiftly and favorably, so that these men may have the opportunity to receive the retirement benefits they deserve.

The CHAIRMAN. Are there any further requests for time?

Mr. WALDIE. There are no further requests, Madam Chairman.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 8336(c) of title 5, United States Code, is amended by inserting after "United States" the following: "or are primarily to perform work directly connected with the control and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment".

The CHAIRMAN. Are there any amendments to be proposed to the committee amendment? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair (Mrs. GRIFFITHS) Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7060) to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations, pursuant to House Resolution 1056, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1056, the Committee on Post Office and Civil Service is discharged from the further consideration of the bill S. 916.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. WALDIE

Mr. WALDIE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WALDIE moves to strike out all after the enacting clause of S. 916 and to insert in lieu thereof the provisions of H.R. 7060, as passed, as follows:

That the first sentence of section 8336(c) of title 5, United States Code, is amended by inserting after "United States" the following: "or are primarily to perform work directly connected with the control and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment".

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 7060) was laid on the table.

GENERAL LEAVE

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill just passed, H.R. 7060.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RETIREMENT OF IMMIGRATION CUSTOMS INSPECTORS

Mr. WALDIE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 440) to amend the Civil Service Retirement Act, as amended, to provide annuities for additional personnel engaged in hazardous occupations.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. WALDIE).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 440, with Mrs. GRIFFITHS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California (Mr. WALDIE) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. GROSS) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Madam Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. WHITE), a member of the committee.

Mr. WHITE. Madam Chairman, this bill makes a simple addition to the existing law for civil service employees and reads, according to the report of the committee: "Duties of whose position are primarily the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States"—And these are the words added by this bill, and only these words—"or are primarily to perform work as an inspector in the Immigration and Naturalization Service or in the Bureau of Customs"— and that is all it adds.

Why include Immigration and Naturalization Service, and the Bureau of Customs inspectors? Because every day that they are on duty 8 hours or more a day they expose themselves to hazards more than most law enforcement officers in this country.

As a Congressman from the border area of Texas, I have had the opportunity all my life to observe their work and the requirements of their jobs on the border, and more so since I have been a Member of the Congress.

At El Paso at times it has been estimated that there are over 30 million crossings a year, and of course that includes many people who live in Mexico and who come back and forth each day, but there are many, many others who cross who are tourists and others, and these customs inspectors and Immigration and Naturalization Service inspectors day after day are committed to exposing themselves to the hazards of narcotics peddlers and users, alcoholics, renegades, desperadoes, and fugitives from justice, which are no small part of what happens along the border, and most of whom are very desperate, especially when they are about to be apprehended.

Many immigration and customs men have been injured and some have been killed in such attempted passages across the border of Texas, and in other areas of this country. They all subject themselves to heavy stress on nerves each day. Every person who comes up to them, second after second and minute by minute, are potential hazards to them.

Immigration men are charged with illegal attempts to break our borders.

Customs inspectors are our first line of defense against smuggling of all kinds into this country.

Both immigration and custom men are maintaining surveillance on our borders against narcotic users and pushers and undesirables who would enter our country, including subversives.

They have to be on constant alert to deal with the dangers that they encounter all day long and every second.

Let me quote some figures with reference to another area on the Texas border—Laredo—to give you some illustration of the hazards which to a small degree they must face, considering that Laredo is a smaller community than El Paso County, but it also has a great deal of traffic.

In a 12-month period from May 1970 up to and including April 1971, in Laredo, Tex., alone they had felony arrests of 190—pistols seized, concealed and loaded 21; switch blades and knives seized 1,329.

Most of these were of a felony nature. These seizures included dangerous drugs and narcotics in the number of 408.

That is just at one particular point—one particular post.

These men, in my notion, should be treated equally with other law enforcement and others who are under stress every day.

The principle is well recognized that those who are under stress must have early retirement because they are worn out at an earlier age. Without this particular bill, these men are going to be forced into retirement at an earlier age, with inadequate income to maintain their families in a decent manner under their responsibilities.

So, in order to continue to have good men join the Customs Service and the Immigration Service, to keep these men in the Service, and to maintain the highest degree of surveillance of our borders, I urge you to pass this particular bill.

Mr. GROSS. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, again I call to the attention of Members the minority views in the report accompanying the bill.

I oppose this bill for substantially the same reasons that I opposed the firefighters bills. It is bad legislation, and it certainly should be defeated.

The customs inspector's primary duties consist of baggage inspection, discharging and lading, weighing, gaging, searching cargo, and searching vessels and other carriers entering the United States from foreign destinations.

I do not doubt that these inspectors do occasionally encounter criminals or detain persons suspected of criminal offenses, but such encounters are incidental to their primary duties. In cases where the inspector does not perform the normal duties of his position but is assigned to criminal law enforcement work as his primary duty, he can qualify for the early retirement provision.

There is certainly no evidence that a young and vigorous work force is necessary for performing the duties of a customs inspector. In fact, the opposite is generally acknowledged to be the case. It is often the older, more experienced inspectors who develop the essential "sixth sense" said to be invaluable in spotting illegal entrants, contraband goods, narcotics, and so forth.

I think it is clearly evident, as I indicated earlier with the firefighters bill, that we would be setting a very unwise precedent here today. First we seek to extend preferential retirement benefits to the firefighters—and now to the customs inspectors. Later we can anticipate a continuing series of bills that will extend these same benefits to countless other employees whose duties involve some form of hazard.

Again, as I indicated earlier, the civil service retirement fund is not the instrument for compensating employees for hazardous duties. Any degree of hazard involved in an occupation is, and should be, compensated for directly through premium pay.

If we are to maintain the integrity of the civil service retirement fund, this bill—and similar bills—should be rejected.

Enactment of this bill will increase the unfunded liability of the civil service retirement fund by $60.4 million. This is a cost which will be borne by all Federal employees, yet only a select group will receive any increased benefits. Mr. Chairman, I repeat, this bill should be rejected.

Mr. WALDIE. Madam Chairman, I yield such time as he may consume to the gentleman from New York, a member of the committee (Mr. BRASCO).

Mr. BRASCO. Madam Chairman, at the outset I want to commend my colleague and friend, the gentleman from New York (Mr. ROONEY) for his energetic and diligent efforts in pressing this legislation over the years. Regrettably, he cannot be here personally today to assist in its passage since illness prevents it. However, he asks all of his colleagues and friends to support the bill, H.R. 440.

Madam Chairman, I have been a member of the Post Office and Civil Service Committee for the past 6 years, and interestingly enough, every time we consider legislation involving the term "hazardous duty," the same debate occurs. If we fall into that trap here this afternoon, we will miss the main thrust of this legislation.

Over the years Congress has enacted much legislation to insure the sanctity of our borders and protect the safety of the American people. Much of this legislation necessitates enforcement by Federal law enforcement agencies. The complete effectiveness of what we do rests in their hands. It is recognized that there are hazardous aspects of their duties, and, indeed, it is my opinion that hazardous duty occurs when one's responsibility may put him in a position that exposes his person to danger.

Because of the pressures of these responsibilities, the need to maintain a young, vital force is imperative. Therefore, Congress in its wisdom granted this category of Federal employees liberal retirement benefits. However, today there are 5,000 Customs and Immigration inspectors who are not accorded these benefits. While these inspectors' normal duties consist of baggage inspection, discharging, loading, and searching cargo, searching vessels and other carriers entering the United States, controlling the arrival and the departure of persons at ports of entry, and developing information to determine a person's right to enter this country, it is also a fact that these duties go hand-in-hand with the enforcement of Customs and Immigration laws.

Let us consider what aspects of enforcement we are talking about. The enforcement of which I speak includes acting upon suspected or actual violations of law, and, when necessary, making searches, seizures, and detaining suspected violators.

Consider one of these inspectors who, during the course of his duties, happens to open a piece of baggage that contains a quantity of narcotics. As he looks into the eyes of the would-be perpetrator of the crime, one of the most critical crimes that faces this Government today, the smuggling of illegal drugs into our country, is he not, indeed, in danger? Is not his person exposed?

While we speak in glowing terms of the need to support our law enforcement personnel, the need to uplift their morale, the need to support the integrity of their positions, these 5,000 inspectors are left out of these liberal retirement benefits because we deem their duties not to be hazardous.

I would venture to say that these inspectors are our first line of defense with respect to unlawful acts occurring at our Nation's borders. It is my belief, and the consensus of the committee, that these inspectors are essentially law enforcement officers, performing duties within the purview of the terminology "hazardous duty."

I urge the committee to vote favorably on H.R. 440.

Mr. GROSS. Madam Chairman, I yield the gentleman from Illinois such time as he may consume.

Mr. DERWINSKI. Madam Chairman, after that poetic and eloquent address from my dear colleague from New York, there is very little I could or should say except to reiterate the points five of us made in the minority views, and to emphasize that in principle the arguments against this bill do not really differ from the arguments against the previous bill.

Judging from the steamroller which is in effect this afternoon on the previous bill, as well as on this one, and recognizing the unique—I was going to say unique and historic—type of legislative skill exhibited by the gentleman from California (Mr. WALDIE), I know the best course of action is to step aside gently to safety and, therefore, I am not going to take my usual tough position against legislation I cannot quite accept. But, for the sake of the RECORD, I have an argument emphasizing the true facts in this case, and I hope, if there are moments of leisure over the weekend, the Members will give serious attention to these remarks and to what might have been.

Madam Chairman, extension preferential early retirement benefits to customs and immigration personnel, whose primary duties are nonhazardous baggage inspection and other port-of-entry functions, would have serious precedential effects for other groups of Federal employees with "hazardous" duties. It should be noted that the basis for early retirement is not the element of hazard, per se, in an occupation, but rather the need for a younger and more vigorous work force than would ordinarily be the case.

There is no evidence that a young and vigorous work force is necessary for effective customs and immigration work involving baggage inspection, discharging and loading, weighing, gaging, searching cargo, and so forth. In fact, the opposite is generally acknowledged to be the case: It is often the older, more experienced inspectors who develop the essential "sixth sense" said to be invaluable in spotting illegal entrants, contraband goods, narcotics, and so forth.

Moreover, the early retirement formula provided law enforcement personnel today no longer serves to keep that force young and vigorous. The 1970 retirees under that option retired with longer average service—29.1 years—than other—nondisability—retirees—27 years—and at an average age of 57.3 in contrast to nondisability retirees' average age of 62.5 years.

The retirement system is not an appropriate means for solving personnel problems or for recognizing arduous or hazardous work. Hazardous work should be, and is, reflected in classification of the position which, where hazard is an element, in turn establishes a higher rate of pay and thus increases retirement benefits.

Madam Chairman, passage of this bill would, in my opinion open the gates for a flood of requests from other groups of employees for similar preferential treatment.

In expressing its opposition to this bill, the Civil Service Commission stated that the civil service retirement system is not the appropriate medium for solving the special personnel problems that exist in different occupational groups. A chaotic situation could develop rapidly if the retirement law were amended to provide different sets of rules for various occupations.

An element of hazard is recognized in the work of Customs employees. However, a hazardous element in these positions is usually compensated for by a higher scale of pay which in turn produces a larger retirement benefit. It is felt that the liberalized benefits provided for in this bill will have little effect on recruiting and only minor effect on retention, except for those employees eligible for retirement—yet it would have a far reaching adverse effect on other employees in hazardous occupations who are not similarly benefited.

A Custom inspector's primary duties consist of baggage inspection, discharging and lading, weighing, gaging, searching cargo, and searching vessels and other carriers entering the United States from foreign destinations.

We do not doubt that these inspectors do occasionally encounter criminals or detain persons suspected of criminal offenses, but such encounters are incidental to their primary duties, and this hazard is taken into account in establishing position classification and rate of pay.

The Civil Service Commission has concluded that Customs and Immigration inspectors are clearly outside the wording and purpose of the law enforcement retirement statute and strongly opposes the passage of this bill.

I, therefore, urge the defeat of H.R. 440.

Mr. DANIELS of New Jersey. Madam Chairman, I rise in support of H.R. 440, the purpose of which is to extend to customs and immigrant inspectors the same preferential retirement treatment the law has accorded enforcement officers of the Bureau of Customs and the Immigration and Naturalization Service for the past 24 years.

Although the principal duties of these inspectors are not the investigation, apprehension, or detention of offenders of criminal laws, they are, nevertheless, charged with the enforcement of the Federal immigration and customs statutes. The fact of the matter is that inspectors form the first line of enforcement of the pertinent laws. They are essentially law enforcement officers, notwithstanding the titles of their positions or their job descriptions.

Therefore, Madam Chairman, equity would seem to dictate that the more liberal treatment be accorded these supportive personnel involved in customs and immigration work, to the same extent that we earlier favored firefighting personnel employed by the U.S. Government.

I recommend the adoption of this legislation

Mr. WALDIE. Madam Chairman, I have no further requests for time.

Mr. GROSS. Madam Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 440

A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for additional personnel engaged in hazardous occupations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(c) of the Civil Service Retirement Act, as amended, is amended further by adding in the first sentence after "who has been transferred to a supervisory or administrative position," the following words: "including the positions of customs and immigration inspectors, admeasurer, and appraisers' guard".

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert the following:

That the first sentence of section 8336(c) of title 5, United States Code, is amended by inserting after "United States" the following: "or are primarily to perform work as an inspector in the Immigration and Naturalization Service or in the Bureau of Customs".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mrs. GRIFFITHS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 440) to amend the Civil Service Retirement Act, as amended, to provide annuities for additional personnel engaged in hazardous occupations, pursuant to House Resolution 1055, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to include inspectors of the Immigration and Naturalization Service or the Bureau of Customs within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in hazardous occupations."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 440 and to include therewith extraneous matter.

The SPEAKER. Is there objection to the request of the Senator from California?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. MIKVA. Mr. Speaker, I regret that I was unable to be present when the House voted on H.R. 14542, Air Force officers authorized strength.

Had I been present, I would have voted "no" on roll 281.

LESSONS IN WELFARE CASE NO. 7

(Mrs. GRIFFITHS asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GRIFFITHS. Mr. Speaker, Little Johnny No Doe's mother Lou Ella, has taken pen in hand to write her mother in Atlanta. You want me to read it, do you not, Mr. Speaker?

NEW YORK, N.Y.
July 6, 1972.

ALMA NO DOE,
Atlanta, Ga.

DEAR MOM: Guess what! Frankie, Johnny's father has a job and he wants me to come to Connecticut and marry him. Isn't that wonderful! That's what I'm writing about. Do you think I should do it? The way I figure it, we've got four options. I can marry him and we'll all three live in Hartford, Connecticut. After taxes and work expenses, Frankie's $5,000 in earnings would net out tc $4,164 or $1,388 each for the three of us. If I stay here with Johnny and don't work, I get $2,172 in cash AFDC and food stamp bonus. That's $1,356 each for the two of us plus, of course, medicaid worth about $535 for us two. I'm not sure that being with that man is worth giving up medicaid for!

Of course, I could stay here with Johnny and work. That way I could earn $4,000 gross, but I'd have work expenses and taxes of $1,800. My total net earnings, AFDC, and food stamps would be $4,285 or $2,142.50 each for Johnny and me plus medicaid. That's pretty good.

The best deal is for Johnny's father to come here and work for $5,000. He could live with us, but as long as we don't get married and as long as he doesn't claim paternity of Johnny, the child and I can still get welfare and food stamps. Nobody really checks on whether Johnny's father gives us money. You know this way we'd have $2,154.67 each plus Little Johnny and I could get medicaid.

I tell you, Mom, it's exhausting to figure these things out, but some caseworkers can be really so helpful. But Mom, I'd love to be married. Do you suppose you could make me a bridal veil?

Love,

LOU ELLA.

OPTIONS FOR LOU ELLA

1. *Stays in NYC with Johnny III; gets job paying $2.00 per hour, with work expenses totaling $1,800:*

Plus wages	$4,000
AFDC	1,845
Food stamp bonus	240
Gross	6,085
Minus social security taxes	208
Federal taxes	172
City taxes	22
Day care	1,000
Transportation	250
Miscellaneous (lunches, uniforms, etc.)	118
Total work expenses	1,800
Equals	6,085
Minus	1,800
Net	4,285

Cash, earnings, & food bonus for 2 people (i.e., $2,142.50 each.) + eligible for medicaid with average value of $535 for 2 people.

2. *Goes to Hartford, Connecticut to marry Johnny's father who earns $5,000:*

Plus wages	$5,000
Minus social security	260
Federal taxes	208
State taxes	0
City taxes	0
Transportation	250
Miscellaneous	118
Total work expenses	836
Equals	5,000
Minus	836
Net	4,164

Net income for 3 people (i.e., $1,388 each). Not eligible for medicaid, nor food stamps.

3. *Stays in NYC and doesn't work:*

Plus AFDC	$2,472
Food stamps	240
Total	2,712

For 2 people (i.e., $1,356 each). Eligible for medicaid with average value for 2 people of $535.

4. *Johnny's father moves to NYC and rooms with Lou Ella but doesn't marry Lou Ella or claim paternity of Johnny:*

Plus Father's wages	$5,000
AFDC for Lou Ella and Johnny	2,472
Food stamp bonus for Lou Ella and Johnny	240
Total	7,712

Minus Father's work expenses and taxes equals 6,464 cash and food bonus for 2 persons divided between 2 (i.e., $2,154.67 each); and Lou Ella and Johnny are eligible for medicaid with average value of $535 for 2 persons.

SPEAK UP, MISS FONDA, WHICH SIDE ARE YOU ON?

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. THOMPSON of Georgia. Mr. Speaker, yesterday at a press conference I displayed a number of pictures of atrocities and terrorist activities by the North Vietnamese against the South Vietnamese and disclosed that I was sending these to Jane Fonda with the request that she hold a press conference to denounce the inhumane actions of the North Vietnamese as vigorously as she has falsely condemned the United States with regard to hospitals and dikes in North Vietnam.

Also, Mr. Speaker, I formally requested Miss Fonda to denounce the North Vietnamese for their failure to conform to the Geneva accords on the treatment of POW's and MIA's. A letter with these requests along with the photographs was mailed to Miss Fonda yesterday.

In this election year, the American public must be told if Miss Fonda will side with her own country and against North Vietnam with regard to these two issues. One, a deliberate violation of the Geneva Convention relating to POW's and MIA's by North Vietnam and, two, the inhumane brutality of the North Vietnamese in their conduct of the war. The American people have a right to know, before Miss Fonda's statements receive such wide publicity, where her allegiance lies.

During the press conference yesterday, a correspondent asked the question "Was 'Hanoi Hannah' (Miss Fonda) an advance agent to Hanoi prior to GEORGE McGOVERN's crawling and begging?" At the time I did not feel this was appropriate to the subject of the press conference. In fact, correspondent Sara McLenden quickly interrupted the other correspondent stating it was irrelevant and I let the matter drop at the press conference yesterday.

However, I subsequently learned, that at a Paris press conference held Tuesday by Miss Fonda, that she had involved President Nixon, Candidate GEORGE McGOVERN, the POW's and MIA's, and the Hanoi government all in the question. Undoubtedly, this was intentional for Jane "Hanoi Hannah" Fonda stated at the conference that she was bringing a message to the American people to the effect that only GEORGE McGOVERN could secure release by Hanoi of the POW's and MIA's and that the American people should work for GEORGE McGOVERN's election, because if President Nixon was reelected the POW's, at least according to "Hanoi Hannah Fonda," feared they would be prisoners forever.

Mr. Speaker, I am of the personal opinion there is a strong probability that Jane Fonda's remarks at the Paris press conference were made by and at the direction of the Hanoi government. There is no doubt but what the North Vietnamese would like to see a GEORGE McGOVERN victory in November. There is no doubt but that Jane Fonda would be a willing courier for them. There is no doubt but that Jane Fonda would try to influence the election as desired by the North Vietnamese enemy and hope that a person who would crawl and beg to Hanoi could be placed in office.

From what has transpired it is clear that Hanoi is directly trying to influence the American elections and that Jane "Hanoi Hannah" Fonda is their willing collaborator in this effort.

SALUTE TO AHEPA

(Mr. GOODLING asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GOODLING. Mr. Speaker, I am happy to announce that today marks the golden anniversary of the Order of Ahepa, the American Hellenic Educational Progressive Association.

The Order of Ahepa was founded July 26, 1922, in Atlanta, Ga., and its jurisdiction extends to 49 States, Canada, and Australia, with 430 local chapters. The Order of Ahepa is a secret fraternal organization, which is nonpolitical and nonsectarian. The word "AHEPA" is an acrostic, and is derived from the first letters of the following: American Hellenic Educational Progressive Association.

Membership in the Order of Ahepa is open to men of good moral character who are citizens of the United States of America, or Canada, or who have declared their intention to become citizens.

OBJECTS OF AHEPA

To promote and encourage loyalty to the United States of America.

To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

To instill in its membership a due appreciation of the privileges of citizenship.

To encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor.

To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation.

To promote a better and more comprehensive understanding of the attributes and ideals of hellenism and hellenic culture.

To promote good fellowship, and endow its members with the perfection of the moral sense.

To endow its members with a spirit of altruism, common understanding, mutual benevolence, and helpfulness.

To champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

AHEPA is held in high esteem in this country, Mr. Speaker, because of the very fine contributions the organization has made to America. It functions on the premise that citizenship is not a one-way street and that as a citizen, or one who wants to become a citizen, receives, so should he also give.

I am, indeed, proud to offer my congratulations to AHEPA on this day of its golden anniversary, and I feel confident that the great contributions this organization has made to America in the past are but a harbinger of those things it will contribute in the future.

DOMINICAN REPUBLIC ACTION DAMAGES AND DEFIES UNDERSTANDING

(Mr. FASCELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, for the second time I address my remarks to the general problem of expropriation of American property abroad and the specific conduct of the Government of the Dominican Republic, which seized and has held without compensation a very substantial amount of property owned by a Florida corporation and shipping company, Seaway Lines, Inc.

On March 6 my statement in the RECORD briefly outlined the acts of official malfeasance within the Dominican Republic leading to the seizure of Seaway's property in May of 1968.

Briefly, what occurred was the victimization of an American shipping line, Seaway, resulting from the failure of the Dominican Fruit Co., a Dominican corporation. The Dominican company's properties were taken over by the Dominican Government in total disregard of the fact that a major portion of these properties had already been mortgaged or sold outright to the American corporation, Seaway. When the Dominicans did this, they defied an injunction issued by one of their own courts; they defied recorded, legal, notice of the American firm's interest in these properties; they turned their back on negotiations between their Government and Seaway for the preceding year looking to a sale of these properties to the Government, and they disregarded additional factual notice that a U.S. firm owned these properties sufficient to have brought caution to any purchaser anywhere in the world.

But these rules do not apply within the Dominican Republic. Its Government ignored the U.S. firm's interest; it proceeded to purchase this property from its former owner, the insolvent Dominican corporation, paying off all of the Dominican corporation's debts—except that owed to Seaway, amounting to over a half million dollars; the Dominican Government sweetened the pot with a payment of a half million dollars to the President of the Dominican corporation. Seaway, the U.S. corporation, found its land—under prior mortgage to it—sold to the Dominican Government, against whom no foreclosure can be secured. It discovered that the equipment purchased by it a year earlier—both mortgage and equipment sale having been recorded in meticulous compliance with Dominican law—had been sold out from under it in a transaction that it knew nothing about until its officials read of it in the newspaper.

Openly and avowedly, the Dominican corporation concedes it flouted Dominican law, and that it did so under the sanction of its Government. It is quite clear that this is or ought to be unconscionable if not downright scandalous.

Seaway Lines, whose only mistake was to do business in the Dominican Republic in the first place, was deprived of over $527,000 in 1967 by this conduct of the Dominican Government and the Government now wishes to close the books on the episode.

I raise this matter now before the Congress for several reasons:

First. It has been reported to me by representatives of Seaway that the Dominican Government has informally indicated that it refuses either to negotiate a settlement of this matter or bring it to arbitration. Either course was acceptable to the U.S. firm. Apparently the Dominican Government desires to ignore its dubious role in this matter and let the dispute stand as one between two corporations.

Second. Efforts have been made by Seaway's representatives to invoke our own administration's policy of January 19, 1972, which purported to place strict sanctions against expropriating powers which receive benefits from the U.S. bilateral arrangements such as foreign aid, or which receive benefits from U.S. participation in international lending institutions, such as the World Bank and the Inter-American Development Bank. From the Dominican position that has emerged, no one in Santo Domingo either knows or cares about this new U.S. policy.

Third. The Gonzalez amendments, passed by the Congress in March of this year, made such conduct by a foreign government—direct expropriation or conduct tantamount to expropriation—specific grounds for instructions to the U.S. representatives on the World Bank and the IADB to vote against any loan request by the Government. From the Dominican position that has emerged, no one in Santo Domingo either knows or cares about this new U.S. law.

Fourth. I call attention to the words of the conference committee convened to resolve differences in last year's Sugar Act legislation:

> In agreeing to the expropriation provisions, the conferees take note of certain claims by American business against foreign governments which have not been settled. Some of these involve companies which have been expropriated. Others involve companies which have satisfactorily performed contract work and have not been paid. The conferees wish to make their intention clear and unmistakable that these claims must be satisfactorily settled with expedition. The Congress is mindful of the fact that this is a 3-year extension of the Sugar Act. Sugar-supplying countries are themselves put on notice now that their record of settlement of outstanding claims by U.S. citizens will be a factor in future Congressional determinations of quotas. Report No. 92-381, 92d Congress, 1st Session.

From the Dominican position that has emerged, no one in Santo Domingo either knows or cares about the considered views of the American Congress on a matter that is of crucial importance to the Dominican economy. The present Sugar Act expires in 2 years; having been alerted to these problems I am certain the Congress will not forget its own admonition to expropriating countries in the next 24 months.

Fifth. Every Member of Congress is fully aware of the general expropriation problem; there are others within the Congress who know well of the Seaway claim. I now wish to report that after 5 years of expropriation, and after 14 months of efforts by our own State Department urging the Dominican Government for either good faith negotiation or arbitration, the Dominican Government persists in its rejection of its obligations under its own law, under all civilized law, and under international law. It persists in its attitude in spite of clear expressions of concern from both the executive and legislative arms of our Government. How can future interests vital to both governments be amicably maintained and influenced predicated on an attitude which ignores or defies domestic and international law and specific congressional intent?

Sixth. Finally, it is, of course, recognized that Americans who do business and invest overseas do so at their peril, but the executive and the Congress have made it quite clear that they expect fair and equitable treatment especially where the foreign government is directly involved as the Dominican Government is in this case. If the attitude in this case were the criteria one would certainly have to caution any external capital, public or private, about investing in the Dominican Republic.

What is really lamentable is that the Dominican Government insists on ignoring the whole issue—as if it will go away—by itself.

DISASTER ASSISTANCE

(Mr. HARSHA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HARSHA. Mr. Speaker, I am introducing today a bill to amend the Public Works and Economic Development Act of 1965 to add disaster assistance and for other purposes. The program which this bill would amend is, I believe, one of the most successful programs ever established by Congress for the aid and development of the well-being of this country.

I would like to invite the attention of this body, however, to the fact that the distinguished chairman of the Public Works Committee is also introducing a bill which has the same general goal as mine. The mutual goal of both bills is to provide further support for the Economic Development Administration and to give them additional tools to carry on the excellent work they have been doing. These tools include additional loan guarantees, a new provision for lease guarantees, and an expanded public works impact program.

I have chosen to introduce my own bill rather than to cosponsor the bill of my good friend, the chairman of the Public Works Committee, because I feel that several provisions of his bill cannot be fully accepted, and further refinement and some change is necessary before such provisions should be enacted into law.

Therefore, I am introducing my bill to amend the Public Works and Economic Development Act of 1965, not for the purpose of opposing the general principles set forth in Mr. BLATNIK's bill, but in an effort of cooperation that would enable the Committee on Public Works during its forthcoming deliberation on the two proposed measures to arrive at a bill which they could report to the House confident that it could be acceptable to all.

In short, Mr. Speaker, I hope that when this bill is reported out of committee, whether it be the chairman's bill or mine, it will contain the best portions of both bills and incorporate the changes that I have proposed and, in truth, be a fully bipartisan bill that this House will have before it for its consideration.

ON THE FIFTH ANNIVERSARY OF LEO S. TONKIN AS FOUNDER AND DIRECTOR OF THE WASHINGTON WORKSHOPS FOUNDATION

(Mr. PEPPER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PEPPER. Mr. Speaker, this week on Capitol Hill the final 1972 Washington Workshops Congressional Seminar convenes, concluding the fifth annual series of this unique and innovating approach to the study of American Government.

I know that many of my colleagues are aware of the number of fine, intelligent American youth that have participated in the Washington workshop foundation programs—literally thousands since the foundation's inception in 1967 A number of these students have gone on to become delegates to both the Democratic and Republican National Conventions, retain permanent staff positions on Capitol Hill, and hold elective offices in their local communities—all of these accomplishments realized after previous participation in the congressional seminar.

I should like to bring to my colleagues' attention the dedication and perseverance of one outstanding American who conceived, implemented, and guided this most successful educational enterprise—Mr. Leo S. Tonkin, director of the workshops. On the occasion of his fifth anniversary as director of the workshops, I ask my colleagues to join me in heartily commending Mr. Tonkin for his prescience in involving young Americans in our political system and for his continuing faith in the potential of our youth in bringing better government for all Americans.

Under Mr. Tonkin's directorship, the Washington workshops has assiduously maintained a policy of nonpartisanship to insure a balanced and equitable perspective on the study of American Government. I find Mr. Tonkin's philosophy most prudent and wise, and indeed am reminded of a pronouncement by John Milton:

> Where there is much desire to learn, there of necessity will be much arguing, much writing, many opinions; for opinion in good men is but knowledge in the making.

Mr. Tonkin has vitalized this philosophy in his leadership of the Washington workshops, and I again extend my congratulations on his fifth anniversary and continued success of the congressional seminar.

OFFICE OF MANAGEMENT AND BUDGET: "SOUND FISCAL MANAGEMENT" OR FROZEN FUND FIASCO?

The SPEAKER pro tempore (Mr. GIAIMO). Under a previous order of the House, the gentleman from Texas (Mr. PICKLE) is recognized for 60 minutes.

GENERAL LEAVE

Mr. PICKLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of my special order today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, nearly 200 years ago, the Constitution established the basic framework of our Government. Today, we face a set of circumstances and events that lead me to believe one agency in the executive branch of our Government is tampering with the rights and obligations of the Congress.

The Office of Management and Budget, or the OMB, apparently claims to have accumulated sufficient knowledge and experience to be intimately familiar with the general welfare programs of this Nation, of their potentials and their shortcomings. On the basis of this supposed intimacy, the agency seems to believe itself able to legislate, to monitor, and to administer the bulk of national objectives alone and without the counsel of the elected representatives of the people of this land.

The OMB has shown widespread fascination to assure a multijurisdictional stance over the Nation's problems. Their tools are selectively to impound appropriations that the Congress lawfully has approved and occasionally to dictate the manner in which moneys released shall be expended.

Quite frankly, I think article I of the Constitution of the United States gives the Congress more than theoretical authority to provide for the general welfare. I feel strongly that the OMB has shown an increased tendency to encroach upon, if not abrogate, congressional action and intent through the impoundment of funds we have appropriated for various programs and projects.

It is my intention to review the elements that have fashioned this economic supergovernment and to suggest that we must somehow unclog this machinery.

I have here at the easel before me, Mr. Speaker, a little poem "Ode to Circular A-95" which I would like to insert at this point in my remarks. It is just an artful short poem which pertains to the operation of our government, and comes from the able pen of our distinguished colleague the Honorable JIM WRIGHT of Texas. While its format is humorous, its meaning should not be taken lightly:

ODE TO CIRCULAR A-95

We have bureaus, departments and boards of review,
And various assortments of agencies who
Write guidelines to restrict
And draw charts to depict
The wandering maze that we try to go through.
But it boggles the mind to seek comprehension
As witnesses speak in the fourth dimension
And glibly refer with such effortless ease
To each thought and concept in governmentese.

There is AASHO and ARBA and T-E-U
And TOPICS and ARC and the C-E-Q;
There is AWP and AHSWP and A-S-A-P,
And all are involved with the D-O-T

P-W and EDA have an O-E-D-P
That sometimes runs afoul of R-C & D,
But if SODA and SCEDD seem confusing to you
They're quite simply explained by a man named Gigoux.

The O-E-P tries to get help quick
To disaster-hit towns that are stricken and sick,
But the O-E-P works through C of E,
S-B-A, H-E-W and H-U-D,
Its own F-C-O and the D-O-T
And how all this gets done is a mystery to me.

There is NEPA and EPA and F-A-R,
And "Impact Statements" from near and far;
There's the P-B-S of the G-S-A
For which one Bob Kunzig has overall say;
But follow the thread and you'll finally see
That all of it's run by the O-M-B.

And though you might think there's no man alive
Who understands Circular A-95,
I am told that some do
And though they be few
They are less naive than I, or you
Who are trying to prune this red tape tree
With the very dull sword of Don Quixote—
And I sometimes think how foolish are we.

AASHO—American Association of State Highway Officials.

ARBA—American Road Buidlers' Association.

TEU—Transportation-Envornment and Urban Systems.

TOPICS—Traffic Operations Program to Improve Capacity and Safety.

ARC—Appalachian Regional Commission.

CEQ—Council on Environmental Quality.

AWP—Annual Work Program.

AHSWP—Annual Highway Safety Work Program.

ASAP—Alcohol Safety Action Projects.

DOT—Department of Transportation.

PW & EDA—Public Works and Economic Development Act.

OEDP—Overall Economic Development Program.

RC & D—Resource Conservation and Development.

SODA—Southern Oklahoma Development Association.

SCEDD—Southern Colorado Economic Development District.

OEP—Office of Emergency Preparedness.

C of E—Corps of Engineers.

SBA—Small Business Administration.

HEW—Health, Education and Welfare.

HUD—Housing and Urban Development.

FCO—Federal Coordinating Officer.

NEPA—National Environmental Policy Act.

EPA—Environmental Protection Agency.

FAR—Federal Assistance Program.

PBS—Public Building Services.

GSA—General Services Administration.

OMB—Office of Management and Budget.

A-95—OMB Circular A-95 implementing Intergovernmental Cooperation Act.

That question we look at today is whether the will of the people, as expressed through legislation passed by Congress and signed into law by the President, is to be followed in the manner outlined in the Constitution—or whether the President, acting largely through the OMB, can ignore the Congress and the Constitution.

No Member would be so cavalier, it seems to me, as to disapprove of the OMB solely because that agency closed the petcock and prevented funding of a particular Federal project in his own district. But combined together, the individual experiences of each of us in this House point to major problems in the management of Federal tax moneys, and to major violence being done to the delicate separation of powers in the U.S. Government.

May I stress I am not here to complain about the OMB's director, the capable and conscientious Mr. Casper ("Cap") Weinberger, or his able and well-meaning staff. To a great extent, they do useful, essential work.

Moreover, I am aware that it is popular to invoke the Constitution and predict the downfall of the Republic every time a problem arises, and I will be the first to admit that the future of the Nation does not hinge altogether on our activities today. But I do think I am not exaggerating when I say the impoundment of funds, particularly as it is being practiced today, raises extremely important constitutional questions and threatens the most fundamental powers of the Congress.

There are those who excuse the practice of freezing funds, or try to minimize the problem, by pointing out that it has taken place both in Democratic and in Republican administrations and say, therefore, there is no problem.

There are those who say that impoundment has killed programs they did not like as often as programs they did favor, and, therefore, somehow it is justified.

And, of course, most of us have not been concerned with the actions of the OMB until they hurt us in our own districts, and then we were concerned solely with that specific project.

Although I am extremely concerned about the nature and extent to which the present administration is using impoundment, I acknowledge that the "freezing" of expenditures is nothing new. It has happened to all political parties. It has curtailed the actions of many philosophies.

My distinguished friend, former President Lyndon Johnson, said this about the impoundment of funds many years ago when he was in the U.S. Senate:

> Do we have a centralized control in this country? Do we no longer have a co-equal branch of government? I had the thought that we had a constitutional responsibility to raise an army; I had the thought that we had a responsibility to appropriate funds. I had the thought that once the Congress passed the appropriation bill and the President approved it and signed and said to the country that 'this has my approval' that the money would be used instead of sacked up and put down in the basement somewhere.

That Mr. Johnson later impounded funds as a President does not detract from the validity of the questions he asked as a Senator. Instead, it illustrates that the problem is not one of Democrat versus Republican, of liberal versus conservative. The problem is a constitutional one: the legislative powers of the Congress versus the power of the Executive to ignore the mandate of Congress.

Increasingly, the Congress has been coming out on the short end.

We must not be lulled into accepting increasing Executive control over our Constitutional powers because there is no sense of urgency about it all. Fundamental changes in institutions or societies seldom are sudden, seldom come about by a single event. Such changes evolve slowly—but this does not make the change less important. If we allow the Constitution and our own powers to be usurped by the OMB, it will make little difference that the deed took place over 10 or 20 years rather than 2 or 3.

My concerns and conclusions are shared now by many legal scholars. It appears executive prerogative over the constitutional powers of the Congress is more than a crack in the door. It appears the door is closing fast on the ability of the Congress to effect any meaningful legislation at all.

I submit we are going to be forced to deal with this frozen fund fiasco—or the results of it—before too long if Congress wants to exercise its responsibilities.

Many of us consider case work one of the greatest services we render in the Congress. Helping a constituent or constituent group when they run afoul of the bureaucracy occupies at least half and sometimes more of our time. It is easy to immerse ourselves in such activity and ignore the broad, complicated problems we are talking about today.

But increasingly, this is becoming more difficult to do. First, our constituent problems often relate directly to the freezing of funds. Second, how effective do you think we will be in solving any problem if we continue to let slide our power over appropriations and programs of the Federal Government?

How many of us, for example, have been able to get a satisfactory answer—get any meaningful answer—out of the Postal Service since Congress relinquished its power over this agency? We long ago began to forsake our share of responsibility for military and foreign affairs.

We are in the process of giving up additional powers in the revenue sharing bill.

If we continue to give up our constitutional responsibility for appropriations, little is left. And a powerless Congressman is of little use to his constituents even before the most insignificant agency.

We are going to be forced to face our problems with the OMB and frozen funds.

I suggest we begin now. Later it will be even more difficult. And our successors will look back and say what a weak and shortsighted bunch we were.

STATUTORY AUTHORITY TO IMPOUND FUNDS *

Basic statutory authority for impoundment derives from the Anti-Deficiency Acts of 1905 and 1906. These acts sought to prevent, and I quote, "undue expenditures in one portion of the year that may require deficiency or additional appropriations to complete the service of the fiscal year." These acts further provided that apportionments could be waived or modified in the event of "some extraordinary emergency or unusual circumstances which could not be anticipated at the time of making such apportionment."

The Anti-Deficiency Act was amended in 1950, giving the then-Bureau of the Budget somewhat more discretion. But even these amendments do not give the Executive total authority over the direction of expenditures by the Federal Government.

The Office of Management and Budget was created by the President under Reorganization Plan No. 2 of 1970.

In essence, the functions vested by law in the Bureau of the Budget were transferred by the President to the Director of the OMB.

By Executive order, the functions of OMB were defined, and I include this order to show that preparation of the budget as such was no longer to be the dominant overriding concern of the new agency.

I include this order also to show that in no part does it direct the OMB or give the OMB power to alter or override prerogatives and priorities set in congressional legislation:

"Statement of Functions.—By Executive Office of Management and Budget. Such func- transferred to the President of the United States by part I of Reorganization Plan 2 of 1970 were delegated to the Director of the Office of Management and Budget. Such functions are to be carried out by the Director under the direction of the President. The Office's functions include the following:

"1. To aid the President to bring about more efficient and economical conduct of Government and service.

"2. To assist in developing efficient coordinating mechanisms to implement Government activities and to expand interagency cooperation.

"3. To assist the President in the preparation of the budget and the formulation of the fiscal program of the Government.

"4. To supervise and control the administration of the budget.

"5. To conduct research and promote the development of improved plans of administrative management, and to advise the executive departments and agencies of the Government with respect to improved administrative organization and practice.

"6. To assist the President by clearing and coordinating departmental advice on proposed legislation and by making recommendations as to Presidential action on legislative enactments, in accordance with past practice.

"7. To assist in the consideration and clearance and, where necessary, in the preparation of proposed Executive orders and proclamations.

"8. To plan and promote the improvement, development, and coordination of Federal and other statistical services.

"9. To plan and develop information systems to provide the President with program performance data.

"10. To plan, conduct, and promote evaluation efforts to assist the President in the assessment of program objectives, performance, and efficiency.

"11. To plan and develop programs to recruit, train, motivate, deploy, and evaluate career personnel.

"12. To keep the President informed of the progress of activities by agencies of the Government with respect to work proposed, work actually initiated, and work completed, together with the relative timing of work between the several agencies of the Government all to the end that the work programs of the several agencies of the executive branch of the Government may be coordinated and that the moneys appropriated by the Congress may be expended in the most economical manner with the least possible overlapping and duplication of effort."

The following statement from the Congressional Research Service of the Library of Congress sums up the OMB's present statutory authority to impound funds:

> Even as amended it is hard to see how the language of this section can be interpreted to give the Bureau of the Budget unlimited discretion to apportion reserves. The establishment of reserves is authorized "to provide for contingencies, or to effect savings whenever savings are made possible by or through changes in requirements, greater efficiency of operations, or other developments *subsequent to the date on which such appropriation was made available.*" This seems to preclude the establishment of reserves simply because of a disagreement of policy between the Executive and Legislative Departments on the basis of the facts existing at the time the appropriation was made.

In other words, the antideficiency acts provide for the sound fiscal management of the appropriations and policies set by the Congress. They do not give statutory authority for the OMB and the President to ignore congressional appropriations and policies.

Yet I think you are aware that is precisely what is happening today.

HISTORY AND EXAMPLES OF IMPOUNDING

Abraham Lincoln impounded funds under under his war powers as Commander in Chief during the War Between the States. And the late Senator Carl Hayden used to tell the story of how the Bureau of Indian Affairs refused in the early part of this century to build a bridge on an Indian reservation in Arizona.

But the impounding of funds still was not much of an issue. Departments and agencies communicated their financial needs informally to the Congress with no coordination by the executive branch. As the country grew, however, the system displayed obvious difficulties, and in 1921 the Bureau of the Budget was founded. It was a part of the Treasury Department until 1939. Then, because of the vast financial problems of the depression and the organizational problems created by the New Deal agencies and laws, the Executive Office of the President was created and the Bureau of the Budget became an official arm of the President.

This agency wielded increasing power over the various agencies and departments in determining their budget requests. Although this power was of concern to some, I do not think anyone ever basically questioned the right and duty of the President to formulate a budget and use an instrument such as the Bureau of the Budget to do it.

The first major conflicts between the President and the Congress occurred after World War II when President Franklin Roosevelt used impounding as a major method to convert from peacetime to wartime priorities. And up until very recently, almost all impoundment questions have centered around military appropriations. President Harry Truman froze the funds for the U.S.S. *United States* and for military aircraft. President Dwight Eisenhower impounded funds for the Nike-Zeus missile. President Kennedy impounded funds for the B–70 bomber.

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* For additional exposition of the legal and constitutional issues involved see "Impoundment by the Executive Department of Funds which Congress has authorized it to spend or obligate," Congressional Research Service of the Library of Congress, and Hearings, U.S. Senate Subcommittee on Separation of Powers, March 1971.

Yet perhaps because the major cases were isolated and sporadic, no great and united long-range concern was voiced.

Recently, however, the use of impoundment by the OMB has developed into a tool of broad policy legislation that cuts at the heart of congressional duties and rights. Often it is done without a figleaf of statutory or constitutional authority. This development is the fault of neither Republican nor Democrat. But it does seem to coincide roughly in time with the Reorganization Plan of 1970 when the word "management" was put in alongside the word "budget" in the metamorphosis of the Bureau of the Budget into the OMB.

Although the OMB contends that most of its actions stem from the Anti-Deficiency Act, a surprising amount of money is impounded with no attempt to justify it under existing law.

In the May 22, 1972, CONGRESSIONAL RECORD, Senator LEE METCALF of Montana inserted a statement from the OMB on budgetary reserves—or impoundments. In this statement OMB listed some $9.4 million which it purported to hold in reserve for routine financial administration under the Anti-Deficiency Act.

Even if we suppose for the moment that all these funds legitimately did come under the guidelines of the Anti-Deficiency Acts, there was another $1.5 billion which the OMB did not even bother to try to place under such statutory authority.

The reason given for these impoundments was, "to carry out broad economic and program policy objectives."

Mr. Speaker, I want to know whose broad economic and program policy objectives are being carried out here. And I want to know by what authority the tax moneys of the people of this Nation are so managed. I submit to you that the objectives carried out in this section of the OMB statement were not the objectives of this Congress.

The very first item on the impoundment list of $1.5 billion being held for "broad economic and program policy objectives" was $107 million for the Rural Electrification Administration.

Mr. Speaker, the last time I requested a major special order was to discuss the financial needs of the REA. Many of you here today participated with me and my good colleague JOHN MELCHER of Montana in that special order last June 7.

The critical need for additional funds for the program was amply shown. The Appropriations Committee held hearings and the Congress passed an REA appropriation $216 million in excess of what the President had recommended in his budget. Seldom has an appropriation leaving this Congress had a clearer mandate of support. Yet the OMB promptly impounded precisely that amount of the appropriation that was over the budget request.

Later, after much pleading, cajoling, arguing, and bargaining, they released, as though it were a great gift, only half of the additional funds. The OMB condescended to be kind to the people: With a little smille and a blown kiss OMB gave us half the money. And the Congress complacently accepts that procedure.

A budget drawn up by the OMB seems to carry here the force of law. An act of Congress signed by the President does not.

At this rate, we might as well sit around and make paper airplanes out of the laws we pass.

Mr. Speaker, I submit that the people of this land, acting through the broad and diversified voice of the Members of this legislative body, are a better judge of the "broad economic and program policy objectives" we should be seeking than is the OMB.

In hearings before the Senate Subcommittee on Separation of Powers, Senator WILLIAM SPONG, Jr., of Virginia, pleads a case which, in light of subsequent events, dramatically illustrates the danger of allowing the OMB to supercede the desires of the Congress.

It seems the nearby community of Arlandria, Va., has a history of extreme flooding. Between 1963 and 1968 they suffered five floods with a total damage in excess of $8 million. Every indication pointed only to more flooding, more serious flooding. Senator SPONG obtained an emergency authorization of $175,000 for planning a flood control project to protect Arlandria. He also was granted quick legislative approval of the necessary appropriations.

But OMB sat on the funds for more than a year. They have released them now, but there have been muddy and desperate weeks in Arlandria and other communities since the onslaught of hurricane Agnes.

How many other communities have been denied protection from floods because of the whims of OMB?

OMB is toying with more than a balanced budget when they deny communities that are vulnerable to floods the funds they need for flood control projects. They are doubling their risks that they will be coconspirators with violent weather and havoc when the need for flood control projects is clearly shown and authorized by Congress.

Perhaps the framers of the Constitution knew what they were doing when they set up the delicate separation of powers between the Executive and the Congress rather than creating an early-day OMB.

I hope we will not let their wisdom slip through our fingers now.

Mr. Speaker, desperately as the funds were needed for the examples above, and clear as the congressional mandate was in their support, some may still want to argue that impoundment here was necessary for "sound fiscal management." But no such argument can be proposed in the case of appropirations to increase the number of Interstate Commerce Commission agents in charge of enforcing railway car service rules. No such argument can be made because these agents return annually to the Federal Treasury more in collected fines and penalties than their combined salaries could hope to reach. Moreover, they are one important tool that will help to get the Nation's railroads back on their feet—help to prevent desperate, expensive Federal subsidies, and hopeless financial snarls such as we still face with the Penn Central.

The Investigations Subcommittee of the House Interstate and Foreign Commerce Committee, of which I am a member, has been holding hearings on the shortage of freight cars in the national rail system. We found that a great deal of the problem was not that we did not have enough cars, but that we could not get them where we needed them when we needed them. We found that car service rules which require rail carriers to return freight cars to their proper owners with as little delay as possible can be instrumental in increasing utilization of the present freight car fleet. We found that the ICC had only 46 agents over the entire Nation to enforce these car service rules. For the past 2 years, the Congress has appropriated money to increase the number of car service agents. The OMB is sitting on the funds.

Each one of these 46 agents returned a net profit to the Treasury in collected fines and penalties. It might be uncharitable to suggest that perhaps the OMB is being influenced by parties who do not want to see the ICC strengthened or made more effective. But for whatever the reason they have impounded these funds, it certainly cannot be for "sound fiscal management," and the impounding definitely runs contrary to policy enacted by Congress and signed into law by the President.

Nor can I see how "sound fiscal management" plays a role in a conflict which arose over a proposed basinwide study of the Colorado River in Texas. The river is a large one, touching or passing through 52 Texas counties and serving as the sole source of water for much of its basin. The study was ordered by the Environmental Protection Agency. The quarrel which arose with the OMB was not over spending the funds, but over the manner in which the funds were to be spent. Congress passed an appropriation for the U.S. Army Corps of Engineers to conduct a study to be funded 90 percent by the Federal Government and 10 percent by the State. The OMB insisted that EPA conduct the study and that it be funded on a 50–50 matching basis. I will not go into the delays and negotiations—we all have gone through similar ordeals. In the end—9 months later—it was agreed that the Corps of Engineers could conduct the study but that it would be funded on a 50–50 matching basis. And I found myself in the interesting position of having to persuade my folks back home to act contrary to a law I had specifically requested—just in order to get anything done.

The OMB acted as judge and jury—

not on fiscal concern, but on a jurisdictional approach. The OMB decided who was to do the study and how it was to be done; the question of money hardly entered into it.

According to testimony before the Senate Subcommitee on Air and Water Pollution, the OMB ignores not only the mandates the laws of Congress, but also the advice of experts within the executive branch itself. The specific instance I refer to here concern the guidelines the EPA had drawn up—as it was required to do under the law—for States to follow on establishing and fulfilling air and water pollution standards. The OMB revised these guidelines, and, according to witnesses, revised them to reflect industry's point of view rather than the public point of view. It is not a question of whether we as Members would favor industry or the public, but rather that OMB decided these questions of law.

There was a further interesting instance, reported in the February 2, 1972, issue of the Washington Post. It concerned a comprehensive plan by the Environmental Protection Agency to save our mighty Great Lakes. The Congress, it appears, shall not have an opportunity to discuss the merits of this proposal because the article relates that the OMB has already vetoed it.

Thus we have the OMB substituting its own views for that of the Congress on matters of legislation and substituting its own views for those of the experts in EPA on matters of environmental protection.

These are specific examples of how the OMB ignores the Congress and dictates its own priorities and policies. The scope of these actions comes clear when we take a look at the full range of frozen funds.

We can look at the $58 million for rural sewer and water grants and realize that this represents some 2,000 pending applications from small communities whose hopes for water and sewer facilities stand stagnant.

We can look at the hundreds of millions of funds for the Department of Housing and Urban Development being withheld and realize this means people are going without adequate housing in the richest country on earth. And we can realize that aid for acute and almost incomprehensible urban problems are to be delayed yet another year, and another year, and another.

We can look at the $50 million being withheld from the Farmers Home Administration farm operating loan fund and we can make all the speeches we want praising the family farm—but those farms will go right on dying all the faster without those funds.

We can look at the terrible damage the OMB has done to the model cities program, the food stamps program, water and sewer programs, mass transportation projects, urban renewal, and the Environmental Protection Agency—but I think we can agree that nowhere can we look at a more callous disregard of the Congress and the people by the President and the OMB than in the action they have taken to gut the nation's health care programs.

In no other area has the need been shown so clearly. In no other area has the Congress expressed its policy and intent more emphatically. Yet we find that although the Congress has authorized more than $1.3 billion for health care programs in fiscal 1973, the OMB budget calls for only $438.7 million. Although the Hill-Burton authorization is $417.5 million, the OMB budget calls for no, I repeat no money for construction of hospitals and public health centers.

As our distinguished colleague, the Honorable PAUL ROGERS, pointed out in the May 10, 1972, CONGRESSIONAL RECORD, it simply is false economy not to provide a $2 measles vaccination to prevent an unborn child from suffering possible mental retardation that will cost $100,000 for a lifetime of care. I think the gentleman from Florida expressed the sentiments of us all when he said:

> I am weary and I think the Congress is weary of this usurption of the powers of the Congress to legislate by accountants who view human suffering in terms of dollars and cents and the intentions of the Congress as minor considerations.

That, my colleagues, is what the OMB is doing to this, the efforts of the Congress, to provide for the general welfare of the country. The violence this agency is doing to the separation of powers in this Government—and what these experiences should teach us that can mean for the future—honestly frightens me, honestly makes me angry.

Of course, the OMB and the President claim to justify impounding of funds under the guise of holding down deficit spending and fighting inflation. The words "massive cutbacks in federal spending" swing back and forth like the pendulum in Poe's pit. And I am as concerned as the President or anyone else about the massive deficits we are facing these days.

I understand the predicted deficit for fiscal 1973 already runs between $35 and $38 million.

But the surprising thing about "massive cutbacks in Federal spending" is that the total amount impounded last year was surprisingly small compared to the deficit in the budget. Some $11 billion was impounded—at least some of which was legitimately impounded for financial administration. But the deficit last year was $40 billion. The OMB claims $9.4 billion of this $11 billion was held in reserve for routine financial administration. That leaves $1.5 billion "to carry out broad economic objectives"—$1.5 billion compared to a deficit of $40 billion makes all the headlines and speeches over massive cutbacks pale a little.

It appears it is not how much is cut back, but where it is cut that is the real crux of this matter. The administration's anti-inflation cuts might ring a little truer if at the same time he was impounding funds for loans to farmers he was not releasing loan funds for Lockheed Aircraft. His claims would ring a little truer if at the same time he was impounding funds for health care and food stamps, he was not requesting and fighting desperately for funds to build a supersonic transport. His claims would ring a little truer if at the same time he was impounding funds for water and sewer systems he was not costing the Treasury hundreds of millions of dollars by giving big businesses new tax breaks.

No, I am concerned as much as anyone about the large deficits we face, but that is not the issue here. The issue here is who shall determine the priorities, the Congress or the President through the OMB.

ALTERNATIVES

If we, the Congress, are to remain a viable, democratic body in this Government, then some soul searching is in order.

Some have suggested that we make our appropriations mandatory.

Mandatory appropriations can, however, create a direct confrontation with the President.

President Kennedy, in the battle over the B–70 bomber, managed to get mandatory language removed from the appropriations bill. President Nixon vetoed the hospital construction bill because of language prohibiting the impounding of authorized funds. There is nothing to guarantee that a President would not impound funds in spite of mandatory language. However, it would appear that such a situation would give affected individuals the opportunity to sue and bring before a court this whole issue of a President's constitutional power to impound funds. I am aware of Congress' reluctance to take such a measure and I do not actively advocate it at the present time. However, we should certainly discuss and explore the possibilities. It may well become necessary.

Especially in conjunction with a mandatory appropriation, it must be recognized that the major source for the abuse of impounding is the lack of an item veto for the President. Rather than veto an entire appropriation because he disagrees with part of it, the President instead impounds the items he finds offensive. In doing so, he neither bears the political consequences for the veto nor faces the possibility of the Congress overriding his action. It may be that if the President's practice of impounding is to be curtailed, some form of item veto should or could be considered.

Several of my able colleagues, including Senator SAM ERVIN of North Carolina and Congressman WILLIAM ANDERSON of Tennessee, have suggested we require the President to submit a statement to Congress whenever he impounds any funds. The Congress then would have 60 days to approve the impounding or the funds would have to be released. Or—the Congress might have a certain number of days to overrule the impounding or else the action would stand as though approved. Either certainly would give us more control than we presently have.

Of course, just giving Congress notice of any impoundment would be an improvement over the present situation. As you all are aware, just getting information out of OMB is a problem in itself.

In recognition of the lack of fiscal information from OMB, the Legislative Reorganization Act of 1970 contained a requirement that the Office of Management and Budget and the Department of the Treasury develop standard classifications of programs, activities, receipts, and expenditures of Federal agencies and a standardized information and data processing system for budgetary and fiscal data. The Comptroller General was required to insure that the interests and needs of Congress be taken into consideration in the establishment and operation of the information system. In February of this year, the Office of the Comptroller General released its document on the budgetary and fiscal information needs of the Congress. This document needs to be studied and steps taken to implement its suggestions. Unless we have detailed and impartial information on the activities of OMB, we cannot effectively cope with its abuse of power.

Our distinguished colleague from California, Mr. JOHN MOSS, has proposed the creation of a Select Committee on the Office of Management and Budget. The purpose of the committee would be to make a complete investigation and study of OMB. The creation of this committee appears to have a great deal of support and would go a long way toward providing the information we need to cope with OMB.

This approach should reflect a serious nonpartisan attempt to recapture the lawful rights of Congress in matters of appropriations. This committee should be composed of the leadership of the Appropriations Committee and other senior chairman of related committees, and should set as its goal any criteria necessary as to who has the final word on the spending of taxpayers' money.

Perhaps OMB should have some latitude, but this give-and-take must be expressed in guidelines that are clear enough to eliminate some of the vagueness that has been associated with the freezing of expenditures.

It has been suggested that the Government Accounting Office be given authority over impounding by OMB to determine if an impoundment is done legally and for fiscal purposes. Although this would not give Congress any greater control, it could lessen the abuses of OMB and is worth looking into.

Greater authority over OMB might be given to the Appropriations Committees. Perhaps the committees should be given authority to approve all impoundments. Perhaps the committees could be given more economists, accountants, and computer technology for greater budget oversight and control.

The OMB has about 650 employees. The House Appropriations Committee has 47 staff members. It is easy to see why the odds are lopsided. I think we should seriously consider equalizing the odds a bit.

It seems that we are quick to call for reform of many of our institutions, but more at a turtle's pace in our own House.

As it stands now, the authorization and appropriation process is a bit lackadaisical and couched in strategy plays.

The authorizing committees, more often than not, simply plug in an X-figure in some programs and processes—second-guessing that the funds will be reduced somewhere in the appropriations process.

Appropriation Committees routinely, or nearly so in many instances, accept the expertise and economic justification of the authorizing committee—with one eye toward OMB halfheartedly thinking that OMB will cut back overexpenditures.

This loose-jointed approach serves no good purpose, and, at best, is an exercise in fiscal buckpassing.

I do not want to leave the opinion that the Appropriations Committee loosely considers appropriations. Normally the appropriations are less than the authorizations and this is because the members of the Appropriations Committee try to recommend a minimum amount, or certainly not a maximum amount. We can be thankful that the Appropriations Committee operates in this manner. But even so, the Appropriations Committee really does not know what money absolutely is needed or whether the money previously appropriated has been or is being wisely spent. The Appropriations Committee generally has to take the word of the agencies down the street. Somehow there ought to be an accountability of all the programs we have created. Somehow each agency or department ought to have to prove that the programs already passed are effective. I have the feeling that we take somebody's word and by and large continue ad infinitum programs that have become outdated or have lost their usefulness or principal thrust.

The Congress should assert its own control over the financial matters of this Nation.

It may be that none of the alternatives I have mentioned are either possible or practical. I mention them only as food for thought and a foundation from which to begin. I certainly welcome others. My main purpose today is to create a dialog that hopefully might lead to an end to encroachment by the President and OMB on the constitutional duties and powers of Congress.

In the process of establishing different procedures to control expenditures the Congress has reached a new plateau in the OMB. The Congress has attempted in the past to control its own budget and budget limitations, but has failed to do so. This does not mean that the present system is the perfect answer. Obviously it gives all the prerogatives to the President and the OMB. That responsibility should be in the hands of the Congress.

We come to the focal point in the whole question: Who must have the final word in appropriating money, or in the expenditure of funds? Either the OMB or the President has the final authority or responsibility, or the Congress has it. It is constitutionally clear that the Congress, the people, were not only intended, but designated, to perform this responsibility. Therefore, the Congress ultimately must face this responsibility or else by acquiescence, direct and indirect, we relinquish the rights that were intended under the Constitution.

The Congress must face this OMB issue honestly and forthrightly.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I am happy to yield to my colleague, the gentleman from Texas.

Mr. GONZALEZ. First, Mr. Speaker, let me compliment a most distinguished and admired colleague from my State for going into this subject matter in a thoroughgoing fashion.

As my colleagues will recall, I was the author of a resolution which was passed by voice vote unanimously in a recent meeting of the Democratic caucus of the House in which it was the sense of the caucus that the practice that has been drawn to a fine point within the last 2 years by this administration of actually exercising illegal and unconstitutional line-item veto by the President which, in effect, this practice represents was something that was repugnant to the good sense of the majority and that we viewed it with extreme concern.

Now this is not the first time in the history of the relationship between the legislative branch of the Government and the Executive that this type of a problem has arisen. But it is the first time, particularly within the last 24 months, that the administration has used it as systematically and as voluminously as it has, as I say, in these recent months, in effect, saying that no matter what policy functions under the Constitution, the Congress is exercising—no matter how much on the line the Congress lays its decisions having to do with commitments, taxwise and moneywise—that the Executive will arrogate to itself the unconstitutional right of substituting his policy for that which the Congress as a representative of the people has already said is its sense of priorities in the Nation.

So when we come to the fundamental issues confronting America—of war and peace—we find the Congress finally and belatedly arising to the fact that it has abdicated a constitutional responsibility that is thrust upon it. What it went into very glibly was done so because this is the mood in the country.

The American people have been willing to turn their backs on the central issue of freedom because no nation and no people can be free if its young can be impressed into an undeclared war on foreign shores, without the constitutional mandate of a formal declaration of war by the Congress, or the dispensation, on the part of the congressional delegation, of authority to the Executive to so do.

No people are free if its young can be conscripted into an undeclared war, into these twilight wars, into these wars about which there has not been a clearly expressed consensus on the part of those who represent the American people.

This doctrine has been extended to these extreme issues—of education, for example. We have had, of course, more vetoes and more vetoes overridden within the last 36 months, than we had in the prior three administrations of three different Presidents.

This means that there is a basic conflict as to priorities in America. If the Congress has said that despite the fact that we are hardpressed and despite the fact that we know it is expensive and that it is burdening ourselves and our taxpayers that we still feel a democracy demands educational opportunities and that we should have a first-class system of education—but the President feels otherwise—and he failed in the basic vetoes—because we overrode those—so he takes his revenge by these line item unconstitutional decisions to impound funds.

The Senate last year published a voluminous documentation on this after an extensive look into the matter in their hearings.

I invite my colleagues to read these studies that have been published by the Senate. Since then a couple of Members on the House side have looked into it. But nobody has as thoroughly and systematically as this group on the Senate side did last year. At that time which was a little more than a year ago, the amount of funds so impounded exceeded $14 billion.

This is a tremendous disequilibrium which historically has never been confronted by the American Government in its history. The gentleman from Texas is 100 percent correct when he says that if the Congress so wishes, in other words, if it continues to so advocate, then, of course, that is the way it is going to happen.

Certainly it would be tragic to reach a point where we have contention between these organs of Government, which in their wisdom the Founding Fathers wrote into the Constitution should be tripartite, should be equals, and certainly should be respectful of each other's prerogatives.

But I think the lessons are clear. The Congress, reflecting the mood of the people, has in effect abdicated a very serious trust. Only time will tell us whether it is too late. In my opinion, I am pessimistic, and I fear it is too late. I fear there is very little that can be done to reverse the trend.

What used to be one or two sporadic impasses, such as the RS–70, the manned bomber, my colleague, I think, came in about 2 years after this event, there was the first clearly drawn impasse between the executive and the legislative branches of Government. I recall Chairman Vinson of the Armed Services Committee and the overwhelming preponderant view of the House and the Senate that a manned bomber should be developed, and we insisted, and we authorized and appropriated in excess of $3 billion.

But the Secretary of Defense of the then administration felt that it was a waste. He felt that the manned bomber was obsolete, and he said, "You go on ahead, and you authorize, and you mandate your appropriations, but you do not have to spend the money"; and they did not. That was one instance. There was no systematic attempt to do this on every single line of congressional activity from education to municipal facilities to health, and all that that means to the present status of American well-being.

I think that most dramatically we are going through this period of seeing what it means to have to live this old saying that we used to read, that the worst of men, the worst of slaves are corrupted free men. We have corrupted ourselves insofar as we have abdicated a trust which the Constitution has placed on this first branch of Government. Set forth in the Constitution is article I, the legislative, the representative, and it clearly being the intent of the Founding Fathers that these very evils into which we have drifted blithely and almost perilously were the very ones that gave reason for the foundation of the Nation and the specific way in which the basic law of the land was written.

It is reflected in their will that those powers not specifically set forth in articles II and III would be reserved in I, in the congressional; so I think that it is a lot later than we realize. I know it is a lot later than the American people realize. I know that it is a question of time.

I am pessimistic in the sense that I do not know what exactly specifically can be done to reverse the trend. I am optimistic because I think that so long as we have gentlemen like my colleague from Texas, and others, and their voices grow in volume, and the climate of public opinion of necessity begins to become favorable to the sensitivity of the issue involved, then that fact I think will be the remedy. I hope that by then we shall not have sacrificed the wisdom and the experience of almost 200 years of life which our Republic symbolizes, and that the great lessons of freedom will not have been so sacrificed by us and those immediately preceding us and those following us, because, as I say, the worst of slaves are corrupted free men.

Mr. PICKLE. Mr. Speaker, I certainly want to thank the gentleman from San Antonio. He was the author of a resolution which was passed unanimously by the democratic caucus. He has been one of the most outspoken Members of the Congress to warn us of the dangers the Congress faces if we continue to let our powers erode and be washed away by the whole OMB. He is exactly right in that originally and until a few years ago, there would be this kind of impoundment of funds only once in a great while.

Today, it is commonplace, and it is going to be an accepted procedure unless we do something about it, so I am certainly pleased to have the gentleman express himself so strongly here today.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Texas (Mr. Brooks).

Mr. BROOKS. Mr. Speaker, I want to commend my distinguished and able colleague, the gentleman from Texas (Mr. Pickle) for bringing to the attention of the House this very serious matter that affects this entire Nation, the unwarranted and increasing impoundment of funds by the Executive, when the funds have been clearly appropriated, authorized and approved by the Congress of the United States.

I want to say that this increasing attitude and procedure by the Executive deteriorates the American system, and if it continues, it will make Congress into a nullity. If we allow the Executive to exercise complete power in all these fields, we will deny the American public the right to representation in the Congress, both in the House and in the Senate of the United States.

I want to say to my distinguished colleague that I appreciate his bringing this to the attention of the American public and of this Congress. We do endanger our system when we allow the Executive without any restraint whatsoever to impound funds increasingly. It is going to destroy the American system. I do not want to be here to do that. I think it is high time we do some serious evaluation as to how this can be remedied.

I understand the President does have the authority not to spend. Congress appropriates and the Executive spends. But if an Executive is going to continue to exercise this power arbitrarily to that extent, Congress is going to have to change that entire system.

I commend my distinguished friend and colleague for his efforts in this matter.

Mr. PICKLE. I thank my experienced friend, the gentleman from Texas, who has been here for many years, and who has seen this erosion of power. I do appreciate his participation in this special order.

Mr. MAZZOLI. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Kentucky.

Mr. MAZZOLI. Mr. Speaker, I thank the gentleman from Texas for yielding. I commend the gentleman for bringing to this body and to this country the very shameful situation which does exist with the unwarranted intrusion by the Executive on the prerogatives of this legislative branch of the Government as designed by our Founding Fathers. While I am not necessarily a legislative veteran—I am new to the Congress—I have paid particular attention to the gentleman in the well in his many statements previously with respect to the subject matter of the OMB, and I have paid particular attention to the distinguished gentleman from Texas (Mr. Gonzalez) and his statement that this intrusion goes beyond the money aspect and also goes to the basic thrust of the whole democratic process of government and this democracy.

Again I commend the gentleman because he presents to this Chamber and to the situation of our country something which, if allowed to go further and proceed unchecked, could seriously diminish and even destroy entirely the usefulness of this body and the usefulness of the legislative branch of the Federal Government. We have enough situations which thwart and frustrate the Congress in its efforts to do good for the people. We do not need this additional frustration and this additional impediment which does exist downtown.

Mr. Speaker, I thank the gentleman for yielding. I am only sorry that not enough people are here really to take upon themselves the burden of thinking through deeply this whole problem. I hope the Members tomorrow or the day after will read what the gentleman will put into the Record.

Mr. PICKLE. I thank the gentleman from Kentucky.

I do hope the Members will have a chance tomorrow to review what we have said here. Perhaps this is a beginning point. It is a good beginning point. I am grateful to the gentleman for his help in this matter.

Mr. DENHOLM. Mr. Speaker, will the gentleman from Texas yield?

Mr. PICKLE. I am delighted to yield to the gentleman from South Dakota.

Mr. DENHOLM. Mr. Speaker, I associate myself with the statement of the gentleman from Texas (Mr. PICKLE). He has made a meaningful and thoughtful statement on a subject of great public interest. The powers of the administration as exercised under authority of the Office of Management and Budget—OMB—have indeed been arbitrary, indiscriminate, prejudicial, and self serving, in many instances.

The lawful authority vested in the executive branch of Government in proper and prudent management of the budget cannot be denied. But equally important is the duty and lawful obligation of the executive branch of Government to execute the will of the people as expressed by the Congress in the laws of the land.

Indiscriminate impoundment of certain and specific funds appropriated by the Congress is, in effect, a pocket veto. It is an invasion of the legislative processes beyond and outside of the intent and purpose of the veto powers reserved to the executive branch of Government.

A review of foreign aid and military assistance plans in fiscal year 1972 has convinced me that a major effort must be made to emphasize "Our Country First" before pursuing deficit spending policies on "foreign fiascos" at the expense of the taxpayers of America.

The present administration impounded more than $1 billion appropriated last year by the Congress for domestic programs and for the benefit of our country.

At the same time urgently needed domestic programs were delayed at home. The State Department officials report that overseas projects are going ahead at fully funded record speed.

The administration requested an appropriation of $368 million for technical assistance primarily for agricultural experts in foreign countries—while in our own country, the administration impounded $47 million from the Agricultural Stabilization and Conservation Service programs and neglected a faltering farm price structure that has cost the people of rural America over $5 billion annually in recent years. In transportation, funds for Federal aid to highways were impounded at home, but U.S. tax dollars were used to finance projects such as a highway in Peru that ends at a mountainside of no significance. Other transit systems at home were neglected while we financed commercial jet aircraft construction in 13 foreign countries.

American tax dollars were requested in the 1972 budget to pay for $705 million in military assistance in 45 foreign countries, but in 1971 $38 million of appropriated funds for the National Mental Health Association were impounded together with cutback policies for medical care services for our own veterans including cutback orders for facilities at Hot Springs, and Sioux Falls, S. Dak.

We guaranteed $710 million in housing loans for foreign countries but every housing project in South Dakota was delayed or stopped and $256 million was impounded for basic water and sewer facilities desperately needed in many communities in the United States.

Our tax dollars have built a dike in the desert of Jordan to control raging waters where it never rains while funds appropriated by Congress for the Oahe irrigation project in South Dakota were impounded.

We spent $23 million last year to pay 12,000 unknown police in 27 foreign countries but $16 million were impounded from appropriated funds by Congress to improve the Federal penal system of justice at home.

I am not opposed to helping underprivileged countries of the world, but the first obligation is the underprivileged of our country. Our farmers and the people of rural America are assessed far more than their proper share of the economic burden of such public administration.

Our country will be first only if we first serve our country—that is the test of the future of America. I commend the gentleman from Texas, my distinguished colleague (Mr. PICKLE) for his academic review of historic significance. His excellent remarks should not escape the attention of all. The grave issues of deficit spending and abuse of the natural resources of this land must have the serious thought of every Member of the Congress—and the powers of the executive branch of Government in the management of the budget must be reviewed. Our responsibility here is to act in the public interest—not for votes in the next election—not for personal gain—not for a little while, but rather to act first and always for our country. We expect no less of the Chief Executive of this Government—and the governed shall demand no more.

Mrs. HICKS of Massachusetts. Mr. Speaker, for many years Members of Congress have rightly been complaining about the inordinate power possessed by the Bureau of the Budget. These powers have, if anything, increased as a result of Executive Order 11541, of July 1, 1970, which transformed the old Bureau of the Budget into the Office of Management and Budget with expanded functions and authority.

The functions of the Office of Management and Budget—OMB—are carried out by the Director under the direction of the President. As stated in the U.S. Government Organization Manual, the following are the functions of the Office of Management and Budget at this time:

1. To aid the President to bring about more efficient and economical conduct of Government service.

2. To assist in developing efficient coordinating mechanisms to implement Government activities and to expand interagency cooperation.

3. To assist the President in the preparation of the budget and the formulation of the fiscal program of the Government.

4. To supervise and control the administration of the budget.

5. To conduct research and promote the development of improved plans of administrative management, and to advise the executive departments and agencies of the Government with respect to improved administrative organization and practice.

6. To assist the President by clearing and coordinating departmental advice on proposed legislation and by making recommendations as to Presidential action on legislative enactments, in accordance with past practice.

7. To assist in the consideration and clearance and, where necessary, in the preparation of proposed Executive orders and proclamations.

8. To plan and promote the improvement, development, and coordination of Federal and other statistical services.

9. To plan and develop information systems to provide the President with program performance data.

10. To plan, conduct, and promote evaluation efforts to assist the President in the assessment of program objectives, performance, and efficiency.

11. To plan and develop programs to recruit, train, motivate, deploy, and evaluate career personnel.

12. To keep the President informed of the progress of activities by agencies of the Government with respect to work proposed, work actually initiated, and work completed, together with the relative timing of work between the several agencies of the Government all to the end that the work programs of the several agencies of the executive branch of the Government may be coordinated and that the moneys appropriated by the Congress may be expended in the most economical manner with the least possible overlapping and duplication of effort.

Mr. Speaker, I submit that this list of OMB functions clearly reveals the mechanism by which the President is able to control all facets of the executive branch of Government. And it is the executive branch of Government that administers the programs and activities authorized by the legislative branch. The combined expenditures of the legislative and judicial branches of the Federal Government, outside the authority of the OMB, account for approximately 22 cents out of each $100 of Federal outlays. Thus, the executive branch accounts for $99.78 out of each $100 of total Federal outlays. These figures signify the power and influence of OMB in setting our budget and national priorities.

A National Journal article of January 23, 1971, entitled, "The Making of the President's Budget" in a discussion of the changing budget process made this comment:

PRESIDENT'S MEN: Because the Executive Office is the President's personal staff, existing to serve his needs, accommodate to his habits and bend to his political philosophy, he is free to modify it as he sees fit.

When we couple the fact that OMB is a part of the personal staff of the President along with OMB's wide ranging list of functions it becomes readily apparent that all agencies and departments of the Federal Government are to an overwhelming extent under the direct control of the Director of the Office of Management and Budget. Here is a presidential aide, if you will, who does not require approval by the Senate, but who is in a position to thwart the efforts and will of Cabinet officers that are confirmed by the Senate. Mr. Speaker, I contend that this magnitude of power exercised by OMB does indeed alter the structure and functions of the Federal Government from what they were perceived that they should be by the Founding Fathers.

During a press interview—August 25, 1970—George Meany, AFL–CIO president, made this comment in reference to the power and influence of the Director of the Office of Management—at that time George P. Shultz:

> I think he has the most important position in government . . . He is, in my book, the executive vice president of the corporation. In other words, he is the guy who runs the corporation from day to day. He is without question over all the Cabinet members. They are just department heads under him. He reports to the President.

It is well documented through time that he who controls the flow of funds is in a position to speak the loudest. In this respect OMB usually has a strong say in the development and application of Federal programs and policy. This point is borne out in a Wall Street Journal article on November 20, 1970, discussing the changeover from the Bureau of the Budget to the Office of Management and Budget, which said:

> Perhaps the most important change, and the one potentially most galling to a Cabinet ego, has come in preparing the budget. Formerly, a department head argued his spending proposals with the budget director; if they couldn't agree, the Cabinet man appealed to the President. Now, the department head presents his plan to Mr. Weinberger, who takes it to Mr. Shultz and together they take it to Mr. Nixon. The President gives his views and the budget goes back to the Cabinet officer as final. (Deputy director of OMB and head of the budget section at time of article. Weinberger is now the Director of OMB.)
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> An OMB official says Messrs. Weinberger and Shultz will see to it the President is aware of the arguments of the individual Cabinet officers. As for appeals directly to Mr. Nixon, "I would hope," says this official, "that there wouldn't be any need for any. But if there is a need, there can be written and—if the President wants—personal appeals."
>
> But a close associate of the President says Mr. Shultz has been given pretty "broad authority to decide appeals himself." He doubts that many Cabinet men will get past Mr. Shultz to Mr. Nixon.

In speaking of Federal expenditures, it is often said that the President proposes and the Congress disposes. In theory this statement is true because we are free to increase or decrease the amount of funds requested by the President in his budget; however, in practice it does not always work out that way. In a recent discussion on the floor of the House—Congressional Record, daily edition, page 22099, June 22, 1972— Congressman Clarence D. Long focused on this very point, when he said:

> More and more decisions are being made in the Executive Office by people who are, in fact, assistant Presidents. For example, the Director of the Office of Management and Budget has much more power through his authority to recommend impoundment of funds. As of June of 1971, the OMB had impounded $12 billion in congressionally appropriated funds—and there is not a Member in this room that has not felt the impact. Impoundment gives the executive branch the power to pick and choose among congressionally approved and funded programs—and the directives of Congress are ignored. Through impoundment the President has an alternative to vetoing a program he opposes. By avoiding the veto, he shifts the blame and public attention to another office.

Alexander Hamilton predicted such a situation in his Federalist paper No. 70:

> One of the weightiest objections to a plurality in the executive . . . is that it tends to conceal faults and destroy responsibility . . . It often becomes impossible, amidst mutual accusations, to determine on whom the blame . . . ought really to fall. It is shifted from one to another with so much dexterity, and under such plausible appearances, that the public opinion is left in suspense about the real author.

Therefore, briefly stated, not only is the Office of Management and Budget in a position to control, to a very large extent, the level of funds requested for programs and activities of Federal agencies in the budget preparation and presentation process, it also, is in the position to withhold, reserve, impound, or using whatever other word one wishes to apply, fail to release fully all funds appropriated by the Congress for specific programs or activities.

Not only does the OMB exercise budgetary controls over the amount of funds requested by the regular Cabinet-level departments and agencies of the executive branch but it also controls the amount of funds requested by the independent regulatory agencies. These agencies were established by Congress to carry out independent regulatory functions and are supposed to be nonpolitical in their regulatory functions. The agencies to which I am referring are the Civil Aeronautics Board, Federal Communications Commission, Federal Power Commission, Federal Trade Commission, Interstate Commerce Commission, and Securities and Exchange Commission.

Stephen M. Aug in a recent article in the Washington Sunday Star of February 27, 1972, pointed out some of the ways by which OMB can and does influence the work of the independent regulatory agencies. The following quotations are taken from Mr. Aug's article:

> Sharp reductions made by OMB in additional staff sought by the SEC's Division of Corporation Finance could result in less protection for investors. It is this division that examines all registration statements for new stock issues and other statements made by corporations to be certain they are telling the whole truth to the investing public. Additional staff members would have sped up the currently slow registration process.
>
> Personnel cuts at the Federal Trade Commission were aimed by OMB at commission activities in protecting consumers and regulating anticompetitive activities of businesses (these could include mergers and price-fixing activities).
>
> Hard-hit, too, by OMB has been the Federal Communications Commission. For the current fiscal year it had sought $34.5 million. OMB chopped this to $31.5 million, which Congress authorized. Still, according to FCC Chairman Dean Burch, OMB continues to withhold $629,000 of this. OMB had been withholding $1.3 million, but some money was released to allow the commission to replace a radial monitoring station.
>
> One result of the sharp cut in the 1971 request was that the commission had insufficient trained personnel ready to continue with a lengthy investigation into the economic structure of AT & T and its subsidiaries in the Bell System.
>
> ### DROPPED PROBE
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> The FCC announced last December it was dropped the investigation but, after considerable pressure from Capitol Hill and elsewhere, announced recently it is reinstating the investigation—and has transferred funds from elsewhere in the agency.
>
> It is open to question whether OMB decisions are based on political motives—whether, for example, it would be politically more expedient to give less service to consumers, or to cut back on a major investigation of a big industry.
>
> Those in OMB would say it's not true—that you simply have to build a budget on national priorities.
>
> One who has the opposite view—and who support Metcalf's legislation to remove OMB from regulatory agency budgets—is Sen. Fred Harris, D-Okla.
>
> "It is easier for a Henry Ford or the head of AT & T to slip the right word into the ears of a single man in the White House than into the ears of all our senators and congressmen," he said in support of Metcalf's bill.
>
> And he added, "I am certain that if we already had such a system, we would not have seen earlier this year the sorry spectacle of an FCC chairman, appointed of course by President Nixon, attempting to quash an investigation of the rate structure of AT & T the first in history, on the grounds that staff was lacking."
>
> So pervasive is OMB influence, that all of these agencies—with the exception of the ICC—must submit to it proposals for legislation in areas in which they are supposed to be the experts.
>
> Further, any time one of these agencies wants to issue a form to conduct a survey involving more than 10 companies it must have OMB authorization to issue the form. Even the statements made by the commissioners themselves before a Senate Government Operations subcommittee were examined by OMB—although there appears to be some question whether OMB censored or otherwise cleared them.

Thus, as you see, the Office of Management and Budget exercises control over the amount of funds that may be requested in the budget annually by the independent regulatory agencies. Also OMB is in the position where it may impound or reserve funds appropriated for these agencies by Congress. Furthermore, OMB must approve all questionnaire forms used by the independent agencies to gather information from the industries they are charged with regulating. One must ask how independent are these agencies.

Mr. Speaker, there are more and more people coming to question the tremendous power and influence wielded by the Office of Management and Budget. The comments that I have quoted here are ample evidence that OMB possesses an inordinate degree of power and influence in our Federal Government structure. We cannot and will not have equal branches of government if the Congress allows this amount of power to rest in the hands of one Federal agency. Therefore, I urge the Members of Congress to give their immediate attention to finding some means of righting this imbalance in the influence and power now possessed by the Office of Management and Budget.

Mr. HENDERSON. Mr. Speaker, I want to commend my colleague, the gentleman from Texas for arranging to spotlight the matter of impounding of funds by the Office of Management and Budget.

The main points I expect the gentleman to make are extremely well taken: namely, that recent actions of OMB are, in effect, basic policy decisions and not simply matters of budgetary and fiscal control.

OMB in the exercise of this power can and does thwart the will and the specific mandates of the Congress even more effectively than the veto in that the Congress always has the prerogative to act to override a veto, while trying to overrule an OMB decision to impound funds is like trying to catch a will-o-the-wisp.

Specifically in the area of public works, I have seen this principle operate. As a member of the House Public Works Committee, I am familiar with the long tedious procedures which must be followed to justify a public works project, the difficulty of getting the basic authorization bill enacted and then the funding in the appropriations bill.

During all of this, the need for the project has continued unabated and the persons most directly affected have, with considerable justifications, made plans, commitments and entered into various relationships on the assumption that the work on the project would, after final congressional authorization and appropriation, proceed. But the Office of Management and Budget routinely impounds the appropriated funds and thereby effectively blocks any action in the first fiscal year or two after such approval. This is clearly contrary to the expressed will of Congress and is completely arbitrary.

In addition, it is obvious that once a public works project is both authorized and funded by Congress, it is eventually going to be constructed. If the interest is in economy and the saving of money, it should be in the public interest for contracts to be let and work to start as soon as possible after the appropriation of funds.

I do not believe that there has been a single public works project in the Nation which was delayed by action of OMB which did not cost more money as a result.

One point which should be emphasized is this: The administrative branch of the Government has several opportunities to effectively block or delay public works projects before they reach OMB. In the first place, no project is even considered by the Public Works Committee of the House or Senate unless and until a detailed study by the Army Corps of Engineers has determined that a favorable benefit-cost ratio exists, that is to say, that the reasonably anticipated benefits to accrue from the project, in dollars and cents, are equal to or in excess of the estimated cost in public funds. The conducting of this study and the processing of the report affords the executive branch both an effective veto power and a device for effecting delay.

Then in the submission of his budget recommendation for each fiscal year, the President has the opportunity to express his recommendations on funding of various approved projects.

Finally he has the option—though its exercise might be considered somewhat drastic—of vetoing a public works appropriation bill if he considers any item or combination of items unwarranted or excessive.

It seems to me that having all of these opportunities prior to final congressional approval of a public works project to express itself as to the need, urgency, and worthiness of a project, the executive branch should not have and does not have the additional authority to exert an additional veto or delay through administrative action by OMB.

Mr. DANIELSON. Mr. Speaker, it is the constitutional prerogative and responsibility of the Congress to make legislative and policy decisions on the appropriation of funds for the operation of the Federal Government. In recent years that prerogative has often been usurped by the executive branch by means of item vetoes which have been exercised by the administration through the Office of Management and Budget. The process of careful consideration and agreement, by both bodies of Congress, in Federal appropriations is seriously threatened and undermined by the Presidential impoundment or freezing of funds that have been appropriated and signed into law.

A number of difficulties are raised by these invasions of fiscal procedures and responsibility. According to the Rules of the House of Representatives, the Committee on Appropriations or any duly appointed subcommittee "is authorized—to conduct studies and examinations of the organization of any executive department or other executive agency—as it may deem necessary to assist it in the determination of matters within its jurisdiction." If we are to be faithful to our own laws and to the separation of powers inherent in our system of government, Congress must reassert and exercise its proper role in prescribing Federal expenditures.

Another source of today's problems is our use of the fiscal year even though we need to have a full picture of priorities while making budget determinations. It is imperative that we switch from the fiscal year to the calendar year; it is no longer possible for Congress adequately to consider the budget and to give mature consideration to our Nation's fiscal needs between the opening of the session in January and the end of the fiscal year on June 30.

In an earlier and simpler day it may well have been possible for Congressmen, coming from their farms and small businesses, to consider the budget in a few months and to return to their homes by the time the old fiscal year expired and the new one began. With the increased complexity of Government and of social and economic problems it is now unrealistic—and it is an unacceptable fiction—to hold to those old forms. It is impossible to consider these important matters in the 6 months now allowed for them.

As a result, the Congress is constantly passing "continuing resolutions," near the end of the fiscal year, in order to permit Government to function on a daily basis even though the budget has not been passed. Other measures are passed without thorough consideration as we are pressed against the deadline.

Because the President does not submit the budget to Congress until January of each year, leaving less than 6 months for the adoption of the budget for the following year, responsible Government requires that Congress change from the fiscal year to the calendar year so that we will have a full year to consider the budgetary requests and recommendations and to take action on them.

Mr. COTTER. Mr. Speaker, the Founding Fathers gave this Congress a clear mandate and a solemn obligation to "lay and collect taxes, duties, imports, and excises, to pay the debts and provide for the common defense and general welfare of the United States." Article 1, section 7 of our Constitution expressly outlines the process by which the law of the land is to be promulgated.

Today we face a serious constitutional crisis. In the gray area of the Constitution the President is required to execute the laws but there is no specific requirement to force the President to spend the money duly appropriated by Congress and signed by the President into law. The President's action, or more correctly inaction, in expending these funds has created problems in our congressional districts. At a time of recession and high unemployment, to tie up necessary Federal projects not only creates constitutional tension, but also unnecessarily prolongs economic recovery.

It was for this reason that last year, as a freshman Member of the House, I led the fight against the impounding of $12 billion. These funds for urban renewal, mass transit, and necessary public construction could have stimulated the economy last year to help ease the crush of unemployment and the recession that caused unnecessary economic dislocation.

In conclusion, Mr. Speaker, I believe, it is imperative that both the Executive and the Congress exercise their responsibilities carefully and effectively. The Congress is responsible for authorizing and appropriating funds. The President is responsible for signing bills or vetoing them. To impound funds short circuits the entire process and if continually done, violates the Constitution itself. As important, the impounding of funds has served to prolong economic recovery and continue the high, unacceptable, level of unemployment.

To impound funds, which have been appropriated by Congress and signed into law by the President of the United States, seems to me to invalidate the very process which was designed by the Founding Fathers to fulfill the function of governing. We must assert our position as the people's representatives and not allow the bureaucracy to become a source of law unto itself. I believe the Congress has the obligation to act to end this practice and, for this reason, I have supported legislation which would end this pernicious practice.

Mr. ANDERSON of Tennessee. Mr. Speaker, under the Reorganization Plan No. 2 of 1970 the President established the Office of Management and Budget under his authority.

There has been ample evidence since OMB was created to indicate that the responsibility over our Nation's Federal revenues has transferred from its rightful place in Congress to the executive branch of Government.

The Office of Management and Budget has, for all practical purposes, taken control over the appropriations process and it, not Congress, determines priorities.

Appropriation hearings, executive sessions and the passage of appropriation bills by both Houses of Congress is nothing but a mere formality since it is evident that OMB will dictate what moneys are spent where, if indeed, moneys are expended.

My office has done a considerable amount of work attempting to determine the extent of OMB's usurpation of congressional prerogatives. We have discovered, as I stated to the House on January 19 of this year, that the method used by OMB of disbursing congressionally approved funds is politically motivated as the funding of various programs is geared to have a maximum impact upon the voters by election day.

We discovered at that time that OMB intended to release 90 percent of basic water and sewer grant funds during the closing months of fiscal year 1972.

We further discovered that over three-fourths of water and waste disposal funds for rural communities were planned to be released during the same period. In addition, nearly all of the one and a half billion dollars appropriated for urban renewal were planned to be released during the latter half of the fiscal year.

Mr. Speaker, the list goes on. In the neighborhood facilities grant program, all of the appropriated funds were to be released during the closing months of fiscal 1972. The same was true for the open space program.

The Office of Management and Budget termed this method of disbursing appropriated funds "prudent management." I call it "prudent political management."

During this study by my office last January, my staff centered its efforts on only two Departments of Government, Agriculture and Housing and Urban Development. In just these two Departments encompassing only 10 major grant programs, we discovered that 80 percent of funds appropriated for fiscal year 1972 was planned to be disbursed just prior to the end of that fiscal year. By simple addition and division we figured this amounted to over $3½ billion. Now, that is what I call a well-oiled campaign budget.

Whether these tactics can be considered as impounding or withholding or sequestering, I believe, is academic.

The U.S. General Accounting Office, in its "Glossary of Terms Relating to the Budget and Fiscal Provisions of the Legislative Reorganization Act of 1970," dated December 1971, defines impounded funds as "any type of executive action which effectively precludes the obligation or expenditure of appropriated funds." It is clear, therefore, that executive action precluding the obligation of appropriated funds for political purposes is, according to the glossary, an act of impounding.

In continuing our investigation we noted that $500 million was being impounded in the vital water and sewer grant program of the Department of Housing and Urban Development even though the national need for such funds exceeds $1 billion.

The Office of Management and Budget has even extended its controlling hands to the National Institutes of Health as they have instructed NIH not to obligate 42 percent of funds designed to aid in the construction of medical schools. This restriction by OMB resulted in over $60 million impounded even though approved, but unfunded, applications for medical school construction exceeded $700 million nationally.

Mr. Speaker, three medical schools in Tennessee were affected by this action of OMB. Meharry Medical School, Meharry Dental School, and Vanderbilt Medical School had applications totaling $16,700,000 which were approved—to repeat—approved, but were returned because of lack of funds—but the Office of Management and Budget has impounded over $60 million.

The State of Tennessee has further been adversely affected by OMB dictates as $56 million allotted to Tennessee for the construction of interstate highways were withheld from obligation.

At the beginning of fiscal year 1972 Tennessee had $57 million of apportioned highway funds not obligated. Tennessee used $12 million of an authorized $15 million during the first quarter of fiscal 1972 which left $3 million to revert back to the White House pool.

Thus, on October 1, 1971, the end of the first quarter, Tennessee had $45 million left of apportioned funds. On October 1, a directive was sent to Tennessee authorizing the obligation of the entire $45 million. On October 20, 1971, funds authorized by Congress for fiscal year 1973 became available for immediate obligation and Tennessee was apportioned an additional $74 million which totaled $119 million of apportioned highway funds authorized for obligation during the second quarter. In the second quarter Tennessee obligated $49 million and reserved the remaining $70 million for future obligations in the third and fourth quarters.

However, an immediate control by OMB was placed on the Federal Highway Administration in the third quarter and Tennessee was instructed to obligate a mere $7 million in that quarter and $7 million in the fourth quarter leaving $56 million impounded.

Mr. Speaker, the way OMB flipflopped on these highway funds does not seem like "prudent management" to me.

By its actions, the Office of Management and Budget has become the second most powerful office in the land. It has surpassed the importance of both the Congress and the judiciary and has indeed become the fourth branch of Government.

We have attempted to investigate ways to restore congressional power over the purse of this Nation.

On January 26 of this year, I introduced legislation which would require the President to notify Congress when he impounds or authorizes the impoundment of appropriated funds. Congress would then have 60 days in which to approve of the President's action or he would be required to release funds.

This bill gathered 121 cosponsors including 45 committee and subcommittee chairmen.

On April 11, I introduced a House resolution requiring the President to release $107 million of impounded appropriated Rural Electrification Administration funds. Again, 45 House colleagues have joined me in reintroduction. The present need for these funds exceeds $800 million nationally and over $12 million for Tennessee alone.

When Congress approved these funds last year, our intention was to help solve the problems of the great shortages of electrical energy in rural areas. The impoundment action by the Office of Management and Budget is a resort to unconstitutional line item budget cutting and has thwarted the will of Congress and the people we represent.

Finally, Mr. Speaker, it has become common practice for the Office of Management and Budget to dictate to Government witnesses who testify on bills before congressional committees to take positions contrary to their own professional opinions. Such action resulted in opposition testimony recently on legislation I introduced. In fact, we were informed by a high administration official of his refusal to testify because, in good conscience and professional beliefs, he thought the legislation was needed and should be enacted into law. He was instructed to oppose the bill by the Office of Management and Budget.

I am presently exploring additional legislation aimed at restoring Congress to its rightful role as representative of the people of the United States.

The facts are clear. We are elected officials—not the Office of Management and Budget. We have to account for appropriated funds—not the Office of Management and Budget. And we have to run every 2 years to retain our seats—not the Office of Management and Budget.

Congressional committees, their members, and staffs devote a considerable amount of time in the legislative process. Floor debates are at times extensive and after final passage of bills we find that the Office of Management and Budget neglects our wishes and proceeds on their own.

We in Congress took our own constitutional oath.

We had better shape up or ship out.

Mr. BLATNIK. Mr. Speaker, I am very pleased to join the distinguished gentleman from Texas (Mr. PICKLE) in calling attention to the singularly important constitutional threat posed by Executive impoundment of appropriated funds.

At this present moment in our national history, I cannot think of a single issue that poses a greater threat to the future of the Republic, with the possible exception of a temporary need to reinforce the doctrine of civilian control of the military.

Mr. Speaker, I do not wish my remarks

to be looked upon as mere condemnation of this, and previous administrations, for their unconstitutional technique of Executive item veto. I hope to offer constructive criticism not only of the Executive, but of the Congress—for surely, through unresponsiveness, tardy awareness of certain issues and delays in completing the appropriations process before the beginning of the fiscal year, we have created a fiscal management vacuum into which the Executive is more than happy to leap.

In addition, the Congress, through its almost total lack of detailed, centralized, and focused legislative oversight, has not kept in close enough touch with the practical day-by-day results of our legislative products. We do not look long and hard enough at what we have wrought. We are so preoccupied with moving into new legislative domains, we fail to notice and correct significant deficiencies in the way programs are conceived, administered, and funded.

Another point that merits the attention of Congress is the appropriations process itself. We have no single coordinated way in which we view the totality of our appropriations. We not only are unaware of what actually is being spent after authorization, appropriation, contract authority, obligation, and so forth, but we have no way of relating that disbursement total to revenues or revenue projections.

Many appropriations continue over several years. In addition we lose sight of exactly how much is being spent in these carryover items and are negligent in measuring, through lack of exact management, both the timing and amount of fiscal stimulus we provide.

The historical trend of executive aggrandizement of appropriations powers has been reinforced through the splintering of congressional spending power. Fragmentation of congressional fiscal management in the 1860's resulted in spending and revenues being out of phase. Creation of practically autonomous appropriations subcommittees within the appropriations committee further split jurisdiction, control, and responsibility for total spending and overall management.

The distinguished chairman of the House Appropriations Committee, Mr. MAHON, is acutely aware of this problem and has spoken out many times, calling the attention of the Congress to this root-cause of the erosion of congressional control over the power of the purse. Chairman MAHON has also stated that minimum impoundments are desirable. "I believe it is fundamentally desirable that the Executive have limited powers of impoundment in the interests of good management and constructive economy in public expenditures."

Mr. Speaker, I subscribe to that statement of the distinguished chairman. However, I would like to underline the word "limited." I would also like to add the word "temporary." And by temporary, I mean release of appropriated funds before the close of the fiscal year for which the funds were intended.

In other words, what impoundments the administration makes must be minor refinements of discretionary spending decisions already made by the Congress. We must equip ourselves with data gathering and administrative staff and machinery—the raw materials from which we must devise a total, effective, expeditious, and flexible machinery for disbursing and managing the fiscal accounts of the Nation. That is our responsibility and our job.

Mr. Speaker, I understand that there must be some flexibility in the way we spend our revenues and the amounts of those revenues we expend. However, unless the Congress devises the means to exercise greater fiscal management, we shall continue to preside over the dissolution of the powers entrusted to the Congress by the framers of the Constitution and by the people, who govern through us. I do not wish to look back several years from now and see that we have permitted the Congress to become a House of Lords, where we all sit in splendid isolation—isolation both from reality and the powers that once were ours—powers that were not only our privilege but our constitutional mandate.

I certainly disapprove of the impoundment of funds the Congress has appropriated for the "general welfare." There are some constitutional and statutory precedents for the President, as Commander in Chief, to withhold certain funds designated for use in our national defense. However, while I do not agree with the constitutionality of this type of impoundment when it amounts to a significant divergence from overall congressional intent on defense matters, I find the impoundment of funds designated for domestic problems far, far more disconcerting and disturbing.

There is no need for me to go into actual dollar amounts and the breakdown on specific program impoundments. The total, as reported by OMB to the junior Senator from Montana (Mr. METCALF) on May 22, 1972, was approximately $11 billion.

However, as an example of what is going on all over the Nation, just in applications for housing funds already appropriated by the Congress, I would like to mention my own district.

The Eighth Congressional District of Minnesota has been denied funds for two-thirds of our acceptable housing proposals. We have received only seven out of 22 eligible projects. Another 15 projects which would provide over 800 units were rejected outright as part of HUD's flat-out, across-the-board rejection of all pending applications for HUD. HUD must be spending all its funds in buying up, at inflated prices, HUD-guaranteed properties being foreclosed across the Nation.

This same pattern is being repeated in highway programs, food stamps, school lunches for children, regional medical programs, medical research projects, community development, housing and farm loans, and the list goes on and on. As a temporary means of calling the administration to account for impoundments, I have introduced legislation to prevent Presidential impoundment of appropriated funds without the consent of Congress. This legislation at least would give Congress a chance to overturn this illegal, Executive item veto. I realize this is an expedient and does not go to the heart of the problem. However, it might just give us a little time in which to devise the upgrading of congressional fiscal management I discuss later in my remarks.

Mr. Speaker, this and succeeding administrations are not going to change their ways, because the Congress is giving signs of being unhappy. The administration might give us a crying towel and a pat on the head, but they will not give up this usurped power until the Congress takes it back—and takes it back and manages and utilizes it effectively and expeditiously.

We have the power of the purse and can use it to force the release of certain funds. We can badger, bully, and blackmail the Office of Management and Budget into releasing dribbles of appropriated funds We can even threaten to withhold funds for pet administration programs, as suggested by the distinguished chairman of the Senate Appropriations Committee, Mr. ELLENDER. But unless we are able to manage these funds in the manner I have just described, then we will fail in resecuring these powers to the Congress.

Time and time again we may hit the administration over the head with the purse. But unless the Congress can restore this absolute power of the purse and utilize it effectively—and by effectively, I mean in a manner that is free from serious fault and is politically acceptable because of its efficiency, fairness, and expedition—we will find ourselves on the same old merry-go-round and the administration will grab the brass ring on every turn.

Mr. Speaker, I frankly do not see a legislative solution to this dilemma. The administration continues to ignore language that "directs, orders, mandates, and requires" certain expenditures. This administration even ignores legislative language mandating an end to the war—so writing "foolproof legislation" is a futile exercise.

Impeachment of the President is too drastic to be effective, particularly when there is little public understanding of the constitutional issue involved. Impeachment would thus lack the support of the people necessary for success. And frankly, I do not think we need to go that far in insisting on our prerogatives.

Resorting to the courts has been and will be inconclusive, since each decision will continue to be narrowly drawn—drawn to restrict its impact to the particular facts in dispute, and drawn to avoid ruling on the constitutional issues involved. The courts clearly recognize this as one arena of fundamental political conflict from which they had best remain aloof.

The solution of this peculiarly political problem is quite logically a political one. There is only one way to return this power to the purse of the Congress, and that is for the Congress to provide the same type of fine-tuned management to fiscal accounts that the administration provides.

This can and must be done. We have

the right and duty to devise the management machinery I discussed earlier in my remarks. Whether we utilize a different committee system, or an expanded and more powerful Government Accounting Office or some other device is yet to be determined. What we must do now is get to work on this matter and come up with a solution that is both practically and politically feasible—a solution that can be put to work in the next few years—a system that would bring in its train other needed congressional reforms—reforms that necessarily must include, as part of effective fiscal management, detailed legislative oversight.

We can use this spending conflict with the Executive as a catalyst to bring the Congress more completely up to date. We must enter more fully into the space, electronic, superhypersonic world. If the Secretary of State is able to push a button and find out exactly what he has said to the Congress in the past years, then I think the Congress also should be able to push a button and find out what we ourselves may have said that the Secretary is so interested in.

If it takes speed at finding and pushing buttons to remain in the game—if we have to computerize and streamline our fiscal operations to maintain the powers of this branch of Government and the integrity of the Constitution, then, I say, let us get on with it. The longer we wait, the more difficult it is becoming.

The Congress is an extremely competent political body. The solution of the constitutional dilemma we face is a political solution, and one that is and will require all our competence. I have confidence, Mr. Speaker, that we will finally begin to move in the direction of restoration—a restoration that will see spending policy restored fully to the Congress—Congress, the timely and articulate voice of the people, in whose name and for whose benefit we govern.

Mr. SISK. Mr. Speaker, I have a special interest in the special order today covering the Office of Management and Budget. Therefore, I am participating with a great deal of pleasure.

I would like first to congratulate my colleague, Congressman J. J. PICKLE of Texas, for taking the special order because I believe this dialog and this discussion may give us additional insight into the problem of executive impoundment of appropriated funds and may suggest avenues of approach to solutions.

I have long been concerned with this practice, which is nothing more than executive usurpation of the constitutional authority given to the Congress. I know many Members on the floor here today share my concern, Members, I might add, from both parties.

One of the grave problems of our Government today is the maintenance of the balance between the three separate but coequal branches. Perhaps the Congress has been remiss, at least we have been criticized, for surrendering some of our authority to the executive branch. This examination of the problem must then be applauded because, if we have lost anything to the executive, we are hereby exploring ways to get it back.

The executive function by its nature is powerful. Administration takes more functionaries. The minions of able, competent and dedicated employees far outnumber those in the other two branches. Policymaking calls for fewer hands. I think we have too few and we should examine whether short-staffed as we are, we have the necessary expertise to even keep pace, as far as policy is concerned, with the executive.

The executive branch can provide a staff on any issue, any problem, any initiative of its own. Thus by the time the issue reaches us it has already been shaped. Sometimes it is so moulded and so construed that it is difficult to change it.

I do not mean, Mr. Speaker, that Congress should have staff aboard destroyers at sea to prevent another Tonkin Gulf incident. It is not the nature of policymaking to always be where the action is. However, we should have the resources to evaluate the possible courses of any action, and this may be where we are lacking.

While I believe the Congress should take more initiative in the war powers, this is not the purpose of our discussion today, and I would like to return from this digression, to our main point.

Constitutionally the Congress was given the power to raise money. Now, every fiscal manager will tell you it is bad practice to divide the authority for raising and spending money. Congress also has the power to appropriate, which is the basis of the spending authority. The actual disbursement is an administrative function and is properly delegated to the executive branch. The authority of Congress, however, in the raising and appropriation of moneys, thereby shaping the policies and programs of the U.S. Government, is sadly being eroded by the executive branch.

This increasingly onerous practice is being followed by the impoundment or reserving of funds appropriated by Congress.

Now in our haste to make the Office of Management and Budget the villain, we should not overlook our own responsibility and I will get to that in a minute.

What the executive does when it impounds or reserves funds is exercise an item veto. This is an action not mentioned in the Constitution but certainly silence did not tacitly give this authority to the executive. There is a veto process. The Senate and House enact and send a bill to the President who signs or vetoes, and then the Congress can override. But the item veto neatly avoids this constitutional process. By blocking the spending of funds the executive can and does shape policy. The exercise of this negative power can halt worthwhile programs and has.

The Congress, and most of all the electorate, should be concerned with this practice. If it has sufficient exposure to the public I am sure our constituents will recognize the dangers.

By the same token, the Congress must exercise greater control over its own appropriations processes. I am sure members of the Committee on Appropriations will agree with me.

Too often, we find the Congress counting dollars and cents when in the executive branch they are adding up the same spending figures but coming up with different totals. Maybe, we ought to get together.

I am not an expert on appropriations, so I do not offer any solutions here. I only pose the problem. If it comes up often enough, I have faith that someone will figure it out.

The practice of impoundment has been carried to further inexcusable ends. In any discussion of the practice, the use of reserve or frozen funds for political purposes cannot be ignored. We all know there is this year no real problem with reserved or impounded funds. They are being released, this being a general election year. The hope is the feeling of euphoria will pay off in votes.

I have just painted the political use of impoundment with a broad brush. I will be more specific. The release of impounded funds was used in the 16th Congressional District to try to shape a California senatorial election. It failed, but not for want of trying.

In 1970 some $10 million in Westlands Water District distribution funds, appropriated by Congress and signed into law in appropriations bills, was impounded. Despite repeated entreaties, the funds were held up. Then on the eve of the election, the Governor's wife promised the incumbent senatorial candidate the release of the funds, which he announced in a campaign statement in Fresno.

I do not know what the voter effect was. The Senator lost. The money remained frozen until the following year. I have often since wondered what would have happened to the money if he had won.

This particular impoundment had other deleterious effects. It sent the cost of the distribution system up, by delaying it. Now construction must be paid in dollars of decreased value. And the delay in the construction schedule meant unemployment and some future reconstruction further increasing the cost.

This is an example of an overt use of the promise of release of impounded funds as a specific political tool by the executive to shape a local election. Of course, to release the impounded funds they must be placed in reserve in the first place. There needs to be congressional control over impounded funds. Perhaps it should take specific authorization by Congress for impounding or specific authorization for the release of reserve funds.

As I said before the Office of Management and Budget is the villain in today's saga. This is no reflection on the able and competent directorship it has had under Mr. Schultz and now under Mr. Weinberger from my home State. They have done a good job.

Our complaints should be aimed at the target, executive direction of OMB and lack of congressional control.

I offer only one suggestion today because I know my fellow Members of Congress will be covering what I miss.

I might suggest that the office be raised to the level of a cabinet office. This would take it out from under the right or left wing of the White House, I do not know exactly where it is located over there.

This would mean the Director would take office only after congressional confirmation, a dubious attempt at control but at least something. It would at least assure ease of congressional inquiry into the office. Cabinet officers are called and do testify before Congress. Presidential advisers, in many cases, do not.

Again, Mr. Speaker, I have appreciated this opportunity to speak out on this issue. With these words I will close.

I sincerely hope this discussion today will inspire a dialog among Members of Congress, among officials of the executive, so that we can come up with an answer to this vexing problem.

Thank you.

Mr. DRINAN. Mr. Speaker, I welcome the opportunity to participate in today's special order on executive impoundment of funds voted by Congress, and to add my words to those of my colleague from Texas, Congressman Jake Pickle.

The impoundment policy of the President's Office of Management and Budget, to quote one of our foremost experts on the Constitution, Senator Sam Ervin "contributes to the steady deterioration of the constitutional principles upon which this Nation rests."

Executive impoundment is a key issue for two reasons. In practical terms, it is responsible for the withholding of vast sums of money—almost $13 billion in fiscal year 1971 alone—from high-priority domestic programs which Congress has determined the people need. In 1971, for example, the following sums were impounded by OMB: $5.8 billion for the Federal Highway Administration; $1.7 billion for housing and urban development programs, including $200 million for basic water and sewer facilities, and $942 million for low-rent housing; $31 million for the U.S. Office of Education; $16 million for the Federal prison system; $10 million for basic medical research at the National Institutes of Health; $7 million for the Environmental Protection Agency. These are only a few of the many Federal agencies and vital programs whose day-to-day operations are severely restricted by impoundment of funds. Impoundment of this magnitude continues even today.

In constitutional terms, executive impoundment raises questions of the most fundamental importance concerning the separation of powers and congressional authority over the appropriations process. In fact, members of the President's own staff have suggested that executive impoundment is supported by neither reason nor precedent, to quote a recent Justice Department memorandum.

Perhaps the executive branch does not understand or appreciate the depth of congressional opposition to the OMB's impoundment policy. For Members of Congress, who according to the Constitution are granted the power to pay the debts and provide for the common defense and general welfare, it is galling to spend weeks, months and years working to authorize and appropriate funds, only to see critically important projects stalled or not started at all because the OMB simply refuses to release those funds.

The Speaker of the House has called executive impoundment simply unacceptable. The Republican minority leader acknowledges that in effect it's a line-item veto. On April 21, 1971, the House Democratic Caucus, the policymaking body of the 255 Democratic Members of the House, passed a resolution urging the House of Representatives to seek immediate release of all such appropriated funds by appropriate message to the President.

Even William Rehnquist when he was Assistant Attorney General in the Nixon administration wrote several memorandums to the President warning him of impoundment's unconstitutionality. "It is in our view extremely difficult," Mr. Rehnquist wrote, "to formulate a constitutional theory to justify a refusal by the President to comply with a Congressional directive to spend." In another memorandum he wrote:

> With respect to the suggestion that the President has the constitutional power to decline to spend appropriated funds, we must conclude that existence of such broad powers is supported by neither reason nor precedent.

Constitutional scholars agree with the former Assistant Attorney General. Louis Fisher, author of the definitive work on the subject, "Funds Impounded by the President: The Constitutional Issue," argues that no decision of any court justifies the impoundment of appropriated funds. Professor Arthur Maass of Harvard University put it most succinctly in testimony before the Senate Judiciary Committee:

> The Executive's power to impound appropriations is exercised by sufferance of the Congress. Congress can, by legislation, deny the President the right to impound, or Congress can set the conditions under which the President can impound appropriations. Such legislation would be constitutional and binding on the President. . .

In my judgment, impoundment can serve a useful function only when a program costs less than originally expected, or when significant cost savings can be effected without subverting the intent of a program established by Congress. However, the OMB cannot justify any substantial part of the $13 billion worth of current impounded funds on this basis.

The statement of OMB Director Caspar Weinberger that "policy inevitably is part of every budget decision" is very revealing. Changing policies approved by Congress is the real reason—the only reason—for impounding funds and it is the reason why impoundment undermines so basically the constitutional powers of Congress. If, as Mr. Weinberger suggests, "it is very hard to separate management from policy," then I suggest that Congress should make the distinction clearer for Mr. Weinberger and his colleagues at OMB.

Legislation introduced by Congressman Bill Anderson in the House, which I and others here have cosponsored, and by Senator Sam Ervin in the Senate would require the President to notify Congress whenever he decides to impound appropriated funds. Congress would then affirm the impoundment by passing appropriate legislation within 60 days of the President's request. If Congress did not pass such legislation, then the President would be required to release the funds.

This approach makes perfect sense to me. It places the burden of persuasion on the President and requires him to justify the impoundment of funds already voted by Congress before they could be permanently frozen by OMB. Yet it provides a simple and workable scheme for congressional approval of impoundment on those rare occasions when impoundment may be justified. It restores the constitutionally required balance between the executive branch of Government and Congress. And it would effect the release of $13 billion of critically needed funds for implementation of high-priority domestic programs.

During the past decade we have seen many examples of Executive usurpation of legislative authority, most tragically in the context of the Executive's role in waging an undeclared war in Indochina. If we have learned a lesson from this sad experience, it is that the executive branch assumes new powers—legislative powers—whenever Congress fails to assert its proper constitutional authority.

The OMB's massive impoundment gratuitously and incorrectly implies that Congress is not responsible for setting budgetary priorities. As part of the effort to inhibit impoundment, therefore, Congress must put its own budgetary procedures in order.

This means earlier passage of appropriations bills. At this date, 26 days into the new fiscal year, only eight of the 15 major appropriations measures have been passed by both Houses of Congress and signed into law.

It also means that Congress should consider the establishment of a Joint Committee on the Budget to oversee the entire congressional budgetary process. The piecemeal approach that Congress has traditionally taken to the preparation of the Federal budget—passing each appropriations bill separately and paying too little attention to total dollar amounts—dangerously undervalues the importance of treating national economic issues such as inflation and unemployment. At the present time, the only agency of the Federal Government which systematically reviews the budget as a whole is the Office of Management and Budget. They have failed to do the job well.

The excessive power of OMB must be stopped if Congress is to reassert its authority over budget matters. I believe we owe a reassertion of the congressional role in this matter to the people. They elected us. No one elected OMB.

Mr. PODELL. Mr. Speaker, I join my colleague, the distinguished gentleman from Texas (Mr. Pickle), in his concern about the usurping of congressional powers by the Office of Management and Budget.

Presidents have used this Office as a final Presidential veto over programs passed by the Congress but opposed by the White House and yet too dangerous to veto from a political point of view. It has become the final Presidential guillotine for programs the President opposes but does not want to make public his opposition.

A perfect example of an OMB impoundment relates to some $20 million appropriated by the Congress for desalting research in Israel. The history of this worthwhile project begins in 1964.

President Johnson announced in 1964 that the United States and Israel would cooperate in desalinization research and development, including the building of a model plant. In 1966, a scientific report established the feasibility of the project. On January 19, 1969, Levi Eshkol, as Premier of Israel, announced plans to build the plant which Congress authorized later that year.

The proposed research and development of the plant is important for several reasons. First it is crucial for the maintenance of an adequate fresh water supply for Israel. Second, it would provide American scientists with important scientific data on the feasibility of future domestic and foreign desalting programs. As the world's reserve of fresh water rapidly diminishes, we may have to turn to the huge supply of salt water for our daily use. Desalting research and development must be assigned high priority.

But the Agency for International Development proposed action on the program in 1969, claiming more research would be appropriate.

Whereas Congress appropriated and authorized the money for research and a study of the desalting problems, the administration wanted a prototype plant built and maintained that Israel was not sufficiently technologically sophisticated to operate a desalting plant economically.

Israel never maintained that it could—it needed the money and Congress passed the measure, expressly for research with no strings or economic or other feasibility attached. The administration's demands that the plant be proven economically viable before the funds are released contravenes congressional intent and negates the original understanding with Israel.

The needs of Israel, the wealth of potential information, and the fact that Congress passed the appropriation for a research, not a commercial undertaking, all this seems to make little impression on OMB. This is just one more in a long list of the flaunting of Congress by using the Office of Management and Budget. This contempt for Congress and the people of the United States must stop.

Mr. STOKES. Mr. Speaker, I want to thank the gentleman from Texas for taking this special order and to commend him for his excellent statement. I share his concern over the deterioration of the constitutional power of Congress over the budget. The Office of Management and Budget certainly does make policy decisions and those decisions often conflict directly with the expressed will of the Congress. The power of the Office of Management and Budget to impound appropriated funds is a serious issue in any administration. Under the Nixon administration, however, it has taken on a whole new dimension. OMB has used its power to reorder priorities in a direction opposite that charted by the Congress. It has chosen guns over butter at a time when Congress is striving to reduce military expenditures and to increase support for pressing domestic needs.

This administration, through OMB, has demonstrated a disregard for the judgments of Congress when funds in excess of budget requests have been appropriated.

The Rural Electrification Administration appropriation, cited by the gentleman from Texas, is a good example. The appropriation for REA loans exceeded the budget request by $216 mililon. After strenuous lobbying by REA supporters and pressure from numerous Members of Congress, OMB released $109 million for loans. The balance, $107 million was carried over into fiscal year 1973 and was released on July 1, 1972. The $107 million not released in fiscal year 1972 is lost. The Congress recognized the need for those funds in that year. That need went unmet. The $107 million was then deducted from the $438 million which the administration estimated as the need for this program in fiscal year 1973. Thus, only $331 million in new money was requested. The House voted to appropriate $438 million in new money.

It is disturbing to see cuts made in programs like this one which would help to develop the underdeveloped rural areas of this Nation. Impoundment has seriously hampered critical urban programs, too. OMB withheld $53,042,000 in funds for housing rehabilitation loans, $5,000,000 for new community assistance, and $500 million for basic water and sewer grants during fiscal year 1972.

Both the rehabilitation loan funds and the funds for grants for new community assistance were released on July 1, 1972. Funds appropriated for these purposes in fiscal year 1972 will thus not be expended until fiscal year 1973. Despite the backlog of applications for water and sewer grants and the obvious need to stimulate employment, only $200 million of the $500 million of water and sewer grant funds were released on July 1, 1972. Release of even that amount was delayed from fiscal year 1972 to fiscal year 1973.

Under the guise of fiscal responsibility, the administration through OMB, has withheld funds from urgent domestic needs and from programs which would have helped to provide jobs for thousands of unemployed persons.

The activities of OMB are not limited to the impounding of funds after they are appropriated. The Agency writes the budget and is responsible for the administration's totally inadequate budget requests in areas of critical need. The health manpower area, cited by the gentleman from Texas, is a good example. Another area is education. In both of those areas the House voted to appropriate considerably more than the administration requested. The health manpower appropriation exceeded the request by about $205 million, and the education appropriation by about $665 million. The administration requested no new funds for rehabilitation of housing, and announced its intention to spend only the $53,042,000 impounded in fiscal year 1972. The House voted $50 million in new money for that program.

I am heartened by the response of the House to these and other vital needs. I am concerned, though, that these policy decisions will again be reversed by OMB action to impound the additional funds. We must reassert our constitutional authority over appropriations. I am a sponsor of H.R. 12884, introduced by the gentleman from Tennessee (Mr. WILLIAM ANDERSON). That bill would require the President to notify Congress of impoundment of funds and to cease the impoundment of the funds unless a resolution ratifying the action is passed by the Congress within 60 days after the notification. I feel that this bill provides a reasonable, workable procedure to reassert our authority and I urge my colleagues to support it.

GENERAL LEAVE

Mr. PICKLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

HUD AND THE CENTRAL CITY: USING THE SITE SELECTION GUIDELINES TO PREVENT REBUILDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS), is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, recently the Department of Housing and Urban Development has adopted guidelines for selecting those areas in which it will subsidize housing for lower income people.

On their face, the guidelines look good. Is there a need for low-income housing? Will it disperse concentration of minority groups? Will it be consistent with a model cities, urban renewal, new town, or similar plans? Will the project lead to a healthy environment? Do the contractor and architect know what they are doing? Will minority people get a break on jobs? Will the project be sensibly managed?

Yes, it all sounded fine, until stories that criteria are being used by HUD offices to bypass central cities began to reach our Housing Subcommittee. Accordingly, on May 30, 1972, I requested a study by the Congressional Research Service of the Library of Congress of the effect of the guidelines. An excellent study, prepared by Marion Schlefer, analyst in housing and urban affairs, was made available to me on July 20. The study points out the need for a sweeping reevaluation by HUD of its site selection practices. The concluding section of the study, which addresses itself to the impact of the present project selection criteria, follows:

HUD POLICIES AND THE CENTRAL CITY

The discussion of recent court decisions and HUD policy in Part I of this memorandum indicated, in sum, that the court decisions have exerted a strong influence on (and became a justification of HUD policy where the inclination to disperse housing for low-income and minority persons outside "impacted" areas of the central city already existed. HUD guidelines and regulations described in Part II can be regarded as tools for the implementation of an "open communities" policy. Although the objective of achieving open communities is by any standards commendable and in accordance with national housing policy, the question is being raised as to whether this emphasis will, in fact, result, in some degree of abandonment of central cities and in a reduction in the housing opportunities available to central city occupants.

Furthermore, at the local level zoning and building regulations, also of concern to the present HUD administration, but generally beyond their control, may exert a negative influence on the dispersal of housing and result, in some cases, in preventing subsidized housing from being built even in the suburbs. This does not assure, unfortunately, that units allocated to suburban areas, but not built, will be reallocated to the central cities.

On the other hand, the structure of the interest rate subsidy itself tends to encourage suburban locations. Section 236 offers one of the most lucrative Federal tax shelters which is currently available to the high income investor. The allowance of tax deductible income provided for the investor is a subsidy which does not appear on the Federal budget but increases the cost to the Federal government by diminishing tax returns. Because the tax shelter is highest in the first years and diminishes rapidly, such investors do not have a built-in, long-term interest in the management and maintenance of the housing built. (Thus, it is questionable whether such subsidy provides as much benefit to the low(er) income renter as to the high income investor.) For this kind of investor as for the private sponsor, problems are diminished when projects are located in outlying areas. Recent central city scandals including the high rate of default on FHA mortgages in the central cities have reinforced the inclination of private sponsors to build outside of the central city for those persons or families in the highest range of income eligibility.[1]

The Section 236 program is particularly significant because of its magnitude. Section 236 accounted for about 30 percent of the subsidized starts in the last year when subsidized housing was being produced at a rate over 500,000 units per year.

In assessing the housing project selection criteria, it is evident that, in themselves, the criteria do not appear to be in any way sinister. However, despite recent clarifications by HUD and assurances by the Secretary that persons including HUD personnel have been wrongly construing the criteria as a signal to halt HUD's assistance to the inner city, nevertheless, in the context of the grouping of programs and policies discussed in Part I, there is substantial evidence that the central cities can be expected to receive a smaller amount of the total number of new subsidized units allocated to the metropolitan areas. The emphasis of the late 1960's on renewal of central cities has shifted to the metropolitan solution with consequent diminishing emphasis upon the inner city. This conclusion is borne out by the experience of Washington, D.C., as reported in the *Washington Post* of June 4, 1972. The Post reported that since the implementation of the housing project selection criteria, 10 projects have been approved in the D.C. area and 5 have been rejected. Of the ten approved one is in the District in a 'riot' corridor, four are in Maryland and five are in Virginia. Of the five disapproved, allegedly on the basis of Selection Criteria Nos. 2 and 3 (designed to avoid minority and subsidized housing concentrations), four were in Southeast Washington and one in the Far Northeast. All were, however, outside of urban renewal and model cities areas.

Criteria No. 5 (which concerns the relationship of the project to the physical environment) has also had a significant impact on selection of projects judging from an incomplete sampling of projects in Connecticut. One Sec. 235 project in each of Middleton, New Haven, Farmington, Stamford and Hartford and two in Waterbury were rejected on the basis of criterion No. 5. No information is readily available as to the location of these projects within the town or metropolitan area.

In Milwaukee, Wisconsin, a Section 236 project identified as the WAICO project was disapproved in preliminary form under criterion No. 5 because of excessive air pollution, noise pollution and the isolating effects on ingress and egress ramp patterns of three freeways, one existing and two in the planning and early implementation stage. This project is now being modified and because it will exceed the environmental threshold calling for "special clearance" under the Environmental Policy Act, an environmental impact statement is now being drawn up to accompany the project application. The original application was filed on February 9, 1972, just two days after the housing project selection criteria went into effect. This situation exemplifies the fact that HUD has primarily negative powers of site selection, i.e., it can refuse to build where environmental conditions do not meet standards, but has no power to alter environmental conditions to meet the needs of existing residents or to assert priority among Federal projects.

Similarly, it can be said of criteria nos. 2 & 3 that in favoring housing outside of minority concentrations or concentrations of subsidized housing, or outside of areas which are racially mixed if the project would change the mix, HUD can exercise only negative powers. While it can disapprove units within areas of minority or subsidized housing concentrations, it cannot build nor direct construction in its priority areas. For example, under the 'fair share' plan adopted by the Washington Metropolitan Area Council of Governments, whereas HUD can reapportion the percentages of the units available to the whole area making more units available to those jurisdictions which have not built significant amounts of subsidized housing and reducing the D.C. allocation it cannot force the suburbs to use their allocations. In addition, the plight of the inner city person does not necessarily improve as the county builds for its own teachers, policemen, firemen and poor.

The project selection criteria are also subject to criticisms intrinsic to the system. The National Association of Housing and Redevelopment Officials (NAHRO) has made the following. Some members of the NAHRO committee on project selection criteria raised the question as to whether such a project selection system should be based on anything more than legislative and judicial grounds. In other words, should general administrative policy which is not a part of the law governing the program in question, be incorporated in project selection criteria? NAHRO says that the project selection criteria are based in part on general policy objectives. For example, NAHRO sees the emphasis upon participation of the local government executive and local governing body in the project as the promotion of the Administration's policy of strengthening local government. NAHRO also emphasizes that the Administration's policy on housing integration is reflected in the high ratings given for projects in areas which contain little or no subsidized housing or minority concentrations. "In citing these examples, NAHRO is raising the issue not of whether HUD should be pursuing national policies and objectives, but whether subjecting applications for assistance to a set of goals and objectives that may or may not have anything to do with local need, statutory requirements, or judicial rulings is either equitable, necessary to the sound management of HUD's programs, or even legitimate." (NAHRO Letter, October 29, 1971).

The rating systems require that applications compete only within the jurisdiction of the HUD area office. Applications are not to be compared at a higher level. For housing projects, a single rating of "poor" in any of the eight categories disqualifies an application from further consideration. A question can be raised as to whether a project rated superior in seven categories and poor in one might not be more worthwhile than a project which has no poor ratings, but lacked seven superior ratings.

NAHRO prefers the more refined rating system adopted for community development projects. However, they point out that these criteria remain heavily weighted toward a project designed to increase the supply of low- and moderate-income housing to the relative exclusion of planning framework. NAHRO finds the renewal process is the single most effective tool for rebuilding central cities, and states, "cities are not served by selecting systems that tend to focus on one element (i.e., housing) in primarily other than the central city and systems that tend to ignore local priorities." (NAHRO Letter, December 31, 1971) As pointed out, the criteria do not cover conventional renewal nor model cities, which are not, in any case, being funded at this time, indicating that the Administration is continuing emphasizing the production of housing over physical and social planning. At the time of the enactment of the Model Cities program (under the Demonstration Cities and Metropolitan Development Act of 1966) the Congress recognized that urban renewal, which covered physical renewal, was not sufficient in itself but required a social component to assist in the provision of social services and job opportunities. Without the emphasis on the social component urban renewal becomes a means for increasing the tax base, removing slums, and improving the physical plant without providing the supporting social services.

Similar questions as to the use of Federal funds will be raised under the Administration's special revenue sharing proposal (S. 1618, H.R. 8853, the Community Development Act of 1971) as well as the block grant proposals for community development set forth in the Senate and House HUD bills now under consideration by the Congress. (S. 3248 and H.R. —— dated May 9, 1972 but as yet unnumbered) How the project selection criteria for community development would relate to these bills is not explicit. Special revenue sharing does not require a locality to submit an application for funds but provides for automatic funding by formula to local general purpose governments. Local governments, however, must file a statement of objectives and projected use of funds for public examination to enhance accountability and to facilitate coordination of activities. Under the Senate and House bills, local governments must make application for block grant funds. The special revenue sharing bill covers the following HUD categorical grants: urban renewal, model cities, water-sewer, and rehabilitation loans (none of which are covered by the community development project selection criteria with the exception of the Neighborhood Development Program.) The Senate bill would replace the following programs: urban renewal and neighborhood development, water-sewer, neighborhood facilities, open space, public facility loans, public works planning advances and advance land acquisition (but not model cities).

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[1] The administration's proposed HUD Act, the Housing Consolidation and Simplification Act of 1971, proposes an upper income eligibility limit equal to the median income within the local area market.

The House bill does not specifically mention public facility loans, public works planning advances and water and sewer. However, it adds Section 312 rehabilitation loans, and urban beautification-historical preservation programs as well as certain relocation payments, the provision of supporting social services, financing of the local share of other Federal grant programs and the coordination of community development activities taking place within the locality. Both Senate and House bills contain allocation of funds formulas. However, funds are not automatically dispersed; instead, localities must satisfy application requirements before receiving funds. What will become of the project selection criteria with the enactment of special revenue sharing or block grant systems remains in doubt.

NAHRO has pointed to a significant conflict between the use of these particular project selection criteria and the joint HUD, NAHRO effort to "simplify rules and procedures and to provide localities with greater flexibility in determining program objectives." (NAHRO Letter December 31, 1971). The new criteria call for more paperwork and procedures, and less emphasis upon local determination of priority. Such a selection systems relies less on the discretion of the local government at the very time that HUD has adopted an explicit policy of decentralizing decision making to its new area offices.

In conclusion it can be said that the project selection criteria are in conflict with the objective of local autonomy, though they do attempt to strengthen local government through enforcing local participation rather than relying on local-Federal agency implementation. They are a part of the shift to a metropolitan rather than an urban constituency and reflect the new strength of suburban jurisdictions.

An assessment of the actual effect of the project selection criteria as implemented would require an analysis of projects approved and projects rejected. Such an analysis is difficult to make at this early stage. In addition, records are not kept at the Federal level; rather, information rests in the regional and area offices.

THE 50TH ANNIVERSARY OF AHEPA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, as the first native American of Greek origin to be elected to Congress, I rise with particular pride to introduce, on behalf of myself and my colleagues, the gentlemen from North Carolina (Mr. GALIFIANAKIS), from Maine (Mr. KYROS), from Pennsylvania (Mr. YATRON), and from Maryland (Mr. SARBANES), a resolution to congratulate the American Hellenic Educational Progressive Association on its 50th anniversary.

Founded 50 years ago today in Atlanta, Ga., the Order of Ahepa was designed to serve as a permanent link between the achievements and values of Greek civilization and those of contemporary American society. Its membership of nearly 50,000 makes AHEPA the largest single organization of Americans of Greek origin in the Nation, with 430 local chapters in 49 States, Canada, and Australia.

Mr. Speaker, members of AHEPA pledge themselves to encourage loyalty to the country of which they are citizens and to oppose political corruption and tryranny everywhere.

The order's record of achievement is indeed an impressive one.

During World War II, AHEPA sold $500 million in U.S. war bonds as an official issuing agency of the Department of the Treasury.

The order has provided relief for the victims of natural disasters in Florida, Mississippi, Turkey, and Greece, including the Ionian Islands.

Mr. Speaker, AHEPA has established a program of national scholarships for worthy students.

It has funded hospitals in Athens and Thessaloniki as well as seven other health centers in Greece.

It provided war relief in Greece and the Middle East.

AHEPA has been a champion of the cause of education, and has established new channels to facilitate the dissemination of culture and learning.

Mr. Speaker, AHEPA is composed of four separate organizations which work together to further the ideals of their members: the Order of Ahepa, the Daughters of Penelope, the Sons of Pericles, and the Maids of Athena.

Mr. Speaker, I know that the Order of Ahepa is held in the highest regard throughout the Nation. In my own congressional district, for example, we are particularly proud of the South Bend chapter, No. 100, whose current officers are William Kanalos, president; Nicholas Avgerinos, vice president; Gust Koucouthakis, secretary; and John F. Magrames, treasurer. This is the AHEPA chapter, by the way, of which I am pleased to be a member.

Gust A. Saros, of South Bend, is also a current Indiana officer of the Order of Ahepa. Past national officers of the order include Leo J. Lamberson and George S. Stratigos, both of South Bend.

Mr. Speaker, I am confident that AHEPA's record of achievement during the past 50 years will be duplicated and enhanced during the years to come.

Mr. Speaker, I include at this point in the RECORD the text of the resolution to which I have earlier referred:

H. RES. 1058

Whereas, the greatness of the United States has been achieved through the contributions of men and women of goodwill of all races and creeds, who have cherished the ideals of democracy which originated in ancient Greece; and

Whereas, the Order of the American Hellenic Educational Progressive Association, AHEPA, was founded fifty years ago in Atlanta, Georgia, to serve as an enduring link between the achievements and values of Hellenic civilization and those of contemporary American society; and

Whereas, the Order of AHEPA's 50,000 members have pledged themselves to promote and encourage loyalty to the country of which they are citizens and to oppose political corruption and tyranny; and

Whereas, the Order of AHEPA has an extraordinary record of providing assistance to victims of natural disasters and international conflicts; and

Whereas, the Order's members strive to promote good fellowship, common understanding, and mutual benevolence:

Now, therefore, be it *Resolved*, That the House of Representatives congratulates the Order of the American Hellenic Educational Progressive Association on its fiftieth anniversary and commends the Order on its many contributions to strengthening American democracy.

BICENTENNIAL FILM PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BELL) is recognized for 10 minutes.

Mr. BELL. Mr. Speaker, we are all concerned with the celebration of America's second century. Congressmen GOLDWATER, REES, and I are introducing legislation today which would go far in assuring that the bicentennial will be a significant and lasting success.

No achievements in technology, the arts, or industry which America has produced in the past 200 years are better suited to the effective commemoration of our national development than motion pictures and our communications media. It is for that reason that we have conceived a program which would utilize film to help the United States celebrate this landmark.

Our bill authorizes the American Revolution Bicentennial Commission to oversee the production of 52 1-hour films—one pertaining to each of the States, one to the District of Columbia, the Commonwealth of Puerto Rico and the territories, and one to the Nation as a whole. Each film would be of the very highest technical quality and would illustrate the history, traditions, culture, and geography of its subject. Far from being propaganda or puff, these films would present the entire American experience in an effort to stimulate the Nation's sense of pride, identity, and purpose.

The legislation provides for extensive distribution of the films. Public broadcasting on television would be the prime medium of presentation. It would be appropriate for a different film displaying a different State to be broadcast once each week throughout the bicentennial year, quickening every American's interest in all the facets and areas of the Nation. A weekly broadcast schedule also complements the President's invitation to each of the local bicentennial commissions in the States, Puerto Rico, the District of Columbia, and the territories, to have national attention placed on each local area for a single week in the year preceding July 4, 1976.

Screening of the films will not be limited to television, however. The bill authorizes the Commission to lease the films to Government agencies as well as private enterprises to attain maximum exposure and interest in the bicentennial. Theaters, schools, businesses, and community centers would all be likely locations for the presentation of the films.

At the same time that this program enlivens our bicentennial celebration, it will also have impact on the motion picture industry itself. Motion pictures are an important American art form. Yet the motion picture industry is currently caught in an economic squeeze, and thousands of highly skilled and talented craftsmen and actors from New York to California are unemployed or pursuing more remunerative careers outside the industry. This bicentennial film program promises to put some of the unemployed back to work on worthwhile artistic endeavors. Our bill guarantees that all production will take place within the United States and will be done by private enterprise.

To dispel doubts concerning the operation of the Bicentennial Commission itself, the legislation we are proposing today both authorizes and directs the Commission to undertake this program. Furthermore, the Commission is required to make a report to the President 1 year after this bill's enactment to assure that the project progresses on schedule to meet the 1976 deadline.

The cost of the bicentennial film program has been estimated at from $10 to $15 million. In order to minimize the cost to the taxpayer, our bill directs the Commission to seek private sponsorship wherever possible to defray the costs of film production. The appropriation authorized isasmuch as is necessary to produce any films which do not acquire private sponsors. The legislation contains strict provisions to make certain that private sponsorship will have no effect on the content of the films themselves.

Finally, and of great importance, once the bicentennial era has ended, these films will remain as a permanent and living witness to America at the end of her second century.

Mr. Speaker, I urge my colleagues to join in support of the bicentennial film program and to assist us in bringing about its passage and enactment.

The text of the bill follows:

H.R. 16058

A bill to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended, to create the Bicentennial Film Program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes", approved July 4, 1966 (80 Stat. 259), as amended by adding at the end thereof the following new section:

"Sec. 11. (a) The Commission is directed to contract with nongovernmental producers of motion pictures for the purchase of 52 motion pictures to be produced within the United States of America by such nongovernmental producers, of approximately one hour each in duration, of which there shall be one motion picture pertaining to each of the States, one to the District of Columbia, the Commonwealth of Puerto Rico and the territories, and one to the Nation as a whole. Each such motion picture shall reflect the highest standards of production in the motion picture industry, and shall cover the history, traditions, cultural achievements, local customs, and unique geographical and other features of its subject so as to contribute to the affirmative celebration of America's bicentennial. Each such motion picture, together with such additional copies thereof as the Commission shall deem necessary for purposes of this section, shall be ready for exhibition no later than December 31, 1975.

"(b) The Commission shall provide for the nationwide presentation of such motion pictures by means of public broadcasting, and may lease such motion pictures to the States, the District of Columbia, Federal agencies, and private enterprises, in order to provide for the widespread dissemination of such motion pictures and to contribute to public awareness and interest in the bicentennial.

"(c) Revenue derived from leases of such motion pictures under subsection (b) shall be available for purposes of carrying out this joint resolution.

"(d) The Commission is directed to secure funds to be used for the purposes of both the production and distribution of the above-described films from private corporations, institutions, organizations, groups, and individuals. Such private sponsorship shall be secured whenever feasible.

"(e) Whenever a film is produced or distributed with the use of private funds, public acknowledgment of the use and donor or donors of said funds shall be limited to (1) a brief message presented at either the commencement or termination of the film, or at both times, but at no other time during the presentation of the film; (2) such other presentations as the sponsor may wish to make, so long as they do not form a part of, interfere with, or interrupt the presentation of the film itself.

"(f) Whenever a film is produced or distributed with the use of private funds, the Commission shall retain entire and absolute control over the content, production and distribution of the film, and any income derived from its lease or distribution.

"(g) Not later than one year after the date of the enactment of this Act, the Commission shall submit to the President a report indicating the progress it has made in implementing the provisions of this Act relating to film production and distribution."

Sec. 2. Section 7(a) of such joint resolution is amended by adding at the end thereof the following new sentence: "There is hereby authorized to be appropriated to carry out the purposes of section 11 and to remain available until expended such sums as may be necessary."

AIR SERVICE FOR SAIPAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. Don H. Clausen) is recognized for 10 minutes.

Mr. DON H. CLAUSEN. Mr. Speaker, as the ranking minority member of the House Subcommittee on Territories and Insular Affairs I am greatly interested in the establishment of a viable, healthy economy in the Pacific Islands Trust Territory.

With improved jet service and better communications the people of the trust territory are more cognizant of the world around them and they are anxious to do all they can to seek to achieve the economic potential of their area through expanded air service.

As tangible evidence of this interest I would like to call to the attention of my colleagues three resolutions recently adopted by the legislatures of Palau, Marshall Islands, and Truk District which request that the U.S. Government allow Pan American World Airways to provide service between Saipan and Tokyo. Pan Am now overflies Saipan more than once a day in each direction on its Tokyo-Guam route.

As one who has long been interested in the people of the Pacific Trust Territory I believe the time has come for the Civil Aeronautics Board to act on these resolutions requesting that Pan Am be allowed to provide jet service between Saipan and Tokyo and I have no doubt that if these requests are granted, the tourist trade to Micronesia would be vastly improved.

I ask unanimous consent to include in the Record the full official text of these resolutions requesting service for Saipan by Pan American World Airways.

A Resolution

Requesting the Civil Aeronautics Board to act favorably on the application of Pan American World Airways to serve the Saipan-Tokyo route between the Mariana Islands District and Japan.

Whereas, it was recently announced that the Civil Aeronautics Board has granted approval to Japan Airlines to make flights from Tokyo to Saipan, Mariana Islands District; and

Whereas, the Civil Aeronautics Board now has under consideration application by several United States carriers to serve the route between Saipan and Tokyo; and

Whereas, in choosing an air carrier to serve this route, the qualifications, experience and general knowledge of that carrier are of primary importance; and

Whereas, pursuant to such criteria, Pan America is able to connect Saipan and Micronesia to its world-wide air system, and has demonstrated its capability through its promotional work for the Territory of Guam, which last March resulted in its selection by the Government of Guam as the air carrier that has done the most toward promoting travel to Guam; and

Whereas, a second air carrier serving the Trust Territory will provide the competition necessary to give the residents of the Trust Territory better services; now, therefore,

Be it resolved by the Fifth Palau Legislature, Second Regular Session, 1972, that the Civil Aeronautics Board be and is hereby requested to act favorably on the application of Pan American World Airways to serve the Saipan-Tokyo route between the Mariana Islands District and Japan; and

Be it further resolved that certified copies of this Resolution be transmitted to the Chairman of the Civil Aeronautics Board, the High Commissioner, the Director of Transportation and Communications, the Chairman of the Board of Pan American World Airways, the President of Continental/Air Micronesia and the District Administrator.

A Resolution

Requesting the Civil Aeronautics Board of the United States to grant Pan American Airlines a permit to fly the route between Tokyo and Saipan.

Whereas, transportation to and from Micronesia depends heavily on air traffic; and,

Whereas, there is a need for passenger and air-freight service between Tokyo and Saipan to stimulate the economic development of Micronesia; and,

Whereas, Micronesia would be more accessible to businessmen and tourists if a direct flight was initiated between Tokyo and Saipan; and,

Whereas, the tourist trade to Micronesia would be improved if Pan American used its advertising facilities to promote the many attractions of Micronesia; Now therefore,

Be it resolved by the Truk District Legislature, Twenty-Second Regular Session, 1972, that the Civil Aeronautics Board of the United States is hereby requested to grant Pan American Airlines a permit to fly the route between Tokyo and Saipan; and,

Be it further resolved that certified copies of this Resolution be transmitted to the Civil Aeronautics Board, the President of Pan American Airlines and the High Commissioner of the Trust Territory of the Pacific Islands.

A Resolution

Endorsing the request of the people of the Mariana Islands District to the United States Civil Aeronautics Board, for Pan American World Airways, Inc., to provide air services between Saipan and Japan.

Whereas, the leaders and people of the Mariana Islands District have expressed their choice with respect to the air-carrier most acceptable to them, for the Japan/Saipan air route; and

Whereas, the leaders and people of the Mariana Islands District believe Pan American to be the most capable of providing such service; and

Whereas, the Marshall Islands Nitijela respects the rights of the people of the Mariana Islands District in exercising self determination on matters directly related to their social and economic progress; and

Now therefore be it resolved that the Marshall Islands Nitijela in its 19th Regular Session, 1972, endorses and fully supports the request of the people and the leaders of the Mariana Islands District to the United States Civil Aeronautics Board for Pan American World Airways, Inc., to provide air services between Saipan and Japan.

Be it further resolved, that certified copies of this resolution be forwarded to the distinguished members of the United States Civil Aeronautics Board, to the honorable members of the Mariana Islands District Delegation to the Congress of Micronesia, to the High Commissioner of the Trust Territory of the Pacific Islands, members of the Marianas Legislature and to the President of Pan American World Airways, Inc.

A TRIBUTE TO MRS. FRANCES SIKORSKI DULSKI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Kemp) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, it is with great sorrow and heartfelt sympathy that I note the passing of Mrs. Frances Sikorski Dulski, mother of my good friend and colleague, the Honorable Thaddeus J. Dulski.

Mrs. Dulski, 80, passed away Wednesday, July 19, in Sisters Hospital, Buffalo, after a brief illness.

Mrs. Dulski was a Buffalo native and attended Transfiguration School. She was a member of St. Luke's Church and was active in the Villa Maria Ladies Auxiliary and Group 376, Polish Women's Alliance. Her husband, Joseph S. Dulski, died in 1957.

Besides Congressman Dulski, she is survived by another son, Edwin A., and four sisters, Mrs. Mary Strzelec; Mrs. Stella Kaleta; Miss Jennie Sikorski; Mrs. Joseph Grzelewski and six grandchildren and one great-grandson.

Although I did not have the privilege of knowing Mrs. Dulski personally, those who knew her tell me that never an unkind word fell from her lips. She had that fine Christian sense of always selecting the right word at the right time—an art almost lost to the world—an art many never learn.

She had a Christian courage. It was not a factor with her what others did; she had the courage to do what she thought was right. Her conduct had gone beyond the point of being swayed by what was popular or customary. Duty was the goal and love led the way. She had, further, the culture of unselfishness which lost self in the service of others.

Another sweet and beautiful life has gone home; but she has left us a legacy. No one can look back on her memory without feeling that there is such a life as a God-filled life. The church, home, and society lose heavily, but we are all made better in heart and richer in soul when we reflect on her life. I know that all my colleagues join me in expressing heartfelt sympathy to our good friend, Thaddeus J. Dulski, Member of Congress from Buffalo.

INVASION BY OIL INTERESTS INTO DELAWARE BAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. Sandman) is recognized for 30 minutes.

Mr. SANDMAN. Mr. Speaker, I rise to protest what seems to be the start of an expensive, tax-financed propaganda campaign by the U.S. Maritime Administration to convince people to submit to an invasion by oil interests into Delaware Bay.

I not only protest, but I also demand that this attempted brainwashing cease immediately.

The Maritime Administration—Marad—has released a slick, 50-page, full-color "executive paper" summary of a $200,000 year-long study by Soros Associates, Inc., a New York engineering firm.

This study recommends construction of a "North Atlantic Deepwater Oil Terminal"—NADOT—in the Atlantic Ocean at the mouth of Delaware Bay 10 miles south of Cape May, N.J., and 8 miles east of Cape Henlopen, Del.

As proposed, the $1 billion-plus terminal would serve as the Nation's first port capable of accommodating supertankers of the world fleet in the 350,000 deadweight tons class. Crude oil from abroad would then be transferred either to smaller "feeder vessels" or through an oil pipeline from the NADOT to oil refineries along Delaware Bay all the way to Philadelphia. The study does not specify whether the pipeline would run through New Jersey or Delaware.

Currently, Mr. Speaker, the Army Corps of Engineers is conducting a comprehensive study authorized by the U.S. Senate Public Works Committee to determine "the most efficient, economic and logical" location, design, financing and operational considerations for deepwater port facilities along the Atlantic coast.

In other words, it is the Corps, not Marad, that is charged with recommending a location for deepwater port facilities. The Corps of Engineers advises me their report should be ready for consideration late this year, at least in preliminary form.

I am also advised that the Soros study is only one of dozens of factors being considered by the Corps of Engineers before writing its report and recommendations to Congress.

Among the other factors, equally important, is public opinion and testimony generated at eight recent information-gathering public hearings. I testified May 31 at the Corps' hearing at Bridgeton, N.J., and so that my position will not be misunderstood, I include the text of my statement to the Corps of Engineers in the Record at this point:

Statement of Representative Charles W. Sandman, Jr., Second District, New Jersey, at a Public Meeting on Atlantic Coast Deepwater Port Facilities Study by the U.S. Army Corps of Engineers, Bridgeton, N.J., May 31, 1972

I am pleased to appear here in Bridgeton this evening as the host Member of Congress for the fourth of eight scheduled public meetings being conducted by the Corps of Engineers on the need to develop deepwater port facilities in the North Atlantic Region of the United States.

This is a topic of great interest and concern to me and the half-million people I represent. The Second Congressional District includes 100 miles of Atlantic Ocean beaches and an equal distance of shoreline along the Delaware River and Bay.

Our air is cleaner and our waters are less polluted than most other sections of the Eastern megalopolis. Yet the pressures to industrialize and urbanize Southern New Jersey are mounting, as is plain to see by the wide interest in these proceedings.

UNQUESTIONABLE NEEDS

In authorizing the Corps of Engineers study for which these meetings are being held, the U.S. Senate Public Works Committee had two major thoughts in mind: *the nation's skyrocketing needs for energy* and the fact that *the world bulk cargo shipping fleet is rapidly being modernized out of our shallow coastal waters.*

There is no question that the United States needs deepwater ports on each of the Atlantic, Gulf and Pacific coasts. We now have no harbors that can accommodate modern super-vessels of the 200,000 ton class and larger.

While I see the unquestionable need for such deepwater ports, *I am not about to support any plan that doesn't also meet the other unquestionable needs we face.*

We need to keep our seashore areas clean and we need to improve, not worsen, the quality of the Ocean and Delaware Bay waters. And there is a need to keep a place in New Jersey where people can live and visit just to breathe clean air again.

TIP OF THE ICEBERG

So there can be no confusion about what is proposed, about what location of a deepwater port would mean to an area, I'll spell it out in one, three-letter word: "OIL."

The super-tankers carry almost nothing but oil. Advocates of locating a deepwater port in the Delaware Bay area say the facility will create jobs, new tax ratables, a flurry of construction and real estate profits. There are fortunes to be made, they yell.

They are probably right, but all of that is only the top of the iceberg. Like a magnet oil refineries which have to be as close as possible to their sources of crude oil will arrive. Historically, that means severe water and air pollution.

Then, there would have to be huge, barren fields of storage tanks and there is the matter of transportation by truck, pipeline or by freight trains. And you can bet that if the oil interests get their foot in the door here in South Jersey, offshore oil drilling and floating or submarine pipelines will follow soon after. And there is a great deal more to the iceberg than even that.

MY SPECIFIC POSITION

Speaking on behalf of an overwhelming majority of my constituents, *I am here to* *oppose location of any sort of oil handling or processing port facility or pipeline anywhere in or near this Congressional District.*

I am very skeptical about the promises that if we allow such a deepwater port facility to be located in Delaware Bay, there would be no oil refineries and environmental damage. Beware of those who make such claims.

Keeping the question in perspective, let us remember that the Delaware River is only one of at least 18 prospective sites being considered by the Corps in this North Atlantic study.

I am not one of those people who is just "against" things. I have come forth with my alternative proposal, one that in my opinion is better in every way.

Instead of allowing an oil invasion of the Delaware Bay area, I favor dredging the channel into New York Harbor to a depth of 100-feet so that the world's finest deepwater port can be established in Raritan Bay. The metropolitan area is where world trade belongs.

The deepwater port facility should be financed, built and under the jurisdiction of the New York Port Authority, which is the only agency that has the borrowing capacity to do anything of this size. The Authority, which has jurisdiction within a 25-mile radius of lower Manhattan, also operates the new World Trade Center.

Oil storage and refining areas are already located in Northern New Jersey. I say let's keep them there so Southern New Jersey can be spared the fate that has already befallen that section of the North.

I am disturbed that some people have a feeling that this show of opposition is futile, that people in high places have already decided where the deepwater port will be located nearby, and that nothing we can do or say here or elsewhere will have any effect on the eventual recommendations of the Corps.

Let me stress that this is not a futile effort, that here is one Congressman who will not permit the Federal government to fund or promote this or any other proposal for this area in the face of such overwhelming opposition.

Rest assured that I will insist that the representative opinions expressed here tonight are carefully considered and given due weight.

My recommendation to the Army Corps tonight is that on your list of 18 potential deepwater port sites, strike Delaware Bay!

A PREVIOUS PORT PROPOSAL

I can't help but recall that when I was a boy around Cape May, the old-timers described how Henry Ford raced his original autos down the beach and how the Ford family had such extensive holdings of land in the area.

According to the record, Henry Ford had a similar vision of making a deepwater port at Cape May. He planned also to try out his assembly line concept and base the Ford Motor Company there. It didn't pan out because stiff local opposition developed.

Then during the Depression when so many people were out of work, I remember some people lamenting that if they had only let Henry Ford start his port-factory complex, jobs and prosperity would have existed.

Now, after all these years of observation, I have to say that those old-timers who stopped Henry Ford at Cape May were absolutely right in doing so.

If you don't think so, ask yourself whether you would rather live in Cape May or Detroit. That is as clear and simple as I can make it.

With this background and perspective, Mr. Speaker, I challenge the Maritime Administration's judgment, procedure, responsiveness and expenditures on the proposed location of the NADOT. I am not challenging other factors such as design, purpose, function, need or environmental considerations at this point.

But I do resent Marad's expensive and premature promotion campaign of the Delaware Bay location.

Marad, through Soros, has been and continues to be so preoccupied with cowering to the oilmen's legendary determination to exploit Delaware Bay that objectivity and contact with reality is missing.

Back in November 1970 Marad advertised for proposals for a study "that could be the first step in the construction of multipurpose offshore terminals around the United States." Anyone reading the solicitation for proposals can see Marad's predisposition in favor of the Delaware Bay location.

As a result of that and subsequent developments, there is only a slight resemblance between what Marad contracted for with Soros Associates, Inc., in March of 1972 and what Marad accepted from Soros and released this week.

For example, the contract required that Soros do a complete feasibility study of at least four locations: New York Bay, Delaware Bay, Chesapeake Bay and San Francisco Bay. But Marad's news release Monday, July 24, and the Soros "executive paper" it covered literally ignored New York Bay and Chesapeake Bay, dismissing them in a paragraph.

How incredible, Mr. Speaker. New York Harbor, our Nation's major Atlantic coast port city and the center of world trade, was dismissed out of hand by this "executive paper" as a potential site for a deepwater port. I found it so incredible, in fact, that I today wrote a letter to Robert J. Blackwell, Assistant Secretary of Commerce for Maritime Affairs, asking when I can expect Marad to release a 50-page, full-color book promoting New York Harbor just as the "executive paper" promotes Delaware Bay.

Mr. Speaker, I inspected New York Harbor and the bay area on Monday by private plane. On the skyline are monuments to New York City's role in international commerce, such as the new twin towers of the World Trade Center. The entire Metropolitan New York area, including all of northern New Jersey, is world-trade oriented to a great extent.

Everyone who looks down at the decaying docks and wasted shoreline along much of the New York Harbor and Bay comes to the same commonsense conclusion that I did: If only Marad would spend as much time and money figuring out how to improve and modernize New York Harbor as it does on how to ruin the Delaware Bay region, the United States would not be so far behind the rest of the world in maritime affairs.

Soros, incidently, is the author and architect of several other Delaware Bay-oriented schemes for various clients that we in south Jersey who value our environment have had to fight against.

Just before being selected by Marad for this NADOT study, Soros completed a study and preliminary designs for a 300-acre artificial island in Delaware Bay, ostensibly for export coal and incoming iron ore. That study, on behalf of Zapata Norness, Inc., was one of the two major factors that the Governor and legislature of Delaware felt justified enactment of the Nation's strictest coastal protection laws.

The other factor, as I recall, was that oil companies purchased thousands of acres of Delaware coastal property in preparation for constructing a deepwater oil terminal at Big Stone Beach in Lower Delaware Bay, to be connected by pipeline to Philadelphia refineries. That proposal was sponsored by a consortium of oil companies known as the "Delaware Bay Transportation Co."

Mr. Speaker, Marad spokesmen have confided that the major reason this NADOT study is Delaware Bay-oriented and prejudiced, is because of a threat by the oil companies that they would move their operations to the Bahamas or to Canada unless they are allowed to exploit the Delaware Bay region.

For the Maritime Administration to submit to such blackmail is disgraceful.

Furthermore, by its own admission, Soros has been advocating the Delaware Bay location for deepwater port facilities since it conducted a worldwide survey of the "requirements and limitations of high volume bulk ports" in 1966 and 1967 under the name of "Soros Associates International, Inc."

Soros, the firm Marad contracted with to find the best location for a NADOT, also proposed a "Delaware Bay Offshore Coal Transfer Terminal," a plan to modernize exports of coal.

A subcontractor to Soros for the Marad study, "Ocean Science and Engineering, Inc.," in 1967 produced a study for the E. I. du Pont de Nemours & Co., "for the construction of a 20-inch submerged pipeline for a distance of 80 miles down the Delaware River from the Philadelphia area to a diffusion site offshore the entrance to Delaware Bay." What was the pipe for? It was designed to pump industrial wastes to the New Jersey resort area where the wastes would be released into the water.

It is my opinion, Mr. Speaker, that when Marad contracted for nearly $200,000 with Soros last year, Marad knew what it was buying: prepackaged propaganda advocating exploitation of the Delaware Bay region.

There is another factor to consider. Delaware's coastal protection statute forced abandonment, at least temporarily, of the various proposals for islands or ports inside Delaware Bay. Adding strength to efforts to preserve the Delaware Bay region, the entire New Jersey Legislature in March 1970 memorialized Congress and the Army Corps of Engineers by resolution to block plans for an oil terminal in Delaware Bay off the coast of New Jersey—ACR–71.

As a result of this clear and overwhelming opposition by the legislatures of both adjacent States—New Jersey and Delaware—it is obvious that Marad's switch to offshore locations is aimed at circumventing the will of the people and the jurisdictions of the two States.

To indicate further how individual residents and visitors to southern New Jersey feel about the plans, I have received petitions bearing more than 10,000 names in absolute opposition to location of any oil-handling terminal or other facility in or near Delaware Bay. I have provided copies of these petitions to the Army Corps of Engineers, appropriate committees and Members of Congress, and relevant Federal agencies.

There is 100 percent editorial opposition in the daily and weekly newspapers of the Second Congressional District to the deepwater port proposal for Delaware Bay. Copies of these editorials are available from my office on request.

In summary, Mr. Speaker, there is a place for everything. The corollary applies on this issue: Oil-handling facilities do not belong in the Delaware Bay region.

I say the Maritime Administration should abandon its advocacy of Delaware Bay, both inside and offshore, as a potential site for a NADOT. Our firm opposition makes it unreasonable and unrealistic to pursue such plans further.

Instead, Marad will be performing its function if it proceeds to develop comprehensive plans to keep world trade in the Metropolitan New York City area where it belongs. Revitalization of New York Harbor, perhaps in conjunction with the Gateway project, could be the environmental challenge of this decade and the Nation's economic opportunity of the century.

PRISONERS OF WAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KEATING) is recognized for 15 minutes.

Mr. KEATING. Mr. Speaker, concern about the fate of our prisoners of war has been a subject of intense discussion for many years in the United States. During a recent press conference, President Nixon made reference to the many French Union Forces who remained unaccounted for after the hostilities were terminated in 1954, and this generated even further discussion of this important topic.

In an effort to clarify much of the information which has been circulated about the French prisoners of war and the French who were never accounted for even after the war, I am today requesting that a study on this question conducted by the Congressional Research Service of the Library of Congress be printed in the CONGRESSIONAL RECORD. To the best of my knowledge, this report is widely regarded as one of the most authoritative and objective studies conducted on the problem of French military personnel who remained unaccounted for after the signing of the Geneva Accords in 1954.

I believe it ought to be borne in mind while reading this report that the POW category and the MIA—missing in action—category should be regarded as two separate entities.

Regarding the POW's, the French Government has long believed that approximately 1,000 of their prisoners were retained by the North Vietnamese after signing the armistice agreement. These 1,000 prisoners were East European nationals who were fighting for the French in Vietnam, and who were "repatriated" to their homelands after the war. The French Government does believe, however, that all other French nationals held in captivity by the North Vietnamese were returned in accordance with prevailing agreements between the two countries.

Insofar as those French Union Forces listed as missing in action were concerned, the report states:

> Taking even the lowest estimate for missing French personnel and the highest estimate for released POW's would still leave the fate of more than 20,000 missing French Union Forces unaccounted for.

Although the report further states that approximately 15,000 of these missing French Union Forces were Vietnamese, not French nationals, this would still leave 5,000 French unaccounted for—this figure regarded as an absolute minimum.

Predictably, the French encountered numerous problems in obtaining accountability for the whereabouts of their missing soldiers. North Vietnam, most observers seem to agree, made no effort at all to assist the French in this endeavor. Although the author of this study cites many reasons why it is just not possible to account for the whereabouts of all missing in action, the French were nevertheless quite disturbed over the complete lack of cooperation from the North Vietnamese.

There are 389 Americans who, to this day, have never been accounted for from the Korean conflict—although all of these men have been listed officially as dead.

Accordingly, I believe this report raises many serious questions regarding the possible fate of our POW's and our missing soldiers if the United States were to withdraw unilaterally from South Vietnam. I also believe that this report provides a reasonable basis for the conclusion that the United States must deal from a position of strength to insure release of all our POW's, and to insure at least some degree of cooperation from the North Vietnamese in obtaining accountability for those who are missing.

The absence of such strength could well result in a predicament for the United States similar to the French experience nearly 20 years ago: no assurance that all POW's will be returned, and virtually thousands of missing soldiers unaccounted for.

Mr. Speaker, I insert the study conducted by the Congressional Research Service in the CONGRESSIONAL RECORD:

REPORT

II. ARRANGEMENTS FOR THE EXCHANGE OF PRISONERS OF WAR, 1954–1962

The prisoner of war issue was referred to in the Agreement on the Cessation of Hostilities in Vietnam in the 1954 Geneva Conference, but it was not a major problem in the cease-fire negotiations between the French and the Vietminh, nor did it become a major obstacle to a military settlement. Questions such as partition, international supervision, and a political as opposed to a military settlement were considered more imperative to the 1954 negotiations.[1]

The agreement on the Cessation of Hostilities in Vietnam of July 20, 1954, provided in Chapter IV, Article 21, Section (a) that "all prisoners of war and civilian internees of Vietnam, French and other nationalities captured since the beginning of hostilities in Vietnam during military operations or in any other circumstances of war on any part of the territory of Vietnam shall be liberated within a period of thirty (30) days after the date when the cease-fire becomes effective in each theatre."[2]

A complete cease-fire came into effect on July 27, 1954. According to the terms of the agreement, the deadline for completing the release of prisoners was set at 30 days after the effective cease-fire date: i.e., August 26, 1954. However, the Vietminh and the French did not sign a formal agreement on the exchange of prisoners until August 14, 1954, and the exchange did not officially begin until August 18, 1954.

Even before the cease-fire agreements were signed, both parties had been releasing prisoners in so-called "clemency periods" during the years 1945–1954. The French, for example, ordered the release of 1,000 Vietminh prisoners on July 14, 1952,[3] and the Vietminh released 4,744 French Union personnel, both military and civilian, between 1945 and 1954.[4]

However, prisoners of war were not released in considerable numbers until the exchange agreement was signed. It should be borne in mind that there are different estimates as to the number of troops missing in the war and those that were returned. It is difficult to ascertain the relative accuracy or reliability of these figures, for the following reasons:

a. Some troops were listed as "missing" by both parties may have died in battle or in prison camps.

b. Both the French and the Vietminh were extremely reluctant to disclose official figures on the exchanges, as such disclosures might be interpreted as "bad faith" by the other side and might thereby undermine future negotiations on prisoners. The French, in particular, did not wish to emphasize the alleged discrepancy between the number of French Union prisoners they expected the Communists to return and the number that were actually turned over by the Vietminh, for fear of inflaming French public opinion against the government over the POW issue.

The exchange of prisoners proceeded very slowly; although the French High Command in Indochina kept the exchange figures a closely guarded secret, French sources estimated that only some 3,000 French Union POW's had been freed by the official deadline of August 26, 1954,[5] out of a number of 40,172 French military personnel who were believed to be missing.[6] The French sources also reported that the French High Command had released close to 20,000 Vietminh POW's by August 26.[7]

Although the official deadline had expired, the French and Vietminh agreed to continue the exchange of POW's on August 27, 1954. At the same time, the French blamed the Vietminh for delays in the exchange; they also claimed that the list of French Union POW's provided by the Vietminh comprised only a fraction of the number of their missing POW's. Compared to the 40,172 French Union personnel that French sources claimed were missing, the Vietminh only offered to return 9,138 POW's.[8] The French thereupon asked the Vietminh to supply a supplementary list of POW's, and requested the International Supervisory Commission to do the same. Both requests, however, were unsuccessful, as the Vietminh representative in the armistice negotiations refused to disclose any supplementary lists.[9]

From August 27 onwards, both sides made charges and countercharges in regard to the POW exchanges. By August 29, the French claimed that they had completed their part of the exchange,[10] and on September 6, the Vietminh declared that they had completed

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Footnotes at end of article.

the release of French POW's on September 4.[11] These claims were hotly contested by both parties, but both sides quietly continued to exchange prisoners until October 1954.

From October 1954 to October 1962, no further negotiations between France and North Vietnam were reported. On November 17, 1962, however, North Vietnam reported over Radio Hanoi that they had approved of a French plan to repatriate and transport French Union POW's on October 30, 1962. The broadcast did not indicate the number of prisoners that North Vietnam was willing to release, nor the number of POW's that the French expected to return.[12] Bernard Fall has estimated that only a hundred-odd French Union personnel, mainly deserters, were repatriated after November 1962.[13] At this point, negotiations on the POW exchange program were apparently terminated.

III. FINAL FIGURES ON THE EXCHANGE OF PRISONERS [14]

On the French side, more than 60,000 Vietminh POW's are estimated to have been released. Robert F. Randle states that the French estimated that 65,477 Vietminh POW's were released, and that North Vietnam declared that 65,465 internees had been repatriated.[15] Although the North Vietnamese continued to protest the alleged illegal detention of Vietminh POW's after November 1954,[16] they have made no attempt to negotiate for the return of these internees. It appears, therefore, that North Vietnam was essentially satisfied with the French efforts in the exchange.

The final figures on French Union POW's released by North Vietnam, however, are much more difficult to ascertain. There are different estimates of the number of French Union personnel listed as "missing" in the Indochina War; furthermore, different figures have been given as to the number of French Union POW's actually repatriated.

As to the first point, the New York Times reported the number of missing French personnel at various times as 48,370, 40,172, and 40,229, respectively.[17] It is not known which, if any, of the above figures is correct, but for the purpose of convenience the Times estimate will be stated as 40,000 to 48,000. Bernard Fall, however, estimates that only 36,979 French Union personnel were missing.[18]

As to the second, the number of released French Union POW's has been estimated from 10,754 to 16,000.[19] Bernard Fall, for example, claims that up to October 1954, only 10,754 French POW's were released.[20] Robert Randle puts the figure at 11,706 to 11,882 up to September 9, 1954; [21] the New York Times estimates the number as 12,608 through September 18, 1954; [22] Mr. Bujon de Lestan of the French Embassy in Washington states that about 16,000 were freed up to May 1955.[23] Since no figures have been disclosed on the release of French POW's after the October 30, 1962, agreement between France and North Vietnam, it is impossible to estimate with precision the total number of French Union POW's released.

Final figures on French POW's not returned were given by the French and South Vietnamese embassies in Washington. According to Mr. de Lestan of the French Embassy, the French Government estimates that North Vietnam did not return some 1,000 French Union POW's.[24] These were French Foreign Legionnaires of Eastern European ethnic origin. In December 1954, the European Assembly of Captive Nations charged that the Vietminh had forcibly repatriated them to their Eastern European homelands.[25] Mr. de Lestan stated on July 2, 1971, that the French Government believes this charge to be true.

Additionally, it was reported in Saigon on May 11, 1971, that a defector from the North Vietnamese Defense Ministry, Dr. Dang Tan, claimed to have seen more than 300 French Union POW's in North Vietnam. According to Mr. N. N. Bich of the South Vietnamese Embassy in Washington, however, these "prisoners" were actually brainwashed French Union personnel who had become cadres and military advisors for North Vietnam.[26] It is not clear, therefore, that these three-hundred-odd personnel were actually French Union POW's who were forcibly held by North Vietnam.

IV. EVALUATION OF THE POW EXCHANGE FIGURES

The statistics cited earlier clearly indicate a wide discrepancy between the number of missing French Union personnel and that of the released French Union POW's. Taking even the lowest estimate of missing French personnel and the highest estimate of released POW's would still leave the fate of more than 20,000 missing French Union forces unaccounted for. According to the French Embassy in Washington, however—as noted above—only 1,000 French Union personnel are believed to have been definitely not returned by North Vietnam. The question arises: why have the French neglected to include at least 20,000 missing personnel in their list of POW's allegedly held by North Vietnam? The answer probably lies in the following factors:

1. A large number of missing French troops probably died in battle or in prison camps. No observers of the Indochina war have estimated the number of missing troops who died in action, but there is ample evidence to support the contention that many POW's died in prison camps. French military surgeons made extensive investigations of the condition of returnees, and they obtained much information on prison camp conditions from these returnees. According to Fall, the French military surgeons reported that most returning POW's were "walking skeletons." These POW's had been forced to march as far as 500 miles over jungle paths to their assigned prison camps. Many prisoners were believed to have died on the marches, for one or another of the following reasons: (a) The Vietminh captors provided only cold rice to the prisoners throughout the duration of the marches. Hence, most POW's were undernourished, and some may have died from lack of nutrition. (b) The extreme climate of the Indochina region was probably responsible for the death of many prisoners. In winter, the temperature in the Indochina uplands drops to freezing, and in summer the region is severely malarial. (c) POW's were forced to march daily, regardless of the state of their health or wounds.

Conditions in the prison camps were not good. Sanitary conditions were extremely poor, and the medical facilities and personnel provided by the Vietminh were grossly inadequate. With the exception of the officers, French Union POW's had to drink water from the streams near their camps; more often than not the water was harmful to the health of the POW's. In three prison camps, Fall reported, the mortality rate from water-borne intestinal diseases was approximately 55 percent at various times.[27] Even with better sanitary and medical facilities, the officers' camp still listed a mortality rate of 18 percent during 1951–1954.[28]

The infirmaries built by the Vietminh lacked proper facilities and personnel. Many infirmaries had only anti-malaria tablets and a lancet or two; and field hospitals were generally equipped only for light surgery and staffed with Vietnamese physicians who had only elementary training in medicine. The French military surgeons' statistics bear eloquent testimony to the inadequacies of Vietminh medical facilities: not one POW with injuries to the abdomen, the skull, or the chest survived Vietminh captivity, and of the 10,754 Fall estimated to be released, 6,132 required immediate hospitalization.[29]

Another factor which might account for the large numbers of missing French Union personnel is the prevalence of defections. George Kelly reports that all prisoners were subjected to political indoctrination by their Vietminh captors, as the Vietminh regarded the POW's as raw material for conversion.[30] The prisoners were treated according to nationality, and non-Caucasion POW's in particular were singled out for friendly treatment; the Vietminh employed propagandists of various nationalities to brainwash their compatriots, in order to persuade the POW's to work for the Vietminh cause.

Although it is not known how many French Union POW's were persuaded to stay in North Vietnam under Vietminh control, it appears that the Vietminh may have been successful in converting some of the Vietnamese POW's over to the Communist side. While estimates of the percentage of returnees from the missing French, African, and Foreign Legion personnel averaged from 43.9 to 60.2,[31] that of the returnees from the missing Vietnamese who fought on the French side was estimated to be only 9.1 to 11.6.[32] Since most observers agreed that the Vietminh rarely executed POW's,[33] it would be hard to believe that North Vietnam had killed all or most of the missing Vietnamese POW's, who have been estimated to total at least 15,000.[34] A more plausible explanation of their absence is that many have been indoctrinated and absorbed into the North Vietnamese forces. However, because of the lack of international supervision of the prisoner exchange, it is impossible to determine how many Vietnamese actually defected and how many were forcibly detained by the Vietminh at the time of prisoner exchange.

Footnotes at end of article.

FOOTNOTES

[1] Robert F. Randle, Geneva 1954. Princeton: Princeton University Press, 1969, pp. 389–408.

[2] Ibid., p. 601.

[3] New York Times, July 8, 1952, p. 2.

[4] Bernard B. Fall, Street Without Joy, 4th Ed. Harrisburg: The Stackpole Company, 1964 p. 300. "French Union personnel" is defined as any troops or civilians who worked for the French military authorities in Indochina prior to July 1954. The personnel included Frenchmen, Africans, and Foreign Legionnaires of German or East European ancestry, as well as indigenous Vietnamese.

[5] New York Times, August 27, 1954, p. 5.

[6] Ibid., August 29, 1954, p. 28.

[7] Ibid., August 27, 1954, p. 5. It should be emphasized that the disparity between the French POW's released and those of the Vietminh may be partly explained by the fact that among the Vietminh POW's there was a much higher number of civilian internees. While the French POW's consisted mainly of military personnel, the Vietminh POW's included a large group of civilians, such as villagers and propagandists, who performed indirect or non-military functions in supporting the Vietminh belligerents in the war. See New York Times, August 26, 1954, p. 8.

[8] New York Times, August 29, 1954, p. 28.

[9] Ibid.

[10] Ibid., August 30, 1954, p. 5.

[11] Ibid., September 7, 1954, p. 9.

[12] Radio Hanoi, November 17, 1962.

[13] Bernard B. Fall, The Two Vietnams, A Political and Military Analysis, 2nd Rev. Ed. New York: Praeger, 1963, pp. 391–392.

[14] It should be emphasized again that these figures are very much in dispute, as both the French and North Vietnamese Governments have kept the final figures a closely guarded secret. The figures quoted in this section are merely estimates offered by diverse sources.

[15] Randle, op. cit., p. 458.

[16] Ibid.

[17] New York Times, August 24, 1954, p. 1; August 29, 1954, p. 28; and September 19, 1954, p. 2.

[18] Fall, Street Without Joy, p. 299.

[19] See Appendix I for a statistical tabulation of the French Union POW estimates.

[20] Fall, op. cit.

[21] Randle, op. cit.

[22] New York Times, September 19, 1954, p. 2.

[23] Bujon de Lestan, French Embassy, Washington, D.C., on July 2, 1971. This figure was given to the Congressional Research Service.

[24] Lestan, as above.

[25] New York Times, December 19, 1954, p. 3.

[26] Mr. N.N. Bich, South Vietnam Embassy, Washington, D.C., on July 12, 1971, in an interview with the Congressional Research Service.

[27] Fall, op. cit.

[28] Ibid.

[29] Ibid., p. 296, 300.

[30] George A. Kelly, Lost Soldiers. Cambridge: The M.I.T. Press, 1965, pp. 87–90.

[31] Fall, op. cit., p. 299, and New York Times, Sept. 19, 1954, p. 2.

[32] Ibid. For a statistical account of the percentage of missing troops who returned, refer to Appendix II.

[33] Fall, op. cit., p. 296.

[34] See Appendix II.

YATRON INTRODUCES ANTIHIJACKING MEASURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. YATRON) is recognized for 10 minutes.

Mr. YATRON. Mr. Speaker, it has become apparent in recent months that more decisive and effective action must be taken to halt the continued threat of passenger aircraft hijacking, which has so adversely altered the nature of air travel today.

In keeping with the recent effort of my colleague in the other body, Senator RICHARD S. SCHWEIKER, to deal with this problem, I am today introducing the "Airline Passenger Screening Act," which requires that all airline passengers be screened by electronic detection devices before boarding their flights.

This bill is identical to S. 3815 and addresses itself to the core of the skyjacking problem, which is the failure to adequately and fully screen all passengers. The measure directs the Federal Aviation Administration to require airports and air carriers to check every passenger as well as the luggage they carry on board with an electronic detection device. It also provides the means by which the airlines may establish and implement this security. At present, Federal requirements do not call for the mandatory screening of each passenger.

The FAA has estimated that some 1,500 devices would be needed to carry on the program, at a cost of $3.5 million. It is encouraging to note that both Houses have taken action in this regard relative to appropriations. The House Transportation Department appropriations bill includes $2 million for fiscal 1973 for the purchase of detection devices and the Senate increased this amount to $3.5 million.

The act would substantially strengthen existing FAA regulations relating to passenger screening and would result in greater compliance on the part of the airlines and air passengers. Regardless of the manpower employed for the purpose of preventing or deterring hijacking, such efforts will prove ineffective in the absence of sound and practical rules on the ground. Strong antihijacking regulations must be enforced at all times, for we have seen too often how failure to do so has resulted in most serious consequences. Airlines and passengers alike must be willing to cooperate in adhering to more stringent regulations. Momentary screening is a small price to pay for greater safety and peace of mind in the air.

Air piracy can no longer be tolerated nor accepted as a hazard of air travel. The Airline Passenger Screening Act will help insure today's air passenger that he may expect to reach his destination without carrying on board with him the ever-present fear of being hijacked. Fear is one passenger we can and must leave on the ground.

I include the bill at this point in the RECORD:

H.R. 16055

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 307 of the Federal Aviation Act of 1958 (49 U.S.C. 1348) is amended by inserting at the end thereof a new subsection as follows:

"SCREENING OF PASSENGERS IN AIR TRANSPORTATION

"(g) (1) The Administration shall, as soon as practicable, prescribe regulations requiring that all passengers in regularly scheduled air transportation, and their carry on baggage, be screened by magnetometers or other more effective weapon detecting devices before boarding the aircraft for such transportation.

"(2) The Administrator shall acquire and furnish airports with devices necessary for the purpose of paragraph (1) of this subsection.

"(3) There are authorized to be appropriated such amounts as are necessary for the purpose of paragraph (2) of this subsection."

SEC. 2. The table of contents of the Federal Aviation Act of 1958 is amended by inserting at the end of the matter relating to section 307 the following:

"(g) Screening of Passengers in Air Transportation."

POLICEMEN AND FIREMEN LEGAL DEFENSE ASSISTANCE ACT INTRODUCED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, today I am introducing the Policemen and Firemen Legal Defense Assistance Act, a proposal which would authorize the Attorney General to indemnify these public servants for the costs incurred in the defense of civil or criminal action arising from the discharge of the duties of their offices.

The services provided by law enforcement officers and firemen in the protection of life and property are absolutely essential to the well-being of our society; however, the nature of their responsibilities tends to increase their legal vulnerability. The possible financial disaster which could result in the defense of court action is a burden which should not be added to the tremendous demands and pressures borne by these men. This bill would, in effect, protect the protectors. I urge your support.

ATOMIC ENERGY AND THE DEVELOPMENT OF ATOMIC POWER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WOLFF) is recognized for 30 minutes.

Mr. WOLFF. Mr. Speaker, over the past months, the Congress has been presented with a large number of measures relating to atomic energy and the development of atomic power to offset the Nation's projected energy needs for years to come. Much has been said about the role atomic power will play in our country's future, as a reliable, long-term energy source which will fill the gap between our steadily decreasing fossil fuels and the solar and fission energy sources which have yet to be developed into economically viable industries.

My concern during this growing interest in atomic-generated power has been not so much for the careful technological development of the means to produce this power—for we have proven that modern science, given time and money, can achieve just about anything we demand of it. Rather, I have been disturbed by the lack of attention given to rational long-term planning for ways to safeguard the population from exposure to radioactivity, an inevitable byproduct of atomic generating powerplants.

Ever since Congress in 1954 revised the Atomic Energy Act with the intention of opening the doors to private development of this important source of energy, the Atomic Energy Commission has been in an untenable position, trying to carry out its assigned dual functions of development and regulation of atomic energy. Such an inherently incompatible relationship is bound to result in the sacrifice of one or another conflicting interest, and over the years, as the AEC has carried out its mandate to promote the construction of nuclear powerplants throughout the country, this has inevitably occurred. This year, Congress appropriated over $2 billion for Atomic Energy Commission operations for the coming fiscal year. Of that amount, less than 2 percent is allotted to regulate the application of atomic energy, with the bulk of the funds being devoted to proliferation of the most dangerous, esoteric, and potent substances known to man. Merely a speck of plutonium on the lungs causes cancer, and exposure to radiation, even though dissipated hundreds of times, can lead to inconceivable and irreversible genetic and cellular damage. The 2 percent of the AEC budget allotted to regulation and development of safety and health standards amounts to less than 15 cents for each American. Yet should an atomic disaster occur—and we are even today confronted with the potential for holocaust which would dwarf Hiroshima—the costs would reach the billions and beyond in the toll of human life and irreparable contamination of the earth.

Several months ago, the Supreme

Court addressed this question of regulation versus development by way of Minnesota against Northern States Power, in which it declared the Federal Government to have ultimate jurisdiction for the establishment of emission standards for radioactive wastes. In upholding the court of appeals decision, prohibiting the State of Minnesota from imposing its own more stringent standards, the Supreme Court clearly affirmed its interpretation of the Atomic Energy Act, making the Federal Government responsible for acting in the public interest through the establishment of safety standards for operation of nuclear powerplants.

While I have opposed such loss of State authority to the Federal Government, and sought to amend the Federal Water Pollution Control Act in an effort to equalize the roles of State and Federal authority in this area, I nevertheless believe we must deal with the reality of Federal jurisdiction as it presently exists.

Therefore, I am introducing legislation today with two of my distinguished colleagues, Congressman Flood and Congressman Frenzel, that would retain the regulatory function at the Federal level, but would remove this function from its incompatible station within the Atomic Energy Commission and place it instead with the Department of Health, Education, and Welfare. There, at least, the regulators will have no vested interest in promoting nuclear power. And there too, we find the nucleus of a capability which would, of course, be expanded by the concurrent transfer of staff and funds. With regulation situated within HEW, we would eliminate the present conflict that invariably results in the sacrifice of regulation and safety to the interests of promotion of nuclear power, and with a greater degree of impartiality injected, we could hopefully begin a new era of nuclear development without the existing extremism that stymies responsible expansion of our atomic energy technology. Furthermore, by bringing regulation of atomic power within the public health philosophy, we can expect a drastically altered role of the regulatory staff; its mission would then be to bring about full and candid disclosure of what the risks of a proposed facility would be, what the applicant has done to minimize the risks, what risks remain despite these efforts and how these balance against the anticipated benefits of the facility.

Mr. Speaker, in view of the impact that nuclear energy will have on the future of this country, and in light of the serious risks imposed by large-scale proliferation of atomic reactors in or near major population centers, we owe it to the American people to provide the most careful and thorough supervision of nuclear development, supervision which we are not now able to provide, because of the present makeup of the AEC. If we, however, transfer these responsibilities out of the AEC, as this legislation would provide, then we can better protect the health and safety of the American people while at the same time insuring orderly and sane development of nuclear power to serve our needs.

INHUMAN TREATMENT UNDER THE GUISE OF SCIENTIFIC RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. Metcalfe) is recognized for 5 minutes.

Mr. METCALFE. Mr. Speaker, I am completely distressed by an article which appeared in this morning's edition of the New York Times, headlined, "U.S. Testers Let Many Die of Syphilis," by Jean Heller of the Associated Press.

According to the article, during a 40-year Federal experiment, a group of syphilitic victims were denied proper treatment for the disease in order that autopsies could be performed on the victims to determine what effects the disease has on the human body if left untreated.

Of course, the victims were black and of the 600 Alabama men who participated, some were allowed to suffer without treatment even after penicillin was discovered as a cure for syphilis. Many of them died with only a promise for a "decent" burial.

I find this appalling and disgusting; one of the most frightening forms of genocide practiced upon minorities in this country, that I have ever heard of. There was no need for this type of experiment. There have been too many people who have died from syphilis for us not to have obtained all of the information that we needed about syphilis. My question now is: "How many more of these human sacrifices are being made elsewhere in this country?"

I call your attention to this article which I am inserting in the Record and I call for public disclosure of all of those persons who were involved in this experiment and for public disclosure of all other experiments in which they are involved to make certain that these types of actions are not still being carried out. I also would like to explore the possibility of calling for a full Federal investigation of the U.S. Public Health Service, and a further investigation of the families of those men who were not treated for syphilis to determine if any other members of their families may have either contracted the disease or borne children who were affected by it. If this is true, I certainly feel that these families should be compensated for their sacrifices and suffering.

If this article reflects the truth, then this type of inhuman treatment under the guise of scientific research, must be stopped immediately:

U.S. Testers Let Many Die of Syphilis

Washington, July 25.—For 40 years the United States Public Health Service has conducted a study in which human beings with syphilis, induced to serve as guinea pigs, have gone without medical treatment for the disease and a few have died of its late effects, even though an effective therapy was eventually discovered.

The study was conducted to determine from autopsies what the disease does to the human body.

Officials of the health service who initiated the experiment have long since retired. Current officials, who say they have serious doubts about the morality of the study, also say that it is too late to treat the syphilis in any surviving participants in the study.

Doctors in the service say they are now rendering whatever other medical services they can give to the survivors while the study of the disease's effects continues.

The experiment, called the Tuskegee Study, began in 1932 with about 600 black men, mostly poor and uneducated, from Tuskegee, Ala., an area that had the highest spyhilis rate in the nation at the time.

Four hundred of the group had syphilis and never received deliberate treatment for the venereal infection. A control group of 200 had no syphilis and did not receive any specific therapy.

Some subjects were added to the study in its early years to replace men who had dropped out of the program, but the number added is not known. At the beginning of this year, 74 of those who received no treatment were still alive.

As incentives to enter the program, the men were promised free transportation to and from hospitals, free hot lunches, free Ala., an area that had the highest syphilis and free burial after autopsies were performed.

COULD HAVE BEEN HELPED

The Tuskegee Study began 10 years before penicillin was found to be a cure for syphilis and 15 years before the drug became widely available. Yet, even after penicillin became common, and while its use probably could have helped or saved a number of the experiment subjects, the drug was denied them, Dr. J. D. Millar says.

Dr. Millar is chief of the venereal disease branch of the service's Center for Disease Control in Atlanta and is now in charge of what remains of the Tuskegee Study. He said in an interview that he has serious doubts about the program.

Dr. Millar said that "a serious moral problem" arose when penicillin therapy, which can cure syphilis in its early stages, became available in the late nineteen-forties and was withheld from the patients in the syphilis study. Penicillin therapy became, Dr. Millar said, "so much more effective and so much less dangerous" than preexisting therapies.

"The study began when attitudes were much different on treatment and experimentation," Dr. Miller said. "At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation, I don't believe the program would be undertaken."

Members of Congress reacted with shock to the disclosure today that the syphilis experimentation on human guinea pigs had taken place.

"A MORAL NIGHTMARE"

Senator William Proxmire, Democrat of Wisconsin, a member of the Senate Appropriations subcommittee that oversees Public Health Service budgets, called the study "a moral and ethical nightmare."

"It's incredible to me that such a thing could ever have happened," he said in a statement. "The Congress should give careful consideration to compensating the families of these men."

Senator Edward M. Kennedy, Democrat of Massachusetts, chairman of the Senate Health Subcommittee, said through a committee spokesman that he deplored the facts of the case and was concerned about whether any other such experiments existed.

Syphilis is a highly contagious infection spread by sexual contact. If untreated, it can cause bone and dental deformations, deafness, blindness, heart diseases and deterioration of the central nervous system.

No figures were available as to when the last death in the program occurred. One official said that no conscious effort was apparently made to halt the program after it got under way.

UNCERTAINTY ON DEATHS

A 1969 study of 276 untreated syphilitics who participated in the Tuskegee Study showed that seven had died as a direct result of syphilis. The 1969 study was made by the Atlanta center, whose officials said they could not determine at this late date how many additional deaths had been caused by syphilis.

However, of the 400 men in the original syphilitic group, 154 died of heart disease that officials in Atlanta said was not specifically related to syphilis. Dr. Millar said that this rate was identical with the rate of cardio-vascular deaths in the control, or non-syphilis, group.

However, several years ago an American Medical Association study determined that untreated syphilis reduces life expectancy by 17 per cent in black men between the ages of 25 and 50, a precise description of the Tuskegee Study subjects.

Don Prince, another official in the venereal disease branch of the center, said that the Tuskegee Study had contributed some knowledge about syphilis, particularly that the morbidity and mortality rate among untreated syphilitics was not so high as previously believed.

Dr. Millar said that the study was initiated in 1932 by Dr. J. R. Heller, assistant surgeon general in the service's venereal disease section, who subsequently became division chief.

Of the decision not to give penicillin to the untreated syphilitics once it became widely available, Dr. Millar said, "I doubt that it was a one-man decision. These things seldom are. Whoever was director of the VD section at that time, in 1946 or 1947, would be the most logical candidate if you had to pin it down."

PUERTO RICAN CONSTITUTION DAY, 1972

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. PEPPER) is recognized for 10 minutes.

Mr. PEPPER. Mr. Speaker, the 20th anniversary of the Puerto Rican Constitution, which first went into effect on July 25, 1952, is a fitting occasion to reflect with pride upon the contributions of Spanish-speaking Americans in general and the people of Puerto Rico in particular to the mainstream of American life and culture, especially in a day wherein the rich ethnic diversity which is the heart of American democracy has come into its own.

In celebrating Puerto Rican Constitution Day, we commemorate far more than that constitution making Puerto Rico virtually autonomous. That event, made possible by the enactment of U.S. Public Law 600 of the 81st Congress, a landmark in Puerto Rican history, saw the emergence of "a new political mutation"—in the words of Luis Muñoz Marin—which is the distinctive contribution of the Puerto Rican Commonwealth whose status "as a free and associated state or community is a new dimension," wrote Carl J. Friedrich, "in federal government." Here was created a self-governing community established by a mutually agreed-upon compact, a contractual relationship defining the conditions of freedom and self-government in terms which admit of no change without mutual consent. Whatever the future may hold, the Commonwealth ideal as enunciated by Governor Muñoz in 1950—"a union of peoples (which) increases the freedom of people"—will remain as an inspiring example of enlightened public policy, looking beyond a narrow and parochial nationalism to a larger, more inclusive pluralism.

The attainment of self-government was itself the result of a process closely bound up with the extraordinary social and economic development of Puerto Rico over the past several decades—an era of "peaceful revolution" with far-reaching consequences for other underdeveloped lands throughout the world. To a remarkable extent this peaceful revolution was directed and led by one man, Muñoz Marin, a brilliantly effective innovator in a transitional society; combining in his person the values and traditions of both Puerto Rico and America, he was able to develop and strengthen the self-confidence of his people in ways impressive and lasting.

The achievement of Commonwealth status in 1952 represented the fulfillment of his aspirations for autonomy, "association," dominion status and the like, over many years of effort. As early as 1929 he spoke of that "vision of opulence" which had come to the peasantry of Puerto Rico with American rule and the growing gulf between "what they—the people—have and what they can imagine." He thus addressed himself to the need for a decent standard of living for all, and by 1938 had virtually abandoned his earlier dreams of independence for a single-minded emphasis on popular welfare—land reform, education, health, and economic development—in a land traditionally beset with poverty, disease, misery, and ignorance. His dedication to Commonwealth status reflected his belief that Puerto Rico—if it continued in association with the United States—could become a cultural bridge, as it were, between North America and the Latin American community. The advantages of a common market and common citizenship—with the United States—as well as of fiscal autonomy, were held to outweigh the status of independence. He has lived to see Puerto Rico virtually transformed from the depressed "stricken land" of Gov. Rexford Tugwell's famous book, to a condition of prosperity unprecedented in its past, under a status unique in the history of American territorial government.

From the beginning, the story of Puerto Rico—discovered by Columbus in 1493, a year after his more famous voyage—has been inextricably bound up both with Europe and mainland America, foreshadowing its special relationship in later history to the United States and the Hispanic cultural world. The antecedents of Constitution Day are to be found in the relationship of Puerto Rico to the kingdom of Spain, a relationship extending back in time to the first Spanish settlement in 1508—by Ponce de Leon, the discoverer of Florida. The mercantilist policies of the Spanish Crown were virtually all repeated by a decree of 1815, which resulted in the promotion and growth of colonization: from 221,000 in 1815 the island population grew to 330,000 by 1832. In 1870 Puerto Rico was recognized as a Province of Spain with the right to elect deputies to the Cortes, a constitutional advance withdrawn in 1874 due to changing political conditions in Spain. However, under the Constitution of 1876, Puerto Rico received the Autonomous Charter of 1897 which granted a large measure of autonomy and local self-government, including a bicameral, elected Parliament which met for the first—and only—time in the fateful year of the Spanish-American War, 1898. To a large extent, the Charter of 1897 was the result of vigorous leadership on the part of Luis Muñoz Rivera, father of Muñoz Marin and often referred to as the "George Washington of Puerto Rico."

The coming of the Americans, in July of 1898, marked the end of Spanish rule which had lasted over 4 centuries. Despite numerous attacks by the Dutch and British in various wars, including an assault by Drake himself, the island was never subjugated until 1898. By the Treaty of Paris in 1899, Puerto Rico—which, mercifully, had witnessed only 3 weeks of actual fighting—was ceded to the United States. A wholly new dimension thus entered Puerto Rican life, and the subsequent history of the island is one of cultural conflict and synthesis. At first there was a policy of all-out Americanization by the military—and subsequent civil—administration, leading to an inevitable stress and strain as the traditional Hispanic culture found itself increasingly weakened and defensive. This crisis in culture has been sensitively portrayed by Henry Wells in his study, "The Modernization of Puerto Rico." Congress early recognized the need for the development of self-governing institutions, and in 1900 the Foraker Act established minimal forms of self-government—popular election to the lower house in a bicameral legislature; the upper house, the Governor, the judiciary, and so forth, all were to be appointed by the President of the United States. The act was widely resented in Puerto Rico. Nevertheless it marked the first step in a 50-year process of evolution culminating in plenary self-government in the Commonwealth Act we now commemorate. In 1909—under the Olmsted Act—the War Department was given the supervision of Puerto Rican affairs. Significantly, Muñoz Rivera was eventually designated as the first Resident Commissioner: partly through his efforts, the Jones Act of 1917 further extended self-government—including a popularly elected Senate—to the island, affirmed the bill of rights as a part of the organic statutes, and granted American citizenship collectively to all who wished to claim it—only 228 declined. Appointment of the Governor and his cabinet, as well as the Supreme Court, was reserved to the President. In 1947 the Jones Act was amended to permit election of the Governor—and cabinet—with the auditor and supreme judiciary only still appointive. Muñoz Marin became the first popularly elected Governor, reelected regularly until 1965. In 1950 the Resident Commissioner, Antonio Fernos Isern, introduced legislation for a constitutional convention—confirmed by referendum in 1951. In July of 1950, President Truman signed Public Law 600 of the 81st Congress, which set into motion the procedures leading to formal Commonwealth status, July 25, 1952. That status was sustained in the plebiscite of 1967—often called "the election everybody won"—in which 60.5 percent of the voters supported the new status, 38.9 percent voted for statehood, and 0.6 percent for independence.

The evolution of political self-government, symbolized by the observance of Constitution Day, should be viewed against the background of economic and social development during the past half-century or more. The powerful American presence, from 1898 on, brought about a dramatic broadening of public education, a vast expansion of the sugar industry, and the beginning of a comprehensive public health program. As a direct result of the decrease in the mortality rate, paradoxicaly enough, unemployment steadily rose. The need for industrial development became acute. The result was "Operation Bootstrap," fathered by Muñoz-Marín in the 1940's in the hope of creating a modern, industrial society with a diversified economic base—as against the underdeveloped agricultural society of 1920 with its one-or two-crop economy. Lacking significant fuel or mineral deposits and limited by a relatively small land, Puerto Rico possessed one great attribute—its people.

Today there are 1,500,000 Americans of Puetro Rican origin—either born in Puerto Rico themselves or of Puerto Rican parents—the result of what has been called the first great airborne migration in history. The Puerto Ricans who have come to the States have brought with them a rich and distinctive cultural heritage of benefit to all our people.

At first, Puerto Ricans encountered considerable prejudice and discrimination, and found themselves relegated to the status of anonymous "hewers of wood and drawers of water." In our own day this pattern is changing, antagonism is yielding to acceptance, and sense of pride is infusing the Puerto Rican-American community as it takes its rightful place in the larger American scene.

Their presence has added to the gaiety and color of our Nation. Spanish songs and dances, Mexican and Argentine movies and "Aqui se habla espanol" signs in many store windows give more spice and flavor to many communities. The Puerto Ricans, half-brothers of the Latin Americans, are helping the Nation improve and increase its trade and cultural relations with those southern neighbors.

Individual exceptional contributions are found largely in the field of art and drama. Jóse Ferrer, stage and screen star; Jesus Maria Sanroma, famous pianist; Graciela Rivera of the Metropolitan Opera; Noro Morales, orchestra leader; and Mapy Cortes, Diosa Costello, Olga San Juan, Maria del Pilar, and Juano Hernandez of Hollywood and Brig. Gen. Pedro del Valle of the U.S. Marines, decorated for bravery at Guadalcanal, are examples.

The community is also producing doctors, dentists, social workers, lawyers, and businessmen in increasing numbers.

The task confronting us at this time in history is two-fold: to dissolve all the barriers that keep Puerto Ricans from full participation in American life, and to preserve and enhance their very genuine traditions and heritage.

Constitution Day, 1972 is a convenient watershed from which to survey the past and to look in hope toward the future. The traditional heritage of Puerto Rico—her Hispanic culture with its ideals of respeto—respect—and dignidad—dignity—of personalismo—personalism—and individuality—belong to a proud and ancient people, blessed with an island home of surpassing beauty, linked in a hundred significant ways with Europe and Latin America as well as with the United States. Aspects of this culture have come into conflict with the more aggressive American culture and its emphasis upon wealth, well-being, skill, group activty, and the like. In this clash of culture may we not see an opportunity for mutual influence and enrichment. Both have much to offer. The humanism associated with the ideal of the hidalgo is still a vital force in Puerto Rico: we recall that Muñoz Marín was widely known as el Vate—the Bard—for his early poems, while Gov. Ferré is himself a distinguished patron of the arts, having founded the Poncé Museum of Art.

There is, in summary, a real sense, in which Puerto Rico is a test-case for our American democracy. Hitherto, the dominant cultural pattern in our society has presumed to absorb and to assimilate divergent cultures—with varying degrees of success. Now we are confronted with prideful Spanish-speaking people, freely and intimately associated with our nation as citizens and, indeed, present on the American mainland in ever increasing number, no longer a special presence only in the Southwest, but more and more a major national community, bringing to the common treasury of our people distinctive gifts of song, of dance, of grace, and of beauty, part of that culture which is the shared heritage of our Latin American friends and neighbors. Puerto Rico and her people may yet teach us all the lesson so finely expressed by Muñoz Marín in his advocacy of Operation Serenidad:

> To remind us that man is man and not just a consumer, a society in which Operation Serenity has been successful, would use its economic power increasingly for the extension of freedom and knowledge rather than for a multiplication of goods in hot pursuit of a still more vertiginous multiplication of wants.

Significantly, the Seal of Puerto Rico bears on its crest a lamb, symbol, of that very serenidad and peace, surrounded by the Towers of Castile and the Lions of Leon and the initials of Ferdinand and Isabella under whose patronage Hispanic civilization first came to the Americas. May that same serenity, marked by that freedom and knowledge which pertains to the quality of life beyond its necessary material base, touch our land and all lands everywhere, even as our national life is touched and enriched by the special contribution of our fellow-citizens in and from the island of Puerto Rico, whom we salute on this, their Constitution Day. May it be a promise of better days to come for them, for us and for all men.

ABUSE OF THE GRAND JURY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. Abzug) is recognized for 10 minutes.

Mrs. ABZUG. Mr. Speaker, recent news articles have indicated that the Department of Justice is once again utilizing grand jury proceedings for political harassment. In this particular instance, Irish-American residents of the New York area, alleged to have been involved in the procurement of weapons to be used in Northern Ireland, have been summoned before a grand jury in—of all places—Fort Worth, Tex.

This venue, which is wholly incompatible with the rights of witnesses and prospective defendants, was selected, according to the New York Times, "because of reports that some of the weapons supplied the IRA were purchased in north-central Texas and because of the high regard in which Attorney General Kleindienst holds" the local U.S. attorney and district judge. It is my firm belief that this rationale is not a proper basis for locating a grand jury investigation, and that the tactic of compelling witnesses to submit to hostile questioning so far from their homes is most improper.

Strangely, the doctrine of forum non conveniens, which permits moving cases to a court which is more convenient for the parties and witnesses involved in a case, does not presently apply to grand jury or special grand jury proceedings. Accordingly, I am today introducing legislation which would provide for the transfer of grand jury and special grand jury proceedings "for the convenience of parties or witnesses, where the interests of justice so require." In addition, I call upon the Department of Justice—in this case and similar ones—to refrain from conducting grand jury investigations in locations far from the residences of most witnesses and to refrain from using the political persuasions of particular judges or prosecutors as criteria for locating such investigations.

Mr. Speaker, I insert the text of my bill and of a relevant news article in the Record at the conclusion of my remarks:

H.R. 16056

A bill to amend the Judicial Code to provide for the transfer of grand jury proceedings where the convenience of parties or witnesses and the interests of justice so require

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 215 of title 18, United States Code, is hereby amended by adding thereto the following new section:

"§ 3329. Change of venue

"(a) For the convenience of parties or witnesses, where the interests of justice so require, a district court shall transfer any grand jury proceeding or investigation to any other district where it might properly have been convened.

"(b) As used in this section, "district

court" includes the United States District Court for the District of the Canal Zone; and "district" includes the territorial jurisdiction of that court."

Sec. 2. Chapter 216 of title 18, United States Code, is hereby amended by adding thereto the following new section:

"§ 3335. Change of venue

"(a) For the convenience of parties or witnesses, where the interests of justice so require, a district court shall transfer any special grand jury proceeding or investigation to any other district where it might properly have been convened.

"(b) As used in this section, "district court" includes the United States District Court for the District of the Canal Zone; and "district" includes the territorial jurisdiction of that court."

U.S. JURY FOCUSES ON GUNS FOR IRA—BALKY WITNESSES CALLED IN FORT WORTH INVESTIGATION

Fort Worth, June 24.—Attorney General Richard G. Kleindienst has ordered a Federal grand jury investigation here into the alleged smuggling of American guns into Northern Ireland to supply the Irish Republican Army.

The inquiry, which has already stretched from New York to Texas, is expected to involve I.R.A. sympathizers in a number of American cities.

Mr. Kleindienst, acting after the British Government reportedly asked the Nixon Administration to halt gun smuggling, was said to have dispatched two special prosecutors, Brandon Avery and Robert Merkle, to Fort Worth this week to coordinate the national investigation with United States Attorney Eldon Mahon.

The first witnesses before the grand jury here, mostly Irish-surnamed residents of the metropolitan New York area, refused to testify even after Federal District Judge Leo Brewster offered them immunity from prosecution.

WITNESSES DEFENDED

Frank Durkan, one of several New York lawyers representing the witnesses, defended his clients' right not to testify on the ground that the United States immunity laws could not keep a foreign nation such as Britain from having American citizens extradited for trial on alleged offenses overseas. The United States and Britain entered into a new extradition treaty two weeks ago.

Kenneth Tierney of New York, the first witness, was jailed for contempt of court by Judge Brewster and, Mr. Durkan said, immediately began a hunger strike in protest against the Federal grand jury system.

James McKeon, a prospective witness, has been allowed to return to New York after collapsing in the Federal Courthouse here. A heart patient, Mr. McKeon was treated at a local hospital, where his collapse was diagnosed as resulting from acute nervous stress.

Prosecutors have indicated that other witnesses face jailing for refusing to answer questions about the alleged gun smuggling after being granted immunity from prosecution.

Tight security has surrounded the investigation. Federal guards search the courthouse for bombs at least hourly each day the grand jury meets.

RULING IS DELAYED

Late yesterday Judge Brewster postponed a ruling on an application for immunity for four additional witnesses until the Federal Bureau of Investigation and the Treasury Department could confirm or deny that Government information had been obtained by placing wiretaps on the home or business telephones of lawyers representing the witnesses.

Meanwhile, Mr. Tierney, the jailed witness, was declaring himself a political prisoner through his attorney, who reported he was giving his food to black prisoners in adjoining cells and sending his regards to the Irish people.

And since prosecutors have not hesitated to request immunity for early witnesses, some sources said that none of those now under subpoena are suspected of leadership in the alleged smuggling operations but simply have information that could lead to the identification of the leaders.

The inquiry is expected to continue for at least several weeks, according to Mr. Mahon, who yesterday was appointed a Federal judge for the Northern District of Texas by President Nixon. He is a brother of Representative George H. Mahon, Democrat of Texas, chairman of the House Appropriations Committee.

The inquiry reportedly focused here because of reports that some of the weapons supplied the I.R.A. were purchased in north-central Texas and because of the high regard in which Attorney General Kleindienst holds Mr. Mahon and Judge Brewster.

RETIREMENT OF HAP MORRIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. Mills) is recognized for 5 minutes.

Mr. MILLS of Arkansas. Mr. Speaker, on the last day on which Hap Morris worked as Postmaster of the U.S. House of Representatives, I was occupied, as were other members of the conference committee, in trying to resolve the differences between the Senate and the House on the debt limit legislation and, therefore, could not be on the floor to take part in the general effort to recognize his lengthy list of contributions to the efficiency of the House of Representatives. In reviewing the Record for that day, I note that his career has been discussed and described at some length, and it would be repetitious of me to enter an additional review at this point.

My purpose in rising at this point is to add my name to the list of those who formally extend to him an expression of appreciation for his service to the Members of this body and of good wishes as he moves into a more leisurely life.

A PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Connecticut (Mr. Cotter) is recognized for 5 minutes.

Mr. COTTER. Mr. Speaker, I was unavoidably detained in my district on Monday. I had joined with a group of citizens in protesting the action on I–291 which has been subjected to severe criticism by the Environmental Protection Agency. Unfortunately, this necessary activity forced me to miss an important vote on the cyclamate ban compensation bill. Had I been present, I would have voted against this bill.

E. E. "RED" COX

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, my good friend E. E. "Red" Cox has retired from Government service after 39 years of dedicated work on behalf of our Nation.

Starting as a $100 a month worker in the Office of the Comptroller of the Currency in 1933 with depression rampant, Red went on to become top aide to Congressman Albert Rains of Alabama. In 1964, when Congressman Rains retired, Red returned to the Office of the Comptroller, this time in charge of congressional relations, and he has been there ever since, providing effective service to both Democratic and Republican administrations.

To say that Red Cox is an expert in matters pertaining to banking is to understate the case. Red is recognized as one of the most knowledgeable men in Washington in this important and complicated field. Those of us who had the good fortune to work with him know that he knows his business.

Mr. Cox is knowledgeable in areas far beyond the field of banking. Importantly, also, he has literally hundreds of friends on Capitol Hill and in the various Federal agencies. They span almost every Federal agency and both political parties.

While it was understandable that he would be asked to assist Comptroller James B. Saxon during the Democratic administration, it is greatly to his credit that he was asked to stay on with Comptroller William R. Camp during the Republican administration. Red Cox has the kind of feel for healthful relations between Congress and Federal agencies which extends beyond party affiliation.

It should be noted that Red didn't have to retire. He still is young in mind and spirit and has much to contribute to his family and his Nation. But he sincerely felt that 39 years of public service was enough and that it was time for him to move on to other fields of endeavor.

This he is doing and I am happy to report he plans to continue to make his knowledge and his contacts available to his friends both in and out of Government. This is a happy situation, because men with the kind of expertise demonstrated by Red Cox during his years of service in Government can continue making able services in many important fields.

His friends on Capitol Hill and in Government elsewhere wish him and his family well in all that he undertakes.

TO REQUIRE THE USE OF FINE ARTS IN PUBLIC BUILDING

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I would like to call attention to the discrepancy between the General Services Administration's policy regulations and its actual record of action in providing for the inclusion of works of art in public buildings.

On December 11, 1962, the Administrator of GSA approved a proposal encouraging architects to include fine arts in the buildings they design for the GSA. According to this proposal, an item would be included in the estimate to provide for fine art in an amount not to exceed one-half of 1 percent of the estimated construction cost of the proposed building. These regulations stated that these works of art "shall reflect the national cultural heritage, and shall emphasize the work of living American artists." In addition, they stated that "wherever possible, the artists shall be from the same areas as the project."

Unfortunately, this admirable policy was one merely of administrative encouragement and proved in operation to lack the commitment to the promotion of the arts that is so direly needed in this country. Since October 1969 Federal building plans have been approved by GSA for 55 projects. Only 14 of these projects—or approximately 25 percent—have in fact been designed to include fine arts, and of these only three have actually had funds allotted for them.

This is a very discouraging record, even for a government that spends less per capita on culture than almost any other nation in the West, and I am therefore introducing legislation which will make it mandatory that this one-half of 1 percent figure actually be spent for the use of fine arts—that is, paintings, sculpture, and artistic work in other mediums—in our public buildings. In addition to the obvious esthetic benefits of this bill, a policy would be established in law indicating our Government's concern for the continuing development of American arts.

(A bill to provide for suitable works of art in Federal buildings)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it is hereby declared to be the purpose of this Act (1) to secure suitable works of art of the best quality for the decoration of buildings of the Federal Government and in this way to reflect our cultural heritage and to emphasize the work of living American artists; and (2) to provide a continuing program of preservation and restoration of works of art thus acquired.

(b) As used in this Act—

(1) the term "art" includes paintings, sculpture, and artistic work in other mediums;

(2) the term "Administrator" means the Administrator of General Services;

(3) the term "Federal Agency" means any department, agency, or establishment of the Federal Government.

(c) There is authorized to be appropriated to the Administrator of General Services, to be available without fiscal year limitation, and to be expended with the advice of the Commission of Fine Arts, for suitable works of art in public buildings, including purchase-contract buildings, and constructed under his supervision, and to provide for necessary services in keeping such works of art in an adequate state of preservation, the amount of one half of 1 per centum of the total sum appropriated during the same fiscal year for the design and construction of public buildings, beginning with the fiscal year ending June 30, 1972, and a like sum for each suceeding fiscal year thereafter: *Provided,* That the appropriations hereby authorized shall be in addition to any other funds for the design and construction of public buildings provided to the General Services Administration or any other Federal agency.

(d) In order to secure the participation of the best possible talent under this Act, there shall be established such procedures as may be deemed appropriate by the Administrator and the Commission of Fine Arts to provide for the award of commissions without competitions as well as for the award of commissions through competitions in which artists are invited to compete and who at the discretion of the Administrator may be paid for designs submitted.

THE PUBLIC SHOULD NOT BE CHARGED FOR DIRECTORY ASSISTANCE CALLS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, the New York Telephone Co. has proposed that consumers be charged for local directory assistance calls. Effectively this would mean that every time a New York City resident calls information for a number, even if in another borough, he or she will be charged one phone unit, or 7.1 cents.

The New York Public Service Commission has told the telephone company that it will not approve the proposed charge as originally requested. The Commission's chairman. Joseph C. Swidler, stated that the telephone company effectively was proposing a rate increase and had to apply for such. We can expect the telephone company to do this.

My own position is that in any form the phone company's request is outrageous. How many times a week do people call information, not in lieu of looking in the directory, but because the number in the directory is not a working number or simply is not listed. The phone book is printed annually; and by the time it is issued approximately 25 percent of its listings are out of date.

Most tragic and unjust is the hardship this proposal would render on the blind, the handicapped, and the elderly. Social and employment activities are hard enough for these people without further problems being posed by the phone company. The New York Telephone Co. proposes to exempt the severely handicapped from the charge; but, the procedures for obtaining an exemption—in true telephone company style—are cumbersome and unattractive for those who would be eligible.

Among the complaints that my office receives from constituents, those levied against the New York Telephone Co. are among the most numerous. Because of its inefficient and inadequate service, businesses in New York City have suffered losses and people have suffered great personal inconveniences.

The arrogance of the New York Telephone Co. in its latest request lies in its not being subject to competition. It probably would be desirable to have a competing company, but since this is not practical, it is all the more important that the Public Service Commission demand from the phone company a level of service and consideration of consumer interests and convenience that competition would bring automatically.

This latest outrageous request is not limited to the New York area. I am told that similar applications have been made in other States. It is important that the telephone companies across the Nation be made aware of the fact that their customers and our constituents are fed up and will resist this latest demand.

SHRIVER ASKS FOR INTERNATIONAL EFFORT ON BEHALF OF PRISONERS OF WAR

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, as of July 8 of this year a total of 1,761 American servicemen were listed as either captured or missing in action as a result of the Vietnam conflict. As we make plans for winding down the air and ground war, another very important battle is going on. At stake in this other battle are the lives of Americans who are being held as prisoners of war. Day to day survival in a prison camp is a victory in itself, but as months turn into years, survival for a forgotten American probably seems less and less worthwhile.

Concern for American prisoners of war transcends party lines and petty personal differences. These brave men have fought diligently for all Americans irregardless of race, religion or political affiliation, and all Americans have a moral obligation to seek their early release. They deserve much more than a damp pit in South Vietnam or Laos, or a cold cell in the North. Anything less than our best effort to gain their release would be a final unfortunate act in a war about which there are already many questions and doubts. No stone should be left unturned in our attempt to gain the release of every American being held on foreign soil.

Many diplomatic means have been employed and exhausted in an effort to gain humane treatment and eventual freedom for our prisoners of war. I would like to take this opportunity to tell my colleagues in the House, of one more means of expressing their concern for captive American servicemen. At the suggestion of Mrs. Harry Dunn of Hutchinson, Kans., who is the mother of a prisoner of war, letters went out from my office last week to the heads of state of 143 nations who signed the Geneva Convention Agreement of 1949. The Geneva Convention set down explicit guidelines to be followed in the handling of prisoners of war. The government of North Vietnam, itself a cosigner of the agreement, has chosen to ignore those guidelines. It is my hope that other nations will use whatever influence they might have, to urge North Vietnamese compliance with the edicts of the agreement. If our combined efforts cause the release of one prisoner one day earlier, then the time and expense involved will have been invested wisely.

I would like to include the text of my letter in the Record and suggest that it might be worthwhile for others to undertake some like project.

The letter follows:

Congress of the United States,
Washington, D.C., July 18, 1972.

As the Representative of the 4th Congressional District of Kansas in the United States House of Representatives, I am deeply concerned for the welfare of nearly 1,700 Americans who are currently listed by the Department of Defense as either prisoners of war or missing in action as a result of the war in Vietnam. Americans, regardless of their political views, are united in their desire to see the early release of all prisoners of war.

As a co-signer of the Geneva Convention Agreement of 1949, your Government is aware of the terms and conditions pertaining to the humane treatment of prisoners of war. The Governments of the United States, South Vietnam, and North Vietnam also have signed the agreement set forth by the Convention. However, the Government of North Vietnam has refused to permit even simple notification of capture. No independent, humanitarian observers have been allowed into the prison camps for inspection purposes.

The result is that many families in the United States do not know if their husbands and sons are alive or dead. For this reason, I am making this personal appeal in hopes of gaining your support in a humanitarian effort to learn the status of these men; improve their living conditions; and secure their release as soon as possible.

Article I of the Geneva Convention states: "The High Contracting Parties undertake to respect and to insure respect for the present Convention in all circumstances." The United States has repeatedly urged adherence to the terms of the Convention through every diplomatic means. It is time for other nations to join in an effort to secure adherence by North Vietnam to the terms of the Convention.

I respectfully urge your Government to join in this effort to secure the humane treatment of prisoners of war and full compliance by the Government of North Vietnam to the Geneva Convention. I hope that you will lend your support to this objective.

Sincerely,

GARNER E. SHRIVER,
Member of Congress.

A BILL TO MAKE PROGRAMS FOR THE HANDICAPPED ELIGIBLE FOR SURPLUS PROPERTY

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, existing law governing the administration of the U.S. Government's surplus property disposal programs prohibits certain independent programs for the handicapped from receiving such property. Under current law, handicapped persons programs must have a direct connection with an academic educational institution in order to be eligible for surplus property donations.

I do not believe it is the intent of Congress that the growing number of private and public civic organizations which have initiated programs to help the handicapped should be ineligible for surplus property. Therefore, I have introduced legislation to remedy this situation.

My bill, H.R. 15780, amends the Federal Property and Administrative Services Act of 1949 to permit donations of surplus supplies and equipment to any center or camp operated for handicapped persons. Such centers or camps need not be operated in conjunction with any academic educational program.

The need for this corrective legislation was called to my attention by officials of the Cerebral Palsy Foundation operated by the Kansas Jaycees. For the past 8 years, the Kansas Jaycees have provided weeklong, residential camping programs for individuals with cerebral palsy and similar handicaps. The campers range in age from 5 to 65 and do not pay fees for attending the camp. Facilities are provided for swimming, boating, horseback riding, games, arts and crafts, and fishing.

The Jaycees are planning to expand this operation to a year-round program and to triple the number of participants over the next 2 or 3 years. They applied for much-needed surplus property items to the surplus property section of the Kansas State Department of Administration. While the director of the surplus property section was aware of the worthiness of the Jaycees' request, there was nothing he could do because of current legal restrictions regarding eligibility.

I am certain that there are similar organizations in all States which are providing facilities and services to the handicapped—facilities and services which are not available from the regular publicly-financed programs. In addition to the obvious benefits derived by the participants themselves, this camping program provides a needed respite for their families. The Kansas Jaycees received a letter from a mother of one of their camp participants, who wrote:

> Not only did our daughter have a great time at camp, it was a great boost to our morale to see our daughter participating in activities we never thought possible.

This morale boost is important, and it should be encouraged in all possible ways by Congress. The bill I have introduced will not cost any additional money, and it will have a significant impact on the Kansas Jaycees' efforts for the handicapped. It could also encourage other civic organizations to start handicapped programs of their own.

The Federal Government has in recent years increased greatly its support for education of the handicapped, and the Labor-Health, Education, and Welfare Appropriations Subcommittee, on which I serve, will continue to look favorably on these efforts. At the same time, we need to support and solicit the complementary efforts of private groups in this field. Whether these groups are directly related to an educational institution is irrevelant. I urge prompt consideration and favorable action on this bill.

SALUTE TO AHEPA

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, I am proud to join in saluting the Order of Ahepa, the American Hellenic Educational Progressive Association, upon the observance of its golden anniversary. This outstanding fraternal organization has done much to enrich the life of our Nation during its 50 years of active service.

AHEPA's record of service in behalf of humanity is long and diverse. It has come to the aid of flood and earthquake victims at home and abroad. Its members have worked for the relief of war orphans and refugees. It has sponsored scholarships for worthy students for the past 41 years on local, district, and national levels.

On my recent factfinding mission to Greece, as a member of the House Foreign Operations Appropriations Subcommittee, I had an opportunity to view firsthand some of the outstanding examples of AHEPA's "People-to-People" program.

I am pleased to note that one of the active chapters of this worthy fraternal order is located in Wichita, Kans., in the Fourth Congressional District of Kansas. The officers of the Wichita chapter are Bruce E. Colver, president; Philip C. Stathis, vice president; Pete Perdaris, secretary; and Paul Nikakis, treasurer.

Mr. Speaker, it is a privilege to offer my personal congratulations to the Order of Ahepa on a half century of significant accomplishment in behalf of our Nation and mankind.

SALUTE TO THE AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION ON THEIR 50TH ANNIVERSARY

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, 50 years ago this month, the American Hellenic Education Progressive Association—AHEPA—was founded in Atlanta, Ga. Today, AHEPA has 430 local chapters in 49 States, Canada, and Australia.

The extensive growth of this organization is attributable to the many outstanding contributions its members have made on the national and international level. AHEPA has championed worldwide assistance for flood, earthquake, and hurricane victims, as well as for the victims of war. Their contributions include:

Relief of Florida hurricane victims.

Relief of Mississippi flood victims.

Relief of Corinth earthquake victims.

For the war orphans of Greece.

Relief of Dodecanese earthquake victims.

For the fatherless children of refugees through the Near East relief.

For the Hellenic Museum.

National scholarships to worthy students.

For the Theological Seminaries at Brookline and Pomfret.

AHEPA Franklin D. Roosevelt Memorial at Hyde Park.

Ypsilanti and Dilboy Memorials.

Sons of Pericles Memorial to the American Philhellenes of 1821, at Missolonghi, Greece.

Relief of Turkish earthquake victims.

For the Patriarchate of Jersusalem.

For the Patriarchate of Constantinople.

Ecuadorian relief.

Kansas City flood relief.

Greek war relief.

AHEPA hospitals in Athens and Thessaloniki, and seven health centers in Greece.

AHEPA Agriculture College in Greece.

Ionian earthquake relief.

AHEPA Preventorium in Volos.

Penelopian Shelter Home in Athens.

AHEPA Hall for Boys at St. Basil's Academy in Garrison, N.Y.

Sale of $500 million in U.S. War Bonds during World War II as an official issuing agent of the U.S. Treasury.

Truman Library.

Dr. George Papanicolaou Cancer Research Institute in Miami.

The AHEPA Truman Memorial in Athens, Greece.

The New Smyrna Beach, Fla., monument commemorating the first landing of Hellenes in the New World in the year 1768.

The AHEPA educational journey to Greece student program.

The objectives of AHEPA in this country are admirable, too. The organization strives to promote and encourage loyalty to the United States and to encourage its members to participate actively in the political, social, and commercial fields of human endeavor. Other objectives include the instruction of its members in the tenets and fundamental principles of government and the pledge of its members to do their utmost to stamp out any and all political corruption.

The Order of Ahepa also directs its resources in the field of education by encouraging the spread of culture and learning. Its interest in this field is apparent through its monumental efforts in scholarship and other educational endeavors.

As an honorary AHEPA member, and on behalf of the citizens of Florida, I extend my personal congratulations and commend the American Hellenic Educational Progressive Association for a half-century of service.

DERAILING THE GRAVY TRAIN

(Mr. BLACKBURN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, I would like to call the attention of my colleagues to the following timely article in the New York Daily News of July 21, 1972:

DERAILING THE GRAVY TRAIN

A combine of Republicans and fiscally responsible Democrats in the House of Representatives beat back Wednesday an attempt to plunder the treasury to the tune of $5 billion.

The bill in question was boomed by liberal supporters as a shot in the arm for employment and a boost for cities with water and sewage problems.

Behind that false face leered a brazen make-work boondoggle intended mainly as an election year vote-catcher. It would have wrecked the budget beyond repair and rekindled the fires of inflation.

Among the heroes of the fight against this outrage was a Democrat, House Appropriations Chairman George Mahon (Tex.). Rep. Mahon chided his spendthrift colleagues for having heaped $20 billion in appropriation overruns on already generous budget requests, and called on them for "sober thought and reflection."

Happily for the taxpayers, Mahon was heeded—this time.

Now that this bogus anti-pollution concoction is dead, we suggest Congress get on with the business of dealing with the genuine proposals in this field.

At or very near the final stage of legislative action are two spending bills—a revenue-sharing measure and a specific pollution-fighting proposal—loaded with more than ample billions to move the drive for clean waters ahead.

Let's have the meat and potatoes, and lay off the gravy.

TRIBUTE TO THE HONORABLE JOHN S. MONAGAN

(Mr. DONOHUE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DONOHUE. Mr. Speaker, for the past 14 years, the House of Representatives, the Nation at large, and the people of the Fifth District of Connecticut have benefited greatly from the services of our colleague, the gentleman from Connecticut (Mr. MONAGAN). He has been a tireless Representative of his constituents in Washington and a national spokesman. His expertise on the Foreign Affairs and Government Operations Committees have proved invaluable. During the 92d Congress, he assumed the chairmanship of the Subcommittee on Legal and Monetary Affairs. This subcommittee has become one of the most productive in the House, conducting major oversight hearings on crime and housing programs, and legislative hearings on proposals to regulate income tax preparers and to control the proliferation of Federal advisory commissions.

The people of the Fifth District of Connecticut have recognized JOHN MONAGAN's service and on June 24, the Democratic Party nominated him to run for an eighth term in Congress. I now include for the consideration of my colleagues the excellent speech given by him in accepting that nomination. This acceptance is particularly notable for his modest approach to his own achievements in the U.S. Congress. As he points out in his statement, a Congressman must truly be an agent of his constituents in Washington. JOHN MONAGAN has successfully met this objective for 14 years, and I am confident that the voters of the fifth district will return him to Washington to continue his representation for an eighth term.

The speech follows:

ACCCEPTANCE SPEECH OF U.S. REPRESENTATIVE JOHN S. MONAGAN

I am honored once again to receive the nomination of the Democratic Party to be its candidate for Congress in the Fifth District and I thank you for this mark of your confidence. I pledge to you that my campaign for election will be a vigorous one and that my service in my eighth term will continue to be responsive to the needs and desires of the people of our District.

At the moment it is not certain what the Fifth District will be in the future since the question of its make-up is now in the courts. I naturally hope that the new District will be similar to the old since I have enjoyed working in the present towns for the last eight years. If, however, a change should be decreed, I should like to express my regret that any change should be required and to thank all present for their interest and cooperation since 1964. It has been an honor to have represented the towns comprised in our present District.

I am grateful for the opportunity which you have given me to serve in the House of Representatives for fourteen years. Only a handful of Representatives from Connecticut have served longer than I, and I am indebted to our voters for the privilege of sitting at the apex of national and international affairs during these momentous years, of meeting and holding discussions with the leaders of our own and other nations, of having a finger on the pulse of our national life and of sharing in the implementation of significant national policies. To contribute to the development of legislation on a variety of subjects has been a privilege beyond price and I am thankful for the experiences that have been mine.

In partial return, I have sought during my tenure to be an effective representative of our District. While every Congressman is a national agent, he is at the same time the only representative his District has as such. In view of this function, I have sought over the years to determine the requirements of the people and institutions of our area and then to support measures and urge policies which would adequately satisfy these requirements. Faced with mounting competition from other sections of this country and abroad, our organizations and businesses are challenged severely and it is only through constant effort that we shall maintain our eminence. I have been proud, therefore, to share in obtaining projects which have improved the competitive capacity of our section. Provided to a large degree through Federal funds, these have included our new Federal arterial highways, our recently constructed airport and the flood control facilities which have gradually risen in the once-ravaged Naugatuck Valley and its tributaries.

I have also been happy to support other measures which have benefitted our people in a less physical but, nevertheless, vitally important manner. These have included our great advances in social security, including medicare, the milestone civil rights bills advancing the protection of all citizens in civil functions and the exercise of the franchise, the expansion and improvement of our programs of education and the initiation and development of broad national programs devoted to the reduction of pollution, the revival of our environment and the improvement of the quality of life in our complex, mechanized industrial society.

Finally, I have striven through the efficient and devoted activity of my office staff to perform the hundreds of personal requests in various fields ranging from veterans benefits to passports and from tariffs to taxes. Without immodesty, I state my belief, buttressed by innumerable personal comments, that my office has done a good job in attending to constituent problems and that we have performed effectively the important function of assisting individual citizens in their contracts with a vast and impersonal bureaucracy. I am happy here to pay tribute to the loyalty, devotion, and hard work of the members of my staff for their outstanding performance.

Although I take pride in past achievements, I certainly do not wish to indicate that either the Fifth District or the United States as a whole is free from gnawing and fundamental problems which urgently demand solution.

The most prominent relates to the war in Vietnam. Four years ago, I noted that the process of disengagement had begun with President Johnson. Two years ago, I stated that the prompt and complete withdrawal of our forces was a matter of urgent priority. Since then we have had another intensification of the war and the raising of doubts in many minds as to the credibility of the Nixon withdrawal policy. I have joined in efforts to place a limit on our time for withdrawal subject to the release of our prisoners of war and the President has in substance adopted a major portion of this proposal in his recent statement. We must insist that his deeds be as good as his words in this area. Certainly, the final winding down of military activity in all forms must come in the time frame set by the President so that the frustration and division attendant upon this ill-starred war may be ended once and for all.

Turning from the foreign to the domestic scene, we touch what is and will be the most critical problem facing the nation today—the state of the economy. Despite optimistic predictions from Administration spokesmen and scattered areas of improvement, we have only to look around Connecticut to realize that recovery has not come to us. The State unemployment rate is 8.6 per cent. In Bristol it is 16.1 per cent, in Ansonia 15 per cent, in Waterbury 10.2 per cent, and the figures remain almost constant with a slight worsening if anything. A particularly distressing aspect has been the forced furloughing of large numbers of high-level engineers and technicians, originally recruited for the aircraft industry and now cast loose with personal loss to them and technical loss to the nation.

To make matters worse, this reduction in force has been accompanied by a monstrous inflationary surge, capped by the massive boost in food prices which the housewife and breadwinner know only too well. I proposed a system of voluntary controls of major industries and unions a year before the President reversed his field and took belated action. Surely, prompt action here might have lessened the effect of the inflation and the exclusion of small businesses would have decreased administrative problems. In addition, the decision to allow food prices to float free, a policy not unconnected with prospecting for votes in the farm areas, has added new problems even for those who have had the benefit of modest wage increases. Finally, a more dedicated and intensive effort at providing a bridge between the wartime and peacetime economy was clearly indicated to all who saw the problem of reconversion as an inevitable accompaniment of the termination of military procurement.

Certainly, more vigorous action on the part of the Administration could have lessened the impact of these cutbacks. I have proposed a commission to work on the reemployment of skilled technicians and I have backed efforts to convert our defense industries to peacetime uses as with the manufacture of Turbotrains by Sikorsky and the change of technology in other industries to take advantage of the rising demand for devices to control and monitor pollution of various types. I also sponsored and supported the Accelerated Public Works legislation which was vetoed by the President. We are presently working on a new Accelerated Public Works bill, and it is my hope and expectation that the Public Works Committee will report the bill to the House in the immediate future.

However innovative it may be in the field of foreign affairs, in the domestic area the Administration has not seized the initiative nor shown the foresight that the solution of our difficult problems requires, and long-unemployed engineers or mechanics will find little solace in the President's spectacular journeys to Peking or Moscow.

Today we find ourselves awash in waves of difficulties as we attempt to navigate the sea of our domestic affairs. We find striking inequities in our tax laws between those who can afford to pay and those who cannot. We see that in spite of heightened rhetoric and massive expenditures, the crime rate continues to rise in steady and even spectacular fashion while our streets continue to be unsafe and our homes vulnerable to burglars and robbers. We see a shocking increase in the dissolution of our core cities and the frustration of governmental and private efforts to deal with this vital problem. We witness a push for sharply increased spending at the Federal level for a variety of programs without adequate regard for the sufficiency of tax revenues or a satisfactory attempt to examine needs and set priorities for the inauguration of programs. We meet a willingness to spend large sums of money for political or cosmetic reasons in programs such as law enforcement assistance and poverty without adequate controls or tangible results.

Above all and most tragically, we meet today a rising disenchantment with democratic government and an increasing loss of confidence in its processes and those who operate them. This trend is regrettable because it results in two positions which are equally destructive to our system. One is apathy and the other is active antagonism. In either case our type of government is threatened since it requires involvement and support for its successful operation.

Unfortunately, it is the young voters to whom the franchise has recently been extended who are most disillusioned by the unfairness, favoritism and brutality which is too common in our system today. I suggest that we owe it to them and to the nation to turn our efforts more effectively toward righting the wrongs, eliminating the inequalities and revising Public probity, but at the same time, they owe it to us and to the nation to join in this essential work. I also submit that while it is a reason for gratification that we can view our system objectively and turn the spotlight on its many deficiencies, we must at all times remember the great progress we have made over the years and be proud that we have so effectively maintained our system of government under law and constitutional protection of the individual. While recognizing our faults, we should not permit them to obscure our virtues. I do emphasize, however, that in order for our free government to be effective, we all shall have to do a better job than we have done in the past.

We shall have to solve the physical problem of the decay of our cities with the consequent loss of billions of dollars of capital investment as well as warped and twisted lives. The genteel, hands-off policy of our governmental agencies will not be sufficient. Why can we not bring to dealing with this problem the same imagination and expertise we showed in conceiving and carrying on the fantastically successful space program?

We must re-examine our tax laws to discover where they can be amended to guarantee greater fairness of treatment and eliminate "loopholes" which prevent the Internal Revenue Code from being applied evenly without regard to income. For the wealthy to pay no tax or less than a fair share is not acceptable in a democratic society.

We must create some sort of mechanism to examine our national needs and establish a set of priorities which will permit us to achieve reasonable national goals without bankrupting us in the bargain. There are bodies both public and private which seek to do this now but without substantial impact. An effective national public body is needed.

We must return physical security to our cities, make our streets safe and our home inviolate. This cannot be done through rhetoric or the simple expenditure of funds. The rise in serious crime proves that we have not begun to find the answer. This problem is one of top priority and must be dealt with by the Administration in a serious manner rather than the ineffective way in which it has proceeded in the past.

On a more local level, we must intensify our efforts to improve all aspects of society in our District. We must continue to improve our highway communications. We must upgrade the facilities of our airports. We must push, as I have constantly, for better rail transportation. We must insist that our problems with an unreasonable volume of foreign trade be recognized by the Executive Branch. We must demand that they become as sensitive to the domestic implications of our foreign economic policy involving employment and commercial activity as they have in the past been to the overseas effects. We must continue our already significant advances in reducing the pollution of our streams and waterways. We must solve effectively the difficulties created by the coupling of the physical deterioration of our central cities with a wave of new intra-national immigration. We must improve the quality and sophistication of our educational system.

Above all we must realize that the good life may be measured by other than material standards and that an unending volume of consumer goods not only will deplete our natural resources, but fail to satisfy continually expanding appetites for convenience and luxury.

With these goals in mind, and with the realization that I am the agent and servant of the people of our District, I gratefully accept your nomination, and with your help and support I am sure that in my next term I can contribute to the realization of these vital objectives.

BE CAREFUL ON CRIME STATISTICS

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, the varying trends of crime statistics provide a most unstable basis for general conclusions as we all know and their compilation is such an inexact science that all authorities agree that they are not to be relied upon.

A recent editorial in the Danbury, Conn., News Times points up this weakness and also correctly critizes those who complacently accept a decrease in the rate of increase as a major achievement in the fight against crime. I am happy to include this perceptive editorial with these remarks:

A Singularly Unimpressive Decline

We are singularly unimpressed by the Washington report that while major crime continues to increase, the rate of increase has declined.

The base on which the rate of increase is figured is higher than previous bases, so there ought to be a decline.

Take the figure of 100 and increase it by 10 in 10 consecutive steps. The first step, from 100 to 110, is a 10 per cent increase.

The second step, from 110 to 120, is approximately a 9 per cent increase.

By the time the final step is reached, from 190 to 200, the rate of increase has declined to roughly 5 per cent.

The fact that crime increased ought to convince federal officials that much more work remains to be done in their widely-publicized fight against crime.

For one thing, they should be correcting the flaws, the waste of money and even fraud which have plagued the Law Enforcement Assistance Administration.

Big talk about law and order has not reduced the crime rate.

Big spending of tax dollars, with much of it going to fancy state projects and rural areas where it was not needed, instead of to city departments where it is, has not reduced the crime rate.

New talk about a decline in the rate of increase will not do anything to reduce the number of major crimes or how they affect people.

DEMOCRATIC NONSENSE

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, as the Democratic Party's image is transforming itself, continued aim is taken at the tax system in the United States. Piercing attacks on the Nixon administration have designated the President to be the bulls-eye in their dart-throwing taxation tournament.

A review of the last 20 years of the Congress shows that despite their continuing control the Democrats have done little in reforming the American tax structure.

As the Democrats attempt to blame the the Nixon administration for a lack of tax reform they ignore the fact that they have the power to change the tax system. The Democrats have forgotten that they are attacking themselves and have placed themselves on the dart board. In November, when the people pick up the darts, Democrats in Congress will be the prime target due to their inaction.

By November the game may change to "pin the tail on the donkey."

This was the subject of a recent editorial in the Johnstown Tribune Democrat, of Johnstown, Pa., which follows:

DEMOCRATIC NONSENSE

Reform seems to be the byword of contemporary Democrats, at least those Democrats who have been trying with considerable success to throw off the cloak of party traditionalism and don the wide lapels of modernity.

From most of what is read, they have managed to reform their party; whether that type of reform is to be regarded as reasonable progress remains to be seen.

While they were reforming the Democratic party, many of them still found time to cry for reform of other areas of the American scene, and among a good many congressional Democrats the rallying point has been the federal taxation system.

For example: at the Democratic national convention Sen. Fred Harris of Oklahoma spoke out about the need for drastic tax changes that would assure "equal taxation of all income."

The Harris plea was an echoing of those made by others wanting tax reform to center on the plugging of the so-called tax loopholes.

What is projected by all of this type of talk is that the Republican administration of President Richard M. Nixon is to be held accountable for all of the faults of the current system of taxation.

If we can get a cry in edgewise among all of the other cries, it just isn't so.

The present administration cannot be held responsible for the tax system or for its loopholes. Neither for that matter, can the administrations of former presidents Johnson, Kennedy and Eisenhower be cast as the villains. The hissing and the booing from certain Democrats in actuality is being directed at themselves and other Democrats. Why? Why because the Democrats have held control of Congress for 18 years, and it is the Congress that must pass legislation dealing with taxes.

So the berating gets a bit tiresome, especially when the inference is that Republicans are to be blamed.

The newsletter of the Republican Congressional Committee had a few words to say about such Democratic carping; and we would like to quote a few of them, to wit:

"The Democrats have controlled the Congress for the past 18 years by substantial majorities. They are the architects of our present laws. Whatever inequities exist are the direct result of their action or inaction.

"In fact, the Democrats enacted a tax 'reform' law just three years ago which carefully preserved what they now call 'loopholes.' They even killed meaningful reforms proposed by Republicans at the time.

"In short, if the tax system is fouled up the Democrats did it. If there are loopholes they had the say in putting them there. It's that simple. Democrats made our federal taxes what they are today."

President John F. Kennedy had trouble with Congress even though his fellow Democrats controlled it. So it is hardly any wonder that today President Nixon has experienced something of the same difficulty. At times, in fact, federal expenditures have been expanded beyond what Mr. Nixon has recommended. And who did the expanding? Congress. A Democratic-controlled one.

Therefore, when the Democrats set out to blister the tax laws, the ears burning hottest should be their own.

RESULTS OF QUESTIONNAIRE FROM CITIZENS OF THE 12TH CONGRESSIONAL DISTRICT OF PENNSYLVANIA

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, over 32,000 individual constituents in the new and expanded 12th Congressional District of Pennsylvania responded to my congressional questionnaire which I mailed out last month.

I am particularly gratified that so many people of this six-county area took the time to give me their viewpoints on a large number of questions of interest to the district specifically, and the Nation as a whole. Perhaps the most important general observations I can make after the polling are these: First, it is patently obvious that people are vitally interested in their government and desire to be heard on the issues affecting them. Second, the notion that the public is not aware of the issues is convincingly destroyed by the response to my poll; the people not only gave me their opinions, but over 3,000 took the time to expand on their answers. There were many suggestions for legislative remedies to the problems raised by the questionnaire and other public problems as well. Third, based on a careful reading and analysis of the returns, I was impressed by the care, thought, and consideration given by each individual in answering some definitely tough questions. To be more specific, the analysis proved not only a consistency of opinion in the district but also showed that the respondents were thinking about the consequences of their answers and opinions. Naturally, many individuals found it as difficult to answer yes or no to some questions just as we in Congress find it difficult to vote yea or nay on complex legislative matters. This accounts for the large number of extra comments and opinions I received with the polling.

In brief, I am very pleased with the results—not necessarily because I agree with the majority in each case—but rather because my constituents were truly interested in giving me guidance about the issues and problems that affect us all.

Knowing of the interest of other Members in congressional mail balloting, I am showing the results of my questionnaire in tabular form followed by some interesting highlights from a deeper analysis of the results. Overall, 51 percent of the responses came from men and 49 percent from women. Except in rare instances, sex distribution, in answering the questions, was not a major factor. Ninety-five percent of those answering the poll, answered every question.

TABLE I.—TABULATION OF 1972 CONGRESSIONAL QUESTIONNAIRE—DISTRICTWIDE

[In percent]

Question	Yes	No
1. Should the Federal Government collect taxes and allocate funds to State and local government with no stipulations as to use?	14	86
2. Would you approve of an alternate tax to finance education costs in order to halt increases in local property taxes?	76	24
3. Do you think that pornographic advertisements, magazines and movies are too prevalent in your area?	68	32
4. Do you feel there is adequate protection against crime in your community?	42	58
5. Do you consider the water quality and supply in your area adequate to meet present and future community needs?	70	30
6. Do you consider pollution of the natural environment a major issue in your area?	60	40
7. Do you favor a Federal law to provide incentives to businesses willing to locate in rural areas and small towns to create new employment?	74	26
8. Would you favor welfare reform to include a minimum guaranteed annual income for every family?	28	72
9. Do you favor automatically adjusting social security benefits to cost-of-living increases?	89	11
10. Would you support a national health insurance plan, operated by the Federal Government, to guarantee medical care to all?	64	36
11. Do you agree with the President's current policy regarding the war in Vietnam?	73	27
12. Do you favor increased trade and diplomatic ties between the United States and Communist nations?	63	37
13. Do you support an all volunteer army except when there is a formal declaration of war?	78	22
14. Do you favor amnesty for draft evaders?	11	89
15. Are present Government programs for assistance to farmers adequate?	75	25
16. Should we increase import taxes on foreign products as a means of equalizing competition with those goods?	80	20
17. Do you agree with the President's policies to combat inflation?	59	41
18. Should Congress and the President force settlement of labor-management disputes affecting the national interest?	84	16
19. Should the Federal Government institute a national lottery to obtain additional revenue?	52	48
20. Do you believe there should be additional Federal legislation to regulate firearms ownership?	38	62
21. Should the Federal Government continue the space program?	50	50
22 Do you favor legislation to stop new and additional busing of students to achieve racial balance?	77	23
23. Do you believe a constitutional amendment is necessary to guarantee equal rights for women?	20	80

TABLE II.—TABULATION OF 1972 CONGRESSIONAL QUESTIONNAIRE, BY COUNTIES

[In percent]

Question No.	Armstrong		Cambria		Clarion		Indiana		Jefferson		Somerset	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
1	12	88	15	85	11	89	13	87	13	87	14	86
2	97	24	78	22	70	30	79	21	72	28	71	29
3	67	33	70	30	68	32	66	34	61	39	67	33
4	46	54	36	64	50	50	46	54	58	42	44	56
5	67	33	78	22	36	64	56	44	67	32	67	33
6	58	42	68	32	65	35	61	39	42	58	49	51
7	78	22	73	27	78	22	72	28	79	21	73	27
8	24	76	30	70	32	68	28	72	27	73	27	73
9	87	13	90	10	90	10	90	10	88	12	88	12
10	61	39	68	32	65	35	63	37	56	44	60	40
11	67	33	75	25	65	35	70	30	74	26	74	26
12	65	35	61	39	62	38	64	36	66	34	63	37
13	78	22	76	24	80	20	80	20	80	20	80	20
14	15	85	10	90	8	92	15	85	11	89	12	88
15	75	25	78	22	69	31	73	27	69	31	76	24
16	77	23	83	17	80	20	75	25	79	21	80	20
17	55	45	60	40	53	47	58	42	59	41	61	39
18	83	17	84	16	81	19	85	15	86	14	84	16
19	55	45	55	45	50	50	49	51	50	50	46	54
20	35	65	41	59	35	65	41	59	32	68	31	69
21	56	44	49	51	56	44	50	50	47	53	49	51
22	76	24	78	22	66	34	78	22	75	25	78	22
23	20	80	20	80	20	80	22	78	20	80	18	82

HIGH PERCENTAGE RESPONSES

Districtwide, the response to some of the questions with high percentage—over 80 percent was quite instructive. In spite of recent action by the House of Representatives, the people in my district voted overwhelmingly against revenue sharing. The vote—14 percent yes, 86 percent no. The percentage deviation from county to county was slight indicating once again that citizens know that revenue shared must come from one source—their pockets. The answer to the question is even more illuminating inasmuch as almost every local government official has voiced his support for some type of revenue sharing. The people know that revenue cannot be shared that is not available.

I asked about a favorite subject when I queried about a cost-of-living adjustment for social security recipients. The vote was 89 percent in favor; 11 percent against. The recently passed social security legislation which increased benefits by 20 percent included the cost-of-living escalator but its effective date is not until 1975.

"Do you favor amnesty for draft evaders?" Predictably, the answer was a resounding "no." The vote—11 percent yes, 89 percent no. In my district where 46 percent of the male population over the age of 18 is a veteran, including over 9,000 veterans of the Vietnam war, the results were not surprising.

Eighty percent of the respondents agreed with the proposition that we should increase import taxes on foreign goods to equalize competition. I know for a hard fact that many industries—and that means jobs—in my district have been seriously hurt and more are threatened by the apparently uncontrolled flood of imported goods from low-wage countries. The workingman in my area is not afraid of competition; but he does want to be able to compete on an equal basis. I have sponsored five bills in this Congress which would achieve the goal of fair international trade and I am still hopeful that the Congress will act to implement those measures, or ones similar, before adjournment.

One of the surprises in the results came in response to my question about labor-management disputes and the role of the Federal Government therein. In an area heavily populated by union members 84 percent of those answering the questionnaire favored the Congress and the President stepping into disputes which affect the national interest, and forcing a settlement. It would appear that the strike, especially the long strike, is less and less justifiable in the eyes of the average citizen.

On the question about the constitutional amendment to guarantee equal rights for women, the district voted heavily against the proposition: 20 percent voted for the proposal and 80 percent voted against. The sex breakdown is of interest: 16 percent of the men voted in favor, while 84 percent were against. Twenty-five percent of the women voted in favor with 75 percent against. The county-by-county results on this question were nearly identical. As one of the tiny band of holdouts in the House who voted against sending this proposal to the States for ratification, I am naturally pleased to see my district equally solid in its sentiments.

OTHER RESPONSE HIGHLIGHTS

I picked four questions of major national interest for further analysis in terms of all other questions asked in the poll. The questions were: First, should the Federal Government collect taxes and allocate funds to State and local governments with no stipulations as to use? Sixth, do you consider pollution of the natural environment a major issue in your area? Eighth, would you favor welfare reform to include a minimum guaranteed annual income for every family? And tenth, would you support a national health insurance plan, operated by the Federal Government, to guarantee medical care for all?

PROPERTY TAX ALTERNATIVE

The overall response to this question was 76 percent in favor, 24 percent against. From a detailed study of the responses to this question, the implication is that my constitutents expressed an overwhelming desire to finance education from other than property tax resources and that revenue sharing could be such an alternative. On the other hand, since the respondents did not have the opportunity to state which alternative they preferred, and they were definitely against revenue sharing, it is obvious that some new approach must be found to ease the taxpaying burden of the property owner.

WATER QUALITY ADEQUACY

To comprehend any analysis of this question, one must "know the territory" as the saying goes. Compared to the number of complaints against present systems, and requests for assistance to develop good water supply sources that have come to my office over the years, I was surprised to find 70 percent of the respondents agreeing that water quality was adequate. However, when one looks at the county figures, they vary widely, reflecting the different types of water pollution and water supply problems faced by different areas.

Not inconsistently, those who responded with a "yes" to this question, 65 percent believed that general pollution of the natural environment is a major factor in their area while 35 percent did not think so. Of those who indicated that water quality was not adequate, 78 percent did believe that general pollution was a major factor while 22 percent did not agree. The citizens of the district are concerned about pollution of their environment—the difference in the intensity of concern depends upon the area and the type of pollution which the respondent considered when answering the question. I noted for example that in Cambria County, the overall "yes" response about the adequacy of water quality was 78 percent but when asked about pollution in general, the "yes" response dropped to 68 percent. What is shown here is that pollution is too general a term to adequately describe the specific problem of any one area.

GUARANTEED ANNUAL INCOME

The overall response was a resounding "no" to the guaranteed annual income proposition. Although the yes–no percentage spread was smaller than on the revenue sharing and social security questions, it shows a basic consistency.

Some of the strongest additional comments on the poll itself and in separate letters were voiced on this subject. I believe I can safely summarize the feelings of the respondents and the majority of the citizens of the district by paraphrasing some of the comments, to wit:

> Work performed should be the criteria for income, not some artificial government standard of poverty.

My question was purposely doubled-barreled in that it tied the guaranteed annual income idea to welfare reform. Respondents were not confused—they voiced support for meaningful welfare reform but made clear that such reform should not include a guarantee of an income for those who refuse to work if so able.

NATIONAL HEALTH INSURANCE

I had expected a somewhat larger percentage of my constituents to favor a national health insurance plan than the 64 percent yes figure represents. In fact, my prediction was this would be one of the questions in the over 80-percent category of responses. Part of the explanation for the response may be due to the public's confusion about the many proposals that have been bandied about in both Houses of the Congress. As the author of one of the more limited types of health insurance plans, I am aware of the deep distrust on the part of many people of those radical schemes that would implement the cradle-to-grave insurance programs, and I judge that many of my constituents were reluctant to voice a yes of my question for fear that it would mean a vote for reducing our medical care system to the socialist mold. If I am able to conduct another poll in the near future, I intend to probe deeper into issues such as medical care and other social issues, giving the respondent an opportunity to choose alternative responses.

Although the majority of my constituents registered an affirmative vote for the President's policies to reduce inflation, the statistics show that that question was one of those least answered.

Since the beginning of the Pennsylvania lottery a few months ago, I thought that a question on a national lottery would elicit more of a favorable response than it did. The division on the question was almost evenly split. Some of the questionnaire forms returned had no other comment except one connected with this issue and, in almost every case, the reply said, "Yes, if you will get rid of" this or that tax. Another 50–50 split which caused some surprise came in response to my question about maintaining the space program. From the letters and comments I have received over the past few years, asking for a clampdown on nonessential Federal expenditures, I would have thought space would get the axe from my district. The results give no conclusive decision.

CONCLUSION

The most important conclusions I can draw from the results of the polling are those stated at the outset; in summation, I am proud to be the representative of a thinking constituency. I am naturally pleased to see that many of my votes, positions, and statements in this and previous Congresses, conform generally to the opinions of the majority of the people I am honored to represent. Moreover, I am convinced that this type of direct communication with one's constituency is a valuable two-way tool in the process of government and governing. I plan to follow up this poll with others—perhaps on a reduced but more penetrating scale—as time and funds allow.

CLAUDE PEPPER WELCOMES DELEGATES TO MIAMI BEACH

(Mr. HAMILTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HAMILTON. Mr. Speaker, on July 10, our distinguished colleague, CLAUDE PEPPER, welcomed the delegates to the Democratic National Convention in Miami Beach. I would like to bring his fine address to the attention of this body:

WELCOME ADDRESS OF THE HONORABLE CLAUDE PEPPER

Distinguished and beloved and able Chairman, Larry O'Brien, distinguished guests, honorable delegates and alternates, ladies and gentlemen:

I am proud to be able to join in extending a hearty welcome to the delegates and alternates and to all of you attending this Democratic National Convention in my Congressional district, our County of Dade, and State of Florida.

It is an inspiring sight to see this great Democratic National Convention, representing every part of this beautiful America and every race, creed, color, and class among our citizens gathered here in this spacious hall, as the spokesmen for the Democratic Party, the oldest continuous political party in the United States and in the world, with a history of compassion and concern and service to the people of this country unequaled by any political party in the history of man.

And it must give to every delegate and alternate assembled here a sense of almost awesome responsibility to realize what your convening here means to the people of America; to become fully aware that for the Americans who yearn for real peace for our country and the world, who are without jobs, many almost without hope, who are hungry, ill-clad and ill-housed, who are concerned about their children in schools where drug abuse is epidemic, who are fearful night and day to walk their streets, to sleep in their homes, who are senior citizens and live in poverty and neglect, who stumble day after day under the load of frustration or work at jobs which dull both the intellect and the spirit—I say it must give a sense of almost awesome responsibility to the delegates and alternates of this Convention to realize that for all these many millions of Americans there is no help or hope in the foreseeable future except in the platform you adopt, in the nominee you select, and in the leadership that nominee gives to a Democratic Congress.

So this great Convention convenes, not to award the perquisites and the power of the Presidency to a chosen son or daughter, but to take up anew the battle to save and to serve America and every American.

I know this Convention will not let the American people down. I know that this week there shall go forth from this Convention Hall a new leader, with the vision and courage and character and faith to lead all the American people toward the promised land of a better life—a fulfillment of the old but ever new American dream.

For close to two centuries Americans have dreamed of a country which would be a citadel of freedom. A people bound together by a heritage of love and understanding. A nation free of hunger, fear, and suffering. A society governed by just laws enforced by honest men. The time for that dream has come. And I know and you know that we will not let the forces of division destroy the great work of this Convention. For we all know that whoever preaches or would practice division in the Democratic party serves the Republican Party.

These splendid men and women who are candidates for the Presidential nomination, when this convention is over and the decisions made, will show that they love America and that they love the Democratic Party by the unity and the determination with which they will wage the victorious battle for the benefactions and the blessings of a Democratic administration.

Now, my fellow Democrats, your labors will be numerous and arduous as you perform your historic mission here. Yet I hope you may still find pleasure in being amongst us and in the beauty you see round about. We want you to enjoy your labors here, to carry home happy memories of your visit to Miami Beach. Come again soon whenever there are perhaps not so many here. Thrice welcome, and Godspeed your work.

THE 50TH ANNIVERSARY OF AHEPA

(Mr. MORGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORGAN. Mr. Speaker, today will mark the 50th anniversary of one of the most remarkable fraternal organizations in our country—the American Hellenic Educational Progressive Association, known as AHEPA.

This association is composed of four separate organizations: The Order of Ahepa, founded on July 26, 1922, in Atlanta, Ga., which today has some 430 local chapters in 49 States, Canada, and Australia; the Daughters of Penelope, a senior women's auxiliary; the Sons of Pericles, a junior young men's auxiliary; and Maids of Athena, junior young women's auxiliary.

For half a century now, the AHEPA family of organizations has rendered outstanding service to individuals and communities throughout our land, and has worked to strengthen the bonds of friendship and understanding between the people of the United States and the people of Greece.

While promoting constructive civic and community projects, the local chapters of AHEPA have also contributed generously to many worthy national and international causes, including relief for victims of natural disasters, improved health research and care, expanded educational opportunities for the young, and others.

Moreover, through their social and cultural activities, the AHEPA organizations have helped to preserve the Hellenic traditions on the American soil, thereby enriching the environment in which all of us live.

I am very proud of the fact that there are many active chapters of AHEPA in the State of Pennsylvania and that a number of distinguished national officers of that fine organization, both past and present, are natives of our Commonwealth.

One of the outstanding chapters of AHEPA is located in my own district, in Washington, Pa. Its officers include Mr. Manuel Johns, president; Mr. Ernest Alexas, vice president; Mr. Chris Vlachos, secretary; and Mr. Peter S. Lucas, treasurer.

Over the years, I have had many good friends among the members of AHEPA, and I have long admired the fine civic and community work done by their organization.

It is with great pleasure, therefore, that I extend my sincere congratulations to AHEPA on this 50th anniversary, and wish the organization continued growth and success in its worthy endeavors.

ENFORCEMENT OF GUN LAWS: CHICAGO TRIBUNE TASK FORCE REPORT—PART VII

(Mr. MIKVA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIKVA. Mr. Speaker, most States have some statutes controlling the use and possession of firearms. Yet, in most major cities the enforcement of these laws has become a controversial issue.

This is the seventh in a series of 10 articles recently written for the Chicago Tribune by a task force created to study the role of the handgun in the epidemic of violence throughout America.

Today's article examines the effectiveness—or ineffectiveness—of judicial enforcement of gun control laws. Ninety percent of the people brought to court on gun charges do not have previous criminal records. Many judges feel the people involved are not likely to engage in future criminal conduct, and that no purpose would be served by imposing a harsh prison sentence. It should be noted that 70 percent of all murderers using guns have no previous criminal record and kill someone they know in a moment of passion. In these cases it is clear that strict enforcement after the fact is of little effect. Prevention is the name of the game, and therein lies the principal argument for sensible firearms controls.

The article follows:

GUN FOES HIT COURTS AS LENIENT

(NOTE.—This is the seventh in a series of Task Force reports on the gun controversy by George Bliss, director, and reporters Philip Caputo, William Currie, Robert Enstad, and Pamela Zekman.)

Last Feb. 26, John Averett was a patron in a neighborhood tavern at 7132 S. Racine Av. He was in one of those situations that occur thousands of times each day. Had some incident lit the flame of anger, someone in the tavern might have become a murder statistic.

Averett was brandishing a loaded gun, a .32 caliber revolver.

Two weeks ago Averett appeared in Rackets Court to answer charges of unlawful use of a weapon, and failure to register his revolver with the city. He was one of the 32,159 persons charged with unlawful use of a weapon by the Chicago police in the last four years.

GETS YEAR'S PROBATION

At a brief hearing before Judge Thomas Cawley, Averett pleaded guilty to the first charge and was sentenced to one year's probation. The registration charges were dropped.

Averett could have been sentenced to a year in jail. But he had no previous criminal record, supports five children, and has lived in Chicago for 18 years.

FIRST TIME IN TROUBLE

"Nine of ten people who come in here [on gun charges] have not been arrested before," said Judge Cawley, who may hear 30 gun cases a day. "All day long you see these nice people. I can't put these types of people in jail."

Ironically, most murders are committed by persons who have never before been in trouble. "The accessibility of guns causes murder where without a gun it might have been a good fight," said Judge Cawley.

Edward V. Hanrahan, Cook County States Attorney, agrees this statement pinpoints the gravity of having guns easily available. But he decries the concept that "nice people" carry guns and that the courts should treat them lightly.

"Was Arthur Bremer [accused of shooting Gov. George Wallace] a nice fellow?" Hanrahan asks. "Some nut judge [in Milwaukee where Bremer had previously been arrested on a firearms charge] reduced Bremer's gun charge to disorderly conduct and fined him $39.50. Here we charge a little more for such things—maybe $50."

PROBLEM IN OTHER CITIES

It is not only in Chicago but also in New York City, Washington, D.C., and other large cities where there is a controversy over whether the courts effectively punish gun law offenders.

Court sentences on gun offenses make the penalty for carrying a handgun a "joke among people of criminal intent," said Patrick Murphy, New York City Police Commissioner, an outspoken proponent of gun control laws.

Chief Jerry Wilson, of the Washington, D.C., police said that no one in the criminal justice system realizes that "the unlawful possession of a firearm is a crime of the first magnitude." Tougher enforcement of his city's gun law, Chief Wilson asserts, would curtail gun-related crimes in Washington.

OPPOSES MORE LAWS

U.S. Rep. John D. Dingell [D., Mich.], vigorously has opposed additional gun control laws claiming the courts are not enforcing the 20,000 laws now on the books. "We apparently haven't yet passed a law that is enforceable and workable," said Dingell, a board member of the National Rifle Association. "It is high time we started enforcing the laws we have now."

Enforcing gun laws against persons who carry weapons in public is only part of the problem. Guns in cars, and homes, supposedly kept there to fend off robbers and intruders, are another factor.

Seventy percent of the persons who kill with a gun, kill a friend, a relative, a suitor, or someone else they know, rather than a stranger. A seizure of passion can cause an otherwise rational person to kill by gun.

CITES EXAMPLE

Take the case of Bertha Dumas. In June 14, 1971, she was sitting in her living room at 121 N. Keeler, watching television and drinking beer when her boy friend, Collis Bridges, returned home unexpectedly.

"You should be at work," she yelled, then pulled an unregistered, cheap handgun from her purse and shot him in the face. He grabbed her, and in the following struggle the gun went off two more times, killing Miss Dumas.

Then there was LaFronzell Spight, 22, who shot at his sister Carolyn with his unregistered .22 calibre rifle after she became enraged with him for walking over a freshly-mopped floor. The shot struck the kitchen door, a foot from where she was standing.

STATISTICS PROVE CASE

Among the statistics to show nonenforcement of existing gun laws are the following.

During 1971, fewer than one in eight persons convicted of a gun charge in Chicago was sentenced to jail. Most were fined or placed on probation or under supervision. The majority of gun charges filed by police never came to trial.

The Washington, D.C., police department studied 361 gun cases heard in that city during a three-month period. Forty-five per cent of the cases were not tried. Of the 157 defendants who were convicted, 103—or 66 percent—were fined, given a suspended sentence, or placed on probation. The chances of not getting jail time were better than five out of six.

The police department of New York City reviewed 156 gun cases, of which 136 were felony arrests for criminal possession of handguns. Not one of the 136 was convicted of the original felony charge.

SERIOUS FELONY OR NOT?

"Now is it a serious felony to carry an illegal handgun or is it not, according to law?" asks Police Commissioner Murphy. "If it is a serious felony, then how do we justify a record like this?"

Reporters found indications that the criminal on the street, the man who uses his .38 to rob or kill, knows he can flout gun laws.

"As a result of the low conviction rate, the word is out on the street 'don't sweat the gun,'" said Donald E. Santarelli, deputy attorney general of the United States.

GANG MEMBER TALKS

And a 22-year-old former street gang member who said he started peddling guns in Chicago at age 15, told Task Force reporters:

"If you're clean, you can register the gun with the police and everything's legal. Now say you get busted, and even if you're registered, you don't have no permit to be carryin' it around. But you know you'll just get a fine . . . you know the gun charges will be kicked off."

Some persons, such as Judge James M. Walton, who hears gun cases in Chicago's Rackets Court, maintain the police misuse gun laws.

JUSTIFY ILLEGAL SEARCH

"The confiscation of guns is used [by police] to justify an illegal stop and frisk," said Judge Walton. "Police operate on the theory that if they confiscate guns or narcotics and get them off the street they are doing their job. There is something to be said for that, but I am not going to say it. I don't think that gun laws are not being enforced, particularly against the blacks."

Concern about gun law enforcement also extends to the handling of gun charges in the federal courts and by juries.

Steven Ostrowsky, 29, of Homewood, was tried in Federal Court in Chicago for lying when he purchased guns from the Blue Island Gun Shop in 1970. He allegedly said he was not under indictment for a felony at the time, when in fact he was. Ostrowsky testified that he thought the question on the firearms transfer form meant being convicted of a felony rather than just being charged. A jury acquitted him.

"These cases are hard to prove," said Matt Lydon, an assistant United States attorney who prosecuted the case. "Some juries don't accept these cases. People think they are technicalities and they think people should be able to have guns."

Another controversial federal case in Chicago involved three Black Panther Party members, Merrill Harvey, Michael White, and Nathaniel Junior. They were accused of attempting to purchase machine guns from an undercover agent of the Alcohol, Tobacco, and Firearms Division of the Treasury department.

The three, two of whom jumped bond

before trial, pleaded guilty and were placed on three years probation by Judge Joseph Sam Perry. The prosecutor, William P. Cagney, had asked for a stiff jail sentence, arguing that "granting them probation would be giving them a license to kill." Cagney noted that six days before the attempted purchase, Junior had spoken at a rally and called for violent revolution.

NOT CASE OF VIOLENCE

"This is not a case of violence," Judge Perry replied. "The charge is attempting to buy weapons. They could have bought the same weapons at Sears Roebuck and Co., if they had given their names. Except for their Black Panther affiliations they have no criminal record of consequence.

"I don't think it is in the best interests of society to throw the book at them," Judge Perry said.

A deciding element in many gun cases can be where a gun is found, if it was accessible, and whether it was concealed. Thus, if a pistol is on a seat next to the driver it is in unlawful use because it is accessible to the driver. "If the driver gets angry he can pick it up and shoot someone," said Judge Cawley. If the gun is in the car's glove compartment or on the floor in the back, the courts don't consider it accessible.

PENALTIES ARE TARGET

The major attack on the courts' handling of gun cases concerns the penalties meted out. Chicago's gun registration laws originally called for a mandatory penalty of $500 for not registering a gun. However, the judges were reluctant to impose such a fine, so last year the City Council amended the ordinance to set fines at between $100 and $500.

"Amazing, just amazing," says Hanrahan. "The City Council watered down a good ordinance to adjust to the sentimentalities and practices of judges who won't follow the law."

Judge Walton replied: "I try to temper justice with mercy. I think this is consistent with the philosophy of law. Law-abiding citizens in the ghettos don't register their guns out of ignorance and negligence."

SEEK 60-DAY SENTENCES

Hanrahan's office routinely asks for a minimum 60-day jail sentence of anyone convicted of unlawful use of a weapon. It seldom gets it. Judge Cawley said his typical penalty is $100 and to confiscate the gun.

"This court is like Traffic Court," he said. "I don't consider most of these people criminals and would never give them 60 days. About half of the people who are brought here have made some effort to comply with gun laws."

As Judge Cawley, a trap shooter, sees it, the only real issue in the gun controversy is the sale and manufacture of handguns. "Everything else skirts that," he said. "After sitting here and seeing the confusion on guns and how they are handled I am coming to the view of outlawing the manufacture of handguns."

TELLS TALE OF YOUTH

While some courts have a propensity to treat gun offenders lightly, the policeman considers the carrying of a gun deadly serious business.

A Chicago policeman, David Ferguson, tells the story of a 16-year-old gang member who pulled a .38 cal. revolver on him. The youth was charged and when they went to court, he got supervision.

"I told his father on the steps of the courthouse that he better watch his kid," Ferguson recalled. "I told him that the kid likes guns and one of these days he's going to kill or get killed. The kid sneered at me."

Three months later, the youth was killed during an attempted armed robbery.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FOLEY (at the request of Mr. O'NEILL), for today and July 27, on account of family illness.

Mr. ASPINALL, from 4 p.m. Thursday, July 27, 1972, until noon Monday, July 31, 1972, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WHITEHURST) to revise and extend their remarks and include extraneous matter:)

Mr. BELL, for 10 minutes, today.

Mr. DON H. CLAUSEN, for 10 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. SANDMAN, for 30 minutes, today.

Mr. KEATING, for 15 minutes, today.

(The following Members (at the request of Mr. MAZZOLI) to revise and extend their remarks and include extraneous matter:)

Mr. YATRON, for 10 minutes, today.

Mr. ASPIN, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. WOLFF, for 30 minutes, today.

Mr. METCALFE, for 5 minutes, today.

Mr. PEPPER, for 10 minutes, today.

Mrs. ABZUG, for 10 minutes, today.

Mr. MILLS of Arkansas, for 5 minutes, today.

Mr. COTTER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MAHON in three instances and to include extraneous matter and tables.

Mrs. HICKS of Massachusetts.

Mr. SISK.

Mr. BURKE of Massachusetts.

Mr. UDALL, during general debate on the bill H.R. 11128, and to include extraneous matter.

Mr. SAYLOR, notwithstanding it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $340.

Mr. PICKLE, and to include extraneous matter with his special order today, notwithstanding the fact that it exceeds 4½ pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $765.

(The following Members (at the request of Mr. WHITEHURST) and to include extraneous matter:)

Mr. PEYSER in five instances.

Mr. WIDNALL in two instances.

Mr. LANDGREBE in five instances.

Mr. HASTINGS.

Mr. CHAMBERLAIN.

Mr. SAYLOR.

Mr. SHOUP.

Mr. WYMAN in two instances.

Mr. BOB WILSON.

Mr. DERWINSKI in two instances.

Mr. GERALD R. FORD.

Mr. SPRINGER.

Mr. SEBELIUS.

Mr. CONTE.

Mr. WINN.

Mr. KEMP.

Mr. CONOVER in three instances.

Mr. FISH.

Mr. CONABLE.

Mr. J. WILLIAM STANTON.

Mr. PELLY in five instances.

Mr. SMITH of New York.

Mr. VEYSEY.

Mr. HUNT.

Mr. ESCH.

Mr. JOHNSON of Pennsylvania.

Mr. HANSEN of Idaho.

Mr. HAMMERSCHMIDT.

Mr. TERRY.

Mr. PRICE of Texas.

Mr. BURKE of Florida.

(The following Members (at the request of Mr. MAZZOLI) and to include extraneous matter:)

Mr. THOMPSON of New Jersey.

Mr. CASEY of Texas.

Mr. ANNUNZIO.

Mr. CARNEY in two instances.

Mr. DOW in two instances.

Mr. ROGERS in five instances.

Mr. FOUNTAIN in two instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. HUNGATE in three instances.

Mr. STOKES.

Mr. ASHLEY.

Mr. BIAGGI in five instances.

Mr. WOLFF in two instances.

Mr. HARRINGTON in two instances.

Mr. MCKAY in two instances.

Mr. MIKVA in 10 instances.

Mr. MINISH.

Mr. UDALL in 10 instances.

Mr. RODINO.

Mr. FASCELL in two instances.

Mr. BYRNE of Pennsylvania.

Mr. PATTEN.

Mr. KYROS.

Mr. PEPPER in five instances.

Mr. STAGGERS.

Mr. FLYNT.

Mr. HANNA.

Mr. LEGGETT.

Mr. DELANEY.

Mr. VANIK.

Mr. BURTON.

Mr. TIERNAN.

Mrs. HICKS of Massachusetts.

Mr. WALDIE in two instances.

Mr. ROONEY of Pennsylvania in three instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 5. An act to promote the public welfare; to the Committee on Rules.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8708. An act to extend the authority of agency heads to draw checks in favor of financial organizations to other classes of recurring payments, and for other purposes.

H.R. 15950. An act to amend section 125 of title 23, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as a result of recent floods and other disasters; and

H.R. 15951. An act to authorize the Secretary of the Army to undertake a national program of inspection of dams.

SENATE ENROLLED BILLS SIGNED

The **SPEAKER** announced his signature to enrolled bills of the Senate of the following titles:

S. 2945. An act to amend title 10 of the United States Code to permit the appointment by the President of certain additional persons in the service academies; and

S. 3772. An act to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 8708. An act to extend the authority of agency heads to draw checks in favor of financial organizations to other classes of recurring payments, and for other purposes.

ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 32 minutes p.m.) the House adjourned until tomorrow, Thursday, July 27, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2195. Under clause 2 of rule XXIV, a letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Interstate Commerce Act to provide increased fines for violation of the motor carrier safety regulations, to extend the application of civil penalties to all violations of the motor carrier safety regulations, to permit suspension or revocation of operating rights for violation of safety regulations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 10295. A bill to establish a Commission Security and Safety of Cargo; with amendment (Rept. No. 92–1245). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 1943. An act to provide for the mandatory inspection of rabbits slaughtered for human food, and for other purposes; with amendment (Rept. No. 92–1249). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee of conference. Conference report on H.R. 12350 (Rept. No. 92–1246). Ordered to be printed.

Mrs. HANSEN of Washington: Committee of conference. Conference report on H.R. 15418 (Rept. No. 92–1250). Ordered to be printed.

Mr. YOUNG of Texas: Committee on Rules. House Resolution 1057. Resolution waving points of order against the conference report on H.R. 12931, a bill to provide for improving the economy and living conditions in rural America (Rept. No. 92–1247). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FLOWERS: Committee on the Judiciary. H.R. 14173. A bill for the relief of Walter Eduard Koenig (Rept. No. 92–1248). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MORGAN:

H.R. 16029. A bill to amend the Foreign Assistance Act of 1961, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. ABZUG (for herself, Mr. Dellums, Mr. Gallagher, Mr. Halpern, Mr. Harrington, Mr. Hawkins, Mr. Mikva, Mr. Mitchell, Mr. Nix, and Mr. Rangel):

H.R. 16030. A bill to amend title II of the Social Security Act to provide that an individual who resides with and maintains a household for another person or persons (while such person or any of such persons is employed or self-employed) shall be considered as performing covered services in maintaining such household and shall be credited accordingly for benefit purposes; to the Committee on Ways and Means.

By Mrs. ABZUG (for herself, Mr. Aspin, Mr. Dellums, Mr. Gallagher, Mr. Halpern, Mr. Harrington, Mr. Hawkins, Mr. Mikva, Mr. Mitchell, Mr. Nix, and Mr. Rangel):

H.R. 16031. A bill to amend title II of the Social Security Act to provide that full old-age, wife's, and husband's insurance benefits (and medicare benefits) shall be payable at age 60 (with such benefits being payable in reduced amounts at age 55), to provide that full widow's, widower's, and parent's insurance benefits shall be payable without regard to age, and for other purposes; to the Committee on Ways and Means.

By Mrs. ABZUG (for herself, Mr. Dellums, Mr. Gallagher, Mr. Halpern, Mr. Harrington, Mr. Hawkins, Mr. Mikva, Mr. Mitchell, Mr. Nix, and Mr. Rangel):

H.R. 16032. A bill to amend title II of the Social Security Act to increase to $9,000 a year the amount of outside earnings permitted without deduction from benefits thereunder, and to provide that deductions from benefits on account of outside earnings in excess of that amount shall not exceed one-half of such excess; to the Committee on Ways and Means.

H.R. 16033. A bill to amend title II of the Social Security Act to eliminate the "family maximum" provisions which presently limit the total amount of benefits that may be paid on an individual's wage record; to the Committee on Ways and Means.

H.R. 16034. A bill to amend title II of the Social Security Act to reduce from 20 to 5 years the length of time a divorced woman's marriage to an insured individual must have lasted in order for her to qualify for wife's or widow's benefits on his wage record; to the Committee on Ways and Means.

H.R. 16035. A bill to amend title II of the Social Security Act to eliminate the special dependency requirements for entitlement to husband's and widower's insurance benefits, so that such benefits will be payable on the same basis as benefits for wives and widows; to the Committee on Ways and Means.

H.R. 16036. A bill to amend title II of the Social Security Act to provide benefits for widowed fathers with minor children, on the same basis as is presently provided for widowed mothers with minor children; to the Committee on Ways and Means.

H.R. 16037. A bill to amend title II of the Social Security Act to provide that the marriage or remarriage of a beneficiary shall not terminate his or her entitlement to benefits or reduce the amount thereof; to the Committee on Ways and Means.

H.R. 16038. A bill to amend title II of the Social Security Act to eliminate the duration-of-marriage and other special requirements which are presently applicable in determining whether a person is the spouse or former spouse of an insured individual for benefit purposes; to the Committee on Ways and Means.

By Mr. ASPIN:

H.R. 16039. A bill to authorize the Attorney General to make grants to law enforcement officers and firemen in reimbursement for costs incurred by such officers in certain civil and criminal legal actions arising out of or incident to the performance of the duties of their offices or employment; to the Committee on the Judiciary.

By Mr. BLATNIK (for himself, Mr. Jones of Alabama, Mr. Cleveland, Mr. Kluczynski, Mr. Don H. Clausen, Mr. Wright, Mr. Miller of Ohio, Mr. Gray, Mr. Terry, Mr. Clark, Mr. Johnson of California, Mr. Dorn, Mr. Henderson, Mr. Kee, Mr. Howard, Mr. Anderson of California, Mr. Caffery, Mr. Roe, Mr. Collins of Illinois, Mr. Roncalio, Mr. Begich, Mr. McCormack, Mr. Rangel, Mr. James V. Stanton, and Mrs. Abzug):

H.R. 16040. A bill to amend the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. BLATNIK (for himself and Mr. McFall):

H.R. 16041. A bill to amend the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. HARSHA (for himself, Mr. Grover, Mr. Cleveland, Mr. Don H. Clausen, Mr. Schwengel, Mr. Snyder, Mr. Zion, Mr. Hammerschmidt, Mr. Miller of Ohio, Mr. Terry, Mr. Thone, and Mr. Baker):

H.R. 16042. A bill to amend the Public Works and Economic Development Act of 1965, to add disaster assistance, and for other purposes; to the Committee on Public Works.

By Mr. COLLINS of Texas:

H.R. 16043. A bill to strengthen and improve the private retirement system by establishing minimum standards for participation in and for vesting of benefits under pension and profit-sharing retirement plans, by allowing deductions to individuals for personal savings for retirement, and by increasing contribution limitations for self-employed individuals and shareholder-employees of electing small business corporations; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 16044. A bill to further the purposes of the Wilderness Act of 1964 by designating certain lands for inclusion in the National Wilderness Preservation System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRASER:

H.R. 16045. A bill to amend the Railroad Retirement Act of 1937 to provide a temporary 20-percent increase in annuities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16046. A bill to amend the Railroad Retirement Act of 1937 to simplify administration of the act; to the Committee on Interstate and Foreign Commerce.

By Mr. HASTINGS:

H.R. 16047. A bill to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs; to the Committee on Interstate and Foreign Commerce.

H.R. 16048. A bill to protect collectors of antique glassware against the manufacture in the United States or the importation of imitations of such glassware; to the Committee on Interstate and Foreign Commerce.

By Mr. MIKVA (for himself, Mr. Halpern, Mr. Biester, Mr. Edwards of California, Mr. Bell, Mr. Hamilton, Mr. Drinan, Mr. Esch, Mr. Robison of New York, Mrs. Abzug, Mr. Mitchell, Mr. Heinz, Mr. Rees, Mr. Rosenthal, Mr. Aspin, and Mr. Fraser):

H.R. 16049. A bill to amend title 18, United States Code, to promote public confidence in the legislative branch of the Government of the United States by requiring the disclosure by Members of Congress and certain employees of the Congress of certain financial interests; to the Committee on Standards of Official Conduct.

By Mr. MINISH:

H.R. 16050. A bill to provide additional relief to the victims of hurricane and tropical storm Agnes, and to the victims of the South Dakota flood disaster, and for other purposes; to the Committee on Banking and Currency.

By Mr. SHRIVER:

H.R. 16051. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any disabled individual who has at least two quarters of coverage; to the Committee on Ways and Means.

By Mr. VEYSEY:

H.R. 16052. A bill to amend the Economic Stabiilzation Act of 1970; to the Committee on Banking and Currency.

H.R. 16053. A bill to amend the Railroad Retirement Act of 1937 to provide a temporary 20-percent increase in annuities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF (for himself, Mr. Flood, and Mr. Frenzel):

H.R. 16054. A bill to reorganize the functions of the executive branch of the Government which relate to the regulation of commercial uses of nuclear power, except those which relate to source materials, by transferring such functions from the Atomic Energy Commission to the Secretary of Health, Education, and Welfare to be administered through the Public Health Service subject (in certain cases) to disapproval by the Federal Power Commission or the Secretary of the Interior; to the Committee on Joint Commission on Atomic Energy.

By Mr. YATRON:

H.R. 16055. A bill to amend the Federal Aviation Act of 1958 in order to require the screening by weapons-detecting devices of all passengers in regularly scheduled air transportation; to the Committee on Interstate and Foreign Commerce.

By Mrs. ABZUG:

H.R. 16056. A bill to amend the Judicial Code to provide for the transfer of grand jury proceedings where the convenience of parties or witnesses and the interests of justice so require; to the Committee on the Judiciary.

By Mr. ALEXANDER (for himself, Mr. Bevill, Mr. Ichord, Mr. Buchanan, Mr. Anderson of Tennessee, Mr. Nichols, Mr. Kuykendall, Mr. Stuckey, Mr. Randall, Mr. Whitten, Mr. Mathis of Georgia, and Mr. Blanton):

H.R. 16057. A bill to amend section 103 of title 23 of the United States Code relating to additional mileage for the Interstate System and the Highway Revenue Act of 1956 by extending the duration of the Highway Trust Fund for the construction of certain highways, and for other purposes; to the Committee on Public Works.

By Mr. BELL (for himself, Mr. Goldwater and Mr. Rees):

H.R. 16058. A bill to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended, to create the Bicentennial film program; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 16059. A bill to amend the Elementary and Secondary Education Act of 1965; to the Committee on Education and Labor.

By Mr. BRASCO:

H.R. 16060. A bill to amend title 5, United States Code, with respect to certain employees engaged in hazardous occupations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CAMP (for himself, Mr. Belcher, Mr. Edmondson, Mr. Jarman, and Mr. Steed):

H.R. 16061. A bill to authorize the Secretary of Transportation to make loans and loan guarantees to assist railroads in rural areas; to the Committee on Interstate and Foreign Commerce.

By Mr. DON H. CLAUSEN:

H.R. 16062. A bill to provide free postage for parcels mailed to disaster areas; to the Committee on Post Office and Civil Service.

By Mr. FREY (for himself, Mr. Reuss, Mr. Railsback, Mr. Steiger of Wisconsin, Mr. Van Deerlin, Mr. Gude, Mr. Bolling, Mr. Bingham, Mrs. Grasso, Mr. Harrington, Mr. Fascell, Mr. Abourezk, Mr. Koch, and Mr. Anderson of Illinois):

H.R. 16063. A bill to amend title 18, United States Code, to promote public confidence in the legislative branch of the Government of the United States by requiring the disclosure by Members of Congress and certain employees of the Congress of certain financial interests; to the Committee on Standards of Official Conduct.

By Mr. GREEN of Pennsylvania:

H.R. 16064. A bill to amend title 42, section 246, subsection (b)(2)(A) of the United States Code; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 16065. A bill to amend title 23 of the United States Code to authorize the construction of separate bicycle lanes, and for other purposes; to the Committee on Public Works.

By Mr. LENT:

H.R. 16066. A bill to strengthen and improve the protections and interests of participants and beneficiaries of employee pension and welfare benefit plans; to the Committee on Education and Labor.

By Mr. ROSTENKOWSKI (for himself, Mr. Annunzio, Mr. Collins of Illinois, Mr. Kluczynski, Mr. Metcalfe, Mr. Murphy of Illinois, and Mr. Pucinski):

H.R. 16067. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. VEYSEY:

H.R. 16068. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise certain requirements for approval of new animal drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. KUYKENDALL:

H. Con. Res. 650. Concurrent resolution requesting the President to proclaim the first Sunday in June of each year as "National Church School Day"; to the Committee on the Judiciary.

By Mr. ROYBAL:

H. Con. Res. 651. Concurrent resolution requesting the President to proclaim the 24th day in October of each year as "United Nations Day"; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

412. The SPEAKER presented a memorial of the Legislature of the State of Michigan, relative to reconfirmation of Federal judges at 8-year intervals; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS:

H. Res. 1058. Resolution congratulating the Order of the American Hellenic Educational Progressive Association on its 50th anniversary and commending the order on its many contributions to strengthening American democracy; to the Committee on the Judiciary.

By Mr. GALIFIANAKIS:

H. Res. 1059. Resolution congratulating the Order of the American Hellenic Educational Progressive Association on its 50th anniversary and commending the Order on its many contributions to strengthening American democracy; to the Committee on the Judiciary.

By Mr. KYROS:

H. Res. 1060. Resolution congratulating the Order of the American Hellenic Educational Progressive Association on its 50th anniversary and commending the Order on its many contributions to strengthening American democracy; to the Committee on the Judiciary.

By Mr. YATRON:

H. Res. 1061. Resolution congratulating the Order of the American Hellenic Educational Progressive Association on its 50th anniversary and commending the Order on its many contributions to strengthening American democracy; to the Committee on the Judiciary.

By Mr. SARBANES:

H. Res. 1062. Resolution congratulating the Order of the American Hellenic Educational Progressive Association on its 50th anniversary and commending the Order on its many contributions to strengthening American democracy; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

263. The SPEAKER presented petition of "D C" Dockery, San Luis Obispo, Calif., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

FUTURE STATUS OF U.S. SOVEREIGNTY IN PANAMA CANAL ZONE

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 26, 1972

Mr. HARRY F. BYRD, JR. Mr. President, Gen. Thomas A. Lane, the noted military analyst, recently wrote a column on negotiations concerning the future status of U.S. sovereignty in the Panama Canal Zone.

General Lane made a number of interesting points in connection with the negotiations and the history of the relationship between the United States and Panama.

I feel that it is essential that the United States maintain effective control of this vital link between the Atlantic and the Pacific. In negotiating with Panama, representatives of this Nation must not sacrifice the vital interests of the United States in maintaining our control of this waterway.

I ask unanimous consent that the text of General Lane's column be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PANAMA CANAL

(By Gen. Thomas A. Lane)

Washington Ambassador David H. Ward is Special Representative of the U.S. for Panama Canal Treaty Negotiations. In an address to the Pan American Council at Chicago, he explained the premises of his present work. His misconceptions about the U.S. interest in the Panama Canal Zone are cause for concern.

In 1903, in preparation for building the Panama Canal, the U.S. received from Panama, by treaty and in perpetuity, all rights and powers in a 10 mile wide Canal Zone which it would possess if it were sovereign. Ambassador Ward said that these powers were conveyed, "because of various problems including those concerning health and sanitation." His comment was misleading. The U.S. actually exercised powers over health and sanitation outside the Canal Zone. It had taken sovereign powers in the Canal Zone not for health and sanitation but because these powers were essential to the future operation of the Canal.

In building an interoceanic canal, the U.S. was venturing a very great commitment of the wealth of its people. It was also taking trusteeship for a new waterway to serve not merely the U.S. but the world. It undertook to provide security for the Canal and to hold it open to world commerce on reasonable terms. That is why it was necessary to have powers of sovereignty in the Canal Zone.

When in 1923 the Panama Ambassador in Washington raised the question of sovereignty, Secretary of State Charles Evans Hughes, later a distinguished Chief Justice of the Supreme Court, said: "Our country would never recede from the position it had taken . . . This government could not and would not, enter into any discussion affecting its full right to deal with the Canal Zone and to the entire exclusion of any sovereign right or authority on the part of Panama."

Through succeeding years, American Presidents have undermined that once staunch stance. At first, adjustments were made to increase annual payments to Panama and to surrender rights outside the Canal Zone. In recent decades, token compromises of sovereignty, such as flying the flag of Panama in the Canal Zone, have been made. The effect of these concessions has been to put a premium on anti-Yankee politics in the Republic of Panama and to intensify agitation for the retrocession to Panama of U.S. sovereign powers in the Canal Zone.

The logical consequence of this diplomacy was the rioting of January, 1964, when Panamanian mobs attacked Canal Zone installations. Therefore, President Johnson's representatives, led by former Secretary of Treasury Robert Anderson, negotiated three treaties which would relinquish U.S. sovereign powers in the Canal Zone and create a bi-national management for Canal operations. Panama failed to ratify the treaties, so they were never submitted to the U.S. Congress for consideration.

The Nixon Administration started a new series of negotiations with Panama. As in other areas of vital U.S. interest, it simply continued the Johnson policy. Robert Anderson is still Chief Negotiater.

The sell out—At Chicago, Ambassador Ward outlined a program to cede Zone territory to Panama and ultimately to terminate U.S. sovereign powers in the Canal Zone. Each President asks not what sound policy requires but what he must give to placate Panamanian politicians for the remainder of his administration.

The powers of sovereignty were taken in 1903 not for transient considerations but for enduring requirements of security which are more compelling today than they were in 1903. Without these powers, the U.S. could no more hold Panama than the British and French could hold Suez. Every act of an American President which suggests that these powers could be surrendered encourages the communist cadres in Panama to launch new assaults against the American presence in the Canal Zone.

We need today the re-assertion by an American President that our powers of sovereignty in the Canal Zone are held in trusteeship for the world and that they will be held in perpetuity.

INFORMATION AND REFERRAL SERVICE ON MENTALLY ILL CHILDREN

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. HARRINGTON. Mr. Speaker, in my efforts to discover more information on autistic and mentally ill children all inquiries have led to one prime source—the Information and Referral Service for Mentally Ill of the National Society for Autistic Children. This agency, headed by the past president of the NASC, Mrs. Ruth C. Sullivan, provides over 20 services for parents and other interested persons in the care and treatment of mentally ill children. They include:

First. Names and addresses and other information about day and residential schools, private, and public.

Second. Names and addresses and other information about camps which take mentally ill children.

Third. Names of cities and States where mentally ill children are educated in the public school system.

Fourth. Names of public mental hospitals with good children's unit—almost nonexistent.

Fifth. Names of other parents in general geographical area with same problems.

Sixth. How to effectively organize to get community services for mentally ill children.

Seventh. Diagnostic and evaluation centers.

Eighth. Legislative news and information at national and State levels.

Ninth. Legal rights of mentally ill children.

Tenth. Up-to-date news of new programs.

Eleventh. Sources of funds for mentally ill children, public and private.

Twelfth. News and information of new treatment, education, methods, research, and other data.

Thirteenth. List of colleges and universities which offer training in field of childhood mental illness.

Fourteenth. List of sources of funds for teacher training.

Fifteenth. Library service dissemination of selected articles, reprints, books, and so forth, including bibliographies, and book reviews.

Sixteenth. Health insurance information.

Seventeenth. Trust fund information.

Eighteenth. Income tax information.

Nineteenth. Recreational facilities, plans, news.

Twentieth. News on international scene.

Twenty-first. Lists of contracts with Societies for Autistic Children in other countries.

Mrs. Sullivan informs me that the Information and Referral Service accepts additional information from individuals as well as gives it out.

This is truly a valuable function in the coordination of the fight against mental illness and in the treatment of that disease which affects one out of every 10 Americans. Early detection and early treatment of the various forms of mental illness in children, especially infantile autism, should be of the highest priority in the parent's concern for his child. The service provided by the National Society for Autistic Children is one that should be known by all parents. To contact the Information and Referral Service of NSAC, write to Mrs. Ruth C. Sullivan, 101 Richmond Street, Huntington, W. Va. 25702.

THE SISK-GRIFFIN BILL

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Wednesday, July 26, 1972

Mr. GRIFFIN. Mr. President, recently the American Farm Bureau published a very informative pamphlet entitled: "Questions and Answers on the National Agricultural Marketing and Bargaining Act—the Sisk Bill."

I ask unanimous consent that a letter I received recently from the president of the Michigan Farm Bureau, Mr. Elton Smith and a copy of the pamphlet be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

MICHIGAN FARM BUREAU,
Lansing, Mich., July 15, 1972.

Hon. ROBERT P. GRIFFIN,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR GRIFFIN: I would like to take this opportunity to commend you for sponsoring S-1775, the National Agricultural Marketing and Bargaining Act. Your introduction of this important agricultural legislation will add much support for its enactment by Congress.

The National Agricultural Marketing and Bargaining Act is needed to provide a legal framework upon which producers can build their own effective marketing and bargaining programs. Farmers have invested thousands of dollars and hours of their time to form responsible producer controlled bargaining associations. In conducting bargaining activities for their members many producer associations have been stymied by the refusal of handlers to recognize the association and negotiate in good faith.

This legislation would establish a mutual obligation of a handler and a qualified producers' association to meet at reasonable times and negotiate in good faith with respect to the production and sale of commodities produced under contract. Neither the producers' association nor the handler would be compelled to reach agreement.

Farmers would have an equal opportunity to participate in negotiations regarding the production and marketing of their products if given the requirement for good faith bargaining on the part of both producers and handlers. The National Agricultural Marketing and Bargaining Act provides this opportunity.

Once again, let me commend you for sponsoring this progressive agricultural marketing and bargaining legislation.

Sincerely,

ELTON R. SMITH,
President.

QUESTIONS AND ANSWERS ON THE NATIONAL AGRICULTURAL MARKETING AND BARGAINING ACT—THE SISK BILL

INTRODUCTION

Most farm products are sold in a competitive open market. However, a growing volume of farm production is now produced and marketed under advance contracts between farmers and handlers.

The farmer who produces commodities under contract is confronted by a situation vastly different from that of the farmer who sells in an open market. In the open market, prices are set by competition; the contract grower, on the other hand, often has only one potential buyer. In the open market prices often change from one sale to the next; contracts often set the price of a year's output in advance of production. Information on open market prices is readily available to all buyers and sellers; information on contract provisions relative to prices and other terms often is available only to those directly involved in a particular transaction.

Under advance contracts there is a question of how prices and other contract terms should be established. Historically, contract terms generally have been developed by handlers and offered to producers on a "take-it-or-leave-it" basis. This obviously is a one-sided process which often pits a large, well-informed buyer against a smaller, less well-informed producer.

In order to participate in contract negotiations with handlers on a more equitable basis, some producers have formed bargaining associations to negotiate with handlers. This has led to a need for legislation to define the mutual obligation of handlers and qualified bargaining associations to negotiate regarding the production and sale of farm products under contract. The Sisk bill (H.R. 7597) and similar bills are designed to meet this need.

The following questions and answers have been developed to promote discussion and achieve understanding of this proposed legislation.

Q. What are the main provisions of the Sisk Bill?

A. The bill would (1) establish a three-member National Agricultural Bargaining Board to conduct hearings and to determine which associations of producers are "qualified" bargaining associations under the terms of this legislation, and (2) establish "the mutual obligation of a handler and a qualified association to meet at reasonable times and negotiate in good faith with respect to the price, terms of sale, compensation for commodities produced under contract, and other contract provisions relative to the commodities that such qualified association represents and the execution of a written contract incorporating any agreement reached if requested by either party."

Q. Who would appoint the members of the National Agricultural Bargaining Board?

A. The President would appoint them, with the advice and consent of the Senate. The President would select one member to serve as chairman. Members of the Federal Trade Commission, the Tariff Commission, Federal Communications Commission, and National Labor Relations Board are appointed in this manner.

Q. What is an "association of producers?"

A. It is any association of producers of agricultural products engaged in marketing, bargaining, shipping, or processing, as defined in the Capper-Volstead Act. The term "producer" is defined to include a person engaged in the production of agricultural products as a farmer, planter, rancher, poultryman, dairyman, fruit, vegetable, or nut grower.

Q. Does the legislation amend the Capper-Volstead Act?

A. No. Its only connection with the Capper-Volstead Act is that it uses that Act's definition of an "association of producers."

Q. Who would be a "handler" under this Act?

A. Any person (other than an association of producers) engaged in the business or practice of (1) acquiring agricultural products from producers or associations of producers for processing or sale; (2) grading, packaging, handling, storing, or processing agricultural products received from producers or associations of producers; (3) contracting or negotiating contracts or other arrangements, written or oral, with or on behalf of producers or associations of producers with respect to the production or marketing of any agricultural product; or (4) acting as an agent or broker for a handler in the performance of any function or act specified in (1), (2), or (3).

Q. Would this definition of "handler" cover cooperatives?

A. No, an agricultural cooperative is not covered in the definition of a handler since its members have already designated the cooperative as their marketing or bargaining representative.

Q. Why were cooperatives covered as handlers under S. 109?

A. The Agricultural Fair Practices Act—S. 109—deals with unfair trade practices affecting the organization of marketing, processing, and bargaining cooperatives. S. 109 applies both to cooperatives and to other handlers of agricultural products because it was felt that both groups should be prohibited from engaging in discriminatory practices with respect to the members of producer bargaining associations.

Q. What would an association of producers be required to do to become a qualified bargaining association?

A. It would submit a petition to the National Agricultural Bargaining Board containing such information and supporting documents as the Board may require.

Q. What must the Board do when it receives a petition for the qualification of a producer association?

A. It must hold a public hearing and determine whether the association meets the qualifications set forth in the Act.

Q. What are the qualifications set forth in the Act?

A. The Board is required to qualify an association if, based on the evidence submitted at a public hearing, it finds:

(1) That under the charter documents or by-laws of the association, the association is directly or indirectly producer owned and controlled;

(2) the association has contracts with its members that are binding under state law;

(3) the association is financially sound and has sufficient resources and management to carry out the purposes for which it was organized;

(4) the association represents a sufficient number of producers and/or a sufficient quantity of agricultural products to make it an effective agent for producers in bargaining with handlers; and

(5) the association has as one of its functions acting as principal or agent for its producer-members in negotiations with handlers for prices and other terms of contracts with respect to the production, sale, and marketing of their product.

Q. If an association of producers is to meet these qualifications, its members would really have to decide that they want to work together. Is this not so?

A. Yes, it certainly is. The standards for qualification would not be met easily and they would require producers to do a good organization job and be prepared to apply self-discipline. It is intended that only responsible associations of producers would qualify. We believe that, if producers take these steps in forming an association, it is not unreasonable to require that a handler of a commodity to be produced under advance contract "negotiate in good faith" with their association. Handlers should not be required to negotiate with an association which is not able to satisfy its obligations under contracts with a handler. This is why the standards for qualification have been made so stringent.

Q. What would the Board do after it determines that an association is qualified?

A. It would give notice of such qualification to all known handlers who, in the ordinary course of business, purchase, or contract for the production of, the agricultural commodities produced by the members of the association.

Q. What must an association do to maintain its qualification?

A. It must continue to meet the requirements for initial qualification. It must file an annual report with the Board as required by the Board's regulations. If an association ceases to meet the standards for qualification, the Board—after notice and hearing—is required to revoke its qualification.

Q. What is the meaning of the term "bargaining" as used in the Sisk Bill?

A. "Bargaining" is the mutual obligation of a handler and a qualified association to meet at reasonable times and negotiate in good faith with respect to the price, terms of sale, compensation for commodities produced under contract, and other contract provisions relative to the commodities that the qualified association represents and the execution of a written contract incorporating any agreement reached if requested by either party.

Q. Does this obligation extend to all handlers?

A. No. The obligation on the part of a handler to bargain with respect to advance contracts extends only to a qualified association which represents producers with whom such handler has had a prior course of dealing.

Q. What is meant by a "prior course of dealing?"

A. A handler is deemed to have had a prior course of dealing with a producer if he has purchased commodities produced by the producer in any two of the preceding five years.

Q. Does the mutual obligation of qualified associations and handlers to bargain require either party to agree to a proposal or make a concession?

A. No.

Q. Would there be a limit on the length of "bargaining" time?

A. Yes, it is assumed that the Board would establish procedures to be used in "bargaining" and that these would provide for such things as limits on the length of time and methods of presenting offers. Presumably these would be related to the type of commodity involved and the type of advance contract being negotiated.

Q. Is the proposed legislation restricted to situations where crops or commodities are produced under production or grow-out contracts or does it apply to agriculture generally?

A. It would apply only to situations where producers organize bargaining associations which meet the qualifications set forth in the Act. A qualified association must have as one of its functions acting as principal or agent for its producer members in the negotiation of contract terms with handlers, and it also must have marketing contracts with its members that are binding under state law.

Q. Will this legislation compel producers of contracted agricultural commodities to belong to a bargaining association in order to get contracts?

A. The Sisk Bill recognizes the practice of negotiating full supply contracts between qualified associations and handlers. It does not require such contracts. Only when an association can supply the full needs of a handler and the handler wishes to have such a contract would one be negotiated. A handler who has not signed a full supply contract could offer contracts to nonmembers on the same terms as those available to association members.

Q. What is the purpose of the provision in the Sisk Bill which make it unlawful for a handler to negotiate with other producers of a product while negotiating with a qualified bargaining association?

A. The purpose is to encourage the handler to negotiate in good faith. It would not be legally possible for a handler to "go around" a qualified association of producers—by obtaining his requirements from producers who are not members of the association—while negotiations with the association are in progress.

Q. What is the purpose of the provision in the Sisk Bill which makes it unlawful for a handler to purchase a product from other producers under terms more favorable to such producers than the terms negotiated with a qualified bargaining association?

A. The purpose is to prevent handlers from attempting to destroy qualified associations by offering "sweetheart' contracts to a few favored nonmember producers after negotiations with a qualified association have been completed.

Q. Won't this prohibit a handler from rewarding superior performance and thus lead to mediocrity?

A. Certainly not. Most contracts contain provisions that reward efficiency and penalize inefficiency. Any handler who wishes to reward superior performance has every right to insist on contract provisions that will permit him to do so.

Q. Will negotiations under the proposed legislation be limited to prices?

A. No. The negotiations could cover all terms and conditions of production, growout, and marketing contracts. Sometimes the nonprice terms of contracts are as important as—or even more important than—price.

Q. Couldn't bargaining go on indefinitely if no agreement is reached, thereby shackling the handler?

A. The Bargaining Board would have authority to establish rules setting reasonable time limits on the requirement that handlers and associations negotiate in good faith. Reasonable people should be able to negotiate in a reasonable manner and come to reasonable conclusions or agreements. The essential requirement is good faith bargaining on advance contract terms. There is no good reason why continuously produced contract commodities, such as broilers or eggs, couldn't continue to flow to market under agreed terms while negotiations on new contracts are in process. If a qualified association of producers should seek to negotiate advance contracts with a handler who has been obtaining his supplies through openmarket operations, the handler would be free to continue to make day-to-day purchases on the open market while negotiations are in process. He could not, however, refuse to bargain with a qualified association or enter into negotiations for advance contracts with other producers while negotiating with a qualified bargaining association.

Q. How would this legislation affect future trading, consumer prices, and prices of U.S. agricultural commodities in international trade?

A. The bargaining process between producers and handlers would not necessarily result in higher prices to U.S. consumers or higher prices for U.S. agricultural commodities in international trade. Any prices, terms of sale, compensation for commodities produced under contract, or other contract provisions that would be negotiated by an association of producers and a handler definitely would have to be related to the supply and demand situation for that commodity.

Producers, of course, are interested in higher net incomes and would hope to use the bargaining process to improve their incomes, but no bargaining association could operate successfully if its demands were inconsistent with the current market situation. In addition to price, advanced contract marketing involves many other things that could improve farm income. Advance contracting should enable a handler to do a better job of marketing or processing, thus reducing his costs.

The proposed legislation would have no direct effect on futures trading. Where there is a futures market in a commodity, futures trading could be used as a basis for the establishment of contract terms.

Q. Is this legislation deisgned to cover all agricultural commodities?

A. Yes, It has been suggested that a cotton, wheat, feed grains, livestock, and a number of other commodities should be exempt since they are rarely produced or marketed under advance contracts. While this may be true, agriculture is constantly changing, and there may be advance contracting for these commodities in the future. In the meantime, if contract producers of these commodities are not interested in organizing associations of producers, the legislation would not apply to them or to the handlers with whom they do business.

Q. Ttile II of the Sisk Bill provides that handlers must deduct the dues or fee due a qualified association from sums due a producer when the producer has consented voluntarily to this procedure in writing. Wouldn't this "checkoff" provision lead to the collection of exhorbitant fees by qualified associations?

A. Absolutely not. Association membership fees could not be deducted by handlers without written authorization by the individual producer to the handler. This could be part of the contract between the individual producer and handler or a separate assignment of dues by the producer to the handler. If membership fees were exhorbitant, farmers wouldn't join—or continue to belong to—asssociations. The legislation provides that an assignment of dues or fees may not exceed 2 percent of the total value of the product which is delivered by the producer to the handler. This is a maximum. The actual fees could be much less.

Q. Won't this type of bargaining legislation automatically lead to government supply control through marketing orders?

A. No. There is a provision in the bill that sets up a procedure whereby certain restrictions on the establishment of marketing orders can be removed by an affirmative vote in a producer referendum; however, the bill does not in itself authorize a marketing order for any commodity. A majority of producers voting would be required if a commodity is to be made eligible for a federal marketing order. Then, and only then, the present procedure for establishing an order could be activated.

The marketing order approach is designed primarily to permit the development of regulations with respect to grade, quality, maturity, standard containers, and the flow of commodities to market. Under present law a marketing order cannot be used for the direct control of production. The proposed bill does not change that feature. Farmers would be less likely to seek additional government controls if they are successful in securing favorable marketing and bargaining legislation than if their current efforts are thwarted.

Q. How does the Sisk Bill compare with the approach to farm bargaining proposed in the Mondale Bill?

A. The Sisk Bill is a much more moderate approach. It would involve the federal government in farm bargaining only in the establishment of a procedure for the qualification of an "association of producers" and the procedures for negotiating in good faith with handlers. The Mondale Bill would involve the federal government in the entire bargaining process through the establishment of a National Agricultural Relations Board which would control production, fix prices, and provide complete management of the marketing of a commodity by the federal government.

Q. Who is opposing the enactment of the bill?

A. The opposition is composed of various groups of people who buy or process farm products because it might change the existing relationship between buyers (handlers) and sellers (producers). Handlers fear that farmers from whom they buy will have a little more bargaining strength and the buyer may have to pay a little more. In general buyers are happy with the persent situation and don't want to disturb it. This is understandable. It is always easier to negotiate with someone who is at a disadvantage. This legislation should help balance the scales in the purchase and sale of agricultural products.

TRIBUTE TO UTAH PIONEERS

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. McKAY. Mr. Speaker, July 24 is a holiday peculiar to Utah and Mormon communities in other parts of the Nation; a day commemorating the entrance of the first pioneers into Salt Lake Valley in 1847. It is fitting at this time to pay tribute to those pioneers and the legacy of courage and dedication they have left for their descendants and for Utah.

On July 24, 125 years ago, Brigham Young led the first company of Mormon pioneers into the Salt Lake Valley. Standing on a ridge overlooking the valley floor, the pioneer leader declared, "This is the place." Looking down on the arid and barren scene that confronted them, few in that party could have foreseen the way in which the valley would blossom and progress.

The resolution and the diligence with which those pioneers approached the overwhelming problems confronting them are remarkable examples for us today. Recognizing the valley as a sanctuary from the persecution and harassment that had accompanied the development of the growing Mormon religion, these early settlers worked shoulder to shoulder to construct a city and a life from the inhospitable earth.

The challenges and the trials facing these pioneers were incredible. Women worked in the fields along with the men. A new concept in American agriculture—irrigation—was introduced to cope with the minimal rainfall and the parched soil. The legendary invasion of the crickets, and the subsequent salvation with the intervention of thousands of seagulls, seemed to confirm the belief that these struggling pioneers were indeed in the hands of God.

But the trials and the challenges of these settlers were met, and their perseverance was rewarded. In place of the empty and belligerent land that greeted these first pioneers in Utah, a productive and industrious valley has blossomed. From that initial party of a few hundred, over a million people now reside in Utah.

Utah's history is one of progress. On a per capita basis, Utah has more college graduates than any other State. It has nine colleges and universities, including the largest private university in the Nation. The State produces 20 percent of the Nation's copper. The Utah Symphony Orchestra is one of the 10 best in the Nation, and the Mormon Tabernacle Choir is perhaps the most famous singing group of its type in the world.

Throughout this development, pioneer virtues have prevailed. The spirit brought to Utah by the first party of pioneers in 1847 has carried and endured, and is reflected in the character of the State today. This spirit includes an implicit faith in government, accompanied by an honest will to participate. Utah is regularly among those States with the highest voter turnout in the Nation. The self-reliance of the pioneer forebears remains an indelible facet of the State's political landscape, and the legacy of man improving his lot is a recurring theme: The function of government is to protect man's right to pursue "life, liberty, and happiness," not to provide it for him.

Finally, I am reminded that Utah's settlement was based squarely upon the early concept of Mormon destiny—that Utah was a special place, destined for leadership and greatness. But that destiny depended on the righteousness of the inhabitants of the land. These early settlers, themselves the victims of self-serving and ambitious political leaders in other States, believed that righteous leaders marked by humility and dependence on divine guidance were the only solutions to political ills. It may be one of the great tragedies of American political development that we have tended to think that a man's personal, moral, and ethical qualities were not of critical importance as long as he could "get the job done."

The Utah pioneers were willing to sacrifice all of their materialist possessions, leave established communities and secure futures, and peck out a meager existence in the frontiers of the West. The message is not lost even today, and their experience carves a guide for sound political progress. I pay tribute to those pioneers and recognize the ideals and beliefs that persist to this day.

CURRENT ECONOMIC PROBLEMS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 26, 1972

Mr. THURMOND. Mr. President, the Commercial and Financial Chronicle for May 4, 1972, contains an article entitled "There Ain't No Such Thing as a Free Lunch."

The author of the article, New York University Prof. Rolf Wubbels, portrays the plight of an economy burdened by the largest Federal deficit since World War II, an ever-increasing debt ceiling, an adverse balance of trade, and an increasing financial crunch at the State and local levels.

A major factor in our current problems is the failure of many of our officials to recognize that basic economic truths have not changed. Real wealth is still created by the combination of land, labor, capital, and enterprise. Solutions to our economic problems must be based upon these considerations and not upon inflationary promises which often characterize the proposals of many of our officials. These comments deserve the consideration of Congress.

Mr. President, I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"THERE AIN'T NO SUCH THING AS A FREE LUNCH"

(By Rolf E. Wubbels, Ph. D.)

(NOTE.—NYU finance professor calls attention to the causes of deterioration in many areas important to the economy which, among other things, impede capital formation and reduce our efficiency. He is appalled at the willingness to resort to euphemisms which disguise the real situation and depict the economy as a free lunch counter. Constructive suggestions made include a futher increase in the investment credit with variable rates to provide the greatest incentive to industries suffering the severest hardship. Other prescription would discount price inflation in tax returns, balance the federal budget, place international trade on a two-sided competitive basis, adjust minimum wage law to regional cost of living differences, and disclose corporate financial data in constant as well as current dollars.)

Financial problems beset the U.S. from all sides. The recent monetary accord is under serious attack and may be doomed to failure before Congress can act upon it. The Federal deficit in fiscal 1972 will be close to $40 billion, the greatest since World War II. The debt ceiling must be raised once again as it has been in the past with monotonous regularity. Our balance of trade continues to be adverse. Many of our states have serious financial difficulties and the plight of the major cities appears hopeless. What has happened to the people of the richest country in the world?

One of the great tragedies of our time is the loss of the ability to call a "spade a shovel." We substitute euphemisms to cloud simple basic situations. Relief recipients are called "Welfare Clients." A universal dole becomes a "Guaranteed Income" Mayors or governors having brought their city or state to the brink of bankruptcy, demand "Income Sharing" from the Federal Government on the grounds that they are being deprived of their fair share of revenues. National legislators are quick to point out that one provision or another of the tax law which may allow taxpayers some consideration must be evil if it causes a loss of revenue to the government involved. Politicians seem to have forgotten that practically all governments are economically as "sterile as a mule." The only money a government has is that which it has taken from someone or borrowed from someone.

PERPETUATING THE "PORK BARREL"

Our politicians, virtually to a man, are prepared to condemn inflation and simultaneously perpetuate "Pork Barrel Politics." It is obvious even to a ten-year-old child that inflation permits the politicians to bury their mistakes and continue to buy votes. In the process, they are sucking the marrow from the backbone of our society and it doesn't deter them one bit. The big debtor also thinks inflation is just great. Borrow to the hilt to buy good assets and repay the lender with funny money. The savers who made the loan possible are in effect making a gift to the borrower of a portion of their savings.

Despite the new economics, the new math and the application of complicated formulae to every phase of economic life, the basic truths have remained unchanged. A country does not become rich by having a flood of "shriveling dollars" cascading through the channels of trade. Money and other credit instruments are not wealth. If paper money were wealth, all the world's problems could be solved with a printing press. The people of Germany, Greece and China during their wild paper money inflations were starving while almost drowning in a flood of paper money. Wealth is created by the combination of land, labor, capital and enterprise. The U.S. has been considered a wealthy nation because it has an abundance of readily accessible natural resources. We, historically, have had a productive group of workers; were able to encourage investments which created capital; produced goods used in further production ranging from hammers to multimillion-dollar automatic machines and were blessed with entrepreneurs who could, in most instances, skillfully combine these factors into efficient productive units.

CAPITAL FORMATION HINDERED

The creation of capital necessitates savings and the proper deployment of these savings. The savings process can only continue smoothly as long as there is faith in the integrity of the basic monetary unit. We have by our mismangement succeeded in making a farce of the term saving in its historical setting. The investment and savings channels presently used by the average person guarantees him a loss in real purchasing power. For example, the rate of inflation exceeds the interest paid on savings accounts and the dividends received on Federal Savings and Loan accounts. To aggravate the situation still further, these returns are fully taxable. If the inflationary trend is not halted, the sale of bonds will become more and more difficult if not impossible. We are succeeding in making capital formation more and more difficult.

"CAPITAL LEVY"

The shrinking shriveling dollar is just great for the politicians. Our tax structure is so devised that with a decline in the value of the dollar, the government can command a greater portion of equivalent purchasing power. For example, if over a period of years, the dollar loses half its purchasing power, a taxpayer whose income was initially $10,000 would need $20,000 to have the equivalent in purchasing power. The greedy, grasping paws of the tax collector take a far bigger part of $20,000 than of $10,000.

The Capital Gains tax has become increasingly a "Capital Levy." A typical home purchased immediately after World War II for $10,000 might currently command $30,000 in present dollars even though the house is now a quarter of a century old. Sell it and the Government says, "Great. You've made a $20,000 profit on which you now pay capital gains tax." Did you have a gain or did you just get "itty bitty" dollars in place of the big ones you paid for the house?

If Capital formation is becoming more difficult, the effective utilization of labor is even more so.

TOO MANY "FREE-LOADERS"

Horatio Alger would be considered a fool by large numbers of our citizens. The Welfare System has collapsed and is so hopelessly mired that "the universal dole" may well replace it. The public trough is over-crowded with the free-loaders and only thinly populated with the deserving. We hear from increasingly vocal "Welfare Rights" groups but hardly a whisper from "Taxpayer Rights" organizations. Huge and monopolistic unions are able to force management to agree to settle for increased wages and fringe benefits far in excess of increased productivity. Increases that almost always are the result of increased capital investment rather than sweatier brows on the part of the workers.

Management has in many instances lost its ability to innovate, plan and think of overall objectives and is more concerned with what will this or that plan do for me. Will a bold step jeopardize my ability to suckle at the corporate teat?

WHY WE CANNOT COMPETE

This year's Federal deficit has exceeded the total annual budget for the year 1941.

Our high prices, slower rate of new product innovation and lower quality of workmanship coupled to the poorer delivery schedules have caused us to lose position in market after market. Shipbuilding, textiles, radios, television, shoes and on and on are only a few examples of the markets lost. Foreign cars take an increasing share of our market with little or no difficulty. The typical redbooded American, taking the family's picture with a Japanese camera while they are seated in a Volkswagon, is probably wearing several items of clothing of foreign origin and complaining about foreign competition.

The author sincerely believes in the free enterprise system and the free flow of goods and capital betwen nations, but it must be on a competitive basis, not onesided. This is the fault of Labor and Management and sanctioned by the government, due to the combined failure to appreciate basic economic truths.

SUGGESTED SOLUTION TO "MONETARY FIASCO"

How can we survive and prevent a monetary fiasco which is certain to come if our deficits in the budget and balance of payments are not brought under control? First and foremost, the Federal budget must be brought into balance not by squeezing an already dry taxpayer, but by slashing spending in conjunction with the most effective utilization of all governmental employees. The fat must come out of the "pork barrel."

Every governmental program should be evaluated on the basis of costs versus benefits. Politicians are prone to say "We will use 'Federal Funds' or 'State Funds' " without clarifying that these are hard earned taxpayer dollars. They also love such trite phrases as the "minimum level of service demanded by the people" without telling us which people and what services. Liberal politicians tend to be most liberal with other people's money.

To increase productivity and to lower costs, industry will have to employ the best and most efficient machinery available. Automation is a partial answer to keeping us competitive. This necessitates capital investment on an ever-increasing scale. To encourage such investment, the investment credit should be increased. The rates could be made variable to give the greatest incentive to those industries suffering the severest hardships.

The Capital Gains Tax must be made more equitable by allowing the tax-payer an adjustment for the loss of purchasing power of the dollar. If labor is entitled to increased cost of living raises, why should not capital be entitled to similar benefits. A simple adjustment to provide greater equity would be the use of the Gross National Product Deflator to adjust the taxable base.

Depreciation allowances should be increased to an even greater extent than the new Treasury guidelines particularly in high technology industries to help assure us of the most modern and productive facilities in the world.

MIMIMUM WAGE LAW SHOULD BE FLEXIBLE

The minimum wage law should be made flexible to take into account the widely varying cost of living in different parts of the country and the varying requirements of industry and commerce. Each increase in the minimum wage law has cost thousands of jobs. Is it not better to have the productivity of these workers rather than place them on the welfare rolls? Wage and Price Controls as the solution to our present problem are an idealist's dream and a realist's nightmare. They can only be effective during periods of patriotic fervor or in a police state.

We hear with great regularity of an impending fuel shortage. Yet Congress in its infinite wisdom has chosen to cut depletion allowances. The very high risks of natural resource exploration necessitates a high incentive. Depletion allowances should be flexible to spur development long before shortages develop.

MANAGEMENT'S PRIMARY FUNCTION

Corporate Management must once again concentrate its efforts and talent on its primary job: the profitable operation of the business. Without profit, business cannot exist in the long run. Social welfare schemes are not the reasons savers invest in a business nor lenders commit their funds.

Financial statements should be prepared not only in current dollars but also in constant dollars so the real progress or retrogression of the firm is apparent without the hypnotic effect of inflation.

Labor must recognize that we cannot isolate ourselves from the rest of the world. Every move by a major segment of the labor force either helps or hinders the entire economy.

The question is, can the tide be turned without going through a debacle similar to that of Germany after World War I and the disastrous aftermath?

If our political leaders, management and labor are ready to subscribe to the tenet that there "Ain't No Such Thing as a Free Lunch" and realize we must create real wealth in the most efficient manner possible, perhaps it is not too late. Brotherhood has to replace greed, the total well-being of the nation has to take precedence over the pressure groups.

THE NEED FOR FREE TRADE

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. WIDNALL. Mr. Speaker, I would like to commend to my colleagues a speech recently delivered by Mr. William L. Wearly, chairman of the board of the Ingersoll-Rand Co., on the proposed Hartke-Burke legislation, H.R. 10914. Mr. Wearly addresses the sometimes murky subject of international trade with commendable clarity and directness. So that this Congress may have as much information as possible on this controversial subject, I am pleased to place Mr. Wearly's remarks in the RECORD at this time.

Are American companies exporting jobs as some proponents of this bill have argued? Mr. Wearly marshals his statistics and arguments to show that multinational enterprises are just as active at increasing productivity and employment at home as abroad. He also shows that American business operating overseas makes a very positive contribution to our balance of trade and argues that the corporate tax changes in the Hartke-Burke bill would do irreparable harm to American business and, inevitably, to domestic employment.

Mr. Wearly also emphasizes the importance of allowing the American consumer free access to the products of the world economies. Can we try to force Americans to cut themselves off from the world's marketplace, to turn inward and to ignore the benefits of free trade? This distinguished businessman offers telling testimony why we should not.

The speech follows:

REMARKS BY MR. W. L. WEARLY

I wish I could say "It is a pleasure" to talk to you on the subject I am about to discuss.

To be perfectly frank, it is not a pleasure at all. I wish I did not have to talk about it. But I do—because the future of our company, the future of our employees and shareholders, and the very future of our country is at stake.

There is pending before the U.S. Congress a piece of legislation called the Burke-Hartke bill. This bill would establish permanent quotas on the import of foreign goods. It would regulate, restrict and discourage the investment of U.S. capital in other nations. It would impose a form of double taxation on the foreign operations of U.S. companies—and all this in the name of improving our balance of payments and protecting the jobs of American employees.

As I will show you, the Burke-Hartke bill would do just the reverse.

The Burke-Hartke import quotas would cause reprisals in the form of sharply increased tariffs and tightened quotas against our exports—and this would destroy jobs in the United States. The Burke-Hartke double taxation of U.S. multi-national companies would impose a tax burden that our foreign competitors would not have to bear. How could U.S. companies compete under such a handicap?

The Burke-Hartke bill is aimed at multinational corporations, at companies like Ingersoll-Rand, which do busines outside as well as inside the United States. The people pushing this bill look upon the multinational corporation as a threat to American jobs and prosperity.

They charge that multi-national corporations cause unemployment in the United States. They make this claim because they think that when a U.S. corporation creates jobs overseas, it somehow destroys jobs for Americans at home.

Their reasoning is based on the false assumption that sales offices at home could serve overseas markets as well as sales offices abroad—that goods produced overseas, and sold in overseas markets, could have been produced here at home and sold in those same overseas markets competitively.

And, because multi-national corporations have billions invested abroad—in plants, receivables and inventory—the Burke-Hartke advocates claim that this investment contributes to our unfavorable balance of payments.

Let's take a look at these claims. First, the fallacy that the multi-national corporation "exports jobs". Let's take our own company as an example. The fact is that when Ingersoll-Rand builds a plant overseas and supplies foreign markets from that plant, we also create more employment at home. When we build products abroad, we have to supply some of the parts for those products from plants here in the United States. And if we did not have those plants abroad, we would not need those parts from the United States—or the jobs it takes to make them. Last year, 37% of our dollar sales came from outside the United States. But 45% of *those* sales were derived from products supplied from plants in the United States.

We have built up sales, service and manufacturing organizations throughout the world during the past decade for the simple reason that we wanted to reach new markets and thereby increase our sales.

And we have been successful. Our overseas investments have enabled us to raise our exports to a level 2½ times what they were ten years ago. To illustrate this growth, and its relation to domestic employment, here are two illustrations:

In 1970, in Spain, we commenced production of large steam condensers. In the same year, our exports of centrifugal pumps from the United States to Spain increased 158%, due largely to orders from the same utility customers purchasing our condensers. We believe this is business that we would not have obtained for our U.S. pump manufacturing facilities without the Spanish condenser manufacturing operation.

In Italy, our manufacture of 50 cycle versions of the basic modern air compressor enabled us to export, last year, about one million dollars of components and parts for incorporation into these machines. Obviously, these increased export sales mean *more jobs* in our plants at home.

Today approximately 4,000 of our employees in the United States owe their jobs to these international sales. In addition, our suppliers possibly have an equal number of jobs at stake. If the Burke-Hartke bill should be enacted, I would like to mention our estimate of the possible effect on people in our major plants in this area after six months. We estimate that 852 jobs would be at stake in our plants at Phillipsburg, New Jersey, and Easton, Pennsylvania; 836 jobs at our Painted Post, New York plant; 533 jobs at our Athens, Pennsylvania plant; and 430 jobs at our Torrington plants.

The rest of the 4,000 export-created jobs would be at stake throughout other domestic plants of Ingersoll-Rand. And, ironically enough, jobs would be lost in our overseas plants too—because those plants could not supply the parts we are supplying them from the United States and still remain competitive.

If the Burke-Hartke bill should be enacted, export of parts, made in our domestic plants, to be assembled in complete machines overseas, would be sharply restricted. And we would probably lose additional overseas markets for complete machines made in the U.S. and accepted in overseas markets by virtue of the fact that we already have local products manufacturing and sales representation in those markets.

As for "exporting jobs", a large part of United States exports to overseas affiliates of multi-national corporations would not have been sold if those corporations had not had plants in foreign countries. Without those plants, foreign markets would have been supplied by our foreign competitors.

A study of 74 of the largest American multi-national corporations reveals that between the years 1960 and 1970, when these corporations were increasing their overseas operations, they also:

Increased their *domestic* employment by 37%.

Increased their *domestic* plant investment by 123%.

Increased their *sales from American facilities* by 95%.

Increased their *exports from the U.S.* to the rest of the world by 184%.

All of these gains outpaced those for U.S. industry generally.

In view of this record, it is difficult to understand how anyone can think that overseas investment by multi-national companies is anything but healthy for the American worker.

And if these facts won't convince the stubborn skeptic, let him look at the official government figures themselves.

A study of Department of Labor statistics shows that those multi-national corporations which have made the largest foreign capital investments have also increased their *domestic* employment more rapidly than other U.S. companies.

When a multi-national company invests money abroad, it does so in order to bring money home, and when that money comes home, it goes to work. It creates jobs at home. It does not destroy them.

As for the argument that the overseas plants of U.S. multi-national corporations are "runaway" plants that build goods abroad with "cheap labor" and flood the United States with imports underselling our domestic products—according to the survey of 74 large multi-national firms, less than 2.5% of the products manufactured outside the United States and Canada by U.S.-owned firms are brought back to the United States.

If the "runaway plant" argument makes any sense, it should apply also to *foreign* multi-national corporations which have plants outside *of their* countries. But the fact is that the great majority of foreign multinational corporations have most of *their* overseas plants *in the United States* where wages are higher than anywhere else in the world.

Thus, it is plain to anyone who stops long enough to think about it, that corporations invest abroad in order to *reach new markets*, to make sales and *make jobs*—not to "take advantage of cheap labor". If American multinational corporations were only seeking "cheap labor", they would be rushing to build plants in India. But they aren't, because no matter how "cheap" Indian labor is, the Indian market simply does not provide the opportunity for profitable sales for many of their products.

What about the charge that foreign capital investment hurts our balance of payments? Again, the facts refute the claim.

Between 1960 and 1970, those *74* large multi-national firms I mentioned a moment ago, increased their net surplus of exports over imports by 106%—and increased their annual net favorable balance of payments inflow from overseas investment by 152%.

In 1971, Ingersoll-Rand's exports from the United States exceeded $100 million—a positive contribution to our nation's balance of payments. How in Heaven's name can you call *that* "hurting the American worker"?

No, you can *not* blame America's multinational corporations on either count. They don't export jobs—they export *goods* and *create* jobs in the United States—and, in so doing, they don't *hurt* our balance of payments—they help it.

Well, then, if you can't blame the multinational producer, do you want to blame the multi-national consumer? Do you want to blame our unfavorable balance of trade on the fact that our consumers want freedom of choice?

Let's remind ourselves of what consumer freedom means. It means free trade. We believe in free trade because we know that only by free trade do most consumers benefit most. Sure, we could keep out oil imports and squeeze our domestic supply to the utmost, and still we wouldn't have enough. Maybe we *could* grow bananas in some parts of the United States. But the costs would be excessive in both cases. Free trade, permitting each area of the world to provide what it can most efficiently, lowers costs for all consumers and enlarges their satisfaction the world over.

Do you want to forbid our consumers to buy German or Japanese cameras or automobiles, Guatemalan bananas, or Brazilian coffee, French wine, Swiss watches, or Italian gloves and shoes? Do you want them to forego importation of oil and pay higher prices for gasoline—or importation of Argentine beef and pay higher prices for meat? Do you want to imprison them in the United States and forbid them to travel and spend money abroad?

In effect, that's what you would be doing to American industry and labor if the Burke-Hartke bill were passed. The American consumer is a multi-national consumer. He needs, wants and deserves freedom of markets in which to *buy*. The American producer is a multi-national producer. He needs, wants and deserves freedom of markets in which to *sell*.

Let's consider one tax provision of the Burke-Hartke bill. Under current law, U.S. corporations are entitled to a credit for taxes paid to a foreign country on income earned in that country. The Burke-Hartke bill would repeal that credit and have the overseas earnings of U.S. corporations taxed once abroad, and then taxed again in the United States. This double taxation, along with other tax provisions of the bill, could increase the effective tax rate on subsidiaries operated abroad to more than 70 percent.

This would be enough, eventually, to bankrupt our overseas operations, lose our overseas markets and create a serious loss of employment in our domestic operations. And *this* is a law designed to help the workingman? How ridiculous can you get!

Those people favoring the Burke-Hartke bill, no matter how sincere their convictions, are laboring under two delusions: the first delusion is the belief that a government can protect a man's job by building a wall around it. The second delusion is that a nation can guarantee its prosperity by building a wall around the whole nation. These are two deadly delusions.

Building walls to attain security might have worked centuries ago. The Chinese emperors tried it and the medieval princes tried it—and for a while, it worked.

But imagine trying to build a protective wall in this age of the jet plane, the transatlantic telephone, the computer, the radar beam, the laser beam, and satellite TV. Imagine trying to build a wall that could shelter our country or our company from the vigorous competition of international commerce and industry. It simply cannot be done.

Everyone knows—or should know by now—that trade is a two way-street. Foreign firms are investing capital and operating in the U.S. right now—to reach our markets. If we are going to compete successfully, we must invest capital and operate in their countries, to reach *their* markets.

The Burke-Hartke bill is a dangerous patent medicine for a supposed disease that doesn't really exist. It would not help labor. It would *hurt* labor, as I have shown. It would hurt consumers. And if you want to gauge the wisdom of an economic policy, just see what it will do to consumers. If it hurts consumers, it hurts all of us—labor, management, union leaders, yes, and government employees—we are *all* consumers.

I would like to commend Mr. George Meany of the AFL–CIO on his recent statement on strikes. Mr. Meany says that strikes have become excessively costly, and he endorses the concept of voluntary agreements to use impartial arbitrators in collective bargaining.

This could be a breakthrough in the wall of misunderstanding and prejudice that has plagued the relations of management and labor in this country, especially since the passage of the Wagner Act.

If American labor and management are going to prosper together in this multinational world market, we are going to have to work as a team—which is what we really are. We are going to have to scrap that absurd notion that there is some God-given, eternal conflict of interest between management and labor. The truth is that management and labor need each other and need to work together if our nation is to maintain its position in the world.

The Burke-Hartke Act is not the way to protect the jobs of American workers. The way to protect the jobs of American workers is for management and labor to work together to improve our productivity, lighten our tax load, modernize our laws on depreciation and make them compatible with those abroad—and, above all, to put an end to deficit after deficit, and return our economy to a sound—not a sick—dollar.

If the Burke-Hartke bill should pass—or if any part of this bill should be slipped through as a rider to other legislation—it would cost American jobs, reduce the government's revenue, worsen our balance of payments, destroy our ability to compete, and weaken our weight in the world. It would start us on the long and fateful road that future historians would call the decline and fall of the American economy.

I urge each of you to write your Senators and Congressmen and enter your protest to the entire Burke-Hartke bill.

I thank you for your attention.

VIETNAM—A PENETRATING ANALYSIS

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Wednesday, July 26, 1972

Mr. GRIFFIN. Mr. President, last Sunday's edition of the Detroit Free Press carried an editorial feature by the distinguished journalist who heads the Knight Newspapers, which is the best analysis of the Vietnam situation that I have had the privilege to read.

I ask unanimous consent that the article, which apears as the "John S. Knight's Notebook," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Detroit Free Press, July 23, 1972]

Can Nixon Defuse Vietnam Before Election Day?

(By John S. Knight)

George McGovern has a passel of issues with which to confront President Nixon in the forthcoming campaign. But none, including his controversial and hotly debated tax and welfare reforms, looms as large in the public mind as the Indochina war.

Simply put, Sen. McGovern sees himself as the apostle of peace, while President Nixon is to be depicted—if not as the war candidate—at least as the man whose hard-line approach to peace has failed to end the war.

The Democratic candidate promises a halt to all U.S. bombing in Southeast Asia and on unconditional withdrawal of all American forces within 90 days after his inauguration, McGovern says he will take those actions without assurances that U.S. prisoners would be returned, but believes that his withdrawal course "would trigger the release of our prisoners."

Furthermore, Sen. McGovern has said: "I would go to Hanoi and beg if I thought that would release the boys one day earlier." He added: "Begging is better than bombing."

President Nixon, on the other hand, views McGoverns position as naive and uninformed. Republicans critical of McGovern allege that his "no-condition" concessions actually serve to make negotiations with Hanoi more difficult and only prolong the war.

And that is where the public debate rests at this time while campaign strategists in both camps are hard at work.

At first glance, George McGovern appears to have the advantage on this issue. Early in the Nixon administration, the President announced that he had "a plan to end the war," and expected to be held accountable by the American people if he didn't end the conflict. Though the "plan" remains unveiled, it obviously rested upon the success of "Vietnamization," a concept that the South Vietnamese—given adequate arms and training—could have it on their own.

Vietnamization, though not a total failure, has fallen far short of anticipated objectives. Only the most massive bombing in our military history has prevented the North Vietnamese from overrunning South Vietnam's defenses and toppling the Thieu regime in Saigon.

Yet the strong possibility exists that we may be nearer an accommodation with Hanoi than at any time since the Paris peace talks were first convened on Jan. 25, 1969.

Nixon's tough stand in mining Haiphong harbor and North Vietnam's other ports brought on a resumption of negotiations, with Henry Kissinger playing a significant role in secret discussions with Hanoi's Le Duc Thu, a leading member of North Vietnam's politiburo, and Xuan. They, Hanoi's chief negotiator in the formal discussions.

Upon reporting to President Nixon, presidential advisor Kissinger said only that there were grounds for "modest optimism." The official Washington line is to discount the likelihood of a major breakthrough, finding "no evidence that makes you feel confident of successful negotiations."

Yet something is stirring. Columnist Jack Anderson reports that President Nixon is sanguine that a stand-still ceasefire will result from the Paris peace discussions. The possibility of a truce such as has existed in Korea for—years might be regarded as a satisfactory solution.

In my quest for further information and background, I turned to Prof. Milton J. Esman of the Center for International Studies at Cornell University and George Quester, professor of government and director of the peace studies program at the same institution.

Both of these educators have long opposed what they term "the Johnson-Nixon policies" in Vietnam. They are severe critics of President Nixon's massive bombing in Indochina.

So I asked the question as to whether Moscow and Peking are exercising pressures upon Hanoi to reach an accommodation with the United States, Prof. Esman replies:

"George Quester and I have been speculating on your question. "Are there any Moscow or Peking pressures at work? The answer has to be an emphatic 'Yes.' Hanoi had to be satisfied with the material support they were getting from China and the USSR before. Nixon imposed the blockade. Their moral support also seemed reasonably secure, even though the summit meetings threatened some uncertainties.

"Can Hanoi possibly be satisfied with the material and moral support it has been receiving since the blockade? Almost surely not. Only a small fraction of the normal material shipments are reaching North Vietnam. The Chinese are doing little, hinting that the Russians should use minesweepers to open up Haiphong. The Russians are doing little, suggesting that Peking should open up Chinese ports for the transshipment of cargoes from Soviet freighters. The Russian leadership went ahead with a very cordial summit with Nixon in Moscow. The Chinese quickly invited Kissinger to come to Peking for renewed consultations, at the same time that Soviet President Podgorny was visiting Hanoi.

"All this means that the North Vietnamese will be materially out-gunned by ARVN, supported by U.S. air and naval forces. Hanoi is made to look like an immoderate and unreasonable camp of fanatics, ignoring the advice of big, responsible socialist states such as China and the USSR. The whole exercise may be beautifully illustrated by leaflets the U.S. has been dropping over North Vietnam showing photos of Nixon with Mao and Nixon with Brezhnev. Apart from the imagery, rumors continue to emerge that the Russians have been urging Hanoi to moderate its demands (as suggested by the unenthusiastic tone of the communique issued after Podgorny's visit) and that the Chinese have been urging the same. Without more clear and open material and moral support, it will be difficult for either Moscow or Peking to refute these rumors.

"Moscow and Peking may not be pressuring Hanoi in the sense of 'Make peace with Nixon or else we'll abandon you.' But there is a clear message of 'Don't count on us for too much if you and Nixon don't make peace.' Nixon's action in blockading Haiphong indeed reduced how much the North Vietnamese could count on the Chinese and Russians materially. And his visits to the Communist capitals reduced the moral support available as well.

"For the Russians, the price of more resolute support for Hanoi would have meant postponement of SALT and the detente with West Germany, as well as whatever trade possibilities may emerge with the United States. For the Chinese, there is also now an interest of detente with the United States, in part because * * * of hostility have given the Russians a position of advantage.

"Hanoi is thus a victim of the Sino-Soviet schism. Despite the rhetoric, both of these powers are more interested in the state of their relations with the U.S. than in the victory of proletarian revolution in Indochina. While each would like to keep the U.S. off balance in Vietnam, they are not prepared to cooperate with one another enough to sustain a high level of military operations by Hanoi. This new reality must be clear to Hanoi. It represents very significant pressure on them because they cannot fight both the ARVN and U.S. air power without a substantial flow of material which has now been reduced to a trickle. If they have to revert to guerilla tactics, the Thieu regime this time may be able to establish effective control south of the DMZ.

"Hanoi is really hurting. They know that Nixon is determined to maintain the blockade and continue the air war which he will probably be able to manage politically in the U.S. By their actions, if not by their words, Moscow and Peking seem to be urging Hanoi to find a peace formula. Given Nixon's terms, the effect of any acceptable formula would leave a non-communist government in control of South Vietnam. This would deprive the North Vietnamese of the prize for which they have struggled and sacrificed for a quarter century—a unified, socialistic fatherland."

Given this background from two eminent foreign affairs specialists who find Nixon's position on Vietnam incompatible with their own views, it is conceivable that the President may be able to dispose of the "war question" before election day.

Such an eventuality would deprive Sen. McGovern of his most potent issue—a lingering, costly and bloody conflict which has sickened every thinking citizen and torn our country asunder.

A promise kept—to end the war—means to President Nixon an election won.

AHEPA

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BURKE of Massachusetts. Mr. Speaker, it is indeed a distinct pleasure for me at this time to pay tribute to an organization that has worked diligently to promote the ideals that have enabled America to remain strong and healthy. This month marks the 50th anniversary of the Order of Ahepa, The American Hellenic Educational Progressive Association. The Order of Ahepa, a secret fraternal organization, has made great contributions and is responsible for numerous accomplishments that have gone very far toward the advancement of all phases of life in the United States.

The Order of Ahepa is not just an organization of benevolent philanthropists, but also a fraternity of loyal patriots. This nonpolitical and nonsectarian order has made significant contributions on the local, national, and international level. The farsighted founders of this organization were among the first in providing aid to countries less fortunate than ours, and have always been more than generous in contributing to such programs. These selfless humanitarians fund a number of relief programs for the victims of natural disasters, both in the United States and throughout the world. Many famous Americans have belonged to this fraternity including Franklin D. Roosevelt, Harry S Truman, and our present Vice President Spiro T. Agnew. Many current U.S. Senators and Congressmen are members.

The Order of Ahepa continues to make a great effort to promote good moral sense and appreciation of the benefits of citizenship. The fraternity is dedicated to family participation and model citizenry through civic activity. One of the most important tasks that AHEPA has taken upon itself is the cause of championing education. We owe a great deal of thanks to this organization for the contributions made to this Nation and to the rest of the world in the name of America. The least we can do now is to take a few moments of our time to express our warm gratitude on their golden anniversary.

AHEPA

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. GERALD R. FORD. Mr. Speaker, today the Order of Ahepa celebrates the golden anniversary of its founding and thus marks a half century during which its members have contributed greatly to the betterment of life in America.

Mr. Speaker, the Order of Ahepa, which was established July 26, 1922, in Atlanta, Ga., is easily one of the most outstanding fraternal organizations in the United States.

Everyone with any knowledge of Greek history and of Greek-Americans knows of the splendid work being done by AHEPA and of the lofty aims and objectives of its members.

Perhaps the words of the wise lawmaker, Solon, testify most vividly to the excellent citizenship of AHEPA members. Said Solon:

> Many evil men are rich, and good men poor, but we shall not exchange with them our excellence for riches.

Certainly the philosophy of AHEPA members is exemplified by the remark of Aesop, when he said:

> No act of kindness, no matter how small, is ever wasted.

AHEPA's contributions to worthy causes are legion. And in the forefront of this effort is the AHEPA chapter at Grand Rapids, Mich., headed by Fred Falkinburg, and AHEPA District 10 Lodge, which has George F. Kourmadas of Livonia as its governor. AHEPA members have always shown a keen interest in civic endeavor and community improvement. To be a member of AHEPA is to be a stellar citizen. One of my oldest and dearest friends, Alex DeMar of Grand Rapids, Mich., has been an outstanding member of AHEPA for many, many years.

Mr. Speaker, at this time I would like to salute AHEPA for a half century of accomplishment. Ahepans everywhere may take pride in their organization and all it has achieved; in the field of education and in other areas. May AHEPA's next 50 years be even more golden and fruitful.

ORDER OF AHEPA GOLDEN ANNIVERSARY

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. FISH. Mr. Speaker, this month, the American Hellenic Educational Progressive Association celebrates its 50th anniversary, and on this special anniversary I wish to join my colleagues in paying special tribute to this fine organization.

AHEPA in its 50-year history has, both at home and overseas, upheld and contributed to the highest ideals of the Hellenic tradition—the tradition of reason and humanitarianism upon which our western civilization is based. Founded on July 26, 1922, the Order of Ahepa has contributed over the past 50 years to many worthy causes, including relief assistance to victims of natural disasters not only in many areas of this country but in Greece, Turkey, and Ecuador. It also supports a number of hospitals, health centers, and a shelter home in Greece and maintains an academy at Garrison, N.Y., the site of my own family's home.

In addition to its relief and hospital assistance, the order's efforts in actively supporting education and cultural development and in improving better international relations through a people-to-people program has resulted in the Order of Ahepa growing to the point where today there are some 430 local chapters in 49 States, Canada, and Australia. I am proud that two of these chapters are located in the congressional district I have the honor of representing, and also proud that many of the members of these AHEPA chapters I have the honor of calling my personal and valued friends.

Membership in the Order of Ahepa is open to men of good moral character who are citizens or who have declared their intention of becoming citizens of the United States or Canada. In this regard, the organization has placed emphasis on its aid to members seeking citizenship.

Mr. Speaker, to elaborate on the purposes of the American Hellenic Educational Progressive Association, the order's first purpose is to promote and encourage loyalty to the United States of America. It instructs its members in the tenets and fundamental principles of government and in the recognition and respect of the inalienable rights of mankind. In addition, membership instills an appreciation of the privileges and responsibilities of citizenship.

The order also aims to encourage its members to always be deeply interested and actively participate in the political, civic, social, and commercial fields in their communities and of our Nation, and to pledge its members to do their utmost to stamp out any political corruption, while arousing its members to the fact that tyranny is a menace of the life, property, prosperity, and integrity of every nation.

The Order of Ahepa also promotes a better and more comprehensive understanding of the rich heritage of Hellenism and Hellenic culture, that rich mainstream of wisdom and ideas which has inspired and enriched our entire western civilization for over 3,000 years.

Mr. Speaker, as the Order of Ahepa marks it golden anniversary, I extend my personal congratulations to the order, and its membership, and take great pleasure in calling AHEPA's important contributions to our society to my colleagues' attention.

GOLDEN ANNIVERSARY OF AHEPA

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. CONABLE. Mr. Speaker, the Order of Ahepa, the American Hellenic Educational Progressive Association, is celebrating its golden anniversary this year; it was founded 50 years ago today in Atlanta. I would like to call your attention to the objectives and achievements of this outstanding organization.

The order is comprised of members from all walks of life who share certain admirable common goals: to promote and encourage loyalty to the United States; instruct its members in the tenets and principles of government and citizenship and encourage their active participation in society; foster greater understanding of the attributes and ideals of Hellenism and Hellenic culture; and champion the cause of education.

In its 50 years existence the Order of Ahepa has compiled a praiseworthy record of accomplishment. It has aided and developed valuable educational programs, charities, and civic improvements throughout the country. At national and international levels AHEPA has provided generous disaster relief to victims in many countries and aided hospitals and colleges.

One of the active chapters of AHEPA is in Rochester, N.Y., in my congressional district. The Rochester chapter is led by its present officers: President Van Litto, Vice President Costas Demas, Secretary Charles Diamond, and Treasurer George Bardanis. An active member of the chapter, Dennis J. Livadis, serves as Supreme Counsellor of the National Order.

Mr. Speaker, I join in commending the Order of Ahepa on its first half century of service and leadership and I wish for it a continuing prominent and effective role in the life of our communities and Nation.

THE 50TH ANNIVERSARY OF AHEPA

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. PATTEN. Mr. Speaker, I would like to take a moment today to remind my colleagues of the founding of the American Hellenic Educational Progressive Association—AHEPA—on July 26, 1922. Celebrating their 50th anniversary, this respected and progressive organization deserves the praise of this Nation.

AHEPA has compiled 50 years of outstanding service promoting worthy causes. It has encouraged its members to actively participate in the education, charity, and civic improvement. And by doing this, it has instilled in their members a deep appreciation of the privileges of American citizenship.

As an organization, AHEPA has devoted 50 years of programs and accomplishments in the fields of American citizenship, educational projects, and charitable activities. It has contributed financially to many causes on a national and international level. These have included such worthy causes as relief to victims of the Florida hurricane and to Mississippi flood victims. They have given national scholarships to worthy students. During World War II, AHEPA was responsible for the sale of $500 million in U.S. War Bonds as an official issuing agency of the U.S. Treasury. I could go on forever with other projects supported by AHEPA.

Today, AHEPA extends to 49 States, Canada, and Australia, with 430 local chapters. The members of AHEPA are men in all walks of life. They are businessmen, professional men, educators, laboring men—but they are men of good moral character with a common goal of good fellowship and common understanding. And I take justifiable pride in AHEPA's record of accomplishment. AHEPA has championed the cause of education and has actively tried to maintain new channels for facilitating the dissemination of culture and learning.

I congratulate this distinguished organization on its 50th anniversary and knowing that their members will continue to serve the American Hellenic community and the cause of freedom with great distinction.

I salute the local chapter officers in Middlesex County for their outstanding service and leadership. They include:

OFFICERS IN MIDDLESEX COUNTY

PERTH AMBOY CHAPTER

John Lemberakis, President.
Theodore Tricules, Vice President.
Costas J. Folis, Secretary.
Peter Coutros, Treasurer.

NEW BRUNSWICK CHAPTER

Emanuel Manioudakis, President.
Anthony Vlastaras, Vice President.
John Kazan, Secretary.
Chris Savides, Treasurer.

PAST NATIONAL OFFICERS

Nicholas J. Stroumtsos, Past Supreme Lodge.
Peter Sideris, Past Supreme Trustee.

GEN. WILLIAM C. WESTMORELAND

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. DORN. Mr. Speaker, the retirement review for General Westmoreland was a very impressive and fitting tribute to a great American. Military associaates, friends, Congressmen, diplomats, and relatives gathered in countless numbers as an indication of their love, admiration, and affection for General Westmoreland. I commend to the attention of my colleagues, the American people, and those who revere freedom the world over the very appropriate remarks of Secretary of Defense Melvin Laird, Secretary of the Army Robert F. Froehlke, and the splendid response of General Westmoreland on this memorable occasion:

REMARKS BY HONORABLE MELVIN R. LAIRD, SECRETARY OF DEFENSE

General Westmoreland today ends a career of distinguished service to his country in the United States Army. Few military leaders in history have had a career that involved so many varied and difficult assignments. Few have had so heavy a responsibility. Fortunately for our country and for the larger cause of freedom in the world, Westy is the kind of man who masters difficult assignments and who eagerly accepts heavy responsibilities.

In the second World War, in Korea, and in Vietnam, General Westmoreland commanded American fighting men with boldness, valor, and great professional skill. In Vietnam he led our forces in one of their most difficult challenges.

Just as effectively as he mastered the problems of the battlefield, General Westmoreland has mastered the many problems of leading the United States Army during the period of significant change from war toward peace. General Westmoreland has devoted the same tireless and effective effort to this transition—the transition toward a smaller, highly trained, all volunteer Army that will help to preserve peace in the years ahead.

For the past three and one half years, I have had the pleasure of working closely with General Westmoreland, not only in his capacity as Chief of Staff of the Army, but also in his capacity as a member of the Joint Chiefs of Staff. In this arena, his experience and vision have been invaluable. I know I speak not only for myself but also for Admiral Moorer and his fellow Chiefs when I say his wise counsel and sound judgment will be missed.

Indeed, General Westmoreland will be missed by all who have worked with him. He has served his country well.

To you Westy and to your wife Kitsy who is so representative of the dedication of our military families, the best wishes of all Americans go with you for the years ahead.

REMARKS OF HON. ROBERT F. FROEHLKE

The scroll that I am about to present depicts the highlights and the highly successful and honorable career of General Westmoreland. As is the case with almost all successes this successful career was the result of teamwork. It seems proper that the whole team be present as I give this scroll to General Westmoreland. Kitsy Westmoreland depicts the Army wife. She's gracious, she's hardworking, she's pretty, she is selfless, and she is ever thoughtful of others. Kitsy will you join us please?

Remarks by General W. C. Westmoreland

Secretary Laird, Secretary Froehlke, Distinguished Guests, Friends, Fellow Soldiers.

I appreciate the courtesy and the distinction accorded me today. By your presence, I am reminded of the responsibility and trust which have been reposed in me, of old friendships which have warmed and sustained me, and the comradeship in arms which I have shared with American soldiers for more than thirty-six years.

Most especially, the ladies who are present remind me once again of the very great debt I owe to my own Army wife for her abiding support, grace, and inspiration.

This last parade is at once a moment of recollection, gratitude, renewed faith, and pride—

Pride in an Army that has defended our country and met our commitments with dedication and selflessness,

Pride in an Army that has played a significant role in building our country and in meeting the needs of our society.

Pride in an Army that has given total loyalty to the leadership of our country and to the people it supports.

As I bid farewell, I say to the American soldier who stands tall before me today: The country you serve is the greatest on earth—whatever its present problems and whatever its present torments. The ideals of our great land—its history and its laedership today—remain the guiding light and standard for mankind.

Be proud of your service to your country. You are soldiers in the service of democracy.

Stay knowledgeable, for knowledge is power.

Stay strong, for strength is peace.

Stay firm in devotion to duty, for the people of our country need you.

Stay obedient—always—in spirit, mind, and purpose to the authority that commands you in this democracy.

The professionalism and service you demonstrate is our country's best weapons system—and in the final analysis, it is our Nation's true security.

As I look back on my life, I thank God for the opportunity that was given to me to be a soldier. If given that opportunity again, I would—with the same pride and with even greater humility—raise my hand—and take once again—the soldiers oath.

Goodbye and Godspeed.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

HY ROSE—A MAN TO MATCH A SHIP

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. LEGGETT. Mr. Speaker, in California we say, "Bring us men to match our mountains." To match the California Sierras we have fortunately been blessed with the best.

With the unfortunate calamity besetting the submarine *Guitarro* several years ago, we needed a man to rip out and reorganize this important nuclear attack submarine as a man of war within a limited budget. That man designated was Hy Rose, a man to match the *Guitarro* to mold her from a heap of scrap to the best attack submarine in the U.S. force today. The *Guitarro* was commissioned a few weeks ago and will undoubtedly take her place in the history of the U.S. Navy.

Hy Rose will retire.

The Mare Island Grapevine talks of Hy's work in the latest issue as follows:

Ship Management Officer for 665 Hy Rose Retiring

Now that the N-sub *Guitarro* (SSN 665) has successfully completed sea trials, her ship management officer, Hyman Rose, heads for retirement to rest, rest, rest.

The restoration of this ship has been an unprecedentedly demanding and absorbing job with almost man-killing responsibility to which Hy has given without stint. If anyone ever deserved a long vacation, this man does. So he and wife Annette (wage and classification specialist) will take a holiday before Hy heads for a new challenging job in private industry.

Rose told the Grapevine that anything, now unassigned, which the Shipyard has to offer, after the *Guitarro*, would seem pretty anti-climatic and that can be well believed by readers who realize what the preparation of the 665 for sea trials has meant. The Shipyard's ability to complete the ship with its present degree of excellence owes much to Rose's efforts.

But Hy did not fail to credit the dedication and cooperation of the entire *Guitarro* team for the accomplishment and cited also the unparalleled assistance that was received (without cost to Uncle Sam) from vendors and private shipyards in the completion of a difficult job. The SMO noted that the 665 restoration was done within the planning estimate and the time period.

According to Rose, the Navy and its ships will benefit from several innovations and spinoffs of the project. He said also that manning was the minimum required and did not "rob" other ships.

Hy had 21 years in then P&E when he was made project manager for the *Hawkbill* and the *Guitarro*. When circumstances demanded it, he was given entire responsibility for the *Guitarro* as ship management officer. All 665 functions were concentrated in his office.

His P&E career, which began in 1950, included structural planner and estimator, surface type desk and submarine type desk.

Rose came to MI in 1940. Navy service preceded a shipfitter job at Philadelphia Navy Yard and he became a shop planner here and supervisory shop planner in Shop 11, after transferring from the East.

Always ambitious, Hy began taking college night courses and fitted himself for increasing responsibility. Now he can lay it down, he feels, with conscience clear.

Hy, the Navy and Fourth Congressional District salute you for a job well done.

CAPTIVE NATIONS WEEK—1972

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. KEMP. Mr. Speaker, on July 4 we celebrated Independence Day to commemorate the Declaration of Independence and the birth of our Nation. In the words of that great document:

> All men are created equal . . . they are endowed by their Creator with certain unalienable Rights. Among these are Life, Liberty and the pursuit of Happiness.—To secure these rights, governments are instituted among Men.

Life, liberty, and the pursuit of happiness—let us not forget that these blessings of freedom, which we take so much for granted, remain only a treasured dream to the people of the captive nations.

During July 16 to 22, we commemorate Captive Nations Week to reassure freedom-loving individuals throughout the world that they are not forgotten and to reaffirm our Nation's dedication to the principle of self-determination for all men. As I noted last year at this time, there is a deafening silence during this weak on the part of the demonstrators who usually crowd Washington on the slightest provocation. These demonstrators speak out against the Government in South Vietnam, whose elections they claim are less than a model of democracy, yet where are their protests against the total lack of political freedom in Lithuania, Latvia. Czechoslovakia, Poland, Hungary, East Germany, the Ukraine and the other captive nations.

They call for the immediate withdrawal of American troops from Southeast Asia, but not a word is said about Soviet troops withdrawing from the captive nations.

They decry what they consider to be repression in Greece and ignore completely the plight of hundreds of intellectuals and professionals in the Ukraine who have been arrested and tried secretly for demanding human rights to which they are entitled under the Soviet Constitution and the Universal Declaration of Human Rights.

They point to the self-immolations which have taken place in South Vietnam and call for the replacement of the government, yet there is total silence concerning the young Lithuanians who recently burned themselves to death in the name of liberty.

In the Lithuanian city of Kaunas, bloody riots have been reported with thousands shouting, "Freedom for Lithuania," and some 200 young people were arrested by Red police.

Mr. Speaker, to dramatize the plight of those peoples who live under Communist tyranny, I would like to describe in more detail these recent developments in Kaunas, Lithuania, which have been furnished to me by the Lithuanian Community of the United States of America, the Latvian Legation, and others.

Thirty-two years ago the Baltic States were overrun by the Soviets, and while a year later Lithuanians were successful in their revolt against the Soviet Union, the Baltic peoples have lost more than one-fourth of their population during the following years of Soviet terror and occupation.

Two million Lithuanian-Americans recognized this June 15 as a National Day of Mourning and Prayer to demonstrate America's support of Lithuania's fight to establish religious and political freedom. The proposal for a National Day of Mourning and Prayer was issued in May by Vytautas Volertas, president of the National Executive Committee of the Lithuanian-American Community of the U.S.A., Inc.

He made the declaration following developments in the city of Kaunas, where rioting had been underway over religious oppression and lack of political freedom. Thousands of Lithuanian youths swarmed into the streets shouting "Freedom for Lithuania" and battled police and Soviet soldiers with sticks and stones after a young Roman Catholic, Romas Talanta, publicly burned himself to death "for political reasons."

This latest tragedy in Lithuania came on the heels of several internal disruptions which were aimed at focusing international attention to the political and religious problems faced by that country. Last March 17,000 Lithuanian Catholics signed a bitterly worded petition to Communist Party leaders demanding an end to religious suppression. President Volertas stated that this action is the most massive protest of its kind ever known to have emerged from Lithuania and the U.S.S.R. This and earlier attempts to relieve religious persecution had gone unheard except in the form of intensified repression. The inch-thick petitions were then sent to the U.N. Secretary-General, Kurt Waldheim.

In another attempt to dramatize their plight, a formal protest by the Lithuanian intellectuals was forwarded to the 5th World Congress of Psychiatrists.

In another area, President Volertas stated that events within the last year included the imprisonment of priests for preparing children for their first communion at the request of their parents and two Lithuanian bishops being sent to unlimited exile without trials.

These efforts culminated in the self-immolation and subsequent rioting in the city of Kaunas, the second largest city of Lithuania with a population of more than 300,000 persons.

A Washington Post dispatch from Moscow, published June 14, said:

> Another youth burned himself to death in Soviet Lithuania about 10 days ago, Lithuanian sources said here yesterday. His name was not disclosed, but the sources said he was apparently inspired by Romas Talanta, 20, who burned himself to death May 14.

This would appear to be the third instance of self-immolation of young Baltic protestors against intolerable Soviet oppression.

The recent events in Lithuania show that the spirit of liberty still burns bright within the hearts of the peoples of the captive nations. Our Constitution and our history speak of liberty and of the struggles and sacrifices by which liberty was won. But with the privileges that liberty has brought us comes the responsibility of upholding it. Under such a responsibility we dare not fail. During Captive Nations Week let us reaffirm our determination that the heroic peoples of the captive nations may one day soon live in freedom.

Mr. Speaker, during the 89th Congress House Concurrent Resolution 416 was unanimously passed by the House and Senate. I respectfully urge that the President implement this legislation by bringing the Baltic States' question to the United Nations and in addition, that of the other captive nations.

Mr. Speaker, I include at this time in the Record for the information of my colleagues, House Concurrent Resolution 416; the Captive Nations Week Manifesto of the American Friends of the Captive Nations and the Assembly of Captive European Nations; the Captive Nations Week Appeal of the Women For Freedom, Inc.; a paper concerning the violation of human rights in Soviet-occupied Baltic States provided by the Lithuanian American Community of the United States of America, Inc.; and Captive Nations Week proclamations from several of our major cities:

H. Con. Res. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed the House of Representatives June 21, 1965.

Attest:

Ralph R. Roberts,
Clerk.

Captive Nations Week Manifesto 1972

The undersigned organizations, dedicated to the restoration of freedom, justice and human dignity in the captive nations, call attention to Public Law 86-90, unanimously adopted in 1959 by the Congress of the United States, by which the third week of July each year is designated as "Captive Nations Week."

Captive Nations Week, since its inception in 1959, has provided a fitting opportunity for the Americans to show their solidarity with the people in East and Central Europe. Nationwide observances, preceded by Captive Nations Week proclamations by the President and by Governors and Mayors of many states and cities, offer Americans a public platform for manifesting their continued concern for the plight of 100 million East and Central Europeans living under Communist rule.

This year's Captive Nations Week will be observed against the background of the May Moscow Summit, a meeting that may have far-reaching implications for Eastern Europe and world peace.

Freedom-loving people everywhere welcome fresh initiatives designed to lessen international tensions. The undersigned organizations, too, firmly believe that the time has come for binding old wounds and leaving no avenues unexplored in the common quest for a lasting peace. The past record of the Soviet Union, however, counsels caution.

The Soviets have failed to keep international agreements with the U.S. In World War II, the Soviet Union assured the Western allies that it was seeking no territorial aggrandizement. Yet, in 1940, the USSR occupied and annexed the sovereign states of Estonia, Latvia and Lithuania. Later on, Rumania, Poland and Czechoslovakia were forced to cede vast territories to the Soviet Union. By the end of 1948, the Soviets had succeeded in foisting Communist regimes on Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Rumania and East Germany. Direct Soviet control was thus extended over an additional 100 million once free people . . .

Today, the once crucial issue of East and Central Europe has been shunted aside by crises in other parts of the world. The Hungarian Revolution of 1956, the 1968 invasion of Czechoslovakia, the worker's riots in Poland in 1970 and the revolt in Kaunas, Lithuania, in 1972, threaten to become mere historical footnotes passed over in silence, since to question Soviet hegemony in Eastern Europe has been equated with jeopardizing the prospects for *detente*.

The right of self-determination is a cornerstone of individual liberty and national sovereignty. The peoples of East and Central Europe have been denied this right. The way to a lasting peace does not lead through the graveyard of freedom. The captive nations will not resign themselves to be a Soviet fief in perpetuity. A people, ruled by a minority and all too conscious of foreign domination, are a source of unrest and instability. No lasting peace can be achieved while 100 million East and Central Europeans are denied their inalienable right to chart their own destiny . . .

Since 1959, Presidents Eisenhower, Kennedy, Johnson and Nixon all have issued Presidential Proclamations, designating the third week of July as Captive Nations Week. The continued need for Captive Nations Week observances is summed up succinctly in one of the paragraphs of Public Law 86-90:

". . . The desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace . . ."

Christopher Emmet,
Chairman,
American Friends of the Captive Nations.

Stefan Korbonski,
Chairman,
Assembly of Captive European Nations.

Captive Nations Week Appeal

Women for Freedom and the other undersigned women's oganizations are appealing to the American people to respond to and reflect upon the special significance of the 14th annual Captive Nations Week, which is being observed this year from July 16–22.

We believe there is a grave danger that the people of the USA may be misled into a state of euphoria that true peace and security have been achieved by our recent overtures to the Communist countries.

For despite their avowed alleged commitment to world peace, recent events demonstrate the true intentions of the Communist leaders. Donning their new cloak of respectability, gained through friendlier Soviet American relations, the Communists are becoming bolder in intensifying their policy of repression and Russification. These policies are creating a veritable cultural genocide.

Arrests of intellectuals in Eastern Europe and the USSR are becoming more widespread. For instance, in Ukraine hundreds of intellectuals and professionals have been arrested and tried secretly for demanding human rights to which they are entitled under the Soviet Constitution and the Universal Declaration of Human Rights. The Baltic countries, Czechoslovakia and the other nations in the Soviet sphere are suffering similar oppression and persecution in their cultural and religious life.

Therefore, we urge all Americans to join in the Captive Nations Week observances and to take every opportunity to call attention, through their political, religious and social organizations, to the plight of these helpless captive peoples.

Women for Freedom Inc., Byelorussian American Women's Association, Czechoslovak National Council of Women in Exile, Georgian National Alliance, Ukrainian National Women's League of America.

Violation of Human Rights in Soviet-Occupied Baltic States—Red Terror in Lithuania, Latvia, and Estonia

(Lithuanian American Community of the United States of America, Inc.)

The Soviets dominate Lithuania, Latvia and Estonia, and Russian troops are at hand to squelch any resistance. The Baltic peoples are deprived of their very basic human rights and freedom. They are unable to speak for themselves. It is the responsibility of all the people in the free world to be spokesmen for enslaved Lithuanians, Latvians, Estonians and other captive people.

The Kremlin is fond of saying that Russian imperialism died with the czar. But the fate of the Baltic nations—Lithuania, Latvia and Estonia—shows this to be a cruel fiction. The Communist regime did not come to power in the Baltic States by legal or democratic process. The Soviets invaded the Baltic States in June of 1940 and grabbed them by force of arms. The Baltic peoples have been suffering in Russian-Communist captivity for more than 30 years.

SAD AND GLORIOUS EVENTS OF JUNE

The month of June is very sad as well as glorious to the Balts in all parts of the world and to other freedom-loving people. Thirty-two years ago this month—in June of 1940—the Soviet Union invaded the grand old Baltic States of Lithuania, Latvia and Estonia and took over these three peace-loving republics by force of arms. One year later—in June of 1941—the Russian Communists started mass deportations of the Baltic people, and over 150,000 Lithuanians, Latvians and Estonians were swallowed up in Siberian slave and labor camps. Several days before the Nazi invasion of the Soviet Union on June 22, 1941, the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was re-established. This free, provisional government of Lithuania remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself.

ANCIENT NATIONS

The Balts are proud people who have lived peacefully on the shores of the Baltic from time immemorial. For instance, this year marks the 721st anniversary of the formation of the Lithuanian state. Mindaugas the Great unified Lithuanian principalities into one kingdom in 1251.

The Baltic peoples have suffered for centuries from the "accident of geography." From the West they were invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Lithuanians, Latvians and Estonians, it should be kept in mind, are ethnically related *neither to the Germans nor the Russians.*

RESISTANCE AGAINST THE INVADERS

Since the very beginning of Soviet Russian occupation, however, the Balts have waged an intensive fight for freedom. It is widely recognized that in the period between 1940 and 1952, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the Soviet conquerors.

The Baltic peoples have never experienced such an extermination and annihilation of their people in their long history through centuries as during the last three decades. Since June 15, 1940, the Baltic nations of Lithuania, Latvia and Estonia have lost more than one-fourth of their combined populations to the ethnically genocidal deportation and resettlement programs of the Soviet Union. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

DESPERATE PLIGHT OF LITHUANIANS

Two events of the past several months indicate the desperate plight of Lithuania's Roman Catholics, the primary target of the Soviet government repression among religious denominations. In March, 1972, a petition bearing 17,054 signatures was forwarded to Dr. Kurt Waldheim, Secretary General of the United Nations. The courageous signatories stated that they were appealing to the United Nations to relay their protest to Leonid Brezhnev, Secretary General of the Russian Communist Party, because three previous collective letters had gone unanswered.

The most recent known demonstrations against the Soviet occupation of Lithuania and persecution of religion took place in the city of Kaunas and in other cities during the second part of May, 1972. Several thousand youths battled police and Soviet soldiers in Kaunas after a young Roman Catholic, Romas Talanta, burned himself to death in a public park for political reasons. The rioting continued for several days after the funeral of Talanta and spread throughout the entire country suffering in the Soviet captivity. This immolation has brought international furor and attention to the problems besetting the captive Lithuanian nation.

CONFRONTING THE SOVIETS WITH THEIR ACTS OF AGGRESSION

The United States Government still refuses to recognize the forced incorporation of the Baltic States into the Soviet Union. But this lack of official recognition by our Government is not enough. Our diplomatic representatives at the United Nations and elsewhere should be prepared to confront the Soviet Union with its acts of aggression against Lithuania, Latvia and Estonia when Soviet spokesmen raise the cry of "imperialism" against our own country.

The Soviet Union has signed the U.N. Declaration of Human Rights. This document describes the fundamental privileges which are due to every individual from a state in which he lives. These include the rights of assembly, of free elections and of freedom of worship. Most importantly, they include the right to move freely over the borders for emigration or temporary visiting.

The United States and other countries of the free world should urge the Kremlin leaders to make these rights described in the Declaration available to the Balts and other captive people. If the rulers of the Soviet Union had the courage to carry out such reforms there would be no need for self-immolation to demonstrate the plight of Lithuanians and other people in the Russian Communist captivity.

BRINGING THE BALTIC CASE IN THE UNITED NATIONS

Past experience indicate that the Soviet Government is sensitive to criticism of its actions by those in the free world. Hoping that such means may minimize the persecution of the Balts in the Soviet captivity, the Administration should go ahead and implement *H. Con. Res. 416* (89th Congress). This legislation was unanimously passed by the House and the Senate and it calls for the freedom from Soviet domination of Lithuania, Latvia and Estonia. The President of the United States should bring the issue of the liberation of the Baltic States in the United Nations and demand the Soviets to withdraw from Lithuania, Latvia and Estonia. We should have a single standard for freedom. Its denial in the whole or in part, in any place in the world, including the Soviet Union, is surely intolerable.

Treaties That Were Not Kept by the Soviets—Illegal Seizure of the Baltic States by the Soviet Union

The Communist regime did not come to power in the Baltic States by legal or democratic process. The Soviets invaded and occupied the Baltic States in June of 1940, and the Baltic peoples have been suffering in Russian-Communist captivity for 32 years.

The seizure and annexation of Lithuania, Latvia and Estonia by the Soviet Union constituted an act of aggression and a flagrant violation of numerous international treaties and agreements, as well as the inalienable rights of the Baltic peoples.

The treaties and agreements violated by the Soviet Union are:

1. Treaty of Peace Between Russia and Estonia, signed at Tartu (Estonia) on February 2, 1940;
2. Peace Treaty between Lithuania and the Russian Socialist Federal Republic, and Protocol, signed at Moscow on July 12, 1920;
3. Treaty of Peace between Latvia and Russia, done at Moscow, completed and signed at Riga (Latvia), August 11, 1920;
4. Treaty of Non-Aggression between the Republic of Lithuania and the Union of Soviet Socialist Republics, signed at Moscow on September 28, 1926;
5. Treaty of Non-Aggression and Peaceful Settlement of Disputes between Estonia and the Union of Soviet Socialist Republics, signed at Moscow May 4, 1932; extended in 1934 for a term to last until December 31, 1945;
6. Convention for the Definition of Aggression, signed at London, July 3, 1933, between Romania, Estonia, Latvia, Poland, Turkey, the Union of Soviet Socialist Republics, Persia, and Afghanistan.
7. Convention between Lithuania and the Union of Soviet Socialist Republics for the Definition of Aggression, signed at London, July 5, 1933; extended in 1933 for a term to last until April 4, 1943;
8. Treaty of Non-Aggression between Latvia and the Union of Soviet Socialist Republics, signed at Riga, February 5, 1932;
9. General Treaty for Renunciation of War as an instrument of National Policy, signed

at Paris, August 27, 1928, to which 63 states are parties among them the Soviet Union and the Republics of Lithuania, Latvia and Estonia;

10. Convention relating to the Establishment of the Conciliation Commission and Conciliation Procedure between Latvia and the U.S.S.R., signed on June 18, 1932;

11. Mutual Assistance Pact between the Union of Soviet Socialist Republics and Estonia, signed on September 28, 1939;

12. Mutual Assistance Pact between the Union of Soviet Socialist Republics and Latvia, signed on October 5, 1939;

13. Mutual Assistance Pact between the Union of Soviet Socialist Republics and Lithuania, signed on October 10, 1939;

14. The Covenant of the League of Nations, came into force on January 10, 1920. Lithuania, Latvia and Estonia became Members of the League on September 22, 1921, and the Soviet Union on September 18, 1934.

As the forcible incorporation of Lithuania, Latvia and Estonia by the Soviet Union constitutes a violation of international treaties and generally accepted and recognized principles of international law, the Soviet regime in the three Baltic States lacks any legal basis and should be regarded only as a temporary occupation.

CAPTIVE NATIONS

The reality of captive nations existing in Eastern Europe, the U.S.S.R., Asia and the Caribbean cannot be ignored if we value our own freedom.

The prime Communist objective has been to obtain Western acquiescence to their goal in holding under their control twenty-seven European nations.

Detroit has many residents with close personal and family ties with the peoples of Albania, Armenia, Byelorussia, Bulgaria, Cossackia, Croatia, Czechia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, Serbia, Slovakia and the Ukraine, who feel the hand of Communist dictatorships.

It is of great importance for us to morally sustain the hope and faith of the captive peoples in their eventual freedom.

Therefore, I, Roman S. Gribbs, Mayor of the City of Detroit, issue this proclamation calling attention to the plight of those who live from day to day in the captive nations of the world.

ROMAN S. GRIBBS,
Mayor.

PROCLAMATION OF OFFICE OF THE MAYOR, NEWPORT NEWS, VA.

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slavakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86-90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples

Now, therefore, I, J. W. Hornsby, Jr., Mayor of the City of Newport News, do hereby proclaim that the week commencing July 16, 1972 be observed as "Captive Nations Week" in Newport News, and call upon the citizens of Newport News to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

PROCLAMATION OF CAPTIVE NATIONS WEEK, JULY 16–22, 1972

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples;

Now, therefore, I, Mary M. Heslin, acting Mayor of the city of Hartford, do hereby proclaim that the week of July 16–22, 1972 be observed as Captive Nations Week in the City of Hartford and call upon the citizens of Hartford to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

PROCLAMATION

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples:

Now, therefore, I, Moon Landrieu, Mayor of the City of New Orleans, do hereby declare the week of July 16–22, 1972, to be "Captive Nations Week" in New Orleans, and call upon the citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

PRESERVING THE AMENITIES

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. HANSEN of Idaho. Mr. Speaker, the American Chemical Society, along with many other of our learned societies in this country, has been in the forefront of the efforts to preserve and to improve the environment wherever possible. This effort by the American Chemical Society has been ongoing since the early 1960's. In 1969 the society's subcommittee on environmental improvement published a report titled, "Cleaning Our Environment—The Chemical Basis for Action," which was one of the best and first documents on attacking pollution in all the elements—air, land, and water.

The society has continued its efforts in fighting pollution; and their publication, Chemical Engineering News, in every issue, has articles and features on preserving the environment. The June 19, 1972, issue contains an editorial by Patrick P. McCurdy, the magazine's editor, on "Preserving the Amenities." Mr. McCurdy points out that you cannot separate science from technology or from politics. He concludes that attempts to perform such separation creates vacuums that can draw in the unwary, the ignorant, and the irresponsible. I have met many people who seem to be unaware that when man creates a vacuum, nature will tend to fill it. In this case, as Mr. McCurdy points out, the vacuum can be filled with those who can only contribute to the confusion surrounding national and international attempts to preserve the environment.

I would recommend that those in public life think carefully before flailing science and technology as the sources of pollution, just because the unwary, the uninformed, and the irresponsible have blamed science and technology and this has now become a popular pastime.

Those in public life, either elected or appointed, must coordinate the activities of science, technology, and public affairs. Not to do so is to defraud our Nation.

I commend to my colleagues Mr. McCurdy's thought-provoking editorial.

[From Chemical and Engineering News
June 19, 1972]

PRESERVING THE AMENITIES

Always eloquent, Lord Zuckerman, former chief scientific adviser to the U.K., managed to put things nicely into perspective at the UN Conference on the Human Environment in Stockholm. Thus:

"The worst enemies of the environment, as well as of mankind, are poverty and ignorance. . . . Pollution is essentially a social and political problem. For the first time we know what it is we are doing as our influence spreads over the globe. It is unscientific to speak as if technological advance is working inexorably toward making a worse world and, in particular, that we are going to be unable to deal with our waste products. I regard the environmental dangers which we face as far more manageable than I do the social and political problems which exist in the world. The physical and measurable problems of the environment are matters with which science and technology are competent to deal. But they cannot deal with the value systems which determine which amenities should be preserved. These belong to the political domain where all citizens have a voice."

Well said. We think the remarks are worth extending. You cannot separate science from technology, or either from politics. Attempts to do so create vacuums that draw in the unwary, ignorant, and irresponsible. Scientists who deny any role in use of their science help set the stage for misuse. Technologists who refuse to try to assess their technology and its implications extend and compound the error. Political figures who ignore technological impacts fail the public. And a public that lets it all happen fails itself.

No wonder the so-called "unwashed" of the 1960's flailed their way into the fray. They saw holes in the system and too few moving to plug them. Unfortunately, too many of them, in their ignorance and anger, often abetted by scientists and technologists who should have known better, pinned the blame on science or technology or industry per se. Cries for abandoning science and technology were the desperate signals that something had gone awry. Something had, all right, but the solution lies not there. The answer rests in well-founded, political compromise at all levels contributed to by all citizens including scientists and businessmen.

Lord Zuckerman spoke at a word-level conference. But his words have a certain universality and with not too many changes might have been applied as well at another meeting—that of the Manufacturing Chemists Association taking place the same week at White Sulphur Springs, W. Va.

For Lord Zuckerman was putting perspective into a subject too often viewed too narrowly. All activity in a shrinking world affects people more directly than ever before. Thus, key topics at the MCA meeting—chemical trade—productivity—energy—the Toxic Substances Act of 1972—pollution—all intimately involve the fortunes of the chemical industry. But all quickly blend into the fabric of domestic and world politics.

As Lord Zuckerman says, science and technology can solve the technical problems of, say, pollution, or energy, indicating the various options and their prices. Scientists and engineers, though, or business and industrial leaders, shouldn't be permitted to make final and independent choices. This is a matter of consensus, where tribute is paid to all elements of the worldwide electorate.

Thus, speaking from an MCA platform, industry leaders can, and should, expound their notions on trade, trade negotiations, productivity, pollution, energy, toxic substances, Labor, as well, consumers, and other interested parties should do likewise.

Then some godlike solon (the public?) must pull it all together, somehow. But the solon must have information. And in the area of science and technology, information understandable by the public has been sparse. And so, this same Lord Zuckerman, speaking at another conference (the Roche Anniversary Symposium) at another time (August 1971), in another place (Basel, Switzerland) was moved to say:

"Scientists, if they are to prove able to translate into action their fears, their wishes, and their hopes for the future, should operate in the political arena. . . . We have got to engage in those processes that affect our democratic decisions."

THE 1972 CAPTIVE NATIONS WEEK

HON. JOHN H. TERRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. TERRY. Mr. Speaker, the 14th observance of Captive Nations Week has revealed again the depth and breadth of conviction held by large segments of our population concerning the humanitarian and strategic importance of all the captive nations to our national security and for world peace. On the basis of Public Law 86–90, the week's activities in this country and abroad have been extensive and most reassuring As further examples, I introduce:

Proclamations by Gov. Preston Smith of Texas, and mayors James H. McGee of Dayton, Ohio; Richard H. Marriott of Sacramento, Calif.; and Kevin H. White of Boston; and the program of the New Orleans Chamber of Commerce, along with releases of the National Captive Nations Committee and the Washington News-Intelligence Syndicate:

Official Memorandum by Preston Smith, Governor of Texas

In its thrust toward world domination, communist imperialism has deprived many millions of people of Central and Eastern Europe, Asia and even the Western Hemisphere of human rights and fundamental freedoms. Silenced, but unconquered, these people will never cease to struggle for their inalienable right to a free life.

The national security and well-being of the citizens of the United States is dependent on the continued desire for liberty and justice on the part of the people of these captive nations.

By action of Congress, the third week of July has been designated as Captive Nations Week. It is fitting that we observe this period in tribute to the fight for freedom and in recognition of the natural interdependency of the people and nations of the world.

Therefore, I, as Governor of Texas, do hereby designate the week of July 16, 1972, as Captive Nations Week in Texas.

Proclamation

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples.

Now, therefore, I, James H. McGee, Mayor of the City of Dayton, do hereby proclaim that the week commencing July 16, 1972 be observed as Captive Nations Week in Dayton, Ohio, and call upon the citizens of Dayton to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Captive Nations Week

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the people of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas the desires for liberty and independence by the overwhelming majority deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with support for the just aspirations of captive peoples.

Now, therefore, I, Richard H. Marriott, Mayor of the City of Sacramento, do hereby proclaim that the week commencing July 16, 1972 be observed as Captive Nations Week and call upon the citizens of Sacramento to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Declaration

Whereas: the imperialistic policies of Russian Communists have led through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas: the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas: the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas: the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples

Now, therefore, I, Kevin H. White, Mayor of the City of Boston, do hereby proclaim that the week commencing July 16, 1972 be observed as Captive Nations Week and call upon the citizens of the City of Boston to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Captive Nations Week, July 16–22, 1972

The Americanism Committee of the Chamber of Commerce announces the 14th national observance of Captive Nations Week as established by Public Law 86–90 by an act of Congress in June 1959. This event encourages us to reach across ecumenical lines and request the cooperation and religious unity of all the Churches and Synagogues to accomplish a specific task, the sounding of a call for religious freedom for the Captive nations.

We ask remembrance of the captives in all religious services on Sunday, July 16, 1972. In addition, we ask every believer in God, each in his own way, or in collective effort within his felowship or group, to pray for fifteen minutes each day of Captive Nations Week in a prayerful petition to God to re-establish the inalienable right of His children to acknowledge Him freely without persecution from ruling governments.

It is also our hope that public indignation over these injustices, as described in the enclosed pamphlet, will motivate public officials to help accomplish the most important mission confronting the world today, the rolling back of the ominous menace of atheistic communism.

On Sunday, July 16, 1972, we have scheduled Mrs. Gilbert Smith and Mr. Marvin Steffins, experts on Cuban and Latin American affairs, for radio station WTIX (690), 10:00 a.m.-12:00 noon, in an effort to answer any questions the public may have concerning these matters.

Also, the Archdiocesan Council of Catholic Women is scheduling a program for Philosophy Hall, Notre Dame Seminary, 2809 S. Carrollton Avenue, New Orleans, July 16, 1972, 3:00–5:30 p.m. The public is invited to attend and meet our speakers in person.

Again, may I request your cooperation and prayers in this crusade in the belief that we have nothing to lose but the tyrannical chains that bind our fellow believers to the most reactionary ideology the world has ever known.

President Confirms Détente Not Acquiescence

President Nixon's proclamation of the 1972 Captive Nations Week was hailed today as a clear indication that the pursuit of détente with the Red states is not identical with a politico-moral acquiescence to the permanent captivity of the nations in Central Europe, within the USSR, in Asia and Cuba. The President's proclamation, which emphasized that "in much of the world, the struggle for freedom and independence continues," was issued last Saturday from the Western White House in San Clemente. Dr. Lev E. Dobriansky, professor at Georgetown University and chairman of the National Captive Nations Committee, stated today, after the Congressional 14th Observance of the Week, "The far-seeing diplomatic offensive of the President toward both Moscow and Peking underwrites the growing importance of those captive nations and peoples in the USSR and Red China than any other action."

Captive Nations Week was established by Congress in 1959. Every President has proclaimed the Week since. The resolution calls upon all Americans to observe the 3rd week in July as Captive Nations Week "until such time as freedom and independence shall have been achieved for all the captive nations of the world," which means those in the Red area from the Danube to the Pacific and in Cuba. The Week has been annually proclaimed by 37 Governors and Mayors of major cities, such as New York, Boston, Cleveland, Philadelphia, Chicago, New Orleans, Miami, San Francisco and others, inspiring citizens to express their moral responsibility toward ⅓ of humanity under Red totalitarian rule. Seventeen foreign countries also observe the Week. On Wednesday, Congress observed the 14th Week.

In a Congressional reprint sponsored by Congressman Edward J. Derwinski of Illinois and titled "Do You Know The Captive Nations?" the NCNC chairman challenges the Harris and Gallup pollsters to query Americans as to their awareness of all the captive nations and their relevance to Vietnam. He asks, "Do You Know These and Their Year of Takeover," as published in last October's Reader's Digest?"

Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Ukraine	1920
Far Eastern Republic	1922
Turkestan	1922
Mongolian People's Republic	1924
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Serbia, Croatia, Slovenia, etc. in Yugoslavia	1946
Poland	1947
Romania	1947
Czecho-Slovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

Who's Next?

South Vietnam? The Republic of China? Cambodia? Laos? Bolivia? Chile? or Israel?

In his statement Dr. Dobriansky stressed that the Nixon offensive opens up "the whole reality of the majority of captive nations in both the USSR and Red China." He further pointed out that "Congress has again a wonderful opportunity to investigate these areas as provided by Congressman Daniel J. Flood's measure for a Special House Committee on the Captive Nations. The self-immolations in Lithuania, the harsh cultural repressions in Ukraine, and the oppression of Jews in the USSR are only a few examples of needed investigation for both humanitarian and strategic reasons." The professor added, "Those in our body politic who vociferate most about 'conscience' in politics seem to be the least concerned with the ⅓ of humanity deprived of freedom itself."

Public Affairs

(By Thomas A. Lane)

Washington, July 15.—When Howard K. Smith announced on the ABC television evening news that a third Lithuanian youth had immolated himself in protest against the Soviet genocide being visited upon the Lithuanian people, that tragic event seemed remote from our American scene. In our illusion that we are achieving detente, we have worked to exclude from public consciousness all evidence of the barbaric behavior of the communist regimes.

Even as President Nixon was visiting in Moscow, Lithuanians were rioting in the streets of Kaunas after a young patriot, Romas Talanta, burned himself to death in protest against the Soviet persecution. Events provided a disquieting backdrop to President Nixon's journey for peace, but they were virtually unreported in our news media. Maybe the President was talking to the wrong people.

Older Americans will remember the Baltic States—Lithuania, Latvia and Esthonia—which were liberated from Russian bondage in the peace settlement of World War I. In the opening maneuvers of World War II, these states were reconquered by Stalin and incorporated into the Soviet structure. When Germany turned against the Soviet Union in 1941, it seized and occupied the Baltic states, only to withdraw from them before the Russian advance in 1944.

Through all the years, the United States has never recognized the Soviet conquest of the Baltic states. We regard them as independent states now under Soviet occupation, but we do nothing, in the United Nations or elsewhere, to terminate that occupation. We don't like to think about the problem. It reminds us that we are extending the hand of friendship to the oppresser.

The peoples of these states, patriotic and deeply religious, might tolerate the suzerainty of the Russians but they cannot endure the communist zealotry which attacks their culture and desecrates their most sacred traditions.

Some observers estimate that as much as 25 percent of the population has been deported to the Russian slave labor camps. Tens of thousands have died as freedom fighters resisting the oppressive Russian presence.

As we enter the week of July 16–22 which Congress has set aside to honor the Captive Nations and to tell them America has not forgotten their plight, we should ponder our obligations to these suffering peoples. If we become indifferent to their distress, concerned only for our own comfort, we shall destroy the spirit of America. We would show by such behavior how little we deserve the freedom we enjoy.

MANY HAVE ESCAPED

We have in the U.S. courageous refugees who escaped at the risk of their lives from the communist terror ravaging their homelands. These gallant men and women braved the slavekeepers at the Wall in Berlin, swam the dangerous waters to freedom in Hong Kong or slipped unseen across a more lightly guarded sector of the iron and bamboo curtains. Honor them. Listen to them and learn the truth about the myth of mellowing.

The national mood of escapism—from the costs of preparedness, from the hardship of conflict, from the burdens of citizenship, from the discipline of morality, from the commands of duty—gives this great country the aspect of a dying organism. If you don't care about freedom, you don't care about life. The Captive Peoples do care. They are alive with resistance to tyranny.

Look at the Captive Nations! There you will find examples of enduring loyalty, magnificent courage, matchless daring, principled defiance. In 1953, the people of East Berlin threw Molotov cocktails at Russian tanks. In 1956, the people of Poznan in Poland rebelled against Soviet oppression. Later in that year, the Hungarians drove the Russians out of Budapest, only to be left to fight alone against the Russian colosus. The West would give no help.

Now the Lithuanians are in extremis, rising in desperation against the assault on their culture. When will America stand once again with the oppressed peoples and against the tyrants as it did in the early years of this century? When will it shed that paralysis of the intellect which has imprisoned it in a depraved obeisance to the barbaric dictators of the communist reich? We can recover our national health by emulating the dedication to freedom which today is found only among the Captive Nations.

UNIFORMED SERVICES RETIREMENT PAY EQUALIZATION ACT

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. VEYSEY. Mr. Speaker, recently I introduced H.R. 5078 to recompute military retirement pay to bring it into line with the pay of active duty personnel. The complete text of my bill follows:

H.R. 5078

A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Uniformed Services Retirement Pay Equalization Act".

SEC. 2. Title 10, United States Code, is amended as follows:

(1) section 1401 is amended by inserting ", and adjust to reflect later changes in applicable permanent rates" immediately before the period in footnote 1 to the table.

(2) section 1401(a) is repealed.

(3) by striking out the following item in the analysis to chapter 71:

"1401(a). Adjustment of retired pay and retainer pay to reflect changes in Consumer Price Index."

(4) section 1402(a) is amended—

(A) by striking out "monthly basic pay [1]" at the beginning of column 1 and inserting in lieu thereof "monthly basic pay",

(B) by striking out "retainer pay [2]" at the end of column 2 and inserting in lieu thereof "retainer pay [1]",

(C) by striking out all of footnote number 1.

(D) by striking out "[2]" before the remaining footnote and inserting in lieu thereof "[1]", and

(E) by striking out all of the matter following the footnote.

(5) section 3991 is amended—

(A) by amending column 1 of formula A in the table to read as follows:

"Monthly basic pay to which members would be entitled if he were on active duty in his retired grade.[1]"

(B) by amending footnote 2 to the table to read as follows:

"[2] Compute at rates applicable on date of retirement and adjust to reflect later changes in applicable permanent rates. However, if member's retired grade is determined under section 3963(a) or 3963(b), or if member has served four years as Chief of the Medical Service Corps, use pay to which member would be entitled if he were on active duty in his retired grade."

(6) by inserting the following new section immediately after section 6148:

"§ 6149. Retired pay: computed on the basis of rates of pay for officers on the active list

"Except for officers whose retired pay is computed under the Pay Readjustment Act of 1942 (56 Stat. 359), the retired pay of each retired officer of the Navy or the Marine Corps shall be computed on the basis of rates of pay provided by law, at the time of his retirement, for officers on the active list. If after the retirement of any such officer the rates of pay for officers on the active list are changed, the retired pay to which the officer is entitled shall be recomputed on the basis of the new rates."

(7) by inserting immediately below "SEC. 6148" the following new item in the analysis to chapter 561:

"6149. Retired pay: computed on basis of rates of pay for officers on the active list."

(8) sections 6151(b), 6323(e), 6325 (a)(2) and (b)(2), 6326(c)(2), 6381(a)(2), 6383 (c)(2), 6390((b)(2), and 6394(h) are amended by striking out "basic pay of the grade" and inserting in lieu thereof "basic pay to which he would be entitled if serving on active duty in the grade".

(9) section 6327(b) is amended by striking out the words "of the grade in which retired" and inserting in lieu thereof the words "to which he would be entitled if on active duty".

(10) sections 6396(b)(2), 6398(b)(2), and 6400(b)(2) are each amended by striking out "basic pay of the grade" and inserting in lieu thereof the words "basic pay to which she would be entitled if serving on active duty in the grade".

(11) section 8991 is amended—

(A) by amending column 1 of formula A in the table to read as follows:

"Monthly basic pay to which member would be entitled if he were on active duty in his retired grade.[1]"

(B) by amending footnote 2 to the table to read as follows:

"[2] Compute at rates applicable on date of retirement and adjust to reflect later changes in applicable permanent rates. However, if member's retired grade is determined under section 8963(a) or 8963(b), use pay to which member would be entitled if he were on active duty in his retired grade."

SEC. 3. A member or former member of a uniformed service who was retired by reason of physical disability and who is entitled, in accordance with section 411 of the Career Compensation Act of 1949 (63 Stat. 823), to retired pay or retainer pay computed under provisions of law in effect on the day preceding the effective date of that Act, may elect within the one-year period following the effective date of this Act, to receive disability retirement pay computed under provisions of law in effect on the effective date of this Act in lieu of the retired pay or retainer pay to which he is otherwise entitled.

SEC. 4. Notwithstanding any other provision of law, a member of an armed force who was entitled to pay and allowances under any of the following provisions of law on the day before the effective date of this Act shall continue to receive the pay and allowances to which he was entitled on that day:

(1) The Act of March 23, 1946, chapter 112 (60 Stat. 59).

(2) The Act of June 26, 1948, chapter 677 (62 Stat. 1052).

(3) The Act of September 18, 1950, chapter 952 (64 Stat. A224).

SEC. 5. The enactment of this Act shall not reduce the retired pay or retainer pay to which a member or former member of a uniformed service was entitled on the day before the effective date of this Act.

SEC. 6. This Act becomes effective on the first day of the first calendar month beginning after the date of its enactment.

CONGRATULATIONS TO AHEPA

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BYRNE of Pennsylvania. Mr. Speaker, this month marks the golden anniversary of the Order of Ahepa, the American Hellenic Educational Progressive Association, founded July 26, 1922, in Atlanta, Ga. The order, a secret fraternal body, nonpolitical and nonsectarian, has contributed beyond measure to numerous worthy causes, both national and international, during the half century of its history, a period marked by world wars and great suffering. The record of service and response by AHEPA to disaster relief and other needy causes has been truly impressive. In addition, local AHEPA chapters have given generously to community concerns in the areas of education, charity, and civic betterment.

Good fellowship, family participation, and civic responsibility are very much a part of the spirit of AHEPA. At a time of disruption and transition, the members of AHEPA continue to work for that strengthening of social, moral, and family life which is the key to the survival of American society in a troubled world. Its members are drawn from every walk of life, united by shared ideals and goals—fellowship, understanding, and compassion.

Valuing citizenship in a free society, it is hardly surprising that the cause of education is particularly dear to AHEPA and its programs. In its statement of purpose, the privileges of citizenship and the inalienable rights of mankind are both honored. AHEPA has been a worthy vehicle for the Greek American community to manifest its benevolence, idealism, and dedication to freedom in this Nation and in Greece, the mother of democracy. The achievements of Greek Americans have been recognized and celebrated through and by the contributions of AHEPA. In so doing, AHEPA has helped to give pride and purpose to our citizens of Greek origin and to share with all Americans the unique heritage of Hellenic culture and tradition. May its witness during the next half century continue to inspire men and women of goodwill as in the past five momentous decades.

THE ORDER OF AHEPA

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. STAGGERS. Mr. Speaker, out of the swirling mists of mythland comes the story of the children who were carried on the back of a milk-white bull out of the tired and wornout culture of the East to the new and invigorating land of the Hellenes. They carried with them all the arts and wisdom of the ancient civilizations along the Nile and the Euphrates. In their new land across the sea they multiplied these skills and sciences a thousandfold, producing the magnificent Greco-Roman civilization which is an integral part of modern day advancement.

Many generations later, perhaps as many as a hundred generations, some of the descendants of these early adventurers essayed another voyage, using more modern means of transportation. They crossed the seas to America, not as visitors or critics, but as those who wished to unite their fortunes with the fortunes of a newer land than their ancestors had found several thousand years previously. Here they merged skillfully with others who were seeking new opportunities for self-fulfillment. Without abandoning their pride in their national origin, they adopted the mores and the usages of their American hosts. Gladly and freely they contributed their skills and their energies to the task of building a better and a stronger nation. Today we find them participants and leaders in every worthwhile activity: in industry, in the professions, in the arts and sciences. They are capable and dependable citizens, having inherited the understanding of good citizenship from their ancestors, the Hellenes.

Fifty years ago today, our Greek friends founded the Order of Ahepa, a secret fraternal order dedicated to service to humanity and to the promotion of understanding and good will among men. Its accomplishments are many and noteworthy. We are immensely proud of their record, and we unite in paying honor to this fine body of true Americans on their 50th anniversary.

THE 50TH ANNIVERSARY OF AHEPA

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BIAGGI. Mr. Speaker, today marks the 50th anniversary of the founding of the Order of Ahepa—The American Hellenic Educational Progressive Association. For half a century, AHEPA has served an important function in strengthening the fellowship and the cultural ties of the American and Greek nations. Its 46,000 members are dedicated to keeping the traditional Greek ideals of democracy and representative government alive in today's world.

Our Western civilization owes an infinite debt to the heritage of Greece, for its advances in thought and literature, in art and architecture. The contributions of Greek Americans to the culture and strength of this great country are indeed significant and their impact immeasurable. Among the stated objects of the Order of Ahepa are to encourage active participation in the political, civic, social and commercial fields of human endeavor; to pledge its members to do their utmost to stamp out any and all political corruption; to promote the spirit of altruism, common understanding, mutual benevolence and helpfulness; and to champion the cause of education, by maintaining new channels for the dissemination of culture and learning.

It is with profound respect and admiration that I congratulate AHEPA on this most exciting of occasions. I am proud to be a member of this organization which stands as a beacon, a model for all civic-minded groups. It has a proud tradition, an impressive history, and a bright future. I hope the years ahead bring success and fulfillment to all members of AHEPA.

FLORIDA'S "HELP STOP CRIME" PROGRAM

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. FASCELL. Mr. Speaker, a statewide program, initiated to repel the forces of crime, was begun last month. The "Help Stop Crime" program, developed by Gov. Reubin Askew's Council on Criminal Justice, is seeking to prevent crime through citizen involvement.

The first phase of the program, felony reporting, is designed to stimulate citizens to act quickly to report to local law enforcement agencies any crime or suspicious activity that they observe. It is hoped that this early warning system will bring officers to the scene in time to thwart any crime.

The second phase is a series of educational programs to inform the citizens of Florida about simple steps to take to protect their property and themselves against the most common types of crimes.

I would like to commend the Governor and his "Help Stop Crime" program for taking the initiative by bringing to public awareness the problems of crime in today's society.

At this time, I would like to bring to the attention of our colleagues an article from the Miami Beach Sun Reporter concerning this worthy program. This article highlights the efforts of four outstanding citizens of the Miami area who are serving on the Governor's Council on Criminal Justice.

The article follows:

MIAMIANS SERVING ON CRIME COMMITTEE

Four prominent Miamians are serving on the Governor's Crime Prevention Committee. The committee, which is an integral part of Governor Askew's Council on Criminal Justice, consists of members from business, professional and civic area.

The four Miamians serving on this committee are: Kenneth M. Myers, senator from the 45th district, representing the Florida Senate; Reverend Cannon Theodore R. Gibson, representing the Florida Council of Churches; Charlie Harris, president of the Florida AFL–CIO and Edward J. Scheaffer, president of E. J. Scheaffer and Associates, representing the Southeast Council of the American Association of Advertising Agencies.

Major purpose of the committee is for the individual representatives to work through their organizations on a statewide basis, in order to establish citizen committees that will, in turn, work more closely with law enforcement agencies in their cities.

The Governor's Council on Criminal Justice is presently developing the "Help Stop Crime!" Program which has two objectives:

To train the public to recognize and report felony crimes while they are being committed so that law enforcement personnel can respond in time to make an arrest at the scene.

To educate citizens regarding the security measures they should take to prevent residence burglary, business burglary, robbery, shoplifting, auto theft, crimes against women, child molestation, bogus checks and vandalism.

According to Attorney General Robert Shevin, who is serving as chairman of the Crime Prevention Committee, "this statewide crime prevention program can be a major factor in improving Florida's Criminal Justice System. This program will assist the state in combating criminal activity as well as educating all Floridians in the prevention of crime. It will combine community and law enforcement agency efforts in the most positive manner by reducing the criminal's opportunity to strike."

More than 150 law enforcement agencies throughout the state have agreed to participate in the Crime Prevention Program. This is the first statewide program of its type to be conducted in the United States. Many cities have instituted public education programs concerning law enforcement, but never has an entire state given its total support for the purpose of reducing crime by educating its citizenry as to how they can help in this task.

The program is federally funded and through the use of the $750,000, three-year grant, police departments and sheriff's offices will be equipped with the tools necessary to communicate crime prevention techniques to the public.

In the most literal sense, this is a community program, and not merely a law enforcement agency program. Its success will depend largely on community participation and cooperation.

On the immediate agenda for the Citizen's Committee on Crime Prevention are steps to implement Phase One of the Program: the Felony Reporting Campaign. This will be aimed at urging all citizens to report any crime or suspicious incident to the proper local law enforcement agency promptly, so that officers may respond quickly with a better chance of preventing a crime and apprehending a suspect.

Key steps in the program include teaching the public what "signs of crime" to watch for, and placing stickers on all telephones in the area with the "Help Stop Crime!" theme and the proper local number to call.

It will be the responsibility of the four Miamians, as well as other committee members, to work through their organizations in enlisting the help of other citizens.

According to the president's Commission on Law Enforcement and Administration of Justice, "law enforcement cannot properly function in a forest of indifference. The solution is to motivate 'treelike' citizens to become involved in effective programs, with their local law enforcement agencies, that will prevent crimes."

Members of the Governor's Crime Prevention Committee are the branches which will, hopefully, shake the trees into action.

AHEPA CELEBRATES ITS 50TH ANNIVERSARY

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. SISK. Mr. Speaker, it is with great pleasure that I salute AHEPA, the American Hellenic Educational Progressive Association, on the observance of its 50th anniversary.

The objectives of this fraternal organization, composed of 90 percent American citizens of Greek descent but open to all, have value for us all and are well worth repeating here.

The are:

To promote and encourage loyalty to the United States of America.

To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

To instill in its membership a due appreciation of the privileges of citizenship.

To encourage its members to always be profoundly interested and actively participating in political, civic, social, and commercial fields of human endeavor.

To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to life, property, prosperity, honor, and integrity of every nation.

The foregoing are but five of the objectives of AHEPA. The others are as high minded and as universal.

The Order of Ahepa has contributed financially to many worthy causes on a national and international basis during its 50 years of existence. These do not take into account the activities of local chapters, such as in Fresno, Calif.

I take pleasure in mentioning the officers of that chapter for their civic contributions. They are John LaBritt, president; Frank Saris, vice president; Bill Rallis, recording secretary; Bill Booras, corresponding secretary, and Jim Nicolaou, treasurer.

One of the most worthy programs of AHEPA is the awarding of scholarships to worthy students. This program has been in progress for the last 41 years on local, district and national levels.

AHEPA is responsible for the donation of a hall for boys and a school at St. Basil's Academy in Garrison, N.Y. In Greece an AHEPA Agricultural School has been established. More than 40,000 volumes of American books have been donated throughout local Greek schools.

Although AHEPA had its roots in a common heritage, it is truly an American institution and devoted to the best in American life and traditions.

U.S. POSTAL SERVICE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. DERWINSKI. Mr. Speaker, as a member of the House Post Office Committee, I believe that the Postal Service law which was adopted in the last Congress will prove to be the long range solution to the postal problems that had been predicted by those of us who supported the measure.

I was especially pleased to note a story in the Chicago Today of Saturday, July 15, which pays a proper compliment to the personnel of the Chicago area Postal Service.

The article follows:

> 30 ENVELOPES WITH MONEY UNOPENED: OUR TEST PROVES MAIL SAFE
>
> There are more than 23,500 postal employes in Chicago—and, apparently, the overwhelming majority of them are honest.
>
> To determine just how safe the mails are these days, Chicago Today ran a test. Reporters sent 30 envelopes containing cash from various locations thruout the city to a Chicago Today post office box.
>
> Twenty of the envelopes contained $1 bills, 10 contained two $1 bills each.
>
> All arrived safely!
>
> The first batch of envelopes was mailed June 7 and 8. All arrived within two days.
>
> The second batch, containing the two $1 bills, was mailed around June 13.
>
> Again, all arrived safely within two days—with the exception of one mailed from the 1700 block of West Touhy Avenue.
>
> It wound up in Charlotte, N.C.. on June 24, according to the postmark!
>
> But it was returned here a couple of days later.
>
> George Cowan, assistant to William G. Booras, officer in charge of the Chicago post office, said such mixups happen "once in a while," usually because some envelopes stick together when going thru automatic machines.
>
> "Since we handle some eight million pieces of mail a day, this happens occasionally," he said.
>
> But Cowan said he was not surprised that all the cash arrived safely.
>
> "We know the post office isn't as bad as it's pictured by some people," he smiled.
>
> "We're delighted to hear all the cash got thru—tho we hope people won't take this as encouragement to send cash thru the mails.
>
> "Regretably, we do have some theft—mostly from mail boxes—and people should send checks or money orders, rather than cash."

SALUTE TO AHEPA

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. MAHON. Mr. Speaker, I wish to join many of my colleagues in the House of Representatives in recognition of the golden anniversary of the American Hellenic Educational Progressive Association.

American institutions and governments at all levels are caught up in great efforts to meet the challenges and the needs of our day. The problems they confront are complex beyond description, constantly changing in their vital aspects, and far reaching in their implications. They gird themselves for action with reorganizations and revitalized plans of attack, and the Federal Government pours money liberally into many and varied schemes drawn to promote the public good.

But institutions and governments are as fallible as the people who run them, and money is not always the simple solution to problems. Even the best systems sometimes seem to perform unsatisfactorily. Amidst the turmoil and turbulence, the pulling and hauling of daily working and living in a crowded, complex society, it is not surprising that people become frustrated, impatient, and lose their faith. These destructive elements erode confidence in our governments and institutions, which is the foundation of their effectiveness.

Paralysis of the national will is a very real threat. People need to be reminded that if their highest goals for our country are not achieved through its major institutions, they will not be achieved at all. People need to know that they have a way to galvanize their thoughts into action. They need to feel that they can contribute to the achievement of their goals.

For years AHEPA has carried out these roles most successfully. Its educational programs have encouraged public confidence in our democratic processes and have helped to sustain faith in our best traditions and highest motives. Its citizenship programs provide a forum for discussion and planning, and a channel for personal commitment toward the solution of our problems. Its charitable efforts here and abroad build upon and nurture the very best of man's instincts, to be helpful and generous to the victims of calamity and disaster. The public good has been advanced notably by these programs that emphasize the role of individual responsibility and discipline in the service of noble purpose.

Mr. Speaker, I extend my congratulations to this great patriotic and philanthropic organization.

CORRESPONDENCE FROM A CONSTITUENT IN THE AIR FORCE

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. LANDGREBE. Mr. Speaker, recently, I received some correspondence from a constituent serving in the Air Force. Following the receipt of the first letter, I began to check into his complaints. However, my efforts were cut short by a second letter which I must commend to my colleagues. Excerpts from the first correspondence follow:

> My unit was recently deployed to Thakli Thailand. They gave me a three day notice to leave. And in that time we had to pack all our belongings, move out of our house, and make arrangements to get my wife and son back home to Indiana. Needless to say we were just getting on our feet again from a move from Japan, where the Air Force closed the base I was at. This move coming here completely exhausted all the savings we worked so hard to get and has put a *great* inconvenience on my mother and father-in-law. This was my 4th P.C.S. move in less than 3 years. That's what hurt us so bad. I know we're fighting a war here, but it's a war that *nobody* wants to have or hear about. . . . Our Commander is a good man, but he can only do so much. We were getting ready to go home till we got extended for another 3 months the other day. Why? I *need* to get back to the States so I can get some kind of part time job; I can't start civilian life without a dime. I'm almost ready to try for a hardship out, but thought maybe you could help me. If you could do anything to help me, it would save me a lot of heart ache and worrying when I get out in December.

And then from the second piece of correspondence:

> I guess I wrote the first one (letter) in haste and anger. I don't think anything can be done about the P.C.S. moves I've had previously. That would be like crying over spilt milk.
>
> I don't think an enquiry would change anything that's past. Thank you for taking an interest. I'm sorry to have taken your time. I realize now you have things to do in Washington that are more important for the welfare of our country. We all must make sacrifices as I am learning.

Again I say I'm sorry for taking your time with my problems. I'll be able to work them out myself I'm sure. I'm a soldier first, father and husband second.

It is a sad commentary on too many of the youth of this country that this man's last statement is not the byword of all of our young people.

"I'm a soldier first." Those words are truly those of a great American.

A BILL TO RAISE MEAT STANDARDS THROUGHOUT THE COUNTRY

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. CHAMBERLAIN. Mr. Speaker, yesterday, I introduced a bill to raise the whole country to Michigan's rigid meat standards. My bill would prevent such animal byproducts as stomachs, spleens, pig snouts, pig ears, and lungs from being included in our sausages, hot dogs, and other ground meat products throughout the 50 States. Michigan has not permitted these animal byproducts in their meats since 1952.

To me, this makes sense when you think about the health and consumer protection of all Americans.

On July 20, the House Agriculture Committee narrowly agreed by a one-vote margin to an amendment that will permit Michigan to keep its high standards. The decision in our favor was won through the joint efforts of Michigan's director of agriculture, Dale Ball, a group of consumers and industry representatives, myself, and the other members of the Michigan congressional delegation.

The Jackson Citizen Patriot of Jackson, Mich., on July 21, 1972, expresses the desire of Michigan citizens for the Federal Government to set higher meat standards for the Nation. I commend the editorial entitled "Meat Content Law Protects Michigan" to the attention of my colleagues:

Meat Content Law Protects Michigan

"There would be meat stored in great piles in rooms . . . and thousands of rats would race about on it . . . and the packers would put poisoned bread out for them, they would die, and then rats, bread and meat would go into the (sausage) hoppers together."

Upton Sinclair revealed such crude meat-packing practices in his book "The Jungle" in 1906. Congress immediately passed a federal meat inspection act.

In 1967 Congress passed the Wholesome Meat Act to improve existing meat standards. Only 29 states had mandatory meat-packing laws and most were considered inadequate by the U.S. Department of Agriculture.

The Wholesome Meat Act passed by Congress required existing state regulations to meet the federal standards. The act, however, did not prohibit the right of states to impose stricter standards. Michigan is one of the states that passed more stringent standards.

Now in the Congress, there is an amendment to the 1967 act which would weaken Michigan's standards by allowing meat-producers to follow only existing federal codes.

The amendment is unfair to the Michigan consumer.

Michigan law requires that all sausage and bologna products contain at least 12 percent protein. The federal meat-packing law has no minimum requirement for protein content.

Michigan law allows only skeletal muscle in sausage products. Muscle tissue usually has a much lower bacteria count than the offal (waste parts of the butchered animal).

Under federal law some portions of meat that cannot be sold over the counter can be put in hot dogs. Federal meat standards allow the inclusion of esophagi, lips, snouts, ears, lungs and hearts in ground meat products. These are banned by Michigan meat inspection codes.

Using only muscle tissue produces a cleaner hot dog that's less likely to spoil.

The odd twist to the meat-packing question is that the federal government sets exactly the same muscle tissue standard in food procurement for its own agencies and armed forces.

Three out-of-state meat-packing firms (Armour, Wilson and Hormel) have sued to have the Michigan regulations declared unconstitutional. They lost in federal court.

Some meat-packing firms are putting pressure on Congress to lower the quality of meat sold to consumers.

Congress should recognize that Michigan's standards are more beneficial to the consumer, even if they cause the price of the meat product to be higher.

Instead of lowering the quality of packaged meat products by disallowing states to set higher standards, Congress should be investigating these state standards to see if they should be made uniform for the country.

If Congress is going to force states to follow uniform meat-packing regulations why not raise the quality level of the other states instead of lowering Michigan's?

What excuse is Congress going to give to Michiganders for the threat of increased bacteria count in meat products?

In a letter to Congressional committee members who are studying the amendment, Gov. Milliken said that uniform standards for convenience of interstate commerce lacks validity. We agree with Gov. Milliken and hope that Congress does not impose any restrictions that will reduce standards to the level of "The Jungle."

BOYS' NATION AND GIRLS' NATION

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. WINN. Mr. Speaker, I have the honor of bringing to the attention of my colleagues the election of Gregory L. Hack, 2300 Vermont, Lawrence, Kans., and Alisa Faye Greer, 4124 Fisher, Kansas City, Kans., as presidents of Boys' Nation and Girls' Nation, respectively. I am particularly pleased to note that both young people are residents of Kansas and my congressional district.

In a time when our country is keenly aware of student dissent and an alienated youth, these two young people exemplify the fine ideals of citizenship and love of country, of which we can all be proud.

Both Boys' Nation and Girls' Nation strive to educate the youth across the Nation in the processes of our Government along with the understanding of the basic ideals of the democratic tradition. It is important that these young people demonstrate their concern and interest in the problems that face our country today.

I cannot stress enough the pride I have in their leadership and civic responsibility, which will serve our Nation's communities well now and in the years to come when they become an integral part of the adult community.

I want to take this opportunity to acknowledge and congratulate these fine young students from Kansas and commend them for their active and constructive contributions to their country.

ARIZONA POSTMISTRESS DOES GOOD JOB

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. UDALL. Mr. Speaker, I would like to take this opportunity to pay tribute to the excellent work of Gladys Walker as postmaster of Superior, Ariz. Her hard work and dedication has been a major reason for the improved mail delivery service in the Superior, Ariz., area. It is people like Postmistress Walker that will assure the continued improvement of the Postal Service. The following article published in the Superior Sun points out the ability of Postmistress Walker as a manager of the Postal Service.

Faster Delivery Is Aim of U.S. Postal Service

Serving America quickly and efficiently is our business, Postmaster Gladys Walker told Rotarians at their weekly luncheon meeting last Tuesday.

The speaker then pointed out that "the old U.S. Post Office department is a thing of the past and its place was taken over last year by the new independent government owned corporation which is more responsive to urgent customer needs."

Postmaster Walker talked about the accelerated service being instituted by the new postal service and cited as example the stepped up delivery of airmail, which now reaches its destination to cities within a 600-mile radius of delivery by the next day.

And airmail delivered to most other cities within the continental United States by the second day.

The speaker also pointed out that ordinary mail traveling long distances is also air-lifted but only when space is available beyond that required for air mail, passengers and freight.

Postmaster Walker told the Rotarians that during July a direct mail piece will be sent to 450,000 prime business customers throughout the country focusing attention on the expediency of using air mail service.

Also, she added, major air lines will promote air mail delivery during September.

Locally, she continued, the Superior post office now provides for next day delivery of first class mail (to locally defined areas) deposited by 5 p.m.

The speaker then explained to the Rotarians the three new special services developed for the businessman.

They were, she said, controlpak, express mail service and the mailgram.

Controlpak is designed to improve the security in mailing credit cards and similar items of value.

And tests made in Chicago and New York have proven that controlpak does reduce credit card losses, she said.

The Express mail service is designed for fast delivery of high value shipments across the country on a schedule especially tailored to meet the needs of the mailer.

The mailgram, is provided jointly by the U.S. Postal Service and Western Union.

This is a letter-telegram, she explained, combining the convenience of mail delivery with the speed of electronic transmission.

She then pointed out that there is also a major program underway in the U.S. Postal Service to set up a new system of bulk mail handling facilities throughout the country that will expedite the sending of this type of mail in the same manner of letter mail.

Concluding, Postmaster Walker said "We think we're moving in the right direction and we're working hard at it, keeping in mind that service to you—the customer—is the first consideration."

AHEPA—50 YEARS OF GOLDEN SERVICE

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. HUNT. Mr. Speaker, I would like to call attention to the golden anniversary of the Order of Ahepa, a fraternal organization of Grecian ancestry. This group has eased the pain of many people who have been the victims of disaster and crisis. Its high ideals and patriotic programs have laid a plan for peace and brotherhood throughout our troubled world. I believe we should recognize AHEPA for the 50 years of sacrifice its members have made so that less fortunate people could live a better life. The organization was founded in Atlanta, Ga., on July 26, 1922, 50 years ago today. Following is a recitation of the objectives to which AHEPA members subscribe and an enumeration of the programs to which AHEPA has made substantial contributions. This is ample testimony of the meritorious service this fine organization performs. Congratulations and best wishes for another 50 years of exemplary service to the Nation.

The material follows:

FIFTY YEARS OF SERVICE AND ACCOMPLISHMENT

The Order of Ahepa was founded July 26, 1922, in Atlanta, Ga., and its jurisdiction extends to 49 States, Canada, and Australia, with 430 local chapters. The Order of Ahepa is a secret fraternal organization, which is non-political and non-sectarian. The word "AHEPA" is an acrostic, and is derived from the first letters of the following: American Hellenic Educational Progressive Association.

Membership in the Order of Ahepa is open to men of good moral character who are citizens of the United States of America, or Canada, or who have declared their intention to become citizens.

The "AHEPA Family" is composed of four separate organizations, all of which work in harmony on a local, district, and national level. They are: The Order of Ahepa—The Daughters of Penelope (senior women's auxiliary)—The Sons of Pericles (junior young men's auxiliary)—Maids of Athena (junior young women's auxiliary).

OBJECTS OF AHEPA

1. To promote and encourage loyalty to the United States of America.
2. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.
3. To instill in its membership a due appreciation of the privileges of citizenship.
4. To encourage its members to always be profoundly interested and actively participating in the political, civic, social and commercial fields of human endeavor.
5. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation.
6. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic Culture.
7. To promote good fellowship, and endow its members with the perfection of the moral sense.
8. To endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness.
9. To champion the cause of Education, and to maintain new channels for facilitating the dissemination of culture and learning.

AHEPA'S CONTRIBUTIONS TO WORTHY CAUSES

The Order of Ahepa has contributed financially to many worthy causes during its 50 years of existence, on a national and international level. These contributions do not take into account the many local activities of our chapters within the realm of their communities. Local Ahepa chapters have always given generously and vigorously supported local community undertakings in the fields of education, charity and civic improvement. The national and international contributions include:

Relief of Florida hurricane victims.

Relief of Mississippi flood victims.

Relief of Corinth Earthquake victims.

For the War Orphans of Greece.

Relief of Dodecanese Earthquake victims.

For the fatherless children of refugees, through the Near East Relief.

For the Hellenic Museum.

National Scholarships to worthy students.

For the Theological Seminaries at Brookline and Pomfret.

Ahepa Franklin D. Roosevelt Memorial at Hyde Park.

Ypsilanti and Dilboy Memorials.

Sons of Pericles Memorial to the American Philhellenes of 1821, at Missolonghi, Greece.

Relief of Turkish Earthquake victims.

For the Patriarchate of Jerusalem.

For the Patriarchate of Constantinople.

Ecuadorean Relief.

Kansas City Flood Relief.

Greek War Relief.

Ahepa Hospitals in Athens and Thessaloniki, and 7 Health Centers in Greece.

Ahepa Agricultural College in Greece.

Ionian Islands earthquake relief.

Ahepa Preventorium in Volos.

Penelopian Shelter Home in Athens.

Ahepa Hall for Boys at St. Basil's Academy.

The Ahepa School at St. Basil's Academy, Garrison, N. Y.

Sale of 500 million Dollars in U.S. War Bonds during World War II as an official issuing agency of the U.S. Treasury.

Truman Library.

Dr. George Papanicolaou Cancer Research Institute at Miami.

The Ahepa Truman Memorial, Athens, Greece.

The New Smyrna Beach, Fla. monument commemorating the First Landing of Hellenes in the New World in the year 1768.

The Ahepa Educational Journey to Greece Student Program.

These are some of Ahepa's contributions to worthy causes during its 50 years of existence.

Members of the Ahepa take justifiable pride in Ahepa's record of accomplishment. Ahepa has championed the cause of education—it has successfully fought for the freedom and self-respect of the minorities in its Justice for Greece and Justice for Cyprus programs, and Ahepa has always displayed its benevolence and generosity to the stricken victims of disaster both here and abroad.

WHAT DOES THE ORDER OF AHEPA OFFER?

The Order of Ahepa offers its members the opportunity of membership in an organization with an unexcelled reputation for good fellowship and family participation in an active social program.

District Conventions are held annually in each of the 25 Districts, and a Supreme Convention is held during August of each year. Ahepa Conventions are always "family conventions" wherein full programs of social events, combining fun and relaxation, are provided for in all attendance. At the local chapter level, many social and educational affairs are held during the year so that Ahepa Families may join together in fellowship and relaxation.

Citizenship

Ahepa's requirements stipulate that members must be citizens, or have indicated their intention to become citizens. Ahepa chapters assist non-citizens in attaining their full citizenship, and also inculcate their members with the obligations that go hand-in hand with citizenship.

Education

Ahepa has been participating in the awarding of Scholarships to worthy students for the past 41 years on local, district and national levels. The Ahepa Hall for Boys and the Ahepa School, both at St. Basil's Academy, Garrison, N.Y., have been donated to the Academy by the Order of Ahepa. In Greece, an Ahepa Agricultural School was established. More than 40,000 American books have been donated to schools and libraries in Greece by Ahepa. The Ahepa Medal for Scholastic Excellence in the Greek Language is presented annually to their local Greek Schools by Ahepa Chapters. The Seven-Volume set of the "Greek Classics" are donated to high school and college libraries by Ahepa Chapters, and also donated as scholastic awards to outstanding high school graduates. Annual scholarships are awarded through the American Farm School, and Anatolia College, in Thessaloniki, Greece. Surveys are conducted of courses offered in colleges and universities in Modern and Ancient Greek, and in the Classics. Students are offered summer studies in Greece that cover the Greek language, history and culture, through the Ahepa Educational Journey to Greece Programs.

Civic participation

The local chapters of the Ahepa are active in their own civic affairs and projects, all of which conforms to Ahepa's program of urging its members to be model citizens through planned civic activity. Ahepa chapters are foremost in aiding and contributing to worthy fund drives.

Sport programs

The Ahepa sponsors annual national tournaments in basketball, bowling, golf and track events. Local chapters maintain active sports programs, and District tourneys are offered.

International relations

Ahepa's aid to the people of Greece in various respects such as Greek War Relief; Ahepa Hospitals in Athens and Thessaloniki; seven Ahepa Health Centers in Greece at Chrysoupolis, Kalavryta, Melighala, Thebes, Ierapetra (Crete), Farsala, and Filiatra; Ahepa Preventorium in Volos; American Books for Greece; CARE Tool Kits for Greece; annual Ahepa Excursion to Greece; various Relief Drives for Greek disaster victims; Ahepa Refugee Relief Committee enabling Greek citizens to emigrate to the United States; Daughters of Penelopian Shelter Home in Athens; annual donations to the Queen's Fund; annual donations to the Blind in Greece; these are all some of the outstanding examples of Ahepa's own "People-to-People program. Ahepa has been a a forerunner in this major American program of aid to less fortunate peoples of the world.

The Ahepan magazine

The fraternity's national magazine is mailed to all good standing members without additional charge.

Ahepa group insurance

An Ahepa Group Life Insurance Plan is available for new members within certain age limitations, and in varying benefit amounts; an Ahepa Hospitalization Plan is also available to the membership.

WHO ARE THE MEMBERS OF AHEPA?

The members of the Ahepa are men in all walks of life. They may be businessmen, professional men, educators, laboring men—but all are men of good moral character with a common goal of good fellowship and common understanding.

Many of our outstanding government leaders are or have been members of the Ahepa. The late President Franklin D. Roosevelt became a member while still Governor of New York, and maintained his membership faithfully. Former President Harry S. Truman is a member of the Ahepa, U.S. Vice President Spiro T. Agnew is also a member. Cabinet members, U.S. Senators and Representatives, state and local officials are members of the Ahepa.

Your average Ahepan is an individual who believes wholeheartedly in the principles of the fraternity. This average Ahepan has benefitted in many ways from his membership, though self-application to the Objects of the organization.

Ahepans are recognized in their own communities as men devoted to civic responsibility, as good neighbors, and as model family men.

The Order of Ahepa has only one axe to grind—and that is the improvement and betterment of our social, moral and family life. All programs of the Ahepa are designed towards this end.

AHEPA: 50TH ANNIVERSARY

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. TIERNAN. Mr. Speaker, today is the golden anniversary of the Order of Ahepa, the American Hellenic Educational Progressive Association. I extend my sincere good wishes to this fraternal organization which for 50 years has dedicated its efforts to improving social, moral, family, and civil life nationally and internationally.

AHEPA, whose membership extends throughout 49 States, has made contributions to worthy causes, all of which are too numerous to mention—from relief to flood, earthquake, and war victims to scholarships to needy students, health centers, and hospitals. There is the AHEPA Franklin D. Roosevelt Memorial at Hyde Park, the AHEPA hospital in Greece and the AHEPA Truman Library, to name a few.

AHEPA, founded in 1922, is composed of four separate organizations: the Order of Ahepa, the Daughters of Penelope, the Sons of Pericles, and the Maids of Athena. Today, AHEPA has expanded to 430 local chapters of men, women and youths throughout this country, Canada, and Australia, devoted to helping victims of disaster, both natural and man made.

I am proud to say we have three chapters of AHEPA in Rhode Island located in Providence, Newport, and Pawtucket.

Mr. Speaker, I extend my very best wishes to AHEPA for its continued success.

MANCHESTER, N.H., PAYS TRIBUTE TO CHRISTOS KALYVAS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. WYMAN. Mr. Speaker, on June 24, 1972, the city of Manchester, N.H., paid tribute to a Greek-American hero, Christos Kalyvas.

Christos Kalyvas was born in a Greek village and came to the United States in 1908 where he settled in Manchester and became a shoemaker. In World War I he volunteered for the Army and served in France until he was killed in action on October 8 on the Argonne front.

Now, at long last, his heroism and sacrifice have been recognized with the unveiling of a monument in his honor. This ceremony was attended by many Manchester area residents. It included a wreath laying by Mayor Sylvio Dyupuis and the Ambassador of Greece to the United States the Honorable Vassillious Vitsaxis. A memorial religious service was conducted by the Greek Orthodox clergy of Manchester and the Greek Orthodox bishop of Boston. Ground was broken for a new home for the aged which will be built near a park which will also be named for Christos Kalyvas.

In his remarks, Ambassador Vitsaxis commented on the long and close ties between this country and Greece and the many significant contributions of Americans of Greek extraction to the United States, contributions exemplified, and now recognized, by Christos Kalyvas.

Mr. Speaker, the Ambassador's remarks are thought provoking and illustrate the many good things which Greek-American friendship has fostered. For this reason I include his remarks in the RECORD that others can benefit from them:

REMARKS OF THE AMBASSADOR OF GREECE, THE HONORABLE VASSILIOUS VITSAXIS

It is with a sense of humility and of deep emotion that I came today to this city—and more particularly to this Park—to honor the memory of a brave soldier and, in doing so, the memory of every one and all, who, in this country, in my country or in any other freedom-loving country, have offered their lives to preserve the moral values and the lofty Ideals, which form the very foundation of our way of life.

I do not believe—as I think nobody really does—that those who fell in the battlefields were more brave than those who returned home after having defended—in the roar of battles—their flag and what it stands for. I do not think either, that one sacrifice is more valuable than another. But I do believe that one can choose symbols which render it easier to our human mind to grasp, on the basis of a concrete example, some rather elusive and complex realities of the Moral realm.

Being the envoy of Greece in this country and having upon my shoulders the responsibility to look after the maintenance of the friendly relations between our two countries, I have deemed that Christos Kalyvas was indeed a typical example of the long-standing and deeply rooted bonds which tie together my country and its people with the United States; bonds which stem from our common belief in national independence, in freedom and in human dignity, bonds which found their expression throughout the history of our two countries; in the strong philhellenic movement which captured the imagination of the Americans, during our war of Independence and in the alliance which has always existed between our two peoples; and last but not least, bonds which were cemented by the strongest element, "blood"; blood shed as a supreme sacrifice by brethren, side by side, in the battlefields of the world.

This is why I thought that by honoring the memory of a Greek immigrant who was killed in action, defending the flag of his adopted new homeland—the United States—I would be honoring at the same time, the hundreds of thosuands of Americans of Greek extraction as a matter of fact all of them, with no exception whatsoever, for their admirable contribution—be it with their honest hard labor, be it with the rifle in hand—to making these United States the most powerful and the most advanced leader of the peace-loving countries in the world of today.

Christos Kalyvas was born, as I was told near Kozani in Macedonia, Northern Greece. Macedonia . . . . the bulwark of Freedom, which for more than two thousand years has unceasingly been in the limelight of History for having largely contributed to every hellenic, and for that matter, to every human achievement.

Aristotle—the Thinker of the centuries!

Alexander the Great—the military genius and the living torch of civilization, hundreds of legendry names have rendered this part of Greece one of the most famous of the world.

Kalyvas, an unknown Greek immigrant, came to the shores of this country, as tens of thousands did, at the beginning of the current century, looking for a better tomorrow.

He established himself in this very city of Manchester and became a shoemaker. When the war broke out and the United States joined the allies in their struggle to preserve the world from a dark despotism. Christos Kalyvas, the Greek immigrant, as thousands of Greek immigrants did, joined the United States Army, as a volunteer.

Almost a hundred years before, when enslaved Greece revolted against the Ottoman Empire, to achieve her independence and her national freedom, many Americans came to our land and fought shoulder to shoulder with their Greek brehtren for what they knew was a worthy cause.

In 1916, it was the turn of the Kalyvases of all of them to volunteer and fight under the Star-spangled Banner for the same worthy cause.

On July 1918, Christos Kalyvas was assigned to the 16th Infantry Regiment of the 1st American Division and was sent with his unit to France.

He was not a learned man. He never knew what thinkers have said about the war: That "every bit of land and every wave of the deep blue sea, every rock and every tree, wherever it may be; every mountain's crest and every beach is worth fighting and worth dying for in the name of Liberty and in the quest of Justice.

Christos Kalyvas did not study the dusty books of wisdom; he simply listened to his heart which told him . . . "Now is the time to fight" and he did. As all the Greek-Americans, Kalyvas did, both then and afterwards. During World War II, during the

Korean War and even now—at this very moment—in the jungles of Viet Nam . . .

Christos Kalyvas fell in the field of honor, on October 10th, 1918, a few days before the Armistice was concluded. His sacrifice was not in vain . . .

Because he had a dream—as hundreds of thousands had, because he bravely fought—as hundreds of thousands did—because he was prepared to die—as hundreds of thousands were . . . The victory was ours and peace was honorably won.

CAPTIVE NATIONS WEEK

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ANDERSON of California. Mr. Speaker, since its inception in 1959, Captive Nations Week has provided a fitting opportunity for Americans to show their solidarity and support of the aspirations of the people of Eastern and Central Europe for freedom and self-determination.

In the last 20 years, the emergence of new nations in Asia and Africa has dramatically illustrated the desire of men to be free. Yet, during this same period, the desire for freedom has been frustrated and repressed in various parts of the world.

By the use of force, millions of people are denied basic human rights and the opportunity for national self-determination.

We deplore such repression and are shocked that the God-given right of freedom is withheld from so many by the will of a few.

But, what is a captive nation?

Ask the Hungarian "freedom fighters" who continue to struggle to free themselves from the bonds of slavery.

Ask the men and women of Czechoslovakia who watched Russian tanks roll over their dreams of freedom.

Ask the Polish workers who rioted for bread and freedom against the Communist regime in 1970.

Ask the Lithuanians who cry out for political justice and freedom of religion.

Ask the millions who have fallen under Communist totalitarian rule.

These people—totaling over 100 million—long for freedom, and have first-hand experience of what it means to be a captive nation.

Mr. Speaker, for our captive brothers, it is important that they know of our continued moral support for their aspirations.

Thus, we must illustrate our concern for the peoples of those countries which are denied the opportunity of taking their rightful place as equals in the international community of nations.

As we commemorate Captive Nations Week, let us pray that the flames of hope, which remain alive in the hearts of those who dream of freedom, will not be extinguished, but will be rewarded with that freedom which they so richly deserve.

We must pledge to speak out in behalf of the millions who are denied the basic civilized rights until such time as freedom and independence are achieved for all the captive nations of the world.

CONFERENCE ON THE AGING

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ROSENTHAL. Mr. Speaker, Congressman ADDABBO and I sponsored an all-day congressional Conference on the Aging in Queens on May 7, 1972. This highly informative session was a successful event for the 1,200 senior citizens who participated and, hopefully, will lead to meaningful improvement in the services and programs available to the aging. Those attending obtained important information on the rights, benefits, and services available to them. Perhaps more significantly, the conference provided its participants with a forum for expressing their aspirations and an opportunity to recognize their own strength and potential for action in the community.

The interaction between the senior members of the community and their elected representatives was enthusiastic and beneficial. The people of Queens were able to express their views to Commissioner J. B. Martin of the Administration on Aging, Congressmen LESTER WOLFF and EDWARD KOCH as well as Congressman ADDABBO and myself and State Senator Emanuel Gold and Assemblymen Saul Weprin and Albert Blumenthal.

After the keynote address by Commissioner Martin, the conference began panel discussions on safety and crime protection, health and health care, and income and income maintenance, the results of which are herein summarized.

SAFETY AND CRIME PROTECTION

There is no question that the rising incidence of crime in our cities is a fundamental concern of our senior citizens. Crime has forced many of the aged into a fortress existence and prevented their taking an active role in the community. Attorney Joseph Weiss, counselor for legal services for the elderly poor, and Jay Roth of the Montefiore-Mosholu County Center voiced the group's sentiment when they stated that the drug problem is at the root of our steadily increasing crime rate. At present, authorities estimate that 55 percent of all crimes are drug related.

It was emphasized that the individual citizen has a major responsibility in the prevention of crime. A number of suggestions were offered by law enforcement officers on the panel who stressed citizen cooperation in law enforcement by reporting all criminal acts. Valuable crime prevention techniques were demonstrated by representatives of the police department and Queens District Attorney Mackell's office. There was expressed a general consensus that the private ownership of handguns be prohibited, a suggestion which is the subject of my bill, H.R. 14747.

HEALTH AND HEALTH CARE

The sad condition of health care programs in New York is an undeniable fact. Dr. Nicetas Kuo, director of Health Services for Queens, aptly articulated the view of the panel that adequate health care for all Americans, as well as for the elderly, is a fundamental right not a privilege to be distributed by the Government.

The panel expressed concern over the administration of Government health care programs. It concluded by calling for a resolution assigning Federal ombudsmen to represent the elderly within the Social Security Administration.

The problem of transportation to health care facilities is a major one for the elderly, and it was suggested that the Dial-A-Ride Service, which provides door-to-door transportation, be expanded. Finally, it was suggested that all elderly citizens equip themselves with the social security handbook.

INCOME AND INCOME MAINTENANCE

Participants in this discussion by now are aware of the 20-percent increase in social security payments recently passed by Congress. Yet I feel that the 20-percent increase, which will be reflected in social security checks in October, will not be substantial enough to enable the elderly to live adequately. To this end, I have introduced a bill which provides for a 50-percent increase in benefits and removes the ceiling on outside income for senior citizens.

Mr. Bernard Sachs of the New York City Department of Consumer Affairs stressed the increasing need for consumer protection measures to insure that the elderly, often forced to live on low-income budgets, receive the most for their money. A strong consumer protection agency, such as the one I have been advocating for 9 years, will prevent the wide-scale fraud now perpetrated on the elderly.

Another common concern of the elderly is transportation costs. I have introduced legislation, H.R. 8754, to allow reduced intercity travel fares for senior citizens and have sponsored a bill, H.R. 10208, to reduce rates on mass transit for persons 65 years or older.

The burden of rising property taxes is an especially serious one for elderly homeowners and tenants. My bill, H.R. 14610, would provide Federal income tax credits for State and local property taxes paid by homeowners and for 25 percent of rent payments of elderly tenants.

The congressional Conference on the Aging demonstrated that the elderly have many common problems, and must unite to wield their power in order to effect change. As Assemblyman Blumenthal noted, 77 percent of the elderly vote regularly, a fact which must alert politicians to the significant strength of senior citizens.

As a direct result of the conference, the New York City Office for the Aging has set up a branch office in Queens, located at 90–37 Parsons Boulevard. This office will coordinate local activities and act as an advocate for the elderly before other governmental agencies.

The elderly can effect institutional change by forcefully and continually making their views known to government officials.

Mr. Speaker, 10 years ago we began to explore the "other America," the one plagued by poverty and despair. Today, a quiet but nonetheless tragic part of that community still exists—the elderly

Both Congressman Addabbo and I were deeply moved by the sense of determination and commitment exhibited by the elderly at the conference. It is our fervent hope that the conviction and responsible citizenship expressed can become a lever for governmental action to achieve substantive reform, so that our senior citizens may lead a full and rewarding life in their retirement years.

PILOTS SAY GROUND THE "KOOKS"

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. WOLFF. Mr. Speaker, in a recent edition of Newsday, the Long Island newspaper, a timely story appeared concerning air piracy and the feelings of members of the Air Line Pilots Association about what must be done to bring this madness to a halt.

Having stated many times before my own strong feelings about this very grave and serious matter, I now wish to share with the Members the reaction of the pros—the pilots themselves. Every Member, I believe, will be served by reading the dialog that follows:

Pilots Say Ground the "Kooks"

(Five airline pilots met with Newsday reporter Howard Crook Wednesday on the 56th floor of the Pan Am Building in Manhattan to discuss their fears about the increase in hijacking and to explain what they feel should be done about air piracy. All are members of the Airline Pilots Association, which had called a 24-hour world-wide strike by pilots Monday. In their candid talks, the pilots also discussed what actions the pilots' groups might take soon if strong measures are not taken by the United Nations to halt hijackings.)

Newsday. When did hijacking become a real problem to you as pilots? When did it start worrying you?

Capt. John P. Gratz. Well, actually, this year has been the first [one that] I think you could say it's had some personal impact. With pilots, I think their needs are very pragmatic and they do things sort of on percentages. Usually the percentages are acceptable. There are percentages for a wing falling off, there's a percentage an engine will catch fire, there's a percentage somebody will have a baby on board the airplane. But in your mental computer you decide, well, the percentages are acceptable. Now this security problem of sabotage and hijacking has come on, and I've become slightly more concerned from a personal standpoint because I think they've reached a point where they're not acceptable any more. We've had more hijacking in the first five months of 1972 than we had all of last year.

Now there have been a lot of what were at one time called routine hijackings, where all they wanted was a trip to Cuba. But obviously there have been more and more and more bizarre cases like the 727 extortion plot. It's not an insurmountable problem, but it's not just negligible, you know, it's obviously becoming more and more of a real problem.

Capt. Angelo Marchione. One of the biggest problems for the pilot is that the hijacking that he may be faced with may not be like any other hijacking. The psychology or the psychological makeup of the individual may be completely different, and if we try to establish a set of rules of how we're supposed to handle a specific instance it may just trigger the disaster that we're trying to avoid.

Gratz. What you're really saying, Angelo, is that what the pilots have been saying all along is keep the kooks on the ground.

Newsday. Well, how do you do that? How do you keep kooks on the ground?

Gratz. Doggone, this is what makes me—I'm gonna get emotional here in a minute, because the doggone government and the companies have the means to do this thing. This business of worrying about what the heck the hijacker's got in his mind—it's the greatest aggravation to me in the world that I have to figure out some way to deal with a hijacker. Now as a federally-licensed airman, operating for a corporation dealing with a profit motive in aero commerce, I should have a safe environment in which to operate. To function in. And the governments of the world primarily gotta provide it and, secondarily, the United States government. And, like everything else it's the almighty dollar. It's possible. Absolutely possible. Right now, they can search the people on the ground and search the hand luggage. The largest number of hijackings, bomb threats and extortions have come from people ripping something out of their hand luggage. Everybody's got that . . . kind of luggage and shopping bags and every other kind of contraption they carry on. Of course the companies complain, and I think rightly, that they really, really can't get involved in selling a service and some friendly treatment to the passengers and search them at the same time. So it has to be an agent of some government. I'm a reasonable person. Let's just try searching them for a couple of months.

Capt. Tom Ashwood. It's not only the increase in numbers of hijackings that alarms me, but in the concept and the principle behind it. Now the airliners have become the battlegrounds for political ends and it's been accepted as such. The acceptance alarms me more than the actual events. It's a simple fact that Arabs can hijack airplanes, can hold passengers and airplanes and crews as hostage, to gain such political ends. I can see the sense, if you're an air guerrilla, to attack an airplane. But it's the acceptance of the fact afterward—I mean, why the world didn't recoil in horror from the events in the Jordan desert just over a year ago is completely beyond me. Nothing actually ever came out of that. That was the most terrific thing. Four airplanes in two days totalling $50,000,000 and the lives of probably 600 passengers were placed in serious jeopardy.

Newsday. How many passengers in the U.S. have been stopped from getting on airliners and how many have been arrested for, or charged with, carrying weapons?

Ashwood. First quarter this year, there were 2,000 passengers, approximately, refused passage on U.S. carriers for one reason or the other. Of those, 800 were charged with carrying concealed weapons.

Newsday. Actually charged with that? That sounds like a fantastic figure.

Ashwood. Those are legal figures from the FAA [Federal Aviation Administration]. They can be confirmed with the FAA.

Capt. Howard Weston. That's not meant to imply that all 800 were going to skyjack airplanes. But even 10 per cent—they had guns and all that; knives, swords, and they found two with grenades.

First Officer John M. Haley. What bothers me even more than the world reaction to the desert incidents is the attitude and the feelings of a huge segment of at least the American public as regards our friend D. B. Cooper, who has become almost a folk hero. He's the first one that parachuted out. And they have songs and records about him, and D. B. Cooper T-shirts, etc., etc., etc. And they seem to have made him somewhat of a modern day Robin Hood. And this terrifies me.

Newsday. John, how do you feel about being a pilot these days? Do you worry more about the risks involved than you did, say, two years ago?

Haley. No, the only slight change of attitude I've had was about four and one-half years ago. Prior to that time, practically all the hijacks had been a trip to Cuba where you go down and everybody gets back on and nobody gets hurt. And sometime during that period the thing started to shift. I can't pinpoint a time, a date or even a month; but it seemed like there were more nuts rather than the political escapees.

Newsday. How do you characterize a nut as opposed to the trip-to-Cuba type?

Haley. Well, as an example, about a year and a half ago, we had a skyjacker who got on, I believe someplace in the Southwest. At any rate he came to Washington and wanted some, uh, million and a half, was it? He wanted this money, but he didn't know where he wanted to go. He wanted to go out over the ocean, or up over Canada, or just mill around in circles. Now this guy obviously is not lucid and he's completely unpredictable.

Ashwood. In fact, he shot the captain of the airplane.

Haley. If a guy ever gets on and he's relatively calm, lucid, and says, "I want to go Cuba"—let's go. He's obviously rational; he may not be utterly stable, but he's not completely flipped out to the point where you have no idea what he's going to do.

Newsday. What do you think about when you get on an airplane now? Do you look at your passengers a little bit more closely now?

Haley. No, in that capacity, personally, there's never been any change, none whatever.

Ashwood. I wouldn't say that. Maybe four years ago you'd take less notice of a hostess coming up and saying that the guy back in 15E is acting a bit strange. You'd probably check him out to see if he was drunk four or five years ago. These days you take a long hard look at him and you might even request a search. That's the difference now. I think the pilots are a little more spring-loaded to security.

Newsday. Angelo, What would you do if you encountered somebody who is acting a little, uh, flamboyant? Do you have means to restrain him, or is that something you have to put up with?

Marchione. Well, we do have a method. Actually, we put them under a little bit closer surveillance. Somebody from the cockpit will probably go back if the hostess gets a little bit concerned about the way a person is acting, if we really think it's a serious situation where the guy is really a concern and he starts making it uncomfortable, we can do one of two things. The captain can divert the flight right then and there, and I think that has been done. Secondly, you can make preparations that if this guy makes one false move I'll be prepared to do something about it.

Newsday. What can you do?

Marchione. We have restraining equipment, but you have to be careful that it's a bona fide danger. You try to see if he's upsetting the other passengers. Now, if you've got the rest of the passengers upset, you can take a little bit stronger action without being worried about the company ending up in a big lawsuit and things like that. These are the things that a captain has to take into mind because he's got the company's business to handle, too. And it's bad publicity also if it's a false accusation or anything that would implicate the company.

Ashwood. See, the Canadians have it over us, because every Canadian pilot is a legal peace officer. By parliamentary procedure.

Newsday. They can arrest someone?

Ashwood. Yes they can, but we're in the

position now, knowing full well the second greatest American sport is litigation, that you can find yourself standing up there in court defending a $2,000,000 suit for slapping the restraints on the wrong person. Some people are not hijackers, but they behave in a peculiar fashion. Nevertheless his behaving might lead you to take some forceful action and then you'll find yourself with egg all over your face.

Marchione. We can handle the mechanical problems but we can't handle the human problems. If he's a normal hijacker, and he has a routine demand, that's one thing. These guys have got a plan in mind, they're well calculated; but you get the guy who has nothing to lose and he's going to go down in a blaze of glory, there's no telling what you're going to do in that situation.

Haley. For mechanical problems—the engine fire, the engine failure—we have certain procedures. From the time you start flying, there's essentially a procedure to handle a given emergency situation. With a hijacker, you don't necessarily have a given procedure.

Ashwood. Everybody's an amateur . . . a hijacker is an amateur. The captain is an amateur, it's all first times for all of them. We have one captain who has been hijacked three times, and several others who have been hijacked twice; but, by and large, we're all amateurs when it happens to us.

Weston. You know what to do when the engine quits, but you don't know what to do when this nut is waving a gun at you.

Newsday. Well how would you personally feel if a man came aboard with a gun and the stewardess . . .

Gratz. It makes me mad every time somebody says that, because they shouldn't be on there. Why do we have to live with that type of thing and sit around and figure out what we're gonna do if somebody comes up and puts a gun on you? This is the damndest thing I ever heard in my life, because it's not that darned hard to stop these people from getting on,

Haley. Can I inject something here? When I was in fighter school, we used to have these sessions in which we would discuss what happens when the engine quits and you're 500 feet beyond takeoff and you're pointed at the hospital or the school. I maintained, and I still do, that you don't have the foggiest damned notion what you're gonna do until the situation's there. I maintain nobody really knows what he's gonna do until the real thing—it's not, it's not, it's no drill.

Marchione. I think most pilots will be conservative up to the point that when they feel the situation is too dangerous, then they'll attempt to get heroic. El Al [the Israeli airline], of course, has its own procedure. They beat 'em up—you know, here comes the posse, airborne maneuvers and everything else to deter anything. But they've lost a few people.

Gratz. Also, they're in the act of war so they're an arm of their government. They handle the thing as a wartime situation. There are 31,000 airline pilots and some of them, as you can well imagine, would like to be armed and would like to be more active. I think Angelo is quite true in saying the bulk of the pilots are conservative, and because of that they, for many years, have been hesitant to seek arms. Now, our group is asking for defensive types of weapons. I think we all recognize, for instance, that they haven't been on the level. First of all they give us the sky marshal thing . . . they being the establishment and the government, the company naturally. But they go into the deal with the sky marshals. [Marshals] are not a judicious use of manpower. One man, a federal marshal could check thousands and thousands of passengers in a day at San Francisco International Terminal, whereas he might just be sitting there reading a magazine and drinking coffee on one flight to San Francisco.

Newsday. You mean they just put the marshals on board to calm the public down?

Gratz. Yes, frankly yes. That's what I say: In other words there was a big hoopla thing that the government did, and we did put 'em on, and they were around a lot. But by and large they now have more of them in the terminals where they belong. Even now they need more in the terminals.

Newsday. I would think that an airline would be a hell of a lot more concerned about its property—it's a hell of an investment up there.

Ashwood. It's insured.

Gratz. Airline pilots—I drive with them all the time, I know 'em, I've lived with them all my life and we understand the same thing. We understand that we had to beat the companies over the head with a brick to get 'em to put reverse props on the old [Lockheed] Constellation airplanes that we were crashing all over the place. They told us: "We can't work that in our budget, man, we're really having enough trouble changing that hostess uniform next year," and it's the same thing now. The almighty dollar . . . Same thing now. "Man, don't bother us with details. Man, we're trying to make the dollar."

Newsday. Where do you want dollars to be spent?

Gratz. They've got to have people—marshals at every airport terminal and as many as they can at the gates to operate these magnetometers, these metal-detecting devices. Bingo, right off the bat: the United States federal government.

Ashwood. In most of the airports around the country now you could drive up there in a 50-ton truck if you wanted to and nobody would give you a second glance. You can drive right into the aircraft areas. Everything tightens up after a hijacking or a sabotage but it dies off in a week or two.

Newsday. What about the design of airplanes in terms of security? Is there anything being done in that area?

Ashwood. There is work going on there. Some of the stuff is naturally sensitive, you know, I can't discuss it here. This is more protective; to thwart a hijacking once it's in progress. It's more to protect certain key personnel on the flight against accidental injuries or deaths. But the only way you can solve a hijacking is on the ground. After it's happened, the only thing you can try to do is manage it. You cannot solve a hijacking once it's started. So the place to solve it is on the ground. And this is a direct responsibility in this country of the Federal Aviation Agency. After months and months of beating them on the heads and shoulders down there in Washington, both houses eventually doled out $3,500,000 about four weeks ago for metal detectors. They've ignored their responsibility in this area, $3,500,000 is not enough. But it's a start. The airlines are saying they cannot afford it—and I think under the present economic situation, that's quite true. They can provide part of it but it is up to the federal government. We've had laws against piracy on the high seas on the books for 600 years, and there's nowhere you can go these days if you want to pirate a ship; there's no safe port that I know of in the world.

Now what's the difference between sailing a ship and flying an airplane in that sense? There is none. Now Libya has encountered hijackers. They have come out with a public statement to the whole world that any hijacker that wants to bring an airplane to their country will be welcome with open arms and trained as a guerrilla. This is from the head of the nation.

Newsday. What do you think that the pilots might do in case they don't get what they want?

Gratz. We've gotten a lot of promises, but I think if there is no action taken the pilot group is going to take a little bit stronger action and not put up with a bunch of words next time.

Newsday. Well, like what? Can you conceive of any strikes longer than 24 hours?

Gratz. I could see possibly an escalation of 48 hours, or seven days, or something. But I think at this point it's too early to say.

Ashwood. The captain of an aircraft is, under the law, responsible for the safe conduct of his flight, and I imagine that there is a good possibility that certain guidelines will be laid out for pilots. Very severe security arrangements required by a particular captain before he's ready to accept a flight, and so on.

Newsday. Where would this originate?

Marchione. This would originate at the gate before the captain takes a flight. I imagine that some directive from the head of our association will be issued in that regard.

Newsday. In other words going by the book, or something like that?

Gratz. Maybe. If the government is going to make a rule against carry-on luggage, I am going to go out there to the people in the gate and I'm going to say, "Now, gentlemen, this hijacking thing is going so bad that before I take this flight today I'm going to insist that every bit of this hand luggage is scrutinized very carefully." And they're liable to say, "My Lord, gee whiz captain, you know, wowee, man, it's only 10 minutes before departure." I'm going to say, not only that, maybe we ought to have a body search of these people, because there's some pretty scraggly looking characters in this crowd."

Newsday. What deadlines are we talking about [for added security measures—weeks, months, days, years.]?

Gratz. Weeks.

Newsday. You can foresee another strike within a month or so?

Marchione. I think you'll see some action within a month.

Ashwood. We expect to see some results satisfactory to us in the next three weeks. If we don't see those results I'm sure that meetings will be going on to decide what our next step is.

Marchione. I say that this whole realm of air piracy, hijacking and everything else is going to have to be solved in the next six months to a year, or there is going to be a real serious disaster. I don't think we can expect more time than that.

SPECIAL RECOGNITION OF THE ORDER OF AHEPA

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. HAMMERSCHMIDT. Mr. Speaker, the order of Ahepa is celebrating its golden anniversary this year, and I wish to give recognition to its many contributions to American life since its founding July 26, 1922.

The American Hellenic Educational Progressive Association is represented in 49 States, with 430 local chapters. It is a nonpolitical and nonsectarian fraternal organization.

AHEPA has contributed financially to numerous national and international causes during the past 50 years. It has helped hurricane, flood, and earthquake victims, and has vigorously supported local community undertakings in the fields of civic improvement, charities, and education.

AHEPA has established national scholarships for worthy students, and has contributed to various academies and schools and libraries.

All Americans have good reason to be proud of an organization whose main objectives are to promote loyalty to the United States of America, while encouraging its members to participate in political, civic, social, and commercial activities, for the betterment of common understanding and fellowship among our citizens.

AHEPA CELEBRATES 50TH ANNIVERSARY

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. CASEY of Texas. Mr. Speaker, when we look around this Chamber today and 50 legislative chambers like it around this great and free country, the Hellenic influence upon our Government and on our art forms becomes obvious.

The majestic simplicity of Greek architecture is rivaled only by the majestic simplicity of the Greek concept of democracy.

The intellectual thought and the supreme beauty of art forms of Greece have influenced the entire world. The Golden Age of Greece gave the world a heritage which will influence its development throughout time.

An American organization, both historic and humanitarian in its concept, is celebrating this year its 50th anniversary, and I would like to take this opportunity to tell my fellow Members about this organization.

It is the American Hellenic Educational Progressive Association, which was founded July 26, 1922, in Atlanta, Ga., and its jurisdiction extends to 49 States, Canada and Australia with 430 local chapters. My own State of Texas has nine local chapters, including one in Houston.

James G. Petheriotes of Houston is currently serving as supreme trustee, a national office. Officers of the Houston chapter include A. S. Catechis, president; P. C. Peropoulos, vice president; Angelo J. Cramer, secretary; and Alex J. Skandalis, treasurer.

Some of the humanitarian projects sponsored by the AHEPA national organization include disaster relief, support of educational institutions, student scholarships, aid to orphans the world over, and commemoration of historic sites.

The goals toward which AHEPA strives include:

OBJECTS OF AHEPA

1. To promote and encourage loyalty to the United States of America

2. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind

3. To instill in its membership a due appreciation of the privileges of citizenship

4. To encourage its members to always be profoundly interested and actively participating in the political, civic, social and commercial fields of human endeavor

5. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor and integrity of every nation

6. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic Culture

7. To promote good fellowship, and endow its members with the perfection of the moral sense

8. To endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness

9. To champion the cause of Education, and to maintain new channels for facilitating the dissemination of culture and learning

The golden anniversary of this organization's founding is truly an historic event, and it is with great pride that I call attention to its work.

AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ANDERSON of California. Mr. Speaker, 50 years ago today, on July 26, 1922, the Order of Ahepa began a tradition of service and accomplishment to society, both at home and abroad, which has left a legacy of contributions for future generations to emulate.

The Order of Ahepa, presently operating 430 local chapters in 49 States, Canada, and Australia, has always given generously and has vigorously supported local community undertakings.

During its 50-year history, AHEPA has provided relief and assistance to victims of natural disasters—hurricanes, floods, and earthquakes—actively supported education and cultural development, and promoted better international relations through a people-to-people program.

AHEPA's public service has embodied the highest ideals and, while strengthening the bonds between the peoples of the world, the order has maintained the rich cultural heritage of the Greek people.

A nonsectarian, nonpolitical, fraternal organization, the Order of Ahepa has promoted loyalty to the United States by instilling in their members a due appreciation of the privileges of citizenship, and by instructing their members in the fundamental principles of government.

In addition to their quest to promote good fellowship and endow their members with the perfection of the moral sense, the Order of Ahepa has sought to promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture.

Mr. Speaker, it is indeed appropriate that we pay a well-deserved tribute to this outstanding organization and its many members who are dedicated to good citizenship, public service, and compassion for our fellow man.

I would like to particularly mention and commend those officers of the local chapters of AHEPA in southern Los Angeles County whose solid accomplishments and exemplary contributions have meant so much to our community.

Those officers of the San Pedro chapter are John Berdanis, president; Gust Alex, vice president; James Constantine, secretary, and John Panousis, treasurer.

The president of the Long Beach Chapter is Thomas Soupos. The vice president is Angelo Pritsos. Constantinos Pritsos is secretary, and Spiros Phillips is the treasurer.

In Redondo Beach, the president of the AHEPA Chapter is Nick Antzoulatos. William Vasilion is vice president; Jerry Antzoulatos is secretary; and Francis Barnard is treasurer.

On the district level, Gus Anastassiou is the treasurer of the 20th District Lodge.

A national officer of AHEPA is Sam Platis of Long Beach. Mr. Platis is the supreme governor.

Mr. Speaker, the Order of Ahepa has completed 50 years of solid accomplishments and exemplary contributions. I commend the members for their fine work, and wish them continued success on this golden anniversary of their founding.

AHEPA'S GOLDEN ANNIVERSARY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ROSENTHAL. Mr. Speaker, today marks the golden anniversary of the Order of Ahepa, a Greek-American fraternal organization. Founded 50 years ago today in Atlanta, Ga., AHEPA has made many significant contributions toward a better life for all Americans.

During its 50 years, AHEPA—an acronym for the American Hellenic Educational Progressive Association—has vigorously supported many undertakings in the fields of education, charity, and civic improvements. Their financial contributions have included relief for the victims of floods, hurricanes, earthquakes, and other disasters both in America and abroad. Additionally, AHEPA supports several scholarship programs for worthy and needy students.

I particularly want to commend Mr. John Candemeres, president of the Corona, N.Y., chapter of AHEPA, and all of his fellow members. Other officers of this local chapter are Mr. Steve Georgeson, vice president; Mr. James Anthros, secretary; and Mr. Terry S. Triades, treasurer. All residents of my congressional district are especially appreciative, I am sure, of this club's many civic and community activties.

AHEPA has dedicated itself to all that is positive and good about America and about society in general. Its goals are simply to promote good fellowship, mutual benevolence, and common understanding in all walks of life. I wholeheartedly congratulate AHEPA on this momentous occasion and am certain that the men and women members will continue to work for a better world for all mankind.

RESULTS OF SECOND OPINION SURVEY OF THE 19TH OHIO CONGRESSIONAL DISTRICT

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. CARNEY. Mr. Speaker, in April of this year I sent out approximately 160,000 questionnaires to the citizens of the 19th Ohio Congressional District, which includes Mahoning and Trumbull Counties and the cities of Youngstown and Warren. More than 15,400 questionnaires were completed and returned to me; many of them were filled out by both husbands and wives. My constituents were asked their opinions on some of the major issues facing our country, such as the Vietnam war, the economy, health insurance, and national priorities.

Mr. Speaker, I am pleased to insert the results of that survey in the RECORD at this time for the information and consideration of my colleagues in the House of Representatives and the Senate:

Results of the Second Opinion Survey for the 19th Congressional District of Ohio

[The first percentage figure refers to *his* opinion, the second percentage figure refers to *her* opinion.]

1. Do you favor a Federal program which would immediately create 500,000 public service jobs for unemployed men and women?

Yes, 75 percent, 81 percent.
No, 21 percent, 15 percent.
Undecided, 4 percent, 4 percent.

2. Do you favor stricter laws to control pollution even if it means paying higher prices for some products or possibly shutting down some manufacturing plants?

Yes, 49 percent, 49 percent.
No, 39 percent, 32 percent.
Undecided, 12 percent, 19 percent.

3. Do you think Congress should protect American business and the jobs of American workers by passing laws to limit excessive foreign imports?

Yes, 72 percent, 80 percent.
No, 23 percent, 13 percent.
Undecided, 5 percent, 7 percent.

4. On February 29, 1972, I introduced a bill in Congress to control food prices (including meat) under the Economic Stabilization Act. Would you be in favor of such legislation?

Yes, 79 percent, 85 percent.
No, 16 percent, 9 percent.
Undecided, 5 percent, 6 percent.

5. Do you favor creating a national child day care program (including educational and nutritional services) to enable mothers to work and thereby reduce welfare rolls?

Yes, 44 percent, 51 percent.
No, 47 percent, 40 percent.
Undecided, 9 percent, 9 percent.

6. Do you favor restricting the power of the President to carry out military operations in foreign countries without specific Congressional approval?

Yes, 57 percent, 59 percent.
No, 40 percent, 30 percent.
Undecided, 3 percent, 11 percent.

7. Which statement best describes your views on the need for a national health insurance program?

(a) Cover all medical expenses of every American regardless of age or income: 47 percent, 48 percent.

(b) a program should be established covering only major ("catastrophic") expenses: 37 percent, 33 percent.

(c) no national health insurance program should be established: 16 percent, 19 percent.

8. How well do you think Phase II of President Nixon's Wage and Price Control Program is working?

(a) Very well—prices haven't been increasing much and more jobs are becoming available: 3 percent, 2 percent.

(b) Not very well—prices are still rising and jobs are still scarce: 67 percent, 73 percent.

(c) Fairly well—but there are still some serious problems: 23 percent, 19 percent.

(d) Undecided—too early to tell: 7 percent, 6 percent.

9. What is your opinion on the present level of military spending?

(a) Too much: 62 percent, 68 percent.
(b) Too little: 12 percent, 8 percent.
(c) About right: 17 percent, 11 percent.
(d) Undecided: 9 percent, 13 percent.

10. Which policy do you favor on the Vietnam War?

(a) Withdraw all U.S. troops from Vietnam by July, 1972, provided all U.S. P.O.W.'s are released: 51 percent, 59 percent.

(b) Continue to use American air power, gradually withdraw U.S. troops without setting a deadline (Nixon policy): 29 percent, 20 percent.

(c) Keep American troops in South Vietnam as long as necessary to prevent Communist takeover: 13 percent, 12 percent.

(d) Undecided: 7 percent, 9 percent.

11. If it becomes necessary to raise additional funds to provide for the basic needs of the country (such as health care, education, housing and other public services) which method for raising these funds would you prefer?

(a) Enact a national sales tax ("value added" tax): 6 percent, 5 percent.

(b) Increase the Federal income tax: 1 percent, 1 percent.

(c) Reform the Federal tax structure by closing tax loopholes and eliminating special subsidies: 81 percent, 82 percent.

(d) Undecided—other: 12 percent, 12 percent.

12. What do you think our nation's priorities should be? (Combined men and women):

1. End the Vietnam War.
2. Provide jobs and job training programs.
3. Combat crime.
4. Reduce government spending.
5. Reform Federal income tax.
6. Control drug abuse.
7. Increase Social Security.
8. Lower the cost of health care.
9. Control pollution.
10. Eliminate poverty and slums.
11. Improve consumer protection.
12. Improve mass transportation.

AID FOR POLICEMEN

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ASPIN. Mr. Speaker, I have recently introduced a bill which I think is vitally important for our Nation's policemen. This bill would exempt the first $5,000 of a policeman's gross income from the Federal income tax.

The purpose of this measure is to aid in the recruitment of policemen at a time when local governments are having an increasingly difficult time raising tax revenue for higher policemen's salaries. Thus, this measure is a form of revenue sharing whereby communities with the greatest need in the area of crime prevention would find it easier to attract policemen to their communities.

Mr. Speaker, our Nation's policemen routinely perform heroic and dangerous work for our local communities. I hope this bill will be passed by Congress without delay.

THE UNITED NATIONS CONFERENCE ON THE HUMAN ENVIRONMENT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ASHBROOK. Mr. Speaker, in June of this year the United Nations Conference on the Human Environment was held in Stockholm, Sweden, and, it will be recalled, the leftist elements missed no opportunity to clobber the United States for its involvement in the war in Vietnam. Even Prime Minister Olav Palme of Sweden got into the act in what certainly seems to be a questionable departure from international courtesy on the part of an official of a host country.

Jim Toevs of Centralia, Wash., attended the conference for the Daily Chronicle, and his two reports appeared in that publication on June 14 and 15. In addition to recounting the activities of the conference, Mr. Toevs observed life in everyday Sweden where government control and centralization have all but erased the concepts of personal initiative and responsibility which we treasure in this country.

I insert at this point in the RECORD the two above mentioned columns by Mr. Jim Toevs as they appeared in the Daily Chronicle's issues of June 14 and 15, 1972:

Verbal, Paper Pollution Almost Overwhelming at U.N. Parley

(By Jim Toevs)

Stockholm, Sweden was the site of the first United Nations Conference on the Human Environment June 6–16, 1972. "Only One Earth" was the theme of the conference, and at times the verbal and paper pollution were so overwhelming it made one wish there was more than "Only One Earth" to which to escape.

Attending the U.N. Conference, which some detractors labeled the "unconference", were 1,500 delegates and alternates representing 112 countries; 1,392 accredited correspondents for press, radio, and television; and only God knows how many environmental activists representing 258 Non Governmental Organizations ranging from the Boy Scouts and the WCTU, to the Pugwash Conference and the Sierra Club.

DELEGATION IDENTIFIED

Members of the U.S. Delegation included Russel E. Train, chairman; Christian A. Herter, Jr., vice chairman; Sen. Warren Magnuson; Laurence Rockefeller; Interior Secretary Rogers C. B. Morton; Presidential Advisor John Erlichman, and U.S. Representative to the U.N., Mrs. Shirley Temple Black.

A recurring problem at the conference was the tendency of some delegates to play to the political grandstands back home. Prime Minister Olav Palme of Sweden achieved the dubious honor of leading the pack in Stockholm. Palme's attack on the U.S. for pursuing a course of "ecocide" in Indochina was clearly aimed at endearing himself to radical elements in Sweden. In the process he helped to whip up enthusiasm for the Anti-U.S.

demonstration later in the week in which over 10,000 people marched through the streets of Stockholm demanding an end to U.S. "ecocide" in Indochina.

VERBAL POLLUTION

The verbal pollution was expected. Everyone knows that any proceeding of the United Nations can use more words to say less than in any other body on our "Only One Earth". What amazed me was the fact that virtually every spoken word, (and many which, thankfully, remained unspoken), was translated into five different languages, typed onto stencils, and then mimeographed onto un-recycled paper in such quantities and with such abandon as to warm the cockles of the hearts of paper company executives throughout the world. Lest you think this is an exaggeration, I had to buy two pieces of luggage in Sweden so I could ship home the 80 pounds of papers and documents which I collected at the conference.

The Stockholm Conference dates back to a Swedish initiative in the U.N. Economic and Social Council in 1968. In the same year the General Assembly passed a resolution calling the conference. U.N. Secretary-General U Thant appointed Maurice F. Strong of Canada as Secretary-General of the newly created Conference Secretariat. A 27-nation Preparatory Committee was established by the General Assembly of the UN as an advisory body.

A GLOBAL AUTHORITY

In his opening address to the Preparatory Committee, U Thant stated, "Pious hopes, belated promises and tardy efforts at self-discipline will not be enough to stop the abuse of the earth and its resources. If effective measures are to be taken in time, something more is needed—a global authority closely associated with the United Nations. Such an authority should be able to police and enforce its decisions if necessary."

The Secretary General asked whether the nations of the world had the courage and vision to support such an environmental authority, thus departing from "the hitherto sacred paths of national sovereignty."

Despite the politics, the rhetoric, and the confusion which at times approached the point of chaos, things went pretty well as planned at the U.N. Conference. Agreement was reached on three major environmental initiatives: 1—A 200-point program of global measures to monitor and improve the environment of the planet. Designated "Earthwatch", the program calls for the establishment of 110 stations around the globe to monitor the spread of pollution; 2—A plan for a permanent U.N. Secretariat to coordinate international environmental matters. This agency to be financed by a special $100 million fund has already received President Nixon's pledge of $40 million as the contribution of the U.S. Government, and 3—The adoption of an international declaration of environmental principles known as the United Nations Declaration on the Human Environment.

Most disappointing to me was the emphasis which the conference placed on "control" of the environment, rather than the solving of pollution problems through technological advances. The creative genius of individuals working through the free enterprise system, spurred on by the profit motive and an informed public opinion will, this reporter believes, do far more towards solving pollution problems than anything which came out of the Stockholm Conference.

SWEDEN "PLANNERS' PARADISE" WITH SAD RESULTS FOR CITIZENS

(By Jim Toevs)

"Instant Experts" have always made my blood boil.

There are few things more annoying than a person who returns from a whirlwind 21-day tour of Europe, (or anywhere else for that matter), with the idea that he now understands all the problems of the countries visited and the people who reside there.

However, I think I am more qualified to be an "instant expert" than most people. (Doesn't everyone?) In the first place, throughout my 10-day visit to Sweden, I was an "accredited journalist". We all know that at the precise moment a person pins a badge on himself that reads "accredited journalist," the powers of the mind immediately increase by at least ten-fold. Words and phrases such as incisiveness, objectivity, depth of perception, grasp of the situation, and sensitivity come to mind.

For openers, let me say this will not be an objective report. In fact it will be highly subjective. My views on the proper role and function of government, private property rights, control of education, housing, and employment, government planning, personal freedom, and individuality are poles apart from what is practiced in Sweden.

Sweden is a planner's paradise. Everything is planned. To cite just one rather stark example, in one of the new concrete and glass monstrosities near Stockholm which the Swedes call "suburbs," every third person of the 3,000 inhabitants is exactly 27 years old.

To understand how the planners have achieved such power, we must examine the Swedish power structure. The Social Democratic (Socialist Labor) Party has been in power continuously since 1932. During the last 40 years it has gradually consolidated its control over child care and development, education, the media, art, drama, the judicial system, the Church of Sweden, business and industry, and virtually every other aspect of Swedish life. In the process, it has destroyed or neutralized any true political opposition.

While maintaining all the trappings of a democratic Constitutional Monarchy, Sweden is in fact ruled by an elite of approximately 200 key families and individuals. This elite includes the Royal Family, the Wallenberg family (they are often called the Swedish Rockefellers and own most of the natural resources in Sweden), the financial and banking establishment, intellectuals such as Gunnar and Alva Myrdal, and the top bureaucrats and theoreticians of the Social Democratic Party.

Consolidation and efficiency are the order of the day. All cities and counties in Sweden were recently abolished and were replaced by "Regions". (Kommunes in Swedish.) Although a Kommune Council is still elected by the people, it is the bureaucrats, and particularly the planning directors, who run the show.

I had the opportunity to talk at some length with Bjorn Boseaus, planning director of Uppsala Kommune while on a tour of that region. He was most candid about the power and influence he enjoys in his position. As we were visiting one small suburb in the countryside which had only one store, Boseaus was asked, "What if someone wanted to start another store so there would be some competition?" The planning director replied: "Well, there is no law against it. Theoretically it would be possible. However, in a practical sense, such a thing would be impossible. You see, the person would have to get many permits and licenses from the planning director, and I would not allow it. This suburb only needs one store." In Sweden, Orwell's 1984 has arrived and "Big Brother" is no myth.

To Americans, it may seem incredible that the people tolerate such a situation. Some of the people, of course, do not. I heard repeatedly from many Swedes, "All the best Swedes leave Sweden." In many cases, this is true and Sweden is suffering from a brain drain, particularly among professionals. Others who cannot "adjust" help account for the high degree of alcoholism and the high incidence of suicide.

Most depressing to me, however, was how readily the great majority of the people do seem to adjust. If human beings were simply a higher form of animal (and many of Sweden's rulers believe this to be the case), then the Swedish system might be considered a success.

There is no visible poverty. All Swedes are adequately housed, clothed, and fed. But for many, the price of this physical security has been the loss of their own souls. Concepts of individualism, creativity, and personal liberty which Americans take for granted are incomprehensible to many Swedes.

On my last day in Stockholm, I had the pleasure of spending an afternoon with the Swedish correspondent of the London Observer, Roland Huntford. Huntford has lived in Sweden for several years and has written a book about Sweden entitled "The New Totalitarians." As a journalist, Huntford has had the opportunity to observe the Swedish power structure at a level which most outsiders never see. The following quotes from his book convey a message which I hope all Americans will take to heart.

"Pioneers in the new totalitarianism, the Swedes are a warning of what probably lies in store for the rest of us unless we take care to resist control and centralization, and unless we remember that politics are not to be delegated, but are the concern of the individual. The new totalitarians, dealing in persuasion and manipulation, must be more efficient than the old, who depended on force. Much of what they have done in Sweden is different only in degree from what has happened in the West. Others can be similarly moulded. And it is straining optimism to the limit to suppose that other men will necessarily choose freedom, simply because, unlike the Swedes, they are still taught to admire it."

A TRIBUTE TO PUERTO RICO

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. RODINO. Mr. Speaker, I wish to extend my congratulations on the occasion of Puerto Rican Constitution Day to the people of Puerto Rico, both on the island and on the mainland.

The early history of Puerto Rico was marked by exploitation and injustice and the early struggle for freedom. Since the Spanish-American War in 1898 and subsequently the passage of the Organic Acts by Congress, political participation of the Puerto Ricans was gradually expanded. On July 3, 1950, President Truman signed an act authorizing the people of Puerto Rico to draft a constitution of their own. Delegates were chosen to a constitutional convention which was thereafter approved by the people in a referendum. July 25 marked the 20th anniversary of the date on which the Governor of Puerto Rico proclaimed the new constitution to be in effect.

The past two decades have been years of growth and progress for Puerto Rico, economically, socially, and politically. While much remains to be accomplished, the successes of this Latin American democracy have been an example to that area of the American continent and the Puerto Rican experiment has served to demonstrate the strength and vitality of the American way of life.

Indeed as a result of this experience

many Puerto Ricans have chosen the mainland as their home. My native city of Newark is the residence of the largest Puerto Rican population of any city in New Jersey. As in many other American communities, Spanish language and culture has rapidly assumed a position of importance as have the contributions and community involvement of the Puerto Rican population. Ramon Aneses, the deputy mayor of Newark is just one example of the many Puerto Ricans who have played an important role in an effort to achieve harmony within the community.

At a time in our history when we have begun to recognize the richness of diverse heritage of our people, it is appropriate that New Jersey will celebrate the occasion of Puerto Rican Day with a statewide parade to be held on July 30 in Newark, N.J. And, I extend to the Puerto Rican people through Mr. Jose Rosario, the president of this year's parade and Mrs. Marie Gonzalez, of the Newark Human Rights Commission, my warm wishes and congratulations.

TO AMEND THE CONTROLLED SUBSTANCES

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. HASTINGS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C.

The SPEAKER,
House of Representatives,
Washington, D.C.

Mr. HASTINGS. Mr. Speaker: There is transmitted herewith a proposed bill "To amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs. This bill will provide a means of regulating treatment programs which employ narcotic drugs in the treatment of narcotic addicts. Its principal aim is to eliminate existing uncertainties as to the safeguards required of such programs and to establish a sound legal basis for the imposition of such safeguards as are necessary to protect the community against the diversion of narcotic drugs into the illicit traffic.

In view of the importance of providing medical treatment to narcotic addicts and the increasing acceptance of treatment modalities which involve the continuous furnishing of narcotic drugs such as methadone, problems of safeguarding against diversion have become acute.

The proposed legislation has become necessary as a result of this evolution in medical opinion. On April 6, 1972, the Food and Drug Administration published in the Federal Register a notice of its intention to permit the use of methadone for the maintenance treatment of narcotic addiction for all addicts for whom it is medically justified. Although entirely appropriate on the basis of medical opinion, this, nevertheless, underscores the need for additional legal controls against diversion. In order to strengthen the legal authority of the Department of Justice to protect against diversion, the separate registration of practitioners who utilize narcotic drugs in the treatment of addiction and the application of special drug security requirements is necessary.

For example, the Bureau of Narcotics and Dangerous Drugs has required a separate registration of all maintenance programs but has lacked authority to require this of detoxification programs. The only authority for a separate registration is predicated on the research status of this activity and was never intended to apply to the massive treatment efforts now in progress. The statutory basis for the control of genuine research is necessarily inadequate for the regulations of well-defined clinical programs involving tens of thousands of persons being supplied with narcotic medication. Even before the proposed expanded approval of methadone, the inadequacies and loopholes in existing authority for the control of diversion in these situations had become apparent. This is appreciated within concerned agencies of the Government and the proposal of these amendments has been purposely concerted with other simultaneous administrative and regulatory measures to correct the situation.

Section 2 of the proposed amendments will add the definitions of three new terms to the Controlled Substances Act which are crucial in determining the applicability of the remaining provisions of this bill. The terms in question are "maintenance treatment", "detoxification treatment", and "emergency treatment", which, in the context of the treatment of narcotic addicts, have reasonably specific meanings within the national medical community.

Section 3 will provide for a separate registration, in addition to the customary registration under the Controlled Substances Act, of those practitioners who wish to administer or dispense narcotic drugs to narcotic addicts in the course of treatment programs. The registration will be predicated on treatment standards set by the Secretary of Health, Education, and Welfare and on standards prescribed by the Attorney General relating to specific matters which are of primary importance in limiting the diversion of narcotic drugs into illicit channels. The impact of these latter standards on the quality of medical services is also recognized, and the Attorney General is accordingly required to obtain the concurrence of the Secretary of Health, Education, and Welfare as to any standards he imposes regarding the quantities of narcotic drugs to be dispensed for unsupervised use. The requirement for special registration will not apply to practitioners who may have occasion to administer narcotic drugs in the course of emergency treatment to narcotic addicts since the necessity for such treatment cannot be anticipated in advance.

Section 4 provides for the denial, revocation, or suspension of the separate registration on the basis of standards promulgated under the preceding Section. In any such case, the means of undertaking administrative action will be in accordance with existing provisions of the Controlled Substances Act.

Finally, Section 5 amends the current recordkeeping requirements to require that practitioners who supply narcotic drugs to narcotic addicts for the treatment of their addiction in either of the designated circumstances, keep a record of drug administrations as is currently required for dispensations. This is an essential provision to enable Justice Department personnel to conduct drug accountability audits. The circumstances in such cases are fundamentally different from those in which the general practitioner may occasionally administer narcotic drugs for analgesia to patients who are little tempted to divert them and who lack the capability and knowledge for doing so. This provision has been intentionally drafted so as to insure that access to these records shall only be used in connection with investigations of or proceedings against a registrant thereby retaining the customary benefits of patient confidentiality.

In view of the desire to make medical treatment available to as many narcotic addicts as possible and to encourage the medical profession to meet the challenge of this difficult social problem, it is necessary to establish the basis for adequate controls as soon as possible. Therefore, we urge enactment of this proposed bill at the earliest practicable time.

The Office of Management and Budget has advised that enactment of this legislation is consistent with the objectives of the Administration.

Sincerely,

——— ———,
Attorney General.

AHEPA'S GOLDEN ANNIVERSARY

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ROONEY of Pennsylvania. Mr. Speaker, today an outstanding national civic and patriotic organization, the Order of Ahepa—The American Hellenic Education Progressive Association—is celebrating its golden anniversary. I would like to take this opportunity to call the attention of my colleagues to the contributions that the Order of Ahepa has made to the betterment of American life during the past half century.

Founded in Atlanta, Ga., in 1922, AHEPA lists among its purposes, to promote and encourage loyalty to the United States, to instruct its members in the tenets and fundamental principles of government and in the recognition and respect of the inalienable rights of mankind, and to instill in its membership a due appreciation for the privileges of citizenship. Steeped in the tradition of the Greek polis, the AHEPA promotes the profound ideals of Hellenic culture in encouraging its members to become involved in community affairs and to actively participate in the political, civic, social, and commercial fields of human endeavor.

In addition to its encouragement of civil involvement, the AHEPA chapters also assist noncitizens in attaining full citizenship while at the same time educating them in the responsibilities and obligations concomitant with American citizenship.

Not only has AHEPA taught the vital principles of patriotism and civic participation, but it has supplemented its ideals with altruistic actions, such as the relief of victims of natural disasters both here and abroad, providing national scholarships for worthy students, and has contributed to schools, health centers, libraries, and a cancer research institute both here and abroad.

I am sure that my colleagues will agree that the members of AHEPA can be justifiably proud of its local, national, and international undertakings in the fields of education, charity, and civic improvement and I am pleased to join today in congratulating the Order of Ahepa on its 50 years of service dedicated to the betterment of American life.

TELEPHONE PRIVACY—XXVIII

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ASPIN. Mr. Speaker, I reintroduced the telephone privacy bill on May 10, 1072, with a total of 48 cosponsors.

This bill would give individuals the right to indicate to the telephone company if they do not wish to be commercially solicited over the telephone. Commercial firms wanting to solicit business over the phone would then be required to obtain from the phone company a list of customers who opted for the commercial prohibition. The FCC would also be given the option of requiring the phone company, instead of supplying a list, to put an asterisk by the name of those individuals in the phone book who have chosen to invoke the commercial solicitation ban.

Those not covered by the legislation would be charities and other nonprofit groups, political candidates or organizations, and opinion polltakers. Also not covered would be debt collection agencies or any other individual or companies with whom the individual has an existing contract or debt.

I have received an enormous amount of correspondence on this legislation fom all over the country. Today, I am placing a 26th sampling of these letters into the Record, since they describe far more vividly than I possibly could, the need for this legislation.

These letters follow—the names have been omitted:

Prospect Heights, Ill.,
July 19, 1972.

Representative Harley Staggers,
Chairman, House Committee on Interstate and Foreign Commerce, House Office Building, Washington, D.C.

Dear Sir: Please pass H.R. 14884 so I can be rid of those telephone pests who interrupt our meals with the same tired old sales pitches.

______ ______

Geneva, Ill.,
July 16, 1972.

Hon. Les Aspin,
U.S. Representative,
House Office Building,
Washington, D.C.

Dear Mr. Aspin: Hats off to you and the other 48 co-sponsors of the bill HR-14884! It's about time someone did something to put a stop to this ruthless telephone solicitation.

I live in a town where we have a city ordinance that protects me from the intrusion of door-to-door salesmen, but I have nothing to protect me from the intrusion and invasion of my privacy from telephone solicitors. I have had as many as four calls in one evening from people selling everything from exterior siding to cemetery lots!

I have even been subjected to telephone harassment by a solicitor for, of all things, a contribution to a Police Benevolent Organization, because I told him I resented his call! And believe me for a widow living alone, this was a frightening experience. I found out from this incident, after reporting it to the telephone company, that there is little they can offer one by way of protection, other than taking refuge behind an unlisted telephone number.

Thank goodness someone is finally doing something to put a stop to this relentless sales technique!

Sincerely yours,

______ ______

Buffalo Grove, Ill.,
July 15, 1972.

Dear Mr. Aspin: I want to lend my complete support to HR-14884 concerning telephone solicitations. I am quite tired of interrupted work and time wasted saying "No", when I haven't asked the question in the first place.

Sincerely,

______ ______

Mt. Prospect, Ill.,
July 14, 1972.

Representative Les Aspin,
House Office Building,
Washington, D.C.

Honorable Mr. Aspin: I implore you to actively support Bill No. HR-14884 and to strongly urge your colleague to do likewise.

Very truly yours,

______ ______

Berkeley, Ill.,
July 14, 1972.

Dear Mr. Aspin: I too, am receiving 4 to 5 phone calls, in a week from salesmen pushing resort property and we have really had it with these nuisance calls.

Good luck with you bill H.R. 14884.

Hope it will be adopted soon.

Please keep us informed.

Sincerely,

______ ______

Des Plaines, Ill.,
July 14, 1972.

Dear Sir: Please work on Bill: H.R. 14884. Its a wonderful idea.

______ ______

TRIBUTE TO ORDER OF AHEPA

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ESCH. Mr. Speaker, it is an honor for me to pay tribute to the Order of Ahepa at the time of its golden anniversary. Throughout the past 50 years the Order of Ahepa has represented the very best in our Hellenic traditions—a commitment to humanism. This commitment has involved AHEPA in helping other humans who are in trouble—here in the United States and around the world. When natural disasters have caused suffering and deprivation, AHEPA has been there to lend a helping hand. AHEPA can take particular pride in its record of assistance to the stricken victims of floods, earthquakes, and hurricanes around the world.

Many of our Nation's concepts of democracy and government originated with the great Hellenic thinkers of the past. It is therefore especially appropriate that AHEPA has been active in the fight for responsible citizenship. Of its eight major goals, five are directly concerned with the encouragement of good citizenship and active interest and involvement in making democracy work.

AHEPA has also been active in the field of education and has awarded thousands of scholarships to deserving students at all levels. They have enriched the libraries of thousands of schools with the donation of the Greek classics. They established an agricultural school in Greece.

AHEPA is one of the most responsible fraternal organizations of the Nation. They are a credit to the Nation and it is a great privilege to honor them on their 50th anniversary.

AHEPA

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. CONTE. Mr. Speaker, Wednesday, July 26, marks the 50th anniversary of the founding of the American Hellenic Educational Progressive Association. Throughout its history, AHEPA members have made important contributions in the political, civic, social, and commercial fields of human endeavors. Its achievements in health and education and its assistance in times of national and international calamities are well known.

The almost staggering list of accomplishments of this unique organization include the following:

Relief of Florida hurricane victims.

Relief of Mississippi flood victims.

Relief of Corinth earthquake victims.

For the war orphans of Greece.

Relief of Dodecanese earthquake victims.

For the fatherless children of refugees, through the Near East relief.

For the Hellenic museum.

National scholarships to worthy students.

For the theological seminaries at Brookline and Pomfret.

AHEPA Franklin D. Roosevelt Memorial at Hyde Park.

Ypsilanti and Dilboy memorials.

Sons of Pericles memorial to the American Philhellenes of 1821, at Missolonghi, Greece.

Relief of Turkist earthquake victims.

For the patriarchate of Jerusalem.

For the patriarchate of Constantinople.

Ecuadorean relief.

Kansas City flood relief.

Greek war relief.

AHEPA hospitals in Athens and Thessaloniki, and seven health centers in Greece.

AHEPA Agricultural College in Greece.

Ionian Islands earthquake relief.

AHEPA Preventorium in Volos.

Penelopian Shelter Home in Athens.

AHEPA Hall for Boys at St. Basil's Academy.

The AHEPA School at St. Basil's Academy, Garrison, N.Y.

Sale of $500 million in U.S. war bonds during World War II as an official issuing agency of the U.S. Treasury.

Truman Library.

Dr. George Papanicolaous Cancer Research Institute at Miami.

The AHEPA Truman Memorial Athens, Greece.

The New Smyrna Beach. Fla. monument commemorating the first landing of Hellenes in the New World in the year 1768.

The AHEPA educational journey to Greece student program.

Indeed, AHEPA's enviable record of service to its fellow man and its fostering of integrity and benevolence in its members have earned it the respect and gratitude of citizens throughout the world.

Ahepans are drawn from all walks of life and include businessmen, professionals, educators, and laborers. Though from differing backgrounds, they are all united in their common bond of fellowship, mutual understanding, and community service.

I am very proud that my own hometown of Pittsfield is served by an AHEPA chapter and I would like especially to commend Mr. John E. Maniatis, Mr. Timothy John Maniatis, Mr. Stephen Trahanas, Mr. Tom Karras, Mr. George T. Niarchos, and Mr. Gus Metropoulos who hold or have held various office in this fine organization.

Unselfish concern for one's brothers is too often overlooked in the frantic pace of modern life. I am, therefore, proud to salute AHEPA for its activities and to wish it continued success in its future endeavors.

THE ORDER OF AHEPA: 50 YEARS OF ACCOMPLISHMENT AND SERVICE

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. KYROS. Mr. Speaker, it is with great pleasure that I join my colleagues today in honoring one of the Nation's outstanding fraternal organizations, the Order of Ahepa, on this, its golden anniversary. As one of five Americans of Hellenic origin currently serving in the U.S. Congress, and as a longtime active member of this organization, I can personally testify to AHEPA's excellence, and its record of accomplishment and humanitarian service for 50 years, in the United States and around the world.

Founded on July 26, 1922, the Order of Ahepa has expanded in 50 years to include 430 local chapters in 49 States, Canada, and Australia. And it has grown and prospered because it has never lost sight of its original founding principles, which continue to this day to embody that spirit of excellence which has been so much a part of the Greek tradition from earliest times. Among these principles are loyalty to country; active participation in the political, civil, social, and commercial fields of human endeavor; aversion to political corruption and tyranny; and—perhaps most importantly—steadfast encouragement of the cause of education and respect for culture and learning.

I think the Order of Ahepa can be justifiably proud of its record of service and accomplishment in the past. I am equally confident its good works will continue well into the future.

Mr. Speaker, I would also like to take this opportunity to pay tribute to AHEPA's supreme president, Mr. Sam Nakis, for his continued outstanding leadership and ability.

TRIBUTE TO ORDER OF AHEPA

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BURKE of Florida. Mr. Speaker, today is the 50th anniversary of the founding of the American Hellenic Education Progressive Association commonly known as the Order of Ahepa. Fifty years ago in July 26, 1922, in Atlanta, Ga., a small group got together and organized AHEPA. Today, it has grown to 430 local chapters in 49 States, Canada, and Australia.

I commend the AHEPA for pursuing and fulfilling its objectives for these past 50 years and I am sure they will continue many, many years into the future as the Sons of Pericles and Maids of Athena mature.

AHEPA's objectives are: First, to promote and encourage loyalty to United States of American; second, to instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind; third, to instill in its membership a due appreciation of the privileges of citizenship; fourth, to encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor; fifth, to pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation; sixth, to promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture; seventh, to promote good fellowship, and endow its members with the perfection of the moral sense; eighth, to endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness, and ninth, to champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

I am pleased to have Chapter 394 of the Order of Ahepa in my congressional district. Mr. William Poulos of Fort Lauderdale is a past national officer of AHEPA. Mr. William P. Planes of Fort Lauderdale is presently a lieutenant governor of the district lodge, and Mr. Ted Neckles is an advisor of the district lodge. The officers of the Fort Lauderdale chapter itself are Peter Junjulis, president, Elias Asparas, vice president, William Starr, secretary, and Phil Douglas, treasurer.

I would like to meniton, also, one of the Daughters of Penelope that I have known and admired for many years—Elizabeth Athanasakos. Miss Athanasakos is a lawyer and is presently a municipal judge in the city of Wilton Manors and an assistant attorney for the Port Everglades Authority, in Hollywood-Fort Lauderdale part of my congressional district. Recently on May 2, 1972, she was sworn in as chairman of the Secretary's Advisory Committee on the Rights and Responsibilities of Women at the Department of Health, Education, and Welfare. She was appointed to this post by President Nixon. Miss Athanasakos is a past national president of the Daughters of Penelope.

THE 50TH ANNIVERSARY OF AHEPA

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ANNUNZIO. Mr. Speaker, today is the 50th anniversary of the founding of the Order of Ahepa, the American Hellenic Educational Progressive Association, which is one of the outstanding fraternal and civic organizations in our Nation.

It is organizations such as Ahepa which make America the humane, tolerant, and progressive nation that it continues to be and it is an honor for me to join with the members of the order as they celebrate their golden anniversary.

AHEPA, which includes many hundreds of chapters throughout the United States, is composed of four separate organizations as follows: The Order of Ahepa; the Daughters of Penelope—senior women's auxiliary; the Sons of Pericles—junior young men's auxiliary; the Maids of Athena—junior young women's auxiliary.

The Order of Ahepa is dedicated to the enrichment of the social, moral, and family life of our Nation. The order, in all of its activities, places heavy emphasis on the togetherness of the family. Conventions and social events are planned to include activity for all members of the family and promote understanding and fellowship in a wholesome setting.

The Order of Ahepa, however, is not merely a social organization for Americans of Greek descent. It actively promotes good citizenship, cultural enrichment, civic participation, and sports programs.

The achievements during the order's 50 years of existence are ones for which the members can truly take pride. Among their many projects have been the providing of relief for victims of disaster, both in this country, in Greece, and in many other nations of the earth. Other worthy causes have included construction of school buildings, the donation of educational texts to schools, and aid to museums and other institutions of cultural enrichment.

Mr. Speaker, the Order of Ahepa, with its proud record of accomplishment is an example to all Americans. I extend to the membership of AHEPA my warmest congratulations on this golden anniversary and my best wishes as they continue their tradition of creative and humane endeavor.

Many AHEPA chapters are located in my own city of Chicago. I take pride in listing some of some of the officers from the Chicago area who guide this imaginative and distinguished organization:

ORDER OF AHEPA
ILLINOIS

Local Chapter Officers

Garfield: Local Chapter No. 203

Anthony Poulos, President, Chicago.
Steve Choporis, Vice President, Chicago.
Peter Spyropoulos, Secretary, Chicago.
George C. Ganas, Treasurer, Chicago.

Logan Square: Local Chapter No. 260

Anthony S. Kouzoukas, President, Chicago.
Angelo Garonfalis, Secretary, Chicago.
James E. Coines, Treasurer, Chicago.

Academy: Local Chapter No. 315

Spiro P. Nestos, President, Chicago.
Alexander A. Spyros, Secretary, Chicago.
Angelo G. Polous, Treasurer, Chicago.

Oaklawn-Englewood: Local Chapter No. 323

James C. Malevitis, President, Chicago.
Michael Varon, Vice President, Chicago.
Nicholas Lembares, Secretary, Chicago.
Louis Katsivalis, Treasurer, Chicago.

Milo: Local Chapter No. 348

Leo J. Manta, Vice President & Treasurer, Chicago.
Mark F. Manta, President, Chicago.
Steve A. Manta, Secretary, Chicago.

Beverly Hills: Local Chapter No. 350

George J. Pappas, Sr., President, Chicago.
George J. Pappas, Jr., Secretary, Chicago.

South Chicago: Local Chapter No. 351

P. Phillip Malevitis, President, Chicago.
John Vusikas, Vice President, Chicago.
Stratis B. Bahaveolos, Secretary, Chicago.
Angelo Vassy, Treasurer, Chicago.

Shoreline: Local Chapter No. 380

George Kapantas, President, Chicago.
Andrew Hantgos, Vice President, Chicago.
John J. Papastefan, Secretary, Chicago.
James Pirpiris, Treasurer, Chicago.

Chicago: Local Chapter No. 46

Tom Karas, President, Chicago.
George H. Kripton, Vice President, Chicago.
George Katemis, Secretary, Chicago.
John Vastis, Treasurer, Chicago.

Woodlawn: Local Chapter No. 93

Marinos Tripodes, President, Chicago.
Gus Kopan, Vice President, Chicago.
Stan Amers, Secretary, Chicago.
James Kontos, Treasurer, Chicago.

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Dimitrios G. Kyriazopoulos, Vice President, Chicago.
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Arthur H. Peponis, Past Supreme Lodge, Wilmette.
Zack T. Ritsos, Past Supreme Lodge, Chicago.
A. T. Tsoumas, Past Supreme Lodge, Chicago.
Chris Boulos, Past Supreme Trustee, De Kalb.
Takis Christopoulos, Past Supreme Trustee, Chicago.
Peter D. Gianukos, Past Supreme Trustee, Chicago.

EQUAL TIME AND THE NIXON STYLE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. HARRINGTON. Mr. Speaker, as this year's presidential campaign accelerates, access to the electronic media will become of paramount importance. The rules governing such access will themselves greatly affect the form, content, and frequency of appearances by political candidates and elected leaders on TV.

The following article by Stephen Barnett, appearing in the June 26, 1972, edition of the Nation magazine, is both a timely and provocative comment on the FCC's interpretation of "equal time" with reference to the press conference and presidential address. Unfortunately, as I have previously commented—June 30, 1972—the presidential press conference is becoming a dying institution in America. The American people, and the democratic process are the losers for it.

The article follows:

EQUAL TIME AND THE NIXON STYLE

(By Stephen R. Barnett)

Two legal doctrines govern the use of television by the President and his opponents. One is the "equal opportunities" law, popularly known as "equal time," which will be discussed here. The equal-time law applies only to candidates for office; when a station or network permits one candidate to use its facilities, it is required to afford "equal opportunities to all other candidates for that office." The requirement is subject to four important exceptions added by Congressional amendment in 1959. These exempt the appearance of a candidate on a "bona fide newscast," a "bona fide news interview," a "bona fide news documentary," and as a participant in "on-the-spot coverage of bona fide news events."

The FCC has ruled that a person is not a candidate under the equal-time law until he has announced his candidacy. Thus the law had no application to President Nixon until January 7 of this year, when he released his letter to the Secretary of State of New Hampshire. That explains the flurry of Nixon television appearances in the two preceeding weeks, recalling the frenzy of cigarette commercials on the last day they were allowed on the air. It also explains why, during the Dan Rather interview of January 2, Mr. Nixon stopped just short of announcing his candidacy for re-election.

The FCC has also ruled that in determining the office for which a candidate is running at a particular time, the nominating process in each party must be considered separately. Thus Mr. Nixon at present is a candidate only for the Republican nomination for President. If a broadcast appearance by him prior to the Republican convention invokes the equal-time law, the only opponents who can take advantage of it are other candidates for the Republican nomination, a field limited until recently to Congressman Ashbrook and now apparently empty. . . .

Examining the equal-time law as it applies to the television appearances of Mr. Nixon this year, one finds a matched pair of FCC decisions perfectly designed to buttress the President's strategy, which combines a distaste for news conferences with a predilection for other kinds of appearance. On the one hand is the 1964 news conference ruling that the broadcast of a news conference held by a President while a candidate for re-election is not exempt from the equal-time requirement. The President's news conference is not exempt, the FCC said, because it meets neither of the two prerequisites which appear in the legislative history of the 1959 amendment. Unlike programs such as *Meet the Press,* the news conference is not "regularly scheduled," and its format and content are not subject to the exclusive control of the network. "Thus, the candidate determines what portion of the conference is to be devoted to announcements and when the conference is to be thrown open to questions." (The candidate also determines, the FCC might have added, which questioners to recognize and whether or not to allow follow-up questions.) The FCC's decision on this point was plausible but not necessarily correct. The two prerequisites were indeed stated by the Congressional sponsors of the 1959 amendment, but in contexts far removed from the Presidential news conference (the concern was to prevent a local broadcaster from contriving a "news interview" with a favored candidate while denying equal time to his opponent). The conclusion that a Presidential news conference is a "bona fide news interview," which seems more in accord with common sense, was not legally precluded.

The FCC was on weaker ground with its further ruling that neither is the broadcast of a Presidential news conference "on-the-spot coverage of a bona fide news event." The FCC argued, first, that news conferences could not be exempt because debates between Presidential candidates, though equally newsworthy, are not exempt. . . . It does not follow, however, that the exemption must be denied to the Presidential news conference, an institution rooted in the President's office rather than his candidacy. The FCC further argued that to recognize Presidential news conferences as "bona fide news events" would mean that a broadcaster, "in the exercise of his good faith news judgment, could cover the speeches, press conferences, indeed any and all appearances of a candidate without bringing into play the equal opportunities requirement," and would thereby in effect repeal the equal-time law for all candidates for all offices. It would not be impossible or unreasonable, however, to distinguish between Presidential news conferences and those held by lesser officials throughout the land, not to mention "any and all appearances" of any candidate.

While thus interpreting the equal-time law with respect to the Presidential news conference, a television format Nixon does not favor, the FCC has provided a counterpoint ruling on the format he likes best. That is the prepared speech—a block of fifteen or thirty minutes, in prime time, which Nixon requests and routinely receives from all three networks and uses to deliver his considered views on a subject of his choice. The scheduling, format, content and every other aspect of the presentation are entirely prescribed by the President; in particular, as the FCC observed in characterizing a series of such appearances by Mr. Nixon, "the President entertained no questions before, during, or after the speeches." We have had from Mr. Nixon, during the present year alone, the March 16th speech on bussing, the speeches of January 25, April 26 and May 8 on the war in Southeast Asia, and the June 1st speech to Congress. We can expect more.

With Nixon an announced candidate for re-election, the question arises whether his speeches are subject to the equal-time requirement, as his press conferences would be. The striking answer, under existing FCC precedents, is No.

The FCC has two precedents on this issue, one each from the last two years in which a President stood for re-election. During the 1956 campaign, as late as October 31, President Eisenhower went on radio and television to make a speech on the Suez situation. The FCC ruled that he networks were not required to afford equal time to Adlai Stevenson and the minor-party candidates. The equal-time requirement does not apply, the commission said, "when the President uses the air lanes in reporting to the nation on an international crisis."

In the 1964 campaign, President Johnson took to the networks on October 18 to deliver a speech on two international events of the previous week—the deposition of Khrushchev in the Soviet Union and the first nuclear test by "Communist China"; a few Presidential remarks on the recent British election were included for good measure. A complaint requesting equal time for Senator Goldwater was duly filed with the FCC (the person filing it was Dean Burch, then chairman of the Republican National Committee, now chairman of the FCC). Acting less than a month after its press conference ruling, the FCC rejected the complaint, holding that the broadcast constituted "on-the-spot coverage of a bona fide news event." The commission made much of the fact that Johnson's delivery of the address "had been recommended by the National Security Council" (brushing aside evidence that the Johnson for President Committee had first sought to purchase network time for the address). It emphasized that this speech, like the one by Eisenhower in 1956, concerned "specific, current international events affecting the country's security . . . news events of an extraordinary nature."

. . . The FCC's decision was affirmed, on October 27, by an equally divided Court of Appeals. The Supreme Court, acting on October 28, declined to review the decision, over the dissents of Justices Goldberg and Black.

Given Nixon's unprecedented reliance on the speech format, the issue can be expected to arise this year whether such television appearances by candidate Nixon are to be held exempt from the equal-time law, as were those by Eisenhower and Johnson. Indeed, it has already arisen. Congressman Ashbrook asked the networks for equal time to reply to Nixon's March 16th speech on busing (Ashbrook wanted to argue "in favor of the alternative Mr. Nixon so lightly dismissed, a constitutional amendment"). Sure enough, the networks refused the request on the ground that the broadcast "was on-the-spot coverage of a bona fide news event." . . .

Whether a Nixon speech qualifies as a "bona fide news event" could depend, of course, on the circumstances. Given the two precedents, lawyers and judges and FCC commissioners can have a field day with the issue. It might be argued, for example, that the speech must be a "news event" in the sense that the President is announcing governmental action rather than merely discussing issues or events. On this theory, Nixon might have qualified for the exemption with his mine-dropping speech of May 8, but not with a routine defense of his Vietnamese policy, such as that of April 26. The theory may seem fearsomely provocative—the more momentous the action, the more certain the exemption—but in any event the distinction appears to have been rejected by the FCC in 1964. . . .

The test may be, then, whether the events discussed or announced in the speech are "specific, current international events affecting the country's security," or "news events of an extraordinary nature," as the FCC said was true in 1964. But if that is not to be a *carte blanche*—what international event does not "affect the country's security," especially if the President says it does?—it presents the FCC and the courts with a difficult and uncomfortable task of line drawing. Presumably domestic news events could qualify, and perhaps last summer's speech announcing the wage-price freeze would have met the "extraordinary" test; but what about the second or third Nixon speech on the economic program, or the speech announcing the Supreme Court nominees, or the March 16th speech on bussing, or the June 1st speech to Congress (an occasion that was given, perhaps not inadvertently, the special patina of a "news event" by convening a joint session)? . . .

While various reasons may thus be adduced for concluding that a particular television speech by a President-candidate is or is not a "bona fide news event," the whole exercise is open to question. First it must be said that, as far as the FCC is concerned, decisions in this area may turn not on reasoned distinctions at all but on the political loyalties and dependencies of the commissioners. The danger is inevitable when a commission like the FCC, whose members are appointed by the President for terms of seven years or less, is called on to make decisions that affect the political fortunes of the President and his party far more immediately than do those of any other administrative agency. But the danger seems especially acute at the present FCC. Of the four Republicans on the seven-member commission, three are Nixon appointees with highly political backgrounds. Chairman Dean Burch not only managed the Republican Presidential campaign of 1964, but has agreed to stay on at the FCC through the November election—according to *Broadcasting* magazine—"at specific behest of Administration to keep a lid on political-broadcasting conflicts."

Indications of partisanship aside, the FCC is institutionally unsuited to sit in case-by-case judgment on Presidential speeches. It is not only unrealistic, but unseemly, to expect such a commission in effect to overrule the President, and publicly embarrass him, by deciding that a particular Presidential address was insufficiently important, unduly political, or otherwise lacking in whatever attributes may be required of a "bona fide news event." The FCC's willingness to make such a decision is further reduced by the financial burden of providing equal time it would place on the networks, whose interests customarily command the commission's deference. Even the federal courts may hesitate to rule against the President in such cases; that is suggested, for example, by the Supreme Court's refusal to take the Johnson-Goldwater case in 1964, despite the tie vote in the Court of Appeals.

A clear and uniform rule therefore seems desirable. One such rule would defer to the President's judgment, according exempt status to any speech which he says is important to the nation's security or to some other national interest. This, in fact, is essentially the approach the FCC has taken in its two decisions. But it will not do. The equal-time law provides no exception for a candidate who is the incumbent President. If the President's use of broadcast facilities to address the public is itself a "bona fide news event," simply because he claims to speak as officeholder rather than candidate, the exemption swallows the rule. Such a result would be inconsistent, by the way, with an FCC ruling in 1956 that a spot announcement by President Eisenhower kicking off a Community Fund drive required equal time for the opposing candidates. The incumbent President's conduct of office cannot be separated from his candidacy for re-election. It is inevitably a central issue in the campaign, and no small part of that issue involves his handling of "international crises" and other urgent matters that might readily be said to justify television addresses to the nation.

Exemption for Presidential speeches seems especially questionable when placed alongside the FCC's ruling that news conferences are not exempt. The rulings dovetail to enhance the re-election prospects of Mr. Nixon, who leans heavily on the one and apparently abhors the other. Other Presidents—as, for example, Eisenhower and Johnson in the past—while likely to seek an advantage in the last-minute exempt speech, may also enjoy news conferences and find them politically beneficial in an election year. Nonetheless, the FCC seems wrong in both its positions. While speeches by a President-candidate should not be exempt from the equal-time law, news conferences should be.

Admittedly, there are arguments of fairness and practicality to support the refusal to exempt the news conference. Most Presidents would derive a competitive advantage from such an exemption, and the networks would be unable to redress the balance by offering an "equal opportunity" to the President's major opponent, even if they were willing to do so. For the opponent's press conference presumably would not be exempt—as the debates between Senators McGovern and Humphrey were recently held not to be—and would provoke equal-time demands from all the minor candidates, which the networks surely would not be willing to satisfy. This problem would be removed by enactment of the bill, now before the House after passing the Senate, that would repeal the equal-time law for the Presidential campaign, as was done in 1960, and thus clear the way for TV debates between the major nominees. But the White House is organizing Republicans in the House to oppose the measure, and Nixon—who likes debates even less than news conferences—is expected to veto it if it does pass.

With the equal-time law likely to remain in effect, the argument for exempting the Presidential news conference starts from the fact that it is plainly a "news event"—as demonstrated, for one thing, by the attendance of a great many newsmen from all over the world. But it is something more. It is—or was, before Nixon killed it—a vital part of American democracy. Its essential purpose is not, as Herbert Klein claims, "to transmit information from the President to the people." The President can accomplish that purpose equally well through other channels of communication.

The essential purposes of the news conference are to transmit the questions and concerns of the people to the President, to prevent the President from secluding himself from those questions and concerns, and to compel him to respond to them publicly and directly, without the massive filter of the White House public relations apparatus. The purpose is also to have the President communicate to the people, not only the information he selects on the subject he selects but the additional information, the explanations and clarifications, that questioning may elicit. The Presidential news conference is the only institution we have to serve these functions. While the British and Canadian Governments have their question periods for the Prime Minister in Parliament, we block that course with our doctrine of "executive privilege," whereby even the President's assistants refuse to testify before the Congress. The Presidential news conference is also our only mechanism, between quadrennial elections, for rendering the President directly accountable to the people.

In all these respects the news conference stands in contrast to the speech, where the President does all the talking, has complete control over content and format, and hears and responds to questions from no one. Whatever may be said about the President's control of his news conference—the point made by the FCC, rather ironically, in denying exemption—it is far from the total control that exists for a speech. The President must, after all, listen and respond to questions from the press. This function makes the Presidential news conference not only a unique and vital institution in our government but also a "bona fide news event."

The period affected by the FCC's press conference ruling is being revealed for the first time this year. (In 1964 the ruling was not issued until September 30. . . .

Of course, this year proves to be not much of a test, since Nixon has not held a televised press conference since June 1, 1971. But the ruling replenishes his battery of explanations. It will enable him to continue through the November election his refusal to face the press and the public. And in the future, the ruling will deprive the public of news conferences even by a President-candidate who, unlike Nixon, does not desire to scuttle the institution.

It is true that Presidential speeches on television also serve a public interest, and that application of the equal-time law would ordinarily preclude such appearances by a President-candidate. But in a real national crisis—a Cuban missile crisis—the networks ought to give free time to the President whether or not they would have to give it to his opponents as well. Short of such unusual cases, the public needs press conferences from the President more than it needs speeches. Not only does the press conference serve a vital purpose not provided by a speech but it can also serve the same purpose as the speech. If the President has what he considers an important message to convey to the public over television, it is not unreasonable that he be limited, during his announced candidacy for re-election, to delivering it as the opening statement at a press conference. This could readily have been done—and arguably with a considerable gain in public enlightenment—in the case of Nixon's bussing speech, or his speeches on Vietnam, or even his mine-dropping speech. Except in a rare crisis, a President's refusal to entertain questions about his actions or policies—the position Nixon has now resolutely assumed—seems even less warranted than the overclassification of documents, the assertions of "executive privilege" by officials as important as Henry Kissinger, and the other symptoms of a tightening, imperial secrecy in the executive branch.

There is a need for decisions this year, either by the FCC or the courts, reversing the FCC's positions on the status of Presidential speeches and news conferences under the equal-time law. The decisions are needed before the campaign reaches September or October, the period when such cases have arisen in the past. The FCC is now engaged in an overall re-evaluation of its political broadcasting rules, which it has promised the Court of Appeals to complete by "late spring or early summer." If the commission does not rectify the present unhappy anomaly in its law, it may be hoped that the court will.

GOLDEN ANNIVERSARY OF AHEPA

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. GUDE. Mr. Speaker, 1972 marns the golden anniversary of the Order of Ahepa, the American Hellenic Educational Progressive Association. I wish to extend my congratulations to the members of this fraternal organization devoted to the "betterment of our social, moral, and family life."

Founded in 1922, the Order of Ahepa undertakes a variety of activities in the fields of education, charity, and civic improvement. These include scholarships to worthy students on the local, district, and national level; the donation of books to schools and libraries; and sponsorship of an "educational journey to Greece" program. Its charitable activities also include contributions to the victims of disaster—floods, earthquakes, hurricanes—both at home and abroad.

Several of my constituents belong to the Order of Ahepa, and I would like to take this opportunity to extend my best wishes to Mr. Constantine Nicholas, president of the James C. Magin Chapter No. 383 of Silver Spring, Mr. Stratis Skenderis, president of the Kolokotronis Chapter No. 436 in Rockville, Mr. Charles J. Papuchis, president of the Capital Chapter No. 236, and Mr. Stanley S. Xenakis, president, Washington Chapter No. 31.

I am also pleased to note that Dr. G. Dimitrious Kousoulias of Bethesda, and Mr. George J. Leber of Silver Spring are currently national officers in the association. All of these chapters are active participants in the national activities of the Order of Ahepa, as well as being involved fund-raisers on their own.

It is indeed a pleasure to recognize the Order of Ahepa on this occasion. In promoting patriotism, good fellowship, and the dissemination of culture and learning, the AHEPA deserves many more years of continued service and accomplishment.

AHEPA GOLDEN ANNIVERSARY

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. MINISH. Mr. Speaker, we are all indebted to Greece for her myriad contributions to mankind. Democracy is but one of the legacies the Greeks have bestowed upon modern civilization.

In the United States, we have been blessed by the presence in our society of many reasons of Greek ancestry who have contributed immensely to our Nation's well-being.

One outstanding organization through which Greek-Americans have brought honor and respect upon themselves is the Order of Ahepa—the American Hellenic Educational Progressive Association.

Fifty years ago today, AHEPA was founded in Atlanta, Ga. From that day to this, AHEPA has worked tirelessly for the improvement and betterment of our social, moral, and family life. Through charity, education, and patriotism, AHEPA has established a solid record of accomplishment for itself and its fellow citizens.

Mr. Speaker, I take this opportunity to congratulate all AHEPA members on a job well done.

At this point, I include a list of AHEPA chapter officers from Orange and Newark, N.J.:

ORANGE

Jordan Stamati, President.
Harris P. Pappas, Vice-President.
Peter C. Vyssas, Secretary.
Peter A. Miliotis, Treasurer.

NEWARK

Demetrios Apostolatos, Treasurer.
John Antonacos, President.
Nicholas G. Paras, Vice President.
Basil T. Paras, Recording Secretary.
Roy D. Soppas, Corresponding Secretary.

McGOVERN DEFENSE PLAN EXPOSED

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. SPRINGER. Mr. Speaker, I know that all of us are interested in an adequate national defense to protect not only the United States but our interests throughout the world wherever necessary.

Probably nothing will be more thoroughly debated than our national defense position in the coming campaign. It is always our policy to keep national defense problems on a high plane and probably we should reduce them more and allow the public to choose from the facts as developed by the respective candidates.

Senator McGOVERN came forth with a comprehensive recommendation in the field of national security in February 1972. The title of that position paper is "Toward a More Secure America: An Alternative National Defense Posture." This is a very thorough and detailed paper on his posture and it covers 56 single-spaced pages. The columnist James J. Kilpatrick in the Evening Star and Daily News of Tuesday, July 25, writes an article titled "Naivete of McGovern Defense Plan Exposed," in which Mr. Kilpatrick tries to give a thumbnail analysis of the recommendation and what it would do to the various branches of the Armed Forces.

Mr. Kilpatrick shows what can happen in trying to detail a national defense plan for this country although he is not an expert in the field. He has however, spent a considerable amount of time on his homework to find out what the effect of this recommendation will be, not only upon the Armed Forces but upon our foreign policy abroad and to our friends and potential enemies in the world. Mr. Kilpatrick has rendered a real service by bringing this to the attention of the public and I feel sure my colleagues will want to read Mr. Kilpatrick's article which is herewith attached:

NAIVETE OF McGOVERN DEFENSE PLAN EXPOSED

By James J. Kilpatrick

Back in mid-February, Sen. George McGovern released his comprehensive recommendations in the field of national security. Titled "Toward a More Secure America;

An Alternative National Defense Posture," the document ran to 56 single-spaced pages. It seemed to be a thorough, definitive piece of work.

McGovern himself was pleased with it. Speaking to reporters in New Hampshire, he commented upon the time and labor that had gone into the paper, but he emphasized that the statement was more than a staff job. He himself had gone over the specific recommendations with great care; these proposals were his own best estimates of what the United States would need for defense.

The statement got fair coverage on release. The wire services gave it a good ride. A few lead editorials dwelled on points pro and con. But not to put too fine a point upon it, McGovern didn't matter then. Everyone knew he had no chance of winning the Democratic nomination. Back in February, it wasn't all that important what George McGovern thought about missiles, planes and submarines.

It is important now—far more important than what the senator thinks about welfare reform or the oil depletion allowance. When it comes to legislative matters, a President proposes and the Congress disposes. But once he puts on his hat as commander-in-chief, a President has plenary powers. Thus, when candidate McGovern recommends that 170,000 troops be brought home from Europe, he is recommending something that President McGovern could accomplish with a stroke of his pen.

Very well. The Nixon administration, speaking through Defense Secretary Melvin Laird, now has published a devastating reply to the McGovern proposals. That word "devastating," is a garlic word: It has to be sparingly used. Here it applies. Point by point, line by line, Laird exposes the naivete, the inexperience, and among other things the incompetent arithmetic of the man who seeks the White House. By the time Laird is done with his analysis, McGovern's "alternative posture" is slumping badly. It will not stand up.

The senator's friends and foes will disagree, of course, on the matter of naivete. McGovern's approach is to reckon the intentions of the Soviet Union. He finds them benign. He is therefore not so troubled by the Russians' capabilities.

As Laird's analysis makes clear, McGovern cannot even get the figures straight on his own proposals. The McGovern budget for fiscal '75 would limit defense spending to $54.8 billion. Of this, $20.9 billion would go for "equipment, supplies and services." But through inadvertence, McGovern forgot to allow for such necessities as ship and aircraft fuel, spare parts, medical supplies and the overhaul of ships; he grossly underestimated military payroll costs. The error amounted to a walloping $10 billion.

McGovern's idea as to aircraft carriers is to cut their number from 16 to 6. This, he supposes, would permit him to keep three carriers constantly on duty, two in the Atlantic, one in the Western Pacific. But this is not how aircraft carriers work. As Laird methodically demonstrates, when realistic consideration is given to maintenance, overhaul, training time and fleet exercises, President McGovern would wind up with two carriers, not three, actually on patrol.

The McGovern "posture" would convert the National Guard to a national peacekeeping force; but the costs of such a conversion do not figure in the McGovern budget. The list of oversights, underestimates and plain errors could be much extended.

I have said before, and say again, that McGovern's statement makes some excellent points. The military budget is indeed fat; it ought to be trimmed to a lean sufficiency. But McGovern's plan, on realistic examination, is not skillful trimming; it is rough butchery instead.

COMMENTS BY CONCERNED FATHER AND SON

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. SHOUP. Mr. Speaker, in this time of dissent and generation gap between members of a given family or the public in general, I am pleased to provide for the benefit of my colleagues two statements by concerned Americans. One is by the father who takes great pride in his son, and the other is by the son who similarly believes his father has important things to say. Both are concerned about our country and believe that the President needs to be reelected. The following are their two statements:

WARM SPRINGS, MONT.

As may be noted from the enclosed "E Pluribus Unum" and newspaper clipping remarks, my somewhat disabled son, who miraculously survived the crash of his plane in Viet Nam four years ago, feels very strongly about the disunity in the country for which he voluntarily offered, and almost gave, his life.

During the campus disurbances two years ago he asked my opinion about the situation, and he took my notes, which were not intended for publication, together with some of his own, to his local newspaper, hence the newspaper clipping. He was considering taking the "E Pluribus Unum" bit to the same local newspaper, but, although I, too, feel that the disunity, which the candidates for the Democratic presidential nomination, *and* the labor union barons, have been creating and encouraging, is very serious and of grave concern, I think it is, and *should be,* a major national issue rather than a local one, so those interested in the re-election of our very good President may feel free to use any of the thoughts in the enclosed at the most appropriate time.

Sincerely,

GEORGE M. MAXWELL.

E PLURIBUS UNUM? NOW WHERE IN HELL IS THE UNITY

North Vietnam will surely get what it wants, and more if she just waits and lets this country's politicians and armchair quarterbacks bicker amongst themselves until there is complete disunity, and eventual dissolution of our democratic system. Why President Nixon struggled as he did to become President of these United States eludes me. Every step he takes is immediately open to rancor of the highest order by his political foes, and by every Tom, Dick and Harry who wants to throw a crack at him. The implication is, of course, that he can't do anything right, and doesn't belong in the office.

But if he doesn't belong, neither do those loudmouths. It only takes minutes to start to undo what it has taken Nixon and staff months and months of determined effort to accomplish. And the implication that what Mr. Nixon does is for his own selfish interests and ambitions, and not for the good of the country, is truly odious and disgraceful. Look who is calling the kettle black. As an American I'm thoroughly ashamed of them.

Yes, the North Vietnamese assuredly will wait with the patience they are so well noted for, and watch us fall to pieces from within. That's what they expect, and from all indications, that's what they'll get.

We're at a point in history where we are asked once again to decide whether a house divided against itself can stand or not. It could not 100 years ago, and it is a good guess that it can't now. And these times there doesn't seem to be a distinct Mason-Dixon line split, but a complete splintering. There will be, if it doesn't already exist, the Nixon armies, the Kennedy armies, the Black Panther armies, the Meany armies, etc. We can really have a hassle. Then the VC, RC and USSR can quietly step off their ships and planes, after the smoke has cleared, and fight it out to see who controls our bountiful resources, our once beautiful, but now deceminated lands, and finally for those who may still have some life and strength to live on, a chance to regret that there had ever been an American.

So forget your heritage, Americans. Forget how you got to where you are. Forget why we are such an economically, culturally and in many other ways, a rich country. Forget that pithy little Latin phrase on every U.S. silver dollar and what it means, and go to hell. That's why it *will be* when you lose everything you now have—pure hell.

To assure a faster trip to hell just don't vote next election. Don't put any power into any man's hands to do anything for you that is even half risky. And under the circumstances there is no reason why the President shouldn't concentrate his efforts at coddling and wooing you into a euphoric state (which is all you want anyway) so that you'll put him in office the next time he asks you to. And if you must vote for a man be sure and balk at every decision he makes (if he's so inclined to make decisions) rather than acquainting yourself with all the facts leading to such a decision.

In other words keep up to your old tricks. You democrats, keep the mud flying and show the rest of the world how ignorant our president is when he tries to do anything constructive for our country. Keep the mud flying so that one of you may be elected to the presidency and then the wet dirt and grime can be slung in your direction, which will totally confuse our enemies and friends alike to the point where they will never know what to expect. They need not worry, of course, about any of our actions because they will be harmless and without strength.

And for our children's children we can leave a legacy of confusion and complete faithless, near extinct, and merciless freedom to do nothing, to go nowhere, lest they have to make a decision that will surely be reprimanded by the blank faces that show no emotion, let alone any individual reasoning power.

General Orwell stand and take a bow. Your society is close at hand.

RICHARD J. MAXWELL.

FIFTIETH ANNIVERSARY OF THE ORDER OF AHEPA

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. WYMAN. Mr. Speaker, 50 years ago today the Order of the American Hellenic Educational Progressive Association was founded in Atlanta, Ga. Today the organization's jurisdiction extends through 49 States and Canada, with 430 local chapters. Since its founding, this nationwide fraternal organization has worked to improve American life by infusing American culture with the values and ideals of the Hellenic culture of ancient Greece, the cradle of western civilization.

The order instructs its membership in government and promotes loyalty to the United States. It aids education through extensive programs in scholarship and other programs. Its worldwide assistance to the victims of wars and natural disasters has immeasurably benefited thousands. In all these programs, and in many others over the years, the Order of Ahepa has shown a true dedication to the continuation of Hellenic ideals and clearly demonstrated that the values of the ancient culture of Greece are vitally relevant to the solution of the many problems we face in today's world.

Mr. Speaker, the order really needs no tribute; its many good works speak adequately on its behalf. I extend congratulations to AHEPA and sincerely hope that the next 50 years will be as productive and beneficial as the first half century of progress.

ORDER OF AHEPA—50 YEARS OF PATRIOTIC SERVICE

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. PEYSER. Mr. Speaker, today, the Order of Ahepa—American Hellenic Educational Progressive Association—celebrates 50 years of dedication and service to upholding and reinforcing the precepts upon which our great Nation was founded and has prospered.

Founded July 26, 1922, in Atlanta, Ga., this highly respected patriotic organization has, throughout its history, contributed immeasurably to the furtherance of the ideals of family and country. Tested time and again, but never found wanting, the Order of Ahepa has faithfully responded, in time of need, with assistance to victims of natural disasters; deserving needy students; educational, health, and child care facilities; and, other worthy national and international causes.

Its membership is drawn from the business, trade, and professional community and includes such outstanding Americans as former President Harry S Truman and our esteemed Vice President Spiro T. Agnew. In my own area of New York, I am especially proud that there are chapters in Riverdale, Yonkers, and the Bronx led by respected community leaders Michael Sapounakis, George P. Mougios, and William Lazarou, respectively. In addition, current National Officer Charles J. Drewes and past National Officers George Dimas, John Kiamos, and Louis J. Dukas are from this area.

One of the most laudable aspects of the Order of Ahepa is its emphasis on family and civic responsibility. This, coupled with its cosmopolitan membership, assures a broad citizen base which it attuned to the pulse of the American spirit. Pledged to moral responsibility, community involvement, good fellowship, and the promotion and encouragement of loyalty to the United States of America, the Order of Ahepa is truly dedicated to the betterment of American life through the betterment of Americans.

The noble Greek philosopher, scholar, and teacher, Aristotle, once said:

> If liberty and equality, as is thought by some, are chiefly to be found in democracy, they will best be attained when all persons alike share in the government to the utmost.

For the past 50 years the AHEPA family, consisting of the Order of Ahepa, the Daughters of Penelope, the Sons of Pericles, and the Maids of Athena, has been going about the business of fulfilling the promise of these words.

I am pleased to extend my warmest congratulations to the Order of Ahepa on their golden anniversary and to wish them the very best in the future.

BARRED FROM FUNERAL OF SUPERIOR

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BIAGGI. Mr. Speaker, I wish to address myself to a sequence of events that occurred recently in Turkey, following the death of Athenagoras I, late Patriarch of the Eastern Orthodox Church. For centuries, this church has been under the domination of the Turkish Government, in matters which ought to be under the control of the church alone.

Archbishop Iakovos, who heads the Greek Orthodox Archdiocese of North and South America, was denied entry by the Turkish Government to attend the funeral of his superior. Although no reason was given by the Turkish Government for its action, other than stating that Archbishop Iakovos is "undesirable" and "persona non grata," we can assume that this is one more chapter in a long history of unjust interference by Turkey in matters of the Eastern Orthodox Church.

Archbishop Iakovos had been spoken of as a possible successor to the late Athenagoras. The Turkish Government, acting as it has in the past to influence the selection of the patriarch, insured Iakovos' absence from the funeral and subsequent election proceedings.

Religious discrimination and the prohibition of free religious practice by political forces, has been seen to produce tragic consequences in our time in all parts of the globe. We in this body have condemned this discrimination in the Soviet Union; we have criticized it in Northern Ireland; and we have denounced it in the Middle East. There can be no world peace until the prejudices and injustices that have endured for centuries are corrected. The Turkish Government, in its actions which prevented an archbishop from paying final respects to his patriarch, is guilty of one more such injustice.

Mr. Speaker, the time is long overdue for the Government of Turkey to relinquish its arbitrary and punitive powers over the affairs of the Eastern Orthodox Church. It is in the interest of the entire world community that all governments be called upon to guarantee total religious freedom for people of all faiths.

AHEPA: A TRADITION OF SERVICE

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. DELANEY. Mr. Speaker, today marks the 50th anniversary of the American Hellenic Educational Progressive Association, AHEPA, and I would like to pay tribute to them on their golden anniversary.

Fifty years ago this month, a small group of men met in a classroom of a Greek church in Atlanta, Ga. Their purpose was to form a fraternal organization which would foster good citizenship and encourage educational attainment. From these modest beginnings on June 26, 1922, the American Hellenic Educational Progressive Association has grown to an organization with 430 local chapters in 49 States, Canada, and Australia. AHEPA, the acrostic by which the fraternity has become known, has a membership bordering on the 100,000 mark. Two American Presidents—both Franklin D. Roosevelt and Harry S. Truman—have been members. Vice President Spiro T. Agnew is also a member as well as a number of Congressmen.

Growth of the organization, of course, has not been the only endeavor undertaken by AHEPA. In the past 50 years, AHEPA has attained the reputation of being one of the most influential Hellenic organizations in the United States. For the first few years of its existence, AHEPA concentrated its efforts on identifying the organization with the greater American community.

The spirit of these years can be described most accurately in the words of the organization's official publication:

> AHEPA shall never fail to constantly preach the principles of loyalty to the United States of America, advocate and teach the highest form of patriotic sentiments of national honor and national service.

And it would continue to serve as—

> a medium which shall loyally and courageously serve the best interests of the United States, our adopted home and country.

In addition to this most worthy patriotic goal, AHEPA has always maintained an interest in charitable, humanitarian, educational, and general religious concerns. In recent years, AHEPA has also sought to inculcate a love of Greek culture and tradition in the younger generation.

Toward this aim, the AHEPA Medal for Scholarship Excellence in the Greek language is presented annually to local Greek schools by AHEPA chapters. High schools and colleges all across the country have been the recipients of sets of Greek classics. Scholastically outstanding high school graduates have also been awarded this prize collection of books. Many students have also benefited from the AHEPA educational journey to Greece programs which offer summer studies in Greece covering the language, history, and culture of the ancient civilization.

In its more traditional educational role, AHEPA has continued support for the theological seminary at Brookline, Mass., St. Basil's Academy in Garrison, N.Y., and several agricultural schools in Greece. It has also provided scholarships for students seeking higher education.

Victims of floods, earthquakes, and hurricanes in the United States, Greece, Turkey, and Ecuador have received aid from AHEPA. The organization has rendered assistance to the Patriarchates of Constantinople and Jerusalem and built hospitals and health centers in Greece. It was a prime force in the work of Greek War Relief Association and sold half a billion dollars in war bonds while serving as an official issuing agency for the U.S. Government.

AHEPA has epitomized the American ideal of a service organization. It has always been willing and ready to meet the needs of its own community or those of its neighbors when crisis or disaster has befallen mankind. But the roots of this service ideal reach further back in history than the beginnings of our own great Nation. These roots reach back to ancient Greece, the cradle of western civilization and the designer of democracy. For it was the Greek love of democracy and freedom that stayed alive throughout the dark years of the Middle Ages in Europe and persisted till it flamed anew in the hearts of Americans a continent away. AHEPA can be justly proud of combining the best of both the Greek and American traditions, and we in America can be grateful for having enjoyed the benefits of such a service-oriented organization.

FIFTY YEARS OF SERVICE—ORDER OF AHEPA

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BURTON. Mr. Speaker, today marks the Golden Anniversary of the founding of the Order of Ahepa. The American Hellenic Educational Progressive Association was founded on July 26, 1922, in Atlanta, Ga. It is a nonpolitical and nonsectarian fraternal organization whose contributions to worthy causes during its 50 years of service are legend.

The "AHEPA Family" is composed of four separate organizations all of which work in harmony on a local, district, and national level. They are: The Order of Ahepa, the Daughters of Penelope—senior women's auxiliary—the Sons of Pericles—junior young men's auxiliary—and the Maids of Athena—junior young women's auxiliary.

I join with my colleagues in extending congratulations to the Order of Ahepa on this anniversary and to wish them continued success as they work toward a century of service to their fellow man.

I extend my personal congratulations on their significant and important role in the growth and development of the Order of Ahepa to my fellow San Franciscans: John G. Kaplanis and Angelo T. Mountanos, both past national officers; to Stephen L. Beradlis, current supreme trustee; and to the officers of the San Francisco local chapter: Paul G. Eliopoulos, president; Victor G. Kyriakis, vice president; Salvator N. Stella, secretary; Peter Kireopoulos, treasurer.

VICTORY FOR TAXPAYERS

HON. WILLIAM S. CONOVER II

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. CONOVER. Mr. Speaker, on July 19, 1972, the House defeated by a vote of 206 to 189, House bill 13853, known as the Emergency Community Facilities and Public Investment Act of 1972.

Proponents of this legislation argued that the $5 billion appropriation would not only provide immediate relief to the sewer and water disposal problems in the United States, but would also greatly alleviate the unemployment problem in the contracting industry. They indicated that there would be a creation of some 500,000 jobs from the expenditures of moneys appropriated for this bill. These claims are preposterous.

This type of legislation is merely another example of a bureaucratic boondoggle, which layers programs on top of programs at the expense of the taxpayer. Certainly, as we should be looking into areas of public need and public works in order to provide a better life and to alleviate unemployment. However, this particular bill in no way even approached these goals.

As a matter of record, the House has already passed the Water Pollution Control Amendments of 1972, which appropriates $18 billion over the next 3 years for the purpose of sewage treatment facilities. Further, the House has recently passed the revenue sharing bill which authorizes $3.5 billion to be spent each year in the areas needed most by local communities with priorities in the sewage treatment facility areas. In addition, the Department of Housing and Urban Development has stated that they do not have the personnel to administer a superfluous $5 billion appropriation.

Fortunately, in the judgment of the majority of the Members voting, these two previously passed bills, presented sufficient thrust in the problems of sewage treatment and water treatment, which in turn will alleviate the unemployment problems in the construction business. I believe that Congress must be wary of additional programs that merely add costs to existing programs without providing additional relief in the areas needed. Certainly, we in Congress have a duty to respond to the needs of the country, but we also have a further duty to make sure that the expenditures are sound and justified.

It also seems to me that Congress has a further responsibility of coordinating the various programs that are brought to the floor of the House by a number of committees, so that each committee's pet projects do not cause duplication. The public is fed up with such nonsense. Having recently run in a general election last April, I believe that the main message I received from the voters, was that they are tired of the high cost of the bureaucracy caused by such duplication. I, therefore, consider the defeat of the House bill, H.R. 13853, a great victory for the American taxpayer.

TRIBUTE TO AHEPA

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ASHLEY. Mr. Speaker, it is with great pleasure that I rise to pay tribute to the Order of Ahepa on its golden anniversary.

The word "AHEPA" is an acrostic, deriving from the first letters of the full title, "American Hellenic Educational Progressive Association." Over the past 50 years, AHEPA has worked steadfastly to promote loyalty to the United States; to further understanding of the Hellenic culture; to encourage full participation in American politics and the civic, social, and commercial ventures of the American community; to support education; and to relieve the suffering of their fellow man.

The Order of Ahepa has made significant contributions to many worthy Greek causes, including the war orphans of Greece and Greek victims of sickness, natural disasters, and the ravages of World War II. But the humanitarian spirit of AHEPA knows no national boundaries. AHEPA has helped victims of the recent floods and hurricanes in Florida, Mississippi, and Missouri. Cancer victims from many lands have been saved by the work of the George Papanicolaou Cancer Research Institute at Miami. Thousands of fatherless children of refugees, including the victims of earthquakes in the Near East, have been helped by AHEPA, through the agency of the Near East Relief. In all its philanthropy, AHEPA has acted with the strongest sense of honor and without political considerations.

The Order of Ahepa is open to all males of Greek birth or descent residing in the United States or Canada. The "AHEPA family" consists of four separate organizations—the Order of Ahepa; a senior women's auxiliary, the Daughters of Penelope; and two junior auxiliaries, the Sons of Pericles and the Maids of Athena—which work in harmony on local district and national levels.

Mr. Speaker, I am proud, as a member of this fine organization, to extend my congratulations to the Order of Ahepa, whose dedication to the improvement of our social, moral, and family life has been a shining example to us all for the past 50 years.

TRIBUTE TO F. W. "BUS" BOYD

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. SEBELIUS. Mr. Speaker, just a short 10 days ago, F. W. "Bus" Boyd, editor of the Jewell County Record and president of the Boyd Printing Co., died at the age of 60.

In "Bus" Boyd's passing, the citizens of Mankato, Jewell County and the State of Kansas have lost a fair and courageous editor, a community and State leader and a warm and generous human being. In the Thursday, July 20, edition of the Jewell County Record, Mr. Boyd's older brother, McDill Boyd, editor of the Phillips County Review and Republican national committeeman from Kansas, wrote a most fitting and touching tribute in "Bus' " memory.

I speak for the entire Kansas congressional delegation when I say Kansas has lost a fine and good newspaper editor and we have lost a true friend.

Mr. Speaker, I cannot add to the tribute written in behalf of "Bus" Boyd. I would like to take this opportunity, however, to commend this article to the attention of my colleagues for it eloquently summarizes the life and contribution of a man who lived and practiced a life of giving and self sacrifice—the life of a small town newspaper editor. In many ways, the life of F. W. "Bus" Boyd typifies the spirit and purpose of grassroots journalism at its best. "Bus" Boyd was more than a journalist, he was part of the community and its conscience as well.

The article follows:

F. W. "BUS" BOYD—DEATH CLAIMS EDITOR

My brother is dead.

F. W. "Bus" Boyd, son of F. W. and Mamie Boyd, was born at Phillipsburg, Kans., July 9, 1912, and died shortly before midnight Sunday, July 16, 1972 at the University of Kansas Medical Center following a short illness. He was 60 years of age.

But this brief framework of vital statistics does not begin to tell the story of this strong, vital and enthusiastic individual who had personally touched so many lives in a beneficial way.

The people of Mankato and Jewell county who have felt the impact of his personality in so many ways since he moved here with his family 36 years ago, are actually more familiar with his accomplishments as editor of their newspaper and as a community man than I am.

You people will know best why he had won the respect of everyone—why little lads came to see "Bus" and share their confidence with him—why their elders sought his support and guidance.

My story must start with the "little brother" who was always puddling around beneath my feet, and the fierce loyalty he developed at an early age. This trait carried over into all of his activities, and applies in equal measure to his family, his home town, and his friends, all of whom he loved without limit.

Few people will remember that he wore a heavy steel brace for five years—from the fourth through the eighth grade—to correct a curvature of the spine, and that he was less robust than his playmates. He was unable to join in contact sports of any kind—but he became a walking encyclopedia on sporting data, and he was permitted to throw a basketball at the hoop.

When the brace was discarded, his frail body began to fill out; and when he graduated from Kansas State in 1934, he was offered a professional baseball contract with Beaumont in the old Texas league, owned by the Detroit Tigers. Along the way he had been captain of the K–State basketball team, and when "Phog" Allen, the K.U. coaching genius wrote a book on basketball in the mid-forties, he named Bus as one of the best guards in the old "Bix Six" conference up to that time.

His sports experience is important to the story of his life, for he believed wholeheartedly in keeping fit. He did not drink, did not smoke, he watched his weight—he believed that young men benefitted from athletic competition and encouraged youngsters to live the right kind of life—to "stay in shape"—and they loved him for it as he touched the lives of many in a direct and meaningful way.

He was equally stern about other characteristics of good citizenship—the willingness to work with others, to serve and to share for the general good, as men must do in a free society.

Following his graduation from college, he abandoned the idea of a professional baseball career, and took a coaching job at the Logan, Kans., high school, where he could work with young people. After two years there, he came to Mankato as coach and principal of the high school, and three years later, in 1939, joined the family partnership and became editor of the Jewell County Record.

The partnership continued for 33 years without a single argument, or cross word of any kind. He was tolerant of his partners' mistakes, carried more than his share of the load, and worked all the hours it took to do a good job.

During his career, he had numerous honors. He was a past president of the Kansas State University Alumni association; past president of the Kansas Sports Hall of Fame; was a member of the Board of Directors of the William Allen White Foundation and of the K-State Endowment association.

He was president of the Boyd Printing Co., and secretary of the Boyd Publishing Co., which publishes family-owned newspapers at Mankato, Phillipsburg, Jewell City and Osborne and had major responsibility of other family ventures. He was a member of the board of directors of North Kansas Savings association.

He took time off in World War II to volunteer for naval service, and while he had never seen a ship bigger than a row boat, he was first executive officer on the destroyer escort which led the U.S. flotilla up the Yellow River in China as hostilities came to an end. He completed his tour of duty as a lieutenant-commander.

Thoughout his busy life, he never lost the common touch, always found the time to be considerate; gave of himself to people of all ages whenever the need arose.

His last illness started with a bit of a sore throat; followed by a low level fever and several days of inactivity, as he insisted he was "feeling better." His last day at the office was Wednesday, July 5. He was taken to the Jewell County hospital Friday, moved to Concordia Saturday, and flown by ambulance plane to Kansas City Tuesday morning.

He was immediately admitted to the intensive care unit, but released to a hospital room 24 hours later as his condition seemed to improve. He suffered a relapse Saturday, however, and his strong constitution yielded to a massive kidney failure the following day.

His family will feel his loss most keenly. His mother, Mamie, with whom he has worked so closely for so many years; his wife, Mary, and their two sons and two daughters—Bob, editor of the Hill City Times and his wife, Diane; Dick, editor of the Norton Daily Telegram and his wife, Mary Beth; Frances Logback, whose husband, Jim, is associate editor of the Times, and Betty, who has just completed her doctorate at Kansas University in child psychology; six grandchildren, who loved him as a playmate as well as a grandfather, my family, other relatives and people of all ages who have lost a compassionate friend.

As he lay desperately ill in his hospital bed last week, he gave no sign that he suspected the fatal nature of his ailment, but he may have sensed it, for he wanted his wife, Mary, at his side constantly.

And his last words to our mother Friday probably symbolizes his life. Motioning feebly with a hand he could no longer raise, he summoned her to his bedside, and she leaned close to hear his whispered words: "Don't worry about me. Go home and take care of yourself."

That was my brother, Bus.

McDILL BOYD.

COUNCILMAN FROM RICHMOND HEIGHTS, OHIO, CLARIFIES ARGUMENTS AGAINST VALUE-ADDED TAX

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. VANIK. Mr. Speaker, some time ago, I announced my opposition to the value-added tax which is currently being considered by the present administration as a new source of revenue. This tax is regressive, will not assist in our international trade, and penalizes family life. Additional revenues should be raised by progressive, loophole closing tax reforms—not by regressive new taxes.

I have just received a further analysis of this tax proposal from Daniel A. Pavsek, councilman at large from the city of Richmond Heights, Ohio. Councilman Pavsek, who holds an advanced degree in economics, enumerates a number of additional problems associated with a value-added tax.

Because of the importance of the debate on this tax proposal, I would like to enter in the RECORD at this point—deleting certain technical sections—Councilman Daniel Pavsek's excellent analysis of the VAT proposal.

The analysis follows:

COUNCILMAN DANIEL PAVSEK'S ANALYSIS OF VAT

THE INCIDENCE EFFECTS OF A VALUE-ADDED TAX

Of the many effects associated with a value added tax, its incidence effects demand the most attention while at the same time being the most difficult to examine. It is in this area of incidence effects that the economist has his greatest interest. Administrative problems, definitional problems, etc. associated with a value-added tax are basically problems for the accountant and politician. However, the incidence effect of the tax, by which we mean the changes in the distribution of economic well-being brought about by a new tax, is the area which demands the economist's attention. The importance of the distributional considerations have played an important role in the study of the value-added tax. In Japan, for example, the tax was rejected because it was felt to be regressive.

The unfavorable opinion given by the Richardson Committee's report on value-added taxation stems directly from the impact that the tax might have on economic welfare.

Individual economic welfare (well-being) is very difficult to measure, consequently interpersonal comparisons of economic welfare are difficult to arrive at. Most economists feel that real income can be considered as a substitute for a measurement of a person's economic well-being. For this reason we shall be concerned with determining what effect a value-added tax will have upon the distribution of real income within the economy. However, we should not limit ourselves to a short-run analysis. Tax shifts within the economy may alter the rate of capital accumulation in the short-run, causing in the long-run a change in the actual income available for distribution. In other words, we must not only determine how the tax will change the relative size of the pieces of the income "pie," but whether or not the absolute size of the "pie" will increase or decrease.

When considering the incidence effects of a new tax, we want to substitute the tax for one that already exists and we want the tax to raise the same amount of revenue. What we are saying here, is that the revenue raised, in dollar terms, should be equal under either the old tax or the new tax. This is an application of Musgrave's concept of "differential" incidence. The most obvious tax to be considered here is the corporate profits tax.

For the short-run analysis we can speak of certain effects of the value-added tax as a substitute for the corporate tax. By comparing the net real wage (i.e., after tax wage in terms of the amount of consumer goods that can be purchased) we discover that the net real wage is lower under a value added tax, than under a profits tax. Part of the reason for this is the difference of where the burden of the tax rests. A tax on value-added is shifted forward to the ultimate consumer and is reflected in a price which is higher by the amount of the tax, thereby reducing the absolute amount of consumer goods that could be purchased with a given net real income. Most tax students admit that part of the corporate profits tax is shifted forward in the form of higher prices; however, much of the tax, some estimate upwards of 66%, is shifted backwards in the form of lower dividends to the stockholders. Consequently, the profits tax results in the highest net wage under the assumption of only a partial shifting of the tax forward to the ultimate consumer. Therefore, we can conclude that at least in the short-run a shift from a profits tax to a value-added tax will make labor worse off. Given the two kinds of taxes under consideration here, the consumption value-added tax results in the most unequal distribution of income, as compared to the profits tax which results in a more equitable distribution of income in the short-run.

Having determined that in the short-run labor is worse off under a value-added tax, we still have to answer the following question. Is it possible that a tax system which is relatively harsh on labor in the short-run (value-added tax) will give rise to a higher after-tax wage in the long-run than a tax system which is relatively beneficial to labor in the short-run (profits tax)? The answer to this question is of paramount importance in our discussion of the value-added tax. If, for example, we can demonstrate that a small sacrifice on the part of labor in the short-run will lead to a larger real net income in the future, we will have a powerful argument for those who reject the value-added tax on distributional grounds. If, on the other hand, we show that labor's lot will not be improved then the proponents of the tax will have to look elsewhere for justification. Though a value-added tax may be quite helpful for economic growth, and though we all accept growth as a goal within the economy, the tax may be hard to sell at the expense of distributional justice.

Most of the analysis in this area has demonstrated that in the long-run the gross wage (wage before tax) will be higher under a value-added tax, than under a profit tax; however, the question we seek to answer is whether the after-tax wage (net real wage) can be higher under a value-added tax than under a profits tax in the long-run. The answer is that it all depends. The crucial variables are the elasticity of savings with respect to the interest rate and the elasticity of substitution of labor and capital in the production function. Most studies have shown that savings is not interest elastic, and therefore it would appear that the net wage would fall—even in the long-run—if we were to substitute a consumption value-added tax for a profits tax. Basically, what we are saying is that under a value-added tax the individual is worse off than under a profits tax.

EVALUATION OF THE VALUE-ADDED TAX

Having discussed the theoretical basis for the value-added tax we are now ready to examine the tax in light of President Nixon's five points. Before beginning this analysis, it should be recalled that one of the tax's selling points is its relative simplicity when it is universally applied. This simplicity breaks down, however, when we begin to introduce differential tax rates and allow for exemptions other than those connected with export industries.

Nixon's first point deals with the impact that a value-added tax would have on intergovernmental relations. This is a topic way beyond the scope of this paper, however, we can make a few observations. Since the tax approximates a federal retail sales tax, though it is not identical to it, it would severely hamper the state's ability to raise revenue via a state sales tax. On the other hand, such a tax could be levied without voter approval, unlike the property tax which cannot be raised without the explicit consent of the voter, thus divesting the local voter of a certain amount of power to influence and determine local government activities.

The administration asks whether the value-added tax is the best substitute for the property tax. Tax students and economists have been in agreement that the property tax is regressive. The introduction of a value-added tax in lieu of the residential property tax is merely to substitute one regressive tax for another. Nixon is only talking about a residential tax and therefore, we can assume that there will be no relief for business or commercial property. The commercial tax is insignificant in terms of production costs, and even if it were reduced by the value-added tax it would not significantly alter the trade position of the United States.

In terms of the nature of the base the best method would be the consumption value-added tax. But this variant of the tax is known to be regressive, therefore, Nixon wants suggestions on how to eliminate its regressivity. This can be done by establishing a variety of tax credits and exemptions as well as differential rates of taxation. However, this would so over complicate the administration of the tax, that we might in fact, by destroying its simplicity, eliminate the internal and external neutrality of the tax with regards to competition at the retail level. By overly complicating the tax, we destroy one of its greatest selling points—simplicity of administration.

The fourth point of providing renter relief, can be answered in much the same way as the previous point was discussed. Furthermore, undue tampering with the market system, via rent control, should be discouraged. A tax credit on the federal income tax could be made available to handle the objections stated implicitly in points 3 and 4; however, further tampering with the federal income tax, should be discouraged since we have already provided so many loop holes as to destroy much of the tax's effectiveness.

In this final point, Nixon wants the local school districts to maintain control over spending and basic education decisions. This is all very laudable, but it appears to be unrealistic. What Nixon is talking about is having the Federal Government take on the responsibility of raising revenue, while abdicating any right to administer it. Given our present political structure it seems hard to conceive of this happening. More than likely this tax would lead to wider intervention of the Federal Government into local politics.

CONCLUSION

In our concluding remarks, we would like to discuss four reasons why we feel that the value-added tax should not be used in the United States as a method for raising governmental revenues.

(1) The tax is intended to be shifted forward in the form of higher prices. The price of all goods covered by the tax will increase by the amount of the tax. It is a hidden tax in that it is included as part of the price so that the consumer does not know how much he is in fact paying in taxes. This may be politically expedient, but is definitely contrary to both our system of government and economics.

(2) Our second objection to the tax is its regressive nature. Under every circumstance the tax would be regressive, unless we provided for a series of credits and exemptions. This would unduly complicate our work and even if we could eliminate part of the regressivity, it might be at the cost of the effectiveness of other tax structures.

(3) Since the tax is to be administered federally, and since it is a hidden tax, the real danger is that legislators will be tempted to continue to raise the rates in order to raise more revenues. This situation is to be discouraged since we need not expand the credibility gap that already exists between Washington and the voters at the local level.

(4) Why introduce a new tax that is regressive to replace an old regressive tax when we should be making better use of the progressive nature of the federal income tax? We need to place more effort into reforming the income tax to increase its effectiveness than expanding so much effort in a new tax that is of questionable value when viewed from the area of economic well being and welfare.

AHEPA ANNIVERSARY

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. WIDNALL. Mr. Speaker, it gives me great pleasure to note that 50 years ago today a group of forward-looking Americans founded the Order of Ahepa in Atlanta, Ga. The group, whose name stands for the American Hellenic Educational Progressive Association, has prospered since its founding and now has 430 chapters, including one in my hometown of Hackensack, N.J., the county seat of Bergen County and a community which it has been my privilege to represent in Congress for many years.

AHEPA has devoted itself to the promotion of patriotic, moral and educational goals both in the United States and through its charitable efforts abroad, which are concentrated in Greece. Much of the good work of AHEPA is focused on the chapter level and in Hackensack the responsibility for guiding these varied duties falls on President Basil C. Delis, Vice President Plato Eliades, Secretary George Zourdos, and Treasurer Charles Dekis.

Through the Order of Ahepa and its three related organizations, the Daughters of Penelope, the Sons of Pericles, and the Maids of Athena, this movement has enriched the lives of its members, their communities, and the Nation as a whole. I join with my fellow members of Congress in congratulating AHEPA on its golden anniversary and in wishing this fine organization continued and ever-increasing success and fulfillment in its good works.

FIFTIETH ANNIVERSARY OF AHEPA

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mrs. GREEN of Oregon. Mr. Speaker, I am both proud and happy to add my salute to the American Hellenic Educational Progressive Association—AHEPA—on the occasion of its 50th anniversary of outstanding service not only to Americans of Greek descent but to the rest of us as well. The particular emphasis which the Order of Ahepa places on the improvement and betterment of our social, moral, and family life is more needed than ever in American life today and we should all be thankful to any organization which so arduously dedicates itself to these tasks as Ahepans do.

AHEPA today boasts 430 local chapters in 49 States, Canada and Australia. One, I am delighted to say, flourishes in my hometown of Portland, Oreg. I take this opportunity to extend my personal greetings to that local membership and especially my congratulations to its president, William Skourtes; its vice president, Nick Karafotias; Basil Gortitsan and Costa Couris, respectively secretary and treasurer. Current district lodge officers—Bill V. Aspros, lieutenant governor; and George Anasis, treasurer—of course share in the pride of this happy occasion. Dr. N. S. Checkos, a Portlander who has served AHEPA as a past national officer—supreme lodge—must feel a sense of accomplishment as AHEPA rounds its 50th year.

AHEPA's has been an illustrious history in America. It has not been content merely to look inward serving the unique needs and aspirations of Greek-Americans. There have, to be sure, been financial drives to aid, among other things, Greek war orphans, the AHEPA Agricultural College in Greece and a scholarship program for worthy students. But AHEPA looks outward, too, and with characteristic Greek generosity has dug down deep to come to the aid of Florida and Mississippi hurricane and flood victims and—in a noteworthy lesson of love and reconciliation to us all—has aided in the relief of Turkish earthquake victims.

We are all, in a sense, the sons and daughters of Pericles under whose rule in ancient Athens, the cradle of democracy and of Western civilization, democracy attained its golden age. God grant that the golden anniversary of AHEPA will somehow mark the rebirth of such an age in 20th-century America. Certainly the ideals preserved by AHEPA can do much to carry us toward that longed-for goal.

ABSALOM! ABSALOM!

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. WALDIE. Mr. Speaker, Father Peter J. Riga of St. Mary's College in Moraga, Calif., delivered a speech at a peace rally in Walnut Creek, Calif. earlier this year entitled "Absalom! Absalom!" in which he expressed his views about our tragic policy in Vietnam.

Father Riga makes some valid points in his speech, and I therefore felt that this address would be of great interest to my colleagues in the House.

At this time then, Mr. Speaker, I include in the RECORD the text of Father Riga's speech:

ABSALOM! ABSALOM!

(By Rev. Peter J. Riga)

It comes as the height of depression that one hears more and more frequently that a defeat for the U.S. in Vietnam would be a welcomed joy. God forgive me, but there are times when my own heart cheers the successes of the North Vietnamese as they prove the utter incompetence and sheer stupidity of the raging and killing but dying American giant. Like a Frankenstein monster screaming with rage as he sinks deeper into the quagmire of defeat and death, his only response is from his nature: to rage, to scream, to kill, mindlessly and indiscriminately.

But I cannot cheer; like David when he hears of the death of Absalom, his son, who wanted to kill him, I can only weep that even at this late date, after so many lies, deceptions, tragedies, maimings, deaths, so many Americans are still willing to trust a man who has utterly failed in his stated "Vietnamization policy" and who now does all he can do: blind rage and murderous violence to save his face but lose whatever honor was his. Whom the gods would destroy, they first make mad. American policy in Vietnam has become the work of mindless, amoral technicians, they are humanly insane.

The first element of their insanity is witnessed by the total violence and barbarism that this war has already brought about. The figures have become so well known that they fail to move, they fail to even phase us: One out of every three South Vietnamese is a refugee ("dislocated"); from 1965–1971, the U.S. exploded approximately 13 million tons of ground and air munitions in Indochina, and 53 per cent of this occurred during the Nixon Administration. (They even have "smart" bombs, that is, sophisticated bombs which are guided to their targets by electronic devices.) In case one would like to grasp this fact, 13 million tons of explosives is the equivalent of 650 Hiroshima bomb explosions, with about 85 such explosions in 1971 alone.

So much for the deception of "winding down the war," so popular in the mouth of the President. Thus, an increase in the automated and air war becomes an invisible war with minimal American ground and air casualties which the American people will no longer tolerate. And the marvelous thing to behold is that unrestrained brutality cannot and did not produce victory. With its billions of dollars and its billions of pounds of explosives, the U.S. today is experiencing disaster in the fields of Vietnam.

The response to crumbling Vietnamization? More violence in mining harbors. We will end killing and death by inflicting more killing and death. What can we say of Mr. Nixon, who is the biggest bomber in human history: he has dropped more than one ton of bombs per minute during his entire administration. He has let loose more destruction from the skies than any man in human history—a "first" worthy of Mr. Nixon—all of this, of course, failing to break the will of a small, relatively poorly armed people, to resist courageously more technological sophistication.

No need to go on. Some explanation must be found other than the "diabolical subversion of communism" to explain this colossal blunder which is Vietnam. After all, as George McGovern has rightly pointed out, it was not the poor or the blacks or the ethnics who started this war, escalated it, hid its dimensions from public view, lied about it—but rather Ph.D's from Harvard, MIT, CIT, U. of Michigan, Yale, etc. Their greatest disappointment, I believe, was not that their computers and automated battlefields have failed them but that there are people in this world who really believe in something other than a Buick, i.e., there are people with whom the carrot-and-stick procedures simply will not work.

That is astounding: there are people who do not have a price, who cannot be bought off neither with billions of dollars nor with billions of pounds of TNT. Their machines, computers of problem solving, their "think tanks" are all ineffective before a will of a people that fears neither death nor poverty. The ultimate enemy of materialist Western American man is the taking away of the "good life" and/or its ultimate culmination in death. What works so well with materialistic Americans (carrot/stick, dollars/death) will not at all work for our "enemies."

It is therefore the "respectable people," the intellectuals, of our society who conceived this war, escalated it, justified it, lied about it (it was, of course, not they who fought it. The sordid story of the draft, of deferments for the rich, the middle class and the sons of Congressmen—is too well known to need commentary)—and finally wrote about it in their memoirs called the Pentagon Papers.

What is striking about these revelations is that these men of high intelligence could participate so actively in the deceptions, lies, half truths and in general, the morass of illusions which Vietnam has long since become. The most elemental moral sense was lacking in these men who made up, promoted, carried out and finally lied about, this policy. The result is that in the minds of these men politics is not a matter of ethics and morality but a sort of game to be communicated to the public by Madison Ave. public relations.

The public can be so easily manipulated because foreign affairs are a matter for "experts" who have "privileged information" of what is happening. The final result is that since policy is determined—rightly—by this elite, the mass public which is ignorant of these things and not privy to this inside source of gnostic information, can and indeed should be lied to and manipulated for their own good. Self determination in matters of foreign policy is a dangerous illusion—in the minds of such men.

The result is the present disaster: the disaster of Vietnam abroad and the credibility gap vis-a-vis government here at home. It has now become a matter of "saving face" or "preserving the honor of the President" or the domino theory or "people against aggression and communist terrorism" or insuring that "the U.S. is the number one power in the world" or that, simply, "we have never lost a war." These are familiar psychological mechanisms of transference of blame away from the true cause of our malaise: the ignorance, arrogance and failure to learn from history by this Washington elite of policy makers. The giant then does what alone it knows what to do well: it raises the level of violence and death.

Even the most elemental history of Vietnam should have shown these men that the Vietnamese have been fighting foreigners for over 2,000 years: Chinese, Japanese, Cambodians, Thais, French, Americans. Their culture is a long and glorious one, their national unity coming at a terrible price but which, historically, cannot and will not be denied these people. The ignorance and/or arrogance of the Washington technicians is truly astounding.

The disaster in Vietnam is not due to "subversion" (of whatever type), or to a lack of "will to win" or the American traitors at home who give false hope to the communists in the field; rather it was and is the willful, deliberate disregard of all facts of Vietnamese history, historical, political, geographical, cultural for more than twenty-five years.

I say astounding since the Pentagon Papers themselves show enough historical background to foreward of eventual and complete American defeat in the field. Then how, why did they so willfully disregard the facts assembled before their very eyes? The answer to this question resides in the nature of truth and lies. In manipulating and lying to the public, this elite had to keep on lying to cover the texture of inherent truth of the situation.

The nature of lies is such that if done long enough, the one who lies ends up by believing the lies, deception and half truths which they have continuously fed the American people for the past eight years. It was then an appeal to the "silent" majority which would justify and satisfy their manipulation which, by definition, could do nothing but be silent in the face of the claimed gnostic-secret knowledge of the elite and the fantastic means of communication (manipulation open to them at every level).

Once again, when the failure of policy became embarrassingly evident for all to see (Tet in 1968 and the crumbling of Vietnamization in 1972), then the only response was more violence and punishment in order to "rally round" the American people in a sort of self-proclaimed national emergency to protect 60 thousand troops remaining in Vietnam or to, once again, rain untold and gargantuan death from the skies to save S. Vietnam from the "bloodbath." Simply reverted is the famous expression of the American Commander during Tet (1968): "We had to destroy it in order to save it." This is the ultimate sign now of human insanity.

The ironic result now is that the enemy who is poor, suffering and with infinitely fewer resources, grew stronger while the mightiest country in the world precisely through its ignorance, its lies, self-deception and total violence, grew weaker with each passing year until now, we have the incredible possibility of an American defeat in the rice fields of Vietnam itself.

Also implicit in the claims of Mr. Nixon is a further corruption, not to say hypocrisy. In speech after speech, we are told that we must somehow remain in Vietnam because we must protect S. Vietnam from Communist tyranny and bloodbath. Their freedom is involved.

Yet, we are unwilling to die for what we believe. We are willing to kill more and more but American casualties must remain low. Mr. Johnson at least believed in what he said about the freedom of S. Vietnam: he committed troops for we truly believe in something if we are willing to die for that belief. This Mr. Nixon and with him, the American people are no longer willing to do.

It is this phenomenon which makes little men, fewer in numbers and smaller by far in firepower and sophistication of weaponry, succeed utterly against vastly superior numbers and force.

Nor can we look to the other two branches of government for a way out of the morass. The Congress has long since abdicated constitutional responsibility, simply rubber stamping requests for funds, once in a while passing some watered down anti-war resolution which the President dutifully disregards. It has the power to end this war tomorrow, next month, but it too, participates in the passive lethargy of wringing hands, impotent in its own will to do something one way or another.

We seem all trapped in the massive quagmire of knowing we cannot "win," ashamed to admit that we have been wrong and defeated, we insanely up the killing and slaughter in order to end killing and slaughter—the ultimate and advanced sign of our national insanity.

The courts too—with one small exception—have fled their responsibility—i.e., to give a response—to the constitutional crisis at hand. The terrible irony here is that the court was most willing to intervene in 1952 in the Steel Seizure Case of Youngstown, Ohio in the midst of a sanctioned "police action" in Korea, for the President to order the seizure of domestic steel mills. The court denied that power to a President when only steel was involved; but now that the President seizes and kills and maims people, we have the thunderous silence of the courts.

The degradation is then complete in the courts of redress of grievances and clearly shows us where priorities lie in this country: when things are endangered the court will defend and adjudicate; when people are involved, silence. The court's corruption and nakedness are evident for all to see.

The final corruption of this war attains the very essence of human relationship which is communication. We can no longer be sure what words mean in the mouth of this technocratic elite which runs this war. This is the condition known as the "credibility gap" which is a polite way of saying that public officials at the highest level, lie. The deliberate falsehood and lie as means of accomplishing political ends have been with us since the beginning of recorded history.

Truthfulness has never been much esteemed as a political virtue and politicians have always considered lies as legitimate tools of political action. Ours is no exception except that the means of lies and corruption of language has been infinitely multiplied by the media and the gnostic-hidden secret knowledge of governmental elites. When they do not like something, it is simply stamped "top secret" and classified.

The facts themselves can be distorted, rejected or disbelieved; or they can be manipulated to suit the needs of the one who lies. These lies are much more plausible than reality because by the lie, reality is made to fit a preconceived notion or bias which the one who lies is trying to convince those to whom he lies. The liar has the great advantage of knowing beforehand what the audience wishes or expects to hear ("We are number one"; "We are the greatest nation on earth"; "We have never lost a war"; "Save from a bloodbath"; "Communist tyranny must be resisted" "Freedom"; "We will not be defeated," etc.)

Thus the liar has prepared his story for public consumption with a view as to what the public wants and/or desires to hear. He endeavors very hard to make the lie credible, whereas reality has the disconcerting habit of confronting us with the unexpected for which we are not prepared and which we instinctively fear because we cannot control it. Reality is, and we must have the courage to accept what is, not what we would like it to be. So the liar manipulates what is, in order to have it appear palatable as to what we would like reality to be.

The deceptions of language are extremely profound and extensive. For many years "advisers" were not troops even when there were 20,000 of them directing fire, setting mines and shooting people. "Counterinsurgency" is an antiseptic term which means taking care of indigenous people when they object against the people in power; "Pacification" is the word that is used today to designate millions of people in concentration camps where they fear to exit because everything else is a "free strike zone," that is, anything that moves therein will be blown to bits irrespective of discriminateness—known also as "rehabilitation centers," a fancy name for jails for political prisoners ("tiger cages").

When the enemy attacks it is a "sneak attack" but B52s always drop thousands of tons of bombs not on villages, hamlets, etc., but on "suspected enemy concentrations"; then there is the "body count," an obscene word to cover the fact that for the first time in recorded history, success in warfare is measured by the number of dead bodies counted; "protective reaction" is the term used to describe bombing people or air raid; various operations are made to sound almost humanitarian when their results have been criminal in the extreme: "Operation Independence"; "Operation Sunrise" to forcefully relocate people into concentration camps while burning their villages; "Operation Ranch Hand" to drop herbicides indiscriminately over wide areas for defoliation with its criminal consequences of ecological destruction and possible genetic defects.

One always destroys "V.C. rice" without qualifying that to destroy food is a war crime and makes civilians and children suffer much more than a soldier; It is no longer an "invasion" when the American Army enters Cambodia but an "incursion"; The term "invasion" is reserved for the enemy who crosses an "international border" established by the fiat of the Americans, not by any accepted international community; The "just peace" of Mr. Nixon translates to mean continued war without American combat troops—but this is an improvement over Mr. Johnson's "waging the peace" or that "our purpose is not war but peace"—while dropping more tons of explosives on a tiny country than were dropped all during World War II and Korea combined; We have a "successful raid" on a prison camp in the North even when no one is found; We "search and destroy" which should be properly translated, to destroy first and then search; We seek "the hearts and minds of the people" even if we must "destroy them in order to save them"—the final insanity of the war and the degeneration of language as human communication. The liar ends by corrupting himself and worse, actually believing the lies he tells others in order to cover reality.

As Richard Howard, a leading British student of international security and war, put it: "The evils that would result from communist domination (in Vietnam) are purely notional and arguable while the evils which are perpetuated in preventing it appear so actual and so evident that the 'order' in whose name they are carried out stands . . . condemned." And he concludes simply: "Whatever the arguments may be about regional or global stability, about dominoes or deterrence, what the U.S. has been doing in Vietnam is wrong and ought to be stopped."

It is a beautiful case of English understatement. Howard puts Vietnam in moral perspective and simply says that it is morally wrong. In the thousands of pages of the Pentagon Papers the word "moral" never appears at all and that, ultimately, is the reason for final degeneracy and defeat of American policy. For although much foreign policy is in fact ambiguous, the cumulative result of American participation in Vietnam is clearly morally wrong and ought to cease.

The law of talion is written within the moral law itself: he who disregards it suffers and must suffer the consequences in his own flesh: discord, domestic violence, inflation, bitterness and division, moral confusion—all the evident signs of the mad American giant at home as well as abroad. No way for national salvation except through facing reality, what we have done, penance and reparations and a resolve to learn from our disaster for our own future. All the rest about honor, dominoes, freedom, etc., are only subterfuges to hide our moral nakedness. Some one must point out to the American people that the President has no clothes. To Mr. Nixon and his war in Vietnam we must say what Cromwell said in dismissing the Long Parliament: "In the name of God, go."

A SALUTE TO GREEK-AMERICANS AND TO THE ORDER OF AHEPA

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. MANN. Mr. Speaker, today a most admirable national fraternal organization, the American Hellenic Educational Progressive Association, generally known as "AHEPA," celebrates its 50th anniversary. On July 26, 1922, in the city of Atlanta, seven men founded AHEPA, largely in response to activities of extremist groups discriminating against Greek immigrants, and several other minorities, and because they felt the need to assist in some way in making U.S. citizens of the Greek immigrants who had been coming to this country in numbers for some 20 years or more.

A Florida monument marks the First New World Landing of Hellenes in 1768. However, the great Greek emigration was not until 1905–06. And then the cause was economic. In the last half of the 19th century, Greece's two chief exports were currants and olives. Currant crops failed just as France and Italy placed unusual quantities of the fruit on the international market. No market remained for Greek currants. The Greek came late to this country. He came for employment, to save enough to better his family's lot on his early return to the homeland. But, more often than not, he remained here. By 1920 the Greek immigrant was already becoming part of life in the United States, already contributing to that unity-in-diversity which has always enriched the heritage of our country.

The AHEPA organization, with auxiliary groups for women, for young men, and for young women, was the means devised by the seven Atlanta Mother Lodge Members to assist the Greek American. The society's primary purpose is stated: "To promote and encourage loyalty to the United States of America." It urged model citizenship through planned civic activity.

My State of South Carolina appears both very early and late in AHEPA annals. Following Atlanta, Charlotte, and Birmingham, Charleston in my State established the fourth AHEPA chapter on January 22, 1923. At Florence, S.C., is the 446th club of the present total of 447 in the United States. There are 26 Canadian chapters, and Australia has an independent AHEPA organization.

Mention of just a few AHEPA activities in district No. 1, to which South Carolina belongs, will, I believe, demonstrate the notable AHEPA goals: "The betterment of our civic, social, moral, and family life," and the merit of AHEPA's unexcelled reputation for good fellowship and family participation—the society's conventions are always "family conventions."

District No. 1 has concentrated on educational work—four college scholarships are awarded each year to student residents of the district; "Summer-in-Greece Scholarships" are presented to junior and senior high school and college students; the district "Greek classics program" in the last 10 years has donated the seven-volume set of Greek classics, distributed by national AHEPA headquarters in Washington, to virtually every high school and college in the five States of the district. The extensive athletic program sets no age limit—adults and teenagers participate side by side as team members in five-state tournaments in basketball, bowling, golf.

An outstanding "Hellenic night" was sponsored by the Greenville AHEPA chapter, in my Congressional District 4, to celebrate Greek Independence Day on March 25, 1972. So popular was this event, attended by some 700 people of whom about two-thirds were non-Greek enthusiasts, that it is planned to repeat it annually. Mrs. Mann and I had the great pleasure of attending "Hellenic night," and we look forward to the next such occasion.

So all-American are the ideals, the purposes, and programs of this splendid organization that it is not surprising that outstanding non-Hellenic Americans have been on AHEPA membership rolls—notably Franklin D. Roosevelt, who joined while still Governor of New York, and former President Harry S. Truman, who is still a member. AHEPA has erected monuments to both these men. Vice President AGNEW is a Hellenic-American member.

The average AHEPA has benefited from his membership, through self-application to the society's work, the work of one man for the good of all, and the work of the group for the good of the individual, the dignity of the person. Democracy was born in Greece. It is a privilege to salute her sons who have contributed so much to this democracy, and to pay tribute today to the AHEPA family on its 50th anniversary.

I include the following list:

SOUTH CAROLINA "AHEPA" CHAPTER OFFICERS

Charleston Chapter No. 4:
President, John B. Carroll.
Vice President, George J. Morris.
Secretary, Ted N. Gianaris.
Executive Secretary, John G. Speliopoulos.
Treasurer, Constantine Palassis.
Greenville Chapter No. 242:
President, Andrew Leventis.
Vice President, Steve Haloulos.
Secretary, Steve Vurnakas.
Treasurer, Anthony Cheros.
Spartanburg Chapter No. 268:
President, Walter Demopoulos.
Secretary, Gus N. Trakas.
Treasurer, Constantine Carros.
Columbia Chapter No. 284:
President, Petros R. Parr.
Vice President, Charlie T. Noulles.
Secretary, Charles C. Soufas.
Treasurer, Chris Hitopoulos.
Florence Chapter No. 446:
President, Alex Coastas.
Vice President, Spero Keretses.
Secretary, Andrew Kampiziones.
Treasurer, George Frangakis.

South Carolina District No. 1 Officer: Treasurer, John A. Theodore, Greenville.

South Carolina National Officer: Supreme Governor, Gohn G. Speliopoulos, Charleston Chapter.

IN HONOR OF THE ORDER OF AHEPA

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. HANNA. Mr. Speaker, it is my privilege today to recognize the Order of Ahepa and to congratulate the order on its golden anniversary which it is jubilantly celebrating during the year of 1972.

The American Hellenic Educational Progressive Association has worked with enthusiasm and dedication for the betterment of American life since its founding on July 26, 1922, in Atlanta, Ga.

The Order of Ahepa has contributed financially and otherwise in the noble spirit of altruism to many worthy causes during its 50 years of existence on a national and international level. The order has also supported many activities of the local chapters within the realm of their communities and has been unrelentless in its support of local community undertakings in the fields of education, charity, and civic improvement.

It is indeed a rare privilege to honor the members of AHEPA for their singular service to the American philosophy of democracy and an informed citizenry.

It is my honor to recognize the members of AHEPA as they are recognized in their own communities—as men devoted to civic responsibility, as good neighbors, and as model family men. Ahepans are men from all walks of life; businessmen, professional men, educators, and laboring men—all are men of good moral character with a common goal of good fellowship and common understanding. I would like to take this opportunity to pay special tribute to the officers of the Order of Ahepa whose membership is represented in the 34th Congressional District of California and with whom my relations as constituents have always been of a positive nature: The national supreme governor from the city of Long Beach, Sam Platis; the district lieutenant governor from the city of Anaheim, Nicholas Dovalis; the local chapter officers of Anaheim, president, James S. Spire; vice president, Dr. Steve G. Hion; secretary, A. Vournazos; treasurer, Chris Boukidis; the local chapter officers of Long Beach, president, Thomas J. Soupos; vice president, Angelo Pritsos; secretary, Constantinos Pritsos; treasurer, Spiros C. Phillips.

I commend the Order of Ahepa for its 50 years of distinguished service to the American people. I offer this tribute of appreciation to the order for its altruistic goals which it has vigorously pursued during this past half century.

FIFTIETH ANNIVERSARY OF THE ORDER OF AHEPA

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. THOMPSON of New Jersey. Mr. Speaker, one of the things that has made the United States a great Nation is its diversity of cultures, nationalities, races, and creeds. July 26, 1972, marks the golden anniversary of an outstanding fraternity of Americans of Greek descent, the Order of Ahepa, formally known as the American Hellenic Educational Progressive Association. The order, which has 430 local chapters in 49 States, Canada, and Australia is open to men of good moral character who are citizens of the United States or Canada, or who have declared their intention to become citizens.

Dedicated to patriotism, public service, and the advancement of education, AHEPA members have always been vigorous participants in local community undertakings. On the national and international level, AHEPA has contributed financially to worthy causes ranging from disaster relief to scholarships. The order sold over $500 million in U.S. war bonds during World War II as an official agency of the U.S. Treasury. In addition, the order has sought to maintain the cultural heritage of the Greek people while strengthening the bonds of friendship between Greece and the United States.

In paying tribute to the Order of Ahepa, I would like to name the officers of the local chapters in New Jersey and extend to all members of the order my sincere congratulations on its 50th anniversary:

The list of officers of local chapters in New Jersey follows:

LIST OF LOCAL CHAPTER OFFICERS

ELIZABETH

George J. Andrianos, President; Andrew P. Arbes, Vice President; Miltiades Delfinopoulos, Secretary; Gus Delfinis, Treasurer.

HACKENSACK

Basil C. Delis, President; Plato Eliades, Vice President; George Zourdos, Secretary; Charles Dekis, Treasurer.

ASBURY PARK

Gus Kosaitis, President; Harry Pani, Vice President; John Agrios, Secretary; John Peppas, Treasurer.

PERTH AMBOY

John Lemberakis, President; Theodore Tricules, Vice President; Costas J. Folis, Secretary; Peter Coutros, Treasurer.

DOVER

Michael Borzeka, President; Spyros Moraites, Vice President; Andreas A. Boyadjis, Secretary; Anthony Kyprois, Treasurer.

ORANGE

Jordan Stamati, President; Harris P. Pappas, Vice President; Peter C. Vyssas, Secretary; Peter A. Miliotis, Treasurer.

NEWARK

Demetrios Apostolatos, Treasurer; John Antonacos, President; Nicholas G. Paras, Vice President; Basil T. Paras, Recording Secretary; Roy D. Soppas, Corresponding Secretary.

PATERSON

Mark Petrakakis, President; Constantine S. Loukedis, Vice President; Artie Veloudos, Secretary; George Stathakis, Treasurer.

CAMDEN

Jerry Vallianos, President; Jerry Karapalides, Vice President; Chris J. Frangos, Secretary; Arthur Panagou, Treasurer.

TRENTON

James C. Knicos, President; George C. Masouras, Vice President; George Stoumpas, Secretary; Sam Fortosis, Treasurer.

NEW BRUNSWICK

Emanuel Manioudakis, President; Anthony Vlastaras, Vice President; John Kazan, Secretary; Chris Savides, Treasurer.

JERSEY CITY

Andrew Metropole, President; Peter Kouvel, Vice President; Edward P. Kiehling, Secretary; George Anagnostos, Treasurer.

PLAINFIELD

George K. Menoutis, President; Seraphim Stylianos, Vice President; Nicholas Gerondelis, Secretary; Spiros S. Pappas, Treasurer.

VINELAND

Peter Frangakis, President; Mike Evrenoglou, Vice President; Louis Chatas, Secretary; Nick Nomecos, Treasurer.

ATLANTIC CITY

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EARL HAWKES

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. McKAY. Mr. Speaker, today's paper carried notice of the death of Earl Hawkes, publisher of the Deseret News in Salt Lake City. I pay tribute to this man, an astute businessman, a community leader, and a devoted member of his church.

Earl Hawkes came to the Deseret News in 1964, after serving with the Hearst organization in the Washington area, in New York, and in Boston. At the Hearst American Record in Boston, Mr. Hawkes served as assistant business manager, business manager, and general manager. His tenure at the Deseret News saw that paper go through a dynamic period of growth and change, aided by his business expertise and his substantial background in journalistic enterprise.

In Massachusetts, Mr. Hawkes served for 10 years in the presidency of the Cambridge branch of the Church of Jesus Christ of Latter-day Saints. He was president of the branch for 2 years, stake mission president for 2 years, and was a member of the High Council of the Boston Stake.

Mr. Speaker, Earl Hawkes profoundly influenced the direction of one of Utah's clearest voices, the Deseret News. His contributions to that paper, to the community and the church, deserve special recognition.

TO PROSECUTE ACTRESS JANE FONDA

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. PRICE of Texas. Mr. Speaker, decent Americans everywhere are appalled by the recent visit of actress Jane Fonda to North Vietnam. So seriously must her actions be viewed that I am today writing to both the Attorney General of the United States and the Secretary of State to inquire into this matter and to seek every and any possible means to prosecute this woman for her utterly contemptible actions.

I intend to make every effort to bring to justice those citizens who use freedom of speech as a smokescreen and excuse by which to carry on activities that can be regarded as nothing more than bold-faced treason. The texts of my letters are as follows, and I urge my colleagues to join with me in taking swift and decisive action in this matter.

The letters follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 26, 1972.

Hon. RICHARD KLEINDIENST,
Attorney General, U.S. Department of Justice, Washington, D.C.

DEAR MR. KLEINDIENST: The media in recent days have been filled with the activities in and about Hanoi of actress Jane Fonda. Both on network TV and in the Press, Miss Fonda is pictured leading the cheers for General Giap and Company and directing a chorus of jeers at Uncle Sam. Indeed, yesterday's Washington Post quotes her as "call[ing] President Nixon a 'serious traitor' and [saying] she would release photographs proving the U.S. planes are bombing schools, hospitals and dikes in North Vietnam."

Recognizing, in the words of Justice Frankfurter, that "the safeguards of liberty have frequently been forged in controversies involving not nice people," I am nevertheless at a loss to see any corresponding good emerging from Miss Fonda's "bad mouthing" America at a time when critical peace negotiations are in progress. Understandably, many of the people in my district together with loyal Americans everywhere, are distressed by conduct so obviously detrimental to the national welfare. It is their view, a view with which I sympathize, that she has gone beyond the limits of both free speech and irresponsible chatter.

Therefore, I want to know whether the Department of Justice has investigated this woman's recent activities for possible violations of federal law. If federal law has not been violated, I would appreciate the benefit of your views regarding the need for legislation to ensure that rights of speech and travel are not perverted to the detriment of American foreign policy and American lives.

Sincerely,

BOB PRICE,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, D.C. July 26, 1972.

Hon. WILLIAM P. ROGERS,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: The media in recent days have been filled with the activities in and about Hanoi of actress Jane Fonda. Both on network TV and in the press, Miss Fonda is pictured leading the cheers for General Giap and Company and directing a chorus of jeers at Uncle Sam. Indeed, yesterday's Washington Post quotes her as "call [ing] President Nixon a 'serious traitor' and [saying] she would release photographs proving the U.S. planes are bombing schools, hospitals, and dikes in North Vietnam."

My constituents and loyal Americans everywhere are shocked and outraged by the conduct of Miss Fonda which, in my opinion, clearly exceeds the limits of free speech or even irresponsible chatter. That this citizen would by her actions give aid and comfort to an enemy of this Nation which has been largely responsible for the death of over 50,000 Americans and the wounding of an additional 303,234, and jeopardize the chances for critical peace negotiations, is obviously detrimental to the national welfare, and her actions require an immediate accountability and rebuke.

In view of these grave circumstances, I want to know the following:

1. By what arrangements did Miss Fonda seek and secure approval to travel to North Vietnam, and to what extent did the Department of State become involved in such arrangements?

2. Why was Miss Fonda granted permission or a visa to travel to a hostile country, and to what extent and in what manner have her actions violated Federal law in her collaboration with North Vietnamese functionaries?

3. As a Member of Congress concerned about the welfare of American prisoners of war, I am wondering why have responsible Representatives of the U.S. Government been denied the opportunity to go directly to North Vietnam to investigate the whereabouts of our missing servicemen while Miss Fonda has been allowed to travel throughout North Vietnam to serve as a mouthpiece for Communist propaganda and to undermine the morale and impugn the integrity and motives of her own Nation and President?

4. In light of Miss Fonda's activities, which, in my opinion, border on if not surpass high treason to the United States, what punitive measures are possible or contemplated by the Department of State against this citizen? Furthermore, if by some incredible stroke Federal law has not been violated by Miss Fonda's disgraceful conduct, please advise me as to ways Federal law can be amended to ensure that rights of speech and travel are not perverted to the detriment of American foreign policy and American lives.

I await your reply with great interest.

Sincerely,

BOB PRICE,
Member of Congress.

FASST—FEDERATION OF AMERICANS SUPPORTING SCIENCE AND TECHNOLOGY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. TEAGUE of Texas. Mr. Speaker, a quarterly publication entitled Bee-Hive which is the house organ of United Aircraft recently carried an article on a youthful activist by the name of David Fradin, a junior at the University of Michigan. Under leave to extend my remarks in the RECORD, I wish to include this article and commend it to the Members of this body:

TECHNOLOGY'S YOUTHFUL ACTIVIST

(By Robert J. Morrissey)

A worried look crossed David Fradin's face. The junior engineering student shifted nervously in the chair on stage behind the speaker's platform, riveting his attention on the three auditorium entrances in the rear of the hall. A handful of troublemakers was coming in.

One by one they came through the doors and down the carpeted aisles, gradually forming groups first on the left side, then on the right. While Fradin watched, William Magruder, former U.S. supersonic transport manager and now a special consultant to President Nixon continued his talk. Magruder seemed unconcerned by the gradual buildup of potential trouble in his audience of 125, made up of students and faculty at the University of Michigan and residents of Ann Arbor.

The verbal clash that followed Magruder's talk on a recent Friday evening was not unlike many he has handled before on campuses and in public forums across the country. From young members of the audience, some claiming to be employed engineers, other students, came catcalls, hisses, and boos whenever the speaker linked technology with war or dollars with defense. When the Nixon aide talked of the cancellation of the supersonic transport program, a few of his listeners applauded.

"But that's the point," Magruder said later. "They are listening. And many of the so-called anti-technology groups are sophisticated in their approach and sincere in their enthusiasm. They believe as strongly in what they are saying as we do in what we say."

One person in the audience called Magruder a "fool and a liar." Another thought he was a "bigoted war profiteer." And another asked passionately if the Nixon administration "was going to perform a cost-effective analysis of war deaths in Vietnam?"

Fradin listened tensely to the questions and comments, somewhat embarrassed at the treatment his guest was receiving. But he knew the issues raised by the audience resulted from the attitudes his own small, on-campus organization was designed to counter, and William Magruder was a good spokesman to counter them.

Even a brief scuffle that broke out between a student and an adult failed to ruffle Magruder, who praised his critics's enthusiasm and suggested redirection of their energy. Magruder said his views and those of his young critics were not so far apart as they seemed.

Fradin had invited Magruder to the Michigan campus to outline the Nixon administration's New Technology Opportunities Program. Magruder headed a team of representatives from several government agencies that compiled information for preparation of the President's program which had been submitted to Congress the day before the Michigan speech.

"It is a major effort to accelerate balancing the application of our technology in the United States," Magruder told the campus audience. Since 1946, he pointed out, the U.S. has spent $200 billion in research and development. Most of the money has gone to the Atomic Energy Commission, into space programs, or for defense.

Magruder said the President's program does not call for reducing current emphasis on national defense, since "not everyone agrees with our way of life. Rather, we are seeking a better balance between security, exploration, and the application of technology to domestic problems. I think this is what the young people who are called 'anti-technology' by some want us to do."

Magruder's speech on technology and national priorities was the last event in a busy week for Dave Fradin. He had testified for the second time before a U.S. House of Representatives subcommittee in Washington, D.C.; arranged student and faculty briefings with a representative from North American Rockwell on technology and the U.S. space shuttle program; arranged a press conference and faculty meetings with Magruder, and set plans to visit aerospace firms and colleges in Texas the following week.

If the schedule is somewhat unusual for a 20-year-old college junior, it is typical of the way Fradin has spent his time since enrolling at Michigan two and a half years ago. The same night Magruder spoke, there were at least 15 other activities on the 40,000-student campus in Ann Arbor, including film festivals, parties, and a concert by a popular vocal group. Pro basketball's Detroit Pistons were playing a home game in nearby Cobo Hall, and local restaurants were jammed with traditional Friday night college crowds.

Despite these activities, and after seeing Magruder to his hotel that night, Fradin returned to his small office-apartment to work into the early morning hours preparing letters to members of Congress, who have expressed opposition to the space shuttle. Dances, parties, dates, sports—he foregoes them all in his single-minded pursuit of the task he has set for himself.

Fradin, in addition to being an undergraduate student in the university's interdisciplinary engineering department, is founder and president of the Federation of Americans Supporting Science and Technology. FASST, as it is called, is a small group of students who have refined the techniques of other student activist groups and applied them to FASST's goals: promoting international stability, a clean environment, and social progress through science and technology. The students pass out leaflets in the "Diag," or center of the university campus; demand that the college newspaper pay some attention to their ideas, and tirelessly chase down faculty members and present their views to them.

Most often the leaflets set forth the benefits aerospace technology has brought mankind, or announce that a speaker will discuss the pros and cons of the U.S. space shuttle program. The group has also prepared testimony for Congress, most recently for Congressman Olin E. Teague's House of Representatives Subcommittee on Manned Space Flight.

FASST was born in 1970 during the heated debate over funding of the SST. Fradin organized FASST, then short for Fly America's Supersonic Transport, out of his conviction that America needed the SST. FASST supported the program in campus debates and on Detroit area radio and television interview programs. It also sent Fradin to Washington to testify at congressional hearings on the SST and was active in providing members of Congress with information on the program.

"We lost that one," Fradin said, pausing while stuffing letters in envelopes, "and some of the arguments that were raised then disturb me even now. It became obvious that the SST had exposed a deep wound in many Americans, including students. They felt that technology was destroying the environment and was taking away control of their future. The SST was no longer just an airplane. It was an opportunity to punish technology for every dirty river, traffic jam, smoke plume, and oil slick."

After the defeat of the SST, Fradin feared that some of what he calls the "wholly irrational" arguments instrumental in killing the project might be transferred to future technological programs. He decided FASST should be ready to oppose any such arguments, especially on the college campus, and so he restructured the organization, giving it its current name.

"The SST was an experiment killed by what I think was an extremely powerful and unethical play on people's fear," Fradin said. The SST was no longer just an airplane. It convinced, for instance, that the SST could cause skin cancer and that it would wreak havoc with the earth's atmosphere. People disregarded the power of the plane's engines and believed instead that the SST would need runways three and four times as long as conventional planes and that the runways would eat up our land. It simply became a scapegoat for everything that was wrong with our country."

Fradin insists that science and industry can make headway against the anti-technology groups provided the effort is intellectually honest, coordinated, properly funded, and utilizes the proper people. He thinks the college campus is the place to start.

"It's like Magruder says," Fradin remarked. "Students must have training in many areas to meet the challenges ahead. We must pursue interdisciplinary education."

Fradin, while majoring in aerospace engineering, is also taking courses in journalism, public speaking, business administration, and political science.

He acquired his interest in aviation almost by accident. A friend "dragged" him to a Civil Air Patrol meeting in 1964.

In 1968, at the age of 16, he became the youngest Civil Air Patrol cadet captain in the state of Michigan. When he entered his senior year at Cass Technical High School in Detroit, he held a private pilot's license. He graduated from the school's aerospace curriculum and enrolled in the University of Michigan's College of Engineering.

Fradin currently shows 1,200 flight hours in his logbook and is a certified ground school and flight instructor. He built up most of his air time with a flying club he organized at the university during his freshman year. Today the club has 100 members and five aircraft in its inventory, and it showed a profit last year of more than $6,000 through plane rentals. Fradin remains an active flying member, though his course work and FASST duties have left little time for administrative work.

FASST operates out of Fradin's apartment near the center of the university's campus. A copying machine, two desks, and file cabinets leave just enough room to squeeze in a couch and a bed in the one-and-a-half-room efficiency apartment. The bed and couch often serve as work tables when FASST is readying a large mailing.

Funds for the organization's activities have come from a few major aerospace companies around the country that responded to a letter from Fradin earlier this year. Other companies have volunteered printing and mailing services. Some have offered to send speakers to the Michigan campus.

While support of FASST was "good at first," according to Fradin, the dollars are running out. Office space is at a premium both on and around the campus.

"We just couldn't afford to rent office space, so we work here," Fradin said, indicating the cluttered apartment. He says paying the $200-a-month rent is "a struggle."

While FASST members strongly advocate funding of the space shuttle, Fradin is just as anxious to succeed in FASST's other role, that of serving as an information center for students interested in the technology.

"Few major aerospace companies have programs to automatically inform colleges and universities of the progress in their areas of activity. Even our deans have to write to get information that should be flowing regularly to schools. If the school administration people don't have new information, the students won't get it either."

Fradin has contacted aviation and aerospace companies across the country for lists of available materials that he could send to students at other schools.

"We're trying to establish chapters at other schools to be certain students in aerospace are kept up to date on what's going on. I think if the aerospace industry had done a better job of informing students a few years ago—even at the high school level—the anti-aerospace sentiment wouldn't be as strong today," Fradin said.

The young organizer sees another function FASST could serve.

"Bill Magruder has told us that there is no place he or members of the Administration or Congress can go to get balanced pro and con presentations about vital technological programs. I think FASST can provide that service in connection with aerospace and other high-technology projects."

Magruder told a press conference at the university that the proposed establishment by Congress of a Technological Assessment Organization was a "devastating indictment of the universities and technical societies" for failing to present accurate and objective reviews of technological programs. He praised FASST for its initiative toward providing balanced information and expressed hope that the movement would spread to other campuses.

Fradin isn't worried about student resentment toward technology. That can be changed, he contends, by distributing balanced information.

What he is concerned about is a downward trend of enrollment in engineering schools.

"Students want solutions to overcrowding, transportation, poor education, health care, unemployment, inadequate housing, and the other problems that trouble our country," he said. "Technology can't solve any of these by itself. But by applying the same scientific and management techniques learned by putting man on the moon, many of the problems can be at least partially solved. But the people who will be applying these techniques in the decades ahead should be in school learning them now."

Fradin hurried to finish stuffing the letters to Congressmen. He wanted to get them in the first mail pickup at 6 o'clock in the morning.

"I've read that someday we'll be able to send first class letters coast-to-coast electronically in an hour," he said, placing the last letter in an envelope. "That service sure will make things easier on presidents of student activist groups."

IS A KIBBUTZ FOR YOU?

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. HALPERN. Mr. Speaker, the gallant people of the state of Israel have withstood the onslaught of the Arab armies for over 24 years. In three wars the countryside has suffered destruction, people have been killed but yet the determination to continue the struggle of existence persists in the hearts of all Israelis. Mr. Speaker, the American people are no strangers to fighting all odds against a common enemy. The American people look, not only with pride and admiration, at the victorious Israel armies, but support the continued existence of this tiny nation in a sea of hatred. How do the Israelites do it? How do they maintain their tiny nation; toil and work for the common good? I have recently come across a wonderful article by Mrs. Ruth Seligman entitled, "Is a Kibbutz for You?" in the American Zionist magazine. The kibbutz is perhaps the paramount reason for early Israel existence in the face of overwhelming Arab numbers. In an effort to both colonize and protect their land, the Israelites have developed a large system of "kibbutizim" inhabited by "kibbutznicks" to make Israel grow and prosper. I recommend that all my colleagues and the public read this most interesting and highly informative article dealing with the present kibbutz-culture in the state of Israel.

IS A KIBBUTZ FOR YOU?

(By Ruth Seligman)

The single feature of Israel that fascinates foreigners most is the kibbutz, that unique form of communal settlement which in one generation put socialistic theory into action, developed a novel system of child-raising and education and proved that a fully collective village is not only a viable institution but one capable of exerting an influence all out of proportion to its numerical size.

This fascination is currently evident among Western newcomers who in the last four years "discovered" the kibbutz—much to the movement's delight. The kibbutzim are actually fighting a desperate battle to find the manpower needed for their growth and survival. With 20 percent of kibbutz children leaving the settlements upon reaching maturity and a significant number of members from the pioneering youth movements—both in Israel and abroad—leaving after their first few years, before the Six Day War, the kibbutzim were barely replacing those who left.

Immigrants to Israel in the 1950's and even in the early and middle years of the 1960's were largely from the non-affluent countries, the distress areas of North Africa, Asia and Eastern Europe. They had neither the ideological background nor the motivation for the kibbutz way of life which is essentially an idealistic one. They were neither interested in nor capable of abandoning the family unit, of submerging the individual to the collective good, of finding self-expression and fulfillment through membership and identification with a group. If they went to an agricultural settlement, it was usually to a moshav, a cooperative small holder's village consisting of small family farms whose owners share certain production and service activities (such as purchase and use of heavy farm machinery, irrigation, storage, marketing), but run their farms privately and for personal profit.

Before the Six Day War there was no signicant "Western" *aliya* to either Israel or the kibbutz. The war which put Israel on the map—literally as well as idealistically—also revived interest in the kibbutz among many Westerners. "Kibbutznicks" will say it proved the strength and vitality of their ideal. The objective outsider will give more credit to the "crisis of prosperity" engulfing the affluent West, especially the United States and Canada, and the growing disenchantment with a materialistic culture which seems devoid of values and content and seems to be making violence its partner and generations enemies of each other.

In light of this disenchantment, the kibbutz appears to many the answer to a prayer. It seems to give solutions to many of the problems facing Americans today. However, there is a gap between the ideal as seen from afar and the reality, a gap not always known or appreciated before the plunge is made.

Unlike earlier settlers who spent years in the various youth movements drinking in the theory of "from each according to his ability, to each according to his needs" and practicing their belief in training-camps, the new kibbutz settler today is generally coming in cold. More often than not he is a non-affiliated, non-identified Zionist whose interest is largely in the kibbutz, not in Israel.

One veteran "kibbutznick," claims that 70% of those newcomers who leave the kibbutz also leave Israel. "They didn't come to be a part of Israel: they came to live on a kibbutz and if that doesn't meet their expectations they usually leave the country too." This is in marked contrast to youth movement members and native "kibbutznicks" whose departure from the kibbutz is either to the city or to a moshav. In either case their desire for more privacy, for a chance to express more individuality and creativity or perhaps to study and practice a profession or art not approved by the kibbutz is not coupled with a rejection of Zionist values.

Contrary to the pre-1967 situation, however, departures from kibbutzim are now diminishing. It is difficult to give a complete picture since certain departures are not included in the kibbutz statistics. However, as regards the influx of newcomers since the war, their short-run enthusiasm still appears to be the operative factor in their new life. Of the over 2000, for instance, who came from abroad in 1970, less than 120 left. Of this group of 2000, those from North America numbered 560.

The majority of these newcomers are not as much interested in the idea of a Jewish homeland as they are in a return to more basic, fundamental values. To the person dissatisfied with the materialism of his society, the non-materialism of the kibbutz with its stress on sharing comes as a welcome relief to the pressures of a society where as one newcomer said, "It's not who you are but what you make that counts" to one burdened with ownership and upkeep of possessions, the simplicity of a life where one owns only one's personal possessions can be most appealing.

To the city-dweller distressed by urban noise, stifled by air pollution, harassed by traffic and worried about the increasing crime rate and use of drugs, the pastoral setting of the kibbutz can look like heaven personified. He is eager to exchange the anonymity of a big city for the intimacy of a social structure where meals are taken in common, children raised collectively and decisions made by the group—where intimacy and involvement replace indifference and distance.

The modern educated woman, struggling to combine home and career, to assert her independence, sees in the mythical equality of the kibbutz freedom from kitchen chores and child-rearing responsibilities and a chance to fulfill her potential as a person in her own right. Some parents see the kibbutz system of child-raising as eliminating the stresses of family life while retaining the basic positive relationships and developing independent children who learn habits of community living and co-operation early in life.

Other parents, feeling that the core of problems in the States vis-a-vis their children is the lack of physical contact between parents and children, especially between father and child, hope that the kibbutz will bring the father back into the family orbit. Some of these parents have already formed communes in the States where five or six families pool their resources, where one female and one male figure is always at home. They see the kibbutz as the logical extension of this way of life.

Although today a large percentage of those coming to the kibbutz are not drawn, as in previous years, from the pioneering movements, and they lack physical training and ideological background, their adjustment appears to be smoother than when practically all newcomers were movement members. But it is to early to draw definite conclusions on this point.

It is also too early to determine whether these newcomers are finding what they are looking for. What is known, however, from interviews with representative immigrants is that almost all have had to tone down their over-idealized romantic picture of life on a kibbutz.

Like all social organisms the kibbutz has recognized that the basic rule of survival is adjustment to changing reality. To meet the needs of the modern technological age, the kibbutz—although still essentially agricultural in nature—has been forced to develop other money-making projects such as plywood factories, food processing plants, textile and plastic factories, fishing vessels, hotels, and restaurants. Originally intended to provide employment for older members unable to work in the fields, the income from these sources is today greater than the income from agriculture. This economic expansion has forced the kibbutz to hire workers from the outside, both to work in the factories and to serve in the guest houses—for a salary. Pure socialism has definitely been diluted.

Communal life, which from afar can look so appealing, loses some of its lustre when it means continual and sometimes abrasive daily contact with large numbers of people, with little time to pursue one's own interests, with privacy difficult to find and with the exhaustion from physical labor limiting one's cultural and recreational activities.

It is the woman, however, who usually finds the reality of kibbutz life farthest from her dream. Thinking herself liberated with her children in children's houses, she may discover that, contrary to prior theoretical expectations, she does not enjoy sharing her authority with those in charge of her children. Worse, she discovers that the role of the woman in the kibbutz is disturbingly similar to the one she had hoped to leave behind. She finds herself in either the service (kitchen or laundry) or child-care branches. One does not usually find women today milking the cows or working in the fields except at harvest times and one does not see men sewing buttons or minding children.

If she is a true women's liberationist, she will be disturbed by the fact that so few key positions in the kibbutz are held by women. The general secretary (similar to a mayor in a small town), the treasurer, the farm manager, the factory foreman and the work chairman (who assigns members to jobs, trying to juggle the needs of the kibbutz with the wishes of its members) are usually, although not always, men.

Even in the area of personal relationships, kibbutz life is not free from stress or strain. Living in such close contact forces one to be more or less on one's best behavior: it is hard to fight or disagree with large groups of people because it is hard to make up with so many when the argument is over. As the psychologist Bruno Bettelheim says, "One cannot get rid of one's negative feelings without risking steadfast relations."

Most newcomers soon realize that the kibbutz is not an escape. It is attractive and satisfying only to those who are able to appreciate a society which places great stress on manual work, which prefers co-operation to competition and service to one's fellow-men over material comforts.

For these people the kibbutz can be the answer to the despair and sense of uselessness they may be experiencing in the modern affluent society. For it is true that the kibbutz does succeed in giving its members purpose and direction, a sense of individual worth, a feeling of importance. So much so that to the outside world many "kibbutznicks" appear smug and over-confident. Actually within their world which does meet most of their needs—emotional and financial—they do possess an extraordinary degree of self-assurance and composure. Even the youngest child knows he is important. His little world, his group living in the children's houses, is a microcosm of kibbutz life as a whole. He has meaningful tasks to perform: at an early age he develops a sense of self-respect and appreciation of his own worth.

The kibbutz is not afraid of innovations. Having been built by pioneers in every sense of the word, it still has a tradition of receptiveness to experimentation. Its school system has always been among the most progressive. As a child-oriented society its best people serve as educators, the best equipment is bought for its schools. No effort is spared to make kibbutz education as meaningful as possible.

Since kibbutz education is essentially only a preparation for life on the kibbutz with the same emphasis on co-operative activities and manual labor, some critics feel that it is narrow and limiting. However, this system does produce children who are surprisingly free of emotional disturbances and conflicts, children who are at peace with their world. The overwhelming problem of what to do with one's future is taken care of: the true "kibbutznick" knows practically from birth his role and place. Only the non-conformist, the child unwilling or unable to fully identify with his group and its aspirations, will dislike this approach.

Recognizing that the tasks delegated to the women are often the least satisfying, more and more kibbutzim are expending more of their resources on labor-saving devices ranging from massive dishwashers to instant steam cookers. One region has gone so far as to experiment with mass-produced food. Distributed from a central kitchen, it is delivered in individual tin-foil covered units (similar to TV dinners or food served on airplanes) to kibbutzim in the area.

Similarly, the kibbutz is now beginning to realize that one of man's basic needs is the desire to express his individuality and personality. The kibbutz no longer has rigid rules about private possessions or dress: flexibility and individuality are encouraged. In addition, actual living conditions are today far from primitive or austere. Recently, one of the more prosperous kibbutzim announced that it has now bought TV sets for all its members. More than the expenditure was involved: it was a recognition that not all social activities must be enjoyed together, that the collective ideal can risk allowing members to spend time alone in their own quarters.

Ironically enough, in an age when the collective kibbutz is moving towards more individualism, the Western affluent society is becoming more group-oriented. The small independent entrepreneur has been replaced by the "organization" man, team spirit is being substituted for independence and initiative.

As a result, it may be easier for future generations of Westerners to find their place on the kibbutz, especially since the family structure is changing. Some kibbutzim already have children sleeping with their parents. Although from the child's point of view life with his peer group in a children's house is pleasant and satisfying, many parents—especially mothers—feel the need to have their children at home, at least for certain periods of the child's life. Although they justify such change on the grounds that the child needs the psychological security of his own home, this is really just one additional manifestation of the trend towards individualism taking place in many kibbutzim today.

Even with this new trend, the kibbutz does require a degree of selflessness and subjugation of individual desires which not everyone possesses. As a happily-settled immigrant from New York said: "The kibbutz may be practically the most perfect way to live. It is a rare and unique form of existence, but you have to be prepared to give and to respect the wishes of the majority in order to feel the joy and satisfaction which comes from being part of a group, concerned and involved with your welfare."

He did not add that communal living does not solve all problems. It is even possible to experience intense loneliness on a kibbutz. Even though the kibbutz needs additional manpower, engages in educational campaigns abroad to attract people, operates between 60 and 70 ulpanim each year (6 month-courses of half-day Hebrew lessons and half a day working in the kibbutz) in hopes that some of the graduates will remain, and opens its gates to summer visitors for the same reason, individual members often find it difficult to open up to newcomers. The core of kibbutz philosophy is belief—belief in the ideal and in the good that is in one's fellow-man. Unconsciously, many veteran "kibbutznicks" may be suspicious of their newer settlers, not trusting that their belief, their commitment, is as strong as they feel it should be. One has to prove oneself—in a kibbutz as anywhere else.

TRIBUTE TO THE ORDER OF AHEPA

HON. JOHN J. FLYNT, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. FLYNT. Mr. Speaker, I am proud to join my colleagues in honoring the Order of Ahepa as it celebrates the 50th anniversary of its founding in Atlanta, Ga. The tenets and objectives of AHEPA incorporate the most vital components for building and maintaining the American democratic way of life. The heritage of freedom and democracy passed down from our forefathers turns upon the individual citizen and his willingness to participate in the democratic process, to serve his community and his Nation, and indeed to sacrifice for its ideals when necessary.

AHEPA fosters such high-minded citizenship among its members. In so doing, it has enriched the life of every American. It has also given generously and often to worthy causes of every description. For all of this, AHEPA is eminently deserving of the highest gratitude and praise we can offer.

DEMOCRATIC CONVENTION, CANDIDATE FOR PRESIDENT, AND ASPECTS OF THE CAMPAIGN COMING UP

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. MICHEL. Mr. Speaker, a series of editorials appearing in the Peoria Journal Star on July 12, 16, 17, and 18, provides us with a "grassroots" appraisal of the recent Democratic Convention, the Democratic candidate for President, and other aspects of the campaign coming up. I insert the text of these editorials in the RECORD at this point:

DEMOS CATEGORIZE PEOPLE

In spite of the difficulty of telling the difference, really, between Democrats and Republicans in OFFICE, there is a fundamental difference of shading between the two parties.

The particular emphasis of the Democratic party is most gaudily reflected during this convention.

The Democrats call themselves the party of the working man, the party of the blacks, the party of the South, the party of women the party of youth, the party of chicanos, the party of the intellectuals, and any other social group they can think of, while thinking and talking also in terms of Catholics, Jews, Wasps, etc. To finish it off in case they missed anybody, they call themselves the "party of the people."

This leaves the Republicans no identification, of course, in the eyes of said Democrats but as "the party of Big Business."

What the Democrat emphasis reflects, in fact, as the new rules show, is that Democrats tend to think in terms of categories not in terms of individual human beings as sovereign. It is the Republicans who sometimes say that every person "is a minority of one."

Indeed, when Democrats speak of "individualism," they tend as we have already seen in this convention to be speaking really of diversity, and to categorize the proof of "individualism" as the presence of "blacks", "women", "youth", etc.

The McGovern rules have enshrined this concept of an America made up of endless special interest groups, not of an America made up of independent individuals.

Thus, there is a tendency for the Democrat to be one who thinks in terms of mass categories rather than individual independence, whether it is George Wallace's faction or the "black caucus." They tend to identify first with a group identity and second as an individual identity.

And the choice of group is a very flexible thing. It ranges across racial identification, religious identification, social identification, economic identifications, and sex identifications.

When such an approach to functioning democracy is enshrined in the rules, it immediately highlights the problems, because it is somewhat in conflict with the basic American democratic idea.

The fact is that we have more than one such loose "group" identity open to a single individual. One may be young, female, black, and a union member all four, for example. So when they start to apportion power on the basis of such identities, and each special interest group demands its percentage share of the votes, you can climb rapidly to 300 per cent!

You are counting the same people over and over again in various categories, and a fair distribution is absolutely impossible. Even the attempt tends to discriminate against and pre-empt representation by all those less hung up on the "bloc approach" or special identity system.

It runs counter to reality in another way. When you are picking people as political representatives, that central operable principle of making one's political performance the base for selection is shunted aside.

Thus we see that the party convention threw out a Chicago delegate who got 72,000 votes in being selected as the political delegate of his district by its voters, in order to replace him with a delegate who didn't get any votes, but has the right ethnic characteristics to fit the formula!

Indeed, in the end they overrode the "mandate of the people" as voted in an open primary election, to seat a delegation of make-believe "delegates" who have nobody's consent to "represent" them—but fit the quota system!

This dilemma is the natural result of years of viewing politics through an endless and overlapping collection of social, religious, economic, and racial special interest groupings—instead of the free expression of a great many individual citizens.

It is here that the two parties differ subtlely.

One does not think of the GOP in this light. Democrats proclaim it the party of Big Business, and Republicans proclaim it the party of the independent, individual citizen.

Nobody calls it the party for special representation of blacks, women, welfare workers, chicanos, youth, Catholics, White Supremacists, or whatever. All the leading "bosses" or "chiefs" of such groups from Wallace to Women's lib profess to be Democrats. (Indeed, the concept of division into such blocs invites "bossism" and new "bosses" are already becoming visible.)

But how do Republicans manage to represent tens of millions of Americans? When nobody is left?

There ARE, apparently, tens of millions including laboring men, blacks, women, youths, etc., who do not identify themselves in the first instance with any "herd" philosophy, but as self, first.

Those who are offended by the blatant appeal of Democrats to the various "herd instincts" or special interests make up the bulk of the stable Republican party.

Those that are not offended by it, but don't see themselves as anything but individuals first and ethnic or other category, second, tend to pick and choose as "independents."

What other basis exists, in 1972, for a two-party system?

This difference, on a mass scale which certainly includes exceptions for a variety of reasons, ideas, and circumstances, has existed for a century—and is especially highlighted in the convention this year for all to see.

If only the Republicans functioned more affirmatively to develop a society in which everybody was more likely to achieve their kind of personal and economic independence, and if only the Democrats were not so wedded to the kind of programs that seem to expand and perpetuate dependency and pre-empt the chances of the next generation becoming independent!

But the game of dealing with problems from year to year goes on, each playing it in its own way . . . so that they don't seem too different in action.

REPRESENT PEOPLE, NOT GROUPS

The reform rules of the Democratic party should never have been pushed to the extreme of overthrowing the sovereignty of the citizen-voter without regard to race, creed, etc.

It is folly to establish an artificial formula so firmly that it violates civil rights laws of non-discrimination and the fundamental tenet of democracy that a representative of the people must have the consent of the people through an elective process of some sort.

That folly is the road to the corruption of democracy itself, and of ultimate disaster because no formula can defy the will of the majority of citizen-voters without breeding a larger and more real "revolution" than the "revolutionary theater" we have seen acted out lately.

Even the convention was, in a measure, "revolutionary theater" more than the real thing, when a substantial number of delegates were merely "picked" as tokens to provide visible "quotas" of social groups rather than on the ability to select a candidate which was the business of the convention.

The process was "representative" of such social groups, but unhappily not representative of the candidate choices voiced by the voters in many states—which was the real business of the operation.

That is a rather central price to pay for the "good idea".

However, there is one "reform rule" that has never been instituted that also goes to the heart of the integrity of a nomination procedure.

This rule ought to be instituted.

That is requiring an affidavit of every delegate subjected to the pressures of selecting a presidential nominee pledging that he does not seek and would not accept a Federal executive appointment in the next four years from the candidate for whom he votes.

Without such a situation, there is a very real "conflict of interest", and it is no secret that some delegates attend such a convention to achieve bargaining power for a federal job.

This is one of the elements that make it inevitable that when a candidate gets "close to the number of votes needed" he is unstoppable. It is not merely "psychology." It is the fact that in every state there are going to be a number of juicy federal appointments coming up if the nominee becomes president—and the change that then takes place is to a significant extent job oriented.

That is the fact of life.

We ought to face up to that genuine corruptive influence and "reform" it before pursuing grandiose social theories unrelated to the central business at hand.

We have done it vice versa with consequences that demonstrated themselves to be at least as corruptive in action as they were "reform."

The Democratic party embarked on a "public relations" revolution and in the process forgot that they were betraying the "will of the people" as expressed at the ballot box in many states, including the key states of Illinois and California.

They likewise apparently forgot that the will of the people so expressed is what democracy is all about—not a dangerous, insecure balance of artificial "diversity" such as prevailed in the French Estates General before the revolution or in strife-torn Lebanon today.

That certainly isn't American democracy, nor "progressive." It is 18th century Old World power brokerage.

How the Campaigns Shape Up

The Democratic strategy for this campaign, as forecast a week before the convention in the "Kiplinger Letter" and other such "inside reports," already began to emerge in the acceptance speech and final actions of the convention.

Those forecasts were that the enthusiastic "new groups" would be used extensively to bring success to McGovern in the peculiar convention set-up but that the "old pros" would write the platform; that it would be much less "leftish" than the McGovern primary proposals; and that once won, McGovern would immediately move to "unite" the party and its luke-warm and offended segments by a "Hate Nixon" approach.

The theme is thus expected to have less future emphasis on the grandiose and sometimes "revolutionary" new programs, and an attempt to rally all segments around this "Hate Nixon" theme.

Sure enough, the key line of the McGovern acceptance proved to be his section on party unity: "Do not underestimate the power of Richard M. Nixon to unify Democrats," and its following blasts at Nixon. This was also the even more persistent theme of Sen. Eagleton's vice-presidential speech.

It looks as if in the name of "idealism" and "superior morality" we are going to go through a "hate campaign."

Indeed, it was already ironic when Sen. Eagleton made his wisecracks about the Agnew rhetoric designed to divide rather than unify, and promptly launched into his own "hate" pitch, which within the hour embraced Nixon, Agnew, the Republicans, "corporations," the U.S. military, etc.

That appears to be the strategy: to use the appropriate code-words of describing each other as "decent," "idealistic" and "humane" as a springboard for a campaign of innuendo, abuse and hate against the President, his party, and anybody who gets in the way.

In short, there will be much talk of "taking the high road" as the introduction to a strategy that takes the low road.

That method has become pretty commonplace and well-enshrined of late, and won't be very shocking. It has certainly been typical long since of congressional attacks, "protest" movments, and of Agnew, as charged.

Instead of "birds of a feather flocking together," it looks as if they may be pecking at each other's eyes, during the next few months.

On the other hand, there is the question of Republican strategy.

In the fact of the circus aspects of the Democratic convention, and the utter impossibility of that kind of a show in a Republican convention that is virtually a ritual in this year of an incumbent President with a 60 per cent approval of the people in the latest polls, they are apt to try to make a virtue of being "business-like" in the "serious business" of governance.

This would also fit into current campaign plans which seem to be based on the approach that the President is not a "charismatic personality," that such is not desirable in the work-aday, complex tasks of government, in fact, but that he is a "professional president" who has begun to successfully "manage the unmanageable"—relations with China and Russia, the inherited Vietnam mess, and the inherited inflationary mess.

The question is: Is there a place for Agnew in this kind of campaign?

Probably.

Franklin Roosevelt originated the "politics on two levels" approach, with a successive list of acid-tongued spokesmen to deal with the rough-and-tumble aspects. The most famous of these was the devastating phrasecoiner, Harold Ickes.

It seems probable on the basis of past performance, that Nixon will not respond to the Democratic hate tactics "in kind"—but Agnew will.

A "two-level" campaign.

In a couple of weeks, we'll see how they really plan to play it.

In spite of a lot of talk about nobility, and one assassination attempt already, it looks as if there will be plenty of "hate" rhetoric in the months ahead.

Sadly that doesn't represent much "unification" of American society, or any blessed change in the way things have been going.

Politics—And Human Nature

Since politics is really handling relations between people, it is deeply involved in human nature. So, it doesn't change as dramatically as some people enthusiastically think when they grab what zips them as a "new idea" or a "new approach."

Human nature doesn't change that much. It is pretty old and tested.

We see that again and again, and there are fragments of it in evidence hither and yon in the current situation and in the "new" convention. It comes back to haunt us with gentle irony.

For example:

There was a great deal of rhetoric about ending "bossism" and creating a system where every delegate was not part of a unit, but an independent-thinking, emancipated individual.

Most such talk, however, was on the first day and the last day.

On the second day, McGovern got his 151 California delegates and for the next round already had (by committee action) the 59 Illinois elected "uncommitteds" kicked out of the convention, to boot.

In credentials fights and compromises, he had also succeeded in changing the situation on a dozen other delegations in a similar way.

When almost 300 votes had been thus transferred, mechanically, and the delegations were stacked pretty solidly his way, his people began to talk the language of naked power as naturally as Mayor Daley ever did.

On the second day, already, Frank Mankiewitz spoke smilingly of such things as McGovern "imposing a solution" on the Illinois situation.

The talk turned from a lot of use of calls upon "principle" to the repeated use of the term "pragmatic."

And at one point, the careful political rhetoric even slipped to the point of an expression that McGovern was going to "tell our delegates to vote their consciences on this plank."

That is, of course, the ultimate in "machine" discipline. It is the zenith of the "boss" attitude when people are NOT expected to "vote their conscience" unless and until instructed to do so!

Is this an end of "bossism" or just another changing of the guard?

Another characteristic of human nature is how people react when the "air reeks with the smell of raw meat," in other ways.

Once one has even smelled power that strong—mere theory and rhetoric and "principles" are never quite the same and that is addictive.

Indeed, some of the anti-war zealots involved may begin, for the first time, to understand the basis for American policy in recent years because it is based on the notion that if totalitarian dictatorships of any sort find the U.S. backing off so fast that "the air reeks with the smell of raw meat," they will not be able to restrain themselves from such eager actions as threaten the planet itself.

It is hard not to "go too far" in such a climate—and certainly many delegates found themselves doing just that last week.

It is also human nature to regret it later—often too late.

We suspect that George McGovern could bite his tongue for having threatened to "bolt" the party if he didn't get his way.

Democrats are justly noted for their intense party loyalty, but loyalty is a two-way street. It goes both ways, or it doesn't go at all. When a candidate renounces it to make a "rule or ruin" ultimatum, he also absolves all others. They no longer owe him a blessed thing.

The "loyalty" business, at the heart of so many human impulses, was struck another blow in this convention. Rank-and-file "traditional" loyalists were repeatedly and blatantly told that "the old Democratic party is dead," and every effort was certainly demonstrated to show that this was not the party of Harry Truman and Lyndon Johnson. This was "the new Democratic party."

For those who didn't like what they saw, this too offers a legitimacy to the cancellation of "loyalty." That obligation went down the drain with the burial of the "old Democratic party" . . . and there were a series of events that strongly suggested the "new" one didn't want or like the traditionalists.

(McGovern will now come face to face with reality and try to woo them back, of course, but the forms of the loyalty claim have been liquidated—and they may well suspect that McGovern doesn't really love them but only "wants their bodies.")

It is also human nature that whatever happens, whether or not they are frustrated in the actual election and whether or not Congress restores a primary-vote supremacy for credentials that gives the "old Democratic party" a rebirth in the next convention—most of the active people in this convention will not "turn off." They will be back.

Why will they be back?

They have had the smell of that "raw meat" in their nostrils, and never felt so much alive—win or lose. They will have to come back.

Another problem of human nature—of mortal man—is that nasty old "slip twixt the cup and the lip."

Many of those who helped set the stage for this "new kind" of convention were not those thinking of a "new politics" in any earthy sort of way. Some surely were, but many were just thinking of how to make the most of the modern-style "TV convention."

They were thinking of artificially making "viable" on the convention floor during all that "free advertising time," an "image" in which any viewer could find something to identify with.

They wanted "diversity" to show and to stick out for every major ethnic (and sex) group.

But they got, in action, much more than they bargained for, of course. They really didn't want a big deal on abortion, on legalizing marihuana, on welfare recipients demanding THEIR "Quota" of representation on the floor, of homosexuals demanding their "quota" under the same stated "principles", etc.

Nor did they really want Jesse Jackson boasting that he didn't even vote in the primary election, dancing in the aisles because those who were elected had been kicked out, and he was now a delegate and leader!

The "image" they got went in spontaneous rhetoric on the TV, also, far beyond what they had in mind. Instead, of merely showing how "open" the party is with something for everyone, they gave too much impression that there was no room left from the quota system for the traditional loyal Democrats or the ordinary working American.

The old "boomerang" is another mortal perennial.

The candidate who started out saying that the biggest issues in this Presidential year are "credibility" and "honesty and openness with the voters" is now busily engaged in shifting positions, backing down from primary pronouncements, and crawling out from under his main primary headline-grabbers.

He now says they were just "offered for consideration" and not proposals. He chooses to forget that the "consideration" they were offered for then was for consideration versus Humphrey.

Now, the language "for consideration" is said to mean . . . he didn't mean it!

Thus the boomerang on that original primary issue—"credibility." "Openness! Honesty!"

How utterly typically human!

SECRET KILLERS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. ROSENTHAL. Mr. Speaker, it is time for the American people to know exactly what they are eating. There is no longer any legitimate reason to delay legislation to force the disclosure of ingredients in food products. Consumers have a right to choose what they buy and are entitled to full information so that they can choose wisely and well.

Many people must, for serious health reasons, know what ingredients are included in their foods. There are millions of Americans who are allergic to various ingredients in foods, and must be able to avoid that which can make them ill. These people cannot be satisfied with general terms like "spices," "seasonings" or "flavorings," for if these words conceal an item which they are allergic to, the consequences could be fatal.

It has been suggested by the FDA that full ingredient disclosure be a voluntary step taken by industry itself. Voluntary proposals leave unacceptable loopholes, and contain no mechanism for the consistency the problem warrants. That can best be accomplished by Federal legislation.

I commend the National Canners Association for their resolution endorsing the voluntary labeling of all ingredients used in standardized canned foods. I must note, however, that the resolution although more than a year old, has had little apparent effect on the labeling procedures of the canning industry.

If an industry does not even follow the recommendations of its own national association and continues to act in a manner unresponsive to the public's needs, I must conclude that the force of law is the only tool left us.

It was in this spirit that I introduced H.R. 8670, the Truth in Food Labeling Act. My bill would require the full listing of ingredients in all food products.

To further emphasize the often desperate need of the public to know exactly what is in their food, I insert in the RECORD, an article by Daniel Henninger, which appeared in the National Observer on July 29, 1972, under the headline: "Secret Killers: Undisclosed Components of Food May Provoke Fatal Allergic Reactions; New Law Sought."

SECRET KILLERS: UNDISCLOSED COMPONENTS OF FOOD MAY PROVOKE FATAL ALLERGIC REACTIONS; NEW LAW SOUGHT

(By Daniel Henninger)

A news report recently told of a 10-year-old-boy in Boston who died from eating ice cream. He was allergic to peanuts so he carefully read food labels before eating sweets. But the label on the ice cream he ate at a friend's didn't say that peanut butter was whipped into it, and when he came home he was having an allergic reaction. As his father tried to find out what his son had eaten, the boy died of anaphylactic shock, a severe allergic reaction.

Unlabeled food ingredients don't regularly kill people, but allergists say they often cause allergic reactions in individuals who aren't aware of what they're eating. In a case reported by Dr. Stephen Lockey of Lancaster, Pa., a leading authority on drug-and-food-related reactions, a woman became weak and very tired several times after eating corn flakes, though she wasn't allergic to either corn or milk. Tests uncovered an allergy to beta hydroxy acid, a chemical that keeps corn flakes fresh.

A person who knows what he's allergic to scrupulously avoids troublesome foods, but incomplete food labels can cause worry and uncertainty. If one is unsure of a food, he must write either the manufacturer or the Food and Drug Administration (FDA) for the ingredients.

MANY SOURCES OF OIL

Mrs. Allen R. Chapman of Cedar Rapids, Iowa, wrote in a letter to Rep. Benjamin Rosenthal, Democrat of New York and a consumer activist, that before she buys potato chips, frozen French fries, salad dressings, and many candies for her 10-year-old son, who is allergic to peanut oil, she has to write each manufacturer to find out what kind of oil is used. Usually, the label says simply, "vegetable oil," though it may be derived from several sources, such as corn, cottonseed, soy beans, and peanuts.

If her son inadvertently eats food treated with peanut oil, said Mrs. Allen, "within two hours, he has hives, his eyes are swollen shut, and his trachea swells shut. . . ." To avoid death from asphyxiation, he must be rushed to a hospital for an injection of benadryl and adrenalin. Adrenalin is generally given to an individual experiencing anaphylactic shock.

Writing the manufacturer may not dispel one's misgivings entirely, as Mrs. Allen found after writing Frito-Lay, Inc., to find out what kind of oil is used for frying Fritos. The company said that in her area Fritos usually are fried in 50 per cent peanut oil; but another plant may use 100 per cent cottonseed oil.

Mrs. Jeanne Grossi of Rochester, N.Y., who has a son allergic to shellfish, says she once questioned some Chinese egg rolls that tasted like shrimp to her, though the label didn't list shrimp as an ingredient. She doesn't know whether there actually was shrimp in the rolls, but she wasn't taking chances.

"I avoid bought pastries like the plague," says Gerald M. Sapers, a research chemist with the U.S. Agriculture Department in Philadelphia. Sapers nearly died once from anaphylactic shock when he ate liver *pate* blended with nuts to which he is allergic. He knows not all pastries contain nuts, but says the labeling of processed foods "is not always so clear cut."

An examination of labels on foods sold in a large Washington, D.C. supermarket revealed widely disparate labeling practices, even within product lines made by the same company. Kraft's low-calorie Italian salad dressing doesn't tell what kind of vegetable oil it contains, but Kraft's low-calorie French dressing lists soybean oil. The flour in Hunt's Skillet Baked Chicken Western is wheat-derived; its Skillet Stroganoff just says flour.

Though a person may be allergic to any one of many oils, most labels say "vegetable oil" or "shortening." The FDA soon will propose that fats and oils be labeled by source.

Some cookie labels list wheat, oat, or other flour derivatives; some say "enriched flour."

The most explicit food labels may be found on baby food. Gerber's animal cookies for babies are made with wheat and soy flour and the vegetable shortening derives from cottonseed and soybeans.

Inconsistencies in food labeling may do an unintended disservice to some food companies by making people wonder which companies are telling the whole story and which aren't. For example, canned tomatoes are a standardized food, so some canners don't list their ingredients. Citric acid, commonly used in canned tomatoes to preserve shape, causes an allergic reaction in many people. A Washington, D.C. boy who was allergic to citric acid and usually ate only home-canned tomatoes became ill after eating some commercially canned tomatoes whose ingredients were unlisted. Does that mean an individual allergic to citric acid should be wary of Del Monte canned tomatoes, whose ingredient listing doesn't mention citric acid? No, because though many tomato canners use the acid preservative, Del Monte does not.

Rosenthal has introduced a bill to require full ingredient labeling of all foods. Rosenthal feels such a law would remove the uncertainty about food ingredients caused by the present law.

PRESENT LABELING RULES

Under current law the Food and Drug Administration requires a complete listing or ingredients only for nonstandard foods, such as oxtail soup, which most people don't often eat. There are no ingredient-listing requirements for foods having a Federal standard of identity, which guarantees that a product contains a minimum amount of specific ingredients. Fruit jams, for example, must contain at least 45 per cent fruit.

Some manufacturers voluntarily list ingredients of standardized foods; some may offer only a partial list; others, no list at all. By looking at the label on Hellman's mayonnaise, one sees that it contains eggs, as does all mayonnaise; Kraft's mayonnaise label lists no ingredients other than "calcium disodium EDTA added to protect flavor." The FDA doesn't require ingredient listing for standardized foods because it assumes most people know what is in them, "which isn't true, of course," says an FDA official.

Under the standards, manufacturers may include certain "optional" ingredients in their products, and the FDA exempts some of these optional ingredients from the label listing. There are about 200 standardized foods, and though they account for only about 10 per cent of all manufactured foods, they make up the bulk of foods most often eaten.

Food labels must state that a product contains artificial colors and flavors and chemical preservatives, except those in butter, cheese, and ice cream. However, the label's need to give the specific names of these additives, and most food labels say only "artificial coloring," or "flavoring." As the number of food chemicals proliferates, allergists are finding them to be the cause of many allergies.

Lockey says that on two occasions ice cream flavored artificially with chocolatin and strawberrin brought on an anaphylactic reaction in a man who wasn't allergic to chocolate or strawberries. Allergists have reported that some artificial flavors have caused headaches, constipation, coughs, asthma, and other reactions.

"The fact that these substances are not listed by name on foods, beverages, cosmetics, and medicines," says Lockey, "makes the task of physicians difficult, and in some cases fatalities have occurred" because of some coloring and flavoring agents.

LEGAL AUTHORITY LACKING?

Last year, a group of George Washington University law students, calling themselves LABEL, petitioned the FDA to establish a new regulation requiring universal ingredient labeling. The agency rejected the petition, saying it had no legal authority to legislate full ingredient disclosure.

Rosenthal's measure to mandate full ingredient labeling grew out of LABEL's petition. He said if FDA didn't think it had adequate authority, Congress should provide it. Besides requiring full ingredient listing, his measure would have the labels include the common names of colorings, flavorings, and preservatives. Rosenthal's staff hopes hearings on the measure will be held this fall before the House subcommittee on health and the environment.

The National Canners Association says it has urged its members to voluntarily initiate full ingredient labeling. Robert B. Heiney, the association's director of government-industry relations, says all his members support complete labeling and are effecting it as quickly as possible. However, the canners are not asking that members list the specific names of ingredients such as flavorings, colorings, and spices.

Allergists strongly support Rosenthal's bill. Dr. Lloyd Crawford, chairman of the food allergy committee of the American Academy of Allergy says, "Our organization is wholeheartedly behind Rosenthal's effort." Dr. M. Coleman Harris, editor of the medical journal, Annals of Allergy, calls Rosenthal's measure "excellent" and says it's "long overdue."

FORCED BUSING

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. DINGELL. Mr. Speaker, I have received a letter from the City Council of Wyandotte, Mich., along with a resolution passed at the council meeting on June 26, 1972, stating the council's opposition to forced busing.

I am in full agreement with the views contained in the letter and the resolution, and wish to share these views with my colleagues. Therefore, I include the text of the letter and resolution at this point in the CONGRESSIONAL RECORD:

CITY OF WYANDOTTE, MICH.,
June 27, 1972.

Congressman JOHN D. DINGELL,
Dearborn, Mich.

DEAR CONGRESSMAN DINGELL: The following is a statement prepared and read by Councilman Martin Shimkus, accepted and passed as a resolution, motion by Councilman Bernard Smith, supported by Councilman Clifford Clack, at the City of Wyandotte, Regular Council Meeting, held on June 26, 1972.

Some time ago, this Mayor and Council passed a resolution stating our opposition to forced bussing.

In view of subsequent events, we feel we should reaffirm our opposition.

In enumeration of the aforementioned events:

The long awaited moratorium on bussing as requested by the President appears questionable from the very signing.

Numerous advisory balloting clearly indicates overwhelming opposition to bussing.

Seemingly with an irresponsible attitude, and with flagrant disregard to the obvious consequences of continued bussing plans, in terms of social unrest, disruption of school schedules, furthering bankruptcy of school systems, increasing unnecessary taxation to already overburdened taxpayers, the proponents of bussing appears determined to plunge into a plan this Fall.

This is not just a problem of the school districts for if it comes to pass that a forced bussing plan is implemented, it would instantly become everyones problem.

Therefore, in the interest of the health, welfare, safety, and education of our people, we feel we should forward copies of our anti-bussing resolution to State and National lawmakers; also to the Mayors and Councilmen of all the surrounding communities requesting their consideration of similiar action.

Sincerely yours,

WILLIAM SULLIVAN,
Mayor.
ANDREW SWIECKI,
Mayor Pro Tem.
MARTIN SHIMKUS,
Councilman.
FRANK ZULEWSKI,
Councilman.
BERNARD SMITH,
Councilman.
CLIFFORD CLACK,
Councilman.
ROBERT CARR,
Councilman.

RESOLUTION

Whereas: citizens of Wyandotte, of Michigan and, indeed, the entire nation, are expressing and increasing concern over the issue of forced or court-ordered "busing" of public school students across neighborhood, community and school district boundaries for the alleged purpose of effecting integrated schooling or equalizing educational opportunities; and

Whereas: many rumors, opinions and other expressions of attitudes on this issue are based as much on false premises and fiction as they are on fact; and

Whereas: while fully realizing that the public educational system is under jurisdiction of the Wyandotte Board of Education and the State of Michigan rather than this City Council, this body feels that it should make its position known and a matter of public record,

Now, therefore, be it resolved that the City Council opposes "busing" of students across any school district boundary or from one community to another and believes firmly that no student should be assigned to or compelled to attend any particular public school on account of race, religion, color or national origin.

Be it further resolved that citizens who share this belief, just as those who do not, are urged and encouraged to let their feeling be known to their local, state and national lected representatives.

Be it finally resolved that the City Attorney be and is placed on alert with authority to initiate legal action for and on behalf of the citizens of Wyandotte and this Council in the event notice is served upon the City when such notice constitutes an attempt to force such "busing" in this community.

POSTAL SYSTEM

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. JOHNSON of Pennsylvania. Mr. Speaker, on July 25, 1775, Benjamin Franklin reported to the Continental Congress as chairman of a committee appointed to establish a postal system.

On the following day, 197 years ago today, the Continental Congress assumed control of postal operations in America and appointed Franklin Postmaster General.

The present American post office descends in an unbroken line from the system Franklin planned for the Continental Congress.

Franklin reorganized William Goddard's "constitutional post," a system that rivaled the royal post office after Franklin was removed by the British Ministry as General Deputy Postmaster of the Colonies.

AHEPA'S 50 GOLDEN YEARS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. COLLIER. Mr. Speaker, the United States of America and the other nations of the Western World owe much to Greece and its people. Greece has influenced the religion of Jesus Christ—the original New Testament was written in Greek. Greece has influenced our everyday speech—the English language contains numerous Greek words that have enriched our cultural and scientific vocabularies. Greece has influenced our politics—some of our constitutional principles have come down through the centuries from ancient Greece. Greece has influenced our architecture—our public buildings owe their beauty and utility to their Corinthian, Doric, and Ionic, inspiration.

While all these and many other influences go back to ancient Greece, that nation's contributions to the betterment and enrichment of America have never ceased, but continue to the present day. It was back in 1768, 8 years before the Declaration of Independence, that the first Greeks arrived in this country. They have been coming ever since, some to avail themselves of the great opportunities that America offers, others to escape persecution from the Ottoman Empire, the National Socialists, and the Communists.

Modern-day Greeks, like their forefathers, have made tremendous contributions to their adopted country. This afternon we are temporarily interrupting our legislative labors to pay a well-deserved tribute to some of those who came here from Greece or who are of Greek descent.

Today is the 50th anniversary of the Order of Ahepa, also known as the American Hellenic Educational Progressive Association, which was founded in Atlanta, Ga., on July 26, 1922. It has grown considerably since its establishment and now includes 430 local chapters in the United States, Canada, and Australia. Its auxiliaries for women, young men, and young women are known respectively as the Daughters of Penelope, the Sons of Pericles, and the Maids of Athena.

The first of the nine objects of AHEPA tells us a great deal about the order: "To promote and encourage loyalty to the United States of America." Hellenic-Americans are among the most patriotic of our citizens and they have served America well both in wartime and peacetime. Although their numbers are small when compared with other ethnic groups, many of them fought for their country during the four wars that have taken place during the last six decades. The Order of Ahepa sold half a billion dollars worth of war bonds during World War II, no mean accomplishment.

Among the many benevolences engaged in by the Order of Ahepa have been its contributions for the relief of the victims of hurricanes, floods, and earthquakes, and donations for libraries, museums, hospitals, scholarships, and medical research.

Mr. Speaker, America has done much for the millions who have come here from foreign lands. Most of these people and their descendants have tried to repay their great new country for the inestimable benefits they have received. Among the foremost of these have been the Hellenic-Americans, working largely through the Order of Ahepa. May the record of their accomplishments for the next 50 golden years be such as to surpass their achievements to date.

UNEMPLOYMENT CONTINUES BAD IN SUMMER 1972

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. FRASER. Mr. Speaker, despite the persistent Nixon administration effort to ignore gloomy economic facts, the unemployment situation this summer is still bad. The latest Labor Department release, No. 72–453, dated July 7, 1972, tells a dreary tale:

> The number of unemployed persons totaled 5.4 million in June, up 1.1 million from the previous month . . .
>
> The number of jobless persons averaged 5.0 million (seasonally adjusted) in the second quarter, essentially the same level that has prevailed since the fourth quarter of 1970.
>
> And there was no change in the unemployment rate for men and women 25 years or older.
>
> The average (jobless rate) for adult women moved up from 5.3 to 5.6 percent.
>
> The manufacturing job level was still more than 1.3 million below the all time high reached in the third quarter of 1969.
>
> The average (mean) duration of unemployment, at 13.5 weeks (seasonally adjusted) in June, was a week greater than in the previous month and a year ago . . .

Many sectors have worse unemployment in June 1972 than June 1971. In the wholesale and retail trade, there are 1,115,000 unemployed in June 1972 compared with 1,049,000 unemployed a year ago. The seasonally adjusted rate of unemployed for those workers has stayed at 6.5 percent.

Unemployed agricultural wage and salary workers rose from 79,000 to 97,000 in the year between June 1971 and June 1972. Their rate of unemployment, seasonally adjusted, rose from 6.3 percent a year ago to 7.5 percent.

Clerical workers are worse off now than a year ago. There are 770,000 unemployed in June 1972 compared with 707,000 a year ago. Their rate of unemployment, seasonally adjusted, has risen from 4.7 to 4.8 percent in the past year.

Among blue collar workers, there are 431,000 unemployed draftsmen and kindred workers compared with 363,000 a year ago. Their seasonally adjusted rate of unemployment has risen from 4.1 percent a year ago to 4.5 percent in June 1972.

In the construction industry, although the rates have improved, there are still 344,000 unemployed, for a rate of 9.5 percent unemployed, seasonally adjusted the highest unemployment of any industry.

Mr. Speaker, the overwhelming vote by our Republican colleagues to defeat the water and sewer facility bill shows a lack of understanding for the serious unemployment situation that has gripped this Nation for over 2 years now.

HEROIN AND THE WAR

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. WOLFF. Mr. Speaker, I have stated on many occasions that our overriding priority should be to protect our people from the scourge of heroin addiction. This fight must be waged not only at home, but abroad, at the source of supply. We must cut the supply at its source.

Today's Washington Post contains an editorial which I feel is relevant to the growing documentation of serious contradictions by our Government in its handling of narcotics matters. I think that the editorial lends additional support to the action of the Foreign Affairs Committee which has adopted a provision cutting off aid to Thailand for its major role in international narcotics traffic.

> HEROIN AND THE WAR
>
> Alfred McCoy, a Yale graduate student who interviewed 250 people, charges that the Central Intelligence Agency has known of Thai and South Vietnamese official involvement in heroin traffic, has covered up their involvement and has participated in aspects of the traffic itself. The CIA has publicly denied these charges, in the process even persuading Mr. McCoy's publisher, Harper & Row, to let it review his book manuscript before publication. But now there comes an internal government report—done by the CIA and other agencies—on the difficulties of controlling the narcotics trade in Southeast Asia. The report states:
>
> *"the most basic problems, and the one that unfortunately appears least likely of any early solution, is the corruption, collusion, and indifference at some places in some governments, particularly Thailand and South Vietnam, that precludes more effective suppression of traffic by the governments on whose territory it takes place."*
>
> That is to say, a private report by agencies including the CIA confirms the thrust of charges which the CIA publicly denies. The White House contends the report, completed in February, is "out of date."
>
> Now, we are aware that the Nixon administration has worked with great vigor and much effectiveness to curb the international narcotics trade. The fact remains that the largest supplies of the filthiest poison of them all apparently come from or through Thailand and South Vietnam, if one is to take the CIA's private word—as against its public word—on the matter. Nor should it stretch any reasonable man's credulity to understand that the United States has had to accept certain limitations on its efforts to get those governments to stop drug dealing because it has wanted to ensure their cooperation in the war against North Vietnam. In the final human analysis there is simply no place in the pursuit of honor and a just peace in Southeast Asia for an all-out honest effort to control traffic in heroin. This is the infinitely tragic fact flowing from continued American involvement in the war.
>
> Would heroin addiction among Americans have swollen to its current dimensions and would the amount of heroin reaching the United States from South Vietnam and Thailand have reached its current levels if

the war—and power politics—had not gotten in the way of effective American pressure upon the governments in Saigon and Bangkok? If President Nixon needs any further reason to make good his pledge to end the war, this is almost reason enough by itself for what it says about the character of regimes this country has gotten into the habit of supporting—lavishly and indiscriminately—in the name of our "national security" and "world peace."

IN COMMEMORATION OF AHEPA'S 50TH ANNIVERSARY

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. STEELE. Mr. Speaker, today the Order of Ahepa is celebrating its golden anniversary. From that day in July of 1922 when eight men founded the mother lodge, AHEPA has grown until today, its membership totals more than 50,000 individuals actively participating in 430 local chapters in 49 States, as well as in Canada and Australia.

The American Hellenic Educational Progressive Association—AHEPA—deserves the respect and the commendation of the Congress of the United States for its determination, perseverance, and continuous dedication to promoting and assisting Greek-Americans in becoming educated, law-abiding, and hard-working American citizens.

I would like to bring to my colleagues' attention the remarks made by the Honorable Gregory G. Lagakos before the AHEPA Yankee District No. 7 fraternal organization. Among his many achievements and honors, Judge Lagakos has been awarded the "Gold Cross, Royal Order of King George I" by King Paul of Greece, and the Cross of Saint Andrew, founder of the Church of Constantinople, His All Holiness Athenagoras I, the Ecumenical Patriarch.

As guest speaker, Judge Lagakos addressed the gathering for the purpose of establishing the Meriden, Conn., Sons of Pericles Chapter and naming it the William A. Vasiliou Chapter. Mr. Vasiliou was a distinguished citizen of Middletown, Conn., recognized nationally by his Ahepan brothers and sisters, and locally by the citizens of Connecticut. His public service to the community included volunteering his time to serve as treasurer of the Middletown Salvation Army, the State organization of the Veterans of Foreign Wars, and the office of treasurer of Middletown, Conn., which he held upon his death.

I recognize that Mr. Vasiliou exemplified the energies and contributions that AHEPA has made,, not only for Greek-Americans, but also for the betterment of all citizens of our country and the world. Following is the dedication speech given as a memorial to Mr. Vasiliou and in praise of AHEPA's numerous accomplishments:

Remarks of Hon. Gregory G. Lagakos Before Ahepa Yankee District No. 7 at Meriden. Conn., May 29, 1971

Let me tell you how deeply honored I feel in being asked to say a few words to this distinguished Ahepa family—and from this District has come some of our most illustrious Ahepans including several Supreme Presidents—and I note with pleasure the presence tonight of two Past Supreme Presidents.

I should like to say a sentence or two in Greek but so that we shall not be rude to our guests of non-Hellenic ancestry the Greek words I shall use will still be English to everyone. So, with your permission, Mr. Toastmaster, with the exception of articles and prepositions I shall use only Greek words.

Kyries Kai Kyriei I emphasize my eucharistis to you, Kyries Kai Kyriei to the eugenic, generous and dynamic American ethnos, to this democratic and prototyped polis at Hartford—and to the organizers and protagonists of this enthusiastic and gastronomic symposis.

If anyone has appreciated, loved and worked over the years to retain and pass on to their children the Greek language and Greek Orthodox religion—it is Ahepa. And we are delighted that this was done because as we know the emphasis in America now is to recognize for a fact what has always been a reality—namely that we constitute a nation which represents and reflects a multiplicity and diversity of cultures—and that does not make you a hyphenated American. In fact it makes us all better Americans.

Now we know that when people say they are suffering from gastritis or enterites or laryngitis—or when they inform you that Dr. Hippocrates is a good gynaecologist or pediatrician—they are using Greek words—as are such technical terms as hydro-electric or thermostatic, astronauts, cosmonauts—or Apollo.

And we know that your teenage daughter uses Greek when she says: George is not her type, and she has no sympathy for a boy who is a moron and an idiot and she told him as much over the telephone the other day! Now Tom Jones—he is her idea of man. He has some charisma, he sings like an angel, he is her ideal her idol—she'd give anything for his autograph—and she gets goose pimples when she hears his voice over the microphone.

Mother, of course prefers the theatre—be it tragedy or comedy, drama or melodrama. She loves music too and she waxes enthusiastic about poetry, both lyrical and epic.

Father has a more serious turn of mind. He is interested in history, politics, philology, and philosophy—and wishes the acoustics in the courtrooms in City Hall were better. He doesn't have a plethora of energy left for athletics, although he still occasionally visits a gymnasium.

And so ladies and gentlemen you will understand why I salute you tonight and say that AHEPA deserves a great deal of credit for the maintenance, preservation, growth and development of our Greek language and religion here in Connecticut and throughout the nation.

For, no matter in what part of the world the people from Greece settled they clung tenaciously to the Greek Orthodox Faith and to their Greek heritage. Yes, and in this great nation of America, AHEPA has helped to revive, cultivate, enrich and marshal into active service for our country and for humanity the noblest attributes and highest ideals of true Hellenism. Through the sheer dint of hard work, unswerving belief in the principles of honesty and respect for law—and through perseverance, devotion and dedication to the faith of their fathers, members of AHEPA have established homes, raised fine families, educated their children and grandchildren, built fine churches, founded many charitable and voluntary organizations and have in the process become highly respected citizens of the United States.

We Americans of Greek descent are not afraid of hard work. And when we talk of young people, such as the young people here tonight, our second generation, they are worthy descendants of worthy parents—parents who came here as immigrants. This second generation has now assumed the torch of professional, business and academic leadership in this City and in cities throughout the entire United States.

For me, the thrilling part of all this—that part which has a moral and a lesson from which the entire nation can learn—is that when this first generation of Greeks came to America, as did my parents, what did they bring? Not wealth, certainly little education—but they brought a resolute faith in God and deep love and respect for the Church and a desire to work long hours and work hard for their families.

And these qualities guided our parents through their endeavors and they taught their children to respect this country and its laws. And what finer inheritance—what better legacy could anyone give his children. And it is interesting and a matter of pride to note that in raising fine families many Americans of Greek descent became members of the greatest voluntary organization of its kind in the world, the Order of Ahepa—and you and the Order of Ahepa with all its Auxiliaries produced in just *one generation* university graduates, attorneys, politicians, surgeons, scientists, teachers, industrial giants, clergymen, engineers, outstanding businessmen, Congressmen, Mayors, Governors and today even the Vice President of the United States. There is not a single area of professional, cultural, scientific or academic activity in which these immigrants' children have not made great contributions. What a great record. I call this Enthoxotatos Thriamvos "a most glorious triumph." And this must be a most rewarding satisfaction to those former immigrants and to those of the second and third generation who are here this evening.

To me Ahepa has been that important bridge over which the immigrant has passed into the status of an educated, successful and respected citizen. May I use an analogy. Ahepa is like a human life. A human life is like a single letter in the alphabet. Alone it can be meaningless but together with other letters it can be part of a great meaning. We Ahepans working not alone, but together, are part of this respected organization which has so much meaning. And the most enduring meanings in life come from a gift which all of us have been given—that is the gift of service. The gift of service is such an integral part of Ahepa, it is so interwoven into the cloth, the fabric, and the history of Ahepa that it has become endless—just as Ahepa is endless. Yes, Ahepa is like a vessel, the more you fill it with beauty and service the larger it becomes, and in the very process of giving ourselves we become more sensitive and more alive. Indeed service to Ahepa ideals enlarges us, and our belonging to Ahepa brings us closer to others and to ourselves, as it has done tonight.

Socrates said "Love is a gift of nature, beautiful living is a gift of wisdom." Well, service to people through Ahepa is beautiful living—for we know that in life there can never be a sense of fulfillment on completeness unless we are giving more than we are getting, for a man who only works and votes and pays his taxes is scarcely a whole man.

The great historian Wilhelm Van Loon wrote of the ancient Greeks: "The spirit and the courage of the Greeks and their traditional dedication to Freedom, illumines the magnificent tapestry of their great democratic heritage—and the golden threads that hold it together is the keen competitive spirit of the Greeks and their constant determination to excel in anything they undertake." I believe these words apply to today's *Ahepans* as well. And they certainly apply to a most distinguished and respected Ahepan who is not with us any longer—but whose great contributions to his Chapter as its President, to this District as its Governor, to the national Order as its Supreme Governor and to the Sons of Pericles as one of its founders and its first Supreme President, and in some measure is now being memorialized by the establishment and naming of the Meriden Sons of Pericles Chapter as the William A. Vasiliou Chapter. His family is here—may I ask them to please stand.

It is written in the Good Book "Except the Lord keep the City, the watchman waketh but in vain." May the Lord continue to watch over you, Ahepans of this great District, over your children and your grandchildren as you continue to walk with God—and as you continue to serve America—as people who respect law and order—and as Ahepans who respect God and country.

But there is much work for Ahepa which remains to be done. May I conclude with a quotation from one of my favorite poets, Robert Frost:

> ". . . But I have promises to keep
> And miles to go before I sleep—
> And miles to go before I sleep."

SHOCKING SYPHILIS EXPERIMENT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. FRASER. Mr. Speaker, I am appalled to learn of a shocking 40-year experiment conducted by the Public Health Service during which 200 syphilis victims were denied treatment. Some were knowingly allowed to die. I submit the following article which appeared in the July 26 Washington Post telling of this incredible study:

U.S. Testers Let Many Die of Syphilis

(By Jean Heller)

During a 40-year federal experiment, a group of syphilis victims was denied proper medical treatment for their disease. Some participants died as a result, but survivors now are getting whatever aid is possible, the U.S. Public Health Service says.

The experiment, conducted by the PHS was designed to determine through autopsies what damage untreated syphilis does to the human body.

Of about 600 Alabama black men who originally took part in the study, 200 or so were allowed to suffer the disease and its side effects without treatment, even after penicillin was discovered as a cure for syphilis. Treatment then probably could have saved or helped many of the experiment participants, PHS officials say.

They contend that survivors of the experiment are now too old to treat for syphilis, but add that PHS doctors are giving the men thorough physical examinations every two years and are treating them for whatever other ailments and diseases they have developed.

Sen. William Proxmire (D-Wis.), a member of the Senate Appropriations Subcommittee which oversees PHS budgets, called the study "a moral and ethical nightmare."

"It's incredible to me that such a thing could ever have happened," he said in a statement. "The Congress should give careful consideration to compensating the families of these men."

Sen. Edward M. Kennedy (D-Mass.), chairman of the Senate Health Subcommittee, said through a committee spokesman that he deplores the facts of the case and is concerned about whether any other such experiments exist.

The syphilis experiment, called the Tuskegee Study, began in 1932 in Tuskegee, Ala., an area which had the highest syphilis rate in the nation at the time.

When the study began, the discovery of penicillin as a cure for syphilis was still 10 years away and the general availability of the drug was 15 years away, treatment in the 1930s consisted primarily of doses of arsenic and mercury.

Of the 600 original participants in the study, one-third showed no signs of having syphilis; the others had the disease. According to PHS data, half the men with syphilis were given the arsenic-mercury treatment, but the other half, about 200 men, received no treatment for syphilis at all.

Men were persuaded to participate by promises of free transportation to and from hospitals, free hot lunches, free medical treatment for ailments other than syphilis and free burial.

Seventy-four of the untreated syphilitics were still alive last January.

Syphilis is a highly contagious infection spread through sexual contact. If left untreated it can cause blindness, deafness, deterioration of bones, teeth and the central nervous system, insanity, heart disease and death.

In 1969, the PHS' Center for Disease Control in Atlanta, which has been in charge of the Tuskegee Study, reviewed records of 276 syphilitics, both treated and untreated, who participated in the experiment.

It found that seven men had died as a direct result of syphilis. Another 154 died of heart failure, but CDC officials say they cannot determine now how many of these deaths were caused by syphilis or how many additional deaths may have been linked to the disease.

PHS officials responsible for initiating the Tuskegee Study have long since retired and current PHS officials said initially they did not know their identity.

But later, a PHS official said the study was initiated in 1932 by Dr. J. R. Heller, assistant surgeon general in the service's venereal disease section, who subsequently became division chief.

Of the decision not to give penicillin to the untreated syphilitics once it became widely available, the official, Dr. J. D. Millar, said:

"I doubt that it was a one-man decision. These things seldom are. Whoever was director of the VD section at that time, in 1946 or 1947, would be the most logical candidate if you had to pin it down."

Dr. Millar, current chief of the venereal disease branch of the CEC, said he did not know who headed the VD section in those years.

"But the study began when attitudes were much different on treatment and experimentation," he added. "At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation. I don't believe the program would be undertaken."

Don Prince, another official in the venereal disease branch of CDC, said the Tuskegee Study has shown that the morbidity and mortality rate of untreated syphilitics was not as high as previously believed, but he said he thought the study should have been halted with penicillin treatment for the participants after World War II.

"I don't know why the decision was made in 1946 not to stop the program," Prince said. "I was unpleasantly surprised when I first came here and found out about it. It really puzzles me."

TRIBUTE TO ORDER OF AHEPA

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. J. WILLIAM STANTON. Mr. Speaker, centuries ago, in an era of Grecian supremacy, the island nation endeavored to form a perfect government built on principles of citizenship. In America, this tradition has been carried over by the Order of Ahepa—the American Hellenic Educational Progressive Association. This great organization, composed of U.S. citizens in 49 States with 430 local chapters, encourages its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor. It is their goal to promote the opening of new channels for the facilitation of disseminating culture and learning. They are also known for their assistance in the wake of natural disasters as they have established many programs of relief in various states.

July 26 should be a meaningful day, not only for all active members of AHEPA, but additionally for all U.S. citizens who cherish the rights of citizenship and who are equally willing to accept the accompanying duties by becoming involved in civic affairs. This fine organization claims the honor of listing such members as Harry S. Truman, Spiro T. Agnew, and many Cabinet members, Senators, Representatives, State, and local officials, and a host of other hardworking people from all walks of life.

And, so, Mr. Speaker, it is with humble appreciation that I pay tribute to AHEPA, in this her 50th year of service to our country.

SALUTE TO AHEPA

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. YOUNG of Florida. Mr. Speaker, this year of 1972 marks a special anniversary for all Americans of Greek descent, for it is the 50th anniversary of the Greek Orthodox Archdiocese of North and South America. As a part of this jubilee celebration, it is fitting that we pause for a moment to pay tribute to the American Hellenic Educational Progressive Association—AHEPA—on its 50th birthday.

Founded on July 26, 1922 in Atlanta, Ga., AHEPA has grown large and prosperous with some 430 local chapters. Throughout its first-half century, AHEPA has contributed significantly to the improvement of American life.

AHEPA gives to the relief of victims of natural disasters; it helps provide for orphans; it offers scholarships to worthy students; it helps build and maintain health centers; it encourages participation in civic affairs. This, Mr. Speaker, is AHEPA and generosity and love for his fellow man is the trait of an Ahepan.

Joined with its affiliated organizations, the Daughters of Penelope, the Sons of Pericles, and the Maids of Athena, AHEPA has always given generously and vigorously to those in need, both here in America and throughout the world. It has done so with the same spirit which marked the life of the late spiritual leader of all orthodoxy, His Holiness Athenagoras I, Archbishop of Constantinople and New Rome and Ecumenical Patriarch, who had said that his goal was "to work for each individual."

Today, as AHEPA celebrates its 50th birthday and next month in Atlanta as it will officially commemorate this anniversary at its gala convention, I commend AHEPA for its accomplishments and encourage it to continue fostering that vitality which embodies the highest ideals of its Hellenic traditions and orthodox spirituality.

And, to its members and my many AHEPA friends, I say "sinxaritiria kai eis anotera."

WHO PAYS TAXES?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. DERWINSKI. Mr. Speaker, in view of the growing concern over the size of the budget deficit and election year oratory over tax reform, I believe that the editorial in the Press Publications, which serves communities in western Cook County, of July 21, was especially appropriate.

The editorial follows:

> WHO PAYS TAXES
>
> Let's not be duped about who pays the taxes in this country! This is an election year and the cries of "increase tax on business" and "decrease tax on individuals" will become louder as November draws nearer.
>
> Once we accept the basic premise that a business must yield an adequate return "after taxes" to its investors, it automatically follows that all taxes, including Federal Income Taxes, are nothing more than the cost of doing business and are added to the sale price of the product.
>
> The only people who pay taxes in this country are the people who ultimately purchase and use a product. That's not "businesses," that's you and me.
>
> So the next time somebody wants to sock it to big business to pay the taxes, just remember who will wind up paying them in the end.

NATIONAL FARM SAFETY WEEK

HON. EARL L. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. LANDGREBE. Mr. Speaker, this week is National Farm Safety Week—July 25 to 31. It is the time to pay tribute to the farmers of America, the backbone of our society, as well as to strive toward greater safety in agricultural technology. As President Nixon announced in his National Farm Safety Week proclamation:

> Let us strive to bring the technology of safety to agriculture as successfully as we have brought to it the technology of production.

We all know that farming can be hazardous when proper tools are not used, precautions are not taken, and safety procedures are not followed. Statistically, farming is as dangerous as industry in terms of the number of deaths per 100,000 workers. In his proclamation, the President recognized the cost of farm accidents, not only in terms of dollars, but far more importantly, in terms of disruption of family life and of pain.

Agriculture is unparalleled in its advancement and in its abundance of new technology. Modern farm equipment has improved designs and it has personal protective equipment which has contributed tremendously to the cause of farm safety. These improvements will continue under the urging of the Federal Government and with the efforts of the farmer as he strives for continued production increases.

As a constituent of mine, Dr. Earl Butz, Secretary of Agriculture has said:

> We have been stressing that we need to increase income for the average farmer for his remarkable productivity. He, too often, has not received his fair share in the marketplace. As much as we stress the importance of increasing farm income, I hope our economic concern for farmers does not obscure our genuine interest in the safety and well-being of farm families and farm workers as they produce the food for the rest of us.

During National Farm Safety Week, let us call to mind the great benefits to society provided by our farmers and let us work to improve agricultural safety and income.

NATIONAL POLICE RESERVE OFFICERS ASSOCIATION DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BIAGGI. Mr. Speaker, the National Police Reserve Officers Association is a dedicated group of men whose heroic deeds go largely unnoticed by the general public. The NPROA is the reserve branch of the National Police Officers Association. Its membership consists of reserve and auxilary police, private detectives, railroad and civil defense police and citizens interested in law enforcement in their communities.

With the desire to honor these sentinels of law and order, Mayor Sam Yorty of Los Angeles has drafted a proclamation calling for a National Police Reserve Officers Association Day. I applaud this initiative and would like to bring this proclamation to the attention of my colleagues:

> PROCLAMATION
>
> Whereas, the National Police Reserve Officers Association is dedicated to the democratic principles which have made our country great; and
>
> Whereas, the National Police Reserve Officers Association has a membership of men and women devoted to the preservation of law and order; and
>
> Whereas, the law and order of our society rests in the capable hands of the loyal members of the National Police Reserve Officers Association; and
>
> Whereas, the National Police Reserve Officers Association is carrying out an educational program to train more effective and devoted law enforcement officials; and
>
> Whereas, a better America depends on the unselfish dedication and devotion of all men and women who constitute the members of the National Police Reserve Officers Association; and
>
> Whereas, it is in the public interest to recognize the patriotism and loyalty of the members of the National Police Reserve Officers Association
>
> Now, therefore, I, Sam Yorty, Mayor of the City of Los Angeles, hereby declare the ——— day of ———, 1972, as National Police Reserve Officers Association Day and call upon all our citizens to stop in their labors and recognize this great organization.

FIFTY YEARS OF SERVICE

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mrs. GRASSO. Mr. Speaker, the American Hellenic Educational Progressive Association today celebrates its golden anniversary. On this important occasion commemorating 50 years of service and achievement, it is my pleasure to pay special tribute to the Order of Ahepa.

Founded in 1922, the Order of Ahepa has consistently demonstrated dedication and commitment to a variety of worthy, humane causes. Emergency relief programs, civic and community projects, scholarships and aid to the needy people throughout the world have been the hallmark of this organization's remarkable contributions to fellow human beings. A list of Order of Ahepa activities is indeed impressive. It includes relief to Florida hurricane victims, Mississippi flood victims, Corinth earthquake victims, as well as war orphans of Greece and fatherless children of refugees in the Near East, sponsorship of national scholarships, U.S. war-bond drives, and the Dr. Papanicolaou Cancer Research Institute in Miami.

The Order of Ahepa objectives are many, yet they are all directed toward "improving and bettering our social, moral, and family life" through active participation in political, civic, social, and commercial affairs. In addition to promoting a better and more comprehensive understanding of Hellenism and the Hellenic culture, the Order is more particularly a champion of education and an advocate of human kindness.

The Order of Ahepa is to be congratulated for a half century of service to people. It is my pleasure to pay special tribute to the officers and members of the Order's New Britain chapter, including Demetrius Koumaris, president; Peter Sakalakos, vice president; James Joannides, secretary; and Andrew Peterson, treasurer. I applaud their many accomplishments and extend my very best wishes to all Order of Ahepa chapters on this important occasion.

HIS IMPERIAL MAJESTY HAILE SELLASSIE

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. VANDER JAGT. Mr. Speaker, both as a person intensely interested in Africa and in my role as member of the Subcommittee on Africa of the House Foreign Affairs Committee, it is an honor and privilege for me to salute Ethiopia's great leader. His Imperial Majesty Haile Sellassie I on this 80th birthday.

Brillant chief of Africa's and Christendom's most ancient land, His Majesty has earned the love and respect of subjects and non-Ethiopians alike. This accomplishments are manifold. For his conuntrymen, he may be best remembered for the infinite skill with which he has combined tradition and science in helping to shape a modern, developing Ethiopia. For his fellow Africans, he may be best remembered as the principal pillar around which the Organization for African Unity was formed and developed. For the rest of humanity, he may be best remembered for his brave resistance to aggression and for his enormous contributions to creating and maintaining peace in Africa and elsewhere in the world. For everyone, he will surely be remembered as one of the towering figures of our time.

We, in the United States, are particularly thankful for the friendship which we have long shared with the Government and people of Ethiopia. We of the House of Representatives are delighted that one of our former members, the Honorable E. Ross Adair, has the privilege of serving as American ambassador to Ethiopia, where he has done a superb job in developing further friendly and fruitful ties with the Ethiopian Government and people.

In expressing to His Majesty our deep appreciation for his outstanding contribution to that friendship, I should also like to wish him continuing good health. May he fully savor the satisfactions which the thanks of a grateful humanity should engender.

MESSAGE OF GREETING TO AHEPA

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. CRANE. Mr. Speaker, it gives me great pleasure to extend greetings to the Order of Ahepa upon the occasion of its golden anniversary.

AHEPA stands for the American Hellenic Educational Progressive Association. Founded in Atlanta, Ga., on July 26, 1922, this organization has provided 50 years of outstanding service to our country.

During World War II, AHEPA sold $500 million in U.S. war bonds and before and after that time it has worked to alleviate the suffering of millions in need, both in our own country and abroad.

In addition to its philanthropic activities, AHEPA has as one of its goals "To instill in its membership a due appreciation of the privileges of citizenship." At a time when many in our country speak only in terms of rights and privileges, AHEPA has made it clear that the good citizen also has responsibilities.

AHEPA has helped Americans to understand more about the cultural contributions of Greece which is the cradle of our Western civilization. Our very ideas of democratic government and the rule of law stem, in large measure, from the lessons we have learned from the ancient Greek city-states.

American nationality has always been unique. It has not been based on common ethnic origins, or on common race, or on common religion. It has been based, instead, on a common commitment to a free society. Organizations such as AHEPA serve to strengthen that commitment. Americans who are proud of their ancestry are Americans who will be concerned with the kind of world they leave to their posterity.

It is my hope that AHEPA, in its next 50 years, will make as significant a contribution to our national life and to the cause of international goodwill as it has in its first 50 years. It is in the interest of all Americans that it do so.

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BROYHILL of North Carolina. Mr. Speaker, this month marks the golden anniversary of the Order of Ahepa, the American Hellenic Educational Progressive Association. This nonpolitical and nonsectarian fraternal organization, founded 50 years ago in Atlanta, Ga., has won international recognition for outstanding contributions in the fields of education, charity, and civic improvement.

The organization's list of national and international contributions is far-reaching and includes such programs as relief of Florida hurricane victims, contributions for fatherless children of refugees through the Near East relief, contributions to hospitals and health centers in Greece, national scholarships to worthy students, to name but a few.

In addition, local chapters have continued activities within the community in the areas of education and civic improvement.

The objectives of the Order of Ahepa include instruction of its members in the tenets and fundamental principles of government and recognition of the privileges of citizenship, encouragement of interest and participation in the political, civic and social life of the community, and the promotion of good fellowship.

As we extend congratulations to the Order of Ahepa on 50 years of service and accomplishment, we look forward to their continued dedication to the betterment of American life.

ORDER OF AHEPA

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. SMITH of New York. Mr. Speaker, I wish to take this opportunity to commend and congratulate the American Hellenic Educational Progressive Association, known as the Order of Ahepa, on the occasion of its 50th anniversary today.

During the past half century, AHEPA has made countless contributions to the betterment of American life.

The dedication of its members to the betterment of American education, civic participiation, community involvement, international relations, and family life is a goal toward which all Americans should strive. During the past 50 years, the order has constantly promoted loyalty to the United States, instructed its members in the fundamental rights of all mankind, instilled in its organization a tremendous appreciation of the privileges of citizenship and promoted an awareness of the needs of their fellow man.

Mr. Speaker, it is with great pride that I offer my heartiest congratulations to AHEPA on this, its 50th anniversary. I wish for its members continued success in the promulgation of the American ideal throughout their future. I particularly congratulate those members from western New York who now hold local or State office in the order: Angelo E. Pefanis, Tasos Kellaris, Chris Liaros, Nick Kafasis, and George Carcales.

AHEPA CELEBRATES 50TH ANNIVERSARY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. BOB WILSON. Mr. Speaker, 50 years ago today the Order of Ahepa was founded in Atlanta, Ga., by a group of citizens intent on promoting loyalty to the United States and encouraging its members to actively participate in the political, civic, social, and commercial fields of endeavors in our country. At the same time, AHEPA founders wished to promote a better understanding of the attributes and ideals of the Hellenic culture. These were just a few of the early goals that were laid down 50 years ago, and today we see the many achievements of this outstanding organization. More than 400 local chapters of AHEPA stretch across 49 States, Canada, and Australia.

Their members have given generously to many worthy causes during the last half century, primarily aiding in the relief of flood, fire, and earthquake victims around the world.

Local chapters also sponsor individual programs to help disaster victims in their own communities and I have seen the good work of the San Diego and El Cajon chapters in my own congressional district. They are to be congratulated and I know that all of us in the House wish them and all others in AHEPA many more years of success on this their golden anniversary.

SENATE—*Thursday, July 27, 1972*

The Senate met at 9:45 a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Lord of our life and God of our salvation, we pray for wisdom and for strength to persevere in all that pertains to advancing Thy kingdom of righteousness and justice on the earth. Spare us from yielding to disappointment, discouragement, or despair. Keep alive in us the idealism and the lofty goals of the Founding Fathers that they may be fulfilled in our time. Rekindle a firm faith in Thee that the creative energies needed for this hour may flow through us for the welfare of all. Keep us patient, kind, and true that amid the things which are seen and temporal we may have the peace of the unseen and eternal.

We pray in the name of Him who went about doing good. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, July 26, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Oceans and International Environment of the Committee on Foreign Relations, the Subcommittee on Labor of the Committee on Labor and Public Welfare, the Subcommittee on National Penitentiaries of the Committee on the Judiciary, the Permanent Subcommittee on Investigations of the Committee on Government Operations, the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, the Committee on Agriculture and Forestry, and the Committee on Finance be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Under the previous order, the Senator from Virginia (Mr. HARRY F. BYRD, Jr.) is recognized for not to exceed 15 minutes.

IN SUPPORT OF A SPENDING CEILING

Mr. HARRY F. BYRD, JR. Mr. President, yesterday the President of the United States, Mr. Nixon, submitted an urgent appeal to Congress to join him in an endeavor to avoid higher taxes, higher prices, and a cut in purchasing power for everyone in the Nation. The President expressed his deep concern as to Federal spending.

I share that concern. As a matter of fact, I guess my concern is even deeper than that of the administration.

During the course of his urgent appeal to Congress, President Nixon urged the enactment of a spending ceiling of $250 billion. I support a spending ceiling. I want to point out, however, that the enactment of a spending ceiling will not solve the great financial problems facing the Government. The enactment of a ceiling may help to reduce the acceleration of the Government's very difficult financial situation, but it will not solve it.

Nevertheless, I support a spending ceiling, and I shall cooperate with the President in this regard.

But I think there are certain facts of which the public should be aware.

To me, the most significant fact is this: That for the 3 fiscal years 1971, 1972, and 1973 the Federal funds deficit of the Government will exceed $100 billion. Those are smashing deficits.

Never before in any other 3-year period in the history of the American Government have there been such deficits, except during World War II, when we were fighting in both Europe and the Pacific and when we had 12 million Americans under arms.

Except for that period of time, there never has been a time in the history of our country when we have had anything approaching the tremendous, smashing deficits as the Government had in 1971, again in 1972, and another projected for 1973.

The 1971 deficit was $30 billion, the 1972 deficit was $32 billion, and the administration estimates that the deficit for 1973, the current fiscal year, will be $38 billion. I predict that the deficit for 1973 will be $45 billion. In any case, if we take the lower figure, the deficits in that 3-year period will exceed $100 billion.

I think we must be aware of the fact that the budget submitted to Congress by the President was itself an unbalanced budget. It was deliberately unbalanced. If Congress were not to add even $1 to the expenditure side, we would end up with a smashing deficit.

Yes, I believe that Congress must cooperate with the President, but this cooperation is a two-way street. The administration, itself, must submit to Congress realistic spending programs within, reasonably within, the amount of revenue which the Government will take in. But that was not done.

Economic theorists in the administration sold the President on the idea of what they call a full employment budget. That means that the administration recommends that Congress appropriate the amount of money that the Government would take in if—if—we had full employment—if we had full employment. But we do not have full employment. The Secretary of the Treasury and the Budget Director have testified before the Committee on Finance that we will not have full employment. No one expects full employment. So the so-called full employment ploy is fictitious, misleading, distorting, and wrong. It is very much like an individual saying "I would not be broke if my uncle had left me a million dollars."

The point I am suggesting is that I am pleased that the administration begins to see the seriousness of the problem of Government finances and these huge deficits. But the administration, itself, submitted to Congress a budget which was unbalanced to the extent of $35 billion—a Federal funds deficit of $35 billion—under its own figures. Congress appears to be going beyond that, and that is bad, just as it is bad to submit to Congress a budget $35 billion in the red.

As I view it, the dominant problem facing our Nation is the desperately bad condition of our Federal finances. I predict, Mr. President, that whoever takes office as President in January, the albatross around his neck will be the desperately bad condition of our Federal finances. This President and the one before him had the albatross of Vietnam. The next President, in my judgment, will have the albatross of a Government financial situation which is completely out of hand.

Government spending is completely out of control.

Neither the administration nor Congress has made any real efforts to get Government spending under control. As I say, you cannot get Government spending under control by submitting to Congress a budget which is completely out of balance the day you send it here. And you certainly cannot get it under control by Congress going well beyond that in the appropriation of public funds.

The national debt has reached the point that the annual interest on the debt—just the interest charge on the debt—is $22.7 billion.

Let me phrase it another way:

Of every personal and corporate income tax dollar paid into the Federal Treasury by the taxpayers of this Nation, 17 cents goes to pay the interest on the debt.

As a result of continued and increased deficit spending, the purchasing power of the American dollar has declined. Deficit spending by the Federal Government is a major cause of inflation.

I submit that inflation is a hidden tax on the earnings of the working people, and it hits hardest those on fixed income—for the most part, the elderly people of our Nation.

Where do we go from here? A team of Brookings Institute economists, headed by a former Budget Director, after a major new study of Federal finance, concluded that the Nation faces a three-way choice: slash Federal spending sharply, raise taxes severely, or permit rapid inflation. If there is any alternative to those three choices, no one has suggested it. I do not think there is any alternative.

But I see little evidence that either the administration wants to slash spending or that Congress wants to slash spending.

When former Budget Director Schultze was before the Finance Committee, the distinguished Senator from Connecticut (Mr. RIBICOFF) pointed out that there are 168 different Federal public assistance programs. He asked the Budget Director, were Congress to pass H.R. 1, which is Secretary Richardson's new welfare proposal, which of the 168 existing programs in that field could be eliminated. Former Budget Director Schultze answered in effect that none could be eliminated.

We cannot continue to add costly new programs and refuse to do away with any of the old ones in the same field.

I put the same question, about 2 weeks ago, to the new Budget Director, Mr. Weinberger. I said:

> Are there any Federal programs, any programs at all, that you can list for the committee which you feel should be discontinued or at least reduced?

Mr. Weinberger refused to cite one single program that he was willing to recommend be either eliminated or reduced.

We are not going to solve the Government's financial situation that way.

H.R. 1, the so-called new welfare proposal, which Secretary Richardson of HEW, its chief sponsor, has labeled "revolutionary and expensive"—about the only thing I agree with Secretary Richardson on in regard to that program is that it is revolutionary and expensive—will cost $5 billion more than we are spending on welfare now; and it would double the number of people on welfare.

I submit that we cannot enact new programs like that and expect to get the Government's finances under control.

President Nixon's statement yesterday is encouraging because it indicates that the White House is beginning to recognize the tragic state of our finances. But one or more statements will not solve the problem. His subordinates in the administration seem dedicated to the Keynesian theory that deficit spending is wise and sound and desirable. Such an attitude must be changed if spending is to be got under control.

Both the Congress and the administration must share the blame, as I see it, for the highly inflationary Government spending.

I shall cooperate fully with the President and with anyone else—who is willing to tackle the problem of uncontrolled Federal spending.

Mr. President, I ask unanimous consent to have printed in the RECORD two tables, one entitled "U.S. Gold Holdings, Total Reserve Assets and Liquid Liabilities to Foreigners" and the other "Deficits in Federal Funds and Interest on the National Debt 1954–73 Inclusive."

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

U.S. GOLD HOLDINGS, TOTAL RESERVE ASSETS, AND LIQUID LIABILITIES TO FOREIGNERS

[Selected periods in billions of dollars]

	Gold holdings	Total assets	Liquid liabilities
End of World War II	20.1	20.1	6.9
Dec. 31, 1957	22.8	24.8	15.8
Dec. 31, 1970	10.7	14.5	43.3
Dec. 31, 1971	10.2	12.2	64.2
May 31, 1972	10.5	13.3	[1] 67.0

[1] Estimated figure.

Source: U.S. Treasury Department.

DEFICITS IN FEDERAL FUNDS AND INTEREST ON THE NATIONAL DEBT, 1954–1973 INCLUSIVE

[In billions of dollars]

	Receipts	Outlays	Surplus (+) or deficit (−)	Debt interest
1954	62.8	65.9	−3.1	6.4
1955	58.1	62.3	−4.2	6.4
1956	65.4	63.8	+1.6	6.8
1957	68.8	67.1	+1.7	7.2
1958	66.6	69.7	−3.1	7.6
1959	65.8	77.0	−11.2	7.6
1960	75.7	74.9	+.8	9.2
1961	75.2	79.3	−4.1	9.
1962	79.7	86.6	−6.9	9.0
1963	83.6	90.1	−6.5	9.1
1964	87.2	95.8	−8.6	10.9
1965	90.9	94.8	−3.9	11.7
1966	101.4	106.5	−5.1	12.4
1967	111.8	126.8	−15.0	13.0
1968	114.7	143.1	−28.4	14.4
1969	143.3	148.8	−5.5	16.6
1970	143.2	156.3	−13.1	19.6
1971	133.7	163.7	−30.0	20.3
1972 [1]	147.1	179.3	−32.2	21.8 2

	Receipts	Outlays	Surplus (+) or deficit (−)	Debt interest
1973 [1]	152.6	190.4	−37.8	22.3
20-year total	1,927.6	2,142.2	214.6	241.5

[1] Estimated figures.

Source: Office of Management and Budget and Treasury Department.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the distinguished Senator from New York (Mr. JAVITS) is now recognized for not to exceed 15 minutes.

REBUILDING THE ATLANTIC COMMUNITY

Mr. JAVITS. Mr. President, I am taking this time to report upon activities which, though not directly related to the Senate, represent an extremely pertinent inquiry at this moment, as discussion respecting the future of the North Atlantic Treaty Organization and the security alliance is very much on the line and has been prominently featured in the press.

At long last we are beginning to hear of the serious strains which have arisen among the NATO countries. These are sometimes pictured as arising primarily from the new relationship consummated in the 12-point declaration between the United States and the U.S.S.R. issued at Moscow in May. This is true, but only partially at best, as the reasons are deeper, more longstanding and will take longer to correct. They relate primarily to trade, burden sharing of NATO costs and reform of the international monetary system. These issues are very serious and threaten to disrupt the NATO alliance, now in its 23d year.

We must remember that the NATO alliance no longer has a fixed term of life and can be denounced by any member on 1 year's notice now that the 20-year term contracted to in 1949 has been completed. France, so much a key to Europe, withdrew from the integrated command structure in 1966 and caused the removal of SHAPE headquarters from Paris to Brussels.

Within this context, the work of the Committee of Nine, established by the North Atlantic Assembly—formally the NATO Parliamentarians' Conference—at its plenary session in Ottawa last September—assumes great importance. This committee is charged with making recommendations as to the future of the Atlantic alliance. This base of the alliance—a continuance of close interrelationship among the NATO countries—is being eroded right under our feet. Accordingly, relations between Western Europe and North America need again to be accorded first priority in the foreign affairs of our country. I know of no more urgent task before the administration, and I strongly urge the President to make this his No. 1 priority. I believe that if this is done, the present dangerous drift can be reversed. President Nixon's prestige is very high in Europe and the Atlantic alliance can be both saved and strengthened.

The stakes are very high. It is my deep concern that if the United States begins to lean away from Western Europe, our allies there will not organize themselves as the "third force" for which Gaullist France has contended for so long, but rather that a vacuum of power will be created. This could cause Western Europe to lean toward the Soviet Union, with the "Finlandization" of Europe newly looming up as a possibility. This could be shattering to our hopes of a continued era of peace. The Atlantic community remains the most powerful aggregation of production and the strongest bastion of free institutions in the world. Without this base being secure, freedom everywhere—including the United States—is put in the greatest jeopardy.

It is within this context that I wish to report to the Senate on the second meeting of the Committee of Nine of the North Atlantic Assembly held in London on July 1 to 2.

I have the honor to be chairman of the Committee of Nine, and Congressman WAYNE HAYS, of Ohio, is the second member from the United States. Its other members are: Manlio Brosio, Italy; Dr. Walter Hallstein, Germany; Lord Harlech, United Kingdom; Mr. Halfdan Hegtun, Norway; Mr. Lester Pearson, Canada, and Mr. Max van der Stoel, Netherlands. Three distinguished advisers to the committee also participated in the meeting: ex-Foreign Minister Caglayangil, Turkey; Dr. Karl Mommer, Germany, and ex-Foreign Minister Nogueira, Portugal. Michel Habib-Deloncle has been designated as the member of the committee from France. He is a member of the French Parliament, Deputy Chairman of their Foreign Relations Commission, and a prominent Gaullist. In fact, he is editor of the Gaullist newspaper. M. Paul-Henri Spaak is also an adviser to the committee, but was unable to attend the meeting. I subsequently met with him in Brussels to acquaint him with results of the London meeting and to obtain his views on the issues under discussion.

The distinction of this membership, the degree of study which is going into the work of the committee, and the eminence of the great decisions which are being made about the committee, it seems to me, compelled marked and major attention on the part of our country.

The London meeting, the second held by the Committee of Nine, in my judgment made very significant progress in respect of the issues confronting the Atlantic Alliance. The wisdom, experience, and insight of the committee's distinguished membership enabled it to deal with an awesome agenda and to identify the pivotal questions which must be dealt with, if the Alliance is to maintain its viability over the coming decade.

Speaking individually as a U.S. Senator, and not officially on behalf of the Committee of Nine, I wish to report the consensus which in my judgment emerged from the meeting on the following significant points:

First. There is a continuing need for an Atlantic military alliance generally in its present form and this need will continue throughout the decade of the 1970's. Accordingly, the present structure of NATO should be continued generally intact, with adjustments to be made through negotiations as warranted by evolving security considerations. The question of more equitable burden-sharing, particularly with respect to offsetting the cost of U.S. troops in Europe can be negotiated through existing institutional arrangements. The important issue of a negotiated reduction in U.S. force levels in Europe in relationship to mutual and balanced force reductions also can, and should, be handled within the existing NATO framework.

Second. The overall Atlantic alliance, including NATO, is in serious danger because of divisive economic, monetary, and political strains which have developed with the alliance. These divisive strains are growing and require extensive and urgent political attention. The most divisive of the strains results from economic disagreements over trade, investment, and monetary arrangements. These disputes threaten to undermine agreement on important mutual security questions.

Third. NATO is essentially a defensive military alliance and is not likely to prove suitable or viable as an institution for resolving the urgent new politico-economic problems confronting the alliance and threatening it from within.

Fourth. The economic institutions as presently structured, such as the Organization of European Cooperation and Development—OECD—and the Group of Ten—finance ministers—are not suited to the task of resolving the underlying issues confronting the alliance. OECD, the Group of Ten, and so forth, are economic institutions in which economic issues and a tactical economic approach predominate, at the expense of overall political considerations. Thus the frictions, strains, and rivalries on economic questions tend to be exacerbated in these institutions in a way which jeopardizes the alliance in its broader perspective.

Fifth. There is a need for new political institutions and approaches which will integrate political, security, and economic questions and thus bridge the divisiveness of strictly economic considerations, and this will permit an effective restructuring of the Alliance.

The next phase of the work of the Committee of Nine, in my judgment, will be to address itself to this last point. A number of very complex and difficult questions must be resolved, if the Alliance is to succeed in restructuring itself successfully to meet the challenges and opportunities of the 1970's and 1980's.

Some of the major questions to be resolved are: the issue of European political integration; the posture of an integrated Europe toward North America—an "Atlantic" Europe or a "European" Europe—the post-Vietnam orientation of the United States; East-West relations in the evolving pentagonal world envisaged by President Nixon and Dr. Kissinger; and the interface between the rich industrialized nations and the poor developing nations.

I see unanimous consent that the communique issued by the Committee of Nine at the conclusion of its 2-day meeting in London be printed in the RECORD.

There being no objection, the communique was ordered to be printed in the RECORD, as follows:

The following is the final communique adopted by the Committee of Nine on Sunday, July 2, 1972:

The Committee of Nine of the North Atlantic Assembly held its second meeting in London on July 1st and 2nd. Senator Jacob K. Javits (United States), Chairman of the Committee, Senator Manlio Brosio (Italy), Professor Walter Hallstein (Germany), Lord Harlech (United Kingdom), Congressman Wayne Hays (United States), Mr. Halfdan Hegtun (Norway), Mr. Lester Pearson (Canada), and Mr. Max van der Stoel (the Netherlands) were present. There also participated Senator Ihsan Sabri Caglayangil (Turkey), Dr. Karl Mommer (Germany), and Ambassador Alberto Franco Nogueira (Portugal) as advisors to the Committee, together with Mr. Terrence Murphy (Canada), President of the North Atlantic Assembly, and Mr. Phillippe Deshormes (Belgium), its Secretary-General.

At its meeting the Committee discussed alternative trends in political, security, social, and economic relations between Western Europe and North America during the next ten years. There was agreement that the concept of an Atlantic partnership is relevant in the 1970's and the Committee discussed how this concept can be furthered: whether by using existing international organizations to develop improved relations between the European community and the United States and Canada, or by creating other institutions. The possibility of reform on the Atlantic Alliance was discussed as well as the possibility of extending the areas of Atlantic cooperation.

The Committee believes that the development of greater unity in Europe should be a positive step in the establishment of closer transatlantic bonds.

The Committee considers that solidarity on the part of NATO governments is essential with respect to a conference on security and cooperation in Europe and that special high-level meetings should be held for that purpose.

The Committee will make an interim report to the eighteenth plenary session of the North Atlantic Assembly to be held in Bonn, Germany, November 20 to 25, 1972. In the course of the meeting the Committee heard reports from Mr. Phillip Trezise (United States) of the Brookings Institution and from Mr. Peter Dobell (Canada) of the progress made in research commissioned for the Committee. Mr. Darnell Whitt (United States) and Mr. Anthony Hartly (United Kingdom) are Executive Directors of the Committee's work.

Others who attended the Committee's second meeting were Mr. John Peel, First Vice President of the North Atlantic Assembly (London), Dr. Curt Gasteyger, Deputy-Director General of the Atlantic Institute (Paris), Brigadier Kenneth Hunt, Deputy Director of the International Institute for Strategic Studies (London), and Mr. Michael Palmer, Director of Committees and Studies of the International Secretariat of the North Atlantic Assembly (Brussels).

The third meeting of the Committee of Nine will be held at Rand House, the Niagara Institute for International Studies, Niagara-on-the-Lake, Ontario, Canada, Saturday and Sunday, September 9th and 10th, 1972.

MIDDLE EAST PEACE PROSPECTS

Mr. JAVITS. During my recent visit to Israel on July 5 to 8, I found a new receptivity among Israel's leaders to peace initiatives. The withdrawal of substantial numbers of Soviet military personnel from Egypt, at President Sadat's request, may suggest the possibility of a break in the stalemate which has blocked for so long a negotiated peace settlement in the Mideast. If so, I believe that Israel would welcome the initiation of peace negotiations with President Sadat, either through direct negotiations, or preliminarily through close proximity talks if necessary. Prime Minister Meir's latest speech confirms this.

The courage, determination, and boldness which Israel has demonstrated over the past 5 years in refusing to be intimidated or bluffed by suggestions of joint Soviet-Egyptian military action, will be matched in my judgment by an Israeli willingness and desire to achieve a just and lasting peace through negotiations. While in Israel, I had extensive conversations with Israel top leaders, including: Prime Minister Golda Meir, Deputy Prime Minister Allon, Foreign Minister Eban, Finance Minister Sapir, Commerce and Industry Minister

Bar Lev, Transport and Communication Minister Shimon Peres, Mayor of Jerusalem Ted Kolleck, Director of the Bank of Israel Moshe Sanbar, as well as a number of other Israeli officials and private citizens. In addition, I had an excellent conversation with the U.S. Ambassador Walworth Barbour, and other members of his staff.

My visit to Israel took place at a moment of quiet and hiatus. Relations between the United States and Israel are probably at an all-time high. The strong sense of mutual understanding, appreciation and cooperation which pervade United States-Israel relations was unmarred by any disagreements over immediate tactical questions which often, and naturally, crop up even between friendly partners.

This relaxed atmosphere made it possible to concentrate in my discussions on the future prospects for a peace settlement in the Mideast, and the longer term aspects of the United States-Israel relations. With respect to peace prospects, I found the mood in Israel to be one of patient hopefulness. Now that Israel has been assured of the supply of military equipment it needs for a deterrent defense capability, I found in Israel relaxation from tension and increased flexibility about the modalities of achieving a peace settlement.

In addition, I found a deep sense of appreciation and trust in Israel for the United States. President Nixon's historic trips to Peking and Moscow were viewed with admiration and a sense of reassurance. Israelis have a lively curiosity about the American political process. And, while Israelis have an understandable feeling of appreciation and rapport for the Nixon administration, Israeli leaders quite properly maintain a position of strict impartiality and noninvolvement respecting the U.S. electoral process.

Israel is a nation of great purpose, drive and dynamism. My visit came at a period of relaxed tensions and that relaxation reflected itself in the broader scope of issues which receive the attention of Israel's leaders and thinkers. At a moment when Israel does not feel quite so imminently embattled, more thought is being given to broader questions relating to peace in the Mideast and Israel's longer term relations with the United States and Europe, as well as its relations with its immediate Arab neighbors and the Soviet Union.

I am confident that, if the latest developments in Egypt augur a new desire to seek a peaceful settlement with Israel, Israel will not be found wanting in a spirit of willingness and reciprocity. While the United States is well positioned to play a constructive role of encouragement, meaningful peace can only result from interaction between Israel and its Arab neighbors.

ORDER OF BUSINESS

The **ACTING PRESIDENT** pro tempore. Under the previous order, the Senator from Delaware (Mr. Roth) is recognized for a period of not to exceed 15 minutes.

THE SPENDING SPREE—PART II

Mr. **ROTH**. Mr. President, by now my colleagues know that I have an earnest desire to see this Congress face up to the tough challenge of fiscal restraint. Many times within the last year I have argued for spending moderation and have welcomed the support of a number of Senators who are as alarmed as I by the mounting Federal deficits. Senator Harry Byrd spoke very eloquently to the problem last night.

I have focused this concern on both fiscal years 1972 and 1973 with legislation that would apply a fixed outlay ceiling on all Federal program categories. This seems to me the only honest way to approach an admittedly difficult job of budgetary management. We are all aware that an increasing proportion of each year's budget is described as relatively uncontrollable. For example, it is virtually impossible to predict 18 months ahead of time just exactly how the credit markets will affect the interest cost on newly issued Government securities. Nor can the administration precisely gage the impact of economic conditions on Federal unemployment insurance or shared welfare programs.

And because these "mandatory" expenditures are so difficult to forecast, they have often been excluded from previous legislation, dating back to 1967, which has attempted to grapple with exactly the same problem of overspending.

But, it is the total of Federal purchases, grants, and loans that affects the overall deficit. Dr. Burns, Chairman of the Federal Reserve Board, testified only yesterday that a dollar spent on military procurement had virtually the same stimulative impact on the economy as a dollar spent to reimburse States for welfare administration costs or to provide impact aid in certain school districts.

He went on to say:

> Many of our citizens are alarmed by the increasing share of their incomes that is taken away by Federal, State, and Local taxes. Meanwhile, Federal expenditures have been rising at a rate well above the growth rate of our national income and product. The propensity to spend more than we are prepared to finance through taxes is becoming deep-seated and ominous. An early end to Federal deficits is now in sight. Numerous Federal programs have a huge growth of expenditures built into them and there are proposals presently before the Congress that would raise expenditures by vast amounts in coming years.
>
> The fundamental problem, therefore, is how to regain control over Federal expenditures. I do not think this can be accomplished without departing from our traditional methods of budgetary management.
>
> A proposal that could produce immediate beneficial results has already been studied by many members of the Congress—namely, the President's recommendation for a legislative ceiling on this year's budget expenditures. I strongly support this recommendation in the hope that the ceiling would be a rigid one, that it would admit of no escape hatches whatever, and that it would apply both to the Executive and to the Congress.

Twice this year I have pushed for just such a ceiling. It would include all program categories, regardless of their origin. Overspending by Congress would be subject to Presidential impoundment but equally as important, new legislative proposals from the White House would have to be accompanied by concomitant reductions in existing program activities. The need to keep a firm hand on the Federal budget is a shared responsibility for which Congress and the administration must be jointly accountable.

President Nixon dramatized our impending fiscal crisis in a message to the Congress yesterday. He warned that the administration will not let down its guard against inflation by irresponsible spending in fiscal year 1973. He has called for a fixed outlay ceiling of $250 billion, an increase of $3.7 billion from his original request of $246.3 billion made last January at the time of the budget message.

Four weeks ago I introduced exactly the same language as an amendment to H.R. 15390, the debt ceiling increase. Likewise, I offered the ceiling pegged at $246.3 billion as an amendment to H.R. 12910, the first debt ceiling increase this year. In a companion effort, the lower ceiling was also written as a separate bill, S. 3123, which received the support of 48 other Senators before it was referred to the Finance Committee.

I think it was most unfortunate that the administration twice chose to press for "clean" bills on the increased debt ceiling. It seemed only logical to me that those measures were unquestionably the most germane to any effort designed to control the need for additional debt capacity. If the administration really wants this additional budgetary tool, it must work hard in Congress to achieve it.

Mr. President, I would like to remind my Senate colleagues that the spending ceiling has received strong, bipartisan support on both the House and Senate side. My March amendment, modified by Senator Spong's perfecting language, passed this body on a rollcall of 53 to 31. It was subsequently defused by two amendments which would have taken the rigid discipline out of my language. Later on, in conference, the House noted that such an effort would only have been a token gesture, without any real restraint. In his report on the conference action, the distinguished chairman (Mr. Mills) said, and I quote:

> Even though some of us favor an expenditure ceiling, we did not believe the Senate version would be effective in controlling the level of spending. I say this primarily because the Senate expenditure ceiling would float upward any time Congress passed an appropriation's bill for more than the President's request.

Over the last month, top administration officials and Dr. Burns of the Fed have all testified, some as many as three times, on the urgent need for some fiscal restraint. It may be politically attractive for Congress and the Executive to appeal to certain constituencies with the promise of more funding, but the cumulative effect on our Federal budget could be devastating. If outlays continue to rise, we must either make major revisions all through the tax code in order to raise significantly more revenue, or bear the blame for setting off a new round of inflation just at the time the economy is showing its most tangible signs of recovery. I can think of no two messages which would be politically less popular as election day approaches. Worse yet, I fear if we continue on our present course we shall be plagued with both inflation and higher taxes.

Mr. President, I now urge the Committee on Finance to schedule immediate hearings on this spending limitation. I am sure that the need for such a discipline would be documented not only by administration spokesmen, but also by representatives of the business and academic communities. An open dialog such as this can only serve to convince Members that this legislation has long since become too important to our Nation's economy to be treated as a strictly partisan issue. I would sincerely hope that the distinguished chairman (Mr. LONG) would invite the broadest participation in these hearings in order to reinforce what I say here.

However, I fully intend to press for congressional action at the earliest practical date even if the Finance Committee should decide that hearings on the bill cannot be scheduled at this time. Action on important legislation such as revenue sharing will certainly come before we adjourn, and it seems entirely logical to me that, if necessary, this would be a very germane and timely amendment to that bill.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter to the distinguished chairman of the Finance Committee asking for prompt hearings on this bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., July 27, 1972.

Chairman, Committee on Finance, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: On March 13, 1972, I wrote to you requesting that the Finance Committee schedule hearings on my bill, S. 3123, a measure to place a ceiling on Federal outlays for Fiscal Year 1973.

At the time, I incorporated the Administration's budget request of $246.3 billion, a figure which has since been revised upward to $250 billion in the President's message to Congress yesterday.

Though I cannot speak for the 48 cosponsors of my bill, I feel it entirely appropriate to request that the $246.3 billion figure be increased to $250 billion. The President has strongly emphasized the need for immediate action on a "no-holes" ceiling, and I would therefore urge you to hold hearings in order that the Senate might take action on the bill before the August recess.

I would be happy to discuss with you the various statements of support which have been submitted in connection with this legislation and would, of course, like to appear as a witness when the Finance Committee takes the matter under consideration.

With best wishes.

Sincerely,

WILLIAM V. ROTH, JR.,
U.S. Senate.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order there will be a period for the transaction of routine morning business for not to exceed 15 minutes with statements therein limited to 3 minutes.

Mr. YOUNG. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Health of the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today. This request meets with approval on the Republican side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNIONS AND POLITICS

Mr. GOLDWATER. Mr. President, on July 19, I took the floor to call attention to the fact that the American Newspaper Guild had broken a 40-year tradition to endorse the presidential candidacy of Senator GEORGE MCGOVERN on the Democrat ticket. At that time, Mr. President, I described the endorsement as "one of the most interesting and least written about stories" to come out of the party's convention and asked for a full airing of that endorsement inasmuch as many members of the newspaper guild will be covering and writing about the presidential campaign this fall.

Since that time, Mr. President, thousands of words have been written about this strange event and several hundred newsmen have publicly disassociated themselves with the endorsement of their AFL–CIO union. The Washington Post in particular saw fit to devote an editorial and two long articles to the situation as a result of my prodding and some 300 members of the guild in the Washington area took out a quarter-page ad in the Sunday paper to announce that "the guild has no business interjecting its members into a partisan political role." The newsmen described the guild action as an effort to demean them "as professionals whose hallmark is fairness" and said it "ties us to a political decision we personally may or may not favor."

Mr. President, the action of the newspaper guild was announced in Senator MCGOVERN's pressroom during the Democratic Convention by Guild President Charles A. Perlik, Jr. This, of course, was before the Republicans had nominated their candidates for national office and consequently robbed the action of any appearance of the union's even having considered both major political parties. In fact, Mr. President, although the guild action was not announced until July 13, some members of the guild have suggested that the endorsement was voted by the guild even before Senator MCGOVERN's nomination was finalized by the convention.

Amazingly enough, the newsmen's union was put on record in a national election solely on the approval of a 14-man executive board. And despite all the disclaimers filed by reporters who objected, the action was entirely legal and proper under the union rules. It seems that the guild convention 2 weeks earlier had voted 226 to 124 to authorize the union's executive board to endorse a presidential candidate. According to Perlik, the executive board's action was unanimous. What is more, the president of the guild has flatly refused to recant the executive board's endorsements despite the heated protests from many members of the union's rank and file.

Mr. President, this brings up in dramatic fashion an evil contained in the union system in this country which I have complained about for almost 20 years. It is a situation where a handful of politically minded union officials can impose their will upon a union of many thousands of members who are compelled to support that union in order to keep their jobs. What I am saying, Mr. President, is that through a long period of special treatment by Congresses controlled by political liberals, the union bosses in this country have become powerful enough to make union membership a condition of employment for millions of workers and to override the wishes of their rank-and-file members in making political decisions and powerful enough, through the liberal use of union funds and manpower, to actually dictate the outcome of many elections throughout the country.

Consider the situation existing in the guild. That union's convention this year voted 201 to 147 to reject a motion which called for the endorsement of Senator MCGOVERN for President. After that, the officials of the union managed to accomplish their objective by having the convention authorize its executive board to endorse a candidate. Had I been a member of the union who attended the convention, it would have been my considered opinion that the vote against the motion to endorse MCGOVERN should have been taken by the executive board as the direct intent of the guild membership.

Now this situation has been aired rather extensively, and I wish to point out in all modesty that the airing took on added accelerations after I implied on the Senate floor that some newspapers were interested in giving the action of their union as little prominence as possible. Not only have some 300 guildsmen in the Washington area publicly announced in a paid advertisement their disagreement with the guild action, but working newsmen all over the country have taken similar action or written stories expressing their defiance of Mr. Perlik and his executive committee. Some of these guildsmen have kindly written to me to express their thanks over my effort to bring this whole sordid mess to the public's attention and to show their dissatisfaction and unhappiness at the action announced by Mr. Perlik.

Among these was the former editor of the Washington Afro-American newspaper, Mr. Chuck Stone, whom I have had the privilege of knowing since 1963 when he interviewed me for his newspaper. Mr. Stone presently is a columnist for the Philadelphia Daily News. In his letter to me he enclosed one of his columns which was published July 21 entitled "I'm Not for McGovern." Mr. Stone explained to his readers that at the present time he is not for President Nixon, either, and that his mind is still open. He points out that as a guildsman "I did not authorize anybody to cast a vote for me, nor was I ever given the privilege to express my views on a decision that drives straight to the heart of a free press."

Mr. President, it strikes me that the newsmen are extremely fortunate when compared with, say, steelworkers or automobile workers or a number of any other members of big unions who disagree with the political decisions of their bosses, who object to having their union dues and assessments used to support a particular political candidate, but who are helpless to do anything about it. Such rank-and-file members do not have the money to take out a quarter page ad to express their views, nor do they have access to the columns of a newspaper where they can proclaim their independence as did Mr. Stone in Philadelphia. No, the auto worker union member who for years disagreed with what officials like UAW President Leonard Woodcock and his predecessor, Walter Reuther, decided should be done was powerless. He still is. Throughout the country there are millions of rank-and-file union members who practically have no voice at all in how their union performs in the political arena or how their union's money is spent in the name of "political education."

Mr. President, I am not now talking about some penny-ante operation dictated by a 14-member executive board. Instead, I am talking about the raw union power exercised by organized labor's Committee on Political Education—COPE. In my recent book, "The Conscience of a Majority," I devoted a chapter to union power in which I pointed out that neutral observers have estimated that between $60 and $100 million was spent by organized labor in the national election of 1968. It was further estimated that COPE registered over 4.6 million new voters for those elections and, from its headquarters in New York and regional headquarters throughout the country, deluged the voters with a minimum of 115 million leaflets urging the election of labor candidates. COPE itself is said to have reported to newsmen that some 24,000 union officials and volunteer squads used over 8,000 telephones in nearly 700 cities in the 1968 election to make some 200 million calls on behalf of candidates supported by labor organizations.

Mr. President, this is a very big bundle of political muscle and it was undoubtedly wielded against the wishes of many hundreds of thousands of rank-and-file union members.

Many of us who have felt the weight of COPE opposition in our own election contests have tried time and time again to bring this disgraceful condition to public attention and get the Congress of the United States to put some laws on the books that would make unions as responsible to the people as are the corporations. In this regard, I recently ran across a speech that I made some 12 years ago complaining about union immunity from taxation and antitrust laws and other instances of special privilege accorded to a special group friendly to one political party.

This background is what makes the guild situation so important at this point in history. In effect, it is a scale model example of how raw union power can be used in a ruthless attempt by the union bosses to put over political candidates they themselves favor and without regard for the wishes of the rank-and-file members. It illustrates better than anything else the long, overdue need for an entirely new national labor policy—one that would require the union bosses to bear responsibility equal to the power they wield.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

S.J. Res. 199. Joint resolution to recognize Thomas Jefferson University, Philadelphia, Pa., as the first university in the United States to bear the full name of the third President of the United States (Rept. No. 92–989).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2826. A bill for the relief of Susan A. Quillin (Rept. No. 92–990); and

S. 3099. A bill for the relief of Michele Koton (Rept. No. 92–991).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 2101. A bill for the relief of Juanito Segismundo (Rept. No. 92–992); and

S. 3155. A bill for the relief of Marc Stanley L. Koch (Rept. No. 92–993).

By Mr. BAYH, from the Committee on the Judiciary, without amendment:

H.R. 15635. An act to extend the Juvenile Delinquency Prevention and Control Act of 1968 for 2 additional years, to assist elementary and secondary schools, community agencies, and other public and nonprofit private agencies to prevent juvenile delinquency, and for other purposes (Rept. No. 92–1003).

By Mr. BAYH, from the Committee on the Judiciary, with amendments:

S. 2829. A bill to strengthen interstate reporting and interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; and for the establishment, maintenance, and operation of temporary housing and counseling services for transient youth (Rept. No. 92–1002).

By Mr. STEVENSON (for Mr. EAGLETON), from the Committee on the District of Columbia, with an amendment:

H.R. 15580. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes (Rept. No. 92–994).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

H.R. 6745. An act to amend section 122 of title 28 of the United States Code to transfer certain counties of the central division of the judicial district of South Dakota (Rept. No. 92–995); and

H.R. 12979. An act to amend title 28, United States Code, to authorize the recall of retired commissioners of the U.S. Court of Claims for temporary assignments (Rept. No. 92–996).

By Mr. MOSS (for Mr. HATFIELD), from the Committee on Interior and Insular Affairs, without amendment:

H.R. 489. An act to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Modoc Point unit of the Klamath Indian irrigation project, Oregon (Rept. No. 92–997); and

H.R. 5721. An act pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon (Rept. No. 92–998).

By Mr. MOSS (for Mr. HATFIELD), from the Committee on Interior and Insular Affairs, with amendments:

S. 2969. A bill to declare title to certain Federal lands in the State of Oregon to be in the United States in trust for the use and benefit of the Confederated Tribes of the Warm Springs Reservation of Oregon (Rept. No. 92–999).

By Mr. MOSS (for Mr. CHURCH), from the Committee on Interior and Insular Affairs, with amendments.

S. 2478. A bill to provide for the disposition of funds to pay a judgment in favor of the Shoshone-Bannock Tribes of Indians of the Fort Hall Reservation, Idaho, as representatives of the Lemhi Tribe, in Indian Claims Commission docket number 326–I, and for other purposes (Rept. No. 92–1000).

By Mr. MOSS (for Mr. JACKSON), from the Committee on Interior and Insular Affairs. with amendments:

S. 3157. A bill to promote maximum Indian participation in the government of the Indian people by providing for the full participation of Indian tribes in certain programs and services conducted by the Federal Government for Indians and by encouraging the development of the human resources of the Indian people, and for other purposes (Rept. No. 92–1001).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Carl E. Hirshman, of New Jersey, to be U.S. marshal for the district of New Jersey; and

Robert E. J. Curran, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore (Mr. METCALF), on today, July 27, 1972, signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 15950. An act to amend section 125 of title 23, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as a result of recent floods and other disasters; and

H.R. 15951. An act to authorize the Secretary of the Army to undertake a national program of inspection of dams.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. McGEE:

S. 3848. A bill to correct inequities resulting from the exclusion from entitlement to severance pay of employees who, at the time of separation from the service, declined to accept employment in equivalent positions in a different commuting area. Referred to the Committee on Post Office and Civil Service.

By Mr. MILLER:

S. 3849. A bill to amend certain provisions of chapters 51 and 69 of the Internal Revenue Code of 1954, by modifying the forms of stamps required on containers of distilled spirits as evidence of tax payment and the requirement that such stamps be prepared and distributed by the Secretary of the Treasury or his delegate. Referred to the Committee on Finance.

By Mr. MONDALE:

S. 3850. A bill for the relief of Kit Lam Cheong; and

S. 3851. A bill for the relief of John Braun, wife Helen, Bradley, Angela, Polly, and Peggy. Referred to the Committee on the Judiciary.

By Mr. CRANSTON (for himself, Mr. SCHWEIKER, Mr. WILLIAMS, Mr. RANDOLPH, and Mr. MONDALE):

S. 3852. A bill to amend the Railroad Retirement Act of 1937 to provide a temporary 20-percent increase in annuities, and for other purposes. Referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2161

At the request of Mr. HARTKE, the Senator from Arkansas (Mr. FULBRIGHT) was added as a cosponsor of S. 2161, a bill to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the vocational rehabilitation subsistence allowances, the educational assistance allowances, and the special training allowances paid to eligible veterans and persons under such chapters.

S. 3708

At the request of Mr. SCHWEIKER, the Senator from Pennsylvania (Mr. SCOTT) was added as a cosponsor of S. 3708, the Fair International Trade Act of 1972, a bill to amend the tariff and trade laws of the United States, and for other purposes.

S. 3792

At the request of Mr. MOSS, the Senator from New Mexico (Mr. ANDERSON) was added as a cosponsor of S. 3792, a bill to further the purposes of the Wilderness Act of 1964 by designating certain lands for inclusion in the National Wilderness Preservation System, and for other purposes.

S. 3811

At his own request, Mr. STEVENSON was added as a cosponsor of S. 3811, a bill to amend the act entitled "An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes."

S. 3825

At the request of Mr. WEICKER, the Senator from Colorado (Mr. DOMINICK) was added as a cosponsor of S. 3825, the Highway and Related Transportation Systems Improvement Act.

S. 3844

At the request of Mr. BOGGS, the Senator from New Jersey (Mr. WILLIAMS) was added as a cosponsor of S. 3844, a bill to amend the Federal Water Pollution Control Act in order to require the approval of adjacent coastal States prior to the construction of certain offshore facilities.

SENATE CONCURRENT RESOLUTION 89—SUBMISSION OF A CONCURRENT RESOLUTION ON BEHALF OF PRISONERS OF WAR AND MISSING IN ACTION

(Referred to the Committee on Foreign Relations.)

Mr. THURMOND. Mr. President, no aspect of the war in Indochina causes greater anguish than the plight of our prisoners of war held by the enemy and the missing in action. Although the treatment of prisoners of war is governed by international law, as stated in the Geneva Convention of 1949, North Vietnam and its allied forces in Indochina have flagrantly violated their obligations under that convention. The result for our men, and for their families who wait for them, is measured in the daily pain caused by ever-longer confinement.

I am today introducing a concurrent resolution calling attention to the plight of those prisoners of war, and to North Vietnam's violations of the Geneva Convention. The resolution notes that the Government of North Vietnam adhered to that convention in 1957. It is one of more than 130 nations who are parties to that convention.

The resolution records the grim fact that, despite its solemn undertaking to respect the convention, North Vietnam has demonstrated flagrant disregard for the rights of prisoners of war as enumerated in that convention.

Mr. President, the Geneva Convention requires that all prisoners of war be identified; that they be treated humanely; that sick and wounded prisoners of war be released and repatriated; that prisoners of war be protected from public humiliation and abuse; that their places of detention be respected and that they be allowed to send and receive mail and packages.

What is North Vietnam's record? The facts are well known. Let me review them for my colleagues.

Many prisoners of war have never been identified. Prisoners of war have been mistreated. Prisoners of war known to be ill or injured have not been released. Prisoners of war have been marched through the streets of Hanoi, forced to make public statements and in other ways subjected to humiliation and abuse. There has never been impartial inspection, by the International Red Cross or by any other respected intermediary. Letters and packages have been restricted. Many known prisoners of war have never been heard from.

Mr. President, the full record of North Vietnam's violations has been repeatedly set forth by our spokesman in the Paris negotiations. To bring the facts before my distinguished colleagues, I ask unanimous consent to place in the RECORD at this point a list of North Vietnam's violations of the Geneva Convention which was extracted from a statement by U.S. Negotiator David Bruce.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

EXTRACT FROM A STATEMENT BY U.S. NEGOTIATOR DAVID BRUCE, DECEMBER 1, 1970

DRV VIOLATIONS OF 1949 GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR (TO WHICH THE DRV ACCEDED IN 1957)

Article, requirement, and DRV performance

13.—POW's must be humanely treated, protected; reprisals against POW's prohibited.—Paraded in streets, forced to make statements, some torture.

21.—POW's not to be held in "close confinement."—Many POW's held in solitary confinement for years.

23.—Mark PW camps so as visible from air, give information on camp locations.—No markings on camps; locations concealed.

26.—Provide sufficient food, prevent loss of weight, take account of normal diet.—Released POW's state that standard fare consists of: pumpkin soup, rice, bread, pig fat. All POW's underweight and suffering from malnutrition.

30.—Adequate medical care.—Much evidence of inadequate medical care (photos, released POW's); prisoners dying in camps.

34.—Regular religious services.—Only evidence is films of some Christmas services.

70.—Write to family within 1 week of capture.—Some have not written for 5 years.

71.—Minimum of two letters and four cards a month.—Average of two-three letters per year (none at all for some).

72.—Free receipt of parcels.—DRV states that POW's can receive a package every other month. Evidence indicates delivery is irregular; parcels sent to "dead" not returned.

109.—Immediate repatriation of seriously sick and wounded. Release of POW's long held in captivity.—No regular release of sick and wounded or long-held POW's; state of health or duration of imprisonment has not appeared to be a determining factor in those releases which have taken place.

120.—Advise of deaths in captivity, full official information on circumstances, cause, burial, grave identification.—Bare assertion of death through unofficial and irregular channels, no details.

122.—Advise promptly names of all POW's held.—Never released official or complete list.

126.—Neutral inspection of all camps, interview of POW's without witnesses.—No inspection; propaganda interviews only.

Mr. THURMOND. Mr. President, the resolution I am introducing declares the sense of Congress that all parties to the Geneva Convention should join with us in bringing pressure on North Vietnam to abide by that convention, and to bring about arrangements for the rapid release of all prisoners of war. The resolution provides that the President of the United States is requested to transmit a copy of it to the heads of government of all Geneva Convention nations, except North Vietnam. It also provides for the President to transmit the resolution to the Secretary General of the United Nations.

I do not know if the action proposed in this resolution will succeed in convincing North Vietnam to treat our men humanely and to release them soon. But I believe it will help accomplish that goal. It is the least we can do to make clear our support for our men, and our solidarity with the families who wait for them.

Mr. President, I urge my distinguished colleagues to pass this resolution by unanimous consent.

The concurrent resolution reads as follows:

S. CON. RES. 89

Whereas, the purpose of the Geneva Convention of August 12, 1949, was to prescribe rules for the humane treatment of prisoners of war;

Whereas, the Government of North Vietnam, having adhered to that Convention on June 28, 1957, is one of the 131 parties to that Convention;

Whereas, the Government of North Vietnam by its actions regarding American prisoners of war has demonstrated a flagrant disregard for its commitment as a signatory nation of the Geneva Convention;

Whereas, the Geneva Convention states, contrary to the view of the Government of North Vietnam, that the Convention applies to "any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them";

Whereas, the International Conference of the Red Cross adopted without dissent and with the support of 114 nations, a resolution calling upon the parties of the Vietnam conflict to abide by the Geneva Convention with respect to the humane treatment of prisoners of war;

Whereas, prisoners taken by the United States and its allies in Vietnam are identified and accorded humane treatment, including adequate shelter, clothing, food, exercise, and medical care, and released if sick or wounded, all of which actions have been verified by international inspections.

Whereas, the Geneva Convention requires the Government of North Vietnam to:

(1) identify all prisoners of war;

(2) exercise humanitarian treatment;

(3) release sick and wounded prisoners;

(4) protect prisoners from public abuse;

(5) permit inspection of prisoners and quarters by a neutral party;

(6) allow the flow of letters and packages;

Whereas, the United States and its allies are complying with the above provisions of the Geneva Convention;

Whereas, the American people, the Congress by previous resolutions, and the Executive Branch of the Government are united in demanding compliance with the Geneva Convention, including arrangements for the exchange of prisoners of war;

Whereas, the Secretary General of the United Nations stated that the Government of North Vietnam "ought to give an international humanitarian organization, such as the League of Red Cross Societies, access to the Americans detained in North Vietnam";

Whereas, the Government of North Vietnam continues its barbaric attitude, inhumane treatment of prisoners, and defiance of the other signatories of the Geneva Convention;

Whereas, the condemnation of the world should be brought to bear against the Government of North Vietnam in an attempt to force compliance with the Geneva Convention, including negotiations for the immediate exchange of all prisoners;

Whereas, the prisoner of war problem is a humanitarian issue and prisoners of war should not be held as hostages pending the settlement of the Vietnam conflict: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is hereby declared to be the sense of the Congress that all parties to the Geneva Convention, excluding North Vietnam, should join with the United States in exercising every possible political, diplomatic, economic, and psychological action, public and private, necessary to force the Government of North Vietnam to abide by the provisions of the Geneva Convention, and to agree to an arrangement for the rapid exchange of all prisoners of war.

SEC. 2. The Congress requests and urges the President to transmit a copy of this resolution to the heads of governments of all signatory nations of the Geneva Convention and to the Secretary-General of the United Nations.

EQUAL EXPORT OPPORTUNITY ACT—AMENDMENT

AMENDMENT NO. 1371

(Ordered to be printed and to lie on the table.)

Mr. CURTIS (for himself, Mr. BELLMON, Mr. DOLE, Mr. DOMINICK, Mr. HANSEN, Mr. HRUSKA, Mr. MCGEE, Mr. MILLER, Mr. TALMADGE, Mr. TOWER, and Mr. YOUNG) submitted an amendment intended to be proposed by them jointly to the bill (S. 3726) to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, establish a Council on International Economic Policy, and for other purposes.

AMENDMENT NO. 1373

(Ordered to be printed and to lie on the table.)

Mr. MCGEE (for himself and Mr. TALMADGE) submitted an amendment intended to be proposed by them jointly to the bill (S. 3726), supra.

NANTUCKET SOUND ISLANDS TRUST—AMENDMENT

AMENDMENT NO. 1372

(Ordered to be printed and referred to the Committee on Interior and Insular Affairs.)

Mr. KENNEDY. Mr. President, I am today introducing an amendment to S. 3485, the bill I introduced in April to establish the Nantucket Sound Islands Trust.

This amendment is the product of hundreds and hundreds of hours of work by the people of those islands, who have studied, met, discussed, consulted, listened, and, most importantly, have acted positively and responded to the bill as an opportunity to restore some measures of locally-based control over the islands' future.

I have personally met with most of the islands' elected officials to discuss the bill and proposed amendments earlier circulated to them, and I plan to meet with the others in the near future. I have met also with representatives of citizens groups formed to work on refining the bill, and over the course of the last 3 months have had the opportunity not only once again to visit on the islands, but to talk with many individuals—island voters and island taxpayers—who are alarmed about the future of the islands.

The islands themselves, principally the islands of Martha's Vineyard, the Elizabeth Islands, and Nantucket, lie off the southern coast of Massachusetts. In the densely urbanized northeastern part of this country, they are unique, with an unspoiled natural beauty rare anywhere. Beaches, moors, gently rolling uplands with kettlebottom ponds giving way to flat glacial outwash plains streaked with great ponds, superb harbors, estuaries rich with marine and birdlife—all of this is now threatened by the rush of suburbanization. The islands stand, today, on the brink of a subdivision development explosion, from which, if it is not controlled, there will be no turning back.

As many of the island officials, elected and appointed, have recognized, the threat is not from internal pressures for natural expansion. Instead, it grows out of external pressures: off-island land developers marketing large-scale subdivisions of a kind entirely foreign to residential land-use patterns now existing on the islands. The tools to control these subdivisions—and the control is desired by the islanders themselves—simply do not exist, either because not all the towns have all the tools available under State law in force and effect, or because, even if they did, the State laws themselves do not authorize extensive enough controls. That is why it has been said that the bill, in a way, will restore control over forces now beyond the control of local governments.

It is an urgent situation, and the people of the islands have repeatedly shown that they know it is a race against the clock. A few examples:

Nearly 90 percent of the voters in Martha's Vineyard thought the island's future "in jeopardy from the present rate of development" in a questionnaire circulated this spring.

Housing starts on the vineyard are running at about two a day; last year it was one a day, and the year before that one every 2 days.

There are almost exactly 3,000 homes now on Nantucket Island, and development plans known to the town's planning board would add over 2,000 new homes to the existing stock.

On both Martha's Vineyard and Nantucket, local officials have expressed alarm at the possible contamination of the ground water supply should development continue at its current pace.

In their 1971 annual report to the town, the selectmen of the town of Gay Head on Martha's Vineyard said:

> Gay Head has reached a crossroads in her history. The Town could become another Cape resort, or carry on with its traditions and history . . . The public has discovered the Town to an increasing degree, so that revolutionary adjustments have become necessary.

That statement is concise, thoughtful, and accurate—and it applies equally to each of the other seven towns on the islands.

Passenger and vehicle traffic to islands has increased rapidly in the past decade, and is projected to double in the next decade.

Legislation to construct bridges to the Elizabeth Islands, Martha's Vineyard and Nantucket has already been introduced in the Massachusetts State legislature.

At a public meeting of about 1,200 townspeople on Nantucket this spring, not a single voice was raised in favor of continuing development at its present pace.

Two major publicly funded studies have recently been completed for the islands, one for Martha's Vineyard—the 1917 Metcalf and Eddy report—and one for Nantucket—1970 the urban design group report. Both of these studies bear out the facts and projections, and both warn that determined and progressive action is essential if the unique quality of the islands is to be preserved. The Department of the Interior in 1970 completed an exhaustive study of the Nation's islands, and its principal recommendation was the creation of the national system of island trusts, as a companion piece to existing national preservation and conservation programs. The report further recommended that the Nantucket Sound islands should be considered for inclusion in such a trust system.

In short—there is little need for more studies; elected officials at all levels have an affirmative mandate from the people of the islands for action; and only action soon will preserve the unique character of the islands.

The bill I introduced in April, together with the amendment I am introducing today, includes a number of innovations in environmental protection legislation. Its central concept is a sharing of authority between the levels of government; a partnership, in fact, into which each partner contributes its most appropriate resources. Furthermore, because there now exist bustling towns on the islands, the bill seeks to treat existing land uses realistically and to plan for controlled growth by assigning the lands to different classifications.

Conservation in builtup areas of this country is a far different matter, requiring new and innovative arrangements, than it is in wild and open areas. This legislation is designed to recognize these unusual circumstances.

I have prepared an analysis of the amended bill, which I will ask to be printed in the RECORD, which details the specific provisions. Consequently, I will only summarize the provisions here.

The bill would create two island trust commissions, one for Martha's Vineyard and one for Nantucket. These commissions would be the principal trust management authorities. They would work with the Secretary of the Interior, on the one hand, and with the towns and other local government units and the State on the other, in carrying out the preservation and conservation purposes of the bill. The commissions would not, however, conflict with town governments and town meetings; instead, they would stand beside these existing government units, adding tools for land use control not available now under State law to the towns, and serve as the agent for Federal funds. This, once again, is the central new concept, which has been grasped by those viewing the bill as an opportunity instead of as a threat.

The islands' beaches would not be made public; instead, a right of passage over an easement, with a maximum width of 40 feet, parallel to the high-water line, would be created. This would serve to complement the right of passage which now exists between the high- and the low-water line. Private ownership of beaches would still extend to the low-water line, subject to the right-of-passage easement. Some number of new public beaches, with access from public roadways, would be established, with strict limits placed on the number both of their location, and their capacity. Beaches in town-planned lands are excluded from the forever-wild category, because of their generally developed character. Beach lands now owned by State, county, or town governments, or by general-purpose conservation organizations, are not eligible for acquisition.

Access to the islands themselves would be surveyed, with an eye to establishing reasonable controls on it. This is analogous to the restrictions now imposed by the National Park Service when fragile natural resources are threatened by intensive use. It would be declared as national policy that no bridges be built to the islands.

Other principal provisions of the amendment are that lands acquired for the trust will pay taxes as if privately owned; that the Commissions have enlarged responsibilities and authority; that the bill's purpose is explicitly one of conservation and not recreation; that specifically incorporate the provisions of the Relocation Assistance and Real Property Acquisition Policies Act of 1970, which itself clarifies the laws regarding fair market value and prompt payment; that flexibility is added to allow limited growth in science preservation lands; that family ownership of structures on forever-wild lands is continued; and that Indian-owned common lands remain the province of town governments, as they now are.

Massachusetts has an impressive array of natural resource protection legislation, including that covering coastal and inland wetlands and estuaries, and a foresighted conservation and preservation restriction law. The bill builds upon these laws, either by including them in those areas where no new construction should take place, or by generally exempting lands so restricted from the bill's provisions. This is yet another example of the sharing of authority and partnership concepts embodied in the bill.

When I introduced the bill in April, I termed it a "working document," and said:

> I am sure that . . . local groups with both expertise and interest will suggest constructive changes; I certainly count on their doing so.

The number of groups which, in response to this invitation, either formally or informally has suggested changes has been not only gratifying, but very, very helpful as well. This amendment, and particularly the maps accompanying it, are based in large part upon the work of these groups, as were the proposed amendments I have earlier circulated.

I want to single out three groups for their extensive, thoughtful and earnest work. They are the Nantucket Home Rule Committee, the Committee to Preserve Nantucket, and the Vineyarders to Amend the Bill. I have met with these groups, and look forward to meeting with them again to discuss the islands' future in even greater detail. As an illustration of how extensive and detailed the analysis has been, I will ask to have printed in the RECORD the reports given to me by the latter two groups. This amendment incorporates a great many of their suggestions; it encourages further discussion on others; and it leaves still others for legislation on the State level or for implementation as regulations by the commissions. An example is the suggestion of the Vineyarders to Amend the Bill that class B lands be divided into two subclassifications, placing particular emphasis upon fresh and salt water shorelines and setbacks from roadways. Both are positive and important conservation steps, and should definitely be a part of protection efforts.

Other groups have also sent in suggestions or endorsed the bill in principle. These include: The Concord Citizens of Martha's Vineyard, the Martha's Vineyard Garden Club, the Martha's Vineyard Fishing Club, the Vineyard Conservation Society, the Vineyard Open Land Foundation, and a large number of taxpayers' groups and associations. Their sugegstions have all been of substantial assistance, as have those of thousands of individuals who have taken the care and the time to write to me.

I am counting on a continuing flow of constructive suggestions about the amendment I am introducing today. Specifically, I hope to receive detailed recommendations on the location of classification boundary lines, with reference to actual property lines, as well as similar recommendations on language to strengthen or clarify the bill's many other provisions.

As the number of people of the islands consider the bill and this amendment, I hope they keep in the forefront of their minds these central questions: What do they want the islands to be in 1980—only 8 years from now? By the year 2000—28 years from now?

This really is the central question, and it has been grasped clearly by the youth of the islands, so many of whom have written to me. They are right to be concerned: What we do today, or what we fail to do today, creates patterns they must contend with tomorrow and the day after tomorrow. If the population of the islands is permitted to double in 20 years, it is today's youth who will be paying tomorrow's taxes to support the new water and sewer systems, the new roads, the expanded police and fire and other services; and it is they who will ultimately, have lost the enjoyment of the quality of life of the unique and beautiful Nantucket Sound islands.

One of the islands' selectmen has put it movingly and plainly:

> If we are going to preserve these Islands we love the way we love them, then we are all going to have to give up a little bit. That is the price we have to pay for the development controls we want, but we do not have available to us.

There is little to be added to that.

Mr. President, I ask unanimous consent that the text of the amendment be printed in the RECORD, and that there also be printed as exhibits matter illustrating and explaining it.

There being no objection, the material was ordered to be printed in the Record, as follows:

Amendment No. 1372

On page 1, line 6, strike out "Monomoy,"; in line 7, change "Norman's" to "Noman's".

On page 2, strike out lines 5 and 6 and insert in lieu thereof "environment, and to encourage maximum coordinate action by"; in line 8, strike out the period and add ", for the purposes of protecting these values from developments and uses which would impair them and destroy the scenic beauty and natural character of the area. In preserving the Nantucket Sound Islands and stabilizing their development, substantial reliance shall be placed upon coordinate action between Federal, State and local governments to apply sound principles of planning, zoning and other land use controls; and full recognition shall be given to protecting private properties for the enjoyment of the owners thereof. The Congress further finds that expanded access to the Nantucket Sound Islands would seriously impair and be in contravention to the preservation and conservation purposes of this Act, and therefore declares it as national policy that no bridge, causeway or tunnel shall henceforth be constructed from the mainland to said Islands."; in lines 12 and 13, strike out the words "and recreation uses"; in lines 17 through 23, strike out all after "described" and insert in lieu thereof "in Section 4.".

On page 3, line 1, change "Commission" to "Commissions"; strike out lines 2 through 25 and lines 1 through 10 on page 4 and insert in lieu thereof:

"Sec. 3. (a) There are hereby established the Nantucket Trust Commission and the Martha's Vineyard Trust Commission, to be known collectively as the Nantucket Sound Islands Trust Commissions (hereinafter referred to as the "Commissions"). It shall be the purpose of the Commissions to have principal management authority for the Nantucket Sound Islands Trust; provided, however, that, in the exercise of such authority, the Commissions shall not be authorized to adopt regulations which are less restrictive than those regulations imposed by the Commonwealth of Massachusetts or the respective towns within the Trust boundaries.

"(b) The Nantucket Trust Commission shall have the responsibilities as established herein over the lands and waters in Nantucket County, and shall be composed of seven members serving three year staggered terms. Terms of office shall commence on the first Monday in April. Members shall be appointed as follows:

"(1) a member appointed by the Secretary of the Interior (hereinafter referred to as the "Secretary");

"(2) a member appointed by the Governor of the Commonwealth of Massachusetts (hereafter referred to the "Governor");

"(3) two members appointed by the Board of Selectmen of the Town of Nantucket, at least one of whom shall have his principal, or, if a nonresident, a seasonal residence in Class A or Class B lands, as hereinafter defined, and shall be appointed in February;

"(4) two members who shall be qualified voters of the Town and shall be elected at the annual election which is a part of the Town meeting; and

"(5) a member appointed by the Nantucket Planning Board, who shall be a qualified voter of said Town, to be appointed in February.

"Appointments by the Selectmen and by the Planning Board shall be ratified by the voters at the Town meeting election next following their appointment, and prior to their membership on the Commission. The members appointed pursuant to paragraphs (b)(2), (b)(3), (b)(4), (b)(5), shall have been real property taxpayers in Nantucket County for at least five years prior to their appointments and shall have demonstrated interest in and knowledge of local preservation and conservation matters. Not more than one member of the Commission may serve simultaneously as a member of the Board of Selectmen.

"(c) The Martha's Vineyard Trust Commission shall have the responsibilities as established herein over the lands and waters in Dukes County, and shall be composed of thirteen members serving three year staggered terms. Members shall be appointed as follows:

"(1) a member appointed by the Secretary;

"(2) a member appointed by the Governor;

"(3) a member elected at respective town meetings to represent each of the towns in Dukes County;

"(4) a member appointed by the Dukes County Selectmen's Association;

"(5) a member appointed by private conservation organizations in Dukes County;

"(6) a member appointed by non-resident taxpayer associations in Dukes County; and

"(7) a member elected by the senior class of the Regional High School, who shall, notwithstanding other provisions of this subsection, serve a one-year term.

"Only the member appointed under paragraph (4) of this subsection may hold office as Selectman or County Commissioner during his term of office. All members except that member elected under paragraph (7) of this subsection shall have been real property taxpayers in Dukes County for at least five years prior to beginning service as a member, and shall have demonstrated interest in and knowledge of local conservation and preservation matters.".

On page 4, line 11, change "(c)" to "(d)"; change "Chairman" to "Chairmen"; change "Commission" to "Commissions"; and insert "each" after "shall"; in line 12, change "thereafter" to "thereof"; in line 13, change "eighteen months" to "two years" and "Commission to "Commissions"; in line 15, strike out all after period through line 19; in line 20, change "(d)" to "(e)"; in lines 20 and 21, strike out "serve without compensation as such" and insert "be paid at the rate of fifty dollars per diem when actually serving"; in line 22, change "Commission" to "Commissions"; in line 23, change "its" to "their"; and in line 24, change "Chairman" to "Chairmen".

On page 5, strike out lines 1 through 7; in line 8, change "Commission" to "Commissions" and after "shall" add "publish and"; in lines 10 and 11, strike out "zoning standards policies" and insert "progress towards accomplishment of the purposes of this Act"; in line 11, add "such" after "make"; in line 12, after "thereto" add "as they deem appropriate to the Secretary, the Governor, and the towns"; after line 12, add the following new subsections:

"(g) The Commissions shall each have an Executive Director, and such other permanent or part-time professional, clerical, or other personnel as they find are required, and may engage such other professional services as they may reasonably require and the Secretary shall approve.

"(h) The Commissions shall each have the authority to appoint Commission Advisory Committees in their own discretion. Each Commission shall designate three of its members to serve on a coordinating committee with members of the other Commission to treat matters of common concern.

"(i) At its first meetings, the Commissions shall adopt by-laws and rules of procedure, which may include dates of meetings, public distribution of information relating to Commission activities, disclosure of ownership interest in Trust lands by Commission members, and any other matters consistent with the purposes of this Act."; in line 14, add "(a)" after "4."; in line 15, add "and waters" after "lands"; strike out line 16; in lines 17 through 24, change the letters in parentheses to the numbers 1 through 6, respectively; in line 24, add "but not limited to" after "including".

On page 6 line 1, add at the end thereof "Uncatena,"; after line 2, add a new subsection as follows: "(b) The boundaries of the Trust may only be changed by the Congress of the United States, upon petition therefor by the Commissions with the concurrence of the town or towns, acting in town meeting, affected, and of the Governor and the Secretary."; in line 8, strike out all after the comma through line 10, and insert in lieu thereof "That the Commissions may alter the assignments within one hundred and twenty days after such enactment with the concurrence of the Secretary; and *Provided further*, That notwithstanding the provisions of Section 6 herein, Indian-owned common lands within the boundaries of the Trust shall only be classified as Class C: Town Planned Lands. After one hundred and twenty days after enactment of this Act, the assignment of lands to classifications shall be changed only with the concurrence of the Commissions, the Secretary, and the town or towns affected acting in town meeting."; in lines 12 and 13, change "designated" to "classified"; in line 14, after "kind" insert ", except as provided herein"; in line 15, change "designated" to "classified"; in line 16, strike out all after "the" through line 21 and insert in lieu thereof: "Commissions and the Secretary shall permit a right of use and occupancy to the owner or owners thereof, or their successors or assigns, for so long as such successors or assigns are members of the same family as the owner or owners. If, however, the owner or owners seek to sell or otherwise convey the improvement to others than members of the same family, then the Commissions and the Secretary shall have a right of first refusal, and such right shall exist for sixty days. If such right is exercised, then the improvement may be moved or removed; if such right is not exercised, then the sale or other conveyance may proceed in the ordinary course.

For the purposes of this paragraph, family shall mean siblings of the owner or owners, or lineal descendents natural or adopted. Access to and use of lands so classified and acquired under the terms of this Act shall be as designated by the Commissions and the Secretary, except that uses shall be in a manner not less restrictive than general purpose, local ordinances and regulations. Owners with improvements may make necessary repairs, and may make replacements or extensions which shall not alter the basic character of the lands, with the approval of the Commissions. "; in line 23, change "designated" to "classified"; in line 24, after "use" add ", except as provided herein".

On page 7, in line 2 change the semi-colon to a period and strike out the remainder of that line and through the period in line 3; in line 4, strike out "repair,"; in lines 5 and 6 strike out "Commission and approved by the Secretary;" and insert "Commissions. Ten percent of the land area classified as Class B (excluding those wetlands or other land areas upon which improvements are prohibited by existing Federal, State or local laws) may be designated by the Commissions as "Town Expansion Areas." Such ten percent shall be calculated as a percentage of the total Class B lands within each town, and the Commissions shall make such designation only in cooperation with the town or towns affected. Such designation shall be made within two years after enactment of this Act, and shall be accompanied by regulations under which improvements may be constructed. Such regulations shall be no less restrictive than existing land use regulations in force and effect in the appropriate town, and shall include but not be limited to consideration of the following additional factors: intensity of use; areawide water quality; siting and topographical conditions, water and sewer line availability; and roadway congestion. Such ten percent shall be available, after designation, at the rate of five per centum per year, non-cumulative; and"; strike out lines 7 through 12; in line 13, change the "4" to "3" and the "D" to "C"; in line 14, change "designated" to "classified"; in line 16, after "ordinances" add "and other land use regulations"; in line 17, strike out all after "ordinances" through line 18 and insert in lieu thereof "and other land use regulations shall be reviewed and commented upon by the Commission and the Secretary as to consistency with the purposes of this Act prior to the adoption of such ordinances or regulations or amendments thereto."; after line 18, insert the following new subsection: "(c) Noman's Land. The lands and waters of Noman's Land are hereby established as a National Wildlife Refuge, and the Secretary is directed to prepare and execute the necessary documentation for such establishment forthwith. To make Noman's Land suitable for such establishment, the Secretary and the Secretary of Defense shall, within twelve months after the date of enactment of this Act, survey Noman's Land for unexploded military ordnance and render such ordnance, wherever it may be found, harmless."; in line 20, strike out all after the "6." through line 25 and insert in lieu thereof "Assignment of lands to classifications within the Trust boundaries shall be as depicted on official maps on file in the offices of the National Park Service of the Department of the Interior, true copies of which shall be available for inspection also in the town offices of the towns within the Trust boundaries."

Strike out all of pages 8 through 32.

On page 33, strike out lines 1 through 5; in line 7, strike out all after "(a)" through line 25, and insert in lieu thereof "GENERAL PROVISIONS.

"(1) Within the boundaries of the Trust, the Secretary is authorized to acquire by donation and, with the advice of the Commissions, to purchase with donated or appropriated funds; transfer funds, transfer from any Federal agency, or exchange, lands and interests therein at fair market value for the purposes of this Act;

"(2) With respect to that property which the Secretary is authorized to acquire by eminent domain under the terms of this Act, the Secretary shall initiate no eminent domain proceedings until after he has made every reasonable effort to acquire such property or interest therein by negotiation and purchase at a price not in excess of fair market value prior to April 11, 1972. The certificate of the determination by the Secretary or his designated representative (which may be the Commissions) that there has been compliance with the provisions of this paragraph and of paragraph (3) of this subsection shall be prima facia evidence of such compliance;

"(3) In exercising authority to acquire property under the terms of this Act, the Secretary shall give immediate and special consideration to any offer made by an owner or owners of unimproved Class A or Class B lands within the Trust area to sell such lands to the Secretary. An owner or owners may notify the Secretary that the continued ownership of those lands would result in hardship to such owner or owners, and the Secretary shall immediately consider such evidence and the recommendations of the Commissions, if any, and shall within six months following the submission of such notice, and subject to the then current availability of funds, purchase the lands offered for a price which does not exceed its fair market value prior to April 11, 1972;

"(4) In exercising the authority to acquire property under the terms of this Act, the Secretary shall conform to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1906);

"(5) The Secretary shall furnish to any interested person requesting the same a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by eminent domain in accordance with the provisions of this Act, that such authority is prohibited and the reasons therefor;

"(6) Nothing in this Act shall be construed to prohibit the use of eminent domain as a means of acquiring a clear and marketable title, free of any and all encumbrances; and

"(7) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within such area and, with the advice of the Commissions, convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. The properties so exchanged shall be approximately equal in fair market value: Provided, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(b) LIMITATIONS.—

"(1) Any property or interests therein, owned by the Commonwealth of Massachusetts or any political subdivisions thereof, may be acquired only by donation. Notwithstanding any other provision of law, any property owned by the United States on April 11, 1972, located within the Trust, may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out this Act; and

"(2) Sections 9 and 13 herein shall be considered to create limitations on the authority established in subsection (a) of this section.

"(c) TRANSFER TO COMMISSIONS.—

"(1) Upon acquisition by him of any land or interests therein, the Secretary shall as soon as is practicable thereafter transfer without consideration an undivided one-half interest in such land or interest therein to the Commission within whose jurisdiction the land or interest therein lies;

"(2) Thereafter, such land or interest therein shall be held by the appropriate Commission and the Secretary in a public trust; and

"(3) The lands or interests therein so held in trust shall be managed as described in this Act: *Provided*, That such management shall not permit uses less restrictive than those permitted by local regulations on comparable lands.

"(d) TAXATION.—Nothing in this Act shall be construed to exempt any real property or interest therein acquired by the Commissions or the Secretary under this Act from taxation by any State or political subdivision thereof to the same extent, according to its value, as other real property is taxed."

On page 34, strike lines 1 through 25 and strike all of page 35.

On page 36, strike lines 1 through 6; strike lines 7 through 25 and insert in lieu thereof:

"APPLICATION TO CLASSIFICATIONS

"SEC. 8. (a) Not later than one hundred and eighty days after the enactment of this Act, the Commissions and the Secretary may notify an owner or owners of Class A or Class B lands, other than property designated for fee acquisition, or the minimum regulations on use and development of such property under which such property may be retained in a manner compatible with the purpose for which the Trust was established. If the owner or owners of any Class A or Class B lands agree to the use and development of the property in accordance with such regulations, the Secretary may not acquire, without the consent of such owner or owners, such property or interests therein for so long as the property affected is used in accordance with such regulations, unless the Commissions and the Secretary determine that such property is needed for other purposes as described in this Act. Such regulations as to Class B lands shall include the ten percent of land area in Class B lands available for improvements as described in Section 5 (b)(2) herein."

On page 37, strike lines 1 through 9 and insert in lieu thereof:

"(b) Nothing contained in this Act shall be construed as prohibiting any governmental jurisdiction in the Commonwealth of Massachusetts from assessing taxes upon any interest in real estate retained under the provisions of this Act to owner or owners of such interest, nor from establishing and collecting fees in lieu of taxes upon any non-governmental user of lands acquired pursuant to this Act."; in line 11, after "a" add "detached"; in line 12, after "1972" and "or such a dwelling for which a certification of need was voted pursuant to Section 16(a) herein "; in line 14, before "Secretary" and "Commissions and the"; in line 19, change the colon to a period and strike out all thereafter through line 22 and insert in lieu thereof:

"The amount of the land so designated in Class A and Class B lands shall in every case be at least three acres in area, except in the Town Expansion Area as defined in Section 5(b)(2), or all of such lesser acreage as may be held in the same ownership as the dwelling, and in making such designations the Commissions and the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided*, That the Commissions and the Secretary may exclude from the land so designated any beach, wetlands or waters in the Trust, together with so much of the land adjoining such beach, wetlands or waters as they may deem necessary for public access thereto. If they make such exclusion, an appropriate buffer zone shall be provided between any residence and the public access or beach."; strike out lines 23 through 25 and insert in lieu thereof: "(d) As used herein, the term "improvement" shall mean a detached, noncommercial residential dwelling, together with ancillary structures appurtenant to it. Should a commercial use in existence prior to April 11, 1972 be included as part of such a dwelling, it shall be considered a non-conforming use. The Commissions, together with the Secretary and the towns, shall establish regulations consistent with the purposes of this Act governing the status of boat houses, camps, piers, and other non-residential structures.".

On page 38, strike out lines 1 through 5; in line 8, after "shall" insert ", with the Commissions,"; in line 9, after "control" insert "and restoration"; in line 14 and 16, before "Secretary" insert "Commissions and the"; strike out lines 23 and 24 and insert in lieu thereof: "Sec. 10. (a) All beach lands, with the exception of beach lands in those areas classified as Class C, within the boundaries of the Trust shall be classified as Class A lands, notwithstanding that".

On page 39, line 5, strike the period and all thereafter through line 7, and insert in lieu thereof "and shall include wetlands and other estuarine areas adjoining tidal waters, and rock beaches."; after line 7, add the following new subsections:

"(c) Unless deemed necessary pursuant to the conservation and preservation purposes of this Act, and then only upon the advice of the Commissions, the Secretary may acquire not more than the following fee or lesser interests in beach lands:

"(1) a right of passage easement not more than forty feet in width extending shoreward from and parallel to the mean high water line;

"(2) areas to establish beaches open to public use: *Provided*, That such areas shall be limited in number; shall be acquired only upon recommendation of the Commissions and the town affected; shall be spaced as uniformly as possible throughout the Islands; and to as great a degree as possible shall be placed in locations not detrimental to the conservation and preservation purposes of this Act. There shall be at least one such beach in each town in Dukes County, but no more than fourteen in total (including existing beaches open to public use); and at least four such beaches in Nantucket County, but no more than eight (including existing beaches open to public use); and

"(3) areas to provide means of public access to such beaches open to public use, and areas to provide parking. Such access and parking shall respect the rights of adjoining owners and the preservation and conservation of the land to as high a degree as practicable. The Commissions may establish limitations on the number of vehicles to be parked at beach areas.

"(d) Use of motor vehicles on beach lands shall be limited in number and to areas designated by the Commissions and the Secretary and the towns involved."; in line 9, strike out all after "The"; in line 10, strike out "the" and after "Trust" insert "shall be administered and protected"; in line 13, strike out "or plan for the convenience of visitors" and insert in lieu thereof "by the Commissions or the Secretary"; in line 18, strike out "The Secretary"; in line 19, after "have" insert "been" and change "designate" to "be designated"; in line 21, after "Secretary" insert ", as to his responsibilities,".

On page 40, in lines 3, 7 and 11, before "Secretary" insert "Commissions and the"; in line 3, before "and" insert "shellfishing,"; in line 4, change "his" to "their"; in line 9, after "of" insert "public health,"; in line 13, before the period insert "and any political subdivision thereof which has jurisdiction over such activities. The Commissions and the Secretary shall leave all aspects of the propagation and taking of shellfish to the towns within the Trust"; after line 13, add the following new subsection:

"(d) The Commissions shall coordinate their activities both with each other, and with those of other Federal, State and local government authorities and agencies operating in the Trust area."; in line 15, strike out all after "(a)" and thereafter through line 20 and insert in lieu thereof: "The Commissions and the Secretary shall make an immediate survey, and shall regularly and frequently thereafter survey public and private water and air access to Trust lands, including that by the Woods Hole, Martha's Vineyard, and Nantucket Steamship Authority and by other public and private water and air carriers, shall make such recommendations to the appropriate entity or entities for legislative or administrative action as they deem consistent with the preservation and conservation purposes of this Act. Such recommendations shall include specific measures designed to limit the number of motor vehicles and passengers such carriers might otherwise transport to the Nantucket Sound Islands."; in lines 21 and 25 before "Secretary" insert "Commissions and the".

On page 41 line 1, change "Such features" to "the values of the Nantucket Sound Islands"; at the end of line 2, add "bicycle paths,"; in line 4, change "he" to "they"; in line 5, after "the" insert "Commissions and the"; in line 6, change "he deems" to "they deem"; in line 10, change the comma after "lands" to a period and strike out all thereafter through line 11; in line 12, insert "such" after "any"; insert a comma after "development", and strike out "or plan for the convenience of"; in line 13, strike out "visitors he undertakes," and after "the" insert "Commissions and the"; in line 18, change "8" and "9" to "7" and "8"; in line 20, after "lands" insert "or interests therein"; in lines 21 and 22, change "he shall designate" to "are designated".

On page 42 line 2, strike out "in Section 7"; in line 3, change "he shall designate" to "are designated"; in line 5, change "his" to "the"; in line 6, before "and" insert "of the Commissions and the Secretary"; in line 11, change "State and local governments," to "the Commissions and the towns, and to"; in line 12, strike the first comma and all after the second comma through line 13 and insert in lieu thereof "for the purpose of establishing sound land use planning and zoning by-laws to carry out the purposes of this Act. Such assistance may include payments to the Commissions and the towns for technical aid"; in line 14, strike out "The Secretary shall apply" and change "the" to "The"; in line 15, after "section" insert "shall be applied"; in lines 15 and 16, change "he determines are" to "are determined to be"; after line 16, add a new subsection as follows: "(d) None of the provisions of this Act shall apply to any area of land or its adjacent waters which within twenty-four months of the enactment of this Act is subject to a conservation restriction created, approved and recorded under Sections 31 through 33 of chapter 184 of the General Laws of Massachusetts and which forbids or in the judgment of the Commissions and the Secretary substantially limits all or a majority of the land uses referred to in clauses (a) through (g) of the first paragraph of said Section 31."; in line 18, before "Secretary" insert "Commissions and the"; in line 23, after "Secretary" insert, together with the Secretary of Labor.".

On page 43 line 1 after "shellfish" insert "and other associated activities; and to examine other new employment opportunities of any kind appropriate to the purposes of this Act"; in line 2, after "Interior" insert "and the Department of Labor"; strike out lines 14 through 17; in line 20, change "governing body" to "Board of Selectmen"; in lines 24 and 25, change "appropriate governing body" to "Board of Selectmen of the particular town"; after line 25 add "Approvals granted by a vote of a Board of Selectmen pursuant to a finding of need therefor and pursuant to a statement of justification therefor, shall subsequently be deemed valid by the Commissions and the Secretary.".

On page 44 lines 2 and 3, and in line 4 change "Secretary and the Commission" to "Commissions and the Secretary"; in line 12, before the period insert ", for Fiscal Years 1974, 1975, and 1976".

TEXT OF S. 3485 AFTER INCORPORATION OF AMENDMENTS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STATEMENT OF POLICY

SECTION 1. The Congress finds that the Nantucket Sound Islands in the Commonwealth of Massachusetts, known generally as the islands of Nantucket, Tuckernuck, Muskeget, Martha's Vineyard, Noman's Land, and the group of islands known collectively as the Elizabeth Islands, possess unique scenic, ecological, scientific, historic, recreational, and other values contributing to public enjoyment, inspiration, and scientific study. The Congress further finds that it is in the best interests of the citizens of the United States for the United States to take action to preserve and conserve such values for the enjoyment of present and future generations, to preserve and conserve the natural ecological environment, and to encourage maximum coordinate action by State and local governments and private individuals, groups, organizations, and associations, for the purposes of protecting these values from developments and uses which would impair them and destroy the scenic beauty and natural character of the area. In preserving the Nantucket Sound Islands and stabilizing their development, substantial reliance shall be placed upon coordinate action between Federal, State and local governments to apply sound principles of planning, zoning and other land use controls, and full recognition shall be given to protecting private properties for the enjoyment of the owners thereof. The Congress further finds that expanded access to the Nantucket Sound Islands would seriously impair and be in contravention to the preservation and conservation purposes of this Act, and therefore declares it as national policy that no bridge, causeway or tunnel shall henceforth be constructed from the mainland to said Islands.

NANTUCKET SOUND ISLANDS TRUST

SEC. 2. In order to provide for preservation and conservation of the scenic, ecological, scientific, historical, and other values contributing to public enjoyment of the Nantucket Sound Islands, consistent with the well-being of present and future residents of the islands, there is hereby established the Nantucket Sound Islands Trust (hereinafter referred to as the "Trust"). The area comprising such Trust shall be as described in Section 4.

NANTUCKET SOUND ISLANDS TRUST COMMISSIONS

SEC. 3. (a) There are hereby established the Nantucket Trust Commission and the Martha's Vineyard Trust Commission, to be known collectively as the Nantucket Sound Islands Trust Commissions (hereinafter referred to as the Commissions"). It shall be the purpose of the Commissions to have principal management authority for the Nantucket Sound Islands Trust; *provided, however,* That in the exercise of such authority, the Commissions shall not be authorized to adopt regulations which are less restrictive than those regulations imposed by the Commonwealth of Massachusetts or the respective towns within the Trust boundaries.

(b) The Nantucket Trust Commission shall have the responsibilities as established herein over the lands and waters in Nantucket County, and shall be composed of seven members serving three year staggered terms. Terms of office shall commence on the first Monday in April. Members shall be appointed as follows:

(1) A member appointed by the Secretary of the Interior (hereinafter referred to as the "Secretary").;

(2) a member appointed by the Governor of the Commonwealth of Massachusetts (hereinafter referred to as the "Governor");

(3) two members appointed by the Board of Selectmen of the Town of Nantucket, at least one whom shall have his principal, or if a non-resident, a seasonal residence in Class A or Class B lands, as hereinafter defined, and shall be appointed in February;

(4) two members who shall be qualified voters of the Town and shall be elected at the annual election which is a part of the Town meeting; and

(5) one member appointed by the Nantucket Planning Board, who shall be a qualified voter of said Town, to be appointed in February.

Appointments by the Selectmen and by the Planning Board shall be ratified by the voters at the Town meeting election next following their appointment, and prior to their membership on the Commission. The members appointed pursuant to paragraphs (b)(2), (b)(3), (b)(4), and (b)(5), shall have been real property taxpayers in Nantucket County for at least five years prior to their appointment and shall have demonstrated interest in and knowledge of local preservation and conservation matters. Not more than one member of the Commission may serve simultaneously as a member of the Board of Selectmen.

(c) The Martha's Vineyard Trust Commission shall have the responsibilities as established herein over the lands and waters in Dukes County, and shall be composed of thirteen members serving three year staggered terms. Members shall be appointed as follows:

(1) A member appointed by the Secretary;

(2) A member appointed by the Governor;

(3) A member elected at respective town meetings to represent each of the towns in Dukes County;

(4) A member appointed by the Dukes County Selectmen's Association;

(5) A member appointed by private conservation organizations in Dukes County;

(6) A member appointed by on-resident taxpayer associations in Dukes County; and

(7) A member elected by the senior class of the Regional High School, who shall, notwithstanding other provisions of this subsection, serve a one-year term.

Only the member appointed under paragraph (4) of this subsection may hold office as Selectman or County Commissioner during his term of office. All members except that member elected under paragraph (7) of this subsection shall have been real property taxpayers in Dukes County for at least five years prior to beginning service as a member, and shall have demonstrated interest in and knowledge of local conservation and preservation matters.

(d) The Chairmen of the Commissions shall each be elected by the membership thereof for a term of not to exceed two years. Any vacancy in the Commissions shall be filled in the same manner in which the original apopintment was made.

(e) All members of the Commission shall be paid at the rate of fifty dollars per diem when actually serving. The Secretary is authorized to pay expenses reasonably incurred by the Commissions in carrying out their responsibilities under this Act on the presentation of vouchers signed by the Chairmen.

(f) The Commissions shall publish and make available to the Secretary and to the public an annual report reviewing matters relating to the Trust, including acquisition of lands, progress towards accomplishment of the purposes of this Act, and administration, and shall make such recommendations thereto as they deem appropriate to the Secretary, the Governor, and the towns.

(g) The Commissions shall each have an Executive Director, and such other permanent or part-time professional, clerical, or other personnel as they find are required, and may engage such other professional services as they may reasonably require and the Secretary shall approve.

(h) The Commissions shall have the authority to appoint Commission Advisory Committees in their own discretion. Each Commission shall designate three of its members to serve on a coordinating committee with members of the other Commission to treat matters of common concern.

(i) At its first meetings, the Commissions shall adopt by-laws and rules of procedure, which may include dates of meetings, public distribution of information relating to Commission activities, disclosure of ownership interest in Trust lands by Commission members, and any other matters consistent with the purposes of this Act.

TRUST BOUNDARIES

Sec. 4. (a) The boundaries of the Trust shall encompass the following lands and waters in the Commonwealth of Massachusetts.

(1) Nantucket Island, and the island to westward called variously Smith's Island or Esther Island;

(2) Tuckernuck Island;

(3) Muskeget Island;

(4) Martha's Vineyard Island, and various islands appurtenant to it;

(5) Noman's Land Island; and

(6) The Elizabeth Islands, including but not limited to the islands of Cuttyhunk, Nonamesset, Naushon, Pasque, Nashawena, Uncatena, Penikese, and the Weepeckets.

(b) The boundaries of the Trust may only be changed by the Congress of the United States, upon petition therefor by the Commissions with the concurrence of the town or towns, acting in town meeting, affected, and of the Governor and the Secretary.

CLASSIFICATION OF TRUST LANDS

Sec. 5. (a) Lands within the boundaries of the Trust shall be assigned to one of the classifications listed in subsection (b) of this section. Upon the date of enactment of this Act, such lands shall be classified as delineated in section 6 herein: *Provided*, That the Commissions may alter the assignments within one hundred and twenty days after such enactment with the concurrence of the Secretary; and *Provided further*, That notwithstanding the provisions of Section 6 herein, Indian-owned common lands within the boundaries of the Trust shall only be assigned to Class C: Town Planned Lands. After one hundred and twenty days after enactment of this Act, the assignment of lands to classifications shall be changed only with the concurrence of the Commissions, the Secretary, and the town or towns affected, acting in town meeting.

(b) Classifications of Trust lands:

(1) Class A: Lands Forever Wild.—Lands so classified shall remain forever free of development or improvements, as defined hereinafter, of any kind except as provided herein. If improvements or developments exist on any lands so classified on the date of enactment of this Act, then the Commissions and the Secretary shall permit a right of use and occupancy to the owner or owners thereof, or their successors or assigns, for so long as such successors or assigns, are members of the same family as the owner or owners. If, however, the owner or owners seek to sell or otherwise convey the development or improvement to others than members of the same family, then the Commissions and the Secretary shall have a right of first refusal, and such right shall exist for sixty days. If such right is exercised, then the improvement may be moved or removed; if such right is not exercised, then the sale or other conveyance may proceed in the ordinary course. For the purposes of this paragraph, family shall mean siblings of the owner or owners, or lineal descendents natural or adopted. Access to and use of lands so classified and acquired under the terms of this Act shall be as designated by the Commissions and the Secretary, except that uses shall be in a manner not less restrictive than general purpose, local ordinances and regulations. Owners with improvements may make necessary repairs, and may make replacements or extensions which shall not alter the basic character of the lands, with the approval of the Commissions.

(2) Class B: Scenic Preservation Lands.—Lands so classified shall not be developed beyond their present intensity of use except as provided herein. Owners of such lands, or of improvements thereon, or of both, on the date of enactment of this Act, may transfer, sell, assign, or demise such land or improvements, or both. Reasonable replacement and extension shall be permitted, under regulations issued by the Commissions. Ten percent of the land area classified as Class B (excluding those wetlands or other land areas upon which improvements are prohibited by existing Federal, State or local laws) may be designated by the Commissions as "Town Expansion Areas." Such ten percent shall be calculated as a percentage of the total of Class B lands within each town, and the Commissions shall make such designation only in cooperation with the town or towns affected. Such designation shall be made within two years after enactment of this Act, and shall be accompanied by regulations under which improvements may be constructed. Such regulations shall be no less restrictive than existing land use regulations in force and effect in the appropriate town, and shall include but not be limited to consideration of the following additional factors: intensity of use; area-wide water quality; siting and topographical conditions; water and sewer line availability; and roadway congestion. Such ten percent shall be available, after designation, at the rate of five per centum per year, non-cumulative; and

(3) Class C: Town Planned Lands.—Lands so classified shall remain within the jurisdiction of the town in which located for purposes of land use planning and zoning ordinances and other land use regulations: *Provided*, That such planning and zoning ordinances and other land use regulations shall be reviewed and commented upon by the Commissions and the Secretary as to consistency with the purposes of this Act prior to the adoption of such ordinances or regulations or amendments thereto.

(c) Noman's Land. The lands and waters of Noman's Land are hereby established as a National Wildlife Refuge, and the Secretary is directed to prepare and execute the necessary documentation for such establishment forthwith. To make Noman's Land suitable for such establishment, the Secretary and the Secretary of Defense shall, within twelve months after enactment of this Act, survey Noman's Land for unexploded ordnance and render such ordnance, wherever it may be found, harmless.

ASSIGNMENT OF TRUST LANDS

Sec. 6. Assignment of lands within the Trust boundaries shall be as depicted on official maps on file in the offices of the National Park Service of the Department of the Interior, true copies of which shall be available for inspection also in the town offices of the towns within the Trust boundaries.

ACQUISITION OF LANDS

Sec. 7(a) General Provisions.

(1) Within the boundaries of the Trust, the Secretary is authorized to acquire by donation and, with the advice of the Commissions, to purchase with donated or appropriated funds, transfer funds, transfer from any Federal agency, or exchange, lands and interests therein at fair market value for the purposes of this Act;

(2) With respect to that property which the Secretary is authorized to acquire by eminent domain under the terms of this Act, the Secretary shall initiate no eminent domain proceedings until after he has made every reasonable effort to acquire such property or interest therein by negotiations and purchase at a price not in excess of fair market value prior to April 11, 1972. The certificate of the determination by the Secretary or his designated representative (which may be the Commissions) that there has been compliance with the provisions of this paragraph and of paragraph (3) of this subsection shall be prima facie evidence of such compliance;

(3) In exercising authority to acquire property under the terms of this Act, the Secretary shall give immediate and special consideration to any offer made by an owner or owners of unimproved Class A or Class B lands within the Trust area to sell such lands to the Secretary. An owner or owners may notify the Secretary that the continued ownership of those lands would result in hardship to such owner or owners, and the Secretary shall immediately consider such evidence and the recommendations of the Commissions, if any, and shall within six months following the submission of such notice, and subject to the then current avail-

ability of funds, purchase the lands offered for a price which does not exceed its fair market value prior to April 11, 1972;

(4) In exercising the authority to acquire property under the terms of this Act, the Secretary shall conform to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1906);

(5) The Secretary shall furnish to any interested person requesting the same a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by eminent domain in accordance with the provisions of this Act, that such authority is prohibited and the reasons therefor;

(6) Nothing in this Act shall be construed to prohibit the use of eminent domain as a means of acquiring a clear and marketable title, free of any and all encumbrances; and

(7) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within such area and, with the advice of the Commissions, convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(b) LIMITATIONS.

(1) Any property or interests therein owned by the Commonwealth of Massachusetts, or any political subdivisions thereof, may be acquired only be donation. Notwithstanding any other provision of law, any property owned by the United States on April 11, 1972, located within the Trust, may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out this act; and

(2) Sections 9 and 13 herein shall be considered to create limitations on the authority established in subsection (a) of this section.

(c) TRANSFER TO COMMISSIONS.

(1) Upon acquisition by him of any land or interests therein, the Secretary shall as soon as is practicable thereafter transfer without consideration an undivided one-half interest in such land or interest therein to the Commission within whose jurisdiction the land or interest therein lies;

(2) Thereafter, such land or interest therein shall be held by the appropriate Commission and the Secretary in a public trust; and

(3) The lands or interests therein so held in trust shall be managed as described in this Act: *Provided*, That such management shall not permit uses less restrictive than those permitted by local regulations on comparable lands.

(d) TAXATION.—Nothing in this Act shall be construed to exempt any real property or interest therein acquired by the Commissions or the Secretary under this Act from taxation by any State or political subdivision thereof to the same extent, according to its value, as other real property is taxed.

APPLICATION TO CLASSIFICATIONS

SEC. 8. (a) Not later than one hundred and eighty days after the enactment of this Act, the Commissions and the Secretary may notify an owner or owners of Class A or Class B lands, other than property designated for fee acquisition, of the minimum regulations on use and development of such property under which such property may be retained in a manner compatible with the purposes for which the Trust was established. If the owner or owners of any Class A or Class B lands agree to the use and development of the property in accordance with such regulations, the Secretary may not acquire, without the consent of such owner or owners, such property or interests therein for so long as the property affected is used in accordance with such regulations, unless the Commissions and the Secretary determine that such property is needed for other purposes as described in this Act. Such regulations as to Class B lands shall include the ten percent of land area in Class B lands available for improvements as described in Section 5(b) (2) herein.

(b) Nothing contained in this Act shall be construed as prohibiting any governmental jurisdiction in the Commonwealth of Massachusetts from assessing taxes upon any interest in real estate retained under the provisions of this Act to the owner or owners of such interest, nor from establishing and collecting fees in lieu of taxes upon any non-governmental user of lands acquired pursuant to this Act.

(c) As used herein, the term "improved property" shall mean a detached one-family dwelling the construction of which was begun before April 11, 1972, or such a dwelling for which a certification of need was voted pursuant to Section 16(a) herein, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Commissions and the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling and land for noncommercial residential or agricultural purposes, together with any structures accessory to the dwelling which are situated on the land so designated. The amount of the land so designated in Class A and Class B lands shall in every case be at least three acres in area, except in the Town Expansion Area as defined in Section 5(b)(2), or all of such lesser acreage as may be held in the same ownership as the dwelling, and in making such designations the Commissions and the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided*, That the Commissions and the Secretary may exclude from the land so designated any beach, wetlands or waters in the Trust, together with so much of the land adjoining such beach, wetlands or waters as they may deem necessary for public access thereto. If they make such exclusion, an appropriate buffer zone shall be provided between any residence and the public access or beach.

(d) As used herein, the term "improvement" shall mean a detached, noncommercial residential dwelling, together with ancillary structures appurtenant to it. Should a commercial use in existence prior to April 11, 1972 be included as part of such a dwelling, it shall be considered a non-conforming use. The Commissions, together with the Secretary and the towns, shall establish regulations consistent with the purposes of this Act governing the status of boat houses, camps, piers, and other non-residential structures.

EROSION CONTROL

SEC. 9. (a) The Secretary and the Secretary of the Army shall with the Commissions cooperate in the study and formulation of plans for beach and shoreline erosion control and restoration projects on the Nantucket Sound Islands, especially in those areas most immediately threatened; and any protective works for such control undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Commissions and the Secretary and is consistent with the purposes of this Act.

(b) The Commissions and the Secretary shall undertake a program of dune and headland erosion control, beginning with those dunes and headlands most immediately in need thereof. Such erosion may be that caused by natural wind and water action, or by motor vehicle passage; and such programs may have the purpose of remedying both causes.

BEACHES

SEC. 10. (a) All beach lands, with the exception of beach lands in those areas classified as Class C, within the boundaries of the Trust shall be classified as Class A lands, notwithstanding that such beach lands may be otherwise classified by other provisions of this Act.

(b) As used in this section, the term "beach land" shall mean the wet and dry sand area lying between the mean low water line and the visible line of upland vegetation, and shall include wetlands and other estuarine areas adjoining tidal waters, and rock beaches.

(c) Unless deemed necessary pursuant to the conservation and preservation purposes of this Act, and then only upon the advice of the Commissions, the Secretary may acquire not more than the following fee or lesser interests in beach lands:

(1) a right of passage easement not more than forty feet in width extending shoreward from and parallel to the mean high water line;

(2) areas to establish beaches open to public use: *Provided*, That such areas shall be limited in number; shall be acquired only upon recommendations of the Commissions and the town affected; shall be spaced as uniformly as possible throughout the Islands; and to as great a degree as possible shall be placed in locations not detrimental to the conservation and preservation purposes of this Act. There shall be at least one such beach in each town in Dukes County, but no more than fourteen in total (including existing beaches open to public use); and at least four such beaches in Nantucket County, but no more than eight (including existing beaches open to public use); and

(3) areas to provide means of public access to such beaches open to public use, and areas to provide parking. Such access and parking shall respect the rights of adjoining owners and the preservation and conservation of the land to as high a degree as practicable. The Commissions may establish limitations on the number of vehicles to be parked at beach areas.

(d) Use of motor vehicles on beach lands shall be limited in number and to areas designated by the Commissions and the Secretary and the towns involved.

ADMINISTRATIVE PROVISIONS

SEC. 11 (a) The Trust shall be administered and protected with the primary aim of preserving and conserving the natural resources located within it and preserving the area in as nearly its natural state and condition as possible. No development by the Commissions or the Secretary shall be undertaken in the Trust which would be incompatible with the overall lifestyle of residents of the area, generally accepted ecological principles, the preservation of the physiographic conditions now prevailing, or with the preservation of such historic sites or structures as may already have been designated or may be designated.

(b) The Trust shall be administered and protected by the Secretary, as to his responsibilities, in accordance with the provisions of this Act and the Act of August 25, 1916 39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), except that the Secretary may utilize any other statutory authority available to him for the conservation, preservation, and management of natural resources to the extent he finds such authority will further the purposes of this Act.

(c) The Commissions and the Secretary shall permit hunting, fishing, shellfishing, and trapping, on lands and waters under their jurisdiction within the Trust in accordance with the applicable laws of the Commonwealth of Massachusetts and the United States, except that the Commissions and the Secretary may designate zones where, and establish periods when, no hunting, no fishing, and no trapping shall be permitted for reasons of public health, public safety, fish or wildlife management, administration, or public use and enjoyment. Except in emergencies, any regulations of the Commissions and the Secretary prescribing any such restrictions shall be issued only after consultation with the appropriate agency of said Commonwealth, and any political subdivision thereof which has jurisdiction over such activities. The Commissions and the Secretary shall leave all aspects of the propagation and taking of shellfish to the towns within the Trust.

(d) The Commissions shall coordinate their activities both with each other, and with those of other Federal, State and local government authorities and agenices operating in the Trust area.

TRANSPORTATION AND GENERAL USES

SEC. 12. (a) The Commissions and the Secretary shall make an immediate survey, and shall regularly and frequently thereafter survey, public and private water and air access to Trust lands, including that by the Woods Hole, Martha's Vineyard, and Nantucket Steamship Authority and by other public and private water and air carriers, shall make such recommendations to the appropriate entity or entities for legislative or administrative action as they deem consistent with the preservation and conservation purposes of this Act. Such recommendations shall include specific measures designed to limit the number of motor vehicles and passengers such carriers might otherwise transport to the Nantucket Sound Islands.

(b) The Commissions and the Secretary shall undertake no development or plan for the convenience of visitors to Trust lands which would be incompatible with the preservation and conservation of the unique scenic, ecological, scientific, and historic features thereof: *Provided*, That the Commissions and the Secretary may provide for the public enjoyment and understanding of the values of the Nantucket Sound Islands by establishing such public transportation systems, trails, bicycle paths, observation points, and exhibits, and by providing such services as they may deem desirable for such public enjoyment and understanding: *Provided further*, That the Commissions and the Secretary may develop such portions of Trust lands as they deem especially adaptable for public uses including but not limited to camping, swimming, boating, sailing, the appreciation of historic sites and structures, and natural features of Trust lands.

(c) In any such development, the Commissions and the Secretary shall not unreasonably diminish for its owners or occupants the value or enjoyment of any improved property within the Trust lands.

PRIVATE NONPROFIT ORGANIZATIONS

SEC. 13. (a) Notwithstanding the provisions of section 7 and section 8 herein, or any other provision herein or in any other provision of law, the Secretary's authority to acquire lands or interests therein by condemnation shall be suspended when:

(i) lands or interests therein which are designated as being presently or from time to time needed to carry out the purposes of this Act are in the ownership of private nonprofit conservation, preservation, historic, or other organizations or associations, and the restrictions against development of such lands meet the standards referred to herein; and

(ii) lands or interests therein which are designated as being presently or from time to time needed to carry out the purposes of this Act are, to the satisfaction of the Commissions and the Secretary and within twenty-four months after enactment of this Act, irrevocably committed to be sold, donated, demised, or otherwise transferred to such organizations or associations.

(b) The Secretary is authorized to provide technical assistance to the Commissions and the towns, and to private organizations and association for the purpose of establishing sound land use planning and zoning by-laws to carry out the purposes of this Act. Such assistance may include payments to the Commissions and the towns for technical aid.

(c) The provisions of this section shall be applied only to those organizations and associations which are determined to be bona fide and general purpose.

(d) None of the provisions of this Act shall apply to any area of land or its adjacent waters which within twenty-four months of the enactment of this Act is subject to a conservation restriction created, approved and recorded under Sections 31 through 33 of chapter 184 of the General Laws of Massachusetts and which forbids or in the judgment of the Commissions and the Secretary substantially limits all or a majority of the land uses referred to in clauses (a) through (g) of the first paragraph of said Section 13.

POLLUTION

SEC. 14. The Commissions and the Secretary shall cooperate with the appropriate State and local agencies to provide safeguards against pollution of the waters in and around Trust lands, and against unnecessary impairment of the scenery thereof.

NEW EMPLOYMENT OPPORTUNITIES

SEC. 15. (a) The Secretary, together with the Secretary of Labor, is directed to examine the Trust lands and waters forthwith for opportunities to experiment with, and to encourage development of, aquaculture of all kinds, including, but not limited to, fish and shell fish, and other associated activities; and to examine other new employment opportunities of any kind appropriate to the purposes of this Act. Funds appropriated to the Department of the Interior and the Department of Labor under the authority of this or other laws of the United States may be used for this purpose without restriction.

(b) The Secretary, in consultation and cooperation with the Secretary of Labor, shall investigate, and where appropriate establish, training and retraining programs suitable for residents of Trust lands.

FREEZE DATE

SEC. 16. (a) Beginning on April 11, 1972, no construction of any improvement, whether for residential, commercial, industrial, or any other purpose, shall be permitted to commence on any lands classified herein as "Forever Wild". Construction of improvements shall be permitted on any lands classified as "Town Planned Lands" only upon the granting of specific approval therefor by the Board of Selectmen of the particular town, after a showing of the need therefor. Construction of improvements shall be permitted on any lands classified as "Scenic Preservation Lands" only upon the granting of specific approval therefor by the Board of Selectmen of the particular town, after a showing of the need therefor. Approvals granted by a vote of a Board of Selectmen pursuant to a finding of need therefor and pursuant to a statement of justification therefor, shall subsequently be deemed valid by the Commissions and the Secretary.

(b) In the case of any hardship caused by the provisions of subsection (a) of this section, the Commissions and the Secretary shall, on the basis of rules and regulations developed and approved by the Commissions and the Secretary, make a valuation thereof and shall award fair recompense to any individual for whom hardship is demonstrated.

APPROPRIATIONS

SEC. 17. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, $20,000,000 for the acquisition of land and interests therein, and not to exceed $5,000,000 for development, for Fiscal Years 1974, 1975, and 1976.

SECTION-BY-SECTION ANALYSIS OF "THE NANTUCKET SOUND ISLANDS TRUST ACT"

Sec. 1. declares a Congressional finding that preserving and conserving the Nantucket Sound Islands is in the best interest of the citizens of the United States, and declares it as national policy that no bridge should be built to those Islands.

Sec. 2. establishes a Nantucket Sound Islands Trust.

Sec. 3. establishes a Nantucket Trust Commission made up of seven members, and a Martha's Vineyard Trust Commission made up of thirteen members. The Commissions have the principal management Authority for the Trust, and shall each have an Executive Director.

Sec. 4. establishes the boundaries of the Trust.

Sec. 5. defines the classifications of Trust lands: (1) Forever Wild Lands being those on which no future construction should take place but existing structures remain in family ownership; (2) Scenic Preservation Lands being those on which some new construction should take place under strict controls; and (3) Town Planned Lands being those on which controls on new construction are left to each town to establish. It makes clear that Indian-owned common lands shall be Town Planned Lands.

Sec. 6. incorporates by reference a map, on file in town offices and in the Department of the Interior, which assigns lands to each of the three classifications.

Sec. 7. establishes the conditions under which the Secretary of the Interior may purchase lands in the Trust area. Fair market value must be paid; payment must be prompt; any hardship situations shall be given special consideration; and any lands or interests actually acquired shall be held jointly with the Commissions and shall be taxed as if privately owned.

Sec. 8. establishes another method of establishing development controls on Forever Wild and Scenic Preservation Lands. If the Commissions and the Secretary and an owner reach an agreement on the uses of a particular parcel, then no acquisition can take place so long as the parcel is held according to the terms of that agreement. "Improved property" and "improvement" are defined, with reference specifically to the date of introduction of the bill (April 11, 1972) and to the residential character of the structures.

Sec. 9. authorizes the Secretary of the Interior and the Secretary of the Army to work together with the Commission on an erosion control program.

Sec 10. creates a right-of-passage easement along all beaches except those within the Town Planned Lands areas, and provides for the establishment of some number of new public beaches together with access to them. By classifying them as Forever Wild, it would prohibit new construction on them. Beach lands are defined to include rock beaches.

Sec. 11. outlines administrative provisions for the National Park Service of the Department of the Interior, and details fish, wildlife and shellfish management responsibilities.

Sec. 12. requires a survey of access to the Islands and requires recommendations for limiting such access, and authorizes a program to augment internal transportation methods. Any development for public enjoyment must respect the natural features of the Islands.

Sec. 13. suspends acquisition authority when lands are owned by private, general purpose conservation and preservation organizations, or when evidence is presented up to two years after enactment that lands are irrevocably committed to such organizations. Lands of public conservation or preservation organizations are subject to the suspension in Section 7 for state, county or town owned lands. Lands under a conservation restriction are treated similarly.

Sec. 14. ensures the cooperation of all agencies in preventing and correcting water pollution.

Sec. 15. directs the Secretary of the Interior and the Secretary of Labor to develop employment opportunities consistent with the conservation and preservation of the Island's natural resources.

Sec. 16. establishes a mechanism for the local town governments at their option, to place strict controls on construction of improvements, and to make fair payments where hardship is demonstrated.

Sec. 17. authorizes $25,000,000 for Fiscal Years 1974, 1975 and 1976 to carry out the Act.

VINEYARDERS TO AMEND THE BILL

On July 17, 1972, the Vineyarders to Amend the Bill personally and formally presented to Senator Edward M. Kennedy the reports of their subcommittees at a meeting in his Boston office. These reports are based upon S. 3485 as it is proposed to be amended in the June 20, 1972 revisions.

The text of the reports follows:

I. SUBCOMMITTEE ON BEACH ACCESS

Section 10a

As in present bill. Note: The boundaries committee should consider excluding beaches such as those on inland ponds and harbors, otherwise this section is acceptable to the committee.

Section 10b

As in present bill.

Section 10c

Access to beaches: In order to preserve the forever wild nature of Class A lands and at the same time give optimal access to them, the Secretary and the Commission shall immediately upon enactment of the bill take steps to provide public accesses to beaches in such a way as to preserve the scenic features and the privacy of present owners.

Section 10c1

In cases where new accesses are to be established, private roads should not be used but new ways established. They should be situated as far as possible from private dwellings. Such ways should not be paved and be limited to two-lane traffic.

Section 10c2

Parking lots should be small and situated in such a way as to preserve scenic beauty, and in some cases they shall be situated at some distance from the beach. The remaining way to the beach to be a foot and bicycle path. These lots should not be paved.

Section 10c3

These new accesses shall be established in such a way that the distances between them is maximized. Two miles between them is considered optimal.

Section 10c4

Accesses shall be established in each town as follows:

South Shore: Edgartown, two; West Tisbury, one; Chilmark, two; Gay Head, one.

North Shore: Chilmark, two; West Tisbury, two; Gay Head, one; Vineyard Haven, one; Chappaquiddick, two.

[NOTE: These accesses include existing public accesses.]

Section 10c5

The Secretary and the Commission shall continuously monitor beach usage and if the above accesses are deemed to be inadequate, further accesses shall be established in accordance with the principles previously stated.

Section 10c6

The commission shall establish certain accesses that are restricted to foot paths, bicycle paths, and horse trails.

Section 10d

Use of beaches: Optimal use of the beaches for sportsfishing requires the use of vehicles but if such use is unrestricted it has adverse effects on erosion control, privacy, and wildlife. Their use is therefore limited as follows:

Section 10d1

Only four-wheel drive vehicles of less than 4,000 pounds in weight are permitted to use roadways or other designated passages in beach areas located in forever wild land. Driving elsewhere, either with four-wheel drive cars that qualify or other vehicles is not permitted.

Section 10d2

Such ways shall be established as follows:

(a) from Katama access to Cape Pogue.

(b) from Katama access to Edgartown Great Pond opening.

(c) from the West Tisbury South Shore access to Tisbury Great Pond opening.

(d) from the Chilmark South Shore access to Chilmark Great Pond opening.

(e) The Katama-Cape Pogue way shall be open at all times and seasons.

(f) The remaining ways to the great pond openings shall be restricted as follows: During the period from June 1 to Sept. 15, only between the hours from 8:00 p.m. to 8:00 a.m. From Sept. 15 to June 1 these ways may be used at any time of day or night.

Section 10d3

Many of the small ponds along Class A lands are the feeding grounds for wildlife, especially waterfowl. Uncontrolled shooting on the beaches that divide these ponds from the green would serve to frighten these ducks and geese from their island habitat. Such is not the case on certain flyways between large bodies of water that have traditionally been used for flight shooting. Hunting on the beach shall be permitted only on areas of the beach designated by the Secretary and the Commission.

Section 10e

To protect and preserve the present environments of certain ponds abutting forever wild beaches, the Secretary and the Commission, taking into account traditional usages, may limit the horsepower of boats using internal combustion engines or prohibit their use altogether.

Section 10f

The Commissions and the Secretary shall have the right to take access ways and parking areas by condemnation. This right shall not be suspended by Section 13(a). NOTE: Section 13(a) shall be revised.

Section 10g

The Commissions and the Secretary shall provide an appropriate ranger service to enforce the rules designated in this section and to prevent littering and other forms of pollution.

NOTE: There shall be a map showing beach accesses as designated above.

NOTE: This plan for the use and accesses to beaches assumes that there will be an effective limitation on access to the Island as a whole.

Respectively submitted,
JOHN WHITING
HELEN MALEY
HERBERT TILTON, Jr.

II. SUBCOMMITTEE ON COMMISSION AUTHORITY AND DUTIES

We concur with some amendments offered to S. 3485 (Section 3, June 20 printing) most notably, to establish separate Commissions for each Island, the size of the voting members from Martha's Vineyard, the inclusion of Gosnold in the Martha's Vineyard Commission, and the need for Resident Coordinators or Executive Directors and staff personnel for each Commission.

However, we and the entire committee disagree on your proposed "make up" of the Martha's Vineyard Commission and strongly urge you to adopt our suggested format within reason.

I. Size and Representation

A. Voting Members:

A member appointed by the Secretary of the Interior.

A member appointed to represent the Commonwealth of Massachusetts, such appointment shall be made from the recommendations of the Governor.

A member elected to represent each of the towns in Dukes County.

A member to be appointed by the Administrator of the Environmental Protection Agency.

A member from a private conservation organization (representative to be appointed from among the various conservation groups).

A member a non-resident taxpayer (to be appointed from the various non-resident taxpaying organizations).

A youth member elected by his/her peers on a yearly basis.

B. Advisors:

County Planner.

Executive Director and such other permanent or part-time professional and clerical personnel as the Commission and the Secretary find are required.

C. Terms and Qualifications:

With the exception of the initial group all members, appointed or elected, with the exception of the Youth Representative, shall be for three-year terms. At its first meeting the commission shall adopt procedures for ensuring that the terms of the members are staggered.

An elected or appointed member cannot serve more than two consecutive terms, although he may run for or be appointed again after a one-year interval.

A member may not hold the office of Selectman or County Commissioner on the Island during his term of office.

The appointment of an Executive Director shall be made by the Secretary and approved by a majority of the Commission.

The members elected or appointed to this Commission shall have been taxpayers in Dukes County for at least five years prior to their appointment and shall have demonstrated interest in and knowledge of local preservation and conservation matters.

3. Voting

On substantive matters the Secretary and the Commission must be in agreement. For Commission agreement 8 members must vote in favor of the proposal.

The County Planner and Executive Director will be non-voting members.

4. Combined Committee

It will be necessary to have a combined committee (Martha's Vineyard and Nantucket) in addition to the respective island Commissions to consider mutual problems. This Committee shall meet to discuss and formulate tentative solutions. The Representatives would then return to the respective Island Commissions for action on the recommendations of the joint committee. The suggestion we offer as to representation of the joint committee is:

1. 3 Town representatives appointed by the Commission chairmen.
2. Federal and State appointees common to both islands.
3. County Planners from each Island.
4. Executive Directors from each Island.
5. One Conservation representative from each Island.

Respectfully submitted,
EDWARD L. THOMAS,
GEORGE COSTA,
GEORGE MATHIESON.

A dissent with two aspects of the commission recommendation

John Whiting and Nicholas Freydberg, members of this committee, believe that the following commission procedures that have been recommended are likely to encourage the division that prevails in our island affairs and between Nantucket and Martha's Vineyard. These are:

1. The election by *each town* of its own commissioner.
2. Negotiation by *representatives* of the

two commissions on matters of mutual concern to the islands in the Trust area.

Commissioners elected by each town will be more likely under these circumstances to reflect the special interests of their own community rather than the broader perspective required for the island as a whole, which is essential for the success of the Trust concept. To encourage an island-wide concern on the part of the commissioners it would be preferable to hold island-wide rather than town elections for these officials. The concentration of residents in the three large down-island towns may require a modification of this principle to insure up-island representation.

The procedure for dealing with inter-island problems in which representatives of each commission would meet and report back to their separate groups, is less likely to help in the development of a unified all-islands identification as it places stress on the representatives to perform rather in the sole interest of their own island. It is suggested in its place that the two commissions meet together in these situations—a commissions-as-a-whole—and interact with each other as individuals, exposing all and not just a few to each others needs, and in the participation of resolutions that have the interests of the entire Trust area as the main concern.

III. SUBCOMMITTEE ON DEFINITION OF NEED

Much discussion has gone on about a "Freeze" or "Moratorium" as a part of the Island Trust Legislation. In my opinion the most practical and acceptable way to handle this problem would be to include under Section 16 a statement such as:

"In the County of Dukes County the Boards of Selectmen or the issuing authorities in each town shall not issue per calendar year new start construction permits in excess of the average number of new start construction permits issued in each town in the County for the period 1966 to 1971 inclusive.

"The aforesaid provisions shall remain in effect unless altered or amended by the Commission and the Secretary."

If the above could be effective at once it would be good as it would at least insure some cut-back from the one-a-day rate of new starts. Other provisions such as a priority system based on amount of acreage owned and intended use of the structure would add to the above; however, as a practical matter, perhaps it should be kept simple. If you will review the earlier suggestions as presented to the Island Selectmen (attached) perhaps this idea could be put into a workable form.

Respectfully submitted,

JAMES F. ALLEY.

Suggested guidelines for Selectmen as to granting of building permits in class B and C lands under section 16A of the Kennedy Bill.

1. Compliance with any of the zoning by-laws adopted by the town.

2. Compliance with any regulations of the Board of Health and the state sanitary code as to waste disposal, water supply, and general habitation standards for residential use.

3. Compliance with the sub-division control laws G. L. Chap. 41 Section 81K to 81 GG.

In addition to the above regulations the selectmen will consider the following additional standards prior to granting of any building permits:

A. The effect of the proposed improvement on the scenic, ecological and economic values of the town.

B. The effect of the improvement proposal on the present intensity of land use in the specific area as to water quality control and sewage disposal both immediate and future.

C. Each applicant for a permit shall present a statement to the Selectmen addressing all of the foregoing standards and regulations and shall support such statement where necessary with any evidence that the Selectmen may reasonably require.

A ceiling must be placed on the number of permits granted per twelve month period. Said number should be set from an average of the building starts within the town for the five year period 1966 to 1971.

D. Each applicant (meaning individual, corporation, trust or partnership in which the individual owns 25% or more interest), shall be subject to the following schedule based on the number of acres owned within the Town at the time of application. Permits valid for one year.

1. Up to 10 acres one permit per twelve month period.

2. Over 10 and up to 50 acres two permits per twelve month period.

3. Over 50 acres three permits per twelve month period.

E. The following guidelines should be used for the order of preference on the issuing of permits.

1. A town resident for at least three years claiming the town as his legal residence and applying for a permit for his or her principal place of domicile.

2. A island resident for at least three years and claiming an island town as his legal residence and applying for a permit for his or her principal place of domicile.

3. Town taxpayer applying for a permit.

4. Island taxpayer applying for a permit.

5. Any other applicant meeting foregoing guidelines 1 through D–3.

Upon a determination that all standards have been satisfactorily met the selectmen shall by a recorded vote find that a need exists and shall grant approval by such vote. Permits should be granted on four scheduled annual dates. Serious consideration should be given to strict control of class B lands until the bill is enacted in keeping with the spirit and intent of the freeze.

IV. SUBCOMMITTEE ON NEW JOB OPPORTUNITIES

Section 15. New Employment Opportunities.

(a) The Secretary *in consultation and cooperation with the Secretary of Labor,* is directed to examine the Trust lands forthwith for opportunities to experiment with, and to encourage development of aquaculture of all kinds, including but not limited to, fish and shell fish, *and other sea and land use activities.* Funds appropriated to the Department of Interior, *and to the Department of Labor,* under the authority of this or other laws of the United States may be used for this purpose without restrictions.

(b) The Secretary in consultation with and cooperation with the Secretary of Labor, shall investigate, and where appropriate establish training and retraining programs suitable for residents of Trust lands as well as establishing new business opportunities for employers affected by action of the Act. The Secretary in consultation and cooperation with the *Secretary of Labor shall institute an income maintenance program for those affected by this act during the period of re-training, training, and new business program. The words "income maintenance program mean the income level at which the individual was when terminated as a consequence of this Act. The new employment or business opportunity must provide the same income as existed prior to this Act.*

Section 12. Transportation and General Uses.

(a) The Secretary shall survey access to Trust lands, including that by private and public air and water carriers, and shall make such recommendations to the Congress and the Governor of the Commonwealth of Massachusetts as he deems consistent with the preservation and conservation purposes of this Act, and to carry out such purposes.

Comment: Sections (b) and (c) deal with the "convenience of visitors . . . consistent with the preservation and conservation purposes of this Act." We think Section 12, or an additional section, should cover transportation for the convenience of commerce, whereby carry on and carry off charges should be absorbed by the carriers under government subsidies to compensate them for loss of revenue, so that businesses are not penalized for locating on the island.

New job opportunities

Island labor statistics: Employment figures reveal that out of a total civilian labor force on the Island last summer of 4,290 only 430, or 10% were involved in the contract construction industry. In March of this year, out of a total work force of 2,460 those involved in construction number 340, or 13.8%.

It would be noted that the term "contract construction industry" means those involved in general building contracting, heavy building contracting, highway construction, plumbing, painting, electrical work, masonry, carpentry, roofing, well-drilling, excavating, demolition, and administration work.

Using July, 1971 and March 1972, as base months the percentages of employment are based on the total available civilian labor force. The figures do not include United States military personnel stationed in the country.

In July of last year, the total work force was 4,290 of whom 4,180 were employed, leaving an unemployment rate of 2.6%. In March, the labor force numbered 2,460 with 2,090 employed, leaving an unemployment rate of 15%.

Of the classification listed, the wholesale and retail trade category is the largest in both summer and winter with 33.1% of the total work force in it in July and 17.5% in March. It decreases by almost 1,000, however from 1,420 to 430 from July to March.

The employment classifications and their corresponding figures for the months of July, 1971 and March 1972 are as follows:

	July 1971	*March 1972*
Nonagricultural	3,370	1,540
Manufacturing	80	40
Nonmanufacturing	3,290	1,580
Contract construction	430	340
Transportation and utilities	200	90
Wholesale and retail trade	1,420	430
Financial institutions and real estate	150	100
Service	730	240
Government	330	330
Other	0	10
All other nonagricultural	710	410
Agricultural	100	100

New jobs. We feel that new job opportunities should arise as a result of feasibility studies made by experts in the particular fields, and therefore are beyond the competence of this committee. We feel we can only suggest areas of investigation, and pass on information and ideas we have received.

1. *Studies* of employment on other islands would be instructive where problems situations exist similar to the Vineyard. For example, the Island of Jersey in the English Channel is half the area of the Vineyard with a self-supporting, permanent, population five times the size. They grow tomatoes and cut flowers which are marketed "off island".

2. *Schools.* The College of the Atlantic in Bar Harbor, Maine, is an instructive case in point. The idea for the college started when a group of citizens on Mt. Desert Island decided that an educational institution would be beneficial "clean industry" on the scenic island, home of the Acadia National Park. The college offers a unique curriculum based on environmental studies. Without a line of advertising in the professional journals, the College of the Atlantic drew over 1800 applicants for faculty positions. Most of the applicants noted that they were intrigued by the school's challenging concept and its location. The college raised a half million dollars, including $40,000 for student aid, for its first academic year 1972–1973.

Comment: A small school dealing with environmental sciences would be logical for the Vineyard because of its location and proximity to Woods Hole and the Boston educational complex. The school could make good use of such a place as Mohu, with its very large buildings.

3. *Aquaculture.* Much work has been done on this subject from the scientific standpoint. We bring attention to *Possible Methods of Improving Shellfish Industry on Martha's Vineyard* by George Mattheissen and Richard Toner (1966), the most comprehensive and expert investigation of the subject made for the island. What is lacking is an economic survey, and should be one of the first orders of business, in view of the bill's attention to it.

Comment: Another aspect to be explored are the laws covering bottom rights. Bottom rights must be defined and secured before any large scale investment can be expected.

4. *Lobster farming.* John Hughes, director of the State lobster hatchery in Oak Bluffs, is the country's leading authority on lobster culture. An economic survey remains to be undertaken.

5. *Boat building.* Vineyard Yachts, Inc., employs nine people full time and have sold 33 boats in two and a half years of operation. Their goal is fifty boats a year employing 12 people, or more. There is room for another boat manufacturing business. Present transportation charges are offset by low cost island labor. The business is competitive with mainland boat manufacturers.

6. *A fish supply and marine publishing business,* now presently operating on the mainland, which employs fifty people, has plans to locate itself on the Vineyard, according to K. Dun Gifford.

7. *A nursery business* is feasible for the Vineyard. Climate and topography of the Vineyard are suitable. Land values are prohibitive. Government low cost loans should be investigated.

8. An area to be explored is the possibility of the government locating a small agency on the island.

9. Young people should be encouraged to set up small businesses here. The Planning Commission will shortly publish a list of pertinent government agencies where low cost loans can be obtained. This list should be made readily available and publicized.

Addition to the subcommittee's report on new job opportunities

The Economics of Aquaculture

There are 10,000 acres of bays and ponds in Dukes County suitable for shellfish production. Aquaculture is the most discussed, most promising, and most precarious new industry for the island. It is the only new job opportunity specifically mentioned in the bill.

Present shellfish production is minimal and stone age in method. A scientific survey of our waters, and a scientific shellfish farming technique, has been done by Mattheissen and Toner. This economic survey is based on their report.

Oysters, as opposed to quahogs and bay scallops, are best suited for a hatchery operation in Dukes County. They attach themselves permanently to some sort of substratum, are subject to observation and control, and may be transferred from one area to another. They may be grown in heavy concentrations off the bottom by suspension, thereby reducing chances of predation and permitting culture in areas otherwise unsuitable for shellfish. They mature more rapidly to marketable size than quahogs. Bay scallops appear particularly susceptible to the law of supply and demand, as reflected by annual fluctuations in market price which vary as much as 100%, whereas the price of oysters has climbed steadily during the past ten years. Oysters may be cultured in tidal ponds of high salinity and in brackish ponds of moderate salinity, whereas the quahog and bay scallop can thrive only in the former.

The cost of constructing and equipping a hatchery, excluding cost of land, would be about $60,000. Annual operating expenses would be about $19,000. If the hatchery were operated 180 days a year, annual salaries would be $17,500. Therefore, once the hatchery were built, the annual operating budget would be about $37,000.

Such a hatchery can produce 15 million newly-set oysters during a 6-month period. If 20% of these survive to market size, the yield would be 3 million oysters. At 300 oysters per bushel, this amounts to 10,000 bushels.

Oysters currently sell for $12 a bushel. The return from one year's production could be $120,000, on an annual investment of $37,000.

Such a hatchery would require the services of five people.

Chief biologist	$9,500
Assistant biologist	7,500
Laboratory assistant	6,000
Field assistant	6,000
Maintenance	5,000
Total	43,000

This size hatchery requires about 10 acres of water to operate to produce 15 million spat, which at 20% survival, would approximate 10,000 bushels. Since one out of 5 spat should mature into a marketable oyster worth 4 cents to the fisherman, the cost works out to 0.2 cents per seed.

If an individual invests $200 in oyster seed, at 0.2 cents per seed, he would purchase 100,000 seed. If the seed are planted on the bottom, 10% of the seed will survive to marketable size. Ten thousand marketable oysters at 4 cents each would earn the grower $400. This volume of oysters can easily be grown *in an area of one-quarter acre.*

If he employs suspension methods, his initial expense would be greater, but so would be his return. A raft fully equipped with strung shell would cost $120. With 20% survival, the return would be 20,000 marketable oysters, or $800. Since a single raft can suspend this number of oysters, his expense would be $320, and his *area requirements would be the size of the raft, about 200 square feet.*

If 150 individuals, each of whom invested $200 per year in oyster seed, operated a single acre of piece on a rotational basis, the annual total income would be $120,000 on a maximum of 150 acres—which is less than 2% of the 10,000 acres available in Dukes County suitable for shellfish culture. Dukes County, therefore, has a potential $8 million industry in oysters.

Respectfully submitted,
Barbara Nevin,
George Moffett, Jr.

V. SUBCOMMITTEE ON LAND ACQUISITION

The full report of this committee is in preparation, but our general conclusion may now be stated. On the basis of information presently available to us, we feel that existing Federal Government procedures for land acquisition are eminently fair to the land owner and provide him with such legal and financial safeguards that only in rare instances would a solution satisfactory to both sides fail to materialize. Thus in regards to S. 3485, we do not have any specific amendments to propose regarding the land acquisition procedures which would be utilized when and if land were to be taken by the Federal Government after passage of this legislation.

At the same time, however, we are aware of a great public misunderstanding and suspicion in regards the entire matter of land acquisition. The phrases "land taking" and "eminent domain" for some reason conjure up the specter of outright seizure without compensation followed by eviction of the land owner in the most callous fashion. To attempt to allay such fears, therefor, every effort should be made in the wording of the amended bill to stress that full and fair market value will be paid for land acquired outright, and equally important, that full and fair market value will be paid for development rights, rights of way, accesses, restrictions or other acquisitions of less-than-fee rights. Such specific wording may not be legally necessary, but it would go far to diminish much of the present suspicion, resentment, and misunderstanding regarding the matter of land acquisition.

Respectfully submitted,
Thomas Hale,
Chairman.
James Alley,
Francis F. Cournoyer,
William M. Honey.

Addenda to the land acquisition sub-committee report

After the passage of the Nantucket Sound Island Trust Bill, it is probably that the Federal Government will acquire title to numerous tracts of land in the Forever Wild and Scenic Preservation areas. Such land, if it were suitable and if its use would not violate the objectives of the Trust, could be of considerable benefit to the residents of the island.

Some of this land could be allocated to low cost housing which is sadly lacking on the Vineyard. Purchased as it would be in large tracts for the most part, the price per acre would be relatively reasonable, and it might be reduced even further if it were possible to obtain some contribution by some Federal Agency such as perhaps the F.H.A.

With soaring land prices the plight of our young residents is a serious matter for the Island's future. The reality is that they cannot look forward to a home of their own unless they inherit it. While undoubtedly the problem of qualification (who is a native? What is an Islander?) would have to be resolved, a most worthy and vital use of some of the Federally acquired land would be to make it available, where suitable and desirable under the bill, for the use of the island's youth.

VI. SUBCOMMITTEE ON BOUNDARIES

Section 5a—As in the present bill as amended June 20, 1972.

Section 5b1—As in the present bill as amended June 20, 1972.

Section 5b2—Class B1 marsh and flood plain areas—Such lands include areas covered by the Jones and Hatch Acts and the flood plain. For reasons of health, protection of fisheries and wild life, the building of any additional dwellings is forbidden. The Secretary and the Commission shall maintain strict control over all clearing of trees and brush and the removal of soil. Through petition to the commissions, building of either experimental or commercial buildings for the purpose of the development of aquaculture shall be permitted if they are deemed to conform to the purposes of this act. Owners of such lands may transfer, sell, assign, or demise such land or improvements or both. Reasonable replacement, repair, and extension shall be permitted under regulations issued by the commissions. The Secretary and the Commissions shall make appropriate provisions for granting right of way through greenbelts for power lines, access, etc. to the owners of the contiguous properties.

Section 5b3—Class B2 Scenic Preservation Lands—Development of such lands shall be strictly controlled by the Secretary and the Commissions. Owners of such lands, or of improvements thereon, or both, on the date of enactment of this Act, may transfer, sell, assign, or demise such land or improvements or both. Reasonable replacement, repair and extension shall be permitted, under regulations issued by the Secretary and the Commissions. Owners of scenic preservation lands shall be permitted to develop 20% of their holdings. In the event that some of their holdings lie in the B1 area this may be used in calculating the percentage of permitted development in their B2 holdings. All new buildings shall conform to regulations issued by the Commissions and the Secretary.

These regulations shall take into account existing land-use regulations, and other building restrictions of the town in which the land is located, and shall take into account the following additional factors: Intensity of use, an area-wide water quality survey, sitting and topographical considrations, water and sewer line availability, and highway congestion.

Section 5b4—Class C—Town Planned Lands—as in present bill as amended.

Section 6—Assignment of Trust Lands—The attached map indicates the boundaries between Class A1 and B1 and between Class B1 and the remaining Classes (B2 and C). B2 and C classifications are tentative only and the Secretary and Commissions shall immediately appoint a study committee to revise the boundaries shown on the map, particularly that between B2 and C. This study committee shall make use of research now under way, such as the study of the Island water table by the Dukes County Planning and Economic Development Commission, and one contemplated by the Open Land Foundation on distinctive visual features of the Vineyard that should be preserved, as well as initiate its own research for the purpose of distinguishing these boundaries. In making the final assignment of lands to the various classes the Secretary and Commissions shall be governed by the following considerations:

Section 6A1: Class A—Forever Wild Lands: Shall be beachland lying on the outer perimeter of the Island.

Section 6A2: As used in this section "beach land" shall mean the wet and dry sand area lying between the mean low water line and the visible line of upland vegetation.

Section 6A3: The Secretary and the Commissions may designate certain fragile areas, particularly those in danger of erosion, as Class A land for the sole purpose of its protection.

Section 6B: Class B1—Scenic Preservation—Flood Plain and Marsh Area—Class B1 lands shall include:

Section 6B1—All lands lying between the inland boundary of Class A lands and the 10′ contour line.

Section 6B2—The beaches of inland ponds whether or not they are connected to the sea.

Section 6B3—The beaches of the Vineyard Haven, Oak Bluffs and Edgartown Harbors, Menemsha Basin and Katama Bay, and Cape Pogue Bay.

Section 6B4—Appropriate greenbelts extending at least 150′ from the center of all public roads. This shall apply only to new construction.

Section 6B5—Areas deemed by the Commission to have unusual scenic qualities such as Peaked Hill, Prospect Hill and the ridge along the Middle road or open fields and forests with unusual visual qualities.

Section 6B6—The recharge areas where further development would endanger the water supply of the Vineyard.

Section 6B7—Areas where any further development would cause pollution of surface and ground water.

Section 6B8—Steep slopes and banks where further development would cause inland soil erosion.

Section 6C; Class 2B Scenic Preservation—Limited development area.

Class B2 shall include all land not assigned to Class A, B1 or C where unlimited development would destroy scenic beauty, endanger the water supply, cause pollution, traffic congestion or in any other way interfere with the purposes of this Bill.

Class B2 lands shall include:

Section 6C1—A wide belt along the south shore of the island reaching at least as far back as the most inland coves of the great ponds.

Section 6C2—A similar belt along the North Shore.

Section 6C3—An area surrounding the major ponds, lakes, and bays of the Island with the exception of certain areas developed before April 11, 1972 specifically "Oklahoma", "Ocean Heights" and similar areas in Oak Bluffs and Edgartown.

Section 6D: Class C—Town Planned Lands—All lands not assigned to Classes B1 or B2 shall be designated as Class C.

Section 6D1—The Secretary and the Commission in determining the boundaries between Class C lands and the other classes shall consider the effect on the tax base and public service requirements for each town.

Section 6D2: Suitable areas for camping sites and low cost housing shall be included in Class C lands.

Section 6E: Provision shall be made by the Secretary and the Commissions to exempt any Indian Common Lands from assignment to any of the classes afforded in this Trust described above.

NOTE.—It is urgent that a final map indicating boundaries between the various classes of land and accesses to beaches be contemplated prior to the enactment of the Trust Proposal, and to that effort any studies necessary for the data to arrive at decisions be carried out at the earliest possible date.

Respectfully submitted,

FRANCIS COURNOYER,
JOHN ALLEY,
SUSAN WHITING.

VII. SUBCOMMITTEE ON TRANSPORTATION

It is suggested that Section 12 of June 20, 1972 version of the Trust Proposal be amended to include the following recommendations to Congress:

(1) Access by water

(A) The barring of any bridge or tunnel from the mainland to any of the islands of the Trust.

(B) Placement of the Steamship Authority under the control of the Trust.

(C) The establishment of policies and regulations for the operations of the Steamship Authority, and of private commercial vessels operating as ferries to and from the islands shall be the responsibility of the Commission and the Secretary of the Interior. They shall be guided primarily by the conservation and preservation objectives of the Trust, and the regulations shall specifically include:

(1) A limitation to the April 11, 1972, carrying capacity of the vessels of the Authority until such time as comprehensive studies indicate the optimum population and vehicular tolerance of the islands;

(2) Any increase in the funded debt of the Steamship Authority beyond what it was as of April 11, 1972, shall not be permitted until the Commission and the Secretary of the Interior initiate the guiding regulations for this agency's operations and are enabled to assess its financial requirements in those circumstances, which should include exploring other avenues for financial assistance such as subsidies from Federal sources like the U.S. Merchant Marine;

(3) In the determination of Authority policy, first consideration shall be given to the best interests of the residents and property owners of the islands, and in particular their right of priority of access to and from the islands;

(4) Private commercial ferries shall be licensed by the Commission and the Secretary of the Interior and shall be limited to a carrying capacity of not more than the 150 passengers per trip, and in the number of trips each day.

(D) Enlargement of waterside facilities of the islands, including marinas, docks, anchorages, and other harbor improvements that would be likely to increase usage by private vessels shall be under the jurisdiction of the Commission and the Secretary of the Interior. Policies to be established for their control shall have as their prime consideration the conservation and preservation objectives of the Trust, and present facilities as of April 11, 1972, shall not be increased until comprehensive studies of the optimum population of the islands (as in C(1)) provide adequate guidance.

(2) Access by Air

The Commission and the Secretary of the Interior shall assess the ability of present services that employ propellor-driven planes, like the Otter and the DC3, to provide adequate air service to the islands. The noise and pollution caused by jet airplanes is in direct contradiction to the preservation and conservation objectives of the Trust, and their use for access to the islands shall not be permitted unless it can be proven that air service to a particular island would be seriously inadequate without them, and then only in the case of that particular island. Private jets whether owned by a corporation or an individual shall be banned in any event.

If it is beyond the powers of the Commission and the Secretary under the trust to institute these regulations without the consent of the Civil Aeronautics Board, then they are instructed to make every effort to achieve such consent.

(3) (Internal) Land Access

Since there has been no need to accommodate long distance throughway traffic or a large population that commutes to work by automobile, the road system on Martha's Vineyard consists of narrow winding roads built for light traffic traveling at low speeds. This road system is an important feature of the Island that is intimately related both to the scenic beauty and peace of mind and should be preserved. The recent increase in the number of cars being brought to the Vineyard, the advent of tour buses and many bicycles on the main roads threaten to make the present road system inadequate. Rather than building new roads and widening the present ones, other steps should be taken:

1. Tour buses should not be permitted.
2. Bicycle paths paralleling the major roads should be constructed.
3. The number of cars coming to the Island should be limited.
4. A regular intertown bus service should be established to enable visitors to enjoy the Island without a car.

The Commission and the Secretary shall take whatever steps are necessary and possible to restrict traffic to and upon the Island so that the present road systems will remain adequate.

Respectfully submitted,

JOHN WHITING,
NICHOLAS FREYDBERG.

PROPOSED REVISION OF S. 3485 (THE KENNEDY ISLAND TRUST BILL)

(By the Committee to Preserve Nantucket, July 12, 1972)

Coordinating Committee: Bernard Grossman, Chairman; Hugh Chace, Michael H. Davis, Thomas Giffin, Howard Jelleme, Dr. Julius Jensen, Henry Kehlenbeck, Marland Rounsville, Alfred Sanford II.

A bill to establish the Nantucket Sound Islands Trust, to preserve and conserve the said island, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STATEMENT OF POLICY

SECTION 1. The Congress finds that the Nantucket Sound Islands in the Commonwealth of Massachusetts, known generally as the islands of Nantucket, Tuckernuck, Muskeget, Martha's Vineyard, Noman's Land, and the group of islands known collectively as the Elizabeth Islands, possess unique scenic, ecological, scientific, historic, recreational, and other values contributing to public enjoyment, inspiration, and scientific study. The Congress further finds that it is in the best interests of the citizens of the United States for the United States to take action to preserve and conserve such values for the enjoyment of present and future generations, to preserve and conserve the natural ecological environment, and to encourage maximum coordinate action by State and local governments and private individuals, groups, organizations and associations; all to the end of protecting these values from developments and uses which would destroy the scenic beauty and natural character of the area. In preserving the Nantucket Sound Islands and stabilizing their development, substantial reliance shall be placed upon coordinate action between Federal, State and local governments to apply sound principles of land use planning and zoning; and full recognition shall be given to protecting private properties for the enjoyment of the owners.

NANTUCKET SOUND ISLANDS TRUST

SEC. 2. In order to provide for preservation and conservation of the scenic, ecological, scientific, historical, and other values contributing to public enjoyment of the Nantucket Sound Islands, consistent with the well-being of present and future residents of the islands, there is hereby established the Nantucket Sound Islands Trust (hereinafter referred to as the "Trust"). The area comprising such Trust shall be described in Section 4.

NANTUCKET SOUND ISLANDS TRUST COMMISSIONS

SEC. 3. (a) There are hereby established the Nantucket Trust Commission and the Martha's Vineyard Trust Commission, to be known collectively as the Nantucket Sound Islands Trust Commissions (each sometimes hereinafter referred to as the "Commission"). It shall be the purpose of the Commissions to have principal management authority for the Nantucket Sound Islands Trust, provided, however, that, in the exercise of such authority, the Commissions shall not be authorized to grant privileges nor to impose regulations which are less restrictive than those privileges granted or regulations imposed by the Commonwealth of Massachusetts or the respective municipalities within the Trust boundaries, and shall otherwise be limited as hereinafter provided.

(b) The Nantucket Trust Commission shall have the responsibilities as established herein over the lands and waters in Nantucket County, and shall be composed of seven members serving three year terms. Term of office shall commence on the first Monday in April except as provided in Sec. 3(h). Members shall be appointed as follows:

(1) A member appointed by the Secretary of the Interior (hereinafter referred to as the "Secretary");

(2) a member appointed by the Governor of the Commonwealth of Massachusetts (hereinafter referred to as the "Governor");

(3) two members appointed by the Board of Selectmen of the Town of Nantucket, at least one of whom shall have his principal, or, if a non-resident, a seasonal residence in Class A or Class B lands, as hereinafter defined, and shall be appointed in the month of February;

(4) two members who shall be qualified voters of the Town and shall be elected at the annual election which is a part of the Town meeting; and

(5) one member appointed by the Nantucket Planning Board, who shall be a qualified voter of said Town, to be appointed in February.

Appointments by the Selectmen and by the Planning Board shall be ratified by the voters at the Town meeting election next following their appointment, and prior to their membership on the Commission.

The members appointed pursuant to paragraphs (b)(2), (b)(3), (b)(4), (b)(5), shall have been taxpayers in Nantucket County for at least five years prior to their appointment and shall have demonstrated interest in and knowledge of local preservation and conservation matters.

Not more than one member of the Commission may serve simultaneously as a member of the Board of Selectmen.

(c) (Inasmuch as this subsection refers to the constituency of the Martha's Vineyard Commission, the Committee to Preserve Nantucket is making no comment.)

(d) Each Commisson member shall, prior to entering upon his term of office, file with the Commission a record, which shall be available for public examination, of his ownership interest, whether active or inactive and whether direct or indirect, in business enterprises whose principal activity is, and of real estate, within the Trust boundaries, and shall, at the meeting of the Commission next following any changes in such ownership, file with the Commission in writing a report of such changes.

(e) The Chairman of the Commission shall, except as provided in Section 3(h), be elected at the April meeting and by the members thereof for a term of two years. Any vacancies occurring in the Commissions shall be filled promptly in the same manner in which the original appointments were made except that any vacancies occurring among members of the Commision elected at the Town meeting shall be filled by an appointee of the Commission who shall serve until his successor shall be elected at the next Town meeting election.

Non-attendance of a member at more than two consecutive quarterly public meetings shall, upon the affirmative vote of other members of the Commission, terminate the membership of such absentee.

(f) The Commission shall promptly adopt bylaws and rules of procedure within the scope, intent, and purposes of this Act. Public meetings of the Commission shall be held annually during the month of April and during the first month of each other calendar quarter within the boundaries of its Trust area. There shall be public notice at least fourteen days before such meetings so that those having business with the Commission may appear and be heard. Other meetings shall be held from time to time at the call of the Chairman or of three or more members.

(g) All members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on the presentation of vouchers signed by the Chairman.

(h) Membership shall be for three year staggered terms. The initial terms for members of The Nantucket Commission shall be as follows:

(1) Not less than one year and not more than two years ending the first Monday in April: one member appointed by the Selectmen, and the member appointed by the Planning Board;

(2) Not less than two years and not more than three years ending the first Monday in April: the member appointed by the Governor, one member appointed by the Selectmen, and one member elected by the voters;

(3) For not less than three years and not more than four years ending the first Monday in April: one member appointed by the Secretary, and one member elected by the voters.

(Provisions for Martha's Vineyard are not provided here.)

(i) The Commission shall publish an annual report reviewing matters relating to the Trust, including acquisition of lands, zoning standards, policies, and administration, and shall make such recommendations to the Secretary of the Interior, to the Governor, and to the Selectmen of the respective towns as they deem appropriate. The Commission shall keep the local population regularly and frequently informed as to its activities.

(j) The Commissions shall each have an Executive Director, and such other permanent or part-time professional, clerical, or other personnel, and may engage such other professional services as they shall reasonably require and the Secretary shall approve.

The Executive Director shall see to the administration and enforcement of the provisions of this Act and to regulations established by the Commissions pursuant thereto.

(k) The Commissions shall have the authority to appoint Commission Advisory Committees in their own discretion. Each Commission shall designate three of its members to serve on a coordinating committee with members of the other Commission to treat matters of common concern.

TRUST BOUNDARIES

SEC. 4. (a) The boundaries of the Trust shall encompass the following lands and waters in the Commonwealth of Massachusetts:

(1) Nantucket Island, and the island to westward called variously Smith's Island or Esther Island;

(2) Tuckernuck Island;

(3) Muskeget Island;

(4) Martha's Vineyard and various islands appurtenant to it;

(5) Noman's Land Island; and

(6) The Elizabeth Islands, including the islands of Cuttyhunk, Nonamesset, Naushon, Pasque, Nashawena, Penikese, and the Weepeckets.

(b) The boundaries of the Trust may be changed only by the Congress of the United States, upon petition therefor by the Commissions with the concurrence of the town or towns affected and the governor and the Secretary.

CLASSIFICATION OF TRUST LANDS

SEC. 5. (a) Lands within the boundaries of the Trust shall be assigned to one of the classifications listed in subsection (b) of this section. Upon the date of enactment of this Act, such lands shall be classified as delineated in Section 6 herein; *Provided*, That, if a study of maps of the respective Trust areas made promptly after the Commissions organize shall reveal technical errors, the Commission with the concurrence of the Secretary, may alter the assignments within ninety days after such organization.

(b) Classifications of Trust Lands:

(1) Class A: Lands Forever Wild.—Lands so classified shall remain forever free of development or improvements, as defined hereinafter, of any kind except as provided herein. If improvements exist on any lands so classified on the date of enactment of this Act, then the Commission and the Secretary shall permit a right of use and occupancy to the owner or owners thereof, or their successors or assigns.

Owners may perform necessary repairs to property and, subject to all local government requirements, with the approval of the Commission which shall not be unreasonably withheld, make replacements in kind or extensions consistent with changed family needs of the owner, none of which shall alter the basic character of the property. For the purposes of this paragraph, "family" shall mean the owner and children of the owner or owners, whether by birth or by adoption.

Subdivisions shall be permitted only for the purpose of making conveyances to the Federal, State or local governments, or to private nonprofit organizations, as defined in Section 13, except if the principal legal residence of the owner is in Class A lands, he shall be permitted to make a subdivision as provided in Section 5(b)(2)(a) or 5(b)(2)(c).

Use of lands for agriculture or aquaculture shall be permitted, subject to such regulations as the Commission shall establish. Any construction of improvements in connection with such agricultural or aquacultural use shall be in accordance with local government regulations and shall require Commission approval.

If the Commission shall, as hereinafter provided, acquire lands of this class, access to such lands and use thereof shall be as designated by the Commissions and the Secretary, provided, however, that use of such lands shall be in a manner not less restrictive than that permitted by local bylaws and ordinances on similar privately owned lands of this class.

(2) Class B: Scenic Preservation Lands.—Lands so classified shall not be developed beyond their present intensity of use, except as provided herein. Owners of such lands, or improvements thereon, or of both, may transfer, sell, assign or demise such land or improvements or both, provided, however, that subdivisions, except for the purpose of making a donation or sale to the Federal, State or local governments, or to an approved nonprofit organization, shall be subject to applicable local subdivision control and zoning bylaws and regulations and further subject to the following:

a. Where a single parcel has on it more than one residence, built, or on which construction had commenced prior to April 11, 1972, or thereafter under the provisions of Section 16(a), there may be a subdivision to create a separate parcel for each such residence;

b. There may be a subdivision in order to divided a parcel between the improved and the unimproved portion thereof as of April 11, 1972;

c. Owners of record as of April 11, 1972, may subdivide their lands, improved or unimproved, for conveyance of a single lot in such subdivision to each of their children or grandchildren;

d. Where an owner of record as of April 11, 1972, is a Trust or a partnership or other form of joint ownership, other than husband and wife, property may be subdivided among Trust beneficiaries or partners or joint owners as of April 11, 1972, as the case may be;

e. All parcels in lands of this class which are owned, directly or indirectly by a single owner as of April 11, 1972, and whether or not such parcels are contiguous, shall be considered as a single parcel insofar as eligibility for subdivision under the provisions of this section.

Reasonable replacement, and extensions to improvements, shall be permitted under regulations issued by the Commissions.

The owner of any unimproved parcel as of the date of this Act, or of a parcel created by subdivision in the manner hereinbefore provided under subsections (c) or (d) of this section, may, subject to all applicable Federal, State and local laws, improve his property by the construction of one single-family residence for his own use upon regulations issued by the Commissions and approved by the Secretary. Such regulations shall take into account the following factors: intensity of use, area wide water quality, siting and topographical considerations, water and sewer line availability, highway congestion, and other environmental factors.

In addition to the foregoing allowances for subdivision and construction for family use, ten percent of the total area classified as Scenic Preservation, not including wetlands or other land areas upon which developments or improvements are prohibited by existing law, may be designated by the Commission as "Town Expansion Area". The Commission shall determine within one year after its initial meeting the extent and boundaries of such Town expansion areas, which areas shall be contiguous to Class C lands. Subject to all local regulations and such other regulations as the Commission may establish, such lands may be built upon at the rate of 5% per year, non-cumulative.

(3) Class C: Town Planned Lands.—Lands so classified shall remain within the jurisdiction of the town in which located for purposes of land use planning and zoning ordinances; Provided, That future planning and zoning ordinances shall be commented upon by the Commissions and the Secretary as to consistency with the purposes of this Act prior to the adoption of such ordinances or amendments thereto.

ASSIGNMENT OF TRUST LANDS

SEC. 6. The Committee recommends an assignment of Nantucket Trust Lands as recommended in the original Kennedy Bill and shown on plan attached thereto with the following changes:

(1) The Wauwinet, Quidnet, Surfside areas formerly shown at Class C lands shall be reclassified to Class B lands.

(2) That portion of the Tom Nevers area, originally classified as Class A land, which was improved before April 11, 1972, by the construction of roads and the installation of underground electric supply lines, shall be reclassified from Class A to Class C.

ACQUISITION OF LANDS

SEC. 7. (a) General Provisions:

(1) Within the boundaries of the Trust, the Secretary is authorized to acquire by donation, and upon request of the Commission, to purchase with donated or appropriated funds, transfer funds, transfer from any Federal agency, or exchange, lands or interests therein for the purposes of this Act;

(2) With respect to that property which the Secretary is authorized to acquire by eminent domain under the terms of this Act, the Secretary shall initiate no eminent domain proceedings until after he has made every reasonable effort to acquire such property or interest therein by negotiation and purchase at a price not in excess of fair market value prior to April 11, 1972. The certificate of determination by the Secretary or his designated representative (which shall be the Commission) that there has been compliance with the provisions of this paragraph and of paragraph (3) of this subsection shall be prima facie evidence of such compliance;

(3) In exercising authority to acquire property under the terms of this Act, the Secretary and the Commission shall endeavor to give special consideration to those owners of unimproved property in Class A and Class B lands who shall advise the Commission: a.) that their continued ownership of such property constitutes a hardship, and b.) that, despite demonstrated effort, they have been unable to sell the property at fair market value as of a date prior to April 11, 1972;

(4) In exercising the authority to acquire property under the terms of this Act the Secretary shall conform to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (94 Stat. 1906);

(5) The Secretary shall furnish to any interested person requesting the same a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by eminent domain in accordance with provisions of this Act, that such authority is prohibited and the reasons therefor;

(6) Nothing in this Act shall be construed to prohibit the use of eminent domain as a means of acquiring a clear and marketable title, free of any and all encumbrances; and

(7) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within such area and convey with the concurrence of the Commission to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. The properties so exchanged shall be approximately equal in fair market value: Provided, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(b) Limitations:

(1) Any property or interests therein, owned by the Commonwealth of Massachusetts or any political subdivisions thereof, may be acquired only by donation. Notwithstanding any other provision of law, any property owned by the United States on April 11, 1972, located within the Trust may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out this Act.

(2) Sections 9 and 13 herein shall be considered to create limitations on the authority established in subsection (a) of this section.

(c) Transfer to Commissions:

(1) Upon acquisition by him of any land or interests therein, the Secretary shall as soon as it is practicable, thereafter transfer without consideration as undivided one-half interest in such land or interest therein to the Commission within whose jurisdiction the land or interest therein lies.

(2) Thereafter, such land or interest therein shall be held by the appropriate Commission and the Secretary in a public trust.

(3) The lands or interests therein so held in trust shall be managed as described in this act, provided, however, that such management shall not permit usage not permitted by local regulations on comparable lands.

APPLICATION TO CLASSIFICATIONS

SEC. 8. (a) Not later than one hundred and eighty days after the organization of the Commission, the Commission and the Secretary shall notify owner or owners of record of real property in Class A or Class B lands, other than property designated for fee acquisition, of the minimum regulations on use and development of such property under which such property can be retained in a manner compatible with the purpose for which the Trust was established. If owner or owners of any real property in Class A or Class B lands agree to the use and development of the property in accordance with such regulations, the Secretary may not acquire, without the consent of such owner or owners, such property or interests therein for so long as the property affected is used in accordance with such regulations, unless the Commissions and the Secretary determine that such porperty is needed for other purposes as described in this Act. Such regulations as to Class B lands shall include the ten percent of land area in Class B lands available for improvements as described in Section 5(b)(2) herein.

(b) Nothing contained in this Act shall be construed as prohibiting any governmental jurisdiction in the Commonwealth of Massachusetts from assessing taxes upon any interest in real estate retained under the provisions of this Act to the owner or owners of such interest, nor from assessing fees in lieu of taxes upon any non-governmental user of property owned by any governmental authority.

(c) As used herein, the term "improved property" shall mean a detached, one-family dwelling, the construction of which was begun before April 11, 1972, or such a dwelling for which a certification of need was voted pursuant to Section 16(a) herein, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Commissions and the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling and land for noncommercial, residential, or agricultural purposes, together with any structures accessory to the dwelling which are situated on the land so designated. The amount of the land so designated in Class A and B lands shall in every case be at least three acres in area, except in Town Expansion Area defined in Section 5, or all of such lesser acreage as may be held in the same ownership as the dwelling, and in making such designations the Commissions and the Secretary shall take into account the manner of noncommercial, residential use in which the dwelling and land have customarily been enjoyed; *Provided*, That the Commissions and the Secretary may exclude from the land so designated any beach, wetlands or waters in the Trust, together with so much of the land adjoining any beach or waters as they may deem necessary for public access thereto. If they make such exclusion, an appropriate buffer zone shall be provided between any residence and the public access or beach.

(d) A non-conforming use in existence prior to April 11, 1972, shall not be treated differently than other "improved property."

EROSION CONTROL

Sec. 9. (a) The Secretary and the Secretary of the Army shall, with the Commissions, cooperate in the study and formulation of plans for beach and shoreline erosion control and restoration projects on the Nantucket Sound Islands, especially in those areas most immediately threatened; and any protective works for such control undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Commissions and the Secretary and is consistent with the purposes of this Act.

(b) The Commissions and the Secretary shall undertake a program of dune and headland erosion control, beginning with those dunes and headlands most immediately in need thereof. Such erosion may be that caused by natural wind and water action, or by motor vehicle passage; and such programs may have the purpose of remedying both causes.

BEACHES

Sec. 10. (a) All beach lands, with the exception of beach lands classified as Class C in the boundaries of the Trust, shall be classified Class A lands, notwithstanding that such beach lands may be otherwise classified by other provisions of this Act.

(b) As used in this section, the term "beach land" shall mean the wet and dry sand area lying between the mean low water line and the visible line of upland vegetation and shall include marshlands along tidal waters.

(c) Notwithstanding the provisions of Sec. 7. (a), the Secretary shall not acquire a fee interest or easement in beach lands in excess of the following: a strip not in excess of forty feet in width extending shoreward from the mean high water line together with a reasonable number of means of public access thereto to insure freedom of passage on foot by the public, and such other public beach areas as the Secretary, on recommendation of the Commission, shall acquire. Use of motor vehicles on beaches shall be limited in number and to areas designated by the Commission, shall be by permit with priority to property owners of Trust lands, and subject to such other regulations as the Commission may determine. Use of beach lands or rights therein acquired by the Secretary shall not be less restrictive than use of other beach lands in the Trust area.

ADMINISTRATIVE PROVISIONS

Sec. 11. (a) The Trust shall be administered and protected with the primary aim of preserving and conserving the natural resources located within it and preserving the area in as nearly its natural state and condition as possible. No development by the Commissions or the Secretary shall be undertaken in the Trust which would be incompatible with the overall life-style of residents of the area, generally acceptable ecological principles, the preservation of the physiographic conditions now prevailing, or with the preservation of such historic sites or structures as may already have been designated or may be designated.

(b) The Trust shall be administered and protected by the Secretary as to his responsibilities, in accordance with the provisions of this Act and the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), except that the Secretary may utilize any other statutory authority available to him for the conservation, preservation, and management of natural resources to the extent he finds such authority will further the purposes of this Act and are not inconsistent with the provisions of this Act.

(c) The Commissions and the Secretary shall permit hunting, fishing, shellfishing, and trapping, on lands and waters under their jurisdiction within the Trust in accordance with the applicable laws of the Commonwealth of Massachusetts, the United States, and the local government, except that the Commissions and the Secretary may designate zones where, and establish periods when no hunting, no fishing, and no trapping shall be permitted for reasons of public health, public safety, fish or wildlife management, administration, or public use and enjoyment. Except in emergencies, any regulations of the Commissions and the Secretary prescribing any such restrictions shall be issued only after consultation with the appropriate agency of said Commonwealth and any political subdivision thereof which has jurisdiction over such activities. The Commissions and the Secretary, unless otherwise requested by the towns, shall leave all aspects of the propagation and taking of shellfish to the towns within the Trust.

(d) Each of the Commissions shall coordinate its activities with those of other Federal, State and local governmental authorities operating in the Trust area to the end that all applicable laws and regulations shall be enforced and private property rights protected.

TRANSPORTATION AND GENERAL USES

Sec. 12. (a) The Commissions shall regularly and frequently survey public and private water and air access facilities to Trust lands, including that by the Woods Hole, Martha's Vineyard, and Nantucket Steamship Authority and by other public and private water carriers, shall make recommendations to water carriers to ensure that service is adequate for public convenience, comfort, safety and necessity, and may from time to time establish such controls as it deems necessary to limit the number of motor vehicles of non-residents other than property owners, carried by the SS Authority to the islands, consistent with the maintenance of public health, safety and welfare on said islands. If imposition of such limitations shall result in a deficit to the Steamship Authority, such deficit shall be equitably shared between the towns involved and the Commission. Other water carriers of passengers for hire between mainland and the islands shall require licensing by the Commissions which shall be authorized to establish such limitations and rules for the conduct of such carriers as it deems necessary. It shall be the Secretary's responsibility to ensure that adequate Federal facilities for aviation and marine safety, air traffic control, weather information, and airport safety as the Commission deems necessary and as can be reasonably provided, shall be maintained. The Commission shall, with the concurrence of the towns involved, establish such other limitations on the use of motor vehicles on the island as are deemed necessary.

(b) The Commissions and the Secretary may provide for the public enjoyment and understanding of the values of the Nantucket Sound Islands by establishing bicycle paths, trails, observation points, and exhibits, and by providing such services as they may deem desirable for such public enjoyment and understanding: *Provided further*, That the Commissions and the Secretary may develop such portions of Trust lands as they deem especially adaptable for public uses including but not limited to camping, swimming, boating, sailing, the appreciation of historic sites and structures, and natural features of Trust lands.

(c) In any such development, the Commissions and the Secretary shall not unreasonably diminish for its owners or occupants the value or enjoyment of any improved property within the Trust lands.

PRIVATE NONPROFIT ORGANIZATIONS

Sec. 13. (a) Notwithstanding the provisions of Sec. 7 and Sec. 8 herein, or any other provision herein, or in any other provision of law, the Secretary's authority to acquire lands or interests therein by condemnation shall be suspended when:

(i) lands or interests therein which are designated as being presently or from time to time needed to carry out the purposes of this Act are in the ownership of private nonprofit conservation, preservation, historic, or other organizations or associations, and the restrictions against development of such lands meet the standards referred to in Section 7 herein; and

(ii) lands or interests therein which are designated as being presently or from time to time needed to carry out the purposes of this Act are, to the satisfaction of the Commissions and the Secretary and within twenty-four months after enactment of this Act, irrevocably committed to be sold, donated, demised, or otherwise transferred to such organizations or associations.

(b) The Secretary is authorized to provide technical assistance to the Commissions and the towns, and to private organizations and associations, for the purpose of establishing sound land use planning and zoning bylaws to carry out the purposes of this Act. Such assistance may include payments to the Commissions and the towns for technical aid.

(c) The provisions of this section shall be applied only to those organizations and associations which are determined to be bona fide and general purpose.

POLLUTION

Sec. 14. The Commissions and the Secretary shall cooperate with the appropriate State and local agencies to provide safeguards against pollution of the waters in and around Trust lands, and against unnecessary impairment of the scenery thereof.

NEW EMPLOYMENT OPPORTUNITIES

Sec. 15. (a) The Commissions and the Secretary, together with the Secretary of Labor, are directed to examine the Trust lands and waters forthwith for opportunities to experiment with, and to encourage development of, aquaculture of all kinds, including but not limited to fish and shellfish and other associated activities; and to examine other new employment opportunities of any kind appropriate to the purposes of this Act. Funds appropriated to the Department of the Interior and the Department of Labor under the authority of this or other laws of the United States may be used for this purpose without restriction.

(b) The Secretary, in consultation and cooperation with the Secretary of Labor, shall investigate, and where appropriate, with the concurrence of the Commission, establish, training and retraining programs suitable for residents of Trust lands.

FREEZE DATE

Sec. 16. (a) Beginning on April 11, 1972, no construction of any improvement whether for residential, commercial, industrial, or any other purpose, shall be permitted to commence on any lands classified as "Forever Wild." Construction of improvements shall be permitted on any lands classified as "Town Planned Lands" or "Scenic Preservation Lands" only upon the granting of specific approval therefor by the Board of Selectmen of the particular town, after a showing by the owner of the need thereof. Approvals granted by vote of a Board of Selectmen pursuant to a finding of need therefor and pursuant to a statement of justification therefor, shall subsequently be deemed valid by the Commissions and the Secretary.

APPROPRIATIONS

Sec. 17. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, $20,000,000, for the acquisition of land and interests therein, and not to exceed $5,000,000 for development, for the Fiscal Years 1973, 1974 and 1975.

Such appropriation shall be allocated as follows:

[In millions]

For Nantucket:	
Acquisition	$8
Development and administration	2
Total	10
For Martha's Vineyard:	
Acquisition	12
Development and administration	3
Total	15

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 1367

At the request of Mr. Humphrey, the Senator from Hawaii (Mr. Inouye) and the Senator from Massachusetts (Mr. Kennedy) were added as cosponsors of amendment No. 1367 intended to be proposed to the bill (S. 3691), to amend the National School Lunch Act, as amended, to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs and the establishment of a national infant feeding program.

AMENDMENT NO. 1369

At the request of Mr. Hartke, the Senator from California (Mr. Cranston) and the Senator from Florida (Mr. Gurney) were added as cosponsors of amendment No. 1369 intended to be proposed to the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic-missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve for each Reserve component of the Armed Forces, and for other purposes

ADDITIONAL STATEMENTS

METHODS TO COMBAT AND CURE CANCER

Mr. McINTYRE. Mr. President, today we are all committed to finding methods to combat and cure cancer. In light of this deep concern, I invite the attention of Senators to two articles: One published in the New York Times of July 16, 1972, entitled "Asbestos Found in Test of Drugs"; the other published on the same day by the Washington Post entitled "Traces of Asbestos Found in Popular Antibiotic Drugs."

I ask unanimous consent that these articles be printed at the end of my remarks.

Written by Jane E. Brody and Victor Cohn, respectively, the articles discuss two studies by a research team at Mount Sinai School of Medicine in New York City. These studies discovered that one-third of the tested samples of 17 popular drugs contained asbestos particles. Asbestos fibers—which have been linked to the development of cancer and lung disease—work their way into drugs because manufacturers use asbestos fibers to strain impurities out of medicine.

Dr. Irving J. Selikoff, who directs the asbestos studies at Mount Sinai School of Medicine, commented that—

> We have no idea how serious this contamination is, since we don't know what happens to humans injected with asbestos, but at higher doses than we found in the drugs, asbestos can produce cancer when injected into laboratory animals. In view of the possibility that it could produce cancer at lower doses in man, we consider it prudent to get rid of this mineral in drugs, especially since its presence is unnecessary.

Although results of the first study were reported to the Food and Drug Administration in October 1969, the FDA only recently considered embarking on its own study of asbestos contamination of drugs.

One is moved to ask why the delay? While millions of dollars are being spent searching for ways to fight cancer, why did it take the FDA so long to make even a preliminary move toward screening drugs which might be contaminated with a cancer-producing agent?

Were this a single, isolated case of tardy FDA attention, I might be inclined to withhold comment. Unfortunately it is not.

Take the case of—DES—diethylstilbestrol.

DES is a livestock growth—stimulant. Residues of this chemical—which has caused cancer in laboratory animals—have been detected in beef and lamb livers with increasing frequency this year despite new Government rules intended to keep it out of meat sold to consumers.

On December 13, FDA Commissioner Charles E. Edwards assured the House Intergovernmental Relations Subcommittee that the FDA was "Prepared to ban its (DES) use entirely from animal feeds."

Its rules on DES which were to take effect January 8 proved ineffective.

But despite this statement, and in the face of rising rates of DES detected in animal livers, Commissioner Edwards announced on June 16 that he would permit the use of DES to continue pending a public hearing.

And then, last week, he told the Senate Health Subcommittee that he would take prompt action to issue a final order withdrawing approval of DES for use in livestock feeds if he did not receive any requests for hearings by midnight of the day he testified.

As it happened, it is my understanding, Mr. President, that at least 15 such requests were received.

In effect, this means that there will now be weeks, months, perhaps years of delay before we take off the market a substance that 21 other countries—including those leading cattle producers, Argentina and Australia—have already banned.

Mr. President, it is the Food and Drug Administration's clear duty to protect the American public, but tardy responses and delayed decisions of the kind we have seen in the cases of asbestos and DES could create the unfortunate impression that it is the drug industry, and not the consumer, that is being protected.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, July 11, 1972]

Asbestos Found in Test of Drugs—Studies Cite Contamination of Injectable Products

(By Jane E. Brody)

A number of injectable drugs widely used in medicine have been found contaminated with particles of asbestos, a mineral that has been linked to the development of cancer and other diseases in man.

Contamination with the particles, often exceeding levels found in other parts of the environment, was detected in two studies by a research team at Mount Sinai School of Medicine here.

The researchers showed that one-third of the tested samples of 17 popular drugs contained the harmful particles. All the drugs tested, which included many common antibiotics, are administered only by intravenous or intramuscular injection under medical supervision.

"We have no idea how serious this contamination is, since we don't know what happens to humans injected with asbestos," said Dr. Irving J. Selikoff, who directs the asbestos research at Mount Sinai.

"But," he added, "at higher doses than we found in the drugs, asbestos can produce cancer when injected into laboratory animals. In view of the possibility that it could produce cancer at lower doses in man, we consider it prudent to get rid of this mineral in drugs, especially since its presence is unnecessary."

In response to an inquiry, the Food and Drug Administration said it was about to embark on its own study of asbestos contamination of drugs "in an effort to corroborate" the Mount Sinai findings, which were published in the current issue of the journal Science.

EARLIER FINDINGS

Results of the first study, done in 1969, were reported to the F.D.A. in October of that year and "taken under advisement" by the Federal agency, but no action was taken then. The second study, on samples gathered in 1970 and 1971, showed that the drugs still contained significant amounts of asbestos fibers.

The Mount Sinai team, Drs. William J. Nicholson and Carl J. Maggiore and Dr. Selikoff, all experts in environmental medicine, suspect that asbestos filters used in manufacturing the drugs are the source of the contamination.

Dr. Armond Sasola, chief chemist of the F.D.A.'s Bureau of Drugs, said that if such filters were found to be a source of the asbestos fibers, he would recommend their discontinuance. He added that "adequate substitutes are available."

The finding of asbestos particles in drugs is one in a long list of environmental sources of the mineral fibers. The air breathed by most urbanites contains such fibers, which are used in fireproofing building, lining air-conditioning ducts and in brake linings, among many other uses.

Dr. Selikoff and his colleagues have demonstrated that chronic exposure to asbestos fibers can present serious health hazards. He has found that among asbestos workers, deaths from a variety of cancers—including cancer of the lung and of the gastrointestinal region—are far more common than among the general population.

Asbestos-related diseases have also been found to occur more often than expected among people exposed to the fibers by virtue of having lived with an asbestos worker or lived in the vicinity of asbestos operations.

[From the Washington Post, July 16, 1972]

TRACES OF ASBESTOS FOUND IN POPULAR ANTIBIOTIC DRUGS

(By Victor Cohn)

Asbestos has been found in possibly dangerous amounts in some of the most popular antibiotics that doctors prescribe.

The fibers—which may play a role in causing cancer and other lung disease—are getting into medicines because manufacturers use asbestos filter to strain our impurities.

The finding was reported last week in Science, and will be expanded on in a coming issue of the Journal of the American Medical Association.

"Our conclusion is that it is only prudent to change manufacturing methods," Dr. Irving J. Selikoff, one of the authors, said yesterday. "There are other filtering methods that are quite effective."

The drugs involved are all injected. Drs. W. J. Nicholson, C. J. Maggiore and Selikoff—all of Mount Sinai Medical School, New York—tested 17 and found "significant" amounts of asbestos fibers in six, all antibiotics.

These are accetazolamide, oxacillin, cephaloridine, tetracyclince, vancomycin and methicillin. Lesser amounts of asbestos were found in two penicillin samples.

The amounts involved were generally small, ranging from a dozen to more than 100 fibers per gram.

But it has been learned in experimental animals, the doctors said, that as little as 10 to 30 milligrams of asbestos can produce cancers.

The Mount Sinai group tested only one sample of each drug, and those sampled, they added, "Represent only a small fraction of those on the market."

"The finding of asbestos in one third" of these examined, they concluded, "indicates significant asbestos contamination of some parenteral (injectable) drugs at this time."

"I'm sure some drug companies have already done something about this," Selikoff added. "I know Hoffman-La Roche has entirely eliminated this contamination since we first made some findings in 1969 and discussed them with the parenteral drug manufacturers' group."

Still, he pointed out, his group's most recent tests—in spring 1971—found much the same results as in 1969.

A Pharmaceutical Manufacturers' Association spokesman said he believed there has been some "progress," but some manufacturers regard the case against asbestos as still unproved.

Selikoff agreed. "I don't know yet if these amounts of asbestos are dangerous to people," he said. "We only know what happens in animals. We've only been treating people with injected antibiotics in the last 25 years, and it may take these diseases a long time to develop."

There has been growing concern over asbestos in medicine, industry and government. The whitish rock fiber is used by the thousands of tons for insulation, fireproofing and other purposes in homes, buildings and many consumer products.

The Labor Department acted in June to give employers until July 1, 1976, to reduce their workers' exposure to asbestos fibers from a five-fiber to a two-fiber average per cubic centimeter (or thimbleful) of air. Labor and consumer groups hailed the decision but deplored the delay.

INDIANA DUNES NATIONAL LAKESHORE

Mr. STEVENSON. Mr. President, I ask unanimous consent to be added as a cosponsor of S. 3811, a bill to authorize the additional appropriations needed to complete acquisition of land for the Indiana Dunes National Lakeshore as it was originally approved in 1966.

The PRESIDING OFFICER (Mr. BEALL). Without objection, it is so ordered.

Mr. STEVENSON. Mr. President, Senator BAYH has performed a noteworthy service by introducing this bill. To date, approximately 85 percent of the originally authorized land has been acquired. The $6 million provided by S. 3811 will allow the National Park Service to acquire the final 15 percent of the land which Congress set aside in 1966 as our first urban national park.

While I would hope that prompt congressional action on this additional authorization would enable the Park Service to complete the total land acquisition within the near future, such action must be accompanied by actual park development if the Federal Government is to make good on its 1966 promise to the park-starved millions of the Middle West.

The Indiana Dunes National Lakeshore is still not open to the public because none of the facilities authorized by the Congress 6 years ago have yet been created. Park development is not 85 percent or 40 percent or even 15 percent complete. For all practical purposes, it is zero. Understandably the people of northern Illinois and Indiana are growing impatient with a Federal Government that talks about bringing parks to the people.

The fact is that this park has not received the priority it deserves. As late as January 1971 no funds were budgeted for park development. When in the spring of 1971, the National Park Service agreed to move its 5-year lakeshore development schedule up 1 full year so that $572,000 in development funds could be appropriated for fiscal year 1972, it was hoped that the park dedication—the symbolic act prior to actual construction—could take place sometime during the summer of 1972.

Earlier this year, it was suggested that the dedication might take place this August. Instead, in its budget for fiscal 1973, the administration cut $1 million off the $2.3 million recommended by the Park Service for the second year of its 5-year plan. Although Congress has since restored the full $2.3 million, it is almost August and we have heard nothing about a dedication and have received no word as to when actual deevlopment of the park might begin. At this late date, there is reason to believe that the dedication may be put off until next year.

Seven years is simply too long to wait. Since further land acquisition will be meaningless without a clarification of the actual development schedule, Senators PERCY, BAYH, and HARTKE have joined me in sending a letter to the Secretary of the Interior, urging that the park dedication be held this year.

If we are indeed a nation committed to improving the quality of life, it is time we took one of the easier steps in that direction for the people of the Middle West—it is time we complete the land acquisition and begin actual development of the Indiana Dunes National Lakeshore. Mr. President, I ask unanimous consent that the text of the letter sent by Senators PERCY, BAYH, HARTKE, and myself to Secretary Morton be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, D.C., July 27, 1972.

The Honorable ROGERS C. B. MORTON,
Secretary, Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: We are writing today to express our concern about the failure of the National Park Service to begin the long-overdue development of the Indiana Dunes National Lakeshore.

The Lakeshore was first proposed as a national park site in 1916 by Stephen T. Mather, the first director of the National Park Service. Creation of the park was finally authorized by the Congress in October, 1966. As of today, almost six years later, there has been no development of this unique regional resource so that it can serve the people it was created to serve, and no indication as to when development might actually begin.

The metropolitan area to be served by this park is the most park-starved in the nation. Over the last six years, several hundred feet of the Lakeshore's shoreline, an important part of the only natural fresh water sand dunes in the nation, have been lost forever due to unchecked erosion. The Department of Interior over the last several years has embarked upon an energetic campaign to bring parks to the people, and the Congress in fact has appropriated the necessary funds to begin the development of the Lakeshore. Yet there is still no development.

We urge you to prevail upon the National Park Service to begin actual development of the Indiana Dunes West Beach area before the winter of 1972–73, and to schedule the park's official dedication, the symbolic act prior to development, late this summer or early fall.

In the winter of 1970–71, we were disappointed to learn that the FY 1972 budget contained no funds for Dunes development. We were all encouraged when Park Service officials agreed on May 25, 1971, in Senator Stevenson's office to move their five-year development schedule up one full year so that the first $572,000 in development funds could be appropriated in FY 1972. With the $2.3 million scheduled for FY 1973, we were hopeful that the park dedication could take place some time during August, 1972.

We were again disappointed when the FY 1973 budget included only $1.1 million for Dunes development, rather than the $2.3 million called for in the Park Service's own five-year plan. Despite this setback, Park Service officials still spoke of the possibility of an August dedication.

Now, despite the fact that the Congress has restored the full $2.3 million for FY 1973 development, we have received no word on an August dedication and have in fact received indications that it may be put off until next year.

With the funds now available, we hope you will agree that seven years is simply too long for the park-starved millions of Northern Illinois and Indiana to wait for the preservation and development of one of their most valuable natural resources.

If bringing parks to the people means anything, surely it means dedicating our nation's first urban national park this year; it means making good on a commitment the country made to the people of Northern Illinois and Indiana in October, 1966; it means turning the half-century-old dream of an Indiana Dunes National Lakeshore into a reality for millions.

As Senator Paul Douglas said in 1965:

The need is so great, and the opportunity so wondrous, that further delay cannot be permitted.

We look forward to hearing from you concerning the dedication this year.

Sincerely,

ADLAI E. STEVENSON III,
BIRCH BAYH,
CHARLES H. PERCY,
VANCE HARTKE.

THE 82D ANNUAL CONGRESS OF NATIONAL SONS OF THE AMERICAN REVOLUTION

Mr. TOWER. Mr. President, between June 11, and June 14 of this year, the National Society of the Sons of the American Revolution assembled in Indianapolis at their 82d annual congress. I am proud to be a member of this fine organization which has been so instrumental in preserving the heritage of America and the spirit of '76.

I ask unanimous consent that the 12 resolutions adopted unanimously by that assembly be printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS

The National Society of the Sons of the American Revolution, at its 82nd Annual Congress, assembled from June 11th through June 14th, 1972, at the Indianapolis Hilton, Indianapolis, Indiana, adopted by unanimous vote, the following resolutions:

RESOLUTION NO. 1

Whereas, President Richard M. Nixon's policy regarding the war in Vietnam is to continue to seek to negotiate a just and honorable settlement and a return of American prisoners held by the Communist forces, but not to participate in a surrender of the freedom of the millions of South Vietnamese citizens nor in a surrender of the honor of our nation; Now, therefore be it

Resolved, That the National Society, Sons the American Revolution in its 82nd Annual Congress assembled hereby affirms its support of these policies as stated by The President of the United States and urges that he take all necessary and responsible action to effect an end to the conflict, a prompt return of American prisoners held by the Communists and the reasonable assurance of the freedom of the South Vietnamese people whom we have befriended from future political and military aggressions.

RESOLUTION NO. 2

Whereas, the National Society, Sons of the American Revolution has noted a rapid rise in public proposals that the United States should grant amnesty to those young men who have fled their country to avoid military service and those who have deserted from military service, and

Whereas, we believe those young men who have fled or deserted have refused to fulfill one of the most essential duties of citizenship and that it would be a violation of faith with those hundreds of thousands of brave men who have honorably served their country, those who are prisoners of war and those who have given their lives, the ultimate sacrifice; Therefore be it

Resolved, That we express our strong opposition to such action; that we call upon our Senators and Representatives in the Congress and the President of the United States to resist the pressures being mounted for amnesty; and that the appropriate authorities prosecute those offenders swiftly and fully when and if they were apprehended.

RESOLUTION NO. 3

Whereas, truth constitutes the greatest weapon against communist falsehoods; and

Whereas, "Radio Free Europe" and similar agencies have done a commendable task, on a relatively modest budget, in penetrating the Iron Curtain and presenting essential and truthful news, thereby bringing a ray of hope and comfort to the enslaved masses laboring under the communist yoke; Now, therefore be it

Resolved, that the National Society, Sons of the American Revolution favors these programs and urges that they be continued.

RESOLUTION NO. 4

Whereas, many citizens are expressing concern for the moral decay, the spiritual dearth and the rise of destructive revolutionaries who are seeking to destroy the American way of life and undermine the principles of our Constitutional Republic; and

Whereas, every endeavor to make the fibre of our country stronger has little hope of success unless our citizens are inculcated with the need to observe the principles of love of country and our countrymen, justice and service; and

Whereas, the Chaplain General of the National Society in his report to this Congress has urged a National spiritual effort on the part of all Compatriots of the Society;

Now, therefore be it resolved that the National Society, Sons of the American Revolution at its 82nd Annual Congress assembled endorse the recommendation of the Chaplain General in said report and urgently ask all Chaplains of the State Societies and local Chapters of the Sons of the American Revolution and all Compatriots everywhere, to give earnest and active encouragement to all programs of the Society for a deepening of the spiritual motivations of our people.

RESOLUTION NO. 5

Whereas, for many years, certain agencies of the Judiciary and Executive Branches of the Federal Government have directed various local school districts to adopt courses of action which have encroached upon parental and local authority governing neighborhood schools; and

Whereas, such encroachment threatens to destroy our public schools and places in jeopardy the traditional control of Public Education by the States;

Now, therefore be it resolved that the National Society, Sons of the American Revolution in its 82nd Annual Congress assembled, urges the United States Congress to propose and the States to adopt a constitutional amendment which would assure the preservation of our neighborhood schools and promote the provision of a quality education to all children, and prohibiting any form of compulsory busing of students to achieve racial balance.

RESOLUTION NO. 6

Whereas, one of the most revered men in the United States, President Abraham Lincoln, directed that the song "Dixie" be played at events celebrating the end of the War Between the States; and

Whereas, "Dixie" is a most important part of Americana, and should be recognized as such by all patriotic citizens; and

Whereas, respect for America and its old and respected institutions and traditions, including the music which makes up a part of her history, should be displayed by all patriotic citizens;

Now, therefore be it resolved that the National Society, Sons of the American Revolution in its 82nd Annual Congress assembled endorses the right of all free citizens to freely play and sing the song "Dixie" and other music forming a part of our American heritage, and urges all civil authorities to preserve this right as one of those fundamental freedoms which are so dear to the hearts of true Americans.

RESOLUTION NO. 7

Whereas, the California Society, Sons of the American Revolution has taken appropriate action to support the establishment of the Patton family home in the City of San Marino, California as a memorial to the late, General George S. Patton, Jr.;

Now, therefore be it resolved by the National Society, Sons of the American Revolution in its 82nd Annual Congress assembled that it endorses the action of the aforesaid California Society and urges the establishment and maintenance of the Patton Home in San Marino, California as a permanent memorial to the memory of General Patton.

RESOLUTION NO. 8

Whereas, the National Society, Sons of the American Revolution and the Indiana Society, Sons of the American Revolution lost a steadfast and valiant compatriot upon the passing of Compatriot James Arthur DeWeerd, D.D.; and

Whereas, upon the occasion of the 82nd Annual Congress being convened in his beloved State of Indiana, it is deemed fitting that a special tribute to our late Compatriot DeWeerd be adopted by this Congress;

Now, therefore be it resolved by the National Society, Sons of the American Revolution in its 82nd Annual Congress assembled, that we express our deepest regret upon the passing of Compatriot James Arthur DeWeerd, we extend our sincere sympathy to his family and many friends; and we express our deep gratitude for all of the dedicated service he gave during his lifetime to the Society and to the preservation of the principles upon which our Republic was founded.

RESOLUTION NO. 9

Whereas, the National Society, Sons of the American Revolution has learned with deep regret of the recent death of F.B.I. Director J. Edgar Hoover; and

Whereas, the 81st Annual Congress by its Resolution #7 has strongly approved Mr. Hoover's policies, leadership and dedication to law and order; and

Whereas, Mr. Hoover was the first recipient of the National Society's Law Enforcement Commendation Medal being presented to him by the then President General Walter Sterling;

Now, therefore be it resolved by the National Society of the Sons of the American Revolution at its 82nd Annual Congress assembled that we express our deepest regret upon the passing of Mr. J. Edgar Hoover and extend our sincere sympathy to his family and many friends and we express our deep gratitude to the dedicated service he gave during his lifetime to the people of the United States of America and to the preservation of the principles upon which our Republic was founded.

RESOLUTION NO. 10

Whereas, the United Nations General Assembly has expelled loyal member of the U.N. the Nationalist Republic of China, and

Whereas, this action by the U.N. violated the principles of its own Charter, and

Whereas, Nationalist China was a peaceful, dues paying member of the U.N. and a friend of the United States, and

Whereas, the U.N. has admitted Communist China, a government which has slaughtered millions of its own people, and has imposed a constant reign of oppression and slavery, and

Whereas, Communist China, having been given a seat on the Security Council, can now veto any action by the U.N. thereby making it totally impotent as a force for peace, and

Whereas, many of the United Nations proponents seek to grant a total Power of Attorney over the internal affairs of its members which would thereby deprive the United States of its Sovereign Powers and make it subservient to the will of multitudinous, foreign countries, and

Whereas, competent testimony shows that certain foreign nations are using their membership in the U.N. to bring in spies and subversion to attack the United States internally;

Now, therefore be it resolved, that the National Society, Sons of the American Revolution again goes on record as opposing continuation of our membership in the United Nations.

RESOLUTION NO. 11

Whereas, it has been the policy of the National Society of the Sons of the American Revolution to re-affirm and re-adopt all previous Resolutions;

Now, therefore be it resolved, that the National Society does re-adopt and re-affirm all previous resolutions where applicable.

RESOLUTION NO. 12

Whereas, the 82nd Annual Congress of the National Society of the Sons of the American Revolution has been successful in every respect; and

Whereas, our appreciation should be extended to the individuals and groups that contributed to the success of this Congress;

Now, therefore be it resolved, that the National Society, Sons of the American Revolution hereby expresses its grateful appreciation to President General Eugene C. McGuire and to his charming and devoted wife, Paula, for the faithful performance by him of the arduous duties of his high office and the gracious giving of their talents to his outstanding admiration; and

Be it further resolved: that our appreciation be given to our Executive Secretary, Warren S. Woodward, and his lovely wife, Gisela, for their vital role in the arrangements for, and execution of, the Congress, and

Be it further resolved: that our grateful appreciation and thanks be extended to:

Compatriot Marshall E. Miller, Chairman of the Indiana Society Congress Arrangements Committee, and his attractive wife, Marilyn, and Compatriot Jack K. Carmichael, President of the Indiana Society and Co-Chairman of the Indiana Society Congress Arrangements Committee, and members of the Indiana Society and their ladies who assisted them, and in particular, Compatriot and Mrs. Cyril L. Johnson, Compatriot and Mrs. Albert T. Morris, Walter C. Bridgewater, Troy G. Thurston, Lowell C. Reed, Adam Riggin and Estel L. Allen.

The Honorable Edgar D. Whitcomb, Governor of the State of Indiana and The Honorable Richard G. Lugar, Mayor of the City of Indianapolis and The Honorable John W. Walls, Senior Assistant Mayor of the City of Indianapolis for their well-received greetings and remarks to this Annual Congress;

Compatriot Fred J. Milligen, Speaker at the Monday luncheon;

Mr. M. Stanton Evans, Speaker at the Tuesday evening banquet;

Colonel (and Compatriot) Charles M. Duke, Jr., USAF, the first member of the Sons of the American Revolution to walk on the Moon, and Speaker at the Wednesday evening banquet, and his lovely wife, Dotties, who charmed everyone;

Mrs. Donald Spicer, President General, National Society, Daughters of the American Revolution; Mrs. D. Allen, Senior National President, National Society, Children of the American Revolution; Mr. Philip E. Horne, National President, Children of the American Revolution; and to Mrs. Floyd Grigsby, State Regent, Indiana Society, Daughters of the American Revolution, for their attendance at and greetings to this 82nd Annual Congress;

Past President General Charles A. Anderson, M.D., for arranging the display of Compatriot S. Hubbard Scott's collection of historical, State and Territorial flags belonging to the Ohio Society, Sons of the American Revolution;

The Staff of the Indianapolis Hilton for their cooperation and assistance in connection with this 82nd Annual Congress of the Society.

Be it further resolved: That the National Society, Sons of the American Revolution, in its 82nd Annual Congress assembled, hereby expresses its sincere appreciation to all the many others whose efforts contributed to the success of this Congress.

THE ORDER OF AHEPA

Mr. McINTYRE. Mr. President, the Order of Ahepa, the American Hellenic Educational Progressive Association, this month celebrates 50 years of outstanding service and accomplishment. I feel it only fitting and proper to recount some of the contributions this organization has made to worthy causes, both here at home and abroad.

AHEPA has generously and consistently come to the aid of many victims of natural disasters. Be it a hurricane in Florida, a flood in Mississippi, or an earthquake in Corinth, the Order of Ahepa has been there. They have been there to help the injured, the homeless, and the grief stricken. They have helped build new homes, new towns, and even new lives for poor souls who have had everything they hold dear swept away in a few brief hours. These are the actions of a dedicated and unselfish group to people.

The Order of Ahepa has also helped to enrich the lives of many through its contributions to various educational programs. For the past 41 years, AHEPA has been participating in the awarding of scholarships that have helped many deserving students participate in an educational experience they might otherwise not had. In addition to the scholarship programs, the Order of Ahepa has donated the AHEPA Hall for Boys and the AHEPA School to St. Basil's Academy in Garrison, N.Y.

Mr. President, I want to make special mention of those members of AHEPA with whom I am most famliar, those of the New Hampshire districts. These members have not only contributed to the national programs I mentioned, but have initiated numerous projects on a local level. The enthusiasm and expertise with which they have carried out these activities have resulted not only in a higher quality of life for those the projects were designed to serve, but have also contributed greatly to the rewarding sense of accomplishment.

These are but a few of the many outstanding contributions made by the civic-minded citizens. This would truly be a better world if everyone were as concerned for the welfare of their fellowman as the members of AHEPA have been. I would like to ask my colleagues here in the Senate to join me in commending the wonderful works of this organization and to wish them continued success.

MENTAL HARM: A THREAT TODAY

Mr. PROXMIRE. Mr. President, article II of the Genocide Convention states that:

> The crime of genocide shall include the act or the intent to cause serious bodily or mental harm to members of the group.

Originally, critics of article II simply did not understand the phrase "mental harm". However, as we have learned more about the tortures used during World War II, we have come to realize that mental harm is no less an evil than physical harm.

Other critics of article II maintain that the phrase "mental harm" is far too ambiguous for use in an international agreement. The implementing legislation for the treaty should dispel such doubts. Mental harm is described as:

> Any act which causes the permanent impairment of the mental faculties of members of the group by means of torture, deprivation of physical or psychological operation, introduction of drugs . . . or psychiatric treatment calculated to permanently impair the mental process.

Critics of article II can no longer state that the language of the Genocide Convention is ill-defined. Nor can they deny that mental harm remains a threat to humanity today. Therefore, I call upon the Senate to decrease the threat of mental harm and ratify the Genocide Convention without further delay.

SECRETARY GENERAL WALDHEIM AND THE BOMBING OF THE DIKES IN VIETNAM

Mr. CRANSTON. Mr. President, the new Secretary General of the United Nations, Mr. Waldheim, is a man of integrity, a man who is devoted to peace. He has one of the most thankless jobs in the world. I was, therefore, especially concerned over Secretary of State Rogers' implication that Mr. Waldheim is a mere mouthpiece of "a carefully planned campaign by the North Vietnamese and their supporters." Mr. George Bush, the U.S. Ambassador to the United Nations, has linked him to a "massive propaganda campaign."

Let us see what this so-called propaganda campaign consists of. On July 24, Mr. Waldheim stated that he had received word through private channels that North Vietnamese dikes had been bombed. The columnist Joseph Kraft reports that he personally saw two dikes that had been bombed. The president of the National Student Association told me firsthand of destruction along the dikes that she has witnessed. Jean-Christophe Oberg, Sweden's Ambassador to North Vietnam, has issued similar reports based on direct information. So has Jean Thoraval, a correspondent for Agence France-Presse. The Secretary General of the World Council of Churches has deplored the bombing of the dikes. And the list continues to grow.

What does the Nixon administration have to say about all this?

President Nixon stated last April that bombing the dikes was "not needed" and "something we want to avoid." The Pentagon has denied that dikes have been specifically assigned as targets. But in a news conference on July 6, Secretary Laird commented that—

> Some of the dikes and dams may be on roadways that are being used or they may be in a position where antiaircraft weaponry is placed, and, of course, our pilots are given the opportunity and they should have this capability to attack North Vietnamese gun emplacements.

Mr. President, the North Vietnamese dike system is some 2,500 miles long. In many cases, the river flows at a level which is 5 or 6 feet higher than the rice fields. For that reason dikes often coincide with roads. And the roads are already fair game.

But the issue is no longer whether dikes are in fact being bombed. We do not need a massive propaganda campaign from Hanoi to tells us that they are. The issue is whether they are being bombed intentionally.

What did Mr. Waldheim say? I quote him:

> I cannot tell you whether the bombing was intentional or not.

Why, then, did Secretary Rogers and Ambassador Bush link Mr. Waldheim with propaganda from Hanoi? The only reason I can think of is that the Nixon administration is so stung by Vietnam war critics that it is deliberately trying to undermine the Secretary General's reputation.

Mr. President, the United Nations stands for a major alternative to chaos and bloodshed. It embodies a hope, as yet sadly unrealized, of finding fair and regularized avenues to the nonviolent settlement of disputes. Casting aspersions on a man who is trying to build a more peaceful world is both unfortunate and unfair.

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

Mr. TOWER. Mr. President, I am pleased to join a growing number of Senators in expressing congratulations and commendation to the Order of Ahepa on its golden anniversary.

The American Hellenic Educational Progressive Association, founded July 26, 1922, in Atlanta, Ga., has championed the cause of education, fought for the freedom and self-respect of the minorities, and displayed benevolence and generosity to the stricken victims of disaster both here and abroad for half a century. Further, AHEPA has been instrumental in promoting good and responsible citizenship and civic activities throughout 49 States, Canada, and Australia.

It is only proper that we in the Senate and throughout the Nation extend our thanks and best wishes to this outstanding organization for 50 years of selfless service in behalf of the world community.

PROMOTION OF EDWARD F. McLAUGHLIN, SAN FRANCISCO, TO PRESIDENT OF ABC RADIO NETWORK

Mr. TUNNEY. Mr. President, excellence is a rare quality, but a potent one that can carry a man far, as it has Edward F. McLaughlin, of San Francisco.

Since 1964, he has been a guiding figure at San Francisco's KGO radio, and now he has been promoted to president of the ABC Radio Network.

His is a well-deserved promotion, for he is a leader in hard-hitting news and interview broadcasting, and I am confident he will do an outstanding job for ABC.

Mr. McLaughlin is a native San Franciscan and currently is president of the Northern California Broadcasters Association.

He has been a leader in forging closer ties between community and the media, a trend I am sure he will continue to advance in his new post.

RURAL AMERICA AND LAND GRANT COLLEGES

Mr. STEVENSON. Mr. President, rural America is in a crisis which affects family farmers, farmworkers, small town business, rural communities, consumers, and the residents of urban America.

Some 47.1 percent of the farm families in the country have annual incomes below $3,000. More than half the farms in the country have sales under $5,000 a year. Since 1940, more than 3 million farms have folded, and farms continue to fold now at the rate of 2,000 a week.

Hired farmworkers doing farmwork averaged an income of only $1,083 in 1970; those who also did some nonfarmwork averaged $2,461.

There are 14 million rural Americans living under the poverty level with millions more on the edge of poverty.

Independent, small town businesses are closing at the rate of 16,000 a year. Since 1940, 30 million people have left rural America for the cities; this migration continues at 800,000 a year.

The Subcommittee on Migratory Labor has during the 92d Congress heard testimony from across the country about the condition of rural America and its ramifications for the entire Nation. Recently, we held 2 days of hearings on land-grant colleges and found in these institutions an awareness of the rural revolution but reluctance to cope with it. Farmers and farmworkers are being displaced by technology, much of it developed in the land grant college complex, and yet the complex seems on the whole incapable or unwilling to cope with the technological displacement of people in rural America.

Our land-grant colleges are presently authorized to conduct the research and provide assistance necessary to meet this crisis. I am hopeful that with the funds provided in the agricultural appropriations bill we are considering today research will be conducted in areas where a clear mandate already exists.

The money we appropriate each year for agricultural research is intended to serve all of rural America, not just the conglomerates and giant corporations, not just the large farmers, but everyone. Those farmers and farmworkers living today in poverty cry out for our help. The Department of Agriculture invests some $6 billion in agriculture each year, some $750 million in the land-grant college complex alone. But when this large pie is divided, we find that the slice for the people in rural America is too small.

We found a dedication among many representatives of both the land-grant colleges and the Department of Agriculture to the desirable goal of "efficiency." But that goal has side effects many of us never dreamed of—a nightmare we cannot ignore or forget. Agricultural Secretary Butz tells us that 1 million more people will leave the farms by 1980. Yet, our cities cannot hold these people; our rural areas cannot afford to lose them.

All the while these vast changes are occurring in rural America we have had at our hands the resources to prevent a precipitous decline in the quality of life for those left behind. What we have lacked has been a policy centered upon human beings and their well-being—and a strong will to implement such a policy. Even now we have the means to revitalize rural America: to make it a fit and promising place for families to live.

I am hopeful that the funds appropriated today will turn the genius of these research centers to the crisis I speak of. I hope the land-grant colleges and USDA will take advantage of the opportunity to investigate the afflictions that gnaw at rural America.

We must find ways to keep efficient rural Americans on the farm if they so choose, to create mechanisms of credit and marketing which make small farms that are admittedly efficient, viable economic enterprises, and machines and chemicals which are practical for small farmers as well as big. We must find jobs for those who are displaced by mechanization, and ways to finance farmworkers' purchase and lease of land so that they can live the lives they choose—and live those lives in comfort and dignity, not in poverty.

We must study the consequences of past agricultural research and policy and explore the social and economic costs of ever-growing bigness in agriculture. In some cases we will find that the costs of "efficiency" are too high.

I sincerely hope that these new moneys will be used to investigate the crisis in rural America, find its sources, seek the means to create a viable way of life for the family farmer and for the farmworker, and end the relentless migration from farm to city that has a detrimental impact in both rural and urban America. Those who love the land, who choose to stay there and grow for the American people its food and fiber, deserve a dignified and comfortable existence. Let us help them find it.

Additionally, Mr. President, in the investigation of the land-grant colleges at the hearings of the Subcommittee on Migratory Labor, we discovered a record of discrimination against the colleges of 1890, the black land-grant colleges.

There are 17 of these colleges of 1890. Supposedly full partners in the land-grant college system—created as originally separate but equal institutions in the Southern and border States—they now offer to blacks a real opportunity for college education. Of the 470,000 black students in college, 50,000—1 out of 9—are in the colleges of 1890. And these colleges serve not only the black, but the poor black. Seven percent of the Nation's college students are drawn from low-income families, but the average family income of 37.6 percent of entering black students in 1968 was under $4,000.

Yet the Federal Government has a long record of discrimination against the colleges of 1890. In fiscal year 1968, they received $352 per capita while the colleges of 1862—the white land-grant colleges—received $705. In fiscal year 1969, the colleges of 1890 received $311 per capita, the colleges of 1862, $673. For fiscal year 1971 the figures were $310 and $710, respectively.

USDA aid has been particularly discriminatory. In 1970, of the total of $76.8 million of USDA aid to land-grant colleges, the colleges of 1890 received only $338,000 or 0.05 percent. These colleges have never received any money under the Smith-Lever Act, for extension, or the Hatch Act, for research. In 1972, thanks mainly to the dedication of Congressman Bill Evans, the colleges of 1890 received an additional $12.6 million, which the colleges were able to receive only after long and difficult struggles with redtape of disturbing persistence.

Even these additional funds leave the black land-grant colleges at far from parity. More must be done to guarantee that these colleges become full partners in the land-grant college system. The bill before us increases Federal aid to these institutions. These funds, for extension and research, will begin to allow these schools to reach their already recognized potential as institutions in the service of America's agriculture.

This, of course, is not enough to meet the crisis rural America now faces. I hope to pursue a course of legislative action that will end the discrimination in Federal funding which the colleges of 1890 now experience, and will increase the response of these institutions, black and white, to the problems which now debilitate rural America. We have begun too late, but, hopefully, we are beginning down a long road to a healthy rural America.

FOURTH ANNIVERSARY OF SOVIET OCCUPATION OF CZECHOSLOVAKIA

Mr. THURMOND. Mr. President, the Czechoslovak National Council of America and freedom lovers everywhere will soon join in commemoration of the brutal Soviet invasion of Czechoslovakia.

In 1968, a number of reforms were initiated by the Czechoslovakian Government, with the backing of most of its citizens. These reforms, aimed at increasing the freedoms of the people, alarmed the Soviet Union. On August 21, 1968, the Soviet Union invaded Czechoslovakia, a sovereign nation, and installed a puppet government to rule by the dictates of Moscow.

Four years have passed and Russian troops still occupy Czechosolavakia. I should like to bring to the attention of the Senate several documents which describe the crime committed by the Soviet Union against the people of Czechoslovakia. These articles and letters deserve the consideration of concerned U.S. citizens.

I ask unanimous consent that this material, provided by the Czechoslovak National Council of America, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Czechoslovak National
Council of America,
Chicago, Ill.

FREEDOM IS INDIVISIBLE

On this sad occasion of the fourth anniversary of the brutal Soviet-led invasion and occupation of peaceful and freedom-loving Czechoslovakia, we American citizens of Czech, Slovak and Subcarpatho-Ruthenian descent, again remind the entire world of this Soviet violation of key principles of international law incorporated into the Charter of the United Nations:

The brutal Soviet aggression and occupation:

(1) violated the sovereignty of a member state of the United Nations (Article 2, Section 1);

(2) was carried out in violation of Article 2, Section 4, which prohibits the use of military force in the relations between individual members of the United Nations;

(3) violated the principle of self-determination of peoples (Article 1, Section 2);

(4) was in conflict with Article 2, Section 7, which prohibits outside intervention in matters essentially within the domestic jurisdiction of any state;

(5) was in conflict with a number of resolutions of the General Assembly of the United Nations, particularly with Resolution 2131 (XXI) adopted at the meeting of December 21, 1965, upon the Soviet Union's own motion, prohibiting any intervention in the domestic affairs of any state and guaranteeing its independence and sovereignty.

The continued Soviet occupation of Czechoslovakia is another crime against the right of a small country to determine its own destiny and aspirations. The invasion was an intervention by the forces of reactionary communism to prevent the Czechs and Slovaks from establishing their own social order that did not endanger anyone and sought to contribute to the building of bridges across the discords of a divided world and to lend aid to a better understanding and cooperation among all nations on the basis of true progress and humanity.

The people of Czechoslovakia have not resigned themselves to these aggressive plans of Moscow. The day of August 21, is being commemorated in Czechoslovakia as a *Day of Soviet Shame* in a mighty and disciplined resistance against Soviet pressure. We are joining our friends in Czechoslovakia in asking the entire civilized world to support the people of Czechoslovakia in their effort to achieve "the withdrawal of Soviet troops from Czechoslovakia."

[From the Washington Post, July 18, 1972]

DUBCEK SUPPORTERS ON TRIAL IN PRAGUE

Prague, July 17.—Thirteen prominent supporters of liberal former Communist Party leader Alexander Dubcek went on trial today in the Prague city court.

All were accused of "subversive activity" in connection with leaflets circulating in Czechoslovakia before last November's parliamentary election, usually well-informed sources said.

The leaflets told citizens of their constitutional rights, such as crossing out names listed on the ballot, and some urged Czechs to refrain from voting.

The charge of subversion carries penalties of one to ten years imprisonment.

The defendants, who are being tried in three separate groups, include Jiri Littera, a former secretary of the Prague city committee; Jiri Mueller, a former president of the Czechoslovak Students' Union; Jan Tesar, a historian; and Rudolf Battek, a sociologist who was formerly a member of the Czech National Council.

They were among the intellectuals who helped prepare the ground for Dubcek's 15-month rule in 1968 and 1969.

Mueller edited a student periodical in 1964 that advocated a student organization separate from the Communist Party. He was banned from pursuing his studies in 1966 and expelled from the party's Czechoslovak Youth Union.

He was allowed to continue his university studies during the Dubcek period, but after the Soviet-led invasion in the summer of 1968, he was prevented from submitting his thesis. He was arrested in 1971 for alleged subversion.

Tesar voiced opposition to the Soviet invasion and was arrested in September 1969. He was released without trial 11 months later, and arrested again in November 1971 on charges of having advocated a boycott of the elections.

The official Czechoslovak news agency confirmed only that the first group, headed by Mueller, was being tried for subversion in connection with the leaflets. It said the defendants were accused "mainly of distributing illegal printed matter in 1970–71 in connection with the recent election."

Also charged in the indictment for the Mueller group was Mrs. Jean Rosemary Kavanova (born Edwards), a native of London who is the widow of a Czech diplomat and now lives in England. She also has Czech citizenship.

Originally, it was thought five people were being tried in the Mueller group. But courtroom sources later said a sixth man, a computer engineer named Pavel Mares, was also in the court on trial.

The public and Western correspondents were barred from the courtroom, and only wives and parents were allowed in.

Czechoslovak National Council
of America,
Chicago, Ill., August 6, 1971.

Secretary General,
North Atlantic Treaty Organization,
General Secretariat,
Brussels, Belgium.

Dear Sir: On behalf of the Czechoslovak National Council of America I would like to repeat below a few facts, also too well known to you, and to share with you some suggestions of potential value.

The Soviet proposal for mutual troop withdrawal was presented, as were some previous proposals, as a pious FIRST for a permanent peace, with the obvious intent to create an image of a humane and peace-loving Soviet Union among U.N. members and citizens of non-communist countries. That is why we were so happy to hear NATO's comment that a mutual troop withdrawal was first suggested by the Western powers over three years ago. Instead of accepting such proposal at that time, as you well know, the Soviets planned and carried out a cruel act of aggression against Czechoslovakia. *In so doing, they* *disrupted the workable 1968 European balance of power; now they propose mutual withdrawal under conditions that are weighed substantially in their favor.*

Soon after the pronouncement of his "doctine" Mr. Brezhnev stated that *the purpose of continuing occupation* of Czechoslovakia was only *to achieve "normalization"* in that country. *In May* of this year *Mr. Brezhnev declared*, with great satisfaction, *that normalization has been accomplished*. Even this *weak excuse* for the Soviet occupation has, therefore, *ceased to exist*.

We, at the Czechoslovak National Council of America, firmly believe that the above facts offer an excellent opportunity to remind the Soviets of the several violations of the U.N. Charter they committed in 1968. We feel that such a reminder should be made *publicly, and often*. While the Soviets care little about diplomatic notes or public opinion in their own country, they care very much indeed about the votes at the U.N. and their public image in foreign countries. Such "reminders" of *two* facts appear to us more than justified because the Soviets, in their *controlled* press, never miss an opportunity to damage our prestige by distortions and *false* accusations.

During the next few weeks we shall be hearing many voices around the world condemning the Soviets on the third anniversary of the invasion of Czechoslovakia. We fervently hope that the strong voice of NATO will be among them, to signal the start of the West's diplomatic offensive. Such a move would certainly not please the Soviets and may not save Czechoslovakia. Yet, it most probably offers the only method of obtaining for NATO other desirable concessions from the Soviet Union.

Sincerely,

Dr. Joseph Hasek,
Co-chairman National Political Committee.

Czechoslovak National
Council of America,
Chicago, Ill., December 2, 1971.

My Dear Sir: As you will recall I conferred with you last year about the first organized protest by the Congress against continued Soviet occupation of Czechoslovakia. Your leadership in the vote on H. CON. RES. 718 is still clearly and gratefully remembered by thousands of citizens of Czech and Slovak origin.

This year the CNCA organized very successful protests, as you know, in a number of cities, and thirty members of Congress voiced their individual protests on the floor and in the Congressional Record. I wrote on behalf of CNCA, to the Secretary of State and to the Secretary General of NATO, as per copies attached. The focal point of these letters was that in *1968 the Soviets* explained the sole *purpose of their "intervention"* as a means of *achieving "normalization"* of conditions in Czechoslovakia. We pointed out that *Mr. Brezhnev* had *declared*—in May of this year—*that "normalization" had been accomplished*. Consequently, we claimed the *Soviet armies should have pulled out at that time.*

Recently I suggested to Dr. Francis Schwarzenberg that he address a letter to Ambassador Bush requesting him to bring up the occupation of Czechoslovakia on the UN agenda. In addition to the point raised above, I suggested that a question could well *be asked as to the very right of Czechoslovakia to continue to vote as a member of the UN*. I reasoned that the UN is an organization of *sovereign states* and that *a country permanently occupied by a foreign power should definitely be denied the membership rights*. On November 24 CNCA wrote to the President, the Secretary of State and Ambassador Bush, as per copy attached.

I would greatly appreciate your initiating an action that would lead to a public accusation of the Soviets' illegal occupation of Czechoslovakia, an act violating not just one but several articles of the UN Charter. One possible way might be to persuade another member of the U.N. to bring the two points to the attention of the General Assembly.

Sincerely yours,

Dr. Joseph Hasek,
Co-chairman, Political Committee.

Czechoslovak National Council
of America,
March 24, 1970.

Dear Sir: Our recent luncheon was again most enjoyable, but entirely too brief. Therefore, let me put down a few details of the points on which we could only touch. They concern my answers to questions about our help to Czechoslovakia, often put to me because of my long-time association with Czechoslovak politics and exiles and, through CNCA, with hundreds of thousands of Americans of Czech and Slovak origin.

Because we were unable to stay the 1968 occupation, there is little we can now do except to assist a massive financial support for some 50,000 refugees who left the country since the brutal Soviet invasion. We can, however, do something else as well that will ultimately benefit not only Czechoslovakia, but also our own nation and its friends.

(1) We can give the widest possible publicity to the fact that, as proven in 1968 by several economists in Czechoslovakia, the communist system has not fulfilled its most important promise. Instead of improving the lot of the working class, the communist state-capitalism has reduced Czechoslovak workers to just about half of their adjusted pre-war standard, as compared to that of their fellow workers in Western Europe. A short, popular, persuasive and widely distributed pamphlet on this subject would be a potent eye-opener to those naive fellow-travellers at home and abroad who still believe in a "workers' paradise" under communism.

(2) We can exploit every opportunity to unveil, criticize and accuse Soviet Russia of one of the most flagrant and continuing violations, in recent times, of the principles of human rights and the covenants of international law—which the Soviets have repeatedly signed and still hypocritically profess . . . on paper.

The advantages are obvious. By taking the *first* step, we can help discredit communist "imperialism of minds," both abroad and at home. If we fail to do so because we are "afraid" of offending someone simply by calling communism by its rightful name, we will be giving comfort to those whose ultimate goal is to bury us.

As to the *second* step, our *repeated* reminders to the whole world of the 1968 invasion would put the Soviets on the defensive and also broaden and intensify the historic pro-American sentiment among Czechoslovak people. Since it can be assumed that Soviet Russia might pull out, in part or in full, once the oppressing "normalization" has been completed and the hard-line Czech and Slovak quislings have taken control, it would be highly important for us if the Czechs and Slovaks knew at that time that *we* were the steadfast advocates of the troops' withdrawal. This will not be achieved if our protests are made only in secret diplomatic notes, to which the Soviets need pay no attention as long as their ugly image—in public—is allowed gradually to be forgotten.

If we pursue what I suggest, the Soviets will have little with which to retaliate, because they attack us with *lies* in their controlled press, anyway. But they may, in time, tell us in *their* secret notes what they are prepared to do for us if we stop. It is a fallacy to believe that our true accusations would harden their line on Viet Nam, the Middle East, or SALT. Their co-operation on these issues could hardly be less meaningful than it is now.

Incidentally, "Ceterum autem censeo Czechoslovakiam esse liberandam" would be an excellent slogan to appear in the Congressional Record after every speech given by a U.S. Senator or Congresman.

Sincerely,

Dr. Joseph Hasek.

[From the Washington Daily News,
May 28, 1971]

Thank You, Big Brother

Soviet party leader Leonid Brezhnev's gall in appearing at the Czechoslovak Communist Party Congress this week was like a scene out of George Orwell's "1984."

Mr. Brezhnev had the role of Big Brother, who ruled a third of the world in the Orwell novel thru brainwashing, thought control and terror. His subjects practiced doublethink and spoke Newspeak: war is peace, black is white, truth is lie, joy is forced labor, etc.

In true Orwellian style, the congress tumultuously applauded Mr. Brezhnev, author of the 1968 Soviet Army invasion that crushed Czechoslovakia's autonomy and ended its efforts to give socialism "a human face."

The scene illustrated one of the Kremlin's the nastiest and most hypocritical traits: It not only does terrible things, such as enslaving people, but insists that they profusely thank it for the favor.

This time the sad task fell to Gustav Husak, a decent Slovak who runs the country for Russia, probably to prevent a bunch of Stalinists, traitors and police sadists from taking over.

Poor Mr. Husak had to "express our sincere gratitude" to the Soviet Union "and to you personally, Comrade Brezhnev" for invading Czechoslovakia and overthrowing the government of Alexander Dubcek, which had overwhelming popular support.

It is a pity that Orwell, a disillusioned British Communist, did not live to see the Soviet rape of Czechoslovakia and Mr. Brezhnev's later triumphant appearance.

Orwell might have been inspired to update his dictionary of Newspeak with entries like: invasion is nonintervention, domination is equality, do not wait for an invitation to violate a country—it will be issued after the event.

Unfortunately, Orwell's novel was prophecy. This week Big Brother was alive and well in Prague. And in Czechoslovakia it is already "1984."

THE CHROME ORE CASE

Mr. HARRY F. BYRD, JR. Mr. President, the U.S. District Court for the District of Columbia has dismissed a lawsuit aimed at upsetting the decision of the Congress in ending the ban on the importation of chrome ore from Rhodesia.

The lifting of the ban on Rhodesian chrome took place in January of this year, thus ending the dependence of the United States upon Russia for much of its supply of chrome, a material vital to national defense.

Congress voted in 1971 to end the prohibition on Rhodesian chrome imports, and the Senate reaffirmed this position this year when it voted to keep on the statute books the provision enacted last year.

A group of members of the House of Representatives joined with several organizations concerned with African affairs and some other groups and individual citizens in an effort to upset the decision of the Congress on the chrome issue. In their lawsuit they asked the district court to declare that the Congress had exceeded its authority in voting to remove the chrome ore ban.

The basic contention of the plaintiffs in this case was that the United States was bound to adhere to the terms of a resolution adopted by the Security Council of the United Nations imposing an embargo on trade between Rhodesia and member nations of the world organization. This embargo was made effective for the United States by an Executive order issued by former President Johnson.

Rhodesia is the world's richest source of chrome ore, and the effect of the boycott upon the United States was to make this Nation dependent upon the Soviet Union for a large part of its chrome ore imports. Chrome is officially designated a strategic material and is essential in the manufacture of such defense items as missiles, jet aircraft and nuclear submarines. No chrome ore is mined domestically, so the United States is totally dependent on foreign sources.

The district court, in holding that the Congress acted legally in ending the embargo on chrome, stated that—

> Congress has the Constitutional authority to abrogate in whole or in part, the treaty obligations of the United States.

District Judge Aubrey Robinson, Jr., who rendered the decision in this case, also took the occasion to state clearly the essential limitations on the power of the judiciary to act in the area of foreign affairs.

Judge Robinson wrote:

> It is fundamental that the Congressional action challenged by the pleadings plainly fall in that area where the executive and legislative branches are supreme and final; reviewable only by the electorate, not by the courts.

The judge also stated:

> Judges are not ordained to review the political judgments of elected representatives of the people.

The decison of the court in this case was, in my opinion, eminently sound. It would be most unfortunate if it were to be held that Congress was without power to modify the effect upon the United States of the actions of the United Nations, and it would be equally unsound for the judiciary to enter into the field of foreign policy.

The adoption of my legislation to end the chorme ore boycott, together with the decision of the court, constitutes an important reminder of the authority—and the responsibility—of the Congress in the field of relationships with other countries.

After the decision by Judge Robinson, the Northern Virginia Daily, published at Strasburg, Va., on July 19, published an editorial in support of the decision of the court and the action of the Congress.

I ask unanimous consent that the text of the editorial, entitled "Section 503 Survives," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SECTION 503 SURVIVES

In the plethora of preconvention and convention-time news coverage, the acid test being administered to Section 503 of the Military Procurement Authorization Act, commonly known as "The Byrd Amendment," was largely overlooked.

Section 503 is the controversial amendment which permits a resumption of U.S. imports of strategically essential chrome ore from Rhodesia, lifting a ban which had been imposed when the U.S. agreed to honor United Nations sanctions against Rhodesia.

The opponents of the Byrd amendment have refused to give up. The Black Congressional Caucus, composed of Reps. Charles Diggs, Shirley Chisholm, William Clay, George W. Collins, John Conyers, Ronald Dellums, Walter Fauntroy, Augustus Hawkins, Ralph Metcalfe, Parren Mitchell, Robert Nix, Charles Rangel and Louis Stokes, contested the amendment in federal court.

The Caucus was joined as plaintiffs by white author Gore Vidal, the Southern Christian Leadership Conference, and the Council for Christian Social Action of the United Church of Christ. These groups sought to prevent implementation of Sec. 503 on the grounds that the amendment was contrary to a mandatory ban on all international trade with Rhodesia as a result of economic sanctions imposed by the U.N. Security Council in 1966.

The plaintiffs told the court that the U.S. Congress exceeded its authority in legislaing to lift the ban on chrome, because the U.S. is duty bound to abide by any and all directives from the world organization. The U.S., said the Black Caucus and its friends, owes its first allegiance to its U.N. commitments.

The decision of the court, rendered by Federal Judge Aubrey Robinson Jr., a black, is a refreshing reminder of the wisdom shown by the authors of the Constitution in so drafting the document as to provide that the federal courts would act as a safety valve against maverick politicians and other misguided groups.

In his decision Judge Robinson declared:

"The circumstances here resound with political considerations. Congress partially renounced its treaty obligations with most of the world's nations when it passed the 'Byrd Amendment.' Congress has the Constitutional authority to abrogate, in whole or in part, the treaty obligations of the United States. Clearly, with reference to the legislative history of the 'Byrd Amendment,' Congress was legislating to permit the importation into this country of Rhodesian goods classified as strategic if these same goods were imported from a communist dominated country. This was a political, economic, and foreign policy determination. It is not for this Court to strike down an otherwise Constitutional statute upon the theory that it was motivated and passed for impermissable reasons. The voters of our country are the only ones in this case who may judge the actions of their representatives. This Court, under the law, is without power to do so."

Perhaps, now, thank to the Robinson decision, the U.S. can depend upon the assurance granted by Section 503 that it will not have to rely upon Communist Soviet Russia for its requirements of essential chrome. We find it difficult to understand how any congressional junto or church organization would want to put the U.S. in such an untenable and dangerous position on the pretext that subservience to the U.N. comes before our own national security. We know of no other U.N. member which takes this view.

SENATOR THOMAS F. EAGLETON

Mr. STEVENSON. Mr. President, I have no desire to prolong the disagreeable debate about the past medical history of our esteemed colleague, Senator EAGLETON. He laid the facts upon the public record in a forthright way. This should command the respect and confidence of all Americans.

We in the Senate know him well, and I am confident that no Senator would disagree when I say that he has our confidence. We know him to be a conscientious and skillful legislator, a warm and compassionate human, and a public official of rare good judgment.

It is my hope that the public, which cannot judge Senator EAGLETON as we can, will base its judgment upon his public record. That record is outstanding and offers no evidence that his ability to bear the burdens of public office has ever been impaired by illness. That is the conclusion of one of the Nation's foremost newspapers—a newspaper which knows Senator EAGLETON well.

Mr. President, I ask unanimous consent that an editorial published today in the St. Louis Post Dispatch be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. EAGLETON'S MEDICAL RECORD

Senator Eagleton was well advised for ethical as well as political reasons, to disclose his medical history as he begins his campaign for the vice presidency. In the case of aspirants to high office, health is a matter of public interest, which Mr. Eagleton realizes. His candor is likely, we think, to balance whatever adverse political effects might follow statements he made at news conferences Tuesday and subsequently.

Mr. Eagleton announced that on three occasions between 1960 and 1966 he voluntarily hospitalized himself for physical and nervous exhaustion. He was treated at Barnes Hospital and the Mayo Clinic, twice had psychiatric advice, and received electric shock treatment for "exhaustion and depression." This is not an inconsequential matter, but it should be viewed in perspective.

Mr. Eagleton is a person of highly active temperament, accustomed to plunging into a political situation with all the energy he can muster. It is not unreasonable that at times he has reached the point of exhaustion. He has learned to pace himself, however, as evidenced by the fact he has had no problems since 1966. Also, it is likely that some of the pressures of his earlier years in politics have been removed.

There is one point that is very much to Mr. Eagleton's credit—his decision to meet the issue quickly and head-on rather than to vacillate or equivocate. This quality of decisiveness is admirable in public life and is reflected in Mr. Eagleton's record. And as to whether Mr. Eagleton's past illness might affect his ability to perform his duties, we think the most valid criterion is his record in public office. That has been outstanding, and there is no evidence that his ability to bear the burdens of public office has been impaired by illness.

When that has been said, it still is somewhat disquieting that Mr. Eagleton was unable to find a way to inform Senator McGovern of his health record before the Democratic presidential nominee chose him as his running mate. Mr. Eagleton said he first informed Mr. McGovern of his medical background during the weekend following his selection. Mr. McGovern said that when he asked Mr. Eagleton whether there were any significant problems in his past that might interfere with his serving as vice-presidential choice, Mr. Eagleton replied that there were none. No doubt this was Mr. Eagleton's honest belief, but he might have recognized, in view of the history of presidential illness in this generation, the political implications that might attend his past.

In Mr. Eagleton's behalf, he presumably felt he had been cured for six years and that the past medical record was irrelevant.

What the case boils down to, we think, is that an evaluation of whether Mr. Eagleton is capable of handling the vice-presidency, and, more importantly, assuming the presidency in an emergency, must be based on the record he has made as St. Louis circuit attorney, Missouri attorney general, lieutenant governor and United States senator. It is an unusually distinguished record, and it merits confidence.

SALUTE TO AHEPA

Mr. LONG. Mr. President, it is a privilege for me today to salute the American Hellenic Educational Progressive Association, more commonly referred to as the Order of Ahepa, on the day of its 50th anniversary celebration. During the last half-century, this nonpolitical and nonsectarian organization, whose membership in 430 local chapters exceeds 50,000 vigorously active citizens, has undertaken many highly commendable efforts to support local community endeavors in the fields of education, charity, and civic improvement. A notable aspect of AHEPA's policy of urging its members to become model citizens through planned civic activity has been a program of significant financial contributions to worthwhile fund-raising drives both in America and abroad, usually to victims of terrible catastrophes.

Mr. President, it is my belief that both the express goals and the activities of this organization should be recognized by the Senate and that all Americans should be encouraged to share the concern of the fine citizens who compose its membership. Therefore, I salute these Americans; and I ask unanimous consent that the names of some of the outstanding leaders of this organization from my own State of Louisiana be included in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD as follows:

ORDER OF AHEPA

LOUISIANA

Local Chapter Officers

W. Paul Anderson, President, New Orleans.

John S. Venturatos, Vice President, New Orleans.

George Cambali, Secretary, New Orleans.

Thomas T. Asprodites, Treasurer, New Orleans.

Gus Antipas, President, Monroe.

George Kolokouris, Vice President, Monroe.

Paul Lazarus, Secretary, Monroe.

James Kokinos, Treasurer, Monroe.

George C. Booras, President, Shreveport.

James Stamos, Jr., Vice President, Shreveport.

Jim J. Theo, Secretary, Shreveport.

Andrew G. Panos, Treasurer, Shreveport.

Current District Lodge Officers

Ted Tzavellas, Governor, New Orleans.

Steve G. Kirkikis, Treasurer, Shreveport.

Sammy C. Booras, Athletic Director, Shreveport.

NEED FOR A DEPARTMENT OF COMMUNITY DEVELOPMENT

Mr. PERCY. Mr. President, the proposed Department of Community Development to be created by S. 1430 and its counterpart in the House, H.R. 6962, has been met with very strong expressions of support from many sources. A central source of objection is, however, those who see the impact of the proposed new Department on Rural Community Development not in positive, but rather in negative terms.

This perspective is unfortunate in my view because it is mistaken. The proposed new Community Development Department is intended to create a new organizational framework that will defend, not destroy the best interests of our rural communities.

For example, it has been charged that if DCD is enacted only a bare skeleton will remain of the present Department of Agriculture. The facts speak for themselves. Of the 83,000 present USDA employees, only some 8,200, or about 10 percent, are invilved in community development functions proposed for transfer to DCD. Of USDA's $11.6 billion in 1972 outlays, only $800 million is being spent for programs to be transferred to DCD.

Even after removal of these functions a robust Department of Agriculture would remain, employing 74,800 employees and making annual outlays of about $10.8 billion. This is hardly a small agency.

Opponents of the reorganization have said that DCD is essentially a renamed Department of Housing and Urban Development, and, therefore, will be controlled by the "urban interests." This will not be the case. HUD is abolished by the DCD bill and its functions are distributed among the various elements of the new Department. One-half of DCD's employees and nearly two-thirds of its funds will come from such agencies as DOT, Agriculture, Commerce, and OEO. There is no basis for assuming that one set of programs or any prior organization will dominate the new Department.

It has been charged that the Farmers Home Administration and Rural Electrification Administration programs will be downgraded in DCD. Once again, this allegation does not fit the facts.

Amendments to H.R. 6962 agreed to by the House Government Operations Committee and supported by the administration give additional assurance that the interests of rural America will receive high priority attention in DCD. First, a Rural Development Administration is now proposed. It will be headed by an executive level III Administrator appointed by the President and reporting directly to the Secretary of DCD. This rank is equivalent to that of the Under Secretary of Agriculture. Second, all programs transferred from USDA must be administered through the Rural Development Administrator; and third, the REA and Rural Telephone Bank will be retained as statutory organizational entities. These provisions should dispel all doubts about the high status and vigorous management contemplated for these programs in DCD.

It is asserted that the Farmers Home Administration is already efficient and effective, and that there is thus no reason to move it anywhere.

The FHA is efficient and partly for this reason its effective field organization will be moved intact to DCD. Rural communities are now shortchanged in their accessibility to important Federal community development programs. The major business of FHA is rural community development, yet it has only a piece of the action. It lacks the programs and other resources which HUD and the Economic Development Administration of the Department of Commerce are already devoting to rural communities.

The Department of Community Development will combine in one agency all major programs affecting community development—community facilities and utilities, transportation, and housing. The FHA local offices, once transferred to DCD will be in a position to provide assistance involving other community development programs to the rural resident, in addition to the traditional FHA programs. It will, in effect, assure rural communities a fairer share in Federal program resources and national growth.

By establishing a Department of Community Development with a strong rural mission, our rural communities will receive stronger and more sustained leadership at the national level than is now possible. They will have access to a wider range of Federal programs and they will receive more consideration in overall national planning.

Opponents of the DCD, including the chairman of the Senate Agriculture Committee, claim that if all four reorganization bills are implemented by Congress, the USDA will number 27,000 employees with a budget of $7.1 billion. Thus, it is argued that USDA would be weakened sufficiently so that it could not retain Cabinet status for very long. I would point out that a Department with a $7.1 billion budget and 27,000 employees is hardly insignificant. With a Department trimmed of its non-farm-economy related programs, the Secretary of Agriculture will be in a better position to focus his energies and departmental resources on the production of our Nation's food and fibre, which is his first and foremost responsibility. This should tend to safeguard, rather than endanger, the effectiveness of the Department of Agriculture as a continuing vital agency concerned with assisting the Nation's farmers and farm economy.

It is also alleged that the President controls the executive departments and their organizational structure in such a way that he does not need to come to Congress with reorganization legislation, that "he can accomplish these reorganizations with the stroke of a pen."

This is a serious misconception. The President's authority to reorganize programs and agencies mandated by Congress is quite limited. The President, under the Reorganization Act, as amended, may submit reorganization plans to the Congress, which may be disapproved by Congress. But such reorganization plans cannot create new executive departments, or abolish or transfer an executive department or all of its functions, or consolidate two or more executive departments or all of their functions. To do so, the President must secure implementing legislation from Congress, and it is thus clear that the reorganization bills are necessary.

Mr. President, I am deeply concerned for the well-being of our Nation's farmers, and for those Americans living in thousands of small towns throughout the country where Federal programs are not reaching just because they are considered rural. Under the reorganization proposals, the farmer will fare better because his economic interests will be guarded and promoted by a Cabinet Department created with those economic interests as its sole purpose. Citizens of rural communities will benefit and the quality of their communities will be enhanced because they will be included in the plans and programs that now are available for all other communities.

I think it will be enlightening to repeat an example used in the House Government Operations Committee's Report of the need for the DCD. The example follows:

> Edgefield, S.C., is a small town situated in the rural section of a Standard Metropolitan Statistical Area (SMSA) and is included in an Economic Development District. As such, this locality was eligible for water and sewer assistance from three different Federal agencies—the Farmers Home Administration (FHA), HUD, and EDA. Edgefield sought $5 million of such aid, and made an initial inquiry to FHA on December 22, 1969. FHA referred the inquiry to both HUD and EDA. It is customary for such an inquiry to be referred to the agency with jurisdiction (jurisdiction established on the basis of inter-agency administrative determinations). It this case, all three agencies could have claimed jurisdiction, but no one agency was prepared to fund the Edgefield project for the full $5 million. Thus, all three agencies rejected the project.
>
> Subsequent inquiries led to the initiation of negotiations in Washington in February 1970. Between February and June of that year, approximately fourteen meetings were held between FHA, HUD, and EDA. During the course of the negotiations, each of the three agencies sent field representatives to Edgefield to inspect the project area.
>
> As a result of the negotiations, agreement was reached between the agencies. For Edgefield, this meant four applications for water and sewer assistance to three different agencies situated in three different locations. Thus, Edgefield received a loan from the Farmers Home Administration of $1,694,000, a grant from EDA for $1,690,000, a water and sewer grant from HUD for $690,000, and a Public Facilities Loan from HUD for $1 million. Each application had its own set of requirements; each was processed separately with separate time schedules and paperwork.
>
> Even after the agreement was made to divide the cost of the project among these three agencies and after the project was funded, further interagency coordination was necessary, since only one of the three was to administer the project. The Farmers Home Administration has that responsibility in the case of Edgefield. FHA must send progress reports to the other two Federal agencies, so that they will know when to release their funds.

This example should help make clear that those of us who support the creation of a Department of Community Development are entirely and solely interested in the well-being of our rural communities and the Americans who live in them. We are committed to rural revitalization and to the implementation by the administration of the community-related programs in such a way that rural communities are immediately and directly benefited. This interest in the well-being of the citizens of our rural communities indicates no lack of awareness or interest in the prosperity of farmers. We are for strong farm programs, administered by an agency which has the knowledge, ability, and programs to do so. It would not serve the interests of farmers, and it will not serve our interests, to create a debilitated agriculture agency, and we believe that the implementation of the reorganization proposals will on the contrary result in the creation of a more effective Department for farms and farmers.

FIFTIETH ANNIVERSARY OF ORDER OF AHEPA

Mr. BAYH. Mr. President, yesterday marked the 50th anniversary of the American Hellenic Educational Progressive Association—AHEPA. Made up of approximately 25,000 loyal Americans, this group's activities embrace many charitable and social projects throughout the United States, Australia, and Canada. As true sons of America, and also true grandsons of ancient Hellas, members of AHEPA have made numerous national and international contributions. Some of the projects include:

Relief of Florida hurricane victims;

Relief of Mississippi flood victims;

Relief of Corinth earthquake victims;

Assistance to the war orphans of Greece;

Relief of Dodecanese earthquake victims;

Assistance to the fatherless children of refugees, through the Near East relief;

National scholarships to worthy students;

Relief of Turkish earthquake victims;

Assistance to the Patriarchate of Jerusalem;

Funds for the Patriarchate of Constantinople;

Ecuadorean relief;

Kansas City flood relief;

Sale of $500 million in U.S. war bonds during World War II as an official issuing agency of the U.S. Treasury;

Contributions to the George Papanicolaou Cancer Research Institute at Miami; and

Sponsorship of the AHEPA educational journey to Greece student program.

These outstanding contributions flow naturally from the high ideals upon which the association was founded. I ask unanimous consent that the laudable principles of AHEPA be inserted into the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ARTICLE XXXIII.—OBJECTS AND PRINCIPLES OF THE ASSOCIATION

A—To promote and encourage loyalty to the United States and allegiance to its Constitution, Traditions and the Laws of the Land, including the Laws of the several States of the Union, and the ordinances and police regulations of the Counties and Municipalities thereof;

B—To instruct its members in the tenets and principles of Democracy, and in the methods and operation of political life in the United States, the several States, Counties and Municipalities thereof;

C—To instill in its members a sincere love for the United States and a due appreciation of the privilege of citizenship;

D—To encourage its members in active participation in the political, civic, social and commercial life of the United States;

E—To awaken in its members an abhorrence of all political corruption—the destroyer of free institutions;

F—To arouse America to the realization that tyranny, wherever it may exercise its baneful power upon the face of the earth, is a menace to the life and prosperity of this Nation; and that the preservation of our liberties can only be assured as America becomes the Champion of Liberty, and the Protector of all oppressed and down-trodden people;

G—To promote in the United States a better understanding of the Greek Nation and People and of the ideals of Hellenism;

H—To work for the moral uplift of its members in every manner possible; to promote good fellowship among its members; to create a spirit of altruism and mutual benevolence among them; to emphasize the duty resting upon its members to aid each other in securing employment, and to encourage and comfort each other in every possible manner;

I—To support and maintain the American public school system;

J—To resist any union of Church and State in the United States, or any tendency thereto, and strictly to insist that no church shall undertake in any manner to dominate in the Government of the United States.

RETIREMENT OF TOM MURPHY, DIRECTOR, SUGAR DIVISION, DEPARTMENT OF AGRICULTURE

Mr. LONG. Mr. President, on June 30, the Department of Agriculture lost a great public servant and the Committee on Finance lost a trusted adviser when Tom O. Murphy retired from Federal service.

He was appointed Director of the Sugar Policy Staff of the Agricultural Stabilization and Conservation Service in August of 1963. From 1958 until he became Director, he had served as Deputy Director.

A native of Uniontown, Pa., Tom started his Government career in 1942 with the U.S. Tariff Commission where he served in the capacity of Supervising Accountant with responsibility for industrywide cost surveys. He joined the U.S.D.A. in 1945 and moved into the Sugar Division in 1947. He served as Chief of the Research and Analysis Branch, also as Chief of the Wage and Price Division, specializing in fair wages for sugar cane and sugar beet workers and fair prices to sugar cane and sugar beet growers.

From the time he joined the Sugar Division through December 1949, he conducted cost studies of the sugar cane and sugar beet industries in all of the domestic areas, including Hawaii and Puerto Rico.

He attended the Sugar Agreement Negotiating Conference in Geneva, Switzerland, in the fall of 1956 and in January 1959 was the U.S. delegate to the International Sugar Council meeting in London, England.

When U.S. sugar policy with Cuba changed drastically and abruptly in 1960, Mr. Murphy was influential in planning for sources of offshore sugar supplies Also, during the intervening months, he worked closely with congressional committees in their deliberations on stopgap and then on longer-term legislation, compatible with the interests of farmers, processors, and consumers.

For his judgment, leadership and skills in management, Mr. Murphy earned an outstanding work performance rating and a further award for sustained outstanding performance. The citation he received for his outstanding service observes that:

> Mr. Murphy's knowledge of all phases of the sugar program is not equaled by any other single person inside the government and out.

As the chairman of the Committee on Finance which has jurisdiction over the sugar program, it has been my privilege to work closely with Tom for many years and I can state without reservation that this characterization is accurate. There was no phase or facet of the intricate sugar program that Tom did not understand and I regret that we will not have his good counsel available when we next consider sugar legislation. Government has lost one of its ablest public servants but Tom Murphy has worked long and hard and he deserves our sincere wishes for an active and productive retirement.

THE DISADVANTAGES OF AMENDED CARGO PREFERENCE LEGISLATION

Mr. PERCY. Mr. President, the United States has since 1934 pursued a policy of free international trade. Although trade has never fully been free from tariff and non-tariff restrictions, the American position has been to attempt to secure equitable and fair treatment for the exchange of all nations' goods and services. We see this trend being pursued on various fronts today, one of the most noteworthy being the President's agreements for increased trade with Communist countries.

Yesterday, however, the Senate was presented with an ill-conceived bill which would have diverged from the thrust of our freer trade policy. I refer to H.R. 13324 which was reported by the Commerce Committee, with amendments, on June 8. Although the bill authorized needed appropriations for our merchant marine program, an amendment added by the committee would have set a dangerous precedent. This amendment would have required 50 percent of all imports of petroleum imported under current U.S. quotas to be carried in U.S.-flag tankers.

Proponents argued that the amendment was needed to reduce U.S. reliance on foreign tankers in case of national emergency. They stated, first of all, that it is of prime concern for the United States to be assured a continued flow of oil and, second, that only American ships carrying that oil can guarantee its delivery.

The steady delivery of oil to the United States is certainly in the national interest, but the requirement that 50 percent of it be shipped in U.S. tankers will not help assure that this national interest will be served. If foreign oil producers refuse to ship oil to the United States, or are unable to do so because of conditions of war or embargo, no tankers, whether of American ownership and registry or of foreign ownership or registry, will be able to deliver oil. Thus it is apparent that a requirement that 50 percent of our oil imports be shipped on U.S. bottoms for national emergency reasons has no real substance. In other words, control of the means of transportation cannot guarantee or assure control of supplies.

Indeed, present shipping arrangements do guarantee a very flexible transportation system for oil imports. Under these arrangements, the large U.S.-owned fleets saling under Honduran, Liberian, and Panamanian registry are obliged to be available to supply U.S. needs during a crisis. Existing cargo legislation thus assures delivery of essential oil to the extent that it is available and needed in our markets.

In my judgment, passage of the U.S.-flag shipping provision would have harmed the domestic economy. The President has attempted to reduce inflation and hold the line on consumer prices. As my distinguished colleagues from New Hampshire and Michigan, Senators COTTON and GRIFFIN, pointed out in their minority report on the bill, this amendment would have hurt consumers.

American shipping rates are much higher than foreign. The Assistant Secretary of the Interior, Mr. Hollis Dole, has estimated that as a result of these higher U.S. shipping costs, the increased cost would be 23 cents per barrel. This is a conservative estimate—based on sources supplied by the director of the American Maritime Association—and includes all oil imports. Oil imported from the Middle East, however, would increase in price by 44 cents per barrel. This is particularly significant when it is realized that by 1985, over half of our oil may be imported and that the Middle East will be a major supplier.

The cost to the United States could have been more than monetary. Implementation of this provision could have triggered reaction by other countries. Arab and Caribbean oil exporting nations are reported to be already considering restrictions which would require various percentage of their oil products to be carried in their own flag tankers. We have no advantage in encouraging this disposition.

The 50-percent requirement, furthermore, would have established the precedent of extending tanker preference to commercial cargoes. At present, such a requirement only applies to U.S. Government purchases and deliveries. Other governments, reacting to the U.S. move, might extend such preferences to their commercial cargoes. The consequence of these retaliations for the United States could well be a type of trade war in shipping.

American employment and the balance of payments could have suffered from enactment of the amendment in two ways:

First, the competitiveness of the American petrochemical industry would be reduced by the shipping requirement. This industry relies on a foreign supply of feedstocks in manufacture. Its products would be more costly to domestic consumers and to foreign importers as a result of the increased costs of its feedstock supplies.

Second, such legislation could encourage the building of more refineries in close-inforeign areas such as the Bahamas, Trinidad, or eastern Canada. This would have defeated the purpose of the proposed amendment as foreign-flag ships would be needed for long-haul ocean transportation, with only the short-haul movement to the United States subject to the 50-percent requirement.

Serious administrative problems would have been caused by this amendment. It would be very difficult to equitably administer. Due to the shortage of U.S.-flag ships, arbitrary Government decisions would have to determine the allocation of tankers among domestic importers and between private industry and the Departments of Agriculture and Defense.

Another consequence of the enactment of this amendment would have been to imperil coastal oil supplies. The problem again relates to the shortage of U.S. tankers. The sudden demand for the use of tankers in international oil shipping would limit the number of tankers which could be used in the U.S. coastal trade. This shortage could become particularly acute during the winter months. This diminution of flexibility is an aspect of the bill which should be seriously considered.

Mr. President, an analogy to this case exists in the recently rescinded Executive order concerning the transportation of grains to Communist countries. In 1963, an agreement to sell grain to the Soviet Union and Communist countries was negotiated but was accompanied by an Executive order requiring that 50 percent of the grain be shipped in U.S. bottoms. Virtually no grain was sold or shipped due to this restriction. American delivery costs were high enough to dissuade eastern bloc countries from purchases in the United States. Philip J. Loree, Chairman of the American Committee for Flags of Necessity, testifying before the Senate Subcommittee on Merchant Marine on May 2, 1972, presented evidence of the costs involved. He said:

> Tankers have engaged in the carriage of preference grain cargoes, and the differentials between American and foreign rates are equally disproportionate as those for dry cargo vessels. For instance . . . the $28.25 per ton rate fixed during the week of May 24, 1969 for the American flag tanker Hess Trader, carrying 23,000 tons of heavy grain from U.S. Gulf to Bombay was almost four times the $7.20 per ton rate fixed during the same week for the Swedish tanker, Frithiod, carrying 22,000 tons of heavy grain between the same ports.

Because of this disparity and the transport requirement, the United States has in the past lost a great trade opportunity. Canada, for example, has a contract with Communist countries this year for 5 million tons of grain.

The lesson to be derived from our experience with grain shipments is that American ships are presently uncompetitive and that a legislated requirement for their use can result in very damaging effects on American foreign commerce and on domestic economic well-being. American tankers can be made competitive without jeopardizing national security, inviting retaliation, and contributing to inflationary pressure. The most appropriate means is through construction subsidization, as provided for in the 1970 Merchant Marine Act. Along these lines, the President has recently announced five contracts for major merchant marine construction. This method of increasing cargoes provides the United States with the benefits of a healthy merchant marine while avoiding the undesirable economic repercussions which this amendment would have caused.

Therefore, Mr. President, I am pleased that the Senate defeated such a cargo preference to requirement yesterday by a vote of 33 to 41.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The ACTING PRESIDENT pro tempore (Mr. Metcalf). Under the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state.

The assistant legislative clerk read as follows:

A bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. MANSFIELD. Mr. President, what is the pending question?

The ACTING PRESIDENT pro tempore. The pending question is on agreeing to the amendment of the Senator from Texas (Mr. Bentsen), No. 1348.

On this amendment, there is a time limitation of 7 hours, to be equally divided.

Mr. BENTSEN. Mr. President, as I understand there is a time limitation on my amendment of 7 hours, with 3 hours and 30 minutes per side.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be printed in the Record at this point.

Amendments No. 1348

On page 12, line 3, strike out "$769,600,000" and insert in lieu thereof "$759,600,000".

On page 12, line 6, strike out "$3,165,200,000" and insert in lieu thereof "$2,804, 200,000".

On page 12, lines 23 and 24, strike out "$2,708,817,000" and insert in lieu thereof "$2,571,417,000".

The ACTING PRESIDENT pro tempore. The Senator's amendment has already been laid before the Senate.

Mr. BENTSEN. I ask unanimous consent that during the debate on this amendment, Tim Furlong and Ron Katz of my staff, as well as Ross Hamachek of the Joint Economic Committee, be allowed the privilege of the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BENTSEN. Mr. President, I ask unanimous consent that the names of the following Senators be added as cosponsors of this amendment: Messrs. Case, Cooper, Cranston, Hart, Hughes, Humphrey, Javits, Kennedy, Proxmire, and Stevenson.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BENTSEN. Mr. President, the Trident is a $1.3 billion submarine.

Most Americans have never heard of it. Most Americans will never see it.

But they will be paying for it for a long time to come, and they have a right to know what they are getting.

And we have a responsibility to make sure they are getting their money's worth.

Before we commit the Government to buying a fleet of Trident submarines that are going to cost $1.3 billion apiece, it is appropriate for us to spend a little time discussing the necessity and wisdom of this expense from the standpoint of the National defense.

As I believe my colleagues in the Senate know, I am not a pennypincher when it comes to national defense. I do not expect to buy a strong defense system in a bargain basement.

But I also have great respect for the taxpayer's dollar.

I know that dollar represents sacrifice—and I want to make sure that sacrifice is wisely expended and they get their dollar's worth.

The question we have to resolve is this: Does the accelerated development of the Trident submarine, as proposed by the administration, justify the additional expenditure of $508.4 million tax dollars in fiscal 1973?

That is what the administration is asking us to authorize under the Military Authorization bill (H.R. 15495), for reasons that thus far find neither clear nor compelling.

In September 1971, Deputy Defense Secretary David Packard approved a budget request of $418 million for the orderly development of the Trident program in fiscal 1973.

Deputy Secretary Packard is the man who was brought into the Government to bring businesslike methods to procurement, who received the plaudits of the President and of a number of Members of Congress for his capability at the time of his selection. This was his recommendation. But in January of this year, after Secretary Packard was gone, the administration changed its opinion and decided it wanted an accelerated, crash program. Indeed, Mr. President, in January 1972, the administration called for an accelerated Trident effort with an increased authorization totalling $926.4 million for fiscal 1973. We have been asked to approve that increase to include advance procurement funds for the first four Trident submarines—which, I repeat, will cost $1.3 billion each—and a new Trident base, stepping up the deployment date for the first Trident from 1981 to 1978.

There is no question that the United States will eventually need a new submarine system to replace our present Polaris-Poseidon force. But there is a strong question about the necessity to have that new system operational within this decade.

I am convinced that the responsive power of Poseidon, together with the retaliatory power of Polaris, will provide our Nation with a more than adequate nuclear deterrent through this decade.

Why, then, the speedup recommended by the administration?

The Armed Services Research and Development Subcommittee, which I helped chair on this matter, held extensive hearings on this request. The administration presented full testimony, and failed to make a convincing case in support of its recommendation for an accelerated Trident development.

As a result, the Research and Development Subcommittee recommended to the Senate Armed Services Committee an amendment to delete the additional $508.4 million requested in January 1972, and to return the Trident program to the $398 million level at which it was first approved by Deputy Defense Secretary Packard last September.

One of the things we have to remember is this: This would not delay the development of the Trident missile, the new Trident missile, one whit. This would allow the continuation of the research and development on the Trident submarine. It would give us an additional year to explore our options.

This amendment, which had the support of the Research and Development Subcommittee, after careful consideration, failed to pass committee, by a tie vote of 8 to 8. It was a tight vote, Mr. President. It was a hung jury. That is a little unusual for the Senate Armed Services Committee, which has been a strong supporter of most of the programs presented by the Defense Department. They had serious misgivings, as reflected by the 8-to-8 vote.

Because of the doubts expressed in committee, and because of my own belief that the program is not justifiable, I am joining with several colleagues in offering this amendment to the consideration of the Senate.

In so doing, I was to make my position clear.

I am not opposed to a strong national defense posture. I believe it is our solemn obligation to maintain a position of strength in the world of nations.

I am not opposed to the Trident system.

But I am opposed to rushing precipitately into a long-range commitment before the facts are in, before we have had a full chance to evaluate it.

We do not have the facts on the Trident submarine. Design is not completed. We do not have adequate information on which to base a responsible decision.

Surely, the experience we have had in the recent past with huge cost overruns on defense contracts is enough to warn us to put on the brakes before responding to the "full speed ahead" order.

The recent cost overruns on the C–5A and on the F–14—which is facing us right now—give us enough warning, enough alert, to put on the brakes when someone tries to jam a program through with a "full speed ahead" order. We have accepted the principle of "fly before you buy" in aircraft procurement. Is it not common sense to adopt a "try-before-you-buy" policy for billion-dollar submarines—and perhaps a "swim before you sink" policy?

Secretary Laird has told us that failure of Congress to authorize acceleration of the Trident program would jeopardize the SALT Offensive Weapons Agreement.

I cannot accept that judgment.

I followed the administration's testimony very closely. I helped chair many of the hearings of the subcommittee in which the administration presented its most forceful evidence, both classified and unclassified. I have also attended two extensive White House briefings, dealing both with weapons development and the SALT agreements. I can find no basis for believing that a step-up in the Trident development, without adequate research and design, would be in the best interests of this country.

SALT, for example, limits the United States to 710 sea-based ballistic missiles compared to 950 for the Soviet Union. Trident would increase the number of missiles per sub from the 16 now carried by the Polaris to 24.

Do we really want to put that many eggs in one basket?

This approach is precisely opposite that of the Russians, who made their decision to have smaller baskets and fewer eggs per basket—thus increasing maneuverability and decreasing detectability. Their plans call for development of a modified version of the Yankee class submarine that carries fewer missiles than their original sub.

Our Defense Department needs to weigh the advantages of these differing approaches very carefully before freezing design of the Trident.

Time is on our side. For once, we have the luxury of time in arriving at a considered judgment.

Our present force enables us to take the time for an orderly, carefully planned Trident development.

That is what I am strongly advocating.

That is why I am presenting this amendment.

I ask my colleagues to support this measure to return to the funding recommended by the administration in September 1971.

We owe it to the taxpayers to give full study to design development before we commit funds to a program that could cost, eventually, up to $40 billion.

The time to study, the time to research, the time to consider the options is not 3 or 4 years from now, when they are appearing before Senator PROXMIRE's committee or the Armed Services Committee, to find out why we have had a bust, why we have had gigantic overruns of cost, why some company, perhaps, is going broke, to try to find a scapegoat. Now is the time to save the taxpayers' money; now is the time to do the planning and the thinking and the organization. That is what I am asking for—this year.

It is not just the initial outlay for fiscal 1973 that is to be considered. It is the long-term commitment to a program—which could cost up to $40 billion—that is not fully justified by the facts presented to date.

Another year of research and development will give us a better idea of what we are buying.

That is what we need to know. That is what the people have a right to know.

That is why I am asking for support of this amendment.

The PRESIDING OFFICER. Who yields time?

If no one chooses to yield time, the ensuing time will be charged equally to both sides.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum, the time to be charged to my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McGEE). Without objection, it is so ordered.

Mr. STENNIS. Mr. President, what is the pending order of business before the Senate?

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1348 of the Senator from Texas (Mr. BENTSEN) and others.

Mr. STENNIS. Mr. President, in handling this bill, going from weapon to weapon sometimes and getting ready in advance, occasions arise when the committee and committee members need additional staff members to be allowed the privilege of the floor. Their use in this Chamber, by the way, would be by any member of the committee, whether they favor my position or not, or any other Senator not on the committee, should he need their help.

So, under those conditions, I ask unanimous consent that until further notice, six members be allowed the privilege of the floor——

The PRESIDING OFFICER. Does the Senator mean committee staff members?

Mr. STENNIS. Yes.

Mr. SYMINGTON. Mr. President, reserving the right to object—and I shall not object—would the able Senator state the names of those in question?

Mr. STENNIS. Well, that would vary, Senator. Presently it would be Mr. T. Edward Braswell, Jr., Mr. Hyman Fine, Mr. John A. Goldsmith, Mr. James R. Woolsey, and Mr. Edward B. Kenney.

Mr. SYMINGTON. That is five.

Mr. STENNIS. Mr. La Bre Garcia is also here.

Mr. SYMINGTON. I thank the Senator.

Mr. STENNIS. But my request is not limited to those whom I have just named.

The PRESIDING OFFICER. (Mr. HARRY F. BYRD, JR.). Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. STENNIS. Mr. President, I have a more formal speech on this subject that I will deliver before debate is closed, but I want first to go into what I call some commonsense points involved—taking a commonsense approach to the practical side, as I see it—concerning this particular weapon. I am going to speak from notes and from my own experience on this particular weapon, as well as related weapons and related subjects with which we are confronted.

Mr. President, I want to point out with emphasis some matters here. This will be in the RECORD. I wish that more of the membership could be here to hear the hard facts on this matter because we are down to rather a fine point with reference to the difference between the committee bill and the pending amendment. We will have to do a good deal of repeating to try to get all of the facts over. However, I think it is a fair statement to say that the money that is now in the bill for this weaponry will make it possible to get the end product 3 years earlier than we would if this amendment should prevail.

No one can say exactly what that time will be. However, I say that most probably the first one of these submarines would be completed about 3 years earlier than it otherwise would.

Mr. President, on this question of costs, I think that is a highly debatable matter as to whether or not there will be an extra cost and how much extra cost would be involved if we try to get the first end product 3 years earlier. I have not heard of anyone who has any figure in mind. There is very respected opinion that it will not cost any more. However, no one can say for certain about that. We have setbacks and unexpected items that occur whether we have a long period of incubation or a short period. However, there is some testimony—and I will come to it later in the debate—that it will probably cost less. I am certain, however, that this is not a crash program that is provided for in the bill at the present time. It is not a crash program like the Apollo was, for instance, in the moon landing.

This program was put together, as I will show, by men who, I think are some of the most competent authorities and most capable men who have ever been in the Pentagon. I refer particularly to our former Deputy Secretary of Defense, David Packard. He is the man who really put this program together, as I will relate in detail later, with competent professional advice.

I do not consider that this is any splurge program. I feel that I know it is not. I know of programs that have run into trouble at times. However, to say that overruns are certain to occur under this program, I respectfully say, could well be an error.

Passing on to my second point here, what is the need for this new weapon? I point out now with emphasis that this weapon is not the dream or the brainstorm of somebody. It is not an award to some service. This is an established family of weaponry that we have had since the first Polaris came in. And it is considered to be perhaps the most dependable and safest. It is safest from the standpint of being destroyed of any of the three nuclear weapons we have for a deterrent from nuclear war.

This is a great family of weapons—the Polaris, the Poseidon, and this weapon which is called the Trident. I would like to call it the Poseidon II or something simpler. We are not in unplowed ground or running into mysteries. We are not trying to create anything as complicated as the C–5, because of our experience. This is not as complicated a new ship as a great many of our types. We know about missiles, nuclear tubes, and reactors. The reactors, which form such an important part of this weapon, will be in charge of a man whom I consider to be—and I think others do also—the master craftsman of all time, Admiral Rickover. Admiral Rickover is a man who knows this subject as no one else does. He is the father of our nuclear-powered submarines, as is well known, beginning with the *Nautilus*. He has been working on the planning of this, and he will be the man in charge of the reactors.

This is no new team. It is a proven team. And I think it is the greatest team in this field—Rickover and Smith—when it comes to really handling and putting this matter together. Admiral Rickover has handled all of these others, as I have said, as to the reactors. And Admiral Smith is now retired, but is back on duty as a civilian, handling the rest of it, going beyond the Polaris and the Poseidon.

We are not in a realm of fancy here, Mr. President. I think these men know what they are doing, because they have proven it. I am not here to praise any man. I am not given to praise men, anyway. I want to give credit where it is due. These are known facts. I am thankful that we have these men, and I am sure that everyone else is. However, I am pointing this out here and making a judgment on this matter. We are guided here and informed on this matter, and have been from the inception, by the type of men I have mentioned. I mentioned Mr. Packard a few moments ago. With all due deference to everyone else, I do not think that in business, in creative work or the mechanical part of the business, or all of them combined there has been a greater authority around here—certainly not in my time I know—than this man.

What is the need then for this? I do not like to think that we have a need for this submarine. I wish we did not have a need for this submarine. The cost is very great indeed. And I think one might say, "Well, we have the Polaris and the Poseidon, and they are tops. We can just stop at that and take our time and work out something and decide later whether something further is actually needed."

While we were trying to solve other problems here with reference to legislation last year, these men I have mentioned were thinking about this problem, as they should have been, and observing the new phases of it that arise.

The thing that prompts the need for this weapon right now is the Cuban crisis. I will refer to it very briefly. Since the Cuban crisis the Soviets have been building a navy of their own, and they have made tremendous headway. They have amazed us and perhaps they have amazed themselves. They are not unbeatable, of course. However, they have made tremendous strides. They are coming along rapidly. And they will continue to come along rapidly, SALT or no SALT.

Mr. President, along that line I have in my hand the Washington Post of this morning. On page A26 there is a headline, "Jane's Says Soviets Dominate Oceans With Submarines." This is an item from London. It is dated today, Thursday, UPI.

Of course, we know that Jane's is one of the truly great authorities with reference to oceangoing vessels of any kind. They keep up with all of them, including the military. I have not had time to make a real study of this release, but the first sentence states:

> The Soviet Navy is expanding to every ocean and "can snap its fingers at all the maritime countries," the authoritative Jane's Fighting Ships said today.

The article goes on to state:

> Russia has more submarines than the United States, or any other country, can possibly construct now, and is reported to be building the first of a fleet of aircraft carriers to match those of the U.S. Navy, Jane's said.
>
> In a foreword to the 1972–73 edition, Jane's editor Raymond Blackman, said:
>
> "It is a sobering thought that no other country in the world in this day and age of sophistication and inflation can possibly build as many submarines as the Soviet Navy has at the present time.
>
> "The Soviet Navy's attitude to the older naval powers seems to be: anything you can do we can do better. In short, the Soviet Navy has given the victory sign to the world."

This does not disturb me greatly. I am not a worry wart and I do not ring bells of alarm, but this is fair notice, with pride notice which has been given for years, and it is substantiated by the actual figures.

> Jane's listed the total U.S. submarine force at 98 nuclear submarines, including 41 ballistic missile-carrying vessels, and 35 conventional submarines.
>
> It estimated the Soviet submarine force at 95 nuclear-powered vessels and 313 conventionally powered vessels.

Mr. President, I have this article on my desk and any Senator can examine it. Later, I will have it printed in the RECORD.

But going back to the real basis for this new program, Soviet Russia is a growing strategic power. That is recognized by all of us, but it is recognized by some to a greater extent.

The latest figures I had before this article on Jane's came in, show that the Soviets now have over 65 nuclear attack submarines. This is from a start with a very small navy that they had at the time of the Cuban crisis. This comparison shows what Russia can do and it shows that it takes them and that it takes us time.

They have over 65 nuclear-type submarines, about 200 diesel attack submarines, and they are building at the rate of eight attack submarines a year. Also, they are building eight ballistic missile submarines per year, and already have about 35 ballistic submarines. They are making some nine to 10 of those ballistic submarines per year.

If the SALT agreements are adopted they would cut off the ballistic missile figure at 62. They are continuing to run at their capacity until that agreement is adopted, until they reach 62 submarines. Once they stop building those ballistic submarines they will immediately have available, with some slight changes, the capacity to start building more and more of their attack submarines in those same facilities. Those would not be limited by any part of the SALT agreement.

Mr. President, that is a quick picture. It shows what is going on, and that is why we are in session today on this subject matter. That is why. That is why the large sum of money is in this bill with one of the urgent requests of the President of the United States that this sum of money be allowed to him in full so that he may do the utmost, SALT or no SALT agreement, so he may do the utmost to meet this oncoming situation.

I did not reach that judgment hurriedly. The matter of this accelerated program came here in January. There was a request for immediate consideration of some of it and handling some of it in a fiscal 1972 supplemental budget, but the committee did not agree. We went into it further. This is not a program that has been hurriedly pushed through or anything like that. It has had all these many months of deliberation. I have great respect for anyone who disagrees with my opinion on the severity of the need, but I totally refute any insinuation or implication that this is something concocted and hurriedly rushed in here, to cram it down the throats of those of us in the legislative branch. I would be among the first to resent that and try to stop it. We did place a halt on it until we could go into it.

Those persons in positions of responsibility, and I believe they are people of responsibility, are firm and clear as to what they think about this need. As I said a moment ago, it starts with the President of the United States. Then, there is the Secretary of Defense. Do not ever discount Melvin Laird. Do not ever discount Melvin Laird's mind and his ability. He has shown a persistence about this matter and an urging of it on the basis of need, logic, and commonsense. That is a credit to him. I have a lot of respect for his opinion here.

We also have a judgment from a man I respect a great deal on this program and all programs, and that is the former Deputy Secretary of Defense, David Packard. I miss him; I miss him every day. Secretary of Defense Melvin Laird still has competent men around him but that fellow had such a way about him. I talked to him about this in January when we received this recommendation. I got in touch with him, as I remember, when he was in California. I talked to him first by telephone and next in my office the first time he came here. He resigned some time in December, but he stayed on a few weeks. I have talked to him twice, as I recall, head to head, since then. I talked to him by telephone first about it, and just to be certain that my recollection was correct, I called him yesterday afternoon and talked to him. He was in California. I talked to him at 7:15 p.m. or thereabouts, Washington time. I told him first what I wanted to talk to him about and that I wanted to know in the beginning whether or not it would be all right to quote him on the floor of the Senate as to what he said about this program.

I thought I remembered, but I wanted to be sure, and I gave him that notice. And, with his open frankness and candor, he said yes, it would be all right. Then I told him that there was a debate here, that we had the money in the bill, that no one was fighting the Trident itself, but there was a difference of opinion here, and it would be reflected in this amendment. I knew he had a lot to do with the birth of this item in the budget, but I wanted him to go over again, refresh his recollection, as to just what he did and what brought him to those conclusions.

He said that he decided, in considering the 1973 budget, sometime near the middle of 1971, that we should at least go further with the research and development program on the ULMS. That is what it was called then, and we call it Trident now. He said he is satisfied it would give us, in these growing menace times, more security. He said that we had to learn more about abating this growing submarine attack threat, and that it would give us more bargaining power or deterrent power or offsetting power with our adversary. He said that he thought—and I am referring to the notes I made in the telephone booth—a longer range missile was the most important item in preparing to meet the new situation that has been developing.

Understand, we have no reserve capacity now in these nuclear submarines at all, because we are just about finishing up our Poseidon. So he decided then, after having left this matter open at first, when he concluded about the accelerated R. & D. program, and having left the other open. He said he saw the SALT talks developing. That is, he put himself more in contact with the negotiations, the talks, particularly with reference to offensive weapons, and that made him more convinced that we need to push forward now on the Trident. He concluded, some time late in 1971, to go into this program, which would include procurement of long leadtime items, because, as he said, he decided it was too much of a chance to take and we had better utilize this time more than just R. & D. work. He illustrated in the telephone conversation by saying that if they developed the MIRV—talking about the Russians—and did not enter into a second agreement, if there is a first one—and he had some forerunnings of what might be the first agreement for a limited time on offensive weapons—then where will we be? That is an awesome question. Where will we be?

I hope this 5-year agreement passes. I hope the treaty passes. I have supported it since I first understood it. But even if it does pass, it is not going to solve anything. It is just the beginning, a small step.

Suppose at the end of 5 years it is not continued, suppose we work under it only 5 years? Where are we going to be? I think we are going to be caught short. I do not think there is any doubt about that. I do not think Senators will find any disagreement about it.

That is what this man, Packard, says about it. He was willing to move further into this program.

What did he do? It shows the logic of the man. I do not know whether I could have thought of this or not, but I certainly approve of it. He said, "I called Admiral Rickover and others"—I suppose it was to his office—"and went into this thing deeper and further and further and further." After these consultations, he put these figures together. That is what became the budget figure. In round numbers, it is $950 million. That is what he called it in the telephone conversation. In the bill now we have it at $906 million. It was $926 million in the bill originally. We made a small reduction.

That is the way this matter has developed. That is how it happened. I was asking Mr. Packard not only because of what I know he has done in public office, but I know that he, more than any official, is the father of the policy we are now trying to get into effect, the "fly-before-you-buy" policy. I do not think that term should apply to submarines, but I am talking about the principle of it. He is the father of the modern agitator of the policy of "fly-before-you-buy."

I remember he told me last year, "I am coming with something to your committee and I will come, whether I have the services backing it or not, with something along this line"—the prototype of the "fly-before-you-buy" idea.

This man was so impressed with the Trident facts that he made an exception. There will be a lot said in the debate about the "fly-before-you-buy" program. I knew that, and that is one reason why I called Mr. Packard to get a refreshed recollection from him and myself about what he had said. So here is the chief architect of the modern "fly-before-you-buy" plan, Packard, saying in this case "We do not have the time and I decided we had better go for the plan that will bring us this submarine off the assembly line probably 3 years earlier."

That is the story.

Now I go back just a minute to review this matter again, but one further word about this conversation.

I asked him again, "Now, this can be stated on the floor of the Senate?" "Yes." "And you have given me the high points of your reasoning as to why you reached that conclusion?" "Yes." "Where did the money figures come from?" He said, "I produced those myself."

Now, there is the idea, there is the plan—the accelerated plan—and there is the background of the growth of it, in the mind of the man who was handling that part of the preliminary planning of the budget.

I think it makes a lot of sense. I know it does. And I believe what the man tells me. I regretted it when he left office. I am glad he stayed as long as he did.

That is the problem here. You have to go back and develop these matters to get them in perspective, as I see it. There is the problem, and here is the story.

I say again that the estimates are that this larger sum of money, as contained in this bill, will save us about 3 years' time—especially valuable time should it prove that we need it—assuming the 5-year agreement is going to be adopted, either before it is over or when it is over.

I consider this by far the most important strategic weapon in this bill. Nothing could be put ahead of the submarine-launched missile program in importance, and I think the great probabilities are that it is the most important of all.

I know, in trying to figure out what the probable survivors will be in case we are attacked with nuclear weapons, these submarines show the highest possible score for probable survivorship. One of the main reasons is that they are able to hide themselves and so protect themselves by being hidden.

That brings us, after all, to some discusion about why, how much better, and how this will be better than anything we already have. I will state briefly what I understand about that matter.

There is this idea of security for the weapon itself, in having such an advantage over land-based missiles or the B–1, which is highly important. On the matter of speed, this Trident, the submarine we are talking about, can operate, and operate quietly, at a greater speed than the ones we now have. In other words, it is not so much their total speed forward, though they are faster, but more important, they can increase the forward speed without increasing the noise as much as our present submarines. That is a demonstrated fact, as I understand it. So far, sonar has been about the only certain way, or the surest way, at least, of detection of these underwater weapons, and that is what this "quieter" means: You have got to be as quiet as you possibly can to keep from being picked up by these sonar weapons.

If we all agree that we need this submarine, why not get it as soon as we reasonably can? We want to exercise caution, of course. But back to the big point about this improved submarine: Its missiles will, have a greater range, eventually a 6,000-mile range, which means it can stand away back—farther and farther back in protected areas—and still bring the area of an enemy within its range. It can thus operate, maybe not altogether but in a large way, out of home ports, and that is a tremendous step forward. A tremendous step forward.

The area that it can cover and bring within the scope of its power to throw these missiles, of course, becomes greater by geometric proportions, as I understand whatever small remnant of geometry I might have left. If you have that 6,000-mile range, you have a greater sweep. Your gun barrel has a greater sweep, and you cover much more territory. I like the idea that they can remain nearer home, at home or nearer home, and operate largely from U.S. ports. I am not saying altogether, but largely.

These are powerful factors. These are tremendous advantages. So much so that I want this weapon. I want this weapon, and I can think of some that I am willing to put off. But I do not want to put this one off. We need this weapon, and we need it as soon as we can get it. I do not have any doubt about that.

When you dig down into the very

depths of all the possibilities of everything that can happen under a contract, and all the changes in the economy, inflation, and all those things that can happen, no one can look down into that dark chasm and be sure that he is reading what is down there. So we had just as well take that as the chance that we have got to play. And I know we also have to take chances on others. I never have seen the perfect weapon. I never have seen one, either, that was worth very much, if you had to wait and wait and wait until you were certain and sure before you went into production. If you did all that, you were left far behind. Far behind. And I have heard much criticism here on this floor and elsewhere about R. & D., R. & D. forever, but never any planes, or never any weapons.

There is no definite formula that we can follow here, but I think if we charge ourselves up now with 3 years' time, which could be vital time, and charge ourselves up with the speculative hope that we might be able to get it a little cheaper if we wait, or be a little more certain about his step or that step, I think it would be grave error—a grave error that we might not be able to overcome in the scramble that can go on in 3, 4, or 5 years. I believe it is going to be, perhaps, the most critical time in history, or post-World War II history. If we go into this treaty and go into this 5-year agreement, then those 5 years will be 5 years that are going to write a lot of history for the next 100 years, in my humble opinion—either good history or bad history.

One reason why I am supporting this SALT treaty and the 5-year agreement—I am not certain about it, but one reason I am supporting it—is that with all these countries getting nuclear capability, with the weapons they already have—China, France, Israel, and many other, as Senators well know—this is soon, in a few years, going to be a world that is saturated with the capacity to destroy the rest of the world. I do not think there is much defense to it, frankly. Something has to be done, and I think that time on that score is running out. I am willing to take the chance of going into that. I want to be as certain as we can. But to go into that and then fail to move forward on this program, this weapon that we all say is necessary, I believe would be grave error.

Except for my father, I never have stood in awe of any man. I do not want to please anybody. We are standing in place in history, and there are some witnesses on this subject whom we have put in power to protect us and protect this Nation. The first witness is the President of the United States, and later I am going to quote what he said on this matter. Another witness, like him or not, is the present Secretary of Defense. I should not talk about liking him. Everybody respects him. I want to make that clear. He is a fine man, with a fine mind. He is not a "me-too" man. I have no pull with him. I am talking about Mr. Laird. His seriousness about this matter, his persistence, his testimony, his conversations, and the tone of his voice have some meaning to me. I deal with him a great deal, and with many others. But that is by no means awe.

Do not discount the military men too quickly. There is no finer American in my book than Admiral Moorer. He has had a fine career; he pulls his way up every step. Nothing brought him up but merit. He is a man of professional attainment and judgment. He stands very firm and very strong on this matter. He is near the end of his military career. Certainly, it is not just military thinking. These men go through a great deal. I know they do.

Do not discount Admiral Zumwalt, either. He is a man of tremendous ability. He wants other things in this bill, and he works for them. He has a good mind, and he has a sense of responsibility.

I believe I already referred to Admiral Rickover. I am told that at a time yonder, in post-World War II—I do not know just where it was—there was a young naval captain named Rickover who thought we ought to go into nuclear power for the Navy. No one else in the Navy thought much of it. They resisted him, as I understand it. I was not here then. Others are here who have known him longer and know more about that record. Anyway, he was hammering on it by the time I got here in 1947, and it was still a hot issue. A great many said it could not be done. But he kept going. He had a great deal of help, of course, but, more than any other man, he is the father of this nuclear Navy.

With respect to the money aspect, I am told that all the money that has been spent in research and development over the years by the military services, with reference to the reactor part—the R. & D.—amounts to $1.5 billion. That sounds like a great deal of money, but there is more than $8 billion in this bill alone for military research.

To my mind, it is a very responsible figure. In the cases I know about in which Admiral Rickover was dealing with these matters, if he had been operating on me, I would have thought he was a mighty hard-boiled cookie—and that is what he is, in reference to pursuing these matters once he is put in charge of a program.

If it is authorized and built, it will be in the hands of Admiral Rickover and Admiral Smith, in a large way. In this field, they are the finest team in the world.

I simply recount these things so that any Senator who has not had a chance to be familiar with these matters certainly will not be jumping off a deep end with respect to weaponry, taking chances on cost, taking unnecessary chances. There is always a chance about a weapon, how well it is going to work. But this time we are operating in a well-defined field of weaponry. There is not a great deal new about it. It is in the hands of those who fathered this field, to a degree. We have these recommendations. We are moving into a field of uncertainty as to what can be thrown against us in the way of warfare at sea. This is a chance to save these 3 years, and it is a chance we should not avoid, because I think the risk is too great.

Mr. President, with how much time have I been charged?

The PRESIDING OFFICER. The Senator has expended a total of 62 minutes at this time.

Mr. STENNIS. Mr. President, I yield the floor.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. BENTSEN. I will yield, if the Senator from Missouri will withhold his request for just a moment.

Mr. President, I ask unanimous consent that the name of the Senator from Delaware (Mr. ROTH) be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. Mr. President, I yield to the distinguished Senator from Missouri, a senior member of the Committee on Armed Services.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that Miss Nelson, of my staff, have the privilege of the floor during the consideration of this bill today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, I regret that less than 10 percent of the membership of the Senate is present to hear this discussion.

The PRESIDING OFFICER. How much time has been allocated to the distinguished Senator from Missouri?

Mr. BENTSEN. Such time as the Senator desires.

WHY PRODUCTION MONEY FOR FOUR "TRIDENT" SUBMARINES SHOULD NOT BE APPROPRIATED AT THIS TIME

Mr. SYMINGTON. Mr. President, for over 30 years, in one way or another, I have been connected with weapons problems incident to the security of the United States; and experience obtained during those years resulted in my unreserved approval of Secretary Laird's recently announced "fly-before-buy" policy for production procurement of new weapons systems.

I mention in passing we were glad to have Secretary Packard with us here for a few years before he went back to his business. However, an equal advocate of "fly before buy" before the committees is the Secretary of Defense, Secretary Laird.

In this military authorization bill we are now being asked to consider in the Senate a major violation of this policy. We are being requested to authorize nearly $400 million for the advanced production of four new Trident submarines in addition to the $555 million that is being requested for research and development on this submarine and an ULMS I missile—estimated range, 4,500 miles.

If this request is approved, the Congress, despite all the emphasis on this new policy and the growing overall financial problems of this Nation, with which we are all so well connected in one way or another, would be approving hundreds of millions of dollars in the blind, because according to the Navy as yet there is not even a complete set of blueprints for this proposed submarine, a submarine which will be two-thirds the size of a World War II aircraft carrier, a submarine which will cost hundreds of millions of dollars more than even the latest nuclear-type carrier.

If this accelerated program is approved, we are told it would permit deployment of the first Trident submarine in 1978, 2 to 3 years earlier than planned.

This proposal was first made earlier this year. Subsequently the Defense Department submitted a fiscal year 1972 supplemental request which included $35 million to begin work on the accelerated Trident ULMS program prior to approval of the fiscal year 1973 budget.

The full Armed Services Committee deferred consideration of this request until the committee could investigate the total program and the need for accelerating same. That investigation was not handled by the full committee, rather by the Research and Development Subcommittee; and, therefore, those of us not on that subcommittee looked to its report for some guidance.

Now it goes without saying that I believe there is no higher priority for our increasingly limited Federal resources than supplying this Nation with what it actually needs for national security.

Let me also respectfully remind my colleagues at this point that in my 20 years in the Senate, the Navy has never had a more ardent advocate for more submarines, missile submarines, and attack submarines. In this connection, one could only view with increasing apprehension the fact that during all the years since World War II the United States has continued to build more and larger carriers at the same time the Soviets, who have been expanding their Navy to where they are now acknowledged to be the world's second naval power, nevertheless have yet laid down a single carrier.

Over these same years the efforts of the Defense Department to justify this position—letting the Soviets get so far ahead of us in attack submarines—have appeared both theoretical and inconclusive.

The Research and Development Subcommittee of the Senate Armed Services Committee held a series of hearings and briefings on the ULMS program, the bulk of which hearings have now been printed and are available.

On June 27, in the absence of Chairman MCINTYRE of that subcommittee and during the markup of this military procurement bill, the Senator from Texas (Mr. BENTSEN), who is the sponsor of the amendment I shall support, gave an outstanding presentation of the findings of the Research and Development Subcommittee, one of the best that it has been my privilege to hear since I came to the Senate.

In this presentation he outlined the following alternatives as to how the full committee might proceed with this Trident/ULMS program:

Alternative 1: Accept the administration's proposal of a dramatically accelerated program by approving the requested production money as well as the R. & D. money.

Alternative 2: Deny the requested production money but maintain the initial operational date for the ULMS I missile. This would delay the now in development Trident submarine by an estimated 2 years; that is, to 1980.

Alternative 3: Delete all but the $398 million for Trident research and development, thereby reducing the program to the level proposed before the acceleration request. Under this funding, the operational date of the submarine would be delayed until 1981; but the ULMS I missile would remain on the same schedule as that proposed under the accelerated program.

After their extensive hearings and examination, the third alternative was the one recommended by the Research and Development Subcommittee. Nevertheless, as a result of the various switching of votes, and so forth, it was defeated in the full committee by an 8-to-8 tie vote.

Because of my conviction that the recommendation of the subcommittee was sound, I support without reservation the proposed amendment of the Senator from Texas.

Again, as one who for many years has been a strong proponent of this Nation's submarine program—ballistic missile submarines as well as attack submarines—I am fully aware of the importance of maintaining the quality of this vital component of national security—today probably the most important leg of the SLBM, ICBM, strategic bomber triad.

For that reason, I also support research and development on a longer range ballistic missile so as to improve the capability of our submarine force; and at some point in time can visualize the necessity to begin replacement of our current Polaris/Poseidon fleet.

But as presented so clearly by Senator BENTSEN in the report of the Research and Development Subcommittee of the Senate Armed Services Committee, that time is not now; and here are some of the reasons why.

The first Polaris submarine went to sea in 1959; the last was built in 1967.

The estimated life of a Polaris submarine is between 20 and 30 years; therefore, the need for replacement on the basis of age will not be essential until the middle 1980's at the earliest.

The United States is currently spending each year about $2.2 billion on its Polaris/Poseidon fleet. This includes conversion of 31 of our 41 Polaris submarines to carry the Poseidon MIRV missiles.

When this conversion is completed in 1976, the number of devastating nuclear warheads carried by missile submarines of the United States will be many thousands. As the able Senator from Texas pointed out when presenting the position of the subcommittee:

> This capability is so great that, for the near-term, no one seriously questions the ability of the Polaris/Poseidon force to deter our potential enemies single-handedly.

Mr. President, again this morning we heard about the thinking of an able and successful businessman, who stayed here a few years and then went back to the pleasures of private business. I respect his opinion but wish he had had more experience. He was not here very long. But it is his position that the chairman of this committee stated in his talk in effect was the basis for much of his thinking on this matter.

I think we should also give consideration to the thinking of the able staff of the Research and Development Subcommittee and the members of that Committee, the work they did in the report submitted by the able Senator from Texas (Mr. BENTSEN). I value those weeks of work and that thinking, combined thinking, at least as much as any telephone conversation and position taken by a successful member of the military industrial business.

One of the reasons advanced by some for accelerating this Trident/ULMS program at this time is the future Soviet antisubmarine warfare threat to Polaris submarines. In this connection, however, in his report Senator BENTSEN also stated:

> After review of all the known technology and the estimates of enemy capabilities, it is concluded that there is no identifiable threat that would endanger even a small fraction of our submarine force for the foreseeable future.

In other words, from a military standpoint, there would appear no justification whatever at this time for the acceleration of the Trident/ULMS program. On the contrary, it would appear far more justifiable to proceed with the program at an orderly pace so as to have an opportunity to consider more thoroughly some of the complicated factors that are associated with this overall weapons system.

Consideration should also be given to the future composition of our submarine force in light of the recent SALT agreements.

At a White House briefing last July 15, Dr. Kissinger stated the new Trident (ULMS) missile submarine will "very likely" be deployed as a replacement for current submarines. If this is the case, and the U.S. level of submarines and launchers is maintained as outlined in the protocol to the interim offensive agreement—44 submarines and 710 ballistic missile launchers on said submarines—it would seem to our military advantage to have a maximum number of submarines with long-range ballistic missiles.

But in this connection, the Trident submarine is being designed to carry 24 launchers, whereas the Polaris/Poseidon type has 16; and under the protocol agreement, if the United States decided to replace the 10 older Polaris submarines—with their total of 160 launchers—with Trident submarines, the total number of submarines permitted under the agreement would be six.

By the same token, if the United States decided to trade in for Tridents its 54 Titan land-based missiles in accordance with the agrement, as well as these 160 launchers on the older type Polaris, the total number of submarines possible under the overall launcher limitation of 710 would be 39. If we stayed with the newer type Polaris/Poseidon, however, which could be retrofitted with the ULMS I missile, this Nation could have 44 nuclear launching submarines.

In view of possible major developments in Soviet antisubmarine warfare (ASW) capabilities, to me it would appear clearly to our strategic advantage to have as many of this type submarine as possible.

As noted in their report on the bill, this matter is of concern to the Armed Services Committee, not just the Research and Development Subcommittee. Let me read what that report states:

> The initial replacement of even the 10 oldest Polaris ships could be accomplished with only 8 Trident, for a reduction of 2.

We have been hearing a lot of talk about the importance of increasing the number of submarines because of the activities of the Soviet Union. But now we are being asked to approve a plan to reduce that number.

I continue to read from the committee report:

> The Committee encourages the Department of Defense to weigh this matter very carefully before freezing the design of the Trident submarine. The fact that the Soviets appear to be building their submarines with 12 instead of 16 launchers each, as on the Yankee Class, raises serious questions regarding the different values that the two countries placed on the advantage of a greater number of submarines to enhance survivability.

At this point we want right to the question: Do we want more submarines, or less? That is a matter that must be considered when we consider under the SALT agreement the limitation of 710 ballistic missile launchers on said submarines.

Another consideration is the unprecedented high cost of this ULMS Trident program. It was admitted in testimony that the Navy estimates, going in, that the total program cost for 10 Trident submarines will be $13.5 billion; that is, nearly $1.4 billion per submarine. In other words, each submarine will cost hundreds of millions of dollars more than the most expensive and newest nuclear carrier.

This price tag in itself is incredible; and it should also be pointed out that said estimated cost does not include the following items, the cost of which, to my knowledge, with no exception, always increase—of which runs into additional billions.

First. Research and development and procurement funds for the ULMS II missile.

Second. The Atomic Energy Commission cost of the missile warheads.

Third. The cost of the second Trident base on the Pacific coast that Secretary Laird has already testified would be needed.

Fourth. The cost of the prototype test facility we are told is needed for operating and testing the nuclear propulsion plant that we are told is necessary for the ULMS submarine.

Based on all past experience, these unprecedentedly high estimated costs are certain to increase if this requested accelerated program is approved. Surely the Congress should deny production funds, at least until there is some final decision as to design.

The Bentsen amendment would require just that. I would follow the administration's own weapons acquisition guideline of "fly before buy," a guideline that has been stressed time and again by the Secretary of Defense before such committees as the Armed Services Committee, the Foreign Relations Committee, the Appropriations Committee, and the Joint Atomic Energy Committee as the only proper way to purchase any new weapons system.

Last week the Navy itself testified that they did not yet have the completed design blueprints for this Trident submarine system; therefore, not only the Congress, but the Defense Department itself, does not and cannot know how these hundreds of millions of dollars of currently requested production money would actually be utilized.

Nor is there any knowledge of what the Soviet ASW threat will be in the 1980's; a threat which, in effect, this proposed new submarine system is designed to counter.

The taxpayers of the United States have already expended unnecessarily tens of billions of dollars to counter predicted enemy threats that later turned out to be inaccurate, incorrect predictions.

In the early 1950's this Nation expended many billions of dollars on a bomber defense later found unnecessary because the Soviets did not build the bombers we had been told by our intelligence that they were building.

In the late 1950's we spent additional billions to close a missile gap that later proved nonexistent.

I put in the RECORD some time ago the cost to the taxpayers of the missiles we have paid for out of the taxpayers' money that have been abandoned, either before or after they went into production; totally abandoned. That cost at that time was around $24 billion.

In the late sixties and early seventies the United States planned to spend additional billions on systems that are now being discarded.

We have now arrived at a point where every American citizen has the right to ask, "How long can the economy of this country afford any such hasty, haphazard operation in its defense expenditures?"

The Polaris/Poseidon submarines are proven products. To anyone who knows anything about manufacturing, the significance of that statement is important. The tools, jigs, dies, and fixtures for their production have been built; and if the Defense Department believes we need more of those submarines, I, for one, would vote today for a reasonable increase in their number.

Anyone who has had any manufacturing experience, putting out a line of merchandise, whether it be a car or a radio, or a refrigerator, knows about the additional cost incident to additional gadgets. We are asking the Federal Government for $398 million for additional research and development on this submarine.

For the Congress to put up heavy production money at this time, however, in order to build a new submarine the design of which has not been completed, a ship the Defense Department already admits would be by far the most expensive ship of any kind ever built in the history of the world, attacks both credulity and credibility.

We are told by knowledgeable and informed people that, based upon today's technology, a high performance submarine nuclear powerplant could well be developed in a few years, and that this powerplant would cut heavily both the size and the cost of the one currently being proposed for the Trident.

For these reasons, I urge the adoption of this amendment; an amendment which leaves in the bill hundreds of millions of dollars of the money of our taxpayers for research and development on this proposed new submarine, but would take out the production money for a boat on which as yet even complete blueprints are not available.

Now, Mr. President, as we continue in the effort to obtain more truth on this subject, additional facts come to light which show the degree—not only the nature but the degree—of the sudden shift in policy the administration is now demanding that the Senate approve.

One of the major reasons for slowing down this Trident/ULMS program is concern that the accelerated program will result in the concurrency problem which has plagued so many other weapons systems. In this connection, I would hope the chairman of the Armed Services Committee would refer to his committee report of September 7, 1971, on last year's Defense bill, which reads as follows:

> Weapons programs involving a large degree of concurrency, or overlap between development and production, have resulted in commitments to production while "great technological uncertainties" still remain to be resolved.

If there ever was a statement which correctly interpreted this effort to accelerate the still uncompleted design of the Trident, there it is.

The report goes on to state:

> These uncertainties have not been reduced by the extensive paper studies, accelerated schedules, and detailed recordkeeping which have accompanied such programs. When changes must finally be made in weapon design during the later stages of development, concurrently has maximized the cost of these changes.
>
> The Department of Defense has recently made known its awareness of this concern. On July 13, 1971, the Department issued Department of Defense Directive 5000.1, which emphasizes the importance of eliminating unnecessary overlapping or concurrency. This is a welcome statement of policy, but concurrency was previously thought to be necessary, primarily to speed up programs and to prevent gaps between development and procurement and thus keep industry teams together. These problems must be addressed before it will be clear that real improvements have been made.

That comes right out of the report of last September of the Committee on Armed Services of the Senate.

This accelerated Trident program presented to us, and which the Bentsen amendment hopes to prevent, violates not only the Defense Department's own guidelines, but also this recommendation on weapons procurement of the Committee on Armed Services.

The administration now argues that the accelerated Trident program is needed to assure our "strategic sufficiency" in the period following the end of the Interim Offensive Agreement and for the purpose of bargaining from strength in the next round of the SALT negotiations.

Following are recently declassified figures from a National Security Council paper dated June 1972 supplied to the Foreign Relations Committee which show that in 1977 it is estimated the United States will have more, than a 2-to-1 advantage in operational independent warheads:

Mr. President, I ask unanimous consent that the figures to which I have referred may be printed in the Record at this point.

There being no objection, the figures were ordered to be printed in the Record, as follows:

	1972		1977		
				U.S.S.R.	
	United States	Operational or under construction, U.S.S.R.	United States SALT limit	Potential without SALT	Under SALT
Missiles	3,428	1,970	5,890	6,500	3,700
Heavy bombers	2,460	250	3,800	250	250
Total	5,888	2,220	9,690	6,750	3,950

Mr. SYMINGTON. Mr. President, the Soviets do not yet have MIRV; however, assumption of an all-out Soviet MIRV conversion effort could add 1,500 to 1,900 more warheads to the Soviet SALT total of 3,950. If they did do this, the United States would still have almost 4,000 more warheads than the Soviets. Once again, all this information is from the National Security Council; and it would seem that such a ratio gives the United States more than "strategic sufficiency."

Last year's Armed Services Committee report dated September 7, 1971, on the Defense bill contained the following comment with respect to one of the problems with the Defense Department's procurement policies.

> In a surprisingly large number of cases, DOD policies over the last several years have emphasized the development of platforms for weapons without sufficient emphasis on the weapons themselves.

Let us say "Amen" to that comment; it was never more clearly proven than by what is being requested at this time. We are being asked to produce a design we do not yet have, therefore do not yet know how to build.

Mr. President, I know something about manufacturing, and when anyone says you can accelerate, speed up, a program and at the same time reduce cost, I feel like Senator Kerr, our late great colleague, when he said, "I thought I had seen and heard everything, and I have been to the Dallas Fair twice."

Finally, let me present what the Secretary of Defense recently said. This has now been published. In the SALT hearings of the Foreign Relations Committee only released this week, from the hearings held June 20, 1972, in answer to a question Secretary Laird said:

> Trident II missile is not firmly programmed or defined, not estimated in inventory until mid-1980's at the earliest.

In other words, this even longer range missile which only fits in the Trident submarine, and one of the major arguments proponents of the accelerated program make in behalf of this very expensive boat, will not be available until at least 7 years after the Trident submarine, scheduled for delivery in 1978 under the accelerated program.

The ULMS I missile, however, will have an operational capability in 1977 and it can be retrofitted in the Polaris/Poseidon fleet.

Mr. President, I do not criticize any group of people interested in getting business when they are running out of business, for putting forth this type effort. But surely the time has come when, as Senators, we must give consideration to what we really need from the standpoint of the security of our beloved country.

It has been my good fortune, my privilege, to be connected, in one way or another, with the security of the United States for over 30 years. I say that, in my opinion, this request to accelerate production of a not yet designed submarine which already is admitted to be the most expensive ship ever constructed by any country in world history is as dangerous, and could be as wasteful, as any single item of our military operations since I have been in Government.

[Applause in the galleries.]

Mr. SYMINGTON. Mr. President, I commend the Senator from Texas——

The PRESIDING OFFICER (Mr. Ribicoff). Will the Senator suspend? The Senate will not permit any demonstrations by occupants of the galleries. If it recurs, the galleries will have to be cleared, so you will please refrain.

The Senator from Missouri will continue.

Mr. SYMINGTON. I commend the able Senator from Texas for the courage and wisdom he has shown the report he made to our full committee. I do not know whether there was a reporter present, but wish it could be made part of the Record. He convinced me that this request for accelerated production before design was unwarranted. If we give full consideration to the Federal financial problem that has become so increasingly clear, we should reject the request by voting for the Bentsen amendment.

I yield the floor.

Mr. HART. Mr. President, there may be disagreement whether unnecessary Pentagon spending is more inflationary than unnecessary spending in any other area. But there is no disagreement that unnecessary Pentagon spending is at least as inflationary as unnecessary spending for any domestic program.

It is therefor in the national interest for Congress to take at least as hard a look at Pentagon authorization requests as it does at funding proposals from other departments.

A hard look at the request for the Trident submarine-launched strategic missile system shows that the authorization can be reduced by more than $500 million without endangering the national security nor the effectiveness of the system.

To the contrary, the slowdown resulting from such a reduction could well mean development of a more effective Trident weapons system.

For that reason, I am pleased to cosponsor the amendment offered by the able Senator from Texas (Mr. Bentsen) a member of the Armed Services Committee, to reduce the authorization for Trident from $906 million to $398 million.

It is my understanding that a similar, amendment lost in the Armed Services Committee by a tie vote.

My decision to support the amendment was based on the following considerations:

In September 1971, the Pentagon decided to request an authorization of about $400 million to begin development of the Trident system, which includes both a missile and a submarine.

Both the missile and the submarine are to have a greater range than our nuclear missile submarines now on duty. There is general agreement the increased range of the Trident system would increase the effectiveness of our sea-based deterrent by making it more difficult for enemy forces to locate the submarines.

The question then is not with the concept of increasing the range of sea-based deterrent, but whether a new Pentagon request, made in January, for an additional $500 million to speed up deployment of the Trident system makes sense.

Under the revised authorization request, submitted in January, the first Trident submarine would be deployed in 1978 rather than in 1981.

There is no need for such an expensive speed up in the production schedule and there is sound justification for holding to the original schedule.

The planned lifetimes of our 41 Polaris and Poseidon submarines, which will provide us with more than 5,000 independently targeted warheads, run well into the mid-1980's.

Under Senator Bentsen's amendment, development of the Trident missile will continue on schedule. It is my understanding that it will be possible to install the Trident missile on our present nuclear submarines, thereby greatly increasing the effective range of those submarines.

The SALT treaty limiting deployment of antiballistic missile systems, and the interim agreement covering construction of submarines, enhance the deterrent credibility of our Polaris and Poseidon submarines.

The national security, thus, is not threatened by holding to the Pentagon's original schedule.

Equally important, it should be remembered that we are discussing a weapons system which could cost as much as $40 billion. It is in the national interest to guard such an expensive system against early obsolescence.

We can help do that by delaying full scale production until after pilot models have been fully tested.

The longer we delay final construction plans, the more opportunity our designers have to look into consideration breakthroughs in antisubmarine warfare.

And finally, the longer we delay the better idea we will have of Soviet military plans.

In brief, because there is no immediate need to speed up deployment of the Trident system, good planning dictates that we take full advantage of all the time available, to come up with the best system possible.

For these reasons, as well as in the interest of eliminating unnecessary Federal spending, this amendment should be approved.

ORDER FOR PRINTING OF H.R. 10420

Mr. HOLLINGS. Mr. President, I ask unanimous consent that H.R. 10420, the Marine Mammal Protection Act of 1972, be printed as amended by the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on July 26, 1972, the President had approved and signed the following acts:

S. 764. An act to authorize the disposal of lead from the national stockpile and the supplemental stockpile;

S. 1545. An act to amend section 378(a) of the Agricultural Adjustment Act of 1938, as amended, to remove certain limitations on the establishment of acreage allotments for other farms owned by persons whose farms have been acquired by any Federal, State, or other agency having the right of eminent domain;

S. 2359. An act for the relief of Willard O. Brown; and

S. 3086. An act to authorize the disposal of nickel from the national stockpile.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Office (Mr. RIBICOFF) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 916) to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 440. An act to include inspectors of the Immigration and Naturalization Service or the Bureau of Customs within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in hazardous occupations;

H.R. 11128. An act to authorize the partition of the surface rights in the joint use area of the 1882 Executive Order Hopi Reservation and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes; and

H.R. 12807. An act to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 648) providing that the House of Representatives and the Senate shall not adjourn for a period in excess of 3 days, or adjourn sine die until both Houses have adopted a concurrent resolution for an adjournment—in excess of 3 days—to a day certain or for adjournment sine die, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 736) to designate certain lands in the Cedar Keys National Wildlife Refuge in Florida as wilderness.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 440. An act to include inspectors of the Immigration and Nauralization Service or the Bureau of Customs within the provisions of section 8336(c) of title 5, United States Code relating to the retirement of Government employees engaged in hazardous occupations; to the Committee on Post Office and Civil Service.

H.R. 11128. An act to authorize the partition of the surface rights in the joint use area of the 1882 Executive order, Hopi Reservation, and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 12807. An act to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government; to the Committee on Government Operations.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield 10 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. STAFFORD. I thank the chairman of the committee, the Senator from Mississippi (Mr. STENNIS), for yielding to me at this time. I have the very greatest admiration and respect for the distinguished Senator from Missouri (Mr. SYMINGTON) and the distinguished Senator from Texas (Mr. BENTSEN), but I do find myself in this particular case on the opposite side of the issue.

Mr. President, there are several points raised by my distinguished colleague from Missouri which I wish to discuss in view of information I have received. I think this information may clarify these points. This Trident program is so important that I feel that we should all understand the misinterpretations that can be applied even quite inadvertently, to some of the facets of this complex program. The point has been raised that the Navy does not yet have even a complete set of blueprints for this proposed submarine. A submarine which, it is asserted, and I quote:

> Will cost hundreds of millions of dollars more than even the latest nuclear-type carriers.

First, as to the blueprints, the Navy has completed the preliminary design of this submarine. There exists a complete book of prints—not working blueprints for a shipyard worker—but nonetheless, ship configuration, compartment arrangement plans, and even considerable detail as to some of the piping arrangements and detail as to frame construction. I am informed that the progress in this ship design is, in fact, well ahead of parallel ship developments in the past, for this point in progress. This has been made possible by pursuing well over 100 different designs, much of this in answer to searching probes by various devil's advocate groups, by various organizations within the Office of the Secretary of Defense, and within the Navy itself. If the Navy were to have such working blueprints as has been indicated by my colleague, we might do well to inquire into the legality for their having them. Such working blueprints should not be forthcoming until the process of contract design and details design are funded by ship construction. Navy money which is the big item under discussion in the proposed amendment. I submit that the Navy has a very sound foundation for proceeding with the plans in hand. I also have been informed that there remains flexibility in these plans to accommodate varying such important parameters as numbers of missile tubes should that be desirable and necessary.

Next, I feel we should discuss the cost of the submarine. We refer to the aircraft carrier which is a subject of yesterday's vote, as costing $1 billion. This is the most expensive aircraft carrier we have to date. When one examines the costs of research, the costs of these in fact, that the cost does not approach this. Only when one adds all the program costs, the costs of development and the costs of research, the costs of these items for the missile and the submarine and all related equipment, the costs of the missiles and all hardware itself, the costs of the repair facilities for the ship and the missile facilities, and all real estate purchase involved—then divide that by the number of ships, 10, we get an average of about $1.3 billion per ship. Were we to similarly add in all the related items for an aircraft carrier, or for any other weapons systems, we would gain an entirely new perspective. The project manager for Trident has submitted a very detailed program which shows that the average cost of the follow-on ships of the 10-ship program is well less than $500 million per ship. I think this calls a spade a spade, so let us forget the "billion dollar submarine" term unless we adopt a "several billion dollar" term for other systems.

I share with my colleague from Missouri the admiration and advocacy for submarines. I feel strongly that the submarine because of its great survivability offers us the brightest rays of hope for stability, sufficiency, and flexibility—for whatever type of weapon system performance we need—for the future. It is this same admiration for the developer of the nuclear submarines, Vice Admiral Rickover, which compels me to speak out somewhat against denouncing the Navy in this case for going against the "fly-before-buy" policy. Of the sum of money which is the subject of the proposed amendment, the majority of that sum is to be spent under what we know is the very strict control and tight management procedures employed by this man who has been doing the same outstanding job for over 20 years. I think his track record is such that if he says this can be done, it not only can be done, but will be done. My judgment is that the "fly-before-buy" policy was necessitated because of a number of defense programs where the tenure of personnel, attention to detail and technical follow-through were missing. This is not the case in the development organizations I see in Trident. Further, the technology employed in this new propulsion plant for which the Navy requests long lead procurement money is not high risk, unknown technology. The reactor plant upon which it is based has been tested at sea. This is an ungrading, and enlargement of that very successful plant. The Navy has in a sense a prototype at sea.

The long lead time required to construct a very complex missile submarine, and the long lead time required for reactor and propulsion plant components demands that the Navy move out now on procurement of these items in order to be in a position—whether or not they build the ship in a year or so—but it would be in a position to build these greatly improved ships without having to face the barrier of this lead time when it becomes painfully evident that the ship is a necessity.

Mr. President, my colleagues, I support the Navy's request and ask that you vote with me against this proposed amendment which has been carefully thought out by our colleagues. There is no doubt in my mind that the Trident system provides a mighty keystone to whatever policy, or variations of that policy, may evolve in the near or distant future. Survivability and credibility of a strategic offensive system is paramount. I feel Trident provides these ingredients for our country.

Mr. President, I yield back the remainder of my time to the chairman of the committee.

Mr. SYMINGTON. Mr. President, will the Senator yield to me?

Mr. STENNIS. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, in reply to my able friend from Vermont, I would quote the following testimony of Admiral Zumwalt on July 21, question and the answer:

> Senator SYMINGTON. When will you have the complete design package and blueprints so you can give it to a contractor and say, "This is what we want to build"?
>
> Admiral ZUMWALT. I believe that will be in the fiscal year 1973, well toward the end, as a result of the work that we would do with the money authorized and appropriated.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield the Senator from South Carolina 10 minutes.

Mr. THURMOND. Mr. President, the drift of the debate on the Trident amendment and the position papers distributed by those supporting this amendment have taken a soft-sell approach.

Almost everyone claims they support Trident, but merely object to its acceleration. One of their chief arguments is that speeding up the program introduces development problems and may prevent desirable design changes which would evolve in a slower program.

There are two answers to this argument: First, a larger submarine with increased missile range has been under study for 4 years. It is not a plan cooked up in the past few months. Second, the Navy's top nuclear submarine designers, Admirals Rickover and Smith, are in charge of this project, and their past record supports their contention that Trident will be successful on the accelerated schedule.

Mr. President, we have no finer experts in this country, and there are none finer in the world, than Admirals Rickover and Smith. Admiral Rickover is the father of the nuclear submarine system, and when we have his opinion that the Trident will be successful on the accelerated schedule, who is there to contradict him?

Admiral Rickover has no goal except to protect America. He has no reason to distort the question. Admiral Rickover wants to preserve the security of this country, and it is his opinion that the accelerated schedule will be successful.

The proponents of this amendment also claim former Secretary David Packard's plan for Trident called for a slower development pace. That may be true, but several reasons for the acceleration have developed since Secretary Packard left office, and it is wrong to imply he would oppose this speedup.

In fact, the able and distinguished chairman of the Armed Services Committee stated on the floor of the Senate today that he had talked over the telephone with former Secretary Packard, and that Secretary Packard gave as his opinion that this speedup should be made, that this program should be accelerated.

Now, there is a man in whom I think we should all have the utmost confidence. Since I have been in the Senate, I do not think I have been more impressed by an official in the Pentagon than I have by David Packard. He not only is an able man and an able industrialist, but he studies these questions. He is dedicated to what he does, and his opinion carries tremendous weight with Congress and with the people all over the country who know him. And, I repeat, Mr. Packard feels that this program should be accelerated.

It is also noteworthy that the acceleration need manifested itself since last fall when Secretary Packard departed. It is clear when one fully examines the reasons for the accelerated program.

First, although the accelerated program was requested when the 1973 Defense budget was submitted the SALT agreement adds new reasons and new justification for the speedup. This is because SALT limits the numbers of U.S. strategic missiles. Thus, it behooves us to improve the quality of those allowed under the treaty. This is a factor Secretary Packard could not consider when he was here because at the time he left office the Soviets had not even agreed to include sea-based missiles in the treaty. But, as I say, Secretary Packard has studied the question since then, and now agrees that we should speed up the program.

Second, since the Soviets have a numerical advantage over the United States in intercontinental ballistic missiles—ICBM's—under SALT, the United States has thus placed great importance on our missiles having the multiple independent reentry warhead—MIRV—feature.

However, once the Soviets achieve MIRV, and they most certainly will, then by virtue of having more ICBM's and more payload capability they will be able to drop more warheads on U.S. targets. This will increase the vulnerability of the U.S. bomber and land-based-missile forces because more warheads would serve to overpower our reduced ABM defenses. Thus, our sea-based and less vulnerable strategic missiles will become more vital as a retaliatory weapon in the event of an enemy first strike. Needless to say, a new sea-based missile will also serve as a strong deterrent to any would-be aggressor.

Third, a key point worthy of consideration is the fact that Trident will be about ready when the 5-year SALT offensive treaty agreement expires. By speeding up the program the President is in a better position for SALT II, and also in the event the treaty expires without further agreement.

Of equal importance in supporting the accelerated Trident, Mr. President, is the fact that the Soviets are pushing hard on antisubmarine warfare technology. Should they achieve a technical breakthrough, their over 300 attack submarines could neutralize the present Polaris/Poseidon forces because these submarines were built with technology of 1958. While we have newer missiles on our current subs, the noise levels and other characteristics of the submarine itself represent technology of the Eisenhower years.

Also, the time factor on the acceleration fits nicely into the present ongoing programs on Polaris/Poseidon. To delay Trident would result in higher costs due to timing with other works as well as the inflation factor.

Finally, the Senate should realize that with the Washington based antiballistic missile site in doubt, increased emphasis must be placed on command and control of our strategic missile force. The home basing of Trident would give the President better command and control options should the capital ABM fail to pass Congress. The longer range of Trident means these subs would be closer to and more responsive to the Commander in Chief. This strengthens the important command and control factor.

Mr. President, our missile submarines are a vital part of the Triad deterrent strategic systems. Even the proponents of this amendment recognize we must eventually have Trident, as their amendment leaves $398 million in the bill for research and development for this new nuclear submarine.

If we are going to eventually have it, why not have it sooner, especially when experts like Mr. Packard, Mr. Laird, Admiral Rickover, and Admiral Smith say that the accelerated program can be successful? If it can be successful, why delay the program? It merely adds strength to our presence in negotiating with other countries, and gives strength to the security of this Nation.

In closing let me urge my colleagues to reject this amendment as it would result in delaying a top priority program and would also mean higher costs for this system and unacceptable risks for our people in years ahead.

The PRESIDING OFFICER. The time of the Senator is expired.

Mr. STENNIS. Mr. President, I yield the Senator 3 additional minutes.

Mr. THURMOND. Mr. President, this morning's Washington Post carries an article giving the latest statistics from Jane's "Fighting Ships." The new edition of this authoritative handbook was issued yesterday and the figures which are given are very pertinent to the debate today. The headline tells the story, "Jane's Says Russia Rules All in Subs."

I am not surprised at this information. The Soviet Union has been building submarines at the rate of 1½ a month and cruisers at the rate of 1½ a year. Jane's estimates the Soviet submarine force at 95 nuclear powered vessels and 313 conventionally powered vessels. This contrasts with 98 nuclear submarines for the United States and 35 conventional submarines. This simply means that the Soviets are ahead of us, far ahead of us, in conventional submarines—313, compared with our 35. Although we have 98 nuclear submarines, the Soviets have 95 nuclear submarines, and they are building them so fast that they not only will catch up with us but also will soon surpass the United States with respect to nuclear submarines.

We must never forget that the free world is bound together by a maritime alliance dependent upon our ability to maintain our sealines of communication. If we break those bounds by allowing those sealines to be severed, our alliance will disintegrate.

Mr. President, I ask unanimous consent that the article from the Washington Post of Thursday, July 27, entitled "Jane's Says Russia Rules All in Subs," be printed in the Record.

I also ask unanimous consent that a letter signed by the distinguished Senator from North Carolina, Mr. Ervin, the distinguished Senator from Texas, Mr. Tower, the distinguished Senator from Arizona, Mr. Fannin and myself, along with the letter's attachment, a paper titled: "Why the Committee Level of Funding for Trident Should Be Maintained" be placed in the Record following my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

JANE'S SAYS RUSSIA RULES ALL IN SUBS

London, July 27.—The Soviet Navy is expanding to every ocean and "can snap its fingers at all the maritime countries," the authoritative Jane's Fighting Ships said today.

Russia has more submarines than the United States, or any other country, can possibly construct now, and is reported to be building the first of a fleet of aircraft carriers to match those of the U.S. Navy, Jane's said.

In a foreword to the 1972–73 edition, Jane's editor Raymond Blackman, said:

"It is a sobering thought that no other country in the world in this day and age of sophistication and inflation can possibly build as many submarines as the Soviet Navy has at the present time.

"The Soviet Navy's attitude to the older naval powers seems to be: anything you can do we can do better. In short, the Soviet Navy has given the victory sign to the world."

The British Royal Navy, which once ruled the waves, has "fallen below the safety level," Blackman said.

Jane's listed the total U.S. submarine force at 98 nuclear submarines, including 41 ballistic missile-carrying vessels, and 35 conventional submarines.

It estimated the Soviet submarine force at 95 nuclear-powered vessels and 313 conventionally powered vessels.

In surface vessels the United States has 17 aircraft carriers in service and 9 under construction, 8 missile cruisers, 30 missile frigates, 29 missile destroyers, 104 other destroyers and 69 escorts.

Jane's estimated Soviet surface ships at 2 helicopter carriers, 12 guided missile cruisers, 15 gun cruisers, 39 guided missile destroyers, 66 gun destroyers, 130 frigates and 258 escorts.

Jane's said there have been "many and varied" reports that the Soviet Union is building at least one aircraft carrier and that up to eight others are planned.

It said estimates of the size of the first Soviet aircraft carrier range from 30,000 to 40,000 tons and it may be nuclear powered. It said intelligence photographs show another vessel under construction in the Black Sea port of Nikolaiev, which could be a second aircraft carrier.

The U.S. Polaris-Poseidon fleet of submarines carries 656 nuclear missiles, Jane's said. But it said that by the mid-1970's the United States will have about 5,120 offensive nuclear warheads carried by Polaris and Poseidon submarines, or about two-thirds of its total strategic offensive missile weapon force.

It gave no estimate of the number of Soviet submarine-borne missiles.

U.S. Senate,
Washington, D.C., July 27, 1972.

Dear Colleague: The Senate Armed Services Committee has recommended that the Trident program be approved with the long-lead items for the construction of the first four ships. This would make the first Trident available in 1978 when the SALT I agreement is slated to expire.

It is our judgment that the Trident program is a necessary program for the future security of the Nation. In the current strategic situation and diplomatic atmosphere, it is necessary to have Trident as soon as possible. We believe that long-lead procurement should begin in FY 73.

Attached is a position paper which summarizes some of the considerations behind our judgment and answers specific objections. We hope that it will be useful in your own evaluation of this matter.

Sincerely,

Sam Ervin,
John Tower,
Strom Thurmond,
Paul Fannin.

WHY THE COMMITTEE LEVEL OF FUNDING FOR TRIDENT SHOULD BE MAINTAINED

I. TRIDENT IS READY FOR LONG LEAD PROCUREMENT NOW

1. Trident planning began four years ago, and there has been a thorough study of the system in terms of varying sets of such parameters as size, speed, propulsion systems, and number of missiles.

2. The preliminary design contract was let in April 1971 to the Electric Boat Division of General Dynamics, in Groton, Conn. The design was finished in March, 1972.

3. A back-up design contract, for oversight on the first, is under way with the Newport News Shipbuilding and Drydock Company.

4. Rough drawings on all the ship systems have been completed, and the pressure hull specifications are ready. These are the basic items needed for the long-lead items requested.

5. The long-lead procurement is for big items, such as engine room components and reactor components. The reactor contractor alone will need one year to procure materials, and two years for construction. Thus it will be three years before the ship is ready for the completed long-lead components; and two or more years will be needed for completion of the vessel.

6. Although concurrency has created problems in the development of some new weapons systems, it must be remembered that Trident is an evolutionary design from Polaris/Poseidon. The same team that built, tested, and deployed 41 ships in a little over seven years is in charge of Trident. Admiral Levering Smith, who has been with the Strategic Systems Project Office since 1955, is in charge of the Trident missile program. Admiral Hyman Rickover, whose record is also public knowledge, is in charge of the propulsion systems and reactor components.

II. THE ACCELERATION OF THE TRIDENT PROGRAM

1. When the FY 73 budget request was first submitted in January, 1972, the chief rationale presented was the reluctance of the

Soviets to include submarine systems in an offensive strategic arms limitation agreement. The Soviets were engaged in a heavy building program to surpass us in number of ships of the "Y" class. In April, however, the Soviet authorities in Moscow agreed for the first time to include submarine systems in the agreement. As Presidential Adviser Henry Kissinger later said, "It was the Soviet Union which reluctantly acceded to American proposals after long and painful deliberation."

However, in the overall context of the SALT agreement, the Soviet concession has a paradoxical effect on the need for a Trident program. The agreement puts a limit to the competition for numbers. At the same time, it virtually assured that the Soviets would intensify the competition for quality and flexibility. It is now clear that the Soviets are already working on advanced submarine-launched strategic systems.

The Trident system is the only advanced strategic system we now have on the boards. It is wholly within the spirit and restraints of the SALT I accords to advance those qualitative improvements permitted to us.

2. The SALT I agreement on submarine launched systems, if approved as expected, will expire in 1977. Although we are committed to serious negotiations for SALT II, there is no guarantee that such an agreement will be achieved. We will then revert to a situation where our security is guaranteed by land-based and sea-based systems whose basic design derives from the Fifties and the Sixties, despite significant improvements under way. If Trident is not underway until 1971, there will be a three-year gap between the expiration of SALT I and the deployment of a modern strategic system. The alternative will be the continuation of SALT I for another five years at a time when the Soviets can easily have come abreast of us in weapons quality.

Those who look upon a so-called "bargaining chip" as something merely to be "thrown away" in the game of diplomacy forget that the value of such a chip has to be high to be credible. We don't play games for chips, but for what the chips represent. The Soviets will not make significant concessions to us, unless we make significant concessions to them. If Trident should be the trade-off for lasting security, who can say that the price will be too high? However, as a matter of fact, if further limitations are put upon submarine systems, it is more likely that it will be the older system, Polaris/Poseidon, that would be baragined away. We couldn't do so if we have nothing else.

3. Polaris became operational in 1959. Even with the modernization program, a 20-year-old ship is a 20-year-old ship. Modernization merely keeps a vessel current with changing needs. Although Polaris may possibly have a 25–30 year life expectancy, the fact remains that both the electronic and mechanical systems aboard a 20-year-old vessel are past their peak, with the accompanying high maintenance and breakdown problems. In the case of real emergency, you need to have an instant response from the equipment and complete reliability of its operational characteristics. Accelerated deployment of Trident in 1978 will mean a smooth transition to the new system.

III. STRATEGIC CONSIDERATIONS MAKE TRIDENT A MATTER OF NATIONAL URGENCY

1. It is a mistake to compare the mission of Trident and the mission of the Soviet Yankee II system in the same light. Soviet security is based upon the geographical advantages of a surrounding continental landmass; the United States is virtually an island. Although Soviet subs have no forward bases—at the moment—they have many strategic coastal targets in the U.S. which can be hit from a relatively short range and from a wide variety of stations. U.S. subs, on the other hand, have a relatively long range to strategic Soviet targets, and sharply limited avenues of approach. This greatly simplifies the Soviet anti-submarine warfare problem, and complicates ours.

2. Trident's long range greatly simplifies our targeting problems, and gives us much more flexibility in stationing. In the event that our land-based systems were totally or partially destroyed, Trident would preserve our retaliatory force. This enhances the credibility of our deterrent.

3. The future security of the nation cannot depend indefinitely on forward basing. The short range Polaris/Poseidon depends on the continued goodwill of our allies. With the European Security Conference likely to convene in 1973, these attitudes could change. The Trident system can target strategic Soviet sites from either the east or west coast of the U.S.

4. Although the Soviets appear to be reducing the number of missiles on their submarines, the rationale is more likely related to the contrasting mission of the Soviet systems. Our long coastline makes wide dispersal of attacking missiles more feasible. Moreover, the lesser accuracy of Soviet technology makes an increase in the number of attack stations desirable from their point of view. Accuracy is our strong point, and we maximize that strong point with the Trident's retaliatory capability. The choice of a 24-missile system has been carefully balanced against all factors, including costs. More missiles on a ship results in a lower cost per missile.

5. Obsolescence is a double-edged argument. While anything can become obsolete overnight from unforeseen developments, at the same time we can predict obsolescence from age alone and wear and tear. We cannot protect against the unknown, but we can protect against the known fact that Polaris/Poseidon will enter the phase of obsolescence in 1979. Trident will not appear in significant quantities until the mid-1980's, even with acceleration.

6. The improvements in Trident are not merely small advances in kind; rather they provide a significant break-through in strategic planning. The strategic advantage of Trident cannot be wholly achieved by retrofitting of old Poseidons to carry the longer-range missile. Even with noise-quieting improvements, Poseidon will be in port more, and lack the maneuverability of the new system.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I suggest the absence of a quorum, on my time.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I yield 15 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, when I was a student at the University of North Carolina, at Chapel Hill, I had the privilege of sitting at the feet of a beloved and learned professor of geology, Collier Cobb. I do not remember anything which Collier Cobb taught us in respect to the history and structure of the earth. I do remember, however, many of his sayings which, in my judgment, embodied very great wisdom.

Collier Cobb was accustomed to say that wise men learn from the experience of others; fools learn by their own experience; but that most men learn neither by the experience of others nor by their own. I think that what he said is particularly true with respect to the attitude of many Americans in respect to national defense.

If I may be pardoned personal allusions, the family whose surname I bear came to this country in 1732. From all I have ever read about it, from all I have ever been told about it, and from all I have ever observed about it, members of the family have been peace-loving people through all the generations, and, yet, the men in every generation from the time of the French and Indian wars to the present day, have had to march away to battle.

Many of them, in the words of Britain's poet, Sir Rupert Brooke:

> . . . poured out the red
> Sweet wine of youth; gave up the years to be
> Of work and joy, and that unhoped serene,
> That man call age; and those who would have been,
> Their sons, they gave, their immortality.

After the First World War Americans became subject to the delusion that the then existing generation would be more fortunate than all other generations of Americans in that there would be no more war. So they disbanded the Army, and held a peace conference in Washington in 1922. At that conference the head of the American delegation, Charles Evans Hughes, who was supposed to be a wise man, took a fountain pen and sank the best Navy which up to that time had ever sailed the seven seas. This was done in return for a few encouraging but empty promises by other nations that they would limit their naval power.

Then the Second World War came and once more we had to gird ourselves for battle. For a short time after the end of that war, I had the privilege of being a Member of the House of Representatives. In that capacity, I saw the House of Representatives engage in the unspeakable folly of passing a draft law under which no one could be drafted. That was done during a very uncertain period in the world when Stalin ruled Russia, and America needed to remain strong. I regret to say it, but I see the same unwise tendency at this moment. Some Americans, including seekers of high office, want us to relax in respect to our defense posture.

I am reminded of the old adage,

> Our God and soldier we alike adore,
> When at the brink of ruin, not before;
> After deliverance, both alike requited,
> Our God forgotten, and our soldiers slighted.

Mr. President, today we hear a great deal of talk from candidates for high office declaring that the United States must cut the defense appropriation—which has, incidentally, already been cut more than any other comparable appropriation. We are told that we have to embark upon hazardous course because welfare programs are more important than maintaining an adequate defense.

I do not believe that greater wisdom was ever spoken by any man than that uttered by Oliver Cromwell when his troops were about to ford the river at Edgehill, England. He said.

> Trust in the Lord, my boys, but keep your powder dry.

I believe that this Nation must keep its powder dry if it is to insure its survival. We must proceed with the Trident submarine as programed in order not only to protect our national security but also to be in a position to have some bargaining power in connection with the second round of SALT talks. Unfortunately the United States in the SALT talks just concluded had to accept a position of numerical inferiority with Russia, at least temporarily, in order to get any agreement whatever.

As has been stated by the distinguished Senator from Mississippi (Mr. STENNIS) and the distinguished Senator from South Carolina (Mr. THURMOND), we are today numerically behind in some important categories of weapons. We are inferior to the Soviet Union with respect to nuclear submarines.

We need the Trident submarine.

A great deal has been said on the floor of the Senate, that the proposal to go ahead with the construction of some of the component parts of Trident is a fly-before-you-buy proposition.

I invite attention to the fact that this program was initiated under the leadership of a former civilian official in the Defense Department, Deputy Secretary of Defense Packard, who was probably the most knowledgeable man in the defense field America has known during my generation. He denies that there is anything to the charge that this is a fly-before-you-buy proposition. As a matter of fact, Mr. Packard is the man who originated and put into operation the so-called fly-before-you-buy program of the Defense Department. He says we need to go ahead with the Trident program.

Admiral Rickover, who may be called the father of the nuclear submarine, declares that we need to go ahead with this program. So do the others who stand in our Nation's watchtowers.

We do need to go ahead with this program, Mr. President, I indicated a moment ago, not only for the sake of our national security but also because it will give us the bargaining power we need with Soviet Russia, during the second round of the SALT talks.

I do not propose to gamble with the security of my country. I think that it is gambling with the security of my country to delay the Trident program as planned and recommended to Congress.

Mr. President, in 1958, this body demonstrated the wisdom and foresight to appropriate funds for the deployment of the Polaris sea based deterrent weapon system as a matter of highest defense priority. Through the years since 1960 when the first of these fine submarines deployed on patrol, we have authorized and directed improvements in our sea based deterrent system to insure its continuing credibility. Our judgments have withstood the harsh tests of time. From the first deployment of the *George Washington* through the present day we have been able to place full faith and confidence in the efficacy of our Polaris and Poseidon forces as a deterrent to the initiation of a nuclear holocaust by any nation.

Our leadership—this faith and confidence—was not won by standing still over the years. I cannot see how we can expect to maintain it by standing still now and through future years. We have arrived again at a point of decision where we must apply all of our wisdom and foresight to assure the credibility of our sea based deterrent forces in future years. Technologies and international political situations are evolving more rapidly now than ever before. Ten of our current SSBNs are 13 or more years old and were built with technologies that were known in the 1950's. Their potential for future growth to meet emerging threats to their credibility is severely limited by basic platform constraints and increasing age. The Soviet Union has the resources to place these ships in significant jeopardy perhaps as soon as 5 years from now. No one can say with complete confidence that they will choose to use their resources to achieve this objective but many warning signs are there for us to consider. The Soviet Union has devoted massive resources to building a sea based deterrent system patterned closely after our own.

They have now gained experience with their system which has caused them to develop longer range missiles now being fitted into their yankee submarines. The insight they have gained from operating their own system has given them a better understanding of the potential vulnerabilities of such a system and they are moving forward rapidly in the field of antisubmarine warfare and related technologies. We must hedge now against their probable success for, if we wait to identify positively these successes, we are at least 6 years too late to counter them effectively.

We must go ahead now with the "Trident" program. This program will provide us with the longer range Trident I missile which can be backfitted into our 31 existing Poseidon submarines exhausting their potential for future growth but extending their survivability. Of greater long-term importance we must proceed now with the Trident submarine which can embody our current available, advanced technology and provide the potential for growth which will insure the survivability of our sea-based deterrence into the next century. Such a move now is a consistent, correct, and necessary extension of the wisdom and foresight displayed by this body when they first approved the Polaris program and provided its growth potential. It will protect our freedom in the years to come and enable us to negotiate from a position of strength to obtain stabilizing arms limitations agreements.

Mr. President, I do not propose to gamble with the security of my nation. And for this reason I urge the rejection of the amendment which would delay the deployment of the Trident submarine.

Mr. President, I thank the distinguished Senator from Mississippi for yielding.

Mr. STENNIS. Mr. President, I thank the Senator from North Carolina very much for his contribution to the debate. I am certainly glad that he was able to be here.

Mr. President, I yield 5 minutes to the Senator from New York. And I appreciate very much the indulgence of the Senator from Iowa.

The PRESIDING OFFICER (Mr. STEVENSON). The Senator from New York is recognized for 5 minutes.

Mr. BUCKLEY. Mr. President, we are discussing the many technological advances offered by the Trident from a purely military point of view and from the standpoint of our options in submarine warfare. The discussions have been gone into at great length. Actually, the Trident itself as the next weapon is not disputed very much by the proponents of the amendment. It is rather a question of the timing and of the cost.

First I would like to discuss the question of cost. The amount of money contained in the accelerated program amounts to about a half billion dollars. If this money were to be expended in high list items and hardware, depending on those that have not yet come into full formulation, I could understand the argument.

On the other hand, it is my understanding that these funds would be largely devoted to long-range leadtime components which are not apt to change as the details of the design for the Trident change. On the contrary, items like the reactors and the driving, propulsion mechanism are all hard core items which will be utilized irrespective of the final details of the Trident.

We are all conscious that the costs continue to go up. And certainly if we are ultimately going to spend this money for these component parts, the sooner we do so the less will be the ultimate costs of these new ships.

By the same token, unless we start working on these components now we will suffer a serious loss of time in our ability to begin deploying the first of these new submarines. So, I would say that from the point of view of the methodology and a businesslike program, our getting this new weapon into the water and ready to take its place in the overall structure of our national defense, the time to proceed is now.

As I say, this is not going to be premature. However, the next question has to do with the timing in the psychological sense. And this to my mind is of prime importance.

We are, of course, discussing the defense budgets and the authorizations in terms of the complexities of the recently concluded SALT accords. Let us assume that the SALT accords are ratified and approved by the Congress of the United States. We must therefore take into consideration the fact that under the terms of the interim agreement on certain offensive strategic weapons, by the year 1977 the Soviet Union will have a clear advantage in number and atomic-powered missile submarines and their accompanying launchers.

We must assume the costs we are talking about, as we must assume that we may not in the year 1977 have succeeded in negotiating the permanent SALT II agreements which obviously have as their purpose the creation of a system of true parity in the strategic field as between the Soviet Union and ourselves.

We must also take into consideration the fact that if, as, and when the Soviet Union develop their MIRV capability, the advantage which they will have in their submarine fleet will be far larger comparatively than the number of submarines would indicate.

We must therefore, make every strong effort to improve the sophistication and the capabilities of the weapons which are permitted us within the context of the SALT talks.

Furthermore, we must have an ongoing program in existence which will enable us to immediately begin expanding our force, if we believe it is in our national interest, beyond the limitation set by SALT the moment the SALT agreement expires, if in the meantime we do not have a new agreement of a permanent nature.

Therefore, I think we have no time to waste.

There is another factor, and that is obsolescence, which will mean that more and more of our existing Polaris submarines will be at the end of their operational life in the last part of this decade. We will have a gap even under the accelerated program. It will take awhile to start replacing the Polaris submarines with the new Trident.

Finally there is timing in the sense of the immediate psychological impact of our determination to insure adequate research and development. We cannot afford euphoria in this country. We must understand that, for better or worse, we have controls and agreements which I am sure will be approved by the Senate for the interim limitation of strategic weapons which will place us, by the end of this decade, in a position of clear inferiority.

We must telegraph to the Soviet Union, we must telegraph to our allies, and we must telegraph to the people of the United States that we recognize that we are in a very serious position from the point of view of the security interests of the United States.

And we must demonstrate that we have the intention to make the expenditures to undertake the research and development and procurement which will carve out for ourselves a maximum advantage in terms of the sophistication, in terms of the advanced guidance technology, and in terms of the range of weapons which is possible within the limits set by the SALT agreements so that we may to that degree offset Soviet superiority in numbers and capacity.

I urge the Senate, in short, to reject the amendment so as to telegraph the fact that the United States is not putting its strategic neck in the sand, to telegraph the fact that we understand the hazards of the next few years, to telegraph the fact we intend not to be caught sleeping, to telegraph to our allies that our alliances continue to be meaningful because we intend to maintain the military strength to make them credible.

Mr. President, I yield back the remainder of my time.

Mr. BENTSEN. Mr. President, I yield to the Senator from Iowa, a distinguished member of the Committee on Armed Services.

Mr. HUGHES. Mr. President, I thank the distinguished Senator from Texas for yielding.

Mr. President, I rise as one of a group of members of the Armed Services Committee and other Senators to urge the Senate to restore the sensible, businesslike pace it approved last year for the development of a major new strategic weapon system—the Trident submarine and missile system.

When the Department of Defense presented this program to Congress as a research and development effort last year, it was presented as an orderly and evolutionary approach to the development of a weapon system—not a crash program, but one geared to the pace of technological progress. On that basis, Congress approved the program and provided essentially all of the requested funds—approximately $105 million.

Shortly thereafter, then Deputy Secretary of Defense Packard decided to accelerate the program for fiscal 1973, approving a request for $418 million for ongoing development and design work—nearly four times the previous year's appropriation.

By the time the administration's budget requests were sent to Congress in January of this year, however, the budget had ballooned nearly tenfold—to just under $1 billion. We were asked, Mr. President, to accelerate the already accelerated Trident program and to do so by appropriating production funds for a submarine whose design is not fixed, even to this day.

In other words, Mr. President, we do not know—other than in general terms—what we are buying. What is more, we do not know why we are being rushed into buying it.

The amendment that is being proposed would reduce the authorization in this bill by $508.4 million.

It should be clearly understood that this is not an attempt to apply the meat axe to a Defense Department request—although some might feel that is warranted in light of the bloated defense budget Congress has been asked to approve this year.

Rather, this is an effort to return to the carefully paced development program originally recommended by Mr. Packard. The $418 million he suggested would be reduced by $20 million that was programed for work on an advanced reentry vehicle for the Trident missiles. The Navy has said it would not need these funds until fiscal 1974, and the Armed Services Committee has already stricken these funds from the bill.

Mr. President, the Senate and the Armed Services Committee are indebted to the Research and Development Subcommittee—and particularly to the Senator from Texas (Mr. BENTSEN)—for the penetrating inquiry and precise recommendations that resulted in bringing this issue before the Senate for a decision.

The provisions of the amendment before us represent the unanimous recommendation of that subcommittee. However, the full committee failed to adopt the recommendation on an 8-to-8 tie vote.

I was deeply impressed by Senator BENTSEN's presentation of the arguments for going slow on this highly significant weapons development program, and I am pleased to support his amendment here in the Senate as I did in the committee.

As you know, Mr. President, the Trident system, as it is now planned, encompasses three major components.

First, there is the proposed new Trident submarine—a billion-dollar-plus boat that would be more silent to escape detection and faster to escape pursuit. It would carry 24 missiles, compared with 16 currently deployed in our modern Polaris/Poseidon fleet of 41 submarines.

The second component is the Trident I missile, an extended-range missile that would be retrofitted in our Poseidon fleet after development is completed. Our amendment would keep this program on schedule, with deployment in 1976.

The third component is the Trident II missile with a 3,500-mile range advantage over the existing Poseidon missile. No funds were requested by the Pentagon this year for this program, so this is not at issue here.

What is at issue, Mr. President, is whether the Congress should now backtrack on its commitment to withhold funds for producing a new weapon system until the research and development is sufficiently advanced and substantially accomplished.

We have been asked by the Department of Defense to allocate $361 million dollars in production funding for a huge, expensive new submarine even before the Navy has completed the blueprints—as the Senator from Missouri (Mr. SYMINGTON) has so clearly expressed in this debate.

Time and again since I became a member of the Armed Services Committee 18 months ago, we have turned back Pentagon requests to proceed with production activities prior to completion of adequate design and development work. Against this firm and recognized policy of the committee and the Congress, the Defense Department has rarely presumed to press the issue—until now.

I earnestly hope that the Senate will not yield to the pressure.

In the record of the hearings of both the Armed Services Committtee and R. & D. Subcommittee, there are a number of arguments advanced for accelerating the Trident program, but in my judgment, they do not add up to an ample justification for a tenfold increase in the program this year.

Dr. John Foster, Director of Defense Research, Testing, and Engineering, gave the committee on February 17 two main reasons for speeding up the ULMS/Trident development:

> (1) Because of the possible Soviet development of undersea surveillance and associated ASW systems that could progress more rapidly than our ability to develop and deploy new long-range missile systems; and
>
> (2) the possible loss of overseas bases.

Neither of these reasons is very persuasive, in my view.

Dr. Foster himself submitted the judgment that the overseas basing problem would be largely resolved by the ULMS I missile when it is installed on schedule in our existing Poseidon submarines. In his statement in support of his testimony on February 17, Dr. Foster wrote:

> We expect that, with this new missile, the current submarine system will remain invulnerable. Moreover, the longer-range ULMS I missile will offer the option of CONUS basing with minimum sacrifice in deterrent posture.

In other words, the Poseidon fleet—armed with the longer range missile—could operate out of bases in the continental United States, to say nothing of Hawaii, and would be capable of spending more time on-station because of reduced distances back to home base and superior facilities and service that would be possible in U.S. ports.

The other reason advanced by Dr. Foster for accelerating ULMS/Trident development—the possibility of a Soviet breakthrough in antisubmarine warfare—is the source of the major controversy involved in this issue.

Despite the fact that Defense intelligence has found no evidence that such a Soviet breakthrough is imminent, we are asked to proceed as if it were on the basis of a worst-possible-case logic.

It is evident to me that, if the Soviets do achieve a surprising advance in ASW techniques, we would feel impelled to respond with yet another generation of sea-based missile systems. And because the Defense Department insists on freezing the design of Trident in fiscal 1973—before we have any knowledge of the nature and extent of the Soviet breakthrough, if it occurs at all—we may well find ourselves with a fleet of billion-dollar Trident submarines that are dangerously vulnerable.

It is also evident to me that there is a certain imminent folly in decreasing the number of American submarines at a time when Soviet ASW capability can be expected to increase. If Soviet surveillance techniques for locating and tracking our subs is a genuine worry, as Dr. Foster declares, it seems obvious that we should be thinking in terms of a larger fleet of smaller submarines, widely dispersed, far from Soviet shores. Instead, with Trident, we are moving in a contrary direction toward much larger submarines and fewer of them.

This vital concern was amply expressed by the Armed Services Committee report, which reads:

> The committee observed that the plan to build the submarine with 24 launch tubes will limit the number of Trident submarines under the SALT agreement. This is because the initial replacement of even the 10 oldest Polaris ships could be accomplished with only 8 Trident, for a reduction of 2. The committee encourages the Department of Defense to weigh this matter very carefully before freezing the design of the Trident submarine. The committee understands that the final decision is yet to be made. The fact that the Soviets appear to be building their submarines with 12 instead of 16 launchers each, as on the Yankee class, raises serious questions regarding the different values that the two countries place on the advantage of a greater number of submarines to enhance survivability.

I would point out that the Soviet choice of 12 missiles per submarine is exactly half of the number proposed for the Trident. Thus, it is reasonable to expect that the Soviet submarine fleet will, in fact, expand to the 62 boats permitted under the interim SALT agreement, while our fleet would decline to 39 and, presuming further procurement of Trident submarines in the 1980's, 37 or even as few as 29.

The thrust of this speculation, Mr. President, is to point up the compelling necessity for re-evaluating the decision to build fewer, large submarines and for delaying basic design decisions until we learn something about the Soviet ASW program.

In recent days, Secretary Laird has given further testimony in an effort to justify the acceleration of Trident. As in earlier testimony by Defense Department witnesses, there was a notable lack of military necessity in his justifications, and he chose instead to emphasize the value of the program as a "bargaining chip" in future SALT negotiations.

Secretary Laird told the Armed Services Committee on June 5:

> Just as the Moscow agreements were made possible by our successful action in such programs as Safeguard, Poseidon and Minuteman III, these future negotiations to which we are pledged can only succeed if we are equally successful in implementing such programs as the Trident system.

This statement, emphasizing the value of Trident as a bargaining chip, is in sharp contrast to the testimony he gave the committee on February 16, when he said:

> ULMS, which I have recommended in this budget . . . because I feel it is so urgent to start this program now, should not be looked at as a bargaining chip as far as SALT is concerned. . . . That isn't what it is all about. We have to move forward rapidly as we possibly can on the ULMS program because of the tremendous capability that the Soviet Union has to construct these submarines.

Mr. President, I think it is important to recall that the Secretary used essentially the same rationale—and with substantially more conclusive results—a year earlier in a speech to the American Newspaper Publishers Association, when he said:

> We sincerely hope for convincing progress in SALT. But failing such progress I must tell you today that the renewed Soviet strategic weapons momentum may confront us with the need for additional offsetting U.S. actions. I would have no choice but to recommend these actions in order to preserve the sufficiency of our strategic forces.
>
> We would much prefer success in SALT.

In other words, if SALT fails, we would have to accelerate ULMS. But SALT did not fail, as you know, Mr. President, and the "renewed Soviet strategic weapons momentum" has been stunted—or will be if Congress in its wisdom approves the agreements negotiated in SALT I.

What kind of a bargain is it that Secretary Laird is now proposing in the wake of the success of SALT I?

Does he really believe that the Soviet Union will be frightened into concessions at SALT II by an American decision to go ahead immediately, at tremendous cost, with production of a submarine system that will reduce the number of American submarines at a time when the Soviet capability to track them down may be improving?

I suggest, Mr. President, that the decision which is being pressed upon us will work to our disadvantage at SALT II, rather than our advantage.

In summary, Mr. President, I would make the following observations.

In answer to Secretary Laird's assertion that an accelerated Trident program is necessary to keep up with Soviet momentum in submarine construction, I would reply that the SALT agreements have already halted that momentum with a ceiling on the numbers of both submarines and missiles.

In answer to the argument that the new submarine is needed to cope with the problem of overseas bases, I would reply that the ULMS I missile deployed in existing Poseidon submarines solves this problem.

In answer to the contention that we must rush forward with a crash program to stay ahead of Soviet ASW technology, I would reply that until we can obtain some idea as to the nature and extent of that technology, it is unwise to freeze the design of a new submarine and begin its production at this time.

And in answer to Secretary Laird's latest declarations that he would oppose ratification of the SALT agreements unless the accelerated Trident program is approved, I would reply if the SALT agrements were not involved in his decision to accelerate Trident—as he himself stated last February—neither should they be affected by a congressional decision to place the Trident development back on the sensible, businesslike basis recommended by Secretary Packard last September and approved by Congress last year.

Mr. President, in final conclusion. I would like to say there have been some implications on this floor that those of us who believe in the continuation of research and development and continuation of the programs that were recommended by the Defense Department last year and approved by the Congress are now, somehow, placed in the position of being against the best that we can provide for our country for the common defense.

Nothing could be further from the truth. I would argue instead that we believe that the acceleration of the Trident system being recommended today could in fact be a detriment to the best national defense for this country.

Agreed that there are differing viewpoints on this matter. It is obviously true. There was in committee an 8-to-8 vote. It is obviously true that there are on this floor. But there should be no implication whatsoever that either side is not dedicated completely to the best course for the defense of this country, and that is precisely the pursuit we are engaged in.

In this case, in my opinion, not only will haste make waste so far as our national resources are concerned, but it might well lead to a course which would endanger the future security of this country.

No solid reason has been given for committing us at this moment in our history to this acceleration. Following the course recommended by the distinguished Senator from Texas (Mr. BENTSEN) will assure this country the best in defense and undersea service and everything that we need for our Nation, without taking the risk of going in the wrong direction and without committing the economic resources of this country at this time when it is unnecessary.

The PRESIDING OFFICER. The Senator's 20 minutes have expired.

Mr. HUGHES. I thank the distinguished Senator from Texas for yielding to me.

Mr. BENTSEN. Mr. President, I thank the distinguished Senator from Iowa for his comments, and I now yield such time as he may require to the distinguished Senator from Ohio, a member of the Armed Services Committee.

Will the Senator advise me as to how much time he anticipates that he will require?

Mr. SAXBE. Ten minutes, I would say.

Mr. BENTSEN. I yield the Senator 10 minutes.

RETURN TRIDENT TO ITS ORIGINAL SCHEDULE

Mr. SAXBE. Mr. President, before beginning my remarks I wish to emphasize that I fully support the Trident program as a logical and necessary replacement for our Polaris-Poseidon fleet. Trident represents a new generation of American submarines that can effectively challenge a growing Soviet and emerging Chinese seapower while at the same time provide our principal sea-based nuclear deterrent with increased security.

However, my concern, like that of many of my colleagues, is the acceleration of the program. It is not financially wise or militarily cost effective to authorize $906.4 million in fiscal 1973 for even this worthwhile program.

During the hearings, and especially in the executive sessions two or three basic points kept reoccurring to form the rationale for accelerating the ULMS project—now known as Trident. This is a name change I want to take time to applaud, knowing the Federal fixation to make nouns out of letter abbreviations. The name is certainly appropriate since the Trident was the three-pronged spear borne as a scepter by the sea god Poseidon, more commonly known as Neptune.

We are told that the basic reason for developing the Trident submarine is survivability. After this point it becomes clear that the rationale of the majority of the committee and that of DOD, revolves around implementing this new generation of submarines to solve the problem of overseas basing and the possibility of further offensive weapons limitation during future SALT conferences. During the hearings the issue of cost effectiveness was clouded behind the points I just mentioned—survivability and a solution to basing, manpower and negotiation problems.

I submit that without accelerating the Trident submarine, the key to survivability is a longer range missile which will be available to upgrade our present SLBM force beginning in 1977. Further, MARV could provide a significant improvement in our penetration capability in 1979 and the ULMS II submarine will become available in 1981 without acceleration. By 1979 the B-1 will become operational, and it will be well armed.

Our Minuteman force will have been hardened and protected somewhat by Safeguard. Even without acceleration of the sea-based component of the Triad-Trident—this force constitutes a highly effective deterrent and provides plenty of bargaining chips.

Returning to my point of survivability, I am convinced the primary step is longer missile range, allowing the submarine platform many, many more square miles of ocean in which to hide. Antisubmarine warfare is presently an unknown quantity, but the Navy admitted that there is no present Soviet threat endangering even a small fraction of the Polaris-Poseidon force. And, deployment of the ULMS I missile will increase the survivability factor of our present fleet by allowing them more ocean in which to maneuver yet spend more time on their targets.

In regard to overseas basing and on-station time, development of the ULMS I missile would allow increased time on target even if we did not have bases in Spain and Scotland.

There are other reasons to maintain the original schedule of development of the Trident submarine, but I feel that one of the most important comes from a study of the SALT agreements. The Soviets are allowed a maximum of 62 submarines and 950 sea-based ballistic missiles, compared with 44 and 710 for the United States. Even if they begin to MIRV their missiles, geographically they cannot keep as many ships on target. SALT I has halted development of the Soviet's fleet expansions and they have no new program. Instead, they are modernizing the *Yankee* class submarine The original schedule for the Trident sub provides ample time to upgrade our force pending the outcome of another round of SALT negotiations.

Most important, time gained in this regard could test the most unknown quantity of all—the Soviet intention.

Presently we have reached a beginning detente with the Soviet Union. Accelerating the Trident submarine could prove a negative factor in the development of our new found relations with Russia. This opportunity is indeed unique. And, when considered with the inherent problems of negotiating Trident contracts now and possible obsolescence because of antisubmarine warfare technology breakthrough, I am convinced we should maintain the original schedule for the Trident sub, but go full speed ahead with development of the ULMS I missile.

The amendment now being considered is exactly like the one considered by the Armed Services Committee. This amendment failed even though the vote was tied. I felt, along with at least two other members of the committee, Senator SYMINGTON and Senator BENTSEN, that this vote represented a most important issue that should come before this entire body.

We are asking the Senate to cut this authorization request from $906.4 million to $398 million. It simply reduces the amount established to accelerate deployment of the Trident submarine in December 1978, while maintaining full funding for development of the ULMS I missile in December 1977. Realistically, this amendment allows us to increase the survivability of our sea-based deterrent in the most cost effective manner without prejudice to the continuance of the SALT talks this fall. I ask that my colleagues carefully consider this measured amendment and support it. To do otherwise would be to submit the country to an unnecessary acceleration in the development of the state of a high technical art and unrestrained spending, without requisite design flexibility at a time when our resources must be spent efficiently and wisely.

Mr. BENTSEN. Mr. President, I think the action of the Research and Development Subcommittee, which voted overwhelmingly against the acceleration—and most especially the 8-to-8 tie vote in the full Armed Services Committee tells us something. It is highly unusual for such a portion of that committee to reject the proposal of a new weapons system.

I think it shows the very serious concern that many of us have about not just the expenditure, but the acceleration to the procurement level. It reflects the belief that more time and more thought be given to the concept and ultimate development of this program, and that more solid answers be provided before we make the commitment of procurement.

This 8-to-8 tie vote in our committee reflects a great deal of doubt and concern. I just do not think we ought to commit to procurement, and I deplore doing it on a hung jury vote, so to speak.

I have said before, and I want to repeat in the most positive terms: I am wholeheartedly in favor of the Trident development.

But I want that development to be orderly and sound, based on the most careful research and on the best design information.

I want to avoid the pitfalls of cost overruns and premature acceptance of a design that has not been perfected to our satisfaction.

I want to safeguard the hard-earned dollars that our taxpayers will be investing in this weapons system for years to come. And I want to see an end result that will bolster the public confidence—now badly shattered by massive cost overruns—not only in our national defense, but in the Democratic process through which we reach these vital decisions.

That is why I have offered this amendment to the military authorization bill.

It is not intended as a rejection of the Trident concept. Nor is it intended as a perverse criticism of the military planners, whose judgment I respect and with whom I am in agreement most of the time.

But I cannot agree that the proposed acceleration of the Trident procurement program in this fiscal year is either necessary or advisable, from the standpoint of national defense, from the standpoint of the national economy, from the standpoint of foreign policy, or from the standpoint of the public interest.

We have been told that an accelerated Trident program is needed to offset the Soviet buildup of *Yankee* type submarines. But in view of the SALT limitations on ballistic missile submarines and sea-based ballistic missiles, that argument is invalidated.

We have been told that the Trident program should be accelerated in order to modernize our present nuclear submarine fleet. But according to the best information developed in extensive hearings before the research and development subcommittee, our Polaris-Poseidon fleet is in no danger of obsolescence until well into the next decade. The evidence strongly indicates that the responsive power of Poseidon, together with the retaliatory power of Polaris, assures us of a more than adequate nuclear deterrent through this decade. This gives us ample lead time for orderly development of the Trident before the oldest Polaris is due for replacement. Thus there is no need for the 3-year step-up in the Trident deployment date which the defense department is now advocating.

We have been told that the Trident acceleration is necessary as a "building block for peace." In other words, it is suggested, the administration is advocating this acceleration to serve as a bargaining chip in the next round of SALT negotiations.

I cannot accept that rationale. If a bargaining chip is needed, the commitment of research and development funds is just as valid as the commitment to a procurement program.

Nor can the stepped-up deployment date be accepted as a reasonable target. Even if we approved the accelerated funding request, there is serious doubt that the Trident design and construction could be completed by the proposed target date of 1978. The actual deployment date of the first Trident would almost certainly be delayed until 1979, or even 1980 even under acceleration.

That time could be used to better advantage.

During that time, we could be gaining additional design information as well as further insight into the future of Soviet weapons system development, and we would have a chance to assess the outcome of SALT negotiations. In today's newspapers, for example, there are stories about the growing Russian submarine fleet. Should we not under the missile limitations of the SALT I agreements, consider alternatives of more submarines with fewer missiles?

Each Trident in that fleet will cost the American people $1.3 billion.

We cannot afford to run the risk of design errors and cost overruns on a $1.3 billion boat.

Nor can we afford further erosion of public confidence in Government decisions.

The time to avert disaster is before the contract is let—not after.

The time to perfect design is now—not later, after wasting billions.

When the administration submitted its request last September for $418 million for fiscal 1973 for development of Trident, it envisioned a deployment date of 1981 for the first Trident. That target was realistic and reasonable, and I support that proposal. The $418 million funding request for research and development was realistic and reasonable, and I support that.

Mr. President, we are deciding today on whether we want to buy this $1.3 billion boat before we know what it is going to be. We are not deciding on a Trident program or on a program of replacement of the present submarine fleet which is our strongest deterrent.

This is a critical issue involving a totally new weapons system that requires thorough research. We must carefully weigh all options. We were elected to provide judgments on these matters.

The administration simply has not made a case for this additional expenditure of half a billion dollars. This hasty move has yet to be fully and logically thought out. The Navy admits that it has not completed design.

The question is: How does production commitment, before completion of design and development, to an enormously costly weapons system that may prove to be inadequate to our needs strengthen our defenses or enhance our security?

The answer is: It does not.

The answer is: We must not waste an additional half a billion dollars until we know what we are buying.

The answer is: Let us have a better case built before we commit ourselves to buying this $1.3 billion boat.

We have the time. We do not have the surplus of money.

The increased funding, and the accelerated procurement program, proposed in January 1972, are not realistic or reasonable.

It is our responsibility to reject that proposal and revert to the original request.

This is the purpose of the amendment which is before us. I urge my colleagues in the Senate to support that amendment in the interests of fiscal responsibility and a better, stronger national defense.

REMARKS ON FIGURES, TECHNICAL ASPECTS

Not one man in a thousand could tell you today what Trident is or what ULMS stands for. And yet we are on the verge of committing every citizen of this country to years of involuntary tax contributions to finance this military defense program.

Last year, ULMS—the undersea long-range missile system—was funded at a level of $104.8 million. Last September, the Defense Department approved an outlay of $418 million for the program for fiscal 1973.

In January of this year, in a change of mind and change of pace, the administration moved to accelerate this program, pushing it into the procurement phase before the design phase is satisfactorily completed, to the tune of $980.2 million for the next fiscal year—nearly 10 times the authorization for the preceding year, and more than double the amount approved only 3 months earlier.

It is this amount, and this policy decision, that is in question.

I have joined in sponsoring an amendment to reject the acceleration program and authorize only the amount recommended in September 1971 for additional research and development before moving into the procurement phase with all its necessary commitments.

That this particular design has been sufficiently researched has not been established. There has been disagreement within the Defense Establishment over the most appropriate course for ULMS development.

Some experts advocated deployment of the new Trident in the early 1980's. Others argued that a new system was not yet needed, since all foreseeable nuclear threats could be countered by incorporating a new long-range missile system in the present Polaris and Poseidon fleet.

The controversy was resolved—on the surface, at least—by making the long-range missile system an integral part of the ULMS development, and designating it as the ULMS-1 missile. That was the plan proposed by the Defense Department last September, when funding for fiscal 1973 was established at $418 million to finance the phased development of the ULMS-1 missile system for Polaris/Poseidon, plus a new submarine system—with the major portion of the 1973 funds earmarked for the ULMS-1 missile.

That position was changed in January 1972—only 3 months later—as an apparent reaction to a faster than expected submarine buildup by the Soviets, which the administration sees as a threat to our Polaris/Poseidon force.

That view is not shared by all the experts, and the administration has failed to establish the necessity for this accelerated move.

After careful study of the evidence, I am not convinced that we now need a new submarine construction program to keep pace with Soviet submarine buildup.

It is true that the Soviets have deployed 25 Yankee-class ballistic-missile submarines, and that they have an additional 17 under construction. That will give them total of 42 ballistic-missile submarines, as opposed to our Polaris-Poseidon fleet of 41.

We do not know what their future plans may be.

They may stop at 42, or they may seek to expand that number. They may seek to arm their present submarine force with longer range missiles with independently targetable weapons to match our Poseidon.

They know as well as we do that numbers of submarines and sea-based missiles are not the only indicators of a nation's sea-based deterrent strength. Such factors as numbers of warheads, submarine detectability, missile range, and geographical advantages are also important considerations. And in each of these respects, the United States has—and will continue to have for some time—a distinct advantage over the Soviet Union.

On that score, the circumstances do not justify a headfirst dive into an insufficiently developed program to deploy Trident submarines at a cost of a minimum of $1.3 billion each, in a long-range program that could ultimately spell commitment up to $40 billion.

We may ultimately determine that this

Trident design is both justified and advisable. But the mere fact that the Soviet Union has just spent $100 million on a 42d ballistic missile submarine is not sufficient reason to impel us to accelerate into a crash program of construction before we have explored all of the design options.

The Trident as planned is a huge submarine, twice the size of Polaris or Poseidon. It would be able to carry more missiles—24 to a boat rather than the 16 for Polaris and Poseidon—and travel at a faster maximum speed. It would incorporate the latest available quieting devices. And it would cost $1.3 billion per unit.

Critics of this planned design argue that the increased speed and large missile-carrying capability are directly responsible for this staggering cost, and that the military usefulness of these two features is outweighed by the definite military risks they entail.

The large size of the Trident, they point out, will make it more susceptible than the Polaris to active acoustic detection techniques.

In addition, the fewer submarines in which we concentrate our sea-based missiles, the more vulnerable our sea-based deterrent will be to Soviet antisubmarine warfare breakthroughs.

These critics urge development of more smaller ships with fewer missiles each.

That, indeed, is the course selected by the Soviets. They are building their submarines with 12 instead of 16 launchers each. And there is much to be said for a smaller, less detectable, and less expensive submarine than we are considering in the present high-speed Trident design.

There is no doubt that additional submarine construction will be necessary at some time in the future; but when, and what design, remain questions for careful decision. I believe a wiser, better informed decision could be reached a year from now.

If, in the meantime, there is further progress in SALT negotiations, it could materially affect our course of action on this program.

If no agreement is reached, we could have the advantage of monitoring Soviet actions to determine our best options in response.

The administration has made much of the risk to SALT negotiations if the Trident development is not accelerated.

There has been considerable expert testimony to the contrary.

Dr. Wolfgang Panofsky, director of Stanford University's Linear Accelerator Center, stated before the Senate Foreign Relations Committee his view that neither the initiation nor the acceleration of the Trident program would improve our bargaining position in SALT II, but, on the contrary, the acceleration would tend to persuade the Soviets to urge for higher armaments levels for themselves.

The report of the Armed Services Committee notes that:

> The plan to build the submarine with 24 launch tubes will limit the number of Trident submarines under the SALT agreement . . . because the initial replacement of even the 10 oldest Polaris ships could be accomplished with only 8 Trident, for a reduction of 2.

The specific terms of the new SALT agreement are such that we could replace our 10 oldest Polaris with either eight submarines carrying 24 missiles each or as many as 13 new submarines with 16 missiles apiece. And if we built a force composed exclusively of Tridents with 24 missiles each, we could have a total of no more than 29—compared to a probable Soviet force more than twice as large.

It would be ironic, indeed, if a new submarine program turned out in the end to jeopardize the survivability of our whole sea-based deterrent. This is a serious risk that would be foolhardy to run.

There is reason to believe that our bargaining position at SALT II would be improved if we proceeded now with work on a new long-range missile system and deferred new submarine construction for the next move, in case no agreement is reached to limit sea-based deterrent forces.

There is no immediate risk of obsolescence of our present Polaris-Poseidon force, which has an estimated life span of 25 to 30 years—with it being 1980 under the most pessimistic of appraisals before even the first Poseidon would have to be replaced.

With that much life left in our present force, it would make good business sense to direct modernization efforts at incorporating into Polaris a new, longer-range missile system, such as the ULMS-1—thus increasing the Polaris' survivability, improving target coverage, and increasing time on station—plus an orderly development of the design and production of the Trident, the next generation of submarines.

The future of antisubmarine warfare is so murky at this stage that no one can begin to predict what our need will be 5 years, or 10 years from now.

But for this decade, the Polaris-Poseidon combination is an effective deterrent and an ample safeguard against any possible nuclear attack.

I propose that we place our reliance on this combination for the time being, and proceed with an orderly development of Trident, keeping our options open.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mrs. SMITH. Mr. President, in the chairman's absence for a few minutes, I am pleased to yield the senior Senator from Texas whatever time he requires. Will the Senator state how much?

Mr. TOWER. Ten minutes.

Mrs. SMITH. I yield 10 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, I rise to express my full support for the Armed Services Committee approval of Trident funding. We have studied the issue in depth and have concluded that strategic requirements and our commitment to further Strategic Arms Limitation Talks justify the acceleration of Trident. We have further examined the potential problems of concurrency and long lead time procurement and found that they are just that—potential, but not real.

Is is a mistake to blindly compare the nuclear strategies of the Soviet Union and the United States. The geographical layout of the two countries is different, presenting each with distinct problems. The Soviet Union is essentially a land-bound nation. Potential targets in the U.S.S.R. are, in most instances, far from the stations our Polaris boats patrol. In the Arctic, the Atlantic, the Mediterranean, or the Pacific, our Polaris fleet has few potential coastal targets. The Soviets, however, are not faced with such a problem. The United States is basically a sea-oriented nation. Our tremendous coastline is dotted with cities of major importance—New York, Baltimore, Washington, D.C., Houston, New Orleans, Los Angeles—the list is virtually endless. The fact that we are more urbanized than the Soviet Union, thus centering more of our population in these coastal cities adds to the ease with which Soviet submarines can target their missiles.

This difference makes antisubmarine warfare more difficult for the United States. With a larger number of targets on America's coasts, the Soviets can launch their missiles from a greater distance, thus making location and destruction of their submarines much more difficult.

To make matters worse, the Soviet Navy has explanded. Since we fielded our first Polaris boat in 1960, the Soviets have built a navy of a size and composition we had not predicted when we built the early Polaris subs. Though Polaris was a superior ship at the time, the Soviets continued to develop their antisubmarine warfare capabilities and are even now constructing many improved nuclear attack submarines, which are one of the best ASW weapons. This increased ASW threat, coupled with the probabilty that the Soviets will funnel funds into further ASW research and procurement, poses serious doubts as to the survivability of our Polaris fleets in the late 1970's.

Trident's longer range enhances our flexibility in targeting as well as providing our fleet more protection. If part or all of our land-based forces are destroyed—a distinct possibility with the MIRVing of Soviet SS-9 missiles—the ability to reach all Soviet targets from Trident boats, while remaining relatively secure from detection, would maintain the credibility of our deterrent.

As we enter the second round of strategic arms limitation talks, there are those who contend that we do not need Trident, that we would probably just bargain it away in the process. Mr. President, we cannot depend upon talks which have not even begun to provide for the security of our people. We cannot leave our future to the imagined kindness and beneficence of the Soviets. If we can negotiate an end to arms production or even reduction of current inventories, all the better. If Trident is a key to a successful second round of SALT, it will have served its purpose. But it will not be given away for nothing, if it is traded at all; and we in the Senate must not give up a justified weapon system, simply because the Soviets might be willing to trade us something to stop its production.

Others tell us that we should slow down because there may be the problem of concurrency—that the system has not been adequately researched. Trident planning was begun 4 years ago. The system has been thoroughly studied, including the size, speed, propulsion system, and missile capacity. What can be gained by further delay?

Long-lead-time items will require years to complete, engine components and the propulsion system will require 3 years to procure and construct. Stretching out the program adds at least 1 year, and probably more, to this.

While concurrency has created some problems for some systems in the past, its principal danger is to new concepts in weapons systems. Mr. President, the Trident is a descendant of Polaris/Poseidon. The same team that built our current sea based deterrent is in charge of the Trident. In my opinion, Polaris/Poseidon has been one of our most successful efforts. Since November 1960, almost 12 years ago, this force has completed over 1,000 patrols with incredible success. The same team that built, tested and delivered our 41 current submarines, will field our Trident. I have confidence in that team.

Mr. President, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff testified before the Committee on Armed Services only 3 days ago as to the military implications of the strategic arms agreements and said that it was essential to the success of our bargaining to proceed with the acceleration of the Trident. It will have an important psychological impact on the American position and the American posture as we resume negotiations on arms limitation. The Secretary of Defense and the Chairman of the Joint Chiefs of Staff urgently feel that it is necessary for us to proceed to this acceleration.

I, therefore, urge my colleagues, somewhat reluctantly, to defeat the amendment of my distinguished friend and colleague from Texas. In saying that, I would like to commend him for the very fine work he has done on the Research and Development Subcommittee and on the Armed Services Committee with respect to this and other systems. I think he is to be commended.

Mr. BENTSEN. I thank the distinguished Senator from Texas. I wish my persuasiveness could be effective in persuading him to vote for the amendment.

Mr. President, I yield to the distinguished Senator from Nevada, a distinguished member of the Committee on Armed Services.

Mr. CANNON. Mr. President, I find myself in a somewhat embarrassing position between my two colleagues from Texas, each one on opposite sides with respect to this program. I suggest that my getting into the middle between them is somewhat like one trying to interject oneself into a fight between a husband and wife. The person in the middle will come out the loser.

I support my colleague from Texas in his proposal to strike $508 million for accelerated Trident development. This would return the program to an authorized level of $398 million for fiscal year 1973, which is the amount recommended by the Research and Development Subcommittee and which was narrowly defeated by an 8-to-8 tie vote in the full Armed Services Committee. I am not opposed to the Trident per se—I support it as the logical replacement for the Polaris and Poseidon weapon systems. My only objection is the pace which is proposed. $906.4 million for fiscal year 1973 is just too much of an increase over the original proposal.

Initially, DOD requested a program which would have allowed deployment of the new system by 1981. This would have allowed adequate time for research and development. Now DOD requests that the program be accelerated by 2-3 years with a big increase in fiscal year 1973. This big increase would freeze the design of the system before we have the opportunity to really evaluate it.

The terms of the new SALT agreement are such that we could replace our 10 oldest Polaris submarines with either eight subs carrying 24 missiles or as many as 13 carrying 16 missiles each. If we build a force composed entirely of Tridents with 24 missiles each we could wind up with a total of not more than 29, compared to a probable Soviet force more than twice as large. The Soviets are building their submarines with 12 instead of 16 launchers each. This raises the question of who is better off from the standpoint of survivability. With a greater number of submarines, I would say they have an edge; so why run a serious risk when it is not necessary? The committee report urges DOD to weigh this matter very carefully before freezing the design of the Tridient, and I suggest they continue to study the missiles, power plant, and the submarine itself to develop the optimum configuration, in spending the funding the Committee approves. It would make more sense for Congress to deny a portion of the funds until we know where we are going. Our 41 Polaris and Poseidon submarines have an expected lifetime of between 25 and 30 years. They were first deployed between 1961 and 1967. If we assume a life span of 20 years, the first Trident submarine will not be needed as a replacement until 1981. Hence, going slow in my view would enhance our position and reduce Defense expenditures at a most advantageous time.

I ask my colleagues to give this serious consideration.

I thank the Senator from Texas for yielding to me.

The PRESIDING OFFICER. Who yields time?

Mr. PASTORE. With the permission of the Senator from Maine (Mrs. SMITH), I would like to have some time.

Mrs. SMITH. Mr. President, the chairman is away from the floor for a few moments. How much time does the Senator from Rhode Island desire?

Mr. PASTORE. About 10 minutes.

Mrs. SMITH. Mr. President, I am glad to yield 10 minutes to the distinguished Senator from Rhode Island.

Mr. PASTORE. Mr. President, the problem before us today, in the form of an amendment by my distinguished and beloved colleague from Texas (Mr. BENTSEN) is a tremendously serious one. We see how controversial it is, one not easy of solution. But, be that as it may, a decision must be made. Each of us must search his conscience and do what he feels is right for the security and survival of the Nation.

I want to say at this juncture—and I say it with deepest sincerity, the gentlemen who are opposed to Trident, are sincere, dedicated, and patriotic. They have firm convictions as to how we should proceed or delay—one way or the other.

For myself, I, too, have searched my conscience. This is an agonizing decision that we have to make because of its tremendous cost. Here we are indeed speaking about billions of dollars. But that is the price of peace. When we talk about national security, unfortunately, we always have to talk about it in terms of billions of dollars. I am more than a little staggered by it. As a matter of fact, before I came to the Senate 22 years ago I had hardly heard the word "billion." I never thought there was that kind of money around.

But, unfortunately, as I see it, we are living in the kind of world today where it is hard to say from day to day what the situation will be tomorrow. I mean, when we try to project ourselves into the future and try to determine what the situation in the world might be, let us say, a decade or a score of years from now, it is certainly difficult. Indeed it is quite impossible.

So many times in our Senate deliberations we have found ourselves wondering whether we have done too much or, regrettably on some occasions, whether we have done too little.

But I must say this, if ever we find we have done too much, but as a result, this world has been without conflict or that we have not involved the world in a nuclear or a thermonuclear holocaust, then about the only thing we can regret is that we spent some money.

On the other hand, if we do too little and a situation should arise analogous to the one in Cuba in October of 1962, suppose America had not have had the muscle to compel our adversary to turn back its ships and its warheads. That could have been disastrous for us. You will remember we were on the edge, we were on the brink, we were almost at the abyss of a nuclear war.

I know how John Kennedy agonized over those moments. Courageously, he took a very, very firm position. He said at that time, "You turn those warheads back from a Cuba that is only 90 miles from our own mainland or I will stop those ships and blow them up if necessary."

Because America had the power, Khrushchev turned his ships back.

I have said time and again that when history is recorded a 100 years from today it will show that for Khrushchev, at that moment, who was a man of understanding and great courage, it was the beginning of his political end.

Mr. President, I have been active on the Joint Committee on Atomic Energy since 1953. We have sat in the classified sanctuary of that room that is guarded by a member of the police department 24 hours a day. No one can enter unless he signs his name and adequately identifies himself. No one can sit in the hearing unless he has been cleared or unless he is a member of the Joint Committee on Atomic Energy. It is a room that is constantly being debugged because of what transpires there.

We heard distinguished John McCone when he was head of the CIA and, Allen Dulles, who came before him and now, of course, we have Mr. Helms who is the present Director of the CIA.

They come there and tell us about the nuclear progress and perils in the world. They tell us what progress our adversaries are making. Sometimes the evidence is so severe and so solemn and so serious that, frankly, it gives one goose bumps, to use the vernacular or it makes our hair stand up on our heads. That is the kind of world we are living in today.

Would it not be glorious for mankind, would it not be wonderful for the world, if we could take every bomb and defuse it, destroy it, dump it at the bottom of the ocean—if we could get all the nations of the world, the five members of the nuclear club, to do that. What a glorious day that would be for all mankind.

But all we can do is hope. All we can do is pray. Yet there is more that we can do: we can keep strong enough to make sure that no madman will have the audacity to take a chance and start such a war.

Now, as we have looked at this situation year in and year out, we have found that deterrence is the only guarantee we have against a nuclear holocaust. We have heard this time and again, "Who is going to win the next war?" My friends, no one is going to win the next war. If a global nuclear or thermonuclear war is touched off, it will mean the end of the world. It will mean the extinction of mankind. No one will win, I do not care how many Tridents we have, I do not care how many Polaris missiles we have, I do not care how many other kinds of missiles we have, I do not care how many bombers we have, I do not care how many aircraft carriers we have. No one will win that war once it starts. The only chance we will have is to do now what has to be done, to make sure that no one starts that holocaust. That is the name of the game: Deterrence.

Mr. President, how do we promote deterrence?

I realize that because I say a thing, that does not necessarily make it right. Other people have a perfect right to disagree with me. But I want the Senate to understand, I want the people of my State to understand, and I want the people of the country to understand that I do not want to spend 5 cents more than is absolutely necessary for our defense posture—not a nickel beyond our needs.

But, by the same token, I would not spare $1—I would spare not $1—to make sure that we guarantee security and freedom to posterity.

Mr. President, as we agonize over these problems, what do we do?

When a man is sick he goes to see his doctor. He does not try to cure himself because, after all, he has not had the training.

When we hold our hearings and want to get the best advice on subjects we ourselves have not been trained for, what do we do? We go to the experts.

When there is a case in court and we want to establish a medical point, what do we do? We call in the expert. If we have a situation in court that concerns the structure of a house, what do we do? We call in the architect and put him on the stand as an expert.

So, in this moment, what does JOHN PASTORE do?

He looks for the expert. To whom does he turn? He turns to the father of the nuclear Navy, Admiral Rickover. I am telling the people in the Senate at this moment and the people of the country, whether they agree with him or not, his name will be immortal when American history is written. I am talking about Hyman Rickover, the father of our nuclear Navy. It was he who gave us the *Nautilus*. It was he who, against the resistance of the Navy Department, said, "I can make a submarine that can be propelled and stay under water for 30 days if necessary." And he did it.

So, this morning, realizing that this debate would come and realizing that there would be a serious and sincere difference of opinion, I telephoned "Rick" as I call him, and I said, "Admiral, on Trident give it to me, and give it to me straight. I want a Dear John letter from you." Here is my "Dear John" letter. I want to read my "Dear John" letter to the Members of the Senate.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, what time remains?

The PRESIDING OFFICER (Mr. BEALL). The Senator from Mississippi has 86 minutes remaining. The Senator from Texas has 129 minutes remaining.

Mr. STENNIS. Mr. President, I yield the Senator an additional 15 minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for another 15 minutes.

Mr. PASTORE. Mr. President, the letter reads:

> JULY 27, 1972.
>
> DEAR JOHN: In our telephone conversation this morning you requested that I furnish you my views on the following: (1) the need for the Trident submarines, (2) what research has already been done on the Trident submarine and missile, (3) my personal opinion on the feasibility and practicality of the Trident design.

Those are the questions I put to him, and these are the answers he gave in the "Dear John" letter:

> The Trident submarines and missiles are needed to increase the survivability of our seaborne deterrent in the 1980's and beyond, and to provide for replacement of our aging Polaris submarines, the oldest of which will be nearly 20 years old before the first Trident submarine becomes operational in the late 1970's.
>
> Our Polaris submarines are limited in their patrol area by the range of their missiles. This forces them to operate in close range to foreign shores, thus bringing them within range of Soviet shore based aircraft. This limited patrol area simplifies the Soviet antisubmarine problem allowing them to concentrate their sea and air forces in a much smaller areas. The Soviets have been investing heavily in antisubmarine warfare research and development, and have built and continue to build improved nuclear attack submarines—one of their best ASW weapons. They have invested large resources in ASW surface ships. Also, indications are that the Soviets are attempting to establish an area antisubmarine surveillance system presumably aimed at locating our Polaris submarines. The Soviets have been working to neutralize our Polaris submarines ever since the first one went to sea 12 years ago.
>
> The Soviets are continuing to expand rapidly their own ballistic missile submarine program. They now have in operation about 30 nuclear and diesel ballistic missile submarines of older classes and 25 of the new Yankee Class which can fire a 1300 mile range missile.

Mr. President, this is important. I continue reading from the letter:

> In the past year they started work on their 42nd Yankee submarine, and they are now substantially expanding their submarine building facilities. They already have the largest and most modern submarine building yards in the world, which gives them several times the nuclear submarine construction capacity possessed by the United States.
>
> The Soviets have tested a missile with a range of over 3,000 miles. They also have under construction a new submarine with 12 launch tubes capable of firing this new missile.

And this is important. It reads:

> Because of the geography of the United States compared to the Soviet Union, this gives the Soviet submarines about the same ocean area to hide in that United States submarines will attain only when Trident goes to sea in the late 1970's.

Mr. President, this means that we have to go closer to them. The closer we get in, the more perilous the position of our subs gets. And that is the reason they are going ahead with their subs. Also, our continent is much smaller. The Soviet Union is much bigger and that is why we have to get closer to cover them with the umbrella that the Senator is talking about.

Mr. President, I continue to read:

> In a sense, the Soviets are already building their equivalent to our Trident submarines and missiles. These developments increase the threat to our land-based strategic forces and the reliance we must place on our sea-based strategic deterrent.
>
> The Interim Agreement on Strategic Offensive Arms allows the Soviets to continue building ballistic missile submarines to a total of 950 ballistic missile launchers in submarines, and up to 62 modern ballistic missile submarines. This permits the Soviets to continue building ballistic missile submarines at a rate of eight per year during the five year term of the agreement. Even under the President's recommended FY 1973 budget for the Trident program the first Trident submarine will not become operational during the five year term of the Interim Agreement. Therefore, it is essential that the United States proceed now with Trident submarines as proposed by the President.
>
> The United States, by contrast, has 41 nuclear ballistic missile submarines, all built between 1958 and 1967.

The last year was 1967. I continue to read:

> The oldest Polaris submarines are wearing out. They have been operated hard, with two crews, to allow them to be on station a large portion of the time. They were built to specifications based on a 20-year life; their machinery is wearing out. It is unreasonable to expect them to operate more than 20 years without having major breakdowns.
>
> The Polaris submarines were built with the technology of the 1950's. The Trident submarines are being designed with all the latest nuclear propulsion and submarine design technology. They will be much more difficult to detect and attack than our Polaris submarines, for two reasons: the new longer range Trident missiles will give the submarine vastly more ocean area to hide in, and the new submarines will be much quieter than the Polaris submarines.
>
> The Navy has studied over 100 different approaches to improving survivability of our ballistic missile submarine force. This issue has also been studied by the Department of Defense and the systems analysis community. The consensus of the Administration and the Secretary of Defense is that the Trident is the direction we must go at once.
>
> The Navy and Atomic Energy Commission have been working on design and development of the Trident submarine and propulsion plant for over three years.

Mr. President, this is nothing new. I continue to read:

> Preliminary designs of the submarine, one with 20 missiles and one with 24 have been completed. These designs use the same propulsion plant and are identical other than the length of the missile compartment required to accommodate the number of tubes.
>
> The hull diameter was selected based on the size of the missile needed to obtain the desired range and payload. The propulsion plant characteristics were then selected to give the desired propulsion power and electrical load capacity. The nuclear components have been sized and the preliminary design of the reactor plant, steam plant, and electric plant systems have been completed. This nuclear propulsion plant design is compatible with both the submarine design with 24 missile tubes and the submarine design with 20 missile tubes.
>
> The Trident submarine is planned to follow the approach that has been used successfully to design, build, and deploy our nuclear submarines since the Nautilus.

Mr. President, in other words, there is no daydreaming involved here. There is no rash speculation involved. This comes from Admiral Rickover who knows more about nuclear performance than any man in the United States, and, indeed, in the entire world.

Mr. President, I continue to read:

> The submarine design has progressed to the point where the next step in the program is to order the long-lead nuclear propulsion plant equipment and proceed to make the working drawings for the submarine as has been our standard practice in nuclear submarine design and construction from the first nuclear submarine—the *Nautilus*. The Shipbuilding and Conversion funds in the President's fiscal year 1973 budget provide for procurement of long-lead nuclear propulsion plant hardware for the lead and three follow submarines and for making the working drawings for the submarine. Without these funds work will come to a halt; and delivery of this submarine will be delayed at least one year.
>
> We plan to build a prototype of the propulsion plant as we did for the *Nautilus*, using the same time phasing. The Trident submarine and its nuclear propulsion plant do not require evolution of new technology or technological breakthrough. They build on the technology which has been developed and demonstrated, starting with the *Nautilus*. The AEC portion of the prototype was included in the AEC authorization and appropriation bills which Congress has already passed. The Navy portion of the funds for the prototype, $23.5 million, is in the Navy's FY 1973 Other Procurement, Navy request. The timing of the prototype and the lead Trident submarine—the prototype in FY 1973 and the lead ship in FY 1974—is the same as I have successfully used over the last 20 years starting with the *Nautilus*.
>
> In summary, the Trident will provide mobile seaborne strategic missile launch submarines which will be able to cover their targets from one third of the area of the oceans of the world.

Mr. President, mind you, we could put a missile on the Trident that could go about 6,000 miles. You would not have to be in the Mediterranean to protect the security of America; you could do it off the coast of North Carolina or South Carolina. That is the purpose of this and it is going to be harder to hit because it is mobile and more powerful than anything we have ever had. As we look around today and see our troubles in Morocco, where we built an enormous airbase and then had to get out, and the trouble we had renegotiating in Spain, and we are even having trouble now on Okinawa; the time may come when we may be told to leave other parts of the world unless we do certain things which would not be acceptable to the United States. The time has come when we can turn to an alternative, and this is it.

In fact Tridents will be able to cover their targets from their home ports in the United States. Imagine that. Do you know what that means, Mr. President? Some of our land-based missiles may become obsolete. In the long run we may be doing what needs to be done to render unnecessary this constant talk about ecology and all that sort of thing.

Continuing:

> To neutralize this capability with anti-submarine warfare detectors and weapons will pose such a problem to potential enemies to be impracticable of solution. This also means we would no longer be dependent on foreign bases for our ballistic missile submarines.
>
> I am thoroughly familiar with this program and I have every confidence that the submarine and missile will work. There is no risk in proceeding with long-lead procurement for the submarines this year as provided for in the President's budget request.
>
> Some who question the Trident appear to do so from philosophical concepts and not on the actual need for the submarines. These concepts flow from the belief that because of the present apparently optimistic international situation in consequence of the SALT meeting, there will probably be no more war in which the United States will be deeply involved. If it is true that there will be no more war, the opponents of this program will be correct. If not true, we will have committed a great national blunder.

Mr. President, I add my own statement here and at that point say God help us.

> The sums involved for the Trident program are small compared with our total national budget and the importance of this program for our future national security. When there is an actual crisis we will not then have the time to set out on a program such as Trident. The length of time needed to implement such a program will be too long to do us any good.
>
> National defense is a long-range problem. It should not be decided on transitory situations such as the status of today's economy, today's unemployment, or today's social welfare needs. We must look to our statesmen in Congress to do what is right for our future. This was true in the Civil War, in World War I, World War II, and in the Korean War. Members of Congress—particularly those in the Senate—constitute our national conscience. The majority of that body, no matter how distasteful or how much it may have been contrary to popular opinion, have always taken the long-range national view.
>
> H. G. RICKOVER.

Mr. President, I want to say in conclusion, because this letter speaks for itself. I realize, as I said before, that reasonable men will differ and disagree.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PASTORE. I have the highest respect for another man's point of view, but I rise here today to tell you how I personally feel, how I shall vote, and why I am voting the way I do.

I know I am not an expert on nuclear propulsion. I am not an expert in war strategy. I am not a military man and I am not a scientist. I am a lawyer by profession. But I learned a long time ago if ever you want a right opinion on a subject beyond your capacity to understand you go to the best man in that field and ask his opinion. I went to Admiral Rickover who, in my judgment, is the highest authority in that area.

I thank the Chair and I yield back whatever time I have remaining.

The PRESIDING OFFICER. Who yields time?

Mr. BENTSEN. Mr. President, I yield to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. MOSS. Mr. President, I rise to support the amendment now before the Senate.

This amendment in fact, does not oppose the Trident as a submarine that may eventually be needed to defend this country. It opposes only the proposed acceleration of the program which has resulted in an incredible jump from about $140 million this fiscal year to the $906.4 million level, and which was approved by a tight 8 to 8 tie vote of the Senate Armed Services Committee.

All that this amendment seeks to do is return the Trident to the $398 million level originally approved by Deputy Defense Secretary Packard in September 1971. Thus could we save over $500 million. Every newspaper that I have seen in the past several days reports that administration spokesmen call on Congress to curtail spending. Well, here is a chance so to do. President Nixon wants a ceiling on spending. We should cooperate.

The 2- to 3-year speedup in the Trident submarines and the construction of a new Trident base would permit deployment of the 4,500 mile ULMS–1 missile in Polaris submarines in December 1977, and deployment of the first new Trident a year later. This is a step up in the deployment date for the Trident but does not change the projected deployment date for the ULMS–1 missile.

I think this is significant because the Poseidon program was designed to enable us to overwhelm any ABM systems which could be made operational during the 1970's. Obviously, ABM penetration is a function of the missile rather than the submarine capability, and the ULMS–1 missile will be available at the same time whether or not we pursue an accelerated Trident program.

The $398 million amount which was recommended unanimously by the Research and Development Subcommittee is identical to the amount in the amendment now before the Senate. It permits a fivefold expansion in ULMS–1 missile research and development and a twofold expansion in Trident Submarine research and development over fiscal year 1972 levels.

This is in no way an attempt to gut the program. It is quite adequate to allow orderly progress on the Trident yet would not freeze the design of the new submarine and would not require a production commitment in fiscal year 1973. The Senate and the House have consistently supported the Trident/ULMS program in the past, but approval of this year's request would constitute an irrevocable decision regarding important design options.

Total costs for the program have been estimated by official spokesmen as ranging somewhere between $11 and $14 billion depending primarily on whether 1972 or escalating dollars are used for estimating purposes.

This huge expenditure assumes that only 10 Trident submarines will be built and makes absolutely no allowance for Atomic Energy Commission costs, operating costs, or the costs of a second generation 6,000 mile ULMS–2 missile.

Inclusion of these factors and the eventual expansion of Trident production to the approximately 30 submarines needed to replace, ultimately, our Polaris/Poseidon force could raise total costs quite easily to the $40 billion level. But not only is there no need now for an accelerated ULMS/Trident program, but there are also positive dangers inherent in proceeding with an accelerated program.

There are at least three problems which arise.

The first is development production concurrency. Experience has shown the importance of withholding production funds until satisfactory development progress has been made. Premature production invariably leads to higher costs and later deliveries than more orderly programs. The Armed Services Committee warns against this danger in its report—but the committee's action does nothing to guard against it.

The second is obsolescence through future ASW advances. At this moment the Polaris/Poseidon force is secure from all presently identifiable antisubmarine warfare techniques, and they could be made even more secure by installation of the ULMS–1 missile and by some quieting improvements. The danger is that any new submarines we build today could be rendered obsolete by long range developments in ASW at the same time as our present submarines be come obsolete. Accelerated production of the Trident could prove to be a costly blunder in the long run.

Then, there is the problem of our design option in light of known Soviet plans. The Trident submarine will be several knots faster and twice as large as our latest Polaris submarine and will carry 24 missiles compared with 16. This involves two risks: first, larger size means easier detection, and second, fewer ships mean more susceptibility to Soviet ASW breakthroughs.

Finally, for all these reasons, the question arises—can the Senate risk the survivability of our whole sea-based deterrent for the sake of some expensive but small interim improvements in our submarines?

As the committee report notes, the specific terms of the SALT agreement are that we could replace our ten oldest Polaris submarines with either eight submarines carrying 24 missiles each or as many as 13 submarines with 16 missiles a piece. The first choice gives us 192 missiles at sea while the second provides 208—a difference of 16 missiles.

It is much wiser for Congress to deny a portion of this funding outright and return the Trident to a less dangerously accelerated timetable. Otherwise, we are jeopardizing our security.

Mr. President, a time when priorities are of the greatest importance, and there is a large overdraft on the budget in the making, and a deficit being piled up is the time for this Congress, and this Senate, to find areas where we can bring our spending within limits. Here today is the opportunity to do so, and in so doing not jeopardize our defense posture. As a matter of fact, it might well be improved.

I thank the Senator for yielding.

Mr. BENTSEN. Mr. President, does the Senator care for additional time?

Mr. MOSS. Not unles there is some colloquy.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Florida (Mr. GURNEY).

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. GURNEY. Mr. President, I have listened with interest and appreciation to the views of both the proponents and opponents of the Trident program. After careful consideration, I now offer my support for this most important national program. I have also supported the Strategic Arms Limitation Agreements now before Congress. I do not consider these views to be in conflict.

The basic objective of our strategic policy is to preserve the sufficiency of our deterrence and to make nuclear attack unattractive. It is my view that within the limits imposed by the Strategic Arms Limitation Agreements, that we must have the best possible strategic system, to insure the credibility and invulnerability of our strategic, deterrent forces in this decade and throughout the century. Certainly stable mutual deterrence, vis-a-vis the Soviet Union should be the basic goal of our strategic defense policy, in determining the size and composition of our strategic offensive forces. These forces should be sufficient in size to give us a second strike capability even in the face of an all-out surprise attack by the Soviet Union. This second strike capability must be sufficiently large as to cause an unacceptable destruction of the Soviet urban and industrial base. Our strategic forces should be of such composition as to provide the Soviets with no incentive to launch an attack against our strategic forces in the heat of a crisis, nor mitigate the damage it might otherwise absorb. Clearly our sea base forces have significant advantages over their land-base counterparts. These advantages stem from their high survivability and less provocative nature. It is not enough that this strategic sufficiency be adequate in our minds, but is also necessary that our capacity and capability not be misunderstood by a possible opponent. It is important that we proceed now to develop our survivable sea base forces to their maximum.

The Trident program will provide us in the near term with the availability to upgrade our present at-sea forces. The new missile will permit our current submarine to take advantage of the concealment offered by the greatly expanded ocean areas, made available by the longer range Trident missile. The Trident submarine is being subjected to a prime design effort to control the ship's radiated noise and to reduce target strength since these are major factors in ship's survivability. The engineering plant of the Trident submarine will permit quiet operation at higher speeds than possible in our present quiet attack submarine. The SAL agreement before Congress would limit the numbers of submarine strategic missile launch tubes available to this country. It is important that within these constraints, the maximum number of launch tubes be at sea and ready to respond to nuclear attack or threats to this country. Our experience has shown that there are definite limits to the continuous at-sea deployment of our current submarine force. The Trident program has a primary objective of increasing the availability of our submarines at sea. When we consider the cost effectiveness of this new system it is worthy of note that the Trident submarine, with its planned deployed availability of 70 percent as compared to the realized availability of the Poseidon submarine of 50 percent, can deploy as many launch tubes at sea with 10 Trident submarines as could be deployed with 21 Poseidon submarines.

The Trident program has been carefully considered, it provides flexibility and new options in the near term and will provide us with an assured deterrence for the future. I ask your support to go ahead with the Trident program now.

I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mrs. SMITH. Mr. President, I yield to the Senator from Connecticut (Mr. WEICKER) 5 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. WEICKER. Mr. President, I rise in opposition to the amendment of the Senator from Texas, and I might say there is no man for whom I have a greater respect in the majority of instances, although with this particular amendment he and his colleagues have gone far afield.

Let me state at the outset, so that my remarks are evaluated in the proper reference frame, or what now would be called "truth in packaging," that I represent the State of Connecticut, where a good portion of this Nation's submarines are made. People can then take that input in deciding whether I speak on the basis of principle or in a parochial sense. I speak as a matter of principle on this matter as these are comments I made before becoming a Senator. I am a firm believer in a first rate submarine capability.

What is so dangerous about this amendment is that it attacks a concept that is being attacked in many areas—specifically, the concept of leadtime. What I find objectionable in this amendment is attacking a concept that in many instances the public does not understand.

Let me see if I can bring home what we are talking about here. Just before I came to the floor I had the opportunity to sit down and speak with a group of young people from the State of Connecticut, and one of them asked me what the United States would have going for itself in the way of achievements in the 1970's.

I said, "We are going to have nothing." Nothing because, indeed, the shape of the 1970's was determined by the budget cuts of 1967, 1968, and 1969. That is what lead time means. You do not get tomorrow what you pay for today—not in this highly technical and complex area of military hardware. From start to finish is calculated now in years, not days.

I think the NASA example is a good one. We will have nothing in the way of achievements in the 1970's because of the budgets of the late 1960's. As I have said, lead time is the easiest concept to attack because the public has a difficult time grasping its effect.

As far as I am concerned, I think it highly imprudent to go ahead and plan out our submarine capabilities so that a new program does not really commence until our present capability is obsolescent. I would like a little breathing space. Even under the accelerated program, the Trident capability will not be in any sort of meaningful position until the early 1980s, while in fact we will be obsolescent with our Polaris-Poseidon fleet at the end of the 1970's.

I noticed a statement was made in the memorandum of Senators TOWER, ERVIN, THURMOND, and FANNIN that:

> We cannot protect against the unknown, but we can protect against the known fact that Polaris-Poseidon will enter the phase of obsolescence in 1979 and Trident will not appear in significant quantities until the mid-1980's.

I think that tells the story pretty well. I think it absolutely essential, that before we reach obsolescence we have a second capability that will take us into the 1980's and beyond.

I would like to comment, if I may, on several of the statements made in the memorandum——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. Mr. President, I yield the Senator 1 additional minute.

Mr. WEICKER. Could I have about 3 more minutes?

Mr. STENNIS. I yield 2 minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 minutes.

Mr. WEICKER. I notice that the statement is made in the memorandum on behalf of the Bentsen amendment that the Soviets have no new submarine development program. It calls the Trident program wasteful, because the Soviets have no new submarine development program but are simply improving their older boats.

The Soviets had nothing even close to the U.S. submarine fleet some years ago. Now they're caught up, and we are supposed to be satisfied with that fact of military life.

Well, I am not. The argument is made in this same sheet that we should sit back and see whether or not the Soviet tactic of putting fewer missiles on more submarines is the correct tactic.

I do not want to sit around and emulate the Soviet Union. In the parochial sense, the people of my State would be better off if the position of the Senator from Texas were to prevail, because we do not manufacture missiles. We manufacture submarines. But as one who was in the field artillery, if I am not mistaken, the Soviets in World War II believed in massing their weapons on the ground to get the same effect at the point of impact, and it was the United States that developed the concept of an indirect firing system. In tactical areas, the United States has always been ahead of the Soviet Union, and I hope such will be the case for a long time to come.

But the plea I make to my colleagues is not to gloss over the concept of leadtime. I think it is up to us to examine that project, but when, admittedly, the project is good——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WEICKER. One more minute, please.

Mr. STENNIS. Yes, I yield the Senator 1 more minute. I am sorry I cannot yield him more.

Mr. WEICKER. When admittedly the concept is correct—and this is admitted by the sponsors of the amendment—to then come along and attack this concept of leadtime is not laying all the cards on the table. To me, it is absolutely necessary that we have this leadtime, so to be in a secure position by 1980. If we do not accelerate now, what will happen is that the period between obsolescence of the present fleet and the meaningful capability of Trident will considerably widen.

For that reason, I oppose the amendment of the Senator from Texas, and hope we will get on with the program as advocated by the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, I yield myself such time as I may use.

In conference with the Senator from Texas, we have discussed the matter of the time of day, the allotted time, and the situation of some Members wanting to know more definitely about the time for a vote.

If it is agreeable to the Senator, I will make this unanimous-consent request: I ask unanimous consent that at 4 o'clock today the debate close and we proceed to vote upon this amendment.

I yield to the Senator from Texas for any comment he may wish to make.

Mr. BENTSEN. Mr. President, the Senator from Texas agrees to that. We have had extensive debate here. I think it has been truthful and responsive, and we have had many participants. There have been some fine statements on the floor this afternoon, and I am in full accord with the 4 o'clock limitation.

Mr. STENNIS. Mr. President, may I proceed further?

We have also discussed a division of the time, and although he has not used as much time as the floor manager has used, it seemed that it would leave each of us enough time, if it is agreeable to the Senator from Texas, to divide equally the time that remains.

Mr. BENTSEN. Mr. President, because of the forcefulness of the arguments of those who support my amendment, I am willing to settle for half of the remaining time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. STENNIS. Mr. President, will the Chair now state the agreement, for the information of Senators coming in?

The PRESIDING OFFICER (Mr. BEALL). The vote on the amendment will occur at 4 o'clock and the time remaining between now and 4 o'clock will be equally divided between the proponents and the opponents of the amendment.

Who yields time?

Mr. BENTSEN. Mr. President, I yield 15 minutes to the distinguished Senator from Kentucky.

Mr. COOPER. Mr. President, I have joined as a cosponsor of the amendment offered by Senators BENTSEN, SYMINGTON, and SAXBE which would delete $508.4 million from the requested $980.2 million request made by the Department of Defense for an accelerated Trident development program. Research and development of the Trident system is amply provided. Construction of the submarine boat would not begin in this fiscal year.

I would like to say at the outset that I do not consider myself an expert upon strategic nuclear systems. Also, I am well aware of the fine record of work done by the Senate Armed Services Committee, under its distinguished chairman, the Senator from Mississippi (Mr. STEN-

NIS), and by the ranking Republican member, the senior Senator from Maine (Mrs. SMITH).

I do understand the purposes of the Trident and its components, and from the extended hearings which we have held in the Committee on Foreign Relations on the antiballistic missile system and other nuclear systems as all are related; and from hearings on the SALT talks and recently on the ABM treaty, and interim agreements on offensive weapons most of us have acquired knowledge of these strategic nuclear systems.

I might say that I am not one of those who favor in any way the unilateral disarmament or a weakened defense of the United States. While I opposed the antiballistic missile systems and have urged for years the success of the SALT talks, which I believed of the greatest importance, I want to see the United States security protected.

I see nothing in the adoption of this amendment which would in any way adversely affect the security of the United States. As the distinguished principal sponsor of this amendment, Senator BENTSEN has said, the submission of his amendment does not indicate on his part any opposition to the Trident system. He simply argues that the acceleration of the Trident program at this time, without knowing exactly what danger from antisubmarine devices the system would protect, and the strong possibility that there might be a wrong design choice as to hull size and ASW components at this time, leads him to sponsor this amendment, with Senators SYMINGTON and SAXBE.

In the time I have, I will not repeat the arguments that have been made forcibly by those who sponsor this amendment. I do believe, with many of my colleagues, that the sea-based portion of our nuclear deterrent is the least vulnerable and provides in itself an assured deterrent. I have fully supported and will continue to support necessary efforts to maintain and improve the quality and invulnerability of the sea-based deterrent, as well as other components of the U.S. deterrent. But I am opposed to the addition of a half billion dollars for an accelerated program of the Trident when it has not yet been determined, what dangers this advanced system will protect us against and what should be placed in the hull of the new nuclear submarines that would have to be constructed.

The Armed Services Committees of both Houses and the Appropriations Committees of both Houses, in addition to the Committee on Foreign Relations, have studied the Trident program and alternative programs in great and serious detail over the past year. The Armed Services Committee of the Senate in its report, expressed in a very straightforward way its concern about the Trident program and some of its problems.

The committee report supports, in my view, the wisdom of postponing this year the initiation of the construction program until the matters which concern the committee can be better resolved.

I ask unanimous consent to have printed in the RECORD at this point that portion of the committee report on pages 29 and 30 entitled "Committee Considerations."

There being no objection, the report was ordered to be printed in the RECORD, as follows:

COMMITTEE CONSIDERATIONS

The committee is concerned with this program, not only because it is a vital segment of the Triad of deterrent strategic systems, but also because it promises to be one of the most expensive weapon systems ever developed by the United States. The Navy estimated that it would cost $13.5 billion to develop and build a fleet of 10 Trident submarines equipped with 24 Trident I missiles. It is for these reasons that the committee conducted an exhaustive series of hearings, both before and after the SALT agreements were announced, to determine the correct course of action. The need for the Trident program is not at issue. The principle need is to make sure that the management of this program avoids the problems of concurrency which could result from the fact that this program is being accelerated.

The committee observed that the plan to build the submarine with 24 launch tubes will limit the number of Trident submarines under the SALT agreement. This is because the initial replacement of even the 10 oldest Polaris ships could be accomplished with only 8 Trident, for a reduction of 2. The committee encourages the Department of Defense to weigh this matter very carefully before freezing the design of the Trident submarine. The committee understands that the final decision is yet to be made. The fact that the Soviets appear to be building their submarines with 12 instead of 16 launchers each, as on the Yankee Class, raises serious questions regarding the different values that the two countries place on the advantage of a greater number of submarines to enhance survivability.

The committee intends to closely follow the development of this weapon system to ascertain its progress against planned milestones and to insure that its costs do not exceed estimates.

It should be noted that at the present time there is no approved program in terms of the total numbers of Trident submarines to be approved. The presentation to the committee has been on the basis of ten submarines.

Mr. COOPER. In addition, there have been excellent analyses in public journals on the nuclear submarine question. Two of the most outstanding were written by Dr. Herbert Scoville, Jr., in the June 1972 Scientific American, entitled "Missile Submarines and National Security," and by Dr. Richard L. Garwin in the July 1972 Scientific American, entitled "Anti-Submarine Warfare and National Security." I ask unanimous consent that these two articles be printed in the RECORD at the conclusion of my remarks, because I believe these two distinguished scientists describe clearly the situation the United States faces with regard to maintaining the present invulnerability of the sea-based portion of the nuclear deterrent.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. A most careful investigation of the Trident program was undertaken by the Research and Development Subcommittee of the Armed Services Committee, which is chaired by Senator MCINTYRE and whose members are Senators HARRY F. BYRD, JR., BENTSEN, DOMINICK, and GOLDWATER. This subcommittee, after exhaustive and thorough hearings, recommended unanimously that the schedule originally proposed by Deputy Secretary of Defense Packard be followed and that the accelerated program requested by Secretary Laird prior to the SALT agreements be rejected for this year. They recommended that work, which I support, on the 4,500 mile range ULMS I missile which can be fitted into the Poseidon boat, should continue but that deployment of the Trident boat should be deferred until more research and development work with particular regard to possible antisubmarine warning system breakthroughs had been done.

There is a danger against which supporters of the committee recommendation want to protect—that is an Anti Submarine Warning System breakthrough by the Soviet Union. As I understand it, such a possible threat has not yet been fully analyzed, and, therefore, the antisubmarine warfare systems that may have to be constructed to counter threats by the Soviet Union cannot now be built. As the sponsors of the amendment argue, it would be a mistake to proceed with the construction of the boat without knowing what is going to be put into its hull or indeed even be certain of the size hull needed. Another year of research and development could clarify these problems.

It is my view that the work of the Armed Services Committee, particularly the R. & D. Subcommittee, is to be commended. The thoroughness of their work is a positive illustration of the leadership of Senator STENNIS and Senator SMITH and all members of the committee in the past few years, since the debate on our strategic nuclear systems was opened. The essence of the finding of the R. & D. Subcommittee is that the security of the United States should be based upon demonstrated need and that weapons systems should not be deployed unless they are technologically sound and meet a clear need of national security.

Of great importance, I believe, is the fact that the Trident deployment question has a direct hearing upon the future SALT negotiations and should be considered in the light of those most important talks. As we know, agreement has been reached upon a limitation of antiballistic missile systems and a treaty has been submitted to the Senate. The 5-year interim agreement has been reached upon certain strategic offensive weapons and has been submitted to Congress, and we will be voting on both very soon. As I look at these agreements, they are not to be considered agreements which encourage the deployment of further strategic nuclear weapons systems when we have come by agreement on what we believe is an assured and stable deterrent. Rather, these agreements should be considered agreements to control and limit existing systems, with the purpose and objective, in phase two of the negotiations, of proceeding toward further limitations of nuclear systems, and it is hoped reductions.

Dr. Wolfgang Panofsky, one of the great strategic weapons systems scientists in our country, pointed out a few days ago—on July 20—before the Committee on Foreign Relations, that the interim agreement "has increased the destructive power and worth of our existing deterrent forces." He argued that without the possibility of an area deployment of antiballistic missile systems in the Soviet Union, that the approximately 6,000 deliverable warheads we already have, has increased the destructive power and worth of our existing deterrent forces. Each of these 5,888 warheads has a greater destructive force than the bombs which destroyed Hiroshima and Nagasaki. These figures, made available by the Department of Defense, underline the certainty of being able to destroy the Soviet Union many times over, even after sustaining a first strike.

I do not know all the testimony that was heard before the Senate Armed Services Committee, but scientists who helped build these weapons, who know their capabilities and their effectiveness, testified before the Senate Foreign Relations Committee that there was no rational reason to believe our deterrent could be endangered. They testified as did Admiral Moorer, that our strength could not even be matched by the Soviet Union during the next 5 years.

Dr. Panofsky and other leading scientists have argued that it was important that we exercise restraint in the commencement of further strategic nuclear systems, to influence similar restraint by the Soviet Union—that we would know by that time, at least in 2 years whether the Soviet Union intended to exercise a similar restraint.

I know the value that has been argued for the so-called bargaining chip; but as several of the scientists also testified pointed out our reliance upon the "bargaining chip" of the antiballistic missile system only caused the Soviet Union to secure authority under the agreement to construct a second antiballistic missile site and move into a field which it had not previously entered—that of protecting an ICBM missile area. They also pointed out that our MIRVing was the probable reason why the Soviet Union chose to develop its heavy missiles, such as the SS–9.

My argument is that for at least, I would say, for 2 years—we should show restraint to determine if the Soviet Union will also show restraint. If so, it is possible that in the next phase of the talks, that the United States and the Soviet Union could agree on limitation and control of additional strategic systems.

The amendment offered by Senators BENTSEN, SYMINGTON, and SAXBE is a prudent and responsible application of the policy of restraint. It does not infringe or bring into jeopardy the security of the United States. In my view, it will further insure our security not alone from the argument of strength, but by giving time to determine what kind of system will be best and most effective for the security of the United States.

This amendment assures that a full research and development will go forward but that unnecessary and possible escalatory deployments would be deferred at least for this year.

For these reasons, Mr. President, I will vote for the amendment. I believe that it is a sensible amendment and one which fully protects the security of the United States.

EXHIBIT 1

MISSILE SUBMARINES AND NATIONAL SECURITY

(By Herbert Scoville, Jr.)

(NOTE.—Figures and tables referred to are not printed in RECORD.)

In recent years, as the nuclear-weapons arsenals of both the U.S. and the U.S.S.R. have continued to grow, the concept of deterrence has become almost universally accepted as the key to maintaining national security and preventing the outbreak of a nuclear war. "Winning" a nuclear exchange is no longer regarded as a rational strategic objective; in such an exchange everyone, participant and nonparticipant alike, would be a loser. In keeping with the deterrence principle President Nixon affirmed in his State of the World Message of February 9 that "our forces must be maintained at a level sufficient to make it clear that even an all-out surprise attack on the U.S. by the U.S.S.R. would not cripple our capability to retaliate." For the Russians to feel secure they must have a similar capability; only then would a stable strategic balance exist.

The primary attribute required of any deterrent force is the ability to survive a "counterforce," or preemptive, attack. Ballistic-missile submarines are almost ideally suited to satisfying this requirement. Although they are expensive compared with other strategic weapons (more than $100 million per submarine exclusive of the missiles), their mobility and invisibility make them virtually immune of destruction in a surprise attack. In contrast, land-based intercontinental ballistic missiles (ICBM's) can readily be located with the aid of surveillance satellites, so that they must be regarded as "targetable" in the event of an enemy first strike. Attempts to "harden" such fixed missile-launchers (that is, to increase their resistance to the effect of nuclear explosions) are in the long run doomed to futility, since in the absence of qualitative arms-control agreements improvements in offensive missiles, particularly improvements in accuracy, will inevitably make fixed missile-launchers vulnerable and hence reduce confidence in their deterrent value.

The advent of multiple independently targetable reentry vehicles (MIRV's), which are currently being deployed on a large scale by the U.S., creates a situation in which the "exchange ratio" strongly favors the attacker. Thus a single missile with, say, six warheads can potentially destroy six enemy ICBM's if they are caught in their silos. Moreover, strategic bombers are extremely vulnerable while they are on the ground and would therefore be very susceptible to annihilation in a surprise missile attack. Attempts to avoid this weakness by maintaining aircraft on continuous airborne alert have proved to be expensive and potentially dangerous. Even the current 15-minute ground alert is not completely satisfactory, since adequate warning would be more difficult to obtain if fractional-orbital-bombardment systems (FOBS) or depressed-trajectory missiles launched from submarines were used to attack the bombers.

Hence given the present state of military technology and reasonable anticipated advances, the primary element in the strategic-deterrent forces of both the U.S. and the U.S.S.R. will continue to be the ballistic-missile submarine. All other strategic systems will remain secondary. Moreover, it seems likely that any agreement that may emerge in the near future from the strategic-arms-limitation talks (SALT) will further enhance the relative importance of the missile-submarine forces. Since the chances that MIRV's will be limited by a SALT agreement are extremely low, ICBM's will become increasingly vulnerable. The more likely limitations on anti-ballistic-missile (ABM) systems, on the other hand, would guarantee the retaliatory capability of even a comparatively small number of submarine-launched ballistic missiles (SLBM's). The expected failure to limit qualitative improvements in offensive-missile systems would further decrease the value of strategic bombers. Although there will probably not soon be restrictions on antisubmarine-warfare (ASW) measures, the technology in this area is so far behind that it could not possibly threaten the submarine deterrent, if it can threaten it at all, until far in the future. In sum, the Navy *will* increasingly be the principal military guardian of our national security.

What characteristics must an SLBM force have in order to fulfill its function as a deterrent against the initiation of nuclear warfare by the U.S.S.R.? (Since China is so far behind both the U.S. and the U.S.S.R. in this respect, the same forces would be more than adequate to deter China as well.) First of all, the submarines should be designed to operate in, and fire their missiles from, large enough ocean areas in a variety of directions around the U.S.S.R. so as to decrease their vulnerability to ASW detection and tracking and to facilitate the penetration of any ABM system. The closer these areas are to ports in the U.S., the less will be the time lost in moving to and from operational stations and the less will be the need for overseas bases. Higher submarine speeds will also reduce this travel time and increase the ability to break contact with a trailing ASW submarine or surface vessel. The gains here may be marginal, particularly since tracking vessels will probably be faster than any missile submarine. The faster a submarine moves through the water, however, the more noise it will produce, and in countering ASW measures quietness may be much more important than speed. The reduction of submarine noise is the most critical element in preventing detection and continuous covert tracking, both of which must rely on passive acoustic sensors.

If an ABM defense is a realistic possibility, then the submarine missiles must have enough payload capacity to allow the use of multiple warheads and other penetration aids. The entire submarine force should be large enough so that the destruction of a few submarines by a concerted enemy attack, by slow attrition or perhaps by a series of accidents does not seriously degrade its overall capability. If continuous tracking by antisubmarine submarines or other ASW vessels ever becomes a realistic operation on a large scale, then the more vessels there are in the missile-submarine fleet, the harder it will be for this tactic to be successful in destroying the entire force. Ballistic-missile submarines cannot be used to attack other submarines and are no threat to the SLBM deterrent of the other side.

In addition to an adequate number of submarines, missiles and warheads, it is essential to have secure and reliable communications between these vessels and their command authorities. It is not enough to send the submarines to sea with sealed orders. Controls to prevent inadvertent or unauthorized firing are an absolute necessity, and reliable methods for ordering retaliation in the event of a surprise attack are required. These communications must be jam-proof; the potential attacker cannot be allowed to hope that a communications failure might prevent a retaliatory strike.

The submarines must also be able to navigate accurately, so that after they have moved through the oceans into their operational areas they will always be in a position to fire their missiles at predetermined targets. High navigational accuracy is not as great a requirement for a retaliatory strike against cities as it would be if the submarines were to be used in a counterforce role for destroying such "hard" targets as enemy missile sites. In fact, if one side wishes to use missile submarines only as deterrent weapons, then it is important that the accuracy-yield combination of the system not be so great as to give the other side concern that the submarines have a first-strike capability against land-based ICBM's; otherwise the position of mutual stable deterrence will be eroded.

With these general principles in mind, let us examine how the U.S. missile-submarine forces have developed over the years. The U.S. launched the first nuclear-powered submarine, the *Nautilus*, in 1955, but it was not until the late 1950's that development of long-range missiles had proceeded to the point that these could be installed in such submarines. The first ballistic-missile submarine, the *George Washington*, became operational in November, 1960. It was armed with 16 solid-fuel Polaris *A–1* missiles, which could be fired at a rate of about one per minute. The range of this missile was about 1,200 nautical miles and the warhead yield about one megaton. The submarines were designed to fire their missiles while submerged, using compressed gases to expel the missile; the rocket engine is then ignited after the missile has cleared the surface. By 1963, 12 more Polaris submarines were operational.

Meanwhile the development of more advanced missiles continued. The next-generation missile, the *A–2*, had a range of about 1,500 nautical miles. The first test of the *A–3* missile, with a range of 2,500 nautical miles and a "triplet" reentry vehicle, was conducted from a submerged submarine in the fall of 1963. The triplet reentry vehicles, which could carry three individual nuclear warheads each, did not have independent guidance; the three warheads were intended to reenter the atmosphere in a shotgun pattern with the target at the center. Since such warheads cannot be aimed at separate targets, they do not alter the exchange ratio and do not provide any first-strike advantage. Their advent was therefore not in itself regarded as destabilizing.

In the early 1960's there was considerable debate over the appropriate size of the Polaris fleet. The Navy originally sought 48 ships, and the final decision was to build 41. One factor limiting the number of submarines is the problem of manpower recruitment. Nuclear-submarine duty, which involves 60-day underwater cruises, calls for a certain type of person who is not easy to find and who must be highly trained. Normally each vessel has two crews of about 140 men who go on alternate patrols.

By the end of 1966 all 41 Polaris submarines were operational; eight carried A–2 missiles and 33 were eventually fitted out with A–3's. Thus the force carried a total of 1,712 warheads, but since the triplet warheads cannot be aimed separately, 656 was the maximum number of separate targets that could be hit. Of course, not all of these submarines can be kept at operational stations at all times. In general a submarine spends 60 days at sea and 30 days in port for maintenance. In addition the submarine might take five or more days to move from the U.S. to its launch point and the same period to return. If a submarine wished to avoid detection by moving quietly and therefore slowly, the travel time would be even greater. Thus the number of submarines at launch stations at any one time could be reduced to some 20 to 25 ships. The situation is improved by using forward bases (on Guam, at Holy Loch in Scotland and at Rota in Spain), which reduces the time needed to reach launch stations from five or six days to one or two days.

With a range of 2,500 nautical miles, a submarine-launched missile can hit Moscow from most of the North Atlantic (inside an arc extending from the tip of Greenland to North Africa), from the Mediterranean and even from some parts of the Indian Ocean, a total sea area of about six million square miles. The sea area from which a submarine-launched missile could hit important targets other than Moscow, say targets only 200 miles inside the U.S.S.R., is even larger. One high-ranking Navy officer reported in 1964 that a Polaris submarine equipped with the A–3 missile could operate in 15 million square miles of ocean area while covering its targets in the U.S.S.R. No land target anywhere in the world is inaccessible from attack by the A–3 missile.

Although mobility provides a submarine with the tremendous advantage of improving its survivabilty, it creates a new problem: the determination of its location at the moment when the missile is to be launched toward its target several thousand miles away. Unless the missile is provided with some means of determining its position during flight or with a terminal-homing capability, the accuracy at the impact point can never be better than the uncertainty in the launch point. To determine the launch position calls for accurate submarine navigation, which is made more difficult by the requirement that in order to avoid disclosing its presence the submarine should not surface to determine its location. The attitude of the ship with respect to the vertical and true north at the time of the launch is also needed. When the missile force is being used for deterrent purposes, an accuracy greater than a few thousand feet is not needed; it is only necessary to be able to hit a large urban complex. Today this order of accuracy in locating the position and attitude of a submarine can be readily achieved. The U.S. has made tremendous advances in the development of inertial-navigation systems in recent years, and reasonably accurate position fixes can be obtained even after the submarine has been submerged at sea for many days.

The inertial-navigation system in a Polaris submarine is a complex system of gyroscopes, accelerometers and computers that relate the movement and the speed of the ship in all directions with respect to true north. If an initial position is known, then this system will provide continuous data on the ship's position. For an absolutely stationary submarine, or one whose motion can be corrected for, inertial sensors can determine without external data the vertical, the true north, the latitude and all velocity components by inertially sensing the earth's gravitational and rotational vectors, but there is no way of determining the longitude by inertial means. Submarines that have been voyaging at sea for protracted periods and whose inertial-navigation errors may have become unacceptably large can, by trailing an antenna while they are still submerged, get a radio "position fix" from navigation satellites or land-based transmitters. It may also be possible to locate a submarine by reference to accurately known geographical landmarks on the ocean bottom such as seamounts. In sum, the present technology has advanced to the point where the location and attitude of the submarine could in principle no longer be the critical factor in obtaining missile accuracies down to less than an eighth of a mile.

A deterrent force must also be able to receive communications from national command centers. Direct command and control originating with the President and with many verification checks is vital to prevent unauthorized launching; it is also essential that command authorities be able to communicate in times of crisis with the submarine captains without fear of interference by the other side. Otherwise communication would be the Achilles' heel of the submarine deterrent. There are a number of means of communicating with a submarine, at least one way from shore to ship, that does not require the submarine to surface. Very-low-frequency (VLF) radio waves can penetrate a short distance into the water, so that a receiving antenna does not need to be exposed at the surface. Moreover, the submarine can operate at a considerable depth, since it can trail an antenna as much as several hundred feet above its deck. The U.S. has a number of land-based VLF transmitters at various locations around the world for communication with Polaris submarines, and more recently an airborne VLF system has been devised in order to eliminate the possibility that the fixed land-based stations would be destroyed in a surprise attack.

The use of satellites for relaying messages to submarines provides an alternative means of communication. Recently much research has been devoted to extremely-low-frequency (ELF) waves, which can penetrate even deeper into the water. The Navy project named Sanguine proposed to set up a vast antenna for this purpose in Wisconsin. The data rate of such a system would be quite low, but it would be adequate for command-communication purposes. The project has run into difficulties with local residents because of the large antenna currents and the potential hazard to living things. For communication from a submarine to the command center the problem is more difficult; it calls at the very least for trailing an antenna close to the surface and must in any case be avoided in order to prevent disclosure of the submarine's location to listening enemy radios. Fortunately such communication is not essential to the viability of the submarine deterrent force.

By the end of 1966 the U.S. submarine-missile force together with its support systems was by itself more than adequate to deter any nuclear attack on the U.S. It had more than enough missiles and warheads to devastate the U.S.S.R. even when only a fraction of the submarines were on station. It could operate in ocean areas on all sides of the U.S.S.R., and the Russian ASW capability was quite rudimentary, with virtually no ability to "draw down" the size of the U.S. fleet. At that time the Russians had no ABM system deployed.

Military technology did not, however, stand still. The need to operate in restricted sea areas close to the northern coast of Europe and the Mediterranean in order to reach Moscow and other interior Russian cities created fears that someday ASW measures might become a threat. More important, concern that the U.S.S.R. might deploy a large ABM system capable of coping with our missile-submarine force was becoming more acute every day. The Russians were in process of deploying an ABM defense around Moscow, using a large interceptor missile estimated to have a single-warhead yield large enough to destroy all three warheads of the Polaris A–3. In addition they were deploying radars and defensive missiles in the "Tallinn system" widely throughout the U.S.S.R. Some "worst case" analyses of U.S. planners, particularly during the early phases when factual information was limited, postulated that these facilities were for ABM defense. Later, as more data became available, the predictions were scaled down to the effect that the Tallinn system was an antiaircraft defense that could perhaps be upgraded to provide an ABM capability. (Now even this upgrading is not considered practicable by most experts.)

As a result research and development proceeded on a next-generation missile for the Polaris submarine that would give increased future assurance of penetrating any ABM defense and would at the same time give the submarines enough flexibility to operate at greater distances from the U.S.S.R. To increase either the payload or the range significantly called for a larger missile, and the resulting Poseidon missile required enlarging the launching tubes in the Polaris submarines, a costly and time-consuming task requiring 13 or more months. Since many of the submarines were due for overhaul in any case, however, the two shipyard activities could be combined with a minimum loss in operational readiness for the fleet as a whole. The cost of converting a Polaris submarine to carry the advanced Poseidon missiles is on the average $29 million, with another $38 million for normal submarine overhaul and replacement of the nuclear fuel.

The new Poseidon missile is about twice as heavy as the Polaris A-3 and has a payload about four times as great. Although its nominal range of about 2,500 nautical miles is the same as that of the A-3, a trade-off between range and payload is always possible, so that the potential range of the Poseidon is somewhat greater. The new missile incorporates MIRV technology, that is, the ability to disperse many warheads aimed at separate targets. The technique developed for this purpose employs the "bus" approach, in which shortly after burnout of the propulsion stages the missile's final stage (the bus) is aimed at a first target point and releases a warhead, which then follows a ballistic trajectory to that target while the bus is redirected toward a second aim point. The same procedure can be repeated until all the warheads have been sent to individual targets. If a single target is to be atacked, then MIRV technology allows the warheads to approach the target at widely spaced intervals and on different trajectories so that no more than one warhead can be destroyed by a single ABM interceptor. The Poseidon is reported to be capable of carrying 14 warheads, each with a yield of about 50 kilotons, several times the yield of the bomb that destroyed Hiroshima. Warheads can be traded off for either ABM penetration aids or increased range. The nominal complement is usually taken as being 10 MIRV warheads. Department of Defense officials have repeatedly stated that these warheads do not have the accuracy-yield combination to provide a first-strike capability against hardened silos (a "circular-error probability" of about an eighth of a mile or better would be needed with that yield), but the Russians might still be concerned on this score.

As with the Polaris A-3, a Poseidon missile with a range of 2,500 nautical miles can launch warheads at Moscow not only from large areas of the North Atlantic and the Mediterranean but also from some parts of the Indian Ocean, a total area of about six million square miles. Targets within 200 miles of the border of the U.S.S.R. can be reached from some 15 million square miles. These large ocean areas present great problems for any possible future ASW system. To deploy detection and tracking systems throughout these waters is a prodigious, if not impossible. task. Furthermore, on short notice these areas might be somewhat enlarged if it ever became critical by reducing the Poseidon payload. either by eliminating penetration aids or by cutting down the number of warheads in each missile.

The first Poseidon missile was tested in August, 1968, and the development of the entire Poseidon system was completed two years later. The first Polaris submarine went to sea with Poseidon missiles in March of last year. At present about 10 submarines have been converted. The program calls for modifying 31 submarines to carry these new missiles, leaving 10 to be equipped with the older A-3's. When the program is completed in 1976, the U.S. submarine force will be able to launch 5,440 warheads at 5,120 separate targets. It should be possible to keep considerably more than half of these submarines on station at all times, and in times of crisis the operational readiness can be stepped up if necessary. This is an awesome force, capable of overwhelming even a massive ABM defense system. There is, of course, no evidence that the Russians have any intention of building a large ABM system with nationwide coverage, and it is highly likely that such a system will be precluded in the first stage of strategic-arms-limitation treaty.

Even one missile submarine can launch 160 warheads at separate industrial centers in the U.S.S.R., an attack that the Russians could not afford even if the U.S. had been annihilated. This means that any ASW system would have to be able to eliminate almost instantaneously every single submarine, a herculean task. Today it is difficult, if not impossible, to destroy even a single submarine that follows skilled evasion tactics. Yet if IBM defenses were forbidden by treaty, an ASW system that has still to be devised would be the only threat to the submarine deterrent. That is one reason why an ABM agreement at SALT would by itself be such an important gain to the security of both the U.S. and the U.S.S.R.

The U.S.S.R. has always lagged considerably behind the U.S. in the development of nuclear submarines and SLBM's. The first Russian nuclear submarine was built about four years after the *Nautilus*, and Admiral Hyman G. Rickover, the director of the U.S. nuclear-submarine program from the beginning, has made it clear he believes the Russian submarines are technicaly inferior to the U.S. ships. The first Russian ballistic-missile submarines were diesel-powered and therefore had limited endurance and cruising range. Their first nuclear-powered missile submarine carried only three missiles with a 300-nautical-mile range, which in later models was extended to about 700 nautical miles.

By the late 1960's it must have been obvious to military planners in the U.S.S.R. that their land-based ICBM's would become increasingly vulnerable to the U.S. MIRV's, which were then under development and which had been publicly justified as providing an improved counterforce capability. The Russian deterrent needed shoring up with a more effective SLBM force, whose value had been demonstrated by the U.S. In 1966 the U.S.S.R. launched its first Y-class submarine, which carries 16 missiles with a reported range of 1,300 miles. This class of vessels was similar to the Polaris submarines, which the U.S. had put into operation seven years earlier. All the Russian SLBM's deployed so far have had storable liquid fuels, whereas all the U.S. missiles have had solid fuels. The Russians apparently decided to continue with the Y-class design and began building submarines at a rapid pace, initially at the rate of six to eight per year and currently at nine per year. Two shipyards are engaged in this work, one at Severodvinsk on the Arctic Sea and one in Siberia on the Pacific. At present the Russians have about 26 Y-class submarines operational and another 16 under construction.

Although the Russians have tested a new missile with a range of about 3,500 miles, John Stuart Foster, Jr., chief research scientist for the Department of Defense, recently reported that this missile was so long that he did not believe the Y-class submarine could be modified to launch it. The Russians have never even tested multiple warheads on their submarine missiles, let alone MIRV's. Their missiles are each armed with a single warhead with a yield of about one megaton. These missiles have no capability for attacking our ICBM silos, but it has been postulated that they might be employed to attack our bombers on the ground and our command and control centers, using a depressed trajectory to achieve the necessary surprise. The missiles have not, however, been tested in this mode, and this approach would, in any case, entail a reduction in their already limited range.

The U.S.S.R. will have a slightly larger ballistic-missile submarine fleet than the U.S. when it completes those vessels now under construction (42 to 42) Even then, however, the capabilities of the Russian fleet will be far inferior to those of the U.S. Polaris fleet. President Nixon in his 1972 State of the World Message said that "our missiles have longer range and are being equipped with multiple independently targetable warheads. Moreover, our new submarines are now superior in quality." The shorter range of the Russian missiles requires that their submarines operate fairly close to the U.S. coast in order to be able to strike inland U.S. targets; this makes the Russian submarines potentially more vulnerable to a U.S. ASW system [*see illustration on page 20*]. On the other hand, the population centers and industrial complexes on the east and west coasts of the U.S. can be reached from much larger ocean areas, and these targets would be quite satisfactory if the SLBM's were to be used for deterrent purposes [*see illustration on page 21*]. The restricted range would be a serious factor only if the SLBM's were to be used against our bomber bases or missiles in the interior of the U.S.

There are other reasons why the parity between the U.S. and the U.S.S.R. in operational submarines cannot be evaluated on numerical grounds alone. Since bases in the U.S.S.R. are farther from the operational launching areas and since the Russians have no locations available for forward bases, more time is wasted getting submarines on station and it takes more submarines to maintain the same deterrent force operational at any one time. It would take Russian submarines a minimum of six days in the Atlantic and eight days in the Pacific to reach the nearest launch stations, so that the transit time to and from home ports, in many cases a quarter to a third of the duration of the patrol, seriously degrades the operational readiness of the Russian fleet. This disadvantage can be only partly alleviated by using submarine tenders for maintenance and crew exchange at sea. Moreover, in any East-West comparison the small British and French missile-submarine fleets, each of which may eventually consist of four submarines and 64 missiles, must be added to the U.S. total. Thus, whereas the Russians now have an adequate missile-submarine deterrent, their fleet is markedly inferior to that of the U.S. and its allies and provides no threat to the U.S. deterrent.

As the first phase of SALT is drawing to an end, then, it is becoming universally recognized that ballistic-missile submarines are the essential foundation of a secure and stable strategic balance. Under these circumstances it is only natural to investigate ways to still further improve submarine missile systems. The U.S. has had a research and development program in this area for several years, so that the developments at the frontiers of technology could be incorporated in the successor to the Polaris-Poseidon system. The particular system proposed by the Navy for this role has been called ULMS, for undersea long-range missile system.

One obvious way to improve the present submarine missile would be to extend its range, making possible the launching of missiles from larger ocean areas in all directions around the U.S.S.R. Increasing the missile's payload would allow the incorporation of more warheads per missile or additional ABM-penetration aids. Payload can, of course, always be traded off for range. A longer-range missile would reduce the time required to move from U.S. ports to launching areas and thereby reduce the need for overseas basing in order to maintain the submarines on station for a larger fraction of their cruising time. With a range of 4,500 nautical miles a missile could reach Moscow shortly after the submarines leaves the U.S., whereas with a range of 2,500 nautical miles at least three days' travel would be required. Thus for a 60-day cruise lengthening the missile range by 2,000 miles could increase the period of operational effectiveness by about 10 percent if forward basese were abandoned.

More advanced guidance systems employing terminal control (the ability to change the path of the warhead during reentry) are being developed to avoid interception by ABM systems or to improve accuracy. Higher accuracy obtained by this means or others is not required if missiles are to used as deterrent weapons. Indeed, it might be construed by the other side as an attempt to attain a counterforce capability for a first strike. Although it is more difficult to acquire such a capability with a submarine missile system than with an ICBM because of the inherent limitations on the payload and the nuclear explosive yield and because of navigational complications, there are no scientific barriers to its achievement. The greatest technical restrictions on the use of SLBM's for a counterforce first strike may lie in command and control. It may be feasible to preprogram and command the initial launchings, but there will inevitably be failures. The difficulties of directing subsequent firings to destroy the silos missed the first time appear to be virtually insurmountable.

The submarine itself can be improved by making it quieter as it moves through the water, thereby rendering detection and tracking by passive acoustic techniques more difficult. Although increasing the speed of the submarine will make it somewhat harder for enemy ASW ships to follow it, the higher speed will also raise the level of noise produced by the submarine. In any case it is probably a losing proposition for a missile submarine to try to outrun an ASW vessel, which can always be designed to move faster. High speed will enable the submarine to reach its launch area more rapidly and thus reduce the time it spends in a nonoperational condition, but again the potential gains are not large, and they may be outweighed by the disadvantages. If all other factors are equal, it will require a bigger powerplant and larger submarine, both of which will increase cost and detectability. Increasing the depth at which a submarine can operate is not particularly significant, at least for the depths that are likely to be achieved in the next generation of submarines; submarines can be detected acoustically and destroyed by nuclear depth charges or homing torpedoes at any reasonable depth.

If space for more and larger missiles is needed to increase the destructive capacity and the ABM-penetrability of any single submarine, then larger submarines with bigger power plants will be required. The larger the submarines, however, the fewer the ships that will be available for the same investment. Therefore if funds are limited (and they always are), this means a smaller fleet which is more vulnerable to being wiped out in a simultaneous surprise attack. Thus there are many trade-offs in system design, and the final decision on a successor to the Polaris-Poseidon system should be based only on the nature of the specific threat.

In 1971 $104.8 million was appropriated for the advanced development of ULMS. Although this expenditure still left options open, it was a major step on the path toward procuring a specific new submarine system. This year the Department of Defense is seeking $977 million for ULMS. If that amount is authorized, the U.S. will be irrevocably committed to a large and very expensive new shipbuilding program. Unclassified details of the proposed ULMS program are still scarce, but it appears that the submarine in the system would be quite large (more than twice the size of the Polaris ships) and that it would be capable of launching 20 to 24 large missiles equipped with MIRV's. It is proposed to have a higher maximum speed and to incorporate the latest available silencing techniques, although these two objectives are competitive.

The ULMS program has been divided into two parts. The first stage (ULMS 1) would involve a new missile with a range of about 4,500 nautical miles capable of being deployed in the present Polaris submarines as well as in any new vessel. The second stage (ULMS 2) would include the development of the new submarine and a still more advanced missile with a range of about 6,000 miles that would be too big to be substituted for the Poseidon in the existing Polaris ships. A maneuvering reentry vehicle (MARV) is also being developed for the new ULMS missiles. According to one estimate, the total cost of a program for 30 such ULMS vessels would be $39.6 billion [*see illustration at right*].

So far no convincing case has been made for the need to proceed with a replacement for the Polaris-Poseidon system and for making a commitment to a new large, high-speed submarine. Russian construction of SLBM's is no justification for ULMS; the Russian missile submarines do not in any way threaten the Polaris deterrent. Numerical superiority in launchers is meaningless; all authorities agree that the U.S. is far ahead qualitatively and can deliver from submarines about 5,000 warheads to fewer than 700 for the U.S.S.R. Even if we foolishly choose to race the Russians in the number of SLBM's, ULMS is certainly not the way to do it; each ULMS system will probably cost five or more times per missile launched than the Russian Y-class system.

The Poseidon with 10 or more MIRV's on each missile has a far greater capability than is needed to overwhelm any Russian ABM system that can be foreseen at present. Admiral Thomas H. Moorer, chairman of the Joint Chiefs of Staff, testified in February that "the Moscow ABM system even with improved radars and more and better interceptors could still be saturated by a very small part of our total missile force. In any event, the programmed Minuteman III and Poseidon forces, with their large number of reentry vehicles, provide a hedge against a future large-scale Soviet ABM deployment." Since such a large-scale ABM deployment will almost certainly be precluded by a first-stage SALT agreement, there is nothing in the ABM area that would require replacement of the Poseidon; in fact, even the Poseidon MIRV's will not be needed if a SALT ABM treaty is realized.

Therefore it is necessary to examine antisubmarine warfare to determine if there is anything that would currently justify the major ULMS step. Without going into a detailed analysis of possible ASW measures and countermeasures, suffice it to say that no evidence has yet been presented that the Russian ASW program could present a threat to the Polaris deterrent in the next decade. [An article on the ASW situation by Richard L. Garwin will appear in next month's SCIENTIFIC AMERICAN.] Admiral Levering Smith, director of the Navy's Strategic Systems Project, testified in 1969 that even the new generation of Russian ASW submarines will not be able to follow our Polaris submarines, and that the U.S.S.R. has no specific new ASW methods that would make the Polaris fleet vulnerable to attack. That is still true today. The U.S. has spent tens of billions of dollars on ASW efforts over the past 20 years and still does not have any system that could even begin to approach the kind of capability that would be needed to eliminate 20 to 30 missile submarines almost simultaneously. The Russians are far behind the U.S. in this area, and they have the serious geographical disadvantages of remoteness from and unavailability of land areas contiguous to the oceans in which their ASW systems would have to operate. Since the nature of the potential ASW threat to the Polaris-Poseidon system cannot even be foreseen at this point, ULMS, if built now, may be designed to cope with the wrong threat. The most obvious improvement to Polaris-Poseidon would be to increase the range of the missile in order to enlarge the ocean areas from which missiles could be launched. The deployment of such a new long-range missile might cost nearly seven billion dollars, however, and in any case, as the maps on pages 18 and 19 show, the Poseidon system already has a tremendous operational flexibility and is not threatened in its present launch areas.

Thus there are strong arguments for keeping both the ULMS missile and the ULMS submarine options in the research and early development stage. This would allow the exploration of all approaches, including smaller, slower but quieter submarines, and would avoid the making of a premature commitment to a large, expensive submarine and missile program. We must not fall into the trap of buying new military hardware just because we have made technological advances; there is no quicker way to price ourselves out of the security market. The submarine missile force is the backbone of our deterrent; its present strength and invulnerability obviate the need for its replacement for at least a decade.

ANTISUBMARINE WARFARE AND NATIONAL SECURITY

(By Richard L. Garviw)

The treaty and executive agreement recently signed by the U.S. and the U.S.S.R., the culmination of three years of the strategic-arms-limitation talk (SALT), formally recognize that the two countries accept the military and political value of mutual deterrence as a means of forestalling an all-out nuclear war. The accords remove one potential threat to the effectiveness of strategic offensive missiles, on which deterrence rests, by prohibiting the U.S. and the U.S.S.R. from constructing nationwide anti-ballistic-missile (ABM) defenses. By ensuring the effectiveness of our offensive missiles, the ABM treaty greatly enhances our future security. The SALT accords, however, do not prohibit either country from qualitatively improving its offensive missile forces, for example by equipping missiles with multiple independently targeted reentry vehicles (MIRV's) or by improving the accuracy or explosive yield of missile warheads, perhaps to the point where the offensive missiles have a high probability of being able to destroy land-based missiles in their silos (if they were to remain there until they were hit). The U.S. could in fact replace Minuteman with a larger missile in the same silo, thereby multiplying the "throw weight" of the Minuteman force by a factor of three or four. As a result of this possibility each country will be concerned to maintain the invulnerability of its submarine-based strategic missiles, which are essentially immune to attack from land-based weapons [see "Missile Submarines and National Security," by Herbert Scoville, Jr.; SCIENTIFIC AMERICAN, June].

A potential threat to the submarine-based deterrent already exists in the antisubmarine-warfare (ASW) forces that both the U.S. and the U.S.S.R. possess. Fortunately, in the present state of the art, the technology of antisubmarine warfare is even less effective in a disabling strike against ballistic-missile-launching submarines than it is against nuclear-powered submarines designed to attack surface ships. Nevertheless, given the importance of the submarine-based deterrent, it is not too early to examine the feasibility of arms-control limitations on possible methods of antisubmarine warfare that might eventually threaten the survivability of missile-launching submarines.

In this article I shall distinguish between antisubmarine-warfare techniques whose utility is tactical (the protection of surface shipping) and techniques that would be specifically useful against submarines carrying strategic offensive missiles. I hope to show that one could limit antisubmarine-warfare methods that would threaten the submarine-based deterrent without impairing one's ability to protect surface shipping from submarine attack. The precedent set by the prohibition of nationwide ABM systems shows that both the U.S. and the U.S.S.R. have a strong interest in preserving a controllable, survivable force of submarine-launched ballistic missiles (SLBM's). Even if a conventional war were to break out between the two powers, one could hope to continue to deter mutual nuclear annihilation by arranging for the SLBM forces of the two countries to survive. To that end one might now consider a possible SALT II agreement to provide safe passage for missile-launching submarines along designated routes to the open ocean. This is only one example of what might be in the interest of both the U.S. and the U.S.S.R.

Mutual acceptance of invulnerability for ballistic-missile submarines of the U.S. and the U.S.S.R. does not extend, however, to all possible roles for those submarines. For instance, a deterrent role for the ballistic-missile submarine does not require that all boats be in firing position near the surface and able to coordinate their fire within seconds. Nor does it require that they all be able to survive for several months after the outbreak of a major war without suffering any losses, deliberate or inadvertent, through antisubmarine warfare. The principle of deterrence would seem to be adequately served if ballistic-missile submarines on station could survive a full first-strike onslaught for a few hours in order to fire their weapons and if submarines not on station but in sanctuary or in the broad ocean reaches had a good probability of surviving a prudent trip of five or 10 days to firing position.

If war should break out between the U.S. and the U.S.S.R. and if nuclear weapons were used only at sea, the major consequence would be the destruction of each country's relatively few capital surface ships. Submarines, by and large, would survive. Although one cannot exclude the use of nuclear weapons against missile-carrying submarines, they do not change the conclusions. I shall argue the compatibility of an invulnerable submarine-based deterrent force with the active conduct of a tactical, nonnuclear and antisubmarine war.

Antisubmarine warfare involves at least four activities that proceed in logical sequence: intelligence, detection, localization and destruction. An optional tracking stage of hours or days can be imagined between localization and destruction. If the antisubmarine weapon is an antisubmarine mine, of course, no tracking is involved and the other activities are collapsed in time (although potentially intelligence can be fed into the mine from outside in advance or at arbitrary intervals).

Intelligence includes such information as the number of enemy submarines of each class, for example attack submarine (SS), nuclear-powered attack submarine (SSN), ballistic-missile-launching submarine (SSB), nuclear-powered ballistic-missile-launching submarine (SSBN) or cruise-missile-launching submarine (SSG or SSGN). Other kinds of information include number and range of missiles, number and type of torpedoes, speed and endurance, noise level, and sonar and radar capability. In addition to this intelligence on force levels and technical characteristics there is tactical intelligence, dealing broadly with the number of enemy submarines out of port, the number in each ocean basin, operating tactics, special vulnerabilities and so on. Tactical intelligence shades into detection and localization when a submarine can be limited to a certain area.

Over the years various methods have been employed for detecting submarines, including the detection of periscopes by radar, radio-frequency direction finding and visual sighting from aircraft. Although all play a role in tactical antisubmarine operations, the only currently effective way to locate a submerged submarine from any distance is by the use of acoustic methods, which can be either passive or active. Passive techniques include dispersed or concentrated arrays of fixed hydrophones, sonobuoy fields and hydrophones mounted either on surface vessels (usually destroyers) or on other submarines. Active techniques all require some kind of sonar gear: a sound generator combined with a hydrophone to receive reflected sound waves. Sonor systems can be mounted on submarines, surface ships or on devices towed at various depths from ships or helicopters. In addition sonar gear can be deployed in fixed underwater systems.

Passive techniques rely simply on the detection of noise generated by a submarine. When a submarine is running at high speed, the principal sound energy detectable at long range is radiated primarily by the propeller and by water flowing around the hull of the ship. At low speeds the major source of submarine noise is sound generated by installed machinery of various kinds, particularly rotating machinery that is unbalanced. Even a very noisy submarine, however, radiates less than one watt of acoustic power. One can therefore imagine the problem of detecting this tiny signal at long range in the presence of noise from waves and wind, undersea life and hundreds—even thousands—of surface vessels.

The propagation of sound in the ocean is extremely complex. Since the velocity of sound under water varies with temperature, pressure and salinity, it also varies with depth, position and season. These variations in sound velocity under some conditions bend underwater sound waves as much as 15 degrees, so that there is no guarantee that noise radiated from a submarine will consistently reach even the most sensitive passive listening post. On the other hand, sound waves are guided for thousands of miles with surprisingly little loss if they happen to be generated in the deep sound channel, a plane of minimum sound velocity lying at a depth of some 4,000 to 6,000 feet. A sound signal can travel 3,000 miles in the deep sound channel and still retain 1 percent of the intensity it had after traveling only 30 miles (suffering only cylindrical spreading loss). The existence of the deep sound channel is of no direct help in submarine detection, however, because existing submarines cannot safely descend to that depth and would be unwise to do so even if they could. When a near-surface hydrophone is moved away from a near-surface submarine sound source, the received signal often drops rapidly beyond a few kilometers and then rises to a high level again in successive "convergence zones" at multiples of about 50 kilometers (the distance required for a sound wave initially horizontal to be refracted through and beyond the deep sound channel and to return again to the surface).

Detecting a submarine in the immense background of ocean noise requires discrimination or processing gain. The desired source is known to be a point within a few hundred meters of the surface. Moreover, the source can be assumed to have a stationary spectrum in which there are usually strong line components. For decades large cadres of competent technicians have been working on the problems of extracting the submarine's "signal" from the noise in which it is immersed; the result has been a large variety of systems emphasizing different choices of available parameters, guided by operational considerations, analysis or tradition.

Basically the signal received from a source at a given assumed point can be enhanced with respect to noise or other point sources by adding in a coherent way the signals received at hydrophones located in different places. In a fixed dispersed array hundreds or thousands of hydrophones could be distributed throughout an entire ocean basin. The signals detected by the various instruments could be fed into a large computer provided with a program that assumes that a submarine, located somewhere in the detection area, successively occupies many possible points; for each point the program could introduce an appropriate time delay in the electrical output from each hydrophone. The computer could then add delayed electrical signals and ask whether the resulting integrated signal resembles the sound from a submarine or is simply just noise.

In a fixed concentrated array the hydrophones might be spread in a line no more than a few hundred meters long. Here the computer tests the result of integrating the various signals after inserting time delays allowing for the sound source to lie in some n number of distinguishable directions in a 360-degree arc. With processing equipment of sufficient size and power one can arrange for the beams from n directions to be formed simultaneously rather than sequentially, thereby ensuring that no signal is lost. Both dispersed and concentrated fixed arrays can incorporate hydrophones at various depths; by introducing vertical directivity the signal from distant sources is enhanced and locally generated surface noise is reduced.

Sonobuoy fields are most expeditiously sown from and monitored by aircraft. The U.S. has both shore-based aircraft (the P–3C) and sea-based aircraft (the S–2 and soon the S–3) equipped to drop sonobuoys weighing a few kilograms from either low or high altitude. A hydrophone, dangling from each sonobuoy at a substantial depth, picks up pressure signals that are then relayed by radio to the aircraft. In principle the signals could be added coherently, as are the signals from fixed arrays, but this would be difficult with sonobuoy fields since the buoys have considerable freedom of movement. The alternative is to monitor the field by listening to one sonobuoy after another to determine whether or not a submarine is in the vicinity. Processing gain can still be obtained from a single hydrophone by making a time or frequency analysis of the sound signal. An aircraft will have a search rate of so many thousand square kilometers per hour, limited not so much by its flight speed as by its ability to monitor each sonobuoy effectively.

The most highly regarded vessel for passive acoustic detection of submarines is another submarine, since it is far quieter than a surface ship. Moreover, a hunter-killer submarine is large enough to carry an array of hydrophones to produce a narrow listening beam for long-range detection. Depending on the sound-velocity profile and the noise level of the hunted and the hunter, the effective range for passive detection can vary from less than a kilometer to 100 kilometers or more. Factors affecting range include the reflection of sound waves from the ocean bottom and the signal-processing capability of the hunter submarine. As might be expected, passive acoustic measures become less effective as submarine designers learn to build quieter vessels and submarine commanders learn how to minimize the radiation of noise. In any event a submarine lying "dead" in the water cannot be detected by passive techniques. As a result the U.S. and the U.S.S.R. both rely heavily on active acoustic-detection, or sonar, systems.

Although sonar gear is installed on both surface vessels and submarines, one of the potentially most effective antisubmarine measures makes use of helicopters operating from carriers, destroyers or other sea platforms. The sonar devices are lowered from the helicopter by winch and can descend to depths of several hundred meters. An explosive charge can be detonated to produce an omnidirectional sound wave, or magnetostrictive or piezoelectric systems can be used to generate narrow beams of sound. The sound-wave probe is reflected from the sea surface, the sea bottom and marine animals, large and small, as well as from any submarine in the vicinity. The reflected signals are picked up and transmitted by way of the hoist cable to the helicopter for processing and display. To achieve efficient radiation and useful angular discrimination from helicopter-suspended platforms one uses sound frequencies in the range between one and 10 kilohertz (1,000 and 10,000 cycles per second) as compared with the subkilohertz waves employed for long-range detection. Signals in the range of 100 kilohertz to one megahertz attenuate so rapidly and become so scattered that they are not useful for submarine detection at long range.

In principle active sonars can detect moving objects more readily than stationary objects, because the Doppler shift in the sonar echo can be used to enhance the signal. On the other hand, even when the acoustic energy is confined to an ocean layer including the submarine, active sonars suffer a two-way loss: the power illuminating the target falls off directly with the distance, which means that the return signal decreases as the square of the distance. In other words, for equivalent received signals an active sonar must illuminate the target with at least as much energy as the target is radiating by itself (assuming that it is radiating and not just lying dead in the water), although detection can be accomplished with weaker signals because the precise form of the signal is known and often chosen to be best adapted to signal processing.

The purpose of active sonar is not necessarily to sweep the oceans clear of submarines; such systems are often employed to provide a submarine-free region a few kilometers in diameter in which merchant or military ships can be free from attack. When submarines had only unguided torpedoes to attack shipping, active sonars mounted on destroyers or suspended from helicopters provided reasonable protection. Now, however, submarines carry acoustic homing torpedoes with a range of 10 kilometers or more. And the cruise missiles carried by many Russian submarines have an effective range of hundreds of kilometers, which means that active sonar cannot provide a point defense against such submarines.

In the past decade much work has been done on active sonar systems anchored to the ocean bottom in an effort to provide detection of submarines at ranges of hundreds of kilometers. These fixed-active systems, as they are called, emit a narrowly focused beam of sound at frequencies of a few hundred hertz and a power level of several megawatts. Such installations not only are expensive but also have the drawback of broadcasting their location, which makes them vulnerable to countermeasures. The opposition need not even destroy the installation; by sampling the pulses emitted by the system it can contrive to "spoof" or jam it.

An alternative to the fixed-active sonar system is the semiactive, or bistatic, system, in which the transmitters and receivers are widely separated. Such systems are probably harder to spoof or jam than ordinary active sonars and they provide more leeway in the depth at which the transmitter can be located. At very high power levels a deep transmitter is less limited by cavitation: the rapid expansion and collapse of bubbles that arise from gases dissolved in the water.

After a submarine has been detected in a certain target area, say in an area 50 kilometers square, the next step is to pinpoint its position. Localization can be done from the air, from the surface or from below the surface. If an aircraft such as a P–3 or an S–2 is employed, it can drop directional sonobuoys that are capable of indicating the bearing from the sonobuoy to the submarine. The aircraft then follows along this line by dropping more sonobuoys. When the submarine has been located to an accuracy of one kilometer or so, its position can be determined still more precisely by low-level passes with a magnetic-anomaly detector (MAD) to sense the presence of a large mass of submerged steel.

If localization is conducted by helicopter, the preferred detector is active sonar suspended from the aircraft, which can determine range accurately and bearing somewhat less accurately. If one assumes that the sonar has a range of three kilometers and that five minutes of listening are needed each time the sonar unit is lowered into the water, one can estimate that one helicopter can search 300 square kilometers per hour. Thus within an hour six helicopter should have a 50 percent chance of finding a single submarine known initially to be in a square area 50 kilometers on a side.

If the search is conducted by surface ships, active sonar is used in essentially the same way as by helicopters except that a surface ship does not have nearly the speed advantage over a submarine that a helicopter has. This disadvantage is partly compensated for by the surface ship's ability to carry a sonar of much higher power and effectiveness than the equipment a helicopter can carry.

Underwater search by one or more hunter-killer submarines is perhaps the slowest but not necessarily the least effective way of localizing a submarine. A hunter-killer submarine has an optimum search speed of between five and 15 knots. For a given sonar range the area searched increases linearly with speed, but the self-noise generated as speed increases reduces the effective sonar range. Hence the optimum search speed is a compromise.

In antisubmarine-warfare exercises an "enemy" submarine that with much effort has been detected and localized is often tracked for hours or even days. The tracking skill thus developed in peacetime, however, has little applicability in wartime. Under wartime conditions an enemy submarine would ordinarily be sunk as soon as it was localized. As for tracking the other side's ballistic-missile submarines 24 hours a day in peacetime, the simultaneous tracking of 30 to 50 modern submarines is so difficult that its feasibility seems doubtful. Even if the job could be done, it is the thesis of this article that continuous tracking is distinctly undesirable if one concedes that the nuclear deterrent is valuable and should be preserved.

Let us see nonetheless what continuous tracking involves. Antisubmarine warfare is the primary mission of the U.S. fleet of nuclear-powered hunter-killer submarines, numbering some 57 vessels. Their chief sensor is low-frequency passive sonar. Depending on the state of the sea, they are probably able to detect a moving Russian submarine at distances ranging from a few kilometers to perhaps 20 or 30 kilometers under more favorable conditions. An effort to carry out passive acoustic tracking reliably at a range of 10 kilometers or more in the face of changing sea conditions, normal variations in sound velocity, sea noise and the evasive measures readily available to the quarry seems doomed, however, to failure. If such tracking could be accomplished at all, several hunter-killer submarines would probably have to be assigned to each hunted submarine. Moreover, if the necessity should arise, the destruction of an enemy submarine at a range of 10 kilometers or more before it could fire its missiles might call for a weapon faster than the standard torpedo. For these and other reasons, including the possibility of acoustic countermeasures, my own view is that effective covert tracking is not a plausible disarming threat to the submarine-based deterrent forces of either the U.S. or the U.S.S.R.

Active sonar tracking from submarines, surface vessels or aircraft is another story. Given the mission to maintain at all times the ability to destroy the enemy fleet of ballistic-missile submarine before it could launch its weapons, one would immediately think of active trailing from extremely short range, say a few hundred meters. At that distance a sonar operating at a frequency of 100 to 1,000 kilohertz would be compact and low-powered and could provide a clear pictorial representation of the target. For example, a 1,000 kilohertz (one megahertz) sonar would provide a resolution of 30 centimeters on a target 200 meters away. Mounted on a specialized trailing vehicle (submerged, on the surface or airborne), such a sonar could provide a detailed picture of its quarry every few seconds. The tracker could therefore sail in formation with the quarry without fear of collision.

This is not the place to describe the command-and-control arrangements that would enable the small specialized tracking ship to destroy its quarry on command or that would lead to the destruction of both ships if the quarry should attempt to use force against the tracker. The important fact is that the characteristics of such a close-in tracking ship (be it a submarine, a surface vessel or an aircraft) are quite different from those of any craft deployed in large numbers today. The craft would need to have endurance and good seakeeping qualities; it would have no need for more than a few torpedoes or other destructive weapons, and none for a large crew or great flexibility of operation.

The chief difficulty in this type of active tracking seems to lie not in maintaining tracking but in ensuring that a tracker is assigned to every ballistic-missile-launching submarine that leaves the home port and crosses a detection barrier of some kind. Obviously the other side will seek to avoid detection by employing various stratagems, perhaps by sending its missile submarines across the barrier in clumps or by mixing them with non-missile-submarine decoys. The many possibilities need not concern us here. As I have argued above, tracking (particularly active tracking) has little application to tactical antisubmarine warfare, but if done successfully and without opposition, it could jeopardize the survivability of the ballistic-missile-submarine forces of the U.S. and the U.S.S.R.

The U.S. Navy has two principal weapons for destroying enemy submarines: the lightweight 12-inch Mark 46 active acoustic homing torpedo and the full-size 21-inch Mark 48 activepassive acoustic homing torpedo (which is just coming into service). The 12-inch torpedo is essentially the only effective antisubmarine weapon available to aircraft and helicopters. It can also be launched from the deck of a ship or delivered by a drone helicopter. A rocketboosted version has more range and can get to its target faster than the standard Mark 46. The Mark 48 is a long-range torpedo with a large warhead; when it is launched by a hunter-killer submarine, it can be guided electrically by means of a control wire. Like any other weapon, a homing torpedo will not be perfectly reliable in actual combat, and it may be vulnerable to countermeasures.

Specialists in antisubmarine warfare have long been attracted to more effective antisubmarine mines. Such mines could be planted defensively to protect harbors or to cordon off a landing area for an expeditionary force. They could also be used to keep enemy submarines from leaving their home ports, to create a barrier across straits or even to limit travel in the open ocean.

Since ordinary mines have a limited radius of effectiveness (submarines could pass above or below them), such mines can be used against submarines only in shallow water. There have been recurrent proposals, however, for a mine that would either drive itself downward when a trip wire indicated a submarine was passing below it or drive itself upward when a submarine was detected above it. Mines with this capability are probably under development in both the U.S. and the U.S.S.R.

If such a mine were based on the Mark 46 torpedo, it should cost well under $100,000 and have a 50 percent chance of destroying any submarine passing within one kilometer of it. Thus 500 mines would be enough to cover the gap of 1,000 kilometers between Greenland and the British Isles. Actually the mines would not be sown check by jowl in a thin line; they could better be deployed in a minefield 100 kilometers deep with a density of one mine per two kilometers of front so that 500 mines would still suffice.

The mines would allow surface ships to pass without harm, and the commanders of friendly submarines could traverse the minefield safely with the aid of charts. The mines could be remotely activated and deactivated. They could be laid by aircraft, surface ships or submarines. For about $50 million (less than the cost of one destroyer) it should be possible to provide a robust, effective barrier 1,000 kilometers long with low physical and political vulnerability.

Let us now try to distinguish between the kind of antisubmarine force needed to protect surface shipping and the kind of specialized capability needed to find, track and destroy on signal ballistic-missile submarines. Because these two needs impose conflicting requirements on the design of antisubmarine-warfare forces it is not surprising that the U.S. Navy sometimes takes a self-contradictory position when it tries to argue on the one hand the invulnerability of its Polaris-Poseidon submarine fleet and on the other the effectiveness of its antisubmarine forces. I shall argue that one can develop antisubmarine measures sufficient to protect surface shipping during an actual conflict without developing an antisubmarine capability of such a nature that it jeopardizes the other side's submarine-based nuclear deterrent.

Unlike major cities or even aircraft carriers, merchant ships are plentiful and of modest value; they are substantially less costly and easier to replace than nuclear-powered attack submarines. A merchant ship delivered in 1972 with a speed of 22 knots and a deadweight of 29,000 tons costs about $23 million. A U.S. nuclear submarine costs more than $150 million. The average crew size of nuclear submarines also substantially exceeds that of modern merchant ships. The U.S. has some 100 attack submarines; the U.S.S.R. has about 300 oceangoing submarines of all types. During World War II Germany lost about 700 submarines and sank 2,600 merchant ships, accounting for 13 million tons of shipping in the North Atlantic. Therefore in round numbers Germany lost one submarine for every 17,000 tons of Allied shipping sent to the bottom. If in another war U.S. antisubmarine forces were able to destroy one enemy nuclear-powered attack submarine for every 10 merchant ships sunk, we should probably regard the exchange ratio as being in our favor. In such a war of attrition the nonnuclear-powered submarine could be the greater threat.

A well-protected convoy remains a principal means for protecting surface vessels. With the various antisubmarine measures described above it should be possible to achieve a kill ratio of one enemy submarine for every 10 merchantmen sunk. Although this ratio might be acceptable for ordinary military and civilian cargoes, it would not be satisfactory if the surface vessels carried troops or critical materiel required at a specific time by troops being ferried by air.

Protection for such vessels is ordinarily imagined to be provided by destroyer-escort vehicles with extra-powerful sonars that provide a moving screen extending well beyond torpedo range and within which enemy submarines would have a high probability of being located and destroyed. In my own opinion the best way to create such a screen would be to improve the capability of antisubmarine helicopters by placing the analysis and data-processing equipment for each helicopter in a van on the deck of a ship rather than in the helicopter itself. With the room saved each helicopter could be provided with several active sonars, which could be deployed by a single helicopter in leapfrog fashion, with the control and signal analysis transmitted by radio between ship and sonars. In this way it should be possible to increase the effectiveness of antisubmarine helicopters by a factor of five, while reducing the crew from four to no more than two persons. Although such improved helicopters can provide a potent local defense, a ballistic-missile-launching submarine could easily move out of range when it detected the approach of such a convoy.

Because a convoy has certain inherent vulnerabilities, such as inviting attack by straight-running torpedoes or by cruise missiles launched from a considerable distance, it is sometimes preferable to allow fast merchant ships to sail independently at maximum speed. The threat to such ships from torpedo attack might be reduced to negligible proportions if each ship carried some retaliatory homing torpedoes that would be launched automatically from the deck of the ship if the ship were struck by a torpedo. This tactic could deter torpedo attack (without defending against it) in just the same way that the strategic offensive force reliably deters a first strike.

The defense of aircraft carriers presents a special problem. An aircraft carrier can scarcely be hidden. Its screws can be heard all the way across an ocean; it is highly visible on radar and can be detected by other means. For these reasons carriers are built resist damage; as many as a dozen torpedoes are said to be needed to sink one. A close-in defense against torpedo-launching submarines can be provided by the same helicopter-sonar screen already described for the protection of convoys. As some additional protection against cruise missiles launched from a distance of hundreds of kilometers carriers are already equipped with rapid-firing automatic weapons that provide a last-ditch defense. These defenses against cruise missiles could be further improved. One should probably consider installing active antitorpedo defenses directly on the carrier's hull. None of these measures for the defense of aircraft carriers poses any threat to the ballistic-missile submarine.

In any readily foreseeable war between the U.S. and the U.S.S.R. a major part of the conflict at sea will be asymmetrical: an essential mission of the U.S. Navy will be to keep the sea lanes open and an essential mission of the Russian navy will be to close them. Only in preserving the security of their submarine-based ballistic-missile forces are the missions of the two navies symmetrical. By emphasizing the antisubmarine measures discussed here, the U.S. can carry out its two missions; it should be able to protect surface shipping and nullify the Russian attack-submarine force without creating a credible threat to Russia's submarine-based nuclear deterrent. It is this freedom to pursue their individual and opposing interests, while not jeopardizing their common interest in an invulnerable sea-based deterrent, that could lead to arms-control agreements to provide enhanced and equal security for the SLBM deterrent forces.

As we have seen, neither country as yet has the means for negating that deterrent. Even if the U.S. were to improve its tactical antisubmarine techniques to the level I have described, they could not be regarded as a threat to Russia's ballistic-missile submarines. For example, antisubmarine measures that would require, say, 10 days to destroy half of the enemy's ballistic-missile submarines in the open ocean cannot be said to threaten the deterrent. If such measures required only 10 minutes, they would be a real threat.

Moving cordons of antisubmarine vehicles around convoys of aircraft carriers, designed to protect at most 1,000 square kilometers of ocean at a time, can be easily avoided by ballistic-missile-carrying submarines and hence present no threat to them. By the same token the statistical defense of individual merchant ships, triggered only by a torpedo explosion, is no threat.

Would the emplacement of advanced mine barriers be regarded as a threat? A barrier 1,000 kilometers long extending from Greenland to the British Isles could undoubtedly take a substantial toll of deterrent-force submarines that tried to cross it after hostilities began. We are assuming here that the conflict is originally nonnuclear and that both sides want to preserve their submarine-based deterrent to keep it that way. Even if the U.S. did not deliberately cooperate in helping deterrent-force submarines through the minefield, at least half should survive the one-way trip needed to reach firing position. The SLBM force could be stationed behind the minefield without suffering attrition; its deterrent power would not be impaired by the losses suffered on a one-way trip through a barrier if the order were given to move to firing position and launch. On the other hand, the minefield would take a prohibitive toll of antishipping submarines, which must make many trips in and out of their home port.

The question sometimes raised is: How should the U.S. respond if the Polaris-Poseidon fleet should suffer attrition during peacetime under circumstances that seemed suspicious? My personal view is that neither the U.S. nor the U.S.S.R. has any incentive to covertly reduce the size of the other's deterrent fleet. Furthermore, it is difficult to guarantee that such a covert action is not exposed. Finally, each side has equal vulnerabiltiy in its submarine-deterrent fleet.

A more difficult problem is to know how to conduct active, conventional ocean war, including tactical antisubmarine warfare, without an accompanying and unintended attrition of the opponent's submarine-based nuclear deterrent. Let us turn to that problem.

The first step in reducing unintentional attrition would be formal recognition that it is in the mutual interest of the two countries to preserve the submarine-based deterrent not only in peacetime but also indefinitely during a conflict to forestall the escalation to all-out nuclear war. One can imagine how many possible arms-control agreements that would then contribute to the continued invulnerability of the submarine-based deterrent.

Such an agreement might have two goals. First, it might prohibit either side from building or deploying a force that is technically capable of destroying the other side's submarine deterrent in a matter of minutes, hours or even a few days. The second goal, which might be more difficult to achieve, would be a set of measures that would reduce or perhaps eliminate the attrition of missile-launching submarines during a conventional war without restricting vigorous warfare to protect (or attack) surface shipping.

The first goal—the peacetime one—might be aided by prohibitions against the active tracking of missile submarines and by the creation of sanctuary areas. There are so many possible technical ways to discourage active tracking unilaterally that it is by no means assured that one side, invest what it will, could follow nearly all its opponent's submarines. It would nonetheless be valuable to reach an early agreement to eliminate fear of this threat, which seems to have no utility other than to threaten the survival of the strategic deterrent. Morever, such an agreement seems readily verifiable. It should not be difficult for a submarine that is being tracked to recognize that it has (or has not) at all times a companion at a distance of a few hundred to a few thousand meters.

Additional protection for the submarine deterrent force in peacetime could be achieved by creating wide-ocean sanctuaries in which ballistic-missile submarines of one side or the other would be free to patrol, immune from surveillance of any kind. Clearly the sanctuaries must be large compared with the range of antisubmarine detection and attack devices, yet they must not be so large that they interfere with merchant shipping or with the transit routes of naval vessels, including deterrent-force submarines. Problems may arise in connection with third parties but these do not appear insoluble.

To limit the attrition of deterrent-force submarines during a conventional war, the U.S. and the U.S.S.R. might agree to provide safe-conduct routes through minefields or other barriers for each other's ballistic-missile submarines. The problem here is to distinguish between strategic missile submarines entitled to safe passage and attack submarines, which would still be fair game. The simplest solution would be to provide safe passage to any submarine that was effectively running on the surface and could thus be inspected.

Because surfaced submarines are not very good at traversing heavy seas, a submarine could be allowed to travel submerged provided that it towed a buoy emitting a distinctive radio signal. The signal could be monitored by surface ships, aircraft or even by satellites, and the position of such submarines could thus be known precisely and instantaneously. Buoy-towing submarines would be allowed to pass without harassment (although subject to surfacing on call) through clearly marked lanes in barriers; all other submarines would be subject to attack. The number of safe-conduct trips per month could be only enough to permit normal rotation of submarines in the deterrent force.

These three schemes only suggest the scope of possibilities for a SALT II agreement that would enhance the survivability of submarines designed specially for carrying long-range ballistic missiles. I should emphasize that in my opinion such submarines are probably adequately survivable in the absence of a new agreement. An important function of the agreement, however, would be to allay exaggerated fears that our Polaris-Poseidon fleet might suddenly be neutralized by a dramatic advance in the effectiveness of anti-submarine warfare. As a nonnegligible by-product of such an agreement both the U.S. and the U.S.S.R. would be enabled to reallocate either within or outside the military sphere much of the money that is likely to be spent in attempting to endanger the deterrent, if no agreement is forthcoming.

Mr. AIKEN. Mr. President, during the past several years, I have repeatedly referred to the nuclear-powered submarine as being possibly our greatest deterrent toward involvement in another world war—certainly a deterrent to a wider war than the wars we have engaged in recently. But I would not say that use of the Trident as a deterrent to war or the use of the nuclear submarine is the reason for my principal interest in the nuclear-powered submarine. I believe that the contributions our nuclear submarines are making to technology will, in the long run, possibly outstrip their value as a deterrent to war.

In the future, we will necessarily turn to the resources of the ocean to support future generations of Americans. This will ultimately have a profound impact on the economy and our society.

For the past 3 years, the Navy has been conducting experiments with nuclear power. The deep, submergent and ocean-engineered vehicle, the NR–1, was developed by Admiral Rickover. It is a submarine capable of exploring the Continental Shelf which contains enormous wealth in mineral and food resources. In fact, Mr. President, about one-third of our natural resources on this earth are on the land, the remainder are under water.

This type of vehicle to which I have referred, the NR–1, can also perform detailed studies and mapping the ocean bottom, including temperature and the current, and other oceanographic features, so that we can gain a better understanding of the ocean and an almost unlimited potential for economic benefit.

I understand that Admiral Rickover is now ready to start work on a research submarine capable of probing even greater depths. There is almost no limit to the depths to which, ultimately, we will be able to go.

While Trident is not strictly a research instrument, it is a part of the overall effort to master the secrets of the ocean bed. The Trident does have its advantages as part of our Military Establishment. I am sure that has all been explained here today. Certainly it will be to our advantage to have this improved nuclear-powered submarine which can operate fully from our home ports if necessary. I do not believe that Admiral Rickover would recommend the Trident now unless he knew the Navy was ready to go ahead with it, because he does not do business that way.

I feel that it is necessary, inasmuch as the number of submarines we can have under the SALT agreement is limited, but we are not limited as to improving them and devising new types. So that it is very important we complete this program of improving the nuclear-powered submarine fleet before the interim SALT agreement expires.

There are those who may say that the nuclear powered submarine is dangerous to our own people. That has not been the record of this ship insofar as radiation is concerned, because nuclear powered submarines have sailed over 20 million miles without a single accident due to the expulsion of radiation.

I am very much in favor of continuing our work of the exploration of the seas as well as strengthening our defenses for the time which may come—which we hope will not come.

I want to say, too, it is important that we know more about the ocean beds. We have been legislating on that subject without knowing too much about it. It is also important that we explore the infinite because the time will come when we will need to know more about that, too. But if we have to choose only one course, I would explore the resources of the earth and the bottom of the seas first.

Mr. STENNIS. Mr. President, I want to express my thanks to the distinguished Senator from Vermont (Mr. AIKEN). He is always just a little ahead of most of the rest of us in looking to the future and planning and thinking of things that will be constructive and worthwhile. I appreciate his interest in this problem very much.

Mr. ALLOTT. Mr. President, ever since the signing of the SALT agreement, I have spent a great deal of time studying those agreements and reviewing the nuclear situation as well as the ordinary warfare situation between the Soviet Union and ourselves. I have, in addition, through my attendance on the Subcommittee on Defense Appropriations, completely reviewed the complex testimony regarding Trident and have come to the conclusion that we should proceed with the development schedule that the administration proposes. Therefore, I intend to vote against the pending amendment.

I do this in the conviction the Trident is a valuable weapons system, and that the administration's development schedule is essential to a satisfactory outcome of SALT phase 2. I am convinced that this program will facilitate the administration's pursuit of a permanent and comprehensive agreement that brings United States and Soviet strategic forces into quantitative alinement—that is, I believe that Trident will help us achieve what the administration wants, which is a follow-on agreement providing equal limitations on the intercontinental strategic forces of the United States and the Soviet Union.

Mr. President, I have been particularly impressed here by the very distinguished leadership given by the Senator from Mississippi and by the remarks of my distinguished friend, the senior Senator from Vermont, just made on the floor. It is my sincere conviction that if we are to pursue the promised equalization and qualitative and quantitative alinement of nuclear strategic weapons, the Trident and the program announced by the administration, supported by such eminent people as the Secretary of Defense, former Deputy Secretary Packard—in whom I have great confidence—as well as others in the administration, we should reject the pending amendment and vote for the Trident system as it is contained in the bill.

I thank my distinguished friend, the Senator from Mississippi, for yielding to me.

Mr. BENTSEN. Mr. President, I yield 3 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 3 minutes.

Mr. SYMINGTON. Mr. President, I have listened to all this debate with interest, and was especially interested in the remarks of my friend, the distinguished senior Senator from Vermont.

To be sure the record is straight, let me emphasize that to the best of my knowledge there is no desire on the part of anyone opposing this accelerated production to oppose all the money considered necessary to concentrate on the research and development necessary to produce this new submarine.

It is the sudden sharp reversal in position with respect to production on the part of the Defense Department, asking for hundreds of millions of dollars more for production money at the same time there is a request for hundreds of millions for more research and development that worries us.

This ship admittedly will be the most expensive ship ever built in the history of the world; therefore we should be especially sure of the design before starting production. In recent years we have had some sad experiences when we started too soon. Based on the testimony surely we could wait a little longer before accelerating this production. If we do, the chances are we will have a better and more efficient result.

That is the basis of my own position. No one in this debate but believes in due course we should have a new and better submarine. What worries us, especially under the present financial conditions of this Government, is this degree of acceleration of production when the design itself has not yet been completed. It violates all principles of sound shop management.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield 8 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for 8 minutes.

Mr. JACKSON. Mr. President, only in the last few hours—and then after intensive investigation and discussion with administration officials—have I been able to resolve my doubts in favor of proceeding with the accelerated Trident program and in opposition to the amendment of my good friend the very able Senator from Texas.

My chief concern has been one expressed by other Senators: That commitment to the procurement of long lead time items this year could lead to a premature freezing of the design for the Navy's follow-on submarine system. After lengthy discussion with responsible officials, including Admiral Rickover whose judgment has over and over again proved of great weight and value in these matters, I am persuaded that whatever merit there is in this argument is more than balanced by the urgent need to press ahead with programs essential to our deterrent posture. Specifically, I have been assured by the Secretary of the Navy that our options remain open with respect to the design of the Trident submarine even if we initiate procurement of items associated with the propulsion unit. It is my understanding that the essential features of the propulsion unit have been determined and that we therefore lack an available option of a smaller propulsion unit that would be capable of timely deployment.

I must say, Mr. President, that I regret this fact. I believe that greater consideration ought to have been given to the building of a smaller submarine and the deployment of more of them than is projected for the Trident fleet. I regret that many millions of dollars and 2 or more years would be lost if we were to consider seriously alternative propulsion units. However, given the choice that has been made with respect to the propulsion unit, I am assured that other characteristics of the Trident system will be subject to changes in design even with the presently proposed procurement. The number of missile tubes per boat, for example, as well as the defensive technology carried aboard is subject to revision as further studies of our evolving requirements are made and as we learn more about the nature of the evolving threat.

In reaching this decision I am conscious of the dramatic shift that is daily taking place in the strategic balance between the United States and the Soviet Union. In the 3 years since the SALT talks opened in November 1969, the Soviet threat has virtually doubled while we have negotiated an agreement at SALT that limits the moves we can make to assure that our smaller force can survive an attack at the end of this decade. I am conscious of the need to move now if we are to close the gap that we first allowed and then legitimized in Moscow.

I hope, Mr. President, that Senators will recognize the need to move forward now on the understanding that the program allows for flexibility in the future. I know I share with many an interest in a continuing review of the progress of the Trident program. I will not hesitate to recommend to my colleagues such future changes as may commend themselves as prudent and wise.

I ask unanimous consent that a letter to me from Secretary of the Navy Warner confirming the flexibility that remains in the program be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE NAVY,
Washington, D.C., July 26, 1972.

Hon. HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JACKSON: During our discussion today, you requested further details on the status of the design of the Trident submarine. In particular, you desired to know at what stage the design becomes finalized to the point where adjustments thereafter cannot be made to the number of missile tubes. In general, the design of the reactor and propulsion plant is almost completed; but there remains flexibility in finalizing the length of the missile compartment.

The Secretary of Defense, in arriving at the current design characteristic of 24 tubes, beforehand carefully examined the cost effectiveness of varying tube numbers between 16 and 30. Although the characteristics of the power plant have had to be set in order to go forward with a natural circulation reactor for quietness, they have been set to accommodate a ship whose characteristics can be varied over a significant range of missile tube numbers.

Basically, the Trident submarine is divided into three principal sections—the forward section containing the control and habitation spaces, the mid-section containing the missile tubes and associated launching equipment, and the aft section containing the reactor and propulsion plant.

The design of the aft section being set, long lead items should now be ordered. As you know, the reactor and associated heavy equipment must be manufactured and delivered at least two years in advance of completion of construction of the submarine.

Accordingly, the Navy has submitted as part of the FY 73 budget, a request for SCN funds required primarily for long lead funding of components needed for the aft section.

In contrast to the set characteristics of the aft section, there remains flexibility in establishing the length of the mid-section. The length of that section varies in proportion to the number of missile tubes. If reasons arise for changing the current characteristic of 24 tubes, a decision to reduce the number of tubes must be made no later than the Fall of 1973 when the total ship design becomes fixed.

Recognizing rising manpower and construction costs, the Secretary of Defense determined that the 24-tube version provided the most reasonable and cost effective solution.

Sincerely,

JOHN W. WARNER.

Mr. BENTSEN. Mr. President, I yield 3 minutes to the Senator from Arkansas (Mr. FULBRIGHT).

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 3 minutes.

Mr. FULBRIGHT. Mr. President, I commend the distinguished Senator from Texas (Mr. BENTSEN) for offering this amendment on the Trident. I, of course, shall support it.

The question being raised on the amendment offered by the Senator from Texas (Mr. BENTSEN) and others is whether we proceed with development of the Trident on a "crash" basis, or whether we approach it in a much more orderly and rational manner.

The amendment would return the authorization for Trident to $398 million instead of the $906 million recommended by the committee. The $906 million figure is essentially the amount requested by the administration for an accelerated development program, while the lower figure in the amendment represents the original unaccelerated request.

For those Senators who are hesitant to vote to amend a committee recommendation, there are some unusual factors to consider here. First, the Subcommittee on Research and Development, which held hearings on this subject and was chaired by the Senator from Texas, recommended a return to nonaccelerated development. The full committee rejected the Research and Development Subcommittee recommendation on a tie vote, 8 to 8.

It is also important to recall that in fiscal year 1972 only $103.5 million was authorized for ULMS. Now we are being asked to authorize nearly nine times that amount for fiscal 1973. As the distinguished chairman of the Committee on Armed Services said during a committee hearing on February 17, 1972:

> We have this matter of the ULMS before us, a very precipitous jump forward in the amount of funds requested. We never dreamed of such an advance on the scale all in 1 year. It puts us in business in such a large way, we are going to have to have ample convincing facts to back up the request. . . .

Mr. President, I do not believe that we have any convincing facts to back up this request for this precipitous jump forward. In fact, I am convinced that, coming on the heels of the Moscow agreements, approvement of this acceleration would be a tragic step backward.

The ultimate costs of the ULMS/Trident program remains unclear, although it will be well over $1 billion per submarine. The amount of funds involved would be incredible, even if the country was not in a serious fiscal predicament. I believe the American taxpayers have seen enough of their money spent to counter alleged "threats" and to close alleged "gaps" that never really existed. In the case of ULMS we have been offered a shifting and implausible rationale.

In his fiscal 1973 statement to Congress, Defense Secretary Laird said:

> The continuing Soviet strategic offensive force buildup with its long term implications, convinced us that we need to undertake a major new strategic initiative. This step must signal to the Soviets and our allies that we have the will and the resources to maintain sufficient strategic forces in face of a growing Soviet threat.

Mr. President, I do not believe that "a major new strategic initiative" is warranted. Nor do I believe there is evidence of "a growing Soviet threat" in this area.

Dr. John Foster, Director of Defense Research and Engineering, told the Committee on Armed Services:

> I see three reasons for our moving forward rapidly with the ULMS program. They are the vulnerability of the Polaris to Soviet antisubmarine warfare capabilities, the possible loss of overseas bases to our Polaris submarines, and the aging of the present Polaris submarines—those three factors.

Speaking of the Soviets, Secretary Laird told the Committee on Foreign Relations on June 21:

> We know they are building a Trident. We have verified the fact that they are going forward with a missile submarine, modernized missile submarine, of the Y class. . . .

Thereafter, Secretary Laird qualified by saying that:

> Our particular Trident submarine will be worth two of their Y class modernized submarines.

Testifying before the Committee on Armed Services, Vice Adm. Philip A. Beshany, Deputy Chief of Naval Operations/Submarine Warfare said:

> The decision to accelerate ULMS is not based on any single additional or recent threat but on a reassessment and completion of analysis of the entire Soviet military efforts with emphasis upon those most recent accomplishments.

These then are the arguments for ULMS acceleration as advanced by the leading military spokesmen. In my view, Mr. President, every one of these justifications is open to serious question and several of them are in direct conflict with what we have been told on other occasions.

Dr. Foster referred to "vulnerability" of Polaris, yet we have consistently been told that our Polaris-Poseidon force is not vulnerable for the foreseeable future. In fiscal 1972 budget hearings, Rear Adm. Robert Kaufman, ULMS program coordinator said:

> Polaris/Poseidon today we feel is invulnerable. In this year's hearings, Admiral Kaufman said: There is no counter in the Soviet Navy today in sufficient force to threaten the Polaris-Poseidon submarines. They do not have it.

Secretary Laird told Congress last year there was:

> No immediate concern about the survivability of our Polaris and Poseidon submarines at sea.

By all accounts the Soviet Union is far behind the United States in submarine detection. Even if the Soviets did develop ways to detect and track our strategic missile submarines, it would do them little good unless they could destroy all U.S. missile subs simultaneously—which is extremely unlikely. One surviving Poseidon submarine could destroy 160 Soviet cities.

I doubt that anyone in the Pentagon takes seriously Dr. Foster's suggestion that we might lose overseas submarine bases. This is highly improbable and does not constitute a serious problem. Should the unlikely occur prior to the availability of ULMS a variety of solutions are possible, including relocating bases and keeping fewer subs on station.

As for our "aging" submarines, the oldest in the fleet is 12 years old, the newest 5. They have an expected 25- to 30-year lifetime, and even with a 20-year lifetime, the first Trident would not be needed on a replacement basis until 1981, the projected deployment date for the unaccelerated program.

Even without ULMS we are already in the midst of a conversion program involving a tenfold multiplication of destructive power. Thirty-one of the Polaris subs are being converted to carry Poseidon missiles—16 Poseidons to a submarine. Each Poseidon missile contains 10 to 14 separate nuclear warheads—MIRV's—which could be directed to widely scattered targets. When this conversion is completed in 1976, the Polaris-Poseidon force will include 6,400 nuclear weapons.

According to the Defense Monitor, published by the Center for Defense Information:

> The 1976 force would be able to destroy about 2000 Soviet targets on a moment's notice. There are 219 Soviet cities larger than 100,000 population, and 88 million people—36 per cent of the Soviet Union—live in them. The 1976 submarine force, before ULMS, could destroy these cities nine times over.

Mr. President, the Soviet Union simply is not competitive with the United States in the strategic-missile-submarine field. Only three to five of the Y-class subs now target the United States, while about 16 of our subs target Russia. Further, the Soviet missiles are shorter in range—1,300 to 1,500 miles compared with 2,500 for most of ours. The Soviets have no new program equivalent to the Trident, despite Secretary Laird's implications to the contrary—which he later qualified. They are working on a modified version of their existing Y-class submarine, which would hold 12 missiles of 3,500-mile range. ULMS submarines would carry 24 missiles, with a 4,500-mile range. The ULMS II missile would have a probable range of 6,000 miles. In view of the status of the Soviet submarine program, an accelerated Trident program seems entirely adequate at this time—pending the outcome of SALT II.

Can we in good conscience and good sense engage the Russians in an accelerated arms race, having conceded the survival of each other's position and political system? The ABM treaty has in it the central fact that we are indeed each other's hostage for reasonable behavior in the nuclear age. More force, greater spending, and additional weapons will not make either side more secure. More can only lead to a deepening of the balance of terror which has plagued the world for more than a decade. If we insist on pushing the Trident at an accelerated pace, the consequences are predictable: the Soviets will feel compelled to follow our lead and indeed they will try to introduce an equivalent. A continuing drive to achieve a shifting parity only escalates the enormous cost and heightens the possibilities of a holocaust.

Mr. President, Mr. Herbert Scoville, Jr., in an article published in the New York Times of June 17, offers an excellent summary of the rotating rationales and ever-changing explanations used to justify requests for increased funds for armaments. Mr. Scoville is a director of the Arms Control Association, and former Assistant Director of the Arms Control and Disarmament Agency. I ask unanimous consent that the article be printed in the Record at this point, along with an article by D. J. R. Bruckner of the Los Angeles Times, printed in the Arkansas Democrat of June 22, and an article by I. F. Stone from the New York Review of July 20.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, June 17, 1972]

A Pentagon "Gimmick"

(By Herbert Scoville, Jr.)

Washington.—Soon after President Nixon's return from Moscow urging approval of the most significant arms-control agreement of our time, his Secretary of Defense went before Congress arguing for increased funds to modernize our offensive strategic armaments. The Pentagon has found a new gimmick to obtain monies for new weapons—arms-control negotiations. When Soviet threats lag, when military requirements evaporate and when demands for reprograming of scarce resources to civilian needs become strident, then is the time that the weaponeers turn to arms control for their sustenance.

In 1969 Secretary Laird raised the specter of a Soviet first strike knocking out the U.S. strategic deterrent. The momentum of the Russian weapons programs, the rapid growth of their large ICBM force, the testing of multiple warheads which had a "footprint" to destroy our Minuteman missiles, the conversion of nationwide anti-aircraft defenses into ABM's, all these were used to justify the U.S. Safeguard ABM. In the next two years, as these threats failed to materialize, the argument was changed; Safeguard was now essential as a "bargaining chip" for the strategic arms limitation talks—SALT. The opposition to Safeguard then faded, and funds were approved by increasing margins despite diminished military need. No Senator wished to be held responsible for any Administration failure at the talks.

As the political effectiveness of the "bargaining chip" argument became apparent, the Pentagon used it to defend other weapons programs whose value could not be justified on security grounds. When it became obvious that the military requirement for the Poseidon and Minuteman MIRV programs could no longer bear close scrutiny, Deputy Secretary of Defense Packard testified last year that they too were needed to induce the Russians to agree to their control; this in face of the fact that the Administration never seriously attempted to persuade the Soviets to limit MIRV's in the two-and-one-half years of negotiations.

Again this year to justify nearly $1 billion for the acceleration of the ULMS-Trident advanced submarine missile project, Secretary Laird said this was needed to demonstrate to the Russians and our allies our willingness to match the rapid growth of the Soviet missile submarine fleet.

Now President Nixon has signed agreements in Moscow which stop the increase in large Russian ICBM launchers, which place a ceiling on the numbers of missile submarines they can build, which prevent the deployment of a nationwide ABM and which guarantee our deterrent. All of Secretary Laird's specters are now banned or nonexistent. Yet in his speech to Congress on his return the President extols the success of negotiating from strength and hints we must continue this policy in the future. Actually all our bargaining chips accomplished was to insure that both nations ended up with a larger ABM, that MIRV's remain uncontrolled, and that the Soviets have a numerically bigger submarine missile fleet.

Secretary Laird has now specified that we must continue all the same offensive weapons programs of the past as bargaining chips for SALT II. New programs, which had not been on the list before, have now been added. He even admitted that he only supports the ABM treaty which limited both nations to two sites because that is all Congress would authorize anyway. He and Admiral Moorer, chairman of the Joint Chiefs of Staff, declared that their support of the Moscow agreements depended on approval of the modernization of our strategic offensive forces—arms-control blackmail similar to that used at the time of ratification of the Limited Test Ban Treaty in 1963.

Thus we see our arms-control policies glaringly exposed to the public views. Arms limitations are not pursued to reduce weapons but to permit new deployments which would otherwise be in trouble in the present climate of tight funds. The Moscow agreements do not limit a single U.S. offensive strategic weapons program in process or even under serious consideration. They authorize the construction of an ABM around Washington which could never get support without the treaty and which Senator Jackson, a strong proponent of ABM's, has recently characterized as "useless." The only budgetary savings will come from the twelve site Safeguard deployment which in any case has been flatly turned down by Congress for three years. In a similar way the prospect of East-West discussions on mutual balanced force reductions in Europe has been used to postpone indefinitely the withdrawal of our forces.

How long must we build unnecessary weapons as "bargain chips"? Perhaps we would have more arms limitation if SALT II were scrapped. Arms control can hardly afford any more arms-control negotiations. How often can the Administration proclaim success in arms control while it continues to use the negotiations as a cloak for escalating military budgets? The time has come to evaluate agreements on what they actually do to weapons programs not on the basis of statements by our leaders who extol their value while acting as if the strategic situation were unchanged.

[From the Arkansas Democrat, June 22, 1972]

THE WEIRD RHETORIC THAT FUELS THE PERPETUAL WAR MACHINE

(By D. J. R. Bruckner)

NEW YORK.—Early this year the Administration justified its increased military budget requests by arguing that it would need funds for new weapons if the Strategic Arms Limitations talks failed. Last week it was arguing that it needs more funds for new weapons to give the Russians an incentive to proceed with SALT II and agree to a treaty limiting offensive weapons.

Some congressional critics of the military budget have been trying to find a way to tie the arms agreements to the debate over spending, in an effort to cut funds, but the administration could have ignored that effort safely. The arms agreements and the budget are two quite distinct matters which could be handled separately. Evidently the President finds some advantage in co-opting the tactic of his critics; it is probably a political advantage in an election year.

The rot set into our thinking about the military when Congress agreed 25 years ago to eliminate the War Department and call the new combined services agency the Defense Department. And last week the President was telling more than 100 Members of Congress at the White House that his aim is to insure the "security" of the nation.

The Russian leaders were telling their people the same thing in one of those long, allusive, code-worded articles in Pravda defending the Summit agreements. Neither leadership suggested to its constituency that security might be best achieved by disarmament rather than by armament. In fact, the chief U.S. arms negotiator Gerard Smith told the Russians on May 9 that an objective of the SALT II talks on offensive weapons "should be to constrain and reduce on a long-term basis threats to the survivability of our respective strategic retaliatory forces." That means, in translation, that our safety lies in our unrestrained ability to bomb one another to hell.

Mr. Nixon displayed his mastery of this weird language of the politics of war when he told the congressmen that the Russians told him that "they were going forward with defense programs in the offensive area . . ." His conclusion was that "since they will be going ahead with their programs, for the United States not to go forward with its programs would mean that any incentive that the Soviets had to negotiate the foll-on agreement would be removed." Do you understand?

This is all of a piece with the American threat to abrogate the ABM treaty if SALT II does not produce an offensive weapons treaty within five years. Henry Kissinger actually argued in the congressional briefing at the White House that it was our deployment of the Safeguard ABM missile that made the new ABM limitation treaty possible.

We are invited to conclude that, if one step up in the arms race made one treaty possible, another step up will make another treaty possible. The theory that an increase in military spending will encourage Russia to make more arms limitation treaties gains an illusory persuasiveness from the fact that there is an ABM treaty before Congress. But why would not a cutback in military spending encourage the Russians to negotiate just as well? We do not know; we have never tried that method.

The proposed $83.2-billion Defense Department budget includes initial funds for Minuteman III and Poseidon missiles, a new B–1 bomber for the strategic arsenal, a new Trident submarine to cost something more than $1-billion. Wonderful. In 25 years we have spent more than $1,000 billion on our war machine. This commitment, we are supposed to believe, has persuaded the Russians to sign a treaty limiting additions to one part of the machine; spending billions more to improve other parts of the machine will lead to another treaty. And then?

If a new and different reason is needed to justify this increased military budget, you must expect that one will be found, or no treaty. We have seen the unsettling spectacle of Admiral Thomas Moorer, chief of the Joint Chiefs, telling Congress that the military might withhold its approval of the ABM treaty unless the military budget for offensive weapons goes up. Defense Secretary Laird then issued a warning that the Russians are building multiple warhead missiles, although it turns out in fact that there has been no testing of such weapons by Russia and that the situation has remained unchanged all year, then Laird was up in the Capitol arguing that the arms limitation agreements would be dangerous unless we become better-armed.

International affairs might be in fact as totally unreasoanable, perhaps lunatic, as these guys want to make us believe. But I suspect there is another angle to this effort, a political angle. A storm will be stirred up in Congress, but Mr. Nixon's treaty and agrement will be approved anyway, and he can go before the voters as a victor in a tough fight with a stubborn Congress. And Sen. Hubert Humphrey, in his California campaign, demonstrated to the White House the effective use of frightening people about any cuts in the military budget, convincing them that restraint is weakness abroad and a source of unemployment at home.

The words are used in different ways now, and the arguments sound different, but in fact the condition of the war machine will be a chief concern of this campaign as it has been the chief concern of every campaign since 1920.

[From the New York Review, July 20, 1972]

THE BIG BUILD-UP NIXON IS PUTTING OVER ON US

(By I. F. Stone)

WASHINGTON.—Six months ago, in presenting the military budget for fiscal 1973, Nixon and Laird were asking for certain escalations as a hedge in case the SALT talks failed. Now they are asking for the same escalation on the ground that the SALT talks succeeded. An exasperated Fulbright in the Senate Foreign Relations Committee hearings on the SALT accords told Laird he had "a genius for semantic confusion." There could be no better illustration than the use of "strategic arms limitation agreements" as an excuse for—literally—billions of dollars worth of new weapons. The total bill cannot yet be added up—but the specific projects and policies could easily cost a hundred billion in this decade.

Public attention and Congressional debate have focused on follow-up projects like the new B–1 bomber and the new nuclear submarine formerly called ULMS and renamed Trident (like Neptune's, it is to symbolize that we rule the waves). These are to be ready after 1977 when the five-year interim strategic nuclear arms agreement expires. The Senate Armed Services hearings show these two new weapons alone would cost upward of $25 billion.

A new strategic bomber makes no sense when we have developed in SRAM and SCAD nuclear missiles that almost any plane can carry and fire in safety several hundred miles from an enemy's border defenses. The B–1 bomber is another example of fantastically expensive duplication and overkill. So is Trident or ULMS. It makes no sense to begin constructing what will be underwater battleships (how the Navy still yearns for battleships!), each costing a billion or more, as an answer to antisubmarine devices not yet invented, especially when those devices may well force the world's navies to concentrate on smaller rather than larger submarines.

In the debate over these new monsters, the Pentagon is escaping challenge on other and more immediate escalations. The first is on ABM. *Even the ABM treaty provides for escalation.* The Russians, who stopped adding to their obsolete "galosh" ABM some years ago with sixty-eight launchers, will now go to 200 at two sites. We have no ABM launchers yet and will also go to 200 at two sites, at a cost of $8.5 billion. No bagatelle, even on the Pentagon's computers.

Every person knowledgeable in arms knows the existing ABMs in these quantities are laughably ineffective and obsolete. The proof lies in another escalation the Pentagon is quietly asking: $140 million to start work on a new Hard Site ABM system, which would ultimately cost $25 billion. So we are going ahead with the development of a new ABM system right after signing a treaty in which we pledged ourselves *not* to deploy a new system, though we are allowed to develop one. This means pressure to opt out of the treaty as soon as the military finds a better ABM.

The biggest and least noticed escalation of all is in the number of our MIRVed warheads. Ambassador Gerard Smith, our chief negotiator at the SALT talks, told the Senate Foreign Relations Committee, June 19, "We have doubled the number of warheads in our arsenal in the last three years," and "they are programmed to be again doubled in the next two or three years."

In mid-1977, at the expiration of the five-year agreement, we will have 11,000 deployed warheads to the Soviet's 2,600. This is the result of MIRV and of SRAM and SCAD, which do for the bomber what MIRV does for the ICBM and the nuclear submarine. But since 200 warheads would be enough to cripple the Soviet Union, what is all this mad overkill for? The excuse for developing MIRV was to overwhelm and saturate a full-scale Soviet ABM, when and if deployed. But they have just signed a treaty which forbids them to deploy any such system, so why continue MIRVing?

The idea behind the escalations is that anything the SALT accords do not forbid we must buy, and anything they forbid we must develop and hold ready for deployment in the not too unhappy event that the accords break down. In asking for the escalations, Laird is really making acceptance of this idea his condition for supporting the accords. Nixon says both the accords and the escalations are "equally essential," a distinction in which it is hard to see a difference.

Senator Cooper suggested a two-year moratorium on MIRVing while we try to negotiate limits on launchers, thus restricting the number of warheads. But nobody seems to be listening. Even Admiral Moorer, Chairman of the Joint Chiefs of Staff, admitted to Cooper before the Foreign Relations Committee, June 21, that a two-year moratorium would not jeopardize our security. Indeed, Ambassador Smith had told the committee two days earlier, "Nothing that the Soviets can do," even if the five-year interim agreement runs a full term, "could upset the strategic balance" in our favor. So why not a pause to see if we can stop this mindless momentum?

A pause is just what the military-industrial complex does not want. When Kennedy signed the ban on atmospheric nuclear testing, the price of military-industrial support was embodied in special "safeguards" asked by the Joint Chiefs of Staff. These looked harmless enough at the time but turned out to have committed the government to more testing than ever, albeit underground. It was in those tests that a whole-series of new monsters, MRVs, MIRVs, ABMs, and many other "improvements" were developed.

Those who remember that have an anguished feeling of *déjà vu*. Again the Joint Chiefs have put forward similar conditions. This time they ask for three "assurances." These would close the door on any real progress in the next round of SALT talks.

Assurance number one asks for a race in surveillance satellites; assurance number two for "Aggressive Improvement and Modernization Programs" including plans "for rapid augmentation of strategic forces beyond the constraints of the treaty and agreement to be made in the event of abrogation, withdrawal, or collapse of negotiations." We suspect the JCS will not be too sad if that happens.

But the most insidious assurance is number three. The most important arms limitation agreement the two sides could reach—the one way they could lock the door on new monsters the one way they could put a brake on the technological momentum in which both are trapped—would be a comprehensive test ban, an end to all further nuclear testing.

Assurance number three is aimed to prevent this. It would require the government to "maintain weapons system technological superiority" and to "continue testing to insure the effectiveness of *new and existing* nuclear weapons systems." When Senator Stennis asked Moorer at the June 20 Armed Services Committee hearing whether this would bar *any* limits on testing, the admiral replied cutely that it would rule out limits only on the type of testing "necessary to insure that we do maintain this technological superiority." Secretary Rogers and Ambassador Smith also went out of their way to discount the possibility of a comprehensive test ban in their Foreign Relations Committee testimony the day before. These are the semantics by which SALT spells a bigger and more costly arms race.

Mr. STENNIS. Mr. President, I yield 5 minutes or such time as she may wish to the distinguished Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mrs. SMITH. Mr. President, our existing Polaris/Poseidon submarine fleet is already seriously obsolescent. It will be 20 years old by the time the proposed Trident missile system can become operational.

This is no time for delay when time is so precious and the Russian submarine fleet is so dramatically and menacingly growing with serious prospects of becoming superior to ours very soon.

There is an urgent and desperate need to get on with the research and development program on Trident as well as the shipbuilding and missile procurement programs.

Why? For two basic reasons. First, we are drastically cutting the size of our submarine fleet as compared to that of the growing Russian fleet. We are drastically reducing the quantity. Now the only way that we can offset that quantity reduction and prevent resulting impairment of our national security and national defense is by increasing the quality of the reduced submarine fleet.

That is what the Trident system will do. Its superior quality and capability will offset the Russian advantage in quantity of submarines.

Second, as I said yesterday, the Vietnam experience has driven the American people more and more to a new isolationism and a pullback from our overseas land bases to a neo-fortress-America policy. Added to this is the attitude of formerly friendly nations like France and Spain to push us out and deny us overseas facilities.

The proposed Trident system's long-range capability and improved technology is one of our best ways of adjusting to this change as it will solve the basing problem and eliminate the need for bilateral sea base agreements.

I hope this unrealistic amendment will be defeated.

Mr. BENTSEN. Mr. President, not one man in 1,000 in America could tell you what ULMS or Trident is, yet we are on the verge of committing every citizen of this country to years of involuntary tax contributions to finance this military defense system. We are talking about a ship, a boat that will cost $1.3 billion.

Mr. President, the time for the study and the time for the planning is before you let the contract. There is not one proponent of this amendment who has stated he is against the Trident. We all know that there has to be a new generation of submarines; but we know that that is in the future. We know that we are safe today with a retaliatory force, the Poseidon and the Polaris, throughout this decade and into the next. When it comes to the question of modernization, a modern navy is good for 25 to 30 years and we are talking about major navy vessels when we talk about the Poseidon and the Polaris.

We are not talking about attack submarines; we are talking about submarines with elite crews that get the best on major overhauls. If we took the most dire of predictions, the first one would not have to be replaced—if we took only 20 years—until 1981. That goes to the question of modernization.

The next question that is raised before us that was used by Secretary Laird in his justification for the change from the September statement to the January statement is the fact that all of a sudden they saw an acceleration of Soviet subs, so we really need this program and the acceleration for it to try to get the Soviets to listen at the SALT talks and on an executive agreement. Well, they listened, and we have a limitation. Secretary Laird had said that if we did not receive that, if we had an extrapolation of their capabilities, they would have had 90 subs at the end of the period of the second agreement. But SALT limited it to 62 submarines and 950 missiles.

So that battle was won. Then after the battle is won, after the reason is gone, they come back and tell us "We need a modernization of the program." They have a new reason.

Mr. President, I have been told this afternoon that they are talking about having options open as to whether the Trident will carry 24 missiles or 16 missiles. We are getting these statistics at the last minute. We did not get them before the Research and Development Subcommittee, when we were asking them these questions, when I was presiding over these hearings, when we had an extension of hearings to listen to everything they had to say, to their articulations of their reasons.

That committee became convinced, after listening to all of their witnesses, that their reasons were not compelling for the acceleration of the program and decided unanimously to report that amendment, and with that bill out we had the $508 million deleted. Then we returned to the orderly production schedule that was set up under the September recommendation of Secretary Laird. That was the considered judgment of that subcommittee. We took it before the full committee.

Mr. President, ULMS—the Undersea Long-Range Missile System—has been in the design and study phase in the Navy Department since 1969. Last year it was funded at a level of $104.8 million. Last September, the Defense Department approved an outlay of $418 million for the program for fiscal 1973.

In January of this year, in a change of mind and change of pace, the administration moved to accelerate this program, pushing it into the procurement phase before the design phase is satisfactorily completed, to the tune of $980.2 for the next fiscal year—nearly 10 times the authorization for the preceding year, and more than double the amount approved only 3 months earlier.

It is this amount, and this policy decision, that is in question.

I have joined in sponsoring an amendment to reject the acceleration program and authorize only the amount recommended in September 1971 for additional research and development before moving into the procurement phase with all its necessary commitments.

The need for this new high-priced system has not been established. There has been disagreement within the Defense Establishment over the most appropriate course for ULMS development.

Some experts advocated deployment of the new Trident in the early 1980's. Others argued that a new system was not yet needed, since all foreseeable nuclear threats could be countered by incorporating a new long-range missile system in the present Polaris and Poseidon fleet.

The controversy was resolved—on the surface, at least—by making the long-range missile system an integral part of the ULMS development, and designating it as the ULMS 1 missile. That was the plan proposed by the Defense Department last September, when funding for fiscal 1973 was established at $418 million to finance the phased development of the ULMS 1 missile system for Polaris/Poseidon, plus a new submarine system—with the major portion of the 1973 funds earmarked for the ULMS 1 missile.

That position was changed in January 1972—only 3 months later—as an apparent reaction to a faster than expected submarine buildup by the Soviets, which the administration sees as a threat to our Polaris/Poseidon force.

That view is not shared by all the experts, and the administration has failed to established the necessity for this accelerated move.

After careful study of the evidence, I am not convinced that we now need a new submarine construction program to keep pace with Soviet submarine buildup.

It is true that the Soviets have deployed 25 Yankee class ballistic missile submarines, and that they have an additional 17 under construction. That will give them a total of 42 ballistic missile submarines, as opposed to our Polaris/Poseidon fleet of 41.

We do not know what their future plans may be.

They may stop at 42, or they may seek to expand that number. They may seek to arm their present submarine force with longer-range missiles with independently targetable weapons to match our Poseidon.

They know as well as we do that numbers of submarines and sea-based missiles are not the only indicators of a nation's sea-based deterrent strength. Such factors as numbers of warheads, submarine detectability, missile range, and geographical advantages are also important considerations. And in each of these respects, the United States has—and will continue to have for some time—a distinct advantage over the Soviet Union.

On that score, the circumstances do not justify a headfirst dive into an insufficiently developed program to deploy Trident submarines at a cost of a minimum of $1.3 billion each, in a long-range program that could ultimately spell commitment up to $40 billion.

We may ultimately determine that the Trident program is both justified and advisable. But the mere fact that the Soviet Union has just spent $100 million on a 42 ballistic missile submarine is not sufficient reason to impel us to plunge into a multi-billion-dollar investment in ULMS and an acceleration of a new sea-based arms race.

The Trident, as planned, is a huge submarine, twice the size of Polaris or Poseidon. It would be able to carry more missiles—24 to a boat rather than the 16 for Polaris and Poseidon—and travel at a faster maximum speed. It would incorporate the latest available quieting devices. And it would cost $1.3 billion per unit.

Critics of this planned design argue that the increased speed and large missile-carrying capability are directly responsible for this staggering cost, and that the military usefulness of these two features is outweighed by the definite military risks they entail.

The large size of the Trident, they point out, will make it more susceptible than the Polaris to active acoustic detection techniques.

In addition, the fewer submarines in which we concentrate our sea-based missiles, the more vulnerable our sea-based deterrent will be to Soviet antisubmarine warfare breakthroughs.

These critics urge development of more smaller ships with fewer missiles each.

That, indeed, is the course selected by the Soviets. They are building their submarines with 12 instead of 16 launchers each. And there is much to be said for a smaller, less detectable, and less expensive sub than we are considering in the present high-speed Trident design.

There is no doubt that additional submarine construction will be necessary at some time in the future; but when, and what design, remain questions for careful decision. I believe a wiser, better-informed decision could be reached a year from now.

If, in the meantime, there is progress in SALT negotiations, we could safely defer major development of new submarines until after 1975.

If no agreement is reached, we would have the advantage of monitoring Soviet actions to determine our best options in response.

The administration has made much of the risk to SALT negotiations if the Trident development is not accelerated.

There has been considerable expert testimony to the contrary.

Dr. Wolfgang Panofsky, director of Stanford University's Linear Accelerator Center, stated before the Senate Foreign Relations Committee his view that neither the initiation nor the acceleration of the Trident program would improve our bargaining position in SALT II, but, on the contrary, the acceleration would tend to persuade the Soviets to urge for higher armaments levels for themselves.

The report of the Armed Services Committee notes that—

> The plan to build the submarine with 24 launch tubes will limit the number of Trident submarines under the SALT agreement . . . because the initial replacement of even the 10 oldest Polaris ships could be accomplished with only 8 Trident, for a reduction of 2.

The specific terms of the new SALT agreement are such that we could replace our 10 oldest Polaris with either 8 submarines carrying 24 missiles each or as many as 13 new submarines with 16 missiles apiece. And if we built a force composed exclusively of Tridents with 24 missiles each, we could have a total of no more than 29—compared to a probable Soviet force more than twice as large.

It would be ironic, indeed, if a new submarine program turned out in the end to jeopardize the survivability of our whole sea-based deterrent. This is a serious risk that it would be foolhardy to run.

There is reason to believe that our bargaining position at SALT II would be improved if we proceeded NOW with work on a new long-range missile system and deferred new submarine construction for the next move, in case no agreement is reached to limit sea-based deterrent forces.

There is no immediate risk of obsolescence of our present Polaris-Poseidon force, which has an estimated life span of 25 to 30 years—with at least 20 years to go before any replacements are in order.

With that much life left in our present force, it would make good business sense to direct modernization efforts at incorporating into Polaris a new, longer-range missile system, such as the ULMS 1—thus increasing the Polaris' survivability, improving target coverage, and increasing time on station.

It is also estimated that further advantages, such as quietness of operation and reduced maintenance time, could make modernization of Polaris an economically sound venture.

Far more sound, I might add, than replacing Polaris with a new multi-billion-dollar system of unproven merit.

There is no immediate need, I repeat, for a new submarine weapon system.

The future of antisubmarine warfare is so murky at this stage that no one can begin to predict what our need will be 5 years, or 10 years from now.

But for the foreseeable future, the Polaris-Poseidon combination is an effective deterrent and an ample safeguard against any possible nuclear attack.

I propose that we place our reliance on this combination for the time being, and proceed with an orderly development of Trident, keeping our options open without ruling out possible and preferable alternatives.

Mr. President, I have been a strong advocate of national defense. I have never pinched pennies when it comes to national defense. I have not gone down into the bargain basement to try to strike a deal for a missile system, because I want quality. But I know we are talking about the taxpayers' money at a time when the President of the United States is berating the Congress for exceeding the budget and asking us to keep our expenditures down. That is what I want to participate in—holding down expenditures and seeing the wise expenditure of the taxpayers' money. That is why I am taking the floor and urging support of this amendment.

Mr. ROTH. Mr. President, will the Senator yield me some time?

Mr. BENTSEN. I yield to the Senator from Delaware.

Mr. STENNIS. Mr. President, would the Senator yield some time to the Senator from South Carolina (Mr. HOLLINGS), who has been waiting for sometime?

Mr. BENTSEN. I have yielded to the Senator from Delaware. How much time does the Senator desire?

Mr. ROTH. I would like 15 minutes.

Mr. BENTSEN. We do not have that much time left. We are due to vote at 4 o'clock, and the chairman and I have the closing arguments.

Will the Senator hold his remarks to 2 minutes?

Mr. ROTH. Very well.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes.

Mr. ROTH Mr. President, yesterday when addressing the question of whether CVN-70 should be funded, I said that for a variety of reasons I believe the United States must maintain its posture of defense preparedness. But I also stated that the time had arrived for those of us in the Congress to engage in a critical evaluation of the ways in which we spend Federal tax money, whether the subject is domestic spending, defense spending, or for whatever purpose. Today, I have tried to follow my own advice; and, for reasons which I will explain, I must in good conscience oppose any acceleration of the Trident system.

I would like to emphasize that I support development of the Trident as it was previously formulated. But acceleration of the system raises too many new problems and increases this year's Federal spending too much.

The strategic posture of the United States is based on a three component nuclear force of missiles launched from land, sea, and air. It is this broad and flexible capability which provides the United States and its allies with a survivable deterent to nuclear war that is to the greatest degree possibly invulnerable to operational surprise and technological breakthrough.

We are now in the process of renewing and improving each component of the triad, because our deterrent must be modern and reliable. In addition, we are completing the deployment of Minuteman III, a land-based deterent, as well as a limited defense of that system; we are designing and testing a new strategic bomber system—complete with two new types of attack missiles—to serve as an air-based deterrent; and, we are developing the Trident submarine as a replacement for the Polaris/Poseidon fleet of submarine-launched ballistic missiles.

This new generation of strategic weapons is, however, being developed under a completely new environment. For the first time we will place constraints on the numbers, as well as—to some degree—the characteristics of the missiles of both the Soviet Union and the United States. Since the Senate will soon consider the SALT agreements which created this environment, I will only note that the agreements will have a significant, perhaps critical, impact on the capabilities which we will need for our future strategic weapons.

Today, however, the issue is whether the most secure of our deterrent forces, the Trident submarine, should be accelerated from an initial operational capability of 1981 to 1978 at an additional cost of $508.4 million. Although I am opposed to accelerating this program this time, let me state that I favor a strong, reliable, and operationally ready strategic force, and in particular, I support the concept of a submarine launched missile as embodied by Trident.

Acceleration, however is an entirely different question. First, from the point of view of strategic arms limitation, ample expert testimony has been given before the Armed Services Committee to testify to the fact that Polaris/Poseidon are essentially 100 percent survivable for the foreseeable future, and that the new Poseidon MIRV equips them with tremendous striking power. In addition, both the interim offensive agreement—which places temporary limits on the number of submarine launched missiles which each country can deploy, while the defense agreement limits the number of ABM's—and the agreements which will constitute SALT II have significant impact on the force, size, and design characteristics of our strategic weapons, including Trident. Since it may be several years before the agreements are in concrete form, it seems to me that we should move with great deliberation in building Trident; not with a crash program.

Second, an accelerated program is generally wasteful. The Navy has testified that the accelerated Trident program is more nearly optimum than the previous unaccelerated program. If this is so, it strikes me that the Navy occupies a most questionable position, particularly in view of the great emphasis which was placed on efficient procurement by Deputy Secretary Packard. I find it difficult to believe that the accelerated program will not, in fact, produce the same kind of overruns, slippages, and development/production concurrence which have caused such waste and inefficiency in past procurements. An acceleration such as this will not only affect the Trident program but also go directly to the principle of good defense management which minimizes the concurrency between development and production, and thus may jeopardize other programs by setting an unwise precedent.

This concurrency is disturbing, Mr. President, because in my view it is unnecessary. The ultimate purpose of the Triad is to provide the United States with great flexibility. To foreclose some of our design options and reduce our flexibility by accelerating this program is simply unwise. This is an excellent time to make use of that flexibility and maintain our design options as long as prudent so that we end up with a system which is more responsive to the needs of the Nation. We are proceeding on an orderly development of the B-1; I can see no reason for not doing the same for the Trident.

Finally, Mr. President, our budget in 1972 ran a deficit of $26 billion and in 1973 will approach $30 billion. We must bring our budget under control. I believe that the $508 million to accelerate Trident should be deferred and the program reverted to its original schedule to demonstrate that Congress is at least attempting to control defense expenditures and procure weapons in the most efficient manner possible. The original program was constructed especially to provide an orderly, paced response to any threat seen developing, and to maintain the maximum number of options. I urge my colleagues to return the Trident, to that flexible program, and support the amendment of the distinguished Senator from Texas.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield 8 minutes to the Senator from South Carolina (Mr. HOLLINGS).

Mr. HOLLINGS. I thank my distinguished colleague.

Mr. President, I have the highest regard for the cosponsors of this amendment, the Senator from Texas, the Senator from Missouri, and the Senator from Ohio. I know they have studied this matter in depth and most thoroughly. I also have equally great respect for the distinguished chairman of the committee, the Senator from Mississippi.

I have gone to what I think is the well on the question of submarines, and that is Adm. Hyman Rickover. I find that one gets a great deal more information and intelligence in one short conversation with him than he can from any other source.

I am not one of those politicians who

thinks one has to vote defense jobs for the people of the community or that the transfer of a base means necessarily the economic ruin of the community. Greenvills, S.C., had the Greenville Airbase which was closed down several years ago. We now have 11 industries at the location of that base. and they have made a substantial contribution to the economy and to the civic leadership in that community of Greenville, more so than any military installations ever built there.

I only know full well that I come from the home of the Polaris submarine in the Sixth Naval District, and I know that there is an entire complex there, and as a result of the relaxation of the war in Vietnam, we are now suffering from a degree of unemployment. We recently experienced the closing down of the Lycoming helicopter plant there, which was producing helicopter engines.

There is a tendency, and would be, in some minds, that one has to go for anything that would provide additional jobs for the navy yard. The argument can be made that I might cut off my nose to spite my face, because these Trident submarines are large, new types of submarines that may never get into Charleston Harbor, but by joining in this amendment, I would keep the Polaris sub going out of Charleston that much longer. Certainly, I do not want to cut my constituents off, but I must keep foremost in mind the matter of our national defense, and in doing so, I find the Senator from Texas has said the cost will be $1.3 billion for each submarine. Nobody disputes that, and further, everybody agrees we are going to have a Trident. The question is, When? And I have given careful thought and consideration to the arguments on both sides of this question.

In talking about the economy and Federal spending, the same logic of my distinguished friend from Texas could be used to show that the cost is $1.3 billion now, and the impetus would be to go ahead and vote for acceleration now, for in 2 or 3 years time, with inflation increasing costs by 10 or 20 or 30 percent a year, we will be paying $2 billion for what, back in 1972, we could have had at a price of $1.3 billion.

Mr. President, after studying the current state of our defenses, the weapons developments in the Soviet Union, the progress of arms limitation talks, and the state of our own economy, I believe it is essential that we go ahead with this project and go ahead with it now. The reasons for doing so are, to my mind, compelling.

First, the Russians have a Trident-type system. I am convinced of it.

The Russians have gone through extensive testing and it is already "on the waves," as they express it. We simply cannot afford to let the Soviets have a monopoly on the Trident. Such a monopoly would afford them, first, military superiority, and second, the upper hand diplomatically at round two of the SALT talks. The Russian negotiators have demonstrated very clearly that they long ago mastered the strategy of the bargaining chip. We had better be its master, too.

The second reason for going ahead on an accelerated basis is that we will soon need new submarines. Many of our Polaris/Poseidon subs have been at sea for years. They have been undergoing the stresses and strains of worldwide patrols to a degree not originally anticipated. They are becoming obsolete not just from the standpoint of technology, but also from this standpoint of wear-and-tear. If we go ahead now with the acceleration of Trident, by the time a significant force—not just one boat—can appear to replace today's vessels, the early ships will be nearly 20 years of age—and that is the life expectancy for which they were designed. The *George Washington* was commissioned in 1959, and the entire fleet appeared in a period of some 7 years.

It is thus clear that time is going to soon pass these submarines by. The question is, will we replace them with duplicates of already obsolete weaponry in order to have a standby defense capability while the Trident is developed, or will we speed the development of Trident so we are not caught in a potentially fatal submarine gap? The answer to that should be obvious to any thinking American. It is clear that it takes much time to go through the processes of ordering and building and installing the advanced mechanisms of the Trident system. I questioned carefully about this. I am told that the lead time for the interior mechanisms of the Trident is 5 years. When we consider that it takes 6 to 7 years to go through this process for the components of a powerplant in the private sector, the 5-year figure is actually very impressive.

It is said that we are going to adopt here a policy of "fly before you buy", but in this particular case I do not go along with this argument because it does not apply to the Trident program, which builds on existing technology. We need those submarines, and need them soon. We can go ahead with development of this mechanism. We can do it now and get started on the leadtime that way. By the same token we are not precluded from making alterations, such as altering it from 24 tubes down to 20, as some experts have recommended doing anyway. We are not locking ourselves in to some 29 submarines by this vote here today.

Mr. President, I have heard a lot of talk on the floor of this Chamber today that one reason for not speeding up development is that the overall exterior design of the ship is still in question. This accusation is utterly false. The design of the ship has been locked in—its dimensions are set, and there is no need to procrastinate on this score.

We also hear as I say, the injunction, "fly before you buy." But while that procedure has much to recommend it with regard to the majority of weapons systems, it has no applicability to the current debate. The Trident submarine and its nuclear powerplant simply do not require evolution of new technology or technological breakthrough. They build on the technology which has been developed and demonstrated in all our nuclear submarines commencing with the *Nautilus*.

My third major reason for going ahead now with accelerated development is the performance of our own economy. For over half a decade now, we have been victimized by the most rampant inflation. Every year the cost of doing every thing goes up. Every year it takes additional dollars to do the same job. With regard to the history of weaponry costs, performance indicates an inflation rate of nearly 10 per cent per annum. If we wait 3 years to go ahead with the Trident, we can expect about a 30-pecent increment in cost. I say go ahead now—maximize the effectiveness of each dollar—and give the citizen a dollar's worth of defense for a dollar's worth of taxes.

A fourth reason for expediting development and deployment of Trident is that it will decrease our dependence on foreign bases. The Trident has a much-expanded flexibility, due primarily to the 6,000-mile warhead it will be carrying. This expanded range affords it a latitude of operation far in excess of that belonging to Polaris/Poseidon. This is the kind of flexibility America must guarantee itself, which we should endorse by our vote today. Trident could operate by and large out of American waters. Every year when we deal with foreign countries for continued leases in overseas bases, we are threatened with eviction unless we increase our rental payments. The direction of events is against permanent bases on foreign soil. The American people want to come home, and many of our friends abroad want us to go home. Now technology offers us a way out of the impasse. Here is a vessel much more autonomous than our current submarines—a vessel whose range diminishes the need to hold overseas bases—a vessel which can be serviced by American workers in American jobs on American soil. With our recent history of exporting jobs, technology, and money, we ought to jump at the chance.

The vote today, of course, is not on whether or not these ships are in our future. The Trident is coming—it is in our future. The only question is when it comes. As indicated in these remarks, I believe the imperatives of national defense compel us to go ahead now, before the Soviets pass us by in military capability.

In summary, Mr. President, I believe it is incumbent upon this body to approve the request for additional funding. The activities of the Russians urge us on. The necessity of our own defense capability urges us on. The availability of new technology urges us on. Our bilateral bargaining with the Soviet Union urges us on. The possibility of going ahead now at a cost significantly less than what we will have to shoulder 3 years hence urges us on. Simple prudence and commonsense urges us on.

I ask my colleagues to give this important question the most serious consideration. We are dealing with America's security. Security never comes cheaply. In these days of advanced weaponry and ever-changing technology, security is dearly bought. It is expensive to maintain our military posture. It is expensive to be No. 1. But the truth is, Mr. President, we can afford no less. I urge prompt approval for the swiftest possible development of the Trident weapons system.

The PRESIDING OFFICER. Who yields time?

Mr. BENTSEN. Mr. President, I yield 2 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I rise as a cosponsor of the amendment now before the Senate to strike some $508 million from the Pentagon request for the ULMS program, returning that project funding to the level originally proposed.

At the outset, let me emphasize that I believe the nuclear submarine fleet to be the most important arm of our deterrent and I am convinced that there will be a need for a follow-on nuclear submarine to replace the Polaris-Poseidon vessels sometime in the decade of the 1980's.

But I believe that it is unwise and contrary to the security interests of the United States to lock ourselves into the Trident system at this time, as the administration is demanding. Not only would we be buying a "pig in a poke" like the ABM but we might well be buying the wrong pig.

My reasons for supporting this amendment to trim the Trident request by $500 million are twofold:

First, I believe that the acceleration of the ULMS, along with the other new weapons systems requested by the administration, represents the wrong strategic policy for this Nation at this time;

Second, I believe that there are serious flaws intrinsic to the accelerated program which compel adoption of the amendment now before us.

With regard to our strategic posture, I believe that going forward with an advanced weapons system at a stepped-up pace clearly flouts the spirit of the SALT accord and threatens the timeliness and success of subsequent SALT discussions.

Admiral Moorer, chairman of the Joint Chiefs of Staff, testified before the Senate Armed Services Committee a year ago—

> . . . If the Soviets continue this momentum, then we will have to go forward with these new programs such as the ULMS . . . and accelerate the development of product of these systems. . . .

Admiral Moorer's reasoning should be agreed to. SALT has been concluded. There is a ceiling on the Soviet momentum. There is an ABM ban.

We have accomplished everything Admiral Moorer stated as the requirements for not accelerating the ULMS program. Yet the Pentagon says it is not enough. I believe it is time to show restraint in the nuclear arms race. I believe it is time to say "enough."

President Nixon came back from Moscow and urged restraint in the defense field, yet the Defense Department continues to press weapons systems which are not needed now for our national security.

And they urge as a justification that SALT does not outlaw this development. I believe it would be tragic if a treaty designed to limit nuclear stockpiling were distorted into becoming a justification for blindly adding to that stockpile.

Perhaps at this time, it is appropriate to examine the current strategic force structure of the United States.

Our ICBM and bomber force each are capable of destroying in a second strike at least 30 to 35 percent of the Soviet Union's population. The Polaris-Poseidon is an even more potent weapons system.

The missiles from a single Poseidon submarine can destroy one quarter of the Soviet Union's industry, not to mention a substantial percentage of the Soviet Union's population.

Our total arsenal consists of 1,054 ICBM's, 656 ballistic missiles carried on submarines and 457 long-range bombers. The combined force packs a 5700-nuclear warhead wallop. Even the smallest warhead is three times the power of the 15-kiloton bomb that destroyed Hiroshima and the largest contains the power of several millions of tons of TNT, hundreds of times the Hiroshima bomb.

These figures do not even include the 7,000 tactical nuclear weapons based in Europe, a substantial number of which could be targeted on Soviet cities.

These weapons do not depend on any speculation or any wishful thinking. They represent nuclear firepower now on the line, and nothing in the SALT agreement will affect those weapons.

Mr. President, I dispute the view of the Senate Armed Services Committee, that now in the aftermath of SALT, our interests lie in pushing the qualitative improvement of the strategic weaponry system. Instead, Mr. President, I urge that the policy of the United States on this matter be based not on achieving qualitative improvements but on achieving an agreement for strict limits on the qualitative arms race.

And in this regard, I reject the bargaining chip argument as being irrelevant. The decision to actually procure and deploy a weapons systems represents the expenditure and loss of a bargaining chip. It merely becomes an addition to the ante in the middle of the table.

Instead, if we pass this amendment, we still have the capacity to construct the Trident and we have research and development well underway.

However, through this amendment, we would be insuring that the Soviet Union, while aware of our potential, also would be confident that we had acted with restraint.

Instead of voting for nuclear escalation, I believe we would be far, far better off by adopting a policy of restraint in weapons expenditures and a policy of seeking a halt to the qualitative arms race.

Also, our bargaining posture rests on our overall nuclear deterrent, on our technological capacity, on our industrial potential.

Mr. President, my second reason for urging approval of this pending amendment rests on the belief that the proposal of the Pentagon to accelerate Trident development is unwise, uneconomical and contrary to our defense interests at this time.

In this regard, I would remind the Senate that the vote within the full Armed Services Committee was a tie in which the 16-member committee split down the middle. But it is important to note that the subcommittee which had major jurisdiction on this subject—the research and development subcommittee—recommended unanimously that the very same amendment we are debating today be adopted.

It is impressive when one notes how extensive were the hearings and how competent the witnesses in leading the subcommittee to make its recommendation to the full committee.

With regard to need, let me note that the 41 Polaris-Poseidon submarine fleet was deployed between 1960 and 1967. The traditional 25 to 30 year life span of large naval ships would bring the earliest date of obsolescence to the mid-1980's. Thus, the question of obsolescence is moot. If we were to start our production in the late 1970's, we still would have ample time to meet the problems of aging within our submarine fleet.

With regard to vulnerability, the argument is made that the earliest possible deployment of ULMS is desirable to lessen the chances of our undersea arm being made vulnerable.

In this case, it is evident, from the testimony of every major defense spokesman, that currently our submarine fleet is invulnerable.

And what is even more evident, no one, not the Secretary of the Navy, not the Secretary of Defense, not the respected Chairman of the Joint Chiefs of Staff, can tell this Congress exactly what will be the antisubmarine warfare innovation that will threaten our submarine fleet. Although we do not know now the threat, the Defense Department is asking us to spend $13.4 billion on 10 submarines to counter a still undefined threat.

They are asking us to lock the Nation into a system that may be the wrong system to achieve the purpose we all want—an invulnerable nuclear submarine force.

And there are already indicators that the Trident, a ship twice the size of the Polaris and carrying 24 launch tubes, may not be the answer. Since the SALT agreement limits the absolute number of launch tubes, by placing more tubes on a single vessel, we reduce the total number of submarines that we can have. At its extreme, it would mean the United States could have 29 submarines instead of the permitted number of 44. The Soviet Union obviously is leaning toward that argument since they are at work on modifications of their Yankee submarines which would reduce the number of launch tubes from 16 to 12 and thus permit them to have more submarines.

By doubling the size of our submarines in the Trident, we may well find that we have made ourselves more vulnerable rather than less vulnerable. For that reason, it is clearly in our interest to delay as long as possible the final decisions on the design of the follow-on submarine system to Polaris-Poseidon.

I would urge the Senate to examine the implications of a tenfold program increase in a single year, jumping expenditures from $104 million to nearly $1 billion. We have had enough experience in the past to know what happens when we carry out development and production at the same time—costs skyrocket, contracts are overrun, and goals are not met. If the President is worried about unnecessary Federal expenditures, then I would urge him to recommend adoption of the amendment introduced by the distinguished Senator from Texas.

For more than a century, statesmen have kept watch over the rise in destructive power of military arms and sensed its absurdity. But they have failed to link their forebodings with diplomatic initiatives necessary to stop the arms race.

In 1841, British Prime Minister Sir Robert Peel asked—

> What is the advantage of one power greatly increasing its army and navy? Does it not see that if it proposes increases for self-protection and defense, the other powers would follow its example?

He said the end result of the arms race would not produce a change in the power balance but rather "a universal consumption of the resources of every country in military preparations."

Since Peel's commentary 131 years ago, nations have moved from an elementary level of military destructiveness to today's doomsday potential.

The horror of that potential was realized on a quiet August morning 25 years ago.

> There was no sound of planes. The morning was still; the place was cool and pleasant . . . then a tremendous flash of light cut across the sky . . . the soldiers were coming out of the hole, where they should have been safe, and blood was running from their heads, chests and backs. They were silent and dazed.
>
> Under what seemed to be a local dust cloud, the day grew darker and darker.

That was John Hersey's description of Hiroshima where 100,000 people were killed when a single 15-megaton atomic bomb was dropped. Today, we have 5,700 nuclear warheads and plans in motion to raise that total to 11,000.

I would urge the Senate to adopt this amendment which is a small step to avoid the further consumption of our resources and a further step away from the darkest day.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Mississippi has 5 minutes.

Mr. STENNIS. Mr. President, I shall not detain the Senate even, I do not think, that 5 minutes. But anyway, the time is about exhausted.

Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Jane's Says Soviets Dominate Oceans with Submarines," published in today's Washington Post, to which I made reference this morning. I also ask unanimous consent to have printed in the Record a letter dated today, which I had sent out to each of my colleagues this morning and one which I sent yesterday, in reference to this amendment. I also ask unanimous consent to have printed in the Record certain prepared remarks of a descriptive nature with reference to this submarine and other matters. I ask unanimous consent that all of those items be printed in the Record at this point.

There being no objection, the items were ordered to be printed in the Record, as follows:

JANE'S SAYS SOVIETS DOMINATE OCEANS WITH SUBMARINES

London, July 27.—The Soviet Navy is expanding to every ocean and "can snap its fingers at all the maritime countries," the authoritative Jane's Fighting Ships said today.

Russia has more submarines than the United States, or any other country, can possibly construct now, and is reported to be building the first of a fleet of aircraft carriers to match those of the U.S. Navy, Jane's said.

In a foreword to the 1972–73 edition, Jane's editor Raymond Blackman, said:

"It is a sobering thought that no other country in the world in this day and age of sophistication and inflation can possibly build as many submarines as the Soviet Navy has at the present time.

"The Soviet Navy's attitude to the older naval powers seems to be: anything you can do we can do better. In short, the Soviet Navy has given the victory sign to the world."

The British Royal Navy, which once ruled the waves, has "fallen below the safety level," Blackman said.

Jane's listed the total U.S. submarine force at 98 nuclear submarines, including 41 ballistic missile-carrying vessels, and 35 conventional submarines.

It estimated the Soviet submarine force at 95 nuclear-powered vessels and 313 conventionally powered vessels.

In surface vessels the United States has 17 aircraft carriers in service and 9 under construction, 8 missile cruisers, 30 missile frigates, 29 missile destroyers, 104 other destroyers, and 69 escorts.

Jane's estimated Soviet surface ships at 2 helicopter carriers, 12 guided-missile cruisers, 15 gun cruisers, 35 guided-missile destroyers, 66 gun destroyers, 130 frigates and 258 escorts.

Jane's said there have been "many and varied" reports that the Soviet Union is building at least one aircraft carrier and that up to eight others are planned.

It said estimates of the size of the first Soviet aircraft carrier range from 30,000 to 40,000 tons and it may be nuclear powered. It said intelligence photographs show another vessel under construction in the Black Sea port of Nikolaiev, which could be a second aircraft carrier.

The U.S. Polaris-Poseidon fleet of submarines carries 656 nuclear missiles, Jane's said. But it said that by the mid-1970s the United States will have about 5,120 offensive nuclear warheads carried by Polaris and Poseidon submarines, or about two-thirds of its total strategic offensive missile weapon force.

It gave no estimate of the number of Soviet submarine-borne missiles.

U.S. Senate,
Washington, D.C., July 27, 1972.

Dear Colleague: It is said in debate that the full amount of money in the Bill now for Trident violates the general policy of "fly before you buy."

Former Deputy Secretary of Defense, David Packard, has done more than anyone else to advocate and put in practice this policy that is called "fly before you buy." I wanted to have an up-to-date conversation with him about his position on the amount that is in the Bill for Trident, and therefore called and talked to him by telephone yesterday afternoon at 7:15 Washington time. I first told him what I wished to discuss with him and advised him before we discussed the subject that I would want the freedom of using what he said in the conversation, and he readily agreed to discuss it fully and agreed that I could give the substance of what he said in this debate today.

He then related the steps that he took in the year 1971 and the reasons therefor, regarding the Trident, and I shall give all the major points that he mentioned.

He said that he decided in mid-1971 that we should go forward faster with the ULMS (now Trident) for more security, and also for the ever-present need for bargaining room. He said he thought, in fact, that a longer-range missile and submarine were highly important to our needs, and he decided then that the research and development should by all means be stepped up for the Trident; that he started looking further then into the matter of the earliest possible development. He then related that he learned more and more of the developments in the SALT Talks, and particularly with reference to the possible limitation on offensive weapons, and he decided that there was further and further need to push for what is now the Trident Program, and he then decided to push for the Trident on the accelerated basis. He used the phrase that "it was too much of a chance to take to leave it off."

He said that if they (the Soviets) develop the MIRV, but do not agree to a second agreement or an extent in time of the first agreement, we would of course be caught short and we should therefore go full speed ahead.

He therefore called Admiral Rickover and others over and went over the entire problem, more than once. He said that he (Packard) then reached this figure of $950 million last December, and he recommended that amount for the program, which includes the accelerated amount, and it went into the Budget at that figure (in round numbers).

I reviewed my notes to him and he said that I could quote him on these points, and I told him as I understood, he had reached that conclusion during late 1971, and he replied. "Yes, that is right, and I worked out that figure myself."

I add only this personal word. I had been over this matter with Mr. Packard several times before, and his position as related to me early in 1972 impressed me greatly and is one of the major factors in my position to support the full amount in the Bill. I, too, am an advocate and usually always practice the policy of "fly before you buy." I think and submit that this is a highly justified exception, and it illustrates the recognized principle that no policy or no rule can be absolute and apply in all cases, regardless of circumstances.

I'm glad to give you exactly what Mr. Packard said and has said all along on this subject.

With best wishes, I am,
Sincerely,
John C. Stennis.

U.S. Senate,
Washington, D.C., July 26, 1972.

Dear Colleague: The Senate will vote tomorrow on the amendment, No. 1348, to reduce the funds for the Trident submarine program by $508.4 million and thereby deny all funds which have been requested for the acceleration of that program. I believe it is important to understand that this acceleration in the program will not add to the overall cost of Trident—it will merely make the submarines available sooner, in 1978 rather than in 1981. And this is a weapon system which it is inevitable that we are going to need. I urge you to join me in opposing the deletion of these funds.

The most important reason for the acceleration is the large and growing fleet of Soviet attack submarines which, together with other Soviet anti-submarine forces, will threaten the survivability of our own Polaris/Poseidon ballistic missile submarines. The Soviets can confront our forty-one Polaris/Poseidon submarines with over 300 attack submarines, and an increasing proportion of these Soviet submarines are modern, quiet, and nuclear-powered. Thus, it is extremely important for us to do everything necessary to continue to have the most modern and quietest missile submarines to be safe from this potential threat to our deterrent at sea. This is one area of military technology with which we must not gamble and try to get by with that which is barely enough. We must be absolutely certain that our sea-based deterrent, which may well come to be the backbone of our strategic force, will not become vulnerable in the future. In short, we need the Trident submarine—which will be significantly quieter than and technologically superior to the Polaris/Poseidon submarines—as soon as we can get it.

The Trident program is not a new strategic concept. It is a program which will be managed by the same Navy teams, including Admirals Rickover and Smith, which have so successfully produced the Polaris and Poseidon weapon systems. It will simply be a superior submarine which will begin to replace the ten older Polaris boats which cannot be equipped with modern missiles. And, of course, by carrying the longer-range Trident II missile the Trident submarine will be able to operate from bases closer to home and within a much larger ocean area than our older submarines.

It is natural that some might wish for the savings from SALT to be greater, but as we come to rely more and more on the submarines of our sea-based deterrent as the backbone of our nuclear force, we dare not take any chances with the quality of that force. Largely as a result of the SALT Agreements, the Committee was able to reduce spending on strategic systems in this bill by $931 million.

I urge you to vote against this further reduction in funding for this important part of our strategic forces.

Sincerely,

John C. Stennis.

Statement of Senator Stennis

Mr. President: I want to summarize my opposition to Amendment No. 1348, which has been introduced by my distinguished colleague from Texas, Senator Bentsen, to the Military Procurement Authorization Bill, H.R. 15495, as reported by the Armed Services Committee. The proposed amendment would have the effect of denying acceleration of the Trident program which both the Secretary of Defense and Chairman of the Joint Chiefs of Staff have testified before the Committee is essential to the national defense. Trident will provide a necesary replacement at least a portion of the Polaris Poseidon fleet. It is needed as soon as possible to counter the rapidly expanding Soviet ASW threat.

The proposed amendment does not question the need for Trident; it treats only the need for acceleration. I am convinced, Mr. President, that it is essential to accelerate Trident as recommended by the Committee. Let me explain why.

THE NEED FOR ACCELERATION

Soviet momentum in building ASW capability is a vigorous and growing threat to our Polaris/Poseidon fleet.

The SALT agreements impose no restriction on the number of attack submarines which is the primary Soviet weapon for defeat of the Polaris/Poseidon submarines. The Soviets presently have a fleet of over 200 diesel and about 65 nuclear attack type submarines, and they have the capability for adding to these numbers at a rate much faster than ours. There is no reason for them to slacken this pace. In fact, they can be expected to accelerate it.

The Trident submarine, with its increased speed, greater quietness, longer operating range, improved sonar, and other major technical advances is needed to counter this threat.

The Soviets have announced that they will vigorously pursue advances in ASW technology to improve the quality of their ASW capability.

They are building *improved* nuclear attack submarines which will make their ASW force even more effective in finding and destroying our SLBM fleet.

The Navy has knowledge that the Soviets are attempting to establish an area antisubmarine *surveillance* system. This would dramatically improve their detection and tracking of our Polaris/Poseidon fleet.

Development of such systems as the Moskva class ASW ship equipped with helicopters, submarine and surface ship sonars, and improvements in their navy air arm, all indicate increasing efforts in all aspects of ASW technology warfare. We must accelerate Trident to counter this reality.

SALT I agreements limit the size of Minuteman and submarine-based ballistic missile forces. We must improve the quality of our seabased ballistic missile force to compensate for this numerical limitation.

The extensive Yankee SSBN building program which now includes 25 in operation with work underway on the 42nd ship of this class is proceeding at a vigorous rate. They are building new ones at the rate of 9 to 10 per year. While interim agreements limit their total number to 62, they can maintain their momentum and continue building submarines at the same rate for two more years. By contrast, we have reached the limit of 41 SLBMs and have none under construction.

Some other reasons for acceleration which have been covered in detail during the debate include:

Aging of the present Polaris/Poseidon fleet could produce an obsolescent force incapable of countering the Soviets in the late 1970's.

It could cost less to accelerate the Trident program than to stretch it out as proposed in the amendment.

Overseas basing of our fleet ballistic missile force in the future cannot be assumed. Our experience in North Africa clearly illustrates this point.

The time schedule for the accelerated Trident program could not have been more effectively conceived. It provides for an orderly transition from the ongoing programs for building the nuclear attack submarine force and converting Polaris to Poseidon.

Continental United States basing of the Trident submarine at the earliest date would insure more effective command and control of our submarine based ballistic missile forces.

Although the need for Trident is not at issue, Mr. President, let me digress for a moment and provide some background for my colleagues who may not be completely familiar with the details of the program.

TRIDENT

Why Trident?

The basic objective of our strategic policy is to preserve the sufficiency of our deterrent, to make nuclear attack unattractive. That sufficiency is placed in serious doubt by Soviet momentum in building up their already powerful strategic forces, particularly their sea-based forces. It is imperative that the United States have a credible and logical means of insuring that the Soviets do not gain a position of clear nuclear superiority. The Trident program is part of that credible and logical means. Within the constraints of the forces allowed by the interim agreement, the continued qualitative superiority of our highly effective sea-based ballistic missile force must be insured. This takes on even greater significance when we consider statements reported as having been made by Soviet leaders that, within the terms of the interim agreement, they will direct their energies toward accelerating the qualitative improvements of their strategic forces. We cannot afford to relax our efforts. The stakes are priceless, and a miscalculation could be disastrous.

What is the present status of our Polaris/Poseidon program?

The Navy has converted and deployed 10 Polaris submarines which carry the Poseidon missile which has a Multiple Independently Targetable Reentry Vehicle (MIRV). Between now and 1976, an additional 21 Polaris submarines will be converted to Poseidon missile carriers, making a total force of 31. The earliest 10 Polaris submarines are not adaptable to cost effective retrofit from Polaris to Poseidon and to needed quieting modifications. These oldest 10 would begin to be replaced by the Trident submarine commencing in late 1978 or early 1979 under the accelerated Trident program.

What is Trident

The Trident program provides for a new, longer range Trident I missile which can be used in existing Poseidon submarines as well as a new Trident submarine. It also provides the option for a follow-on larger and even longer range Trident II missile for later use in the Trident submarine.

Longer range missile expands geographical area of operation.

In the late 1970's the Trident I missile because of its longer range, will provide for a great enlargement of the operating areas of all of our strategic ballistic missile submarines. When sufficient Trident submarines are available in the 1980's to warrant it, deployment of the Trident II missile would permit a further expansion of the operating area of the Trident submarines to a major part of the oceans of the world. The effort behind this program is directed toward a weapon system with a high level of survivability throughout the remainder of this century. There is no known or postulated credible anti-submarine warfare threat that is not considerably blunted by a greatly expanded operating area.

Continental U.S. basing overcomes uncertainties and other disadvantages of overseas bases.

Both the Trident I and II missiles will permit cost effective operation of our Trident submarines from the continental U.S. which can lead to, among other benefits, a major improvement in the command and control of these forces.

The denial of overseas bases, which the U.S. has experienced in recent years in North Africa, for example, would not present a major problem that could otherwise seriously limit the effectiveness of our sea-based ballistic missile force.

Replacement of our aging Polaris/Poseidon fleet.

By 1979, the oldest of the 41 Polaris submarines will be 20 years of age, and this aging will progress with each passing year. From the nature of their continuous operations, with two different crews rotating to keep the submarines on station, wear and tear exceeds that of most other ships. While it may be probable that these vessels will be usable for 25 to 30 years, *such life is not guaranteed*. The oldest submarines displayed many problems at the point of their first shipyard overhaul. It must be recognized that these ships were designed with a nominal ship life of 20 years.

The most survivable of our strategic Triad must be continued in its highly effective role of deterrence; and this will require the timely and orderly introduction of the next generation of the submarine launched ballistic missile force.

Possible improvements in Polaris/Poseidon.

There are absolute limits to improvements which can be made in the present ships.

Growth potential provides for only modest improvements in quieting, sonar, or missiles. Introduction of the Trident I missile in the newer 31 ships will use all of the missile growth potential. Only a few noise reduction improvements are feasible in the existing ships. Significant noise reduction to maintain a lead over anticipated Soviet acoustic technology requires the radically different and quiet propulsion plant planned for the Trident submarine. This cannot be backfitted into the existing submarines.

Soft spots in the strategic balance.

The agreements reached with the Soviets leave the United States in a position which has a profound effect upon the size and composition of our strategic deterrence. The ABM agreement dramatically reduces the number of land based ICBM's which can be protected from a preemptive strike. It limits the number of land and sea based ballistic missile launchers and submarine platforms. It also emphasizes the increased importance of survivability of the SSBN fleet.

The Soviets have made it clear that they will aggressively pursue qualitative improvement of their strategic forces since this is not constrained by the agreements. By adopting the new SSN–X–8 SLBM, they pose a growing threat to our land based strategic bombers and ICBM force. Attainment of a MIRV capability will place them in an even more favorable position. Greater emphasis on ASW technology, which they already have been pursuing at a high level, represents a growing threat to our Polaris/Poseidon fleet. Against this background, the importance of the most survivable of the Triad, the sea based strategic force, is brought even more sharply into focus. And it is the possibility of technical surprise which could degrade and render ineffective our total SLBM force that constitutes the primary motivation for acceleration of the Trident development.

Let me be even more specific. The Soviets are building improved nuclear attack submarines—one of their best ASW weapons. Also, we know the Soviets are attempting to establish an area anti-submarine surveillance system. This is presumably aimed at locating our Polaris/Poseidon submarines. While we know of no present threat to our existing Polaris/Poseidon submarine, the Soviets have made great strides in naval capability which may, in the future, pose a threat to these submarines. Development of such systems as the Moskva class helicopter equipped ASW ships, submarine and surface ship sonars, and improvements in their naval air arm indicate increasing efforts in all aspects of ASW technology.

We cannot afford to gamble on the survivability of our deterrent force. We need Trident. This is not in dispute. But how soon?

Is acceleration of Trident essential to our national survival?

The pending amendment introduced by my distinguished colleague from Texas would reduce the amount of funds recommended in the bill by $508.4 million. This would leave $398 million solely for Research and Development to continue with development of the Trident I missile, of an advanced reentry vehicle, and of the long lead critical components of the Trident submarine. This would have the effect of delaying the introduction of the new submarine into the fleet until 1981.

On the face of it, this delay would perhaps not appear to be of great consequence. However, are we prepared to accept the risk, in the face of the Soviet superiority in numbers of land based ICBM's, warhead throw weight capability, and a recognized capability to MIRV their missiles? Do we want to gamble that they do not achieve a technical breakthrough which could dramatically enhance their ASW effectiveness? And do we really believe that it would save money in the long run to proceed at a slower pace in Trident development. I for one say loudly and clearly, no!

I believe that there are a number of important facts which have not been stated that add even greater importance to the need for acceleration:

First—It may cost less to accelerate the Trident program. Let me quote Admiral Rickover, who has been described as the father of the nuclear submarine, when he appeared before the Committee on March 22, 1972. In justifying the decision to accelerate, he stated, and I quote:

"I think the real issue is: are you or are you not going to build the Trident? If you are, then this is the best and cheapest way to do it . . . In my opinion, and I am talking from great familiarity with contracting organizations, particularly for hardware, you will actually save money . . . because with the acceleration we can get the design completed faster and we can order material faster. And I think the inflationary process is still going on, particularly for heavy equipment. These suppliers are quoting increases at about 7 percent a year. So we will save money by doing it faster, and we will also get the ships faster."

Let me remind my colleagues, Mr. President, that Admiral Rickover has appeared before the Congress on numerous occasions and has been singularly outspoken in his criticism of procurement practices. He has been scrupulous in taking contractors to task for unsatisfactory performance and he has established a long and enviable track record of performance which may be pointed to as the ultimate goal of program managers.

The record of the Polaris/Poseidon program is an outstanding example of efficient management, both by the Navy and industry, of keeping within cost estimates, and of producing the most highly complex weapons system on schedule and in accordance with specifications for construction and performance.

The fact that the same Navy and contractor team that built Polaris/Poseidon has been assigned the Trident program bodes well, and should instill a high measure of confidence in their success with this vital program.

Summary

In conclusion, Mr. President, the accelerated Trident program as recommended by the Committee constitutes the primary hope of guaranteeing the security of this nation. We cannot afford to speculate with our very survival.

The primary arguments against acceleration relate to inefficiency and increased cost. I have looked into these arguments very thoroughly and can assure my colleagues that they are unfounded. The Navy team which manages this program has an admirable record of success with Polaris/Poseidon. They have this program well in hand and are highly confident of their ability to develop and produce the Trident system within cost estimates, and in a timely manner. Their responsibility is of the highest order, and ther dedication deserves the fullest support of the Congress.

I urge my colleagues to join me in voting against the amendment.

Mr. STENNIS. Mr. President, we have had a splendid debate here. I want to say I appreciate the work and effort of our committee, of the authors of this amendment, of the Senator from Texas, and of the Senator from Missouri. Let me say also that I appreciate the great amount of work that was put in on this amendment by the Senator from Texas in preparation and in presenting it. He certainly handled himself well, and regardless of the outcome of this vote, which of course is not known, I want to emphasize that I appreciate his work on this amendment, and also his willingness to take on some of the hard ones as a valued member of our committee.

The Senator from Missouri and I have been sitting side by side here and also on the committee for many years. I am most grateful for his contribution year after year as well.

Mr. President, one thing that impresses me about this debate and the whole consideration of this entire matter is that everyone recognizes, reluctantly and disappointedly in a way, that we must have this third family of submarines. I told someone who was going to Moscow for the final talks that I wished he would bring back something where we would not have to go forward with that new submarine, which costs a great deal of money, and we are certainly cost conscious here. But all the way through, there is a recognition that it must be had, to meet conditions that are uncertain but are very well known to be on the side of increasing the naval strength of the Soviet Union, our possible adversary, day by day, based on these programs which originated around the date of the Cuban crisis, has been moving fast with more modern hardware in the submarine field; and they are certain to outreach us unless we move forward.

How much time do we have? That is what this matter comes down to. Time is the important element here. How much time do we have? That is unknown. Also unknown is what our situation will be if we approve the SALT Treaty and approve the so-called 5-year plan. But what will be our situation when that 5-year period is half gone, or four-fifths gone, or fully gone and it has been impossible to get a renewal or an extension, much less an improvement? Where will we be then, unless we start as soon as we reasonably can? Undoubtedly, we will be second best by comparison. Undoubtedly, we will be second. We will be at a great disadvantage with respect to getting an agreement. We could be subject to the direst kind of blackmail, if nothing more. So what could we do?

That is what Mr. Packard said: Could we afford to take that chance? That is what he said was determinative with him, why he decided that we could not afford to take that chance.

The President of the United States is not given to making reckless statements on an important matter such as this. He was interrogated in an open press conference, in Washington, on June 22, 1972, about what the situation was with respect to proceeding, and this is what he said:

> Mr. Brezhnev made it absolutely clear to me that in those areas that were not controlled by our offensive agreement that they were going ahead with their programs. For us not to would seriously jeopardize the security of the United States and jeopardize the cause of world peace, in my opinion.
>
> In the event that the United States does not have ongoing programs, there will be no chance that the Soviet Union will negotiate Phase II of an arms limitation agreement. . . . I am convinced that to achieve our goal of an offensive limitations curb, covering all

types of nuclear weapons, that it is essential for the United States to have an ongoing, offensive program.

Mr. BENTSEN. Mr. President, my decision to offer an amendment to cut the funds requested for acceleration of the Trident program did not come easy. Not that I have any compunction about tackling the hard ones, it is basically that I had some fears that my amendment on cutting the half billion dollars for the acceleration might be interpreted as opposition to the Trident.

Mr. President, I am not opposed to the Trident, I fervently believe that our underseas missile capacity is the very cornerstone of our defensive posture. I believe that the properly developed Trident is a necessary followup weapons system in our underseas missile deployment.

But I do not believe that it is either good planning, good sense, or good economics to rush into the system with so many questions unanswered, with so little research completed, with so much to be resolved.

Not only does the acceleration mean that we could be wasting half a billion dollars in beginning procurement before we have the answers in research and development, but I believe it may even be counterproductive in our capabilities.

There are some strong arguments sustained by our recent experiences in weapons procurement that such haste not only makes waste, but it results in weapons that fail to do what we want them to do.

I simply do not believe that the case has been made for spending this additional half a billion dollars to accelerate a program which I support, and in which I strongly believe.

We are told that the Trident is a "building block to peace."

If it is such, then it is a building block being laid on an untested foundation—untested and untried.

We are being asked to begin the procurement on a system whose design is not even completed.

Is that good defense?

It is not.

Is that good economics?

It is not.

And it is not orderly planning. Yet we are being asked—as representatives of the people and custodians of their tax dollars to commit ourselves to billions of dollars in future development without benefit of an adequate research and development period.

The Trident submarine and its systems are envisioned as a replacement for our present fleet of 41 Polaris and Poseidon missile submarines.

I do not disagree with that concept. I support it.

But I want it done in a fashion that assures a workable Trident, and a weapons system that does, in actuality, improve on the present system.

The present Polaris-Poseidon fleet is by no measure obsolete. Its estimated useful lifetime is from 25 to 30 years—and the average age of the present fleet is less than 10 years. It is, in terms of longevity, still a young and strong and proven fleet. At the most conservative and pessimistic estimates, none of these submarines should require replacement until 1981.

This allows ample time for research and development on the Trident to determine whether this particular design is, indeed, the desirable replacement for Polaris-Poseidon. It allows ample time for orderly, sensible, cost effective development and procurement.

And that is precisely what we should do.

That is what the spokesmen for the administration were proposing less than a year ago.

In September of last year, Deputy Defense Secretary David Packard—who received great plaudits from his bosses, and from the President, and from the Congress and from the public—for his sound, businesslike approach to making some sense out of the procurement system that resulted in massive billion dollar cost overruns—Secretary Packard submitted a request for $418 million for fiscal 1973 for development of Trident. This was aimed at deployment of the first Trident in 1981, when, presumably, it would be time to start replacing some of the Polaris-Poseidon fleet.

That was a reasonable request with a reasonable objective, and I support that approach.

It allows a reasonable time period for design development of a submarine that is going to cost us $1.3 billion per copy—that is correct, $1.3 billion per boat.

When all the facts are in, we might sustain that argument. But the facts are not in—and the administration is now asking for accelerated action and accelerated funding for Trident.

It was in January of this year—only 3 months after making the original request for a fiscal 1973 outlay of $418 million—and I remind you, months before the SALT agreements—the administration decided to request $980.2 million, of which $906.4 million is subject to authorization in the present military authorization bill for fiscal 1973 which we are considering.

The major portion of this additional funding is not just for research and development. It is for advance procurement funds for the first four Trident submarines, plus a new Trident base. We are, in effect, being asked to buy before we know fully what we are getting.

This concept, I submit, was responsible for the soaring costs and almost unbelievable cost overruns which, I remind you, have caused dangerous erosion of public support for what I deem to be necessary defense programs.

The objective under this additional requested funding is to deploy the first new Trident in December 1978—3 years earlier than originally planned.

What happened in the 3 short months to prompt the Pentagon planners to step up the Trident procurement program without adequate research on design?

Secretary Laird has testified that the accelerated program is necessary to permit deployment of the first new Trident in 1978, a 2- to 3-year step-up in the deployment date for the Trident. He also points out that the 1978 Trident deployment date might be delayed 6 to 8 months, however, even if we approve the additional half a billion dollars, thus. We are talking about 1979 deployment.

The Secretary's argument, then, certainly was as valid 3 months earlier, so why was it not made then.

The proponents originally argued for acceleration of the Trident program as a response to the Soviet Yankee-type submarine construction and the Soviet's refusal to negotiate limitations on missile submarines.

The argument is now by the board with the limitations on ballistic missile submarines and sea-based ballistic missiles.

That argument was then switched, proposing acceleration as an urgent modernization effort which must be pursued pending the outcome of SALT-2, that is, a building block for peace.

That, too, is a tenuous argument. Certainly, as a bargaining chip—if that is what is needed—the ongoing program of research and development is just as good a chip, without this extra half billion expenditure.

And further, there is expert opinion that even with the approval of the half billion dollars of additional moneys, that the boat design and construction itself could not meet the target dates set under acceleration. The Navy admits it does not have design completed.

Thus, we are forced to ask: What is so necessary and pressing about the Trident program that it justifies spending half a billion dollars more at a time when the President is asking for a hard ceiling on spending?

We do not really know. We know their arguments, as I have just brieflly outlined. But, as one who has heard them again and again, in closed sessions and with the most knowledgeable witnesses, I am just not convinced that the expenditure of this additional half billion dollars is either necessary, nor will it produce a better defense.

Until I know, I do not intend to lend my vote and support to that expenditure . . . I have too much respect for the dollars that we take from our people to spend it without better reasons than I have been given.

I fear that Trident is one of those larger-than-life programs that is being presented to us on a "bigger is better" basis. They are, indeed, mammoth submarines. One of my admiral friends cited the cost to me in a percentage of the Gross National Product—and that was for just one submarine. Each of these Tridents, costing over a billion dollars, would carry 24 missiles, as compared to the 16 carried by the Polaris.

This may be better—but it also may be worse in deterrent strength under the SALT agreement.

The truth is—we do not know. And we cannot know this far in advance exactly what our submarine missile needs will be.

We do know that we have been misled before on the "bigger and better" theory.

After our experience with the C-5A and the F-14, we would do well to proceed with caution rather than commit ourselves to a design concept that will cost at least $35 billion in the years ahead—and may prove to be wasteful.

As I said, in his testimony in February, Secretary Laird tried to justify this acceleration as a necessary response to the Soviets' Yankee submarine construction, and the refusal of the Soviets to negotiate limitations on ballistic missile submarines in SALT–1. He said at that time:

> The continuing Soviet strategic offensive force build up, with its long-term implications, convinced us that we need to undertake a new strategic initiative. This step must signal to the Soviets and our allies that we have the will and the resources to maintain sufficient strategic forces in the face of a growing Soviet threat.

This argument, as I have noted, is not overwhelming.

The "growing Soviet threat" is not based on the "bigger is better" philosophy. Apparently the Soviet do not buy that philosophy. They are putting their dollars in the smaller, *Yankee*-class subs, with fewer missiles per sub.

They may be right.

But our military authorities are pushing Trident as a modernization effort to supersede Polaris and Poseidon—on which we are now spending more than $2 billion per year for upgrading and operating costs.

According to all the experts, our present Polaris-Poseidon submarine force is invulnerable for this decade. The responsible power of Poseidon and the retaliatory power of Polaris combine to provide all the nuclear deterrent submarine force we need for this decade.

Beyond that time I think we will need a new generation of subs.

I do not oppose it.

I propose that we revert to the original time schedule for Trident development, and the original $398 million budget figure that the administration was advocating as adequate less than a year ago.

I am thinking not only of the half-a-billion saving we would make in the fiscal 1973 budget. I am thinking of the billions of dollars we could save in the decade ahead by proceeding with adequate concern toward an orderly development of a new submarine system.

Total costs for the Trident program have been estimated by official spokesmen at anywhere from $11 billion to almost $14 billion—depending on whether 1972 dollars or escalating dollars are used for estimating purposes. These estimates are based on only 10 Tridents—although eventual expansion could ultimately call for 30 Tridents, increasing the estimate threefold. Moreover, the estimates do not include provisions for Atomic Energy Commission costs, operating costs, or the costs of a second generating longer range ULMS–2 missile.

To be perfectly realistic, we must recognize that the Trident program could easily top $40 billion—without any of the inevitable cost increases occasioned by unforeseen delays and design modifications.

That is a whopping big investment for an unknown commodity. We should not commit to that expenditure without more knowledge.

I submit that it is worthwhile to spend another year to test and investigate that commodity.

We can afford a year delay, we cannot afford to throw away $40 billion.

The time to avoid waste and cost overruns in a new weapons system is at its inception. The time for research and study is before the contract is let, not afterward when there is a search for scapegoats for bad decisions, that might have been avoided with patience, planning, research, and a full study of the options.

Mr. President, I take no particular pleasure in disagreeing with the administration, nor with the military authorities whom I respect. It would be far easier to accept without question the judgment of the military, and the recommendation of this administration.

But there is no reason for us to be here if we do not question.

Mr. President, at the risk of repeating some of the themes I have already sounded, let me take just a few moments to be a little more philosophical about my efforts on this amendment.

Mine is not opposition for opposition's sake. It is not an act of perverse negativism.

This amendment is offered by legislators who share with the generals and the admirals the conviction that this country must maintain a strong national defense posture.

It is offered by legislators who are usually in agreement with the plans submitted by the military experts, and who support these plans with adequate funding.

Now we are in disagreement with the military experts. And as civilians and representatives of the taxpayers who will pay the bill, we are obliged to voice that disagreement in the strongest possible terms.

We have examined the accelerated Trident proposal very carefully and conscientiously.

Thousands of man-hours have been spent in hearings, in committee debate, and in staff study.

It is appropriate that we spend that time before committing the Nation to a program that may prove to be unnecessary or unwise.

Time is on our side.

What we have here is not an emergency and yet we are being asked to authorize an accelerated program as though it were a crisis situation.

There is need for thorough and conscientious examination of the options open to us before we close those options in favor of an unproven design.

The future of antisubmarine warfare is so murky at this stage that no one—no matter how clairvoyant he presumes to be—can possibly predict what our need will be 5 years, or 10 years from now.

But for the next decade, we must be guided by the knowledge that the Polaris-Poseidon combination provides an effective deterrent and an ample safeguard against nuclear attack. That deterrent will be even more effective with the addition of the ULMS–1 missile to the Polaris capability.

So there is no pressure of time.

The pressure comes from the administration with its insistence on the urgency to launch into a full-fledged procurement program on Trident. And the members of the Armed Services Research and Development Subcommittee, after lengthy hearings and hours of testimony, remain unconvinced. Thus, I have a choice of judgements—those who propose acceleration versus my own, and that of my colleagues on the Research and Development Subcommittee who have heard all the arguments. I chose the latter.

There are only two possible justifications for the accelerated Trident development and the resulting increase of the expenditure level of 1973.

It can be viewed first as a response to Soviet submarine fleet expansion, and second, as a modernization and replacement program for our Polaris and Poseidon submarines.

As I have said, there is no emergency about that modernization plan. We have time to devote to further study and an orderly development. When you're working on a submarine that costs over $1 billion, it is better to spend some extra time now rather than having to go back to the drawing board later.

There is something very gloomy about the prospect of going back to the drawing board after a billion-dollar disaster.

If we are not wiser from the experiences of past costly disasters, we should not be here debating this issue today.

As for the argument that the Trident program should be accelerated to meet the threat of Soviet submarine fleet expansion, and to guarantee the success of the SALT agreemeents, let me say that the committee did not ignore this aspect in its deliberations.

In the subcommittee, we listened to all the most forceful evidence—both classified and unclassified—that the administration could muster.

For my part, I gave close attention and serious consideration to the claims of Secretary Laird that failure by Congress to accelerate the Trident program would endanger the SALT offensive weapons agreement then being negotiated. Furthermore, I attended two extensive White House briefings after the agreement and took the time to become thoroughly informed on the administration's viewpoint.

But I cannot, in good conscience, say that I am convinced that a refusal to accelerate Trident would make SALT unworkable.

In fact, there is strong argument against locking in design prematurely.

That is the position of the Research and Development Subcommittee. After all the testimony was in and carefully weighed, the subcommittee voted overwhelmingly to reject the accelerated funding request, and to amend the military authorizations bill by substituting the $396 million figure that the Defense Department was recommending less than a year ago for an unaccelerated program.

Our efforts to get full committee approval of this amendment resulted in an inconclusive tie vote.

We are, therefore, taking this case to the floor of the Senate, because we believe this further consideration is needed to protect the public interest. We believe it is better to spend the time here and now in meaningful debate than to spend it later in futile regret over a costly mistake.

It is not an easy decision to "buck the brass." Experience tells us that efforts to push through such amendments as this rarely meet with success. But we cannot do otherwise. And we ask our colleagues to consider the evidence as carefully as we have, before presenting this amendment.

This is not to be considered as an indictment of our military planners. They, too, have their job to do—and they do it conscientiously and well. But no human being is immune from error, and we must not refuse to question the infallibility of an expert.

Time may prove that the Trident development is a stroke of pure genius, and that the investment of taxpayers money that we are now questioning is the soundest ever made.

I am willing to leave that proof to time.

Meanwhile, I favor continuing research and deferring construction for another year.

One year from now, we will be in a better position to judge. We will have further design information. We will know what direction the Soviets are taking in submarine missile expansion. We will be able to determine the effects of the SALT negotiations on limitations on both the Soviet and U.S. submarine fleets. And we will not have endangered this country or fallen behind in any respect.

That year will not be wasted, and the hours we have spent here in debate will have been well spent if we refuse to be stampeded into a rash and ill-advised decision.

The evidence does not justify such a decision.

I urge my colleagues in the Senate to join with me in a vote to safeguard the taxpayer's pocketbook and to renew his confidence in our democratic system of checks and balances.

I ask Senators to join with me in supporting this amendment.

Mr. STEVENSON. Mr. President, all Senators support a sufficient second-strike force beneath the seas. The decision which the Senate will make today is not whether to maintain such a force, nor even whether to continue the Trident submarine program.

The decision is whether we should commit ourselves to production of the Trident now, even before the research and the design is completed.

If there is one lesson from the procurement disasters of recent years, it is that we should not start production of a weapon system until the research, design, and testing is complete. The biggest cost overruns have come about in programs, such as the ABM and the Mark 48 Torpedo, where the Pentagon rushed ahead with construction and procurement. The highest accident rates have come about in programs, such as the Dash helicopter and the TFX, where mass production started before the design was fully tested. When we rush systems into production, we mass produce our mistakes. By the time we correct those mistakes, we have a product which costs too much, does not work well enough, and is delivered too late. This may well be the result of accelerating the $12 billion Trident program. There is no reason for haste.

Many arguments for lurching ahead with Trident are advanced.

This year's budget, including the half billion dollar ULMS acceleration, was put together almost a year ago, before there was any certainty that there would be a SALT agreement. The strategic arms budget showed a 15-percent increase over the previous budget. That increase, we were told, was necessary because we could not bank on a SALT agreement. Now we are told it, accelerated ULMS included, is necessary because there is a SALT agreement.

The arms race is self-propelled. Any rationale, however illogical or inconsistent, is seized at the moment of need and thrown into the breach until it dies of over-exposure, and then another is found.

The United States cannot now, any more than in the past, de-escalate the strategic arms race by escalating the strategic arms race. The Trident isn't needed as a bargaining chip. The Russians know full well that we can build Trident when we want to. We do not have to build Trident to convince them that we can.

Nor is Trident needed for the sufficiency of our nuclear deterrent. By 1975 U.S. submarines will be able to target over 6,000 nuclear warheads against the Soviet Union. A comparable figure for Soviet submarines will be about 774 warheads. A Poseidon submarine carries almost 200 separately targetable warheads, each one of which can destroy a Soviet city. With the ABM agreement ratified, our submarines alone will be able to virtually destroy the Soviet Union. And those submarines are invulnerable to attack and will remain so for the foreseeable future. The majority of the Polaris and Poseidon forces will be seaworthy until the 1990's. And with the ULM's I missile, their range will be almost doubled.

Even if more submarines were needed, we might never need Trident. Without spending a penny on research or new port facilities, we can build additional Poseidons at ⅕ or less the cost of a Trident. They could be delivered in less time, would use a proven technology and carry the ULMs I missile. They would be superior to the latest Russian submarines. Additional Poseidons could be built, if necessary, quickly after the expiration of the 5 year offensive arms limitation agreement and long before the Soviets or any other nation endanger our nuclear deterrent.

Trident, on the other hand, would require $800 million in research, would not be ready until 1978, would require extensive testing before operation and involve as much as $3 billion for new port facilities. And what is more, it would be vulnerable.

If more submarines are needed, we should think twice about putting so many missiles in so few hulls. Trident allows the enemy to concentrate his forces on a handful of targets. A force of more, and smaller Poseidon submarines could pack more power from more places in the ocean and be far less vulnerable to enemy attack.

It has been said in this debate that we must not jeopardize the security of the Nation. Of course, we must not jeopardize the security of the Nation, and that is why we should not lurch ahead with this weapon system. We ought to put aside the near hysterics about the Soviet fleet which emanate from the publicists of the Pentagon, and face the truth and give it to the people. It is not true that the Russians have over 300 attack submarines. The Russian submarine fleet is shrinking at a rapid rate. From 1960 to 1972, the Russian attack sub fleet decreased from 430 to about 279, a cut of over 150 submarines. The Russian fleet has been more active in recent years and has been seen in waters it did not visit in earlier years. There is no doubt that the Soviets are building new ships at impressive rates. But let us not confuse these developments with an expanding fleet. The truth is that the Russian submarine fleet is shrinking rapidly. The truth is that United States and NATO forces are building more and better ships at a more rapid rate than their Soviet and Warsaw Pact counterparts.

I would suggest instead, Mr. President, that it jeopardizes the national security to go ahead impulsively with Trident and risk squandering billions of dollars on a new weapons system which may at best be needless. Those funds could be spent on useful weapons—on more Poseidons or not at all.

Mr. Nixon exhorted us yesterday to hold the line on public spending in the interest of controlling inflation. We face a $30 billion deficit this year. The President is right. It is the duty of the Congress to exercise fiscal restraint. But it is not our duty to hold back funds for the education of our children, or for social security for the elderly, and squander them on a new generation of mammoth submarines.

There is something wrong, and truly dangerous to our national security, with an administration obsessed with engines of war, instead of peace, with those of death, instead of life. There is something wrong with an administration which lets a $2.6 billion contract for a manned space shuttle and on the same day says the expenditure of funds for sufferers from black lung disease is inflationary. Our national security will be endangered until the day comes we realize that security and strength depend upon putting first things first.

I have not in this debate heard any attention given to the environmental consequences of this 16,000-ton submarine. The United States has already lost two nuclear submarines sunk at sea. What thought has been given to the political and environment consequences of a Trident, with its nuclear reactor and perhaps as many as 336 nuclear warheads onboard, an undersea vessel the size of the latest Soviet cruiser, sunk off the coast of Japan. I suggest, Mr. President, that, too, is a question which should be addressed before we lurch ahead once again.

Mr. President, authorizing money for Trident production this year is an invitation to another huge cost overrun, another trouble-ridden program, another shipbuilding program which will see years of delay, another truly inflationary and wasteful expenditure of the Nation's limited resources.

We ought to enhance the chances for SALT II negotiations—not by authorizing production, but by adopting a "research only" bargaining chip—if we must have bargaining chips at all.

We ought to examine the huge costs of Trident and ask whether the proven and less expensive Poseidon fleet should be expanded, rather than authorize production of a vessel not even designed.

We ought to examine the huge size of Trident and ask if it might not offer too easy a target and too great a danger to the environment.

Nothing is lost by answering the questions first, and much—of money and national security—may be saved.

Mr. HUMPHREY. Mr. President, while we are discussing the Trident, it is essential to bear in mind the impact that this particular weapon system can have on arms control, particularly on the most recent Moscow Agreements. Article III of the Interim Agreement on Strategic Offensive Arms commits both parties, the United States and the Soviet Union, to limit SLBM launchers and modern ballistic submarines to the numbers operational and under construction. A ceiling has been placed on the numbers of ballistic missile launchers permitted under the Protocol of the Interim Agreement. Admittedly, article III and article IV of the Agreement provide for modernization and replacement, but that does not mean going full steam ahead with a new weapon program that could not possibly be even initially deployed before 1977, the year in which the Interim Agreement is scheduled to expire, unless it is replaced by another formal or informal agreement. And the parties are committed in article VII to continue active negotiations for further limitations during this time period so there is a real likelihood that ceilings and qualitative controls may be worked out in upcoming SALT negotiations.

Why, then, should we accelerate the development of the Trident? By so doing, we seem to be endorsing the ultimate of skepticism that further arms control talks will not succeed; that our present Polaris/Poseidon conversion program which is not scheduled for completion before 1976 will not be sufficient, and that the Soviet Union will be doing all it can to work against the spirit of the Interim Agreement.

The amendment we are discussing today takes full account of the necessity to prepare for every eventuality and to provide an ongoing defense program to meet the modernization and replacement requirements of our Armed Forces. It opts for the prudent approach which assures this Nation that its defense requirements will be met and transmits to the Russians our intentions of remaining alert and fit, should the interim agreement be abrogated for any particular reason or should our two governments fail to come up with an agreement on SLBM's before the expiration of the present agreement.

And most important, it demonstrates to the Soviet Union that the United States is pursuing only an R. & D. program for the Trident in keeping with its replacement needs and in keeping with its commitment to put a halt to the nuclear arms race. The door remains open if the Congress accepts this amendment; otherwise, I fear we will have to face with chagrin the feeling we have had in the past with MIRV and ABM, the feeling that we have been down this path before and it has led us nowhere except to a spiraling costly arms race.

It is my firm belief that the administration's request for an accelerated Trident program is, if anything, a bargaining chip on our shoulder, and an invitation to the Soviet Union to grease up their nuclear machinery for some more heavy production.

I think it is most regrettable that the administration has chosen to make this request at a time when we are about to consider the SALT agreements. The attempts to link the Trident and other weapons programs to the fulfillment of these agreements is, I think, most unfortunate. In fact, I personally would have preferred to consider the agreements first in this body so that Senators and Representatives would not be subjected to pressures which they would not otherwise face in their consideration of the defense budget. We are all anxious to pass these agreements because they are extremely important as a joint Soviet-American effort to move closer to halting the arms race. Many of us, and I hope the majority, are less anxious to approve particular weapons programs which will work at cross purposes with the agreements and will not serve to enhance our defense capabilities at this time.

Now that we are faced with the consideration of the military procurement bill, I urge that we consider the actions we are now taking in light of the SALT agreements and our defense requirements.

I suggest that a discussion of the presentation of the agreements to Congress is, therefore, in order at this time. We ought to keep in mind the background of the treaty and the agreement, their substance, and their ultimate significance when we consider the Trident program.

Mr. SCOTT. Mr. President, the Trident system has been the subject of extensive discussion in the press, in committee and on the floor of the Senate. Many of my distinguished colleagues believe that because of the recently concluded SALT agreements we can safely delay—perhaps drastically—the development and deployment of this vital new system. Like most Americans, I applaud the President's accomplishments on strategic arms limitations. But these important agreements must not blind us to the continuing necessity of maintaining a strong and credible strategic deterrent.

We have accepted quantitative inferiority in both land-based and sea-based missiles. Only if Congress and the Nation display the will and the wisdom to maintain our qualitative superiority can the arms limitation agreements be truly stepping stones to peace rather than stepping stones to disaster. I am convinced that the Trident program, as proposed by the President, is an essential part of maintaining that qualitative superiority.

Some distinguished Senators have suggested that there is no need for this system and that our present strategic, offensive forces are so strong that they will deter any aggressor. We do not know what will deter them. What deters them today may not deter 10 years hence and we must remember that in this authorization bill we are shaping our strategic force not for today but for the future.

Even on the accelerated schedule proposed in the pending authorization, the Trident system will not be available in significant numbers before the end of the decade. At that time our Polaris submarine fleet will be 20 years old. Through the years we have improved the missiles carried by these submarines. The Poseidon missile represents a major advance over the first Polaris. Had we not had the foresight to make these improvements we might even now be faced with a force incapable of insuring the security of our country. But we have not been able to make similar improvements in the ships in which these missiles are carried. As these ships age, it is inevitable that they will become more vulnerable and less reliable. We must replace them with an improved submarine which can insure the continued effectiveness of the sea based missile force. In considering the Trident submarine, we are providing today for our defense in the 1980's. We must assure the American people that they will not be faced with nuclear blackmail in the years ahead because we allowed others to gain both a quantitative and qualitative advantage.

The views of the Secretary of Defense on the importance of proceeding with the Trident program are well known. But we need not depend solely on the views of administration spokesmen. The Trident program has been examined in detail by the Senate Armed Services Committee and by the House of Representatives. As a result of this searching examination, we have before us in this bill a program with only minor changes from that proposed by the Department of Defense. After such searching examinations, I say to my colleagues that if we fail to approve this program we will be playing with the security of this country for decades to come.

Fifteen years ago Congress had the wisdom and the foresight to approve the Polaris program which has played such a vital role in deterring aggression. But in today's complex world no weapon, no matter how well conceived, endures forever. We must now display similar wisdom and foresight and authorize the Trident program as the committee has recommended it.

Mr. HRUSKA. Mr. President, this Senator will vote later this afternoon against the amendment offered by the Senator from Texas (Mr. BENTSEN) to cut $508.4 million for the Trident submarine program from the pending bill. I have concluded that I shall cast my vote in this manner after listening to the arguments presented by both sides on this question. It has not been an easy decision because the statements made by Senator BENTSEN and Senator SYMINGTON have been most compelling.

However, Mr. President, I feel quite strongly that the United States must proceed with the accelerated development of the Trident in order for this country to be in a strong position with regard to upcoming SALT negotiations. The President has indicated that he feels that the funding of this program will be helpful to our interests during the upcoming discussions with the Soviets. I agree.

But it is not for this reason alone that I believe that this amendment should be defeated. First, this acceleration will in no way increase the cost for the Trident program—it will merely make the submarine available to the Navy at an earlier date—1978 rather than 1981.

Second, the growing size of the Soviet attack submarine fleet requires us to speed up our own programs. The Soviets can confront our 41 Polaris-Poseidon submarines with over 300 attack submarines, and an increasing proportion of these Soviet submarines are modern, quiet, and nuclear-powered. It is extremely important for us to do everything necessary to continue to have the most modern missile submarines to be safe from this potential threat to our deterrent at sea. This is one area of military technology with which we must not gamble. We must be absolutely certain that our sea based deterrent, which may well come to be the backbone of our strategic force, will not become vulnerable in the future. In short, we need the Trident submarine—which will be significantly quieter than and technologically superior to the Polaris-Poseidon submarines—as soon as we can get it.

It is for these reasons that I shall vote against the pending amendment and urge my colleagues to do likewise.

Mr. BOGGS. Mr. President, I wish to announce my intention to support the amendment of the distinguished Senator from Texas (Mr. BENTSEN) which would reduce funds for the Trident submarine missile program from $906 million to the $398 million necessary to complete research and development work on this project.

I favor continued development of the Trident program, which will provide a new submarine-based long-range missile capability to replace the Polaris-Poseidon weapons as they are retired. However, it is my feeling that planning for this project should be completed and reviewed by the Congress before we commit the full $900 million for its production. In this way, I believe we can avoid costly miscalculations in the development of this new weapons system.

Mr. PROXMIRE. Mr. President, I rise to support the amendment offered by the distinguished Senator from Texas (Mr. BENTSEN).

I am a cosponsor of that amendment. I spoke on its behalf in my introductory remarks on this bill. I put forth a very similar proposal for dealing with the Trident program in a research report I issued back in April. Accordingly, I give the amendment my wholehearted and enthusiastic support.

I believe that the amendment presents to the Senate a very easy, yet very important, decision.

It is an easy decision for several reasons.

First, the amendment does not propose to kill any military program. Every Senator in this Chamber recognizes our need for a follow-on to the Polaris and Poseidon fleet. All the amendment seeks to do is to return the Trident program to an orderly development schedule.

Second, the amendment does not propose to throw anyone out of work. It does defer a few job opportunities, but only until a few remaining questions have been thoroughly explored. Once the questions have been answered, the jobs opened up by the Trident program will be much more secure in nature than if we rushed ahead now and made mistakes.

Third, the amendment does not propose that we take any military risks. As the Senator from Texas has so ably explained, our present submarines are not ravaged with age. They are not vulnerable to Soviet antisubmarine warfare capabilities. They face no ABM penetration problems. They are, in fact, qualitatively superior in many, many ways to the Soviet Yankee submarine fleet. And the Senator's amendment, by allowing the Trident 1 missile program to proceed at the same pace as proposed under the accelerated Trident submarine program, has guaranteed that we will move forward immediately with significant improvements in this already formidable submarine force.

Fourth, the amendment is directly in line with President Nixon's call yesterday for congressional restraint in approving new Federal spending programs. The President's statement yesterday recognized that inflation has not been halted, that we face a deficit in fiscal 1973 which could reach $35 billion, and that if restraint is not shown new taxes will be needed in the next 12 months. The proposed amendment would cut half a billion dollars in unneeded and therefore wasteful funds from fiscal 1973 expenditures.

For all these reasons, the amendment offered by my colleague from Texas presents the Senate with a straightforward and easy decision.

But the easiness of that decision does not detract in the least from its importance. It is the most important weapons procurement decision we will be called upon to make in 1972. And because our sea-based deterrent is the heart of our whole strategic force structure, it is one of the more important procurement decisions that we will make in the entire decade of the 1970's.

The Navy's accelerated Trident request includes advance procurement funds for the first four Trident submarines and funds to purchase the site for a new Trident base. If these funds are approved, we will be locked into the crash development of a successor to our Polaris and Poseidon force. As I have said, such program is not needed and would be very wasteful. More important, such a program would be positively dangerous.

It would be dangerous, first, because it would require us to begin construction of a new submarine fleet before development has been completed. It would be a flagrant violation of the prohibition of concurrent development and production work which constitutes the essence of the "Fly Before You Buy" policy announced by the Defense Department and endorsed by the Armed Services Committee in recent years. If the history of other recent procurement programs has any meaning, we can rest assured that approval of this accelerated Trident program would be a strong Congressional goahead for the same kind of cost growth and schedule slippages which all of us have condemned in older programs.

An accelerated Trident program would be dangerous, too, in another way. It could lead to a Soviet submarine force twice as large as ours. Under the recent SALT agreement, this Nation is limited to 44 submarines and 710 sea-based missiles, while the Soviets are allowed 62 submarines and 950 sea-based missiles. The now anticipated Trident design calls for 24 missiles per boat. This means that if we were to replace all of our existing submarines with Tridents we would limit ourselves to only 29 submarines in our total fleet. In contrast, the latest modification of the Soviet Yankee class submarine is designed to carry 12 missiles. If they continue to follow this course, the Soviets could achieve the maximum of 62 submarines they are permitted. That would give them a 2 to 1 numerical advantage over the United States.

Do we really want to endorse cost overruns and schedule slippages on this important program? Do we really attach less importance than the Soviet Union to the survivability of our sea-based deterrent?

These are the important questions raised by the Bensen amendment. Surely we can provide the right answers with our votes today.

Mr. CRANSTON. Mr. President, I heartily applaud the efforts of the distinguished Senator from Texas to return the Trident program to its original schedule. There has somehow arisen the fallacy that being concerned about national security means voting in favor of every single weapons program offered on the military menu, regardless of its merits. But as the late Dwight D. Eisenhower observed so keenly:

> Every addition to defense expenditure does not automatically increase military security. Because security is based upon moral and economic, as well as purely military strength, a point can be reached at which additional funds for arms, far from bolstering security, weaken it.

I want to raise a few facts about what America's strategic posture will be without an accelerated Trident program. Some of this resemble a scenario right out of "Dr. Strangelove." I think I should mention these facts before going into the details of the proposed acceleration itself.

Fact 1. A 1976 strategic submarine

force without a stepped-up Trident program could destroy 219 Soviet cities populated by 88 million people, nine times over.

Fact 2. At hearings on the fiscal year 1972 budget, Rear Adm. Robert Kaufman, ULMS/Trident Program Coordinator, stated that—

> Polaris/Poseidon today we feel is invulnerable.

It is almost inconceivable that the U.S.S.R. could strike all the submarines in our Polaris/Poseidon fleet simultaneously. But in the event of a nuclear disaster, even if only one submarine survived, that submarine could destroy 160 Soviet cities.

Fact 3. The current U.S. Polaris/Poseidon fleet is armed with eight times the number of weapons on Soviet Y-class submarines—3,800 of ours to 480 of theirs.

Fact 4. The range of our Polaris A3 and Poseidon missiles—roughly 2,500 miles—is almost twice as great as that of their Soviet counterparts. The range of the new ULMS-I missile, whose deployment date will be unaffected by Senator Bentsen's amendment, will be almost four times as great.

Fact 5. By 1976, without a stepped-up Trident program, the United States will have a staggering total of 14,000 strategic weapons, including Poseidon missiles, Minuteman III ICBM's with MIRV's—multiple independently targetable reentry vehicles—and SRAM missiles in our strategic bombers.

Fact 6. The Pentagon tends to draw attention to comparisons between the U.S. and the U.S.S.R. in terms of numbers of launchers. But what counts more is numbers of warheads, and here the United States is already far ahead. Thanks to MIRV technology, the United States is converting 31 of its 41 Polaris submarines to carry missiles capable of carrying 10 to 14 warheads each. The Soviets have only just begun testing MIRV's and are literally years behind.

Fact 7. Our oldest strategic submarine is only 12 years old, while our youngest is a mere 5 years of age. According to Navy spokesmen, the life span of a submarine is 20 to 30 years. Thus, if there is indeed need for Trident, the first Trident submarine certainly is not needed until 1981 at the earliest—the projected deployment date on the original Trident schedule.

Mr. President, all these small facts stacked on top of each other add up to one towering fact: There is no pressing need for an acceleration of the Trident program. Our existing Polaris/Poseidon fleet is already formidable and will remain so until the 1980's. Even Navy witnesses agree that there is no known Soviet threat which could endanger even a fraction of our strategic fleet.

So far I have tried to show that the burden of proof should fall on those favoring a stepped-up Trident program, not on those who oppose it.

The amendment offered by my distinguished colleague from Texas, Senator Bentsen, would cut $508.4 million out of a total request of $926.4 million of authorized funds. An extra $53.8 million does not require authorization, bringing the total cost of the Trident/ULMS program in fiscal year 1973 to almost a billion dollars. Funds deleted by the proposed amendment would be used for the advance procurement of the first four Trident submarines and a new Trident base. The money remaining after passage of the amendment would be used for research and development of both the new submarine and the first of the two new missiles, ULMS I.

A central point to remember is that the amendment offered by the distinguished Senator from Texas does nothing more than return the Trident program to its original schedule. This schedule does not change the so-called "IOC date" or initial operational capability date of the ULMS I missile. This date remains set at 1977. The amendment does postpone the date of submarine deployment from 1978 to 1981. In the meantime, the ULMS I missile can be fitted into the existing fleet. And these missiles have roughly twice the range of our existing missiles.

Mr. President, the request for a stepped-up program was not even received until January of this year, at which time the Navy more than doubled its request. As yet I have seen no satisfactory military explanation for the acceleration. What we have instead is a political explanation of dubious merit. In his fiscal year 1973 statement to Congress, Secretary of Defense Melvin Laird held that—

> The continuing Soviet strategic buildup, with its long-term implications, convinced us that we need to undertake a major new strategic initiative. This step must signal to the Soviets and our allies that we have the will and the resources to maintain sufficient strategic forces in the face of a growing Soviet threat.

Mr. President, politically motivated arguments for a stepped-up Trident program add up to military muscle-flexing designed to impress the Soviets at the expense of the taxpayer.

And the expense of the taxpayer will be considerable. Total cost estimates are in the neighborhood of $11 to $13 billion, or an astounding $1.3 billion per ship. As the distinguished senior Senator from Missouri has pointed out, this exorbitant price tag does not include such items as: Research, development, and procurement of the ULMS-II missile; the cost of the missile warheads; the second Trident base; and the prototype test facility needed for the nuclear propulsion plant.

These items may well be worth the price, if our national security demands them in the future. But before we get ourselves locked into a costly program, we should remember that we do not even have a complete set of blueprints for the submarines. We are not entirely sure what we are committing ourselves to. And experience has shown that where development and procurement proceed simultaneously, there are almost sure to be unforseen cost overruns and later deliveries. As the saying goes, we should "try before we buy."

There are other reasons besides cost for thinking over our options carefully before committing ourselves to procurement. At present, for example, both Soviet and American strategic submarines are armed with 16 missiles each. But whereas plans for the Trident call for 24 missiles per submarine, the Soviets are making an effort to reduce the number of missiles per submarine to 12. The theory is that a larger number of submarines with a smaller number of missiles each will be harder to detect. Our Trident submarine, by contrast, will be twice as big as our present Polaris submarines, and two-thirds as big as a World War II carrier.

Now, perhaps our theory of optimum submarine size is better than theirs. I am not certain. I do know that under the SALT agreements, the United States could replace its 10 oldest submarines with eight submarines carrying 24 missiles each or 13 submarines carrying 16 missiles each. I think that the decision in favor of eight submarines with 24 missiles each has not been adequately explained. I am not suggesting for a moment that we are being deceived, but simply that these issues are too complicated for hurried decisions. For all of these reasons—our strategic posture without an accelerated Trident program, the cost involved, the optimum size for submarines, and the optimum number of missiles per submarine—I strongly favor acting now to keep the Trident/ULMS program on its original schedule.

I urge swift and overwhelming passage of the Bentsen amendment.

Mr. MUSKIE. I support the amendment of the Senator from Texas to reduce the authorization for Trident by $508.4 million. I do so as a strong supporter of our submarine deterrent forces—recognizing that this is the most important element of the nuclear triad of land-based missiles, sea-based missiles, and strategic bombers. I strongly support the Trident concept as a natural follow-on to our existing Polaris/Poseidon submarine force.

But I cannot support the Navy's request for a greatly accelerated Trident development program this year. There are still too many unanswered questions concerning the best kind of new submarine force. For example, do we really know the nature of a future threat to our submarine force that Trident must be designed to counteract? Do we really know whether we should produce larger boats with more missiles or a larger number of smaller boats with fewer missiles? Until these questions are answered, I do not believe we should plunge ahead on Trident simply because this administration feels it would add to the bargaining chips in the next round of arms negotiations with the Soviet Union.

Senator Bentsen's amendment would reduce the Trident authorization in this bill from $906.4 million to $398 million for fiscal year 1973. The remaining funds would still permit an increase in R. & D. money for the ULMS—I missile by five times over that of fiscal year 1972. Available funds for actual submarine development would double over that of last year. In supporting this amendment, I am supporting an orderly increase in the Trident development program which would still not commit us in fiscal year 1973 either to a final submarine design or to actual production.

Our existing submarine deterrent is already an awesome force. When the Poseidon conversion program is completed in 1976, our 41 Polaris/Poseidon submarines will provide us with over 5,000 independently targeted warheads. The effectiveness of this force as a deterrent to nuclear war has now been greatly magnified by the SALT treaty limiting Soviet ABM deployment to only two sites. With Soviet ABM's under control, the rationale for a large number of deliverable warheads has been correspondingly reduced. Moreover, the SALT agreement on offensive weapons has established a ceiling on Soviet submarine development which was cited by Secretary Laird as a primary original justification for an accelerated Trident program. It is worth noting that the Soviets have no new submarine program of their own equivalent to Trident.

It is true that our Polaris/Poseidon force will eventually be replaced. It was first deployed between 1961 and 1967, with an expected lifetime of between 25 to 30 years. But even if we assume a 20-year lifetime, the first Trident submarine will not be needed for replacement until 1981—which is the projected deployment date of an unaccelerated Trident development program.

The most important role for a new generation submarine is to counter any new antisubmarine warfare threat from the Soviet Union. Even official Navy spokesmen admit that there is no identifiable Soviet theat which could endanger even a small fraction of the Polaris/Poseidon force for the foreseeable future. In any event, the Bentsen amendment leaves intact the funds authorized by the committee for development of the ULMS—I missile which can be retrofitted into existing nuclear submarines. This missile, with its 4,500-mile range, will enhance the survivability of our existing force by expanding several times the ocean area in which boats will be able to operate yet stay within range of their targets.

It is clear to me that accelerated development of Trident is not necessary for fiscal year 1973. Not only is it unnecessary, but it may be unwise from the point of view of our own security. Since we know so little about the future of antisubmarine warfare, we cannot yet know clearly enough the kind of new generation submarine that will best counter such a threat. I believe it is best to preserve our options on a final Trident design for the near future. The Bentsen amendment would accomplish that for fiscal year 1973.

The administration has tried to make a case for an accelerated Trident program also on the theory that it would provide additional bargaining chips in the next round of SALT. I have spoken at length on the absurdity of this position in the past—an arms control effort that serves only to accelerate the arms race and waste billions of taxpayer dollars.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point my speech at Town Hall, Los Angeles, on June 16, entitled "Making SALT Work." I also ask unanimous consent that there be printed in the RECORD an article which appeared yesterday in the Washington Post by Leslie Gelb and Anthony Lake, which sets out the case against the bargaining chip theory of arms control negotiations, and the Washington Post editorial this morning on Trident.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAKING SALT WORK

In the wake of events, both encouraging and discouraging, to our hopes for peace, I believe it may be useful to summarize in simple terms my own convictions about our national defense at this critical time.

I am convinced that the basic points to which I subscribe represent the views of the overwhelming majority of the American people. Naturally, we all have strong emotional biases about our national security. But underneath the emotion, I believe there is a strong undergirding of reason and practicality. In other words, I believe the national consensus is a *rational* consensus.

First, we want out of Vietnam—now. For me—and I am convinced for most Americans—military face-saving and perpetuation of the present regime in Saigon are clearly secondary to the imperative need to stop the killing and bring our troops and prisoners safely home.

Second, we want a good-faith, continuing effort on the part of our government to curtail the arms race. The SALT accord was a good beginning. We want to build on this beginning for long-range arms reduction—not to use it as a rationale for escalating weapon systems not covered by the accord.

Third, we want to cut the fat out of our military spending—the billions that represent waste and unnecessary overkill—now. I am talking about the fat, not the essential muscle. I am talking about cutting with an informed scalpel not a blind machete. But I am talking about substantial reductions in excessive military spending.

Fourth, we want to strengthen our economy and our society here at home so that our American community will not cave in internally while we are pursuing military interventions in foreign lands. We want to recast this society in the image of peace—to prove to the rest of the world, communist and non-communist—that our economy can function successfully without perpetual war.

There is a Chinese proverb that precisely describes the gap between pronouncement and performance that we see in this Administration's defense policy.

It goes like this:

"There is a great noise on the stair . . . but no one enters the room".

Four years ago, the President pledged that he would end the Vietnam war. We have changed the form of that war, the methods of killing. But the war goes on—with the most intensive escalation yet seen.

Haiphong Harbor is mined and blockaded. The bombing of civilian targets in Indochina has reached its highest point. An Air Force General testified earlier this week in Washington, that between November 8, 1971, and March 8, 1972, as many as one out of four "protective reaction strikes" were actually offensive strikes in definance of orders. Whether or not these unauthorized bombings may have had an adverse effect on secret peace negotiations is a question that is being asked.

Remembering the Gulf of Tonkin, it is a question that should be asked.

We have the bitter with the sweet: Dramatic initiatives for peace. Unprecedented escalations of war. The war goes on. Where will it all end?

This is no time for inflammatory rhetoric or mutual recrimination. No responsible American—including Presidential candidates—wants to surrender to the Soviets or the Chinese. No responsible leader wants to convert the United States into a permanent security state.

But the direction in which we are moving is fraught with more danger than security. It is time to move towards that rational national concensus to which I alluded earlier.

I welcomed President Nixon's visits to the People's Republic of China and the Soviet Union and publicly commended him for them. The question now is: Will these initiatives be followed by constructive implementation towards arms reduction and peace?

We were all encouraged by the SALT agreements which, for the first time in the nuclear age, provide for significant limitations on the deployment of strategic weapons. President Nixon told Congress on his return that "we have begun to check the wasteful and dangerous spiral of nuclear arms." But that remains to be seen.

If the SALT agreements are to have lasting effects that will benefit the U.S. and the other nations of the world, we are going to have to face up to our own responsibilities for making them work.

What do we have on which we can constructively build?

First, the limit on ABMs—two sites on each side. This single treaty is by far the most significant agreement signed in Moscow. It means that both sides have recognized that they will remain vulnerable to retaliation in a nuclear exchange. It provides the foundation for nuclear stability.

Second, the ABM treaty also means that both sides can suspend development of various offensive strategic systems, many of which, such as MIRV, were originally designed to penetrate a large ABM defense.

Third, the interim agreement on offensive weapons has placed a ceiling on numbers of offensive missiles.

This agreement would permit some margin of numerical superiority for the Soviets in missiles and submarines but it would be balanced by our own offensive superiority in the number of deliverable warheads, bomber forces, and advanced technology.

If the SALT agreements are to be more than symbolic, they must produce greater stability in the arms race and they must provide tangible, immediate benefits to the American taxpayer in reduced defense expenditures.

Yet no sooner were the accords signed than the Secretary of Defense told Congress that as a result of the SALT agreements we must increase defense spending—not reduce it. We are told that the Secretary of Defense and the Joint Chiefs of Staff cannot support the SALT agreements unless Congress votes *more* money for nuclear weapons *not* covered by the accords—advanced bombers, new generation submarines, a new strategic cruise missile, and a variety of other technological improvements.

The American people will not accept that. If we have stunted the Soviet offensive weapons development—as the President has assured us—how can we justify to the world, to ourselves, new efforts to breed new giant species of nuclear weapons?

The concept of arms limitation is a simple one that the American people understand very well. It means a limit on arms.

But if it is truly to mean that, if it is to produce a solid ceiling over our balance of terror, we must be willing to contribute a degree of mutual restraint as our share of the bargain with the Soviet Union.

Instead, how have we responded? Consider the convoluted logic behind the flurry of announcements from the Defense Department during recent days:

That the Vietnam escalation will add three to five billion dollars to the new defense budget.

That the two ABM sites permitted under the SALT treaty are going to cost us half a billion dollars more than the four sites previously authorized.

That we must have $20 million more to begin development of a new strategic cruise missile for no other apparent reason than that such missiles are not prohibited by the offensive agreement.

When you add this shopping list to the nearly $1 billion request for accelerated development of Trident the new submarine system, and the half billion dollar request for the B–1 bomber you have a defense request which is at least $13 billion more than Congress appropriated last year.

This is a budget designed for a generation of war rather than a generation of peace . . . for an era of continued confrontation rather than a new era of negotiation.

In the Soviet Union, as in the United States, there are those who want to increase defense spending and there are those who want to divert more resources to pressing domestic needs.

When the militarists in our country dominate our policy, they strengthen the hand of the militarists in the Soviet Union. This is the stuff that arms races are made of.

This is why I urge restraint in our defense programs—the kind of restraint that signals to the Soviets our intention to treat the Moscow agreements seriously.

If the Soviets do not respond in like manner, we may be faced with the need to accelerate certain defense programs in the next few years. But we are strong enough today to take that rational risk for peace without suffering damage to our own security. The question is whether we are wise enough.

Secretary Laird assures us that "a major new strategic initiative" is needed to spur the Soviets toward agreements in the next round of SALT and to provide a hedge against a possible failure in the next phase of negotiations.

In other words, we must escalate the arms race if we want future agreements to slow it down. The bargaining chips have come home to roost. At prices like these, who can afford arms control?

Later this summer, Congress will be considering not only the SALT agreements but also the defense budget for the 1973 fiscal year. I will do everything within my power to persuade my colleagues in Congress to reject Secretary Laird's thesis that signing an arms control agreement means we must have more arms.

I have previously recommended that Congress cut approximately $11.5 billion from the Administration request of $83.7 billion for FY 1973. Even without the SALT agreement, I thought we were wasting that much on excessive military forces.

The largest item in my proposed $11.5 billion cut is about $4 billion for the war in Vietnam—a figure that the Administration says will now be considerably larger because of the recent escalation.

Ending the war will eliminate only one source of waste in the defense budget. I have also recommended cutting $299 million for a new nuclear carrier we do not need . . . $400 million for a new air warning system . . . $900 million for the F–15 aircraft and $734 million for the F–14 . . . and $2 billion for the six redundant military commands such as CINCPAC and CINCEUR.

But it is in the area of strategic weapons programs that the potential for substantial savings is clearest.

First, ABM: The primary justification in 1969 for the Safeguard ABM was to protect our land-based missiles from attack by a potential Soviet force not yet in being. That potential force was estimated at 500 Soviet heavy ICBMs equipped with multiple warheads. That force does not yet exist. The Interim Agreement restricts them to 313 such missiles, and they have not had their first test of a true MIRV.

Consequently, I believe that the prudent course is to suspend all development of ABM at this time and to direct research efforts instead toward the development of a more effective "hard-site" ABM system for defense of the Minuteman missile site at Grand Forks, North Dakota, saving $1.5 billion.

As for any proposed ABM system around Washington, I agree with my colleague Senator Jackson, a long advocate of ballistic missile defense, who has argued that a Washington ABM of the type described in the treaty would be "useless." Over and over again we have pointed out that the Moscow ABM system has no military value and can be easily overwhelmed by a U.S. retaliatory attack. It makes no sense to spend billions of dollars to emulate a Russian mistake.

Second, we are presently deploying multiple warheads on more than 500 of our land-based missiles. This program has been justified on two counts: First, the need to have additional warheads to insure penetration of a large Soviet ABM defense system, and second, to increase the number of warheads available for retaliation in the event that the Soviets destroy a large part of our deterrent force in a first strike. Yet, the Moscow treaty prevents the Soviets from acquiring either a large ABM system or an increased number of large ICBMs. Moreover, our fixed ICBMs are potentially the most vulnerable element of our nuclear deterrent.

I believe we should therefore suspend our Minuteman III (MIRV) program, saving $500 million.

Third, the B–1 bomber: The B–1 bomber has been justified as a follow-on to the B–52 to provide a capability for low altitude supersonic penetration of the Soviet Union in the late 1980's. The Soviet long-range bomber force is far inferior in both numbers and quality to the present U.S. force, and there is no evidence that they have under development a new, truly intercontinental bomber.

We are presently equipped with three nuclear deterrents—often referred to as the "Triad"—land-based missiles, submarine-based missiles, and the B–52 bomber force. Each—independently of the others—has the capability of inflicting unacceptable destruction upon the Soviet Union.

Nevertheless, retention of all three has been urged in the past because of a fear that in the future one or more of them might become vulnerable.

But, as a result of the SALT agreement, the viability of both our submarine and, to a lesser extent, our land-based missile forces has been guaranteed for the indefinite future, so that a major up-grading of the bomber force is not necessary at this time. Our interests would be adequately served by research on advanced airborne weapons systems and on our B–52's to prolong their lives and enhance their usefulness, saving $445 million.

Fourth, Trident: The Trident program consists of two parts—a 4500-mile missile which can be deployed in the existing Polaris submarine as well as in a future submarine, and a new, very large, quieter and faster submarine equipped with 24 missiles, each with a range of about 6000 miles. Secretary Laird has recently sought approval for a program of 10 Trident submarines at about $1 billion each.

The Administration has not explained any threat which would jeopardize our present submarine deterrent, either from anti-submarine warfare or from ABMs.

Our present system is far superior to anything the Soviets have deployed, or even have under test, at the present time, and the ships will not require replacement until at the very least the late 1980's.

It is premature, therefore, to commit ourselves to a new, large submarine at this time. It may well be that if the need arises, Trident will not be the answer. I, therefore, believe that the Trident budget should be cut back to research on a wide variety of alternative submarine systems.

We could provide an increase of nearly $50 million in research and development funds over last year's budget for this purpose . . . and still save $300 million.

We live in a real world in which we have real security needs. And, I commit myself, if I am elected President, to a sound, secure, and strong defense.

At the same time, we can not afford wasteful spending for defense, for weapons systems we do not need, and which do not give us real security.

It is my conviction that we can make these substantial reductions in our military outlays without detriment to our defense capabilities. It is my further conviction that the reductions proposed represent a realistic and reasonable program that a united American people would support.

There is still a tendency to put national military security first in our budget planning. In spite of the lessons of the arms race, we tend to overbuy military weapons, looking for the perfect defense against our prospective enemies. We should have learned by now that piling up arms does not buy security.

Only when we had a nuclear monopoly did we feel clearly "superior," and that did not last for long. As the nuclear arms race proceeded, the more arms we stock-piled, the less secure we felt. The Soviet Union reacted to our growing nuclear stock pile by piling up their own, and the escalation brought insecurity for both sides.

How do we get this turned around? First we must identify our real security needs in terms of a suitable defense and agree upon what it will take to meet our real needs, not exaggerated claims. Second, we must engage in negotiations with other nuclear powers in the mutual interest of stabilizing the arms race and reducing costs. Arms are the conventional route to security, but arms alone do not do the job. That does not mean that we dispense with them. It means that we insist on becoming more reasonable and rational about what is needed for defense and what resources can be released for other needs and goals.

That is the sort of question that leads to a more fundamental problem, the issue of what America's role should be in the world of the immediate future. Since World War II, we have been the most powerful nation in terms of arms. Indeed, we have been more powerful than any nation in the world's history, and we have tended to use our military power more visibly than any of the other great nations.

What gives America its greatest influence, I think, is our actions at those times when we most closely reflect our national ideals. Our influence and true power were greatest when America was a place of hope for her own people and for others abroad. Our example was best set not by attempts to impose our system on others, but by offering the model of people living in reasonable harmony, which was reassuring to others who found in it hope and a chance for their own improvement. It was hope that brought forty million immigrants on a journey to this country, and hope that animated the nation itself. People came here and found reason for hope, and people lived in their own lands and found heart in our hope.

I do not believe this view of history is naive. The basic forces that create history—and that will have an even greater impact in the years ahead—are the elemental needs and emotions of hunger, hatred, love, fear, and frustration. These are the forces that move the vast majority of people on this planet. It will not be the sophisticated consideration, power, diplomacy, chess games, or cold-war relationships that determine people's attitudes about war and peace or drive them toward either. The situations in Northern Ireland, in Southeast Asia, and in Bangladesh, arose out of the fact that people found themselves living in circumstances they could no longer endure. Human beings can endure a great deal, but not without hope. Sooner or later we must come to grips with these truths and understand that we cannot contain or control such forces by the force of America's nuclear arms.

THE COST OF THE BARGAINING CHIPS

(By Leslie H. Gelb and Anthony Lake)

Every once in a while, an idea about foreign affairs comes along that has simplicity and force. It has force because it is simple. And also because it is simple, it is usually both wrong and costly. Nevertheless, these ideas come to dominate political debate.

The domino theory was one such idea. It held sway over U.S. strategic thinking for 20 years. It was major rationale in American involvement in Vietnam.

The bargaining chip idea is the new vogue. It is presently holding sway over the U.S. approach to negotiations generally and SALT in particular. It will result in the needless expenditure of billions of dollars on new weapons systems.

Both ideas, to be sure, possess kernels of truth. The domino theory played on the fact that U.S. action in one area does produce reaction to the U.S. in another. The bargaining chip gets at the fact that negotiations among nations require more than goodwill. The trouble has been that both ideas have been stretched well beyond their value. They are used—and quite successfully so—to justify actions that would otherwise be indefensible.

The political dynamics work like this. The owner of the simple idea, usually the President seeking to get his way, imposes his definition of the idea on the debate. Its opponents usually respond by rejecting the whole idea rather than pointing out the misleading way it is being used. In order to make their case understandable to the public, the opponents oversimplify as much as the President. They thus trap themselves by pitting their authority against the authority of the President. The President wins every time.

The domino theory is an historical case in point. For 25 years, Presidents have been telling us that other nations are watching what we do in Vietnam, that they are judging the American commitment to them by our actions in Vietnam, and that these judgments would determine their policies toward Communist nations—i.e. help determine whether they became "dominoes." Critics denied this. Pro or anti domino theory, neither side could be proven wrong, and the country went along with the President.

Foreign leaders were watching us in Vietnam, but they were not all watching us in the same way. It is highly doubtful that more than a handful wanted or expected us to become increasingly involved in a situation where our interests were so tenuous. Indeed, as we became mired down, more foreign leaders must have been more impressed by our stupidity than our courage. Nevertheless, the American public accepted the President's reading.

Right now, President Nixon is taking the country down a similar garden path with his bargaining chip idea. He says he needs certain chips—some new weapons systems and some old force deployments—to deal with Peking and Moscow. Some critics say this is just the same old dangerous cold war thinking. It was an easy task for the President to turn these arguments to his advantage by playing precisely on old public cold war fears. What the critics should have been doing was not to deny that the President needs chips, but to challenge his definition of the chips he needs to bargain.

President Nixon has fronted his version of bargaining chips in the current debate on SALT. For three years, he has told us that he required the Safeguard ABM system to have leverage on Moscow's offensive nuclear forces. The Congress essentially gave him what he wanted on Safeguard—billions of dollars for deployment at four sites. Now the administration says it needs a new bomber force (the B–1) and a new submarine force (Trident, formerly ULMS) for the next stage of SALT. Indeed, the Secretary of Defense has said that even the SALT 1 agreements would be unacceptable unless the Congress approves these new weapons systems for SALT 2.

The President's political hand is strong in making these arguments because he brought home an arms control agreement from Moscow. The House has already passed the administration's new requests, and the issue is now coming to the Senate floor with all signs pointing to approval. In effect, Mr. Nixon's argument is: "Look. It worked. Without those Safeguard deployments, I wouldn't have been able to get Moscow to compromise." It is hard to argue with success.

But wasn't there a better way? The President had two alternatives. He could have proposed a mutual freeze at the outset of the talks. This way, neither side would have had to bear the costs of new deployments—Safeguard for us and offensive missiles for the Russians. Or if Moscow rejected the mutual freeze proposal, he could have asked the Congress for research and development funds and authority to put deployment funds in escrow—without actually deploying Safeguard.

President Nixon tried neither approach and got his treaties, but with three unfortunate results. First, Safeguard was partially deployed not on its own merits (which were highly questionable), but for its presumed value in bargaining—thus setting a precedent for buying new systems even when they are not needed. Second, we ended up retaining one Safeguard site defending our Minuteman missiles that makes no sense and holding the option to build a second site in Washington that we did not want, thus setting the precedent of keeping the bargaining chips that we built rather than negotiating them away in return for Soviet reductions. Third, we ended SALT 1 with both sides promising to build new generations of weapons, thus setting the precedent of arms control agreements that fuel the arms race rather than control it. If SALT 1 is a precedent, succeeding rounds will again ratify increased levels of armaments.

This is a waste. Of course, the President needs bargaining chips. But there is a fundamental fallacy in his approach: new weapons systems do not actually have to be deployed in order to give him bargaining power. This power derives from the American potential to deploy, not actual deployment. Continued research and development and the placing of funds in escrow would give the President the same leverage without the cost.

We are at a point where decisions on the B–1 and the Trident will shape U.S. force posture and arms competition with Russia for the next five years. Acceleration of their development in this budget would make virtually inevitable their deployment. An alternative is simply to maintain a basic research and development program, without deciding now on the specific new submarine or bomber forces we might someday need.

We can act sensibly or repeat the mistakes of the past. The Congress would do well to entertain this idea: if the Russians know we are now developing the technological capability to deploy, and we set the money aside at some point for purposes of deployment, we can achieve the same bargaining position as by actually spending the money. The difference for Americans is billions of tax dollars. The difference for Soviet-American relations is a little more sanity.

THE SENATE VOTE ON TRIDENT

"Gentlemen, I'm talking about a boat that's going to cost $1.3 billion each. It is a crucial issue involving a totally new weapons system that requires thorough research. All options must be carefully weighed so that we can arrive at correct decisions on all aspects of developing this system. The Administration has not done this, in their hurry-up effort to push development of the Trident system. Therefore, I plan to offer an amendment to the Military Authorization bill to delete some $508.4 million for accelerated Trident development. Let me make clear at the outset that, in offering the amendment. I am not opposing the Trident program. I am convinced that we must have the next generation of nuclear submarines it will provide."

The quotation comes from a statement made by Sen. Lloyd Bentsen of Texas—not exactly your ordinary garden-variety radiclib—and the amendment he has proposed, which would slow the rate of acceleration of the prospective new sea-based missile system (Trident), comes up for a vote in the Senate today. That Senator Bentsen's amendment very nearly carried in the Senate Armed Services Committee, where the vote was 8-to-8, may or may not say something of its chances of passage today. What that earlier vote does make indisputably plain is the fact that this amendment does not represent some conventional conflict between the super-armers and the super-disarmers or one that hinges on stark differences in judgment as to either Soviet intentions or U.S. obligations. The Trident issue, as drawn by Senator Bentsen, concerns the means of ensuring the long-range security of the American sea-based deterrent—not the end.

The senator and those who support him on this proposed fund cut argue that the administration has not made the case for the dramatic acceleration in expenditure this year that has been requested and that to grant it would be to commit us to production of a new submarine/missile system which is still open to serious question in terms of its basic design. The Soviets, as Mr. Bentsen and others have pointed out, "are building more submarines with fewer missiles per sub, while Trident would provide fewer subs with more missiles on each one. Which concept is better? I do not know. And I don't think our military people know at this point." It does not require an excessive imagination or an awful lot of research into contemporary defense procurement history to share the Senator's apprehension that as a consequence of this hasty move into production on a system that has yet to be fully thought out, the nation will end up with more cost-overrun than defense efficiency in this project.

What the conflict comes down to in technical terms is the question of whether or not the proposed Trident should be committed to *production* at this point. Those who argue that it should be, tend to cast the issue in terms of present and future SALT agreements, observing that the U.S. must be in a way to proceed quickly with new production and deployments should the five-year agreement on offensive weapons be abrogated by the Russians either before or at the end of the five-year period. They also observe that a production commitment could serve as an earnest of our intention to proceed if the Russians have any doubt on that score or any doubt on the wisdom of arriving at a SALT II agreement. The latter, of course, is the familiar "bargaining chip" argument, and—like the argument concerning the need to be in a position to move if we wish in the future—it is not nearly so overdrawn or melodramatic or wrongheaded as certain administration spokesmen are inclined to make it sound. Among U.S. senators who are not merely trying to appease the Pentagon holdouts on the SALT agreements or make a good political image of "strength" for the election year, there exist serious and respectable doubts that the country should allow itself at this point to continue in a situation where there is no ongoing submarine production and no formalized, statutory commitment to it.

In our view, the question in their mind is legitimate, but the answer provided by the roughly half billion acceleration proposed by the administration this year is not—it is not a serious answer to a serious question. Senator Bentsen seems to us, at the very least, to have put the problem of preserving the security of our sea-based deterrent in its proper light. How does a production commitment undertaken now to an enormously costly system that has a good chance of proving inadequate to our needs—how does such a commitment qualify as a measure to enhance security or guarantee strength? Conceivably, there will be some compromise measure reached on the floor today and conceivably, too, some declaratory commitment to proceed with a new sea-based system of replacements will come out of the debate: there is, as a matter of fact, fairly widespread agreement crossing classic left-right lines on the importance of submarine-based missilry in our nuclear future. We would argue, however, that in a plain up-down vote, Senator Bentsen's amendment should be passed. It embodies prudence and good sense concerning not only the nation's pocketbook, but also concerning its security.

The PRESIDING OFFICER. All time on the amendment has now expired.

The question is on agreeing to the amendment of the Senator from Texas (Mr. BENTSEN), No. 1348.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McGEE (when his name was called). On this vote I have a pair with the distinguished Senator from West Virginia (Mr. RANDOLPH). If he were present and voting, he would vote "yea"; if I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the distinguished Senator from Rhode Island (Mr. PELL). If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Missouri (Mr. EAGLETON), the Senator from Louisiana (Mr. ELLENDER), the Senator from Georgia (Mr. GAMBRELL), the Senator from Hawaii (Mr. INOUYE), the Senator from North Carolina (Mr. JORDAN), the Senator from South Dakota (Mr. McGOVERN), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Rhode Island (Mr. PELL) are necessarily absent.

On this vote, the Senator from South Dakota (Mr. McGOVERN) is paired with the Senator from Georgia (Mr. GAMBRELL). If present and voting, the Senator from South Dakota would vote "yea" and the Senator from Georgia would vote "nay."

I further announce that, if present and voting, the Senator from Idaho (Mr. CHURCH) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. DOMINICK) and the Senator from Oregon (Mr. HATFIELD) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Colorado (Mr. DOMINICK) and the Senator from Oregon (Mr. HATFIELD) would each vote "yea."

The result was announced—yeas 39, nays 47, as follows:

[No. 319 Leg.]

YEAS—39

Bayh
Bentsen
Bible
Boggs
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cooper
Cranston
Fulbright
Goldwater
Gravel
Harris
Hart
Hartke
Hughes
Humphrey
Javits
Jordan, Idaho
Kennedy
Mathias
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Percy
Proxmire
Roth
Saxbe
Spong
Stevenson
Symington
Tunney
Williams

NAYS—47

Aiken
Allen
Allott
Anderson
Baker
Beall
Bellmon
Bennett
Brock
Brooke
Buckley
Cook
Cotton
Curtis
Dole
Eastland
Ervin
Fannin
Fong
Griffin
Gurney
Hansen
Hollings
Hruska
Jackson
Long
Magnuson
McClellan
McIntyre
Miller
Packwood
Pastore
Pearson
Ribicoff
Schweiker
Scott
Smith
Sparkman
Stafford
Stennis
Stevens
Taft
Talmadge
Thurmond
Tower
Weicker
Young

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Mansfield, for.
McGee, against.

NOT VOTING—12

Church
Dominick
Eagleton
Ellender
Gambrell
Hatfield
Inouye
Jordan, N.C.
McGovern
Mundt
Pell
Randolph

So Mr. BENTSEN'S amendment (No. 1348) was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PERCY. Mr. President, there is no doubt in my mind that Trident is the logical successor to the Polaris-Poseidon force and that it will provide America with a credible sea-based deterrent well into the next century

In September 1971, the Deputy Secretary of Defense approved a program which called for completion of Trident by 1981. Now it is requested that the program be accelerated by 2 to 3 years. While I have full confidence in the wisdom of proceeding with Trident, I do not believe that the proposed acceleration is required. Our Polaris-Poseidon force is fully capable of providing the United States with an invulnerable sea-based deterrent into the 1980's. The security of our Nation would not be compromised by adherence to the original 1981 deployment schedule, and by holding to the original Defense Department schedule we will insure that a thorough, ongoing evaluation will be made of the submarine's design structure and overall effectiveness.

Acceleration at this time would require the infusion of an additional half billion dollars into the program during this fiscal year, which would be neither economically prudent nor militarily essential.

We can afford to take the necessary time to develop the best possible system.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the distinguished Senator from Maryland (Mr. BEALL) may be recognized at this time for not to exceed 20 minutes to conduct a colloquy with respect to the business pending before the Senate.

The PRESIDING OFFICER (Mr. WEICKER). Without objection, it is so ordered. The Senate will please come to order. The aisles will be cleared. Those who desire to have conversations will please retire to the cloak rooms. The Senate will please give the Chair its attention. The Senate is not in order.

The Senator from Maryland is recognized.

Mr. BEALL. Mr. President, I rise to discuss briefly with the distinguished chairman of the Armed Services Committee my amendment No. 1338.

I rise to speak so that we can accommodate the urgency of the subject matter to be covered in the amendment, and at the same time perhaps arrive at an agreement to bring about an orderly consideration of the subject matter rather than attaching it as an amendment to this particular piece of legislation.

The amendment I have prepared, amendment No. 1338, incorporates the subject matter contained in a bill I introduced early last year pertaining to survivors' benefits—that is, those benefits available to the widows of the members of the armed services.

The PRESIDING OFFICER. The Senator from Maryland will suspend. The Senate will be in order. The occupants of the gallery will be quiet. Those who wish to hold conversations will please retire to the cloakroom so that it will be possible to listen to the remarks of the Senator from Maryland. They are worthy of consideration, and I think the Senate should listen to them.

The Senator from Maryland may proceed.

Mr. BEALL. Mr. President, my interest in this matter goes back to my service in the House of Representatives. When I was a member of the Armed Services Committee of that body, I was appointed to a subcommittee to look into the matter, since it had come to our attention that most of the widows of members of the armed services do not automatically qualify for a portion of the husband's death benefit upon his death.

As a result of hearings held in the House of Representatives, legislation was proposed and introduced in that body in January of 1971. At the same time I introduced a similar measure in the Senate to that introduced in the House.

In the House the measure was considered by the whole House in October 1971. The measure was passed by a vote of 372 to 0. At that time the measure came to the Senate. I wrote to the Committee on Armed Services requesting immediate consideration of this very worthwhile proposal and I was informed by the distinguished chairman that there was not sufficient time remaining in that calendar year to get to consideration and that we could get to consideration this year.

We are now in August of this year and the matter is as urgent as it was before and even more so.

I have received a letter from a constituent of mine to which I wish to refer. She wrote to me at the time of the introduction of this measure. She expressed gratitude for the introduction of S. 325 and stated how much she thought there was a need for the measure. In the fall the same lady called my office and said she was distraught, that her husband was now lying in a hospital, seriously ill from a heart attack. She inquired about chances for passage of the legislation. Unfortunately I had to advise her that although the House had passed the bill no action would be taken by the Senate in 1971.

This year she called to advise her husband had passed away and that the widow's equity bill would be too late for her but she hoped the Senate would act so that it would not be too late for others.

I understand that after introduction of this amendment a special committee has been appointed by the Committee on Armed Services to look into the subject matter. This is an urgent situation.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. BEALL. I yield.

Mr. STENNIS. Did I understand the Senator to say that after the Senator introduced this amendment the committee appointed a subcommittee?

Mr. BEALL. I did say that.

Mr. STENNIS. The Senator has the wrong information. That is incorrect, as I shall explain.

Mr. BEALL. I am sorry. I stand corrected.

I want to accommodate the orderly procedures of the Senate. I think it would be more orderly if this were considered by the whole committee and brought to the floor of the Senate, rather than enacted as an amendment to the bill. It is an urgent matter.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BEALL. I yield.

Mr. GOLDWATER. Mr. President, I am happy to be one of the cosponsors of this amendment. I have been very happy to have been active in helping the Senator from Maryland in bringing this matter to the attention of the Senate.

I do not want to seem disgruntled, or anything of that nature, but the last time I counted we had 19 personnel matters in the Committee on Armed Services and there had not been a hearing on one of them. To my knowledge the last hearing on a personnel matter was on the draft bill, and before that in 1958 on retirement. Of course, I was away for 4 years and some hearings may have been held during that time.

We do everything in this body and in the other body that we can for every supposed minority group in the country but we never seem to be able to do anything for the man, or woman, or the wives of the men who fought for their country.

I think this is a very fair piece of legislation. I think it is perfectly proper that the widow of a man who served his country should have the same benefits as our widows when we pass away, or the widows of any other civil servants.

I hope the chairman of the Committee on Armed Services will agree to immediate hearings. If these hearings are held I think the bill can be passed in a day or two. We have the needed testimony. But I personally intend to continue this fight if it means attaching this to any bill it is attachable to. We have waited too long. The year is well along. I hope the distinguished Senator from Maryland and the distinguished Senator from Mississippi do come to some agreement on this so that we can go through the legislative procedure. If we cannot, I think the amendment process is proper.

Mr. STAFFORD. Mr. President, will the Senator yield?

Mr. BEALL. I yield.

Mr. STAFFORD. Mr. President, I had the privilege of serving on the same Armed Services Committee in the House on which the Senator from Maryland served, in preparing the legislation he introduced, which did pass the House last October by a vote of 372 to 0.

I join and commend the Senator from Maryland for bringing this to the attention of the Senate as a whole and I join in the hope of the Senator from Maryland and the hope of the distinguished Senator from Arizona that the Committee on Armed Services can hold hearings on this important matter and correct the inequities which presently exist as a result of the existing law.

Mr. BEALL. I thank the Senator.

Mr. President, there are 40 cosponsors of this amendment in the Senate.

Mr. STENNIS. Mr. President, may we have order in the Senate so we can hear Senators?

The PRESIDING OFFICER. The Senate will be in order.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. BEALL. I yield.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. HANSEN. Mr. President, I add my endorsement to the amendment proposed by the distinguished Senator from Maryland. I think the amendment is meritorious. We are talking about next-of-kin of persons who have served their country. We have all sorts of concern in this body about everyone on earth. I think it is time for the Senate to face up to the fact that when a serviceman dies those who mean more to him than anyone else, his widow and children, are left without adequate support. This measure addresses itself to that problem. It deserves our support and I intend to support it.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. BEALL. I yield.

Mr. THURMOND. Mr. President, this is a just amendment and I strongly favor it. The families of civilians connected with the government enjoy such benefits now, but families of the military do not. If Senators die in office our widows get something, but widows of the military men do not. I think the amendment should pass.

However, I understand the distinguished chairman of the committee has agreed to appoint a subcommittee to hear this matter and that it will report back to the committee and it will be acted on by the Senate this year. If that is the case that will be the more orderly procedure. I am sure the chairman of the committee can speak on that point.

This is a worthy amendment and we might follow the other procedure. If the chairman has made any commitment, which I understand he has made, for the matter to be heard by a subcommittee, and then reported to the Senate promptly, it could be acted on this year.

Mr. BEALL. I thank the Senator. I hope we can follow the normal course for legislative procedure in this body and at the same time recognize this is an urgent situation.

I wonder if the distinguished chairman of the Committee on Armed Services could make some comment as to the possibility of getting this amendment considered in committee and reported to the floor in a reasonable period of time.

Mr. STENNIS. Mr. President, how much time do I have? What is the parliamentary situation?

Mr. ROBERT C. BYRD. Mr. President, the distinguished Senator from Maryland was going to yield to the distinguished Senator from Mississippi.

Mr. BEALL. Mr. President, I yield one-half of my time or whatever time the Senator desires.

The PRESIDING OFFICER. The Senator from Maryland has 7 minutes remaining.

Mr. BEALL. I yield all of that time to the Senator from Mississippi.

Mr. STENNIS. How much time is that?

The PRESIDING OFFICER. Seven minutes.

Mr. BEALL. I am happy to yield as much of that time as he needs to the chairman of the Committee on Armed Services.

Mr. STENNIS. Mr. President, I do not like to be limited, but I do not wish to make a long statement.

I ask unanimous consent that I may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, this bill is, as the Senator from Wyoming said, the survivor's benefit bill; that is, survivors of military personnel. It is a very involved matter.

For instance, many, many weeks ago the committee formally requested of the Department of Defense what we call the actuarial data—in other words, the liability of the Government if this bill is passed. What is the committal?

It was only about 10 days ago that we got the answer back. Their estimate is that the liability to be incurred for past service by passage of the bill would be about $5 billion. That does not mean that that much money has to be paid out at this time. It does mean that, if the bill became law, and a sound actuarial course of action was followed by the Government, $5 billion would have to be appropriated and invested at 3.5 percent interest to pay entitlements which would eventually total more than $10 billion for past service. In other words, if the Government was to operate on a business-like basis, and keep current with its liabilities, the $5 billion appropriation would be required.

When the bill came to us, we did not have any formal position of the Department of Defense. That formal position of the Department of Defense came in less than a week ago.

These are matters of record. There cannot be any mistake about when that came. There may be a variation of a day or two.

That $5 billion is their figure. It is not mine. It is not the committee's.

So I think that bare statement would show that a matter like this ought to be looked into somewhat. It is not simple. The Government was really trying to give us this actuarial data as soon as it reasonably could.

This matter was called to my attention at a committee meeting some 3 months ago, or something like that, by the Senator from Arizona (Mr. GOLDWATER). I told him, and all the committee, then that I would propose hearings and appoint a subcommittee to hold hearings on it as soon after we finished the procurement hearings as possible. We recently finished the procurement hearings.

Mr. President, I beg for order, so that Senators who are interested can hear. On behalf of those who wish to hear, Mr. President, I ask for quiet.

The PRESIDING OFFICER. There will be order in the Senate.

Mr. STENNIS. That was a firm promise which is in the record. I would go ahead as soon as we reported the bill.

We took a recess the next day. I came back a week early. The first thing I did was to make arrangements to have someone serve on the subcommittee and arrange for the chairman. The Senator from Texas (Mr. BENTSEN) took the chairmanship. That committee has taken that formal action. We had a staff member working on it all the time. The hearings have already been scheduled by that subcommittee for the 8th and 9th of August.

I know it is going to be found to be a very involved matter, and the subcommittee has discretion as to how it will go into it.

There are many questions involved about modernizing the law and whether or not Congress wants to let a liability like this accrue, from a moral standpoint, or whether it will want to inaugurate a system that will require the military man himself to help pay some contribution that will create the sums of money to pay off these obligations.

That is not required at all now. We are not talking about retirement pay now. This is survivors' benefits. There are many hard cases.

I am not opposed at all to something being done in this field, but this is just one of the many accrued liabilities that we see going on, and they are running into billions and billions of dollars, and no reform is being undertaken for the future.

I would not like to put penalties on things of the past particularly, but I think something ought to be done to try to get at this problem and to put in a new system and have some adjustments made for these past years that will be sound in the future. I have brought to the attention of the Senate that we tried to urge the Department of Defense to do something about it. Every year the bill for military retired pay is already running over $4 billion. The amount of $4 billion is needed for retired military pay alone, and it is still increasing very rapidly, because of the high rate of retirements. The amount of $4.1 billion is provided in the budget. I know just a very short time ago it was $3 billion. It shows how it is climbing.

So these are not matters to be just cavalierly considered, to blow the whistle and pass a bill. If it should be the hard and firm judgment of this body that it just wants to pass this amendment and really wants to do it without any hearings and without hearing any more facts, I am not going to try to block it.

Something was said in the press to the effect that I was sitting on the bill. That is not true, based on the facts I have already told the Senate.

The staff tells me that we have already found about 25 technical changes which must be made in the bill. There are changes which must be made to clarify its meaning. The staff work has already been done on the bill in the last 60 days, and hearings are scheduled by the Senator from Texas (Mr. BENTSEN) for the 8th and 9th of August.

As I understood the Senator from Maryland, someone said something to the effect that the chairman could tell us what the subcommittee was going to do or what the full committee was going to do. Well, that is the cart before the horse. I do not think it was the Senator from Maryland, but someone said that, as I heard it through the confusion.

I have no persuasive power with the subcommittee and I have not said anything to its members except to do as good a job as they could. It was the only respectful thing I could say. I do not know how long they will have the bill, but if they report the bill to the full committee, I will certainly see that the full committee has a chance to pass on it.

As chairman, I will do that. There will not be any undue delay, although my idea of being a Senator is not that of being pushed around, and I think that is also the idea of the Senator from Maryland. It will be in the bosom and discretion of the full committee as to what it wants to report.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. STENNIS. I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. If they report a bill to the Senate, why, then, it is in the bosom of the Senate. The leadership has to pass on bills that are to be taken up. But what I have stated is a promise. It was not made at all because of the Senator's introducing an amendment. That did not have a thing in the world to do with it. It is just a pattern that has already been adopted by the Armed Services Committee.

Mr. BEALL. Mr. President, may I have 2 minutes?

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, I yield what time I have to the Senator.

Mr. BEALL. I thank the distinguished chairman of the Committee on Armed Services. Certainly it was not my intention to hold anyone to firm promises. I wanted to get, if I could, some idea as to the schedule the Senator had in mind.

As I understand it, hearings are going to be held on the 8th and 9th of August, and, as the Senator has stated, when the subcommittee concludes its work, the committee will move expeditiously to consider the results of the subcommittee's work, and the decision whether to bring it to the floor or not is subject to full committee action.

That satisfies me. It indicates that the committee does seriously intend to consider this legislation, and that we can follow the orderly procedure. I thank the distinguished chairman of the committee for that assurance.

I would point out, in closing, that not only has this measure been supported unanimously by the House of Representatives, it is supported by the Department of Defense, and even the pennypinchers at the Office of Management and Budget have come down on the side of this proposal. It is a unique situation.

On the basis of the Senator's assurances, I do not think it is necessary to consider the proposal as an amendment to this measure.

Mr. STENNIS. I thank the Senator. As to his statement about the Office of Management and Budget, I would say that this is an item we just got within the last week. There has never been a prior Budget recommendation. But we are planning to have hearings on this measure. As to the 8th and 9th, I do not know how many days of sittings they will want, but I think that covers the facts insofar as I can determine them now.

SPECIALTY STEEL AND NATIONAL DEFENSE

Mr. SCHWEIKER. Mr. President, in the committee report to accompany H.R. 15495, the military procurement bill, the Armed Services Committee clearly points out the important role played by the specialty steels industry in our national security.

On April 7, 1972, at my request, the Subcommittee on General Legislation held hearings on the essentiality of specialty steels industry to national security. The subcommittee heard witnesses from the Department of Defense, the Department of Commerce, the Office of Emergency Preparedness, and a panel of witnesses representing the specialty metals industry.

The Government witnesses made it entirely clear that specialty steels are absolutely essential, now more than ever, in the fabrication of most of our defense weapons and critical weapons systems. The Department of Defense witness pointed out that:

> The steel industry as a whole and specialty steel in particular are a vital part of this industrial capability. It is a national asset and a part of our military power that serves as a deterrent to would-be enemies.

The Department of Commerce witness testified as follows:

> There is no one, to my knowledge, in the Federal establishment who believes even remotely that the specialty steel industry is not essential to our national security. We are in an age of tremendous sophistication in weaponry and other military, space, and atomic hardware. The greater the degree of sophistication the greater the need for new steel alloys. Since such is the case, it follows that there is a continuing need for a viable research and development effort to maintain weapons, space and atomic preeminence.

Even more important, our Office of Emergency Preparedness witness indicated that:

> . . . based on information available to OEP, if present downward trends in the capability to produce specific steel products continues, this situation could become a matter of concern on national security grounds.

The industry panel was lead by Mr. Roger S. Ahlbrandt, chairman and chief executive officer of Allegheny Ludlum Steel Corp., and included as panel members Mr. George Zipf, president of the Babcock & Wilcox Co.; Mr. Eugene March, vice president and group executive, Crucible Steel Co.; Mr. William Verity, chairman and chief executive officer of Armco Steel Corp.; and Mr. Marshall Schober, president, Latrobe Steel Co.

Testimony of the industry panel pointed out that about 60 percent of the expensive research and development efforts of the industry have been directed toward making better materials to meet the increasingly sophisticated demands of national security. It is important to point out that this has been true even though defense needs represent only a small portion of total U.S. specialty steel production.

Regrettably, however, this industry has seriously reduced research and development in this area because of declining domestic commercial markets resulting from unrestricted import quotas and foreign competitors. If this continues, the manpower skills and technology of this industry may not be available in a future time of national emergency.

Simply put, if a viable domestic commercial market is not available for the U.S. specialty metals industry, that industry will not be able to meet our national security needs.

Recently, the administration concluded an agreement with Japan, the Common Market, and the United Kingdom for the voluntary control of foreign steel imports into this country. This is a step in the right direction, but the very fact that the agreements are "voluntary" indicates that they can be violated by foreign competitors and we are powerless to invoke sanctions against such violations. The situation is getting even more difficult for our domestic firms as a result of the close cooperation and government support given to our foreign competitors. Thus, our companies are competing not only against foreign industries, but foreign governments as well.

For our own protection, we must keep this industry healthy and vigorous. We must preserve a viable domestic commercial market so that the personnel, skills and production facilities will be available during a period of national emergency. We must take whatever efforts are necessary to prevent a takeover of our specialty steel market by foreign competitors who compete on an unequal basis because of direct government subsidies.

Mr. President, the conclusions of the Armed Services Committee on this matter as expressed in the committee report on the military procurement bill, H.R. 15495, will be of general interest to my colleagues. Thus, I ask unanimous consent that the section of the Senate Report 92-962 dealing with the essentiality of the specialty steels industry to the national defense be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

ESSENTIALITY OF SPECIALTY STEELS INDUSTRY TO NATIONAL DEFENSE

In its report (No. 92-804) dated May 25, 1972 the committee emphasized the essentiality of the specialty steels industry to the national security. These specialty metals are essential in the fabrication of the major portion of our defense weapons and critical weapons systems and associated equipment to insure their reliability.

Although Defense needs represent only a fractional part of U.S. production nearly 60% of the costly research has been in high performance materials for sophisticated equipment related to national security needs.

The principal problem facing the domestic specialty steels industry, as described during hearings on the subject, results from imports from Japanese and European Common Market steel producers. Despite negotiated agreements at the diplomatic level to moderate the flow of foreign steels into the U.S., the voluntary restraints agreed upon will not provide a solution. Steel imports from foreign sources will continue to weigh heavily on domestic steel producers. The principal concern of this committee is that in a period of national emergency the facilities and personnel skills necessary to the fabrication of these specialty metals may not be available. In order for these vital industries to be in a position to provide our defense needs, it is essential that a viable domestic market be maintained.

During deliberations on S. 3108, the fiscal year 1973 authorization for procurement and research and development for the armed forces, the committee determined that the conclusions and recommendations contained in its Report on Essentiality of Specialty Steels Industry to National Security be incorporated and made a part of this report. These are as follows:

CONCLUSION

1. Based on the testimony the specialty steels industry is essential to the national security.

2. During a period of national emergency there may not be sufficient time to train the people in the specialized and critical skills which are essential to produce the specialty metals vital for our defense requirements if the industry is not preserved.

3. The U.S. specialty steels industry is in extreme difficulty today due to the dwindling commercial market which, according to the testimony, is caused by unrestricted imports of specialty metals.

Mr. FULBRIGHT. Mr. President, the Senate has before it legislation to authorize $20.5 billion for military procurement and related matters for fiscal year 1973.

I have read with interest the report of the Committee on Armed Services on this bill and I am pleased to note that the committee has recommended some reductions in the requests made by the administration. I note, for example, the reductions on the DD-963 destroyer program and the Airborne Warning and Control System—AWACS—and the deletion of funds for the Harrier aircraft and the Cheyenne helicopter.

However, some of the committee's recommended cuts are not nearly large enough and overall they do not make much of a dent in the military budget. In my view the bill still contains a large number of programs weapons systems for which funding should be further reduced or dropped altogether.

Regrettably, the Committee on Armed Services, as did the House committee, has apparently accepted the fallacious argument advanced by the administration that military spending looms smaller every year. As evidence, the committee report says that "Defense's share of government spending and its share of GNP are declining."

Mr. President, the true budget picture is so obfuscated by use of different budgets and concepts—the administrative budget, the unified budget, the fully employment budget—that the public remains understandably confused. The President claims that only 32 cents out of every budget dollar goes for military purposes. However, this is very misleading. For example, the Joint Economic Committee calculates the fiscal 1973 request for military and related expenditures, including veterans' benefits and most of the interest on the national debt, at about $111 billion, with about $120 billion in requested spending authority. Trust fund expenditures in the budget—primarily social insurance programs—are $72.5 billion. Thus, well over half the Government expenditures not covered by trust funds are going to the military. By my calculations, this means about 62 cents of the real budget dollar is being spent for military or military-related expenditures or for the space program.

As for the gross national product, of which we have heard a great deal in recent days, I continue to insist that it tells very little about our true economic well-being. The trillion-dollar GNP is apparently supposed to negate the significance of the massive budget deficits which have been accumulated under the Nixon administration and to make us forget unemployment and all the unsolved domestic problems. The GNP is simply a naked measure of the value of goods and services produced in a society. As I have previously told the Senate, the GNP includes everything from gambling to garbage disposal and is definitely not a measure of the social welfare or quality of life. It indiscriminately includes "bads" on the same basis with "goods." The cost of bullets for a gangster's gun goes into the national accounts with the same weight as the price of computers, food or medical equipment. It could even be claimed that increased crime is a stimulus to the GNP, since we have to spend more for law enforcement. In computing the GNP nothing is subtracted from the value of gasoline or automobiles because they contribute to atmospheric pollution. In fact, the cost of producing pollutants as well as the expenditures for cleaning up afterward are included in the GNP.

Thus, I believe the claims about military spending looming smaller every year are misleading and based on largely meaningless standards.

In view of the huge budget deficit, in view of the fact that the administration feels compelled to impound large amounts of funds appropriated by Congress for various programs, it is certainly ironic that the administration insists on increasing and accelerating many of the military programs. The irony is, of course, heightened by the administration's insistence on weapons acceleration as a result of the recent strategic arms limitations agreements.

Every day I hear from constituents in Arkansas who need assistance for local projects. It is not that Federal assistance programs do not exist. It is not that Congress has not appropriated funds for such programs. The problem is that the administration will not release funds for these programs. Yet the administration goes all out for these military programs which involve infinitely greater amounts of money.

One of the programs of particular importance to Arkansas is the Farmers Home Administration water and sewer system loans and grant program for small communities. Such systems are the backbone of growth for our smaller towns and by aiding their development we can ease the burden on our urban areas. However, for fiscal 1973, the President asked no new funds for FHA water-sewer grants, proposing only to spend a portion of the $58 million impounded in fiscal 1972. In fiscal 1971, only $44 million was allocated from a $100 million appropriation. In Arkansas alone there are 145 unfunded applications for $35 million in loans and grants. An estimated 34,000 towns of under 5,500 population lack adequate water systems and 49,000 lack adequate waste disposal systems. Twenty to 25 million rural Americans lack running water in their homes. Thirty million families are using waste disposal systems that dump untreated effluent into our soil and surface waters. Nationally, there are 1,800 unfunded applications.

In comparison with the military budget, the $58 million impounded by the administration is miniscule. That is the same amount the administration proposes to spend for research and development on the F-14A—just 1 year of R. & D. on one project. Overall, the F-14 is a $5.3 billion program. These planes, which the contractor says it cannot build even at the escalated cost of $17 million each—314 are scheduled to be be built—would make a major impact if it were utilized for community development, education, or for any number of programs aimed at improving the quality of life of our citizenry. The total current annual budget for the University of Arkansas Medical Center in Little Rock is less than the cost of one F-14.

In addition to the funds for water and sewer system grants for small communities, the Nixon administration has also impounded funds for the Department of Housing and Urban Development water and sewer grant program. This year the President proposes to spend only $200 million and that comes from the $500 million he impounded in fiscal 1972. Meanwhile there is a multibillion-dollar backlog of requests.

Just this week, I have received a number of letters from Arkansas from citizens of various communities which have been unable to obtain Federal assistance for water systems. For example, the secretary of the board of education in Strawberry, Ark., wrote me:

> Since our water for the school is located approximately two miles from the school campus, the Strawberry School spent almost $4,000.00 during the 1971–72 school term maintaining a water system for the school. We are sure you are aware that the school operates on a limited budget and these funds could be spent to upgrade our educational program.

The town of Strawberry has had an application in for some time. This is a community with a real need, and, as the letter points out, funds which are badly needed for education are diverted to maintenance of a water system to bring water 2 miles to the campus.

Mr. President, I ask unanimous consent that the letter from Mr. Billy D. Bennett of Strawberry, Ark., be printed in the Record at this point. Additionally, I would ask that a sampling of other letters I have received in recent days be printed in the Record. I emphasize that this is just a small sampling. Further, Mr. President, I would include samples of some of the letters I have received from the Farmers Home Administration telling me of the lack of funds.

There being no objection, the letters were ordered to be printed in the Record, as follows:

STRAWBERRY SCHOOL,
Strawberry, Ark., July 17, 1972.

Hon J. W. Fulbright,
U.S. Senate,
Washington, D.C.

Dear Senator Fulbright: The town of Strawberry has made application to the Farmers Home Administration for funds to finance a water system. The plans for the water system is depending on a 50% loan and a 50% grant. It is our understanding that funds are available for the loan, but the grant funds are holding up the project.

Since our water for the school is located approximately two miles from the school campus, the Strawberry School spent almost $4,000.00 during the 1971–72 school term maintaining a water system for the school. We are sure you are aware that the school operates on a limited budget, and these funds could be spent to upgrade our educational program.

Since our application has been passed over several times in the past, we would appreciate any consideration you could give us in the August meeting of the Farmers Home Administration Board.

Sincerely,

BILLY D. BENNETT,
Secretary, Board of Education.

TUMBLING SHOALS,
Heber Springs, Ark., July 13, 1972.

Senator J. W. Fulbright,
U.S. Senate,
Washington, D.C.

Dear Senator Fulbright: We are residents of the Tumbling Shoals area about 6 miles north of Heber Springs, Arkansas, and are respectfully writing this letter regarding an urgent probiems we have in this community.

The water supply in this area comes from individual private wells. Recently the water from a large sampling of wells were tested and a high percentage found to be unsafe for human consumption. Mr. Pond, Chairman of our Tumbling Shoals water district, has written to you regarding this problem but so far we have seen no evidence of action.

We respectfully request your support in helping us obtain a grant and/or F.H.A. loan to enable us to install an adequate water system. Heber Springs is willing and able to furnish us with water providing we transport it into our homes.

We feel that, in return for our tax money, we should get some help, and in return shall support anyone who gives us that assistance.

Respectfully yours.

T. J. SCHEERER.
JOSEPHINE B. SCHEERER.

JULY 21, 1972.

Senator William Fulbright,
Washington, D.C.

Dear Mr. Fulbright, I am sure that you will be getting several letters from our Community stating our water problem. Our wells have failed, (some gone dry) it seems the more we drill the less water we find.

I raise broilers and have to haul water to them part of the time. What water that some do get is not good for home use and to filter it is almost out of question, for in a short time the well may fail. I have six wells on my ten acres, the last one I drilled I did not put a pump in for it is only four gallons a hour and I did not feel that I could afford a thousand dollars for a well like it. One of our neighbors (about two miles from us) just drilled four wells and no water to speak of. Another, about a mile away, went over three hundred thirty (330) feet and walked off and left it.

We are hoping that you can get together and help us.

We are growing all the time.

We have millions of gallons (in the lake) in our reach if we could get it piped to us.

Heber Springs tells us that they will be glad to sell us the water we need.

We have had several water meetings but that will do us no good if we can not get your help and we need it now.

Sincerely,

JAMES RUSSELL.

P.S. I live in the *Tumbling Shoals* Community but my address is Rt. 3 Heber Springs, Ark. 72543.

TUMBLING SHOALS, ARK.,
July 20, 1972.

Hon. Senator William J. Fulbright,
Washington, D.C.

Dear Sir: We in the *Tumbling Shoals, Ida,* Ark. community are in desperate need of a water system. So far we have been unable to obtain a federal grant. Now we need your help in getting water into this community. We are depending on you to help us now.

We bought property in this community and had a well drilled which does not furnish enough water, and is also very hard water. We have to drive ten miles to do our laundry.

One of our neighbors had four wells drilled on his lot before he got water, and only gets a few gallons an hour. If we don't get a water system we will have to move from this area.

We have supported you in the past in all elections and believe you have our best interests at heart. We will continue to support you if you will help us now when we so desperately need water. If not we will no longer support you in our government.

The surrounding areas got water when we needed water just as bad as they did, if not worse. Now it is our turn. Please help us now so we can continue to live in this community.

Sincerely Yours,

Mr. & Mrs. R. A. Anglin.

July 13, 1972.

Senator Fulbright,
Senate Office Building,
Washington, D.C.

Dear Senator Fulbright: For several years the people of Tumbling Shoals, Ark., have been trying to get a community water system and have had an application in to the F.H.A. office in Little Rock which is under a Mr. Hankin. Once more in August the application will be reviewed. The situation at Tumbling Shoals, Ark., is really acute. Many wells are dry. New drilling is often expensive.

This is in an area of increasing population. The people are desperate for help. Could you please intercede with the Little Rock office so that the Tumbling Shoals Water District application is approved?

Very truly,

Eugene Kreves.

June 12, 1972.

Dear Senator Fulbright: I am writing you in regard to the loan-grant to establish a suitable water supply for towns of Moorefield and Sulphur Rock. This was applied for through the Farmers Home Administration under the name of Rockmoore Assn.

According to my information, funding approval was made June 22, 1971. Would you kindly give this matter your attention as to why the delay?

Sincerely,

Ernestine M. Goff.

June 16, 1972.

J. William Fulbright,
U.S. Senate,
Washington, D.C.

Dear Sir: I am writing in regard to the Rockmoore Water Association, which I understand is already in the making. I am hoping this letter will help us down here for we need that water bad. I built my home here in 1962, ten years ago.

I have carried my drinking water and cooking water all of that ten years. When I had my well drilled, I had the Health Department check it for me, the report came back, "Not fit for human consumption." Now this water isn't diseased but carries too much red clay, iron, and minerals in it.

I am but one in several hundred families that have been doing the same thing I have, but have been carrying water many more years than I.

Again I will say we need this water and if there is anything in your power to make these funds available, help us, we need that water!

Thank you,

Malcolm G. Ford.

U.S. Department of Agriculture,
Little Rock, Ark., February 3, 1972.

Hon. J. W. Fulbright,
U.S. Senate,
Washington, D.C.

Dear Senator Fulbright: We appreciate your letter of January 27, 1972, enclosing a petition signed by residents of the community of Tumbling Shoals, Cleburne County, Arkansas, who are in need of a water system.

We presently have on hand in this office a Standard Form 101 Application requesting a grant in the amount of $121,900 in addition to a loan of $167,300 for the Tumbling Shoals water project. Due to the small amount of grant funds made available to Arkansas for water and sewer projects, we have been unable to place this application on our processing schedule. All grant funds allocated to date for this fiscal year have been obligated for other projects and until additional grant funds are released, the Tumbling Shoals application cannot be processed further.

Mr. W. D. Pond, Chairman of the Tumbling Shoals Water Committee, has been advised that we are holding this application in active status and that it will be given every possible consideration as additional grant funds are made available.

Your interest in the water and sewer program administered by this agency is appreciated.

Sincerely,

Robert L. Hankins,
State Director.

U.S. Department of Agriculture,
Little Rock, Ark., April 14, 1972.

Hon. J. W. Fulbright,
U.S. Senate,
Washington, D.C.

Dear Senator Fulbright: This is in reply to your letter of April 7, 1972 and the correspondence you have had with Mrs. Freeman K. Mobley of Batesville concerning the long delay in processing the application of the Rock-Moore Water Association in Independence County.

The delay, as you may know, is due to the shortage of development grant funds made available to Arkansas for water and sewer projects during the current fiscal year. The project proposed by the Rock-Moore Water Association will require a development grant of $156,000 in addition to a loan in the amount of $257,000. All grant funds were obligated for other projects before we could reach this application.

It is hoped that grant funds for this project will be made available early in the coming fiscal year, which begins July 1, 1972.

We appreciate your interest in this application and assure you that the loan and grant will be approved and processed as soon as funds become available.

Sincerely,

Robert L. Hankins,
State Director.

Mr. FULBRIGHT. Mr. President, this lack of funds for needed domestic programs is not confined to community development programs. We have seen substantial evidence of the Nixon administration's misplaced priorities in the attitude toward public-educational television, child care, school lunch programs, emergency food and medical services and other important human programs. A recent editorial in the Osceola, Ark., Times relates the "phasing out" of the emergency food program in the area. I ask unanimous consent to have an editorial from the Osceola Times printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

EMERGENCY FOOD . . .

We cannot for the life of us understand why the OEO, or the "War on Poverty", would stop the emergency food program. That was the plan where completely destitute people could go to the Neighborhood Service Center and secure a voucher that would allow them to obtain food stamps without any cash at all.

But this has been "phased out."

We have no criticism of the OEO, which is supposed to help the poor people, altho some of its doings are almost a funny as the old WPA and not as beneficial. We like the Head Start and Neighborhood Youth Corps programs and the neighborhood centers are all right.

But what of all of the programs to help the poor could be more important than the emergency food program?

We are told that every day there are people hungry and near starving in this community—yes, in this community. There is no place for them to go, now.

The Nixon Administration which is certainly oriented to the rich people, has cut them off.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1362

Mr. GOLDWATER. Mr. President, I call up my amendment No. 1362, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

At the end of the bill, add a new section as follows:

Sec. 605. Section 301(a)(2)(A) of title 37, United States Code, is amended to read as follows:

"(A) during one calendar month: 48 hours; however, hours served underway in excess of 48 as a member of a submarine operational command staff during any of the immediately preceding five calendar months and not already used to qualify for incentive pay may be applied to satisfy the underway time requirements for the current month;".

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield to me?

Mr. GOLDWATER. I am happy to yield.

Mr. ROBERT C. BYRD. I ask unanimous consent that time on this amendment be limited to 30 minutes, to be equally divided between the distinguished Senator from Arizona (Mr. Goldwater) and the distinguished Senator from Mississippi (Mr. Stennis).

Mr. GOLDWATER. That is perfectly agreeable to me. In fact, I shall not take nearly that time. I would like to explain the amendment, and I hope the chairman will accept it.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO LAY ASIDE THE UNFINISHED BUSINESS AND PROCEED TO THE CONSIDERATON OF THE DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that immediately upon the disposition of the pending amendment by the Senator from Arizona (Mr. GOLDWATER), the unfinished business, H.R. 15495, be temporarily laid aside and remain in a temporarily laid aside status until the close of business today; and that the Senate proceed, upon the disposition of the amendment of the Senator from Arizona, to the consideration of H.R. 15690, an act making appropriations for the Department of Agriculture.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 73) relating to the XXVth Congress of the Interallied Confederation of Reserve Officers to be held in Washington, D.C., the week of August 7, 1972.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12931) to provide for improving the economy and living conditions in rural America.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. Mr. President, I yield myself such time as I may require.

I am introducing an amendment that has twice been passed by the House of Representatives.

Mr. STENNIS. Mr. President, in behalf of the Senate, not myself, I will have to insist that we have order here, so that we can hear. This is an amendment that has not been taken up by the committee, and no one has considered it.

The PRESIDING OFFICER (Mr. BEALL). The Senate will be in order. Senators will take their seats, and will please refrain from engaging in audible conversation.

The Senator may proceed.

Mr. GOLDWATER. Mr. President, I am offering an amendment that has twice been adopted by the House of Representatives. It will make a minor change in the law relating to the incentive pay for members of the submarine operational command staffs. The modification will not add $1 to the defense budget, but will improve the effectiveness of submarine staffs, lift the morale of both staff personnel and the regular submarine crews, and restore equity as between the law authorizing incentive pay for members of the submarine staff and the law relating to flight pay for aviation personnel.

The problem is simple. Under existing law, the members of submarine command staffs whose duties require serving on a submarine during underway operations may qualify for hazardous-duty incentive pay only if they serve 48 hours at sea in each calendar month. The sole exception is that, if the staff member does not meet this requirement for the first month, he may qualify by serving 96 hours in the second consecutive month or 144 hours in the third consecutive month.

That is, the staff member may make up for his past unmet time by lumping all of his at-sea service into the third month of each quarter, but he cannot carry forward time from a prior month to a later month. My amendment would add to this procedure by authorizing staff personnel to accumulate their underway time served, but not used, to qualify for incentive pay in 1 month for purposes of satisfying the hours required in any of the 4 succeeding months. This is similar to the procedure already applied to naval and Air Force pilots so there is ample precedent for it.

Mr. President, it might help to explain the need and reason for this amendment if I would describe just who these submarine command staff personnel are. For they number only 1,082 individuals out of 1,369 staff members and approximately 22,000 personnel presently attached to our submarine forces in the Atlantic and Pacific. The 1,082 staff persons entitled to submarine pay are all professional submariners who are required for staff support of the Atlantic and Pacific submarine force commanders, who are qualified in submarines, and are only those members of the staff who are required to go to sea for the proper performance of their duties. Not every staff member is eligible for at-sea duty, as is indicated by the omission of 287 of them, 20 percent, from the current entitlement list.

All staff members on the list are intimately familiar with the terminology and procedures of submarine operations. They are experienced qualified, informed professionals who are capable of assisting the fleet commander discharge his responsibilities concerning the submarine force. Frequently they accompany him on board the various submarines of his command and sometimes they make independent operational cruises of their own.

Why must the command staff go to sea? A primary function of the force commander is the maintenance of the force in a maximum readiness posture. Obviously, the commander and his staff have no way to assess this readiness unless he and they embark in the ships of the force, maintain their own professional expertise, and continually assess the at-sea force readiness.

In fact, the responsibilities of a submarine operational commander demands some duty at sea. This is because the operation of a submarine force is different in that the communication links normally available between at-sea commands and operational staffs are not present. Generally, the forces at sea may not transmit to the submarine force commander. For this reason, he and his staff must be capable of knowing in advance, precisely how a transmitted directive, a change, a procedural improvement will be translated into action by the at-sea forces. And the only way to know this is for the commander and his staff to serve at sea.

Specifically, submarine staff personnel conduct inspections, evaluations, certifications, and sea trials. They conduct nuclear weapons acceptance inspections, Polaris operational tests, sonar calibration trials, integrated sonar and weapons system evaluations, acoustic trials, and operational readiness inspections, among many other duties.

When it is practical, they are directed to assist the ship's crew underway in matters relating to their expertise or specialized area. In this way, the staff member is expected to serve a dual purpose assignment of performing his staff duties and at the same time temporarily replacing one of the ship's regular crew, who can take opportunities for leave and schools.

In this connection, both submarine force commanders have established policies under which staff personnel and ship's personnel shall be exchanged as much as feasible. For example, officers having served in a similar class submarine may be substituted as an officer of the deck watchstander, and staff enlisted personnel who are radiomen, electronics technicians, sonarmen, quartermasters, storekeepers, or fire control technicians can replace the ship's personnel on a one-for-one basis during underway periods.

The amendment I am introducing today will facilitate this dual assignment purpose by enabling members of the staff to be assigned for service aboard submarines when their presence is most valuable to the ship on which they will serve, instead of when it suits their personal requirements for entitlement to submarine pay.

The trouble with the present law is not that the duration of the at-sea time requirement is unreasonable as a performance criteria, it is simply that the present law is not flexible enough to fit the practical, operational requirements of the modern submarine force.

Of the 129 active submarines in the Navy, 96 now are nuclear and only 33 remain diesel electric. Thus, the capabilities of our new submarines have increased sharply and so have the complexities and numbers of their assigned tasks. In fact, nearly half of the total submarine force consists of nuclear attack submarines, which demand a particularly extended time at sea for training purposes.

Generally, staff personnel must go to sea during periods of 1 to 2 weeks underway, and it is common for them to participate in even longer operations. If the submarine staff could just "bank" this time at sea, they often would not have to go to sea again until 2 or 3 months afterwards, which means they could schedule their desk time more efficiently without monthly disruptions. Under this procedure, staff personnel could choose, and be chosen for, underway operations strictly on the basis of what would be most beneficial to their essential duties and to the ship's operations, instead of what will satisfy their month-by-month incentive pay schedule.

This would not only contribute to the operational readiness of the submarine force by scheduling the at-sea time of each staff member on occasions when his experience and knowledge would make the most sense, but it would ease an irritant to submarine crews by eliminating the practice whereby excessively large numbers of staff personnel now embark on the same ship in order to qualify for submarine pay in the last month of each quarter.

Another reason for changing the present law is that staff members cannot realistically plan ahead for their sea time requirements on a month-to-month basis. The scheduled operations of submarines do not remain static but change based on many variables, such as inspection date changes, sudden deployments, and shipyard delays. Often the staff members themselves have complications in their schedules and are not available to go at sea on short notice in order to accommodate changing ship schedules.

When these considerations are added to the logistical facts that out of the total force of active submarines there may be only 10 ships available for staff participation each week in the Atlantic and four per week in the Pacific and that 12 to 16 individuals is the maximum number of staff personnel who can be reasonably accommodated on one ship at one time, it is evident there is a very serious need for greater flexibility in the at-sea test required of staff members who are eligible for submarine pay.

Let me repeat, Mr. President, this proposal will in no way reduce the minimum underway time requirements set for submarine operational command staff personnel. It will not authorize or result in an increase in the number of staff members permitted to draw incentive pay. Nor will it increase the annual budget required for the payment of incentive pay inasmuch as funds for this pay have been included in budget estimates for all military pay appropriations since 1944.

In summary, the amendment is meritorious and is without any added cost. I hope it will be accepted by the Senate in the spirit of equity toward an important group of our submarine personnel.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. I yield myself 10 minutes.

Mr. President, this amendment has not been before the committee. It was just offered on the floor as a new proposition. If I understand it correctly, it is very much akin to the situation that already prevails with reference to pilots.

Current law requires submarines' operational command staff personnel to accumulate 48 hours of underway time each calendar month in order to retain eligibility for submarine incentive pay. The proposed amendment would permit these personnel to "bank" excess underway time accumulated over the prior 5 months to satisfy the underway time request for the current month. Existing law provides for the "banking" of flight time for airmen but not submarine underway time.

My first point is that it is already law as to the airmen. The airmen who have these odd situations get this extra pay. The submarine men have this extra pay, and properly so. So, in a sense of fairness, if one group is going to have the privilege of banking this time, I think they both should have it.

As I understand it, "banking time" means banking it as the civil service people do with their sick leave. They can accumulate it. This does not involve any money.

I ask the Senator from Arizona if it is his understanding that this does not involve any additional money.

Mr. GOLDWATER. The Senator is correct.

As I pointed out, ever since 1944, this hazard pay, or flight pay, or submarine pay—whatever it is called—has been included in the military pay appropriations. The Senator is absolutely correct in his interpretation of the flight pay, because it is just as hard for a man at a desk job to fly airplanes, to get in the 4 hours a month or the instrument time or night time. They, too, bank, and many of them do make it up all at one time.

Mr. STENNIS. I thank the Senator.

Mr. President, there has been no Department of Defense legislative proposal submitted or Member's bill introduced in either the Senate or the House in this Congress on this matter. The Navy did discuss this matter informally with the committee staff earlier in the year.

So, I think we have all the facts in, Mr. President. I certainly am willing, as manager of the bill, to recommend this to the membership of the committee who are present, and I have conferred with as many of them as I could, that we accept the amendment and let it be voted on, and then we will take it to conference and do with it there the best we can.

Mr. GOLDWATER. Mr. President, I yield back the remainder of my time, but before doing so I would like to thank the distinguished Senator from Mississippi (Mr. STENNIS) who has acted in all fairness on this matter. I repeat, it twice passed the House. The Department of Defense is well aware of it. The members I have spoken to there feel it is only a matter of fairness that this be done.

Mr. President, I yield back the remainder of my time.

I know I speak for all the men that will be affected by this in extending their thanks to the distinguished Senator from Mississippi.

Mr. STENNIS. I thank the Senator for his comments but they do not owe me anything. I appreciate the sentiments, though.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. BEALL). All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Arizona (Mr. GOLDWATER).

The amendment was agreed to.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, as I understand it now, the leadership wishes to take down this bill and go on to another bill which I understand is the appropriation bill for the Department of Agriculture.

Let me repeat that we have tried mighty hard to be ready on these amendments to the bill. There are some that are extraneous matters, like the one the Senator from Maryland has, but he was willing to have that, too, taken down.

I hope now that if Senators are going to introduce any amendments to what I call the military part of the procurement bill—and that is what it is, primarily a military bill, particularly with reference to military hardware—I hope they will bring them forward promptly. We will be ready to agree on time limitations. These extraneous matters are really not part of the subject matter of the bill so that I would have to reserve judgment on them because it takes time to get ready.

I yield the floor.

SENATOR EAGLETON

Mr. SYMINGTON. Mr. President, with respect to a rumor that has been circulated about my distinguished colleague, Senator EAGLETON, I wish to read a statement issued today by Col. E. I. (Mike) Hockaday, superintendent of the Missouri Highway Patrol. The statement reads as follows:

> The only arrest of Senator Eagleton by any member of the Missouri State Highway Patrol occurred on March 11, 1962 in Callaway County for exceeding the night-time speed limit. At the time Eagleton was Attorney General of the State. He passed through a radar check and was stopped and issued a summons. On March 15, he entered a plea of guilty in the court of Magistrate Hugh P. Williamson who fined him $35 and $11 court costs.
>
> Mr. Eagleton had not been drinking. He commendably admitted the violation and settled the case by paying the fine and the costs.
>
> Reports of arrests of Senator Eagleton by members of this Department as alleged by Jack Anderson are untrue. We have no such records in our Department, nor do we have any knowledge of any arrests involving alcoholic beverages on the part of Senator Eagleton.

DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

The PRESIDING OFFICER (Mr. BEALL). Pursuant to the previous order, the Chair now lays before the Senate H.R. 15690 which the clerk will state.

The legislative clerk read as follows:

Calendar No. 933, H.R. 15690, making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1973, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged to neither side.

The PRESIDING OFFICER (Mr. TUNNEY). Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, I yield myself such time as I may require—and it will not be long.

I ask unanimous consent that the committee amendments be considered and agreed to en bloc and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be waived by reason of the agreement to that request.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendments are considered and agreed to en bloc.

The amendments, agreed to en bloc, are as follows:

On page 2, line 14, after "5 U.S.C. 3109" strike out "$11,112,000" and insert "$10,312,000".

On page 4, line 5, after the word "Agriculture", strike out "$4,110,000" and insert "$4,147,000".

On page 4, line 14, after "$100", strike out "$181,922,000" and insert "$200,918,400"; on page 5, line 1, after the word "than", strike out "$11,178,900" and insert "$11,968,700"; and, in line 15, after the word "That", strike out "$2,310,000" and insert "$10,705,000".

On page 6, line 14, after "(7 U.S.C. 1704 (b) (1) (3))", strike out "$10,000,000" and insert "$20,000,000".

On page 7, line 10, after the word "law", strike out "$287,404,000" and insert "$295,454,000".

On page 9, at the beginning of line 19, strike out "$4,944,000" and insert "$6,944,000"; in line 21, after "(16 U.S.C. 582a–582a–7)", strike out "$15,400,000" and insert "$15,600,000"; on page 10, line 1, after the word "program", strike out "$400,000" and insert "$600,000"; in line 3, after the word "projects", insert "$2,000,000 for grants for facilities under the Act approved July 22, 1963 (U.S.C. 390–390k);"; and, in line 13, after the word "all", strike out "$89,938,000" and insert "$94,138,000".

On page 10, line 21, after the word "agents", strike out "$118,358,000" and insert "$123,358,000"; on page 11, line 9, after "$1,450,000", insert "payments for special cotton cost-cutting education work under section 3(d) of the Act, $500,000;"; and, in line 14, after the word "all", strike out "$179,668,000" and insert "$185,168,000".

On page 12, line 24, after the word "laws", strike out "$22,800,000" and insert "$22,936,000".

On page 13, line 24, after the word "products", strike out "$17,086,000" and insert "$18,572,000".

On page 15, line 4, after "5 U.S.C. 3109", strike out "$34,174,000" and insert "$34,210,000".

On page 15, line 15, after "(7 U.S.C. 1623 (b))", strike out "$1,750,000" and insert "$2,500,000".

On page 17, line 9, after "(7 U.S.C. 1621–1627)", strike out "$1,955,000" and insert "$2,155,000".

On page 17, line 20, after "(7 U.S.C. 1766)", strike out "$25,536,000" and insert "$26,074,000".

On page 22, line 1, after "(15 U.S.C. 713a–11, 713a–12)", strike out "$3,832,952,000" and insert "$4,057,952,000".

On page 23, line 11, after the word "Agriculture", strike out "$250,000" and insert "$350,000".

On page 23, line 20, after "(16 U.S.C. 590a–f)", strike out "$20,867,000" and insert "$26,000,000".

On page 24, at the beginning of line 20, strike out "$545,000,000" in insert "$595,000,000" and, in line 22, after the word "program", strike out "$125,000,000" and insert "$145,000,000".

On page 27, at the beginning of line 15, strike out "$37,000,000" and insert "$470,000,000"; and, in the same line, after the word "than", strike out "$350,000,000" and insert "$450,000,000".

On page 27, line 13, after "(7 U.S.C. 1926)", strike out "$100,000,000" and insert "$200,000,000"; and, in line 18, after the word "covered", insert a colon and "*Provided*, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973."

On page 27, at the beginning of line 26, strike out "$2,500,000" and insert "$5,000,000".

On page 30, after line 5, strike out:

AGENCY AND REGIONAL MANAGEMENT

For agency and regional management expenses, including official reception and representation expenses (not to exceed $2,000), hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; $41,960,400.

RESEARCH AND DEVELOPMENT

For research and development activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate of GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only at a price to members lower than to subscribers who are not members; $182,723,700, to remain available until expended; *Provided*, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973.

For an amount to provide for independent grant and contract review advisory committees for the review of the Agency's priorities to assure that such contracts and grants are awarded only to qualified research agencies or individuals, $2,500,000.

ABATEMENT AND CONTROL

For abatement and control activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subcribers who are not members; $208,935,700, to remain available until expended: *Provided*, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973.

For an amount to provide for independent grant and contract review advisory committees for the review of the Agency's priorities to assure that such contracts and grants are awarded only to qualified research agencies or individuals, $2,000,000.

For an amount to provide for conservation and pollution abatement practices including animal waste storage and diversion facilities and disposal of solid wastes, to be transferred to the Rural Environmental Assistance Program of the Department of Agriculture for liquidation of contracts under the 1973 program $30,000,000, to remain available until expended.

ENFORCEMENT

For enforcement activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; $28,894,200.

On page 32, after line 18, insert:

OPERATIONS, RESEARCH, AND FACILITIES

For necessary expenses of the Environmental Protection Agency, including official reception and representation expenses (not to exceed $2,000); hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5091–5902; services as authorized by U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; $491,514,000, to remain available until expended: *Provided*, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973.

On page 34, line 9, after the word "Council", strike out "$310,000" and insert "$323,000".

On page 35, line 7, after the word "expended", strike out "$155,069,000" and insert "$165,069,000".

On page 36, line 23, after the word "expended", strike out "$7,122,000" and insert "$8,122,000".

On page 37, line 14, after the word "expended", strike out "$132,099,000" and insert "$135,000,000".

On page 38, line 9, after "(16 U.S.C. 590p)", strike out "$18,113,500" and insert "$20,000,000".

On page 42, line 6, after "1971", strike out "$1,033,000" and insert "$1,118,000".

On page 42, line 14, after the word "Finance", strike out "$320,000" and insert "$413,000".

On page 44, line 5, strike out "$92,123,000" and insert "$97,123,000".

Mr. McGEE. Mr. President, the appropriations bill for the Department of Agriculture, Environmental and Consumer Protection Agencies, which is now the pending business before the Senate appropriates approximately $13.4 billion. This amount is nearly $500 million over the House bill, and it is $442 million over the budget estimate. However, it is about $570 million less than the appropriations bill for last year.

Mr. President, these remarks will be short and to the point. A detailed discussion of the bill and the precise figures will be found in the report of the committee which has been made available to each Member of the Senate.

I shall highlight the major figures and will be happy to try to answer questions. However, before I do, I want to express in this public way my appreciation to my colleague, the Senator from Nebraska (Mr. Hruska), the ranking member of the appropriations subcommittee on this matter, for his leadership in pursuit of these many complex questions.

Mr. President, the pending bill has become very much a mixed bag of many things, only a few of which are farm problems or which relate to farmers' appropriations. Nonetheless, we do the best we can, we hope with a sense of equity, fairness, and balance, in order to try to legislate and appropriate wisely on these very substantial and somewhat costly matters. This is indeed a bipartisan bill, as those of us who have worked on it can attest. The bill as now reported to the Senate was reported out by the subcommittee and by the full committee without a single dissenting vote this year. That would attest to the fact that on this question we have tried to take a long look at it in the broadest possible perspective and have found a consensus on the Appropriations Committee.

I would also like to mention that one of the most helpful individuals in putting these pieces together was the Senator from North Dakota (Mr. Young), the ranking minority member on the Appropriations Committee. The Senator from North Dakota has been involved, as the Senator from Nebraska (Mr. Hruska) has been, for many years with the intricacies of this difficult area of interest. I must say again, as I had occasion to say last year, that as a novice in this business I have learned a great deal at the feet of both of my colleagues, the Senator from Nebraska and the Senator from North Dakota.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. McGEE. Mr. President, I yield to the Senator from North Dakota.

Mr. YOUNG. Mr. President, I would not characterize the Senator from Wyoming as a novice. He is really quite an authority. I do not know of an agricultural appropriations bill that has ever been handled better than the pending bill has been handled by the Senator from Wyoming (Mr. McGee) and the Senator from Nebraska (Mr. Hruska). They have given it their most careful consideration and have held long hearings and have listened patiently to every witness. And I think that they have come up with a bill that is a credit to the Senators and to the Senate.

I am most grateful to my distinguished friend from Wyoming for his very kind comments.

Mr. McGEE. Mr. President, I thank the Senator from North Dakota for his kind remarks. I want to say that the reason I listened so intently during the 100 hours or so of hearings was that I knew so little about the matter that I wanted to catch up with where the other Senators were by virtue of their experience in the matter.

Before I discuss the particular items of the bill I would like to point out to my colleagues that this bill is presented here today on behalf of the committee after lengthy and detailed consideration of the bill by the subcommittee and the full committee. The subcommittee devoted 18 days to hearings and the printed record of these hearings consists of some 2,686 pages of testimony. In addition to the departmental and administration witnesses, we had several days of testimony devoted to Members of Congress and public witnesses. During the course of these hearings, I believe the subcommittee received an excellent overall view of the several programs included in this bill and, as a result of this broad presentation at the hearings, the subcommittee was in a good position to view and evaluate all of the testimony and the various amendments that were presented to it for consideration.

I would point out too, Mr. President, that this is a bipartisan bill, in a true sense. I am happy to say that the bill, as now before the Senate, was reported out of both the subcommittee and the full committee without a single dissenting vote on the bill itself or any of the 100 or so amendments which were considered. This, I feel, is significant and I want to express my personal appreciation to all members of the subcommittee and the full committee for their assistance, and for the spirit of cooperation which has been exhibited throughout all of our deliberations on this bill.

I would like to express my particular thanks and gratitude to the ranking minority member of the subcommittee, Senator Hruska. The Senator from Nebraska, of course, has been a most effective spokesman for agriculture for many years. He and I have been closely associated on many causes in past years, including service as members of the Food Marketing Commission and as cosponsors of the Meat Import Act of 1964, which has received considerable attention in recent weeks. It is always a pleasure to serve with him and I know well from past experiences that you can count on him and his good and steady judgment. During the course of our committee deliberations, both Senator Hruska and his staff man, Dick Nolan, have been of great assistance and I want them to know that I appreciate it.

Also, I would like to mention that our subcommittee is most fortunate to have as one of its regular members the ranking Republican on the full committee, Senator Milton Young. Senator Young has been a proven friend of agriculture and rural America for several years and his advice, counsel, and support for the programs of rural America are always most welcome and appreciated.

As I indicated previously, the Senate bill as now proposed, is almost $500 million over the House bill. I would like to review some of the major items of increase.

The Senate added $225 million to the House bill to restore the losses incurred by the Commodity Credit Corporation for realized losses as a result of the operation of the commodity programs. This addition will restore this figure to the budget estimate which the committee feels is essential. These losses have been incurred in the operation of CCC through June 30, 1971, and the committee feels that these reimbursements should not be permitted to become delinquent—as has been the case in some years past.

The committee added $50 million to the House bill for the electric loan program of the REA, and $20 million for the telephone loan program. It is clear from the record and from the testimony received by the committee this year, from both administration and public witnesses, that these additions are necessary. Both the electric and telephone programs have been experiencing ever-increasing backlogs on loan applications. Both of these programs are now being assisted by outside sources of financing which were developed largely through the initiative of the co-op members of their associations. I am confident that these outside sources of financing will provide considerable assistance in the future, but in the meantime it was the unanimous opinion of the subcommittee and the full committee that these additional appropriations are necessary.

I would point out, however, that these appropriations—both in reference to the electric and telephone programs—are not grants, but loans that will be repaid to the Treasury of the United States with interest. They are not handouts, but loans. There are no programs of which I am aware that contribute more to the development and well-being of rural America than these programs. They contribute greatly to the comfort of rural America, to the efficiency of the farm operator, and to the economic development of our rural areas. With the increased emphasis that is being placed on rural development, it is difficult to overemphasize the role of the rural electric and the rural telephone programs.

The committee added $100 million to

the water and sewer grant program of the Farmers Home Administration. It has been brought to the attention of the committee that hundreds of small communities across the Nation—in all sections of the country—are severely limited in their growth and development by lack of adequate water and sewer facilities. Unfortunately, their tax base is insufficient to allow them to finance these badly needed improvements through bond issues or loan programs. If these communities are to be assisted—and I feel they must be assisted if we are to give anything but lipservice to rural development—we must support this grant program. Figures clearly indicate that even at the annual level of $200 million, as proposed by the committee, the present need clearly exceeds the resources but, in taking this action, the committee feels that we are at least taking a small step forward.

For the Agricultural Research Service, the committee has provided funds of approximately $19 million over the House bill. These additions are comprised of various amendments, the details of which can be found on page 8 of the committee report.

The committee also restored $10 million which was reduced by the House from the scientific activities overseas program of ARS.

The committee increased the appropriation for the Animal and Plant Health Inspection Service more than $8 million from the House figure. The major part of this increase is to provide increased personnel for inspection of overseas slaughter and packing plants which ship meat and meat products into the United States. It is clear from recent Executive action that we will be experiencing increased meat imports in the months ahead, and the committee felt that to protect the consuming public, the level of inspection of foreign plant facilities should at least keep pace with the increased level of imports.

The committee increased the appropriation for cooperative State research by more than $4 million, and the extension budget by more than $5 million over the House bill. The principal item of increase in the latter program was for expansion of the 4–H program. The committee was quite impressed with the expansion of the 4–H programs into urban areas. It is now serving the youth in many inner city areas with programs that were originally designed and operated for the sole benefits of our rural youth. This expansion should be encouraged and the committee has therefore included funds for further enlargement of this fine program.

For various activities of the Soil Conservation Service, the committee has included funds of approximately $20 million over the House bill. With the increased emphasis that is being placed on environmental and conservation matters today, many people fail to realize that the Soil Conservation Service has been on the frontline of environmental and conservation programs for more than 35 years. It should be noted that in recent flood disasters which occurred in the Eastern United States, flood prevention and control projects of the Soil Conservation Service performed extremely well. To my knowledge, no SCS dam or other structure failed and it is difficult to predict what savings resulted—both in terms of property and human life—by the activities of the SCS. One has only to look at their projects in the Washington, D.C., area to realize the contributions this agency has made in the areas of conservation and flood control. Compared to these savings, the addition which the Senate committee has made becomes rather insignificant.

Another significant addition made by the Senate committee was $24,500,000 over the House bill for programs of the Environmental Protection Agency. This results in an increase over the budget estimate of $45.5 million, or an increase of approximately 10 percent over the budget estimate. Included in the EPA appropriation in the House bill was $30 million for the rural environmental assistance program in the Department of Agriculture. The Senate committee deleted this appropriation from EPA and placed it directly in the REAP advance authorization so that a REAP program of $225,500,000 may be carried out in the year ahead.

The committee stayed with the House bill and the budget estimate on most of the food and nutrition programs, although we did add $5 million to the budget request for the special milk program. New legislation is pending for the school lunch and child nutrition programs and it is not possible to predict at this time what final action will be taken in reference to these programs, or when such action will become finalized. For that reason, the committee did not approve any of the amendments which were proposed, based on the pending legislation, but realizes that some modifications in the appropriated resources might be necessary at some later date—depending on the final outcome of the pending bills.

Mr. President, that concludes my general statement on the bill. We provided several other amendments of a comparatively minor nature which I shall not take the time to discuss on the floor here today. As I indicated, however, if any Member has any questions on the bill or any action taken by the committee, I shall be most happy to respond.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. McGEE. Mr. President, I yield to the distinguished Senator from Georgia.

Mr. TALMADGE. Mr. President, as chairman of the Senate Committee on Agriculture and Forestry, I have the privilege of serving as a member of the Appropriations Subcommittee on Agriculture. I would be remiss in my duties if I did not pay tribute to the distinguished chairman of the Subcommittee on Agriculture, Environmental and Consumer Protection on Appropriations (Mr. McGee) and the distinguished Senator from Nebraska (Mr. Hruska), and also the Senator from North Dakota (Mr. Young), who also serves on the Committee on Agriculture and Forestry and is one of the ranking minority members of the Appropriations Committee.

I know how diligently and how hard the members of this committee have worked. After all of the testimony that they have listened to and the many complex problems that they have had to resolve, I think that they have reported a good bill.

As the chairman pointed out, it is a bipartisan bill, a bill that is fair to all areas of the American people.

As the chairman also pointed out, a great majority of the money appropriated in this bill by the committee does not go for specific agricultural purposes at all, but for child and school nutrition programs, nutrition programs for poor and needy families, for consumer protection, for REA and Rural Telephone programs, for rural housing, water and waste disposal programs, and for many other worthy programs that serve the great masses of the American people, rural and urban alike.

I wish to pay my respects to the members of this committee, on both sides of the aisle, who have worked so diligently and performed so well in carrying out their duties in such a diligent manner.

Mr McGEE. Mr. President, I thank the Senator from Georgia for his kind comments. He is too modest to remind us that all of this has come about as a result of the teamwork between his committee and our subcommittee. That teamwork has been superb and the leadership of the Senator from Georgia has made this an easy task for the rest of us on the Appropriations Committee.

We always look to him for his guidance and his direction.

Mr. President, with that I am prepared to yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HRUSKA. Before commencing my comments on the provisions of this bill, I would like to pay personal tribute to the sound, careful, and thoughtful manner in which this bill has been handled by the chairman of the subcommittee, the distinguished Senator from Wyoming (Mr. McGee), Speaking from long experience with this bill, I can assure the Members of the Senate that it is not a simple bill to handle. Senator McGee is certainly to be commended for managing this bill in the longstanding tradition of providing an open and fair hearing for all those divergent groups of people across our Nation who have desired to express their opinions and recommendations for this bill and the many and varied programs covered and supported by these appropriations. Unselfish and long hours of work by the chairman of this subcommittee has given hundreds of departmental and public witnesses the opportunity to make their recommendations for each of these programs known. Under his stewardship, each program has been carefully reviewed. It has been a pleasure to work with him on this bill, and I look forward to serving with him in the future.

One of the best tributes that I can think of to his leadership on the subcommittee consists of the fact that when we called the subcommittee session for the purpose of marking up the bill, out of the potential 14 people that would have been eligible to appear, 11 did show up notwithstanding the heavy competition for time that exists in the daily lives of all Members of this body.

The bill received the same unanimous approval in the subcommittee as was true in the entire committee.

Mr. President, the same tributes apply to the senior Senator from North Dakota (Mr. YOUNG), the ranking Republican member of the Appropriations Committee.

Our subcommittee has been fortunate in having a new appointed member of the Senate Appropriations Committee serve with us this year. Senator MARK HATFIELD, of Oregon, has brought to our subcommittee great insight and judgment. He has actively participated in our examination of the many programs subject to this bill and has served exceptionally well in chairing hearings during times when the chairman was necessarily absent. His deep understanding of the needs of the Pacific Northwest is a great asset to our subcommittee.

I would like to pay tribute to the work of Dudley Miles, who is the clerk of the subcommittee. He has performed his duties well. I would also like to pay special tribute to Mr. Edmund King, who served as minority staff assistant for the past 10 years and who retired on June 30 this year. Mr. King came to the Appropriations Committee after many years of distinguished service with the late Senator Bridges, of New Hampshire. We will miss the excellent assistance of Ed King. My best wishes go with him in his future pursuits.

This bill has a broad base of responsibilities. The bill covers diverse programs and is divided into four main titles:

Agricultural programs	$6,235,814,800
Rural development	1,077,636,000
Environmental protection	2,984,985,000
Consumer protection and services	3,096,516,000
Total	13,394,951,800

The recently adopted title of the subcommittee, the Agriculture, Environmental and Consumer Protection Subcommittee, reflects the true nature of this bill as it is now and has been in the past.

This bill has in fact always been an environmental protection and consumer interest bill. The new title of this bill and the expanded coverage of its programs reflect the true purpose of this appropriation.

Misconceptions are held by many that this bill is a narrow one for farm interest programs. That is not the fact because, as was pointed out by the Senator from Georgia, a large portion, in fact, the greatest portion of the bill and the amounts appropriated, goes for those programs which are directed toward related interests rather than only farm interests.

It is truly the urban consumers who reap the bountiful harvests of these programs. Farm production climbed to a new high record in 1971. This meant continued abundance for American consumers. American consumers today pay only 16 percent of their after taxes income for food. This cost for food is the smallest proportion of income ever achieved by any nation in history. It is expected that in 1972 American consumers will be spending less than 16 percent of their income for food.

During the past year, agricultural exports set alltime records for volume, value, and commercial sales for dollars. These exports contributed a net of almost $1 billion to the Nation's balance of payments. The future for increasing agricultural exports is indeed heartening. If farm export delivery can be assured the best estimates are that the export trade future of agricultural commodities will continue to expand. It is becoming increasingly clear that to assure our foreign consumers of timely delivery of these products, steps will necessarily need to be taken to reduce the drastic effects that transportation strikes have on our ability to deliver.

AGRICULTURAL PROGRAMS

In the area of agricultural improvement, this bill provides funds of slightly more than $200 million for agricultural research. This amount is an increase of nearly $25 million above what was made available last year. This funding is essential if we are to maintain America's undisputed position as first among the nations of the world in providing food and fiber for our population. Currently, we depend on only about 5 percent of our population to produce food. This efficiency of production is remarkable. It would have been thought impossible only a few decades ago. If we are to insure this abundance for our future generations and for those in other lands, we must continue to pursue these well-conceived and farsighted programs.

This year's appropriations bill will support research programs on farms for improving breeding, feeding, and management practices and for the control of disease and parasites which cause loss of efficiency in production. Funding will be made available to provide for research and development in the utilization of agricultural products. There are programs which will provide needed research for nutrition and consumer use of agricultural commodities. There will be more intensive research on reducing marketing costs while maintaining product quality.

Some of the more important programs in these areas are reasonable methods of predator control, research on the alleged carcinogenic effects of DES, establishment of a Tropical Agricultural and Training Center, and other important programs which will in years to come provide our Nation with assured abundance of food, feed, and fiber

During the past year, a number of poisons used to control predators were ordered withdrawn from use due to the lingering residues which may have caused great harm to the lives of nonpredator animals and eventually to human life. As a result of this withdrawal, ranchers were left without an effective method of combating losses of their herds and flocks to predators. Funds will be provided by this bill to study reasonable and acceptable methods of predator control. This bill calls for an additional $1 million to provide this needed research on an accelerated basis.

Recently, much concern has been raised by a possibility of the estrogen DES having carcinogenic effects when used as a growth stimulus for beef cattle. This year's bill will provide $100,000 to conduct research to determine what harmful effects, if any, the use of DES could produce. These funds will initiate a 3-year study, with a total cost of $237,500. This research will be conducted in coordination with the regulatiory programs undertaken by the Food and Drug Administration. The importance of using this artificial growth stimulus may be readily seen in that the cost of better cuts of beef would be increased by nearly 15 cents per pound, if DES were withheld from feeding programs.

Although a program for the establishment of a Tropical Agricultural and Training Center was authorized by the Congress in 1966, no funds have been provided for this program's implementation. This year's bill provides $1,900,000 to establish these centers.

The U.S. Meat Animal Research Center at Clay Center, Nebr., provides research for meat animals including cattle, sheep, and swine. This bill will provide staffing of the existing facilities under phase I of this program, construction requirements under phase II of the program, and planning requirements for the third and final phase. I am happy to report that upon completion of this project, meat animal producers will be able to more efficiently provide a higher quality of meat for American consumers with a resultant savings by the consumers.

The goal to be achieved by these ambitious programs will in the months and years to come be of great benefit to all Americans.

The Animal and Plant Health Service was established by the Secretary this past year. It is the purpose of this service to control and eliminate diseases and pests. This bill will provide nearly $300 million for that purpose which is more than $40 million above the amount appropriated last year. In this year's budget, the Department of Agriculture has recommended that $300,000 be used for the planning and design of the proposed animal quarantine station at Fleming Key, Fla. It is clear that this is a high priority item of the Department of Agriculture. Upon the completion of plans and designs for this project, the subcommittee will urge that construction and staffing of this facility be completed at the earliest possible date. It is my hope that these facilities will become operational by the end of 1974.

NUTRITION

One area of this budget which amounts to over one-fourth of the total appropriation under this bill is devoted to the massive national drive against hunger and malnutrition. The national commitment to eliminate hunger in America has now become a realistic hope. Since 1969, the number of needy persons helped by food stamps and commodity distribution programs has risen from 6.9 million to more than 14.8 million participants. The total value of bonus food stamps has risen from $20 million a month in 1969 to a level of $150 million at the end of calendar year 1971.

The number of needy children receiving school lunches rose to over 8 million last year and is more than double the number 2 years earlier. The food and nutrition education program carried out by Extension Service continued to grow last year and now benefits more than 600,000 families included in this program.

RURAL DEVELOPMENT

In the past few decades, America has experienced a decline in rural population and a resultant increase in urban population. This shift in population has created a tremendous burden on our rural and urban communities. The rural areas in the past have suffered a shrinking tax base, inadequate social services, and an inability to generate useful jobs. The urban communities have conversely suffered from the increase of large populations where existing community facilities and services and employment needs are inadequate. If we are to reduce this migration and the many problems which follow it, the rural areas must be developed so as to provide adequate and attractive community facilities and services. The requirements for employment, school, water and sewage systems, electrical and telephone systems, housing, medical, and numerous other services must be provided for. The present funding level for rural development programs is more than double what it was 3 years ago. This bill increases by nearly $6 million, funds for Research Conservation and Development. The bill provides $595 million for rural electrification loans and $145 million for the telephone program loans. This is an increase of nearly $70 million over last year's funding.

Under the rural development title of this bill, a total of $370,966,000 will be made available for Farmers Home Administration. This is over $160 million increase above the amount available last year. This additional amount will provide among other things an increase of $100 million for rural water and waste disposal grants. These expenditures are absolutely essential if this country is going to maintain our small rural communities and halt the influx of rural people into the over-populated urban areas. The enhancement of rural community services will also have the salutory effect of encouraging the burgeoning urban populace to return to nonurban areas.

ENVIRONMENTAL PROTECTION

The amount available under this bill for environmental protection programs is $2,984,985,000. This figure which comprises nearly one-fourth of the total bill represents a decrease of slightly more than $500 million less than was made available last year. This decrease is due in general to a carryover from the fiscal 1972 budget of $500 million for basic water and sewer facility grants.

Other important programs funded under this Title are $1,900 million for construction grants by the Environmental Protection Agency; $339,798,000 project funds administered by the Soil Conservation Service; and $225,500,000 for the rural environmental assistance program. These programs are being maintained at nearly the same funding level as last year.

CONSUMER PROTECTION AND SERVICES

Title IV of the bill will provide funding for such important programs as the Office of Consumer Affairs in the amount of $1,118,000; the Food Nutrition Service in the amount of $2,909,565,000; the Food and Drug Administration for food, drug and product safety in the amount of $159,623,000; and the Federal Trade Commission in the amount of $30,474,000 to protect competitive enterprise and to protect consumers from unfair and deceptive trade practices.

The total amount provided for under this title of the bill is $3,096,516,000 which is $289,134,000 above the amount made available last year.

SUMMARY

In conclusion, I would like to point out that this year's agriculture, environmental and consumer protection appropriation bill is nearly $600 million less than last year's bill. The principle reductions have been made in the agricultural portions of the bill through reductions in manpower costs. Funding for high priority programs such as agricultural research, rural development, consumer protection services, and nutrition services have received increased funding.

Mr. President, this is a well worked out bill. We believe the priorities have been balanced and assigned with a great deal of care. We believe they are sound and logical and it is our hope we will be able to sustain them against any amendments that might be proposed.

I yield back the remainder of my time.

Mr. MOSS. Mr. President, I intend to call up an amendment. Before I do let me say I recognize the great work that has been done by the chairman and the ranking Republican member of the subcommittee of the Committee on Appropriations on this bill, the contributions of the chairman of the Committee on Agriculture and the ranking minority member of the full Committee on Appropriations. I want to indicate that I think the bill has been worked out carefully and it does, indeed, provide funds for many, many important programs in our country dealing with nutrition and better facilities for our people, and continues the wonder that has been worked in this country in agriculture production.

I do have an amendment that I think must be brought up. Therefore, I ask that my amendment, No. 1368, be stated.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

SEC. 509. None of the funds appropriated by the Act may be expended for the purpose of (1) carrying out a price-support program for tobacco, (2) paying an export subsidy to any person for the export of tobacco, (3) advertising or otherwise promoting the sale of tobacco, (4) financing directly or indirectly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, as amended, or (5) inspecting or grading tobacco.

This section shall not apply to tobacco planted and in process prior to the date of this Act.

Mr. MOSS. Mr. President, my amendment has been stated and I am sure it does not come as a great surprise to my colleagues that I again rise on this important subject.

This is a relatively simple amendment which has a far reaching impact. We have going in this country, a major effort to combat the effects of cigarette smoking. We spend several hundred thousand dollars to publicize the health hazards of cigarette smoking. We spend several hundried thousand dollars to develop ways to help those who wish to stop smoking. We spend several hundred thousand dollars to create cigarettes which are less hazardous for use by those who wish to quit but find that they are unable to do so. And, we spend millions and millions and millions of dollars supporting the growth, export, advertising, promotion, and grading of this deadly plant which will result in the deaths of more than 50,000 people during the next year from lung cancer, not to mention heart disease, other cancers, and chronic nonneoplastic lung diseases such as the dreaded crippler emphysema.

How can we face our young people and tell them of the virtues of our form of government, when the left hand and right hand are working at cross purposes?

We in the Congress are no less at fault than the executive branch. For today, we consider the agriculture appropriations bill with some $60 to $70 million which will be spent in support of tobacco, and only a few weeks ago we considered the HEW appropriations bill with some $3 or $5 million to dissuade people from smoking, to develop methods to help those who wish to stop smoking, and to provide funds for research on smoking.

I have been asked, "How can we terminate assistance to hard-working farmers struggling to make a decent living?" That is an important question and I have introduced legislation as an answer to that problem. But in our consideration of the pending amendment, the questions must not be diverted. We must ask ourselves, "How can we afford to encourage the growth of a crop which will lead to the death of thousands of Americans?"

Now, I know the arguments that will be thrown out here. First, there will be the skeptics who will say that there is no scientific evidence of the health hazards brought on by tobacco. Even if it were true—and, of course, that is a completely fallacious argument—the Congress has acted and has declared that cigarettes are a health hazard. The Congress must now go to a second step and cut off the funding for this hazard.

I have here on my desk six reports, all of which have been filed by the Surgeon General of the United States, coming in subsequent years from the initial report and everyone confirming and emphasizing and reemphasizing the growing peril of disease that comes from the habit of cigarette smoking.

The second argument is that we will deprive the farmers of their livelihood. As I already stated, I have proposed legislation which takes care of that problem. Additionally, I find it strange that those very individuals who decry the poverty of the tobacco farmers are the ones who supported the amendments to the Agricultural Adjustment Act which effectively eliminated the guaranteed minimum half-acre allotment for burley tobacco. So the poor tobacco farmer held on a pedestal by those who oppose amendment No. 1368, has already been betrayed by his elected Representatives.

Mr. President, should the United States spend between $60 and $70 million per year in support of a crop which is one of the major causes of death and disability among the people of the world? Of course not. The time has come to say "enough" and I trust that my colleagues who have the interests of all of the people will join me in support of amendment No. 1368.

The amendment would preclude the use of any of the funds appropriated under the act for, first, carrying out a price support program; second, paying an export subsidy; third, advertising or promoting the sale of tobacco; fourth, financing the foreign sale of tobacco under the Agricultural Trade Development and Assistance Act of 1954; and fifth, inspecting or grading tobacco.

I think it particularly important to point out to my colleagues that no other crop save cotton is supported with free inspection. It is my understanding that the cost of the cotton inspection is more than paid back to the Government through certain other activities in the Department of Agriculture's handling of that crop.

This is a case, Mr. President, which I have called schizophrenia, in that we look in two directions. If we are taking up a health bill, we of course restrict the use of tobacco and we spend money to educate people not to use tobacco, and we spend money on research on how to deal with the disease caused by tobacco, and we spend money to develop systems to help people who have become addicted to the use of tobacco to break the habit if they wish to do so. We have come a long way down that road and we have made substantial progress.

We now prohibit by law the advertising of tobacco on television and radio. We are not alone. Canada recently adopted similar restrictions. Many European countries have them. Tobacco has become known as one of the great killers worldwide and a great cause of disease; yet while we are doing that, we continue to support tobacco prices or to encourage farmers to plant tobacco.

Admittedly, when the growing of tobacco in this country first began, it was not medically known that tobacco had the harmful effects it does. Therefore, we have a long history of growing tobacco and processing and selling it. But that time has passed. The time now is to withdraw our money from support of tobacco and move that money into an area that will encourage those who make their livelihoods from tobacco to shift over to some other kind of farming, or some other business, where the outcome will not be harmful to the health of the people of this country.

Mr. President, the pending amendment was presented last year. It was not adopted. It is being introduced this year. I have made many efforts to have legislative committees consider this matter and have it made a part of authorizing legislation, but I have been unsuccessful. It seems to me that if the Senate is going to deal with this problem, it must deal with it here and now in the appropriations for the Department of Agriculture.

Therefore, Mr. President, I urge that this amendment be adopted and that moneys in the budget, and in the bill before us, that are directed toward the price support or processing or advertising or otherwise encouraging the use of tobacco be deleted, which I think would be well in line with the pleas of the President which appear in the headlines of our newspapers today asking Congress to hold down on appropriations, to put a ceiling on what we spend, and not spend money for unnecessary things. In this case we are being asked to spend money to promote a crop which we have already appropriated money to help people not use because of the health hazard.

Mr. McGEE. Mr. President, I yield 5 minutes to the senior Senator from Georgia (Mr. TALMADGE).

Mr. TALMADGE. I thank the Senator.

Mr. President, farm programs have been under attack for a number of years now. Time after time opponents of farm legislation have used every trick in the book to discredit, degrade, and criticize producers of our food and fiber.

And it seems to me, Mr. President, that as the farm population, and number of farms decrease, the shrillness of the opposing voices increases in direct proportion.

Mr. President, the amendment now before the Senate would accomplish the same purposes as the amendment offered by the distinguished Senator from Utah last year. And the same arguments apply against it.

This is a most vicious amendment. It would, in effect, abolish the tobacco program as we know it.

All of the purposes of the amendment are aimed directly at the hearts of tobacco growers.

It would literally destroy the program, and the honest God-fearing people who participate in that program.

It would literally confiscate their property by Government fiat.

It would literally make beggars out of self-supporting, self-reliant people.

And for what, I have no answer. For I can see no earthly good in this amendment.

The only thing it will accomplish is to make paupers out of tobacco growers, and cause harm to our national economy.

The purpose of tobacco programs is to stabilize production and assure fair prices to growers.

At the present time, there are about 515,000 tobacco farms in the United States. About 2 billion pounds of tobacco are produced on about 899,000 acres on these farms.

On many farms more than one family depends upon the income from tobacco sales. So about 625,000 farm families share in the proceeds from tobacco sales.

The average size of a tobacco allotment is 1.68 acres. And yet, tobacco is one of the few crops that can still utilize family labor and provide a reasonable income in a small farm. Thus it represents the strongest bastion of the small family type concept.

However, if the program is abolished, farm tobacco prices, and land values would drop precipitiously. Farm income would become a negative factor in many instances. Production would decrease, while imports would probably increase. Growers would be forced off their farms. Many would go onto welfare rolls to increase the cost of this program. Some would be forced to move to urban areas where problems already exceeds resources in many cases.

The whole economy of tobacco producing areas would be adversely affected, disastrously in many instances.

There would be no benefits to anyone if this amendment were adopted.

Of course, the proponents of this amendment will say they saved the Government money because subsidies will be prohibited.

But what is the cost of the tobacco program to the Government?

In fiscal year 1971, the realized loss on the tobacco price support program amounted to only $99,898. That is it. Export payments on tobacco totaled $29.1 million. And sales under Public Law 480 amounted to $25,917,151, of which $10,121,191 was credit sales for dollars. The total cost, even including Public Law 480 and dollar credit sales, amounts to only $55,115,018.

The cost of the tobacco price support program is one of the lowest of all commodities.

Compare this with the income to the Federal Government from taxes collected on tobacco products which totaled $2.2 billion in calendar year 1971. States collected another $2.6 billion. Thus, total Federal and State taxes collected in 1971 amounted to $4.8 billion.

And, from 1961 through 1971 total Federal and State taxes collected on tobacco produced amounted to $44.9 billion.

The limited export payments program for tobacco which the amendment would prohibit is designed to expand foreign markets for U.S. tobacco by making our tobacco more competitive with foreign prices. Last year the subsidy amounted to $29.1 million.

In 1971 export sales of tobacco added $473.3 million to our balance-of-payments position. Since 1960 our balance-of-payments position has been improved in the amount of $5.1 billion by export sales of tobacco. Therefore, tobacco sales abroad benefit our economy.

We can reduce or eliminate this subsidy to exporters but it will not help this country. Rather it will help all foreign countries which produce tobacco. And believe me they will not go out of business. So to save $29.1 million we are gambling on losing a market that brought into this country $473.3 million in 1971 and $5.1 billion since 1960.

Maybe this makes good sense to some people but it makes no sense at all to me.

Also, as part of the effort to expand sales of tobacco abroad, we have a rather small but important market development program in several foreign countries. For the fiscal year 1971 about $240,000 equivalent in foreign currencies earned through sales under Public Law 480 was unauthorized for this use.

This is similar to programs we have for wheat, feed grains, soybeans, beef, livestock and a host of other commodities.

We have found that export sales are not made by luck, but require vigorous promotion, market contacts, aggressive selling and a quality product. We must continue this program if we intend to maintain or expand our export sales which are extremely important to our balance-of-payments position.

The amendment would also prohibit sales under Public Law 480, the Agricultural Trade Development and Assistance Act of 1954.

Last year these sales amounted to $25.9 million, of which $10.1 million was credit sales for dollars.

The less developed countries which purchase under Public Law 480 authorizations use the funds generated by the sales for their economic development.

They are also spared the additional drain on their currencies by not having to purchase in world markets.

The opportunity for betterment of their economic position would be denied them by the adoption of this amendment.

I can see no useful purpose being served by cutting off Public Law 480 sales. The people would continue to use tobacco. Purchases would be made from other countries, and the importing country would suffer economic deterioration.

And finally the amendment would prohibit the use of Government funds for inspection and grading services which Department of Agriculture presently provides. In fiscal year 1970 the cost was only $4.5 milion.

The idea, of course, is to make farmers pay for this service. It is a contemptible provision, as are all of the purposes of the amendment.

Mr. President, this amendment would accomplish no good whatsoever.

It will not stop the sale of tobacco.

It will not stop the advertising of tobacco.

It will not make it unlawful to smoke tobacco.

It will not contribute one iota to better health in this Nation, but it will be harmful to the economy of this Nation.

Mr. President, in the past 6 years, local, State, and Federal Governments have collected in taxes about $45 billion from tobacco. What would happen if the Senator's amendment is adopted? Would it stop the production of tobacco? No. Tobacco would still be produced. Would it stop the smoking of tobacco? No. The smoking of tobacco would still continue.

So what we would do is destroy the effective livelihood of these 600,000-plus people. Most of them would be driven off their farms, they would be put on welfare, and they would migrate to our great urban areas where they would add to the problems of poverty, housing, congestion, pollution, crime, and welfare that now plague our cities, a situation that we call our urban crisis.

So this is purely a vicious amendment. It is designed only to punish the tobacco grower in this country. It has no other purpose.

At the present time there are only 2.9 million farms left in this country, with a farm population of 9.4 million persons, only 4.6 of the total population.

This is not a potent political force or voice as the opponents of farm legislation see it.

Mr. President, true or not, I will not take advantage of a downtrodden people who have literally devoted their lives to furthering the interests of this great Nation.

On the contrary, I will expend every ounce of energy at my command toward defending them.

I have in the past, and will continue to do all in my power toward furthering their interest, and in so doing, furthering the interest of all our people and of our country.

Mr. President, I hope the amendment will be rejected by an overwhelming majority.

I yield back the remainder of my time.

Mr. McGEE. Mr. President, I yield 3 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, I speak in opposition to the amendment of the Senator from Utah.

I would like to emphasize, as the Senator from Georgia, the distinguished chairman of the Committee on Agriculture, has said, that this is not a health measure. If the Senator from Nevada wanted to stop the smoking and consumption of tobacco and tobacco products by law, the only way he could do it would be by a constitutional amendment. Of course we know he is not going to offer that type of amendment to the Constitution, and that if he did it would be rejected by Congress and by the States. So it is not a health amendment at all that he is offering.

What he has offered is an amendment which, if adopted, would destroy over 500,000 farms and farm families in this country.

He states in his letter to each one of us that he would like to save money. I want to give some facts about the tobacco program, and the sale of tobacco products:

Consumers pay about $12.5 billion for tobacco products. Of this amount, some $4.8 billion is paid in Federal and State excise taxes. The farmers received $1.3 billion last year for their leaf tobacco.

One-third of the tobacco and tobacco products of this country are exported. Last year, tobacco exports amounted to $683 million—and 95 percent of that was for dollars.

Something has been said about costs under Public Law 480, the so-called food for peace program. Tobacco export sales under Public Law 480 amounted to $26 million last year, but total tobacco exports were $683 million—more than 95 percent for dollars, which of course is of great value to our balance of payments.

The cost of the tobacco price support loan program last year was less than $100,000; according to the latest figures, about $99,000. I will say, for the information of my friend from Utah, where sugar beets are grown, that I am informed that the cost of the support program for sugar producers last year was $84 million, against less than $100,000 for the tobacco price support program. The cost of the tobacco price support program since 1933, the beginning of the farm programs, has been $60 million—a fraction of a percent of the cost of all farm price support programs and less than last year's cost of the sugar support program.

The Senator has spoken about the export subsidy. There is a 5 cents a pound subsidy on tobacco exported. The subsidy cost $28 million, but we exported $683 million worth of tobacco. And, of course, other products are similarly treated.

Most important, Mr. President, tobacco growers have made tremendous efforts year after year to control production so that their program could operate without great loss to the Government or cost to taxpayers. As President Eisenhower stated in his farm message, tobacco farmers have demonstrated their ability and willingness to make the sacrifices necessary to keep supplies in line with demand. They did so again last year, by adapting for burley tobacco the poundage program, which I introduced in the Senate, and which today is an outstanding success. Farmers are receiving good prices—well above the support level—the Government is taking no burley, loan stocks are being sold at a profit, exports are up. I think it fair to say that no farm program is working better today than the tobacco program—for farmers, for the Government, and for the public. That is a great tribute to the knowledge, experience, determination, and cooperation of tobacco farmers, and to the hard work, patience and unity of their leadership. Tobacco farmers have worked to protect their program, and have kept it sound. I am glad they have done so, for the burley program today can be defended against attack and it is for that reason, I believe, that this attempt to destroy the program will fail.

I have nothing further to say, except that, as I said at the beginning, this amendment has nothing to do with health. Its effect would be to destroy the livelihood of more than 500,000 farmers in this country.

Mr. McGEE. Mr. President, I yield 5 minutes to the distinguished Senator from North Carolina.

Mr. ERVIN. Mr. President, this amendment will take the bread out of the mouths of hundreds of thousands of little children residing in 25 different States. It will take almost $5 billion out of the Treasury of the United States and the treasuries of the States and municipalities. It will increase the deficit in our balance of payments by approximately $650 million.

It is based upon a theory that no one can prove. The medical profession itself recognizes that the cause of cancer is unknown. It is defined as an autonomous growth of new tissue without known basic cause.

The fact is that ever since lung cancer

has been diagnosed as a separate disease. it has always been noticed that it has two essential conditions annexed to it. The first is that it is a disease of men rather than women, and although the smoking of cigarettes among women has vastly increased, the ratio of deaths due to lung cancer between men and women is virtually the same as it was when lung cancer was first diagnosed as a separate disease.

Another condition annexed to lung cancer is that it is a disease of the aged, and that its incidence is virtually the same now as it was when it was first diagnosed as a separate disease. In other words, it does not make any difference whether a person starts smoking cigarettes at 14 or 40, if he has lung cancer, the disease occurs at the same time, and there has been no change, notwithstanding the fact that many young people start smoking at an early age.

Down in my country, an old mountaineer went to a store to pay his grocery bill, and the grocer told him what the bill was. It was more than the old mountaineer thought it ought to be, so he protested.

The grocer got out his account books, laid them on the counter, and said:

> Here are the figures; you know, figures don't lie.

And the old mountaineer said:

> No, figures don't lie, but liars sure do figure.

On the basis of uncertain statistics alone, some political doctors say that tobacco is a grave hazard to health. The medical doctors who treat disease do not necessarily say that. Many of them say there is no proof of any connection between the cigarette smoking and disease.

I ask unanimous consent to have printed in the Record at this point a statement of facts relating to tobacco.

There being no objection, the statement was ordered to be printed in the Record, as follows:

FOR BACKGROUND INFORMATION

SOME FACTS ABOUT TOBACCO

In 1971, total U.S. consumption including overseas armed forces was:

Over 555 billion cigarettes;

About 7.8 billion domestic and imported cigars and cigarillos;

About 70 million pounds of smoking tobacco;

Over 71.8 million pounds of chewing tobacco; and

About 26.6 million pounds of snuff.

The 1971 output of cigarettes from U.S. factories was 576 billion.

Of the total output, 14.7 billion cigarettes were shipped to overseas forces, 2.7 billion to Puerto Rico and U.S. Islands and 31.8 billion to other countries.

Here are some more facts about the agriculture, manufacturing, distribution, taxation, costs and services of the tobacco industry. In the following, all figures are estimates for 1971 unless otherwise stated. Sources are noted in the last page.

TOBACCO PRODUCT EXPENDITURES

In 1971, U.S. expenditures for tobacco products totaled an estimated $12,500,000,000, an increase of about $1 billion over 1970.

About $11.4 billion of the total expenditures was for cigarettes, $690 million for cigars and $420 million for smoking and chewing tobacco and snuff.

WORLD TOBACCO PRODUCTION

Total world production of tobacco in 1971 is estimated at about 10.0 billion pounds, down 3 percent from the record high in 1967, but over 12.5 percent above the 5-year 1960-64 production, and about the same as 1970.

The United States produced 1,741,000,000 pounds of tobacco in 1971. Other major tobacco producing nations are: India (771,000,000 pounds), Brazil (435,000,000 pounds), Pakistan (349,000,000 pounds), Japan (330,000,000 pounds), and Turkey (325,000,000 pounds).

FARMING

Tobacco growers

Tobacco is grown in 25 of the nation's states on 525,000 farms (1971 estimate).* There were 529,282 allotments totaling 843,000 acres issued to grow tobacco in the U.S. in 1971. The total tobacco acreage harvested was about 842,780 with an average yield of 2,078 pounds per acre.

Tobacco growing requires a great deal of labor. A farmer and his family, with the aid of hired help, must put in about 450 man-hours of labor to raise one acre of tobacco. It takes about 8 man-hours to raise an acre of wheat.

Crop income

In 1971, tobacco was the fifth largest cash crop in the United States, behind corn, soybeans and wheat and cotton. Farmers produced a tobacco crop worth about $1.4 billion, representing about 2.6 percent of the total for all agricultural commodities in the United States. The value of the 1971 tobacco crop in 16 major tobacco states was:

North Carolina	$565, 126, 000
Kentucky	288, 604, 000
South Carolina	100, 283, 000
Virginia	92, 812, 000
Georgia	91, 054, 000
Tennessee	84, 462, 000
Florida	26, 359, 000
Connecticut	23, 845, 000
Maryland	23, 328, 000
Ohio	14, 845, 000
Pennsylvania	11, 164, 000
Wisconsin	10, 762, 000
Indiana	10, 504, 000
Massachusetts	8, 463, 000
Missouri	4, 313, 000
West Virginia	2, 353, 000

To a lesser extent, tobacco is also grown in Alabama, Arkansas, Delaware, Illinois, Iowa, Kansas, Louisiana, Minnesota and New York.

Auctions

About 95 percent of the nation's tobacco is sold at auction in 176 markets in 12 states. About 5 percent of the nation's tobacco, largely cigar leaf, is sold directly from the farms or by farmer's cooperatives.

In 1971 there were 894 warehouses at the markets in Virginia, North Carolina, South Carolina, Georgia, Florida, Maryland, Kentucky, Tennessee, West Virginia, Ohio, Indiana, and Missouri. They handle 13 types of tobacco leaf.

MANUFACTURING

Factories

In 1971 there were about 200 tobacco products factories, large and small, in 25 states. They held federal permits to manufacture cigarettes or cigars.

There were 200 licensed warehouses, which store cigarettes, cigars and other tobacco products before shipment to Canada, Mexico and overseas.

North Carolina leads in cigarette production. Other large producers are Virginia and Kentucky.

Employment

Tobacco manufacturers employ about 72,100 men and women.

Employees:	1971*
Cigarette	37, 000
Cigar	17, 600
Chewing, smoking	3, 900
Stemming, redrying	13, 600
Total	72, 100

* Estimated.

EXPORTS

The United States is the leading tobacco exporter and the third largest tobacco importer. In recent years about 35 percent of the U.S. tobacco crop has been exported. In calendar 1971, U.S. exports of leaf tobacco and manufactured products totaled some $683 million.

Leaf

Exports of unmanufactured tobacco and leaf tobacco in calendar 1971 were 473 million pounds in export weight. This represents a seven percent decrease compared with 1970. This decline was due to dock strikes limiting fourth quarter shipments. Value of the 1971 leaf export was $462 million, compared with $488 in 1970.

Exports

The United States also exported $221 million worth of cigarettes and other tobacco products in calendar 1971.

About 32 billion cigarettes, valued at $183 million went to well over 100 foreign countries in 1971. Among the leading importers were Hong Kong, Belgium-Luxemburg, Spain, Panama, Netherlands-Antilles, Lebanon, Switzerland, Saudi Arabia, Ecuador, Kuwait and Japan.

Also exported in 1971 were 53 million cigars.

Exports of smoking tobacco in bulk have increased steadily in recent years; the quantity for calendar 1971 was 31 million pounds. In addition, the United States exported 1.2 million pounds of packaged smoking tobacco and 39,000 pounds of snuff and chewing tobacco.

Taxes

Tobacco taxes for fiscal 1971 totaled about $4,976,810,000 of federal, state and local governments. About 98 percent of that represented taxes on cigarettes—some $4,889,015,000. Taxes on other tobacco products totaled about $87,795,000.

The federal government's share of the tax burden was $2,206,585,000, with cigarette taxes representing 97.4 percent of the total or $2,149,527,000.

State taxes on all tobacco products totaled an estimated $2,695,718,000. Local government tobacco taxes totaled $74,507,000.

In 1971, because of the increased cigarette taxes in many of the 50 states that levied such taxes, smokers paid 9.5 percent more in state cigarette taxes than in 1970. More than 50 percent of the retail cost of cigarettes goes to federal, state, and local government treasuries in the form of cigarette excises.

Sources

U.S. Department of Agriculture, *Annual Report on Tobaacco Satistics.*

U.S. Department of Agriculture, *The Tobacco Situation,* issued quarterly.

U.S. Department of Agriculture, *Foreign Agriculture Circular.*

U.S. Department of Agriculture, Economic Research Service.

U.S. Department of Labor, *Employment and Earnings Statistics of the United States.*

U.S. Department of Treasury, IRS Tobacco Division, *Alcohol and Tobacco Summary Statistics.*

Tobacco Tax Council, 5407 Patterson Avenue, Richmond Va. 2326 *The Tax Burden on Tobacco.*

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* The number of farms is a USDA estimate based on the 1964 Census of Agriculture. The allotment total is larger than the number of farms because of farms having more than one type of allotment, farms not growing tobacco in a given year and definitional differences.

Mr. ERVIN. I suggest to my good friend from Utah that if he wants to do something constructive relating to the health of America, he ought to do something about sugar beets, which grow in Utah. I hold in my hand a health bulletin for February 6, 1972, which says that every year 46,000 Americans die of cancer of the colon, and that cancer of the colon is caused by sugar and flour.

I would also call my friend's attention to the fact that in 1969 three distinguished British physicians printed a book entitled "Diabetes, Coronary Thrombosis, and Saccharine Disease."

This book, which is documented just like the accounts of the political doctors over in the Surgeon General's office are documented, points to sugar, as a single most important factor leading to the following diseases: First, coronary heart disease; second, diabetes; third, peptic ulcer; fourth, diverticular disease of the colon; fifth, hemorrhoids; sixth, varicose veins.

If we take what the political doctors say about smoking cigarettes and what the other doctors say about sugar, we are likely to come to the conclusion that we ought to do what is outlined in this little verse:

> "Cholesteral is poisonous, so never, never eat it.
> Sugar, too, may murder you, there's no way to beat it.
> Some foods were filled with vitamins till processing destroyed it.
> So let your life be ordered by each documented fact
> And die of malnutrition with your arteries intact."
> And warily watch every sunny sky for bolts of lightning.

Mr. McGEE. Mr. President, I yield 5 minutes to the distinguished junior Senator from Kentucky.

Mr. COOK. Mr. President, once again the Senate finds itself confronted with the annual "tobacco program termination amendment."

Once more, I find myself in the position of defending the Nation's and Kentucky's tobacco growers, a task I find more pleasant as each year goes by.

Although lessening somewhat in fervor, the almost religious campaign against smoking has been based more on statistical fantasy than hard scientific fact. But, more about that later.

The tobacco inspection and price support program is important to Kentucky. In my State, five types of tobacco are grown. Of these, burley tobacco is the most renowned. In no part of the world is more burley grown than in Kentucky.

The cash value of all types of tobacco sold in Kentucky during the 1971–72 season came to over $287 million. Of this total, burley leaf accounted for well over $272 million. The total represents 74 percent of the value of the State's cash crops.

Production of tobacco in Kentucky is the occupation of nearly 170,000 farm families—about a quarter of the U.S. tobacco farm population—and their seasonal helpers. A considerable labor force is employed in processing plants, auction warehouses, tobacco factories, and by various services. About a sixth of all cigarettes manufactured in the United States were made in Louisville's four factories during the latest year of record.

But what of tobacco's contribution to the country as a whole? Well, about 3 million members of farm families earn their principal livelihood from the crop. They live in 22 States and derive about a $1.4 billion a year from the leaf.

In industry, more than 100,000 workers are gainfully employed in tobacco manufacturing and collect an annual payroll of more than a taxable half billion dollars.

There are more than 4,500 wholesale firms that distribute the product to literally hundreds of thousands of retail outlets that depend on cigarette sales for a substantial part of their income.

There are nearly three-quarters of a billion dollars realized from the export of tobacco and tobacco products. In all, there are 329 industries directly or indirectly involved in selling their products to the tobacco industry, ranging from cellophane and advertising to transportation and steel.

And, lest we forget, the Federal, State, and local governments' share in all taxes levied on the sale of tobacco products amounts to a staggering $4.6 billion. These tax collectors at all levels receive more than five times from an acre of tobacco than the farmers who cultivate it. The tax collectors receive approximately $7,500 on an acre of tobacco. But the farmer—the man who performs this back-breaking work—grosses about $1,400 on that acre, and yet there are some who would ruin these "tax" farms, along with those very hardworking persons who inhabit them.

Of course, those opposed to tobacco and cigarette smoking will say that in spite of all this—smoking is harmful to your health, smoking causes this, smoking causes that.

In spite of antismoking rhetoric and innuendoes, the state of scientific knowledge concerning the causal relationship between smoking and health has not developed much further than when the House Interstate and Foreign Commerce Committee held 13 days of hearings in 1969. I ask unanimous consent that some statements from those hearings be printed in the RECORD at this point.

It is now July 27, 1972, and the foregoing statements—antismoking zealots to the contrary—are still valid. In fact, after extensive scientific and medical testimony before the Commerce Committee's Consumer Subcommittee in February of this year, the conclusion was that nothing new has been determined regarding the medical and scientific relationship between smoking and health.

If there is any doubt that a scientific verdict still remains to be rendered, let me quote from the recent record of the February hearings held by the Consumer Subcommittee.

Several eminent scientific witnesses expressed grave doubts about many often repeated smoking and health theories. For example, Dr. Sheldon C. Sommers, research director and chairman of the scientific advisory board of the Council for Tobacco Research, pointed out that with respect to lung cancer, the newly published Standard American Textbook of Pathology, includes this statement:

> The close relationship between certain types of lung carcinomas and cigarette smoking has been made well known, as has the lesser relationship to cigar and pipe smoking. Whether or not a cause-and-effect relationship has been proved is a blend of logical, statistical and emotional argument.

Dr. Sommers noted that the text omits mention of biological evidence or scientific proof in the blend of argument.

Dr. Robert C. Hockett, acting scientific director of the Council for Tobacco Research, testified that—

> It has not been shown whether, how, to what extent or in whom cigarette smoking can contribute to the etiology causation of any disease that is presently a major cause of illness or early disease.

He did not find any convincing evidence that either "tar" or nicotine or any other agent in cigarette smoke has been "incriminated" in relation to any human disease. He said:

> Consequently there is no scientific basis on which to establish "maximum acceptable levels of tar, nicotine, or other incriminated agents" as proposed in S. 1454.

Dr. Ronald Okun, assistant professor at the University of California School of Medicine at Irvine, who testified on the basis of his experience and a review of the scientific literature including the recent Surgeon General's report, said:

> I cannot tell the significance of nicotine content, "tar" content, and potential carbon monoxide levels derived from cigarette smoke on health.

He said that a false sense of significance, if not security, can be derived by the nonscientific public form government establishment of maximum levels of these constituents.

Dr. Arthur Furst, director of the Institute of Chemical Biology at the University of San Francisco, noted that—

> While we have been able to induce lung cancer in animals by the inhalation of various substances, we have not been able to do this using tobacco smoke.

He said further that—

> Setting limits on compounds formed in tobacco smoke or condensate would be to act in what is nearly a scientific vacuum as far as good experimental data is concerned.

Regarding attempts of the Surgeon General and others to deny the existence of a legitimate scientific controversy about smoking and health, Dr. Furst declared:

> When you say there is no honest disagreement, you are simply saying that people who disagree are not honest, and this I resent.

Also, during the recent hearings on the National Cancer Attack Act of 1971, an eminent scientist when asked to name the agent in cigarettes that causes cancer said:

> I think we can state now that we do not know the precise cause of malignant changes within the cell.

When asked again to name the ingredient in cigarettes that is the cause of cancer he said:

> We do not have full and precise knowledge of just exactly what causes cancer.

So what has happened? In 1969 Congress enacted a law banning cigarette advertising on television and imposing a harsh warning language on each pack of cigarettes. What was the effect? Well, 50 million people ignored the warnings and the television ban and cigarette sales are up.

Where are we now? Well, since that device of dubious constitutionality did not work, the antismoking groups embarked on a policy of prohibition in everything but the name itself. The elimination of the price support and production control programs is merely the latest of programs and policies toward this end.

Prohibition? Yes, I said prohibition. For example, Dr. Horn, director of HEW's national clearinghouse for smoking propaganda, testified before the Consumer Subcommittee on S. 1415, a bill to allow the Federal Trade Commission to set "tar" and nicotine standards, that as far as he was concerned in regard to a safe level of "tar" and nicotine "on the basis of the information we now have, it would still be zero consumption of cigarettes."

Yes, that is right. The Government's chief propagandist said zero consumption. A very clever way to achieve prohibition. But, even assuming the validity of the connection between smoking and health by the proponents of this amendment, and I do not, is this a logical and rational way to proceed?

The answer is no.

For a moment, let us review the tobacco price support system that the Moss amendment would abolish. From 1933 to 1971, the Federal Government's cost in sustaining and operating the tobacco price support system was less than $60 million or one-half of 1 percent of the cost for all farm commodity price support operations. That is correct. In 38 years, the Federal Government has spent less than $60 million, while in 1 year alone it collects over $2 billion in taxes on cigarettes and other tobacco products. There is no corporation in the world that would abolish a program returning that amount of money on such a small investment.

The idea that this is a health amendment is fiction at best and absurdity at worst. The tobacco price support system is in fact a control program. The use of tobacco, both domestic and export, is calculated by the Department of Agriculture and poundage quotas are allotted to individuals on the basis of this use as well as the grower's history of production. The abolishment of this control program would only flood the country with cheap cigarettes. There would no longer be a limitation on the size of the tobacco crop. Everyone would grow as much as possible, which would drive prices downward. The small, independent farmers—who comprise over 75 percent of the burley growers in Kentucky—would be economically ruined. The production of tobacco would be centered in the large growers, those with the wherewithall to withstand the sudden and steep drop in price. This is no so-called health measure as it would insure a cheap and plentiful supply of cigarettes at 15 or 20 cents per pack.

Similarly, if the tobacco export program is dropped, we could very easily lose the almost one-half billion dollars paid for our exported tobacco. Our balance of payments would be seriously affected.

For those who would offer so-called retraining and welfare handouts to the small farmer who would be financially ruined by the abolition of the burley price support system—I say, "No, thank you." I have talked to the farmers in Kentucky and they want no part of this scheme. Their feelings are the same as mine—either abolish the use of tobacco or leave us alone. Tobacco is still a legal crop, and until the Congress determines otherwise let us have no backdoor prohibition tactics.

Mr. President, very few tributes are made in the Capitol of the United States. Some day, I would like Senators to walk through that door and walk to the first small rotunda and look up at the top of the pillars. Around each pillar are tobacco leaves. Do Senators know why? It is probably the only product that is given a tribute in the Capitol of the United States, and I will state why.

Tobacco was the basis for there really being a democracy, because the Continental Congress could not meet because it did not have any money. The only way they could get some money was by France lending them sufficient money to hold the Continental Congress; and France gave them a loan on only one crop. France gave them a loan on their tobacco crop and nothing else.

Mr. President, I ask unanimous consent to have printed in the RECORD several articles in connection with this subject.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Does Smoking Cause Lung Cancer?

"A person of true scientific discipline would never make a final judgment on the type of evidence presented in favor of the hypothesis." (Thomas H. Bren, M.D., Professor and Chairman, Department of Medicine of Southern California School of Medicine.)

After at least 30 years of experimental work, and many smoke inhalation experiments in animals, lung cancers of the most common, squamous cell human type have not been produced. It is usually difficult to prove a negative, but if cigarette smoke were a cause of lung cancer, it is indeed surprising that no animal experiments have succeeded in its production. (Sheldon C. Sommers, M.D., Clinical Professor of Pathology, Columbia University Medical College.)

The cause of cancer in humans, including the cause of cancer of the lung is unknown. (Victor Buhler, M.D., Associate Clinical Professor of Pathology and Oncology at University of Kansas School of Medicine, and former president of the College of American Pathologists.)

As of the present date, the cause of lung cancer remains unknown. (Duane Carr, M.D., Professor of Surgery, University of Tennessee College of Medicine.)

The statistical association between smoking and lung cancer is not indicative of cause and effect, because the clinical behavior of the disease does not permit this conclusion. (Hiram T. Langston, M.D., Professor of Surgery, University of Illinois College of Medicine and President of the American Association for Thoracic Surgery.)

As of 1969, our knowledge of the cause or causes of lung cancer remains primitive . . . To date the only evidence supporting this [cigarette smoking] hypothesis is statistical, and there are statistics which fail to support. (William B. Ober, M.D., Associate Professor of Pathology New York Medical College.)

DOES SMOKING CAUSE HEART DISEASE?

The incrimination that smoking causes or accelerates heart disease from atherosclerosis of the coronary arteries is wholly unwarranted. (William Evans, M.D., Former consulting physician The Institute of Cardiology London, England.)

It is very doubtful that such a relationship exists. If heavy smokers suffer coronary thrombosis in a significantly greater proportion than non-smokers, the cause of the phenomenon could be related to the stress that usually goes together wtih the smoking habit. (Walter S. Priest, M.D., Emeritus Professor of Medicine at Northwestern University Medical School.)

The evidence I feel is still not strong enough for me to say within the criteria of casualty . . . that there is cause and effect. (Surgeon General William H. Stewart.)

There is no proof that cigarette smoking causes [diseases of] coronary arteries . . . let's be sure we understand the American Heart Association position. We do not say that we have the data which says cigarette smoking causes coronary artery [disease]. (Campbell Moses, M.D., Medical Director, American Heart Association.)

It would be regrettable, if the impact of the prestige of the U.S. Public Health Service led scientists and the public to believe in and accept as firmly established facts which, on the basis of current knowledge, are speculative and lacking in scientific validity. The situation demands not special pleading but scientific truth, namely, what is reasonably established. And, certainly, it has not been reasonably established that cigarette smoking causes coronary heart disease. (Carl C. Seltzer, Ph.D., Senior Research Associate Harvard University School of Public Health.)

DOES SMOKING CAUSE EMPHYSEMA?

The cause or causes of emphysema are not now known. ("Special Report on Emphysema," National Institute of Allergy and Infectious Diseases, N.I.H.)

They stated [the 1964 Surgeon General's Advisory Committee] . . . that a relationship exists between pulmonary emphysema and cigarettes but it has not been established that this relationship is casual (Surgeon General William H. Stewart.)

I cannot find any actual evidence that . . . cigarette smoke or anything else, has a casual relationship to the development of this disease. (Edwin Rayner Levine, M.D., Associate Professor of Clinical Medicine, Chicago Medical School.)

Most authorities agree that emphysema presents a complex problem which awaits scientific explanation. (John P. Wyatt, M.D., Professor and Chairman, Department of Pathology, University of Manitoba.)

The "protagonists of the anti-smoking campaign" have refused to face this paramount question: "If it is true that we do not know what emphysema is and whence it originates, how can they maintain the claim that it is linked to cigarette smoking? How can their position be reconciled with scientific principles?" (Israel Rappaport, M.D., Former Associate Clinical Professor, Columbia University Medical School.)

Testimony such as this, flatly contradictory to "accepted" views, seriously undermined the major conclusions of the anti-smoking witnesses—and the underlying premise for further punitive legislation. It was not lost on the committee that among the witnesses quoted above were some notable opponents of smoking.

But further doubt arose as expert witnesses also exploded many of the supporting dogmas of the antismoking forces. Under scientific attack, a number of subsidiary assertions, which had bolstered the main charges and lent force to antismoking commercials were weakened. In effect, they were now ended with a question mark instead of an exclamation point.

Following are some of the newly raised questions:

DOES SMOKING TURN THE LUNGS BLACK? OR CAN DOCTORS TELL SMOKERS' LUNGS FROM NON-SMOKERS LUNGS?

The knowledge of what the black pigment represents, namely carbon particles or coal dust, is known to every well trained second-year medical student, and . . . it is not possible to equate blackening of the lung to exposure to tobacco products. (Sheldon C. Sommers, M.D., Clinical Professor of Pathology, Columbia University Medical College.)

The color of the lung has to do with the matter of carbon, and I am unable to recognize the difference between a smoker and a non-smoker . . . and I have never been able to correlate it with the use of tobacco. (Hiram T. Langston, M.D., Professor of Surgery, University of Illinois College of Medicine, and President of the American Association for Thoracic Surgery.)

I would estimate that of a thousand pathologists in this country, 998 would say, 'I could not tell,' and the other two would say, 'I could tell' and those two who could tell either had some infinite intuition or are not telling the truth. (Irving Zeidman, M.D., Professor of Pathology, University of Pennsylvania School of Medicine.)

I have examined thousands of lungs—and I cannot tell you from examining a lung whether or not its former host had smoked . . . I state flatly and unequivocably and emphatically that cigarette smoke will not turn the lung black. (Victor Buhler, M.D., Pathologist, St. Joseph Hospital, Kansas City, Missouri.)

IS NOT EVERY SMOKER DAMAGED BY HIS SMOKING?

Not everyone gets cancer or heart disease. And of course, non-smokers, as well as smokers, get both. Indeed, it would appear that, as observed in the first massive review of the smoking research literature, the British Report of the Royal College of Physicians, "most smokers suffer no serious impairment of health or shortening of life as a result of their habit" . . . I hope it is well understood that no medical practitioner can advise patients they can avoid lung cancer or heart disease by not smoking. (Bernice C. Sachs, M.D., Seattle Mental Health Institute.)

To experienced physicians who examined and observed so many heavy smokers, the most astonishing feature of the present issue over the effects of smoking must be the current trend to simply ignore the overwhelming evidence presented by the tens of millions of smoking men and women going through life without any signs or symptoms of damage to their lungs from many years of smoking—even heavy smoking. (Israel Rappaport, M.D., Former Associate Clinical Professor, Columbia University Medical School.)

If cigarettes were the cause of lung cancer, I believe we would have an incidence many times greater than we do now, and would not encounter the disease in nonsmokers. (H. Russell Fisher, M.D., Professor of Pathology, University of Southern California School of Medicine.)

IS THERE A LUNG CANCER EPIDEMIC?

The increase in the incidence of lung cancer in the United States . . . reflects the growing and aging population of this country. The apparent increase is also reflected in the increased expertise and improved diagnostic abilities of the medical profession. The increase in the number of members of my own specialty in medicine (Pathology) is directly responsible for some of the apparent increase. (H. Russell Fisher, M.D., Professor of Pathology, University of Southern California School of Medicine.)

Changes in classification of disease have contributed to much of the reported increase in diseases such as lung cancer. (Duane Carr, M.D., Professor of Surgery, University of Tennessee College of Medicine.)

In 1900, the combined crude death rate for respiratory diseases in the United States exceeded 450 per 100,000 but there were no death rates recorded for lung cancer. If only a small percentage of the deaths attributed to tuberculosis, pneumonia, bronchitis or influenza has been incorrectly diagnosed and were, in actuality, cases of lung cancer, there would be relatively little increase in the prevalence of this disease during the past half century.

The concept that cancer of the lung is a new disease and a byproduct of modern civilization is false and those who promulgate this thesis are misleading the public. The disease was a well known entity for a century before the era of widespread cigarette smoking. The only thing new is our ability to diagnose it before autopsy. (Milton B. Rosenblatt, M.D., President, Medical Board, Doctors Hospital, New York.)

An important aspect of present trends in this country, which is generally ignored, is the declining rate of increase. If this feature of the trend continues, the disease will reach its peak among the white male population in the foreseeable future (1983) and then start to decline. (A. G. Gilliam, M.D., of the National Cancer Institute.)

The observed decline in the rate of increase of lung cancer is exactly what one would expect, however, if the reported increase were due to constantly improving detection of this disease—or of any other for that matter. (Thomas H. Brem, M.D., University of Southern California.)

DOES NOT GIVING UP SMOKING MAKE ONE HEALTHIER?

Even if cigarette smokers, as a group, did not smoke, there still would be a higher proportion of persons with primary cancer of the lung, or coronary heart disease, if you wish, among them than among non-smokers, as a group, since constitutionally they are more disposed to the disease. (George L. Saiger, M.D., Former Associate Professor of Epidemiology, Columbia University.)

The same higher coronary rate was observed in former cigarette smokers as in all current moderate and heavy smokers . . . the incidence of symptomatic infarction was as great in former cigarette smokers as it was in current smokers and was as great in former cigarette smokers as in men smoking more than one pack daily. (Ray Rosenman, M.D., Director, Western Collaborative Study of Coronary Heart Disease.)

[From data in the HEW survey of smoking and illness] consistent pattern is quite obviously apparent. For all categories, present smokers have a much lower incidence [of disease and disability) than do former smokers. (Theodor D. Sterling, Ph.D., Professor of Applied Mathematics and Computer Science, Washington University.)

IS NOT CIGARETTE SMOKING ADDICTIVE?

We would disagree with the contention that cigarette smoking is "physiologically addictive." (Surgeon General William H. Stewart.)

In no sense, pharmacological sense, can one talk about smoking being addictive. (Arthur Furst, Ph.D., Director, Institute of Chemical Biology, University of San Francisco.)

Physical dependence does not develop either to nicotine or other constituents of tobacco. (Charles Hine, M.D., Ph.D., Clinical Professor of Pharmacology and Preventive Medicine, University of California School of Medicine.)

Some confusion arose through use of the word "addiction" in connection with tobacco use. By generally accepted World Health Organization criteria, smoking tobacco is not considered an addiction. (Sheldon C. Sommers, M.D., Director of Laboratories, Lenox Hill Hospital, New York.)

DOES NOT CIGARETTE SMOKING CAUSE EXCESS DEATHS, SHORTEN LIFE, AND INCREASE MORBIDITY?

I know of no such figures which show a higher mortality rate for smokers than non-smokers, without ambiguity, without difficulties of interpretation, and without leaning very heavily upon a selected number of instances for presentation and hiding some of the others which are probably just as important or just as controversial. (Theodor D. Sterling, Ph.D., Professor of Applied Mathematics and Computer Science, Washington University.)

The widely publicized accusations of hundreds of thousands of deaths caused by cigarettes and of shortening of life expectancy a specific number of minutes per cigarette smoked are fanciful extrapolations and not factual data. (Milton B. Rosenblatt, M.D., President, Medical Board Doctors Hospital, New York.)

Many figures were cited concerning 30,000 or 50,000 or 260,000 persons per year having or dying from lung cancer or the other diseases being considered. Since it is not known what the causes of lung cancer, coronary heart disease, or bronchopulmonary disease are, the multiplication of numbers does not contribute to understanding them any better. (Sheldon C. Sommers, M.D., Director of Laboratories, Lenox Hill Hospital, New York, New York.)

Mr. PREYER. "So you can say there is no significant difference in the mortality rate of smoking and non-smoking twins."

Dr. CEDERLOF. "Yes . . ."

Mr. PREYER. "Then there is no evidence that non-smoking twins live longer than smoking twins?"

Dr. CEDERLOF. "No."

(Rune Cederlof, Ph.D., Associate Professor, National Institute of Public Health, Stockholm.)

Mr. McGEE. Mr. President, I yield 1 minute to the distinguished Senator from Virginia.

Mr. SPONG. I thank the Senator from Wyoming.

Mr. President, I hope it will be the pleasure of the Senate to reject this amendment just as decisively as it did a year ago. It is not a health measure; it is an economic measure. At a time when we are trying to find ways to keep people from moving from rural areas into the cities and beset us with more and more problems, it is ironic that we would give serious consideration to a measure that would literally destroy the livelihoods of thousands of small farmers and farm families.

I hope, as I said earlier, that it will be the pleasure of the Senate to again reject this measure.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. I do not think anyone else on this side has requested time. The Senator from Utah may wish to respond.

Mr. MOSS. Mr. President, I should like to respond very briefly, and then I would be willing to yield back the remainder of my time, if the time on the other side is yielded back.

Mr. President, I anticipated the furious rebuttal that came from the Senators who spoke on the floor, and I can understand it. They have constituencies for whom they are speaking here. I think that perhaps they have misunderstood the amendment in part.

The amendment would not bar the growing of tobacco or the selling of it. It simply would take away the Federal subsidy money that goes into the tobacco industry, because it places us in an absolutely indefensible position. If we are going to subsidize or encourage the growing of tobacco, how can we appropriate money on the other side to programs that curtail the use of tobacco, that do medical research on how to treat people who get diseases from tobacco, and all the other things that are financed through the HEW appropriation?

My colleagues, of course, did come forward with essentially the same arguments that were made before. I jokingly pointed out to the senior Senator from Georgia that I was able to follow him very well because I have the page from last year's Record, and essentially the same things were said. But in the meantime, Mr. President, the evidence continues to roll in despite the allegations made that doctors disagree. There are those who say that cancer comes from something else and all of that. The evidence published in the reports of the Surgeon General, which I hold in my hand, the evidence coming in from foreign countries—we had a world conference on tobacco health in London—is absolutely overwhelming that tobacco is a cause of disease and regardless of its long history in our Republic of growing tobacco regardless of the fact that we are accustomed to it, it now has been established without any medical doubt that this is the cause of immense disease in the country, costing us a great deal in the care of those who have disease, with lost days from work and all the other ramifications that stem from that.

We are going to have to face up to the stringent demand being made upon the conscience of the legislators of the country to determine what way we want to go, whether we want to try to put ourselves on the side of protecting the public health or whether we want, for economic or historic reasons, to say, "Let us turn our backs and not even look at that. Let us go on as we did 40 years ago or 100 years ago."

I submit my amendment, Mr. President, and my colleagues will yield back their time, I will yield back mine. I do not believe that a rollcall vote will be necessary. I will be glad to accept the judgment of this Chamber.

Mr. THURMOND. Mr. President, I am extremely concerned about the pending amendment, and while I can understand the motivation for this amendment, it appears to me that the total economic destruction of the tobacco farmers in this country is hardly an appropriate or responsible piece of legislation, regardless of one's motivation.

In the United States today, the number of farmers and number of farms are both drastically declining. The amendment before us would hasten this process and would bring severe economic ruin and hardship on America's 625,000 tobacco farm families. The economic effects would extend to large geographic sections of this country which depend upon tobacco farming and would bring severe depression to numerous related nonfarm businesses.

Mr. President, I do not believe the Senate is willing to enact an amendment which so carelessly and casually destroys an entire segment of our agricultural economy. This amendment would not save the Government money, because the revenue to the Government and the favorable balance of payments brought on by the sales of tobacco abroad greatly exceed the cost of the programs eliminated by this amendment. For example, export payments on tobacco last year totaled $29.1 million. However, the balance of payments gathered from export sales of tobacco was $473.3 million. At a time when the United States is experiencing its first balance of payments deficit in almost 90 years, we can ill afford to destroy our tobacco export program.

Mr. President, we should also realize that the United States is not the only Nation in the world which grows tobacco. This amendment which would have such severe repercussions on our tobacco growers in no way prohibits the sale or use of tobacco in this country or anywhere else in the world. While our own tobacco farmers would suffer a severe economic hardship, tobacco growers in foreign countries would immediately increase their production and sales.

Mr. President, each year it seems an amendment comes up on the floor of the Senate that would destroy the tobacco farmers of this country. It is supposedly based on health reasons.

I am therefore wondering, which does the most harm, cigarettes or whisky?

Why does not the Senator offer an amendment here on the floor, or a bill, on whisky?

I think that he will find out, if he will search the records, that more people are injured or have their health destroyed, or are killed because of excessive use of whisky than all the trouble that has been caused by tobacco in years and years.

Why is he singling out tobacco? Tobacco is the No. 1 money crop in my State. Is he going to cause the little tobacco farmers, some of them with only an acre or two on an allotment, to go on relief? What are they going to do if they cannot produce tobacco? They have lived on tobacco farms for many years.

I would remind the distinguished Senator from Utah that there are about 500,000 to 550,000 tobacco farms in the United States. About 2 billion pounds of tobacco are produced, on about 900,000 acres, on these farms. There are about 625,000 farm families who share in the proceeds from tobacco sales. The average size of a tobacco allotment is less than 2 acres.

Now Mr. President, I want to say that, in my judgment, an amendment like this, or a bill like this, would have the effect of destroying an important segment of the economy of this Nation.

Some facts have been brought out here concerning health. I do not smoke tobacco myself. I prefer not to. But I can tell you, Mr. President, that some people are going to continue to use tobacco, regardless.

This law is not going to stop the sale of tobacco. It is not going to stop the advertisements of tobacco and it is not going to stop people from using tobacco. The amendment will only help to destroy a few farmers in this country, and farmers now constitute less than 5 percent of all our population. If we put them out of jobs now, it will cause them, their families, and their communities great hardships.

If the Senator wants to approach tobacco from a health standpoint, then let us approach it purely from that standpoint and not from the standpoint of the economy. If he wants to help the health of the people of this country, why not encourage sound health habits, rather than unrealistically attempting to improve health by disrupting the economy?

In closing, Mr. President, the tobacco program which has developed in this country is a sound and workable program. It is not costly and it benefits both the public and the tobacco growers, their families and employees. It should not be cast aside and I urge my colleagues to defeat this amendment.

Mr. McGEE. Mr. President, I only want to establish that I was trying to be a statesmanlike arbiter in this matter because I do not use tobacco, and I am also a diabetic, so I do not use sugar beets. I have no conflict of interest in either one of the symbols which had been injected here. I would hope that we might resolve this matter in an equitable manner.

Mr. MOSS. Just one observation. I want to assure my distinguished colleague from South Carolina that I hold no brief from whisky. If this country ever begins to subsidize the manufacture of whisky, I would be on the floor of the Senate with an amendment to cut out the subsidy.

Mr. President, I yield back the remainder of my time.

Mr. McGEE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. Cranston). The question is on agreeing to the amendment of the Senator from Utah (Mr. Moss).

The amendment was rejected.

Mr. STEVENSON. Mr. President, I send an amendment to the desk and ask that its reading be dispensed with. Senators Cranston, Case, Harris, Hart, Hatfield, Hughes, Humphrey, Kennedy, Mondale, Moss, Tunney, and Williams have all asked to cosponsor the amendment.

The PRESIDING OFFICER. Without objection, the reading of the amendment will be dispensed with; and, without objection, will be printed in the Record.

The text of the amendment is as follows:

On page 27, line 26, strike "$5,000,000" and insert in lieu thereof "$7,000,000".

Mr. STEVENSON. Mr. President, sections 514 and 516 of the Housing Act of

1949 establish the farm labor housing program administered by the Farmers Home Administration. Section 514 provides for 1 percent interest rate loans, and section 516 contains provisions for grants up to 90 percent of housing costs.

Prior to amendments enacted in 1970, the demand for these housing funds did not appear to exceed those appropriated. That situation has now changed dramatically.

Funds for the section 514 loan program come from the Farmers Home Administration's insured loan fund and the program level set for that section by the administration seems to be adequate to meet the increased demand.

The concern of this amendment is with the appropriation for the section 516 grant program. The administration's budget request for fiscal year 1973 was only $2.5 million. That figure is contained in the House-passed bill. The Senate Appropriations Committee is to be commended for reporting a bill with a $5 million appropriation.

But even that level is below expenditures of $5.5 million in fiscal year 1972. In addition to fiscal year 1972 appropriations of $2.5 million, the Office of Management and Budget released in fiscal year 1972 $3 million of previously appropriated, but unspent, funds.

Congress has authorized $50 million to be spent for the period ending October 1, 1973. Of that authorization $28.5 million remains authorized but unappropriated. The Senate passed a housing bill earlier this year which increased the authorization to $100 million through October 1973, and $150 million for fiscal year 1974.

My amendment would raise the appropriation for section 516 to $7 million.

Farmworkers do not have an opportunity to participate in other housing programs. Low-income levels exclude them from home ownership programs under section 235 programs administered by the Department of Housing and Urban Development and from section 502 programs administered by the Farmers Home Administration. This low income excludes the farmworker from existing rental housing programs. The only housing programs that have the potential of reaching the majority of farmworkers is public housing. However, housing authorities usually do not exist in rural areas of high farmworker concentration and need. Thus, the program contained in section 514 and 516 is the only real housing program for farmworkers. It allows public agencies and private nonprofit agencies to build and operate housing for rural poor.

Even the $7 million will fall far short of the need. The $7 million will build less than 1,000 family units, and only scratch the surface of the need. Farmworkers are among the most poorly housed people in the Nation. This amendment would not meet all their needs—but it would help.

Mr. President, there is only one real program for federally-assisted housing for farmworkers in rural America—sections 514 and 516 of the Housing Act of 1949, as amended.

The Senate Appropriations Committee has, very much to its credit, increased that figure of $2.5 million for section 516 farm labor housing grant program to $5 million.

I do want to commend the committee, and in particular the very distinguished Senator from Wyoming (Mr. McGEE), for helping to get that appropriation increased to $5 million.

I intended to introduce an amendment increasing the $5 million figure to at least $10 million, even though at $10 million we could not begin to meet the needs of the most poorly housed people in America, the migrant and seasonal farmworker. I understand that a $10 million or higher figure would be unacceptable to the Appropriations Committee and, consequently, have introduced an amendment which increases the appropriation of $5 million to $7 million for fiscal 1973.

I hope very much that the distinguished Senator from Wyoming will see fit to accept the amendment at that reduced figure.

Mr. McGEE. Mr. President, I want to say to the distinguished Senator from Illinois that the committee labored with this particular segment of the requests very carefully. One of the things that was lacking was the relatively new concept and they have still failed to come up with some of the guidelines and some of the directions that we felt wise legislation would require. Even so, because we recognized the desperate need for it, we doubled the figure that came to this body from the House up to $5 million. I think, in the interests of merit to the program, and in conversations with the distinguished Senator from Nebraska (Mr. HRUSKA), that we agreed to a compromise, to take it to conference, and make a battle for it.

Mr. STEVENSON. Mr. President, the Senator is right. There were amendments adopted in 1970, some of which have been implemented. They have brought about a dramatic increase in the demand for funds. Under this program I know that in fiscal 1972 Congress appropriated $2.5 million. That is true. However, in fiscal year 1972, a total of $5.5 million was obligated, including the $2.5 million that was appropriated. The additional $3 million in prior years was released by the OMB for 1972 following a request to the President from 13 concerned Senators, I should reiterate that the committee, by reporting only a $5 million appropriation has not funded the program at even the fiscal year 1972 level of $5.5 million in obligated funds.

As I indicated before, that really is not a sufficient sum of money to even begin the housing needs of the farm work force. However, I do appreciate the readiness of the Senator to accept the amendment to that figure. And I very much hope and expect that he will—and I know that he will—make a concerted effort in the conference committee to persuade that committee to accept the figure of $7 million. It demonstrates the great need of housing for our farm labor.

Mr. CRANSTON. Mr. President, I rise to urge support for an amendment offered by Senator STEVENSON, myself and others to increase the appropriations in fiscal year 1973 for the section 516 grants for the farm labor housing program. The amendment as initially proposed would have doubled the amount recommended by the Senate Appropriations Committee, from $5 million to $10 million. I understand it has been modified by reducing the amount appropriated to $7 million.

This money is urgently needed. The administration has requested a mere $2.5 million for the current fiscal year, in the face of a backlog of applications which exceeds $18.7 million. Although the House did not increase the $2.5 million budget request, the Senate committee raised it to $5 million, an action which I appreciate very much as a gesture in the direction of more adequate funding, but which falls far short of the need. Five million dollars cannot begin to do the job we need to do if we are to provide decent housing for the Nation's farmworkers and their families. An appropriation of $5 million would make it possible to fund less than one-third of the applications now on file, leaving nothing for those submitted in the new fiscal year. Furthermore, an appropriation of $5 *million* translates into the construction of some 500 new housing units, in the face of a total need for new farmworker housing units that approaches 300,000.

The amendment offered by Senator STEVENSON is a modest one. By doubling the Senate committee request to $10 million, we would have doubled the number of new housing units that can be constructed—from 500 to approximately 1,000. At the $7 million level, only some 700 new housing units will be constructed. This amount barely scratches the surface; yet it is an important commitment in the direction of meeting the central need for better farm labor housing. Indeed, the Senate has recognized the unmet needs by significantly increasing the authorization for fiscal year 1974, from the present $50 million level to $150 million. This increase was passed as part of the Housing Act Amendments of 1972, now pending in the House.

In addition, on February 23, 1972, I sent a letter to President Nixon urging the release of some $3 million that the Office of Management and Budget had frozen. I was pleased that 13 of my Senate colleagues joined me in signing this letter to the President and in recognizing the farm labor housing needs that we face. I was delighted that the Office of Management and Budget did release these funds. But again, the need—even when measured only against the backlog of applications on hand—far exceeds the availability of funds.

Mr. President, I ask unanimous consent that the text of my February 23 letter to the President, together with the White House response be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 23, 1972.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We are writing about a very serious shortage of funds for the farm labor housing program operated by the Farmers Home Administration under sections 514 and 516 of the Housing Act of 1949. At this writing the backlog of requests for funds exceeds $18.7 million.

The housing of migrant and seasonal farmworkers is appallingly inadequate. Of the 600,000 housing units in which the nation's 3 million farmworkers and their families subsist, at least half, or 300,000 units, are so substandard they need complete replacement. The remaining 300,000 units need some degree of repair or renovation. Tragically, the low annual income of farmworkers precludes their participation in federal rental or home ownership housing programs. The farm labor housing program of the FmHA remains their only hope.

In an effort to meet this tremendous housing need, Congress in 1970 amended sections 514 and 516 to make the program more economically feasible. This was accomplished by reducing the interest rate on loans under section 514 from 5 percent to 1 percent and by increasing the maximum allowable grant under section 516 from 66 and ⅔ percent to 90 percent of capital costs.

It appears that our 1970 amendments have generated such interest in the program that applications now far exceed the availability of funds. In the first six months of operation under the liberalized grant and loan provisions, the Farmers Home Administration developed a backlog of more than $18.7 minnion in requests. It is not known how many millions of dollars in grant requests are being held at the State and County offices, but these have been directed to cease forwarding applications to the national FmHA office.

The Farmers Home Administration is operating at a program level of $3.76 million for FY 1972. An additional amount of $3 million in appropriated funds has been frozen by the Office of Management and Budget. We request that you release these "reserve funds" immediately in order to meet part of the current backlog.

We further request that the Department of Agriculture seek supplemental funding of up to $30 million for the FY 1972 farm labor housing program. We will, of course, work in the Senate to appropriate these supplemental funds.

Finally, we understand that the budget request for FY 1973 of $2.5 million for farm labor housing grants was established prior to the development of the current request backlog. Because of the $18.7 million in pending requests and because of the program's unique applicability to the housing needs of farmworkers, we request that you increase the FY 1973 budget request to achieve a program level of $50 million. We assure you of our full support in seeking the additional authorization that this will require.

We look forward to working with you to make the promise of decent housing a reality for the nation's farmworkers and their families.

Sincerely,
Alan Cranston,
Adlai E. Stevenson III,
Harrison A. Williams, Jr.,
Walter F. Mondale,
Mark O. Hatfield,
Clifford P. Case,
Jacob K. Javits,
Edward W. Brooke,
Edward M. Kennedy,
Philip A. Hart,
George McGovern,
John V. Tunney,
Frank E. Moss,
Fred R. Harris.

The White House,
Washington, D.C., April 14, 1972.
Hon. Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Senator Cranston: This is in response to your letter to the President of February 23, 1972, concerning the housing loan and grant programs of the Farmers Home Administration.

We are pleased to advise you of the recent decision to make available for use about $3 million of farm labor housing grant funds. These funds represent the additional amount presently available and will be used to finance projects of the type mentioned in your letter.

With these additional funds, a total of almost $17 million in Federal funds for loans and grants is available for farm labor housing financing in fiscal year 1972. The overall program is currently being reviewed in connection with the preliminary work on the 1974 budget.

Sincerely,
William L. Gifford,
Special Assistant to the President.

Mr. CRANSTON. Mr. President, the amendment offered today is a small, but vitally important step toward decent housing for those who harvest our corps. This appropriations bill contains more than $13 billion to promote a healthy, vital agricultural industry and a cleaner and safer environment. I submit that $7 million for farmworker housing is not too much to ask, and I urge support for the amendment.

Mr. TUNNEY. Mr. President, a quarter of a century ago, Congress pledged to provide a decent home for every family in America. Unfortunately, that pledge has never been realized. No more graphic proof of that failure can be found than the plight of the farmworkers. It has been estimated that approximately 7 million homes need to be constructed in rural areas over the next 10 years.

Several years ago the Congress amended the Housing Act of 1949 to facilitate the attainment of our housing goal. Specifically, the measure called for a higher percentage of Farmers Home Administration grants—up to 90 percent—as opposed to loans to those in need of housing.

However, the Appropriations Committee has seen fit to continue funding the program with emphasis on loans. For example, last year the committee appropriated $2,500,000 for grants and approximately $10,000,000 for loans.

This situation is complicated by the meager budgetary requests on the part of the administration. A total of $50 million was authorized for the Farmers Home Administration of which $28.7 million remains unappropriated. However, the President has requested a miniscule $2.5 million despite the fact that there is a backlog of over $34 million in applications in California alone. One project alone would absorb the entire budgetary allowance the administration proposes. The Appropriations Committee recognized this discrepancy and added $2.5 million, but this is clearly not a satisfactory response to this crucial need.

The following list of applications and contacts with the regional office in Berkeley, Calif., have been halted by the inadequate funds:

List of Applications and Contacts

1. Housing Authority of the City and County of Fresno: An application to build 70 units of family housing was started but stopped when funds were exhausted. Estimated total loan and grant of $1,000,000.

2. Housing Authority of the County of Riverside: An application is nearly complete for an additional 100 family units and to purchase a site. Estimated loan and grant of $1,800,000.

3. Housing Authority of the County of Kern: An application was initiated for 150 units of family housing in two locations. Estimated loan and grant of $2,000,000. The application process was stopped when funds were exhausted.

4. Housing Authority of the City of Oxnard: An application was started for 100 family units. Estimated amount of loan and grant of $1,700,000.

5. Housing Authority of the County of San Joaquin: An application started to build housing for single men. Estimated amount of loan and grant of $1,500,000.

6. Housing Authority of the County of Santa Cruz: An application is being developed at the present time and they plan to construct 100 units of family housing. Estimated amount of loan and grant of $1,500,000.

7. Housing Authority of the City of Santa Paulo: The authority has indicated they plan to file an application for a minimum of 100 units at an estimated cost of $1.8 million but the application was stopped when they were informed the funds were exhausted.

8. Imperial Valley Coordinated Housing Authority; This Authority covers Brawley, Calexico, Calipatria, El Cantro, Holtville, and Imperial.

There is a minimum need of 200 units at an estimated total loan and grant of $3.6 million.

9. Housing Authority of the County of Santa Clara: This Authority indicated an interest in 50 units at an estimated cost of $.9 million but an application was not filed due to the shortage of funds.

10. Housing Authority of the County of Tulare: An application is now being developed for 400 units of family housing and to repair 153 existing units and building sites.

The estimated amount of loan and grant was $8,700,000.

11. The Housing Authority of the County of Yolo has contacted the FHA and is planning to file an application for 100 units and an estimated cost of $1.8 million.

12. Housing Authority of Sonoma County: They have contacted the regional office and indicated a need of 50 units and an estimated $.9 million.

13. Housing Authority of Butte County: They have contacted the regional office and indicated a need of 100 units and an estimated $1.8 million.

14. Housing Authority of Santa Barbara County: They have contacted the regional office and indicated a need of 200 units and an estimated $3.6 million.

15. Housing Authority of City of Ventura: They have contacted the regional office and indicated a need for 100 units and an estimated $1.8 million.

It has been estimated that California needs a minimum of $10 million annually for the next 5 years merely to stay even with the crucial housing crisis.

This is a situation which is nothing short of urgent to thousands of farm workers. Further delay will only exacerbate the dimensions of the problem.

I strongly urge the Senate to approve this amendment to increase the farm labor housing appropriation to $10 million.

Mr. McGEE. Mr. President, I am prepared to yield back the remainder of my time.

Mr. STEVENSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

QUORUM CALL

Mr. McGEE. Mr President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum be taken out of my time.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr McGEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. McGEE. Mr. President, I yield such time as the Senator from Utah may require.

The PRESIDING OFFICER. The Senator from Utah is recognized.

DEFERMENT OF CERTAIN CONSTRUCTION CHARGES

Mr. MOSS. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 1682.

The PRESIDING OFFICER (Mr. CRANSTON) laid before the Senate the amendments of the House of Representatives to the amendments of the Senate to the bill (H.R. 1682) to provide for deferment of construction charges payable by Westlands Water District attributable to lands of the Naval Air Station, Lemoore, Calif., included in said district, and for other purposes which were in lieu of the matter stricken by Senate amendment numbered (1) strike out all after line 24 on page 2, over to and including "laws." in line 1 on page 3, and insert "The leases shall also be offered insofar as practicable, in tracts of 160 irrigable acres each."

And, in lieu of Senate amendment numbered (2), insert:

> SEC. 3. No individual lessee shall hold more than one lease, pursuant to this Act, at any given time.

Mr. MOSS. Mr. President, on March 1, 1972, the Senate passed H.R. 1682, a bill which would defer certain charges against the Westlands Water District in California which stem from the costs of facilities to deliver a water supply to lands presently in Federal ownership.

One provision of the bill would permit water to be supplied from the San Luis Unit of the Federal Central Valley Reclamation project to lands on the Lemoore Naval Air Station. The Navy, in turn, would lease these irrigable lands, permitting them to be productively used for agriculture and relieving the Navy of the costs of maintaining the acreage.

The Senate amended the bill to limit the acreage of each lessee of such lands as if he were a landowner within the definition of Reclamation Law.

On July 20, the House accepted the Senate amendments with further amendments. The effect of the further House amendment would be to permit a person who is an irrigator on the Westlands District to lease no more than 160 acres of the irrigable air base lands in addition to his irrigable ownership outside the base.

The reasons for the House provision are that the leases imply no long-term certainty that a lessee will be able to continue to operate the acreage. Furthermore, it is probable that only existing irrigators in the vicinity of the naval air base would be willing and capable to become lessees for blocks of the lands.

The new House language remains more restrictive than the general reclamation policy which imposes no acreage restrictions whatsoever on leasing arrangements. It does, however, allow for the practical problems I have described.

Mr. President, I move that the Senate concur in the amendment of the House to H.R. 1682.

The motion was agreed to.

QUORUM CALL

Mr. MOSS. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum call be taken out of the time of the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McGEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15690) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes.

Mr. TOWER. Mr. President, I am pleased today to support the Senate Appropriations Committee report on appropriations for the agricultural, environmental, and consumer protection programs for the 1973 fiscal year. The Senate committee reported a bill in the amount of $13,394,951,800, and there are several specific portions of this measure which are vitally important to Texans.

The screwworm eradication program so important to the livestock industry, has evidenced a critical need for additional funding to carry on a successful operation. The outbreak of screwworms in Texas this year, one of the most severe ever recorded, could possibly have been contained with proper funding. Further, it is an indication of what can be expected during the next year. I am pleased that the Appropriations Committee has recommended an increase of $3,116,000 in the budget for this program. It is greatly needed and should mean an increased income to many Texas and Southwest livestock producers. This additional funding and the prospect of a cooperative program with Mexico now being negotiated, should be effective in preventing the costly losses which occurred in Texas this year.

I am further pleased with the committee recommendation to increase by $500,000 the funding level for construction of an agricultural research plant in Temple, Tex., to modernize the insect control program. Plants such as these will, in time, prove invaluable to both the farmer and the environmentalist.

New alternative methods of pest control are greatly needed and we cannot afford to lose valuable research time.

With the recent relaxation of import quotas on meat, we are faced with a new responsibility to both our Nation's cattlemen and to the consumer—we must assure them that the Federal Government is making every effort to control the quality of that imported meat. We simply cannot afford to put either our cattlemen in a position of having to compete with inferior quality meat products, or our consumers in a position of having to accept it. The committee has appropriately provided for an increase of $5 million to offset the costs of increased personnel and an expanded program of meat inspection for plants in foreign countries which export meat to the United States.

I am further pleased with the committee recommendation of $595 million for the rural electrification loan program. In our efforts to provide a comprehensive plan of rural development, we cannot overlook the importance of the role played by the Rural Electrification Administration in providing one of the basic essentials for attracting new business and industry—adequate electrical power.

The agricultural industry has proven itself to be one of the most effective industries in this Nation in terms of conservation and environmental protection. Because of his direct dependence upon the land for a source of income and a way of life, the farmer knows the importance of protecting it. The rural environmental assistance program is one of the most effective means of providing such protection, and the individual farmer is willing to match Federal funds to provide programs to insure continued protection and expanded productivity of his most important resource. The House version of this bill provides a figure of $195 million to the Department of Agriculture and $30 million to the Environmental Protection Agency for administration of the rural environmental assistance program. The Senate committee, however, has recommended that all of the $225 million be appropriated to the Department of Agriculture for this program. I support the Senate version. The rural environmental assistance program is one of the best and most reasonable programs for environmental protection ever instituted. With matching funds from the farmers themselves, this results in a total of $550 million for conservation and environmental protection. It is a vital investment we cannot afford to compromise.

Mr. President, I commend my colleagues on the Appropriations Committee for their outstanding efforts on the bill. It has my firm support.

MIREX

Mr. NELSON. Mr. President, last year I introduced an amendment to delete from the agriculture appropriations bill the $7.8 million in funds for the continuation of the imported fire ant control program. The reason for the amendment was the potential environmental and health hazards of the chemical used in this program—the pesticide Mirex.

Although I am not proposing a similar amendment this year, I feel that the events and decisions of the past year relating to Mirex are important and should be outlined.

Most significant is the Environmental Protection Agency's recent order on June 30, 1972, which restricts the use of Mirex. The three major restrictions placed on its use are the following: First, use of Mirex pesticides is banned in all aquatic areas and heavily forested areas; second, aerial application of Mirex must be accomplished with calibrated equipment capable of delivering the recommended dosage. Another significant feature of the order is the requirement for a monitoring program for Hawaii, which was granted an exception to the ban on aerial spraying in coastal counties. Hopefully this monitoring program will be useful in gathering much needed scientific data on the environmental effects of Mirex.

The administrative review process which resulted in EPA's recent order was started as a result of a March 18, 1971, order canceling registration of the pesticide Mirex. This order was appealed by Allied Chemical Corp. and the review began. On March 1, 1972, the Mirex Advisory Committee, a panel of scientists established under the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, reported its findings to EPA. I am pleased to see that EPA followed these recommendations in its final order.

Mr. President, I ask unanimous consent that EPA's orders of March 18, 1971, May 3, 1972, and June 30, 1972, as well as the recommendations of the Mirex Advisory Committee's report of March 1, 1972, be placed in the RECORD following my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. NELSON. Mr. President, in my opinion, it is the final recommendation of the Mirex Advisory Committee which is the most important one and which should be strictly followed:

> Considerably more research on the possible hazards of Mirex to man and his environment must be conducted before the role of Mirex, as a pesticide, can be accurately assessed. Chronic toxicity, carcinogenicity, mutagenicity, teratogenicity and the metabolic fate of this compound in multiple species should be further studied. Additional work on the biological stability, persistence and routes of movement of Mirex under field conditions is needed. Continued and expanded monitoring of key environmental carriers and selected commercially important species for Mirex residues should be carried out with emphasis on the detection of any significant contamination of the human food chain. More thorough studies on the effects of Mirex on aquatic crustaceans are needed, especially the monitoring of population densities in the field. Greater effort should be made to correlate laboratory and field research. Increased research is to be encouraged for the non-insecticidal control of the imported fire ant.

Mr. President, this emphasis on research and methods of biological control are precisely what I advocated last year and continue to advocate now. Certainly we should do everything we can to avoid repeating the old mistakes made with regard to DDT and other pesticides and herbicides when we freely used the chemicals only to find out later the dangerous consequences of such use. It is time we began to examine the potential hazards of chemicals in other than an ex post facto fashion.

Fortunately, both the USDA and EPA are currently conducting research on the use of Mirex. It is this research which should proceed as rapidly as possible so that we may gain the scientific facts needed to make an intelligent policy judgment on Mirex.

I was pleased to note that the Mirex Advisory Committee recommended another position which was cited in my arguments last year, namely, that application of Mirex should be limited to severely infested agricultural areas and in areas where humans could be highly exposed to the imported fire ants. Certainly this recommendation is all the more important given the fact that the scientific data on Mirex is far from complete.

The Mirex Advisory Committee mentioned some very important potential hazards associated with the use of Mirex, including the following: First, the significance to the health of man or his domestic animals of Mirex residues in edible food is unknown; second, laboratory experiments have shown toxic effects on juvenile crustaceans exposed to low concentrations of Mirex; third, monitoring studies have indicated considerable Mirex residues in invertebrates and vertebrates, especially those that are predaceous on ants and other insects; fourth, Mirex residues in aquatic sediments may be of some biological importance because of ingestion by crustaceans; fifth, studies indicate that Mirex residues are not degraded by biological systems; sixth, insufficient data are available on most mammals for an accurate evaluation of the acute toxicity of Mirex; seventh, Mirex caused significant reproductive effects in rats when fed at relatively high levels; eighth, Mirex has been demonstrated to be tumorigenic to two strains of mice; ninth, no conclusions can be reached concerning the carcinogenicity of Mirex for man until further study.

These potential hazards are quite similar to those I mentioned in my arguments last year. They deserve the highest priority in the continuing research on Mirex and they should make us wary indeed of using this chemical any more than is absolutely necessary.

It is reassuring to note that the USDA has given up its goal of total eradication of the fire ant, which is probably impossible and would be environmentally disastrous in any event. By 1969, the USDA had set its sights on spraying 120 million acres in nine southeastern States three times with 1.25 pounds of Mirex per acre per treatment at a total cost of some $200 million—a Mirex broadside equivalent to 2.22 pounds for every man, woman, and child in the United States. Under a barrage of criticism, the USDA now says it has scaled down the number of acres it intends to spray, although more than 17 million acres are still slated for the Mirex application by the Agriculture Department in this year alone and no totals are available for the supposed new overall objective.

Mr. President, everyone concerned agrees that there exists much too much ignorance regarding the environmental effects of Mirex. Given the lack of sufficient data on Mirex, it is important that research on this substance be given the highest priority and that EPA's restrictions on its use be strictly adhered to.

EXHIBIT 1

MARCH 18, 1971.

Subject: Allied Chemical Fire Ant Bait, USDA Reg. No. 218–495; Allied Chemical Fire Ant Bait "150," USDA Reg. No. 218–516; Allied Chemical 25% Mirex Special Concentrate, USDA Reg. No. 218–548; Allied Chemical Mirex Granular Bait 2X, USDA Reg. No. 218–564; Allied Chemical Mirex Granular Bait 4X, USDA Reg. No. 218–565; Allied Chemical 80% Mirex Technical Concentrate, USDA Reg. No. 218–585; Allied Chemical Harvester Ant Bait "300," USDA Reg. No. 218–586; Allied Chemical Mirex Pelleted Bait "450," USDA Reg. No. 218–590; Allied Chemical A–C Mirex Pelleted Bait "450," USDA Reg. No. 218–628; Allied Chemical Yellow Jacket Stopper, USDA Reg. No. 218–633.

ALLIED CHEMCAL CO.,
Agricultural Division,
New York, N.Y.

GENTLEMEN: Scientists in the various pesticide regulation programs of the Departments of the Interior, Health, Education, and Welfare, and Agriculture (Pesticides Regulation Division), which are now consolidated in the Environmental Protection Agency, have had the insecticide mirex under review for some time. Data have been accumulating, primarily from tests in the laboratory, that raise serious questions about the possible effects of mirex on human health and on animals.

Evidence available to this Agency at this time does not allow us to determine how mirex moves through the environment and whether or not it is accumulating in man and wildlife. In short, we cannot now determine to what extent the laboratory results are translatable to man and wildlife in the environment. Nevertheless, the laboratory data do raise serious questions about the safety of mirex.

On January 1, 1971, the United States Court of Appeals for the District of Columbia Circuit in the case of *Environmental Defense Fund, et al.* v. *William D. Ruckelshaus, Administrator of the Environmental Protection Agency, et al.*, held that the Federal Insecticide, Fungicide, and Rodenticide Act requires the Agency "to issue notices [of cancellation] and thereby initiate the administrative process whenever there is a substantial question about the safety of a registered pesticide."

It has been determined that the laboratory evidence concerning the effect of mirex on animals raises a "substantial question" about the safety of continued use of pesticide products containing mirex. Accordingly, this Agency has determined to commence the administrative process in order to resolve this question.

Therefore, in accordance with the provisions of Section 4.c. of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135b(c)), it has been determined that all registrations of the products referred to above should be canceled for the reason that continued registration of these products is contrary to the provisions of Section 2z(2)(c), 2z(2)(d), and 2z(2)(g) of the Act (7 U.S.C. 135(z)(2)(c), 135(z)(2)(d), 135z(2)(g)). You are hereby notified that the registrations of these products are canceled, effective 30 days following receipt of this notice, unless the procedures set forth in Section 4.c. of the Act are invoked.

Sincerely,

LOWELL E. MILLER,
Acting Director.

[Before the Environmental Protection Agency, In re: Allied Chemical Company, Petitioner]

DETERMINATION AND ORDER OF THE ADMINISTRATOR

This proceeding, which arises under Section 4.c of the Federal Insecticide, Fungicide, and Rodenticide Act (the FIFRA) (7 U.S.C. 135b(c)), involves a challenge by Allied Chemical Co. to a notice canceling its registration of a number of pesticides containing Mirex. For the reasons that follow, I have determined to issue the following order: the cancellation of Allied Chemical's registrations is affirmed, but those registrations will be reinstated if Allied Chemical complies with the conditions outlined herein.

A. On March 18, 1971, this Agency issued a notice of cancellation of Allied's ten registrations of pesticides containing Mirex for use against the imported fire ant and certain other insects. The grounds for cancellation were that evidence, primarily from the laboratory, concerning the effect of Mirex on human health and on animals raised serious questions about the safety of continued use of pesticide products containing Mirex. The agency determined to commence the administrative process in order to resolve these questions. Accordingly, the Agency cancelled all registrations of products containing Mirex on the grounds that continued registration of these products was contrary to the provisions of the Act (see 7 U.S.C. 135(z)(2)(c), (d) and (g)). Allied Chemical chose to challenge the order by petitioning, on April 16, 1971, for referral of the matter to a scientific advisory committee (pursuant to 7 U.S.C. 135b(c)). The Advisory Committee was appointed on September 24, 1971 and received the relevant data and its charge on October 5, 1971. The Committee was charged with considering and evaluating all relevant scientific evidence concerning both benefits and risks from the use of Mirex and, based thereon, expressing its opinion and recommendations. Specifically, with respect to benefits, it was to consider, *inter alia,* (1) the nature and extent of the problem posed by the fire ant and other insects at issue; (2) the effectiveness of the several types of control measures which utilize Mirex; (3) the benefits expected to be achieved by each such control program, measured against the damage which would occur if no control were undertaken; and (4) the availability and effectiveness of, and the hazards connected with, alternative control measures. With respect to the hazards associated with the several uses of Mirex, the Committee was charged to consider, *inter alia,* the nature, scope and possibility of occurrences of any (1) direct hazard to the user and to the general public; (2) hazard to vegetation; (3) hazard to nontarget vertebrate and invertebrate animals; and (4) hazard to the environment generally.

The Committee submitted its report on February 4, 1972. With my approval, the Committee later submitted revisions of certain statements which had inadvertently appeared in the initial report as a result of the press to meet the statutory time deadline. A revised version of the report, dated March 1, 1972, and containing, as an addendum, a letter from the chairman explaining each of the revisions, has been printed. Under the law, I am required within 90 days of my receipt of the report to "make [a] determination and issue an order, with findings of fact, with respect to registration * * *." 7 U.S.C. 135b(c).

B. The Committee discussed in detail the evidence pertaining to Mirex and, based thereon, made a number of findings regarding Mirex. Those findings are summarized below:

1. The imported fire ant, which infests more than 126 million acres in nine Southern States, is both a major nuisance pest because of its sting and a health hazard due to dangers of secondary infection and allergic reaction.

2. The imported fire ant is a minor agricultural pest because the threat of its sting interferes with hand labor on some crops and its mounds may damage agricultural machinery.

3. The imported fire ant is an aggressive predator to an unknown extent of both pests and beneficial species, and is also a scavenger.

4. Mirex bait is effective for fire ant control to a degree correlated with the size of the area treated and the number of applications. For example, three applications at six-month intervals virtually eliminated all mounds exposed to treatment.

5. The goal which should be sought is control of the fire ants, through publicly sponsored programs involving application of Mirex bait as needed, rather than total elimination of the pest. The latter is not feasible, given the financial and environmental problems involved.

6. Mirex baits provide highly effective and comparatively selective control for a number of other pests, including certain species of ants, yellow jackets, and, indirectly, aphids, scale insects and mealy bugs.

7. The only effective alternatives to Mirex for control of the fire ant are even more persistent chlorinated hydrocarbons, e.g., chlordane, aldrin, dieldrin, and heptachlor. Inasmuch as their effective dosage rates far exceed the rate used in Mirex bait, their substitution is inadvisable. No possible method of biological control shows immediate promise.

8. No instance of acute Mirex poisoning of humans has been reported in more than a decade of use, nor is there any evidence of damage to vegetation from the use of Mirex bait.

9. Insufficient data are available on most mammals for an accurate evaluation of Mirex acute toxicity. No data are available on the chronic toxicity of Mirex to experimental animals.

10. Mirex has caused significant reproductive effects in rats when fed at relatively high levels, but none when fed at rates likely to occur in treated food or feed applied to control the fire ant.

11. Based on preliminary data, no metabolites or Mirex have been detected in rats. Mirex is stored in animal adipose tissue, and appears to have biological half life of at least 25 days.

12. Mirex has been demonstrated to be tumorigenic to mice at high dosages.

13. Insignificant residues of Mirex have been detected in the human food chain in treated areas.

14. Laboratory experiments have shown exceedingly toxic effects on juvenile crustaceans, especially shrimp and crabs, exposed to low concentrations of Mirex, indicating the chemical presents a hazard to the aquatic environment.

15. Mirex residues in both soil and water in areas of normal treatment are minimal, but may have some biological importance in water because of the probable ingestion of organic detritus and other components by bottom feeding crustaceans.

Based on its findings, the Committee made recommendations which can be summarized as follows: (1) Mirex registrations should be continued with labeling restrictions to minimize environmental contamination; (2) publicly supported control programs should be limited to infested areas where the imported fire ant is a problem because of use by people or interference with agricultural operations; (3) where publicly sponsored programs are unavailable [non-aerial] broadcast treatment of lawns, pastures, schoolgrounds, parks, and similar areas by individuals is recommended instead of mound treatment; (4) more information should be obtained in order to establish economic or nuisance threshold levels requiring Mirex treatment as well as information regarding rates of reinfestation and population recovery in areas receiving a single bait treatment; and (5) more research should be conducted on the possible hazards of Mirex to man and his environment in order that the role of Mirex as a pesticide may be accurately assessed.

There is no basis in the data currently before me to disregard these findings. Accordingly, I accept the findings stated above and adopt them as my own. I believe, however, that additional discussion is in order inasmuch as I have decided to depart in some degree from the Committee's further recommendations.

The acute toxicity of Mirex to man is low. Though Mirex is capable of being stored in adipose tissue (as are DDT and other related compounds), recent gas chromatograph analyses of more than 700 adipose tissue samples collected in 23 states showed that only 12 samples contained residues which could possibly have been Mirex. Those 12 were tentative identifications, and only 2 samples have been confirmed as containing Mirex.

Sub-acute toxicity studies in rats and mice have shown some evidence of chronicity and reproductive effects but only at high dosage levels. Mirex was clearly tumorigenic in one experiment in mice; the results were comparable to those obtained from known carcinogens used as positive controls. The Advisory Committee avoided referring to this as carcinogenic because only one species of animal was involved. With the essentially non-detectable level of human exposure, the risk to man's health must be considered very low in relation to the benefits, particularly those relating to human health, to be derived from use of Mirex.

Mirex is highly toxic to some species of invertebrates, but is apparently very low in toxicity to other closely related species. Residues of Mirex have been found in some invertebrates and vertebrates, especially those that are predaceous on ants and other insects. There have been some population declines demonstrated in terrestrial invertebrates, most of which apparently feed directly on the Mirex bait. In spite of its persistence, troublesome concentrations of Mirex are not apt to build up in the terrestrial environment in the near future because of the extremely small dosages used (far less than one ounce per acre and seldom more than one application per year).

On the other hand, Mirex is most apt to do significant damage in the aquatic environment. Significant adverse effects to crustaceans have resulted from laboratory exposure to Mirex. In the wild, however, the lethal effects to some aquatic species, such as the commercial blue crab, are delayed so that such effects would be difficult to discover in the natural environment. Consequently, although troublesome concentrations of Mirex have not yet been demonstrated in the aquatic environment, the hazard to aquatic organisms cannot be disregarded, particularly in view of the fact that Mirex is apt to be recycled, especially in estuaries, and because of the sensitivity of some economically important species of crustaceans to Mirex.

As a result of the potential threat to the aquatic environment posed by Mirex, I am naturally reluctant to permit distribution of Mirex bait in a manner that might contaminate estuaries, lakes and streams. Those who are familiar with aerial application techniques believe that it is practical, by the use of proper cut-off mechanisms and guidance systems in the aircraft, to avoid contamination of streams and lakes in upland areas where such aquatic environments cover a rather small proportion of the land. Judicious use of aerial application is preferable to hand distribution of bait, which often results in overtreating obvious mounds but missing inapparent young colonies with a resultant rapid reinfestation.

At the same time, maximum caution must be exercised to prevent damage to the aquatic environment. All broadcast application, aerial or otherwise, must be prohibited in coastal counties or parishes and on or near rivers, streams, lakes, ponds and other aquatic areas. I also believe it necessary to restrict aerial or other broadcast application in non-coastal, non-aquatic areas to Federal, State, county, or local authorities. Thus, I depart from the recommendation of the Advisory Committee that non-aerial broadcast treatment by individuals be authorized where publicly supported control programs are unavailable. All broadcast treatment by private individuals must be prohibited.

By prohibiting aerial application, I do not wish to eliminate completely the use of Mirex from coastal counties or parishes. Should we do so, the homeowners, farmers, and others affected by the ants would in all likelihood apply heptachlor, dieldrin, or another chlorinated hydrocarbon as a control chemical. This alternative could be worse from the standpoint of environmental safety than would applications of Mirex. Therefore, I have determined to authorize the private use of Mirex for application on a mound-to-mound basis only.

For the foregoing reasons, the cancellation of Allied Chemical's registrations is affirmed, but the registrations will be reinstated upon submission by Allied Chemical, and acceptance by the Agency, of amended labeling which conforms to the conditions set forth in this decision,[1] and submission by the company for a two-year plan to monitor mirex in the environment to insure that run-off, leaching and erosion of soil in mound-treated areas are not resulting in aquatic contamination.

WILLIAM D. RUCKELSHAUS,
Administrator.

[Before the Environmental Protection Agency, In re: Allied Chemical Corporation, Petitioner]

DETERMINATION AND ORDER OF THE ADMINISTRATOR ON MIREX

Pursuant to Section 4.c of the Federal Insecticide, Fungicide and Rodenticide Act (the FIFRA) (7 U.S.C. 135b(c)), I issued my Determination and Order, filed May 4, 1972, cancelling Allied Chemical Corporation's registrations of pesticides containing Mirex, providing that such registrations would be reinstated if Allied Chemical complied with the conditions outlined in the Determination and Order. The Determination and Order was published in the Federal Register on June 1, 1972 (37 Fed. Reg. 10987).

I.

A. My May 3 Order limiting private use of Mirex to mound-to-mound treatment resulted from my concern that unrestricted amounts of Mirex should no longer be allowed to contaminate the environment. Based on the information then before me, I determined that restricting use to the mound-to-mound application method was the best solution to the problem. Subsequent to the filing and publishing of the Determination and Order of the Administrator on Mirex, Allied Chemical Corporation submitted information to me which showed that ground application equipment can be calibrated to deliver the dosages recommended on the labels of Mirex pesticides. Based on this information and the recommendation of the Mirex Advisory Committee to minimize environmental contamination, I am persuaded that so long as only equipment which can be calibrated to deliver the recommended label dosages is used, ground broadcast treatment with Mirex baits by private persons should be authorized.

B. The U.S. Department of Agriculture has represented to this Agency that it is engaged in a comprehensive pesticides monitoring program. The Agency does not believe a further monitoring program is necessary at this time. I have, therefore, lifted the requirement that, as a precondition to reinstatement of its registrations, Allied Chemical submit a monitoring program for the Southeast United States.

C. Allied Chemical Corporation has submitted to this Agency amended labels for the registrations which were canceled by my Order of May 3, 1972. These new labels, for registrations 218–495, –516, –564, –565, –586, –590, –628, and –638 have been accepted by the Pesticides Regulation Division of the Agency. Those amended labels conform to the conditions set forth in the May 3 Determination and Order. Thus, as I stated in that Order, I am herewith determining to reinstate those registrations.

D. A petition for a Stay of the May 3 Order has been submitted to me by Allied Chemical Corporation. The stay is requested only with respect to that provision of the Order which would prohibit aerial spraying of the product registered as number 218–586 in Hawaii. This product is used on pineapples in Hawaii to control mealy bug wilt. According to the petition, the spraying season for control of this pest, which can devastate pineapple crops, is the period from August through October.

In keeping with this Agency's policy of trying to avoid disruption of a growing season and in view of the fact that treatment with Mirex has been incorporated in the plans of the pineapple growers for this season, the effect of the order is stayed through the 1972 spraying season, that is, only the period August through October. *Cf. In Re Stevens*, I.F.&R. 63 (June 14, 1972). Since the stay will result in aerial application of Mirex in coastal counties, I am requiring a monitoring program for Hawaii.

This stay does not lift final cancellation. Any such action could only be undertaken upon receipt of a petition for reconsideration and a full review of the question on the merits.

II

Order

All application, aerial or otherwise, of Mirex pesticides is prohibited on or near estuaries, rivers, streams, lakes, swamps, ponds, other aquatic areas, and heavily forested areas. Ground broadcast application of registered Mirex pesticides by private persons is prohibited in all other areas unless such application is accomplished with ground application equipment which can be calibrated to deliver the recommended label dosages.

Allied Chemical Corporation is no longer required to submit a plan to monitor Mirex in the environment, in addition to meeting the other conditions as set forth in the May 3 Order.

The amended labeling submitted by Allied Chemical for its registered Mirex pesticides conforms to the conditions set forth in the May 3 Determination and Order, and I accept such labeling as being in conformity therewith. Therefore, all of Allied Chemical Corporation's registrations of Mirex pesticides, with the new labels, are reinstated.

The petition for a stay of the Order of May 3, insofar as that order prohibits aerial application of registration 218–586 in Hawaii, is granted for the 1972 spraying season, conditioned upon a monitoring program, which has been approved by this Agency.

All other provisions and restrictions of the May 3 Determination and Order remain in full force and effect.

WILLIAM D. RUCKELSHAUS,
Administrator.

RECOMMENDATIONS OF MIREX ADVISORY COMMITTEE

1. The registration of products containing Mirex should be continued with labeling restrictions to minimize environmental contamination.

2. Publicly supported control programs should be limited to Mirex application, according to need based on pest population assesment, to infested areas where the imported fire ant is a problem because of use by people or interference with agricultural operations. Estuaries and other aquatic habitats, wildlife refuges, and heavily forested areas should not be treated.

3. Where publicly sponsored programs are unavailable, broadcast treatment of lawns, pastures, schoolgrounds, parks, and similar areas by individuals is recommended instead of mound treatment. Educational programs should instruct infested property owners as to how Mirex can be applied for the most effective control of the imported fire ant with minimal environmental contamination.

4. To implement control programs, much more information is needed to establish economic or nuisance threshold levels requiring Mirex treatment as well as on rates of reinfestation and population recovery in areas receiving a single bait treatment.

5. Considerably more research on the possible hazards of Mirex to man and his environment must be conducted before the role of Mirex, as a pesticide, can be accurately assessed. Chronic toxicity, carcinogenicity, mutagenicity, teratogenicity and the metabolic fate of this compound in multiple species should be further studied. Additional work on the biological stability, persistence and routes of movement of Mirex under field conditions is needed. Continued and expanded monitoring of key environmental carriers and selected commercially important species for Mirex residues sholud be carried out with emphasis on the detection of any significant contamination of the human food

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[1] The evidence presently available indicates that the hazard to aquatic organisms from current use of Mirex in aquatic areas does not approach the "imminent" stage. In other words, I am not faced with a highly dangerous situation which needs to be corrected immediately, prior to the completion of the cancellation proceedings. Consequently, I have no reason to suspend aquatic use immediately. Instead, I am merely cancelling the aquatic use. Under the FIFRA, this cancellation order is not effective until, at the earliest, the expiration of the 60 days allowed for the filing of an administrative appeal from this decision. Thus, even if Allied does not appeal from this decision, it will have 60 days to conform its labeling to the newly-imposed conditions.

chain. More thorough studies on the effects of Mirex on aquatic crustaceans are needed, especially the monitoring of population densities in the field. Greater effort should be made to correlate laboratory and field research. Increased research is to be encouraged for the non-insecticidal control of the imported fire ant.

Respectfully submitted,
C. H. VAN MIDDELEM, Ph. D.,
Chairman.

Mr. TALMADGE. Mr. President, I rise to support the bill providing appropriations for the important farm, consumer, environmental, and rural development programs of the Federal Government. The subcommittee chairman, Mr. McGEE, has done a thorough and careful job. He should be commended for the care and discriminating detail in which he has guided this bill to the floor.

I will not take the time of the Senate to comment on all aspects of the bill, but I do wish to express my appreciation to the chairman, Mr. McGEE, for his cooperation in the restoration of the additional appropriation for rural development economic research.

Mr. President, in title IX of the Agricultural Act of 1970, the Senate, the House, and the President established rural development as a national policy of the highest priority. As you know, Mr. President, the Senate earlier this year passed a most significant first step toward implementation of this policy in the Rural Development Act of 1972. Not included in that bill was the item of increased funds for rural development research by the economic research service of the Department of Agriculture that is included in the bill now before us.

The rural development economic research item is vital to proper and sound implementation of the Rural Development Act of 1972. It will also help point the way not only to further legislative steps that may be needed to fill the gaps that still remain but also to help us through scientific evaluation and studies to further improve and correct provisions in the Rural Development Act.

I hope that this increase in rural development economic research will be sustained in the conference.

Mr. BENTSEN. Mr. President, this bill we are considering today is a testimony to the Senate Appropriations Committee's ready response to the agricultural needs of this Nation.

I want to commend Chairman ELLENDER and Senator McGEE as chairman of the Subcommittee on Agriculture, Environment, and Consumer Protection for their time, effort, and thought which went into the considerable juggling of priorities which is mandatory in any appropriations bill.

I speak specifically about two programs covered by this bill which affect my home State of Texas, the Southwest and, ultimately the entire Nation.

The State of Texas and, to a lesser degree, its neighboring States are experiencing a severe infestation of screwworm flies. These insects infect the open wounds, cuts, and sores of domestic livestock and wildlife causing eventual maiming or death. If this spreading goes unchecked, if more livestock die, the Government does not act—then the consumers will shortly pay the bill with increased meat prices due to livestock deficits.

Over 33,000 cases of this infection have been reported this year in my State. This month alone almost 12,000 cases have been discovered. This is only the tip of the iceberg, for every one case found an estimated 25 go unreported. Let me state it in another way. Out of 254 counties in Texas, over 190 are infested with these flies. That, in my view, is epidemic stage.

Climatic conditions in northern Mexico last year were most favorable to the propagation of these insects. The warm, mild climate produced an exceptional number of these flies which spread into the southern and western parts of Texas.

We are on the leading edge of an emergency situation. USDA is obviously aware of this critical problem. Over the last 4 months the production of sterile male screwworm flies in the plant at Mission, Tex., has been increased from 100 million to 200 million per week—its maximum production. These sterile male flies are dropped from aircraft and mate with the female flies causing a reduction of offspring. I was pleased at this increased production for it was in response to a letter I wrote to Secretary Butz this spring urging his awareness of the situation.

However, from discussions with leading veternarians and representatives of the livestock industry in Texas, I am convinced that even this will not be adequate to meet the intensify of the growing infestation. Little can be done at this time except maintain the status quo until the cool weather next fall kills these insects. But we must be prepared for next spring. A recent article in the July 18 issue of the Houston Chronicle reports that the Mexican Agriculture and Livestock Department states that of the 4,082 screwworm tests in northern Mexico during June, 4,064 proved positive. This compared with 580 reported cases during the same period last year.

Mr. President, the emergency of this year will likely repeat itself if there is another mild winter in Mexico. I am convinced after consultation with both the USDA and the Texas Agriculture Commission that the Mission plant must continue at maximum production through the fall and winter months. Additional money is needed for this increased production. That is why I am pleased at Chairman ELLENDER's and Senator McGEE's appreciation of this problem by responding to my written request for additional funds for this program.

Mr. President, it is estimated that losses to livestock and wildlife in Texas are in the millions of dollars already this year. Unless this spreading infestation is controlled, this epidemic will move out of Texas into the surrounding areas and cause the same extensive damage. It does not make sense to permit reinfestation of Arkansas, Louisiana and other Southern States after such long and difficult job of almost eliminating these insects in the United States.

One million dollars is a reasonable premium to pay when you consider the eventual cost to the consumer if we do not take this action. In my view, we have no alternative.

Mr. President, I also want to commend the members of the Appropriations Committee for their decision to increase the REAP—rural environmental assistance program—funds from the administration's $140 million request to $225 million.

Unfortunately, an all too familiar pattern is developing. For the last several years the administration in its fiscal budget request has overtly tried to either eliminate or severely hamstring the funds necessary for this effective and sound conservation program. However, the Congress has consistently overridden the administration's move and approved additional funds for this program.

I find the administration's position especially disappointing at this time of growing concern for conservation and protection of the environment. As we search for new environmental programs, let us not forget the proven, successful ones already in operation. Not only is the rural environmental assistance program one of the first to deal with the pollution problem, but it has always been one of the most effective. Too few people realize that soil erosion is the greatest single source of pollution to our streams, rivers and lakes. The benefits of this program extend far beyond the rural area, for the control of soil erosion benefits both rural and urban residents.

Mr. President, I would like to include a typical year's accomplishments of this program.

There are 45,000 water storage reservoirs, directly serving 4 million acres to control erosion, conserve water, and provide wildlife habitat and recreational opportunities.

There are 300,000 acres of trees and shrubs planted or timber improved for forestry purposes, erosion control, wildlife habitat, and pollution abatement.

There are 600,000 acres served by terraces to control erosion, stabilize land and reduce stream pollution.

There are 300,000 acres of contour field strip-cropping, protecting soil from wind and water erosion, and reducing air and water pollution.

There are 1,000,000 acres served by sod waterways, safely dispersing excess water, preventing erosion, reducing pollution of downstream land, waterways and reservoirs.

And there are 9,000,000 acres of enduring cover for soil and watershed protection or land-use adjustment with extensive antipollution benefits.

The American taxpayer has no more effective and economic pollution control program than this one. The farmer shares with the Federal Government the expenses incurred in this program, matching every dollar that the Federal Government spends, while donating his time and energy in the implementation of these conservation practices.

I again commend the members of the Appropriation Committee on their farsightedness.

Mr. BOGGS. Mr. President, I wish to express my support for this legislation, H.R. 15690. It will provide the funds necessary for many essential, ongoing programs as well as new initiatives to improving our agricultural lands, our environment and to protect American consumers.

Many of the important aspects of the bill have been discussed already by my colleagues. I would like to comment on a few items, which also have significance.

The Appropriations Committee has recommended a $15,000,000 increase above the House figure for demonstrating in fiscal 1973 new waste recycling systems that would reduce pollution. The amendment would provide enough money to construct a variety of resource recovery systems around the Nation, converting trash to reusable materials, under section 208 of the Sold Waste Disposal Act.

It is my hope that this appropriation will assure the availability of sufficient Federal funds to demonstrate a broad variety of recycling concepts at locations around the Nation.

The President's budget did not request funds for this recycling program for fiscal 1973. The budget planned to use the $15,000,000 appropriated last year over the 2-year period, with all of the grants to be made in fiscal 1973.

The committee found that this sum was totally inadequate to meet the needs of the Nation. The House agreed, adding $15,000,000 for fiscal year 1973. With the additional money recommended by the Senate committee, $45,000,000 would be available, including the carryover funds, to initiate the program this year.

When the Congress approved the Resource Recovery Act of 1970, it authorized $80,000,000 for fiscal 1972 and $140,000,000 for fiscal 1973 for this vital section 208 program demonstrating new recycling systems.

The creation of effective answers to our recycling needs, I believe, will save the Nation many times this cost in materials saved and pollution prevented.

Further, I would like to point out language in the Senate report on the committee's evaluation of the thrust of the section 208 program. It reads:

> The Committee recommends an additional $15,000,000 for Section 208 resource recovery demonstration projects. The Committee believes it is important that a wide range of new systems be demonstrated under this program. While energy recovery systems are important and need to be investigated, the Committee believes it is vital that EPA also approve systems recovering a full range of reusable materials from solid wastes, including humus.

This paragraph, I believe, reflects a sound approach to the section 208 program.

Mr. President, I urge the Senate to support the committee's recommendation on funding of the EPA resource recovery program.

The bill contains many other important features. It provides $1.9 billion in grants for sewage treatment plants, a sum that may be altered at some future date with completion of the conference on S. 2770.

The bill provides $500,000,000 in grants for construction of water systems and sewerlines, plus $350,000,000 in operating loans to farmers through the Farmers Home Administration.

The Agricultural Research Service receives $201,000,000 under the committee recommendation, an increase of $25,000,000 over the fiscal 1972 spending on research. This program includes funds for important research into ways to control the gypsy moth, which has damaged or killed many thousands of trees in the Northeast.

Another item in the bill involves grants to the States for programs promoting various agricultural products. Under the recommendation, $2,500,000 would be available for such grants. This sum will enable several States, including Delaware, to initiate new programs for marketing their agricultural goods. This will have a benefit to many farming families, and I applaud it.

I would also note that H.R. 15690 provides $1,300,000 to finance the work of the National Commission on Materials Policy during the current fiscal year. The Commission, which is studying America's use and need for a national policy for materials use and reuse, was created by legislation in 1970. Its final report is due at the conclusion of the current fiscal year. This $1,300,000 recommendation, matching the budget request, is essential if the Commission's report is to provide the Congress and the Nation with the vital information and the proposals we need to evaluate properly our future material needs and policies.

The committee also recommends a number of important items involving food programs for the needy as well as programs for consumer protection.

For example, the bill provides $97,000,000 for the special milk program and $2,341,000,000 for the food stamp program.

In an effort to strengthen consumer protection programs, the committee increased the appropriation for both the Office of Consumer Affairs and the National Commission on Consumer Finance. Both proposals will return benefits to every American consumer.

Mr. President, I wish to reiterate my support for H.R. 15690, and I urge its passage by the Senate.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McGEE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. McGEE. Mr. President I would like to ask the distinguished Senator from Indiana if he is prepared to offer his amendment.

Mr. BAYH. The Senator from Indiana is prepared to offer his amendment in the same spirit that he hopes his colleague from Wyoming is ready to accept it.

Mr. McGEE. His colleague from Wyoming is prepared to accept his offering of his amendment at this time.

Mr. BAYH. I will accept that offer.

Mr. HUMPHREY. Mr. President, may I offer an amendment at this time?

Mr. McGEE. Mr. President, I yield to the Senator from Minnesota time on my time so that he might discuss the proposals he has.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. HUMPHREY. Mr. President. I send to the desk an amendment on behalf of myself and the distinguished Senator from Kansas (Mr. PEARSON).

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read as follows:

> On page 11, line 5, strike out "$2,000,000" and insert in lieu thereof "$10,000,000".

Mr. HUMPHREY. Mr. President——

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. HUMPHREY. Mr. President, this amendment is designed to increase the Extension Service funds for placing more rural development agents in the rural multicounty area planning and development districts. These districts become a vital part of rural America and are related directly to what we call rural development.

I commend both the Senate and the House Appropriation Committees for having included $2 million for this purpose, but I believe the $10 million suggested here is much closer to the figure that is needed to accomplish the objectives that are presently authorized in rural development.

As most of my colleagues know the Rural Development Act of 1972 conference bill cleared the House earlier today and it is expected to be considered by the Senate shortly.

This new and expanded rural development program provided in this historic piece of legislation is going to require additional manpower and technical services to implement these programs.

Rural development agents have and will continue to play vital roles in providing assistance to local communities, and other local groups to take advantage of these rural development programs, particularly if we provide funds to help maintain and hire the professional staff required. We are going to depend a great deal on the Extension Service for this cooperation.

Over 40 States have delineated rural multicounty planning and developments districts, now numbering almost 500.

While I have noted here that the committee included $2 million, it is my judgment that such an amount is not adequate, especially if the Rural Development Act of 1972 is adopted by the Congress, which I hope will be very soon.

I hope the chairman and the ranking minority member will be able to accept this amendment and take it to conference to discuss it there in light of this expected action by Congress in enacting the Rural Development Act of 1972.

Mr. McGEE. Mr. President, I wish to say to my colleague that I have consulted with the ranking minority member of the committee (Mr. HRUSKA) and we would offer to take to conference the compromise figure of five.

Mr. HUMPHREY. I accept.

Mr. McGEE. We offer to take this to conference with the compromise figure of $5 million and do the best we can on that, if that is agreeable.

Mr. HUMPHREY. It is agreeable and I thank the Senator.

The PRESIDING OFFICER. Does the Senator so modify his amendment?

Mr. HUMPHREY. I so modify the amendment.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. HUMPHREY. I yield back the remainder of my time.

Mr. McGEE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Minnesota.

The amendment was agreed to.

Mr. HUMPHREY. Mr. President, I have a couple of other items here. First, I wish to ask a question with respect to the school milk program.

I understand that the Committee on Appropriations did increase the funds for the special milk program by approximately $5 million over that amount requested in the President's budget.

Mr. McGEE. Yes, we had very thorough discussions and hearings of that line item. The committee had some differences on it and felt it was likewise subject to a supplemental appropriation, as they are outrunning the application of it now.

We added $5 million, with the understanding on both sides of the question that the $5 million was not for bargaining, but for sticking, and that we would be fight for the five additional.

Mr. HUMPHREY. Of course, we are well aware that last year $104 million was appropriated by the Congress for this program. It is my understanding that with the expansion of the school lunch program, additional milk is to be made available under that program. So this figure of $97 million which the Senate Appropriations Committee has brought to us should meet the needs of children not participating in the school lunch program.

Mr. McGEE. At least as of now we anticipate it does meet the needs.

Mr. HUMPHREY. It is understood that if it does not, we will be asking for a supplemental?

Mr. McGEE. Yes.

Mr. HUMPHREY. I thank the Chairman.

Mr. President, I send to the desk another amendment for myself and my Minnesota colleague, Senator MONDALE.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 28, lines 17 and 18 strike out "$112,743,000" and insert in lieu thereof "$122,743,000".

Mr. HUMPHREY. Mr. President, this amendment is designed to increase the appropriation for the Farmers Home Administration, salaries and expenses, by a figure of $10 million, which, as the amendment indicates, would raise the total appropriation for that purpose to $122,743,000.

The workload of the program for the agency continues to be expanded every year by Congress, but this same Congress continues to hold down administrative moneys for this agency, thereby impairing the effectiveness of the programs and the ability of the agency to carry out these programs. If we fail to provide adequate funds for that purpose, we will, in effect, limit the extent to which the FHA programs can be made available to our rural and small town citizens.

I want to emphasize that the FHA is not just a farm program. It serves many small communities in which a large percentage of our population lives today.

Some 70 million people live in nonmetropolitan or rural America and most of them are eligible for FHA participation. With the expected passage of the Rural Development Act of 1972, there will be additional demands upon FHA and there will be expanded program functions which FHA will be called upon to implement.

And looking, by the way, at the Senate Appropriations Committee report, I conclude that the committee wishes to prevent FHA administrative functions from being contracted to outside private parties. Therefore, we have the obligation to appropriate the funds needed by that agency to hire people necessary to carry out and administer the programs which we have authorized for that agency.

I understand the committee did increase the funds over the budget request by $10 million.

Mr. McGEE. That is not quite accurate. The Department requested a budget increase of approximately $10 million—slightly less than that—for salaries and expenses, over the level for fiscal year 1972. We approved that increase in the budget estimates.

Mr. HUMPHREY. In other words, the budget request was upped $10 million?

Mr. McGEE. That is correct. The proposed level for 1973 is about $10 million more than was the salary and expense item for 1972. The precise figure is $9.2 million.

Mr. HUMPHREY. May I say very respectfully to the chairman that, with the Rural Development Act, which I believe is landmark legislation, and which is a thoroughly bipartisan product, we are going to have to have the additional funds I am requesting to provide the additional FHA services that will be required. I have asked in this amendment for $10 million. I would like to suggest to the chairman to take this figure to conference, or if not the whole figure, a portion of it, and weigh it and adjust it in conference in light of what, by that time, will be the action of the Senate on the Rural Development Act.

Mr. McGEE. May I say to my colleague that we weighed that prospect very carefully. Our thought on that was that, because action still has not been completed on the Rural Development bill, we would be on sounder legislative ground if we were to hold at this figure where we are at the moment. When the Rural Development Act is passed we will then be in a position to assess its needs and consider additional appropriation if and when necessary. I think this would be the better way to cope with that question.

There is no question about the rapidly rising problem that we are going to be facing there, but we thought we should not face it until that legislation is finalized.

Mr. HUMPHREY. May I say the figure of $10 million was not fully predicated on just this new legislation. It also reflects at a very considerable amount of past testimony of what was needed for this agency. Frankly, FHA has had many more applications than it has been able to handle and a good deal more work than it has been able to keep up with. It is not an agency that has been overstaffed.

It was my judgment that if the chairman could take this amendment to conference, he could take a look at what is now underway, and, if the new rural development legislation is passed, he will have this item in the appropriation bill. If the new legislation is not passed, then I would feel the chairman would surely be within his right to drop the amendment or to cut it back accordingly.

Mr. McGEE. I will be willing to try for half of that and take it to conference, in order to dramatize the point the Senator has made very sharply this evening, and that is that with this mushrooming, we will not want to hold personnel down as we try to have the agency cope with these problems.

Mr. HUMPHREY. Mr. President, I ask that my amendment be modified by reducing the figure by $5 million.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

Mr. HUMPHREY. I yield back my time.

Mr. McGEE. Mr. President, I yield back my time.

The question is on agreeing to the amendment of the Senator from Minnesota, as modified. All time on the amendment has been yielded back.

The amendment, as modified, was agreed to.

Mr. McCLELLAN. Mr. President, will the Senator yield to me to call up a conference report?

Mr. McGEE. Mr. President, I am glad to yield to the Senator from Arkansas on my time.

DUES FOR MEMBERSHIP IN INTERNATIONAL CRIMINAL POLICE ORGANIZATION—CONFERENCE REPORT

Mr. McCLELLAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11350) to increase the limit on dues for U.S. membership in the International Criminal Police Organization. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of July 24, 1972, at pp. 24863–24864).

Mr. McCLELLAN. Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. McCLELLAN. I thank the Senator very much.

DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

The Senate resumed the consideration of the bill (H.R. 15690) making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1973, and for other purposes.

Mr. HUMPHREY. Mr. President, I send to the desk another amendment for myself and my Minnesota colleague (Mr. MONDALE).

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read the amendment, as follows:

> On page 42, line 23, strike out "$526,136,000" and insert in lieu thereof "$781,996,000", and on page 43, lines 2 and 3, strike out "$237,047,000" and insert in lieu thereof "$342,907,000" and on line 8, page 43, strike out "$20,775,000" and insert in lieu thereof "$70,775,000".

Mr. HUMPHREY. Mr. President, I shall take just a few minutes to comment on this amendment. Perhaps we can have a colloquy on it.

The amendment would increase the child nutrition program appropriations from $526 million to $782 million, an action that is designed to strengthen programs in the following areas:

First, in the school lunch program, the general assistance amount will be increased—I believe the House-passed bill now provides for 8 cents, which is 2 cents more than last year; we will be working on that matter in the Senate committee tomorrow morning. So this appropriation request is designed to assure the States that the Federal support for meals served to all children will be adequate.

It is also designed for day care, including Headstart, to provide funding support for these programs as originally intended.

The $100 million of the increase that I am proposing will be provided for special assistance under the school lunch program, primarily to assure that sufficient funds will be available to the States.

Congress mandated—and I want to quote what our congressional policy or mandate is—that "all needy children shall be served" a free or reduced-price lunch. The budget we are considering will limit the number of needy children to slightly more than 7 million, although the States have testified in their estimates that the number is closer to 10 million.

If we fail to provide for the 8 cents in general assistance, school districts will be forced to increase lunch prices in their schools. In the past, a 5-cent increase in lunch prices has caused a 10-percent drop in participation. In the abstract, it could be argued that this is the price of inflation. However, the children who are going to suffer will be in families with moderate incomes, those who are not eligible for free lunch but who can no longer afford to pay more. Increasing the reimbursement rate will stabilize lunch prices.

I believe I am correct that the chairman of the Committee on Agriculture and Forestry (Mr. TALMADGE) requested such an action earlier in a letter to the Appropriations Committee.

About $50 million of the funds I am seeking here will be provided for non-school-food programs, which are primarily those which serve children in preschool and summer recreation programs. A part of these funds will be made available to the headstart programs, to fulfill the commitment to support nutritional services in these preschool programs. Smaller amounts would be directed to summer programs for migrant children, whose summers do not coincide with those of urban children, and to be sure that programs do not collapse because of lack of support from other programs, such as the Elementary and Secondary Education Act and the Johnson-O'Malley Indian education program, when and if those are withdrawn.

Mr. President, I wish to urge the adoption of this amendment, not on the basis of some pie-in-the-sky, but merely to meet some of the commitments that we have made in public law here to fulfill the nutritional needs of our children.

Senators will note, in looking over this particular amendment that we have included funds for general assistance, we have included funds for special assistance for the needy children, and we have included funds to help non-school-children, such as those in day care centers and Headstart participating in various recreational programs, which Congress itself has authorized and mandated.

I ask the indulgence of the chairman of the committee because it is my judgment that the figure I am requesting is reasonable, and that it ought very much to be accepted and discussed with the Members of the other body, in an effort to improve and increase our funds for the child nutrition programs.

Mr. McGEE. Mr. President, the committee would find it difficult to accept this proposal, worthy as it is, for two reasons—and again, this was aired with great thoroughness both during the hearings and during the committee consideration of the bill.

The first is that this year, in this bill, we are appropriating $112 million over last year's budget. We are trying to keep pace.

The second reason is that we have new legislation now pending in the legislative committees that could, and undoubtedly will, make significant changes in the child nutrition programs. After that new legislation is passed we will be in a much better position to assess its needs or requirements as far as appropriations are concerned. We just did not think, with that legislation pending, that we would be well advised to jump into a "guesstimate" on the required figure. We did increase the program $112 million over last year.

Mr. HUMPHREY. I say most respectfully that one of the problems we have to face is that within 30 to 40 days, the school year will be underway, and they have to start these programs with the school year. If we do not have funds at the beginning, the programs are completely out of balance, or simply are not programed, because of the inability of the local school districts to make the additional financial commitments involved.

I recognize the argument the Senator makes about the proposed expansion or improvement of these programs. The House of Representatives has acted and our Senate committee will act tomorrow, in strengthening and expanding these programs.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. TALMADGE. I am of the opinion, may I say to the chairman, that we went through this problem a year ago, where we had inadequate funds, where emergency action had to be taken by Congress, where the distinguished chairman of the Appropriations Committee had to come to the floor of the Senate to get further funds for these programs. And it is my judgment that we ought to have a little foresight this year, and at least during the process of negotiation and conference between the two Houses, take a look at what the expanded financial needs of these programs will likely be over and beyond what the committee has already provided.

I do not seek to pad this program. I recognize that these figures are always estimates. I do not seek to see how large a budget we can get, or appropriation, because I know there are limits. But this child nutrition program has proved to be exceedingly beneficial, and I would hope that the chairman could see fit to take this item.

I have been negotiating with him here on amounts because these amounts are nothing more or less than estimates, and if the chairman could see his way clear, in the light of the information that he will have, and the other members of his conference group, I think he could take this to conference, or at least a part of it, and negotiate it with his colleagues of the other body. If he would do this I believe we would be ahead of the game for a change, instead of having to come back later to provide these needed funds. And we should remember that we will have a recess here again soon, I believe starting the 18th of August and will not return until after Labor Day. Many of the schools open the last week of August, and I believe that we will be sorry if we do not take this preventive action.

Mr. McGEE. That very question we put to the people in charge, and the response was a rather persuasive one namely, that with this $1,300,000,000 that we have in the bill, no school that is ready to go will suffer for want of funds until the new bill is passed and we can assess its requirements.

In other words, there is adequate coverage until this new legislative coverage comes through, provided, of course, that the legislative authorization does not lag for some reason that we do not anticipate now.

But I do not believe, after listening to the representations by those who have to administer it, that there will be a lack or want of funds at this time. We have provided adequate funds to maintain the program without delay or interruption.

We all know the tragedy if schools cannot get started on a program, but the feeling was that they would indeed be covered and if needed we have the option of a supplemental when this new legislation is finalized.

Mr. HUMPHREY. As I understand, the figure is $536,000,000 provided in the bill?

Mr. McGEE. I was talking about the total child nutrition program. It is a big program, and much of it is interrelated, as the Senator well knows.

Mr. HUMPHREY. Am I to understand that the total figure listed for the child nutrition program is $1.3 billion?

Mr. McGEE. A little over $1.3 billion, actually.

Mr. HUMPHREY. But that also includes substantial transfers out of section 32 funds.

Mr. McGEE. That is correct.

Mr. HUMPHREY. Which are not listed in this appropriation bill.

Mr. McGEE. That is correct.

I feel very strongly about the need for this amendment, and I am afraid that I will have to pose this as a vote before the Senate, unless I can get my esteemed chairman, for whom I have great admiration and respect, to negotiate with me for a few moments on the floor for what I consider to be some reasonable compromise on these figures.

Mr. McGEE. The chairman thought that we had negotiated. I had not heard of this one.

Mr. HUMPHREY. I had not had an opportunity to talk with him.

Mr. McGEE. I thought we had arrived at a tentative understanding.

I would also hope that the Senator from Minnesota would understand the amount of money that is here from section 32 funds and that there is, indeed, the insurance that concerns him to make sure that no school comes up wanting because Congress did not make available the funds. When this new legislation is enacted, that might well become the target for a real effort in the supplemental, in order to make sure that there is no gap by the end of the school year.

Mr. HUMPHREY. The Senator understands that the rate of reimbursement that is projected in the appropriation bill is 6 cents per lunch.

Mr. McGEE. That is correct.

Mr. HUMPHREY. Rather than the 8 cents contemplated in the pending legislation which has already passed the House.

Mr. McGEE. That is correct.

Mr. HUMPHREY. Therefore, that factor has to be taken into consideration in this legislation.

Mr. McGEE. But it could be covered in the supplemental, if such action is indicated.

Mr. HUMPHREY. It could be covered in the supplemental. My point is, why do we horse around with a supplemental when we know we are going to need this money? We always need more than we get.

Mr. McGEE. I understand that.

It seems to me that we are on sounder ground as good legislators if we do not try to precede or anticipate pending legislation by one of our legislative committees. We have sufficient funds in the bill to take care of the present situation and we can review and assess the new legislation when it becomes a reality.

We are trying to keep this budgetary effort as straightforward and as clear as we can. I do not think we risk any of the child nutrition program by proceeding with that cautionary note. It is not to hold it down. It is simply to make sure that we are not acting on that which has not yet been legislated.

Mr. HUMPHREY. It is because of that, that I know the chairman of the Appropriations Committee and the ranking member and others on this committee, feel so strongly about these child nutrition programs. Do I have the assurance that I understand you are giving me that with this new legislation, if there is need for a supplemental, that the committee will act promptly.

Mr. McGEE. That is correct.

Mr. HUMPHREY. And, in amount adequate to cover these costs. Am I correct?

Mr. McGEE. The Senator is correct.

Mr. HUMPHREY. On that basis, Mr. President, because I know of the good work that has been performed by this subcommittee and because of my complete confidence in it. I withdraw my amendment—under those assurances.

Mr. McGEE. I thank the Senator. I pledge again a complete effort.

Mr. HUMPHREY. May I take a little more time of the chairman? These matters are of vital importance to the country.

The PRESIDING OFFICER. Does the Senator from Wyoming yield time on the bill?

Mr. McGEE. I yield.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment on behalf of myself and my colleague from Minnesota, Mr. MONDALE.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 44, line 9, strike out "$2,341,146,000" and insert in lieu thereof "$2,841,146,000".

Mr. HUMPHREY. Mr. President, this amendment relates to the food stamp program. I am well aware that the committee has been generous and considerate of the requirements of the food stamp program. But I have to say that the amount of money, even though it is large—very large—is not in keeping with the intent of Congress or indeed the legislative authorizations of Congress when it passed the food stamp reform legislation in 1971. I refer to Public Law 91–671.

Congress intended that the program should reach more people, and provide each person a more adequate diet. The funding levels authorized in this bill will do neither. It is a standstill budget.

Congress, for example, set national income eligibility standards, an action which will make at least 2 million more persons—mostly in the Southeast and Midwest—eligible for the program. Regrettably, there is no room in the appropriation, as has been brought to us here, for these additional 2 million people, despite the fact that we set the eligibility standards.

Congress also expected the administration to continue expanding the program to reach more areas. There are 244 counties which have been designated for or have requested a food stamp program but which have not yet begun program operations. There is no funding in the appropriation for these 244 counties. Yet, they are eligible for food stamps, and they have either been declared eligible or have requested that eligibility.

Nearly half of the people who are eligible for food stamps do not participate in the program, for many more reasons than time allows to be discussed here. There is no room in this budget request for these individuals if the administration were to seriously undertake the outreach efforts which Congress mandated in the 1971 act.

If we accept this budget level, then we are endorsing an administration policy which says that no effort will be made to serve the hungry people of the South and Midwest who are newly eligible for food stamps, nor will new areas be encouraged to join the program, nor will the Federal Government reach out to help those who now are eligible.

Finally, this level of funding perpetuates the condition which, using the USDA's own figures, assures the majority of families in the program will get a poor diet. At the bonus level now provided, fewer than one out of four persons can expect to obtain a good diet.

The increase in funding I have proposed will enable the Federal Government to serve more of the 26 million who are now eligible for food stamps, and to enable more of those who do participate to consume a good diet.

Mr. President, I think we are at a point of what is called a moment of truth, as to whether or not we are going to pass legislation here which gives the people the feeling that we are going to take care of these things, that more people ought to be brought under this program, as the word goes out that new counties ought to come in. Now 244 counties are either declared eligible or are seeking to be declared eligible, and the funds are not there to take care of them.

The food stamp program, like any other program, has its abuses. I am fully aware, as a citizen and as a public official, that there are people who take advantage of it. But it has been a godsend for millions of our people.

I believe that, in a real sense, we are skimping on this program if we do not provide the funds that Congress has mandated are necessary.

I hope that the chairman will take a good look at my amendment. I know that it represents approximately a $500 million increase. It is a program that I think has general broad public support.

I would now welcome the comments of the chairman on the amendment.

Mr. McGEE. Mr. President, believe me, we entered into this one carefully and with great sympathy and understanding. We have increased food stamp funds by nearly $400 million over the actual program level for fiscal year 1972 in an attempt to keep pace with this sort of thing. The difficulty of keeping pace and trying to meet the needs, we all recognize. We try to balance that with some of the real problems connected with it. We have also tried to stay on top of it. I am wondering, in the interest of expediting this matter, if the Senator would be willing to compromise this at an even $2.5 billion figure and that way we can throw round numbers at our colleagues and understand them better ourselves.

This will put this item in conference with the House.

Mr. HUMPHREY. I will. I want to say that I think the committee has done a monumentally good job. I am not trying to be critical, but this amendment that is now up has been of special interest and of special concern to me.

Mr. President, I modify my amendment accordingly.

The PRESIDING OFFICER (Mr. HART). The amendment is so modified.

Mr. HUMPHREY. Mr. President, I yield back my time.

Mr. McGEE. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on this amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Minnesota.

The amendment was agreed to.

Mr. HUMPHREY. Mr. President, I want to include in the RECORD a message of commendation and thanks to the Committee on Appropriations because I believe much of its good work has gone by here unnoticed. It is a remarkable job that the full committee and the subcommittee have performed.

Mr. McGEE. In view of this latest insert, I wonder whether the Senator would agree to a compromise to half of what he says in there for members of the committee.

Mr. HUMPHREY. To show the Senator that I am a good Joe, I will double it. [Laughter.]

Mr. President, the administration in its fiscal 1973 budget request for rural development clearly demonstrated to us and the Nation how little it really supports this important national development effort.

For instance, the administration only requested $331 million in new obligational authority for rural electric loans with a carryover of the $107 million in REA loan funds it withheld from use last fiscal year. The Senate committee's action to raise the total appropriation for this purpose in fiscal 1973 to $595 million is indeed a welcome move.

Similarly, the administration requested no new obligational authority in its 1973 budget request for rural water and waste disposal grants, relying solely upon the $58 million it refused to make available last fiscal year which it has requested to be carried forward. The Senate committee's action to provide $200 million for this important program in fiscal 1973 is urgently needed to meet the health, environmental, and development requirements of thousands of rural communities throughout this Nation.

I also want to commend the Senate committee for increasing the appropriations for the rural telephone loan program by $20 million over what the administration requested and $20.9 million more than what the House provided. The $145 million provided by the Senate for this program and the $30 million provided for the rural telephone bank program will be very helpful to the people of rural America in providing and improving their telephone service. Such service is essential not only to individual rural families, but to development of our Nation's countryside. No business wants to establish or expand its operation in areas where only seven or eight party telephone service is available.

The Senate committee is to be further commended for action in restoring the $400,000 reduced by the House for rural development research by the Economic Research Service. The Agency has done outstanding work concerning rural development in the past, including several important research projects in cooperation with the Senate Rural Development Subcommittee which I chair.

Mr. BAYH. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 20, line 4, strike out the period and insert in lieu thereof the following:
>
> ": And *provided further*, That none of the funds appropriated by this Act shall be used during the fiscal year ending June 30, 1973, to formulate or carry out any single 1973 crop-year price support program (other than for sugar and wool) under which the total amount of payments to a person, per program, would be in excess of $20,000."

Mr. BAYH. Mr. President, I rise to offer this amendment which, in effect, limits farm subsidy payments to $20,000. I realize that is a matter which will provoke some controversy, because of the rather intense feelings of those Senators that have divergent views.

Just a brief background of my interest in this field. Let me say to my colleagues that I rise to express my concern in this matter of agriculture as one who has spent most of his life actively engaged in the agricultural industry of his State, from a youth on the farm, through education in one of our finest land-grant colleges, where I continue to own and operate a family farm in Indiana. I have been deeply involved in what it takes to make a going operation on the farm.

A $20,000 limitation, Mr. President, would result in substantial savings to the American taxpayer. An even more compelling argument for adopting a $20,000 payment limitation, however, is the need to insure that the benefits of subsidy programs would be distributed more equitably. The Department of Agriculture, for example, has concluded that the $55,000 limitation enacted in 1970 and was supposed to be a great breakthrough, resulted simply in the large payments being shared among more family members and corporate subdivisions. In effect, there has been little or no effect of the $55,000 limitation because of legal loopholes contained in the legislation providing for that enactment.

In response to Senate Resolution 153 which was introduced by our colleague the junior Senator from Minneosta and adopted last year, the Department of Agriculture submitted a report to the Senate which indicates that a $20,000 limitation would not have any adverse effect on the set-aside programs. The General Accounting Office, in addition, has made an independent study of the administration of the $55,000 payment limitation in 1971 and concurs in the Department of Agriculture's conclusions.

Mr. President, having offered similar amendments in the past, I am aware of the Senate's reluctance to attach such a limitation to an appropriation bill, but the equity of the arguments for a limitation are too compelling to be sidetracked by a somewhat irrelevant procedural issue.

The number of American farmers receiving subsidy payments in excess of $20,000 is incredibly small—and is even smaller percentagewise if we were to concern ourselves, as I believe we should, with family farmers and not corporate conglomerates. In the cotton program, the total number of producers receiving more than $20,000 is 8,810—out of 271,101 receiving payments, or a mere 3.2 percent. In the wheat program, the number of producers receiving $20,000-plus payments was only 1,088—out of a total of 1,075,000 producers receiving payments, or one-tenth of 1 percent. And in the feed grains program a mere 245 producers, out of a total of 1,712,000 receiving payments, collected more than the proposed $20,000 limit. That works out to one one-thousandth of 1 percent of the farm producers in American today. The time, it seems to me, to act on this $20,000 limitation is now, Mr. President.

It is important to look at the national trends, to show why it is important to act now and not delay another year as some of our colleagues, with every good intention, would have us do before we even consider this matter.

The number of such payments has been growing steadily each year. Four years ago only 5,914 farmers received payments in excess of $20,000, and they received a total of $273 million. Last year 13,751 farmers received payments in excess of $20,000, and they received a total of $486 million.

The number and amount of payments in excess of $20,000 per producer, 1968–71 follows:

1968—5,914 producers, total payments $273,333,643.

1969—7,795 producers, total payments $366,779,995.

1970—10,371 producers, total payments $414,500,000.

1971—13,751 producers, total payments $486,339,509.

It is almost certain that a further sharp increase in number and amount of payments in excess of $20,000 will occur in 1972 and, in my judgment, will continue to do so next year and the year after, unless we take steps to limit the increase.

The second development in the past year favoring the adoption of a $20,000 limitation results from the passage of Senate Resolution 153 on July 15, 1971.

As I noted earlier, this resolution directed the Department of Agriculture to make a study and report on the effect of the $55,000 farm program payment limitation, including an evaluation of the probable effect of a $20,000 limitation.

The U.S. Department of Agriculture report in response to Senate Resolution 153 was received March 15, 1972, and published as a Senate Committee on Agriculture and Forestry committee print.

It concludes that Government expenditures in 1971 were reduced only $2 million as a result of the $55,000 payment limitation.

Although 1,350 producers earned payments in excess of $55,000 in 1970 totaling $138.8 million, only 466 producers had their payments reduced by a total of $2 million in 1970 by the limitation.

Of the 1,200 cotton producers who received payments in excess of $55,000 in 1970, 1,000 changed their farming operations, usually by leasing out a part of their cotton allotments or by subdividing their farms, and taking advantage of other legal loopholes which clearly had no effect in limiting subsidies to these individual owners.

It is evident from the Department of Agriculture and the GAO reports that a $20,000 limitation would not have the adverse effect on the programs which opponents of such legislation have claimed. Also, a $20,000 payment limitation would reduce governmental expenditures on a relative basis much more than the $55,000 limitation because of the greater difficulty in dividing large operations up into so many, much smaller units to take advantage of the loopholes.

Mr. President, the limitation I am proposing is designed to limit subsidies to large corporate farmers—not deny them to family farmers.

The present farm payment program is now obsolete. Since the 1930's payments have been distributed according to production, and since production of goods is concentrated in more and more corporate farms today, a small number of farmers receive huge payments.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the tabulation by States of the big payment recipients.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Alabama

[Amounts in dollars]

AUTAUGA COUNTY

Carroll H. Rhyne	67, 878
O. H. Jones	58, 895
Malcolm D. Smith	58, 233
Percy D. Roy	57, 155
James T. Murfee	55, 189
Wilson Johnson	52, 943
M. S. Murfee	52, 517
Dismukes Farms	49, 733
Autauga Farming Co	44, 001
J. A. Rainwater	42, 284
C. W. Johnson and Son	33, 303
O. C. Bruner	31, 297
Bob Condra	31, 249
Wadsworth Brothers	29, 508
W. P. Jones	25, 810
B. R. Wood	24, 456
D. L. Yarbrough Estate	24, 154
James A. Adams	23, 283
D. D. Whetstone	21, 800
Total payees in county (19)	783, 688

BARBOUR COUNTY

W. L. Corcoran	58, 522
Total payee in county (1)	58, 522

BIBB COUNTY

Young Brothers	49, 445
James Brothers	46, 935
J. C. Goodson	35, 606
McArthur Tidwell	31, 339
M. C. Murphy	24, 391
Total payees in county (5)	187, 716

BLOUNT COUNTY

Dean Pruett	53, 807
Dixie Farms Inc	52, 938
Durwood Gilliland	35, 259
Boyd Murphree	21, 107
Total payees in county (4)	163, 111

BULLOCK COUNTY

Rutland Bro	39, 996
J. P. Tompkins, Jr	22, 339
Total payees in county (2)	62, 335

BUTLER COUNTY

Harry Poole	57, 377
William Poole	28, 189
J. N. Poole, Jr	25, 965
Thomas C. Simmons	25, 531
Total payees in county (4)	137, 062

CALHOUN COUNTY

Sorrell Bruce Wesson	28, 337
Earl Truitt	24, 251
Louis Hammonds	21, 440
Total payees in county (3)	74, 028

CHEROKEE COUNTY

Jeff D. Jordan & Co	53, 135
W. A. Ellis, Jr	47, 174
James E. Ellis	46, 974
Jess Willard Lecroy	40, 388
Sewell Brothers	38, 189
Millard Lecroy & Son	33, 720
Lowe Brothers c/o B. Lowe	33, 303
W. T. Williams & Sons	29, 995
Howell C. Tucker	29, 903
Robert Emory Chesnut	28, 431
Ray Allen Lindsey	28, 240
Sanford L. Flynt	27, 200
Woodrow W. Rains	26, 732
Robert E. Black	25, 973
Orval Ray Singleton	24, 525
Thomas Marrion Sewell	23, 446
Ray Brothers	20, 707
Total payees in county (17)	558, 035

CHILTON COUNTY

J. Robert Cox	57, 401
C. R. Childress	46, 532
Charles F. Culp	38, 872
J. T. Franklin	36, 152
Louise Kelley	25, 447
Total payees in county (5)	204, 404

CHOCTAW COUNTY

W. H. Sparrow	25, 041
Total payee in county (1)	25, 041

COLBERT COUNTY

R. Gordon Preuit	51, 559
Daniel Counts	50, 628
William Elbert Reid	49, 448
Billy Pullen	49, 210
Price Counts, Jr	47, 783
Willie Posey	47, 455
W. Carter Reid	45, 539
Eugene V. Blythe	45, 428
Ben Fennel, Jr	43, 337
Hubert R. Stanley	40, 631
J. J. Johnson	39, 880
Gordon Ray Price	39, 450
J. W. Jeffreys	37, 042
Howard Keeton	36, 625
Herbert C. Harris, Jr	35, 331
Hollis Isbell	32, 841
James M. Underwood	29, 115
Donnie T. Brumley	28, 521
Paul Reid	28, 469
Bobbie O. Wright	28, 167
Aaron Patterson	26, 896
David N. Reid	26, 022
Kenneth Uhlman	25, 830
Paul Minor	25, 061
Charles Keeton	24, 968
John Louis Croom	23, 627
James Franklin Minor	21, 070
Total payees in county (27)	979, 933

CONECUH COUNTY

J. T. Ward	27, 736
Total payees in county (1)	27, 736

COVINGTON COUNTY

W. G. Foshee, Jr	52, 341
Total payee in county (1)	52, 341

CULLMAN COUNTY

T. J. Pate	53, 849
W. F. Blackwood	47, 242
Billy Fletcher	32, 866
Forrest Ingram	23, 423
Noble Vest	21, 759
Total payees in county (5)	179, 139

DALE COUNTY

Borland Bros	31, 570
Total payee in county (1)	31, 570

DALLAS COUNTY

Carl Henderson	72, 682
J. W. Suttle	59, 575
B. F. Jr. and G. R. Beers, III	58, 238
Thomas J. Pope	55, 000
James A. Minter, Jr	53, 026
J. C. Sheehan	51, 993
W. H. Watts & Son	50, 873
James A. Minter, III	45, 956
Thomas E. McHugh	42, 555
R. Furniss Ellis	38, 274
Nelson Norris	36, 173
Jewell Farms	35, 517
Sommers and Rountree	34, 542
Robert Lee Sanford, Jr	34, 328
James Hopson Sanford	34, 327
Tyler G. Moore	33, 713
Beers Brothers	33, 262
Robert Culpepper	31, 648
Otto E. Godwin	30, 243
Cedar Creek Farms	28, 916
George Wood	28, 343
Robert Smith	27, 907
W. J. Neighbors	26, 878
R. W. Zimmerman	25, 284
Edwin R. Moore	24, 334
J. C. Gresham	23, 493
Billy Hardy	22, 783
Givhan Land CNA Cattle Co	20, 347
Total payees in county (28)	1, 060, 210

DEKALB COUNTY

Hoyt Rains	22, 782
Stiles Norman Waldrop	20, 015
Total payees in county (2)	42, 797

ELMORE COUNTY

Sherrill J. Woodfin	49, 013
Henry Owen Harper	48, 966
George Douglas McCartha, Jr	44, 138
Lewis O. Rich	39, 384
Garnand and Thornton	38, 487
James Melvin Taylor, Jr	37, 517
J. Melvin Taylor	37, 428
John T. Taylor	36, 227
Wood T. Dozier	36, 006
State of Ala. Bd. Corr	31, 888

James T. Brown	31, 421
Robert W. Terry	28, 787
James T. Brown, Jr	28, 442
Riley Mask, Jr	25, 297
Fred L. Oliver	24, 423
J. C. Collum	22, 532
Total payees in county (16)	559, 956

ESCAMBIA COUNTY

George Prestwood	50, 010
Board of Corrections	38, 641
Total payees in county (2)	88, 651

ETOWAH COUNTY

Emory Johnson	57, 393

FAYETTE COUNTY

J. C. Randolph	49, 573

FRANKLIN COUNTY

Vernia Ganes Masterson	22, 300

GREENE COUNTY

N. G. Garth	35, 386
Elam Smith	32, 443
Bigbee Farm	29, 066
William M. Steele, Jr	26, 449
H. E. Carpenter	25, 753
Curtis I. Eatman	23, 584
Bayne Ethridge	23, 581
Velma Farm	23, 096
Charles S. King	22, 745
J. F. Cameron, Jr	22, 633
Curtis R. Taylor	22, 295
Total payees in county (11)	287, 031

HALE COUNTY

Marvin D. Johnson	33, 539
Waller E. Wedgworth III	29, 145
Johnnie Bedsole	29, 043
Turpin Vise	26, 956
Thomas C. Lewis	26, 506
Henry A. Bailey	23, 094
Francis O. Clary	21, 858
John D. Bolling, Jr	21, 834
Spencer C. Langford, Jr	21, 206
Total payees in county (9)	233, 181

JACKSON COUNTY

C. E. Cornelison	43, 171
Winston T. Smith, Jr	36, 258
Dewayne Medlock	26, 279
Bob Mantooth	25, 100
Lloyd Meeks	23, 270
John H. Neal	21, 300
Total payees in county (6)	175, 378

JEFFERSON COUNTY

Jacob V. Pate	26, 813

LAMAR COUNTY

W. A. Austin	28, 333
Total payee in county (1)	28, 333

LAUDERDALE COUNTY

Andrew C. Walker	52, 290
Roe B. Woodis	35, 052
Theo Scott	31, 258
Robert L. Winters	29, 959
Ray McIntyre	29, 327
Alfred J. Buffler	28, 165
Hugh L. Rice, Jr	27, 214
Harvell J. Walker	26, 799
Jeff Winters	26, 004
Buster L. Thornton	25, 878
James E. Hale	25, 725
Howard T. Walker	25, 460
Bonnie Burgess, Jr	23, 313
Rufus W. Bratcher	23, 281
Ray Smith	23, 007
James Walker	22, 718
Billy D. Rhodes	22, 003
Homer E. Liles	21, 615
G. E. Barringer	20, 185
Total payees in county (19)	519, 253

LAWRENCE COUNTY

Albemarle Corporation	58, 871
James Blythe, Jr	58, 239
Dan Claborn	55, 301
Samuel R. Letson	55, 152
G. T. Hamilton	55, 051
Benjamin A. Rose	54, 919
E. F. Mauldin	54, 502
W. J. Lee and Son	52, 961
D. L. Martin, Jr	49, 353
W. W. Hamilton	47, 710
Wheeler Farms, Inc	46, 520
Armstrong Farms	46, 362
Hugh J. Posey	44, 263
J. C. Claborn	44, 166
Jack C. Davis	42, 240
Waylon Cross	41, 771
George Collins	36, 585
Grady B. Rose	35, 341
Guy Parker	33, 604
Wayne Hamilton	33, 419
Daniel Gilchrist IV	33, 081
Hood Harris, Jr	31, 938
Harold Green	29, 532
Hubert Coffey	29, 380
O. D. Brackin	27, 408
Richard Brackin	27, 408
E. H. Dewberry	27, 258
V. Dewees Crockett	26, 390
Lynn Cross	25, 664
J. R. Knouff	25, 227
Grady Windle Parker	25, 049
W. C. Aday	24, 351
Daniel Gilchrist	24, 238
James Blythe	23, 315
O. C. Lansford	23, 170
J. O. Weeks	22, 816
Oneal Rose	22, 791
Thomas A. Bowles	22, 725
Jack Wells Kidd	22, 370
Neal Williams	22, 173
Anthony Dewberry	22, 134
Jerry Dewberry	22, 134
Willis Manley	21, 473
Roland Cross	21, 051
Larry Parker	20, 185
Claude Dyar	20, 096
Paul Henry Kirby	20, 011
Total payees in county (47)	1, 609, 698

LEE COUNTY

Robert E. Gullatte	29, 899
T. W. Collier	26, 757
Leary Whatley	25, 804
W. O. Baker	24, 785
Nelson Hillyer	24, 537
Auburn University	23, 876
Collier & Littrell	23, 726
Total payees in county (7)	179, 384

LIMESTONE COUNTY

Thomas H. Vann	58, 628
Walter B. Shaw	58, 175
Joe R. Murphy	56, 646
R. W. Anderson & Sons	55, 842
Fred William Hays	53, 735
John D. Anderson	52, 968
Rowe B. Sanderson	50, 080
Henry Charles Baucom	49, 333
Ned Johnson	48, 472
Luke Pryor	48, 037
Eugene Grant Lowery	45, 170
Glennes V. Moore	45, 056
Gene Thomas Burgreen	44, 949
Pettus Menefee	44, 284
Dan Atkinson	43, 992
Fred Atkinson	43, 965
L. V. Moore	42, 260
Robert Horace Marks	41, 693
Greenbrier Farms	40, 133
Grover C. Lawson, Jr	39, 029
Darden Bridgeforth	38, 941
William Henry Stewart, Jr	37, 525
Ernest P. Hargrave	36, 868
Robert Hargrave	36, 867
James P. Grooms	36, 406
Thomas C. Downs	36, 345
J. Howard Hobbs, Jr	36, 024
H. E. Hargrave	35, 368
Withers G. Peebles	34, 972
Kenneth Carter	34, 849
Anderson Farms, Inc	34, 677
Winfred Barron	34, 619
Glenn Black	34, 329
C. D. Downs	33, 778
James T. Sanderson	33, 004
Lucille F. Bowles	32, 774
Stanley H. Menefee	31, 236
John David Lecroix	30, 901
James Edward Power	29, 560
Horace L. Devaney	29, 318
James Morris Black	27, 242
Edmond P. Garrett, Jr	26, 466
James H. Garrett	26, 466
Jackie W. Leonard	26, 305
Vester M. Leonard	25, 958
Leo Hargrave	25, 161
Chesley H. Moore	24, 568
Paul Black	24, 379
Wesley Marks	24, 261
Gilbert Johnson	24, 007
Cecil Devaney	23, 331
Joe D. Anderson	22, 867
Donal L. Peek	22, 483
James U. Devaney	22, 376
M. W. Haney & Sons	22, 360
Charles R. McCormack	20, 222
Total payees in county (56)	2, 039, 260

LOWNDES COUNTY

George Marlow Reese, Jr	57, 552
O. P. Woodruff	55, 630
G. T. Meadows, Jr	55, 232
Elizabeth C. Meadows	55, 232
B. C. Rhyne	45, 937
Harrell Hammonds	39, 828
E. R. Meadows	31, 087
Howard Payne Meadows	28, 811
Fred W. Holladay	27, 494
Charles Schreiner, Jr	26, 024
Caswell G. McCurdy	24, 659
David M. Lyon	20, 855
Total payees in county (12)	468, 341

MACON COUNTY

A. L. Lazenby, Jr	54, 258
Mrs. H. A. Torbert & Sons	47, 655
Bobby Mooring	43, 134
Segrest Bros	36, 919
Robert F. Walters, Jr	36, 718
F. C. Thompson	32, 198
Ben W. Walker	26, 681
Ray Magee	24, 649
S. T. Sego, Jr	23, 495
James L. Kirby	23, 230
John C. Carter, Jr	21, 145
George P. Holt	20, 924
E. E. Story	20, 672
J. M. Walker	20, 080
Total payees in county (14)	431, 758

MADISON COUNTY

John W. McCrary	56, 431
Ray Vandiver	55, 406
James E. Patterson, Jr	55, 000
Wilburn B. Douglass	54, 885
W. Homer Tate	54, 308
Carl A. Williams	53, 120
John W. Vandiver	52, 296
Erle P. Douglass	52, 293
John W. League	46, 936
Robert L. Pickens	45, 994
Tyler Denton	45, 913
Tom E. Lowery	44, 314
Dock Murphy	42, 611
Homer Hunter	42, 349
Everett Jones	42, 295
George B. St. Clair	41, 119
Albert Hunter	40, 952
Willard Hunter	40, 952
Carlton Ikard	37, 088
Samuel J. Darwin III	36, 499
Hubert Yell	35, 989

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Alabama—Continued

MADISON COUNTY—Continued

Don Martin	35, 587
W. R. Spears	34, 117
William A. Brockway	33, 722
M. E. Moore	32, 331
Donald Spencer	32, 191
Grady Abernathy	30, 868
William H. Gray	30, 772
Monte V. Davis	30, 650
Glancye Gray	30, 297
Wesley Thomas	30, 163
Donald Sublett	30, 082
Claude N. Buchannan	29, 885
Robert L. Taylor	29, 816
C. Q. Lowery	29, 677
Glenn Murphy	28, 636
Lila S. Moore	27, 922
Jack T. Clift	27, 808
Orville H. Esslinger	27, 549
Glenn Campbell	27, 460
Wayne M. Thorson	27, 011
Allen Bragg	26, 905
N. L. Reynolds	26, 260
Ronald Vaughn	25, 564
Millard L. Sanderson	25, 342
Wade A. Hubert	24, 863
Kenneth Pike	24, 842
Robert M. Davis	24, 729
Edmund Payne	23, 992
J. A. Pettus	23, 905
Edward Alexander	23, 598
Buford Parvin	23, 232
John Hays	23, 133
Milton Carter	22, 731
Arthur Medley	22, 656
Dennis O. Bragg	22, 612
William R. Rodman	22, 532
A. D. Whitworth	21, 937
Wallwood Farm	21, 736
Sam Harris, Jr	21, 489
Elon Balch	21, 463
Lonnie Miller	21, 027
O. C. Moon	20, 549
Austin Smith	20, 452
W. L. Sanderson, Jr	20, 363
Sandra G. Vallely	20, 198
E. H. Martin	20, 006
Total payees in county (67)	2, 179, 410

MARENGO COUNTY

James W. Glass	51, 350
Allan Ramsey	38, 329
Ed Bobbitt	35, 787
Hunter N. Brown	28, 985
William G. Rentz	25, 906
Gen. Agri Inc. c/o L. E. Gilmore	24, 217
Abner Dunn, Jr	23, 849
Steward D. McKnight	20, 619
Total payees in county (8)	249, 042

MARION COUNTY

B. W. Rollins	28, 245
Total payee in county (1)	28, 245

MARSHALL COUNTY

Jimmy B. Miller	32, 551
Robert L. Haynes	29, 643
Harold Burnett	27, 755
Total payees in county (3)	89, 949

MONROE COUNTY

Maston & Bibb Mims	31, 262
Carson House, Jr	25, 045
Total payees in county (2)	56, 307

MONTGOMERY COUNTY

W. H. McLemore	58, 671
T. D. McLemore	40, 178
A. J. McLemore, Jr	29, 646
G. N. Handey, Jr	23, 056
T. W. Oliver	21, 369
Total payees in county (5)	172, 920

MORGAN COUNTY

Gorman M. Braswell	43, 645
Curtis Stroup	39, 267
Milton Jean	36, 552
Percy Sharp	26, 610
W. C. Brady	25, 872
Howard Millsap	24, 066
John B. Sewell	21, 946
Total payees in county (7)	217, 958

PERRY COUNTY

J. C. Moore Mercantile Co	55, 064
T. J. Jones	38, 311
Total payees in county (2)	93, 375

PICKENS COUNTY

J. A. Hanson	47, 788
Jimmie C. Hood	43, 294
Abrams & Garriss	36, 065
W. B. Peebles Jr	29, 097
Roy Goodwin	24, 610
Jamie M. Summerville	24, 449
Thomas Parker	23, 251
Glenn Brothers	20, 215
Total payees in county (8)	248, 769

RUSSELL COUNTY

Ben F. Bowden	58, 675
George M. Adams	26, 677
J. Wayne Mott	25, 144
John T. Ingram	21, 275
Total payees in county (4)	131, 771

SHELBY COUNTY

D. E. Morris	37, 930
John M. Thompson	37, 349
L. B. L. Ranch	35, 093
John D. Kidd	27, 566
Total payees in county (4)	137, 938

ST. CLAIR COUNTY

Norris K. Waites	26, 409
Total payee in county (1)	26, 409

SUMTER COUNTY

General Agriculture, Inc	30, 395
George N. Aust	29, 642
Loyd Glen	22, 075
Total payees in county (3)	82, 112

TALLADEGA COUNTY

Robert M. Gambrell	40, 101
French Junior Pruitt	37, 917
Clyde A. Walker	32, 405
Henry T. Jinks	29, 880
James D. Robinson	27, 291
Glenn M. Hawkins	25, 512
S. F. Tanner	20, 661
Total payees in county (7)	213, 767

TALLAPOOSA COUNTY

William M. Wisener	46, 509
James E. Davis	31, 336
L. A. Wisener	23, 251
O. W. Bradshaw	20, 321
Total payees in county (4)	121, 417

TUSCALOOSA COUNTY

J. L. Harper	52, 669
Joe Rice, Jr	48, 580
W. B. Chandler	43, 999
W. J. Chandler	40, 885
W. O. Chandler	40, 847
Darden D. Barton	39, 300
Spiller Farms	24, 829
Ala. Dept. of Mental Health	21, 960
Fletcher Barnes	21, 473
Floyd Hughes, Jr	20, 547
J. D. Jobson	20, 517
Total payees in county (11)	375, 606

WASHINGTON COUNTY

Nelson Bedsole Moseley	46, 280
Edward Garris	31, 919
Total payees in county (2)	78, 199

WILCOX COUNTY

Raymond Pharr	30, 618
H. H. Wilkinson & Son	27, 774
Charles R. Reaves	24, 018
Total payees in county (3)	82, 410
Total payees in State (472)	15,989, 575

1971 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Alaska

[Amounts in dollars]

HOMER COUNTY

Aleutian Livestk Corp	34, 891
Total payee in county (1)	34, 891
Total payee in State (1)	34, 891

1971 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Arizona

[Amounts in dollars]

COCHISE COUNTY

Wicks Ranches	78, 482
Alf B. Claridge	75, 296
Bill Hilburn	68, 337
Ernest L. White, Jr	68, 032
Floyd Robbs	62, 149
Edward Barnes	61, 855
Charles Wade	60, 858
Frank C. Hale	56, 592
Montierth Farms	56, 360
W. R. Shumaker	56, 114
H. J. Campbell, Jr	55, 261
Alvin E. Ratliff	52, 270
Roy Lee Young	49, 104
Delbert Motes	48, 879
M. K. Sellers	47, 688
Kinard Bros	46, 215
Miller G. Aker	45, 688
J. C. Dunagan	45, 453
Roger A. Hale	38, 335
C. E. Hilburn	38, 231
Marvin Lamar Barnes	37, 040
E. V. Hart	36, 826
Leroy Pierce	36, 725
V. C. Smith	36, 692
Thomas W. Cooke, Jr	36, 678
Edward E. Rivers	35, 924
M. D. Morgan	34, 157
Gus Arzberger	33, 657
William Kambitch	32, 689
Buckner & Kidd	30, 685
W. R. Grimes	30, 326
ACPC Invest Co	29, 132
Jack Robinson & Sons	27, 745
Roy E. Mathews	25, 549
J. F. Schmelzla	24, 569
Western Harvestors Inc	23, 507
Louis Cooper	22, 113
B. B. Rumfield	21, 479
Lewis Grizzle	20, 976
Ray Yamasaki	20, 698
Gerald P. Schoenfelder	20, 221
Darrell Lee	20, 084
Total payees in county (42)	1, 748, 671

COCONINO COUNTY

Red Hill Sheep Co	39, 368
Sitgreaves Sheep Co	20, 404
Total payees in county (2)	59, 772

GRAHAM COUNTY

Angel Escobedo	41,860
Melvin R. Bryce	38,867
Daley Brothers	29,504
Arden J. Palmer	27,314
Alder Bros	26,088
Allred Brothers	24,133
Zenos Howard	23,839
Glen Layton	22,848
Verdell Howard	20,739
Verle Palmer	20,390
Total payees in county (10)	275,582

GREENLEE COUNTY

Adrian Richins	30,706

MARICOPA COUNTY

Spreckels Sugar Co	86,812
The NW Mut Ins. Co	85,023
Goodyear Farms	81,522
F. C. Layton	81,044
Chatham Farms, Inc	78,970
Earl S. Dobson	72,144
J. L. Golightly, Jr	68,296
Alan B. Melton	67,373
Carl Weiler	67,371
Baskett Farms, Inc	66,060
Joe A. Sheely	65,239
Chas. F. Youngker	65,058
Southmountain Farms, Inc	64,497
F. M. Gorrell	64,211
Ben F. Youngker, Jr	63,780
Donald Wiechens	62,803
Davis Ranch Co	61,777
Abel Bros	61,046
Ray Schnepf	60,904
Hugh Bennett	60,890
Dougherty Ranch	60,172
Kenna V. Jordan	58,497
John M. Williams, Jr	58,189
Paul E. Perry	58,144
J. L. Hodges Farming Co	57,752
Leyton Woolf	57,728
B. F. Youngker, Sr	57,595
William Hardison	57,348
Joe Bickman	57,243
William K. Richey	57,228
L. T. Malone Co	57,223
Harris Cattle Co	57,101
Holly Ranch	56,987
A. F. Walden	56,960
Allen F. Belluzzi	56,786
Marcia L. Wheat	56,656
James P. Trimble	56,653
John J. Graham	56,285
W. Bruce Heiden	56,112
J. L. Golightly, Sr	56,071
S & P Farms, Inc	55,930
John Huges	55,831
Travis H. Jones	55,756
Paul R. Smith	55,694
L. M. Pace	55,511
A. Ann Arena Liefgreen	55,484
John R. Arena	55,484
Waddell Ranch Co	55,483
Jack Barnes	55,367
J. V. Pace	55,350
David Parker	55,159
Keith Jorde	55,159
Growers Exchange, Inc	55,105
J. R. Lanford	55,000
Jack Rayner, Jr	54,969
Marvin R. Morrison	54,842
Kenneth C. Morrison	54,842
CCG Farms, Inc	54,817
Gladden Farms	54,571
Tom Waddell	54,511
H. W. Porterfield	54,275
Laveen Cotton Co	54,246
Frank Garcia, Sr	54,200
Frank Garcia, Jr	54,200
Jacob Stephens III	54,062
Stuart L. Anderson	54,049
Michael J. Moore	53,968
Richard S. Walden	53,714
E. Garth Lamb	53,681
A Tumbling T Ranch	53,556
Woodrow Lewis	53,450
Jacob S. Stephens	53,199
Ted R. Pierce	53,097
Ted A. Pierce	53,097
G.B.L. Farms, Inc	53,061
Delmar John	53,058
Erwin John	53,058
Layton Farms	52,374
Jewell Turner Farms	52,298
J. R. Tucker	52,268
D. L. Hadley	52,026
R. G. Eastman	51,642
Jeffrey T. Jones	51,579
Ed Ambrose	51,519
Ben Riggs	50,632
Gertrude Conway	50,569
Phil Ladra	50,559
C. L. Whitehill	50,197
F. D. Layton	50,069
Deon Layton	50,069
Thomas E. Walden	50,027
West Farms, Inc	49,731
Reed J. Kerby	49,717
Sossaman Farms	49,673
Jack Rayner, Sr	49,669
Reed Riggs	49,142
Jerome Thompson	48,948
Wayne King	48,708
Lyle King	48,708
Carl G. Stevenson	48,283
Sam Cambron	48,050
Robert L. Cook	47,823
W. H. Jarnagin	47,689
Jon A. Tucker	47,395
Bob L. Phillips	47,340
George Knapple	47,294
E. & L. Walden	46,968
D. Roscoe Est	46,925
J. E. Roscoe	46,812
Johnson Enos	46,812
Merlin Schurz	46,812
Jimmy Love	46,812
Billman Hayes, Jr	46,812
Martin Garcia	46,608
Candelario Garcia	46,608
Keith Walden	46,504
J. G. Boswell Co	46,450
Tommy Wheelis	46,241
Mack Hastings	46,155
David E. Pinkham	45,892
Wm. G. Brandon	45,753
Robert L. Layton	45,304
R. & J. Hayden	45,170
W. Thelander & J. Eidal	45,145
Wallace Bales	45,104
Wayne Vandsdell	44,716
Ray Vandsdell	44,716
Turner Ranches	44,703
Luther J. McLain	44,687
H. C. Douglas	44,687
Lonnie A. Page	44,364
Willie C. Page	44,364
Myrtle N. Riggs	44,327
Hudson Farms, Inc	44,319
Duane D. Schnepf	44,308
Daniel E. Jarrell	43,900
Amos A. Jarrell	43,887
Arnold D. Jarrell	43,887
Maricopa Stake Lds	43,876
Jamcs R. Davis	43,493
Barbra C. Walden	43,190
Eugene Schwertner	43,173
Gerald W. Mecham	43,048
Newell A. Barney	43,048
M. & P. Getzwiller	42,682
Kenly Farms	42,411
Henry F. Backer	42,178
Robert M. Rayner	41,055
Earle E. Rayner, Jr	41,043
Ronald Rayner	41,043
Earl C. Recker, Co	40,902
Ellsworth Farms	40,734
Joe Bob Neely	40,416
Allen Ranches	40,368
Kempton Snedigar	40,232
Ted Hazen	40,226
Chet John & Sons	40,086
Buckeye Farms, Ltd	40.022
John T. Bales	39,992
Steve Bales	39,992
W. A. Heiden	39,618
Germain H. Ball	39,498
The Taylor Co	39,458
William W. Sutton	39,457
Cal A. Sutton	39,457
S. J. Jennings	39,287
Kathleen Scholtz	39,287
S. C. Jennings	39,287
Moore & Taylor	39,145
C. W. Neely	39,046
L. M. Conner	38,848
Lehi Palmer	38,543
Richard Evans	38,426
Hayden Farms, Inc	38,250
Bill R. Moore	38,063
M. & L. Farms, Inc	38,029
Espil Sheep Co	37,891
W. P. Haggard & Son	37,663
Jack Palmer	37,479
H. L. Anderson	37,440
Mil For Farms, Inc	37,368
Aja Sheep Co	37,015
G. Keith Sasser	36,779
Rudolph Johnson	36,720
Cheatham Dairy, Inc	36,147
Sheep Spring Sheep Co	35,486
Leo C. Smith Farms	35,234
Ohaco Sheep Co	35,223
D. K. Sasser	35,147
R. B. Coplen	35,098
J. S. Hoopes	35,049
Bill Luke Ranches, Inc	34,884
Gorden Cameron Estate	34,375
R. M. Hume	34,140
John Tolmachoff	33,730
Sanders Farms	33,699
L. D. Hardesty	33,652
L. L. Hardesty	33,652
Bruce Hardesty	33,652
Charles W. Burns	33,652
George W. Hardesty	33,652
Basilio Aja	33,428
Howard Lydic	33,351
Robert D. Ryan	33,038
James Marioneaux	32,872
Robert W. Edwards	32,506
Norman Knox	32,332
Laveen Farming Co	31,861
R. L. Saylor	31,818
C. E. Sanders	31,381
J. H. Evans, Jr	30,907
Ocotillo Fms	30,588
Carl Mumme	30,473
Robert E. Robertson	30,225
Reed W. King	30,102
Rainbow Ranches	30,059
Youngker Farms	29,919
C. Dale Willis	29,917
Wayne Weiler	29,771
R. R. Wood	29,682
Byron Patterson	29,526
G. Turner & Son	29,203
Hugh L. Gieszl	28,816
Verl Peterson	28,719
H. & R. Henry Farms	28,693
Rala Singh	28,664
William Wade	28,487
John D. Vance	28,485
Eldon W. Cooley	28,485
R. W. Cheatham	28,065
John Fornes	27,910
Fisher Miller Hay & Dev. Co	27,902
Philco Carter	27,464
Rich & Rich	27,455
Versluis Ranches	27,109
Jean Arriaga	26,783
John D. Hamilton	26,756
Lloyd Martin	26,632
Phillip Echeverria Estate	26,092
Otto B. Neely	25,968
Ivan Rex	25,936
D. M. Brown	25,892
Dwayne E. Dobson	25,891
Nichols Farms	25,654
James M. Accomazzo	25,575
J. B. Hill	25,563
O. E. McGinty	25,348
Chris Peterson	25,113
Bruce B. Hardesty	25,102
Bruce Brooks	25,042

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Arizona—Continued

MARICOPA COUNTY—Continued

Delbert Beyer	25, 041
Jesus Lapaglia	24, 957
Edward Martori	24, 908
Anthony Martori	24, 908
Frank V. Condello	24, 903
Joseph F. Martori	24, 903
Vidal L. Gomez	24, 879
Vidal Gomez, Jr	24, 871
Henry Duran	24, 871
Paradise Sheep Co	24, 743
Emory J. Hurley est	24, 262
Russell Badley	24, 103
Long Tome Sheep Co	23, 983
J. L. Woolf	23, 954
G. R. Rogers	23, 851
Raymond Cook	23, 836
Geo. & Myrtle Veit	23, 801
Bob Stump	23, 534
R. D. Beebe & Sons	23, 452
W. T. Jarnagin, Sr	23, 380
J. A. Wood Co	23, 242
E. G. Rhodes	23, 236
E. W. Hudson, Jr	22, 758
Kubelsky Est	22, 735
H. C. McGarity	22, 714
G. Ray Mayhugh	22, 677
Circle One Livestock	22, 655
Alex & John Conovaloff	22, 614
Arthur E. Price	22, 531
Fremon Coker, Jr	22, 060
J. C. Wilson	21, 874
James M. Shahan	21, 776
Gene E. Narramore	21, 697
Bartlett Heard Co	21, 469
Auza Sheep Co	21, 451
Rhodell Farms, Inc	21, 236
W. H. Miller	21, 130
L. D. Henry	20, 875
Wayne A. Enloe	20, 740
Roach & Baker	20, 643
Donald L. Bissinger	20, 640
W. H. Haggard, Jr	20, 603
Kenneth Burnett	20, 526
Jerry Lewis	20, 521
F. A. Wilden	20, 217
Tamara S. Anderson	20, 054
Total payees in county (296)	12, 326, 246

MOHAVE COUNTY

Eldon K. Parish	54, 355
Hanc Enterprise	53, 596
John Vanderslice	22, 480
Total payees in county (3)	130, 431

PIMA COUNTY

Farmers Investment Co	115, 018
Growers Finance Gin	68, 128
Herbert Kai	59, 090
Ralph Wong	56, 934
Bing K. Wong, Sr	56, 870
Bing K. Wong, Jr	55, 534
Jimmy Bowden	55, 324
Warren E. Culbertson	55, 324
David Wong	55, 097
Pat Tucker, Jr	52, 645
Frances Chan	51, 920
R. G. Buckelew	48, 024
John Kai, Jr	46, 899
Wallis Farms, Inc	46, 642
Buck Sam Chu	44, 469
J. Boyd White	41, 991
Woodrow Jarvis	41, 124
James B. White, Jr	40, 280
Evco Farms, Inc., Synd	32, 771
Henry A. Worthey	31, 524
John H. Payne	31, 044
David Anway	29, 907
James Kuen Wong	28, 738
Gladden Farms A Part	28, 485
John E. Payne	27, 739
Mamie Kai	27, 581
John Kai	27, 581
Imogene Brittian Gladden	26, 182
E. C. Barnett	25, 901
H. W. Brittain	24, 340
Bench S. Cattle Co	23, 583
Edward Anway	22, 829
Gary L. Watson	22, 223
C. E. Watson	22, 223
Glenn Harbour	22, 194
R. F. Hopkins	22, 188
B. Harbour	22, 188
Flying E Bar Cattle Co	22, 138
Iola Cady	21, 609
Total payees in county (39)	1, 534,281

PINAL COUNTY

Gila River Farms	367, 096
Ak Chin Farms	313, 974
Bogle Farms, Inc	87, 979
C. & V. Growers, Inc	70, 260
Eileen M. Nutt	69, 512
Kirby Hughes	67, 097
Norman C. Nupen	67, 012
Frances D. Nutt	67, 012
Reynaldo Q. Montijo	67, 012
Arizona Farming Co	66, 683
Shumway Enterprises	64, 319
Fred Enke	61, 878
Peter J. Robertson	61, 269
Marathon Farms	61, 116
Rodney Kleck	61, 088
Robert D. Bechtel	60, 161
Tolby & Boulais	60, 129
Rex Neely Trst	59, 679
Milton P. Smith, Jr	59, 375
Margie L. Hanna	59, 328
C. Ray Robinson	59, 164
Robert Allen Taylor	59, 126
C. J. & L. Farms	58, 884
Marcus Vanderslice	58, 726
C. P. Honeycutt	58, 704
Roger Goff	58, 489
Greater Ariz. Rch., Inc	58, 178
Otice Self	58, 030
Guy H. McMurry Rec	58, 024
Desert Growers, Inc	57, 820
Charles A. Peircey	57, 820
Wm. A. Stanfield	57, 820
R. E. Schlittenhart	57, 820
Thos. A. McCarville	57, 819
Robt. E. Hamilton	57, 819
Jack Nichols Est	57, 780
Noel Martin	57, 650
R. W. Neely	57, 561
Bob A. Anderson	57, 555
George Anderson	57, 555
K. E. Shollenbarger	57, 538
John Smith	57, 493
W. & J. Farms	57, 375
Producers Cotton Oil	57, 359
T. & C. Cattle Co	57, 267
El Dorado Rnch., Inc	56, 973
Picacho Land & Cattle Co	56, 901
Martin Talla	56, 857
Patrick Talla	56, 670
D. & W. Farms, Inc	56, 567
John W. Quaid	56, 497
John Dermer	56, 469
John W. Dale	56, 460
Daley & Bogle	56, 459
Philip C. Hanson	56, 417
Dan C. Palmer	56, 369
W. F. Dunn	56, 109
W. A. Dunn	56, 109
Santa Cruz, Ent., Inc	55, 053
L. 4 Ranches, Inc	55, 896
C. B. Clark Rec	55, 759
Joe Ingram	55, 690
John D. Singh	55, 690
P. S. Thompson	55, 480
Leonard Anderson	55, 413
J. D. Hughes	55, 377
Lucid Franco	55, 377
Ronnie Hughes	55, 377
Juan Valdez	55, 377
Rudy Espinoza	55, 377
Roy Rice	55, 377
F. Baldenegro	55, 377
W. Baldenegro	55, 377
Donald Wainscott	55, 377
Dennis Nowlin	55, 362
Frank Herrera	55, 294
Bill Lewis	55, 294
Albert Clayton	55, 294
David Campos	55, 294
Raymondo Montiel	55, 294
Walter Isom	55, 265
William Isom	55, 265
James F. Brady	55, 177
Paul Ollerton	55, 124
Carlos Elias	54, 993
Tom Clayton	54, 912
Raymond Clayton	54, 912
Ernest F. Brady	54, 817
Bill McSwain	54, 807
Tom Gaddis	54, 800
Paul Duran	54, 588
Rod Zigoures	54, 567
Leon Zigoures	54, 567
J. O. Burns	54, 306
Clyde Lane	54, 274
Independent Gin Co	53, 332
Jack L. Finley	53, 125
Wm. E. Foster	52, 573
J. H. Farms	52, 388
Dick Turnbull	52, 178
V. M. Glenn	52, 178
Howard Arp	52, 178
Gary Turnbull	52, 136
Richard W. Arp	52, 136
W. M. Glenn	52, 136
Joseph A. Turner	52, 024
Snshn. Vly. Rnh	52, 023
Reed D. Shute, Jr	52, 008
R. J. Dillard	52, 008
P. W. Vensel	51, 972
Frank W. Shedd, Jr	51, 832
Mills Pace	51, 811
Ernest McFarland	51, 592
Cross Mtn. Sheep Co	51, 390
Eleana R. Smith	51, 012
Robert W. Brooks	50, 878
Wilbur Wuertz	50, 872
C. S. C. Farms, Inc	50, 544
Sunset Rnchs., Inc	50, 458
Harold L. Early, Sr	50, 456
Harvey Davison	50, 269
Empire Farms	49, 527
Koenig Aviation, Inc	49, 502
S. C. McFarland	49, 101
Buford Gladden	49, 031
Charles Hill	48, 960
Manterola Trust	48, 912
J. M. Self, Jr	48, 886
Howard Holland	48, 755
H. D. Conner	48, 665
Paul Pearce	48, 509
James Dean Brady	48, 499
Clifford Hess	48, 392
David Pretzer	47, 920
Richard Cruz	47, 877
J. A. Roberts	47, 689
Diwan Ranches, Inc	47, 600
John S. Elliott	47, 542
Warren E. Cox	47, 481
T. M. Coury, Sr	47, 171
T. M. Coury, Jr	47, 157
Albert M. Coury	47, 157
Tom J. Finley	47, 053
Margaret Finley	47, 046
J. R. & Velma Urton	46, 862
T. O. Gardner	46, 047
Leo Ellsworth	46, 047
Jerry Skousen	46, 028
Era Mae Barnes	46, 017
Harold F. Self	45, 919
Picacho Buttes Farms	45, 739
Mickey A. Clark	45, 592
R. P. Anderson	45, 567
W. D. Storie	45, 459
Glenn Lane	45, 377
R. B. Elsberry	45, 266
Norval C. McNatt	44, 773
Jack Ralston	44, 535
Dr. P. F. Hartman	44, 467
Jim Pate	44, 383
Avra Plantations, Inc	44, 024
Jackson Bogle	43, 742
Max Nichols Farms	43, 683
Marty Zwillinger	43, 220

Floyd Pearson	43,220
Talla Farms, Inc	43,156
Duane Ellsworth	43,104
Isabel Singh	42,992
Howell Wadsworth	42,698
Lonnie R. Schnepf	42,679
Florence Farms, Inc	42,369
Jack Kortsen	42,175
Ben N. Kortsen	42,175
James K. Henness	42,112
Emory Shahan	41,950
G. Robt. Ralston	41,872
B. M. Cabanillas	41,728
Carlos Cabanillos	41,728
J. A. Kellison	41,643
Riftin Curtis	41,643
Fred R. North	41,493
Gary L. Ralston	41,441
Ralcot Ranches Inc	41,175
Carlton Farms Inc	41,143
H. L. Holland	41,043
Frank Abate	40,913
Eldon Smith	40,856
W. R. Skousen	40,780
Bartlett Farms Inc	40,604
Woodman Moore	40,519
Norman Pretzer	40,225
Alex Pretzer	40,225
Howard Arthur Wuertz	40,084
C. W. England	39,854
Leon M. Nowell	39,831
W. A. Ladd	39,479
Grant E. Peterson	39,461
W. L. Crouch	39,111
Cecil Crouch	39,111
Tracy Hutchins	39,021
Delbert Lewis	38,949
Arnold Hill	38 420
James K. Pew Farms	38,356
H. L. Kendrick	38,060
Barbara Erwin	37,670
A. C. T. Ranches Inc	37,602
Pat Abate	37,374
Edward Y. Hooper	37,288
Nellie Rogers	37,042
Darvin Rogers	37,042
E. M. Layton	36,593
Stanley Ellis	36,204
Inland Farms	35,493
Robert M. Davis	35,445
Sheba I. Macey	35,388
Agnes K. Beggs	35,135
Fred Diwan	34,928
Echeverria Feeding Co	34,910
Thomas Stephens	34,746
Bill Warren	34,334
Duncan Butler	34,171
Norman Hagen	34,166
Merlin Hamilton	34,165
Elaine Farms Company	34,083
R. W. Tripp	33,635
Luis Flores	33,613
Wayne Ray	33,529
Edward C. Pratt	33,448
Libb Mosby	32,888
G. Buster Brown	32,861
F. D. Barnes	32,179
K. K. Skousen	32,016
Vera C. McChesney	31,928
Larry R. Scott	31,928
Clarence Skousen	31,639
Thomas N. Caywood	31,431
Robert Ellsworth	31,405
Thayer A. White	31,370
Charles W. Rhodes	30,922
Donald Ellsworth	30,919
Irene McCown Waugh	30,538
West Coast Land & Cattle Co	30,189
Cameron Sides	30,023
Clifton C. Sides	30,023
Lloyd White	29,943
Janie Poonian	29,664
Phil C. Hogue	29,512
Raymond Ford	29,452
Chanan Singh Est	29,158
Marie White	29,018
M. H. Montgomery TST	28,992
Debb Stephens	28,191
Carl Tomkinson	28,093
Wales Ranches Inc	28,063
Wales Farms Inc	28,063
Wayne Wuertz	27,903
Franklin Pratt	27,602
Dwayne B. Self	27,481
M. R. Nafziger	27,464
Charles E. Wright	27,921
Ronald Miller	27,105
M. C. Montgomery	26,960
Frank Graham	26,836
M & W Farms Inc	26,721
G. Gilbert Farms, Inc	26,662
Dalton H. Cole, Jr	26,649
R. C. Goree	26,229
James F. Shedd	25,912
Thomas M. Carlton	25,565
Wesley D. Hood	25,565
Chester Ethington	25,487
Herman Diwan	25,163
Christopher Lane	25,158
Harlan Russell	25,025
Dalton H. Cole	24,796
Louis L. Johnson	24,698
Vnb Linda & L., Jr., Johnson	24,698
C. G. Cotton Fin Co	24,604
Emmett Jobe	24,419
Eddie J. Farrell	24,304
Duane Daley	23,952
Richard M. Daley	23,882
Claude H. Evans	23,677
W. C. Pate	23,644
Walter Gantzel	23,524
Don Stephens	23,339
Carl Myers	23,207
Earl E. Chandler	23,180
Storey Rnchs. Inc	23,075
Alvin T. Ethington	22,816
Joel England	22,656
J. H. England	22,656
J. E. Robinette	22,635
Elias M. Romley	22,348
R. & R. Lvstk	22,152
Edward Nevitt	22,011
Paul J. Prechel	21,955
Savage Frms., Inc	21,740
Willis Combs	21,727
Jim Wheelis	21,621
Herman Myers	21,420
M. V. Orme Jesup	21,404
E. I. Jones	21,391
J. E. Jones	21,391
M. Dillon	20,848
James F. Duke	20,848
Oliver C. Anderson	20,848
O. V. Anderson Trst	20,848
C. B. Shiflet	20,780
Arthur J. Faul	20,492
Paul Deconinck	20,424
Virgil Chandler	20,226
H. H. Hanna	20,167
Total payees in county (313)	14,118,471

YUMA COUNTY

Freshpict Foods Inc	106,752
Barkley Co. of Ariz	74,507
William La Follette	73,054
Charles B. Sherrill	73,054
Oral Hunter	72,496
Don Andersen	70,243
Don B Co	65,716
Kemper Brown	65,067
Benny Simmons	65,016
Ben Simmons	65,016
Chrismer Farms	61,654
Robert Cockrill	58,764
David Carroll	58,502
Arthur Blohm	57,546
L. E. Mauldin	56,872
F. E. Mauldin	56,872
J. F. Barkley	56,308
Thom Blohm	56,267
Maricopa Dust Spray	56,135
Winston Farms	56,011
C. R. Kriminger	55,673
Thomas H. McNamara	55,000
F. C. Braden	55,000
M and V Farms	55,000
Edward H. Taylor	55,000
Arizona Western Ranches Inc	55,000
Bankhead Enterprises	55,000
Woods Co	54,991
Fred Nussbaumer	54,724
W. J. Scott	54,692
M. E. Lee	54,562
Geraldine Scott	54,532
Diamond S. Farms	54,147
A. C. Cockrill	54,108
L. P. Barkley	53,671
Ben Matthews	53,363
Kelly Hughes	51,935
Keller Farms	50,886
Clyde Curry	49,690
Hoffman Enterprises	49,328
J. W. Ferguson	47,780
F. M. Ferguson, Jr	47,780
Tom Howell	47,639
Wm. M. Harrison	47,189
Henry Leivas	46,860
Earl Hughes	46,777
Charles D. Phillips	45,838
Mcelhaney Farms	44,789
C. L. Stephens	42,646
Double Bar Ranch, Inc	42,606
Jon Nickerson	41,822
W. L. Moore	41,768
Oscar Walls	41,687
Archie Mellon	41,317
W. Y. Murphey	41,204
J. D. McCain	41,204
W. M. Wootton	40,732
Marcus Moore	40,587
John and Jud Ott	40,186
Cuming Farms, Inc	38,940
Edward C. Cuming	38,892
James W. Cuming	38,892
Mary Cumings	38,892
T. W. Williams	38,702
Wide River Farms	38,552
Weeks and Son	38,510
Curtis Woodman Roach	38,230
Dunn Farms	38,084
Riverbottom Farms	37,910
Lee Consaul Co	37,200
Allen Marlatt	35,096
Glen Holt	34,360
Louie Kehl	34,345
Wenden Farming Co	33,987
Charles Urrea and Sons	33.483
Joe Holt	33,156
William Holt	33,156
Danny Earl Holt	33,156
Ralph Clayton	32,995
Lorraine Claypool	32,995
Cibola Land & Cattle	32,405
D. S. Phillips	32,388
George Silva	31,503
Wm. Floyd Dunn	30,855
Robert Lee Dunn	30,855
Wm. Thacker	30,368
David R. Gipe	29,696
Star Ranch, Inc	28,955
Gunther & Shirley	28,253
Circle Bar Farms, Inc	28,128
Moenk Fletcher	28,078
Larry Wisby	28,073
Phil and H. D. Sibley	28,006
Manuel Romo	27,805
Clarence Phillips	27,118
Jim Naquin	27,103
Royce R. Richardson	26,862
Robert Mountjoy	26,862
John Peach	26,193
Floyd Embree	26,033
Joe Hernandez	25,768
Robert Woodhouse	25,563
Marion Griffin	25,502
Pete Pasquinelli	24,556
Glen Sturges	24,258
L. W. Simmons	24,157
Burnis Williams	24,010
Gila Ranch, Inc	23,785
Mike Martinez, Jr	23,717
Dillard Engler	23,286
S. E. Musgrove	22,309
Rail X Ranch, Inc	22,130
Bill Alcaida	21,983
Clyde Gaines	21,723
David M. Williams	21,211
Damel Farms	21,011

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Arizona—Continued

YUMA COUNTY—Continued

Anne S. Babcock	20, 413
E. W. Grover	20, 095
Total payees in county (118)	4, 963, 115
Total payees in State (824)	35, 187, 275

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Arkansas

ARKANSAS COUNTY

Robbie G. Dabbs	21, 753

ASHLEY COUNTY

William B. Deyampert	56, 511
Gus Pugh Sons, Inc	54, 489
Billy E. Scroggins	53, 445
CRC Lynn, Inc	52, 794
Fisher Farms, Inc	52, 500
Kenneth Rice Farms, Inc	51, 590
Earl Pamplin Farms, Inc	50, 028
Victor Edwards	46, 995
Bobby Foster	46, 870
Jack Edwards, Inc	45, 634
W. W. Cochran	45, 097
Earl Cochran	45, 097
R. E. Lee	44, 940
James Baugh	41, 690
Edith Robinson & Martha Rye	40, 943
Jim Young Farms, Inc	39, 371
Gay Farms, Inc	38, 606
William L. Johnson	37, 549
Guy Botsford, Inc	37, 357
E. D. Gregory Co	36, 620
Ray Maglothin	35, 774
John B. Currie	34, 460
William P. Holland	33, 284
R. D. Selby	32, 364
C. E. Bridewell Farms, Inc	32, 356
William G. Norsworthy	31, 470
Austin Bordeaux	31, 298
Jerry Tumlinson	29, 590
John H. Ralph	28, 406
Henry W. Burns	28, 404
Bill Gibbs	28, 384
Frances D. Wilson	27, 039
Henry S. Morschheimer	25, 806
John B. Currie, Jr	24, 725
B. & I. Co	24. 138
Frances Shackelford	24, 026
Robert D. & Joel W. Pugh, Inc	24, 005
Felix Pugh Interests	22, 309
Pugh Brothers & Co	21, 949
McCombs Farm	21, 361
Louis C. Morschheimer Jr. ex	20, 703
Annette M. Gregory	20, 697
W. T. Files	20, 598
M. M. Oneal Farm	20, 254
Total payees in county (44)	1, 561, 526

CHICOT COUNTY

Multiponics Inc	58, 553
Jimmy R. Pylate	54, 828
James W. Winters	53, 630
Don Pylate	50, 056
T. P. Borgognoni	49, 808
Oscar L. Crowe	49, 224
Robert E. Dunavant	47, 578
Nettie Handley	47, 578
J and V Pieroni	45, 925
Burchfield Farms Inc	42, 793
W. R. Smith	42, 481
Carpenter Brothers	41, 904
Tom Rayder	38, 217
Yellow Bayou Plt., Inc	35, 539
W. T. Dixon	34, 584
William G. Rayder	33, 106
Alvin Ford, Sr	30, 696
Woodson B. Hays	30, 244
A. G. Rocconi	30, 185
A. S. Rocconi	29, 115
Billy Hunter	28, 763
W. J. Allums	28, 573
Ray Black	28, 365
Harvey T. Hunter	28, 312
Charles W. Strecker	27, 848
Fred Woodall	25, 834
Sam Epstein est	24, 347
Jerry Ford	23, 962
A. C. Mazzanti	23, 304
Dawson Brothers	23, 237
J. H. Hall Farms, Inc	22, 136
Harper Bros	21, 809
Donald H. Major	21, 676
Charles D. Crawford	21, 519
T. V. Tucker	21, 450
Olan Mencer	20, 750
Ed. Lawler	20, 293
L. M. Breedlove and Sons	20, 086
Total payees in county (38)	1, 278, 308

CLARK COUNTY

Vernie D. Langley, Jr	22, 561
Sewel Daniell	22, 325
Total payees in county (2)	44, 886

CRAIGHEAD COUNTY

Gary Gipson	36, 026
Wayne Baker	35, 229
Paul Owens	32, 521
Herbert Wood	29, 810
T. W. Norwood	25, 867
Geo. C. Robertson, Jr	24, 601
Bill Stone	23, 638
Ray Dooley	22, 556
C. & C. Farms, Inc	22, 249
Virgil Booth	21, 721
William A. Starnes	21, 383
Robert Box	20, 915
H. H. Blalock	20, 377
Larry Burns	20, 266
Total payees in county (14)	357, 159

CRITTENDEN COUNTY

Bruins Plng. Co	63, 224
John M. Swepston	56, 819
Allen B. Helms	56, 733
Julian L. Hardin	56, 647
James W. Young, Jr	56, 131
Sulcer Planting Company, Inc	55, 915
Charles S. Riggan	55, 791
Jack W. Ray	55, 684
Middle Place, Inc	55, 173
Paco, Inc	54, 970
Nugenco, Inc	54, 905
Allen B. Helms, Jr	54, 612
Wapanocca Planting Co	53, 145
F. H. Griffin	51, 612
William B. Rhodes Co	51, 257
James L. Garrott	50, 176
N. S. Garrott, Jr	50, 176
O'Neal & Son, Inc	49, 995
Paul Pirani	47, 997
Dino Pirani	47, 997
Adolph Pirani	47, 665
Milton Lubin	46, 634
Baylus B. Quackenboss	46, 339
Cy Bond, Jr	46, 338
Rowena B. Stuckey	46, 338
D. W. Rogers	46, 175
Joe Rogers	45, 154
Sammy Hatley	43, 157
Billy Jack Looney	43, 127
Joe E. Looney	43, 124
Dan Springfield, Jr	43, 069
Roy A. Bloodworth	42, 521
Joe Dale Bloodworth	42, 521
Robert Eugene English	42, 521
Johnny Shelton	41, 625
Alpe Farms, Inc	40, 740
H. P. Sisk	40, 213
Walter J. Carlson	38, 920
Ralph C. Carlson	38, 908
William A. Carlson	38, 908
Earl White	38, 635
Beuford J. Wallace	36, 141
David S. Wallace	36, 131
James R. Stockley	35, 597
S. & W. Farms, Inc	35, 428
Don Bell	35, 246
Charles L. Williams	34, 150
Hester Parker	33, 263
W. Neely Mallory	33, 251
C. T. Rodgers	33, 184
E. J. Barham, Jr	33, 094
Lowell W. Taylor, Jr	32, 620
Sadie Beck Taylor	32, 620
Alton Grant Farms	31, 587
H. M. Brinkley Est	30, 845
Vernon Felker	30, 843
Armond Angelletti	29, 750
John Angelletti	29, 747
Ragland Plant, Inc	29, 130
W. H. Greene	28, 995
B. P. Kelley	28, 958
W. T. Oliver	28, 593
A. Cecil Oliver, Jr	28, 593
L. C. Smith	28, 424
Johnnie Marotti	28, 366
Daniel Marotti	28, 366
C. B. Britton	28, 155
Thomas M. Holmes	27, 974
L. G. Byford	27, 901
J. F. Rieves, Jr	27, 539
Frank Handley	27, 525
Marybeth K. Rieves	27, 461
Carl E. Morrison, Jr	27, 002
William P. Morrison	26, 449
S. M. Nickey, Jr	26, 106
J. L. Currie	25, 566
E. J. Baker, Jr	25, 046
Katherine W. Clarke	24, 904
E. H. Clarke, Jr	24, 897
William W. Clarke	24, 897
E. M. Ott	24, 844
Helen T. Thomas Trust	24, 403
Julia T. Kirkpatrick Trust	24, 403
Marilee T. Stratford Trust	24, 403
John F. Twist Trust	24, 403
Reginald B. Twist Trust	24, 403
Joe Baratti	24, 381
Olga S. McNeely	24, 353
Howard Atkins	24, 347
Aldo Marconi	24, 147
Joe Currie	23, 354
Lonnie Webster	22, 239
Herbert Allen	21, 803
Frank G. Fogleman	20, 957
J. F. Fogleman	20, 957
Freddie N. Bollinger	20, 601
R. K. Bollinger	20, 601
Julia B. Goodwin	20, 351
Total payees in county (98)	3, 560, 885

CROSS COUNTY

John H. Johnston	54, 976
W. M. Smith and Sons	49, 052
Ruston Farms	41, 333
L. T. Beene	39, 031
Gene Thompson	38, 545
Abner Clements	38, 281
Leslie Nix	37, 876
Richard Twist	36, 467
Cherry Farms	34, 534
Paul McCutchen	29, 852
Ed Bond	29, 470
Ira F. Twist	29, 291
R. W. Byrd	28, 273
Dennis McKnight	28, 203
Donald McKnight	28, 203
S. A. Atkison	27, 283
Gordon Morris	27, 256
Hugh B. Proctor, Jr	25, 935
Wallace Martin, Inc	25, 212
Twist Parkin Co	22, 444
E. D. McKnight Est	22, 385
Robert Twist	22, 380
John A. Brenner	20, 997
John G. Twist	20, 864
Bill Rucker	20, 391
Total payees in county (25)	778, 534

DESHA COUNTY

R. B. Stimson & Co	56, 724
Reedville Farms	42, 175
Frank Trotter	40, 332
P. W. Teeter & Sons Co	39, 765
R. A. Pickens	37, 319
Baxter Land Co	32, 973

Bickham Bros	32,737
Johnson Bros Gin, Inc	29,621
Mallard Flats, Inc	28,106
Gary Michael Roberts	27,443
Clay Cross	27,039
Jimmie Miles	26,955
C. B. Stevens Farms, Inc	26,317
Holt Holt & Roddy	25,257
New & Lick	25,253
L. L. Boyette	23,523
H. G. Leek, Jr	23,506
Clifton L. Meador	23,256
Charles Raymond Day	22,555
David Brooks Griffin Tr	22,318
Grover Jones	22,007
Howard Newton	20,878
Martin Wood	20,793
M. L. Walt	20,606
Carmack Don McCurry	20,438
J. L. Britt	20,307
Cecil Tucker	20,014
Total payees in county (27)	758,217

DREW COUNTY

Carl Pamplin	55,452
William Bulloch	45,175
Bilgischer and Sponer	43,389
R. C. Greenway & V. Greenway	39,149
John Mack Arnn	36,493
John W. Arnn	36,481
C. R. Russell & Son	33,560
E. R. Lambert, Jr	31,088
Chester Tate	29,152
Donald M. Bulloch	28,546
Charles S. Holloway	26,478
Rogers Trust No. 2	25,387
Tillar Livestock Co	24,548
Curtis Lagrone	22,456
Miles Whitaker Lowe	21,375
Total payees in county (15)	498,729

GREENE COUNTY

Heulon Barron	20,713

JACKSON COUNTY

R. D. Wilmans, Jr	55,946
Andy Doyle	45,361
Burton Merc. & Gin Co	35,110
Ira Wheeler	26,718
Bell & Carson	24,724
Mack Bros., Inc	23,969
J. D. Nicholson	23,805
Rock Island Planting Co	23,629
Tony Walton Farm, Inc	23,033
Jim Bailey	21,848
Village Creek Planting Co	21,317
Total payees in county (11)	325,460

JEFFERSON COUNTY

AR State Penal Farm	107,846
E. Hudgens Jeter Est	55,319
B. J. Altheimer Foundation	55,000
B. J. Altheimer Tstmtry Trustee	55,000
Lake Dick Plantation, Inc	54,947
Pipkin Farm	51,795
D. Stratton, Inc	49,999
Allen Jacobs	48,674
Peek Planting Co	48,625
S. R. Baugh	47,887
W. W. West Co	47,712
Jimmy Blair	47,026
Delton Edward Stratton	46,582
Leon Callaham	44,649
Earle T. Phillips	44,330
Lyons Planting Co., Inc	43,426
James Terkeurst	41,351
R. L. Bruton	38,546
R. S. Barnett, Jr	36,652
Frank H. Lyons, Jr	35,828
R. E. Watkins, Jr	34,994
R. E. Watkins	34,994
Swan Lake Plantation, Inc	34,758
A. C. Hunter	34,500
John N. Stern Trust	34,250
Clarence Dutton & Son	33,897
Ben J. Altheimer, Jr	33,632
John Briggs, Jr	33,573
Earl Chadick & Sons	33,480
William C. Maloney, Jr	32,440
Lester Carter	31,914
Stone Planting Co, Inc	31,868
L. L. Dutton & Son	30,235
Brewer and Bryant	30,227
Sam Luckie	29,282
Adams Enterprise, Inc	29,025
E. E. Henderson	28,937
Fish Lake Farms Inc	28,840
Collins A. Andrews, Jr	27,687
L. J. Rogers, Inc	27,619
West & Orton	27,427
A. C. Freeman, Jr	27,008
J. L. Burgess, III	26,569
Flat Bayou Farms, Inc	26,487
James Adams	26,481
Thomas O. Murchison, Jr	25,874
Chambliss Farms	25,018
Noble Lk. Pltg. Co. Inc	24,803
Coy Earnest Scott	24,605
Jesse Page Walt	24,090
William Shelby Jeter	23,905
Larone Lowe, Jr	23,150
W. B. Albright	23,065
Henderson Bros. Inc	22,832
Thomas D. Dial	22,690
Benny J. Fratesi	22,648
Marshall Benjamin Garrett	22,545
Georgiatown Farms	22,411
Rita B. Freeman	22,087
Walter Will Bryant	22,064
Larry Ross Hillis	22,050
William M. Redfield Trust	21,946
Morris Allred	21,692
L. W. Francis	21,650
Joe Newton, Jr	21,294
Rob Roy Plantation, Inc	21,099
Paul Blackwell	21,025
Gray Farms, Inc	20,905
M. A. Rose and Sons, Inc	20,499
Marvin Edgerton Burgess	20,030
Paul Stone	20,023
Total payees in county (71)	2,355,318

LAFAYETTE COUNTY

Lawrence E. Taylor	54,055
Troyce E. Endsley	48,243
Carl Adams, Jr	47,768
Andrew Whisenhunt	47,617
William L. Goza	38,383
Moore Properties, Inc	33,248
J. G. Allen, Jr	30,811
Horace M. Burks	28,471
James R. Murphy	27,697
Tom Brackman	22,702
Willie H. Harrist	22,150
Henry T. Williams	20,966
Total payees in county (12)	422,111

LEE COUNTY

Dick Ed Thomas	51,888
W. E. Stiles	51,512
G. R. Brent	49,255
Dan Felton & Co	47,857
Barker Farms, Inc	47,571
Robert May	44,290
Miller Farms, Inc	43,408
McGinnis Bros. Farms, Inc	42,984
H. T. Dillahunty	41,692
Stiles & Manley	39,086
Elmwood Plantation, Inc	38,701
C. M. Cooke	37,879
Vance & Bentley	37,514
Eldon Reed	36,352
Lindsey Farms, Inc	34,825
Mann Farms, Inc	34,825
Ellis Evans	34,791
C. E. Yancey & Sons	34,432
Willie E. Jones	32,735
George L. Ballard	30,746
Whitehead Farms, Inc	30,566
Jerry P. Hicky	30,423
Sisk Farms, Inc	29,947
Parten Farms, Inc	29,479
Lawson Hughes	28,649
Thomas Gist, Jr	27,221
Flowers Brothers	25,514
E. W. Reynolds	24,609
J. E. Ivy	23,576
Raymond W. Stanfield	22,110
W. H. Gerrard	21,202
Webb Sweet	20,374
Lockhart Sweet	20,374
Jones Farms, Inc	20,245
Total payees in county (34)	1,166,632

LINCOLN COUNTY

H. R. Wood & Son, Inc	52,837
C. H. Clowers & Co	46,098
Marion F. Baugh	46,014
N. M. Ryall & Sons, Inc	41,947
Bruce Norton	31,851
Knight Brothers	30,976
Richard Jones	29,046
Frizzell Farms, Inc	28,118
Wood Brothers	26,978
A. O. French, Jr	26,532
Robert Edward Dreher, Jr	25,537
Roy Baugh	25,267
Boscoe Blagg	24,894
W. H. Venable	23,177
J. L. McEntire & Sons, Inc	22,658
Morris H. Dreher	22,498
Knox W. Bitely	22,423
Robert Edward Dreher	22,172
B. F. McGraw	21,923
Robert Venable	20,614
Total payees in county (20)	591,560

LITTLE RIVER COUNTY

E. C. Lavoice & Sons	29,462
McGraw Brothers	25,836
W. L. Matteson III	23,771
S. D. Matteson	21,145
Total payees in county (4)	100,214

LONOKE COUNTY

Herman Jeans	54,992
Floyd H. Turner	54,860
Sam McNeil	53,091
Jimmie H. Boggess	51,850
Charles Capps	51,264
Basel Henderson	48,351
Bobby Jones	43,138
Triangle Farms	40,663
James W. Phillips	40,554
James C. Rollins	40,315
Bobby Gene Wright	37,122
H O J H D N Nipps	35,787
Odes Perry	35,757
Robert L. Dortch, Jr	32,282
R. W. Morris	30,031
Elmer E. Willman	29,852
Waylon B. Sims	29,778
Turner C. Johnson	29,117
Wm. J. Bevis	28,788
Connie Glenn Jordan	28,783
Anthony W. Dickinson	28,738
Thomas H. Jordan	27,563
Joy Leon Hill	26,192
Albert E. Yarbrough	25,898
James Workman	25,145
Johnnie Wallace	24,918
Morris F. Hallum	24,064
Hervey L. Patterson	23,741
Sam Stewart	22,985
Luchen Walls	22,908
Cobb Brothers & Co	22,714
Luid Jones	22,265
Richard Bransford	21,449
Loranzy George Crouthers	21,090
Paul Junior Capps	20,705
Arnold Oneal	20,203
Total payees in county (36)	1,176,953

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding Loans—Arkansas—Continued

MILLER COUNTY

Price Plantation Inc	46, 778
R. E. Ransdell	45, 630
Doyle Stevens	35, 166
Rufus F. Eaton	20, 711
Total payees in county (4)	148, 285

MISSISSIPPI COUNTY

Wesson Farms Inc	98, 328
Armorel Planting Co	62, 846
Lee Wilson & Co	62,262
Clide Barnett	61, 664
John A. Edrington	61, 547
Langston Gin Co	59, 017
Bobby Senter	58, 177
W. T. Metzger Jr	56, 640
Larry J. Woodard	56, 602
Midway Farms Inc	55, 588
Lowrance Bros & Co	55, 346
Crosthwait Gin & Merc Inc	55, 000
Magnolia Farms	55, 000
W. J. Denton Est	54, 942
Charles W. Bowles	53, 561
R. D. Hughes Gin Co	52, 559
C. B. Robinson	51, 896
Rel Wilson Trust Luxora	51, 865
R. J. Gillespie	50, 905
Harold Senter	50, 766
Ira G. Ashley	50, 717
Charles Nick & Richard Rose	50, 509
M. J. Koehler	49, 739
C. S. Standifer, Jr	48, 209
Thomas Tate	47, 560
Reven Creecy	47, 560
B. C. Land Co	47, 499
Larry Woodard Farms, Inc	45, 956
Keiser Planting Co	45, 071
Clifford Gillespie	44, 908
Marie Planting Co	43, 702
McDaniel Farms	42, 652
John E. Crain, Jr	42, 443
Virgil Stewart	42, 118
Clarence Crosskno	42, 096
A. E. Teaford	42, 069
John M. Stevens, Jr	41, 699
Rel Wilson Trust Wilson	41, 519
Bob Jackson	39, 733
Amon Eugene Holt	39, 615
Dan & Chester Caldwell	39, 579
John M. Speck	39, 388
Wayne Taylor	37, 291
Bill Taylor	37, 291
C. J. Lowrance III	37, 163
Speck Bros	36, 713
C. L. Denton, Jr	36, 612
Nancy M. Trimue	36, 334
Chiles Planting Co	36, 037
Joe Dilldine	35, 123
Leon Brothers & Son	35, 098
Collie D. Lowrance	34, 706
Wilbur F. Johns Farms	34, 105
Glenn A. Cook	33, 948
Earl H. Wildy	33, 846
John W. West	33, 532
Leonard Ellison	33, 450
W. S. Cockerham, Jr	33, 373
Arthur Tusing	33, 291
Charles R. Moore	32, 991
Jack Hale	32, 967
Gold Lake Farms	32, 663
Ray Harrison	32, 638
Wilbur Wildy	32, 563
W. M. Taylor, Jr	32, 527
K. D. Main	32, 332
Kenneth Shannon	32, 301
L. T. Dillard	31, 632
James Terry	31, 463
Doug G. Bennett	31, 461
E. H. Riley	31, 222
E. T. Gurley	30, 943
Henry Battle	30, 817
Trice Battle	30, 817
Charles J. Ryals	30, 715
A. A. Banks	30, 490
H. T. Bonds, Sons, Inc	30, 394
Mary Ann Gill	30, 373
Alvin S. Bennett	30, 146
McGuire & Son, Inc	29, 970
Ralph Bros	29, 616
Alex Goble, Jr	29, 407
Clyde Whistle	29, 071
Charles E. Crigger III	29, 004
J. L. Gurley	28, 946
Charles Wildy	28, 812
Elliott Farms	28, 651
Moreland B. White	28, 283
Allen Metheny	28, 279
Paul Long	27, 976
J. E. Crain, est	27, 680
Willis Stutts	27, 654
Vaughn L. Shownes	27, 642
Albert Williams	27, 397
F. N. Craig	26, 773
John B. Wilson	26, 759
Hays T. Sullivan	26, 755
James P. Sullivan	26, 755
P. D. Johnson	26, 572
Oliver Coppedge, Jr	26, 552
W. J. Smith	26, 478
Robert Gammill & Son	26, 385
Buford Jarrett	26, 342
Bryce Grant	26, 265
E. A. Stacy	26, 043
M. G. Smith	25, 343
Lyman Henson	25, 282
E. E. Wallace	25, 220
R. C. Branch, Sr. Estate	24, 877
Billy Gann	24, 864
John E. Gann	24, 332
Gerald Costner	24, 247
V. S. Johnson	24, 225
Ted Parnell	24, 212
William H. Wyatt	23, 958
Otto S. Gordon	23, 894
Jimmy Baugher	23, 547
Edra S. Girdley	23, 477
Jimmie Davis	23, 414
James H. Woodard	23, 230
Morris & Hart	23, 125
Charles D. & Donald L. Baker	23, 082
Murray Richardson, Jr	22, 956
C. C. Councille	22, 920
Gus Morris	22, 892
Blythe Clark	22, 672
Florenden Plantation	22, 419
D. B. Brannon, Jr	22, 264
Eric Waddell	22, 243
Herbert H. Ellis	22, 175
Donald Felts	22, 137
Joe W. Felts	22, 137
D. R. McDaniel	22, 121
Eddie Thomas	22, 019
Lester B. Gill Trust	21, 649
J. H. Smart	21, 644
W. A. Jones Farm	21, 568
Evadale Planting Co	21, 381
J. R. Whistle	21, 243
Nancy O. Fairley Trust	21, 165
J. Lynn Tranum	21, 085
Joe Gurley	21, 074
Wrenacres, Inc	20, 999
Russell Simpson	20, 706
Langston Enterprises, Inc	20, 702
Dunkin Farms	20, 586
Nick Patterson, Jr	20, 564
Larry Joe Bell	20, 540
Ed. Hardin	20, 509
R. B. Holthouse	20, 337
Thomas H. Callis	20, 300
John Ellis	20, 027
Total payees in county (152)	5, 143, 650

MONROE COUNTY

Amos Everett	44, 169
Ray Fuller	43, 580
Donald R. Dearing	38, 463
Lily Peter	33, 590
Parker E. Johnson, Jr	30, 023
Carter Clifton Company	29, 363
Hyett E. Harrod, Jr	28, 284
Jay Calloway and Son	26, 564
Bruce Crow	26, 517
Rudolph Calloway	26, 427
Homer Lawless	25, 898
Hurley McKoy	24, 833
Robert H. Mayo	20, 639
A. B. Walls	20, 008
Total payees in county (14)	418, 358

OUACHITA COUNTY

Benton Taylor	41, 677
W. K. Henry	28, 094
Total payees in county (2)	69, 771

PHILLIPS COUNTY

Highland Lake Farm	55, 267
Hill Farms, Inc	55, 000
G. & P. Land Co	54, 948
J. A. Hill	53, 592
R. J. & W. D. Suddath	52, 708
B. D. Alexander	52, 127
Frances Jo Blackburn	51, 951
Brooks Griffin	51, 686
E. T. Wells, Inc	49, 697
James H. Wood	48, 961
Hiram Alexander	48, 153
Elizabeth A. May	48, 142
Milton Alexander	48, 142
Curtis Clark	47, 976
Elizabeth H. Strang	47, 614
O. D. Howe Est	47, 445
Riverside Farm	46, 280
David Hill	45, 957
Thomas E. Young	44, 451
Dave Inebnit	43, 625
Solomon Bros., Inc	43, 034
King Wells Farm	42, 358
Ray Dawson	41, 478
Harry Stephens	40, 974
Delta Plantation, Inc	40, 350
Roy Sanderlin	38, 437
G. J. Short	37, 668
James E. Yancey	37, 477
Winston Foster	37, 378
Wooten Bros	37, 244
Otis W. Howe Est	36, 162
J. E. Storey	35, 225
Joe Pillow	35, 039
J. O. Wheeler	34, 485
Buron Griffin	34, 444
A. F. Gregory, Jr	31, 865
Deputy Place	31, 753
W. C. Brandon	31, 737
J. D. Rohrscheib	31, 689
T. W. Keesee	31, 470
Catron Plantation	31, 059
R. J. Young	31, 037
Buford Culp, Inc	30, 977
R. M. Hornor	29, 919
Chip Franklin, Jr	29, 777
Charles Loeschner	29, 776
Wooten Epes Company	29, 326
Tunney Stinnett	28, 867
Oneida Planting Company	28, 443
H. W. Rohrscheib	28, 358
Robert F. Howe	27, 912
M. M. Crisp	27, 875
F. O. Griffin, Jr	27, 613
Loveless Farms, Inc	27, 211
James H. Crisp	27, 063
William Robert Moore	27, 058
David Brooks Griffin Trust	26, 974
E. H. Harmon	26, 354
Jake Crow	25, 308
Wise Brothers	24, 856
Sam J. Howe	24, 786
Dean Roach	24, 716
N. R. Hosey	24, 650
Harry Lynn, Jr	23, 505
J. E. Meador	23, 391
Caraway Bonner	23, 128
Ralph Bunch	22, 088
Danny Baxley	21, 834
S. W. Cooke, Jr	21, 469
Claude Warren	20, 858
Woodrow Reed	20, 826
Grauman Farms	20, 579
Lily Peter	20, 095
Lester Crawford	20, 078
C. C. Simmons	20, 026
Total payees in county (75)	2, 621, 781

POINSETT COUNTY

E. Ritter and Company	55,728
Cecil H. Justus, Jr	52,319
D. V. Cravens	51,742
S. C. Chapin	51,647
Frank Dean	50,536
Clifford Clover	49,794
Fairview Farms Company	48,492
Benjamin Rowan Hyneman	47,469
Guy L. Prince	45,528
H. C. Bradford, Jr	43,081
Dan F. Portis	43,053
Moreland Barton	41,714
C. D. Walker	39,547
Bill L. Hannah	38,023
Moon & Cash, Inc	35,558
Donald Valentine	35,178
James H. Moon	35,076
Edward F. Ball	34,498
Morris P. Lansdale	34,240
Stuckey Bros, Inc	34,077
W. H. Cross, Jr	33,956
Walter H. Provost	33,908
Tommy Goldsby	33,268
Paul Earnhart	30,857
R. H. Taylor & J. C. Stuckey	30,501
Creodora Thompson	29,804
A. M. Weona Fms., Inc	29,439
Wallace George Willoughby	29,304
Herbert S. Bingham	27,232
John B. Pritchett, Jr	26,831
J. D. Fletcher	26,498
Lloyd Shelton	26,415
Citizens Gin Co., Inc	25,151
J. P. Gooch	25,095
Worthy Neal	24,686
James O. Campbell	24,041
J. W., J. F., and Jimmy Harbison	23,963
Emrich Bros. & Sisters	23,809
Chickasaw Oil Mill, Inc	23,146
W. G. Craig	23,057
Dayton E. Bream	22,982
John R. Young	22,669
John E. McDermott, Jr	22,382
Charley G. Swindle	22,293
Robert L. Hughes, Jr	21,957
J. Melvin Young	21,724
Robert Walker	21,635
B. L. Boyd	21,258
Tecota Farms	20,970
W. R. & Zula D. Payne, Est	20,627
J. J. & J. Inc	20,618
Harry Juergens	20,305
Guy C. Henderson	20,084
Total payees in county (53)	1,697,765

PRAIRIE COUNTY

John D. Naill, Jr	27,513
George & Moore Farms	26,758
Total payees in county (2)	54,271

PULASKI COUNTY

W. A. Ratcliffe, Jr	39,061
Walter Isgrig	37,539
Sammy McGhee	35,564
Reber McGhee	35,564
R. S. Bredlow, Jr	28,727
Walderns Bros	27,870
Walter C. Estes	27,584
Craig Planting Co	26,367
Robert Earl James	25,572
Donald Chapman	24,384
Emmett Chapman	24,375
Odis Chapman	24,374
J. B. Morgan	22,860
Gene Adams	22,485
Henry Lanehart	21,320
A. T. Henry	21,068
W. George Alexander	20,817
Bob Dorsey	20,025
Total payees in county (18)	485,556

ST. FRANCIS COUNTY

Shannon Bros. Entp	66,094
W. E. Biggs	62,188
W. W. Draper, Jr	60,284
Miller Lumber Co	58,459
Sycamore Bend Plantation	51,739
Robert Brewington	48,930
Luke E. Burch, Jr., Inc	48,204
Chappell & Moore	47,842
C. J. Beasley and Son	47,193
Glindail Co., Inc	45,704
Davis Biggs	44,461
Lindsey Brothers	43,246
Red Gum Plantation	42,379
Belle Meade Plantation	41,415
B. and L. Farms, Inc	41,376
Paul H. Finch	41,055
Wheatley Mill & Gin Co., Farm	40,267
E. L. Cupp	40,176
Oscie Hardy	39,139
Sweet Brothers	38,008
Joe Oswalt	37,829
Earl Dean Williams	36,755
Charles T. Adams, Jr	36,177
Higgins Brothers, Inc	34,882
John C. Lindsey, Sr	34,662
Thomas McDaniel	33,982
Hammons Farms, Inc	33,558
S. C. Rose, Jr	33,525
Larry Reed	32,939
B. McCollum, Jr	32,874
McCain Farms, Inc	32,447
A. B. Malkin, Jr	30,566
Joe Burch	30,536
C. D. Brown & Sons, Inc	30,038
R. T. Landrum	28,660
Ernest Stough	27,580
J. C. Rice	27,580
Betty M. Stoddard	26,649
Claud Buford	26,114
Sam Ashworth	26,004
Ida Mae Norsworthy	25,216
Carl H. Morris	24,846
O. J. Gandy, Jr	24,437
Bob K. McKenzie	24,207
Victor Beene	23,855
Floyd Martin	23,540
Wayne Campbell	22,515
Jimmy Wright	21,747
B. E. Beene	21,649
J. B. West	21,244
Jack Vaughn, Jr	20,818
Rod Bryan, Jr	20,296
Freeman E. Nichols, Jr	20,007
Total payees in county (53)	1,875,893

WOODRUFF COUNTY

Gerald L. Morris, Jr	55,086
Gregory Farm, Inc	45,907
Bruce Tarkington	37,029
Gum Ridge Corp	29,743
McAdams & Stovall Farms	26,492
W. P. Galloway	26,240
L. L. Cole & Son, Inc	24,201
Jennings and McAlexander	23,843
W. Peyton Daniel	23,660
Total payees in county (9)	292,201

YELL COUNTY

W. H. McClure Trust	24,294
Billie Vaughn	21,773
Total payees in county (2)	46,067
Total payees in State (837)	27,872,556

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—California

[Amounts in dollars]

BUTTE COUNTY

Parrott Inv. Co	35,635
Wright Lands, Inc	25,185
H. E. Nichols, Jr	20,668
Total payees in county (3)	81,488

COLUSA COUNTY

Wm. D. Struckmeyer	32,884
Strain Ranches, Inc	30,758
Myers Bros	29,483
Wallace Bros	28,900
H. & A. Andreotti	26,851
Davis Ranches	25,893
Plank & Maupin	22,068
Chas Yerxa	21,350
Total payees in county (8)	218,187

CONTRA COSTA COUNTY

Vaquero Farms, Inc	28,906

FRESNO COUNTY

Vista Del Llano Farms	273,518
Giffen, Inc	160,912
Pacific Farms Co	114,114
Mouren Farming Co	110,798
Comfort Farm, Inc	106,143
Frank J. Coelho	97,460
Sumner Peck Ranch, Inc	96,569
Redfern Ranches, Inc	92,657
Pilibos Bros., Inc	91,685
Gragnani Bros	88,950
Rabb Bros	88,021
Sam & D. M. Biancucci	83,072
Goodman Traction Ranch	78,572
Deavenport Ranches, Inc	76,244
William E. Glotz	72,523
Schramm Ranches, Inc	71,391
W. J. Deal	71,212
Price Giffen Ranch	70,372
Edward R. Lewis	70,032
Airway Farms, Inc	69,644
J. & J. Ranch	67,249
Wayne Sniffin	66,976
Coit Ranch, Inc	65,740
Almer Comfort, Jr	64,842
Anthony Lo Bue	64,262
Harold O. Banion	64,007
Martin E. Mason	63,442
V. C. Britton Co	60,906
Kriesant Operating Co., Inc	59,808
Don Gragnani	59,368
Victor Gragnani	59,368
Hanson & Fortune	58,643
Giusti Farms, Inc	58,138
Robert Cardwell	57,751
Michael Giffen Ranch, Inc	57,689
Melcombs Ranch, Inc	57,352
Irby Abercrombie	57,343
Sierra Dawn Farms	57,314
Reuben Crosno	57,215
Enrico Farms, Inc	56,609
Half Mn. Fruit & Prod	56,432
J. C. Conn, Inc	56,047
Linneman Ranches, Inc	55,946
Clarence Matheson	55,848
S & S Ranch, Inc	55,750
Clayton Brown	55,740
Teresa Harris	55,690
Wm. H. Noble	55,600
Hogue Produce Co	55,500
H. B. Fries	55,226
John C. Harris	55,187
John A. Kochergen	55,130
Fred Rau	55,128
Davis Drier & Elevator, Inc	55,093
Pucheu Ranch	55,065
Edwin R. O. Neill	55,000
Ronald S. Allen	55,000
M. J. Allen	55,000
Lawrence J. Wolfsen	55,000
Edward Azhderian	55,000
Pappas & Co., Inc	55,000
Rusconi Farms	55,000
Raymond Thomas, Inc	55,000
E. & G. Farms	55,000
Far West Farming, Inc	55,000
Weeth Ranches, Inc	54,993
David A. Britz	54,993
Bob Wood	54,991
Leslie B. Hulse	54,991
J. E. O'Neill, Inc	54,990
O'Neill Livestock Co	54,990
Carl Ross	54,976
Marvin Wood	54,975
Paul Wood	54,975
Darrell Silveira	54,950

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—California—Continued

FRESNO COUNTY—Continued

Richard K. Griffin	54, 941
R. G. Griffin	54, 929
Harry John Marchini	54, 911
Five Points Ranch, Inc	54, 908
Bruno J. Marchini	54, 895
Peter S. Marchini	54, 895
Pacific Produce Dist	54, 874
Francis A. Orff	54, 817
Frank Chounet Ranch	54, 745
Arthur J. Cuelho	54, 722
Michael J. Ryan, Jr	54, 693
Mayo Ryan	54, 693
Eloise Arcelus	54, 667
M. R. Lowrance	54, 666
Sommerville Farms, Inc	54, 652
Robert M. Lee	54, 527
James C. Anderson	54, 511
Billie Jo Mouren	54, 511
Alex Kochergen	54, 461
Crosno Farms	54, 412
Patrick Peck	54, 340
Kathleen Peck	54, 324
Michael Peck	54, 324
Richard E. Guenther	54, 298
Willson Farms, Inc	54, 157
Jarrott Ranch	54, 088
Frank C. Diener Ranch, Inc	53, 864
Ryan Farm Trust	53, 864
Edward F. Diener Farm Trust	53, 864
Simonich Farm Trust	53, 864
De Mera Farm Trust	53, 864
Joe C. Machado	53, 607
E. Weeth & Son	53, 360
Vernon Swearingen	53, 316
John F. Price	53, 083
Rodney H. Parichan	53, 082
Donald E. Schramm	53, 068
O. Banion Ranches	52, 894
Cardella & Johnston Inc	52, 578
Telles Ranch Inc	52, 569
Peter Lo Bue	51, 869
Renton & Terry	51, 837
Bill & Ed Koda	51, 576
D. J. Rowland	51, 547
Nichols & Wood	51, 486
Richard J. Yraceburu	51, 273
Leroy Hardy	51, 087
John L. Errecart	50, 976
Fernando Machado	50, 974
Dodd Family Living Trust	50, 609
Bidegaray & Sagardia Bros	50, 377
Levon Azhderian	50, 352
B. T. V. Farms	50, 251
Michael F. Matheson	50, 248
Roger C. Matheson	50, 248
Davis & Huey Inc	49, 598
C. L. Anderson	49, 501
Gerawan & Penner Ranches Inc	49, 437
Earl Brinkley	49, 370
Viola Matheson	49, 346
A & H Farms	49, 291
Starkey & Erwin	49, 249
John Teixeira	49, 219
Poso Dairy Farms Inc	48, 861
Robert Mueller	48, 629
George Butts	48, 629
Henry A. Wolfsen	48, 629
Warren L. Wolfsen	48, 629
Donald C. Skinner	48, 629
Turner Island Farms	48, 629
Gerald K. Hoyt	48, 629
Matt J. Gaab	48, 438
Rogers Ranches Inc	48, 220
J. C. Andersen	47, 992
Leavelle Bros	47, 809
F. Silveira & J. Peterson	47, 686
Erskine Ranch	47, 272
Luther Bratton	47, 164
Markarian Farms	47, 113
Burnett Bros	46, 928
Motte Ranches	46, 908
Drew Farms Inc	46, 680
Pucheu Bros	46, 603
Raven Land Co	46, 414
Donald Bellando	45, 953
Frankie E. Lopes	45, 640
Melvin Coelho	45, 625
Vierhus Farms	45, 219
Walter Willms	44, 187
Diamond R Farms Inc	43,910
Tai Hing & Co	43, 714
Del Testa Farms	43, 690
C. H. & G. Farms Inc	43, 674
Mauz Childrens Tr	43, 498
Henry B. Wolfsen	43, 393
Geo. & Jn. & Walt. Orlando	43, 245
Mike Etcheberry	42, 601
Hale Bros	42, 135
Marshall Baker	42, 110
Sidney E. Gordon	42, 085
Vernon L. Gordon	42, 082
H. L. Davidson	41, 985
Pete A. Kochergen	41, 935
Ernest Carvalho	41, 932
Wm. Erickson	41, 857
Albert Bufkin	41, 440
Mary Fortney	41, 401
Frank R. Telles	41, 388
Jess P. Telles III	41, 338
John G. Telles	41, 388
James W. Telles	41, 388
Frances Telles	41, 388
Martin Costales	41, 339
Roy Howard	40, 595
W. F. McFarlane	40, 385
Jack Cardwell	40, 170
Carl Swearingen	39, 715
Frank Trammell	39, 617
Ru Ann Dairy	39, 163
Alfred Coelho & Sons	38, 988
Richard Eggleston	38, 411
Kenneth Peelman	38, 036
Perez Bros	37, 314
Otis Horn	37, 209
James W. Wilson	37, 122
Louis Gragnani, Jr	37, 057
John A. Gentry Est	36, 838
Re Al Farms, Inc	36, 711
Barbara J. Deal	36, 676
Leonard E. Deal	36, 665
Wm. J. Deal, Jr	36, 665
Milo Erwin	36, 201
Jack Perry	36, 191
Jack Bray	36, 191
Des Jardins Bros	36, 179
Irwin R. Efird	35, 835
Joseph L. Silva	35, 795
Gramis Bros	35, 794
William Mouren	35, 760
Howard Mouren	35, 760
Tony Coelho	35, 342
Maria Coelho	35, 342
Joe Coelho	35, 342
Coelho Farms	35, 342
Frank J. Mendes, Jr	34, 438
Frank Freitas	34, 268
Joseph E. Yraceburu	34, 182
Don L. Yraceburu	34, 182
Ernest Fordin	34, 038
Richard S. Burford	33, 920
C. R. Wilkins	33, 113
L. H. & G. W. Hanneman	32, 975
Britz Fertilizer	32, 813
E. J. Giovannetti	32, 584
John B. Giovannetti	32, 584
Ronald Giovannetti	32, 584
Donald Giovannetti	32, 584
Frank Ayerza	32, 543
Eugene Nord	32, 499
Nino Groppetti & Sons	32, 338
Three D Farms	32, 194
Getty Oil Company	31, 333
Harnish Five Points, Inc	31, 309
C. E. & R. B. Klepper	31, 168
Walter E. Lambrecht	31, 100
Ben Rusconi	30, 899
Alex Maul	30, 863
Jura Farms, Inc	30, 756
Jaurena Bros	30, 712
Wayne M. Hardy Est	30, 613
Richard Swearingen	30, 467
D. T. Locke	30, 366
Andre & E. R. Leroy	30, 299
Triangle Ranch	29, 790
Linda Vista Farms	29, 743
John A. Speakes	29, 519
Paul W. Speakes	29, 519
McKean Bros	29, 335
J. Teore & G. Tavares	29, 267
Jack Howard Ranch	29, 102
United Packing Co	28, 915
Miriam M. Silveira	28, 855
G. H. Berry	28, 569
Edward Wagenleitner	28, 546
Carvalho Farms, Inc	28, 097
Roy Green	28, 070
Toro De Oro Farms, Inc	27, 843
Carl C. Gunlund	27, 583
John Wm. Kinnunen	27, 457
A. J. Lombardini	27, 243
John Goulart & Sons	27, 077
Metzler & Metzler	26, 932
Fairless Bros	26, 816
Jack D. Jones	26, 790
David Martin	26, 762
Davis Bros	26, 135
Jack C. Woods	25, 941
Rod Cardella	25, 753
Alfred Russell	25, 735
S. R. Botelho	25, 423
Bernard Etchegoin	25, 221
Del Ko Farms	24, 789
Philip Erro	24, 713
D. E. Drew	24, 704
Paul Crevolin	24, 478
J. C. Andresen, Jr	24, 452
D. E. Robison	24, 428
Clarence de Freitas	24, 262
G., Jr., and D. Ketscher	24, 202
Britz Chemical Co	24, 110
Echeveste & Elizalde	24, 055
Indart, Inc	23, 973
Hans P. Gunlund	23, 929
Norman Fries	23, 883
Thomas J. Lovelace	23, 824
Joe M. Lovelace	23, 824
Mt. Whitney Farms	23, 637
Joe & J. F. Zumthurn	23, 603
Hedman Ranches	23, 434
Pierre Harguindeguy	23, 229
Milo Jacobsen	23, 209
Jack Harris, Inc	23, 185
Harold D Weis	23, 155
Wm. R. Bettencourt	22, 896
Arthur Hector Pifferini	22, 714
Paul B. Fairless	22, 714
Nicolini & Maitia	22, 568
P. R. Farms, Inc	22, 539
John Nobile	22, 246
E. G. Rank, Jr	22, 213
Armas Bros	22, 166
John & Jim Diedrich	22, 099
B. Parachou Est	21, 830
Myrna Wolfsen	21, 697
Giacone Ranch	21, 451
A. & D. Koligian	21, 376
Hyde Ranch	20, 938
Joe Yribarren	20, 611
Garvin White	20, 604
Thomas Couto	20, 454
Stanley Willis	20, 407
Dillon Bros	20, 391
John Narbaitz & Sons	20, 278
Locket Bros	20, 260
Herman & Otto Walls	20, 258
Total payees in county (321)	14, 607. 106

GLENN COUNTY

C. M. French	52, 236
Baber Gibson Livestock	35, 957
Shintaffer Farms	35, 623
Total payees in county (3)	123, 816

IMPERIAL COUNTY

Adamek & Dessert	123, 914
Jack Bros. & McBurney, Inc	108, 274
Irvine Co	105, 588
Stephen H. Elmore	102, 922
Maraccini, Inc	99, 022
Jack Elmore	93, 630
Neil Fifield Co	91, 167
Fifield Land Co	87, 896
Stafford Hannon	86, 091
Hugh Hudson Ranches	85, 480

Donald H. Cox	85, 134
John R. Benson	84, 832
Edwin Chew	81, 542
Fritz Kuhn, Jr	80, 762
Robert H. Meyer	80, 066
Dwaine J. Little	79, 946
Three D Cattle Co	79, 502
Hausmann & House Ranches	77, 257
H. B. Murphy Co	75, 405
Kenneth Reynolds	74, 684
Lerno Bros	71, 295
Newside Farms, Inc	70, 010
C. D. Meredith	68, 956
John V. Merten	68, 682
C. T. Dearborn	68, 212
John V. Borchard	68, 007
Abatti Bros	67, 672
J. N. Osterkamp Rches	67, 507
Darwin Cohee	66, 715
Michael D. Ayala	66, 655
Davis Beauchamp	63, 125
Don Cannon	62, 548
Hetty E. Jordon	61, 985
R. B. Wilson Co	61, 531
Fad Farms, Inc	61, 431
J. C. Reeves	60, 631
J. Emanuelli & Sons	60, 471
Bonanza Farms	60, 026
D. Arrigo Bros. Co	59, 584
Charles K. Corfman	59, 407
Sweetwater Feeders	58, 091
J. M. Bryant	57, 477
Ed Wiest	57, 364
Hawk & Sperber	56, 937
Alvaro Deen	56, 813
W. E. Young, Sr	56, 623
W. E. Young, Jr	56, 623
Charles Vonderahe	56, 328
River Ranch, Inc	56, 166
Donald K. Donley	56, 065
Fleming & Jack	55, 712
Correll Farms, Inc	55, 417
Mohinder K. Samra	55, 000
Beulah E. Garrett	55, 000
Milas G. Russell	55, 000
Harry Schmidt Farms	55, 000
A. W. Schunk	54, 997
Alice Denman	54, 997
Aaron E. Quick	54, 958
Carl J. Williams	54, 958
Green Valley Farms	54, 899
Jack Hannon	54, 773
J. R. & B. R. Smith	54, 440
R. A. Lyerly	53, 779
Miriam Harthill	53, 510
Strahm & Sons	53, 061
F. L. Johnson	52, 497
Edward M. Wavers	52, 168
E. E. Otto	51, 887
Lee M. Whittle	51, 574
Roland Wilson	51, 559
William Whittle	51, 559
Homer Slater	50, 146
John Fifield	50, 068
Imperial Farms	49, 601
Lloyd Bascom Winter	49, 239
H. E. Kelley, Sr	48, 072
H. E. Kelley, Jr	48, 058
Malcolm Kelley	48, 058
Delmar A. Brady	47, 970
Thomas P. Gargiulo	47, 889
William C. Sterling	47, 529
R. E. Roesling	47, 529
E. K. Greer	47, 529
Talfourd T. Wynne	47, 529
Preciado Bros	45, 957
George A. Mallory	45, 263
George B. Willoughby	45, 239
George B. Willoughby II	45, 229
Berryman Farms	44, 911
Fernando S. Sanga	44, 854
George Clarke	44, 424
James A. Taylor	43, 831
Dearborn Farms, Inc	43, 604
Rodney Reynolds	43, 579
V. C. Anderson	43, 237
Rex Wayne Farms	43, 212
Raymond Lee O'Connell	42, 990
Raymond R. O'Connell	42, 990
R. S. Reese	42, 870
C. & C. Farms	42, 866
Charles C. Bowles	42, 505
J. R. & Chas. & Chas., Jr., Kershaw	42, 346
C. Alex Abatti	42, 284
Andrew Andreotti	42, 252
W. E. Young & W. E. Young, Jr	41, 323
Dessert Seed Co. Inc	40, 507
W. S. Zimmer	40, 242
Haskell Jacobs	40, 230
John P. Menvielle	40, 230
Francis Griset	39, 319
Ray Griset	39, 319
Deol & Sunghera	38, 778
W. M. Watkins	38, 144
Martin Farms	38, 004
Allen B. Griffin	37, 809
Robert C. Brown	37, 767
Earl W. Ashurst	36, 743
Williams & Quick	35, 649
Dixie Ranches	35, 419
San Pasqual L & C Co	35, 369
Russell Farms	35, 191
R. E. Bedwell	34, 369
Nilson Bros	34, 289
Harold Orff	34, 263
William C. Moore	34, 043
Loma Farms	33, 970
Robert Harp	33, 607
Jackson Produce Co	33, 587
House & Haskell	33, 269
Vessey & Co	32, 719
Perez & Morrell	32, 656
John H. Borchard	32, 593
Nelson Correll	32, 574
Leroy Edwards	32, 116
Holly Sugar Co	32, 084
Harold Brockman	31, 824
C. W. Sanders	30, 932
V. Borchard Land & Cattle	30, 874
Kakoo & Rose Singh	30, 838
Stanley Gorman	30, 543
Sam Etchegaray	30, 492
C. S. Sandhu	30, 472
M. Huffman & L. Allen	30, 309
Jean Layaye	30, 199
Charles W. Thomas Jr	30, 139
Stephen H. Sturges	30, 139
R. and G Ranch	30, 018
J. W. Sanborn	29, 371
Bill Wiest	28, 492
Elijah Bros	28, 200
Brandt Bros	27, 933
Claverie Bros	27, 922
Antonio Rodriguez	27, 303
Robert C. Richter	26, 950
J. Michael Cook	26, 838
Jack Rutherford	26, 706
Lee Rutledge	26, 608
George Oyama	26, 608
Julian Castillo	26, 582
Russell Bros., Rches., Inc	26, 380
Hoxie Smith	26, 269
L. L. Lyerly	25, 930
F. W. Schoneman	25, 660
Baljeet S. Thind	24, 929
Luckey & Hellis	24, 876
Albert Studer, Jr	24, 722
Charles E. Johnson	24, 180
Roy A. Johnson	24, 180
M. J. Labrucherie Rch	23, 281
Frank Augusta	23, 172
Harry Schmidt	22, 917
Adolph Weinberg	22, 851
Frederick M. Young	22, 578
F. E. Burnett	22, 470
Walter R. Sager, Jr	22, 237
Marlin E. Medearis	21, 860
Sam H. Robinson	21, 799
Denman & Schunk	21, 145
M. W. Coley	20, 906
Inter Harvest, Inc	20, 828
L. O. Power	20, 744
Niaz Mohamed	20, 687
Don W. Brock	20, 480
Lloyd Heger	20, 165
J. P. McKim	20, 084
Harold L. Wright	20, 012
Total payees in county (187)	8, 764, 302

KERN COUNTY

Blackwell Land Co	176, 659
Joe Mendiburu	139, 263
G. M. Bowles	119, 213
El Tejon Cattle Co	113, 630
A. C. Engel	110, 000
B. V. Farms	110, 000
Tejon Ranch Co	88, 566
Michel & P Etcheverry	88, 418
S. A. Camp Farms Co	84, 709
Coberly West Co	72, 883
Grey Gammon Corp	72, 201
Santiaga Ranch	72, 140
Kirschenmann Farms	71, 250
I. & M. Sheep Co	70, 008
Belridge Land Co	68, 607
Sill Properties Inc	65, 435
Triple J Fms Inc	63, 632
E. O. Mitchell Inc	62, 471
Porter Land Co	62, 105
K. McClanahan & Sons	60, 746
James O. Payne	59, 609
Mervyn Voth	59, 194
Milham Farms	57, 826
R. E. Ballengee	57, 284
Mark Ballangee	57, 284
Jack Williams	57, 140
McKittrick Ranch Inc	57, 118
Tony Iafrati	56 ,766
D. Moore	56, 762
C. J. Vignolo	56, 746
Voth Farms	56, 299
H. M. Bowles	56, 249
Mason Snow	56, 049
Cotton Associates	55, 974
Thomas F. Walsh	55, 776
Frank McKenna	55, 775
J. S. Antongiovanni	55, 774
A. H. Karpe	55, 691
Merkel & Neufeld	55, 558
J. B. Freidrich	55, 543
M. Lane	55, 442
Ray Jarrard	55, 385
John Antongiovanni	55, 385
O. D. Portwood	55, 341
Schroeder & Holtermann	55, 313
F. Pal'a	55, 210
A. F. Little	55, 185
H. A. Hanes	55, 185
W. D. Henry	55, 176
Jack G. Thomson	55, 139
D. M. Steele & Son, Inc	55, 136
Frank Garone	55, 060
Maple Leaf Farms	55, 058
J. L. Frederickson	55, 000
Otis T. Page	55, 000
A. W. Adams	55, 000
E. L. Armstrong	55, 000
E. J. Selvidge	55, 000
J. R. Tracy	55, 000
J. C. Erreca	55, 000
Dean A. Gay	55, 000
A. Vincent	55, 000
Robert Del Papa	55, 000
Eugene Fanucchi	55, 000
Angelo Fanucchi	55, 000
Paul Pilgrim	55, 000
F. A. Wegis	55, 000
Thomas Belluomini	55, 000
Philip J. Cerro	55, 000
Howard Frick	55, 000
Victor Cerro	55, 000
R. A. Belluomini	55, 000
C. F. Tracy	55, 000
Wm. L. Gammon	55, 000
R. W. Tracy	55, 000
W. Selvidge	55, 000
L. W. Frey	55, 000
W. Alan Harrison	55, 000
Jack L. Gammon	55, 000
S. J. Balfour	55, 000
Elmo Belluomini	55, 000
A. C. Belluomini	55, 000
Jack M. Frey	55, 000
G. Belluomini	55, 000
Kenneth Wegis	55, 000
R. J. Vignolo	55, 000
Robert D. Watson	55, 000
Theodore R. Page	55, 000
Rainbow Ranch, Inc	55, 000
L. A. Robertson Fms, Inc	55, 000

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—California—Continued

KERN COUNTY—Continued

A. Neufeld Fms	55,000
Kern Valley Farms	55,000
Desert Farms	55,000
Directors Enterprises, Inc	55,000
Westside Almond Ranch 4	55,000
Carl Taffera	54,999
D. S. Harris	54,982
D. L. Harris	54,982
D. M. Gregory, Jr	54,977
H. T. Fulton	54,977
Richard B. Brooke	54,977
P. D. Costigan	54,977
H. W. Budge	54,977
Buckling M	54,977
Geo. E. Hale	54,977
D. Beatty	54,977
E. Conner Granite Lnd. Co	54,977
M. L. Cummins, Jr	54,977
D. Bloemhof, Jr	54,976
Henry Bloemhof	54,976
Ted Bloemhof	54,976
Dave Bloemhof	54,976
S. K. FMS	54,967
H. S. Jewett	54,897
F. & E. Mosley	54,888
R. Torigiani	54,887
G. Torigiani	54,871
M. Torigiani	54,871
J. I. Freidrich	54,771
Nathaniel D. Barling	54,758
Sam Barling	54,758
C. A. Henson	54,755
John Landers	54,755
Ludy Bros	54,652
L. C. Kreim	54,642
Guido Romanini	54,512
John C. Moore	54,480
C. Mettler	54,451
Okey W. Houchin, Jr	54,310
Francis L. Houchin	54,294
Clarence A. Houchin	54,294
Allen Bottorff	54,215
Baroncini Bros	54,205
EM. H. Mettler & Sons	54,067
Reynold M. Mettler	54,060
Jim Garone	54,060
T. Barnard	54,004
D. K. Barnard	53,990
Howard S. Chase	53,954
Dwight R. Harmon	53,952
Alfred Palla, Jr	53,923
Louis Ricci	53,852
Wm. H. Rogers	53,835
N. S. Camp	53,534
H. F. Schuetz	53,534
J. Y. Camp	53,534
H. Jones	53,534
K. Mebane, Inc	53,534
M. L. Thomas	53,534
B. R. Howard	53,534
F. Carisle, Jr	53,534
D. M. Hart	53,534
J. J. Murray	53,534
Jeffries & Lachenmaier	53,404
Elk Grove Ranch	53,363
Joseph J. Trino	53,329
J. Romanini	53,322
E. L. Goodspeed	53,296
Fred J. Goodspeed	53,296
B. J. Mettler	53,290
Michael R. Mettler	53,290
V. Roberts	53,239
T. J. Mazzie	53,239
E. C. Mazzie	53,239
L. B. Mazzie	53,239
Geo. K. Antoine	53,197
Opal Fry	53,113
Joe Garone	53,111
Loren H. Voth	53,071
C. Reese, Jr	52,977
P. M. Robertson	52,977
D. D. Doyle	52,977
W. A. Swinerton	52,977
J. L. Sharp	52,977
J. L. Farley	52,977
W. P. De Martini	52,977
Spencer Grant, Jr	52,977
Otto H. Teller	52,977
Jay G. Harris	52,977
M. G. Farms	52,845
Jack Fry	52,836
George Fry	52,821
O. Torigiani Farm	52,779
Glen Turner	52,768
A. Palla	52,712
L. B. Groezinger	52,650
Gal Co. Farms	52,632
T. A. Griffinger	52,592
L. M. Press	52,592
A. S. Guerard	52,592
Peter Morrison	52,592
Wm. D. Evers	52,592
J. M. Bryan Fmly. Tr	52,592
R. Johnson	52,592
R. H. Downey, Jr	52,592
Wm. T. Jeffress	52,592
B. B. Roe	52,592
O. A. Bolstad	52,473
Harold R. Jewett	52,473
Bill T. Lewis	52,472
W. B. Camp, Sr	52,472
J. E. Sanders	52,468
Onie Sanders	52,468
C. Nowatzki	52,436
C. L. Herrington	52,436
Don M. Camp	52,436
Lynn Rhodes	52,095
D. Derington	52,095
J. A. Bidart, Sr	52,082
Emily Bidart	52,082
B. A. Bidart, Tr	52,082
J. A. Bidart, Jr. Tr	52,082
P. J. Bidart Tr	52,082
Bill L. Gibson	51,965
Wm. H. Gibson	51,965
F. De Mareo, Jr	51,935
Winston F. Foster	51,878
H. Beral	51,878
E. W. Overstreet	51,878
Alexander Wilson	51,878
G. H. Meek	51,878
J. B. Meek, Jr	51,878
S. C. Chillingworth	51,878
R. M. Olsen	51,878
Sandrini Bros	51,710
F. B. Frick	51,660
Dante Baggiani	51,614
Gino Chicca	51,564
Frank del Papa	51,536
Mike Hankins	51,150
Joseph E. Kurtz	51,078
Romanini Bros	51,019
Carl Johns & Sons	50,890
Weidenbach Bros	50,890
Loren S. Grant	50,570
Sterling W. Grant	50,560
Patterson & Hale	50,555
Frank Brazeel	50,506
H. D. Butts	50,380
Elmer Andreotti	50,260
James Tazioli	50,216
Joe Tazioli	50,216
W. C. Walker	50,103
T. J. Parrott	50,103
Doyle Ryan	50,103
W. E. Tank	50,103
Rodger C. Cole	50,103
Dr. R. W. Sheldon	50,103
H. M. Bartlow	50,103
A. E. Wells	50,103
Paul Arnold	50,103
Lorenzo Iturriria	49,972
G. Mendiburu	49,972
Robert Leppek	49,972
K. Malofy & Son	49,642
Wm. B. Buerkle	49,596
C. W. Buerkle	49,596
Louis E. Borel & Sons	49,209
M. B. McFarland & Sons	48,742
E. Ghilarducci	48,574
A. J. Torrigiani	48,381
F. Torrigiani	48,371
H & H Farms, Inc	48,052
Livio Palla	48,049
R. H. Garlow Farms	47,573
Geo. Lewis Mahoney	47,529
Jimmie Icardo	47,386
Keno Farms	47,385
Crettol Farms	47,110
Palm Farms, Inc	47,072
G. H. Baumgardt	46,982
Pete Romanini Fms	46,692
B. S. Baldwin & Sons, Inc	46,604
Vernon Blackburn	46,547
J. Pavlina	46,481
P. Spolsdoff	46,305
Kenneth Twisselman	46,269
Fred Banducci	46,063
Valpredo Farming Co	45,987
H. P. Wilson Fms	45,839
W. P. Romero	45,665
Giovannetti Farms	45,101
Freeborn Bros	45,071
Destefani Farms, Inc	44,689
A. Haddad & Sons Fm., Inc	44,219
Zane J. Smith	44,207
Stoller Bros., Inc	44,135
John Chicca	44,007
Louis Chicca	44,007
Dale Snell	43,782
Tollie Barton & Sons	43,760
W. E. & G. Delfino	43,365
Melvin McConnell Fms	43,327
R. Williams	43,263
Haddad Bros. Fms	43,012
E. W. Suorez	42,919
Jack H. Reed	42,868
W. B. Reed	42,868
J. G. Garrison	42,718
J. Parsons	42,699
R. E. Blair Parsons Ranch	42,686
Charles Parsons	42,686
Larry R. Wedel	42,456
Kenneth L. Wedel	42,456
Ervin Baublitz	42,412
Victor J. Krause	42,348
L. W. Bergman	42,325
J. Kroeker Sons	42,319
Mary Nickel James	42,278
Sally N. Mein	42,278
G. W. Nickel, Jr	42,278
Johnston Farms	42,118
Table Top	41,939
Lucky Tree	41,845
Double L Farms	41,758
Bob Cauzza	41,603
Waldrip Farms	41,515
Walker O. Fry	41,159
Kleen Seed Delinting Co., Inc	40,984
Willis Snow and Son	40,737
Precie Farms	40,687
R. A. Jacobsen Est	40,636
Roland M. Vallicella	40,486
Stanley Voth	40,386
Dennis Giannini	40,132
Deno Fanucchi	40,075
Sil Lect Farms	39,907
Shafter Wasco Invest. Co	39,810
Hollis Ragsdale	39,713
Charles Fanucchi	39,596
Frank M. Fanucchi	39,596
Joe P. Fanucchi	39,596
Joe G. Fanucchi	39,580
C. B. Dickey	39,462
W. C. Mecham	39,462
Edward Kraft	39,242
Five Star Ctn. Co	39,233
K. Frick c/o B of A Tr	39,111
Bruno Cauzza	39,072
E. Neuman	39,048
E. A. Yaksitch	38,925
Lowrimore & Wood	38,608
Merz Farms, Inc	38,558
Woods Stone	38,554
John Hernstedt	38,431
Arnold T. Cattani	38,337
A. T. Cattani, Jr	38,337
Elo & Vido Fabbri	37,627
Jack L. Billington	37,206
Joseph Banducci	37,088
Roy Henson	37,058
Joe Henson	37,047
Charles E. Cawley	37,047
J. G. Giumarra	36,903
Larren C. Cole	36,866
Richard Romanini	36,762
B. W. Duncan	36,637
N. L. Ritchey	36,531
Eugene Palla	36,382
H. Visser	36,303
Columbus Rice	36,180
Joe A. Costamagna	36,179

D. Galleano	36,179
The West Ranch	35,689
Frank Franceschi	35,680
Gary Franceschi	35,680
Neil W. Purvis	35,555
G. Pizzo	35,120
Miles H. Thomas	34,831
L. K. Olsen	34,802
Shafter Wasco Ginn, Co	34,735
Bernard J. Bone	34,690
James Frick	34,440
Rene Fallot Est	33,726
M. Parker	33,726
Buford L. Fox	33,713
M. Ferini & D. Ardantz	33,680
Stoller Bros	33,402
Saldubehere Bros	33,299
Roger Jessup Fms	33,297
M. B. Molica	33,258
C. M. Molica	33,258
Geo. Noroian	33,125
K. & P. Farms, Inc	32,590
J. B. 2 H Ranch	32,518
Ryan Jeffries	32,500
C. J. Shepherd & Sons	32,400
Meadow Gold Farms	32,329
B. Baggiani	32,255
Lido Isola	32,255
W. S. Kimmel	31,989
Paul Pierucci	31,888
Clare Rexroth	31,875
James Kalpakoff	31,845
Kendrick B. King	31,761
Derby Farms	31,710
A. & R. Farms	31,637
Banducci Farms	31,483
Carlo Scarrone	31,406
Lawrence Scarrone	31,406
Roy F. Fast	31,343
D. C. Bartel	31,343
W. T. Romero	31,317
Teddy B. Olsen	31,314
Harry Banducci	31,128
B. Moore	31,122
Joe Freitas, Jr	30,714
Louis Banducci	30,617
Bell Farms	30,515
A. Ghilarducci	30,420
R. Palla	30,309
Mario Buoni, Jr	30,301
Rose Ranch	29,999
R. Forrest	29,989
Leonard Gaede	29,877
W. C. Handel & Sons, Inc	29,675
Vista Farms	29,270
Louise Fox	29,205
Emry Crawford	29,166
J. R. Mozingo	29,158
D. C. Crawford	29,158
Ansolabehere Bros	29,050
Maple Ranch	29,030
J. T. Sanders	28,795
S. E. Willis	28,656
John L. Willis	28,647
W. B. Camp & Sons	28,474
Twin Farms	28,430
F. L. Starrh	28,424
Frank C. Bury	28,377
Gano Torigiani	28,354
Cowan Farms	28,261
Milne Stearns	27,953
Tom Toretta	27,952
D. Toretta	27,952
Micheal C. Lane	27,833
Gene K. Holland	27,805
C. Valpredo	27,685
R. Frantz	27,671
Dan Frantz	27,671
Buttonwillow Gin Co	27,620
Bill Menta	27,573
Melvin Rossi	27,500
Elmer Rossi	27,500
C. D. Ross	27,362
Robert Banducci	27,129
G. Banducci	27,129
Eugene Black	26,863
Neffs Ranch	26,733
Delis Farms	26,669
Valley Irr. & Supply Co	26,657
Furman & Wilson	26,562
Morris Bros. Farms	26,422
Bermuda Ranch	26,408
Coombs & Renfro Fms	26,388
A. M. Willis	26,344
J. A. & Adrien Eyraud & Sons	26,103
Jim Hronis	26,025
Heloise Pfierffer	25,989
Vergil Reed	25,901
Joe C. Eyraud	25,768
Richard Elrich	25,753
F. W. Handel Farm Co	25,695
Schulte Farms	25,443
E. & A. Sheep Co	25,391
Orlando Torigiani	25,375
Bonanza Farms	25,333
F. E. Andrews	25,143
R. S. Andrews	25,138
D. S. Andrews	25,137
Tex. Cal. Land Inc	25,050
M. & I. Farms	25,035
Pandol & Sons	24,887
Elo Fabbri	24,632
Btw. Ld. & Cattle Co	24,617
John Camp Farms	24,472
R. Limi Tr	24,407
R. Fanucchi Tr	24,407
R. Mettler	24,359
Beck & Sons	24,344
Noriega Sheep Co	24,200
S. P. Land Co	23,942
Kermeth Anderson	23,834
Wm. R. Foy	23,653
R. Pascoe Ranches	23,446
H. H. Costerisan	23,370
Double M Sheep Co	23,368
R. R. Costerisan	23,363
L. L. Costerisan	23,363
Allen E. Neufeld	23,136
James Banducci	23,032
Doris Walker	23,032
F. Garone, Jr	22,979
Coleman Farms	22,858
Stenderup Farms	22,746
Gino Romanini	22,619
Albert Angus	22,597
Lee Herring	22,488
A. S. Ediger	22,339
Joe Ghilarducci	22,308
J. E. Wiens	22,294
John B. Cauzza, Jr	22,244
H. H. and J. C. Lewis	22,202
Dan Tudor & Sons	22,195
D. Corsaro	22,142
Arthur Icardo	22,002
Mitchell Brothers Co	21,958
E. A. Neufeld	21,897
Poznoff Farms	21,846
Jeff Reyes	21,835
Lloyd Bowman	21,822
Eugene Johnson	21,681
G. Emerson Fms., Inc	21,644
Lloyd Unruh	21,576
Clara P. Rexroth	21,529
Mickey Hair	21,433
Curtis Hair	21,426
Hardy Hair	21,426
Wilbur Kruger	21,423
Leroy Barnett	21,391
Wedel Farms	21,370
Otto Handel	21,339
Piramo Luchetti	21,327
Wayne Kirschenmann	21,104
Mary May Enterprises	20,947
Alvie Snow	20,900
David Cerrina	20,795
Secondo Viarengo	20,795
M. L. Rockwell	20,610
Bergman & Isaac	20,558
Martin Farms	20,434
Al Pistoresi	20,334
Donald Molatore	20,325
D. Antongiovanni	20,233
E. Antongiovanni	20,233
Vincent Antongiovanni	20,233
U. Antongiovanni	20,233
J. R. Almklov	20,150
Total payees in county (538)	23,658,694

KINGS COUNTY

Westlake Farms	91,292
Gilkey Farms, Inc	88,751
G. W. Nickel, Jr	70,313
Wedderburn Bros	68,669
Salyer Land Co	66,492
R. A. Rowan & Co	66,085
James & Paul Avila	62,335
J. G. Stone Land Co	59,084
Standard Oil Co	57,467
South Fork Ranch, Inc	56,545
Ross Borba, Jr	56,304
Darril Borba	56,304
Ross Borba, Sr	56,299
Boyett Farming	56,031
L. E. Culp DBA Culp Ranches	55,963
Wesley Hansen	55,843
C. R. Shannon	55,403
Aram Kinosian, Jr	55,402
Clifford S. Lupercio	55,402
Jack Shannon	55,402
Norman R. Gabor	55,402
Elbow Enterprises, Inc	55,402
Hogle Ford	55,402
James G. Shannon	55,402
Leroy E. Hutsell	55,402
Ronald S. Upton	55,402
R. S. Barlow	55,136
Gregory Stanton	55,000
W. H. Rowe	54,999
Oscar Ray Green	54,999
Leon L. Hall	54,980
Charles E. Rose	54,980
Nancy Nickel	54,919
James L. Nickel	54,919
Cynthia Selfridge	54,919
Jonn S. Selfridge	54,919
L. A. Hansen	54,906
Philip D. Duvall	54,880
Robert E. Murphy	54,880
Philip P. Marskey	54,880
Daniel A. Newton	54,875
Thomas A. Newton	54,875
Patrick W. Newton	54,875
Daniel F. Newton	54,875
Louis T. Robinson	54,745
Harp Bros, Inc.	54,729
Harriet Hansen Trustee	54,729
Ralph Gilkey	54,514
Hazel R. Mitchell	54,307
Robert W. Anderson	53,077
Craig Anderson	53,077
Inco Farms, Inc	52,991
C. Elmer Spafford	52,964
Couture Farms	52,836
Murray Farms, Inc	52,570
William E. Thornton	51,312
Malcolm P. Powers	51,167
Chas. Schwartz	50,947
Vernon L. Thomas, Inc	50,917
Floyd Wisecarver	50,781
G. E. Brewster Est	50,614
B. Gonsales	50,614
Shaen Magan	49,398
W. W. Boswell, Jr	49,060
John Hild	47,756
John Lawrence Stone	45,979
H. L. Thayer	45,979
William T. Stone	45,956
Lawrence M. Stone	45,956
Westfarmers A. Pts	44,985
L. W. Newton	44,115
Glenn A. Gramps	43,917
Richard A. Newton	43,904
M. G. Pickett	43,748
D. E. Hildebrand	43,725
Fabry Farms, Inc	43,108
J. B. Long	41,400
Leroy Avila	40,761
Paul Couture	40,649
Suzanne Couture	40,636
Stephen Couture	40,636
John A. Avila	39,285
Clarence Avila	39,273
Murray Bros. Farming	38,254
Verburg Bros., Inc	36,790
Costa & Quintel, Inc	36,516
Donald J. Gilkey	35,574
Don Riddle	35,574
Kenyon De Vaney	35,574
Double O Ranch	34,888

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—California—Continued

KINGS COUNTY—Continued

Franna Farms	34, 861
Alvin Odle	34, 712
Richard M. Stuhaan	34, 612
P. Hansen Ranch	34, 267
Ralph Marshall	34, 024
Earle A. Howe	33, 542
L. & R. Giacomazzi	33, 244
L. E. Hansen Farms, Inc	31, 270
Dunlop Farms	31, 255
Charles W. Yocum	31, 031
H. L. Yocum	31, 031
Kile Yocum	31, 031
Robert Yocum	31, 031
Nunes & Pires	30, 754
George Sego	29, 925
James B. Hansen	28, 963
Jess V. Hansen	28, 963
Duty Farms	27, 304
Wesley Stanton	27, 188
Barcellos & Wolfsen	27, 100
Hugh V. Johns	27, 026
Manuel Vieira, Jr	26, 449
Larry Davis	26, 329
R. L. Squire & Sons	26, 100
Tony A. Bettencourt	25, 890
Uselton Ranch	25, 238
M. S. Simas Est	25, 147
Tommy R. Avila	25, 073
Broder Fabry	24, 576
Kenneth G. Walker	24, 309
B. J. M. Farms, Inc	24, 254
Fleming Bettencourt	24, 165
Leslie B. Logan	24, 121
South Lake Farms	24, 111
John Verboon	23, 760
J. E. Squire & Sons	23, 723
M. J. & Ralph Whitmore	23, 589
John Teixeira	23, 464
Silva Brothers	23, 207
William G. Squire	23, 207
Grant W. Squire	23, 207
Bettencourt Bros	22, 968
Simas Bros	22, 832
Albert Martin	22, 301
Dufur & Castadio	22, 201
Circle L Farms	22, 155
Rowena Mae Salyer	22, 126
Mussel Slough Farms	21, 824
M. E. Taylor	21, 706
H. K. Richards	21, 520
Pete Ysusi	21, 519
A. C. Cardoza	20, 938
Fagundes Bros	20, 873
Marcy J. Silva	20, 809
Myron & Theron Dutra	20, 726
Tos Brothers	20, 062
Total payees in county (146)	6, 154, 514

LASSEN COUNTY

Fred Weisenburger	21, 142

LOS ANGELES COUNTY

John Fuson	88, 010
Swift & Co	78, 245
Godde & Ritter	61, 641
Monrovia Nursery Co	25, 000
2d Morehart Trust	25, 000
Total payees in county (5)	277, 896

MADERA COUNTY

Forrest Clayton	58, 551
J. A. & T. R. Hawkins	57, 054
Burkhart Farms	56, 658
Dave Mendrin & Sons	56, 397
Bill G. Clay	56, 039
B. A. Watson	55. 282
Robert Hansen	55, 203
Gary Brooks	54, 994
Logoluso Farms	53, 807
Baker & Hansen	52, 571
Elmer Schuh	51, 216
Jacob Schuh, Jr	51, 200
Sam M. Schuh	51, 200
George Andrew	50, 486
George E. Ross	48, 018
James L. Sniffin	48, 004
Triangle T Ranch	47, 438
John M. Lasgoity	46, 069
Larry Chapman	45, 738
R. W. Hopper	44, 908
Howard Glantz	43, 831
Fred Toschi	43, 230
A. K. Baker	41, 459
El Peco Ranch	41, 260
Donald Mercer	41, 123
Ardell Hooper	40, 331
Otha Hooper	40, 331
Norman Kuhr	40, 119
Ben Curutchet	39, 116
H. M. Farming Co	38, 716
Johnny Deniz	37, 708
Dan Branco	37, 633
Richard Johnson	37, 057
R. C. Weaver	36, 556
Dale Maddalena	35, 241
David Baker	33, 518
Willard Haynes	32, 915
Fred Van Tassel	32, 675
S. A. Upton	32, 130
Morgan Johnson	30, 650
Red Top Cotton Grws	30, 474
Floyd Williams	29, 981
Sam Mariani	29, 897
Kenneth B. Seibert	29, 567
Wesson Farms	29, 556
Leonard Frazier	29, 138
Peter Maddalena	28, 442
Clarence Ylarregui	28, 332
S. E. Roberts	28, 219
J. Frank Martin & Sons	27, 929
John Galleano	27, 206
Wm. Correia	26, 733
Wm. E. Roberts	25, 564
L. D. McRee	24, 662
Guy Houk	24, 536
L. B. Beshears	23, 840
Averill Ranch	23, 796
Alvin Gomes	23, 770
Larry L. Jantzen	23, 514
Edward Pistoresi	23, 402
Milas Hart	22, 363
Paul Toschi, Sr	21, 923
Robert Da Silva	21, 434
John Farmer	21, 357
G. J. Schuh	21, 357
Arvid Allen	20, 760
Charles D. Mays	20, 636
C. F. Andresen	20, 501
Total payees in county (68)	2, 505, 321

Wolfsen Land and Cattle	101, 843
Dean Barrett	67, 636
Vernon Porter	66, 339
Sorg Bros	59, 207
Lewis Maiorino	58, 851
Lindemann Farms, Inc	57, 180
Santa Rita Ranch Co	57, 166
Findley M. Upton	55, 574
Timco Div	55, 294
Sam Hamburg Farms	54, 363
Upton Bros	54, 035
Nina B. Nickel	53, 365
John C. Nickel	53, 365
Ray Buie	51, 401
Chas. E. Andrews	50, 097
Eagle Loma Farms, Inc	49, 704
Woo Bros	48, 625
Carl Bryant	44, 620
Carl Sumpter	43, 881
Joe G. Machado, Jr	39, 701
Danco Farms	38, 240
Talbott Sheep Co	37, 214
Clay Farms, Inc	36, 721
Delta Farms	35, 043
Bob Porter	33, 804
Joe H. Santos	33, 601
Brights Nursery, Inc	31, 536
James Maiorino, Jr	31, 001
Striblings Nurseries	30, 519
Henry Sorg	29, 146
Kenneth Porter	28, 721
Favier Cattle Co	27, 618
Pedretti Ranches	26, 141
Etcheverry Bros	25, 696
R. Palazzo and Co., Inc	25, 186
Ardans Bros	23, 025
Ollie McDonald	22, 464
Marvin Wooten	22, 347
W. F. Sturgeon Farms	20, 877
Herman Willis	20, 753
Arambarri and Izoco	20, 022
Total payees in county (41)	1, 721, 922

MONTEREY COUNTY

Bruce Church, Inc	84, 295
Frank Taylor	46, 541
Martinus & Martinus	39, 007
Inter Harvest, Inc	30, 333
William D. Crinklaw	28, 258
William Whitney	27, 100
Violini Sisters	25, 162
Huntington Farms, Inc	21, 309
Harless Bros	20, 989
Total payees in county (9)	322, 994

ORANGE COUNTY

Rancho Santa Ana	24, 999

PLACER COUNTY

Evans Bros	23, 995
Frank & Ross Riolo	23, 654
Total payees in county (2)	47, 649

RIVERSIDE COUNTY

J. R. Norton Co	63, 313
Fisher Ranch	58, 979
Pi Land & Cattle Co	56, 440
Sunrise Farms	55, 793
Gary A. Bryce	55, 771
Albert P. Keck Co	55, 590
D. L. Mudd, Inc	55, 135
E. G. Nowell	55, 000
Donald T. Williams	55, 000
Larry Augusta	55, 000
James Stafford	55, 000
Robert M. Morton	55, 000
Thomas Robinson	55, 000
Ellsworth Epperson	55, 000
Charles Robinson	55, 000
G. T. Scott Ranches, Inc	55, 000
Leon Kennedy	54, 737
Mark Kennedy	54, 737
Don Riley	54, 718
Henry W. Warne	53, 687
Clarence Robinson	51, 635
Harold Levin	51, 108
Desert Ginning Co	50, 875
Rummonds Bros. Ranches, Inc	50, 830
Verne Wuertz	47, 163
C. P. Richins & Sons	47, 106
Travis Farms	47, 106
John Pavao	45, 798
Lawrence Chaffin	44, 750
Dale Hull	42, 593
BKM Ranchers	41, 632
E. C. Apodac Est	40, 824
George Arakelian Farms, Inc	39, 447
W. K. Kenworthy	38, 332
Henry Schindler	36, 441
Louis Schindler	36, 441
Suzy Bel Farms	35, 266
Marshburn Bros	35, 118
Duane E. Berger	33, 300
Motte & Sons	32, 879
Bud Antle, Inc	28, 773
Harboe Ensley	27, 958
Johnson Bros	27, 506
Frank Guitron	27, 160
Rheingans Bros	27, 017
Amronland & Cattle	24, 016
Bert Lauda	23, 928
Clyde E. Smith	22, 542
John B. Mainvil	22, 367
J & R Enterprises	22, 089
Nish Noroian Farms	21, 921
Peter Rabbit Farms	21, 575
Sam Keoseyan	21, 310
Ramon F. Burrell	20, 640
Rancho del Juan	20, 160
Total payees in county (55)	2, 321, 506

SACRAMENTO COUNTY

Amistad Ranches	30, 200
Lum Bunn & Sons	25, 015
Silva Farms	20, 921
George D. Wilson	20, 287
Total payees in county (4)	96, 423

SAN BENITO COUNTY

Thomas Castle Farms	23, 264

SAN JOAQUIN COUNTY

M. and T., Inc	72, 712
John B. Meek	57, 217
Jean Cubiburu	56, 120
Reclaimed Island Lands	38, 524
Tanaka Farms	27, 970
A. & M. Farms	26, 318
River Investment Co	25, 869
Joe Sabbatini	24, 404
Watanabe Bros	23, 118
Jack Klein Estate	22, 458
Moresco Bros. Farms	22, 386
Frank Arburua	22, 216
Kaiser and Lindeman	20, 632
Augusta Bixler Farms	20, 498
Salyer Victoria, Inc	20, 457
Total payees in county (15)	480, 899

SAN LUIS OBISPO COUNTY

Jackson & Reinert	47, 135
Miller Brothers	41, 780
Frank Galainena	33, 876
Kent Hansen	28, 278
Van Horn Bros	28, 263
Camatta Ranch	27, 802
Grayson Owen Co	24, 685
Ernest A. Hahl	24, 500
William P. Wreden	23, 881
Armendaris Ld. Dev. Cp	20, 058
Nels Beck & Sons	20, 047
Total payees in county (11)	320, 305

SANTA BARBARA COUNTY

Owen T. Rice & Son, Inc	42, 964
R. L. Calhoun	41, 533
Andrew T. Petersen	34, 947
Sinton & Brown, Co	28, 200
Del Mar Packing Co	24, 999
Total payees in county (5)	172, 643

SOLANO COUNTY

Chew Bros	104, 754
Gnos Brothers	41, 405
C. Bruce Mace Ranch, Inc	39, 491
H. H. & J	37, 896
Peter Cook, Jr	35, 719
Anderson Brothers	30, 671
Holdener & Wiegand	30, 462
Giannoni Farms, Inc	27, 518
Albert Carrington	26, 502
Steve Shubin	24, 996
Bulkley Ranch	23, 736
Tom Abel	23, 395
George M. Struve, Jr	22, 772
Fred H. Rehrman & Son	21, 649
Belli & Fahn	21, 421
Solano Farms, Inc	20, 649
Brann Bros	20, 530
Hastings Farms	20, 470
Edgar Everett & Son Farms	20, 429
Robert C. Schulze	20, 402
W. L. Davey	20, 384
Mayhood Ranches	20, 372
Total payees in county (22)	655, 623

STANISLAUS COUNTY

Patterson Land Co	25, 000
Thorkelson Ranches	22, 876
Total payees in county (2)	47, 876

SUTTER COUNTY

Newhall Land and Frmg	178, 562
Hamatani Farms, Inc	34, 956
Oji Bros. Farm, Inc	31, 354
E. E. McPherrin & Son	29, 406
Lamb Bros	25, 984
Sutter Basin Corp	25, 711
H. L. Sanborn and Sons	21, 909
James H. Akin	20, 818
Total payees in county (8)	368, 700

TEHAMA COUNTY

The Pacific Farms	37, 207
Sutfin Bros	30, 135
USP Corporation	27, 500
Kaiser Aetna	27, 500
O. M. C. Orchards	27, 499
Associated Almond Orchards	27, 499
Robert E. Mills	26, 800
D. L. Williams & Son	23, 538
Anchordoguy & Co	21, 664
Total payees in county (9)	249, 342

TULARE COUNTY

Southdown McCarthy Farms	155, 414
Roberts Farms, Inc	109, 408
Nichols Farms	83, 173
Marion Haris	75, 733
C. J. Ritchie	63, 957
M. Curti & Sons	63, 222
W. M. & D. L. Colson	61, 582
Marko Zaninovich, Inc	60, 335
John Valov	58, 921
Fisher Bros	57, 741
George A. Efseaff	57, 419
Mitchellinda Ranches	57, 129
L. Raviscioni Farms	56, 952
Andy Wheat	55, 861
R. A. Hildebrand	55, 104
Richard M. Shannon	55, 000
Patrick T. Shannon	55, 000
Kelly Ann Shannon Tr	55, 000
G. L. Bennetts	54, 903
Shuklian Bros., Inc	54. 769
Bill Beshears	54, 762
Watte Brothers	54, 589
James G. Schott	54, 573
Michael A. Schott	54, 557
Glenn J. Schott	54, 557
Clyde Quillin, Jr	54, 554
Sherman Land & Cattle Co	54, 517
Leroy Sunderland	53, 354
Gene McClure, Inc	53, 354
A. E. Panetta Farms	53, 224
G. E. Paxton	53, 097
Charlie Minoletti	52, 706
Richard McCarthy	52, 631
Donald McCarthy	52, 615
Leland McCarthy	52, 615
Baker Bros	52, 170
Doyle Ritchie	51, 757
Roy Kent	51, 747
Atilio Belezzuoli	51, 715
Guthrie Farming Co	51, 123
Sam & Bill Valov	51, 008
John Torrez, Jr	50, 941
Paul Shannon	50, 935
Carl Shannon	50, 935
Bill White	50, 819
Clarklind Farms	50, 454
Geo. C. Rising	50, 219
Earl Royer	49, 735
Dane Stuhaan	49, 617
George Bassett, Jr	48, 745
Edward L. Irwin	48, 540
L. W. Turk	48, 514
Wilbur Ranch	47, 963
Hochuli Bros	47, 393
Stuhaan Farms	47, 052
Onel C. Jackson	45, 691
S. K. Warkentin	45, 506
A. E. Quatacker	44, 512
Benson Brothers	43, 455
James Rodari	43, 305
Louie F. Morris	43, 197
Harriet L. Merritt	43, 185
Richard W. Merritt	43, 185
Mello & Martin Farming Co	42, 616
Thad Dresser	42, 543
Ronald W. Harris	42, 502
J. X. Bettencourt	42, 238
Sam Perry	41, 308
H. P. Anderson III	40, 313
H. P. Anderson Jr	40, 313
Robert F. Bowman	40, 221
Anthony V. Cardoza	39, 926
S. & S. Ranches	39, 810
Mary O. Cardoza	39, 426
Glenn L. Cooper	39, 378
Anthony Rodrigues	39, 343
Delmart Farms	39, 257
Vernon Hutsell	38, 526
Darrell Taylor	38, 306
Theodore Eberlein	37, 683
E. D. Batsch	37, 559
Brian Batsch	37, 552
Gerald Lang	37, 547
Hash Nursery	37, 466
Theodore Smith	37, 426
Alvin Correia	36, 917
Joseph Correia	36, 909
Don Jackson	36, 849
Galbraith Brothers	36, 829
Val Verde Farms Inc	36, 727
Los Feliz Inv. Co	36, 493
Kirby Wyllie	36, 454
Sam W. Bell	36, 360
A. M. Falconer	35, 872
Donald R. Falconer	35, 872
Harry L. Falconer	35, 872
A. M. Falconer Jr	35, 872
James E. Kagler	35, 774
Lawrence Taylor	35, 629
Don MacMillan	35, 283
Wesley W. Smith	34, 835
Lesley W. Smith	34, 824
Roscoe E. Smith	34, 824
Ernest Ritchie	34, 767
Richard Berry & Sons	34, 758
Donald Thiesen	34, 499
Vernon Thiesen	34, 499
Roy D Murray	34, 382
Nagatani Farms	34, 224
Andrea B. Henninger	34, 195
Reynold Bisconer Estate	34, 195
David Bisconer	34, 195
Raymond Bisconer	34, 195
Hillman Corportaion	34, 130
J. C. Ribeiro & Sons	33, 941
Manuel Martin Jr	33, 745
Chas. Neufeld	33, 722
Raymond Donaldson	33, 371
W. K. Jackson Jr	32, 899
A. T. & J. R. Villard	32, 720
Clark Bros	32, 508
Lapadula Farms	32, 401
Howard Trimble & Son	32, 280
Gobel Brothers	32, 251
Schlitz & Twiford Farms	32, 197
Uchita Bros	32, 156
Robert Taggart	32, 017
Hercal Corporation	31, 422
R. Wayne Lessley	31, 387
Joe W. Ramos	31, 225
Harvey Lauritzen	31, 045
Ernest Menezes	30, 595
Joe Menezes	30, 595
T. I. Hampton	30, 466
Overholt Brothers	30, 459
Florence M. Doe	30, 346
Manuel Picanso	30, 308
Pete Lawrence	30, 277
Lynn McCallister	30, 139
Nickell Farms	30, 098
Dub & Barbara Lusk	29, 963
Russell M. Doe	29, 955
Chas. E. Slaughter Farms	29, 767
Jack C. Harris	29, 578
Wm. R. White	29, 546
J. H. & R. J. Cowart	29, 452
Gary G. Pratt	29, 257
Toomey Brothers	29, 109
Serpa & Co	28, 527

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—California—Continued

TULARE COUNTY—Continued	
Donald Bergantz	28, 283
Ira Thompson	28, 084
Don G. Dollinger	27, 945
J. L. Pires & Co	27, 578
Don Eisner	27, 412
C. Paul Johnson	27, 222
Manuel Silveira	27, 196
E. W. Merritt Farms	27, 023
H. A. Vossler & Sons	27, 006
Manuel I. Rocha & Co	26, 557
Ralph Bissell	26, 430
R. G. Burns	26, 419
C. D. Speer	26, 110
Robert Hutcherson	26, 028
Henry Finck	25, 965
Sam White	25, 846
Nichols Living Tr	25, 662
Edgar Schieler & Sons	25, 646
R. W. & G. Stadden, Jr	25, 559
Harold Bontrager	25, 266
Lowell Loftis	25, 114
Wm. L. Goins	25, 087
W. A. Schwartz	25, 007
Bowen & Jones	24, 935
T. & R. Ranches, Inc	24, 670
Roy Langston	24, 496
R. L. Westbrook	24, 462
John E. Sola	24, 403
E. L. Beaver	24, 381
L. J. Chroman	24, 114
Louis J. Goeman	23, 892
Rollis Friend	23, 885
Richard Stuhaan	23, 597
Gist Farms	23, 525
Correia Brothers	23, 448
Sam Lessley	23, 230
Garth Cobbs	23, 178
Allan Jones	23, 149
Francis & Paul Johnson	22, 780
R. J. Catron	22, 637
George P. Orisio	22, 539
Johnson & Johnson	22, 455
Nielsen Farms	22, 430
Coy M. Daffern	22, 415
Tony Santos	22, 318
Abe Wiens	22, 205
Bill Faria	22, 137
J. G. Fossett, Jr	22, 096
Charles Wolsey	22, 061
Donald Marshall	21, 982
Guido Lombardi	21, 975
Bill Westbrook	21, 973
Spencer A. Gilbert	21, 599
Wm. & Jeff Hahesy	21, 588
Julia De Campos	21, 517
E. W. Gunther	21, 490
Ritchie & Ritchie	21, 459
Frank L. Day	21, 457
Ronald J. Castro	21, 455
Chas. Westbrook	21, 392
Ed Hanni	21, 382
S. Trigueiro, Jr	21, 303
Melvin Miller	20, 959
Tag Farms	20, 509
L. & W. Ellis	20, 507
Melvin Santry & Son	20, 480
Pradera Del Lago	20, 245
Frank Schott & Son	20, 174
Anton Caratan	20, 155
Nika Caratan	20, 155
Robert B. Engle	20, 017
Total payees in county (220)	8, 170, 619
VENTURA COUNTY	
Rancho Ventura	52, 188
YOLA COUNTY	
Heidrick Farms, Inc	143. 972
G. A. Hanks & Sons	66, 224
L. Wallace Ex. E. Wallace Est	58, 457
Lloyd Eveland	46, 098
E. A. and B., Inc	44, 298
E. L. Wallace & Sons	41, 933
Meek and Lemaitre	41, 309
River Garden Farms	32, 196
Nishimura Bros	30, 582
Vernon Eriksen	28, 488
Edgar Jang	26, 159
Layton Knaggs	26, 074
Hatanaka Bros	24, 953
Vernon A. Mast and Sons	24, 240
Shimada Bros	24, 070
Howard Correa	22, 306
Scott Yamamoto	21, 822
L. C. Ulrich	21, 586
W. C. Payne	20, 945
Joe Gnoss, Jr	20, 611
Joe Lopes, Jr	20, 426
Total payees in county (21)	786, 749
Total payees in State (1,708)	72, 305, 073

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Colorado

[Amounts in dollars]

ADAMS COUNTY	
Kalcevic Farms, Inc	54, 002
Monaghan Farms, Inc	53, 796
Danford & Champlin, Ltd	48, 674
Box Elder Farms, Co	39, 515
Ray M. Schmidt	27, 330
Total payees in county (5)	223, 317
ARAPAHOE COUNTY	
Robert E. Carlson	23, 254
Alfred Linnebur	21, 988
Total payees in county (2)	45, 242
BACA COUNTY	
R. R. Rutherford	42, 279
William Greathouse	39, 147
C. V. Cogburn	33, 194
Bernard Neill	32, 309
F. M. Swanson	30, 134
Samuel Thompson	25, 674
T. F. Arbuthnot	24, 047
Brownie Farms	23, 726
Lewis Robbins	22, 574
Wayne Orebaugh	22, 155
Homsher Farms and Ranches	21, 569
Russell Loflin	20, 831
John W. Moore	20, 028
Total payees in county (13)	357, 667
BENT COUNTY	
George C. Camilli	32, 686
Spady Brothers	29, 160
Jake Broyles	28, 257
G. Swift Est	23, 769
Total payees in county (4)	113, 872
BOULDER COUNTY	
Dom Echeverria	29, 494
CHEYENNE COUNTY	
John Kriss	53, 060
Dale Mitchek	45, 398
Knudson Ranch	26, 817
Harold Rother	24, 278
Archie M. Lowe & Sons	24, 219
A. D. Reed	24, 192
White Woman Creek Inc	23, 831
Marvin Lowe	23, 529
Gail Woodard	22, 348
Dannie McCormick	22, 268
M. K. White	21, 188
Andrew Schaefer	21, 090
Total payees in county (12)	332, 218
CROWLEY COUNTY	
Crowley Land & Dev. Co	94, 888
Harold N. Hobart Jr	56, 128
Total payees in county (2)	151, 016
DELTA COUNTY	
McIntyre Livestock Corp	28, 552
Hotchkiss Ranches Inc	22, 854
Total payees in county (2)	51, 406
ELBERT COUNTY	
Butler Purdy Land and Cattle	21, 856
GARFIELD COUNTY	
Bair Ranches	22, 001
JEFFERSON COUNTY	
Wilson and Co. Inc	72, 854
KIOWA COUNTY	
Wayne E. Tallman	49, 319
Gene Schwerdfeger	43, 420
Stum & Schuler	42, 006
Harold Wyckoff	32, 569
Bill Marx	28, 762
M. E. Templer	27, 199
W. Harold Tuttle	26, 354
Jaem, Inc	24, 946
Eddie C. Templer	24, 039
Aubrey Shotton	23, 710
Edwin Negley	23, 689
B. A. Brixey	21, 248
William J. Weber	21, 198
Wayne E. Tallman Farms Co	21, 093
James S. Garvey	20, 892
John A. Stavely	20, 753
Jake Boehs	20, 725
Arthur C. Wilks	20, 352
Total payees in county (18)	492, 274
KIT CARSON COUNTY	
Delmer Zweygardt	85, 174
Hinkhouse Bros	77, 993
Penny Ranch	54, 411
Dannie Weaver	50, 893
Anschutz Farms, Inc	50, 146
Raymond Schulte	46, 318
Don Scheierman	38, 822
Paul Gergen	34, 313
Britt Bell	33, 937
Russell Scott	33, 255
G F Bollwinkel	33, 197
Dale D Hanna	31, 074
Leonard Feldhousen	30, 257
Leon Silkman	29, 241
Three Rivers Ranch Inc	29, 187
Iron Mueller Inc	27, 437
Q G Demmitt	26, 565
Byron G Jarnagin	24, 511
C E McCartney	23, 918
Schutte Farms	23, 356
Raymond Thomas Downey	22, 821
Pickard Farms Inc	22, 624
Lohnnie Wall	22, 402
Warren Hodge	22, 345
Jim Newcomb	21, 595
George Andrews	21, 593
Mae Belle Crouse	21, 501
Marvin Grusing	21, 304
John R Zurcher	21, 262
Plautz Corporation	21, 001
W T Pottorff	20, 436
Neal Dorsch	20, 356
Russell Davis	20, 138
Kenneth Scheierman	20, 112
Total payees in county (34)	1, 083, 495
LARIMER COUNTY	
L Vernon French	21, 710

LINCOLN COUNTY

Orval F. Parker, Inc	30, 745
Harold Kuckartz	21, 147
C D Farms Inc	20, 147
Total payees in county (3)	20, 147

LOGAN COUNTY

Geo. Henderson Co	29, 598
Yaw Farms, Inc	24, 730
Wood Land Co	21, 823
Total payees in county (3)	76, 151

MESA COUNTY

Irving C. Beard	38, 809
J. Perry Olson	33, 619
Colorado Utah Livestock	25, 969
Louis Arrayet	20, 093
Total payees in county (4)	118, 490

MOFFAT COUNTY

Smith Rancho, Inc	58, 848
Cross Mountain, Inc	54, 411
Two Bar Ranch Company	34, 647
Visintainer Sheep Company	28, 470
H. G. Culverwell	25, 922
Papoulas Livestock Company	23, 699
Gordon C. Winn Sheep Co., Inc	21, 130
L. C. Winder Company	20, 011
Total payees in county (8)	267, 138

MONTROSE COUNTY

Chuchuru Bros	25, 152
Paxton Family	20, 245
Total payees in county (2)	45, 397

MORGAN COUNTY

Raymond H. Roark	28, 018
Andrew Blake	25, 849
Total payees in county (2)	53, 867

OTERO COUNTY

Highline Canal Co	42, 940

PHILLIPS COUNTY

Deden, Inc	27, 611
Schneller Farms, Inc	26, 747
Robert L. Gerk	26, 226
Total payees in county (3)	80, 584

PROWERS COUNTY

C. H. Fletcher	49, 787
X. Y. Ranch Co	44, 819
Heath & Son & Turpin, Inc	42, 966
C. E. Willhite	39, 493
L. W. Bailey	38, 644
Howard A. Ragsdale	38, 318
C. A. & Robert Barth	37, 464
Reyher Farms	36, 178
Jack Herrin	30, 717
J. Marvin Willhite	29, 805
C. Hart Farms, Inc	29, 696
Frank Duvall	29, 570
J. Willhite and Son	29, 497
Curtis Duvall	28, 787
Sun Vue, Inc	27, 434
Eugene Rundell	24, 306
J. G. Preisser	23, 300
Dorenkamp Farms, Inc	23, 077
George E. Holmes	21, 019
Creamer Ranch	20, 712
William & Sam Grasmick	20, 181
Total payees in county (21)	665, 770

PUEBLO COUNTY

R. Lewis Fillmore	27, 772

RIO BLANCO COUNTY

Etchart Bros	24, 912
Nick Theos	20, 463
Total Payees in County (2)	45, 375

ROUTT COUNTY

Maneotis Sheep Co	37, 262

SAGUACHE COUNTY

McMahon Bullington	22, 555

SAN MIGUEL COUNTY

Hughes Bros., Inc	33, 624

SEDGWICK COUNTY

Wm. Stretesky, Inc	30, 981
Ricker Farms, Inc	21, 006
Hodges & Sons	20, 352
Total payees in county (3)	72, 339

WASHINGTON COUNTY

Alfred Ward and Son	75, 017
Floyd Starlin	29, 708
Total payees in county (2)	104, 725

WELD COUNTY

J. Burton Tuttle	107, 167
Monfort Packing Company	78, 178
Larry Rule	47, 128
Buckeye Land & Livestock	44, 247
Box Elder Sheep Co	35, 679
Lyle V. Cooksey	24, 730
Jean Eichheim	22, 780
E. E. Foster & Sons, Inc	20, 257
Albert Allison	20, 112
Walter John Peters	20, 004
Total payees in county (10)	420, 282

YUMA COUNTY

Leonard L. R. Dutton	40, 686
Thomas Brophy	34, 622
Loren Dickson & Sons, Inc	32, 036
Chester Whomble	28, 825
Ralph & Jack Bowman	28, 017
Robert Poitz	23, 560
Henry Wiltfang	22, 724
George W. Wingfield	21, 606
Ray Max Wiley	21, 557
Edward Trautman	20, 065
Total payees in county (10)	273, 698
Total payees in State (175)	5, 478, 430

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Florida

ALACHUA COUNTY

A. E. & R. E. Summers	20, 304

GLADES COUNTY

Arbank Farms, Inc	58, 458
John Tiedtke	49, 846
Click Farms, Inc	46, 321
Lykes Bros., Inc	30, 866
Hicpochee Farms	27, 924
J. E. Frierson	27, 071
R. D. Yoder	22, 015
Moore Farms	20, 176
Total payees in county (8)	282, 677

HENDRY COUNTY

US Sugar Corp	1, 267, 401
OV Land Co	81, 325
A. F. Saunders, Inc	66, 557
M. L. Bishop	26, 589
Peace Cattle Corp	24, 755
Three Rs Inc	23, 682
Ewell Farms	21, 135
Total payees in county (7)	1,511, 444

JACKSON COUNTY

J. G. Williams	21, 163

PALM BEACH COUNTY

Gulf & Western Food Prod. Co	698, 801
Talisman Sugar Corp	421, 249
Florida Sugar Corp	221, 664
S. N. Knight Sons, Inc	163, 805
Closter Farms, Inc	163, 407
A. Duda Sons, Inc	153, 347
New Hope Sugar Co	124, 104
715 Farms Ltd	107, 796
Billy Rogers Farms	86, 965
Wedgworth Farms Inc	84, 587
Double D Ranch Inc	80, 689
Seminole Sugar Corp	79, 822
Fla AT Land Corp	79, 446
C. A. Thomas	74, 568
Sam Senter Farms Inc	73, 082
Hatton Brothers Inc	72, 155
Trucane Sugar Corp	70, 962
Eastgate Farms Inc	69, 989
South Bay Growers Inc	68, 207
Vandergrift WLMS FMS Inc	61, 178
J. T. Boynton Farms Inc	54, 273
Vinegar Bend Farms Inc	44, 894
Okeechobee Farms Co	40, 540
F. W. Farms Inc	39, 702
Hayes Quackenbush Inc	38, 371
Harley Watson Farms	33, 902
Flava Farms Inc	33, 701
Stein Sugar Farms Inc	30, 520
Camayen Farms	28, 381
Miami Sod Co	28, 325
Chase Company	28, 240
Manatee Plantations Inc	27, 869
Brown Sugar Corp	25, 283
R. W. Bishop	24, 584
Valentine Farms Inc	22, 925
Robert C. Hatton Inc	21, 754
W. H. Vann Inc	21, 680
Hooker Jones Co	21, 317
E. L. Parker	20, 446
Total payees in county (39)	3, 542, 530

SANTA ROSA COUNTY

J. E. Golden	52, 196
J. W. Bauldree	50, 922
Lem Strickland	48, 380
Wayne Godwin	36, 693
James Thomas, Jr	28, 696
Paul S. Golden	28, 070
Lewie F. Smith	27, 442
N. L. Golden	26, 071
W. T. Stewart	25, 278
Willie H. Jones	24, 339
Luke Golden	23, 386
Adone J. Lloyd, Jr	21, 604
Woodrow John Cooley	21, 102
Total payees in county (13)	414, 179
Total payees in State (69)	5, 792, 297

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Georgia

BAKER COUNTY

Newberry Angus Farms, Inc	21, 160

BALDWIN COUNTY

Albert L. Tanner	26, 107

BARROW COUNTY

P. R. Smith	20, 596

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Georgia—**Continued**

BARTOW COUNTY

W. P. Lanier	45, 151
H. E. Harris	44, 256
Robert Dabbs	34, 718
Ivan Evans	33, 589
Noble Maxwell	33, 327
J. C. Evans	32, 439
Smith Gin Company	27, 595
J. M. Maxwell/W. Smith	25, 567
Neal C. Dabbs	24, 074
George Cagle	23, 845
Bobby Maxwell	23, 837
Glenn Nelson	23, 394
William Carl Maxwell	23, 026
Howell L. Smith	21, 716
Joe G. Brandon, Jr	20, 948
Total payees in county (15)	437, 482

BEN HILL COUNTY

J. H. Dorminy, Jr	23, 741
Royce Williams	21, 382
Total payees in county (2)	45, 123

BLECKLEY COUNTY

Carlton Lawson	38, 751
Four County Farming Co	34, 188
W. H. Hill	31, 439
Theo. Williams	27, 279
J. W. and W. A. Meadows	25, 997
Jerry Dykes	24, 551
Allentown Warehouse Company	23, 944
Charles Williams	23, 760
Marvin Trice	21, 227
Total payees in county (9)	251, 136

BROOKS COUNTY

H. R. Crosby	38, 079

BURKE COUNTY

B. G. Collins	60, 634
Eliz. O. Barefield	58, 275
James Beall	57, 307
J. H. Rowland	51, 189
Ray Delaigle	50, 639
Kitchen and Land	50, 375
R. L. Webster	49, 254
T. R. Rowland	45, 779
Frank C. Griffin	41, 939
A. H. Sandeford	39, 476
H. W. Mobley	37, 663
Q. U. Lively	37, 539
Quinton Rodgers	35, 553
W. T. McBride	35, 412
J. B. Walden	34, 084
R. L. Quick	34, 057
W. R. Chance	33, 639
Porter W. Carswell	32, 034
Paul Shivers	31, 965
Alvin Roberson	31, 906
Farris L. Wren	30, 441
Jimmie R. Robinson	28, 878
Julian H. Johnson	28, 835
Irvin Reeves	28, 530
G. F. Agerton, Jr	27, 781
Lamar Prescott	26, 975
Joe C. Lewis, Jr	24, 505
B. K. Anderson	23, 341
Marvin Roberson	23, 127
Caroyln Dixon	23, 780
George F. Williams	22, 137
Hammond Blanchard	22, 055
J. O. Cates	21, 578
Roy R. Dixon	21, 318
David M. Hill	21, 129
M. H. Sikes	20, 776
Total payees in county (36)	1, 242, 905

CALHOUN COUNTY

Chauncy Taylor	43, 233
David Bruner	41, 715
J. S. Coward Jr	30, 228
Ralph M. Jordan Jr	24, 117
J. R. Brooks	21, 741
Total payees in county (5)	161, 034

CARROLL COUNTY

J. R. Walker	26, 392

CLAY COUNTY

Jack Hattaway	29, 000
J. D. Thursby	26, 707
Coy Isler & Sons	21, 134
Total payees in county (3)	76, 841

COLQUITT COUNTY

Samuel F. Brewer	34, 584
Donald Parker	31, 487
Jacob Summerlin	31, 436
Jimmy Strickland	30, 508
Horace Parker	30, 448
L. L. Tucker	29, 382
R. C. Moss	26, 337
Joe Parker	24, 709
Donald Simmons	23, 922
William L. Whitfield	21, 820
R. L. Carr	21, 349
Homer C. Lewis	21, 025
J. H. Ivey	20, 582
Total payees in county (13)	347, 589

COWETA COUNTY

W. J. Estes	43, 245
Frank Wilkinson, Jr	21, 773
Total payees in county (2)	65, 018

CRISP COUNTY

Noel Williams	65, 262
Farrow Baker	55, 503
Owen Bagwell	52, 188
W. H. Williams	49, 062
H. E. Bridges, Jr	43, 670
L. E. Williams, Jr	40, 768
Malcolm Lilly	37, 650
W. H. Barry	36, 868
J. R. Barry, Jr	36, 804
G. E. McCay	36, 300
H. W. McKinney	32, 255
Charles Bagwell	31, 766
C. W. Williams	30, 472
John F. Haynie	28, 727
J. R. Barry, Sr	28, 066
L. M. Smith	27, 468
Harold Jackson	25, 987
W. T. & L. C. Greene	25, 513
B. C. & M. C. McKinney	24, 801
J. R. Dowdy, Jr	23, 640
Harold Collins	21, 721
R. M. McKinney	20, 030
Total payees in county (22)	774, 521

DODGE COUNTY

James J. Mullis	65, 782
Norman Hardy	38, 012
Wilton Woodard	28, 455
S. C. Cadwell	26, 672
Candler Farms	26, 475
Doyle Yawn	25, 864
Watson Hardy	21, 306
Stuckey Timberland, Inc	20, 958
Total payees in county (8)	253, 524

DOOLY COUNTY

Asbury Wright	64, 476
Ralph Bowen	61, 742
Richard Doster	61, 249
Madison B. Coley, Jr	61, 046
William Lloyd Horne, Jr	59, 132
RHA McCleskey, Jr	58, 896
Eugene McCleskey	58, 245
Alton Draughon	58, 068
J. D. Lockerman, Jr	57, 771
Clint Shugart	56, 948
W. C. Griggs	56, 338
Herbert E. Roney	55, 550
Van Peavy	55, 112
Ben T. Ambrose	54, 989
Anderson Reed	53, 917
Ike Everett	52, 629
F. H. Sparrow	52, 583
R. L. Calhoun	52, 559
Warren Taylor	52, 258
Leon Broome	50, 873
Tippett Peavy	50, 254
Millard Peavy	47, 220
J. W. Sanders	46, 754
W. G. Smith	46, 149
J. P. West	45, 852
Ossie T. Spradley, Jr	45, 061
Ellis H. Davis	44, 447
Carl Bowen	44, 056
Rudolph Royal	43, 161
Clarence R. Bodrey	42, 876
W. R. Jackson, Jr	40, 973
Herbert Saliba	39, 919
W. G. Joiner	38, 675
Carl F. Williams	38, 288
J. W. Sparrow	37, 920
Raymond Davis	35, 339
William Harvey Cross, Sr	35, 102
C. V. Cross	35, 100
Ronnie Evridge	34, 362
Marcus Evridge	34, 362
Horace West	33, 672
Bamon L. Hill	33, 241
Mercer Porter	32, 877
Danny West	32, 669
Marvin Capus Jones	32, 382
Roy Noble Co	32, 312
Otha Peavy	32, 188
Marion A. Thompson	31, 777
Lee Bailey, Jr	31, 133
Marshall Davis	30, 691
Ronney Ledford	30, 363
Olen J. Burton	30, 363
Clinton B. Thompson	29, 198
Dewitt Clewis	28, 560
Marion A. Thompson, Jr	28, 192
W. J. Evridge	27, 812
John S. Williams	27, 652
W. R. Groves	27, 243
R. L. Bowen	27, 063
L. M. Joiner	27, 005
J. P. Deloach	25, 924
Lamar Smith	24, 723
Gary Peavy	24, 545
Cliff West, Jr	24, 174
James Kinard	24, 160
J. O. Cross, Jr	23, 669
Raymond E. Nutt	23, 042
Claude Bowen	23, 029
James M. Moore	23, 002
William Andrew Sparrow	22, 986
J. B. Ryner	22, 967
P. E. Thompson	22, 721
Walter Franklin Cason	21, 875
D. W. Smith	21, 402
J. D. Williford	21, 182
T. H. Robertson	21, 052
Ernest L. Taylor	21, 008
Charles Bowen	20, 976
L. L. Minor, Sr	20, 838
G. M. Ellis	20, 551
Donald W. Peavy	20, 400
Total payees in county (81)	3, 040, 870

EARLY COUNTY

Singletary Farms	50, 695
J. E. Tabb	36, 333
Everson Farms	31, 451
G. S. Pickle	27, 519
Leonard White	27, 160
H. L. Martin	25, 776
Total payees in county (6)	198, 934

ELBERT COUNTY

Ralph King	34, 090
S. N. Brown	31, 196
Calvin Hill	29, 402
R. A. Eavenson	25, 281
H. L. Addison	20, 197
Total payees in county (5)	140, 166

EMANUEL COUNTY

John E. Whetsell	24, 774
Billy Walden	24, 230
H. L. Wimberly	21, 790
Total payees in county (3)	70, 794

FLOYD COUNTY

Jerry Looney	34, 292
Lovell Bros	25, 602
A. A. Looney	25, 351
L. G. Evans	25, 047
Total payees in county (4)	110, 292

FRANKLIN COUNTY

Thomas H. Cheek	50, 050

GLASCOCK COUNTY

John Everett Hadden	25, 757
Murray Hadden	23, 090
Total payees in county (2)	48, 847

GORDON COUNTY

Dwight B. Greeson	22, 554

GRADY COUNTY

E. E. Nixon	23, 124

HANCOCK COUNTY

L. S. McDonald	26, 690

HART COUNTY

Hubert Cheek, Jr	57, 210
L. M. York	46, 523
Kenneth York	24, 442
Hugh D. McLane	21, 097
Charles Cheek	21, 031
Total payees in county (5)	170, 303

HOUSTON COUNTY

Clinton M. Heath	56, 897
Robert C. Richards	38, 005
W. V. Brannen	35, 716
Charlie T. Kersey	33, 412
Gunn Farms	32, 074
C. T. Kersey, Jr	31, 192
Wendell J. Kersey	20, 328
Total payees in county (7)	247, 624

IRWIN COUNTY

Othello Hudson	22, 693

JEFF DAVIS COUNTY

Vernon Williams	20, 347

JEFFERSON COUNTY

Bryants Incorporated	57, 814
G. C. and Johnny McGahee	48, 746
Julian Streeter	41, 900
Judson McNair	39, 240
R. J. Jones	35, 881
Harry and A. P. Jones	31, 464
Lewis Alford	30, 009
T. B. Kelly Estate	28, 955
Paul and Larry Cobb	27, 433
Jimmie Hancock	26, 879
W. P. Smith and Sons	26, 700
P. A. Rheney	26, 501
Luie Godowns	24, 780
A. H. Braswell	24, 519
R. M. Samples, Jr	22, 913
William J. Lamb	21, 136
S. W. McNair	21, 096
Total payees in county (17)	535, 966

JENKINS COUNTY

Charles W. Lanier	36, 743
Buck Brinson	27, 248
T. L. Black	24, 852
W. R. Roberts	21, 309
Virgil H. Black	21, 090
Total payees in county (5)	131, 242

JOHNSON COUNTY

Tarver Price	44, 949
W. R. & J. L. Jackson	33, 047
E. L. Price, Jr	23, 858
John H. Powell	20, 419
Total payees in county (4)	122, 273

LAURENS COUNTY

W. A. Rountree	65, 331
W. H. Lovett	52, 429
Ed Roche	34, 471
Marshall R. Lord	31, 033
Jack Cook	30, 183
Estate of E. B. Claxton Dec	27, 137
Herman L. Hall	27, 052
William Slade	26, 929
B. Moorman and B. F. Watson	23, 751
Thomas J. and Ray Walker	23, 285
Ervin Lovett	22, 606
H. L. Harper	21, 627
Total payees in county (12)	385, 834

LEE COUNTY

Plez Hardin	48, 357
Geise Usry	23, 972
Wilmar Timber Corp	20, 422
Total payees in county (3)	92, 751

MACON COUNTY

Ralph Raper	41, 631
S. H. Bryan, Jr	31, 924
Don Hunsicker	31, 501
B. B. Murph Estate	28, 096
Malatchie Farm	27, 216
Hixon Guest	26, 573
Felton Riddle	26, 547
F. A. Ricks Estate	25, 177
Harp Farms	25, 098
C. J. Harp, Jr	23, 762
Mack Ham	23, 509
Buck Creek Farms	22, 357
F. W. Smith	21, 101
Walter Forsling	20, 726
Gordon Sutton	20, 289
Total payees in county (15)	395, 507

MADISON COUNTY

Whitehead Farms	53, 244

MARION COUNTY

Thomas Miller	41, 863

M'DUFFIE COUNTY

George Reeves	26, 700
James E. Harrison	22, 854
Total payees in county (2)	49, 554

MERIWETHER COUNTY

A. G. Estes, Inc	51, 676
Gay and Keith	47, 903
W. R. Arnall	35, 497
Total payees in county (3)	135, 076

MILLER COUNTY

Lonnie Wesley Tabb	30, 214
Curtis Williams	21, 939
Total payees in county (2)	**52, 153**

MITCHELL COUNTY

Ronald Thompson	30, 660
H. G. McGahee	21, 811
Norman L. Cox	20, 838
Total payees in county (3)	73, 309

MORGAN COUNTY

Barnett H. Malcom	59, 241
Bonny Shepherd	52, 326
E. A. Hanson	39, 375
Eugene & Marvin Ruark	37, 535
Bennie Malcom	32, 892
Bonnie Hawk	31, 346
Brown & Wells	29, 691
Joe Whitlock	28, 467
H. D. Thomas	20, 144
Total payees in county (9)	331, 017

NEWTON COUNTY

Garland Kilgore	36, 879
J. H. Anderson	32, 547
Total payees in county (2)	69, 426

OCONEE COUNTY

F. F. Dickens, Jr	48, 440
Joe D. Murrow	34, 749
Fred W. Dickens	25, 768
Total payees in county (3)	108, 957

OGLETHORPE COUNTY

Carl C. Culbertson	51, 863

PEACH COUNTY

Marlon Maddox	33, 339
M. A. Burnett & Son	25, 111
Bateman Co., Inc	20, 258
Total payees in county (3)	78, 708

PIKE COUNTY

R. D. Crawford	29, 434
Floyd Turner	21, 033
Cochran Caldwell	20, 579
Total payees in county (3)	71, 046

POLK COUNTY

Geston Womack	27, 203

PULASKI COUNTY

John W. Dawson	75, 401
B. E. Dunaway	44, 393
W. S. Dunaway	42, 460
R. F. Dunaway	42, 459
C. L. Mays	35, 548
J. H. Anderson	27, 348
L. V. Peavy, Sr	26, 523
J. T. Sparrow	25, 839
H. E. Dunaway	25, 426
Lorin S. Williams	23, 183
George P. Anderson	22, 643
A. L. Dunaway	21, 667
Donald Gregory	20, 817
Total payees in county (13)	433, 707

QUITMAN COUNTY

Sunny View Farms	22, 970

RANDOLPH COUNTY

Grubbs Bros	36, 867
E. E. Morris	34, 982
James Riley Curry, Jr	27, 097
Melvin H. Peavy	21, 552
Reid Andrews	20, 223
Total payees in county (5)	140, 721

RICHMOND COUNTY

R. A. McElmurray, Jr	30, 733
R. S. Auldridge	22, 450
Wayne Rhodes	20, 375
Total payees in county (3)	73, 558

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Georgia—Continued

SCREVEN COUNTY

Paul K. Newton	32,916
Melbourne Godbee	30,577
Millhaven Co	29,385
G. L. Rouse	24,909
T. V. Parker	24,672
R. E. Oliver, Jr	23,127
W. P. Sanders	20,207
Total payees in county (7)	185,793

SEMINOLE COUNTY

Raymond Odom	48,649

STEWART COUNTY

W. C. Bradley, Co	80,482
M. J. Lane	37,256
Johnnie F. Giles	21,308
Total payees in county (3)	139,046

SUMTER COUNTY

J. C. Jones	39,826
Floyd J. Frazier	39,202
Newcomb Farm	39,120
John G. Frazier	34,315
Pittman Turner Farm	26,356
Hixon Guest	25,799
W. C. Cornwell	24,801
T. E. Stephens, Jr	22,079
George E. Daniel	21,119
Roy F. Daniel	21,119
Neill Hodges	20,400
Total payees in county (11)	314,136

TAYLOR COUNTY

D. W. Payne, Jr	39,934
Ed Richardson	38,626
R. C. Barrow	38,222
E. H. Swearingen	34,338
E. B. Swearingen	34,338
Willard Brunson	25,999
T. W. Taunton	24,493
Total payees in county (7)	235,950

TERRELL COUNTY

Wilbur Gamble	67,489
W. K. Jones	60,647
Wylie McLendon, Jr	51,404
Huson Brim	33,236
Ray Christie	32,897
Alston Brothers	31,717
W. H. McLendon	31,159
Featherfield Farms Inc	29,339
Chickasawhatchee Farm	27,051
Daniel Brothers	24,751
B. C. Arthur	23,958
R. T. Brim	23,572
W. J. Martin	22,582
Lavonne Speir	21,331
Don Bridges	21,248
Isaac Morris Chambless	20,210
Total payees in county (16)	522,591

THOMAS COUNTY

Griffin Farms Inc	40,620
S. R. Bryant	36,386
C. M. Anderson	22,895
Julius Chastain	22,515
Total payees in county (4)	122,416

TOOMBS COUNTY

J. P. Gordy	20,287

TREUTLEN COUNTY

Manning Mimbs	33,327

TURNER COUNTY

Kenneth Smith	32,460
Pirkle Farms	21,537
J. F. Gibbs	20,899
Total payees in county (3)	74,896

TWIGGS COUNTY

Sam Floyd Sr	34,286
Charlie Faulk	25,647
M. S. Faulk	21,904
Alton V. White, Jr	21,050
Total payees in county (4)	102,887

WALTON COUNTY

Alex Harden	53,962
T. J. Chandler	45,716
T. H. Adcock	38,353
Robert B. Chandler	37,319
Carl Lemonds	34,859
M. W. Farmer	32,981
Robert M. Hawk	30,164
Byron Mitchem	26,121
Robbie Adcock	25,079
John Everett	24,967
Juanita Johnson	24,318
H. A. Malcom	24,259
Garyel D. Malcom	24,248
C. R. Brown	23,704
Bennie R. Anderson	20,904
Total payees in county (15)	466,954

WARREN COUNTY

Guy H. Shivers, Jr	51,912
Donald F. Palmer	51,593
Quality Crops, Inc	40,572
Harrison Farms	27,878
Total payees in county (4)	171,955

WASHINGTON COUNTY

E. B. Price	61,139
L. A. Garrett	43,796
Washington Ginning Co	38,956
Gilmore Bros	36,692
Olen Price	32,035
Arthur Hartley and Son	24,744
Jewell Bridges	22,219
Ernest C. Smith	21,579
C. W. Harrison	21,497
B. W. Lord	20,759
Total payees in county (10)	323,416

WEBSTER COUNTY

G. W. Jones	26,655

WHEELER COUNTY

J. M. Johnson	23,677

WILCOX COUNTY

Cecil L. Bagwell	39,087
William Worley	34,116
D. F. Veal	28,145
Marcus Reeves	24,048
Whelchel & Whelchel	23,907
Total payees in county (5)	149,303

WORTH COUNTY

C. R. Cross	25,427
Cecil L. James	24,429
Isaac Hall	21,448
Lenwood Sutton	20,650
J. T. Carlton	20,190
Total payees in county (5)	112,144
Total payees in State (450)	14,532,825

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Hawaii

HAWAII COUNTY

Hawaiian Com. & Sugar Co	1,277,725
Oahu Sugar Co. Ltd	826,333
Hutchinson Sugar Co. Ltd	555,863
Pioneer Mill Co., Ltd	465,171
Kahuku Plantation Co	458,271
Lihue Plantation Co. Ltd	454,140
Kekaha Sugar Co., Ltd	428,194
Mauna Kea Sugar Co. Inc	407,204
Kohala Sugar Co	378,251
Honokaa Sugar Co	365,742
Hawaiian Agricultural Co	365,265
Pepeekeo Sugar Co	364,377
Laupahoehoe Sugar Co	338,917
Grove Farm Co. Inc	330,444
Hamakua Mill Co	320,427
Olokele Sugar Co	408,881
Wailuku Sugar Co	296,999
McBryde Sugar Co. Ltd	293,908
Puna Sugar Co. Ltd	245,448
Paauhau Sugar Co. Ltd	213,583
Kilauea Sugar Co. Ltd	201,274
Gay and Robinson	176,527
Robert M. Yamada	31,325
K. Mizuno and Sons Inc	20,880
Total payees in county (24)	9,125,149
Total payees in State (24)	9,125,149

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Idaho

ADA COUNTY

Carl E. Nicholson and Sons	42,960

BANNOCK COUNTY

Dale Koester	27,113
Hugh E. McGuire	25,425
E. L. Christensen	22,723
Total payees in county (3)	75,261

BEAR LAKE COUNTY

Demar Romrell	20,217

BENEWAH COUNTY

George B. Mills, Jr	27,233

BINGHAM COUNTY

J. Walt Vanderford	61,946
D. & D. Parks Ptrshp	55,477
Lloyd Stolworthy, Inc	39,460
Pahl Ruff Ptrshp	38,447
Lenard Schritter	37,707
Matsuura Bros. Co., Inc	37,634
Rsiing River Ranches	29,957
Cooks Heglar Ranch	27,461
J. Stolworthy & Son	26,172
Simplot Industries	24,584
Stroschein Ranches	24,482
Wallace W. Driscoll	23,444
Vincent R. Benson	22,933
Chester Wahlen	22,581
C. Leslie Williams	22,511
Welland A. Hansen	21,239
Total payees in county (16)	516,035

BLAINE COUNTY

Campbell Land & Livestock Co	37,704

BONNEVILLE COUNTY

Jess Croft & Son	56,050
E. Bud Johnson	54,746
Snake River Equipment Co	44,701
Karl Brown & Merle Brown	35,300
Weeks Brothers & Sons	34,376
Clements & Jackson	34,100
Thompson Sheep Co	32,986
J. R. Hays & Son, Inc	28,620
Elmer N. Jensen	28,094
Ernest Martin	27,274
Schwieder Brothers	25,889
George Lovell	25,730
L. B. Holden Farm Co	25,297
Jack Thomas	24,529
Lynn Brown	20,717
Total payees in county (15)	498,409

BOUNDARY COUNTY

Tucker Farms Inc	26, 732

CANYON COUNTY

Farm Development Corp	98, 646
Walter C. Russell	40, 550
Elmer H. Tiegs	29, 805
Glenn Allen and David Allen	28, 245
Nampa International, Inc	27, 617
Kondo Farms, Inc	27, 576
Arlo Smith	25, 801
Kenneth Tiegs and Sons, Inc	24, 766
Allen T. Noble	24, 486
Lawrance V. Gray	24, 341
Skogsberg Sky Ranch	23, 203
Allen I. Noble Farms, Inc	22, 781
Pintler and Son	21, 695
Basil Aldecoa	21, 423
David C. Spencer	20, 578
Total payees in county (15)	461, 513

CARIBOU COUNTY

Dette, Inc	45, 885
Don C. Rigby Family Ptn	38, 408
Frank Jouglard	22, 830
King Creek Grazing Assn	20, 178
Don C. Loosle	20, 166
Total payees in county (5)	147, 467

CASSIA COUNTY

R. C. Rich Sheep Co	62, 202
Heglar Ranch, Inc	54, 029
Parr Bros., Inc	48, 919
Riviera Farms, Inc	44, 284
Pickett Ranch and Sheep Co	38, 039
Anderson Bros	34, 551
Raymond H. Johnson	34, 152
Cold Springs Farm	31, 397
Vernon Rehn	28, 467
Gorringe Bros	26, 237
Rex Taylor	24, 569
Grant Glorfield	21, 321
Critchfield Land & Lvstk	21, 313
John Basterrechea	20, 664
Total payees in county (14)	490, 144

CLARK COUNTY

D. V. Hagenbarth Est	31, 186
Idaho Ag Experiment Station	25, 766
Laird and Jones, Inc	24, 122
Cockeye Land and Lvst	23, 103
Blaine Grover	20, 142
Total payees in county (5)	124, 319

ELMORE COUNTY

Simplot Livestock Co., Inc	91, 471
Eugene Swenson	41, 130
Hammett Livestock Co	39, 521
Bill Smith	28, 142
Robert Blanksma	27, 462
Wayne M. Hodson	25, 896
F. W. Bennett and Son, Inc	25, 055
Flying H. Farms	24, 941
M. L. Investment Co	23, 630
Total payees in county (9)	327, 248

FRANKLIN COUNTY

Evan O. Koller	23, 661

FREMONT COUNTY

Siddoway Sheep Co., Inc	34, 890
Max D. Parkinson and Son, Inc	28, 913
Farrel Black Ranches, Inc	25, 499
Total payees in county (3)	89, 302

GEM COUNTY

Highland Lvstk & Land Co	33, 248

GOODING COUNTY

Ralph Faulkner Land, Inc	56, 449
Idaho Hereford Ranch	47, 300
Arkoosh & Zidan, Inc	39, 671
Jones/Sandy Livestock Co	26, 592
Josephine Astorquia	20, 869
Total payees in county (5)	190, 881

IDAHO COUNTY

George E. Wilson	34, 719
James Green	33, 704
Roy Green, Jr	33, 704
John McBoyle	21, 609
Hauger Ranches, Inc	21, 092
Norman Dean	20, 824
Cornelius Baune	20, 443
T. E. Robinson	20, 002
Total payees in county (8)	206, 097

JEFFERSON COUNTY

Brownings, Inc	35, 906
Wm. A. Munnell	31, 587
Walker & Gneiting	27, 580
Ball Bros	26, 846
Orie W. Robison	20, 425
Total payees in county (5)	142, 344

KOOTENAI COUNTY

Drechsel Bros	26, 043

LATAH COUNTY

Gary Morris	25, 313
Jensen Bros	21, 811
Total payees in county (2)	47, 124

LEWIS COUNTY

Joe Lux	33, 273
Joe Wagner	29, 857
Aubrey Pratt	22, 762
W. W. Riggers & Sons	22, 070
Richard Renner	21, 356
Total payees in county (5)	129, 318

LINCOLN COUNTY

Oneidas, Inc	29, 963

MADISON COUNTY

Parkinson Farms, Inc	34, 797
Howard and Robinson	30, 589
Jensen Brothers	28, 580
O. J. Neeley Ranch, Inc	27, 487
Summers Bros	27, 144
Webster Deep Well Farm, Inc	25, 878
Ed S. Covington	21, 711
Val Schwendiman	20, 458
Ricks Bros	20, 125
Total payees in county (9)	234, 769

MINIDOKA COUNTY

Flat Top Sheep Co	55, 044
James V. Haley	38, 958
Rosemary H. Clinton	38, 958
Richard D. Blincoe	34, 641
G. L. Dean and Sons, Inc	33, 256
Garro Sheep Co., Inc	31, 950
Gerald Morgan	30, 665
W. H. Shillington	30, 665
Morgan Shillington Farms Co	28, 011
Wilbert H. Moller	23, 925
Warren W. Heins	22, 220
Jean P. Etcheverry	22, 170
Mack Neibaur	21, 558
Total payees in county (13)	412, 021

NEZ PERCE COUNTY

Meacham Land and Cattle Co	55, 438
Stanton Becker Farms	39, 766
Tom Wagner	39, 193
Herndon Farms	35, 270
Happy Ridge Land Co	28,250
Winston Mader	28, 141
McGregor Farms Inc	27, 510
Van Sullivan	27, 261
George Brammer	26, 442
Edward Bozarth Estate	26, 255
Richard Wagner	24, 452
Dwaine McIntosh	23, 807
Kenneth W McIntosh	23, 807
June I. McIntosh	23, 806
Wittman Farms	23, 303
Gary Schwank	22, 944
Loren Crow	22, 654
Claude Webb	21, 774
E. J. McCann	20, 880
Total payees in county (19)	540, 953

ONEIDA COUNTY

Jones Sheep Company	41, 736
L. C. Alder & Sons Inc	25, 628
W. L. Baker Company	25, 091
J. F. Fredrickson Co	21, 542
Total payees in county (4)	113, 997

OWYHEE COUNTY

Spring Valley Livestock Co	33, 334

PAYETTE COUNTY

American Fine Foods	32, 997

POWER COUNTY

Melvin R. Funk	47, 151
Jay H. Hulet	47, 138
John B. McNabb	44, 235
Rex Hayter	40, 836
Zimmerman Brothers	37, 616
Fred G. Mayer & Sons	29, 681
Dean Meadows	27, 519
Lynn Thompson	26, 732
Wallace Hayes	25, 659
Ralphs Brothers	25, 107
Neibaur & West Farms	24, 494
Vern Duffin	22, 686
Garth Thompson	21, 635
Ferdinand Gehring	21, 592
Cecil Weisenburger	20, 569
Wayne Kendell	20, 360
Total payees in county (16)	483, 010

TETON COUNTY

Shayne Linderman	31, 674
Rammell Brothers	23, 642
J. Clint Hoopes	21, 908
Demar Bott	21, 908
Earl N. Hoopes	20, 316
Total payees in county (5)	119,348

TWIN FALLS COUNTY

Delbert Clampitt	59, 420
W. B. Savage Ranches	33, 074
NOH Sheep Co	27, 755
W. T. Williams Inc	25, 501
Guerry Inc	24, 785
Glen Dale Farms Inc	21, 015
Total payees in county (6)	191, 550

WASHINGTON COUNTY

Soulen Livestock Co	65, 934
Snake River Sheep Co	26, 810
J. B. Barker	23, 537
Charles F. Kindall	20, 980
Total payees in county (4)	137, 261
Total payees in State (197)	**6, 012, 463**

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Illinois

ADAMS COUNTY

Adwell Corp	46, 492
Richard Wittler	24, 110
Total payees in county (2)	70, 602

ALEXANDER COUNTY

Elott Raffety Farms, Inc	43, 272
E. J. Showmaker	24, 370
Total payees in county (2)	67, 642

CHRISTIAN COUNTY

Donald Linton	23, 006
Donald L. Kuhle	21, 287
Total payees in county (2)	44, 293

DE KALB COUNTY

O. M. Johnson	27, 776

DE WITT COUNTY

C. H. Moore Trust Est	89, 563
Thorp Seed Co	22, 337
Total payees in county (2)	111, 900

FORD COUNTY

John P. Gallahue	21, 190

FULTON COUNTY

Meadowlk Fms C/O I. H. Reiss	85, 977
Truax Traer Coal Co	28, 456
United Elec. Coal Co	24, 095
Total payees in county (3)	138, 528

GALLATIN COUNTY

Pat Scates, Sr	34, 078

GREENE COUNTY

Henry Longmerey	28, 058
Hartwell Ranch	24, 312
Total Payees in County (2)	52, 370

GRUNDY COUNTY

Scully Trust	39, 451

HENDERSON COUNTY

Shelby H. Romine	20, 046

HENRY COUNTY

C. D. Ford & Sons, Inc	21, 029

IROQUOIS COUNTY

Edward C. Sumner, Jr	37, 017

KANE COUNTY

Arthur Hagemann	27, 509

KANKAKEE COUNTY

Cote Farms Inc	54, 379
Tallmadge Ranch Inc	43, 288
Total payees in county (2)	97, 667

KNOX COUNTY

Midland Coal Co	23, 365

LAWRENCE COUNTY

Earl Minderman	25, 054

LEE COUNTY

A. H. Nichols	20, 909

LOGAN COUNTY

John L. White	22, 338
Elizabeth K. Drake	20, 869
Total payees in county (2)	43, 207

M'HENRY COUNTY

Meyer & Schuring	29, 828
L. O. Napier	23, 870
Getz Farms	22, 019
Earlroy Farms	21, 693
Total payees in county (4)	97, 410

M'LEAN COUNTY

Theo. Funk Tr	22, 385

MENARD COUNTY

Duane Cullinan Trust	21, 353

MONTGOMERY COUNTY

W. D. Kilton, Est	35, 184

PERRY COUNTY

Southwestern Coal Co	31, 271

PIKE COUNTY

Bob Richter	21, 336

POPE COUNTY

Dixon Springs	39, 996

PULASKI COUNTY

Richard Pike	25, 316

RANDOLPH COUNTY

Peabody Coal, Co	34, 992
Behnken & Behnken	25, 443
Total payees in county (2)	60,435

SANGAMON COUNTY

Dowson Bros A Ptrp	26, 555

WAYNE COUNTY

Wm. L. O'Daniel	20, 116

WHITESIDE COUNTY

Wilder Farms Inc	22, 464

WINNEBAGO COUNTY

Harold E. Nelson	21, 377

WOODFORD COUNTY

Martin Bros. Implement Co	23, 676
Total payees in State (46)	1, 392, 507

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Indiana

BENTON COUNTY

Watland Farms Inc	32, 239
Herschbach C/O Doane AG	24, 865
Total payees in county (2)	57, 104

DAVIESS COUNTY

Graham Farms Inc	30, 289
Caphart Farms	21, 076
Total payees in county (2)	51, 365

GIBSON COUNTY

Princeton Mining Co	28, 914
Emge Packing Co	28, 104
Total payees in county (2)	57, 018

JASPER COUNTY

James D. Green Tr	24, 623
Fred Moore	24, 193
Total payees in county (2)	48, 816

KNOX COUNTY

Schenk Farms Inc	39, 310
Thompson Farms Inc	32, 758
Robert Carnahan	20, 763
William R. Huey	20, 531
Total payees in county (4)	113, 362

KOSCIUSKO COUNTY

Creighton Bros	30, 599

NEWTON COUNTY

Merlin Karlock	45, 189
Robert A. Churchill	27, 029
Total payees in county (2)	72, 218

PARKE COUNTY

Adams Farm Company, Inc	21, 432

POSEY COUNTY

New Harmony Realty	26, 125
Edward C. Culley	24, 710
Total payees in county (2)	50, 835

PULASKI COUNTY

Overmyer Farms	57, 111
Arthur P. Gumz	40, 126
Total payees in county (2)	97, 237

STARKE COUNTY

Richard Gumz	53, 056

SULLIVAN COUNTY

John Gray Kelly	52, 812
Mann Seed Farms	20, 192
Total payees in county (2)	73, 004

VANDERBURGH COUNTY

Donald E. Kolb	33, 115

VIGO COUNTY

James Harlan	25, 485
Burch Harlan	22, 695
Total payees in county (2)	48, 180

WHITE COUNTY

Leroy Keesling	32, 094
Richard W. North	20, 931
Total payees in county (2)	53, 025
Total payees in State (28)	860, 366

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Iowa

AUDUBON COUNTY

Garst Co	33, 409
Melville Farms	21, 014
Total payees in county (2)	54, 423

BUCHANAN COUNTY

Charles Hoffman	22, 206

CALHOUN COUNTY

F. W. Miller	20, 257

CARROLL COUNTY

Collison Bros	21, 776

DES MOINES COUNTY

Robert L. Gabeline	29, 605

FLOYD COUNTY

Beverly Land Co	28, 156
Julius Huxsol	20, 982
Total payees in county (2)	49, 138

FRANKLIN COUNTY

Lawrence W. Hamilton	27, 869

FREMONT COUNTY

Payne Valley Farms, Inc	53, 490
Reeves Farms	21, 717
Total payees in county (2)	75, 207

HANCOCK COUNTY

Fraser Farms, Inc	26, 679

IOWA COUNTY

Amana Society	55, 000

LEE COUNTY

William J. Pieper	22, 447

LINN COUNTY

Witwer Grocer Co	36, 990

LYON COUNTY

Ralph L. Kooiker	22, 793

MONONA COUNTY

Charles Lakin	72, 722
Franklin D. Seitzinger	24, 849
Total payees in county (2)	97, 571

SAC COUNTY

Shinrone, Inc	47, 016

TAYLOR COUNTY

H. Dean Beemer	22, 724

WEBSTER COUNTY

Litchfield Realty Co	29, 810
Total payees in State (21)	661, 511

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Kansas

ALLEN COUNTY

Harold Whitaker	28, 365

BARBER COUNTY

Fred Schupbach, Jr	27, 760
Riedel Co., Inc	25, 900
Z Bar Cattle Co	22, 224
Schrock, Inc	20, 478
Total payees in county (4)	96, 362

BARTON COUNTY

Richard C. Brining	24, 277
Schartz Bros	23, 673
Total payees in county (2)	47, 950

BUTLER COUNTY

Robert F. Lowrey	21, 146

CHEROKEE COUNTY

P. & M. Coal Mng. Co	29, 032

CHEYENNE COUNTY

Lloyd M. Kontny Est	44, 530

COFFEY COUNTY

Evans & Nee Ptr	20, 365

COMANCHE COUNTY

Darrol W. Miller	20, 366

DICKINSON COUNTY

Roy Clemence	26, 149
Laurence Clemence	23, 442
Total payees in county (2)	49, 591

EDWARDS COUNTY

David Britton	25, 571
McLean Bros	23, 772
Total payees in county (2)	49, 343

ELLIS COUNTY

Leo J. Dreiling	20, 389

FINNEY COUNTY

Garden Cy Company	90, 755
Andrew E. Larson	51, 724
Leland L. Crist	42, 669
Roger Ramsey	32, 587
George L. Potter	30, 940
Emanuel Doll	28, 558
Brookover Feed Yard, Inc	27, 227
Thomas W. Linville	25, 244
Lawrence Miller	25, 217
Raymond Crist	25, 089
Raymond G. Morris	24, 842
John Miller	24, 327
Eugene F. Ware	23, 985
G. R. Byrd	23, 609
Leigh Warner	22, 864
Marion L. Russell	22, 431
Clarence Gigot	22, 006
Frank McClure	21, 941
Leroy F Cooley	21, 877
Cyril Schiffelbein	21, 573
W D Daniels	20, 450
Max Engler Jr	20, 284
Ralph A Greathouse	20, 233
Total payees in county (23)	670,432

FORD COUNTY

Dwight E. Winger	34, 271
Dale R. Steele	31, 676
George Herrmann	28, 251
Everett Steele	24, 277
Eleanor O. Rost	23, 879
Total payees in county (5)	142, 354

GOVE COUNTY

R. S. Coberly	26, 634
A. L. Swart	23, 567
Total payees in county (2)	50, 201

GRAHAM COUNTY

Lindenman Bros	20, 478

GRANT COUNTY

Tuttle & Tuttle & Mawhirter	45, 921
Arthur B. Williams	31, 311
J. Davis Sullivan	28, 726
Higgs Farms & Carl Higgs	28, 106
Howard L. Miller	27, 650
Herman Cockreham	27, 441
C. E. Battin	27, 178
Lysle Davidson	22, 932
John F. Boylan	22, 668
Alexander Bros	20, 754
Wendell Cheek	20, 149
Total payees in county (11)	302, 836

GRAY COUNTY

Sidney Warner	40, 114
Cecil Obrate	35, 682
James R. Adams	25, 984
W. D. Brady	25, 060
George Loewen	24, 918
Ingalls Feed Yard, Inc	23, 944
Stephen Irsik	22, 466
Lester Clark	22, 439
Melvin L. Shrauner	20, 150
Total payees in county (9)	240, 757

GREELEY COUNTY

Smith Ranch Company	48, 709
L & M Steele Farms	47, 896
Kleymann Brothers	47, 638
Myron E. Sell	29, 767
Floyd Tuttle & Son	29, 475
Ervin Schneider	28, 895
Jay A. Hoffman	24, 806
L. & M. Farm & Cattle Co	24, 490
J. V. Kuttler	24, 079
John & Edwin Floyd	22, 814
Dick Holland	22, 240
H. C. Wear	21, 773
George Nickelson	21, 364
Garfield Ochsner	20, 479
Duane F. Schneider	20, 350
Total payees in county (15)	434, 775

HAMILTON COUNTY

Young & Cooper Cattle Co	31, 018
Herbert E. Ramsey, Jr	25, 200
Richard Plunkett	23, 104
Total payees in county (3)	79, 322

HARPER COUNTY

Loy Frank	20, 525

HASKELL COUNTY

Haskell Land Co	67, 939
Kirby B. Clawson	63, 478
Paul J. Brown	49, 672
Ed Hall	45, 903
Forrest Cox	32, 530
Schulz and Meier Part	30, 196
Randall Bird	29, 229
Lawrence Withers	26, 173
W. E. Orth	23, 607
John W. Kelman	22, 596
Lewis & Decker Cattle Co	21, 706
Stonestreet Farms	21, 570
Howard Redd	20, 446
Total payees in county (13)	455, 045

JEWELL COUNTY

Neil Durham	25, 544
Laura Spiegel and Sons	20, 781
Total payees in county (2)	46, 325

KEARNEY COUNTY

Ethel M. Martin	40, 766
Raymond Dienst, Sr	36, 512
Gordon W. Crone	31, 814
Vernon G. Kropp Est	28, 110
Ray Rohlman	25, 468
Max R. Miller	24, 801
W. D. Foster	24, 439
Charles Eskelund	23, 543
B. E. Miles	22, 739
Harold Stevenson	21, 569
Edward E. Wiatt	20, 830
Bob L. Landon	20, 556
Total payees in county (12)	321, 147

KIOWA COUNTY

Pleasant Valley Farm & Ranch	26, 868

LANE COUNTY

Sharp Bros. C/O Gail Sharp	38, 781
Larry Huck	23, 739
Eston Schwartz	21, 098
Edwin A. Borell & Sons	20, 932
Total payees in county (4)	104, 550

LOGAN COUNTY

Keller Bros	58, 766
V. A. & John W. James Est	41, 463
J. Ernest Bertrand	40, 769
Charles Bertrand Tr	37, 652
Delton W. Hubert	25, 834

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Kansas—Continued

LOGAN COUNTY—Continued

Louis Bertrand Jr	23, 002
Leon K. Stoppel	20, 931
Total payees in county (7)	248, 417

MARION COUNTY

Vestring Bros	23, 311

M'PHERSON COUNTY

Jim Stroble	20, 653

MEADE COUNTY

W. R. Cottrell	42, 467
Maud Collingwood Est	37, 530
John E. Frazier	25, 971
Holmes C. Bender	25, 793
G. H. Tschudy	20, 363
Total payees in county (5)	152, 124

MITCHELL COUNTY

Paul Mears	34, 986
Neil Fuller & Sons	24, 101
Miles E. File	23, 447
Ogden A. Kadel & Sons	20, 711
Total payees in county (4)	103, 245

MORTON COUNTY

W. J. Light	32, 116
Ralph Breeding	23, 504
Otis L. Daniels	21, 959
Leon Jackson	21, 710
J. E. Light	21, 544
John Baughman Tr	21, 501
Harold Anderson	21, 110
Charles Breeding	20, 552
Total payees in county (8)	183, 996

NEOSHO COUNTY

Wesley Kroeker	44, 546

NESS COUNTY

Frank G. Davison	22, 027
R. T. McCreight	20, 887
Total payees in county (2)	42, 914

OSBORNE COUNTY

Adrian Schweitzer	22, 336

OTTAWA COUNTY

H. Francis Meiller	24, 570
Dick Diedrick	20, 354
Total payees in county (2)	44, 924

PAWNEE COUNTY

Milford Zook	21, 502
Melvin Bryant	20, 366
Total payees in county (2)	41, 868

PHILLIPS COUNTY

John B. Wyrill, Jr	38, 857
Cox Farms, Inc	23, 242
John B. Wyrill, Sr	21, 485
Total payees in county (3)	83, 584

POTAWATOME COUNTY

Peddicord Bros	24, 882

PRATT COUNTY

Don Fincham	25, 028
Ronald Hoener	21, 774
Fred H. Kerr	20, 537
Total payees in county (3)	67, 339

RICE COUNTY

Arthur Dobrinski	23, 237

ROOKS COUNTY

Earl Sutor	20, 348

SCOTT COUNTY

J. Ely Est	53, 025
Delmar L. Wesseler	35, 583
Floyd M. Krebs	30, 708
Hattendorf Bros	27, 237
Felt Farms	26, 778
Bernard I. Rose	25, 646
Marion Hutchins	25, 603
Albert Savolt	22, 959
Keith Janzen	22, 959
Luke & Son	22, 586
Jack Corn	21, 890
Farm Lease, Inc	21, 839
Glenn Novak	20, 225
Loren Janzen	20, 037
Total payees in county (14)	377, 075

SEDGWICK COUNTY

Albert Gruenbacher & Sons	25, 764

SEWARD COUNTY

Martin Bros	37, 118
Hitch Lnd. Cttl. Co	29, 666
Robert L. Hatcher	27, 231
Donald Kane	24, 279
Circle Bar Ranch	23, 286
Jack R. Massoni	21, 303
Leroy Stapleton	20, 025
Total payees in county (7)	182, 908

SHERIDAN COUNTY

E. A. Baalman & Sons	62, 628
John A. Hill	33, 981
Baalman and Struckhoff	31, 763
Total payees in county (3)	128, 372

SHERMAN COUNTY

Vernon Irvin	45, 558
S. Everett Dennis	37, 919
B. E. Gannon	36, 796
Golden Wheat Ranch	36, 114
Donald Deeds	36, 032
Robert Irvin	35, 853
Kenneth House	35, 503
Harold L. Bair	34, 593
C. Wilber White	31, 999
Keith Cook	30, 923
Arnold Schields	30. 173
J. H. Philbrick	30, 065
Harlan B. House	28, 639
Fred H. Schield	27, 578
Eugene L. Hall	25, 482
Robert J. Hayden	24, 685
Charles L. Silkman	24, 428
Wm. A. Davis and Sons	24, 393
Joe D. Gutsch	24, 049
John J. Stroyek	23, 888
John T. Nelson	23, 746
Edward Danills	23, 199
Hugh B. Armstrong	23, 183
D. M. Daily	23, 086
Iron H. Mueller	22, 845
Glenn O. Burk	22, 693
Schmidt Farm	22, 159
Kenneth Armstrong	22, 025
Briney Farms, Inc	21, 428
Dale Stephens	21, 267
John H. Golden	21, 146
Everett L. Craft	21, 127
Marvin R. Matthews	20, 804
Fred Darnauer	20, 358
Total payees in county (34)	933, 736

SMITH COUNTY

Ferguson Bros	28, 792

STAFFORD COUNTY

Carl McCune Sons	23, 453
Meryle R. Heyen	20, 033
Total payees in county (2)	43, 486

STANTON COUNTY

Clarence Winger & Sons	77, 079
G. H. J. Farms, Ltd	55, 972
Theodore J. Julian	39, 389
Kans. Univ. Endow. Assoc	38, 237
Lester Canny	37, 762
Kendrick Farms	37, 554
Edna E. Collingwood	36, 369
Gary Baker	31, 555
Charles Lucas	30, 753
Robert Seger	29, 951
Max Hume	29, 825
J. A. Ramsay and Sons	29, 740
John Lewis	28, 451
Paul E. Plummer, Jr	27, 372
Guy Rorick	26, 836
Herbert Shironaka	26, 744
F. G. Collingwood	26, 263
John Shore	25, 908
David M. Roach	25, 713
Walter Herrick	25, 432
Stanley A. Julian	24, 365
Milt Graber	23, 741
Plummer Hall Farm	23, 150
Hernandez and Sons	21, 723
Roger Hurst	21, 534
Irvin Pauls	21, 092
Plummer Irrigation Co	20, 700
G. D. Troutman Est	20, 603
Sam Ashida	20, 517
D. E. Cockrum	20, 211
Total payees in county (30)	904, 596

STEVENS COUNTY

Carl N. Brollier	51, 155
Warren Spikes	38, 528
Fred Walkemeyer & Son	33, 616
Vincent Youngren	29, 973
A. E. Kramer Agt. Pelajo Prop	29, 737
Lawrence J. Lightcap	29, 368
Gerald L. Schmidt	27, 455
Harry Leonard	22, 736
Thurow Miller Ptnr	21, 342
Charles Dudley	20, 879
J. I. Cullison	20, 259
Total payees in county (11)	325, 048

SUMNER COUNTY

Stewart Farm Account	42, 335
John L. Larsen	23, 377
Robert Casner	22, 881
Ralph E. Miller	20, 075
Total payees in county (4)	108, 668

THOMAS COUNTY

Marshall Farms	35, 258
B. A. Hutton	28, 289
Rex Cranston	22, 574
Dumler Farms	22, 161
Carl B. Stephens	21, 888
Medford Farms, Inc	21, 883
Sam Medford	21, 555
H. & H. Farms, Inc	21, 506
Total payees in county (8)	195, 114

WALLACE COUNTY

Orvile Walker	47, 725
Robert McKinney	35, 026
Edward M. Waugh	27, 417
Bernard S. Gradwohl	27, 274
Wm. H. Akers	25, 044
R. D. Walker, Inc	24, 084
Gareth J. McFadden	23, 346
Russell I. Unruh	22, 677

Vernon L. Popp, Agt	21, 138
Frasier Farms	20, 673
N. D. Sexson	20, 579
Harold E. Shuman	20, 503
Total payees in county (12)	315, 486

WASHINGTON COUNTY

Herman Bott	41, 441

WICHITA COUNTY

Jaeger Farms	57, 865
Glee S. Smith	41, 496
J. W. Zellner	28, 778
Eugene Berning	26, 458
Leonard F. Harper	23, 587
Gerald Smith	23, 347
Total payees in county (6)	201, 531

WILSON COUNTY

Harold Pierpoint	21, 158
Total payees in State (297)	8, 323, 953

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Kentucky

FULTON COUNTY

James E. White	42, 328
Sanger Farms, Inc	26, 449
Morrow Bros	25, 747
Joe Lattus	20, 824
Total payees in county (4)	115, 348

HENDERSON COUNTY

Reynolds Metals Co	33, 479

HICKMAN COUNTY

Larkins Bros	23, 814

TRIGG COUNTY

S. D. Broadbent, Jr	28, 515
Cundiff Farms	22, 227
Total payees in county (2)	50, 742

UNION COUNTY

W. A. Anderson	21, 864
Total payees in State (9)	245, 247

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Louisiana

ACADIA PARISH

Isaac I. Richard	30, 741
Ashton S. Petitjean	28, 420
Henry Cormier	23, 457
Clarence L. Richard	20, 101
Total payees in parish (4)	102, 719

ASCENSION PARISH

Lemann & Thibault, Inc	27, 241
Peytavin FM Co. & Minnie, Inc	24, 896
Palo Alto, Inc	23, 009
Sunshine Pltn. Co	21, 584
Total payees in parish (4)	96, 730

ASSUMPTION PARISH

The Southcoast Corp	316, 217
Churchill & Thibaut	74, 539
Savoie Industries	51, 990
Tex Emma, Inc	48, 950
Est E. G. Robichaux	48, 193
Dugas & Leblanc, Ltd	46, 511
B. & D. Thibaut	33, 358
Harang Farms, Inc	29, 104
Lillie Belle Arcement	27, 880
Total payees in parish (9)	676, 742

AVOYELLES PARISH

Hass Inv. Co., Inc	43, 650
John V. Coco	31, 546
Darrell Lemoine	25, 227
Orney Dauzat	22, 835
Marion Goudeau	22, 617
J. B. Luke	21, 908
Marion B. Townsend	21, 890
C. W. Tebow	21, 375
Lloyd & Burton Newton	20, 707
E. A. Townsend & F. C. Townsend	20, 068
Total payees in parish (10)	251, 823

BOSSIER PARISH

R. J. Viola	54, 392
Joe Clark	51, 139
Milton Pittman	42, 180
W. F. Nicholson	38, 117
Curtis Planting Co	36, 932
E. D. Barnett	30, 277
I. W. Whittington, Jr	28, 583
Henry L. Cox	27, 397
J. N. Averett	25, 355
Scopena Plantation	24, 712
Elmer L. Spears	24, 448
Franklin D. Roemer	23, 552
C. H. Lyons III	23, 552
Randal H. Lefler	23, 552
C. E. Roemer III	23, 552
T. C. Pearson, Jr	23, 128
R. T. Stinson	23, 084
B. H. Snyder	22, 441
Marvin McCalman	22, 297
Tim White	21, 698
Atkins and Sonnier	21, 497
Total payees in parish (21)	611, 885

CADDO PARISH

Dalton R. Pittman	58, 831
L. R. Kirby, Jr	57, 399
Stinson Brothers	57, 333
Sam W. Smith, Jr	55, 499
Robinson Co	54, 969
A. C. Dominick, Jr	52, 916
Dan P. Logan	52, 034
C. N. Frierson	50, 190
G. A. Frierson	50, 190
Dan P. Logan, Jr	45, 906
L. S. Frierson, Jr	45, 457
G. W. Van Hoose, Jr	43, 556
G. W. Van Hoose, Sr	42, 405
Carroll W. & Malcolm W. Feist	41, 049
Bryan Connell	38, 885
C. M. Hutchinson, Jr	38, 409
A. L. Sentell	35, 802
Bruce Lynn	35, 537
T. A. Tinsley	35, 113
E. R. Cupples	33, 880
Jack F. Shaw	33, 589
Margaret L. Ingram	33, 579
Underwood Farms Inc	33, 579
R. L. Nance, Jr	33, 140
Yearwood Bros	31, 425
W. L. Sibley	31, 101
Paul Dominick	30, 078
Paul Dominick, Jr	30, 059
Chris Dominick	30, 023
Jasper Lynn	29, 800
Floyd E. & Ray Volentine	29, 706
Tom P. Moore, Jr	28, 607
J. W. Glassell	28, 147
J. L. Teer	26, 880
W. M. Yarbrough	26, 741
J. H. Gardner	26, 121
Malcolm Dutton	24, 557
Clifton Dodson	23, 490
W. A. Shaw	23, 218
M. A. Robertson	22, 840
Doles Farms	22, 798
Wayland Carlisle	22, 655
R. R. McKinney	22, 471
Leo Ducote	22, 243
Irene Bruce Lynn	21, 295
W. J. James	21, 294
M. P. Connell	20, 544
Total payees in parish (47)	1, 654, 340

CALDWELL PARISH

Lelon Kenney	48, 027
Rowland Bros	47, 683
Olan L. Rucker	31, 501
Jack Keahey	28, 960
Mann and Jackson	28, 238
R. B. McClanahan	24, 958
Chester Ellis	22, 580
U. M. Youngblood	21, 932
Total payees in parish (8)	253, 879

CATAHOULA PARISH

Jimmy Goode	55, 268
R. M. Hammons	54, 904
Gregory C. West	54, 616
Harry Goode	54, 466
William A. Yarbrough	53, 256
George Yarbrough	52, 251
Eugene Yarbrough	26, 377
Wayne Crawford	23, 594
Smithland Pltg. Co	21, 606
J. C. Thompson	20, 768
Total payees in parish (10)	417. 106

CLAIBORNE PARISH

B. G. Sanders	21, 012

CONCORDIA PAIRSH

Kenneth L. Isbell	56, 545
Panola Land Dev. Co	51, 678
Harriss and Sons	49, 224
B. U. Miller	38, 569
R. S. Rife, Jr	26, 063
D. A. Biglane	25, 079
Rota Quinta Pltn	24, 287
Lucerna Planting Co	24, 129
Sam Calvert Sons Inc	23, 552
Burley and Schiele	23, 191
Tommy F. Dennig	22, 077
Max Huff	21, 522
P. L. Rountree, Jr	20, 812
Martha J. Rabb	20, 585
Total payees in parish (14)	427. 313

DE SOTO PARISH

James E. McMullen	43, 498

EAST CARROLL PARISH

Hollybrook Land Co., Inc	58, 759
Jack S. Hamilton, Inc	54, 806
Gilfoil Farms, Inc	53, 874
H. D. Harvey	53, 830
Houston Condrey	53, 425
Keener Howard	49, 298
W. T. Presley	47, 231
F. H. Schneider, III	43, 541
Pearson Farming Corp	43, 008
Doris Pltn	42, 679
H. H. Howington, Jr	42, 029
J. P. Brown	41, 649
Wendell Downen	40, 955
Rodney Fortenberry	39, 479
W. H Bullock	39, 466
Blair Pltn, Inc	38, 809
Philip Brown	37, 220
Edward Burgess	36, 302
J. B. McPherson, Sr	35, 610
W. H. Crews	35, 384
Thomas H. Shields, Jr	34, 541
James Shepherd	33, 454
Bernard Rosenzweig	32, 603
Troyce B. Dukes	30, 400
Mack L. Howington	27, 766
James E. Howington	27, 755
Elaine C. Fortenberry	27, 101
David Harvey	26, 605
Wallace N. Oliver	26, 472
L. W. Baker	26, 472
Ted J. Oliver	26, 468
C. B. Thompson, Jr	26, 241
George R. Wise	24, 887
Howell Pippin	24, 863
Roy Burgess, Jr	24, 426
A. J. Hawsey	23, 845
John Hankins	23, 808

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Louisiana—Continued

EAST CARROLL PARISH—Continued

Richard Howard	23,187
Clinton Fortenberry	22,283
R. W. Fletcher	22,226
Reese Coleman	21,623
Reynold Minsky	21,468
J. E. Brown	21,297
Jack Brown	21,291
Michael Brown	21,291
Quitman Fortenberry	20,701
Earl Stanley	20,689
Total payees in parish (47)	1,571,117

EVANGELINE PARISH

Albert Campbell	23,217

FRANKLIN PARISH

Earl Carroll	55,808
Carroll Jordan	55,306
Gerald Sadler	54,800
Larry T. Sadler	54,128
William D. Batey	53,081
Riley M. Graham	52,782
Carl D. Batey	51,536
Gilbert M. Hammons	35,175
L. Aubrey Kincaid	34,476
C. J. Grayson	32,683
J. B. Eley Farms	29,039
Charlie W. Stephens	25,928
Clovis C. Bringol	25,501
B. C. Kimble, Jr	24,631
M. R. Young	24,143
G. A. Price	22,944
W. M. Snyder, Jr	22,298
King Swazer, Jr	22,073
J. W. Ballance	21,196
O. D. Johnson	21,033
Lucille F. Braswell	20,805
James M. Valentine	20,799
T. J. Martin, Jr	20,799
H. B. Wallace	20,686
Charles C. Feltus	20,449
Lanzt Womack	20,089
James H. Stephens	20,054
Donnie McMurry	20,016
Total payees in parish (28)	882,202

GRANT PARISH

Ceres Devp., Inc	45,492
Gordon Randolph	44,662
Wallace E. Summerford	30,572
Total payees in parish (3)	120,726

IBERIA PARISH

Duhe Bros. Pltg. Co	38,429
M. A. Patout & Son, Ltd	31,516
W. C. Lanie & Sons, Inc	26,461
Clarence Lemaire	23,508
J. Paulin Duhe, Inc	22,679
East Linden Farms	21,605
Total payees in parish (6)	164,198

IBERVILLE PARISH

A. Wilberts Sons L/S Co	61,259
J. Supples Sons Pltg. Co. Ltd	28,869
Wm. T. Burton Inds., Inc	26,313
E. J. Gay P/M Co., Ltd	23,887
J. G. Rivet/Sons, Inc	21,913
Total payees in parish (5)	162,241

LAFAYETTE PARISH

Youngs Industries, Inc	28,694
Eugene Rosinski	26,374
Rodney Trahan	20,885
Total payees in parish (3)	75,953

LAFOURCHE PARISH

Valentine Sugars, Inc	50,457
J. B. Levert Land Co	35,370
Wilson Melancon	26,403
Webre Farms	22,219
Laurel Valley Pltn., Inc	20,454
Arabie S. Farm	20,137
Total payees in parish (6)	175,040

MADISON PARISH

Deltic Farm & Timber Co., Inc	59,883
Dudley Pillow, Jr	55,977
Dudley Pillow, Sr	55,340
Elton Fortenberry	50,398
E. C. Woodyear	45,318
M. C. Sevier	38,478
Evanco, Inc	33,185
Maxwell Plantation	31,665
Albert H. Paxton	31,001
Howard Sevier	27,924
Killarney Plantation	27,239
C. E. Jobe	26,805
Robert Graves	26,240
Bobby Joe Lee	24,676
L. F. McClain	22,883
J. M. Gilfoil	22,544
Richland Foster, Inc	21,618
Waymon Coody	20,902
Harry Barrett	20,371
Total payees in parish (19)	642,447

MOREHOUSE PARISH

F. Earl Hogan	56,172
Davenport Bros	55,267
Duke Shackelford	55,090
Erle M. Barham	52,793
Barham, Inc	52,571
Wesley Bunch	50,960
James U. Yeldell, Jr	50,545
Conrad Stallings	48,925
James A. Brown	45,660
B. B. Hunt, Jr	44,845
J. D. McAdams	44,770
Joe Monroe Mott	39,395
King Mott	38,304
Don Sims	37,693
Ivan Morris, Jr	37,575
David Doles, Jr	37,292
Bob Erle Clark	36,670
Neil W. Mott, Jr	36,557
Bolin Farms	36,078
C. L. Clark, Jr	35,414
John M. Yeldell	33,396
J. B. Holley	32,565
W. C. Norsworthy	32,048
C. E. Shepard	31,988
Kelly Bros	30,538
W. T. Blackwell, Jr	29,846
J. B. Newman	29,216
Wayne J. McDonald, Jr	29,103
W. H. Parker	27,621
Luther Allen Day, Jr	27,424
Henry Ferrell, Jr	27,195
Joe S. Carter, Jr	26,650
Thomas West Barham	26,234
Erle Edwards Barham	26,234
Jeff L. McCain	25,712
G. L. Shepard	25,016
James O. Pearson	24,934
John Knox Nunn	24,924
Herbert Johnson	24,634
Carl N. Wright	24,469
Rudie Mardis	24,054
N. W. Mott	23,995
Norman McDuffie	23,255
Warren White	21,854
James McKoin	21,641
David Pipes	21,545
Sherrod T. McKoin, Jr	21,542
H. A. Pipes, Jr	21,380
Zelma P. Milliken	21,380
Caleb Pipes	21,377
Johnie T. Kovac	21,180
Thomas H. B. Rankin	21,004
Cecil Harp	20,504
Total payees in parish (53)	1,737,034

NATCHITOCHES PARISH

Murry Lambre	55,367
J. Alton Lambre	55,223
J. H. Williams	55,021
Ralph C. Ingram, Jr	54,868
Russell M. Cook	53,757
R. B. Dalme	45,678
Bayou Camitte Plantation	44,155
O. R. Miller, Jr	41,694
Starlight Plantation	41,227
James R. Stacy	39,651
Est. of H. Cohen & Sons	38,930
Richard L. Williamson	37,950
Est. Sarah J. Hertzog	37,796
U. V. Durr	36,678
Mack James	35,509
Est. of J. C. Carnahan	32,322
Kenneth Prudhomme	32,214
J. Alphonse Prudhomme, Jr	32,214
Deloy Blewer	29,867
G. C. Messenger	28,780
Lewis E. Jones, Jr	28,177
John T. Batten, Jr	28,097
Desiree C. Prudhomme	28,097
Paul E. Messenger	27,850
Herman Taylor, Jr	27,293
Henry Lemoine	26,678
Sam H. Hill & Son	25,248
T. H. McNeely III	24,343
Worster Anderson	20,277
Total payees in parish (29)	1,064,961

OUACHITA PARISH

W. A. & T. A. Calloway	59,703
J. B. Johnston, Jr	57,330
J. A. Moore	49,315
Travis Howard	46,138
A. C. Ransom & Son	45,391
Fred W. Huenefeldt	41,972
C. M. McMullen	37,692
T. A. Calloway	33,103
George P. Smelser	32,686
J. M. Pratt, Sr	30,223
Bruce F. Gregg	29,054
Glen Crossley	28,837
Emmit Lee	27,871
Frank Mardis	27,754
Shelby B. Lenard	27,599
John H. Filhiol	27,068
R. Z. Johnson	26,766
J. T. Lee	23,944
Wm. King Stubbs	22,705
M. L. Mason	21,562
Tom Pete Godwin	21,562
R. T. Faulk	21,417
J. W. Perry	20,790
Robert W. Willis	20,190
Total payees in parish (24)	780,672

POINTE COUPEE PARISH

Walter P. Hobgood	34,408
Alma Plantation Ltd	32,653
Total payees in parish (2)	67,061

RAPIDES PARISH

Frank J. Dautremont	46,297
Inglewood Ld. & Dev. Co	46,002
Henry C. Boone, Jr	32,121
Weil Company, Inc	30,495
Edward W. Lyles	29,219
Louis A. Marien	29,211
John H. Robert	28,397
Greenwood Plantation	27,747
Woodrow Dewitt	25,932
Lucian A. Branch, Jr	25,818
Carpenter and Jackson	25,647
Charles F. Gaiennie	24,743
R. M. C. Duncan	24,474
Woodrow W. Carter	23,849
Odom Farms	23,818

Ferdinand Vandevelde, Jr	22,317
Roy A. James	21,088
Witchwod Plantation	21,005
Nutwood Plantation	20,965
Gregory Mathews	20,443
Total payees in parish (20)	549,588

RED RIVER PARISH

Saline Lake Farms Inc	48,817
J. T. Bierden, Jr	44,062
R. C. Legrand	40,743
F. I. Waltman	36,467
Larry Bundrick	27,990
Ed F. Lester	25,914
Paul Bundrick	25,564
Creighton Webb	21,440
Burnell Webb	20,281
Total payees in parish (9)	291,278

RICHLAND PARISH

C. W. Pardue Estate	55,000
K. E. McDonald, Jr	44,415
Robertine R. Cobb	43,506
Goldmine Plant	42,419
Jane R. Oliver	39,938
O. G. Morris	39,554
Dallas Thomason	38,422
W. E. Finley, Jr	35,820
Edward E. Holley	34,361
Hulen Allen	34,145
Estate of C. M. Noble, Inc	33,733
Charles D. Ware	33,374
Pennzoil Producing, Inc	33,253
C. L. Morris	33,125
J. E. Tarver	31,438
Riverbend Farms, Inc	29,944
Claude Morgan	29,551
Francis V. Jordan	29,362
C. W. Earle Estate	28,062
J. B. Ratcliff	27,441
W. C. Cooper	27,160
W. H. Hubbard	26,407
Geo. B. Franklin & Son, Inc	26,012
Ralph Powell	25,658
Winston Hill	24,704
Guy C. Pardue	24,373
James F. Parrish	24,074
R. L. Bell & Sons	23,257
Roy Weston	21,602
Donald Chapman	21,277
Fred L. Cheek	21,159
J. U. Douciere	21,115
G. C. Hill Jr	21,093
Stark Properties	20,867
Pat H. Earle	20,412
N. E. Thames	20,286
Earl Patrick	20,168
Total payees in parish (37)	1,106,487

ST. CHARLES PARISH

Douglas J. Arabie	22,165

ST. JAMES PARISH

Graugnard Farms	50,779
Uncle Sam Pltg Co	22,050
Schexnayder Farms	21,269
Clarence & Carol Hymel	21,043
Charles & O. J. Gravois	20,584
Total payees in parish (5)	135,725

ST. JOHN THE BAPTIST PARISH

Caire & Graugnard	56,948
T. Lanaux Son	31,305
Terre Haute Pltn. Inc	24,421
Goldmine Plantation Inc	20,637
Total payees in parish (4)	133,311

ST. LANDRY PARISH

J. A. Pickett	53,442
Nick D. Dubuisson	38,527
Hudspeth Bros	38,189
Delano Plantation Inc	37,224
Stanley Doucet	28,029
Joe J. Artall	27,857
Sam Yander	27,487
John W. Bertrand	25,959
K. H. and R. L. Gordon Plant, Inc	24,055
Richard Sanders	23,179
Louis Burleigh	22,770
Melvin Soileau	22,701
George Bourgeois	22,571
Marion V. Goudeau	20,629
Purdy Lafleur	20,519
Total payees in parish (15)	433,138

ST. MARTIN PARISH

Levert St. John, Inc	59,762
Willis Brothers	28,246
Regis Lagrange	23,821
Total payees in parish (3)	111,829

ST. MARY PARISH

Sterling Sugar, Inc	135,096
Larry L. Laws & Co., Inc	62,172
Patout Roane, Inc	41,117
Katy Plantation	35,366
A. V. Allain & Sons, Inc	31,467
Cyremort Farms, Inc	30,231
Shadyside Co., Ltd	27,460
Sunrise Planting Corp	26,906
The Maryland Co., Inc	23,047
P. J. DeGravelles, Inc	22,706
Frank Martin Farms, Inc	22,179
Clay Terry	20,863
Total payees in parish (12)	478,610

TENSAS PARISH

Panola Co	65,412
E. S. Moberley	59,455
E. R. McDonald, Sr	57,263
Frank Burnside	51,977
G. C. Goldman	45,606
Wade Vinson, Jr	42,322
Cypress Grove Pltn	39,557
Lake Bruin Development Corp	36,625
Jim Huff	33,186
Russell Ratcliff	29,973
E. R. McDonald, Jr	28,632
W. B. McDonald	28,632
H. C. Miller III	28,574
J. C. Crigler	27,933
R. E. Lancaster, Jr	26,598
Virginia Wilkerson	26,327
Osceola Pltn	25,157
J. R. Coor	25,061
Jack Day	24,212
Lakeplace Pltn	23,433
Monticello Plt. Co	23,363
Mid Delta Land Co	23,179
George Bagley	22,551
Total payees in parish (23)	795,028

TERREBONNE PARISH

Southdown Lands Inc	184,093
Prentice Oil & Gas Co	28,592
Total payees in parish (2)	212,685

UNION PARISH

E. R. Rogers	30,235

WEST BATON ROUGE PARISH

Milliken & Farwell Inc	75,241
Poplar Grove Pltg./Ref. Co	42,673
Margaret Pltn	30,538
Devall Co. Inc	22,056
Allendale Pltn	20,338
Total payees in parish (5)	190,846

WEST CARROLL PARISH

Larry Crowe	56,448
Murray C. Crowe	55,000
Eugene A. Harper	38,282
Claude M. Crowe	27,517
Total payees in parish (4)	117,247

WEST FELICIANA PARISH

Louisiana State Penitentiary	88,553

WEBSTER PARISH

Williams & Hicks Co	20,739
Total payees in State (498)	16,801,380

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Maryland

KENT COUNTY

Edwin C. Fry	21,659

TALBOT COUNTY

I. R. Swann	25,743
Total payees in State (2)	47,402

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Michigan

CASS COUNTY

Donald McKenzie	20,540

INGHAM COUNTY

Diehl Fields	29,758

LENAWEE COUNTY

Leland Bush & Sons	39,779
Richard Walters	24,633
William Goetz	23,794
Total payees in county (3)	88,206

MONROE COUNTY

Albert Heath	25,603

SAGINAW COUNTY

Walter Walat	24,878
Melvin Price	22,975
Mistequay Creek Farms	20,040
Total payees in county (3)	67,893

SANILAC COUNTY

Grabitz Bros	21,596
Total payees in State (10)	253,596

1971 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Minnesota

BIG STONE COUNTY

Lismore Stock Farm	20,303

CLAY COUNTY

Paul Horn Farms, Inc	29,843
Valan Seed Farm, Inc	21,912
Benedict Farms, Inc	21,704
Total payees in county (3)	73,459

DODGE COUNTY

Owatonna Farms Co	28,194

FARIBAULT COUNTY

Pirsig Bros	49,720
Henry C. Wessels	20,773
Everett C. Wessels	20,611
Total payees in county (3)	91,104

FREEBORN COUNTY

R. Peter Louters	22,466

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Minnesota—Continued

KITTSON COUNTY

Prairie Farms	27, 288
Miller Brothers Farm	23, 692
John Bogestad	21, 301
Total payees in county (3)	72, 281

MARSHALL COUNTY

Vernon J. McFarland	33, 079
Art Howard	21, 749
Harry Howard	21, 186
Kuznia Farms, Inc	20, 780
Earl Hvidsten	20, 155
Total payees in county (5)	116, 949

MARTIN COUNTY

Merwin Moore & Sons, Ptrnshp	21, 033

NORMAN COUNTY

C. H. Underlee and Sons, a part	27, 367

REDWOOD COUNTY

John H. Reque	31, 522
Leonard K. Wittwer	23, 330
John Clair Larson	21, 207
Total payees in county (3)	76, 059

RENVILLE COUNTY

Frank Farms, Inc	35, 930
Frank O. Johnson	20, 681
David L. Johnson	20, 585
Parks Dahlgren	20, 364
Totay payees in county (4)	97, 560

SWIFT COUNTY

Minn Farms Co	24, 546
Sheldon Reippel	21, 335
J. Burton Johnson	20, 304
Total payees in county (3)	66, 185

WATONWAN COUNTY

Tilney Farms	39, 337

WEST POLK COUNTY

Keith & Raymond Driscoll	40, 581
Useldinger Brothers	27, 178
Vernon Hagen	24, 687
Anderson Farms	24, 612
Armin Ross and Son	24, 326
James and Joe Fanfulik	22, 243
Leonard Driscoll & Son	22, 018
Francis Deboer	20, 155
Total payees in county (8)	205, 800

WILKIN COUNTY

James J. Walton	32, 211
Ivan Miller	30, 586
David Miller	22, 841
Total payees in county (3)	85, 638
Total payees in State (41)	1, 043, 735

1971 ASCS and Great Plains Program payments of $20,000 or more—Excluding loans—Mississippi

ADAMS COUNTY

Joseph W. Parker, Jr	55, 299
T. J. Isbell	36, 750
Total payees in county (2)	92, 049

ALCORN COUNTY

J. E. Marsh	23, 769

ATTALA COUNTY

Arnold C. Lowe	36, 903
Charles Donald	34, 975
James L. Stewart	32, 614
Hugh B. England, Jr	29, 954
Horace G. McMillan	28, 976
Gideon W. Atwood	26, 288
Willie B. McCrory	26, 169
W. B. Wade	24, 635
H. S. Smithson, Jr	23, 766
H. S. Smithson, Sr	23, 220
H. E. Jenkins	21, 407
Maurice Crowder	20, 009
Total payees in county (12)	328, 916

BENTON COUNTY

Leak Brothers	29, 043
C. F. Bryan	26, 676
Wyatt Thomas	21, 465
Total payees in county (3)	77, 184

BOLIVAR COUNTY

Allen Gray Estate	91, 003
Delta and Pine Land Co	65, 509
Charles A. Russell	58, 364
J. A. Howarth, Jr	58, 227
Denton Mfg. Co., Inc	57. 592
Zumbro Planting Co	56, 443
W. J. Sumrall	56, 411
R. C. Malone	56, 154
Maryland Plantation, Inc	56, 003
James B. McGowan	55, 744
Charles J. Wilson	55, 596
Joe R. Ross	55, 042
Ralph W. Ray	55, 000
Charles Speakes	54, 738
Carr Planting Co	54, 607
Allendale Planting Co	54, 558
James House	54, 544
T. E. Pemble Farms, Inc	54, 438
A & B Farms, Inc	54, 197
Huddleston Farms, Inc	53, 815
G. P. Short	53, 582
Dossett Plantation, Inc	53, 320
McMurchy Farms	53, 172
Rex Morgan	53, 126
Bostick Brothers	52, 680
H. B. Hood	52, 546
Charles Evans	52, 392
Duke Morgan	52, 005
Noel Morgan	52, 004
Shelby Farms	51, 794
Rogers Hall	50, 942
Gerald D. Denton	50, 820
Jones Brothers Farms, Inc	50, 772
Don Robertson	50, 347
Milton E. Jefcoat	50, 289
Carolyn Jefcoat Martin	50, 280
Jerry C. Jefcoat	50, 268
B. E. McDearman, Jr	49, 839
Andrew R. Carr Trustee	48, 947
E. M. Walton	48, 504
Riverland Plantation, Inc	48, 119
George B. Noland	48, 034
W. E. Pentecost, Jr	48, 020
W. F. and W. H. Hardin	46, 885
Rainbow Plantation, Inc	46, 757
L. & R. Plantation, Inc	46, 196
E. F. Findley	46, 071
Clear Lake Farms, Inc	45, 848
A. D. Murphree, Jr	45, 467
Lewis Barksdale, Jr	45, 342
J. E. Williams	45, 159
D. A. Williams	45, 159
F. H. Nance	44, 746
M. A. Bell	44, 696
S. D. Long	44, 604
Myles Looney	44, 364
James L. Maxwell	44, 229
B. H. Bass, Jr	43, 391
J. K. Walker	42, 517
J. R. Parkinson	42, 201
Max Dilworth	42, 068
Elm Farms, Inc	41, 209
J. P. Skelton	40, 933
C. Milton Smith	40, 738
J. B. Lowe	40, 651
H. R. Wilson	40, 506
Tony Antici	40, 341
H. H. Lawler	40, 122
Dossett Planting Co., Inc	39, 691
Austin Hester	39, 637
Harry Featherston	39, 547
Bizzell Farms	39, 504
M. J. Dattel	38, 913
Albert Day	38, 635
R. P. Herbison	37, 682
Clarence R. Smith	36, 687
C. T. Stanford	36, 658
Alfred Butler	36, 580
Elmer Prewitt	36, 465
H. H. Harrison	36, 398
Jimmie Pierce	36, 006
Pleasant and Co	35, 726
James House, Jr	35, 626
Alex Belenchia	35, 482
L. E. Murphy	35, 111
E. J. Conn	34, 985
Parks Place, Inc	34, 850
Charles Hicks	34, 743
H. R. Childress	34, 585
Guy F. Warfield	33, 603
Allen E. Warfield	33, 593
Scott Warfield	33, 593
J. W. Reynolds	33, 372
W. L. McCool	33, 272
Game Inc	33, 198
C. D. Long	33, 044
M & D Planting Co., Inc	32, 916
Norman Brown	32, 884
W. H. Frederick	32, 714
W. C. Brown	32, 537
A. J. Cowart	32, 266
H. A. Wellman	32, 228
Perry L. McCool	32, 212
Terry D. Russell	32, 180
W. S. Adams	32, 138
J. A. Harris	31, 997
Rudolph Massey	31, 928
H. E. McCaslin	31, 684
Cedar Ridge Dairy	31, 565
Draion Franks	31, 468
Hubert Gant	31, 325
F. R. Armstrong	31, 013
W. H. Howarth	30, 852
The Wolfe Co	30, 511
W. T. Tullos III	29, 861
Bolivar Farms	29, 613
Triumph Farms	29, 214
G. A. Hood	29, 145
J. H. Avritt, Jr	29, 117
W. F. Ervin	29, 111
Leroy McKee	28, 842
Gee Ferretti	28, 777
G. W. Litton	28, 738
J. R. Taylor	28, 727
L. V. Dickerson	28, 709
Will Gourlay	28, 563
Pete Bramuchi	28, 385
Dalton Taylor	27, 926
John G. Gourlay, Jr	27, 813
Helen P. Gourlay	27, 813
Virgie P. Hiter	27, 514
Henry P. Hiter	27, 514
Kenneth Hood	26, 970
A. D. Murphree, Sr	26, 804
Hugh Swindoll	26, 377
William Peacock	26, 358
John F. Watts	26, 353
F. B. Aylward	25, 970
W. M. Payne	25, 905
M. L. Payne	25, 901
M. L. Turpin, Jr	25, 863
Garnett K. Scott	25, 843
Delbert Farmer	25, 761
W. A. Welshans	25, 218
A. C. Wiggins	25, 013
Charles W. Jones	24, 968
Paul Jones	24, 731
J. R. Turner	24, 193
John W. Comfort	24, 020

James Walker	23,910
I. C. Rayner Jr	23,551
Lawrence Gibson	23,051
Clayton Holder	22,860
J. E. Deford	22,847
Lyle Dilworth Farms	22,732
H. L. Dilworth	22,639
H. A. Hood	22,392
J. L. and J. V. Newman	22,144
C. E. Williams	21,965
Lamar Stanford	21,897
Melio Sandroni	21,468
Sue Rayner Trust	21,237
Murphree Farms, Inc	21,225
Carlis Lyons	21,221
E. F. Abel	21,190
C. R. Ingram	21,138
J. R. Dodson	21,123
Raymond Sandroni	21,118
Victor J. Aguzzi	20,948
Joe Aguzzi	20,948
J. T. Reed	20,946
Hard Scramble Plantation	20,925
John Glorioso	20,879
Dr. D. Tuminello	20,879
W. P. Skelton	20,870
Ruth W. Bobo	20,810
Mary Adele Walters	20,804
Eleanor B. Walters	20,804
Alden Bell	20,574
Bryn Bright	20,422
Carolyn Rayner Trust	20,050
Total payees in county (181)	6,642,788

CALHOUN COUNTY

Grady Easley	46,806
Harold Hamilton	40,400
H. L. Hardin	24,870
John Swilley	24,595
W. A. Jennings	21,166
Total payees in county (5)	157,837

CARROLL COUNTY

Russell Hoop	55,224
Oklahoma Farms	53,472
J. E. Hobgood	45,691
Ralph Redditt	34,771
Hugh Ferguson	32,555
W. E. Taylor	31,954
R. C. Colvin	29,693
John C. Calhoun	28,169
H. F. Williams	24,274
Roy Meeks	23,638
Wilton L. Nash, trustee	23,413
M. B. Whitten	22,693
Total payees in county (12)	405,547

CHICKASAW COUNTY

W. J. Linn	55,398
Kenneth Coleman	54,994
R. W. Coleman	54,994
J. Q. Demoville	38,397
J. T. Brand	24,168
Larry Carter	22,307
Total payees in county (6)	250,258

CHOCTAW COUNTY

Rex Swindle	31,991
Oren Swindle	26,729
James L. Green	20,453
Total payees in county (3)	79,173

CLAIBORNE COUNTY

James Beesley	45,695
Wiley Hatcher	26,916
Barland Brothers	25,491
Jim S. Middleton	20,917
E. A. Porter	20,361
Total payees in county (5)	139,380

CLAY COUNTY

J. T. Brand	31,835
J. S. Brand	22,088
Total payees in county (2)	53,923

COAHOMA COUNTY

Connell & Company	58,270
Oakhurst Company	57,958
J. F. Humber, Jr	57,835
Carr Mascot Pltn. Inc	57,797
J. B. McKee Estate	57,262
Leon C. Bramlett	57,252
F. B. McKee Estate	56,869
McKee Farms Inc	56,371
Sigmon Planting Company	56,300
Margaret McKee	56,265
John B. McKee, Jr	56,265
Taylor Flowers	56,107
E. E. Lacy	55,921
R. W. Jones & Sons, Inc	55,855
Omega Planting Co	55,820
Pauline K. Sacks Est	55,769
Bobbette Kline	55,769
Reva K. Marcus	55,769
John W. Nance, Jr	55,698
J. B. Laney Farms, Inc	55,649
Fant Brothers	55,580
W. L. McKee	55,414
Roy Flowers	55,324
Oscar Connell	55,266
Eaglenest Pltg. Co	55,200
T. M. Luster	55,136
J. T. Massey, Jr	55,000
Alcorn Russell, Sr	54,677
Preston P. Bennett	54,659
Kirk Haynes	54,413
C. E. Presley, Jr	53,984
King & Anderson, Inc	53,840
J. T. Longino, Jr	53,699
R. R. Count	53,615
R. L. Perryman	52,955
Young Farms, Inc	52,698
Robert A. Boyce	52,535
W. E. Meredith	52,457
William P. Howell	52,122
James Spaggiari	51,872
King & Anderson Ent	51,754
J. L. Stribling, Jr	51,420
B. B. Smith	51,322
J. W. Henderson	51,282
James W. Henderson, Jr	51,282
Dulaney Farms, Inc	50,933
David B. Mullens	50,677
H. M. Haney Estate	50,443
Harry Flowers	50,211
R. B. Flowers	50,204
Graydon Flowers, Jr	50,204
Roundaway Planting Company	50,132
Levingston & Sack, Inc	50,117
Nordel, Inc	50,117
Ellendale Planting Co	49,467
Carr Childrens Trust	49,459
C. M. Allen	49,343
Jennie W. Haynes	48,905
Lea & Stone, Inc	48,326
R. N. McWilliams	48,107
Weeks Plantation, Inc	48,023
Rives & Brewer	47,595
John T. Hays & Son	47,184
G. L. McWilliams, Sr	47,082
E. F. Massey Corp	46,957
W. K. Anderson, Jr	46,915
John P. Pelegrin	45,975
Allen Farms, Inc	45,492
Edwin J. Mullens	45,482
Wilbur Welch	45,366
Weakley Brahan	45,197
H. H. Twiford	44,862
Allen C. Evans	44,477
Parolli Farms, Inc	44,012
Mattie B. Boone	43,898
Rocco G. Morris	43,602
C. B. D., Inc	43,442
Noel D. Ogley	43,307
Robert G. Johnson	42,439
M. J. Commer	42,198
Joe Garrison Farms	41,837
W. T. Salmon	41,290
M. C. Stovall, Inc	41,231
Louise M. Heaton	41,167
R. B. Lyon	41,116
W. C. Luckett Farms	41,008
Morris Eason	41,002
R. M. Aust	40,059
J. T. Longino III	39,772
W. S. Heaton, Jr	39,532
Belmont, Inc	39,165
Champion Farms, Inc	39,031
Marlon Farms	38,371
Graham Bramlett	38,010
Dan Crumpton, Jr	37,578
Michael W. Curtis	37,398
Massey Farms, Inc	37,390
J. H. Pruett	37,388
Sammie D. Hamblin	37,388
Floy J. Haney	37,380
L. B. Shipp	37,143
Elizabeth Garrett	37,033
W. H. Garrett, Jr	37,033
Eva Mae Crumpton	36,928
Andrew J. Conelson	36,697
Waterloo Planting Co	36,478
J. H. Sherard, Inc	36,126
Beverly S. Pettey	36,115
Harry L. Black	35,887
Joe & Richard Noe	35,731
Richard Russell	35,570
H. A. Greene	35,125
Carson Pelegrin	35,031
Reno Borgognoni	34,812
James A. Russell, Jr	34,301
L. S. Powell Estate, Inc	34,230
Heaton Pltg. Company	34,095
L. T. Payne	34,092
W. H. Maynard, Jr	33,995
W. L. McKee III	33,859
Charles Monty, Jr	33,446
Malavassi Farms	32,415
H. D. R. Corporation	32,182
W. W. Cooper Est	32,167
Lake Roberson, Jr	31,820
Travis H. Taylor, Jr	31,551
E. V. Catoe, Jr	31,548
Van Meek, Jr	31,292
F. R. Ashley	30,529
John J. Mohead	29,857
William H. Mohead	29,848
James E. Mohead	29,848
Lent A. Ross III	29,794
Billy Campbell	29,759
H. J. McMillian	29,733
Adams Farms	29,494
T. O. Fulton	29,257
Phillip Tavoleti	29,231
Dominic Tavoleti	29,231
Anthony Tavoleti	29,231
Johnny Tavoleti	29,231
Mary Tavoleti	29,231
Monty Planting Co., Inc	28,894
Tony Morris	28,831
Montgomery Farms	28,776
Ruck Jose	28,156
Bobby Goss	27,878
John F. Rodgers	27,791
Fyfe Brothers	27,496
Harry S. Anderson	27,238
H. B. Heidelberg	27,215
Eugene C. Allen	27,215
Horace Ritch	27,103
Butler Planting Co., Inc	27,102
Berryhill Farms, Inc	27,005
Graydon Flowers	26,876
W. H. Rainey	26,761
Howard Smith	26,727
Kent Haney	26,593
Mike Antici	25,981
Wheeler Graham	25,872
T. R. Rodgers	25,764
T. S. Hays	25,535
Vito Sbravati	25,499
Elizabeth Bramlett	24,979
River Bend Pltn., Inc	24,883
Harold Mosby	24,451
Henry Cobb, Jr	23,777
John H. Garmon, Jr	23,646
Manker Pltg Co., Inc	23,600
Allan B. Adams	23,557

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Mississippi—Continued

COAHOMA COUNTY—Continued

Nell Smith	23, 114
Frank Aderholdt	22, 756
Lawrence Malone	22, 709
Paul Clark, Inc	22, 431
C. V. Wiltshire, Jr	22, 220
Robert Louis Demilio	22, 048
Jim Smith	21, 650
Lucille & C. W. Fyfe, Jr	21, 497
Raymond Francis	21, 412
Panther Lake Pltn., Inc	21, 209
W. W. Vaught & Son	21, 091
Jimmie Hardin	21, 082
J. W. Gray, Jr	20, 818
Malcolm Mabry Farms, Inc	20, 402
Total payees in county (186)	7, 383, 287

COPIAH COUNTY

W. S. Reed	42, 246
C. E. Strong	28, 570
James West	28, 201
Allen Hood	25, 993
Total payees in county (4)	125, 010

DE SOTO COUNTY

R. S. Jarratt	58, 277
M. W. Jefcoat Estate	58, 084
Tract O Land Pltn	57, 845
Warren W. Sullivan	57, 397
S. M. Blythe	50, 334
Herman Koehler	48, 437
Carthel Todd	47, 033
Howard Plantation	46, 697
Swindoll Farms, Inc	45, 999
Richard Leatherman, Jr	42, 322
E. M. Upchurch	42, 122
John Graves	42, 085
Minor B. Lewis	40, 880
William Gerber	40, 880
Dudley Bridgforth	38, 791
J. S. Dollahite	38, 605
Penton Planting Company	37, 421
Readus Hudson	36, 241
A. A. Whitten	35, 043
Milton W. Jones	33, 014
Pat Jack Farms	32, 238
Clarence Sparks	29, 899
C. E. Clifton	29, 621
J. H. Miller	28, 772
R. M. Treadway	26, 679
George B. Banks	26, 608
J. R. Summers	25, 654
R. M. Treadway & Sons	24, 760
D. F. Wilson	21, 525
M. J. Sparks	21, 055
Lewis B. Marrow	20, 385
Minor M. Leblanc	20, 385
Walton Scott	20, 191
Total payees in county (33)	1, 225, 279

GRENADA COUNTY

W. J. Hobgood	39, 360
T. E. Guest	34, 303
Paul L. Gray	26, 185
Hiram E. Davis	24, 392
John M. Little	23, 127
B. A. Little	22, 384
R. E. White	22, 042
Alex Smith	21, 326
Reginald E. Forrest	21, 103
Bobby E. Gillon	20, 061
Total payees in county (10)	254, 283

HANCOCK COUNTY

Palmer C. Boothby	27, 304
Chandler Ladner	20, 574
Total payees in county (2)	47, 873

HINDS COUNTY

Gaddis Farms Inc	67, 268
Gilkens Farms Inc	59, 900
B. H. Virden, Jr	56, 264
J. A. Tucker, Sr. Est. & J. A., Jr	50, 763
John Gill	49, 787
C. C. Floyd	45, 222
J. S., Sr., J. S., Jr. & R. C. Mellon	41, 673
Gaddis & McLaurin Inc	39, 587
R. & B. Land Co	32, 765
Ward Carraway	29, 649
Tom Virden	28, 984
C. D. Noble	28, 242
Robert Mashburn	27, 693
Jimmy R. Mason	24, 851
Harold Simmons	24, 527
J. P. Stubbs	24, 520
Ray R. Cannada	22, 707
J. B. White	22, 489
J. C. Logan	21, 727
O. R. Harris	21, 614
Charles G. Floyd	21, 073
Jack W. Lilley	20, 575
R. E. Floyd	20, 386
Total payees in county (23)	782, 266

HOLMES COUNTY

W. J. Waits	58, 590
E. W. Hooker	57, 206
Paul Wilson	56, 171
J. T. Thomas, III	55, 447
J. P. Love	55, 000
Byron B. Sharpe	55, 000
J. E. Cunningham	55, 000
Wayne Watkins	55, 000
Jimmy Love	55, 000
Pluto Planting Company	55, 000
Stonewall Planting Company	55, 000
H. L. Nichols, Jr	54, 996
Louie B. Nichols	54, 996
S. J. Foose, Jr	54, 883
J. T. Thomas, Sr	54, 805
Bardin Reddett	52, 612
Donald Parrish	52, 024
R. T. Hardeman	51, 454
J. E. Mathias	50, 941
J. E. Hays	50, 380
Thomas Farms, Inc	50, 229
R. L. Peaster Company	49, 505
A. B. Archer, Jr	47, 404
J. A. Killebrew	47, 322
Charley Wade	44, 656
Bonanza Plantation	43, 880
E. E. O'Reilly	41, 055
Gum Grove Planting Co	39, 422
H. F. Flemming	39, 203
Shotwell Plantation, Inc	39, 107
J. A. Barrett	34, 380
J. E. Cunningham, Jr	33, 614
H. H. Howard	33, 552
George D. Wynn	33, 448
W. G. Gwin	33, 442
James Killebrew	32, 475
Paul F. McCain	30, 473
Eden Farms Corp	29, 284
D. C. Conn	28, 984
E. I. Harris	28, 891
B. W. Humphrey, Jr	28, 861
Harris C. Humphrey	28, 609
Posey Wideman	28, 601
Frank Gwin, Jr	28, 444
James F. Jacks	28, 287
D. S. Shuttleworth	28, 256
C. R. Logan, Jr	26, 151
Frank A. Jones	25, 972
J. R. Peaster, III	25, 306
Margaret Peaster	25, 298
Thomas G. Peaster	25, 298
H. M. Brock	24, 522
C. V. Maxwell and Son	24, 056
T. C. Watkins	23, 877
Glenn M. Brock	22, 801
E. J. Hines & Son	21, 944
R. K. Oreilly	21, 689
Kenneth Parrish	21, 562
N. B. Parrish	21, 416
D. C. Scott	21, 146
T. R. Barrett	20, 138
Total payees in county (61)	2, 372, 065

HUMPHREYS COUNTY

Spencer H. Barret	58, 848
A. B. Jones, Jr	58, 553
O. B. Nerren	56, 771
R. D. Hines	56, 655
B. A. Holaday Company	56, 356
O. J. Turner, III	56, 123
S. U. Smith	55, 683
B. W. Smith, Jr	55, 683
Wm. L. Dillard	55, 651
B. A. Planting Co	55, 325
Cotton Delta, Inc	55, 272
B. W. Smith Planting Co	55, 236
C. B. Aycock, Jr	55, 110
R. D. Bearden	55, 089
E. L. Parker	54, 532
E. L. Nerren	54, 307
B. J. Barrier III	54, 291
T. M. Simmons, Jr	53, 684
Jones Planting Co	53, 252
B. A. Seward	52, 654
Curtis F. Johnson	52, 460
D. W. King	44, 598
Homer Martin, Jr	44, 149
T. N. Turner Farms, Inc	43, 864
Gladstone B. Mortimer	42, 489
Jack Reed	41, 012
Auvergne Williams	40, 011
R. P. Hairston	39, 432
R. R. Roberts Est	38, 590
G. H. Hairston, Jr	38, 326
Powell Farms	38, 227
Byrdie J. Faulkner	37, 745
Richard D. Bearden, Jr	37, 363
J. M. Bearden	37, 363
Irby Turner	37, 359
O. M. Parker, Jr	36, 807
S. R. Pinson	36, 558
James R. Walker, Jr	36, 427
D. G. Rutledge	35, 130
T. J. Corley	34, 680
R. Y. Wright	34, 473
Blue Sack Pltn., Inc	34, 244
Robert Millwood	33, 925
T. E. Fouche	33, 493
W. Denon Braswell	32, 406
Hollowell Bros	32, 240
M. D. Rodgers	32, 043
Bill H. Rodgers	32, 043
James S. Reed	31, 666
J. D. Upshaw	31, 632
S. W. Gardner	31, 069
W. T. Turner	30, 792
Randolph Martin	30, 515
James G. Outlaw	30, 462
Lone Star Pltn., Inc	29, 620
L. G. Shelton	39, 001
W. A. Pearson	28, 885
Stoner Farms	27, 766
Carolyn R. Stevens	27, 181
Wesley W. Hester	26, 611
Tom Hill & Sons	26, 047
Bill Sears	25, 461
John H. Daniels, Jr	25, 443
Fred Champion	24, 943
Del P. Lott, Jr	24, 743
W. A. McMorrough	24, 532
Bill Parks	24, 175
J. A. Bridges, Jr	23, 931
R. P. Ellis	23, 753
Nettie B. Williams	23, 639
Maurice T. Reed, Jr	23, 477
Mildred H. Reed	23, 477
Agnes D. Reed	23, 477
T. L. Reed III	23, 477
Calvin Crawford	23, 075
Hilton Crawford	23, 075
Dave Bobbitt	22, 681
Bob Bearden	22, 066
W. H. Allen Estate	20, 063
Total payees in county (39)	2, 973, 267

ISSAQUENA COUNTY

W. T. Touchberry	56, 853
Glenn Poole	55, 124
Harper R. Myres	54, 684
H. Marshall Herman, Jr	54, 684
O. J. Sharpe	50, 316
W. W. Heigle & Son	49, 913
James T. Mabus, Jr	49, 689
James T. Mabus	49, 689
Ferrel Heigle	47, 032
W. C. Woodruff	40, 176
W. I. Robertson	38, 637
Rudy Plt	35, 061
W. E. Fleeman, Jr	28, 217
Charles Leon Delaney	27, 382
Esperenza Plt	26, 233
Harold D. Heigle	24, 404
L. T. Wade	22, 825
Florence A. Fleming	22, 261
Total payees in county (18)	733, 180

ITAWAMBA COUNTY

Jimmy Pearce	22, 593

LAFAYETTE COUNTY

J. T. Smith	35, 521
James S. Downs	27, 375
D. H. Surrette	26, 309
Donald A. Waller	23, 707
Walker E. Downs	20, 611
Total payees in county (5)	133, 523

LAMAR COUNTY

Bass Pecan Co	35, 397

LEAKE COUNTY

Glen Allen	46, 864
Joseph W. Langford	45, 542
John H. Evans	27, 872
Jimmie D. Arthur	21, 223
Total payees in county (4)	141, 501

LEE COUNTY

H. R. Morgan	30, 304
Earl N. Loftin	26, 957
W yne Griffin	23, 538
Joe Bucy	20, 920
Rex Harris	20, 100
Total payees in county (5)	121, 819

LEFLORE COUNTY

Race Track Plantation	58, 166
Ed Hunter Steele	57, 461
Ray Tribble	57, 098
Jeff L. Cole	56, 859
Whittington Planting Co., Inc	56, 515
Sturdivant & Bishop	56, 472
L. W. Wade Farms, Inc	56, 386
W. P. Brown, Jr	56, 247
J. Wayne Bush	56, 170
W. P. Brown III	56, 125
D. E. Reynolds, Jr	55, 915
W. J. Roberson	55, 833
Joe Pugh	55, 593
Hobson Gary	55, 513
M. C. Tillman	55, 446
Miller Bush	55, 187
Equen Planting Co., Inc	54, 999
Jack Shaw Farms, Inc	54, 854
Rufus Wier Farms, Inc	54, 854
R. C. Shaw	54, 764
John D. Ashcraft, Jr	54, 764
J. P. Cole, Jr	54, 760
C. R. Benz	54, 599
Donald W. McShan	54, 599
Aven Whittington	53, 895
W. M. Whittington	53, 883
Dale Barham Bratton	53, 305
Lake Henry Plantation	52, 709
I. T. McIntyre III	52, 565
F. J. Poindexter	51, 480
B. G. McGeary	51, 439
Elizabeth N. Barham	50, 767
W. L. Craig	50, 239
L and H Farms, Inc	50, 089
Albert R. King	48, 442
Joseph S. King	48, 442
Mallory C. Davis, Sr	48, 205
Shoe String Plantation, Inc	47, 335
Julius E. Howard	47, 132
Wilford R. Webb	47, 064
C. L. Patridge	46, 809
W. D. Simmons	45, 593
MBG Farms, Inc	44, 544
W. D. Bradford	44, 459
Wingfield B. Jones	43, 653
Caralisa B. Pollard	43, 649
W. G. Somerville	43, 284
Kathryn B. Pond	43, 283
Ed Jones Bledsoe	43, 283
W. H. Morgan	42, 786
W. H. Morgan, Jr	42, 786
Robert L. Pillow	42, 351
Hayward Jacks	42, 221
James Morgan, Jr	41, 944
Hugh A. Warren III	41, 379
T. J. Carter	41, 354
Lock Eleven	41, 329
Mary W. Davenport	40, 809
Sam Balkin Trust Estate	40, 224
Walter Pillow III	40, 148
Hunter Chitton and Co., Inc	39, 809
E. D. Strain, Jr	39, 143
Derwood Strain	38, 575
Lakeview Plantation	38, 405
Fort Loring Plantation	38, 186
F. R. Morgan, Jr	38, 075
BCS Corporation	37, 606
R. T. Wade	37, 176
F. T. Leavell	36, 584
A. V. Leavell	36, 573
F. L. Whittington	36, 573
Fred R. Metcalfe	34, 968
Carrie P. Avent & Jones	34, 964
Walter Walt	34, 308
L. W. Wade Planting Co	34, 057
Leo Murphree	32, 743
D. C. Branham, Jr	32, 705
H. B. Hawkins	32, 299
Frank H. Coleman	31, 419
Loyce Makamson	31, 167
Lamar Makamson	31, 018
John Ellis Williams, Jr	31, 012
Est of J. M McIntyre	30, 998
C. G. Nichols, Jr., est	30, 998
Kenneth Creswell	30, 877
L. E Rowland	30, 287
H. C Pleasants	30, 217
James R. Kent	30, 166
Kimble Makamson	30, 022
James Stowers	29, 980
E. B. Smith, Jr	29, 908
T. U. Black, Jr	28, 858
Mickey E. Black	28, 858
Timothy Thimmes	28, 856
Kathryn Ryan	28, 856
W. P. Kimbrough, Jr	28, 735
J. E. Gwin, Jr	28, 029
Jesse Stockton	27, 933
W. R. Gee	27, 933
James D. Green	27, 871
H. Y. Fraiser, Jr	27, 695
Betty Hughes Gwin	27, 499
Lenora M. Fraiser	27, 393
Lakeland Farms, Inc	27, 107
August Lape	26, 394
Tom J. Gary	26, 221
Jane G. Coleman	26, 208
Memrie G. Wells	26, 208
Margaret S. Gary	26, 208
Rebecca Gary	26, 208
N. W. Carver, Jr	26, 206
Watson Pillow	25, 970
Harold Coleman	25, 530
R. C. Colvin	25, 482
Clifton Bishop	25, 176
J. J. Walker	25, 108
L. L. Walker, Jr	25, 108
Elizabeth G. Saunders	24, 972
Cecil M. Boland	24, 841
W. C. Haynes	24, 233
W. H. Gillon, Jr	23, 580
Don Corley	23, 500
Rex Makamson	23, 425
A. J. Wilson	23, 425
P. M. Kimbrough	22, 920
Morris Johnson	22, 813
Reese Makamson	22, 686
Jack Massey	22, 544
E. L. Gilliland	22, 210
Robert M. Morton	21, 541
Robert W. Powell	21, 536
John Bariola	21, 481
C. J. Hammond	21, 468
Melza Wilson	21, 033
John F. Bratton	20, 898
Cottonland Pltn., Inc	20, 598
Edgar B. Cannon	20, 466
David R. Gillon	20, 374
Rufus P. Stainback	20, 374
Homer T. Vining	20, 369
T. R. Hodges	20, 366
James H. Simpson	20, 361
Lem D. Mahoney	20, 092
Total payees in county (143)	5, 325, 932

LINCOLN COUNTY

C. C. Clark	37, 002

LOWNDES COUNTY

James C. Richards	37, 298
Gilmer Plantation	34, 470
Leon Kesler	30, 861
Saunders B. Carson	29, 955
Virgil Hanson	26, 216
Gene D. Holliman	26, 128
E. L. Robinson	24, 653
Tommy Spruill	20, 762
B. E. Aldridge	20, 537
Total payees in county (9)	250, 880

MADISON COUNTY

P. W. Boseman	59, 299
Sim C. Dulaney	56, 664
Dudley R. Bozeman	56, 423
Ben H. Stribling	55, 864
Billy McMullen	53, 247
M. S. Cox, Jr	52, 238
J. D. Rankin	51, 509
Mona G. Wells	51, 199
E. D. Mansell	48, 837
James Stewart	46. 284
Charlie Williams	43, 433
E. K. Bardin	41, 652
Thomas L. James	41, 356
James A. Cook	41, 016
A. B. & W. Mansell	38, 837
J. S. Harris, Jr	35, 762
Julius Edgar	35, 377
J. R. Tate	35, 152
A. W., Sr., Jr. & M. W. Hardy	34, 850
W. S. Patrick	34, 508
Henry M. Waldrop	34, 115
Roy E. Tate	33, 284
Billy Ray Stribling	28, 825
Donald J. Powell	28, 191
L. A. Millsaps, Jr	26, 811
New Paragon Gin Co	25, 546
G. H. Moore, Jr	23, 861
Ruby H. Moore	23, 860
William L. Moore	23, 859
Carl P. Murphy	21, 407
Robert Endris	20, 128
Total payees in county (31)	1, 203, 394

MARSHALL COUNTY

Johnny Taylor	50, 293
L. E. Devore	49, 327
J. M. Ash	44, 331
Byron Hurdle	42, 725
Jack McClatchy	41, 217
Charles McClatchy	41, 202
John L. Loftin	38, 307
C. B. Robinson	33, 773
Chester Hurdle	33, 300
William S. Payne	32, 285
Hugh McClatchy	32, 179
Russell G. Houston	30, 875
C. S. Hurdle	30, 868
Everett Edlin	30, 491

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Mississippi—Continued

MARSHALL COUNTY—Continued

J. W. Cocke	30, 136
Raymond Patrick	28, 934
Jobe Whaley	28, 411
Tom C. Lacey	27, 728
Artie Edlin	24, 903
Edgar Lee Bolden	24, 870
John R. McDermott	24, 581
Walter Allen	24, 268
Hargis Hurdle	23, 258
Janie C. Hurdle	22, 163
Wayne Hurdle	21, 824
Marvin StJohn	21, 257
Guy K. Shaw	21, 081
Tommy Woods	21, 049
Lester Graham	20, 629
Egbert Jones	20, 016
Total payees in county (30)	916, 281

MONROE COUNTY

Sid T. Sanders	51, 369
Frank R. Millender	42, 066
Fred Bell	36, 381
Richard S. Cole	35, 994
Thomas E. Millender	33, 490
Dennis R. Self	33, 421
Delmer Holloway	31, 856
Fay Nevins	30, 105
Carlos A. Thompson	22, 633
Riley Dabbs	21, 945
Lee H. Harrington	21, 097
W. B. Watkins	21, 035
Preston Tubb	20, 506
M. V. Burks	20, 206
Total payees in county (14)	422, 104

MONTGOMERY COUNTY

James W. Latham	28, 649
Sidney Branch	28, 411
Melvin W. Kirk	23, 060
Total payees in county (3)	80, 120

NOXUBEE COUNTY

Harrison Evans	65, 517
A. T. Evans	65, 517
Ralph Spurgeon, Jr	49, 956
Valley Farm	42, 948
Circle M Ranch, Inc	42, 251
A. B. Stevens, Jr	34, 105
Joseph D. Pugh	33, 595
The Deerbrook Co	30, 871
Paula M. Roberston Estate	24, 343
Total payees in county (9)	398, 103

PANOLA COUNTY

W. S. Taylor, Jr	57, 313
Derryal Glen Gates	55, 525
F. F. Lunceford Farms, Inc	55, 214
Robert McMillan	54, 376
Hays Bros. & Hall	53, 584
Crenshaw Bros, Inc	43, 695
Donald Bartlett	41, 299
Whitworth Farms, Inc	37, 616
M. H. Sumner or C. N. Sumner	36, 688
W. P. Lemaster	35, 782
Lent E. Thomas, Jr	35, 209
Alton Milam	33, 046
Estate of Fred Taylor, Sr	31, 857
Raymond Birdsong	31, 359
Short Brothers	31, 027
Maury R. Harris & Sons, Inc	30, 650
Evander Smith	30, 483
David Ross Craig	29, 451
A. C. Atkinson	27, 795
James Montieth	27, 512
Hosey White	27, 000
Joe Reid	26, 773
Dave Pointer	26, 365
James W. Sorrells	25, 604
Curtis McNemar	25, 175
H. G. Short	23, 913
Taylor Bros	23, 652
Emily J. Pointer	23, 231
Leon Crigler	23, 057
E. C. Darby	21, 328
Sanford McNemar	21, 305
Otis Jenkins	20, 796
G. W. Hudson	20, 635
Total payees in county (33)	1, 088, 315

PERL RIVER COUNTY

Louis Carmadelle	38, 000
William A. Powe	27, 700
A. J. Jones	27, 499
J. O. Ladner	26, 780
La Row Investment Co	22, 501
Total payees in county (5)	142, 480

PONTOTOC COUNTY

W. G. Hodges	32, 848

PRENTISS COUNTY

A. B. & B. C. Arnold	23, 050

QUITMAN COUNTY

L. J. Barksdale	55, 979
B. O. Tedford	55, 330
E. Q. Vance, Jr	55, 299
Ben E. Pittman	55, 000
C. W. Denton	52, 473
Joe E. Benson	51, 246
David Ford	50, 439
John B. Ford	50, 439
H. T. Pittman	50, 377
A. L. King, Jr	49, 429
Arthur Fulmer	49, 254
Fletcher S. Haynes	47, 582
Thomas B. Barnes	46, 274
T. C. Potts	46, 216
W. K. Self	44, 778
Mrs. Marjorie Self Crabil	44, 778
Mrs. Evelyn S. Holcomb	44, 778
Henry C. Self	44, 778
Mrs. Miriam S. Blalock	44, 778
Mrs. Mary T. Burroughs	43, 918
Clifford Cobb, Jr	41, 769
Richard Shellman	41, 611
E. H. Anderson	40, 702
Cotton Dixie, Inc	40, 433
B. W. Wadlington, Jr	39, 907
Ben S. Yandell	39, 752
W. M. Yandell, Jr	39, 752
Noel Wilborn	38, 937
Clifton Planting Co	38, 360
Shannon Planting Co	37, 747
F. Raynor Starr	37, 176
Thomas A. Harris	37, 155
James A. Tedford	36, 963
Michael G. Harris	36, 907
T. C. Haley	36, 573
F. R. Wright, Jr	36, 464
Miss. Penitentiary Board	35, 853
R. A. Carson	33, 439
James D. Peterson, Jr	33, 037
W. W. Hughes, Jr	32, 280
John M. Moyer	32, 153
C. B. Sigler	31, 258
Gerald W. Tedford	30, 804
Perry Bailey	30, 617
Longstreet Pltg. Co	30, 276
B. H. Cobb	30, 003
Crenshaw Planting Co., Inc	29, 797
James A. Jackson	29, 701
Hubert Haynes	29, 472
Cuatro Corporation	28, 671
H. W. Howze, Jr	28, 529
Smith Planting Company	28, 217
Paul Malatesta	28, 165
S. P. Henry	27, 684
Ottis F. Meredith	27, 588
F. R. Trainor	27, 013
Mrs. Linda V. Henry	26, 890
J. E. Furr, Jr	26, 558
I. L. Henry	26, 355
Gordon Farms	25, 845
Ed Benson	25, 620
Herbert R. Wilson	25, 534
E. B. Smith	25, 360
Hubert L. Respes	25, 135
F. R. Starr	24, 717
Mrs. Lillian G. Carson	23, 004
Norris W. Faust	22, 486
T. S. Hale, Jr	22, 188
V. A. Furr, Jr	21, 933
O. A. Davis, Jr	21, 353
Victor Bailey	21, 100
L. J. Kerr, Jr	20, 999
N. H. Sutton	20, 790
Mark N. Ham	20, 694
Mrs. Josie Starr	20, 136
James G. Harris	20, 134
J. K. Pearson, Jr	20, 052
Total payees in county (77)	2, 694, 793

RANKIN COUNTY

J. W. Patrick, Jr	32, 993
J. B. Williamson	32, 780
Paul Cross	32, 441
F. C. Lawrence	31, 255
John R. Chaffin	30, 195
Ray Gordon	20, 417
J. D. McKay	20, 315
Total payees in county (7)	200, 396

SCOTT COUNTY

Dan R. Boyce	53, 188

SHARKEY COUNTY

Powers Company, Inc	60, 557
Fields Planting Corporation	59, 303
Evanna Plantation, Inc	58, 622
Helena Pltn., Inc	58, 007
Lynndale Planting Co., Inc	57, 726
Murphy Jones	57, 233
G. C. Cortright	56, 665
Baconia Plantation, Inc	56, 570
James A. Boykin	55, 788
Thomas Bruton	55, 711
Reality Plantation, Inc	55, 554
Hagan Farms, Inc	55, 440
B. H. McGee	54, 217
Burrell McGee	54, 217
June F. Grundfest	53, 084
Norris E. Hill	52, 405
J. H. Hill, Jr	52, 405
Hiram W. Hill	52, 405
J. H. Hill, Sr	52, 405
Estate of Capitola M. Dean	49, 152
Greer, Incorporated	48, 740
Keyho, Inc	46, 670
W. W. Moore	45, 362
J. H. Moore	45, 362
Council Bend, Inc	45, 320
Darden Company, Inc	43, 659
W. R. Rodgers	42, 027
Ben Lamensdorf	38, 255
Jones Plantation, Inc	37, 592
W. E. Patterson, Jr	36, 894
Charles Kline	36, 703
Patton Planting Co	35, 996
W. H. Hoonett	35, 736
M. J. J., Inc	35, 663
H. W. Hubbard	35, 643
James Hand, Jr	35, 093
Rives C. Carter	35, 092
Mary V. Watson	35, 093
Jere B. Nash, Jr	35, 093
Jere B. Nash	35, 093
James Hand III	35, 093
Robert H. Moses	33, 166
W. A. Chase	32, 199
Raymond Brown	32, 078
J. M. Brown	32, 078
A. B. Williams, Jr	31, 918
Grosvenor Farms, Inc	31, 707
Geraldine R. Dean	31, 277
Pat R. Dunaway	31, 089
Mabel D. Whitfield	30, 415
T. W. Harris	29, 277
Capitola D. Edmondson	28, 685
Miriam D. Heard	28, 685
McKinney and Son	28, 562
Clinkscales Bros	28, 334
Martin Planting Co. Inc	28, 230
James R. Carter	27, 827
Laurence W. Carter	27, 819

Wallace Carter, Jr	27,819
S. W. Bennett	27,402
Catherine O. West	26,809
Carol D. Sterling Estate	26,809
A. B. Williams	26,771
M. C. Ewing, Jr	25,861
W. T. Ewing	25,852
Benard O. Lovorn	25,371
Carl Dunaway, Inc	25,330
James Charles Askew	23,762
Sojamax, Inc	23,527
G. M. Baggett	23,228
Charles Huff	20,120
Total payees in county (71)	2,769,653

STONE COUNTY

H. H. Batson	24,395
O. B. Brown	20,802
Total payees in county (2)	45,197

SUNFLOWER COUNTY

Parchman Farms	75,221
Duncan Farms, Inc	63,932
H. T. Bonds	57,296
A. K. Maxwell	56,837
Dick Barrett	56,515
William M. Pitts	56,336
T. A. Murtagh	56,257
Kansas Plantation, Inc	56,187
Garrard Est	56,067
Allen & Brashier Pltg. Co	55,794
Kelly R. Mahan	55,719
Joseph A. Oglesby, Jr	55,677
N. H. McMath	55,644
W. T. Skelton	55,250
W. E. Austin	55,184
Frank T. Brumfield	55,144
Bruce Brumfield	55,143
Edwin L. Parker III	55,143
J. C. Allen, Jr	55,000
Rodgers Brashier	55,000
Thomas J. Mahan	54,997
C. W. Barrett	54,993
Pauline V. Adair	54,991
George J. Rice	54,966
Millard P. Austin	54,962
George A. Rice	54,919
Harris Russell	54,847
P. H. B., Inc	54,846
H. M. Arant	54,790
Leslie R. Fletcher	54,772
W. B. Fletcher, Jr	54,772
J. B. Failing	54,646
Brewer Morgan	54,508
F. L. Tindall	54,402
Maury McIntyre, Jr	54,388
Lipe Farms, Inc	54,284
Philip Fratesi	54,145
J. H. Hall	53,876
H. T. Miller, Pltg. Co., Inc	53,674
David Keith	53,566
Parker Planting Co	53,266
Richard Cummins	53,206
F. T. Clark	52,475
F. E. Mitchell	51,675
B. R. Ammons	51,511
George C. Scroggins	51,451
Calvin W. Montgomery	51.426
J. M. Montgomery, Jr	51,426
H. P. Watson	51,348
W. H. Baird	51,103
Doddsville Farms, Inc	50,846
Douglas Mallette	50,594
S. B. Johnson	50,529
John J. Hall, Jr	50,504
J. G. Prichard	50,144
W. L. Prichard	50,144
Billy Brewer	49,307
Jessie Russell	49,299
Hugh G. Fisher	49.205
Will Green Poindexter	49,095
Scott Poindexter	49,095
Jim Muzzi	48,849
J. P. Fisher, S.	48,720
J. C. Robertson	48,707
W. T. Robertson	48,707
Leroy Anthony	48,526
Black Bayou Pltn, Inc	47,878
Max A. Hodges	47,868
J. A. Ely, Jr	47,683
George L. Evans	47.230
Ted J. Stingley	46,707
Dyche Plantation, Inc	46,246
Lucy B. Hill	46,042
Blue Lake, Inc	45,907
John Brewer Reed	45,629
W. O. Shurden, Inc	45,405
L. K. Johnson	45,068
W. A. Price, Jr	44,087
Sidney Shurden	43,630
John Dodd	43,529
W. C. Lester	43,086
M. Pickett Myers III	42,962
W. E. Jefcoat	42,871
J. S. Parker, Jr	42,825
C. H. McClatchy	42,644
J. B. Baird	42,433
Ethel Lyon	42,229
R. M. McClatchy	42,131
Carl T. Harkins	41,820
E. E. Shurden	41,677
Charles E. Clark	41,676
Thomas J. Baird	41,583
H. W. King	41,570
George E. Baird, Jr	41,563
Sidney Levingston	41,504
Herman Guest	41,457
Sylvia L. Sklar	41,434
Alfred A. Levingston	41,425
L. A. Davidson	40,298
R. K. Clark	39,503
Noel Barrett	39,408
Jack Griffith	39,108
J. D. Pennebaker	38,971
James O. Eastland	38,646
W. D. Marlow III & Son	38,292
L. E. Braswell	38,138
Ophelia Braswell	38,127
W. T. Timbs, Jr	38,080
Alleta B. Sanders	37,927
G. C. Billups, Jr	37,927
Grace R. Billups	37,927
Irene Billups	37,927
C. A. McGregor	37,916
Maxwell Murtagh Farms Inc	37,876
Fletcher Clark	37,676
J. W. Stowers & Co	36,991
Hugh Medders	36,891
B & L Farm Inc	36,838
Dar Bayou Pltg. Co	36,260
V. E. Lester	36,052
C. F. McGraw	35,963
W. E. Coleman and Son	35,829
L. D. McCoy, Jr	35,780
Lakewood Inc	35,693
Robert Doty Mallette	35,651
Louis Millen	35,596
J. T. McGregor	35,483
James Bradshaw	35,320
G. B. Hitt	35,050
Roberts Brothers	34,758
W. D. Patterson	34,718
W. D. Patterson, Jr	34,708
E. Leonard Patterson	34,708
J. R. Dockery	34,679
Goose Hollow Pltg. Co	34,558
Berryhill Bros. Pltg. Co., Inc	34,433
L. D. Booth	34,380
McWilliams & Pyron	34,113
Bobby Clark	34,000
J. C. Haney	33,762
Ciro Nobile	33,585
Lake O. Lindsey	33,429
Glenn McCoy	33,364
A. E. Schuyler	33,086
L. A. Safley	32,577
David S. Allen, Jr	32,478
R. J. Allen, Jr	32,478
U. D. Parker, Jr	31,865
Roy Manning, Jr	31,697
Sterling Dugger	31,692
C. T. Ellis	31,692
Ruth B. Jefcoat	30,948
Topanga Farms, Inc	30,948
George W. Bowles	30,939
Allen Fox	30,902
R. L. Shurden	30,835
C. R. Skelton	30,760
J. F. Barbour II	30,560
Gorden Dement	30,443
Powell Poe	30,331
H. C. Eastland	30,130
A. W. Shurden	29,654
Howard L. Grittman, Jr	29,329
James E. Reed	29,314
James L. Beckham	29,198
P. C. Nichols	28,782
Spann Robertson	28,782
M. A. Tanksley, Jr	28,736
W. J. Toler	28,708
Fred V. Jones	28,688
W. E. Wright	28,611
W. B. Lovett	28,374
Carl M. Prewitt	28,219
M. G. Walker	27,975
W. E. Lamastus, Jr	27,814
Nannie S. Parks est	27,623
Ted Borodofsky	27.492
Edward M. Lyon	27,413
A. C. Tidmore, Sr	27,293
W. D. Baird	27,180
Thomas B. Givens	26,327
J. W. Baker	25,982
David Woods	25,840
J. R. Martin	25,460
David E. Roberts	25,232
C. B. Fisackerly	25,130
Norman Pentecost	25,116
D. R. Mallette	24,779
J. B. Lee	24,750
A. E. B. Britt	24,494
R. J. Vanlandingham	24,403
B. N. Marlow est	24,252
Hubert Robertson	24,115
Virgil E. Redd	23,918
T. E. Cooper	23,716
B. L. Kirk	23,608
Buckshot Pltn. Co., Inc	23,254
E. A. Stansel, Jr	23,179
V. A. Johnson	22,941
Charles E. Boyer, Jr	22,051
W. C. Hendon	22,023
J. B. Sykes, Jr	21,964
Sheffield Farms	21,940
H. I. Clark	21,907
Eldon Crow	21,905
J. O. & H. C. Eastland, Inc	21,465
Stacy & Baughman	21,196
Albert R. Holeman	21,195
Earl W. Pittman	21,187
James Simpson	21,057
William L. Ervin	20,988
A. E. Moody	20,811
Odell Mustain	20,798
Ellwood S. Bright	20,620
W. J. Jones	20,611
Robert C. Pratt	20,521
Susan E. Terney	20,292
Tommy Ellis	20,234
John Burrell	20,216
Roy Boone	20,178
J. R. Stinson	20,040
Total payees in county (221)	8,915,227

TALLAHATCHIE COUNTY

Mike P. Sturdivant Pltn., Inc	59,587
Martha B. Lowe	58,273
S. M. Fewell & Co	57,722
Benford Brown	56,334
Triple M Planting Co	56,038
E. D. Graham	55,810
A. A. Mabus	55,511
R. W. Mabry	55,452
Murphey & Hardy, Inc	55,272
Friendship Road, Inc	55,000
Mitchener Farms, Inc	54,996
M. T. Hardy	54,992
Twilight Plt. Co	54,936
Billy G. Flautt	54,652
Jack G. Flautt	54,652
Frierson, Inc	54,568
Frances, Inc	54,153
Marjorie, Inc	54,117
G. B. Williams	53,693
Billy Joe Waldrup	53,011
T. B. Abbey Jr. & Co	52,950
R. Jones Fedric	52,769

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Mississippi—Continued

TALLAHATCHIE COUNTY—Continued

E. C. Fedric	52,769
Phil Thornton, Jr	52,323
Phil Thornton III	52,323
J. C. Wilbourn	51,880
J. B. Baker, Jr	51,680
Dry Bayou Planting Co	51,415
Elizabeth Falls Munro	50,603
Joann F. Schmeisser	50,603
Elizabeth G. Falls	50,603
William A. Falls	50,603
Frank & Dorothy Sturdivant	50,103
Gene T. Fleming	49,830
Shoestrong, Inc	49,410
Richard E. Magee	49,393
James E. Magee	49,393
Hubert H. Magee	49,393
J. H. Magee	49,393
Boggy, Inc	49,110
T. C. Buford	48,111
Mike Fortenberry	46,863
Bill James	46,503
M. S. Dale	45,695
Melton Brothers	44,874
W. D. Newton	44,835
Marion S. Dunn	44,663
W. W. Pearson	44,663
Ralph T. Hand, Jr	43,956
John W. Sherman	43,791
J. L. Hill, Jr	43,561
M. L. McMillan	43,209
D. A. Tubbs	42,234
Greenfield Pltg. Co	41,030
Murphey Plantation	40,434
Paul Melton	38,105
William Tribble	37,848
C. S. Rankin	37,748
Glendora, Inc	37,493
B. & S. Planting Co., Inc	37,299
Wesley Wolfe	36,646
B. A. Marley	36,505
J. C. Hardy	36,378
Herbert Rice	35,266
Steve Worley	34,232
W. A. Worsham	34,103
R. E. Seawright	33,754
J. J. Webb, Jr	33,604
Billy Heath	33,080
Bailey Brake Farm	33,043
Ray Roberson Farm, Inc	32,407
Casburn Brothers	32,125
Don Allison	31,698
Margaret M. Norman	30,758
Sunset, Inc	30,322
Bilbo Pennington	29,379
Joe T. Wolfe	28,107
Turner Brothers	26,803
G. C. Trout	26,398
Frank Sayle	26,052
Mikoma Farms, Inc	25,942
J. A. Townes	25,786
Jim Pennington	25,691
David B. Sayle	25,452
Davis Bros	24,602
W. C. Vinson	24,436
Bend Plantation	24,412
Webb and Webb	23,903
Jerry James	23,896
William Cox	23,745
J. W. Fennell	23,260
Frank B. Swearengen	22,864
Maggie W. McLellan	22,845
Mikoma Grain, Inc	22,324
Ernest Brasher, Jr	21,856
J. L. Hill III	21,781
Linda P. Hill	21,781
Ellett Sandifer Farms	21,593
William H. Morrow	21,382
Tom Rice	21,263
James H. Morrow	20,652
A. O. Chatham	20,230
Strider Bros	20,028
Total payees in county (103)	4,148,614

TATE COUNTY

A. L. Brady	57,017
Jim Presley	49,273
M. P. Moore	46,165
J. C. Sides, Sr	43,359
Harry B. House	41,713
E. E. Moore	41,507
J. V. Moore	32,340
Tom Wilson	28,602
R. G. Rosenborough, Sr., Est	28,320
T. P. Veazey III	27,838
Thomas E. Smith, Jr	27,088
James C. Rhodes	25,060
David B. Tyer	23,248
H. S. Mabry	21,678
William R. Moore	21,392
Robert P. Thompson	21,243
Louise M. McKellar	20,998
I. F. Hyde	20,625
Cecil Howell	20,299
Total payees in county (19)	597,765

TIPPAH COUNTY

Marlin Childs	24,205
Hines Graves	24,029
Bonnie Mauney	22,577
Total payees in county (3)	70,811

TISHOMINGO COUNTY

Scottie E. Dean	24,691
Charles Hammock	21,794
Total payees in county (2)	46,485

TUNICA COUNTY

Arnold Farms, Inc	64,683
S. A. Arnold, Jr	62,152
D. C. Parker	62,067
Indian Creek Planting Co	61,811
McClintock Farms, Inc	59,783
Sterling W. Owen III	59,556
Will W. Owen	59,554
John W. Owen	59,537
Oaklawn Plantation, Inc	59,471
S. C. Wilson & Son	58,121
C. H. Block & Co	56,876
Bibb Inc	56,436
M. L. Earnheart Co., Inc	56,222
Abbay and Leatherman, Inc	55,865
Irwin Company Inc	55,411
Hood Farms Inc	55,225
Robinsonville Seed Co., Inc	55,210
Farmers & Pl. Gin Co., Inc	55,210
Mhoon, Inc	55,210
Hollywood Farms, Inc	55,000
T. O. Earnheart Co., Inc	53,079
Austin Brothers	50,373
James Byrd	50,146
B. R. Smith	49,427
Jerry Estopy	47,853
A. S. Perry & Sons, Inc	46,539
Richard Hussey	46,400
Richard Watson	46,147
Youngblood Company	45,034
Whiteoak Farms, Inc	44,020
Clinton P. Owen	43,496
S. R. Leatherman, Sr	43,207
W. A. Leatherman	43,207
Pbl. Co., Inc	43,026
Lloyd E. Ryals	42,867
C. Buck Graves	42,819
C. P. Owen, Jr	42,771
Anthony Ray May	42,003
Harvey Richard Watson	39,571
R. I. Abbay	39,569
Alterra Planting Company	38,774
Clyde J. Perry	37,777
John Canon	37,130
Bonnie Blue Plant, Inc	37,029
Johnson & Frank	35,157
James D. Boyd	34,703
Francis C. Boyd	34,703
M. H. Harris	33,073
A. C. Caperton	31,903
Jack W. Perry & Co., Inc	31,896
Carl C. May	30,999
William Godbold	30,725
Wayne McDonald	28,985
A. T. Earnheart	28,714
Mary S. Leatherman	28,375
S. W. Seabrook	28,375
Hansom A. Myers	28,156
Milton Boyd	27,245
Ram Farms, Inc	26,853
James Pegram	26,610
B. M. Martin, Jr	26,168
Thomas E. Swindoll	26,076
R. C. Smith	25,719
E. J. Lake, Inc	24,333
Edgar Hood, III	24,232
A. M. Dye	23,573
W. D. Garrett, Jr	23,555
Iles Company	23,430
D. R. Houpt	22,915
Roger Johnson	22,764
J. E. Sides & Son, Inc	22,311
Norfleet Land Corp	22,233
Joe Watson	22,160
W. C. Bynum	21,861
Pea Patch Plantation, Inc	21,559
Two Sisters Plant	20,685
Walter D. Wills, Jr	20,452
Billy Pegram	20,289
W. H. Houston, Jr	20,278
Total payees in county (79)	3,136,729

UNION COUNTY

Hugh Stephens	31,078
Carl Stephens	27,894
Edgar J. Stephens, Jr	27,264
Est. T. F. McAlister	22,320
B. W. Long	22,084
L. H. Pannell	20,333
Paul D. Kitchens	20,107
Total payees in county (7)	171,080

WARREN COUNTY

Martin Lombard Burns	56,584
W. H. Johnson	54,394
Bernard Aden	54,254
Louis Aden	54,254
Jeryl T. Johnson	53,828
B. N. Simrall and Son, Inc	43,917
H. A. Downey, Jr	42,350
Ferris Farms, Inc	26,699
Newell Simrall III	26,214
Crosby S. Simmons	24,822
E. R. McKnight	23,365
Total payees in county (11)	460,681

WASHINGTON COUNTY

H. K. Hammett and Sons	60,998
Emmett T. Potter, Jr	60,494
Neff Farms, Inc	58,139
Torrey Wood and Son	57,625
Edward Shackleford	56,729
Walker Farms, Inc	56,184
M. H. Rich, Jr	56,062
Trail Lake Planting Co	55,980
Klondike Plant Co	55,844
Glen Crowe	55,617
F. R. Owns, Jr	55,495
John C. and Donny Hendon	55,490
William A. Percy II	55,476
F. C. Crowe	55,463
Gordon Crowe	55,463
Donald Crowe	55,463
John Hendon	55,388
Harry M. Key	55,350
Ben Walker, Jr	55,231
J. Pete Fisher, Jr	55,133
Edward P. Vieh	55,093
Arcola Plantation, Inc	55,011
Barton Ingram	55,000
R. A. Ingram	55,000
Stevens Brothers	55,000
Leota Farms, Inc	54,957
Cope and Neff	54,917

Oak Grove Farms, Inc	54,912
Jimmy L. Marquis	54,790
Robert Word	54,790
F. L. Gredes, Jr	54,499
Randolph Smythe	54,328
Dan L. Smythe	54,058
Don O. Baker	53,787
E. J. Ganier	53,711
Reggie C. Kellems	53,361
Frank Rochelle	52,806
Alex Curtis	52,607
Dennis K. Potter	52,149
Jack A. Potter, Est	52,149
Julian F. Potter	52,149
V. L. & L. A. Nunnery	51,689
James E. Mosley	51,451
Robert F. Percy	51,448
Leroy P. Percy, Jr	51,442
E. A. Currey, Jr	51,218
B. J. Sykes	51,023
Joseph Maurice Brown	50,717
J. P. Wilkerson	50,484
E. E. Cooper	50,473
Wright Planting Co., Inc	50,472
Raymond Clark	50,118
Cameron Dean	50,065
Edward Blowers	49,868
William Johnston	49,868
Steve Brown	49,868
E. A. Lafoe, Jr	49,520
W. E. Taylor	49,501
C. A. Tate, Jr	49,332
James A. Petty	49,074
Rex Livingston	49,030
Ray F. Beckham	48,602
David B. Flanagan	48,498
A. G. Mahalitc	47,216
Chester Kellems	46,791
D. K. Morrow	46,701
Keith Mitchell	46,634
C. D. Verner	45,422
John M. Dean	44,902
Elmo Gerald	44,863
Robbie Reed	44,559
John T. Dillard	44,559
Ross Underwood	44,464
Eli James Ganier, Jr	44,386
G. B. Ganier	44,386
J. C. Reed	44,267
T. W. Hays	43,942
John W. Potter	43,804
Randy Journeay	43,454
Rodney D. Reed	43,454
Henry A. Reed	43,454
Gus Pieralisi	43,009
Refuge Pltn	42,072
O. R. Horton	41,903
Deer Creek Frms	40,520
C. O. Dean, Jr	39,700
Four C Land Co. Gordon Crowe	39,666
T. R. Pittman	39,623
D. and W. Jones Inc	39,532
D. and S. Plant Co. Inc	39,048
Harvey C. Watson	38,977
Henry Paris	38,977
W. G. Trotter and Son	38,891
W. W. Trotter	38,891
Southern Ornage & Const. Co	38,785
Thomas A. Hollingsworth	38,722
Hampton Collier	38,580
David T. Cochran	38,408
H. T. Cochran	38,408
Richard W. Kellems	37,637
Stylon Proctor	37,628
Floyd Wayne Reed	37,345
Delta Experiment Station	37,255
Leo F. Williams, Sr	37,211
Leo F. Williams, Jr	37,199
Jane W. Simmons	37,199
James Middleton	37,155
Winston Walker	36,658
Deerfield Farms Co	36,422
Murry M. Alexander	36,355
Leo E. Frankel	36,209
Fredrick J. Smythe	36,029
Max Phillips	35,594
Peggy Baker Cannada	35,238
Tony and Larry Fratesi	35,204
E. W. Stone	34,889
W. B. Andrews	34,859
A. L. Andrews	34,803
Percy L. Bell	34,594
Andrew W. Bell	34,594
J. R. Shaw	34,573
Hollywood Pltn	34,485
William J. Ireland	34,437
R. D. Fisher	33,448
George W. Stone	33,164
Henry Hemphill	32,755
Guido Palasini	32,143
Louis F. Fratesi	31,693
Fred Ballard	31,647
R. M. Pritchett	31,477
Edward Trotter	31,181
Laverne Hyer	30,432
William E. Avis	30,348
Kirk Pltn	30,262
R. A. Montgomery	30,135
Homer Jones	29,776
V. L. Sandifer	29,741
C. Allen Spragins	29,545
E. W. Nerren	29,230
G. G. & G. W. McCool	28,678
J. E. Bratton	28,657
Marlowe R. Park	28,505
Jessie McDonald	28,493
James Cornelius	28,327
John Stephens	27,891
Don R. Baker	27,591
Camille M. Baker	27,591
George F. Stock	27,444
Harley Metcalfe, Jr	26,949
W. T. Weathers	26,949
W. O. Hester	26,752
Perrin Grissom	26,390
W. C. Skates, Sr	25,434
W. C. Skates, Jr	25,434
Howard New	25,348
Clyde V. Gault	25,074
Foch Barnes	24,783
Marvin Jennings	24,729
H. W. Branton	24,652
Dan T. Branton	24,652
W. A. Dunaway	24,159
Lawrence W. Dunnaway	24,159
R. N. Aldridge, Jr	24,009
John Adam Aldridge	24,009
Marguerite Aldridge	24,009
Collier Pltn	23,898
Chester P. Smith	23,862
James W. Kiker	23,811
Jerry B. Miller	23,731
Est. Mrs. Eloise W. Kretschmar	23,701
E. E. Griffith	23,547
Elizabeth Jeffreys	23,187
Cecil Wingfield	22,803
Bob Dennis	22,684
B. R. Harris	22,487
J. A. Harris	22,487
Malvina Pltn Inc	22,317
Chalmers E. Hobart	22,308
Gene Clements	22,181
Marcus Treadway	22,071
Lando and Charlie E. Fratesi	21,664
J. A. Oglesby	21,516
Mike W. McLaurin	21,185
Joseph L. McLaurin	21,185
Mrs. R. S. Doolittle and Sons	21,080
Jack Middleton	20,996
Charlie L. Fratesi	20,798
John Allen Collier	20,700
Total payees in county (188)	7,442,850

WEBSTER COUNTY

Carter K. Edmondson	39,400
C. C. Hemphill	33,120
Y. B. Gore	25,901
W. R. O'Neal	23,463
Harold Finnell Dorroh	22,892
Total payees in county (5)	144,776

WINSTON COUNTY

James T. Estes	21,713

YALOBUSHA COUNTY

J. R. Magee	47,014
S. C. & E. Corporation	45,741
John N. Covington, Jr	43,279
W. C. Hall	39,814
Joe N. Bailey, Jr	38,706
H. H. White	37,593
A. R. Ingram	22,950
Edward F. Wooten	22,698
Robert Hatchet Williams	21,126
Charlie M. Shaw	20,535
Total payees in county (10)	339,456

YAZOO COUNTY

H. S. Swayze	58,485
Kinkead Plantation	56,749
E. T. Schaefer	55,772
D. H. Dew, Sr	55,177
Sam E. Dixon, Jr	54,993
Bulford Atkinson	54,857
John J. Peaster	54,654
R. E. Coker	54,291
W. T. Clark, Jr	53,904
James E. Coleman, Inc	53,533
Eldorado Planting Co	52,116
R. B. Harris	52,003
J. J. Erickson, Jr	50,778
David C. Erickson	50,778
Jerry B. Barrier	49,338
D. H. Dew, Jr	46,976
John S. Howie	45,039
Barrier Farms, Inc	42,211
Morrison Farms, Inc	41,251
L. M. Phillips	39,752
H. T. Barrier, Jr	39,720
Clayton Swayze II	39,715
S. C. Coleman	39,103
Delta Company	38,411
Quiet Shades Plantation, Inc	37,786
R. E. Coleman	37,768
D. H. Shipp	37,216
J. N. Hart	36,841
H. T. Barrier	36,726
William Barbour	35,806
J. V. Whitaker	34,612
Johnson Farms, Inc	34,164
E. R. Seward	33,579
A. S. Nichols	33,443
Thomas R. Stricklin	32,003
T. R. Coleman	31,883
W. T. Hegman, Jr	31,568
Cedar Grove Plantation	31,489
Norway Plantation, Inc	31,292
Ruby Walker	30,557
Sam S. Fisher, Jr	30,031
E. E. Ables	29,729
Burdette Boyd	29,267
Mary Russell Seward	29,014
B. R. Seward	29,008
Martin Farms, Inc	28,640
James L. Dixon	28,593
F. W. Sharbrough	28,288
Hogue & Hogue	28,185
Leon W. Rice	27,569
H. R. Crowder, Jr	27,316
Jack F. Phillips	27,142
R. M. Bridgforth & Sons	26,921
Robert H. Cato	26,480
W. R. Coleman	26,180
R. D. Herren	26,097
Ray Scroggins	25,697
W. F. Cresswell	25,619
Barney Ray Scroggins	25,220
John Raymond Scroggins	25,220
H. D. Hicks	25,035
B. A. Jordan	24,778
E. T. Jordan, Jr	24,778
Charles A. Jordan	24,778
E. T. Jordan, Sr	24,778
John W. Jordan	24,778
Hamel Farms, Inc	24,048
Travis Fouche	24,030
E. E. Nixon, Jr	23,548
H. E. Watson	23,072
C. H. Vaughan	21,859
C. Q. Clark	21,647
H. C. Stricklin	21,612

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Mississippi—Continued

YAZOO COUNTY—Continued

James H. Moore	21, 205
Louise B. Dixon	21, 138
J. L. Dixon	20, 962
Frank Carter	20, 944
Charles Ables	20, 546
Sam E. Dixon	20, 504
H. R. Crowder, Sr	20, 363
Nolan H. O'Reilly	20, 249
M. E. Kelly	20, 196
Kirkland, Inc	20, 161
Roy L. Plunkett, Jr	20, 034
Total payees in county (84)	2, 811, 688
Total payees in State (1,835)	68, 584, 783

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Missouri

ATCHISON COUNTY

Donald Wolf or Orville Wolf	27, 981
Charles C. Martin	23, 526
Scamman and Co	20, 533
Total payees in county (3)	72, 040

BOONE COUNTY

Dorsey M. Bass	23, 098

BUCHANAN COUNTY

Sonnenmoser Bros	22, 088

BUTLER COUNTY

Roy Nail	21, 620

CARROLL COUNTY

Famuliner Brothers	28, 408
D. N. M. Grain Co	26, 287
R. E. Wiese Farms, Inc	23, 602
Total payees in county (3)	78, 297

CHARITON COUNTY

Quinn Bros	60, 654

DUNKLIN COUNTY

M. C. Collins	32, 599
Harris Farms, Inc	30, 784
J. F. Baker	28, 657
Albert Hall	28, 056
V. M. Jones, Sr	27, 853
Bond Rouse	24, 666
H. W. Droke	23, 821
Hart Gin Co	23, 297
F. L. Bynum	22, 532
Audie Grisham	22, 427
Matthews Agency Account	22, 141
Loyd Robertson	21, 769
Charles Pelts	21, 573
Thomas Wilkins	20, 354
Total payees in county (14)	350, 529

HOLT COUNTY

Patterson Farms, Inc	55, 000
Donald E. Morris	36, 471
Welton Ideker	22, 987
Jack Windle	22, 230
Total payees in county (4)	136, 688

HOWARD COUNTY

Roy J. Davis	30, 569

JACKSON COUNTY

RLDS Church	50, 148
Effertz Bros., Inc	24, 513
Total payees in county (2)	74, 661

KNOX COUNTY

Frances McSorley	21, 082

LEWIS COUNTY

Ben Casebier, Jr	26, 067

LINN COUNTY

Roy B. Quinn	21, 131

MISSISSIPPI COUNTY

Marshall Lands, Inc	61, 513
Dearmont Oliver	53, 545
Wolf Island Farms	43, 769
Bryant Farms, Inc	42, 555
Burke Bros. & Giltz, Inc	41, 803
H. & D. Duenne Farms	38, 251
Big Oak Farms	37, 787
Choate Farms, Inc	30, 473
Sam G. Jones	26, 439
Carl Simpkins	25, 214
Babb & Deline	23, 167
Moxley Farms	22, 085
Stallings Bros	21, 480
Rolwing Bros	21, 031
Thurmond Farms, Inc	20, 354
Sam E. Story	20, 249
Viverette Lee	20, 167
James C. Moreton	20, 015
Total payees in county (18)	569, 897

NEW MADRID COUNTY

E. B. Gee, Jr	61, 458
Charles Pikey & Son	59, 119
Byars Orton	49, 013
F. S. Hunter	44, 482
Aubra Wrather	44, 351
Ernest Carpenter	43, 576
A. C. Riley	38, 693
Collis Maltbia	37, 535
Raymond Ashley	35, 119
Nesselroot and Campbell	34, 763
David Barton	32, 781
Lorwood Plantation	32, 294
Bert Latham	31, 135
B & C Harvesting Co	29, 536
Barry Richardson	28, 285
Max Holloman	28, 134
James B. Crouthers	27, 060
Donald Underwood	26, 987
Fletchers Gin Inc	26, 748
Coy Fowler	26, 469
Charles Barnett	25, 150
Doyle Hicks	24, 963
Clyde H. Swiney	24, 359
Billy G. Swiney	24, 344
James Overton Swiney	24, 334
Paul Bradley	24, 153
Oren Ross	23, 900
Walter O. Swiney	23, 594
W. V. Riley	23, 440
Nolley Farms Inc	22, 725
Tommy Branum	22, 469
Lavalle Farms	22, 382
Joe Robertson	22, 306
James L. Doster	22, 035
Robert McCoy	21, 980
Reno Ashley	21, 734
Russell Estes	21, 447
R. A. Nesselroot	21, 296
J. J. Bloomfield	20, 970
C. J. Stancil	20, 739
N. J. Nowell	20, 633
Carmel Lacewell	20, 352
Total payees in county (42)	1, 236, 853

PEMISCOT COUNTY

R. O. Pierce	59, 666
O. H. Acom Farms Inc	58, 870
Howard Fike	44, 232
James S. Bruton	42, 044
Mehrle Farms	38, 817
Dolphin Land Company	37, 859
Coy Wilson	37, 781
Watkins Farms Inc	35, 148
Cleo Brents	34, 746
Sherley Lovins	32, 243
James O. Taylor	31, 506
Orton and Toton	31, 188
Billy C. Palmer	31, 017
Ansel Underwood	29, 377
Gene Wingfield	29, 347
Donald Rone	28, 493
J. E. Ward	27, 776
Lloyd Massey	27, 367
T. R. Cole & Sons	26, 915
S. Crews Reynolds	26, 892
Lee Dorroh	26, 639
John R. Franklin	25, 973
L. A. Riddick	25, 884
Gary Bruton	25, 844
Ruby B. Monan	25, 382
James T. Streete	24, 171
Boyd McCrary	23, 900
Sides Bros	23, 628
Kneibert Stillman	22, 996
Stillman and Bean Fr	22, 458
George T. Killion	22, 291
Talmadge Burgess	22, 129
W. W. Burlison	22, 038
W. E. Smith, Jr	21, 691
Lawrence W. Barnes	21, 609
Clarence Gurley	21, 338
Haggard Farms	21, 205
John L. Atwill	21, 044
Jeff Wade, Jr	20, 680
Don Medlin	20, 494
Herbert Rone	20, 367
Witt Smith	20, 303
Royal Sanders	20, 256
J. D. Long	20, 223
Total payees in county (44)	1, 253, 827

PERRY COUNTY

O. F. Gremaud	42, 867
N. H. Bruckerhoff	32, 363
Total payees in county (2)	75, 230

PIKE COUNTY

Pike Grain Co	25, 675

RAY COUNTY

Green Top Farms, Inc	36, 587

SALINE COUNTY

Eugene Elson	52, 6[illegible]0
Jim Franklin	31, 712
Total payees in county (2)	84, 352

SCOTT COUNTY

E. P. Coleman, Jr	54, 084
Wm. B. Moore Farm	32, 241
J. Handy Moore	24, 323
Wm. H. Deane III	24, 111
Taylor Farms	20, 618
United Ridge Co	20, 048
Total payees in county (6)	175, 425

ST. CHARLES COUNTY

Saalc Bros. Farm & Grain Co	35, 918

STE. GENEVIEVE COUNTY

Bartels Farms, Inc	31, 300
Loida Bros	25, 442
Alan W. Schaefer	22, 800
Total payees in county (3)	79, 542

STODDARD COUNTY

W. P. Hunter	85, 783
Mahan & Radcliffe	65, 308
Samuel Alberson	47, 603
Taylor Brothers	43, 871
H. A. Recker	39, 653
Claude Keasler	33, 149
Gary Crump	32, 192
Lane Brothers	23, 535
Total payees in county (8)	371, 094
Total payees in State (162)	4, 882, 924

1971 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Montana

BEAVERHEAD COUNTY

Matador Cattle Co	29, 511
Jones Ranches Inc	27, 760
Beaverdell Ranch, Inc	24, 436
Chaffin Livestock	23, 114
Total payees in county (4)	104, 821

BIG HORN COUNTY

Campbell Farming	56, 346
Pryor Land Company	52, 388
Floyd Warren, Inc	39, 489
Robert Formanack	33, 203
Torske Farm, Inc	21, 130
Total payees in county (5)	202, 556

BLAINE COUNTY

Rasmussen Farming Corp	32, 566
James R. Billmayer	23, 769
Total payees in county (2)	56, 335

BROADWATER COUNTY

V. R. Cazier & Sons	42, 235
Fred Kamp	21, 755
Hunsaker Bros., Inc	20, 562
Total payees in county (3)	84, 552

CARTER COUNTY

Adolph Fix	25, 653
Ralph Bruski	25, 169
Total payees in county (2)	50, 822

CASCADE COUNTY

R. & C. Farming Co	55, 000
R. S. Oday	49, 885
Walter Gruel & Sons, Inc	34, 027
Donald Bowman	32, 569
Zoller Farms	27, 685
Malvin Merja	25, 318
J. Edwin Lassila	25, 282
Everett Bumgarner	23, 883
Andersen & Hovland	23, 567
L. Johnson, Inc	23, 266
Clayton Sweeney	22, 294
Carl J. Kantorowicz	21, 598
McKamey Ranch	21, 431
Total payees in county (13)	385, 805

CHOUTEAU COUNTY

Onstad Grain Co	53, 536
Robertson Ranch Co	41, 451
Judeman Grain Co	37, 567
Melvin Batchelor	37, 477
Phil F. Schafer	37, 449
J. G. Robertson, Corp	36, 943
R 5 Ranch	36, 672
Fred A. Booth	35, 352
Oscar A. Kalgaard	34, 217
Ronald M. Upham	31, 189
Killion Farms	31, 099
Wyley P. Good	29, 960
Witt Ranch	29, 698
Raymond Romain	28, 554
Morris B. Stewart	28, 508
Loran A. Perry	28, 480
Forrest Charlson	27, 830
Wharram Ranch Co., Inc	27, 521
Wishman Brothers	26, 476
MacDonald Farms, Inc	26, 295
Birkeland & Son, Inc	26, 271
Donald S. Gray	26, 264
Paul Onstad	26, 180
Royce Applegate	25, 314
Andrew Trunk	24, 423
Helland Land Co	24, 417
Rossmiller Farms	24, 324
Molinario Farms	23, 824
Deeper Land Co	23, 663
Abn Ranch Inc	23, 190
Rettig Farms	22, 918
Jack E. Lang	22, 534
Harold & Charles Knudson	22, 110
Lawrence Romain	21, 963
Herman F. Mauer	20, 624
Charles Danreuther	20, 531
George A. Stevens	20, 333
M. & K. Farm, Inc	20, 214
Total payees in county (38)	1, 085, 371

CUSTER COUNTY

W. M. Nefsy	31, 570
L. J. Green & Sons, Inc	25, 792
N. N. Land & Livestock	21, 636
Total payees in county (3)	78, 998

DANIELS COUNTY

State of Montana	620, 800
Frederick Brothers	26, 810
Hellickson Brothers	23, 524
Chas. L. J. & N. L. Fouhy	23, 394
Dewayne Linder	22, 464
Carl Jagiello	22, 122
Oglesby Farms, Inc	20, 202
Stanton Danelson	20, 158
Total payees in county (8)	779, 474

DAWSON COUNTY

Kenneth Edwards	40, 744
Wolff and Sons, Inc	34, 955
Frank Klempel	22, 376
Marvin L. Spencer	22, 019
D. W.-R. D. Tague	21, 014
Total payees in county (5)	141, 108

FALLON COUNTY

Darrell Johnson	24, 001
Sikorski & Sons, Inc	21, 842
Mobile Pellet Co	21, 452
Schweigert Ranch	21, 072
Total payees in county (4)	88, 367

FERGUS COUNTY

Robert-Gerald Barber	25, 054
Ralph Lee	28, 057
Deerfield Ranch Coi	22, 257
Total payees in county (3)	70, 368

FLATHEAD COUNTY

Grosswiler Dairy, Inc	30, 822

GALLATIN COUNTY

Henry Dehaan	27, 386
Wilbur Dyk Ranches, Inc	21, 170
Total payees in county (2)	48, 556

GARFIELD COUNTY

Gerald Gibbs	31, 713
Red Butte Ranch	20, 257
Total payees in county (2)	51, 970

GLACIER COUNTY

Warren Swenson	27, 625
J. W. & Bob Smith	22, 658
Glendale Colony	22, 078
William McAlpine	20, 917
E. O. Peterson	20, 385
Total payees in county (5)	113, 663

HILL COUNTY

Leo M. Kraft	43, 047
Spicher Brothers	38, 451
Ray W. Headrick	36, 942
Bernard E. Hardy	34, 718
Lineweaver Farms	34, 101
Miller Brothers	31, 580
Marlin Spicher & Sons	30, 062
Leif W. Kapperud	29, 745
Kraft & Martin	27, 386
Dees Brothers	27, 279
Hilldale Colony	26, 166
Jack Swinney	25, 194
D. O. Koefod, Agent	24, 767
Borlaug Brothers	23, 413
Dow Brothers	23, 241
Kenneth G. Axvig	23, 014
John McIntosh	22, 486
Nick A. Rettinger	22, 043
Lloyd W. Kaercher	21, 482
Harold R. Wanke	21, 251
Rodney Spicher & Sons	21, 128
Herbert G. Bitz	20, 881
Martin Schuster	20, 519
Arvin Aageson	20, 374
Total payees in county (24)	649, 270

JUDITH BASIN COUNTY

Roger Petersen	21, 694
Robert Wigen	21, 546
Total payees in county (2)	43, 240

LEWIS AND CLARK COUNTY

Milford Colony, Inc	32, 257
Diehl Ranch Co	28, 679
Total payees in county (2)	60, 936

LIBERTY COUNTY

Allen C. Kolstad	52, 003
Clarence Romain	41, 319
Bill W. Fraser	35, 548
A. C. Kammerzell	35, 138
O. M. Skari & Sons, Inc	34, 919
John Wanken	34, 195
Galen Kolstad	29, 709
Carl Brown	27, 994
Brown & Brown, Inc	27, 549
Leo Jensen	27, 325
Oliver C. Morkrid	27, 160
Skierka Brothers	26, 220
Hi Line Farms	25, 928
Violett Farms, Inc	25, 064
Meissner Ranches, Inc	24, 812
Gordon or John Kammerzell	24, 234
Leonard Staudacher, Jr	23, 909
Clark Diemert	23, 731
Ole Jensen	23, 144
Semenza Farm	22, 743
Raymond Fritz	22, 341
William H. Earl, Jr	22, 295
Dayton Kolstad	21, 649
McClellan Farms, Inc	21, 331
Bert W. Alley	21, 146
William H. Skinner	21, 042
Total payees in county (26)	722, 448

MADISON COUNTY

Gilbert Lvstk Co	30, 015
R. C. Rice	29, 562
Heart L Ranch	28, 336
Total payees in county (3)	87, 913

M'CONE COUNTY

Otis S. Waters	35, 838
Haglund Ranch Inc	23, 609
Dreyer Bros Inc	22, 652
Wayne Pawlowski	22, 576
Harley C. Berry	22, 549
Kudrna & Witte, Inc	22, 291
Melvin P. Johnson	21, 376
Bodray Hagestad	20, 455
Total payees in county (8)	191, 346

MEAGHER COUNTY

Springdale Colony	33, 871
Wellington D. Rankin estate	32, 637
Russell Manger	23, 400
Total payees in county (3)	89, 908

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Montana—Continued

PHILLIPS COUNTY

Matador Ranch, Inc	29,983
Roger Simonson	22,107
Stanford Boothe	20,681
Total payees in county (3)	72,771

PONDERA COUNTY

John Keil & Sons, Inc	48,237
Loren Warwick	44,925
Tom McCracken	35,087
New Miami Colony	32,642
Ralph Bouma	28,560
Birch Creek Colony	28,085
John Wood	24,560
Thomas W. Boucher	24,383
Russell Wikstrom	23,029
Anderson Lahr land and cattle	22,797
S. T. McFarland	21,756
Eliz Seifert	21,620
Keil Ranch, Inc	20,645
Bjelland & Robinson	20,260
Total payees in county (14)	396,586

RICHLAND COUNTY

J D Farms	35,829
Allen Verschoot	26,331
Floyd Williams	20,627
Henry Nollymeyer	20,451
Waldo Pust	20,086
Total payees in county (5)	123,324

ROOSEVELT COUNTY

Schnitzler Corp	43,867
Moe Farm Corporation	31,720
Wm. Harmon Farms	27,462
Willie P. Lockman	22,715
Swank & Son	22,571
A A Werner Est	22,281
Louis Toavs	21,115
Total payees in county (7)	191,731

ROSEBUD COUNTY

Cherry Creek Sheep Co Inc	45,884
Cliff Wright Ranch Inc	23,764
Dahlman Ranch Inc	20,508
Total payees in county (3)	90,156

SHERIDAN COUNTY

Nash Brothers	54,944
Richard McCarty	29,711
Total payees in county (2)	84,655

STILLWATER COUNTY

Yellowstone Grain Co	25,435
M E Davey	21,272
Total payees in county (2)	46,707

SWEET GRASS COUNTY

Donna J. Cremer	25,513
Leo J. Cremer, Jr	22,956
Huidekoper Vet Res. Sta	21,737
Total payees in county (3)	70,206

TETON COUNTY

Van Horn Ranch Co	31,447
Miller Colony, Inc	25,261
Robert Stephens	25,146
New Rockport Colony	23,768
Habel Bros	23,624
Rockport Colony	22,623
Eugene W. Johnson	20,836
Christman Ranch	20,643
James Stephens	20,440
Nels Hemstad	20,027
Total payees in county (10)	233,815

TOOLE COUNTY

S. A. Adaskavich	55,000
Bill McCarter	55,000
Kenneth Leck	34,699
Hellinger Bros	27,469
Westermark Bros	26,120
David Ratzburg	25,925
Robert Sisk, Jr	24,796
Dale Kinyon	24,500
Wigen Bros	24,484
John McCarter	24,014
Miles Burd	23,344
Boxwell Farms	22,138
Lloyd McLean	21,877
Gary Aklestad	21,658
Charles Wiegand, Jr	21,197
Leo Flesch	21,062
Woodrow McCracken	20,524
Munson Bros	20,479
Doris Iverson	20,381
Total payees in county (19)	514,667

TREASURE COUNTY

Ted Kallen	25,129
Harold Zent	23,201
Total payees in county (2)	48,330

VALLEY COUNTY

Robert Westland	31,108
Morgan Ranch, Inc	22,664
S. Enkerud Pres. Witt Gr. Assn	22,506
Francis Tarum	21,660
F. L. Bailey	20,799
Total payees in county (5)	118,737

WHEATLAND COUNTY

Stone Gaugler Ranch Co	23,744
Martinsdale Colony	20,808
Total payees in county (2)	44,552

YELLOWSTONE COUNTY

Pearlie Lee & Co	27,133
Orville or Edith Lane	24,349
Lazy K T Ranch	22,729
Vale Creek Ranch	22,600
Total payees in county (4)	96,811
Total payees in State (249)	7,351,697

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Nebraska

ADAMS COUNTY

Ruth Hunt	41,238
Mary Lanning Hosp TR	26,739
Total payees in county (2)	67,977

BOONE COUNTY

Dobson Brothers C/O R Dobson	21,055
Choat & Sons Inc	20,205
Total payees in county (2)	41,260

BOX BUTTE COUNTY

Lawrence R. Grabher	28,785
Harry Cullan	26,637
Robert R. Elliott	26,201
Garland Fisher	22,799
Total payees in county (4)	104,422

BURT COUNTY

Hundahl Farms	62,902
John Tobin & Sons	29,600
Mariane Tobin	23,755
Tobin Ranch	20,441
Total payees in county (4)	136,698

BUTLER COUNTY

Grass VA Farms Inc	20,595

CHASE COUNTY

Leslie E. Smith & Sons Inc	51,552
Harold D. Hughes	27,540
Bernard Oneil	25,440
Edwin Fuehrer	20,418
Hughes Farms Inc	20,194
Total payees in county (5)	145,144

CHEYENNE COUNTY

Raymond Jessen	31,246

CLAY COUNTY

Woods Bros. & Ells	27,078
Ray Phelps	25,372
HJY Bros. Co.—A Hajny	23,345
Kiss, F. D. Lts.—R. Kissinger, A. G.	21,186
Total payees in county (4)	96,981

COLFAX COUNTY

F. J. Higgins Farm Inc	67,893

CUMING COUNTY

Albers Dehy Co	38,069

DAKOTA COUNTY

Leo C. Andersen	32,279
Beermann Farms, Inc	22,392
Total payees in county (2)	54,671

DAWES COUNTY

Harold C. Bowen	25,636
Eugene Stewart	21,660
Donald Gorr	21,150
Pepper Creek Ranch, Inc	20,857
Total payees in county (4)	89,303

DAWSON COUNTY

Dawson County Feed Prod. Inc	21,377
W. M. Rickertsen	20,645
Central Alfalfa, Inc	20,528
Total payees in county (3)	62,550

DEUEL COUNTY

W. H. Palser Farms, Inc	40,709
Grace Land and Cattle Co	38,206
Kjeldgaard Farm, Inc	28,131
Bailey Partnership	26,495
Total payees in county (4)	133,541

DODGE COUNTY

Harland S. Milligan	37,144
Donald Flamme	20,093
Total payees in county (2)	57,237

FILLMORE COUNTY

Biegert Brothers	32,079
Alf's Imp. & Well Drlg. Co	25,178
Schelkopf Enterprise	23,965
William K. Brinkman	22,928
Robert D. Lovegrove	22,546
Robert Bettger	21,801
Bruce Nedrow	21,793
Keith Burt	21,191
Total payees in county (8)	191,481

FRANKLIN COUNTY

W. J. Bach	26,258
Wayne Ziebarth	24,889
John Gardels	21,387
Total payees in county (3)	72,534

FRONTIER COUNTY

Kenneth Bellamy	22,152

FURNAS COUNTY

Johnson Bros. & Jones	41,199
Ten Bensel & Sons	26,456
Lueking Farm & Ranch Corp	20,600
Total payees in county (3)	88,255

GAGE COUNTY

Flo Wal Farms, Inc	28,118
John Krause & Sons	21,370
Total payees in county (2)	49,488

GARDEN COUNTY

Leo Jessen	42,009

GREELEY COUNTY

James H. Dugan	24,892

HALL COUNTY

Leo F. Thelen	21,618
Ralph Mettenbrink	21,590
Dobesh Farms Inc	20,283
Total payees in county (3)	63,491

HAMILTON COUNTY

Kreutz Bros., Inc	45,331
Farm, Inc., W. Wilcynski, president	25,400
Archie Roberts	22,512
Harold Vogt	20,912
Total payees in county (4)	114,155

HARLAN COUNTY

Bernard Lueking	29,481

HAYES COUNTY

Earl Smith	24,202

HOLT COUNTY

Fred Horne, Jr	50,429
Wm. A. Curry	29,772
Total payees in county (2)	80,201

JEFFERSON COUNTY

A. L. Rosener & Sons	46,431
Stanley A. Snyder	21,474
Total payees in county (2)	67,905

KEARNEY COUNTY

Kermit Felzien	25,505

KEITH COUNTY

McGinley Schilz Co	55,478
Milford Krajewski	24,648
Palser & Palser	23,216
Rankin Prochaska Inc	21 .750
Walter Armstrong	21,696
Lester O. Rhodes	21,307
Total payees in county (6)	168,095

KIMBALL COUNTY

Wayne Kennedy	24,013

LINCOLN COUNTY

Miron Moore	31,561
Walter Hasenauer	22,226
Stewart H. Evans	21,436
Kenneth Brosius	20,976
Total payees in county (4)	96,199

MERRICK COUNTY

Dinsdale Bros., Inc	32,061
Lloyd Wagner	20,675
Total payees in county (2)	52,736

MORRILL COUNTY

Edward Jelinek	37,770
Jessen Farms, Inc	21,865
Abel Investment Co	21,783
Total payees in county (3)	81,418

NEMAHA COUNTY

A. B. Ritchie, Jr	25,125

OTOE COUNTY

James Partnership	21,078

PERKINS COUNTY

Svoboda & Hannah	51,509
Gerald Krajewski	31,297
Box 436	27,363
Total payees in county (3)	110,169

PHELPS COUNTY

Roy W. Pearson	25,052
Sam T. Schrock, Jr	24,521
Total payees in county (2)	49,573

POLK COUNTY

K. D. Strong	21,386

RED WILLOW COUNTY

Myers Bros	26,111
Friehe Farms, Inc	24,430
Driftwood Farms, Inc	21,449
Total payees in county (3)	71,990

RICHARDSON COUNTY

Stalder Cattle Co	31,500
Nemaha Realty Co., Inc	21,527
Total payees in county (2)	53,027

SALINE COUNTY

Mahloch Farms, Inc	32,914

SAUNDERS COUNTY

Consolidated Blenders	44,706
Walter E. Adams	32,256
Foxley & Co	25,324
Centennial Farms, Inc	21,089
Total payees in county (4)	123,375

THAYER COUNTY

Ted Currey	23,484
Verland Tietjen	20,708
Total payees in county (2)	44,192

THURSTON COUNTY

Willis Leinart	21,060

WASHINGTON COUNTY

Tyson Farms, Inc	33,863

WEBSTER COUNTY

Delbert Lewis	29,229

YORK COUNTY

Broadwell, Inc	30,445
Harrington Farms Co	27,681
Wm. H. Otto	21,445
Otto Farms, Inc	21,001
Total payees in county (4)	100,572
Total payees in State (116)	3,203,353

1971 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Nevada

HUMBOLDT COUNTY

Orovada, Inc	36,070

NYE COUNTY

Mizpah Ranch	54,300
Tim Hafen Ranches, Inc	51,072
Gordon Mason	21,388
Glenn C. Brady	20,976
Total payees in county (4)	147,736

PERSHING COUNTY

Herman Dennler	59,333
Brinkerhoff Ranch, Inc	56,715
Improved Beef Feeders	26,725
Total payees in county (3)	142,773
Total payees in State (8)	326,579

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—New Mexico

CATRON COUNTY

Frank A. Hubbell Co	44,156

CHAVES COUNTY

Hal Bogle	59,868
Flying H Ranch	53,111
H. C. Berry	45,656
J. P. White, Jr	43,402
Lincoln County Livestock Co	42,541
Willard Watson	35,848
Bill Bogle	34,713
Jack Patterson	34,349
Bonham Farms, Inc	34,090
Melvin Pearson	33,286
James Norris	32,974
Clardy Farms, Inc	31,398
James Grassie	31,041
Rosendo Casarez	30,120
Fletcher Brothers	30,050
Herbert M. Corn	29,322
Jimmy Pack	28,107
Barney E. Green, Jr	27,967
Jennings and Jennings	27,321
A. W. Langenegger	26,574
Inez F. Bogle	26,488
Kap D. Kelley	26,413
Delbert M. Robinson	25,599
James G. Langenegger	24,813
Ross R. Langenegger	24,813
Marley & Whitney	24,774
Malone Farms, Inc	24,361
Poe W. Corn	24,049
O. F. Crawford	22,642
H. H. McGee	22,331
R. and B. Co., c/o Bronson Corn	21,778
Penasco River Ranch	21,698
Fred Corn and Sons	21,541
George Kimble Hibbard	21,346
Berry F. Heine, Jr	20,887
Noling and Noling	20,851
Max Wiggins	20,658
B. F. Crawford	20,142
Total payees in county (38)	1,126,922

COLFAX COUNTY

Roy M. Wood	20,729

CURRY COUNTY

John Garrett, Jr	88,392
Lockmiller and Son	76,977
Malcolm Garrett	74,623
Garrett Corporation	74,418
George Hammond	68,808
John H. Spearman	67,773
Michael Garrett	65,254
Lee Ross Hammond	61,351
James E. Garrett	60,861
C. Elton Green	56,626
O. H. Pattison	54,993
Dale Elliott	43,509
Leon Marks	41,260
Esther L. Van Soelen	40,966
The Hecht Company	40,241
Crest Agro, Inc., c/o D. Turner	40,069
Sid Pipkin	39,830
C. E. Cristian	39,321
Leslie Pattison	38,746
Virgle Harrison	38,174
L. R. Talley, Est	36,833
R. Wayne Leonard	36,479
M. M. Snell, Est	36,431

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—New Mexico—Continued

CURRY COUNTY—Continued

John W. Gunter, Jr	35,378
John C. White	35,288
Frank Blackburn	35,234
J. L. Wall	35,084
Eldon Blackburn Farms, Inc	33,709
Marion Inman	33,629
Harold House	33,408
Archie Baker	33,160
J. W. Graham	32,889
D. D. Myrick	32,850
Haney Tate	32,550
J. R. Shumate, Jr	31,869
Fern Castor	31,312
Frank Wicks	31,205
Elbert Mitchell	30,917
Eldon Blackburn	30,399
Francis L. Decker	30,047
Calvin Stout	29,537
Russell Downey	29,123
Edgar Campbell	28,065
Waymon Mitchell	27,956
Vernon S. Andrus	27,672
Jack D. Garrett	27,438
W. W. Bomar	27,331
Paul P. Harrison	27,182
Willie O. Wall	27,043
Bobby Wilhite	27,000
Hershel L. Hughes	26,818
J. G. Palmateer	26,567
Ronnie Mitchell	26,336
Max L. Kelso	26,148
Dudley Bailey	25,460
L. E. Davis	25,419
Oscar Fryar	24,633
W. R. Cloud	24,338
E. C. Fish	24,127
Otha Lockmiller	24,009
Fred Northcutt	23,966
Lester Merrill	23,782
Gibbs Rucker	23,747
A. Lloyd Grau	23,739
Wayne Burford	23,609
B. P. Davis	23,603
George H. Trimble	23,345
Edith A. Lewis	23,217
Richard Lee Miller	23,216
James C. Woods	23,027
E. L. Smith	22,786
N. E. Thompkins	22,657
Robert K. Goar	22,633
Ray E. Castleberry	22,525
Mark M. Liethen	22,503
Joe Byron Burford	22,466
John W. McIntosh	22,346
Joe Sealey	22,247
E. C. Murrell	22,068
Ronald Minyen	21,883
Gorman Hand	21,822
Gilbert Smith	21,667
John Fury	21,536
Frank R. Meier	21,313
Joe Paul Cobb	21,283
Phillip Tate	21,022
Clinton C. Burnett	20,912
Eldon Jones	20,894
J. C. Eshleman	20,721
Billy Meeks	20,633
Wayne Martin, Jr	20,479
John Reid	20,194
L. Conrad Pippin	20,165
Jimmy J. Wallace	20,157
Total payees in county (95)	3,085,826

DE BACA COUNTY

Ramon Perez Ranch, Inc	31,318

DONA ANA COUNTY

O. L. Hilburn	55,000
John R. Tomlin	35,608
Ralph R. Hackey	34,802
J. K. Nakayama & Sons	32,004
Chelten Farms Op. Co. Inc	30,185
Robert S. Hayner Est	28,505
Enrique Acosta	25,802
Clyde Simpson	25,092
Will Holt	24,875
John L. Sykes	24,641
P. R. Kuykendall	24,536
C. C. Woodward	24,512
Manuel Morales	23,183
W. E. Esslinger	22,912
J. F. Apodaca Farms Co., Inc	22,864
William F. Hayner	22,788
Tony Salopek	22,596
Carl Wiley	21,695
Thomas S. White	21,550
Juan V. Navarette	20,922
Fred L. Franzoy & Sons	20,597
Brady B. Porter	20,548
Ernest Harris	20,337
Total payees in county (23)	605,554

EDDY COUNTY

Ray Howard	56,805
Bob Morgan	44,818
Roy Ingram Co., Inc	44,253
Draper Brantley	38,364
W. I. Johnson	33,237
Carter Farms	31,337
S. G. Karr	31,119
W. D. Bounds & Son	30,725
Tom F. Vandiver	29,894
J. O. Bratcher	28,113
Bowman & Son	23,950
Henry H. Grandi	23,581
Frank Runyan	23,537
Quentin Rogers	23,322
James Thigpen	23,247
B. C. Aaron	22,796
Menefee Bros	22,261
Floyd Howard	22,172
J. S. Waldrip	20,915
James C. Ogden	20,435
Total payees in county (20)	594,881

GUADALUPE COUNTY

Eugenio Perez Ranch	26,960

HIDALGO COUNTY

Bill Veck	59,260
Harry Turner	49,192
Richins Brothers, Inc	43,429
Leo J. Ruzicka	40,338
R. H. Wamel	29,674
A. G. Ramos	24,016
Massey Farms	23,598
Sidney O. Wright	23,250
Total payees in county (8)	292,730

LEA COUNTY

Emma Lawrence	78,371
Elvis Jones	56,632
J. V. Burdett	47,225
Hawthorne Bros	36,701
Brady Lowe	36,262
John Richardson	33,604
Yarbros, Inc	33,073
Taylor & Heidel, Inc	31,126
Norman Thetford	27,883
W. G. Turnipseed	27,473
Joe C. McKown	25,197
McClish Farms	24,522
C. E. Alexander & Sons	22,234
G. Bradford Feed Pens	21,779
Berry Lee Hobbs	21,721
J. W. Spears	20,808
Total payees in county (16)	544,611

LINCOLN COUNTY

X Bar Ranch, Inc	40,327
Block Dot Sheep Company	22,867
George Clements	21,912
W. R. Lovelace Livestock Co	21,842
Total payees in county (4)	106,948

LUNA COUNTY

Jerry Lynn Hilburn	109,804
L. G. Guaderrama	65,898
Edward Ray Hooper	54,030
William B. Green	53,294
H. S. Jackson	49,097
Jerry Zachek	35,550
Keeler Bros	34,360
Leo W. Koenig	31,218
Teddy Zachek	29,872
Hal B. Keeler	26,842
W. R. Johnson & Son	24,595
G. X. McSherry	23,852
James W. Donaldson	20,333
Total payees in county (13)	558,745

OTERO COUNTY

Valon W. Roach	20,712

QUAY COUNTY

Odus Rush	42,977
Gunn & Sons, Inc	39,523
Charles Roy Best	39,071
D. F. McCasland	34,601
Ivan Rush	32,283
J. V. Curtis	30,045
Akin & Akin Corp	26,161
Jennings Bros	26,109
H. J. Lee & Sons, Inc	22,634
O. L. Yocom	21,364
Edward O. Sumrall	20,788
Bruce A. Runyan	20,535
Total payees in county (12)	356,091

RIO ARRIBA COUNTY

Clyde Cheek	21,463

ROOSEVELT COUNTY

J. D. Terral	43,789
Howard Powers	33,944
Harvey L. and Ava L. Balko	30,369
Brown and Brown	27,067
Hadley H. Kern	26,156
Allen Chapman	25,220
C. H. Wall	24,795
Claudie W. Reeves	23,566
Glenn W. Thompson	22,800
Johnnie B. Gammill	20,649
Total payees in county (10)	278,355

SIERRA COUNTY

Price Black Farms, Inc	26,426

SOCORRO COUNTY

Brawley Bros	29,262

UNION COUNTY

Arthur Jernigan	22,670
Total payees in State (248)	7,794,359

1971 ASCS and Great Plains program payments of $20,000 or More—Excluding Loans—New York

GENESEE COUNTY

My T Acres	26,762

MONROE COUNTY

John Halpin Sons	22,095

NIAGARA COUNTY

Holman O. Connor	22,246
Total payees in State (3)	71,103

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—North Carolina

ANSON COUNTY

Edwin J. Wall	30, 399
Norwood E. Teal	28, 734
G. Manley Thomas	25, 435
George P. Capel	23, 683
John Robinson	22, 180
Total payees in county (5)	130, 431

BEAUFORT COUNTY

J. B. Bell, est	27, 601

CLEVELAND COUNTY

Morgan & Co., Inc	56, 897
A. M. Boggs & Sons	42, 903
Edwin Y. Harrill, Jr	36, 261
Roy Cochran	32, 038
Billy Wilson	31, 834
Robert R. Hamrick	26, 585
James A. Blalock	25, 346
Glenn Sperling	25, 208
Earl P. Eaker	21, 134
Oras Biggerstaff	21, 064
Total payees in county (10)	319, 270

CURRITUCK COUNTY

James H. Ferebee and Son	22, 153

EDGECOMBE COUNTY

M. C. Braswell Farms	33, 611
R. R. Brake, Jr	29, 517
W. S. Clark & Sons, Inc	28, 609
W. J. Eason, Jr	24, 271
Wiley Bulluck	21, 234
Total payees in county (5)	137, 242

HALIFAX COUNTY

Carolina Peanut Company	43, 138
L. H. Kitchin	29, 957
Benjamin B. Everett, Jr	29, 557
Betty S. Whitehead	22, 387
Bill Pickette	21, 676
Cecil Moone	20, 694
Jack Fleming	20, 665
Charles H. Smith, Jr	20, 539
Edison Smith	20, 230
Charles L. Tillery	20, 081
Total payees in county (10)	248, 924

HARNETT COUNTY

R. A. McLamb	26, 066

HOKE COUNTY

J. G. Balfour	35, 665
John M. McLean	32, 365
R. L. Gibson	26, 713
Dundarrach Trading Co	24, 339
James D. McGougan	23, 372
Earl Hendrix	23, 227
J. K. McNeill Farms	23, 141
John E. McGougan	21, 614
Edward Hayes	21, 451
Agnes U. Johnson	20, 469
Alfred K. Leach	20, 401
W. S. Thomas	20, 338
Total payees in county (12)	293, 095

LEE COUNTY

Jesse Thomas	30, 575
R. W. Norman	30, 162
Total payees in county (2)	60, 737

LINCOLN COUNTY

Joe Kiser	35, 373

MONTGOMERY COUNTY

Robert Chappell	39, 093
Mack Chappell	20, 773
Total payees in county (2)	59, 866

NORTHAMPTON COUNTY

John G. Burgwyn	42, 736
Reuben Turner	42, 579
M. C. Dunlow	31, 079
William R. Johnston	24, 787
J. C. Edwards, Jr	24, 369
Total payees in county (5)	165, 550

RICHMOND COUNTY

Cecil Sikes	29, 167
Myers Waddell	28, 607
Total payees in county (2)	57, 774

ROBESON COUNTY

Wakulla Farms, Inc	72, 463
Midway Farms, Inc	66, 768
Waccamaw Bank and Trust Co	61, 129
Allen M. Shook	60, 287
Maxton Supply Co	59, 320
D. D. McColl	50, 320
William A. Davis	49, 098
Neil Watson	40, 593
Arthur Norman Emanuel	39, 073
Bassil Gentry	36, 828
Tom McRimmon	35, 954
B. E. Simpson	30, 457
J. H. McArthur, Jr	29, 789
K. M. Biggs, Inc	28, 601
Bill Herndon	26, 611
Sinclair Corp	26, 461
Thompson Brokerage Co	25, 100
D. M. Lytch	23, 843
W. H. McIntyre	22, 966
B. C. McIntyre	22, 966
Lewis R. McNeill & Davis	22, 124
W. B. Townsend Farms	20, 883
David Dunn, Jr	20, 444
Pates Supply Co., Inc	20, 220
Total payees in county (24)	892, 298

SAMPSON COUNTY

Bank of NCNA	35, 126

SCOTLAND COUNTY

Baker Enterprise, Inc	67, 638
A. R. McMillan, Jr	59, 349
J. T. John Co., Inc	56, 585
John Carmichael	48, 967
James R. McKenzie	48, 924
Evans Brothers	45, 857
J. N. Gibson, Jr	45, 134
Edwin Snead	39, 462
Z. V. Pate, Inc	38, 921
R. M. Adams	37, 347
William P. Carmichael	37, 226
Willis T. Hancock	33, 306
Harvey Z. Edge	32, 585
McNair Farms	30, 434
Alice J. McLeod	29, 848
John M. McLaurin	29, 348
Jesse Snead	29, 248
Hansford Gentry	25, 632
Blue Investment Co	25, 357
P. B. and J. M. McGregor	22, 719
Richard Tatum	22, 225
Donald Morgan	22, 122
Haynes Stone	21, 707
Westwood Farm	21, 408
Myrtle S. Snead	20, 926
Sam R. McCormick	20, 920
Total payees in county (26)	913, 195

UNION COUNTY

D. L. Kimbrell	21, 929
Wade H. Howey, Jr	20, 915
Total payees in county (2)	42, 844
Total payees in State (110)	3, 467, 545

1971 ASCS and Great Plains Program Payments of $20,000 or More—Excluding Loans—North Dakota

ADAMS COUNTY

Harold Arndorfer	22, 576
Darrell Papka	22, 082
Total payees in county (2)	44, 658

BARNES COUNTY

Paul Bjornson	25, 155

BENSON COUNTY

Leo Studness	24, 302

BOTTINEAU COUNTY

Ballantyne Brothers	43, 611
The Wittenman Company	30, 960
Willis Glinz	25, 350
Norman Glinz	24, 660
Pearson Bros	20, 047
Total payees in county (5)	144, 628

BOWMAN COUNTY

Melvin Miller	26, 847
Joe Bagley	21, 104
Total payees in county (2)	47, 951

BURKE COUNTY

Earl Schwartz	20, 631

BURLEIGH COUNTY

Casey EST	22, 116

CASS COUNTY

Wm. & Geo. Sinner/E. Breshnahan	37, 092
Geo. C. Howe, Jr	26, 494
Orten Brodshaug	23, 367
Total payees in county (3)	86, 953

DIVIDE COUNTY

Lawrence Hagen	29, 663
David Jensen	24, 744
Total payees in county (2)	54, 407

FOSTER COUNTY

Louis S. Reimers	30, 274

GOLDEN VALLEY COUNTY

Lloyd Weinreis	27, 200
Donald Kittelson	26, 166
Floyd Bosserman	22, 884
Total payees in county (3)	76, 250

GRAND FORKS COUNTY

Ryan Farms	32, 053
Elk Valley Farms	31, 729
J. A. Cronquist	31, 173
Art Greenberg	30, 536
John W. Scott	23, 552
Don & Nordis Lindholm	20, 281
Drees Farming Association	20, 197
Jack A. Halverson	20, 050
Total payees in county (8)	209, 571

HETTINGER COUNTY

Clyde L. Swindler	62, 409
Benjamin Schaible	48, 410
John F. Swindler	45, 109

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—North Dakota—Continued

HETTINGER COUNTY—Continued

Milton Hertz	42, 690
Marion Swindler	36, 501
August C. Kirschemann	33, 978
Richard Swindler	28, 425
Fred J. Hoherz	22, 917
Arthur Schaible	22, 720
Larry Stang	22, 657
Jos. P. Grundhauser	21, 762
Raymond K. Bieber	20, 131
Total payees in county (12)	407, 709

KIDDER COUNTY

Ward Whitman	35, 360

M'KENZIE COUNTY

Harold Dahl	51, 328
Peter A. Nygaard	29, 796
Lester Wisness	26, 217
Joe Gudbranson	26, 097
Roger L. Sanders	20, 898
Total payees in county (5)	154, 336

M'LEAN COUNTY

C. H. Stock Farm	21, 822

MORTON COUNTY

Wachter Ranch	31, 741

MOUNTRAIL COUNTY

Otto Engen	55, 193
Abrahamson Bros	20, 566
Total payees in county (2)	75, 759

PEMBINA COUNTY

J. G. Hall and Sons	35, 090
Bert Johnson	29, 066
Morrison Bros	28, 583
Schulz Moquist Illing	26, 160
Bert Olson and Sons	25, 959
F. Kent Vosper	23, 361
Warner Bros	23, 103
Hector Wallighem	22, 977
Tucker & Green	22, 926
Leonard Schwartz	22, 074
Gunderson Bros	20, 500
Total payees in county (11)	279, 799

RAMSEY COUNTY

Herman Dimmler	26, 362

SARGENT COUNTY

Kenneth E. Nepstad	20, 139

SIOUX COUNTY

Peter Sittner	27, 396

SLOPE COUNTY

Frank Dilse	55, 142
Maurice O'Connell	31, 340
Harold Brooks & Sons	26, 157
Stuber Ranch	25, 668
Thomas G. Powell	23, 680
Neil Krinke	22, 490
Leroy Sadler	20, 501
Teddy Dale Dilse	20, 422
Total payees in county (8)	225, 400

STARK COUNTY

Ray Reich	21, 027

STUTSMAN COUNTY

Eddy Farms	42, 386
Hoggarth Brothers	41, 314
Arvel Glinz	40, 887
David Glinz	39, 614
Freddie Mutschler	31, 372
Kropp Farms	22, 220
Carl Frey	21, 360
Total payees in county (7)	239, 153

TOWNER COUNTY

W. A. Schmidt	28, 666

TRAILL COUNTY

John S. Dalrymple, Jr	38, 503

WALSH COUNTY

L. E. Tibert Co	38, 661
Boone Farms	29, 644
Dolan Bros	28, 402
Harley Kingsbury Co	25, 849
John D. Miller	25, 602
Total payees in county (5)	148, 158

WARD COUNTY

Earl Schwartz Co	32, 130
C. Morris Anderson	30, 049
Henry Neshem, Jr	23, 297
Total payees in county (3)	85, 476

WELLS COUNTY

Weckerly Bros	27, 687

WILLIAMS COUNTY

Earl Bauste	25, 028
George & Thomas Layon	23, 786
Total payees in county (2)	48, 814
Total payees in State (95)	2, 733, 203

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Ohio

CLINTON COUNTY

Midwest Farms John Goings	22, 450

FRANKLIN COUNTY

Darby Dan Farm Co	23, 718

GREENE COUNTY

Trelawny South	20, 822

HARDIN COUNTY

Donnel L. Dangler	22, 038

LICKING COUNTY

Lobdell Drainage Assn	29, 056

LUCAS COUNTY

Wolf Farms	34, 308
Schaller Farms	23, 435
Total payees in county (2)	57, 743

MADISON COUNTY

Orleton Farms Co	44, 889
AG Lands C. E. Finney	37, 423
Sawyer F. M. c/o Orelton F. M	36, 786
Total payees in county (3)	119, 098

MARION COUNTY

Ward Walton and Asso. Inc	59, 766
Dekalb Agri Research Inc	46, 677
W. S. Guthery & Sons Inc	27, 326
Total payees in county (3)	133, 769

PICKAWAY COUNTY

William J. Richards	23, 298
Jean Clow Crites	20, 682
Total payees in county (2)	43, 980

PREBLE COUNTY

Artie Cain	20, 812
Total payees in State (16)	493, 486

1971 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Oklahoma

BECKHAM COUNTY

A. W. Phillips	25, 614
Bobby Ray Reeves	23, 756
K. B. Stowers	21, 979
Lee D. White	20, 733
R. E. Jones	20, 061
Total payees in county (5)	112, 143

BRYAN COUNTY

G. E. Kelly	25, 837
Alvie Grossman, Jr	23, 324
Total payees in county (2)	49, 161

CADDO COUNTY

S. G. Stevens	30, 953
Jewell Propps	30, 503
O. M. Ulery	25, 085
Forest Dolan	20, 509
Louis W. Briscoe	20, 081
Total payees in county (5)	127, 131

CANADIAN COUNTY

Margaret Petree	36, 470
Nelson A. Davison	29, 179
Everett Feddersen	24, 046
Doyal Selvidge	20, 658
Total payees in county (4)	110, 353

CIMARRON COUNTY

L. J. and Clovis Stafford	45, 763
Billy R. Gowdy	37, 099
Dayle M. Oyler	22, 512
Clifford Hinds	21, 144
H. E. Hammond	20, 634
John D. Burrow	20, 264
Total payees in county (6)	167, 416

COTTON COUNTY

Hertis Baber	31, 170
C. B. Bowles	21, 788
Howard Gover	21, 217
Total payees in county (3)	74, 175

CUSTER COUNTY

J. G. Stratton, Sr	49, 243
George Fransen	36, 063
J. R. Martin	35, 870
Isaac Fransen	28, 132
Lorenz Farms	23, 708
Roy Shepherd	23, 411
Strong Trust	22, 817
Bob Carpenter	21, 324
Gary Donley	20, 439
Donald Carpenter	20, 140
Total payees in county (10)	281, 147

DEWEY COUNTY

H. L. Christensen, Jr	22, 564

GARFIELD COUNTY

Ediger Farms	40, 835
Eddie Zaloudek	34, 619
H. C. Groendyke	22, 443
Louis Zaloudek	22, 353
F. W. Zaloudek	20, 147
Total payees in county (5)	140, 397

GRADY COUNTY

Barnes Farms, Inc	35, 612
Virgil Voigt	32, 270
Harold Barrington	30, 064
Earl Campbell	29, 162
Ralph Jacobs	24,686
Total payees in county (5)	151, 794

GRANT COUNTY

C. W. Leforce and Son	40, 295

GREER COUNTY

Clinton Nesmith	35, 095
State of Okla	30, 305
Milton Vaughan	29, 170

Frankie Johnson	26, 267
Leo Fite	23, 125
Jimmie Heatly	22, 366
Total payees in county (6)	166, 328

HARMON COUNTY

F. E. Motley	45, 776
Paul & Chas. Horton	45, 257
Shelby & Kirby	35, 188
Elmo Jones	34, 161
David Rath	30, 755
Harold Nichols	28, 199
Carrick Brothers	28, 165
G. D. Payne	25, 320
Paul Lee	25, 127
Regie Lewis	25, 041
Beanland & Sons	24, 432
Clay Whorton	23, 551
Lee Roy Crawford	22, 487
Arlis Motley	21, 263
W. D. Stewart, Jr	20, 971
G. W. Strawn	20, 912
Total payees in county (16)	456, 555

HARPER COUNTY

R. A. Lotspeich	21, 215

HASKELL COUNTY

John L. Horn	21, 229

JACKSON COUNTY

Robert Robbins	54, 677
Murray R. Williams	51, 949
Harold Worrell	49, 713
Glenn Southall	42, 988
Monroe B. Karcher	42, 284
Brewer Bros	40, 161
William C. Southall	39, 217
Chris Columbus	37, 152
Carthal F. Mock & Son	35, 651
Wayne Q. Winsett	35, 074
Gordon Thomas	34, 743
Roy A. Holsey	31, 572
Gary W. Winsett	29, 787
Ann Winsett Hawkins	29, 787
Travis Walls	29, 528
Clayton Tinney	29, 052
Rodney Hughes	28, 102
Harvey R. Petzold	27, 880
Samuel C. Schultz	27, 449
Mock Brothers	26, 326
Pill Hulett	25, 192
Joseph C. Talbot	24, 817
Earl E. Abernathy	24, 312
Laverne A. Fessenden	23, 862
John McLeod	23, 828
Hopson E. Pickett	23, 787
J. M. Bailey	23, 660
Charles D. Felty	23, 535
Sam & Harold Vinyard	23, 363
E. E. & J. P. Weber	23, 268
Thurman Gregg	22, 200
Harlan Tabb	21, 694
B. L. Dean & Son PTR	21, 304
Robert M. Kerr	20, 704
Total payees in county (33)	1, 011, 466

KAY COUNTY

Jack Lane	36, 433
Bill Carmichael	23, 207
Total payees in county (2)	59, 640

KINGFISHER COUNTY

B. A. Conley	24, 969
Frank Schulte	20, 130
Total payees in county (2)	45, 099

KIOWA COUNTY

Glenn and Sam Pfenning Ptnrs	35, 786
Charles & Gayl Portwood Ptrs	32, 300
W. C. Pfenning	29, 307
E. F. Bunch	28, 934
J. C. Hill	28, 005
Paul Edge	26, 291
Darrell Allard	21, 154
Truman Jones, Jr	20, 600
Total payees in county (8)	222, 377

M'CLAIN COUNTY

Freeny Hopkins	24, 915
Harry S. Phillips	23, 185
Billy P. Adkins	21, 766
Total payees in county (3)	69, 866

M'CURTAIN COUNTY

Mike Columbus	35, 748
Barney Ward, Jr	29, 467
Cloverdale Planting Co	24, 300
Total payees in county (4)	126, 667

MUSKOGEE COUNTY

Charles R. Sheffield	45, 497
Pearson Bros	42, 290
Total payees in county (2)	87, 787

NOBLE COUNTY

Burdette Garvie	22, 538

SEQUOYAH COUNTY

Sloan Farms	41, 989

TEXAS COUNTY

H. C. Hitch, Jr	95, 371
Irvin Clark	47, 930
Long Brothers	42, 954
Worth Jeffus	41, 572
Gustav Dencker	37, 062
R. Lee, Jr. & R. Lee, Sr	32, 358
G. G. Freeman	29, 571
Dillon Caddell	26, 735
Walter Anderson Estate	26, 720
Fred R. Sweet	26, 459
Fischer Brothers	26, 300
Jimmie L. Draper	22, 303
C. F. Webb	21, 603
Joyce H. Gray	20, 611
Roy Mitchell	20, 346
Total payees in county (15)	517, 895

TILLMAN COUNTY

Dewayne Stout	58, 726
John Wade Kent	44, 420
Harvey Farm and Ranch	43, 433
H. W. Campbell	37, 661
Galen P. Briggs	36, 597
John M. Kinder	35, 317
Charles Hill	33, 250
Kenneth Kimmel	33, 055
Lester Dickey	32, 054
H. L. Akin	29, 419
Bill Eddleman	27, 525
Clarence Adams	26, 821
R. L. Lindsey	26, 743
T. G. Jennings, Jr	25, 815
Bruce Burke	24, 398
Archie W. Gottschall	24, 300
Roy N. Laney	23, 948
Rodney Fillmore	22, 633
Ralph Keith	22, 388
W. W. Purdy	22, 128
Smith Land Co	21, 542
J. W. Dysart	21, 536
Max L. Waldrop	21, 410
William Perry Spraggins	21, 264
Johnny R. McElroy	21, 242
Edwin Slack	21, 137
Leonard Stout	21, 065
Leroy D. Lett	20, 682
Edd Kinder	20, 370
Total payees in county (29)	820, 829

WAGONER COUNTY

Fred Metzger	21, 732
Francis M. Chesbro	21, 483
Total payees in county (2)	43, 215
Ridling Brothers	39, 036
Othal L. Bond	28, 546

WASHITA COUNTY

J. L. Celsor	23, 979
Total payees in county (3)	91, 561

WOODS COUNTY

Bouziden Brothers	59, 522
Total payees in State (177)	5, 162, 354

1971 ASCS and Great Plains Program Payments of $20,000 or more—Excluding loans—Oregon

GILLIAM COUNTY

Floyd Anderson	29, 462
Sidney Seale, Jr	28, 161
R. W. Potter & Sons Est	24, 670
Vernon Mikkalo	23, 186
Chester W. Dyer	22, 459
Roy Philippi, Jr	22, 182
Anderson Farms, Inc	21, 457
Harrison M. Weatherford	21, 139
Total payees in county (8)	192, 716

JEFFERSON COUNTY

Haycreek Range and Cattle	40, 521
Kenneth Binder	24, 035
Total payees in county (2)	64, 556

KLAMATH COUNTY

O'Connor Livestock Co	51, 142

MALHEUR COUNTY

Hyline Farms Co	50, 743
Fine Sheep Co	50, 570
Skyline Farms	34, 619
Murakami Farms, Inc	21, 666
Total payees in county (4)	157, 598

MORROW COUNTY

Ralph S. Crum	40, 125
Shirley Rugg	35, 148
Frank Anderson	34, 308
Krebs Bros., Inc	33, 655
Jack Sumner	33, 426
Marquardt Ranch	27, 862
Harvey Smith	25, 239
Amanda S. Duvall	24, 943
Porter Peringer, Inc	22, 094
Patrick Cutsforth	21, 993
Fairview Ranch, Inc	21, 343
Nelson & Tucker	20, 495
Total payees in county (12)	340, 631

POLK COUNTY

R. L. Walker Farms, Inc	24, 496

SHERMAN COUNTY

Powell Goodin Farms	27, 928
W. F. Wallace	25, 311
F. L. Watkins	21, 657
Richelderfer Ranch	20, 498
Total payees in county (4)	95, 394

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Oklahoma—Continued

UMATILLA COUNTY

Cunningham Sheep Co	62, 862
B. L. Davis Ranch, Inc	56, 152
Robert G. Bafus	55, 237
Hill Ranches, Inc	40, 940
Johns Smith & Beamer	40, 877
Glenn Thorne	40, 668
Barnett Rugg, Inc	33, 429
McCormmach Bros	33, 414
Hawkins Co., Inc	30, 333
Martin H. Buchanan	30, 068
Joe P. Doherty Sheep Ranch, Inc	29, 384
Coppinger & Son Ranches	28, 156
H. T. Rea, Inc	26, 758
Don A. Woodward Farms, Inc	26, 233
O. L. Straughan & Sons	25, 689
Hoeft Ranches, Inc	24, 313
T. M. Campbell	24, 063
Raymond & Son, Inc	23, 728
Purchase Ranches	23, 472
David Casper Ranch	23, 310
John P. Weidert	22, 611
Engdahl Ranches	22, 488
R. & T. Ranches	22, 484
V. R. Ranch	22, 296
Harold G. Kleinbach	22, 005
Richard Hampton	21, 856
Price & Ledbetter	21, 649
S. E. Brogoitti	21, 495
Lieuallen Ranch Inc	21, 459
Tubbs Ranch	21, 269
G. M. Ransier	20, 632
Robert Rothrock	20, 200
Faye Mann	20, 051
Total payees in county (33)	959, 581

UNION COUNTY

Sylvan Rasmussen	22, 533
Acala Storage Co	20, 381
Stanley Weishaar	20, 087
Total payees in county (3)	63, 001

WASCO COUNTY

The Miller Ranch Co	36, 758
Underhill Ranch	24, 566
Total payees in county (2)	61, 324
Total payees in State (70)	2, 010, 439

1971 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Pennsylvania

LEHIGH COUNTY

James DeLong	32, 832

NORTHAMPTON COUNTY

Schoeneck Farms, Inc.	41, 807
Howard Seiple	32, 166
Total payees in county (2)	73, 973
Total payees in State (3)	106, 805

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—South Carolina

ABBEVILLE COUNTY

S. F. Sherard, Sr	30, 447
Howard Powell	21, 112
Total payees in county (2)	51, 559

AIKEN COUNTY

Milton Stack	41, 167
H. C. Coward & Son	34, 724
Robert E. Scott	32, 227
M. R. Warner & Son, Inc	31, 573
McElmurray Farm, Inc	29, 158
K. L. Flanders	26, 265
Garvin Brothers	24, 998
Mackey Scott & Sons	24, 298
John Anderson	23, 482
Carl E. Brown	22, 233
Mackey Scott, Jr	22, 049
W. J. Dunbar	21, 722
Weeks Farm, Inc	21, 401
Fred W. Plunkett	20, 300
Total payees in county (14)	375, 597

ALLENDALE COUNTY

J. E. Kirkland, Jr	50, 589
W. M. Terry	54, 839
J. V. Spigener	33, 408
W. R. Johns, Jr	32, 514
Cecil L. Dunbar	29, 473
J. S. McMillan	26, 485
J. D. Rouse	24, 771
W. Ben Oswald	23, 333
N. B. Loadholt	22, 930
G. L. Rouse	22, 538
John S. Oswald	21, 451
B. H. Loadholdt	21, 332
C. O. Handberry	21, 135
H. A. Kearse	20, 657
Total payees in county (14)	414, 455

ANDERSON COUNTY

Lee Dobbins	62, 716
W. M. Bolt	28, 368
Total payees in county (2)	91, 084

BAMBERG COUNTY

H. W. Herndon	58, 075
H. D. Free	49, 471
George Cogburn	44, 373
Henry F. Bamberg III	44, 020
H. L. Free	30, 767
Francis M. Kearse	25, 948
Otto Boltin	23, 809
Total payees in county (7)	276, 463

BARNWELL COUNTY

Harold R. Lott	51, 771
J. B. Weeks, Jr	36, 553
J. David Bodiford	34, 957
W. H. Hutto, Jr	31, 880
Birt and Keel	29, 434
Ted W. Craig	25, 031
Hagood and Richardson	21, 028
Bruce O. Bates	20, 650
Thomas E. Greene	20, 650
M. N. Bates	20, 338
Joe J. Bates	20, 180
H. D. Still, Jr	20, 122
Total payees in county (12)	332, 594

BERKELEY COUNTY

Robert F. Marion	33, 291
R. M. and R. C. Dennis, Ex	27, 875
Total payees in county (2)	61, 166

CALHOUN COUNTY

W. W. Wannamaker Seed Farms	54, 975
Wiles Farm	53, 497
Ralph Troutman	49, 680
Felkel and Hungerpiller	48, 593
F. M. Wannamaker, Jr	39, 818
F. M. Wannamaker, Sr	39, 818
W. Wesley Stabler	38, 576
Blackwoods Farm	37, 754
Raymond B. Ayers	37, 305
L. B. Wannamaker Seed Co	36, 476
D. S. Davis	35, 794
John C. Bickley	34, 878
J. Hubert Robinson	34, 669
G. C. Bull	33, 155
James D. Rast, Jr	31, 897
Edward M. Rast	31, 897
Lang Syne Farm	26, 985
Haigler Bros	26, 207
J. L. Wannamaker	25, 640
A. F. Brown, Jr	24, 637
J. P. Felkel	21, 649
Moss H. Perrow	20, 520
W. J. Houck	20, 346
Total payees in county (23)	804, 766

CHEROKEE COUNTY

Robert G. Scruggs	35, 334

CHESTER COUNTY

H. H. Robinson	55, 203
John H. Neely, Jr	36, 940
J. H. Chappell	28, 947
Robert W. Lee	25, 134
John H. Neely	20, 826
James C. Wilson	20, 392
Total payees in county (6)	187, 442

CHESTERFIELD COUNTY

Benjamin L. Norwood	52, 987
King Farms, Inc	42, 990
Burr Farms	41, 851
James C. Phillips	26, 245
J. Calvin Rivers Farms, Inc	25, 729
Frank E. Ousley	23, 964
Vonelm Crawford	23, 172
James Chappell Hurst	22, 586
J. Calvin Rivers, Jr., partner	22, 411
Hector R. McLeod	21, 434
Thomas R. King	21, 389
Hazel Z. Mills	21, 300
G. E. King, Jr	20, 368
Total payees in county (13)	366, 426

CLARENDON COUNTY

H. Fox Tindal	62, 873
Samuel E. Durant	59, 464
James B. Tidwell	51, 299
Tarheel Coals, Inc	46, 592
Charles N. Plowden	43, 833
Durant Brothers	43, 330
D. Leslie Tindal	41, 710
Paul Burke	38, 638
D. C. Elliott	37, 127
Ralph Bell, Jr	32, 926
Jack Witherspoon Farms, Inc	32, 608
R. V. Elliott	31, 157
Felder Farms, Inc	30, 796
Rickenbaker and Sconyers	30, 348
J. R. Briggs	28, 891
R. N. Johnson	28, 648
C. D. Smith, Jr	26, 912
John K. Brogdon	26, 195
W. D. Harrington	25, 970
Bob Finney	25, 738
G. H. Hardy	25, 182
E. A. Lewis	24, 983
Rickenbaker Gin, Inc	22, 503
M. E. Dubose	22, 469
R. L. Gayle	22, 329
S. Bethea Floyd	21, 760
W. J. Rawlinson	20, 935
W. W. Rowe	20, 667
L. E. Elmore	20, 591
W. J. Jackson, Jr	20, 513
Total payees in county (30)	966, 987

DARLINGTON COUNTY

Cokers Ped Seed Co	64, 671
William Howard, Jr	56, 025
Gary E. Byrd, Jr	53, 732
Rollins Culpepper	50, 223
A. R. Mims	37, 699
Laurie C. Lawson	34, 438
Posey D. Kelley	33, 845
Olin B. Kirven, Sr. & Jr	33, 808
Raymond Amerson	33, 600
J. T. Ross	26, 352
G. Graham Segars	25, 029
Henry Grady	23, 507

L. L. Gandy	22, 925
A. F. Woodard, Jr	22, 573
Dewitt Farms, Inc	21, 473
J. O. Huggins	21, 422
Winston L. Cooley	21, 118
Milton H. Anderson, Jr	20, 339
Total payees in county (18)	602, 779

DILLON COUNTY

R. L. McLaurin & Sons	58, 017
Brown & Marion R. McCallum	53, 147
L. S. McColl, Jr	51, 614
Henry C. Quick, Jr	46, 099
H. F. Price & Sons	35, 896
Neil D. McLaurin	34, 550
Bruce Price	33, 506
Pee Dee Growers Inc	32, 097
D. L. Coleman & Sons	31, 339
Lloyd Page & Sons	30, 677
A. M. McDonald	25, 603
Myrtle G. Howell	25, 156
Neil J. McCrimmon	23, 776
Grady Jones	20, 543
Total payees in county (14)	502, 020

DORCHESTER COUNTY

W. S. and J. D. Canaday	28, 721

EDGEFIELD COUNTY

Cecil Yonce, Jr	43, 144
Bennie H. Willing	28, 660
J. M. Smith, Jr	27, 080
C. L. Clark	25, 243
R. W. & Rembert C. Dubose	23, 220
G. C. Holmes & Sons	22, 457
Total payees in county (6)	169, 804

FLORENCE COUNTY

E. S. Willis, Jr	67, 376
Billy E. Graham	56, 196
Roger D. Prince	54, 919
C. Allan Young, Jr	44, 960
Harlee Brothers	25, 122
Total payees in county (5)	248, 573

GREENVILLE COUNTY

Allen M. Knight	22, 727

GREENWOOD COUNTY

Calvin W. Kinard	39, 600
L. B. Adams	21, 898
Total payees in county (2)	61, 498

HAMPTON COUNTY

Hugh T. Lightsey	61, 118
C. P. Barnes	44, 602
Corrin Bowers	41, 905
Jimmie McMillan	30, 873
David McKenzie	23, 091
Corol Dobson	21, 273
E. H. Hanna, Jr	20, 032
Total payees in county (7)	242, 894

KERSHAW COUNTY

Lugoff Farms, Inc	58, 983
Robert M. Marsh	33, 158
Total payees in county (2)	92, 141

LAURENS COUNTY

Billy Deshields	46, 796
J. T. Hollingsworth	35, 554
John M. Simmons	23, 381
Total payees in county (3)	105, 731

LEE COUNTY

W. A. Berry	61, 527
R. V. Segars, Sr	59, 341
C. B. Player, Jr	58, 226
Marion J. Barnes	58, 204
Mayesville Farms, Inc	58, 165
C. E. Atkinson	57, 874
James T. Smith III	56, 970
B. J. Barnett	56, 832
Richard and Julia Hearon	56, 259
E. Brad McCutchen	56, 192
McCutchen, F. M., Trading Co., Inc	56, 065
Clyburn Bros. & Son	56, 064
Lee County Farms	56, 012
E. B. McCutchen	55, 815
John Wesley Woodham, Jr	54, 994
H. B. Turner	53, 651
Jack Woodham	51, 509
M. N. White	50, 045
James Thomas Woodham	48, 003
S. McBride Rhodes, Jr	47, 238
J. E. Atkinson	45, 404
Manning Richardson	44, 974
H. W. Shaw & Son	43, 690
James W. Scott, Jr	41, 927
Don R. McDaniel	40, 969
Willis Woodham	39, 503
H. W. Shaw, Sr	39, 004
W. A. Dabbs	38, 755
B. K. Phillips	37, 845
Calvin Joyner	37, 591
Annette C. Tiller	36, 608
Hamilton Corbett	35, 538
L. M. Chewning	35, 111
Katherine P. Stokes	31, 521
Wyman O. McDaniel	29, 212
E. Henry Goza	28, 336
Mason R. Mathis	27, 882
D. D. Grant & Son	26, 606
Don D. Grant	25, 288
James K. Alexander	23, 805
R. V. Segars, Jr	23, 277
Dale W. Player	21, 780
H. L. Johnson	21, 165
C. F. Reames	20, 844
D. L. Reames	20, 844
Wallace Deschamps	20, 663
H. R. Colclough	20, 141
Total payees in county (47)	1, 967, 269

LEXINGTON COUNTY

John H. Dowd	30, 024
Don. W. Jeffcoat	29, 319
Fogle Bros	27, 352
Total payees in county (3)	86, 695

MARION COUNTY

E. J. Wiggins, Jr., Estate	31, 887

MARLBORO COUNTY

Claude P. Polston, Jr	64, 075
J. Frank McLaurin, Jr	60, 544
Hubbard W. McDonald	57, 639
Pence, Inc	55, 629
Lawrence E. Pence	54, 870
Jackie M. Polston	54, 417
Ernest C. McInnis Estate	53, 146
Brooks Odom	52, 649
E. M. O'Tuel	52, 414
Thomas A. O'Neal, Jr	51, 217
David K. Lynch	47, 011
Charles E. Lynch	47, 011
A. L. Calhoun, Jr., Co	44, 968
Maxie H. Kinard	44, 740
Marlboro Farms, Inc	44, 036
B. Gilbert Floyd	42, 628
Charles A. O'Neal	41, 747
Marion F. Wright	41, 239
D. H. McQuage, Jr	39, 175
Frank B. Rogers, Jr	39, 015
Frank R. Quick	38, 766
John W. Liles	37, 148
John F. Everett	36, 600
J. G. Hubbard	36, 448
Hugh Driggers	35, 011
Noah A. Usher, Jr	34, 356
Leon Driggers	34, 249
George B. Kerr, Inc	34, 238
W. Alex Hinson	33, 629
F. M. Hinson	32, 566
William P. Wallace	32, 400
Jimmie C. Baker	31, 722
Julian M. Drake	30, 305
William C. Covington	29, 989
Ralph Usher	28, 242
Jimmy P. Wallace	27, 501
D. M. Cottingham, Jr	25, 791
Robert Stillwell	25, 078
Jimmy B. Hinson, Jr	24, 866
W. Lee Carabo	24, 542
E. Roy Newton	24, 492
Dorris W. Floyd	24, 029
Lawrence S. Norton	23, 167
John McInnis	22, 779
Joseph P. Hodges	22, 689
Leroy M. Stanton	22, 419
Angus G. Newton	22, 416
Clemon Kimrey	20, 537
Total payees in county (48)	1, 804, 145

M'CORMICK COUNTY

James Tate	24, 059

OCONEE COUNTY

Fred E. Anderson	20, 214

ORANGEBURG COUNTY

J. W. Williamson Co	48, 064
Vallentines	46, 867
John David Clark	46, 823
J. M. Russell, Jr	46, 806
Rowesville Farmers Gin Inc	41, 637
Thomas B. Jackson, Jr	39, 507
C. & S. Farms Inc	39, 433
E. S. Bonnett, Jr	36, 424
Woodford Gin Co., Inc	35, 820
W. B. Bookhart	35, 759
Magnolia Lane Farm	34, 162
Mattie Mae P. Gasque	31, 475
E. E. Gasque, Jr	31, 475
Julian C. Crum	30, 322
T. J. Wiggins & Son	29, 933
W. G. & F. H. Irick	28, 623
J. Walter Whisenhunt	28, 057
Earl J. Smoak	28, 339
Norman V. Hughes	26, 948
M. L. McIver	25, 692
Robert L. Polin	24, 536
Jimmie Ott	24, 422
Vance Farm Center	24, 332
R. L. Zeigler, Jr	23, 720
W. D. Culler	23, 244
Harvey M. Bates	23, 002
Robert B. Shuler	22, 296
Fred Lawton Irick	22, 295
Hugo L. Felkel	21, 618
Kenneth W. Bickley	21, 229
L. M. Ott	20, 479
Johnny Fogle	20, 469
Garrick Bros., A Part	20, 336
Total payees in county (33)	1, 004, 594

RICHLAND COUNTY

R. A. Page	50, 671
Willis M. Clarkson	37, 099
Robert Lee Scarborough	26, 437
Total payees in county (3)	114, 207

SALUDA COUNTY

Harold E. Frick	35, 416
R. M. Watsons Sons	35, 192
O. T. Price, Jr	30, 812
Total payees in county (3)	101, 420

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—South Carolina—Continued

SPARTANBURG COUNTY

James W. Cox	50, 848
Edward Antley	28, 278
Gary Brockman	23, 142
Donald L. Dillard	20, 560
Total payees in county (4)	122, 828

SUMTER COUNTY

J. F. Bland, Jr	61, 136
Scape Ore Farms, Inc	60, 028
J. E. Mayes	59, 353
William Rhodes Mayes, Jr	59, 317
W. R. Mayes	59, 317
James F. Bland III	55, 000
T. D. Keels	45, 922
Marvell W. Goza	44, 472
B. J. Barnett, Inc	43, 452
Booth Farms, Inc	40, 944
H. D. Barnett Etal	37, 345
J. M. Edens and Son	33, 626
Charles A. Segars	33, 603
J. M. Edens	32, 488
H. C. & H. C. Edens, Jr	30, 840
Sammie L. Yarborough, Jr	29, 843
Riverdale Farms, Inc	26, 816
Clayton Lowder	25, 948
John M. Shiver	24, 331
Frances I. Davis	24, 016
J. H. Montgomery, Jr	23, 763
E. S. Godbold	23, 500
Ralph W. Bleasedale	22, 663
S. A. Harvin	21, 954
E. L. Evans	20, 835
Total payees in county (25)	940, 512

WILLIAMSBURG COUNTY

S. Wayne Gamble	55, 697
Roy J. McFadden	48, 073
Joe Daves	36, 792
Gene Daves	29, 645
D. Dean Boyd	24, 417
Ronald L. Boyd	23, 963
Eva P. Chappell	21, 856
Total payees in county(7)	184, 746
Total payees in State (361)	12, 499, 034

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—South Dakota

BENNETT COUNTY

Elkhorn Farm	37, 945
John Hippen	23, 417
John F. Knecht	20, 280
Total payees in county (3)	81, 642

BROWN COUNTY

Clark Bros. Inc	40, 997

BUFFALO COUNTY

James S. Brown	20, 366

BUTTE COUNTY

McLeod Smith Ranches & Farms	54, 478
Goeringer Farm	27, 081
Earl W. Clarkson Co., Inc	25, 932
Total payees in county (3)	107, 491

CORSON COUNTY

Young Inc	20, 779

DAY COUNTY

Hansmeier & Son, Inc	30, 094
Peterson, Inc	20, 926
Total payees in county (2)	51, 020

DEWEY COUNTY

Almond D. Hunt	25, 801

EDMUNDS COUNTY

Plainview Hutterian Assn	26, 274
Petersen Farms, Inc	22, 597
Total payees in county (2)	48, 871

FAULK COUNTY

State of S. Dak	26, 814
Lloyd Harmon	22, 375
Fred G. Boysen	21, 074
Total payees in county (3)	70, 263

HAAKON COUNTY

W. R. Lee	28, 868
J. Tipps Hamilton	25, 309
W. A. Hickman	24, 317
Total payees in county (3)	78, 494

HUGHES COUNTY

Leon Crain	37, 592
Clyde Colson	26, 700
Guy F. Barnes, Inc	23, 529
A. L. Jones	20, 475
Total payees in county (4)	108, 296

JONES COUNTY

Daum Brothers	28, 863

LYMAN COUNTY

Leo J. Terca	24, 686
Alfred Ehlers	24, 660
Rex C. Brown	23, 117
Gary Halvorson	20, 415
Total payees in county (4)	92, 878

MARSHALL COUNTY

Ray S. Jarrett	37, 331
Dalton Docter	21, 049
Total payees in county (2)	58, 380

MEADE COUNTY

William Simons	28, 853

PENNINGTON COUNTY

Leonel M. Jensen	21, 194

PERKINS COUNTY

O. Theo Beckman	26, 621
Christman Bros	24, 362
Ham Bros., Inc	21, 850
Total payees in county (3)	72, 833

POTTER COUNTY

James L. Taylor	28, 090
Eldon Smith	25, 735
Don Kunstle	24, 043
Dakota Cattle Co	23, 868
Sherman Neal Jesse Rausch P	22, 413
Daniel Cronin	22, 311
Robert Houck	21, 950
Total payees in county (7)	168, 410

SANBORN COUNTY

Vernon Amick	30, 368

SHANNON COUNTY

Orville Schwarting	27, 184
R. W. Will	23, 346
Total payees in county (2)	50, 530

SPINK COUNTY

Glendale Colony	41, 080
Hammer Bros	23, 823
Hudson Farms	22, 121
Total payees in county (3)	87, 024

STANLEY COUNTY

E. Vernon Sivage	26, 371

SULLY COUNTY

W. J. Asmussen	68, 784
C. A. Cannon III	53, 154
Kinkler Farms, Inc	47, 995
Dean Nelson	47, 857
D. L. Anderson Corp	46, 749
Stanley Asmussen	46, 662
Jerome J. Weinheimer	38, 080
Ken R. Huse	36, 741
Minder Brothers	29, 835
Elton Eller	28, 876
Robert E. Duncan	24, 226
John W. McSpadden	24, 136
Lyle W. Ebert	20, 998
Total payees in county (13)	514, 093

TRIPP COUNTY

Bartley Mills	26, 902
Van Collins	21, 386
Total payees in county (2)	48, 288

TURNER COUNTY

Bones Hereford Ranch, Inc	26, 676
Total payees in State (66)	1, 908, 781

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Tennessee

CARROLL COUNTY

John A. Shoaf	32, 295
Larry D. Townsend	26, 393
Total payees in county (2)	58, 688

CHESTER COUNTY

Talley & Talley	28, 081

CROCKETT COUNTY

James F. Jordan	56, 074
Steve Harper	55, 536
C. D. Cooke	52, 923
Donny Cooke	50, 629
John East	42, 200
H. H. & F. W. Raines	32, 385
Donald Prescott	31, 557
Joe H. Carter	26, 955
J. M. Cherry	24, 392
Billy D. Brown	22, 725
Eli Young	22, 086
Max Cates	21, 363
J. B. Beaird	20, 620
Billy Spence	20, 411
Farrow Knox	20, 275
Total payees in county (15)	500, 131

DYER COUNTY

Charles & Elvin Miller	27, 914
Carlos Johns	20, 933
Total payees in county (2)	48, 847

FAYETTE COUNTY

Jerry Skelton	55, 958
Cowan Bros	51, 150
Fowler Moore Moore Fowler	42, 355
Ames Plantation	40, 065
B. L. Davis	37, 209
L. J. & J. A. Williams	36, 804
H. H. Farley	35, 767
Gordon Tomlin	35, 259
Allien M. Dunn	32, 573
Jimmy Kilby, Jr	31, 610
J. W. Owen	30, 453
J. M. Caudle	25, 722
Davis Bros	24, 892
Howard Carpenter	24, 469
Rhea V. Taylor, Jr	23, 648
Cooper Skelton	23, 550
William B. Cowan, Jr	22, 975

C. F. Redfearn	21, 497
William M. Tomlin	21, 254
Thomas H. McNeill	21, 017
J. M. Sullivan, Jr	20, 838
Longtown Supply Co., Inc	20, 200
Total payees in county (22)	679, 265

FRANKLIN COUNTY

Emmett Owens	56, 516
David R. Owens	56, 422
O. R. Collins, Jr	41, 081
Total payees in county (3)	154, 019

GIBSON COUNTY

Bobby Harper	45, 095
Kermit Cates	32, 645
Billy Woods	30, 377
James T. Graves	22, 542
Will Jere Pillow	21, 540
Willie T. Crocker	20, 830
H. L. Tracy	20, 519
Total payees in county (7)	193, 548

GILES COUNTY

White & Witt	25, 718

HARDEMAN COUNTY

J. L. Chambers	58, 469
Jimmie Ervin	27, 257
J. W. Bishop	27, 097
G. B. Ervin	25, 719
Harlan Wooten	25, 676
O. E. Harris, Jr	25, 119
Total payees in county (6)	189, 337

HARDIN COUNTY

T. J. White	26, 670

HAYWOOD COUNTY

Tommy B. Willis	40, 901
Charles Haynes	39, 511
Glenn Lonon	37, 737
Billy Frank Morris	35, 234
Caudell Coburn	33, 515
James Coffman	32, 693
M. Carter, Jr	24, 954
C. A. Porch	22, 698
John W. Moses III	22, 324
Allen King	22, 084
Robert A. Mann, Jr	21, 631
Floyd Qualls	21, 064
Billy Solomon	20, 867
Foncie Morris	20, 309
Total payees in county (14)	395, 522

LAKE COUNTY

W. T. Jamison, Jr	67, 851
Tipton Bros. and Sullivan	41, 544
Bruce D. Wyatt	41, 047
William E. Lindamood	40, 594
Charles R. Patterson	38, 798
W. E. & Bruce Dunlap	36, 044
George Dial	34, 738
Leonard Fisher	33, 750
Nard Shull	28, 535
Joe Dale Barker	26, 338
Frank T. Markham	26, 061
Margaret Jackson	24, 488
Wm. E. Paschall	23, 705
John W. Paschall	23, 406
Lymon Barker	22, 568
Joe Schenk	21, 445
Fred A. Wortman	20, 984
G. F. Parker	20, 753
Jack Haynes	20, 699
Jack Fields	20, 461
Wade Lannom	20, 142
Total payees in county (21)	633, 951

LAUDERDALE COUNTY

George Lawson Elder	58, 615
Ft. Pillow State Farm	45, 070
William H. Moore	38, 938
Jimmy Fullen	34, 711
Stephen M. Pullen	34, 711
Tendel Farms	34, 621
Clyde Younger	27, 899
Dunrovin Farms	26, 423
Fullen Farm Inc	25, 293
Albert Leland Jennings	24, 197
Robert J. Reviere	22, 872
Jammie P. Elder	21, 222
Henderson Bros	20, 655
Total payees in county (13)	415, 227

LAWRENCE COUNTY

Gordon Barksdale	56, 081
Olan Brazier	22, 932
Clyde Gillespie	20, 737
Total payees in county (3)	99, 750

LINCOLN COUNTY

M. M. Delap and Sons	41, 768
James R. Turman	23, 464
Gilbert Bradley	22, 064
Total payees in county (3)	87, 296

MADISON COUNTY

Jessie Collins	44, 811
Neely Robley	40, 643
James Shellabarger	26, 638
James Sharp	23, 315
P. J. Haynes	22, 227
Roy Haynes, Jr	20, 627
Total payees in county (6)	178, 261

M'NAIRY COUNTY

James E. Smith	29, 493
A. J. Mitchell	20, 387
Total payees in county (2)	49, 880

OBION COUNTY

Floyd Yarbro	23, 307

RUTHERFORD COUNTY

James R. Donnell	25, 440

SHELBY COUNTY

Belz Investment Co., Inc	58, 727
Horne Bros	54, 029
Douglas L. Walker	53, 274
H. S. Mitchell	53, 245
John O. Moore	45, 611
Robert January	41, 846
Thurman Chapman	37, 611
Cedar Hill Farms	31, 597
T. A. Densford, Sr	29, 536
T. A. Densford, Jr	29, 536
J. H. Densford	29, 534
James L. Mann	29, 110
James E. Cowles	28, 590
Hardy Johnson	28, 513
Aubrey Howell	28, 153
Paw Paw Block Farm	27, 889
Harold Ticer	26, 664
William K. Bolton	25, 589
D. Herbert Sigler	23, 239
E. F. Crenshaw	22, 365
Total payees in county (20)	704, 658

TIPTON COUNTY

Charles L. Walker	51, 775
Horace E. Moore & Sons	50, 414
R. W. Anderson	48, 895
John A. McIntyre	38, 719
Bill Trantham	38, 514
W. Lewis Scoggin	24, 766
William D. Ray	35, 551
Johnson Brothers	35, 514
John C. Balton	30, 850
Marcless Sneed	29, 345
Herbert Parr	27, 751
L. E. W. F. & M. B. Davis	25, 852
Austin E. Anderson	25, 648
Hugh Wilbur Hill	24, 501
Dewey Pinner	24, 044
Sammy Smith	22, 770
J. M. McCalla, Jr	22, 356
Troy E. Hopkins	20, 824
Joe Christmas	20, 497
Total payees in county (19)	612, 134
Total payees in State (163)	5, 129, 730

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans— Texas

ANDREWS COUNTY

Gene Irin	56, 310
D. G. Chiles	54, 630
C. C. Shortes	44, 952
W. H. Vanlandingham	42, 211
T. A. Wartes	38, 272
Marvin Hays	36, 783
C. W. Callaway	34, 931
R. D. Russell	26, 240
70 Ranch	24, 549
Leslie Emfinger	21, 236
Flying N Ranch	20, 119
Total payees in county (11)	400, 233

ARKANSAS COUNTY

B. E. S. Co	24, 504

ARMSTRONG COUNTY

Delmar Durrett	61, 890
Parker Cattle Co	28, 062
James Bible	25, 928
Total payees in county (3)	115, 880

AUSTIN COUNTY

Max J. Zapalac	24, 812

BAILEY COUNTY

J. Bert Williams	74, 384
Carl Bamert	70, 201
Horace Hutton	64, 497
W. T. Millen	56, 032
Randy Johnson	55, 431
J. G: Arnn	52, 290
James Adolph Greener	47, 552
B. J. Gable	44, 522
John R. Young	42, 932
W. B. Little	40, 799
Homer Richardson	37, 981
O. A. Jones	37, 167
Buffalo Farms, Inc	36, 513
Charles L. Lucy	36, 176
J. F. Furgeson	35, 856
J. L. Thomas	35, 671
T. D. Davis	35, 500
Jim Claunch	35, 394
J. P. Tarlton	35, 093
W. M. Pool	34, 943
Jesse Carter	33, 825
Jack Schuster	31, 870
Wilbert Kalbas	29, 941
Finis Verley Kimbrough	29, 383
Bernard Phelps	28, 972
Lester Howard	28, 764
C. J. Feagley	28, 033
Elmer L. Hargrove	27, 898
A. R. McGuire	27, 787
C. K. Corbell	27, 120
John W. Gunter	27, 057
Weldon Avery	26, 232
Jim Pat Claunch	26, 155
Lewis Brothers	25, 865
Marvin May	25, 378
Bennie Claunch	25, 368
J. R. Austin, Jr	25, 059
D. E. Benham	24, 804
Marvin Johnson	38, 314
Freddie Parkman	24, 534
James Gore	23, 869
Ben Roming	23, 514

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

BAILEY COUNTY—Continued

Jim Johnson	23,235
Snider Farms, Inc	23,174
Jimmy Harris	23,152
Don Lowe	23,100
Johnnie Prater	22,995
Robert Claunch	22,821
Joe L. Smallwood	22,805
Ed Pete Caswell Trst	22,456
Richard E. Black	22,244
C. L. Saylor	22,006
Robert Nunnally	21,990
Billie Marlow	21,821
Howard J. Hale	21,803
A. P. Fred	21,549
Byron Gwyn	21,450
Billy D. Bell	21,369
Aubrey Heathington	21,264
Lewis Wayne Shafer	21,070
W. T. Watson	20,810
W. L. Welch	20,713
Austin Bros	20,686
Doyce Turner	20,521
W. D. Lackey	20,484
W. E. Latimer	20,446
Leldon Phillips	20,439
Gene Bartley	20,390
Van Rogers	20,159
Total payees in county (69)	2,090,080

BAYLOR COUNTY

Bobby G. Brock	37,458
Megargel Drilling Co	24,211
Emitt Golden & Co	23,303
Total payees in county (3)	84,972

BEE COUNTY

Beasley Farms Inc	38,365
Amko Farming Inc	24,152
Total payees in county (2)	62,517

BELL COUNTY

C. B. Hodge	42,474
William A. Hudgens	42,021
Lewis Farms	35,672
Gary Hudgens	28,533
Zed C. Lancaster, Jr	26,297
Total payees in county (5)	174,997

BORDEN COUNTY

John Springer Stephens	62,339
H. D. & Kent Holmes	35,373
John S. Stephens, Jr	33,794
Harold William Ludecke	28,574
C. C. Nunnally	25,643
J. E. Nance, Jr	24,332
Pat N. Hensley	23,931
Harold Wade	23,387
Harlin D. Williams	23,152
Kenneth D. Williams	22,363
Kenneth Wayne Smith	22,224
Hubert W. Walker	21,028
Garland Doyle	20,659
Robert C. Daugherty	20,198
Jackie Dean Wolf	20,105
Total payees in county (15)	407,102

BOWIE COUNTY

Mary Ann Wilson	64,448
James R. Killion	64,168
H. L. Vance	63,543
Elwood Elkins	59,824
George H. Vance	54,960
Eddie Blackmon, Jr	52,559
D. P. T. Farris, Inc	47,314
William H. Farris	42,961
Bentley Johnson Farms, Inc	38,815
Guy W. Farris	33,456
Norman Moser	24,495
Gordon Martin	20,667
Total payees in county (12)	568,210

BRAZOS COUNTY

Tom J. Moore	93,668
Harry H. Moore	70,047
Robert T. Moore	65,142
L. C. Frede	57,082
Sam Morello	56,230
Tony Varisco, Jr	53,139
J. P. Terrell Est	42,180
W. J. Terrell	41,452
Don Angonia	40,749
Vince Court	25,613
Joseph Cecil McCoury	25,327
Martin Merdian	22,136
Total payees in county (12)	592,765

BREWSTER COUNTY

McMullan and Sims	37,144
G. A. Morris	23,746
Jack Shely	23,307
Total payees in county (3)	84,197

BRISCOE COUNTY

L. O. Weaks	52,459
Joe B. Mercer	48,791
Fred W. Mercer	43,292
G. W. Lee	41,041
Alva C. Jasper	32,865
Clyde Mercer	31,313
P. R. Sissney	29,254
J. D. McGavock	28,825
Harold Storie	25,808
Roy Montague	25,803
Ray Teeple	25,073
Cook & Cook	24,506
Allen Kellum	23,246
Gordon Montague	22,823
George Long	22,700
Theron Culwell	21,836
L. D. Griffin	20,590
Total payees in county (17)	520,225

BROOKS COUNTY

Robert Allen May	31,436

BROWN COUNTY

Lillie E. Stevens	21,379

BURLESON COUNTY

Est. Geo. C. Chance	69,399
Holland Porter	63,646
Pete J. Scamardo	49,846
Marion J. Malazzo	49,210
Luke Restivo	45,991
Mitt A. Bush	41,888
Marvin M. Porter Est	40,950
H. H. and Edgar Baker	38,813
Phil Scamardo	36,432
Steve A. Scarmardo	34,561
Sandyr Scarmardo	34,466
G. R. Hutson	33,519
A. C. Sebesta and Sons	30,521
John W. Giesenschlag	24,062
Joe S. Campise	23,578
Henry Wagner	21,982
Total payees in county (16)	638,864

CALDWELL COUNTY

Terrell T. McGee	32,706
William H. Schroeder, Sr	22,728
C. Fleetwood Richards, Jr	22,620
Terrell E. Clark	21,515
Total payees in county (4)	99,569

CALHOUN COUNTY

Roy Smith	79,041
A. R. Vincik	35,959
Sanders Farms, Inc	21,616
Alvin A. Hahn	20,986
Total payees in county (4)	157,602

CAMERON COUNTY

Billie Joe Simpson	59,952
Marel H. Wilson	59,419
James A. McCarthy	58,733
Carl Otsuki	57,613
Rio Grande Equip. Co	56,848
John A. Abbott	56,500
Milton E. Wentz Jr	55,706
Milton E. Wentz	55,701
Herbert W. Bode	52,514
Editha Bode	52,512
Oba D. L. Smith Farms	50,770
James D. Russell	50,193
Henry V. Macomb	50,185
Russell Farms	50,179
Joe S. Wolf	48,830
Martha M. Russell	48,679
Robert F. Ashley	48,482
Hollie C. Lewis	48,296
Robert L. Shuckman	48,119
Ocsar Mayfield	47,911
Tommy Mayfield	47,909
Charles Mayfield	47,906
George Nixon	47,650
S. M. & W. M. Halbert	45,529
Bigham & Duncan	44,518
Island Farms, Inc	44,418
Douglas S. Cantwell	43,230
L. R. Cherrington	43,191
Bauer Brothers	42,985
Melvin R. Davis	42,579
Rodolfo B. Samano	42,205
Herman Lynch	42,197
J. L. & Bill Gray	41,758
Ashley D. Youngblood	41,524
Oval A. Martin	41,415
Lewis A. Oakes	40,099
G. D. Morrow	40,054
Harvey L. Johnson	40,046
Est. J. Kelly Cain	39,768
Joe T. Maurin	39,006
E. Harvey Adams	38,595
James P. Labar	38,544
Howard B. Girault	37,355
Rex L. McGarr	37,192
Elward M. Smith	35,836
S. R. & C. D. Stone Trs	35,731
McHayden Dillard	35,347
Lamon & Lamon	34,912
Est. William J. Bryan	34,700
Thomas Schmitt	33,883
Dennis Schmitt	33,874
M. D. Bush	38,508
Charles J. Buchen	33,465
F. H. Cherrington	33,366
Elvin P. Pederson, Sr., Est	32,382
Taylor Grain Co., Inc	32,163
Charles L. Shofner	31,623
George L. Labar, Sr	31,507
Joe W. Lane	31,361
J. G. Wreden	31,334
Ramona J. Wolf	31,323
Robert B. Ballenger	30,764
Charles E. Cherrington	30,611
Clifford L. Smith	30,470
W. B. Mack	30,288
Adolph Thomae, Jr	30,207
Lester Nixon	29,414
Elijah B. Adams	28,781
Bob F. Morrow	28,748
Elliott Roberts Rch, Inc	28,431
Hygeia Dairy Co	28,382
Edward E. Billings	28,364
Robert Mathers	28,098
Charles Eubanks	27,841
James H. Eubanks	27,829
Oscar Eubanks	27,828
J. E. Bruce	27,732
Dean Cole	27,490
Lloyd G. Payne, Jr	27,025
Eugene A. Eubanks	26,923
Quinton S. Kincannon et. ux	26,794
Martha D. Mercer, Jr	26,307
Johnny J. Canville	26,231
Jerry Tanamachi	25,330
Sams Porter Corp	25,292
Crowe & Crowe	25,060
Harry H. Shimotsu	25,057
Ross D. Waters	24,841
Crockett Groves, Inc	24,684
Loop Farms	24,574
Kenneth Shimotsu	24,455

Pilar Cabrera	24,387
Joe E. McCain	24,253
Premier Farms, Inc	24,236
George & Sam Taylor	24,229
Reynaldo Ramirez	24,193
Kitamura Brothers	24,132
Edwin W. Caughfield	24,017
Lois C. Bourne	23,806
Billy N. Cantwell	23,304
Harry J. Garrett	23,280
Clement T. Cholick	23,245
Joe G. Ballenger	23,074
Walter L. Clore	22,909
Jackson Est & D. E. Jackson, Jr	22,841
James S. Norris	22,825
777 Ranch	22,638
Roy W. Renfrow	22,610
W. H. Thompson	22,491
Francis L. Phillipp	22,110
John P. Cholick	22,108
Leonard P. Simmons, Jr	21,881
Garvin B. Macomb	21,632
Peters Brothers	21,624
Ronald E. Waters	21,456
Dba Taubert Bros	21,418
Jan H. Heaton	21,331
George L. Labar, Jr	21,214
Jack N. Sutter	20,884
Lawrence J. Phillipp	20,639
Graham B. Smith, Jr	20,561
Horace Wells	20,251
Lloyd G. Brotzman	20,219
Carl L. Bauer	20,190
Walt O. Waters	20,176
Jess and Warren Willard	20,121
Dos Lagunas, Inc	20,031
Total payees in county (127)	4,257,297

CARSON COUNTY

Texas Tech Research Farm	57,384
Frank Robinson	55,033
Roman J. Friemel	46,186
Sam Kotara	33,569
John D. Kelly, Jr	32,745
Clinton Williams	30,345
J. B. McCray	27,534
Raymond Blodgett	26,277
A. L. Stovall	25,535
Albert Weinheimer	24,438
G. A. Mahler, Jr	24,261
E. T. Ross	24,081
H. L. Beddingfield	22,660
Leonard Olson	22,630
B. F. Urbanczyk	22,478
R. J. Kuehler	22,336
Frank Simms	21,410
John Kotara, Jr	21,067
Jack Martin	21,064
Fowler Bros. Ptn	20,144
Total payees in county (20)	581,177

CASTRO COUNTY

Jerry Cluck	95,465
Hill Farms	92,947
Homer Hill	90,466
Carl Bruegel	87,616
G. L. Willis, Jr	79,632
George Gabel	64,972
J. F. Martin	59,187
David Smith	57,307
Clements Corp	53,360
Bill Rich	50,390
Kenneth Heard	49,559
Bob Dulaney	49,283
Frank Wise	48,694
Floyd Cole	47,788
Donald J. Wright	47,536
Geo. & Kenneth Frye	46,918
Dan J. Heard	45,600
Tom Miller	45,563
Chas. E. Armstrong	44,499
Jay Lee Touchstone	43,781
Homer A. Hill	43,609
Chas. Heck, Jr	43,497
B. L. Moore	42,014
Gilbreath Farm Co	41,623
Shirley L. Garrison	41,114
Jack Miller	40,827
J. M. Young	40,177
Clint B. McFarland	39,770
Truman Touchstone	39,475
Fred Bruegel, Jr	39,196
Milburn and Eddie Haydon	39,155
Melvin Barton	38,515
George C. Heard	38,069
J. M. Wright	37,488
Loyd Farris	37,305
Lorenzo Lee	37,151
Allan Webb	37,006
Margaret Ware Est	35,743
Truvis Campbell	35,566
George Sides	35,291
W. W. Lemons	35,084
Ray Robertson	34,884
Dick Ellis	33,399
E. L. Howard	33,337
H. C. Nelson	33,033
Glenn Odom	32,980
Woodrow Nelson & Sons	32,775
Henry W. Golden	32,437
Earl Harkins	32,365
Paul T. Brooks	32,292
Rodney Smith	31,798
Lamar Found	31,250
Kent Gabel	30,726
Harlan L. Barber	30,597
Carl L. Kemp	29,851
L. L. Shultz	29,345
S. A. Hodges, Jr	29,183
Ivan L. Block	28,375
W. B. Hammonds	28,305
H. M. Boozer	28,298
R. E. McDaniel	28,219
Don Carpenter	28,137
Lonnie Bell	28,006
Carl King	27,994
H. D. Smith	27,601
Jess Willard	27,528
E. Herring, Est	27,515
Jack George	27,410
Pat Robbins	27,378
Charles Rickerd	27,328
Odus Hastings	27,260
Harvey C. Davis & Sons	26,890
James Bradford	26,851
Roger E. Haberer	26,781
Tommy Stanton	25,920
Clayton Graef	25,806
Kenneth Christie Farm, Inc	25,572
James H. Bradley	25,511
M. L. McFarland	25,360
Clyde H. Damron	25,290
Charles T. Noland	25,081
Otto Steinberg	24,826
Charles Nutt	24,268
Jim Elder	24,133
Joe Nelson	24,128
H. J. Clark	24,011
George Heck	23,767
Andy Nelson	23,576
Walter H. Schilling	23,263
J. M. Snyder	23,146
Calvin Petty	22,970
Kenneth P. Hamilton	22,705
Luke McGuire	22,178
Paul W. Armstrong, Jr	22,152
R. R. Rule	21,634
Roland Stevens	21,604
Dale Winders	21,582
Clyde Hancock	21,335
J. D. Myrick	21,218
Cleo I. Connell	21,200
J. R. Matthews	21,172
Ed Wilson	21,138
T. G. McKinney	21,011
Rayphard Smithson	20,951
E. W. Foster	20,852
Jerry Watts	20,805
Geo. Ed Bennett	20,798
David Nelson	20,765
D. L. Thomason	20,734
Ray Joe Riley	20,657
Bob Kay	20,559
Tom Lewis	20,451
George Bennett II	20,413
Frye Associates	20,389
Floyd Copeland	20,013
Total payees in county (115)	3,921,310

CHILDRESS COUNTY

Luther C. Hill	44,334
Walter I. Lambert	38,821
Vera Renfro	32,869
Clinton B. Halford	32,758
B. P. Henderson	31,600
Derrill Nippert	26,485
Arthur Kane	26,436
Carroll Seal	25,638
L. H. Felton	24,773
Dean Decker	24,509
Delbert Seal	24,240
Douglas Seal	24,220
Troy Boykin	23,698
Ralph Sides	21,820
Lilburn F. Cox	21,101
Leeman Weir	20,980
Fletcher Carter	20,396
Total payees in county (17)	464,678

CLAY COUNTY

Herman Scheer	25,391
P. P. Langford, Jr	24,737
Parker & Mayo, Inc	20,793
Total payees in county (3)	70,921

COCHRAN COUNTY

F. O. Masten	79,809
J. K. Griffith	77,752
E. L. Polvado	62,177
J. E. Polvado	61,063
Mrs. Dona Doughty	60,795
Jimmy Millar	58,922
Bobby Smith	57,518
J. G. Millar	55,761
R. L. Polvado	55,167
T. K. Williamson	54,032
Ronald Coleman	50,165
H. B. Barker	48,111
Slaughter Hill Co	47,569
J. & M. Farm, Inc	45,623
Jim David and Sue Ratliff	45,616
W. B. Merritt	44,392
Clayton Stokes	44,352
R. Hugh McKelvy	42,783
Anella S. Bauer	40,351
E. E. Silhan	38,818
Dan Valentine	34,966
J. D. Merritt	33,841
J. M. Silhan	31,139
Ike Williams	30,722
Leonard O. Coleman	28,945
B. H. Tucker	28,029
C. E. Ratliff & Sons	26,823
Leo P. Cunningham	26,675
Emmett E. Thomas	25,852
Hub Baggett	25,285
Ernest Trull	24,174
J. L. Schooler	24,149
Dalton Redman	23,682
C. C. Harvey	23,176
W. L. Foust	22,976
Lewis Sims	22,553
Hub Cadenhead	22,513
Danny Key	22,496
Joe H. Bowers	22,485
H. A. Lamb, Jr	22,404
Jack French	22,399
Larry Edwin Baldwin	22,014
Tom Silhan	21,979
George G. Williams	21,888
Raymon Hall	21,748
Gaylon Baldwin	21,201
Ira Brown	21,162
Ken Wesley	21,131
Charles Cumpton	21,090
W. D. Christian	20,997
Robert Yeary	20,695

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

COCHRAN COUNTY—Continued

Felix Silhan	20,567
Roy B. Davis	20,329
J. B. Nicewarner	20,322
A. R. Lamb	20,265
Owen Egger	20,100
Total payees in county (56)	1,931,548

COKE COUNTY

J. O. Rudd	27,695
Gladys Clark	22,049
Total payees in county (2)	49,744

COLLINGSWORTH COUNTY

Carthel G. Lewis	34,227
James Doneghy	26,968
Louis E. Allred	25,517
J. B. Killian	25,224
Wood & Wood	24,586
William R. Ward	24,467
John E. Forbis	23,054
Tommy Lewis	22,816
P. P. Fielding	22,030
Fred Covey	21,825
Olan Farris	21,707
Earl L. Bartlett	21,568
Bill Janes	20,867
Drury C. Lacy	20,841
Total payees in county (14)	335,697

COLLIN COUNTY

Glynn Dodson	61,784
Welborn & Welborn	38,087
Eugene W. Settle	27,215
Warren H. Rousey	25,850
Edward R. Donihoo	24,023
Billy Joe Donihoo	22,702
Dwight D. Crigger	21,306
Charles E. Bell	21,251
Total payees in county (8)	242,218

COLORADO COUNTY

T. Cattle Co	43,711
Kenneth Mahalitc	23,226
Total payees in county (2)	66,937

CONCHO COUNTY

Jess Stephens Son	50,248
Arlie E. Davis & Son	38,359
Adrian L. Fiveash	36,094
Walter L. Pfluger	29,770
Monroe P. Dierschke	25,377
Emmett Pfluger	24,495
Jack V. Williams	21,173
Norman W. Krieg	20,895
Canning Wales	20,200
Total payees in county (9)	266,611

CORYELL COUNTY

Bobby Latham	34,606
Robert J. Hunt	28,492
Total payees in county (2)	63,098

COTTLE COUNTY

Donald D. Love	32,292
R. D. Wall, Jr	31,165
Jack Tippen	28,294
Welton Fields	26,091
Don Brothers	26,087
Maggie B. and Irless Brooks	25,075
Loyd Mayes	24,012
Lester Moss	23,535
J. T. Martin	23,028
H. W. Matney	22,183
R. C. Martin	21,788
James Sweeney	20,977
Woodrow D. Tucker	20,476
Suttle W. Majors	20,123
Total payees in county (14)	345,126

CROCKETT COUNTY

7U Ranch Co	48,256
W. W. West	43,481
John W. Childress	28,962
Joe Bean	26,441
Victor I. Pierce	25,976
Joe Tom Davidson	23,369
A. Millspaugh	23,233
Mrs. Bill Hoover and Sons	21,837
Total payees in county (8)	241,555

CROSBY COUNTY

John A. Wheeler	90,245
Donald Aycock	63,271
Delton Caddell	61,059
Bob Kimbrough	57,764
Lynn E. Campbell	55,803
Cleve Cypert	52,382
H. N. Watson, Jr	51,894
W. O. Lockwood	51,531
G. J. Parkhill, Jr	47,797
Luis Garcia/Sons, Inc	47,361
Jesse L. Reese	45,582
Clyde Crausbay	44,293
D. J. Moses	44,255
Marvin O. Greer	42,888
J. P. Beck	42,255
W. T. Leon	41,751
Compton Cornelius	40,669
Lynn T. Smith	39,684
Elvis O. Martin	38,282
Darrell J. Dunn	38,050
C. L. Cowley, Jr	37,839
Gene Fullingim	37,392
Marvin T. Heinrich	37,330
Bill N. Gilbreath	37,284
Elton Ellison	36,821
Kenneth Summerford	36,542
Tom F. Oats	36,123
David Prewitt	35,610
Robert Fullingim	35,578
R. H. Farris, Jr	34,941
Clyde Crump	34,749
O. D. Moore	34,342
Rex Wheeler	34,172
Harold Hodges	34,131
L. Don Anderson	33,526
Carroll Himmel	33,371
Max Johnson	33,339
Wilson & Gray, Inc	32,893
I. B. Davis	32,768
Mack Harmon	32,758
Claude Adams	32,486
J. B. Prewitt	32,292
Harvey Hancock	32,072
Craig McDonald	31,756
Jimmie W. Thornton	31,537
R. P. Kirkendall	31,529
John L. Haynes	31,420
James Caddell	30,907
Wright L. Carlisle	30,085
Lloyd Gambrel	29,739
Kenneth Gray	29,688
A. W. Marshall	29,620
Ray Marsh	29,310
Buster E. Smith	28,993
Joe Appling	28,704
Billy Crump	28,302
W. Clayton Sellers	28,250
George Cunningham	27,903
James K. Edinburgh	27,759
J. J. Griffin	27,438
J. W. Jackson	27,074
L. M. Powell	26,893
Anthony Latta	26,855
Dick Snodgrass	26,475
Jack E. Robertson	26,344
Roy Lee Ellis	26,297
Mitco, Inc	26,201
Will D. Griffin	26,147
Ernest L. Harris	25,583
James W. Sales	25,522
Charles B. Gray	25,468
Alvin C. Morrison	25,426
Amon W. Proctor	25,270
Earl Edwards, Jr	25,229
Thomas A. Poulson	25,040
Bobby H. Kendrick	24,959
T. W. Stockton, Jr	24,927
Loyd B. Parkhill	24,889
John H. Moore	24,871
Curtis M. Wheeler	24,540
James A. Boydstun	24,450
John R. Green	24,084
SAE Inc	24,014
J. R. Terrell	23,918
Billy Kirk	23,593
Donald Wooten	23,488
Nelton Chote	23,389
Dewey E. Wells, Jr	23,363
F. Eugene Woodard	23,331
Wayne J. Parker	23,299
Harold Verett	23,246
Roy J. Warren	23,142
Byron E. Powell	23,130
Roy Schluter	22,963
Arnold Ratheal	22,813
Arnold Hodges	22,720
Arvis E. Moore	22,704
Howell L. Martin	22,591
Herschel A. Roye	22,558
Donnie Powell	22,219
Arvil L. Campbell	22,076
James M. Chote	22,069
Jimmy R. Fullingim	21,973
Vernon D. Wheeless	21,824
Robert H. Perkins	21,511
Edmond C. Crump	21,491
George W. Poulson	21,375
Julius Blair	21,167
C. L. Martin	20,899
Harold Moore	20,705
Robin L. Anderson	20,635
Howard Harris	20,534
W. C. McDuff	20,518
Noble Hunsucker, Jr	20,481
Harold Trull	20,434
Billy Joe Boyd	20,283
Boney Winkler	20,268
Charles E. Sanders	20,182
Eldred L. Mize	20,168
Total payees in county (119)	3,675,733

CULBERTSON COUNTY

Wildhorse Valley Farms, Inc	45,509
D. H. Brewster	45,168
Lee Talley	40,260
J. J. Taber	39,699
Dick Guest	27,692
Total payees in county (6)	225,651

DALLAM COUNTY

Elmer Heiskell	59,343
James E. Crabtree	49,959
Alex Stafford	46,810
Hugh L. Gordon	43,976
Kerrick Land & Cattle Corp	34,564
George H. Noble	33,056
Charles Grice	31,237
Horace D. Estes	30,660
H. F. Beyer	30,397
Leo H. Moore	29,880
Raman L. Chandler	29,786
Oscar O. Przilas	29,152
John Hancock Life Ins	28,946
Billy Chestnut	28,767
Jimmie O. Brewster	28,290
Tim E. Field	27,069
J. T. McAdams	26,677
Winrock Farms	26,259
Melvin Przilas	26,226
Summerour Brothers Ptnp	25,938
Shelby L. Baker	25,662
William W. Allen	25,379
Curtis G. Chisum	24,675
James M. Higgins	24,517
Eli Dee Field	24,249

David P. McBryde	24,009
Tommy Lovett	22,399
Roy Nall	22,151
Raymond Garner	21,767
Frank C. McDaniel	21,364
Billy G. Moore	20,913
Kenneth Knight	20,539
Total payees in county (32)	944,616

DALLAS COUNTY

Billy C. Beach	41,269
Roddy Brothers	36,589
Max Daniel	34,525
Olin B. Curry	23,329
R. V. Luther	22,158
Total payees in county (5)	157,870

DAWSON COUNTY

Weaver Farming Corp	60,220
E. Bar Cattle Co	58,296
Bill Weaver	58,092
Marshall F. Cohorn	57,904
E. E. Sumrow	57,876
Sam Jenkins	57,775
Charles Warren	56,949
Bill Treadaway	56,926
Bobby Warren	55,606
C. R. Taylor	55,068
Woodward Farms, Inc	54,500
Landon Peters, Jr	51,966
Robert F. Hardberger	51,958
Billy Miers	51,448
Eiland Crawley Palmore	51,111
David Hughes	51,104
Raymond G. Roberts	50,400
B. L. Middleton	50,235
W. L. Gilliam	50,206
Don H. Peterson	49,370
E. D. Adcock	49,024
V. W. McGee	48,745
R. M. Middleton	47,534
Fred Henderson	45,701
Bob Henderson	45,701
J. E. Airhart	44,952
George Eiland	44,496
Carson Echols	44,211
James H. Addison	44,087
Lyndall Sharp	43,815
Donald Airhart	43,274
John D. Banta	43,154
Floyd Oliver	41,906
Lowell T. Warren	41,746
Arthur Nolen	41,064
Layton Oliver	40,507
Lloyd Cline Farms, Inc	39,890
Arthur J. Cohorn	39,678
Donald Wayne Merrill	39,462
Okyleen Addison	39,100
Jeff D. Raney	38,629
Doyle Terry	38,375
Frank Doyle Deatherage	38,310
W. G. White	37,900
Troy Howard	37,675
C. M. Pearce	37,580
Norman Wayne Brown	37,463
Billy J. Lambright	36,700
Henry F. Vogler	36,401
Ela Morris	36,400
Jones Farms	36,145
Donovan V. Phipps	36,018
Carroll Bennett	35,395
Adcock Farming Co., Inc	34,976
L. E. Griffin	34,557
Robert C. Koger	34,337
V. D. Barron	33,904
L. D. Freeman, Jr	32,884
Louie Drennan	32,828
David Franklin	32,537
Arlis Cline	32,369
Ben Gilliam	32,351
W. R. Cox	32,317
Bill R. Hambrick	31,985
Ewell K. Scott	31,708
E. L. Hendon	31,494
Edwin Rinewalt	31,443
F. and E. Farms, Inc	31,405
Sharecropper, Inc	31,400
Bill Meares	31,364
Joe O'Brien	31,231
N. B. Leatherwood	31,129
Richard Orson	30,850
Cecil O'Brien	30,644
Alvin Harris	30,314
Blaine Middleton	30,124
Donald Holt	30,097
Gonzell Hogg	29,674
Don Archer	29,528
Leroy Holladay	29,515
N. B. Shaw	29,470
J. F. Ferguson	29,430
Dennis Lamphere	29,332
D. O. Huddleston	29,327
John Middleton, Jr	29,163
Willard H. Free	29,151
R. C. Anderson	29,026
Jack Warren	28,820
Jimmy Napper	28,563
J. T. O'Brien	28,530
Leland Harold Bartlett	28,459
L. D. Echols	28,402
Roy D. Cooper	28,354
Norris Barron	28,327
W. H. McCulloch	28,298
Edwin Thomas	28,272
J. D. Bennett	28,264
Bob Archer	27,880
Moody Neeley	27,754
J. E. Neeley, Jr	27,754
Boyd Echols	27,615
C. W. Henderson	27,435
W. T. Pomroy	27,205
W. W. Miers	27,149
Conley Esmond	27,108
Carl Barrow	26,694
Ramon V. Hernandez	26,655
Ronald Raney	26,623
Wilton Bartlett	26,616
Alton Barkowsky	26,569
Earl Fancher	26,503
Eddie Carpenter	25,606
Leroy Chapman	25,468
G. C. Clifft, Jr	25,464
Roy E. Bearden	25,226
Kent Youngblood	25,161
Snmm Farm Corp	25,150
W. C. Taylor	25,104
Harvie L. Kemper	24,748
H. R. Jeter	24,642
Kenneth Miers	24,389
Thomas H. Horton	24,385
Alvin G. Limmer	24,344
A. C. Hodges	24,297
Homer Etheredge	24,261
Ray Allen Noret	24,235
Olen Norris	24,033
Gus Burkett	24,026
Beachy Barron	23,988
Fred W. Bell	23,867
Ted Turner	23,812
Clyde L. Qualls	23,622
Billy D. Roberts	23,507
Jack R. Felts	23,441
Jerry Napper	23,328
Frank Harris	23,148
James David McGrew	23,131
Jack Wolford	23,091
Richard Woodward	22,878
Darus Sumrow	22,747
Allen Vandivere	22,720
R. D. Kilgore	22,642
Broyles Lamesa Farms, Inc	22,641
Jack McCown	22,412
R. D. Gibson	22,315
Harvey Hanson	22,188
Oscar Vogler	22,181
Miers Farms, Inc	22,173
J. P. Senter	22,110
Dan Harp	22,075
K. F. Campbell Est	21,832
Gus Junis	21,656
John Middleton	21,463
J. L. Billingsley	21,443
Floyd Davis	21,405
Jerry Kelley	21,401
Bill Barnes	21,321
Rex Zant	21,299
Freddie J. Vogler	21,281
Larry Turner	21,237
A. E. Hale	21,191
Vernon Berdell Bratcher	21,153
Ray Campbell	21,047
Vernon Miller	20,961
Carl Garrett	20,955
Hershell Edwin Raines	20,921
Lum J. Holder	20,906
E. E. Rodgers	20,892
E. C. T. Farms	20,864
Dopson Farms	20,779
Gordon V. Waldrop	20,764
Herbert Green	20,736
O. H. Preston, Jr	20,710
Lloyd Mears	20,688
Jerry Adams	20,681
Shoestring Cattle Co., Inc	20,635
Ira Jeter Jr	20,410
L. O. Deatherage	20,372
V. H. Matthews	20,275
D. C. Rodgers	20,262
Jesse E. Stephens	20,244
Garland Maxwell	20,133
Jack Grigg	20,044
Total payees in county (183)	5,778,278

DEAF SMITH COUNTY

Taft McGee	117,012
Virgil F. Marsh	68,981
J. R. Durrett Trusts	58,734
John & Ray Brorman	58,498
B. T. Spear	58,427
Hosea Foster Est	52,279
W. H. Gentry	51,152
Carl S. Perrin	47,528
Billy Wayne Sisson	47,188
A. R. Dillard	46,967
Herbert Friemel	46,610
Vernon Denson	46,186
West AC Farms, Inc	45,698
Wm. J. Schulte	45,656
Lester B. Godwin	44,499
Brorman Bros., Inc	44,118
Reinauer Bros	43,719
O. D. Bingham Est	43,532
Forrester Ranch, Inc	42,456
Clarence D. Carnahan	41,827
Anthony Paschel	40,202
McCathern & Heck Farms	39,281
Harry Brorman	38,640
Sherman Nelson	38,573
O. E. Williamson	37,813
Morris W. Blankenship	37,213
Donald Kimball	35,619
W. F. Ponder	35,531
Richardson Seed Farm	35,382
Solomon Bros	35,046
Marvin May	34,625
Billy J. Cleavinger	34,419
Montgomery Farms	34,408
D. T. Reed	34,336
Oneway Farms	33,426
D. Neumayer	33,328
R. K. Brooks	33,126
A. C. Hays Jr	33,009
Edwin Axe Farms Inc	32,732
Higgins & London	32,552
Joe Lyons & Lyons	32,551
Robert Lloyd	32,240
L. J. Jones, Jr	31,724
James A. Bullard	31,518
James Fangman	31,311
B. C. Hodges	30,833
John A. & Raymond Smith	30,476
H. L. Fitzgerald	30,185
Schlabs Farms, Inc	29,865
Gary McQuigg	29,797
El B Ranch	29,524
E. C. R. Corporation	29,348
Bernard Hartman	29,327
Jim Monroe	28,748
Jimmy Brown	28,633
Hickman Farms, Inc	28,559
Norman Hodges	28,389
Jimmy Brown, Inc	28,133
A. G. Flippin	28,107
J. D. White	27,507
J. M. White	27,073
James Gentry	26,781

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

DEAF SMITH COUNTY—Continued

Pitman Easley Industries	26,757
Herbert E. Bippus	26,260
Jimmy Brown	26,206
Mrs. N. A. Brown & Sons	26,206
Beetex Supply Co	25,720
R. M. Mason	25,622
J. E. Warrick	25,584
Samie West Est	25,521
Bertran Jack	25,225
A. L. Hollingsworth	24,888
Iverson Leake	24,874
Douglas Nix	24,745
Johnny Jesko	24,454
Donald Hicks	24,443
Carnahan Bros	24,379
W. A. Carter	24,214
Josef C. Grotegut	23,945
Dave H. Perrin	23,764
Martha Ollie Freeman	23,764
Maurice D. Dorward	23,714
Bruce W. Burney	23,482
Carl Kleuskens	23,311
Robert R. Lindsey	23,273
Edward Allison	23,164
Luther Ellis	23,020
Tom Robinson	22,765
Ernest Walden, Jr	23,653
S. A. Fangman	22,607
Norton, Inc	22,425
Royce Cretsinger	22,394
Don Brooks	22,375
Curtis Deason	21,959
Paul Wilson	21,879
Glenn B. Allred	21,726
Bridwell Ranch West	21,423
Joseph A. Meyer	21,061
Harris & Thrush Sales Co	20,941
R. A. Crist	20,800
O. D. Jackson	20,761
George L. Olson	20,735
Joseph J. Friemel	20,486
Gerald McCathern	20,396
George Turrentine	20,198
Total payees in county (105)	3,415,076

DENTON COUNTY

Donald Shifflett	25,949
Bobby George	22,316
Elmo Chesney	20,017
Total payees in county (3)	68,282

DICKENS COUNTY

Paul Dale Hagins	66,320
Raymon Harris	33,429
D. W. Edinburgh	31,080
Raymond Eldredge	29,132
Felix Ramirez	29,123
G. H. Ragland	27,981
Rex Carlisle	27,481
David Y. Hughes	25,522
Larry Morris	24,708
W. E. Robertson	24,184
Earl Van Meter	22,958
G. B. Morris	22,207
Dumont Bridge	21,566
John L. Green	20,970
Total payees in county (15)	432,577

DIMMIT COUNTY

Reynolds & Wilson Farms	36,209

DONLEY COUNTY

Wm. O. Mooring	28,248
Hall S. Hardin	25,022
Warren Hardin	23,478
Total payees in county (3)	76,748

EDWARDS COUNTY

Alvin L. Connell	81,142
Loyd Mitchell, Jr	35,390
Carson Bros	30,954
Charles R. Pfluger	23,354
James Leo Greer, Jr	22,996
W. B. McMillan	21,086
Ned Dunbar	20,042
Total payees in county (7)	234,964

EL PASO COUNTY

R. T. Hoover Farms	80,205
Lee Moor Farms	60,856
Lee & Beulah Moor Chs Home	47,120
H. D. Hilley	45,222
Mike Maros	44,270
George B. Spence	37,360
Ralphs Farms, Inc	35,801
Jerry Rogers	35,218
Brandes Ramsey, Inc	31,595
Deerman Farms, Inc	30,993
Bills & Ellis Farms	30,472
Hiram Whitaker	30,440
C P. Brown	28,833
K. W. Rushing	27,687
James Strachan	26,346
Schuster Farms, Inc	23,180
Jim Surratt Farms	23,094
Jack H. Stallings	22,916
Gulbant S. Gil & Sons, Inc	22,637
George Eads	22,432
Kriegel & Kriegel	21,744
Mary Segulia Trust	21,422
L. R. Jacobs	20,578
W. T. Henderson Est	20,370
Total payees in county (24)	790,791

ELLIS COUNTY

Jack B. Eastham	52,262
Phillip N. Jeffers	51,540
J. B. & Jas. Underwood	48,774
H. R. Burden	45,107
Ramon Armstrong	44,863
B. D. Wakeland	40,305
Ted Almand	40,118
Nash Bros	36,883
Feedland Farm, Inc	27,929
C. C. Witherspoon	26,960
H. L. Southard	26,203
F. M. Roberts	24,087
G. W. James	23,813
Marvin Borders	23,713
Jerry R. Glaspy	23,542
Leland Calvert	22,347
T. M. Harper	22,253
John F. Davis	22,194
C. H. Shrader, Jr	22,113
Bozek Farm	20,759
Ocie Ray Gerron	20,673
Bob Crittenden	20,581
Roger Harper	20,575
Carey Hitt	20,137
Total payees in county (24)	727,731

ERATH COUNTY

Otey Shadden c/o J. A. Shadden	20,100

FALLS COUNTY

Basil Abate	58,589
Falsone Brothers	35,132
Tony Abate	31,153
Morris Scamardo	29,629
Jack Falco	28,845
H. H. Perkins	25,149
Werner Fuchs	23,351
Billy Pat Bostick	21,458
H. G. Barganier	20,934
Total payees in county (9)	274,240

FANNIN COUNTY

Riverby Plan	53,678
B. W. Mathews	21,028
Ralph Howell	20,495
Robert Shelton, Jr	20,138
Total payees in county (4)	115,339

FAYETTE COUNTY

John E. Morgan	22,922
Milton Joost	22,006
Total payees in county (2)	44,928

FISHER COUNTY

J. E. McCoy, Jr	45,401
John D. Ferguson	39,137
Kermit L. Terry	32,701
Dono Terry	31,531
Max Carriker	30,548
Willingham Land Cattle	28,009
Ben Martinez	27,110
R. E. McKimmey	26,968
Afra Eugene Hudnall	25,786
Allan Eugene Terry	25,699
Odell Rains	25,315
Vernon Terry	25,227
Bennie C. Kidd	24,074
J. P. Moore	23,831
Lewis Johnson	23,651
Richard Stuart	23,166
Bryant Farm, Inc	22,958
Mike Terry	22,883
Thurman Terry	22,306
B. S. Wright	22,256
Max O. Stuart	22,221
Stanley Nowlin	21,043
Preston Morrow	21,011
Jack Morton	20,801
V. C. Murphree	20,611
Total payees in county (25)	654,244

FLOYD COUNTY

Dorris Jones	75,140
Malvin A. Jarboe	54,255
Watson Jones	52,886
Craig Silverthorne	51,496
J. S. Hale, Jr	50,873
Don Marble	50,582
Chester Carthel	50,151
John C. Alford	49,397
Fred L. Marble	47,229
P. Keith Marble	47,229
Walter E. Bloys	43,580
H. B. Robertson	40,878
C.C. Whittle	40,154
J. E. Franklin	39,804
Bill Sherman	38,871
L. N. Johnson	37,953
R. I. Bennett	37,115
J. A. Miller	36,846
Wayne Bramlet	36,556
Marvin Shurbet	36,139
Floyd J. Ellison	35,909
Ralph Johnston	35,641
H. L. Porter, Jr	35,049
Kinder Farris	34,499
Lane Decker	34,180
Johnney West	33,686
Kenneth Bean	33,660
Louis Pyle	32,717
R. G. Dunlap	32,602
Reed Lawson	32,426
Weldon Hammonds	31,604
Harold Woodson	31,234
Adrain Helms	30,919
J. A. Welch	30,498
Lewis Reddy	30,365
Travis Jones	30,060
Fred Zimmerman, Jr	29,894
Robert L. Smith	29,839
J. R. Belt	29,015
Keith Reeves	28,469
Roy H. Tinsley	28,286
C. L. Henderson	28,170
Everett Miller	27,867
K. E. Probasco	27,844
Dejuan Strickland	27,795
W. R. Ware	27,687
Lon Davis, Jr	27,024
Luther B. Brandes	26,582
Fred Jackson	26,336
Austin B. Meriwether	26,251
J. R. Turner	26,212

Bundy Hal Campbell	26,211
Barney Manning	25,970
R. Fred Brown	25,793
Boyce Mosley	25,530
Billy Don Bigham	25,435
Eldon Fortenberry	25,409
Mack Hickerson	25,397
Elmer M. Jackson	25,238
Leighton Teeple	25,213
Louis Lloyd	24,994
Thomas H. Chatham	24,924
Early P. Pritchett	24,519
Hubert E. Frizzel	24,169
John A. Dorman	24,097
Kent Covington	23,779
W. M. Staniforth	23,752
Tate Jones	23,689
J. W. Day, Jr	23,555
Connie Bearden	23,515
B. J. Terrell	23,302
Doyle Moore	23,128
Harry Reeves	23,047
Loyd Widener	23,016
Walter W. Taack	22,952
Bruce W. Davis	22,948
Mary Beth Kropp	22,667
Edward J. Foster, Jr	22,608
Eugene Gilly	22,485
Wilfred H. Stoerner	22,338
Donal Akin	22,144
E. J. Kinslow	22,063
William F. Bertrand	22,022
Delmas McCormack	21,995
Billy W. Fulton	21,843
Milton Harrison	21,787
Buren C. and Lucy Cates	21,779
Frank D. Brown	21,698
Bobby McCormick	21,697
Loyse A. Bradshaw	21,649
Richard F. Stovall	21,559
Kay Crabtree	21,549
Larry Jarrett	21,438
Frank A. Weigel	21,285
J. W. Taylor, Est., Ptnsp	21,240
Dan Hagood	21,175
R. C. Mitchell	21,127
Carl W. Turner	21,109
Charlie Boedeker	21,085
Ray Lloyd	21,020
Travis Young	20,929
George D. Probasco	20,928
Roger Dawdy	20,882
Johnnie Cates	20,869
L. L. Rhodes	20,768
Gail Wilson	20,617
L. D. Smith, Jr	20,554
Jakey Younger	20,467
A. V. Bethel	20,374
S. C. Burleson	20,317
Olen C. Harris	20,267
Oscar Golden	20,177
L. T. Wood	20,119
Klyce Ooley	20,113
Total payees in county (114)	3,277,799

FOARD COUNTY

James G. Johnson	25,894
Jesse Whitfield	21,976
Total payees in county (2)	47,870

FORT BEND COUNTY

Tx. Dept. of Corr	391,380
Julius M. Ruffeno	42,323
Arno G. Schultz, Sr. & Sons	34,353
Otto H. Schulz	30,120
John J. Kramr	28,644
Joe S. Kramr	28,542
Sugarland Ind., Inc	24,201
Tilford G. Sulak	22,843
Total payees in county (8)	602,406

FRIO COUNTY

Bennett Bros., Inc	46,556
Clyde Cox	41,118
Tony Mann	36,771
Eulan Cox	36,060
John Barkley Farming Co., Inc	32,778
A. E. Schletze Farms	32,351
H. & B. Farms	24,738
Total payees in county (7)	250,372

GAINES COUNTY

W. E. Berry, Jr	76,284
Verlon Hilburn	67,774
Shamrock Farms	67,729
C. E. Hilburn	67,222
Norman Hicks	65,795
J. A. Grammer	64,461
Jennie Lee Lands	63,858
Roy W. Wicker, Jr	62,835
Frank Ratliff, Jr	62,538
Herbert Hicks	62,492
H. L. Hill	62,344
Troy Martin	61,997
Delmon Ellison	61,660
A. P. McGuire	61,329
Paul J. Condit	61,256
Roadrunner Farms	60,745
Keith Young	60,722
Joe Tarbet	60,695
M. H. Nance	60,462
Vester Smith	60,452
Howard Huddle	58,983
L. D. Smith	58,466
Mesa Farms, Inc	57,876
Kenneth Bass	57,572
Dean Faulkenberry	57,503
G. D. Boldin	57,201
Oliver Bros., Corp	57,132
Alvin Keith Forbis	57,109
Paul Morgan	56,838
Thomas Michael Jenkins	56,682
Darrell Miller	56,604
R. L. Crowder	56,604
Ray Anderson	56,603
Dale Wiley	56,566
W. D. Wilson	56,565
A. Earl Jones	56,565
E. M. Weddle	56,364
W. H. Rhoades	56,113
Sam Teague	56,113
J. D. Nix	55,976
Melvin H. McKinney	55,877
E Bar S Ranch	55,669
Robert Scott	55,449
Bill Ellyson	55,419
Glynn Batson	55,345
Wayne Greaves	55,291
Douglas Floyd	55,122
Marcus Crow	55,116
M. & G. Farms	55,095
Bob Moffatt	54,847
Thearl Creech	54,754
Lewis D. Terry	54,618
Tony Greaves	53,869
R. I. Oliver	53,778
D. D. McClatchey	53,595
Earnest Hunt	53,595
Roy L. Strong	53,595
L. D. Jones, Jr	53,563
Ferguson and Schneider	53,519
J. W. Archer	53,352
Kent Denson	53,258
J. A. Benthall	53,037
Floyd McGee	52,970
Don Sanders	52,465
Tommy Lacy	52,198
Joe B. Pate, Jr	51,766
J. T. Carlile, Jr	51,590
Finley Moore	51,314
Ronnie W. Huddle	50,973
Bob Harlan	49,900
Vahlsing, Inc	48,838
Leon Foote	48,531
Alton Faulkenberry	47,736
S. M. Hanson, Jr	46,844
M. J. Farms	46,069
Four J Farms, Inc	44,959
William Charlie Faulkenberry	44,957
Robert Jameson	43,577
Brownfield Tractor Co., Inc	43,405
M. T. McIlwain	43,324
George D. Vaughon	42,918
E. J. Kelly	42,228
Donald Floyd	42,225
Lyle Dugan	42,122
Robert Sneed	41,823
Robert L. Fleming	41,441
Travis Crossland	41,290
Rinehard Vogler	41,271
Newson Gins, Inc	41,247
Earnest Spradlin	41,083
Charles Gay	40,915
Royce Harvey	40,912
D. L. Tate	40,725
N. M. Saunders	40,721
Henry Cheuvront	40,651
P. L. Childress	40,257
B. R. Truitt	40,101
Harry A. Childers	39,348
Jesse L. Smith	39,166
Clyde Haynes	38,481
Kay Teaff	38,381
Vernon Goodwin	37,819
C. E. Farms, Inc	37,818
Farrell Herring	37,424
John Henry Jones	37,391
E. C. Harvey	36,973
Ray Garrett	36,956
J. A. Smith	36,855
Kenneth Young	36,813
William Alfred Condit	36,501
A. W. Byrd	36,432
Noah Lemley	36,036
Charles Medlin	35,470
Morgan Farms	35,397
J. C. Chaffin	34,993
Billy J. Evans	34,760
Roy Apple	34,587
Eddie Jameson	34,488
W. G. and G. R. White	34,404
Henry Patton	34,347
Daniel Walter Davis	34,337
Weyland R. Mullins	34,240
Alvin Ray Riley	34,151
Jerry Harris	34,000
T. E. Gafford	33,265
Karl Cayton	33,165
Newell Bowen	32,599
James Troy Green	32,028
Roy D. Spradlin	31,824
Kenneth Hancock	31,450
W. V. Lasiter	31,287
L. E. Williams	31,230
Rex Sumrow	31,147
Thomas W. McKinzie	31,105
Raymond William Orson	30,994
Jeff and Ronald Raney	30,824
K. K. Whitaker Estate	30,769
D. J. Forbis	30,683
Bill G. Spears	30,494
Glenn Hillman	30,034
Allen Strickland	29,778
T. J. Redman, Jr	29,196
Donald Ward	29,011
E. F. Foshee	28,981
Glen Fleming	28,440
Raymond Anderson	28,068
D. D. Darby	27,808
W. D. Mills	27,159
Norris Sneed	27,029
Lubbock Production Credit	26,977
Leonard H. Kelley	26,955
J. A. Pebsworth	26,906
O. T. Barron	26,788
David C. Jones	26,732
D. Ross and Perry L. Jones	26,663
J. P. Bingham	26,497
Basil Smith	26,358
C. T. Thames	26,344
B. J. Smith	26,320
Alvin Ward	26,229
Jay Fikes	25,994
J. D. Head	25,994
Nelson Cayton	25,994
Glynn Chandler	25,895
Nix and Norman	25,808
Hanson & Moseley	25,639
Hilburn Briscoe	25,541
Earl Layman	25,294
Harmon Mills	25,031
Jack Welch	24,869
James Laverne Jones	24,806
Joe Faulkenberry	24,765
Ratliff Farms, Inc	24,389
Earl D. Owens	24,334
Alvin Herron	24,275

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

GAINES COUNTY—Continued

Larry A. Parker	24, 166
J. T. Tucker	23, 691
A. A. Wuensche	23, 621
W. A. Freeman, Sr	23, 566
Dennis Nix	23, 390
Tom Hunt	23, 338
Jerry Hill	23, 313
Graham Addison	23, 250
H. Dale Cope	23, 086
William James Cox	23, 039
H. C. Thomas	22, 983
David Oates	22, 968
R. T. Bedwell, Jr	22, 899
James R. Dunn	22, 883
E. N. Thomason	22, 835
W. D. Fortenberry	22, 675
Charles H. Gibson	22, 547
E. D. Marion	22, 530
Trice Lee	22, 173
Robert Luther Kirk	22, 070
Boles Brothers	22, 052
Luther Lee	22, 047
J. C. Futch, Jr	21, 944
D. N. Todd	21, 930
Richard Jones	21, 930
Joe W. Crawford	21, 916
Stanley Ancinec	21, 916
Hoyt McCullough	21, 836
J. H. Flippo	21, 710
N. B. Fields	21, 618
Mrs. Dell Small Howard	21, 597
Ross Goodwin	21, 456
Maurice Hearne	21, 275
Marvin H. Williams	21, 206
A. Ray Russell	20, 991
Eagle Land and Cattle Co	20, 849
H. E. Hancock	20, 770
Benny Nichols	20, 725
Johnny Gooding	20, 519
A. K. Hancock	20, 380
N. F. McCullough	20, 178
Lonnie Dean Clark	20, 160
Kenneth Freeman	20, 116
H. R. Cope	20, 030
M. R. Newman	20, 012
Total payees in county (220)	8, 580, 713

GARZA COUNTY

H. V. Wheeler	51, 903
Avery Moore, Jr	37, 578
James W. Stone	28, 814
Clarence E. Basinger	26, 951
S. C. Storie, Sr., Est	24, 940
Double T Farms	24, 541
Weldon R. McGehee	23, 288
S. C. Storie, Sr., Est	24, 940
Jim Bob Porterfield	22, 006
U Lazy S Farms	21, 687
Total payees in county (10)	284, 688

GLASSCOCK COUNTY

Bednar Bros	39, 984
August M. Frysak	39, 245
Edwards and Edwards	36, 316
Eugene E. Hirt	32, 354
Daniel A. Hirt	31, 854
Lawrence A. Jost	31, 378
Alfred E. Perry	29, 183
Charlie A. Smith	26, 623
Ralph A. Halfmann	26, 311
Walter H. Halfmann	26, 289
Sidney F. Hirt	25, 852
Hall Bar H Ranch	25, 308
Delbert R. Halfmann	24, 093
Clifford W. Hoelscher	23, 896
Leon A. Halfmann	23, 754
Fred J. Hoelscher	23, 009
Arthur Hoelscher	22, 953
Joseph C. Schwartz	22, 031
Schraeder & Sons	21, 901
James C. Johnson	20, 266
Arnold D. Lange	20, 191
Total payees in county (21)	572, 791

GRAY COUNTY

Ray G. Burger E Son	23, 274
Moody Farms	21, 694
Total payees in county (2)	44, 968

GRAYSON COUNTY

Bob Light	26, 772
Leland Strawn	24, 580
Total payees in county (2)	51, 352

GUADALUPE COUNTY

Frank P. Watson, Jr	26, 315
Clarence Krackau	20, 837
Total payees in county (2)	47, 152

HALE COUNTY

J. C. Mills	91, 729
E. A. Houston	69, 563
Grady Shepard	69, 482
Frank Moore	68, 784
Ercell Givens	67, 815
Fred D. Bradshaw	65, 457
James Cannon	62, 960
Doug Ellison	61, 443
Joe B. Lovelace	58, 995
Warren Mathis	58, 259
Jason H. Allen	56, 885
Irvin F. Lee	54, 477
Lonnie Cannon	53, 879
Leo Mathis	51, 564
Winston T. Jones	51, 329
A. R. Meador, Jr	49, 241
Jerry Givens	48, 668
Horne Brothers	48, 663
C. P. Smith	48, 425
W. D. Scarborough, Jr	47, 894
A. W. Hardin	45, 806
O. A. Stout, Jr	44, 700
J. H. Kirby and Sons	44, 186
Joe Sherrod	43, 677
T. R. Joines	43, 100
Elmo Stephens	42, 469
Swann Pettit	42, 334
C. E. Carter and Son	41, 549
Ralph E. Davis	41, 444
Lee C. O'Neil	39, 679
John C. Carter	39, 640
Clayton Terrell	37, 415
Charles Noel	37, 126
Dennis Zachary	36, 898
O. D. Rhodes	36, 748
W. C. Harper	36, 667
Frank Stanton, Jr	36, 151
John A. Bell	36, 081
E. J. Pope, Jr	36, 078
Stephen Smith	35, 746
J. L. Browning	35, 632
J. D. James	35, 482
Jones Masters Farms, Inc	35, 447
Jimmy McLaughlin	35, 422
Joe Barton	35, 259
Bob Riley	35, 243
Leon Griffin	34, 874
Henry C. Griffin	34, 873
John Joe Kirchoff	34, 716
Joe H. McWilliams	34, 617
S. J. Young	34, 473
T. C. Clanton	34, 308
G. O. King	34, 275
Wallace Cannon	34, 221
R. Bruce Walker	33, 393
James E. Laney	33, 242
O. A. & C. E. Webb	33, 211
Larry F. Walter	33, 071
R. G. Russ, Jr	32, 872
A. E. Lewellen	32, 860
Carl Phillips	32, 696
Arthur W. Sorelle	32, 677
Marcus Breland	32, 596
Burgess Farm Account	32, 588
Harold W. Thomas	32, 535
Dee W. Martin	32, 480
Howard Hurt	32, 353
C. R. Kay	32, 330
Donald Lee Terrell	32, 285
J. W. Davis	32, 223
C. T. Minchew and Miller Trust	32, 115
Weldon Ferguson	32, 022
S. R. Heard	31, 776
Bill Riley	31, 321
Mary Megna	31, 170
Ralph Wheeler	30, 933
Irvan Rhodes	30, 788
Gene Boyd	30, 786
Davis Cannon	30, 573
D. T. Graham	30, 373
Ross and Thompson	30, 164
Owen E. Jones	30, 129
Harold V. Davis	30, 111
Heath Brothers	30, 043
Steve Lee	30, 040
Walter Gilliam	29, 781
A. J. Givens	29, 498
Loren J. West	29, 458
Benson Farms, Inc	29, 399
Delbert Howell	29, 171
Harvey Lutrick	29, 072
Alton Leach	28, 825
Jim Bob Curry	28, 805
Jake Q. Finney	28, 756
Mac Houston	28, 685
Max Sageser	28, 595
Raymond Akin	28, 551
L. D. Ballard	28, 450
Millard J. Hancock	28, 297
Austin O'Neil, Jr	27, 779
Don Cannon	27, 329
Royce Carthel	27, 321
John Trimmier, Jr	27, 235
The Waters Trust	26, 856
R. L. Tullis	26, 819
Luke M. Miller	26, 699
Herschel Blankenship	26, 634
Joe Oswalt	26, 578
James K. Sageser	26, 563
Daniel J. Fondy	26, 555
L. K. Gregory	26, 536
J. E. Helm	26, 490
Charles L. King	26, 350
Jack Gonzales	26, 267
Jack Robertson	26, 261
Earl M. James	26, 068
J. T. Terrell	26, 056
L. L. Ray	25, 983
Donald C. Ebeling	25, 964
Doug G. Sopher	25, 941
Jerry W. Shadden	25, 781
Kenneth R. Wiese	25, 737
Elmer Koenning	25, 690
Dempsey D. Skipper	25, 588
Joe Sharp	25, 501
Robert Schoppa	25, 406
Willie V. Dunn	25, 312
Jerry K. Oswalt	25, 259
Jerrell Cate	25, 197
W. E. Terrell	24, 681
Weldon Reed	24, 574
Quetin Redinger	24, 549
John M. Norfleet	24, 540
Ershel W. Johnson	24, 520
William H. Finkner	24, 510
J. D. Bass, Jr	24, 468
Gordon H. Branham	24, 341
Herman S. Tennell	24, 273
Richard L. Howard	24, 187
Welkin Farms No. 2	24, 155
Neal and W. E. Burnett	24, 109
Warren Thomas	24, 067
Wesley A. Schumacher	24, 064
Laura Faye McDougal	23, 843
Rex Jordan	23, 796
B. R. Bennett	23, 767
Rae Groce	23, 732
Witten Farms	23, 557
J. E. Sullivan	23, 262
Billy F. Sylvester	23, 262

Ralph Miller	23, 260
Thomas Johnston	23, 251
B. L. Griffith	23, 144
J. Weldon Blount	23, 124
C. W. Spann	23, 034
J. L. Miller, Jr	22, 966
Floyd Terrell	22, 737
Robert E. Wilson	22, 733
Jerry V. Young	22, 541
W. E. McPherson	22, 537
Alex Reeves	22, 497
Wesley Davis	22, 483
Don McCullouch	22, 471
Alfred Garibay	22, 407
J. B. Holland	22, 346
James McDaniel	22, 273
M. D. Evans	22, 254
U. D. Hobgood	22, 142
Clyde Benn	22, 110
Paul Robertson	22, 107
Paul Stukey	21, 987
Royce Hillman	21, 967
Mrs. J. S. McBeth	21, 926
Lewis Lutrick	21, 811
Owen Benn	21, 732
C. E. Hobgood Est	21, 675
Clyde W. Harrell	21, 623
Elmer Lee Criswell, Jr	21, 477
Elbert Harp	21, 418
Earl C. McClain	21, 363
Wayne Bankston	21, 284
H. D. Hays	21, 238
Willis James	21, 101
A. L. Stone, Jr	21, 071
Ronnie McBeth	20, 982
Henry Ahrens	20, 958
R. J. Harrell	20, 925
True H. Rosser, Jr	20, 913
Orval Boyd	20, 860
Kenneth W. Ashby	20, 846
Ernest Lancaster	20, 798
Don McKenzie	20, 764
Paul Toliver	20, 764
Virgal Pierson	20, 677
Horace N. Wardlow	20, 675
Carl J. Marshall	20, 627
Herman Gregg	20, 527
Lafont Farms	20, 521
J. W. Pope	20, 462
S. M. True, Jr	20, 447
Jack K. Stephens	20, 426
Gaylord Groce	20, 363
Walker Bros. Produce	20, 351
Ray R. Copeland	20, 317
Rupert L. Allen	20, 263
W. W. McCoy & Son	20, 217
Robert Pope	20, 176
E. J. McAnalley	20, 108
R. D. Barrett	20, 104
Oliver Harmel	20, 085
Lester B. Cox	20, 030
Total payees in county (211)	6, 465, 235

HALL COUNTY

Mack D. Richards	36, 581
Billy J. Rothwell	35, 971
W. H. Reed	33, 275
Allen L. Monzingo	33, 207
J. A. McAnear	32, 840
Carroll Fowler	32, 489
Henry S. Foster	31, 617
Jim Hutchins	29, 741
Mel Roy Cofer	29, 671
Lonnie F. Widener	29, 117
Jack Montgomery	28, 539
Joe C. Montgomery	27, 176
Frank Hedrick	26, 955
Loyd J. Becker	26, 810
Rayford E. Hutcherson	25, 659
Clark Bros	23, 718
Turner Farms	23, 556
F. G. Monzingo	23, 429
J. Robert Hanvey, Jr	23, 231
R. S. Wansley, Jr	22, 885
James Alvin McAnear, Jr	22, 792
Robert R. Hutcherson	22, 737
Ted Bruce	22, 682
Hawkins & Lane	22, 353
C. L. Benson	22, 077
M. P. Smith	22, 074
Eudy Farms	21, 899
James S. Guest	20, 916
Harold Burk	20, 647
S. D. Posey & Son	20, 242
John C. Johnson	20, 041
Total payees in county (31)	814, 927

HANSFORD COUNTY

Collier Bros., Inc	72, 738
C. H. Clawson	66, 506
Jack Hart	56, 617
R. E. and Rue Sanders	48, 117
Don Hart	46, 625
Roy Roper	42, 091
Gus O. Birdwell	41, 317
Donnie Thoreson	40, 027
Lynn & Jon Hart	39, 051
D. C. Dilley Est	37, 516
Willard McCloy	37, 500
Lloyd Buzzard	36, 493
J. L. Whitaker	33, 395
Eva Holt	32, 564
Carl Archer	32, 364
Fletcher Bros., Inc	31, 258
J. P. Armes	30, 458
A. R. Bort	29, 084
Dan E. Archer	28, 371
Ward V. Nolder	27, 903
Bill Logsdon	26, 926
Archie Nelson	26, 646
John C. Harris	26, 574
Hez M. Frazier	26, 516
Charles R. Ball	26, 411
Jack Henson	26, 406
Robert H. Novak	26, 357
L. H. Gruver	26, 262
T. C. Harvey, Jr	25, 506
Pittman & Sons, Inc	25, 302
Glen O. Hiller	24, 965
Wm. F. D. Etling	24, 893
Ernest Wilmeth	24, 755
Clarence Zabel	24, 462
R. C. Porter	24. 416
M. D. McLaughlin	24, 383
W. R. Murrell	24, 321
Joel D. Stavlo	23, 962
Taylor & Gee	23, 580
Henry Grotegut	23, 553
C. Ralph Blodgett	22, 895
F. W. Thomas	22, 702
Vance B. Morris	22, 369
Wesley Garnett	22, 164
E. David Knutson	21, 669
Total payees in county (45)	1, 427, 985

HARDEMAN COUNTY

M. E. Watson, Jr	50, 908
Robert Nippert	49, 313
Edward L. Turner	36, 431
Roy Hines	32, 981
W. L. Wilson	31, 027
1st Natl. Bk. Trus. C. G. Conley	30, 834
James W. Tabor	30, 411
Carl Vestal	28, 568
Nuckles & Gerald	28, 424
Quentin Wilson	26, 514
Weldon Tabor	25, 652
Harry C. Becknell	23, 105
Aron W. Phillips	22, 785
Billy R. Nowell	21, 349
Jack Hurst	21, 123
Total payees in county (15)	459, 425

HARTLEY COUNTY

Carl J. Kuper	89, 251
Harold H. Hogue	87, 337
Framack Farms	57, 304
Bookout & Son	48, 620
Frantz & Frantz	40, 234
Green Farms	36, 193
Hartley Moore Farms	35, 537
Chain C. Inc	35, 138
Verlin D. Lasley	34, 592
Herring Cattle Co	30, 386
McCleskey Cattle Co., Inc	30, 117
Joe D. Keast	24, 366
Wilbur L. Bryant	23, 284
Gary K. George	23, 187
Alfred R. Ford	22, 928
J. Y. McAdams	22, 927
Exum Ranch	22, 275
Edward J. Wieck	22, 124
G. Malcolm Bryant	21, 679
Paul G. Daniel & Son	21, 152
G. Ivory Edlin	20, 399
Total payees in county (21)	749, 030

HASKELL COUNTY

Johnny D. Reid	49, 741
Burson and Burson	43, 194
John L. Grindstaff, Jr	42, 439
Melvin C. Josselet	34, 141
Arlos W. Weaver	34, 141
Wallace L. Dudensing	32, 664
Ray Carter	32, 500
Jalea R. Glover	32, 087
Willard L. Mullins	31, 349
Amos D. May	29, 122
Robert G. Walton	28, 298
E. H. Tankersley, Jr	28, 298
Ellis L. Tankersley	27, 736
William G. Ellis	25, 825
R. W. Raynes	24, 173
L. Weldon Norman	24, 111
Thomas J. Bevel	24, 011
Albert R. Hannsz	22, 980
Sammy L. Grindstaff	22, 929
Robert W. Herren	22, 662
Joel Bevel	22, 485
Donald Griffis	22, 188
George A. Mullino	21, 961
Allen Strickland	21, 700
Thurmond Bynum	21, 441
Virgil E. Sonnamaker	21, 137
Henry and Melvin Vojkufka	21, 098
Willie Z. Bettis Est	20, 540
Pace Bros	20, 512
William M. Reid	20, 220
Vernon P. Terrell	20, 156
Total payees in county (31)	847, 053

HIDALGO COUNTY

Valley Acres	75, 572
Engleman Farms	67, 512
J. W. Wallace & Sons	62, 307
Geo. T. Helle	62, 132
M. W. Nelson	59, 831
Edgar R. Smith	58, 520
Bill Burns	58, 175
Frank Schuster	56, 469
Las Palmas Farms	56, 152
Samuel R. Sparks	55, 998
Robert Gandy	55, 549
Rio Farms, Inc	55, 000
Albert M. Brinkley	54, 269
Holcomb & Black	54, 087
Therman Eoff	53, 777
Luther E. Bradford	53, 777
J. R. Stump	53, 485
C. B. Shields, Jr	53, 369
C. B. Shields, Sr	52, 862
Ben Estes Bearden	52, 098
M. D. & N. J. Moore, Jr	50, 761
J. R. Russell	49, 183
George R. Beridon	47, 182
Wm. E. May	46, 186
Jack Harbison	45, 493
Bobby McDaniel	43, 853
J. B. Pollock	43, 564
Fuller Farms	42, 753
Ardean McDaniel	42, 574
M. F. Frost	42, 252
Bert Forthuber	41, 834
Mrs. Fred Krenmueller	41, 821
M. Krenmueller	41, 821
Clarence Johnstone	41, 806
Shary Farms, Inc	41, 374
Carl Schuster	40, 718

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

HIDALGO COUNTY—Continued

N. H. Kitayama	40,687
Evergreen Farms, Inc	40,617
Turberville Farms	39,928
Bryan Hanks	39,226
John B. Hardwicke, Sr	38,429
James Dyer	37,602
El Ramon Development Co., Inc	36,440
Geo. V. Harren	36,339
American Farm, Inc	35,930
Kirk Schwarz	35,642
L. J. Krska	35,615
Anthony Keller	35,164
Franklin Dusek	35,079
Tom Sekula	34,558
J. R. Wade Farms, Inc	34,475
Everett Bell	34,398
W. G. Bell	34,173
Conly Bell	34,173
Lloyd Schwarz	33,524
Edith Tyner	33,432
Wyatt & Ware	33,255
Dan Bearden	33,242
W. A. Odom, Jr	33,217
Marvin A. Schwarz	32,938
Dudley Farms	32,574
D. J. Schwarz	31,462
F. E. Knapp	30,612
J. A. Knapp	30,612
E. J. Blake	30,502
L. H. Freeman	30,181
Steven Bearden	30,114
Boyce Farms, Inc	30,058
Kenneth Hood	29,622
Paul D. Moore, Jr	29,127
R. C. Jones	29,125
Victor Russell	28,762
Dudley J. Stetzer	28,565
J. S. & Quinn McManus	28,511
Utah Dickerson	28,347
Woody Cellum	27,839
Barr Ewing	27,787
Wm. T. Dudley	27,486
Tommy Richards	27,380
Verner Gustafson	27,371
Jack & Roy W. Barnes	27,303
Holmes Farms, Inc	27,212
C. E. Duncan Farms No. 2	26,929
Ostrowski & Son	26,596
Leon McDaniel	25,906
Wilburn Malm	25,781
H. M. Pitts	25,762
Stacy S. Malone	25,565
Ray C. Jones, Jr	25,500
E. L. Tyner	25,228
Mervin Headley	25,115
Mitsuru Sakai	24,935
Deck Produce Co	23,991
Jack Drawe	23,425
Clifford Bros	23,082
Mike & Joe Chapa	22,871
Billy H. Drawe	22,450
B. W. Carlson	21,939
Juan Villanueva, Sr	21,889
Edward Willis	21,693
Theser Bros	21,561
Billy P. Green	21,548
M. A. Drewry	21,187
Weldon Blackwell	21,138
Arthur E. Schwarz	20,894
Greg Pinkston	20,860
Billy Pemelton	20,599
Lewis Fry	20,537
Earl F. Cohrs	20,383
E. O. Houts	20,352
Florence M. Anderson	20,119
E. M. Frerking	20,014
Total payees in county (112)	4,040,582

HILL COUNTY

Daniel Pustejovsky	43,890
Gerik Bros., Ptnrs	35,900
Ellison Bros	35,201
G. Ray Sawyer	30,593
Cecil & Delmer Sullins, Ptnrs	30,494
Wallace Lavender	27,835
Seth Orr	27,514
Claud D. Watson	24,039
Clyde F. Nowlin	22,189
Alton Cordell	20,866
Girault and Son	20,755
Raymond Allen	20,184
Edmund Marek	20,166
Total payees in county (13)	359,626

HOCKLEY COUNTY

White Face Farms	76,207
Spade Ranch, Inc	70,657
Marvin E. Green	64,560
Erlan D. Gresham	63,013
Neal Caswell	62,021
Lockett Seed Co	60,716
W. N. Halliburton	60,512
Don Brazil	60,127
Loyd Hood	58,456
W. L. Harris	56,945
A. B. Enloe, Jr	55,904
J. Walter Hobgood	55,773
L. E. Mitchell	55,561
William M. Cain	52,032
William E. Carr, Jr	51,705
Billy Ray McInroe	50,846
Preston L. Lyda	50,361
Palmer & Dowell	48,097
Selmer H. Schoenrock	47,838
Joe W. Cook, Jr	46,658
Paul W. Christian	46,356
Whitharral Gin	44,931
Jack Sherrod	44,690
Marjorie Post	44,377
James T. Rackler	43,434
Joe Conatser	43,334
Gordon McMillan	42,474
Bobbie F. Veretto	41,663
Calvin W. Neal	41,348
Fred G. Owens	40,254
Nelson L. Reinsch	40,071
Raymond Gunn	39,722
Cecil B. Helms	39,341
H. Joe Schwartz	39,163
Pat A. Dunavant	38,252
Mallet Ranch	37,204
Bill Graf	36,718
Billy Arnwine	36,067
Bill Gerik	36,027
Chester Borders	35,891
Howard Venable	34,604
Hub Butler	33,838
Troy M. Overman	33,730
Harley Stanley	33,464
Buck Gossett	33,280
Louie Ray Carter	32,811
Douglas Kauffman	32,240
Elbert C. White, Jr	32,022
Melvin L. Hale	31,935
R. M. Marrow	31,865
George Wade, Jr	31,669
Carl E. Ratliff	31,629
Donald Ray Gresham	31,374
William Clements	31,239
Walter S. Carter	31,224
Carl & Everette Butler	30,837
Ronnie Ayers	30,608
James Buford Chambers	30,416
J. J. Rister	30,346
L. E. Mitchell, Jr	30,333
Sam Hoover	30,122
Don Reding	30,103
Sam S. Rush	30,093
Elwood Patterson	29,982
Ronnie M. Brown	29,832
Donald E. Caddell	29,618
Chesley G. Hobgood	28,165
Dale Newsom	28,079
Jim J. Hobgood	28,029
Earl D. Lewis	28,000
Jack McMillan	27,914
Larry R. Chaney	27,911
Gordon Crouch	27,614
Glenn Thrash	27,318
Roger K. White	27,308
Murl M. Orman	27,283
Buddy L. Miller	27,151
J. E. Wisdom	26,955
Kenneth Spradley	26,754
Roy Johnson	26,540
Raymond H. Belew	26,535
H. J. Steinfath	26,240
Tom Burrus	26,186
Catharine C. Whittenburg	26,018
Melvin R. Glenn	25,913
Van E. Alderson	25,906
Aubrey L. Lockett	25,650
B. W. Grant	25,440
Earl D. Patterson	25,376
Donal Hamill	25,308
Martin Lawson	25,252
M. G. Moore	25,168
Cecil C. Cookston	24,642
L. L. Alderson	24,553
Acuff Farms	24,488
H. E. Mowry	24,407
Jewel D. Melton	24,348
Carroll E. Bradshaw	24,300
Henry J. Schmidly	24,263
Robert & Jeff Kauffman	24,254
L. C. Vance	24,225
H. T. Crenshaw	24,202
Harold K. Alderson	24,086
J. B. Hoskins, Jr	24,055
George T. Forbus	24,000
J. E. Wade	23,915
Ford A. Carter	23,900
James Lee Waldrop	23,869
Ben M. McWhorter	23,810
D. C. Reed Est	23,737
Billy Thetford	23,712
E. W. Sanford Est	23,599
Glenn R. Price	23,403
George R. Martin	23,383
James G. Marrow, Jr	23,281
Jerry Biffle	23,277
Walter Schmalstieg	23,265
Wallace D. Thrash	23,252
Harvey Demel	23,230
Frank Karvas, Jr	23,201
Clarence E. Myatt	23,116
James Blackwell	23,113
Danny Grant	23,109
Joe Bowman	23,024
Bobby D. Jackson	22,896
Robert E. Avery	22,786
Ray Anderson	22,736
Edward Pinkert	22,479
Richard Lawson	22,400
Everette Simpson	22,381
Leila Mathers	22,186
Owens Farms, Inc	22,061
Dene R. Headstream	21,837
Ralph F. Wade	21,826
Joab Alexander	21,824
Roy N. Whittenburg	21,651
Jerry W. Myatt	21,507
Bill Price	21,431
Ray Gerik	21,202
Hollis F. Borland	21,188
Ervin Gilliam	21,173
Ed R. Reynolds	21,125
S. J. Clevenger	21,080
Tommie E. Stracener	21,078
H. R. Phillips	21,066
C. A. Jackson	21,040
James Stroope	21,037
J. T. Hall, Jr	20,870
Ernest T. Price	20,747
Marvin W. Menzel	20,730
Kenneth Montgomery	20,560
W. J. Shockley	20,523
Rayford Bynum	20,336
Bobby Buchanan	20,325
Jack Ballow	20,275
B. D. Whitley	20,225
Jack Ayers	20,211
Norvel V. Fred	20,157
Albert M. Storey	20,147
Maple Wilson c/o L N B Build	20,137
E. B. Burelsmith	20,130
W. D. Terry	20,066
H. Dan Johnston	20,059
Total payees in county (163)	5,059,040

HOUSTON COUNTY

Dawn Rials	40,230
George Murray	30,917
Wade Minter, Sr	28,082
J & B Farm	25,348
Wade Minter, Jr	21,992
Arnold Cotton Co	20,900
Total payees in county (6)	167,469

HOWARD COUNTY

Edgar Phillips	48,008
Paul Adams	44,409
Delbert Stanley	42,912
James C. Barr	42,805
Robert V. Fryar	41,848
G. C. Broughton, Jr	40,723
Broughton/Sackett Farms, Inc	39,894
Robert Nichols	37,229
Horace E. Tubb	34,938
Robert E. Beall	31,124
Robert C. Wegner, Jr	30,917
Roy Phillips	30,436
Jack E. Hopper	28,440
Shirley W. Fryar	28,164
David Barr	27,508
Elbert Long	27,347
S. M. Haney	26,961
Martin Fryar	26,849
Harvey L. Adams	26,723
Rodney & Stella Brooks	26,612
Oliver Nichols	26,364
Melvin Smith	26,310
Harvey Fryar	26,209
Johnny R. Stanley	25,447
Leslie R. Walker	25,369
Jerry Iden	25,337
E. W. Lomax	24,989
J. W. Shive	23,960
Melvin Gibbs	23,318
J. W. Fryar	22,417
Morris Patterson	22,018
Aubrey Lankford	21,635
Marion Clyde Denton	21,600
William C. Fryar	21,314
Bigony Farms	21,261
Lawrence G. Adkins	21,081
Neil Fryar	20,946
Arnold J. Lloyd	20,330
Calvin Hughes	20,255
Landon Burchell	20,148
Johnie Walker	20,041
Total payees in county (41)	1,164,196

HUDSPETH COUNTY

Kay Maynard, Inc	47,613
Michael Lynch	27,397
J. Lynch	26,418
Dell View Farms	25,341
C. L. Machinery	23,483
Condido Holguin	22,303
Robert L. Chambers	21,257
O. A. Thorp	20,257
Total payees in county (8)	214,069

HUNT COUNTY

William H. Myre	59,040
David Dodson	36,999
Marion F. Dodson	35,178
Harold W. Burt	34,778
Harold W. Anderson	33,739
Bobby D. Williams	27,047
Maurice M. Clack	23,569
Guy W. Ray	21,353
Total payees in county (8)	271,703

HUTCHINSON COUNTY

Claude Higley	64,837
Noble Watson	37,096
Coble Cattle Corp	35,219
Henderson & Parks	34,610
Jack Johnson, Jr	23,454
O. O. Smith	23,087
F. B. Early	22,835
R. E. Womble	22,158
Ray Moore	21,971
Raymond Jarvis	21,645
Charles Johnson	21,324
Gene Taylor	20,931
Carson McCloy	20,759
Wilson McCloy	20,759
Thane McCloy	20,647
Total payees in county (15)	411,332

JACK COUNTY

T. L. C. Livestock Co	54,232
Henderson & Durham	27,268
Total payees in county (2)	81,500

JACKSON COUNTY

Emil Bures, Jr	33,055
Reuben Kramer	21,028
Total payees in county (2)	54,083

JEFF DAVIS COUNTY

James P. Espy	33,768
E. & E. Livestock Co., Inc	27,822
Olen Lane	21,857
McElroy and McElroy	21,056
Total payees in county (4)	104,503

JIM WELLS COUNTY

R. W. Miller	40,518
Leon Eschberger	32,551
Frank J. Hoelscher	28,462
Don Boggan	27,786
Ernest L. Hoelscher	25,024
H. H. Presnall	24,769
J. M. Dellinger, Jr	24,558
Max Richter	22,996
W. M. Laughlin	21,135
Total payees in county (9)	247,799

JOHNSON COUNTY

James E. Kemp	31,250
Jack Davis	25,731
Roy L. & M. L. Plunkett P/S	23,210
Albert Anthony	21,032
Total payees in county (4)	101,223

JONES COUNTY

Hoke Propst	71,348
W. C. Matchett	67,236
Herman A. Propst	50,457
Bill Pritchard	45,205
Chas M. Herndon	36,776
Vernon Lovvorn	34,439
Willie L. Byrd	34,113
James D. Lovvorn	32,810
Clinton C. Moss	31,643
Herman T. Steel	31,088
Hollis W. Madden	31,053
H. L. Ford	30,206
Frank Vasek	29,143
William W. Cook	28,505
Thomas G. Nix	27,414
Pied Piper Farms	26,952
Raymond Scifres	26,689
Weldon F. Walker	26,095
Elbert D. Apperson	25,658
Schoonmaker Bros	25,530
Stenholm Farms	25,310
Oddie Jones	24,625
Oran Brigham	24,513
W. D. Smith	24,137
Herman B. Propst	23,796
C. O. Richards	23,318
Eva T. Amerson	23,082
H. H. McLeod	22,781
F. A. Lollar	22,358
B. J. Wilson	22,042
John E. Scarborough	20,733
John A. Carnes	20,462
Total payees in county (32)	989,517

KAUFMAN COUNTY

Monty Clayton	36,809
Robert J. Wortham	35,971
J. L. Helm	34,185
Jerry R. Maloney	33,703
Jack Glenn	21,785
Trinity Valley Ranch	20,859
Total payees in county (6)	183,312

KENT COUNTY

Garth Gregory	23,437

KERR COUNTY

Y. O. Ranch	61,174
J. M. Auld	29,745
Total payees in county (2)	90,919

KING COUNTY

C. M. Sossaman	43,036
Ruth Starr Blake Trust	22,822
J. P. Ratliff Jr	22,774
T. C. Havins	22,658
Raymond King	21,806
Total payees in county (5)	133,096

KINNEY COUNTY

Clay Hunt	62,449
Myrtle H. Hunt	31,057
Silver Lake Ranches Co. Inc	30,440
George W. Herndon	29,731
George Bunger	27,302
P. H. Coates III	25,435
West Pinto Ranch Co	23,420
Abb Rose	21,222
Total payees in county (8)	251,056

KLEBERG COUNTY

Huff Uros	36,149
Clarence E. May	28,358
Clarence C. May	21,929
Total payees in county (3)	86,436

KNOX COUNTY

William J. Goode	40,968
League Ranch	39,066
Eugene L. Thompson	38,832
Elvis Blake	35,788
James Albus	32,302
Donald Johnson	31,778
Wilfred Bellinghausen	29,713
B. M. Farmer	28,432
Vernal Zeissel	27,400
Marvin Zeissel	26,838
Floyd L. Reed	26,079
J. C. Elliott	25,239
Philip F. Homer	24,400
Sam E. Clonts	23,923
Lonnie D. Offutt	22,941
Chalmer E. Hobert	22,311
Herbert Bellinghausen	22,195
J. C. Moorhouse	22,134
George L. Floyd	21,800
C. B. Ray	21,123
J. G. Hawkins	20,883
B. M. Brown	20,424
Gerald A. Brown	20,424
C. H. Cornett	20,125
U. J. Bellinghausen	20,011
Total payees in county (25)	665,129

LAMAR COUNTY

Hicks Graves	60,320
Billy Mashburn	42,049
Creed Bros. Ptrs	24,388
Johnie W. Musgrove	23,361
John L. Coplin	23,179
J. D. Campbell	21,519
Ben Laird	21,427
Joe D. Mashburn	20,316
Joe Donald Mashburn	20,307
Total payees in county (9)	256,866

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

LAMB COUNTY

Lonnie R. Smith	59,842
Billy W. Clayton	54,375
M. P. Thedford	53,356
D. R. Hopkins	50,805
J. D. Smith	50,571
Reginal Stephens	49,886
L. C. Hewitt	47,061
Gene Templeton	46,879
B. G. Free	45,969
V. O. Busby	45,226
Thomas Harris	44,152
Barry Armes	42,734
T. A. King, Jr	42,624
Ross Lumsden	40,995
L. J. Welch	40,640
Parish Farms	40,046
H. M. Sheats	39,617
Royce Collins	39,007
F. M. Smith	37,773
T. V. Murrell	36,933
James H. Busby	36,708
Gordon B. Timms	35,845
Eddie Wallace	35,788
Ray Wood	35,628
Wesley Neinast	35,606
J. B./Jearl James	35,294
John Bridges	34,752
Barton Bros	34,648
Donnie Cowart	34,382
H. M. Gable	33,611
Charles W. Wiseman	33,484
D. W. Bawcom	33,385
Royce McFadden	33,145
Donald Street	32,716
Fred Welch	32,523
Calvin Wood	30,979
B. D. Nelson	30,370
J. T. Gibson	29,653
Elmer Lewis	28,960
R. L. Masten	28,880
Donald J. Bryant	28,705
Leo V. Smith	28,535
L. B. Montgomery	28,210
Kenneth Hinson	27,892
Dan Wood	27,840
Royce Turner	27,785
J. L. Snider	27,584
Philip Haberer	27,130
W. C. Stout Est	26,341
Harley D. Jones	26,145
Joe F. Miller	26,006
Dan Quigley	25,868
Johhny Hodges	25,722
Glenn E. Robertson	25,710
George E. Brown, Jr	25,703
Matt Nix, Jr	25,628
J. M. Farmer	25,436
W. B. Jones	25,283
Neil Wood	25,234
Harvey Patterson	25,233
Larry Lockwood	25,103
E. O. Feagley	25,064
Jack Allcorn	24,683
W. W. Thompson	24,666
S. K. Flatt	24,260
Edd Haley	24,143
Elmer McGill	24,020
Dewitt Tiller	23,866
Ernest E. Jones	23,822
L. H. Carson	23,769
Don Joyner	23,763
Emert J. Rose	23,609
A. B. Roberts	23,594
R. D. Nix	23,211
Bennie Harmon	22,856
L. G. Watson	22,839
Raymond Durham	22,537
Wallace O. Jones	22,324
Robert E. Coen	22,235
Benny Dickson	22,054
Daniel B. Heard	22,188
W. D. Bell	22,031
Melvin Bock	21,726
W. B. Boyles	21,718
L. C. Grissom	21,657
James C. Graham	21,646
Harley Bussanmas	21,640
James A. Littleton, Jr	21,583
Travis Bundick	21,575
James Sanderson	21,411
R. V. Allcorn	21,396
Kenneth Wiseman	21,321
F. D. Clayton	21,242
James E. Steffey	21,199
Athol C. Light, Jr	21,174
N. W. Emfinger	21,138
Willie Steffey	21,051
U. L. Gunter	20,911
James L. Withrow	20,892
Fred A. Smith	20,687
Duane Gray	20,633
Randall Roper	20,626
Jimmy Nix	20,616
O. D. Chester	20,430
Jack Angeley	20,383
Frank Wuerflein	20,313
Glenn Vining	20,127
Devern Mandrell	20,044
M. R. Matthews	20,010
Total payees in county (109)	3,190,624

LA SALLE COUNTY

Gerald Mann	23,917

LEON COUNTY

Oscar O. Brown	34,971
Troy J. Brown	24,523
Harrell Dean Brown	23,103
Total payees in county (3)	82,597

LIMESTONE COUNTY

Walter B. Honeycutt Jr	29,793

LIPSCOMB COUNTY

Vernon G. Schultz	21,227

LIVE OAK COUNTY

Fred Thoms	47,424

LLANO COUNTY

Roddie Bros	22,999

LUBBOCK COUNTY

William E. Armstrong	69,515
Standefer & Gray	65,572
The Dunlap Co	62,175
Wendell D. Vardeman	59,958
L. L. Lawson	56,388
Howard L. Alford	53,307
Medlock Farms, Inc	52,880
R. E. Jones	52,584
Don Veretto	52,534
Coyne E. Killian	48,959
Fred E. McNabb	47,289
James F. Davis, Jr	46,852
Olan K. Dorsett, Jr	45,208
Luther Lawson	44,828
J. Carter Caldwell	44,332
Kirby Hobgood	43,033
Jay Stanton	42,460
Smith Brothers	42,001
Elijah M. Debusk	41,686
Kenneth Davies	41,671
Earl Foerster	41,645
George Oliver Jackson	41,113
Leroy Grawunder	39,461
A. L. Cone	38,834
Roy C. Clark	38,460
San Augustine Ranch	37,669
Greenlee Farms	37,502
Glen B. Payne	36,721
W. R. Sage	36,324
J. W. Furgeson	35,732
Morris S. Smith	35,683
Graham C. Holmes	35,387
George H. Harlan	33,929
Brodie A. Darby	33,380
Edward S. Smith, Jr	33,226
Billy Meyers	33,021
Ferman R. Priddy	32,990
J. W. Shadden	32,876
Sam A. Durham	32,770
Ward W. Carroll	32,765
Debusk Enterprises, Inc	32,745
Max Barnett	32,622
Frank W. Hancock	32,202
Weldon M. Boyd	32,152
Robert Melcher	31,957
Glenn Brown Blackmon	31,928
Wienke Bros	31,695
J. H. Kurklin	31,664
Excell W. McFarling	31,659
Harold E. Voigt	31,167
David S. Enger	30,865
E. C. Moseley, Inc	30,556
B. B. Hobgood	30,528
O. B. Chesshir	30,317
Delphine J. Hlavaty	30,258
Newman Lusk	30,144
C. W. Teal	29,937
Alton L. Lawson	29,911
Clayton E. Enger	29,713
Clifford Hamilton	29,569
J. C. Heinrich	29,519
Herbert Pinkert	29,341
L. T. Foster	29,286
Ray D. Langford	29,222
Farm Enterprises, Inc	28,892
Billy J. Robbins	28,710
Willie C. Neel	28,538
Boyce Middlebrook	28,521
Walter O. Heinrich	28,518
D. D. Qualls	28,304
Billy Bryan Boyd	28,178
O. W. Smith	27,780
C. O. McNabb	27,732
D. J. May	27,681
W. A. Bill Alspaugh	27,672
Lowery M. James	27,605
Randal L. Rieger	27,549
Johnnie Joiner	27,451
Zack Payton	27,424
Medlock Inv. Co., Inc	27,318
J. P. Thompson	26,946
Jack Don Dulaney	26,880
Leon L. Lincecum	26,833
James Attebury	26,722
Melvin H. Jack Phipps	26,488
George H. Johnson	26,421
Smith Keller	26,363
William H. McKelvy	26,335
John T. Paterson	26,268
Hugh V. Newton	26,221
Charles W. Wood	26,019
Roy Allen Forkner	25,862
George A. Taylor, Jr	25,826
Paul Cates	25,650
Earl Reasoner	25,640
Jack Adamson	25,532
Ronnie Joe Darby	25,427
M. J. Williams	25,380
Bennie L. James	25,182
Joe W. Felty	25,011
Paul D. Kitchens	24,816
Buddy Hettler	24,740
Harold Campbell	24,715
I. Arnold Chauncey	24,615
James T. McMenamy	24,611
Walter E. Morgan	24,200
Tom Ed Reynolds	24,196
Joe McCollum	24,069
Chester B. Gilmore	24,014
Albert C. Henderson	23,904
Charles R. Hedges	23,839
Milton Kirksey	23,639
William V. Halford	23,512
Franklin Heinrich	23,506
Jack Louden	23,281
A. C. McCallon	23,276
Robert H. Park	23,230
Leroy Zieschang	23,132
L. D. Stanford	23,054
Robert Fehleison	23,044
O. D. Sanders	23,020
Bruce Isom	22,888
Lester W. Caraway	22,820
Clifford Hilbers	22,801
Bobby Joe Harlan	22,772
A. L. Rose, Jr	22,533
William B. Criswell	22,521
Omer D. Lindsey	22,515
James Riney	22,438

Bruce Gentry, Sr	22,381
F. D. Drachenberg	22,316
O. Ford Bell	22,314
Raymond R. Marshall	22,256
John B. Lamb	22,235
Doyle Curry	22,166
Kenneth G. Wright	22,087
Paul E. Crosnoe, Jr	22,051
Gene Reid	21,985
Jerry F. Melcher	21,961
Tommy D. Adams	21,923
Clinton Powell Adams	21,787
Berlin Haught	21,533
Dick Park	21,492
Joe Leaverton, Inc	21,419
L. D. Phillips, Jr	21,338
R. B. Stanton	21,306
Horace L. Turnbow	21,160
Kenneth Granger	21,136
May Lewis Stewart	21,107
Walter H. Luker	21,075
Robert C. Baxter	21,068
L. E. Bartlett	20,933
Donald E. Adrian	20,818
Wesley W. Ferguson	20,817
Donnie Shafer	20,764
Billy H. Piercy	20,627
Durward D. Mahon	20,552
Melvin Tischler	20,494
Ralph B. Mabry	20,427
Don Freeman	20,402
Carl D. Jones	20,383
W. M. Brazell	20,369
Melba N. Thompson, Jr	20,293
L. C. Childers, Jr	20,231
E. Donald Bledsoe	20,157
Total payees in county (165)	4,887,620

LYNN COUNTY

Guy Bennett	60,006
W. C. Huffaker, Jr	59,926
Cecil Dorman	59,412
J. T. Forbes	58,884
W. A. Russ	57,087
Natt Park	56,418
R. L. Dulin	56,329
J. W. Gardenhire	55,478
John A. Crutcher	54,401
A. G. Crutcher	53,965
Eva Colleen Geren	52,903
Cass Edwards, II	52,900
L. C. Unfred	52,809
O. R. Phifer, Jr	51,851
Wm. G. Lumsden	47,958
Jerry McKibben	47,214
W. T. Kidwell	47,212
Draper Brothers	46,546
Jim Bob Smith	45,253
Wayne Huffaker	44,437
H. T. Barrett	44,176
Carl Sanders	43,139
Sam Singleton	42,978
R. L. Thomas	42,563
C. A. Moore	42,388
Othell Meeks	42,095
J. A. Evans	41,816
Harold Payne	41,533
James H. Sanders	40,845
Don D. Balch	40,757
L. H. Nettles	40,639
Jack Webb	38,769
Mack Forbes	38,603
C. E. Roper	37,674
Wayne Clayton	37,133
Billy G. Gardenhire	37,006
Dallas Vaughn	36,824
Jerry Brown	36,295
Ray Cook	36,174
Clarence Church	35,658
Woodrow Brewer	35,535
Edward Bartley	35,034
Felix H. Macha	34,416
Pat Childress	34,398
Theodore B. Franklin	33,838
J. Weldon Martin	33,811
R. L. Warren	33,639
C. L. Mason	33,408
J. Robert Fillingim	33,300
Glen B. Brewer	32,850
Bryan Wright	32,227
Larry Hagood	32,218
Charles Schniers	32,187
Bennie W. Edwards	31,812
David L. Hill	31,536
A. P. Edwards	31,389
Wayland F. Taylor	31,385
G. W. Jones	31,090
C. T. Louder	29,987
Harold Brumit	29,808
Eldon Gattis	29,696
Buel Draper	29,520
Dick Franklin	29,462
Bonnie Brown	29,355
Oscar Lowrey	29,350
Howard Moore	29,213
Olen Renfro	29,204
O. C. Sikes	29,120
H. G. Franklin	29,074
A. C. Fillingim, Jr	28,935
Lynn West Est	28,305
Leland White	28,267
Wayne Carroll	27,797
Ray Adams	27,778
Boyd Pebsworth	27,568
J. W. Pirtle	27,300
Lester Adams	26,765
Gene Cantwell	26,481
D. W. Hancock	26,453
W. J. Kahl	26,345
Leroy Snider	26,232
N. B. Hancock	25,754
C. E. Thetford	25,733
Raymond H. Lawrence	25,684
James F. Roberts	25,294
Jearld Barton	25,261
Willie A. Nieman	25,202
W. W. Hagood	25,165
Glynn Moore	24,994
Charles A. Smith	24,974
D. R. Adamson	24,961
E. L. Short	24,834
Mickey Pearce	24,825
Walton Terry	24,760
Clayton Carter	24,531
D. J. Bessire	24,187
Weldon Bailey	23,833
T. B. and Chas. Mason Ptnrshp	23,804
Buster Phipps	23,759
Bill M. Clayton	23,735
Aubrey Smith	23,282
Elmer Schoppa	23,093
Milton Piwonka	23,091
Clayton Lawrence	23,010
Royce Steven Greer	22,968
C. W. Armes	22,967
W. P. Scott	22,962
Luther Foerster	22,892
R. T. Brewer	22,890
W. C. Wharton	22,841
Willis Pennington	22,829
W. H. Cook	22,815
Maurice J. Huffaker	22,600
G. W. Turner, Jr	22,285
Willie Mae Edwards	22,236
C. L. Littlepage	22,222
Miriam Collins Green	22,178
W. A. Caveness	22,176
Wendell B. Morrow	22,127
Elton Childress	22,040
E. R. Blakney	21,984
Horace Strickland	21,902
J. T. Middleton, Jr	21,808
Frank Timmons	21,793
Lit H. Moore, Jr	21,761
Joe D. Unfred	21,650
B. R. McDonald	21,443
Ralph M. Beach	21,258
V. O. Caswell	21,200
R. M. Thomas	21,174
V. P. Haley	21,169
Glen Akin	20,994
Joe Brewer	20,993
D. W. Gaignat	20,934
L. D. Halford	20,931
G. G. Norman	20,927
Robert Edwards	20,837
J. T. Miller	20,697
C. T. or Gene Ingle	20,635
R. A. Taylor	20,577
J. B. Rackler	20,381
J. Martin Basinger	20,226
R. W. Overstreet	20,150
Delmar Wilke	20,027
Total payees in county (144)	4,534,387

MARTIN COUNTY

A. C. Woodward	57,270
Larry Zane Shaw	53,499
Glen Cox	52,361
Ralph Wesley Williams	52,353
Melvin Harris	49,961
Eula Preston Madison	48,559
Jack Hershell Kuhlman	47,242
James G. Sawyer	46,505
Clarence Fryar	46,118
Buster Haggard	44,436
Dean Russell Fleming	43,511
Romine Bros	43,441
Erma Blagrave	43,082
Odie Harris	43,015
Thomas E. Fuller	42,815
James Ernest Franklin	42,711
Eddie C. Cook	41,151
Charlie A. Nichols	40,346
Billy Fryar	40,131
Glen Morrison	39,020
James Newman Biggs	37,666
Earl Vernon Hightower	37,557
Floyd Martin	36,947
Malcolm Tunnell	36,591
Hill Top Farms, Inc	36,340
Derwood Blagrave	36,257
Earl Vernon Holcomb	34,421
Darrell Froman	33,952
Jimmy Eugene Freeman	33,535
Don Dwayne Holcomb	33,498
Quinton Airhart	33,448
John Morgan Hale	32,774
Feaster & Hale	32,504
E. & E. Farms, Inc	31,795
John Wallace Kelly	31,635
Dolphus Edward Richards	31,466
Newell Wayne Tate	30,437
Edmond Tom Ranch, Inc	30,314
Moncue McKaskle	29,444
H. D. Howard	29,166
Guadalupe Morales	29,044
Jerry Hall	28,980
Cliffton Carlton Grigg	28,826
Juil Reid	28,709
Ronnie Deatherage	28,041
Elmer Cecil Dyer	27,089
J. Alex Haggard	27,072
Sam B. Parham	26,384
James Edward Pollock	25,905
Richard L. Linney	25,631
Michael E. Hale	25,180
Myrtle Romine	24,954
D. W. Dickenson	24,774
Chloice Shofner	23,968
Edward Lee Richards	23,568
R. H. Sample	23,332
Charles King	23,114
Vestal Norman Phillips	23,102
John Calvin Jones	22,944
Robert Joe Deatherage	22,640
W. H. Woody	22,538
Wayne D. Stroud	22,532
John Woodward	22,515
Tommy R. Newman	22,125
Gale Batson	22,118
Gleen Lovless Holloway	21,998
Raymond A. Pribyla	21,994
Norwood Eugene Holloway	21,802
Teddie Dewitt Barnhill	21,775
Marvin L. Standefer	21,437
Claud Glaspie, Jr	21,325
C. W. Gilmore	21,212
J. N. Woody, Jr	21,034
Thomas Edward Smith	20,982
Leonard Clifton Hazlewood, Jr	20,802
Glen Petree	20,66[illegible]
Wesley Weems Williams, Jr	20,611
Billie Joe Gill	20,255
Elvis Dean Holcomb	20,232
C. M. Holcomb	20,232

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas, Martin County—Continued

Bob Hill	20,196
Wayne Cook	20,091
Robert R. Hunt	20,077
Total payees in county (83)	2,589,085

MATAGORDA COUNTY

Vernon Hunt	28,645
Carl M. Hansen, Jr	27,330
Total payees in county (2)	55,975

MAVERICK COUNTY

Jack Keisling	38,225

M'CULLOCH COUNTY

G. R. White Est	20,441

M'LENNAN COUNTY

Lankart Seed Farms Ltd	42,843
J. B. Vandiver	42,082
James M. Warner	42,076
J. Weldon Youngblood	40,841
Walter Rush	34,771
Jim Radle	25,798
Total payees in county (6)	228,411

MEDINA COUNTY

Ed Wanjura	30,204

MIDLAND COUNTY

Alan Spinks	45,039
Jerome Hoelscher	39,413
Robert Morgan	33,952
R. V. Robinson	28,432
Louie Koonce	26,969
Bob Evans	25,948
Carlos Dusek	24,246
Eugene F. Jones	23,618
Forest G. Eggemeyer	23,215
A. C. Teinert	23,084
Bobby Howard	23,074
Roy D. Jones Est	21,549
Roy Graham	20,621
Russel E. Jones	20,005
Total payees in county (14)	379,165

MILAM COUNTY

Wilburn E. Beckhusen	40,787
Daniel D. McDaniel	40,197
Calvin Cobb	37,182
Derwood Cobb	35,776
Darrel Cobb	31,845
Walter Pyle	29,839
Slavik Bros	26,275
John J. Fagan	24,049
Kenneth G. Willy	20,172
Donny R. Heine	20,164
Total payees in county (10)	306,286

MILLS COUNTY

Charley McLean	20,443

MITCHELL COUNTY

D. M. Pieper	46,836
J. E. Brown	43,397
W. H. Narrell	43,266
Travis P. Turner	40,612
D. M. Smith	40,219
Raymond Watlington	38,627
Wayne Oliver	36,500
Kenneth Dockrey	33,392
Hammond and Son	32,385
Mack G. Ritchey	32,024
A. K. McCarley, Jr	31,436
Warren Anderson	30,989
Curt Shaw	30,204
Chas. N. Stubblefield	28,648
Linden Solomon	28,442
Foy Webb	25,407
Mary V. Barber	25,011
James K. Butler	24,617
Jack Long	24,170
J. R. Erwin	23,743
James Cox	22,764
J. C. Barkley	21,163
Manuel Munoz	21,105
Jim Maddox	20,998
Joe L. Blackard	20,411
Dewey A. Turner	20,107
Total payees in county (26)	786,473

MONTAGUE COUNTY

Glen Lynch	21,242

MOORE COUNTY

Gossetts, Inc	62,012
M. & S. Agri. & Livestock Co., Inc	60,689
Marshall Cator	58,391
Rex Hall, Jr	52,752
Schuman Farms, Inc	52,325
Gordon Taylor	52,305
Hunt Farms, Inc	48,621
Stringer Farms, Inc	44,625
McMurry Farms, Inc	41,881
D. Rex Langley	40,691
Linda & Howard Moore	39,459
Jack H. Mills	39,318
Durward N. Gamblin	36,783
Harold N. Keisling	35,448
John A. McMurry, Jr	34,553
Gladwin Gillispie	34,146
Verdie & Lloyd Beauchamp	33,968
Cleve & Frederick Rousser	33,757
Carl Beauchamp	32,699
Paulus Schroeter	32,677
Arthur B. Stavlo	31,189
H. D. Lewis	31,095
J. W. Huff	30,911
Arvel A. Perky	29,653
Coleman Agrietrprises, Inc	29,175
Thurman E. Fisher	28,253
Joe Cox	28,204
Thomas E. Harbert	27,065
Wells Agricultural Corp	26,605
Brent & Sons Ptrshp	26,442
James Tatum, Jr	26,357
Edward L. Stallwitz	25,307
Earl B. Byrd	25,280
Triple T. Farms, Inc	25,171
Jimmy C. Stokes	25,145
Edward M. Stallwitz	25,027
A. J. Harris	24,848
Joe Schuman	24,560
Jessie Glynn Burnett	24,138
H. D. Meil	23,897
James W. Medford	23,387
Nelson E. Burton	23,322
Johnny Lynn Harris	23,011
Arie K. Smith	22,765
101 Ranch Farm Acct	22,511
J. W. Brian	22,467
Claude Johnson & Son	22,155
P. F. Younger	21,880
M. D. Jack Bain	21,824
Johnson Trust	21,765
Roy Clark & Sons, Inc	20,927
Jimmy Wells	20,690
E. C. Britain, Jr	20,579
Chester Rigdon	20,226
John H. Goodwin	20,048
Total payees in county (55)	1,732,979

MOTLEY COUNTY

Alfred Kenneth Barton	35,590
Allan L. Thomas	21,869
George B. Bowles	20,929
Total payees in county (3)	78,388

NAVARRO COUNTY

Drew Gillen	36,822
Robert L. Colquitt	31,098
Jarvis Paris Murphy Co., Inc	28,828
Jimmy Hooser	27,935
Delma Ray Spence	26,886
James Fortson	26,233
Webb Armstrong	25,989
Emil Moucka	25,989
Laura Johnston	25,972
Joe B. Fortson, Jr	25,788
W. M. Lowe	24,531
Charles T. Pullins	24,463
B. B. Bennett	24,063
J. L. Aven	23,143
J. F. McLain	22,622
Charles Martin	20,948
Donal Butler	20,574
James W. Brown	20,220
Total payees in county (18)	462,104

NOLAN COUNTY

D. S. Riggs	71,021
Herbert L. Williams	62,410
Max Wright	57,371
R. B. Pieper	52,846
George E. Parrott	50,836
Ray Hendricks	50,816
Clyde H. Ater	44,886
Jerland F. Freeman	42,301
Joe G. Williams	38,882
Ronda H. Whorton	37,358
Philip V. Haynes	37,146
T. D. Young	36,835
Melvin D. Daily	33,301
R. R. Ranch	31,137
Wendell Kent	30,691
Raymond E. Althof	29,993
James E. Reed	28,642
Clifford C. Etheredge	28,640
Dean D. Alexander	28,061
J. B. Cooper, Jr	26,583
Jesse Faust	25,267
Curtis Riggs	25,159
Harold C. Althof	25,068
Mancle T. Pointer	24,775
John M. Boston	23,585
Alfred F. Henrichs	22,979
Wilbert H. Althof	22,871
Donald A. Menn	22,830
L. L. Medlock, Jr. & Son	21,200
Veltie E. Turner	20,892
Cecil McIntire	20,521
Robert T. Dunlap	20,515
Arlon W. Orman	20,185
Ronald E. Williams	20,170
Total payees in county (34)	1,135,773

NUECES COUNTY

Hale & Hale	64,061
Harper Farms	62,823
Berta C. Cunningham, Est	44,538
C. A. Lowman	42,115
Roger Whitmire	39,976
W. W. Walton	39,359
Randy Farenthold	38,453
W. A. Whitmire	37,315
Barkley Farms, Inc	35,203
C. L. Lehman	34,572
Santa Cruz Farms	34,177
W. M. Bevly	33,558
Driscoll Foundation	31,254
Paschal Farms	30,207
Myrtle E. Cardwell	29,512
Frank Moravek, Jr	29,241
Mack B. Norris	28,823
Alvin McNair	28,281
Clifton E. Frazier	28,021
E. M. & Cornie Wilson, Est	27,294
C. C. Albrecht	27,149
J. D. Weaver	26,108
J. C. Mayo	25,577
W. M. Bevly, Jr	25,187
Leon Bernsen	24,946
J. W. Callaway	24,580
Lynn Dugger	24,545
Perry & Company	24,099
Bar D River Ranch	23,486
J. N. Gillis & Son	23,461
Wright Bros. Farm	23,336
Howze Partnership	22,857
Perry Foundation	22,006
H. L. Gillespie	21,927
E. H. Kirkpatrick	21,883

F. W. Hoepfner	21, 652
B. I. Barnes	21, 380
Eugene Hellmann	21, 153
Alton H. Koenning	20, 890
Doyle London	20, 776
A. F. Bartosch	20, 748
R. L. Garrett	20, 659
Robert Callaway	20, 514
Melvin McNair	20, 215
George Rogge	20, 117
Lloyd Morris	20, 073
Henrietta C. Crook	20, 056
Total payees in county (47)	1, 348, 163

OCHILTREE COUNTY

Bob Urban	40, 080
Frank Buzzard	32, 915
Jewell Pearson	31, 315
James Lair	28, 465
Dunnihoo Timmons, Inc	27, 854
Gerald C. Betty	27, 795
Earl Leslie	26, 634
Charles Morton Share Trust	26, 522
R. H. Holland & Son	25, 777
Philo Butler and Son	25, 232
H. C. Brillhart & Son	24, 281
Burger and Burger	24, 035
Alma O. Schaefer	21, 709
Davis Co	21, 310
Thomason Farm	21, 159
John Meinders	20, 483
Total payees in county (10)	425, 566

OLDHAM COUNTY

George B. Doshier	52, 497
Herman Grusing	41, 572
Taylor Brothers	25, 613
Vega Land Cattle Co., Inc	24, 864
Charles B. Short	24, 349
E. Duane Allred	23, 635
Total payees in county (6)	192, 530

PARMER COUNTY

Clarence Martin	81, 652
Dave M. Thompson	65, 537
Fangman Farms, Inc	62, 087
Bruce Parr	59, 517
J. T. Ford	59, 044
Sloan Osborn	51, 235
James W. Barnett	45, 916
J. C. Mills	42, 602
Ranza Boggess	42, 456
Verney Towns	42, 272
Walter R. Nabry	41, 270
Glenn Phillips	41, 074
Fred Burch	40, 355
Billy L. Marshall	40, 320
Ralph W. Shelton	39, 672
Roscoe Q. Silverthorne	39, 665
J. D. Kirkpatrick	39, 367
Tom Caldwell	37, 433
Edward D. Chitwood, Jr	37, 003
Herman D. Geries	36, 817
Thomas N. Browning	35, 802
W. O. Chadwick	35, 641
Marston G. Mars	34, 635
Arlin L. Hartzog	34, 407
James W. Dixon	33, 882
Dean McCallum	33, 787
Floyd T. Dyer	33, 569
Leroy Johnson	33, 556
Thomas D. Ware	33, 231
Vernon C. Willard	33, 038
Gene Smith	32, 646
John Renner	32, 439
R. J. Renner, Jr	32, 318
Thomas L. Whaley	32, 278
David Grimsley	31, 712
C. L. Mercer & Sons	31, 462
Clawson Bldg., c/o C. Clark	31, 454
Richard & Jerry London	31, 341
Royce G. Welch	31, 338
Philip C. Weatherly	31, 140
Leonard L. Grissom	31, 134
Billy E. Bourlon	30, 761
John L. Ray	30, 571
J. A. Rushing	30, 366
Bill St. Clair	30, 331
Wyle M. Bullock	30, 040
C. V. Potts	29, 558
J. G. McFarland	29, 483
Walter Kaltwasser	29, 097
James M. Proctor	29, 073
Daniel L. Carmichael	29, 016
Van E. Nichols	28, 887
Edwinston Clark	28, 495
Louis L. Welch	28, 418
Henry Haseloff	27, 847
Melborn C. Jones	27, 746
M. A. Black	27, 276
J. B. Sudderth	27, 259
Jack Moseley	27, 201
Lawrence Jamerson	26, 857
Ellis W. Tatum	26, 738
Voges & Reisiger	26, 718
Billy J. Thorn	26, 285
Durward K. Bell	25, 909
Howard N. Hayes	25, 764
Donald Christian	25, 582
J. E. Knight	25, 371
Raymond K. Schueler	25, 307
Ball W. Carthel	25, 022
John W. Hand	24, 569
Troy Christian	24, 430
W. M. Sherley	24, 254
Jerry Fancher	24, 119
John R. Hays	24, 091
Robert G. Sparks	24, 039
Eddie W. Nickels	23, 834
Glyn Hamilton	23, 744
A. L. Black	23, 637
Edwin L. Lide	23, 444
Don Williams	23, 440
Woodrow W. Whitaker	23, 384
A. A. Allen	23, 372
Joe F. Blair	23, 238
Charles Myers, Jr	23, 197
Dalton K. Caffey	23, 115
Alphonse L. Reznik	22, 976
Stephen L. Struve	22, 896
Clarence A. Johnson	22, 740
Adolf H. Haseloff	22, 723
Max Steinbock	22, 704
Virgil Young	22, 585
Jim R. Daniel	22, 526
Grady W. Sorley	22, 468
A. Dargin Kirk	22, 441
Fred W. Foster	22, 375
Monty Barrett	22, 255
Cole Bros	22, 232
David H. Carson	22, 226
Norman R. Taylor	22, 009
William S. Ingram	21, 877
Don B. Sudderth	21, 862
J. H. Dunbar	21, 845
Curtis W. Murphree	21, 793
Oakley D. Stevenson	21, 660
Stan Barrett	21, 620
Floyd L. Rector	21, 437
Joe A. Schilling	21, 430
Keith Garner	21, 229
Gilbert A. Kaltwasser	21, 190
Walter R. Riethmayer	21, 035
Melvin Southward	21, 030
Herbert I. Howell	21, 002
R. H. Schueler Est	20, 958
Bill Brown	20, 839
Jimmie Heard	20, 491
Henry L. Ivy	20, 482
Jack Smith	20, 439
Melvin G. Sachs	20, 426
R. W. Jones	20, 412
Thomas W. Beauchamp	20, 389
J. T. Mayfield	20, 251
Norman C. Sulser	20, 187
James Ensor	20, 129
Total payees in county (123)	3, 616, 158

PECOS COUNTY

Ralph C. Dickson	60, 674
W. H. Riley II'	58, 514
Trans Pecos Farms, Inc	58, 077
C. and C. Farms	57, 156
Mike A. Burkholder	55, 153
A. B. Foster	54, 800
Harrell and Harrell	44, 746
David C. McAteer	44, 451
Lakeside Farms	41, 678
Bennie J. Emerson	39, 591
W. L. Kington	38, 830
Luther C. Holladay	38, 708
Glen J. Ellis	36, 243
Marshall G. Nevill	32, 691
Albert J. Hoelscher	32, 080
Clark Bros., Inc	29, 629
Allison Ranch Co	26, 404
Larry E. Kington	26, 145
Clarence A. Stephan	23, 025
Harrall and Marable	22, 615
Andrew J. Sitton, Jr	22, 581
Carpenter Farms, Inc	22, 394
Clint Ellis Owens	21, 898
Richardson Farms	21, 613
Rose Ranch Co	21, 443
Total payees in county (25)	931, 139

POTTER COUNTY

C. B. Emeny	34, 098
E. B. Fite	20, 440
Total payees in county (2)	54, 538

PRESIDIO COUNTY

Valley Farms Co	37, 277
Charles Spencer	36, 495
Total payees in county (2)	73, 772

RANDALL COUNTY

Eldon Durrett Trusts	43, 528
Earnest L. Barnett	33, 774
Jack R. C. Vincent	31, 001
Simon G. Elliott	29, 452
W. T. Smot, Jr	27, 985
Pete E. Fischbacher	27, 298
John A. Williams	27, 294
Robert C. Sims & Sons	26, 699
Elliott Bros	25, 933
Gilbert Irlbeck	25, 865
Johnny Sluder	24, 843
Fred Fegel	24, 567
Paul Schniederjan	24, 299
Clinton Glenn	22, 522
D. L. Allison	22, 349
Howard Fuqua	21, 888
Northrup Farms	20, 992
Total payees in county (17)	460, 289

REAGAN COUNTY

Alfred J. Schwartz	33, 663
John Gregory Powell	24, 610
Total payees in county (2)	58, 273

RED RIVER COUNTY

First American Farm, Inc	43, 811
John M. Ward	41, 704
Kenneth M. Allen	24, 134
Doug Alsobrook	20, 680
Total payees in county (4)	130, 329

REEVES COUNTY

L. G. Worsham	109, 445
Dingler Farms, Inc	79, 609
W. A. Sullivan	66, 472
Jack Duke	64, 305
Loy Kilgore	62, 660
Joe Lee McMahon	61, 672
Kenneth Lindemann	59, 605
W. W. Hill	59, 398
Ray Kesey	58, 252
Ted Lindemann	56, 996
T. J. Wilson	56, 914
Coy Fraley	56, 423
Charles A. Weinacht	56, 419
William R. Ramsey	56, 382
G. G. Passmore	56, 370
C. J. Kesey	56, 147
Frank Bounds	55, 698
Bobby Rogers	55, 341

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas, Reeves County—Continued

R. E. Roberts	55, 182
J. R. Clark	55, 182
Rachec, Inc	54, 915
Robert G. Worsham	54, 714
Reetex Farms, Inc	54, 174
Pecos P and C Co., Inc	52, 875
West Texas P. C. A	51, 827
Red Bird Farms	51, 794
Jack O. Nutter	43, 614
L. M. Jones	43, 614
Dale Toone	43, 350
W. W. Clem	42, 487
Hoefs Farms, Inc	41, 995
Don Weinacht	41, 058
W. T. Lattner, Jr	40, 421
Peppy McKinney	39, 716
Christelle Mills	39, 659
Paul C. Davidson	39, 384
A. J. Broyles	36, 199
J. T. McKinney	35, 973
B. V. Shaw	34, 861
H. R. Hudson, Jr	34, 550
David D. Davis	33, 964
Jerry Jenkins	33, 448
West Texas Farm Co	33, 291
Cherry Draw Co	33, 155
C. S. Hess and Son	32, 836
Cherry Creek Farm	31, 778
Chocolate Flats Farm Co	31, 251
Raymond Beauchamp	30, 980
Charles Spence	30, 737
Garland Derword Rowe	30, 457
Evans Butler	30, 346
Clem Crowley	30, 084
R. V. Turnbough	30, 025
Broyles Pecos Farm	28, 649
Jack Davis	27, 601
James L. Sears	27, 329
A. J. Carpenter	27, 281
Ennis B. Tudor	25, 552
W. B. Evans	25, 402
Robert M. Owen	25, 354
L. M. Collier	24, 481
Tom Passmore	24, 348
J. S. Wofford	24, 241
Hermosa Farms, Inc	24, 090
Robert R. Butler	24, 090
Charlie Taylor	23, 529
Louis D. McNeil	22, 665
Herbert H. Toone	22, 134
Roy Blahosky	21, 394
B. C. Kesey	20, 975
Herman Bippes	20, 261
Coy Nichols	20, 155
Total payees in county (72)	2, 987, 535

REFUGIO COUNTY

Voges and Boenig	35, 248
G. H. Frazier	28, 572
Hartmann Farms	25, 500
Roger Williams	23, 823
David Zabel	23, 338
R. L. Shaw	21, 460
W. F. Abney	21, 135
J. C. Ermis	20, 984
T. G. and R. L. Jackson	20, 951
Virginia H. Tatton	20, 768
Charles J. Schindler	20, 716
Total payees in county (11)	262, 495

ROBERTS COUNTY

W. R. Holland	25, 068

ROBERTSON COUNTY

Goodlands Farms, Inc	62, 737
Vence Corpora	60, 077
John C. Reistino	58, 939
Sam Degelia Sr	56, 807
James H. Jones	56, 741
Pauline Doremus	54, 464
Ned Fachorn	54, 133
John W. Nigliazzo, Jr	53, 560
John W. Nigliazzo	53, 546
Sam Destefano	52, 114
Gathan Reistino	51, 471
Fred J. Ferrara	51, 293
Ross Cash	50, 542
Joe Reistino Estate	46, 999
T. D. Wilson	45, 718
Joe Scarpinato	40, 079
Michael Muse	36, 106
Leon Anthony Denena	34, 044
Frank Sam Loria	31, 946
Anthony L. Scamardo	30, 610
Frank B. Seale Estate	30. 387
3 D Farm & Ranch	30, 248
Pete L. Scamardo	27, 891
Luke Scamardo	27, 818
Ben Perrone	26, 444
Louise Muse	25, 271
Joe Cotropia	25, 135
Joe & Matt Salvaggio	24, 879
Joe L. Collette	24, 184
Frank Destefano	23. 270
A. R. Albrecht	22, 831
Total payees in county (31)	1, 270, 284

ROCKWALL COUNTY

A. R. Seabolt, Jr	30, 247
Henry Zollner	26, 747
Carlton D. Clinard	23, 330
Charles W. Holt	21, 070
Marvin Goodwin	20, 125
Total payees in county (5)	121, 519

RUNNELS COUNTY

Bennie W. Wilde	33, 890
Melvin R. Williams	23, 840
L. P. Schwertner	23, 782
Harvey E. Gully	23, 697
Dalton C. Lacy	23, 106
Newman E. Smith	22, 229
Walter B. Adami	22, 137
Total payees in county (7)	172, 681

RUSK COUNTY

Otho Morris	31, 400

SAN PATRICIO COUNTY

Heirs of Jos. F. Green	75, 923
Vahlsing Christina Corp	54, 996
Donald B. Horne	50, 269
H. G. Ritchie, Jr	50, 219
Williams & Burkhardt	49, 719
R. E. Hart	42, 093
Floyd Webb, Jr	39, 972
H. G. Ritchie, Est	38, 130
Adams Brothers	37, 184
Thomas Touchstone	36 ,234
J. D. Patrick, Jr	36, 055
W. O. Hart	34, 744
George J. Ermis	34, 497
Daniel P. Moore	32, 964
Martin Schneider	32, 588
Jackson & Stripling	32, 175
Charles H. Mayo	31, 462
Stanley Webb, III	31, 346
Thomas Ardel Setliff	30, 497
O. L. Gorbet	28, 983
R. C. Dillon	28, 464
Chester B. Brittain	28, 337
Homer C. Easterwood	28, 155
T. D. Threadgill, Jr	28, 038
K. G. McKamey Est	27, 706
W. L. Shelburne, Jr	27, 694
Cecil Hart	27, 425
Q. M. Priday, Jr	26, 338
Mercer I. Ivey	26, 070
Floerke Bros	25, 927
John H. Schmalstieg	25, 445
Ray Troup	25, 444
C. L. Mayo	25, 176
J. M. Edmondson	24, 771
Roots and Roots	24, 616
Beyer Bros	24, 232
David Bevly	23, 807
W. C. McDaniel	23, 713
W. D. Miller Farm	23, 098
Howard H. Webb	22. 850
Irvin Hart	22, 653
Dehnisch Bros	22, 599
Taft Morrow	22, 591
Albert Kastner	22, 161
Edwin Schneider	21, 816
Clyde C. Mayo	21, 685
Woodrow Hart	21, 421
Arlen Glen Jostes	21, 277
D. Randolph Rachal	20, 878
Charlie F. Spiekerman	20, 370
Hattie Bell Ferguson	20, 334
Glenn Dorris	20, 171
U. E. Ray	20, 103
Stanley Webb, Jr	20, 073
Loree Svadlenak	20, 001
Total payees in county (55)	1, 635, 489

SAN SABA COUNTY

Owen Brothers Cattle Co	41, 517

SCHLEICHER COUNTY

James L. Powell	31, 687
Virginia Bruton	23, 643
Total payees in county (2)	55, 330

SCURRY COUNTY

C. A. Daugherty	60, 230
Billy Huddleston	52, 326
Don Wills	42, 473
Granville E. Chorn	40, 431
J. B. Autry	37, 994
Clements Bros	37, 333
Jerry Gannaway	32, 862
Mozell Roggenstein	32, 601
Wayne Key	32, 069
G. L. Wall	31, 020
Terry Nachlinger	30, 171
Max Von Roeder	29, 572
Ray Herring	28, 980
Forest Hess	27, 399
Glenn Foster	26, 350
Ernest Schattel	25, 092
J. H. Stansell & Son	24, 876
R. J. Kubena	24, 024
Henry G. Gafford	23, 813
Billy J. Voss	23, 378
Jackie D. Nachlinger	22, 677
Emil Schattel Est	22. 156
R. L. Drum	21, 534
Horace Shifflett	20, 617
Doyle Wemken	20, 194
J. W. Byrd	20, 049
Dee Pylant	20, 047
Total payees in county (27)	810, 268

SHACKELFORD COUNTY

Robert L. Reves, Sr	22, 804
Kenneth Hansen	22, 031
Total payees in county (2)	44, 835

SHERMAN COUNTY

Jimmy Cluck	116, 362
R. M. Buckles Est	46, 815
Wood B. Craig	38, 323
Jack Heil	37, 423
Monroe Bros	35, 549
Jesse C. Cooper	35, 345
Elmo Fortenberry	35, 326
McClellan & McClellan	35, 050
Ezra F. Fisk	34, 016
Stratford Feed Yards, Inc	33, 224
Dietrich & Gurley	33, 080
Dean G. Cluck	31, 269
Dick Diehl	31, 160
Wallace N. Bridwell	30, 524
Wallace Corse	30, 498
Orland Lasley	30, 410
Haile Bros	29, 937
Sam R. Cluck	29, 262
Helen Buckles Est	29, 241
Wendell Stacy	28, 451
Everett Bros	28, 238
Leroy Robison	28, 028
Huber R. Tillery	27, 571
Pat Holt	26, 817

Arthur E. Judd	26,131
Cartrite Bros	25,843
Walter Lasley & Sons, Inc	25,294
Bill Reed	25,271
Ronald F. Engelbrecht	25,054
William R. Murrell	24,850
Luther Browder	24,390
Schafer & Schafer	24,345
Arnold B. Morris	24,131
Frank Berry, Jr	23,607
R. J. Cluck	23,252
Bill & Glenn Reed	22,159
Bert Steffens	21,909
S. S. Land & Cattle Co	21,885
Bob Donald Evans	21,831
Spurlock Bros	21,820
Olen Branham	21,779
Paul Chesmer	21,725
John Bain	21,567
Mrs. Latimer Murfee	21,064
Total payees in county (44)	1,329,826

STARR COUNTY

James L. Sheerin	58,414
Valley Onions, Inc	57,983
Charles Roos III	56,660
H. L. Conger	32,221
R. S. Margo	22,537
John A. Shuford	20,760
Robert M. Sheerin	20,643
Total payees in county (7)	269,218

STERLING COUNTY

W. N. and L. R. Reed	32,332
Flavy E. Davis	23,766
Smith Brothers	23,563
Claude Collins, Jr	23,515
Total payees in county (4)	203,176

STONEWALL COUNTY

Jim Rowland, Jr	34,348

SUTTON COUNTY

Sonora Research St	128,891
W. L. Morriss	42,135
Mayer Rousselot	33,695
Fred T. Earwood Est	24,063
Thomas A. Morriss Sons	23,668
Headquarters Ranch	21,504
Duke Wilson	21,011
W. L. Miers	20,031
Total payees in county (8)	314,998

SWISHER COUNTY

Warner Reid	105,683
B. Raymond Evans	74,326
Jack D. Loring	63,896
Tyline N. Perry	60,112
S. A. Barrett	51,523
Paul Hays	51,362
J. L. Francis	50,261
Lloyd M. Hale	49,744
John N. Simpson, Jr	48,504
Corliss H. Currie	46,455
Fowler E. McDaniel	41,737
L. G. Mahagan	40,850
Daryl R. Dixon	39,161
H. O. Thompson	39,077
Nelson Borchardt	37,079
T. C. Measles	36,066
Hoyet Burnam	35,835
James Cruce	35,064
W. E. Thurman	33,096
J. Larry Nelson	31,317
Buck Garrett	31,090
J. D. Herndon	30,891
Warren Lee Bell	30,092
Otis Harman	30,023
James W. Cox	29,997
Donald Thompson	29,726
Andrew Price	29,672
Koy V. Benefield	29,477
Ray Reiss	28,635
Morgan Sturgess	28,533
Tulia Feed Lot, Inc	27,994
Lloyd C. Miller	27,914
Claude F. Harris	27,846
Jack G. Foster	27,759
Glenn Terrell	27,382
Felix J. Boston	26,976
Curtis Latham	26,581
D. E. McEachern	26,539
Lloyd Glenn	26,227
Paul D. Miller	26,222
James B. Cox	26,168
Dr. Wm. B. Childress	25,749
Melvin Young	25,659
Verlon Watson	25,290
Jack Thompson	25,092
B. J. Holland	24,982
A. Emmet Pittman	24,374
R. W. McClure	24,258
Lonnie G. Todd	24,187
Jim Doan	24,182
L. L. Armor	23,980
August C. Falkenberg	23,440
Victor Martin	23,031
Jake Jones	22,902
Wylie A. Byrd	22,817
Eugene Searsy	22,786
Leo W. Foster	22,766
Bobby Sisemore	22,608
A. D. Lee	22,588
Don A. Nelson	22,532
Glenn Jolly	21,940
John Hays	21,828
H. T. Copeland	21,823
Albert M. Steinfath	21,770
L. G. George	21,593
Frank Kiker	21,232
Estle Haught	21,116
Allen Glenn	21,042
William P. Hinton	21,006
Henry Hinton	20,959
Cone W. Johnson	20,951
Newt Redmon	20,916
Hugh R. Poage	20,703
Dayle Culwell	20,688
Earl Hillman	20,614
Foster Parker	20,546
Joe L. Byrd	20,255
James Vineyard	20,158
John Spilman	20,120
Total payees in county (79)	2,419,575

TAYLOR COUNTY

Lawlis Y. Sipe	42,346
Ted McAninch	35,409
Total payees in county (2)	77,755

TERRELL COUNTY

Jack and Roy Deaton	45,072
Herbert Brown	34,358
Bell & Kenney	25,324
Harrison Bros	23,302
R. S. L. & C. Inc	23,090
Jack Riggs	20,847
Roger Rose	20,444
Total payees in county (7)	192,437

TERRY COUNTY

Muldrow Farms	62,987
Bonard Stice	62,783
T. B. Benson	61,856
Howard Hurd	61,114
Graham Swain	60,229
Foster Gin FM	59,536
Charlie Caswell	59,203
Robert Baumgardner	57,181
Harry Stice	55,252
Norman Caswell	54,376
Charles Ray Smith	54,029
Olane Caswell	53,739
Tommy Winn	53,629
W. A. Fulford	52,694
L. L. Banta	52,364
Pat Ramseur	50,815
M. H. Wagner	49,971
Robert E. Smith	48,431
D. A. Kelly	48,484
David Auburg	48,286
H. J. & S., Inc	48,140
J. W. Hawkins	47,811
John Shirley et al	46,769
M. E. Hinson	45,729
Keith Vandivere	45,069
Dan A. Day	44,514
W. C. Cabe	43,858
Don C. Day	43,067
Doyle Moss	42,891
H. L. King	42,872
James F. Turner	42,845
Robert Beasley	42,670
Davis Beasley	42,386
Leon Clark	41,291
S. M. Dill	40,414
Troy Phillips	39,612
Doyle Hargrove	39,487
W. M. Hunter	39,217
Rufus Dill	38,934
Milton Addison	38,415
Melton Briscoe, Jr	37,323
Loyd W. Yowell	36,975
D. S. Carroll	36,452
N. R. Marchbanks, Jr	36,217
Kenneth Purtell	35,197
George Weiss	34,720
Forrest D. Spencer	34,644
G. I. Simms	34,029
Rex Wilkes	33,848
Mack Wilmeth	33,687
Donald Hancock	33,587
J. Frank Jones	33,387
Carter Farms, Inc	33,159
Joe Joplin	32,930
Dell Jordan	32,598
J. C. Chambers	32,071
W. Wayne Lewis	31,846
Herman Wheatley, Jr	31,646
C. A. Winn	31,430
J. V. Riley	31,285
Jess McWherter	31,088
J. W. Christesson	30,920
Billy McCallister	30,789
G. W. Henson, Jr	30,736
Billy R. Jones	30,599
Bill W. Blackstock	30,470
C. R. Farrar	30,470
Odell L. Lowe	30,468
Art W. Adair	30,263
Tom Adams	30,182
Travis Farms, Inc	29,752
Val Garner	29,414
Carl Hogue	29,119
Cletus Floyd	28,814
James J. Martin	28,739
M. H. Ratliff	28,677
Harold Foster	28,648
Hubert Henson	28,432
Doyle Neighbors	28,315
Ray Gober	28,299
T. J. Christesson	28,066
Thomas J. Webb	27,991
Dale Andrews	27,809
James G. Davis	27,749
David Turnbough	27,544
R. R. McNiel	27,450
Homer Causseaux	27,383
Robert E. Liles	27,065
Clarence Faught	26,844
L. R. Gober	26,401
Truman Hayes	25,902
Billy Timmons	25,693
G. M. Newsom	25,585
J. A. Webb	25,551
G. W. Dill	25,304
Joe W. Grimes	25,217
Jacky G. Bench	25,154
Tatum Farms	25,040
C. S. Carroll	24,996
R. L. Burnett	24,742
C. J. Fails, Jr	24,444
Larry D. Sims	24,434
W. L. Stephens	24,391
Homer C. Barron	24,311
D. L. Adcock	24,208
Melvin Carroll	24,039
L. M. Williams	23,963
Kermitt Shults	23,877
Geo. L. Sullivan, Jr	23,871
R. O. Webb	23,822

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas, Terry County—Continued

L. P. Joplin	23,643
R. D. Jones, Jr	23,604
Burton F. Foshee	23,600
Brown Farms	23,585
Edward L. Jordan	23,532
Graves Nelson	23,300
Merlin Speed	22,943
G. C. Cattle Co., Inc	22,865
Tommy Brashears	22,668
L. T. Rettmann	22,421
Donald Currie	22,271
M. W. Baccus	22,201
Edward L. McCutcheon	22,002
Gene Newsom	21,990
James E. Thurman	21,948
J. D. Oliver	21,785
Bill Keesee	21,706
Truett Flache	21,657
Ralph Spain	21,483
J. W. Lasiter	21,265
R. H. Clements	21,256
Raymond Vardeman	21,137
Hugh Clark	20,995
Fred H. Turner	20,905
J. V. Gilliam	20,768
Leroy Jeter	20,712
Don Martin	20,613
Earl Caswell	20,608
J. O. Farrar	20,562
Billy Yeatts	20,544
Jimmy Pendergrass	20,509
R. G. Nutt, Jr	20,480
Gary McCallister	20,442
M. R. Paddack	20,416
Victor Watts	20,401
Cecil Cowan	20,353
Dennis Givens, Jr	20,316
J. W. Cooper	20,161
Monroe Rowden	20,025
Total payees in county (149)	4,844,733

TOM GREEN COUNTY

B. R. Weatherford	44,966
Dewey Parmer, Jr	33,578
Edwin J. Wilde	32,274
C. M. Arrott	30,467
Fenton A. Wilde	30,021
Bill Pfluger	29,685
Ripple Brothers Part	27,522
A. Phinney, Jr	27,024
Richard Book	26,889
Leon Kiesling	25,946
Lewis R. Runion	23,871
Dorval D. Lee	23,396
Robert Lee Vidler	23,105
Jimmy Brenek	22,066
Edwin A. Book	21,406
Otto W. Dierschke	20,500
Total payees in county (16)	442,716

TRAVIS COUNTY

Wilburn Burklund	36,724
Clyde Lundgren	27,743
Fred Lundgren, Jr	20,047
Total payees in county (3)	84,514

UPTON COUNTY

E. F. Noelke Ranch Co	26,145
Robert Latzel	24,801
Ray R. Barrett, Jr	23,879
Total payees in county (3)	74,825

UVALDE COUNTY

Dolph Briscoe, Jr	52,544
Elizabeth Raney	32,402
Jesse Raney	23,367
Harvey Gulley & Son	22,752
Ed Young	22,048
Burger Bros	21,346
Total payees in county (6)	174,459

VAL VERDE COUNTY

W. H. Wardlaw	56,175
Hutto Brothers	45,387
Kelly Ranch	37,419
Davenport Brothers	31,566
Double R Ranches	29,965
Charlie F. Hinds	24,197
Jim Bob Altizer	22,274
Continental Ranch Co	20,915
Total payees in county (8)	267,898

VAN ZANDT COUNTY

Thurman J. Miles	30,849

VICTORIA COUNTY

William B. Bayer	32,503

WALKER COUNTY

Texas Dept. of Corr	150,236

WARD COUNTY

Bluford A. Thornton	23,714
W. I. Winter	22,759
Total payees in county (2)	46,473

WHARTON COUNTY

Wendel, Inc	41,588
W. D. McMillan	37,386
Mahalitc Bros	31,106
Nilson Farms	28,537
Lawrence Petersen	28,504
R. D. Williams	26,778
Lawrence Nilson	25,400
Ralph Petersen	25,178
Heyne Brothers	24,073
Curtis H. Jensen	23,403
Total payees in county (10)	291,953

WHEELER COUNTY

J. M. Tindall	29,568
Raymond Moore	21,451
A. W. Burrell	21,329
W. W. Aaron	20,315
Total payees in county (4)	92,663

WICHITA COUNTY

Montgomery & Crumpler	34,347
H. C. Preston Est	24,530
Rayford Young	22,859
Total payees in county (3)	81,736

WILBARGER COUNTY

W. T. Waggoner Trust Est	72,830
John H. Turner	38,474
Roy W. Judd	33,736
Robert H. Belew	29,856
J. C. Riggins	29,104
Robert H. Belew, Jr	28,895
J. W. Overton	22,732
Curtis A. Graf	21,535
Jack Lee McMichael	21,313
Marshall K. Berry	21,156
Sam Judd, Jr	20,432
Lorene and H. B. Dockery	20,318
Total payees in county (12)	360,381

WILLACY COUNTY

D. E. Morrow	67,300
B. W. Kirsch	67,037
Sebastian Cotton & Grain	65,272
Adele M. Schmidt	62,311
K. L. Morrow	61,490
S & S Seed	60,240
Funk Farms, Inc	54,996
Jerry Funk	54,157
Tommy Funk	54,156
Wayne Labar	52,631
Alden Johnson	52,515
James Whitfield	45,197
Chester A. Johnson	44,187
Yturria Farms	42,775
Vassberg Bros	42,380
Lagerstam Farms, Inc	40,565
Willamar Farms, Inc	38,944
W. Don Stone	36,894
A. C. Durivage	36,487
Curtis L. Roberts	35,866
D. C. & Ted Parham, Ptns	34,713
Weldon Haynes	33,134
J & L Properties	32,700
Swanberg Twins	30,915
John Wreden	30,111
A. J. Shewmaker	30,035
Virgil D. Oakes	29,962
G. M. & C. Ring	26,768
G. F. McGee & Sons	26,163
Lloyd M. Funk	25,367
Monty Stewart	24,545
D. V. & J. T. Mayo Ptns	24,002
James M. Lucas	23,530
Fred Klostermann	23,068
Brite Hart	22,791
J. A. Pennington	22,467
Paul Meers	22,402
Cooley Farms	22,357
Chas. Wetegrove Co	22,024
Hoot Farms	21,463
Thomas J. Rains	21,343
D. B. MacAllister	21,311
D. Seltzer	20,731
Clarence R. Anderson	20,658
Chester Hart	20,448
Leland Harris	20,440
M. B. Bourne, Jr	20,295
Donald Florence	20,048
Total payees in county (48)	1,709,191

WILLIAMSON COUNTY

Stiles Farm Foundation	42,337
Ed Carlson, Jr	25,223
Telander Bros	23,193
Billy Turner	22,300
Total payees in county (4)	113,053

YOAKUM COUNTY

Wheeler Robertson	66,535
Alton Billings	65,335
Grady Warren	63,229
Bill Moore	62,232
Tommy Billings	59,739
Darwin Hobbs	59,672
T. A. Hicks	59,395
Olen Edwards	57,339
Phil Addison	54,815
John Avara	50,403
Thurman Skains	45,566
Truett F. Jones	44,133
E. B. Hicks	43,087
Tom Warren, Jr	42,408
Bob Loe	41,994
Tekell Farms & Gaylon Tekell	41,311
Don Thrash	40,659
R. G. Hartman	38,011
I. W. Bailey	37,836
Mont Hamm	35,395
James W. Warren	34,504
Louis Eubanks	33,001
Bobby Bailey	32,660
Robert A. Long	32,485
W. R. Nelson	30,828
C. O. Head	30,580
Wendell Norman	29,434
Billy J. Smith	28,776
C. Loran Gayle	28,692
L. D. Hamm, Jr	28,446
Robert Hamm	27,970
Raymond Crain	26,845
W. M. Nelson	26,552
Yoakum Farm Co	26,104
Dallas Brewer	25,928
T. A. Elmore	25,747
T. D. Roberts	25,702
Donald Ray Lackey	24,987
Earl Kiser	24,854
Rayford E. Bearden	23,646
Dan Beck	23,115
J. L. Hyde	22,699
E. O. Winkles	22,113
Don Williams	22,084
Morris Lowe	21,840
Alvin Joiner	21,627

Billy Winn	21, 237
Homer T. Sudderth	21, 131
W. C. Wilmeth	20, 549
A. O. Bearden	20, 532
C. C. Perkins	20, 464
C. R. Tucker	20, 361
Total payees in county (52)	1, 834, 587

YOUNG COUNTY

F. Dwight Hamilton, Jr	30, 306

ZAVALA COUNTY

Norment Foley	72, 606
Mayfair Minerals	35, 421
Malcolm A. Maedgen, Jr	34, 854
Batesville Farming	30, 230
Leslie H. Laffere	29, 046
R. C. Campbell	23, 062
Two L Farms, Inc	21, 748
Total payees in county (7)	249, 967
Total payees in State (3,989)	127, 217, 633

1971 ASCS and Great Plains Program payments of $20,000 or more—Excluding loans—Utah

BOX ELDER COUNTY

Selman & Goring	32, 885
Curlew L&L	32, 345
Delbert Holmgren	31, 507
Oleen Garn & Sons	30, 343
Wayne & Dallas Sandall	29, 210
Norman Grover	27, 245
Laurence G. Whitney	25, 093
Dennis Petersen	23, 648
Young Brothers	22, 245
Ray Adams	20, 871
Nick Chournos	20, 678
Total payees in county (11)	296, 070

CACHE COUNTY

Lee & Leona Pritchett	22, 472

JUAB COUNTY

Wilson Brothers	20, 904

MILLARD COUNTY

Triple C. Farms	20, 798

MORGAN COUNTY

Charles R. Kippen	26, 916

SALT LAKE COUNTY

Desert Lvst. Co. Inc	99, 374
Thousand Peaks Lvstk. Co	53, 043
Thayne Acord	34, 702
Jones Brothers	23, 687
J. R. & R. R. Fitzgerald	22, 507
Alonzo H. Freeman	20, 670
Leo M. Bertagnole	20, 642
Total payees in county (7)	274, 625

UINTAH COUNTY

Meagher Sheep Co	123, 427

UTAH COUNTY

Richard Greenhalgh	49, 527
Garn Holbrook	29, 306
Elberta Farms, Inc	20, 983
Ralph Davis	20, 789
Maurine D. Childs	20, 212
Total payees in county (5)	140, 817

WASATCH COUNTY

Smith Lamb Producers	25, 189
Bert T. Coleman	23, 497
Robert F. Clyde	20, 229
Total payees in county (3)	68, 915

WASHINGTON COUNTY

E. J. Graff	42, 353

WEBER COUNTY

Wilson Beef and Lamb Co	61, 471
Lloyd Keller Corp	34, 601
Clarence M. Keller	27, 722
Total payees in county (3)	123, 794
Total payees in State (35)	1, 161, 091

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Virginia

CHESAPEAKE COUNTY

V. L. Whedbee	22, 735

VIRGINIA BEACH COUNTY

Frank T. Williams	24, 998
Total payees in State (2)	47, 733

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Washington

ADAMS COUNTY

Columbia Producers, Inc	58, 097
Donald Damon Est	56, 102
D. E. Phillips	55, 833
Hutterian Brethren, Inc	55, 420
Robert V. Phillips	55, 337
Ralph Gering & Sons	50, 809
Robert A. Franz	46, 341
Richard L. Kagele	38, 720
Gilbert Brothers	36, 804
J. Boyd Phillips	35, 951
Johnson Agriprises, Inc	34, 320
John G. Schlomer	33 134
Henry J. Franz	33, 034
Murlen Jensen	32, 658
Walter E. Franz	30, 292
D. E. Phillips Ranch, Inc	29, 474
Rex T. Lyle	28, 395
Elwyn Lyle	28, 395
Gene Kagele	28, 296
Godfrey Meilke	27, 943
Blankenship Farms, Inc	26, 928
Baumann Farm, Inc	25, 963
Clarence Strohmaier	25, 387
Bruce Farms	24, 475
Elmer Schoesler and Sons	24, 364
Victor R. Franz	23, 888
Williams and Williams	23, 611
Homer Evans	23, 092
M. C. Hollenback	23, 001
Albert Sackmann	22, 906
James Kagele	22, 698
Ed McKay	22, 273
Wayne F. Klindworth	22, 175
Leonard H. Franz	22, 023
David A. Davis	21, 365
Kummer Bros	21, 039
Nick C. Seivers	20, 597
Walter Jantz	20, 444
Total payees in county (38)	1, 211, 584

ASOTIN COUNTY

Morley D. Grothe	21, 909
Houser & Sons, Inc	21, 708
Total payees in county (2)	43, 617

BENTON COUNTY

Bi-County Farms	49, 570
Mercer Ranches, Inc	47, 177
Vollmer-Bayne	43, 521
Bateman Bros	38, 422
Gould Brothers	35, 129
Horrigan Inv. Co	31, 221
Wirth Brothers	30, 475
Horrigan Farms	30, 151
Bafus White, Inc	26, 218
Emerson L. Eby	24, 459
Kenneth Lee Smith	23, 782
Allen C. Deffenbaugh	23, 222
Carl L. Smith	21, 934
Earl Walker	21, 908
R. P. Nicoson Ranch	21, 341
Harry G. Owens Ranch, Inc	20, 900
Van Klinken Brothers	20, 771
John Wiley	20, 365
Total payees in county (18)	530, 566

COLUMBIA COUNTY

Conrad E. Tucker	44, 094
Mead Ranch	33, 173
Richard Archer	32, 372
Eslick Farms	27, 949
Dallas W. Long	26, 711
Donohue Farms, Inc	24, 518
David Archer	24, 292
R. F. Young	24, 269
Ellsworth Conover	23, 656
Thorn, Inc	21, 566
Robert Patton	20, 512
Total payees in county (11)	303, 112

DOUGLAS COUNTY

State of Washington	205, 602
Russell Hunt	29, 129
Nelson Brothers	29, 117
Josh Barnes & Son	24, 872
Dezellem Farms, Inc	23, 797
Howard Jorgensen	21, 506
D. G. Davis	21, 262
E. John Isaak	20, 654
Howard N. Long	20, 358
Total payees in county (9)	396,297

FRANKLIN COUNTY

Wm. Geo. Harder	43, 826
Herron Bros	40, 122
William V. Casper	34, 162
Maynard Baillie	30, 058
Melvin Moore and Sons	28, 949
Kenneth Owsley	27, 643
Lyle W. Neff, Inc	27, 129
J. H. Klundt & Sons	26, 480
Jimmie McCary	22, 751
Wilbur Dent, Jr	22, 382
Bauermeister Brothers	22, 159
Lloyd K. Cochrane	21, 647
L. V. Dougherty	20, 996
Cook Brothers	20, 957
John V. Fisher	20, 951
Francis Havlina	20, 946
Richard Hart	20, 149
Total payees in county (7)	451, 307

GARFIELD COUNTY

Klaveano Ranches, Inc	32, 816
John E. Elsensohn	29, 676
Wayne Beale	24, 449
A. E. Blachly	22, 295
Pearl Gwinn	20, 604
Total payees in county (5)	129, 840

GRANT COUNTY

David Stevens	38, 060
Kelley Brothers	37, 146
Lourence Dormaier	35, 169
Donald Frick	35, 046
Higginbotham Brothers	32, 171
Bob Zimmerman	31, 250
Willard D. Lange	30, 149
V. P. Hoersch	25, 444
Art Schorzman	24, 782
Ruth Barbre	24, 752
S and C Ranching	24, 743
Pete Perez, Sr	23, 481
Howard Morgan	23, 091
Heer Brothers	22, 980
Phillip Villegas	22, 683
H. N. Boger	22, 240

1971 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Washington, Grant County—Con.

Dick Edwards	22, 163
S. E. Flanagan	21, 768
Agatha Keener	21, 401
David W. Frick	21, 190
C. C. Claassen	20, 861
Walter Spies	20, 018
Total payees in county (22)	580, 588

KITTITAS COUNTY

Cone Livestock Co	66, 936

KLICKITAT COUNTY

Robert Andrews	28, 933
Robert Imrie	28, 417
Total payees in county (2)	57, 350

LINCOLN COUNTY

Tanke Farms, Inc	30, 943
George H. Ellis	30, 526
Homberg Farms, Inc	30, 039
Rockdale Farms /P/	29, 440
A. Bodeau and Sons	28, 797
Lewis Kagele	28, 140
L. Sheffels & Son, Inc	27, 926
Wilbur Security Co	26, 650
Pfeifer Brothers /P/	26, 555
E. and D. Phillips, Inc	26, 339
The Sheffels Co., Inc	24, 937
Edna Deptuch	24, 588
Hardung, Inc	24, 417
Lyka Corporation	23, 803
Attie L. Turner	23, 281
Robert A. Kramer	23, 117
Carl E. & George W. Mielke /P/	22, 592
Robert Rieth	22, 074
Gary W. Geib	21, 882
Dewane S. Buddrius	21, 855
Alvin D. Fink	21, 532
Peyton Tr	21, 303
Don and Wallace Weishaar	20, 488
Don B. Piper	20, 311
Richard Dreger	20, 280
Total payees in county (25)	621, 815

SPOKANE COUNTY

Osborne Belsby	43, 926
Miller Bros	25, 758
Cornwall Farms	21, 834
Bell & Bell, Inc	20, 605
Total payees in county (4)	112, 123

WALLA WALLA COUNTY

K2H Farms, Inc	122, 185
Kent Land Co., Inc	54, 015
Grote Farms, Inc	51, 478
Kenneth Smith	51, 175
John H. Rea	44, 377
Robison L. and L. Co	42, 851
Lonneker Farms, Inc	39. 026
Erwin Bros	35, 148
Twain Boomer	34, 849
Matt Lyons	33, 754
Schwerin Farms, Inc	33, 434
Phillip Anderson	32, 987
Foundation Farm, Inc	31, 552
Martin Farms, Inc	31, 463
John E. Hair	31, 400
Allen D. Struthers	29, 308
Tompkins & Sons	28, 959
Tucker Farms, Inc	28, 748
Harold V. Gorham	28, 180
Fred Sherry	27, 251
Dwelley Jones	26, 364
Emeral Duncan	26, 257
Fred J. Kimball	26, 128
Mervin Deruwe	25, 646
Henry V. Zuger	25, 035
Frank Hart	24, 606
Peterson Bros	24, 548
Robert D. Frazier	24, 262
Ernest Gluck	24, 090
Marvin Tucker	23, 299
Charles M. Walsh	23, 263
S. Earl Cochran	23, 122
Cecil R. Anderson	22, 665
Casey Farms, Inc	22, 478
Universal Land, SN, RI	22, 472
Eugene Valaer	22, 423
K & R Walters	22, 372
Wallace Evans	22, 369
Albert F. Kibler and Son	22, 123
Hofer Bros	22, 116
Don Thomas	21, 974
A. Fred Zuger	21, 671
H. Vincent and W. Johnson	21, 356
Blacklaw Bros	21, 321
Van I. Walkley	20, 711
Gar Ran, Inc	20, 504
John S. Anderson	20, 474
Total payees in county (47)	1, 435, 789

WHITMAN COUNTY

McGregor Land & Livestk Co	94, 044
Pffaf Bros., Inc	53, 673
Glen Miller	47, 205
Gordon Miller	46, 975
Clinton Miller	46, 975
Harold Boyd	42, 347
Hinderer Bros	40, 351
Richard E. Despain	38, 216
Urgel Bell	37, 544
Bennett Lnd. Co	33, 836
Maley Land & Livestock	33, 725
Boyd & Sons	30, 912
Clark Farms % Asa Clark	30, 686
Glorfield Bros., Jack & Benny	30, 363
Carl Boyd	30, 234
Davis Farms, Inc	29, 969
Joe Myers	28, 781
Ira Scott	28, 527
Virgil Klaveano	27, 905
R. Paul Cocking	27, 892
Dan Hood	26, 044
Robert Whitmore	24, 467
Filan Brothers	23, 431
James Knott	23, 395
Jackson W. Smith, Inc	23, 185
Earl Crowe	22, 990
Roy Smith Est	22, 957
Herbert Camp & Sons	22, 933
Lehn Brothers	22, 865
Harold H. Smick	22, 792
Maley Farms, Inc	22, 759
Crow Farms, Inc	22, 641
Sodorff Farms, Inc	22, 216
Henry Fisher	21, 531
Harp Brothers	21, 429
Gary Cochran	21, 169
Nelson Bros	20, 891
Pioneer Stk & Grain Farm, Inc	20, 653
David Gfeller	80, 626
William H. Evans	20, 301
Edgar L. Smith	20, 110
Total payees in county (41)	1, 249, 545

YAKIMA COUNTY

Simon Martinez	34, 330
Harlan Shinn	27, 616
Harold R. Clayton	23, 517
F. T. Gamble	23, 240
Hislop Sheep Company	22, 217
Ralph Mains	21, 639
William S. Parrish	21, 287
Total payees in county (7)	173, 846
Total payees in State (249)	7, 364, 315

1971 ASCS and great plains program payments of $20,000 or more—Excluding loans—Wisconsin

COLUMBIA COUNTY

L. J. Kaasa	20, 341

DANE COUNTY

Stoughton Farms, Inc	37, 837
William F. Renk and Sons, Inc	28, 410
Total payees in county (2)	66, 247

RACINE COUNTY

Charles H. Kuiper	28, 409

ROCK COUNTY

Stuart Rahberg	20, 273
Total payees in State (5)	135, 270

1971 ASCS and great plains program payments of $20,000 or more—Excluding loans—Wyoming

BIG HORN COUNTY

C. A. Lewis Estate	66, 718
Harry Grabbert	35, 075
Total payees in county (2)	101, 793

CAMPBELL COUNTY

Wagon Hammer L. & L	58, 057
Taylor Ranch	30, 775
Total payees in county (2)	88, 832

CARBON COUNTY

Rochelle Livestock Co	65, 473
Anderson Farms Inc	46, 378
Palm Livestock Co	46, 044
Buzzard Ranch	41, 078
Four Mile Sheep Co	32, 200
P. H. Livestock Co	28, 696
Louis Larsen Sheep Co. Inc	26, 516
Swanson & Johnson	26, 407
Elmer G. Peterson	25, 639
Stratton Sheep Co	25, 147
Sandstone Sheep Co	25, 024
Chace Bros	23, 085
Miller Estate Co	21, 975
Cronberg Bros. Inc	20, 692
Stanley Jolley	20, 149
Total payees in county (15)	474, 503

CONVERSE COUNTY

Morton S. Inc	88, 407
The Dilts Co	29, 220
George Lebar	27, 110
Smith Sheep Co	27, 006
Ogalalla Ranch Co	25, 117
Total payees in county (5)	196, 860

CROOK COUNTY

W. R. Gibson	29, 486

FREMONT COUNTY

Mazet & Sons, Inc	27, 471
Crofts Sheep Co., Inc	24, 766
Total payees in county (2)	52, 237

GOSHEN COUNTY

Red Cloud Cattle Co	25, 772

JOHNSON COUNTY

Harriet Brothers	56, 175
Marton Brothers	38, 245
Esponda Ranch	34, 200
Iberlin Brothers	34, 122
Van Irvine	29, 101
Sussex Ditch Co	26, 437
Moore Ranch Co	26, 427
Peter Meike & Sons	23, 006
Smith Brothers	22, 203
Miller Livestock	22, 197
Total payees in county (10)	312, 113

LARAMIE COUNTY

Ardic Inv	34, 354
Leroy Goertz	31, 102
Warren Livestock	30, 927
Henry Jessen	23, 377
Total payees in county (4)	119, 760

LINCOLN COUNTY	
Thompson Land & Livestock Co	86,105
Bagley Livestock Co	29,366
Doyle Child	27,131
Etcheverry Sheep Co	26,427
Nelson Sheep Company	25,084
Total payees in county (5)	194,113

NATRONA COUNTY	
Diamond Ring Ranch	60,469
Coffman Ranch Co	47,399
Irvine Bros	44,172
Rochelle Sheep Co	43,476
Herman Werner	41,095
Willow Creek Co	37,898
Cole Creek Sheep Co	29,358
R. E. Creager	28,510
Burke Sheep Co	25,756
Mark J. Davis	25,045
Werner, Inc	23,134
William Irvine	21,962
Total payees in county (12)	428,274

NIOBRARA COUNTY	
Boner Brothers	28,830

PARK COUNTY	
Hunt Oil Company	20,023

SHERIDAN COUNTY	
Seven Up Ranches, Inc	45,008
W. F. Peters	22,722
Total payees in county (2)	67,730

SWEETWATER COUNTY	
Green River Ls. Co	52,313
Midland Livestock Co	50,745
G. & E. Livestock, Inc	43,441
Magagna Brothers	35,889
Mau Livestock Co., Inc	35,481
Bar X Sheep Co	34,393
Rife Ranch	29,786
Isaac N. Brooks	27,807
Total payees in county (8)	309,855

UNITA COUNTY	
Arthur M. Larson	28,069
Painter & Company	25,825
Cook Sheep Company	25,761
Victor Powers	24,076
J. Grant & D. A. Broadbent	20,865
Total payees in county (5)	124,596

WASHAKIE COUNTY	
Coutis Land & Livestock Co	59,984
L.U. Sheep Co	37,214
Frank B. Clark	28,344
Monier Sheep Co	26,717
Total payees in county (4)	152,259
Total payees in State (80)	2,727,036

Mr. BAYH. Mr. President, when farm programs were introduced in 1933, there were 7 million farms in the United States and production was spread fairly evenly among them—and, as a result, so were payments. Now there are only 3 million farms, and of that number, fewer than 1 million top farmers provide more than $25,000 worth of marketable produce per year. Family farming has been forced to give way to big business farming, and a system of payments based simply on amounts of production funnels Federal money into the hands of the big producers. Then those large producers turn around and use the money to buy more land, to further consolidate, and to then use the additional acreage to qualify for more subsidy payments. In the process, more family farms are forced out of the farming business.

Seen from this perspective, my proposal is actually only the beginning of needed reforms. In my judgment, it should be passed to indicate the resolve of Congress to begin that process of reform. It should not be looked at as a proposal which would cast our nation's farmers into poverty by limiting needed funds. Actually, a $20,000 limit would affect only 10,143 out of about 2.4 million recipients. In other words, of the total number of recipients, only one-half of 1 percent—who are now collecting about 14 percent of total subsidy payments—would receive less money.

And, of course, if my amendment were agreed to, they would receive less subsidy. However, I should point out that it is the largest farmers, the richest farmers, that need subsidy payments the least.

In spite of all the evidence in favor of stricter limitations, there are still some opponents who argue that limitations would disrupt the supply adjustment features of the present commodity programs. Theoretically, present commodity programs are designed to aid the farmer in achieving the precarious balance between supply and the demands of the marketplace by offering direct payments as incentives to withhold acres from planting. Opponents of a payment limitation have argued that a ceiling on payments would destroy these voluntary adjustment programs by removing the incentive for large farmers to participate. In the absence of these payments, it has been said, the large efficient corporate farms would expand production and drive out the smaller farmers.

At first glance, Mr. President, that argument sounds plausible enough, but on my closer examination it fails to hold up. Using the Department of Agriculture's own figures, it appears that more than one-third of all payments are really income supplements—payments that merely supplement the incomes of already wealthy landowners—and are not required to achieve desired supply adjustment goals. In short, we are now paying out a great deal more than we need to in order to divert the required number of acres from production.

There is a final argument advanced by the opponents of a $20,000 limitation that I would like to touch on to the effect that the $55,000 payments ceiling included in the Agriculture Act of 1970 was intended to last for 3 years—through June of 1973 when the Act itself expires. Any adjustments of the ceiling only 1 year later, it is claimed, would disrupt the long-range plans of the farmers and undermine their faith in the farm program. Such an argument is ridiculous. First of all, the only long-range plans disrupted would be the various legal ploys designed to multiply corporate farmers' income beyond the set limitation. Actual planting decisions are based on annual price support guarantees from the Government and anticipated market conditions. They are made only 1 year in advance of planting. These decisions would not be disrupted in anyway by the payments limitation.

As far as the program is concerned, it seems to me that the best way we could induce the farmers to have faith in the program is to do away with the large corporate farms and make it more equitable so that the large corporate farmers now receiving millions of dollars would no longer continue to do so.

In fact, Mr. President, I would argue that setting a $20,000 limitation before the 1970 act expires is vitally important to the development of sound authorizing legislation next year. Prior to 1970, we had no limitation—and large payments to corporate farms were an obvious source of public concern. In 1970, Congress enacted a far too high $55,000 limitation with enough administrative loopholes to make even this weak attempt meaningless. So let us enact a $20,000 limit this year, gain a year's experience, and decide on the basis of the evidence what type of limit should be written into authorizing legislation.

Mr. McGEE. Mr. President, I yield 2 minutes to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 2 minutes.

Mr. YOUNG. Mr. President, we have been wrestling with this question now for 8 or 10 years. When the Agriculture Act was extended in 1970, Congress did write in a limitation of $55,000. When new farm legislation is written next year, I might consider voting for a $20,000 limitation. In my own case, I come from a State whose main industry is farming. Eighty percent of our income comes from farms. A vote for this limitation would be a popular one in North Dakota. Only 58 of our farmers would be affected by a $20,000 limitation.

My reason for opposing the $20,000 limitation now is that the present farm act provides for a limitation of $55,000. When the farmers signed up for this program they agreed to these conditions. Farmers have to do quite a lot to earn this money. I think it would be wrong to put a limitation on the program when the farmers already have contracts with the Federal Government to receive certain payments.

I hope very much that the amendment will be rejected.

Mr. McGEE. Mr. President, I add my own comments to the remarks of the senior Senator from North Dakota. The real problem with this is that we consider the amendment of the Senator from Indiana not only in midstream, but two-thirds of the way downstream after we have had a program underway. Contracts have been let, plans have been made, and commitments have been taken on. It would not be desirable or responsible for us to break faith with the American people and change the program so drastically at this time.

I think we all understand the need for reassessing this program. I for one am giving it very serious reconsideration. And after the end of this current fiscal year, the one that will end next June, I am ready to have a new look at a lower figure, or any other changes at that time. I think the time has come to weigh that with all the wisdom we can.

I think it does not contribute to the good faith of the legislative efforts of this body to try to snip it off now, two-thirds of the way through the period of time for which the current program was authorized.

The proposal to reduce the farm payment limitation from $55,000 to $20,000 is ill conceived and ill timed. I cannot support this proposal.

Regardless of whether a payment limit should be $55,000 or $20,000, this is the wrong time and place to establish a limit for 1973. Many farmers have purchased fertilizer and other production inputs for the next year's wheat crop and are presently preparing wheat ground for fall planting to be harvested in 1973. Financing must be lined up, leases renewed or dropped, and many operating decisions must be made well in advance if the program is to be effective.

The proposed amendment is a whimsical device to make substantive changes in basic farm legislation. Such a procedure tends to cast reflections on the excellent work of the Congress without providing any demonstrable benefit to the farmers the legislation is designed to help.

Let me remind you of the General Accounting Office's "Report to Congress" made last April. In this report, the General Accounting Office recommended that the payment limitation should not be changed. Instead, the report recommended that certain regulations be tightened.

The U.S. Department of Agriculture has already made changes that go beyond the General Accounting Office report in tightening the regulations concerning the payments limitation and clarifying it. One such change is that this year any person who owns more than 20 percent of the stock of a corporation that earns farm program payments will have his share of the corporation program payments attributed to him for limitation purposes. In 1971, he had to own over 50 percent of a corporation before this was done.

For example, if a person owns 40 percent of a corporation that earned $50,000 in farm program payments, his share would be $20,000. Then if he earned another $40,000 in payments from his own farm, he would obviously be in violation of the $55,000 ceiling, and his total payments would be reduced accordingly.

In addition, rules relating to partnerships—where each participant is considered to be a separate person under Department of Agriculture. Rules now specify that in such arrangements where a partner's contribution is chiefly capital, he must furnish the money independently with no assistance from other members of the partnership.

Further, the Department's rules relating to changes in farming operations now include examples so that the State and county ASC committees who administer the program can determine that such changes are bona-fide.

I submit that these changes have shown that the U.S. Department of Agriculture is working to make the $55,000 payment limitation work effectively and fairly. And I say that it is working.

We must remember that modern farm programs are voluntary. We no longer use the stick of allotments, quotas, and penalties to enforce compliance, but rather use the incentive or carrot of payments to induce voluntary compliance. If this carrot is continuously nibbled away to the point where it is no longer large enough to warrant participation, then the farm program will not work. There is also danger that the threat of unrealistically low payment limitations will encourage farmers to ask for a return to the tight control programs of the past, many of which are already on the books as permanent legislation simply suspended for 3 years by the Agricultural Act of 1970. To do this even for 1 or 2 years would be disastrous for U.S. agriculture and the Nation. It would seriously aggravate our balance-of-payments problem as high loan rates would price us out of world markets. Another alternative would in some respects be even worse: To abandon farm programs altogether. We would then go back to the boom and bust days of the 1920's and early thirties with wildly fluctuating farm and food prices. In those earlier years, agriculture contributed heavily to the instability that was so prevalent throughout our whole economy.

Let us remember that we considered the payment question carefully less than a year ago. And let us make no mistake about it. If Congress cannot make up its mind for more than 6 months at a time with respect to the appropriate level for a payment limitation, the Agricultural Act of 1970 is dead. It will not be refined or improved and extended in 1973. It will simply expire. What would replace it? Realistically, we have to admit that the most likely result would be stalemate and a return to the outmoded programs provided by permanent legislation.

Surely we do not want to return to outmoded programs created back in the dark days of the great depression. Surely we do not want to relive that period of the Nation's history.

And we need not. Today, farm income has reached a record high. And remember that this income does not remain in the farmer's hands. He uses it to buy the machinery, fertilizer and other production inputs that he requires. He also spends it on things that he needs at home as we all do.

We cannot afford to tamper with success. And we should not.

Mr. President, I ask unanimous consent to have printed in the Record a thoughtful comment from the Secretary of Agriculture by way of a letter to me.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Agriculture,
Office of the Secretary,
Washington, D.C., July 26, 1972.
Hon. Gale W. McGee,
U.S. Senate,
Washington, D.C.

Dear Senator McGee: It is very disturbing that once again a move may be underway in connection with the Agricultural Appropriations bill to further limit the maximum level of payments permitted under the feed grain, wheat and cotton set-aside programs.

Hopefully, this is an unfounded rumor but in view of past attempts at such amending action, I feel compelled to point out that the Administration's position has not changed. Aside from the obvious unfairness to many farmers, this is not the method to follow in fashioning basic and fundamental changes in farm legislation.

Of course, the proponents of such a move would exempt 1972 crops. If they didn't, such a change would constitute a breach of contract. The government has already committed itself to the provisions of the three programs now in effect. It is too late for farmers to make changes in their operations and it should also be too late for the government to do so.

Even if 1972 crops were to be exempted, the government would still be in a position of breaking faith with farmers if further payment limits were mandated before the expiration of the legislatively authorized three-year program. The main arguments in the past for such a proposal just do not ring true. They always centered about the savings in program costs and the few number of farmers involved. Some who hold these views do so sincerely, but unfortunately many do not.

Knowledgeable people recognize that savings, if any, will be minimal . . . in fact, so small that they are not worth it in view of the disruption brought about in the operations of many farmers.

However, I really get concerned with the argument that not many people will be affected. Each person has a right to expect fair treatment from his government. It matters not that only a few thousand instead of millions are affected. This is not a valid reason for our government to renege on its commitments. It is this kind of irresponsible and ill-advised legislation that shakes a citizen's faith in his government and causes creditability gaps.

I feel confident that the great majority of the Senate will see through this proposal and recognize its unfairness with overwhelming rejection if it is injected into the appropriations legislation.

Sincerely,

Earl L. Butz,
Secretary.

Mr. TALMADGE. Mr. President, will the Senator yield to me for 5 minutes?

Mr. McGEE. Mr. President, I am glad to yield 5 minutes to the senior Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. TALMADGE. Mr. President, I, too, had intended to insert a letter from the distinguished Secretary of Agriculture in the Record but inasmuch as the distinguished floor manager of the bill has done so I will not.

Mr. President, I hold in my hand a letter dated today from Secretary Butz taking vigorous exception to the proposed amendment. He points out that it breaches faith with the American farmer. He points out that this amendment would not save any money or, if any, it would be extremely minimal; that its main operation would be to disrupt farm programs now in existence. He points out:

> It is this kind of irresponsible and ill-advised legislation that shakes a citizen's faith in his government and causes credibility gaps.

Mr. President, this legislation was considered by the House. They are almost wholly urban oriented and even they rejected it. We passed in 1970 a farm bill that expires with the 1973 crop. This related to several agricultural commodities and put the farmer and the American people on notice as to what they could expect for 3 years. A farm bill has to be more than 1 year in duration because, Mr. President, you cannot reorganize farms on a short-term basis. You have to make plans to lease land; you have to make plans to buy land; you have to make plans for equipment, including tractors. So, it is a long-range proposition and that is what we have here.

The amendment of the Senator from Indiana would say to the American farmer that even though Congress passed a bill of 3 years' duration that was signed into law by the President of the United States, we did not mean it and "you cannot accept the good faith of the American Government as a citizen." It would say that the word of the Government is meaningless.

Mr. President, on November 30, 1970, not even 2 years ago, the President signed into law the Agricultural Act of 1970. The key feature of that act is that rigid acreage allotments and bases were eliminated as they relate to wheat, feed grains, and cotton. It provides for greater flexibility. The entire program is a voluntary one. No farmer is forced to participate.

On the other hand, in order to assure that huge surpluses will not glut the market and pile up in Government warehouses at Government expense, the Secretary of Agriculture is given authority to devise a program which will result in a balance between production of our needs, both at home and abroad.

This is accomplished by providing incentive payments to farmers who cooperate with the program requirements as set out by the Secretary. These requirements include a set-aside of acreage upon which no crops can be grown. The Secretary can also permit additional acreage to be set-aside on a voluntary basis.

These farm program payments represent a part of the price a farmer receives for his commodity and for the use of his land. They are not a matter of Federal largesse. Price support and diversion payments are both used as a matter of directing production when they provide an incentive for producing adequate supplies or an incentive for restricting production to the quantity needed.

The act of 1970 covered the 3 crop years 1971, 1972, and 1973. Only 1 full crop year has been completed. We are in the second crop year authorized by this act. Plans are now being made by the Department of Agriculture for the third and last year of the program.

As originally reported by the Senate Committee on Agriculture that act included a payment limitation of $55,000 per crop for each cooperator, each year during the 3 years of the program. In the debate on the Senate floor an amendment limiting payments to $20,000 was defeated by a substantial margin. By so doing the Congress made a commitment to farmers and established rules for the 3 crop years covered by the act.

Last year when the agricultural appropriations bill was before the Senate, two separate amendments were offered both aimed at reducing payments to farmers. Both were defeated by substantial margins. In taking this position the Senate reestablished and reaffirmed the commitment made to farmers in 1970.

Not withstanding the repeated confirmation of the policy established as it relates to payment limitations, we are once again faced with an amendment which would further limit payments to farmers.

While I am sure that the proponents of this amendment do not intend to destroy the farm program, the fact of the matter is that this amendment is crippling in nature and will destroy the effectiveness of the existing programs.

Under a $20,000 limitation farmers who were prevented from participating fully in the program would have to decide whether to increase production, produce other commodities for which they could obtain fair prices, further divide up their lands among producers eligible to receive the full payment, or adopt some other alternative.

The result might be the production of inadequate supplies with high prices to consumers, or the production of excessive supplies with low prices to producers and large volumes being acquired by the Government and stored at increased Government cost. Under either of these alternatives the cost of the program to the consumer or to the Government would likely be increased. No savings would be achieved. The objectives of the program would not be realized and the efficiency of the farm plant would be impaired.

Last year after the debate on the same type of amendment a Senate resolution was approved requiring the Department of Agriculture to report to Congress on the effect of such a limitation. That report was received and printed by the Senate March 16, 1972. The conclusions of that report are inescapable.

It points out that the experience with the $55,000 limit in 1971 indicates that many farmers would adjust to a lower limit by dropping leases, leasing out allotments with or without land, or outright sale of farms or farmland. While these kinds of adjustments reduce the total impact on production, however, they also preclude any reduction in total Government payments under the farm program due to the limitation.

It states that under the existing program farmers are offered alternatives on a voluntary basis to increase the amount set aside from the production of crops. However, if the required set-aside raised a person's payment to the limit he could not be expected to volunteer additional set-aside. Thus, the limitation would reduce the total set-aside on these farms below what it otherwise would be. On the other hand, this would reduce the total payments to these producers but it would also require increased set-aside at increased cost per acre by other producers to offset the result in production in the supply management aspects of the program.

It points out that reducing the limit from $55,000 to $20,000 would reveal some differences in kind, as well as degree. A substantial part of the hardships resulting from the 1971 crop limits fell on a relatively few producers who operated farms on such a scale that the entrepreneur himself was required to devote most of his time to the management and direction of the farm operations as opposed to actually driving the tractor, combine or cotton picker. However, producers affected by a $20,000 limit as opposed to the $55,000 maximum would to a large extent be farmers who, with their family members, actually perform a significant portion of the basic farm labor requirements themselves. These are mostly family farms, not typical but generally efficient, unusually productive and progressive, but certainly few would be large corporate operations.

Now, in an appropriation bill, an attempt is being made to place a limit on a program, when Congress had made a 3-year promise. That is the effect of it. Last year when we considered similar amendments on an appropriation bill Congress directed the Department of Agriculture to make a study and to report to Congress what would happen if we placed a limitation of $20,000 on agriculture payments. That report is now before the Senate and the Secretary went into great detail as did the General Accounting Office to point out what would happen.

I wish to summarize the Department report which shows that the anticipated impact of a $20,000 limit in subsequent crop years would result in:

> (1) slightly reduce participation in the set-aside programs;
>
> (2) a slight increase in grain production, which at present is surplus to our needs;

At the present time we have corn running out of our ears; at the present time we have wheat running out of our ears. We sent the Secretary of Agriculture and others to Russia to negotiate sales so we could get rid of some of the surplus production. Yet if the amendment of the Senator from Indiana became law, it would increase that production.

> (3) A modest decrease in cotton production, which at present is short of our requirements.

The cotton supply is shorter today than it has been for 20 years. At the present time we have many of our mills switching to synthetic fabrics because we do not have adequate cotton at competitive prices. Yet the amendment of the Senator from Indiana would reduce cotton supplies.

The report states:

> (4) a nominal decrease in government payments under the set-aside programs.

Mr. President, I repeat the conclusions reached by the Department of Agriculture with regard to the cost to the Government of a $20,000 payment limitation. Only a nominal decrease in cost to the Government would result. What we are talking about is not saving money; we are talking about breaching a contract; we are talking about failure to comply with the law; we are talking about compounding our agricultural surpluses and compounding our agricultural shortages.

Next, the report states:

(5) Increases in cotton production for a considerable number of small operators who would increase production by renting acreage from farmers with payments above $20,000.

Mr. President, no real or good purpose will be accomplished by the adoption of this amendment. It will only cause diseconomies in the agricultural production plant that now exists. It will not be helpful to all small farmers, nor will it save the Government any money. It defeats the objective of our Government programs. It encourages haphazard land reform and uneconomic arrangements. It could result in higher prices to consumers and lower prices to producers. It could result in severe shortages and severe surpluses in other crops. It accomplishes no real good. Therefore, I hope this amendment will be defeated.

Mr. McGEE. Mr. President, I yield 3 minutes to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, we have a national policy on this matter, with a limitation on payments of the kind under consideration here. It is a national policy that evolved from the regular legislative process. It is found embodied in the terms of the 1970 Farm Act. National policy is sought to be changed on an appropriation bill, with no hearings, no discussions, no presentation to the Committee on Appropriations. We are getting, therefore, in an appropriation bill an effort to modify a national policy that was arrived at in the proper fashion.

We have, in essence, a 3-year contract, a moral commitment, if not a legal commitment, to the farmers of America. It would not be fair to them that we, at the end of the second year of this 3-year program, would now change the rules of the game. That is what this effort is. There are hazards to making a payment limitation

The proposal to limit farm program payments to $20,000 per person is based on an outdated picture of American agriculture.

Instead of 7 million small general farms scattered across the countryside, we now have fewer than 3 million farms in the United States. The economics of farming, and the scale of efficient farming operations, have changed radically in recent decades. The trend continues in the direction of fewer farms, larger acreages and higher costs.

About three-fourths of our farm production today comes from fewer than 600,000 farming enterprises that sell more than $20,000 worth of farm products a year. These commercial farms, the most productive and efficient in the world, are run by highly trained, hard-working farmers using the best of modern technology. But applied science alone cannot guarantee net profits in agriculture. Farming today requires a high risk, low return investment and even the most efficient farms operate on extremely thin margins and with heavy debt loads.

About 10,000 of our most efficient producers would be adversely affected by a $20,000 payment limitation. These farmers produce more than 10 percent of our food and fiber crops.

Lowering the payment limit to $20,000 would force many of these efficient farms out of the farm program altogether or force them to break up into still smaller and less efficient units. Either alternative would be highly detrimental to the national interest. Furthermore, the net effect would be a reduction in the overall efficiency of U.S. agriculture. It would increase farm costs. In the end, it would mean higher prices for consumers.

One indicator of the hazards of too low a limit is the workload capacity of our modern farm machinery. A wheat farmer with one set of modern equipment could plant enough wheat to bring him up to a $20,000 limit using only 8 percent of his available planting time. A California cotton grower would use only 10 percent of the time available for cotton harvest, and an Illinois corn farmer would use only about a third of his corn harvest time—and that is assuming the machinery on these farms works only 8 hours a day. Many farmers have—and need—two or more sets of machinery in order to use their land and labor fully. One of the obvious reasons for this is that in many cases more than one family member lives and works on the farm and is available to run machinery. Farmers often work their machinery more than 8 hours a day, too, in order to justify cost and increase their earning power.

And let me add that when Congress passed, after careful consideration, the Agricultural Act of 1970 only 2 years ago many producers took us at our word that it would be a 3-year program in all respects and planned their machinery, land and other investments accordingly.

Are we going to change the rules now? I would like to point out that the U.S. Department of Agriculture has considered carefully any problems that may have arisen from the present payment limitation, and the Department has already made changes in rules and regulations to insure that payments are administered fairly. This year any person who owns more than 20 percent of the stock of a corporation that earns farm program payments will have his share of the corporation program payments attributed to him for limitation purposes. In 1971, he had to own over 50 percent of a corporation before this was done.

For example, if a person owns 40 percent of a corporation that earned $50,000 in farm program payments, his share would be $20,000. Then if he earned another $40,000 in payments from his farm, he would obviously be in violation of the $55,000 ceiling, and his total payments would be reduced accordingly.

In addition, rules relating to partnerships—where each participant is considered to be a separate person under Department regulations—have also been tightened by the U.S. Department of Agriculture. Rules now specify that in such arrangements where a partner's contribution is chiefly capital, he must furnish the money independently with no assistance from other members of the partnership.

Further, the Department's rules relating to changes in farming operations now include examples so that the State and County ASC Committees who administer the program can determine that such changes are bona fide.

I submit that these changes have shown that the U.S. Department of Agriculture is working to make the $55,000 payment limitation work effectively and fairly. And I say that it is working.

Let me point out that some of these changes are those recommended to the Congress by the General Accounting Office in its April 1972 "Report to Congress." I say "some" because the Department's changes have gone beyond those recommendations in tightening restrictions. And I would also emphasize that the General Accounting Office report recommended only the tightening of the restrictions, not lowering the payment limitation.

Lowering the payment limit would not help the really poor farmer—who does not have enough land or capital to earn an adequate income from farming. His economic future does not lie in farming, because science and technology will continue to require even larger farms with higher capital investments—and less farm manpower.

A lower payment limit would also result in lost opportunities in export markets, first, because overall production would decline, and second, because lower and less efficient production would result in higher prices.

It would be shortsighted and illogical to counteract the benefits of the market-oriented Agricultural Act of 1970 by installing an unrealistic payment limitation that discriminates against many of our most efficient and effective farms simply because of their size.

If our farm programs are to assist American agriculture farmers and consumers, they must be geared to the agricultural industry as it exists today and not as it was decades ago. The United States has a great agricultural industry, which makes a tremendous contribution to our economy, but we cannot long preserve it with farm programs that grossly discriminate against many of our best farms.

Mr. President, I am from a farm State. And I am happy to report that farm income is expected to reach a new high this year. That income does not stay on the farms. Instead, it is spent by farmers for the many things they need to operate their farms and homes. Better farm income benefits everybody.

Farm income has reached this high under the set-aside programs of the Agricultural Act of 1970 which specified the $55,000 payment limitation. Let us not tamper with a farm program that has proven successful in terms of higher farm income especially at this late date.

In conclusion, let me say that I agree wholeheartedly with the Secretary's recent statement to the House Agriculture Committee in which Mr. Butz said about a possible amendment to reduce payments being proposed:

> I feel confident that the great majority of the Congress will see through this proposal and recognize its unfairness with overwhelming rejection if it is injected into the appropirations legislation.

Mr. McGEE. Mr. President, how much time does the Senator from California want?

Mr. CRANSTON. Two minutes.

Mr. McGEE. I yield 2 minutes to the Senator from California.

Mr. CRANSTON. Mr. President, I oppose the amendment offered by the Senator from Indiana (Mr. BAYH). This amendment proposes to place a limitation of $20,000 on payments made to producers participating in the cotton, wheat, and feed grain programs in fiscal year 1973, despite the fact that the authorizing law—the Agriculture Act of 1970—places that limit at $55,000.

I am opposed to this amendment for two major reasons. First, I seriously question the wisdom of using an appropriations bill as the vehicle for making substantive changes in the law. Second, I question the validity of the arguments made by supporters of the amendment, especially their claim that lowering the limitation to $20,000 "would result in substantial savings to the taxpayers."

Mr. President, the question of placing a limitation on the direct payments made to cotton, wheat, and feed grains producers was extensively debated in the halls of Congress during the consideration of the Agriculture Act of 1970—Public Law 91-524. Prior to the enactment of this law, there was no limit on the amount of money that each individual producer could receive. Many Members of Congress, myself included, felt that the amounts received by certain individual farmers in the absence of a limitation were exorbitant and unnecessary—payments which in some cases exceeded several million dollars per individual. Consequently, I supported the House and Senate Agriculture Committees' decision to impose a $55,000 limitation on payments received by any person participating in the 1971, 1972, and 1973 cotton, wheat, and feed grains programs.

Mr. President, in the year that has passed since the Senate's last debate on the issue of $20,000 limitation, two official studies have been released.

On March 16, 1972, the Department of Agriculture released a study entitled "Farm Payment Limitations," prepared pursuant to Senate Resolution 153 which was approved by the Senate on July 15, 1971. With respect to the impact of the $55,000 limitation provision, this study came to two major conclusions. First, the limitation had no significant impact on Government expenditures for the three programs. Payments were actually reduced by $2.2 million, representing 1.6 percent of the $138.8 million paid to cotton, wheat, and feed grain producers who received farm payments exceeding $55,000 in 1970. The second major finding was that Government expenditures were not significantly reduced because $42.7 million was redistributed to other persons or entities as a result of changes in farming operations.

On April 12, 1972, the Comptroller General released a GAO study which also concluded that the payment limitation under 1971 cotton, wheat, and feed grain programs had only a very limited effect on reducing expenditures. The GAO study also found as the main reason for the limited reduction in Government expenditures that—

> The authorizing legislation and subsequent regulations did not prohibit producers from changing their farming operations and organizations to reduce the financial impact of the limitation. The primary result of the changes was to increase the number of persons qualifying for payments and therefore to spread program payments among more persons—individuals or entities. (p. 2)

The GAO study made certain recommendations to the Department of Agriculture concerning better administration of the payment limitation. In a letter dated March 17, 1972, the USDA stated that it agreed with the GAO recommendations and that corrective actions already had been taken or were being initiated. New regulations are now in effect for the 1972 program, the impact of which cannot be determined at this time.

In 1971, this limitation provision, according to the USDA study, affected about 1,350 farmers who had received more than $55,000 each in 1970 program payments on cotton, feed grain, or wheat. According to this same study, if the maximum payment to any one person had been $20,000 in 1971, some 10,000 farmers would have been affected. The major impact of this lower limit would fall on the cotton program and cotton producers. In the 1971 cotton program, 8,742 persons received between $20,000 and $55,000 in program payments. Collectively, there 8,742 persons received 37.7 percent of the total cotton program payments in 1971.

These, then, are the facts and findings relating to the $55,000 payment limitation. These two reports are being cited by supporters of the $20,000 limitation amendment as proof that the $55,000 limitation is not adequate, or "too high," and that the $20,000 limitation would result in "substantial savings to the taxpayer." I disagree with this assumption. So does the USDA report:

> The experience with the $55,000 limit in 1971 indicates that many farmers would adjust to a lower limit by dropping leases, leasing out allotments with or without land, or outright sale of farms or farmland. *These kinds of adjustments reduce the impact on production; however, they also preclude any reduction in total government payments under* the farm program due to the limitation. (Emphasis mine.)

I believe the conclusions being drawn by the supporters of the $20,000 amendment are premature. Underlying the conclusions are several unfounded assumptions: that the over-all government expenditures for the total programs have not been significantly reduced as a result of "fancy break-ups" by those farmers who received in excess of $55,000 in 1970; that the $55,000 limitation is, in itself, an "exorbitant" amount of money; and that most of the larger payments are going to a few rich farmers and corporations who are operating giant farms.

The USDA report discusses the probable impact of a $20,000 limitation. I would like to highlight a few of the report's findings, which are in conflict with the charges being made by the amendment's supporters.

First, what size farm would be affected by a $20,000 limit? The report cites the following acreages:

> 1. In the case of corn, depending on whether the producer signs up for the minimum or the maximum set-aside, the $20,000 limitation would become effective on a payment base of between 500 and 312 acres.
>
> 2. In the case of wheat with a 60 bushel yield, the limit would become effective on a farm having a wheat allotment of 198 acres at the minimum level of participation; at the maximum level of participation, a farm of only 140 acres of wheat allotment would be affected.
>
> 3. Cotton with a 500 pound yield would be affected on a farm with a cotton allotment of 267 acres.

I'd like to point out, by way of comparison with the cotton allotment acreage, that the average amount of cropland on California farms producing cotton was 513 acres in 1971.

Second, the USDA study notes that reducing the limit from $55,000 to $20,000 would reveal some differences in kind as well as degree.

> A substantial part of the hardships resulting from the 1971 crop limits fell on a relatively few producers who operated farms on such a scale that the entrepreneur himself was required to devote most of his time to the actual management and direction of the farm operations, as opposed to actually driving the tractor, combine, or cotton picker. However, producers affected by a $20,000 limit, as opposed to the $55,000 maximum, would, to a large extent, be farmers who, with their family members, actually perform a significant portion of the basic farm labor requirements themselves. These are mostly family farms; not typical, but generally efficient, unusually productive and progressive—but certainly few would be large corporate operations.

I think it is time that we asked, Mr. President, what it is, exactly, that we want a payment limitation to accomplish. Do we want to reduce over-all Government expenditures for the three programs affected? If so, it is true that the $55,000 limitation, by itself, did not accomplish this goal. But the USDA report states that a $20,000 limitation would also not reduce Government expenditures.

Do we want to reduce the total payment going to each individual farmer? If so, the $55,000 limitation has accomplished it even better, but who is it that would be affected? According to the USDA study, those receiving between $20,000 and $55,000 in 1971 were, by and large, family farm operators—certainly not giant corporations.

Do we want to take the money that is saved by reducing exorbitant individual payments and spread it among other eligible participating producers? If so, that is being accomplished by a $55,000 limitation. And, according to the USDA, it would be accomplished even more so by a $20,000 limitation, at least in cotton.

But these are big questions, Mr. President. They cannot be decided by tacking an amendment on an appropriations bill.

I submit that the question of payment limitations needs a thorough and critical review. That review has not yet been fully made, although we do have several studies on the 1971 crop—the first time we have had a payment limitation in the cotton, wheat, and feed grain programs. These two studies, however, raise as many questions as they answer.

Next year, Mr. President, we will be in the midst of redesigning our farm program, since the Agriculture Act of 1970 expires in 1973. I believe that Congress will then be in a much better position to judge, not only the impact, but also the goal of changing the amount of the payment limitation. Perhaps we will wish, after hearing from the individual farmers, and conducting in-depth economic and social analyses of the alternatives before us, to eliminate direct payments entirely. I, quite frankly, would like to see us moving in that direction. But we simply cannot make these decisions today.

To do so would constitute a breach of trust—in 1970 Congress told the American farmer that he must operate under a $55,000 limitation for the three crop years for which a farm program was authorized. Now, in the third and final year, we are proposing to change the rules.

I urge that this amendment be defeated.

Mr. McGEE. Mr. President, I yield 2 minutes to the Senator from Mississippi (Mr. STENNIS).

Mr. STENNIS. I thank the Senator.

Mr. President, I want to commend the Senator from Wyoming for the fine work he is doing in handling the appropriation bill. Many, many long hours and hard days of work have gone into it, and I commend him.

Mr. President, we have argued this matter many times, but these payments that are made to these people on the land, the farmers, certainly are not merely payments to those individuals. The payments are the price of a system that we have had for a good number of years that has assured a continuous flow of food and fiber for the American people at a reasonable price, a sustained flow. It is always there, generally speaking, without shortages. So this is a balance between the consumer and the producer that has worked very well indeed, and the system itself is certainly worth something to the consumer and the taxpayer. There has been a sustained yield and supply for the benefit of the consumer generally on fibers and cotton. It has supplied us with food grains and all other commodities to which it has been applicable.

Mr. President, one of the most salient clauses in the Constitution is that the Congress shall pass no law that impairs the carrying out of a contract. These farm laws that offer certain benefits are not rigid contracts, but certainly there is a promise and a principle involved. It is an agreement, just the same as if it were a valid, official contract. To that extent we are certainly under an obligation not to impair the carrying out of that obligation. I do not believe the Senate will. Next year we will consider the principles and policies and obligations on their merits.

I thank the Senator for yielding to me.

Mr. BAYH. Mr. President, if I could have the opportunity just to speak briefly in rebuttal, I know the remarks and judgments of my colleague contrary to my own are offered with the same degree of sincerity as I offer mine. They do not in any way derogate the fine work that the chairman of the subcommittee has done.

I would like to point out, at the suggestion of the Senator from Ohio (Mr. TAFT), who had to leave to catch a plane, because of the lateness of the hour, we have some 400 pages of printouts of those individuals who are receiving subsidy in excess of $20,000. I have asked that the names and addresses and amounts be printed in the RECORD.

There have been statements about a contract with the American farmer, and the need to give farmers adequate notice. I have been here as long as some of my colleagues, but the first year I came here the Senate was giving advance notice by passing a wheat bill in December after wheat had to be planted in September and October. So we have not been very consistent in our asserted duty to try to plan ahead for the farmers.

This is the same argument that is made every year. I tried to offer this amendment before we had a 3-year farm bill. The same argument was made then—that it would be devastating to supply and demand, that there would be large surpluses or heavy shortages.

I want to be in good faith with the farmers, but what about the 2.4 million farmers who read in the newspapers every quarter that there are 10,143 of their brethren who are getting farm subsidies in excess of $20,000. I am asking the Senate whom we should be concerned about? About whom should we be concerned that they have faith in the Senate? The bulk of the 2.4 million farmers, or the 10,143 who are now drawing what I believe to be exorbitant subsidy payments?

The House of Representatives did turn down this proposal, as pointed out by our distinguished colleague, but I think it is fair to point out that three times in a row the House passed a limitation, only to have it stricken down last month.

This year, if my colleagues will go behind the doors of the cloakrooms, they will find out the reason why the House of Representatives voted it down by three or four votes. It was because of an agreement that if some of the urban representatives voted against this proposal, they would, in exchange, get a handful of votes for those who wanted to get food stamps for those in the cities. They were told, "We will have no limitation on these farm subsidies, so the poor people who live in the cities will have the benefit of food stamps"—which ought to be taken for granted.

I would like to deal directly with the GAO report and the Department of Agriculture report because, as someone who has been in the farm business all my life, I would not want to be part and parcel of anything that is going to disrupt things on the farm. If one considers the wording of this report and then considers the fact that the Department of Agriculture has been violently opposed to any limitations at all, we find in the assessment that there would be a slight increase in feed grains and a modest decrease in cotton production. Then we talk to the experts at lower levels, and we come up with a different assessment of what is actually going to happen.

I would like to address myself quickly to the efficiency argument, when it is suggested that we have to give over $20,000 subsidies in order to get efficiency on our farms. Only 0.1 percent of the wheat farmers are drawing over $20,000? Does that mean only 0.1 percent of all the wheat farmers are efficient? I do not think so. Only 245 of the feed grain farmers are receiving over $20,000. Does that mean that everybody else is inefficient? That is ridiculous.

Another key fact in favor of a $20,000 payment limitation is evident by the amount in excess of $20,000 per producer as follows:

	Total payments	Amount in excess of $20,000 per producer	Excess payments (percent)
Cotton producers	$311,920,000	$135,720,000	43
Feedgrain producers	6,911,000	2,011,000	29
Wheat producers	31,268,000	11,092,000	35
Total	350,099,000	148,823,000	

This shows the potential reduction in Government expenditures with $20,000 limitation is $148,823,000.

One last word, Mr. President—and forgive me if I have raised my voice and tended to get a little excited about this, but having lived in and loved rural America, I think we are facing a time of crisis and challenge out on the farm, because of the mass exodus of people from the farm and the large takeover of normal family-sized units by people who really do not care about rural interests or a healthy rural economy; all they are interested in is making that profit.

We have an opportunity, it seems to me, by making what I admit is just a small step, to start to reverse the trend, and I ask the Senate to consider three major points:

First of all, I think a $20,000 limitation is beneficial to those of us who live in rural America, because it is going to make it easier for us to sell a farm subsidy program. With 2.4 million farmers, and over 200 million people who live in downtown America, the urban residents are asking more and more, "Why should we be ladling out $20,000, $50,000, or $100,000 farm subsidy payments to one-farm operation?"

This will make it more palatable for those of us who want to continue to have a viable farm program.

Second, I think it is equity to do something to correct a farm subsidy system that gives to one-half of 1 percent of the farmers 14 percent of all the subsidies.

Third and last—and I will rest my case, thanking my colleagues for their indulgence, on this third point: I think this effort will do more than anything else I can think of to really strengthen rural America.

Thus I say, with some prejudice toward rural America, it is strengthening the United States as a whole.

The Senate spent a significant amount of time deliberating and passing a very salutary piece of legislation known as the Rural Development Act, spending hundreds of millions of dollars to strengthen the rural economy. I am advised that today that measure passed the House. Does it not seem rather ironic that we spend hundreds of millions of dollars in grants and loans of Federal moneys to try to shore up rural America at the same time that we continue a farm subsidy program which is causing hundreds of thousands of people to leave rural America every year?

What this amendment would do would be to increase the viability of that family farm unit by breaking up some of these large corporate farm operations, and then letting the free enterprise system on the farm take care of rural development.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TOWER. Mr. President, I rise today in opposition to the amendment of the Senator from Indiana. We often hear criticism of the size of farm payments. This is not new. It has been debated in this body many times. Let us review the situation for a minute. Farmers are forced to compete with goods produced in countries where the wage scale is only a fraction of that in the United States, yet they must purchase their equipment and other goods at costs which reflect the American wage scale. Because of this inequitable trade situation, American farmers are unable to compete on an open-market basis, meet their high costs of production, and still receive a fair return on their investment. If America is to be assured of a sufficient food supply, the farmer cannot be put out of business. To be able to continue to produce at a profitable level without price supports, the market price of food would have to rise considerably. The price of food today would not approach that required if price supports were discontinued. Ultimately, it is the consumer who benefits from price support payments, for they insure the continued food supply while keeping the cost down to an acceptable level.

There is constant talk of rural development which will greatly assist in solving some of the problems of urban America. I am a strong supporter of rural development, but I think we are overlooking an important point. Our rural areas need industry and business and ways to attract both, but the largest U.S. industry of all is already in rural America. The largest American industry is the one that is receiving the same wages as 20 years ago. The place we need to start in developing rural America is to start with the agricultural industry. Farming is the backbone of countless towns in Texas and the Nation as a whole. Without the farming interests there would not be enough income to support these towns. We must stop once again and ask ourselves how long our agricultural industry can afford to support America when at every turn someone is cutting away at farm income. The problems are not created at the farm level. It would be totally inconsistent, indeed absurd, to unanimously pass a rural development bill and then try to cut the income of the farmers. This is where rural America begins and the majority of Texas farmers are dependent to a very large extent on price support payments. If we are to represent rural America, we must keep the whole picture in perspective.

Let us look for a minute at the effect such an amendment would have on the economy of rural America, for example, if the present proposed amendment had been in effect during the year 1971, Texas farmers would have received $30,196,579 less for farm produce—a devastating blow to the economy of rural Texas and the entire State.

The Farm Act of 1970 committed the Federal Government to a $55,000 payment limitation program. Trusting in our Government to live up to its commitment, our Nation's farmers have invested in farm land and machinery, obtained operating capital, and created financial obligations in the process of planning their crop participation for the 3-year period covered under that act. In farming, payment plans for land and equipment investments are not made on a year-to-year basis, but rather on the basis of a 3-year plan. Our farmers have a right to expect to participate in a program which will not change in the middle of that plan. They have a right to expect the Government to live up to its commitment to them.

With this in mind, Mr. President, I am confident that my colleagues will join me in opposing the amendment before us.

Mr. TAFT. Mr. President, at a time when family farmers are being forced from their land, because of their inability to make ends meet, it is outrageous that we should continue to provide such massive subsidies to certain large producers.

At a time when our budget is out of balance and when we cannot provide the necessary funds for schools, hospitals, and housing, it is a distortion of our national priorities to permit these massive subsidies to continue.

I have before me a computer printout 2 inches thick of over 400 pages prepared by the Department of Agriculture listing those farmers who have received more than $50,000 in subsidies under the 1971 program.

I should point out that there is not a single farmer on this list from any of the following States: Ohio, Virginia, Utah, West Virginia, Wisconsin, Vermont, Pennsylvania, Rhode Islands, New York, New Hampshire, New Jersey, Maine, Maryland, Massachusetts, Michigan, Hawaii, Delaware, Connecticut, Alaska, or Kentucky.

The average farmer in this country cannot be pleased at the way in which extremely large agriculture subsidies are placed largely in a few hands. Last year I referred to the existing subsidy limitation as a sieve. Upon greater study I find that even the sieve is torn open wide. Those whose cotton allotments have exceeded $55,000 for example, can lease or sell their allotments, without leasing or selling their land, and receive much of this excess subsidy back in the form of rent. We should phase this out.

Even this list which I have does not tell the whole story. Many of these farmers are receiving additional Federal dollars indirectly in the form of rental payments.

This amendment would help make the farm program fairer for the average farmer who is trying to make a living. It would also be fairer for America's taxpayers. I believe that the time has come for us to reform this program and consequently, I am pleased to support this amendment and urge its adoption.

Mr. HUMPHREY. Mr. President, during debate last year on the agricultural appropriations bill, I opposed the Senator from Indiana, Mr. BAYH'S amendment to provide for a $20,000 limitation on payments made to farmers under our wheat, feed grains, and cotton programs. I did so chiefly because we had little or no reliable information on which to base such an important decision. You will recall, immediately following that debate that I introduced a resolution S. 153 calling on USDA to conduct a study concerning this matter. That resolution was passed by the Senate and the results of that study have since been made available to the Senate and House Committees on Agriculture.

This particular study—and a similar study conducted independently and simultaneously by the Government Accounting Office—clearly indicate that further action is required to plug up the loopholes and to further lower the total payment that any one individual person is permitted to receive under these programs.

The USDA report concludes that governmental expenditures in 1971 were reduced only $2 million as a result of the $55,000 farm program payment limitation because most producers who received in excess of that amount in payments in 1970 changed their farming operations to avoid the payment limitation in 1971.

Although 1,350 producers earned payments in excess of $55,000 in 1970 totalling almost $139 million, only 466 producers had their payment reduced by $2 million in 1971 by the limitation. 1,046—or 77 percent—of these producers changed their farming operations to avoid the payment limitation in 1971.

While the Department has taken some action to tighten up their payment limitation regulations, it is obvious from this report that further action will be required by Congress to correct the situation.

According to the report, application of the $55,000 payment limitation to the 1971 programs had little significant effect on program signups, surplus of grain or shortage of cotton, and Government expenditures.

The report also concluded that imposition of a $20,000 payment limitation on future programs would likely produce the following results:

Slightly less participation in the set-aside programs;

Slightly less reduction in grain production;

Slightly less cotton production;

Only modest reduction in Government set-aside payments; and

Increased cotton production by small farmers on allotments rented from producers subject to the $20,000 limit.

Although the number of producers receiving payments in excess of $20,000 has increased from 5,914 to 13,751, increasing by more than one-third from 1970 to 1971, this report suggests that little actual savings can be expected from the imposition of even a $20,000 payment limitation. However, based upon the Department of Agriculture's findings, it would appear that a payment limitation, even as low as $20,000 could be imposed without materially disrupting the basic purposes of the existing programs.

While the subject of payment limitations is an important matter, I think an even more important subject is the question of the inadequacy, including costliness of current administration set-aside programs. Several hundred million dollars could be saved by abandoning the Administration's set-aside programs for more effective supply-management programs.

The administration's reliance upon the set-aside approach for these programs is driving Government costs ever upward. In 1970, the last year we operated under the Agricultural Act of 1965, the cost of the wheat program was $871 million. Projected cost of the program this year under the set-aside program for wheat is estimated to be $1,168 billion.

The 1970 feed grains program cost was $1,510 billion and projected cost for the program this year is estimated to be $1,897 billion or 25 percent higher than 1970.

The cotton program in 1970 cost $914 million and is expected to be lower this year—$754 million—mainly due to higher market prices being paid to producers this year.

Although wheat program costs are substantially up this year over 1970 program costs, a reduction in supplies has not been achieved. Over 100 million more bushels of wheat are expected to be added to carryover stocks again this year despite these higher payment outlays.

Last year 500 million bushels of corn were added to carryovers with more likely to be added again this year, again, despite substantial additional outlays in Government payments.

It is for this reason that I point out the urgent need to abandon these set-aside programs for more effective supply-management type programs. In addition to the high cost of these programs, they are creating surpluses, not reducing them. They are depressing farm prices, not increasing them.

A further lowering of payments to individual producers may result in some additional Government savings, if USDA regulations are developed to prevent circumvention of the lower limits.

As I said before, the evidence provided by the USDA and the GAO studies on this subject indicate that this action can be taken without materially jeopardizing the effectiveness of our farm programs regarding signups or participation. However, if we take this action and fail to appreciate the importance of abandoning the set-aside programs for more effective supply-management type programs, we will likely find later that we have really done little to cut Government costs, cut surpluses or increase prices to our Nation's farmers.

I intend to support the Senator from Indiana's amendment, although I think it is unfortunate that such action has to be taken in connection with the appropriation bill.

Mr. TUNNEY. Mr. President, in 1970, I supported the Agricultural Act of 1970 which provided for a $55,000 farm payment limitation. I believe then as I do now, that farm payments should be limited. However, it should be done by a means of a gradual transition which would not create chaos in California's No. 1 industry—agriculture.

The 1970 farm bill authorized payments for a 3-year period. I do not believe that we should use this appropriations bill to achieve a legislative purpose by making a precipitous reduction in farm payments. Congress will have the opportunity to review the entire farm program and further limit payments when the Agricultural Act of 1970 expires, and any legislative changes in direction should be charted at that time.

Certain advocates of the $20,000 limitation have indicated concern with varying reports of growers circumventing the existing limitation. However, if this $20,000 limitation is approved for the fiscal year 1973 agricultural appropriations bill, it would almost certainly be administered under the same regulations which apply to the current $55,000 limitation. Thus, lowering the payment limitation by this means will have little affect on the problems of loopholes or circumventions. In fact, Congressman CONTE, the sponsor of this amendment on the House side, agreed during the House debate of this proposal that in fact these loopholes would not be closed by the passage of this measure.

Lowering the payment limitation from $55,000 at this time could have an adverse affect on the agricultural economy, particularly in California, and will almost certainly hurt many small and medium farmers.

Many California farmers have made commitments relying on the 3-year period authorized by the 1970 farm bill. To abruptly change the law by means of an appropriations bill at this time would seriously disrupt the California economy.

More important, it is the small and medium farmer who would suffer the most under a precipitous $20,000 limit. Smaller farmers have leased allotments, borrowed money, and purchased equipment in reliance upon the 3-year, $55,000 limit. For example, a tractor with requisite equipment costs from $11,000 to $13,000. The farmer cannot repudiate his contract in the manner that Congress would be repudiating its obligation to him by passing this amendment. A change in the limitation would only cause bankruptcies, increase unemployment, and decrease the number of smaller farmers.

Nationally, it has been conservatively estimated that at least 11,440 growers would be adversely affected by the proposed $20,000 limitation. In California at least 1,200 to 1,300 growers would be adversely affected. Many growers would no longer stay within the program, which would result in the dumping of thousands of acres of land and increased agricultural products on the market and thus depress farm prices.

This amendment would also raise serious questions of breaking faith with our farmers. The waning confidence of the American people in the credibility of its institutions has surfaced time and again during this election year. Passage of this amendment would amount to pulling a rug from beneath all of those farmers who have planned and acted in reliance of the legislative intent which guaranteed that these payments would be made for 3 years—and undermine the credibility of the Congress.

The Senate has wisely turned back this limitation three times in the past, and I urge my colleagues to join the House in repelling this measure once more. Again, when the Agricultural Act of 1970 expires, the Congress will then have the appropriate opportunity to consider making further payment limitations, as well as other substantive changes in the farm program.

Mr. McGEE. Mr. President, I am prepared to yield back the remainder of my time, if the Senator from Indiana is.

Mr. BAYH. I am prepared to yield back the remainder of my time. Again I thank my colleagues for their courtesy.

Mr. ROBERT C. BYRD. Mr. President, I ask for the yeas and nays on passage.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. HART). All remaining time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Indiana (Mr. BAYH). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HART. On this vote I have a live pair with the Senator from North Carolina (Mr. JORDAN). If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. JORDAN of Idaho. On this vote I have a pair with the junior Senator from Colorado (Mr. DOMINICK). If he were present, he would vote "nay." If I were at liberty to vote, I would "yea." I withhold my vote.

Mr. MONDALE. On this vote I have a live pair with the Senator from West Virginia (Mr. RANDOLPH). If he were present, he would note "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. SCOTT. On this vote I have a live pair with the Senator from Oregon (Mr. PACKWOOD). If I were permitted to vote, I would vote "yea." If he were present, he would note "nay." I therefore withhold my vote.

Mr. STAFFORD. On this vote I have a live pair with the senior Senator from Colorado (Mr. ALLOTT). If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. PASTORE. I have a live pair with the Senator from Louisiana (Mr. ELLENDER). If he were present, he would vote "nay." I have already voted "yea"; I therefore withdraw my vote.

Mr. SPONG. On this vote I have a live pair with the junior Senator from Georgia (Mr. GAMBRELL). If he were present and voting, he would vote "nay." I have already voted "yea." I withdraw my vote.

Mr. HUMPHREY. On this vote I have a pair with the Senator from Hawaii (Mr. INOUYE). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I have already cast my vote "yea"; I withdraw my vote.

Mr. BENNETT. On this vote I have a pair with the Senator from Ohio (Mr. Taft). If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MATHIAS. I have a live pair with the Senator from Tennessee (Mr. (Baker). If he were present, he would vote "nay." I have already voted "yea"; I withdraw my vote.

Mr. COTTON. On this vote I have a pair with the Senator from Arizona (Mr. Goldwater). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. GRAVEL. I have a pair with the junior Senator from Rhode Island (Mr. Pell). If he were present and voting, he would vote "yea." I have already voted "nay." I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. Church), the Senator from Missouri (Mr. Eagleton), the Senator from Louisiana (Mr. Ellender), the Senator from Georgia (Mr. Gambrell), the Senator from Hawaii (Mr. Inouye), the Senator from North Carolina (Mr. Jordan), the Senator from South Dakota (Mr. McGovern), the Senator from Maine (Mr. Muskie), the Senator from Rhode Island (Mr. Pell), and the Senator from West Virginia (Mr. Randolph) are necessarily absent.

I further announce that, if present and voting, the Senator from South Dakota (Mr. McGovern) would vote "yea."

Mr. GRIFFIN. I announce that the Senators from Colorado (Mr. Allott and Mr. Dominick) and the Senators from Oregon (Mr. Hatfield and Mr. Packwood) are necessarily absent.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from Tennessee (Mr. Baker), the Senator from Arizona (Mr. Goldwater), the Senator from Ohio (Mr. Taft), and the Senator from Connecticut (Mr. Weicker) are necessarily absent.

If present and voting, the Senator from Oregon (Mr. Hatfield) would vote "yea."

The respective pairs of the Senators from Colorado (Mr. Allott and Mr. Dominick), the Senator from Tennessee (Mr. Baker), the Senator from Arizona (Mr. Goldwater), the Senator from Ohio (Mr. Taft), and the Senator from Oregon (Mr. Packwood) have been previously announced.

The result was announced—yeas 23, nays 46, as follows:

[No. 320 Leg.]

YEAS—23

Bayh
Beall
Boggs
Brooke
Byrd,
  Harry F., Jr.
Case
Chiles
Griffin
Harris
Hartke
Hughes
Javits
Kennedy
McIntyre
Nelson
Percy
Proxmire
Ribicoff
Roth
Saxbe
Schweiker
Stevenson
Williams

NAYS—46

Aiken
Allen
Anderson
Bellmon
Bentsen
Bible
Brock
Buckley
Burdick
Byrd, Robert C.
Cannon
Cook
Cooper
Cranston
Curtis
Dole
Eastland
Ervin
Fannin
Fong
Fulbright
Gurney
Hansen
Hollings
Hruska
Jackson
Long
Magnuson
Mansfield
McClellan
McGee
Metcalf
Miller
Montoya
Moss
Pearson
Smith
Sparkman
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tunney
Young

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—12

Hart, for.
Jordan of Idaho, for.
Mondale, for.
Scott, for.
Stafford, for.
Pastore, for.
Spong, for.
Humphrey, for.
Bennett, against.
Mathias, for.
Cotton, for.
Gravel, against.

NOT VOTING—19

Allott
Baker
Church
Dominick
Eagleton
Ellender
Gambrell
Goldwater
Hatfield
Inouye
Jordan, N.C.
McGovern
Mundt
Muskie
Packwood
Pell
Randolph
Taft
Weicker

So Mr. Bayh's amendment was rejected.

Mr. McGEE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McGEE. Mr. President, for the information of Senators, so that they will know what the picture looks like, the Senator from Kansas has asked for a couple of minutes on a factor that we have already discussed; and the Senator from Minnesota (Mr. Mondale) wants to propound a question in a colloquy, with no vote. I do not anticipate more than 2 or 3 minutes on each one.

So far as I know, that is the story, and then we are ready for final passage. The yeas and nays have been ordered on final passage.

AMENDMENT NO. 1365

Mr. PEARSON. Mr. President, I call up my amendment No. 1365 and ask that it be stated.

The PRESIDING OFFICER (Mr. Allen). The amendment will be stated.

The assistant legislative clerk read as follows:

On page 23, line 11, strike out "$350,000" and insert in lieu thereof "$500,000".

Mr. PEARSON. Mr. President, the Rural Development System was created by the Secretary of Agriculture in 1971. It was the purpose of that agency to coordinate all programs dealing with rural redevelopment, both in the Department of Agriculture and in other agencies. The House provided $250,000. The Senate provided $350,000. This amendment brings it up to the administration request of $500,000.

I have discussed this amendment with the distinguished managers of the bill, the Senator from Wyoming (Mr. McGee) and the distinguished Senator from Nebraska (Mr. Hruska), and they have indicated it is acceptable to them and will take it to conference.

Mr. McGee. Mr. President, we are willing to take that budgeted figure to conference and therefore we will accept the amendment.

Mr. BELLMON. Mr. President, I wholeheartedly support the amendment of the Senator from Kansas.

As a member of the Rural Development Subcommittee of the Committee on Agriculture and Forestry, since its creation I have taken an active role in the formulation of the Rural Development Act of 1972, which passed the Senate unanimously a few weeks ago.

As the representative of a highly rural State I am acutely aware of the need to revitalize the nonmetropolitan areas of our Nation. This is not only necessary for the benefit of those people presently living in these smaller communities; but to give some relief to those metropolitan areas where 75 percent of our people now live.

In my view, the Rural Development Act, as passed by the Senate, was not sufficient to the task we face in renewing the economic life of thousands of small communities which have been the backbone of America. However, it is a start and I look forward to its final enactment by Congress.

Pending the effectiveness of that legislation, full funding of the Rural Development Service of the USDA at the full requested level of $500,000 seems to be a small enough price to pay for some effort by the Government in an attempt to direct its rural development efforts.

The increase of $250,000 is for the purpose of supporting innovative efforts in the broad area of rural development through contracts and agreements with States and other agencies. Efforts will include financing:

First. The exchange of State and Federal people to serve in a technical staff role in the Rural Development Service and appropriate State agencies under the Intergovernmental Personnel Exchange Act.

Second. Interdepartment and intergovernmental coordination of rural development programs and activities.

Third. Initiation of community betterment activities in rural America by volunteer groups and associations.

Fourth. In conjunction with other appropriate Federal agencies and professional associations, communication of information concerning preventive medicine in rural America.

The budget request for the Rural Development Service for fiscal year 1973 was $490,000 or an increase of $240,000 over the amount available for this year. This represents an increase of $250,000 for the purpose of supporting innovative projects. There is a decrease of $10,000 for personnel.

During the coming fiscal year, the Rural Development Service plans to undertake a number of innovative projects. The major ones being considered are:

First. Assisting the four Regional Rural Development Centers of Excellence in the development of educational programs, training programs, and making available professionals from land-grant universities to assist local groups in evaluating programs and exploring alternatives.

Second. Assist financing the exchange of State and Federal people to serve in a technical staff role in the Rural Development Service.

Third. Assist financing coordinators to work with communities that require rapid adjustment such as location of a military ABM site, or location of a major new employer.

Fourth. Provide support for one or more symposiums or seminars on rural development.

Mr. President, I urgently request my colleagues to support this amendment offered by the Senator from Kansas (Mr. Pearson).

Mr. PEARSON. Mr. President, I yield back my time.

Mr. McGEE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1365 of the Senator from Kansas (Mr. Pearson).

The amendment was agreed to.

Mr. MONDALE. Mr. President, I call up my amendment on behalf of myself and my colleague from Minnesota (Mr. Humphrey), and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 4, line 14, delete "200,918,400" and insert "201,018,400".

Mr. MONDALE. Mr. President, this is a modest amendment that asks for $100,000 to fund needed research on wild rice in Minnesota. I have discussed this amendment with the distinguished floor manager of the bill and I believe he is prepared to accept it.

Mr. McGEE. Yes. We are prepared to accept it. We are agreed in terms of its merit and its case. However, the problem we will encounter with the House is that because the need for it is so acute even though we have not had a chance until the committee deliberated in the hearings, we are recommending its acceptance by the House. I suspect it would be fair to say and only candid to say that because it was not included at the outset, we will have some difficulty with them in the conference; but I want to assure the Senator that we will try.

Mr. MONDALE. I thank the Senator from Wyoming.

Mr. McGEE. Mr. President, that is all the amendments there are to be called up. I yield back the remainder of my time.

Mr. MONDALE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back on this amendment.

The question is on agreeing to the amendment of the Senator from Minnesota.

The amendment was agreed to.

Mr. McGEE. Mr. President, I send to the desk three amendments technical in nature and ask that they be considered and agreed to en bloc.

The PRESIDING OFFICER. The amendments will be stated. The assistant legislative clerk read as follows:

On page 11, line 7, immediately following the semicolon, add: "payments for special cotton cost-cutting education work under section 3(d) of the Act, $500,000;"

On page 11, line 9, following the semicolon, delete: "payments for special cotton cost-cutting education work under section 3(d) of the Act, $500,000;"

On page 37, line 17, following the figure 709, delete semicolon (;) and insert a comma (,)

Mr. President, the first two amendments would simply revise the bill order and would place an amendment which was added by the Senate Committee in the proper place in the bill. The third amendment is one to correct a minor punctuation error. I ask unanimous consent that these technical amendments be made.

The PRESIDING OFFICER. Without objection, the three technical amendments are considered and agreed to en bloc.

The bill is open to further amendment.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

MIGRANT HOUSING

Mr. HART. Mr. President, the Senate should approve the amendment to increase the appropriation for the domestic farm labor housing program to $10 million.

It is my understanding that the Federal Government has a backlog of $18 million worth of funded applications under this program. There is every reason to believe the need far exceeds that total, for the administration has refused to receive any new applications since January.

My plea will be brief, but I hope not unpersuasive.

The people of this Nation have benefited from the low-paying, back-breaking labor of domestic farmworkers.

The "rewards" for these labors have too often been poor housing, unsanitary living conditions, inadequate health care, and substandard schooling.

The time is long past when the people of this country should make good what I consider their debt to those who have harvested the food we eat.

We can start by approving $10 million for this housing program, a sum still far less than the demonstrated need, but at least a significant increase over the budget request of $2.5 million.

REA AND REAP

Mr. PERCY. Mr. President, I support what the Senate Appropriations Committee has done in funding REA and REAP.

REA

The Rural Electrification Administration is of great importance in rural areas in providing adequate and reliable electric service. The REA helps to provide dependable electric service to farms and also nonfarm operations in rural areas. REA funds from the Federal Government are in the form of loans and the repayment record on REA loans is excellent.

I support the committee recommendation of $595,000,000 for the appropriation and loan level. This is $50,000,000 above the level appropriated for fiscal 1972 but I think eminently worthwhile.

REAP

The rural environmental assistance program is another extremely worthwhile program. This program promotes good conservation practices and improvement of the environment through a cost-sharing program with farmers. Typically the cost-sharing is on a 50–50 basis between the Federal Government and the farmer. This is a most important program given the concern we all have over the environment and a program I heartily support. I agree with the committee recommendation of a $225,000,000 funding level for fiscal 1973.

Mr. President, both of these programs are important to the State of Illinois, perform important functions, and I support them both.

FARMERS HOME ADMINISTRATION

Mr. HART. Another item that concerns me is the $9.2 million requested by the Farmers Home Administration to contract on a fee basis with nongovernmental entities and persons to carry out certain services now performed by Federal personnel. My concern is generated in considerable part by testimony received of hearings of the Senate Antitrust and Monopoly Subcommittee on Federal housing programs. We found that some of the difficulties arising from the HUD housing programs stem from the use of contract or fee personnel.

As an expression of this concern, I wrote to Mr. James Smith, Administrator of the Farmers Home Administration, asking what procedures he intended to take to avoid problems similar to those experienced by HUD. I am disappointed to say that Mr. Smith replied that, as of June 9, no procedures had been developed concerning use of contract personnel.

I am pleased to note, therefore, that while the committee approved the full amount of the salaries and expenses appropriation requested by FHA, the committee's report indicates that the funds should be used to acquire additional FHA personnel, and shall not be used for contract services.

The report of the House Appropriations Committee on this bill expresses similar concerns but does not recommend a flat ban on the use of these funds to hire non-Government personnel.

I am concerned that both Houses of Congress can agree on language on this matter so that the Administration will have no question as to the feelings of Congress on this matter.

Perhaps, then, if for good reasons the conferees decide not to prohibit the use of these funds for outside personnel, the conference report could include language requiring the Farmers Home Administration to file with the congressional Appropriations Committees, and perhaps with the congressional Agriculture Committees, guidelines it has established to guard against problems similar to those encountered by HUD.

Mr. McGEE. As the Senator from Michigan indicated both the House committee and the Senate committee expressed rather clear and strong views that the additional money we provided to Farmers Home Administration for salaries and expenses should not be utilized for contract services as originally proposed by the administration. With this existing language I can see no room for any doubt as to the feelings of the committees in this regard. I shall be happy to consider this matter further however and if it does appear that additional language in the conference report would be helpful I shall certainly discuss it with the conferees at the appropriate time.

Mr. HRUSKA. Mr. President, due to prior commitments in Oregon, Senator Hatfield is unable to be here this evening for final consideration of this bill.

As a member of this subcommittee, he brought to the attention of the committee during our review of the bill certain problems several cities in the country are facing in providing adequate sewer systems. These cities are built on rock formations that make construction of sewer systems very expensive. Language included in our report refers to this situation.

I ask unanimous consent that this portion of the committee report and a statement of Senator Hatfield appear at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[Senate Report No. 92-983, July 24, 1972]

Department of Agriculture—Environmental and Consumer Protection Appropriation Bill, 1973

The Committee had considerable discussion in reference to the proposed sewer demonstration project at Bend, Oregon. Testimony presented to the Committee indicated that this proposed project has great significance for many cities in several States throughout the Nation. For that reason, the Committee expresses its particular interest in this proposal and urges the Agency to carefully review it in terms of its national significance.

Statement of Senator Mark O. Hatfield

I am very pleased with the interest expressed by the members of the Committee on Appropriations in the Sewer Demonstration project at Bend, Oregon. As indicated in the committee's report on the Environmental Protection Agency's budget for FY 73, the Bend project is of great significance to many cities throughout the United States having rock excavation problems. To date, 33 cities in 16 States have indicated a great interest in the results of this project.

Two basic problems face the city of Bend in constructing a sewage system: First, the city must find a way to excavate lava rock in an economical fashion. Secondly, the city must find a new system that will transport the sewage since the conventional gravity system found in most communities cannot be used in lava rock terrain. To find these new methods in rock excavation and sewage transportation, a demonstration project must be initiated. It is hoped that other cities faced with similar construction problems will be helped by the findings from the Bend project. It is important that a means be found to assist these communities in building sewage systems within their financial capabilities.

RED CHERRIES

Mr. HART. I would like to ask the Senator from Wyoming (Mr. McGee) for clarification on three items in this appropriation bill. The red tart cherry industry has experienced considerable problems with inaccurate crop production estimates in recent years. I have been told that overestimates of the size of the prospective crop have resulted in lower prices than warranted by the actual level of production and consequently have caused cherry growers to suffer substantial income losses. I note with satisfaction that the committee report calls upon the Department of Agriculture to make use of the Statistical Reporting Service and the matching fund program to cooperate with the red tart cherry industry to finance a program to improve these crop estimates. However, there is no mention of specific amounts of funds being appropriated to cover the additional costs involved in improving the accuracy of these estimates. Can the Senator assure me that sufficient funds are available for this purpose and that the committee fully expects that the Department will in fact take the necessary actions to improve the crop production estimates for red tart cherries?

Mr. McGEE. I would say to the Senator from Michigan that in my opinion there should be funds in the appropriation for the Statistical Reporting Service to consider this item for the red tart cherry industry. As the Senator is aware, the committee reports of both the House and the Senate mentioned this item and both expressed the view that the Department should work with the industry to reach some agreement under which improvements can be made in this area. The Statistical Reporting Service will have almost $23 million and I am confident that they can accommodate this item within that amount.

INTERNATIONAL TRADE

Mr. HART. If I may have the attention of the Senator from Wyoming. On June 14, I wrote him requesting that funds be added to the budget for the Federal Trade Commission to finance studies in the area of international trade.

Specifically, I suggested that $620,000 be added to create a special division for international trade. This division's responsibility would be to evaluate and report to Congress on the international impediments to trade and the multinational corporations' impact on competition domestically and as they influence domestic ability to compete in export.

Second, I suggested that $1 million be appropriated to fund a 2-year study of the 500 largest industrial corporations doing business in the United States and their impact on competition domestically and in export. Work of the Senate Antitrust and Monopoly Subcommittee has led us to believe that balance of trade problems and unemployment possibly may be more related to activities of U.S. corporations overseas than to what is traditionally considered "foreign companies."

The background for these requests is, of course, the growing interest in tariffs, quotas, voluntary agreements, and such as means of reducing unemployment and correcting our balance of trade.

Certainly these are serious problems, but I fear that in some of these areas our lack of knowledge leaves us acting in the dark, and I do not think we should bend our antitrust policies or reverse our free trade policies without the benefit of the full light of knowledge.

In making those suggestions, I fully realized that they were late in coming—as a matter of fact, they came after your subcommittee had completed hearings.

My principal intent then was and is now to open these suggestions for discussion and to request that your subcommittee notify the Federal Trade Commission that these items will be given full consideration at next year's hearings.

Mr. McGEE. As the Senator is aware, the appropriations for the Federal Trade Commission was increased by more than $5 million from the 1972 level. Of this amount slightly more than $3 million was a budgeted increase and more than $2 million was added to the budget estimate.

The committee did not provide the additional funds for the specific purpose as suggested by the Senator from Michigan but I can give my personal assurance to the Senator now that his suggestions and the amendments he has in mind will be thoroughly explored during the considerations of next year's appropriations proceedings.

Mr. TUNNEY. Mr. President, in giving my approval to that section of this appropriation measure which involves the Environmental Protection Agency, I wish to draw the attention of my colleagues to some months of correspondence I have had with EPA on the subject of its failure to renew a research and training grant to the Pacific Southwest Universities Air Pollution Association—PSUAPA.

The association is, as its name implies, a consortium of four major universities in southern California working to develop and conduct educational, informational and training programs aimed at air pollution control.

Interestingly enough, the consortium was established at EPA's specific request. The purpose of the program is to provide direct assistance and information to air pollution control agencies, including EPA, the legislature and the general public.

Special effort is made toward providing assistance to air pollution control agencies, including EPA, the legislature and the general public. Thus, the consortium's programs are action-oriented and designed for immediate impact in California, where air pollution problems are so aggravated. In its first full year of operation, the consortium compiled an impressive record of achievements. These include numerous publications, seminars for legislators, exciting community service and formal university education programs, scientific and administrative training programs, and many others.

Despite assurances from EPA to the contrary, the consortium was informed on April 13, 1972 by EPA's Office of Air Programs that its operating grant would not be renewed, due to budgetary limitations. This information came as a complete surprise to the directors of the consortium and to the many who have relied on its programs in its first year.

In my subsequent correspondence with EPA, and with my distinguished colleague, the chairman of the Appropriations Subcommittee on Agriculture, Environmental and Consumer Protection (Mr. McGEE), I pointed out that EPA's own budgetary request for research and training had been decreased by some $3 million over the fiscal 1972 level—and this despite the fact that air pollution problems remained crucial throughout the country and especially in southern California.

Senator McGEE's subcommittee responded favorably to my request, including in the bill $3 million to allow continuation of the research and training programs at the fiscal year 1972 level. Immediately after the subcommittee's action, in a personal meeting with EPA Administrator Ruckelshaus in my office, I stated that I had every anticipation that EPA would be mandated by the congressional appropriation to fund research and training programs at the fiscal year 1972 level. Since the consortium's contribution has been outstanding and essential to the needs of California, I stated that I could see no excuse for EPA's failure to renew the grant as soon as the additional funds are released. Mr. Ruckelshaus assured me that he would personally look into the matter and subsequent communications between our staffs have contributed to my expectation that the renewal will and must be forthcoming. It would be a profound disappointment to a great many people in this country if EPA—which has recently shown such vigorous leadership in the fight to curb air pollution—were to fail now to carry out its clear mandate.

I ask unanimous consent to insert in the RECORD at this point the relevant correspondence on this subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENVIRONMENTAL PROTECTION AGENCY,
Research Triangle Park, N.C., April 13, 1972.
Dr. JAMES N. PITTS, Jr.,
Director, Statewide Air Pollution Research Center, University of California, Riverside, Riverside, Calif.

DEAR DR. PITTS: This is to acknowledge receipt of your renewal proposal for the Pacific Southwest Universities Air Pollution Association. We sincerely regret to inform you that we are unable to consider support of your proposal at the present time due to budgetary limitations for Fiscal Year 1972 and 1973.

Please be advised that this decision is not based upon the scientific merit and/or technical quality of your proposal. Further, this action will in no way influence the review of future proposals you may wish to submit.

Sincerely yours,
RONNIE E. TOWNSEND,
Extramural Programs Section, Special Projects Branch, Manpower Development Staff.

APRIL 28, 1972.

Hon. GALE MCGEE,
U.S. Senator,
Washington, D.C.
Attention: Dudley D. Miles.

DEAR GALE: I am advised that the Environmental Protection Agency notified the Pacific Southwest Universities Air Pollution Association on April 13, 1972, that it will not support the Association's renewal proposal due to budgetary limitations for FY 1972 and 1973. According to EPA's letter, a copy of which I attach, the decision was not based on the scientific merit or technical quality of the Association's proposal.

The Association is a consortium of public and private universities in California which was formed *at the request* of the National Air Pollution Control Agency and is just completing its first full year of operation. Its success is shown by the attached summary of accomplishments and by the fact that the Universities of Arizona and Nevada were to join the consortium this year.

According to my information, the Association has been told by EPA that it could anticipate in excess of $800,000 for FY 1973, and EPA's failure to renew comes as a complete surprise.

I am aware that EPA appeared before your Subcommittee to request $1.2 million less in FY 1973 than it had requested in FY 1972. EPA stated in its budget request that grants to universities to support air pollution control training programs are being scaled down in 1973 in keeping with an agency policy to direct funds to other programs.

I am most disturbed that at the very moment when research on the subject of air pollution is urgently needed, EPA is cutting back its support of education and training on such a massive scale. The decision is being made apparently without knowledge of appreciation of the merits of the programs affected.

I hope that it will be possible for you to restore $1.2 million to EPA's budget in order to sustain it at its FY 1972 level, and to earmark $800,000 of this increase for the Pacific Southwest Universities Air Pollution Association in order that it can continue its work for the people of California, Nevada and Arizona.

I would be happy to supply you with any additional information on the activities of the Association if you should so require. Inquiries in this regard should be brought to the attention of Jane Frank, my legislative assistant.

Best regards,
JOHN V. TUNNEY,
U.S. Senator.

MARCH 20, 1972.

Hon. WILLIAM D. RUCKELSHAUS,
Administrator, Environmental Protection Agency, Washington, D.C.

DEAR MR. RUCKELSHAUS: I have just learned that a number of research grants made by the Office of Air Programs to the University of California to conduct air pollution research are being terminated for lack of funds.

These grants—involving several million dollars—were planned as multi-year awards and their sudden termination will not only interrupt research in the environmental problems important to the people of California but also cause considerable hardship to the personnel directly involved.

This most disturbing news comes immediately on the heels of the President's message to the Congress calling for the expansion of science and technology efforts of the United States to improve the quality of life.

I have also been advised that the Office of Air Programs does not plan to renew the funding of the Pacific Southwest Universities Air Pollution Association consortium. This group was established at the request of your agency and has proved so successful that universities in Arizona and Nevada have applied to join the three California universities which have commenced an outstanding air pollution research program.

I attack information concerning specific grants that are affected at the University of California Riverside Campus. There may also be grants affected at other California campuses. I hope that you will review the actions of the Office for Air Programs and reinstate the grants previously made to the University of California.

I look forward to your early reply.

Sincerely,
JOHN V. TUNNEY,
U.S. Senator.

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
Washington, D.C., May 8, 1972.
Hon. WILLIAM D. RUCKELSHAUS,
Administrator, Environmental Protection Agency, Washington, D.C.

DEAR BILL: On March 20, 1972, I wrote you concerning the termination of a number of research grants made by the Office of Air Programs to the University of California to conduct air pollution research. I attach a copy of my letter and its attachment which lists the grants involved.

I have not yet received a response from you on this matter. I have made further inquiries and am informed that the following grants, which were included in the attachment to my March 20 letter, have still not come through:

Fukuto, "Chemistry & Mode of Action of Insecticides," EP 00806–15;

Mudd, "Biochemical Effects of Air Pollution Oxidants," AP 00071–10;

Fukuto, "Environmental Sciences," ES 00084–05;

Shorey, "Behavior Control of Insects by Pheromones," EP GM 00873–09.

In addition, on April 13, another circumstance mentioned in my letter of March 20 came to pass: the Pacific Southwest Universities Air Pollution Association was notified by EPA that its renewal proposal was turned down due to budgetary limitations for FY 72 and 73.

As you know, the Association is a consortium of public and private universities in California which was formed *at the request* of the National Air Pollution Control Agency. After a year and a half of planning, it is just completing its first full year of operation. Its success is shown by the attached summary of accomplishments and by the fact that the Universities of Arizona and Nevada were to join the consortium this year. According to my information, the consortium had been told by EPA that it could anticipate in excess of $800,000 for FY 73, and EPA's failure to renew comes as a complete surprise.

I am certain that you realize my concern with these various cutbacks in pollution research at a time when rapid progress is so urgently needed. I do not understand why EPA, in its budgetary request to the Congress for FY 73, requested $1.2 million less than it had requested in FY 72.

Your prompt response to this inquiry would be most appreciated.

Sincerely,
JOHN W. TUNNEY,
U.S. Senator.

ENVIRONMENTAL PROTECTION AGENCY,
Washington, D.C., May 25, 1972.
Hon. JOHN V. TUNNEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TUNNEY: This is in response to your letter of May 8, 1972, regarding a number of proposals for research grants submitted by the University of California, Riverside. Enclosed is a copy of our April 25, 1972, reply to your earlier letter dealing with the same grants. There are only two changes that have developed in the interim. Proposals 800890 for C. Ray Tompson and 800870 for Lawrence Ordin have been mailed their notices of grant awards.

Your concern for certain proposed cutbacks in the Environmental Protection Agency's (EPA) budgetary request to Congress is appreciated. EPA, on an Agency-wide basis, has proposed a reduction in its training grants program in fiscal year 1973 from

$10.4 million to $7.4 million. This proposal was made on the basis of a recent evaluation of the program which revealed that:

a. There is little evidence to support the commonly held view that there is a vast gap between the demand for trained environmentalists and the number of qualified applicants available for environmental jobs.

b. Many more universities now offer graduate training programs in the environment, and more students are currently entering these fields than in the past.

c. Most EPA grant programs have matured and thus are in less need of support than new programs which require substantial "seed money" to sustain them through the first few years of the grant.

Therefore, it is generally felt that the stimulus of a larger EPA training grant program is less needed now than in the past, and such a program is of somewhat lower priority than other pressing needs within the EPA 1973 budget totals.

EPA has made no final decisions on how the $3.0 reduction will be absorbed. We estimate, however, that most existing grants will continue to be funded though at lower levels of support. We anticipate that the effect of those reductions will not substantially reduce the supply of EPA funded graduates.

Your interest in this matter is appreciated.

Sincerely yours,
William D. Ruckelshaus,
Administrator.

April 25, 1972.

Hon. John V. Tunney,
U.S. Senate,
Washington, D.C.

Dear Senator Tunney: The Administrator has requested that our office reply to your letter of March 20, 1972, regarding a number of proposals for research grants submitted by the University of California, Riverside.

In checking the status of these proposals we found:

AP00830–04 (new EPA number 800868), Edgar R. Stephens, "Formation of Photochemical Aerosols", $43,519.00, was placed on the award notice list in Grants Information Branch on March 30, 1972.

AP00071–10 (new EPA number 800684), for John R. Mudd, "Biochemical Effects of Air Pollutant Oxidants", $42,601.00, was mailed an award notice on January 26, 1972, to cover grant period from September 1, 1971, through August 31, 1972. Mr. Mudd was informed on February 29, 1972 that after August 31, 1972, support of his work would be terminated. This was done to enable him to have time to obtain funding from other sources.

ES0084–05, T. Roy Fukuto, "Environmental Sciences," $1,081,035.00, is administered by the National Institutes of Health.

AP01407–02 (new EPA number 800890) C. Ray Thompson, "Effects of Peroxyacetyl Nitrate on Orange Trees", $43,779; AP00568–06, Ellis F. Darley, "Characteristics of Smoke from Cellulosic Fuels" $41,155; AP0213–10 (new EPA number 800870), Lawrence Ordin, "Effects of Air Pollutants on Cell Growth", $112,607 have all completed technical review and are now in final processing.

AP00771–05 (new EPA number 801156), James N. Pitts, Jr. "Singlet Molecular Oxygen Oxidation in Polluted Air $56,892, was received by Grants Administration on March 3, 1972, and has now been sent to the proper program element manager to begin review.

The other grant applications are still under review or administrative processing and have not officially been approved or disapproved.

Regretfully, there has been no further change in the status of the Pacific Southwest Universities Air Pollution Association consortium, whose funding had to be terminated for fiscal year 1973 due to budgetary restraints.

Sincerely yours,
Thomas E. Carroll,
Assistant Administrator for Planning and Management.

U.S. Senate,
Committee on Public Works,
Washington, D.C., May 26, 1972.

Hon. William D. Ruckelshaus,
Administrator, Environmental Protection Agency,
Washington, D.C.

Dear Bill: You will recall our colloquy at the Air and Water Pollution Subcommittee hearing last Monday concerning EPA's failure to respond to two of my letters on the subject of cutbacks of air pollution research grants to California.

Subsequently, your office has informed me that the letters were answered, and has supplied me with a letter which is date-stamped May 25 and a retyped copy of a letter on which the date of April 25 is typed by what clearly appears as a different typewriter from the one used for the body of the letter.

My office never received the original of the April 25 letter. While I have no desire to be petty about this affair, it would seem that the difference in the typewriters coupled with the fact that I never received the original would indicate that it may well never have been sent.

Whatever the true circumstances may be, neither response gives any explanation of EPA's failure to renew the grant to the Pacific Southwest Consortium. Rather, your answer only repeats what I stated to you in my letter—that the cut was due to budgetary limitations.

In view of EPA's prior indications to the Consortium that the grant would be renewed, and the considerable success of the project and its obvious need in the Pacific southwest where air pollution is worse than anywhere in the nation, I am not satisfied that your office has given any serious consideration to the effects of its action.

As I stated at Monday's hearing, I will ask for increased appropriations for this and other vital projects if EPA is unwilling or otherwise unable to encourage and sustain such needed efforts. The sadness is, of course, the EPA itself suffers a loss of prestige and effectiveness when it fails to deal adequately with these problems.

Sincerely yours,
John V. Tunney, *U.S. Senator.*

U.S. Senate,
Committee on Public Works,
Washington, D.C., July 14, 1972.

Hon. Gale McGee,
Chairman, Subcommittee on Agriculture, Environmental and Consumers Protection, Committee on Appropriations, U.S. Senate, Washington, D.C.

Dear Gale: You will recall that I wrote you on April 28 concerning EPA's refusal to renew its grant to the Pacific Southwest Universities Air Pollution Association. I urged that you restore $1.2 million to EPA's budget in order to sustain it at its FY 1972 level, and that you earmark $800,000 of this money for the Consortium.

I am aware that your subcommittee is taking up the EPA appropriations issue just after the recess, and my staff has been assured by Dudley Miles that my request is included in the record and will be given every consideration. So that your files on this matter will be complete, I enclose copies of my correspondence with EPA on this issue as well as new details respecting the Consortium's accomplishments in its first successful year.

Please contact me or my office if we can be of further help on this matter. Jane Frank, my legislative assistant, is fully conversant with the issues.

Sincerely,
John V. Tunney,
U.S. Senator.

U.S. Senate,
Committee on Public Works,
Washington, D.C., July 26, 1972.

Hon. William D. Ruckelshaus, Jr.,
Administrator, Environmental Protection Agency, Washington, D.C.

Dear Bill: In our meeting yesterday, you will recall that I reiterated my strong belief that EPA should immediately renew the air pollution control training and research program of the Pacific Southwest Consortium in California.

The Senate Appropriations Committee has, as you know, reinstated the full $3 million deleted from the EPA's own budgetary request for research and training grants for FY 1973. Thus, the Agency has been mandated to proceed with its training programs at the 1972 level. I am advised by the Committee staff that the report on the bill has been prepared and that this measure may reach the floor as early as tomorrow afternoon. As I stated yesterday, I fully expect the Senate to confirm the Committee's decision in this regard.

Once the funds are made available, I can see absolutely no excuse for failing to renew the grant for the Consortium. As I have stated several times in my previous three letters to you on this matter, I am vitally concerned that the important work being done by the Consortium be allowed to continue. I enclose copies of that correspondence, along with my exchanges with Senator McGee and the Consortium on this matter. I call your special attention to the Consortium's achievements in its first full year of operations. These include numerous publications, exciting community service and formal university education programs, scientific and administrative training programs, and many others. It is an impressive record indeed.

I appreciate your prompt personal attention to this matter, and look forward to hearing from you.

Sincerely,
John V. Tunney,
U.S. Senator.

CONTAMINATED AGRICULTURAL IMPORTS

Mr. TUNNEY. Mr. President, the committee has recommended a $5 million increase in appropriations for personnel and an expanded program for meat inspection for plants in foreign countries which export meat to the United States. While I applaud that action, it is not enough merely to increase inspection in foreign plants. In a GAO report dated February 18, 1972, specific recommendations were made to Congress for better inspection and improved methods of administration regarding foreign meat imports. The Department has 1 year from that date to comply with GAO's recommendations.

According to the report, many plants in foreign countries were only inspected once every 10 months. USDA subsequently agreed to make that inspection quarterly in the plants which export large amounts to the United States and twice annually for smaller exporters. Even that, however, is insufficient. I believe we should ask the Department to redirect its efforts to not only upgrade its inspection in the foreign countries but to inspect a greater portion of the meat when it ultimately arrives at U.S. ports of entry.

Mr. President, this brings me to a matter which has been of concern to me for some time. Based on information I have received from highly qualified specialists it is my belief that much of the meat, poultry, citrus, coffee, and other agricultural commodities which this country imports contain dangerous levels of pesticide residue.

Given even normal agricultural application of pesticides, it is clearly fallacious to believe that the products we import are not contaminated to a certain degree—and it is precisely that degree of contamination with which I am concerned. Tables published by the Food and Drug Administration indicate that dangerous pesticides are present in samples taken by inspectors, and those samples contain in almost every case higher levels of residue than do domestic samples. Many countries either have no laws regulating pesticides or if laws exist they are not enforced. I simply cannot believe that the American consumer is being sufficiently protected from health hazards resulting from inadequate sampling of imported products.

The statutory "equal to" clause requires that all imports be subjected to the same inspection as domestic commodities. How can this possibly be the case when many of the countries from which we import do not even have the laboratories capable of performing the necessary assays to determine pesticide residue? Since we are talking about the same consumer—whether he is eating domestic or imported food—why should he not be protected equally?

To get an idea of the general promiscuity of pesticide use in some foreign countries let me cite several notable examples. Recently, in Honduras, an incident occurred in which 102 soldiers in a battalion of presidential guards became seriously ill, and 36 subsequently died. The cause of death was directly attributed to organophosphates and parathion, which are pesticides used to fumigate the food storage depot for the battalion. We import approximately 1,000,000 pounds of agricultural products annually from Honduras.

Brazil is another country with serious pesticide problems. Officials state that one of the major problems is the fact that there is no pesticide laboratory to determine the extent of pesticide contamination. Additionally, all pesticides—except mercury compounds—are available on an over-the-counter basis. An extreme amount of DDT is being used, and almost all foods are believed to be heavily contaminated. We import approximately 2.6 million pounds of agricultural products annually from Brazil.

In Colombia, many intoxications and deaths—in man and animal—occur, but accurate data is not available because of the absence of adequate diagnosis and reporting. We import approximately 550,000 pounds of agricultural products annually from Colombia.

In Panama, although authorities are aware of the contamination of foodstuffs by misuse of pesticides, there have been many deaths attributed to that misuse and no laws exist covering the use of pesticides. We import approximately 883,000 pounds of agricultural products annually from Panama.

A definite misuse occurs in Costa Rica—where over 800 pesticides are available. Many deaths have been reported—including suicides. We import about 1.3 million pounds of agricultural products annually from Costa Rica. Over 200 deaths have been reported and confirmed due to accidental ingestion of pesticides, including parathion suicides. Yet the pesticides continue to be sold and distributed in all types of containers without proper identification such as soft drink bottles, flour sacks, and tin cans. Incidentally, in 1971, 14.2 percent of the sampled products imported from Costa Rica were in violation of the law.

Nicaragua has no legislation regarding use of pesticides and there is no laboratory facility to determine the extent of pesticide contamination. We import approximately 250,000 pounds of agricultural products annually from Nicaragua.

Guatamalan laboratory analyses have reported that residues of endrin are found in meat destined for export and endrin is banned in the United States. We import about 404,000 pounds of agricultural products annually from Guatamala.

Mr. President, each of these countries exports meat to this country. Latin American countries alone export 480 million pounds of fresh and cooked meat to the United States. I simply cannot believe that given the circumstances I have just described, that the American consumer is being protected from contaminated meat and vegetables.

In conclusion, I reiterate my call for redirection in our food inspection programs and for substantial increases in fiscal year 1974 funds to cope with these problems.

The PRESIDING OFFICER (Mr. ALLEN). The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Missouri (Mr. EAGLETON), the Senator from Louisiana (Mr. ELLENDER), the Senator from Georgia (Mr. GAMBRELL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Hawaii (Mr. INOUYE), the Senator from North Carolina (Mr. JORDAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PELL), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL), the Senator from South Dakota (Mr. MCGOVERN), and the Senator from West Virginia (Mr. RANDOLPH) would each vote "yea."

Mr. GRIFFIN. I announce that the Senators from Colorado (Mr. ALLOTT and Mr. DOMINICK), and the Senators from Oregon (Mr. HATFIELD and Mr. PACKWOOD) are necessarily absent.

The Senator from South Daktoa (Mr. MUNDT) is absent because of illness.

Also, the Senator from Tennessee (Mr. BAKER) the Senator from Arizona (Mr. GOLDWATER) the Senator from Ohio (Mr. TAFT) and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

If present and voting, the Senator from Colorado (Mr. ALLOTT), the Senator from Oregon (Mr. HATFIELD) and the Senator from Ohio (Mr. TAFT) would each vote "yea."

The result was announced—yeas 77, nays 3, as follows:

[No. 321 Leg.]

YEAS—77

Aiken
Allen
Anderson
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Brooke
Buckley
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Chiles
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Eastland
Ervin
Fannin
Fong
Fulbright
Gravel
Griffin
Gurney
Hansen
Hart
Hartke
Hollings
Hruska
Hughes
Humphrey
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Nelson
Pastore
Pearson
Percy
Proxmire
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Stevenson
Symington
Talmadge
Thurmond
Tower
Tunney
Williams
Young

NAYS—3

Case
Ribicoff
Roth

NOT VOTING—20

Allott
Baker
Church
Dominick
Eagleton
Ellender
Gambrell
Goldwater
Harris
Hatfield
Inouye
Jordan, N.C.
McGovern
Mundt
Muskie
Packwood
Pell
Randolph
Taft
Weicker

So the bill (H.R. 15690) was passed.

Mr. MANSFIELD. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives on the disagreeing votes thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. ALLEN) appointed Mr. MCGEE, Mr. STENNIS, Mr. PROXMIRE, Mr. ROBERT C. BYRD, Mr. TALMADGE, Mr. HRUSKA, Mr. YOUNG, and Mr. FONG conferees on the part of the Senate.

INTRODUCTION OF A BILL

The following bill was introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. PERCY (for himself and Mr. MILLER):

S. 3853. A bill granting the consent of Congress to the Midwest Interstate Nuclear Compact, and for related purposes. Referred to the Committee on the Judiciary.

MIDWEST NUCLEAR COMPACT

Mr. PERCY. Mr. President, today I am introducing, along with Senator MILLER, the Midwest Nuclear Compact, which establishes machinery for facilitating cooperation among member States for the peaceful application of atomic technology to State and local needs.

At present, the States of Illinois, Ohio, Indiana, Iowa, Kansas, and Nebraska have enacted the required enabling legislation. This bill was introduced in the House on Monday by 21 Representatives of those States.

Specifically, the compact sets up a Midwest Nuclear Board composed of one member from each State. The board will have a professional staff, power to contract, and the power to acquire and hold real estate to the extent of its functions. Financing will be based on an annual budget with contributions from each member State on a formula basis. The board will have as a primary function the encouragement of cooperation in nuclear matters among the member States. In addition, it will perform numerous other functions in the nuclear field in such areas as: training, information dissemination, studying and making recommendations on new developments in nuclear technology, conducting relations with the Federal Government, operations of research facilities, preparation of contingency plans for nuclear incidents, and other related activities.

This bill is a most encouraging sign of cooperation among our States in the midwest region, and the new compact will perform a most important function in the vitally important area of nuclear power. I trust the Senate will act favorably on this as soon as possible.

I commend the initiative of my colleague, Congressman JOHN ANDERSON of Illinois in this vital area.

NATIONAL NO-FAULT MOTOR VEHICLE INSURANCE ACT—AMENDMENT

AMENDMENT NO. 1374

(Ordered to be printed and to lie on the table.)

Mr. STEVENSON. Mr. President, on behalf of myself and the Senator from Washington (Mr. MAGNUSON), I send to the desk an amendment to S. 945 designed to bring about significant additional savings for no-fault insurance policyholders. The amendment does this by providing that all benefits—except medicaid and life insurance—paid to auto accident victims under medicare, workmen's compensation and other governmental programs are to be deducted from the economic loss for which benefits are payable under the no-fault policy, unless the law authorizing such governmental benefits makes them excess or secondary to the benefits payable under the no-fault policy.

The purpose of S. 945—a purpose I wholeheartedly support—is to provide full and efficient compensation to auto accident victims for their economic loss. The purpose is not to force people to buy insurance they do not need. I submit that to the extent that an individual can look to a governmental program to compensate him for economic loss, there is no reason why he should not get an appropriate reduction in his auto insurance premium. The two groups likely to experience the greatest premium reduction if my amendment is agreed to—medicare beneficiaries and members of the Armed Forces—need relief badly, for under the present system they are typically charged high rates for auto insurance, if indeed they can get it at all.

This amendment is very similar to section 11 of the proposed final draft of the Uniform Motor Vehicle Accident Reparations Act, a model no-fault bill drafted for the National Conference of Commissioners on Uniform State Laws. Mr. Paul W. Simoneau, an eminent actuary, has estimated that the adoption of this amendment would double the cost savings of S. 945—from 6 percent to 12 percent. There is no evidence that its adoption would cause increases in the costs of the governmental benefit programs it deals with.

The motoring public—which for too long has paid unnecessarily high premiums because of the fault system—deserves the additional relief that this amendment can bring.

Mr. President, I ask unanimous consent that the text of the amendment be printed at this point in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT No. 1374

On page 28, strike lines 21 and 22 and insert in lieu thereof the following:

"Social Security (except those benefits provided under Title XIX of the Social Security Act), workmen's compensation, any State-required temporary, non-occupational disability insurance, and all other benefits, except the proceeds of life insurance, received because of the injury from the government of the United States and its public agencies or a State or any of its political subdivisions or an instrumentality of two or more states, unless the law authorizing or providing for the benefits makes them excess or secondary to the benefits payable under this Act."

On page 36, strike lines 10 and 11 and insert in lieu thereof the following: "as provided by this section without deduction for public benefits deductible under Section 101 (15) of this Act, if such benefits have not been".

NOTICE OF HEARING TO INCREASE FLOOD INSURANCE COVERAGE

Mr. SPARKMAN. Mr. President, I should like to announce that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing and Urban Affairs will hold a one-day hearing on Tuesday, August 15, 1972, on S. 2794, introduced by Senator WILLIAMS, which would amend the National Flood Insurance Act of 1968 to increase flood insurance coverage of certain properties, authorizes the acquisition of certain properties, and for other purposes. The hearing is also being held in order for the subcommittee to receive information on the effectiveness and progress of the National Flood Insurance program under the jurisdiction of the Department of Housing and Urban Development.

The hearing will commence at 10 a.m. and will be held in room 5302, New Senate Office Building.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10 o'clock a.m.

After the two leaders have been recognized under the standing order, the Senator from Indiana (Mr. BAYH) will be recognized for 15 minutes, to be followed by the Senator from Maryland (Mr. MATHIAS) for not to exceed 15 minutes. Senator MATHIAS will be followed by the distinguised majority leader (Mr. MANSFIELD) for not to exceed 15 minutes, and he will be followed by the junior Senator from West Virginia (Mr. ROBERT C. BYRD) for not to exceed 15 minutes.

Morning business will then follow for a period not to exceed 30 minutes, at the conclusion of which the Senate will resume the consideration of the unfinished business, the military procurement bill.

It cannot be guaranteed that no rollcall votes will occur tomorrow, but it is believed that such amendments as will be called up to the military procurement bill tomorrow will not likely result in yea and nay votes.

There will be no session this Saturday. However, the situation strongly indicates the likelihood of Saturday sessions on the 5th and 12th of August.

There will be rollcall votes on Monday.

THE DEATH OF PRESIDENT PRO TEMPORE ALLEN J. ELLENDER

Mr. LONG. Mr. President, the Senate is saddened to learn of the loss of my senior colleague, the Honorable ALLEN J. ELLENDER.

Senator ELLENDER has served in this body for 36 years. He represented the State of Louisiana with honor and dignity, serving longest of any elected representative of that State in our history.

He set an example for diligence, hard work, clean living, service without any basis whatever for one moment of criticism or one hint of suspicion, misdeed, or misconduct in his entire public service, which extended for more than 50 of his 82 years on this earth.

Some of the votes we have had here today have been a tribute, unbeknownst to us, of the diligent efforts of the President pro tempore of the Senate, who worked so diligently in the field of agriculture for so many years, as well as in other matters where he felt he would be of service to the Nation.

I recall times when he was being discussed as a potential candidate for Governor that he told me that he was determined to serve where he felt he could serve best. That position, in his judgment, was as a Member of this body, the Senate of the United States.

He was a Senator of the old school. He believed in our seniority system. He believed that a freshman Senator should start at the bottom and spend some time there before he undertook to educate his colleagues, and he felt he should take his turn and move up when his turn came to the more sought after committees, and from the bottom to the head of those committees.

In that fashion he proceeded to serve on the Committee on Agriculture and Forestry until he became its chairman. After 12 years in this body he sought, in his turn, membership on the Committee on Appropriations, and he served there until he became chairman of that committee. He served in this body until by right of seniority he became President pro tempore.

He achieved a great deal, Mr. President, not because of seniority, but because of his love and loyalty to his State, his Nation, his fellow man, and his record here will be one which all of us will seek to emulate as time goes by.

I will have more to say about that at a later date, Mr. President, to be set by the majority leader for tributes to my senior colleague.

At this time I extend my condolences to his son Dr. Allen J. Ellender, Jr. and to his grandchildren at Houma, Louisiana. His son is a very dear boyhood friend of mine, near to my age, with whom I enjoyed much of my time when ALLEN ELLENDER was the leader in the Louisiana House of Representatives and my father, the late Huey Long, was Governor.

ALLEN ELLENDER succeeded my father, the late Huey P. Long, in this body, and all of us can be proud of the magnificent record he made here.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. LONG. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, we are all very much grieved to learn of the passing of our distinguished President pro tempore and our beloved colleague, Senator ELLENDER. We have known him for his vitality and diligence, for his everlasting service to move the responsibilities of the Senate successfully forward. We know that he was a man joyous in action and popular, and respected by all of his colleagues.

It is a comfort to know that he passed away quietly in his sleep, and that he enters upon another life after having enjoyed and served to the fullest here on this earth.

Our sympathy and condolences, and our affectionate understanding, go to his family and to all of his loved ones.

I thank the Senator for yielding.

The PRESIDING OFFICER (Mr. ALLEN). The Chair will state that this is, indeed, sad news that the Senate has received. Certainly the State of Louisiana and the entire Nation have lost an outstanding statesman and patriot, and the entire Nation is saddened at the loss of this good American, Senator ALLEN J. ELLENDER.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MANSFIELD. Mr. President, it is most appropriate that Senator RUSSELL LONG of Louisiana has been the one to make the remarks tonight concerning the passing of our late, beloved colleague, Senator ALLEN ELLENDER, of Louisiana. I say most appropriate, not because he was Senator ELLENDER's colleague, but because Senator ELLENDER was so close to his father, Senator Huey Long, and to his mother, Senator Rose Long.

Senator ELLENDER was a unique Senator in many respects. He was diligent, he was a workhorse, he was, as we used to say, "a little bull," but he was a man of integrity, devotion, and dedication. The Senate will remember him for what he has done, not in the field of appropriations alone, but also in the area of his knowledge of world affairs. He was truly a giant in many respects.

The State of Louisiana, the Senate of the United States, and the United States of America are the losers because of the passing of this man who contributed so much to so many and who all too often received too little credit.

Mr. STENNIS. Mr. President, as a personal friend and as his admirer, as well as a neighbor, and I speak for the people of Mississippi, too, we send condolences to the late Senator's family and express the highest esteem for him in a personal way.

I believe of all the men I have known in Government I could not find one any more dedicated or who had a higher sense of duty to his office. Duty—that was the Senator's main guide and light, the light on his path that he followed with tremendous courage.

I will mention just one thing about his many, many sided career. People throughout these 50 States will benefit, yes, even for centuries, for his fine, untiring work on flood control, rivers and harbors, water resources, and all kindred matters that went with them. He had the finest knowledge of anyone I have known here of those projects throughout this country.

I could say much more but I feel very much this personal loss.

ANNOUNCEMENT OF DEMOCRATIC CAUCUS AT 9 A.M., JULY 28, 1972, TO SELECT PRESIDENT PRO TEMPORE

Mr. MANSFIELD. Mr. President, I wish to announce to the Senate that the Democrats in the Senate will hold a caucus at 9 o'clock tomorrow morning for the purpose of selecting a successor to our beloved colleague as President pro tempore.

RESOLUTION

Mr. LONG. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and regret the announcement of the death of Honorable Allen J. Ellender, late President pro tempore of the Senate and late a Senator from the State of Louisiana.

Resolved, That the President of the Senate appoint a committee, of which he shall be a member, to attend the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate stands adjourned.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Pursuant to the last resolving clause of the resolution and under the previous order, the Senate will stand adjourned until 10 o'clock tomorrow morning.

Thereupon, at 8:31 p.m., the Senate adjourned until tomorrow, Friday, July 28, 1972, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate July 27, 1972:

DISTRICT OF COLUMBIA COURT OF APPEALS

Stanley S. Harris, of Maryland, to be associate judge of the District of Columbia Court of Appeals for the term of 15 years, vice Andrew McCaughrin Hood, retired.

U.S. ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. Donald Vivian Bennett, [redacted] Army of the United States (major general, U.S. Army).

HOUSE OF REPRESENTATIVES—*Thursday, July 27, 1972*

The House met at 12 o'clock noon.

Rev. Omar F. J. Rau, Trinity Lutheran Church, Evansville, Ind., offered the following prayer:

Dear Father in heaven. We come to You in behalf of those who have been elected to govern our Nation. Give to them wisdom and understanding so that they might make decisions for the welfare of our Nation and for the people who have elected them. Give to them humility that they understand that You have placed them in this place of honor to do Your will.

Bless the Nation as You have done for so many years. Control the wills of our people so that they might live together in harmony and peace and so be an example to the world.

Give us the wisdom to use these blessings both for our physical and spiritual well-being.

We ask this in Jesus' name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 736. An act to designate certain lands in the Cedar Keys National Wildlife Refuge in Florida as wilderness.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 13324. An act to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 9092) entitled "An act to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McGee, Mr. Randolph, Mr. Burdick, Mr. Fong, and Mr. Boggs to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3323) entitled "An act to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Kennedy, Mr. Williams, Mr. Nelson, Mr. Eagleton, Mr. Cranston, Mr. Hughes, Mr. Pell, Mr. Mondale, Mr. Schweicker, Mr. Javits, Mr. Dominick, Mr. Packwood, Mr. Beall, and Mr. Taft to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3442) entitled "An act to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Kennedy, Mr. Williams, Mr. Nelson, Mr. Eagleton, Mr. Cranston, Mr. Hughes, Mr. Pell, Mr. Mondale, Mr. Schweicker, Mr. Javits, Mr. Dominick, Mr. Packwood, Mr. Beall, and Mr. Taft to be the conferees on the part of the Senate.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 15417, DEPARTMENTS OF LABOR, HEW, AND RELATED AGENCIES APPROPRIATIONS, 1973

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the managers on the bill (H.R. 15417) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1973 and for other purposes, may have until midnight tonight to file a conference report on that bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 15093, HUD-SPACE-SCIENCE-VETERANS APPROPRIATIONS, 1973

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill (H.R. 15093) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Conference Report (H. Rept. No. 92–1261)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15093) "making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 5, 6, 7, 10, 12, 14, 17, 28, 29, 30, 33, 35, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 18, 21, 22, 23, 24, 25, 26, 31, 37, and 39, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,000,000"; and the Senate agree to the same.

Amendment numbered 11; That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,500,000"; and the Senate agree to the same.

Amendment numbered 13; That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,200,000,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$70,000,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$53,000,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,600,900,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$28,737,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$55,000,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,900,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$550,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 4, 9, 16, 27, 32, 34, and 41.

Edward P. Boland,
Joe L. Evins,
George E. Shipley,
Robert N. Giaimo,
David Pryor,
J. Edward Roush,
George H. Mahon,
Charles R. Jonas,
Burt L. Talcott,
Joseph M. McDade,
Del Clawson,
Frank T. Bow,
Managers on the Part of the House.

John O. Pastore,
Warren G. Magnuson,
Allen J. Ellender,
Clinton P. Anderson,
Gordon Allott,
Margaret Smith,
Milton R. Young,
Managers on the Part of the Senate.

Joint Explanatory Statement of the Committee of Conference

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15093) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to provide a $170,000,000 increase in annual contract authorization for homeownership assistance, instead of $55,000,000 as proposed by the House.

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to provide a $175,000,000 increase in annual contract authorization for rental housing assistance, instead of $25,000,000 as proposed by the House and $200,000,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 3: Deletes the language proposed by the Senate to make the increase in annual contract authority for the homeownership and rental housing assistance programs available only upon enactment of authorizing legislation.

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to provide a $5,000,000 increase in annual contract authorization for college housing, instead of $2,700,000 as proposed by the House and $7,000,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 5: Deletes the language proposed by the Senate to make the increase in annual contract authority for college housing available only upon enactment of authorizing legislation.

Amendment No. 6: Deletes the funds proposed by the Senate for the special risk insurance fund. If losses are sustained by this fund in 1972, the necessary funding can be considered when the actual amount is identified.

Amendment No. 7: Deletes the funds proposed by the Senate for the special assistance functions fund. If losses are sustained by this fund in 1972, the necessary funding can be considered when the actual amount is identified.

Amendment No. 8: Appropriates $21,000,000 for salaries and expenses, housing management programs, instead of $17,621,000 as proposed by the House and $21,621,000 as proposed by the Senate.

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to appropriate $100,000,000 for comprehensive planning grants, instead of $19,002,000 as proposed by the House.

Amendment No. 10: Deletes the language proposed by the Senate to make the appropriation for comprehensive planning grants available only upon enactment of authorizing legislation.

Amendment No. 11: Appropriates $7,500,000 for new community assistance grants, instead of $5,000,000 as proposed by the House and $10,000,000 as proposed by the Senate.

Amendment No. 12: Appropriates $500,000,000 for model cities programs proposed by the House, instead of $515,000,000 as proposed by the Senate.

Amendment No. 13: Appropriates $1,200,000,000 for urban renewal programs, instead of $1,000,000,000 as proposed by the House and $1,450,000,000 as proposed by the Senate. The committee of conference intends for the funds provided in the bill for urban renewal to be used to provide for this program as described in the budget request. The Department is directed to administratively expedite and process the seven-state Agnes flood area urban renewal applications. A supplemental budget request should be developed to replenish the funds necessary to provide for both the ongoing and emergency programs.

Amendment No. 14: Deletes the language proposed by the Senate to make the appropriation for urban renewal programs available only upon enactment of authorizing legislation. The conference agreement is within the amount currently authorized.

Amendment No. 15: Appropriate $70,000,000 for the rehabilitation loan fund, instead of $50,000,000 as proposed by the House and $90,000,000 as proposed by the Senate.

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to appropriate $40,000,000 for grants for neighborhood facilities, instead of $36,000,000 as proposed by the House.

Amendment No. 17: Deletes the language proposed by the Senate to make the appropriation for grants for neighborhood facilities available only upon enactment of authorizing legislation.

Amendment No. 18: Appropriates $25,159,000 for salaries and expenses, community development programs as proposed by the Senate, instead of $20,059,000 as proposed by the House.

Amendment No. 19: Appropriates $53,000,000 for research and technology, instead of $46,000,000 as proposed by the House and $60,000,000 as proposed by the Senate.

This is the fourth consecutive year that funds have been substantially increased for the research efforts of the Department of Housing and Urban Development. The committee of conference will look askance at further increases until such time as some definite results are obtained from this program and these results made known to the Congress.

TITLE II—SPACE, SCIENCE, VETERANS, AND CERTAIN OTHER INDEPENDENT AGENCIES

National Aeronautics and Space Administration

Amendment No. 20: Appropriates $2,600,900,000 for research and development, instead of $2,550,000,000 as proposed by the House and $2,624,900,000 as proposed by the Senate.

Amendment No. 21: Earmarks $24,000,000 for aeronautical research in the fields of noise abatement and aviation safety as proposed by the Senate.

Amendment No. 22: Appropriates $77,300,000 for construction of facilities as proposed by the Senate, instead of $69,760,000 as proposed by the House.

Amendments No. 23, 24, and 25: Earmark $5,540,000 for modification of manufacturing and final assembly facilities incident to the space shuttle program as proposed by the Senate and renumber the subsequent items as a result of adding this item.

Amendment No. 26: Changes the earmarking number as the result of action on amendment No. 23, and earmarks $8,000,000 for facility planning and design as proposed by the Senate, instead of $6,000,000 as proposed by the House.

National Science Foundation

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to authorize $28,900,000 for program development and management, instead of $28,600,000 as proposed by the House and $29,243,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 28: Earmarks $18,000,000 for institutional improvement for science as proposed by the House, instead of $7,000,000 as proposed by the Senate.

Amendment No. 29: Earmarks $71,000,000 for science education improvement as proposed by the House, instead of $58,800,000 as proposed by the Senate.

Amendment No. 30: Earmarks $20,000,000 for graduate student support as proposed by the House, instead of $9,200,000 as proposed by the Senate.

Amendment No. 31: Deletes "and provided further" as proposed by the Senate due to the addition of another proviso.

Amendment No. 32: Reported in technical disagreement. Makes funds previously appropriated and earmarked for science education support available for the general purposes of the appropriation as proposed by the Senate.

Amendment No. 33: Deletes language proposed by the Senate to make funds available for the National Science Foundation only upon enactment of authorizing legislation.

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to limit the availability of the appropriation for scientific activities (special foreign currency program) to two years, instead of one year as proposed by the House and "until expended" as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 35: Deletes the language proposed by the Senate providing that the appropriation for scientific activities (special foreign currency program) become available only upon enactment of authorizing legislation.

Veterans' Administration

Amendment No. 36: Appropriates $28,737,000 for medical administration and miscellaneous operating expenses, instead of $28,237,000 as proposed by the House and $29,237,000 as proposed by the Senate. The committee of conference strongly supports the exchange of medical information program. The sum of $500,000 is above the budget request for this activity, making a total of $2,500,000 available for this effort.

Amnedment No. 37: Appropriates $125,993,000 for construction, major projects, as proposed by the Senate, instead of $107,118,000 as proposed by the House. The construction program for 1973 is as follows:

VETERANS ADMINISTRATION, CONSTRUCTION OF FACILITIES—MAJOR PROJECTS

Item and location	Appropriation: Available through 1972	Appropriation: Recommended for 1973
REPLACEMENT AND MODERNIZATION		
Augusta, Ga.: Replacement hospital	$300,000	$4,037,000
Baltimore, Md.: Replacement hospital	1,500,000	3,724,000
Bay Pines, Fla.: Replacement hospital	1,074,000	706,000
Boise, Idaho: New clinic support facility	181,000	4,159,000
Bronx, N.Y.: Replacement hospital		3,600,000
Columbia, S.C.: New bed building and modernization		1,485,000
Denver, Colo.: Clinical support wing and air conditioning		640,000
Hampton, Va.: Modernization, phase IV	4,221,000	3,356,000
Little Rock, Ark.: Replacement hospital		4,475,000
Loma Linda, Calif.: Relocation hospital	720,000	2,121,000
Martinsburg, W. Va.: Replacement hospital		1,625,000
Newington, Conn.: Modernization		255,000
Portland, Ore./Vancouver, Wash.: Replacement hospital		2,350,000
Richmond, Va.: Replacement hospital	200,000	2,730,000
San Francisco, Calif.: 440-bed replacement and boiler plant	3,984,000	13,916,000
Seattle, Wash.: Bed addition		2,200,000
Southern New Jersey/Philadelphia, Pa., metropolitan region: new hospital		3,700,000
Wadsworth (LA), Calif.: Replacement hospital	848,000	20,040,000
West Roxbury, Mass.: Spinal cord rehabilitation center and canteen expansion	462,000	
Total, replacement and modernization	13,490,000	75,119,000

Item and location	Appropriation: Available through 1972	Appropriation: Recommended for 1973
IMPROVEMENT OF OUTPATIENT CARE FACILITIES		
Durham, N.C	2,345,600	466,700
Boston, Mass. (downtown clinic)		2,067,300
Newington, Conn		1,500,000
Albuquerque, N. Mex		85,000
Birmingham, Ala		85,000
Brooklyn, N.Y. (downtown clinic)		350,000
Buffalo, N.Y		115,000
Chicago, Ill. (research)		150,000
Cleveland, Ohio		85,000
Hines, Ill		115,000
Oklahoma City, Okla		85,000
Palo Alto, Calif		135,000
Philadelphia, Pa. (downtown clinic)		85,000
St. Louis, Mo		57,000
Wichita, Kans		68,000
Total, improvement of outpatient care facilities	2,345,600	5,449,000
ADDITIONAL PARKING FACILITIES		
Durham, N.C		$75,000
Iowa City, Iowa		65,000
Syracuse, N.Y		153,000
Total, additional parking facilities		293,000
AIR CONDITIONING SYSTEMS		
Chillicothe, Ohio		475,000
Fayetteville, N.C	$125,000	1,844,600
Huntington, W. Va		132,000
Indianapolis, Ind	103,000	4,037,000
Kerrville, Tex		260,000
Leavenworth, Kans	188,000	3,130,000
Long Beach, Calif	2,102,000	806,400
Murfreesboro, Tenn	400,000	5,308,000
Poplar Bluff, Mo	40,000	
Salisbury, N.C		410,000
Sepulveda, Calif	326,000	
Tuscaloosa, Ala	379,000	3,233,000
Total, air conditioning systems	3,663,000	19,636,000
NEW NURSING HOME-CARE BUILDINGS		
Battle Creek, Mich		1,030,000
Long Beach, Calif		3,750,000
Manchester, N.H		125,000
Sepulveda, Calif		3,750,000
Washington, D.C		125,000
Total, new nursing home-care buildings		8,780,000
RESEARCH AND EDUCATION FACILITIES		
Chicago, Ill. (research)	242,000	
Cleveland, Ohio	153,000	2,819,000
Dallas, Tex		215,000
Houston, Tex		255,000
Jackson, Miss	252,000	
Long Beach, Calif	429,000	
Miami, Fla		250,000
Omaha, Nebr	204,000	3,337,000
Philadelphia, Pa	214,000	3,980,000
Total, research and education facilities	1,494,000	10,856,000
OTHER MAJOR PROJECTS		
Brockton, Mass.: Spinal cord injury unit	108,100	1,359,700
Brooklyn, N.Y.: Additional elevators		112,000
Iowa City, Iowa: Increased boiler capacity		75,000
Leavenworth, Kans: New laundry building	42,000	
Los Angeles, Calif: Modification to replace buildings lost because of seismic deficiencies	10,300,000	1,900,000
St. Louis, Mo: Spinal cord injury unit	76,400	1,073,300
Wood, Wis.: Increased boiler capacity	150,000	1,340,000
Total, other major projects	10,676,500	5,860,000
Total, major projects		125,993,000

Amendment No. 38: Appropriates $55,000,000 for construction, minor projects, instead of $48,331,000 as proposed by the House and $57,798,000 as proposed by the Senate.

TITLE III

Corporations

Department of Housing and Urban Development

Amendment No. 39: Authorizes $170,586,000 for nonadministrative expenses of the Federal Housing Administration as proposed by the Senate, instead of $163,586,000 as proposed by the House.

Federal Home Loan Bank Board

Amendment No. 40: Authorizes $8,900,000 for administrative expenses of the Board, instead of $8,700,000 as proposed by the House and $9,106,000 as proposed by the Senate.

Amendment No. 41: Reported in technical disagreement. Restores House language providing that none of the funds available for administrative or nonadministrative expenses of the Board shall be used to finance the relocation of the Greensboro, North Carolina Bank and adds language relating to the move of the Fourth District Bank.

The committee of conference was deeply disturbed by the decision of the Federal Home Loan Bank Board to move the Fourth District Bank from Greensboro, North Carolina, to Atlanta, Georgia, because it felt the decision showed a lack of planning and foresight.

For example, the Bank building in Greensboro is only two years old, and was constructed at a cost of $1.8 million. This building was built to house the Fourth District Bank for an indefinite period of time. Nonetheless, according to the facts presented to the respective Committees on Appropriations of the House and Senate, the building now appears to be inadequate to perform the function for which it was constructed.

As often happens, one mistake leads to another, thus, when the Bank made the aforementioned decision to move the Fourth District Bank from Greensboro to Atlanta, it did not formulate any plans for the disposal or use of the building being abandoned in Greensboro. Further, the Board did not adequately consider the cost of relocating the bank, moving the employees, or other important factors.

The committee of conference feels that the Board should exercise better judgment in future planning and keep the Congress better informed of its plans.

The House language, which prohibits the move of the Fourth District Bank from Greensboro to Atlanta is included in the bill, but it is amended to allow the member associations of the fourth district to take a plebiscite permitting the move if they so desire. The committee of conference does not expect this action to set a precedent.

To effectuate the conference agreement as to this matter, the managers on the part of the House will move to recede and concur in the Senate amendment with an amendment, and the managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 42: Restores language proposed by the House to prevent the Board from constructing a new headquarters building.

Amendment No. 43: Authorizes $550,000 for administrative expenses of the Federal Savings and Loan Insurance Corporation, instead of $514,000 as proposed by the House and $649,000 as proposed by the Senate.

Conference Total—With Comparisons

The total new budget (obligational) authority for the fiscal year 1973 recommended by the committee of conference, with comparisons to the fiscal year 1972 amount, to the 1973 budget estimate, and to the House and Senate bills for 1973 follows:

	Amounts
New budget (obligational) authority, fiscal year 1972	$18,395,104,000
House bill, fiscal year	
Budget estimates of new (obligational) authority (as amended), fiscal year 1973	20,258,183,000
House bill, fiscal year 1973	19,718,490,000
Senate bill, fiscal year 1973	20,583,370,000
Conference agreement	20,125,951,000
Conference agreement compared with—	
New budget (obligational) authority, fiscal year 1972	+1,730,847,000
Budget estimate of new budget (obligational) authority (as amended), fiscal year 1973	−132,232,000
1973	+$407,461,000
Senate bill, fiscal year 1973	−457,419,000

EDWARD P. BOLAND,
JOE L. EVINS,
GEORGE E. SHIPLEY,
ROBERT N. GIAIMO,
DAVID PRYOR,
J. EDWARD ROUSH,
GEORGE H. MAHON,
CHARLES R. JONAS,
BURT L. TALCOTT,
JOSEPH M. MCDADE,
DEL CLAWSON,
FRANK T. BOW,
Managers on the Part of the House.

JOHN O. PASTORE,
WARREN G. MAGNUSON,
ALLEN J. ELLENDER,
CLINTON P. ANDERSON,
GORDON ALLOTT,
MARGARET SMITH,
MILTON R. YOUNG,
Managers on the Part of the Senate.

ERTS–1

(Mr. MILLER of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MILLER of California. Mr. Speaker, there is in the heavens above us, circling the earth every 103 minutes at 560 miles altitude, a new and most significant satellite. This is the earth resources technology satellite—ERTS–1—which was launched from the Western Test Range in California only last Sunday, July 23.

This satellite has the capability of photographing every spot on earth every 18 days for many months to come. The significance of this is that for the first time mankind will be able to get a clear picture of the world's natural resources and what is happening to them. This may ultimately lead to an operational system that will permit efficient management of the world's resources on a global basis. It is one of the finest demonstrations of the national space program's fulfillment of the statutory injunction to pursue space exploration "for the benefit of all mankind."

I had the pleasure of witnessing the ERTS launch by way of closed-circuit TV at the Goddard Space Flight Center and its Goddard Center for an outstand- and its Goddard Center for an outstanding achievement. It was also the very first launch of a NASA spacecraft for the new Associate Administrator for Applications, Mr. Charles W. Mathews, and I congratulate him on this tremendous success.

Mr. Speaker, I have some of the first pictures relayed from ERTS, and I invite my colleagues to look at them. Their resolution is remarkable—much better than had been hoped for.

AUTHORIZING SPEAKER TO RECOGNIZE FOR MOTIONS TO SUSPEND THE RULES ON MONDAY, JULY 31, 1972

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that nothwithstanding clause 1 of rule XXVII, the Speaker may be authorized on Monday, July 31, 1972, to recognize for motions to suspend the rules.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts

Mr. HALL. Mr. Speaker, reserving the right to object, I understand that this request is made for some specific bills which have been cleared with both sides of the aisle and the leadership. Is that correct?

Mr. O'NEILL. Mr. Speaker, if the gentleman will yield, at the present time there are five bills that are scheduled to be on the calendar. These have all been cleared by the minority leader. There is a possibility there are many other bills that have not yet been placed on the calendar. However, nothing will be placed on the calendar unless it is cleared with the minority leader.

Mr. HALL. Mr. Speaker, I appreciate the statement from the acting majority leader, the gentleman from Massachusetts (Mr. O'NEILL).

Mr. Speaker, with the understanding that granting such a unanimous-consent request would not be a precedent for future use of the rule on suspensions on days other than those provided by the rules of the House. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TALKING TO DR. KISSINGER

(Mr. ROSENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSENTHAL. Mr. Speaker, Dr. Henry A. Kissinger, the President's national security adviser, spoke twice yesterday in New York City under circumstances which raise serious doubts about the credibility of this administration and about Dr. Kissinger's role in it. As a member of the Committee on Foreign Affairs, I find Dr. Kissinger's briefing of politically active businessmen a direct and personal affront.

Never before in American history has an adviser with such great influence over a President been kept so remote from congressional exposure as has Dr. Kissinger. The man who has largely replaced the Secretary of State as a foreign affairs adviser has never, in almost 4 years in office, appeared before a House or Senate committee. He has been invited regularly and persistently to appear but a questionable and elusive concept of Executive privilege has been used to shield Dr. Kissinger from public and congressional scrutiny.

The special travesty yesterday in New York came when Dr. Kissinger participated in two political fund-raising efforts. The adviser who cannot afford a breach in the wall of Executive privilege to talk with Congress can spend a day briefing potential and actual campaign contributors.

The people solicited by the President to fund his reelection seem to have a greater right of access to Henry Kissinger than do the congressional committees whose members are elected to form a coequal branch of Government.

Mr. Speaker, I intend to ask some of my friends in New York who attended these meetings yesterday to come to Washington to brief members of the Foreign Affairs Committee on what Dr. Kissinger said. I hope a contribution to the President's reelection fund is not a condition to talking to someone who talked to Dr. Kissinger.

XXVTH CONGRESS OF THE INTERALLIED CONFEDERATION OF RESERVE OFFICERS

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate concurrent resolution (S. Con. Res. 73) relating to the XXVth Congress of the Interallied Confederation of Reserve Officers to be held in Washington, District of Columbia, the week of August 7, 1972.

The Clerk read the Senate concurrent resolution as follows:

S. CON. RES. 73

Whereas the Interallied Confederation of Reserve Officers (ICRO), an association of reserve officers from twelve of the nations comprising the North Atlantic Treaty Organization, will hold its XXVth Congress at Washington, District of Columbia, August 7 through August 13, 1972; and

Whereas the Reserve Officers Association of the United States and the Department of Defense will serve as joint hosts to such XXVth Congress; and

Whereas the United States, through the Department of Defense, will conduct military competitions in conjunction with and as a constituent part of such XXVth Congress: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States extends to the Interallied Confederation of Reserve Officers a cordial welcome to the United States on the occasion of the XXVth Congress of that organization to be held in Washington, District of Columbia, August 7 through August 13, 1972, and commends the joint effort of the Reserve Association of the United States and the Department of Defense in hosting the XXVth Congress of that organization, and urges all departments and agencies of the Government to cooperate with and assist the Interallied Confederation of Reserve Officers in carrying out its activities and programs during the period referred to above.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate Concurrent Resolution was concurred in.

A motion to reconsider was laid on the table.

Mr. SIKES. Mr. Speaker, next month, August 7 through August 13, the Interallied Confederation of Reserve Officers will, for the first time in the 25-year history of this outstanding organization, hold its annual meeting in the United States. It is proper that the Congress extend formal greetings to this group of world leaders in reserve activities, and that the resolution (H. Con. Res. 576) welcoming the ICRO to Washington, D.C., be adopted by the House of Representatives and a similar resolution (S. Con. Res. 73), which has been approved by the Senate, be sent to the President.

I am very appreciative, and I am authorized to express also the appreciation of the Reserve Officers Association for the interest and support of the distinguished gentleman from California (Mr. EDWARDS) and his committee for their timely action on this resolution.

The confederation is headquartered in Europe and is made up of officers from the various military services of those nations which are members of the North Atlantic Treaty Organization. Some 19 nations are represented in the membership rolls of the organization and it is traditional that the annual meeting be held in the capital city of a NATO country.

In a sense, the confederation is an extension of our own important program of reserve components—an essential part of America's defense system. U.S. representation in the organization is extended through the Reserve Officers Association of the United States with headquarters here in Washington. Each Member of the Congress is aware of the outstanding work done by and the caliber of individual included in the membership of ROA. That this fine organization will act as the hosts for the international conference is a credit to the United States.

Therefore, Mr. Speaker, I welcome passage of this resolution extending official welcome to the international conference on the occasion of the 25th Conference of the Interallied Confederation of Reserve Officers.

It was my honor to introduce this resolution to the House and I assure each Member and the people of the United States that we will be welcoming some of the world's most dedicated and able reservists to our Capital.

NATIONAL LEGAL SECRETARIES' COURT OBSERVANCE WEEK

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 807) authorizing the President to proclaim the second full week in October each year as "National Legal Secretaries' Court Observance Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California (Mr. EDWARDS)?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. Res. 807.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation each year designating the second full week in October as "National Legal Secretaries' Court Observance Week", and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

AMENDMENTS OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. Edwards of California: On page 1, line 4, strike out the phrase "each year".

On page 1, line 5, after the word "October", insert "1972".

The amendments were agreed to.

The joint resolutioin was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended so as to read: "Authorizing the President to proclaim the second full week in October of 1972 as 'National Legal Secretaries' Court Observance Week.' "

A motion to reconsider was laid on the table.

NICOLAUS COPERNICUS DAY

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1026) requesting the President to issue a proclamation designating February 19, 1973, as "Nicolaus Copernicus Day" marking the quinquecentennial of his birth.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California (Mr. Edwards)?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. Res. 1026

Whereas the work of Nicolaus Copernicus marks the beginning of the era of modern science;

Whereas in 1973 there will have passed five hundred years since the birth of Copernicus who was born, worked, and lived in Poland; and

Whereas the National Academy of Science has accepted the invitation from the Polish Government to assure leadership for activities associated with the observance of the quinquecentennial and has named a special committee to make recommendations: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation designating February 19, 1973, as "Nicolaus Copernicus Day" and calling upon the people of the United States to join with the Nation's scientific community as well as that of Poland and other nations in observing such day with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Edwards of California: On page 1, strike out the entire preamble.

Mr. DULSKI. Mr. Speaker, I deeply appreciate the consideration of my resolution today.

House Joint Resolution 1026, which I introduced last January 25, requests the President to issue a proclamation designating February 19, 1973, as "Nicolaus Copernicus Day," marking the quinquecentennial of the birth of this renowned scientist.

The United States and Poland, as well at the scientific community throughout the world, are joining next year in marking the anniversary. Of all the scientists in world history, Copernicus laid the foundation for modern science.

Until the discovery by Copernicus, it had been accepted theory that the universe revolved around the earth. Ignoring tradition and his peers, Copernicus persevered with his research and doggedly concluded that, rather than revolving around the earth, the universe revolved around the sun.

The Copernican theory was known but not accepted for many years because of the opposition of the church and the complete conflict with the teachings of the Bible.

Copernicus, author of the heliocentric theory, was not only a scientist but also a physician, doctor of canon law, an ordained priest, an authority on money, and a soldier.

MAN OF UNUSUAL INTELLECT

All of the accomplishments of Copernicus as churchman, physician, economist, and soldier, great as they were, are eclipsed by his work as astronomer. The vastness of the mathematical problem in the heliocentric system as conceived by Copernicus required an unusual intellect.

But in Copernicus, intellect was sustained by moral heroism that, in humble pursuit of truth, he dared to attack the problem and to challenge the scientific tradition of centuries, even though it was supported by the universal church of which he was a loyal member.

The greatness of Copernicus consists in his having formed and developed a new theory, not in his having provided astronomy with new facts.

Paying tribute to Copernicus is particularly timely because of the relationship of his pioneering theory to modern space research.

I am extremely gratified by the announcement by the National Aeronautics and Space Administration that the United States plans to name its next astronomical satellite for Copernicus. The satellite, expected to have a 12-month orbit in space, is to be launched in August.

TO ISSUE COMMEMORATIVE STAMP

Earlier, Postmaster General E. T. Klassen announced the decision of the Citizens' Stamp Advisory Committee to issue a special commemorative stamp for the Copernicus anniversary next year.

The National Academy of Sciences is heading up arrangements for the world observance, at the suggestion of the Polish Government.

The Academy has named a special committee headed by Dr. Antoni Zygmund of the University of Chicago and Dr. Jerzy Neyman of the University of California at Berkeley as vice chairman. Both Drs. Zygmund and Neyman are members of the Polish Academy of Science in Warsaw as well as the National Academy of Sciences.

The Academy committee is progressing nicely with its planning and is receiving the full cooperation of the Smithsonian Institution. An extensive collection of memorabilia, including items on loan from Poland, is being assembled for display in Washington next spring. It will provide the background for a scientific symposium conducted by distinguished specialists but directed in important part toward the laymen.

UNITED STATES-POLAND SCIENTIFIC EXCHANGE

Recently, the president of the National Academy of Sciences, Dr. Philip Handler, signed a protocol with the Polish Government for a major expansion in scientific exchange between the United States and Poland.

Included in the agreement are plans for establishment near Warsaw of a Copernican Center of Fundamental Research. The center is proposed as a major institute of science and teaching in fundamental areas of astronomy and selected subjects of physics, intensification of scientific cooperation, and provision for education and advancement of highly qualified scientists and researchers. The center would be under joint supervision of the Polish Academy of Science and the University of Warsaw.

Initial outlay for the center is estimated at $1 million, with succeeding phases to involve as much as 20 times the original estimated cost.

As is clear from the foregoing, the scientific communities in both the United States and Poland are making a tremendous effort to focus attention on scientific research in connection with the Copernicus anniversary.

Mr. Speaker, in the light of the pioneering efforts of the United States in space research and the great interest of the scientific community, it seems most appropriate that the U.S. Government recognize the quinquecentennial of the birth of Copernicus.

My resolution simply requests the President to designate "Nicolaus Copernicus Day." I urge adoption of the pending measure, House Joint Resolution 1026.

Mr. ANNUNZIO. Mr. Speaker, I am delighted to join my good friend, Hon. Thaddeus J. Dulski of New York, the distinguished chairman of the House Committee on Post Office and Civil Service, in support of House Joint Resolution 1026, which authorizes and requests the President of the United States to proclaim February 19, 1973, as Nicolaus Copernicus Day.

I want to commend Hon. Don Edwards of California, the distinguished chairman of Subcommittee No. 4 of the House Judiciary Committee, for the expeditious manner in which he has brought this legislation to the floor of the House for action.

Copernicus—the great astronomer and father of modern science—was born in Poland in 1473. He was outstanding in many fields, and distinguished himself as a theologian, scholar, painter, poet, physician, lawyer, economist, soldier, statesman, and scientist. But above all, he was such an eminent astronomer that his theories formed the basis for modern astronomy. It was he who disproved the idea that the earth is in the center of the universe and formulated the theories which led to modern-day space exploration.

Copernicus completed his early education in Poland, but soon was attracted to Italy where he studied at the Universities of Bologna and Padua and elsewhere. This was a period of time when impressive achievements were emanating from Italy—it was when Columbus' voyages to the Western Hemisphere were taking place, and when Michelangelo, DaVinci, Raphael, and so many others were enlarging man's horizons in the worlds of art and science.

It is only natural that Copernicus was attracted to this area of the world where progress was being made in every direction and he must have received a certain amount of inspiration, encouragement, and impetus from the productive activities taking place in Italy during that time.

Copernicus has given so much to the world that he has been honored the world over. In tribute to Copernicus and in recognition of the notable contributions of Polish-Americans to the advancement of our own country, I feel it is indeed fitting and appropriate that a special day be designated in his honor in February 1973 to mark the 500th anniversary of his birth.

I urge my colleagues to join in bipartisan support of House Joint Resolution 1026 which would make this special recognition for Copernicus possible.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the three measures just acted upon.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS TO FILE REPORT ON S. 1819, RELOCATION ASSISTANCE

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that the Committee on Public Works have until midnight Friday, July 28, 1972, to file a report on S. 1819, to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments after July 1, 1972, for relocation assistance made available under federally assisted programs and for an extension of the effective date of the act.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

REQUEST FOR CONFERENCE ON H.R. 7130, AMENDING FAIR LABOR STANDARDS ACT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7130) to amend the Fair Labor Standards Act of 1938 to increase the minimum wage under that act, to extend its coverage, to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. ERLENBORN. Mr. Speaker, reserving the right to object, will the chairman of my committee advise the House whom he has recommended to the Speaker as conferees or managers on the part of the House at the conference on the minimum wage bill?

I yield to the gentleman for that purpose.

Mr. PERKINS. Mr. Speaker, let me say to my distinguished colleague from Illinois that I informed the gentleman from Illinois yesterday morning, and I will be delighted to inform the membership of the House, that I have suggested to the Speaker that the conferees be taken from the General Labor Subcommittee in accordance with the seniority rule.

Mr. ERLENBORN. Mr. Speaker, further reserving the right to object——

Mr. PERKINS. That is what we plan to do.

Mr. ERLENBORN. Mr. Speaker, I do not yield any further.

If the Speaker follows the recommendation of the chairman of our committee, the managers on the part of the House will be composed of 10 members, all members of the Education and Labor Committee. Six of those members will be members who have expressed themselves on the key vote of the House on the adoption of the substitute instead of the committee bill, as being opposed to the majority opinion of the House. In that event, the managers on the part of the House will be dominated by a majority who were opposed to the position that the House took.

For that reason I object.

The SPEAKER. Objection is heard.

PERMISSION FOR THE COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. YOUNG of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT ON H.R. 12931, RURAL DEVELOPMENT ACT OF 1972

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1057 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1057

Resolved, That upon the adoption of this resolution it shall be in order to consider the conference report on the bill (H.R. 12931) to provide for improving the economy and living conditions in rural America, and all points of order against the conference report for failure to comply with the provisions of clauses 2 and 3, rule XX and clause 3, rule XXVIII are hereby waived.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. SMITH) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1057 provides for waiving points of order against the conference report on H.R. 12931, the Rural Development Act, for failure to comply with the provisions of clauses 2 and 3 of rule XX, and clause 3 of rule XXVIII. Clause 2 of rule XX has to do with a Senate amendment to an appropriation bill which lacks authorization; clause 3 of rule XX has to do with nongermane Senate amendments; clause 3 of rule XXVIII has to do with a nongermane modification of a matter in disagreement.

The Senate amendment to H.R. 12931 struck all after the enacting clause of the House bill and amended it with the Senate language. There were 52 specific points of difference between the House bill and the Senate amendment. These differences and their resolution are set out in the conference report beginning on page 23. There is one thing to be particularly noted, Mr. Speaker, which is that everything contained in the legislation has to do with rural development.

Mr. Speaker, I urge the adoption of the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Texas. I yield to the gentleman from Iowa.

Mr. GROSS. Has the Rules Committee given consideration to an official party for the burning of the rulebook and just let the Rules Committee determine how legislation shall come to the House floor?

Mr. YOUNG of Texas. I know of no such pending plan.

Mr. GROSS. If the gentleman will yield further, I would suggest that the Committee give formal discussion to getting rid of the rulebook by holding a public burning. Let us get rid of it and turn over to the Rules Committee the determination of the terms and conditions for consideration of legislation.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 284]

Alexander
Anderson, Tenn.
Archer
Arends
Ashbrook
Baring
Blanton
Blatnik
Boggs
Broomfield
Brown, Mich.
Byrne, Pa.
Casey, Tex.
Chisholm
Clark
Clay
Cleveland
Davis, Ga.
Davis, S.C.
Dellums
Dent
Dorn
Dowdy
Dulski
Edmondson
Evins, Tenn.
Esch
Flynt
Foley
Ford, William D.
Fulton
Galifianakis
Gallagher
Gray
Grover
Hagan
Halpern
Hansen, Wash.
Hastings
Hays
Hébert
Heckler, Mass.
Howard
Hutchinson
Karth
Kluczynski
Landrum
Long, La.
McClure
McCormack
McDonald, Mich.
McEwen
McMillan
Mathias, Calif.
Mayne
Morgan
Murphy, Ill.
Murphy, N.Y.
Nedzi
O'Hara
Pepper
Podell
Pucinski
Rarick
Reid
Rooney, N.Y.
Ruppe
Ryan
Saylor
Scheuer
Seiberling
Stanton, James V.
Steiger, Ariz.
Stuckey
Teague, Calif.
Waggonner
Wolff
Yatron

The SPEAKER. On this rollcall 354 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONFERENCE REPORT ON H.R. 12931, RURAL DEVELOPMENT ACT OF 1972

Mr. YOUNG of Texas. Mr. Speaker, I yield to the distinguished gentleman from California (Mr. SMITH) for purposes of debate.

Mr. SMITH of California. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, as the gentleman from Texas stated, House Resolution 1057, the rule now before us, will waive all points of order in connection with the conference report on H.R. 12931, rural development, in connection with clauses 2 and 3 of rule XXVIII. Those are the rules which have to do with germaneness which we placed in the Legislative Reorganization Act when it was passed.

Mr. Speaker, I am opposed to House Resolution 1057 and will ask that the previous question be voted down.

My objections to House Resolution 1057 have nothing to do with the rural development conference report. I am not stating I am for or against it. I have no opinion on it. I am not attempting to defeat that conference report. I am simply attempting to have it considered under the rules.

Further than that, I am not taking this action because of the community development program which is pending. I am not taking any position on that. There may be arguments made that this is possibly a political maneuver to try to help that bill. I say to the Members unequivocally that is not my position. My position simply is that I am opposed to the Rules Committee attempting to go as far as it will go if this rule is passed.

If the previous question is voted down and I am recognized, I will offer an amendment to House Resolution 1057 which will contain the following language. The first sentence is identical to House Resolution 1057, to wit:

> That upon the adoption of this resolution it shall be in order to consider the conference report on the bill (H.R. 12931) to provide for improving the economy and living conditions in rural America. Any amendment or provision in an amendment in the nature of a substitute in the conference report which is in violation of clause 2 or 3 of Rule XX—

Mr. Speaker, that is what is being waived—

> Or clause 3 of Rule XXVIII, shall be subject to a separate vote upon demand pursuant to clause 1 of Rule XX. If any such amendment or provision is rejected, then it shall be in order to consider the passage of the conference report without the rejected matter and the return to conference for reconsideration and disposition of any such rejected amendment or provision.

As I understand it, there are possibly some eight different provisions in this conference report that might be subject to a point of order under the clauses of rules XX and XXVIII. I think most of them are nebulous. In fact a statement presented to the Rules Committee by the distinguished chairman of the Committee on Agriculture contained a statement therein that they left us with several positions which are nebulous from a procedural standpoint. I think my memory is he stated before the committee all of these were relevant, but by the same token he did not want to take any chance and that is why he requested this waiver be made.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield briefly for a question?

Mr. SMITH of California. I yield to the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. My question is, will the opening of the rule make it available, for all the nongermane amendments to be voted upon, if there is a request for that?

Mr. SMITH of California. The purpose will be, if the demand is made, for a separate vote on any one of the so-called or alleged eight items, for any of them which are nongermane. A separate vote could be had, after 20 minutes of discussion on each side on that particular amendment.

Mr. HOLIFIELD. If a discussion is not requested on any of those amendments, and the conference report goes back to the conference, would those nongermane amendments still be subject to challenge in the future?

Mr. SMITH of California. Let me explain that.

As I understand it, the only one of these eight on which there may possibly be a vote is the one which the gentleman from California (Mr. HOLIFIELD) and the gentleman from New York (Mr. HORTON) have questioned from the standpoint of the jurisdiction of their Committee on Government Operations. I have heard of no other suggestions as to any other of the eight.

So far as the statement to us on the Rules Committee is concerned, one of the provisions has to do with section 603 and section 604 of the conference report, having to do with the organization of the U.S. Department of Agriculture.

There are other provisions.

On page 3, the definition of "rural" and "rural area."

On page 3, waste disposal priority.

On page 5, section 116, creating a rural development insurance fund.

On page 8, the Secretary of Labor certification.

On page 15, title IV, dealing with fire protection.

On page 16, the Rural Development Land Grant College.

On page 20, sections 603 and 604, dealing with the organization of the USDA rural development delivery system.

In my opinion, I believe every one of these nongermane amendments would be approved by the House. So far as I am concerned, I would be perfectly willing to support most of them.

My position, Mr. Speaker, is simply this: I believe it is time that the House of Representatives stayed by the rules of the House.

As Members will remember, considering the Reorganization Act, for many years prior thereto we had Member after Member, going back I believe to the former chairman of the Rules Committee, Judge Smith, who continually objected to the Senate adding nongermane amendments to House-passed bills. So in the legislative reorganization bill the Rules Committee considered that and held extensive hearings on it. We went round and round as to how we could take care of it.

Under previous Speakers, prior to Mr. ALBERT, we discussed the problem with them, and they always made the statement to us, "You cannot run the Senate of the United States. Do not do anything that will make them angry with us in connection with nongermane amendments."

We did bring in, in the Legislative Reorganization Act, a provision which simply stated that if the Senate added a nongermane amendment to a House-passed bill, prior to being considered it had to have a two-thirds vote of the House, in order for it to be considered.

We never intended in that act, and I do not believe anybody who spoke for it intended, to say that the Senate could not add whatever it wanted to in a House-passed bill and in conference. They can put in all the nongermane amendments they want to, but we wanted to have a separate vote here first to see if we should consider any nongermane amendment.

That was my intention, and I believe it was the intention of everybody else who participated in the debate.

We got on the floor, and some objection came up as to the two-thirds vote. We requested two-thirds, because we took the position it would be like a suspension of the rules, which calls for a two-thirds vote, so let us have a two-thirds vote to suspend the rules to consider nongermane amendments.

During the floor discussion it became quite clear that a two-thirds vote was more than a majority of the Members thought we should have. They thought we should just have a majority vote. That suggestion was made.

I remember that the distinguished chairman of the Rules Committee came over to me, and said, "Is it all right with you to amend this simply to make it a majority of the House to consider nongermane amendments of the Senate?" I said it was fine with me. That was the language we then adopted and placed into the rules.

There was some colloquy between the gentleman from Michigan (Mr. O'HARA) and I believe the gentleman from California (Mr. SISK) or the gentleman from Mississippi (Mr. COLMER) on the language. So a substitute amendment went in.

The CONGRESSIONAL RECORD shows very clearly, and the gentleman from Michigan (Mr. O'HARA) personally told me, his intent in his amendment was precisely the same as the intent I have just attempted to explain to the Members here today.

The other body interpreted it differently. They came back and said you have this language in here and it means we cannot consider anything nongermane. You have stopped us from operating. We have had two letters from the distinguished majority leader, Senator MANSFIELD, directed to the Speaker to that effect. So your Rules Committee recreated the Reorganization Subcommittee, and we have been working in a number of different meetings to try to rewrite the language which will set forth the intent according to what I am attempting to explain today.

In my opinion the original language which we passed was placed in the wrong rule. It should never have gone into clause I, rule 20, but that is where it is.

Mr. SISK. Will the gentleman yield?

Mr. SMITH of California. I am glad to yield to the gentleman.

Mr. SISK. I appreciate the gentleman yielding.

Let me say that I agree completely with everything my colleague from California (Mr. SMITH) has said in connection with the additional history on the Reorganization Act. It was definitely the intention to provide exactly the procedure that my colleague is outlining here. Unfortunately, it has not been interpreted exactly in that light.

Unfortunately, we have gotten into a trap in connection with the fact that the Senate, as he indicated, found certain reasons to raise objections, and you are, of course, attempting to redo that, but I agree completely that the original history of the Reorganization Act was exactly in line with the gentleman's account.

Mr. SMITH of California. The statement is continually made—and I do not know what it is based on—that a conference report is a contract. If any one part of it is defeated, then the whole conference report is defeated. That was brought to our attention when we had the military procurement conference report up.

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of California. Mr. Speaker, I yield myself 5 additional minutes

When we had the conference report on the military procurement bill up last year (H.R. 8687), there were three items in there which were definitely not germane. One had to do with ending the war, another with purchasing chrome in Rhodesia, and a third one. The Committee on Rules was asked for a special rule, House Resolution 986. We waived points of order on clause 3 of rules XX and XXVIII. We said, however, that it shall also be in order pursuant to clause I, rule XX, which I am mentioning, for a separate vote to be had on demand on those three nongermane parts of the Senate amendment now contained in the conference report 503, 505, and 601, pursuant to clause I, of rule XX.

You will recall we had only one demand for a vote of the three. That was on buying chrome from Rhodesia. It was sustained and approved, and the conference report was approved.

Statements were made at that time during the discussion that if we defeated any one of those three, it would kill the conference report. That is what I find myself in complete disagreement with. I do not think the conference report is a contract until the House and the Senate have approved it. The conferees of the Senate are their agents and the conferees of the House are our agents. I liken it to a divorce case. All attorneys have had divorce cases and some have had divorces, but in any event when separated, the wife wants certain community property and the husband wants certain community property. They usually argue over the automobile and the television and some of those things. If they do not come to an agreement, then they have to have an attorney.

That is when the conferees between the Senate and House come into the picture. Their conferees, who are the attorneys for the Senate, I will say in this instance are the attorneys for the husband. Our conferees in this instance, for the House, I will say are representing the wife. Attorneys get together and they agree on everything, like the custody of the child and reasonable visitation and dividing up the furniture, and they get down to supporting the child and alimony. The attorneys agree on what they think is reasonable—$100 a month alimony for the wife and $150 a month for the support of the two children. The conferees come back to their clients the House and Senate. We talk to the wife and she says "I cannot live on that. I have to have $250 for the support of the children. I cannot go out and work right now. I cannot live on $259 total. I need $350 for at least a year." The attorney goes back and says "We are in disagreement. The wife will not take that." The husband's conferees go back to their client, the Senate, who says "I will raise it $50," and they come back again and the wife says, "All right. I will take it."

The point that I am making is we do not have a contract until the House and Senate approve the conference report. The House can take that position on a conference report and turn down a provision and go back, in my opinion, to the conference. They can say that they have turned down the provision and discuss it further and try to arrive at a conclusion.

I do not think this has anything to do with the rest of the property settlement agreement which the husband and wife agree to. I think every other part of the conference report is in order in my substitute. I am taking this position on the basis of principle. We should abide by the rules on germaneness. I believe we should have the opportunity to say what our rules mean.

I am not trying to defeat the conference report. This is a golden opportunity to see how many of these so-called "eight points of order," or these eight nongermane items, to see how many there will be a demand for, see what the outcome is, and then, under the language of my substitute that is our interpretation, and, and the only thing that will be out of agreement in the conference report will be any one of these items which are turned down. Then the conferees, in my opinion, can go back and decide further on those, or, if necessary, they can have other conferees, just like a wife might wish to have a different attorney if the wife is not satisfied with the proposal.

That is all I am attempting to accomplish, and this will probably be my swan song insofar as the Legislative Reorganization Act is concerned. But I have worked hard on this. And that is my intent. I do not think that the alleged interpretation that this would defeat all of the conference report is right.

I think for once we all ought to stand up and be counted and see how this rule will work. If it does not work, if I am wrong, I will march right upstairs and be the strongest supporter of the resolution on another rule, if we have to have it, completely waiving everything.

I am not trying to defeat the bill——

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. SMITH of California. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, I am just trying for once and for all to have a go at the rule and have the membership have an opportunity to vote in accordance with what I believe the rules to be. As I say, if I am wrong, I will be the first one to walk upstairs and come down and support a complete waiver. As I say, I am not trying to defeat the conference report presented by the gentleman from Texas (Mr. POAGE). I do not think that the whole conference report is going to go down the drain. There may be the argument made that if we defeat one nongermane provision the whole report will go down. Under my language, I do not think it will.

I think most of these eight matters are inconsequential, I do not think any of them will be voted out of the report, but even if one happens to be voted out, I do not think this will hurt the rest of the conference report. I think it would be worked out under my proposal.

So, Mr. Speaker, I urge a no vote on the previous question, and I would hope that this body will stand up and be counted and follow the procedures for once to see whether we are running the House or letting others run the House.

Mr. Speaker, I reserve the balance of my time, and I do have some requests for time.

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California (Mr. Holifield).

Mr. HOLIFIELD. Mr. Speaker, I know that the time is limited, and I do appreciate the 5 minutes which has been given to me by the gentleman from Texas (Mr. Young).

I appeared before the Committee on Rules, not against the Poage bill, because I voted for the Poage bill when it was passed in the House, but I did apply for provisions in the rule which would give the House a chance to vote on two sections, 603 and 604, which have been declared by the Parliamentarian as being nongermane and which encroach upon the jurisdiction of the Committee on Government Operations.

I believe this was the first time I have ever appeared in 30 years before the Committee on Rules on another bill outside the bills of my own committee.

I feel very strongly that the previous question should be voted down as recommended by the gentleman from California (Mr. Smith).

It is the only way I know of for this House to follow up the reform measures which we passed for the consideration of legislation under the actual provisions of the Colmer rule.

I understand that an amendment has been developed by the Rules Committee which is completely in accord with what the gentleman from California (Mr. Smith) said, and completely in accord with what I would like to see obtained here.

That amendment has been worked out by the Committee on Rules. It has not yet been passed so it is not applicable to this case, but voting down the previous question and allowing nongermane amendments to come to the attention of the House and letting the House work its will is, if I am not mistaken, completely in accord with the amendment which I understand the Committee on Rules is going to ask the House to adopt.

Well, you might say it is premature to do it today. I do not think it is premature. It is in accordance with the principles of the reform procedures in the House. It is in accordance with the Colmer rule and it is in accord with the amendment which I understand will be submitted to us within a few legislative days.

We have to get out of this trap that we are in—when the other body may send back to this House an amendment in the nature of a substitute which is, in effect, a bill containing a number of nongermane amendments, which were not in the original Poage bill.

I voted for the original Poage bill. I am for the programs that are now in existence in rural areas—I have always voted for them—and I intend to vote for those programs in the future.

But I am against creating a huge bureaucracy which is duplicative of the huge bureaucracy that we already have.

These programs which are in rural communities—programs not related to the production of food and fibre and, therefore, not really relating to agriculture—because let us remember there are between 70 million and 80 million people living in rural areas—will come under the Secretary of Agriculture's jurisdiction, if this conference report, the Poage bill with the nongermane amendments, is passed.

Only 3 million to 4 million of those 80 million are engaged in agriculture. These programs that I am talking of are programs to build homes—programs to build sewer lines and to build water lines—every Federal program—I do not care what it is, that applies to people in the rural areas the same as in the urban areas, but are not agricultural programs.

Our committee has a bill—but I am not here to plead for that bill here today—which recognizes this fact, that the existing programs would remain the same as far as content is concerned, but they would be placed in a department where the top man could coordinate the separate programs that are related, such as water systems and waste disposal, which are now distributed in three different Cabinet-level departments.

I am here to plead for the integrity of the House of Representatives and for us to put into effect the reform measures, and the Colmer rule, as well as the purpose of the new rules amendment which I understand the Committee on Rules will produce.

I ask that the previous question be voted down.

Mr. Speaker, the conference report now before us poses a dilemma. I believe in strengthening the programs which make rural America a better place to live. I voted for the original Poage bill in the House. At the same time, this conference report creates serious problems in the area of Government organization, an area in which I believe I am qualified to speak because of my extensive experience on the Government Operations Committee.

The defects in the report were created in substantial part by nongermane Senate amendments, particularly sections 603 and 604 of the bill. They change the basic and historic mission of the Agriculture Department and charge its Secretary with sweeping coordinating responsibilities while granting him ill-defined, and probably unworkable, authority with respect to important and longstanding programs of Government assistance.

I know that Mr. Poage and his fellow conferees were faced with a formidable task because of the broad scope of the Senate version of this bill. They worked hard, cut out a number of questionable provisions, and undoubtedly made the best bargain they could. But they were apparently forced to accept organizational provisions which were never considered by the House committee and never debated on the House floor.

All of us now are faced with a take-it-or-leave-it proposition. I asked the Rules Committee for a separate vote on this organizational measure because of its administrative impracticality and because it might be viewed as impairing future acceptance of what I believe is a much better organizational alternative, that of H.R. 6962, the community development bill. The technical complexities of handling nongermane amendments added by the Senate has posed a problem ever since the reform rules were adopted. The Rules Committee is hard at work on meeting the spirit and intent of the House rule while avoiding the situation where a vote against any nongermane amendment kills the conference report.

Unfortunately, their work in this area is not yet finished. Under the present interpretation, a rejection of the sweeping and unworkable organizational amendments might be seen as a rejection of the report. Chairman Poage, testifying before the Rules Committee yesterday, expressed his fear that if the House were allowed to consider these sections on their merits, it would kill the bill. Consequently, the measure will not be put to a test.

I take the floor today in order to make clear to the House that approval of this conference report does not constitute an irrevocable commitment to the organizational features of the bill. There are several reasons why it should not.

First, the idea of one department setting goals for the quality of rural life is questionable to begin with, because meeting these goals depends on the resources of many other departments. The Secretary of Agriculture is given the responsibility for upgrading rural life, but not the authority. Unless we are to assume that he will take charge of the policies and personnel of the Small Business Administration, Veterans' Administration, Interior Department, Commerce Department, and practically all other departments of Government insofar as their operations in rural America are concerned, how can he be held accountable for what these other departments do? How is he to separate employees from the agencies for whom they work, as section 603 would have him do when it is desirable? Organizationally, this scheme simply will not work.

Second, the artificial division of America into two competing camps can lead to encouragement of bureaucratic strife. On the one side, we will be building a big bureaucracy associated with rural development and reaching into the towns and cities; and on the other side a big bureaucracy associated with urban problems and reaching into rural areas. Many of the problems and the programs to solve them will be the same in both departments. We are talking about jobs and income, new industry, housing and highways, sewer and utility lines, and community services for people wherever they live. The country cannot afford such bureaucratic duplication and the waste of resources which it implies.

Third, the bill would make the Secretary of Agriculture a promoter of business and industrial growth in rural areas. This will make the promises and problems of the smaller communities more like those of the larger communities.

Ironically enough, it requires that smaller communities must become less dependent on agriculture. Perhaps this is inevitable, but is the Secretary of Agriculture the logical person to find ways to make them less dependent on agriculture?

I might note here that although "rural area" is generally defined as any town under 10,000 people, for the purpose of loans and grants to private enterprise the definition of "rural area" in the bill embraces communities up to 50,000 in population. In 16 of our States, under the Poage bill, the Secretary of Agriculture would have a business loan function that is practically statewide, and, of course, he would have similar responsibilities in many small towns and cities throughout the 50 States.

Fourth, the assumption that all small communities are rural communities and somehow different from larger communities is seriously flawed. Under section 603 the Secretary of Agriculture is directly responsible or has coordinating authority for practically all Government programs for towns with fewer than 10,000 people. This definition places over 80 million Americans—well over one-third of our population—under his jurisdiction. Almost half of this number live in communities of one sort or another, many of them bedroom communities or towns supported by industry. The relationship of some of these communities to agriculture and the production of food and fiber is tenuous. All of us know of resort towns, fishing villages, and suburbs and subdivisions which fall into the under-10,000 category. The point is that the dependence of a community upon agriculture is not determined solely by its size.

Finally, and of crucial significance here, the House has never had an opportunity to consider what sections 603 and 604 would do to programs of Government assistance. Changes of this sort should be made only after careful and detailed consideration—consideration equivalent to that which my committee has given to the community development bill. We held 15 days of hearings and took testimony from over 70 witnesses who testified on all aspects of the bill.

I stated earlier that there is a better way to attack the very real problem of getting Government programs in step with one another so that they can really serve the people. That approach is to place under one departmental roof all programs which seek to achieve the same major goal. Each of the past three administrations has commissioned a group of experts to study Government organization, and there is a remarkable consistency in the goals these groups have identified.

One of them is community development, encompassing programs to develop public facilities and encourage local planning. These programs must work closely together at the local level, but they are fragmented today among several departments and agencies. H.R. 6962 puts them together so that the departmental Secretary can be held more accountable to the Congress for results. In contrast, the Secretary of Agriculture under section 603 of the bill before us is given only vague coordinating authority which enables him to pass the buck.

The bill to establish a Department of Community Development has been very carefully considered by the Government Operations Committee. The pros and cons of the organizational precepts and the specific wording of the bill's provisions have been debated at great length. The committe made major changes in the bill, the most important of which is particularly relevant to this debate. For we created, as one of the department's four major operating arms, a Rural Development Administration charged with overseeing the development of our smaller communities.

It is my hope that H.R. 6962 will come before you and we will have a chance to consider this much sounder organizational arrangement. It is a carefully tailored approach to the difficult problem of administering Government programs. It does not alter the programs nor does it affect congressional jurisdiction.

The original Poage bill, which I supported, did not contain this sweeping extension of coordinating authority and responsibility over nonagricultural programs. H.R. 6962 becomes more essential than ever before, because it offers the only solution to orderly administration of related Federal programs which now are operating in urban and rural areas, but which have no relation to farm production of food and fiber.

Mr. SMITH of California. Mr. Speaker, I yield 6 minutes to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker and Members of the House, like my friend and colleague, the gentleman from California (Mr. SMITH), I opposed this rule in the Committee on Rules and today I would recommend that you vote down the previous question in order that he may present a substitute resolution which will enable this House to live by its rules and to vote on the nongermane amendments that were added by the Senate to this bill.

I supported the rural development bill when it was before this House previously, and I still support that concept. But as others before me have said this afternoon, the issue that confronts us is not whether or not we are for or against a rural development bill—most are.

The issue before us simply is whether or not we want to give any life and vitality to clause 1, rule XX, which we adopted in the Reorganization Act of 1970 and which most Members felt constituted a genuine reform by permitting this body the right—not just the privilege—but the right to vote on nongermane Senate amendments.

You have heard some description of the fact that there are no less than eight amendments of a nongermane character that have been appended to the House bill. Indeed, when Mr. POAGE, the distinguished chairman of the Committee on Agriculture, was before the Committee on Rules yesterday, he said to us:

> Suffice it to say we did not try to reorganize the Department of Agriculture in our bill. These provisions came from the Senate amendment.

I then learned that that particular section, section 603, that gives the Secretary of Agriculture responsibility for Federal assistance to all of rural America, was not a well-thought-out provision; that it was added to the rural development bill in a markup session; it was not discussed at any time in any committee hearings that were held by the other body—it was not even discussed when that bill was on the floor of the Senate.

I ask you: Is there anyone who can stand up and challenge the proposition that I now make that this is scarcely the way to legislate? We are so often told we are confronted with a crisis of confidence in this country with respect to Government and the process of Government. We are told that people are fearful that the programs that we so blithely enact here in Washington really are not working. How well can you expect this particular program to work? How well can you expect a program that is going to affect at least 30 percent of the population of this country—between 70 and 80 million people—to work? It is going to make the Secretary of Agriculture virtually a statewide loan czar, because there are 16 States in this country that do not have cities of more than 50,000 population.

I am told that under the provisions of this particular section this simply means that in about 16 States the Secretary of Agriculture will have virtually statewide jurisdiction with respect to all of the Federal loans and grants that are made to private enterprise.

How well thought out, indeed, was that particular provision of the bill? I could not to strongly urge upon the Members of the House today not to be confused about the real issue that is before us. You will have ample opportunity if you vote down the previous question, and the gentleman from California (Mr. SMITH) then offers his substitute resolution, which will merely provide the opportunity for a separate vote on the nongermane amendments, and further provide that if one of those separate amendments should be defeated, that the conference report itself is not defeated.

It occurs to me that it is nothing short of ridiculous to say that we in 1970 gave this body the right to vote on nongermane Senate amendments individually, and then go on from that premise and say that unless each and every one of those Senate amendments is approved by this body, that the whole conference report fails. That makes a complete travesty, it seems to me, out of the proposition that we ought to have the right to consider nongermane matters that are brought before us.

I hope when the question is put, when the vote is called for on the previous question, that you will vote "no"—not because you are against rural development, but because you are for a soundly conceived program, and you are merely asking for the right as a Member of the House of Representatives to express yourselves and vote on these very important propositions.

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. SISK), a member of the Committee on Rules and Chairman of the Subcommittee on Reorganization.

Mr. SISK. Mr. Speaker, I had not intended to speak on this matter because I am quite torn here today. I am a cosponsor of the legislation under consideration. I strongly support the rural development program. I am going to say quite frankly I hope that the conference report passes and that the bill becomes law, and that the President signs it. I will make that very clear, because I feel it is good legislation.

Mr. YOUNG of Texas. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Texas.

Mr. YOUNG of Texas. Mr. Speaker, I hope the distinguished chairman of the Subcommittee on Reorganization will make it clear that the real problem here is that the gentleman's subcommittee is presently working on this very problem and this whole matter is premature, as has been suggested by several preceding speakers—premature in that it is making a guinea pig of this particular legislation by the wording of the language of the distinguished ranking minority member of the Rules Committee in the substitute he has proposed. There is absolutely no assurance under the current rulings of the Parliamentarian that the whole conference report will not be lost if any of the objected-to provisions are rejected. Am I correct in that?

Mr. SISK. Let me say generally I agree with what my good friend, the gentleman from Texas, has said. That was the reason I indicated at the start of my remarks I am for this legislation.

I have a great deal of sympathy with the statements made by my colleague, the gentleman from California (Mr. Smith), because he was a very valuable member of the Reorganization Subcommittee, along with the gentleman who now occupies the chair as Speaker pro tempore, the gentleman from Missouri (Mr. Bolling). A great deal of work was done by the subcommittee and I think in this one area much time was spent by the Reorganization Committee and even on the floor of the House on the Colmer amendment in which we were attempting to resolve once and for all this idea of the other body attaching unrelated, nongermane amendments to the bills which the House had worked on and had sent over there.

It was felt at that time by our committee, and I know the House felt that way because I think we all agreed that at least the change would give the House the right to debate for 40 minutes, 20 minutes for each side, and to actually vote up or down that particular issue which was unrelated or nongermane to the subject matter.

Unfortunately—and I am not here directing this criticism to anyone specifically—because of the mechanics of the way the Reorganization Act was fed into the rules and because of certain interpretations on the subject, the new provision has not served to meet the need. It has failed, and according to present interpretations of the Parliamentarian and of the occupants of the chair from time to time, it has not done what we felt it would do.

As a result of that there have been some communications passed between the leadership of the other body and the Speaker of the House, and those communications have been referred to our subcommittee, which has been reappointed by the distinguished chairman of the Rules Committee, the gentleman from Mississippi (Mr. Colmer), has again appointed this particular Member as chairman, along with the same members of the subcommittee as before to work on this issue. I might further mention that the gentleman from California (Mr. Smith), the gentleman from Missouri (Mr. Bolling), the gentleman from Texas (Mr. Young), and the gentleman from Ohio (Mr. Latta) are on this subcommittee.

We at present are involved in trying to resolve this. We actually have practically now perfected language which we would hope to submit to this body between now and the August recess to try to clarify this issue.

I think the issue for the House to be concerned about is the timing, and there is timing involved in this. We will be meeting at 10 o'clock on next Monday morning, on this very subject. The committee meeting has already been called. As I said, I think for all practical purposes the language has been perfected.

As a supporter of rural development, and I know many Members are because I know there are many cosponsors of this legislation, I hope Members will seriously consider the effects of having voted down any of these provisions which will result if the previous question is voted down.

I know the gentleman from California (Mr. Holifield), as I understand it, is specifically interested in two of these particular issues, but there are seven or eight actually involved.

In the event any of these are then voted down, as to what will then actually happen, it is still my understanding that as far as our own parliamentary situation is concerned, it may very well be interpreted that it will in essence have killed the conference report. This is a concern of many of us.

On the other hand I respect the fact that this is a decision the House is going to have to make. I for one would support the action taken by the Committee on Agriculture in the event any of these are voted on. I would not go along with my friend, the gentleman from Illinois (Mr. Anderson).

I am not here making an argument in connection with the rightness or the wrongness of the issue itself that has been attached. I will expect to support the Committee on Agriculture on each and every one of these individual votes if, per chance, they should occur.

Again, the decision which Members now are faced with is whether or not they want to adopt the present rule, proposed by the Committee on Rules, which waives all points of order and would call for a vote up and down, or whether or not they wish to discuss the individual issues, for 40 minutes each, and then vote on them and see what will occur at that time.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Would the gentleman not agree that the House has a fundamental opportunity today to decide whether or not it will in fact govern itself? No single decision by a Speaker has more disturbed me than that rendered by the Speaker on the inquiry of Mr. Hall of Missouri, on the nongermane Rhodesian chrome amendment. The House today has the opportunity to correct that ruling and by so doing to establish its perogatives and rights. It is fair, is it not, to expect that if the previous question is voted down and the Smith of California substitute rule is adopted, the Speaker and the Parliamentarian will be very hard-pressed not to agree that if a nongermane amendment is voted down on a separate vote, it would not kill the conference report under the provisions of that substitute rule offered by the gentleman from California, (Mr. Smith)? Any other decision would be an incredible slap at this House.

Mr. SISK. I appreciate the comments of the gentleman. Of course, I would not presume to speculate as to what the ruling of the Chair will be in the event that situation arises.

Again, I am somewhat concerned about a piece of legislation which, as I have already said, I am in strong support of. Although I have great sympathy for what my friend proposes, as to whether or not we should take a chance.

Mr. SMITH of California. Mr. Speaker, I yield myself 3 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I take this additional time merely to suggest that the gentleman who has just spoken, the gentleman from California (Mr. Sisk) has, I believe, misinterpreted the point of my argument, if he suggests I am making an assault on the substantive features of the rural development bill.

I thought I made it quite clear that my objection was to the procedure being used, to bring this bill to the floor today waiving points of order.

My reference to section 603 was that it was not the creature of the House Committee on Agriculture at all, but was added by the Senate in a markup session without a minute of hearing, without a minute of discussion on the floor of the other body.

My objection relates to the procedure by which that bill was amended.

This would deprive us, if Members vote for the previous question today, of an opportunity even to express our opinions and our will on that particular feature of the bill.

I repeat, I support the rural development bill. I am only disturbed today by the particular procedure which would bring it before us under a condition where, by the waiving of all points of order, we would not have a right to vote on these separate and individual issues.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from California.

Mr. SISK. Let me apologize to my good friend from Illinois, for whom, as he knows, I have great respect, if I left any impression misrepresenting his position. I do understand his prime concern is procedural.

In view of the fact that the gentleman did make some comments in connection particularly with one issue which the Senate did place on the bill, I simply want to make it clear I was not discussing the particular issues. It seems to me right now the question before the House is strictly one of procedure.

Then, of course, if perchance the rule is adopted, in the 20 minutes on each side we would have an opportunity to discuss the issue.

I thank the gentleman for yielding.

Mr. SMITH of California. Mr. Speaker, the statement was recently made that we are premature in handling this in this way because the Rules Committee is considering changing this present rule.

Mr. Speaker, I submit that we are operating under the rules of the House, under clause 2 of rule XX and clause 3 of rule XXVIII. We cannot handle this matter before us today by waiting to see what the Rules Committee will come out with, to suggest changes in those particular rules.

Take clause 1 of rule XX. The other body added social security to the debt ceiling, and clause 1 of rule XX was turned around to make it germane, and it was used in that way. I submit that is the way we should use it here today to make certain we are following the rules.

In my opinion, I do not think this conference report would fall. I worked all night on this language. It says very plainly if any such amendment or provision is rejected, then it shall be in order to consider the passage of the conference report with the rejected matter and return to conference for reconsideration and disposition of any rejected amendments or provisions. I submit if the House adopted this on a majority vote, the ruling would have to be in accordance with the action of the majority vote of the House.

Mr. Speaker, I will again urge that the previous question be voted down so that we can try to abide by the rules and see what will happen.

Mr. YOUNG of Texas. Mr. Speaker, I yield 10 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Mississippi (Mr. COLMER).

Mr. COLMER. Mr. Speaker, I find myself in a rather unusual position here today on this question that is before us. Unfortunately, or fortunately, as the case may be, I missed the discussion on this rule because I had to attend a rather important meeting, but I do not know that it would have affected anything that I have to say about this matter. I merely mention that because I assume that some of the things that I would say have already been said. Therefore I ask your indulgence and forgiveness for any repetition.

I say I find myself in a rather unusual situation. Ordinarily, when these matters come up and particularly when they come from my committee, I have a pretty fair idea and a considerable degree of conviction about what my position on the matter is. Here I find myself in sympathy and in deep sympathy with the position that my able and distinguished colleague and my good friend from California (Mr. SMITH) is advocating. On the other side of the coin, I find that my committee, by a majority vote, has taken the position of reporting the rule that is before you. That is not necessarily conclusive, although there are some who feel bound under those circumstances.

Here is what I really want to do here today. First of all, I want to thank the gentleman from California (Mr. SMITH) for bringing this to an issue, and I also want to thank the other gentlemen who have spoken, including my colleagues, Mr. SISK and Mr. HOLIFIELD and Mr. ANDERSON, who again I did not hear for their discussion of the rules.

What is involved here is the question as to whether we are going to continue to permit the other body to put extraneous, nongermane, unrelated matters upon a House passed bill and then have it come back here and put us in a position of being forced to take the whole thing or vote the conference report down.

Frankly, as the gentleman from Texas (Mr. POAGE) is aware, as well as others, I have held this pending bill up in the Committee on Rules for several weeks. Not because I was against the bill, not upon the merits, but because of the question of procedure that is involved here. I am sure that the gentleman from California (Mr. SISK), the Chairman of the Subcommittee on the Reorganization of the Committee on Rules, has already explained this, and I do not want to take your time to repeat what has happened in this connection. With the hope that I may be forgiven for any personal references, this is something that has bothered me for more than the quarter of a century that I have served on the Committee on Rules.

This Senate practice of violating our rules has irritated me, as I said, for more than a quarter of a century; and for more than a quarter of a century I have been trying to do something about it. I have never been able to obtain the cooperation of the leadership on either side of the aisle. The Parliamentarian, the able and distinguished gentleman, and the knowledgeable gentleman on whom we rely, has never favored such a proposition largely because of the precedents and the general rule of comity between the two Houses.

Now, no one in the House has a higher regard for the Parliamentarian than I do. I have again discussed this matter with him a few moments ago in another meeting, but the Parliamentarian's duty, and he would be the first to admit it, is to pass upon and construe the rules and precedents and to pass that on to the Speaker or the presiding officer. The question of policy is a matter for this House to determine. It writes the rules.

So far as the rule that is proposed by the gentleman from California (Mr. SMITH) is concerned, it is a variation, it is a departure from the construction of the present rules. But you and I know that the House can write and the Committee on Rules can report, any kind of rule that it sees fit, and it is up to the House to pass upon it.

As I say, while I have mixed emotions about my friend's amendment here unless he can obtain consent to offer it as a substitute, the previous question will have to be voted down. I am going to leave this up to the House as far as I am concerned, I am not going to try to tell the House what to do on this particular resolution. I am interested more in the objective of changing the basic rule and therefore do not want the issue determined on the outcome of this popular bill.

But I am very, very happy that the thing has been brought into focus here and that the Members of the House generally will understand what is going on and the necessity for changing the basic rule of the House.

My friend, the gentleman from California (Mr. SISK), the chairman of this subcommittee as well as the other members and I have been working on this change. We adopted in 1970 a reorganization bill in the full Committee on Rules containing a rule that would simply provide that when any bill came back from the Senate with extraneous nongermane, unrelated matters in it, that the House upon the question being raised by any Member of the House would have an opportunity to pass upon that unrelated matter and to vote upon it.

That is what we thought we did. As the chief author of that amendment in the committee, I was presenting it on the floor when the gentleman from Michigan (Mr. O'HARA) interrupted me to inquire whether I would not be satisfied with a simple majority vote rather than a two-thirds vote that the committee amendment provided. I said that I would—I said, "You offer the amendment."

Somewhere along the line that amendment—and nobody can be blamed more for it than I, because I did not follow it up—that amendment arrived at its present status in the rule book where it is construed that you vote on the amendment before you go to conference—and that if one amendment is voted down, then the whole conference report is voted down.

Certainly, that was not the intention of the Committee on Rules. It was not the intention of the House.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. SMITH of California. Mr. Speaker, I will be happy to yield the gentleman 2 minutes.

Mr. COLMER. Mr. Speaker, I appreciate the courtesy of my friend, the gentleman from California.

Mr. Speaker, I want to say in this brief moment that we are in the process of rewriting that rule. We hope to bring it before the House in the next few days. We hope that the House will adopt it. I repeat—I did not feel that this bill under consideration should be held up indefinitely because it would take probably longer to get the rule adopted than I had first anticipated.

So regardless of what the House does here today, whether you vote down the previous question and permit the amendment offered by the gentleman from California (Mr. SMITH)—or whether you vote for the previous question—this discussion has served a useful purpose and I hope when we come back here in a few more days with an amended rule that the House, having profited by this discussion, will see that this matter will be settled and the original intention of the House, in the reorganization, will be carried out.

Mr. SMITH of California. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Speaker, I would not attempt to argue the matter of principle which is involved here. The gentleman from California is logical. He has great wisdom and great judgment, and he certainly knows what the intent of the reforms offered to the House by the committee on which he served really was in this instance. The gentleman from California will be sorely missed, because he is a great legislator.

I do want to point out to the Members of the House that so far as the substance of this conference report goes, it is in keeping pretty much with the desires of the House. I believe the House held its position on about 48 of the 58 matters presented, and we have here a very unique situation. This conference report comes back authorizing less money than either the House or the Senate bills authorized. This speaks well for the effort of the conferees.

It was the Rules Committee of the House, not of the Senate, which prepared this rule for debate, and the Members of the House will ultimately make the determination on whether the rule before it shall prevail, or whether we shall have an alternate procedure.

I do want to make my own position abundantly clear. I want this Rural Development Bill passed. I believe it is a good bill. I believe it will serve this Nation well.

On the matter of principle, each of you will have to make the decision, but I hope that each of you also considers the matter of the substance of the legislation which the conference committee brings back to you today. This is a matter of extreme importance to 70 or 80 million people, as has been mentioned previously in this discussion. Thank you.

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on Agriculture, the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Speaker, it is, indeed, a remarkable situation which confronts us this afternoon. I have never seen a bill which had so many friends who were willing to strangle it to death, and who are willing to see it die right here before us. Everybody has a good word for this bill and then says, "Now we must see if we cannot put it to some kind of test—by walking on fire—or something of that kind which would destroy it."

Everybody in this House knows, regardless of your feeling about this bill, that if it is sent back to conference at this stage, there is a strong probability that it may never become the law. I think almost everyone who has spoken says that the bill is good; that we ought to have the bill. Then they point to a few fly specks and say: We want a separate vote on that.

The gentleman from California suggests that he does not want the Secretary of Agriculture to be named as the coordinator of rural development, because some time in the future his committee might bring us legislation which would change that situation so that the Secretary should not be coordinator. Of course, under the existing situation the Secretary of Agriculture is the logical man to coordinate this work. I do not believe that we can logically pass legislation predicated upon what may become the law at some future time.

If the gentleman and his committee wish to bring in a bill—and I understand they are bringing one in—we can have a test then as to whether this is desirable or whether it is not. I understand his bill takes this authority away from the Secretary of Agriculture. When we consider his bill we can have a clear-cut test of whether you want to take this power away from the Secretary of Agriculture or not. Today if you take it away from the Secretary of Agriculture, you have no one to coordinate the program. That does not make very much sense.

Neither does any of this procedure, as I see it, follow any real sound logic. I have no intention of criticizing anybody. I know the good faith of many of those who are suggesting delay. They want to see that the rules are carried out, and so do I. I think that the Rules Committee attempted to provide for a good objective, and I am for it. However, I think that the speeches that have been made clearly show where the confusion is.

One of the gentlemen refers to items in this report as "out of order" because they are not "germane"; another refers to them and says that they are not "relevant."

These items under consideration are all "relevant." They all relate to the subject of rural development. Nobody questions that. Clearly, each item relates to the subject matter of rural development and to whom should coordinate it. Clearly the size of "rural areas" relates to the subject of rural development. These are the kinds of questions involved. They do all relate to the subject matter.

I am sure the gentleman from Illinois meant to keep the record correct but I am sure I did not say yesterday that these amendments were "germane." I said they were "relevant." I said that they would relate to the subject of rural development, but since some of them amend other laws I think under the technical rules, under the rules we are living with now, they are probably not germane.

I know it is just a play on words, but that is what all of this has been. It has been a play on words.

The chairman of the Rules Committee has told us that on Monday they are going to have a hearing and are going to bring in some rules to correct this misunderstanding. That is what we have. They are going to bring in some rules next week. That is the way the matter should be handled.

Why can we not go ahead and act on this and let them bring those rules in and let everybody know what the rules are when we begin applying them? Why should we be subjected to this delay, when everybody says we have a good bill—or practically everybody—and a bill which we know we are likely to lose for this session unless we take action promptly? Why should we be subjected to waiting until they bring in a new formula? Why not have us go ahead and waive points of order on this bill and when the Rules Committee brings in its new rules, we can make them applicable in the future?

I suggest there is only one question involved, and that is whether the Members want to pass this bill.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman from California for yielding.

Mr. Speaker, I am unable to comprehend the statement by the gentleman from Texas (Mr. POAGE) that there is some misunderstanding. There is no misunderstanding. This is another raid on the part of the other body on the rules of the House. There can be no misunderstanding about what is taking place.

The gentleman from Mississippi, the distinguished chairman of the Rules Committee, said we have been straddling this issue for 25 years and he is right. Yet I get the indication he wants to straddle it again today. In heaven's name, when are we going to stop straddling and meet the issue of the Senate putting nongermane, extraneous amendments on bills of the House? When do we stop it?

It is the old story of the daughters asking their mother if they might go swimming. She answered. "Yes, my darling daughters. Hang your clothes on a hickory limb but don't go near the water."

Have we the courage and determination here today to put a stop to this business—to serve notice on the Senate that we have had enough?

Mr. YOUNG of Texas. Mr. Speaker, I will take my 1 minute to repeat what I said previously, that the position of the gentleman from California (Mr. SMITH) is premature, because the subcommittee under the gentleman from California (Mr. SISK) has this very matter of the procedure in hand and will come forth and amend the rules if necessary in an orderly, procedural manner.

The action suggested by the gentleman from California (Mr. SMITH) will put in serious jeopardy this piece of legislation. So I want to say to everybody, so he knows what is ahead, if a Member is for rural redevelopment I want the Member to know if he votes against the rule this may well be voting to kill the redevelopment bill.

Mr. ZWACH. Mr. Speaker, I strongly support this legislation and ask my colleagues to vote yes on the previous question and pass H.R. 12931. This legislation for countryside America is long over due and should not be made the guinea pig over a fight with the Senate and the rules of the House.

Mr. HORTON. Mr. Speaker, I rise in opposition to the resolution suggested by the Rules Committee and in support of the substitute resolution to be offered by the gentleman from California.

At stake is an important principle. It is not just the integrity of the House which is involved, because it is clear we must act together with the other body to pass legislation under the Constitution.

My concern goes rather to the need in Congress to adopt an orderly procedure for the consideration of legislation. As long as the other body is able to add provisions to House bills which are nongermane to the subject of the legislation adopted by the House, we will find ourselves in the position of being faced with conference reports containing provisions which were inadequately considered. The House has every right to demand that all legislation it is asked to pass has been given adequate study. The only way we can do so is to insist that nongermane Senate amendments to House bills are subject to debate and separate votes on the House floor either before conference reports are made under clause 1 of rule XX, or at the time of the consideration of the conference report, which is the effect of the substitute resolution.

GENERAL LEAVE

Mr. SMITH of California. Mr. Speaker, I am not going to have enough time to yield to everybody, so I ask unanimous consent that all Members may extend their remarks on this rule.

The SPEAKER pro tempore (Mr. BOLLING). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. YOUNG of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 214, nays 162, not voting 56, as follows:

[Roll No. 285]

YEAS—214

Abbitt
Abernethy
Abourezk
Abzug
Adams
Addabbo
Alexander
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
Aspinall
Badillo
Baring
Barrett
Begich
Bergland
Bevill
Biaggi
Bingham
Blatnik
Bolling
Brademas
Brasco
Brinkley
Brooks
Broyhill, N.C.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byron
Cabell
Caffery
Carney
Carter
Casey, Tex.
Chamberlain
Chappell
Clark
Collins, Ill.
Cotter
Culver
Curlin
Daniel, Va.
Daniels, N.J.
de la Garza
Dellums
Denholm
Dennis
Dingell
Donohue
Downing
Duncan
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Fascell
Fisher
Flood
Flowers
Fountain
Fraser
Fuqua
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gonzalez
Grasso
Gray
Green, Pa.
Griffin
Griffiths
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Harrington
Hathaway
Hechler, W. Va.
Heinz
Helstoski
Henderson
Hicks, Mass.
Howard
Hull
Hungate
Ichord
Jarman
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
King
Koch
Kyl
Kyros
Latta
Leggett
Link
Lujan
McCloskey
McCollister
McCulloch
McFall
McKay
McKevitt
Madden
Mahon
Mann
Martin
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mikva
Miller, Ohio
Mills, Ark.
Mink
Minshall
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Murphy, Ill.
Myers
Natcher
Nichols
Nix
Obey
O'Konski
O'Neill
Passman
Patman
Pepper
Perkins
Pickle
Poage
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Purcell
Quillen
Randall
Rangel
Rees
Reid
Reuss
Roberts
Rodino
Roe
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Sarbanes
Scherle
Scheuer
Schwengel
Sebelius
Seiberling
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Steed
Steele
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Symington
Taylor
Teague, Tex.
Terry
Thompson, Ga.
Thomson, Wis.
Thone
Tiernan
Udall
Ullman
Vander Jagt
Vigorito
Waggonner
Waldie
Wampler
White
Whitten
Winn
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—162

Anderson, Calif.
Anderson, Ill.
Archer
Baker
Belcher
Bell
Bennett
Betts
Biester
Blackburn
Boland
Bow
Bray
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Byrnes, Wis.
Camp
Carey, N.Y.
Carlson
Cederberg
Celler
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Tex.
Colmer
Conable
Conover
Conte
Conyers
Corman
Coughlin
Crane
Danielson
Davis, Wis.
Delaney
Dellenback
Devine
Dickinson
Diggs
Drinan
du Pont
Dwyer
Edwards, Ala.
Erlenborn
Eshleman
Findley
Fish
Ford, Gerald R.
Forsythe
Frelinghuysen
Frenzel
Frey
Goldwater
Goodling
Green, Oreg.
Gross
Grover
Gubser
Gude
Haley
Hall
Hanna
Harsha
Harvey
Hastings
Hawkins
Heckler, Mass.
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Hosmer
Hunt
Jacobs
Johnson, Pa.
Jonas
Keating
Keith
Kemp
Kuykendall
Landgrebe
Lent
Lloyd
Long, Md.
McClory
McDade
McKinney
Macdonald, Mass.
Mailliard
Mallary
Michel
Miller, Calif.
Mills, Md.
Minish
Moorhead
Mosher
Moss
Murphy, N.Y.
Nelsen
O'Hara
Patten
Pelly
Pettis
Peyser
Pike
Pirnie
Poff
Price, Tex.
Quie
Railsback
Rhodes
Riegle
Robinson, Va.
Robison, N.Y.
Rogers
Rousselot
Roybal
Runnels
Ruth
St Germain
Sandman
Satterfield
Schmitz
Schneebeli
Scott
Shoup
Smith, Calif.
Smith, N.Y.
Snyder
Spence
Springer
Stanton, J. William
Steiger, Ariz.
Steiger, Wis.
Sullivan
Talcott
Thompson, N.J.
Van Deerlin
Vanik
Veysey
Ware
Whalen
Whalley
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Wylie
Wyman
Yates

NOT VOTING—56

Anderson, Tenn.
Arends
Ashbrook
Blanton
Boggs
Broomfield
Byrne, Pa.
Chisholm
Clay
Davis, Ga.
Davis, S.C.
Dent
Derwinski
Dorn
Dow
Dowdy
Dulski
Eckhardt
Edmondson
Evins, Tenn.
Flynt
Foley
Ford, William D.
Fulton
Galifianakis
Gallagher
Hagan
Hays
Hébert
Hutchinson
Kluczynski
Landrum
Lennon
Long, La.
McClure
McCormack
McDonald, Mich.
McEwen
McMillan
Mathias, Calif.
Mayne
Morgan
Nedzi
Podell
Pucinski
Rarick
Rooney, N.Y.
Ruppe
Ryan
Saylor
Skubitz
Stanton, James V.
Teague, Calif.
Wolff
Wright
Yatron

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Derwinski against.

Mr. Foley for, with Mr. Broomfield against.

Mr. Yatron for, with Mr. McDonald of Michigan against.

Mr. Dent for, with Mr. Gallagher against.

Until further notice:

Mr. Boggs with Mr. Arends.

Mr. Hays with Mr. *Ashbrook*.

Mr. Wolff with Mr. McEwen.

Mr. Rooney of New York with Mr. Landrum.

Mr. Galifianakis with Mr. Ruppe.

Mr. Dulski with Mr. Hutchinson.

Mr. Morgan with Mr. Saylor.

Mr. Anderson of Tennessee with Mr. Mathias of California.

Mr. Blanton with Mr. McClure.

Mrs. Chisholm with Mr. Dow.

Mr. Clay with Mr. Podell.

Mr. Evins of Tennessee with Mr. Mayne.

Mr. McCormack with Mr. Teague of California.

Mr. Kluczynski with Mr. Byrne of Pennsylvania.

Mr. James V. Stanton with Mr. Long of Louisiana.

Mr. Wright with Mr. Ryan.

Mr. Nedzi with Mr. Hagan.

Mr. William D. Ford with Mr. Lennon.

Mr. Edmondson with Mr. Pucinski.

Mr. Fulton with Mr. Rarick.

Mr. Eckhardt with Mr. Flynt.

Mr. McMillan with Mr. Davis of South Carolina.

Mr. Dorn with Mr. Davis of Georgia.

Mr. FISHER and Mr. CHAPPELL changed their votes from "nay" to "yea."

Mr. BROYHILL of Virginia changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R. 12931) to provide for improving the economy and living conditions in rural America, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of June 14, 1972.)

Mr. POAGE (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. POAGE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I would hope that debate on this conference report would be in the nature of an anticlimax, because I believe most of those who spoke in the recent debate suggested they felt this was a good bill and that the report should be enacted into law.

With that in view, I am not going to attempt to delay the House by going into any great deal as to the nature of this report. I will insert a full explanation. Right now, I would like to point out one or two things about the report.

In the first place, as has been mentioned by one of the previous speakers in the debate on the rule, this report comes back with a smaller authorization than was in the bill when it left the House and smaller than was in the Senate bill. I believe that is somewhat unusual, and something the Members should bear in mind, and I think it is rather strong evidence that your conferees had a real concern for fiscal responsibility.

It is also important to remember that this report is about 90 percent the House bill. We accepted Senate amendments only on what we thought were relatively minor points, but every one of the points is something that relates to rural development.

While there was no contention on the part of our committee that they might not be germane, they were, every one of them, and are, every one of them, related to rural development.

As to the two points on which there was the greatest discussion, one was making the Secretary of Agriculture responsible for the coordination of rural development. Who else is in a better position to coordinate rural development than the Secretary of Agriculture? It seems to me the question answers itself.

Following that, the next amendment said that the Secretary should have an assistant secretary to do this.

Is that not logical? We have an Administrator of Rural Development now, and I assume that the same man would be the Assistant Secretary, although nobody told me that. Jim Smith is doing a good job, and I do not know why he would not do an even better job as an Assistant Secretary. I hope he will be named.

These are the kinds of amendments we have in here and the kinds of changes from the House bill. We think we have brought you a bill that carries out the spirit of what the House of Representatives sought to do, and that is to try to extend to the people in the rural areas at least many of the programs that are now available to the people in the urban areas.

Mr. LATTA. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Ohio.

Mr. LATTA. If the gentleman will yield, I would like to commend the chairman and the members of his committee and particularly the conferees on the part of the House for bringing back to the House the bill which they did. Naturally, I cannot agree with every word in the bill or every action that was taken, but they did bring back to the House a good bill and perhaps even a better bill than the one that was passed here.

I do want to commend the gentleman and the conferees for seeing to it that some additional money was placed in this bill for grants for water and sewer development in rural areas. As the gentleman knows, we did pass an amendment in the House which I sponsored increasing the authorization from $100 million to $500 million for such purposes. My amendment was needed and the House reported agreed and the gentleman has been able to at least maintain a portion of it in the conference report, coming back to the House with $300 million of the $500 million for annual grants for such purposes. Even though we did not get the entire $500 million that the House passed, I do wish to commend the gentleman for keeping a portion of it in this conference report.

Mr. POAGE. I thank the gentleman.

Mr. PRICE of Texas. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. PRICE of Texas. Mr. Speaker, I, too, want to commend the gentleman for all the work he has done on this bill as a member of the committee, but I would like to ask a question.

In section 118 of this conference report it establishes a veto procedure for the Secretary of Labor to deny or approve any business related loans. I am wondering why the House conferees agreed to such a procedure.

Mr. POAGE. Because we thought we had a practical procedure and because we thought the work he had one that could be passed and which could function.

Mr. PRICE of Texas. But is this not one of the nongermane provisions that we would have had an opportunity to vote upon if we had accepted the amendment offered by the gentleman from California (Mr. SMITH) as an amendment to the rule?

Mr. POAGE. Again I suggest it is probably not "germane" but it is clearly rather closely "related," and that is the reason why the gentleman is interested in it. It is related, but possibly under the rules, since it amends a different section of the statute, it is technically nongermane. Yes.

Now, Mr. Speaker, before my time expires I want to express my appreciation to the chairman and the members of the Rules Committee. They have had a difficult problem. They are not in agreement as to the effect of all of the rules that have been adopted and none of us can be sure just how these rules will work out. But I want to make it clear that I have no criticism of the effort of members of this Rules Committee to stop a bad practice of including unrelated items in a conference report. I have used the term "unrelated." Maybe I should use some other word but I am sure that "nongermane" is not a proper word. The Agriculture Committee has sought to cooperate with the Rules Committee. We know that there have been numerous conference reports brought back and submitted to the House without any request for a rule, but we felt that we should make the request which we understood the rules required. We have made it; the Rules Committee has recognized the problem; the majority of its members have suggested that we waive that rule in this instance; and we believe this is the intelligent way to approach this matter.

Next, Mr. Speaker, may I insert a little of the history of this conference report.

Mr. Speaker, on February 9 of this year the House Committee on Agriculture approved the Rural Development Act of 1972 by a vote of 32 to 4. This bill then passed the House by a voice vote on February 23 and was referred to the Senate Committee on Agriculture and Forestry. That was 5 long months ago.

On April 20, the Senate unanimously approved their version of the Rural Development Act, and the House subsequently agreed to a conference. I believe that the conferees worked diligently and I am convinced that the conference report before you today is a fair agreement and compromise on what I feel to be one of the most important pieces of legislation that has ever come from the House Committee on Agriculture.

I have already referred to what I believe to be a most unique situation involving the cost of this legislation. The bill that was originally brought to the floor of the House contained new spending authorization of approximately $280 million per year. However, the bill was amended on the floor to increase this cost to $580 million. The gentleman from Ohio (Mr. LATTA) was the author of this amendment, which added 300 million badly needed dollars to the annual grant authority for the rural water and waste disposal program. Our committee had proposed an annual authorization of some $200 million for this purpose. The Latta amendment increased this authorization to $500 million per year, or five times the present amount.

The other body brought to the floor of the Senate a bill which would have cost in the neighborhood of $1 billion. An amendment on the floor of the Senate eliminated that part of the bill which would have created an enormous new banking system, bringing the Senate's proposal more in line with that of the House, so far as expenditures were concerned.

Now the point I am trying to make is that the conference report we bring to the floor of the House today, carries a price tag of approximately $400 million annually—less than either bill as they passed their respective bodies. Such a reduction in cost was a result of the strong feeling on the part of the House conferees that we must exercise fiscal responsibility.

I would like to call the attention of my colleagues to page 23 of the conference report. There you will find listed the major differences between the House and Senate versions, along with the conferees' solution to these differences. Quite frankly, I again want to say that I believe the House conferees did an outstanding job, and I am delighted to say that what appears before you today is basically the House bill.

Of course, as is true in any conference, we had to make some concessions to the Senate conferees. May I say now that Senator TALMADGE, Senator AIKEN, and their fellow Senate conferees, were most cooperative in this conference. They were surely interested in arriving at a conference agreement which will establish a sound program for rural development, while maintaining some degree of fiscal reason.

I am happy to report to the House that we were completely successful in persuading the Senate conferees to abandon that part of their bill which would have set up a revenue-sharing proposal for rural areas, with a price tag of some $500 million. I am proud of this achievement not only because I oppose the concept of revenue sharing, but, because I recognize that revenue sharing is a matter which has been determined to be under the jurisdiction of other committees of the House. I do not feel that it would have been appropriate for us to try to bring a matter of this nature before the House in the form of a conference report.

However, I believe when my colleagues go over these differences and measure our concessions against those parts of the House bill which we retained, they will see that the House bill is quite predominant in the conference agreement.

For the benefit of a brief record I will mention some of the Senate provisions which we did accept. One such provision was the concept of a pilot rural fire protection program.

We also agreed to accept a 3-year pilot program to be administered by the land grant colleges designed to do research and planning work in the area of rural development. We were highly successful in greatly reducing the proposed cost of this program.

We accepted two Senate proposals dealing with the rural environmental assistance program providing for long-term contracts—as we have in the Great Plains program—and providing for cost-sharing for air pollution control on the farm.

I regret that there has been some concern expressed about the fact that we accepted Senate language which vested in the Department of Agriculture general responsibility for rural development activities. Quite frankly, as the law stands today, the Department of Agriculture, in my view, is the only logical place for this responsibility. I have personally opposed the various reorganization proposals that affect the Department of Agriculture. I think it is fair to say that these proposals are not the law, and I have always felt that we should try to deal with the current situation as opposed to what we might speculate will be the situation in the future.

Mr. Speaker, I believe that this bill is a landmark in legislation, designed to assist those who live outside our large cities. While there was a great deal of pressure to try to create an entirely new network of agencies and to try to create an entirely new system of financial institutions, I am pleased to tell my colleagues that we did not do this. We chose to work through existing agencies that are tried and proven. This legislation broadly expands the activities of the Farmers Home Administration, for instance.

In addition, we provide for pollution abatement and control loans and grants. We all are aware of the fact that great new pressures have developed to protect our environment. The objective of these pressures, of course, is commendable. But we must recognize the fact that the required changes are costly and that it is desirable for us to try to assist such enterprises as small meatpacking plants and animal feedlots, that certainly very often face only bankruptcy, in view of these new standards. The same, of course, is true for many other small businesses and industries.

While we also make certain small business and industrial loans as part of the activities of the Farmers Home Administration, we have adopted "antipiracy" language which I feel is quite restrictive. However, I understand that this language is agreeable to our friends representing organized labor interests and we surely welcome and appreciate their support for this legislation. The intent of this bill is not to deprive our urban friends of anything, but to provide the same opportunities to those Americans who live in our countryside.

There was some concern in the fact that we had originally proposed to somewhat relax the so-called credit elsewhere requirement on certain Farmers Home Administration loans. While we left this requirement intact, we did make it possible for the Farmers Home Administration to guarantee certain loans at an interest rate agreed upon between the borrower and a private lending institution without reference to this limitation, thus putting them on the same basis as city borrowers.

May I say here, that I am very happy to report that we greatly encouraged and broadened the role of private lenders in the loan-making activities of the Rural Development Act. I believe that our friends in the financial industry are reasonably satisfied with this conference report.

Mr. Speaker, I would like to insert at this point a summary of the conference agreement for future reference and use of our colleagues.

BRIEF SUMMARY OF THE RURAL DEVELOPMENT ACT OF 1972

TITLE I—AMENDMENTS TO THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

Section 101 changes the title of the Consolidated Farmers Home Administration Act of 1961 to the Consolidated Farm and Rural Development Act.

Section 102 authorizes the Farmers Home Administration to make loans to rural residents to acquire or establish in rural areas small businesses to provide the borrower with essential income.

Section 103 up-dates the appraisal procedure for farm ownership loans by basing the amount of the loan on the market value of the property instead of the "normal" value.

Section 104 authorizes the Farmers Home Administration to make loans for essential community facilities such as fire houses and community centers.

Section 105 increases the annual Farmers Home water and waste disposal grants ceiling from $100,000,000 to $300,000,000.

Section 106 establishes certain planning requirements for rural water and waste disposal grants from the Farmers Home Administration.

Section 107 extends to October 1, 1973, the authority to make water and waste disposal grants prior to the completion of comprehensive plans.

Section 108 doubles rural water and sewer planning grant authority from $15,000,000 to $30,000,000 annually. It also deletes the requirement that such plans be "official" and broadens the term "sewer" to "waste disposal".

Section 109 defines the term "rural area" to be generally areas of 10,000 or fewer inhabitants except for purposes of business and industrial loans and grants which could be made in areas of up to 50,000.

Section 110 repeals the ceiling on the maximum amount of indebtedness which can be incurred by rural water or sewer systems.

Section 111 authorizes grants not to exceed $10,000,000 annually for the preparation of comprehensive plans for rural development.

Section 112 establishes top priority for rural water and sewer loans and grants for areas of 5,500 population or less, where inadequate systems exist.

Section 113 establishes procedures for determining the interest rates of rural development loans made by the Farmers Home Administration. It also permits the Farmers Home Administration to guarantee loans at interest rates agreed upon by the borrower and the lender.

Section 114 provides that borrowers shall prepay certain escrow payments to the Secretary of Agriculture.

Section 115 raises from $100,000,000 to $500,000,000 the maximum amount of new unsold loans that can be held in the Agriculture Credit Insurance Fund. It also authorizes the use of ACIF to pay interest subsidies to lenders who make guaranteed or insured loans where it is necessary to achieve a market rate of interest.

Section 116 creates a new rural development insurance fund which would handle the new guaranteed and insured rural development loans.

Section 117 authorizes insured watershed and resource conservation and development loans.

Section 118 authorizes the Farmers Home Administration to make and insure rural business and industrial loans which would improve the economic and environmental climate in rural areas. Such loans would include pollution abatement and control loans.

It would also authorize up to $50,000,000 in grants annually for pollution abatement and control projects. Any such grant could not exceed 50 percent of the cost of the project.

Section 118 would also authorize up to $50,000,000 annually in public grants to public bodies for industrial development. Such projects could include the establishment of industrial parks, for instance.

This section provides that the Secretary of Agriculture could participate in joint financing for such endeavors in cooperation with other agencies.

Finally, provision is made to assure that any such financing would not constitute a hardship to other industrial areas ("antipiracy").

Section 119 authorizes the Farmers Home Administration to guarantee certain rural housing loans (above moderate income) without regard to the "credit elsewhere" rule.

Section 119 also makes special provision for rural housing in the State of Hawaii, due to the peculiar real estate situation there.

Section 120 liberalizes the requirements for loans to young farmers by waiving certain age requirements.

Section 121 authorizes the Farmers Home Administration to make rural enterprise operating loans to operate small business enterprises, to provide rural residents with essential income.

It also authorizes loans and grants for pollution abatement and control projects. The grant authority provides for up to $25,000,000 annually and no such grant could exceed 50 percent of a pollution abatement or control project.

Section 122 increases the maximum size of a Farmers Home Administration operating loan from $35,000 to $50,000.

Section 123 authorizes the Farmers Home Administration to make insured operating loans.

Section 124 authorizes the Farmers Home Administration to contract for services incident to its loan-making activities. Such authority will expire on December 31, 1974.

It also would permit the Farmers Home Administration to obtain fidelity bonds for its employees in lieu of faithful performance of duties bonds.

Section 124 also relaxes the requirements that borrowers with overdue notes have to pay interest on interest.

Finally, this section would make more flexible the authority of the Farmers Home Administration to transfer or sell property it secured by default on the part of the borrower.

Section 125 would expressly require the Secretary in the case of loans subject to the "credit elsewhere" provision to determine the applicant's inability to obtain conventional credit before the application could be approved.

Section 126 repeals the County Committee approval requirement for Farmers Home Administration Association and district loans.

Section 127 would give the Secretary discretionary authority as to the down payment, length of term, and interest rate to be allowed or required in the sale or transfer of property to ineligible applicants. It would also permit the sale of such property to a broader range of applicants.

Section 128 provides that the word "insure" includes "guarantee" and that the term "contract of insurance" includes a "contract of guarantee".

Section 129 prohibits direct and insured loans for new rural development purposes (except to public bodies and nonprofit associations for community facilities) if guaranteed loans can be obtained. It also prohibits a guarantee of more than 90 percent of the risk on any such loan.

TITLE II—AMENDMENTS TO THE WATERSHED PROTECTION AND FLOOD PREVENTION ACT

Section 201 makes the following changes in the small watershed program:

(1) For the first time cost sharing would be permitted for water quality management, land utilization and agricultural waste management.

(2) The Secretary would be authorized to bear up to one-half the cost of the storage of water for municipal and industrial water supply.

(3) Local sponsoring organizations would be permitted to utilize any funds that may be available to them under other Federal programs for the purchase of land rights within a watershed.

(4) The Secretary would be authorized to enter into agreements of up to ten years with landowners to share the cost of conservation measures within watershed projects.

TITLE III—AMENDMENTS TO THE BANKHEAD-JONES FARM TENANT ACT

Section 301 would amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act. This amendment would authorize the Secretary of Agriculture to promote rural community development by furnishing technical assistance and cost sharing not to exceed 50 percent to public agencies and organizations in carrying out plans for rural community water supply, water quality management, the control and abatement of agriculture-related pollution, the disposal of solid wastes in rural areas, and the storage of water for rural fire protection.

Section 302 would direct the Secretary of Agriculture to carry out a land inventory and monitoring program and to prepare a report at not less than five-year intervals reflecting current soil, water, and related resource conditions.

TITLE IV—RURAL COMMUNITY FIRE PROTECTION

Sections 401–4. These sections establish a fire protection program for rural areas to protect these areas from losses due to wild fires. The program would provide $7,000,000 annually through fiscal year 1975.

TITLE V—RURAL DEVELOPMENT AND SMALL FARM RESEARCH AND EDUCATION

Sections 501–8. These sections establish a pilot program of rural development research to be administered by the Land Grant Colleges. The program would begin July 1, 1973 and end June 30, 1976. The authorized appropriations would be $10,000,000 for the first year, $15,000,000 for the second year, and $20,000,000 for the third year.

TITLE VI—MISCELLANEOUS

Section 601 directs the heads of all Federal departments and agencies to give first priority to locating new offices and other facilities in rural areas.

Section 602 enables the Secretary of Agriculture to extend financial assistance to desertland entrymen.

Section 603 requires the Secretary of Agriculture to acquire, preserve and disseminate useful information on rural development. The Secretary is also directed to provide leadership and coordination within the Executive Branch in the area of rural development.

Finally, the Secretary is directed to utilize all USDA field offices to enhance rural development throughout the Nation.

Section 604 provides for the creation of an additional Assistant Secretary of Agriculture.

Section 605 provides for ten-year contracts under the Rural Environmental Assistance Program.

Section 606 authorizes cost sharing under the REAP program for agriculture-related pollution prevention or abatement practices unrelated to soil or water conservation.

Mr. Speaker, rural America needs help. More and more of our population has been concentrating in our great urban centers, and we all know that in so many instances our cities are crying for relief. The mass exodus from country to city has all too often ended in the ghetto. On the other hand, we must not ignore the cruelty wrought by this exodus to rural America itself. Abandoned homes, bankrupt businesses, decaying schools, empty grain elevators, long forgotten communities, shortages of doctors, and even deserted churches haunt our rural areas. The intent of this legislation is to do something about this sad situation and I am convinced it will. The Rural Development Act of 1972 is not a magic document, nor do we claim it to be. But let it be said that in approving this legislation, we are starting on the long journey to make both rural and urban America a better place in which to live.

I urge my colleagues to support this conference report. This is good legislation. I urge my colleagues not to be persuaded by those who want to delay this matter even longer by sending us back to conference. We have worked long and hard on this legislation, and we now have the opportunity to correct problems that are long standing. Let us begin today.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this conference report.

Not only does it contain a number of nongermane provisions which have been added by the other body, it also calls for increased spending at a time when we should be seriously concerned about an ever-widening Federal deficit. Just yesterday the President warned about continuing deficit spending.

In spite of an estimated $40 billion deficit this year, this bill calls for more spending through various new grant authorities. This is a $400 million bill that is not budgeted.

One new grant authority would provide for pollution abatement and control grants to a great number of recipients including public, private, or cooperative organizations organized for profit or nonprofit or to individuals. While the bill establishes an initial annual ceiling of $50 milion for these grants, the precedent established by this authority would be most unwise. Favored polluters would be rewarded for their action in a method diametrically opposite of the principle that when one goes into business and damages others, he should be required to pay for those damages—certainly the public should not be required to subsidize polluters.

A second new grant authority would earmark $25 million annually in grants to farmers and others for pollution abatement and control. This new authority would be vested in the Farmers Home Administration and would duplicate and overlap the existing rural environmental assistance program—REAP—currently being administered by the Agricultural Stabilization and Conservation Service. Unlike the REAP program which imposes a $2,500 cost assistance ceiling these new grants could be of unlimited size.

A third new grant authority would permit up to $50 million per year to be donated to small towns, cities, or other public bodies for a host of rural economic development activities. This may be a laudatory objective, but we seriously doubt that the proposed scope of these grants could ever begin to meet the anticipated demand for this new source of free money.

The fourth new grant authority envisions $10 million per year for planning. This too is in duplication of an existing program—in this case the section 701 Housing Act grant authority that the U.S. Department of Agriculture now receives.

A fifth new grant authority creates a new land-grant college program of $10 million for the first year, $15 million for the second year, $20 million for the third. Do we need research on improving living standards in rural America?

As the gentleman from Oklahoma (Mr. BELCHER), the gentleman from California (Mr. TEAGUE), and I pointed out when this bill was first considered, all these liberalizations come at a time when our Government's fiscal sanity is being questioned both at home and overseas—at a time when the national debt is soaring to unprecedented levels—and at a time when red ink threatens to drown all Americans as the Federal Government seeks to meet the grandiose promise of more free money to those who scramble for it through the mechanics of legislation like this.

Let me comment on just one specific section which to my thinking is completely asinine. I refer to page 8 of the report, section 3. Here, the Secretary of Labor, I said Labor and not Agriculture, must OK all requests and this is billed as rural development.

In addition to many other undesirable features, let me point out this report authorizes another Assistant Secretary of Agriculture. Let us guard against having more employees in the Department that there are farmers.

In summary, I cannot and do not support this conference report because it is both too expensive and too ineffective to be in the national public interest.

Mr. PRICE of Texas. Mr. Speaker, I join in lending my support for passage of the Rural Development Act of 1972, which, in my opinion, is a most vital and relevant piece of legislation and could mark the turning point in the longstanding trend toward urbanization and the accompanying depletion of the countryside.

While the conference version before us incorporates numerous changes in the original bill passed by the House earlier this year, some with which I take issue, nevertheless, its many desirable provisions make it worthy of support. The main objection I have to this conference report is that it establishes a veto procedure for the Secretary of Labor to deny or approve any business-related loan.

As one who comes from and is still an active stockman farmer in, and whose privilege it is to represent a predominantly rural district, I know firsthand the severe problems facing America's countryside. Tragically, the resourcefulness and productivity of rural America have been its own worst enemy, for as the efficiency of the farmer and rancher have increased, so has the move toward urbanization. Shockingly, today 75 percent of our Nation's citizens live on less than 1.5 percent of the land, and the exodus to our crime-ridden, polluted, and overcrowded cities continues. The result of agricultural progress has been the gutting of the countryside—goodby job opportunities, as well as educational, medical, cultural, and community activities, and hello ghost towns, farms, boarded-up main streets, and for-sale signs.

Mr. Speaker, if America is to survive and to hold promise to her citizens, we cannot allow rural America to go into further decline. Our cities with their seemingly unsolvable myriad of problems offer little promise to young generations; we must as a nation return to the "good life" that the countryside offers. But rural America today is a place of limited opportunity; it offers few job prospects or means to support more than a meager standard of living to many would-be comers.

For these reasons and more, it is imperative that the Congress enact the Rural Development Act of 1972. This all-encompassing piece of legislation will among its many provisions provide significant grants for water and waste disposal facilities, rural development planning grants and grants for the development of industrial parks and community facilities, loans to rural residents to establish and operate small business enterprises, insured watershed and resource conservation and development loans, guaranteed housing loans for rural residents of all income levels, a rural fire protection program, and authority for the Department of Agriculture to be the coordinating and leading agency within the executive branch for a nationwide program of rural development.

Mr. Speaker, I am especially pleased to note that the Rural Development Act of 1972 has incorporated the provisions of legislation I introduced last year to increase the size of farm operating loans from $35,000 to $50,000 and to convert farm operating loans, and form ownership loans from an appropriated funding to an insured loan basis.

Mr. Speaker, for too long we have ignored the plight of rural America, and with each passing year our problems have continued to grow, both in the city and the countryside, in spite of the proliferation of urban-oriented programs that have been enacted. Let us now put the emphasis in another direction—let us invite Americans to seek and find new job opportunities and better wages for their families and a better life in the heartland of our Nation. Rural America is the backbone of our Nation's enduring strength and vitality. Let us today make a wise investment in our Nation's future.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from South Dakota (Mr. ABOUREZK).

Mr. ABOUREZK. Mr. Speaker, I am proud to support the conference report on the Rural Development Act of 1972. I would like to commend the House conferees for the excellent job they did in representing the point of view of this body. The conference report is essentially the bill which the House passed by voice vote on February 23. Where agreement with the Senate managers was necessary in the interest of compromise and harmony, the conferees were able to strengthen the bill and, in fact, bring back a bill which results in a commitment of nearly $200 million less than the original House bill. In these days of spiraling inflation, that is a major accomplishment.

I have spoken many times on the theme that we cannot divide the problems of urban and rural America. They are intertwined. Poverty is not restricted to the big city. Pollution threatens countryside as well as city. And economic chaos and distress are, if anything, worse in our rural areas.

In fact, hearings on this bill revealed that:

Sixty percent of the Nation's substandard housing is in rural areas;

Per capita income is lower in rural areas;

Fire protection and ambulance service is inadequate in rural America;

Rural areas need more water and sewer systems; and

More jobs are needed to combat rural unemployment.

When rural people seek to find a solution to these problems of migration to our urban areas, all that happens is that the scene of the problem shifts. It then becomes the turn of the city to try to provide adequate housing, jobs, utilities, health and recreation facilities, fire and police protection. There is no reason why these services cannot be provided in rural areas to begin with.

The basic purpose of this act is to provide an effective program to enable rural America to offer living conditions and employment opportunities adequate to stop the rural to urban migration which our Nation has been facing. This legislation holds the promise of not only checking the massive out-migration we have been facing, but also provides programs which would make it desirable for Americans to return to rural areas. Recent polls show that nearly two-thirds of Americans would prefer to live in small towns or open country.

The primary problem in upgrading life in rural America is providing adequate amounts of capital and putting it to work in a wise manner. While this legislation does contain several new grant authorities for rural development, the key portion is the proposed guaranteed loan authority. In addition, existing programs administered by the Soil Conservation Service and the Farmers Home Administration are made more comprehensive taking in areas of general rural development.

This act offers new, positive programs to encourage and assist the development of business, industry, community centers and services, and pollution abatement and control in our small towns and countryside. It encourages our younger people to remain in the rural areas by making it easier to obtain loans for farming and rural business development. It gives greater flexibility to existing programs for improving and developing the resources of our rural areas. It strengthens the fire protection available to rural areas. And it seeks to foster a balanced national development that provides opportunity for increased numbers of Americans to work and enjoy a high quality of life dispersed throughout the Nation.

Finally, it directs the Secretary of Agriculture to provide leadership and coordination within the executive branch for nationwide rural development program utilizing the services of the National Government as well as State and local governments. In doing so, he shall establish employment, income, population, housing, and quality of community services and facilities goals for rural development. He shall prepare an annual report to Congress on the success in obtaining these goals. He is also authorized to initiate or expand research into the problems of rural water supply, rural sewage, and solid waste management, rural housing, and rural industrialization.

Mr. Speaker, I am firmly convinced that this bill holds the promise of beginning a major new effort to obtain viable and meaningful programs that can provide the facilities and services to improve the quality of rural life to the point of reversing rural to urban migration. Whether this promise is fulfilled or not, we must make the effort.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. BERGLAND).

Mr. BERGLAND. Mr. Speaker, I rise in strong support of the conference report on the Rural Development Act of 1972 under consideration today in the House of Representatives. This bill is designed to improve the living conditions of rural America and most importantly the economy in rural America. This is a bill of tremendous importance to the residents of my congressional district—a district which includes over 250 communities that could in one way or another benefit from the provisions of this bill.

At this point I wish to express gratitude to those House conferees and Senate conferees who worked on this measure, and through their combined efforts have come up with a meaningful piece of legislation.

Second, a word of thanks is in order to my colleagues from our urban areas. Without their approval, this bill would have failed. More and more Congressman from our rural areas are contributing to the success of much-needed legislation for our urban areas; and our city Congressmen are seeing that providing help to our rural areas can mean relief for them. Much of the problems of our cities and increasingly even the suburban satellites, is due to the movement of people from our rural areas into our cities—where the public facilities and industries are hard pressed to meet the needs of these individuals. This legislation is a major step in stemming the flow of individuals into our cities. Where cities are burdened by the steady increase in population; rural areas are struggling to maintain population and their survival is dependent upon growth.

H.R. 12931 will provide aid to communities for much-needed public facilities. These facilities will contribute to making these areas more attractive to live in. Some of these provisions are outlined below.

The bill triples the authority to $300 million for assistance to small communities under the Poage-Aiken act for use in construction of water and waste disposal projects. It doubles the authorization for rural sewer and waste disposal planning grants to $30 million. It provides $75 million assistance for pollution abatement projects.

A pilot rural fire protection program is authorized at a level of $7 million per year. The small watershed program and resource conservation and development programs are expanded to include cost-sharing for water quality management, land utilization, and waste control. Municipal and industrial water supply cost-sharing is also authorized for the first time along with long-term—10-year—cost-sharing contracts.

Long-term—10-year—Great Plains type of conservation contracts are authorized for the REAP program—including air pollution abatement.

Perhaps my only disappointment in this legislation is the fact that it does not meet the needs of young family farmers trying to get a start. I am hopeful that my colleagues from the city will join in efforts next year to remedy this situation through the farm program. It does, however, increase the FHA farm operating loan ceiling to $50,000 from $35,000, and these loans will be insured.

While I believe the provisions in this bill which provide resources for public facilities are important, I believe that even more important are the provisions in the bill which could contribute to the growth and/or stabilization of the population in our rural areas. This kind of growth is dependent on the economic health of an area and on new industry. The bill does provide credit to finance job-producing enterprises. It has been an unfortunate fact that big financial organizations have in the past been unable or unwilling to provide these resources.

The Farmers Home Administration loan authority for various existing rural development programs is greatly expanded. Generally, the terms of the bill will cover rural areas and communities of up to 10,000 population. Business and industrial loans, however, could be made in communities of up to 50,000 population. The bill provides for maximum cooperation between the Farmers Home Administration and private financial institutions by making use of guaranteed loan programs.

Further, H.R. 12931 provides for a 3-year program to be administered by the land-grant colleges and universities to conduct research on ways and means of improving the standards of living in rural areas. There are other provisions as well which generally can only contribute to rural development.

I urge adoption of this conference committee report.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. LINK).

Mr. LINK. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, I urge the support of my colleagues from both rural and urban America for the conference report on H.R. 12931, to provide for improving the economy and living conditions of rural America.

Repeatedly, I have said during my term in Congress that too little attention is being given to the problems of rural America in the total context of the problems afflicting our Nation. A more prosperous rural America would be capable of providing more good jobs, and improved public services which would help relieve the congestion in the Nation's large cities.

The Rural Development Act is a positive, constructive contribution toward this objective by providing new grant authority to improve living conditions through such programs as pollution abatement and establishment of industrial centers to provide new jobs. It also expands loan authority for various existing rural development programs.

These items are a plus for rural America, but we must not lose sight of the main object, which is an improved farm program. Current farm parity of 73 percent is slowing down economic progress throughout rural America.

The current farm program expires next year, and it must be replaced with new policies that will give farmers a fair break. Together, the Rural Development Act and an improved farm program will help renew rural America.

As a member of the House Agriculture Committee that worked on this measure I recommend a strong affirmative vote on this conference report.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. GRAY).

Mr. GRAY. Mr. Speaker, I rise in support of the conference report.

I want to thank my friend the distinguished chairman for yielding. I rise in support of H.R. 12931, the Rural Development Act of 1972. Mr. Speaker, if this conference report passes today and is signed by the President, it will be of tremendous value to the small communities in Southern Illinois and across the Nation. I have always felt that the farmer is the backbone of our Nation. Without the food and fiber our rural communities produce, we would be a nation in dire need. Our rural communities need a clean water supply. They need sanitary sewer facilities. They need good fire protection. In Illinois our real estate, personal property tax, State income tax, Federal income tax, and other burdensome taxes prevents many local communities from making needed improvements, because they do not have the necessary funds. This legislation will allow many of these improvements to be made. The Farmers Home Administration has spent several hundred million dollars in rural communities of Illinois over the past several years, but much remains to be done. I encourage my colleagues to vote for the conference report and send the legislation on to the President for his signature.

Mr. POAGE. Mr. Speaker, I yield to the gentleman from Kentucky (Mr. STUBBLEFIELD) such time as he may consume.

Mr. STUBBLEFIELD. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, as you know, I was a cosponsor to the Rural Development Act of 1972, and I have worked hard to start and keep the ball rolling on this most important piece of legislation.

I believe that the passage of the rural development bill will result in raising the standard of living of millions of families on farms and in small communities throughout this land.

The effect of this legislation should help reverse the ever-increasing migration of Americans from rural areas to the crowded ghettos in the urban centers, where many go on relief. Our problem is not so much one of what we call "population explosion," but rather it is, at this point, one of overconcentration of people. Because space is inadequate to meet the needs of this supersaturated solution of city dwellers, we find ourselves in the position of trying to find the answers to the compounding problems aggravated by such conditions. We complain about inadequate housing, poor transportation, a deteriorating educational system, few—if any—surplus of jobs, bad health brought on by both deficient health facilities and unbearable pollution—and on and on we could go.

As a congressional Representative of one of America's most rural sections, my interest primarily lies with the problems facing the people of my particular district. The cities certainly have their problems, but the rural areas' needs could be the very answers to these problems. I would venture to say that poverty, as opposed to inadequate space in the city, is the rural sector's major problem area. Yes; we have inadequate housing, poor or no transportation, below-par education, few if any jobs other than farming, and poor health stemming more from insufficient health care and facilities than intolerable pollution.

I say we should use the principle of "what is one man's loss is another man's gain," and in the end all will gain. Rural America can provide the space for the mass humanity in the cities, while urban America can contribute to the regeneration of this Nation's countryside by making it economically feasible for industry to relocate and by providing a stimulus for new enterprises. Where jobs can be found, people migrate; where industries locate, communities thrive.

The legislation under consideration and discussion is an important first step and authorizing new loan and grant toward reversing the rush to the cities programs to finance the creation of new business, industry, and employment in rural America. The programs granted under this bill will not only double the present authorization for water and waste disposal construction grants, but it will help build community centers, provide long-needed fire and rescue services, raise the loan limit in the agricultural credit insurance fund five times higher than it presently stands, and it will also grant to the Secretary of Agriculture new authority to share the costs of water quality management, land utilization, and agricultural waste management. The rural development bill also gives priority to the locating of new Federal facilities and offices in rural areas.

Come on, America, we will share our land with you in order to help stem the tide of the eroding quality of life in this country. However, passage of the Rural Development Act of 1972 will be absolutely necessary to begin to accomplish this reversal and bring about a fresh hope and new purpose for the future to the rural Americans scattered across not only my congressional district but the length and breadth of this land.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. JONES).

Mr. JONES of Tennessee. Mr. Speaker, I rise in support of the conference report and urge its passage.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. PURCELL).

Mr. PURCELL. Mr. Speaker, before the House today is a piece of legislation which has been quietly traveling one of the most arduous and complicated routes through the Congress in my memory. The Rural Development Act of 1972 was conceived very early in the 92d Congress. Since then it has been in scraps with the revenue-sharing programs, and later with the executive reorganization proposals. But now it has cleared these hurdles and it deserves the complete approval of the House.

This conference report represents most of the objectives of more than 130 rural development bills introduced in 1971 alone. As an author of one of its titles and as a conferee for the House, I am proud of this legislation. Within its six titles is contained the authority which can go far in turning around some of the trends which today are strangling American cities and starving the American heartland. It is gratifying to realize that concern for rural America is finally a real thing, and that Congress is on the verge of doing something about it.

I am especially proud of title I of this bill—"Amendments to the Consolidated Farmers Home Administration Act of 1961." Title I vests in the Farmers Home Administration authority which will provide an extensive package of rural community-help assistance. These amendments are designed to extend Farmers Home activities into the business of industrial and business opportunity development. Presently with 1,700 district offices, Farmers Home provides assistance to rural area communities by financing housing, telephone systems, water systems, and sewage disposal systems. Adding to that already proven capability, this legislation authorizes Federal grants and loans to local community-oriented industrial development organizations for their use in planning, developing, and constructing facilities necessary to attract outside industry. In addition, it will provide Federal loans to business and industry as a further incentive for their relocation or expansion into rural America.

Let me reemphasize what I said last winter when this bill was first before the House. There are on the books right now more than 1,700 Federal programs designed to be of primary benefit to large cities; 350, one fifth as many, have been designed to be of primary benefit to rural areas. And to date these 350 are strained to the last degree, unable to approach most of the demands upon them.

We have put together a bill which will focus Federal attention directly upon urban and rural America's common problem—a rural America which offers less and less opportunity to a more and more mobile society. The Nation will benefit from the enactment of this bill.

We should agree to this conference report. The country is waiting for it.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from South Dakota (Mr. DENHOLM).

Mr. DENHOLM. Mr. Speaker, I rise in support of the pending conference report.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Speaker, I support this needed and meritorious legislation.

Mr. Speaker, not all of America has progressed as we have wished. There are rural areas whose development has lagged, where too many of the young men and women must go elsewhere for a proper livelihood, where beautiful fields, woodlands, and streams are not fully utilized and do not contribute to the general prosperity.

Many times I have expressed my concern about this situation. I said there must be a better day for rural America, a day which would see a reversal of the flood of migration away from the farms and rural communities to the cities. There too often people who were seeking a better life found themselves instead in the slums, on welfare, or in crime. I can think of no better contribution toward a sounder and stronger America than to insure a proper livelihood for these millions back on the farms and in small towns where the values which made America great still flourish and are respected.

It has not been an easy task to provide the legislation which can restore conditions for a good livelihood to the rural areas. Farm-oriented Congressmen and Senators are now fewer in number. The cities and their problems command the attention of most Members. However, at long last, we are close to final enactment of a rural development bill which can make a difference between today's rural problems and tomorrow's rural promise. The bill which we need is now before the House for agreement on the conference report. This bill will provide through the Soil Conservation Service, Farmers Home Administration, and the Agriculture Extension Service, all tried and tested agencies, for new programs of development which can mean the full rehabilitation of rural America. It will help to assure the better living conditions which are needed and the means by which to achieve them. These will not be handouts. The bill will offer programs to help people help themselves. It will offer all that really is required except initiative and a desire to take advantage of its provisions.

In this bill the Secretary of Agriculture is authorized and directed to provide leadership and coordination within the executive branch and to assume responsibility for coordinating a nationwide rural development program. It is significant that nearly every major farm organization supports this bill and the conference report. They know that a need exists. We must accept the responsibility for meeting the great problem of rural revitalization in a dynamic and effective manner.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to my neighbor, the gentleman from Louisiana (Mr. PASSMAN).

Mr. PASSMAN. Mr. Speaker, I rise in support of this legislation.

Mr. GOODLING. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa, a member of the committee (Mr. KYL).

Mr. KYL. Mr. Speaker, first I would like to dwell for a moment on the question asked by the gentleman from Texas (Mr. PRICE) relative to the anti-piracy provisions of this legislation. Because the law being amended is a little different in the Senate version than the House, it could be a nongermane amendment under a strict legal interpretation as the chairman of the committee said.

However, both Houses have provisions of this nature in their bills.

Also, I would like to point out this provision is not something new or revolutionary. It is, as a matter of fact, closely akin if not exactly the same of that language used in the economic development administration language, which I think has served a good purpose.

For that reason, I do not think the gentleman would have serious disagreement with the provision in the bill.

Mr. PRICE of Texas. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman.

Mr. PRICE of Texas. To respond to the gentleman—the only difference I see is that the Secretary of Labor under these other provisions does not have the authority over the Secretary of Agriculture in this matter and under this bill, section 3.

Mr. KYL. Someone has to have this authority and the expertise to administer. The Department of Agriculture would have to hire an entirely new bureau within its Department if it were to police this proposition. They do not, as a matter of fact, have the expertise. While both the gentleman from Texas and I may have preferred some different provision, I think this one is adequate. I do not anticipate the farmers or the small towns or anyone else are going to have a problem with it.

Mr. PRICE of Texas. In response, I would just like to say the TVA does not like to have labor looking over its shoulder—and other agencies do not have labor looking over their shoulder telling them what to do as provided for in this bill.

Mr. KYL. The gentleman realizes that the Department of Agriculture has a whole lot of people looking over their shoulder at all times. This is not a new departure in that respect at all.

Mr. ZWACH. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman.

Mr. ZWACH. Mr. Speaker, I want to commend the gentleman for the tremendous input and the effort during these past months that he has put into this rural development bill and for the position that he took here today in support of it, which assures us of legislation.

I want you to know, my colleague (Mr. KYL) that I feel you have made a tremendous contribution to countryside America and to America.

Mr. KYL. I thank the gentleman.

Mr. THONE. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman.

Mr. THONE. Mr. Speaker, I, too, would like to second what the gentleman from Minnesota has said. I think the gentleman from Iowa (Mr. KYL) should be complimented and his leadership should be acknowledged in the revitalization of rural America. In my opinion, this is really a fine bill. It will help both rural and urban America. It should get a sound endorsement from the House here this afternoon.

Mr. KYL. I thank the gentleman.

Referring to the remarks which were made by my distinguished friend and colleague from Pennsylvania, his first complaint was the amount of money which was expended in this bill. I think that I should remind the House again that the amount authorized in this bill is lower than that which was provided originally in the House bill or in the Senate bill. The bill did pass by a voice vote in the House by a wide majority, and it also passed the other body.

Mr. GOODLING. Mr. Speaker, will the gentleman yield on that point?

Mr. KYL. I will be happy to yield to the gentleman.

Mr. GOODLING. I believe you will admit that it is a $400 million bill that is not budgeted; is that right?

Mr. KYL. I would have to tell the gentleman I think probably he errs a little on the conservative side. I believe there is more money than that involved in the bill.

Mr. GOODLING. I apologize for erring on the conservative side.

Mr. KYL. I thank the gentleman.

I want to go a little further in this dollars-and-cents business. I do not want to mislead anybody here into thinking that all of this money is going to be available, because the gentleman from Pennsylvania knows, as I do, that we have not appropriated up to the amounts that have been previously authorized. I hope that by getting an overwhelming vote in favor of this conference report we can stimulate the Office of Management and Budget, and other agencies of the departments downtown, to go along with a full funding, because actually we have been somewhat dishonest with the people in the rural areas to this point. Let me show you what I mean.

We set up an office for Rural Conservation and Development. That department has no money.

The SPEAKER. The time of the gentleman has expired.

Mr. GOODLING. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. KYL. That Department has had no money, has a few advisers sitting down in the Department of Agriculture who can do nothing except say: "We are interested in your projects; we would like to help you; but we do not have any money."

Then we now give that Department the funds it needs to operate effectively. We made a promise. Now we are helping to fulfill the expectations of the people, and I think that this, rather than being something for which we should be criticized, is something for which we should be given credit.

While I am on that point, let us turn to this business of the Assistant Secretary. This is a specious argument, unless the Congress wants to place an absolute limit on the personnel employed by the Department. Since we did not have the ability to create an additional Assistant Secretary of Agriculture, what did we do? We hired an additional Deputy Under Secretary to do the same work. You are going to have this person employed in that Department and at a high level of salary for a competent person, whether you have the additional office or whether you call it Deputy Under Secreary, or anything else.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. KYL. I will be happy to yield.

Mr. WHITTEN. I know the gentleman is interested in agriculture, and I appreciate the points that he has made. I note since I have been chairman of the Subcommittee on Appropriations dealing with agriculture it is well for all of us in Congress to point out that we can all join in hoping that an appreciation of rural areas will be recognized throughout the country.

I point out that at this time some $58 million is frozen on rural grants for water and sewage. $170 million were frozen on REA systems last year, and so it goes down the line. We are going to have to have an appreciation by the Office of Management and Budget because existing programs have been less than half funded, and in some instances just simply because they will not release some money.

I hope the fact that the Congress passes this bill overwhelmingly will cause an appreciation in our country so that we can get the rural areas developed to the maximum and thereby relieve the pressure on our cities, and I know the gentleman in the well is active in this area.

Mr. KYL. I thank the gentleman for bringing out this matter. I sincerely hope that taking care of the economics in the rural areas will in the future help to cure the problems which have become urban problems.

The gentleman from Pennsylvania also spoke about this new college concentration on research of the small farm activity. We have spent a lot of money in the past on how to produce. We have spent some dollars on distribution, but we have not given adequate attention to other factors. We have not given enough attention to the small farmer, particularly in management aspects. This is the point at which the small farm becomes efficient or inefficient. There are a host of other factors which certainly cry for some assistance in agricultural research for the small operator.

I want to add one further word. This program with all its expenditures, if authorized and appropriated, will not answer the questions of rural area economic development if we continue to consider that each project is an end in itself. This bill provides planning money very wisely so that each particular project becomes part of a developmental process, and if in rural areas we can begin thinking in terms of processes rather than projects we can find meaningful answers to development.

The thing I like most about this bill is that it does offer project planning opportunities providing for a continuous growth, and it also anticipates the participation of people in this process.

Rural development must be considered as a continuing process. This bill does not simply attempt to make life a little better or a little easier. It is designed to produce jobs, to build rural area income, to provide opportunity for a sound economic base. It is designed to stop outmigration of population. It is a good bill. It provides great assistance if we will use it wisely.

Mr. PRICE of Texas. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Texas (Mr. PRICE).

Mr. PRICE of Texas. Mr. Speaker, I did not want to see a Secretary of Labor having jurisdiction over the Secretary of Agriculture, a man who is very learned in this area, on such things as farm operating loans, which is an amendment in this bill and which in this bill is raised from $30,000 to $65,000. I think this is a step which would help a person have a more rounded operation and help to keep our people at their jobs on the farms where we can provide jobs and opportunities and advantages to keep these people in rural America. I think this bill is a great step forward. I am certainly for it, as the gentleman is.

Mr. Speaker, I thank the gentleman for the contribution he made toward this bill and I thank him for the part he played in developing this bill.

Mr. KYL. I thank the gentleman from Texas.

Mr. POAGE. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Speaker, I rise in support of the conference report on the bill H.R. 12931, the Rural Development Act of 1972.

We know that one of the greatest challenges facing the United States today is the revitalization of rural America. The legislation under consideration today, if enacted into law, would go a long way toward meeting that challenge with a major program designed to bolster the Nation's rural economy and improve living conditions in rural American communities.

The need for a new, vigorous, and comprehensive program to stimulate rural America and stem the tide of migration to the already conjested cities, was clearly demonstrated during hearings conducted by the Agriculture Committees of both Houses. The House Agriculture Committee responded with positive action to report H.R. 12931 in the House. The bill was approved on February 23. Approval by the Senate of an amended version occurred on April 20.

I have particular interest in this legislation as I have the privilege of representing the citizens of the 15th District in California, which is located in the heart of one of the most abundantly rich agricultural regions in the world. The counties which make up the 15th District—San Joaquin, Stanislaus, and part of Merced—produce a cornucopia of fruits, vegetables, nuts, grains, meats, and dairy products in such variety and abundance found in few areas elsewhere in the world.

Even with great abundance, problems do exist, and the Rural Development Act will provide the means to meet many of them. The legislation before us would provide a new vista for our agricultural community—namely, more widely opening the Federal farm credit and assistance door to many existing and potential rural cooperatives, which heretofore have been excluded from these credit and assistance programs.

During my service in the Congress, I have maintained a close and working relationship with all segments of the agribusiness community in the 15th District, from the small farmer to the large processing firms.

Credit, wisely used, is an important tool for new development and continued progress for the agricultural community. Another tool is organization. Not too long ago a group of apricot growers in the 15th District organized to form a cooperative to process and market their product. They contacted me to inquire about the possibility of securing Federal loan assistance to enhance the development of the new cooperative. We explored all avenues of aid, including those offered by the Economic Development Administration, Small Business Administration, Farmers Home Administration, Farmers Cooperative Service, and Federal Land Banks.

All doors were closed to existing credit programs. The new cooperative did not qualify for programs providing loan assistance to more substantial ventures, nor did it qualify for Office of Economic Opportunity programs for low-income persons who organize cooperatives and need assistance. In short, the members of the cooperative found themselves in a credit limbo—neither substantial enough nor poor enough to qualify for Federal assistance.

It became apparent that other such cooperative ventures across the country with a great potential for success simply could not receive needed Federal assistance.

The Federal Government long has recognized the importance of extending credit, loan guarantees, and grant assistance to many elements of the agricultural community, and has considered agricultural cooperatives as a cornerstone of progress within the economic community of the Nation.

With these considerations in mind, last year, I introduced H.R. 8800, which would amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans and grants to certain cooperatives serving farmers and rural residents, which had been excluded from existing farm credit and assistance programs.

The bill was referred to the Committee on Agriculture and Chairman POAGE and of the committee's Rural Development Subcommittee, invited testimony on H.R. 8800 as it was conducting hearings to explore new methods to improve the development of our Nation's agricultural and rural resources.

It was my privilege to present testimony in support of H.R. 8800 and I was heartened by the inclusion of provisions carrying out the intent of that bill within H.R. 12931. Similar language was included in the Senate's version of the Rural Development Act, and I am glad that the conferees have retained them in the report under consideration by the Members today. I urge adoption of the conference report.

Mr. GOODLING. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. HORTON).

Mr. HORTON. Mr. Speaker, it is my intention to offer a motion to recommit the conference report. The motion will also have instructions to the managers on the part of the House to strike out sections 603 and 604.

I will take only a few minutes to explain that the Government Operations Committee has reported out H.R. 6962, which is a bill to create a Department of Community Development. I do not think this is the time to debate the merits of that bill, but I would like to point out there will be some degree of conflict between these bills.

The organizational provisions contained in sections 603 and 604 granting the Secretary of Agriculture governmentwide authority for all rural development programs are appealing theoretically, but they will not work.

The conference report divides the country into two parts, one-third which is rural and two-thirds which is urban. This would further aggravate the conflicts we have seen between programs for urban and rural America. It would be impossible to generate balanced, rational growth for our communities which we all realize is needed. Let me quote the distinguished Democratic Governor of the State of Missouri, Warren Hearnes, who testified before the Government Operations Committee in support of the Department of Community Development and against the type of proposal suggested in this conference report:

> As I leave office, the greatest disappointment that I have had is the continual use of the words urban-rural, every time legislation is pending. Maybe an editorial in the metropolitan paper chastises the rural interests, and then I will read an editorial from a rural paper chastising urban interests, and that this is an urban or a rural problem, and it is not our problem. And the difficulty for a Governor who tries to administer to the needs, in my case, of almost 5 million people, and they are all people of the State of Missouri, whether they come from one place or the other, is trying all the time to banish those two words from the dictionary. But as far as government is concerned, I wish I had never heard of the two words, urban and rural, because they have served as a divisive force, as I have seen in the State gocernment.

Look closely at how the country is divided into urban and rural areas by the conference report. Section 109 of the Rural Development Act amends section 306(a)(7) of the Consolidated Farmers Home Administration Act of 1961 to define "rural" and "rural area" as "any area in any city or town which has a population not in excess of 10,000 inhabitants" except for loans and grants to private enterprise where it means any area outside of any city of 50,000 or more and its immediately adjacent urbanized and urbanizing area with a population density of over 100 persons per square mile.

This means that among the cities and towns qualifying as rural are such places as the posh artist colonies of Sausalito, population 6,158, and Tiburon, 6,209 in the San Francisco Bay area; the wealthy main line towns of Bryn Mawr, 5,737 and Malvern, 2,583 on the outskirts of Philadelphia; the dormitory suburbs of Chicago, Robbins, 9,641 and Hometown, 6,729, and the New York suburban gold coast towns of Bronxville, 6,674 and Larchmont 7,203.

For other purposes of loans and grants to private enterprise, the definition of "rural area" in the bill embraces communities up to 50,000 in population. In three States there are no cities above 50,000; in six States there is only one city over 50,000; and in five States there are only two cities over 50,000. This means that in 14 States, under the conference report, the Secretary of Agriculture would have a business loan function that is practically statewide, and, of course, he would have similar responsibilities in many small towns and cities throughout the 50 States.

The country cannot and should not be divided into two parts, one urban and one rural.

This conference report envisions a single bureaucracy for programs benefitting rural America solely and a number of other bureaucracies for programs benefitting urban America solely and those which have an impact on both areas. It would lead to a waste of money due to overlapping authority of duplicative programs. We will continue to find several agencies involved in projects in one community working at cross-purposes.

This conference report offers interdepartmental coordination to take care of these problems of overlap and duplication. But how would the Secretary of Agriculture coordinate the Commerce Department, the Interior Department, HUD, the Small Business Administration, the VA, the Post Office, and so forth? What sort of authority would he have to set policies for those programs outside the Department of Agriculture? Would he dictate the terms of program administration? We all know he could not. Can you imagine the redtape that would result if he tried.

This conference report would only heighten the confusion resulting from overlapping program authority among the agencies. Think of the communities which will have to visit several different agencies to find out what assistance is available for their development. These small towns will have to go to the expense of applying to several different agencies for assistance, all with unique requirements for their applications. There will be four different water and sewer programs under four different agencies under this conference report. You should also consider that most rural community development schemes involve several different programs under different agencies and these small communities will have to operate these assistance programs according to the rules of the different agencies. This conference report offers only interdepartmental coordination assistance to mayors, and we all know that is never very effective.

There is still another point that should be made about the effect of making the Secretary of Agriculture responsible for rural development as well as assisting farmers. There are 2 to 3 million farmers in this country facing immense problems of adapting to new modes of agriculture production and marketing. How much time can we expect the Secretary of Agriculture to put in on helping the 2 to 3 million farmers when he is also responsible for the development of the communities of the 80 million people living in rural areas. The Secretary of Agriculture will not have much time for farmers if he also has to worry about water and sewers, community planning, community facilities, and so forth.

The fact is that section 603, giving the Secretary of Agriculture responsibility for all Federal assistance to rural America was added by the other body to the rural revelopment bill at the markup stage and was never subject to hearings. It was not discussed on the floor of the other body. There was no such provision in the House bill. The Agriculture Committee has not reviewed this grant of authority. The issues raised are truly complicated and bear considerable study.

The one committee of the Congress that has studied this issue has reported a bill, H.R. 6962 to create a Department of Community Development, which would organize rural community development programs in a very different manner. The Government Operations Committee in hearings that lasted for a full year and involved more than a hundred witnesses was told that the organizational scheme proposed in this conference report will not work well. We were told this by Democrats and Republicans, by representatives of the administration and by high-ranking officials in previous Democratic administration. We heard from Governors and various local officials that rural community development programs should be consolidated, not coordinated, with other community development programs. Three advisory committees to the last three Presidents have argued the same.

They have all agreed that it is wrong to try to divide the country into urban and rural areas, and that it is wrong to rely on interdepartmental coordination.

They have all felt that programs which have similar goals and must work together should be under common administration and not just coordinated.

Only by such a reorganization will we be able to avoid the waste resulting from overlapping and duplicative program authority among agencies.

Only by such a reorganization will we be able to work toward effective and efficient one-stop service for rural communities.

Only through such a reorganization can we make the Federal Government more responsive and understandable to the citizens of this country.

The basic problem, then, with the organizational provisions of this conference report is that they mislead people into thinking that Federal assistance for rural development will be taken care of by this bill. Just because we approve the program authority needed to meet many of the problems faced by rural America, we have not thereby solved the problems. We must also concern ourselves with the machinery that delivers the assistance we are voting on today. The machinery proposed in this conference report will not do the job. We must not feel that by placing this program authority in the Department of Agriculture, we are making anything more than a temporary adjustment. We should rethink the reorganization of the executive branch. We should examine the studies and recommendations that have been made on the problems and opportunities we face. And if we really feel that it is important to make Federal assistance to rural America effective, efficient, and responsive, then we should work toward the enactment of H.R. 6962 creating a Department of Community Development.

I feel it is very important to delete sections 603 and 604 so that there will not be the possibility of any conflict with H.R. 6962.

I urge that the motion to recommit be supported.

Mr. POAGE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker and Members of the House, it is pleaded today that we should recommit this bill in order that possibly there may be no conflict between it and a bill which is not yet even before the House. That seems to me to be just asking a little too much of us.

I do not have any suggestion as to how we should vote on the bill of the gentleman from New York. I am not passing upon his bill but it is not before us. It has not come before the House. It has not been voted on. It is not the law. It may never become law.

This rural development bill has passed both the House and the Senate, and we have tried to make reasonable provision for the coordination of the administration of the bill under the law as it now exists.

It would seem to me to be rather farfetched for us to jeopardize the final passage of this admittedly good legislation simply in order to make it fit in with some legislation which may or may not ever come before this House, much less before the other body.

I hope that the Members of the House will not see fit to vote for a motion to recommit, which will throw us back into conference and throw us back to where we will not know whether we can take any action at all this year, thus jeopardizing the whole bill. Is it not a little too much to ask that we take a chance of destroying our bill just in the hope that the gentleman can make it a little more in keeping with the legislation he hopes will pass at some time in the future? When he gets his bill on the floor we will have plenty of time to decide who should head up this rural development.

I hope the Members will vote down the motion to recommit and agree to the conference report.

Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR. Mr. Speaker, I rise in support of the conference report on H.R. 12931, the Rural Development Act of 1972.

The basic purpose of the legislation is to improve the living conditions and employment opportunities in rural America. In doing that, it of course would benefit all Americans, for it should curb the flow of our citizens from the farms and small communities to the Nation's large population centers. As we all know, a great many of these people, entire families as well as young people in search of employment, have gone into the inner core of our largest cities, a great many of them directly onto relief roles in areas where crime is rampant.

So this is not a bill of interest only to those on the farms and in the small towns. In fact, it applies to rural areas and cities of up to 10,000 population—and up to 50,000 population in regard to certain job-creating enterprises. It therefore can be of direct benefit to some 80 million of the more than 205 million people now living in the United States.

The need for such legislation is amply evident.

The per capita income in rural areas is lower than in our cities.

Services such as fire protection and ambulance service are often totally absent or inadequate in a great many of our rural communities.

Rural areas urgently need more water and sewer systems to be on a par with the urban areas.

More jobs are desperately needed to provide employment for those who live in rural areas.

I reiterate, Mr. Speaker, that all Americans have a high stake in rural development even though more than 70 percent of our Nation's population lives on 2 percent of our land. The problems which many rural areas are now experiencing are directly linked to those of our cities and suburbs. A central cause of changing living patterns has been the increasing mechanization of agriculture and other natural resource industries such as mining and lumber. Fewer jobs have resulted in these changes. This bill will provide aid to small towns and cities wanting to retain such industrial plants as they might already have, and enable them to bring new job-creating enterprises into their areas. It enables them to do this through both loan and grant programs which will improve living standards in various ways, including installation of modern water and sewage facilities.

Here are a few of the highlights of the conference report:

It provides approximately $500 million in new grants and cost-sharing authority. The Farmers Home Administration loan authority for various existing rural development programs is greatly expanded.

A pilot rural fire protection program is authorized at a level of $7 million per year.

A 3-year program for research on ways and means of improving standards of living is established, to be carried out by land grant colleges and universities.

A $50 million grant for assistance to public bodies for financing facilities to encourage industrial development is authorized.

The small watershed program and resource conservation and development program are expanded to include cost-sharing for water quality management, land utilization, and waste control.

Municipal and industrial water supply cost-sharing is also authorized.

Long-term, 10-year, Great Plains-type of conservation contracts are authorized for the REAP program. Air pollution abatement is also included as an approved REAP practice.

The FHA farm operating loan ceiling is increased from $35,000 to $50,000, and these loans may be insured.

Mr. Speaker, I know the Committee on Agriculture worked long and hard on this legislation and I hope the conference report will be approved.

Mr. GALIFIANAKIS. Mr. Speaker, I rise to join with the distinguished chairman of the House Agriculture Committee, Mr. POAGE, in support of this historic rural development legislation.

I am aware of the crisis of the cities, and I have often voted with my urban colleagues in support of legislation to cure that festering problem.

But now I am asking for help for my people, the people of the North Carolina countryside.

Despite pressure from agribusiness interests, North Carolina is still the home of a multitude of family farmers. In 1969, for example, 42,911 North Carolina farms had only between 10 and 49 acres. Sadly, many of these are just marginal farms, hanging on in the face of rising operating costs.

Between 1964 and 1969 the number of farms in my State declined from 148,205 to 119,386. The amount of land being farmed decreased from roughly 14 million acres to 12 million acres.

Now where are these farmers who are being displaced from farming in North Carolina going? The U.S. Department of Agriculture can tell you. They are going to Washington, D.C., New York City, and Philadelphia. The last time I checked, these cities did not have any real need for any significant population increases. They cannot take care of the people they have got now.

We have got to provide some nonfarm employment in rural America so that these good people do not have to leave their homes and friends to find work, and that is what this bill seeks to do.

But there are more problems in rural America than on our farms. There are only 2.9 million farms remaining in America, but 31 percent of our total population lives in rural towns and villages of under 50,000 population. These people have no big lobbies working for them in order to provide them with the help they need. Has anyone in this chamber seen a well-staffed coalition of rural mayors asking for help lately?

Yet, these towns and the open country of this country have half the poverty of the Nation, and two-thirds of the substandard housing. The water and sewer needs of rural America amount to more than $14 billion.

Yet, last year, this Government could only manage to spend $47 million for these thousands of small towns. Last year, the Department of Housing and Urban Development abolished its small communities division over the objections of a consulting firm which HUD itself had hired. Rural people receive 17 percent less in per capita Federal assistance than their urban cousins.

Mr. Speaker, as I did on February 23 of this year, I urge the adoption of this desperately needed legislation so that American farmers and the people of the small towns can get a more equitable return on their investment in America. These are hard-working people who honestly want to pull up their communities by their bootstraps. But right now, few of them have any bootstraps.

Mr. LEGGETT. Mr. Speaker, I support the conference report on the Rural Development Act of 1972.

This is a good bill at a reasonable price. Its overall cost is $200 million below that of the original House-passed bill and, like the original bill, it provides for a number of excellent programs.

It includes loans and grants for water, sewer, and solid waste disposal projects, industrial parks, job development, and housing in rural areas. It also provides for insuring certain types of development loans.

There is some feeling that the program should come under a new Department of Community Development. My feeling is this: Such a department may well be desirable, but inevitably it would be urban-oriented. I say this not to deplore, but simply as a matter of fact. Our urban areas have great and real needs which should be met, but they are different from the needs of rural areas.

The needs of rural areas can best be met within the framework of the Department of Agriculture, that is where I shall vote to keep these programs.

Mr. DORN. Mr. Speaker, I fully and enthusiastically support legislation which will improve rural life in our Nation. This legislation places new emphasis on the problems of our rural sections and the subsequent problems of its citizens. The Secretary of Agriculture will provide leadership and coordination and will assume the responsibility for a nationwide rural development program. The research efforts for developing our rural areas will be doubled and the full support of the Department of Agriculture and other Federal agencies will be available to the rural citizen.

Mr. Speaker, agriculture is important, but this legislation addresses itself to the life and basic elements of rural America. I am referring to the great need for water distribution systems, sewerage and waste disposal systems, adequate housing, and employment opportunities near or in the rural areas. In this legislation, approximately $300 million will be available for these much needed projects. This will enable the small farmer to stay on his land and still provide adequately for his family. The bill provides that communities of under 10,000 will be eligible for these rural development grants. As demands for services grow and towns already taxing to the maximum, these Federal funds will be a lifeline to many sinking communities.

Private nonprofit groups and other citizen groups in rural areas will also be eligible to apply for these grants and loans. Most importantly, a rural development insurance fund is established under this legislation. This fund will be utilized in the guaranteeing or insuring of rural development, and it enables the Secretary of Agriculture to pay interest subsidies on guaranteed loans in the same manner that he could on other insured loans. The rural bank will be significant in the continued development of the rural areas through its participation in construction of housing, community facilities, water and sewerage lines, and even cooperative associations.

Mr. Speaker, as a farmer and being from a rural area, I can appreciate the full impact of this bill. The citizens of the Third Congressional District in South Carolina, which is primarily a rural area, are proud of their heritage and their accomplishments. Many of my fellow farmers work in industry and farm after their 8 hour job, therefore, this legislation will greatly assist them. Our rural citizens are proud and independent, and they wish to maintain the rural areas as a great place to work and live—not be faced with creeping decay affecting our urban areas. This legislation will assist in that goal and hopefully will curb the out-migration into the urban areas. The rural area has to retain the majority of its citizens in order to maintain the balance between the urban center and the rural community. Rural development legislation will provide a better life for our people and thus it will better all segments of the population.

Mr. GOODLING. Mr. Speaker, I have no further requests for time.

Mr. POAGE. Mr. Speaker, I have no further requests for time, and I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. HORTON

Mr. HORTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. HORTON. I am, in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HORTON moves to recommit the conference report on H.R. 12931 to the Committee of Conference with the following instructions to the Managers on the Part of the House: strike out sections 603 and 604, and renumber subsequent sections accordingly.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. PRICE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 339, nays 36, not voting 57, as follows:

[Roll No. 286]

YEAS—339

Abbitt
Abernethy
Abourezk
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
Aspinall
Badillo
Baker
Baring
Barrett
Begich
Bennett
Bergland
Betts
Bevill
Biaggi
Biester
Bingham
Blatnik
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byrnes, Wis.
Byron
Cabell
Caffery
Camp
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clark
Clausen, Don H.
Cleveland
Collier
Collins, Ill.
Colmer
Conable
Conover
Conte
Conyers
Corman
Cotter
Coughlin
Culver
Curlin
Daniel, Va.
Daniels, N.J.
Danielson
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Derwinski
Dickinson
Diggs
Dingell
Donohue
Downing
Drinan
du Pont
Edwards, Ala.
Edwards, Calif.
Eilberg
Esch
Eshleman
Evans, Colo.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Fuqua
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hillis
Hogan
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Koch
Kyl
Kyros
Landgrebe
Latta
Leggett
Lennon
Lent
Link
Lloyd
Lujan
McClory
McCloskey
McCollister
McCulloch
McDade
McFall
McKay
McKevitt
McKinney
Macdonald, Mass.
Madden
Mahon
Mailliard
Mallary
Mann
Martin
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mikva
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
Nix
Obey
O'Hara
O'Konski
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Powell
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Purcell
Quie
Quillen
Railsback
Randall
Rangel
Rees
Reid
Reuss
Riegle
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Scheuer
Schwengel
Scott
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Staggers
Stanton, J. William
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Tex.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Veysey
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Williams
Winn
Wyatt
Wylie
Wyman
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—36

Archer
Belcher
Bell
Blackburn
Bow
Celler
Clancy
Clawson, Del
Collins, Tex.
Crane
Devine
Dwyer
Erlenborn
Goodling
Gross
Hall
Hicks, Wash.
Holifield
Horton
Kuykendall
Long, Md.
Michel
Miller, Calif.
Moss
Pelly
Peyser
Rhodes
Rousselot
Schmitz
Schneebeli
Smith, Calif.
Vanik
Wiggins
Wilson, Bob
Wilson, Charles H.
Wydler

NOT VOTING—57

Anderson, Tenn.
Arends
Ashbrook
Blanton
Boggs
Broomfield
Byrne, Pa.
Chisholm
Clay
Davis, Ga.
Davis, S.C.
Dent
Dorn
Dow
Dowdy
Dulski
Duncan
Eckhardt
Edmondson
Evins, Tenn.
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fulton
Galifianakis
Gallagher
Hagan
Hays
Hébert
Hutchinson
Kluczynski
Landrum
Long, La.
McClure
McCormack
McDonald, Mich.
McEwen
McMillan
Mathias, Calif.
Mayne
Morgan
Nedzi
Podell
Pucinski
Rarick
Rooney, N.Y.
Ruppe
Ryan
Spence
Stanton, James V.
Teague, Calif.
Wolff
Wright
Yates
Yatron

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Duncan for, with Mr. Ashbrook against.

Until further notice:

Mr. Hébert with Mr. Gerald R. Ford.
Mr. Rooney of New York with Mr. McEwen.
Mr. Hays with Mr. Ruppe.
Mr. Dent with Mr. Teague of California.
Mr. Morgan with Mr. Broomfield.
Mr. Blanton with Mr. Mayne.

Mr. Fulton with Mr. Hutchinson.

Mr. Anderson of Tennessee with Mr. Spence.

Mr. Evins of Tennessee with Mr. McClure.

Mrs. Chisholm with Mr. Dow.

Mr. Clay with Mr. Byrne of Pennsylvania.

Mr. Davis of South Carolina with Mr. Mathias of California.

Mr. Kluczynski with Mr. Eckhardt.

Mr. Davis of Georgia with Mr. Edmondson.

Mr. Yatron with Mr. Podell.

Mr. Yates with Mr. Rarick.

Mr. Ryan with Mr. Pucinski.

Mr. William D. Ford with Mr. McDonald of Michigan.

Mr. Wolff with Mr. Galifianakis.

Mr. Boggs with Mr. Arends.

Mr. Foley with Mr. Gallagher.

Mr. Dorn with Mr. Long of Louisiana.

Mr. McCormack with Mr. McMillan.

Mr. James V. Stanton with Mr. Hagan.

Mr. Dulski with Mr. Nedzi.

Mr. Landrum with Mr. Wright.

Mr. Flynt with Mr. Dowdy.

Mr. DANIELSON changed his vote from "nay" to "yea."

Mr. GROSS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute.)

Mr. ANDERSON of Illinois. Mr. Speaker, I take this time to inquire of the distinguished acting majority leader, can you give us the program for next week?

Mr. O'NEILL. Will the gentleman yield?

Mr. ANDERSON of Illinois. I am glad to yield to the gentleman.

Mr. O'NEILL. Mr. Speaker, the program for the House of Representatives for the week of July 31 is as follows:

On Monday there will be suspensions with five bills: H.R. 5741, transfer surplus Liberty ships to States for use in conservation programs; H.R. 11300, increase Federal ship mortgage insurance available for high-powered vessels; H.R. 13804, to print proceedings of the Italian-American War Veterans; S. 2227, to designate the library of the highest appellate court in each State as a depository library; and S. 3463, to provide the CONGRESSIONAL RECORD to libraries of certain U.S. courts.

On Tuesday the Private Calendar will be called and the following two bills: H.R. 15474, Cooley's anemia assistance, under an open rule with 1 hour of debate; and Multiple Sclerosis Commission, also under an open rule with 1 hour of debate.

On Wednesday conference report on H.R. 15418, Department of Interior Appropriations Act, 1973, and conference report on H.R. 12350, Economic Opportunity Act amendments. Also H.R. 14146, coastal zone management, under an open rule with 1 hour of debate.

For Thursday and the balance of the week, H.R. 15093, conference report on Housing and Urban Development appropriations, 1973; H.R. 15417, conference report on Labor, Health, Education, and Welfare appropriations, 1973; and H.R. 15989, Council on International Economic Policy—Export Administration Extension Act, subject to a rule being granted.

Conference reports may be brought up at any time, and any further program will be announced later, and may I say that we have agreed earlier in the year that there would be Friday sessions through until the time we recess in the event that Friday sessions are needed.

Mr. ANDERSON of Illinois. I thank the gentleman.

ADJOURNMENT OVER TO MONDAY, JULY 31

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent to dispense with business in order under the Calendar Wednesday rule on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ANTIBUSING BILLS

(Mr. JARMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. JARMAN. Mr. Speaker, on February 18, 1970, I presented to the House of Representatives a telegram signed by more than 10,000 Oklahoma City constituents urging Congress to fight "forced busing and changing of school boundaries to achieve racial balance." I made the following statement to the House:

> Mr. Speaker, I take the Floor today to bring to the attention of the Members of this House a very unfortunate situation in my home city—the school busing situation that exists as a result of a Federal Court Decision. Many families in Oklahoma City have felt the disruptive impact of the busing problem. Students are being denied the basic American right to attend the schools closest to their homes and are being forced against their will to attend schools more distant. This is a tragic situation in the land of the free. The right to Freedom from Force is as important as Freedom of Speech.
>
> Mr. Speaker, I am today introducing an anti-busing bill. I urge the Education and Labor Committee to hold immediate hearings on this bill to the end that Congress pass legislation to protect families from the busing of students and to preserve our neighborhood school system.

Mr. Speaker, many antibusing bills have been introduced in the Congress. One bill—House Joint Resolution 620—was introduced on May 6, 1971, and calls for a constitutional amendment to prevent the busing of children to achieve a racial balance and to preserve the neighborhood school concept. Five months went by with no action by the Judiciary Committee. My Oklahoma colleague, Mr. STEED, then introduced House Joint Resolution 610—163 of us signed this petition—to discharge the Judiciary Committee from further consideration of House Joint Resolution 620 and bring said resolution to the floor of the House for consideration.

Ten additional months have now elapsed and it is obvious that the Judiciary Committee is dragging its feet and intends no action on this bill.

Congress will adjourn soon and it is imperative that we take decisive, clear-cut action on this issue. A constitutional amendment would be the most definitive action possible. Time is running out. I urge the Rules Committee to discharge the Judiciary Committee and bring House Joint Resolution 620 directly to the floor of the House.

Mr. Speaker, this is possibly the most important issue before the country today, affecting as it does the very lives and welfare of our most cherished possessions, our children. This Congress should not adjourn without taking action on this matter. It should be settled and not left as a political football to be kicked around in this election year.

PROPOSED USE OF EDUCATIONAL TV FOR SAFE DRIVING TECHNIQUES

(Mr. ZION asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ZION. Mr. Speaker, on March 2, 1972, I cosponsored H.R. 13538, the Omnibus Highway Safety Act of 1972, a bill introduced by Congressman HARSHA, ranking Republican on the Committee on Public Works.

One of the most important features of the omnibus bill is a provision authorizing a study of how television can best be used to help educate the American driving public to safe driving techniques in order to reduce the tragic toll of deaths and injuries on the Nation's highways.

At our hearings, Mr. Arch Lustberg, the New York television producer, submitted a challenging and thought-provoking statement illustrating some of the possibilities that full utilization of TV offers in the field of driver education. I commend it to the attention of my colleagues.

In this connection, I think it is worth noting that since Mr. Lustberg's appearance before our committee, he and his family were involved in a serious traffic mishap. A young man ran a red light and crashed into their vehicle. Mrs. Jean Ann Lustberg, the producer's wife, was seriously injured and on the critical list in the hospital where she was treated for almost 2 weeks.

I wonder would that young man have run that light had he had the benefit of the type of TV exposure to proper driving techniques that Mr. Lustberg advocates in his statement which follows:

STATEMENT OF ARCH LUSTBERG

My name is Arch Lustberg. I am submitting this statement in support of what I believe to be one of the most significant provisions of the Omnibus Highway Safety Act of 1972.

Aside from being a citizen vitally interested in highway safety and driver education, I am also a former teacher of drama at Catholic University in Washington. Currently, I am a producer in New York and am active in all media forms, including television.

My commercial messages and shows for the Volunteers in Service to America have been carried on more than 2,000 stations around the country. The Office of Economic Opportunity, for whom these films were produced, considered these messages a singularly successful advertising campaign.

I was associated with the production of the award winning "Saga of Western Man" series on TV. In addition, my production of "Gallant Men" by the late Senator Everett Dirksen, won the recording industry's highest award—the Grammy.

The substantive remarks that follow are made and should be considered with this background in mind.

The potential of television, as a means of educating the American people, is very great. That potential exists in politics. It exists in the academic area, as well as in countless other spheres.

But one of television's greatest areas of promise, in my judgment, is in the field of driver education. At present, however, practically nothing has been done to exploit this potential.

In order to tap it, we must have a firm understanding of what can be done through the television media and what cannot be done. Let me cite an example of what I mean in the field of politics: Media specialists now agree that political messages 60 seconds and under in length, do not educate people. They alert them. They alarm them. They make them name and face conscious. But they do not teach them anything. The experts suggest that politically they are used more for defense than anything else. By that I mean, when one side uses them, the other is forced to respond in kind. And, since in politics as elsewhere, the best defense is offense, both sides end up protecting themselves through spot announcements.

You will recall a few years ago that it was the 60 second and under type of message that was used to alert the American people to the danger of smoking cigarettes. A few years ago, the air waves were flooded with dire and, let me add, true messages of the horrible consequences likely to flow from smoking.

What was the result of such media concentration? A modest dip, at best, in the number of smokers nationwide.

For a TV message to have an educational impact, it must be over a minute in length. There must be time for the viewer to settle in, concentrate, absorb, and mull over the message presented. In my judgment, the ideal TV teaching slot is around five minutes in duration.

Which brings me to the specific subject I want to discuss with you today. If we are to realize the great potential of TV for teaching Americans to be better, safer drivers, we must make up our minds that the messages we seek to impart to the American people are of five minutes duration or more.

This is true whether we are trying to teach defensive driving techniques, how to enter a freeway, how to make emergency repairs on a stalled vehicle, or any other similar subject of vital concern to the driving public. The average driver has never been taught these things. At the present time, even our best simulators fall short of imparting them. Nor are driving regulations cast in such a way as to require knowledge and understanding of these concepts.

Only television possesses the potential of bringing them, visually and verbally home to the driving public. But, as we all know, at present, this is only a potential. Even if a series of top quality, high content messages were presently available, there is no way to have them shown to the American viewing public.

To be sure, from time to time public service messages of this type are televised at odd hours or on off-beat channels. But if we are serious about educating the great mass of the American driving public, we must target our efforts, not at off-beat times, but in prime TV time slots.

How can this be done?

What I have in mind is a programming pattern of five minute segments, simultaneously broadcast on all TV channels throughout the Nation.

This would make captive audiences of the American viewing public. They would not be able to avoid the message by switching to another channel. Yet, a five minute sequence is not really long enough in duration to either offend them or to interrupt their TV watching. In fact, the time could probably be provided by reshuffling of public service announcements which are already being shown on prime time in the evening and concentrating them in a single continuous segment.

Progamming problems might, at first blush, appear to pose a serious obstacle to the networks. But given a season's notice in advance of such scheduling, I have no doubt that such problems could be easily overcome.

If the air waves truly belong to the people, as is so frequently asserted, I see no reason barring an educational effort of this type. And the benefits likely to accrue would be well worth the investment of time and talent. I don't have to tell you that 55,000 deaths occur each year on the Nation's highways, or that 2 million people are injured. Only recently, "Fortune Magazine" reported that the National Highway Traffic Safety Administration has estimated that the overall economic impact of this carnage comes to over $40 billion each year.

Think of what it would mean if we could significantly reduce this frightening toll!

Think of the potential for alerting and involving the American public with the kind of TV programming I have outlined!

Think of the tremendous satisfaction that would accrue to everyone involved in such a life-saving enterprise!

Personally, I have no doubt that we could reasonably expect such an educational effort to reduce the highway toll significantly. If, for example, it succeeded in reducing the accident-injury toll by a mere 10%, we would end up preventing 5,000 deaths and 100,000 injuries. What is more, we would save at least several billion dollars annually.

What would such a program cost? Section 8 of the Omnibus Highway Safety Act of 1972 provides what I believe to be an adequate, but reasonable, authorization. Subsection (a) authorizes a study to determine whether or not the types of concepts I have outlined to you here today are valid and, if they are, to explore ways and means of implementing them. One million dollars is provided to fund such a study, an amount I think sufficient for the purpose and extremely modest for the benefits which will likely result.

In addition, the Secretary would be authorized to prepare highway safety pilot television films of varying length, up to, and including, five minutes, for distribution to the television media. These messages could also be made available to schools, service clubs and other agencies and groups interested in promoting highway safety.

Thus, we are talking here about the expenditure of a mere $5 million to explore and implement the use of a medium which could conceivably enlist the American driving public in a safety crusade which could have the long-range effect of significantly reducing accidents and injuries on the Nation's highways.

In my judgment, you could not make a more worthwhile investment of public funds. Nor, as legislators, can you afford to authorize less.

A $250-BILLION SPENDING LIMIT

(Mr. BOW asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BOW. Mr. Speaker, I am introducing today a bill to place an absolute ceiling of $250 billion on Government spending in the current fiscal year.

This is the limit the President requested in his very forceful and convincing message yesterday.

I am honored to be joined in this effort by the distinguished minority leader of the House, the gentleman from Michigan, by many minority members of the Appropriations Committee, and by the gentleman from Tennessee (Mr. KUYKENDALL).

The President's message yesterday was the second recent warning the House has received on the consequences of reckless appropriations above and beyond the ability and the willingness of the American taxpayers to pay. The gentleman from Texas, the distinguished chairman of our committee, made an excellent presentation on this subject on July 19 when he pointed out that the House and Senate in appropriations and legislation this year have already recommended spending $15,770,436,000 above the President's budget estimate.

Like the President yesterday, the chairman pointed out that spending proposals of this order guarantee additional inflation and threaten the value of the dollar.

The President's message stated a truth that I have repeated dozens of times on this floor and in our committee, when he said:

> At fault is the hoary and traditional procedure of the Congress, which now permits action on the various spending programs as if they were unrelated and independent actions. What we should have—and what I again seek today—is that an annual spending ceiling be set first, and that individual program allocations then be tailored to that ceiling. This is the anti-inflationary method I use in designing the Federal budget.

The present congressional system of independent, unrelated actions on various spending programs means that the Congress arrives at total Federal spending in an accidental, haphazard manner. That is no longer good enough procedure for the American people, who now realize that their hard-won economic gains against inflation are threatened by every deficit spending bill—no matter how attractive the subject matter of that bill might be. And there are impressive gains which I am committed to help guard.

The Appropriations Committee does not have the kind of coordination that is needed to bring the total of our bills into line with the total available for spending. And when this House or the other body adds to the sums recommended by the committee, the possibility of achieving an appropriation total within a budget limitation becomes impossible. It can be done, however, if we bear constantly in mind, as we act on each bill, the effect our action will have on the total budget.

A number of bills are in conference now. I will not sign a conference report that exceeds the total budget request for the bill. If the budget request is exceeded for some departments that increase should be offset by saving money below budget estimates in other departments. But since this House and the other body insist upon exceeding the budget in almost every agency and department of Government, to the extent of several billions in our deliberations to date, a responsible Member has no course other than to vote "no."

The President has made it clear that he will follow the same course.

His message yesterday announced that he will veto bills that provide excessive spending to an extent that threatens the Federal budget.

One can hear anyplace in this Capitol gossip about how the other party intends deliberately to inflate spending bills to invite vetoes so that the President will be embarrassed politically in an election year if he vetoes.

The President has recognized that this is an election year and that he might be subjected to criticism for the veto of funds to support worthy programs. In his message he states that no matter what the political pressures, he will not let reckless spending destroy the tax reductions we have secured and the hard-won battle against inflation.

Congress should accept the same responsibility.

If the Congress refuses to act responsibly, the only recourse is to withhold from spending some of the funds that have been appropriated in excess of need and I warn you that in so doing the Congress abdicates to some extent its rightful authority over the purse strings of the Nation. Any legislative body that does not discharge responsibility in the national interest will inevitably see that responsibility slip away.

The greatest national interest—greater than any desirable Federal program in any of our bills—is continued progress to overcome inflation, to increase real wages, and provide general prosperity. Under the circumstances that prevail, the best insurance for those goals is the spending limit I submit today.

The bill provides a ceiling of $250 billion. This is $3.7 billion more than the spending estimate submitted by the President in his budget message. It takes into account unforeseen expenditures now required for black lung disease—$1 billion—and the first year of revenue sharing—$2.7 billion.

The bill limits both appropriations and lending authority. It further provides that whenever the President sets a ceiling lower than the appropriation on a program for which a distribution formula has been established, that same formula will be used for the distribution or allocation of the amount to be spent.

THE FUTURE OF BELTSVILLE, MD., AND ITS LAND USE DEVELOPMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 60 minutes.

Mr. HOGAN. Mr. Speaker, needless to say, the economic welfare of my constituents is one of my primary concerns. Since many of my constituents are employees of the Federal Government, they are affected by reorganizations, centralization, and decentralization of Federal agencies. Accordingly, I follow closely the actions of those agencies which involve my district.

One of the largest employers in our area is the Department of Agriculture. This agency, like many others, is under a directive to reduce total employment by up to 10 percent. To carry out this mandate, the Department of Agriculture is decentralizing and reorganizing some of the facilities in my district.

We have been in close touch with officials of the Department of Agriculture and I am pleased to report that the numbers and grades of the employees of the Department of Agriculture in the Fifth District of Maryland do not appreciably change. The following table illustrates:

NUMBERS OF DEPARTMENT OF AGRICULTURE EMPLOYEES IN PRINCE GEORGES COUNTY

	Jan. 1, 1972	June 30, 1972
Beltsville	2,468	2,417
College Park	93	105
Hyattsville	1,273	1,910
Total	3,834	4,432

In other words, while the number of positions at Beltsville is being reduced by 51, there has been an increase of 649 at Hyattsville and College Park.

As to the 51 fewer Beltsville positions with the Department of Agriculture, this is more than offset by the 501 employees who will work on the Beltsville property for the Federal Law Enforcement Training Center.

A review of the land use of Beltsville is being made by the President's Property Review Board. A considerable portion of the unused land may be declared surplus. I have urged that most of this land be made available for parks and recreation.

Earlier this year, I urged that 14 excess acres of the Beltsville Agricultural Center be transferred to the city of Greenbelt for park use, and an agreement was reached to give the land to Greenbelt under the President's legacy of parks program.

After much correspondence and many talks with Department of Agriculture officials I am assured that in the foreseeable future the personnel and importance of Beltsville will not be downgraded. Instead there should be new activities and favorable moves such as the transfer from Washington to Prince Georges of the group of specialized entomologists and the establishment of research institutes.

In closing I would like to insert copies of letters concerning Beltsville's future from Department officials as well as my statement at the hearing of the Department of Interior on land use at Beltsville. I believe these indicate a forward-looking program for both the center and our communities.

The letter and statement follow:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., July 6, 1972.

Hon. LAWRENCE J. HOGAN,
House of Representatives,
Washington, D.C.

DEAR MR. HOGAN: The charges of your opponent that this Administration plans to reduce research activity at the Beltsville Agricultural Research Center are simply not true. No thought has ever been given to any proposal that would downgrade the Center in any way.

There has been a reorganization of the Agricultural Research Service but the end result is that Beltsville will become an even more important national Center for agricultural research. Enclosed is additional information you requested.

Sincerely,

EARL L. BUTZ,
Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 30, 1972.

Hon. LAWRENCE J. HOGAN,
House of Representatives,
Washington, D.C.

DEAR MR. HOGAN: This is in response to your letter of June 12, 1972, in which you requested information concerning the totals of the before and after Civil Service grades planned for Beltsville, Maryland, and your letter of June 23, 1972, transmitting an article from a local newspaper concerning the Beltsville Center.

We wish to assure you that our earlier statement regarding strengthening of the Beltsville Agricultural Research Center is accurate. There will be no reduction of research activity at Beltsville. To the contrary, research activity will be enhanced through the establishment of *Research Institutes at the Center*. These Institutes will be designed to facilitate interdisciplinary research into such areas as agricultural marketing, nutrition, plant genetics and germ plasm, animal physiology and genetics, and agricultural environmental quality.

Our plans call for eight Research Institutes with more than 50 research laboratories at the Center. This is an indication of our intent and resolve to continue Beltsville as more than just a Northeast Regional headquarters, but as a truly national center of excellence in agricultural research.

Also, the newly established National Program Staff will be located at Beltsville. This high level staff will include a major portion of the key personnel previously located in Research Divisions and Branches at Beltsville. It will be the focal point for national program planning for ARS research activity and will develop plans establishing the emphasis and direction for research throughout the Agency. In addition, the Staff will serve as the focal point for industry contact, as indicated by the enclosed statement dated June 23, 1972, which ARS circulated to over 1,000 industry and trade press representatives.

With regard to grades of positions, a number of factors are affecting the total number of personnel at Beltsville. First, the FY 1972 personnel ceiling for ARS was reduced below that of FY 1971 requiring a reduction through attrition. There have been practically no new hires at Beltsville since August 1971. Accordingly, a reduction of approximately one hundred full-time employees has occurred during this time as a result of normal attrition. Second, the recent increase in retirement benefits for employees who retire before July 1, 1972 has provided a substantial incentive to employees who have reached retirement age and who are considering retirement. Also, with the reorganization of ARS, a number of employees who wanted to retire became eligible for reduced annuity retirement. The increased retirement incentives have meant that perhaps fifty or sixty additional retirements will be effective before the end of June 1972. These retirements and normal turnover must be considered in any analysis of the number and grades of employees at Beltsville before and after the reorganization.

Keeping in mind the above factors, it is estimated that total ARS employment in the Beltsville area may decline by as much as 200–250 between August 15, 1971 and August 15, 1972. Our most recent count of full-time permanent employment in the Beltsville-Hyattsville complex is 2,330. It is our best estimate that fewer than 100 employees will actually transfer out of this area to other locations. We do not visualize a reduction in average grade at the Center.

We expect to occupy the Beltsville space vacated by other employees. For example, we are actively pursuing a plan to move a group of highly specialized taxanomic entomologists from the South Agricultural Building in Washington to Beltsville. Other moves are under consideration. However, it will be a number of months before plans will be completed for the Research Center. Appropriations and personnel ceilings for FY 1973 will be factors in the time of these moves.

We appreciate your continuing interest in the Agricultural Research Service plans for the Research Center at Beltsvile, Maryland, and additional information regarding before and after grades will be provided when it becomes available if you desire.

Sincerely,

NED D. BAYLEY.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., July 18, 1972.

Hon. LAWRENCE J. HOGAN,
House of Representatives,
Washington, D.C.

DEAR MR. HOGAN: Secretary Butz has asked me to reply to your letters regarding (1) the reorganization of the Agricultural Research Service and (2) the centralization of accounting functions within the Department of Agriculture.

The Agricultural Research Service, which operates the Agricultural Research Center at Beltsville, was reorganized effective July 1, 1972. I am enclosing a copy of a letter which the Administrator of the Agricultural Research Service sent to all employees explaining the new organizational structure.

In essence, ARS has moved from an organizational structure under which research decision-making and administration was overly centralized in the Washington, D.C. area to a decentralized structure based on establishment of four regional offices. After nearly two decades of steady growth in research programs and personnel, accompanied by only minor modifications in organizational structure, reorganization became imperative to improve the agency's responsiveness, effectiveness and efficiency. The change will provide ARS with a greater capability for meeting new research demands and controlling operations. The new structure was proposed only after intensive effort directed at assuring that it will produce these results. Before implementation, the planned changes were subjected to careful executive and legislative branch scrutiny.

Concerning your second area of inquiry, the Department of Agriculture is currently involved in far-reaching efforts to centralize certain accounting functions which are now performed by our program agencies at locations throughout the country. In many respects, these efforts reflect our earlier experience in successfully centralizing payroll functions in 1962 at the Department's Management Data Service Center in New Orleans, Louisiana.

Early in 1971, an interagency task group concluded a study of the feasibility of processing administrative payment vouchers of all agencies of the Department at a single payment center. The task group found that these vouchers, which include items such as vendor billings and travel expense accounts, were being processed at 215 agency offices throughout the country at an annual cost of about $8 million and 860 man-years of effort. The study group concluded that annual savings of $3.8 million and 473 man-years could be realized and improved services provided to the public through centralization.

The magnitude of these savings dictated that we proceed with the development of a central voucher payment system despite our concern about the impact of such a change upon agency employees working in this functional area. The Secretary of Agriculture has made a firm commitment that there will be no reduction-in-force action against personnel whose jobs are affected although some retraining and reassignment of employees may be required. All affected employees are being given the opportunity to transfer to the new payment center.

Substantial progress has been made in the development of the recommended payment center. Phased implementation of an automated system will begin about November 1 of this year. Facilities to house the operational organization are being readied in suburban New Orleans at the National Aeronautics and Space Administration's Michoud facility.

The New Orleans area was selected as the payment center location for a number of sound reasons including:

1. The largest single payment office already existing in the Department is located in New Orleans thus providing the nucleus of trained and available personnel required for operational success.

2. The probable merger at a later date of the payroll and the voucher payment offices into one large service center to realize a potential for additional savings and operational efficiencies would be easier to accomplish.

3. The availability of ample space at low cost to house a complex of USDA offices including the payroll office, the voucher payment office and the Department's New Orleans Computer Center with room for future expansion.

4. The availability in New Orleans of a substantial and modern automatic data processing capability.

As a logical extension of these efforts to improve management and conserve resources so that they can be applied to the accomplishment of the program missions of the Department, the Secretary of Agriculture issued a memorandum on April 6, 1972, which established the policy that the Department of Agriculture should move immediately to develop a central Department-wide accounting system. This policy was derived from the fact that efforts by the agencies over the years to develop and install modern accounting systems have only been partially successful. Many of the separate accounting systems of the agencies do not meet accounting requirements set by the Comptroller General in accordance with the Budget and Accounting Procedures Act of 1950. Independent agency actions to improve their systems have resulted in delays, expensive duplication of effort and a lack of uniformity of financial data throughout the Department.

To translate this new policy into a program of action, the Secretary directed that an interagency task group be convened to prepare a plan outlining the steps required to develop and operate a central accounting system. The group has developed a plan for a system which would consolidate administrative accounting functions into a scale to which modern data processing techniques could economically be applied. The system includes centralized billings and collections, working capital fund accounting, real and personal property accounting, general ledger maintenance, and financial reports.

The Secretary has endorsed the plan and referred it to the Office of Management and Budget for further executive branch consideration. The plan calls for proceeding with the establishment of the accounting center within the next two years with projected annual savings of $1.5 million and 215 man-years of effort. We expect this center to be located at Michoud for much the same reasons that the centralized voucher payment office was placed there.

We are neither unmindful of the possible impact of our actions upon your constituents, and others within the Department performing accounting functions, nor callous about their welfare. However, the facts as we see them leave us no alternative other than to proceed with our plans. We will, of course, do everything practical to assure that the establishment of the accounting center will not result in reduction-in-force actions against personnel whose jobs would be affected by this change. These employees will be offered the opportunity to transfer to this center, or to be reassigned to other activities.

We believe that the centralization of the administrative accounting functions will provide significant savings of resources and facilitate improved services to the Department and to the public. We hope you concur in our views.

Sincerely,

FRANK B. ELLIOTT,
Assistant Secretary for Administration.

STATEMENT BY THE HONORABLE LAWRENCE J. HOGAN

I am pleased to respond to the invitation of the Secretary of the Interior to comment on the needs of the people for outdoor recreation. I am particularly interested in what can and should be done for central Maryland and for the Washington metropolitan area.

Those of us who have been raised in this mid-Eastern area have seen in recent decades the disappearance of much rural land and the replacement of farms with buildings, homes and highways. In twenty years the two counties I now represent have more than trebled in population. The land between Washington and Baltimore will soon become totally urban and suburban. More people will reside between these two cities than in the cities themselves.

What about outdoor recreation? All major Maryland state parks and forests are at locations other than in the corridor between the two cities. The State of Maryland in a study released last year indicated a shortage of 179,000 acres of parkland along the corridor and in Southern Maryland. The State owns virtually no land in this area which can be converted to parkland or recreational use. We cannot look to the State for relief.

In the Maryland suburbs of metropolitan Washington there has been created the Maryland-National Capital Park and Planning Commission (MNCPPC). It can and does operate the park facilities for Prince Georges and Montgomery Counties. But, acquisition of additional land for parks or for other uses in the area costs more tax money than is available. These two counties should not be required to buy parkland to be used in great part by nonresidents.

In short, it appears that only federal lands may be readily available for park and outdoor recreation use in the Washington-Baltimore corridor. The major federal areas which could be converted to parkland are the National Agricultural Research Center at Beltsville and Fort Meade. But judging from the events of the past several years, we are in danger of squandering the opportunity those lands offer. In the past two years I have seen two sizeable segments of Beltsville turned over for purposes other than park or general use. Howard University was given over 100 acres for advanced research. The Treasury Department's Law Enforcement Training Center was given even a larger area. Prior to these grants, of course, the NASA Space Flight Center and the Bureau of Standards Radio Station were established at this location.

We know that agriculture activities at Beltsville are being consolidated and a very substantial portion of the area will become surplus. We have two choices. We can continue to parcel out the Beltsville surplus land to government or educational activities as in the past. If so, population growth and government needs will quickly swallow up this remnant of open space. I strongly oppose this alternative.

The other choice is to devote surplus space to public good for outdoor or "green space" uses. There should be a plan to do this and there should be agency responsibility for develpment of the plan. I, therefore, advocate the transfer of Beltsville property as it becomes surplus to the Maryland-National Capital Park and Planning Commission, to the Department of Interior's National Park Service, or to the Smithsonian with a plan for the development of the area.

I have advocated a number of possible uses for surplus portions of Beltsville, part of which would serve dual purposes. Let me illustrate a few uses. The U.S. Plant Introduction Station at Glenn Dale has a notable background. Most of our azalea species have been developed here. The Japanese cherry trees first grew at this Station. The Bradford pear and the flowering crab apple originated here. Plantings over the past 50 years could be rooted up, but why should they be? Let us maintain this 65 acre facility as an arboretum open to the public. The Maryland-National Capital Park and Planning Commission stands ready to take it over. Is not this alternative far better than turning the area over to say, the Department of Defense, which was inspecting the facility for a surplus vehicle storage area? This is a possible use for the 65 acre parcel. There are virtually limitless uses for other portions of Beltsville.

I have noted the need of our urban youngsters and citizens to have the opportunity of seeing farm animals and farm operations. Why not show a farm operation, past and current, with farm animals? There has been both public and Smithsonian interest in this proposal. Further, why could not the Smithsonian use some of this area for stocking and breeding purposes for its zoo? In any public use of the Beltsville area there can be adequate facilities for hiking and cycling trails and public picnicking. The acreage is adequate for much outdoor recreation as is no other area except Fort Meade in the Washington-Baltimore corridor. There is even an airport which some feel should be converted to use by small private planes.

Let me list some recreational suggestions recommended by the public to me for Beltsville:

1. Ice rink, roller skating rink, with provisions for hockey.
2. Swimming pool.
3. Campground and picnic areas.
4. Wildlife preserve.
5. Open zoo.
6. Restoration of Walnut Grange.
7. Rifle range.
8. Archery range.
9. Hiker-biker trails.
10. Riding stables and riding trails.
11. Go-kart track.
12. Agricultural museum.
13. Enclosed tennis courts or indoor-outdoor. Enclosed handball courts or indoor-outdoor. Enclosed paddle tennis courts or indoor-outdoor.
14. Conversion of Plant Industry auditorium into public use for theatre groups.
15. Puppet theatre.
16. Outdor (indoor) amphitheatre.
17. Man-made lake for fishing, sailing and boating (no motors).
18. Planetarium and observatory.
19. Golf course (9 or 18 hole).
20. Storybook land or Fantasy land.
21. Drag strip.
22. American History Through the Ages.
23. Public airport for small planes and fields for skydiving.
24. Soccer fields.
25. Small stadium—outdoor sports complex.
26. Ski slopes.
27. Toboggan track.
28. Nature center.
29. Festivals—ex. American Folk Festival.
30. Hayrides, bonfires.
31. Model airplane ring.
32. Regulation horseshoe pits.
33. Dinner theatre.

The use of Beltsville surplus has been reviewed with the Chairman of the Maryland-National Capital Park and Planning Commission, Philip Hogue. He has suggested the following uses:

1. A 300-acre Community College site.
2. A 200-acre public golf course site.
3. A 1000-acre major regional park site which would encompass extensive campground, perhaps 400 acres or so to house campers from all over the United States who come to see Washington, D.C. Said campgrounds could perhaps be developed before the Bi-Centennial of 1976. Also, said regional park could contain a lake impoundment for recreational use.
4. That portion of Agricultural property that falls within the Patuxent River stream valley should be maintained in open space as is already proposed in the Patuxent River stream valley park.

Chairman Hogue has also emphasized that full consideration should be given to the preservation and restoration of any and all historic sites that fall within the Agriculture holdings.

In conclusion I recommend that a task force representing the National Park Service, the Maryland-National Capital Park and Planning Commission, the Smithsonian, the Department of Agriculture and the Bureau of Outdoor Recreation be authorized to plan for the use of surplus federal facilities in the Washington-Baltimore corridor before any further piecemeal disposition of property is undertaken.

PRESIDENT CALLS FOR CONGRESSIONAL BUDGET REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, President Nixon's message to Congress yesterday urgently requesting the adoption of a Federal spending ceiling was both timely and wise. I support him wholeheartedly, as I do the statement of our distinguished minority leader urging the Congress to hold expenditures this fiscal year to the level proposed in the budget.

Today, I have written the President expressing my support, and also calling his attention to House Resolution 1020, an amendment to the House rules I have drafted which fulfills to the letter President Nixon's statement that:

> What we should have—and what I again seek today—is that an annual spending ceiling be set first, and that individual program allocations then be tailored to that ceiling.

Today, I have reintroduced this resolution, bringing the number of sponsors to thirty.

Text of letter to the President follows:

DEAR MR. PRESIDENT: Your resolute and sagacious message to the Congress urging the enactment of a spending ceiling to prevent more income-eating inflation deserves the immediate and strong support of all Members of Congress.

I hope that you will carry out your pledge to veto any bill which threatens the federal budget. Rest assured that I shall support such vetoes, and I am confident that many other Members and the American people will also.

Most importantly, I hope you will lend your support to reforming what you so rightly describe as, "the hoary and traditional procedures of the Congress, which now permit action on the various spending programs as if they were unrelated and independent actions." These procedures do indeed mean that the Congress arrives at total federal spending in an "accidental and haphazard manner." I certainly agree that such a procedure is no longer good enough for the American people.

Last month I introduced a budget reform proposal, H. Res. 1020, which has now been co-sponsored by twenty-nine other Members, including prominent members of the Appropriations, Ways and Means, and Rules Committees.

Under my proposal, the House could not consider any appropriations bills until it has first approved a resolution containing a comprehensive federal budget for the ensuing fiscal year.

The budget resolution must include an estimate of tax revenues, expenditure ceilings for each main appropriation bill, and recommendations on handling differences between revenues and expenditures. If expenditures exceed revenues, for example, the resolution must include a recommendation to raise taxes or increase the federal debt, or a combination of both.

Once the budget resolution is approved, appropriations measures would be handled in customary fashion, with one important exception. Two-thirds affirmative vote would be required for the House to approve any appropriation bill which exceeds the provisions of the budget resolution.

An essential part of my proposal is the spending ceiling you so urgently request in your message. However, it is my belief that one overall ceiling will not be sufficient to prevent excessive individual appropriation bills, and it is for this reason that I have suggested that individual subtotals for each of the thirteen annual appropriations bills be included in the House Authorized Budget.

This proposal is the result of over six months of work. During that time I have consulted with the Chairmen of Appropriations and Ways and Means Committees, the Leadership of the House, dozens of Members on all of the affected committees, staff members and former staff members with an expertise in Congressional budgeting procedures, and many others. Virtually all have felt that this proposal has merit and have encouraged me to press for its consideration.

Today I am writing to Chairman Colmer to urge him, in view of your strong statement, to hold hearings on my proposal and any others which would restore fiscal responsibility to the Congressional budgeting process.

Naturally, I would welcome your support.

Sincerely yours,

PAUL FINDLEY,
Member of Congress.

LIST OF COSPONSORS OF H. RES. 1020

Bill Archer (R-Tex).
Charles E. Bennett (D-Fla).
William G. Bray (R-Ind).
Harold R. Collier (R-Ill).
James M. Collins (R-Tex).
David W. Dennis (R-Ind).
Samuel L. Devine (R-Ohio).
John G. Dow (D-NY).
Pierre S. du Pont (R-Del).
John N. Erlenborn (R-Ill).
Dante B. Fascell (D-Fla).
Paul Findley (R-Ill).
Edwin B. Forsythe (R-NJ).
Sam Gibbons (D-Fla).
David N. Henderson (D-NC).
Edward Hutchinson (R-Mich).
Jack F. Kemp (R-NY).
Alton Lennon (D-NC).
Manuel Lujan, Jr. (R-NM).
Stewart B. McKinney (R-Conn).
James R. Mann (D-SC).
Robert H. Michel (R-Ill).
Albert H. Quie (R-Minn).
Tom Railsback (R-Ill).
Henry S. Reuss (D-Wis).
John J. Rhodes (R-Ariz).
J. Kenneth Robinson (R-Va).
John H. Rousselot (R-Calif).
Herman T. Schneebeli (R-Pa).
Charles Thone (R-Nebr).

TEXT OF PRESIDENT'S MESSAGE TO CONGRESS, JULY 26, 1972

To the Congress of the United States:

This is an urgent appeal for the Congress to join with me to avoid higher taxes, higher prices and a cut in purchasing power for everyone in the Nation.

Just when we have succeeded in cutting the rate of inflation in half, and just when we have succeeded in making it possible for America's workers to score their largest real spendable income gains in eight years, this tangible, pocketbook progress may be wiped out by proposed excessive spending.

Specifically, Federal spending for the fiscal year 1973 (which began on July 1, 1972) already is estimated to be almost $7 billion higher than was planned in my budget.

That figure by itself is bad enough. But even more spending beyond the budget—and beyond emergency flood relief funds—appears to be on the way.

The inevitable result would be higher taxes and more income-eating inflation in the form of higher prices.

I am convinced the American people do not want their family budgets wrecked by higher taxes and higher prices, and I will not stand by and permit such irresponsible action to undermine the clear progress we have made in getting America's workers off the inflation treadmill of the 1960's.

While specific Federal programs are important to many people and constituent groups, none is more important to all American taxpayers than a concerted program to hold down the rate of taxes and the cost of living.

In view of this serious threat I again urge the Congress—in the economic interest of all American citizens—to enact a spending ceiling of $250 billion. I urgently recommended a spending ceiling when I submitted the fiscal 1973 budget earlier this year.

Our concern with sustaining the increasing purchasing power of all the people requires and demands such responsible action. Our concern with the cost of living requires and demands such responsible action. Our determination to avoid higher taxes requires and demands such action. The basic fiscal integrity of the Nation requires and demands such action.

At fault is the hoary and traditional procedure of the Congress, which now permits action on the various spending programs as if they were unrelated and independent actions. What we should have—and what I again seek today—is that an annual spending ceiling be set first, and that individual program allocations then be tailored to that ceiling. This is the anti-inflationary method I use in designing the Federal budget.

The present Congressional system of independent, unrelated actions on various spending programs means that the Congress arrives at total Federal spending in an accidental, haphazard manner. That is no longer good enough procedure for the American people, who now realize that their hard-won economic gains against inflation are threatened by every deficit spending bill—no matter how attractive the subject matter of that bill might be. And there are impressive gains which I am committed to help guard:

We have achieved a substantial success in our battle against the inflation we inherited in 1969. Instead of the more than 6 percent of 1969, we are now down to a rate of 2.9 percent per year. Inflation has been cut in half.

We have cut the personal income tax so that a family of four with an income of $5,000 has had its individual income taxes reduced by 66 percent since 1969, and a family of four with an income of $10,000 has had its income tax reduced by 26 percent since that date.

We have thus brought about conditions in which real, spendable weekly earnings have risen four percent in the last year, the largest such gain since 1964.

If we permit unbridled increases in Federal spending to go on month after month, however, we are in real danger of losing the advantages of the tax cuts and our victories in the battle against inflation.

These are the compelling reasons which require me to ask again in the most urgent and explicit language I can frame that the Congress enact at the earliest possible opportunity a spending ceiling—without loopholes or exceptions—to force Government spending back to the $250 billion level in fiscal year 1973.

I again remind the Congress of the situation I cited last January, when I submitted the fiscal year 1973 budget:

"It will be a job-creating budget and a non-inflationary budget only if spending is limited to the amount the tax system would produce if the economy were operating at full employment.

"Those who increase spending beyond that amount will be responsible for causing more inflation."

Since that time, various Congressional actions and inactions have heavily underscored all of the reasons I then made for speedy passage of a spending ceiling.

Such a ceiling cannot be completely effective unless the Congress enacts it as I have requested—without exceptions and without loopholes. But if the Congress fails to do this, I do not propose to sit by and silently watch individual family budgets destroyed by rising prices and rising taxes—the inevitable end to spending of this magnitude.

With or without the cooperation of the Congress, I am going to do everything within my power to prevent such a fiscal crisis for millions of our people.

Let there be no misunderstanding: If bills come to my desk calling for excessive spending which threatens the Federal budget, I will veto them.

It is now generally recognized that the national economy is in a period of vigorous expansion. The Gross National Product soared at an annual growth rate of 8.9 percent in the second quarter of the year—the best such increase since 1965. About 2½ million additional civilian jobs have been added in the last year.

We do not plan to reduce or restrict the very substantial fiscal stimulation we have already provided. But further massive Federal stimulation of the economy at this time—whatever its superficial political attractiveness—is certain to lead to the kind of inflation that even wage-price control machinery would find impossible to restrain.

In other words, the American people will have to pay, and pay quickly, for excessive Federal spending—either by higher taxes or by higher consumer prices, or both. Such an intolerable burden would shortly cause an end to the period of economic growth on which we are embarked.

There are desirable features in some of the individual bills now pending in the Congress, but to them have been attached some very excessive spending proposals.

The Federal Government cannot do everything that might be desirable. Hard choices must be made by the Congress in the national interest, just as a family must decide what it will buy with the money it has. Moreover, the experience of the past decade proved that merely throwing money at problems does not automatically or necessarily solve the problems.

I have every confidence that the American people, in this era of wide public awareness of inflation and wide public opposition to its clear causes, understand these realities about Federal spending.

I believe that all of us, the President and the Congress, have a clear duty to protect the national interest in general prosperity—and therefore to resist temptations to overspend for desirable special programs, or to spend for partisan political advantage.

I favor and have submitted to the Congress responsible and effective programs designed to cleanse the air, to purify the water, to develop and preserve rural America, to improve education, and for many other worthy purposes. No individual and no political party has a monopoly on its concern for the people, individually and in groups. But I am required always to ask:

What is best for *all* the people? What are the hard choices that must be made so that the general welfare is secured? Of what use is it for us to pass these measures, and more, if they are going to destroy the family budget by higher prices and more taxes?

No matter what the political pressures, no matter how frequently I may be told that in an election year a President cannot veto a spending measure. I will simply not let reckless spending of this kind destroy the tax reductions we have secured and the hard-won successes we have earned in the battle against inflation. I intend to continue to do my utmost to preserve the American family budget and to protect it from the ravages of higher taxes and inflation.

The time for fiscal discipline has long since come. The threat demands bold and difficult decisions. Let the Congress make them now.

RICHARD NIXON.

The White House, July 26, 1972.

STATEMENT BY GERALD R. FORD, MINORITY LEADER, U.S. HOUSE OF REPRESENTATIVES

The President has spoken out at just the right time and has taken just the right tone in appealing now for Congress to exercise spending restraint.

I personally take heart from the fact that the House last week turned down the $5 billion pork barrel bill thrust upon us by a House Banking and Currency Committee majority. Rejection of that bill was a victory for fiscal responsibility and the taxpayer and a defeat for politics as usual.

I join with the President in urging my colleagues in the Congress to hold expenditures this fiscal year to the level proposed in the budget.

To do so will be to strike a blow against inflation and in favor of fiscal soundness.

OEO'S LEGAL SERVICES BOONDOGGLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana (Mr. SHOUP) is recognized for 5 minutes.

Mr. SHOUP. Mr. Speaker, I am one of those members that voted in favor of OEO's legal services program, however, I recently learned that OEO's legal services had authorized their attorneys and project directors throughout the Nation to attend two annual conventions that will in no way directly aid the poor. The headquarters office of OEO would urge all legal services' attorneys to join in the meetings of the National and American Bar Associations and authorizes all legal services' programs to expend project funds for travel and per diem expenses involved in attending the NBA and ABA conventions.

I urge all of my colleagues to join in my protest that OEO should not be so free with its limited funds as to allow all their attorneys to spend valuable project funds for "boondoggle" trips to the National Bar Association in Miami Beach, Fla., July 31 to August 6, 1972; and the American Bar Association's convention in San Francisco, Calif., August 14 to August 17.

I call on OEO to rescind their directive and use all available funds for direct assistance to the poor. I am sure that attendance at conventions can be justified in some manner, but with the limited funds available, it would seem to me that direct service to the poor would come first. Is not that the intent of the program?

RICHARD CASH, JR., HERO

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Massachusetts (Mrs. HECKLER) is recognized for 15 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, heroes are special people. And I would venture to say that Richard Cash, Jr., of North Attleboro, Mass., is more special than most.

For one thing, Richard is 11 years old with a remarkable presence of mind and courage for someone his age.

For another, he saved the life of another boy, Jose Bizzaro of Taunton, Mass., who is 6 years older and naturally much bigger.

And finally, the two boys have become close friends since the incident.

Mr. Speaker, I would like to commend Richard Cash, Jr., for his extraordinary feat of bravery as well as for the very unusual concern he showed for Jose during his recovery from the brink of death.

I would like also to spread the story of his deed on record of this body so that all the other Members of the Congress and anyone else who reads of it can find inspiration and joy in the performance of a fine young man.

I, therefore, submit an account of it that appeared in the Attleboro Sun Chronicle on July 18, 1972.

My congratulations go to Richard, to his parents, to Jose and to his parents for demonstrating to all of us that truly "greater low hath no man."

The article follows:

[From the Sun Chronicle, July 18, 1972]

NORTH BOY, YOUTH HE SAVED "FRIENDS FOR LIFE"

(By Don Cawley)

NORTH ATTLEBORO.—"You will be forever in our hearts and in our prayers," wrote Mr. and Mrs. Joseph Bizzaro of Taunton to 11-year-old North resident Richard Cash, Jr.

The Bizzaros sent Richard a card in "deep appreciation" of his actions the afternoon of June 29 when he rescued their 17-year-old son Jose from the bottom of Falls Pond.

Jose received emergency first aid at the scene from fire and police officials and was rushed to Sturdy Memorial Hospital where his condition was listed as critical for nearly a week. Officials at the scene said the Taunton youth showed almost no signs of life at the scene.

TOO CONCERNED

Richard was commended for his heroic action by fire and police officials, but he said he was so concerned about Jose's chances of surviving, he could not enjoy the praise.

Most of his time the following week was spent at the bedside of Jose in the intensive care unit at Sturdy Memorial Hospital. Although Jose and his family speak only Portuguese, Richard said he developed warm friendships with the family during the ordeal.

"When they said he was going to live, I just couldn't believe it," said Richard. "I was very happy."

He said he was too busy to be frightened while saving the Taunton youth, but related after the incident: "I wasn't scared then, but I'm scared now that I've had time to think about what happened."

Today, almost three weeks after the incident, Richard and his parents, Mr. and Mrs. Richard Cash, Sr., have a chance to settle back and enjoy the accolades that have accompanied the heroic deed.

Richard received a letter from the Board of Selectmen which states in part: "You are the type of young person of whom the citizens of our municipality can be justly proud. This commendation will be included as part of the permanent records of the Town of North Attleboro."

ANONYMOUS PRAISE

He also received a letter, in care of the Sun Chronicle, from an area resident who wishes to remain "anonymous." Included in the letter was a $20 bill.

The letter stated: "In the world today, where concern and love are supposed to prevail, acts of charity and human kindness seem too few and far between. An article in the Sun Chronicle showed the human element has not been forgotten."

"I would like to see Richard presented with some kind of award for human concern by a civic group or a public service department."

In order to save Jose, who had slipped to a deep section of Falls Pond while wading in the water, Richard had to make three dives to the bottom of the pond. Though a solid 115 pounds, witnesses said they still found it hard to believe that a boy his size was able to carry to safety a youth six-years older and much bigger than himself.

The Cash boy said he was "very happy" when his family drove to Taunton Sunday to visit Jose and discovered he wasn't home: "We couldn't see him because he was at the soccer game at Schaefer Stadium," said his father, "Imagine that."

CHARGE AGAINST JANE FONDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHMITZ) is recognized for 10 minutes.

Mr. SCHMITZ. Mr. Speaker, I am taking this opportunity to apprise my colleagues in the House that I have today most strongly urged the Attorney General of the United States to take decisive action against Jane Fonda for her Tokyo Rose-like broadcasts to American GI's in Vietnam.

Miss Fonda told the press in Paris yesterday that she had not committed treason and would prove it by producing the texts of her broadcasts over Radio Hanoi at a press conference in New York tomorrow. I do not know what Miss Fonda will produce, but all of her broadcasts were recorded by the U.S. Government's monitoring service when they were transmitted by Hanoi. Whatever may happen with regard to charges of treason, these transcripts provide all the evidence needed for the Attorney General to proceed immediately to secure an indictment against her for violation of section 2387 of title 18 of the United States Code. I have transmitted that evidence to the Attorney General with the request that he take that action. I hope he has the courage to do so.

These broadcasts attempted to injure the morale of American servicemen in combat against the Communist enemy and proclaimed Miss Fonda's adherence to that enemy and her desire for the Communists to win the war in Vietnam. As a former Marine Corps fighter pilot, I know how much good it would do for the morale of our Armed Forces if those like Jane Fonda who support the enemy who is shooting at them, were prosecuted for their unlawful acts.

The full text of my letter to the Attorney General follows:

JULY 27, 1972.

Hon. RICHARD G. KLEINDIENST,
Attorney General, Department of Justice,
Washington, D.C.

DEAR MR. KLEINDIENST: Two weeks have gone by since Jane Fonda began making "Tokyo Rose" style broadcasts to our G.I.'s in South Vietnam and the Justice Department has not yet announced plans to prosecute her. Loyal Americans who support our servicemen cannot understand this delay and expect immediate action by your Department.

The full texts of Jane Fonda's broadcasts from Hanoi are now available here in Washington through the Foreign Broadcast Information Service. They would seem to make it very clear that she has specifically violated Section 2387 of Title 18 of the U.S. Code entitled "Activities Affecting Armed Forces Generally." This section reads as follows:

"Whoever, with intent to interfere with, impair, or influence the morale, or discipline of the military or naval forces of the U.S.: (1) advises, counsels, urges, or in any manner causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty . . ." is in violation of the law.

I would also call your attention to the testimony of Frederick Bernays Wiener, an expert on Constitutional law, in hearings relating to amendments to the Internal Security Act of 1950 dealing with obstruction of the armed forces, held by the House Committee on Un-American Activities on September 15 and 16, 1969. On page 498 of those hearings, Mr. Wiener stated: "The last Administration would not prosecute. Now it seems to me absurd to say that free speech protects a person who interferes in a Constitutional activity of the United States which Congress has protected by criminal sanctions. I hope the present Administration has a little more guts." I second the motion.

Particularly significant quotations from Jane Fonda's Hanoi broadcasts follow demonstrating her violations of the above-mentioned U.S. Code section by encouraging our servicemen to disobey orders, as well as attempting to injure their morale and proclaiming her adherence to the Communist enemy and her desire for the Communists to win the war in Vietnam.

On July 14, broadcasting in English over Hanoi Radio and addressing U.S. servicemen in Vietnam, Jane Fonda said: "I beg you to consider what you are doing. . . . All of you in the cockpits of your planes, on the aircraft carriers, those who are loading the bombs, those who are repairing the planes, those who are working on the Seventh Fleet, please think what you are doing. Are these people your enemies? What will you say to your children years from now who may ask you why you fought the war? What words will you be able to say to them?"

On July 17, 1972, in a similar broadcast, she said: "I am speaking particularly to the U.S. servicemen who are stationed on the aircraft carriers in the Gulf of Tonkin, in the Seventh Fleet, in the Anglico Corps in the south of Vietnam." She told these G.I.'s that if they continued to bomb the communist enemy in North Vietnam, they would be war criminals. She said: "The men who are ordering you to use these weapons are war criminals according to international law, and in the past, in Germany and in Japan, men who were guilty of these kinds of crimes were tried and executed." She went on: "Why? Why do you do this? Why do you follow orders telling you to destroy a hospital or bomb the schools?"

On July 19th Radio Hanoi again broadcast a Jane Fonda address to American servicemen. She asked them: "What are your commanders telling you? How are they justifying this to you? Have you any idea what your bombs are doing when you pull the levers and push the buttons? Someday we're going to have to answer to our children for this war. Someday we are going to have to explain to the rest of the world how it is that we caused this type of suffering and death and destruction to a people who—who have done us no harm. Perhaps we should start to do it now, before it is too late."

On July 21st another recorded message was broadcast over Hanoi Radio by Jane Fonda to the U.S. pilots involved in the Vietnam war. She said: "Tonight when you are alone ask yourselves: What are you doing? Accept no ready answers fed to you by rote from basic training on up. But as men, as human beings, can you justify what you are doing? Do you know why you are flying these missions, collecting extra combat pay on Sunday? The people beneath your bombs have done us no harm."

On July 22, Jane Fonda made another broadcast to the American servicemen in which she said: "This is Jane Fonda in Hanoi. I am speaking to the men in the cockpits of the Phantoms, in the B–52's, in the F–4's, those of you who are still here fighting the war, in the air, on the ground, the guys in the Anglico Corps, on the Seventh Fleet, the Constellation, the Coral Sea, the Hancock, the Ticonderoga, the Kitty Hawk, the Enterprise." Jane Fonda told these men: "If they told you the truth you wouldn't fight, you wouldn't kill."

While in North Vietnam Jane Fonda made a statement over the Hanoi Rado which was translated into Vietnamese and broadcast to South Vietnam. She said: "We also support the Vietnamese people's struggle. We understand that you and we have a common enemy—U.S. imperialism." (Broadcast on July 23, 1972)

Just before her departure from North Vietnam, Jane Fonda paid a visit to the Vice Premier, Nguyen Duy Trinh. According to a North Vietnamese broadcast of July 22, "Jane Fonda told the vice premier of her impressions during her visit to Vietnam. She said she had witnessed U.S. crimes in Hanoi capital, Hai Hung, Ha Tay and Nam Ha provinces and was deeply impressed by the Vietnamese people's solidarity and mutual sympathy and their determination to materialize President Ho Chi Minh's testament and bring the anti-U.S. aggression for national salvation to complete victory. . . . She said she was convinced that under the wise leadership of the Vietnam Workers Party and the DRV Government the Vietnamese people will certainly win brilliant victory."

I do not see how we can possibly justify to our fellow Americans who are fighting and dying to prevent the Communist conquest of South Vietnam, or to their loved ones at home, or to all who appreciate what they have done and are doing, remaining silent and inactive in the face of this kind of direct violation of law, open adherence to their enemies and offering them aid and comfort.

Yours very truly,
John G. Schmitz,
Member of Congress.

NATIONAL DEVELOPMENT AGENCY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. Mizell) is recognized for 5 minutes.

Mr. MIZELL. Mr. Speaker, I rise at this time to introduce legislation which I believe will have a dramatic effect on balancing economic and population growth in America by providing essential public services and employment opportunities in areas of the country, especially rural areas, where those services and opportunities are in short supply.

My bill would establish a $3 billion National Development Agency to coordinate the work of a new system of multistate regional commissions which would carry out locally-initiated development programs.

Projects would be concentrated in the areas of transportation, industrial growth, manpower training, education, health, housing, environmental protection, and planning.

A special impact fund of $1 billion would be authorized for use exclusively in rural areas.

Mr. Speaker, I am convinced that by creating new opportunities for jobs, health and education services, more and better housing, improved transportation systems, the attraction of new industry, and protection of the environment, my bill can help fulfill the promise of a richer and more rewarding life in areas of the country where those opportunities do not now exist.

It is the lack of just these kinds of opportunities that has caused the massive outmigration of people to the great urban centers and the desertion of much of small town and rural America.

Unfortunately, the glowing promise of opportunity in the major cities has too often given way to the harsh reality of despair and poverty and a growing welfare state.

The latest census report showed that 70 percent of the U.S. population—more than 140 million people—now live on less than 2 percent of the total land area of the country.

My legislation would help relieve the overcrowded conditions in the cities by encouraging and fostering economic and social development in less densely populated regions.

The National Development Agency I am proposing would be comprised of a presidentially appointed Administrator and the States' cochairmen of the various regional commissions throughout the Nation. Each State cochairman would be the Governor of one of the States from each commission, elected by his fellow Governors.

Each of the regional commissions would be comprised of a Federal cochairman responsible to the Administrator and representing the Federal Government, and the Governors of States within the commission's venue.

This structure is patterned after the highly successful Appalachian Regional Commission, which has worked so well and so effectively for the people of the fifth district of North Carolina and for people throughout the 13-State region.

And heavy emphasis would be given to the development of projects at the local level, where people are best suited to know both the needs of the area and the means of meeting those needs.

My legislation encourages the establishment of multicounty local development districts to plan and coordinate development efforts on the local level, just as the Appalachian Commission and Economic Development Administration have done with such great results.

Mr. Speaker, this kind of governmental structure and this kind of development program has worked extremely well with the Appalachian Commission, and I believe it can be applied just as successfully nationwide to develop this Nation and its great people to their fullest potential.

I invite my colleagues' close consideration of this legislation and solicit their support for its passage.

PANAMA CANAL AND CANAL ZONE: FEAR OF CHOLERA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, students of Panama Canal history know that when the United States in 1904 acquired the Canal Zone for the purpose of constructing and operating the Panama Canal, the isthmus was the pesthole of the world.

Under the 1903 treaty with Panama, the United States was charged with responsibility for sanitation in the Panamanian terminal cities of Panama and Colon and other areas adjacent to the Canal Zone—article VII. Under this authority the Canal Zone and nearby areas were transformed into one of the healthiest regions in all of the tropics.

In the 1955 treaty between the United States and Panama, this authority in the Republic of Panama was abrogated—article IV. The consequence has been a relapse toward the primitive conditions of 1904, with accumulations of garbage in the streets of Panama and Colon and resulting increase of the number of rats.

As one example of the deterioration that followed the surrenders in the 1955 treaty, there is the case of the former fine Panama Railroad passenger station in Panama City, given to Panama in this treaty. Some of it has been taken over by squatter-like families whose laundry frequently hangs on lines draped out of the windows.

The Panama Canal is the greatest maritime strategic crossroads of the world with about 15,000 vessels transiting it annually. At the present time health authorities there fear an outbreak of cholera, a disease associated with filth. To meet this danger the United States must be prepared to resume its authority for sanitation as originally provided under the 1903 treaty and stop thinking in terms of making additional surrenders.

A recent newsstory from the isthmus follows:

[From the Washington Post, July 17, 1972]

Hemisphere Fears Spread of Cholera

(By Francis B. Kent)

Panama City.—With more concern than most of them care to admit, medical men in this part of the world are watching the slow but seemingly certain approach of a dread disease: cholera.

In the four years since cholera cases began to appear in massive numbers in the Far East, it has crept slowly west, to Yugoslavia and the Balkans, then into the Mediterranean basin. Now, according to international health authorities here, it has spread as far as West Africa.

"It is just a matter of time," one expert told an interviewer, "until it reaches this hemisphere."

What troubles this official and others as well, although few are willing to talk for the record, is the fact that in much of Central and South America, plus the Caribbean, public health standards are shockingly inadequate.

"In some areas," one public health worker said, "the standards are not only inadequate but deteriorating."

He pointed specifically to the Caribbean islands, particularly those that over the last decade or so have acquired independence from the British.

Trinidad, for example, is already having public health problems. Earlier this year polio attacked the island on an epidemic level, so severely that authorities were forced to postpone carnival, a significant factor in the little country's economy.

The problem there, as well as elsewhere in the area, is attributed to the lack of attention paid to such fundamental questions as water purification and garbage collection.

In Port of Spain, Trinidad's capital city, garbage is dumped raw into the streets. Rats roam at will. The public dump, a sprawling, smoking reminder of medieval Europe, lies only a few blocks from the city center.

But Trinidad is far from unique. As recently as last year dengue fever erupted in the cities along the Caribbean coast of Colombia.

Elsewhere, most notably in Mexico, public officials are reluctant to admit that health problems exist for fear of discouraging the arrival of tourists. The Mexican economy is highly dependent on the American tourist.

Dr. Jose Behm, who represents both the World Health Organization (WHO) and the Pan American Health Organization here, said that both organizations are afraid that cholera will soon cross the Atlantic.

Panama is particularly susceptible, he said, because of the great number of ships that sail through the Panama Canal.

Both international agencies, he said, are training technicians in anticipation of an outbreak of cholera.

[A WHO official in Washington said that no cholera cases had yet been reported in the Western Hemisphere, although most experts believed that the disease will eventually be introduced somewhere in the Americas.

[The experts were far from certain that it would spread, he added. He said that while sanitary conditions were bad in some parts of Latin America—such as urban slums and isolated rural areas—most countries had better sanitation systems than the Far or Near East, where cholera spreads quickly.

[He said that if properly and rapidly treated cholera can be controlled with a "death rate of zero." The disease is spread when victims' waste contaminates the water and food supply, as in places where untreated sewage is dumped in the same rivers which supply a community's drinking water.]

NEW RULES FOR CABLE TELEVISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Rooney) is recognized for 5 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, new rules for the operation of cable television systems are now being implemented by the Federal Communications Commission. Simultaneously, the agency encourages CATV, while further restricting it at the urging of broadcasters, copyright owners, sports interests, and others.

In testimony at the FCC last Thursday, NFL commissioner Pete Rozelle tried to make the FCC believe that because a Baltimore station will televise five of the seven Redskin home games this fall, attendance will diminish drastically and banks have therefore refused to finance construction of new seats.

Even the Redskins were startled. So much that club president Ed Bennett Williams had no comment. Other Redskin spokesmen made it clear no banks had even been approached.

Obviously, if concern about ticket sales exists, the Baltimore station would not have been granted rights to the games—40 miles away.

Another sports representative accused CATV spokesmen of lying in describing the impact of proposed rules.

In fact, Mr. Speaker, it was obvious to me that the only people who had done a responsible study of the complex proposals were the CATV representatives whose very future is at stake.

The FCC was obviously surprised to learn from my testimony that the sports proposal would totally reverse priorities established in another document restricting CATV operation. Both documents were released on the same day at the same press conference.

Mr. Speaker, the hearing process is designed to help us make decisions in Government, and to assure that all responsible viewpoints are heard. To see this process perverted by people in responsible positions making deliberate misrepresentations is enough to make me think of conducting all proceedings under oath.

In addition, I cannot condone preparation and release of the FCC's sports proposal for CATV without thorough study by the agency and a full understanding of its impact.

Nor, in fact, can I see that the FCC has the authority to enact the sports proposal which maximizes the utilization of the sports exemption to the antitrust law.

CONGRESSMAN ROSTENKOWSKI ANNOUNCES THE RESULTS OF HIS MOST RECENT QUESTIONNAIRE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. Rostenkowski) is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, just today, my office completed the task of tabulating the results of my most recent questionnaires. Late in June, over 100,000 were mailed to the residents of the Eighth Congressional District of Illinois. The return was overwhelming.

In addition to much favorable sentiment for a system of national health insurance and a nationwide Presidential primary, the vast majority of responding Chicagoans in my District strongly support a ban on the sale of all non-sporting handguns.

Although the general trend of opinion on how we should terminate our involvement in the war in Southeast Asia was at best unclear, my constituents had very strong thoughts about the inflationary state of our economy. Over 86 percent of the thousands of responses received stated that prices were still rising at an unacceptable rate under phase II of the President's new economic policy.

In the general comments section of the survey, one theme was predominant—people are afraid to walk the streets at night. My poll is but another indication that the crime and violence in our Nation's urban areas has increased dramatically in the past few years. The related areas of drug abuse and juvenile crime also received much attention in this section.

Since the issues raised in the questionnaire are of serious concern to all my colleagues in the House of Representatives, I would like to insert the results in the Record so that all Members might benefit from this large sampling of public opinion.

Results of Congressman Dan Rostenkowski's 1972 Questionnaire

1. Should the Federal Government administer a system of national health insurance, paid for by payroll deductions similar to Social Security? Yes, 61%; No, 39%.

2. Should Social Security benefits be adjusted automatically according to changes in the cost-of-living index? Yes, 88%; No, 12%.

3. Would you favor a Federal law banning the sale of all non-sporting handguns? Yes, 77%; No. 23%.

4. Do you favor the withdrawal of U.S. troops from Vietnam:

a. immediately (by having Congress cut off the funds). a. 37%.

b. by September 30, 1972. b. 12%.

c. at the rate they are being withdrawn with no fixed date. c. 33%.

d. other (please specify). d. 18%.

5. Under the "Phase II" segment of the President's new economic policy, do you think prices are:

a. still rising at an unacceptable level? a. 86%.

b. at about the right level? b. 14%.

6. Should the United States cut back foreign aid to nations who fail to discourage the importation of dangerous drugs into this country? Yes, 95%; No, 5%.

7. Do you think that each major political party should conduct a national primary every four years to determine their party's nominee rather than continue the present system of primaries and caucuses which culminates in a national convention? Yes, 79%; No, 21%.

8. Would you be in favor of having a Presidential term of six years, with a one term limit? Yes, 36%; No, 64%.

HUMAN GUINEA PIG BARES 40 YEARS OF "DOCTORING ON ME"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. METCALFE) is recognized for 5 minutes.

Mr. METCALFE. Mr. Speaker, yesterday I inserted in the RECORD an Associated Press article which appeared in the New York Times and the Washington Post, uncovering a 40-year U.S. Public Health Service experiment in Alabama in which a group of black syphilitic victims were denied proper treatment for the disease in order that autopsies could be performed on them to determine what effects the disease has on the human body if left untreated.

Today the Associated Press followed up this article with still another article describing this alleged incident in further detail.

One of the victims, Mr. Charles Pollard, a 66-year-old farmer, has been living with syphilis for some 40 years without even knowing that he had the disease. Mr. Pollard was simply told that he had "bad blood."

Yesterday, I suggested that we call for public disclosure of all of those persons who were responsible for this experiment and public disclosure of all other activities in which they are involved. I further called for a full investigation of the Public Health Service and an investigation to determine whether or not any other members of their families may have either contracted the disease or borne children who were affected by it.

Today's article, however, raises even more serious questions of whether or not the victims were misled or coerced into participating in the experiment.

I would like to call your attention to this article also which I am inserting in the RECORD, and I wish to call upon all of my colleagues here in the House of Representatives to speak out against this type of inhuman consideration of human lives on every level. The article follows:

[From the Washington Post, July 27, 1972]

HUMAN GUINEA PIG BARES 40 YEARS OF "DOCTORING ON ME"

(By Jeff Nesmith)

NOTASULGA, ALA., July 25.—In 1932 Charlie Pollard, a 26-year-old Macon County farmer, took advantage of a public health official's offer of a free blood test and was told a few days later that he had "bad blood."

"They been doctoring on me off and on ever since then," Pollard, now 66, said Tuesday. "And they give me a blood tonic."

Pollard was not told—and did not know until Tuesday—but for the past 40 years he has been one of a constantly dwindling number of human guinea pigs in whose "bad blood" the effects of syphilis has been observed.

U.S. Public Health Service Officials revealed Tuesday that under a PHS study, treatment for syphilis has been withheld from hundreds of afflicted Negroes for the 40-year period. For the past 25 years, penicillin has been generally available to treat it. The purpose of the study was observation of the course of the disease in untreated persons over long periods of time.

Elizabeth Kennebrew, a nurse with the Macon County Board of Health who spends most of her time tracking the medical histories of the survivors, identified Pollard as a member of the group from whom treatment was withheld.

"Back here in the '50s, they give me a certificate, saying I had been in the program 25 years," Pollard said, "and since then they don't come around as much."

During the first 25 years, however, health officials returned annually to the 400-acre cotton and cattle farm Pollard owns and operates near this tiny town west of Auburn, to collect blood samples.

"They haven't been by here in a year or two now," he said.

And while he believes he has received good medical care through "the program," he has turned to home remedies during recent years.

"You say they ain't been doctoring me?" he asked a reporter who visited him Tuesday. "Well, they sure give me enough shots and took out enough blood for some reason. I even got one of them spinal taps."

On one occasion, Pollard said, he was given an operation, for removal of prostate glands.

Asked several times if he were aware that he had syphilis, Pollard always replied, "Well, they told me I had the bad blood."

Pollard was working on his father's farm in 1932 when health officials distributed a notice among black men in Tuskegee, Ala., area, offering the free blood test.

"Then a few days later, they told us our blood was bad, and they always keep coming back and taking more."

Over the years, Pollard said, most other members of the group have died. "I think there's about eight or nine of us left in this area, though."

"I thought they did me, far as I know of, pretty good," "they say my heart is good and I don't wear reading glasses. I ride a tractor practically every day."

However, about a year ago Pollard began having severe pains in his back and left leg and spent several weeks in a hospital in Montgomery.

"They told me there wasn't anything they could do for it and sent me home," he said. "I was on crutches for about six or eight weeks and I began to think I was to lose the use of this leg.

"So I tried me a home remedy the old folks had told me about for arthritis and put me some fat lightard (heart pine) splinters in some whiskey and let it soak awhile and every now and then I'd take a little sip of that.

"Now I don't be bothered with my back as much."

PROPOSED SUPERSEDING AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF BRAZIL CONCERNING CIVIL USES OF ATOMIC ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 5 minutes.

Mr. HOLIFIELD. Mr. Speaker, as chairman of the Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy, I wish to advise my colleagues that in compliance with section 123(c) of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission, on July 18, 1972, submitted to the Joint Committee a proposed superseding Agreement for Cooperation between the Government of the United States and the Government of Brazil concerning civil use of atomic energy. The Atomic Energy Act requires that such proposed amendment lie before the Joint Committee for 30 days while Congress is in session before becoming effective.

The proposed agreement would run for 30 years and would provide for cooperation in both research and power generation applications of nuclear energy superseding the research only agreement which became effective in 1966. The United States will provide the nuclear fuel for the first power reactor in Brazil's nuclear power program which has been acquired from a U.S. manufacturer.

The proposed agreement contains the standard provisions of assurance of peaceful uses of materials and equipment transferred and for the application of international safeguards against diversion.

In keeping with the general practice of the Joint Committee, I include in the CONGRESSIONAL RECORD, for the information of interested Members of Congress, the supporting correspondence. The text of the superseding agreement is available at the Joint Committee offices.

The material follows:

ATOMIC ENERGY COMMISSION,
Washington, D.C., July 18, 1972.

Hon. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to Section 123c of the Atomic Energy Act of 1954, as amended, copies of the following are submitted with this letter:

a. a proposed superseding "Agreement for Cooperation Between the Government of the United States of America and the Government of the Federative Republic of Brazil Concerning Civil Uses of Atomic Energy;"

b. a letter from the Commission to the President recommending approval of the agreement; and

c. a memorandum from the President containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security and approving the agreement and authorizing its execution.

The agreement pertains to power as well as to research applications of atomic energy. It will supersede the current research type of Agreement for Cooperation, which has been in effect since 1966. The principal purpose of the new agreement is to permit the export of a power reactor from the United States and to permit the long-term supply of enriched uranium fuel. The reactor is identified in the appendix to the agreement; it is scheduled for operation in 1976. The adjusted net quantity of U-235 required to fuel this project over the term of the agreement is calculated to be 11,800 kilograms.

As mentioned above, the scope of the agreement accommodates both research and power applications of atomic energy, and its term is thirty years. Other significant features, which are set forth below, are substantially similar to those of other long-term Agreements for Cooperation, for example, those concluded with Austria, Finland, Japan, Sweden, and the Republic of China.

Article VI permits arrangements for the transfer of special nuclear material to be made directly between authorized persons under the jurisdiction of the United States and Brazil and also between authorized persons of one country and the Government of the other country.

Article VII sets forth the fuel supply undertakings of the United States and accords with the policy followed in other Agreements for Cooperation concluded in recent years. It does not reflect the Commission's revised supply policy announced in June 1971—whereby no firm supply assurance occurs until the execution of a specific contract—since negotiations with Brazil were begun well in advance of adoption of that policy revision.

As in similar Agreements for Cooperation, Article VII provides that toll enrichment will be the normal method of supplying fuel for the power reactor project; sale is possible if the parties so agree. Enriched uranium required for fueling research, materials-testing and experimental reactors will be transferred under agreed terms and conditions. Article VII also permits transfers of plutonium, on agreed terms, for fueling reactors and reactor experiments. Such transfers would be subject to the 20 kilogram ceiling in Article IX.

Paragraph D of Article VII indicates expressly that the Commission may transfer to a person or persons under the jurisdiction of the United States Government such of its responsibilities with respect to the supply of special nuclear material, including the provision of enrichment services, as the Commission deems desirable. This provision corresponds to a like provision in the Agreements for Cooperation with Sweden and the Republic of China.

Article VIII establishes terms and conditions governing material supply. These are common to other recent similar agreements and include the following:

(1) Prices for enriched uranium and advance delivery notices will be those applicable to domestic customers.

(2) Uranium fuel may be enriched to greater than 20% in the isotope U-235 when the Commission finds there is a technical or economic justification.

(3) Fuel reprocessing may be undertaken in Brazilian facilities upon a joint determination that safeguards may be effectively applied, or in other facilities as may be mutually agreed.

(4) With respect to special nuclear material produced through the use of material supplied by the United States to Brazil, transfer of such produced material from Brazil to any other nation or group of nations will be subject to Commission approval.

Article IX establishes the overall adjusted net ceiling governing U-235 transfers. This ceiling is 12,300 kilograms, comprised of the 11,800 kilograms allocated for the power project and 500 kilograms for research and other purposes permitted under the agreement. As noted earlier, the plutonium ceiling is 20 kilograms. The U-235 ceiling quantity requires approximately 2.3 million separate work units. This requirement, together with commitments under existing Agreements for Cooperation as well as actual and anticipated enrichment requirements for domestic power reactors which will become operational in the same time period as the Brazilian project, is within the capability of our existing facilities to supply on a continuing basis.

Article X, in conformity with the standard formulation used in other Agreements for Cooperation, contains Brazil's "peaceful uses" guarantee respecting material, equipment and devices transferred under the agreement, including special nuclear material produced through their use. At Brazil's request, the article also includes a United States guarantee of the peaceful use of Brazilian material, including equipment and devices, which might be transfered under the agreement. This guarantee would extend to special nuclear material produced in material obtained from Brazil, or an equivalent amount of the same type as such transferred or produced material which the United States may substitute therefor.

Article XI continues the comprehensive safeguards rights of the United States established in the current Agreement for Cooperation.

Article XII provides that safeguards responsibilities respecting material, equipment and facilities transferred to Brazil under the bilateral will continue to be exercised by the International Atomic Energy Agency pursuant to the trilateral safeguards transfer agreement signed by the parties and the Agency in 1967, as it may be amended or supplanted by a new trilateral. United States safeguards rights will be suspended during the time and to the extent the United States agrees that the need to exercise such rights is satisfied by a safeguards agreement as contemplated in the article.

The agreement will enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for entry into force.

Sincerely,

JAMES R. SCHLESINGER,
Chairman.

ATOMIC ENERGY COMMISSION,
Washington, D.C., June 19, 1972.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Enclosed is a proposed superseding "Agreement for Cooperation Between the Government of the United States of America and the Government of the Federative Republic of Brazil Concerning Civil Uses of Atomic Energy." The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended. With the Department's support, the Commission recommends that you approve the agreement, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

The proposed agreement would supersede the current research type of Agreement for Cooperation, which has been in effect since 1966, and would expand the scope of cooperative activities to include power applications of atomic energy. The immediate purpose of the agreement is to permit the export of a power reactor from the United States, which is identified in the appendix to the agreement; it would also permit the related long-term supply of enriched uranium fuel. The reactor is scheduled for operation in 1976. The adjusted net quantity of U-235 required to fuel this project over the term of the agreement is calculated to be 11,800 kilograms.

The term of the agreement would be thirty years. Other significant features, which are set forth below, are substantially similar to those of other long-term Agreements for Cooperation, for example, those concluded with Austria, Finland, Japan, and Sweden.

Article VI would permit arrangements for the transfer of special nuclear material to be made directly between authorized persons under the jurisdiction of the United States and Brazil and also between authorized persons of one country and the Government of the other country.

Article VII sets forth the fuel supply undertakings of the United States. Pursuant to the policy reflected in other recent long-term power agreements, toll enrichment would be the normal method of supplying enriched uranium fuel for the power reactor; sale would be possible if the parties so agree. Enriched uranium required for fueling research, materials-testing and experimental reactors would be transferred under agreed terms and conditions. Article VII would also permit transfers of plutonium, on agreed terms, for fueling reactors and reactor experiments. Such transfers would be subject to the 20-kilogram ceiling in Article IX.

Paragraph D of Article VII would indicate expressly that the Commission may transfer to a person or persons under United States jurisdiction such of its responsibilities with respect to the supply of special nuclear material, including the provision of enrichment services, as the Commission deems desirable. This provision corresponds to a like provision in the amended Swedish Agreement.

Article VIII would establish terms and conditions governing material supply by the Commission. These are common to other agreements and include the following:

(1) Prices for enriched uranium and advance delivery notices would be comparable to those applicable to domestic customers.

(2) Uranium fuel may be enriched to greater than 20% in the isotope U-235 when the Commission finds there is a technical or economic justification.

(3) Fuel reprocessing may be undertaken in Brazilian facilities upon a joint determination that safeguards may be effectively applied, or in other facilities as may be mutually agreed.

(4) With respect to special nuclear material produced through the use of material supplied by the United States to Brazil, transfers of such produced material from Brazil would be subject to Commission approval.

Article IX would establish the overall adjusted net ceiling governing U-235 transfers, which would be 12,300 kilograms.

This is comprised of the 11,800 kilograms allocated for the power reactor project and 500 kilograms for research and other purposes permitted under the agreement. As noted earlier, the plutonium ceiling would be 20 kilograms.

Article X, in conformity with the standard formulation, contains Brazil's peaceful uses guarantee respecting material, equipment and devices transferred under the agreement, including special nuclear material produced through their use. At Brazil's request, the article also includes a United States guarantee of the peaceful use of Brazilian material, including equipment and devices, which might be transferred under the agreement. This guarantee would extend to special nuclear material produced in material obtained from Brazil, or an equivalent amount of the same type as such transferred or produced material which the United States may substitute therefor.

Article XI would continue the comprehensive safeguards rights of the United States established in the current agreement.

Article XII provides that safeguards responsibilities respecting material, equipment and facilities transferred to Brazil under the bilateral will continue to be exercised by the International Atomic Energy Agency pursuant to the trilateral safeguards transfer agreement signed by the parties and the Agency in 1967, as it may be amended or supplanted by a new trilateral. United States safeguards rights would be suspended during the time and to the extent the United States agrees that the need to exercise such rights is satisfied by a safeguards agreement as contemplated in the article.

Following your approval, determination and authorization, the proposed agreement will be formally executed by appropriate authorities of the United States and Brazil. In compliance with Section 123c of the Atomic Energy Act of 1954, as amended, the agreement will be submitted by the Joint Committee on Atomic Energy.

Respectfully yours,
JAMES R. SCHLESINGER,
Chairman.

THE WESTERN WHITE HOUSE,
San Clemente, July 10, 1972.

Memorandum for: Dr. James R. Schlesinger, Chairman, Atomic Energy Commission.

Subject: Proposed Agreement for Cooperation with Brazil Concerning Civil Uses of Atomic Energy.

I have reviewed the proposed "Agreement for Cooperation Between the Government of the United States of America and the Government of the Federative Republic of Brazil Concerning Civil Uses of Atomic Energy," which was submitted for my approval with the Atomic Energy Commission's letter of June 19, 1972.

Pursuant to the provisions of Section 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

a. Approve the proposed agreement, and determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security of the United States of America; and

b. Authorize the execution of the proposed agreement on behalf of the Government of the United States of America by appropriate authorities of the Atomic Energy Commission and the Department of State.

RICHARD NIXON.

HAROLD B. LEE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. MCKAY) is recognized for 10 minutes.

Mr. McKAY. Mr. Speaker, on July 7, Harold B. Lee became the president of the Church of Jesus Christ of Latter-Day Saints. As the spiritual leader of more than 3 million Mormons throughout the world, President Lee has accepted a mantle of immense responsibility. The 11th president of the church since 1830, President Lee begins his service at a time of record growth in the church, a time when the skills of his leadership will be especially valuable.

Harold B. Lee, an apostle of the church since 1941, is well prepared for the overwhelming responsibilities confronting him and his counselors, N. Eldon Tanner and Marion G. Romney. As an educator and former Salt Lake City commissioner, President Lee seems particularly qualified to deal with the diverse challenges confronting him. With the church in a period of dynamic growth, and with a continuous challenge for members to keep the commandments of God, the calling of President Harold B. Lee as prophet, seer, and revelator is truly a blessing for members of the church everywhere. This man, full of love and harmony for his fellow man, can only progress the lofty ideals and goals of the faith, and his compassionate and understanding intellect will surely ease the formidable obstacles facing the church during his administration.

In a recent talk given prior to his becoming president of the church, President Lee gave some advice which I believe should be called to the attention of my colleagues and to all public servants:

This year is again a most important year of decision for our day. Some have even said that this is the most critical period in the history of this nation and of the world . . .

This is the beginning of an intense political activity, when men of every persuasion in the political arena will be clamoring for attention and acceptance by the electorate. There will be controversy, debate, conflict, and contention, which seem to be the order of a political campaign.

In its loftiest sense, controversy may mean disputations because of honest differences of opinion. In its most degrading sense it may mean quarreling, strife, and name-calling. An example of that which degrades is the bitter personal abuse that so frequently is heaped upon an opposing candidate. Name-calling is continued throughout the whole season until listeners are left with doubt and mistrust that honor and integrity are to be found in any of those who may eventually be elected. The obvious hazard is that when these elected leaders have been maligned and downgraded, the seeds of disrespect to authority and law and order are sown in the minds of youth, particularly, instead of respectful obedience to counsel and to the laws enacted by those whose integrity and honesty have been thus impugned.

The story, presumably authenic, is told that during the Civil War when the fortunes of the Union armies, under the command of General Grant, were going badly, some concerned ministers called on President Abraham Lincoln at the White House and forcefully urged the dismissal of Grant.

To these men he is alleged to have said: "Gentlemen, General Grant has under his command all that we hold dear in this nation. Instead of criticism, you too should get down on your knees and pray God that he would see this nation through to victory."

We related this story to a president of the United States some years ago and assured him that no matter what his name or political party, we too were frequently on our knees, praying God that he and the leaders of this nation and of the world would bring us through the crises of the present.

We were heartened by the president's reply when he said, "I think that every president of this country during his term of office has been frequently on his knees praying to Almighty God."

During these years of extreme tension, you may constantly have in mind the admonition of the Lord himself: "Wherefore, be subject to the powers that be, until he reigns whose right it is to reign, and subdues all enemies under his feet," and likewise he reminds us that "he that keepeth the laws of God hath no need to break the laws of the land." . . .

As a public official in my young manhood, I was given some wise counsel by a Church leader. He said: "The only thing we will ever ask you to do is to vote for that which in your heart you feel is right. We would rather many times over that you would make a mistake doing that which you felt was right, than to vote for policy sake."

I pass these wise words of counsel to others in public office for what they are worth and strongly urge that those of you having heavy responsibilities in public office or elsewhere should meditate prayerfully and give the Lord a chance to aid you in solving the problems of life.

"Expedients are for an hour," someone has said, "but principles are for the ages." (Henry Ward Beecher.)

Now another certainty of which I would speak:

The Constitution of the United States has been mentioned several times by speakers in this conference as the basis of wise decisions in fundamental principles as applied to all matters pertaining to law and order, because it was framed by men whom God raised up for this very purpose. But in addition to that inspired document, we must always keep in mind that the greatest weapons that can be forged against any false philosophy are the positive teachings of the gospel of Jesus Christ. . . .

The Prophet Joseph Smith was asked how he governed the Church members in his day. His answer in one sentence was, "Teach them correct principles and they will govern themselves."

If we overemphasize the philosophies of the enemies of righteousness instead of teaching forcefully the principles of the gospel of Jesus Christ, such overemphasis can only serve to stir up controversy and strife and thus defeat the very purpose of our missionary work in all the nations of the world. . . .

Those who have served as public officials soon learn that there is always the imperative necessity of deciding whether or not demands on a controversial issue are being made by a well-organized loud minority or by a greater majority of those who might be less vocal but whose cause is just and in accordance with righteous principles. Always we would do well to reflect upon the counsel of a wise king of ancient times: "Now it is not common that the voice of the people desireth anything contrary to that which is right; but it is common for the lesser part of the people to desire that which is not right; therefore . . . do your business by the voice of the people."

Choose those to govern us as "civil officers and magistrates (who will) enforce the laws . . . and . . . administer the law in equity and justice", as we are admonished by inspired men of God.

In a word, we must seek for statesmenlike men who will ask, "Is it right and is it good for the country or the community?" instead of those who may merely ask, "Is it politically expedient?"

Remember always *our* declaration of political faith: "We believe in being subject to kings, presidents, rulers, and magistrates, in obeying, honoring, and sustaining the law."

Wherever you are, wherever you live, pray for the leaders of your country, for remember that they too hold in their hands all that you hold dear. Again I repeat the Lord's injunction: ". . . be subject to the powers that be, until he reigns whose right it is to reign, and subdues all enemies under his feet."

A HEALTHY LOOK AT MENTAL ILLNESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON), is recognized for 5 minutes.

Mr. HARRINGTON. Mr. Speaker, one in every 10 persons in this Nation is suffering from some form of mental illness. More than 2,500,000 Americans are treated for mental illness annually. An estimated 500,000 children receive psychiatric help in the United States each year.

With 20 million persons suffering from mental illness, one would have hoped that this Nation would have reacted to the events of the past week with a more enlightened understanding. Few Americans have lived without some close contact with mental illness. Mental illness is as valid a sickness as tuberculosis. It can be cured. To condemn a person who has suffered from mental illness to a lifetime of shame is cruel and senseless.

The national reaction to Senator EAGLETON's statement that he has suffered from mental illness goes far beyond the reaction to the man and the office to which he aspires. It goes deep into the American consciousness of this particular type of illness. We cannot seem to shake off our dark-ages view of the sickness of the mind as being, somehow, a sickness without validity or remedy—a sickness that is frightening, incomprehensible, and "weak."

Until we can view those who have suffered from mental illness with the compassion and intelligence which they deserve, we cannot call ourselves truly civilized.

I make this statement not to attempt to assess Senator Eagleton's qualifications for the office of the Vice President, but to point out that each individual regardless of his position or title is entitled to a fundamental understanding of the hardships he faces and the illness which he or she has endured.

MAJ. JOE HOWARD—THUNDERBIRD

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, the late Maj. Joseph Howard, dedicated American patriot, recipient of the Silver Star, Distinguished Flying Cross, Air Medal with 19 Oak Leaf clusters, four Bronze Stars, the Purple Heart, et cetera, recently gave his life when he crashed as a member of the Air Force Thunderbirds.

An article recently appeared in Government Executive, entitled "Someone Extra Special" referring to Maj. Joe Howard which should be shared by all Members of Congress as well as others. The article follows:

"Someone Extra Special"

During Transpo '72 at Dulles International airport last month, both the Navy *Blue Angels* and the Air Force *Thunderbirds* aerobatic teams performed. As always, their very tight formation flying and spectacular solo handling of 40,000-pound F-4 aircraft at 450–600-knot speeds on the deck and high in the sky impressed spectators, left many even awestruck.

But on the ground, mixing with people, signing autographs, circulating through the industrial chalets, being guests of honor among their fellow citizens, the pilots themselves were professionally underwhelmed about their capability. Both *Blue Angel* Don Bentley and *Thunderbird* Tim Roels told us, at separate times, in sum: "We ought to be pretty good. We practice every day."

CHARISMATIC FLAIR

Added *Thunderbird* right wing, 32-year-old Major Joe Howard: "There's almost always another side to the story." Like his compatriots, Joe Howard was as inspirational on the ground talking as he was in the air flying. A 322-mission pilot in Southeast Asia, including 69 missions over North Vietnam, Silver Star, Distinguished Flying Cross, Air Medal with 19 Oak Leaf clusters, four Bronze Stars, the Purple Heart, and clutch of lesser medals.

More than those testimonials to talent, Joe Howard had a natural charismatic flair, obviously without knowing it, for generating a kind of patriotic spontaneous combustion. He lit that kind of fire in us after just roughly 30 minutes of conversation the evening of June 3. And we heard similar reactions as he moved that evening from one group to another, all of it wrapped up best probably by an aerospace engineer.

Said he as he watched Major Howard walk away: "There ought to be something extra special for those guys because they're so extra special, themselves."

Our opening gambit that evening to Major Howard was that we'd noticed during the *Thunderbirds'* flight earlier, when they flew down the runway 100 feet off the ground, they had on occasion not only their landing gear but a Navy-carrier tailhook down.

"You mean, 'up,' don't you because we're flying upside down when we do that?"

We pressed the point, anyway. "Is the Air Force so poor you have to borrow Navy F-4's to do your job?"

That's when he gave us his first example of his "two sides to the story" equation. "That tailhook has saved me several times, making landings around Danang. And up in Alaska, we've got some F-4 squadrons flying air defense missions. Half the year, their runways are frozen. They use that hook and the arresting barrier as routinely as Navy carrier pilots; couldn't fly their missions without it."

That led to asking what he, with all his experience in the field, thought of Washington bureaucrats who have been accused of imperceptive insensitivity to field operational needs. His "two sides" sidestep of that bullet: "Some things have been done in the past I disagree with and, even now, some things I'd like to see done differently from where I stand. But I know all those guys here in Washington have a broader perspective than I do, see things I don't. I can understand, even when I don't like it, why they can't give us everything we say we need."

It went like that for a half hour, hearing Major Howard's quietly stated opinions on national security, the Nation's future, its domestic problems, the demagogues running loose in the land. And even a personal footnote. Joe Howard's wife was expecting their first child "any time now." (She gave birth to the baby the next day.)

We made plans, vaguely, to talk again in July, hopefully, in California. The next day, while pulling up from a low-level run past the Transpo '72 grandstand, Joe Howard's aircraft lost power, heeled over and crashed. Some expert observers think if he'd ejected just a second or two sooner, his parachute wouldn't have been ignited by the downed aircraft's fireball and he'd have survived. But he didn't. It is futile and frustrating to speculate that he delayed because he wanted to fight the aircraft down safely or make sure, at least, that it wouldn't crash into people.

AN INVESTIGATION?

In part because this was the third aerial fatality during Transpo, there was the usual handful of squawking demands "for an investigation"—mostly from people who make a career out of never looking for more than one side to a story. As the knowledgeable know, that kind of thing is done routinely whether the headline hunters demand it or not.

What can't be covered routinely is the loss of the man, even when only a half hour with him means you can't be quite sure just how much of a man was lost. But we feel pressed to plant one little journalistic tribute in the ground for Major Joseph Howard. He was, as our friend said, "someone extra special."

And we think Government ought to do something extra special for the pilots and families of pilots like Joe Howard. We also think it slanders the courage and dedication of every pilot like Major Howard who ever climbed into his kind of cockpit to have the "stop the world" types clacking away that such feats as the *Thunderbirds'* shouldn't be performed at all.

TRIBUTE TO ORDER OF AHEPA

(Mr. ANDREWS of North Dakota asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ANDREWS of North Dakota. Mr. Speaker, I am pleased to joint with my colleagues today in paying tribute to the American Hellenic Educational Progressive Association on this occasion of its golden anniversary.

I think all of us are aware of the many contributions that continue to be made by the Order of Ahepa toward the betterment of American life, as well as their many accomplishments and worthwhile programs. I know that the members of AHEPA are proud of their organization's records in fighting for freedom and self-respect for minorities and of the fact that it has always displayed its benevolence and generosity to the stricken victims of disaster both here and abroad.

I am proud to say that there is an AHEPA chapter in Minot, N. Dak., and its officers are: Steve G. Maragos, president; Charles DeMakis, vice president; William Kandas, secretary; and George Voregarethsos, treasurer.

THE 14TH CAPTIVE NATIONS WEEK OBSERVANCE

(Mr. MICHEL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MICHEL. Mr. Speaker, Captive Nations Week was impressively observed in the Congress and in all sections of the country. Very plainly, there is no ostrich-like escape from the massive reality of the captive nations, and the following examples of the week's observance indicate this basic truth: (a) Proclamations by Gov. William A. Egan of Alaska, and Mayors Ronnie Sizemore of Corpus Christi, Orville L. Hubbard of Dearborn, and William D. Dyke of Madison; and (b) Commentaries in Freedom's Facts, reports in America on the Detroit observance, and the Women for Freedom release:

Proclamation: Captive Nations Week

The citizens of Alaska are sympathetic toward the people of captive nations and their goal for renewed self-destiny.

We recognize the desire for liberty and independence by the overwhelming majority of peoples in the world's conquered nations and strongly support their efforts to regain individual liberty and freedom.

The freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom.

The Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe this week with appropriate prayers, ceremonies, and activities; expressing their sympathy with and support for the just aspirations of captive peoples.

I, William A. Egan, Governor of Alaska, hereby proclaim the week beginning July 16, 1972, as Captive Nations Week in Alaska, and call upon the citizens of our State to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Proclamation

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of many countries throughout the world; and,

Whereas, the desire for liberty and independence by the majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and,

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence:

Now, therefore, pursuant to the powers vested in me as Mayor of the City of Corpus Christi, I do hereby proclaim the week commencing July 16, 1972 Captive Nations Week in Corpus Christi and call upon the citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Proclamation: Captive Nations Week, July 16–22, 1972

Whereas, imperialistic Communist policies have brought about the domination and enslavement of the people of 17 countries in Central Europe, Asia and Cuba; and,

Whereas, the desire and need for liberty and independence by these peoples powerfully deters any ambition of Communist leaders to initiate a major war; and,

Whereas, the Congress of the United States, by unanimous vote, passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week; now,

Therefore, as Mayor of Dearborn, I proclaim July 16–22, 1972, Captive Nations Week in Dearborn, and call upon all citizens to observe this week with appropriate activities expressing their sympathy with and support for the aspirations of captive peoples all over the world.

Proclamation

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies, and activities; expressing their sympathy with and support for the just aspirations of captive peoples;

Now, therefore, I, William D. Dyke, Mayor of the City of Madison, Wisconsin, do hereby proclaim the period of July 16–22, 1972, Captive Nations Week in the City of Madison, and call upon the citizens of our community to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

[From Freedom's Facts, July 1972]

Captive Nations Week July 16–22

This is the 14th observance of Captive Nations Week, conceived by Dr. Lev E. Dobriansky and made Law by Joint Resolution of Congress July 17, 1959. The annual observance is now worldwide. From 1920 to this date 28 nations and nationalities have been overcome by revolution from within and pressure from without. East Germans, the Polish people, Hungarians and Czechs and Slovaks, who have tried to revolt, have been crushed by Russian tanks and machine guns in the streets of their own cities. Captive Nations Week is a time to join in expressing Americans support for the just aspirations of all captive peoples to freedom, and independence and self-determination. AAC joins with the National Captive Nations Committee in urging the observance of Captive Nations Week July 16–22.

The Dissent That Makes Brezhnev Squirm

Owing, in part, to the relaxation of tensions surrounding President Nixon's visit to Moscow, Kremlin leaders are being confronted by a growing wave of domestic dissent.

The mood of relaxation has hit the people of the Soviet Union. Poets, philosophers, novelists and nationalists seem to interpret international changes as a signal for their own long suppressed self-expression.

Item: An unauthorized "Chronicle of Current Events" began to appear in Moscow in January of this year. Its contents are what Soviet censors would call "anti-Soviet agitation and propaganda." Speaking or printing one's mind is a state crime worth 12 years in prison or exile in the Soviet paradise.

Item: A top-level crack down on dissent has resulted in a wave of arrests of some leading literary and scientific personalities. Among the arrested have been astronomer Kronid Lyubarsky, philosopher Vatslav Sevruq, cybernetics expert Leonid Plyusch. Hundreds of apartments and offices have been searched in Kiev, Novosibirsk, and Leningrad as well as Moscow for incriminating evidence on others.

Item: Yuly Brind, a master engraver, recently was sentenced to two and a half years in prison for having applied for emigration to Israel. Vladimir Barkman, a former KGB officer and an engineer, has been arrested on the charge that he maintains some link with Zionists. His arrest has provoked protests in Lithuania and elsewhere in the Soviet Union.

Item: In Ukraine leaders of a revival of Ukrainian national consciousness are being arrested. Although Ukraine officially is an independent state with its own representative in the U.N., people there are so oppressed by Russian Communist overlords that leaders may not express love of Ukraine publically without becoming arrested for anti-Sovietism.

Item: Alexandr Solzhenitsen, Nobel winner, complains that he is being suffocated. Author Bulat Okudshava, some of whose works have appeared in the West, has been expelled from the Communist Party for refusal to admit his own political errors. His friend, novelist Vladimir Maksimov has been kicked out of the Soviet Writers Union for not denouncing the Western publication of his novel, "The Seven Days of Creation."

One wonders what kind of society it is which arrests, oppresses, and suppresses intellectuals for the expression of their own ideas? How can anyone—student, housewife, worker, farmer, manager—hope ever to fulfill his own life where censorship and suppression of independent thought is a high state policy?

(Sources: The London Times, June 13, 1972: "Uncensored Russia: Protest and Dissent in the Soviet Union", American Heritage Press, $10; News From Ukraine, Vol. No. 4).

[From America, July 20, 1972]

Captive Nations Week in Metropolitan Detroit

Detroit, Mich.—The Captive Nations Week Committee, co-sponsored by The Captive Nations Committee of Metropolitan Detroit and the American Friends of Anti-Bolshevik Bloc of Nations, pursuant to the Joint House—Senate Resolution (Public Law 86–90) and in compliance with the proclamations of President Richard M. Nixon, Governor William G. Milliken, Mayor Roman S. Gribbs commemorated The Captive Nations Week in Metropolitan Detroit with the following activities: 1. A traditional motorcade moved down Woodward Avenue from the Art Institute area to the Cobo Hall riverfront area on Saturday, July 15th at 5 p.m.

Over 500 automobiles with floats participated. The cars were decorated with American and National Flags of the fifteen nationalities participating (Albanians, Armenians, Byelorussians, Bulgarians, Croatians, Czechs, Estonians, Serbians, Slovaks, and Ukrainians).

The cars displayed appropriate banners dealing with Russian and Communist oppression of their former homelands.

2. Congr. Wm. S. Broomfield delivered the main speech and the President's Message at the official commemorative program at the Ethnic Festival Grounds, at 6 p.m., July 15th, 1972. Congressman Broomfield elaborated on the plight of Captive Nations as related to the United States foreign policy.

3. Further activities of the Captive Nations Week Committee included: three day festival as part of the Ethnic Festivals presented by the City of Detroit held on July 14, 15 and 16th; Cancellation Stamp at the main post office was used starting July 10th, calling on the people to: "Observe Captive Nations Week—Third Week of July"; interviews with the Executive Board Members on Radio Station WWJ on "Detroit Close-up" with Jerry Whitman on July 16th, 9:40 a.m. and an interview on TV Channel 4, with George Kendall, on "Target" July 16, at 12:30 p.m.

The purpose of this commemoration, was to call to the attention of the American public of the plight of the Captive Nations. We are trying to break through the seemingly indifference about almost one billion people in captivity in spiritual and political serfdom.

Broomfield Filled in for Nixon at Captive Nations Week Celebration

Detroit, Mich.—At the request of President Nixon, Congressman William S. Broomfield (R-Bloomfield Township) was the President's special representative and main speaker at the Detroit Area Captive Nations Week celebration in Detroit Saturday, July 15.

Bohdan Fedorak and Sigurds Rudzitis, cochairmen of the Captive Nations Week, said the President requested that Broomfield, a ranking member of the House Foreign Affairs Committee, stand-in for him.

Broomfield rode in the lead car of the parade which began at 4 p.m., Saturday at Woodward and Kirby, Detroit. He delivered the President's greeting and was the main speaker at 5 p.m. ceremonies at the Veterans Memorial Building in Detroit.

"We were naturally very disappointed that the President could not come to Detroit but we were extremely pleased that Congressman Broomfield, who is well known to those involved in the Captive Nations problems, agreed to fill-in for the President," Rudzitis said.

Women for Freedom, Inc.—Captive Nations Week Appeal

Women for Freedom and the other undersigned women's organizations are appealing to the American people to respond to and reflect upon the special significance of the 14th annual Captive Nations Week, which is being observed this year from July 16–22.

We believe there is a grave danger that the people of the USA may be misled into a state of euphoria that true peace and security have been achieved by our recent overtures to the Communist countries.

For despite their avowed alleged commitment to world peace, recent events demonstrate the true intentions of the Communist leaders. Donning their new cloak of respectability, gained through friendlier Soviet American relations, the Communists are becoming bolder in intensifying their policy of repression and Russification. These policies are creating a veritable cultural genocide.

Arrests of intellectuals in Eastern Europe and the USSR are becoming more widespread. For instance, in Ukraine hundreds of intellectuals and professionals have been arrested and tried secretly for demanding human rights to which they are entitled under the Soviet Constitution and the Universal Declaration of Human Rights. The Baltic countries, Czechoslovakia and the other nations in the Soviet sphere are suffering similar oppression and persecution in their cultural and religious life.

Therefore, we urge all Americans to join in the Captive Nations Week observances and to take every opportunity to call attention, through their political, religious and social organizations, to the plight of these helpless captive peoples.

IRRESPONSIBLE VIEWS OF SENATOR McGOVERN

(Mr. HALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HALL. Mr. Speaker, I want to call attention to the fact that irresponsible and ill-informed views of Senator McGovern, in the areas of foreign and defense policies posed considerably more than a merely prospective danger to be realized only in the unlikely event of his election.

A good example of such, can be found in his attitude toward Greece. Diplomatic sources reveal that Senator McGovern's antagonism toward Greece, and his promise to end aid to Greece has jeopardized the scheduled sale of American planes to that nation. Let me say in the starkest economic terms that this means the possible loss of $130 million to the McDonnell-Douglas Corp. in the State of Missouri. I hesitate to even guess at the number of jobs that such an action is going to cost the people of Missouri. It seems to me that Senator Eagleton has some obligation to the people who elected him, to prevent this sort of economic devastation in his own State, rather than to permit the McGovern people to lead him around by the nose, suggesting McGovern's ambitions, and his own at the expense of the people who put him in the Senate.

I want to just urge other Members of the House to take a good close look at the McGovern foreign policy, and the McGovern defense policy—whatever they are lately—and figure how much they are going to mean to your constituents in dollars and cents. On the basis of those policies, this country is going to end up militarily defenseless, and diplomatically friendless, and financially bankrupt.

I would hope in the coming weeks to see Senator McGovern stop saying things that tickle his radical constituency, and start saying things that make sense.

RESOLUTION CALLING FOR AN EXACT ACCOUNTING OF MONEYS OWED THE UNITED STATES BY FOREIGN NATIONS

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the Record.)

Mr. DANIELS of New Jersey. Mr. Speaker, I rise in support of the resolution introduced today calling for an exact accounting of all moneys owed by foreign nations to the Government of the United States.

Mr. Speaker, I think that it is long past time when this Congress demanded an accounting from the executive branch. I commend the gentleman from New York, my good friend and colleague, Congressman Lester Wolff for his leadership in this matter. The gentleman from New York has impressed all Members with his ability and his effectiveness in this body. I am proud to join with him in this resolution.

Foreign nations now owe this country more than $46 billion and at least $18 billion has been owed since World War I. This, I might add, in a time of high taxes and mounting pressure on the dollar, is a very large sum of money.

Mr. Speaker, I am not an isolationist nor a xenophobe, but I am a Representative in this body of men and women who work hard for a living and are strapped to break even in a time of high prices for the basic necessities of life. If there is to be relief from economic pressure they certainly should have high priority.

For a half century American taxpayers have made the world safe for democracy have been the financial and military buttress of the free world, the feeder of the hungry and the supporter of the needy throughout the world. But our financial resources are not unlimited and it is time that other nations enjoying record prosperity begin to pay their share. At this particular time when the dollar is under pressure and the United States balance of payments is far from rosy, it is time that we begin looking to other nations to pay their just debts.

Mr. Speaker, there is some evidence that the Treasury Department does not know just how much we are owed by foreign government. I want to know what we are owed and I want payment where it is possible.

Mr. Speaker, I am proud to join with the many distinguished Members of this House who have added their names to this resolution including such truly outstanding Representatives as the distinguished chairman of the Ways and Means Committee (Mr. Mills of Arkansas) and the distinguished chairman of the House Foreign Affairs Committee (Dr. Morgan) and I commend them and the gentleman from New York (Mr. Wolff) for their leadership.

FOR AN ACCURATE ACCOUNTING OF AMERICAN PERSONNEL MISSING IN ACTION IN SOUTHEAST ASIA

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the Record).

Mr. DANIELS of New Jersey. Mr. Speaker, I rise in support of the concurrent resolution introduced today which would call upon President Nixon to use every means at his disposal to secure a complete and accurate accounting of American personnel missing in action in Southeast Asia.

Mr. Speaker, I have agreed to cosponsor this resolution because I share with the principal sponsor the distinguished gentleman from California (Mr. Van Deerlin) and my colleagues a deep concern for those Americans whose fate is unknown and whose families are undergoing the agony of not knowing where their loved ones are, or, indeed, whether they are alive or dead. Could there be a worse situation than this?

Mr. Speaker, of the 1,700 Americans taken prisoner or officially designated as missing in action, only 339 have been identified by the North Vietnamese as prisoners of war and significantly none has been identified by the National Liberation Front nor by the Pathet Lao. Surely, this points out the need for a greater effort in this area. This is not to suggest that I feel that the President has been derelict in this area. This issue is too important for partisanship or an attitude of politics as usual. All Americans of good will join with President Nixon in seeking a solution to this problem.

Mr. Speaker, I commend my able friend from California (Mr. Van Deerlin) for his leadership in this matter. The next of kin of men lost in the jungles of Southeast Asia in their time of torment are fortunate to have a congressional champion of such high ability as the gentleman from California. I am proud to join him in this effort.

AHEPA'S GOLDEN ANNIVERSARY

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the Record.)

Mr. STRATTON. Mr. Speaker, yesterday, July 26, the Order of Ahepa observed its golden anniversary, and I am proud to join in saluting this great organization of Americans of Greek descent for the fine contributions it has made to America over these years through its dedication to the improvement of social, moral, and family life.

AHEPA stands for American Hellenic Educational Progressive Association. Since its inception in Atlanta, Ga. in 1922, the organization has done much to benefit our country through the perpetuation of the Hellenic culture and ideals that contained the roots of democracy and of modern civilization.

On the national and international level our present AHEPA activities have included the providing of relief to disaster victims, the establishment of scholarships, and the building of educational institutions.

The 430 local chapters across the country have also made great contributions to their own communities. Of the 36 chapters located in New York State, two of the most active and important are located in my district in the cities of Schenectady and Albany. I know from personal experience how much these two communities have benefited from AHEPA activities and from the service of active AHEPA members.

It is, therefore, appropriate that we in the House take this opportunity to express our congratulations and gratitude to all members of the Order of Ahepa for 50 years of service to their neighbors, their families, and their Nation. It is also appropriate, Mr. Speaker, that we take this time to salute the country of their ancestry, Greece, which is one of our staunchest and most important NATO allies. Only recently some ships of the U.S. 6th Fleet have been home-ported in Greece so as to ease the long separation of U.S. service families.

We are glad that Greece is working with us to maintain the common defense and we hope and trust that alliance continues for many years.

ACCOUNTING OF MISSING PRISONERS OF WAR DEMANDED BY 41 HOUSE MEMBERS

(Mr. VAN DEERLIN asked and was given permission to extend his remarks at this point in the Record.)

Mr. VAN DEERLIN. Mr. Speaker, it is my privilege today to offer, on behalf of myself and 40 of our colleagues, a concurrent resolution in support of the 1,700 Americans missing or prisoners of war in Indochina.

Our proposal would, first, call on the President to use every means at his disposal to obtain a full acounting of the status of these men and, second, stipulate that any settlement of the war would be "incomplete and inadequate without tangible assurance" of the identification and safe return of all the prisoners.

Mr. Speaker, the conduct of the war continues to be a bitterly divisive issue. But insofar as the welfare of the Americans missing or captured because of the conflict is concerned, the response to this resolution leaves no room for doubt—we are committed, as a nation, to the safe return of all these men.

I have been most heartened, frankly, by the nature of the cosponsorship which has attached itself to this resolution.

Those signing come from 21 different States and represent all places on the ideological spectrum. I think it can safely be said there are not many issues which would bring together this particular group of 41 members in this fashion. Their display of unity should at least reassure the Nation of our determination to obtain the release of the prisoners. It also may convey a message to those at home and abroad who may mistake our differences over the war for a weakening of our fundamental concern for the well-being of the prisoners.

Not one of the men held captive by the North Vietnamese, the Pathet Lao, or the Vietcong is accorded the protection of the Geneva Conventions, which were agreed to by North Vietnam among 120 other signatories. The Conventions specifically require: first, identification of each prisoner; second, regular communication between the prisoner and his family; third, neutral inspection of prison facilities; and, fourth, repatriation of the sick and wounded.

North Vietnam has officially identified only 339 Americans as being held captive while none have been named by the Vietcong or the Pathet Lao.

Evidence from many other sources indicates the official listing should be about five times as long; that the actual number of prisoners may exceed 1,700. At this point, I will cite but a few of the many discrepancies in the official list.

Navy Lt. Ronald Dodge, of California, shot down May 17, 1967, over North Vietnam, was seen to be surrounded by the North Vietnamese on the ground and reported via radio, "I am breaking up my radio"; and was seen in a full page photograph in Paris Match magazine, September 9, 1967, between two North Vietnamese guards walking toward the camera in a location identified by a Dutch photographer as Hanoi; but the North Vietnamese stated Lieutenant Dodge was "never detained in North Vietnam."

Air Force Maj. Wilmer N. Grubb, of Virginia, shot down and captured January 26, 1966, was extensively photographed, looking alert and healthy with only an apparent slight wound to his knee; but in 1971 the North Vietnamese claimed Major Grubb died 9 days after his capture from injuries received in a crash.

Navy Lts. Walter Estes, of Michigan, and James Teague, of Arkansas, shot down in a single aircraft, November 19, 1967, were identified 2 days later in a Hanoi wire photo monitored in Warsaw by Associated Press. The North Vietnamese now assert Lieutenants Teague and Estes were "never detained in Vietnam."

Air Force Capt. Richard H. Van Dyke, of Utah, seen to eject safely from a crippled jet and parachute to the ground, was obviously the subject of a story 3 days later in Hanoi newspaper, Nhan Dan, describing the same incident and site and claiming the capture of an air pirate without naming him. But the North Vietnamese claim Van Dyke was never detained in North Vietnam.

The above are only a few examples of similar evidence of discrepancies, and even though one or two might be explained as the vagaries of war, the sheer quantity of such evidence irresistibly indicates glaring errors in the so-called complete and official list.

Let us now seize this opportunity to encourage full disclosure of the prisoner list, and the safe return of these men, some of whom have been in this most hopeless sort of open-end captivity for as long as 8 years.

At this point, I include a copy of a news release concerning the resolution and its cosponsors.

Resolution and Cosponsors

Washington.—Forty-one House members today joined in a bipartisan declaration of support for the more than 1,700 Americans who are missing or prisoners of war in Indochina.

The group introduced a resolution calling on the President to "use every means at his disposal" to obtain a full accounting of the missing men and stipulating that any settlement of the war would be "incomplete and inadequate without tangible assurance" of the identification and return of all the P.O.W.'s.

The resolution notes that only about one-fifth of the American servicemen and civilians known to be missing or held captive have been officially identified as such by communist forces.

The resolution is patterned on a model proposal by Concern for Prisoners of War, Inc., a San Diego-based organization which dramatized its cause last week by driving a POW "mobile museum" to the steps of the Capitol.

Rep. Lionel Van Deerlin, a San Diego Democrat who solicited co-sponsors for the resolution, said he thinks the language is broad enough to accommodate a wide range of viewpoints.

"Regardless of how we may feel individually about the war's justification, there can be no quarrel over the desirability of obtaining a proper listing and the safe return of these men," he said.

In a statement for the Congressional Record, Van Deerlin cited discrepancies in the official North Vietnamese listing of 339 captured men. No prisoners have been identified by the Pathet Lao or the National Liberation Front.

Co-sponsors with Van Deerlin represent both parties, all sections of the nation and a broad range of ideological outlook. They include:

Reps. Nick Begich, D-Alaska; Alphonzo Bell, R-Calif.; Charles E. Bennett, D-Fla; Ben B. Blackburn, R-Ga.; Ray Blanton, D-Tenn.; Jack Brinkley, D-Ga.; Shirley Chisholm, D-N.Y.; Don H. Clausen, R-Calif.; James C. Cleveland, R-N.H.; Harold R. Collier, R-Ill.; George W. Collins, D-Ill.; James C. Corman, D-Calif.; William P. Curlin, Jr., D-Ky.; Dominick V. Daniels, D-N.J.; George E. Danielson, D-Calif.; Edward J. Derwinski, R-Ill.; Harold D. Donohue, D-Mass.; Joshua Eilberg, D-Pa.; O. C. Fisher, D-Texas; John J. Flynt, Jr., D-Ga.

Also: Reps. Nick Galifianakis, D-N.C.; Richard T. Hanna, D-Calif.; David N. Henderson, D-N.C.; Albert W. Johnson, R-Pa.; Peter N. Kyros, D-Me.; Dawson Mathis, D-Ga.; George P. Miller, D-Calif.; G. V. Montgomery, D-Miss.; James G. O'Hara, D-Mich.; Claude Pepper, D-Fla.; William J. Randall, D-Mo.; Charles W. Sandman, Jr., R-N.J.; David E. Satterfield, D-Va.; William L. Scott, R-Va.; Robert L. F. Sikes, D-Fla.; Bob Wilson, R-Calif.; Charles H. Wilson, D-Calif.; Gus Yatron, D-Pa.; Clement J. Zablocki, D-Wis.; and Roger H. Zion, R-Ind.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Foley (at the request of Mr. O'Neill) for today on account of illness in family.

Mr. Morgan (at the request of Mr. O'Neill) for today on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Thone) and to revise and extend their remarks and include extraneous matter:)

Mr. Hogan, for 60 minutes, today.

Mr. Findley, for 5 minutes, today.

Mr. Shoup, for 5 minutes, today.

Mrs. Heckler of Massachusetts, for 15 minutes, today.

Mr. Schmitz, for 10 minutes, today.

Mr. Mizell, for 5 minutes, today.

(The following Members (at the request of Mr. Danielson) and to revise and extend their remarks and include extraneous matter:)

Mr. Gonzalez, for 5 minutes, today.

Mr. Flood, for 10 minutes, today.

Mr. Rooney of Pennsylvania, for 5 minutes, today.

Mr. Rostenkowski, for 5 minutes, today.

Mr. Metcalfe, for 5 minutes, today.

Mr. Holifield, for 5 minutes, today.

Mr. McKay, for 10 minutes, today.

Mr. Harrington, for 5 minutes, today.

Mr. Diggs, for 60 minutes, on August 10.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Aspinall.

Mr. Miller of California in three instances.

Mr. Roush and to include extraneous material.

Mr. Michel and to include extraneous matter.

(The following Members (at the request of Mr. Thone) and to include extraneous matter:)

Mr. Carlson.

Mr. Duncan.

Mr. Carter.

Mr. Hunt.

Mr. Steiger of Wisconsin.

Mr. Wyman in two instances.

Mr. Spence.

Mrs. Heckler of Massachusetts.

Mr. Hansen of Idaho in two instances.

Mr. Baker.

Mr. Schmitz in five instances.

Mr. Brotzman.

Mr. Derwinski.

Mr. Forsythe in two instances.

Mr. Rousselot.

Mr. Anderson of Illinois in three instances.

(The following Members (at the request of Mr. Danielson) and to include extraneous matter:)

Mr. McKay.

Mr. Yatron.

Mr. O'Neill.

Mr. Biaggi in 10 instances.

Mr. Giaimo in two instances.

Mr. Link in two instances.

Mr. Purcell.

Mr. Dow.

Mr. Gonzalez in three instances.

Mr. Rarick in two instances.

Mr. Annunzio in two instances.

Mr. Monagan.

Mr. Carey of New York.

Mr. Anderson of California in four instances.

Mr. Bennett in two instances.

Mr. Galifianakis.

Mr. Stokes.

Mr. Rodino.

Mr. Rostenkowski.

Mr. Waldie in three instances.

Mr. Patten.

Mrs. Mink in four instances.

Mr. Boland in three instances.

Mr. Dingell.

Mr. Harrington in two instances.

Mr. Helstoski.

Mr. Staggers.

Mr. Daniels of New Jersey in two instances.

Mr. Foley.

Mr. Jones of Tennessee in five instances.

Mr. Diggs.

Mr. Waggonner.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 736. An act to designate certain lands in the Cedar Keys National Wildlife Refuge in Florida as wilderness.

ADJOURNMENT

Mr. DANIELSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until Monday, July 31, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2196. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1973 for drug abuse treatment, prevention, and law enforcement activities (H. Doc. No. 92–330) to the Committee on Appropriations and ordered to be printed.

2197. A letter from the Director, Office of Legislative Affairs, Agency for International Development, Department of State, transmitting the fourth annual report on steps being taken by the Agency to strengthen management practice in the foreign aid program, pursuant to section 621(a) of the foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2198. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs; to the Committee on Interstate and Foreign Commerce.

2199. A letter from the Secretary of Health, Education, and Welfare, transmitting notification of a delay in the submission of the report relating to grants to States for the construction of health facilities, pursuant to section 103(c) of Public Law 91–296; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 15376. A bill to amend the Service Contract Act of 1965 to revise the method of computing wage rates under such act, and for other purposes; with amendment (Rept. No. 92–251). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 11357. A bill to amend the National Labor Relations Act to extend its coverage and protection to employees of nonprofit hospitals, and for other purposes, (Rept. No. 92–1252). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 15989. A bill to establish a Council on International Economic Policy, to extend the Export Administration Act of 1969, and for other purposes. (Rept. No. 92–1260). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLAND: Committee of Conference. Conference report on H.R. 15093 (Rept No. 92–1261). Ordered to be printed.

Mr. COLMER: Committee on Rules. House Resolution 1063. Resolution providing for the consideration of H.R. 14146, a bill to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zone, and for other purposes. (Rept. No. 92–1253). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1064. Resolution providing for the consideration of H.R. 15474, a bill to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia. (Rept. No. 92–1254). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 1065. Resolution providing for the consideration of H.R. 15475, a bill to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. (Rept. No. 92–1255). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EILBERG: Committee on the Judiciary. H.R. 4646. A bill for the relief of Mrs. Gavina A. Palacay; with amendment (Rept. No. 92–1256). Referred to the Committee of the Whole House.

Mr. SEIBERLING: Committee on the Judiciary. H.R. 10711. A bill for the relief of Mrs. Purita Paningbatan Bohannon (Rept. No. 92–1257). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 10712. A bill for the relief of Flora Datiles Tabayo; with amendment (Rept. No. 92–1258). Referred to the Committee of the Whole House.

Mr. MAYNE: Committee on the Judiciary. H.R. 12204. A bill for the relief of Jay Alexis Caligdong Siaotong (Rept. No. 92–1259). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG:

H.R. 16069. A bill to provide for more equitable coverage under the emergency unemployment compensation program; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.R. 16070. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK (for himself, Mr. Jones of Alabama, Mr. Harsha, Mr. Kluczynski, Mr. Hammerschmidt, Mr. Wright, Mr. Grover, Mr. Gray, Mr. Cleveland, Mr. Clark, Mr. Don H. Clausen, Mr. Edmondson, Mr. Schwengel, Mr. Johnson of California, Mr. Snyder, Mr. Dorn, Mr. Zion, Mr. Henderson, Mr. Roberts, Mizell, Mr. Howard, and Mr. Terry):

H.R. 16071. A bill to amend the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. BLATNIK (for himself, Mr. Anderson of California, Mr. Thone, Mr. Caffery, Mr. Baker, Mr. Roe, Mr. Collins of Illinois, Mr. Roncalio, Mr. Begich, Mr. McCormack, Mr. Rangel, Mr. James V. Stanton, Mrs. Abzug, and Mr. McFall):

H.R. 16072. A bill to amend the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. FORSYTHE:

H.R. 16073. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 16074. A bill to authorize appropriations to carry out jellyfish control programs until the close of fiscal year 1977; to the Committee on Merchant Marine and Fisheries.

By Mr. GUBSER:

H.R. 16075. A bill to provide for the establishment of a U.S. High Court of Settlement which shall have jurisdiction over certain labor disputes in industries and other enterprises affecting interstate commerce and the public interest; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 16076. A bill to amend the Federal Water Pollution Control Act in order to require the approval of adjacent coastal States prior to the construction of certain offshore facilities; to the Committee on Public Works.

By Mr. GUDE (for himself, Mr. Mills of Maryland, Mr. Conte, and Mr. Hogan):

H.R. 16077. A bill to establish the Potomac National River in the States of Maryland, Virginia, West Virginia and the District of Columbia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. HICKS of Massachusetts:

H.R. 16078. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enable units of general local government to increase the numbers of police; to the Committee on the Judiciary.

By Mr. HILLIS:

H.R. 16079. A bill to amend title 5 of the United States Code to protect the total pay of an employee who is promoted in the same occupation and same agency; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.R. 16080. A bill to expand the membership of the Advisory Commission on Intergovernmental Relations to include elected school board officials and elected town and township officials; to the Committee on Government Operations.

By Mr. KOCH:

H.R. 16081. A bill to provide for suitable works of art in Federal buildings; to the Committee on Public Works.

By Mr. KOCH (for himeslf, Mr. Addabbo, Mr. Bell, Mr. Bingham, Mr. William D. Ford, Mr. Harrington, Mrs. Heckler of Massachusetts, Mrs. Hicks of Massachusetts, Mr. Mitchell, Mr. Patman, Mr. Rodino, Mr. Roybal, Mr. Scheuer, and Mr. Yates):

H.R. 16082. A bill to amend the Federal Food, Drug, and Cosmetic Act to regulate the advertising and distribution of organically grown and processed foods; to the Committee on Interstate and Foreign Commerce.

By Mr. McKEVITT:

H.R. 16083. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 16084. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. PEPPER:

H.R. 16085. A bill to amend title II of the Social Security Act to provide a 50-percent, across-the-board increase in benefits thereunder, with the resulting benefit costs being borne equally by employers, employees, and the Federal Government, and to raise the amount of outside earnings which a beneficiary may have without suffering deductions from his benefits; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 16086. A bill: State approval of certain ocean facilities; to the Committee on Public Works.

By Mr. STEPHENS:

H.R. 16087. A bill to provide for adjustments in the lands or interests therein acquired for the Clark Hill Reservoir, Ga., by the reconveyance of certain lands or interests therein to former owners thereof; to the Committee on Public Works.

By Mr. THONE:

H.R. 16088. A bill to protect the constitutional rights of citizens of the United States and to prevent unwarranted invasions of privacy by prescribing procedures and standards governing the disclosure of information to Government agencies; to the Committee on Banking and Currency.

By Mr. WHITE:

H.R. 16089. A bill to remove the appropriation limitation for development of Chamizal National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOW (for himself, Mr. Gerald R. Ford, Mr. Arends, Mr. Anderson of Illinois, Mr. Devine, Mr. Jonas, Mr. Cederberg, Mr. Rhodes, Mr. Minshall, Mr. Michel, Mr. Davis of Wisconsin, Mr. Robison of New York, Mr. Shriver, Mr. Andrews of North Dakota, Mr. Wyman, Mr. Talcott, Mr. Riegle, Mr. Wyatt, Mr. Edwards of Alabama, Mr. Del Clawson, Mr. Scherle, Mr. McEwen, Mr. Myers, Mr. Robinson of Virginia, and Mr. Kuykendall):

H.R. 16090. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. LUJAN:

H.R. 16091. A bill to amend title I of the International Claims Settlement Act of 1949 to require the Secretary of the Treasury to make payments in the amount of $10,000 on account of the unpaid principal of each award certified to the Secretary by the Foreign Claims Settlement Commission with respect to claims of nationals of the United States against certain foreign governments; to the Committee on Foreign Affairs.

By Mr. MIZELL:

H.R. 16092. A bill to establish a national development program through public works, including a special component for the development of rural America, and to consolidate under the program so established certain existing development programs; to the Committee on Public Works.

By Mr. O'NEILL:

H.R. 16093. A bill to provide for the establishment of the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL (for himself, Mrs. Abzug, Mr. Anderson of California, Mr. Badillo, Mr. Bell, Mr. Burton, Mr. Corman, Mr. Dellums, Mr. Edwards of California, Mr. Hawkins, Mr. Helstoski, Mr. Johnson of California, Mr. McFall, Mr. Mitchell, Mr. Moss, Mr. Rees, and Mr. Waldie):

H. 16094. A bill to authorize grants to the Deganawidah-Quetzalcoatl University; to the Committee on Education and Labor.

By Mr. STUCKEY:

H.J. Res. 1264. Joint resolution proposing an amendment to the Constitution to permit the imposition and carrying out of the death penalty; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.J. Res. 1265. Joint resolution to extend for 2 years the provisions of law which relate to the former Speaker of the House of Representatives; to the Committee on House Administration.

By Mr. PURCELL:

H. Con. Res. 652. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. VAN DEERLIN (for himself, Mr. Begich, Mr. Bell, Mr. Bennett, Mr. Blackburn, Mr. Blanton, Mr. Brinkley, Mrs. Chisholm, Mr. Don H. Clausen, Mr. Cleveland, Mr. Collier, Mr. Collins of Illinois, Mr. Corman, Mr. Curlin, Mr. Daniels of New Jersey, Mr. Danielson, Mr. Derwinski, Mr. Donohue, Mr. Eilberg, Mr. Fisher, Mr. Flynt, Mr. Galifianakis, Mr. Hanna, Mr. Henderson, and Mr. Johnson of Pennsylvania):

H. Con Res. 653. Concurrent resolution expressing the sense of the Congress with respect to the accounting and return of all American prisoners in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. VAN DEERLIN (for himself, Mr. Kyros, Mr. Mathis of Georgia, Mr. Miller of California, Mr. Montgomery, Mr. O'Hara, Mr. Pepper, Mr. Randall, Mr. Sandman, Mr. Satterfield, Mr. Scott, Mr. Sikes, Mr. Bob Wilson, Mr. Charles H. Wilson, Mr. Yatron, Mr. Zablocki, and Mr. Zion):

H. Con. Res. 654. Concurrent resolution expressing the sense of the Congress with respect to the accounting and return of all American prisoners in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. FINDLEY (for himself and Mr. Latta):

H. Res. 1066. Resolution amending the rules of the House by adding rule XLV on House-authorized Federal budget; to the Committee on Rules.

By Mr. BARING:

H. Res. 1067. Resolution expressing the sense of the House that the authority of the President to issue Executive orders should be investigated by appropriate committee or committees of the House; to the Committee on Rules.

EXTENSIONS OF REMARKS

POWER CRISIS

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ASPINALL. Mr. Speaker, last week New York City experienced an electrical power crisis that, in the words of one expert observer, is going to become a way of life for this country. Electrical equipment went off in every borough except Staten Island in periods of time ranging from 15 minutes to 15 hours. Power shortages were also experienced in Michigan and Rhode Island last week. Assuring adequate fuel and energy supplies under environmentally acceptable conditions is one of the major problems facing our country.

The following article from the New York Times Weekend Review of Sunday, July 23, summarizes the problems experienced around the Nation last week:

POWER CRISIS: BETTER TO LIGHT A CANDLE AND CURSE

"From now on, this is going to be a way of life." The speaker: John Carver, former Commissioner of the Federal Power Commission, talking from an air-conditioned committee office on Capitol Hill. His subject: New York City in the age of the power crisis.

Any doubts that New York had come of age were dispelled last week. Temperatures in the 90's—and a smoggy inversion—sent residents running for air-conditioned apartments and offices, placing a record-breaking load on Consolidated Edison's power capacity. Equipment failures added to the utility's woes. The upshot; Air-conditioners, electric clocks and light bulbs tripped off at one time or another in every borough except Staten Island, for periods of time ranging from 15 minutes to 15 hours. And hundreds of thousands of New Yorkers, feeling the effects of powerlessness, found it better to light a candle—and curse Con Ed's darkness.

South Brooklyn went out at 9:45 P.M. last Monday. Firemen climbed 14 flights of stairs at the Brooklyn Veterans Administration Hospital to begin hand operation of an electric respirator and rocking bed that was keeping a patient alive. Tony Portello dragged huge sides of beef to the basement when the refrigeration in his meat market failed. Felicia Salmonese had to throw out the hand-made potato salad and rice pudding in her delicatessen on Bay Ridge Avenue.

But the problems in Brooklyn were only the beginning. Outages, as the blackout is euphemistically known, began springing up elsewhere.

Riverdale in the Bronx, areas of Queens, scattered portions of Manhattan found their voltages diminished or in some cases slashed completely as blue and white Con Edison trucks rushed from block to block seeking to hold together a system that appeared to be disintegrating in the 90-degree heat. (The company called it a "heat storm," a new addition to the lexicon of suffering.)

"Their reserve is so marginal they simply can't afford the loss of a single one of their major units," said Lester M. Stuzin, chief of the state power system planning division of the New York Public Service Commission in Albany.

The crisis seemed to divide itself into two distinct facets—the immediate problem of collapsing "networks" and the longer-range question of supply, or just where the power will continue to come from.

The loss of power to 200,000 customers in Brooklyn Monday night was caused by a failure of six of the 10 "feeder lines," the 27,000-volt high-tension power lines that in the countryside sit atop row upon row of steel-girdered towers but in New York City are crowded together beneath the pavements.

Under normal loads—at 3 o'clock in the morning or on a mid-winter afternoon—the remaining four lines leading into Bay Ridge, Sunset Park and Gowanus could have taken up the slack. But they too were running at full tilt, carrying every volt they could handle. To prevent a burnout and collapse of the whole network, Con Edison executives ordered a shutdown.

The post mortem on the six offending cables has still not been completed. But a combination of age, cracks in their lead sheaths, water seepage and, of course, the tremendous heat building up under the pavements were all blamed for the failures there and in scores of other scattered locations throughout the city.

With regard to the demands on capacity, "they were lucky," one P.S.C. official said of Con Ed. "So far they haven't had to go for more than a 5 per cent reduction throughout their network, and the consumer can't really feel that appreciably. But when you get to the next increment, 8 per cent, then things begin to happen." At that point, home air-conditioners cut out, television sets dim, lights glow feebly.

And the statistics did not look encouraging: Last month, Con Edison estimated the highest possible peak demand at 8,400,000 kilowatts. And, it figured, it could supply 10,598,000 kilowatts—an apparently hefty cushion.

But that cushion includes 600,000 kilowatts from the Bowline plant in upstate New York. And Bowline only last Thursday conducted its first tentative tests with live steam and has still to produce a single kilowatt of power.

Moreover, Con Edison estimates that on an average day about 2.3 million kilowatts of power generators are out of service—so-called "unavailable capacity." Last week, however, there was one day with more than three-million kilowatts worth of generators out. And, despite hundreds of thousands of kilowatts purchased from contributing power companies as far away as Ontario Hydroelectric Company in Canada and in New England, there were still problems.

High-tension long-distance transmission lines quickly reached their capacity and, in one crucial case in Dutchess County, failed completely. The Long Island Lighting Company lost its 300,000-kilowatt third generator at Northport, L.I., and dropped out of the grid. And gas turbines at Ravenswood in Queens and a conventional unit at Astoria failed at crucial periods, the P.S.C. said.

"Why us?" was a question millions of New Yorkers were asking last week. "Why doesn't it happen in other large cities?" One answer: To some degree it does. Power companies serving Detroit and outlying areas of Michigan cut voltages by 5 per cent last Thursday for five hours. Electrical storms and other "acts of God" cost the New England Power Exchange some 500,000 kilowatts of power last week. One result was that Rhode Island was almost completely blacked out for a period.

But, in general, Con Edison's problems are unique. No other utility carries so high a power load. While Con Edison was forecasting last month a peak demand of 8,400,000 kilowatts this summer, the Los Angeles Department of Water and Power was predicting only a 3,445,000 kilowatt high.

Moreover, environmentalists hereabouts have had particular success in blocking construction of new power plants. One of their concerns: The air pollution such plants would produce. It's all something of a vicious circle. Smog descends . . . use of air-conditioners soars . . . power supply falls short, in part for lack of new capacity . . . which had been short-circuited by fears of—smog.

JEWISH SUPPORT FOR PRESIDENT NIXON

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 27, 1972

Mr. SCOTT. Mr. President, a letter by Rabbi Pinchas N. Gross, published and widely circulated by the Baltimore Jewish Times of July 21, 1972, is of particular interest. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ELECTION OF MCGOVERN SEEN PERIL TO ISRAEL

SIR: The article by Boris Smolar in your July 7 issue on the forthcoming presidential election was too "pareve," and requires a reaction in order to have a more realistic attitude toward this problem.

I have been a registered Democrat all the years of my ability to vote and never thought of the possibility of ever supporting the Republicans. But this year is an exception! And I hope that every conscious Jew will share my views that the election of George McGovern to the presidency of the United States could turn out to be a catastrophe for the State of Israel. Let, therefore, the admonition of the Prophet Isaiah "For Zion's sake I shall not hold my peace and for Jerusalem's sake I will not be silent" awaken us to work hard for the re-election of President Nixon.

Let no conscious Jew be deceived by the recent statements of McGovern, in order to get Jewish votes. His record on Israel and other Jewish interests is horrible and frightening and could be disastrous to Israel's security. He voted in 1970 against loans to Israel for the purchase of vital military supplies, and in 1971 he again voted against military loans and economic assistance to Israel.

In 1971 McGovern expressed a desire for the "internationalization of the city of Jerusalem," and at the same time he called on Israel to return the Golan Heights. He suggested boundaries basically like those before the Six-Day War, which three times caused Arab aggression against Israel.

When Nasser in 1969 began the War of Attrition and Israel defended itself through its flights across the Suez Canal, McGovern said that the United States' sale of aircraft to Israel "should not be made available for forays over Arab territory." If the United States had listened to McGovern's advice, Egypt's War of Attrition could have been disastrous for Israel.

And one more fact. How good can McGovern be for the survival of Israel if he is so liked by the New Left with its anti-Jewish and anti-Israel attitudes, and so welcomed by the Arab aggressors? As late as April 1972, the Arab propagandist in this country, M. T. Mehdi, endorsed McGovern with the following words: "Although he (McGovern) has been wishy-washy on the Middle East, his general position on questions of justice and racism has been good, and he offers the best hope . . . of making the correct decisions on Palestine if and when he would be confronted with the problem."

The record of Richard Nixon for the safeguard of the State of Israel is not only reflected in his unprecedented acts but also in the attitude of the Government of Israel. Between the lines of the statements of Golda Meir, Abba Eban, Moshe Dayan and Yigal Allon, you can notice how anxious they are to see the re-election of President Nixon. And don't forget that all of them are Socialists and Nixon represents classic capitalism . . .

Space does not permit me to elaborate on McGovern's threat also to the security of America itself, and on his strange views on many domestic issues, Jewish and general, which a Humphrey, a Muskie or a Jackson would not have agreed to.

It is my hope that my colleagues in the rabbinate, who usually don't mix in politics, will this year see fit to express their views. To be neutral this year means to be indifferent to the vital issues concerning Israel's existence and to the welfare of the Jewish community in this country.

Finally, my views expressed are personal and I am not speaking for my organization, the RZA.

Rabbi PINCHAS N. GROSS.

H.R. 15144—PROVIDING MANDATORY PRISON TERMS FOR THE USE OF A FIREARM WHILE COMMITTING A FEDERAL CRIME

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ANDERSON of California. Mr. Speaker, the gun has become a tool of the trade for the killers and hoodlums in America.

He uses guns in over half of this Nation's murders, which increased a sharp 10 percent in the first 6 months of 1971.

Armed robberies, in which guns were used two-thirds of the time, jumped 19 percent.

Aggravated assaults with guns showed a marked 15-percent increase over 1970.

Meanwhile, from January through September of last year, 87 policemen were gunned down by armed hoodlums.

There has been a lot of tough talk and a wide range of proposals—from shoot-to-kill to banning all firearms, from the automatic death penalty to the seizure of any weapon.

But, despite all the talk, things are worse today, and violence is increasing virtually everywhere.

Mr. Speaker, crime and violence in the country are a national scandal. Equally scandalous is the administration of justice to those brought to trial for dangerous weapons violations.

In New York, there were 2,946 arrests for dangerous weapons violations in 1970. Of those convicted, only 8 percent received a jail sentence, and then for only a few months. The remainder were let go with only a slap on the wrist.

In Washington, D.C., those who violate the dangerous weapon statute have a two-out-of-three chance of not receiving a single day in jail. And even when imprisonment does result in such cases, that imprisonment is normally far less than that which is authorized.

Mr. Speaker, we must create an atmosphere in which it is known by everyone, beyond any doubt, that using a gun illegally will be dealt with surely and effectively by the criminal justice system.

In this regard, on May 24, 1972, I introduced H.R. 15144. The thrust of this measure is directed at the criminal who abuses the gun, the individual who, through his own actions, jeopardizes the rights and lives of honest, law-abiding citizens.

This bill, Mr. Speaker, would provide for a mandatory 5- to 10-year prison sentence for using a gun during the commission of a Federal crime on the first offense. This 5- to 10-year jail term would be in addition to the penalty for committing the crime.

Under present law, a person who robs a bank is subject to a jail sentence of 20 years.

If my bill, H.R. 15144, were enacted, that person—if he used a gun during the commission of the crime—would be subject to an additional jail sentence of 5 to 10 years, for a total of 25 to 30 years in prison.

If a person has been convicted for illegally using a firearm on a previous occasion, on a second conviction that individual would be subject to a mandatory prison sentence of from 10 years to life—in addition to the normal sentence for committing the crime.

Mr. Speaker, I feel that this bill would effectively curb the illegal use of guns without penalizing the law-abiding citizens. This measure would remove one of the most important tools of the trade from the inventory of the punks and hoodlums who have terrorized our communities for far too long.

U.S. DEPARTMENT OF AGRICULTURE'S FOOD AND NUTRITION SERVICE AND NUTRITION LABELING

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 27, 1972

Mr. SCHWEIKER. Mr. President, the Food Distribution Division of the Food and Nutrition Service of the U.S. Department of Agriculture has designed a new program to provide nutrition information on the label of foods offered by the Federal Government through the food distribution program to low-income families.

I am particularly interested in this, and as a member of the Senate-Select Committee on Nutrition and Human Needs, I have heard a great deal of testimony relating to the need for better consumer information on the nutritional value of foods. This is particularly important for low-income people who by necessity must be very careful in their selection of foods.

On October 21, 1971, I introduced S. 2734, the Nutritional Labeling Act. This legislation is designed to assist consumers by requiring that information relating to the nutritional value of food commodities is included on the label of such commodities.

Since the Food and Nutrition Service has developed its own program in this area, I asked USDA to prepare for me a memorandum describing the new program. I believe this information will be of general interest to the Senate; therefore, I ask unanimous consent that the text of the memorandum be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

NEW LABELS FOR FOODS DONATED TO FAMILIES

In recent years there have been many improvements in the Food Distribution Program for families which fulfills an important role in efforts to eliminate hunger and malnutrition by supplying a variety of high quality foods, attractively and interestingly packaged and labeled. A broader assortment of foods has been made available, and since 1968, the amount of food distributed to families has about doubled.

The focus of the Program has also broadened from strict adherence to removing farm surpluses from the market, the aim of the program as it was originally conceived in the 1930's, to emphasis on meeting the food needs and preferences of the low-income participants.

The nutritional value of the foods offered to States for distribution to families has improved so that the family package now contains 100 percent or more of the Recommended Dietary Allowances for protein, iron, calcium, Vitamins A and C, thiamin, and riboflavin and 80 percent of needed calories. Enrichment and fortification are used wherever possible to increase the nutritional value of donated foods. Extensive outreach and educational materials are available to help program participants use these foods and to gain maximum benefit from the variety available.

To further aid in program effectiveness the labels for donated foods have now been redesigned to increase their educational value and encourage better use of the foods by recipients. On the commercial market food package labels have long been recognized as an important aspect of the merchandising, selection and buying processes. Correspondingly, the new brightly colored labels for USDA-donated foods are designed to present and merchandise an attractive and desirable food package within distribution centers, and to encourage recipients to use the foods and return for more in succeeding months.

Donated foods can provide recipients with a key to good nutrition, but the Department realizes that to use the foods wisely and to select the combinations of food needed everyday, extensive consumer education is needed. Therefore, the format of the new designs and information are presented to realize full utilization of the educational possibilities of food package labels. These labels highlight the Department's concern about the particular needs of all donated food recipients, and they will especially benefit those who have low reading levels or are illiterate.

The principle function of labels for donated foods is to identify and describe the foods both verbally and graphically, and to provide information on use. A similar style and design treatment are used on all the labels to unify the wide range of food products distributed. Two color designs plus a distinctive graphic treatment create an eye-catching label appeal.

Illustrations on the front panels of all labels clearly identify package contents. The illustrations, stylized down to the simplest form, depict the enclosed food or types of dishes that can be prepared from the package contents. As a general rule, the color of the illustration corresponds to the color of the food to further assist recipients in the identification process. The style of type chosen for the product's name and its properties (variety, style, packing medium, etc.) is easy to read and attractive. The Spanish name of each food appears directly below the product name on the front panel of all labels.

Storage suggestions for both before and after the package is opened are included to help recipients maintain product quality and nutritive value, and to prevent contamination. Recipes, use suggestions, serving ideas, and drawings to illustrate the basic preparation steps or mixing directions are included as available space on individual labels permits. Information in Spanish such as recipes and mixing instructions appear on labels of all foods requiring reconstitution or mixing.

Donated foods, combined correctly, can provide a basis for the variety of different types of food needed daily. Therefore, a nutrition education symbol representing the Basic Four Food Groups is featured on labels of all products which fall into one of the four categories. The symbols are color keyed to the front panel illustrations or coded for quick group identification, and printed information supports the symbol in greater detail. For example, on the label for green beans the illustration and square in the Daily Food Guide symbol representing the Vegetable-Fruit Group are both green. The message beneath the symbol reads, "Everyday eat foods from each Group. Green Beans are in the Vegetable-Fruit Group."

Since the Meat Group contains many different types of foods, the message accompanying the symbol on products in this category is more detailed. For example, the script accompanying the symbol on the dry bean label states, "Everyday eat foods from each Group. Dry Beans are in the Meat Group which also includes meat, fish, poultry, eggs, split peas, lentils, and peanut butter."

A complete explanation of each category in the Daily Food Guide including the foods in each Group and the number of servings needed daily appears on selected labels where space permits. This Guide is a simple, workable plan to help recipients serve balanced meals and to aid in local nutrition education activities. By following the Guide and selecting from the wide range of donated foods distributed, a basis for choosing the foods needed daily to supply necessary nutrients is available.

As required other label information given includes the net quantity of contents, listing of ingredients, a statement or inspection shield or mark to indicate that the product was inspected for wholesomeness plus statements on enrichment or fortification, if applicable. The wording to indicate name of distributor has been changed from "Donated by the Department for Food Help Programs" to "Distributed by USDA in cooperation with State and local governments for Food Help Programs." The USDA shield appears on most labels and further identifies the foods as being distributed by the Department of Agriculture.

Labels for donated foods have been redesigned to function not only as more effective food package labels but also to serve as nutrition education tools for those working with recipients on the local level and to educate recipients themselves on an individual basis. The new labels, which have already appeared on some donated foods and will be on all packages in the near future, are a considerable departure from the past in style, format, and color. Presenting donated foods in packages with more colorful, educational labels is an attempt to increase participant's satisfaction with and use of these foods, thereby furthering efforts to end hunger and malnutrition in this country.

AGNEW THE LOGICAL CHOICE OF NIXON

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. BAKER. Mr. Speaker, President Nixon's stated preference for Vice President SPIRO AGNEW as his running mate in the 1972 campaign was not only anticipated in Tennessee and other Southern States, it was the only selection that could be made insofar as most observers of the political scene down South are concerned.

An editorial in the Nashville Banner, "Agnew the Logical Choice of Nixon," is in harmony with our thinking and states the case very well for a Vice President who has served with distinction and has earned the right to continue in this capacity.

The editorial follows:

AGNEW THE LOGICAL CHOICE OF NIXON

Political logic as well as the personal team relationship—and the recognized stature of the man in public service—sustained the judgment of President Nixon in his announced choice of Vice President Spiro T. Agnew as his 1972 running-mate.

Though it terminated a spate of speculation, most of it unfounded, it hardly occasioned great surprise. It was Mr. Nixon's view as vouchsafed in January that "You should not break up a winning combination" and the statement spoke volumes in terms of both personal and team confidence. That was, of course, six months before the Democratic choice was determined, but it was reiterated in the development disclosed Saturday, whether or not the Chief Executive had any notions of change.

Mr. Agnew is a man of notable political stature in his own right; a man who brought to the 1968 campaign the considerable executive prestige he had acquired as a Governor of Maryland, admired and respected by fellow executives irrespective of party labels. Staunchly conservative, the designation is more than a tag of convenient classification. His rugged individualism and complete frankness in speaking his mind embrace more than the unswerving Constitutional concept in matters of governmental operation. They relate to conscientious treatment of citizen responsibility.

The President and the Vice President as top members of this administrative team are truly representative of the broad spectrum—Republican and Democratic alike in general identification—which does not embrace the ultra liberalism with which the opposition elements are affiliated. The President has chosen as his runningmate again, the man who symbolizes so strongly the working conservatism bespeaking a major strength in support of the national policies, both domestic and foreign, upon which the upcoming contest will be predicated.

With a sensitivity for the public interest, the Vice President has rendered great service through his office on the home front—a legislative tenure helping with advancement of administrative measures; and defending them as a plain-spoken advocate in state and local appearances when occasion demanded over the nation. He has been the President's able representative, and a Good Will Ambassador, on working visits to many lands. In the pattern of president in recent year enhancing the office itself, he has prepared himself for the increased responsibility should that contingency arise.

As mentoined, it does not surprise that he is the President's choice.

Millions concur.

SPEECH BY SECRETARY OF TRANSPORTATION JOHN A. VOLPE ON OUR TRANSPORTATION SYSTEM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 27, 1972

Mr. THURMOND. Mr. President, at the 1972 transportaton conference of the American Society of Civil Engineers on July 17, 1972, the Secretary of Transportation, Hon. John A. Volpe, spoke on the role of technology in our transportation system.

Technological advances in transportation should be used to balance our system so that all modes can be operated at their optimum level. The Department of Transportation has outlined four major thrusts for fiscal year 1973.

The first of these programs is for expanded research. The Department of Transportation has engaged in extensive research since 1968 to reach this overall goal of a balanced system. Mr. Volpe points out that safety and environmental factors must be foremost in mind in any transportation reorganization. The last program is to revamp urban transportation facilities. It is becoming more and more vital that commuters switch from private to public transit systems. These comments deserve the consideration of Congress.

Mr. President, I ask unanimous consent that the statement be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS BY U.S. SECRETARY OF TRANSPORTATION JOHN A. VOLPE

I am truly honored and delighted to have this opportunity to be with you today for the opening of the Society's Transportation Conference. A.S.C.E. is to be complimented for organizing this forum, and for enlisting such an outstanding array of support organizations—co-sponsors representing virtually every mode of transportation.

I always feel a great rapport with civil engineers, having served my hitch with the Seabees in World War II, and being a past president of the Society of American Military Engineers.

And of course in my public positions over the last two decades I have dealt continually with men (and women too, of course) who are dedicating their talents and abilites to the design, construction and management of our great engineering advances.

We all learned in high school physics that Archimedes claimed he could move the world if he had a lever long enough.

We are extremely close to having that lever in our hands today—and now, more so than ever before—what we do with our leverage as we build for the future is of vital importance. This is especially true in transportation, and I welcome this chance to share some thoughts with you today.

As you are all well aware, there are several conflicting viewpoints on the role of technological improvement in transportation. There are those who very simplistically say "we *can* build it, so we *must* build it." On the other hand, there are those who would call a dead-halt to all further sophistication and indeed—would even have us return to some point in the past when life was allegedly a bit simpler and less involved.

As is generally the case in something like this, the answer—to me at least—lies somewhere in the middle.

I, for one, don't want to go back to those days just 150 years ago when the work week was 72 hours, average pay was $275 a year, a distance of 20 miles comprised a weekend trip, and male-life expectancy was about 38 years.

By the same token, I don't look forward to a world in which the air is polluted with death-dealing gases, the land is bombarded with radioactivity, and the water is saturated with uncontrolled wastes.

You don't want those extremes either, do you? Of course not!

In over-reacting to what technology is capable of doing, too many people tend to put a clamp on what technology *should* be doing.

So, in addressing myself to the advertised topic here today—"our emerging National Transportation Policy"—let me begin with a brief statement outlining our basic transportation concept within the Department.

To this Administration, transportation means "mobility." And mobility requires that we develop and improve *all* modes so each will be able to best serve the purpose for which it was designed—economically, efficiently, and safely. Our ultimate objective, of course, is to create a truly balanced transportation system.

This can only be achieved, however, if we develop *all* of our systems on a truly intermodal basis, and by putting the most emphasis in areas where the greatest need exists.

For Fiscal Year 1973—which started the first of this month—we are aiming at four major program thrusts as we address ourselves to the basic needs. (I might note that these are parallel thrusts, and just because I list them 1-2-3-4 doesn't mean that any one takes greater precedence than the others.)

First, we recognize a crying need for expanded research and development activity in transportation. Back in 1968 the Department spent about $150 million on transportation research.

By 1972 we had that figure up to $300 million, and in Fiscal '73 it is 450 million. We want better capability for the future, because we know as well as anyone that today's answers won't meet tomorrow's needs. For instance we know that the demand for transportation capacity will have doubled by 1990, but we also know, that a simple doubling of the number of cars, trucks, buses, trains, ships, planes, highways and airports would make our problems increase geometrically. New systems—and new interfaces between the modes—are needed now as we look to the years ahead.

Second, we must continually provide for increased safety in transportation—in all of the modes. The critical matter at the moment is highway safety, with some 50,000 deaths a year (150 a day), but the potential for disaster exists throughout transportation, and safety measures and standards must continually be established and upgraded.

Third, all of us recognize as no generation has before, that we must pay full and close attention to the environmental impact of all that we plan and build. I know that those of you in highway construction especially have your own occasional thoughts about the National Environmental Protection Act, and the required Environmental Impact Statements. But I am also aware of the long-standing determination of responsible builders that we leave the land better than it was when we found it. Frustrations among those who are settled in the status quo are justifiable when the long-range goal is so obviously worthwhile. Of course environmental quality costs more—but it's worth more, too, and this is and will be a quality Nation!

The fourth major thrust for Fiscal 73—and here we get a little more specific because the need is so readily evident—lies in revitalizing our urban transportation facilities.

This is imperative if we are to maintain livable cities, and we are aiming to accomplish this revitalization with a substantial concentration of major resources. (Perhaps you could call them our A-B-C-D resources—ability, brains, cash, and determination.)

The object is two-fold.

First, we want to get at least some commuters—who hit the city streets only twice a day—out of their cars and back into public transportation. In the 20 years from 1950 to 1970 public transportation lost more than 7 billion annual riders and the fleet was depleted by 25,000 vehicles. They were sacrificed to that private transit system, the family car, and as a result most of our cities find themselves dangerously near their own sacrificial altar. Now it is necessary to lure many of those riders back to public transportation that is convenient, competitive and attractive. In some of our larger cities this may mean fixed right-of-way rapid transit, but in the vast majority of urban centers it means better buses on better schedules making better utilization of rights-of-way already in place.

The second objective is to realize that any mass transit system is considerably more than a shuttle for shoppers and commuters. It is a vital community service for those who cannot or do not drive. This includes the young and the old, the handicapped, the infirm and the economically disadvantaged. These are the people who now exist without mobility in cities glutted with it. Certainly, this is the result of an imbalanced system, and it must be corrected.

Two years ago, President Nixon foresaw this situation. He said then: "Highway building has been our greatest success story in the past two decades . . . now we must write a similar success story for mass transportation in the 1970's."

The world is well aware of the tremendous engineering job that was done in creating our magnificent Interstate and Federal Aid Highway System. This Nation's ability to travel between cities is a phenomenon that is envied through the world.

Now let's apply the same know how—the same ability, brains and dedication—to freeing the congestion *within* our cities!

Let's determine that this is a top-priority matter, and let's work together to make our cities work! That's what this Administration wants to do, and we want your help in doing it. To implement this thinking, the President proposed and Congress passed the Urban Mass Transportation Act of 1970. We feel this philosophy is working. Surely, the cultivation of improved mass transit offers one of the cheaper solutions to big city problems, including pollution and congestion. To achieve these ends, the Act called for raising the level of urban transportation assistance from $130 million in 1968 to $600 million in 1972 and $1 billion for FY 1973. This will not only allow large metropolitan areas to plan and put into effect new systems and to improve existing systems, it will also make possible major advances towards a truly balanced National Transportation System.

Our most recent effort to attain this balance is our proposal to make a portion of the Highway Trust Fund available to finance urban transportation projects on a local-option basis. Our proposal would create a single category of funding for capital investment for any needed public, surface transportation facility. Under this bill, local elected officials will be able to choose the kind of urban transportation investments which will give them the most for their money. Thus, decision making will be taken out of Washington and put in the hands of knowledgeable local officials, where it belongs.

The key words are "choose the kind of urban transportation investments which will give them the most for their money."

Now I am sure that a number of you have heard of this proposal as a "raid on the Trust Fund," or a "diversion of highway money," or some such phrasing. That simply isn't true.

If the states and the metropolitan areas want to use every last penny of this new category of funding for highway construction, they are free to go right ahead and do just that! The difference is simply that they no longer would *have* to use every last penny for highways. They would be using that money for transportation, pure and simple, and the priorities would be established at the local level by those who know the problems best.

There are those, too, who claim that allowing a portion of this money to be used for purposes other than the design and construction of highways "breaks faith" with those who have been paying the highway user taxes. Not so. To my way of thinking, the average American who puts money into the Trust Fund through fuel and accessory taxes isn't categorically after the construction of more miles of pavement. He's after better transportation. There isn't a motorist or trucker or bus company in the country who wants to build new highways only to find them filled with crawling bumper-to-bumper traffic twice a day. Why build 60-mile-an-hour freeways when traffic creeps along at a snails pace?

What we want to do with the Urban Fund is provide commuters with an alternative—to get them into buses and transit systems so as to reduce congestion—and open up our highway system for those who do have a legitimate reason for traveling by motor vehicle.

And this is the sort of efficiency we are looking for in *all* modes.

I look to the kind of engineering improvements that will reshape clanging commuter trains into quiet automated rapid rail systems; an aviation system that will move people through the terminal as efficiently as it does through the skies; buses that are clean and comfortable; automobiles and highways that exist harmoniously with the environment; and hundreds of other functional improvements necessary to upgrading the quality of life.

To deny further advances in technology is to deny all future goals.

Today's transportation engineer must—more than ever before—shape his work to meet the needs of the human environment. Not only must he be a technical scientist, but something of a sociologist and psychologist as well. And he must continue to keep in mind at all times that community interaction and community welfare are the reasons for his existence.

This means that the engineer and the city planner must, for example, continue to find new ways to integrate our transportation systems—to mold them into one efficient and coordinated means of mobility. At the Department of Transportation we are just beginning a research and demonstration program of deliberate intermodal integration.

We are proposing a sequence of studies and projects aimed at the selection, by 1974, of a city or cities where the components of intermodal integration can be demonstrated.

In defining these components as institutional, operational and physical, we find that the institutional problems are the first—and perhaps the most difficult—to overcome. We must first decide how we want to live—and then decide what kind of city, what physical characteristics will yield that kind of life.

A recent report to the Department of Transportation by the National Academy of Engineering underscores this point. The Academy's Committee on Transportation reported, "Technology makes possible a wide range of choices, but the present choices need to be made in relation to urban goals." That challenge presents engineers, planners, and government leaders alike with a most difficult task. Call it evaluation. Call it technological assessment. But it all adds up to the same thing: Transportation must serve the larger goals of society, as well as the more narrow needs for individual mobility. In my judgment, to resist this principle is to deny the political and industrial realities of the last decade.

This Administration sees transportation planning as essential for long-term management and preservation of our national heritage. We know that cities must move and breathe before they can work or play. We know democracy must solve problems before it can be respected. We know the human race simply cannot survive or prosper in a poisoned environment.

We are convinced this country can set an example for the world if only it will stick with its principles. We have much to be proud of—and more virtues than faults.

And—my friends—we know that we live in the greatest Nation in the world. There are those who knock this country. There are those who would spend far more time talking about what is wrong with America than taking a look at what is *right* with America.

To the gadflies, the nay-sayers of society, I would say only this: There are far more people trying to get into this country than there are trying to leave it.

The applications for immigration are piled sky-high, because the people of the world know that despite our faults we have set the pace for freedom, liberty, and justice for all. And because of this, we *can* have faith in our future. We have arrived at this point in history—in large part—because we have been a Nation of builders. We will continue to build. We will build for a better day.

And I respect those builders—I respect you ladies and gentlemen—who have brought us such a long way in such a short time. I have often remarked that mankind had thousands of years to adjust from the invention of the wheel to the first automobile. But we have had barely half-a-century to go from the Model-T to jet aircraft carrying 400 people. Our times move fast. Our knowledge and skills are abundant. Our material resources haven't failed us yet. Our needs are great.

Yet—as you all know so well—we must resolve to apply our technological genius to meet human needs.

With your continuing help and concern, we can be the first Nation to truly master the vital challenges of urban society.

THE CAPTIVE NATIONS REALITY

HON. CLIFFARD D. CARLSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. CARLSON. Mr. Speaker, the 1972 Captive Nations Week has served one notable purpose, namely, to remind all of us of the continuing reality of the captive nations. Though many of our fellow Americans would prefer to forget this reality, this fact of international life cannot in any circumstances be ignored if we value our own national independence in the future. Those who participated in the recent observance emphasized this and other truths pertaining to the captive nations. As examples, I should like to present, first, the proclamation of Gov. William G. Milliken of Michigan and Mayors Mary M. Heslin of Hartford, Edwin W. Wade of Long Beach, and L. C. Murphy of Tucson, and second, the Los Angeles Captive Nations Week resolution, an article on "Captive Nations: An Instrument for Peace," circulated in "The Best of the New Guard 1961–71," and a statement by the Japanese Friends of Captive European Nations:

Executive Declaration in Observance of July 16–22, 1972, as Captive Nations Week

The policies of Communist Russia have led to the subjugation and domination of the Albanian, Armenian, Bulgarian, Byelorussian, Croatian, Czech, Estonian, Hungarian, Latvian, Lithuanian, Polish, Rumanian, Serbian, Slovak, Ukrainian, and many other nations.

The relentless desire for liberty and independence on the part of the people of these captured nations is important to people everywhere, but is of particular concern to the many in this country who can trace their ancestry to these nations.

The freedom loving peoples of the Captive Nations look to the United States as the capital of human freedom, and to the people of the United States as an aid and inspiration in their pursuit of freedom and independence.

Public Law 86–90 established the third week in July as the Captive Nations Week and calls on the people of the United States to observe such a week with appropriate prayers, ceremonies, and activities; expressing their sympathy with and support for the just aspirations of the captive peoples.

Therefore, I, William G. Milliken, Governor of the State of Michigan, call upon the citizens of this state to join with others in observing this week by offering prayers and dedicating their efforts to freedom for all peoples throughout the world.

Proclamation: Captive Nations Week, July 16–22, 1972

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples;

Now, therefore, I, Mary M. Heslin, Acting Mayor of the City of Hartford, do hereby proclaim that the week of July 16–22, 1972 be observed as Captive Nations Week in the City of Hartford and call upon the citizens of Hartford to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Proclamation

Whereas, the imperialistic policies of Russian Communists, through direct and indirect aggression, have led to the subjugation and enslavement of the peoples of many nations throughout the world, East Germany, Poland, Hungary, Lithuania, Ukraine, *Czecho*-Slovakia, Latvia, Estonia, Bulgaria, Serbia, Tibet, North Vietnam, Cuba, and many others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence:

Now, therefore, I, Edwin W. Wade, Mayor of the City of Long Beach, with the unanimous consent of the City Council, do hereby proclaim the week beginning July 16, 1972, as Captive Nations Week in Long Beach, and I call upon all our citizens to join with others in observing this week by offering prayers and by dedicating their efforts for the peaceful liberation of all oppressed and subjugated peoples all over the world.

Proclamation

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, North Korea, Georgia, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States and leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples;

Now, therefore, I, L. C. Murphy, Mayor of the City of Tucson, Arizona, do hereby proclaim the week of July 16–July 22, 1972, to be

Captive Nations Week in the City of Tucson, and call upon all citizens of this community to join wtih others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Resolution Adopted by the Freedom Rally on Saturday, July 15, 1972, at City Hall and County Mall in Los Angeles

Mindful of a mounting Communist danger to freedom and rightful law in this country and all the world, we, Americans for Freedom of Captive Nations and citizens of Los Angeles gathered on July 15th, 1972, at the Captive Nations Freedom Rally in Los Angeles, do adopt and proclaim the following resolutions:

(1) We shall devote our ever increasing efforts to fulfilling the purpose of Captive Nations Week, as proclaimed in Public Law 86–90. We shall support the President's proclamation by informing the nation on the plight of the Captive Nations each year and all year . . . until freedom and independence . . . have been achieved for all the captive nations of the world.

(2) We regard as our duty to speak out on the true nature of Russian imperialism and its tool—Communism. Knowing the methods and modes of operation of the illegal pseudo-governments led by Red Moscow, we consider the so-called "cultural exchange" program in its present form as false and harmful, in that it gives Red Moscow a convenient disguise to spread red propaganda in our entire United States.

(3) We support the endeavor of the President and Members of Congress directed toward stopping the continuing Red aggression and the Red oppression of enslaved nations which are so courageously striving for freedom.

(4) We remember, on the fortieth anniversary of the dreadful famine of 1932–33 in the Ukraine, the 8 million victims who lost their lives in it. We state, that Red Kremlin deliberately caused and maintained that famine which is a true case of unrestricted mass genocide.

(5) We remember ten thousand Polish officers massacred by the Soviets in 1940 in the Katyn Forest.

(6) We remember the hundreds of thousands of victims murdered in the Baltic States—Estonia, Latvia and Lithuania, since the Soviet aggression in 1940.

(7) We remember the hundred thousand Croats—prisoners of war—murdered at Bleiburg-Maribor by Tito's guards.

(8) We remember how Communists ambushed King Boris the Third of Bulgaria killing Ilchev, then murdered Gen. Konstantin Georgiev and dynamited the cathedral church Sveta Nedelya in Sofia on April 16, 1925 during the funeral mass, killing 125 and maiming 500. We remember the two hundred thousand Bulgarians murdered in the Sept. 9th, 1944 takeover of Bulgaria by Soviet military force and the Fraternal Front of Moscow henchmen.

(9) We remember the two hundred thousand Hungarians murdered by the Soviets in and after the Hungarian Uprising of October 1956.

(10) We remember the many millions of people murdered, deported and enslaved by Communist conspiracies in all countries under Communist rule—such as Albania, Armenia, Bulgaria, Byelorussia, Croatia, Cuba, Czechoslovakia, Estonia, German People's Republic, Hungary, Latvia, Lithuania, Mainland China, North Korea, Poland, Romania, Slovakia, Soviet Union, Ukraine and Yugoslavia. We demand that the perpetrators of such murders and crimes against nations and peoples be brought to justice.

(11) We ask for steps toward an international condemnation of Red Kremlin for its aggression policies.

(12) We send greetings to all enslaved peoples. They remain free in their mind and resist the Communist brainwashing. Their youth, born under occupation rule, has discarded the false doctrines and knows of freedom, hoping to attain it in the near future.

(13) We ask all free people to unite in repelling Red brutality rule and rejecting Red claims for supremacy over freedom.

[From the Best of the New Guard, 1961–71]

Captive Nations: An Instrument for Peace

(By Donald L. Miller)

To all those who are concened about peace in a free world, the centrifugal national political forces in the Russian Communist orbit will appear as a good thing. Even as the Bolsheviks celebrate their 50th year in power, poets, students, scientists, and others in captive nations display increasing restiveness under the Communist yoke. They are reaching for more individual liberty, and for national independence as well.

Worldwide expressions of sympathy for the freedom aspirations of captive peoples, stimulated by the Captive Nations Week Resolution, have encouraged the spirit of liberty inside Communist-dominated countries. These observances have made the outside more sharply aware of the histories, deprivations of liberty, and yearnings for independence of the peoples of captive nations.

Those who want to protect Communist power, of course, oppose the concept of liberating the captive nations, though history and logic support it. Opponents claim that we must deal with Communist rulers because they rule *now*. History reveals that regimes which have lasted even as long as fifty years can fall when people cease to support them.

HISTORY IS CLEAR

Lenin seized the levers of power in Russia in 1917 not by revolution but by coup d'etat. His weapons were a small hard core of fanatics and a mind full of sloganized promises—"peace, bread and land" and "self-determination" for nations previously conquered and colonized by Russian Imperialists.

While the first slogan turned Russians' attention to an end to war and a full stomach, the second directed energies of captive people toward independence. Almost overnight, Finland, Poland, Estonia, Latvia and Lithuania declared independence. Ukraine easily threw off more than 250 years of subservience to Moscow to become free once again. So did Armenia, Byelorussia, and many others.

But the men who had come to power in Moscow had not ceased being Imperialists because they had become Communists. As their power was consolidated over Russia, they commanded a systematic re-conquest of all of the nations formerly subjected by the Tzars.

Communist tactics were a mixture of propaganda, deceptive promises, infiltration and subversion, economic pressure, political entrapment, internal warfare, and direct military attack. To these techniques, developed and used earlier by the Tzars, was added the mystique of an international Communist Party with its ideology of inevitable world rule.

Armenia, Byelorussia, Ukraine, Georgia and others, deprived of any outside help, were subdued in 1920–22. Then came military occupation of Latvia, Estonia, and Lithuania in 1940. As we withdrew our forces from Europe after World War II, Communists spread their control over Albania, Bulgaria, Serbia, Croatia, Slovenia in 1946; Poland and Rumania in 1947.

Appalled by this unimpeded advance, President Truman established the containment policy and Marshall Plan aid for Europe. Czechoslovakia and North Korea fell to Communist rule in 1948; Hungary, East Germany, and Mainland China in 1949. The West began to form mutual defense groupings like NATO, and the pace of aggression slowed. Yet, Tibet fell in 1951 and North Vietnam in 1954.

Like a giant wave which had struck the shore of free world resistance and which began to fall back on itself, conflict turned inward. A centrifugal process began inside the Russian Communist orbit. East Germans revolted. Poland demanded, but did not receive independence. Hungary was free for a brief, spectacular moment, only to be viciously reconquered by Soviet tanks. Chinese Communists began to break from Moscow and plunge into today's political chaos.

NIXON-KHRUSHCHEV DEBATE

It was out of this background that the Captive Nations Resolution was written by Dr. Lev E. Dobriansky in June 1959 and was passed by Congress and signed by President Eisenhower in July 1959. It was too late to influence events in Cuba, but it was felt in Moscow.

Then Soviet Premier Nikita Khrushchev instantly denounced the resolution and tried vainly to convince Vice President Richard M. Nixon there were no captives in the U.S.S.R. The resulting "kitchen debate" is now history. Ever since, Communist propagandists have attacked the Resolution and sought to bury it. For while our other efforts to curb Communist aggression are directed at Communist positions of farthest advance, as in Vietnam, Captive Nations strikes at its heart.

Each year more people from all walks of life come to realize the impact of this movement. So it has spread across America and overseas to Japan, Taiwan, Australia, India, Ceylon, Turkey, France, West Germany, Scandinavia, and is thus growing in areas surrounding the Communist camp.

In an era when ideas and communications are the chosen means of social and political change, these voices speed the centrifugal process within the Russian Communist orbit, weaken the outward thrust of its aggression, *and inevitably bring closer the day of a just and lasting peace.*

A Statement by Japanese Friends of Captive European Nations, on the Occasion of Captive Nations Week of 1972

Since the appeasement policy of US President, world tension seems mitigated and the danger of major war became remote. But is it a true peace and co-existence? Peace and Co-existence should be among the free and independent nations. Alas! There is neither freedom nor independence for the nations conquered by Soviet Russia. We have seen in 1956 in Hungary how the national aspiration for liberty and independence were suppressed by Soviet brutal force. The same in 1968 in Czechoslovakia. These are just a part of iceberg above water. All the subjugated nations by Soviet Russia are under the yoke of tyranny deprived of the fundamental human rights. Not only the newly conquered satellite countries but also all the nations conquered before the world war by Russia are enslaved for hundreds years. Especially in Ukraine, the great nation who has older and higher civilization than Russia, in this year a new wave of terror has been mounted by the Russian Security Police against political dissidents and day by day highest intellectual people are arrested.

On this occasion of Captive Nations Week of 1972, all the people of free countries should express the deepest indignation and accelerate our moral pressure against the totalitarian power of the Soviet Russia.

HOW ONE YOUNG LADY WOULD SOLVE THE DRUG PROBLEM IN JACKSONVILLE

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. BENNETT. Mr. Speaker, Miss Mary Murrey, a student at Bishop Kenny High School in Jacksonville, recently wrote a thoughtful essay on the drug problem in Jacksonville. I include it here in the RECORD as I think it presents valuable ideas about this serious problem of today:

ESSAY BY MISS MARY MURREY

The first step is to recognize that these drug users are not just uncurable, untouchables, who turned to drugs because they are evil, but real people with real problems. Some turning down the wrong road trying to get answers, others, trying fruitlessly to escape the cruel reality of life. Let's get these people back on the right road! How? There are many ways, but the most realistic approach is always the best.

To look at it directly we can have methods of helping the abuser and even more important see him helping himself. Right now there are a few drug houses, but there should be more of these so designed with the idea of a school and home combined. With aid from the concerned qualified counselors and teachers, the abuser would learn hopefully to understand and see himself and why he turned to drugs. All this would be pointing toward the day life can be faced without this crutch. A useful trade and skill must also be taught and courses which substitute for high school and lead to a diploma or carry credits. All this done in an atmosphere of pride and dignity, not bars and downgrading.

The younger teenager and adult, not yet hardened should be given a chance even when arrested for possession of use. A system I call "Police Probation Program" could be set up in Jacksonville. Under this the youth would be put on probation, not just wait out the period doing nothing, but put to work at the police station, on the beat and where drug problems are involved. Working with the police, the suspect, the family and all the complex problems involved, this type of probation would put things in a different light, a brighter light, instead of only the darkness of prison, and the hardness it has to offer.

One of the results of this program would be working with the victims of drug abuse instead of against them. They could communicate with them, understanding and striving to answer their problems. Then the problems could be brought to light.

Educating people on drugs is a different matter. There should be informative films and instruction dealing mainly with fact. When it comes to pre-teens and teens alike, the emotionalism in present films and literature causes increased curiosity and induces them to try different drugs. The films do not glamorize the subject but do make it seem interesting and "far out." Since younger and younger children are involved in drugs, serious classes held during school hours would discuss and inform on a level elementary children could comprehend. Educating adults and parents should be complete with emphasis on the tell-tale signs of drugs. Even more important in this aspect, is instructing the parent how to handle situations, when their children and drugs are in conflict, in a calm and understanding manner.

Free clinics available to everyone should prosper in Jacksonville. Staffed with only qualified doctors and nurses and other staff, they would gain trust from everyone. Along with free medical help, psychiatric help should be available. Regular sessions that include parents and their children could help bind misunderstandings that often are a factor in drug abuse.

To help the abusers who want to get off, a club called Drug Abusers Anonymous could be run almost entirely by the abusers and those who came off them. This organization could help the individualist and in turn he would help someone else.

Youth groups are another answer to this disease. Children, young adults and adults can be involved. People brought up to respect and love people, grow in spirit. This is the main objective of a group. These groups give guidance, spiritually and physically. Included could be camping, swimming, outdoor sports and classes in arts and crafts, which would be interesting, and would result in constructive ways of letting off energy and frustration and give back trust and accomplishment.

To get everyone actually involved and "tuned in", down to earth methods must be employed. Among these are fund raising drives in which donations would be used for the clinics and in the improvement of the drug houses and other similar functions of Jacksonville. The drives would entail the enthusiasm of children and adults alike and would enable the ordinary citizen to do something.

Under this idea of involvement, a board composed of Jacksonville's young adults, counselors, government officials, businessmen and drug authorities, with members of the police force would be formed.

This board would supervise city-wide activities, drives and discuss any new ideas for halting drug abuse. Committees formed under the board would deal with drug problems of individuals.

When looking at the realistic problem, not all ugly things can be eliminated. The penalty of the mercenary drug pusher, only after the money, should be stiffened and enforced. However, the sad and tragic part is that there would be no need for pushers if there were no need for dangerous drugs used in an abusive way.

Of course, to wipe out all drug abuse, we would need to wipe out all the problems of the impoverished of Jacksonville. This might not be done overnight but it is another problem related to drug abuse, which must be tackled. To even begin this gigantic problem, the help of every citizen of Jacksonville, the help of the city and goverment and other organizations must be used. This involvement seems to be the key word in the success of victory over drug abuse. The statement. ". . . growing bigger every day . . .", does not necessarily mean disaster to Jacksonbille if drug abuse is halted.

GOLDEN ANNIVERSARY OF AHEPA SYMBOLIZES WORK WELL DONE

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 27, 1972

Mr. RANDOLPH. Mr. President, the Order of Ahepa observed its 50th anniversary on July 26, after its first half-century of existence, with well-earned and well-deserved pride. The Order of Ahepa was founded in Atlanta, Ga.

During this half century, the Order of Ahepa has made many contributions to the betterment of American life. I express my personal appreciation for its enviable record in civic and patriotic contributions to worthy causes in the United States and in the international area of humanitarian concerns.

The members of AHEPA in the 430 chapters around our country have a justifiable satisfaction in their record of accomplishment. I salute a fraternity that exemplifies the good spirit of America.

In honoring AHEPA on the golden anniversary of its founding, I congratulate especially those outstanding citizens of West Virginia who as officers in this organization have contributed so much to our society. I ask unanimous consent that the list of West Virginia officers be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF WEST VIRGINIA OFFICERS OF THE ORDER OF AHEPA

LOCAL CHAPTER OFFICERS

Steve Zacharias, President, Charleston.
John Babalis, Vice President, Charleston.
Manuel Pappas, Secretary, Charleston.
Peter Christo, Treasurer, Charleston.
James P. Stavros, President, Huntington.
Dr. Phillip Maroudis, Vice President, Huntington.
Mike Maniskas, Secretary, Huntington.
Dan J. Baker, Treasurer, Huntington.
George Varlas, President, Wheeling.
Efstathios K. Grammenos, Vice President, Wheeling.
Nicholas Mamakos, Secretary, Wheeling.
James Giannirakis, Corresponding Secretary, Wheeling.
George Matzaris, Treasurer, Wheeling.
James Calaitges, President, Clarksburg.
Steven Trahanis, Vice President, Clarksburg.
George Samaras, Secretary, Clarksburg.
Angelo Koukoulis, Treasurer, Clarksburg.
Gust Moroudas, President, Weirton.
Gary Mastromichalis, Vice President, Weirton.
Matthew Melonas, Secretary, Weirton.
John Fotis Frangakis, Treasurer, Weirton.
Nick Soter, President, Bluefield.
Nick Simos, Vice President, Bluefield.
Gus Theodorou, Secretary, Bluefield.
John Dellis, Treasurer, Bluefield.

CURRENT DISTRICT LODGE OFFICERS

Lambros A. Swingos, Governor, Huntington.
Alex Skirpan, Athletic Director, Barboursville.

EUGENE W. WASIELEWSKI

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. HELSTOSKI. Mr. Speaker, I was deeply saddened to learn of the death of Eugene W. Wasielewski who was the associate director of the Goddard Space Flight Center. He passed away on July 13 after a long illness.

Mr. Wasielewski was the principal official for the institutional management for the center and for operations of its worldwide tracking and data acquisition network. He had been with the space center since 1960.

Born in Milwaukee, he held a bachelor's degree in aeronautical and mechanical engineering and a master's degree in engineering mathematics from the University of Michigan.

His career in aircraft engines and compressors had included work with the Fairchild Engine and Airplane Co. and its Stratos Division, the Borg-Warner Corp. as chief engineer for superchargers and the National Advisory Committee for Aeronautics.

Mr. Wasielewski had also served as the chief development engineer and chief engineer of the South Bend Division of the Curtiss-Wright Corp.

A member of the American Institute of Aeronautics and Astronautics, the American Association for the Advancement of Science, the Society of Automotive Engineers, and the American Ordnance Association, he also published a number of papers on superchargers, aircraft engines, and experimental aircraft facilities.

Mr. Wasielewski is survived by his wife, Regina, of Bethesda, Md.; a son, Dr. Paul Wasielewski of Detroit, Mich.; four daughters, Mrs. Thomas Corbett, living in Edgewater, N.J., which is a part of my congressional district; Mrs. Dennis Gazillo, of Ramsey, N.J.; Mrs. Vincent Guida, of Columbia, Md.; and Laura Wasielewski of the home address, a brother, Thad Wasielewski of Milwaukee, Wis.; and two grandchildren.

He still had many years ahead of him to aid mankind. Unfortunately he passed away at the age of 59.

I extend to his wife, his children, his family, and the grandchildren my deepest sympathy and my sincere condolences. He will live in the minds and hearts of his fellow Americans who were involved in any way with our space program.

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. DANIELS of New Jersey. Mr. Speaker, today we celebrate the 50th anniversary of the Order of Ahepa, the American Hellenic Educational Progressive Association. As an honorary member of this illustrious organization, I take special pride in speaking a few words of tribute on this occasion, in recognition of the outstanding accomplishments of AHEPA.

Established on July 26, 1922, AHEPA found its origins in the Greek-American community. Although these ties with the Hellenic culture remain strong, AHEPA's first objective is "To promote and encourage loyalty to the United States of America." In pursuit of this goal, AHEPA has sponsored and participated in countless patriotic programs including the memorial to our late President Franklin D. Roosevelt at Hyde Park, N.Y., and the Truman Library.

But AHEPA's accomplishments have not stopped here. The benevolence and generosity of the organization and its members have been felt by thousands of men, women, and children across the world. The homeless, the needy, victims of floods, and earthquakes in every corner of the earth will testify to the justice of the accolades which we give AHEPA today.

Over and above these accomplishments, AHEPA has captured the spirit which has made our Nation great. They honor their forebears by keeping alive the culture and traditions which made the Hellenic civilization a hallmark in the history of man and at the same time they give unselfishly of themselves, to assure that the liberty and equality which is America will prosper and grow.

Mr. Speaker, as a proud member of this organization, I congratulate AHEPA on this its 50th anniversary, and I hope its next 50 years are equally successful.

QUESTIONNAIRE RESULTS, THIRD DISTRICT OF FLORIDA

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. BENNETT. Mr. Speaker, over 22,000 responses were received on my recent questionnaire sent to all postal patrons in the Third Congressional District of Florida, which I represent in the Congress. The questionnaire was first mailed out in mid-April, roughly corresponding to the President's escalation of the bombing over North Vietnam; and the questions and answers were as follows:

Do you favor:

1. Constitutional amendment for neighborhood schools with power to Congress to enforce equal schools?

	Percent
Yes	78
No	22

2. Continuation of bombing over North Vietnam?

	Percent
Yes	67
No	33

3. Would you be willing to delay new federal programs to reduce inflation?

	Percent
Yes	88
No	12

4. Closing tax loopholes which allow some millionaires and profit making corporations to escape all income taxes?

	Percent
Yes	92
No	8

5. Outlawing nonreturnable bottles?

	Percent
Yes	84
No	16

This type of survey is very important to me as it keeps me in touch with the thinking of my constituents. The fact that so many replied clearly indicates that people are concerned about what is happening in the Nation with regard to vital issues like the environment, inflation, and education. All those who responded have clearly had an input into the governmental process.

TRIBUTE TO THE ORDER OF AHEPA ON THE OCCASION OF ITS 50TH ANNIVERSARY

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. GALIFIANAKIS. Mr. Speaker, I consider it a great privilege to honor the American Hellenic Educational Progressive Association—AHEPA—in this year of its 50th anniversary, for the tremendous service they have performed in promoting the highest virtues of Western civilization.

It is an unquestioned historic fact that the influence of Hellenic thought on the development of Western civilization has been enormous. The values emanated from that culturally rich civilization have found a permanent home in America; and AHEPA has taken it upon itself to constantly remind its 50,000 members and all Americans of this heritage. Every citizen, regardless of his descent, should be proud of the service AHEPA performs by infusing our land with the same spirit and zeal for democracy that so epitomized the Hellenic culture. It is this love of democracy that reflects the character of AHEPA, as illustrated by five of its stated objectives:

First. To promote and encourage loyalty to the United States of America.

Second. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

Third. To instill in its membership a due appreciation of the privileges of citizenship.

Fourth. To encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor.

Fifth. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation.

But AHEPA has never been content with merely calling for a good and just society—they have acted as well. The list of contributions that AHEPA makes to other charitable causes would in itself run on for pages. Suffice it to say that AHEPA has been exceedingly generous in such diverse fields as education—scholarships; community projects—fund drives; and international relations—disaster relief funds.

I am reminded of the old-age maxim, "a chain is no stronger than its weakest link," because it is inherently applicable here. The fact that AHEPA has known a half century of success in attaining its objectives is a collective tribute to a host of individual chapters.

In my own State of North Carolina, AHEPA chapters from the eastern seaboard to the mountains of the West are diligently promoting good citizenship and playing key roles in the civic activities of their towns and communities.

I feel confident that my colleagues would like to join me in paying tribute to our Tar Heel AHEPA leaders:

NORTH CAROLINA LEADERS

LOCAL CHAPTER OFFICERS

C. P. Peterson, President, Greensboro.

Theodore Triantis, Vice President, Greensboro.

Harry Kotsionis, Secretary, Greensboro.

Matthew J. Pappas, Treasurer, Greensboro.

Jerry A. Spathis, Treasurer, Durham.

Selas P. Mellonas, President, High Point.

Harry Savvas, Secretary, High Point.

N. H. Modinos, President and Secretary, Wilmington.

Nick G. Pappas, President, Charlotte.

Chris Economides, Vice President, Charlotte.

Philip J. Forlidas, Secretary, Charlotte.

Tom Nixon, Treasurer, Charlotte.

Peter N. Parrous, President, Fayetteville.

C. J. Kapordelis, Vice President, Fayetteville.

John C. Castanes, Secretary, Fayetteville.

Pete K. Karteris, Treasurer, Fayetteville.

John B. Vassilion, President, Raleigh.

George T. Kaloyannides, Vice President, Raleigh.

George J. Mandikos, Secretary, Raleigh.

John H. Costa, Treasurer, Raleigh.

Lee S. Gliarmis, President, Wilson.

J. D. Manos, Secretary, Wilson.

Daniel Psoinos, President, Asheville.

Pete Vlahos, Vice President, Asheville.

Steve Zeis, Secretary, Asheville.

Chris Zourzoukis, Treasurer, Asheville.

Chris J. Hondros, President, Winston-Salem.

Dennis Canavos, Vice President, Winston-Salem.

Nick Carros, Secretary, Winston-Salem.

Nicholas Pappas, Treasurer, Winston-Salem.

CURRENT NATIONAL OFFICERS

Thomas Cavalaris, Ahepa Educational Foundation, Charlotte.

CURRENT DISTRICT LODGE OFFICERS

George L. Spanos, Governor, Winston-Salem.

George Kostakes, Marshall, Charlotte.

Charles Peterson, Advisor, Greensboro.

PAST NATIONAL OFFICERS

John G. Plumides, Past Supreme President, Charlotte.

Michael G. Plumides, Past Supreme Lodge, Charlotte.

I join my colleagues and all Americans in congratulating the Order of Ahepa on this its golden anniversary and in expressing appreciation for the service that AHEPA has rendered to people in America and throughout the world.

ORDER OF AHEPA CELEBRATES ITS GOLDEN ANNIVERSARY

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. BROTZMAN. Mr. Speaker, yesterday, on July 26, 1972, the Order of Ahepa, the American Hellenic Educational Progressive Association, celebrated 50 years of active, humanitarian service on both a national and international level.

I would like to pay tribute to this organization on its golden anniversary for its dedication to the high ideals of the Greeks who, centuries ago, laid the basis for democracy as we know it today. The Order of Ahepa strives to promote the spirit of these Hellenic peoples through its generous financial contributions to and vigorous moral support of the relief of victims of natural disasters not only in the United States, but throughout the world, the founding of hospitals in Athens and Thessaloniki, and the award of national scholarships to worthy students.

These are only a few of the many good works initiated and supported by the Order of Ahepa. One of its main objectives is to promote and encourage loyalty to the United States of America and instruct its members in the fundamental principles of government. The local chapters of this fine organization should be particularly commended for encouraging participation in political, civic, and social activities and thereby making their communities better places in which to live.

The membership of the Order of Ahepa is to be congratulated for their service to people throughout the world over the past 50 years. I extend my best wishes to the order for its excellent efforts and hope that it will experience continued success in the future as it has in the past.

GOLDEN ANNIVERSARY CELEBRATIONS OF THE ORDER OF THE AHEPA

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. FOLEY. Mr. Speaker, in coincidence with the golden anniversary celebrations of the Order of the Ahepa, the American Hellenic Educational Progressive Association, I wish to join many of my colleagues in recognizing the lengthy record of achievements for humanitarian causes in both the national and international spheres that has marked AHEPA's first half century of existence.

Rooted in the spirit and traditions of the Greek-American communities, AHEPA has taken on as its responsibility the betterment of American life and the welfare of all mankind. Notably, AHEPA has always been in the forefront of the drive for more extensive and improved education in our country. Through scholarships, construction aid, library donations, and special studies programs, AHEPA has progressed substantially toward this goal. AHEPA's strong support for hospitals, health centers, and medical research is but another indicator of its benevolence and concern for human welfare. The immeasurable accomplishments of AHEPA relate to the fulfillment of the personal ideals of its members—ideals which are stated collectively as the objectives of the Order of Ahepa: National loyalty, recognition and respect of the inalienable rights of mankind, the promotion of good fellowship and altruism, and participation in the political, civic, social, and commercial fields of human endeavor.

The compassion of AHEPA members for the helpless victims of natural and manmade calamities is manifested fully in their extensive disaster relief programs; many involved in floods, hurricanes, and earthquakes in the United States, Greece, Turkey, Ecuador, and other areas of the globe have become beneficiaries of AHEPA assistance. AHEPA can justifiably boast that its numerous "people-to-people" programs involving medical, educational, and welfare assistance to less fortunate people of the world have contributed to more harmonious relations between the United States and the world.

These particularly commendable examples of the good will and charity of AHEPA members fully confirms my belief that the success and growth of the Order of Ahepa since 1922 will be repeated, if not exceeded, for the next 50 years.

I am proud of the activity and energy shown by local AHEPA chapters in my congressional district in their generous support of community action in the areas of education, charity, and civic improvements. In closing, I wish to extend my sincere congratulations and salutations to several outstanding citizens who are presently serving their community as officers of AHEPA: In Spokane, Wash., Mr. Stan Kanellos, Mr. John Gormanos, Mr. George Gulusis and Mr. Jim Delegans, and in Wenatchee, Wash., Mr. Spiros Koulouris, Mr. De Wayne Brown, and Mr. Bill Harrison.

THE 50TH ANNIVERSARY OF DE JURE RECOGNITION BY THE UNITED STATES OF THE BALTIC STATES

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ANNUNZIO. Mr. Speaker, July 28 marks the 50th anniversary of de jure recognition by the United States of the three Baltic States—Estonia, Latvia, and Lithuania.

Recent heart rending events in Lithuania, such as self-immolation and mass demonstrations, make very clear the desire of the people of these countries for freedom and self-determination.

Although these three small but stalwart nations experienced true freedom to govern themselves only for approximately 20 years, the spirit of liberty remains alive in the hearts of these heroic people.

Their example is one which freedom-loving people the world over can cherish and emulate. We in the United States must bear their plight in mind as we continue our efforts to promote good will among all peoples and look to the day when the Baltic countries can again enjoy national independence.

I wish to commend the chairman of the Joint Baltic American Committee, Mr. Heikki A. Lessment, for his unflagging vigilance and enterprise in the cause of human justice and liberty.

THE HEW WOMEN'S ACTION PROGRAM

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mrs. MINK. Mr. Speaker, the Department of Health, Education, and Welfare is the first Federal Department to establish a program devoted exclusively to the task of making its program responsive to to the needs of women.

I commend the Department for taking the initiative on a matter of great concern. For too long, our Government has passively accepted the discrimination against women found in education, employment, and other fields.

Certainly, no agency of the Government can be too vigilant in reforming its programs in light of the growing understanding of the demand of women everywhere for equality of opportunity. It will require a massive marshaling of effort and determination to cleanse our agencies of outdated concepts which discriminate by sex.

Even within HEW, the U.S. Office of Education has recently developed a new film, "Career Education," which betrays a lack of appreciation of the educational needs of women, and portrays the usual stereotyping of women's occupations. The eradication of such attitudes should be a basic goal of the women's action program.

I am pleased to insert the announcement of this new program at this point in the RECORD:

OF INTEREST TO WOMEN

The Secretary of the Department of Health, Education, and Welfare has this year created an office for the Department's new "Women's Action Program." One of the functions of this new office is that of locating women to serve on the Department's many advisory councils and committees and women to be considered for executive positions within the Department. Women are needed from every state in the union, from every walk of life, from every business or profession and of every race, religion, and national origin. Most of the committees meet from four to six times a year, and the members have all expenses paid.

The Department of Health, Education, and Welfare is the only Federal agency to have such an office which takes a serious look at the present programs and assesses how they must be altered to be responsive to the changing role of women in society today. If you are interested in being considered for such an assignment, please send a resume or vita providing at least the essential information shown below to:

Women's Action Program, Department of Health, Education, and Welfare, Room 3427A, North Building, 330 Independence Avenue, S.W., Washington, D.C. 20201.

Essential information:

(1) Name and Social Security number.

(2) Home address (if student, college mailing address).

(3) Business address (if student, college mailing address).

(4) Date and place of birth.

(5) Education and/or training.

(6) In detail—Professional background or community contribution.

(7) In detail—Special interests as they relate to professional background, community contributions, or education and training.

(NOTE.—Recommendations and endorsement information should be transmitted separately.)

FLORENCE J. HICKS, Ph. D.,
Director, Women's Action Program.

OVERTURNING THE EVACUATION DECISION

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. WALDIE. Mr. Speaker, my constituent, Mr. Tom Shimizu of Walnut Creek, Calif., president of the Contra Costa Chapter of the Japanese-American Citizens League, has sent to me a reprint from Pacific Citizens dated July 7, which incorporates the text of a speech made by Mr. Joseph L. Rauh, Jr. on the occasion of the Japanese-American Citizens League Congressional Banquet, June 28, 1972.

I am most impressed by Mr. Rauh's reaction to the harsh treatment given persons of Japanese ancestry during World War II. He emphasizes the loyalty of these fine people over the years, as well as the inequity of the Supreme Court decision relative to the case of Mr. Toyosaburo Korematsu. This case is a prime example of the need for recompense for the loss of liberty and property to Japanese-Americans for what has been unconstitutionally denied them since 1942.

The text of the speech follows:

CAN BAD LAW BE REVERSED?—OVERTURNING THE EVACUATION DECISION

(By Joseph L. Rauh, Jr.)

We meet tonight on the 30th anniversary of an American tragedy—the 1942 forcible evacuation of American citizens and residents of Japanese ancestry from the Pacific Coast area.

The tragedy lay in our nation turning its back on the high principles and purposes on which it had been founded.

We forgot that a policy of harsh severity toward any group of immigrants and their descendants should be impossible for a country whose lifeblood comes from immigrant streams.

We forgot that distinctions between citizens because of their ancestry are odious to a free people whose institutions are founded upon the doctrine of equality.

We forgot that loyalty is a matter of mind and of heart, and not of race.

We forgot that distinctions based on color and ancestry are utterly inconsistent with our traditions, our ideals and our Constitution.

We forgot that under our system of justice guilt is personal and not inheritable.

We forgot all these things and denied over a hundred thousand persons of Japanese ancestry their constitutional rights solely because they belonged to a particular race into which they had been born.

One hardly need review for this audience the terrible days of that spring and early summer of 1942. Suffice it to recall at this point the ugly intolerance of the military commander in the area; the order to all persons of Japanese ancestry to report to assembly centers wtih no time even to dispose of their property; the shipment to detention centers; the years of incarceration in the camps.

There were two days of infamy thirty years ago. There was that day when the military warlords of Japan struck at Pearl Harbor. But there was also another day of infamy, May 3, 1942, when General DeWitt ordered all persons of Japanese ancestry evacuated from the West Coast areas by May 9. The first day of infamy was answered with American arms; should now be answered with American ideals.

Toyosaburo Korematsu was one of those ordered to report to an assembly center for banishment from his home in San Leandro, Calif., where he had been born and where he had spent his entire life with no taint of any sort. He refused to comply with this order and left to the courts the decision as to his rights. He lost his case.

The Supreme Court held that the exclusion order, like the earlier curfew order, was justified in the name of preventing sabotage and espionage. The Court wrote that the military was not unjustified in its exclusion order "because of the presence of an unascertained number of disloyal members of the group", and because "it was impossible to bring about an immediate segregation of the disloyal from the loyal . . ."

HEROIC KOREMATSU

Mr. Korematsu lost his case, but history records him the hero in a struggle before a war-oriented Supreme Court less faithful to the United States Constitution than the man who stood before it.

We know today that Korematsu was right and that the Supreme Court was wrong. Korematsu's conviction was based on the assumption that many persons of Japanese ancestry were disloyal, and were likely to commit acts of espionage and sabotage against the country of their birth or adoption. Experience proved this assumption wrong.

There were no acts of espionage or sabotage prior to Pearl Harbor. There were no acts of espionage or sabotage from the time of Pearl Harbor until the curfew order of March 27 or the exclusion order of May 3. There were no acts of espionage or sabotage by persons of Japanese ancestry in Hawaii where there was no curfew or exclusion or any other restrictions. There were no acts of espionage or sabotage at any place or at any time prior, during, or after World War II.

THE HARD WAY

On the contrary, the Japanese Americans proved their loyalty the hard way, on the field of battle.

The percentage of Japanese enlistments in the Armed Forces exceeded the nationwide percentage of any other particular nationality.

The casualty rate of the 442nd Regimental Combat Team exceeded that of any other Army unit. The average casualty rate of the Army was less than 25 percent; for the 442nd it was 308 percent.

No other group of regimental size during World War II won more than three Presidential distinguished unit citations; the 442nd won seven.

General Mark Clark remarked upon the 442nd as "the most decorated unit in the entire military history of the United States" for its size and length of service.

In short, the 23,000 citizens of Japanese ancestry who volunteered for combat duty proved with their blood that General DeWitt was wrong when he questioned their loyalty and patriotism and that the Supreme Court was wrong when it assumed the presence of "an unascertained number of disloyal members of the group."

POSSIBLE REVERSAL

But enough of the past. The question is what can be done to reverse the bad law of the Korematsu case.

Bad constitutional decisions have often been reversed in the past.

At the turn of the century the Supreme

Court upheld the "separate but equal" doctrine. In 1954 a unanimous Court overruled itself and struck down the separation of the races—hopefully for all time.

The Supreme Court had held that indigent defendants in criminal cases were not necessarily entitled to the help of a lawyer. In the 1960s and 70s the Supreme Court has reversed itself and those too poor to hire lawyers now obtain free counsel.

The Supreme Court first held that a school child may be compelled against his or her conscience to salute the American flag. That case too went by the boards.

You in the JACL have seen the practical effects of another reversal by the Supreme Court. The Court once held that Japanese aliens could be barred from the ownership of agricultural lands; that clearly is no longer the law.

There are many more illustrations that could be given. Suffice it to say that law is always in the process of development and change and that the life of the law accommodates new experiences, technical inventions and above all new moral commitments.

Yet any review by the Supreme Court of the infamous Korematsu decision is an unlikely event. Our Constitution restricts the courts to actual cases and does not permit them to decide advisory or abstract issues. The Court could review and reverse the segregation decision because each day thereafter black children were assigned to segregated schools. The Court could review and reverse the right-to-counsel decision for each day thereafter indigent defendants were sentenced to jail without benefit of a lawyer. The Court could review and reverse the 1925 Cockrill decision for each day thereafter a Japanese alien could not lawfully purchase a farm. These questions were continuing ones; the issues remained alive and there were plenty of cases that could serve as a vehicle for their reconsideration and reversal.

CONGRESSIONAL ACTION

By way of contrast there is no present case that can serve as a vehicle to reverse the Korematsu decision. No one is threatening to exclude persons of Japanese ancestry from the Pacific Coast or otherwise repeat the dark days of 1942. So it is to Congress rather than the Court that we must look for a reversal of that decision.

Congress has, of course, taken some action since World War II. In 1948 it adopted a law purporting to recompense those of Japanese ancestry for their property losses. That law was so technical and the conditions of paper and documentary proof were so difficult to meet, that most Japanese settled their claims running to many thousands of dollars for the $2500 "compromise" amount authorized by Congress in 1951 to offset some of the objections to the earlier 1948 act.

Only last year Congress in repealing the emergency detention provision of 1950 enacted into law the following provision: "No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress."

But these provisions are not enough.

I propose that Congress utilize its authority under Section 5 of the Fourteenth Amendment and declare for all time that exclusion of persons from areas of the country because of their race or religion or color or anything else violates the equal protection clause of the Constitution.

RESTITUTION

To reinforce such a Congressional declaration and to make clear that Congress fully recognizes that the liberty of Japanese citizens and residents was unconstitutionally denied in 1942, it should make restitution to those who were evacuated in May of that year.

I am not talking about the loss of property which was to some small degree compensated by the act of 1948. Half-hearted property recompense is no adequate admission of wrongdoing by our government towards its Japanese citizens and residents. I am talking about loss of liberty. Recompense for Japanese American loss of liberty is a necessary and proper reinforcement of any Congressional declaration that that liberty had been unconstitutionally denied back in 1942.

Congress has many options for recompense.

It could provide a flat sum for all persons held in the detention camps—it could relate such flat sum to prisoner of war pay or to some other standard.

It could create a fund and provide aid of various sorts for the descendants of those imprisoned in 1948.

It could provide a fund to encourage better understanding in group relations so that the tensions of 1942 will never again beset this nation.

It could do a combination of any or all of these things.

But whatever else it does, it should include in its measure a declaration that the public policy of the United States is dead set against the racial harassment of innocent persons of Japanese ancestry, and provide measures to ensure that the unhappy 1942 exclusion order is never repeated again—against Japanese or any other group identifiable by race, culture, ethnic origin, color or religion.

FAIRNESS FOR ALL

Let me conclude on a note from my own Jewish background. Maryland's constitution of 1776 required office holders to make a "declaration of a belief in the Christian religion". This barred Jews from holding office. A Maryland citizen named Thomas Kennedy, a Scotch Presbyterian, undertook singlehanded to repeal this prohibition. He tried in 1818 and failed. He tried again and again, and finally succeeded in 1826. His message was blunt but persuasive. He told the Maryland legislature that "There are few Jews in the United States; in Maryland there are very few. But if there was only one—to that one we ought to do justice." In that spirit of fairness to all, let our nation at long last do justice to the victims of the 1942 American tragedy.

CAPTIVE NATIONS WEEK

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. DANIELS of New Jersey. Mr. Speaker, in 1959, congressional action prompted the designation of the third week in July as Captive Nations Week. This practice has continued and the reasons which motivated our action in 1959 remain just as strong today.

By setting aside these few days, we seek to achieve two things: First, we commemorate the valiant struggle for freedom which these brave nations have waged for years, and, second, we reaffirm our commitment to share the principles of liberty with the entire world.

As we prepare, in the next few years, to celebrate the 200th anniversary of our own independence, we should be acutely aware that most of the world does not share our good fortune. It is only fitting, then, that we join the millions of our own citizens, who trace their origin to these countries, in pledging our support for the return of freedom to the captive nations. This was the message given by President Eisenhower in the very first captive nations proclamation when he stressed that—

> It is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and people of the United States of America for their just aspirations for freedom and national independence.

Mr. Speaker, I know I speak for all the people of my district when I say that I hope we may soon substitute a week honoring the independence of these nations for what we now call Captive Nations Week.

AHEPA'S GOLDEN ANNIVERSARY

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. HANSEN of Idaho. Mr. Speaker, the Order of Ahepa—the American Hellenic Educational Progressive Association—was founded 50 years ago this week in Atlanta, Ga. Today as the organization celebrates its golden anniversary, it is appropriate that we in Congress express our gratitude for its outstanding record of service to our country and its many contributions to the enrichment and betterment of our social, moral, and family life.

AHEPA's worth is easily illustrated by its high goals: To promote and encourage loyalty to the United States; to instruct its members in the fundamental principles of government; to instill in its membership a due appreciation of the privileges of citizenship; to encourage members to be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor; to fight political corruption and tyranny; to promote good fellowship and a better understanding of the attributes and ideals of Hellenism and Hellenic culture; to endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness; and to champion the cause of education.

These goals have consistently been fulfilled to the highest degree by AHEPA in the last 50 years. Members of AHEPA have dedicated themselves to countless humanitarian causes and proven their commitment to the betterment of society through participation in service activities and through financial assistance.

In addition to continuing its close ties with the people of Greece through contributions to Greek war relief, *orphans*, agricultural programs, health centers, and hospitals and other relief programs, the Order of Ahepa has given generously and unselfishly to Americans of all national origins. Contributions have been made to hurricane and flood victims in Florida, Mississippi, and Missouri; the Truman Library; U.S. theological seminaries; a cancer research institute in Miami; the Franklin D. Roosevelt Memorial at Hyde Park; and a New York boys' school. During World War II, the Order of Ahepa sold $500 million in U.S. war bonds as an official issuing agency of the U.S. Treasury. These are just a few of AHEPA's many worthy undertakings in the fields of education, charity, and civic improvement during its 50 years of existence.

I am especially proud that Miss Betsy Kinnas in my district office in Boise, Idaho, is a member of an AHEPA family. Her father, Nicholas Kinnas, has contributed his time and energy for many years as an active member of the Order of Ahepa. Betsy's mother, Sophia Kinnas, has given great service in the Daughters of Penelope, the senior women's auxiliary. Her brother, Demetrios, is a staff assistant to Idaho's Senator Len Jordan.

I want to pay special tribute to the outstanding citizens in my State of Idaho who, among their other civic activities, are currently serving as officers of AHEPA. In Pocatello, Gust Mehas is president of the local AHEPA chapter; Andrew Tsakrios, vice president; Robert F. Shavers, secretary; and Theodore Costos, treasurer. In Boise, Theodore N. Bokides is president; George Skouras, vice president; John Kassis, secretary; and James L. Voulelis, treasurer. In addition, Andrew Tsakrios of Pocatello is a current district lodge adviser.

My sincere gratitude and heartiest congratulations to members of the Order of Ahepa as they celebrate the organization's golden anniversary this week, and best wishes for many more years of exceptional service and outstanding achievement in the future.

ORDER OF AHEPA CELEBRATES ITS GOLDEN ANNIVERSARY

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. WAGGONNER. Mr. Speaker, 50 years ago today the Order of Ahepa, the American Hellenic Educational Progressive Association, was founded in Atlanta, Ga. Since that day the organization has expanded to 49 States and 430 local chapters each of which—and I mention specifically the extremely active one in my congressional district—has helped to make generosity and patriotism the group's watchwords. Generosity because over the years the Order of Ahepa has made financial contributions to all sorts of worthy causes from disaster relief to education. Patriotism because though the organization consists mainly of people of Greek origin, a primary requisite for membership is U.S. citizenship or the declared intention to attain it, and because the very first object of the organization is, "To promote and encourage loyalty to the United States of America." I can say with personal knowledge that the chapter in Shreveport, La. is an inspirational example of the overall commitment to these ideals.

Many distinguished Americans have been members of the Order of Ahepa and enjoyed as a result of their membership a fellowship and understanding quite different from that of other organizations. In belonging to any one of the four separate branches of the order such people showed their commitment to champion the cause of freedom and education by whatever means possible. We owe them our sincerest gratitude and respect on this the 50th anniversary of their organization's founding.

CONFERENCE ON LIFE AND DEATH ISSUES FACING THE UNITED NATIONS

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. PATTEN. Mr. Speaker, I rise today to inform my fellow Members of the Congress that on Tuesday, August 1, a conference for our congressional interns will be conducted on "Life and Death Issues Facing the United Nations." I hope that many of my colleagues will join me in attending and participating in these sessions.

The purpose of the program is to provide a forum in which our interns can assess the relevance of the United Nations as an instrument for achieving lasting peace. The conference is cosponsored by the Bi-Partisan Intern Committee, the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee, and the United Nations Association of the United States of America.

Tuesday's events are only one aspect of the program dealing with the United Nations. Questionnaires have been distributed to all of the interns, soliciting opinions on the United Nations and American foreign policy. These questionnaires have been followed up by more indepth personal interviews with a random sampling of the interns.

The results of these questionnaires, Mr. Speaker, are in the process of tabulation. When they are released, I would urge each Member of the Congress to study the findings. This will enable us to get an accurate perception of what our interns conceive to be the priorities and goals of our foreign policy.

At the conclusion of Tuesday's conference, an open hearing will be staged to allow interns to testify as public witnesses. The transcript from this session will also provide penetrating insights into the thoughts of some of the best minds of the young generation. I urge each of the Members to give these views full consideration in assessing what the youth of America deem important.

Mr. Speaker, the United Nations represents a possible vehicle for achieving lasting peace. The views of our young people in analyzing the role of the United Nations in the new world order are important to all of us.

Our Government has already begun adjusting our foreign policies to a world in which the United States is no longer the preponderant power. The Nixon doctrine, if I interpret it correctly, embodies the principle that the United States should do less by itself and more in cooperation with others. The President has called for a new "structure for peace" based on the five major power centers: the United States, the Soviet Union, China, Japan, and an enlarged European community.

The search for a new power balance is a worthy and necessary objective. But balance of power alone is not enough. Balance of power politics has not been enough to bring peace in the past. It can succeed only if the relationships created and the time bought are used first to build the institutional arrangements that can accommodate the interests of competing powers; and second, to respond to the legitimate needs and aspirations of those countries outside the five centers of power.

It seems apparent that multilateral relationships, and in particular the United Nations, could be essential to our goal of a peaceful balance of power.

The people of this great Nation have long recognized that the United Nations is not doing an adequate job. But the most recent polls show that a substantial majority—nearly 85 percent—of the American people would like to see the United Nations become stronger.

In building a viable United Nations, the cooperation of all nations is, of course, desirable and essential. But the political facts of life necessitate strong and positive U.S. involvement as a predicate for any successful United Nations action. This will remain a political fact of life for the foreseeable future. Thus, no program to improve the United Nation's effectiveness can possibly succeed without America's leadership.

For this reason, Mr. Speaker, I feel that it is desirable that this great country and each of us, as concrned citizens, reexamine and renew our national and our personal commitment to the United Nations.

Torn by an unpopular war abroad and unprecedented social change at home, our Nation is in the midst of a profound and self-conscious reassessment. National decisions fateful not only to Americans but to all mankind are now being formulated.

The questioning and soul-searching we are undergoing as a nation is most pronounced in the minds of our young people. Never before in the history of this Nation have young people played such an important role in contributing to the conscience of America. And, paradoxically, never before have young people felt themselves so alienated from the rest of society.

It is essential that as a nation, we channel both the tremendous idealism of our young people, as well as their alienation, to positive ends. It is essential that we involve—and not merely tolerate—the younger generation. Currently, a feeling of powerlessness prevails in the minds of our young people; a feeling of a government unresponsive, if not repressive. We have an obligation to ourselves and our Nation to actively encourage the participation and involvement of our youth.

An effective assessment of this Nation's priorities cannot be accomplished without the values, ideals, and vitality of the younger generation. This philosophy, Mr.

Speaker, is fundamental in the very nature of staging such a conference to deal with the United Nations.

I can think of no better formula for achieving a lasting peace, Mr. Speaker, than an active, informed young people, coupled with a vibrant United Nations to serve as a forum for their energies.

I am very much looking forward to hearing the views of our youth in the vital area of foreign policy. I hope that each of you will be listening as well.

Following is a schedule of activities for the Conference, to be held on Tuesday, August 1:

PROGRAM

9:45 A.M.—Chief Justice Earl Warren (retired), Chairman of UNA-USA, "Making the Indispensable Possible." An overview of the UN in the 1970's.

10:15 A.M.—Patrick Mooney, "The Global Village." A young Canadian who originated the Walks for Development for the UN's Food & Agricultural Organization, has created a dazzling multi-media slide show which dramatizes global issues from a youth viewpoint.

SYMPOSIA

10:45 to Noon—Rep. Charles Diggs, Jr., "Third World Perspectives." A leading foreign affairs proponent of the Black Caucus, will explore the UN's role in the Third World.

2. Sen. Gale McGee—"Case History: Rhodesian Chrome." The significance of the Senate action violating UN sanctions against importing chrome from Rhodesia.

3. Porter McKeever, President of UNA, "Is the U.S. Becoming a Global Dropout?" Analyzes the extent to which the U.S. is withdrawing from its commitments to the UN system.

LUNCHEON

12:15 P.M.—Honorable F. Bradford Morse, Guest Speaker. B-338, Rayburn Building.

PANEL DISCUSSION

2:00 P.M.—"Is the UN Relevant?" A Panel discussion which will attempt to assess the UN today—its role in war and peace, development, ecology, population and human rights. Panelists include:

Rep. Donald Fraser—Panel Moderator.
Michael Berlin, New Pork Post.
Lincoln Bloomfield, Professor, M.I.T.
Rep. John Culver
Rep Edward Derwinski.
David Dull, President, International Student Movement for the UN.
Rep. Peter Frelinghuysen.

3:15 P.M.—Marjorie Tabankin, President, National Student Association, "Vietnam and the UN."

3:35 P.M.—Ralph Caprio, the Chairman of the UNA,, Student & Young Adult Advisory Committee, and Assistant Director of the Robert F. Kennedy, Memorial Foundation, "How to Democratize the making of Foreign Policy."

OPEN HEARING

4:00 to 5:00 P.M.—Legislators and other Washington decision-makers will listen to Congressional interns express their views of U.S. foreign policy.

GOLDEN ANNIVERSARY OF ORDER OF AHEPA

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. DOW. Mr. Speaker, I would like to take this opportunity to commend the Order of Ahepa, during the 50th anniversary celebration, for their continued civic dedication and contribution. The order is especially appreciated by my constituents, as the AHEPA School at St. Basil's Academy is located in Garrison, N.Y. In recognizing their 50 years of service, I would like to mention the distinguished leadership of the officers of the Newburgh, N.Y., chapter: Jason Goumas, president; Peter Karnavezos, vice president; James Lorotonda, secretary; Steve Karageorge, treasurer; as well as the officers of the Poughkeepsie, N.Y., chapter; Louis Labrinos, president; Nick Matheos, vice president; Peter Givas, executive secretary; George Janis, receiving secretary; William Chamuris, treasurer. My hat is off to all of them.

ONE VICTORY FOR SOBRIETY IN THE HOUSE

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. FORSYTHE. Mr. Speaker, last week I joined a majority of my colleagues and voted against a $5 billion community facilities bill, which was touted as a cure-all for our Nation's unemployment and pollution problems.

This week, the Washington Post commented editorially about our action on this bill. The newspaper's remarks correctly explain the importance of the defeat of this legislation.

I am including the full text of the editorial for the benefit of my colleagues:

ONE VICTORY FOR SOBRIETY IN THE HOUSE

Last week the House of Representatives, in a flash of good sense, voted down a bill to pump $5 billion into community water and sewer projects this year. While the decision of the House is heartening, the message for beleaguered taxpayers is somewhat ominous—first, because this unnecessary bill was considered seriously by the House at all, and second, because the margin of decision on the crucial amendment was a slim three votes.

The bill, with the beguiling title of "The Emergency Community Facilities and Public Investment Act of 1972," was devised by Chairman Wright Patman and the House Banking and Currency Committee, aided and abetted by the House Democratic leadership. The gist of the bill was simple: it authorized the Secretary of Housing and Urban Development to commit up to $5 billion for water and sewer projects in communities with substantial unemployment. This largesse, supporters of the measure claimed with appropriate earnestness, would at one swoop save the environment, put people back to work, give cities and towns essential publice works, and lift financial burdens from the budgets of those struggling little towns.

Aside from the detail that HUD's backlog of pending water and sewer grant requests is only about $2 billion, the major objection to the bill was that it seemed slightly redundant, since the House had already passed several other measures to meet the same needs—including the $18-billion, three-year water pollution control package now in conference, and the $29.5-billion revenue-sharing bill now in the Senate. Rep. George H. Mahon, Appropriations Committee chairman, and other procedural purists were also troubled because the bill had received only one short day of hearings, without any administration witnesses, and because the proposed $5 billion in building blocks was totally unbudgeted. Representative Patman's team seemed to consider these aspects mere technicalities.

After a typical House debate between the champions of generosity, mostly Democrats, and the watchdogs of the treasury, mostly Republicans, the House reached a rather surprising result: the treasury won. By a teller vote of 197 to 194, an amendment was added providing that grants could not be made in any year when the projected federal deficit exceeds $20 billion. That amendment, Representative Patman conceded, ensured that the program "would never be used," and indeed the House ended the day by killing the entire proposition, 206 to 189.

Reassuring as the ultimate outcome was, the episode shows that the silly season has opened once again on the Hill. Wildly inflationary and simplistic bills such as this, which would never reach the floor so quickly in March, are likely to pop up on the calendars of both houses quite frequently between now and adjournment. Those 197 members of the House should be commended for recognizing that the Patman ploy served no legitimate "emergency" at all. But as sessions lengthen, tempers shorten and partisan games increase, the cause of sobriety in government may be hard put to maintain its majority.

COMING OF AGE IN AMERICA

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ROUSH. Mr. Speaker, the House of Representatives in this 92d Congress has passed some outstanding legislation, but none is more important than the effort made to meet some of the critical needs of our senior citizens.

I am particularly pleased with recent legislation that has passed. On June 30 the House and Senate sent to the President a bill adopting two major amendments to the present social security law; namely a 20-percent across-the-board increase in social security payments and an authorization for automatic increases in social security benefits whenever the cost of living rises more than 3 percent in a given year.

The 20-percent increase had been opposed by the President who declared in a June 29 news conference that such a boost could be "highly inflationary." Wisely the Congress has provided for adequate financing for the increase. There is no question but that the trust fund is adequate and is in no way endangered. About 63,000 senior citizens in the Fourth District will reap the rewards of this legislation.

Returning from the Democratic Convention recess, the House immediately on July 17 returned to the issue of legislation for senior citizens. That same day the House passed a Comprehensive Older American Services Amendments Act which would, among other items:

Create a National Advisory Council on Aging to provide advice and assistance to the President on matters relating to the special needs of older persons;

Strengthen the role of the Administration on Aging as a focal point of Federal concern for older persons;

Provide authority to lease, renovate, and construct multipurpose senior centers through grants, contracts, or mortgage insurance and support staffing grants for initial operation of such centers;

Continue the nutrition program;

Expand the National Older Americans Volunteer program including the Foster Grandparents and Retired Senior Volunteer programs.

And on July 17 the House passed a bill setting up a National Institute of Aging within the National Institutes of Health with the purpose of increasing and concentrating attention on research on aging and the diseases that affect the elderly primarily.

I believe this is the first Congress to take such a serious interest in legislation primarily for our senior citizens. I urge the Senate to act on the National Institute of Aging bill and the Older Americans amendments soon so that these two may become law before the close of this Congress.

WHY CAPTIVE NATIONS WEEK?

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. SPENCE. Mr. Speaker, the 14th observance of Captive Nations Week has been observed in this country and abroad, providing a voice for the truly oppressed in the vast Communist empire. As we have done during the week, now and in the period ahead, other Members and I shall indicate the reassuring results of this observance. I direct our colleagues' attention to the proclamations by Gov. Jimmy Carter of Georgia, and Mayors Gerald W. Graves of Lansing, Stephen May of Rochester, and Lyman S. Parks of Grand Rapids; and an article circulated in the Best of the New Guard 1961–71, titled "Why Captive Nations Week?":

Proclamation: Captive Nations Week

Whereas: The imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Crotia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas: The desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas: The freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas: The Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week; now

Therefore: I, Jimmy Carter, Governor of the State of Georgia, do hereby proclaim July 16–22, 1972, as "Captive Nations Week" in Georgia.

Proclamation

Whereas: The imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas: The desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas: The freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas: The Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples;

Now, therefore, I, Gerald W. Graves, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim the week commencing July 16, 1972, as "Captive Nations Week in Lansing" and call upon the citizens of this City to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Captive Nations Week

Whereas, the imperialistic policies of the communist powers have led to subjugation and domination of thousands of freedom-loving peoples whose yearnings for independence, and whose right to self-determination, have been arbitrarily ignored, and

Whereas, the freedom-loving peoples of the Captive Nations throughout the world look to America as the citadel of human freedom, inspiring and encouraging the expressions of freedom which have been so consistently demonstrated by the people of the Eastern European nations, Ukraine, Jews in the Soviet Union, and the Vietnamese people, and

Whereas, the United States continues to actively pursue its quest for world peace, a peace which permits the liberty and freedom which remain strong in the hearts and minds of the peoples of the Captive Nations, and

Whereas, many residents of Rochester, who are linked by ties of birth, language, culture, family and principle with those in foreign lands who have lost their national independence, recognize their special responsibility to participate in this 13th Observance of Captive Nations Week in order to demonstrate our sympathy and support for those who strive to regain their freedom,

Now, therefore, I, Stephen May, Mayor of Rochester, do hereby proclaim July 16–22 to be Captive Nations Week in Rochester and urge all Rochesterians to remind themselves of the plight of millions who live under totalitarian rule and to rededicate themselves to work together for their eventual freedom and independence.

Proclamation

Whereas, the freedom-loving peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slavenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples

Now, therefore, I Lyman S. Parks, Mayor of the City of Grand Rapids, do hereby proclaim that the week commencing July 16, 1972 be observed as Captive Nations Week in the City of Grand Rapids, and call upon the citizens of Grand Rapids to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Why Captive Nations Week?

(By Levy E. Dobriansky)

The third week of every July is Captive Nations Week. This year it falls on July 18–24. The annual event was authorized by the U.S. Congress in July, 1959, when it passed the Captive Nations Week Resolution which President Eisenhower signed into Public Law 86–90. The law authorizes the President to issue a proclamation "each year until such time as freedom and independence shall have been achieved for all the captive nations of the world." This has been done annually. Yet, despite the expanding observances of the Week in all sections of our country, many Americans still ask, "Why Captive Nations Week."

With the intention of answering this perennial question in the simplest manner possible, I shall cover certain basic points pertaining to the resolution and the growing annual observances. For the question is often raised by people who are completely uninformed about these points. It is also posed by those who have either misconstrued the meaning and significance of the Week or opposed the resolution from the start mainly because it has challenged their fixed preconceptions about the Soviet Union and its central position in the vast totalitarian Red Empire. The reasons justifying our answer to the question apply to all three groups.

Actually, the answer is a multiple one. We observe Captive Nations Week because it is legally provided for in Public Law 86–90; moreover, the Week is a tremendous moral symbol signifying that we Americans will never forget the captive nations or accommodate ourselves to their permanent captivity; it concentrates on our nuclear spiritual weapons, offering the most powerful paramilitary deterrent against overt Sino-Soviet Russian aggression in Europe, the Middle East or Asia; it is a stimulating and effective educational medium about all the captive nations, Sino-Russian imperio-colonialism, and the Cold War; the Week also affords a country-wide forum for the discussion of issues affecting our national interest and security; finally, it consistently leads to the crystalization and advocacy of concrete measures of action. These reasons constitute in essence the answer to the question, "Why Captive Nations Week?"

IT BEGAN IN 1917

The first reason is, of course, a proximate one. It was with ample and solid cause that Congress passed the Captive Nations Week Resolution. For the first time our government recognized the existence of all the captive nations, meaning the majority of them in the Soviet Union and in Asia. In effect, it recognized the crucial fact that the threat confronting the Free World did not emerge in 1940 or in 1947 but had originated in 1917–18 with the first conquests by Soviet Russian imperio-colonialism. By this act Congress also recognized communism as an instrument, a tool of ideologic deception which this force exploits in part for its takeovers of free and independent states. For these and other implications of the resolution one need only read the document. Too few have. Yet copies can be obtained from the National Captive Nations Committee, 1028 Connecticut Avenue, N.W., Washington, D.C.

Congress' action has been more than justified by the response shown annually on the part of our citizens. From 1959 on captive nations committees have been established in practically every major city in the nation. Guided and inspired by the National Captive Nations Committee, which itself was organized in 1959 to implement the Congressional resolution, these local committees conduct a variety of activities during the Week. As in previous years, the 1964 observances were held across the country, from Boston to Los Angeles, from Washington, D.C. to Seattle. About half of the State Governors and over two dozen mayors of large cities issued proclamations observing the Week. Even internationally, in the Republic of China, South Korea, the Philippines, West Germany and elsewhere the observance is widely held. The 1965 observance should surpass all previous ones.

As for the Week serving as a tremendous moral symbol, all of us should recall the words of President Kennedy: "This country must never recognize the situation behind the Iron Curtain as a permanent one, but must, by all peaceful means, keep alive the hopes of freedom for the peoples of the captive nations." On the basis of the resolution, it is not only those behind the Iron Curtain but also the captive nations behind the Bamboo and Sugar Curtains that we must support in the cause of freedom.

MYTH BREAKER

Anyone who has followed closely Moscow's deceptive "peaceful coexistence" policy over the past ten years cannot but be impressed by one of its chief goals, namely, our acquiescence to the permanence of the Red Empire. It has pursued this goal so successfully that many in the Free World talk as though Poland were independent, Kadar a popular hero of the Hungarian people, Ho-Chi-Minh a George Washington of Vietnam, and the U.S.S.R. a rapidly capitalist-bound "nation." One of the main obstructions to the free generation of these and other myths has been the Captive Nations Week observance, which Moscow and some in this country seek to eliminate.

Not only is the Week a tremendous moral symbol, against which both Moscow and Peking have regularly and vehemently inveighed, it is also a massive expression of what can truly be called our nuclear spiritual weapons. The first theme of the 1965 Captive Nations Week observance is "Peace with Justice and Freedom." An observed concentration on all of the captive nations serves this primary goal more than any other nonmilitary action, including even the economic. If one views the captive nations in toto, approximating one billion people, he can then begin to appreciate the source of insecurity and threat they represent for the various totalitarian regimes in the Red Empire.

It is no exaggeration that the captive nations in toto, in the aggregate, constitute our most powerful paramilitary deterrent against open Sino-Soviet Russian aggression and thus a hot global war. A psycho-political concentration on all of the captive nations would mean a grave deepening of the insecurity of all the totalitarian regimes in the empire and also a long stride toward the avoidance of a world-wide conflagration. But it would also be a major stroke for justice and freedom.

We have not even really begun to take up the challenge of the Red Cold War as concerns the terrain of the Red Empire. Unstinted and methodical support of the continuous pressures for freedom in that empire would result in a complete hopelessness of so-called socialist and potential Communist management, so that in time a genuine revolution for freedom and national independence would inevitably spread from the Danube to the Pacific. More, it would greatly undermine the subversive Cold War operations of Moscow and Peking in the Free World and preclude situations where—as in Vietnam—some 70,000 Americans find themselves already in a shooting stage, but few Russians or Red Chinese can similarly be found.

THE CAPTIVES

To see clearly the enormous winning possibilities of this approach, it is first necessary to have a working comprehension of just who the captive nations are. They are not just the few most of us think of when confronted by the term. Here is an accurate listing of all the captive nations, with the year each came under Communist domination and suggestions of Who's Next should we continue with our reactive policy of patched-up containment:

Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Democratic Republic of Far East (Siberyaks)	1920
Ukraine	1920
Turkistan	1922
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Outer Mongolia	1946
Serbia, Croatia, Slovenia, etc. in Yugoslavia	1946
Poland	1947
Rumania	1947
Czecho-Slovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

WHO'S NEXT?

South Vietnam? Algeria? Colombia? Congo? Laos? Tanzania? Bolivia? Thailand?

Both Presidents Eisenhower and Kennedy emphasized the need for an intensive study of the captive nations. The Week's observance continually reemphasizes this need and stimulates a great deal of educational interest in all of the captive nations and in the numerous aspects of the Cold War itself. Truly as an educational medium, it throws an annual spotlight on certain dangerous myths concerning the Red Empire and brings into balanced focus the major developments in that vast empire.

INDEPENDENT STATES?

For example, one of the most colossal myths is that we can wean the totalitarian Red regimes in Central Europe from the domination of Moscow. This grand illusion is propped by subsidiary myths which hold that the so-called satellite regimes are becoming increasingly "nationalistic," that their states are growing more "independent," and that a "polycentrism" prevails in the "Communist" world, with Titoism and revisionism gripping several of the "satellite" regimes. Some even go to the extent of imputing a widespread popular base for the regimes of Tito, Kadar, Gomulka, Mao Tse-tung and others. Wishfully, they envision a pervasive fragmentation of the Red Empire and simplistically bid us to be patient, to perceive the "good" in some of these totalitarian rulers, and to assist them in overcoming many of their economic and political problems.

NATIONALITIES TECHNIQUE

The fundamental trouble in all this mythmaking is that those guided by gestures and appearances have no comprehension of the Russian nationalities technique which was applied to the non-Russian republics in the U.S.S.R. even under Stalin. The technique is one of exploiting nationalist symbols and forces for the accomplishment of Red totalitarian objectives and the reduction and perhaps elimination of the persistent cold war between the people and the regime. For years Khrushchev flounced about the U.S.S.R. telling Azerbaijani, Georgians, Ukrainians, Turkestani and others how nationally "independent" and "free" they are. Because of legalistic differences, the technique is being used even more effectively in the so-called satellite area of the empire.

Realism demands that we face some stern facts: (1) on the scale of total power, the U.S.S.R. has been and for some indefinite time will continue to be the center, the power base, of the Red Empire; (2) every other totalitarian Red regime, including Peking and Belgrade, depends for its ultimate survival on Moscow; (3) the appearances of liberalization in Central Europe are well checked by the realities of totalitarian rule and control in each of the Red states, with evidence mounting daily as to new oppressive measures in the U.S.S.R., Poland, Yugoslavia, Rumania and elsewhere in this game of check and countercheck; (4) these liberalizing appearances are also designed for the acquisition of necessary Free World economic assistance in the further rapid build-up of the Cold War economics of the Red states, both individually and collectively; and (5) when the chips are down anywhere, as in Vietnam or the Dominican Republic, the basic, indispensable unity of this empire pattern shows itself clearly as practically all parts of the Red totalitarian network rush to the aid of its beseiged members.

THE REACTION

Captive Nations Week projects a totalistic concept of the captive nations, which is anathema to both Moscow and Peking and beyond the comprehension of some of our opinionmakers. As shown in the *Congressional Record* and other sources, the record on this is perfectly clear.

To mention some examples:

In 1963, Moscow's *The New Times* implored "Is it not high time to discontinue the 'Captive Nations Week' in the United States?"; *Pravda* that year excoriated President Kennedy and stressed, "The President of the United States, losing his sense of reality, has declared a 'week of the Captive Nations' and is trying to turn attention away from the struggle of the Negroes for their liberation"; in 1964, *Izvestia* railed, "With every passing year 'Captive Nations Week' becomes a nuisance," not mentioning to whom; Khrushchev again could not resist another condemnation of the Week when on the eve of his removal he shouted, "In the United States a farce entitled 'captive nations week' is held every year. The people's democratic system has been in existence for 20 years but the imperialists still ramble on with nonsensical ideas of 'liberating' the nations of eastern Europe."

THE 1965'S THEMES

Speaking of "imperialists," it should be noted that one of the main themes in the

1965 observance deals with the last remaining imperio-colonialist systems in the world. Captive Nations Week provides a forum for discussion, and the themes this year are as. follows:

1. Peace with justice and freedom, the support of all the captive nations being one of our most formidable deterrents against a hot global war.
2. Full support for U.S. actions in Vietnam and the Dominican Republic, with stress on "What about the freedom aspirations of 17 million North Vietnamese?"
3. A Poltrade Policy toward the Red Empire (trade based on political concessions).
4. Complete exposure of Sino-Soviet Russian imperio-colonialism in the United Nations, concentrating especially on the captive non-Russian nations in the U.S.S.R.
5. Creation of a Special House Committee on the Captive Nations.
6. Establishment of a Freedom Academy.
7. Inauguration of a Captive Nations Freedom Stamp series.

The ramifications of these themes in terms of concrete and forthright action are extensive, to say the least. Many of the themes propose just the first steps that must be taken if we are to obviate more Dominican Republics and Vietnams in what the Red totalitarians call "holy wars of national liberation." The techniques used in these and other cases have been employed over and over again against countries that today form the long list of captive nations. By concentrating on the captive nations, how they became what they are, we cannot but learn more and more about Red techniques of political warfare which defy both nuclear armaments and economic aid. If we fail to learn these lessons, then the specific answers to "Who's Next?" will inevitably be forthcoming. Captive Nations Week is a stimulus to such learning for survival.

A TRIBUTE TO AHEPA, ON THE OCCASION OF ITS GOLDEN ANNIVERSARY YEAR

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. CARNEY. Mr. President, I would like, at this time, to express my admiration for the Order of Ahepa, the American Hellenic Educational Progressive Association, on the occasion of their golden anniversary year.

Over the past half century, this worthy organization has rendered so many contributions to our national way of life, as to warrant the attention and respect of the Congress and the people.

The order has contributed financially to many notable causes, from educational promotion to patriotic demonstration, to the relief of persons afflicted by disaster, both natural and manmade.

In World War II AHEPA was responsible for the sale of $500 million worth of war bonds as an official issuing agency of the U.S. Treasury. Funds have been furnished by the order in great amounts, to serve the interest of those afflicted by the ravages of hurricanes, floods, earthquakes, political persecution, and war.

They were largely responsible for the construction of hospitals in Athens and Thessaloniki, seven health centers in Greece, and the AHEPA agricultural college in Greece. The Penelopian Shelter Home in Athens was founded mainly on the strength of AHEPA's contributions, as were the AHEPA School at St. Basil's Academy in Garrison, N.Y., and theological seminaries at Brookline and Pomfret. It also is the sponsor of national scholarships for worthy students and an educational journey to Greece for worthy students.

The George Papanicolaou Cancer Research Institute, in Miami, is largely the product of AHEPA contributions, as is also the Preventorium, in Volos. AHEPA has contributed to the construction and maintenance of the Truman Library, the Truman Memorial in Athens, the Ypsilanti and Dilboy Memorials, and the AHEPA Franklin D. Roosevelt Memorial in Hyde Park.

The monument at Smyrna Beach, Fla., commemorating the first landing of the Hellenes on American soil, in 1768, was built with funds provided by AHEPA. So was the Sons of Pericles Memorial to the American Philhellenes of 1821, located at Missolonghi, Greece.

Intensely devout, AHEPA has contributed to religious causes on numerous occasions, through the Patriarch of Jerusalem and the Patriarch of Constantinople.

Members of AHEPA take justifiable pride in their record of accomplishment. Having fought successfully for the freedom and respect of minorities, in their justice for Greece and justice for Cyprus programs, they have displayed their sense of honor, in keeping with their well-known and well recorded sense of generosity.

Past national officers of the Order of Ahepa from the 19th Ohio Congressional District include: Constantine G. Economou, Past Supreme Lodge, Youngstown; and Angelo F. Mavrigan, Past Supreme Lodge, Youngstown. Local chapter officers from the 19th Ohio District include: Peter Tsakos, president; Peter Georgiadis, vice president; William G. Glaros, secretary; and Joseph Mitchell, treasurer, all of Youngstown; Frank Manios, president; Phil Anastasiadis, vice president; Nick Pitinii, secretary; and Joseph Keriotis, treasurer, all of Warren.

GENERAL LAVELLE

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. SCHMITZ. Mr. Speaker, on prior occasions I have called attention to the outstanding attributes of Edward Hunter and his publication Tactics. An in-depth story on Gen. John D. Lavelle appears in the Tactics issue of July 20, 1972. The victimization of General Lavelle for his courageous and much-needed military action which contributed greatly to repulsing the recent North Vietnamese invasion, is a disgrace to our country and the fighting traditions of our military services.

An especially significant item in Mr. Hunter's story is the information that Seymour Hersh, who broke the My Lai story, is one of the leaders in the assault on General Lavelle. Hersh's My Lai investigations were financed by the Stern Fund for Investigative Journalism. The executive director of the Stern Fund is James Boyd, one-time member of the staff of former Senator Thomas Dodd who stole files from the Senator's office and turned them over to columnist Jack Anderson. Money for the Stern Fund comes from Philip M. Stern, an active supporter of the Communist-directed moratorium and new mobilization operations. It is no surprise that Edith Rosenwald Stern and her late husband Edgar established this fund. Edgar's brother Alfred and his wife, Martha Dodd Stern, fled long ago behind the Iron Curtain to avoid prosecution for espionage against the United States All of these facts are fully verified by documentation now in my possession.

We have found that when the U.S. Army Military Intelligence came under attack on the front page of the New York Times, January 18, 1971, its information came from Capt. Christopher Pyle, an ex-military intelligence officer who based his attack on hearsay evidence from fellow disgruntled GI's. Pyle's story first appeared in a publication called the Washington Monthly, all of whose manuscripts are first submitted for approval to the executive director of the Stern Fund, James Boyd. Appearing at the same time as the attack on military intelligence was an article in the Washington Monthly by the man who doles out the tax-exempt money from the Stern Fund, Philip M. Stern. The title of his article was: "The Loyalty Program—a Case for Termination." This is yet another reason why I have continually called for an investigation of the tax-exempt foundations in this country.

Mr. Hunter's outstanding article on General Lavelle follows:

UNFORGIVABLE SIN WAS SAVING SAIGON, AND US—LAVELLE'S GENERALSHIP SAVED US

Gen. John D. Lavelle allowed his bomber pilots to penetrate a bit farther into North Viet Nam than his written orders seemed to allow. He is being pilloried for this, although what he did was in accordance with one of the oldest and wisest precepts of warfare. He deserves promotion for it, and the commendation of a grateful nation.

The precept to which he adhered—which was his duty and is the test of greatness in a general—had been included in the oldest manual on warfare, "The Book of War," written 2,400 years ago by the Chinese military philosopher, Sun Tzu. Mao Tse-tung won the Chinese mainland by following Sun Tzu's teachings on guerrilla warfare.

"The Book of War" is as timely today as when it first appeared. No more important military principle has been enunciated than this, as succinctly stated in the little manual:

"A good general knows when to disobey his emperor."

He only does so when the result would be decisive in a crucial situation, and failure to act would have disastrous consequences.

PRAGMATIC TEST OF JUDGMENT

The general who takes this initiative accepts a pragmatic judgment. If he is mistaken, the proof is in his failure. This then becomes an unwarranted, personal assumption of authority. He loses his head for it. In our day, he would expect at least repudiation, disgrace and loss of his rank.

If his technical disobedience saves his emperor's life—meaning, in our time, saves our side—at least prevents a defeat, he deserves the highest honors than can be bestowed upon him. He is recognized, under the most fundamental rules of war, to have lived up to the highest demands that are put upon a general. That is, to have achieved whatever is decisive in the conflict, by staving off defeat, or by making victory possible.

This is what Gen. Lavelle accomplished.

President Nixon's professed aims in mining the North Vietnamese harbors and in bombing supply and economic targets would have been too late to impede the North Vietnamese invasion if Lavelle's pilots had not extended their flights those few miles in order to successfully wreck obvious preparations for an all-out invasion across the demilitarized zone.

About 400 tanks remained at Haiphong port as the North Vietnamese army divisions fought in the south, their timetable upset. These tanks would have participated in the all-out drive if our fliers had not upset the red timetable.

The surge of the North Vietnamese divisions showed that with 400 more tanks in operation, the communists probably would have taken Saigon by now. Instead, they have suffered what could very well be a decisive setback in their invasion.

This immobilization of the red tanks was only one of a number of stunning successes that resulted from Lavalle's initiative.

Indeed, as being grudgingly and belatedly admitted, this could be the turning point in the war, with advantages to the free world of an incalculable nature.

The most that can justly be said against Gen. Lavelle, therefore, is that he successfully acted in the best interests of his emperor—his country—although to do so, he technically had to violate certain orders, although even this is not completely certain.

This contribution has been covered up by a hush-hush regarding the military gains of the South Viet Nam forces and the loyalty shown to the Saigon government by the people of the country, and also by the unprecedented setbacks suffered by the reds.

Joseph Alsop, in his July 7 column, declared "the great North Vietnamese offensive of 1972 must now be seen as a vast and unqualified disaster," and adding this significant statement, "The dimensions of this disaster have been largely concealed from the American public."

"To begin with," he wrote, "there are too many people in Saigon who have too often predicted disaster for the South Vietnamese government. Naturally, this makes it unpalatable to report disaster for the enemy."

HOW PEOPLE GET EDGED INTO TREASON

Communist psychological warfare first of all focusses upon maneuvering people in a target nation into situations in which their words and deeds have a treasonable impact upon their own country. Treason is not their intent, but they are given a vested interest in it. They are trapped.

Entrapment in treason is a more subtle process than drug addiction, for one does not have to begin by taking dope of some kind, even the mildest; one can start by tackling a legitimate grievance that just happens to coincide with a communist need.

Those who have consistently insisted, or reported, that every elected Saigon government gained office by corruption alone, and is hated by those who voted for it, can be expected to explain away the refusal of the people to rise up to join their supposed saviors from the north.

Those who declared Saigon soldiers would not fight can only suppress the news of their valiancy in battle. Those who contrasted the South Vietnamese army with the supposed indomitable spirit of red troops can only ignore or belittle and bury such news as Alsop carried in the same column, about "once tough North Vietnamese units throwing away their weapons and running like rabbits, when serious South Vietnamese pressure is applied."

Rowland Evans and Robert Novak, in their column of July 7, reported, "The melting away of a North Vietnamese regular army unit in combat," and "repeated instances of North Vietnamese troops on the northern front throwing down their arms and returning over the DMZ to go home."

The column refers to "monumental supply problems . . . Were it not for President Nixon's blockade of the North and the massive U.S. air support in the South, the North Vietnamese invaders—for all their new shortcomings—might well have swept through South Viet Nam."

Fair, balanced coverage of what the Evans and Novak column calls "a signpost of real deterioration in the army of North Vietnam," would require that due credit be given to four-star Gen. John Daniel Lavelle, as commander of the U.S. Air Force in Southeast Asia, for the decisive contribution made by his airmen in depriving the enemy of the supplies that made the vital difference.

ANGRY THAT WE MIGHT NOT LOSE

Gen. Lavelle's "protective reaction" to enemy preparations for a final, victorious drive is unforgivable, of course, in the eyes of those who have consistently preached defeat, and that Hanoi, not Saigon, represents the hopes and desires of the people of South Viet Nam. When the chips were down, the people of South Viet Nam stuck by their own government, resisting red pressures.

So our defeatists and pro-reds want Lavelle to be court-martialed, found guilty, and disgraced. The press and radio-television already are trying him, seeking to force such a verdict upon him. Of all segments of our population, they are in the vanguard of those who masochistically—or ideologically—take the enemy's side against their own country.

Responsible Americans who have not lost their balance in this "sick" situation are vitally needed in this crucial period, so that we do not lose the advantage given us by this turning point in the war, and allow the enemy once again to snatch victory out of defeat. Americans who have not this vested interest in their nation's defeat should recognize that the decisive role is theirs in this new form of war, and that they must exert every influence they can muster on behalf of Gen. Lavelle. They should not be satisfied with him being spared court-martial, but should insist that his successful generalship be rewarded with promotion and honors.

Perhaps the most encouraging and beautiful testimony to American character to come out of this war is the evidence that Gen. Lavelle did not act alone. He had the enthusiastic and sacrificial support of his men as well as the implied consent of his superiors, certainly into the Pentagon, and probably into the White House, as well.

They have heard of Sun Tzu's military manual there, too. The test, when the chips are down, is whether President Nixon is so obsessed with his negotiations in the communist countries that he has lost clear sight of American realities. Pragmatism, when carried too far, can blind a man this way. We need soldiers with the clarity, initiative and courage. of a Lavelle.

The danger has been that our military forces, on which our literal survival depends, have been deprived of their MacArthurs by the secret implementation of the notorious Fulbright Memoranudm of 1961. The Lavelle affair indicates that this sub rosa campaign against our forces has failed. The traditional qualities of young Americans have not been extinguished.

This becomes a testing time for ourselves, too. We must not let this opportunity slip by to fan the flame of initiative, courage and patriotism that seemed to have become almost extinguished. Indeed, this is the crux of the mind warfare that seeks U.S. extinction.

What obviously had transpired was that all those engaged in our air operations at the front, from the pilots to the topmost officers, recognized that this was a time when all had to stand together, for their country's sake, and humanity's. Here was tacit consent in its finest sense.

Those with a vested interest in America's defeat, and communism's victory, have recognized this by the ferocity of their attack upon Lavelle and all those who can be identified with him. This infuriates them, and reputations cannot stand such a setback.

THE USUAL PRO-RED SPOILERS

The customary pro-red operation inside the communications field in the United States went into action. The war area was treated as if it were a courtroom in which technicalities, no matter how artificial and farfetched, would determine the outcome.

Under the present-day conditioned acceptance of the enemy's military use of the demilitarized zone as a staging area and base—the conditioning is in its Pavlovian sense—enemy preparations were by tacit agreement, immune to interference by our side. The press could be depended upon to preserve this understanding intact, for it fit into the negotiations pattern that had become the cornerstone for Nixon's re-election strategy. This was the meaning of "tacit," as outlined in the Phoenix Papers in Kennedy's administration.

Certainly, no newspaperman who has had any experience in Viet Nam for any extensive time does not know that under Strange McNamara as secretary of defense, our pilots were sent regularly thousands of dangerous miles to kill one bullock—yes, one bullock—while forbidden to attack any true targets en route.

Our aviators were supplied with planes that fell apart and belonged in museums for war relics. A Jim Lucas was still around in those days to report such scandals, when he got a chance, but since his death of cancer, so-called advocacy reporters and investigative reporters have taken over. They have eyes only for stories advantageous to the enemy. They have been conditioned and selected this way.

So the news is now only what is strategically helpful to the foe.

This is the significance of this paragraph by James Reston in his N.Y. Times column on Lavelle, that in syndicated form was reprinted in the Washington Star of June 14:

"The government here is also saying that reporters like Seymour Hersh of the New York Times, who broke the My Lai and Lavelle stories, and Neil Sheehan, also of the Times, who dug out the Pentagon papers, and Jack Anderson who exposed the administration's clumsy diplomacy in the Indo-Pakistan war, are troublemakers who embarrass the government and give aid and comfort to the enemy."

The language used is skilled coverup by a newspaper which is the enemy's main vehicle in the United States for what is professionally known as "black" or clandestine propaganda. This is propaganda that the enemy does not want to admit was conceived by it, but seeks to have come out under the label of the country which it is seeking to destroy. Such covert propaganda usually requires that the vehicle for it not realize that it is doing the enemy's work for it. Otherwise this would not have just treasonable impact, but would be treason.

What makes it clandestine or covert, and not an overt, open operation is that the source of this propaganda is not realized by its ultimate distributor or vehicle as being the enemy. Somewhere along the line, of course, there are knowledgeable enemy agents, or have been at the start of the psychological warfare operation. A successful "black" coup of this nature is one that has snowballing impact, so that the enemy agent is no longer needed, but that the sort of morale-breaking or other propaganda the enemy wants to pass along is kept moving and growing like a snowball rolling downhill, through its own inertia.

The most graphic illustration of this during the Viet Nam war was the two-page advertisement carried in the N. Y. Times of May 31, proclaiming American war guilt and demanding the impeachment of the President, under the signatures of members of the Congress! The aid and comfort to the enemy was so obvious, and the interlocking and infiltrated relations of some of the sponsors were so plain, that the excuse of lack of knowledge could hardly suffice in this case.

What this case illustrated was the paralyzing and suicidal nature of an obsessive approach where life and death matters, as in a war, are involved. So-called "anti-war" and "peace" agitators and crusaders have become so preoccupied or possessed by this issue that communist "psywar" planners have little difficulty using them to achieve enemy objectives. Then, of course, there are literal traitors, who favor the conquest of the United States by countries professing socialism or communism, or the overthrow of the United States by some Marxist or anarchist element. Countries such as the U.S.S.R., Red China and Red Cuba have no problem at all in infiltrating and manipulating such groups for their own ends.

The My Lai "story" was not a story; it was an operation paid for by an infiltrated foundation for which a so-called "news agency" was especially set up. The operation was timed to divert public attention away from a true scandal that gradually was forcing its way into public notice.

This was the communist massacre at Hue during the brief period when the reds seized the city in the Tet offensive, itself based upon deceit. The massacre threatened to recall the Katyn massacre to the public mind, and so desperate steps had to be taken by pro-reds. The N.Y. Times and the rest of the fake "liberal," prestige press had hushed up the Hue massacre, which had been perpetrated in strict accord with the red genocide routine, which selects the leadership and potential leadership element of a community to be wiped out.

In contrast with the routine red massacre at Hue, the isolated and exceptional My Lai incident was focussed upon with twisted facts. Red terror, systematically imposed as a tactic, was henceforth to be brushed off as something Americans also engage in. This "psywar" operation was another example of enemy "black."

HORRORS! TRAINED FOR VICTORY!

The Reston column, its negative tone giving a seeming justification to what aids and comforts the enemy against the United States, refers to American forces being "trained to fight for 'victory,' " as if he were exposing a scandal.

Lavelle is presented as "only a symbol" of this state of mind, that seeks to prevent an enemy victory, a supposedly outdated objective. This is an example of upside-down logic that would be recognized as downright stupid if it weren't couched in weighty doubletalk. The source of such thinking, to be found in enemy "psywar," is not at all stupid. The reds know what they want, and how to inveigle others into helping them do it.

Reston declares in his column about Lavelle that "it is hard to believe he could bomb unauthorized targets for three months" without his higher officers knowing about it. Certainly the fliers who ran the missions knew what they were doing!

What frightens the orchestrated fake "liberals" who have allowed themselves to be taken in tow by pro-reds and enemy "psywar" is that our military has not yet been pounded into robotry and unthinking submission to doubletalk. Our military still is able to distinguish between civilian control, which sets the goal and the strategy, and civilian manipulation of tactical details in military operations in a manner that would defeat these same objectives.

Otherwise, why have military officers at all?

Clerks and typists to pass along bureaucratic instructions would be sufficient. This, in effect, is what we gradually are developing. Gen. Lavelle is an example of the thinking general, of which MacArthur was such an exemplary illustration.

If the subject were not so grim, the shock that is being expressed over the so-called "unauthorized" attacks upon enemy preparations for their southward invasion would be funny. The best example is provided by Sen. Harold E. Hughes (D-Iowa).

He refers to the concensus under which these air missions were undertaken as "a conspiracy of silence." The same so-called "doves" who become infuriated over any contention that there is a red conspiracy are quick to use the word "conspiracy" when it can be applied to anti-communist activities on our own side. Any concerted, really moderate patriotic reaction is branded a "conspiracy."

Hughes pointed out in his speech on the Senate floor what should be a matter of pride, giving Americans a sense of security, but which he presented as something that was scandalous. Hughes said:

"The general's staff had access to the orders and reports—and remained silent. The target planners prepared their lists—and remained silent. The wing commanders briefed their men and issued assignments—and remained silent. The pilots made their attacks—and remained silent. The intelligence analysts debriefed the pilots and studied the bomb damage assessments—and remained silent."

The top enemy theoreticians, not just in Hanoi but in Moscow and Peking, are sure to be just as alarmed as the confused, misled or treasonable Americans over this extraordinary demonstration of American loyalty and unanimity. Those who have brushed off our men as an effective fighting force because of morale corrosion now have to revise their programs and schedule.

Efforts aimed at the deterioration of our fighting forces will have to redouble, if they can, use of such weapons of psychological warfare as drugs and Jane Fonda. This will be difficult, if not impossible.

LAVELLE IS ENEMY TARGET NOW

Communists always have well understood the importance in modern warfare of bases and symbols. They know that by capturing a symbol, an otherwise impossible objective can be achieved. Gen. Lavelle is now the symbol of a morally reinvigorated American military. They will be out to destroy him.

The usual fake "liberal" orchestration already has gone into play, and has even enlisted patsies on the anti-communist side, in denunciation of the brave general. The tone thus set, politicians will be inclined in this election year in particular to heed this siren call.

Americans capable of seeing through this intrigue cannot afford to sit back and wait developments. By then, Lavelle might be made a scapegoat, as seems already to be in the planning. He saved his emperor—his country—at a crucial time. Now, let us save him!

R. HAROLD DeLOZIER

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. DUNCAN. Mr. Speaker, the success story of R. Harold DeLozier, of Maryville, Tenn., reaffirms the notion that America is still a land where dreams are realized through hard work and self-sacrifice.

Today, Harold DeLozier's early employers have still not forgotten the determination and dedication of purpose which allowed this outstanding Tennessean to fulfill his dreams and ambitions. One of these employers, the Blount County National Bank, of Maryville, has published a summary of Harold's journey on the road to success, so that others traveling the same path may find encouragement and hope in his story.

The following is Blount County National Bank's tribute to a self-made man—R. Harold DeLozier:

R. HAROLD DELOZIER

(By Ken Powers)

It has become popular in recent years to scoff at talk of "the self-made man." But what is popular is not always correct. In spite of all the arguments to the contrary, "the self-made man" is still "the American dream." R. Harold DeLozier, a director of Blount National Bank, is a local example.

Born in Wildwood Community, east of Maryville, a year before Kaiser Wilhelm's Prussian armies introduced the world to global war. Harold DeLozier reached adulthood as the U.S. and the world entered "The Great Depression." There was little hope for a young man; jobs were scarce; relief lines were long; the "hobo" was rapidly becoming an American symbol. But DeLozier refused to accept this bleak and uninspiring world as the end of opportunity.

Penniless, but willing to work, he entered Draughon's Business College in the spring of 1932. DeLozier fired the furnace in his teacher's home in return for a room. After the morning stoking, he delivered the Knoxville Journal, until classtime. After morning classes, DeLozier hurried to Miller's cafeteria. This third job earned him his lunch and $5 per week. A year later, he graduated from the College, having completed all courses required for a diploma in general business—with an average of 94.75 percent.

His first regular job was as an order clerk at C. M. McClung's, a Knoxville hardware firm. Eighteen months later, he returned to Maryville, which he calls "the capital of the world" because of its beauty and friendly people. He joined Blount National Bank, bringing the total number of bank employees to four. During his year and a half with the bank, DeLozier worked in all phases of the business, from teller to posting clerk to making loans.

At the age of 22, he left the security of being an employee to establish his own business—DeLozier Insurance Agency, in which he is still active today. "I liked working in the bank," he says, "but I wanted to have my own business, and insurance goes well with banking." In only eight years, he had built a reputation for competence and honesty that earned him national recognition in the Hartford Insurance Company magazine. DeLozier says that honesty is all-important—"There is no such thing as a little bit dishonest. One is honest, or he is not."

In 1945, Harold DeLozier and Beryl Bredlove pledged marriage vows. They became associates in serving Maryville's insurance needs. Mrs. DeLozier remains active in the agency, and her husband says with obvious pride, "She is a well-informed insurance lady. Our clients don't hesitate to discuss their problems with her." The DeLozier's daughter, Kathy, is presently employed in the bank's computer department.

One of the two charter members remaining active in Maryville Lions Club, DeLozier has served as president, secretary, and treasurer, and as zone Secretary-treasurer. A 32nd degree Mason, he is a member of Knoxville Consistory. DeLozier has been a member of Blount County Chamber of Commerce "for a long time," and is a member of Maryville's First Baptist Church.

Appointed to the bank's board of directors in 1946, DeLozier is thankful for the opportunities he has had to serve the people of Blount County. Looking back upon those dark years of his youth, he says, "There is always some sunshine, somewhere. You just have to look for it."

Harold DeLozier is the kind of man who had made Blount National "The Leader." He is typical of the American dream; successful because he would not accept defeat.

AN AMERICAN'S PLEDGE

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ROUSSELOT. Mr. Speaker, a very thoughtful constituent of mine, James R. Harvey, has taken the time and effort to write in a concise form his thoughtful concern for our pledge as Americans to our country and the various ideals for which it stands.

Mr. Speaker, Mr. Harvey, who resides in Arcadia, Calif., has asked that I submit "The Americans Creed" to my fellow colleagues for their consideration as to whether it might be adopted as a resolution and as a statement of purpose to renew our faith in our country. I therefore submit it to my colleagues:

THE NEW AMERICANS CREED—THE AMERICANS PLEDGE

(By James Raymond Harvey)

I believe in the United States of America as a Democratic-Republic, with a government of the people, by the people and for the people; a land where the individual is the backbone of our sovereign nation; a country of individuals working together for the advancement of mankind; and a nation of courageous, energetic, benevolent and creative people, each with definite qualities to contribute to the American Experience. I believe in the founding principle's upon which our nation stands: liberty, courage, justice, equality, humanity, opportunity, faith and hope. I believe in the United States as one nation, one people with many distinctive cultures; a land where equal opportunity and justice can be achieved by all; a land where the promise of America must enable all people to achieve whatever their vision and dreams can accomplish. I believe in America as a nation with unity of purpose, where the spirit of freedom keeps the minds of men ever thinking, ever communicating, ever reasoning, and ever striving; where the cause is freedom, the purpose is justice and the goal is peace, opportunity, and understanding between all people.

Thus, I believe it is my duty to love my country, its heritage and its people; to maintain that which is just and to peacefully change that which is unjust; to stand firm in my convictions but to compromise when necessary; to think with reason and understanding, and to accept the right of others to think and feel as they wish; to remember that truth and common sense are always essential; to strive for better insight and communication with my fellow man and to work for the betterment of myself and for all people; to respect the rights and dignity of others—to care; to be positive and optimistic; to protect and conserve our environment; and, to support our Constitution. I, therefore, believe it is my responsibility to do all that I can to preserve and to enrich my country, which must stand for liberty, justice, opportunity, hope, and peace, for all people, now and for all the generations to come.

AHEPA IN NORTH DAKOTA

HON. ARTHUR A. LINK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. LINK. Mr. Speaker, I am very pleased to have this opportunity to pay tribute to the American Hellenic Educational Progressive Association—AHEPA—on this 50th anniversary of the founding of the organization.

The Order of Ahepa was founded as a nonpolitical and nonsectarian fraternal organization designed to represent the common community of Greek Americans through an active social program. The purposes of this organization, which has an unexcelled reputation for good fellowship and family participation in serving mankind, have been greatly beneficial to our Nation and the entire world.

The Order of Ahepa has an outstanding record of philanthropic contributions during the past 50 years. This organization has wholeheartedly brought relief to victims of both natural and man-made disasters—hurricanes, floods and wars—both within and without our borders.

In addition to providing relief and human assistance, AHEPA has exhibited tremendous concern in actively supporting education and cultural development and in international relations through its own "people-to-people" program. AHEPA was a forerunner in this major American program of aid to less fortunate peoples of the world. As a result of their active and outstanding participation in social activity, the Order of Ahepa has grown to the point where today there are some 430 local chapters in 49 States, Canada, and Australia. I take great pride in having one of these active chapters of AHEPA in Minot, N. Dak., which is in my congressional district.

The members of AHEPA are men in all walks of life. They may be businessmen, farmers, professional men, educators, or laboring men who are men of good moral character with a common goal of good fellowship and common understanding.

In light of this, I would like to pay special tribute to the memory of George Voregarethsos, one of AHEPA's most outstanding members who passed away on August 5, 1970. He was a man of strong character, always exhibiting vital concern and warm understanding for his fellow man. As a resident of Minot, N. Dak., his personal attributes contributed significantly to the growth and strength of this community and the entire State.

SPENDING RESTRAINT NEEDED

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. FORSYTHE. Mr. Speaker, President Nixon this week has urged the Congress to use restraint in the passage of legislation providing for the expenditure of tax dollars. The President has pointed out the need for caution to avoid a new round of inflation.

Earlier this week, the Washington Star commented editorially about this subject, and I fully agree with the newspaper's remarks. I am including the editorial in full for the benefit of my colleagues:

TODAY'S ASSIGNMENT: COUNT UP TO A BILLION

President Nixon, the reports say, is considering a special message on what Congress is doing to his budget and what, if the spending binge continues, is certain to follow: Higher taxes and renewed inflation.

These are hot-weather days, a time when the minds tends to turn away from heavy subjects. These are times, too, when it has become fashionable to pooh-pooh any suggestion of fiscal discipline on the grounds that it is somehow gauche and unprogressive. And we are in an election year, meaning that anything the President says about the Democratic Congress will be construed as wholly political.

But we hope the President goes ahead and, in addition, grabs for as much public attention as he can get, for the issues involved are truly crucial. He would be wise to remain objective and to put his case in terms that the average man, wrestling with his own budget, can understand. What we have partly in mind is a refresher course in sixth-grade arithmetic, something that for many members of Congress—and also the administration—is long overdue. It could start something like this:

A billion is not, as many people may be led to believe by the numbers that fly around this town, another word for a million. Neither is it on the order of, say, 10 million. It is a thousand million. A million one dollar-bills laid end to end, would stretch one and a half times around the Capital Beltway. A billion one-dollar bills laid end to end would reach around the world four times. Columnist Art Buchwald recently suggested that Melvin Laird or Elliott Richardson or anyone else who wants to spend a billion dollars or more be obliged to go to the bank and count it out in tens and twenties. An engaging idea. Let no one try it, though. For starting today, working an eight-hour day and a seven-day week at the rate of one bill per second, the job of counting $1 billion in equal numbers of ten and twenty-dollar notes would take until November 24, 1978.

All this is by way of saying that the concept of a billion defies easy comprehension, so that to toss the number around casually is usually to operate in an air of unreality. It also points up the fact that when the President asks for an extra billion dollars, or when Congress tacks on to an appropriation bill an extra billion, an enormous amount of money is involved.

The Nixon budget, presented in January for the fiscal year that has just begun, calls for taking in about $220 bilion and spending about $245 billion. Knock off seven zeroes in each of those figures, and a picture can be drawn of a man who will earn $22,000 while planning to spend $24,500 in the year ahead. Once again, the million-dollar contrast is instructive. A million dollars to the federal budget is the same as a dime to our $22,000 wage earner, or the price of a small cup of coffee. A billion dollars, though, is the same as $100 to that wage earner. A taxpayer in the $22,000 bracket would give a good bit of thought before putting out an extra $100, and another $100 after that. He might defend it if he were in good financial shape, but not if he were already thoroughly overcommitted.

Now the congressional spenders might reason that federal revenues are constantly on the increase. So they are, by about $20 billion a year. The trouble is that automatic spending obligations—meaning those Congress has no control over, such as interest on the debt, public welfare and farm subsidies—are rising about $12 billion a year.

That leaves about $8 billion in what might be considered newly disposable income if the government were on an even fiscal keel. But it is not even on an even keel. A big deficit is inevitable. And knowing that, even before this fiscal year got underway, Congress added $6 to $7 billion to the '73 budget. A good part of this represented the 20 percent Social Security increase. And that, along with much of the other increases, reflects what now has become standard and somewhat cynical operating procedure on Capitol Hill: Whatever the budget request for a politically visible and attractive program, pile on more money and dare the President to veto it. This is an upsmanship game that has been played in the past, but with millions and not billions of dollars.

Congress cannot be called entirely oblivious to the government's fiscal plight. Just last week, knowing full well a presidential veto was certain, enough Democrats and Republicans teamed up in the House to defeat a completely irresponsible $5 billion public-works bill. But that does not mean true fiscal responsibility has set in, nor that the budget-deficit problem will come under control. The problem, in fact, is almost certain to get much worse. The President's budget managers are desperately trying to convince themselves they can keep the 1973 deficit under $30 billion, for they know that beyond that figure, further red ink will have a decidedly inflationary impact.

But all the forces are going in the wrong direction. For one thing, Tropical Storm Agnes came along, and the President has proposed, and Congress will certainly agree, to spend $2 billion to aid the flood victims. And the war goes on, with the cost of air and naval bombardment certain to cost billions above what the budget men calculated for military spending in January. Then comes the legislation still pending—the big water pollution bill is a good example—already carrying a price tag billions above the budget figures. Finally, another debt ceiling bill must be enacted by October 30, one week before the election, and nobody knows how many billion-dollar goodies Congress will seek to attach to it. At any rate, this year's deficit could well run to $40 billion and beyond. With the economy now on the upswing, this is precisely the wrong time for that to happen. If it does happen, though, the President and Congress will have to share responsibility, and the next President, whoever he is, will be forced not only to raise taxes but to raise them on a very large order.

Another look at our $22,000 wageearner is in order. He makes good money and gets a raise every year. But months ago he knew that even if he grew cautious, he would spend $2,500 more this coming year than he would make. He has not been cautious. In the first six months of the year, he obligated himself for a further $600 to $700. Now he is preparing to spend hundreds more. Between now and next July, he may well have spent $26,000 or more, adding to his debts by at least $4,000.

There are such people, of course, and they usually suffer painful consequences. Their only recourse is to rein in on spending, or make more money or both. For the federal government—and, ultimately, for all of us—the consequences also are bound to be painful. The government will have to raise taxes. And sooner or later, it will have to recapture a sense of reality about expenditures. In the meantime, the more Congress and the administration spend beyond what is prudent, the more inevitable a truly large tax increase becomes.

As a nation, we are very much in the position of the man who is making more money than he ever made before, possibly more than he ever dreamed of, but who is so undisciplined in his spending and so overcommitted that he cannot do the things he wants to do, and should do. Congress by and large has ignored this lesson. The President should speak out on it. So should the public.

AHEPA

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. CARTER. Mr. Speaker, I wish to take this opportunity to acknowledge the dedicated work and public service of the American Hellenic Educational Progressive Association—AHEPA.

The Order of Ahepa was founded in Atlanta, Ga., in 1922, and the following are its fine objectives:

First. To promote and encourage loyalty to the United States of America;

Second. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind;

Third. To instill in its membership a due appreciation of the privileges of citizenship;

Fourth. To encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor;

Fifth. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation;

Sixth. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture;

Seventh. To promote good fellowship, and endow its members with the perfection of the moral sense;

Eighth. To endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness; and

Ninth. To champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

In the Commonwealth of Kentucky, Emmanuel G. Pappas is the president of the Louisville chapter, and Nicholas C. Anggelis is the president of the Lexington chapter.

The Order of Ahepa has a 50-year record of excellence in accomplishments and contributions to worthy causes. I commend this fine organization for its undertakings in the fields of education, charity, and civic improvement, and I extend my best wishes for continued success in the years to come.

GUN CONTROL

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. O'NEILL. Mr. Speaker, gun control remains a topic of heated controversy as interest in more meaningful and stringent gun control is expressed by many Americans. Dialog concerning the issue of gun control has been, for the most part, highly emotional and filled with rhetoric. However, WBZ–TV–4 in Boston has maintained a constant dialog of varying opinion on the issue of Federal gun control legislation. While WBZ is in favor of stricter measures, it is not for this reason alone that I call attention to a series of editorials aired by WBZ. More importantly, these editorials represent a balanced and responsible approach to the problem. For this reason I am submitting for the record several of this series of editorials aired by Station WBZ in Boston. I would also like to call attention to the work of Congressman Abner Mikva and his efforts to secure passage of a more effective handgun control statute which is mentioned in the No. 12 editorial.

The editorial follows:

Disarmament Begins at Home—No. 2

A senseless shooting incident in Dorchester earlier this month got us started on a new drive to disarm America—at least of its handguns. A lot of our thinking on the subject has been shaped by a staff report done for the Eisenhower Commission on the Causes and Prevention of Violence in the late 1960s. And today's editorial is lifted directly from the recommendations section of that firearms report.

As of 1968 there were some 24 million handguns in the United States. That's an average of 40 handguns for every 100 homes. And the rate is increasing all the time. Civil disorders, racial tensions, and the fear of crime have been turning America into an armed camp. But ironically the handgun in the house generally creates more danger than safety.

Though handguns make up only about a fourth of all the firearms in civilian hands, they're the principle weapon of gun misuse. The handgun accounts for three fourths of all criminal gun violence. And the rates of gun violence vary directly with the rates of handgun ownership. When the number of handguns increases, gun violence increases. Where there are fewer guns, there is less gun violence.

One paragraph from the report sums up our feeling on the subject exactly:

"We have concluded that the only sure

way to reduce gun violence is to reduce sharply the number of handguns in civilian hands in this country. We recognize this will be a massive and expensive task. But this is a price we should be prepared to pay."

Disarmament Begins at Home, No. 5

Two years ago the staff of a Presidential Commission took a long hard look at the problem of firearms and violence in American life. It concluded that the only sure way to reduce the growing wave of gun violence is to reduce sharply the number of handguns in circulation.

That conclusion has special significance in the Boston area now in the wake of last week's senseless murder of a campaign aide of Mayor Kevin White. And the overall commission report has been made the base of legislation filed earlier this month by Sen. Philip Hart of Michigan.

Sen. Hart's bill would ban just about all private ownership of handguns. The only exceptions would be for police, the military, antique gun collectors and target shooting clubs. Even the target shooters would have to keep their pistols and revolvers stored at their clubs or police stations. Under the proposal there would be a six-month period for gun owners to sell their weapons to the government for a fair price. After that period any unauthorized person with a handgun in his possession would be subject to either a jail term, a stiff fine or both. Let's emphasize the fact this ban wouldn't apply to rifles or shotguns. The target is the handgun, the principal weapon of gun misuse. As Sen. Hart noted, possessing a handgun in the house doesn't increase your security, it diminishes it. And he pointed to what he called the incredible overkill in the bedrooms and living rooms of our country.

It takes real guts for a Senator to take this kind of stand with the strength of the gun lobby around the country. So we take our hat off to Sen. Hart. And we urge the usually silent majority which favors gun control legislation to sound off for action to other members of Congress.

Disarmament Begins at Home—No. 8

We continue under heavy bombardment for advocating federal legislation to sharply reduce the number of handguns in circulation in America. A lot of the opposition fire centers on the argument that disarming the ordinary citizen will leave guns only in the hands of criminals. And obviously there is some logic to that concern. But it overlooks some important facts. And one of them is the nature of most murders.

The greatest number of killings occur within the family and among friends in moments of rage. Because the gun is there, it's used. And it's far more accurate and deadly than other weapons.

A staff report for the National Commission on Violence had the figures on this for a recent year in Chicago—where you'd expect the hoodlum and holdup-type murder would be about as high as anywhere in the country. But even there 82 per cent of the murders stemmed from altercations over matters such as love, money and other domestic problems. Only 12 per cent stemmed from robberies. Another three per cent were from teen gang disputes.

Across the country the Commission found that from 1963 to 1968, the number of murders involving firearms rose almost 50 per cent. The number of killings with other weapons rose only 10 per cent.

We've never pretended the gun itself is the only factor in the murder rate. The basic problem of violence runs deep into our national heritage. But the killing has soared in recent years as more and more normally law abiding Americans have armed themselves. Too many disputes that a few years back would have ended up with a bloody nose now wind up at the cemetery. The handgun is a major factor in that, and it's time we at last tried to bring it under control.

Disarmament Begins at Home—No. 9

Owning a gun for self defense and home protection is deeply rooted in American tradition. And in recent years more and more people have been buying handguns for that purpose. So, in some quarters, our campaign for a general ban on this type of weapon has gone over like a lead balloon.

But this self-defense issue is another area where it's worth noting the evidence from that staff report for the National Violence Commission two years ago. The report cites ample evidence that the gun generally isn't an effective means of protecting the home against either the burglar or the robber. The burglar avoids confrontation. The robber usually strikes too suddenly for the home gun to be effective unless it's out where it will be a general menace, especially to children. The Commission report noted that in 1967 more lives were lost in home firearms accidents in the city of Detroit than had been lost to criminals in home robberies and burglaries in the previous four and a half years.

Quinn Tamm, the executive director of the International Police Chiefs Association, put it another way in recent testimony before a Senate committee in Washington. He noted that most people don't know how to handle a weapon. So for defense purposes he felt the average person would be better off if he equipped himself with a brick rather than a sidearm.

But unfortunately the home defense boom has not been in bricks but in guns. Over 10 million handguns have been sold in the past decade. There are now over 25 million of them in circulation in America. They account for three-fourths of all gun violence—much of it by the very people who originally bought the gun for protection. Again we say disarmament of handguns should be a top priority item right here at home.

Disarmament Begins at Home—No. 10

More than a month has now passed since the shooting of Governor George Wallace. As usual in the wake of such an event, there has been a torrent of talk about the need for gun control. But again, as usual, precious little has been done. And also, as usual, a great deal of the gun control talk itself is in terms of platitudes and fairly meaningless reforms.

The basic goal must be to have a national licensing system for gun owners and gun and ammunition sales much as we have here in Massachusetts. And with some reasonable exceptions, most of the handguns now in circulation should be bought up by the government and destroyed. Responsible citizens who feel insecure in their homes would still be able to have rifles and shotguns. But the handgun, the concealable weapon used in so many killings today, would at last start being removed from society.

Obviously no definite action will be taken by the current Congress with an election coming up. This is an explosive issue in which a sincere but almost fanatic group has been able to blur common sense and paralyze the democratic process. But we are encouraged by the plan of Representative Emanuel Celler, chairman of the House Judiciary Committee and a gun control advocate, to hold public hearings on the matter June 27th, 28th and 29th.

We're sure Mr. Celler and his committee will be bombarded by the gun lobby. So it's important that others in the general public who see the need for gun control get themselves recorded. If you want to do your bit, write Rep. Celler c/o the House Judiciary Committee, Washington, D.C. 20515. And send a copy to your own Congressman and Congressional leaders. These hearings can be the start of that long overdue drive for disarmament on the home front.

Disarmament Begins at Home—No. 12

Congress has shut down for the holiday and convention period. But before taking off last week, there were indications in both branches that some positive action may at last be coming on the issue of federal gun control.

By a 12 to 2 margin, the Senate Judiciary Committee reported out for action a bill that would ban the manufacture and sale of most snub-nosed handguns. The prime target here is the so-called "Saturday night special," the cheap gun used in a high percentage of the shootings in the United States. This is a very modest step toward our goal of domestic disarmament on handguns. But the decisive margin of the committee action was an important breakthrough.

On the House side, fresh support for gun control was heard at public hearings before the Judiciary Committee of that branch. At the same time Representative Abner Mikva of Illinois announced the formation of a broad-based coalition of 25 organizations to work for stiff gun control legislation. The coalition includes major labor unions, church groups and the United States Conference of Mayors.

With these developments, the feeling is growing in Washington that some form of gun control legislation will clear Congress, even in this election year. We'd like to do all we can to encourage that movement and support those in public life willing to take a stand in the face of the gun lobby. If you're one of the silent majority who sees the need for gun controls and is aghast that America has been so slow to act, we hope you'll do the same.

ORDER OF AHEPA

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, it is my pleasure to join with the Order of Ahepa in celebrating its golden anniversary during the year of 1972. This fraternal organization was founded in Atlanta, Ga., on July 26, 1922, and has now extended its jurisdiction to 49 States, Canada, and Australia, with 430 local chapters.

To become a member of the Order of Ahepa, one must possess good moral character and be either a citizen of the United States of America or Canada, or declare his intention to become a citizen.

The objectives and ideals of the "Ahepa Family" set an example for all Americans to follow. It promotes such ideals as loyalty to the United States and its principles of government and justice, to practice true brotherhood, and to further the cause of education.

These ideals are reflected in the organization's outstanding accomplishments and contributions in its 50 years of existence. The order has contributed to such worthy causes as relief for the victims of disasters, educational projects, and programs for ethnic minorities.

I commend the Order of Ahepa on their golden anniversary for its fine contributions to mankind. I would especially like to commend the chapter in my home city of Rockford, Ill. The officers are: Peter C. Kostantacos, president; James P. Peplos, vice president; Sam A. Chakeris, secretary; and George Peplos, treasurer. I think they deserve special mention for their dedicated service in Rockford. Congratulations on this golden anniversary of the Order of Ahepa.

POSTAL SERVICE GETS NEW IMAGE

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. STAGGERS. Mr. Speaker, in a continuing effort to improve its image and service to its patrons, the U.S. Postal Service is to be commended for a program it launched recently to do just that.

I include a news release which appeared in the Intelligencer, July 10, 1972, Wheeling, W. Va., at this point:

POSTAL SERVICE GETS NEW IMAGE

(By Richard Allison)

The scene is your neighborhood post office. An irate citizen storms in, slaps his hand on the counter and says loudly, "Hurry up and give me three air mail stamps. Be quick about it, I can't wait all day!"

For this man a proper answer from the window clerk is: A—"Well, you're gonna wait until I'm done;" B—"Not until you say 'please' Buddy, or I'm gonna come out there and punch you in the nose;" C—"You quiet down mister or I won't serve you at all;" D—none of the above.

If you are having trouble selecting the correct answer, consult one of 265 customer service employes who work at the windows in one of the 65 post offices in the Steubenville sectional center which includes Belmont, Harrison, Monroe, Jefferson and Columbiana Counties.

During the past several weeks these postal employes have completed the first phase of a "Retailing Postal Products" training course which covers everything from courtesy and customer relations, to setting commercial postage meters, to issuing international money orders.

The training program is part of an overall facelifting being applied to the image of the nation's oldest public service system the U.S. Postal Service, explains Cooper McCauslen, who is postmaster of Steubenville and sectional center manager for area postal branch offices.

On July 1, the postal service celebrated its first anniversary as an "independent" postal corporation. But much of the impetus behind the attempt to furnish the service with a "new look" emanates from a hard-hitting speech given by U.S. Postmaster General E. T. Klassen on March 29.

Klassen warned postal managers that increasingly stiff competition from unmailed circular advertising, private parcel post firms and some utility firms who are initiating postal services means that the postal service must increase productivity to survive.

In addition to trying to eliminate or at least reduce the post offices' perennial deficit, Klassen said. "Service and customer courtesy must once again become a way of life throughout the entire Postal Service" in order for the public mail system to compete as a "business."

Is line with the new emphasis on converting the postal system to a service-oriented "business," costs have been trimmed in the Steubenville sectional center area by elimination of about 35,000 man-hours thus far, and employes who deal with the public are participating in the course for "retail sales personnel."

The training program, which was devised by a team of experts at the Washington, D.C., post office headquarters, includes self-instruction pamphlets, slide shows and films, and proficiency examinations for window personnel.

After a supervisor from the Steubenville sectional center office returned from a training session in the customer relations techniques, he relayed the message by training 65 employes from the various postal stations in the area. They in turn, are conducting training sessions in their home office.

The training program includes instruction in 35 different phases of the work performed by "window" personnel. Phase 1, entitled "Human Relations," was completed between June 1 and July 1, and the target date for completion of the entire process is early fall, McCauslen said.

The training manual for "Human Relations" challenges the employes with such patience-tryers as what to do if a "belligerent man with a foul-smelling cigar comes up to your window" with an unacceptable package, and after being informed of this threatens to invoke the powers of "my brother-in-law" who is the assistant postmaster.

If a customer wants to send a package to China but isn't sure he has enough money, does the postal worker solve his problem by: "A—giving him a piece of string; B—telling him how much it costs to send a package to Ghana; or C—telling the customer to go find out the cost," the manual asks.

Humorous as some of the situations may be, Robert Weld, assistant Steubenville postmaster, insists, "You could take every instance in this book and it has happened!"

He said, the course includes much basic and useful data on human psychology.

Expressing confidence in his employes, McCauslen comments that almost all of his employes are already "very courteous," but that a bit more goodwill still won't hurt.

McCauslen relates that the general effort to spruce up the public's vision of the mail service also includes physical alterations such as brightly—colored drapes, floors and walls at the post offices in Martins Ferry, Bridgeport and Steubenville.

Another element in the campaign to win the public is circulation of evaluation questionnaires in the lobbies of area post offices, and the institution of services information centers stocked with pamphlets at the post offices for the convenience of postal customers.

In the mammoth effort, to make the mail service pay its own way by 1978, if possible without further increases in postage prices, postal officials, are reexamining virtually their entire operation. Summing up the "new look," concludes, "we're principally aiming to build our image in the public's eye."

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

WORLD AIRWAYS' HIGH FLIER

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. MILLER of California. Mr. Speaker, Edward J. Daly is a friend of many years, and a man whom I have worked with quite closely over those years.

His is the type of success story that Americans like to think of. Mr. Daly heads World Airways, the biggest supplemental carrier in the country. I commend the following article on him to my colleagues:

[From the New York Times, July 23, 1972]

WORLD AIRWAYS' HIGH FLIER

(By Robert A. Wright)

SAN FRANCISCO.—Edward J. Daly, chairman of World Airways, Inc., has been competing with bigness all of his life, a process that has made him big himself.

For 22 years, since he put down $50,000 at the age of 27 for an airline with a negative net worth of one-quarter of a million dollars, he has maneuvered his supplemental carrier in and out of markets coveted by the big established scheduled lines. World Airways prospered first by garnering contract military business as the United States' global commitments expanded in the postwar era. Then, with the advent of the jetliner and the explosive growth of international travel. World Airways thrived on commercial group charter business.

Now, with a net worth of more than $220-million—more than 80 per cent of it owned by Mr. Daly—World Airways has enough confidence in its expanding charter business to have ordered three new versions of Boeing's giant 747 jetliners for a total of about $100-million, or just about 2,000 times Mr. Daly's original investment. Even so, Mr. Daly faces perhaps his biggest challenge from the big airlines.

The scheduled airlines, just emerging from a two-year recession and burdened with excessive capacity in jumbo jets they ordered at great cost in more robust years, want desperately to get into the charter business. And Mr. Daly is calling "foul."

Pan American World Airways has proposed that scheduled airlines be permitted to place charter groups on regular flights along with individually ticketed passengers.

"This plan would greatly enlarge and magnify the already discriminatory aspects of fare levels on scheduled flights." Mr. Daly declared angrily. "It would also be unfair competitively to the supplemental airlines who have pioneered low-cost charter service"

Mr. Daly contends that, if it is fair for scheduled airlines to mix their passenger load, then the supplementals should be permitted to fill any empty seats on a charter flight with individually ticketed passengers.

If the scheduled lines are successful in getting approval from the International Air Transport Association, the trade group that establishes fare structures for scheduled international carriers, and the Civil Aeronautics Board, Mr. Daly says, the big carriers will push the charter airlines out of the market and then revert to their high fare structures.

"They did the very same thing in the fifties when the nonscheduled airlines offered an $88 cross-country fare. The scheduled airlines moved in, cut the small lines out, then raised their fares to higher-than-ever levels," he added.

Still, Mr. Daly maintains, all World Airlines wants is an equal opportunity to compete. Given that, he is typically sanguine.

"We compete every day with Pan American and win," he asserted.

Mr. Daly, who grew up on the South Side of Chicago, fits comfortably into the California ambiance of easy mobility from show business to politics to plain business.

His gray hair swept back into mounds of curls overhanging his collar, Mr. Daly looks like a showman. His dress is flamboyant by Eastern boardroom standards (an Edwardian suit and a bow tie when it suits him), his speech direct and witty, his manner free-wheeling and confident. It is as a businessman with an appetite for calculated risk that he has made his mark.

It was an unlikely route.

"I've been on my own since 15," he said when asked about his personal history. That was when his father, a retired fire department battalion chief, died leaving his mother, two older sisters and a younger brother. Even then, he recalls, transportation was his means to an end. He worked his way through high school and into a chemical engineering course at the University of Chicago by "operating trucks" until he was drafted into the Army during World War II.

As a staff sergeant in the Pacific, he served in transportation logistics. Discharged, he went to Los Angeles, where his family had moved, and took a job with the Security First National Bank, only to find himself offered a job in Chicago to represent an airline formed by some former Air Force flyers.

From there he went on to set up the first air freight forwarding business in the nation and then to become president of an organization developing air passenger traffic. In 1950, he bought World Airways, a two-year-old airline with two World War surplus planes operating between Miami and San Juan, Puerto Rico. "Yes I had $50,000 by then, but there may have been some notes," he said.

Mr. Daly experimented with $85 coast-to-coast fares as a supplemental airline with two-piston aircraft. But it was not until 1956 when his airline was able to negotiate its first equipment loan for $250,000 when it participated in the airlift of Hungarian refugees to the United States and then landed big Government contracts for military passenger and cargo service in the Far East, that things began to take shape.

It was in that year that his wife, Violet June Daly, vice president, became a director of the airline and the headquarters were moved from Teterboro, N.J., to Oakland, Calif. From there on, it was largely a case of Government contracts to carry mail, military personnel and cargo around the Far East.

The Vietnam war aided World Airways, as it did other airlines, but starting in 1965, with the escalation of the war, World Airways began to increase its commercial role, moving from 76 percent military traffic then to 63 per cent commercial traffic last year.

Mr. Daly views commercial charter flights as the growth sector of World Airways' business but says he definitely expects to continue to do a "good sized part of revenues from contract military operations. Howell M. Estes Jr., now president of World Airways, was formerly with the Military Air Transport Command.

"First of all there will always be a role for a civil reserve fleet because we can do the job at lower cost than the Government," Mr. Daly declared. "And our pilots are ready. We wouldn't have to train anyone or gear up equipment in an emergency."

"We've more than tripled our sales efforts and budget in the last couple of years to attract commercial business," Mr. Daly said. "We've formed a new division to put tour packages together and increased expenditures for advertising and public relations dramatically."

At any rate, World Airlines made a breakthrough for a charter airline in establishing rights in Australia. World Airways now provides charter flights throughout the world, except from the United States to Mexico and Canada and, according to Mr. Daly, the airline succeeds "not because of price but because of service."

Last year, the line's fleet of 17 jetliners carried 425,355 passengers over 2 billion passenger miles. Mr. Daly contends that the growth of the charter flights has not been at the expense of scheduled airlines. He notes that, while charter flight traffic across the Atlantic soared from 241,000 passengers in 1963 to some 1.8 million in 1970, scheduled traffic during that period climbed from 2.2 million passengers to 6.3 million.

In addition to lower prices than scheduled airlines, World Airways boasts a larger flight crew per trip and meals are designed to the taste of group tours. The economy on a charter flight, of course, depends on the virtually complete occupancy of the plane.

There have been rumors that Mr. Daly is interested in purchasing a scheduled airline, but Mr. Daly denied this. "This came about because we advocated legislation that would permit the purchase of a scheduled airline by a supplemental and vice versa. We also wanted legislation that would eliminate all doubt stemming from a 1938 ruling that prohibits a surface carrier from acquiring an air carrier or vice versa," he said.

"That's where the rumor comes from. But what I strongly feel is that the transportation industry and free enterprise should be permitted to work out their own problems without Government interference and without subsidies disguised in any form," he added.

Since World Airways sold shares to the public in 1966 and was listed on the New York and Pacific Coast stock exchanges in 1967, the company's revenues climbed from $70.3-million and earnings equal to $1.45 a share to revenues of $87.7-million and earnings of 93 cents a share in 1969. Last year revenues totaled $77.4-million, with earnings equal to 82 cents a share.

In 1968 World Airways was strong enough to purchase, through a subsidiary, the First Western Bank and Trust Company, which currently has assets of some $1.3-billion. Because of the restrictions of the One Bank Holding Company Act, which limits such companies to closely related business, World Airways has decided to divest itself of the bank.

The Controller of the Currency has approved an acquisition proposed by the Wells Fargo Bank, but this agreement has been held up by opposition of the Department of Justice on antitrust grounds.

Mr. Daly says he has no plans of selling any more of his World Airways stock to the public. He is not specific about what he would do with the proceeds from the sale of the bank, but it is easy to infer that Mr. Daly would like to build a completely integrated worldwide travel company, including surface transportation, restaurants and travel services.

Despite his success, Mr. Daly rails against what he considers the discrimination against supplemental airlines. He called I.A.T.A. "the greatest cartel in the world" and said, "Without any doubt, they have made a concerted effort to force the supplementals out of business."

Nonetheless, Mr. Daly is optimistic about World Airways' prospects. He sees great opportunities for the huge orders for the new Boeing 747C's, a yet-to-be-built version of the jumbo jet convertible from passenger to cargo loads and three mix configurations both of people and freight as "the most creative, the most flexible, and the most usable aircraft ever built. Boeing's decision to build it and World's decision to buy it, represents the most significant milestone in air transportation since the introduction of the pure jet in the early sixties."

NEWSMEN'S PRIVILEGE

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, the issue of newsmen's privilege; that is, protecting the confidentiality of a reporter's sources of information, is one which was given renewed attention with last month's Supreme Court decision. In that 5 to 4 decision, the Court ruled that newsmen's privilege is not absolute under the first amendment, but at the same time, the Court did not rule out the possibility of congressional action to establish that privilege. In other words, the issue is far from being resolved, and if anything, the ball is now in the congressional court.

My good friend and colleague from Ohio (Mr. WHALEN) has long anticipated the need for the Congress to accept responsibility in this area and has introduced his own Newsmen's Privilege Act, of which I am proud to be a cosponsor. In an article which appeared in the July 24 New York Times, Congressman WHALEN discussed the historical and legal aspects of this problem and the need to establish clear guidelines for the protection of a newsman's sources. In most eloquent terms, Congressman WHALEN explains why such protection is so vital to the free flow of information which in turn is basic to our democratic process.

At this point in the RECORD I include the article by Congressman WHALEN and commend it to the reading of my colleagues. The article follows:

[From The New York Times, July 24, 1972]

SHOULD NEWSMEN KEEP SECRETS?

(By Charles W. Whalen, Jr.)

WASHINGTON.—More than a century ago, The New York Times published charges that Congressmen were taking bribes. A Times reporter named James Simonton was asked to reveal the sources of his article before a Congressional committee. He refused.

No one defended the concept of a newsmen's privilege—the idea that a journalist should not be forced by the Government to disclose his sources or unpublished information. Simonton, therefore, was convicted of contempt. Incidentally, without ever having access to Simonton's sources, the committee ultimately substantiated his story. Three Congressmen resigned as a result.

The privilege asserted by Simonton in 1857 has been claimed by American journalists ever since. Historically, reporters have used confidential sources to expose crime and corruption, particularly in government. In recent years, newsmen have also used confidential sources to provide the public with otherwise unavailable information about such subjects as the Black Panthers and drugs. The public benefits from confidential sources on a daily basis. The remarks of A. M. Rosenthal of The New York Times are typical of comment I have received from other editors: "Not a day goes by but that The Times and other newspapers print stories based on confidential information of one kind or another from confidential sources."

If journalists can be forced by the Government to reveal their sources and confidential information, those sources will "dry up," and the public no longer will receive a free flow of information.

State legislatures, the Administration, and the courts all have attempted to resolve the newsmen's privilege issue. In some states, reporters' sources are protected by law. Maryland enacted the first privilege law in 1896, and seventeen other states subsequently have adopted similar legislation. In 32 states, however, there is no statutory privilege.

In 1970, Attorney General John Mitchell released "guidelines" regarding the issuance of subpoenas to newsmen. Although the guidelines seemed to reduce tensions, the issue was not resolved. Under the guidelines the Government can subpoena unpublished information, even if confidential. And, when "emergencies and other unusual situations" occur, the Government may issue a subpoena "which does not exactly conform to the guidelines."

Court decisions on the newsmen's privilege have been so diverse in recent years that the Supreme Court ruled on the issue on June 29, 1972. In a 5–4 decision, the Court ruled that the First Amendment did not mandate a newsmen's privilege. But the Court did not settle the issue. Justice White, speaking for the majority, acknowledged that the ruling did not preclude Congressional action to esablish a privilege. He said:

"At the Federal level, Congress has freedom to determine whether a statutory newsmen's privilege is necessary and desirable and to fashion standards and rules as narrow or broad as deemed necessary to address the evil discerned and, equally important, to refashion those rules as experience from time to time may dictate."

Thus, the important issue concerning the freedom of the nation's journalists to gather information, and the right of the American people to receive a free flow of information, must now be resolved by Congress.

I have urged the House Judiciary Committee to consider legislation I have introduced to establish a newsmen's privilege. The newsmen's privilege act would provide that United States courts and other Federal governmental bodies could not require a person to disclose any confidential information or the source of any information obtained in his or her capacity as a journalist.

Study and debate will be required to fashion the best possible piece of legislation for this complex problem. The specifics of the legislation should be argued, but the need for some type of newsmen's privilege legislation should be obvious.

If potential sources cannot be assured that their identities will be protected, they will not give information to reporters. The Government's power to subpoena journalists creates a chilling effect that inevitably jeopardizes a free flow of information to the public.

Without a privilege, the press loses its independence, and its most vital function is destroyed. When a reporter's notes are subpoenaed, he is transformed into an agent of the Government. If newsmen are viewed as walking wiretap devices, we all suffer.

It is now up to Congress to adopt the newsmen's privilege act, and thus take a decisive step to insure the existence of a free, probing, critical press in the final decades of this century.

UTILITIES WORSEN POWER CRISIS

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. HARRINGTON. Mr. Speaker, during the last year or so, we have all become increasingly aware of the energy crisis—the diminution of our vital energy resources. At the same time, we have witnessed the tremendous environmental damage that can be caused by electric generating facilities.

Yet the electric utilities in the United States continue to promote the use of electricity by direct promotional advertising, and by designing rate structures which reward the big user of electricity at the expense of the small user.

The time has come to take a hard new look at these practices. Today's Wall Street Journal contains an article by Stanford N. Sesser, which gives an excellent overview of the problem of electric energy promotional practices. I recommend it to the attention of my fellow Members:

[From the Wall Street Journal, July 27, 1972]

UNREDDY KILOWATT? CRITICS SAY UTILITIES WORSEN POWER PROBLEMS BY PUSHING ELECTRICITY

(By Stanford N. Sesser)

SAN FRANCISCO.—A lot of people thought Pacific Gas & Electric Co. could have found a better place for its billboard promoting use of electric dishwashers. Its message to housewives: "Leave 'em and love it."

The billboard was in Colma, a small town just south of here famous for its 14 cemeteries. As San Francisco Chronicle columnist Herb Caen observed, Mourners going to burials in Colma don't think it's too funny."

An increasing number of environmentalists don't see the humor, either. They charge that PG&E's dishwasher ad campaign is a prime example of how the electric industry pushes power consumption while the nation faces threats of severe electrical shortages.

Not so, says PG&E, the nation's second-biggest power utility. Dishwashers have just a minor effect on the peak demand for electricity," says Joseph DeYoung, vice president of marketing. Studies by the utility show "in the winter the peak demand hits about dinner time, and most dishwashers aren't used until after then," he says. (In the summer, the peak demand is earlier in the day.)

Whatever the merits of the dishwasher debate, it's clear that power companies are in trouble with regulatory agencies and ecology groups over promotional advertising. The critics say such ads, along with discount rates for high-volume users and a host of other practices, artificially stimulate the demand for electricity and make necessary the building of dozens of new polluting, resource-consuming power plants.

PUSHING STATE ACTIONS

"I think it's clear utilities have been promoting electricity far beyond their capacity to supply it," declares Dick Lahn, a Sierra Club staffer in Washington, D.C. He says the club is intervening before state utility commissions to get the commissioners to "look at what the ever-increasing use of electricity is meaning to the country—from the public's point of view."

State regulatory agencies are just beginning to consider whether changes in the utility industry are needed to check the spiraling demand for electricity, which doubles every decade. But already there are signs of the unparalleled scope such changes could take. A few days ago, New York State's Public Service Commission announced it would begin an unprecedented investigation of possible regulations that would cut down consumption of electricity in New York City. The commission said it might limit the amount of electricity Consolidated Edison Co. can sell for heating and air conditioning or else limit the company to supplying only properly insulated buildings with power for those uses.

Utility executives and environmentalists are sharply split on the need for changes. Environmentalists urge a whole spectrum of moves, from an end to promotional advertising to a rate structure that makes industry and heavy residential users pay substantially increased power costs per unit of energy. They also ask whether utility profits should be based on rewards for energy conservation and efficient operation rather than the current "cost plus" basis, which allows a fixed return on invested capital.

AN EXECUTIVE'S REBUTTAL

Many utility executives, on the other hand, scoff at the ideas. Donald Cook, chairman and president of American Electric Power Co. and a leading industry spokesman, asserts that "the standard of living of any people has a direct correlation with the amount of energy utilized by that society. Unless we say our standard of living is as high as it should be, that the poor people should forever remain poor, we must come to the conclusion we must make available the amount of power our society asks for."

A few state commissions say they're beginning to deal with the issue. "What people are starting to recognize is that there is something more fundamentally at stake in utility regulation than revenue requirements and earnings," says William Ralls, a member of the Michigan Public Service Commission. "Through the power of rate making, regulators have to guide utilities toward more rational practices."

Already, some state commissions are trying to end what they consider promotional practices. Three states have asked utilities to cut back on advertising, and Vermont last fall outlawed all promotional advertising, restricting utilities to ads for such things as public events or efforts to protect the environment.

"Every effort should be made to minimize the use of power," says William Gilbert, chairman of Vermont's Public Service Board, who rejects the industry's contention that promotion should continue to fill slow periods of the year when there is excess generating capacity. "These valleys serve a purpose," he says. "You take things off the line at those times to repair and maintain them properly." The Vermont board also restructured rates to put a greater burden on higher-service customers.

NO TIE-INS IN OREGON

In other recent state actions, Oregon outlawed tie-in deals with builders that encouraged the construction of all-electric homes, while New York and Michigan regulators distributed new rate increases so that large users receive higher percentage boosts. In April the Michigan commission for the first time ordered a utility, Detroit Edison Co., to make its stockholders and not its customers pay for some ads explaining why the company applied for higher rates.

While much of the industry is resisting such actions, a few of the largest utilities have moved on their own to cut promotional advertising. Allegheny Power System Inc. decided in May to end all such advertising by its operating companies. Consolidated Edison Co. in New York devotes much of its advertising to suggestions for conserving electricity, while Pacific Gas & Electric in California is cutting promotional advertising to 20 cents per customer this year from 30 cents in 1971.

Nevertheless, whether the growing demand for electricity is in part inspired by the practices of the utilities themselves shows signs of becoming one of the most controversial issues of the 1970s. This was indicated by the fate of a 31-page study of utility promotional practices issued in April by the Atomic Energy Commission's Oak Ridge National Laboratory—and then quickly but quietly recalled and disavowed.

The study, by Eric Hirst, an engineer who holds a doctorate and is working on energy problems for the laboratory, attacks electric utility advertising, criticizes the promotion of electric heating and certain appliances, and suggests saving power through better home insulation, more efficient air conditioners and the use of gas for heating and cooking. Mr. Hirst asks why utilities are "encouraging greater energy consumption, when they are barely able to meet existing demand?" He concludes that "profits go up as capital investment increases. So utilities advertise to increase loads, build new power plants to meet these loads and increase their earnings accordingly."

W. Donham Crawford, president of the Edison Electric Institute, the trade association for privately owned utilities, responded to the report with an angry letter to Oak Ridge calling the Hirst study "irresponsible" and "misleading in the extreme." "I would think the prestigious institutions which are named on the cover (Oak Ridge and the National Science Foundation) would wish to disown it and withdraw it from circulation," he concluded.

Oak Ridge did exactly that. It called back the study and apologized. Alvin Weinberg, director of the laboratory, wrote Mr. Crawford that the report "was issued inadvertently" and was being recalled because it contains "unscientific and unsupported observations." He continued: "I realize that the report as it stands could prejudice the good relations that have existed between (Edison Institute and Oak Ridge) over the years. . . . I can only express my regret at this painful mischance and say that we are strengthening administrative procedures in a way which I believe will prevent repetition of such an incident."

In an interview, Mr. Weinberg acknowledges he wrote the letter but says he recalled the study "before we got any static from anyone outside." He notes that "one of the objections to the report was whether an institution like Oak Ridge . . . properly takes positions." Mr. Weinberg says a revised report now being prepared by Mr. Hirst will be sent to a committee and then to himself for a review before being released.

Environmentalists take a dim view of the incident. "Why didn't Mr. Weinberg just send the Edison Institute a whip for them to flail him with?" asks Ed Chaney, information director of the Environmental Defense Fund, a group that has sparked many attacks on environmental problems through the courts. "Imagine a letter like that going to the lobbying organization for the electric utility industry," he complains. "If this is the kind of supplication the Atomic Energy Commission is going to come up with over what is really trivial criticism—something everyone has been saying for the last 20 years—imagine what this portends when regulatory agencies come to grips with real problems involving utilities."

THREE AREAS OF DISPUTE

The criticism of utilities for stimulating unnecessary power consumption generally falls in three areas: advertising, inefficiency (such as the wisdom of burning natural gas at power plants to produce electricity that then goes to the home to produce electric heat) and rate structure. Of the three, the question of rates is the most complex and most hotly debated.

Utilities set their rates on what's called a block structure, starting out at a high rate per kilowatt hour and dropping dramatically as more electricity is consumed. They argue that fixed costs, such as transmission lines and servicing of accounts, are the same for all customers, so they should be incorporated at the lowest stages of the rate structure.

This philosophy now is coming under increasing challenge. Michigan's Public Service Commission, which ordered Detroit Edison in April to distribute a rate increase so that larger users receive higher percentage boosts, heard testimony on the issue from a Detroit social planning analyst who argued that "the primary purpose of the block structure is promotional—to encourage the use of electricity." The analyst, John J. Musial, came equipped with statistics to back his contention that inner-city users, many of whom are poor and use few appliances, in effect subsidize the electricity of more affluent suburban homeowners. He said the average inner-city user in Detroit pays 3.64 cents per kilowatt hour compared to 2.71 cents for the average Detroit Edison customer and 2.19 cents for the average family in suburban Bloomfield Hills.

"Inner-city residents have paid some decades ago most of the costs of sufficient plant, equipment and connection lines to service their needs," Mr. Musial argues. "Yet they now are paying a disproportionately large share of the new lines and equipment necessitated by suburban demands." He estimates $10 million "every year leaves the city of Detroit to support the quantity discounts of suburban residents."

LOWER AND LOWER, MORE AND MORE

Critics of present rate structures say the suburban family with its all-electric home bears a large share of responsibility for power shortages—all the while getting an artificially low rate. "The rate structure increases the total usage by making people insensitive to energy costs," says Warren Samuels, professor of ecomonics at Michigan State University. "People are charged lower and lower rates when they consume more and more, when in fact the social costs increase."

Industry comes out even better than the suburban homeowner. The Federal Power Commission this year estimated that investor-owned utilities charge residential customers an average of 2.22 cents per kilowatt hour, while industrial users pay an average of only 1.02 cents.

Environmentalists again reject the argument that industry is entitled to the low rates because of the use of massive quantities of electricity. They point particularly to aluminum, which uses 4.4% of the nation's electricity, as an example of an industry that can gobble up power but still remain competitive because the electricity is, in their view, unrealistically cheap. "Aluminum beer cans take about six times as much power to produce as steel beer cans," says the Environmental Defense Fund's Mr. Chaney. "Maybe aluminum beer cans are necessary to keep us from being a pitiful, second-rate power, but I'm not so sure."

AN OUTRAGED COMMISSIONER

The Bonneville Power Administration, which supplies aluminum plants along the Columbia River with electricity, recently notified three private utilities in the Pacific Northwest that they will be cut off from Bonneville electric power next year because industry and public power districts will be using all Bonneville's resources. The three utilities currently use an average of one million kilowatts of Bonneville power—less than half the power used by that area's aluminum industry.

Diarmuid O'Scannlain, Oregon's public utility commissioner, says he's outraged by this arrangement. "It just doesn't make any sense to have the federal government preferring aluminum companies while at the same time discriminating against residential customers in areas where the utility is private," he declares. He says that Bonneville has no stockholders, pays no taxes and gets low-interest federal loans for construction, while private utilities have to finance their plants at regular interest rates. The result: The aluminum companies get low, federally subsidized rates, while residential customers have no such benefits, he contends.

Another equally controversial issue is whether the growing reliance on electric heat wastes large amounts of power. Oak Ridge Laboratory's Mr. Hirst calculates that electric heating consumes more than twice as much energy as does gas heating for each unit of heat delivered to the home. He says utilities generate 24% of their electric power by burning natural gas at power plants—and then send the less-efficient electricity to homes to replace gas in such functions as cooking and heating.

No two parties in the dispute come close to agreeing on figures that show whether gas is truly more efficient than electricity. While Mr. Hirst says gas is twice as efficient, Pacific Gas & Electric's Mr. DeYoung puts the advantage of gas in heating at 49%. The Edison Electric Institute disagrees with both appraisals, issuing its own estimate of "something between a stand-off and 25%" advantage for gas.

To some utility executives, however, that whole question is one that should be confined to textbooks. Referring to Mr. Hirst's argument about the efficiency of gas, Mr. Cook of American Electric Power says that "these kind of questions are determined in a free and open market in our capitalist free enterprise system."

AN INJUNCTION TO CONFRONT OUR OCEAN CRISIS

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. STEELE. Mr. Speaker, the Federal Government's suit against the State of New Jersey and the city of New York for polluting New York Harbor dramatizes the gravity of our need for more adequate sewage treatment facilities. Back in 1970, the then Secretary of the Interior, Walter J. Hickel, testified that we must invest $10 billion in constructing waste treatment facilities, yet today we have hardly approached the task. It is inexcusable that this Nation's metropolitan areas find it necessary to let inadequately treated sewage flow into our coastal waters. Though we understand little of the circulation and mixing of waters along our coastlines, we must take heed that we do not excuse our polluting activities on the grounds that there is too little fundamental information. Scientists in New York Harbor dramatically demonstrated the extent and the rapidity of the dispersal of sewage through miles of coastal waters. Marine scientists are beginning to find toxic substances distributed in the middle of the world's oceans to the same extent as along our shores. Fishing fleets encounter the deep seas barren, and Thor Heyerdahl, in his much-publicized voyage, called to the attention of the world the waste land that is mankind's sea.

The situation in New York Harbor must spur us to exercise our responsibility to our constituents, to all people, and to the future. We must examine our efforts at establishing water quality standards and funding waste treatment facilities, and assure that they enable our communities to relate to water resources in an environmentally sound manner. We must review our basic science grants, and assure that steady progress is being made in our knowledge of ocean activity, so that we can establish meaning standards for behavior that either immediately or eventually affects the earth's oceans.

REVIEW OF OMB PRACTICES

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 1972

Mr. RODINO. Mr. Speaker, the Office of Management and Budget was created in 1970 under a reorganization plan which transferred to it the functions of the Bureau of the Budget. The OMB is charged with assisting the President in the following ways: In the preparation of the budget, in developing efficient coordinating mechanisms to implement Government activities and to expand interagency cooperation, to conduct research on administrative management, and in the assessment of program objectives, performances, and efficiency. The statutory intent of the Agency does not include policy formation by modifying, ignoring, or overriding congressionally approved legislation.

One of the most obvious and disturbing ways in which the OMB has exceeded its boundaries is by the practice of freezing or impounding of funds. Senator HUMPHREY, on June 8, 1972, cited the poignant example of the withholding by this administration of more than $400 million in fiscal year 1972 food stamp funds.

The impounding of funds, however, did not originate with the present administration or with the excellent staff at the Office of Management and Budget. However, my colleague the Honorable J. J. PICKLE has brought this issue before us, and it should be evaluated without delay. The primary issue is whether the general welfare of the people is best served by allowing the President of the United States to ignore congressional policies and appropriations by freezing or impounding funds in the presidentially controlled OMB.

The OMB does have a statutory right to impound funds but it must be stressed that it is limited only for sound fiscal management. To allow the executive branch to cut or freeze appropriations at will is an encroachment on the traditional concept of a separation of powers. Furthermore, it raises the constitutional question of who is to provide for the general welfare of the people and appropriate funds. At the very least H.R. 13101 which I have cosponsored should be passed. This bill requires the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may approve the President's action or require the President to cease such action.

Congress has been increasingly criticized for not exerting its constitutional powers. Critics demand that Congress stand up to the executive branch and speak as the voice of the people. Congress has the ultimate responsibility and must answer to the people of the United States for all budgeting and budget policy decisions. It is, therefore, in the best interests of the American public for Congress to undertake a nonpartisan investigation of the long practiced executive policy of freezing or impounding funds.

FLUSHING AIRPORT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ROSENTHAL. Mr. Speaker, I am pleased to report that Community Planning Board No. 7 of New York City has voted to support my efforts to close Flushing Airport in Queens.

After months of study, they have concluded such action "would yield marked dividends for Queens residents." Not the least among these dividends, they say, would be an alteration of the approach and departure patterns at La Guardia Airport to substantially reduce the area in Queens overflown by low-flying arriving and departing jets. Immediate benefits of such action would be realized through improved safety and decreased noise.

Flushing Airport is less than 2 miles from La Guardia in a densely populated area of north central Queens. Redevelopment and expansion of the airport, as planned by the city, would cost taxpayers no less than $11 million and probably many millions more.

But cost is not the main reason to stop this project and close Flushing Airport. The overriding consideration must be safety, and the facts are clear that Flushing Airport is a threat to the safety and tranquility of the community.

I commend community planning board No. 7, its chairman, Saunder Schaevitz, and the author of the report, Nathaniel Kramer, for their fine work and am inserting the report in the RECORD at this point:

REPORT OF COMMUNITY PLANNING BOARD NO. 7—ON THE PROPOSED REDEVELOPMENT OF FLUSHING AIRPORT

(By Nathaniel D. Kramer)

Community Planning Board No. 7 in Queens has voted its opposition to the redevelopment of Flushing Airport in the College Point Industrial Park. Its position was taken after an executive session with the Commissioner of the City's Department of Marine & Aviation, a public hearing near the airport site, interviews with various individuals in the field of aviation safety and planning and two lengthy executive sessions on the development proposal.

In addition to its opposition to the redevelopment, the Board voted in favor of a gradual phasing out of operations at Flushing Airport as the land was needed by the industrial park for other purposes.

The Board took these positions for the following reasons:

(1) No serious consideration has been given by the city to any alternative land use for the airport site, which takes up fully 15% of the entire College Point Industrial Park.

(2) The redevelopment, which would double or triple the total number of daily flights at the field, only two miles from the LaGuardia runway, would significantly increase the potential hazard of mid-air accidents in the densely populated North Central Queens area.

(3) Redevelopment would delay indefinitely the date on which a phasing out of the facility could take place. Yet this phasing out would yield marked dividends for Queens residents, from the standpoint of noise abatement, in that it would permit an alternation of the approach and departure patterns at LaGuardia to substantially reduce the area in Queens overflown by low-flying arriving and departing jets.

(4) At a time when cities are encouraging mass transit and seeking to discourage individual transportation to reduce congestion on overcrowded roadways, we should also avoid steps which would fill the crowded skies over New York with additional planes carrying only a handful of passengers.

(5) Increased usage of Flushing Airport in accordance with the redevelopment proposal would lead to air traffic control delay at La Guardia.

(6) The city would have to spend $3.4 million of its revenues for a return, at its most optimistic, of far less than 1% annually. This expenditure would be primarily for the benefit of only a tiny group of amateur pilots and small businessmen with planes, but to the detriment of the entire population in North Central Queens because of the increased safety hazards and noise.

A number of reasons have been offered in support of the redevelopment proposal; yet these reasons are not persuasive.

(1) It is said that the redevelopment would bring in $7.6 million in federal funds for local use. Yet these funds are not gifts. They represent federal taxes on such things as commercial passenger fares, taxes which Queens residents, like everyone else, have had to pay. Moreover, the $7.6 million would hardly benefit the community as a whole. The advantages would outweigh the disadvantages for only an insignificant fraction of one percent of the people in the community, those who use Flushing Airport.

(2) It has been suggested that the redeveloped field would act as a reliever for LaGuardia Airport, but the tiny number of flights at LaGuardia which could or would transfer to Flushing Airport is insignificant.

(3) It has been suggested that to some extent the health of the business community in the city would be eroded if Flushing Airport, catering to at least some businessmen coming into the city, were not redeveloped. So long as the airport stays in its present condition, however, these businessmen will presumably keep coming. Even if it should eventually be phased out, these businessmen could turn to Teterboro Airport in New Jersey, which is just as close to the central business district in Manhattan as Flushing Airport and a major all-weather field available to general aviation.

(4) It has been suggested that if the remainder of the College Point Industrial Park was land filled before the airport, the airport would become a small lake. The Civil Engineer in charge of developing the Industrial Park, however, flatly contradicts this suggestion.

THE REDEVELOPMENT PLAN

The airport site is entirely within the confines of the College Point Industrial Park, between the Whitestone Expressway, Linden Place and 20th Avenue. The redevelopment proposal includes site preparation which would raise the average grade level at the airport approximately 7 feet; reconstruction and strengthening of the two runways to permit use by somewhat heavier planes, up to 12,500 pounds; better lighting for dusk flights; a new administration building; and airplane hangars and parking facilities for both planes and cars. At present there is no control tower at the facility and none is included as part of the redevelopment plan.

The plan calls for the expenditure of $3.4 million in city funds and $7.6 million in federal and state funds. The redeveloped field would be used for general aviation and it is projected that the city would realize between $11,000 and $26,000 per year on revenues of $800,000–$900,000 per year.

LAND USE PLANNING

In 1968, the Master Plan for Queens made the following observation:

"Within the (College Point) Industrial Park is the small Flushing Airport used exclusively by light aircraft. Occasionally flooded and generally underutilized, this airport is being studied to determine its best future use. A general aviation airport to relieve congestion at LaGuardia Airport is *among* the recommendations." (emphasis added.)

Since 1968, however, there has been no broad-scale review of the various possible land uses available for this site. According to City Planning, the only serious thought given to it was its use as an airport. Even in 1970, the 1970 Flushing Airport Development Study (the "Speas Report") noted that the sole purpose of the report was to determine the best kind of airport for the site. No consideration whatever was given to other possible land use.

SAFETY

If no aviation facility existed in Flushing and someone suggested that a general aviation field should be built in College Point Industrial Park, people would be amazed at the proposal.

The heavily populated Flushing area is already in the midst of an enormous air traffic density, one of the worst in the nation. College Point Industrial Park is only two miles from the busy LaGuardia Airport, and Kennedy Airport is but a few minutes away. A worse location for a general aviation field would be difficult to imagine.

Yet the redevelopment proposal is tantamount to building not one but nearly two new airports at the Industrial Park. The number of takeoffs and landings each day, now averaging about 180, would increase to approximately 500. Five hundred small, slow planes at Flushing Airport, often flown by relatively inexperienced pilots, just seconds by air from the swift jets at LaGuardia carrying hundreds of passengers.

In the redevelopment proposal, as at present, the primary runways at LaGuardia and Flushing are so oriented that if extended in space they would intersect only a few miles from the head of each runway. Thus, planes at each airfield would still have to execute sharp turns after taking off or before landing to avoid the airspace of the other airfield.

At present, there is no control tower at Flushing Airport. The better equipped planes landing there sometimes rely on LaGuardia's tower for safety, but many planes coming into Flushing are not equipped to do so. A control tower at Flushing would undoubtedly enhance air safety in the area, but none is planned as part of the present redevelopment proposal.

Thus, the Speas Report notes:

"With the refurbished airport attracting more and more itinerant aircraft, generally unfamiliar with the field, this situation (separation of LaGuardia and Flushing air traffic) will become more critical."

The F.A.A. has recently notified the Board of its plan to provide a control tower after the airport redevelopment work had been completed, but the possible delays of Congressional approval could easily leave the people in Flushing for many years with 500 planes a day entering and leaving without any tower.

NOISE

Redevelopment of Flushing Airport would have a two-fold effect on noise pollution in North Central Queens. Not only would it raise the noise level in the immediate area by introducing larger and heavier planes, but it would also delay indefinitely the phasing out of the airfield, a step which could drastically reduce the overall jet noise level in central Queens.

On the latter point, it must be remembered that planes leaving LaGuardia turn on taking off to avoid the Flushing Airport area. As the Air Transport Association has written:

"If a LaGuardia turbojet departure could make a left turn off Runway 13 at LaGuardia and proceed over the Industrial Park and Flushing Airport, the aircraft would traverse approximately 1.5 miles of residential area before reaching the Long Island Sound. Presently, the departures proceed down Flushing Meadow Park until 1500 feet and then commence a left turn in the vicinity of Jewel Avenue overflying 3.5 miles of Flushing. Using an immediate left turn, noise exposure would be beneficial to the overall population of Flushing. If the Flushing Airport is developed to attract more aircraft, residents may have to contend with both increased traffic movements and present noise exposure."

The Speas Report recognized the increased noise levels that redevelopment itself would bring to the immediate vicinity of the airport. The new lighting facilities for the airport are primarily intended to permit dusk flights, especially in the winter. Nevertheless, it should be recognized that barring rigid licensing conditions such lights might also be used for night flights, and in the words of the Speas Report, flights of the heavier twin-engine planes after 10:00 P.M., when background noise levels are low, "would probably result in somewhat more vigorous complaints."

SMALL PLANES AND AIR TRAFFIC DENSITY

Because of improper planning in the past, many cities are now being strangled by automobile transportation. The present trend, therefore, is to encourage mass transit. Some cities, such as San Francisco, are sufficiently committed to the reduction of vehicular traffic that they offer bonuses in the form of reduced bridge tariffs to car pools with multiple passengers.

The skies over our cities are also very crowded. The Speas report points to the New York City area as probably having "the most complex airspace environment in the country." In part to reduce the number of planes needed to accommodate the increase in airline passengers over the next ten years, the commercial air carriers have recently begun a trend away from jets carrying 100–150 passengers apiece and toward those carrying 250–350 apiece.

In the face of this trend, the proposed redevelopment would encourage large numbers of additional flights, each carrying only a handful of passengers, into the city's airspace.[1]

Not only would the increased number of flights raise the serious safety problems previously discussed, but it would also represent an air traffic control problem for the LaGuardia tower, which guides some of the planes using Flushing Airport. As stated by the Air Transport Association:

"Any increased traffic would compete for airspace and air traffic control services. The result would be increased air traffic control delay to the users of both airports."

ECONOMIC VIABILITY OF THE REDEVELOPED FIELD

Making a number of estimates based on future utilization, the Speas Report comes up with a projection of $800,000-$900,000 in yearly revenues generated at the airport. Of these revenues, the report suggests that a wafer-thin $11,000-26,000 might be the city's annual surplus.

Even this tiny surplus, which amounts to less than 1% of the City's capital investment seems rather optimistic. For example, it is assumed that planes based at Flushing will buy all their fuel there, while those based elsewhere (itinerant planes) will buy at least half of their fuel at Flushing. Moreover, the capital investment which must be amortized ($3.4 million) is computed in 1970 dollars and there is no money in the City's capital budget for redevelopment until after 1978, when a considerably larger number of dollars would presumably have to be used.

If the facility was to be used for broad segments of the population, its economic return would probably be practically irrelevant. Yet the redeveloped airfield would benefit only a tiny segment of the community. The number of amateur pilots, small businesses with planes and airfield service personnel is tiny[2], especially when compared with the number of residents in the immediate vicinity who would be exposed to more serious safety hazards, and the number of residents in Queens who would continue to be exposed to unnecessary noise from LaGuardia jets diverted over their airspace.

COMMUNITY OPINION

At the public hearing, community residents and representatives speaking on the airport were approximately equally divided on the question of redevelopment. Most of these favoring redevelopment identified themselves as airplane pilots or owners. Those opposing redevelopment did so mainly on the grounds or safety and noise pollution. Many also expressed fear that the field could become a jetport or a commercial STOLport, vastly increasing noise and taxing local facilities.

Other opinion from the community, however, has been overwhelmingly against the redevlopment. The Mitchell Gardens Co-ops, directly beneath the airfield's flight path, sent in a petition with the signatures of 87 people opposing "expansion" of the airport. The Whitestone Taxpayers Association, after hearing a report by a representative of the Planning Board giving the pros and cons of redevelopment, voted 68–0 against redevelopment and for shutting down the field. Other correspondence from individuals in the community has run 17–1 against redevelopment.

Community opposition is often directed against projects on the ground that while the facility is necessary, it should not be located in that community's neighborhood. In the past, this form of opposition has been voiced against such facilities as sanitation garages and asphalt plants. Nevertheless, facilities such as these do benefit tens of thousands or hundreds of thousands of people in the entire district or the entire city. On the other hand, redevelopment of Flushing Airport would appear to benefit only a tiny fraction of that number.

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[1] Even for business aircraft, the Speas Report suggests that each plane would carry an average of only 3 passengers.

[2] For example, the Speas Report indicates that there are only 20 Queens residents who are registered owners of aircraft which are based here.

THE $7.6 MILLION IN FEDERAL FUNDS

One of the principal arguments in favor of the redevelopment is that it would bring to this district $7.6 million which we otherwise would not receive. Yet this $7.6 million would only benefit the small number of people actually using or working at the airfield. The suggestion that a short time after redevelopment was completed the city might convert the improved site to a park or other general use facility is highly unrealistic.

Of course, the $7.6 million, the bulk of which would come from the federal government, is not simply a gift. These funds represent federal taxes on such things as commercial airline tickets, taxes which Queens residents, like everyone else, have had to pay.

Seven million dollars from the federal government to develop the Hall of Science, to build a federal office building, or even to build a water sewage treatment plant would be money well worth receiving in our district. As presently earmarked, however, the money would have a sufficiently adverse impact on the general populace that its expected benefit for the very few is far outweighed.

FLUSHING AIRPORT IS NOT AND WOULD NOT BE A RELIEVER FOR LA GUARDIA

Another reason given for redevelopment is that the upgraded field could serve as a reliever to ease the congestion at LaGuardia. Not only would a redeveloped airfield at Flushing fail to significantly reduce the burden at LaGuardia, but even if Flushing Airport is phased out, the increased burden on LaGuardia would be equally insignificant.

A flight safety representative at Butler Aviation, the general aviation facility at LaGuardia, recently estimated that Butler generated approximately 250–300 takeoffs and landings a day. At least half of these are jets, however, which could not use even the redeveloped Flushing Airfield. Many more are air taxis which fly to LaGuardia to permit passengers to make rapid transfers to commercial flights. Still others are propeller planes which exceed the 12,500 lb. weight limit that would be effective at the redeveloped Flushing Airport, according to the city and the Speas Report.

What remains is only 5–10% of the total daily movements at Butler, perhaps 12 to 30 flights a day, which could conceivably be shifted to Flushing Airport, an insignificant fraction of all the flights at LaGuardia. Yet even these flights are not a particularly good bet to switch to Flushing. Many of these are business planes and their owners are willing to pay the hefty landing fees at LaGuardia because of the convenience of landing where connections are rapid, because of the availability of an on-site control tower and because of the availability of all-weather landing facilities which permit landing in inclement weather. How many of these flights would shift to a redeveloped Flushing airport where the connections would not be as good, no tower would be available and no instrument landing facilities would be possible is extremely debatable.

Similarly, a closing of Flushing Airport would not lead to any significant load increase at LaGuardia, to a large extent because of the substantial landing fees charged there. Even now, when Flushing is closed because of bad weather, most of the planes go either to Teterboro or to Westchester or do not fly at all.

THE HEALTH OF THE CITY'S ECONOMY

Since the airport as it is presently constituted will continue to have approximately the same traffic as it does now, even without redevelopment, the "loss" to the city's economy for failure to redevelop appears completely speculative.

A more serious question is raised by the Board's suggestion to phase the airport out as the land is needed by the industrial park. Preliminarily, it should be noted that because the park has already experienced considerable difficulty in finding tenants and the airport site is probably the worst in the park because of its terrible sub-soil conditions, the date by which the park would need the land is undoubtedly in the far future.

In any event, the city has somehow managed to survive without numerous other general aviation fields which have closed down since World War II. In Nassau, Brooklyn and Queens alone, six fields have closed during that time.

Moreover, large numbers of the flights could easily be diverted to Teterboro airport in New Jersey, where many of them now go when Flushing is closed by bad weather. Not only is Teterboro a modern, all-weather facility with a tower capable of handling all general aviation, but it is no further from the central business district in Manhattan than Flushing Airport.

THE HEALTH OF COLLEGE POINT INDUSTRIAL PARK

The proponents of the redevelopment have urged that the airfield is important to the growth of College Point Industrial Park as a magnet for businesses and that without the redevelopment a large lake might form on the site which could cost $2 million to remove through pumping. Both of these arguments appear to be without merit.

The large lake theory is based on the premise that by filling in all the land adjacent to the airport without filling in the airport, the airport would become completely unusable since more rain water would collect there. According to some, the airport would require a $2 million pumping facility to keep it dry.

Based on conversations with the Civil Engineer at the Public Development Corporation responsible for drainage and landfill at the park, however, it is not only possible to place landfill on the land around the airfield without altering the status quo and causing a lake to form, that procedure is the one now planned by P.D.C.

The reason for this plan is that no money is in the capital budget for the redevelopment of the airfield until after 1978 and P.D.C. would like to commence land fill operations on the remainder of the Industrial Park sometime within the next year or two.

The reason that no lake would form at the airport site, notwithstanding the surrounding landfill, is that the airport is already at practically the lowest elevation in the park and little of its runoff now leaves the airport site except by way of the drainage ditches in the southern portion of the field. These drainage ditches are to be maintained and improved during the redevelopment of the remainder of the Park.

The small pumping facility now being used for the airport site is to be replaced by a much larger and more sophisticated pumping station which will service the entire industrial park. The cost of this larger pumping station will be $700,000, regardless of whether the entire park is landfilled simultaneously or no land fill is placed at the airport site.

No additional expenditure and certainly nothing even remotely approaching $2,000,000 would be necessary to retain the status quo at the airport site while landfill operations take place on the surrounding land. Thus, the airport would be available to new tenants at the Industrial Park regardless of whether it is redeveloped.

Nevertheless, it is exceedingly doubtful whether the presence of the airport at College Point Industrial Park, in either its present state or in a redeveloped state, will seriously affect the growth and development of the industrial park as a whole.

The reason for this is that the manufacturing facilities envisioned for the park and personnel using them rarely generated a need for a general aviation field. Figures supplied by the Tri-State Transportation Committee indicate that there are approximately 100,000 persons engaged in manufacturing in the metropolitan area for each general aviation plane owned by their companies. Since the College Point Industrial Park projects only about 12,000 workers when completed, the odds are 7:1 against their companies owning even a single plane.

These figures are borne out by planning for other industrial parks proposed and built in New York City. While several parks have been proposed and built, none of them has been built with or adjacent to a general aviation field.

In conclusion, during the last decade, the F.A.A. has not spent anything remotely approaching $7.6 million to redevelop any general aviation field in the country, without a tower, in as densely populated an area as ours, so close to a major airport. Community Planning Board Number 7 opposes any attempt to permit it to set a major precedent at College Point Industrial Park.

DEFENSE COST GROWTH

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ASPIN. Mr. Speaker, as I have noted in the past in these pages, it is paradoxical that while a SALT agreement is pending between the Soviet Union and the United States, we are asked to continue an acceleration of weapons acquisition. This "mad momentum"—as former Secretary of Defense Robert S. McNamara characterized it—must be curbed. Yet we are asked to spend additional billions of dollars for duplication of weapons systems. I refer my colleagues to the editorial in the New York Times of July 27, 1972, that points out this process with painful clarity:

DEFENSE COST GROWTH

The General Accounting Office report on cost overruns of $28.7 billion on current weapons development programs is a useful reminder of continuing Pentagon inefficiency, if not of deliberate attempts to mislead the Congress by low estimates when weapons are being approved. But it misses the real point now in debate as the Senate votes on the defense procurement bill.

The "unrealistic early cost estimates," which the GAO blames for much of the trouble in its study of about half the Pentagon's weapons procurement programs, undoubtedly can be improved. But that would not necessarily reduce the final weapons bill.

Nor does it solve this central problem to detect, as the GAO has, that the 31 per cent increase in the cost of the weapons programs understates the real cost growth. The increase in cost would have been $11.7 billion more had not the Pentagon in the case of 46 weapons systems cut down the quantities ordered, lifting the per-unit cost.

The crucial question is whether the new weapons are really needed. Of the 141 weapons systems listed by the GAO as under development at a currently estimated cost of $162 billion, only a handful have received close scrutiny on Capitol Hill. Do weapons already in the inventory need to be replaced so soon? Would the Air Force really want a new plane costing three times as much as the one it replaces if it had to make do with one-third as many? Are the expensive high-performance characteristics the armed services insist on building into the weapons really needed for very many of its projected missions? These are some of the questions that are not being asked sufficiently now.

The Senate will have a chance today to force some essential rethinking in the Pentagon by adopting the Bentsen amendment, which would delay production but continue development work in the $10-billion Trident missile submarine program. To replace the Polaris-Poseidon fleet a decade or two before its normal retirement—to seek to counter an antisubmarine threat that does not exist and may never materialize or may take an unpredicted form—is the height of folly.

The civilian systems analysts former Defense Secretary McNamara brought into the Pentagon were not perfect, but they did question programs, often to good effect. Now they have been substantially reduced in number and quality and put under the thumb of the military by Secretary Laird. Gone too is the kind of rolling five-year plan that enabled Mr. McNamara and his aides to project expenditures years ahead and cut back early on programs that threatened to lift costs over expected budget ceilings. The Laird solution has simply been to ask Congress for more money each year.

GUN MANUFACTURERS: CHICAGO TRIBUNE TASK FORCE REPORT PART VIII

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. MIKVA. Mr. Speaker, Colt, Smith, & Wesson, Remington, and Charter Arms are just a few on a long list of American firearm companies. It is big business, yet no one really knows how big.

Firearms kill 10,000 Americans a year. The Chicago Tribune recently created a task force to study this epidemic of violence. This is the eighth in a series of 10 task force reports.

Today's entry is based on interviews with gun manufacturers. Everyone questioned was reluctant to talk—especially about how much they sold. Some of the producers frankly stated they were in the business for the money. Others claimed their product was sold only for legitimate purposes.

The article which follows raises grave questions about the responsibility of firearms dealers for the eventual slaughter which results from indiscriminate sales of guns:

[From the Chicago Tribune, July 2, 1972]

GUNMAKERS DISCLAIM BLAME FOR VIOLENCE

Robert Meltzer slapped a can of sardines on a paper plate in his small, cluttered New York City office as he asked a reporter for her opinions on his latest product—a pearl-handled derringer.

"How do you like it?" he asked reporter Pamela Zekman. "We want to see if it appeals to women."

Replying that the gun would fit into a purse, Miss Zekman handed back the weapon. Meltzer placed it in a filing cabinet, then volunteered this information:

"I hate guns:

"Then why do you manufacture them?"

"Because it's profitable," answered Meltzer, president of the Criterion Die & Machine Co. [CDM] the only firearms manufacturer left in New York City.

RELUCTANT TO TALK

Like most of the gun manufacturers interviewed by the Tribune Task Force, Meltzer was reluctant to discuss his business.

"There's been a lot of bad publicity about Saturday Night Specials," he said. "I just won't talk about it. We try to avoid publicity."

However, publicity is often thrust upon gunmakers, especially when one of their products is used to commit a violent crime.

New York City Patrolman Salvatore Morale, 29, hates guns as much as Meltzer. On July 9, 1970, while thwarting an attempted robbery of a Manhattan restaurant, Morale was shot in the stomach with a .22 caliber CDM revolver.

Tho seriously wounded, Morale pursued the gunman down the street, then tackled and arrested him. The young policeman spent 10 days in the hospital and five months convalescing at home.

"We've definitely got to get rid of these cheap handguns, but it's going to be a long haul. There are too many around now. It's gotten out of hand, but we've got to do something," he said.

Morale's assailant, Lavon Moore, said he purchased the unregistered weapon from a street trafficker in upper Manhattan.

Big firearms manufacturers avoid inquiries about their business as much as small-time operators like Meltzer.

Robert Early, public relations officer for the firearms division of Colt Industries, Hartford, Conn., told a reporter he would offer a perspective of his firm's business so long as the name of the company was not mentioned.

"It's nobody's business how much we produce," said a spokesman for Firearms International, 515 Kerby Hill Rd., Washington.

"Reporters are always asking that. They are always looking for something sensational. It's none of anybody's business how much we sell."

Determining how many guns there are in America and how many are being produced can be as trying as counting mosquitoes in a swamp. Jerry Racussen, editor of Gun Magazine, a well-known trade magazine, said even he does not know.

"You can believe this or not, but I get calls from the Commerce Commission asking me how many guns the manufacturers make," he said. "Now this is crazy. I'll bet if you call the commission right now and say you're looking for industry figures, chances are that the people over there will send you back to me."

IRS SHOWS STEADY RISE

The most accurate figures on gun production are kept by the Internal Revenue Service, which collects an excise tax on each firearm produced for private sale in the United States. IRS figures show a steady rise, beginning in 1962, in the sale of handguns, shotguns, and rifles.

In 1968, the last year for which complete figures are available, 5,299,062 domestic and foreign weapons were manufactured for private sale in the United States, a 250 per cent increase over the 2,066,368 made in 1962.

Handgun production during the period skyrocketed from 598,649 to 2,499,286. In the first 11 months of 1971, the IRS reports, domestic manufacturers alone produced 1,447,664 handguns for private sale.

Since the turn of the century, 102,386,813 firearms have been produced for private sale in America and have accounted for 750,000 deaths in murders, suicides, and accidents. By contrast, 653,000 Americans have been killed in all the nation's wars since the Revolution.

SALES ESTIMATED AT $441.4 MILLION

In terms of revenues, the United States Bureau of the Census estimates that the sales of small arms for civilian use reached $441.4 million in 1970.

What makes these figures even more alarming is that guns produced a year ago, five years ago, and even 50 years ago can last for generations. Unless it is a cheap model that is fired frequently, a gun does not wear out like an automobile. A revolver used in a recent West Side killing was made in Spain in 1924.

It is reliability like that that makes a Colt pistol superior to the cheaper Saturday Night Specials, Early said. "The gun nut and law enforcement people will not buy the Saturday Night Specials because they are interested in a gun that works, that has reliability," Early said.

One of those cheap handgun manufacturers is an hour's drive away from Colt's bustling factory. It is the General Precision Corp. in Watertown, Conn., a tranquil community better known for its fine houses than as the home town of a Saturday Night Special.

NOT ALWAYS PROFITABLE

General Precision makes the Triumph .22 caliber revolver in an inconspicuous building at 27 Depot St. The only identification is a cardboard sign bearing the company's name on the factory door. The company is controlled by Joseph D. Ubaldi, 39, and his brother, Charles F., 33, both of nearby Waterbury, Conn.

Each owns 29.4 per cent of the corporation. Joseph Ubaldi, the president, is better known in Waterbury as a politician than a manufacturer of cheap handguns. In April, he was elected assistant treasurer of the Waterbury Democratic Town Committee.

Reports to the Securities and Exchange Commission show that General Precision is not finding gun manufacturing profitable. It reported losses of $163,827 for the nine-month period ending Jan. 31.

Wages paid by the company reflect its shaky financial standing.

Richy Roskosky, the factory foreman, quoted $1.85 an hour as the starting wage, the minimum wage allowed by Connecticut law, to a Task Force reporter applying for a job as a test firer.

"It's the toughest job in the factory," said Roskosky. "Tough on the thumb and forefinger. You'd be surprised how hard it is pulling triggers all day."

The foreman failed to mention that it was a dangerous job, too. A Task Force reporter examined one confiscated General Precision handgun which shattered after only one round was fired.

IMPORT BAN LEFT LOOPHOLE

Although the 1968 Federal Firearms Act banned importing cheap, concealable handguns, it did not ban importing their parts. Domestic manufacturers rushed into that loophole by the dozen and began assembling Saturday Night Specials out of foreign-made parts. General Precision told the SEC that its guns contain 40 moving parts that are "stamped out by subcontractors to company specifications."

The majority of the imported parts are shipped from Germany, Italy, and Spain to more than 20 domestic firms.

America's gun manufacturers are centered on the East Coast, mostly in Massachusetts, Connecticut, and Florida.

Besides Colt, the big names include Smith & Wesson, Remington, Charter Arms, Rugar, and Savage Arms. General Precision, CDM, Firearms International, RG Industries, and Firearm Import and Export, both of Miami, are among the lesser-known companies.

Whether large or small, the companies

have one thing in common—they claim to manufacture guns only for sporting purposes and for law enforcement officials.

General Precision told the SEC that its guns "may be used for target practice and competition, small game hunting, starters at athletic events, and self defense."

Colt reported that its line of automatic pistols, revolvers, and rifles is "sold principally to law enforcement agencies, sportsmen, and collectors." Colt also produces the M16-A1 automatic rifle, described as "the standard United States military rifle," and a semi-automatic sportsman's model.

While old, established firms look upon Saturday Night Special companies the way aristocrats look upon the nouveau riche, two big firms have found it profitable to produce these guns, which persons on both sides of the gun control issue agree are useful for nothing but crime.

Rohm Tool Co. of West Germany, owns R. G. Industries, Inc., of 2485 N.W. 20th St., Miami, which manufactures the low-priced .22 caliber and .38 caliber Rohm revolvers.

An R. G. .22 revolver was used in May to kill Chicago policeman Robert Gallowitch during an armed robbery on the South Side. Made in Germany, the revolver began its fateful journey in 1967, when it was imported by Eig Cutlery in Miami [which has been bought by R. G.], then sold to Maurice's Gun Shop, 2701 W. Armitage Av. The next purchaser was Frank Yaeger a West Chicago gun dealer who later went out of business and moved to Texarkana, Ark.

After Yaeger, the trail of the gun vanished until it turned up in the hands of Gallowitch's killer. When asked for his comments on the slaying, Dietre Haege, 33, executive vice president of R. G., replied, "The problem is the criminal, not the gun."

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ROGERS. Mr. Speaker, it is certainly a pleasure for me to salute the Order of Ahepa as they mark the 50th anniversary of their founding on July 26, 1922 in Atlanta, Ga.

The word AHEPA is derived from the first letters of the following: American Hellenic Educational Progressive Association. The membership of the association and its auxiliaries follows a noble set of objectives which begin with the objective of promoting and encouraging loyalty to the United States of America.

In the 50 years since the founding of this association, the membership has compiled an enviable record of accomplishments including financial aid to the victims of natural disasters in every corner of the world During World War II, the association acted as an official war bond issuing agency of the U.S. Treasury and the membership sold over $500 million worth of war bonds.

Mr. Speaker, I am certainly glad to have the opportunity to add my voice to the many others expressing their best wishes to AHEPA on its 50th anniversary and especially to the 18 AHEPA chapters in Florida. May your second half century be even more successful than the first one.

THE NATION SALUTES THE ORDER OF AHEPA ON THEIR 50TH ANNIVERSARY CELEBRATION

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ROE. Mr. Speaker, it gives me great pleasure to join with you and my colleagues here in the Congress in commemorating the Order of Ahepa—The American Hellenic Educational Progressive Association—upon the celebration of their golden anniversary in dedicated commitment for the improvement and betterment of our country's social, moral, and family life through their outstanding contribution and support of local community undertakings in the fields of education, charity, and civic improvement.

The Order of Ahepa was founded July 26, 1922, in Atlanta, Ga., and its jurisdiction extends to 49 States, Canada, and Australia, with 430 local chapters. The Order of Ahepa is a fraternal organization of our fellow citizens of Greek heritage, and is nonpolitical and nonsectarian. The AHEPA family is composed of four separate organizations, working in harmony on a local, district, and national level. They are: the Order of Ahepa, the Daughters of Penelope—senior women's auxiliary, the Sons of Pericles—junior young men's auxiliary, and Maids of Athena—junior young women's auxiliary.

The objectives of AHEPA are summarized as follows:

1. To promote and encourage loyalty to the United States of America;

2. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind;

3. To instill in its membership a due appreciation of the privileges of citizenship;

4. To encourage its members to always be profoundly interested and actively participating in the political, civic, social and commercial fields of human endeavor;

5. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor and integrity of every nation;

6. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic Culture;

7. To promote good fellowship, and endow its members with the perfection of the moral sense;

8. To endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness.

9. To champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

The Order of Ahepa has contributed financially to many worthy causes during its 50 years of existence, on a national and international level. Members of AHEPA can indeed be proud, as we all are, of AHEPA's record of achievements. AHEPA has championed the cause of education—it has successfully fought for the freedom and self-respect of the minorities in its justice for Greece and justice for Cyprus programs, and AHEPA has always displayed its benevolence and generosity to the stricken victims of disaster both here and abroad.

In education, AHEPA has been participating in the awarding of scholarships to worthy students for the past 41 years on local, district, and national levels. The AHEPA Hall for Boys and the AHEPA School, both at St. Basil's Academy, Garrison N.Y., have been donated to the academy by the Order of Ahepa. In Greece, an AHEPA agricultural school was established. More than 40,000 American books have been donated to schools and libraries in Greece by AHEPA. The AHEPA Medal for Scholastic Excellence in the Greek language is presented annually to their local Greek schools by AHEPA chapters. The seven-volume set of the Greek Classics are donated to high school and college libraries by AHEPA chapters, and also donated as scholastic awards to outstanding high school graduates. Annual scholarships are awarded through the American Farm School, and Anatolia College, in Thessaloniki, Greece. Surveys are conducted of courses offered in colleges and universities in modern and ancient Greek, and in the classic Students are offered summer studies in Greece that cover the Greek language, history and culture, through the AHEPA educational journey to Greece programs.

AHEPA has been in the vanguard in aiding less fortunate peoples of the world. In their international relations they are well known for their aid to the people of Greece. Many Ahepans have achieved personal recognition as distinguished leaders throughout our community, State, and Nation and I would like to ask you to join with me in extending our heartiest congratulations and best wishes for AHEPA's continued good works to the Honorable Sam Nakis, supreme president of the Order of Ahepa whose headquarters are located here in Washington, D.C.

May I also commend to you the following AHEPA officers from New Jersey for their outstanding service to their fellow-citizens and all mankind. Among this prominent list of leading New Jersey officers is the Honorable John G. Thevos, a long time personal friend and former prosecutor of Passaic County, who has achieved the foremost national office of supreme president of AHEPA bringing great distinction to my congressional district and the State of New Jersey.

We do indeed salute the Order of Ahepa during this 50th anniversary celebration.

A list of officers follows:

NEW JERSEY LOCAL CHAPTER OFFICERS

George J. Andrianos, President, Elizabeth.

Andrew P. Arbes, Vice President, Elizabeth.

Miltiades Delfinopoulos, Secretary, Elizabeth.

Gus Delfins, Treasurer, Elizabeth.

Basil C. Delis, President, Hackensack.

Plato Eliades, Vice President, Hackensack.

George Zourdos, Secretary, Hackensack.

Charles Dekis, Treasurer, Hackensack.

Gus Kosaitis, President, Asbury Park.

Harry Pani, Vice President, Asbury Park.

John Agrios, Secretary, Asbury Park.

John Peppas, Treasurer, Asbury Park.

John Lemberakis, President, Perth Amboy.

Theodore Tricules, Vice President, Perth Amboy.

Costas J. Folis, Secretary, Perth Amboy.
Peter Coutros, Treasurer, Perth Amboy.
Michael Borzeka, President, Dover.
Spyros Moraites, Vice President, Dover.
Andreas A. Boyadjis. Secretary, Dover.
Anthony Kyprois, Treasurer, Dover.
Jordan Stamati, President, Orange.
Harris P. Pappas, Vice President, Orange.
Peter C. Vyssas, Secretary, Orange.
Peter A. Miliotis, Treasurer, Orange.
Demetrios Apostolatos, Treasurer, Newark.
John Antonacos, President, Newark.
Nicholas G. Paras, Vice President, Newark.
Basil T. Paras, Recording Secretary, Newark.
Roy D. Soppas, Corresponding Secretary, Newark.
Mark Petrakakis, President, Paterson.
Constantine S. Loukedis, Vice President, Paterson
Artie Veloudos, Secretary, Paterson.
George Stathakis, Treasurer, Paterson.
Jerry Vallianos, President, Camden.
Jerry Karapalides, Vice President, Camden.
Chris J. Frangos, Secretary, Camden.
Arthur Panagou, Treasurer, Camden.
James C. Knicos, President, Trenton.
George C. Masouras, Vice President, Trenton.
George Stoumpas, Secretary, Trenton.
Sam Fortosis, Treasurer, Trenton.
Emanuel Manioudakis, President, New Brunswick.
Anthony Vlastaras, Vice President, New Brunswick.
John Kazan, Secretary, New Brunswick.
Chris Savides, Treasurer, New Brunswick.
Andrew Metropole, President, Jersey City.
Peter Kouvel, Vice President, Jersey City.
Edward P. Kiehling, Secretary, Jersey City.
George Anagnostos, Treasurer, Jersey City.
George K. Menoutis, President, Plainfield.
Seraphim Stylianos, Vice President, Plainfield.
Nicholas Gerondelis, Secretary, Plainfield.
Spiros S. Pappas, Treasurer, Plainfield.
Peter Frangakis, President, Vineland.
Mike Evrenoglou, Vice President, Vineland.
Louis Chatas, Secretary, Vineland.
Nick Nomecos, Treasurer, Vineland.
Moschos M. Moschides, President, Atlantic City.
Peter Mitoulis, Vice President, Atlantic City.
James Tzimoulis, Secretary, Atlantic City.
William V. Anthony, Treasurer, Atlantic City.

CURRENT NATIONAL OFFICERS

William G. Chirgotis, Supreme Treasurer, Springfield.

CURRENT DISTRICT LODGE OFFICERS

Nicholas J. Chrisicos, Governor, West Long Branch.
Lee J. Milas, Lt. Governor, Trenton.
Athan P. Anest, Secretary, Twp. of Ocean.
Solon Georgiou, Marshall, Somerset.
Herb Allen, Advisor, Trenton.
Harry S. Retalis, Athletic Director, Wayne.

PAST NATIONAL OFFICERS

John G. Thevos, Past Supreme President, Peterson.
P. G. Pasvantis, Past Supreme Lodge, Bricktown.
Peter Caravoulias, Past Supreme Lodge, Jersey City.
Nicholas J. Stroumtsos, Past Supreme Lodge, South River.
X. K. Microutsicos, Past Supreme Lodge, Trenton.
James A. Millas, Past Supreme Lodge, Trenton.
Dr. James A. Rogers, Past Supreme Trustee, Paterson.
Peter Sideris, Past Supreme Trustee, Woodbridge.

THE $5 BILLION FLUSH

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. HUNT. Mr. Speaker, I would like to commend all the Members of this Congress who, in good faith and sense, helped vote down the Emergency Community Facilities and Public Investment Act of 1972. This hasty attempt by the Banking and Currency Committee would have wasted $5 billion of our taxpayer's money. The shady rationale behind this measure must have been the handiwork of some slightly misinformed individuals. Why do we need to authorize the Secretary of Housing and Urban Development to commit up to $5 billion for water and sewer projects in communities when some of these projects have already been completed and this Department's backlog of pending water and sewer grants is only about $2 billion? Why is this measure necessary to help our environmental problem when we already passed several other related measures, including the $18 billion, 3-year water pollution control package which is now in conference? Why do we need another attempt to lift the financial burden from our struggling communities and small towns when the House-passed $29.5 billion revenue sharing bill is now in the Senate?

It seems, Mr. Speaker, that from now until our adjournment we rational Members of this Congress must stay on our toes to combat the frivolous attempts for legislation coming our way. I regret to anticipate the many confrontations that may be in store for us in the coming months, but hopefully look forward to a steadfast majority which will battle these inessential proposals to the end.

The following is an editorial from the Washington Post of July 25, which thoroughly coincides with my viewpoint:

ONE VICTORY FOR SOBRIETY IN THE HOUSE

Last week the House of Representatives, in a flash of good sense, voted down a bill to pump $5 billion into community water and sewer projects this year. While the decision of the House is heartening, the message for beleaguered taxpayers is somewhat ominous—first, because this unnecessary bill was considered seriously by the House at all, and second, because the margin of decision on the crucial amendment was a slim three votes.

The bill, with the beguiling title of "The Emergency Community Facilities and Public Investment Act of 1972," was devised by Chairman Wright Patman and the House Banking and Currency Committee, aided and abetted by the House Democratic leadership. The gist of the bill was simple: it authorized the Secretary of Housing and Urban Development to commit up to $5 billion for water and sewer projects in communities with substantial unemployment. This largesse, supporters of the measure claimed with appropriate earnestness, would at one swoop save the environment, put people back to work, give cities and towns essential public works, and lift financial burdens from the budgets of those struggling little towns.

Aside from the detail that HUD's backlog of pending water and sewer grant requests is only about $2 billion, the major objection to the bill was that it seemed slightly redundant, since the House had already passed several other measures to meet the same needs—including the $18-billion, three-year water pollution control package now in conference, and the $29.5-billion revenue-sharing bill now in the Senate. Rep. George H. Mahon, Appropriations Committee chairman, and other procedural purists were also troubled because the bill had received only one short day of hearings, without any administration witnesses, and because the proposed $5 billion in building blocks was totally unbudgeted. Representative Patman's team seemed to consider these aspects mere technicalities.

After a typical House debate between the champions of generosity, mostly Democrats, and the watchdogs of the treasury, mostly Republicans, the House reached a rather surprising result: the treasury won. By a teller vote of 197 to 194, an amendment was added providing that grants could not be made in any year when the projected federal deficit exceeds $20 billion. That amendment, Representative Patman conceded, ensured that the program "would never be used," and indeed the House ended the day by killing the entire proposition, 206 to 189.

Reassuring as the ultimate outcome was, the episode shows that the silly season has opened once again on the Hill. Wildly inflationary and simplistic bills such as this, which would never reach the floor so quickly in March, are likely to pop up on the calendars of both houses quite frequently between now and adjournment. Those 197 members of the House should be commended for recognizing that the Patman ploy served no legitimate "emergency" at all. But as sessions lengthen, tempers shorten and partisan games increase, the cause of sobriety in government may be hard put to maintain its majority.

EIGHTIETH BIRTHDAY OF HIS IMPERIAL MAJESTY HAILE SELASSIE I

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. DIGGS. Mr. Speaker, as chairman of the Subcommittee on Africa of the House Foreign Affairs Committee, it gives me unusual pleasure to take this opportunity to extend to His Imperial Majesty Haile Selassie I, Emperor of Ethiopia, the very warmest congratulations and best wishes on his 80th birthday.

One of the great statesmen of our era, His Majesty has made remarkable contributions not only to his own country, with which the United States has long had the closest and friendliest of relations, but also to Africa and, indeed, the entire world. His accomplishments are legion. The outstanding role he has played in the founding and development of the Organization for African Unity, the continent-wide grouping of independent countries, has gained him the respect of all African leaders and has earned him the title of "Father of African Unity." He has been an outstandingly successful mediator in a number of disputes between states. Most recently, he played a discreet but important role in the agreement that ended the 17-year rebellion in Sudan.

As he enters his 81st year, I am honored to express to him our profound gratitude for the outstanding role he has played in international affairs. We wish him health and happiness and look forward to further signal contributions to the world community.

A REASONABLE APPROACH TO RATING FILMS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. STOKES. Mr. Speaker, Jack Valenti, president of the Motion Picture Association, is a powerful spokesman for the film-rating system. On June 18, 1972, his views appeared in the New York Times in an article entitled "Ratings Are for Parents, Not Critics."

His starting point took issue with film critic Vincent Canby's assertion that the system should be abolished. In effect, Valenti make it clear that to abandon or to keep the formula is not a matter for Mr. Canby's concern.

The calm and rational tenor of Mr. Valenti's article should go a long way toward mitigating people's fears about a system which does not pretend to do more than advise. I do not favor censorship in any form, but I do welcome the convenience of not having to personally prescreen every movie that my children wish to see. As Mr. Valenti puts it:

> The key point to be remembered is this: the rating system benefits parents through the information given to the family, and it benefits a free American screen by baffling the assaults of those who would crush the voluntary rating system and in its place lift up a government-monitored rating rostrum.

I urge concerned parents—and critics—to pay attention to what Mr. Valenti has to say. His column is included, in its entirety, below:

RATINGS ARE FOR PARENTS, NOT CRITICS

(By Jack Valenti)

Vincent Canby says the voluntary film rating system is all wrong.

Canby recommends that the entire rating system be scrapped and the movie industry use its funds "to fight nuisance suits against the industry." In other words, abandon ratings and then fight local censoring or legal classification authorities.

I want to go very slowly so we can all understand.

The movie rating system is made for *parents,* repeat, *parents,* not professional critics or movie historians. The ratings are constructed so that mothers and fathers can have information about the content of films playing in their neighborhood. Then the parents can better decide what movies their children should or should not see.

That's the rating program. No more, no less. It is not for Mr. Canby or anyone else over 17 who is not married or, if married, childless.

Now, if you don't have a voluntary rating system sponsored by exhibitors, producers, the creative community, what would you have?

You would immediately be avalanched by local political boards, all of which would be assuming rating prerogatives in their communities. If Mr. Canby doesn't believe this would happen, he has forgotten that politics, like nature, abhors a vacuum.

It is canon law among those who view movies as an intellectual experience to compulsively ravage the attempts of lesser mortals to keep the American screen free of government intervention—local, state and federal. I am hopelessly confused by the political naiveté of otherwise sensitive people. You cannot have it both ways. You cannot grant total freedom to all filmmakers without reprisal. Some restraint is needed for filmmakers who want the public to view their work. Some intelligent discipline must moderate their message. This is necessary because parents demand the same privileges as filmmakers. Parents want to know what is being shown to their children and they demand the right to know that certain films are not being exhibited to their children without their consent. As a parent, I agree.

I cannot understand why there is so much savagery leaping from the pens of some film critics about the ratings. It is as if they are void in knowledge about what happens in the real world of film in countries all over the globe. There are only two countries on earth today in which governments do not control, or monitor, films. One of these free-film nations is the U.S.A. We want to keep it that way. (Legal fact: The Supreme Court has already decided that children have lesser First Amendment rights than adults. Perhaps we need to conduct a legal seminar for angry rating system critics.)

Let me summarize what we are doing and why:

1. The rating program aims to help parents decide the movie-going of their children.

2. It gives parents some indication of the content of specific films. The parents can get more information about that film before letting their children attend, if there is any question of consent.

3. G means a film which the entire family can view without parents' finding anything in the film objectionable for their children. G does not mean a children's picture, but merely that the film will not be embarrassing to families viewing the movie.

PG means "parental guidance suggested—some material may not be suitable for preteen-agers." There will not be explicit sex or excessive violence in PG films, but parents are urged to give further scrutiny to PG films before they allow their pre-teen-agers to attend.

R means "Restricted"—under 17 requires an accompanying parent or adult guardian (such as a school teacher). This is an adult film in theme and possibly in treatment.

X means "under 17 not admitted." This is an adult film in theme and treatment. But X does not mean "obscene" or "dirty." X simply means unsuitable for viewing by children.

It is important to understand that the ratings do not measure quality or lack of it. The ratings do not speculate on what is harmful for children, for there is no verifiable evidence about what is harmful. All the ratings do is give information to parents in much the same way as one parent would inform another.

4. No filmmaker need cut one millimeter of film of any movie he makes. He is free to go to the marketplace without intrusion on his creative intent. The worst that will happen to him is that children will be restricted from seeing his film. But does freedom of the screen demand that children see everything put on film? Of course not.

5. The rating system is not fastened in certainty. Over 1,700 films have been rated since November 1, 1968. Unless divine inspiration has been glistening unseen among members of the Rating Board, it is possible that errors have been made. But the integrity and purpose of the rating system have remained steady.

6. Of these 1,700 rated films, less than 7 per cent have been rated X, which means that 93 per cent of rated films are available to be viewed by children.

7. Most parents throughout this land like the rating system. They find it useful in aiding parental decisions about family movie-going. Mr. Canby and some of his cohorts ought to unstrap themselves from Manhattan and visit the country west of the East Side movie houses. There are millions of American families, armed with the vote and freighted with deeply-held opinions about what they believe is right and important about movies for their children. If one is to lead responsibly, he has to consider the views of everyone, not just a small band of film buffs.

8. There is no substantive evidence that a movie is hurt or helped by ratings. If the movie is good, it will do business. If it is a bad movie, it will die, and the rating can't revive it. Note: "Fiddler on the Roof" is rated G, "The Hospital" is rated PG, "The Godfather" is rated R, "A Clockwork Orange" is rated X—and each of them is a smash box-office hit. I suspect the public is more sensitive to entertainment quality than to ratings.

9. We don't claim the voluntary film rating system is the best that humans can devise. We do believe that what we have is sensible, and is working well, to the benefit of parents throughout the country. Can the rating system be changed, to retain what is essential for a free screen, unhobbled by government intervention, and to re-structure that which is not working as well as it might? Of course. Right now, we are looking at several possible changes which may, or may not, be usefully inserted in the system. But you can't run a rating system as you do a fashion trend, changing seasonally to suit the whims of an influential few. If you do, you'll wind up with a rating system that is midi when it ought to be mini or maxi.

10. Finally, may I suggest there is no perfect rating system. There can't be. Anything as subjective as rating movies is bound to produce disagreement. The liberals say the ratings are too restrictive; the conservatives declare they are too permissive. But the key point to be remembered is this: the rating system benefits parents through the information given to the family, and it benefits a free American screen by baffling the assaults of those who would crush the voluntary rating system and in its place lift up a government-monitored rating rostrum. (Thus far, gratefully, a majority of serious, thoughtful legislators and city councilmen have concluded that our voluntary film rating system is better for their states and communities than for the government, armed with legal bludgeons, to step into this fragile arena and become movie censors).

Can't we all—parents, critics, film-makers, exhibitors, producers and political observers—agree that what we have, though not perfect, is far better than the alternative?

THE LATE HONORABLE PHILIP J. PHILBIN

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. FISHER. Mr. Speaker, the passing of Phil Philbin brings to our minds the distinguished record he achieved during the many years he served in the House. It was my pleasure to serve with him on the Armed Services Committee for more than 20 years. He was a very knowledgeable man who devoted himself, day and night, to the work that was assigned to him. Phil served as chairman of that committee for a brief period.

Aside from his committee work, Mr. Philbin was one of the most affable, friendly, and likeable men in the entire Congress. The friendships he made during his career here was limited only by the number who came to know him. I am certain I have never known a more honorable man. He was a genuine patriot who was concerned with the welfare of our country, and his official record reflects that concern.

To Phil's survivors I extend my profound sympathy in their bereavement.

THE ORDER OF AHEPA CELEBRATES ITS GOLDEN ANNIVERSARY JULY 26, 1972

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. YATRON. Mr. Speaker, 50 years ago, a group of industrious and far-sighted men, who had come across the seas from their native Greece to participate in our great modern democracy, founded the American Hellenic Educational and Progressive Association—AHEPA. Through this organization, now spread over 1,100 chapters in 49 States, American citizens of Hellenic origin have embodied and put into action for the benefit of our society the spirit of freedom, of creative thought and love of man, which were the great gifts of ancient Hellas. Aristotle said in this regard:

> If liberty and equality, as is thought by some, are to be chiefly found in a democracy, they will be best attained when all persons alike share in the government to the utmost.

The noble Greek idea of responsible participation in society is carried forward today in our country by the members of AHEPA which stands as a firm and enduring link between the achievements and values of Hellenic civilization and contemporary American society. The objectives and purposes of the Order of Ahepa are a clear reflection of the remarkable qualities of Hellenic civilization that find expression in American life. Consider, for example, the first five objectives of the AHEPA: To promote and encourage the loyalty of its members to the country of which they are citizens; to instruct its members in the tenets and fundamental principles of government; to instill a due appreciation of the privilege of citizenship; to encourage interest and active participation in the political, civic, social, and commercial fields of human endeavor; and to pledge its members to oppose political corruption or tyranny.

These objectives, so central to democracy in America, were central also to democracy in Greece, and one cardinal purpose of the Order of Ahepa is to insure that the flow of the precepts and ideals of Greek democracy continues to serve as a constantly revitalizing current in American Government.

Mr. Speaker, the Order of Ahepa has other objectives, too, which spring from the richness and excellence of Hellenic civilization. AHEPA strives to promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture; to promote good fellowship, and endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness to their fellowman; to endow its members with the perfection of the moral sense; and to promote education and maintain new channels for facilitating the dissemination of culture and learning.

The Order of Ahepa has made a series of major contributions to the cause of international understanding by strengthening the bonds of good will and friendship between the United States and Greece. AHEPA has also compiled an enviable record with a long list of major contributions to worthy and charitable causes and, during its 50 years, it has financed a wide range of humanitarian national and international projects.

In conclusion, Mr. Speaker, I would like to say that my own parents, who were both born in Greece, came to this country a little over half a century ago. Therefore, I take very great pride not only in my citizenship in the United States, but also in the Hellenic heritage which is mine as well. I believe that it can be accurately stated that a part of America's greatness evolves from its composite nature in which many people of diverse national origins blend successfully together toward the advancement of common goals.

On the local level, men such as Thomas G. Boyer, president; Anthony Boyer, vice president; Alex Zeppos, secretary; Anthony Laspopoulos, treasurer of the Reading, Pa., chapter of AHEPA; and Peter Palles, president; Constantine Depos, secretary; and Michael J. Lucacos, treasurer of the Pottsville, Pa., chapter of AHEPA have joined forces to further the ideals and objectives of their Hellenic heritage. In the scope of national responsibility, the Order of Ahepa stands as an object lesson in this successful cooperation and I congratulate this fine organization, including the local chapters in my district, for its high purposes, worthy contributions, and outstanding achievements in this, its 50th year of existence.

CAPTIVE NATIONS WEEK

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. PRICE of Illinois. Mr. Speaker, the week of July 16 through 22 marks the 13th anniversary of Captive Nations Week.

During this week, Americans are urged to recount the blessings of freedom and justice and remember those who are not so blessed.

The captive nations of the world live without freedom or justice. They have not the opportunity to cherish what many Americans take for granted.

During this week all Americans should stop and remember the basis of the American way of life, freedom and justice, and remember that many people do not enjoy such rights. We should remember, also, that many have died in attempts to obtain freedom and justice in Hungary, Czechoslovakia, and other captive nations.

We as legislators should join in this acknowledgment of the quest for freedom by citizens of captive nations and rededicate ourselves to the task of promoting freedom for captive peoples and creating policy which improves the chances of all people to be free.

HELEN EATON RETIRES FROM SMU

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mrs. HECKLER of Massachusetts. Mr. Speaker, one of mankind's most precious possessions are books, from which he learns and by which he passes on his learning to his successors.

Anyone, therefore, who devotes their life to a stewardship of books is quite a valuable member of society.

Helen Eaton of Swansea, Mass., recently ended such a stewardship after more than 50 years and deserves the thanks and recognition of all of us.

Miss Eaton began her career as a librarian in 1918 in Taunton, Mass., and pursued it over the next half century in various posts in Connecticut and Massachusetts.

Most recently, she served as archivist of Southeastern Massachusetts University in North Dartmouth. There she ended her stewardship this month and received fitting tributes from the university and from her colleagues.

I would like to add my tribute to Miss Eaton not only for a distinguished career but also for a very special contribution to humanity in the care and preservation of books. Her achievements thus have a double dimension.

I submit for the RECORD an account of Miss Eaton's career printed in the Taunton Daily Gazette:

> HELEN EATON RETIRES FROM SMU FACULTY AFTER SERVING OVER 50 YEARS AS LIBRARIAN AND TEACHER
>
> Professor Helen Eaton, with over 50 years of service as teacher and librarian, has retired from the faculty of Southeastern Mass. University, North Dartmouth.
>
> A luncheon was held in her honor at the Campus Center of the university where some 100 friends from the ranks of the faculty and staff gathered to present her with a Paul Revere bowl bearing the university's seal, along with other gifts.
>
> She was also given a party by the library staff who presented her with a pair of copper book ends bearing the university's seal.
>
> A native of Taunton, Miss Eaton graduated from the Winthrop School where she "jumped" the ninth grade, and from Taunton High School's class of 1920.

While in college, she qualified for a teacher's certificate and taught cooking classes at several Greater Boston settlement houses.

Having received her B. S. degree from Simmons College in 1925, she returned there, completed her foreign language entrance requirements for the graduate school, and subsequently graduated in 1927 from the One-Year Programme in library science for college graduates with a certificate equivalent to a fifth-year Master's Degree.

She started her long career of public service as a general assistant at the Taunton Public Library on the Friday afternoon in 1918 that the public schools were closed because of the "Flu Epidemic," and worked there for five years outside of school hours—often as much as 42 hours per week—at the fantastic wage of 16 and two-thirds-cents per hour.

Following graduation from library school, Miss Eaton worked some 19 years on the staff of the Bridegport, Conn., Public Library, first as a cataloguer, then as senior professional referee librarian.

She competed in two of the Library Journal's nation-wide "Ten Most Important Reference Books" contests and both times she came in second.

Also, she was active in the Connecticut chapter of the Special Libraries Association and worked on the Bibliography on the Industrial and Financial History of Connecticut, in the late 1930's and 1940's.

In 1946 she resigned her Bridgeport post and returned to Mass. to accept a position to organize and head the new serials and government documents depository division of the Mass. Institute of Technology Library in Cambridge.

Seven years later (October 1953), Miss Eaton was appointed instructor—librarian on the staff of the Bradford Durfee College of Technology.

She assisted in the English Department with freshman English classes and taught bibliography as well as set up and operated the College Library.

In 1956 she was promoted to the rank of assistant professor. While no longer involved with freshman English classes, she taught more bibliography students and took on the editorial work for the College Catalogue and the Student Handbook as well as expanding the College Library and preparing it for accreditation.

When the Bradford Durfee College of Technology and the New Bedford Institute of Technology were consolidated into the Southeastern Massachusetts Technological Institute in 1964, Miss Eaton relinquished her library title and became a full-time assistant professor in the college of arts and sciences.

In January 1965, Dr. Joseph Driscoll appointed Miss Eaton to the post of archivist of Southeastern Massachusetts Technological Institute as "the only person on the Institute staff qualified" for the position.

Then, in September, after Hastings Keith, Representative of the 12th Congressional District, had succeeded in having the Institute designated as a U.S. Government Documents Depository, Miss Eaton, on loan from the College of Arts and Science, was moved from the Fall River Campus into the Library and Arts Building on the New Bedford Campus to set up the Depository in the Institute Library in the geographical confines of his District.

When the last classes on the New Bedford Campus were transferred to the North Dartmouth site, Miss Eaton's office was relocated on the second floor in the east wing of the Research Building.

With the completion in March 1972, of the new Library Building, Miss Eaton was moved again—this time to the third floor of that building. A new assistant took over the operation of the Government Documents Depository and Miss Eaton spent her full time setting up the Archives and Special Collections.

Miss Eaton lives in Swansea in a house which she herself designed.

Her hobbies include gardening, local history, travel and photography.

She has prepared and presented slide lectures on a variety of subjects, such as: classical art and architecture; the Middle East; horticulture around the world; ancient Corinth; on the fringes of Communist China; old New England churches, etc.

She belongs to both Old Colony and Swansea Historical Societies.

DEMOCRAT FOREIGN POLICY PLATFORM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. DERWINSKI. Mr. Speaker, while the Republican Platform Committee goes about preparing its positions, it is only logical for us to carefully review the Democratic platform now that the dust has settled after the McGovernite dominated convention.

The distinguished international correspondent for the Copley Press, Dumitru Danielopol, in an article in the Joliet Herald-News of July 10, has some strong comments concerning the foreign policy plank in the Democratic platform.

The article follows:

DEMOCRAT FOREIGN POLICY PLAFORM

(By Dumitru Danielopol)

WASHINGTON.—Much of the Democratic Party's foreign policy platform could have been written in Hanoi, Moscow or Peking.

Here are some of the positions taken:

—An immediate and complete withdrawal of all U.S. forces from Indochina. All military action in Southeast Asia will cease. No more military aid to the Saigon government or other allies in Indochina.

—The U.S. will no longer seek to determine the political future of the nations of Indochina.

In other words, if the Democrats get into the White House, the whole of Southeast Asia would be left prey to Communist aggression and take-over.

This plank represents even more than Hanoi has demanded. It is an invitation to the Reds to take over with a pledge that the United States will never again interfere in that part of the world.

A similar fate would befall Greece, a NATO ally. The Democrats would stop all support to the military backed government of that country.

This would open the most vulnerable part of the Eastern Mediterranean to Communist subversion and deprive the Sixth Fleet of its most vital anchorages. It also would expose the Turks and Israel to Soviet pressure.

The platform also proposes.

To deny any use of the SALT agreement as justification for increased military spending.

To abolish the draft.

To reduce overseas bases and forces.

In other words, while the Soviet Union continues to perfect its arsenal, the United States would sit still. This amounts to unilateral disarmament.

The Democrats would stop buying chrome from Rhodesia; would stop all military aid to Portugal, another NATO ally, and cancel the $435 million deal with that country for naval bases in the Azores.

Obviously angling for the Jewish vote, however, the Democrats bravely pledge unequivocal support to Israel's "right to exist." They don't explain how we could help that country once we have practically dismantled our Mediterranean defense system.

It also is interesting to note that the Democrats aim brave words at the ethnics of Eastern European ancestry and promise to "seek to mobilize world opinion to express concern at the denial to the oppressed peoples of Eastern Europe and the minorities of the Soviet Union . . ."

The blatant hypocrisy of this plank is obvious. The ethnics will not fall for it.

Indeed, on the one hand, the Democrats would prepare the ground for a Communist takeover in Southeast Asia, Greece, and Turkey, isolate Portugal, but they piously deplore the fate of those who suffer under Communism in Eastern Europe.

They can't have it both ways.

HAWAII'S ENDANGERED SPECIES ACT

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mrs. MINK. Mr. Speaker, the adoption in 1969 of Federal legislation to help preserve endangered species of fish and wildlife was a landmark in our struggle to preserve natural resources for future generations.

More recently, the State of Hawaii has acted at the State level by adopting its own endangered species conservation act. This law, act 49 of the 1972 legislature, is designed to afford even greater protection to the rapidly dwindling ranks of native Hawaiian wildlife.

It is appropriate that the State of Hawaii should be taking a leading role in this environmental cause, since Hawaii has an island ecosystem unique in the world. This wildlife system, developed over millions of years of island isolation, has been severely affected by habitat changes since the islands were populated by man.

In a 1970 report, the Smithsonian Institution said:

> Hawaii has the most diversified, unique and scientifically significant flora and fauna in the world, and yet the island's environments are so fragile that in nearly 200 years since the Islands were visited by Captain Cook, more animals and plants have been exterminated or brought to the brink of extermination than in all the rest of the United States.

In the past 150 years, 23 of 68 bird species that occur naturally only in Hawaii have become extinct and 29 of those that remain are endangered, primarily because of increased human use of the land and disturbance to the native ecosystems. Hawaii has more than half of the 52 endangered bird species of the entire United States. Only 16 endemic Hawaiian bird species are not considered endangered—officially. But many of these are just "hanging on."

To illustrate the fragility of these island species, the introduction of rabbits about the turn of the century to tiny Laysan Island is a good example. In the absence of any natural enemies, the rabbit population exploded and soon they consumed all the vegetation. The rabbits then perished—as did thousands of nesting seabirds and their young who were trapped in their burrows by wind-driven sands. Laysan, located in the Pacific between Honolulu and Midway Island, had become a barren waste. Tragically, three species of small birds which were exterminated are found nowhere else in the world. A scientific expedition in 1923 witnessed the extermination of the last three honeycreepers in a sandstorm.

Today, the Hawaiian goose—nene—Hawaii's official State bird, is among those on the endangered list. An estimated 25,000 inhabited the lava slopes of Hawaii during the late 1800's, but excessive hunting, predation by introduced mammals, and destruction of food and cover by grazing animals reduced the population to less than 50 by 1945. Although careful and costly management has increased the flock to about 500 birds, the nene's future as a wild bird remains precarious.

Along with birds, Hawaii's only two endemic mammals, the monk seal and the hoary bat, are threatened with extinction. So are all five of the fresh water fish species unique to the State, 500 land mollusks, 1,250 insects, 300 species of flowers and plants, and 25 species of ferns.

The new State act 49 calls for an inventory of the status of indigenous birds and mammals, including their distribution, habitat, and range. The initial State list will be adopted from the current U.S. list compiled under the Federal endangered species law. It shall be unlawful to take, possess, transport, export, process, or sell any bird or mammal on the list except according to regulations of the State department of land and natural resources. The act further provides for the development, regulation, and enforcement of programs, including land acquisition, to maintain or enhance indigenous bird and mammal populations and their associated ecosystems.

I am confident that act 49 offers a valuable opportunity to the State of Hawaii to protect its unique environment, and I hope that all those responsible for implementing the act will do so with vigor and full accord with its purposes.

The indigenous species of wildlife are an integral part of Hawaii's native ecosystems and a part of the living heritage of Hawaii. They represent a natural resource of scientific, cultural, educational, environmental, and economic value to future generations of Hawaii's people.

Our wildlife evolved as part of the land itself. With coordinated efforts in education, observation, research, and ecosystem protection, this wildlife will be preserved so that future generations can sense the continuity of the land and feel an identity with the singular life systems it fostered and molded over thousands of years in Hawaii.

This is in keeping with our State motto: "Ua-Mau-Ke-Ea-O-Ka Aina-I-Ka-Pono"—"The Life of the Land Is Perpetuated in Righteousness."

DR. CLARE HALL'S SUCCESS AT OCEAN VIEW SCHOOL DISTRICT

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. HOSMER. Mr. Speaker, in these days when criticism of our public schools is all too frequent, it is a pleasure to know of a school district which is doing an outstanding job and which has strong public support. Such a district is the Ocean View Elementary District of Huntington Beach, Calif., in my congressional district.

While these achievements resulted from a districtwide effort and a deep community interest in the schools, if there is one man who can be said to be personally responsible for them, it is Dr. Clarence L. "Clare" Hall, who for 4 years has been superintendent of the Ocean View Elementary District.

Dr. Hall has just resigned from this position to accept a post as deputy superintendent for instruction in the California State Department of Education at Sacramento. Although we are sorry to lose him in Huntington Beach, in his new position he will be able to bring his own brand of personal leadership and dedication to schools throughout the great State of California.

Last month, in an article by Jack McCurdy, the Los Angeles Times described the achievements of the Ocean View School District under Dr. Hall's leadership. Because I think these unique achievements should be studied by members of this body and emulated by school systems throughout the country, I am including the article in the RECORD at this point:

[From the Los Angeles Times, June 18, 1972]

CAN SCHOOL DISTRICTS DO A GOOD JOB IN THESE TIMES? ONE DOES

(By Jack McCurdy)

In this tumultuous time of attacks on public education, is it possible that some school districts are quietly educating children, keeping parents happy and providing an imaginative program at a cost that doesn't bankrupt the taxpayers?

There is one that seems to be doing almost everything right—Ocean View Elementary District in Huntington Beach. Consider the record:

Three tax and bond elections have been won in the last three years—and by an overwhelming margin to boot—while most districts in the state and nation have met with mounting failures.

Student achievement in reading has been boosted consistently to an above-average level, despite a downward trend throughout California as a whole.

POWERFUL SUPPORT

Schools have been opened to parents and other citizens to an unusually large degree in contrast with the uneasy superficiality of most public school contacts. The result has been powerful community support for the district and a feeling among many parents that they have some control over school affairs.

The district has built modernistic "open structure" school buildings (without permanent interior halls or walls) at lower costs and has also pioneered other innovations, such as the use of noncredentialed teachers, year-round schooling and a privately run lunch service for pupils.

Ocean View has become a "lighthouse" district in California, and the man who put Ocean View on the map is Clarence L. (Clare) Hall.

He did it during the last four years and is now leaving to become state School Supt. Wilson Riles' deputy in charge of instruction in the state Department of Education.

Because of his talents and the new power he will wield under departmental reorganization, Dr. Hall may become one of the most influential men in education in California.

If Riles' early childhood education program is approved by the Legislature, the department will get the authority to distribute $350 million a year to local school districts.

And Hall would oversee who gets the funds and how they are spent.

Ocean View, then, represents in many ways a microcosm of how state education leaders would like California schools to look in the future.

Hall, 45, was brought in as superintendent of Ocean View in 1968 after a controversy over the taping of youngsters' mouths in school brought an otherwise deteriorating situation to a head.

"The district was in an extremely depressed condition," school board president George Logan recalled.

"It was underfunded, understaffed, morale was low and there was little sense of dedication.

"The district was marking time, preserving the status quo."

RELATIVELY LOW TAX BASE

Ocean View covers a typically upper-middle-class, Anglo suburb, which lacks industry and is therefore relatively low in property wealth for producing tax revenue.

Its tax rate is the fifth highest among 24 elementary districts in the state with 10,000 or more pupils. It ranks 16th in assessed valuation per pupil and 20th in spending per child.

Nearly all of its 24 schools were built during the 1960s when a housing boom turned north Huntington Beach's vacant fields into a brand-new community of homes and apartments.

By most accounts, Hall converted a lackluster school system into one which is constantly crammed with "how-to-do-it" visitors, attracts hundreds of top teaching candidates from colleges and constitutes a major reason why people move to—or don't move from—the area.

MOST ACHIEVING WELL

What pleases parents are:

—Most of the 14,000 students seem to be achieving well—particularly in the basic subjects like reading and mathematics, and the youngsters are interested in school and exposed to many kinds of learning opportunities.

"They try so many things," said Mrs. Betty Morse, a parent. "The child's day is flexible. He may have three teachers one day for history. The class may last one hour one day, a half hour the next. Kids like that—it's fun. It couldn't help but result in higher achievement."

—School meetings are held frequently to discuss new ideas. Contacts with teachers are actively encouraged. Parents are surveyed in detail at least once a year by each school to get their reactions and suggestions.

ADAPT TO CAPABILITIES

The educational philosophy is to "individualize" instruction, to adapt the teaching to the pupil's individual capabilities and interests as a means of maximizing achievement. The surveys show that parents strongly believe that this approach gives children a real chance to reach their potential and that the district is actually practicing what is often educational rhetoric about individualization.

School people appear candid and open about the district's performance and plans. Achievement test scores—successes as well as poor showings—are actively discussed. Concrete efforts are made to correct weaknesses after they show up in test results. Complaints or requests by parents about school offerings frequently turn into serious proposals for new activities by principals.

"We publicize our test results and compare them with past scores," school board member Ralph Bauer said. "We announce how we plan to improve them. There are no secrets. I have found that if you get to people with the facts about what you are doing in education and what it costs, they will back you."

The cardinal rule is that every letter, telephone call or inquiry from the public is answered as fully as possible, and every effort is made to resolve each problem between schools and parents. No complaint or question is allowed through inaction to fester into a sour attitude toward the schools.

The idea behind this policy is that the public owns the schools.

"I have never deluded myself," Hall said, "into thinking that these are 'my' or 'our' schools."

Bauer said the district actively encourages parents to visit schools and work in them.

"You get an ally every time someone comes into a school," he said. "We tell them, 'Let us know if you don't like what you see.' "

It's an official attitude that seems to work—parents swarm over the schools and like what they see.

There is little question that in the final analysis professional educators make the major decisions that run virtually all schools, but in Ocean View parents seem to lack the feeling of powerlessness that is common today in so many school districts.

They are like most parents anywhere—most do not take an active part in school affairs. But they do express a kind of self-assurance that their voices would be heard if need be.

"There has been a big increase in community involvement," said Keith Halfpop, president of the Ocean View Teachers Assn. "They (parents) see what is going, what is lacking. And it has side effects—they really sell the schools to their friends and neighbors."

TEST RESULTS IMPRESSIVE

Many parents know themselves when their children are achieving up to expectations, but the official record of results from state tests for the district is also impressive.

"We have delivered," Bauer said. "Our test results have improved markedly."

Two separate tests were used by the state over the last six years, making comparisons tricky. But Ocean View does show a clear improvement.

Using the same test, the district's median reading score for first grade went from 62 in 1970 to 69 in 1971 and then to 72 in 1972 (with 50 the national average on a scale of 1 to 100).

For second grade, the score rose from 42 to 54 between 1969 and 1970 and one test and from 59 to 64 between 1971 and 1972 using another.

In third grade, the score was 42 in 1969, 47 in 1970 and 50 in 1971, using the same test.

Sixth-grade pupils scored 48 in 1969, 62 in 1970, 59 in 1971 and 54 in 1972 on the same test.

NO IQ INCREASE

During the same period, the IQ (intelligence quotient) remained at an average of 104 for Ocean View children, which indicates that reading ability improved on its own.

The district's schools also use diagnostic-prescriptive testing widely to determine where instruction should be concentrated.

For example, the statewide mathematics test scores reported recently showed a slump in computational skills among pupils, including those in Ocean View.

Several Ocean View schools administered diagnostic tests to find out exactly which sub-skills—such as three-place addition or long division—needed bolstering.

Pupils then worked on the specific areas which showed up weak for each individual, but time was not wasted and students were not bored by drilling everyone on all skills just to remedy certain deficiencies.

Hall feels this kind of achievement can only result from teachers feeling a special dedication as professionals. Most agree that the attitudes flowed from Hall's charisma, one of his strongest assets along with organizational know-how.

He had to rely heavily on inspirational ability early in Ocean View when he launched the first tax election campaign.

Two consecutive tax increase measures had failed badly in Ocean View, but the financial condition of the district ruled out a chance for Hall to build a record before he went to the polls for more funds.

DID WHAT HE SAID

"We simply believed in that man," said Mrs. Morse, education chairman of the Huntington Beach League of Women Voters, "and what he would say to do, we did."

Hall used campaign strategy that he had read about in a research study and had proved successful in his previous district, Pacific Grove.

First, he asked each board member to name the 15 most influential people in his area of the district and principals to select the 25 around their schools. Those who would endorse the tax override were asked to contact others.

An organization of more than 1,000 volunteers was thus created, Hall said, and divided into committees of block workers, precinct teams, work parties, get-out-the-vote groups.

LIST OF "YES" VOTERS

Every voter in the district was contacted face to face, and a list of probable "yes" voters was assembled.

School meetings and kaffeeklatsches were also held, but the focus was on individual contact.

"No energy was spent in trying to convert 'no' voters," Hall explained. "All effort went to finding the 'yes' voters and making sure they voted."

The traditional campaign use of mass media advertising, handbills, bumper strips, lapel buttons, and so forth, is a waste of time and money, Hall thinks.

The promotional brochures and newsletters about the override were sent to the 'yes' voters to keep them as supporters, and each precinct area was given a quota of 'yes' votes to deliver to the polls.

On Election Day in May, 1969, poll watchers checked on who voted and then other teams telephoned the "yes" voters, paid house visits, provided transportation and baby sitters.

The result: a 55.7% majority in favor of raising the tax rate by $1.25 per $100 of assessed valuation to a total of $3.75 for two years.

"We know that the turnout in school elections is only about 25% to 30%," Hall said, "so we need only half of those to win."

The districtwide quota to win was 4,040 "yes" votes, and the measure got 3,911.

TOLD EXACT PLANS

What made the override easier to sell was another unusual technique of Hall's: he spelled out exactly what the money would be used for, a stark contrast to the vague plans which most districts provide the public before elections.

Hall told voters that if the override passed, each school would get a library under a $100,000-a-year program for five years. Spending on instructional materials would be doubled. Teacher salaries would be raised by $375,000. Summer school would be established for the first time. A music program would be launched. And so on.

"We said, 'We'll report back to you on what we have done in two years and you can make the decision on whether to keep the override,' " Hall related.

$7.5 MILLION BONDS

Six months later, Hall undertook another election, this time for a $7.5 million bond issue to build five new schools and increase the maximum interest rate on district bonds.

It won a whopping 71.8% of the vote and passed easily.

Then, in 1971, Hall and the district won a five-year continuance of the $1.25 override with a 70.4% majority.

At the same time, Hall was attempting to translate his educational philosophy into curriculum.

QUIT HIGH SCHOOL

A native of Idaho where he was a high school dropout, Hall entered teaching with a psychology background and, he said, moved into administration with some reluctance for the extra money.

Later, he obtained his doctorate in education from Stanford University where the emphasis in training administrators is more on how schools should be run, rather than how it is currently done.

His thinking reflects the Stanford "ed school" style, untraditional, research-oriented, heavy on accountability and other "modern management" techniques, and given to reading contemporary noneducational books ("Future Shock," "Up the Organization" and authors like John Gardner).

"Social psychologists and other observers of the contemporary scene," Hall said, "provide me with more insight into what education ought to be than the people in the (education) field."

STRESS ON SOCIETY

He is convinced that "if we have a clearer grasp of contemporary society we have a better chance of preparing children for a useful existence, as opposed to someone living in the past and not in touch with reality."

Hall wants to know what society will be like in the coming decades so the schools can adapt themselves to the demands of the future.

"If a school system is not futuristic in its thinking, it will fail the learners."

He is concerned about "preparing kids for a terribly uncertain future" and wants schools to be "sensitive to the pressures and problems and changes impinging on the lives of children."

How the schools cope with that assignment is not at all clear, but Hall is one of the few schoolmen who seem to be thinking seriously about it.

LEARNING TO LEARN

One important way, he feels, is to teach children "how to manage time, to learn how to learn instead of learning a body of facts, to involve kids early in research, in inquiry in the scientific method so it becomes a lifestyle for them."

This indiviualized/independent/inquiry approach is a natural for the so-called "open classroom" plan which Hall favors.

In this kind of arrangement, children are given more freedom to explore their own interests and follow their own learning styles, as long as they set concrete goals for themselves and show learning progress.

There is less of the teacher-dominated instruction and group-paced activities comman to the traditional classroom.

CANNOT BE IMPOSED

Although he feels it is his responsibility to advocate the system he thinks is best, Hall also believes that "no matter how right you think you are, if it is not acceptable to the community it should not be imposed on them."

To carry out the plan, Hall said, central administration positions were cut back and 62 specialists, such as speech therapists and nurses, were transferred from district headquarters to local schools.

"They are now part of the faculties and under the supervision of principals," he said, "and I am convinced that children and teachers are better served."

But some people were also removed. Only one central office administrator who predated Hall still remains.

BROAD DISCRETION

The decentralization policy gives principals wide discretion on the operation of their schools and the expenditure of their own individual budgets.

Principal Norman Guith of Vista View School figured he has $271,000 "to spend as I see fit."

Each school receives allotments for salaries, supplies, materials and services such as telephones and bus trips, but the money can be spent with few restrictions.

The district has wide latitude in the use of different kinds of people who may teach. It obtained exemption from state formulas on the required number of pupils per teacher, allowing the employment of parents, outsiders with special talents, college students and high school youngsters.

MUST SUBMIT PLANS

Local schools must operate within broad goals set down by the school board and are required to submit "educational plans" annually to the board to report their aims and progress.

The plans. Hall said, provide a major means for holding schools accountable for what they do and evaluating their performance regularly. Without such an evaluation system, he added, decentralization is meaningless.

The plans are prepared in cooperation with parents and teachers, and Hall and the board feel that the use of parent volunteers in schools together with the surveys provide for adequate community involvement in local school decision-making.

Teachers have an unusually strong voice in local school policy, and it is not unusual for teachers to interview candidates for teaching jobs and make selections that are routinely approved by principals.

But teachers, too, will come in for a heavy dose of evaluation starting in the fall. Each child, Hall said, will be tested at the start of the year and learning objectives established by pupils and teachers. Followup testing will be done to determine if goals were reached.

The evaluation process is required for all districts under the Stull bill passed by the Legislature last year, but Ocean View appears to be further advanced in its plans than most others.

NEW IDEAS SOUGHT

Local schools are prodded to come up with new ideas under the decentralization concept, which has produced team teaching, nongraded classes, cross-age tutoring, learning centers, flexible scheduling and other innovations.

Two schools start year-round programs July 20 with children and teachers spending nine weeks in school and three weeks off in four continuous cycles.

If adopted districtwide, Hall said, year-round schools would provide the use of 25% more building space and possibly save the district construction of 15 to 16 new schools at a cost of from $30 million to $35 million.

The main symbol of Hall's record, however, is the new Golden View School opened last January.

COURT WITH AVIARY

A saucer-like structure, the school contains an "open" interior designed around a little theater, a natural-light court (with aviary and learning center sandwiched between a low suspended ceiling and carpeted floors.

Open structure, Hall said, affords immeasurable flexibility for teaching, particularly team teaching.

And the exposed environment, he added, makes it much less likely that teachers will engage in the kind of tyrannical behavior with children that has been known to go on behind four walls and a closed door.

CITES SAVINGS

Hall, who helped design the building, said the savings from eliminating interior walls and halls as well as outside walkways allowed the purchase of carpeting and air conditioning for the school.

The building cost $810,000 and at $23.11 per square foot prices out below the average spent on school buildings in the state, he said.

Principals and teachers at some older Ocean View schools are so engrossed with the open space plan that they have asked and been allowed to have interior walls ripped out at district expense.

It's strong testimony to Clarence Hall's influence over one district, which may be extended to many California schools in the future.

FRENCH DEFY NUCLEAR TEST BAN

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mrs. MINK. Mr. Speaker, as part of my continuing efforts to alert Congress to the deplorable series of French nuclear tests in the Pacific, I am inserting newspaper articles describing recent developments.

I inserted other articles in the CONGRESSIONAL RECORDS of June 26—pages 22469–22471—and July 6—pages 23889–23900.

The articles follow:

TAHITIAN: NUCLEAR TESTING ENDANGERS HAWAII, TOO

A visiting Tahitian legislator has expressed puzzlement over the lack of concern in Hawaii about the French nuclear tests in the South Pacific.

Francis A. Sanford, Tahiti's deputy to the French National Assembly, warned that the threat of radiation poisoning from the tests "is as real for Hawaii as it is for Tahiti." He is on his way home after delivering a protest over the nuclear tests to the United Nations.

He pointed out that fish exposed to radiation swim "all over the oceans," and the chances that a fish contaminated by the French nuclear tests will end up on a Hawaii dinner table isn't beyond imagination.

"Someday it will happen," warned Sanford, who is spending a week in Honolulu before he departs for Tahiti on Saturday.

Sanford said he went to New York because the French are using French Polynesians "as guinea pigs" by testing nuclear weapons in their islands.

He said he talked with various officials there, but was unable to take his case to either the General Assembly or the Security Council.

"But I don't think the French government was very happy with my visit," said the outspoken Tahitian in his French-accented English

He said an estimated 120,000 French Polynesians resent France's "arbitrary" use of their islands for nuclear tests "because they have seriously endangered our health."

Sanford's 14-year-old son died of leukemia, a disease with a high incidence in French Polynesia, something which Sanford attributes to nuclear testing there.

He disputed French claims that the nuclear bombs "are clean," or relatively free of harmful effects.

"Why don't they test them in France?"

Sanford asked, but had no explanation for why the United States, a signatory to the nuclear test ban treaty, hasn't protested the French blasts.

"But I wouldn't be surprised if there is a secret accord between the two nations," Sanford said. "They certainly act like they have had diplomatic exchanges on the tests, but I may be wrong."

The 59-year-old legislator is one of his people's staunchest advocates for Tahitian self-rule within the French framework.

"What we want is to have a voice over our internal affairs," he said.

He said he also discussed this issue at the U.N.

Sanford said that at present the majority of his people favor "internal autonomy" rather than full independence.

"But if these criminal acts (the nuclear tests) continue, and one day strong pressures arise for total independence, it won't be our fault because France will have onlv herself to blame," he said.

[From the Honolulu Star-Bulletin, July 13, 1972]

AEC SILENT ON FRENCH N-TESTING

WASHINGTON, D.C.—The Atomic Energy Commission says it has nothing to say about the French nuclear testing in the Pacific.

Despite a Star-Bulletin request for information, the AEC has not yet acknowledged the French tests, and said it has no information on atmospheric radiation resulting from the tests.

The AEC did say, however, that it is unlikely that radiation will be found in the northern hemisphere's atmosphere from the southern Pacific testing.

The Environmetnal Protection Agency has a network of stations in the U.S. and South America sampling air, milk and food, but results from such sampling will probably not be available for a month unless an "alert" level indicating possible danger is reached.

BROTHERS ON NUCLEAR TEST PROTEST FAST

CANBERRA.—Two borthers have begun a fast outside Parliament House here, saying they would not start eating again until the Australian Government breaks diplomatic relations with France.

The two are Malcolm Chambers (21), a piano student at the Sydney Conservatorium, and his brother Phillip (17), a high school student.

They plan to drink only water for the next 10 days and will shelter from below-freezing night temperatures in a car.

Both have taken time off from their studies to protest.

"My education can wait, the environment can't," said Phillip.

He said the Federal Government should suspend diplomatic relations with France until it stopped nuclear tests.

In Auckland, renewed assurances were given that there would be no retaliation by

New Caledonian interests against New Zealand for a union boycott of French ships and planes.

PROLONGED

In a statement made before he returned to Noumea, the president of the Noumea Chamber of Commerce, Mr. Henri Berton, said French importers would not cut trade with New Zealand.

But he added that if the boycott were prolonged, they would have to seek other sources of supply.

Mr. Berten said the handling ban called by the New Zealand Federation of Labour was hurting only the people of the Pacific and New Zealanders.

SLOOP

New Zealand's second protest vessel is due to sail for the French nuclear testing area at Mururoa Atoll today.

She is the 40ft concrete sloop Magic Isle and her crew will include Maori Member of Parliament Mr. Matiu Rata (38), who earlier planned to sail in the protest trawler Boy Roel, now six days out of Tauranga.

Other members of the crew of the Magic Isle named by the organiser, Mr. Roger Boshier, yesterday were a local author, Mr. Maurice Shadbolt, and a civil engineer, Mr. J. S. Harker.

[From the Fiji Times, July 7, 1972]

Protest Crew Saw Nuclear Bomb Blast

Melbourne.—The crew of the protest yacht Greenpeace III saw a French nuclear bomb explode over Mururoa Atoll, the chairman of the Greenpeace Foundation, Mr. Ben Metcalfe, said yesterday.

Speaking by telephone from Vancouver, he told a Melbourne newspaper that the crew saw a glow over the South Pacific atoll and felt strong winds.

He also accused a French minesweeper of deliberately ramming the yacht in the test area earlier this week.

Telling of the latest contact with the protesters, he said: "They are out of the area now and the crew is safe.

"They told us they saw a sudden glow and felt strong winds and turbulence.

"They immediately put on protective clothing and pumped water from some depth all over themselves and Greenpeace III.

RAMMED

"This is the normal procedure in a radiation emergency."

Mr. Metcalfe said the yacht had been "deliberately rammed" by the French minesweeper La Paimpolaise in the test area earlier this week.

"The French are fooling nobody when they say the minesweeper was attempting to pull alongside with a message for the Greenpeace crew," he said.

"A ship of that size would have to send a launch alongside.

SAVINGS

"She deliberately rammed the yacht."

Mr. Metcalfe said the crew were all excellent yachtsmen and the skipper, David Motaggart, paid $30,000, his life savings, for the Greenpeace III voyage.

Mr. Metcalfe said the French nuclear tests in the Pacific were "far from over."

"The tests will continue until the end of July," he said.

"We get our information from authoritative sources in France sympathetic with our cause.

TRIGGERS

"The French are testing four atomic triggers and three hydrogen bombs in this series.

"And they are not even halfway through it yet."

Mr. Metcalfe said Greenpeace III would "soon be back in the test area."

"Our protest is not over yet either," he said.

In London, the British Government said it had independent confirmation that France staged a second nuclear test in the Pacific last Friday.

FIRST

A British foreign affairs spokesman who announced this here did not give any further details.

The Foreign Office disclosed also that it had independent confirmation that the first nuclear explosion of the French current test series was on June 25.

The French Government has so far refused to confirm any of the explosions in its present test series.

The British spokesman said that British monitoring reports had shown after the first test that there was no indication of any hazard to health.

French Ram Peace Yacht

Papeete.—The protest yacht Greenpeace III was taken to the French nuclear test centre at Mururoa Atoll on Monday for repairs after an "accidental collision" with a French minesweeper.

An official spokesman said the yacht then sailed for the Cook Islands, where the three-man crew expected to arrive in 11 days.

The French blamed the collision on Greenpeace III's skipper. A statement said he made a false manoeuvre ahead of the sweeper La Pampolaise as she approached to "deliver a message."

It was the first French confirmation that the yacht had reached the test area, where the crew intended to hamper the 1972 nuclear firing programme.

The statement was authorised by the test programme commander, Admiral Claverie.

REPAIR REQUEST

According to the statement, the yacht broke one mainstay and tangled her rigging in the collision.

Her skipper then asked in writing for repair facilities to render her ocean-going.

The statement said that as the request concerned safety at sea Admiral Claverie agreed immediately and the protest vessel entered the atoll confines at 7 a.m. local time on Sunday (early Monday morning Fiji time).

Meanwhile an Australian Labor Opposition Member of Parliament has arrived in Paris hoping to meet President Georges Pompidou to protest against the testing of what he called "France's filthy nuclear weapons."

TAHITI BAN

Dr. Jim Cairns said he would protest also against a French order banning him from visiting Tahiti, the headquarters for the French nuclear tests.

Dr. Cairns said the office of President Pompidou had been told of his request for an audience, but he was aware that the French President had a very tight schedule this week.

"I shall have to be satisfied with whatever Government official I can obtain to explain the object of my visit," he added.

Some 2,000 Marchers Join Protest

Wellington.—Nearly 2000 people marched on Parliament from Wellington's city centre in almost complete silence to protest against the resumption of French nuclear testing in the Pacific.

On the steps of the Parliament building the marchers presented a four-point petition calling for action against the tests.

Only about 20 police were outside Parliament when the marchers, including students representatives of the Greenpeace movement and mothers and children, arrived.

The opposition Labour Party leader, Mr. Norman Kirk, told the demonstrators he wanted a task force of Government ministers sent to Paris to press the case for ending the tests.

CAMPAIGN

Mr. Kirk called for a strong and united campaign to force the New Zealand Government to act on the tests.

In Auckland, it was announced that the second New Zealand protest vessel to sail for the nuclear test zone was due to leave on Monday.

Mr. Roger Boshier, Auckland organiser for the Peace Media Research Project, which sent the trawler Boy Roel from Tauranga last Sunday, said the second vessel would be the yacht Magic Isles.

Mr. Boshier confirmed that a Labour Member of Parliament, Mr. Mat Rata, would be one of the yacht's crew.

REBUFF

Meanwhile, New Zealand's Federation of Labour has rebuffed representatives from New Caledonia for the repeal of its ban on trade with French territories in the Pacific.

The president of the New Caledonia Chamber of Commerce and Industries, Mr. Henri Berton, said he had been told the ban would be maintained until the French nuclear test series ended.

Mr. Berton visited New Zealand to press for a resumption of normal trade.

In Paris, Australian Labor opposition Member of Parliament, Dr. Jim Cairns failed to see President Pompidou to protest about the nuclear tests.

But Dr. Cairns was received by the President's chief diplomatic adviser, Mr. Jean-Bernard Raimond.

Speaking to reporters afterwards Dr. Cairns warned that the people of the Pacific area would rise up against the French Government if it continued its test programme.

THE AMAZING NIXON

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. MICHEL. Mr. Speaker, an editorial appearing in the July 20, 1972, edition of the Peoria Journal Star entitled "The Amazing Nixon" presents in a capsule form just about the best description and analysis of the results now coming into focus following President Nixon's positive initiatives on the international scene in recent months.

As a Republican who is as proud and pleased as he can be of the President, I concur in the editor's views and include the editorial in the Record at this point so that my colleagues can be apprised of this grassroots point of view:

[From the Peoria Journal Star, July 20, 1972]

The Amazing Nixon

If we hadn't long since become somewhat "shell-shocked" by the pace of events and the blizzards of news, we would stand in utter amazement at the set of developments confronting us in recent weeks in the "Cold War."

Nobody is lifting a finger to break the mine blockade of Haiphong, and reliable reports directly attributed to diplomats of China and Russia tell us that both countries have told Hanoi to get about the business of shutting down the Vietnam war.

Russia has just made a deal with a U.S. firm for five billions of dollars worth of developments—mostly in petro-chemicals, from fertilizers to oil. (It is an act which exposed the existence and extent of a critical failure in their overall economic development and makes new relationships and dependency real.)

Russian and U.S. scientists have worked

out details and design for a joint space effort to link their space-craft and ours in a dramatic future flight.

The 20,000 Russians bolstering Egypt in the air and in the operation of sophisticated weapons are leaving Egypt.

Such events continue to unroll after the amicable visits between the U.S. president and the leaders of China and Russia, in addition to the first-step arms agreement between the U.S. and Russia.

What does it mean? Are we suckers, or are world conditions and wise policies producing a desperately needed amity between the great powers at long last?

It's very possibly for real.

Remember what Golda Meir, the brilliant Israeli chief of state, said about the Russians and their undependable record: "You can't even depend on them to double-cross you!"

Certain it is that big power amity has been the golden dream of the American "liberal", and more has been done toward such amity in the last six months by, of all people, R. M. Nixon, than in all the years by all the Presidents from Franklin Roosevelt down through Kennedy and Johnson.

The only thing wrong is that, to many, the wrong guy did it, and he did it in what they still insist was "the wrong way."

For this progress, so stunning it still hasn't come home fully to us, was accomplished by careful planning, preparation and staging using techniques that were the very opposite of those which the liberal cult demanded, and even attempted at times.

FDR tried giving the Soviets whatever they wanted and asking nothing in return in order to "win their trust." All we actually got for this approach was cynical contempt and exploitation of our gullibility.

More recently, the so-called liberal clique shouted that improved relations among the nuclear powers, essential to security and stable peace, was "impossible" so long as the Vietnam war existed.

They said relations with China were "impossible" while the war went on, and they would be wrecked for another generation if we supported military incursions across the borders of Cambodia and Laos.

Instead, such action was part of the staging and the incursions were the immediate preface to unprecedented top level talks.

They said better relations were "impossible" with the Soviets while the war went on, and that if we intensified it, such as resuming the bombing—and horror-of-horrors, mining harbors!—the hostility would be shattering and chances for ending the "Cold War" shoved back another decade!

Instead, standing firm in Vietnam was part of the preparation and staging and resuming bombing and mining harbors were the actual immediate preface to successful talks and the succession of events now unfolding.

They also said the only chance for military cut-backs of any sort were to kill the ABM project at birth, slash the defense budget, bring American soldiers home, sink our aircraft carriers, and then talk to the Russians about slowing down their production

Mr. Nixon figured the opposite, that an ABM authority, a strong military force, and U.S. troops remaining with NATO were indispensable tools for effective negotiations.

Events have demonstrated so very clearly that those who thought the way to reach mutual respect and understanding with the great Communist powers was to prostrate ourselves before them, so to speak, were dead wrong. They didn't know those people over there. They didn't know what they were talking about.

And this fellow, Nixon, the fellow they compared to a "used car salesman", as it turned out understands those people in Peking and Moscow—and apparently in Hanoi—so much better that he got results they still can't believe!

Do they appreciate these gains that were once but dreams—and very specially their most golden dreams?

Hardly. Because it showed their policies and techniques to be hollow and those of sober strength to be superior, many of them hate him for it!

When we look at what is at stake in this world, and for mankind, the reaction is cheap, selfish, unworthy.

Indeed, with what is at stake, it's nuts.

C. L. DANCEY.

TRIBUTE TO THE MEMORY OF LT. GARY ENGELSTAD

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ABOUREZK. Mr. Speaker, Lt. Gary Engelstad was one of the 240 people who lost their lives in the Rapid City flood. He was not a resident of the Black Hills area, but found himself in Rapid City on the day of that terrible disaster as a member of one of the many rescue units of the South Dakota National Guard. I insert into the RECORD the remarks of Mr. H. B. Cleveland, who gave the memorial tribute to Lieutenant Engelstad on behalf of the South Dakota National Guard. His remarks:

To understand the many facts which contributed to Gary's spirit of valor can best be garnered from the supplications of the "Cadet Prayer," still being said at the United States Military Academy as part of the training of this Nation's military leaders:

"Strengthen and increase our admiration for honest dealing and clean thinking, and suffer not our hatred of hypocrisy and pretense ever to diminish. Encourage us in our endeavor to live about the common level of life. Make us to choose the harder right instead of the easier wrong, and never to be content with a half truth when the whole can be won. Endow us with a courage that is born of loyalty to all that is noble and worthy, that scorns to compromise with vice and injustice, and knows no fear when truth and right are in jeopardy. Guard us against flippancy and irreverence in the sacred things of life. Grant us new ties of friendship and new opportunities of service. Kindle our hearts in fellowship with those of a cheerful countenance, and soften our hearts with sympathy for those who sorrow and suffer."

In the darkest hour of tragedy that hit Rapid City, there came a bright and inspiring light of bravery and love in the men of the South Dakota National Guard. Lt. Gary Engelstad was a part of that story for as he and his fellow Guardsmen tried to save the lives of helpless children and adults, he wrote a new chapter of heroism in our history and this shall forever be.

This much loved and your respected officer and friend gave his life for others. The name Lt. Gary Engelstad will forever remain an inspiration for the South Dakota National Guard.

Gary was able to love deeply and intimately in his home and community, but he also loved the wider world of mankind.

As a boy of 13, Gary heard his young President say, "Ask not what your country can do for you . . . but what you can do for your country."

His President gave his life . . . Gary gave his life . . . for his country.

Words can never really tell you Evie and Darcy the gratitude and sorrow we the people of South Dakota feel for you . . . but be assured that we offer you our prayers and now may you always remember that our Lord said . . . "Greater love hath no man than this . . . That he lay down his life for another," Gary did.

AHEPA'S GOLDEN ANNIVERSARY

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. BOLAND. Mr. Speaker, AHEPA—the American Hellenic Educational Progressive Association, a fraternal organization for people of Greek descent—celebrates its 50th anniversary this month. Founded by a scant handful of men on July 26, 1922, in Atlanta, Ga., AHEPA has grown enormously over the past half century, now administering 430 local chapters throughout the United States, Canada, and Australia. The organization pursues no narrow political or sectarian goals. Its sole raison d'être—aside from good fellowship and family participation, for which the group is unrivalled anywhere—is service to humanity.

AHEPA's record in carrying out such service is truly remarkable—ranging all the way from selling $500 million in war bonds during World War II, to clothing and feeding the victims of natural disasters, to establishing schools and hospitals worldwide, to awarding thousands of scholarships to needy students. And, on the local level, AHEPA's 430 chapters have achieved goals just as remarkable, promoting good citizenship and answering any community needs within their capability.

I can testify personally, Mr. Speaker, to the services performed by two AHEPA chapters in my congressional district—one in Springfield, Mass., the other in the nearby community of Webster.

I want to pay special tribute to the officers of these two chapters:

Nestor P. Cokkinas, president of the Springfield chapter.

George M. Parakilas, vice president.

Harold Harper, secretary.

James Stathis, treasurer.

Victor Minchoff, president of the Webster chapter.

Emmanuel Pappas, vice president.

Achillis J. Pappas, secretary.

Arthur Pappas, treasurer.

I would like to point out, Mr. Speaker, that AHEPA embraces four distinct organizations coordinating their efforts on the local, national, and international levels: the Order of Ahepa itself, the Daughters of Penelope—senior women's auxiliary—the Sons of Pericles—junior young men's auxiliary—and the Maids of Athena—junior young women's auxiliary.

The avowed goals of all four organizations are:

First. To promote and encourage loyalty to the United States of America.

Second. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

Third. To instill in its membership a due appreciation of the privileges of citizenship.

Fourth. To encourage its members to always be profoundly interested and actively involved in the political, civic, social, and commercial fields of human endeavor.

Fifth. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor and integrity of every nation.

Sixth. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture.

Seventh. To promote good fellowship, and endow its members with the perfection of moral sense.

Eighth. To endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness.

Ninth. To champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

A TRIBUTE TO THE FORWARD

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. BIAGGI. Mr. Speaker, it gives me great pleasure to pay tribute to the Forward, New York's Yiddish-language daily newspaper, on the occasion of its 75th anniversary. For three-quarters of a century, the dedicated staff of the Forward has served the Jewish community with news and features, providing thousands of immigrants with their first introduction to American life.

A liberal, yet anti-Communist newspaper, the Forward has been instrumental in uniting the Jewish community in its quest for decent housing, employment, and equal opportunities. Several great labor unions were founded and strengthened through the efforts of the Forward. The Forward has also served as an effective channel for the development of Jewish arts and letters, publishing stories and essays of the greatest Jewish writers of modern times.

Mr. Speaker, I am pleased to include in the RECORD the following Forward editorial, and to extend my own sincere congratulations to the Forward, with best wishes for many more productive years of service to the community:

WHO OWNS THE "FORWARD"?

It is difficult to explain who are the owners of the Forward. After 75 years of publication, people continue to ask about the ownership of the paper. Jacob Rich answers by saying that there are no owners, no company, and no corporation. There are no shares and no dividends, and even in the years of the Forward's prosperity, no one had a penny of profit from the paper. The Forward is under the control of a voluntary association—the Forward Association. Rich proposes to have a look at the founders and publishers of the paper to grasp the difference between a corporation and a voluntary association.

The founders were all poor and never dreamed that their newspaper venture would yield any profits. They rather assumed that they would have to come to the aid of the paper with contributions from their own pockets. This was actually the case for years, before the Forward established itself among the immigrant population. There were times when it appeared that the paper would fail because there was no money to pay bills for paper and other costs. On such occasions, the members of the "Forward Association" were the first to come to the rescue of their feeble newspaper, to collect the funds to meet the creditors' demands and the notices from the Sheriffs office. They took from their meager incomes and often pawned a watch, an overcoat or whatever else they could manage in order to rescue the newspaper.

Such crises arose often and it never occurred to anyone that it could be otherwise; that a Socialist paper, preaching the ideals of freedom, equality, and human dignity for the workers could be financially secure did not seem possible. The most difficult years were the first 6 or 7 years after the founding of the Forward. Ab. Cahan was missing for five straight years because he could not tolerate the constant complaints of the "genossen," that curious word for "chaverim" or comrades, borrowed from the German Socialists. The name "Forward" also was derived from the "Berliner Vorwaerts." It was in 1903, after the Kishinev program, that Cahan returned to the Forward and it took years after that, for the paper to begin to breathe freely.

During the first decade of this century, picnics, excursions and balls were arranged to produce funds for the paper. Some of these activities became traditions and in later years, the income went to support unions during strikes for recognition or for improved working conditions. Considering all these facts, it becomes obvious that there are no owners of the Forward. The newspaper was founded by idealists as a form of commitment to their ideals. It was this that gave the paper its extra dimension and attracted the finest element of readers, members, and participants. It is regrettable and painful that such cherished people should have been scolded, libeled, and cursed in later years, by the opponents and competitors of the paper. There are no owners of the Forward, but it owns a treasure of spiritual riches.

NEW POSTAL OFFICIAL SEES IMPROVING SERVICE

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. PURCELL. Mr. Speaker, I want to extend my congratulations and best wishes to Mr. Howard Buck, recently named officer in charge of the Borger, Tex., Post Office. Mr. Buck has been with the Postal Service for 17 years.

Recently, in an interview by the Borger News, Mr. Buck outlined his concept of what the new U.S. Postal Service should be. As a member of the House Post Office and Civil Service Committee and one who has some responsibility in overseeing operations of the Postal Service, I am pleased to see men like Mr. Buck promoted to positions of responsibility. Judging from his comments, he is an industrious and conscientious public servant. I include as a part of my remarks the article from the July 1, 1972 issue of the Borger News:

HOWARD BUCK ON POSTAL SERVICE

(By Eck Spahich)

A new postal officer has been appointed to supervise the postal service in the Borger area.

He is Howard Buck, 35-year-old former Amarilloan, who took charge of the Borger Postal Service Saturday following the retirement of Postmaster Sid Carpenter after 30 years of service with the Post Office.

Buck received the appointment by C. T. Davis, Amarillo postmaster and head of the area section center facilities.

Prior to his present appointment, he was a foreman of mail and delivery at the Amarillo Post Office. He will be acting officer in charge until a new postmaster is selected.

Buck is married to the former DeLois Grant of Witharrel, near Littlefield, and the father of two children. He is making plans to move his family to Borger.

A native of Littlefield, he joined the U.S. Postal Service 17 years ago in Amarillo.

"I am interested in the job," he said speaking of the postmaster's position, and added he will be competing with other qualified men.

A year ago, on July 1, 1971, the post office changed the name of their operation from the Postal Office Department to the U.S. Postal Service.

The change in name may not have been noticed by some people, Buck said: "After all, as Gertrude Stein said, a rose is a rose is a rose is a rose."

"We changed more than a name," he said. "We applied more than cosmetics to how we handle the mail."

The officer in charge said, "We are going out after business, and in doing so we are treating our 200 million customers like customers."

Buck said for years in the postal vocabulary the people who used the mail were known as "patrons." Now they are called customers.

"We are out to let the public know that we care about their business," he said.

Buck explained the Postal Service has a monopoly in letter mail, but admitted it has competition in other type of mail and have been losing business where it has competition.

He said postal administrators realize that the Postal Service has to stand on its own two feet in the market place.

"We are setting up our own booths in that market place," Buck said. "We are creating new services and products and perfecting our older, services."

He said new services include Mailgram, Express Mail and Controlpak. The Mailgram is a joint venture with Western Union, combining the best of electronic transmission with personal delivery. Messages are sent via Western Union wires and delivered by letter carriers. He said the Mailgram is cheaper than a telegram and faster than a letter.

Express Mail Service is a 24-hour, seven-day a week courier type of service between 50 major cities. It provides customized service options to meet customer needs.

Controlpak is a program designed to meet needs of major credit card mailers requiring a low cost, high security, nationwide distributions for their cards. Buck said all have been successful.

"We are dedicated to giving the best possible postal service, and to do it at the lowest possible cost," he stressed.

TRIBUTE TO THE ORDER OF AHEPA

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. GIAIMO. Mr. Speaker, this year the American Hellenic Educational Progressive Association—commonly known in this Nation as AHEPA—is celebrating the 50th anniversary of its founding on July 26, 1922.

AHEPA has distinguished itself during

these 50 years for its service to charitable causes and aid to victims of natural disasters and for its encouragement of AHEPA members to become good citizens and constructive contributors to all facets of American life.

I have had the pleasure of knowing and working with many members of AHEPA during my service in Congress, both on the local and State and at the national level. Without exception, the mark of an Ahepan is his commitment to serving his fellowman, and his dedication to improving himself and his Nation at the same time.

Most recently, the Order of Ahepa has been most interested and helpful in giving its voluntary efforts to the cause of helping children and young adults with Cooley's anemia. This genetic blood disorder, which affects people from all national and ethnic backgrounds, but which is found most frequently in persons of Greek and Italian descent, leaves its victims with multiple medical, sociological, and financial problems.

Some of the problems of Cooley's anemia victims can be and should be addressed by the Federal Government—through pending legislation to support medical research, for example—but some, such as patient services, are best met through private efforts. The Greek community in my own town of New Haven, Conn., has shown exactly what kind of dedication and help can be given along those lines, and the cause of helping such children and young adults—as with so many other causes during the past 50 years—has been enthusiastically picked up by many chapters of the Order of Ahepa.

Mr. Speaker, it used to be true in this country that immigrants from all lands were not treated fairly or well by the existing powers in society and government, and that they had to band together to pull each other up by the bootstraps. It is now becoming clear, however, that those who bring a cultural diversity to this Nation, and their children and their children's children, have so very much to contribute to both our own society and to the land from which they or their ancestors came. A prime cause for this emerging realization has been precisely the work of organizations like the AHEPA—in this case, promoting understanding of the attributes and ideals of Hellenism and Hellenic culture at the same time that worthy causes are addressed and fine work done selflessly.

I salute the Order of Ahepa, Mr. Speaker, for its 50 years of good work, its 50 years of promoting understanding, and its 50 years of developing fine character in the men and women who are privileged to belong to the order.

THE 50TH ANNIVERSARY OF AHEPA

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. MONAGAN. Mr. Speaker, the American Hellenic Educational Progressive Association, AHEPA, is celebrating its 50th anniversary this year. Since its founding July 26, 1922 in Atlanta, Ga., this unselfish, nonpolitical organization has dedicated itself to the aid and welfare of peoples not only of the United States but throughout the world.

In the field of relief assistance, AHEPA has been consequential in the relief of the Florida hurricane victims, Mississippi flood victims, Corinth earthquake victims and Ionian Islands earthquake victims to name only several instances. In time of strife AHEPA has contributed greatly to the war orphans of Greece, the Greek War Relief and during World War II, AHEPA, acting as an official issuing agency of the U.S. Treasury sold $500 million worth of U.S. war bonds.

As an educational agency, AHEPA has founded libraries, sponsored educational trips to Greece and donated to the Hellenic Museum. AHEPA has founded universities and academies of learning both in this country and in Europe. AHEPA has also founded hospitals and health centers in Greece and has created the Dr. George Papanicolaou Cancer Research in Miami and these are only a few concerns of this international service orientated organization. The list of achievements goes on and on and grows daily.

AHEPA is an organization which has as its objective to instill in its members pride and patriotism in the United States, the promotion of mutual understanding among all peoples of the world and championing the cause of education, health, and assistance throughout the world.

It is my honor and privilege to commend the Order of Ahepa for all that it has done during the past 50 years and I am confident that they will continue to so greatly aid all peoples of the world, particularly in this day and age, when help is so desperately needed. The supreme president of AHEPA is Mr. Sam Nakis. I would furthermore like to call to the attention of the House several of the outstanding members of AHEPA from my home State of Connecticut. They are:

Current supreme governor: Nicholas Zannetos, Newington.

Current district lodge officers:

Nicholas P. Giatrelis, lieutenant governor, North Haven.

P. Jeffrey Louis, secretary, New Britain.

Peter Stamos, treasurer, Ansonia.

Stephen Grossomanides, marshal, Wethersfield.

Mino G. Marnel, adviser, New Haven.

James Christodlous, athletic director, Norwich.

Past national officers:

C. P. Verinis, past supreme president, Milford.

George J. Margolis, past supreme president, New Haven.

Local chapter officers:

Patsy W. Macchia, president, Waterbury.

Constantine Tzepos, vice president, Waterbury.

C. Charles Chekas, secretary, Waterbury.

Arthur J. Velezis, treasurer, Waterbury.

C. S. Macricostas, president, Danbury.

Nick Kolitsas, vice president, Danbury.

Chris Totolis, secretary, Danbury.

C. C. Vournazos, treasurer, Danbury.

Ned Davis, president, Meriden.

John Siafias, vice president, Meriden.

John Stargu, secretary, Meriden.

Sam Procopiou, treasurer, Meriden.

May the golden anniversary of AHEPA be as brilliant as the Golden Age of Greece.

POVERTY IN THE MILITARY

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, last year, under the able leadership of Chairman HÉBERT, the House Armed Services Committee initiated legislation which provided our first term servicemen with the most significant military pay increase ever. This action evidenced the commitment of the Congress to terminate conscription by June 30, 1973. More importantly, it demonstrated the interest of this body in removing the financial penalty the draft had imposed upon military service.

Last year's increase, however, represents only the first step. Our lower-ranking GI's are still denied most of the travel allowances and housing opportunities available to careerists. The problem is particularly acute considering the frequent changes of station made by military personnel, and the high cost of living in overseas areas.

It is intolerable that the military continue to use the crutch of the draft to hold down manpower costs—at the expense of the welfare of our men in uniform and their families. A graphic description of the continued existence of poverty among our servicemen was provided in the August 2 issue of the Army Times' Family magazine. I commend an excerpt of this item to your attention:

POVERTY IN EUROPE: DOWN AND OUT FROM MAINZ TO FRANKFURT

(By Jan Nugent)

"There is one plus to this situation. . . I'd never experienced poverty before. Maybe I still can't identify completely with the black in the ghetto, but believe me I can come a lot closer now."

This is Martin, a young airman who is also a college graduate, philosophizing about his tour of duty in Germany. The situation he refers to is living and supporting his wife and baby on an enlisted man's pay in Europe, without the benefits of command sponsorship.

Is poverty too strong a word? A series of interviews with Army and Air Force service members in Wiesbaden, Frankfurt and Nuremberg indicates the answer is no. The living standard of younger, enlisted men with nonsponsored families, and even of some older career members in Germany is a depressing one by almost any standard.

In contrast to those rosy stories about soft living overseas, several characterized their stay in Germany as a "real hardship tour."

Scarce and expensive substandard housing, overpriced auto insurance, lack of jobs for wives and social isolation are common elements. In the case of families without command support, who are eligible for few of the services given officers' and long-term EMs' dependents, the problems intensify.

The majority of enlisted men in Europe—those with less than four years service who have not reenlisted already—must pay for their families' transportation overseas and are not eligible for government housing when they arrive. The weight allowance given these men is too low to permit shipment of any household goods. Since they also are ineligible for government-issue furniture granted to sponsored families, they must either pay more for a furnished apartment, or purchase all appliances and household furnishings in Europe.

Several couples estimated transportation and "startup" expenses at around $1000—a lot of money for an E-3 or E-4 to dig up. Many go into debt to finance it, and add to their financial worries.

For these people, both money and services are in short supply. The only way to beat the system, they say, is to have no children and an employable wife.

Lower-ranking servicemen (E-5 and under) agreed that recent raises in their basic pay did not solve their money problems. In Germany and several other overseas locations, their housing allowance (HOLA) was cut substantially when their basic allowance for quarters (BAQ) was raised, leaving their housing entitlement substantially unchanged in dollars and badly shrunken in terms of Deutschemarks or other European currencies. One E-4 said the November BAQ "raise" cost him around $20. There is no cost of living allowance (COLA) in Germany.

Most were well aware of just what devaluation meant, and explained it this way: The dollar in Germany sank 13.5 percent last year. This means the Deutschemark (DM), which once was worth 27 cents, is now worth 31. German consumer prices zoomed upward by six percent in 1971, and the climb is continuing.

Though commissary and exchange officials have stated that most of their prices on U.S. products have remained stable, most enlisted families FAMILY interviewed complained of generally higher living costs. The real possibility of having to live in marginal or actual poverty conditions doesn't seem to scare many families away from Europe, or at least prevent them from trying to make a go of it.

To make matters worse, many of the supportive factors available to a lower-ranking serviceman in the U.S. are absent in Europe. Although they pay Federal and state taxes, they are ineligible for U.S. welfare or food stamps overseas, both of which are available to low-income service families in the States. Prospects for moonlighting and jobs for wives are scarce, and many of the jobs which are available pay less than the U.S. minimum wage.

Cheaper shopping offered by large discount chains in U.S. urban areas are not available here, and any purchase made on the economy must be paid for in devalued dollars. Cut off from their families, usually unable to speak German, many service families find their stay here anything but a happy one.

Housing remains the crucial problem. There is such a shortage of on-station housing in Germany that many career service members who are eligible for it cannot be accommodated. USAREUR has about 41,000 government family units in Europe. But more than 29,000 additional families, some 12,000 of whom are authorized government housing, must live off-post. The AF has 6000 unsponsored families in Europe. There are 2600 AF families living on the economy in the Weisbaden area, and just over 2500 in government quarters.

The housing crunch forces families to search for accommodations on the German economy, which currently has a shortage of at least one million units.

In Frankfurt, an unfurnished one-bedroom apartment costs from 400 to 500 DM ($124 to $155) a month, and the tenant is responsible for buying and installing all the furnishings, including light fixtures and kitchen appliances. Monthly utilities, such as heating, electricity, and water, amount to another $20 or $25. A lump sum payment of $400 to $700 is not unusual before taking possession.

This can include a key charge, an agent's fee of from one to three month's rent, a security deposit of a comparable amount, and a month's rent in advance. Rents in smaller towns may be less, but they generally equal or exceed those in comparable U.S. living areas.

Two Army E-5s told of German landlords who increased their rents each time an apartment changed hands, sometimes three or four times a year, which resulted in a 20 percent total rent increase over 12 months, before devaluation.

CUTTING POST-SALT FUNDS

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. HARRINGTON. Mr. Speaker, it is generally agreed that the President's accomplishments at the summit meeting in Moscow are of a great significance in both the affairs of this country and in those of the world. I certainly feel that the SALT accords are a step forward on the road to a world in which all men can live in peace. I have on numerous occasions lauded the talks, but at the same time have expressed the hope that nothing would hinder the progress made on that all important road. I feel very strongly that increasing military spending at this time, especially granting the $110 million requested by Secretary of Defense Laird to upgrade strategic systems not limited by the talks, would have an adverse effect on the advances made to this point. It would indeed be a grave error, demonstrating a lack of faith in the Soviets, as well as further estranging an already wary American public who wonder why arms limitation results in spending more of their hard-earned money on sophisticated weaponry. It is absolutely essential that we now curtail military expenditures in order to prove our trust in the Soviet Union, assuring them and the rest of the world that America is serious about bringing an end to an arms race that can lead only to self-destruction.

I include in the RECORD an excellent article by Leslie H. Gelb and Anthony Lake which appeared in The Washington Post on July 26, 1972, They feel, as I do, that appropriating moneys, which are, in fact needless, to the military at the present time would not serve the best interests of this Nation. By inserting the article, I wish to impress upon my fellow Members of Congress—as I have tried to do many times in the past—the crucial nature of this issue, and urge them to act wisely and vote against the appropriation of these unnecessary funds. The article follows:

BILLIONS AND SANITY: THE COST OF THE BARGAINING CHIPS

(By Leslie H. Gelb and Anthony Lake)

(NOTE.—Mr. Gelb is the former Pentagon director of policy planning and arms control. Mr. Lake was formerly in the State Department and was on the staff of Henry Kissinger and that of Sen. Edmund Muskie.)

Every once in a while, an idea about foreign affairs comes along that has simplicity and force. It has force because it is simple. And also because it is simple, it is usually both wrong and costly. Nevertheless, these ideas come to dominate political debate.

The domino theory was one such idea. It held sway over U.S. strategic thinking for 20 years. It was major rationale in American involvement in Vietnam.

The bargaining chip idea is the new vogue. It is presently holding sway over the U.S. approach to negotiations generally and SALT in particular. It will result in the needless expenditure of billions of dollars on new weapons systems.

Both ideas, to be sure, possess kernels of truth. The domino theory played on the fact that U.S. action in one area does produce reaction to the U.S. in another. The bargaining chip gets at the fact that negotiations among nations require more than goodwill. The trouble has been that both ideas have been stretched well beyond their value. They are used—and quite successfully so—to justify actions that would otherwise be indefensible.

The political dynamics work like this. The owner of the simple idea, usually the President seeking to get his way, imposes his definition of the idea on the debate. Its opponents usually respond by rejecting the whole idea rather than pointing out the misleading way it is being used. In order to make their case understandable to the public, the opponents oversimplify as much as the President. They thus trap themselves by pitting their authority against the authority of the President. The President wins every time.

The domino theory is an historical case in point. For 25 years, Presidents have been telling us that other nations are watching what we do in Vietnam, that they are judging the American commitment to them by our actions in Vietnam, and that these judgments would determine their policies toward Communist nations—i.e. help determine whether they became "dominoes." Critics denied this. Pro or anti domino theory, neither side could be proven wrong, and the country went along with the President.

Foreign leaders were watching us in Vietnam, but they were not all watching us in the same way. It is highly doubtful that more than a handful wanted or expected us to become increasingly involved in a situation where our interests were so tenuous. Indeed, as we became mired down, most foreign leaders must have been more impressed by our stupidity than our courage. Nevertheless, the American public accepted the President's reading.

Right now, President Nixon is taking the country down a similar garden path with his bargaining chip idea. He says he needs certain chips—some new weapons systems and some old force deployments—to deal with Peking and Moscow. Some critics say this is just the same old dangerous cold war thinking. It was an easy task for the President to turn these arguments to his advantage by playing precisely on old public cold war fears. What the critics should have been doing was not to deny that the President needs chips, but to challenge his definition of the chips he needs to bargain.

President Nixon has fronted his version of bargaining chips in the current debate on SALT. For three years, he has told us that he required the Safeguard ABM system to have leverage on Moscow's offensive nuclear forces. The Congress essentialy gave him what he wanted on Safeguard—billions of dollars for deployment at four sites. Now the administration says it needs a new bomber force (the B-1) and a new submarine force (Trident, formerly ULMS) for the next stage of SALT. Indeed, the Secretary of Defense has said that even the SALT 1 agreements would be unacceptable unless the Congress approves these new weapons systerms for SALT 2.

The President's political hand is strong in making these arguments because he brought home an arms control agreement from Moscow. The House has already passed the administration's new requests, and the issue is now coming to the Senate floor with all signs pointing to approval. In effect, Mr. Nixon's argument is: "Look. It worked. Without those Safeguard deployments, I wouldn't have been able to get Moscow to compromise." It is hard to argue with success.

But wasn't there a better way? The President had two alternatives. He could have proposed a mutual freeze at the outset of the talks. This way, neither side would have had to bear the costs of new deployments—Safeguard for us and offensive missiles for the Russians. Or if Moscow rejected the mutual freeze proposal, he could have asked the Congress for research and development funds and authority to put deployment funds in escrow—without actually deploying Safeguard.

President Nixon tried neither approach and got his treaties, but with three unfortunate results. First, Safeguard was partially deployed not on its own merits (which were highly questionable), but for its presumed value in bargaining—thus setting a precedent for buying new systems even when they are not needed. Second, we ended up retaining one Safeguard site defending our Minuteman missiles that makes no sense and holding the option to build a second site in Washington that we did not want, thus setting the precedent of keeping the bargaining chips that we built rather than negotiating them away in return for Soviet reductions. Third, we ended SALT 1 with both sides promising to build new generations of weapons, thus setting the precedent of arms control agreements that fuel the arms race rather than control it. If SALT 1 is a precedent, succeeding rounds will again ratify increased levels of armaments.

This is a waste. Of course, the President needs bargaining chips. But there is a fundamental fallacy in this approach: new weapons systems do not actually have to be deployed in order to give him bargaining power. This power derives from the American potential to deploy, not actual deployment. Continued research and development and the placing of funds in escrow would give the President the same leverage without the cost.

We are at a point where decisions on the B-1 and the Trident will shape U.S. force posture and arms competition with Russia for the next five years. Acceleration of their development in this budget would make virtually inevitable their deployment. An alternative is simply to maintain a basic research and development program, without deciding now on the specific new submarine or bomber forces we might someday need.

We can act sensibly or repeat the mistakes of the past. The Congress would do well to entertain this idea: if the Russians know we are now developing the technological capability to deploy, and we set the money aside at some point for purposes of deployment, we can achieve the same bargaining position as by actually spending the money. The difference for Americans is billions of tax dollars. The difference for Soviet-American relations is a little more sanity.

HOW WASHINGTON DECIDES WHAT MEDICINES YOU MAY TAKE

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. SCHMITZ. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

I was informed by my doctor's office that the drug Anergex has been taken off the market by the Food and Drug Administration, because they say they have found it ineffective. Both my son and I went through the series of shots for our allergies and found it very effective. . . . This is the one drug my doctor has used on me that really worked and believe me he has tried everything! . . . I hope that you (will) do whatever you can to get Anergex back on the market, to impress upon the Food and Drug Administration that it does work and we need the drug. . . . I really would appreciate it if there is anything you could possibly do.—from a letter to me from one of my constituents, Mrs. Phil Hardwick of Santa Ana (quoted with her permission)

The enclosed letter from one of my constituents, objecting to your action removing the drug Anergex from the market, is sent to you for comment and further explanation of your action.—from my first letter to the Food and Drug Administration

I have your letter of May 10 in response to my inquiry of April 13 following up a constituent's objection to the withdrawal of the drug Anergex from the market. Your letter is couched in very general terms explaining your authority to have such a drug withdrawn and the procedures required to obtain permission to reintroduce it. Your authority to take this action is not in doubt and my constituent is hardly in a position to undertake the procedures for reintroducing the drug to the market. What she needs to know is specifically *why* this drug was withdrawn—from my second letter to the Food and Drug Administration.

Dear Mr. Schmitz: This is in reply to your May 16, 1972, letter further regarding withdrawal of Anergex from the market. Anergex . . . was reviewed by the National Academy of Sciences-National Research Council and subsequently was the subject of an order withdrawing approval of the new drug application (NDA 10–491) published in the Federal Register of June 10, 1971. The Commissioner's finding is based on a lack of substantial evidence that the drug is effective . . . We cannot permit the continued marketing and human administration of Anergex.—Letter to me from the Food and Drug Administration. June 14, 1972.

Notice that in this correspondence, there is no reference to any findings or even any allegations that this particular drug is harmful to its users; furthermore, it was prescribed by an M.D. after extensive trials of other antiallergic drugs on this patient. The Food and Drug Administration, in its "superior wisdom" simply refused to allow the drug to be bought or sold because they found it to be "ineffective." Inquiries such as mine hit a solid bureaucratic stone wall. Many other Congressmen have had similar experiences. This is how Washington now decides what medicine you may take.

The same attitude and policies also extend to nutrition and dietary supplements. For several years the Food and Drug Administration has been developing regulations which, once they go into effect, will actually take vitamin pills off the market because of their alleged "ineffectiveness." Congressman Craig Hosmer's Nutrition Protection Act, which would prevent this action, languishes untouched in committee.

It is bad enough that sufferers from allergy and dietary problems are being or may be denied relief through actions like this. But it is still worse when people are abandoned to almost certain death by the same kind of bureaucratic arrogance, when a new treatment might save them. That is what is happening with the anticancer agent variously known as Laetrile, Amygdalin, nitriloside, or vitamin B-17, despite solid medical evidence showing that in a substantial number of otherwise terminal cancer cases it has greatly assisted the patient. For it happens that Laetrile does not fit the usual medical categories of anticancer agents; therefore, the Food and Drug Administration has prohibited even its testing by competent medical men. This scandalous situation will be further explained in a subsequent newsletter.

TRIBUTE TO RAYMOND L. GIVENS

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. HANSEN of Idaho. Mr. Speaker, recently we received the sad news of the passing of one of the Nation's most distinguished jurists and one of Idaho's most respected citizens. Former chief justice of the Idaho Supreme Court, Raymond L. Givens died on July 22, 1972, at Boise, Idaho, at the age of 88.

He served as a member of the Idaho Supreme Court from 1925 until his retirement in 1954. His earlier public service included service as a prosecuting attorney, member of the State house of representatives and district judge.

Following retirement from the bench, his active interest in public affairs continued. He rendered exceptional service as chairman of the Idaho Commission on Constitutional Revision, on which I was privileged to serve. His was one of the clearest and most persuasive voices in calling attention to the need to give Idaho a modern and adequate constitution.

Judge Givens left a legacy of dedicated public service and devotion to the rule of law as the best guarantor of freedom that all Americans would do well to follow. He also leaves a legacy of a fine family, his widow, Margaret, and his sons Raymond D., John, and James whose lives and service reflect the best traditions of leadership and service to others that characterized the career of Judge Givens.

Mr. Speaker, I include as a part of my remarks an article from the Idaho Daily Statesman by John Corlett, the distinguished dean of Idaho political writers, whose eloquent tribute to Judge Givens speaks for all Idahoans:

POLITICALLY SPEAKING—GIVENS' WISDOM TOOK IN FUTURE

(By John Corlett)

Someday the people of Idaho will agree to a revision of the 1890 Idaho Constitution and it will be a monument to Raymond L. Givens, who died the past weekend at 88. He left a legacy of grace and judicial astuteness, almost without parallel in his profession.

From 1965 through 1969, he chaired the Constitution Revision Commission and firmly and delicately guided its deliberations. In 1969 he was 85, but who on that commission or among his friends thought of Judge Givens as being old?

I sat through some of the meetings in which there were great debates over proposed changes in sections of the constitution. Sometimes the debates were over small phrases in which the nuances were not apparent to the non-legal mind.

Who made great contributions in his quiet way? Judge Givens, who dredged from his mind Supreme Court opinions rendered years ago. He was a retired Supreme Court justice (he served from 1925 to 1954) who thought the constitution ought to be modernized. And he joined in the quest of modernity with the full realization that the new document must be geared not to the 20th Century, but to the 21st.

Judge Given's viewpoints were as new and fresh as the youngest lawyers on the commission, and his vast fountain of knowledge was of incalculable value to that body.

The people voted against the revision in 1970 for varied reasons. Some jurists much, much younger than Judge Givens fought the revision because their minds were closed to a document designed to meet not only the present needs of a growing state, but its future as well.

When the time comes around again—as it shall—to write a new constitution, most of the work will have been done by the commission headed by Judge Givens.

My affection for Judge Givens predates the commission. When he was a Supreme Court justice, he was a favorite of mine. I was assigned to the Supreme Court in my early newspaper career and Judge Givens was the most accessible member of the court.

He was a courtly, friendly, gracious man who gave me of his time and led me out of some of the legal entanglements that are included in court decisions.

We had as mutual friends politicians who served with him in the legislature prior to his becoming a judge.

It was in this relationship with his fellow political peers that his integrity and professionalism came through. The respect for Judge Givens by his former colleagues in the political arena was tremendous and I imagine his personal papers will show that.

He had a mind that accepted change and welcomed it. His mind operated on that basis until the last. Were I a lawyer I would have welcomed sitting at his feet. Certainly, this man of proper judicial temperment—who had not a vindictive thought—enriched the lives of many.

NORTH DAKOTA'S AGRICULTURAL HERITAGE

HON. ARTHUR A. LINK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. LINK. Mr. Speaker, during the past several years it has been my pleasure to attend the Makoti Annual Threshing Exposition in my home State of North Dakota. This interesting spectacle, presented by the Makoti Threshing Association, provides an entertaining and educational view of North Dakota's colorful past.

The Makoti Threshing Association has as its objectives: to acquire, rebuild, and maintain antique farm machinery and motor vehicles; to demonstrate, exhibit, and display these machines at shows and celebrations; and to keep them in a museum that is open to the public daily.

The articles of incorporation state that membership in the Makoti Threshing Association is open to anyone interested in the promotion of this type of organization.

Because of the enthusiastic reception of the public to the display of farm machinery at the golden anniversary celebration in Makoti in 1961, the association decided to hold an annual exposition of antique farm machinery.

The backbone of the show is a collection of 13 tractors owned by the late Clarence Schenfisch, a farmer near Makoti. Eight of these tractors were restored for the 1961 celebration. Each year members and other interested persons have added more units, so that the show is now advertised as North Dakota's largest parade of antique farm machinery. The parade goes down the main street of Makoti to the show area; it has more than 120 units that are restored and operating, some of them dating back to the early 1900's.

Community organizations serve home-cooked meals and lunches in cook cars, the Legion Hall, and Hope Church basement during the 2-day fall show.

As many as possible of the show units are stored in the Makoti Threshers Museum, which is composed of three steel covered buildings with more than 13,000 square feet of floor space. Also part of the museum complex is the Pioneer Methodist Church. This building, one of the first constructed in the Makoti townsite, is simply furnished with furnishings built locally by church members.

Most of the show units are individually owned by association members or other interested persons. Many of these antique farm implements were used in the local area during their useful, productive, working years. Some are still owned by the members of the family that bought them new. These machines depict the history of early farming and transportation methods plus other ways of early pioneer life of this area when the native prairies were first broken and put to use raising small grain crops.

HEROISM AT HOME

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ASPIN. Mr. Speaker, I wish to share with my colleagues the details of the heroism of two gentlemen from the city of Janesville, Wis. I submit for the RECORD a clipping from the Janesville Gazette with the account of Mr. Robert Zentz and Patrolman Fred Whyte.

In the early morning of Thursday, July 6, 1972, an automobile driven by Mrs. Jessie M. Coleman went out of control, carrying Mrs. Coleman and her 2-year-old daughter through the guard rail of the Monterey Bridge and into the Rock River. Mr. Zentz and Officer Whyte responded unhesitatingly to the accident, jumping into the river to pull the mother and child to safety.

Such unselfish courage should not go unnoticed. It represents the highest degree of compassionate concern for fellow man, a quality often decried as sadly lacking in today's society. Messrs. Zentz and Whyte are to be commended for their heroism.

The news article follows:

POLICEMAN, WORKER SAVE MOTHER, CHILD

(By Hal Christensen)

A passerby who dove to the rescue succeeded in saving a Janesville woman and her 2-year-old daughter from probable drowning in the Rock River this morning.

Robert Zentz, 459 S. Ringold St., halted his car when he heard the crash as an auto driven by Mrs. Jessie M. Coleman, 25, of 627 N. Chatham St., smashed through the Monterey Bridge guard rail and plunged into 20 to 30 feet of water about 5:55 a.m.

Mrs. Coleman said later she did not know how her car went out of control. She said she had just passed another auto and was pulling back into the right lane of the four-lane bridge when the car failed to respond to her steering.

As the sinking car filled with water, Mrs. Coleman tried to open her door and then remembered it was broken. She reached over her small daughter, Carol Ann, and lowered the window on the passenger side.

"The water was already so far up her window," she recounted later, holding her thumb and forefinger a few inches apart. Lowering the window, she grabbed Carol Ann, squeezed out and bobbed to the surface.

Zentz, 24, who was approaching the bridge on Center Avenue but was two blocks away, heard the crash, looked up and saw the car go off the bridge. He sped to the scene. Parking his car, he ran to the bank and saw Mrs. Coleman trying to keep her own and Carol Ann's heads above water.

He dove in, swam to Mrs. Coleman and helped her toward the bank.

Meanwhile, police officer Fred Whyte arrived on the bank. Whyte, too, had heard the crash of Mrs. Coleman's car going through the guard rail. He took off his cap, shoes and gunbelt and jumped in to aid Zentz and Mrs. Coleman to shore.

Mrs. Coleman was unhurt and Carol Ann received only a minor head cut. She recalled later this morning that another bystander had stood on the bridge looking down at her in the water but had not jumped in.

Asked how she managed to keep her head enough to escape from her sunken car, she said, "I don't know—I just reacted."

In his report of the incident Officer Whyte praised Zentz for his "quick response and remarkable reaction in . . . assisting Mrs. Coleman and her daughter, who apparently could not swim and were in dire need of assistance."

Police Chief Murray O. Cochran echoed Whyte's commendation of Zentz and said he would send the rescuer a letter of appreciation. The chief also praised Whyte's prompt reaction at the accident scene which, he said, reflects credit on the Janesville Police Department.

Zentz had been on his way to work at the Varney Division of Northern Petrochemical Co., 2001 Afton Rd., at the time of the accident.

VIETNAM—ITS POSSIBLE EFFECTS ON THE UNITED STATES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. WALDIE. Mr. Speaker, Father Peter J. Riga, of St. Mary's College in Moraga, Calif., sent me some additional thoughts that might represent a postscript to his highly emotional speech entitled, "Absalom! Absalom!"—already entered in the RECORD.

In his comments, Father Riga outlines what he feels will be some of the aftereffects of the Vietnam tragedy on the United States. I felt that my colleagues in the House would do well to consider this man's thoughts.

Therefore, at this time, Mr. Speaker, I wish to include in the RECORD the abovementioned comments of Father Riga, entitled "Vietnam—Its Possible Effects on the United States":

VIETNAM—ITS POSSIBLE EFFECTS ON THE UNITED STATES

(By Father Peter J. Riga)

St. Augustine used to like to point out that God would not be God were he not able to bring good out of the most abominable evil. While not wishing to call upon divine Providentiality, it is good to point out some of the beneficent effects or possible effects of the American disaster in Vietnam.

The first is a moral lesson as old as the Code of Hammurabi itself: lies are not only bad policy, they are in the end counterproductive, as we say today. If the lies and deceptions which went to make up policy in Vietnam prove anything at all, it does prove that there can be no substitute for honesty and truthfulness at all levels of public affairs. Lincoln's famous adage that you cannot fool all the people all of the time, remains absolutely true. What he neglected to say is that a government which attempts to do so reaps the cynicism and distrust of citizens which it so richly deserves. We desperately need men in public life honest enough, credible enough, to win back the confidence of people and hold it. This requires a moral sense that power truly does reside in the people, that they must be dealt with truthfully if they are to make decent decisions and that to hide and deceive them is in reality to make democracy itself vacuous and empty of meaning. No more gnostic elites with privileged information. Madison Avenue gimmick men cannot substitute for a moral sense in high officials and their demand that their subordinates act in the same way toward the public.

The second lesson is one of encouragement against the almost universal apathy and experience of powerlessness which has overcome the American people. It is the easily recognizable "what-the-use"-ism so prevalent at every level of the population. We have the lesson in Vietnam that man is more important and therefore more powerful than even the most sophisticated machines. Orwell's "1984" is not inevitable when we have seen men who believe, deeply believe in something with their very lives, succeed against the most sophisticated machinery and technological wizardry which man has ever invented: computers, "smart" bombs, drones, infra-red light for darkness, automated battlefields, weapons of a vertiginous variety, billions of pounds of TNT, seven ton bombs, thousands of the most sophisticated aircraft, huge gun ships, naval vessels of every size, etc., etc.—have all failed before the idealism, courage and resourcefulness of man. Man is more than the machine and cannot be reduced to the proverbial punch card. It took the Vietnamese to blow apart the American idolatry of complete surrender to the machine.

A third lesson is that there is arising a level of consciousness of national and cultural dignity all over the world which the great powers cannot control or manipulate. The carrot-stick, money-death syndrome is not determinant for men who are willing to die for what is rightfully theirs in human dignity. The powerlessness of power, its limitation is clearly shown in Vietnam when confronting this new and universal consciousness by poor and colored peoples all over the world. It was not a failure of will to win which led to the American disaster, but the will to be free or die on the part of the Vietnamese which was its cause. It is a lesson which the U.S. once understood in 1776 but which it has long since forgotten as it became rich and powerful; and in order to preserve its riches and its "no. 1 status," it now kills and maims those who threaten that established disorder in the world. It is a lesson which even the Blacks and the Browns are learning right here in the U.S. which itself is part of this universal coming to consciousness of all oppressed peoples and groups.

A corollary to this is, if not the death, then at least an extreme reduction of nationalism among the young in the U.S. Even some of the older generation had seen the insanity of "my country, right or wrong" phenomenon, so unquestioned until the middle 1960s. Yesterday our enemies were the Germans and the Japanese and our friends the Russians and the Chinese; today it is the inverse and tomorrow who will be branded as "enemy"? And for what reason? The edict of government is not enough as the vigorous anti-war movement has shown so completely. If national interest shall have been involved in the future, then government shall have to clearly prove its case or suffer the same fate as Lyndon Johnson and Richard Nixon, both of whom have brought us domestic disunity and violence by their divisive policies. That nationalism has been attenuated is good but the question as yet unanswered as to what to do with this new freedom also remains.

A last and perhaps more important lesson for those of us who follow the Judeo-Christian ethic, is the utter absurdity of war as a national policy to attain the peace. I am not here advocating a pure pacifist stance—the world is not as yet that universally conscious—but pose a deep moral question (to believers and non-believers alike) as to any further moral obligation to have recourse to arms when such flagrant Barbarism as Vietnam goes by the name of "war" or "police action." As for myself, the moral lesson of Vietnam in this matter is clear: no civil or moral law can compel the Christian to ever again take up arms in the service of his country. Vietnam has killed whatever shred of "just war" theories were still being professed by theologians and moralists. The "just war" theory with its attempt at discrimination of civilian and military, was one of the happy casualties of the Vietnam war. But much work remains to be done: one cannot simply protest war, for this is only one part, and the least important part, of actively striving to win the peace which does so, in the famous words of Clement of Alexandria, "in an army which spills no blood." The road ahead is fraught with difficulty and danger, perhaps demanding more courage in the cause of peace than was ever demanded by the fighting soldier whose job it is to kill. It may well be the last battle of mankind for if we fail to win it, then perhaps there will be no future at all for all mankind.

THE ORDER OF AHEPA

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. RODINO. Mr. Speaker, upon completion of James Baldwin's "No Name in the Street," one particular statement constantly recurs to me—"One realizes," Baldwin stresses, "that what is called civilization lives first of all in the mind and has the mind above all as its province." One recalls that the Greek civilization was noted especially for its emphasis on achieving and maintaining a delicate balance between the rational and the spiritual, that beauty was continually defined as the proper combination of emotion joined with reason. In studying the various aspects of the American Hellinic Educational Progressive Association, I find a continuation of this Greek manner of thinking and a deep awareness to continue and to reinterpret for our modern time, the beauty, and understanding of her traditions.

The membership of AHEPA, for example, is composed of individuals from all occupations and from all walks of life. From the Daughters of Penelope, the senior women's auxiliary, to the Sons of Pericles, the junior men's auxiliary, innovation, and creativity are continually added to a strong foundation of experience and insight, forming an enriching reflection of the values, ideas, and beliefs of a great many individuals.

As chairman of the House Subcommittee on Immigration and Nationality and having been elected chairman, this year, of the Intergovernmental Committee on European Migration, I am deeply aware of the needs and the difficulties experienced by those who have uprooted themselves from their homeland and who have chosen to settle in a new country.

I hold much praise for the members of AHEPA for their successful actions in assisting Greek immigrants and individuals of several other minority groups in adjusting to the confusion of resocialization and in becoming a vital part of the history and the culture of the American people. I have remained deeply aware of the activities and contributions of AHEPA in aiding victims of floods, hurricanes and earthquakes and in resettling the children of refugees on local, national and international levels. These efforts and these accomplishments deserve the highest of commendations.

The goals of this Order should certainly be mentioned:

OBJECTS OF AHEPA

1. To promote and encourage loyalty to the United States of America.

2. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

3. To instill in its membership a due appreciation of the privileges of citizenship.

4. To encourage its members to always be profoundly interested and actively participating in the political, civic, social and commercial fields of human endeavor.

5. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor and integrity of every nation.

6. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic Culture.

7. To promote good fellowship, and endow its members with the perfection of the moral sense.

8. To endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness.

9. To champion the cause of Education, and to maintain new channels for facilitating the dissemination of culture and learning.

Thus, in this golden anniversary year, I join with my many colleagues in congratulating the members of AHEPA and in wishing them continued success in carrying out their goals and thereby in further insuring the continuance of their great civilization and heritage.

SENATE—*Friday, July 28, 1972*

The Senate met at 10 a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, our Creator, Preserver, and Redeemer in whose will is the destiny of men and nations, we pause this day to offer our memorial of thanksgiving and affection for our fallen colleague, friend, and coworker—ALLEN JOSEPH ELLENDER. We thank Thee for the magnitude of his service to his State, the Nation, and the world, for the diversity of his interests, the variety of his achievements, and for the vitality of his life from the beginning until the end. We thank Thee especially for his place in this body, for the idealism which motivated the course of his life, for his leadership in great causes, for his zeal for the common welfare, for the constancy of his devotion, for his sturdy patriotism, for his sincere faith and his unfailing friendliness to people at home and abroad. May the memory of his great and good life inspire us to nobler endeavors and a more selfless service.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 27, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore (Mr. METCALF). Without objection, it is so ordered.

ELECTION OF PRESIDENT PRO TEMPORE

Mr. MANSFIELD. Mr. President, after discussing this matter with the distinguished minority leader, and in the interest of the continuity of government, I send to the desk a resolution and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be stated.

The assistant legislative clerk read the resolution as follows:

S. Res. 333

Resolved, That Honorable JAMES O. EASTLAND, a Senator from the State of Mississippi, be, and he is hereby, elected President of the Senate pro tempore, to hold office during the pleasure of the Senate, in accordance with the resolution of the Senate adopted on the 12th day of March 1890 on the subject.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCOTT. Mr. President, in accordance with earlier actions by Republican conferences, I send to the desk an amendment and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The assistant legislative clerk read as follows:

Strike the name of JAMES O. EASTLAND of Mississippi and insert in lieu thereof GEORGE D. AIKEN of Vermont.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 333) was agreed to.

NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be stated.

The assistant legislative clerk read as follows:

S. RES. 334

Resolved, That the President of the United States be notified of the election of Honorable JAMES O. EASTLAND, a Senator from the State of Mississippi, as President of the Senate pro tempore.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 334) was considered and agreed to.

NOTIFICATION TO THE HOUSE

Mr. MANSFIELD. Mr. President, I send to the desk another resolution and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be stated.

The assistant legislative clerk read as follows:

S. RES. 335

Resolved, That the House of Representatives be notified of the election of the Honorable JAMES O. EASTLAND, a Senator from the State of Mississippi, as President of the Senate pro tempore.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 335) was considered and agreed to.

ADMINISTRATION OF OATH

The ACTING PRESIDENT pro tempore. The Senator from Mississippi (Mr. EASTLAND) will approach the desk and the oath will be administered to him.

The Honorable JAMES O. EASTLAND, escorted by Mr. STENNIS, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Acting President pro tempore (Mr. METCALF).

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider two nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore (Mr. EASTLAND). The nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The second assistant legislative clerk read the nominations in the Department of Justice, as follows:

Robert E. J. Curran, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania for the term of 4 years.

Carl E. Hirshman, of New Jersey, to be U.S. marshal for the district of New Jersey for the term of 4 years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations;

the Committee on Agriculture and Forestry; and the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER pro tempore. Without objection, it is so ordered.

FUNERAL ARRANGEMENTS FOR SENATOR ELLENDER OF LOUISIANA

Mr. MANSFIELD. Mr. President, according to the latest information I have, relative to the funeral of our late beloved colleague Senator ELLENDER of Louisiana, I can give the Senate the following tentative information, subject to confirmation later, or change.

It is proposed that Senator ELLENDER's body will be on view today at Gawler's Funeral Home from late afternoon until 7 or 8 p.m. tonight.

On tomorrow, Saturday, July 29, his body will arrive at Baton Rouge at 9 a.m., central time.

It will lie in state in the capital at Baton Rouge from 10 a.m., Saturday, July 29, to 6 p.m. that same day.

The body will then be moved to Houma Municipal Auditorium, and will be on view from 10 a.m., Sunday, July 30, to 9 p.m. Sunday, July 30.

At 9 a.m. on Monday, July 31, the body will be moved to St. Francis de Sales Catholic Church in Houma for an 11 a.m. service. The congressional delegation is expected to attend that service.

Burial will be immediately after the service at Bourg, La., which is approximately 10 miles south of Houma. Senators will be expected to attend graveside services.

To repeat, burial will be immediately after the service at Bourg, La. The service will occur at 11 a.m. on Monday morning next, July 31.

Mr. LONG. Mr. President, I call up Senate Resolution 336 which now is at the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. HANSEN). The resolution will be stated.

The assistant legislative clerk read as follows:

S. RES. 336

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the Honorable ALLEN J. ELLENDER, late a Senator from the State of Louisiana, on vouchers to be approved by the chairman of the Committee on Rules and Administration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the transaction of routine morning business for not to exceed 45 minutes, with statements therein limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HUGHES). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO 10 A.M. MONDAY, JULY 31, 1972

Mr. ROBERT C. BYRD. Mr. President I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 10 a.m. Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONVENING OF SENATE ON TUESDAY, WEDNESDAY, THURSDAY, FRIDAY, AND SATURDAY OF NEXT WEEK AT 10 A.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday, Tuesday, Wednesday, Thursday, and Friday of next week it stand in adjournment, respectively, until the hour of 10 a.m. on Tuesday, Wednesday, Thursday, Friday, and Saturday of next week.

The PRESIDING OFFICER. Is there objection?

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. ROBERT C. BYRD. Mr. President, I gladly yield to the distinguished minority leader.

PROGRAM

Mr. SCOTT. Mr. President, I asked the distinguished assistant majority leader to yield so that I could emphasize for the RECORD that in previous conversations with him I had understood not only that it is the intention of the Senate to be in session on Saturday, August 5, but also on Saturday, August 12.

Mr. ROBERT C. BYRD. The distinguished Republican leader is correct, unless the legislative program were to move so expeditiously as to remove the necessity of meeting on either or both of those Saturdays. I would say that at this point there is the strongest likelihood that the Senate will be in session on both of those Saturdays.

Mr. SCOTT. I thank the distinguished assistant majority leader.

Mr. President, I would like to add that we have a very large amount of legislative business to transact before we recess for the Republican Convention.

That includes, among other matters, revenue sharing, the normal appropriation bills, some conference reports, and many other matters which we have attempted to slate during this period.

This includes the Agnes Recovery Act, and I would hope that the Commerce Committee would hold hearings next week on the Agnes Recovery Relief Act for railroad equipment, trackage, and other damaged areas. I believe that the Commerce Committee will hold these hearings.

That is a measure which I introduced. We have a military procurement bill pending. Later we will have some announcement to make on that. We are all trying to complete action on it by the middle of the week.

I hope that Senators will arrange their schedules accordingly in recognition of the fact that the more we accomplish now the less will be left on the slate when we return from the convention.

Mr. ROBERT C. BYRD. Mr. President, the distinguished Republican leader has stated the case quite aptly, as he always does.

In addition to the items to which he has referred which remain for action before adjourning for the convention are the SALT treaty, the interim agreement on offensive weapons, the military construction authorization, the military construction appropriation, the no-fault insurance bill, the private pension bill, a crime bill, the so-called Saturday Night Special bill, and others.

As the distinguished Republican leader has also so very appropriately stated, there will be very little time between the reconvening of the Senate and the House, following the convention, and October 1. I know all of us hope we can complete the people's business in time for an October 1 adjournment sine die. That is just a hope at this point in time, a hope that springs eternal in the human breast, but I think we might as well express our hope to achieve that end.

Mr. SCOTT. And hope springs eternal in the other body, where all Members must contend for reelection every 2 years. I think in all fairness to our colleagues who are engaged in political campaigns, we should make every effort to so arrange our schedule to dispose of all major business on or before the 1st of October, so to allow precious little time for the essential business of reporting back to the people. There is a saying that we spring from the people and then spring back at them every 2 years for their approval or disapproval.

I think our present system is not anywhere near perfect. We should be out of here earlier in the year, because the most fruitful part of the legislative work is the interaction between the legislative branch and the constituents, and the constituents do not understand why we have to remain here. They do not understand why the floor of the Senate is so often nearly empty. I would like to repeat again that our colleagues at this minute are meeting constituents, are engaged in important matters in committee sessions, and are available somewhere in the vicinity, meeting with businessmen, trade union representatives, civic organizations, and so forth, and that is evidenced by the fact that when we have a rollcall vote they appear. While that may not be obvious to the people observing us they already have been well and fully informed on the matter which we are debating.

But we can get more done if Senators are willing to stay here on Saturdays and work late. It is difficult. Last night was a very difficult night for me, for example, because of other engagements, but we want to have some self-discipline if we are going to get the work done.

I hope next year we can lay out a reform of our procedure so as to bring in these appropriation bills earlier, as the distinguished assistant majority leader has taken the lead in proposing. As he knows, I am in favor of the proposal of the Senator from Washington (Mr. MAGNUSON) to get rid of the authorization bills by an early date certain so we can go on with appropriations. Anyway, there is need for relief, and I hope we learn from our difficulties in order to give a better legislative setting in the new Congress.

Mr. ROBERT C. BYRD. Mr. President, I am sure that the leadership on both sides of the aisle joins in commending all Senators for the marvelous cooperation they have shown in working out time agreements, and the equally marvelous restraint they have displayed with respect to the long sessions, the tiring sessions the Senate has been engaged in for quite some time now.

Our colleagues have been most understanding at all times, most patient, and most cooperative. As a result, since the Senate reconvened following the Democratic Convention, I think it is worthwhile to note that several important and controversial bills have been acted on. The maritime bill has passed, the marine mammals bill has passed, the minimum wage bill has passed, and action was completed—although it was somewhat unexpected as to the outcome—on the Foreign Assistance Act, and the agriculture appropriation bill has been passed, plus other bills. Additionally, the defense authorization measure soon will be passed. I think this speaks well for Senators on both sides of the aisle.

Mr. President, I would hasten to say—and I will not prolong this matter—that under the excellent leadership of our late departed colleague, Senator ELLENDER, the Committee on Appropriations has already completed its hearings—I think I can say this and be correct—on all regular appropriation bills. As a matter of fact, the Senate has acted now on 10 of the 13 regular appropriation bills, not counting the urgent supplemental bills, leaving only three regular appropriation bills to be acted on by the Senate before the Senate adjourns sine die.

As soon as the other body acts on the three remaining regular appropriation bills and gets them over to the Senate, our subcommittees are ready to mark up the bills. Of course, there are some authorization bills still pending, but I think it speaks exceedingly well for the Committee on Appropriations, and the Senate, to refer to this remarkable record of action on these appropriation bills, which as far as I can remember is the best record of any year in recent years.

The PRESIDING OFFICER. The time of the Senators has expired.

If there is no objection to the unanimous-consent request, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROCLAMATION OF "NATIONAL SHUT-IN DAY"

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on Senate Joint Resolution 208.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S.J. Res. 208) authorizing the President to proclaim the first Sunday in June of each year as "National Shut-In Day", which were on page 2, lines 4 and 5, strike out "the first Sunday in June of each year" and insert "the third Sunday in October of 1972".

Strike out the preamble.

And amend the title so as to read: "Joint resolution authorizing the President to proclaim the third Sunday in October of 1972 as 'National Shut-In Day'."

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE LATE J. EDGAR HOOVER FAVORED GUN CONTROLS

Mr. HOLLINGS. Mr. President, for the last several days, newspapers and television networks have carried statements to the effect that the late J. Edgar Hoover, Director of the Federal Bureau of Investigation, was opposed to gun controls. The purpose of this letter is to set the record straight.

On March 10, 1972, I had the honor to preside at a hearing by the Subcommittee of the Senate Committee on Appropriations for the Departments of State, Justice, Commerce, the Judiciary, and related Agencies. Our principal witness on the afternoon of March 10 was Mr. J. Edgar Hoover. He was before the subcommittee from 2 p.m. to 4:55 p.m., testifying in support of the fiscal 1973 budget request for the FBI. During this hearing the following colloquy occurred between Mr. Hoover and myself on his position relative to the necessity for gun controls:

(Senate Hearings, before a Subcommittee of the Committee on Appropriations, State, Justice, Commerce, the Judiciary, and Related Agencies Appropriations, H.R. 14989, Fiscal Year 1973, Part I, page 349)

GUN CONTROLS

Senator HOLLINGS. What is your position on gun controls?

Mr. HOOVER. My position is that I believe there should be a firm and foolproof gun control act, particularly for handguns. Seventy-three percent of the police murders represented on that chart I gave you were killed with handguns. The argument is made that the Constitution provides that all citizens be allowed to bear arms. That was written back, of course, in the Revolutionary days when you had the Indian wars in this country.

Today, I don't think a gun should be sold to anyone without a check first by a local law enforcement agency. The fingerprints should be checked and the department should certify that the gun permit be issued. The gun may be for legitimate purposes. Your life may be threatened and you may want to carry a gun. But you ought to be required to convince the local authorities that a gun is necessary. That wouldn't interfere with hunting. You can get the rifle or shotgun licensed.

Senator HOLLINGS. How many would be licensed? How many are estimated?

Mr. HOOVER. I don't know what the estimate is on that, Senator. I have seen various figures. I think it would run very high.

Senator HOLLINGS. But it could be done?

Mr. HOOVER. Of course, it could be done. I think it would certainly deter some individuals. They say it would hamper law-abiding citizens from having guns but it wouldn't deter the criminal. I don't share that view at all. I think if you have a law that makes it a crime to have a gun unless it is licensed, it will deter a criminal from possessing it because he might be searched by a law enforcement officer.

(Discussion off the record.)

FOREIGN-MADE FIREARMS

Senator HOLLINGS. What about foreign-made guns? Our chief in my State, Pete Strom, said so many of these offenses are committed with a Saturday Night Special, a small import .22, something that costs $5 or $6, that any kid can buy. Would you recommend a specific restriction on that type of handgun?

Mr. Hoover. I certainly would. The restriction should cover all types of guns.

Senator Hollings. How would you restrict it?

Mr. Hoover. I would have it done by local authorities. It would be a crime for any store to sell a gun to one without a permit. The individual wanting to buy the gun would have to fill out a form which would be furnished to the local police authorities who, in turn, would have a check made as to the individual's background, character and reputation, and the reason why he wants the gun.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ROBERT C. BYRD. Mr. President, if the Chair will recognize me, I will yield my 3 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is yielded 3 additional minutes.

Mr. HOLLINGS. I thank the Senator.

I believe that Mr. Hoover's answers to questions posed by me and which are set forth above are clear and concise and allow for only one conclusion—Mr. Hoover supported gun controls. To emphasize this point, I again quote my lead question and his answer:

I asked: "What is your position on gun controls?"

And Mr. Hoover answered: "My position is that I believe there should be a firm and foolproof gun control act, particularly for handguns."

I feel very strongly that a gross injustice is being done to the memory of a great American and outstanding public servant, by stating that the late J. Edgar Hoover was opposed to gun controls. As shown by the quotations above, the record is otherwise.

I noticed on three television shows the last weekend, going into the lead taken by Mr. James J. Kilpatrick, they said the stand of the Acting Director was a change from the stand taken by Mr. Hoover. That is absolutely false. That is shown by the record and quotations otherwise.

We will all agree that Americans are entitled to have access to the true facts so that they can take note of the stand taken by our late FBI Director, J. Edgar Hoover.

I yield the floor and thank my colleague from West Virginia for his courtesy.

VALEDICTORY ADDRESS BY ROBERT A. BURTON, WAKEFIELD HIGH SCHOOL, ARLINGTON, VA.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that a valedictory address delivered on Friday, June 16, 1972, by Robert Arnold Burton, valedictorian at the commencement exercises of Wakefield High School, Arlington, Va., be included in the Record.

There being no objection, the valedictory address was ordered to be printed in the Record, as follows:

Valedictory

(By Robert A. Burton)

Members of the School Board, faculty, parents, friends and fellow graduates:

As we graduate, we observe an end to an era of our lives, but more importantly, we are witnessing the beginning of a new era. The word commencement itself means—a beginning. Tonight, as we celebrate the past, we awaken the future. A future that provides us with the opportunity of shaping the destiny of this generation. A future that is beyond our vision, but not beyond our control.

As we seek ways to shape our future, we must look beyond the immediate months ahead to ten or twenty years from now, and ask ourselves, "What do I want to achieve in my life? What are my goals? How should I challenge myself?" When we have answered these questions completely and truthfully to ourselves, we will begin to understand how we can control our future. Each individual will answer these questions differently because each will have his own dreams, hopes, and aspirations. But, as we embark tonight on different paths to the future, there should be some common challenges and goals that each of us can share to make *our* generation a generation fully dedicated to benefiting mankind.

We must share the goal of possessing clear sight and an open heart for the needs of others. This is something that will hardly come naturally because we will have so many needs of our own—our families, our jobs, our problems. It takes an extra dimension of vision to see beyond our inner circle of personal interest to the needs of others. To see beyond this inner circle is a challenge and a hope that should be common to all of us.

As we enter society to a greater degree, we must also meet a second basic challenge—the challenge of developing more fully positive personalities. If it is true that man's greatest natural resource is man himself, then it is our obligation to improve ourselves in order to be a contributing factor in the improvement of the world community. To accomplish this challenge of self-improvement, we must realize that every right implies a responsibility, and that every opportunity an obligation.

Then finally, there exists the most essential challenge that each of us must come to grips with. That challenge is to work toward benefiting mankind. Each generation has a destiny and each generation shapes that destiny. We all share broad and deep hopes for the future—a future where the energy of mankind is dedicated, not to destruction, but to building a better world for coming generations. But such an ideal is never self-fulfilling. We cannot stand idly by and expect our hopes for the future to come true under their own power. The future is not a gift; it is an achievement.

Each one of us can help shape the destiny of this generation in a positive way simply by utilizing our individual talents. However, if we bury our talents, if we fail to play our part however small, in serving mankind, then we will have done a disservice to our generation and failed to do our best. But, if it *may* be said of each of us years from now, that "he did his best" to make the world a bit better—then this Class will have achieved its ultimate goal.

To succeed in fulfilling such a goal is the essential challenge of the present; this is what we will face in the days ahead.

Indeed, this class of 1972 has a noble cause to fulfill—it is to serve mankind. Let us dedicate ourselves to fulfilling the common challenges that will benefit mankind:

The challenge of realizing and caring for the needs of others.

The challenge of improving man's greatest natural resource—himself.

And above all, the challenge of making the best of our inherent talents.

As we leave Wakefield tonight, we will witness a Class bound together by these common challenges of tomorrow. A class that has just begun to shape its generation.

Let us always remember, as it was once said:

This generation has a rendezous with destiny
The destiny is *now*
The rendezvous is important
The generation is ours!

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, at what time will the period for routine morning business have expired today?

The PRESIDING OFFICER. At 10:54.

Mr. ROBERT C. BYRD. I thank the distinguished Presiding Officer.

I ask unanimous consent that the time for routine morning business be extended for not to exceed an additional 20 minutes beyond that hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 11 A.M.

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until the hour of 11 o'clock.

The motion was agreed to; and at 10:37 a.m. the Senate took a recess until 11 a.m.

Whereupon, the Senate reassembled at 11 a.m., when called to order by the Presiding Officer (Mr. Hughes).

EXTENSION OF PERIOD FOR ROUTINE MORNING BUSINESS

Mr. TALMADGE. Mr. President, I ask unanimous consent that the morning hour be extended for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objective, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY FROM EXECUTIVE P, 92D CONGRESS, SECOND SESSION, CONCERNING SHRIMP

Mr. TALMADGE. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from an agreement between the Government of the United States of America and the Government of the Federated Republic of Brazil, concerning shrimp, signed at Brasilia on May 9, 1972 (Executive P, 92d Congress, 2d session) and transmitted to the Senate today by the President of the United States, and that the agreement with accompanying papers be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Agreement Between the Government of the United States of America and the Government of the Federative Republic of Brazil Concerning Shrimp, together with an Agreed Minute and with a related exchange of notes concerning compensation, signed at Brasilia on May 9, 1972. I transmit also, for the information of the Senate, a related exchange of notes concerning interim undertakings, signed at Brasilia on May 9, 1972, and translations of the Brazilian notes.

The Agreement establishes a basis for regulating the conduct of shrimp fishing in a defined area off the coast of Brazil. Such regulation will help to conserve shrimp resources and will provide an interim solution for problems which have arisen concerning jurisdiction over those resources.

The measures prescribed in the Agreement will safeguard the economic interests of the shrimp industries of both Parties and protect from prejudice their respective legal positions on the extent of coastal state jurisdiction over ocean fisheries under international law. The interim nature of the Agreement reflects the expectation that this underlying question may in the near future be settled by general international agreement on the law of the sea.

A fuller explanation of the Agreement is contained in the report from the Department of State, which is transmitted herewith for the information of the Senate.

This Agreement will contribute to maintaining and strengthening the friendship and cooperation which have long characterized relations between the United States and Brazil. I recommend that the Senate give it early and favorable consideration.

RICHARD NIXON.

THE WHITE HOUSE, *July 28, 1972.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed the following joint resolutions, in which it requested the concurrence of the Senate:

H.J. Res. 807. Joint resolution authorizing the President to proclaim the second full week in October of 1972 as "National Legal Secretaries' Court Observance Week"; and

H.J. Res. 1026. Joint resolution requesting the President to issue a proclamation designating February 19, 1973, as "Nicolaus Copernicus Day" marking the quinquecentennial of his birth.

HOUSE JOINT RESOLUTIONS REFERRED

The following joint resolutions were each read twice by their titles and referred to the Committee on the Judiciary:

H.J. Res. 807. Joint resolution authorizing the President to proclaim the second full week in October of 1972 as "National Legal Secretaries' Court Observance Week"; and

H.J. Res. 1026. Joint resolution requesting the President to issue a proclamation designating February 19, 1973, as "Nicolaus Copernicus Day" marking the quinquecentennial of his birth.

QUORUM CALL

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973—UNANIMOUS-CONSENT AGREEMENT

Mr. TOWER. Mr. President, I ask unanimous consent that the original unanimous-consent agreement allowing 1 hour of debate on my amendment to the military procurement bill be changed to 30 minutes, 15 minutes to a side, to be equally divided between and controlled by the distinguished chairman of the committee and myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore (Mr. EASTLAND) on today, July 28, 1972, signed the enrolled bill (H.R. 736) to designate certain lands in the Cedar Keys National Wildlife Refuge in Florida as wilderness, which had previously been signed by the Speaker of the House of Representatives.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. METCALF:

S. 3854. A bill to amend section 5341 of title 5, United States Code, to provide for wage survey regions within the United States; and

S. 3855. A bill amending section 5341(c) of title 5, United States Code, relating to the determination of pay rates for prevailing rate employees. Referred to the Committee on Post Office and Civil Service.

By Mr. RIBICOFF:

S. 3856. A bill to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia. Referred to the Committee on Labor and Public Welfare.

By Mr. SPARKMAN (for himself and Mr. ALLEN):

S. 3857. A bill to provide for the establishment of the Cathedral Caverns National Monument in the State of Alabama, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. KENNEDY (for himself and Mr. MAGNUSON):

S. 3858. A bill to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. BELLMON:

S. 3859. A bill to provide fiscal relief for States with respect to State public assistance programs. Referred to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RIBICOFF:

S. 3856. A bill to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia. Referred to the Committee on Labor and Public Welfare.

Mr. RIBICOFF. Mr. President, today I am introducing legislation to establish a national program for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia—an inherited blood defect which is found in children whose ancestors were natives to countries surrounding the Mediterranean Sea—principally Italy and Greece.

The disease, first described and classified by Dr. Thomas Cooley in 1925, is caused by a genetic defect in the makeup of hemoglobin—the substance in red blood cells which enables them to carry oxygen to the body tissues.

Onset of the disease occurs early in childhood and is relentlessly progressive. Bones grow unevenly and become brittle, resulting in structural deformities and altered facial appearance. Organs such as the spleen and liver become enlarged. And the child with Cooley's anemia is listless—unable to engage in normal physical activity. Individuals who have the disease generally do not live beyond the first or second decade of life and must undergo frequent blood transfusions in order to maintain an adequate supply of red blood cells.

Cooley's anemia, also known as Mediterranean anemia or Thalassemia major, was originally limited to the Mediterranean area. As many as one in 100 children in some parts of Italy are thought to have the disorder.

Due to intermarriage and emigration of large numbers of people of Italian and Greek descent, the disease is now fairly widespread. There are presently no reliable statistics regarding the incidence of Cooley's anemia in the United States, but it has been estimated that the disease affects as many as 200,000 individuals in this country.

At present, there is no known cure for Cooley's anemia and no breakthroughs in prevention and treatment have been made in the 40 years since the disease was classified. However, diagnosis of the disease can be made during the first year of life and palliative measures to prolong life can be undertaken. In 1925 the life expectancy of a Cooley's victim was 1 year. Today, with the aid of blood transfusions, the average lifespan is approximately 20 years.

While research efforts at the National Institute of Arthritis and Metabolic Diseases and the National Heart and Lung Institute have begun to reveal the genetic mechanism responsible for the malady, more basic research is necessary. Present blood therapy treatment programs of transfusion are costly, debilitating, painful, and dangerous to life. Progress, then, is needed in both research and treatment.

Ultimately, the solution lies in prevention—whether through an effective program of screening and counseling or through the future development of some form of genetic therapy. At present, voluntary screening and counseling programs offer the best means by which to prevent occurrence of the disease. Coupled with sound education programs, they can provide reliable information to those affected.

The legislation I am proposing, the National Cooley's Anemia Control Act, authorizes a 3-year program to combat this disease.

One million dollars would be authorized for each of 3 years for the establishment and operation of Cooley's anemia screening, treatment, and counseling activities.

A second program would authorize expenditures of $1.7 million for each of 3 years to set up research projects on the diagnosis, treatment, and prevention of this disease.

Seventy-five thousand dollars is authorized over a 3-year period for the Secretary of Health, Education, and Welfare to develop information and educational materials relating to Cooley's anemia and to distribute such information and materials to medical personnel and the public generally.

I am hopeful that the Senate will consider this legislation, which has been approved in the House Interstate and Foreign Commerce Committee in large part because of the unstinting efforts of my distinguished colleague from Connecticut, Congressman Robert Giaimo, of New Haven.

Mr. President, I ask unanimous consent to have printed in the Record an explanation of the bill and a fact sheet concerning Cooley's anemia.

There being no objection, the material was ordered to be printed in the Record, as follows:

Explanation of the Bill

Section 1 of the bill provides that the Act may be cited as the "National Cooley's Anemia Control Act".

Section 2 of the bill contains the findings of Congress and declares the purpose of the Act to be the establishment of a national program for the diagnosis, prevention and treatment of, and research in, Cooley's anemia.

Section 3 of the bill contains the text of five new sections (numbered 1111-1115) to be added as Part B to Title XI of the Public Health Service Act. The following is a description of these sections.

Section 1111(a)(1) authorizes grants and contracts by the Secretary for projects for the establishment and operation of Cooley's anemia screening, treatment and counseling programs as part of other existing health care programs.

Section 1111 (a)(2) authorizes grants and contracts by the Secretary for projects for research in the diagnosis, treatment and prevention of Cooley's anemia, including the development of efficient and inexpensive detection tests.

Section 1111(a)(3) requires the Secretary to carry out a program to develop information and educational materials relating to Cooley's anemia and to distribute such information and materials to persons providing health care and to the public generally.

Section 1111(b) authorizes appropriations of $1,000,000 for fiscal year 1973 and for each of the next 2 fiscal years to carry out subsection (a)(1); $1,700,000 for fiscal year 1973 and for each of the next 2 fiscal years to carry out subsection (a)(2); and $25,000 for fiscal year 1973 and each of the next 2 fiscal years to carry out subsection (a)(3).

Section 1112 provides that participation by any individual in any program under this Act shall be wholly voluntary and shall not be a prerequisite for benefits under any other Federal program.

Sections 1113 (a) establishes requirements applicable to grants under the Act. Each applicant must——

(1) Provide that programs for which a grant is sought shall be administered by or under the supervision of the applicant.

(2) Provide for strict confidentiality of information received from persons seeking screening, counseling or treatment under the Act.

(3) Provide for appropriate community representation in the development and operation of programs.

(4) Set forth fiscal control and accounting procedures.

(5) Provide for reports to the Secretary.

Section 1113 (b) provides that in making any grant or contract the Secretary shall take into account the number of persons to be served in the program and the extent to which rapid and effective use will be made of funds and give priority to programs operating in areas which the Secretary determines have the greatest number of persons in need of the services provided under the program. The Secretary is authorized to make grants for screening, treatment and counseling projects, when he determines that the projects will utilize an effective and inexpensive Cooley's anemia detection test.

Section 1114 authorizes the Secretary to establish within the Public Health Service a voluntary Cooley's anemia screening, counseling and treatment program and to educate the public with regard to its availability. The program must make use of an inexpensive and efficient Cooley's anemia screening test.

Section 1115 requires the Secretary to report to the Congress on the administration of the Act and to make recommendations for any additional legislation he deems necessary.

Section 4 of the bill provides for a number of conforming amendments to conform to various provisions of the Public Health Service Act and changes the heading of Title XI of that Act to "Genetic Blood Disorders."

Cooley's Anemia: A Fact Sheet

Cooley's anemia is an inherited blood disease characterized by a diminished production of hemoglobin, the substance in red blood cells which enables them to carry oxygen to the tissues of the body. The result of this inadequate production of hemoglobin is a particular form of anemia. Dr. Thomas B. Cooley, an American physician, discovered and labeled this disease around 1925.

Cooley's anemia, also known as Mediterranean anemia or thalassemia major, is found in children whose ancestors were natives to the countries surrounding the Mediterranean Sea. In America, these children are of predominantly Greek and Italian origin, although because of widespread intermarriage the disorder is also found in children of Irish, Scandinavian, Jewish, Oriental, and Turkish descent.

There are two forms of Cooley's anemia: the severe form, called thalassemia major; and the carrier or trait form, thalassemia minor. The difference between these forms depends on whether the individual has inherited half or all of the genetic code or defective hemoglobin synthesis from his parents. Following Mendelian laws, two carriers of the trait who marry may have the possibility of producing the trait in 50% of their offspring, and the disease, Cooley's anemia, in 25% of their offspring.

Individuals with the carrier form of thalassemia minor are not handicapped with any physical defects; in fact the only physical sign or symptom of the trait may be a change in the size and shape of the red blood cells. Individuals with the carrier form of the disorder have a normal life span and enjoy normal health. The trait (thalassemia minor) never increases in severity or converts to the severe form of the disease. At present the chief methods of detecting the carrier form involve a number of hematologic tests including electrophoresis.

Thalassemia major is usually detectable during the first year of life; its early signs include pallor, listlessness, loss of appetite, and irritability. An examination of the victim's blood will show changes in the size, shape, and numbers of red blood cells, and a variety of abnormal characteristics in special properties of the blood cells, in addition to severe anemia. Individuals with thalassemia major rarely live beyond the age of 20, and from their first year of life may have to undergo blood transfusions almost daily in order to maintain a blood count sufficient for survival. The anemia itself is basically caused by a reduction in the rate at which red blood cells are formed in the bone marrow and released to the blood stream. In Cooley's anemia, these defective red blood cells do not survive more than one-third to one-half of the life span of normal red blood cells. There is often an enlargement of the spleen which causes further complications in the rate of blood cell production. The anemia created from this low rate of production leads to severe handicaps in its young victims. Cooley's children tend to be small for their age because bone growth is poor. In addition, they suffer malformed bone development leading to brittle, easily-broken bones and an alterated, somewhat mongoloid, facial appearance. The child afflicted with Cooley's anemia cannot usually engage in strenuous physical activities since the anemia causes fatigability.

There is no known cure for Cooley's anemia. At present the only effective treatment is supportive therapy such as the administration of blood transfusions to alleviate the constantly recurring anemia. Some children require transfusions several times a week; some very rarely. Besides the inconvenience of these transfusions, they also add the problem of creating excess amounts of iron in the body which then collects in the liver, heart, pancreas, and other vital body organs. This iron overload may eventually lead to failure of the liver, pancreas and endocrine organs, and heart. There are chemicals that can remove this excess iron, but those presently available are too toxic for clinical use.

There are no statistics available on the exact number of cases of Cooley's anemia in the United States. It is estimated though that there are around 200,000 individuals in this country who are carriers of the trait.

By Mr. SPARKMAN (for himself and Mr. ALLEN):

S. 3857. A bill to provide for the establishment of the Cathedral Caverns National Monument in the State of Alabama, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. SPARKMAN. Mr. President, for myself and for Senator ALLEN, I am introducing a bill to establish Cathedral Caverns near Grant, Ala., as a national monument.

Cathedral Caverns is truly a spectacular natural attraction. The entrance to Cathedral Caverns is the world's largest cave entrance. Inside the caverns, one finds the world's largest stalagmite, the world's largest frozen waterfall, the world's largest stalagmite forest, and the world's largest cavern room. The cave is situated 35 miles south of the Alabama-Tennessee border. It is 80 miles west of Georgia and 150 miles east of Mississippi. Visitors from every State in the Union and from 25 to 30 foreign countries have visited Cathedral Caverns. Its central location in the Southeast and the spectacular attractions that it offers make it ideal as a national monument, to be preserved for future generations of Americans to enjoy.

Mr. President, Senator ALLEN and I are pleased to take this first step toward preserving Cathedral Caverns.

By Mr. KENNEDY (for himself and Mr. MAGNUSON):

S. 3858. A bill to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes. Referred to the Committee on Labor and Public Welfare.

EMERGENCY HEALTH PERSONNEL ACT AMENDMENTS OF 1972

Mr. KENNEDY. Mr. President, one of the most difficult and intransigent problems in America's health care crisis is that of attracting health professionals into rural and inner-city areas of our Nation. For decades, health care professionals have increasingly gravitated toward urban centers and the surrounding suburbs. Fewer and fewer young physicians, dentists, and nurses choose to practice their profession in rural communities or in the inner city.

The result is that more and more rural communities have no physicians at all, and thousands of rural communities have critical shortages of health manpower.

As chairman of the Health Subcommittee, I have been into suburban counties which have as many as one physician for every 250 people, and to rural areas which have only one physician for every 2,500 people. I have also seen inner-city areas which are surrounded by doctor-rich suburbs, but which themselves have only the out-patent department of the public hospital to rely on for even the most routine health services.

The tragedy is, Mr. President, that this trend is continuing. More and more physicians have entered specialties in recent years, and most of them find the best vocation for specialty practice in suburban or urban America. Unless some change is brought about in this pattern, we can look forward to hundreds of counties in America with no physician at all, and thousands which receive only the scantiest of medical care.

The Congress has taken a number of important actions to reverse this trend. Last year, the Comprehensive Health Manpower Act and Nurse Training Act contains strong incentives by way of loan forgiveness and scholarship programs to attract young health professionals into areas with critical health manpower shortages. The Congress also passed several years ago, a program designed to stimulate the training of family physicians, since it is this specialty which is easiest to attract into practice in underserved areas. Despite the President's controversial veto of this bill, the Health Subcommittee will soon hold hearings on an extension of this act, and last year included a small version of this program in the Comprehensive Health Manpower Act.

But the most important and direct effort made by the Congress to solve the problems of rural and inner-city America, was led by Senator MAGNUSON several years ago, when he introduced the Emergency Health Personnel Act. This law permits the Secretary of Health, Education, and Welfare to send health professionals into areas which have been designated as having a critical health manpower shortage. To date, approximately 144 areas have been designated for assistance under this program. The bill that I am introducing today on behalf of myself and Senator MAGNUSON will extend the authority for this program, as well as eliminate some of the obstacles to rapid implementation which have been encountered during the first year and a half of the program's existence.

For example, the bill includes:

A generous scholarship program and an expanded recruitment program intended to facilitate recruitment of health professionals given the decrease in the doctor draft.

Requires that the Secretary take the initiative by designating areas eligible to receive help, notifying eligible community agencies of their eligibility, and assisting them in applying for help.

Requires that personnel be assigned and health services offered solely on the basis of need, without regard to the people's ability to pay.

Expands the authority of the Secretary to hire additional personnel in the area served as well as to acquire needed equipment and facilities.

In addition, the bill changes the role of the State and local medical societies from one of approving all personnel assignments to one of consultation on these assignments. This change is made based on the principle that a private, nonelected agent should not have a final say on the disposition of Federal funds and services.

The bill also assures that Public Health Service hospitals and clinics will be used wherever practical to serve areas with critical health manpower shortages. During the last year and a half, the Department of Health, Education, and Welfare has made clear its intent to close or transfer to community control eight Public Health Service hospitals.

Congress has repeatedly indicated to the Department that it wishes to review any plans for such closure for transfer, and its intent that such actions not jeopardize high-quality care for Public Health Service beneficiaries, or detract from the community's ability to offer health services to all of its people.

Last year, I introduced and the Senate passed a concurrent resolution, Senate Concurrent Resolution 6, which required congressional clearance of the Department's plans for these facilities, through June 30, 1972. This bill, which I introduce today, writes into the Public Health Service Act the requirement that HEW make adequate assurances and give adequate notice to Congress of its plans before taking any action to transfer or close Public Health Service facilities.

I believe this bill will protect the interest of the beneficiaries who receive care at these facilities, the people in the community who depend on the facility for health services, the health care institutions in the community that use the facility for training and research, and the interests of those Americans who might receive better health care if the facility were used as a basis for National Health Service Corps operations.

Mr. President, this bill addresses areas in which I anticipate broad support in both the Senate and the House. An equivalent bill is today being introduced in the House of Representatives. The Health Subcommittee has scheduled hearings on August 2, and we hope to report a bill to the Senate for passage before the August recess. I urge my colleagues to give every attention to this bill and to join me in expediting its rapid consideration and passage.

Mr. President, I ask unanimous consent that the bill be printed at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 3858

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. This Act may be cited as the "Emergency Health Personnel Act Amendments of 1972".

Sec. 2. (a) Section 329(a) of the Public Health Service Act is amended to read as follows:

"Sec. 329. (a) There is established, within the Service, the National Health Service Corps (hereinafter in this section referred to as the 'Corps') which shall consist of those officers of the Regular and Reserve Corps of the Service and such other personnel as the Secretary may designate and which shall be utilized by the Secretary to improve the delivery of health care and services to persons residing in areas which have critical health manpower shortages."

(b) Section 329(b) of such Act is amended to read as follows:

"(b) (1) The Secretary shall (A) designate those areas which he determines have critical health manpower shortages, (B) provide assistance to persons seeking assignment of Corps personnel to such designated areas to provide under this section health care and services for persons residing in such areas, and (C) conduct such information programs in such designated areas as may be necessary to inform the public and private health entities serving those areas of the assistance available under this section.

"(2) (A) The Secretary may, after approval of the National Advisory Council on Health Manpower Shortage Areas (established under subsection (e)) assign personnel of the Corps to provide, under regulations prescribed by the Secretary, (and after consultation with the local government of such area, the State and district medical society in that area, or other appropriate health society as the Secretary may determine), health care and services for all persons residing in areas designated by the Secretary under paragraph (1) (A), if the State health agency of each State in which such area is located, or the local public health agency, or any other public or non-profit private health entity in such area, requests such assignment. Corps personnel shall be assigned to such area on the basis of the extent of the need for health services within the area and without regard to the ability of the residents of the area to pay for health services.

"(B) In providing health care and services under this section, Corps personnel shall utilize the facilities, and organizational forms adapted to the particular needs of the area and shall make services available to all persons in such area regardless of the ability of such person to pay for the care and services provided in connection with—

"(i) direct health care programs carried out by the service;

"(ii) any direct health care programs carried out in whole or in part with Federal financial assistance; or

"(iii) any other health care activity which is in furtherance of the purposes of this section.

"(C) Any person who receives health care or services provided under this section shall be charged for such care or service at a rate established by the Secretary, pursuant to regulations, to recover the reasonable cost of providing such care or service; except that if such person is determined under regulations of the Secretary to be unable to pay such charge the Secretary shall provide for the furnishing of such care or service at a reduced rate or without charge. If a Federal agency, an agency or a State or local government, or other third party would be responsible for all or part of the cost of the care or service provided under this section if such care or service had not been provided under this section, the Secretary shall collect from such agency or third party the portion of such cost for which it would be so responsible. Any funds collected by the Secretary under this subparagraph shall be deposited in the Treasury as miscellaneous receipts."

(c) Section 329(c) of such Act is amended by striking out "Service" and inserting in lieu thereof "Corps".

(d) Section 329(d) of such Act is amended—

(1) by striking out "Service" in the first sentence and inserting in lieu thereof "Corps", and by inserting before the period at the end of such sentence the following: ", except that if such area is being served (as determined under regulations of the Secretary) by a hospital or other health care delivery facility of the Service, the Secretary shall, in addition to such other arrangements as the Secretary may make to insure the availability of care or services to Corps personnel in the area, arrange for the utilization of such hospital or facility by Corps personnel in providing care and services in such area, but only if such utilization shall assure the continual provision of care to persons entitled to care and treatment at such facilities at such time.";

(2) by striking out "If there are no such facilities in such area" in the second sentence and inserting in lieu thereof "If there are no health facilities in or serving such area";

(3) by adding after the second sentence the following new sentence: "In providing such care and services, the Secretary may (A) make such arrangements as he determines are necessary for the use of equipment and supplies of the Service and for the lease or acquisition of equipment and supplies, and (B) secure the temporary services of nurses and allied health professionals."; and

(4) by inserting "(1)" after "(d)" and by adding at the end the following:

"(2) The Secretary shall conduct at medical and nursing schools and other schools of the health professions and training centers for the allied health professions, recruiting programs for the Corps. Such programs shall include the wide dissemination of written information on the Corps and visits to such schools by personnel of the Corps."

(e) Section 329(e) (1) of such Act is amended by adding at the end thereof the following new sentence: "The Secretary may not assign personnel of the Corps under subsection (b) (2) without the approval of the Council."

(f) Section 329(f) of such Act is amended (1) by striking out "Service" in paragraphs (1) and (3) and inserting in lieu thereof "Corps", and (2) by striking out "to select commissioned officers of the Service and other personnel" in paragraph (2) and inserting in lieu thereof "to select personnel of the Corps".

(g) Subsection (g) of section 329 of such Act is redesignated as subsection (h) and the following new subsection is inserted after subsection (f) of such section:

"(h) The Secretary shall report to Congress no later than May 15 of each year—

"(1) the number of areas designated under subsection (b) in the calendar year preceding the year in which the report is made as having critical health manpower shortages and the number of areas which the Secretary estimates will be so designated in the calendar year in which the report is made;

"(2) the number and types of Corps personnel assigned in such preceding calendar year to areas designated under subsection (b), the number and types of additional Corps personnel which the Secretary estimates will be assigned to such areas in the calendar year in which the report is submitted, and the need (if any) for additional personnel for the Corps; and

"(3) the number of applications filed in such preceding calendar year for assignment of Corps personnel under this section and the action taken on each such application."

(i) Section 329(g) of such Act is amended by striking out "and" after "1972;" and by striking out the period at the end and inserting in lieu thereof "; $30,000,000 for the fiscal year ending June 30, 1974; $40,000,000 for the fiscal year ending June 30, 1975."

Sec. 3. (a) The Secretary may not close or transfer control of a hospital or other health care delivery facility of the Public Health Service unless—

(1) he transmits to each House of Congress, on the same day and while each House is in session, a detailed explanation (meeting the requirements of subsection (b)) for the proposed closing or transfer, and

(2) a period of 90 calendar days of continuous session of Congress has elapsed after the date on which such explanation is transmitted.

For purposes of paragraph (2), continuity of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session because an adjournment of more than three days to a day certain are excluded in the computation of the 90-day period.

(b) Each explanation submitted under subsection (a) for closing or transferring control of a hospital or other health care delivery facility of the Public Health Service shall contain—

(1) (A) assurances that persons entitled to treatment and care at the hospital or other facility proposed to be closed or transferred and persons for whom care and treatment at such hospital or other facility is authorized will, after the proposed closing or transfer, continue to be provided such equivalent care and treatment through such hospital or other facility, or under such new arrangement and (B) an estimate of the cost of providing such care and treatment to such persons after the proposed closing or transfer;

(2) (A) assurances that the health service needs of the critical manpower shortage areas near the facility will not be impaired by the closing or transfer and (B) a detailed explanation of how such persons will be provided such care and treatment after the proposed closing or transfer; and

(3) (A) assurances that any teaching program conducted at the hospital or other facility proposed to be closed may be conducted at other appropriate facilities, and (B) a detailed explanation of how such program will be conducted after the proposed closing or transfer.

(4) the approval of those agencies established under section 314(a) and (b) of this Act, having jurisdiction in the area in which such hospital or other facility is located, where both such agencies exist or the approval of only one such agency where only one exists in such area.

Sec. 4. Section 741(f) of the Public Health Service Act is amended (1) by striking out "The payments" in paragraph (2) and inserting in lieu thereof "Except as otherwise provided in this paragraph, the payments", and (2) by adding after and below subparagraph (C) the following:

"In the case of any individual who qualified under paragraph (1) for payments on the principal of and interest on a loan and who, as a member of the National Health Service Corps, practices his profession in an area designated under section 329(b), the portion of the principal of and interest on the loans for which payments may be made for and on his behalf under paragraph (1) shall, upon completion of the first year of such practice, be 50 per centum and, upon completion of the second year of such practice, be the remaining 50 per centum."

Sec. 5. Title II of the Public Health Service Act is amended by redesignating the section 223 of that title entitled "Defense of Certain Malpractice and Negligence Suits" as section 224 and by adding after that section the following new section:

"SCHOLARSHIPS

"Sec. 225. (a) To encourage students at schools of medicine, osteopathy, and dentistry to become commissioned officers of the Regular Corps upon completion of their professional training, the Secretary may make in accordance with this section scholarship grants for study at such schools.

"(b) To qualify for a scholarship grant under this section, an individual must make application therefore in such manner as the Secretary shall by regulation prescribe and must—

"(1) be enrolled or accepted for enrollment in a fulltime course of study at a school of medicine, osteopathy, or dentistry leading to a degree of doctor of medicine, osteopathy, or dentistry or an equivalent degree, and

"(2) enter into an agreement with the Secretary to serve upon completion of his professional training as a commissioned officer of the Regular Corps for a period of 6 months for each academic year a scholarship grant is received under this section.

Service under an agreement described in paragraph (2) shall begin within such reasonable period of time after completion of professional training as the Secretary shall by regulation prescribe.

"(c) A scholarship grant under this section shall be made in such uniform amount (not in excess of $5,000 per student per academic year), and shall be paid in such manner, as the Secretary shall by regulation prescribe.

"(d) If an individual fails to comply with the terms of his agreement with the Secretary for service in the Regular Corps, the United States may recover from such individual all or such portion of the amount of scholarship grants received by such individual under this section as the Secretary determines is appropriate. The Secretary shall by regulation provide for the waiver or suspension of any obligation under such an agreement applicable to any individual whenever compliance by such individual is impossible or would involve extreme hardship to him and if enforcement of such obligation with respect to him would be against equity and good conscience.

"(e) The Secretary may enter into agreements with schools of medicine, osteopathy, or dentistry or other appropriate public or nonprofit private agencies under which such schools or other agencies will, as agents of the Secretary, perform such functions in the administration of this section, as the Secretary may specify. Any such agreement with any school or other agency may provide for payment by the Secretary of amounts equal to the expenses actually and necessarily incurred by such school or other agency in carrying out such agreement.

"(f) For the purpose of making scholarship grants under this section, there are authorized to be appropriated $2,000,000 for the fiscal year ending June 30, 1973; $4,000,000 for the fiscal year ending June 30, 1974; and $8,000,000 for the fiscal year ending June 30, 1975. For the fiscal year ending June 30, 1976, and for each succeeding fiscal year, there are authorized to be appropriated such sums as may be necessary to continue to make such grants to students who received such a grant before July 1, 1975, and who are eligible for such a grant under this section during such succeeding fiscal year."

By Mr. BELLMON:

S. 3859. A bill to provide fiscal relief for States with respect to State public assistance programs. Referred to the Committee on Finance.

Mr. BELLMON. Mr. President, along with most other Members I have long been extremely concerned about this Nation's welfare program. Since coming to the Senate, I have supported efforts to bring about effective change and reform in this system. There has been much discussion and debate concerning this subject. I commend the first chairman and the members of the Finance Committee for the extraordinary effort they have put forth to bring a comprehensive welfare reform bill before the Senate.

However, I am not optimistic. At this late date in this election year it appears that there is a small chance that a comprehensive welfare reform measure will be passed by Congress this session. As a result, the States are facing a fiscal crisis in their welfare programs. This crisis has largely been produced by Federal decisions and without a welfare reform bill, it can only be rectified by the implementation of interim legislation. Therefore, I am introducing a bill to give States critically needed relief.

Mr. President, failure to enact legislation which provides some form of fiscal relief to the States will result in a reduction of benefits to literally millions of American citizens who are least able to survive the hardship.

Let us examine the facts: Over the past 5 years the cost of aid to families with dependent children has more than tripled. To a large extent this increase is due to decisions beyond the control of the States. Regulations issued by the Department of Health, Education, and Welfare and recent decisions of the Supreme Court regarding the removal of residency requirements and changes in the "man in the house" rule have greatly added to the welfare program costs to the States.

It has become impossible for the States to maintain their welfare program at present levels. During the past 2 years, more than 20 States have found it necessary to reduce the levels of assistance payments to needy recipients. Thus, it is imperative that the Senate act promptly to correct this situation before other States are forced to make cuts.

Although several proposals have been introduced for this purpose, the one I feel which contains the best approach for solution of this crisis is the proposal developed by the National Council of State Welfare Administrators which was adopted by that organization in the following resolution:

Whereas, the National Council of State and Public Welfare Administrators had supported the basic concepts of welfare reform; and

Whereas, the National Conference of Governors recently reaffirmed its support for certain basic concepts in welfare reform and urged additional improvements to pending legislation now before the Congress; and

Whereas, the President of the United States has requested the Congress to delay implementation of welfare reform to 1973; and

Whereas, the welfare crisis (particularly as it has resulted in increasing costs to all States and localities) is of such severity that it cannot wait for ultimate long-range solutions; now, therefore be it

Resolved, that the National Council of State Public Welfare Administrators urge the Congress to enact temporary legislation for the period July 1, 1971 to June 30, 1973 during which the formulae for Federal participation in the current public assistance aid programs be increased by twenty percent (20%) of the current Federal formulae as it relates to each State. Such temporary legislation will permit careful, considered deliberation of welfare reform proposals; it will relieve State and local taxpayers of crushing burdents; it may prevent further reductions in benefits to the poor and needy; and it will carry out, in part, the earlier commitment of the Federal Administration to assume $5 billion of welfare expenditures during the current fiscal year.

This resolution was reaffirmed by unanimous vote of the 50 directors on June 7.

My bill would accomplish this objective: Essentially it calls for a very simple and effective method for providing States with a measure of needed fiscal relief. It would simply increase Federal matching funds to States by 20 percent of the existing Federal formula for each State. This has the virtue of being simple and effective and easily understood. It would provide essential equity to all States since it is based on the existing established matching formulas which are related to the fiscal capacity of each State, and would thus extend a measure of relief for every State.

Mr. President, this bill is short, and I ask unanimous consent that it be printed in full in the Record at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 3859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title XI of the Social Security Act is amended by adding at the end thereof the following new section:

"Sec. —. With respect to expenditures for aid or assistance made by any State under plans approved under titles I, X, XIV, XVI, and Part A of title IV for any quarter ending after June 30, 1972, and prior to July 1, 1974, the Secretary of the Treasury shall pay to each State in addition to such amounts as are otherwise payable under such approved plans, 20 per centum of such amounts, but in no event shall the total of Federal payments exceed 93 per centum of the total of expenditures for such aid or assistance."

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 32

At the request of Mr. KENNEDY, the Senator from Connecticut (Mr. WEICKER) was added as a cosponsor of S. 32, the Conversion Research, Education, and Assistance Act.

S. 1032

At the request of Mr. ROBERT C. BYRD (for Mr. HART), the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 1032, the Environmental Protection Act of 1972.

S. 1623

At the request of Mr. SCOTT (for Mr. BENNETT) the Senator from Colorado (Mr. ALLOTT) was added as a cosponsor of S. 1623, the National Health Insurance Partnership Act.

SOCIAL SECURITY AMENDMENTS OF 1972—AMENDMENTS

AMENDMENT NO. 1375

(Ordered to be printed and to lie on the table.)

Mr. METCALF submitted an amendment intended to be proposed by him to the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes.

AMENDMENT NO. 1380

(Ordered to be printed and referred to the Committee on Finance.)

Mr. STEVENS. Mr. President, I strongly support efforts which have been made and which are being made to establish national standards for welfare assistance. There is no question that a change must be effected in the system which currently allows over 1,000 different programs to operate.

However, in our zeal to create an equitable system it is necessary to remember that very real differences do exist and if we are to provide a truly fair system these differences must be taken into account.

I would like to give you a couple of examples which are very relevant. In March a dozen eggs in Nome cost $0.97; a half gallon of milk sold for $1.68. Eggs cost only half as much and milk less than half as much here in Washington, D.C. The cost of living in my State of Alaska far exceeds the most expensive metropolitan area of the "lower 48." The Federal Government has long recognized this fact by providing a 25 percent cost-of-living increase for civil service employees in Alaska.

A family of four in Alaska receiving welfare assistance currently gets between $2,700 and $4,500 a year, depending on the ages of the children. Commissioner McGinnis of the State of Alaska Department of Health and Social Services has estimated that under the present provisions of H.R. 1, the State of Alaska will have to spend an additional $21 million next year just to maintain current benefit levels. This is, of course, due to the fact that many more people will be eligible than are currently covered. This is an inordinately high expenditure in comparison to other States when it is realized that the Alaskan caseload comprises only one-tenth of 1 percent of the national caseload.

So that the poor of Alaska are fairly treated without placing an unjust burden on the State of Alaska, I introduce the following amendment. I request unanimous consent that it be printed in full in the CONGRESSIONAL RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT No. 1380

On page 134, between lines 15 and 16, insert the following new section:

SPECIAL PROVISIONS APPLICABLE TO BENEFITS PAYABLE TO RESIDENTS OF ALASKA

SEC. 144. (a) Title II of the Social Security Act is amended by adding after section 230 (as added by section 102 (b) of this Act) the following new section:

"SPECIAL PROVISIONS APPLICABLE TO BENEFITS PAYABLE TO RESIDENTS OF ALASKA

"SEC. 231. (a) The amount of any monthly insurance benefit to which any individual, who is a resident of Alaska, is entitled under the preceding provisions of this title shall be increased by a per centum equal to one-half of the per centum (if any) by which the per capita income of Alaska exceeds the per capita income of that one of the States of the United States which has the lowest per capita income.

"(b) (1) The per centum of increase to be used under subsection (a) shall be promulgated by the Secretary during November 1972 and during November of each even-numbered year thereafter, on the basis of the per capita income of Alaska and of the States of the United States for the most recent calendar year for which satisfactory data are available from the Department of Commerce. Such promulgation shall be effective for each of the two calendar years in the period beginning January 1 next succeeding such promulgation.

"(2) The term 'United States', for purposes of paragraph (1) only, means the District of Columbia and all of the fifty States except Alaska and Hawaii.

"(c) If the per centum of increase to be used under subsection (a) which would otherwise be promulgated for any calendar year would be lower than the per centum of increase promulgated for the immediately preceding period, such per centum of increase for such calendar year shall be increased to the extent of the difference; and the per centum of increase as so increased shall be the per centum of increase promulgated for such year.

"(d) For purposes of this subsection, an individual shall not be considered to be a resident of Alaska for any month during all of which he is physically absent from Alaska, if, for the two-month period immediately preceding such months, such individual has been continuously physically absent from Alaska."

On page 289, line 10, insert "Alaska," immediately before "Puerto Rico".

On page 289, line 12, insert "For special provisions applicable to Alaska, see section 1108 (f)." immediately after the period.

On page 361, line 22, insert "Alaska," immediately before "Puerto Rico."

On page 361, line 24, insert "For special provisions applicable to Alaska, see section 1108(f)." immediately after the period.

On page 408, line 16, insert "ALASKA," immediately after "FOR".

On page 408, line 18, insert "(a)" immediately after "Sec. 504.".

On page 410, between lines 9 and 10, insert the following:

(b) Section 1108 of the Social Security Act is further amended by adding after subsection (e) (as added by subsection (a) of this section) the following new subsection:

"(f) (1) In applying the provisions of—

"(A) subsections (a), (b), and (e) (1) of section 2011,

"(B) subsections (a) (2) (D) and (b) (2) of section 2012,

"(C) subsection (a) of section 2013,

"(D) subsections (a), (b), and (c) of section 2152,

"(E) subsections (a) (2) (C) and (b) (2) of section 2153, and the last sentence of subsection (b) of such section, and

"(F) the last sentence of section 2154(a), with respect to Alaska, the dollar amount to be used shall, instead of the figures specified in such provisions, be dollar amounts equal to that in the figures so specified plus a per centum thereof equal to one-half the per centum (if any) by which the per capita income of Alaska exceeds the per capita income of that one of the States of the United States which has the lowest per capita income.

"(2) (A) The amounts to be used under such sections in Alaska shall be promulgated by the Secretary between July 1 and September 30 of each odd-numbered year, on the basis of the average per capita income of Alaska and of the States of the United States for the most recent calendar year for which satisfactory data are available from the Department of Commerce. Such promulgation shall be effective for each of the two fiscal years in the period beginning July 1 next suceeding such promulgation.

"(B) The term 'United States', for purposes of subparagraph (A) only, means the District of Columbia and all of the fifty States except Alaska and Hawaii.

"(3) If the amounts which would otherwise be promulgated for any fiscal year for Alaska would be lower than the amounts promulgated for Alaska for the immediately preceding period, the amounts for such fiscal year shall be increased to the extent of the difference; and the amounts so increased shall be the amounts promulgated for such year."

SMALL BUSINESS ADMINSTRATION DISASTER LOAN—AMENDMENTS

AMENDMENTS NOS. 1376 THROUGH 1379

(Order to be printed and referred to the Committee on Banking, Housing and Urban Development.)

Mr. SCHWEIKER. Mr. President, I introduce four amendments to H.R. 15692, a bill to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans.

The first of these amendments would lower the interest rate to 1 percent on loans to major sources of employment under section 237 of the Disaster Relief Act, Public Law 91–606. These loans are designed for larger companies which would otherwise be ineligible for SBA assistance. Companies qualifying for section 237 loans are those which constitute a major source of employment in the local area and which have had their operations knocked out substantially by a disaster. Since these companies are vitally important to local economies, I believe it is essential to provide low-interest Federal loans so that these companies can get back on their feet and provide employment which is so desperately needed.

The second amendment would provide loans to new industries moving into a disaster area within 3 years after the disaster, provided that unemployment in the local area is at least 10 percent. The purpose of this amendment is to assist hard-hit local communities in attracting news sources of employment. It is vitally important that these communities be put in a position of being able to attract new industry after a disaster. Many small businesses may close, and larger companies may also decide not to reopen. Essentially, this amendment gives local communities a rebuilding tool after a major disaster. Limiting the eligibility for assistance to communities suffering from high unemployment assures that this type of assistance will be available only where it is really needed.

The third amendment permits the Small Business Administration to make loans for working capital purposes. At present, such loans are made only for reconstruction and repair of damaged facilities. However, businesses, particular small businesses, also need working capital in order to get back on their feet again.

The fourth amendment permits Federal grants to compensate local governments for the loss of tax revenue from nonproperty tax sources. Under the existing Disaster Relief Act, the Federal Government can reimburse local communities for the loss of property tax revenue resulting from a major disaster. This is entirely appropriate. However, in some States a substantial amount of local revenue is raised from nonproperty tax sources. For example, in Pennsylvania about 45 percent of all local revenue is generated from nonproperty taxes. This amendment recognizes that reality and permits the Federal Government to give grants to local communities for the loss of any kind of local tax revenue.

Mr. President, I ask unanimous consent that the text of these amendments be reprinted in the RECORD at this point.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

AMENDMENT No. 1376

On page 10, after line 17, insert the following:

SEC. 4. (a) In the case of a major disaster as determined by the President, or a disaster as determined by the Administrator of the Small Business Administration, which occurred after Janauy 1, 1971, and prior to July 1, 1973, the Small Business Administration may make a loan to a nonagricultural enterprise, without regard to whether it suffered damage in that disaster or was located in the area affected by that disaster, for the purpose of enabling it to establish operations in a disaster area, without regard to limitations on the size of loans which may otherwise be imposed by any other provision of law (or regulation promulgated thereunder), if—

(1) unemployment in that area exceeds 10 percent at the time of the application for the loan; and

(2) the applicant will constitute a new major source of employment in that area.

(b) Loans made under this section shall bear interest at the rate of 1 per centum per annum.

(c) Assistance under this section shall be in addition to any other Federal disaster assistance except that such other assistance may be adjusted or modified to the extent deemed appropriate by the Director of the Office of Emergency Preparedness under section 208 of the Disaster Relief Act of 1970.

AMENDMENT No. 1377

On page 10, after line 17, insert the following new section:

SEC. 4. Notwithstanding the provisions of section 234 or 237(b) of the Disaster Relief Act of 1970, loans made by the Small Business Administration under the authority of section 237 of that Act shall bear interest at a rate of 1 per centum per annum if such loans are made on account of a major disaster determined by the President, or a disaster determined by the Administrator of the Small Business Administration, which occurred after January 1, 1971, and prior to July 1, 1973.

AMENDMENT No. 1378

At the end of the bill insert the following:

SEC. —. Section 231 of the Disaster Relief Act of 1970 is amended by—

(1) inserting "(a)" before the first word of text; and

(2) adding at the end of such section the following new subsection:

"(b) Loans to which this section applies may also be made for the purpose of providing working capital, the payment of operating expenses, and any purpose for which loans may be made under section 7(a) of the Small Business Act (15 U.S.C. 636 (a))."

AMENDMENT No. 1379

At the end of the bill insert the following:

SEC. —. Section 241 of the Disaster Relief Act of 1970 is amended by striking out "property" wherever it appears, and by striking out "(both real and personal)".

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 1357

At the request of Mr. METCALF, the Senator from North Carolina (Mr. ERVIN) was added as a cosponsor of Amendment No. 1357 intended to be proposed to the bill (H.R. 14370) to provide payments to localities for high-priority expenditures, to encourage the States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes.

AMENDMENT NO. 1363

At the request of Mr. TOWER, the Senator from Arizona (Mr. FANNIN), the Senator from Georgia (Mr. GAMBRELL), the Senator from Florida (Mr. GURNEY), the Senator from Idaho (Mr. JORDAN), and the Senator from Florida (Mr. CHILES) were added as cosponsors of amendment No. 1363, intended to be proposed to the bill (H.R. 15495) authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

ADDITIONAL STATEMENTS

SENATOR ALLEN J. ELLENDER, OF LOUISIANA—IN MEMORIAM

Mr. TALMADGE. Mr. President, on this warm misty day in July the flags droop at half staff on this building for a man now dead, who once filled its halls with the vitality of ageless vigor.

Unhappily, it is for us today to mourn the passing of the Honorable ALLEN J. ELLENDER, the dean of the Senate, the President pro tempore, the chairman of the Committee on Appropriations, and the former chairman of the Committee on Agriculture and Forestry for 18 years—serving longer than any of the 40 chairmen of this committee since the first was named in 1825.

Senator ELLENDER was born in his beloved Louisiana on September 24, 1890. He was a lawyer, a farmer, and a consumate politician, who oddly enough, seldom discussed politics.

Although he was a floor leader for the great Huey P. Long in the Louisiana Legislature, he left State politics behind when he came to the U.S. Senate in 1937, because he felt he should confine all of his responsibilities at the Federal level. Those of us who knew him best recall that this was truly a nonpartisan man—a Senator imbued with fairness for all and malice toward no one.

There are those who will come after me who will list the great number of accomplishments of this man. But I will mention only one trait of his. As you sweep across this great land in an airplane, from one huge city to another, it is easy to notice that most of America is small towns, farms, and open country. The people of rural Louisiana and rural America were his people. He loved their openness and friendly ways. He did his best to help them throughout his distinguished career, and these people owe ALLEN J. ELLENDER a debt they can never know, nor repay.

I may take pride in my work on rural development. But ALLEN ELLENDER was the mentor for us all. He was one of the authors of modern American farm policy, a program that has given this Nation an abundance of food at low cost, permitting our citizens to have more dollars to spend on enriching their lives.

When ALLEN first came to the Senate, junior Members were not generally permitted access to the major committees. When the leadership sent him a form on which he was to select his first three choices for committee assignments, he wrote:

> Agriculture, Agriculture, Agriculture.

The people of America can thank God that he did.

ALLEN ELLENDER was one of the first conservationists in Congress, and his concern for the environment was evidenced in many ways from the small farm ponds dotting the landscape to major waterways.

His concern for the children of America came to fruition when he and the late, lamented Richard B. Russell, of Georgia, began the school lunch program many years ago.

This was a frugal man, who more than anyone else stood on the bridge to prevent irresponsible forays upon the Federal budget. And this spirit of economy was reflected in his own spartan life style.

His staff members were his friends. One remembers him as a man who thought of his staff as a part of his family—people whom he was prepared to help in any way possible. But he wanted you to be an individual, to do your own thing.

When Senator ELLENDER needed to fill the position of chief clerk on the committee, he asked the State Board of Education in Louisiana to recommend the best man possible. The board sent him a man, and he was given the job even though he and the Senator had never met.

Another staff member on our committee remembers his sense of humor. She recalls:

> Once the Senator told me to go down to his office and get something out of his desk drawer that reminded me of Herman. I opened the drawer and there was an enormous cigar. I brought it back to Senator Ellender and he presented it to Senator Talmadge, saying, "There, that ought to last you through a couple of meetings."

Most of us in the Senate are aware that ALLEN ELLENDER was a world traveler. He loved to talk about his trips abroad, the people he met, and the way they lived. Travel was Senator ELLENDER's therapy.

In 1965, after laboring long over a farm bill, he took off in a car over the long Labor Day weekend and drove 2,300 miles along the back roads of the country, stopping from time to time to talk to people along the way. When he returned to Washington, he said he was rested and ready to go back to work.

This constant communication with people of all nationalities was the spice that made Senator ELLENDER's life. It was what kept him strong and alert, and strong throughout his political career.

His other pastimes were Cajun cooking, fishing, and doting over his 13 grandchildren.

Each year he gave a dinner in his home for his entire staff, and he would do the cooking, preparing the Louisiana-French recipes which he loved so well.

There are those, who view this Congress superficially, who viewed ALLEN ELLENDER as a stern man with little compassion. Those of us who knew him better saw him as a warm human being who served his country better than most can ever dream to do. America has lost a great man. The U.S. Senate is diminished by his passing.

Mr. BIBLE. Mr. President, the death of Senator ALLEN ELLENDER has cost Senators not only their respected dean and President pro tempore but also their most tireless and dedicated colleague. It has cost the Nation one of its great leaders and independent thinkers.

It has cost us all a close friend.

ALLEN ELLENDER was not the type of man who often made headlines. He was always more intent on getting a job done than talking about it or publicizing it. It is a sad irony that this very attribute—this dedication to Senate service—prevented him from receiving the full national recognition he deserved.

But no man was more admired and respected in the Nation's Capital or in his own beloved State of Louisiana, where he began his career in public service nearly 60 years ago.

Our distinguished majority leader has called ALLEN ELLENDER a workhorse. If anything, that is an understatement. He was on the go constantly, putting in long hours at his desk, attending committee sessions, and taking an active role in floor debates. He was an expert on any given subject at any given time. His expertise and counsel were valued by all Senators, and we envied him his energy and his capacity. Only death could still his constructive hand, and it was sad but fitting that death came to ALLEN ELLENDER as he rushed back to the Senate, interrupting an exhausting campaign schedule to fulfill his responsibilities in Congress.

He died as he lived, never sparing himself in his dedication to Senate service.

ALLEN ELLENDER is most easily and quickly linked to agriculture and public works achievements, two areas in which he was an acknowledged expert as chairman of the Agriculture Committee and the Public Works Appropriations Subcommittee. But his interests and his leadership did not stop there. He was actively involved in every important issue, ranging from foreign relations and military preparedness to nuclear research and the national economy.

His workload and his interests increased still further—if that were possible—when he became chairman of the Committee on Appropriations. As a member of that committee and one who has served under several distinguished chairmen, I can say without hesitation that no one worked as hard as ALLEN ELLENDER in managing this powerful committee. He was everywhere. He presided at every meeting of the full committee and of his Subcommittee on Defense. And he was almost always present as an active participant when other subcommittees held their hearings or executive sessions.

No one cracked the whip on appropriations as did ALLEN ELLENDER. Yet no one was more liked and respected as chairman.

I doubt that much of the Nation realized the extent of its loss when ALLEN ELLENDER died. We on Capitol Hill realize it full well. We mourn his passing. We grieve at the loss of a good friend and great leader. And we know it will be a long time—if ever—before another man of ALLEN ELLENDER's remarkable energy and ability can replace him in the Senate.

Mr. HOLLINGS. Mr. President, it was with a great sense of personal loss that I learned last evening of the death of Louisiana's distinguished son, ALLEN J. ELLENDER.

Within the passage of little more than 1 year, the Senate has lost two of its modern giants. Last year it was Richard Brevard Russell who was taken from us. Senator Russell's successor as chairman of the Committee on Appropriations was, of course, ALLEN ELLENDER. They were men cut from the same mold. Both were workers, performers. They preferred the world of work and real progress to the ephermeral world of imagery and newspaper headlines. Both worked with a quiet diligence that is difficult to find these days. As a result, both made a historic imprint not only upon the deliberations of the Senate, but, more important, on the well-being of the Nation.

ALLEN ELLENDER's career of public service began in 1913. By the time he came to this Chamber in 1937 he had already compiled a distinguished record of service. He went on to serve 35 years in the Senate. These were years of cataclysmic change in the life of the United States. At home, the role of government altered significantly; while abroad, the United States assumed world leadership after a long history of isolationism. These were years to try the beliefs and shake the moorings of many of our citizens. But through them all, ALLEN ELLENDER moved with wisdom and consistency of character.

With an open and flexible mind, he was able to adjust to new realities, to move along with the tide of the passing years. Yet his deepest beliefs, his determined character, and his straightforwardness never changed. He was not shaken by great change in the outer world, because the inner world of his convictions remained stable. He believed in work. He believed in the goodness of his fellow man. He believed in his country.

With those moorings, he was no target for the insecurities and passing fancies of the changing times. In force of character he stood like a rock amidst the rushing waters of recent years. For that, we can all be thankful.

It was my privilege to know and serve with Senator ELLENDER during the past 6 years. I was on the Committee on Agriculture and Forestry under his chairmanship and—more recently—on the Committee on Appropriations with him. I welcomed his advice and counsel, which were always freely given. I admired his energy. Under his chairmanship, the Appropriations Committee worked at record speed in meeting its legislative obligations. Such was his energy and his ability to work that I was truly shocked by word of his passing, in spite of the fact that he was an old man by the terms of the calendar. We in the Senate remarked always on his fast pace and almost youthful determination.

One of my interests as a Member of the Senate has always been the elimination of hunger in the United States. I found Senator ELLENDER to be a leader in the drive. He was, in fact, an author of the original school lunch program.

The senior Senator from Louisiana was an expert in matters of agriculture and finance, and he always harbored a deep interest in international affairs. He traveled widely, and brought to his interest in diplomacy both insight and commonsense. He anticipated recent changes in our relationship with the Soviet Union, for instance, long before such changes were acknowledged by either State Department or White House. But his advice was frequently sought by those responsible for the conduct of America's statecraft.

Mr. President, the Senate of the United States will feel the loss of this good and able man. We will have to work all the harder to fill the void left by his untimely passing. We will have to rededicate ourselves to the labors at hand. We will have to work as he would have wanted us to work.

I join with ALLEN ELLENDER's many friends in Louisiana, in this Chamber, and throughout the country in mourning the death of an outstanding leader, a fine American, and a tried and true friend.

Mr. SPONG. Mr. President, I saddened to hear of the sudden passing of the Senator from Louisiana (Mr. ELLENDER).

Senator ELLENDER was one of the Senate's most disinguished Members and a colleague whose friendship I valued and whose many acts of kindness I will not forget. No Member of the Senate devoted himself more tirelessly to his duties and yet was as ready to concern himself with the problems of a fellow Senator. I often benefited from his counsel, based upon long years of public service.

Senator ELLENDER's death is a great loss to the Senate and to the people of the United States. I join my colleagues in extending the deepest sympathy to his family.

Mr. President, at the request of the distinguished Senator from Missouri (Mr. EAGLETON), I ask unanimous consent that a statement by him relative to the death of Senator ALLEN J. ELLENDER be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR EAGLETON

I am saddened to learn of the death of Senator Allen Ellender, the senior Member of the United States Senate both in terms of his age and his length of service in that body.

By any measuring device, Senator Ellender was a conservative, and during my years in the Senate we have often been on the opposite side of the issues.

But Senator Ellender's conservatism was that of a free spirit and an open mind—one that reached out to touch the peoples of other lands and to understand the changing conditions of the world in which he was fully engaged until the hour of his death.

The Senate will miss his diligence, his integrity, and his zest for life.

Mr. COOPER. Mr. President, I know that a time will be set aside later for tributes to Senator ELLENDER, but I take the liberty of speaking today with a full heart—for all of us were saddened and shocked to learn last evening that he had left us. I am very glad I had spoken of the work of Senator ELLENDER in the Senate on October 8 last year, and to know that my remarks at that time gave him some satisfaction. I will not repeat today my comments about the importance of Senator ELEENDER's work and the contribution that he made to the life of this country. It was a great work, for he was not only a true friend of the farmer but also devoted himself year after year to the resolution of farm problems—so intractable that for a time there was a widespread and general belief that they could not be solved. Monuments to his years of work as chairman of the Appropriations subcommittee on Public Works exist in nearly every State, and will protect communities from floods and provide transportation, water, and power to support the economic life of great areas of this country for years to come.

We worked together, and the people of my State of Kentucky owe much to the interest, attention, and effort of this great friend—one who was my friend, and a friend of my State. But I know that a recital of Senator ELLENDER's accomplishments would be as long as his service in the Senate. His example for economy in government; his deep interest in our relations with other nations, and his efforts to reduce the danger of war and move toward better, peaceful relations with other countries are well known.

I prefer to speak today of Senator ELLENDER's character and of his human qualities—which were, of course, reflected in all his work, but which also made the man.

I had spoken of his diligence, and others with deep affection have called ALLEN ELLENDER a workhorse of the Senate, not a show horse, but I would like to add that this attention and daily effort were directed to higher purposes. His attention went to due process—the consideration of the views of every witness. His confidence in an individual ability to understand and come to grips with problems—problems which appear increasingly complex and formidable—was an affirmation of hope renewed, reminding us that man can control his life and our destiny, and that we need not retreat into the blind night of chaos. He brought to his work each day this attitude—a determination in securing the facts, probing for answers, the assertion of the pre-eminence of individual experience, wisdom, and judgment. Especially during a period emphasizing consensus, reliance on polls, committees, and the anonymity of vast organizations, ALLEN ELLENDER's approach gave witness to the essential value of the individual and of human dignity, which lie at the roots of our democratic system. It was largely in this way, through his human qualities and character, I believe, that he was a source of strength to us all, and a firm support in our structure of government.

ALLEN ELLENDER may not have been thought of as a complex personality, though charm, courtesy, and wit he had. He appeared direct and straightforward, almost plain, but no one ever needed to speculate about his views or position. He had his life in order, he knew his own mind, he had a firm grasp on what was right. Yet he was always willing to listen to the views of others, and practiced unwavering patience and constant courtesy.

He was a good man and a great Senator. He never forgot the needs of the people of Louisiana and worked faithfully for them. Yet he was also a leader for the Nation—a good and conscientious man, devoted to his own principles and to his country. He served his State, this body, and his country well, and I believe that his example will live on in this Chamber. We will miss him dearly.

A SPECIAL TRIBUTE

Mr. MONTOYA. Mr. President, it gives me great pleasure to salute a longtime friend, an outstanding woman, and a great American widely known as the "Mother of Organized Efforts To Help the Senior Citizen," Miss Fidelis O'Brien, of Albuquerque, who recently celebrated her 89th birthday.

Miss O'Brien has been active in efforts to sensitize American to the needs of their elderly citizens for many years. As far back as the White House Conference on Aging in 1960, Miss O'Brien was sponsoring four positive proposals designed to alleviate some of the many problems which face America's aged. She fought for increased incomes for the retired, supervised nursing homes, more partial employment for those who wish to continue to work after retirement, and expanded recreational opportunities. In all of these areas, Miss O'Brien has seen her efforts bear fruit.

While some would have rested, Miss O'Brien continued to dedicate her life to the needs of the elderly. In 1960, she was instrumental in starting a group that later became known as CASA, Coordinated Action for Senior Adults, Inc. In 1962, she became the first woman to suggest that a State commission on aging be formed. She was also active in planning, promoting, and participating in an Albuquerque senior citizens center.

Miss O'Brien has not confined her community service to efforts on behalf of the elderly. She also works with mentally retarded children and a mobile home newsletter. At 89 years of age, she is still an "activist" in terms of concern for her fellow man.

Until recently, Miss O'Brien managed her own home, and has been living alone since her sister died in 1953. Over the last 5 years her vision has dimmed until she can hardly distinguish between darkness and light. A lesser person would be discouraged but Miss O'Brien hopes to be able to learn braille with the aid of an instructor, giving further evidence of the courage that has always marked her life.

Noting the concern and service Miss

O'Brien has displayed throughout her life, I am sure that all Senators will want to join me in wishing her a very happy 89th birthday and many more years of well-being and opportunity to continue her most important work.

CRIME IN THE METROPOLITAN WASHINGTON AREA

Mr. MATHIAS. Mr. President, on May 12 of this year I held a news conference at which I announced the findings of a study made by the Metropolitan Washington Council of Governments relating to crime in the metropolitan area. The Council found that there in fact existed an "interjurisdictional" nature of crime, that is, criminals will cross political boundaries to commit their criminal acts. They documented what is now referred to as the "Mercury Theory" of crime, a theory which says that if you attack crime geographically rather than concentrating on an offender oriented program, crime will just "spillover" into the next jurisdiction. This made sense to me, after all, if we do not alter the propensities of the criminal, we only assure that he will go elsewhere to commit his acts.

Prince Georges County Executive William Gullett has now joined me in concern over this matter. He recently claimed that "massive law enforcement" in the District was pushing crime into Prince Georges County. On the basis of the council of governments' report he should have a particular concern, for that report found over an 8-month period, 70 percent of those arrested for the crime of robbery in Prince Georges County were residents of the District of Columbia.

I am confident that the more the Federal Government studies this problem, they too will conclude that if we are to decrease crime in America we must attack it on a metropolitan area level. I intend to introduce legislation in the next Congress to achieve this objective. This is not a case of blaming one jurisdiction for the crimes of the other, but rather it is a case of attempting to get the best means of decreasing crime in America.

Mr. President I ask unanimous consent that the complete text of the article describing Mr. Gullett's position as published in the Washington Post on July 7, 1972, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Prince Georges Rise in Crime Laid to Beefed-Up District of Columbia Police

(By Philip A. McCombs)

Prince George's County Executive William W. Gullett said yesterday that "massive law enforcement" in the District of Columbia "is pushing many criminals into the suburbs to ply their evil trade."

He said 65 per cent of the inmates in the county jail and 40 per cent of those arrested for robbery by county police in the first six months of this year in Prince George's are Washington residents.

"It is obvious that the massive increase in police strength in the District is forcing criminal activity into the suburbs," said Gullett.

Prince George's County police spokesman John Hoxie said he could not supply comparative statistics for the 1968 to 1972 period that would support or disprove Gullett's statement.

It was during this period that the dramatic increase in the D.C. police force from 3,100 to 5,100 men took place, spurred partly by a 1968 campaign commitment by President Nixon to erase Washington's image as "the crime capital of the nation."

The only comparative statistics that Hoxie did supply showed that the percentage of D.C. residents arrested for robbery in Prince George's during 1971 was about 50 per cent, higher than the 1972 figure.

Hoxie said the statistics are "poor indicators" and that "there is no real way to measure spillover" of crime from the District to Prince George's.

Hoxie said 90 per cent of the robberies in Prince George's in 1971 happened inside the Beltway and that this as "an indication (of) spillover and deterioration of neighborhoods inside the Beltway and closer to the District.

James Murray, administrative services officer of the metropolitan police force in the District said he has no way of knowing statistically if Gullett's statement is true.

Jace Herzig, assistant director of public safety for the Council of Governments, a confederation of area governments that studies local problems, said that 70 per cent of those arrested for robbery by Prince George's County police during the seven-month period between October 1971 and April 1972 were D.C. residents.

Hoxie said this figure was better than his own of 40 per cent for the last six months. He said the COG figure was more comprehensive than his own since it included arrests by local police departments as well as those by county police.

Herzig said it is difficult to get meaningful statistics on the spillover problem and that COG is working to do this.

"Prince George's citizens have increasingly become the victims of crime committed by D.C. residents driven out of the city by the wall-to-wall police force being established there," Gullett said in a reply he prepared yesterday to a WRS–TV editorial taking issue with the spillover theory.

Gullett said that while $90 million is being spent on the D.C. police force this year, the 700-member Prince George's force has a $13.4 million budget.

SENATORS AWARDED CITATIONS OF RECOGNITION BY NATIONAL SMALL BUSINESS ASSOCIATION

Mr. GURNEY. Mr. President, recently the National Committee for Small Business Tax Reform, a committee of the National Small Business Association, paid homage to 28 Members of the Senate. These Senators were those who have either introduced small business tax reform legislation or publicly announced their support for it. Each Senator was presented with a citation of recognition by Harry Brinkman, the president of NSB and Edward Larson, chairman of the committee. The citation reads as follows:

National Small Business Association

This citation of recognition is conferred upon ——— in appreciation of significant and valued contributions to the American small business community and for sponsorship of small business tax reform legislation during the 92nd Congress of the United States of America. (By: Harry E. Brinkman)

Upon making the award, Chairman Larson had this to say about the Senators:

> The forthright action on the part of the Senator in publicly supporting tax simplification and reform for the 16½ million small businessmen in America, and particularly those in his State, deserves the highest recognition. This action should be regarded as the first move in the direction of equitable tax treatment for nineteen of every twenty firms in the United States which are small business.

The Members of the Senate who received the certificates of recognition are: Birch Bayh, Wallace F. Bennett, Alan Bible, Quentin Burdick, Robert J. Dole, Peter H. Dominick, James O. Eastland, David Gambrell, Mike Gravel, Robert P. Griffin, Edward J. Gurney, Mark Hatfield, Hubert H. Humphrey, B. Everett Jordan, Edward M. Kennedy, George McGovern, Thomas J. McIntyre, Lee Metcalf, Joseph M. Montoya, Frank E. Moss, Gaylord Nelson, Claiborne Pell, Jennings Randolph, Richard S. Schweiker, John Sparkman, Ted Stevens, John G. Tower, Harrison Williams.

Mr. President, I would hope that Senators who have not placed themselves on record as favoring this legislation would add their names to this roster of their distinguished colleagues.

INFORMATION ON AMERICAN POW'S

Mr. KENNEDY. Mr. President, as I have regularly done since 1966, last May I addressed a letter to the President of North Vietnam in an attempt to secure further information on the identity and treatment of American prisoners of war and missing in action in Indochina.

In late June, in answer to that letter, I received an official North Vietnamese list of American pilots captured and being held in North Vietnam since last November 15, 1970. This list updates an earlier list I received in December 1970. The list of 24 new names was communicated immediately to the Department of State for notification of family members in this country.

The new list represents the latest compilation of names of American pilots being held in North Vietnam. It does not include prisoners of war in other areas of Indochina, but I am extremely hopeful that the identification of prisoners held in Laos, Cambodia, and South Vietnam, will be forthcoming at an early date.

On July 23, I received 24 letters from the prisoners identified on the new list. These letters were addressed to family members in this country. I have informed the Department of State of these letters and have transmitted them to the parents and wives.

Mr. President, although the latest information from Hanoi falls far short of the full accounting of our men, much less their release, it does represent a hopeful measure of progress, especially for the prisoners' families. It is also a tribute to the strong hope and persistent concern of these families, and all Americans, who pray for peace and the early return of our men from Indochina.

It is incumbent upon all of us to do whatever we can to help secure further information about our prisoners and to work for their release, and I shall continue to do so.

I ask unanimous consent that excerpts from my latest correspondence with the President of North Vietnam be printed in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
May 19, 1972.

President TON DUC THANG,
Democratic Republic of Vietnam,
Hanoi, Vietnam

DEAR MR. PRESIDENT: I am writing to you again to appeal for your help in receiving a current list of captured Americans in Indochina. As you know, your Government's official list of United States pilots captured in the Democratic Republic of Vietnam, which accompanied your letter of December 14, 1970, was appreciated by many Americans as a positive step towards reducing the barriers and misunderstandings that divide our two countries. I am sure you understand that the availability of such basic information, as the identity of American personnel held in Indochina, eases the anguish in many hearts, especially among the families of prisoners and missing in action.

As I suggested to you in my letters of March 12 and September 28, 1971, I would hope that the competent services of your Government would be able to facilitate the identification of all American personnel held by your Government and other authorities—such as the National Liberation Front, the United National Front of Kampucheu, and the Neo-Lao Hak Sut—throughout Indochina. My deep personal concern over the identity of all prisoners includes the possible capture of a number of journalists, both American and other nationals.

In addition to appealing for your help in receiving a comprehensive list of all captured Americans in Indochina, I would like to reiterate two earlier proposals for your Government's earnest consideration.

First, I would hope that new arrangements could be made, perhaps through the International Control Commission or another recognized international body, for a regularized and freer flow of mail between all prisoners in Indochina and their families abroad.

Secondly, I would hope that seriously ill and wounded prisoners could be repatriated through a neutral country, such as Sweden, with the understanding that repatriated military personnel would remain in that country until appropriate arrangements are concluded for the release of all prisoners.

In this connection also, Mr. President, I would like to call your Government's attention to recent initiatives by the International Committee of the Red Cross regarding the care and protection of the civilian population in currently difficult battle areas of Indochina. I am extremely hopeful that your Government will give every consideration to these humanitarian initiatives.

In light of our previous correspondence, and in the name of our common humanity, I appeal for you and your Government's sympathetic and early consideration of my letter. I can assure you, Mr. President, that your favorable consideration of modest steps outlined above, would be gratefully welcomed as a meaningul contribution towards peace.

Sincerely,
EDWARD M. KENNEDY.

[Translation]

HANOI,
June 16, 1972.

Hon. E. M. KENNEDY,
Senator,
Massachusetts

DEAR SIR: In reply to your letter of late May, I would like first of all to reaffirm that the Government of the Democratic Republic of Viet Nam has consistently carried out a humane policy towards the U.S. pilots captured in North Viet Nam although they have killed our countrymen and destroyed the fruits of our labour with their bombs.

I know that you have been taking great interest in the fate of the American pilots captured in our country and in the rest of the Indochinese peninsula. Had the present U.S. Administration given a positive response to the reasonable and logical proposals of the Provisional Revolutionary Government of the Republic of South Viet Nam, there would have been long since a possibility not only of bringing home all U.S. servicemen including those captured, but also of ending a war which has caused many losses to our people as well as to the American people. Because of its design to maintain the stooge administration in Saigon to impose a neocolonialist regime on South Viet Nam, the Nixon Administration has chosen the path of sabotaging the Paris Conference on Viet Nam, stepping up the war of extermination in South Viet Nam, making adventurous and frenzied escalation moves against the Democratic Republic of Viet Nam, thus piling up untold barbarities against the Vietnamese people. However, as long as the United States pursues its aggression, the Vietnamese people will fight on, and defend at any price the independence and freedom of their Fatherland and the South Vietnamese people's right of self-determination. The more the U.S. authorities intensify and extend the war, the deeper the United States will get involved in the Indochina war, and the settlement of the issue of captured U.S. militarymen will be further delayed. U.S. President Nixon must bear full responsibility for all consequences arising from this warlike policy of his.

The peoples of the world and the goodwilled Americans are sternly condemning the new military adventure of the Nixon Administration and firmly demanding that it put an immediate end to the bombing, mining and blockade of the Democratic Republic of Viet Nam, and to the "Vietnamization" policy, stop at once supporting the stooge Nguyen Van Thieu administration; seriously negotiate at the Paris Conference on Viet Nam, give a positive response to the 7 points put forward by the Provisional Revolutionary Government of the Republic of South Viet Nam, and two key questions of which have been elaborated. With their own efforts, with the great support and assistance of their brothers and friends around the world, the Vietnamese people are sure to victoriously defend their sacred national rights.

With regard to the specific problems you have raised, my views are as follows:

The list you have received includes the names of all American pilots captured in North Viet Nam between August 5, 1964, and November 15, 1970. Of course, it has been lengthened since the U.S. authorities intensified the bombing of our country. I have directed the responsible services to give you information about the Americans who have been captured in North Viet Nam since that date. About the intimation of the names of the Americans captured in South Viet Nam, we will exchange views with the Provisional Revolutionary Government of the Republic of South Viet Nam which will take an appropriate decision on this subject.

Regarding the seriously ill and wounded American pilots in North Viet Nam, you may be assured that they have always enjoyed the necessary, timely and effective care of our medical services. You may clearly see this through the humane policy of our Government, through what goodwilled Americans who have been to Hanoi have seen and heard for themselves. Permission to the Americans captured in North Viet Nam to receive mail and medicine from their families through the existing channel is an appropriate humanitarian measure in the present circumstances.

With best regards,

TON DUC THANG,
President, of the Democratic Republic of Viet Nam.

BENEFITS TO ACCRUE FROM ALASKA PIPELINE

Mr. STEVENS. Mr. President, over the past several months I have emphasized the benefits which will accrue to the Nation and the State when Alaska's petroleum reserves are delivered by the Alaska pipeline. One of my key points has been that this privately financed, resource-based endeavor will produce a chain reaction of employment in the primary, secondary, and support industries. The general executive board of the International Union of Operating Engineers, AFL–CIO, recently punctuated this by passing a resolution urging early construction of the pipeline.

Mr. President, I ask unanimous consent that the statement descriptive of this resolution be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ALASKA PIPELINE

"Early construction of the Alaska pipeline has been strongly recommended by the General Executive Board of the International Union of Operating Engineers, AFL–CIO, as an essential in reducing unemployment and providing new American job opportunities," General President Hunter P. Wharton announced today.

Wharton said that the project, financed by private capital, would bring employment to 30,000 workers in the construction of the pipeline itself and in related fabrication and service industries.

"If it is built through Alaska, construction of this pipeline also would mean that American Labor, working on American soil, would deliver American oil to American consumers through the use of American-built tankers," Wharton added.

The International Union of Operating Engineers called for an early conclusion of litigation which has delayed construction of the Alaska pipeline. Legal proceedings commenced following the announcement of the U.S. Secretary of the Interior that he is prepared to issue the right-of-way permit.

"It is the opinion of our General Executive Board that the litigation should be expedited and a decision obtained as quickly as possible," Wharton said.

"The new jobs that would be made available would greatly stabilize our entire economy.

"The International Union of Operating Engineers urges the Congress of the United States and all segments of American labor and business to recognize the necessity of initiating a project that contains the stimulus to reduce the rolls of the unemployed and provide new job opportunities for the increasing numbers of our citizens who are seeking work."

FOREIGN FISH PIRATES

Mr. STEVENS. Mr. President, in the debate which preceded the passage of the Marine Mammal Protection Act of 1972, it was pointed out that effective conservation practices had increased the count of ocean mammals since statehood was granted to the State of Alaska. But since half the Nation's coastline is in Alaska and mammal herds numbering in the hundreds of thousands are in Alaska, the inference drawn here was that ocean mammals are being taken in Alaskan waters to the extent that they are in danger of becoming extinct.

This legislation is obviously directed at Americans, and to a large extent those fishing and living in the northern Pacific.

However, reports have reached me of foreign fleets sweeping near Alaska's shores and leaving in their wake decapitated walrus which have washed ashore. I have asked for investigation of these charges.

Mr. President, just this morning, I have been handed photographs taken by the National Marine Fisheries Service which show conclusively that the Japanese fishing vessels are taking ocean mammals within a few miles of our shores.

Dr. Robert White, Administrator of NOAA, I am informed, has personally identified the ocean mammals in these photographs as dolphin and fur seal on the decks of the *Hokutatu Maru*.

There is no question about this, and there is no question that the violations are willful. Another photograph shows a crewmember of one of the ships in the act of throwing a tarp over the bow to obscure the name of the vessel.

Mr. President, no one seriously questions the wisdom of properly managing ocean mammals so that they should not be permitted to diminish below the optimum sustainable population. Yet the legislation enacted here will be inadequate if we do nothing to stop these foreign fish pirates whose reckless forays into our waters are depleting our food supply—and now, incontrovertible evidence shows they are also taking our ocean mammals.

These photographs do not indicate the numbers of ocean mammals taken by the Japanese off the shores of Kodiak; they merely show that the Japanese are taking them when the opportunity is presented. We would have to see into the holds of these ships to be able to find the extent of this plunder.

Mr. President, I ask the support of other Senators in demanding that the State Department inform all foreign nations, whose fleets are fishing off our shores, that it is the intention of the U.S. Senate to see to it that our ocean mammals are protected in one way or another.

A NEW ERA OF EXPLORATION

Mr. SPARKMAN. Mr President, recently a very interesting and informative article written by Howard Benedict, AP aerospace writer, was published in the Birmingham News. This article is entitled "New Era of Exploration—Midcourse Correction for Spaceship Earth." Mr. Benedict looks into the future of the space program and the values to be obtained by continuing an active program in the exploration of space and the utilization of that program for learning more about the earth on which we live.

I commend the reading of the article by everyone. Accordingly, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Birmingham (Ala.) News, July 16, 1972]

New Era of Exploration—Midcourse Correction for Spaceship Earth

(By Howard Benedict)

Cape Kennedy, Fla.—The highly successful Apollo moon-landing program ends this year and America will enter a new era of space exploration, turning attention back to earth with orbiting projects destined to open a cornucopia of benefits to mankind.

Apollo 17 sets sail December 6 with a sophisticated set of new instruments and a geologist aboard to wrestle a few more secrets from the inscrutable moon. After that it may be decades before man again sets foot on the barren lunar surface. The emphasis, in both the United States and Soviet Union, will be on making space work for society on earth—concentrating on better communications, education, weather prediction and control, navigation and air traffic control, monitoring earth's resources and developing new medical and manufacturing processes.

Photographs taken by Apollo astronauts from deep in space helped trigger this trend to look more inward toward the earth than outward toward the stars. The dramatic pictures showed our globe as a tiny, lonely traveler, its ecological system a fragile thing when weighed against the vastness of space.

The shift might be termed, in astronaut parlance, a midcourse correction for spaceship earth.

Within five months after the final Apollo crew comes home, the United States' first space station, Skylab, will be lofted into orbit. Three different three-man crews will spend a total of five months aboard in 1973, setting guidelines for large, permanent stations of the 1980s.

JOINT ORBITAL MISSION

In gestation is the space shuttle, a rocket plane that will operate like an airliner, making countless trips into orbit and opening the portals of space to men and women of many nations and walks of life—from tourist to scientist.

Between Skylab and the shuttle there will be perhaps the most significant flight of all—a joint orbital mission in 1975 by American astronauts and Russian cosmonauts. The impact of this symbolic meeting of Apollo and Soyuz crews can only be speculated on, but it could herald greater cooperation in many fields between the two powers.

In the future, international crews could embark on long missions to Mars, Jupiter or other farflung outposts in the universe.

While man explores new horizons, scientists will be busy for years studying the treasure chests of rocks and wealth of scientific data gathered by Apollo as they seek to unravel the mystery of the origin of the moon, earth and our solar system.

The information collected by five moon-landing crews already has told some wondrous things. It no longer is the same old moon smiling down on us as it did before Apollo. It is a body that has proved full of surprises.

The vision of a cold, dead planet has given way to an amazing variety of geological activity—numerous small moonquakes, heat estimated at more than 800 degrees near the center, ancient volcanoes, a trace of magnetism and the possibility that water vapor is escaping through cracks in the crust.

POINTS OF AGREEMENT

There is general agreement among scientists on these points after evaluating Apollo data:

Mechanisms for evolving life halted on the moon long before even the basic building blocks of life were formed. Hence, there is no life there.

Geologic evolution stopped early on the moon, some three billion years ago. As a result, the moon is frozen at a point of primitive development. A big question is why it suddenly turned off its heat machine and essentially stopped evolving after only a billion years or so.

There are essentially only three types of rocks on the moon, in contrast to hundreds of different types of earth.

There is evidence that volcanoes wracked the moon early in its history, sculpturing valleys, rilles, plains and mountains and indicating it once had a hot, molten interior like the earth's.

The moon is made up of onion-like layers, with a crust about 38 miles thick and a mantle and a core below that, making it more earth-like than many experts believed possible.

Before Apollo, there were three major theories about the origin of the moon: That it was born at the same time as our solar system in the convulsive coming together of space debris and a giant gas cloud; that it once was part of the earth and for some reason broke away, and that it was a wanderer from outer space that got caught in earth's gravity field.

Some scientists have not ruled out any of the theories, but most now feel sure that the moon, earth and other planets in the solar system were created in the massive gas cloud 4.6 billion years ago.

Apollo 17 hopefully will fill in missing chapters in the moon's history. New instruments to be carried may answer such questions as:

Is the moon slowly fashioning an atmosphere and interacting with the solar winds to create building blocks of future life?

Can gravitational waves, pounding across the oceans of space from an early epoch of the universe tell us when time began?

Under the bedrock of the frozen lunar interior are there layers of ice or permafrost that man can tap to make air and water for permanent bases on the moon?

YOUNGER LANDING SITE

On the crew will be the first astronaut-geologist, Dr. Harrison H. Schmitt, who will be able to make on-the-spot evaluations of certain rocks and geological features that might escape the untrained eye. Flying with him will be Navy Capt. Eugene A. Cernan, mission commander, and Navy Cmdr. Ronald E. Evans.

The landing site is a place called Taurus-Littrow in the northeast quadrant of the moon. It is a region of light-colored mountains and dark valleys that may be filled with volcanic ash.

The immediate landing site is believed to be younger than any previous Apollo site, formed perhaps three billion years ago. But within driving distance of the moon car are formations which might date back 4.6 billion years to the birth of the moon.

Because the moon has no atmosphere, or wind or water or living thing, the first billion years of its history has not been eroded away as it has on earth. So if some of the rocks are 4.6 billion years old, scientists may learn something about the early history of our planet and others. The oldest rocks found on earth are 3.5 billion years old.

Perhaps one of Apollo's greatest contributions was the awareness it gave man of the limitations of his own planet. To see earth as a complete and closed ecological system floating in the blackness of space was an emotional shock to many.

They realized just how fragile earth is, protected from the searing radiation of the sun only by a 400-mile-thick atmosphere. The picture of a marble-like earth relayed by Apollo 8 helped foster a surge in popular interest for a cleaner environment, for better management of natural resources and the preservation of the ecological balance.

The question was raised: Shouldn't we take a substantial portion of the space dollar and devote it to earth-related problems such as pollution and providing for a growing population?

After Apollo 17, Skylab will waste little time pioneering in that direction.

Skylab is a two-story laboratory, with the volume of a medium-size house, which is to be launched unmanned by a Saturn 5 rocket next April 30. The next day, a three-man crew is to be launched in a modified Apollo capsule by a smaller Saturn 1B rocket.

The astronauts will dock with the Skylab 270 miles above the earth and enter it through an airlock. They are to remain aboard 28 days.

A month after they return to earth, a second three-man team will rocket up to the same laboratory, this time for 56 days. After they come home, a third crew will go up, also for 56 days.

TO STUDY EARTH FROM SPACE

The Skylab astronauts will conduct more than 50 different types of experiments aimed at developing techniques for surveying earth's resources from space, determining man's ability to live and work in orbit for long periods, extending solar astronomy beyond earth's dense atmosphere, and experimenting with space manufacturing.

There will be a medical doctor on the first crew, and the second and third groups each will have a solar physicist to operate a giant telescope.

The spacemen will evaluate several sensors designed to locate such things as mineral and oil deposits, arable land, sources of air and water pollution, fishing areas, diseased crops and water resources.

They hope to determine which sensors are best automated and which are best operated by man, leading to future missions intended to locate undiscovered resources and to help develop a global management system to meet a growing worldwide demand for these resources.

The Soviet Union reported cosmonauts conducted similar resources survey experiments on the Salyut space station last year and that it also expected to concentrate its manned space effort in earth orbit for the foreseeable future.

The day when these two space rivals join forces in orbit to help solve problems on earth may not be far off. The first giant step is to be taken in 1975 when spaceships of the two nations are to link up high above the globe.

The agreement for the flight, and several other cooperative space ventures, was signed by President Nixon and Premier Alexei Kosygin during the Moscow summit meeting in May.

A preliminary plan calls for two or three Americans to be launched in a modified Apollo craft into a 170-mile-high orbit. A day or two later, two cosmonauts will be launched in a Soyuz ship.

After a day of rendezvous maneuvers, the two vehicles would execute the historic hookup. For two days, Americans and Russians will transfer between the two ships, using a connecting airlock because of different cabin atmospheres. They'll conduct joint experiments, possibly in earth resources.

The two ships will disengage and for several days conduct separate, perhaps coordinated experiments.

EYE ON POLITICAL CLIMATE

The major motivation for the flight is to test a common docking system being built for both vessels. If it works as expected, all future American and Soviet-manned ships will have this system, enabling a craft from either country to fly to the rescue of a space vehicle in case of trouble.

But officials of both nations also see the flight as a means of improving the political climate on earth and as a symbolic awareness of problems on the planet that can perhaps best be solved by cooperation, eliminating costly duplication.

It is hoped the 1975 mission will lead to an international space laboratory in which several nations would participate.

The National Aeronautics and Space Administration at one time foresaw a 12-man U.S. station in orbit by 1976, gradually enlarging it to 50 to 100 men by launching additional modules.

But this has been delayed indefinitely by NASA budget cuts and the realization that assembling a space station with the present Saturn 5 rocket would be extremely expensive.

With the Saturn 5 it costs more than $1,000 for each pound placed in earth orbit. Because repeated launchings would be required to service a station and to transfer personnel to and from earth, billions of dollars would be needed to support an orbiting lab over a period of years.

So NASA decided to develop the space shuttle, a reusable vehicle that could make 100 or more trips into space before wearing out. The space agency recently won strong congressional backing for this entirely new concept in space transportation.

The shuttle will take off like a rocket, fly in orbit like a spaceship and land back on earth like an airplane. Its two solid fuel rocket boosters also will be reusable after parachuting to earth.

Because it can be used over and over, the shuttle will reduce launch costs sharply, perhaps to less than $75 for each pound orbited. NASA estimates each shuttle launch would cost about $10 million, compared with $445 million for an Apollo moon mission.

END THROWAWAY ROCKETS

The shuttle will be the size of a DC9 airliner and can be flown by two pilots. It can carry up to 65,000 pounds of payload and 12 passengers, who will not have to be well-trained astronauts. Anyone in reasonably good health can make the trip.

The shuttle's first function when it becomes operational late in this decade will be to carry unmanned satellites into desired orbits, eliminating the need for conventional throwaway space rockets. Because men will be aboard to make a final check before ejecting a payload, the satellites will be cheaper to build. And if a payload stops operating, a shuttle crew could fly over to fix it, or return it to earth for repair.

The satellites would be used for communications, navigation, air and sea traffic control, scientific observations and military reconnaissance.

There will be growing emphasis on using satellites to aid education in underdeveloped areas of the globe. An American satellite next year will broadcast educational programs directly to television sets in 5,000 villages in remote areas of India, teaching not only children, but also instructing farmers on crop planting and women on such things as cooking and birth control.

Brazil is planning a direct-broadcast satellite educational TV system that would reach 100,000 schools. The impact of this capability on emerging nations is profound.

The United States has invited foreign nations to participate in the shuttle, providing experiments and scientific and engineering personnel. A group of European nations is considering building separate manned orbiting experiment modules.

NASA's latest traffic model forecasts 721 shuttle launchings between 1979 and 1990, an average of about one a week, NASA missions to be launched from Cape Kennedy total 461; Defense Department missions, most to be launched from Vandenberg Air Force Base, Calif., are 281, and launchings for governmental or commercial agencies 128.

On some of these missions, the shuttle would serve as an interim space station, flying 30-day or more journeys. NASA's permanent space station plans are not firm, depending on what develops on an international basis. But it is hoped a large station of some sort can be orbited by the mid-1980's.

Meteorologists aboard the lab could develop accurate weather forecasting on a worldwide basis, possibly two weeks in advance. This would have an impact estimated at billions of dollars, especially in agriculturally related fields.

With cameras and remote sensing devices, crewmen could locate fish in the ocean, differentiate between sick and healthy crops and trees, spot forest fires, find hidden oil and mineral deposits and new growing land, detect pollution sources, measure soil fertility, predict erosion and monitor water resources.

NEW SOURCES OF ENERGY?

Specialists could conduct long-term research in astronomy, life sciences, space physics, technology and applications.

Astronomers presently are wrestling with some of the most puzzling problems in man's investigation of the universe. Huge radio galaxies, quesars, pulsars and numerous X-ray sources are emitting energies at almost unbelievable rates, suggesting new, powerful modes of energy production.

Just as our knowledge of nuclear energy stemmed from investigations into how the sun produces its radiant energy, perhaps orbiting astronomers can find new sources of energy for use on earth. Our atmosphere blocks out certain radiation wavelengths, making it very difficult to study these powerful radio sources from earth.

One wing of an orbiting station might serve as an experimental hospital. The unique weightless and vacuum conditions could aid in the treatment of those suffering from partial paralysis, burns, heart and blood vessel diseases and other ailments enhanced by atmospheric pressure and gravity on earth.

And the space environment might prove an ideal place to manufacture specialized items such as superstrong materials, perfectly round ball bearings, precision optical lenses and pure vaccines.

NASA and several industrial research organizations are spending more than $1 million a year to study the feasibility of space manufacturing, and there will be extensive tests on Skylab. Some experts predict a $50-billion market by the end of the century. The shuttle then could become delivery truck for carrying up raw materials and returning manufactured items to earth.

Looking to the future, a station could become the jumping off place for international expeditions, to establish large bases on the moon or to fly to the planets with nuclear rockets.

And NASA says the exciting explorations ahead will not cost the taxpayer an arm and a leg. Throughout the shuttle development program during the next six years, the agency's annual budget is expected to stay steady at about $3.4 billion annually—down from Apollo's peak year of $5.9 billion in

1966. That's about one-third of 1 per cent of the nation's gross national product, while Russia spends more than 2 per cent on its space program.

NASA officials note the $3.4-billion figure compares with a Defense Department budget of $73 billion and government social-welfare spending of more than $77 billion this year.

If several nations join to develop a space station, the cost will be shared. And someone other than governments, such as fisheries and farm organizations which use the information, might help pay the bill.

Presently, NASA is spending $16 a year for each person in the United States. Some space officials feel that, even without the benefits expected, the exploration alone might be worth $16—to know that great voyages of discovery are taking place in our time, indeed before our very eyes.

INHUMAN SYPHILIS STUDY MUST BE INVESTIGATED

Mr. BAYH. Mr. President, the recent disclosure in the press of a 40-year Public Health Service experiment which began in 1932 on human guinea pigs in Tuskegee, Ala., to test the effect of syphilis on the human body is sickening and outrageous. The additional fact that the experiment used 600 black men—and only black men—for its experimental and control groups underscores the moral deficiency that has plagued the race relations of this Nation throughout its history.

There are those who will say that the inhuman exploitation of economic and social conditions reflected in the experiment would not be condoned today. I would hope that assumption is correct. But my concern goes beyond that to the devastation of those years of egregious experimentation wrought on the 400 syphilitic men in the study who went untreated, many to suffer death. Imagine, Mr. President, these men were permitted to suffer and die even though a cure for the disease was found 10 years after the experiment began. In addition to the hopeless situation of those men still alive, what toll in human suffering has been taken on their families, friends, and community exposed to the disease over the years? We may never know. But one thing is clear. We owe these men and their families a serious debt. And we owe those millions of Americans who have suffered exploitation the assurance that repetition of any similar circumstances will not be tolerated.

I have written to the Senator from Massachusetts (Mr. Kennedy), chairman of the Subcommittee on Health, asking that his committee conduct a special hearing to investigate the circumstances surrounding the so-called Tuskegee study, including a complete review of current health experiments which may be morally or ethically questionable. I have asked also that after a review of the facts, the Federal Government award financial compensation to the immediate families of the men, living and dead, who were involved in the experiment, recognizing that no amount of compensation can substitute for the price already paid in human misery.

Mr. President, I ask unanimous consent that the Associated Press story by Jean Heller and my letter to Senator Kennedy be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the New York Times, July 26, 1972]

Syphilis Victims in U.S. Study Went Untreated for 40 Years

(By Jean Heller)

Washington, July 25.—For 40 years the United States Public Health Service has conducted a study in which human beings with syphilis, induced to serve as guinea pigs, have gone without medical treatment for the disease and a few have died of its late effects, even though an effective therapy was eventually discovered.

The study was conducted to determine from autopsies what the disease does to the human body.

Officials of the health service who initiated the experiment have long since retired. Current officials, who say they have serious doubts about the morality of the study, also say that it is too late to treat the syphilis in any surviving participants in the study.

Doctors in the service say they are now rendering whatever other medical services they can give to the survivors while the study of the disease's effects continues.

The experiment, called the Tuskegee Study, began in 1932 with about 600 black men, mostly poor and uneducated, from Tuskegee, Ala., an area that had the highest syphilis rate in the nation at the time.

Four hundred of the group had syphilis and never received deliberate treatment for the venereal infection. A control group of 200 had no syphilis and did not receive any specific therapy.

Some subjects were added to the study in its early years to replace men who had dropped out of the program, but the number added is not known. At the beginning of this year 74 of those who received no treatment were still alive.

As incentives to enter the program, the men were promised free transportation to and from hospitals, free hot lunches, free medicine for any disease other than syphilis and free burial after autopsies were performed.

COULD HAVE BEEN HELPED

The Tuskegee Study began 10 years before penicillin was found to be a cure for syphilis and 15 years before the drug became widely available. Yet, even after penicillin became common, and while its use probably could have helped or saved a number of the experiment subjects, the drug was denied them, Dr. J. D. Millar says.

Dr. Miller is chief of the venereal disease branch of the service's Center for Disease Control in Atlanta and is now in charge of what remains of the Tuskegee Study. He said in an interview that he has serious doubts about the program.

Dr. Millar said that "a serious moral problem" arose when penicillin therapy, which can cure syphilis in its early stages, became available in the late nineteen-forties and was withheld from the patients in the syphilis study. Penicillin therapy became, Dr. Millar said, "so much more effective and so much less dangerous" than preexisting therapies.

"The study began when attitudes were much different on treatment and experimentation," Dr. Millar said. "At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation, I don't believe the program would be undertaken."

Members of Congress reacted with shock to the disclosure today that the syphilis experimentation on human guinea pigs had taken place.

"A MORAL NIGHTMARE"

Senator William Proxmire, Democrat of Wisconsin, a member of the Senate Appropriations subcommittee that oversees Public Health Service budgets, called the study "a moral and ethical nightmare."

"It's incredible to me that such a thing could ever have happened," he said in a statement. "The Congress should give careful consideration to compensating the families of these men."

Senator Edward M. Kennedy, Democrat of Massachusetts, chairman of the Senate Health Subcommittee, said through a committee spokesman that he deplored the facts of the case and was concerned about whether any other such experiment existed.

Syphilis is a highly contagious infection spread by sexual contact. If untreated, it can cause bone and dental deformations, deafness, blindness, heart disease and deterioration of the central nervous system.

No figures were available as to when the last death in the program occurred. One official said that no conscious effort was apparently made to halt the program after it got under way.

UNCERTAINTY ON DEATHS

A 1969 study of 276 untreated syphilitics who participated in the Tuskegee Study showed that seven had died as a direct result of syphilis. The 1969 study was made by the Atlanta center, whose officials said they could not determine at this late date how many additional deaths had been caused by syphilis.

However, of the 400 men in the original syphilitic group, 154 died of heart disease that officials in Atlanta said was not specifically related to syphillis. Dr. Millar said that this rate was identical with the rate of cardiovascular deaths in the control, or non-syphilis group.

However several years ago an American Medical Association study determined that untreated syphilis reduces life expectancy by 17 per cent in black men between the ages of 25 and 50, a precise description of the Tuskegee Study subjects.

Don Prince, another official in the venereal disease branch of the center, said that the Tuskegee Study had contributed some knowledge about syphilis, particularly that the morbidity and mortality rate among untreated syphilitics was not so high as previously believed.

Dr. Millar said that the study was initiated in 1932 by Dr. J. R. Heller, assistant surgeon general in the service's venereal disease section, who subsequently became division chief.

Of the decision not to give penicillin to the untreated syphilitics once it became widely available, Dr. Millar said, "I doubt that it was a one-man decision. These things seldom are. Whoever was director of the VD section at that time, in 1946 or 1947, would be the most logical candidate if you had to pin it down."

July 27, 1972.

Hon. Edward M. Kennedy,
Chairman, Subcommittee on Health, Senate Committee on Labor and Public Welfare, Washington, D.C.

Dear Ted: The recent disclosure of a 40-year Public Health Service syphilis study involving 600 black men in Tuskegee, Alabama has disturbed me greatly.

The fact that the 400 men in the experimental group had syphilis but were not treated even after a cure for the disease was developed is outrageous. But I am very concerned about the overall effect in these men, their families and community during the past forty years.

You have expressed your deep concern about this matter and stated your intention to look further into these disclosures. I would urge you to convene a special hearing of the

Senate Health Subcommittee to investigate the circumstances surrounding the "Tuskegee Study" including a complete review of current experiments which may be morally or ethically questionable.

Additionally I would hope the committee would recommend financial compensation for the immediate families of the men, living and dead, who were involved in the experiment.

Best regards,
Sincerely,

BIRCH BAYH,
U.S. Senator.

DELTA COMMUNITY HOSPITAL AND HEALTH CENTER, MOUND BAYOU, MISS.

Mr. KENNEDY. Mr. President, the Delta Community Hospital and Health Center in Mound Bayou, Miss. is in a state of emergency. Established in 1966, under the auspices of Tufts University, Medford, Mass., in accordance with the comprehensive health services amendment to the Equal Opportunity Act of 1967, the Delta Community Hospital and Health Center has effectively and successfully served the medical needs of more than 127,000 poor people in the delta. The center was and remains, the only health facility in the area that provides free health care to thousands of poor, sick Mississippians.

The Office of Economic Opportunity has, for a number of years, funded the Delta Health Center. An annual operational stipend of $5.5 million has been renewed for several years.

This year Governor Waller, of Mississippi, has vetoed the $5.5 million Office of Economic Opportunity grant. It is Governor Waller's contention that funds for this program must be payed directly to his office, and later rechanneled to Delta by the State Human Resources Commission.

Delta Community Hospital and Health Center is fighting for its life. If Governor Waller refuses to yield in his position, the delta health facility faces extinction. The consequences of such an event, are obvious; medical care in the delta area will be eliminated for thousands of needy poor people.

I feel that the problems of the Delta Community Hospital and Health Center strike at the very core of America's failure to provide adequate health service to many Americans.

I urge Senators to read the following editorials on the Delta Community Hospital and Health Center that appeared both in the Washington Post and the New York Times newspapers. These statements deserve the attention of every Member of this Senate. Accordingly, I ask unanimous consent to have printed in the RECORD the Washington Post article entitled "Health Care in Mississippi," dated July 18, 1972, and the New York Times article entitled "Political Dispute Perils Funds for Mississippi Health Facility," dated July 17, 1972.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 18, 1972]

HEALTH CARE IN MISSISSIPPI

Mound Bayou, Mississippi, is an all-black town of 2,200 in Bolivar County in the Delta. In Mound Bayou and the outlying area, poverty has been as intense as in any other rural area in the South or the country. Malnutrition is common, along with joblessness, poor schools and the inevitable depression of spirit. What distinguishes Mound Bayou from other Deep South small towns is its health program. Since 1966, the federal Office of Economic Opportunity has provided funds for medical services that covered a four-county area that has 127,000 poor citizens out of a 200,000 population. The program has had rough spots but overall it has been run with skill and enthusiasm. More important, it has brought medical diagnosis and treatment to people who rarely or never had either before.

The Mound Bayou health program is now threatened by Mississippi politics—old style. On June 1, Gov. William L. Waller vetoed a $5.5 million grant from OEO for another year of operation. Political interference via the veto is an old knife in the back of successful poverty programs, and more than one wily governor has wielded it with a view to destroying an operation he didn't like. Fortunately, the law allows vetoes to be overridden by OEO. The agency has done so on several occasions, some of which required considerable courage in bucking the local establishment. At the moment, OEO officials are deciding whether to side with Governor Waller or with the Delta poor. That OEO is hesitating on what should be an automatic and quick choice suggests that an internal debate is going on within the agency and among its political overseers in the White House. This is not surprising when you recall the intrigues and deals that occurred when Gov. Ronald Reagon butted in to veto a California legal aid program two years ago.

Clearly, the Mound Bayou program deserves to be financed and it deserves to be run by the black community in the area. The sick and poor are not the only beneficiaries. Over five years, some $20 million has come into the area, meaning that not only have jobs been created but that local merchants are doing more business because the workers have money to spend. Thus, in vetoing the health program, Governor Waller also put a veto on many white businessmen who are benefiting also. This last point should not have to be a major influence on OEO's decision: the case for the poor is persuasive enough.

[From the New York Times, July 17, 1972]

POLITICAL DISPUTE PERILS FUNDS FOR MISSISSIPPI HEALTH FACILITY

(By Roy Reed)

MOUND BAYOU, MISS., July 15.—A political dispute over $5.5-million is threatening the existence of a widely acclaimed Government health program for the poor in this all-black Delta town of 2,200 persons.

A hospital and an outpatient clinic that treat a few hundred poor people every day are running out of vital medicines because the institutions are out of money.

Their 468 employees have worked without pay for several weeks and some have joined the patients on the welfare rolls.

The black residents of northern Bolivar County, 90 per cent of whom are medically indigent by Government standards, are increasingly fearful that a program that has brought them hope and better health might soon end.

"SOME WILL DIE"

Dr. Thomas Gualtieri, the 28-year-old white medical director of the Delta Community Hospital and Health Center, said: "Unless we get some help in the next week or two, we'll have to cut medical services drastically. People will not get medicine. Some will get sick, some will die. We're not dealing with staff members losing their jobs or the economic impact on the community. We are in fact talking about deaths."

There were indications yesterday that Federal officials who oversee the program will step into the dispute decisively during the next few days after several weeks of standing back to let state and local officials fight it out.

The dispute began June 1 when Gov. William L. Waller vetoed a $5.5-million grant from the Federal Office of Economic Opportunity to finance for another year a program of health services that reaches from here into four Mississippi Delta counties.

The Federal agency for five years has supported two institutions that provide those services. The two merged this spring at the agency's insistence.

The new single institution is the Delta Community Hospital and Health Center, Inc. It operates a 51-bed hospital that was known as the Mound Bayou Community Hospital and an outpatient facility that was established a few years ago by Tufts University and was known as the Tufts Delta Health Center.

BOARD MOSTLY BLACK

The merged institution is governed by a board most of whose members are Delta blacks. Some leaders on the board and in the administration have been active in civil rights and other antipoverty programs and have incurred the hostility of many Mississippi whites.

Governor Waller, who has been publicized in some places as a racial moderate, said he had vetoed the grant because the Mound Bayou facility had failed to meet certain state requirements in renovating its buildings, because the two merged institutions duplicated some services and because he was concerned over the legal status of the new board.

It has developed since then that those reasons might have been less important than a fourth unstated one. Mr. Waller is trying to organize a new governing board to run the Mound Bayou facilities, one that would operate under state government control and that presumably would get rid of some of the present black leaders.

The Office of Economic Opportunity has the power to override the Governor's veto. It has not done so, although Federal officials and important Mississippi Republicans hint that it might soon.

Dr. E. Leon Cooper, director of health affairs for O.E.O., has asked Mr. Waller to reconsider his veto. He said in a telephone interview yesterday that direct funding of the program through the Governor's office, as state officials have indicated they would prefer, would not be acceptable to the O.E.O. without assurances that the people now running the program would be involved. He said his agency would decide during the next few days whether to override Mr. Waller.

Owen H. Brooks of Greenville, chairman of the board of the newly merged facility, and Richard Polk, its project director, have charged that Mr. Waller's veto was still standing because the Nixon Administration was courting the Democratic Governor and trying to persuade him to become a Republican to help insure Mr. Nixon's carrying Mississippi in the November election. Mr. Waller has hinted that he might support Mr. Nixon.

Republican officials and spokesmen for the Governor deny the charge. One prominent Mississippi Republican who asked not to be identified said of Mr. Waller and the election, "Everybody knows we don't need him." Mr. Nixon is expected to carry Mississippi easily unless Gov. George C. Wallace of Alabama enters the race on a third party ticket.

Federal and state officials announced a few days ago that the Office of Economic Opportunity would send a special grant of $1.3-million to the beleaguered Mound Bayou board to pay its accumulating debts and operate the present program until the end of this month. Mr. Waller at first said he had approved the temporary grant.

SMALLER GRANT SNAGGED

But even this small grant is now snagged. Mr. Polk said yesterday that his office had never received the money. And in Washington Dr. Cooper said that he had not received the Governor's letter approving the money, even though state officials had insisted as late as Wednesday that the Governor had sent it to him.

Charles McKellar, Mr. Waller's press secretary, said yesterday that he did not know where the letter was or whether it had been mailed. He added that the Governor was displeased by certain unnamed conditions that had been written into the temporary grant.

Mr. McKellar also denied that Mr. Waller had any intention of trying to control the Mound Bayou program. It is true that he is trying to organize a new board, Mr. McKellar said, but Mr. Waller wants "the black members of the community" to control it.

State officials have encouraged black residents of Mound Bayou who oppose the present leaders of the health facility to help form the new board. Those residents were described derisively by one of the health facility's leaders as "the Governor's colored folks."

AIR DISASTER RECOVERY OPERATIONS IN REMOTE AREAS

Mr. STEVENS. Mr. President, the FBI Law Enforcement Bulletin for June 1972 contains an article entitled "Air Disaster Recovery Operations in Remote Areas," written by the Honorable Emery W. Chapple, Jr., Commissioner of the Alaska Department of Public Safety. This is a most informative article which describes the recovery operations which occurred in connection with the 1971 crash of an Alaska Airlines jetliner near Juneau. The article is most interesting and enlightening regarding the problems of recovery operations in general, particularly such operations in remote areas. This tragedy took the lives of 104 passengers and seven crew members abroad. The crash occurred at the apex of a 2,400-foot steep ridge and consequently wreckage was strewed over an area of approximately 1,200 feet. Indeed, much special equipment, including helicopters, slings, and nets, was necessary to recover the crash wreckage strewn over the mountainside.

Three important lessons can be gained from an analysis of this recovery operation. The need for a clear disaster plan, communications equipment, and an available volunteer force are all elements which are needed for a successful recovery operation.

Mr. President, the various members of the Alaska Department of Public Safety, the Alaska National Guard, the Alaska Disaster Office, the U.S. Forest Service, and the various other Alaskans involved in this recovery operation are to be commended for their great effort and dedication. Many other areas of the country will be interested in hearing about this unusual event because of the difficulties which had to be overcome. Therefore, I ask that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AIR DISASTER RECOVERY OPERATIONS IN REMOTE AREAS

It was 12:08 p.m., September 4, 1971. Alaska Airlines 727 jet airliner flight 1866, with 104 passengers and seven crewmembers aboard, reported approximately 20 miles to the west that it was inbound for a landing at the Juneau Airport. Following this message bleak silence was monitored on the communications network.

Six minutes later the Juneau tower queried Anchorage air control as to the location of Alaska Airlines flight 1866. Other than the information which Juneau had already received, Anchorage did not know the location.

Silence greeted repeated queries by the towermen as they sought to contact the missing aircraft, and it grew more ominous with each passing minute. Search procedures were initiated at 12:25 p.m. The U.S. Coast Guard were notified of an overdue aircraft at 12:38 p.m., and the Alaska Department of Public Safety was notified at 12:50 p.m.

The department of public safety is authorized under chapter 57 of the State code to initiate and coordinate relief and rescue parties concerning lost persons. In relation to an air crash, this authorization includes expediting treatment of the injured, securing the crash scene, insuring the most effective investigation of the accident, and removing the victims of the disaster.

The dispatcher at the department of public safety headquarters in Juneau immediately invoked the department's aircraft disaster plan. Department officials were notified. The Alaska Disaster Office, Alaska National Guard, Juneau Police Department, Juneau Volunteer Fire Department, U.S. Forest Service, district attorney's office, the local hospital, and the medical community were alerted. All State troopers in southeast Alaska were put on call pending the result of the search for the missing plane.

A sergeant of the Alaska State Troopers (AST) at Juneau reported to the private heliport at 3 p.m. Three private helicopters and one Coast Guard helicopter were engaged to participate in the search for the plane. The sergeant supplied each helicopter and the private helicopter office with portable radios which he carried. This allowed instant communication between the searching helicopters and public safety headquarters in Juneau. The sergeant was accompanied by a helicopter pilot and a pilot with Alaska Airlines who was familiar with the flight path of the airlines.

These three men flew westward and proceeded to search an area along the west side of Lynn Canal, a portion of the southeast inland waterway which extends 90 miles farther north to Skagway and was the route of the famous gold rush of 1897 and 1898.

The helicopters made a positive sighting of the wreckage of the downed jetliner 18.5 miles from the Juneau Airport at 4:45 p.m. The sergeant was with the first men to arrive at the crash site. He determined that none of the passengers were alive and advised headquarters that the accident would be a recovery rather than a rescue. He noted that ropes would be needed in the recovery operation as the plane had slammed into the apex of a 2,400-foot steep ridge, apparently hit it a glancing blow, and then skipped over the crest of the ridge and broke into small pieces on the other side. Bodies and wreckage were strewn over an area of approximately 1,200 feet. The slopes of the mountain were too precipitous to land recovery helicopters, and the men would have to use slings and nets for hoisting bodies, personal effects, and equipment from the airliner.

COORDINATED RESPONSE

Just prior to the location of the crash, State troopers called in an emergency medical technician, a trained and equipped disaster team, and equipment from the training academy in Sitka. After the site was located, additional troopers were flown to Juneau via National Guard airplane from division headquarters in Anchorage and from other locations in the State. The U.S. Coast Guard offered the services of the cutter *Sweetbriar*. National Guardsmen and members of the Juneau Rescue Council were called in on the recovery. The State disaster office contributed its services in coordinating activities throughout the State.

Four State troopers and one member of the Juneau Police Department were placed on top of the ridge to secure the crash site the first night. Need for tents and foul weather gear gave rise to calling local sporting goods stores to obtain various types of gear. In one instance, an owner gave the police the key to his store and told them to take what they needed and mark the items down as they went along.

Winds of 50 knots swept the ridge, and rain and snow squalls made the night uncomfortable. Ponchos hurriedly obtained from the Army were ineffective in the high winds, and closer fitting rain pants and jackets were eventually obtained to replace the ponchos. Team leaders found that 2 days on the ridge was about all a man could take without getting a hot meal and a change of clothes to dry out.

The difficulty of camping on the ridge made it necessary to establish a base camp in a more suitable location. This was set up on a small peninsula 5 miles to the east, next to the beach on Lynn Canal. This location allowed space for helicopters to land and was near enough to deep water for fixed-wing float planes to land. The *Sweetbriar* anchored off this point the following morning and supplied beachcraft which landed the bulk of the recovery party and supplies. The *Sweetbriar* also acted as a picket boat in watching for helicopters which might get into trouble while shuttling between the crash site and Juneau.

Department of public safety personnel were assigned to coordinate base camp, airport, and Juneau office activities; and six dispatchers and two clerks were called in to assist at headquarters.

LEADERSHIP AND ORGANIZATION

The morning following the crash, Capt. William Nix of the Alaska State Troopers was placed in charge of coordinating all activities at the crash site. He organized recovery teams, named team leaders, and equipped them with portable radios. Cloth tapes were used to divide the site into three lanes. In some areas the lanes were so steep mountain climbers were called in to string ropes to enable recovery and investigative teams to have access to all parts of the zones blocked off by Captain Nix and his crew. Team leaders were told to impress upon their crews that nothing should be moved until authorized.

Since a large number of bears had been seen in the vicinity of the crash, a number of men wore sidearms and carried high-powered rifles. In one instance a helicopter was used to scare a bear out of the area.

Recovery crew personnel assigned each corpse a number. This identification, represented by black writing on waterproof white paper, was attached to the body. Later it was determined that white numbers on black paper would have been more effective for photographing in an area of rocks and snow.

Each body was plotted on a sketch map made of the lane in which the body was found, and if an easily identifiable characteristic was evident, it was written on the map next to the number given to the body. Yellow tapes were used to mark bodies and portions of bodies. Orange tapes were used to mark personal belongings. Hands of the victims were covered with plastic bags to preserve fingerprints.

Photographs of each body were taken, and overall photographs of each lane in relationship to the wreckage of the aircraft were shot by a State trooper and a member of the National Transportation Safety Board (NTSB). Twenty AST photographs ruined by inclement weather conditions were replaced with duplicates taken by the NTSB man. This incident pointed up the need for more than one set of photographs as well as the advantage of shooting a video tape if possible.

The recovery crews worked constantly and by September 7 had located, numbered, plotted, and photographed all 111 victims of the crash. The next day the victims along with personal belongings were placed in body bags and flown to the temporary camps on the top of the ridge. Here they were either loaded three at a time in cargo nets or strung out on a rope slung from the helicopter and flown to the base camp for transshipment to the National Guard Armory in Juneau. High winds and poor visibility created difficult flying conditions for the pilots.

LOGISTICS

In the meantime fixed-wing aircraft were employed to carry supplies for the beach camp and for relay to the crash site. Supplies were dispatched as needed by the supply section of the department of public safety. A supply depot was set up and administered for this purpose by the Juneau Fire Department at the Juneau Airport.

Two National Guard cooks were dispatched to provide hot meals at the base camp, and relays of men were sent to the mountain camp to relieve those men who were on the ridge for more than 48 hours. In a couple of instances, for more than a day no helicopter could reach the camp because of the weather.

A continuous shuttle was employed to carry various agency members to the scene of the crash. Reporters were asked to pool four men for a flight to the crash area.

Tight security was maintained from the beginning to keep curious onlookers away from the crash scene; to protect the bodies of the crash victims from marauding wolves, bears, wolverines, and other scavengers; and to make sure the crash site was maintained in an orderly manner. Because of the remote wilderness location of the crash, security precautions were easily carried out, though even here, four men were goat hunting within half a mile of the crash location and had actually heard the crash! These men tipped off initial search helicopters as to the location of the crash.

A morgue was set up in the National Guard Armory. A four-man team of the FBI's Disaster Squad flown in from Washington, D.C., assisted by FBI Agents from the Anchorage office, two Alaska Department of Public Safety fingerprint men as well as local dentists and doctors, joined in the identification process. Refrigerator vans were driven to the armory and used to encase crash victims when identification specialists were not working on them. It took 17 days from the day of the crash until all bodies were identified. Fifty bodies were identified from fingerprints; 29 from body and pathological review; and the rest by personal belongings, clothing, and photo identification.

As each body was identified, morticians processed and placed it in a clean body bag. All personal effects were sterilized before being sent to next of kin. Body bags were placed in caskets with transit burial permits attached to the outside. Next-of-kin contacts were advised to send a telegram in care of the district court as to the destination of the remains.

By September 21, all bodies had been identified and shipped to next of kin.

OBSERVATIONS

In summary, many aspects of the Alaska Airlines crash were somewhat unique in comparison with air accidents in more populated areas. Besides the problem of locating the crash site, Alaska State Troopers overcame numerous other difficulties. These included: transporting recovery parties where there was no road, with 15 miles of water and 5 miles of rugged mountains to traverse before reaching the site; establishing base camps for recovery teams; supplying the men working at the crash site and the base camp; gridding-out the site in precipitous terrain; locating and recovering bodies from sheer cliffs and canyons; and transporting the dead from the accident area.

Since all operations have to be expedited in a crash situation, the department of public safety came up with several observations based on its experiences dealing with the Alaska Airlines disaster:

The need for a disaster plan is readily evident. By using a plan which had previously been drawn up, the department of public safety conducted the search and recovery operation with a minimum of confusion.

Communications are of paramount importance. Radio contact should be readily available between headquarters, search personnel, and rescue and recovery crews at the crash site. Portable communication equipment is an absolute necessity.

Camping equipment and supplies should be stored in a strategic location and be immediately available to support at least a five-man team. Supplies should include food, clothing, shelter, and necessary accessory items, such as nylon ropes, hunting knives, ice axes, portable stoves, portable power-plant, candles, sleds, bolt-cutters, air mattresses, and so on.

A list of business establishments and their owner's telephone numbers, both at home and at work, should be maintained for use in obtaining supplies during emergencies. Men on the dispatch desk should know where to contact such people, particularly on holidays.

Primary consideration should be given during the year to establishing and improving liaison between the department of public safety and other units likely to participate in disaster operations. These include military and disaster units, local police and fire departments, hospitals, search and rescue organizations, fingerprint experts, dentists and doctors, coroners and morticians, and the district attorney's office. Dispatchers should be familiar with whom to call and where such individuals can be located at all times.

Assignment of duty is an important factor in a disaster situation. There will always be personnel on leave, ill, in transfer, and so forth. Administrative personnel should know who the "back-up" men are for various assignments. For example, if a crash site team leader is going to be away, his replacement should be notified before he leaves. The importance of this procedure cannot be overemphasized. Considerable confusion and inefficiency can be avoided through prompt and proper assignments. This holds true for every function in a disaster situation.

The crash site coordinator for the Alaska State Troopers arranged to have team leaders wear one color hard hat and assistants to wear another color hat. This plan facilitated liaison between the coordinator and his men and the teams of various agencies, such as the Federal Aviation Administration (FAA), NTSB, FBI, and U.S. Postal Service, conducting investigations of the crash site.

A video tape of the crash site should be made as soon as possible after it is discovered.

An information officer should be named. He is invaluable in taking care of the needs of the news media and answering the deluge of queries that come in by letter and phone.

At the crash site recovery teams should be assigned one section to work and should concentrate, where practical, in that one area.

Each team leader should have a portable radio.

A doctor should be assigned to the crash site and remain there until the teams leave the area.

Newsmen should be asked to refrain from publishing any photograph of a crash site in which the appearance of recovery personnel and their procedures might be misinterpreted. The reason for this is obvious: Many people would be offended by a picture—having nothing to do in fact with the disaster—which suggested anything other than the grim solemnity expected at such a scene.

Disasters create complex organizational problems and severe manpower strains for almost all law enforcement agencies. Many of the pitfalls and shortcomings that develop during the law enforcement response to these tragedies can be avoided by thoughtful planning beforehand. To assist in drawing up your disaster plan, we will be pleased to send a copy of ours to any interested law enforcement agency. Requests should be addressed to Commissioner, Department of Public Safety, State of Alaska, Pouch N, State Capitol, Juneau, Alaska 99801.

THE NEED FOR REFORM OF OUR CRIMINAL JUSTICE SYSTEM

Mr. PERCY. Mr. President, on February 17, I introduced S. 3185, along with Senators BROCK and MONTOYA. On June 6 of this year, I introduced S. 3674. Both of these bills are designed to help resolve some of the problems which plague our criminal justice system. Because of the urgency of this matter, I was quite pleased when the National Penitentiaries Subcommittee, chaired by my distinguished colleagues Senator QUENTIN BURDICK, announced that hearings would be held on these and other similar bills which attempt to deal with the problems of our system of criminal justice.

These hearings have been underway for 3 days and have concluded today. The subcommittee has heard many witnesses who have contributed to the understanding of the problems and the solutions that we must consider.

Mr. President, I had the privilege of testifying this morning before the subcommittee, and I ask unanimous consent that the full text of my remarks, along with a GAO report that was prepared for me, be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CHARLES H. PERCY BEFORE THE NATIONAL PENITENTIARIES SUBCOMMITTEE ON S. 3185 AND S. 3674, JULY 27, 1972

Mr. Chairman, let me first say how pleased I am to be able to testify today before this very distinguished subcommittee. I want to compliment the Subcommittee, and its distinguished chairman, Senator Burdick, for holding such prompt and indepth hearings on the bills which have been the subject of testimony these last three days.

I will limit my testimony to S. 3185, which I introduced on February 17, 1972, with Senators Brock and Montoya, and S. 3674, which I introduced on June 6 of this year.

The "criminal justice system" is a phrase used widely today to describe broadly the goal and apparatus of our police, our courts and our prisons. The goal is justice and protection from crime for the victim, and fairness and rehabilitation for the offender. To accomplish the goal we try to employ a system of coordinated, interdependent effort between the police, courts and prisons. In my judgment, however, this so called criminal justice system neither dispenses justice nor even vaguely resembles a system.

As a measure of the success of our attempt to control crime, crime statistics compiled over the past twelve years indicate our efforts have been wholly inadequate. While our population rose 13.3% between 1960 and 1970, violent crime rose 142% and property crime rose 161%. But these estimates themselves are probably low since a number of important factors are excluded such as embezzlement, tax fraud and price-fixing—the "white collar" crimes.[1] They are also limited to reported crimes. The National Opinion Research Center estimates that the rate for violent crimes in 1965–66 was almost double that actually reported, forcible rapes almost four times the rate reported, and burglary more than three times the rate reported.[2]

Furthermore, only one out of every seventy reported crimes may result in an individual being charged, convicted, sentenced and incarcerated.[3] Those who are sentenced also reveal how much of a failure our efforts have been. About 80% of all felonies are committed by repeaters, and about two thirds of all prison inmates have been in prison previously.[4]

There have been efforts to reform the system, but too often these efforts have been haphazard and piecemeal. Attention may be focused on one aspect of the system but another equally important and vitally related aspect may be completely ignored. A good example involves the Court Reform and Criminal Procedures Act of 1970, referred to popularly as the D.C. Crime Bill (PL 91–358). While modernizing courtroom management procedures, the bill left the other parts of the system virtually unable to cope with the inevitable result of the new procedures—a massive influx of new cases.

In hearings before the Senate Subcommittee on Business, Commerce and the Judiciary of the Committee on the District of Columbia on June 16, 1971, the consequences were described dramatically. Because of the new procedures in the Act, an increase in prosecutions was anticipated, from 2,150 in 1970 to 3,700 in 1972, and to an estimated 5,200 in 1973. This in turn is expected to cause an increase in the overall number of offenders committed to the D.C. Department of Corrections from some 3,972 in September of 1970 to an estimated 5,258 by the end of June, 1972.

But facilities have not expanded to meet the need. The Department of Corrections is now seriously contemplating the use of 10 railroad cars in which to house 200 inmates to help relieve the severe overcrowding in local prisons.[5]

At the federal level, the crisis is no less severe. Perhaps no better example of a completely overburdened system exists than the U.S. Board of Parole. With a membership of eight along with eight hearing examiners, the Board had authority over 20,687 prisoners in fiscal year 1970. In that year, the Board made 17,453 official decisions, each requiring the concurrence of at least two members. Thus, there were actually close to 35,000 individual decisions made by these eight men. In addition, the members and examiners conducted 11,784 personal hearings in prisons.[6]

Were the Board members to have the patience of Job and the wisdom of Solomon, they still could not make 35,000 individual decisions in one year with anything approaching the care and close personel attention that the needs of society demand. Yet, this is what they are forced to do each year.

At the operational level, the burdens are also overwhelming. 640 federal probation officers supervise 45,177 people, an average of 71 per officer, twice the recommended level of 35. In large metropolitan areas, the caseload is over 100 per officer.

That the criminal justice system is a failure is not a new conclusion. Everyone from the President and the Chief Justice on down has pointed to the stunning failure of the system to serve and to protect society. President Nixon pointed out that "The various stages of rehabilitation are often poorly coordinated at present. The offender cannot proceed in an orderly manner from confinement to work release to release under supervision and finally to an unsupervised release. The unification of the various programs involved could bring to this process the coordination and sense of progression it badly needs."[7]

Fortunately, we have not been lacking in those who are willing to offer some new ideas as well as condemnations. Since 1967, four presidential commissions, dozens of legislative reports and more than 500 books and articles have recommended reforms of our correctional system.[8] Thorough reforms have been recommended as far back as the Wickersham Commission Report in 1929–1931, but virtually nothing has resulted in positive steps to remake the system in a total and complete fashion.

I am not an expert in the area of criminal justice. My background is in business, and in the years I have been in the Senate, I have tried to look at the operations of the government from a common-sense point of view. Where a problem exists, a solution should be found; where the solution exists, it should be implemented. The President has given me the responsibility of introducing and managing four major Executive Reorganization bills which are now pending before the Congress.[9] It seems to me to be entirely consistent to continue this effort to reorganize the government in other areas where it is desperately needed. Certainly, there is such a need in the criminal justice system.

For these reasons, I introduced the Federal Corrections Reorganization Act, S. 3185, on February 17, 1972. This bill is an attempt on my part to reorganize those parts of the system of justice on the federal level which have failed us in the past. The bill provides a new structure which will incorporate many suggestions that have been made, but which have never been fully implemented. The major new reform is the structure that would be established. The new programs that would be provided have been suggested and tested by some of the most respected people in the field of criminal justice. As President Nixon observed, however, in his address at Williamsburg on March 11, 1971, " 'reform' as an abstraction is something that everybody is for, but reform as a specific is something that a lot of people are against."

I have found this to be true concerning prison reform. I have received much favorable comment on the bill, and everyone agrees that something should be done, yet many people are reluctant to discard the present system. I hope that through these hearings, we will all benefit from the critical comment that I hope tc receive. I might add that I have redrafted this bill several times based on comments received. I originally introduced it not so much because I considered it to be the final solution to the problems of the criminal justice system, (because it is not) but because I felt that it was necessary to put a new idea on paper so that it could generate thought, comment, and hopefully, some results.

I will analyze the bill in the following pages: how it changes the current system; the new organization it would create; the new programs that it would encourage; and the results I believe it could achieve. It should be kept in mind that this bill is an organizational bill. We are all certainly cognizant of the need to deal with the problems that foster and promote crime, and our efforts in this regard should continue unabated. But while we are working on these long-term problems, we should not ignore the problems presented by the failings of the system which should be redesigned to deal effectively with our daily problems involving crime.

TITLE I—FEDERAL CORRECTIONS ADVISORY COUNCIL

18 USC 5002 authorizes the creation of an "Advisory Corrections Council." Established in law in 1950, the purpose of the Council was to "improve the administration of criminal justice and assure the coordination and integration of policies respecting the disposition, treatment, and correction of all persons convicted of offenses against the United States. It shall also consider measures to promote the prevention of crime and delinquency, (and) suggest appropriate studies in this connection to be undertaken by agencies both public and private." On paper, this Council sounded like a great idea. Unfortunately, however, it has remained only on paper for the last several years. While our crime rate has been skyrocketing and our system of justice has been staggering, the Advisory Corrections Council has not met for at least the last five years. No one is exactly sure the last time the members of the Council got together.

The role that Council is designated by Statute to fill is an important one. Yet, today that role is not being adequately filled. In another organizational effort, in response to President Nixon's memorandum of November 13, 1969, the Inter-Agency Council on Corrections was established within the Executive branch of the government. According to its Director, Norman Carlson, this Council has three goals;

(1) Develop recommendations for national policies and priorities in corrections.

(2) Develop strategies and mechanisms to implement national corrections policies and priorities.

(3) Develop methods of maintaining closer coordination between federal agencies, private industry, labor, and state and local jurisdictions in an endeavor to develop better tools as aids in the correction of the offender.[10]

I think that these are fine ideas, but more is needed. Certainly there is a great need for coordination within the government in this area. It is the responsibility of Congress to take the initiative, and build on the present foundation to try to bring some order out of the chaos that now exists in our criminal justice system.

To illustrate how pressing this problem is, let me relate one experience that I had in this matter. I was interested to know exactly how much money was being spent by the federal government in programs designed to benefit the criminal offender. This should not be such a complicated task. However, I found that no one knew who was spending how much and for what. No one knew. Consequently, on October 28, 1971, I requested the Comptroller General of the United States to initiate an investigation in an attempt to answer this simple question. The efficiency of the General Accounting Office is well known, yet despite its efficiency, it took more than half a year for GAO to get the information. Seven months later, on May 17, 1972, I received the report of the Comptroller General. He had been able to identify 11 different federal departments and agencies which were conducting programs designed to help rehabilitate the criminal offender, programs that together were costing the government $192 million a year.[11]

The programs that the report identified were all worthwhile projects, but that is not the point. The point is that no one knew what the government as a whole was doing. There was no coordination among these programs. We were spending close to $200 million a year in such a totally uncoordinated manner that it took more than a half of a year just to find the programs. If a business were to operate this way, it would be bankrupt.

Footnotes at end of article.

The result of this inquiry, I believe, presents dramatic evidence for the need to have a coordinating body to keep track of all the various government activities in this area, as well as the developments in the private sector, and to be able to recommend further steps to the government. I believe that the Federal Corrections Advisory Council, established in Title I of S. 3185 can be such a coordinating body.

The membership of the Council needs to be diverse and professional. It should be grounded in practicality and academia. The Council as I now propose it would have as its members, two former federal prisoners, two criminologists, an attorney, a former or retired federal judge, two law enforcement officials, two sociologists, two psychologists, one person representing the communications media, and one person who has some knowledge and interest in this area, but who may not fit into any particular category. In addition, various officials of the government would serve as ex-officio members of the Council.

The Council would have three main purposes:

(1) to exercise an investigative and advisory role in the oversight and direction of the federal corrections system;

(2) to recommend standards and guidelines for States to meet in order for them to be eligible to receive grants under any Federal program involving state law enforcement and correctional agencies, including the reorganization of their criminal justice system in a manner consistent with the rest of the bill; and

(3) to serve as a clearinghouse for study, planning and dissemination of information in the field of corrections.

The Council would establish a study center at which information could be collected and disseminated. It would sponsor seminars for judges, attorneys, correctional officers, and all the other people who are part of the criminal justice system in order for them to become more aware of how they fit together as a system. Out of such a structure would emerge new ideas and suggestions on how the system might operate in a more efficient manner. Specifically, the Council would recommend a complete reorganization of our federal correctional facilities in order to give more flexibility to the disposition of cases that come into the criminal justice system.

I envision this body as a group of people who meet regularly and examine the workings of the system from many vantage points. Each year, it would issue a report to each of the three branches of our government, recommending what each of them should do in order to keep the system of justice operating at peak efficiency while at the same time guaranteeing justice and safety for all members of society.

Groups such as the Vera Institute of Justice in New York and the EXCEL program in Indiana are working in the field of corrections. Their successes should be made part of the system, and their observations would be invaluable as we begin to reform our system. We need some central body that can collect all this information, bring it to the attention of those others who are working in this area, and be the catalyst for new ideas and programs.[12]

The Council established by Title I of S. 3185 would serve this function, and I believe that it would perform its task well. It is about time that we stopped merely talking about the need for such a body, while allowing other such bodies without clear-cut charters and diversified enough membership, to languish in the statute books, giving the appearance of oversight operations without any substance. We need to establish an effective body, that will have the authority and responsibility of finding new solutions to old problems in a way that will truly serve the needs of today's society.

TITLE II—FEDERAL CIRCUIT OFFENDER DISPOSITION BOARD

In the operational phase of the criminal justice system, an overall authority is needed which will have administrative responsibility for the functioning of the new system established in S. 3185. At present, there is absolutely no uniformity in the way our federal courts deal with offenders who are brought before the bench. This lack of uniformity is most prevalent in sentences that are imposed by the federal courts. For instance, in 1965, the average length of prison sentences for narcotics violations was 83 months in the 10th Circuit, but only 44 months in the 3rd Circuit. During 1962, the average sentence for forgery ranged from a high of 68 months in the Northern District of Mississippi to a low of 7 months in the Southern District of Mississippi.[13] Despite our practical experience, I am sure that no one would challenge the verity of the statement that "Unwarranted sentencing disparity is contrary to the principle of evenhanded administration of the criminal law."[14]

In workshop sessions at the Federal Institute on Disparity of Sentences, judges were given sets of facts for several offenders and offenses and were asked what sentences they would have imposed. In one case involving tax evasion, of 54 judges who responded, 3 judges voted for a fine only; 23 voted for probation; and, 28 voted for prison terms ranging from less than one year to five years. As a result of this type of experiment, judges themselves have attempted to resolve these discrepancies by coming together to study and learn of various sentencing techniques. While I think that this is a good start, it could be said that judges have more important things to do with their time than try to solve a problem that is inherent in the federal system of justice. Their very great value is that of being individuals learned in the law. When we give them the added burden of attempting to deal with the problems of a disjointed system, it can only diminish their effectiveness. The task of providing for a coordinated sentencing policy in the federal judicial system should be given to a body that is better suited to that type of problem. Since the problem is national in scope, a national body is needed.

Title II of S. 3185, would establish a Federal Circuit Offender Disposition Board (the Circuit Board) to handle precisely this type of problem. The Circuit Board would set national guidelines for the imposition of sentences. This would not be a national body that just arbitrarily imposed its will on every judge in the country. Basic to an understanding of sentencing is that there will probably never be, and perhaps should never be, complete uniformity of sentencing. This would ignore the need for individualized, if not personalized, attention given to a particular offender by a judge. The Circuit Board, however, would help the federal judiciary to function harmoniously as component parts of a coordinated system of justice.

The Circuit Board would be composed of 11 members, each of whom would represent one federal circuit. The members would represent a broad background from such fields as corrections, psychiatry, psychology, sociology, law, medicine, education and vocational training. In addition to setting sentencing guidelines, it would also establish guidelines for federal courts in pre-trial release, diversion in lieu of prosecution, probation, parole, diversion in lieu of incarceration, and incarceration.

Nor would the Circuit Board be bound to just one facet of the criminal justice system. Questions involving bail, alternative programs, parole and incarceration are integrally tied in with the sentencing function. All of these facets of the criminal justice system should be coordinated on a national level by the Circuit Board.

The Circuit Board would also hear appeals from decisions made concerning release from prison on parole. Since it will establish national policy on parole, it is the logical body to handle appeals of this nature.

In this regard, it would be much like the present United States Board of Parole, except that it would be relieved from the every day decision-making process. The U.S. Board of Parole relies very heavily on the recommendations of its hearing examiners in making its decisions concerning parole, to the extent that an estimated 85% of all Parole Board decisions are really the hearing examiner's decision with the Parole Board's concurrence. Under the new system which S. 3185 would establish, the operational decisions would be made on a local level, and the Circuit Board could concentrate on its very important function of policy setting and appellate hearings.

With each member of the Circuit Board representing a federal circuit, each member would have the responsibility of overseeing the direction and operation of the various local (District) boards within each circuit. So in essence, a pyramidal structure is established providing for a continuity of responsibility along with a decision making structure that would free the local boards from policy detail, and free the Circuit Board from operational detail.

TITLE III—DISTRICT COURT OFFENDER DISPOSITION BOARDS

When a person is apprehended and charged with the commission of a federal crime, the process through which he proceeds from arrest to release should be one coordinated movement. It should have some continuity. Now, questions of setting bail, pretrial procedures, presentencing investigations, tests and evaluations to determine prison assignments, and eligibility for parole are all determined by separate agencies, with little or no coordination among them.

The effect of this uncoordinated activity is that an offender is often shunted from agency to office to department to board, minimizing the effectiveness of each body and reducing the possibility for rehabilitation. Neither the individual offender nor society, I believe, is served by such a haphazard process.

S. 3185 would replace the present process with a system of District Court Offender Disposition Boards (District Boards). Each federal district would have a District Board to serve as the coordinating body of professionals which the rest of the system could rely on. The membership of each District Board would represent the same diverse background as that of the Circuit Board. Given the varying caseload of individual districts, the number of people on each District Board should be flexible, but each Board should have at least 5 members.[16]

The District Boards are designed with two major focuses: regionalization and unification. For instance, in the parole area, no longer would 35,000 individual decisions along with 11,784 personal hearings be made by eight overburdened men assisted by eight equally overburdened hearing examiners, located thousands of miles away, with little or no time to investigate most cases with any degree of personalized attention. Instead, each District Board would have an average of about 400 cases a year to which it could give detailed attention.

This process of regionalization is probably the least controversial of the bill. In personal conversation with George Reed, former Chairman of the U.S. Board of Parole, I was assured that this was the direction in which the parole process must move. Regionalization of decision making, with the right to

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Footnotes at end of article.

appeal to a national body, is the only logical way to deal with the large number of cases that come into our criminal justice system each year. It certainly is not an unheard of approach since this is the modern trial method. We have come a long way in our judicial system from the days when judges would ride a circuit. Yet in our parole process, we are just barely at that stage. The regionalization of the decision making process would, in my judgment, merely bring the parole process into the twentieth century.

Unification is a much more difficult concept to sell, and I think that the reasons are obvious. Few bureaucracies will willingly dismantle themselves. If left alone, it will continue to function with the speed and direction of an amoeba. Perhaps we can afford the type of resistance to change in some areas of our society, asking for our money and patience, but giving us nothing but inefficiency and an alarming rate of failure of close to 70%.

There has been quite a bit of discussion as to whether we might not solve the problem by grafting on to the old system new procedures and rights. Yet this approach would further burden an already overburdened system, leaving us worse off than we are now. The way to resolve the problem is to scrap the system which does not work and replace it with one designed to meet the needs of both offender and society.

The new system must be designed with care. It must ensure professionalism and personal attention. It must ensure fairness. It must provide officials of the system with the time to consider carefully all of the relevant factors which should be considered in deciding questions such as reducing the charge, sentencing and parole. But more than this, any new system should be just that—a system, coordinated and integrated with the other aspects of the criminal justice system. Similar functions should be performed by the same body, and that body should be a reservoir of expertise that other parts of the system can rely on for sound recommendations and for efficient operations. By unifying within the District Boards these various functions, this type of coordinated system would emerge.

After arrest each defendant would be assigned to the District Board. The first task the District Board would have would be to recommend the type of bail that should be set. At this point, the District Board would become acquainted with the individual. Certainly at this point, only a relatively cursory examination into the defendant's background can take place. But it is useless for this examination to take place, as it must, and then have someone else go over the same ground at a later point in the proceedings. The process of sifting through the information with an eye towards how best to proceed with the individual case can begin at this early stage.

This information would be distilled into a formal report so that at the proper time a precharge conference could be held, in which the counsel for the defense and the prosecuting attorney would participate. Unlike the present plea-bargaining conference that is now held, the primary concern of the participants would not be how to get the case out of the way so that the system can continue to grope along relying on pleas of guilty. In the precharge conference, the appropriateness of noncriminal disposition of the case would be discussed.[17]

Not every defendant ought to be prosecuted. Chief Judge Harold H. Greene of the District of Columbia testified before the Congress on June 23, 1971 that "present court figures suggest that perhaps as many as twenty percent of the total number of cases prosecuted annually might be diverted from the criminal justice system if a narcotics pre-trial diversion project were fully implemented." In the same way, confirmed alcoholics should not be processed through the criminal justice system. Sick people are not going to benefit from legal interference. According to figures supplied by the Manhattan Bowery Project, arrests of drunks accounts for almost a third of all arrests. Before that project originated in 1969, arrests in the Bowery from May through July of 1968 for disorderly conduct, loitering and public intoxication totalled 1,674. During the corresponding period in 1969, when alcoholics were diverted from the criminal justice system, arrests dropped to 270.

Certainly the federal system will not be plagued by the same number of alcoholics or drug addicts, but if they do find their way into the system, there should be a process set up whereby they can be diverted from the legal system into medical facilities where both they and society will benefit. There is little use in prosecuting a sick person for having exhibited the symptoms of his disease, but that is what we continue to do with alarming frequency.

Likewise, there are offenders who may not be sick but whose problem can be better dealt with in a diversion project rather than by prosecution. In New York, the VERA Institute of Justice sponsored the Manhattan Court Employment Project which sought to divert those defendants who could be placed in some type of vocational training program. Alcoholics and drug addicts were specifically excluded from this project. The results of this project were very dramatic.

The rate of *arrest* among participants while active in the program, on the average during the second quarter of fiscal year 71–72, was .039%.[18] This project established a regular procedure where defendants were screened and a determination was made as to the possibility of them being diverted in lieu of prosecution. Great concern was given to ensuring that not only would the offender be helped, but more importantly, that society would be protected. If we want results from our criminal justice system, if we want to be protected from crime, if we want a correctional system that pays for itself many times over by truly helping to "correct" an offender, then it is programs like this that need to be utilized. The Precharge Conference would provide an opportunity where decisions of this type could be made, based on sound background developed by the District Board.

The diversionary programs that I envision would, of course, depend on the consent of the particular defendant. The charges would be held in abeyance until such time as the defendant either demonstrates his successful completion of his diversion project, or he is terminated in the project and prosecution is resumed. Going hand in hand with any type of program like this should be an intensive counseling program coordinated by the District Board.[19]

If the experience of the projects that I have mentioned were indicative of the success I feel the new system will bring, there would be a substantial benefit to society in terms of reduced crime. The savings to society from the reduction of crime would more than offset any increased costs of the reorganization. The potential benefits in terms of resources as well as human potential are enormous. Diversion projects have, to my satisfaction, proven their worth. The system should therefore be resigned in such a fashion so that such diversion decisions can be intelligently made.

If the defendant were prosecuted and convicted, the District Board would again play a very important role. Once the offender has been convicted, the question is, What do we do with him? As pointed out above, many judges will disagree on the disposition. But in S. 3185, the Federal Board will have established broad national sentencing guidelines. Within these guidelines, it will be the responsibility of the District Board to recommend to the Court the sentence that should be imposed on the offender. It would base its recommendation not only on its professional background, but also on the great deal of information which it has accumulated during the period when the offender was being prosecuted.

At present, pre-sentence reports are used quite widely. These reports are prepared by probation officers who have a caseload of two to three times greater than that recommended, and who among other things, serve as parole officers as well. Because of their burdensome caseloads, they do not have the time to give the proper and complete attention to the pre-sentence report.

Under the new system, the local board would recommend not only the sentence to be imposed, such as probation, a fine, an alternative to incarceration, or incarceration, but its recommendation would also include two new and very significant additional parts: the purpose or reason for imposing the sentence, and the goals the offender needs to attain in order to be released from the jurisdiction of the court. In *the latter* case, if incarceration were imposed, the recommendation would include the goals for the offender to attain while in prison in order for him to be released on parole.

The Supreme Court has noted four purposes for imposing a sentence of imprisonment: (1) deterrence of similar crimes, (2) protection of society, (3) discipline of the offender, and (4) rehabilitation of the offender.[20]

There may be more reasons; yet too often these are never articulated. We never know exactly why we as a society and through a judge have imposed a particular sentence. In S. 3185, the District Board would make it clear why we are doing what we are doing.

The second important addition would be the recommendation as to the goals to be attained by the offender. The sentence should be shaped to the offender. By making the punishment fit the criminal, the chances are much better for true rehabilitation. Consequently, sentencing should be a goal-oriented process. Not only would the District Board set out very clearly what the offender has to do to be released from prison if incarceration were recommended, but "a detailed judicial determination of the specific goal to be attained by supervised confinement would provide administrators with guides for shaping the individual's correctional experience as well as serve as a benchmark by which the progress and nature of each prisoner's treatment within the institution could be judged."[21]

The new procedures in S. 3185 would give to the sentencing process the attention and professionalism it has long deserved. In a society interested in the rights of the accused, we have tended to focus all of our attention on the trial procedure. However, it is probably more important to society, in the long run, what we do with a criminal *after* we have convicted him. The Courts themselves have recognized this by focusing more directly on the sentencing procedure, prison conditions and parole procedures. It is long past the time when the process of sentencing should have been raised to a more professional status.

In a report prepared for me by the Library of Congress on September 30, 1971, a study examined the procedures for sentencing criminals in foreign countries. That report indicated the use that other countries have made of outside experts who aid the court in the sentencing process. Though all of the countries studied permitted the finding of guilt as well as the responsibility of imposing a sentence by the courts, "these standard

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Footnotes at end of article.

procedures do not prevent the courts from seeking expert advice where problems arise as to the imputability of a crime because of the mental condition of the defendant, or other factors residing within him or his environment. In Scandinavian countries, for instance, the courts as a practical matter rely heavily on the advice of experts who are appointed directly by the courts, rather than appearing as expert witnesses for the defense or the prosecution."[22]

Informal procedures have developed, both in this country and abroad, which recognize the inability of the court, by itself, to adequately determine a sentence. Consequently, advice and recommendations are sought, be it through a pre-sentence report by a probation officer, or from a panel of experts. Given the great importance of the sentencing process, this informal way of dealing with sentencing should be given a formal structure through which the most competent and professional advice can reach the court on a regular basis. The present haphazard manner of getting this type of information should be traded in for a newer model. I think that in this regard, the United States can be a leader, showing the legal community of the world the way in this complicated problem.

This recommendation by the Board would not bind the judge one way or another. At all times, the judge would retain his prerogative to reject the advice and impose his own sentence. However, in doing this, he too would have to put on the record his reasons for imposing the particular sentence and the goals he feels that the offender should attain. I believe this additional procedure is necessary to protect society and the rights of the individual offender.

No matter what the sentence of the court, the District Board would retain responsibility for the offender until he was released from the jurisdiction of the court. For instance, if the offender were released into the community under limited supervision, his community officer would be under the jurisdiction of the District Board. Today, if an offender is placed on probation, his probation officer would be under the jurisdiction of the court. I don't see any reason why a probation officer should be under the administrative authority of the courts. The courts already have enough to do. Since an administrative body, the District Board, would already be in existence, good management dictates that a community officer be under the District Board's administrative responsibility. The community officer would help the offender work to achieve the goals set for him by the court which would be synonomous with successful reintegration with the community as a responsible citizen.

Despite the fact that parole and probation, two supervised releases, have evolved in an historically distinct manner, it makes little sense to institutionalize an historical accident by keeping these two very similar functions separate and distinct. Today, for instance, one man may be both a probation officer reporting to the court, and a parole officer reporting to the parole board. In either case, he is performing essentially the same type of function, but he responds to two different masters that may have two different philosophies. The community officer would be under one jurisdiction, the District Board, which would handle the administrative problems and ensure that the sentence and its goals could be carried out in the most efficient manner. The Interim Report of North Carolina Penal Study Committee could find "no logical reason why these persons should not be supervised by one department. The education, training and type of supervision is essentially the same." That conclusion is sound, and should be implemented on the federal level.

If the offender were incarcerated, the value of the goals set by the trial judge would be quite significant. At present, too many inmates do not have a clear idea of what they have to do in order for them to be released back into the community.

I have received innumerable letters from prisoners who have been denied parole and they do not know why. They were not told with any specificity what they had to do to make parole, other than to "be good." When parole is denied them, they often wait months for a one word answer, "yes" or "no." The U.S. Board of Parole cites the lack of manpower available to it as the reason for not giving reasons for denial of parole and this is a reasonable explanation. In two institutions, the Parole Board has instituted the use of a check off list[23] in order to provide reasons to a prisoner. But these reasons include, "He has not done enough in the institution to improve himself". "He was a key figure in the offense," and "Because of the nature of the offense, justice requires that he be confined a longer period of time."

This is not the type of in-depth report that inspires a prisoner to strive to improve himself. He still does not know what he has to do to be denied Parole or what he must do in the future. What can he do if he is denied parole at a date when the judge knew he would be eligible for parole? Even if he is a perfect or "model" prisoner, he may be denied parole. The anger and frustration that this arbitrary process causes must be deemed to be one of the prime causes not only for prison unrest, but also for the high rate of recidivism among ex-offenders.

Under the system established in S. 3185, this antiquated process would be eliminated by a system of incentives based on reason. Upon entering prison, the offender would know why he was sentenced, and what he had to do to get out. The goals would always be there towards which he could strive.

At least once a year, the District Board would hold a hearing to determine the prisoner's progress. These hearings would be in-depth meetings by people who had been with the man's case from the time he was arrested. They would not be like the present parole hearing: five minutes before an overworked and nameless official. During these hearings, a review of the offender's progress would be made, and within two weeks, a decision as to the suitability of parole for the offender would be given to the offender. Within another two weeks, the detailed reasons for the denial of parole would be given to the offender, hopefully accompanied by a personal visit. In this way, after each of these meetings, the offender would very clearly know what he had done right and what he had done wrong. He would know what was expected of him to be released.

One of the likely benefits of this type of approach would be a reduction in tension inside our prisons, and an increasing focus on the rehabilitation of the individual offender. Under this new system those individuals who threaten the safety of the community would be less likely to be released into the community but those who could be safely released under community supervision would have the chance to rejoin their family and community, with an increased chance of staying out of prison.

Once released on parole, the offender's community officer would also be under the authority of the District Board. His progress in the community could be monitored in a manner that would help the offender to readjust to his surroundings while at the same time, helping to insure the safety of society.[24]

The District Board would be a logical body to fill a very pressing need. By regionalizing, it would make the decision-making process one that is open to thought and personalized attention. By unifying, it would eliminate needless dupulication while at the same time serving as an integral part of our criminal justice system. Perhaps we are still doomed to muddle through experiences like that of Jarndyce and Jarndyce cited by Dickens in *Bleak House*.[25] Perhaps we will continue to tolerate a system that does nothing but produce failures. Perhaps. But I will not sit idly by while this happens. Common sense demands that something be done, and S. 3185 suggests a new system that would truly serve society by insuring that our system of justice becomes a system worthy of the lofty role we expect it to play.

Mr. Chairman, I would like to add just a few words concerning S. 3674. I doubt anyone would deny the usefulness of an effective parole system. However, at present, both in the District of Columbia and in the Federal system generally, a situation exists which thwarts the basic purpose of parole. In these two jurisdictions, a parolee is sometimes given credit for the time he spends on parole toward the running of his sentence. For example, if a man were sentenced to 15 years in prison, he would be eligible for parole after 5 years. If paroled at that time, he would be under parole supervision for the remaining 10 years of his sentence. Once 15 years has passed from the time of the imposition of his sentence, he would be released from the jurisdiction of the court, and would be deemed to have served his sentence. In other words, though he was on parole for the final 10 years, the man would still be serving his sentence.

However, let us assume that after 9 years on parole, the man violated his parole. The violation could be either a minor technical violation, or it could be a violation resulting from the commission of a crime. In either case, at the present time in the District of Columbia, and in the Federal system, not only would that man be sent back to prison for the 1 remaining year, but he would also have to serve the 9 years that he had been on parole as well as any sentence imposed for the new crime.

As a result, he is given no credit for the time that he was on parole before his violation. In effect, he would be required to serve his sentence twice. Not only is this unfair and contrary to the philosophy behind corrections, but it is also illogical. If the man commits a new offense, he would be duly punished by the court for that new offense. If the violation were merely technical in nature, and no sentence is imposed, then does he deserve to be punished by years in jail for something that the law does not deem serious enough to punish? Clearly, the answer is "No."

Aware of this deficiency, the National Commission on Reform of Federal Laws—the so-called Brown Commission—established by Public Law 89-801, has recommended that the law be changed. In section 3403(3)(a) of the report, the Commission recommends that credit be given for the time spent on parole up to the date of the new violation. Illinois has followed this suggestion and has such a provision in the Illinois Unified Code of Corrections, section 3159(3)(i).

This change was also suggested in 1956 by the American Law Institute in the Model Penal Code, section 305.17(1). As the drafters of that section indicated, the preponderant rule in the United States is to allow a parolee credit for the time he has served on parole without violations.

At the present time, only 13 States and the District of Columbia have statutes, expressly prohibiting the crediting of such "clean time." They are Colorado, the District of Columbia, Florida, Idaho, Kentucky, Louisiana, Maine, Nevada, North Carolina, Oklahoma, Oregon, Rhode Island, Texas, and West Virginia.

The vast majority of States have taken the initiative and given credit for time served, on parole. Responsible and respected organizations have worked for such laws. The Con-

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Footnotes at end of article.

gress now has a chance to become a part of this movement and give such credit in the two jurisdictions for which it has responsibility.

Under the provisions of S. 3674, a parolee would be given credit toward the running of his sentence for the time he spends on parole up to the time of a new violation. If the violation is serious enough to warrant his return to prison, he will have to serve any new sentence as well as the remainder of his original sentence, but he will not be forced to serve again that part of his former sentence which he has already served on parole.

Mr. Chairman, in conclusion, let me just once again thank you for your invitation to testify today. I have attempted to set out as fully as possible the need for a new look at our present system of criminal justice. The figures themselves present a very strong case for reform. The diffferent experiments, projects and studies that I have cited all show that there are new ideas which could work in such a way as to serve both society and the individual offender. We in the Congress need to take the initiative and design a system where such programs can work in the best way possible. That is what I have attempted to do in S. 3185.

I look forward to working with the members of this subcommittee in the coming months and years in our continuing effort to ensure that the criminal justice system truly serves and protects society.

Thank you.

FOOTNOTES

[1] Congressional Quarterly Fact Sheet, June 18, 1971, page 1336.

[2] *id.*, p. 1339.

[3] Congressional Record, Dec. 7, 1971, p. S20746.

[4] Congressional Quarterly, June 4, 1971, p. 1219.

[5] Letter from Kenneth Hardy, Director, D.C. Department of Corrections, to Sen. Percy 6/23/72.

[6] Biennial Report, The U.S. Board of Parole, 7/1/68–6/30/70 p. 16–17.

[7] White House statement, issued 11/13/69.

[8] Time Magazine, 1/18/71, p. 46.

[9] S. 1430–S. 1433.

[10] Letter from Norman Carlson, Chairman, Inter-Agency Council on Corrections, to Sen. Percy, 7/7/71.

[11] GAO outline (attached).

[12] In the President's memorandum of November 13, 1969, his twelfth point cited the need for just such a system. "Clearly the poor record of our rehabilitative efforts indicates that we are doing something wrong and that we need extended research both on existing programs and on suggested new methods." Citing the large number of federal agencies involved in the field of corrections, he said that "if all of these efforts are to be effectively coordinated then some one authority must do the coordinating."

[13] Task Force Report on the Courts, The Presidents Commission on Law Enforcement and Administration of Justice, Chapter 2, "Sentencing," p. 23.

[14] *Id.*, p. 23.

[15] *Id.*, p. 23.

[16] The total number of cases commenced in all 90 District courts throughout the United States and Puerto Rico were 35,413 in 1969 and 39,995 in 1970. The average number of cases begun each year in a district court was 393 in 1969 and 444 in 1970. Figures for the District Courts of Illinois are a good example of the various caseloads:

Northern District of Illinois: 1969—755; 1970—625.

Eastern District of Illinois: 1969—95; 1970—186.

Southern District of Illinois: 1969—161; 1970—188.

[17] This is a suggestion of the President's Commission on Law Enforcement and the Administration of Justice Task Force Report: The Courts, page 7–9.

[18] "Quarterly Report," The Court Employment Project, Second Quarter, Fiscal Year 1971–72, p. 5.

[19] This type of program is also authorized in S. 3309, which was introduced by Sen. Quentin Burdick (D-N.D.), and of which I am a co-sponsor.

[20] Trial magazine, "A Judicial Mandate," by Judge Donald P. Lay, U.S. Court of Appeals, Eighth Circuit, November/December 1971, p. 15.

[21] *Id.*, p. 18.

[22] "Procedure for Sentencing Criminals in Foreign Countries", The Library of Congress Law Library, Washington, D.C., September, 1971, p. 1.

[23] U.S. Board of Parole, Form H–7(a)

[24] The Interim Report of the North Carolina Penal Study Committee recommended this type of common sense approach. On March 15, 1971, it said that "the supervision of all persons convicted of crime and who are released and placed on probation, parole or given conditional release should be supervised under one system" (p13).

[25] (The Court was) mistily engaged in one of ten thousand stages of an endless cause, tripping one another up on slippery precedents, groping knee-deep in technicalities, running their goat-hair and horse-hair warded heads against walls of words, and making a pretense of equity with serious faces, as players might. . . . Well may the court be dim, with wasting candles here and there: well may the fog hang heavy in it, as if it would never get out: well may the stained glass windows lose their colour, and admit no light of day into the place: well may the uninitiated from the streets, who peep in through the glass panes in the door, be deterred from entrance by its owlish aspect . . . but Jarndyce and Jarndyce still drags its dreary length before the court, perennially hopeless. The empty court is locked up (now). If all the injustice it has committed, and all the misery it has caused, could be locked up with it, and the whole burnt away in a great funeral pyre,—why so much the better.

APPENDIX I

Listing of programs designed to benefit the criminal offender

DEPARTMENT OR AGENCY AND PROGRAM OR PROGRAM CATEGORY	[Amount applicable to criminal offender—fiscal year 1971]
Department of Health, Education, and Welfare:	
Office of Education:	
Vocational Education	$1,188,000
Adult Education Program	2,381,000
Title I of the Elementary and Secondary Education Act of 1965	19,100,000
Title II of the Elementary and Secondary Education Act of 1965	(1)
Teacher Corps Program	1,502,000
Project START	[2] 90,000
Drug Education Program	(1)
Nationwide Education Programs in Corrections	400,000
Career Opportunities Program	112,000
Community Service Programs	29,000
Title I of the Library Services and Construction Act	(1)
Health Services and Mental Health Administration:	
Research on criminal behavior and on the sociology of crime	2,200,000
Supporting research and development—Corrections	2,100,000
Narcotic Addict Rehabilitation Program	$6,591,000
Training of social workers, psychiatrists, and paraprofessionals in the correctional field	5,167,000
Narcotic Addict Community Assistance Program	18,939,000
Social and Rehabilitation Service:	
Title I of the Juvenile Delinquency Prevention and Control Act of 1968	634,256
Title II of the Juvenile Delinquency Prevention and Control Act of 1968	2,530,000
Department of Labor: Offender Rehabilitation Program	15,900,000
Office of Economic Opportunity:	
Legal Services Program	(1)
Drug Rehabilitation Program	(1)
Volunteers in Service to America (VISTA)	(1)
Other programs and projects	[3] 5,410,950
Department of the Interior: Employment Assistance Program	200,000
Corps of Engineers: Rehabilitated Offender Program	6,300
Environmental Protection Agency: Physically Handicapped Program	(1)
Department of Agriculture:	
Extension Service	(1)
Forest Service	(1)
United States Postal Service:	
Job Opportunity Program	(1)
Postal Academy Program	(1)
Department of Justice:	
Law Enforcement Assistance Administration:	
Block grants under title I, pt. C, of the Omnibus Crime Control and Safe Streets Act	(1) (4)
Discretionary grants under title I, pt. C, of the act	[5] 18,969,625
National Institute of Law Enforcement and Criminal Justice	2,100,000
Grants under title 1, pt. E, of the act	(6)
Other bureaus:	
Rehabilitation of offenders	[7] 22,170,000
Treatment of narcotics and dangerous drug offenders	2,428,000
Federal Prison Industries, Incorporated	[8] 44,500,000
Judicial Branch (Federal Probation Service): Services of probation officers	17,500,000
Department of Housing and Urban Development: Model Cities Program	(1)
Total	192,148,131

[1] We were unable to determine the amount of funds being applied to programs of projects affecting the criminal offender. For more details, see appendix II.

[2] This project was co-funded. The Office of Education contributed $75,500, and the Civil Service Commission provided the remaining $14,500.

[3] This total is a sum of the examples presented on page 16 in appendix II and is not to be considered all inclusive.

[4] Pt. C includes estimated expenditures of $50,660,000 for correction and rehabilitation. Information was not available, however, to show how much of this money would be spent to benefit the criminal offender.

[5] Our analysis included only those projects interpreted as having direct impact on the criminal offender. Projects having indirect impact, such as research projects and studies, were excluded.

[6] The amount budgeted for pt. E was $47,-

500,000 for fiscal year 1971. Information was not available to show the amount of funds to be spent for projects to benefit the criminal offender.

[7] The amount includes $20,990,000 from the Bureau of Prisons. The total appropriations for the Bureau were about $74,900,000 for fiscal year 1969, $87,600,000 for fiscal year 1970, and $120,200,000 for fiscal year 1971. In this report we included only those funds that we could identify as being expended for programs and projects to benefit the criminal offender.

[8] This figure represents the total sales for fiscal year 1971. Net industrial profits were about $5,000,000. The Federal correctional institutions' vocational training programs are funded from these profits.

APPENDIX II

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C.

Hon. CHARLES H. PERCY,
U.S. Senate.

DEAR SENATOR PERCY: In your letter dated October 28, 1971, you requested that we identify the Federal agencies operating programs which directly or indirectly have impact on the criminal offender once he has been brought into the criminal justice system. You expressed particular interest in programs which provided job training, vocational rehabilitation, and block grants to States, such as those administered by the Law Enforcement Assistance Administration, Department of Justice. You requested also that we identify the various programs in operation and the amounts expended for such programs.

In subsequent discussions with your office, it was agreed that our report would include information on those programs designed to benefit criminals after they had been apprehended and that programs dealing with investigative or police-type work would not be included. It was agreed also that we would obtain information on the Advisory Corrections Council authorized as set forth in the United States Code (18 U.S.C. 5002).

Appendix I is a listing by department and/or agency of the programs which we were able to identify as having an impact on the criminal offender. Appendix II explains the listing in more detail. In our discussions with your office, it was agreed that, when program costs applicable to criminal offenders were not readily determinable, we would use the best estimates available. We have not classified funds expended for enforcement and incarceration as benefiting the criminal offender. The Justice Department's Bureau of Narcotics and Dangerous Drugs and Bureau of Prisons are examples of agencies that expend funds for such purposes.

The information, which was obtained through surveys of the programs administered by the various departments and/or agencies and through discussions with responsible officials, shows that few programs are designed specifically to benefit the criminal offender. Rather, many of the Federal Government's social and economic programs have components which deal with criminal offenders either before, during, or after their incarcerations. In a few programs, such as the Teacher Corps program, the component is specifically authorized by law. In most cases, however, the components are carried out under the general legislative authority of the program.

We have been informed by the Department of Justice that the Advisory Corrections Council has not been active for at least the last 5 years.

We trust that the information furnished will be of assistance to you. We plan to make no further distribution of this report unless copies are specifically requested, and then we shall make distribution only after your agreement has been obtained or public announcement has been made by you concerning the contents of the report.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

REVIEW TO IDENTIFY THE VARIOUS FEDERAL AGENCIES OPERATING PROGRAMS DESIGNED TO BENEFIT THE CRIMINAL OFFENDER

(By the Comptroller General of the United States)

MAY 17, 1972.

Listing of programs designed to benefit the criminal offender

DEPARTMENT OR AGENCY AND PROGRAM OR PROGRAM CATEGORY

[Amount applicable to criminal offender—fiscal year 1971]

Department of Health, Education, and Welfare:	
Office of Education:	
Vocational Education	$1,188,000
Adult Education Program	2,381,000
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Teacher Corps Program	1,502,000
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Forest Service	(1)
United States Postal Service:	
Job Opportunity Program	(1)
Postal Academy Program	(1)
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Law Enforcement Assistance Administration:	
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DESCRIPTION OF PROGRAMS DESIGNED TO BENEFIT THE CRIMINAL OFFENDER

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

Vocational Education

Training programs provided by the States under the Vocational Education Amendments of 1968 include projects for inmates of correctional institutions. In fiscal year 1969 Federal funds in the amount of $550,000 were used to support the training of 18,000 inmates. In 1970 Federal funds in the amount of $775,000 were used to train 25,000 inmates. In 1971, 33,000 inmates were enrolled at an estimated cost of $1,188,000.

The nature of the programs varies considerably. Some States report that their penal systems offer education and training in many occupational areas, but education and training opportunities in the penal systems of other States are rather limited.

Adult Education Program

An objective of the adult education program is to expand educational opportunities by encouraging the establishment of projects in correctional institutions that will enable adult inmates to continue their education, at least to the level of completion of secondary school, and to make available the means to secure training that will enable them to become more employable, productive, and responsible citizens.

Matching grants, based on an allotment formula, are made to States for adult education programs to be carried out by local educational agencies and private nonprofit agencies. In fiscal year 1969 the States expended $1,403,000 in Federal funds under this program to provide adult basic education for about 20,000 inmates; in fiscal year 1970, $2,061,000 for about 29,000 inmates; and, in fiscal year 1971, $2,194,000 for about 32,000 inmates.

Grants are also made directly to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects which have national significance and which promote comprehensive or coordinated approaches to the problems of adult inmates who have not received high school diplomas, or the equivalent. These grants, which amounted to about $135,000 in fiscal year 1970 and $187,000 in fiscal year 1971, generally require a non-Federal contribution of 10 percent of the cost of the project.

Title I of the Elementary and Secondary Education Act of 1965

The purpose of this title is to improve the educational programs of local educational agencies serving areas having concentrations of children from low-income families. The improved programs are to contribute particularly to meeting the needs of educationally deprived children. Some funds are provided to States and local agencies responsible for the education of children in institutions caring for both neglected and delinquent children. Total funds appropriated for the program and that part appropriated for children in institutions for the delinquent follow.

'In mi'lions]

	Fiscal year—		
	1969	1970	1971
Total appropriation	$1, 100	$1, 300	$1, 500
Funds for children in institutions for the delinquent:			
State	12.5	14. 3	16. 4
Local	2. 1	2. 5	2. 7
Total	14. 6	16. 8	19. 1

Title II of the Elementary and Secondary Education Act of 1965

This title of the act authorizes the Commissioner of Education to carry out a program for making grants for the acquisition of school library resources, textbooks, and other material for the use of children in public and private elementary and secondary schools. Grants are made to the States which, in turn, distribute the funds to the school systems. Some of the funds are provided to State and local agencies operating correctional institutions, but Office of Education officials could give no estimate of their magnitude. We have contacted two State departments of education—Texas and New York—and they estimate that about one tenth of one percent of their title II funds are provided to correctional institutions.

[In millions]

	Fiscal year—		
	1969	1970	1971
Total appropriation	$50	$42. 5	$80

Teacher Corps Program

This program is designed to improve the educational opportunities of poor children and to broaden teacher-training programs at colleges and universities. The Teacher Corps operates a corrections program which has the same overall objectives but which deals specifically with youthful offenders—adjudicated delinquents and socially maladjusted youths—in an institutional setting.

[In thousands of dollars]

	Fiscal year—		
	1969	1970	1971
Total appropriation	20, 900	21, 737	30, 800
Funds for corrections programs	112	210	1, 502

Project START

Project START is part of the Federal City College Lorton Project, a rehabilitation project for men either incarcerated in or paroled from Lorton Prison in Lorton, Virginia. Specifically Project START is designed to provide an opportunity for paroled men to obtain a college education while working as paraprofessionals for the Office of Education. The project began in fiscal year 1970 and is funded jointly by the Office of Education and the Civil Service Commission.

[In thousands of dollars]

	Fiscal year	
	1970	1971
Office of Education funds	75. 5	75. 5
Civil Service Commission funds	14. 5	14. 5
Total	90. 0	90. 0

Drug Education Program

The objective of this program is to help schools and communities assess and respond to their drug abuse problems. The program began in fiscal year 1970. Program officials told us that, in one part of the program—Community Projects—some rehabilitated addicts probably were hired as instructors; however, these officials could not provide us with any estimate as to the number of such people in the projects.

[In millions of dollars]

	Fiscal year—	
	1970	1971
Total drug education program	3. 6	6. 0
Community projects		2. 2

Nationwide Education Programs in Corrections

This program funds three centers that provide for the training of teachers (including Teachers Corps interns), administrators, and other staff members that operate treatment programs for juvenile delinquents and adult offenders. The fiscal year 1970 and 1971 appropriations were $150,000 and $400,000, respectively.

Career Opportunities Program

This program, which began in fiscal year 1970, is designed to improve the learning of children from low-income families by employing high-risk persons as paraprofessionals in poverty-area schools while, at the same time, providing these persons with the opportunity to obtain college degrees in education or to become qualified to teach in areas not requiring college degrees. The employed persons are those whose academic, family, and occupational histories hinder them in becoming assets to their communities. Program officials conservatively estimated that, nationwide, about 45 criminal offenders were enrolled in the Career Opportunities Program at an annual cost of $2,500 for each enrollee.

[In thousands of dollars]

	Fiscal year—	
	1970	1971
Career opportunities program, total	19, 400	25, 800
Cost for criminal offender enrollees	112	112

Community Service Programs

Title I of the Higher Education Act of 1965 provides Federal funds to strengthen community service programs of colleges and universities. These programs are designed to assist in the solution of community problems, and several that have been funded deal with criminal offenders.

The New Dimensions project in West Virginia and the Credit Extension and Quinnipiac projects in Connecticut provided extension courses to inmates of penal institutions. The Speed Up project in South Carolina provided training to inmates to enable them to obtain skilled employment. The Upsala Urban Extension project provided counseling for youthful and adult offenders in New Jersey.

Under title I the Congress appropriated $9.5 million a year for fiscal years 1969 through 1971. Of the total funds of $28.5 million, only about $29,000, $20,000, and $29,000 were applied to programs that dealt with criminal offenders during those fiscal years.

Title I of the Library Services and Construction Act

This title provides Federal funds to assist States in the extension and improvement of public library services, including those of libraries in institutions. Office of Education officials told us that they did not know what part of the funds went to penal institutions. They said that the States made these determinations. The appropriation for title I of the act was $2,094,000 for each of the fiscal years 1969, 1970, and 1971.

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Officials of the Health Services and Mental Health Administration provided us with information that was sent to the Office of Management and Budget concerning National Institute of Mental Health programs for the reduction of crime. This data was listed under various program categories and did not identify the actual programs or projects involved. We analyzed the data on the basis of the descriptions provided in Office of Management and Budget Circular No. A-11 (pp. 87 and 88) for each program category. As a result we believe that the following categories may contain programs or projects having some effect, either direct or indirect, on the criminal offender.

[In thousands of dollars]

	Actual outlays for fiscal year—		
	1969	1970	1971
Research on criminal behavior and on the sociology of crime	3, 072	1, 585	2, 200
Supporting research and development—Corrections	1, 710	1, 957	2, 100
Special programs for the rehabilitation of narcotic addicts:			
Narcotic addict rehabilitation program	13, 020	3, 770	6, 591
Narcotic addict community assistance program	2, 409	3, 057	18, 939
Development of community resources:			
Training of social workers, psychiatrists, and paraprofessionals in the correctional field	3, 334	5, 167	5, 167
Total	23, 545	15, 536	34, 997

SOCIAL AND REHABILITATION SERVICE

The Rehabilitation Services Administration of the Social and Rehabilitation Service provides financial support and leadership for State programs of vocational rehabilitation. Each State administers and supervises its own program. Although individual States may provide some services to public offenders, there is no reporting by the State of the costs of this type of service. Federal grants to States for the cost of rehabilitation programs totaled about $500 million a year for fiscal years 1969 through 1971.

Among other things, the Youth Development and Delinquency Prevention Administration of the Social and Rehabilitation Service awards grants for rehabilitation, curriculum development, short-term training, and traineeship under the Juvenile Delinquency Prevention and Control Act of 1968. Details follow.

Title I of the Juvenile Delinquency Prevention and Control Act of 1968

Under part B of this title, grants may be provided to encourage the maximum use of State and community rehabilitation services for diagnosis, treatment, and rehabilitation of delinquent youth and of youth in danger of becoming delinquent. It is hoped that, through these grants, a greater range of alternatives to traditional forms of incarceration can be provided, that the development of new facilities closely linked to the community can be encouraged, and that the establishment of new types of community agencies for dealing nonjudicially with delinquent youth can be supported.

Projects funded under this section of the act include: new juvenile court procedures that reduce the length of time between apprehension of the juvenile offender, court hearings, and disposition; the decentralization of probation and parole services to Youth Service Centers; the provision of alternatives to commitment, such as small-group homes; supportive services and counseling for adjudicated youths; and the use of ex-delinquents in operation of local programs. Rehabilitative service grants were funded under this title, as follows:

	Fiscal year—		
	1969	1970	1971
Amount of funds	$245, 941	$1, 099, 916	$634, 256
Number of grants	9	26	18

Title II of the Juvenile Delinquency Prevention and Control Act of 1968

The purpose of this title of the act is to provide training for persons presently working in fields related to the diagnosis, treatment, or rehabilitation of delinquent or predelinquent youth, as well as for those preparing to enter this work. It also includes support for the counseling or instruction of parents to improve parental supervision of youth.

Assistance may be provided for training court volunteers, paraprofessionals, and youths themselves as additional manpower in combating juvenile delinquency. A summary of expenditures by types of programs in fiscal years 1969, 1970, and 1971 follows.

	Amount	Number of grants
FISCAL YEAR 1969		
Curriculum development	$248, 544	6
Short-term training	1, 356, 979	43
Traineeships	25, 000	1
Total	1, 630, 523	50
FISCAL YEAR 1970		
Curriculum development	190, 799	6
Short-term training	1, 260, 731	39
Traineeships	158, 845	3
Total	1, 610, 375	48
FISCAL YEAR 1971		
Curriculum development	131, 318	5
Short-term training	2, 269, 262	36
Traineeships	129, 420	2
Total	2, 530, 000	43

Some of the costs listed above pertain to prevention rather than rehabilitation. A breakdown of the funds expended for prevention and rehabilitation would have required an examination of each grant document. Even then, however, the breakdown might not have been complete because costs could have applied to both categories.

DEPARTMENT OF LABOR

Manpower Development and Training Act

For several years the Department of Labor has conducted research, demonstration, and pilot projects under various sections of the Manpower Development and Training Act to learn more about the problems of criminal offenders in their training and job adjustment. Efforts include vocational training for inmates, an experimental pretrial intervention program, model projects for employment service offices, and a Federal bonding program.

Inmate training under the act is the joint responsibility of the Departments of Labor and of Health, Education, and Welfare and is undertaken in consultation with correctional authorities. The Department of Labor pays for administrative costs and stipends to enrollees, and the Department of Health, Education, and Welfare pays for course material and presentation.

During fiscal year 1970 and the first 6 months of fiscal year 1971, 63 vocational training projects having about 4,100 inmate enrollees were funded under the act at a cost of nearly $8 million. Most of the projects were in State institutions, but a limited number were in county and Federal institutions. About $10 million will be expended for vocational training projects in fiscal year 1972. Most of the projects provide inmate stipends, a part of which is held back by the institution and paid to the inmate when he is released to help cushion the postrelease adjustment period.

Offender Rehabilitation Program

In fiscal year 1972 the Department of Labor consolidated all activities relating to inmate training and bonding into an Offender Rehabilitation Program. In addition to the $10 million of fiscal year 1972 funds for inmate training, about $19 million will be used under the Offender Rehabilitation Program for experimental projects and for the bonding program.

Under the sponsorship of the Department of Labor, the Federal bonding program has helped place inmate trainees in jobs after their release. Begun as a demonstration project under a 1965 amendment to the act, the program was aimed at a significant number of persons who had participated in federally financed manpower programs but who could not secure suitable employment because of police records. The number of persons actually bonded has been small, but for each the fidelity coverage was the key to obtaining employment.

Total expenditures for inmate programs are not readily available; however, the expenditures for inmate vocational training and for some of the research and development programs (including bonding) are shown below.

[In millions of dollars]

	Fiscal year—		
	1969	1970	1971
Training	3. 0	5. 1	[1] 13. 7
Research and development	1. 4	1. 2	2. 2
Total	4. 4	6. 3	15. 9

[1] Included are expenditures for some demonstration projects

OFFICE OF ECONOMIC OPPORTUNITY

Criminal offenders are permitted to participate in all programs that are authorized by the Economic Opportunity Act. Certain programs, however, such as Legal Services or Drug Rehabilitation, are directed toward providing certain types of service to juvenile delinquents or criminal offenders.

Legal Services Program

The Economic Opportunity Act prohibits the use of Legal Services program funds for the defense of persons indicted (or proceeded against by information) for the commission of a crime, except where the Director of the Office of Economic Opportunity has determined, after consultation with the court having jurisdiction, that there are extraordinary circumstances requiring such legal assistance. This limitation does not apply to (1) representation of arrested persons before indictment or information, (2) parole revocation, (3) juvenile court matters, (4) civil contempt, and (5) alleged mistreatment of prisoners after sentence and incarceration. The Legal Services program was funded for $46 million, $53 million, and $62.1 million in fiscal years 1969, 1970, and 1971, respectively. Office of Economic Opportunity officials were unable to estimate the amount of Legal Services funds that were spent on criminal offenders.

Drug Rehabilitation Program

The Economic Opportunity Act authorizes the Office of Economic Opportunity to develop drug rehabilitation programs for narcotics addicts and drug abusers. Although officials were unable to estimate the amount of funds expended on criminal offenders who were participating in the program, they indicated that criminal offenders constituted a large part of the program's participants. This program received financing of $2.5 million, $4.5 million, and $12.4 million during fiscal years 1969, 1970, and 1971, respectively.

Volunteers In Service to America

The VISTA program, which has been transferred from the Office of Economic Opportunity to ACTION—a new Federal agency—

has assigned volunteers to projects which provide assistance in helping criminal offenders to reenter society. ACTION officials were unable to provide us with an estimate as to the efforts of VISTA which were directed toward criminal offenders.

Other Programs and Projects

Office of Economic Opportunity officials informed us of certain Office of Economic Opportunity-financed programs and projects that they believed were directed toward assisting criminal offenders. A listing of the projects provided to us follows. The officials informed us that, because of decentralized recordkeeping, they might not be aware of all projects for criminal offenders funded by Community Action Programs with locally initiated funds.

OFFICE OF ECONOMIC OPPORTUNITY PROGRAMS DIRECTED TOWARD CRIMINAL OFFENDERS

Program and/or location	Objective	Financing for fiscal year		
		1969	1970	1971
Project New Gate (6 locations)	Provide education programs for inmates of correctional institutions	$706, 370	$1, 171, 486	$1, 167, 357
	Evaluation			299, 949
Experimental youth program (8 locations)	Assist disadvantaged inner-city youth in carrying out projects designed to prepare them to lead constructive lives.	603, 293	247, 344	1, 994, 324
Motivational training, El Reno, Okla	Provide prerelease preparation of inmates			14, 000
Drug Abuse Research, Laredo, Tex	Rehabilitate hard-core heroin addicts		70, 639	63, 312
Residential rehabilitation, Bridgeport, Conn	Provide residential assistance for narcotic addicts		35, 000	35, 000
Drug counseling, Albuquerque, N. Mex	Operate counseling center and treatment colony			30, 000
Crime reduction and prevention, Washington, D.C	Resolve offenders' grievances with correctional institutions			219, 000
National Juvenile Law Center, St. Louis, Mo	Assist in solving legal problems of juvenile poor			260, 000
Bail project, San Francisco, Calif	Arrange release of indigent prisoners	61, 833	60, 000	25, 000
Chicago, Ill	Prevent and control delinquency	665, 528	575, 171	575, 171
Bail project, Paterson, N.J	Provide employment and counseling program for probationers	127, 000	126, 899	
New Brunswick, N.J	Provide social rehabilitation and other facilities to inmates of correctional institutions.	108, 000	119, 790	119, 516
Sacramento, Calif	Assist ex-convicts in readjusting to life outside prison	42, 688	28, 200	40, 000
Monterey, Calif	Provide counseling to petty larcency offenders			8, 000
Cincinnati, Ohio	Half-way house for parolees	38, 240	35, 429	37, 000
Washington	Obtain bonding for ex-offenders			70, 000
Long Beach, Calif. (2)	Provide residences for female ex-convicts			56, 136
Birmingham, Alabama	Provide counseling services for delinquents	90, 918	96, 284	90, 000
Houston, Tex	Provide counseling for troubled youths and their families	94, 942	110, 600	104, 130
Massachusetts Correctional Institute, Walpole, Mass	Provide prevocational and vocational training for inmates			50, 000
Seattle, Wash	Aid the reintroduction of ex-felons into society			25, 000
Metro Corps, Gary, Ind	Develop jobs for youth-gang members	50, 000	50, 000	50, 000
Winston-Salem, N.C	Rehabilitate teenage violators and ex-convicts			21, 000
Portsmouth, Ohio	Train delinquent youth			1, 248
Project Jove, San Diego, Calif	Assist persons released from prison		45, 268	55, 807
Total		2, 588, 812	2, 772, 110	5, 410, 950

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Employment Assistance Program

The Bureau of Indian Affairs operates an Employment Assistance Program under which vocational training and employment opportunities are provided to Indians. Agency officials told us that Indians being released from prisons were given priority in obtaining assistance under this program. Expenditures for this aspect of the program were $120,000 in fiscal year 1969 and $310,000 in fiscal year 1970 and were estimated to be at least $200,000 in fiscal year 1971. The increase in fiscal year 1970 expenditures was due to the addition of funds from a Law and Order Program, which was primarily enforcement oriented, operated by the Bureau of Indian Affairs. Information was not available to show the amount of Law and Order Program funds that were applied during fiscal year 1971.

CORPS OF ENGINEERS

Rehabilitation Offender Program

The Corps of Engineers established a Rehabilitated Offender Program in June 1966, to aid the criminal offender in making the transition back to civilian life. Under the program a person can be employed on a temporary basis for a maximum of 700 hours. After this, to continue employment, the person must take the civil service test to obtain a civil service rating.

In May 1971 six men were employed under this program, and the fiscal year 1971 cost was $6,300. As of December 1, 1971, the Corps had no one employed under the program. Officials of the Corps told us that they considered only one of the persons enrolled during May to be a quality employee but that, when he had obtained a civil service rating, the Corps was unable to retain him.

ENVIRONMENTAL PROTECTION AGENCY

Physically Handicapped Program

The Environmental Protection Agency operates a Physically Handicapped Program which is designed to hire the physically handicapped and, in general, to convert such persons who are in the welfare and nonproductive categories to productive members of society. This program, which costs about $400,000 annually, has some rehabilitated offenders enrolled.

DEPARTMENT OF AGRICULTURE

Extension Service Programs

Although the education, home economics, and related programs and projects of the Extension Service are not designed specifically for criminal offenders, they could provide benefits to offenders. For example, if there is a women's prison in a county included in the home economics program, representatives of the Extension Service could make visits to the prison to teach sewing to the inmates.

Forest Service Program

The Forest Service operates a part of the Job Corps program which is funded by the Department of Labor. Although some juvenile delinquents have been enrolled in this program by the Forest Service, the program is not designed specifically for such persons.

UNITED STATES POSTAL SERVICE

The Postal Service has no program which is specifically designed for the criminal offender. It does operate programs, however, in which criminal offenders might participate.

Job Opportunity Program

This program has been in effect since 1968 and is funded by both the Postal Service and the Department of Labor. It is designed to help meet the social responsibilities of the Postal Service and the community by providing on-the-job training for various postal-type jobs to persons who would not be recruited otherwise because of economic or social disadvantages. Program participants are required to pass a job-requirement test within 1 year of entering the program. Participants are required also to attend remedial education classes on their own time. Education classes are paid for by the Department of Labor. The Postal Service pays the salaries of participants. The number of participants depends on postal employment needs. As of June 30, 1971, 361 participants were in the program. Persons guilty of minor criminal offenses are eligible for the program. Persons guilty of minor criminal offenses are eligible for the program. Persons guilty of major criminal offenses are not. Program cost data is not readily available.

Postal Academy Program

This program has been in effect since 1970 and is funded by the Postal Service; the Department of Labor; and the Department of Health, Education, and Welfare. Postal employees recruit, motivate, and educate hardcore dropout youths, hoping that the youths will obtain high-school-equivalency diplomas and become productive citizens. Training is conducted in small storefront schools. Part-time postal jobs are available to students during training. As of October 1971, 1,000 students were enrolled in the program. Fiscal year 1971 costs were $3.5 million. The estimated cost for fiscal year 1972 is $3.9 million (55 percent to be contributed by the Department of Health, Education, and Welfare; 35 percent by the Department of Labor; and 10 percent by the Postal Service).

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

The Law Enforcement Assistance Administration (LEAA) has about four program areas in which funds can be expended to benefit the criminal offender. These areas are (1) block grants distributed to States pursuant to part C of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, (2) discretionary grants awarded pursuant to the same part of the act, (3) funds awarded by the National Institute of Law Enforcement and Criminal Justice pursuant to part D of the act, and (4) block and discretionary grants awarded under part E of the act—grants for correctional institutions and facilities.

A summarization of the four areas follows.

Block grants under title I, part C, of the Omnibus Crime Control and Safe Streets Act

LEAA's fiscal year 1972 budget estimates contained the following projection of fiscal year 1971 block grant expenditures by program areas.

Program area	Percent	Amount
Upgrading law enforcement	14.7	$49,980,000
Prevention of crime	7.0	23,800,000
Prevention and control of juvenile delinquency	8.9	30,260,000
Detection and apprehension	24.9	84,660,000
Prosecution, courts, and law reform	6.1	20,740,000
Correction and rehabilitation	14.9	50,660,000
Organized crime	3.6	12,240,000
Community relations	3.7	12,580,000
Riots and civil disorders	3.4	11,560,000
Construction	7.1	24,140,000
Research and development	3.9	13,260,000
Crime statistics and information	1.8	6,120,000
Total	100.0	340,000,000

Funds are awarded under the block grant program to encourage States and units of general local government to carry out programs and projects to improve and strengthen law enforcement. The basis for an award is a State plan approved by LEAA. At headquarters, however, we were unable to obtain information showing the amount of funds in the aforementioned program areas, which are to be spent to benefit the criminal offender. The block grant program was allocated $24,650,000 in fiscal year 1969 and $182,750,000 in fiscal year 1970.

Discretionary Grants Under Title I, Part C, of the Act

The law authorizes 15 percent of the funds appropriated under part C of the act to be allocated among the States at the discretion of the Administration for grants to State agencies, units of general local government, or combinations of such units. Such awards may be made according to the criteria and on the terms and conditions determined by LEAA. Funds allocated to the discretionary grant program were $4,350,000 in fiscal year 1969, $32,000,000 in fiscal year 1970, and $70,000,000 in fiscal year 1971.

We made an analysis of the discretionary grants approved by LEAA from inception of the program in fiscal year 1969 through November 23, 1971, and found that approximately $25.4 million had been awarded for projects which, in our opinion, would have a direct impact on the criminal offender. The $25.4 million is composed of $189,141 for fiscal year 1969, $6,279,581 for fiscal year 1970, and $18,969,625 for fiscal year 1971.

In our analysis we did not include discretionary grant projects which we interpreted as having an indirect impact upon the criminal offender. Research projects, studies, and projects dealing with the training of criminal justice personnel are examples of such indirect projects.

National Institute of Law Enforcement and Criminal Justice

The purpose of part D of the act is to provide for and encourage training, education, research, and development for the purposes of improving law enforcement and developing new methods for the prevention and reduction of crime and for the detection and apprehension of criminals. The National Institute was established pursuant to part D and received appropriations of about $3 million in fiscal year 1969, $7.5 million in fiscal year 1970, and $7.5 million in fiscal year 1971.

We made an analysis of the projects for which funds were awarded by the Institute during fiscal years 1969, 1970, and 1971, and estimated that about $2.1 million had been awarded for projects which could be interpreted as indirectly benefiting the criminal offender. The projects were basically research projects and would probably not have a direct impact on the criminal offender unless the results of the projects were put into practice.

Grants Under Title I, Part E, The Act

Under this program, which received its initial funding in fiscal year 1971, block grants of one half of the total part E appropriations are made to the States, on the basis of their populations, for projects in the corrections segment of the criminal justice system.

The remaining one half of the part E appropriation is allocated by the Administration at its discretion. In fiscal year 1971, LEAA distributed these funds to the individual States in the form of supplemental awards based on the State planning agencies' statements of planned usage.

Information was not available to show the amount of funds to be spent for projects to benefit the criminal offender; however, a breakdown of the types of programs to be funded and of the approximate amounts budgeted for these activities in fiscal year 1971 follows.

APPENDIX II

	Block grant funds	Discretionary grant funds
Institution innovation	$2,000,000	$3,000,000
Probation and parole	6,500,000	6,200,000
Institution planning and construction	5,700,000	6,400,000
Personnel recruitment and training	2,200,000	1,150,000
Community-based programs	6,000,000	6,300,000
Miscellaneous: Planning administration	1,350,000	700,000
Total	23,750,000	23,750,000
Total 1971 part E appropriation	47,500,000	

Other Bureaus of the Department of Justice

Rehabilitation of Offenders

Prisoners confined in Federal institutions are provided correctional education, welfare services, counseling, psychiatric treatment, etc., to promote rehabilitation prior to their release. Considering and investigating pardon requests, as well as granting parole and supervising and recommending specialized treatment for parolees, are part of the services offered under the offender rehabilitation program. Bureaus operating such programs and the approximate levels of funding follow.

	Appropriation for fiscal year—	
	1970	1971
Bureau of Prisons[1]	$18,305	$20,990
Pardon Attorney	136	141
Board of Parole	895	1,039
Total	19,336	22,170

[1] The total appropriations for the Bureau of Prisons were about $74.9 million in fiscal year 1969, $87.6 million in fiscal year 1970, and $120.2 million in fiscal year 1971. In this report we included only those funds that we could identify as being expended for programs and projects to benefit the criminal offender.

Treatment of Narcotics and Dangerous Drug Offenders

Offenders who are addicted to drugs are given specialized treatment while in confinement, and upon release they are provided with community aftercare treatment and supervision to thwart their return to drug abuse. For this the Bureau of Prisons was appropriated $1,844,000 and $2,428,000 for fiscal years 1970 and 1971, respectively.

Federal Prison Industries, Incorporated

Federal Prison Industries, Incorporated, a wholly owned Government corporation, was established to provide training and employment for prisoners confined in Federal correctional institutions.

Congressional authority establishing the corporation requires it to (1) operate a diversified program of industrial production to offer the least possible competition to industry and labor, (2) restrict the sale of goods and articles manufactured in the corporation's shops to departments and agencies of the U.S. Government, and (3) provide a system of wage incentives and a program of industrial and vocational training so that inmates returning to society may be able to become more economically self-sustaining and productive citizens.

During fiscal year 1971 the corporation had sales of $44.5 million to Government agencies compared with $52.3 million during the preceding fiscal year. The corporation's net industrial profit for fiscal year 1971 was about $5 million compared with about $10 million for the prior year. The Federal correctional institutions' vocational training programs are funded from industrial profits.

JUDICIAL BRANCH

Federal Probation Service

Probation officers render service by making presentence investigations and by supervising probationers. They transmit copies of these investigations of offenders to Federal institutions to assist in their classification and treatment programs. Probation officers serve as liaison with inmates' families, assist in prerelease planning, and supervise offenders after release.

Besides the above-listed duties, the probation officers also assist with release planning and are responsible for parole supervision of inmates from military disciplinary barracks.

The total appropriation for fiscal year 1971 amounted $17,500,000.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Model Cities Program

The only Department of Housing and Urban Development (HUD) program which includes activities having an impact on the criminal offender is the Model Cities Program. Each of the 147 cities participating in this program have established projects which deal with a variety of activities and include economic development, manpower and training, and health care activities.

The Demonstration Cities and Metropolitan Development Act of 1966 established the Model Cities Program to improve the living environment and the general welfare of people living in slums and blighted neighborhoods in selected cities of all sizes in all parts of the country. The program calls for a comprehensive attack on the social, economic, and physical problems that exist in these cities, through the effective concentration of Federal, State, and local efforts. A typical model cities program will include projects to deal with education, health, social services, recreation and culture, crime and delinquency, manpower and job development, economic and business development, transportation and communications, and housing relocation.

Under the program cities are awarded supplemental grants by HUD to implement the execution phases of their comprehensive demonstration programs. These funds—which are to be used primarily for new and additional projects or as the non-Federal share required under other programs—are in addition to the resources available under Federal and State categorical grant programs and funds that are provided by local public and private agencies.

From inception of the program through June 30, 1971, about $1.7 billion was appropriated for supplemental grants. Of this amount HUD awarded grants totaling $1 billion, of which $375 million was expended by the cities. Of the total funds, about $50 million—$9.8 million in fiscal year 1969, $12.5 million in fiscal year 1970, and $27.7 million in fiscal year 1971—was expended for projects relating to crime and delinquency, as follows:

Research and development in the administration of justice.

Public education on law observance, law enforcement, and crime prevention.

Rehabilitation of alcoholics and narcotic addicts.

Prevention and control of juvenile delinquency.

Education and training of State and local enforcement officers.

General police activities.

Providing criminal-law advice and assistance.

State and local correctional projects.

State and local planning projects for crime reduction.

From the above, it is apparent that not all the projects funded with model cities supplemental funds for crime and delinquency purposes relate solely to criminal offenders that have been brought into the criminal justice system. Services and assistance provided under the Model Cities Program, however, include projects which deal with criminal offenders. Examples of several projects which fall into the latter category are described below.

COMMUNITY ADJUSTMENT SERVICES BUREAU AND REHABILITATION PROJECT ON JUVENILE DELINQUENCY—NORFOLK, VA.

This is a project which serves juvenile offenders in lieu of traditional sentencing alternatives. Services provided under the project inclued counseling, employment and vocational rehabilitation, diagnoses and referral, and programs for youth involvement that are alternatives to the court process. Proposed funding for the project included $75,238 from model cities supplemental funds and $187,670 from Law Enforcement Assistance Administration and Department of Health, Education, and Welfare grants.

HALFWAY HOUSE FOR ADULTS EX-FELONS (PROVIDENCE, RHODE ISLAND)

This is a project which assists ex-felons, either in the prerelease or postrelease status, in their adjustment so society, through economic and vocational assistance. Specific objectives of the project include: (1) strengthening crime prevention and control by facilitating the change from the penal institution to society via the halfway-house concept, (2) providing a method for bonding ex-felons in order that they may gain meaningful employment, and (3) rendering counseling services geared to aid ex-felons in adjusting to society. The 1971 plans called for this project to be funded with $20,524 from model cities supplemental funds and an $85,505 Law Enforcement Assistance Administration grant.

WORK RELEASE PROJECT (NEW YORK—CENTRAL BROOKLYN—NEW YORK)

This is a project which provides for (1) creating a series of community-based rehabilitation centers for inmates, (2) coordinating the many rehabilitation services now operating in the community, and (3) increasing the supportive services available to offenders and increasing community involvement in the rehabilitation process. The project was to be funded from model cities supplemental funds for about $341,000.

Mr. PERCY. I have also contacted members of the legal community in my own State of Illinois about my bill, S. 3185, and I have received many letters from them. About 90 percent of the responses favored the bill. Mr. President, I ask unanimous consent that the correspondence I have received be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PERCY. Mr. President, I am gratified that the problems of our prison system are receiving increasing attention in the Congress and I hope we can move ahead with legislative solutions to these problems.

EXHIBIT 1

BAILEY, ALCH & GILLIS,
ATTORNEYS AT LAW,
Boston, Mass., June 26, 1972.

Hon. CHARLES PERCY,
U.S. Senator, U.S. Senate Office Building, Washington, D.C.

DEAR SENATOR PERCY: Thank you very kindly for your letter of June 13, 1972, the copy of S. 3185, and your remarks before Subcommittee 3 of the House Judiciary Committee. I have read the proposed amendment several times, and must say that I think its provisions drive directly at the jugular of some of the worst ills of our criminal justice system. I believe that your contention before the Subcommittee that parole reform could not meaningfully be accomplished independent of the other reforms which the amendment covers is a most telling point, and I hope that it won concurrence.

I am, of course, in complete agreement with your suggestion that proven businessmen be called upon to industrialize the workforce now stagnating in our correctional system. Such a step would, in essence, replace a sour negative with a thumping positive and supplant despair with hope and promise. I would be most happy to testify at the hearings you have described, or to lend support in any way I can.

Thank you once again, and I hope this letter finds you in good health and good spirits.

Sincerely,

F. LEE BAILEY.

THACKER AND NORDEN,
Kankakee, Ill., June 15, 1972.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: Thank you for your letter of June 7, 1972, addressed to Illinois Lawyers regarding your proposed "Federal Corrections Reorganization Act".

I am the Public Defender of Kankakee County, Illinois, and am, therefore, responsible for representing all indigent defendants from a population in excess of 100,000 people. Such a position gives one an excellent opportunity to evaluate the system of criminal justice on the State and local level. Although I feel that any Public Defender would be qualified to write a treatise on the ills and evils of the criminal justice system, I would concur with you in that the penal system, both Federal and State, is in need of some direction and unification.

One of the saddest things about the criminal process is the problem of recidivism. I personally feel that this is, in part, a result of the lack of reasonable alternatives once a person has been convicted of an offense or is about to be convicted of an offense. A convicted person either is put on probation or sent to prison. Probations staffs, as a rule, are severely understaffed and the probation service usually amounts to nothing more than filing a monthly written report on each probationer. Probation, or Court supervision as the case may be, seems to me to be the most likely vehicle to accomplish anything on an individual level. The only possible way that this could be done is through substantial spending on the State and Federal level.

For the foregoing reasons, I would concur with your proposed Corrections Act and urge that it be enacted into law. I would suggest, however, that the advise and counsel of those who represent indigent defendants be sought at all steps along the way. I truly feel that Public Defenders, individually, and as a group, would continue their advocacy on behalf of indigent accused persons.

Please feel free to make whatever use you deem fit of these comments.

Sincerely yours,

DENNIS A. NORDEN,
Public Defender of Kankakee County.

HANLEY, PHILLIPS, TRAUB & AHLEMEYER, ATTORNEYS AT LAW,
Fairbury, Ill., June 15, 1972.

Hon. CHARLES H. PERCY,
U.S. Senator, Committee on Government Operations, Washington, D.C.

DEAR SENATOR PERCY: I am replying to your letter of June 7, 1972. I think your recommendation for improvement in our parole system is a move in the right direction.

I am glad to see that you are concerned about this problem. Unless drastic improvement is made in our entire penal system, the disintegration of our society will accelerate.

I think your proposed legislation will be a step towards improvement of our rehabilitation procedures.

Yours very truly,

HENRY W. PHILLIPS.

P.S.—You may cite my comments, if desired.

ROBERT H. WHITE,
Geneseo, Ill., June 27, 1972.

Senator CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: I have recently received your communication dated June 7, 1972, which discusses the Federal Corrections Reorganization Act introduced by you in the Senate.

While I am not familiar in detail with the provisions of this act and have very little personal contact with criminal matters, nevertheless the procedures as provided in this act as summarized by you would be a very substantial improvement over the present system.

For some time now it has seemed to me as though one of the urgent priorities facing us is the matter of rehabilitation of first offenders. There have been many developments in techniques of rehabilitating and treating people in the past ten to fifteen years and many of these new techniques should be put in effect I believe in our penal system. This can only be done if there are proper facilities for the prisoners and also proper supervision both while in the prisons and while on parole.

I strongly support your efforts to create improvements in this area of our national life.

Sincerely,

ROBERT H. WHITE,
Attorney at Law.

EUGENE D. KAINE,
ATTORNEY-AT-LAW,
Broadview, Ill., June 22, 1972.

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.

DEAR SENATOR: I am delighted with your bill for prison reform, inasmuch as I feel it is an absolute need from a humanitarian standpoint, as well as in the best interests of society.

Sincerely yours,

EUGENE KAINE.

THOMAS A. LE CHIEN LTD.,
ATTORNEY-AT-LAW,
Belleville, Ill., June 14, 1972.

Hon. CHARLES PERCY,
U.S. Senate,
Washington, D.C.

DEAR MR. PERCY: I have your letter of June 7, 1972 concerning your proposed bill to establish a Federal Circuit Offender Disposition Board.

I would be opposed to a Board which would in any way interfere with the judicial determination of whether or not an offender receives probation or a jail sentence. I believe that this function is best left to the Court. Your proposed bill would offend our time honored judicial processes.

I believe that bail should also be a matter of discretion for the U.S. Magistrate or Judge.

I think your Board would be very useful in its functions after sentencing and as an excellent manner of determining whether a man is eligible for parole. I would certainly feel that your Board would have no authority and could not properly advise or make recommendations as to whether an offender should stand trial. Certainly the expansion of any job training or placement program for rehabilitation of a convicted person would be extremely useful.

If there is to be any progress in our penal system, I think it would have to come from the understanding of the problems of the convict. I don't believe, however, that your Board will legitimately have any function in the area of legal advise or recommendation to the Court prior to conviction except where probation is requested.

Yours very truly,

Thomas A. Le Chien.

Farmer City, Ill., *June 9, 1972.*

Re the Federal Corrections Reorganization Act.

Charles H. Percy,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Percy: I have just received and read your newsletter in regard to the above proposed legislation and I wish to state to you my approval thereof.

I have spent a great part of my time during the past 15 years acting as defense counsel in East Central Illinois Courts, and am now unopposed as candidate for State's Attorney of DeWitt County. It has long been my feeling that the neglect of proper personnel, procedures, facilities, coordinated assistance in the rehabilitation of the convicted amounts to a national disgrace. Too many people consider justice served when court room procedure is concluded, when in reality this is only the beginning of what should be an integrated system to promote law and justice.

It does appear that there is one field in the area of criminal law which needs be properly financed and developed beyond what is in your proposed legislation and that is the science of 'preventative criminology'. I do feel that this could prove as important and valuable to our future as has been the great progress made in the area of preventative medicine. It has long been my feeling that in many cases the criminal to be could be determined and perhaps helped through the development and use of state and federal psychiatric centers and services, especially among youth. This could well involve the coordination of our educational institutions and our courts as well as mental health facilities.

Since crime is our most costly social disease draining off billions from our economy each year, it would appear that a few million spent in the area of 'preventative criminology' would be well spent. You have my full permission to use this letter in any way you please, and I wish you success with the passage of your proposed legislation.

Respectfully yours,

Robert G. Gammage,
Attorney at Law.

James E. Buchmiller,
Attorney at Law,
Greenville, Ill., June 12, 1972.

Hon. Charles H. Percy,
U.S. Senate, Committee on Government Operations, Washington, D.C.

Dear Senator Percy: In reply to your letter of June 7 to Illinois lawyers it appears to me that you are definitely making a step in the right direction. It is obvious that the present system is not working and cannot work.

It would be most helpful if the plan could go farther. Unfortunately, the public attitude seems to be that we can solve the crime situation simply by locking up more people for greater lengths of time and if anything treating them with less consideration. They obviously are not educated to the facts.

In my opinion, it will require a monumental effort to correct the situation which no doubt would be tagged as radical by many. To be specific, the institutions themselves must be modernized both as to plant and as to management. These people cannot be simply locked up and forgotten under maximum security and then suddenly one day released to the public.

In other words, there must be a gradation and a real desire and effort towards rehabilitation. This means more effort including personnel and facilities such as the "Halfway House" that has received some attention in St. Louis. Also, the personnel and system must furnish employment, education and guidance from the moment of incarceration to the moment of final release. It would also seem logical that release must be a gradual thing and that a prisoner, assuming that he is deserving and progressing, would progress from perhaps maximum securtly to a situation of relative freedom up to a point of release. As you know, there has been no effective efforts along these lines and it must be done if the situation is to be solved. Thank you for your interest.

Sincerely,

James E. Buchmiller.

Johnson, Martin & Russell,
Attorneys at Law,
Princeton, Ill., June 12, 1972.

Hon. Charles H. Percy,
Senate,
Washington, D.C.

Dear Senator Percy: I have your letter dated June 7, 1972, relative to the "Federal Corrections Reorganization Act" that you recently introduced in the Senate.

I wish to commend you in bringing this matter to the attention of the Senate. Certainly some reforms are long past due. The plan outlined in your letter seems feasible and, as you state, may not be a panacea, but certainly should be an improvement over the present system. There is a certain amount of experimentation that will probably be required in order to devise a satisfactory plan and this is a good start toward improvement.

Sincerely yours,

Fred G. Russell.

Walker & Williams,
Attorneys at Law,
Belleville, Ill., June 12, 1972.

Senator Charles H. Percy,
U.S. Senate,
Committee on Government Operations,
Washington, D.C.

Dear Senator Percy: I have reviewed your letter of June 7, 1972 pertaining to the proposed bill to establish a federal circuit offender disposition board.

I believe it to be a tremendous improvement to our present system. When 65% of all who serve a prison term are ultimately returned to prison and where 80% of our crimes are committed by ex-convicts, and where the system does not appear to be remedying that deplorable situation; it is time to restructure the penal machinery.

Very truly yours,

Martin W. Imber.

Denz, Lowe, Moore & Rodgers,
Lawyers,
Decatur, Ill., June 12, 1972.

Hon. Charles H. Percy,
Senate Office Building,
Washington, D.C.

Dear Senator Percy: Thank you for including me in your June 7 mailing concerning "the Federal Corrections Reorganization Act" which you have introduced in the Senate.

Although I am engaged primarily in a civil practice, I am aware, as I think all practicing lawyers and judges must be, that too little time and attention is being given to rehabilitation and positive placement of offenders after incarceration.

Regrettably, I think that too many people involved at the various levels of "criminal justice" indulge in a presumption (continually reinforcing itself through the inadequacy of the system) that criminals are simply criminals. It seems to me that your bill, as outlined, provided the Disposition Boards are well chosen, would do much, at the federal level at least, to have the offender given the most positive assistance toward rehabilitation and placement in the mainstream of society.

We often hear about *returning* ex-offenders to society. That, of course, is just what we do not want to do, for it was the society from which they came that brought them to the courts in the first place. Your bill, properly implemented, should insure that this does not happen.

I should think that this new proposed legislation could also be viewed favorably by those who do not feel a responsibility for successful rehabilitation of those convicted of crime. If no attention is given to the problem, our criminal justice system and our penal institutions will continue to produce a proliferation of criminals. There is a real physical and economic limit to the number of our citizens we can maintain and retain in prisons. They *will* be released. Would it not be safer for everyone if they were released better equipped to succeed in society?

In this, as with housing, you continue to come to grips positively with the serious problems of our society. The country is indeed fortunate to have the benefit of your statesmanship.

Sincerely,

Daniel M. Moore, Jr.

Meyer & Myer,
Lawyers,
Flora, Ill., June 9, 1972.

Re Federal Corrections Reorganization Act.

Hon. Charles H. Percy,
Senate Office Building,
Washington, D.C.

Dear Senator Percy: I'll go along with you on everything contained in your letter of June 7th regarding the Federal Corrections Reorganization Act except the fifth paragraph on page 2 of your letter. We have 1000 too many federal boards and councils now. We sure don't need any more. Not one.

Yours very truly,

Ralph G. Meyer.

U.S. ASSISTANCE TO BANGLADESH

Mr. KENNEDY. Mr. President, in light of the continuing interest among Americans over conditions in Bangladesh and the future of that country, I would like to share with Senators a recent letter and report I received from Mr. Maurice J. Williams, AID coordinator of U.S. disaster relief assistance for South Asia. Mr. Williams' letter and report is an end-of-fiscal-year review of U.S. relief assistance roughly coinciding with Bangladesh's first 6 months of independence.

Mr. Williams' letter and report indicates that relief help to Bangladesh since independence now totals over $800 million—of which the United States has provided some $267.5 million. Nearly half of the U.S. commitments, some $132 million are being used for food commodities and logistical support for moving these commodities under United States auspices. Another $115 million has been allocated directly to the Bangladesh Government for general reconstruction and development purposes. And some $19.5 million has been given in grants to the private voluntary agencies.

In this connection, I want to pay special tribute to the humanitarian contributions being made by the voluntary agencies. There is, perhaps, no better expression of the American people's concern for Bengalis than the dedicated efforts of the voluntary agencies' personnel in the field. In addition to those agencies whose work is supported by U.S. Government grants, there are a number of agencies—including the Salvation Army and others—whose work depends solely on private contributions. A recent report compiled by AID estimates that these private contributions from all voluntary agencies have totalled some $12,500,000 since early 1971.

The Judiciary Subcommittee on Refugees, of which I serve as chairman, has closely followed developments in South Asia, since the early days of the repression and civil war in East Bengal. With the birth of Bangladesh, we have continued our interest, and have strongly advocated every possible effort to encourage this new nation. I feel important progress has been made, and I especially want to commend the Agency for International Development for its sympathetic and active concern in promoting the welfare of the Bengali people and the stability of Bangladesh and all of South Asia.

Our Government has already attempted to normalize relations with Pakistan and, hopefully, we will also begin to make progress in restoring our good relations with India, where the pain of our "tilt" and the neglect of our Government's concern last year has left bitter memories. I would urge the administration and AID to take the initiatives in reestablishing productive U.S. assistance programs in India and renewing important educational and cultural ties with the Indian people.

Mr. President, I ask unanimous consent that Mr. Williams' letter and report, as well as the report on private contributions, and some recent press articles, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

AGENCY FOR INTERNATIONAL DEVELOPMENT,
Washington, July 14, 1972.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Since independence, Bangladesh has faced staggering problems of relief and reconstruction. Although much of the war-damaged economy has not yet recovered and agricultural production is still below normal, substantial progress has been made. In particular, widespread starvation is no longer an immediate threat and the country's internal distribution system has been partially restored.

The degree of recovery which has taken place is due to the resilience of the Bengali people, to the leadership of Mujib in establishing a functioning government, and to massive relief assistance from many countries.

Relief help to Bangladesh since independence now totals over $800 million—of which the United States has provided $267.5 million or one-third of the total. The attached paper briefly describes the nature of U.S. assistance to Bangladesh. It is an end-of-fiscal year review of the period roughly coinciding with Bangladesh's first six months of independence.

Sincerely yours,
MAURICE J. WILLIAMS,
Coordinator of U.S. Disaster Relief Assistance for South Asia.

U.S. ASSISTANCE TO BANGLADESH—THE FIRST 6 MONTHS

Bangladesh came into existence facing staggering difficulties. Its initial success in meeting these difficulties has been due in great measure to the generous humanitarian response of many countries which have provided foods, raw materials for industry, transport and other urgent assistance amounting to about $800 million.

The U.S. has provided $267.5 million or one-third of the total.

Our response to the humanitarian needs of Bangladesh during its first six months of independence has been three pronged:

PL 480 food and grants to move food, primarily under UN auspices, to counter the immediate threat of hunger ($132 million);

Grants to U.S. voluntary agencies to assist in resettlement of thousands of Bengalee families ($19.5 million);

Help to the Government of Bangladesh to restore basic facilities and rehabilitate the economy ($115 million).

Seven hundred thousand tons of PL 480 foodgrains and edible oil, valued at $88.2 million, have been committed since March. At the discretion of the Government of Bangladesh, this food is distributed free to returned refugees and other destitute families or sold so that the proceeds provide employment opportunities for the people on labor-intensive projects.

A grant of UNROD of $35 million helps with the cost of logistical support directly related to the movement of food into the country. These funds have been spent largely for chartering river transport needed to supplement the extensively-damaged rail and road transport system. In addition, our grant—which accounts for over 50 percent of UNROD's total cash resources—has been used for vacuvators and cargo handling equipment to expedite food deliveries.

More recently, A.I.D. financed the services of the *Manhattan*, the U.S.'s largest merchant vessel, to serve as a floating silo and thus expedite the handling of incoming shipments of food. Also we have chartered aircraft to airdrop food in isolated villages during the monsoons. Although these services are not included in our grant to the UN, they directly support the UN-sponsored food relief program and are under the control of UNROD.

Through a series of grants totalling almost $20 million, we have recognized the important role U.S. voluntary agencies perform in responding rapidly to urgent human needs. They have focused on the rehabilitation of individual families who lost their homes, possessions and means of livelihood. A large part of these funds—through CARE, Catholic Relief Services, Church World Service, Medical Assistance Programs and the Community Development Foundation—are to provide construction materials and other assistance in the rebuilding of thousands of homes. Almost two million Bengalees who were without shelter have directly benefited from this U.S. assistance. Voluntary agencies also are providing medical care and distributing tools, bullocks and equipment to thousands of farmers, fishermen, tradesmen and small businessmen so that they can become self-sufficient. Through the International Rescue Committee we have supported the important work of the Cholera Research Laboratory and provided stipends to permit students to resume their studies. A grant to the American Red Cross furthered the work of the International Committee of the Red Cross among the minority population and other specially needy groups in Bangladesh.

The third prong of our assistance has been direct bilateral grant aid of $115 million to the Government of Bangladesh to finance the rehabilitation of basic facilities and to rehabilitate the economy. These funds are for the importation of commodities—such as cotton, tallow, fertilizer, and pesticides—to revive local industry and to increase food production. Our grant also finance repair and construction of coastal embankments, restoration of power supplies, rebuilding of roads and bridges, rehabilitation of airports, reconstruction of schools, the procurement and printing of textbooks and library materials lost during the civil war, as well as in other priority areas in which U.S. contractors have the expertise and prior experience to do a job quickly and well.

The grant finance urgently needed project equipment, but a significant portion of these funds is for local costs, particularly labor and locally available materials and services, and the dollars to purchase local currency used for additional priority commodity imports from the United States. By such arrangement our grant assistance serves directly to stimulate the economy and generate employment, while also ensuring that a large part of the dollars we spend ultimately comes back to the United States.

In FY 1972, the U.S. Congress appropriated $200 mililon for emergency relief in South Asia—$27.7 million was committed for relief needs prior to the emergence of Bangladesh as an independent country and $172.2 million since that event. Other U.S. commitments to Bangladesh include $4.6 million from the FY 1972 Contingency Fund and $90.7 million in PL 480 resources—for a total U.S. commitment to Bangladesh since independence of $267.5 million.

For FY 1973 the Administration has requested a further $100 million to permit the U.S. to do its proportionate share in this large scale humanitarian endeavor, which will require a sustained international effort of rehabilitation assistance over the next year.

To summarize, U.S. Government assistance for Bangladesh during the first six months has been as follows:

[In millions of dollars]

Food and logistical support for moving of food, mainly through the U.N.:	
700,000 tons of Food for Peace	$88.2
High protein food for UNICEF child feeding	2.5
Grant to the U.N	35.3
S.S. *Manhattan*	4.0
Airdrop services (Southern Air)	2.0
Subtotal	132.0
Grants to Voluntary Agencies:	
CARE—housing	5.3
Catholic Relief Services—housing and rehabilitation	8.0
Church World Service—housing	1.0
American Red Cross—nutritional and medical assistance	$1.0
Community Development Foundation—housing	.2
Medical assistance programs—medical and housing	.9
Foundation for Airborne Relief—airdrop services	1.5
International Rescue Committee—educational and health services	1.6
Subtotal	19.5
Grant to the Government of Bangladesh for following purposes:	
Essential commodiey imports	34.4
Repair of coastal embankments	15.0
Rehabilitation of power stations and lines	$16.3
Rehabilitation of schools and libraries	13.3
Canal excavations, inland waterways and dredging	6.0
Rural health centers	5.0
Reconstruction of bridges, roads, airports and other needs to be defined	25.0
Subtotal	115.0
Other Relief Assistance	1.0
Total	267.5

REPORT NO. 15

CUMULATIVE REPORT BEGINNING JAN. 1, 1971, OF U.S. VOLUNTARY AGENCIES' ASSISTANCE IN EAST PAKISTAN/BANGLADESH, EXCLUSIVE OF U.S. GOVERNMENT DOLLAR GRANTS AND VALUE OF PUBLIC LAW 480 FOODS

Type of assistance	Agency	Cash	Value
Orphans	ACR	$34,500	
	AFSC	120,000	
Support LICROSS/ICRC medical and photographic supplies.	ANRC	230,075	$97,730
	AOG	8,560	
	BDF	18,686	
	BWA	16,357	
Housing demonstration projects; relief and supplies.	CARE	2,137,000	250,000
Children's institutions	CCF	68,271	
Community development aid—training of trainers and child family community sponsorship.	CDF/SCF	165,000	
Relief, community development, agricultural and housing projects.	CRS	1,064,000	1,164,255
	CRWRC	12,000	
Blankets and reconstruction projects	CWS	765,780	36,400
Medicines	DRF		45,000
Co-ops and FAR	ERF	135,000	
	FMB/SBC	111,500	
	ICF	19,022	
Health and education programs	IRC	$370,000	
Reconstruction and rehabilitation projects	LWR	277,000	$30,000
Medical supplies	MAP	42,452	1,205,029
Cash and relief supplies	MCC	311,000	365,942
Rehabilitation and transportation	OXFAM (America)	250,000	
Rehabilitation programs	SA	40,000	
Relief supplies, boats and nets, clothing, medicines.	SAWS	74,100	173,000
	UCBWM	90,000	
Cash for local purchase of clothing, boats, livestock and housing projects.	WRC (N.A.E.)	110,000	
Assistance to students	WUS	2,080	
Food, agricultural and educational supplies	WVRO	126,000	
Relief	YMCA International Committee.	590	
Total		6,598,973	3,367,356
Estimated value of accumulated contributions in kind.			2,500,000
Grand total			12,466,329

Note: This cumulative report started on Jan. 1, 1971, and continued Apr. 16, 1971, when the voluntary agencies discontinued their operations because of civil unrest in East Pakistan. It was resumed on Sept. 3, 1971, and estimated contributions in kind, $2,500,000 from Jan. 1, 1971 through Dec. 15, 1971, are included in the grand total.

KEY TO ABBREVIATIONS—VOLUNTARY AGENCIES

ACR—Americans for Children's Relief.
AFSC—American Friends Service Committee.
ANRC[1]—American National Red Cross.
AOG—Assemblies of God.
BDF[1]—Bangladesh Foundation.
BWA[1]—Baptist World Alliance.
CARE—Cooperative for American Relief Everywhere.
CCF—Christian Children's Fund.
CDF—Community Development Foundation.
CRS—Catholic Relief Services—USCC.
CRWRC—Christian Reformed World Relief Committee.
CWS—Church World Service.
DRF—Direct Relief Foundation.
ERF[1]—Emergency Relief Foundation.
FMB/SBC[1]—Foreign Mission Board of So. Baptist Convention
ICF[1]—International Christian Fellowship.
IRC—International Rescue Committee.
LWR—Luthern World Relief.
MAP—Medical Assistance Programs.
MCC—Mennonite Central Committee.
SA—Salvation Army.
SAWS—Seventh-day Adventist Welfare Service.
UCBWM[1]—United Church Board for World Ministries.
WRC—World Relief Commission.
WUS—World University Service.
WVRO—World Vision Relief Organization.
YMCA—Y.M.C.A.—International Committee.

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[1] Not registered with the Advisory Committee on Voluntary Foreign Aid.

[From the Christian Science Monitor, July 13, 1972]

MUJIB BUILDS CONFIDENCE: BANGLADESH TURNS INTO GOING CONCERN

(By Henry S. Hayward)

DACCA.—One-half year after its Prime Minister was sworn in last January Bangladesh is a going concern.

The government of Sheikh Mujibur Rahman has expanded and consolidated its control over a nation of 75 million people.

It is currently cracking down on weapons illegally retained by its citizens, checking up on stolen cars, and hauling away a wide assortment of black-market commodities during special curfew operations.

Most people here have ceased to count the number of world nations recognizing Bangladesh. The government now looks hopefully to United Nations membership this autumn.

ROUTINE AFFAIRS EXECUTED

Government ministers and civil servants have settled down to handling the nation's everyday affairs, which had been almost totally suspended during the latter days of the Bengali liberation struggle and the India-Pakistan conflict last December.

Public confidence in the government's leadership epitomized in the person of Bangabandhu [friend of Bengal] Sheikh Mujibur Rahman and in the government's ability to govern, has continued.

Food is coming in and rice prices are no longer rising, except in isolated pockets of shortages. The prospect of a widespread famine in Bangladesh has receded to the point where aid officials are confident it can be avoided except in some hard-to-reach areas—barring major catastrophes and distribution kinks.

Armed guerrilla freedom fighters are disappearing from the public scene, and the country's new armed forces are conducting themselves in orderly fashion. Uniformed men greet the Prime Minister wherever he goes on his frequent trips around the country. So do large crowds which testify to his continued personal popularity.

Very slowly, but nevertheless noticeably, the many destroyed bridges are being rebuilt. One coming back here after five months notices the differences. Rough streets in Dacca are being repaved bit by bit.

Thus anyone charting Bangladesh progress has to concede progress has indeed been registered here. The general outlook seems significantly, measurably, visibly improved.

MORE CONTROL INDICATED

But veteran informants also add a firm note of caution. Progress is visible, but not sensational. The country is still balanced on a knife edge. One source, who gave Bangladesh only a 50-50 chance of survival last March, raised his sights to 52-48 in favor last April, then to 55-45 in June, and has just raised the figure to 57-43 in favor. Progress, in short, is still gradual in these early days of nationhood. It has been inching upward about one point a month, according to this rough reckoning.

Sheikh Mujib is reported by intimates to feel good about the present state of affairs. His personal appearances have gone well. He no longer is worried about the food situation. He now has turned his domestic concern toward improving the country's agricultural output.

He urges his people to show discipline and good character. Give me "sonar manush" [men of pure gold] to build sonar Bangla [a golden Bangladesh], he says.

Some Western observers, meanwhile, say the Prime Minister today seems to have the country more firmly under his control than one month ago. They credit his slight dip in popularity then to food shortages and lack of law and order. Both these difficulties now have been improved.

Nor does Sheikh Mujib have any visible rival for power. No opponent of any stature has emerged. Even the students who pinprick him are basically for him. And he handles them with tolerance and understanding, as befits the Bangabandhu.

He is, however, an intuitive political leader, not a polished government operator, not deeply knowledgeable about the socialism and democracy his government professes as two of its four pillars.

The other two are secularism and nationalism, with which the Sheikh is indeed familiar.

"As long as he follows his instincts about what the people want," says a Dacca Bengali, "he will be all right. But, if he loses that touch, then he may get into trouble."

[From the Christian Science Monitor, July 24, 1972]

U.S. SOUTH ASIAN AID GROPES BACK

(By Lucia Mouat)

WASHINGTON.—Today, six months after the devastating Indo-Pakistani war came to an end and the world's newest nation—Bangladesh—emerged, econonmic repairs are well under way.

Normalcy is also slowly returning to the U.S. contribution to the south Asian relief-development effort. Although $87 million in loans to India remains suspended, economic aid to Pakistan has been resumed and relief grants continue to flow generously to Bangladesh.

Throughout the nine-month struggle for Bangladesh autonomy, charges were rife that the highly publicized, but officially denied, U.S. "tilt" toward Pakistan was taking on telling color in the form of U.S. aid policy.

Though new licenses and renewals on military sales were out, military hardware already in the pipeline and still purchasable under existing licenses moved uninterrupted to Pakistan until late fall, when Congress played a role in forcing a total cutoff. More recently there have been charges that U.S. planes purchased by Libya and Jordan were transferred to Pakistan for military use (without Washington's endorsement) and that U.S. emergency economic aid to Rawalpindi was misspent for military purposes.

THE $185 MILLION WAS NOT CUT

When India openly entered the south Asian conflict last December, the Nixon administration announced the suspension of $87 million in loans promised India but not yet firmly committed in a banking sense. Another $185 million in committed project and commodity loans and food for peace grants was not cut. One aid expert explains that the legal grounds were there but the result would have been an "administrative monstrosity."

The official explanation of continued suspension of the $87 million is that the policy is "under review" but that conditions in India are really no more stable than they were in war days and that there can be no assurance yet that the funds will be spent effectively for purposes intended. Those who press the point are reminded that the President has been extremely busy with other foreign-policy matters.

Some critics, however, find it ironic that Washington has been working so hard to warm up economic ties with Communist Peking, Moscow, and Eastern Europe, yet finds itself unable to resume aid to a democratically very much in need of help.

TWO-PARTY TALKS COMING

The common assumption here is that the administration is holding off at least until the Pakistani-India talks scheduled to begin June 28. While India is unquestionably the dominant party, the United States would presumably like to make sure, if it could, that India's added power edge does not make it also domineering. Says one long-time observer of the U.S. role in south Asian development, "I'm sure if [Pakistani President] Bhutto and Mrs. Gandhi had a love feast, that would change things." Many here question just how much leverage, if any, the U.S. holdout can exercise on the situation.

Certainly the U.S. failure to resume full aid to India has been confusing for other members of the world's aid-giving, global consortium who met last week in Paris. These were urged by a World Bank spokesman to understand that, although the U.S. has been providing the bulk of development aid to India, the proportion is expected to lessen and the other countries should proceed independently. Though budget cycles of the various donors differ, some $300 million for India was pledged at the meeting.

Throughout the 1960's, Washington has contributed about 60 percent of the total aid channeled to India and Pakistan and would like to bring its share closer to a less dominant one-third.

Although the Nixon administration, on the advice of development experts, is trying to steer more of its bilateral aid into multilateral channels, it is effectively following a reverse policy in Bangladesh. Giving through the United Nations is not out, but the fact is that the U.S. has been serving up more than two-thirds of the total UN aid, whereas such countries as India, the Soviet Union, and Australia give substantially but bilaterally.

U.S. help to Bangladesh, in accord with emergency congressional appropriations, has been generous. Some $218 million in grants has been given with another $100 million possibly in the offing for the next fiscal year, and, much to the delight of the Bengali recipients, political and economic strings have been few.

HIGH MORALE SEEN

"I've never seen Bangladesh in such good shape in the sense of the tone in government offices," says C. Herbert Rees, head of the Agency for International Development's Office of South Asia Affairs, who has recently returned from a business visit there. "There is a spirit of determination and dedication—and it's highly gratifying to see."

Certainly distribution of aid in all its variations has been and still is a problem in Dacca. During the civil strife, food didn't always get to those who most needed it. Several shiploads of grains were diverted because of harbor congestion to such countries as Indonesia and Afghanistan.

"The main reason there wasn't any famine," admits Mr. Rees, "is that 10 million people went elsewhere. That reduced the number at the table . . . but we actually did deliver 700,000 tons of grain to what was then East Pakistan, and that amount makes the difference between 4 million people eating or not eating. We did great."

TANKER AS A STOREHOUSE

As of August the tanker Manhattan, the largest American merchant ship, will be in the Bay of Bengal to help out as a temporary storehouse for grain deliveries that cannot easily be made along Bangladesh's still disrupted waterways and roads.

[From the Christian Science Monitor, July 13, 1972]

IN BANGLADESH: ANTI-U.S. SENTIMENT RECEDES

(By Henry S. Hayward)

DACCA.—An American here had just explained to a Bengali acquaintance that the United States is rapidly withdrawing from Vietnam, with its troops and ground-fighting activities now down to a bare minimum.

The Bengali put his palms together in a gesture of prayer.

"Promise me," he said, "you will never do anything that minimum to Bangladesh."

The story, which is true, illustrates that Bengalis are sharply critical of the United States role in Vietnam. But their criticism is not limited to that subject. A considerable current of anti-American sentiment has existed here since early this year.

"The anti-American tide definitely is receding now," says one Dacca resident. But he concedes that the turn of the tide occurred only recently—some time after American recognition of Bangladesh in April and the granting of substantial American aid to this country.

Now Bangladesh officials, national and local, are beginning to understand the new American attitude. But the word has not yet reached all the rural areas. Some observers speculate it will take several years before residual resentment wears away completely. And due to a basic difference of systems—this is a people's republic—the United States may become widely unpopular here.

Until recently, almost no word of support for the United States could be found in the Dacca press, which supports three English-language morning dailies and an afternoon two-page sheet, as well as numerous papers in the Bengali language. It was all anti. But now, as one observer put it, "there's at least some debate over who are the bad and good guys." American officials now find local editors much more receptive to American news releases and less inclined to use the Soviet Tass News Agency version of world developments.

Some segments of the Bengali press, however, are virulent enough in their criticism to try to make the recent visit of presidential envoy John B. Connally a sinister event. They reflect Soviet opinion, and some suspect they are subsidized by Soviet funds.

Working in American favor in the recent upward climb are not only the Connally visit, aid appropriations, and recognition—but also traces of Bengali boredom with the Soviets and disillusionment with the Indians.

"The Soviets push too hard and *deliver* too little in terms of aid," is the way one source explains it. At the same time the Bengalis see not much more in prospect from their Indian friends. Shoddy Indian goods have been coming in, and border smuggling is a problem. Moreover, lots of vehicles and consumer goods disappeared when the Indian armed forces went home, it is claimed.

MASSIVE AID SUPPLIED

At that juncture Uncle Sam began to move in massively with money, food, and all manner of supplies. It made a considerable impact.

"There was no where to go but up," an American declared.

By contrast with some other donors, less skilled in the business, American aid has been—with a few notable exceptions—precise and professional, logical and reasonable. The Bangladesh Government reportedly has been impressed by this U.S. operating experience.

At a Fourth of July reception here, American chargé d'affaires Herbert D. Spivack was pleased to note that he had a house full of Bengalis. Three months ago virtually none of them would have come.

Officials now are understandably worried, lest some new event or announcement in the United States set back the current progress. Otherwise they feel the worst may be over—although more uphill climbing doubtless will be necessary.

Few Americans here have yet encountered any personal antagonism, however. "Americans good, Nixon bad," is the usual taxi-driver comment after ascertaining an American's nationality. For the first time in Dacca, this correspondent was asked if he were a Russian. It probably was a compliment, for the Russians are still popular.

Washington's slowness in the recognition of Bangladesh and its role in the Indo-Pakistan war implanted the idea the United States was hostile to the new nation. Now that hostility is being repaid to a modest extent. The pro-American sentiments that developed here as a result of American press support for the Bengalis during the dark days of the liberation struggle were just about wiped out.

Even now, the U.S. is often coupled with Communist China. In fact "Sino-American imperialist agents" sometimes are accused of fomenting trouble here. How the Chinese, who call the Russians "social imperialists," like being called imperialists themselves and being classed with the Americans is not recorded.

In leftist quarters, American aid is written off as largess from a rich country, which conceals an effort to attach political strings to Bangladesh. Fortunately for the American position, the Prime Minister, Sheikh Mujibur Rahman, knows where the money so desperately needed by Bangladesh is coming from.

Some say Shiekh Mujib has not hesitated to rebuke his more extreme Cabinet ministers for their anti-American views.

Mr. Connally's visit broke the ice with favorable front-page newspaper and television displays. After his departure, one newspaper, called The People, even accorded the Nixon emissary a carefully hedged editorial comment. Despite the articles, numerous innuendos about American policy and aid continued. One American chortled, "At least it wasn't all bad—that's a change!"

[From the Christian Science Monitor, May 19, 1972]

Food, Boats, Fuel Arriving: UN Hopeful on Bangladesh Relief

(By David Winder)

United Nations, N.Y.—Sir Robert Jackson, UN Undersecretary-General for all relief operations in Bangladesh, wears the expression of a man who sees a faint glimmer at the end of a long and dark tunnel.

Sent to Bangladesh to unravel the bureaucratic knots, establish the proper priorities, and coordinate all the multitudinous relief channels, Sir Robert is "cautiously optimistic" about the relief operations there.

It is one of the first positive utterances to emerge from what has seemed all along a dismally bleak relief situation.

For all his enthusiasm and activity—he stands, he sits, he paces, he prowls, he lifts things, he puts them down, he fairly explodes with let's-get-on-with-the-job energy—Sir Robert, considered here perhaps the "best aid man in the world," is nevertheless cautious.

The monsoon is less than two weeks away, and he cannot foresee what needs will exist beyond that period. But as of this moment he is quite emphatic that the supplies to meet immediate needs—the food, the inland water transport to convey that food, and the fuel to propel those boats—are arriving and will continue to arrive in Bangladesh.

FORTY-DAY FOOD STOCKPILE

There now is a 40-day food stockpile. By the end of May the Soviet Navy is expected to have cleared Chalna and Chittagong ports of obstructing sunken vessels, a vital factor in the relief operation.

This improved outlook is in contrast to recent negative press reports detailing charges of bureaucratic snarls at UN headquarters, bickering among voluntary agencies, and undisguised Bangladesh Government bitterness at the way aid matters were proceeding.

The man who was assigned the formidable task of putting some order into a rather confused relief picture has some impressive credentials.

He is a former commander in the Australian Navy. He was loaned to the British Navy during World War II and was responsible for the defense of Malta. He was appointed an Assistant Secretary-General at the UN in its early days and was in charge of the upper Volta River development plan for the Ghanaian Government. More recently he undertook a highly regarded two-volume-capacity study of the UN development program.

"MAN OF DECISIVE ACTION"

A UN source, summing up the kind of contribution Sir Robert would make in Bangladesh, said, "He is a man of decisive action. He really is an expert on management. This is what this operation really needed, a man who could pull the loose ends together."

Certainly he gives the impression of a man of action: coatless, always moving around when he talks, and thrusting his chin out as though he were about to take on the world's problems single handed. But he has no illusions about the problems facing Bangladesh.

"I have never seen an economy flattened to the extent where it is reliably estimated that half of its working population—that is, 12 million—are out of work," he says.

For Sir Robert such statistics, however, give no hint of the resilience and self-reliance of the Bangladesh people.

"What is in their compass, they have tried to do."

HARD REALITIES REMAIN

But the hard realities of the situation still remain.

For 75 million in Bangladesh to have even reasonable survival possibilities—and here Sir Robert cites what he calls the parallel of socially unjust conditions prevailing in most "third world" countries—"the outside world will need to assist that government on a very substantial scale for many months to come."

The outside world is responding, he notes, to this "avalanche of problems." The United States, Britian, Canada, Japan, and Sweden are playing a predominant role. The Soviet Union is tackling port clearance. India, at considerable strain to its own transportation system, is moving grain, cement, and other essential materials by overland routes.

Voluntary agencies' response was considered "quite exceptional"—with their record-breaking contributions of over $75 million.

FIGURES DON'T DISTURB HIM

Of the $630 million required to meet the need for 1972, only some $500 million has been pledged.

These figures do not appear to disturb the UN aid expert.

"The best interests of the Bangladesh Government and the UN will be achieved if no further appeals for funds are made until we have some more facts and can indicate even more specifically what is required to repair what."

[From the Evening Star, July 12, 1972]

Mujib Seeks To Strengthen Links to People

(By David Van Praagh)

Dacca.—Sheik Mujibur Rahman strides across the spacious drawing room of the old Pakistan president's house here as if he owns the place.

He does, in effect, for the people of Bangladesh. To them he is a miracle as much as creation of their country six months ago. He clearly means to keep up and if possible strengthen the link.

Mujib, as everyone calls him, is tall for a Bengali. His black waistcoat is another distinctive mark. His moustache fairly bristles when he talks. His eyes can smile and grow warm but he is harder than he used to be. He is all business, with a message to get across to me in an interview as he had a message for agricultural students from Mymensingh he met just before.

"MY PEOPLE LOVE ME"

And Mujib is sensitive and defensive as perhaps only a Bengali can be. He is concerned about meeting not only foreign criticism but also increasing questions from some of his own people.

The prime minister and folk hero of 75 millon persons who have lived through some of the world's worst conditions served notice that Bengali critics of his government run the risk of incurring the people's wrath if they are not constructive.

"I want to follow democracy," declared Mujib, "But if criticism is not constructive, then my people will deal with them (the critics). My people love me—there is no question about it—if anyone wants to test this, they can test it anytime they like."

MAGAZINE ATTACK

The warning was vague but unmistakable. Mujib wants time. He is proud of the fact that he received a positive response from nearly 1 million people when he asked them in a major speech June 7 if they were willing to wait three years for results.

His comments about criticism—he said his policies, not him may have been attacked—indicated that he is unwilling to brook much interference in the pace and manner he is setting for Bangladesh.

The most outspoken publication here, Holiday—which enjoyed a similar reputation under Pakistani rule partly because of its innocuous name—may be the first critic to pick up Mujib's challenge.

"Mujib's (June 7) speech ended up as sound and fury signifying nothing," boldly commented Holiday. "The country is bristling with problems which are more man-made than what can be accepted as the trauma of independence . . . Mujib does need time, maybe more than the mere three years he has been asking for."

Other critics prefer anonymity. A foreigner with years of experience in East Bengal, including overseeing relief programs in the countryside immediately before, during and after the fight for independence, said that official corruption had never seemed worse. Many persons working in the many-facated—and sometimes uncoordinated—international aid effort to put Bangladesh on its feet anticipate that a large part of relief funds and materials will be misused for private profit.

"STILL GUN-DRUNK"

Breakdown of law and order is an increasingly serious problem despite the 200,000 firearms that Mujib said had been surrendered to him. One discerning observer, who lived through the worst of the bloodshed leading up to independence in December, said: "This country is still gun-drunk—loaded with arms and ammunition."

In a few days in June, five persons died in a clash between police and Lal (Red) Bahinis outside Khulna. A well-known journalist was found murdered outside Dacca. Police killed three persons when they fired on a mob outside a Kushtia bank. A member of the legislature and two Awami League workers were found dead of unknown causes in Khulna.

"Mujib is the only leader close to the people but he can't solve everything." reflected one of the few trained Bengali intellectuals left after mass murder of many educated Bengalis by Pakistani army collaborators or Moslem fanatics as Pakistan lost control of East Bengal.

"PROGRESS NOT SLOW"

"We could have done much more in the first six months—we still can do a lot—but it's hard to get Mujib to accept that six months is enough for taking up most time with nonessentials."

Sheik Mujib, earnestly defending his record as he sat on a white upholstered chair in the drawing room furnished for Pakistan's presidents, asserted: "Progress is not slow. No country has faced such a situation. To bring normalcy is not easy."

He recited the familiar facts and figures of the meager Bangladesh inheritance, no less tragic for being repeated although many persons question the accuracy of these numerical estimates.

Three million Bengalis killed and 25 million made homeless. Exodus and return of 10 million refugees. Bengali intellectuals and half the police force destroyed plus roads, bridges and vehicles.

ACCOMPLISHMENTS CITED

Then Mujib turned to what has been accomplished: Road and rail links restored, ports working again, grain coming in as aid from many countries. He implied that Bangladesh is recovering faster than Germany did after World War II, that law and order is better than "civilized" countries despite a "small number" of incidents.

"At least I have 65,000 villages and 75 million people and food is going to the interior," Mujib told me. "We'll be able to fight out the food problem during the monsoon (until September). It is only because the people love me—otherwise I could not do anything."

Mujib talked the same way about the minority Biharis, in terms of his personal links with his people: "I've told the Biharis I'll distribute what I can. I'm a human being. I think the Biharis are living better than my Bengalis whose homes have been burned by the Pak army. The Biharis have collaborated in genocide. I must congratulate my people that after liberation there was no second genocide."

"PLAYING A GAME"

Sheik Mujib said President Zulfikar Ali Bhutto of Pakistan has a moral obligation to take back Biharis who want to leave, in exchange for Bengalis in Pakistan. He accused Bhutto of "playing a game" to get back more than 90,000 Pakistani prisoners of war held by India.

Once during the interview the power failed—a regular happening in Dacca—and a powerful fan and all lights but one dim one went out. Mujib went on talking in the evening shadows before the lights flicked uncertainly back to life some moments later.

The prime minister of Bangladesh, who is 52, meets people in the old president's house from 5 to 10 p.m. seven days a week, after working in the main secretariat building and before going home to his own modest house and his family. There are few crowds at the official residence anymore, few security guards inside the walled compound and young, sportshirted assistants are unobtrusive.

It is difficult to tell how well Mujib takes the fluttering pulse of Bangladesh.

[From the New York Times, May 20, 1972]

BEST U.S. AID DEAL OFFERED TO DACCA—TERMS MOST GENEROUS EVER, AMERICAN AIDES ASSERT

DACCA, BANGLADESH, May 19.—Officials of the United States Agency for International Development are negotiating an economic aid agreement with Bangladesh on terms described by an American spokesman as "the most generous and flexible ever offered by the United States to any country."

Upon the signing of the proposed pact, expected by the end of this month, American aid to this country is to begin rising toward an expected total of $300-million in the coming year. Congress has already appropriated $200-million of this sum, part of which is now in the aid pipeline to Bangladesh, and prospects are believed to be favorable for an additional allotment of $100-million requested by Secretary of State William P. Rogers.

Under the terms proposed by Washington, Bangladesh will be the first recipient of American aid grants to be permitted to spend the money on imports from countries other than the United States.

The only limitation is that the imported items, if not bought in the United States, must be purchased from another "developing country," such as India, and not from affluent advanced nations like Japan and Germany, American officials have explained.

ANOTHER RESTRICTION DROPPED

Another departure from the normal restrictions on American aid will permit Bangladesh to purchase the items she wishes with these funds without first getting American approval.

Asked to describe the reaction of Bangladesh officials to the proffered terms, C. Herbert Rees, head of the four-man United States aid mission, said, "They could hardly believe it." He added that the Bangladesh officials "know all about previous American aid agreements," and that "they were very pleased" with the new offer.

In the absence of a formal agreement between Dacca and Washington on aid, American assistance up to now has had to be channeled through the United Nations Relief Operation in Dacca, usually referred to as UNROD, and private voluntary agencies, such as the Red Cross.

INDIA MAIN DONOR NOW

It is expected that under the new arrangement the United States will overtake India as the leading contributor to relief, rehabilitation and development in Bangladesh, which inherited an economy shattered by the war with Pakistan.

India, whose military forces combined with local guerrillas to defeat Pakistani troops in East Pakistan and make this former province an independent republic, has given the new state $142.7-million in cash and commodities. The United States is next among donors with $119-million given in aid up to now.

Mr. Rees, who is director of South Asian affairs in the Agency for International Development, noted that the United States had contributed more than 65 per cent of the aid sent to Bangladesh through the United Nations. He was critical of the relatively small assistance from Japan, which has given the equivalent of $10-million, and from Western Europe.

Besides a cash payment of $35-million to the United Nations relief mission here for operating expenses, and $74-million in food shipments, the United States has distributed $7.32-million to private agencies for relief projects ranging from the replacement of destroyed village houses to cholera research.

The new program under the bilateral agreement now being negotiated here will go beyond the relief phase and concentrate on building up the ailing economic plant. The main projects, Mr. Rees said, will be directed primarily toward improving production in industry and agriculture.

[From the Christian Science Monitor, July 11, 1972]

INCIDENTS FADE AWAY: BANGLADESH RANCOR EASES; BIHARIS NOT SO THREATENED

(By Henry S. Hayward)

DACCA, BANGLADESH.—The estimated 700,000 pro-Pakistan Biharis in Bangladesh are not likely to face further massacre threats—if no new incitements to racial and religious violence surface here.

No major incidents involving this large minority group have been reported in recent months. But it would take only one serious incident involving Biharis to rekindle the violence, in the opinion of Western observers.

Harassment of the Biharis peaked last February, shortly after the country's war of liberation. Mukti Bahini freedom fighters entered a number of Bihari enclaves on the pretext of searching for weapons.

While there unquestionably were weapons in Bihari hands, and the new nation had been called upon to turn in its arms, the likelihood is that a second Mukti objective was to intimidate the much disliked Bihari families. In any case, shots were exchanged, and a number of Biharis were killed at that time.

Since then the situation has stabilized and gradually improved. Some of Dacca's 50,000 Biharis—most of them live in guarded camps in Mirpur and Mohammedpur—have ventured out to work at their former jobs. Others are still too frightened to leave the camps.

The Bangladesh Red Cross, under International Red Cross supervision, continues to deliver food to Bihari camps, whose inmates otherwise would face starvation, due to their inability to go out and purchase in regular markets.

The Bangladesh Government supplies the food from its own stocks, often provided from United Nations and other foreign relief agencies.

But the basic Bihari problem remains unsolved. Many Biharis don't want to integrate with the Bengalis of the new Bangladesh nation. In Dacca, at any rate, they consider themselves Pakistanis—but without the means of emigrating to Pakistan, even if the Pakistan Government would take them. The Biharis of Chittagong, on the other hand, have established better relations with their Bengali neighbors. Although not integrated, these Biharis are regarded as being less pro-Pakistan.

STRAINS STILL FELT

While they are sympathetic with the Biharis' plight, Western observers feel the Bihari community asked for trouble by actively collaborating with the Pakistan Army in its terror campaign against the Bengalis of East Pakistan prior to the liberation.

After decades of sporadic clashes with the Bengalis, many Biharis last year seemed quite satisfied to see the Bengalis roughly treated by former President Yahya Khan's soldiers. Instances were reported in Biharis taking over the Bengali homes, shops, land, and possessions left behind when millions of frightened Bengalis fled to India. Now the refugees have returned and reclaimed what possessions they can find. Their attitude toward the Biharis is what might be expected—less than compassionate.

Yet Prime Minister Shiekh Mujibur Rahman has repeatedly urged his countrymen not to take matters into their own hands and punish those they feel harmed them during their struggle against Pakistani repressions. This is one reason why the Bengali leader is so emphatic that formal war crimes trials must be held on Bangladesh soil—in place of impromptu executions which might otherwise flourish.

During the present lull, meanwhile, the bolder Biharis have resumed their usual occupations as drivers, office workers in government ministries, and railway workers. One of the difficulties in getting Bangladesh railways back into operation—aside from damage to equipment, bridges, and right of way—is that many of the experienced Bihari employees have been afraid to report for duty.

Some neutral observers have suggested it might be possible to exchange the Biharis in Bangladesh for the estimated 400,000 Bengalis now in Pakistan.

EXCHANGE UNLIKELY

But aside from the sheer logistics involved, this is a difficult political problem. Pakistan does not recognize Bangladesh, and the two countries have no relations, so no discussions are possible. And if their safety were guaranteed, it is likely that many Biharis here and Bengalis in Pakistan might prefer to stay where they are.

The decline in attacks upon Biharis may stem from the fact that Mukti Bahini forces gradually are fading back into civilian life, or are being absorbed into the national militia where they are under greater control. "The Mukti no longer are heard of as a cohesive force," a Western diplomat declared. "Bangladesh now is under a civil administration pretty much nationwide."

Even Tiger Siddiqui, the well-publicized, young Mukti leader in the Tangail area, has been very quiet in recent months. It is hard to tell if he is also fading back into civilian life or simply waiting to see how things develop.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. The time for morning business has expired.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the unfinished business, which will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. MANSFIELD. Mr. President, I yield at this time to the distinguished assistant majority leader, the Senator from West Virginia (Mr. Robert C. Byrd).

UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, I am authorized by the distinguished majority leader, after conferring with the distinguished manager of the bill, the Senator from Mississippi (Mr. Stennis), the distinguished ranking member of the committee, the Senator from Maine (Mrs. Smith), and all Senators who are parties to amendments to the pending bill, to propose the following unanimous-consent request:

Mr. President, I ask unanimous consent that on Monday, at 10:30 a.m., the unfinished business be laid before the Senate; that the Senator from Washington (Mr. Jackson) be recognized to call up his amendment, on which there be at that time a time limitation of 30 minutes; that the Senate then proceed to the consideration of an amendment by Mr. Cranston which has reference to the Sam B; that time be limited thereon to one and a half hours; that the Senate then proceed to an amendment by Mr. Hartke, on which there be a time limitation of one and a half hours

Provided, further, Mr. President, that no votes occur at the expiration of said times on the aforementioned amendments; that at the expiration of the time stipulated on the amendment by Mr. Hartke, the Senate proceed to the consideration of a second track item which will be determined by the leadership at a later time.

Provided, further, That at no later than 6 p.m. on Monday, the distinguished majority leader or his designee be authorized to return to the consideration of the unfinished business, at which time the amendment by Mr. Jackson be returned to consideration and there be a time limitation thereon of one-half hour; that upon the disposition of the amendment by Mr. Jackson, The Senate resume consideration of the Sam B amendment by Mr. Cranston, with a time limitation thereon of 30 minutes; that upon the disposition of the amendment by Mr. Cranston, the Senate resume consideration of the amendment by Mr. Hartke, with a time limitation thereon of one-half hour; that upon the disposition of the amendment by Mr. Hartke, the Senate return to the consideration of the second-track item or that the majority leader be at that time authorized to proceed to any other matter.

Provided, further, that on Tuesday, at 10 a.m., the Senate resume its consideration of the unfinished business; that the amendment by Mr. Proxmire and Mr. McGovern be made the pending question at that time; that there be a time limitation thereon of 3 hours; that upon the disposition of the amendment by Mr. Proxmire and Mr. McGovern, the Senate proceed to the consideration of an amendment by Mr. Hatfield; that the time limitation thereon be 3 hours; that upon the disposition of the amendment by Mr. Hatfield, the Senate proceed to the consideration of an amendment by Mr. Tunney, with a time limitation thereon of 1½ hours; that upon the disposition of the amendment by Mr. Tunney, the Senate proceed to the consideration of an amendment by Mr. Kennedy, with a time limitation thereon of 1 hour; that upon disposition of the amendment by the Senator from Massachusetts (Mr. Kennedy), it be in order for the distinguished majority leader or his designee to proceed to the consideration of any second track items.

Provided further, on Wednesday, August 2, 1972, at 10 a.m., that the Senate resume consideration of the unfinished business; that the distinguished Senator from California (Mr. Cranston) be recognized for debate of his so-called Vietnam amendment on which there will be a time limitation of 4 hours; and that the distinguished Senator from Massachusetts (Mr. Brooke) then be recognized for debate of his amendment on which there be a time limitation of 2 hours.

Provided further, that there be a time limitation on the bill of 4 hours; that time on any amendment in the first degree other than those amendments enumerated be limited to 1 hour; that time on any amendment to an amendment or amendments in the second degree, debatable motion or appeal be limited to 30 minutes; that tabling rights with respect to any amendment or motion be reserved; that Senators in control of the time on the bill may yield therefrom on any amendment, debatable motion or appeal.

Ordered further, that as to the division, any time on the bill would be divided between and under the control of the distinguished manager of the bill the Senator from Mississippi (Mr. Stennis) and the distinguished Senator from Maine (Mrs. Smith); that time on any amendment in the first degree be divided between and controlled by the mover of such amendment and the distinguished manager of the bill; that time on any amendment to an amendment or amendment in the second degree be divided between and controlled by the mover of such amendment and the author of the amendment in the first degree, except in any instance in which the author of the amendment in the first degree would favor such, in which instance time in opposition to the amendment in the second degree would be under the control of the distinguished manager of the bill; that time on any debatable motion or appeal be equally divided between the mover of such and the distinguished manager of the bill; and that a final vote occur on Wednesday at no later than 6 p.m.

Provided further, that rule XII be waived.

The PRESIDING OFFICER (Mr. Stevenson). Is there objection to the request of the Senator from West Virginia?

Mr. STENNIS. Mr. President, reserving the right to object, and I shall not object, does this agreement cover the proposition on motions to table?

Mr. ROBERT C. BYRD. Yes.

Mr. STENNIS. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none and it is so ordered.

The text of the unanimous-consent agreement reads as follows:

Ordered, That during the further consideration of H.R. 15495, an act authorizing funds for military procurement for fiscal year 1973, the time for debate on amendments and the bill, together with the order in which certain amendments will be considered, is as follows: on Monday, July 31, 1972, at 10:30 a.m. the Senate will proceed to the consideration of the unfinished business (H.R. 15495) with the Chair recognizing the Senator from Washington (Mr. Jackson) to call up an amendment on which there will be 30 minutes debate without a vote at that time; the Senator from California (Mr. Cranston) will then be recognized to call up his SAM B amendment on which there will be 1½ hours for debate without a vote at that time; following which the Senator from Indiana (Mr. Hartke) will be recognized to call up an amendment on which there will be 1½ hours for debate without a vote at that time.

Following debate of these three amendments, the Senate will then proceed to the consideration of "second track legislation" to be proposed by the majority leader or his designee.

At no later than 6:00 p.m. on Monday, July 31, 1972, the Senate will return to the unfinished business, at which time there will be ½ hour debate on the amendment by the Senator from Washington (Mr. Jackson), to be followed by a vote thereon if no other amendment is offered thereon; after which there will be ½ hour debate on the amendment by the Senator from California (Mr. Cranston), to be followed by a vote thereon if no amendment is offered thereon; then to be followed by ½ hour debate on the amendment by the Senator from Indiana (Mr. Hartke) and a vote thereon if no amendment is offered thereto.

Following disposition of the above amendments, the Senate will return to consideration of a second track item of business, to be called up by the majority leader or his designee.

Provided further, That on Tuesday,

August 1, 1972, at 10:00 a.m. the unfinished business will be laid before the Senate and the Senator from Wisconsin (Mr. Proxmire) will be recognized to call up an amendment by the Senator from Wisconsin (Mr. Proxmire), and the Senator from South Dakota (Mr. McGovern) on which there will be 3 hours debate; after the disposition of the Proxmire amendment, the Senator from Oregon (Mr. Hatfield) will be recognized to call up an amendment on which there will be 3 hours debate; after the disposition of that amendment, the Chair will recognize the Senator from California (Mr. Tunney) to call up an amendment on which there will be 1½ hours debate; following the disposition of that amendment, the Senator from Massachusetts (Mr. Kennedy) will be recognized to call up an amendment on which there will be 1 hour debate; following the disposition of that amendment, the Senate will return to "second track legislation" to be determined by the majority leader or his designee.

Provided further, That on Wednesday, August 2, 1972, at 10:00 a.m. the Chair will lay before the Senate the unfinished business and the Senate will proceed to the debate of the so-called Vietnam amendment by the Senator from California (Mr. Cranston) on which there will be 4 hours debate; but before a vote is taken on that amendment, there will be 2 hours debate on the amendment by the Senator from Massachusetts (Mr. Brooke) to the amendment of the Senator from California (Mr. Cranston).

Provided further, That the time for debate on all of the above specified amendments will be equally divided and controlled by the proponent of the amendment and the manager of the bill, Mr. Stennis.

Provided further, That time for debate on any other amendment in the first degree will be limited to 1 hour, to be equally divided and controlled by the proponent of that amendment and the manager of the bill, Mr. Stennis; and that debate on any amendment to an amendment, or amendment in the second degree, will be limited to ½ hour, to be equally divided and controlled by the proponent of that amendment and the author of the amendment in the first degree, or the manager of the bill, Mr. Stennis, if the author of the amendment in the first degree is in favor of the amendment.

Provided further, That debate on any debatable motion or appeal will be limited to 30 minutes, to be equally divided and controlled by the proponent of any such motion or appeal and the manager of the bill, Mr. Stennis.

Provided further, That the right to offer tabling motions on any proposition be reserved.

Ordered further, That time for debate on the bill be limited to 4 hours, to be equally divided and controlled by the manager of the bill, Mr. Stennis, and the Senator from Maine, Mrs. Smith: *Provided*, That the time under their control on the passage of the said bill may be allotted to any Senator during the consideration of any amendment, debatable motion or appeal.

Ordered further, That the Senate vote on final passage of the bill no later than 6:00 p.m. on Wednesday, August 2, 1972.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield?

Mr. ROBERT C. BYRD. I yield.

Mr. MANSFIELD. Mr. President, I want to compliment the distinguished Senator from West Virginia for just going through a tremendous technical exercise.

My question, though, is this: This time limitation and the overall time factor is based on what knowledge we have as to what amendments will be offered as of now; is that not correct?

Mr. ROBERT C. BYRD. Exactly.

Mr. MANSFIELD. I thank the Senator.

Mr. ROBERT C. BYRD. Mr. President, if the distinguished majority leader will yield so that I may further respond to him, under the agreement, as I understand it—and the Presiding Officer can correct me if I am in error—Senators who have amendments in the first degree other than those enumerated would have the right to offer such amendments only on Wednesday. Of course any Senator can offer an amendment to an amendment on any day. Am I correct?

The PRESIDING OFFICER. Under the agreement, that would be the situation. There would be 1 hour on amendments in the first degree and one-half hour on amendments in the second degree.

Mr. ROBERT C. BYRD. May I also ask the distinguished Presiding Officer, if it is clear from the request that votes on the amendments on Monday would occur not later than 6 p.m.?

The PRESIDING OFFICER. Six p.m. The Senator is correct.

Mr. ROBERT C. BYRD. Or was it not prior to?

Mr. TOWER. Not prior to.

The PRESIDING OFFICER. Not prior to.

Mr. ROBERT C. BYRD. That is correct. Would the Chair please state what the order provided for.

The PRESIDING OFFICER. Not later than 6 p.m. the Senate will return to the unfinished business.

Mr. ROBERT C. BYRD. So that any votes on the amendments on that day would occur not prior to 6 p.m., unless the Majority Leader chooses to return to the unfinished business at a time prior thereto sufficient to result in an earlier vote.

The PRESIDING OFFICER. The Senator did not make clear in the order whether, when the Senate returned to the unfinished business, and then took up the Jackson amendment for half an hour, that the Senate would vote at that time on the Jackson amendment.

Mr. ROBERT C. BYRD. The Senate would do so. I cannot recall whether I said the Senate would return to the unfinished business not later than or not before 6 o'clock.

The PRESIDING OFFICER. The order, as it stands now, says not later than 6 p.m.

Mr. ROBERT C. BYRD. So that the majority leader, if he wishes, can return to the unfinished business at 5 p.m., or 5:30 p.m., or at an earlier hour than 6 p.m. if he so wishes.

The PRESIDING OFFICER. That is correct.

Mr. ROBERT C. BYRD. I thank the Chair.

Mr. MANSFIELD. Mr. President, the purpose of the Monday situation is to allow those of us who are going to attend the funeral of Senator Ellender to have our rights protected so far as voting is concerned, and to give us sufficient time to get back to participate in votes which otherwise we would have missed because of a circumstance which no one had foreseen.

AMENDMENT NO. 1363

Mr. TOWER. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. TOWER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The text of the amendment is as follows:

> The Secretary of Defense is authorized to utilize Department of Defense resources to assist the Department of Health, Education, and Welfare and the Department of Transportation in providing medical emergency transportation services to civilians. Any resources provided under this section shall be under such terms and conditions, including reimbursement, as the Secretary of Defense deems appropriate.

Mr. TOWER. Mr. President, I yield myself such time as may be required.

Mr. President, on July 17, 1970, a critically injured youth was airlifted from Winter Garden Hospital in Dilley, Tex., to Baptist Memorial Hospital in San Antonio for surgery. Land distance between the Frio County community and San Antonio is 84 miles. The evacuation by conventional land transportation would have taken approximately an hour and a half. The helicopter made the trip from Dilley in 30 minutes. The time saved is credited with having saved the life of the youth.

Last year, more than 115,000 Americans lost their lives in accidents. Four hundred thousand more were permanently disabled and 10 million were temporarily disabled. The loss to the Nation's economy from accidents last year is estimated at over $28 billion. These staggering figures are particularly distressing—especially since this toll could be significantly reduced by the upgrading of medical emergency transportation services. A survey of 782 traffic deaths occurring in rural and urban California counties during 1961 convincingly demonstrated that persons injured in rural counties were almost four times as likely to die of their injuries as those injured in urban counties, even though the injuries sustained in rural counties tended to be less severe.

In August 1969, the Secretary of Defense suggested to the Secretary of Transportation that an interagency planning group be established to consider a proposal to use military resources in response to civilian medical emergencies. Of specific interest was the employment of military helicopters and paramedical personnel in responding to highway accidents. This was the birth of the military assistance to safety and traffic—the MAST—program. During 1970, pilot or demonstration projects were implemented at five military installations—Fort Sam Houston, Tex.; Fort Lewis, Wash.; Fort Carson, Colo.; Luke Air Force Base, Ariz.; and Mountain Home Air Force Base, Idaho. MAST was essentially an operational test, where military resources and techniques which have been so effectively employed in combat were meshed with local emergency medical services—EMS—systems with a minimum of delay and administrative difficulty, with no additional men, money, or aircraft provided. MAST is the program which saved the life of the youth from Dilley, Tex.

The MAST unit stationed at Fort Sam Houston responds to calls covering an area of 9,499 square miles encompassing San Antonio and nine surrounding counties served by the Alamo Area Council of Governments. The main purpose of the program is to reduce highway traffic deaths by shortening the length of time between injury and hospitalization by airlifting victims directly from accident scenes to large area hospitals where specialized personnel and treatment facilities are readily available. The Fort Sam Houston MAST team has also transported the critically ill and injured from small, remote hospitals which may not have equipment or personnel available to render lifesaving care. The helicopters can also be used to transport emergency medical supplies, as well as coral snake antivenom, of which San Antonio has the only supply available in Texas, and blood for emergency transfusions. In isolated cases, a physician can be flown to the bedside of a patient too ill to be transported. In general, the unit is available for medical emergencies where rapid transportation is required and ground transportation is not feasible.

I feel that there are several points which should be made at this time.

First, the MAST program would only be conducted or expanded to the extent that it did not impair the military mission of the units. Study has indicated that MAST should be consistent with unit availability and training requirements. First priority for establishing MAST sites should go to installations where aeromedical evacuation or search and rescue units are deployed. Establishment of MAST sites at installations where necessary helicopters must be drawn from other aviation units should be at the discretion of the Secretary of Defense and will be consistent with military objectives and priorities.

Indeed, rather than impair the military mission, the MAST units presently operating have complemented, supplemented and enhanced military objectives. The program has provided excellent training opportunities—the life and death purpose of the mission has provided the incentives necessary to maintain a continuous state of readiness for military requirements. Because the MAST program is operational it is an excellent practical evaluation of our medical evacuation capabilities, as well as being a valuable method of further refining our techniques.

Second, the amendment does not preempt the responsibility of other agencies to provide programs for Emergency Medical Services. The responsibility for civilian aeromedical evacuation should remain in the Departments of Transportation and Health, Education, and Welfare, to include programing and budgeting of funds for the conduct of the programs. Department of Defense participation in the program is intended solely as an interim supplement to the services provided by the other agencies. This amendment simply represents an attempt to fully utilize our Nation's resources to meet the health needs of the people.

Third, this amendment is being requested by the Department of Defense. The findings of several in-depth studies have demonstrated the value of the program to the Armed Services as well as the civilian communities.

A final comment is that this amendment does not provide for any authorization of funds, for such is not necessary. We are merely talking about the utilization of available equipment and manpower.

I wholeheartedly endorse the MAST program and urge the adoption of this amendment to permit and encourage the growth of cooperative defense-civilian effort to save lives.

Mr. President, I have discussed this amendment with my distinguished colleague, the chairman of the committee, the Senator from Mississippi (Mr. STENNIS), and with the distinguished ranking minority member, the Senator from Maine (Mrs. SMITH). It is my understanding that they are prepared to accept this amendment on behalf of the committee.

Mr. STENNIS. Mr. President, if the Senator from Texas will yield to me, I would like to ask him a few questions after making a brief statement on my own time.

This is a very laudable program and has worked exceedingly well.

A few years ago I was chairman of the Subcommittee on Transportation of the Committee on Appropriations. They ran some pilot programs on this idea of helicopter rescue squads being available in various areas. They did it in conjunction with the highway patrol, the State police, and agencies of that kind in various States.

Mr. President, the program worked so well that some of the States appropriated funds to carry it on after this experiment with the pilot program was over. And I know that my State was one of those. Later the Departments of Transportation, Defense, and HEW coordinated their efforts in this field. It has been working mighty well.

I want to ask the Senator from Texas a question. We have not been able to get an estimate of what additional cost this program might incur for the military. There was insufficient time to coordinate the figures with the Office of Management and Budget. That is a statement by the Department of Defense. Does the Senator from Texas have any figure he can suggest as to what the added expense might be?

Mr. TOWER. Mr. President, I do not have any figures on the added expense, if any. There is no authorization of funds involved here. It does not call for additional authorization of funding. It is my understanding that the expense is borne, I think, as a training expense or a regular routine operational expense.

As I mentioned earlier, this is in effect good training for these medical evacuation personnel. It keeps them in a state of readiness and improves their proficiency at the same time for military purposes should the occasion arise.

Mr. STENNIS. Mr. President, I think the Senator is correct in his estimates. However, there is a possibility that it would cost the Department of Defense at least some additional money for gasoline, we will say. However, by and large it is going to be time that they would be putting in. By and large it will be training hours that they are already putting in anyway. So I can approve of it on that point, with this qualification.

I can see where there could be such a demand for this service and—pressure is a bad word to use, but it is very descriptive—the pressure on the military services would increase to expand this service. What is contemplated by the author of the amendment to meet that situation?

Mr. TOWER. It would only go to bases where there are medical units in an actual status of deployment. It would not ever be used to the extent that it would impair the military mission.

Quite to the contrary, it is designed to enhance the preparedness for the military mission.

Mr. STENNIS. Of course, the military mission, of necessity, would have the first call.

Mr. TOWER. It always has the priority.

Mr. STENNIS. We could visualize a picture of operations. The services would not be called upon to increase their manpower or the number of their helicopters or anything of that kind.

Mr. TOWER. No. The key phrase is "utilization of existing resources."

Mr. STENNIS. I approve the idea and after discussion with the Senator from Maine (Mrs. SMITH) I think it is worthy enough for us to further consider in conference. Frankly, in the meantime we are going to try to get a statement from the Bureau of the Budget.

Mr. TOWER. I will look forward to receiving that statement, but I am very optimistic that additional costs will be minimal when we consider enhancement of the mission and readiness for the mission, and the human lives and property saved in the process.

Mr. STENNIS. As I said, the Senator from Maine and I had a conference on this matter. She authorizes me to concur for her in this recommendation. I hope we can adopt this amendment and further develop it in conference.

Mr. TOWER. Mr. President, I am prepared to yield back the remainder of my time.

Mr. STENNIS. I yield back the remainder of my time.

Mr. TOWER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STENNIS. Mr. President, according to the arrangement and understanding we will now take up the amendment of the Senator from Wisconsin (Mr.

NELSON). I understand he is on his way to the Chamber.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, for the information of Senators, we have the matter here of the Nelson amendment. It was understood it was to be taken up under limited time, but there was no agreement as to the sequence in which matters would be called up, so there is no reason why we should not pass on to something else.

The next matter to be taken up is the amendment of the Senator from Pennsylvania (Mr. SCHWEIKER), who was in the Chamber a minute ago, but has stepped out temporarily.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ROBERT C. BYRD. If the Senator will allow me, I have just called the distinguished Senator from Wisconsin (Mr. NELSON) and his office has informed me that he is on his way and anticipates calling up his amendment.

Mr. STENNIS. I thank the Senator. I will continue my statement of the matters for today.

Then there is a request made for a colloquy here by the Senator from Nevada (Mr. CANNON) and the Senator from Wisconsin (Mr. PROXMIRE).

We are ready for all three of these items.

As I have said, there was no firm agreement as to the order in which they would be taken up, so, very respectfully, I would feel free, when one is not here after a reasonable wait, to turn to the next one if he is here.

For the time being, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1354

Mr. NELSON. Mr. President, I call up my amendment No. 1354. I yield myself whatever time may be required.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read the amendment as follows:

At the end of the bill add a new section as follows:

SEC. 605. Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this or any other Act may be obligated or expended for the purpose of—

(2) the type of activities carried out by the Department of Defense in Vietnam under the code names of Operation Sherwood Forest, Operation Hot Tip, and Operation Pink Rose in which so-called fire storms or fires over a large area were, or were attempted to be, intentionally ignited;

(3) entering into or carrying out any contract or agreement providing agents, delivery systems, dissemination equipment, or instructions for the military application of weather modification techniques, or for deliberately igniting so-called fire storms or fires over large areas for military purposes (as described in clause (2)); or

(4) procuring or maintaining agents, delivery systems, or dissemination equipment for the purpose of modifying weather conditions for military purposes, or igniting so-called fire storms or fires over large areas for military purposes (as described in clause (2)).

Mr. NELSON. Mr. President, I ask unanimous consent that the names of Senators MOSS, CHURCH, MONDALE, GRAVEL, FULBRIGHT, CRANSTON, BAYH, PASTORE, HATFIELD, HUMPHREY, MUSKIE, METCALF, PELL, TUNNEY, and HUGHES be added as cosponsors of amendment No. 1354.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I modify my amendment, as submitted on July 25, by striking all the language in lines 1 through 15 on page 2 of the amendment. I substitute for that language, under (1) the following language: "weather modification activities as weapons of war".

Mr. President, this amendment proposes as follows, and I will read it into the RECORD——

The PRESIDING OFFICER. Will the Senator send his modification to the desk?

Mr. NELSON. Thus the amendment would read:

SEC. 605. Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this or any other Act may be obligated or expended for the purpose of—

(1) weather modification activities as weapons of war;

(2) the type of activities carried out by the Department of Defense in Vietnam under the code names of Operation Sherwood Forest, Operation Hot Tip, and Operation Pink Rose in which so-called fire storms or fires over a large area were, or were attempted to be, intentionally ignited;

(3) entering into or carrying out any contract or agreement providing agents, delivery systems, dissemination equipment, or instructions for the military application of weather modification techniques, or for deliberately igniting so-called fire storms or fires over large areas for military purposes (as described in clause (2)); or

(4) procuring or maintaining agents, delivery systems, or dissemination equipment for the purpose of modifying weather conditions for military purposes, or igniting so-called fire storms or fires over large areas for military purposes (as described in clause (2)).

Mr. President, Science Magazine published an article on July 21, 1972, entitled "Technology in Vietnam: Fire Storm Project Fizzled Out." The article describes how, on three occasions at least—in 1965, 1966, and 1967—

The Defense Department attempted to light what defense planners term "fire storms"—the name used to describe the World War II holocausts at Hamburg, Dresden, and elsewhere—in some of South Vietnam's most valuable timber country. All three attempts, however, fizzled out. One may have even caused rainfall instead of a big forest fire.

The attempts were known by such euphemistic names as Sherwood Forest, Hot Tip, and Operation Pink Rose. They took place in the Mekong Terrace of South Vietnam, a Central Plains area which contains several luxury timbers such as mahogany and rosewood, and half of South Vietnam's sawmills. Timbering is said to be one of the few industries that could develop into prime importance for the South Vietnam economy.

Mr. President, I ask unanimous consent that, at the conclusion of my remarks, the entire article from Science Magazine dated July 21, 1972, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. NELSON. Mr. President, on July 3, 1972, the New York Times published an article entitled "Rainmaking is Used as Weapon by the United States." It reads:

WASHINGTON, July 2.—The United States has been secretly seeding clouds over North Vietnam, Laos, and South Vietnam to increase and control the rainfall for military purposes.

Government sources, both civilian and military, said during an extensive series of interviews that the Air Force cloud-seeding program has been aimed most recently at hindering movement of North Vietnamese troops and equipment and suppressing enemy antiaircraft missile fire.

The disclosure confirmed growing speculation in congressional and scientific circles about the use of weather modification in Southeast Asia. Despite years of experimentation with rainmaking in the United States and elsewhere, scientists are not sure they understand its long-term effect on the ecology of a region.

The weather manipulation in Indochina, which was first tried in South Vietnam in 1963, is the first confirmed use of meteorological warfare. Although it is not prohibited by any international conventions on warfare, artificial rainmaking has been strenuously opposed by some State Department officials.

It could not be determined whether the operations were being conducted in connection with the current North Vietnamese offensive or the renewed American bombing of the North.

Mr. President, I ask unanimous consent that this entire article, written by the distinguished reporter Mr. Seymour Hersh and published in the New York Times on July 3, 1972, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. NELSON. Mr. President, this amendment aims to prevent the expenditure of any funds for the purpose of carrying on the kind of military activities described in the excerpts I have read from Science magazine and from the New York Times.

We have engaged—as the first nation, I think, in the history of warfare—in extensive environmental tactical and strategic warfare by the use of a number of devices. For several years we have dropped tens of millions of pounds—in fact over 100 million pounds—of herbicides on Vietnam for the stated purpose of defoliating the forests to deny cover to the enemy.

In this little country no larger than the New England States, this has permanently destroyed a forest region the size of the State of Massachusetts—over 5½ million acres. It has been a disastrous program from the standpoint of our allies. It did not succeed in accomplishing the military objective of protecting our troops or denying cover to the enemy troops. The elephant grass and other weeds replaced the trees and served as cover. If there was inadequate cover, the enemy simply moved out of the defoliated area.

The defoliation program set a precedent for a kind of warfare that could have worldwide implications unless it is ultimately outlawed by international law.

Under the theory that we would deny cover to the enemy along the roadways of Vietnam, we have also introduced that massive machine, the Rome plow, and bulldozed for a half mile or a mile off the roadside, at the rate of a thousand acres a day, until we have now plowed under a forest the size of the whole State of Rhode Island. Replacing the forest, elephant grass rapidly grows back providing the same cover that we were attempting to deny by this permanent, destructive assault upon the landscape and the environment of our ally.

Now we find—after extensive debate on an amendment which I submitted in the last session of Congress and for which we secured 22 votes and were ridiculed for submitting—that the military has phased out the herbicide program.

Now we discover two other types of environmental warfare, which we have used. I have described both by reading these brief excerpts on fire storm and weather modification warfare.

Mr. President, Dr. Matthew Meselson, Harvard University biology professor, says:

> It is obvious that weather modification used as a weapon of war has the potential for causing large-scale and quite possibly uncontrollable and unpredictable destruction.

Mr. President, I emphasize his words "uncontrollable and unpredictable."

Regarding fire storms, the New York Times reports that "the methods of starting and controlling fire storms are not well understood."

The military is uncorking an evil genie without knowing what it will do or how to get it back into the bottle.

Tampering with the environment—provoking the furies of nature to take revenge on all mankind—is neither conventional nor legitimate war. It is an indiscriminate, blind action wreaking havoc not only on enemy troops but on the land and people of an entire region. Particularly in Southeast Asia which is agricultural and subject to flooding, such destruction will have a far greater impact on civilians than combatants. It invites others to try the same—or an escalated version of the same—ill-advised activity.

Adoption of this amendment would put an end to the myopic military practice of unleashing scientifically new and unevaluated techniques on our enemies, on our allies, and all the entire world community.

Some may argue that weather modification and incendiary techniques are matters best left to the scientists. Or they may argue that since we are in a war, we should leave such considerations up to the military. But such a license is too broad and the risk of abuse too great. This is a matter of too great import for Congress to abdicate its governmental oversight responsibilities to an unknown scientist or an unknown soldier. We are legislating not only for today but also for the future.

This amendment would prohibit funding for weather modification or incendiary activities as weapons of war. It is not intended to cut off funds for research or for operations which have peaceful purpose. Cloud-seeding causing flooding for the enemy would be prohibited. But, for example, fog dissipation operations over U.S. airstrips would not be prohibited.

Mr. President, this amendment is closely modeled on an amendment submitted in the last Congress prohibiting funding for the defoliation program which the President finally ordered stopped. That amendment lost, after debate on the floor of the Senate, by a vote of 22 to 62. But the amendment and debate contributed, I think, to Congress and to the public's realization of what we were doing and added significant pressure to conclude that irrational activity.

At that time, some claimed that the herbicide program was the best method of achieving a military purpose: denying cover to the enemy. But in blindly pursuing this goal, the scientists and military thinkers forgot to think about the whole picture: the deleterious effects of destroying entire forests, the massive introduction of poisons into the environment with unknown and unpredictable consequences nationwide and worldwide, and so forth. And, I might add, it accomplished no significant military objective. The experts forgot to consider that dousing an entire country with chemicals could be interpreted as violating the Geneva Protocol ban on chemical and biological warfare. Today a substantial percentage of the countries in the United Nations consider such use of herbicides a violation.

But there are bigger questions. These are political questions which Congress was called upon to deliberate when I first submitted the herbicide amendment. It seems to me that the Senate must address itself to these bigger questions again today and vote for political responsibility, scientific prudence, and military restraint.

Consider what 78 members of the department of zoology of the University of California at Berkeley wrote on behalf of S. 3084, the Vietnam War Ecological Damage Assessment Act of 1972, which I introduced several months ago:

> Many of us are teachers or researchers in ecology, who have devoted our professional lives to furthering basic knowledge of the structure and function of ecosystems. One overwhelming result has emerged from our work and from that of others: ecosystems are enormously complex. This complexity makes it almost impossible to predict the subtle, indirect, and delayed consequences of even the most simple and seemingly minor changes made by human beings. The widespread disturbances of local ecosystems by our armed forces in Southeast Asia are neither simple nor minor, and the force of their indirect and delayed effects may far outweigh their immediate and obvious consequences.

Mr. President, the tragedy of it all is that we have set a major serious precedent for other countries in the world. The tragedy, further, is that we have done enormous damage to our allies—permanent damage to their country and their country's capacity to produce—and very little, if any, damage to the enemy.

It seems to me that we must vote today to conclude the kind of activities in which we have engaged: massive intrusions in the environment.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a statement I made on January 28, 1972, on the massive environmental damage done in Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. NELSON. Mr. President, I ask unanimous consent to submit for printing in the RECORD some additional material.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

EXHIBIT 1

[From Science, July 21, 1972]

TECHNOLOGY IN VIETNAM: FIRE STORM PROJECT FIZZLED OUT

The Advanced Research Projects Agency (ARPA), which is attached to the Department of Defense (DOD) made at least three attempts, in 1965, 1966, and 1967, to light what defense planners termed "fire storms"—the name used to describe the World War II holocausts at Hamburg, Dresden, and elsewhere—in some of South Vietnam's most valuable timber country. All three attempts, however, fizzled out. One may have even caused rainfall instead of a big forest fire.

The attempts were known by such euphemistic names as Sherwood Forest, Hot Tip, and Operation Pink Rose. They took place in the Mekong Terrace section of South Vietnam—a central plains area which contains several luxury timbers, such as mahogany and rosewood, and half of South Vietnam's sawmills. Timbering is said to be one of the few industries that could develop into prime importance for the South Vietnamese economy. Nonetheless, experts from the U.S. Department of Agriculture (USDA) were called in by ARPA to advise on how to effectively burn the forests. The project's budget was on the order of $1 million.

Military sources say that the attempted jungle fires took place in areas where there were no "permanent type villages," although they allow that Viet Cong supply depots and base camps were in the woods. But Senator Gaylord Nelson (D–Wis.) views the fire projects as part of the U.S.'s "callous" and "unprecedented environmental warfare" which has involved "an outrageous use of technology."

The USDA fire service role in the project was led by Craig Chandler, a fire storm expert who is now director of fire research for the Forest Service. The fire storm project is also discussed in a classified paper, obtained by Science, written by Arthur F. McConnell, Jr., a lieutenant colonel in the Air Force who was involved with the Ranch Hand defoliation missions.

Two reasons were given for the project. One was that, by creating a fire which would "crown," that is, burn out defoliated tops of trees, the fire would remove layers of jungle canopy and make reconnaissance from the air more effective. A second reason was that a large-scale jungle fire which reached the tree tops would destroy the ground cover and make concealment and camouflage by the enemy from U.S. bombing strikes or ground attack impossible.

Fire storms can be many times more dangerous than regular fires; they have occurred accidentally in forests in the American West, as well as in Australia and southern France; they also occurred in urban areas, including Dresden and Hamburg, and on at least two occasions in Tokyo during a 1923 earthquake and during bombing raids in 1944–1945.

In a fire storm, the area of intense burning sucks in oxygen at such a rate that high-speed, cyclone-like ground winds are created, blowing into the fire at speeds which may exceed 100 miles an hour. The Hamburg fire chief, for example, reporting on the fire storm of July 1943, said that many people died from the intense heat even though they were located 150 meters from the nearest burning building.[1]

Both McConnell's classified paper (which was later sanitized and published in the *Air University Review* [2]) and ARPA officials used the term fire storm to describe the burning projects in Vietnam. Chandler says he was asked on a number of occasions during the operation of the project whether a fire storm could be ignited in the humid, tropical jungle. Although lighting a fire storm might be feasible under certain conditions in temperate areas, such as the western United States, Chandler said he told the military it was not feasible to do so in the jungle.

Nonetheless, the fire storm project, as it came to be known, was started under ARPA authorizing order 818. Its final reports are all classified, although some press reports appeared at the time of the attempts. Chandler said he was willing to be interviewed only about those aspects of the project which he had already seen appear in unclassified publications

The project began at the request of CINC PAC, the office of the Commander in Chief of the Pacific which runs operations in Vietnam. Chemical defoliants were then coming into use in the war. However, the jungle canopy, which can extend upward in tiers to a height of 100 feet from the ground, was not transparent enough after defoliating missions. An ARPA spokesman said, "The question posed by CINCPAC was: couldn't we burn the jungle area in the so-called 'hot zones' of infiltration?"

ARPA hired the fire research section of the USDA Forest Service to carry out the order, and offered the support of its 25-member field unit which had been stationed in Vietnam since 1961. The USDA did some preliminary research, then participated in the first "field test"—as ARPA calls it—in the Boi Loi woods near the Iron triangle near Tay Ninh city. The area is due west of Saigon, close to the Cambodia border. As in all the first storm attempts, at the beginning of the dry season Ranch Hand crews defoliated the area, the dead leaves were permitted to dry out for a period, thus preparing the fuel supply. Then ignition was attempted. Hence, in April or May of 1965, a section of the Boi Loi woods was ignited. According to McConnell's paper, the project "Operation Sherwood Forest," was a massive attempt to burn out a defoliated section of the Boi Loi wooods in the hope of denying the enemy an extremely vital base camp area."

Unfortunately, it was raining on the day the field units tried to light the fire. The lighting attempt went ahead, but nothing happened because of the rain. The failure to ignite the woods under the right weather conditions was the reason a second attempt was made a year later.

Chandler recalls two subsequent major attempts, but McConnell's paper implies that there may have been more. "It is interesting to note," McConnell wrote before the Air Force censor deleted the passage, "that during this period and for the next year, several 'fire storm' projects similar to the Boi Loi woods effort were made in conjunction with the Vietnamese Air Force." Asked about this, ARPA officials noted that one of the jobs of the ARPA field unit was to transfer technical skills to the Vietnamese; however, the officials doubted that the incendiary technology was ever successful enough to be passed along to U.S. allies.

The second major burning attempt, code named Hot Tip, was made much farther north, in the Chu Pong Mountains, about halfway between the South Vietnamese cities of Pleiku and Kontum. Ranch Hand crews again defoliated a forest tract probably less than 30 square miles in area. Chandler recalls that the fire was lit sometime in either January, February, or early March of 1966.

"This one wasn't done in the rain," says Chandler. "It was more successful than the first attempt. We recommended some changes afterward, which is why there was a third attempt." Later, an Associated Press account termed this attempt an "incendiary raid" made by "tactical bombers." According to other sources, the fire burned parts of the forest and ground cover, but failed to continue burning, or to spread. One reason, of course, was the high humidity of the jungle. The other was apparently the temperature and wind conditions.

The third and biggest attempt, code named Operation Pink Rose, took place in a Viet Cong stronghold northeast of Saigon near Xuan Loc, in February or early March of 1967. The area staked out for burning was probably 30 square miles. In this case, although weather conditions were perfect, the fire was followed by a rainstorm which put it out. Some accounts say that the fire may have even caused the rainstorm. Thus, all three of the attempts were considered failures.

According to McConnell's original paper, in a passage that was later slightly altered: "One of the highlights of this period [early 1967] was Operation 'Pink Rose,' the third jungle-burning project carried out by Ranch Hand crews. In support of this project, the squadron flew approximately 225 sorties and delivered over a quarter-million gallons of herbicide on selected target areas in War Zones C and D." One military observer, L. L. Herzog, a lieutenant commander, who saw the Pink Rose incendiaries dropping from the sky, was later quoted as saying, "It looked just like the Fourth of July."

Chandler says, "The rain came the evening afterwards. The country doesn't burn well. This is why there was never any expectation on our part that fires were going to spread." Chandler would say only that the incendiaries used for Operation Pink Rose were "of a World War II type" and that after the third attempt, the Forest Service experts who had worked on the project wrote a report to ARPA advising that no further "field tests" or research be carried out.

Much of ARPA's field research in South Vietnam, including the trail sensor network and the foliage penetration radar, has come into wide use in the war. Other projects, such as Pink Rose, which don't work out, are allowed to quietly die. "This was clearly one of those ideas that should have been given the very quietest funeral," an ARPA official said. ARPA briefed the relevant officials in the Air Force and the Office of the Secretary of Defense on USDA's conclusions, and that was that. "It really was a nutty idea to begin with," said an ARPA official.

Despite the unanimous "nyet" of the USDA and ARPA to the feasibility of starting fire storms, or self-propagating fires, in the damp Vietnamese jungle, two questions about the project remain. One is why the term fire storm came to be applied in the first place to the project. McConnell, the former Ranch Hand chief who mentioned fire storms in the course of his paper, said he recalled picking up the term from military sources.

Jay Bentley, a forester, now retired, who was with the fire research service, and headed up the fieldwork for Hot Tip, the second attempt, said he did not recall even hearing the term fire storm in connection with the project until he read it in the newspapers. As to who raised the expectation that a Dresden- or Hamburg-like holocaust would be created in the jungles, Bentley says, "I didn't expect very much to result or think the expectation was very high as far as ARPA was concerned." This statement, as well as ARPA's skeptical attitude toward the project, would seem to imply that the enthusiastic—and horrific—term fire storm emanated from military command sources, over the expert technical advice of the civilians and ARPA.

Another question is what would have happened if the experts had indeed found a way to spark big fires. ARPA sources said unhesitatingly that if Pink Rose had succeeded, the military commanders would have doubtless gone on to use fire-lighting in other situations.

Incendiary technology would have been added, along with herbicides, weather modification, and other environmental weapons, to the DOD arsenal.

Yet, discussing their own role, both the ARPA spokesmen and the Forest Service experts merely claim that they were giving neutral, technical advice. Chandler obviously likes trees, yet he also supports the jungle-burning project because, in his words, "it was part of a military operation" and no villages "friendly or unfriendly" were involved. "This was definitely not a burn-up-people project," he says. And a high ARPA official defends the agency's role thus: "Here was a situation which came up which clearly no one knew what the facts were. . . . We were, as research people asked to look into the technical possibilities and to tell people who make political decision what the facts were." These statements rivet the issue back to the historic claim by scientists that their technical advice is morally neutral and, by implication, divorced from the uses to which the technology they develop is ultimately applied. Perhaps there were no villages involved in what ARPA blandly called the "field tests" of the incendiary projects. Yet clearly there was no insurance that villages would not someday be included in the target area.

The fire storm project is now a mere historical event which its perpetrators would prefer to forget. But another issue may loom very much in the present and future and relates to the matter of ecocide. According to Forest Service experts who have surveyed and inventoried the forest resources of South Vietnam and their alteration due to the war, at least 1 million hectares were defoliated, as of 1967, and that total may have reached 3.5 million by 1969.[3] Defoliation has taken place, not just a few times in a few strategic patches of jungle; some areas have been sprayed for almost 10 years. The tropical hardwood forests of the Mekong Terrace are drier now than they were in 1965–1967 when humidity dampened Pink Rose projects. It is still possible that fires might recur as a mode of warfare in the collective memory of CINCPAC and the military commanders. As one ARPA official said, "If the system has any institutional memory whatever, if this suggestion is ever made again, they'll look into the files and find out it doesn't work."

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[1] "Field notes on World War II German fire experience," title of contract No. N228 (62479)–65419 to Carl F. Miller and James W. Kerr, October 1965, Stanford Research Institute, Menlo Park, Calif.

[2] The sanitized version was published as: A. F. McConnell, Jr., "Mission: Ranch Hand," *Air Univ. Rev.* 21, 89 (1970).

[3] Barry R. Flamm and Jay H. Cravens, "Effects of war damage on the forest resources of South Vietnam," *J. Forest.* 69, 784 (1971).

Exhibit 2

[From the New York Times, July 3, 1972]

Rainmaking Is Used as Weapon by United States—Cloud-Seeding in Indochina Is Said To Be Aimed at Hindering Troop Movements and Suppressing Antiaircraft Fire

(By Seymour M. Hersh)

Washington, July 2.—The United States has been secretly seeding clouds over North Vietnam, Laos and South Vietnam to increase and control the rainfall for military purposes.

Government sources, both civilian and military, said during an extensive series of interviews that the Air Force cloud-seeding program has been aimed most recently at hindering movement of North Vietnamese troops and equipment and suppressing enemy antiaircraft missile fire.

The disclosure confirmed growing speculation in Congressional and scientific circles about the use of weather modification in Southeast Asia. Despite years of experiments with rainmaking in the United States and elsewhere, scientists are not sure they understand its long-term effect on the ecology of a region.

SOME OPPOSED PROGRAM

The weather manipulation in Indochina, which was first tried in South Vietnam in 1963, is the first confirmed use of meteorological warfare. Although it is not prohibited by any international conventions on warfare, artificial rainmaking has been strenuously opposed by some State Department officials.

It could not be determined whether the operations were being conducted in connection with the current North Vietnamese offensive or the renewed American bombing of the North.

EFFECTIVENESS DOUBTED

Beginning in 1967, some State Department officials protested that the United States, by deliberately altering the natural rainfall in parts of Indochina, was taking environmental risks of unknown proportions. But many advocates of the operation have found little wrong with using weather modification as a military weapon.

"What's worse," one official asked, "dropping bombs or rain?"

All of the officials interviewed said that the United States did not have the capability to cause heavy floods during the summer in the northern parts of North Vietnam, where serious floods occurred last year.

Officially, the White House and State Department declined comment on the use of meteorological warfare. "This is one of those things where no one is going to say anything," one official said.

Most officials interviewed agreed that the seeding had accomplished one of its main objectives—muddying roads and flooding lines of communication. But there were also many military and Government officials who expressed doubt that the project had caused any dramatic results.

The sources, without providing details, also said that a method had been developed for treating clouds with a chemical that eventually produced an acidic rainfall capable of fouling the operation of North Vietnamese radar equipment used for directing surface-to-air missiles.

In addition to hampering SAM missiles and delaying North Vietnamese infiltration, the rainmaking program had the following purposes:

Providing rain and cloud cover for infiltration of South Vietnamese commando and intelligence teams into North Vietnam.

Serving as a "spoiler" for North Vietnamese attacks and raids in South Vietnam.

Altering or tailoring the rain patterns over North Vietnam and Laos to aid United States bombing missions.

Diverting North Vietnamese men and material from military operations to keep muddied roads and lines of communication in operation.

KEYED TO MONSOON

The cloud-seeding operations necessarily were keyed to the two main monsoon seasons that affect Laos and Vietnam. "It was just trying to add on to something that you already got," one officer said.

Military sources said that one main goal was to increase the duration of the southwest monsoon, which spawns high-rising cumulus clouds—those most susceptible to cloud-seeding—over the panhandle areas of Laos and North Vietnam from May to early October. The longer rainy season thus would give the Air Force more opportunity to trigger rainstorms.

"We were trying to arrange the weather pattern to suit our convenience," said one former Government official who had detailed knowledge of the operation.

According to interviews, the Central Intelligence Agency initiated the use of cloud-seeding over Hue, in the northern part of South Vietnam. "We first used that stuff in about August of 1963," one former CIA agent said, "when the Diem regime was having all that trouble with the Buddhists."

"They would just stand around during demonstrations when the police threw tear gas at them, but we noticed that when the rains came they wouldn't stay on," the former agent said.

"The agency got an Air America Beechcraft and had it rigged up with silver iodide," he said. "There was another demonstration and we seeded the area. It rained."

A similar cloud-seeding was carried out by C.I.A. aircraft in Saigon at least once during the summer of 1964, the former agent said.

EXPANDED TO TRAIL

The intelligence agency expanded its cloud-seeding activities to the Ho Chi Minh supply trail in Laos sometime in the middle nineteen-sixties, a number of Government sources said. By 1967, the Air Force had become involved although, as one former Government official said, "the agency was calling all the shots."

"I always assumed the agency had a mandate from the White House to do it," he added.

A number of former CIA and high-ranking Johnson Administration officials depicted the operations along the trail as experimental.

The art had not yet advanced to the point where it was possible to predict the results of a seeding operation with any degree of confidence, one Government official said. "We used to go out flying around and looking for a certain cloud formation," the officials said. "And we made a lot of mistakes. Once we dumped seven inches of rain in two hours on one of our Special Forces camps."

Despite the professed skepticism on the part of some members of the Johnson Administration, military men apparently took the weather modification program much more seriously.

According to a document contained in the Pentagon papers, the Defense Department's secret history of the war, weather modification was one of seven basic options for stepping up the war that were presented on request by the Joint Chiefs of Staff to the White House in late February, 1967.

The document described the weather program over Laos—officialy known as Operation Pop-Eye—as an attempt "to reduce trafficability along infiltration routes."

It said that Presidential authorization was "required to implement operational phase of weather modification process previously successfuly tested and evaluated in same area." The brief summary concluded by stating that "risk of compromise is minimal."

A similar option was cited in another 1967 working document published in the Pentagon papers. Neither attracted any immediate public attention.

The Laos cloud-seeding operations did provoke, however, a lengthy and bitter, albeit secret, dispute, inside the Johnson Administration in 1967. A team of State Department attorneys and officials protested that the use of cloud-seeding was a dangerous precedent for the United States.

"I felt that the military and agency hadn't analyzed it to determine if it was in our interest," one official who was involved in the dispute said. He also was concerned over the rigid secrecy of the project, he said, "although it might have been all right to keep it secret if you did it once and didn't want the precedent to become known."

The general feeling was summarized by one former State Department official who said he was concerned that the rainmaking "might violate what we considered the general rule of thumb for an illegal weapon of war—something that would cause unusual suffering or disproportionate damage." There was also concern he added, because of the unknown ecological risks.

A Nixon Administration official said that he believed the first use of weather modification over North Vietnam took place in late 1968 or early 1969 when rain was increased in an attempt to hamper the ability of antiaircraft missiles to hit American jets in the panhandle region near the Laotian border.

Over the next two years, this official added, "it seemed to get more important—the reports were coming more frequently."

It could not be learned how many specific missions were carried out in any year.

One well-informed source said that Navy scientists were responsible for developing a new kind of chemical agent effective in the warm stratus clouds that often shielded many key antiaircraft sites in northern parts of North Vietnam.

The chemical, he said, "produced a rain that had an acidic quality to it and it would foul up mechanical equipment—like radars, trucks and tanks."

"This wasn't originally in our planning," the official added, "it was a refinement."

Apparently, many Air Force cloud-seeding missions were conducted over North Vietnam and Laos simply to confuse or "attenuate"—a word used by many military men—the radar equipment that controls antiaircraft missiles. The planes used for such operations, C–130's, must fly at relatively slow speeds and at altitudes no greater than 22,000 feet to disperse the rainmaking chemicals effectively.

A number of officials confirmed that cloud-seeding had been widely used in South Vietnam, particularly in the north along the Laos border. "We tried to use it in connection with air and ground operations," a military officer explained.

One Government official explained more explicitly that "if you were expecting a raid from their side, you would try to control the weather to make it more difficult." This official estimated that more than half of the actual cloud-seeding operations in 1969 and 1970 took place in South Vietnam.

Much of the basic research was provided by Navy scientists, and the seeding operations were flown by the Air Weather Service of the Air Force.

By 1967, or possibly earlier, the Air Force flights were originating from a special operations group at Udorn air base in Thailand.

No more than four C-130's, and usually only two, were assigned in the highly restricted section of the base. Each plane was capable of carrying out more than one mission on one flight.

One former high-ranking official said in an interview that by the end of 1971 the program, which had been given at least three different code names since the middle nineteen-sixties, was under the direct control of the White House.

Interviews determined that many usually well-informed members of the Nixon Administration had been kept in the dark.

In the last year, there have been repeated inquiries and publicly posed questions by members of Congress about the weather modification programs in Southeast Asia, but no accurate information has been provided to them by the Department of Defense.

"This kind of thing was a bomb, and Henry restricted information about it to those who had to know," said one well-placed Government official, referring to Henry A. Kissinger, the President's adviser on national security.

Nonetheless the official said, "I understood it to be a spoiling action—that this was descriptive of what was going on north of the DMZ with the roads and the SAM sites."

Another source said that most of the weather modification activities eventually were conducted with the aid and support of the South Vietnamese. "I think we were trying to teach the South Vietnamese how to fly the cloud-seeding missions," the source said.

It was impossible to learn where the staffing and research for the secret weather operation were carried out. Sources at the Air Force Cambridge Research Laboratories at Hanscomb Field in Bedford, Mass., and at the Air Weather Service headquarters, while acknowledging that they had heard of the secret operation, said they had no information about its research center.

One Government source did say that a group was "now evaluating the program to see how much additional rain was caused." He would not elaborate.

EXHIBIT 3

VIETNAM WAR ECOLOGICAL DAMAGE ASSESSMENT ACT OF 1972

Mr. NELSON. Mr. President, suppose we took gigantic bulldozers and scraped the land bare of trees and bushes at the rate of 1,000 acres a day or 44-million square feet a day until we had flattened an area the size of the State of Rhode Island, 750,000 acres.

Suppose we flew huge planes over the land and sprayed 100-million pounds of poisonous herbicides on the forests until we had destroyed an area of prime forests the size of the State of Massachusetts or 5½ million acres.

Suppose we flew B-52 bombers over the land dropping 500-pound bombs until we had dropped almost 3 pounds per person for every man, woman, and child on earth—8 billion pounds—and created 23 million craters on the land measuring 26 feet deep and 40 feet in diameter.

Suppose the major objective of the bombing is not enemy troops but rather a vague and unsuccessful policy of harassment and territorial denial called pattern or carpet bombing.

Suppose the land destruction involves 80 percent of the timber forests and 10 percent of all the cultivated land in the Nation.

We would consider such a result a monumental catastrophe. That is what we have done to our ally, South Vietnam.

While under heavy pressure the military finally stopped the chemical defoliation war and has substituted another massive war against the land itself by a program of pattern or carpet bombing and massive land clearing with a huge machine called a Rome Plow.

The huge areas destroyed pockmarked, scorched, and bulldozed resemble the moon and are no longer productive.

This is the documented story from on-the-spot studies and pictures done by two distinguished scientists, Prof. E. W. Pfeiffer and Prof. Arthur H. Westing. These are the same two distinguished scientists who made the defoliation studies that alerted Congress and the country to the grave implications of our chemical warfare program in Vietnam, which has now been terminated.

The story of devastation revealed by their movies, slides, and statistics is beyond the human mind to fully comprehend. We have senselessly blownup, bulldozed over, poisoned, and permanently damaged an area so vast that it literally boggles the mind.

Quite frankly, Mr. President, I am unable adequately to describe the horror of what we have done there.

There is nothing in the history of warfare to compare with it. A "scorched earth" policy has been a tactic of warfare throughout history, but never before has a land been so massively altered and mutilated that vast areas can never be used again or even inhabited by man or animals.

This is impersonal, automated, and mechanistic warfare brought to its logical conclusion—utter, permanent, total destruction.

The tragedy of it all is that no one knows or understands what is happening there, or why, or to what end. We have simply unleashed a gigantic machine which goes about its impersonal business destroying whatever is there without plan or purpose. The finger of responsibility points everywhere but nowhere in particular. Who designed this policy of war against the land, and why? Nobody seems to know and nobody rationally can defend it.

Those grand strategists who draw the lines on the maps and order the B-52 strikes never see the face of that innocent peasant whose land has been turned into a pock-marked moon surface in 30 seconds of violence without killing a single enemy soldier because none were there. If they could see and understand the result, they would not draw the lines or send the bombers.

If Congress knew and understood, we would not appropriate the money.

If the President of the United States knew and understood, he would stop it in 30 minutes.

If the people of America knew and understood, they would remove from office those responsible for it, if they could ever find out who is responsible. But they will never know because nobody knows.

By any conceivable standard of measurement, the cost benefit ratio of our program of defoliation, carpet bombing with B-52's, and bulldozing is so negative that it simply spells bankruptcy. It did not protect our soldiers or defeat the enemy, and it has done far greater damage to our ally than to the enemy.

These programs should be halted immediately before further permanent damage is done to the landscape.

The cold, hard, and cruel irony of it all is that South Vietnam would have been better off losing to Hanoi than winning with us. Now she faces the worst of all possible worlds with much of her land destroyed and her chances of independent survival after we leave in grave doubt at best.

This has been a hard speech to give and harder to write because I did not know what to say or how to say it—and I still do not know. But I do know that when the Members of Congress finally understand what we are doing there, neither they nor the people of this Nation will sleep well that night.

For many reasons I did not want to make this speech but someone has to say it, somewhere, sometime.

Mr. President, I ask unanimous consent that the following statistics, which were provided by Dr. Arthur H. Westing and which will appear in a forthcoming publication, be printed in the RECORD at this point.

There being no objection, the statistics were offered to be printed in the RECORD, as follows:

MUNITIONS EXPENDITURES

[In millions of pounds]

Year	South Vietnam	North Vietnam	South Laos	North Laos	Cambodia	Total Indochina
1965	594	65	60	10	0	630
1966	1,778	255	135	20	0	2,188
1967	3,634	415	200	30	0	4,278
1968	5,185	330	310	40	0	5,866
1969	4,674	0	490	420	0	5,583
1970	3,333	0	655	240	115	4,344
Total	19,099	1,065	1,850	760	115	22,889

ECOLOGICAL IMPACT

Country	Number of craters (millions)	Area with "shrapnel" (million acres)	Area cratered (thousand acres)	Earth displaced (million cu. yds.)
South Vietnam	19.1	23.9	309.9	2,500
Military region I	(6.1)	(7.6)	(98.4)	(794)
Military region II	(3.8)	(4.8)	(62.0)	(500)
Military region III	(8.3)	(10.3)	(134.2)	(1,083)
Military region IV	(.9)	(1.2)	(15.3)	(124)
North Vietnam	1.1	1.3	17.3	139
Laos	2.6	3.3	42.4	342
Southern Laos	(1.8)	(2.3)	(30.0)	(242)
Northern Laos	(.8)	(1.0)	(12.3)	(99)
Cambodia	.1	.1	1.9	15
Total Indochina	22.9	28.6	371.4	2,996

ALL INDOCHINA

[In millions of pounds]

Year	Air munitions	Surface munitions	Total munitions
1965	630		630
1966	1,024	1,164	2,188
1967	1,866	2,413	4,278
1968	2,863	3,003	5,866
1969	2,774	2,808	5,583
1970	1,955	2,389	4,344
Total	11,112	11,777	22,889

IMPACT OF U.S. MUNITIONS

[In pounds]

Expenditure	South Vietnam	North Vietnam	Laos	Cambodia	Total Indochina
Per acre	466	26	45	3	125
Per person	1,091	58	992	18	513

B-52—ASSUMING AN AVERAGE OF 7 SORTIES PER MISSION

[In numbers of missions]

Year	Military region I	Military region II	Military region III	Military region IV	Total *South* Vietnam
1967	527	284	269	10	1,090
1968	1,137	644	1,143	148	3,072
1969	319	440	1,777	98	2,634
1970	624	274	366	150	1,414
Total	2,607	1,642	3,555	406	8,210

Note: Although breakdowns for 1965 and 1966 are not available, the totals approximate 138 and 550, respectively.

EXHIBIT 4

[From the CONGRESSIONAL RECORD, Aug. 25, 1970]

ENVIRONMENTAL WARFARE

Mr. NELSON. Mr. President, in 1962, with no idea of what the consequences would be, the United States began a new form of warfare on the environment of Vietnam that is likely to have future disastrous reactions on all forms of life in that small Southeast Asian nation.

In a little more than 8 years, the United States has sprayed more than 100 million pounds of assorted herbicide chemicals over more than 5½ million acres of Vietnam to defoliate forests and kill food crops allegedly grown to supply enemy forces. The United States has sprayed enough chemicals to amount to 6 pounds for every man, woman and child in that country.

Never in history has any nation ever declared war on the environment of a nation, and the United States has embarked on this unprecedented ecological experiment without adequately investigating the chemicals used to see if they would have any dangerous consequences to humans and all other forms of plant and animal life.

This Nation may well have set an ecologic time fuse in Vietnam that will reverberate down the life chain causing widespread destruction by wiping out forms of plant, animal, and aquatic life that can never be replaced, with implications for the people who live there that cannot be evaluated until some time in the future.

Distinguished scientists the world over are becoming increasingly alarmed over man's massive environmental intrusions which are disrupting life systems on a global scale. If for another 50 years we pursue the present course of unabated accelerating pollution of the land, the air, and the water, it spells disaster of unmeasurable proportions. Neither conventional nor nuclear war poses a threat as certain or as serious.

Among the critical environmental pollutants is a class of chemicals called herbicides, now being widely used as defoliants and plant killers. The immediate question is whether we will have the foresight at this point in history to eliminate this chemical as an instrument of war.

Several questions require urgent consideration:

If our role is to defend Vietnam, how can we risk destroying the environment in which they must survive when we leave?

Do we intend to be the only country in the world that defends these chemicals as valid military weapons?

By our continued use do we intend to put out stamp of legality on it?

If we claim the right to destroy agricultural crops with it on the theory that it denies food to the enemy, what real limits are there to its use? Will it not then provide justification for any country in the future to engage in starvation warfare by spraying all crops on the ground that it is necessary in order to deny food to the fighting troops?

If in World War II these chemicals had been available and used by all countries in the same density as we have used it in Vietnam—6 pounds per person—what would be the worldwide consequences?

This is a cheap weapon, and it does not take much sophistication to use it. Do we endorse the proliferation of this weapon into the hands of all nations, developed and developing alike, so that they can engage in anticrop and environmental warfare?

Measured in the long view and, in fact, in the short view, is it not in the best interest of our Nation and the world that we now renounce its use in a worldwide agreement to eliminate it as an instrument of warfare?

Independent scientists have only recently begun to study the cancer-causing, mutation-inducing and fetal-deforming effects of the chemicals used to remove the leaves from plants and destroy food crops.

Dr. Arthur W. Galston, a Yale University biologist and a distinguished authority on herbicides, warned in a recent Washington, D.C., conference that the environmental warfare the United States is conducting in Vietnam may "so alter the ecology of a large region that permanent scars will be left."

In a transcript of his remarks that will appear in the forthcoming book, "War Crimes and the American Conscience," edited by Erwin Knoll and Judith Nies McFadden, Galston charged:

"It seems to me that the willful and permanent destruction of environment in which a people can live in a manner of their own choosing ought similarly to be designated by the term ecocide. . . . At the present time, the United States stands alone as possibly having committed ecocide against another country, Vietnam, through its massive use of chemical defoliants and herbicides."

Mr. President, we will be voting on this amendment which I introduced on July 16, 1970, for myself and Senator CHARLES GOODELL and nine cosponsors. It is the environmental warfare amendment to the military authorization bill for procurement, H.R. 17123.

The amendment would terminate the use of herbicides by the United States as an instrument of war in Vietnam and elsewhere. Specifically, it would prohibit the United States from using antiplant chemicals for military application, would prevent the transfer of such weapons and the equipment necessary to spread the chemicals to another country for it to use, and would provide for the elimination of the present stockpile of the chemical compounds and all herbicidal equipment related to such use—directing the equipment be used for other purposes.

The chairman of the Senate Armed Services Committee is to be commended for taking the initial step in attempting to find out what the effects of the environmental warfare program have been in Vietnam. Section 506(c) of the military authorization bill for procurement calls for the Secretary of Defense to enter into appropriate arrangements with the National Academy of Sciences for the purpose of conducting a comprehensive study and investigation to determine the ecological and physiological dangers inherent in the use of herbicides and the ecological and physiological effects of the defoliation program carried out by the Department of Defense in South Vietnam. The report is to be transmitted by the Secretary of Defense to the President and the Congress by March, 1972.

A comprehensive study should, of course, be made, but even the Department of Defense has said such a comprehensive study could not be completed in any meaningful way in the next 18 months because it will take much longer to accurately know what the consequences will be from our extensive use of herbicides. A further complication is that most of the defoliated area is still under enemy control and it will not be possible to get into those areas with a scientific investigating team until the war has ended.

The Department of Defense failed in its responsibility to carefully study the long-range effects of the use of herbicides on man, his environment and the vast array of creatures living there before engaging in this intolerable kind of chemical warfare that may cause irreversible and disastrous future damage.

In 1969, the General Assembly of the United Nations passed by a vote of 80 to 3 a resolution that declared the use of military herbicides a form of chemical warfare which is forbidden under the Geneva Protocol. The United States, Australia, and Portugal were the only dissenters.

The United States has pledged itself to uphold the Geneva Protocol ban against the first use of chemical weapons, but has never officially ratified the agreement. Instead, the United States has been actively using antiplant chemicals in unprecedented amounts in Vietnam and has the questionable distinction of setting the precedent in this kind of warfare.

Just last week the President sent the 1925 Geneva Protocol agreement to Congerss to approve its ratification, but argued that the use of tear gas and chemical herbicides were not to be considered as part of the 45-year-old ban. The President's action is to be applauded especially since this country is the only major military power in the world not to have signed the agreement. Environmental warfare through the use of herbicides, however, is irresponsible, and we have now learned enough about the dangerous implications of environmental warfare to join the other responsible nations of the world who have prudently agreed it is a dangerous activity that must be stopped.

Even before the Geneva Protocol agreement, the United States was party to the "Hague Regulations With Respect to the Law and Customs of War and Land" annexed to the Hague Convention of 1907. Article 23, paragraph (a) of those regulations specifically states:

"It is especially forbidden to employ poison or poisoned weapons."

The Army has interpreted this restriction in its Field Manual, Law of Land Warfare, FM 27–10, page 18, which states:

"Relevant treaty position is that it is especially forbidden to employ poisoned weapons.

"The foregoing rule does not prohibit measures being taken to destroy through chemical or bacterial agents harmless to man, crops intended solely for consumption by the Armed Forces (if that fact can be determined)."

In light of these policy positions, two major points are raised. First, are we sure that we are not employing a poisonous chemical harmful to man to destroy crops? Have there been any tests conducted in Vietnam to determine conclusively that agent blue, which contains cacodylic acid, has not poisoned North Vietnamese, Vietcong or South Vietnamese? The areas sprayed, by the Department of Defense's own admission, are remote and controlled by the guerrillas. So it is virtually impossible to know whether we are or are not violating the Hague Convention until the war is over.

How do we know that the only crops destroyed are "intended solely for consumption by the Armed Forces—if that fact can be determined? Some 500,000 acres of rice and other food crops have been destroyed since 1962. Up until 1967 or 1968, agent blue rained down on rice paddies in areas controlled by the guerrillas.

It is well proven that a substantial percentage of the food crops killed were grown by civilians for civilians. There have been studies conducted by and for the Department of Defense that differ greatly over the military effectiveness of the anti-crop program, including the point about whether and to what extent civilian crops are affected.

The Army steadfastly maintains that 100 percent of crops destroyed by chemicals are grown by or for the Vietcong. Even that stand can be challenged by a glaring gap in its logic. The Army is obviously assuming that any rice crop grown for guerrillas is for them exclusively, with no part of the crop intended for consumption by non-Communist farmers.

The weakness of that assumption was evident in hearings of the House Sobcommittee on National Security Policy and Scientific Developments, chaired by Representative Clement Zablocki, (Democrat of Wisconsin), entitled "Chemical-Biological Warfare: U.S. Policies and International Effects," in November and December 1969. These important hearings dealt at length with the use of herbicides and tear gases in Vietnam. One of the witnesses, Rear Adm. William E. Lemos, Director, Policy Plans and National Security Council Affairs, Office of the Assistant Secretary of Defense for International Security Affairs, was questioned on the anticrop program.

A dialog between Congressman Fraser, (Democrat of Minnesota), and Admiral Lemos follows:

"Mr. FRASER. Your statement on crop destruction on page 13 says that crops in areas remote from friendly populations and known to belong to enemy that cannot be captured by the ground operations are sometimes sprayed.

"Admiral LEMOS. We are really talking about very isolated crops in areas of known Vietcong and North Vietnamese army units, and which are clearly a part of that complex and being grown by them, or by people forced by them to grow for them.

"Mr. FRASER. How can you determine whether or not the crops are being grown by direction of the VC?

"Admiral LEMOS. By the proximity of the main force VC and North Vietnamese units and by information derived from the people in the surrounding area.

"Mr. FRASER. As I understand it, we are under an injunction under the Hague Convention not to destroy crops which may be in part for the use of the population, is that right?

"Admiral LEMOS. Yes, sir.

"Mr. FRASER. How are we able to verify adequately whether or not the crops are in fact aimed just for the fighting units or may not, in fact, be intended for noncombatants—I know that is a difficult problem in this kind of war.

"Admiral LEMOS. It is very difficult.

"Mr. FRASER. How do we determine that under these circumstances?

"Admiral LEMOS. As I indicated, we take extensive aerial photographs of every area where such a proposal is made and those aerial photographs are very carefully analyzed by a broad spectrum of people and if the crops are close to populated areas, they are not subjected to herbicides.

"Mr. FRASER. What do you mean by "populated areas?"

"Admiral LEMOS. I can't give you the specific cutoff, but the crop destruction program is associated with enemy camp areas and not the villages and hamlets.

"Mr. FRASER. How can you be sure (that you are destroying only guerrilla crops)?

"Admiral LEMOS. All you can do is the best possible.

"Admiral LEMOS (continuing). There has to be substantial evidence that the crops are being grown specifically for the use of Vietcong troops and North Vietnamese troops."

During the same hearings, Thomas R. Pickering, Deputy Director, Bureau of Political Military Affairs, Department of State, commented on the degree of proof in an anti-crop mission. He said agent blue was used where it is believed that the food crops involved are for the use of the Vietcong and North Vietnamese military forces in the area. Without getting into a discussion on what degree of certainty each of these Government officials had in mind and without revealing testimony discussed during executive session to demonstrate the counterproductive aspects of this policy. Admiral Lemos' comments are very revealing. Lemos said that crops are sprayed only in areas that cannot be captured by ground action.

The admiral admitted that in making the "yes" and "no" decision "all you can do is the best you can." If, as some sources have indicated, a substantial percentage of all crops destroyed—500,000 acres, or 781 square miles—were to be consumed at least in part by friendly South Vietnamese, then the "our best" is incredibly poor or else the product of gross negligence.

The antiplant program in Vietnam and the anticrop program in particular are having adverse effects on the noncombatant South Vietnamese. The report of the Student Task Force for Washington Research on Chemical-Biological Warfare, prepared by a group of Princeton students on June 1, 1970, is a well-documented analysis of the herbicide program. The report states:

"The main result of the food denial program seems to have been the creation of thousands of refugees. When their crops turn yellow and die, peasants are forced to leave their homes and travel to the cities or to refugee camps maintained by the Saigon government at American expense. Food may be available here, but the living conditions are less than desirable. Abhorrent though the thought is to American civilians, the creation of refugees seems to have been and may still be the ultimate goal of the program. Representative Richard C. McCarthy (in his book, *The Ultimate Folly*) quotes ex-Presidential Science Advisor, Donald F. Hornig, as saying that the program is designed to force farmers outside of American/South Vietnamese held areas to abandon their farms and move into our sphere of influence. The Department of Defense denies that this is their goal, but even they cannot deny that this is a result of a program they insist on continuing."

The ad hoc international scientific commission composed of four scientists—Drs. A. H. Westing, plant physiologist, and E. W. Pfeiffer, animal physiologist, both of the United States; and Dr. Jean Lavorel, plant biophysicist, and Leon Matarasso, lawyer both of France—in their "Report on Herbicidal Damage by the United States in Southeastern Cambodia," presented a graphic example of the effects of herbicidal warfare on the civilian population:

"A large variety of garden crops (both agricultural and horticultural) were devastated in the seemingly endless number of small villages scattered throughout the affected area. Virtually all of the *ca.* 30,000 local inhabitants are subsistence farmers that depend for their well-being upon their own local produce. These people saw their crops, then growing, literally wither before their eyes. Indeed, it was the widespread death of the vegetables that heralded the rest of the damage to the area. Their then current crops of vegetables of numerous kinds, pineapples, of jackfruit, of papayas, and of many more were simply destroyed.

The stated policy of the military is to use herbicides in remote areas of low population "not exceeding eight persons per square kilometer" or 21 persons per square mile. Yet, evidence has indicated that crops have been destroyed in areas where the population density is as great as 1,000 person per square mile.

Even more damaging is the Department of Defense's public admission:

"Approval (for anti-crop mission) includes arrangement for indemnification, if later necessary, as well as plans for supplying food to the South Vietnamese who might thereby be denied food sources."

General Blanchard, in his official statement in a briefing with Senator THOMAS McINTYRE, said:

"Such targets (anti-crop targets) are carefully selected so as to attack only those crops known to be grown by or for the Viet Cong or North Vietnamese."

If, as Admiral Lemos admits, it is difficult to make that determination, and if we only attack Vietcong or North Vietnamese crops as General Blanchard so categorically states, then why do we enunciate a policy of paying those South Vietnamese citizens who are deprived of their food source? It would seem clear that this is an obvious violation of the Hague Convention of 1907.

Alarming reports from official Government sources and independent scientists are beginning to show that the careless use of antiplant chemicals may be endangering a vast variety of plant and animal life and in some places destroying vital soil organisms. Distinguished scientists fear, for example, that vast timber areas sprayed as suspected Vietcong hiding places may not recover, or may take a number of years returning to normal growth. No one can accurately predict what some of the chemicals used will do to other organisms and plant and animal life, but recent research is proving that it is not enough to study whether a chemical is toxic to animals.

Until the past 5 or 10 years, researchers testing a new chemical were satisfied if the agent fed to a laboratory animal did not kill him. They know now that that is not enough. Some chemicals which are harmless in a toxicity test, will later turn out to be carcinogenic—cancer-inducing, mutagenic—mutation inducing, or teratogenic—inducing abnormalities in developing embryos. The thalidomyde disaster of a few years ago and other recent findings linking cancer with seemingly "safe" chemicals and food additives, points to the need to test new compounds in more sophisticated ways to determine that they will not be harmful to humans and other forms of life.

This kind of careful, sophisticated testing was not conducted on the herbicidal compounds before the United States began using them in Vietnam.

The U.S. environmental warfare program moved from limited testing in 1961–62 to the reduction of foliage along roads and waterways in 1963. In 1964, the military began destroying crops allegedly grown by or for the enemy forces and then began spraying large tracts of swamp and forests in 1965–66. By 1967–68, more than 2,000 square miles a year were sprayed at an annual expenditure of some 8 million gallons of the chemicals. By 1970, 5½ million acres, or 12 percent of Vietnam was defoliated, an area about the size of the State of Massachusetts.

Three herbicide compounds used in Vietnam are known by the code names—agents orange, white, and blue. Orange and white are defoliants and agent blue is used to destroy crops.

Agent orange is a mixture of 2,4-D and 2,4,5-T and was the most common herbicide used in Vietnam. White is a mixture of 2,4-D and picloram in a water base. It is less volatile than orange and hence is used where drift damage to friendly crops is feared. Blue is a water solution of cacodylic acid and is used to destroy rice and other food crops.

Of the four chemicals used in the three herbicides, two have been tested extensively. The chemical 2,4,5-T was shown to cause fetal deformities in chicken embryos, mice, and rats. Because of these findings, the U.S. Surgeon General restricted the domestic use of the chemical. The following day, April 15, 1970, the Deputy Secretary of Defense banned the use of Agent Orange in Vietnam. Up to that point, the United States had sprayed 40 million pounds of 2,4,5-T over the Vietnam landscape.

The chemical 2,4-D has also been shown to cause fetal deformities in tests on chicken embryos and hamsters. Comprehensive testing of this chemical is continuing at Food and Drug Administration laboratories and the National Institute of Environmental Health Sciences. The Surgeon General has not imposed restrictions on 2,4-D because he said the tests were still not conclusive enough.

While some tests are underway, the attention the Federal Government gave 2,4,5-T and 2,4-D has not been given picloram and cacodylic acid.

Picloram is a highly persistent chemical that some scientists maintain is the herbicidal equivalent of DDT. Like DDT, picloram has been used extensively both domestically and internationally without any comprehensive studies to determine what long-term effect it has on the natural environment.

After some 26 years of extensive and widespread usage, it was not until Rachel Carson published her dramatic volume, "Silent Spring," that extensive studies finally showed that DDT was a persistent, long-lasting chemical compound that had spread throughout the environment, endangering many species of life and causing serious future consequences no one can predict. Government experts have admitted that they do not know how long-lasting or persistent picloram is.

With the discontinuation of Agent Orange containing 2,4,5-T, picloram was given greater usage in Vietnam because it appeared to be innocuous. In feeding tests with laboratory animals it showed up quite nonpoisonous.

Recent tests, however, presently being performed by W. T. Jackson and O. R. McIntyre at Dartmouth University have shown that the chemical causes an inhibition of protein synthesis in human white blood cells tested outside the body in test vessels and an inhibition of normal cell division patterns. Preliminary research at the Food and Drug Administration is finding some malformation in development induced by this compound.

The lengthy life picloram has in the soil was reported in an article in the Dow Chemical Co. house organ, "Down to Earth." The magazine of the company that produces the chemical compound said that in certain soils less than 3.5 percent of picloram disappears after 467 days; in other soils as much as 20 percent disappears.

Those are remarkably low levels of disappearance and if picloram is applied to soils year after year, scientists predict that a gradual build-up is inevitable. The fact that picloram apparently has an effect on cell division together with the fact that no single microorganism is known which will degrade picloram, graphically shows that in some respects this herbicide is as dangerous as DDT and is so persistent that it should not be used as a herbicide in any indiscriminate manner.

The fourth herbicide used in Vietnam, cacodylic acid, is 54 percent arsenic. It is alleged in the usual feeding toxicity tests to be no more toxic than aspirin. Research scientists report that cacodylic acid in an organic state is generally not considered harmful. They warn, however, that no one knows if some microorganism in the soil or water might react with the relatively stable arsenic atoms and transform the chemical into a deadly compound that could cause catastrophic ecological consequences.

Scientists have warned that there are several other possible long-term ecological dangers from the military application of chemical defoliants in Vietnam. They include laterization, or irreversible hardening of soil no longer protected from the sun by foliage; permanent destruction of mangrove swamp forests; poisoning of aquatic life by runoff into the water system, elimination of many forms of animal life and opening up vast areas to the permanent invasion of fast-spreading undesirable plants like bamboo, forcing out the future growth of normal plant life.

The implications of herbicidal warfare in Vietnam were discussed in part recently at hearings before the Senate Committee on Foreign Relations. In response to questions from the committee chairman Donald G. MacDonald, the Director, U.S. Agency for International Development, Vietnam, since 1966 said:

"The damage done to the economy on the permanent basis is a subject of great interest obviously to me as the head of the AID program in South Vietnam, and I have studied it rather closely. There is, I suppose one could say, an enormous physical loss of forests as a result of defoliation."

Hardwood forests cover about two-thirds of Vietnam and formally employed about 80,000 persons in the timber industry. About 2,500,000 acres have been sprayed with one treatment of agent orange, causing a 10 to 20 percent permanent kill. Another 1,250,000 acres have been sprayed two or more times with a 50 to 100 percent permanent kill.

Without even considering the incalcuable ecological implications of such extensive killing of trees and plants, the destruction of so much timber could be a very serious economic blow to Vietnam since timber is potentially the greatest export of the country.

The long-term effect of massive spraying upon the forest and its life systems is anybody's guess—and it is a matter too important to guess about.

Two zoologists, Gordon H. Orians and E. W. Pfeiffer, in a recent article on the "Ecological Effects of the War in Vietnam" in Science magazine found that the almost complete destruction of all the vegetation on the mangrove areas that had been sprayed had a severe effect upon the animals living there:

"During our tour of the defoliated areas, we did not see a single species of insectivorous (insect eating) or frugivorous (fruit eating) birds with the exception of barn swallows . . . which are migrants from the north."

An international scientific investigative team, assessing the damages to the unexplained defoliation of some 173,000 acres in Cambodia which occurred in late April and early May 1969, said in their December 1969 report:

"It is interesting to note that eastern Cambodia in general has experienced quite a substantial increase in a variety of wildlife, apparently driven out of Vietnam by the defoliation and other ravages of war. Included are munjacs, and other species of deer, wild cattle (Gaurs, Bantengs and some Koupreys) elephants, a number of monkeys species and wild pigs."

Dr. J. B. Neilands, a University of California biochemist, has listed some of the animal species of Vietnam which are known to be in danger of extinction. The douc langur and the Indochinese gibbon, both on the verge of extinction, it is feared, will be wiped out completely since these creatures exist exclusively on a variety of plants growing in the heavily defoliated areas.

It can be supposed that some will argue that the destruction of some animal and plant species is relatively unimportant in relation to the war effort. But if the wildlife is being destroyed, what then is happening to the delicate tropical ecosystems comprising the complex relationship of all plant and animal life? A even more pressing question is what effect, direct and indirect does the herbicide program have on the people of South Vietnam? And finally, what exactly are the limits, if any, to a military program such as this and what are the moral implications?

The poisoning of aquatic life by runoff into the water system is a real problem in Vietnam. Marine fauna are known to be injured and killed by 2,4-D and 2,4,5-T, the major defoliant chemicals. Tests of the effect of from one to two parts per million of 2,4-D showed it had a deleterious effect on mayfly nymphs, leeches, clams, and snails.

Dr. Galston point out that—

"The estuarine environment in which the mangrove grows is tremendously important to shellfish and migratory fish, which deplete a portion of their life cycle in the ecosystem enveloped by the mangrove roots. With these plants killed, the fish will probably go elsewhere. This will lead to a decline in the fish and shellfish catch, which constitutes an important source of protein and essential amino acids."

In 1968, aware that there was little data on the ecological effects of the military use of herbicides in Vietnam, the State Department sent F. H. Tschirley of the Department of Agriculture to make a 30-day study. Tschirley's report indicated the military defoliation program "is having a profound effect on plant life in Vietnam."

One of the long-range effects that Tschirley found was in the massive destruction of mangrove forests. He declared that mangroves are extremely susceptible to defoliants and that one application was sufficient to kill most trese. He reported visiting the Rung Sat Peninsula that was still completely barren, even though it had been sprayed years earlier. He estimated it would take about 20 years for the reestablishment of a mangrove forest.

Zoologists Gordon H. Orians and E. W. Pfeiffer in their recent Science magazine article argued, however, that Tschirley's estimate was conservative because it was based on the assumption of the immediate redistribution of seeds to the defoliated areas and the presence of suitable germination conditions when they arrive.

Emphasizing the lack of knowledge on the use of defoliants, the zoologists contended that there is reason to believe that the timetable for mangrove regrowth may well be longer than 20 years.

There are areas of sprayed mangrove forests in Vietnam defoliated in 1961 that still have shown no significant recovery.

Most of the defoliation has occurred along a strip extending from the northern boundary of South Vietnam through the center of the country halfway to the southern tip and also along the Ho Chi Minh Trail from Laos as it leads into South Vietnam. Defoliation on a smaller scale is being conducted in Thailand. The ecology of tropical forests is discussed in "A Legacy of Our Presence: The Destruction of Vietnam," prepared by the Stanford biology study group. The report states:

"Tropical forests and soils are very different from those in the temperate zone. Thus to understand the long-term effects of the war in Southeast Asia it is necessary to describe ceratin characteristics of tropical forests and soils.

"One such feature is the intricate interdependence of the plants and animals. For instance, the trees of tropical forests depend entirely upon insects, birds and bats (rather than wind) for pollination. Birds, bats and ground dwelling mammals are responsible for dispersing seeds from the parent plants to new clearings. These complex plant-animal relations have reached their greatest intricacy in tropical forests because of the mild and predictable climate. Animals can be active the year around because many flowering and fruiting trees provide food continuously. Massive defoliation means an end to this reliable food supply and death for those animals that are most important to the survival of the forest plants."

The U.S. defoliation program has set the stage for irreversible environmental damage. The flora and fauna depend on one another. If you destroy one, you almost inevitably destroy the other.

The study group also discused the unique problem of laterization, or the irreversible hardening of soil no longer protected from the sun by foilage. The report stated:

"From 30 to 50 percent of Vietnamese soils are of a type which have the potential to turn into a brick-like substance, known as laterite, if they are deprived of the organic covering which protects them from exposure to severe weathering. The potential for laterization is greatest in areas which were already disturbed before herbicide application. Cropland, as well as bombed and bulldozed areas along roadways, fall into this category. The permanence of laterite is well illustrated by the Khmer ruins around Angkor Wat in Cambodia where many of the temples were constructed primarily of this rock nearly ten centuries ago. Obviously, laterized land is useless for agriculture."

More incredible than Operation Ranchhand where the popular slogan is "Remember, only you can prevent forests," the military dreamed up Operation Sherwood Forest and Operation Pink Rose. The rationale was that after defoliating a forest, fire raids similar to the fire bomb attacks on Dresden and Tokyo in World War II would completely decimate jungle areas of South Vietnam. As Thomas Whiteside wrote in his book "Defoliation":

"The ultimate folly in our defoliation operations in Vietnam was possibly achieved during 1965 and 1966, when the military made large scale efforts in two defoliated areas to create fire storms—that is, fires so huge that all the oxygen in those areas would be exhausted. The apparent intention was to render the soil barren. (A fire storm would also, of course, have the result of burning or suffocating any living being in the area.) Operation Sherwood Forest, conducted in 1965, was an attempt to burn a defoliated section of the Boi Loi Woods. In October, 1966, the military began Operation Pink Rose, a similar project. Neither of the projects, in which tons of napalm were thrown down on top of the residue of tons of sprayed 2,4,5-T succeeded in creating the desired effect . . ."

Before the U.S. Surgeon General banned the use of 2,4,5-T, the military took a hard line on the chemical's dangerous effects and maintained there was no correlation between the use of his defoliant and any hazards to human health.

On October 30, 1969, the Department of Defense stated in a press release:

"The policy of the Department of Defense always has been to use Orange (a liquid solution of 2,4,5-T and 2,4-D) in remote areas away from the population. This policy is being reiterated and emphasized; additional precautions are being taken to insure that Orange is not used in populated areas."

This policy statement raises one crucial point. What does the phrase "away from population" mean? A recent column by Daniel Deluce of the Associated Press reports that in areas of the Mekong Delta where Americans fought "there are empty fields, cratered by bombs, growing only weeds, coconut palms killed by defoliants lean crazily. The farm houses have vanished." The most highly populated rural area in South Vietnam has been defoliated.

However, it is interesting to note that the Department of Defense planned to conduct a survey by going through Vietnamese hospital records to determine if there is a correlation between herbicides and the rate of miscarriages, still births, and fetal deformities. The study group concluded before they began that the study could not be conducted. They conducted a general survey that proved nothing. The report of the study is unclassified, but the Department of Defense refused to make it public, ostensibly on the basis of an agreement with South Vietnam. Nobody is to see the study until it is published. Yet in talking to Department of Defense officials, no one was sure even who in Defense could see it.

In spite of the Saigon and Hanoi newspaper allegations to the contrary, the military has steadfastly maintained that there have been no claims on South Vietnam or the United States for any health hazards caused by defoliants. At the same time, over $3 million in claims to property damage have been honored by the Government of South Vietnam and paid through counterpart funds by the United States.

Bionetics Laboratory conducted a study of the teratogenic or birth deforming effects of 2,4,5-T and 2,4-D in 1968. The results showed that both chemicals, the major defoliants in Vietnam, possibly have teratogenic effects. That study was not released until late 1969. The Federal Government took action only after a number of articles by Thomas Whiteside appeared in the New Yorker and only after the Senate hearings, "Effects of 2,4,5-T on Man and the Environment."

The International scientific commission that went into Cambodia in late 1969 to study the effects of defoliation on the environment that occurred earlier that year discussed in their report the health hazards defoliants have on animals. The study declared:

"All of the interviews with the local inhabitants consistently disclosed that village livestock became ill for a period of several days soon after spraying. Whereas the larger animals (water buffaloes, cattle and mature pigs and sheep) became only mildly ill and all recovered, some of the smaller ones (chicken, ducks and young pigs) suffered more severely and in some cases were reported to have died. The domestic mammals were described as having digestive problems, whereas the domestic birds became partially paralyzed. Apparently many wild birds became similarly disabled and could be captured easily. There were also a number of small dead birds found at the time in the woods and fields."

An article in an April issue of the London Times stated that the British Forestry Service had also seen many paralyzed birds when they sprayed 2,4,5-T. This was in addition to the dizziness and nauseous feeling the people spraying had experienced themselves.

On ABC–TV, July 27, 1970, a program entitled, "The Poisoned Planet," which depicted the serious state of affairs in the world since the wide-spread use of pesticides and herbicides, showed several vivid shots of birds trembling helplessly in reaction to herbicide spray.

Dr. Jacqueline Verrett, who was instrumental in determining conclusively for the Food and Drug Administration that 2,4,5-T was teratogenic, has tested samples of orange and white and found that they both produced fetal deformities in her laboratory experiments. The State Department has admitted that agent orange and white were used in the mysterious herbicidal attack on Cambodia last year.

The ad hoc independent scientific commission, when in Cambodia, interviewed many of the local inhabitants about human health effects from the mysterious spraying.

"Many (people) spoke of widespread temporary diarrhea and vomiting, particularly among infants and to a lesser extent among the general adult population. At one location (Chipeang) water was trucked in for a time following spraying to provide uncontaminated water for the children. In those instances where the people depended largely upon deep wells for their water supply we received no report of human digestive problems."

The New York Times reported on June 6, 1969:

"Many residents of the area (Fish Hook) reported to have been affected by the defoliation suffered from diarrhea, vomiting and colitis."

Keeping these factors in mind, the anticrop program is particularly worthy of discussion.

The World Health Organization in its report, "Health Aspects of Chemical and Biological Weapons," published in 1970, defined chemical agents of warfare to include all substances employed for their toxic effects on man, animals and plants. They later added:

"Very little is known about the chronic toxicity or long-term effects of anti-plant agents, for example, their teratogenicity or carcinogenicity. In this connection it must be borne in mind that the military employment of anti-plant chemicals may lead to their intake, by humans in water and food, in dosage far higher than those experienced when the same chemicals are used for agricultural and other purposes. While it may be untrue to say that the possibility of chronic toxicity has been entirely ignored, it cannot be said that it has received anything approaching adequate study."

On both the political and military level, the anticrop program is a dangerous facet of environmental warfare because it can be directed in a punitive way and bring about starvation in a massive and indiscriminate manner. Who is to say when some nation will decide to use it for that purpose too?

During last April and early May 1969, 173,000 acres or 270 square miles of the Fish Hook area of Cambodia was sprayed with defoliants, confirmed to be agents orange and white. The Cambodian Government subsequently claimed $8.7 million—now $12.2 million—in compensation from the United States for heavy damage to 37,000 acres of rubber and fruit trees several miles inside the border. Because this was an international incident, the State Department sent a governmental team of technical experts to Cambodia to assess the damage.

The State Department unequivocally denied U.S. involvement in the incident and that no other party could be found at fault. One is entitled to wonder who else in that war has the planes and equipment to engage in this kind of warfare?

The report to the State Department of July 1969 concluded that—

"Defoliation of rubber, fruit and forest trees farther north (of the Cambodian border) was probably caused by a direct spray application by an unknown party. . . ."

Thomas Pickering, Deputy Director, Bureau of Political-Military Affairs, Department of State, submitted the following statement to the House Subcommittee on National Security Policy and Scientific Developments in December, 1969, that—

"The greatest part of the damage was caused by a deliberate and direct overflight of the rubber plantations."

In contrast, the Department of Defense on May 22, 1970, asserted that—

"The defoliation of Cambodia was neither punitive nor in preparation for military action."

How could the DOD maintain that it was "neither punitive nor in preparation for military attack," while Pickering, speaking for the State Department, asserted that the defoliation was "deliberate?" Since the official position is that the United States was not found culpable, it is, indeed, surprising that the State Department is still considering the claim. The State Department and the DOD could not determine the intent of the mission unless they know about the origin of the mission.

Finally, Mr. President, I refer to the second part of the environmental warfare amendment, which states that the United States shall be prohibited from entering into or carrying out any contract or agreement to provide agents, delivery systems, dissemination equipment or instruction for the military application of anti-plant chemicals.

In other words, the amendment would not allow our country to turn over to the South Vietnamese or any other country this indiscriminate weapon of warfare.

The indiscriminate, extensive use of herbicides is further compounded by the fact that, even while a proposed study is underway to examine the effects of the antiplant chemicals, the U.S. Armed Forces are in the process of turning command and control of the herbicidal program over to the South Vietnamese as part of the administration's Vietnamization plan.

With such little scientific knowledge available on the environmental implications of the use of herbicides, this nation cannot be permitted to allow the proliferation of this dangerous kind of environmental warfare, especially proliferation into the hands of the South Vietnamese Government.

General Blanchard, in his Senate briefing of April 29, 1970, asserted that the United States was considering how to transfer the herbicidal program to the South Vietnamese. The DOD letter of May 22, 1970, to the committee on CBW, composed of Princeton University students, stated quite the contrary:

"When the United States instituted a ban (April 15) on the use of 2,4,5-T in military operations, the South Vietnamese government instituted a similar ban. The United States will not supply 2,4,5-T to SVN or other governments until the problem of teratogenic effects has been resolved."

Clearly, before General Blanchard had made his presentation, the United States had been supplying herbicides for military application to South Vietnam. It appears from the DOD statement that we were providing agent orange to other governments, which raises even graver issues.

The forcing function of technology has allowed the introduction of a new form of warfare. A type that is of questionable military value, ecologically and biologically damaging and politically explosive. We have to develop new attitudes so that we will not automatically equate technology with progress and efficiency and will not see it as a panacea to cure the problems of the Nation and the world.

The entire planet is facing an environmental crisis because progress for the sake of progress became the standard for success. In the wake of this mad rush to accomplish and be successful, man has violated earth with his impatience.

Technology and science provided the short cuts to eliminate pests with pesticide compounds that were used indiscriminately and man irritated and surprised when he found that the chemicals were destroying and threatening to destroy other forms of life.

He dumped the wastes of his advanced civilization into the water systems and seas and was irritated and surprised to learn that the waters of the water planet had a saturation point.

He exhausted the fumes of his industries and his motors into the thin envelope of air surrounding the planet and was irritated and surprised when the air became clogged and choked many of his major cities.

Now there is a new advancement. Chemical compounds have been found that can destroy plants that man finds undesirable along his roads and highways. Science and technology have produced chemicals that efficiently and economically can be used militarily to destroy the foliage suspected to be hiding an enemy or kill the crops believed grown to feed him.

Unfortunately, like so many other of the rapid advancements of his society, man created another potential for disaster. By engaging in warfare on the environment this country has taken the leadership in conducting a long range warfare on man himself and future generations, friend and enemy alike.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, let me say this in response to the amendment sponsored by the Senator from Wisconsin (Mr. NELSON), that it actually addresses itself to two different subject areas. Both areas are, of course, of interest. There are, perhaps, several valid points concerning them in the Senator's amendment. However, there are other issues contained here which I feel should not be given superficial treatment without adequate determination of the facts. In the case of the weather modification research, we are all aware that our colleague, Senator PELL of Rhode Island, is currently conducting hearings, aimed at gaining an appreciation of both what we do and do not know about our capabilities to affect weather, and to determine if the state of the art has reached a point where international agreements should be considered.

On the second part of the amendment we appear to be dealing with alleged facts concerning, and I quote "so-called firestorms." Our staff tells me that the substance of paragraph 2 of this amendment apparently comes from an article in this months edition of Science magazine. The committee has not been asked by any member of this body to evaluate this subject before. So we cannot accept assumptions as facts of substance to consider attaching them to the authorization bill.

Under the circumstances, even without the time to fully evaluate and determine the facts, we are willing, though, to accept the amendment and take it to conference. Between now and the conference, more definite information can perhaps be obtained on this matter of the weather.

Mr. President, this is an effort to get at the situation, on a factual basis, for further consideration. I am sure that the Senator from Wisconsin has already indicated he knows there are other problems that go with a matter like this. Without hearings, for instance, without a more complete development of the facts, we do not have the machinery in conference to hold hearings.

I should like the Senator from Wisconsin to respond to my suggestion about the difficulties.

Mr. NELSON. Mr. President, I am in full agreement with the statement by the distinguished Senator from Mississippi that the amendment poses some serious difficulties. The information regarding the technique of fire storms that was attempted in Vietnam was widely publicized for the first time in Science Magazine only a few days ago. That, of course, was too late for the chairman of the committee to conduct any hearings, evaluate the information that Science Magazine contained, and to explore the question with the Defense Department.

Also, it is correct that the question of weather modification was raised, so far as I know for the first time, by our distinguished colleague from Rhode Island (Mr. PELL). Senator PELL has commented on it a number of times and he will pursue the matter. Therefore I would not expect that without hearings the chairman of the committee would reach a positive conclusion one way or the other. However, the matter, it seems to me, is of such grave importance that it needs to be brought out here on the floor of the Senate. I appreciate the chairman's bringing this matter to the attention of the conference. Between now and the conference, it is possible that information useful to the conference will be revealed. I understand the position of the chairman, having not had hearings or an opportunity to read the articles and study them. One article is only 7 or 8 days old.

So I appreciate the Senator's bringing this to the attention of Congress. If any information develops on the public side between now and then and if the chairman gains any information on the military side, I am sure that he will evaluate it, make his best judgment on it, and pass it along to us.

Mr. STENNIS. The Senator has made a reasonable statement about this matter. He has done it very well. It is understood between the two of us, indeed, as to the facts and about the situation in conference. I assure him that we will try to get further facts on it and he will give us the benefit of that and we will do the same for him. We will be glad to take this to the conferees and see what we can do with reference to the amendment.

I do want to point out that even though it is related to the military, of course, it is not primarily a matter which would ordinarily be in an authorization bill. I mention that, just to keep the record straight. I want to reserve the right always to hold to that point as to waiving this at this time.

With that understanding, I am glad to recommend the adoption of the amendment. Unless someone wants some time, I am ready to yield back my time.

Mr. NELSON. Mr. President, I yield back the remainder of my time.

Mr. STENNIS. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. HUGHES). The question is on agreeing to the amendment of the Senator from Wisconsin (Mr. NELSON).

The amendment was agreed to.

Mr. SCHWEIKER. Mr. President, I would like to address myself to several measures in the Defense Department procurement bill dealing with manpower, and with our progress toward a volunteer military posture.

As the chairman has pointed out, the committee recommends a reduction of 56,000 in average active duty strength, but specifies that these reductions are to come out of general support manpower, and are to be appropriately divided among the services. The committee language is clear and emphatic on this point.

A good example of the justification for this decision is found in the Army. In each of our 13 Army Divisions in the field, approximately 6,000 men are assigned in the combat arms, for a total combat strength of some 78,000. Of these 13 divisions, only 5⅓ are currently actively deployed, which means that only about 32,000 are actually required in actively deployed combat arms. Enlistments are currently running at about 36,000 per year, and given about a 33 percent turnover, only 36 percent of combat arms volunteers can be used in actively deployed Army divisions. The remaining 64 percent go into our rather well-padded support forces. I have little doubt that we can continue to reduce manpower even further, taking it out of these support forces, and not impair our military capabilities in the least. In fact, we must continue to evaluate the question of whether or not, at today's costs, we can afford to keep more than a million support personnel in the field.

This situation confirms the conclusion that we can reach the President's goal of an all-volunteer military posture on or before the end of fiscal year 1973. At present enlistment rates remain high. At the end of June about 278,000 true volunteers had enlisted since the beginning of the fiscal year, an increase of 63,200, or 29 percent above the 215,000 that enlisted in fiscal year 1971.

Each of the services had an increase in true volunteers in fiscal year 1972 from the fiscal year 1971 level. The Navy, which has been having the most difficulty in reaching its enlistment objectives, had the largest percentage increase over the year—50.1 percent.

The Army's reenlistments, however, remain substantially below plan. This appears to be the result largely of an extended proficiency testing program, tighter reenlistment controls, and increased early releases. Some improvement has occurred this Spring, but clearly these are policies which are easy to adjust in order to increase reenlistments to the necessary level.

This administration is firmly committed to ending the draft by July 1, 1973. In 1968 President Nixon, during his campaign, promised to end selective service completely. This administration has reaffirmed that commitment repeatedly, and had made some notable progress toward that goal. In fact, although early predictions were for substantial shortfalls this past fiscal year, the Department of Defense found it necessary to draft only 25,800 men during the 12 months of fiscal 1972, a very encouraging sign of the progress which has already been made.

At this point, I would like to quote for the record an excerpt from the statement of Assistant Secretary Roger T. Kelley, Assistant Secretary of Defense for Manpower and Reserve Affairs, before the Senate Armed Services Committee this past February:

> We are moving toward an All-Volunteer Force. This fact requires restudy of basic personnel policies which govern such things as length of enlistments, nature and length of training, and services to be provided (medical care for dependents, commissaries, etc.). Personnel policies often have substantial impact on the rate of flow of personnel through the Defense System and, consequently, affect the cost of training people, the number of people needed to maintain the required manpower levels in the forces, and the cost of maintaining them.

As Secretary Kelley indicates, the manpower policies which the Department pursues, and the vigor with which it pursues them, will have a decisive effect upon how soon the President's goal of an all-volunteer military posture is to be attained.

While the Defense Department has made good progress this far, it cannot afford to rest on its laurels. If the military wants a high quality volunteer force, these programs must be improved and perfected—and the time to act is now. The draft authority will expire in 11 months. Those with responsibility in the military manpower field should not delay in preparing for that day, because there is no doubt in my mind that this body will not approve another extension of the Selective Service Act.

In the meanwhile, we in the Congress must give our military leaders the tools they need to end the draft. I have no doubts that Secretary Laird and the Department of Defense are making the necessary effort in this crucial area of manpower planning to see that we do not fall short of our goal.

At the conclusion of my remarks, I ask unanimous consent to have printed in the RECORD a brief manpower table showing the progress this administration has achieved in reducing military manpower and moving toward a volunteer military posture, as well as another excerpt from Secretary Kelley's testimony dealing with the all-volunteer military posture.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SCHWEIKER. I would like to point out here that Secretary Kelley's statement focuses upon a very important point. He says:

> Recruitment services must reach a wider audience, and provide reliable and persuasive counseling to young people who are making their initial occupational choice . . . Effective performance of the recruiting function of the Services is a keystone of our effort to end the draft.

Mr. President, to help promote the recruiting activities of the Army, the Armed Services Committee unanimously adopted an amendment I introduced to provide legislative authority for the Department of Defense to expend advertising funds for radio and television advertising. Section 604 of H.R. 15495, my broadcasting advertising amendment, reads as follows:

> In order that all appropriate means may be available to the Department of Defense in furthering its efforts to achieve an all volunteer military force at the earliest practicable date, nothing in this or any other Act shall be construed as prohibiting any branch of the Armed Forces of the United States from expending funds for the purpose of advertising in any type of news media, if the purpose of such advertising is to attract eligible persons to enlist or accept commissions in such Armed Forces and the funds used to pay for such advertising were appropriated for recruiting or advertising purposes.

I introduced this amendment because of the specific prohibition of radio and television recruitment advertising by the Army which was contained in the conference report for the Department of Defense appropriations bill for fiscal year 1972, H.R. 11131. Although this prohibitory language was not contained in either the Senate or the House bill, the conference report directed "that no funds be used for paid television and radio advertisements" in the Army's advertising program.

Prohibition of broadcast advertising does not further our good progress toward the President's avowed goal of ending draft, because it ties the hands of the military when it comes to recruiting.

In addition, this prohibition is extremely unfair to the broadcast industry and unnecessarily singles out that segment of the media for discriminatory treatment. The freedom to expend authorized advertising funds—approximately $52 million in the fiscal year 1973 budget—for broadcast advertising is essential to permit the Defense Department to maximize the effectiveness and efficiency of its recruiting dollar.

Radio and television advertising is an effective means of reaching the men in the particular age group we are aiming at. In the spring of 1971, the Stanford Research Institute conducted a survey entitled, "Effectiveness of the Modern Volunteer Army Programs." The major findings of the study as to the impact of the Army's experimental paid radio and television advertising campaign were as follows:

> (1) it was very effective in increasing awareness of Army advertising among young male Americans without prior military service; (2) it was effective in motivating some of these young men to the action represented by making personal inquiry about the Army service for themselves; (3) it was accompanied by increases in levels of Army enlistments beyond those that past enlistment trends would indicate; and (4) it was accompanied by more pronounced increases in levels of Army enlistments in the geographic section of the United States where the advertising was most intensified.

An additional study conducted by the Gallup group found that there is an advantage of approximately 18 to 1 for paid broadcasting over public service broadcasting against men between the ages of 18 and 34. Most public service programing does not reach young men in this particular age group.

Further evidence can be found in a nationwide test conducted during a 13-week period in the spring of 1971. The use of paid radio and television advertising during prime time produced the following results in the 17-to-20 age group:

Awareness of advertising increased by 118 percent.

Overall Army enlistments increased by 13 percent.

True volunteer enlistments increased by 28 percent.

Delayed entry Army enlistments increased by 95 percent.

The 17–18-year-old Army enlistments increased by 35 percent.

Combat arms enlistments increased by 702 percent.

Air Force enlistments increased by 55 percent.

Marine Corps enlistments increased by 71 percent.

Navy enlistments declined by only 14 percent.

It may be argued that paid radio and television advertising is not necessary because of the availability of public service advertising for the all-volunteer army. Althought this would not solve the problem of discrimination against the broadcast media, I do not think we should kid ourselves with the notion that public service advertising is adequate.

In the first place, public service time is subject to increasing competition by agencies at all levels of government, with justifiable causes, and nongovernmental organizations as well. This fact alone precludes the availability of sufficient broadcast advertising time.

Second, public service time cannot be effectively organized so as to reach the greatest possible target audience, desired portions of that audience, at the best possible times, or even to give a coherent, organized message. We know from studies that certain times of the year, such as spring, just before high school graduation, are the most effective times for recruiting. We must permit the military to spend their recruiting dollar so as to take advantage of this fact.

We know, of course, that certain times of the day are best for reaching the target audience. Public service time is all too often available only when the audience is almost exclusively children, housewives, or some comparable group. The ability to purchase broadcast time would also solve this problem.

We know, furthermore, that dependence on public service does not allow us to effectively focus upon specific regional markets, it does not permit us to effectively make public important changes or innovations, such as pay increases, which would have a great bearing on recruitment, and finally, it does not permit a coordinated advertising campaign of advertising that tells a comprehensive story, since the availability of time is fragmented and unpredictable.

Paid radio and television advertising, provides the necessary flexibility to allow the military to maximize it's message, particularly through the use of advertisements on local radio and television stations, where specific messages can be delivered to specific communities.

I most strongly commend the chairman and members of the Senate Armed Services Committee for adopting this amendment allowing the Defense Department maximum flexibility in choosing the most effective mix of media for advertising for the all-volunteer military. This measure eliminates discrimination against radio and television media, and contributes to an effective manpower management policy by the Defense Department to bring about the successful achievement of the President's goal of an all-volunteer army.

EXHIBIT 1

EXTRACTED FROM ASSISTANT SECRETARY ROGER KELLEY'S TESTIMONY BEFORE ARMED SERVICES COMMITTEE, FEBRUARY 1972, ON DOD MANPOWER REQUIREMENTS FOR FORCE LEVELS

Manpower requirements derive from analysis of the threat and what is needed to meet it. Table 1 shows our estimate of military manpower needed for FY 1973, as well as the level maintained in the previous three years—broken out by major mission areas: Strategic, General Purpose, Other Mission and General Support.

TABLE 1.—ACTIVE MILITARY MANPOWER SUMMARY

[Manpower end strengths in thousands]

	Fiscal year—			
	1970	1971	1972	1973
Strategic forces	143	130	130	127
Offense	90	88	88	89
Defense	38	27	26	24
Command and control	15	14	15	14
General purpose forces	1,251	1,082	949	935
Land forces	746	638	513	516
Tactical air forces	188	167	166	167
Naval forces	232	205	206	195
Mobility forces	85	72	64	57
Other mission	214	204	181	180
Intelligence	93	91	75	68
Communications	59	55	52	50
Research and development	39	37	37	35
Support to other nations	23	21	17	27
General support	1,457	1,298	1,132	1,116
Base and individual support	657	580	513	506
Training	617	550	460	458
Command	154	138	129	121
Logistics	29	30	30	31
Total	3,065	2,713	2,391	2,358

Note: Numbers are additive to major area totals; numbers may not add to DOD totals due to rounding.

* * * * *

All-Volunteer Force Initiatives. As discussed with your Committee earlier, it is necessary to invest money in other areas besides pay to eliminate reliance on the draft. These additional requirements include the following:

1. The ordinary requirements of daily living, such as decent housing and medical care, must be available and within the financial reach of military personnel.

2. Military life must be reasonably satisfying and challenging, and must offer opportunities for individual growth and development through education, training and personal responsibility.

3. Military people and the uniform they wear must be treated with respect.

4. Recruiting services must reach a wider audience and provide reliable and persuasive counseling to young people who are making their initial occupational choices.

The level of effort for programs to support these requirements in the FY 1973 Budget from funds specifically earmarked for Project Volunteer is $272 million; in FY 1972, it was $320 million. These programs include service initiatives, recruiting improvements, and the scholarships and increased subsistence for ROTC and Marine Platoon Leaders Class students which the Congress authorized in FY 1972.

Effective performance of the recruiting function of the Services is a keystone of our effort to end the draft. The Project Volunteer recruiting allocation for FY 1973 is $121.9 million for active forces and $23.5 million for the Reserves and National Guard—78% more than was spent for recruiting in FY 1971. Both the quality and scope of military recruiting have been enhanced considerably, a fact reflected in the very substantial increases in enlistments.

Action by the last Congress in authorizing 2,500 additional ROTC scholarships, doubling subsistence payments for ROTC from $50 to $100 a month, and initiation of like payments for the Marine Corps Platoon Leaders Class (PLC) will assist in meeting officer needs in a no-draft environment. There is already increased interest in ROTC and PLC programs because of these scholarship and subsistence increases. It is believed these improvements will meet the ROTC and PLC portion of our officer supply needs.

One of our most urgent needs is for the additional medical scholarships approved by the House in H.R. 2 and now pending in the Senate. The accession requirement for physicians in FY 1973 is estimated at about 3,300. The present scholarship program is 642. The allocation of Project Volunteer FY 1973 funds for additional medical scholarships is $40 million, enough to fund about 3,300 more scholarships. Even if the legislation is promptly passed, the earliest product of the increased scholarship program would be 125 medical officers entering active duty in FY 1974.

The FY 1973 Project Volunteer program also includes $103.4 million for Service initiatives to improve the quality of service life and to improve living conditions. This amount includes $10.6 million for barracks improvement. In addition, the Army has budgeted significant amounts for related programs. The type of actions included in this program are: increased educational opportunities; provision of constructive facilities and activities for off-duty hours; improved medical services for dependents; eliminating menial work details for lower grade enlisted personnel; and more convenient commissary hours.

The actions funded for FY 1973 are the result of carefully considering the comments and recommendations of enlisted men, NCO's, junior officers, and commanders in evaluating the FY 1972 program of Service initiatives.

Implementation of the FY 1972 Volunteer Force program is generally on schedule, except for barracks improvement programs which have lagged because of delays in the availability of funds. Implementation of the FY 1972 program is illustrated below.

Number of New Recruiters: 70% in place.

Number of New Recruiting Stations: 85% opened.

Barracks Improvement: 78% complete (FY 1971 funds), 10% obligated (FY 1972 funds).

ROTC Scholarships: 90% committed.

Service Initiatives: 50% obligated (FY 1972 funds).

MANPOWER ISSUES

Thus far we have reviewed the size and basic composition of our military forces, the reasons supporting their need, and their cost. I would like now to briefly discuss some of the key considerations of Defense manpower—*the All-Volunteer Force,* the vital role of Guard and Reserve components in our total force, military retirement, the military grade mixture, the importance of having a stable and fully-manned force, and certain quality considerations in the personnel make-up of our forces. Policy and basic practices in these areas will determine in large part how effectively our human resources will be utilized in future years, and at what cost.

All-Volunteer Force. A year ago, I appeared before your Committee for a discussion of the actions needed to end reliance on the draft and move toward an All-Volunteer Force. That was just after 1970 in which we drafted 163,000 men, the lowest level since before Vietnam. Last year, we drafted 98,000 of whom 84,000 were drafted in the first six months. During the first quarter of 1971, 64,000 were drafted and there will be no draft calls during the first quarter of this year.

I told you then why we favored an All-Volunteer Force over one that relies upon forced entry. Our experience of the past years bears out the accuracy of these reasons.

In the adult work world, the Armed Forces (like other organizations) function best in a free environment where they compete with others for people.

An organization composed of volunteers, having survived the test of free competition, tends to be more efficient than one that relies on forced entry.

The alleged pitfalls of the voluntary military organization—that it will be dominated by mercenaries, who will take over our nation, or be all black—are gratuitous and false claims, totally unsupported by the make-up of that portion of the military organization that is volunteer.

Once the transition to an All-Volunteer Force has been accomplished, the military organization will be totally more effective and will consist of many fewer people than its conscripted counterpart.

Besides ever declining draft calls, further signs of progress toward an All-Volunteer Force in the past year were:

7 of 10 enlistees are true volunteers, compared with a ratio of 6 of 10 a year ago, and 5 of 10 two years ago.

In the last six months of CY 1971, 25,000 more true volunteers enlisted than in the same period of 1970.

The mental skills of enlistees (sometimes called the quality mix), measured by the results of Armed Forces Qualification tests, were better in 1971 than in 1970. Also 12% more high school graduates enlisted than in 1970.

Combat arms enlistments in the Army increased from a monthly average of 250 in the last half of 1970 to 3,000 in the last half of 1971—an increase of 1,200%.

In January 1972, almost 10,000 soldiers separating from active duty enlisted in Army Guard and Reserve units. This enlistment program for prior service personnel was tried in 1971 at two Army posts and expanded to twenty posts this year.

These progress signs are most encouraging. They reflect results achieved before the military pay raises were effective, and they were accomplishments of a year whose second half saw very low draft pressure. But there are remaining problems, and as I told this Committee a year ago, it was then (and continues to be now) extremely unlikely that we could totally replace the accession power of the draft in FY 1972. Let me briefly mention two problem areas.

As expected the impact of low draft calls in 1971 was greatest on the Guard and Reserve since more than 75% of their new enlistees have been draft motivated. At the end of December, 1971, the Guard and Reserve were 45,000 below their Congressionally mandated strengths, despite greater emphasis on their recruiting programs. If the shortages continue, we will seek Congressional support for bonuses and other actions to stimulate enlistment and retention in the Guard and Reserve.

The problem of meeting our requirements for physicians and other health professionals, in a no-draft environment is complicated by the national shortage of professionals in these categories. Dr. Richard Wilbur, the Assistant Secretary of Defense (Health and Environment), has taken the lead in developing solutions which will address this problem while increasing the efficiency of our military health care system. In coordination with the Surgeons General, Dr. Wilbur has in the final stages of review a series of programs to expand continuing medical education; improve promotion opportunities for outstanding senior clinicians; increase stability of assignments; and make pay of military health professionals competitive with their civilian counterparts.

Programs to increase the efficiency of the military health care system include requiring that all health professionals and facilities within a Military Department, in a particular geographical area, be under the operational control of a central health authority; establishing better space standards for existing health facilities so that doctors can be used more efficiently; and providing new equipment for existing facilities.

Earlier, reference was made to increased scholarships for health professionals, a proposed bill which has passed the House and is pending in the Senate. Its passage would enable us to take an important step toward solving the doctor supply problem.

Problems remain in achieving the All-Volunteer Force, and their solutions may require additional programs and transitional funds. But I am encouraged by the progress to date and prospects for the future. Before the end of CY 1972, we will be able to determine the means necessary to ending reliance on the draft by July, 1973, without impairing our national security system.

Mr. SCHWEIKER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by the Senator from Vermont (Mr. STAFFORD).

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR STAFFORD

My colleague from Pennsylvania has just discussed an important innovation in this year's military procurement authorization—the provision in law for paid radio and television advertising. I want to add my support to the Senator's efforts and commend it to the attention of all other Senators.

Mr. President, as I have stated before on the floor of the Senate, we are in the last months of living with the draft. By June of next year, the draft will expire. We must, therefore, plan for the future and be prepared for the day when the military services must attract and retain the numbers and quality of men it needs to maintain national security. I am convinced that the services can if they so chose.

One of the tools which the Army tested last spring is the use of paid radio and television advertising. Continued use of paid radio and television advertising is in the best interests of the services and should be encouraged. Passage of the procurement bill with Section 604 will give the services one more tool for reaching the potential enlistee with recruiting information.

I want to congratulate the Chairman of the Armed Services Committee and the rest of the committee for understanding with such clarity the importance of this measure. This unanimous vote of confidence is significant. I would be surprised if any member of the Senate, for that matter, were to oppose such non-controversial, but significant assistance to the armed services.

I briefly want to note several reasons why the military should be given the option of using paid radio and television as an advertising medium.

1) First of all: cost effectiveness. It is simply more cost-effective to use a fully balanced program of advertising including radio and television, than to restrict the message of the services to print. Awareness figures during and after the test last spring demonstrated a substantially higher degree of awareness than ever before obtained by service advertising.

2) Second: communication. It is most unfortunate for the services not to be able to communicate to potential enlistees and the general public the vast changes in service life that have been undertaken in the last two or three years. There is virtually a quiet revolution going on within the military establishment. I have addressed these points several times before, so I only refer to them now. They include: opening channels of communication; contract hire of civilians to return servicemen to training and mission responsibilities rather than KP and other non-productive make-work; improved living quarters, affording more privacy than ever before; and dress, waiting time limitations, more standard working hours, reducing weekend and evening duty, and generally a greater recognition of the individuality and integrity of the man—all of these developments should be communicated to the public.

Furthermore, specific incentives must be made known to the prospective enlistees and those who influence his decisions.

For the first time in at least 20 years, compensation for entering servicemen is comparable to their counterparts who stay at home. The financial penalty to enlisting has been removed by Act of Congress last fall. There should not be a single potential enlistee in this nation who is not aware of this significant achievement.

In mid-March, the Gilbert Youth survey included several questions in reference to military pay. The object was to determine what proportion of young men were aware of the vast pay increase passed by Congress last year. The results after intensive advertising in the print media are revealing: about three-fourths knew about the pay raise for the Active Forces, but less than one-third were aware that the reserves got an increase. Less than one-half seemed to know that all of the Services got the same increase and at least half of the young people underestimated the size of the raise, most by a substantial margin. (We thus not only have to overcome the traditional underestimation of the value of military compensation because of its complex categorical system of pay, but a public uninformed as well.)

In addition, advertising is needed to communicate the opportunities for education, educational benefits and specific training in valuable skills. The young man seeking to develop the tools to establish a sound career ought to know about the nation's largest educational establishment—the uniformed services.

Finally, communication is essential to inform the potential enlistee of the vast array of new enlistment options. The Army began this approach more than a year ago and has found it a most valuable innovation. The Navy began to use these programs just several months ago. But it is fully clear that without the ability to make known these options to the public, they will have limited effect.

3) Third: public understanding. It is important for the nation as a whole to learn more about the Services—to learn of their developments and new opportunities, to learn of their actions to modernize and professionalize, to learn of the opportunities for young men which the services hold out. While the purpose of advertising is directed towards the potential enlistee, significant effect is a greater public understanding of the role of the military—their needs and their mission. Secretary Laird just last week said the following:

"I believe that we will be able to fulfill the manpower requirements of the United States Army on a voluntary basis, provided three things happen. First, that adequate pay and allowances are made available; second, housing and educational opportunities are available to these young men and women; and, third, and most important, we must have an awareness and a respect developed in this country for the importance of the men and women that wear the uniform of the United States military and the work that they are doing in order to protect the national security of our country. They must be accepted, and that role, that career of military service must once again be one that can be respected and that's what we're trying to do."

I cannot agree with the Secretary more. It is important that the public's view of the military be a clear one. There is certainly no absence of critical analysis of the military by both the press and radio and television news media. There is, then, certainly no harm done if the military is allowed to communicate some of its progress and opportunities through the channels it deems most effective. As long as the advertising is forthright and not misleading, its message can be an important factor in telling the services' own stories.

4) Fourth: advertising is needed now. While the end of the draft is expected next June, we have just entered the difficult transition period of FY 73 and FY 74. These two years, requirements for the services are high and advertising can be most helpful. After that period, that is once we are in the steady-state all-volunteer force, requirements will be lower and the expected

use of recruiting tools will be able to taper off a bit. But for the rest of this year and the next, it is most important that Congress does all it can to remove the obstacles to recruiting the unusually high numbers of men needed.

5) Fifth: paid radio and television is an effective tool. The Office of the Secretary of Defense and the Department of the Army undertook separate analyses of last year's advertising experiment. The readings were somewhat different, but after close examination of both of those studies, I make the following conclusion: there are several important positive features of paid radio and television advertising and no logical, understandable negative ones.

I note for the Senate's consideration, the briefest reference to some of the data results:

The paid television program delivered some 308,500,000 impressions per month compared to some 4,000,000 impressions per month during the highest period of Public Service Announcements (free service ads).

The paid radio program delivered some 96,978,000 impressions per month as against a high of 2,231,000 impressions per month under the Public Service Announcement program.

Magazine coupons returns—a viable index of interest stimulated by advertising—increased markedly during the test period and slowly tapered off after the period. For instance, for the entire period from July, 1970, through February, 1971, there were only 24,600 coupon returns. In March, the first month of paid radio and television experiment, the coupon returns were 18,000, an increase of 600 percent over the monthly average of the previous 8 months. That figure increased to 22,000 in April and 26,000 in May by the end of the test advertising.

Walk-in traffic was measured to increase some 30–40 percent during the period.

And while enlistments into the immediate and delayed entry pools and the combat arms increased substantially, we can attribute, I am sure, only a portion to the stimulus of the advertising campaign. The program hardly got momentum when it had to be withdrawn. Furthermore, no one in advertising will deny the cummulative effect of advertising over a longer period—all of which was lost, of course, by its precipitous halt.

6) Sixth and last: Paid radio and television is needed. Without such a process, there just is not going to be sufficient radio and television public service announcements to do the job effectively. The Army has made substantial effort in this direction. For instance, the Army advertising agency briefed top networks management, but received a polite "no" to increasing public service advertising. Two networks indicated that they would look more favorably at donating time if the Advertising Council would include military recruiting in their "endorsed" ads. The Advertising Council, however, flatly rejected any proposals to do so when approached by the Army. The good-will of the radio and television industry does not extend to the degree of advertising needed by the services.

One argument has been offered in opposition to a paid radio and television campaign. That is that the networks do not deserve the profitable business from the government because of their attitudes towards the military in their specials and news coverage. I must admit that argument makes very little sense to me. But there is a more important response—it is an irrevelant argument because the services are quite capable of placing their advertising directly without benefit accruing to the networks. It may be slightly more expensive to do this, but it certainly does negate any kind of reasoning based on network attitudes.

We do not ask private businessmen to rent us recruiting headquarters, nor do we ask private car dealers to provide automobiles to our recruiters and attack their patriotism for their failure to do so. It is preposterous to think that a legitimate service offered by a legitimate business must come free to the Federal government simply because it is the military asking. We would have only salaries to pay for a defense budget if that argument were carried to its logical extension. There is no sensible reason to reject payment for an important and valuable service to be purchased from an important medium of communication. The Senate Armed Services Committee obviously felt the same in their decision to include Section 604.

I urge other Senators to pay particular attention to this issue and I urge those who are chosen to represent the Senate in Conference with the House to understand that there is a strong commitment to this issue by those seeking to help the military in their difficult task. This provision should survive the Conference and become law.

Mr. SCHWEIKER. Mr. President, I see the Senator from California (Mr. Cranston) in the Chamber. I wish to yield to him at this time.

Mr. CRANSTON. Mr. President, I rise to commend and congratulate the Senator from Pennsylvania (Mr. Schweiker) for the leadership he has provided in this matter. I want to pay tribute, too, to the able chairman of the committee (Mr. Stennis), and the full Committee on Armed Services, for their wisdom in clearing the way for paid TV and radio recruiting messages by the Armed Forces. The committee's action makes it clear that it wants to bring an end to compulsory military service, and that it will put no roadblocks in front of the effort to achieve this goal.

PROGRESS TOWARD AN ALL-VOLUNTEER FORCE

To date, the military services have taken important steps towards ending the draft. Even though fiscal year 1972 was a transitional year for military recruiting programs, the Department of Defense fully met 90 percent of its recruiting objectives. Moreover—contrary to the fears raised by proponents of retaining the draft—the pay increases and reduced draft pressure did not have an adverse effect on the quality of personnel entering the Army. As Gen. George I. Forsythe stated in the comprehensive hearings so ably chaired by the Senator from Texas (Mr. Bentsen):

> The quality of new recruits is improving. In late September, the Army focused on bringing in higher quality recruits—high school graduates, and personnel in the upper mental categories. During October, enlistments dropped several thousand, but quality was up by 25 percent. In November, quality continued to rise and numbers began to climb. By December, quality was up almost 80 percent and total enlistments were 20 percent higher than the previous December. In August and September, slightly over 50 percent of Army volunteers were high school graduates. With emphasis placed on quality starting in September, the percentage of high school graduates rose to 80 percent in October, 84 percent in November, and 88 percent in December.

This measure of success is the direct result of a positive effort to reduce reliance on the draft. In the past, the recruiting program has been a low-priority item. As Assistant Secretary of Defense Roger T. Kelley told a House Armed Services Subcommittee:

> One of my basic objections to the selective service draft is that it encourages poor manpower and personnel practices. It has been, in effect, an open account on which the Army has been able to draw people whenever it needed them, regardless of the number involved. In this kind of environment, recruiting inevitably suffers because its burden can be relieved by the draft. There were indications that some recruiting offices were running a sort of "order taking" business—signing up those customers who applied, but not working very hard to find qualified candidates and excite their interest in military service.

To correct this problem, the Army has doubled the size of its recruiting force and greatly expanded the number of field offices. More importantly, they have upgraded the status of recruiters by providing intensified training, special duty assignment pay, and allowances for out-of-pocket expenses. The Congress has removed a major deterrent to enlistment by establishing a more competitive wage scale for recruits. And the Army has built upon this foundation through an aggressive recruiting program emphasizing opportunities for training, and the popular "unit-of-choice" and "area-of-choice" options.

PROBLEMS TO BE OVERCOME

Of course, much remains to be done to improve military manpower recruitment;

The Army has taken only the first steps toward removing unnecessary irritants, improving living conditions, and enhancing the dignity of the individual GI—and many of these measures have yet to be implemented or accepted on an Army-wide basis.

The draft is still used as a crutch to deny moving allotments, family separation allowances, and housing opportunities to over 200,000 first-term enlisted men.

Nearly 400,000 bachelor servicemen do not have adequate quarters.

The Navy, according to Secretary Warner, rested on its laurels and began its recruiting drive 9 months later than it should have.

The paid drill reserves have fallen below their authorized strengths.

And the Army, through its own admitted errors, has mismanaged the reduction-in-force to a point where the lower than authorized end strength for fiscal year 1972 may result in additional accession requirements for fiscal year 1973.

A PROGRAM FOR ENDING THE DRAFT

Eleven months remain before the draft finally expires. Some of the problems can be overcome only through reform within the military. Others will require the assistance of the Congress. Earlier this year, I joined the Senator from Colorado (Mr. Allott), along with the Senator from Vermont (Mr. Stafford), and the Senator from Texas (Mr. Tower), in introducing a comprehensive package of incentives to meet the quantitative and qualitative needs of the Active and the Reserve Forces.

Incentives, however, cannot work in a vacuum. The impact of enlistment opportunities now being offered—and of those yet to come—will be severely hampered unless we remove the restrictions now placed on the service's ability to let the youth of America know what it has to offer. As the Army's Deputy Chief of Staff for Personnel recently told a House Armed Services Subcommittee, paid advertising plays a key role:

> Once we went on the air with a combined paid TV, radio, and our normal magazine advertising and newspapers, along with the options that we had to sell—the new options for Germany, Vietnam and Korea, the unit of choice in the United States, training, and so forth, the 32 enlistment options which we offer—the enlistments started to go up and have been consistently going up until last month. They were at 18,000 plus in a non-draft environment.
>
> In addition, the combat arms enlistment went from roughly 400 a month up to about 4,000 a month.
>
> If you put all of that together, sir, and say, "Is that due to paid TV and radio?" it's very difficult to say how much is due to that. But I think that the fact that we had something to sell, and the fact that we were displaying a better public image of the Army, combined with the enlistment options, combined with the expansion of the recruiting command, plus all the other efforts that have gone into this thing, that the combination has certainly, in my opinion, proven to be a winner.

There are those who say that the military should be content to rely on the public service time now donated free of charge. This question was addressed last year by an Army official in hearings before the House Interstate and Foreign Commerce Committee:

> Reducing reliance on the draft will depend in large part on our ability to inform the youth of this nation of the advantages of a military career. The judicious use of advertising is a necessary part of a successful advertising campaign.
>
> For many years, the Army purchased space for recruiting messages in magazines and newspapers. We have also made commercial messages available to local radio and television stations and requested broadcasters to air them without charge as a public service. But most such messages, if they are broadcast at all, do not appear during the hours when the audience we seek to reach is watching. A study showed that only 4% of the Army messages on public service television time were aired during prime viewing hours. Most are fill-ins for commercial time for which there were small audiences, low prices, and few buyers—on television early in the morning, late at night, or during daytime hours. Exposure during such hours cannot effectively reach the audience of young men who might enlist for military service.
>
> Moreover, broadcasters are flooded by legitimate requests for free time. The Army must compete for the limited free time available with many public service ads from a variety of public and private groups. The amount of time any one applicant can expect to receive is small.
>
> Public service announcements are hardly ever shown on network television. Only local stations run public service announcements, each in its own discretion.
>
> Public service time is at best hit-or-miss. An effective advertising campaign must be coordinated and controlled. Planners must know when, where, and with what frequency messages will appear. They must be able to select the times and programs favored by the audience we are trying to reach—in this case, young men 17 to 21. The Army is grateful for the time public spirited broadcasters have contributed in the past. We have no reason to doubt they will continue to do so in the future. But in spite of excellent cooperation by the vast majority of radio and television stations in the country, it is simply beyond their ability to provide on the traditional public service basis, the time the Army needs to test these media fairly.

This year, faced with legislation prohibiting the use of paid TV and radio messages, the Secretary of the Army contacted hundreds of stations in an effort to obtain free prime time—but with minimal results. This, of course, is no fault of the stations, for they need the prime time revenues to meet operating costs. It is clear that the only solution lies in the direction taken by the Committee on Armed Services, in allowing for the use of paid recruiting messages.

Of course, to be acceptable to the taxpayer—and to potential recruits—these messages must be honest and straightforward. We in the Congress have provided a meaningful pay scale. The Army is developing a good set of enlistment options. They should be given the opportunity to make these programs generally known—no more, no less.

Mr. President, we are on the verge of an historic achievement—the termination of mass conscription in America. With a meaningful reduction-in-force—as the Committee on Armed Services has so wisely initiated—we can render the draft unnecessary. But even if we retain present force levels, we can end the draft merely by increasing the Army's recruiting capability by less than one additional enlistment per recruiter every other month. The advertising program will play an important role in achieving that result, and I again congratulate the chairman, the committee, and the Senator from Pennsylvania (Mr. SCHWEIKER) for initiating this legislation.

Mr. President, I am delighted to join in supporting this effort.

Mr. SCHWEIKER. I thank the distinguished Senator.

I yield now to the distinguished chairman of our committee.

Mr. STENNIS. Mr. President, I wish to commend the distinguished Senator from Pennsylvania for his interest in this entire subject matter, and for his special work and untiring efforts in connection with this particular amendment. The Senator had this amendment before the committee and he presented it in a splendid way. We adopted the amendment in the bill and I notice it has not been criticized in any way. I feel certain it will be a part of the bill that will pass here next week.

The Senator has made a worthwhile contribution and I hope we can get favorable consideration of this amendment in conference. We certainly will try to do our very best and I hope we can bring back the amendment as part of the bill.

Again, the Senator from Pennsylvania is entitled to credit for a good job.

Mr. President, I am going to yield the floor now. The Senator from Nevada has a matter he wishes to discuss, part of it with the Senator from Wisconsin. I am going to ask the Senator from Nevada to be in charge of the bill during my absence and I will be available when he is ready to yield back the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. CANNON. Mr. President, on July 25, 1972, the distinguished Senator from Hawaii (Mr. INOUYE) made a speech during the debate on this bill in which he discussed certain problems that he had heard existed in the F–15 and F–14 development programs. The Senator concluded by recommending that no production funding be allowed in fiscal year 1973 for either of these programs.

Today I would like to provide some information which I hope will set the record straight on the technical development status of both of these airplanes and explain again why the Armed Services Committee recommended authorizing production funds for these programs.

F–15 ALLEGED AIRFRAME PROBLEMS

First, let me start the discussion on the F–15 program by pointing out that the airplane made its first flight yesterday, and according to all reports, performed beautifully and met all expectations. My congratulations go to the Air Force and to the contractors who have worked so hard on this program.

Taking first the allegations of technical problems with the F–15, and I might add that a casual reading of the Senator's speech might imply that severe design deficiencies exist, let us examine them one at a time.

It was stated that NASA wind tunnel testing showed the F–15 is spin prone. The facts are that the testing has shown that the F–15 is not spin prone but that it resists getting into spins, and what is more it is easily recoverable if it should start to spin. This matter was covered in testimony before the Tactical Air Power Subcommittee in March of 1971, and the testimony was published last year. To bring the Senate up to date on this testing, NASA currently is drop testing spin models of the F–15 from a helicopter. This type of testing is done in all new airplane developments before going into actual flight tests with the real airplane. Out of more than 10 drops performed so far, it has been possible to force the F–15 into spins about 80 percent of the time by deliberately holding the controls in a position to aid spin entry. These tests have shown that the F–15 is spin resistant, but once a spin is forced, the airplane recovers easily. Therefore, these tests are confirming earlier wind tunnel predictions that the F–15 has good spin characteristics. The Air Force expects that the spin test airplane, No. 8 of the test fleet, will further verify these results.

It was alleged that the speed brake, when opened, would cause airflow disturbances over the two vertical fins on the airplane. This is a true fact, but what is important is whether the airflow disturbances will make the vertical tails ineffective and cause the airplane to become unstable. The facts are that at the worst conditions for opening the speed brake the airplane still has a positive margin of stability, it meets stability specifications, and is completely satisfactory.

It was stated that the airplane's landing gear was too narrow, causing the airplane to have crosswind landing problems, and that the test pilots would require special training in airplanes with similar gear configurations. The facts are that the landing gear on the F–15 is comparable to the current F–104, A–7D, and F–111, all of which are operating satisfactorily in Air Force squadrons, and it is wider than the old F–86. The F–15 was designed to a high 30-knot crosswind requirement, and present analyses indicate it has at least that 30-knot capability. Also, it is not correct that the F–15 test pilots will receive special crosswind indoctrination although the pilot in preparation for the first flight did so to be conservative.

The speech stated that there have been considerable difficulties with the F–15 with stability and flutter problems and that these would require considerable time to resolve. The facts are as follows. As with all airplane development programs, insuring an adequate safety margin from flutter is a concern in the design stage. Flutter is an aerodynamic and structural instability that can tear off a vertical or horizontal tail, and analysis of the safety margin depends a great deal on the validity of wind tunnel tests made with very small models. One series of flutter model tests that was run in September 1971, by NASA showed less than the required 15-percent margin at the worst flight conditions. These tests however, did not agree with other test results that had been obtained. Nevertheless, the contractor took a conservative approach and designed fixes to the horizontal tail that would provide the required safety if the anomalous data was in fact correct. Since that time, new tests have been run which verify that the original design was adequate. This will have to be confirmed during the airplane flight test program, of course, but present indications are that the F–15 is all right from a flutter standpoint. I also would add that the fixes that were designed for that worst case are straightforward state-of-the-art fixes and would involve some added strengthening and stiffening of the horizontal tail.

In summary, I believe the facts will refute the allegations of serious concern about the F–15's airframe design. On the contrary, I think that the development has proceeded in quite an orderly manner to date, with the usual problems that have arisen being handled in a very reasonable and straightforward manner by the contractor and the Air Force. The important point is that they have been recognized, attacked, and solved early in the design stage. This will save the costly fixes that occur when a production line is running concurrently with the R. & D. phase. The F–15 is following the fly-before-buy philosophy and I believe is validating the worth of that concept.

ENGINE DEVELOPMENT STATUS

Let us look now at the F–15 engine's development program. The Tactical Air Power Subcommittee reviewed this very thoroughly this year because the Air Force was requesting authorization for the first production airplanes and the advanced technology engine—ATE—was known to be experiencing some development problems. Our hearings on the F–15 are printed in part 6 of this year's fiscal 1973 authorization hearings, and I think that the complete development history of the engine was brought out in that testimony. It is available for anyone to read who cares to do so.

That testimony shows that the first design of the ATE engine proved to be deficient in performance, and an alternate design had to be adopted. The first design is known as the series I engine, while the alternate is called series II. As the Senator from Hawaii pointed out in his speech, the series I will be used for flight testing the first F–15's that fly. In fact, the plane that flew yesterday has series I engines in it. The series II design will be used in the later test airplanes, and in the production airplanes. It was not ready for flight status when the F–15 airframe was ready, so for that reason, and that reason alone, the Air Force bought a number of the series I engines to begin the flight test program. These can be used to start checking the airframe, but, of course, the engine's operation and the engine-airframe compatibility will not be verified until the series II version is flying.

The first series II engine now is scheduled to fly this November in an F–15 test airplane. The series II engine must pass a 150-hour endurance test called military qualification test—MQT—before it is qualified for production. This was originally scheduled for February 1973, with the series I engine, and the Air Force still hopes to meet that date with the alternate hardware. As the committee pointed out in its report on the bill, it is entirely possible that the engine qualification could slip a few months. This should not be surprising if it does occur. There is, however, a gap of 21 months between engine qualification and delivery of the first production airplane, and this gap allows time for the engine to "mature" during flight testing before the production airplanes enter Air Force squadrons.

There have been engine component failures in the testing program as was stated in the speech, but these are to be expected. The process of fixing these failures as testing goes along is part of the normal process of building durability into an engine. As I stated before, the engine must be able to run 150 hours without teardown or failure before it is considered qualified for production.

F–15 DEVELOPED UNDER MILESTONE CONCEPT

A major basis for the Senator from Hawaii's claim that the F–15 should not be authorized for production this year was the correctly stated fact that a new airframe, a new engine, and a new avionics system all were being developed at the same time. The attempt to do so was characterized as completely ridiculous.

I believe that my comments on the airframe development and the engine development would contradict that statement. But let me point out another aspect of the F–15 program's development that is designed to reduce the risk of concurrent development efforts on these subsystems. It is the use of the developmental milestone concept, a part of the fly-before-buy philosophy. There are two very important milestones, or benchmarks, that must be passed during fiscal year 1973 before the F–15 is released to production. The first of these is demonstration of the complete avionics system, operating as a single integrated unit, in what is called a bench test. This demonstration must be made successfully before release of an initial $15 million in long-lead item funding scheduled for October 1972. The importance of this milestone is that it requires that the complete avionics system, made up of several large subsystems, must have reached a development status where it can be proven that these subsystems will work and operate together. This is a major hurdle in the development of any new avionics system, and if the avionics would not work, the F–15 would not even start into long-lead production. Requiring passage of this milestone significantly reduces the development risk that could have existed with the new avionics system.

The other major milestone in the F–15 schedule that must be completed before release of full production funding is that the engine must pass its MQT qualification test. As I said before, this is scheduled for February 1973. Passage of this test will mean that the engine is fully qualified for production. Therefore, passage of this milestone will reduce significantly the development risk of the new engine.

F–15 RECOMMENDATION

The committee carefully considered all of these points, as presented in testimony this year when weighing the request for authorization of F–15 procurement funding in fiscal year 1973. It was our opinion that adequate safeguards existed in the F–15 milestones and that development progress to date justified our recommended authorization of initial F–15 production. I believe that to deny this authorization would unnecessarily delay the F–15 program and invariably would cause a tremendous cost increase, and I recommend that the committee's position be supported by the Senate.

F–14 PROGRAM RECOMMENDATION

The Senator's speech also criticized the F–14 program for having concurrency of R. & D. and production and recommended in essence a zero-buy of F–14's in fiscal year 1973. My speech of last Monday, July 24, when I gave the Tactical Air Power Subcommittee's report, did cover fully the F–14 program and the reasons why the committee recommended authorization of the 48 airplanes requested. It also explained the effect of the restrictive language that we added to the bill. I will synopsize the major points again very briefly, but first let me say that the concurrency in the program has been recognized, reported, and criticized by the committee for a long time.

Our major points in recommending 48 airplanes this year are as follows. First, the development and flight test program is making satisfactory progress. Second, authorizing less than 48 airplanes would break the present airframe production contract. Third, breaking the contract would cause a significant price increase for the F–14.

In the committee report on this bill, the financial problems of the Grumman Co. are discussed and so is the reasoning behind the restrictive language proposed by the committee. Therefore, let me say, in closing that it is our belief that the Congress should stay with the F–14 program as proposed by the Navy and as restricted by the provisos in the bill. Denial of authorization by the Congress, by breaking the F-14 contract, could only guarantee that the taxpayer would end up paying more money for the F-14. Senator INOUYE's statement that he is not an aeronautical engineer is one with which I agree. I do not know where he got his information; but if he had knowledge of a technical nature furnished by experts, I am disappointed he did not make it available to the Tactical Air Subcommittee during its protracted hearings.

I recommend that the committee's position be supported.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CANNON I am delighted to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I would like to ask the distinguished Senator from Nevada some questions on the F-14. I have just a few brief preliminary remarks first.

Mr. President, during the course of its deliberations on this authorization bill, the Senate Armed Services Committee held long, thorough hearings on the Navy's F-14 program. These hearings were chaired by the distinguished chairman of the Committee's Tactical Air Power Subcommittee, Mr. CANNON. At the conclusion of the hearings, my colleague from Nevada recommended and the committee unanimously approved the inclusion in this bill of special restrictive language regarding the F-14 program.

I have had a strong personal interest in the course of that program, and I commend Senator CANNON most highly both for the exhaustive hearings he conducted and the restrictive amendment which he steered through the full committee. That amendment, as so ably interpreted in the committee report, is designed to insure that there will be no change in the terms of the present Navy-Grumman contract for production of the F-14 without the express prior approval of Congress.

In order to be sure that there is no misunderstanding about the effect of that amendment, I would like to ask my colleague a few questions at this time:

First. The amendment restricts Navy use only of the procurement funds authorized in this bill for the F-14. These funds total to $570.1 million, of which $407.8 million is budgeted for procurement of 48 Lot V F-14A aircraft, $86.6 million for initial spares, and $75.7 million for advance procurement items for Lot VI. Would my colleague explain briefly the committee's intention in restricting all these funds and not simply the $407.8 million budgeted for 48 Lot V aircraft? Did the committee intend that all $570.1 million could, in fact, be allocated to the procurement of the 48 Lot V aircraft or, instead, that the $86.6 million for spares and $75.7 million for Lot VI advance procurement were available only for budgeted use, but could not be spent even for that purpose unless the conditions laid out for Lot V production were first met by the Navy with the $407.8 million budgeted for the 48 Lot V aircraft?

Mr. CANNON. The committee placed the restrictive language on the entire budget amount because—

First. The initial spares go with the lot V procurement and if the procurement of the aircraft is restricted to the funds authorized, then the spares that go with this aircraft should also be restricted.

Second. If lot V is to be restricted in funds and the conditions stipulated in our bill and report are upheld, then it would not make much sense to allow advanced procurement funding for lot V.

Third. The intent of the committee is clear in that the restrictions in the use of these fundings is intended to limit the F-14 cost to the present contract ceilings. It is not intended that these funds can be used for any other purposes by the Navy.

Mr. PROXMIRE. I appreciate that answer very much.

Second. The purpose of the amendment, as I understand it, is to preserve the integrity of the existing Navy-Grumman F-14 contract. This means, does it not, that, if Grumman refuses to perform lot V when the Navy exercises its lot V option or in any other way fails to honor its obligations under the contract, that the Navy will be unable to obligate or expend any additional funds restricted by the amendment without the express prior approval of Congress?

Mr. CANNON. Mr. President, the Senator's assumption is quite correct. I believe that would be the procedure if this committee language in the bill were to be upheld in the final passage of the act. It seems clear in the bill and the committee report that this funding cannot be used for any other purpose. This, I believe, would then require new legislation for funding to continue the program if any change were made.

Mr. PROXMIRE. I thank the Senator. The third question is this, and it has several subparts to it:

Third. The amendment permits adjustments in the lot V Grumman ceiling price under the existing contract so long as the changes are "in accordance with the terms of such contract including the clause providing for normal technical changes." This prompts the following points:

Would my colleague spell out for me what specific "regular routine types of changes," to use the words of the committee report, are covered by this provision except for technical changes themselves?

Mr. CANNON. The committee was very careful not to insert any language in the bill or report that would in any way give cause for either the Government or the contractor to break the contract. Therefore, as a coverage item for any other contractual commitment that may be required, the committee inserted this additional coverage for routine items. The intent, however, is very clear that contractual changes of such a nature that would "break the contract" and allow Grumman to recover their reported losses were not to be permitted.

Mr. PROXMIRE. What would be "routine changes," as compared to technical?

Mr. CANNON. The termination of use of Government facilities, special tooling, the "Government shops" clause, the Federal and State taxes, and things of that sort. Those would be routine types of changes.

Mr. PROXMIRE. Second, also, with respect to technical changes themselves: Testimony recently released by the House Appropriations Committee indicates that 43 "major flaws" and 75 "minor problems" in F-14 test models were uncovered during NPE I tests last fall and that the Navy is now working on possible fixes. What principle is used to determine whether the fixes required are the responsibility of the Navy, on the one hand, or a contractor on the other? More specifically, is a contractor obligated to make technical changes at its own cost to meet design specifications it originally said it could meet, or, if there are exceptions to this basic rule, just what are they?

Mr. CANNON. With regard to the technical issues found in the Navy preliminary evaluation, I might say that the very intention of this evaluation is to get at the potential technical problems and correct them. I don't believe there has been an aircraft or for that matter any technical item built from paper drawings that did not require some improvements or corrections when it was finally put together. This is also apparent that the correction of these items to the extent that they do not meet contracted requirements, and are not added Navy improvements, are the responsibility of the contractor.

In other words, the contractor has the responsibility to meet the technical requirements; unless the Navy directs changes for its own benefit, they are the contractor's responsibility.

Mr. PROXMIRE. Third, does the committee intend to monitor Navy-approved technical changes as they occur to prevent abuse of its amendment, and if so, what informal reporting procedures regarding changes has it worked out with the Navy?

Mr. CANNON. The committee is constantly monitoring the progress of this aircraft not only because of the problems it has been having financially but also because of its importance to our country. It is the committee's feeling that we do not need to work out any further formal procedures for this matter, because we are, as I say, constantly monitoring the progress as they go along.

Mr. PROXMIRE. I asked what informal procedure. In other words, do you expect the monitoring to be by some kind of informal examination by the staff of the committee, or something of that kind?

Mr. CANNON. Our committee staff is following the matter very closely on an informal basis. In other words, the Navy has a team working directly on it, which reports back to our staff, or at least our staff inquires of them, as to changes and difficulties that are encountered. So we are trying to keep on it, really, on a week-by-week basis.

Mr. PROXMIRE. That is what I want. On approximately a weekly basis the staff of the committee is kept fully informed on the progress, or lack of it?

Mr. CANNON. The Senator is correct.

Mr. PROXMIRE. Finally, fourth, the amendment calls for delivery of lot V aircraft in accordance with the terms of the Navy-Grumman contract, and the committee report indicates that the contract calls for calendar year 1974 delivery of the 48 lot V aircraft. This means, does it not, that the committee amendment requires the Navy to get back on schedule for lot V after the 6 months' slip which now seems likely for lot III and IV deliveries?

Mr. CANNON. The Senator is correct in this. It is the intention of the committee based on the testimony of the Navy that it be desirous for the program to get back on the schedule called for in the contract.

That means they would have to make up the 6-month slippage they have gotten themselves into now, which resulted in part from the crash of the first, No. 1 aircraft.

Mr. PROXMIRE. I thank the Senator from Nevada. He has done an outstandingly competent job in this respect; I have followed it very closely.

This has been an extraordinarily expensive program for the Nation, and it could be even more expensive. It is most reassuring to know that the subcommittee of the distinguished Senator from Nevada is right on top of it, and is going to follow it through, and is concerned not only with the great cost of this program, but that we get a quality aircraft out of it, if that is possible.

Mr. President, I ask unanimous consent to have printed in the RECORD certain documents with respect to the F–14.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE NAVY'S F–14 PROGRAM: THE QUAGMIRE DEEPENS

Mr. PROXMIRE. Mr. President, last year I offered an amendment to the military procurement authorization bill which, if approved, would have terminated the F–14 program. That amendment was defeated by a vote of 61–28.

The fiscal year 1973 procurement bill, as approved by the House and reported by the Senate Armed Services Committee, would provide $732.7 million in additional F–14 funding. The Senate version of the bill, however, makes Navy use of fiscal year 1973 procurement funds for the F–14 subject to three conditions: (1) Navy exercise of its option for the purchase of 48 Lot V aircraft on or before October 1, 1972; (2) maintenance of the ceiling price for Lot V established under the existing Grumman contract; and (3) calendar year 1974 delivery to the Navy of the 48 Lot V aircraft. The effect of these conditions is to require continued Navy adherence to the three most important requirements of its contract with Grumman for procurement of the F–14.

When I sought last year to terminate the F–14 program, I did so for three reasons.

First, and most important, I did not believe that F–14 procurement was needed to protect our national security. Given the inherent vulnerability of aircraft carriers to a variety of Soviet air, surface, and submaine threats, I seriously questioned the ability of the F–14 to successfully perform its fleet defense mission. I also pointed out that the F–14A, as an air superiority fighter, was markedly inferior to the projected capabilities of both the F–15 and a new lightweight fighter alternative, while offering little, if any advantages, over a modified version of the F–4 Phantom, the Navy's current frontline fighter.

Mr. President, I do not wish to review here the details of my case against the F–14, but I ask unanimous consent to place in the RECORD at the conclusion of my remarks the arguments which I made to the Senate last year.

Second, I was concerned that already impending cost overruns at Grumman Aerospace Corporation, together with foreseeable technical difficulties which would need correction later, might lead to long-term F–14 costs so high as to cause a positive weakening in our defense posture. The end result, I felt, would be a totally inadequate Navy fighter force structure or a serious drain on funds needed for other high priority Navy programs.

Finally, I was concerned that a Grumman bailout, coming close on the heels of Lockheed's problems with the C–5A, might damage irreparably the integrity of the defense contracting system.

Accordingly, I urged that we drop the F–14 like a hot potato and turn instead to modified F–4s and a new lightweight Navy fighter as the best possible way to meet the Navy's fighter needs.

Nothing has happened in the year since to quiet my fears or weaken my opposition to proceeding with the F–14. In fact, much has occurred to underscore my earlier convictions.

THE QUESTION OF MILITARY NEED

Many observers have felt that the Navy's strongest argument in behalf of the F–14 is the oft-repeated claim that it is the only fighter alternative able to carry the Phoenix missile, without which there will be no way to cope with the Mig–23, the newest Soviet fighter. I have tried on many occasions to dispel this argument—by questioning the basic fleet defense mission, by noting that the Mig–23 is more an interceptor than a fighter, and by pointing to the strong Air Force conviction that the F–15 will be able to handle the Mig–23 despite its inability to carry the Phoenix.

The Navy has refused publicly to recognize these arguments, but its recent actions clearly undercut its case. The June 19th edition of Aviation Week and Space Technology reports that the Navy is quietly pursuing a new "exploratory" missile development for countering the Soviet high-altitude Mig–23 Foxbat interceptor." This new effort involves use of the Sparrow missile, which can be carried not only on the F–14, but the current F–4 Phantom as well. According to Aviation Week:

> Navy finally is expected to pick a contractor soon for a feasibility demonstration of an air-to-air anti-radiation missile (ARM) for use against Foxbat and other airborne radar emitters. If the idea is successful, the air-to-air ARM could force the Russian aircraft to employ its pulse Doppler fire control radar sparingly to avoid an ARM intercept, thereby denying Foxbat its main potential threat value of look-down, shoot-down capability. The proposed Navy missile is called Brazo, the Spanish word for arm.
>
> Six or seven companies are reported to be contending for the Brazo contract, which calls for integrating an anti-radiation sensor into an existing Raytheon Sparrow air-to-air missile, assisting in the flight test program and providing analytical support over an 18-month period. The competitors are believed to include North American Rockwell, Raytheon, Hughes Aircraft, Bendix, McDonnell Douglas and Lockheed Missiles & Space Co.

Another point bearing on the military need for the F–14 was brought out in a March, 1972 staff study of the program by the General Accounting Office. The GAO staff study showed that the original Navy studies used to justify the F–14 did not compare the proposed new plane's performance characteristics against those of all potential fighter alternatives. It indicated, in fact, that these studies showed the current F–4J fighter "superior to the F–14 in the projected air combat zones of the 1970's" as regards the key category of maneuverability. The effect of the GAO staff study was to lend considerable weight to earlier Systems Analysis and Air Force studies—never publicly released by the Pentagon—which themselves show the F–14A to be little, if any, better than the F–4 as an air superiority fighter.

In short, these two developments—initiation of a new missile development program and publication of the GAO staff study—go to the heart of the Navy's claims regarding the indispensability of the F–14 for both the fleet defense and air superiority missions.

THE QUESTION OF TECHNICAL DIFFICULTIES

This past year has seen confirmation also of various technical deficiencies in the new plane.

One minor and probably correctible problem is the tendency of gases to be ingested in the plane's engine when its cannon is fired in flight. Both Grumman and the Navy have confirmed the fact that ingestion of these gases causes a brief engine stall which would prove fatal under combat conditions if a solution is not found.

More important is the recent announcement, by the House Appropriations Committee, that the Navy found 43 major flaws and 75 minor problems in F–14 test models during preliminary evaluation tests late last year. The deficiencies cited included engine stall and spin recovery difficulties which I predicted in a Senate speech last fall.

Until recently the Navy claimed that F–14 preliminary evaluation tests were "the most successful . . . ever conducted in any aircraft program." It has now told the House Appropriations Committee that there were problems, but that these are normal in any development program and will all be corrected soon. It has said the same thing regarding the 10 deficiencies noted in the AWG–9/Phoneix missile system's separate test evaluation program.

It is likely, however, that a further tempering of the Navy's optimism will soon be needed. Solutions were to be worked out and successfully demonstrated in the second round of preliminary evaluation tests scheduled for this summer. But just as these tests were about to begin a few weeks ago, a second F–14 test model crashed shortly after take-off on a test flight from the Naval Air Test Center at Patuxent River, Md. The cause of the crash has not yet been determined.

There is other evidence, moreover, that at least one problem encountered in last fall's test program has not yet been solved. I refer to the ability of the F–14 to land safely aboard a carrier or even to approximate this feat.

One recent incident is described in the June 19th edition of Aviation Week:

> Navy/Grumman F–14 fighter flown by company test pilot Charles Brown suffered minor damage to its nose gear, including two blown tires, during an incident at the Naval Air Test Center, Patuxent River, Md. last week. The F–14 was making a simulated wave-off maneuver on the ground test carrier installation when its tail hook caught an arresting gear wire, forcing the aircraft into a hard nose-wheel-first landing. The pilot suffered minor back injuries.

A second incident was reported in a letter I received from one of the men aboard the U.S.S. Forrestal during recent F–14 trials. I am withholding my correspondent's name for reasons which should need no explanation:

> Dear Senator Proxmire: I do not wish to draw rash conclusions about the F–14 air-

craft. I simply want to alert you to the possibility of a deficiency in its design.

As you know, the first F-14 crashed due to a hydraulic failure.

I was aboard the U.S.S. Forrestal the day that the second F-14 to crash made its arrested landing and first launch from a catapult. The skipper of the ship announced that the F-14 would do nearly 20 "touch and go's" before landing aboard the Forrestal. He later announced that the F-14 only did 3 or 4 passes before landing due to "minor hydraulic problems." The same aircraft crashed a few days later.

I cannot conclude that there is any relationship between the two crashes. I can only ponder upon the possibility.

Respectfully,

NAME WITHHELD.

The Navy commented on the F-14's carrier landing problems as follows in testimony to House Appropriations:

"The Navy is concerned that Grumman's design, which is required to include the direct lift control (DLC) feature, will land aboard ship in a tail low condition while using this device. This condition is aggravated in a full load condition, for example with Phoenix installed. The Navy considers that it is the responsibility of the contractor to insure specification compliance while providing a safe and proper landing attitude. . . . One possible corrective action is the redesign of the flap system which is under examination. The use of a tail bumber is not a satisfactory solution."

When I suggested last year that the F-14 might have difficulties landing on a carrier with a full Phoenix load, my criticism was ridiculed by the Navy. It now seems clear that a deficiency does exist here and that no solution has yet been demonstrated successfully.

The Question of Cost Growth. Official cost projections for a 313 aircraft F-14 program have risen only slightly during the past year, from $16.7 to $16.8 million. But behind the official smokescreen, there have been signs aplenty of rising costs.

In January, Grumman notified the Navy that once Lot IV production was completed, it would accept no further orders under the current contract.

Grumman's announcement sparked a review of F-14 costs within the Department of Defense, a review culminating in a status report on the program submitted to Secretary Laird in February by Dr. John S. Foster, Jr. The Foster report, which the Department of Defense refuses to make public, projected that it would cost $1.25 billion more than official Navy estimates to complete the F-14 program. It put total program costs at $6.5 billion, or $20.8 million per plane, up from almost $5.3 billion, or $16.8 million each. Ignoring sunk costs, projected costs of the 227 planes not yet ordered were pegged at $3.75 billion, or $16.5 million each, a 50 per cent increase over previous Navy estimates of $2.5 billion, or $10.2 million per plane.

In the months since, Grumman has repeated its claim that it would be forced "to close its doors" unless contractual relief is granted, while the Defense Department has asserted its belief that Grumman can be held to the existing contract (at last until after the fall's elections).

POSTURING CONTINUES

There is no doubt in my mind that both Grumman and the Navy have been doing their share of posturing in recent months. Grumman's suggestion that it is still entitled to a profit on the program, notwithstanding its ballooning costs, is patently absurd. Equally so is the Navy's suggestion that projected official costs will not rise if Grumman is held to the present contract. The fact of the matter is that present Navy estimates make no allowance for the cost of equipping later planes with the advanced technology "B" engine, a step which the Navy fully intends to take, which is not covered by the present contract, and which could itself add as much as $2 million to the cost of later planes even if Grumman is held to its legal obligations.

At present, both Grumman and the Navy are doing their best to obfuscate the actual cost status of the F-14 program. I am convinced, however, that there will be revealed when the dust finally settles a Defense Department request for an F-14 funding boost at least as large as the $1.25 billion increase cited in the Foster report. That figure might, in fact, climb higher by the time 43 major flaws and 75 minor deficiencies have finally been corrected.

For all of these reasons, I have been strongly inclined to try once again, by offering an amendment to this year's bill, to terminate the F-14 program. I still fear that there is a real danger, if we proceed further, that we will slowly sink into an ever deepening quagmire.

I have decided not to offer such an amendment, however, because the Senate Armed Services Committee, in authorizing additional F-14 funding, has taken constructive action designed to keep our F-14 options open and, at the same time, to keep Congress' feet on firm ground. I am sure that the Committee's action will appeal also to a large number of other Senators.

The Committee this spring held exhaustive hearings on the F-14, during which the Navy pleaded with the Committee to keep the program going. The Navy argued that it might still be able to hold Grumman to its contract, that it would be able to get deliveries of this year's aircraft back on schedule after the 6 month slip in Lots III and IV, and that it planned no switch during Lot V to the advanced technology "B" engine.

THE COMMITTEE'S ACTION

What the Committee has done is to take the Navy at its word. It has authorized the funds requested, but it has made their obligation and expenditure by the Navy subject to three conditions. I cited those conditions briefly at the outset of my remarks, but I would like to comment on them here in greater detail, both as set forth in the bill itself and as interpreted in the Committee report, which constitutes the most important part of the legislative history surrounding them.

First, the Navy must exercise its option for the purchase of 48 Lot V aircraft on or before October 1, 1972. This is significant because a delay in option exercise beyond that date would break the Navy's contract with Grumman, and any future purchases thereafter would be at new prices negotiated by the parties.

Second, there must be no increase in the ceiling price for Lot V "except in accordance with the terms of such contract including the clause providing for normal technical changes." The quoted language was included by the Committee in recognition of the fact that minor adjustments in ceiling price as a result of technical changes constitute a standard feature of military procurement contracts. It is not intended as an invitation to a back-door bailout of the program. As the Committee report notes: "The intent of this language does not represent authority or permission to financially restructure the existing contract. . . . It is expected that this provision will not be abused."

Third, Grumman must deliver the 48 Lot V aircraft in accordance with the delivery schedule in its current Grumman contract. As the Committee report notes, the contract "provides for the delivery of the 48 F-14s in this bill in calendar year 1974." Adherence to this delivery schedule is of the utmost importance. Lots III and IV have already slipped 6 months behind schedule, and this slip has cost the Government approximately $30 million in extra costs because the Navy has approved the slip. A failure to get back on schedule for the balance of the program could mean many times $30 million in additional excess costs.

These are the three conditions imposed by the Committee in this year's bill. If they are not met, the Navy will have no authority to obligate or expend one penny of the $570,100,000 of F-14 procurement funds included in the bill. It will be forced to report to the Congress within 90 days with its recommendations regarding the future of the F-14 program, and unless those recommendations or some variation of them are approved by Congress, there will be no procurement of the F-14 beyond the 86 aircraft already on order.

I commend the Armed Services Committee and the distinguished chairman of its Tactical Air Power Subcommittee (Mr. Cannon) for placing these conditions on Navy use of this year's F-14 procurement funding. I am pleased to note also that the Navy, in response to the request of my colleague from Nevada, has placed with Grumman the long lead procurement funds for Lot V omitted by the Navy in April when a portion of these funds first came due. As I agreed at that time, payment of these funds can only serve to strengthen the Navy's position against Grumman.

The Committee's action, then, takes the Navy at its repeated word in testimony before the Congress. It does not foreclose any of the options now open to the Government with respect to the future of the F-14 program. It simply ensures that the Congress of the United States, as well as the Department of Defense, will have an opportunity to review the program and approve any changes in present Navy plans which may become necessary at a later time. I find it difficult to believe that anyone could seriously challenge the reasonableness of this action.

DOD REACTION

I was therefore appalled to learn a short time ago that Secretary of Defense Laird had announced at a Pentagon news conference that he would seek removal of the Committee's conditions in conference on the procurement bill with the House. These conditions, Mr. Laird said, denied the Pentagon the flexibility it wished to have to deal with a changing situation.

What Secretary Laird really wants is not flexibility but the power to decide the future of the F-14 program unilaterally and without consulting Congress. He knows as well as anyone that he will be free to propose any of the options now open to him if the Committee's restrictions remain in the bill. What he seeks to take away is the flexibility of the Congress to dispose of his recommendations as it sees fit and before we are totally committed to them.

Secretary Laird and Navy officials have told the Congress that they intend to hold Grumman to the existing contract as long as they possibly can. They have urged approval of this year's F-14 funds on the grounds that they are needed now if they are to do just that. They should not object to Congressional authorization of the funds only on the condition that they in fact do what they have promised.

The Defense Department and the Navy are already suffering from a serious credibility gap as a result of their handling of the F-14 program. Their own cost estimates and optimistic appraisals of test results have been repeatedly torpedoed by later facts which they could not conceal. Yet until these facts have surfaced, they have repeatedly denied requests which I and other members of Congress have made for public release of readily available information which might prove damaging to their latest case.

THE CONFERENCE ACTION IS KEY

I sincerely hope that the Senate conferees will seek retention of their restrictive language in conference with the House. I know that many members of the Armed Services Committee do not share my view of the merits of the F-14 program. But I hope they do share my commitment to a preservation of Congress' role in the weapons acquisition process, whether there is a budget booster or a budget cutter in the White House. I believe that the Committee's action on the fiscal 1972 supplemental request and its inclusion of Section 506 in last year's procurement bill demonstrate that in fact they do.

I also hope that the House conferees will see fit to accept the Senate's position, and I am encouraged in this regard by the explanation of the House position set forth in the report of the House Armed Services Committee.

To sum up, I commend the Senate Armed Services Committee on the action it has taken. Because of that action I will not offer an F-14 termination amendment to this procurement bill. I must make clear, however, that I am firmly determined to offer such an amendment later to the defense appropriations bill if the Senate restrictions in this bill are dropped or emasculated in conference.

I will make clear then why I cannot accept a blank check for the F-14. I would like to conclude now by reading into the record one criticism of the F-14 which appeared in the January 10, 1972 edition of *Aviation Week*. It is written by a Navy fighter pilot with more than 100 combat missions in Vietnam, and it contains—once the initial technical paragraphs have been waded through—one of the most clear-cut and devastating analyses of the program which I have seen to date.

[From Aviation Week & Space Technology, Jan. 10, 1972]

F-14 COSTS, MISSIONS

The Dec. 6 issue (p. 62) contains a letter by Lt. Cdr. J. G. Hohlstein which attempts to defend the F-14. I say attempts to defend it, since the author misses entirely the salient points of the major arguments directed against the F-14. I would like to clarify several of them.

First, the question of complexity, Lt. Cdr. Hohlstein claims that it is not possible to build a fighter which does not "require the tacking on of heavy and complicated gear in order to do such basic things as navigate, communicate and provide for their own defense over hostile territory."

This is nonsense. The equipment required for these purposes is neither heavy nor complicated. It need not even be expensive. Any number of vendors can provide a full navigation suit for a fighter aircraft for not over 145 lb. Such a suit could include Tacan, ADF, inertial measuring unit (IMU), attitude heading and reference system (AHARS), a radar altimeter and even a central air data computer in addition to flight instruments. A fighter purist might delete the AHARS and IMU and reduce the weight to less than 90 lb. A full communications capability, including secure voice, selective identification feature, data link and landing aids, is available for a weight of approximately 125 lb. using off-the-shelf equipment meeting Mil-Specs. It is not unreasonable to expect a full comm/nav suit could be developed in the near term for less than 200 lb. including a gunsight.

Self-defense is different things to different people. Elint and ECM adequate for a small fighter need not be a severe weight penalty. Airborne intercept (AI) radar is a different matter. The APQ-72 and AWG-10 systems used in the F-4 weigh in at over 2,000 lb. Most combat experience has shown that AJ radar has seldom provided information required for "self-defense over hostile territory." The AI radar coverage is oriented in the forward hemisphere, and the attacks invariably come from the rear. It is difficult to justify the inclusion of AI radar in a fighter for "self-defense over hostile territory."

Even if an AI radar capability is desired, it is difficult to justify something such as the AWG-9. There are numerous excellent AI radars available at weights far less than 250 lb., if you feel the need for one. Since you buy avionics (and aircraft) "by the pound," a savings of several thousand pounds in avionics is a very worthwhile thing. Not only would this save several million dollars per aircraft, but with growth factors the way they are, you could save around 10,000 lb. in takeoff gross weight (TOGW). I am sure many engineers can show Lt. Cdr. Hohlstein how he can have a full avionics suit for a fighter, including air-to-air and air-to-ground radar and inertial navigation for less than 750 lb.

The next point is fuel weights. Lt. Cdr. Hohlstein says "they have also required large fuel loads in order to take the fight to the enemy." Combat radius does in fact affect fuel requirements, but other factors have even greater effect. Fighter aircraft of all nations carry comparable fuel loads.

The "short-legged" MiG-21 has 5,000 lb. of fuel in its TOGW of 17,600 lb. This is about 29% of the TOGW. The F-4 carries 13,000 lb. of fuel when it takes off at 45,000 lb. (fighter configuration). The F-14 should carry around 17,000 lb. of fuel when it takes off at 55,000 lb. (once again fighter configured). Note that both the F-4 and F-14 fuel loads, in terms of percent of TOGW, are comparable to the MiG. Only efficiency of fuel consumption, not total fuel, will vary the ranges. While the F-14 can claim a better cruise efficiency, by virtue of its fanjet engine, this same engine has markedly poorer fuel consumption at afterburner throttle settings and at high Mach.

I have over a hundred combat missions in the F-4 in Vietnam and I can recall few in which I exceeded the 375-naut.-mi. combat radius which Jane's All The World's Aircraft ascribes to the MiG-21, without one or more inflight refuelings. In any event, radius of action must be a secondary consideration in a fighter aircraft. A large combat radius is not beneficial if one loses the engagement at the other end. To paraphrase Mark Twain: "A fighter needs legs only long enough to reach the fight."

Lt. Col. Hohlstein says the Foxbat "is not lightweight, does not have a low-wing-loading, is not small, and is not cheap." I agree. Neither is it a fighter. All these terms could also be applied to the F-14. Incidentally, if the commander does not consider the presently quoted price of the F-14—$16,700,000—"staggering beyond belief" then he surely is not easily staggered. One must also remember that life-cycle cost is five-ten times acquisition cost. Does a life-cycle cost of $80-$100 million stagger you?

Price really is the crux of the argument against the F-14 since price affects the number to be purchased. obviously. As the F-14 price went from $7.2 million in 1969 to $16.7 million in 1971, the buy went from nearly 600 to less than 350. Thus the question facing the Navy is, "Can we afford the F-14?" This may not be germane now, but in 1975, when the F-14 alone absorbs 75% of the Navy's PAMN funds, it will become critical. The USAF has a total aircraft buy in 1973 of less than 100. The Navy will be far worse off in 1975. We lost more than 7,000 planes in Vietnam, half of them fixed wing. The total number of F-4 aircraft lost in Vietnam exceeds the total planned buy of F-14 aircraft. Are we willing to lose several hundred F-14s in some small future war, and if so, what effect will this have on fleet inventory?

All the foregoing represents but the tip of the iceberg. The F-14 is being touted as able to beat any fighter in the world on a one-to-one basis. The fallacy in this argument is how can the F-14 ever expect to locate an enemy who has so few aircraft that our magic F-14 can engage on a one-to-one basis?

The total F-14 buy is exceeded by the MIG-21 inventory of even such small nations as Egypt. North Korea and all the Warsaw Pact nations. There is no way the Seventh Fleet could ever provide enough F-14 aircraft on a "one-time" basis to engage even the North Vietnamese MIG-21 force on a one-on-one basis.

The one-on-one situation seldom occurs except in the sterile training environment in the U.S. (or the minds of Pentagon planners). Numerical superiority is often decisive in air warfare, and "magic" airplanes seldom affect the outcome. The Germans had over 30,000 Me-109 aircraft; the British had over 50,000 Spitfires and Hurricanes. These high-volume aircraft are the ones that affect the outcome of air warfare, not the small numbers of technological curiosities such as the Me-262 and the Foxbat. These latter aircraft have no influence unless they can be purchased in large quantities. Does Lt. Cdr. Hohlstein seriously believe we can ever get sufficient funds to buy and support adequate numbers of F-14 aircraft?

The basic question then is, can the money spent for a single F-14 be better spent to provide fighter aircraft? The answer must be yes.

For the same price as one F-14, the Navy can have at least five F-4 aircraft, eight F-8 or ten A-4M. If Lt. Cdr. Hohlstein takes one F-14 and engages ten A-4s he is going to lose, even if every one of his missiles works perfectly. As compared to the enemy, a single F-14 is equal in cost to a squadron (a big one) of MIG-21s. One F-14 versus a squadron of MIG-21s is a poor bet for the U.S. Navy.

A German ace of World War 1, Werner Voss, engaged a squadron of British fighters once . . . but only once. The Germans rate him in the "ace-of-the-base" category, and he still lost. Let's face it, the average joker needs a wingman, and he can sure use numerical parity in a fight. The F-14 puts the Navy well along the road to "let's buy just one aircraft and let everybody take turns flying it."

I appreciate Lt. Cdr. Hohlstein's vast F-4 experience, all the more since I was one of those instructors who helped him check out in it, initially. When it comes to the F-14 "Tom-Turkey," I once again feel like an instructor.

Name withheld by request.

THE CASE AGAINST THE F-14—PART 1
THE FOLLY OF FLEET AIR DEFENSE

SEPTEMBER 1971

Mr. PROXMIRE. Mr. President, there are many issues to be resolved in deciding whether to buy the F-14, but they reduce themselves essentially to two.

First, how reasonable is it to build an airplane, equip it with a terribly complicated and expensive air-to-air missile, and then stick it on an attack carrier to protect that carrier and its task force from the spectrum of threats which the Soviets can throw against them?

Second, how reasonable is it to rely on that airplane, with all the performance compromises caused by carriage of that missile, as our next generation Navy fighter?

These are the questions I want to answer. I will talk today about the Phoenix missile and the fleet air defense mission of the F-14. I will then address myself in a few days to the dogfighting capabilities of the F-14 and several of its competitors.

These are the points I hope to make today:

First, the vulnerability of the attack carrier has reached the point where it is as obsolete today for a war at sea with the Soviet Union as the battleship proved to be for World War II. The carrier could not stand up to a concentrated Soviet attack against it. And even if it could, it could not be resupplied to carry out its offensive operations.

Second, there is no substantial evidence that the more than ten years old yet still untested Phoenix missile system could give it a new lease on life. The Phoenix probably could not handle the Soviet bomber threat against which it was designed, let alone those facets of the overall Soviet anti-carrier capability which have been expanding in recent years.

Third, only the Soviet Union has the power to neutralize our carriers. China does not, nor do the lesser powers against which we might be involved. Therefore, we should plan now on a force level of nine attack carriers and the systems needed to defend them in conflicts where Soviet naval forces are not involved.

Finally, I will add a caveat: if these arguments are not accepted—if we do want to provide fleet air defense against the Soviet anti-carrier threat—we don't need the F–14 to do it. There are other equally effective yet much less expensive alternatives available. We could put the new Sparrow missile on either a modified F–14 or the F–15, or we could put the Phoenix itself on a modified A–6. In addition to saving money, these approaches would give us what the F–14 does not—a chance of getting the first-rate Navy fighter which our national security may require.

I. THE BASIC VULNERABILITY PROBLEM

The main function of attack carriers is to serve as floating air bases, which can be used to provide tactical air support to deployed land forces. No respectable defense expert has ever questioned the need to maintain some aircraft carriers for this purpose. The carrier debate has focused instead on important subsidiary issues: how many carriers do we need and in what kinds of conflicts do we plan to use them?

The relative costs of land-based and sea-based tactical air forces and the uncertain availability of land bases in other countries are important factors to be considered in answering this question. But the most critical factor of all is the growing vulnerability of our carriers. It goes without saying that we should not employ our carriers in situations where they and the aircraft on them are certain to be neutralized or destroyed.

The Navy argues correctly that it is very difficult to sink an aircraft carrier and that no modern carrier (Essex class or later) was sunk in the Second World War. But the significance of this admitted truth should be placed in context at the outset. It is true as far as it goes, but it doesn't go very far.

The fact of the matter is that it is comparatively easy to damage a carrier enough to make flight operations impossible and force the ship to return to port for a long period of time for repairs. And in anything but a very protracted conflict, to force a carrier out of action for three months or more would be almost as good, from the enemy's point of view, as sinking it.

It is against this background that World War II experience should be evaluated. As one former defense analyst has noted:

"In the Second World War, 60 percent of the carriers that took one hit by a Kamikaze and all the carriers that were hit more than once were forced to return to port for repairs. New carriers with improved damage control features that came into action toward the latter part of the war—Essex class and later—did not fare any better".

And the anti-carrier weapons available today to the Soviet Union are a lot more sophisticated than the Kamikaze tactics of World War II. In testimony last year during the joint hearings on the CVAN–70 aircraft carrier, the Navy listed the following threats to the carrier in the following alleged order of their severity today:

Nuclear weapons.
Submarines with cruise missiles.
Long range bombers with cruise missiles.
Cruise missile-equipped surface ships.
Tactical aircraft.
Long range bombers with conventional weapons.
Gun equipped ships.
Ballistic missiles.

Granted that we must size all our conventional forces on the assumption that nuclear weapons will not be employed at the outset of a conflict and granted that some of the latter threats can probably be defeated, the list is nonetheless impressive.

Interestingly enough, one threat not included in the Navy's list is submarine torpedoes, one of the oldest and surest forms of enemy attack against any surface shipping. Submarine torpedoes were used with devastating effect by the Germans in World War II, as indicated in more detail later. The Russian submarine force today is about seven times as large as the force with which the Germans entered World War II. Moreover, these submarines are a great deal quieter and difficult to detect than the German subs. Using wolf-pack tactics they would have a significant chance of penetrating close enough to our much more detectable carriers to launch their torpedoes against it. And these torpedoes, now of the acoustic homing variety, will still wreak substantial damage. The Navy's devotion to its own Mark 48 torpedo program itself makes the point rather well.

Moreover, these advances in anti-carrier weaponry have been accompanied by advances in the surveillance capabilities needed to bring these weapons to bear. Satellite and long-range aircraft reconnaisance have greatly reduced the ability of naval task forces to hide in the broad expenses of the oceans. And more sensitive submarine sonars and higher speed submarines make it much easier for submarines to find and attack the carriers.

For all these reasons it is virtually impossible today to find a single defense expert outside the Navy who believes that our carriers could effectively survive a determined onslaught by the Soviet Union even with non-nuclear weapons.

Many observers have noted, for example, that four or five hits by Soviet cruise missiles—whether from aircraft, surface ships, or submarines—would force a carrier to retire. Similarly it has been suggested that a few hits on the carrier's four screws by submarine-launched acoustic homing torpedoes would cause enough loss of propulsion power to make normal flight operations impossible and to greatly reduce the carrier's ability to avoid further damage.

The problems of defending against this limited number of hits has also been pointed out. The effectiveness of anti-submarine warfare (ASW) measures in any particular engagement is limited by the inherent variability of the underwater acoustic environment and the unreliability of sophisticated sonars. And anti-air warfare (AAW) improvements are likely to be overwhelmed by improvements in offense, such as higher speed and lower altitude missiles. The net effect is that both types of defense can cause substantial enemy attrition over a long period of time but cannot provide strong assurances that a carrier could survive a determined attack.

And that is precisely the kind of attack which the Soviets would throw against them. Testimony to Congress by Navy spokesmen in recent years has stressed the Soviet's growing anti-carrier capability. Attempts have also been made to calculate the effects of a concentrated attack against the two or three carriers we could hope to have deployed somewhere at any one time.

One such calculation is set forth in the Brookings Institution analysis of the fiscal 1972 defense budget. It suggests that the modest Soviet bomber force *alone* could completely neutralize our carriers:

"This fundamental point is worth elaborating by a purely illustrative and highly simplified model. Suppose the USSR is willing to expand twenty-five bombers, each capable of carrying one air-to-surface missile, and their fighter escorts, in order to disable one carrier. (The Soviets have in their naval aviation force some three hundred ASM-capable bombers, whose primary mission would be to attack U.S. carriers.) Suppose also that the ASMs have 80 percent reliability and, very optimistically, that our fighter defense would have a 40 percent chance of shooting down a bomber in a single engagement and our surface-to-air missile systems (SAMs) and 80 percent probability of shooting down an incoming ASM. With these assumptions, the bombers would get six hits on the carrier, more than enough to force it to retire. Less optimistic assumptions on defense would sharply reduce the number of bombers needed to put a carrier out of action."

If anyone thinks this is an exaggerated analysis, let me stress its assumption that each Soviet bomber is capable of carrying but one ASM. According to testimony last year in the CVAN–70 hearings, some of these Soviet aircraft have a multi-missile capability.

Another calculation, by former defense official Leslie H. Gelb in testimony before the Senate Defense Appropriations Subcommittee this year, reached even more pessimistic conclusions. Gelb's calculations were based on the realistic assumption that the Soviets would not rely on their bomber force alone but use submarine cruise missiles and surface to surface antiship missiles as well:

"The Soviet Union would, in all probability, launch a large number and variety of missiles against our carriers. Assuming the carrier defenses against this attack could destroy as many as 80 percent of the incoming missiles (and this is a very optimistic assumption), the probabilities amount to a virtual certainty that our carrier would take about a dozen hits. . . . Recent tragic experience with the Forrestal and Enterprise—where in each case an accidental firing of one of our rockets led to many deaths and extensive damage by fire and explosion—indicate how little it might take to put a carrier out of operation and force it to retire."

And some analysts suggest that these calculations are conservative, that even one well-placed hit might put a carrier out of action. They note that carriers have to be moving into the wind at a fast clip to permit normal flight operations and that one hit alone might prevent this. They also note that the Soviets might use incendiary cluster bombs as the warheads of their cruise missiles and that one such missile could wipe out most of the aircraft sitting on the carrier's deck. Even more conservative is the complete omission of the torpedo threat.

None of these arguments are new, however. The carrier debate has raged for years, with little apparent effect within the Navy itself. The Navy admits the increasing vulnerability of its carrier force, but refuses to admit that the danger point has been reached. It cites the defenses of the carrier against possible attack. It notes that all carriers present mobile targets, and that nuclear carriers have unlimited endurance at high speed. And it cites the extensive protection features, such as armor flight decks and torpedo side protection systems, designed into our latest carriers.

I am simply not persuaded by these arguments. Little confidence should be placed in a carrier's 30 knot speed as a means of preventing detection of its position—particularly in view of the tremendous increase in underwater noise generated at this speed. Moreover, the carrier can maintain this speed for extended periods only if it foregoes the protection of its slower escorts and while not conducting flight operations. As far as carrier protection features are concerned, great progress was made during the course of World War II, but developments since have been much slower, since there was really little more left to do.

I am firmly convinced that our carriers are already sitting ducks for the kinds of multiple attacks the Soviets could mount against them. And whatever the situation which exists today, it will clearly be worse yet when the new nuclear carriers already under construction finally enter the fleet.

II. THE PROBLEM OF RESUPPLY

Nonetheless, I would like to turn briefly at this time to one element of the carrier vulnerability problem which has received too little attention to date. The vulnerability of carriers on station against the Soviets is bad enough. But the vulnerability of their logistics systems and the carriers themselves in the process of being supplied is actually a good deal worse.

The Navy itself has recognized as much. First, Admiral Holloway on the comparative aspects of the problem; during the CVAN–70 hearings last year:

"All ships are vulnerable to the anti-ship missile. Most vulnerable are the unarmored tankers, ammunition ships, and troop carriers which support our overseas allies and our own deployed forces. Also vulnerable are our attack carriers, but due to their high speed, protective armor, and self-defense capability, attack carriers are the least vulnerable of any of our forces at sea."

Next, Admiral Rickover on the actual magnitude of this supply ships' problems, in testimony earlier this year to the Joint Committee on Atomic Energy:

The World War II experience: "I am sure you remember the large number of tankers sunk in World War II by German U-boats—submarines that were much slower and far less capable than those the Soviets have today. Moreover, Germany started the war with only 57 submarines. The United States lost over 130 tankers in the Atlantic Campaign, mostly to German submarines. By mid-1942 the situation was desperate. So many tankers were being sunk that the supply of military fuel to Europe and the Pacific was threatened. Then, too, the deciding factor in our defeat of Japan—also an island empire—was the ability of United States submarine and air forces to interdict the flow of oil from overseas to the Home Islands; this strangled Japan's industrial and military effort and brought about her collapse.

Tankers then and now: "During World War II we had a large number of small tankers. Most tankers were of 10,000 to 15,000 tons full load, with the largest about 25,000 tons. Therefore sinking a tanker at that time did not have anywhere near the impact as would be the case if one of the large tankers we have today were sunk. Presently, many tankers are over 100,000 tons, and plans are being made to build tankers of 500,000 tons and larger. One such tanker carries many times the oil of the World War II tankers; also they offer a much larger target and so can be sunk more easily.

Present military implications: "The greatest vulnerability of surface warships results from operating restrictions required to conserve propulsion fuel and to supply the propulsion fuel. The refueling ships must steam at slow speeds and on fixed courses. They would be "sitting duck" targets for attack by torpedo or missile firing submarines. Further, the fuel oil must be brought to the warships by tankers which themselves are slow targets vulnerable to enemy submarines and air attack.

"As I see it, in a war the Russians would immediately sink the tankers, which would immediately shut off oil supplies to Western Europe and to our oil-powered forces at sea. It would then make no difference what supplies we tried to get across. Without propulsion fuel modern armies are powerless. In a short time prepositioned fuel would be used up and we would be facing overpowering odds . . . Ships with short cruising radius will not survive a war with the Soviets."

These are rather forthright statements and it is important to recognize the purpose for which they were made. Actually, they form the backbone of the Navy's argument that any future carriers we build—and their escort ships as well—should be nuclear-powered rather than conventional models.

Nuclear ships, the Navy argues, are not dependent on external fuel for their own propulsion. They can transit the oceans to a new station at high speed and without refueling. They can hold these stations without the periodic reductions in a task group's readiness which would be occasioned by refueling. Tanks otherwise used to store carrier and escort fuel can carry aircraft fuel instead. And the higher speeds of nuclear ships reduce vulnerability and increase target coverage.

But while the Navy points out the great difficulties of resupply operations at sea in order to shore up its case for more nuclear-powered surface ships, it fails to call any attention to another implication of these difficulties.

Nuclear-powered carriers may not need refueling to propel themselves, but they must be supplied with aircraft fuel and ammunition if they are to provide any punch in the first place. And the supply problems here are every bit as grave as the tanker problems to which the Navy admits.

There is no single answer to the question of how long a carrier can go without being resupplied with aircraft fuel and ammunition. Nuclear carriers have twice the capacity for aircraft fuel and 50 percent more for ammunition compared with conventional carriers. And any carrier's consumption rates are obviously going to depend on the intensity of the operations conducted.

But in conflicts involving the Soviet Union the operations would be intense, perhaps approaching one sortie per day at maximum gross weight of ammunition and fuel for each aircraft on the carrier. Even granting the differences between carriers, the simple fact of the matter is that no carrier could hope to keep operations going under these conditions for more than a few days at a time!

The precise time involved is not important, but its relative shortness is critical. After only a very short time, the carrier would be in need of resupply, and its logistics system—composed of underway replenishment ships, tankers, and ammunition boats—would be subject to all the difficulties of other surface shipping. These supply vessels would move slowly, having to be refueled, and without the many defensive systems protecting the carriers themselves.

The implications are devastating. Even *if* we could succeed in protecting our carriers through multi-billion dollar investments in sophisticated defensive gear, we would still be unable to get through to them the supplies needed to permit continuation of the offensive operations they provide. The front door might be guarded, but the back door would still be ajar.

And suppose that a few supply ships did get through, Navy statements above notwithstanding. Our carriers would have to reduce their own readiness in order to be supplied. They would have to leave their stations, move to a replenishment area out of range of land-based enemy aircraft, and then slow down for the actual transfer.

At this point they would still be in range of Soviet submarines, with both their acoustic homing torpedoes and their cruise missiles. It is clear from published sources that these missiles, touted by the Navy as the most serious threat to the carriers, can be launched from a submerged position, many miles away, on the basis of intelligence received. With the missile traveling at the speed of sound, probably undetected before launch (we can't have ASW planes everywhere at the same time), it poses a formidable threat indeed.

III. FLEET DEFENSE AND THE F–14

Much more could be said about the vulnerability of attack carriers. But where does the F–14 fit into this basic picture?

The Navy's interest in providing its carriers with a means of defense which would permit their use in high intensity—even nuclear—conflicts with the Soviet Union dates back a good many years. In the 1950's the main concern was Soviet employment of their new nuclear capability against the carriers.

It was clear even then that a single nuclear weapon delivered anywhere in the vicinity of a carrier would wipe out an entire task force. The Navy desperately wanted a weapon that would destroy 100 percent of the Soviet's missile launching bombers—then the chief nuclear threat—in a massed attack against the task force. The original proposal was called Eagle-Missileer and work was started on it in 1958. The F–14 is a rather straightforward outgrowth of that work.

The Missileer was a low performance, long loiter aircraft capable of functioning as a missile platform, and its objective was the simultaneous tracking and firing of six missiles against the postulated threat of massed Soviet naval bombers. The Eagle was the missile it would launch.

Eagle-Missileer was cancelled in 1961 due to technical infeasibility, and a similar verdict was soon pronounced on the use of carriers in any future nuclear wars. But the Navy never abandoned its basic concept for the missile. As our conventional forces were beefed up in the early 1960's, the Navy resubmitted its requirement for an anti-bomber fleet air defense missile to protect the fleet against the new threat of non-nuclear bomber attack in the performance of its tactical air support role.

Appropriately enough, the new missile was named the Phoenix, and until 1968 it remained tied to the ill-fated F–111B airplane. This is neither the time nor the place for a complete analysis and apportionment of blame for the TFX fiasco, but a few words are necessary to place in context the decision to proceed with the F–14.

Whatever the wisdom of Secretary McNamara's insistence on a single plane to meet the Air Force's desire for a fleet air defense interceptor, the Navy was opposed to the F–111B from the outset. One of the initial concessions it extracted in return for participation in the program was the right to incorporate in the new plane both a new version of the cancelled Eagle missile and the cancelled TF–30 engines which had been developed for the Missileer.

Little consideration was given by anyone at the time to the dog-fighting capabilities of the new plane. The F–111B was regarded simply as an interceptor. The main advantage it offered over the Missileer was a significantly increased speed and acceleration capability which was intended to enable it to get into its intercept position more quickly than the old plane. The Phoenix itself could shoot everything out of the sky, the Navy said, so forget maneuverability.

It would not be unfair to say that the Navy first became concerned with the dogfighting capability of the F111B when it saw this as an opportunity to kill the plane and get a true Navy aircraft of its own. Working together with several aerospace companies, such as Grumman Aircraft Company—then a subcontractor to General Dynamics on the F-111B—it encouraged the design of new airplanes which would still carry the Phoenix missile but also be better dogfighters than the F-4 Phantom, then and now our first-line Navy fighter.

The improved capabilities of alternative planes—and the technical problems with the F-111B—were argued vigorously in testimony on Capitol Hill, and in 1968 both the Senate and House Armed Services Committees deleted all funds for the F-111B from the budget. Working feverishly, the Navy then saw to it that a contract with Grumman for the F-14 was rushed through before the Nixon Administration could carefully review it after taking office.

The F-14 is thus the *third* Navy plane to carry the Eagle-Phoenix missile and to be powered by a version of the TF-30 engine. And it is *still* primarily a fleet air defense interceptor. After the F-111B was killed, the Navy never seriously evaluated the possibility of incorporating a Phoenix fleet air defense missile capability in a first-rate fighter aircraft. But this was then and remains now a technical impossibility, as I hope to explain in a few days. Unfortunately, our need for a first-line carrier based fighter to replace the F-4 is a good deal greater today than in either 1958 (when the F-4 was itself in development) or 1968.

Another thing which has changed since 1958 is the nature of the Russian threat to our carriers. What was envisaged then was a dramatic increase in the number of Russian naval bombers, the threat against which the Phoenix was designed. While there is extreme doubt whether the Phoenix could handle the Russian bomber threat which exists today, that threat has never expanded as predicted for the past ten years. As House Appropriations Committee Chairman George Mahon, noted in 1968: "The bomber threat against the fleet, as you know, has been predicted by Navy officials for some time. It has, of course, not developed to date."

What has developed is the many faceted threat described earlier. It is worth evaluating the role of the Phoenix in the spectrum of defenses we have now erected against this threat to see why it would almost surely be ineffective.

Then Phoenix is a long-range air-to-air defensive missile, which the Navy claims will be capable of destroying "multiple targets in a heavy electronic countermeasures environment in all weather conditions." It will be guided by the F-14's AWG-9 fire control system, which is also designed to handle six single shot Sparrow missiles.

According to the Navy, the Phoenix already has an enviable test record on which to stand, with a success record of approximately 70% in the 40 or so firings to date. This claim deserves some rather careful scrutiny.

In the first place, Navy statistics do not include the substantial number of unsuccessful firings in which the missile never left the launch rail because the launch system failed prior to the actual launch. These failures, which should obviously be included on any realistic score sheet, must be carefully distinguished from the much smaller number of recorded "no test" firings—firings in which the missile was launched but failed to hit its target due to defects in the test conditions not related to the missile system itself.

Moreover, all the tests conducted to date have been engineering tests, held in a laboratory-controlled environment, and almost all have been against single targets with artificially augmented radar signals and little or no maneuvering capability. Operational tests, under conditions representative of actual combat experience, have yet to begin. Due to the incredible amount of concurrency in the whole F-14 program, these operational tests are not scheduled to be completed for another several years, by which time any decision on the F-14 will long since have been made.

Finally, this terribly artificial test program has itself been very limited in scope. Virtually all of the test firings to date have been tests of the *old* AWG-9 Phoenix system developed for the F-111B. The new version for the F-14 has more than one-third less weight and has been completely redesigned for tandem seating and to accommodate the Sparrow missile.

And despite the Navy's claim that the system will be capable of near simultaneous launch against up to six widely separated targets, no more than two simultaneous firings—even of the old version—have been attempted at any time to date. Thus it is difficult to evaluate the argument of some critics that the AWG-9 tracking capacity would be swamped if it ever attempted to fire six missiles simultaneously in the presence of one or two dozen targets on the radar scope. Yet even in the last multi-shot test, one of the two missiles missed its target.

But one need not dwell on the scarcity of test data on the Phoenix. It is really quite similar to other air-to-air missiles which have entered our inventory in the past several years. Some of these missiles had initial test records every bit as "promising" as the Phoenix but exhibited serious deficiencies when used in Vietnam. Our experience with the Sparrow missile is instructive in this regard. It is a radar guided missile like the Phoenix, but somewhat less sophisticated and expensive. (The present version of the Sparrow costs $40,000 per shot, the Phoenix $400,000.)

One problem the Sparrow has had has been its inability to distinguish between friendly and enemy targets. It has been designed for launch at a range of roughly 15 miles, well beyond the range of visual contact. Unfortunately, its radar system can pick up aircraft blips at this distance, but can't tell who the blips belong to.

This has had a significant effect on use of the Sparrow in Southeast Asia. Despite the fact that it was designed for stand-off launch, orders have been in effect prohibiting its stand-off use at times when friendly aircraft might be present. Until billions of dollars had been spent, nobody realized that we wouldn't be able to fire at will on nonresponding radar blips—because they might be Laotian airliners flying to Hanoi or Air Force planes not tied in to the Navy's communication system! And part of the reason for the Sparrow's poor record under *visual* launch conditions has been the fact that many of these launches were from inside its minimum effective range!

Another problem of the Sparrow has been its poor reliability—its failure to even launch and fly. The artificial nature of its initial test program has been only partly responsible. More important has been the fundamental complexity of design which made it unable to withstand rigorous combat handling procedures.

When conditions did permit its use and it was able to be fired, the Sparrow and its radar search system may have scared away as many enemy aircraft as they found. The explanation is simple. One of the problems of all airborne search radars and active radar missiles is that they broadcast their position for miles around, thus alerting enemy aircraft to their presence.

Moreover, these airborne radars have an effective search pattern only in a very narrow cone directly in front of the airplane and cannot locate more dangerous and undetectible targets flying elsewhere. As a result, enemy aircraft guided from the ground have been able to avoid this narrow search pattern and pop up unsuspected and undetected on the tails of our aircraft.

When we have in fact acquired enemy aircraft (almost always visually) they have often been able to outmaneuver the Sparrow by hard turns at normal combat g's. This has been the result of inherent physical limitations in the maneuverability and response times of the missiles themselves.

Finally, the Sparrow has shown itself susceptible to simple electronic countermeasures which degrade its performance.

The actual performance record of the Sparrow in terms of targets killed per firing remains classified, but this much can be said. Due to the target differentiation problem, it simply has not been used much of the time under the conditions for which it was designed. And when it has been used, its demonstrated performance has been only 10% as good as the performance originally expected.

There is every reason to believe that the Phoenix will fare no better and might fare worse. Much of what has just been said is directly applicable, but let me cite a few particulars.

First, one of the advertised advantages of the Phoenix is its significantly longer range than the Sparrow. (According to the DMS Market Intelligence Report, "Phoenix was initially intended to have a range of more than 200 nautical miles, but has since been scaled down to an estimated 80 n.m. range.") Yet tests conducted by Hughes Aircraft Corporation, manufacturer of the Phoenix system, confirm that it has no capability against maneuvering targets except over the shorter stretches of its range. Beyond a certain point, the tests showed, the Phoenix rocket motor burns out and it cannot get the maneuver energy needed to keep up with a target which can quickly change directions!

Second, hardware tests at the Naval Weapons Center's Corona Laboratory have shown that the Phoenix can be effectively countermeasured by simple low power techniques.

Third, a study has been conducted which indicates that the Phoenix will have severe reliability problems due to many of the same complexity of design features which have made the Sparrow unable to withstand rigorous combat handling procedures.

Fourth, the very nature of the F-14's dual role as fighter aircraft and fleet defense interceptor aggravates the target discrimination problem, i.e., distinguishing friendly aircraft from foes. About the only time a long-range Phoenix launch could be used to protect the carrier is when there are no friendly attack aircraft or F-14 escorts carrying out tactical air operations from the carrier. But one of the main reasons for having and protecting carriers in the first place is to conduct such operations!

Opinions differ as to whether a solution to this identification problem will be found, but there is no demonstrated solution yet in sight. And even if a secure and reliable communications system were established between our own airplanes, it would still be very risky to fire at will against unresponding radar blips in all theaters. Crowded areas like the Mediterranean, for example, would still contain friendly aircraft not tied in to our communications system. The E-2C (essentially a Navy AWACS) might keep track of some of their movements, but it is far from foolproof and terribly vulnerable.

These deficiencies would be serious enough if the Phoenix had nothing but Russian bombers to defend against! But they would be magnified if it were pitted against the expanding Soviet cruise missile threat, to say nothing of the highly maneuverable fighter aircraft which would be well within range of a carrier in the Mediterranean.

As far as cruise missiles are concerned, there must be doubt in the first place whether the Phoenix would have the maneuverability to correct for errors in its estimates of their direction and velocity. And even if it were successful in meeting its design specifications against high speed, low flying targets with small radar cross sections, the F-14 would have to be in a narrow cone directly ahead of the missiles if it were to see them at all. The search patterns of airborne radars, it should be noted, is especially limited in the look down mode. And it is also significant that the more clutter suppression one designs into such a radar, the more vulnerable it will be to countermeasures.

But let's suppose that these problems were solved! The Russian bombers might still be able to defeat the system by a simple choice of tactics. A simple example, without specific numbers, will suffice to demonstrate the point.

We will have only a limited number of F-14's aboard a carrier and only a handful—with a maximum of 6 Phoenix missiles each—will be in the air at one time. Against these F-14's the Soviets could concentrate a significantly larger number of naval bombers, since the bombers could strike at a time of their choosing and would not be on serial airborne alert. These bombers could then be deployed in waves, the first bombers exhausting the limited number of missiles in the air and the next wave moving in on the carrier before reinforcements reached the scene. These tactics would be aided, moreover, if the bombers were able to maneuver out of the way when warned that a Phoenix was coming, if they were preceded by more maneuverable fighters, if they carried the jamming equipment we already know works, or if a few submarine launched missiles were used to create a diversion.

There is one other related point. If a war at sea ever did break out between the Soviet Union and the United States, it would probably be initiated by a surprise Soviet attack on our carriers, at a time when their defenses were low. We have worked very hard since the dawn of the nuclear age to minimize the chances of any direct engagements with the Soviets, and it is very unlikely that we would initiate one. Such an engagement would probably come, therefore, only if we miscalculated the Soviet response to one of our actions or if the Soviets made an irrational and unprovoked move of their own. Under these surprise attack conditions we could expect only a small fraction of the F-14's aboard a carrier to be either in the air or serviced for immediate use.

I have purposely saved till last a discussion of the staggering costs of the Phoenix and its fire control system. When the missile first rose from the ashes in 1962 and became a part of the F-111B program, total development costs, according to DMS Market Intelligence Report, were estimated at $175 million. They have now risen, the Report says, to well over $500 million and development is far from complete.

More worrisome are the likely production costs of the Phoenix, already estimated at $400,000 per shot, without any allowance for deficiency correcting modification costs. Another factor which could drive costs upward is a smaller than anticipated Phoenix buy. Published estimates of the buy have ranged from a low of 1,400 to a 3,700 high, with the lower part of the range associated with the small F-14 buy which is probably inevitable even if the program continues.

It cannot be stressed too much that the cost of one F-14's six Phoenix missiles, even at the $400,000 price, would be $2.4 million. That is the approximate price for three Mig-21's and for one of our own F-4 fighters! And this would be in addition to the $16 million price tag on the F-14 itself!

Actually, the high costs of the Phoenix would do more than affect our pocketbooks. They would also have an adverse impact on the already poor effectiveness of the missile.

For one thing, these high costs would inevitably affect Navy training programs for the Phoenix, just as training programs for the Sparrow have been affected by its comparatively cheapter costs. With the costs of each Phoenix firing approaching a half million dollars, very few Navy aviators would be allowed even one training shot. Most of their training would consist of dry runs, where they locked on targets with the AWG-9 system and then pressed the button which in battle would launch the Phoenix. There would be some value in this limited training, but it would not inspire confidence for combat use.

Moreover, it is doubtful whether any purchase within the 1,400 to 3,700 range now contemplated would provide us with the number of missiles combat could realistically require. A buy of 2,000 missiles, for example, would give us only one full load for 300 F-14's, with 200 extra for training and spares. One full sortie per plane is not a very comfortable margin. Looked at another way, these 2,000 missiles would be wholly expended if 12 planes a day flew fully loaded sorties in a 30 day conflict with the Soviets—even if all the missiles somehow could be rushed to the scene!

I recognize that these calculations make no allowance for the fact that on many sorties some or all of the missiles would not have to be fired. It is highly unlikely however, that all unfired missiles would actually be brought back on board the carrier. These are two aspects to this problem.

The first aspect concerns the degradation of its already limited dog-fighting capability which the F-14 would suffer if it attempted to engage in aerial combat carrying a full load of Phoenix missiles. Navy planning for the F-14 fully recognizes that the extra weight and drag of these missiles would significantly degrade the plane's maneuverability. Accordingly, the Phoenix is designed to be carried in readily removable pallets, attached to the plane's fuselage. When programmed for a dogfighting mission, neither these pallets nor the missiles would be carried. And when they were carried for fleet defense purposes and a dogfight situation arose, they could be dropped in the ocean to maximize fighter capability.

This last prospect is rather disturbing. In the Mediterranean, for example, it would not be possible to operate out of range of land-based fighter aircraft when configured for the fleet defense mission. Under these circumstances, the F-14 could be set upon by enemy fighters at any time. When this occurred, the prospect is that $2.4 million worth of missiles—more than the likely cost of the enemy aircraft itself—would be quickly released to the ocean depths.

The second aspect of the problem is more serious. Notwithstanding Navy statements that F-14 "design specifications require that any combination of fuel and unexpended ordnance up to a total of 10,000 pounds can be brought back aboard the carrier, "there remain serious doubts about the ability of the F-14 to land on a carrier with a full Phoenix load.

For one thing, Navy pilots have an understandable aversion to landing on a carrier with a dangerous ordnance load, especially in bad weather conditions, and might be tempted to lighten up.

Moreover, the weight of six Phoenixes and their pallets has been publicly estimated at between 6,000-7,000 pounds, which reduces to 3,000-4,000 pounds the margin of error remaining. This margin is reduced even further if allowance is made for necessary fuel landing reserves, dogfight missile, and the cannon pallet, and it could be eliminated altogether by weight increases on the plane. It is worth noting in this regard that the Navy is already projecting a 700 pound weight increase for the F-14, an increase which will be slightly more significant without the "B" engine, given its own lesser weight than the "A." Any further weight increases, perhaps necessitated by modifications work, could easily break the camel's back.

III. THE POLICY IMPLICATIONS

Mr. President, the vulnerability of the attack carrier has reached the point where it is as obsolete today for a war at sea with the Soviet Union as the battleship proved to be for World War II. The carrier could not stand up to a concentrated Soviet attack against it. And even if it could, it could not be resupplied to carry out its offensive operations.

Nor is there any evidence that the more than ten years old yet still untested Phoenix missile system could give it a new lease on life. The Phoenix probably cannot handle the limited threat against which it was designed, let alone those facets of the overall anti-carrier capability of the Soviets which have been expanding in recent years.

These considerations do not mean that we should retire all our carriers from the force. Only the Soviet Union possesses the spectrum of threats capable of jeopardizing the carriers. China could not do so, nor could the lesser powers against which we might be involved. All these countries have is a small and obsolete bomber threat, a few old and noisy submarines (about 30 in the case of China), and possibly some new Soviet-provided patrol boats with their Styx missiles. They would also have some new figures exported by the Soviets, but these could best be defended against by a new light-weight fighter of our own.

If we made the needed decision to size our carrier force for use in conflicts involving these countries, it would reduce to nine the force level required. This force level would allow one carrier to be continuously on station in the Mediterranean and two in the Pacific, or vice versa. And each of these deployed carriers could be re-inforced during a crisis by one or two of the back-up carriers. In a war-time situation, an even larger number could be rushed to the scene.

Such a decision would also permit a drastic reduction in the large number of programs now underway to protect the carrier, programs which make no sense except in terms of the Soviet anti-carrier threat. Consider for a moment some of the presently on-going programs designed to provide carrier protection against the Russian cruise missile threat alone:

The Condor missile, which can be fired from attack aircraft at long range against ships, patrol boats, or surfaced submarines;

The Harpoon missile, which is being developed to do the same job from our surface warships and from aircraft.

The E-2C long range detection aircraft;

The S-3A carrier-based anti-submarine warfare aircraft;

The LAMPS helicopter which will operate from escort ships;

The AEGIS surface-to-air missile system;

The Improved Point Defense Missile System;

The Close-in Weapon System;

Advanced electronic warfare systems such as Shortstop; and of course;

The F-14 and the Phoenix.

Many of these programs—some with problems of their own—would not be needed to protect our carriers in non-Soviet engagements. In other potential conflicts, we could rely on a much less complex but probably more reliable set of defenses. The primary elements of these defenses would be simple electronic countermeasures, anti-aircraft guns, and existing shipboard surface-to-air missiles. We might also want to keep reliable modifications of a few other systems in which we have invested so heavily.

As far as defensive missiles are concerned, it is important to recognize that any reasonably reliable shipboard missiles have a significant advantage over their airborne counterparts. They would not be chasing elusive aircraft and missiles on their way to other targets, but would instead be located with the targets themselves and have the much easier task of intercepting directly incoming missiles. We could complement these shipboard missiles with a fleet air defense capability, but we would not need the F–14 or Phoenix. We could if we wanted use the F–4 and the Sparrow. But all we would need against the few obsolete bombers of other countries is a good new fighter with anti-aircraft guns and reliable missiles like the Sidewinder.

If steps of this kind were taken, significant economies could be realized and funds made available for other high priority Navy programs, such as submarine fleet expansion and programs to reduce the carrier dependence of our surface Navy itself. It makes little sense and is highly dangerous to keep concentrating our surface forces around an increasingly vulnerable focal point. Some means must be found to disperse those forces if their abilities are to be preserved.

IV. A FINAL CAVEAT

I have discussed the problem of carrier vulnerability and the failings of the Phoenix in such detail for three reasons.

First, the fleet defense mission is central to the basic rationale of the F–14. What the Navy has wanted for almost fifteen years is an airplane from which to launch the Eagle-Phoenix to protect its carriers. The Missileer, the F–111B, and the F–14—all have been fleet defense interceptors above all else. Just how poor a fighter the F–14 is I'll explain in a few days. Its fleet defense syndrome is why.

Second, I wanted to explain in full what I think is a basic truth—that any money spent on air-to-air missile defense against the Soviet anti-carrier threat will be money down the drain. It will be money diverted not only from important domestic programs, but from other defense programs which could serve our interests better.

Third, the fleet defense emphasis in the F–14 program is symptomatic of a far more pervasive problem in the Navy today. There are many other items in the Navy budget at this time which make no sense at all except in terms of the Soviet anti-carrier threat. Money spent on them may be wasted too. We should keep this in mind as other carrier-related issues keep coming before us.

But I would like now to make a final caveat. If, despite all the evidence of its futility, we still want to provide air-to-air missile defense of our carriers against the Soviets, we don't need the F–14 to do it. There are *other* ways which would be equally (in)effective, far less expensive, and which would not rob us of the first-rate Navy fighter our security may require at this time.

One approach would be to put the Phoenix itself on the A–6, one of the Navy's interdiction aircraft. This option was seriously considered by the Navy during the dying days of the F–111B. It might well have been chosen if so much emphasis had not been placed on the F–111B's own inability to carry the Phoenix and still be a fighter in the attempt to finish it off.

The A–6 would be similar to, but an improvement over, the old Missileer. It has all the range, loiter and payload capabilities needed in a fleet air defense interceptor. It would be able, in all probability, to loiter longer and to carry even more than the six Phoenix missiles carried by an F–14. The only possible advantage of the F–14 would be the greater acceleration it could provide. It is supersonic, while the A–6 is subsonic, so it would get into its intercept position faster. It is doubtful, however, that this advantage would ever matter. The F–14 itself would have poor acceleration with a full external Phoenix load, poor enough that it is highly doubtful that an F–14 not already on station could be brought to bear in defense against a fast bomber raid. The key to such a defense would be loiter time on station and here the A–6 would get the nod.

We already have a great many A–6's. We have been buying them for almost 10 years and 12 of the latest version, the A–6E, are included in this year's budget. The basic cost of an A–6 inframe, without avionics, is under $3 million.

We could buy more A–6's for the fleet air defense role. With the AWG–9 avionics system substituted for the avionics now on board, the cost would be about $6–$7 million per plane.

Or we could change avionics packages on some of the planes we now have. Another thing the Navy doesn't need is more interdiction aircraft. It already has about twice as many aircraft supporting the interdiction mission as it has fighters aboard its carriers, despite the limited pay-offs of interdiction.

This restructuring of its aircraft mix would also solve any deck crowding problem which might result if we were to add both A–6 interceptors and a new fighter to the carrier air group. The real source of the crowding problem in any event is no longer the aircraft deck space available, but an inability to house the large number of maintenance personnel needed to handle the increasingly complex and difficult to maintain expensive new aircraft we like to buy.

Another approach would be to rely on the Sparrow missile for fleet air defense. It might actually be better for the job than the Phoenix.

I spoke earlier about the performance record of the Sparrow in Vietnam. It should now be noted that Raytheon Corporation, manufacturer of the Sparrow, is at work on a completely new version—the AIM–7F—which hopefully will solve some of its problems. The new version is expected to have fully twice the maximum range of the old, as well as a shorter minimum range to permit use under conditions when the presence of friendly aircraft prevent its stand-off launch. It will be solid state and will fly dormant until activated just prior to launch in an attempt at better reliability (its ability at least to launch and fly). And it is hoped it will have much greater capability against maneuvering or high-speed enemy targets. These points should be kept in mind in comparing the capabilities of the two missiles.

The Phoenix would appear to have two advantages.

The first is its significantly longer range. This advantage is greatly minimized, however, by the fact that the Phoenix has poor capability against maneuvering targets, especially over those stretches of its range which are beyond the maximum of the new Sparrow.

The Phoenix also has a simultaneous multiple-shot capability which the new Sparrow lacks. But here too the advantage may be small. The AWG–9 fire control system, by the Navy's own admission, cannot launch six Phoenix missiles at precisely the same time. What it can do is launch successive missiles at sufficient speed that six might be simultaneously in the air. And even this has never been demonstrated.

Moreover, a simultaneous multiple-shot capability is more a function of an aircraft's fire control system than a function of the missile itself. And AWG–10 contractor, Westinghouse, has already completed Navy-funded design studies of new F–4 fire control systems designed to accommodate the new Sparrow. One design would replace the present AWG–10 analog system with a more reliable digital version, the AWG–14. Another would simply give the present AWG–10 system a simultaneous multiple-shot capability.

Range and simultaneous shot capability aside, the advantages would lie with the Sparrow. It would be more maneuverable over its range. It would not have to be dropped into the ocean if a dogfight developed, but could be used in theory as a dogfight weapon. And it would cost only one-fourth as much, so we could afford to buy a few more.

The new Sparrow could be carried on either of two planes. As indicated there are new F–4 fire control systems which could handle it. And it is already earmarked for use on the F–15, which might well be adaptable for carrier use.

These, then, are clear alternatives to fleet air defense against the Soviets. I do not mean to endorse them. I have already made clear my basic feelings in this regard. But they are available and if we want an anti-Soviet fleet air defense system, we don't need the F–14 to get it. In fact, these alternatives have three clear cut advantages over the F–14, in addition to costing far less.

To the extent timing were considered critical, it should be noted that both the A–6/Phoenix and F–4/Sparrow alternatives could be deployed ahead of the present schedule for the F–14.

More important, if we were reasonable, these alternatives would give us an opportunity to conduct realistic operational tests of both the Phoenix and the new Sparrow before billions of dollars were committed on the missiles themselves or on *any* plane designed to use them. The F–14 alternative simply won't permit this, tied as it is to a hopelessly concurrent contract schedule. And I am convinced that realistic operational tests would only confirm what I have suggested here—that the Phoenix could be easily outmaneuvered and hopelessly countermeasured, while proving totally unreliable in the field. Nor am I very sanguine about the prospects of the new Sparrow. It was originally expected to enter production this year, but it has encountered sufficient disasters even in its artificial engineering test program to be kept in development for more debugging. It is also certain to cost at least $100,000 per missile—much less than the Phoenix, but more than twice as much as the old Sparrow.

Most important of all, these alternatives would not rob us of the new air superiority fighter the Navy and our security may badly need. But that's my subject for next time. I'll try to prove in a few days that the F–14 costs the most yet has the poorest performance of all the fighter options that we have.

The Case Against the F–14—Part 2: The Need for a First-Rate Fighter

September 1971

Mr. Proxmire. Mr. President, a few days ago I said there were two basic questions which had to be answered in deciding whether to buy the F–14.

First, how reasonable is it to build an airplane, equip it with a terribly complicated and expensive air-to-air missile, and then stick it on an attack carrier to protect that carrier and its task force from the spectrum of threats the Soviets can throw against them?

Second, how reasonable is it to rely on that airplane, with all the performance compromises caused by carriage of that missile, as our next generation Navy fighter?

I tried to explain then why the Phoenix missile's fleet air defense mission makes little sense at all. What I want to show today is the fact that it makes even less sense to rely on the F–14 as our first-line Navy fighter of the future.

Here are a few reasons why:

Because a recent Pentagon study convincingly shows that the old F–4, modified only with leading edge slats, could outperform the F–14A at all speeds likely to be encountered in a dogfight;

Because it is almost certain that the F–14 would be no match for new Russian fighters which are likely to be produced over the next 5–10 years; and

Because the Navy could build at one-fourth the cost a new light fighter which could quickly put the F–14 to shame.

It is a basic, straightforward fact that the F–14 costs the most yet has the least performance of all the fighter options available to the Navy. Accordingly, our first priority is to start work now on a new light fighter development program for the Navy. If work were started this fall, new Navy prototypes could be ready for a fly-off in about two years. And in another two years the first production models would be ready for delivery to the fleet.

An equally important need is to scrap the F–14. The F–14 just can't hack it as a fighter. Therefore, there is no justification for keeping it going unless we want to buy a limited number of the planes—200 or so—for altogether different missions. But what missions?

Not Phoenix fleet air defense. The mission makes no sense and it could be performed by other aircraft anyway.

And we certainly don't need the F–14 for its interdiction bombing capability. We already have aircraft designed specifically for the interdiction mission which need escorts, not competitors when they fly.

The third thing we should do is put leading edge slats on a portion of the Navy's F–4 force. The cost would be minimal and it would give us a fighter better than the F–14A till the new Navy fighter came along.

These are the conclusions I hope to support today. Before they can be reached, three preliminary questions will have to be answered:

What is the role of Navy tactical air?

What is the Soviet fighter threat?

And just what capabilities do we want—and why—in a new Navy fighter of our own?

I. THE ROLE OF CARRIER-BASED TACTICAL AIR SUPPORT

I argued a few days ago that the growing vulnerability of our carriers justified a reduction to nine in our overall attack carrier force level. There are two other considerations which reinforce this point.

One is the relative cost of land-based and sea-based tactical air support. Not surprisingly, Navy analysis shows the cost of the two to be about equal, while Air Force analysis concludes that sea-based support is several times more expensive. Depth of service rivalry notwithstanding, such a large disparity can exist only because of the difficulty in determining which costs—particularly in the areas of support requirements, shared defense costs, airlift, and the like—should be included in costing each alternative.

Most neutral observers would agree, however, that an individual sea-based wing is about 50 percent more expensive than a land-based wing composed of the same aircraft. And Navy planes are themselves more expensive at the present time. The Air Force, for example, has had no tactical air counterparts to the Navy's EA–6B electronic countermeasures plane or its E–2C reconnaissance aircraft.

The second consideration is Air Force development of a "bare base kit" which allows it to set up operations within a few days on very primitive airfields, with nothing more than a runway, parking areas, and a water supply of some kind.

There are over 1,700 such airfields in non-communist countries throughout the world, with some in virtually every country. Thanks to the "bare base kit" the Air Force is now able to set up operations in many areas abroad more quickly than carriers can be moved there from the United States.

This is not to suggest for a moment that we should eliminate carriers altogether. I recognize that land-bases, even if offered, might be temporarily over-run. And unsheltered land-based aircraft have a vulnerability problem of their own, as demonstrated in Vietnam, where large numbers of such aircraft have been destroyed on the ground, while carrier-based aircraft have operated from a sanctuary granted by the North Vietnamese. Moreover, if we were to institute the changes in carrier defense alluded to in my earlier remarks, carriers would become more competitive with land-based aircraft from a cost standpoint as well.

My only point is that nine carriers would give us the mix between land-based and sea-based tactical air support which a wise allocation of resources seems to require. And it is about time that we thought more about this in sizing our tactical air forces. Unfortunately, the main consideration in Southeast Asia has been to see to it that Navy and Air Force interdiction strikes have been divided up 50–50.

However many attack carriers we decide to have, we will have to count on them to provide the full spectrum of offensive tactical air support missions—interdiction, air superiority, and close-air support.

To date, the Navy like the Air Force has given primary attention to the interdiction missions, notwithstanding the negligible results shown in Vietnam, Korea, and World War II. The A–6 and the A–7 are its primary aircraft for interdiction strikes, and the F–14 itself has been given a considerable air-to-surface capability, at great cost both in dollars and dogfighting performance.

And perhaps the best indication of the Navy's limited affection for close air support was provided in this year's hearings before the Senate Armed Services Committee. When asked what aircraft the Navy would be using for close support in the next few years, Admiral Connolly replied:

"Well to a very large degree we will use A–7's, and as long as we have A–4's we will use A–4's, and we have used F–4's when it was necessary. And the Marines will be using the Harrier. And I wouldn't be surprised under some circumstances that they will load the F–14 up because it covers a lot of real estate and can carry a big load of bombs and under certain circumstances it might turn out that the F–14 would do close air support."

Unfortunately, the A–4 is the only aircraft at all suited to close support in the Navy's inventory, and as Admiral Connolly indicated, it already is being phased out. Once it is gone all the Navy itself will have for the mission is one interdiction aircraft and two fleet air defense fighters.

But air superiority is the subject today, and in many respects, the air superiority mission is more important than either close support or interdiction, since there is no way that either close support or interdiction aircraft can be made to influence land battles in progress unless we have air superiority in the first place.

The F–4 has been since 1961 and is now the air superiority fighter of the Navy, going through several different versions over the years. Originally developed by the Navy alone, it has been the front line fighter for the Air Force as well. But while Navy purchases ceased after fiscal year 1970, the Air Force bought some late-model F–4's last year and will do so again this year.

At present, the Navy has about two aircraft supporting the interdiction mission aboard its carriers for each F–4 fighter. In a relatively benign environment such as Vietnam, where we have encountered only a handful of Mig–21's, it is possible to live with this ratio. It would not be so, however, against a more numerous enemy fighter threat.

And our carriers can fully expect to counter such a threat, even if they are specifically ear-marked for wars not involving Soviet naval forces. The Soviets have long shown a willingness to make Mig–21's available to their allies. The new Mig–23, or Foxbat, is supporting the Egyptians in small numbers, and we can expect large quantities of new air superiority fighters to be exported also in the next ten years, especially if the Soviets continue their traditional emphasis on light, highly maneuverable fighter designs.

This is a central fact which it is important to fully grasp. Due to their high costs and technical complexity, there is no way that the Soviets can make available to their allies the spectrum of sophisticated threats with which they themselves threaten our carriers, such as large numbers of submarines with cruise missiles and acoustic homing torpedoes. What they can give their allies is a limited number of patrol boats with Styx missiles, some diesel submarines and obsolete naval bombers, and a large number of cheap, high performance fighters. What we need to counter these items is a less complex and more reliable kind of carrier defense and some high performance fighters of our own.

Just what is the current status of the Russian threat these fighters will have to counter?

II. THE SOVIET FIGHTER THREAT

An in-depth discussion of the Soviet threat is not warranted here, but three important observations should be made.

First, the Soviets have done more work on the development of new fighter aircraft during the past twenty years than has the United States. As the Navy itself is fond of pointing out, albeit with some exaggeration (accomplished by counting as separate models all versions of each basic design):

"The Soviets, since 1954 when the F–4 was designed, have flown 18 new models of modern-type fighter aircraft . . . The Soviet Union has concentrated on tactical aircraft specifically oriented for the air superiority role."

Second, the Soviets have approached the problem of new fighter design with a different design philosophy than the United States. As Air Force Secretary Seamans told the Senate Armed Services Committee in 1969:

"Since their appearance in the Korean War, Soviet-designed fighters have generally been more maneuverable and have had better acceleration than U.S. fighters. Our fighters, on the other hand, have had better radiuses of action, firepower, avionics, and payload."

The Soviets, in other words, have steered clear for the most part from the kind of complex avionics and armament gear which has not worked for us in Southeast Asia and about which I will say more later. Their own fighters, freed from the weight and drag of this equipment, have emphasized the maneuverability required for aerial dogfights.

Their fighters have also cost far less. For example, the F–4 costs about three times as much as its most direct Soviet competitor, the Mig–21, based on direct comparisons of the cost of U.S. aircraft of comparable size and complexity. (I can't help noting that the $800,000 cost of a simple Mig–21 is the cost for only two of the six Phoenix missiles which would be carried by the F–14!)

Third, the fact remains that the Soviets have yet to develop a new tactical air-to-air fighter which is superior to the F–4. It appeared for a while that the new Foxbat, or Mig-23, might be such an aircraft, but it now seems clear that it is primarily a high altitude interceptor, rather than an air superiority fighter. As General Bellis, Air Force program manager for the F–15, told the Senate Armed Services Committee this year:

"The Foxbat, a high-speed, high-altitude aircraft, became operational with the Soviet air defense forces in 1970 and appears to have excellent capabilities as an interceptor or reconnaissance aircraft, but it has limited maneuverability and low dynamic pressure limit. Because of these limitations, the Foxbat does not represent an overwhelming tactical air combat threat, but does represent an impressive technological threat."

Calling the Foxbat "an impressive technical threat" is a nice way of saying that the Soviets can probably build a much better fighter. No doubt they can and will when they try. And a true successor to the MIG–21 is due any year now. It is important therefore that we design our own new generation of fighters not only to counter existing threats but to provide the greatest possible assurance that they will also be able to handle new Soviet aircraft we have not yet seen and probably will not see until a Domodedovo air show in the 1972–76 period.

III. THE MAIN INGREDIENTS OF AIR-TO-AIR SUCCESS

It would be possible to jump at this point directly to a discussion of the F–14's deficiencies as a fighter. I want to take the time first, however, to consider what basic performance features we need—and why—in *any* new fighters we hope to buy.

Too often we in Congress attempt to make decisions on important defense issues without asking basic questions of this kind. As a result, we get snowed under with statistical data and a variety of conflicting claims.

What I propose to do is to organize my discussion around six ingredients which are absolutely essential and two which matter far less to air-to-air combat success. To support my arguments I will rely wherever possible on concrete evidence from our actual experience in World War II, Korea, and Vietnam. The basic points are simple, and I'll do what I can to keep technical details to a minimum.

(1) *Aircraft Maneuvering Performance.* The object of any aerial dogfight is to maneuver out of vulnerable positions and into positions suitable for weapons delivery.

Initially, fighters escorting attack aircraft over enemy territory are likely to be "bounced" by enemy aircraft from behind. (The term derives from the early days of aerial combat, when the air currents generated by closely approaching fighters actually caused the plane set upon to "bounce" in the air.) Accordingly, the first performance requirement for a fighter is sufficient hard-turn capability to defeat such an enemy attack by maneuvering defensively out of the launch envelope of an enemy's missiles and guns. This capability is usually measured in terms of the number of "g's" the aircraft can pull while flying at dogfight speeds.

The next requirement is an ability to convert to an offensive position. What this requires is sufficient acceleration and turn capability to bring enemy aircraft into the effective launch envelopes of our own missiles and guns. Acceleration is determined essentially by the thrust of the engines and the weight and drag of the plane.

The speed at which these maneuvers take place is largely determined by the speed of the defender at the outset of the engagement. This is almost certain to be his cruise speed—the maximum sustainable with efficient use of fuel—and it is at best high subsonic even for today's supersonic aircraft. The attacking aircraft will want to be going somewhat faster, but his desired speed advantage will be limited both by the maximum closure rate at which he can still set up for weapons launch and by his recognition that the poor turning radius associated with excess speed could cause him to overshoot into a vulnerable position if the defender detected his attack and executed a successful defensive maneuver. The attacker will therefore want to maximize his own maneuvering capability in the low supersonic speed regime.

A real problem for today's fighters is the fact that hard maneuvers at these speeds produce drag which, together with the weight of the aircraft, forces them to lose speed and/or altitude. In our new fighters, improved maneuverability at dogfight speeds will have to be a prime requirement. From a design standpoint, it will be a function of adequate wing area and a thrust to weight ratio comfortably in excess of one. These features will be far more important than those required for a very high supersonic dash speed, which is seldom useful and which extracts its price in other areas.

Finally, it is important to recognize that the advent of the air-to-air missile has actually put a premium on these traditional maneuverability requirements. In the old days one aircraft could bounce another and if unsuccessful in its attack, turn on full power and accelerate away for the limited range of aircraft guns. This tactic is today preceded by heat-seeking missiles which can at times be outmaneuvered but cannot be out-run. If any enemy aircraft today lit its afterburner and tried to accelerate away in level or diving flight, it would increase its IR signature by a large order of magnitude and become a sitting duck for a Sidewinder type of missile.

Our first requirement, then, is an aircraft which can both out-run and out-accelerate the enemy at all speeds encountered during a dogfight.

(2) *Stability and Handling Qualities.* A closely related need is an aircraft with good stability and handling qualities, since these factors are a prime determinant of a plane's actual as opposed to theoretical maneuverability. If a plane lacks stability and good handling qualities a pilot will be inhibited from using the full maneuvering capability it has, and his timing will also be affected in all dogfight engagements.

Unfortunately, many of our current fighters—the F–8, F–100, and F–4, for example—have had deficiencies in this regard which have led to restrictions on the realism of peace-time training exercises in an effort to avoid accidents. Despite these restrictions we have already lost over 90 F–4's in non-combat accidents. The great majority of these accidents have been from loss-of-control type problems, primarily spins and stalls.

(3) *Detection and Acquisition.* A Rand Corporation study indicates that roughly 50 percent of all aerial victories in World War II were achieved against unaware defenders, a figure which has probably increased since due to the high speeds of modern jets. A third important requirement, therefore, is an aircraft which is hard to detect but has excellent acquisition capabilities of its own.

The problem of minimizing one's *own* detection is quite straightforward. The key factors, in order of importance, are lack of smoke trail, small physical size, a small radar cross section, and a low infrared signature. One of the problems with our present F–4 is that it has double the size of a Mig–21 and a smoke trail which can be seen for many miles.

The most important factor in detecting *enemy* aircraft is good visibility out of the cockpit, particularly over the sides and to the rear. Also important are the presence of passive warning receivers on the plane and adequate use of ground-based radars.

Unfortunately, our own emphasis in recent years has been on complex and expensive high power-level radars in our planes themselves. It is worth spending a moment to see why this emphasis has been so unfortunate.

First, these airborne radars provide no protection against the most dangerous and difficult to detect enemy bounces, which are from under the sides or from the rear, since the radars sweep only in a narrow cone directly in front of the plane. This cone, it should be noted, is especially restricted for radars operating in a look-down mode. It is because of their narrow search patterns that these radars are no substitute for good visibility out of the cockpit with a pilot's unaided eyes.

Second, these airborne radars have the unfortunate effect of broadcasting the plane's position for hundreds of miles around, thus negating all the other design features aimed at minimizing its detectability. That is why an important distinction must be drawn, as far as mechanical aids are concerned, between passive warning receivers on the plane—which do not alert the enemy to its position—and airborne radars which do.

It is because radar detection devices actively warn the enemy of their presence that they should be largely confined to ground-based sites. The Navy, it should be noted, can and has easily obtained the shipboard radar coverage needed to position our fighters for offensive operations in each of our major theaters—Europe, Korea, and Southeast Asia.

The deficiencies of high power-level airborne radars have been amply demonstrated in Southeast Asia. Enemy pilots, directed from the ground, have been able to easily avoid their narrow search patterns and approach American fighters from behind. American pilots have been far too busy visually scanning their sides and rear to keep their eyes glued to their radar scopes. And they have often turned off their radars to avoid advertising their positions for hundreds of miles around.

One final point should also be noted. In addition to their other problems airborne fighter radars have proven extraordinarily unreliable from a purely mechanical point of view. All in all, they have contributed only a tiny fraction of all enemy fighter detections throughout the long duration of the war.

(4) *Reliable and Lethal Weapons.* For the past twenty years, proponents of the air-to-air missile have argued that maneuvering combat would soon be obsolete. Fighter pilots would see each other only on their airborne radars (!) and engage by missiles at long range, without ever closing for a dogfight.

I have just discussed some of the problems with airborne radar acquisition, and since I have also dealt with many of our missiles' deficiencies in evaluating the Phoenix, I will only summarize them here, as demonstrated in our Southeast Asia experience.

First, due to the large number of aircraft over Vietnam and the impossibility of reliably separating enemy planes from Laotian airliners or Air Force planes not tied in on the Navy's communications system, few stand-off aerial battles have ever been fought.

Second, our missiles have never demonstrated the accuracy and reliability predicted by their manufacturers and first shown in artificial tests.

Third, enemy aircraft have been able to outmaneuver our missiles by hard turns at normal combat g's.

Fourth, missile performance has been substantially degraded by simple *enemy countermeasures.*

Fifth, radar missiles such as the Sparrow have greatly restricted aircraft maneuvering performance and positioning when employed, since it is necessary to set up and lock on to a target before launching them. In fact, the Sparrow had a minimum launch range so long our fighters often had to drop back to launch it after first closing for visual identification.

Sixth, radar missiles such as the Sparrow have suffered from the same defect as airborne radar detection systems—an enemy is alerted to their use and encouraged to use evasive tactics and countermeasures.

It is simply incredible how much money we have wasted on almost totally useless air-to-air missiles. We have invested over $2 billion to date on the Sparrow, which has missed its performance predictions by a factor of ten, and almost as much on the complex infrared Falcon.

Yet Pentagon studies of our Southeast Asia experience convincingly show that aircraft guns are still the most effective weapon against enemy fighters. Only one of our earliest and simplest missiles, the infrared AIM-9D Sidewinder, has shown a roughly comparable performance, at a cost of $15,000 per missile. The much more complex radar Sparrow, at $40,000 per shot, has been about one-third as effective as the Sidewinder at almost three times the price. The Sparrow has been one-quarter as effective as fighter planes' cannons or guns; while costing 200 times as much per firing or 800 times as much per kill!

Admiral Connolly himself was quite candid about the state of our air-to-air missile arsenal in testimony this year to the Senate Armed Services Committee:

"It is one of my chief worries. It seems to be easier to go to the moon than it is to get a good air-to-air missile, and this is one of the weaknesses of our situation in U.S. forces—has been for a long time. The best missile we have is still the latest version of the Sidewinder."

There can be no doubt, then, that aircraft cannons or guns and the infrared Sidewinder remain at this time the most—in fact the only—lethal and reliable weapons in our fighter arsenal. Moreover, our fascination with more complicated weaponry has prevented us from taking full advantage of their own potential for improvement.

(5) *Force Structure Implications.* However good our fighters, they must be available in sufficient numbers to deny the enemy a significant numerical superiority in combat situations. We could use such an advantage ourselves, both to saturate enemy defenses and to replace any losses suffered. Accordingly, even with budgetary conditions far less stringent than those existing today, cost would have to be seriously considered in evaluating our fighter options.

A related consideration is the number of combat sorties each option would actually deliver. Historically, highly complex and sophisticated aircraft have not only cost more to maintain and repair, but have also not been usable much of the time. It is a simple point, too often neglected, that an aircraft will do us no good in time of battle unless it is flying regularly.

(6) *Pilot Skill.* No discussion of the main requirements of air-to-air success would be complete without a reference to this final factor. Unless our pilots are trained in peacetime to be highly proficient in the complicated tactics made necessary by changes in the technological aspects of aerial combat, no amount of technological superiority in our aircraft themselves will bring victory.

Unfortunately, we have historically given our pilots short shrift, preferring to spend money on new and complex equipment rather than investing in adequate pilot skill. Due to its insistence on expensive procurement programs in the face of the continuing budget pinch, the Navy has cut flying hours in its training programs for the past three years while continuing to invest heavily in airframe and electronics hardware.

Maneuverability, stability and handling qualities, detection and acquisition, reliable and lethal weapons, force structure implications, and pilot skill—these are the main determinants of air-to-air success.

I would like to talk for a moment now about two other factors, the lesser importance of which it is also essential to establish.

(1) *Payload/Range.* An aircraft's payload and range potentials are obviously interrelated, since one can trade off the one for the other by varying the mix of fuel and ordnance carried.

As far as fighters are concerned, payload is much less important than range. That we have traditionally given our fighters significant air-to-surface capabilities is just another indication of the continuing fascination of the Navy and the Air Force with multi-mission aircraft and the interdiction mission. Both services, however, already have aircraft designed for this mission which need escorts, not competitors, when they fly.

Range is a more legitimate concern. But since excessive internal fuel requirements have a powerful effect in degrading the weight and the performance capabilities of air superiority fighters, it is important that our fighters be designed only with the range and combat fuel actually needed for combat operations. What they will need is sufficient range to escort attack aircraft on their missions or to provide decently sustained loiter over a battlefield.

(2) *All-Weather Avionics Systems.* Bad weather fighting is one of the most misunderstood aspects of the whole dogfighting issue. It is assumed at times that special avionics systems have now been invented which give our fighters the capability to operate in bad weather as easily as in broad daylight. Unfortunately, this just isn't so, and a few words are necessary to put the problem in perspective.

In theory, there are two contingencies for which night and bad weather avionics systems in our air superiority fighters might be useful.

First, we might want them to permit fighter escorts of our own interdiction aircraft—Navy A–6's and Air Force F–111's—on their night bombing missions. Actually, our night and all-weather radar equipped F–4's have never performed a single such escort in Vietnam. They have not shot down a single Mig–21 at night or in bad weather during the entire duration of our involvement in Southeast Asia!

The reasons are simple. It is hard to hold formation in the dark to begin with and if one of our fighters were ever bounced by the enemy, it would be virtually impossible for him to join up again after the encounter. It must be recognized in this regard that the problem of identifying radar acquired aircraft is even more difficult at night than in the day, because closing for visual identification is so much tougher. As a matter of fact, one of the arguments the Navy makes for night interdiction missions is their low cost, precisely because they require no escorts.

Second, we might more rationally want all-weather avionics systems to defend against enemy all-weather attacks with their interdiction forces on battlefield areas where our own forces are engaged. But there are several points to be noted here.

To start out with, the Soviets have never developed a tactical all weather attack capability. Since the few light tactical Beagle and Brewer bombers turned out in the late 1950's, they have not developed a single all-weather interdiction aircraft, and their Mig-21 fighters have no all-weather attack capability either. Under the circumstances, Soviet allies cannot be expected to have such a capability of their own.

Moreover, our own experience with all-weather avionics systems on our attack aircraft demonstrates that they simply do not provide the pinpoint accuracy needed against battlefield targets and are therefore limited to relatively ineffective use against fixed economic and strategic targets.

Finally, it is doubtful whether all-weather fighters could handle all-weather equipped attack aircraft in any event without considerable reliance on more traditional ground-based help. The friend or foe identification problem would be extremely serious over a battlefield at night. Moreover, the fighters would be at an initial disadvantage for acquisition purposes. While the attack aircraft would be homing in on fixed land-based targets, the fighter radars, with their narrow effective cones, would be searching the skies for targets.

All-weather avionics systems, then, are not needed on our fighters for the escort and battlefield protection missions just discussed. The only time they would really be useful is if the fighter were operating in a pure interceptor role, e.g., protecting a carrier from enemy attack. But the only nation which has an all-weather equipped heavy naval bomber force capable of even modest-sized attacks against our carriers is the Soviet Union, and I have already explained why we should not employ our carriers when Soviet naval forces are involved—even in good weather and broad daylight. Other nations will not have an all-weather equipped anti-carrier force to worry about. Their tactical bombers or fighters will have no such avionics, and their heavy bomber force will be either small and of World War II vintage or altogether non-existent.

One final point should also be noted. As proven by our extensive World War II experience (long before the days of sophisticated all-weather avionics), even clear night and marginal daylight weather operations require airframe and performance requirements quite different from those necessary for visual combat. They emphasize stalking skills rather than the violent maneuvers of aerial dogfights and require sufficient endurance, acceleration, and speed to overtake attack aircraft, but little maneuverability. Accordingly, if we wanted an all-weather fighter capability in a fraction of our forces, existing airframes would suffice for the purpose—if we could develop avionics systems which worked well enough to justify their cost. The most important point is not to let the limited utility of such a capability serve as a justification for imposing weight and other design penalties which could compromise the performance actually attainable in a new air superiority fighter. Otherwise, the effect of our attempt to fight at night and in bad weather will be to give the enemy the day.

IV. A RATING OF THE F–14

This analysis of air-to-air combat will make it a lot easier to show why the F–14 is such an incredibly poor fighter candidate for the Navy. What I propose to do is to run through each of the items I have just discussed and to see how the F–14 measures up.

(1) *Maneuverability.* Due to its small wing area and the many weight compromises associated with its complex avionics, its Sparrow and Phoenix missile carrying capability, and its large air-to-surface potential, the 54,000 pound F–14 will have dangerously low maneuverability. A few statistical comparisons will serve to make the point.

It has always been recognized that the F–14 would have a relatively poor hard-turn capability at dogfight speeds, less than a Mig–21 by a substantial margin. Moreover, its acceleration potential has been greatly dependent on successful development of the "B" engine, with its much better thrust rating than the "A". As Admiral Connolly recently told the Senate Armed Services Committee:

"The performance gap [between the two engines] is an acceleration, rate of climb, and service ceiling, not in top speed. It will affect that maneuverability because the B engine is going to have ability to send that plane straight up. This is a tactical realm that we have not yet worked in but I think the Air Force and Navy both are going to have spectacular possibilities opened up to them with the F–15 and F–14 having thrust to weight ratios that are about one or better to one."

Since Admiral Connolly spoke, the B engine production contract has been broken and the engine itself shelved, at least for the next two years and another 96 aircraft. What the Navy is left with is an aircraft which does not measure up well at all where maneuverability is concerned.

The Air Force F–15 will have about a 40 percent advantage over the F–14A in acceleration and at least a 60 percent better hard turn capability at dogfight speeds!

In fact, a recent Pentagon study convincingly shows that the old F–4, modified only with leading edge slats, could itself outmaneuver the F–14A! With these inexpensive slats, which could be deflected to improve turning performance and retracted to prevent drag during acceleration and climb, the F–4 would be able to both out-turn and out-accelerate the F–14A by as much as 10 percent for the most suitably equipped F–4 models. This is admittedly a small margin, but it is of devastating significance when we are thinking about replacing the F–4 with F–14's costing more than three times as much per plane!

It could prove equally devastating, in another way, if we relied on the F–14 as our front-line Navy fighter against Soviet Mig–21 successors which the F–4 itself won't be able to handle.

(2) *Stability and Handling Qualities*. The poor maneuverability of the F–14 will be further compromised, moreover, by its poor stability and handling qualities.

The Flat Spin Problem. As pointed out by NASA's Langley Research Center almost a year and one-half ago, the F–14 is likely to be very susceptible to flat spins and probably unable to recover from them.

What happens, in essence, when an aircraft enters a spin is that control of the aircraft is lost during hard maneuvers and it spins downward. For most aircraft, such spins can be corrected by proper control actions and the aircraft can be saved, given sufficient altitude. There are two reasons, however, why recovery from spins may well be impossible for the F–14.

First, when it enters a spin, it might easily suffer a complete loss of engine power (or flameout), due to irregularities in the air flow entering the engines. Fan-jet engines, like the F–14's, are particularly sensitive to air flow irregularities. In fact, previous versions of the engine actually used on the F–14A have experienced serious flameout problems in use on the F–111.

An aggravating factor is the F–14's variable sweep wing design, since if engine power is lost there is no power to move the wings. The wing area of the F–14 is so small it might be impossible to land the plane at any time engine power was lost. This would certainly be the case if the wings were not in an optimum recovery position at the time the flameout occurred.

The Navy is already at work designing sensors to warn F–14 pilots of impending spins, but there is no real solution to the problem. A spin recovery chute has been rejected because it would have a terrible impact on aircraft size and weight. Design changes to lengthen the fuselage and increase the vertical tail would have the same effect and still might not be successful.

The Directional Stability Problem. NASA and Grumman wind tunnel tests also indicate that the F–14 will have serious directional stability problems at transonic speeds and above. The Navy presently hopes to solve them with a stability augmentation system it is working on, but major design changes may be needed. These changes would involve increases in the size of either the vertical tail or ventral areas.

Unfortunately, these changes would increase weight and drag and further degrade maneuvering performance. They could also make it completely impossible for the F–14 to land on a carrier with a full ordnance load. The Navy will therefore undertake these changes only if they are essential, but it is already arguing with Grumman over who might have to bear their costs. The Navy claims the directional stability problem is a deficiency which Grumman would have to rectify, while Grumman claims that any modifications would be new work for which an Engineering Change Proposal and adjustment of contract prices would be needed.

Anyway you look at it, the F–14 will have stability and handling problems to complement its already limited maneuverability, problems which will severely limit the realism of peacetime training exercises with the plane. Just how bad these problems will be it is still too early to say. But as I noted earlier, over 90 F–4's have already been lost in non-combat crashes, primarily in loss of control type accidents. And all indications to date say that the F–14 will have significantly worse handling qualities.

(3) Detection and Acquisition. In this area, the F–14 would have two relative improvements over the F–4—its relatively smokeless engines and its improved visibility out of the cockpit. At the same time, its large physical size would significantly increase its own susceptibility to detection, even when its airborne radar has been turned off.

(4) *Weapons*. For armament, the F–14 relies primarily on the Sparrow and Phoenix missiles, with all their attendant problems. A gun and Sidewinder capability will be present, but relegated to a secondary role, primarily because the F–14's limited maneuverability will make it difficult to employ these weapons.

It is important to note that while efforts are being made to solve our air-to-air missile problems, no clear solution is yet in sight. All indications are that the Phoenix will have even worse problems than the old Sparrow, and the new Sparrow—twice as expensive as the old—has had a disastrous test record to date which has kept it in development for more debugging.

I must admit, in all candor, that I have grave doubts whether some of the problems we have experienced will ever be solved.

I see no foolproof way of solving the friend and foe identification problem under conditions of stand-off launch.

I see no solution to the problem of countermeasures susceptibility.

And I also fear that future improvements in aircraft maneuvering performance may outdistance any improvements in the maneuverability of our air-to-air missiles. Since the airplane will always have the choice of what to do next, the time lag will always work against the missile. And since the missile will be going much faster than the plane, it will have to pull more g's to adjust, more than its own small wings may well allow.

In any event, it seems both wasteful and militarily dangerous to invest large sums in relatively unmaneuverable airframes which will be highly ineffective unless and until these armament problems are solved. We have really been putting the cart before the horse too long.

(5) *Force Structure Implications*. At a minimum of $16 million per copy the F–14 has terrifying force structure implications. There is simply no way it could ever replace the F–4's now in our inventory on anything like a one-to-one basis. And the effects of its high investment costs would only be heightened when operating costs equal to them were tacked on every five years. Finally, the great complexity of the aircraft and its major components would maximize its time under repair.

(6) *Pilots*. Because the F–14 measures up so poorly against the five main technological requirements for air-to-air success, pilots have been understandably cool in their reactions to it. "Buy Mig–21's," one Navy pilot is said to have shouted at a meeting devoted to selling the F–14.

One of the reasons for the F–14's low performance and high cost is its emphasis on design features not essential to the air superiority mission. I have no quarrel with its range, which will be better than a 30 percent improvement over the F–4. But there is no justification for its large air-to-surface capability. And it is chocked full of all-weather avionics systems.

The F–14, then, is simply not the answer to the Navy's fighter needs. It indisputably costs the most, yet offers the least, of all the options available. But just what should the Navy do?

V. THE NEW LIGHT FIGHTER ALTERNATIVE

Despite the fact that it was already developing a sophisticated front-line fighter much superior to the F–14, the Air Force recently initiated a new light fighter prototype program.

The need for such a highly maneuverable light fighter has long been recognized in a variety of circles. It has been no secret that the Russians have found their $800,000 Mig–21's a suitable counter to F–4's costing and weighing three times as much. And the French have been selling for less than $1.5 million a Mirage fighter which has delighted the Israelis, who have used the larger payload of the F–4 mainly on bombing missions.

Dissident voices have therefore been raised—by civilian critics, by F–4 pilots returning from Vietnam, and by top American fighter plane designers, such as Lockheed's C. L. "Kelly" Johnson.

LOCKHEED'S "KELLY" JOHNSON DEPLORES SHRINKING U.S. FIGHTER STRENGTH

"The problem of numbers is a very fundamental one," Johnson said in a recent interview. The lesson is clear from Southeast Asia, but doing something about it will be difficult, since costs of new fighters are now up to $8–$14 million apiece, Johnson indicated.

"And while numbers of U.S. fighters are declining, the Soviet Union keeps in operation about 6,000 fighters, "not counting the ones they give away," Johnson said.

"Furthermore, the Soviet fighters are designed from the ground up to have the advantage over U.S. fighters. They have only half the range, armament and electronic gear, but double the wing area. This allows them to out-maneuver current U.S. fighters in many instances, Johnson said.

"Johnson—designer of the P–38, P–80, F–94, F–104, and F–12—also feels the U.S. does not have enough types of fighters. "I'm not an exponent for the carpenter who has only one tool in his tool box," he said.

"Johnson also feels that the idea of intentionally giving the opponent the "high ground" in an aerial battle is bad tactics. He says new fighters must have capability for great increase in speed to take the high ground.

In addition, the idea of "just being able to shoot a missile (from a U.S. fighter to hit a high-flying enemy fighter) will not be sufficient," Johnson said. "It hasn't been in the past."

The veteran fighter designer also challenged the theory that two engines are better than one for a fighter. "In time of war, twins are not safer than singles," he said. With twin-engine P–38s, the Army Air Force found it had "twice the chance of having an engine shot out and one half the chance of getting home after it was," he said. "When a P–38 engine was shot out, the plane was downed (by enemy fire) because it was moving so slowly."

Johnson had just submitted to the Air Force an unsolicited proposal for a high-wing, low horizontal tail modification of his F–104 Starfighter. He offered to build two prototypes of the new lightweight fighter—the X–27—for $35 million and to have them in the air within a year. The X–27, he told the Air Force, would be able to better the performance of the F–14, and he would design it so that it could be produced at one-third the cost.

Other unsolicited proposals were submitted shortly thereafter, and out of them grew the Air Force prototype program, now pointed toward the development of brand new fighter designs.

Until the Air Force took this initiative, it was well recognized in knowledgeable circles that new fighters superior to the F–14 could be designed at much better prices at the expense only of some dubious avionics and missile gear. But Pentagon officials usually refused to admit this basic fact.

Indicative of the situation is the following exchange between the distinguished Senator from Nevada (Mr. Cannon) and Admiral Connolly during hearings this year before the Tactical Air Subcommittee of Senate Armed Services:

Senator CANNON. Do you see any need for a high performance day fighter for the Navy, presumably a low-cost fighter, in the future?

Admiral CONNOLLY. I don't want to be facetious but I haven't seen a low-cost airplane for an awful long time.

Equally representative is the following statement by the Senator from Nevada (Mr. CANNON) during Senate debate on the F–14 in 1969:

"Let me make this point very clear. The Navy experts have stated that if they designed an aircraft exclusively for air superiority without considering any other mission it would weigh only 600 pounds less than the present F–14. . . . I certainly am not attempting to convince any member of the Senate that the F–14 is a cheap aircraft. It is not. . . . Unfortunately, we cannot go down to the local dime store and procure complicated weapon systems containing the highest sophistication."

The Air Force light fighter prototype program has now let the cat out of the bag. We don't have to go down to the local dime store. American designers can themselves give us first-rate fighters at prices competitive on the world market!

Admittedly, these fighters exist right now only on the drawing boards. There is every reason to believe, however, that when development work is finished, the Air Force will have fighter prototypes which score very well in all basic requirements for air-to-air success.

Their maneuvering capability will probably put the F–14 to shame. In all likelihood, they will show both acceleration and turning performance 80–100 percent better than the F–14A. In fact, they will probably be the first aircraft actually capable of executing dogfight maneuvers at supersonic speeds.

They should be able to achieve this dramatic performance by rigorously eliminating all weight not essential to the mission of shooting down enemy aircraft and then replacing a small fraction of this weight with more wing area and more engine. They will probably weigh about 15,000–20,000 pounds—25,000–30,000 pounds, not 600—less than the F–14.

Because they will be smaller physically than a Mig-21 and also have smokeless engines, they should be very difficult to detect. They will have good cockpit visibility, too, and they will carry no airborne radars when they fly.

For armament, they will forego the Phoenix and the Sparrow for the only reliable systems we have developed thus far—guns and the simple Sidewinder. At the same time, they will have the growth capability to carry more advanced passive missiles such as the Agile.

Even if they came in at about double the $2.5 million per copy now expected if they are produced in quantity, they would still have about a 3 or 4 to 1 cost advantage over the F–14. In fact, their cost advantage in terms of sorties deliverable in combat could rise as high as 8 to 10 when their probable low maintenance times are considered.

Their range will be a significant improvement over the F–4, and it could exceed that of the F–14 under maneuvering combat conditions. Finally, they will have only a modest air-to-surface capability and no complex all-weather avionics, at least in the standard version.

All in all, they are likely to be just what many of our pilots have long wanted to match the new Soviet fighters likely to be turned out during the next 5–10 years.

The Air Force is to be congratulated for undertaking this new fighter prototype program as a possible complement to the F–15. What is even more urgent is that the Navy undertake a similar program of its own.

Light high performance fighters would obviously be ideal for carrier use. Their small size would permit a spotting factor of less than one, i.e., it would be possible to accommodate about twice as many light fighters as F–14's in the same deck space. The slow takeoff and landing speeds permitted by their generous wing area and thrust would make them better suited to carrier takeoffs and landings than any current Navy fighters. And they would greatly alleviate the current inability of carriers to accommodate sufficient maintenance personnel to maintain today's complex first line aircraft.

In fact, if the Navy failed to undertake a prototype program to meet its own requirements, the Air Force prototypes could prove eminently adaptable to Navy use.

VI. CONCLUSIONS AND RECOMMENDATIONS

(1) Our single most important need is to start work now on a new light fighter development program for the Navy. The F–14 simply will not give us the new air superiority fighter our national security requires. It would almost certainly be no match for a new Russian fighter. And it could be put to shame by a new light Navy fighter or our own.

We could simply wait and hand the Navy an Air Force developed plane, but it would be better if we did not. A Navy program could give special emphasis to such things as spotting factor constraints and the rigors of carrier landings. Moreover, a second competitive prototype program at this time would give more design teams a chance to maintain and refurbish their languishing design skills. A second program would also provide insurance against not finding as superior a fighter as possible in the Air Force competition. And at a cost of less than $50 million for each of the two contractors in the Navy flyoff, we could well afford these benefits.

If work were started this fall, the new Navy prototypes could be ready for a flyoff in about two years. Another two years would probably then be required to make a final selection, initiate production, and make first deliveries to the fleet. This schedule would result in an initial operating capability date for a new light fighter in late 1975, little more than a year after the F–14 IOC date currently contemplated.

(2) An almost equally important need is to scrap the F–14. The F–14 simply cannot hack it as a fighter, so there is no justification for keeping the program going unless we wanted to buy a limited number of planes—perhaps 200 or so—for altogether different missions. But what missions?

Phoenix missile fleet air defense against the Soviet naval threat makes no sense at all. The Phoenix probably couldn't cope with the massed bomber attacks it was originally designed to meet, let alone the Soviet submarine-launched cruise missile and torpedo threat which has been growing in recent years. And if we insisted on wasting money on the fleet air defense mission, we could get by wasting less if we put the Phoenix on the A–6 or the new Sparrow on a modified F–4. Either of these combinations might do every bit as good a job as the F–14/Phoenix combination.

We certainly don't need the F–14 for its air-to-surface capability. We already have aircraft designed specifically for the interdiction mission, and as I said earlier, they need escorts, not competitors, when they fly.

The F–14 can't be justified either for its night and all-weather capability It is more reliable avionics, not new high cost airframes, which we need if we want to perform this mission.

(3) Also required, but far less urgent, are improvements in what our F–4's can do. Actually, there is only one option which deserves a go-ahead at this time.

We can and should put leading edge slats on a portion of the Navy's F–4 force. The cost would be minimal and it would give us a fighter superior, in fact, to the F–14A till the new light fighter came along. If we bought new planes in preference to modifying existing F–4J's, a carrier-capable version of the slats-equipped F–4EF now being sold to the Germans would probably be our best buy. The F–4EF has been stripped of the AWG–10 fire control system already on the F–4J and itself relies not on the Sparrow but on guns and the Sidewinder as its primary armaments. It would be lighter, more maneuverable, and almost $2 million less expensive than any other model we could buy.

Additional F–4 modifications could also be considered—new fire control systems to launch the new Sparrow in the fleet air defense role, or better all-weather avionics. But the least we could do, if we took this route, would be to rigorously test all new systems involved before we went and stuck them on the planes.

(4) Finally, there is nothing wrong with low priority studies of the F–15 as a possible Navy aircraft. I fully recognize that it is a better fighter than the F–14 itself. At the same time, there is little it could add to the capabilities of a new Navy light fighter and modified F–4's working in combination. And a carrier suitable F–15 might turn out to be difficult to build and virtually as expensive as the F–14 has become.

Mr. President, the F–14 program is in many respects a microcosm of many of the problems which plague our defense establishment today:

Initial cost estimates which later balloon;

The incredible inertia of ten year old ideas which have never been thought through;

The failure to test new systems before they have been deployed; and

The continued emphasis on multi-mission aircraft which do no mission well.

We won't solve all these problems just by instituting the recommendations set forth here. But we will have made a pretty decent start.

Mr. CANNON. I thank my distinguished colleague. I recognize that he has followed this program very seriously.

I may say to the Senator that we are not completely satisfied as to where we are going on this program at the present time; because, as the Senator knows, we are confronted with the situation as I reported the other day, that Grumman has indicated that there is a question as to whether they can perform if they are held to the contract. On the other hand, the Navy has recommended to us that Grumman be held to the contract. So at least we do not want to be in the position of having the Government default on the contract, which would open the door for Grumman to come in and the cost to go up, if we are going to have the aircraft and it appears that it is going to be a very excellent plane and one that the Navy needs very badly. We do not want to be the ones to put the Government in the position of breaking the contract.

Mr. PROXMIRE. I am still very skeptical about the whole mission of this plane, but I agree wholeheartedly with the sentiments expressed by the Senator in the speech he delivered before I started asking him questions.

I will support the Senator in everything I can do to help him prevent the Government from defaulting on the contract. I agree that that would be a mistake from a fiscal standpoint as well as a mistake in terms of the strength of our defenses.

Mr. CANNON. I thank my colleague.

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE AABNCP: WHAT DO THE ARMED SERVICES COMMITTEE'S PROPOSALS REALLY MEAN FOR THE NEW PRESIDENTIAL COMMAND POST PROGRAM?

Mr. PROXMIRE. Mr. President, the fiscal 1973 budget request called for a downpayment of $261 million, of which $256.4 million is subject to authorization in this bill, for a new Presidential Command Post program. That program, as presently envisaged, calls for the purchase of seven Boeing 747 aircraft for use by top defense planners and decisionmakers in the event of a national emergency. Three of the planes are to be stationed at Andrews Air Force base for Presidential use, while the remaining four planes would be turned over to the Strategic Air Command.

Earlier this year I delivered a floor speech which was highly critical of this new Air Force managed program. In that speech, I called for a denial of large-scale command post funding pending the completion of further studies under the direction of the National Security Council. Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, a copy of my earlier speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

COMMITTEE ACTION

Mr. PROXMIRE. The Armed Services Committee, in reporting out this bill, has chosen to follow its own course of action. It has rejected both the budget request and my proposed alternative. Its recommendation calls for congressional approval of $120 million of the $256.8 million requested by the Air Force. The funds recommended would permit purchase of four of the six Boeing 747's originally budgeted for fiscal 1973 together with substantial development work on new equipment to be placed inside these airplanes.

I do not intend to challenge the committee's recommendations by means of a floor amendment. I feel that they constitute a constructive attempt to come to grips with some of the problems posed by this program. In addition, I am sure that they will be reviewed further by both the Senate and House Appropriations Committees. The distinguished recently deceased chairman of the Senate Appropriations Committee (Mr. ELLENDER) made clear to me in a letter that he shares many of the concerns raised in my earlier speech, and the interest of the able House Appropriations Committee chairman (Mr. MAHON) is amply documented in the transcript of his committee's hearings on the command post program.

I would like to discuss with the distinguished chairman of our Armed Services Committee, however, the reasoning which lies behind his committee's recommendations and how the committee intends to follow up on them should they be finally enacted into law.

SPECIFIC QUESTIONS

These are the specific questions which I would like to ask the Senator from Mississippi (Mr. STENNIS):

First. The full command post program, as envisaged originally by the Air Force, calls for the purchase of seven Boeing 747's. The first three aircraft would be reserved initially for Presidential use and would have transferred to them as soon as they are purchased the communications equipment and data processing gear now installed in the three existing EC–135 Presidential command post aircraft. The fourth aircraft would be used meanwhile for prototype testing of new equipment. Finally, once this new equipment is developed, it would be installed in the fifth, sixth, and seventh aircraft. These last three aircraft would then be made available to the President, with the first three aircraft and the fourth aircraft prototype reverting to the Strategic Air Command.

One consideration which has troubled me very much about this proposed program and schedule is that the four aircraft reverting to the Air Force might constitute an opening wedge in an eventual Air Force request for replacement of its entire EC–135 fleet with new 747's. As you know, the Air Force has 45 EC–135 command post aircraft in its fleet at the present time, and their replacement by 747s at a cost of up to $50 million per fully equipped aircraft might involve a price tag in excess of $2 billion. The current EC–135 aircraft are, of course, only 10 years old, but I am concerned that the Air Force might cite congressional approval now of four replacement aircraft as a recognition of a much greater replacement need in a very short time. In fact, I wonder in all honesty whether the Air Force has not had this in the back of their mind in calling for a seven aircraft program now, rather than the three or four aircraft which would seem to suffice for Presidential needs if new equipment was transferred to these aircraft as soon as it was developed.

One attractive feature of the committee's recommendation, which involves approval now for only four of the seven aircraft envisaged in the program, is that it holds open the possibility that this more limited course may eventually be followed. Accordingly, I would like to ask the distinguished chairman of the Armed Services Committee:

Has the committee made, as yet, any final determination that more than the four 747s recommended for purchase in this bill will be needed to complete this command post program, or is it holding open its options regarding all future purchases?

Mr. STENNIS. Before I answer that question specifically I want to thank the Senator from Wisconsin for his support of the recommendations in the bill for this comand post program. The program was very seriously considered and was approved, to the extent that it is in the bill, on the ground that it is a command post that the President of the United States himself might need as Commander in Chief.

In reply to the specific question, as the Senator accurately described, the total program includes procurement of seven Boeing 747 aircraft. Six were requested for 1973 and the committee is recommending procurement of four. Frankly, we were not satisfied that there was a need this year for more than four aircraft, and as noted in the committee report, future procurement requests will be decided as they are requested.

In other words, we certainly thought this was as much as could be handled this year and approved. The others will have to be justified on their own merits.

Mr. PROXMIRE. In other words, the committee reserves the option that it may or may not approve more than four aircraft depending on conditions in the future.

Mr. STENNIS. That is correct.

Mr. PROXMIRE. Second, the Air Force is now proposing that the equipment in the three EC–135 Presidential command post aircraft be taken out of these planes and placed in three new 747's. Does the Senator see any technical reasons why it would not be possible later to take this same old equipment out of the 747's and move in the new equipment at that time? Would that not be less expensive than buying three new aircraft for the new equipment?

Mr. STENNIS. No. I am aware of no technical reasons why it will not be possible, later, to take the old equipment out and replace it with new equipment when the new equipment is available. That is part of the Air Force plan. However, as the Senator indicated earlier, the total program is for seven aircraft—three for the Presidential Command Post, three for the Strategic Air Command, and one to serve as a training and support aircraft.

So if the total program is approved, and the committee is only recommending four aircraft this year, three more aircraft will ultimately be required.

Mr. PROXMIRE. Does the committee believe that the Air Force has a definite near-term need of its own, apart from the Presidential need, for replacing its EC–135 command post aircraft? If the committee does believe that such a need exists, why is that the case, and just how many new aircraft—4 or 45—will be needed? Would the communications and data processing gear in four Boeing 747's be compatible with that in the 41 EC–135's?

Mr. STENNIS. I do not believe that I can speak for the committee since there has been no decision yet on the Strategic Air Command aircraft. However, my initial judgment is that there is a requirement for SAC Command Post aircraft. In the Air Force total program of seven aircraft, three will go to SAC, and the communications and data processing gear would be compatible not only with the remaining EC-135's, but with the entire World Wide Military Command and Control System.

I should point out that the seven aircraft proposed program is going to replace 18 of the existing 45 airplane fleet and there is no proposal beyond the seven that we have been discussing.

Mr. PROXMIRE. As the Senator knows, the DC-10 and the L-1011 cost approximately $7 million less per copy than the 747. Accordingly, use of the 747, rather than one of these planes, in a 45 aircraft Air Force replacement program, could present the taxpayer with $315 million in extra costs. And even if a plane as large as the 747 is needed to meet future Presidential needs, it seems likely that a DC-10 or L-1011 would suffice for the different needs of the Air Force. Is this not an important justification for limiting the present Presidential Command Post program to four aircraft, not providing the Air Force with any 747s on a fallout basis, and then looking at Air Force needs separately some time in the future to insure a compatible replacement force which would not waste over $300 million of the taxpayers' money?

Mr. STENNIS. I do not see in the program that we are discussing a potential to waste $300 million of the taxpayer's money. The Air Force has not proposed a 45 aircraft program. As I mentioned earlier, the proposed program is seven aircraft. I realize that the DC-10 and the L-1011 are cheaper. The committee took a good hard look at the requirements and those aircraft. It was the position of the committee that there were definite advantages to the 747 aircraft.

First. The 747 would provide about 40 percent more floor space.

Second. For a minimum time of 12 hours, 747 carries about 20 percent more payload.

All in all, the 747's potential for future growth is superior, and would insure that the AABNCP procured now need not be replaced in just a few years after deployment, which is an important consideration in terms of program costs. Other factors of consequence related to the 747 include its immediate availability, its proven reliability in extensive commercial operations, and its ability to use shorter runways than can the DC-10 and L-1011.

Mr. PROXMIRE. Navy testimony before the House Appropriations Committee indicated that the Navy has no counterpart to the Air Force CINCSAC Command Post aircraft. The Navy TACAMO 130's, a Navy admiral said, could not be classified as command posts. Does not the Navy's ability to get along without command post aircraft to control its sea-based missiles cast doubt on the urgency of the Air Force's need for command post aircraft to control its land-based missiles?

Mr. STENNIS. I am sure the Senator will appreciate that any details on command and control of the sea-based missile force are classified. However, the Navy TACAMO aircraft functions as a communication relay aircraft and we cannot compare them with the SAC Command Post aircraft. No command decisions relating to strategic forces are made on the TACAMO aircraft.

SAC also has communication relay aircraft. However, the SAC Command we are looking at are command post as opposed to radio relay aircraft.

Mr. PROXMIRE. Describe the nature of the work which the committee intends to monitor, its projected timetable for completion, and the likelihood that sufficient progress will be made in the next 12 months to permit committee approval of a procurement request next year for either additional aircraft or new electronic gear.

Mr. STENNIS. As I stated earlier, I consider this to be a most important program. But the plain facts are that some development work is required. The committee felt, this year, that the request was a little too ambitious—they were trying to go too fast. The problem is not so much the development of new equipment but making all the equipments work together by use of a computer.

The committee will monitor the progress of this program just as it does other programs. The committee will review cost, schedule progress and consider the degree of technical risk. You understand, of course, that the committee recommended a reduction in both procurement and R. & D. this year. The exact schedule and amount of progress will depend somewhat on how much funding is eventually approved by Congress.

As to the likelihood that sufficient progress will be made to permit Committee approval of a procurement request next year, I do not see how we can make a valid judgment at this time. It is possible Air Force may not request procurement funding next year. We will just have to wait and see.

Mr. PROXMIRE. Mr. President, I should like to turn now to another matter. Another thing which troubled me about the original Air Force program was the fact that it seemed to run counter to the Defense Department's professed commitment to a "Fly Before You Buy" procurement policy. The fourth plane requested was to be used for research and development work on new communications and data processing gear. But before that work was even started the Air Force asked for three planes into which old electronic gear could be placed on an interim basis and two additional planes which, presumably, would be kept waiting till the new gear was ready for them.

The committee turned down the Air Force request for the last two planes, and the committee's report noted some concern for the concurrency which existed between development and production in the original schedule. The report states that:

> Approval of future procurement requests will be dependent upon satisfactory progress of the required research and development work.

I would like to ask my colleague precisely what is meant by that statement. I wonder if he would describe the nature of the work which the committee intends to monitor, its projected timetable for completion, and the likelihood that sufficient progress will be made in the next 12 months to permit committee approval of a procurement request next year for either additional aircraft or new electronic gear?

Third. Finally, I would like to ask my colleague about the committee's decision to recommend purchase now of the first three aircraft requested for use with the old electronic gear now in the President's EC-135. The committee suggests in its report that the new aircraft, even with old equipment, will be more survivable and more capable than the old aircraft themselves. I wonder, however, whether the improvement is really very significant. Now, I ask the chairman and manager of this bill:

It is true, is it not, that the survivability of the new aircraft against the effects of electromagnetic pulse will be no better than that of the old? Will not improved survivability have to wait on development of new electronics gear as well as modifications to the airframe itself?

Mr. STENNIS. I assume that you are asking about the ability of the new aircraft and its equipment to continue to operate after the effect of electromagnetic pulse have occurred.

If this is the case, the first three aircraft that will be modified with the old equipment will be no better than the EC-135 aircraft. When all of the new equipment are installed in the 747 aircraft, electromagnetic pulse effect should not be a major problem.

There is more to the survivability of the new aircraft than just EMP. For example, as compared with the EC-135 aircraft currently used for airborne command post operations, the new 747 aircraft would have greater airborne endurance, larger geographical operating areas, and the ability to take off and land at a greater number of airfields—all of which would make an immediate contribution to improved survivability.

On the subject of EMP again, a considerable amount of engineering data is available. The techniques for minimizing the effects of EMP are known today and will be applied in an orderly process to the 747 aircraft as they are being constructed. On the other hand, the EC-135 would have to be completely rebuilt to achieve the same degree of insensitivity to EMP.

Mr. PROXMIRE. In testimony before the House Appropriations Committee, the Air Force said that it had some new off-the-shelf items not in the EC-135 command posts ready to move into the first three 747's, but that these would not be installed until sometime "between the second and fourth quarters of fiscal 1974." Has the committee been told subsequently that installation of any new equipment is now planned during fiscal 1973, the year covered by this bill?

Mr. STENNIS. Testimony to the committee was that no major new equipment is planned to be installed during fiscal year 1973. Modifications of the switchboard are planned in fiscal year 1973 to improve its reliability and to provide additional capacity for the larger battle staff.

Let me assure you that the committee was initially concerned about the modification of three aircraft with old EC–135 equipment. The committee report states that:

> In order to obtain maximum benefit from this interim step, and to avoid the expense of installing equipment of marginal utility, the Air Force should replace as much of the EC–135 equipment as practical during the modification of the three aircraft.

Mr. PROXMIRE. I recognize that purchase of these larger planes would make it possible at once to carry larger battle staff and more civilian advisers aboard each aircraft. The House Appropriations Committee was told, however, that this program's high personnel requirements had been established by the Air Force without any directions from the White House that that many men were needed or wanted on a Presidential command post plane. Has the committee made any attempt to contact the National Security Council, as opposed to the Defense Department or the Air Force, to elicit its view as to the urgency of this crash program which is, after all, for the direct use of the President?

Mr. STENNIS. This program's "high personnel requirements" for the NEACP were not established by the Air Force. They were established by the Joint Chiefs of Staff, who are the principal military advisers to the President, and who have the responsibilities for providing the President with the facilities and military staff to support the President and his staff in his general war responsibilities. The nature and size of the President's immediate staff was provided to the JCS by the White House. Moreover, the President forwarded the fiscal year 1973 supplemental budget request and the fiscal year 1973 request, which indicates his concern for, and approval of, this program.

I recognize that his committee's investigation of this program has been much more thorough than my own. I also want to assure him that I share his commitment to a first rate command and control system. As his committee's report says:

> To spend billions for sufficient strategic forces and yet be unable to adequately command and control the response of these forces cannot be tolerated.

But I think that a topnotch command and control system can best be achieved through a well-conceived and orderly managed development and procurement program. I know that the Armed Services Committee will do all it can in the years ahead to see that we have just that kind of program.

Now, Mr. President, I thank the distinguished Senator from Mississippi for his most helpful answers and for the excellent leadership he has given not only on this matter but on all other matters. He and I have differed from time to time on authorizations and appropriations for procurement, but I have the greatest respect for his remarkable competence and for his graciousness in handling these most difficult problems.

Mr. STENNIS. I certainly thank the Senator from Wisconsin. I appreciate very much his efforts. He is a hard worker. He is a difficult man to head off when he gets his facts in line. I appreciate his questions about this matter. As I say, we were concerned from the beginning about having to spend this much money on the new 747's, but we never could get away from the fact that this concerns directly the President of the United States.

Mr. PROXMIRE. I have one additional question, regarding the deletion of $349 million in funds for strategic weapons programs without prejudice. Part of that money, $239 million of it, was for an ABM in Washington, as I understand it, and the other part, $110 million, was for strategic research and development. That was deleted without prejudice. That means that the armed services conferees will go to conference with the House, and the House has the money in. The Senate has not taken a firm position. What will be the status of this in conference? How will the Senator handle it? It seems to me it is a puzzling position to have it deleted without prejudice.

Mr. STENNIS. Here is the background about those two requests. Frankly, my idea was that neither one of the two items should go into the bill without our careful consideration and hearings. We were able to provide them at that time. We had been apprised in advance, but the official request with the official estimates did not get in until the day before we completed marking up the bill and putting it together, as the Senator understands, and voting it out.

We thought we had to close the books and report the bill, otherwise it might be September before taking the bill to the Senate. But by getting it on the calendar, we got in ahead of the others and we are considering it now. The idea of being deleted without prejudice was mine. I suggested that solely for the reason that we did not want to leave an impression that we considered these items on their merits and finally turned them down. They were just left out without prejudice for or against them.

I said at the time that, as to the major item, the NCA, I thought we would have to have much more proof as to the probable cost and hold some hearings on it before I would be willing to just recommend it to the Senate, either as part of this bill or as part of any bill out of a conference. I am deliberately choosing my words now, because I recognize that we cannot give a fully binding promise as to what a conference committee will do. However, there has not been time to hold any hearings on this National Command Authority since we closed the bill. And before I would agree to a conference action, we would have to hold hearings ourselves and be satisfied that it was justified, and only under those circumstances would I agree to the program going in a conference bill.

Mr. PROXMIRE. Mr. President, the difficulty is that if the conference committee passed it, we might get locked in on the matter of having an ABM in Washington. I believe if this matter were put to a vote in the Senate, it might well be defeated, and defeated decisively.

We will not have an opportunity to vote on this now unless the Senator comes in with a committee amendment of some kind.

Mr. STENNIS. Mr. President, the committee has no plans now for the Senate to get locked in on anything. And the committee is not going to get locked in on anything. We just did not have time to consider the matter.

Before I would agree to it in conference, personally, as I said, there would have to be some hearings by us that justified our committee or even a majority of the committee—not just the conferees, but the committee—joining in a recommendation that the Senate accept it.

Mr. PROXMIRE. Mr. President, I thank the Senator. I simply call his attention to the fact that there has been a great deal of opposition expressed to this, and especially to the ABM in Washington, by most Members of the Senate and of the House of Representatives.

I appreciate the assurance of the Senator that there will be hearings and that the matter will be thoroughly examined and fully justified before it would be put in the conference report.

Mr. STENNIS. That is the way I feel about it. We would have to have hearings. At the time the bill was reported, on short notice, I do not think that a majority of the committee would have voted in favor of it being in the bill.

I was not willing to put it in the bill with the brief information that we had before us. As it turns out, we have not had time to hold any hearings yet.

I repeat that before I would agree to it as a conference, we would have to have hearings and get our full committee to think about it.

Mr. PROXMIRE. Mr. President, I thank the Senator.

EXHIBIT 1

THE AABNCP: NEEDED PRESIDENTIAL COMMAND POST OR AIR FORCE LUXURY HOTEL?

Mr. PROXMIRE. Mr. President, the new defense budget includes a $261 million downpayment on a new Air Force program which has received very little public scrutiny to date. I refer to the Advanced Airborne National Command Post (AABNCP) program, which calls for the purchase of 7 Boeing 747 aircraft for use by top defense planners and decision makers in the event of a national emergency. Three of the planes would be stationed at Andrews Air Force base for Presidential use, while the remaining four planes would be turned over to the Strategic Air Command.

According to the Defense Department, these new planes are needed because of deficiencies present in the EC–135 aircraft now used for Airborne National Command Post purposes. As Secretary of Defense Laird explained in his posture statement to the Congress:

"Our current airborne command and control system is deficient in that it lacks capacity for added communications and data processing equipment. We need to improve the survivability of the system, and to provide the more secure communications needed for control and execution of the forces, the long endurance, the space for sufficient high level staff to support the National Command Authorities, and space for the battle staff and equipments which provide the information needed in the critical decision-making process."

I fully recognize the need for a top-notch command and control system. Our strategic posture could be gravely compromised—and the lives of millions of people jeopardized—by deficiencies in this area. If our present system is deficient, it should be improved, and I will fully support any efforts likely to achieve that goal.

But I cannot support this program as presently structured by the Air Force. My own investigation, strongly reinforced by some excellent hearings recently published by the House Defense Appropriations Subcommittee, convinces me:

that this new program has been hastily conceived and poorly planned;

that it stands in gross violation of the "Fly Before You Buy" policy to which the Defense Department subscribes; and

that it is, in fact, a classic textbook example of how to botch an important military program.

Mr. President, these are strong words, but I hope to back them up in my remarks today. The $261 million budgeted for this program would enable the Air Force to buy 6 of the 7 new 747s it ultimately claims are needed. Yet we need none of these aircraft now, since the new equipment which would go inside has not yet been developed. And we may not need them later, since that equipment and the necessary staff personnel would almost certainly fit comfortably in slightly smaller and significantly less expensive DC–10 or L–1011 aircraft.

Seldom has the cart been put further before the horse. And seldom has there been a program more replete with hidden motives totally unrelated to the official rationale.

This situation deserves immediate attention by all members of Congress devoted to a sound procurement policy. We have not yet embarked on this ambitious effort to improve our command and control capabilities. We still have time to do the job right. That chance will be lost, however, unless this program is stopped long enough to determine what our command post needs really are.

I. THE OFFICIAL AIR FORCE RATIONALE

Air Force plans for a new fleet of command post aircraft were first presented to the Congress in the form of a supplemental request to the fiscal 1972 budget. This January, 1972 request sought $119.8 million, $113.8 million of which was to be used for the purchase and modification of 4 Boeing 747s and $6 million of which was to be devoted to related R&D efforts. The Air Force announced at that time that two additional aircraft would be purchased in fiscal 1973 and one more in fiscal 1974. Fiscal 1973 funding was pegged at $141.2 million and total program costs were estimated at $428 million. Shortly thereafter, the Senate Armed Services Committee announced that it would defer action on the supplemental request and consider it in conjunction with the requested fiscal 1973 funding. Accordingly, $261 million—covering 6 of the 7 planned aircraft and over 60 per cent of the presently estimated total program costs—is at stake in this year's budget.

In presenting its plans, the Air Force cited three reasons why a new fleet of command post aircraft was needed.

First, there was concern about the *survivability* of present aircraft in a nuclear effects environment. As Secretary Laird noted in testimony to the House Defense Appropriations Subcommittee:

"If our command and control cannot survive, it doesn't make any difference how many of those submarines and how many of those missiles we have. Mr. Chairman, when we started back here in this Committee in going forward with some of the programs we did to insure command and control, we were talking at that time, back in the early fifties, about survivability under an attack by weapon systems that had accuracy problems and were much different from the refined weapon systems that the Soviet Union now possesses. Against such a threat, the survivability of those kinds of command and control facilities is questionable."

This survivability problem was to be countered, Laird noted, by making the new aircraft better able to withstand the effects of electromagnetic pulses (EMPs) produced by large nuclear explosions.

A second concern was the lack of space for both men and new equipment on existing EC–135 command post aircraft. As the House Subcommittee was told by Laird:

"I am sure you have had an opportunity to be on the alert aircraft that are at Andrews right now. Before a person can go to the back of the plane, everyone has to move out of his chair. Even the people who are operating the equipment must move—you can hardly get through back to the quarters where the command authority will be. These aircraft are really loaded down.

"This particular aircraft that we presently have is approximately 880 square feet in size. The aircraft that we want will have approximately 3,400 square feet of space."

This added space, the House Subcommittee was told, would be used for new communications and data processing gear. It would also provide room for 39 battle staff personnel and 50 to 100 other advisors, considerably more than double the present EC–135 personnel capacity.

Finally, concern was expressed about the limited *airborne endurance* of an unrefueled EC–135. In contrast to its 8 hour maximum without refueling, a Boeing 747 could stay airborne for 16 hours at a time, providing increased flexibility in crisis management decision-making.

These deficiencies, the House Subcommittee was told, made immediate action on a new command post an urgent necessity. In fact, the urgency was so great that an unusually structured program was required.

Three 747s were to be purchased immediately and existing EC–135 equipment transferred to them to "provide some important improvements in our capability by 1973." As Secretary Laird explained:

"By providing a larger, more capable aircraft, even with the present electronic equipment, we will be able to obtain greater endurance, more flexibility, larger battle staffs, a larger group of varied experts to support top level decision-making, and additional space to put improved communications and automatic data processing as it becomes available."

The fourth aircraft was to be used as a prototype for EMP tests and the development and operational testing of the new equipment which would eventually be installed in all aircraft.

Once the final equipment configuration was thus determined through prototype work, it would be installed in aircraft numbers 5, 6, and 7. These aircraft would then be made available for Presidential use and the first three aircraft, together with the prototype, would be turned over to the Strategic Air Command (SAC). This final configuration was expected to be operational sometime in 1975.

Such was the case presented by the Air Force for its new command post program. Program initiation has been delayed by deferral of action on supplemental fiscal 1972 funding, but the Air Force remains poised for an early go-ahead.

II. THE RATIONALE EXAMINED

On the surface, there is an air of plausibility to this new command post program. One need not look far, however, to quickly dispel that illusion.

The Role of the First Three Aircraft. In its report on the fiscal 1972 military procurement bill, the Senate Armed Services Committee called attention to a continuing problem:

"Weapons programs involving a large degree of concurrency, or overlap between development and production, have resulted in commitments to production while great technological uncertainties still remain to be resolved. . . ." When changes must finally be made in weapon design during the later stages of development, concurrency has maximized the cost of these changes. . . . In a surprisingly large number of cases, DOD policies over the last several years have emphasized the development of platforms for weapons without sufficient emphasis on the weapons themselves."

These words are directly applicable to Air Force plans regarding the first three aircraft in the command post program. The Air Force intends to procure three 747 platforms now, despite the fact that development of the new equipment to be installed has not yet begun.

Its justification is the overriding urgency of the program, an urgency not recognized until a command and control review study was completed and a directive issued on December 23rd of last year, less than one month before the first funding request for the program was formally presented to the Congress. At that time the Air Force had already submitted its proposed fiscal 1973 budget—with no AABNCP funds included—to the Department of Defense for review.

This sudden recognition of the need for a new command post is quite surprising. Space has been tight on the EC–135 for some time. The effects of electromagnetic pulses have also been well known. As House Subcommittee Chairman George Mahon responded when quick approval of the new program was requested:

"But Mr. Secretary, you know that this administration and prior administrations have been alert to the problem of command and control. You have not been negligent, and the Congress has not been negligent in providing command and control. We have planes and we have land command and control systems, and I thought they were reasonably good. To suddenly develop this extreme need seems uncharacteristic."

Even if a need does exist, it seems doubtful that much will be done to meet it by buying new planes and putting the old equipment inside.

The new planes will not themselves solve and in fact are not needed for a solution to the electromagnetic pulse program. As General Glasser told the House Subcommittee:

"We would need to do substantial modifications to the aircraft to make it more impervious to the effects of electromagnetic pulse. . . . These are shielding, isolation, and things of that sort. They really do not have much relation to [aircraft] size."

These modifications could be made on EC–135 aircraft. And they would not be made on the first three 747s until substantial EMP tests had been completed on the fourth prototype aircraft.

Nor would purchase of the first three aircraft make more equipment available to top national commanders. As noted earlier, much of this equipment has yet to be developed. While a few new off-the-shelf items have already been earmarked, even these would not be installed until sometime "between the second and fourth quarters of fiscal 1974."

Immediate purchase of the three aircraft would create room for more personnel aboard the plane, but it is not clear whether more personnel space is really needed. The following exchange before the House Subcommittee makes the point rather well:

Mr. SIKES. Has the White House formally notified the Department of Defense of the White House requirements for personnel spaces to accommodate NCA advisors and exactly who these advisor personnel would be?

"Admiral JAMES. The White House in the EC–135 has officially notified us, but in the 747, to the best of my knowledge, not yet.

"Mr. Sikes. How do you know then whether or not they need a bigger aircraft?

"Admiral James. The purpose of the airplane is not only to provide the additional room for the National Command Authorities advisors, Mr. Chairman. There are a lot of other reasons why we need the aircraft. But this would provide space, and if the NCAies felt the need for more advisors then there could be some adjustments in the arrangement."

And while the new planes would provide greater endurance than the EC–135, this improvement alone is of questionable value. We have hundreds of tankers capable of conducting air-to-air refueling operations. If our command post aircraft cannot count on the availability of a tanker, it raises grave implications for the pre-launch survivability of our strategic bomber force, which is itself dependent on tanker refueling to carry out its mission.

The Air Force tried one final argument in testimony before the House Subcommittee. It suggested that "the first three aircraft are essential to provide the operational experience needed to properly define the command, control, and communications package to be installed and tested in the fourth aircraft."

Some wild justifications have been offered to Congress for new military programs, but this one stands alone. Will it now become standard operating procedure to begin each new aircraft program by building three airframe to fly around in order to find out what equipment should be installed in the first development prototypes? It seems to me that ground level studies and development work have sufficed for this purpose in the past. They should remain sufficient for the future.

The First Three Aircraft—Hidden Motives. All that the first three aircraft would provide initially is a bit more room and some increased endurance, and it is difficult to believe that the Air Force would really want to buy them solely for that purpose. To look for other motives is an admittedly subjective exercise. Such motives do seem present, however, and they are only thinly veiled.

One such motive, it seems apparent, is to boost employment at The Boeing Company's Seattle plant. Secretary Laird did not deny the point in testimony before the House Subcommittee:

"Mr. Mahon. The President said in his budget statement that the budget was designed to promote employment. How does that philosophy impact on this supplemental request?

"Secretary Laird. There certainly will be some impact, Mr. Chairman, I will supply that information for you. That, however, has not been the *overriding* reason for submitting this particular request. . . . The reason we are buying the new aircraft is not *primarily* related to employment" (emphasis added).

The same point surfaced once again:

"Secretary Laird. The first four of these 747s are now on the production line at Boeing.

"Mr. Mahon. They are on the production line?

"Secretary Laird. They are on the production line.

"Mr. Mahon. And nobody else wants them so we will buy them; is that the point?

"Secretary Laird. We can get these programmed.

"Mr. Flood. Four or three?

"Secretary Laird. Four. They are on the production line. I can't say that buying them will necessarily add to employment immediately. They will add to employment from here on, but these particular ships are already on the production line.

"Mr. Mahon. But usually you have to wait for aircraft of this type because somebody else would want them. They have satisfied their market, and they have four on the production line that they can let you have.

"Secretary Laird. We can elbow our way into this production line and we can buy them at $1 million each less this year than we can next year.

"Mr. Mahon. In other words, it is a good market in which to buy, if you are going to buy them.

"Secretary Laird. Yes. If you are going to buy them you can buy them for $23 million this year—fiscal year 1972. Next year in fiscal 1973 the aircraft will cost us $24 million."

A second motive, in all likelihood, is Air Force concern for their *own* command post needs. For in addition to the three command post aircraft stationed at Andrews Air Force base for Presidential use, the Air Force itself has in its present inventory some 45 EC–135 command post aircraft. As Congressman Sikes noted during the House Subcommittee's hearings:

"From fiscal year 1962 through 1971, we have spent about $538 million for airborne command posts for CINCPAC, CINCSAC, and CINCEUR. CINCSAC alone has 29 EC–135 aircraft serving as airborne command posts, auxiliary command posts, communication relay aircraft, and airborne launch control centers."

By purchasing three aircraft now to meet an alleged interim Presidential need, after which these aircraft (and the fourth aircraft prototype) would be turned over to SAC, the Air Force could hope to initiate replacement of its own command post fleet without having to seek direct recognition of a replacement need. And once that need was indirectly recognized, it might be possible to undertake a replacement program much more ambitious than the four aircraft program implicit in present AABNCP plans.

It might be difficult to win direct approval for such a replacement program. For one thing, present Air Force command posts are only ten years old. In addition, it seems unlikely that all Air Force planes would have need of the massive equipment and large staffs required by the President as Commander-in-Chief. Finally, Air Force interest in command post aircraft to manage its bomber and missile forces stands in marked contrast to Navy interest in command post aircraft to control our sea-based missiles. Once again the House Subcommittee hearings amply demonstrate the point:

"Mr. Sikes. Does the Navy have command post type aircraft for their Polaris/Poseidon submarine fleet similar to those of CINCSAC?

"Admiral James. No, not similar to CINCSAC. They do have radio relay aircraft that are called TACAMO 130's. They are not equipped the same way, but they do provide low-frequency radio communications to the submerged submarines.

"Mr. Sikes. Then you are saying that, in substance, we do have the equivalent of airborne command posts for our sea-based strategic missile force?

"Admiral James. No, that could not be classified as a command post. . . .

"Mr. Murphy. If our strategic deterrent force is important and SAC considers it imperative to have an airborne command post to control its Minuteman missiles, it is difficult to understand why the Navy did not consider this an important factor and also have an airborne command post to control 656 sea-based strategic missiles.

"Admiral James. They . . . have been trying to get the assets to put a command post airborne."

If the Navy has not been able to find such assets ten years after the first SAC command post aircraft were purchased, it seems difficult to believe that the Navy views such aircraft as first priority requirement.

The Fourth Aircraft Prototype. Since three 747s now would provide little in the way of improved capabilities, and since their purchase seems motivated by slightly suspect factors, it might seem advisable to initiate the new command post program with work on the fourth aircraft prototype. This effort alone, the House Subcommittee was told, would cost $116 million.

There are good reasons, however, why this approach, too, should be rejected.

First, it is not clear that a 747 is the best air frame choice available to the Air Force. Three other candidates—the DC–10, the L–1011, and even the C–5A—should also be considered.

The DC–10 and L–1011 have only 2,500 square feet of floor space, compared to 3,500 for the 747. But this is still a significant increase over the 880 square feet available in the EC–135. Moreover, it is more space than present plans require. As Admiral James told the House Subcommittee: "The total [space] requirements that have been identified are 1,800 square feet."

This itself would allow considerable extra room in a DC–10 or L–1011 to accommodate new requirements uncovered in the future. And these planes, it should be remembered, are roughly $6 million less per copy than 747s to purchase. They would also have proportionately lower operating costs over the course of their lifetime.

The 747s would have an endurance advantage—16 hours unrefueled compared to slightly over ten hours for the DC–10 and L–1011. But the significance of this advantage has not been clearly shown. And if it is key, consideration might be given to converting three C–5A aircraft, which also have a 16 hour unrefueled endurance, to command post use. New C–5A purchases would be prohibitively expensive, but it is unlikely that our strategic airlift capacity would suffer greatly if only three of the present 81 aircraft were diverted to this role.

The Air Force, then, has not demonstrated that new 747s are clearly the best choice for the new command post mission. Yet purchase of a 747 to begin prototype work would commit us to use of that aircraft in a new command post program.

Actually, the whole AABNCP program has been put together so hastily that the purchase of any aircraft for operational prototype work is not advisable at this time. Consider for a moment the present status of work in several important areas. Again the House Subcommittee hearings will provide the main source of evidence.

It was noted earlier that the White House has never informed the Air Force who would use the additional personnel spaces available on the 747. White House involvement in this project has been very small indeed, as the following exchange indicates:

"Mr. Murphy. Admiral, before any determination is made as to what a President might need, it would appear that a study should have been made in the past as to exactly what previous Presidents have done in times of tension, how many advisory people they actually utilized as opposed to how many were made available to them, in order to size an aircraft for this purpose. Have any studies of this nature been made and, if so, what were the results of these past experiences?

"Admiral James. I am not aware of any specific studies under the various circumstances, but this particular number was arrived at by the JCS. . . .

"Mr. Murphy. This is pretty much a military determination, then. . . ."

Some Subcommittee members expressed doubt about the whole command post rationale:

"Mr. Sikes. In an open society such as ours, the President cannot leave the White House . . . during times of tension without the press, the country, and the world knowing about it. . . . The fact that the President would fly off in an airborne command post could create terror in the minds of the public, and even panic in the streets of this country. Have you given consideration to that . . .?

"This past week, Secretary Laird testified that the 747 aircraft will have space for 50 to 100 National Command Authorities advisors in addition to about 40 battle staff personnel—it does not say a thing here about the press contingent.

"Mr. Minshall. The only thing he needs is Presidential Advisor Henry A. Kissinger. A 3-place chopper would be sufficient.

I cannot agree that a larger new command post should be ruled out at this time. But I do think that before it is funded greater interest should be expressed by the White House in what is meant to be a Presidential plane.

House Subcommittee Chairman Mahon also raised various questions about the compatibility of communications gear earmarked for the new command post with communications at our ground-based command and control center. The responses again showed lack of thorough planning:

"Consideration is now being given to compatibility needs between the airborne and ground processing centers. . . . All of the specific links have not yet been designated, but this will all be accomplished well before the date of the full configuration. . . . Although . . . the specific language to be used for the AABNCP hasn't been selected yet, it is now considered that JOVIAL will be best suited to the job."

III. WHAT SHOULD BE DONE?

The AABNCP program should not be approved by the Congress—not the first three interim aircraft, not the fourth aircraft prototype, and most assuredly not the fifth and sixth aircraft, funds for which are also provided in the fiscal 1973 budget.

What, then, should be done?

First, the Congress should inform the Administration that no funding for an AABNCP program will be approved until further studies and more detailed planning have been conducted under the direction of the National Security Council. If new command post aircraft are needed for Presidential use, the existence of this need should be certified and steps worked out to meet it, not by the Department of Defense, but by the White House itself.

Second, Congress should inform the Air Force that any Presidential command post program subsequently approved will be limited to the number of aircraft, including prototypes, certified as necessary for White House use. Any Air Force program, to replace its own EC-135 command post aircraft should be presented directly to the Congress and justified on its own merits.

Third, immediate Congressional approval should be given to pending Air Force requests for related programs independent of, but of potential benefit to, a later AABNCP program. This would include R&D requests for a new simulator for EMP tests of all our strategic aircraft.

Mr. President, no Senator would want to impede the ability of a President to exercise his responsibilities in the event of a nuclear emergency. But all Senators should be concerned lest resources are squandered, and suspect motives served, in the name of this important goal.

Mr. PROXMIRE. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I now wish to call the attention of the Senator from Minnesota to what I would like to say. Insofar as I know as manager of the bill, no one else has an amendment and no one else wants to speak, today. I have asked that the assistant majority leader, the Senator from West Virginia (Mr. Robert C. Byrd) be notified. We want unanimous consent now to take down this bill, with the understanding that if anyone comes in before we adjourn and wishes to take up the matter I will return to the Chamber.

Mr. President, I leave the Chamber in charge of the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator for his trust and confidence.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative cerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I thank the Chair and all Senators for their indulgence. I regret to have delayed the Senate.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS AND LAYING BEFORE THE SENATE THE UNFINISHED BUSINESS ON MONDAY, JULY 31, 1972

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday, immediately following the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business, not to extend beyond 10:30 a.m., with statement limited therein to 3 minutes, at the conclusion of which the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for Monday and the days immediately ahead is as follows:

The Senate will convene at 10 a.m. on Monday.

Following the two leaders or their designees, there will be a period for the transaction of routine morning business, not to extend beyond 10:30 a.m., with statements limited therein to 3 minutes, at the conclusion of which the Chair will lay before the Senate the unfinished business, H.R. 15495, the military procurement bill.

The distinguished Senator from Washington (Mr. Jackson) will be recognized, upon the laying before the Senate of the unfinished business on Monday, for the purpose of calling up his amendment. He will be followed by the recognition of the Senator from California (Mr. Cranston) for the purpose of calling up his amendment, following which the Senator from Indiana (Mr. Hartke) will be recognized for the purpose of calling up his amendment.

Owing to the fact that several Senators will be attending the funeral of our late departed colleague, Senator Ellender, the aforementioned amendments with time limitations thereon, and although resulting in yea-and-nay votes, will not be finally disposed of until the return of the funeral delegation from Louisiana in the late afternoon of Monday; but following the debate on the three amendments, as stated, the Senate will go on to a second track item. I would say at the moment that it will probably be the export control bill.

Upon return of the distinguished majority leader and other Senators from Louisiana, the Senate will resume consideration of the unfinished business, and the Jackson amendment, the Cranston amendment, and the Hartke amendment, in that order, will be taken up, with one-half hour of additional time on each, preceding a yea and nay vote on each amendment, after which, depending upon the hour, the Senate will either return to the consideration of the second track item or adjourn.

On Tuesday at 10 a.m. the Senate will resume the consideration of the unfinished business, the military procurement bill, and the following amendments will be considered in the order stated and in accordance with the stated time limitations thereon, with yea-and-nay votes occurring: An amendment by Mr. Proxmire and Mr. McGovern, 3 hours; an amendment by Mr. Hatfield, 3 hours; an amendment by Mr. Tunney, 1½ hours; an amendment by Mr. Kennedy, 1 hour.

The Senate will then go to a second track item, presumably the no-fault insurance bill in the event the export control bill has been disposed of prior thereto.

On Wednesday at 10 o'clock a.m., the Senate will resume consideration of the unfinished business, the military procurement bill, with debate on the following amendments to occur in the order stated and under time limitations as stated:

Mr. Cranston's Vietnam amendment, 4 hours.

Mr. Brooke's amendment, 2 hours.

Yea-and-nay votes will occur on those amendments, but in inverse order, the vote to occur first on the Brooke amendment.

A yea-and-nay vote, under the time agreement, will occur on the final passage of the Military Procurement bill no later than 6 p.m. on Wednesday.

Depending upon the hour at which the military procurement bill is disposed of on Wednesday, the Senate would then go to the second track item—again, no-fault insurance.

On Thursday at 10:30 a.m., the Senate will proceed on the first track to the consideration of the SALT treaty, with the second track item on Thursday being no-fault insurance if not disposed of prior to that time.

Yea-and-nay votes can be expected on Thursday.

As to Friday and Saturday, the situation is not yet clear, but by way of general information for Senators, that they might be somewhat guided thereby, the SALT treaty will remain the unfinished business in executive session until disposed of, and it will then be followed by the interim agreement on offensive weapons as the first track item, and that will be followed by revenue sharing as a first track item. No-fault insurance, once begun as a second track item, will be continued as a second track item until disposed of.

The leadership, when the necessity arises, may, of course, elect to go to third track items on any day.

In summation, Mr. President, there will be yea-and-nay votes on Monday beginning after the delegation has returned from its sad mission to Louisiana.

There will be yea-and-nay votes on Tuesday.

There will be yea-and-nay votes on each remaining day of next week, including Saturday.

There will be lengthy sessions daily.

Mr. MATHIAS. Mr. President, will the Senator yield for an inquiry?

Mr. ROBERT C. BYRD. I gladly yield to the Senator from Maryland.

Mr. MATHIAS. In outlining the program, the Senator stated the time limitation on the Cranston amendment and on the Brooke amendment, and stated that the final vote on the bill would occur, I believe, not later than 6 o'clock on Wednesday.

Mr. ROBERT C. BYRD. The Senator is correct.

Mr. MATHIAS. What would be the situation if there were amendments, perhaps amendments by way of substitutes for either of those amendments?

Mr. ROBERT C. BYRD. Amendments by way of substitute, amendments to amendments, and amendments in the second degree will be in order with a time limitation of 30 minutes. If the time for amendments is exhausted, Senators in control of time on the bill can yield additional time therefrom, and there will be ample time, I would say, to the distinguished Senator from Maryland, allowing for the time that has been allotted to each amendment, for additional amendments as well as the disposition of those two amendments on Wednesday.

There will be ample time afforded on Wednesday, I believe, for the calling up of amendments in the first degree with a time limitation thereon of 1 hour. Upon the reaching of the hour of 6 o'clock, if amendments are still pending, votes will occur on those amendments, but with no further time for debate allotted.

Mr. MATHIAS. I thank the Senator.

ADJOURNMENT UNTIL 10 A.M. ON MONDAY

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock a.m., on Monday next.

The motion was agreed to, and at 2:45 p.m., the Senate adjourned until Monday, July 31, 1972, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 28, 1972:

DEPARTMENT OF JUSTICE

Robert E. J. Curran, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania for the term of 4 years.

Carl E. Hirshman, of New Jersey, to be U.S. marshal for the district of New Jersey for the term of 4 years.

EXTENSIONS OF REMARKS

GEORGE M. MILLER

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. HOGAN. Mr. Speaker, the city of Takoma Park, Md., recently lost a truly dedicated public servant. He was George M. Miller, mayor of the city for 18 years and a city councilman before that.

During his 10 consecutive years of office, Mayor Miller made many significant contributions to the city of 18,500. As mayor he gave an enormous amount of time and effort to the betterment of Takoma Park. Among other achievements, he was a leader in getting the $3 million Middle School built in Takoma Park, and he led the fight to expand Montgomery College.

His community activities were numerous and as outstanding as his professional and political achievements. Shortly after Mayor Miller's passing, the Washington Star paid tribute to this devoted public servant, and I now insert the article in the RECORD:

GEORGE M. MILLER DIES; MAYOR OF TAKOMA PARK

(By Richard Slusser)

George M. Miller, 61, who was elected in March to his 10th consecutive term as mayor of Takoma Park, died of cancer yesterday in Holy Cross Hospital. He lived on Hancock Avenue in Takoma Park.

Mr. Miller served on the Takoma Park City Council for a year before his first election as mayor in 1954. Mr. Miller's full-time job was chief of the accounts section of the Bureau of Reclamation, Department of Interior.

Usually elected without opposition, Mr. Miller ran on a ticket with seven candidates for city council in the March election and defeated a slate called the Takoma Limited Committee.

STANDS CRITICIZED

The opposition criticized Mayor Miller's stands on the impact of Metro subway construction and the expansion of Montgomery College, both of which were seen as a threat to a number of Takoma Park homes.

Mr. Miller said that the council acted to allow expansion of the college to prevent it from leaving the city and he asserted that Metro construction decisions were made in open sessions. His group, the Citizens for Good Government, campaigned on a promise to ease the city's property tax.

In campaign literature for his last election, Mr. Miller wrote that if there is "a single feature of public life in Takoma Park that clearly sets the city apart from surrounding areas, it is the spirit of community seen in the . . . efforts of the many citizens representing dozens of community groups. . . ." The Takoma Park population is about 18,500.

As mayor, Mr. Miller opposed the location of the controversial North Central Freeway through Takoma Park, one of the largest municipalities in Maryland. He also led a campaign for Montgomery County to build the $3 million Middle School in Takoma Park.

Mr. Miller, who was born in Laurel, had lived in Takoma Park since 1939. He was a graduate of St. Johns High School and Benjamin Franklin School of Accounting in Washington. During World War II he served in the Army.

Before joining the Bureau of Reclamation he was treasurer and general manager of the hardware and roofing firm of W. S. Jenks & Son, Inc.

Mr. Miller was a member of the Takoma Park Lions Club, Rosensteel Council of the Knights of Columbus, Our Lady of Sorrows Catholic Church and the Holy Name Society. He was a director of the Takoma Recreation Council.

He was active in the National League of Cities and was vice president and treasurer of the Metropolitan Council of Governments. He also was a president of the Maryland Municipal League and chairman of the Maryland Technical Advisory Service.

LAUDED FOR SERVICE

Hyattsville Mayor Charles L. Armentrout said Mr. Miller was a distinguished mayor of Takoma Park. He apparently did a good job because the people . . . recognized that in re-electing him."

The Takoma Park City Council will elect Mr. Miller's successor. Councilman John Roth has been taking Mr. Miller's place on a pro tem basis.

Mr. Miller leaves his wife, Charlotte K.; two sons, Charles and George Jr. of Silver Spring; a daughter, Susan and a sister, Mrs. Arthur B. Brown of Silver Spring.

ORDER OF AHEPA

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, July 28, 1972

Mr. SCHWEIKER. Mr. President, Order of Ahepa, the American Hellenic Education Progressive Association, celebrates its golden anniversary this week. This national fraternal organization with 27 local chapters in Pennsylvania has compiled a distinguished record of service to the Nation and to the various communities in which Order of Ahepa chapters are located.

The community interests of the Order of Ahepa are noteworthy. They include:

To promote loyalty to the United States of America;

To instruct its members in the tenets and fundamental principles of good government;

To instill in its members appreciation of the privileges of citizenship, and the inalienable rights of all citizens;

To encourage its members to actively participate in political, civil, social and commercial fields of human endeavor;

To promote a better understanding of the attributes and ideals of Hellenic Culture; and

To champion the cause of education, culture and learning.

Mr. President, Pennsylvania is proud

of the many charitable contributions made by members of Order of Ahepa throughout the State during the last half century. I am pleased today to extend my sincere best wishes and congratulations to them on the occasion of the 50th anniversary of the founding of the American Hellenic Educational Progressive Association.

ADVERSE EFFECTS OF MINIMUM WAGE ON MINORITY GROUPS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, a recent article in the American Economic Review has come to my attention. Its subject matter is particularly appropriate to current concerns in view of the ill-considered action of the Senate which voted to raise the minimum wage to $2.20 and eliminate the lower rate which the House version adopted for teenage workers. This article brings into sharp focus the folly of such legislation.

Since the article is of a highly technical-statistical nature, I would like to include only the following brief summary of the methods used and conclusions reached by the authors, Marvin Kosters and Finis Welch.

I insert the summary of "The Effects of Minimum Wages on the Distribution of Changes in Aggregate Employment" by Marvin Kosters and Finis Welch, American Economic Review, June 1972:

SUMMARY OF THE EFFECTS OF MINIMUM WAGES ON THE DISTRIBUTION OF CHANGES IN AGGREGATE EMPLOYMENT

This article is a report of a study, the objective of which was to analyze the effect that minimum wage legislation has had on the way changes in aggregate employment are distributed among demographic groups. No attempt was made to discover the impact on total employment—rather, this was taken as given, and the study attempted to determine the effects on the shares of various groups in the labour force.

The model used divided the labour force into eight classes on the basis of age (adult vs. teenage), sex and race. Employment of each group was assumed to be the sum of the shares of that group in trend employment and deviation employment, the latter being the deviation of total employment from the long term trend which results from the business cycle.

Using standard statistical techniques, the study analyzed quartely employment data for the period 1954–68, and separated the effect of the minimum wage from other influences. The hypothesis was established that the composition of changes in employment shares under the influence of a minimum wage differs from that which would otherwise obtain, and the validity of this hypothesis was tested empirically.

As justification for the reasonable nature of this hypothesis was offered the following reasoning: hiring costs may be expected to differ among classes of workers, those with low productivity and receiving low wages being expected to entail lower hiring costs. In addition, the productivity or value of a worker depends to a large extent upon the amount of firm-specific training he has had. Thus, firms have an investment in each worker, and termination of his employment involves a capital loss to the firm. Since the size of this investment can be expected to vary significantly among labour groups, it is likely that there will be some groups for which it will be comparatively smaller, and these groups will participate disproportionately in cyclical employment variations.

The results of the study confirm the hypothesis. Specifically, it was found that the presence of a minimum wage decreases the employment share of non-white, and especially teenage workers in the long-run trend, and increases the vulnerability of the same groups to cyclical fluctuations.

As an illustration, it was determined that if the minimum wage were raised from the 1954–58 level ($0.75) to the 1964–68 level ($1.60), wage coefficient of marginality (a measure of vulnerability to cyclical change) of the various groups would be affected as follows:

White adult male, down 33%.
Non-white adult male, down 12%.
White female, down 25%.
Non-white female, unchanged.
All teenage, more than doubled.

What this means is that white male adults are made one third less vulnerable to the possibility of losing their jobs during a recession because of the indicated rise in the minimum wage. On the other hand, this is compensated for by the fact that all teenage workers are made more than twice as vulnerable to that same hazard, and of course it should be remembered that within the teenage group the female and the non-white members suffer even more.

The conclusion of the study is that the employment of non-whites is more sensitive to cyclical change than whites, and that of teenagers is much more sensitive than adults. Minimum wage legislation has drastically exaggerated this effect-decreased the share of normal employment and increased the vulnerability to cyclical change for the most marginal group: teenagers. These are therefore "able to obtain fewer jobs during periods of normal employment growth, and their jobs are less secure in the face of short term employment changes" than would be the case in the absence of a minimum wage.

Minimum wage legislation has resulted in higher incomes for some workers, but the costs have been borne by teenagers, and especially non-white teenagers.

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

HON. QUENTIN N. BURDICK

OF NORTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Friday, July 28, 1972

Mr. BURDICK. Mr. President, I wish to add my voice to the many others in the Congress who have paid tribute to the Order of Ahepa, the American Hellenic Educational Progressive Association.

This month AHEPA is celebrating its golden anniversary, marking 50 years of good work for the betterment of society. We all know of the many contributions APEHA has made in the areas of education, civic activities, and disaster relief work. I join Senators in wishing this fine organization well as it begins its next 50 years of activity.

At this time, I wish to make special mention of the officers of the fine AHEPA chapter in Minot, N. Dak.: Steve G. Maragos, president; Charles DeMakis, vice president; William Kandas, secretary; and George Voregarethsos, treasurer.

FREEDOM OF INFORMATION ACT: BOON OR BUST FOR THE PRESS?

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. MOORHEAD. Mr. Speaker, the Foreign Operations and Government Information Subcommittee has recently completed 34 days of hearings on the administration of the Freedom of Information Act (5 U.S.C. 552) and related subjects. Five years ago the act was signed amid speculation that it would make more Federal information available to the press and the public.

In an examination of this landmark legislation, Editor & Publisher reports in its issue of July 8, 1972, that the FOI Act "has turned out to be a boon for lobbyists and an infrequent formal tool for journalists." The magazine notes that the mere existence of the law has caused Federal officials to revise their information policies so that more material is now available to the public.

The article "Freedom of Information: Boon or Bust for the Press?" is based on research completed last fall. It was written by Washington correspondent Peter G. Miller, formerly the Washington editor for Chilton publications, who has established his own editorial concern in Washington, Republic News Services.

Mr. Speaker, I hope that this article will shed light on the way in which the FOI Act has been operating within the Federal bureaucracy. The article follows:

FREEDOM OF INFORMATION ACT: BOON OR BUST FOR THE PRESS?

(By Peter G. Miller)

The Freedom of Information Act—the legal wonder that was supposed to open many government files to newsmen—has turned out to be a boon for lobbyists and an infrequent formal weapon for journalists.

On July 4, 1967, the Freedom of Information Act, 5 USCA 552, went into effect amid speculation that it would greatly aid government watchers in general and the press in particular. Now, more than four years later, statistics show that the press had made little use of the formal procedures outlined under the Act while private interests, especially lobbyists and corporate lawyers, have benefited greatly from the legislation.

Statistics compiled from data submitted to the Foreign Operations and Government Information Subcommittee, a unit of the House Committee on Government Operations, reveals that more than half of 133 formal requests for information from two departments and three agencies came from corporations or special-interest groups.

Specifically, formal requests that could be identified as to origin for the Departments of Labor and Commerce, the National Mediation Board, the National Labor Relations Board and the Federal Mediation and Conciliation Service show that of 67 (50.37%) of inquiries came from private law firms. Corporations initiated 31 (23.31%) requests while the news media used the formal provisions of the FOI Act only 12 (9.02%) times. Significantly, of the 12 requests from news organizations, 10 came from magazines, two from newspapers and none from radio or television.

The FOI Act is important because it establishes a procedure where citizens, for whatever reason, may request information from the government. Should the government decide not to reveal the information being sought, it must seek protection under one or more of the nine exemptions provided by the FOI law.

EXEMPTED INFORMATION

The exemptions include, briefly, withholding information because it is specifically excluded by statute, related solely to the internal personnel rules and practices of an agency, specifically required by executive order to "be kept secret in the interest of national defense or foreign policy" or trade secrets and commercial information that is privileged and confidential. Other exemptions concern personal and medical files that may constitute an invasion of privacy, interagency or intra-agency materials that "would not be available by law to a party other than an agency in litigation with the agency," investigatory files compiled by law enforcement agencies except to the extent available by law, certain geological and geophysical material concerning wells and information "contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions."

To use the FOI law effectively, a petitioner seeking information must first be prepared to initiate the formal appeals procedure within the agency withholding the material. If the appeals process does not work to his satisfaction, a citizen can then take his case to a federal court.

Several factors affect the appeal process and explain why the news media have not been the principal users of the FOI Act.

Time: The formal appeals process can be the beginning of a months-long battle with an agency. The relevancy of material being sought by a newspaper or television network could decline drastically if an appeal takes 13 months, as one to the NLRB did. For a trade association or lobbyist, time is important yet the longer it takes to solve a federal problem the greater the need for a Washington representative.

Informal Negotiations: No federal agency wants to antagonize the press unnecessarily. If a graceful way can be found to release information, public information officers will try to obtain at least part of the material a correspondent is seeking. In the case of material with political implications, information officers realize that such grist is often available from a variety of sources within the agency. Rather than reading about it in the next morning's paper, many public information officers would prefer to release the information officially. In this manner they can at least answer questions about the material and possibly influence its impact.

COURT CASES

Possibly more important than the use of a formal appeals process is the threat of such procedures. Since federal officials may now be compelled to explain their actions before a court, there is some compulsion to negotiate.

One man who has observed government information policies from the view of both an administration official and newspaperman is Joe Loftus. Loftus, formerly a correspondent with the *New York Times*, is now the Special Assistant to the Secretary for Communications in the Labor Department.

In an interview. Loftus described the only court case brought against Labor under the FOI Act.

"Ralph Nader and his people wanted to get the files, the inspection files, under the Walsh-Healey Act. The question did not come to me in the first place but it did eventually reach my office and I recommended that the files should be opened to them. The solicitor said he would let them examine the files to show whether the Labor Department was doing its job or not on the condition that they would withhold the names of the companies in those files. That's the way the solicitor reported it to me. I still objected to his decision. Nader's people would not sign an agreement to withhold the names, instead they went to court and sued the Labor Department and won. Labor and Justice decided not to appeal the case."

When asked about classified information Loftus noted that few documents were classified for security reasons.

"I doubt if I've seen more than three or four pieces of paper marked 'Confidential' in the three years I've been here.

"The only thing we send around internally in the Department," he continued, "is a gathering of developments and activities from each of the program officers. It's marked 'For Limited Use.' I understand that's the equivalent of 'Confidential,' although most of the material in it doesn't strike me as being of a confidential nature at all. In fact, a lot of it has already been put out in the form of releases."

While not involved with security problems on a continuing basis for reasons of national defense, Loftus stated that some information supplied to the Department was restricted. This material was obtained with the understanding that it would be privileged, an exemption covered under Section (B) (4) of the FOI Act.

"The Bureau of Labor Statistics, for example, gets information from corporations on a confidential basis. This becomes an amalgam which is processed by the BLS and the results become valuable to the public and economists. We are the custodian of that information. We have no right to demand it, corporations let us have it because they know it would be helpful. They'd like to know the information in general. I accept and agree with that principle.

"The unions file under the Landrum-Griffin Act and a lot of that data is required by law and is available for examination by the public and for copying at our Silver Spring office. I do not know of any information the unions give this Department in confidence. Possibly they do, but I'm not aware of it."

PRIVILEGED INFORMATION

Loftus was asked if he would ever withhold information and he replied that in certain situations he would.

"Occasionally, the Labor Department sends a confidential memo to the President and I can't release something like that. I try to answer all I can and when I don't know the answer I try to get it from a program officer."

At the Commerce Department Henry Scharer, formerly director of the Office of Public Information and now Department Information Coordinator, described the information function at Commerce and, like Loftus, raised the issue of privileged information.

"The Department of Commerce is a vast fact-finding mill and its main function is to produce and disseminate information to the business public and the public in general. Relative to our size, we have a minimum of national security information which would require classification.

"Now it is true that, in the Census Bureau for example, we do have information that we have to withhold under a wrap of confidentiality and that is by law. Because of competitive reasons and also because of assurances that in the collection of this information we would not divulge this material, we don't. This has been recognized by the courts and the Census Bureau is very scrupulous and will not even make individual data available to other government agencies."

Scharer disclosed that the forerunner of the Foreign Operations and Government Information Subcommittee, the so-called Moss Committee, was able to change one information practice at Commerce.

DAILY LIST

"In the Bureau of International Commerce we have an Office of Export Control operation. There we also maintain, in confidence, the names of individuals to whom we grant licenses for exports to, say the soviet bloc. We now issue a daily list showing the license granted, the dollar value and a brief description of the item. We do not identify the company for reasons of confidentiality and competition. This has been more or less accepted. I will concede in this context that a couple of years ago we had to be nudged by one of the congressional committees, I think it was the Moss Committee at the time, to provide a daily list instead of a quarterly report as we did then. The Congress did encourage us to liberalize a little more.

"The Commerce Department has consistently followed an 'open door' policy," according to Scharer. "There have been times, of course, when we've had problems with various officials who are 'gun shy' of the media and would prefer we didn't put out certain things.

"Freedom of information does not cover the unwritten word. It covers materials and in that respect there is little or no problem where we're concerned."

Scharer described one incident where the information office aided a reporter.

"We had gripes from one trade paper about covering an advisory committee concerning textile matters. A reporter complained, and we thought justifiably, so we went to bat for him. We finally resolved the issue with the official in charge of the meeting."

PERIODIC REVIEW

The Commerce Department honors classifications initiated at other agencies, according to Scharer. While stating that "we're not at liberty to break classifications," he did mention that Commerce has a periodic review of materials that it classifies internally. A non-security classification was also discussed by Scharer.

"There is stuff marked 'Administratively Restricted.' This, of course, is not a security classification. It's simply an administrative convenience which the information office does not necessarily observe. We try to, of course, being part of the family. We certainly would not do anything to embarrass anyone without trying to get them to understand what the communication problem is."

When asked if the FOI Act was a useful tool within the Commerce Department, Scharer described one of the internal benefits of the law.

"Professional information officers have always supported the FOI Act idea because it helps us persuade any recalcitrant, backward-thinking official—present company excluded—to be more communicative."

One member of the public who has been able to effectively use the FOI Act is Robert T. Basseches, a maritime lawyer with Shea & Gardner, a Washington legal firm. Basseches has initiated formal proceeding against the Maritime Administration, an agency of the Commerce Department, on five occasions. In three instances, Maritime provided information after a formal appeal without going to court.

Basseches said his experience with the FOI Act had been positive. He noted that Maritime had been "reasonably prompt" in responding to his appeals.

The Washington lawyer said that two information levels seem to exist at the Maritime Administration. At the staff level he felt a more restrictive information policy existed than at the highest levels of the agency, including the general counsel's office. Basseches reported that the general counsel and other important officers of the Administration "undertook a conscientious effort to follow court decisions."

BETTER THAN MOST

While stating that the FOI Act was not a "100% effective tool," he compared it favorably with other, "cumbersome techniques," that are available. As an illustration, he cited the case of Moore-McCormick vs. U.S. (U.S. Court of Claims No. 55-68). Here several maritime interests, including one represented by Basseches, sued the Maritime Administration for not granting a subsidy. Maritime lost the case because it did not follow the correct procedures in handling the subsidy claims. A major contention of the plaintiffs was that the Maritime proceeding was "invalid because we couldn't get needed information," according to Basseches.

Although the Labor and Commerce Departments are broad federal units with multiple functions, the three agencies discussed here—the National Mediation Board, the National Labor Relations Board and the Federal Mediation and Conciliation Service—operate within confined legal areas.

The National Mediation Board was established to "avoid any interruption to commerce or to the operation of any carrier therein," according to the *U.S. Government Organization Manual*. Its activities are confined to railroad disputes and air carriers engaged in the transport of interstate mail.

The National Labor Relations Board is an independent agency that insures employees the right to self-organization, collective bargaining or the option not to form a union. The agency also has authority to rule against unfair labor practices. It is essentially a regulatory agency that derives authority from the Wagner Act, the Taft-Hartley Act and the Landrum-Griffin Act.

The Federal Mediation and Conciliation Service is a federal agency that provides arbitration services for deadlocked union/management negotiations. The FMCS can only participate if both parties ask for aid and its suggestions are not binding.

As information sources these agencies generate material as a byproduct of their operations. Rather than originating action, they may only respond to problems that are brought before them.

FUTURE PROBLEMS

A further problem, in terms of seeking information, is that the decision-making apparatus of each agency is not within the public domain. Asking an NLRB official about a pending case, for example, is the equivalent of asking a judge to discuss a matter that is currently before him.

Citizens seeking information from these agencies are confined to past cases, current decisions once announced and such policy guidelines and other data as may be published in the *Federal Register*.

Data submitted to the Foreign Operations and Government Information Subcommittee shows that a total of 29 formal requests for information were received by the three agencies and, of these, 24 were granted (82%). Two requests were granted in part and three inquiries to the NLRB were denied. Of 23 formal requests to the FMCS for records all were granted.

In addition to the four court cases brought against the NLRB under the FOI Act, the agency reported four cases that did not use the formal FOI procedures but were defended under FOI exemptions. The NLRB won every case where its policies were challenged.

The statistics developed for the departments and agencies cited here do not reveal the full impact of the FOI Act. In how many instances was information released, in whole or in part, when an individual threatened to use formal procedures provided by the FOI Act but did not? How many documents were more thoroughly scrutinized prior to classification or not classified because federal officials feared a possible court challenge of their decisions? Most importantly, how many citizens has the law alerted, individuals who now realize they can challenge the federal bureaucracy for information and that the burden of proof lies with the government official?

The federal government, with its myriad departments, agencies, libraries and files, is the most complex information source ever developed. The value and importance of this information can only be enhanced by full and free access, concepts encouraged by the FOI Act.

I. FORMAL REQUESTS FOR ACCESS TO RECORDS

No.	Agency	Number of formal requests	Number of access granted	Number of access refused	Number granted in part	Number pending	Basis for refusal
1	Department of Commerce	182	109	50	9	4	5 U.S.C 552, no sections cited (See note 1.)
1A	Office of Import Programs			1			5 U.S.C. 552(B)(4).
1B	Office of Direct Foreign Investments			3			5. U.S.C. 552(B)(3)(4) and (5).
1C	National Oceanic and Atmospheric Administration			1			Records not in custody of agency or predecessor.
1D	Office of Personnel, Office of the Secretary			2			5. U.S C. 552(B)(6).
1E	National Technical Information Service			5			5 U.S.C. 552(B)(4)(6).
1F	National Bureau of Standards			3			5 U.S.C. 552(B)(4)(6).
1G	Bureau of International Commerce			2			5 U.S.C. 552(B)(3)(4); 15 CFR 4.6(e).
1H	Office of the Secretary			2			5 U.S.C. 552(B)(4)(5).
1I	Maritime Administration			22			5 U.S.C. 552(B)(4)(5).
1J	Patent Office			9			5 U.S.C. 552(B)(3)(4) and (5).
2	Department of Labor	33	4	28	1	0	5 U.S.C. 552(B)(4)(5)(7). 20 CFF. 501.8(2).
3	National Mediation Board	1	0	0	1	0	Railway Labor Act, Sec. 2(9); 5 U.S.C. 552(B)(7); 29 CFR 1208 (National Mediation Board rules, Pt. 1208.4(b)).
4	National Labor Relations Board	5	1	3	1	0	5 U.S.C. 552(B)(4)(6) and (7). (See Note 2).
5	Federal Mediation and Concillation Serivce	23	23	0	0	0	Not availavble.

Note: The Department of Commerce in its letter of transmittal, noted that 7 cases "were withdrawn before acted upon, 1 was for records at another agency, 1 was for nonexistent records, and 1 is unrecorded as to action taken." The National Labor Relations Board reports 4 instances of litigation withour prior formal request in the information area.

OPPONENTS OF GUN CONTROL: CHICAGO TRIBUNE TASK FORCE REPORT, PART IX

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. MIKVA. Mr. Speaker, there are 25 to 30 million handguns in this country, because Americans want them or feel they need them. Many owners of these weapons oppose legislation curtailing the use and sale of handguns.

Firearms kill 10,000 Americans a year. The Chicago Tribune recently created a Task Force to study this epidemic of violence. This is the ninth in series of 10 Task Force reports.

Today's entry is based on interviews with handgun owners. Many urban dwellers are convinced they need a handgun for protection, in spite of widespread agreement among law enforcement experts that handguns are not effective for self-protection in the home. For every homeowner who successfully repels an intruder with a handgun, four die from gun accidents in the home.

Sportsmen sometimes oppose gun control legislation, claiming that it would penalize law-abiding citizens who use handguns for their own enjoyment or pleasure. But the facts do not support their fears. Proposed strong handgun controls would not inhibit the target shooter. Licensed gun clubs could keep the weapons locked on the premises when not in use.

What is too often overlooked is that all of our rights are infringed upon by the absence of strong gun-control laws. It is the law-abiding victim who suffers most from the availability of handguns.

The article follows:

[From the Chicago Tribune, July 3, 1972]

GUN CURBS: PENALTIES FOR THE LAW-ABIDING?

Wayne Baughman believes that gun control laws ultimately punish rural dwellers for the sins committed by those who live in the big cities.

A spokesman for the Illinois Agricultural Association, Baughman said that almost all of its 200,000 members own firearms and seldom, if ever, use them in crimes.

The Association represents three-fourths of Illinois' farmers, and it has opposed gun control proposals in the General Assembly. In the world of the farmer, a world far removed from the intense social pressures of the cities, guns have a place similar to the place they had on the American frontier—they are used in hunting and as an instrument in the rite by which a boy passes into manhood.

"There is a pride in gun ownership," Baughman said. "I own three shotguns and a rifle and I have owned guns since I was a boy. Most of our people hunt. It's a generational thing, a boy and his father going out to hunt.

"Some of my fondest memories are of my Dad telling me on a fall morning, 'Hey, son, let's go out rabbit hunting.' It's a father and son activity."

The rural argument against firearms legislation, Baughman said, is a philosophical one.

PENALIZED FOR CITY CRIMES

"The general feeling among rural people is that gun controls will penalize them for the crimes that are committed in the big cities. Our philosophy is that we have an inalienable right to the possession of all types of firearms. You can take the Bill of Rights and twist it around—make it read what you want. We read it [the 2d Amendment] this way: We have a right to possess and lawfully use firearms, period."

Baughman recognizes that the unlawful use of firearms is a serious problem in urban areas, and offers this solution:

"To resolve the question, you have to resolve the question of penalties. Our feeling is that the courts have not given the penalties they should have for those people who commit violent crimes."

CITIES ARE EXAMPLES

When gun control advocates argue for firearms legislation, their eyes are almost always on cities like Chicago, New York, and Detroit. They point out that guns are unnecessary in an urban, industrial environment.

Americans no longer need a Winchester rifle or Colt Peacemaker to kill game and defend themselves against hostile Indians, they say.

Marvin Dyer, 47, lives in an urban, industrial environment, and he vigorously disagrees with that contention. Dyer believes he needs a firearm as much as the pioneers of the past.

In Dyer's case, the hostile "Indians" are a tribe of teenage hoodlums called the 95th Street Black Outlaws, who have threatened his life, the life of his son, Daryl, 17, and have terrorized the South Side neighborhood where he lives.

CITES NEED OF GUNS

"Don't talk to me about gun control," Dyer said. "They say they want people to stand up to these gangs, but how can you stand up to the gangs without guns when they have guns. As far as these gun control laws are concerned if they take those guns away from the people, 10 boys could come over here and beat you to death before the police came."

Dyer has stood up to the gangs and has used a gun to do it. His struggle began almost two years ago, when the Outlaws tried to recruit his son.

The younger Dyer, who aspires to be an attorney, resisted their offers. Consequently, gang enforcers beat him up in Euclid Park. The next day, the Dyers swore out an arrest warrant against the youth's assailants.

THEN THREATS BEGIN

That is when the threats began. Gang members began riding past the family's home shouting that they would burn down the house. Young Dyer was warned that the gang had marked him for death, and reportedly two Outlaws had been seen in the park displaying the carbine which they said they would use to kill him.

For self protection, Daryl Dyer armed himself with a .22 caliber handgun which his father had given to his sister. Hiding the gun in his jacket, Dyer carried it to classes at Harlan High School, where he knew that at least 10 of the 150-man gang were armed.

On Sept. 22, 1971, Marvin Washington, 19, a gang member, approached Dyer in the school lunchroom and gave him this warning:

"It would be disloyal of me to let you get away with fighting our chief. Don't go thru the park."

When the elder Dyer picked up his son that afternoon, Daryl told him of the incident. It was at that point, Dyer said, that he became "fed up" with hearing the threats.

Taking a .22 magnum derringer from his glove compartment, Dyer went into the school with his son to look for the security guard.

"He wasn't where he usually sat," Dyer said. "We went into the school and ran right into the gang. They were beating up a kid in the park, and Marvin [Washington] had just come back into the school after beating this kid up. The school assistant principal had his arm around his shoulder patting him like to say 'be a good boy.' Can you imagine that?"

Daryl pointed to Washington and said, "There he is, Dad."

PREPARE FOR FIGHT

Dyer then asked Washington why he was bothering his son, after which the gang member and his friends stripped off their shirts to prepare for a fight.

Daryl recalls that he thought they were going to kill his father.

"It seemed like a dream," he said. "It happened so fast. I saw the kids taking off their shirts and I shot. It was the first time I ever shot a gun."

Washington fell to the floor, wounded in the right side. His companions started screaming at the Dyers, "You're dead. You're dead."

In the aftermath, Daryl was charged with aggravated battery and unlawful use of a weapon, and his father with assault and unlawful use of a weapon. All charges, except the battery charge, were dismissed, for which Daryl Dyer received six months probation.

SURVIVES HIS WOUND

Washington, who was not charged, survived the wound. Altho the Outlaws have not relented on their death threats, the Dyers have refused to move from the neighborhood.

"We didn't move because we've lived here 13 years and where would we move to? There are gang problems everywhere," Dyer said.

Raymond Powell, 28, manages a drugstore in the tough Englewood District, and his opposition to gun controls is based on the violent realities of the neighborhood where he works.

"Guns are a necessity here," he said. "There is no police protection and a gun is the only thing that will do it. Why, 90 per cent of the people in this neighborhood carry guns."

This is why Powell feels that way:

ARRIVE, GUNS BLAZING

Two years ago three members of the Scuffers street gang burst into a drugstore Powell used to manage at 443 W. 63d St., their guns blazing in revenge for Powell's resistance to their extortion attempts.

"The bullets flew all around me," he recalls. "They went everywhere but in me."

Police later arrested the three gang members, who received only 45 days in jail after Powell made six court appearances.

Powell closed up the store and began operating a new store at 500 W. 59th St., but the gangs continued to rob his customers. It reached a climax last month when Powell kicked two of the hoodlums out of the store, breaking the arm of one of them in the scuffle.

The next day, Powell said, Charles Johnson, leader of the Scufflers, entered the store armed with a gun.

TELLS OF THREAT

"I'm going to waste you," Powell quotes Johnson as saying. He called the police for help, warning them that Johnson and his friends were carrying guns. The police did not respond.

Fifteen minutes later, Mrs. Bobby Wallis, 37, left Powell's store after making a purchase. Powell heard several shots and Mrs. Wallis ran back into the store with blood streaming from her neck. Powell rushed outside with his gun and into the path of a bullet.

Wounded in the abdomen (the bullet is still there), Powell called police, but said they did not arrive for 20 minutes. An hour passed before he was taken to the hospital.

"Did I think I would die?" he responded to a question. "I've been shot so many times that I don't even worry about it anymore."

STILL AT LARGE

Johnson is still at large. According to police, the young gang leader was not even supposed to be in Chicago because a judge had ordered him out of the state as "punishment" for shooting six people a year ago.

Powell said his war with the gang is now at a savage kill-or-be-killed level. "I'm either going to have to waste Chuckie, or Chuckie will waste me," he said.

"I've just had to take it on myself to protect this place and our patrons. The police don't want to get involved because they've told me they feel they're handcuffed by the courts."

As for gun control laws, he said, "If you can assure the public that they will get the police protection they need, it would be all right. But not until then. I wouldn't turn my gun in until I felt sure of that. Otherwise, we wouldn't stand a chance."

FIRES AT TARGETS

Elwood Krueger fires several hundred rounds from his pistol every week—at paper targets.

The west suburban businessman is president of the Illinois Match Masters Pistol Club, and is the indoor and outdoor target pistol champion of four midwestern states.

Like most sportsmen, he believes that the problem with firearms control lies in the courts, not in the legislature.

"We should enforce the laws that are on the books and come down hard on people who commit crimes with guns, as they do in England."

Krueger had sharp words for the political furor that arose in Washington after the shooting of Alabama Gov. George Wallace.

"Those politicians don't care about some poor jerk on the street being shot, but they sure move when a politician is. I don't think anybody's death is more important than any one else's."

Krueger said that he opposed measures that would ban the manufacture of all handguns, citing the distinction between a quality handgun and the cheap, concealable Saturday Night Specials.

"Target pistols can be compared with an Indianapolis racing car, and Saturday Night Specials with a 15-year-old junk automobile. They have four wheels and an internal combustion engine and that's it. Most fine target pistols cost $300 to $400.

Krueger's club is affiliated with the National Rifle Association (N.R.A.), which has 50,000 members who are competitive pistol shooters.

In 1971 there were 3,305 shooting tournaments in the United States which drew 106,821 entries, according to the N. R. A. annual report.

PENALIZE ALL PERSONS

A weapons instructor in World War II, Krueger said that strong gun control laws, such as those sponsored by Rep. Abner J. Mikva (D., Ill.) "will penalize people who use handguns for their own enjoyment and pleasure. Yes, you would reduce crimes of passion, but then they would just make a dive for a knife instead of a gun."

Mervin Ohm, state President of the Citizens Against Gun Confiscation (C.A.G.C.) agrees with Krueger, arguing that gun control advocates, "seem to be laboring under the idea that if you get rid of guns you will get rid of crime. They are saying half truths."

C. A. G. C. was formed in December, 1971 by a small group of Olney, Ill., residents. Ohm said the organization now has more than 30,000 members in Illinois and 52 county chapters. The group wants the 1968 federal Gun Control Act and the Illinois state gun law repealed. They oppose all recent gun control proposals and want to go back to the old 1938 gun law, Ohm said.

GUN LAWS USELESS

"The gun laws we have are useless," Ohm explained. "They don't work and never will work. Only honest people are going to register their guns so why bother? They say we should register firearms like we register automobiles. What has registration of automobiles done to prevent accidents? Not a thing . . . We don't need gun laws. We need enforcement of the criminal laws we already have."

Ohm, an Olney motel owner, said he owns rifles, shotguns, and handguns. "I enjoy plinking around (shooting at cans), and I also have a few older firearms."

"Saying I don't have a right to have a gun is like saying I don't have a right to own a cat or a dog. No one has to have those things. But I don't want the federal government telling me what I can and can't own."

CRIME INSURANCE RATES CUT AS MUCH AS 50 PERCENT

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. ANNUNZIO. Mr. Speaker, since the passage of the crime insurance legislation, which I authored last year, I have sought to have the rates for these policies, which are written by the Federal Government, reduced to the lowest possible premium.

In this regard, I am happy that today the Department of Housing and Urban Development has followed my suggestion and has reduced the cost of these policies as much as 50 percent.

This means that thousands of small businesses across the country which were unable to afford the policies and were operating in constant fear of one burglary or robbery that could put them out of business, will now be able to afford crime insurance coverage.

Mr. Speaker, I am including in my remarks an article from today's Chicago Tribune entitled "Annunzio Wins Cut in Rates." The article discusses in detail what the rate changes mean to a typical small businessman:

ANNUNZIO WINS CUT IN RATES

WASHINGTON, July 27.—Rep. Frank Annunzio [D., Ill.] today won a year's battle to get the government to reduce its rates for robbery and burglary insurance for businesses in high crime areas.

Annunzio received word from the Department of Housing and Urban Development that effective Aug. 1, its insurance rates would be reduced as much as 50 per cent.

Annunzio, who has represented Chicago's Loop business district and its adjoining near West side in Congress, has been a leader in the fight to get insurance made available for store owners and businessmen seeking to return to areas burned in the 1968 riots.

All insurance agents and insurance companies selling robbery and burglary insurance handle the government insurance policies, Annunzio said.

Annunzio said a Chicago store whose gross receipts are less than $100,000 a year will be able to get a combined $1,000 burglary and robbery policy for $100 a year. Until now, robbery insurance has cost $120 per year per $1,000, and $100 per $1,000 for burglary coverage, or $200 for a combined policy.

Previously, the HUD policies cost businessmen doing between $25,000 and $100,000 a year gross business, substantially more than the really small company whose receipts were less than $25,000.

Rate reductions also are offered to businesses in the $100,000 to $1,000,000 class. Larger companies in the over $1,000,000 class will get rate reductions only when their insurance coverage exceeds $1,000.

FREEDOM AND THE BALTIC STATES

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. MANN. Mr. Speaker, today marks the 50th anniversary of de jure recognition by the United States of America of the three Baltic Republics of Estonia, Latvia, and Lithuania on July 28, 1922.

Within the past 5 months of this year, well-documented protests and, in at least one case, rioting, have spoken to the world of the spirit of the peoples of these three countries and their burning love of freedom. These incidents, considered along with the following communication, dated April 6, 1922, more than 50 years ago, and addressed to the U.S. Department of State by Evan E. Young, then our Commissioner to the Baltic States, speaks I feel, as eloquently as anything can for the people of Estonia, Latvia, and Lithuania.

The simple fact is that these nationalities (Letts, Estonians, and Lithuanians) though unquestionably animated by nationalistic aspirations, preferred the creation and establishment of what may be termed modern civilized governments to their existence either as a part of Soviet Russia under a communistic regime or with the status of autonomous Soviet republics. Whatever their future may be, it is certain that their action in proclaiming their independence has resulted in the maintenance of at least this part of the former Russian Empire free from ravages and destruction of communism and bolshevism. (Papers relating to Foreign Relations of the United States, 1922, II, 871.)

Today the fires of freedom still burn in the people of the Baltic States. Our wish for them is that their dreams and aspirations may soon be realized.

AHEPA OBSERVES GOLDEN ANNIVERSARY

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. PRICE of Illinois. Mr. Speaker, I would like to take this opportunity to pay tribute to the Order of Ahepa on the occasion of its golden anniversary. On July 26, 1922, in Atlanta, Ga., the American Hellenic Education Progressive Association was founded as a patriotic public service organization and has contributed much to the welfare of the world during its 50 years of existence by providing needed disaster assistance all over the world and participating in the establishment of libraries, educational institutions, and scholarship programs.

The members of the Order of Ahepa have proven their community-minded spirit time and time again, and it is fitting that the Congress take time to salute the organization on its 50th anniversary and recognize the good deeds of its members. Congratulations and keep up the good work.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

HOUSE OF REPRESENTATIVES—*Monday, July 31, 1972*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let not your heart be troubled: believe in God.—John 14: 1.

O God, our Father, we wait upon Thee for the gift of Thy Spirit which clarifies our minds, cleanses our hearts, and leads us in the ways of righteousness and good will. Quicken within us every generous impulse that we may walk with integrity, keeping our lives free from malice and filled with brotherly affection.

We thank Thee for the life of our Senator colleague who has left our earthly scene for the glories of the heavenly life. Grant that his character and achievements may be written in letters of gold on the pages of history that others may be inspired to live useful and noble lives. Bless those bound to him by the ties of family and friendship. May their faith, and ours, give them strength for daily living.

In the spirit of Him whom to know is life eternal, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed resolutions, as follows:

S. RES. 332

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Honorable Allen J. Ellender, late President pro tempore of the Senate and late a Senator from the State of Louisiana.

Resolved, That the President of the Senate appoint a committee, of which he shall be a member, to attend the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate stands adjourned.

S. Res. 335

Resolved, That the House of Representatives be notified of the election of the Honorable James O. Eastland, a Senator from the State of Mississippi, as President of the Senate pro tempore.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

H.R. 10420. An act to protect marine mammals; to establish a Marine Mammal Commission, and for other purposes; and

H.R. 15690. An act making appropriations for agricultural-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10420) entitled "An act to protect marine mammals; to establish a Marine Mammal Commission; and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Pastore, Mr. Hollings, Mr. Inouye, Mr. Hart, Mr. Stevens, Mr. Cook, and Mr. Weicker to be conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15690) entitled "An act making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McGee, Mr. Stennis, Mr. Proxmire, Mr. Robert C. Byrd, Mr. Talmadge, Mr. Hruska, Mr. Young, and Mr. Fong to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S.J. Res. 208. Joint resolution authorizing the President to proclaim the first Sunday in June of each year as "National Shut-In Day."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate to a bill of the House of the following title:

H.R. 1682. An act to provide for deferment of construction charges payable by Westlands Water District attributable to lands of the Naval Air Station, Lemoore, Calif., included in said district, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11350) entitled "An act to increase the limit on dues for U.S. membership in the International Criminal Police Organization."

THE LATE SENATOR ALLEN J. ELLENDER

Mr. O'NEILL. Mr. Speaker, I offer a privileged resolution (H. Res. 1068) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1068

Resolved, That the House has heard with profound sorrow of the death of the Honorable Allen J. Ellender, President pro tempore of the Senate and a Senator of the United States from the State of Louisiana.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of seven members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair desires to announce that in anticipation of the adoption of the resolution just passed, the Chair appointed the following Members to attend the funeral of the deceased Senator: Messrs. Boggs, Hébert, Passman, Waggonner, Long of Louisiana, Rarick, and Caffery.

THE DISTRICT OF COLUMBIA NATIONAL GUARD

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, there is an article on the front page of the Washington Post this morning pertaining to the National Guard, especially the District of Columbia National Guard. The article, in my opinion, is a little unfair, and also the pictures used in the article are unfair.

I am particularly familiar with the District of Columbia National Guard and know that the officers and NCO's making up this unit are very, very capable. I might say that during the major disturbances which we had several years ago the National Guard here in the District was called out over 23 times and handled themselves in an outstanding manner.

I would say, Mr. Speaker, as we move toward the all-volunteer concept, it would seem to me that the news media is going to have to help, if we will ever reach an all-volunteer regular and reserve concept.

So I hope that the news media will cooperate and be unbiased and objective in their reporting of the National Guard.

APPOINTMENT OF CONFEREES ON H.R. 15690, AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15690) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? The Chair hears none, and appoints the following conferees: Messrs. Mahon, Whitten, Natcher, Hull, Shipley, Evans of Colorado, Bow, Andrews of North Dakota, Michel, and Scherle.

CONFERENCE REPORT ON S. 3284, INCREASING AUTHORIZATION FOR COMPLETING WORK IN MISSOURI RIVER BASIN

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 3284) to increase the authorization for appropriation for completing work in the Missouri River Basin by the Secretary of the Interior, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 24, 1972.)

The SPEAKER. The gentleman from Colorado is recognized.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from California.

Mr. HOSMER. Mr. Speaker, will the gentleman from Colorado explain to the House what occurred in the conference so we may understand it?

Mr. ASPINALL. I thank my friend, the gentleman from California, for the request.

Mr. Speaker, in elaboration of the conference report and accompanying joint statement of the managers on S. 3284, to increase the authorization for appropriations to complete the work on the Missouri River Basin, I would point out that there were two differences between the Senate and House-passed versions of this legislation.

The first difference was in the amount of money authorized to be appropriated—where the Senate bill appropriated $114 million as compared to $94 million in the House bill. Conferees accepted the Senate version, feeling that the relatively minor difference was not of sufficient magnitude to warrant retention of legislative overview in addition to the control imposed on this program by the Appropriations Committee.

The second difference in the two versions of the bill was in language, emphasizing that funds authorized by this bill could not be used for programs not yet initiated. In this regard, the House version prevailed and we are thus in a position of assuring the House that the funds which are authorized by this legislation will not be used for purposes other than those intended by the Congress.

Mr. HOSMER. I thank the gentleman. As a member of the conference committee, I heartily agree with the action taken.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the House recede from its amendment to the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

CONFERENCE REPORT ON H.R. 13435, ADDITIONAL UPPER COLORADO RIVER STORAGE PROJECT AUTHORIZATION

Mr. **ASPINALL**. Mr. Speaker, I call up the conference report on the bill (H.R. 13435) to increase the authorization for appropriation for continuing work in the upper Colorado River Basin by the Secretary of the Interior, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 24, 1972.)

Mr. **ASPINALL** (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The **SPEAKER**. The gentleman from Colorado is recognized.

Mr. **HOSMER**. Mr. Speaker, will the gentleman yield?

Mr. **ASPINALL**. I am glad to yield to my friend from California.

Mr. **HOSMER**. This is another one of the reports from a conference on which I served. I support the report. I wonder if the gentleman would explain this one for the benefit of the House?

Mr. **ASPINALL**. I am glad to accede to the wishes of my colleague (Mr. HOSMER).

Mr. Speaker, I am pleased to elaborate on the conference report and the joint statement of the managers on H.R. 13435, to authorize additional appropriations for the Upper Colorado River Storage project and participating projects.

Members will note that the committee of conference accepted the Senate language of this bill—thus authorizing $610,000,000 in lieu of $352,195,000 as provided in the House-passed version of the legislation.

The major factor contributing to the willingness of the House managers to go along with the Senate view was the recognition of the continuing requirement for the Secretary to file with the committee a detailed annual report on the Upper Colorado storage project. This report illustrates cost trends and points out any problems which are being encountered by the Secretary in implementing the authorization.

The annual report thus affords a practical vehicle for legislative overview of the ongoing work which the House version of the bill sought to provide—by restricting the authorization to $352 million over a period of 5 years. What this now means is that Congress has authorized sufficient funds with which to complete the program first authorized in 1956 and it will be up to the Committee on Interior and Insular Affairs to review the annual reports with vigilance and regularity; to bring to the attention of the house and the Congress any departures from our original intent, so that appropriate limiting action can be taken as necessary. This, of course, our committee will do.

May I say to my colleagues in addition that the work so far on this project has been in accordance with the program as laid out, and our oversight authority has been exercised annually over the work.

Mr. **LLOYD**. Mr. Speaker, will the gentleman yield?

Mr. **ASPINALL**. I am glad to yield to my friend from Utah (Mr. LLOYD).

Mr. **LLOYD**. Mr. Speaker, I rise in support of the conference report on H.R. 13435 to increase the authorization for the Upper Colorado River storage project.

I was pleased to be a member of the conference committee and to work in behalf of the increase of $610 million recommended by the other body and by the Department of the Interior.

Utah has a higher stake in this legislation than any of the Upper Colorado Basin States. Over $388 million of the total $610 million in new authorization is earmarked for Utah reclamation projects. This includes $355 million for the Bonneville unit of the central Utah project, which is about 10 percent complete after 6 years of construction. The Bonneville unit is essential to the future growth of Utah and to meeting growing water demands in the heavily populated Wasatch front area of our State.

The project will assure Salt Lake County of an adequate municipal and industrial water supply for the next 30 years. This is especially important to the towns in the south and west area of the county which are already facing critical water shortages.

Other Utah projects given additional authorization under this bill include the Jensen unit, $9.7 million; Upalco unit, $20.7 million; Vernal unit, $1 million; and the Emery County project, $1.6 million.

Mr. Speaker, these projects were originally authorized in 1956 as part of the Upper Colorado River storage project. At that time they were looked upon as the key to Utah's future development through use of its share of the Colorado River water. These projects are already underway, but the original authorization approved by Congress in 1956 has run out. This is the reason this legislation is before us today.

The Utah projects are doubly important to my State at this time. Utah has lagged behind other States of the Upper Basin in completing its reclamation projects because of inadequate funding over the past years. But we are now to a point where construction is proceeding apace, and it is critical to the State of Utah that this authorization be approved so that the projects may be completed.

Members will recall that the House passed a 5-year construction program increasing authorizations by $352 million. I agreed at the time with the chairman of the full committee that this would give further opportunity for congressional oversight of the construction program.

However, I believe it is more desirable that we authorize the full amount to complete these projects as the Senate has done. This will assure Utah and the other States with projects underway that they will be able to complete those projects as planned.

I commend this conference report to the House and urge its approval.

The **SPEAKER**. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LIBERTY SHIPS FOR ARTIFICIAL REEFS

Mr. **GARMATZ**. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5741) to authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs, as amended.

The Clerk read as follows:

H.R. 5741

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any State may apply to the Secretary of Commerce (hereafter referred to in this Act as the "Secretary") for Liberty ships which, but for the operation of this Act, would be designated by the Secretary for scrapping if the State intends to sink such ships for use as an offshore artificial reef for the conservation of marine life.

SEC. 2. (a) A State shall apply for Liberty ships under this Act in such manner and form as the Secretary shall prescribe, but such application shall include at least (1) the location at which the State proposes to sink the ships, (2) a certificate from the Administrator, Environmental Protection Agency, that the proposed use of the particular vessel or vessels requested by the State will be compatible with water quality standards and other appropriate environmental protection requirements, and (3) statements and estimates with respect to the conservation goals which are sought to be achieved by use of the ships.

(b) Before taking any action with respect to an application submitted under this Act, the Secretary shall provide copies of the application to the Secretary of the Interior, the Secretary of Defense, and any other appropriate Federal officer, and shall consider comments and views of such officers with respect to the application.

SEC. 3. If, after consideration of such comments and views as are received pursuant to section 2(b), the Secretary finds that the use of Liberty ships proposed by a State will not violate any Federal law, contribute to degradation of the marine environment, create undue interference with commercial fishing or navigation, and is not frivolous, he shall transfer without consideration to the State all right, title, and interest of the United States in and to any Liberty ships which are available for transfer under this Act if—

(1) the State gives to the Secretary such assurances as he deems necessary that such ships will be utilized and maintained only for the purposes stated in the application and, when sunk, will be charted and marked as a hazard to navigation;

(2) the State agrees to secure any licenses or permits which may be required under the provisions of any other applicable Federal law;

(3) the State agrees to such other terms and conditions as the Secretary shall re-

quire in order to protect the marine environment and other interests of the United States; and

(4) the transfer would be at no cost to the Government with the State taking delivery of such Liberty ships at fleetsite of the National Defense Reserve Fleet in an "as is—where is" condition.

SEC. 4. A State may apply for more than one Liberty ship under this Act. The Secretary shall, however, taking into account the number of Liberty ships which may be or become available for transfer under this Act, administer this Act in an equitable manner with respect to the various States.

SEC. 5. A decision by the Secretary denying any application for a Liberty ship under this Act is final.

The SPEAKER. Is a second demanded?

Mr. PELLY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GARMATZ. Mr. Speaker, I yield such time as I may consume.

Mr. Speaker, I rise to urge passage of H.R. 5741, a bill that would authorize the Secretary of Commerce to transfer certain Liberty ships from the National Defense Reserve Fleet, otherwise scheduled to be scrapped, to States for use as offshore artificial reefs for the conservation of marine life.

The utility of artificial reefs to improve fishing is well established, and there is today a real need for such reefs off the coasts of the United States. Sunken Liberty ships would be ideal for the creation of artificial reefs. Such vessels are readily available for this purpose, as the Department of Commerce has surplus Liberty ships in the National Defense Reserve Fleet. The use of these surplus Liberty ships for this purpose would encourage the concentration of fish and other marine life for the benefit of commercial and sport fishermen.

As reported by your committee, the bill would insure that these surplus Liberty ships would be available to any State, without cost to the Government, for the creation of artificial reefs. The bill would also require the Secretary of Commerce to take certain actions to insure that the marine environment and other Government interests are fully protected.

The departmental reports generally favor the proposed legislation. The bill was ordered reported unanimously, after full and careful consideration of the entire record. I strongly urge the House to support H.R. 5741.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Virginia (Mr. DOWNING), a member of the committee.

Mr. DOWNING. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 5741.

Mr. Speaker, we know that the shelf area off the Atlantic and Gulf States is inhabited by the majority of our valuable sport and commercial fish. However, much of this shelf area is relatively unproductive because there is little or no effective habitats for numbers of fishes and invertebrates. We also know that sunken liberty ships could form the nucleus of large artificial reefs which would increase the area of favorable habitat and provide more food and shelter for finfish and invertebrates, thus benefiting commercial fishermen, sport fishermen, and related industries.

I introduced the bill before us today. It is a simple bill. H.R. 5741, as unanimously reported by the Merchant Marine Committee, would provide for the efficient transfer of surplus liberty ships to the various States for the construction of such artificial reefs. The bill would would do this without cost to the Government or danger to marine interests.

The need for artificial reefs is certainly not new—neither are the efforts by many individuals and organizations on all of our coast lines to build these reefs. What is new at this point in the entire effort is the opportunity for our Government to take an active part in these marine life conservation programs—a vital part which no one else but the Government could play.

As everyone knows who has been active in the fishing industry or an active participant in the sport fishing, the supply of fish is dwindling rapidly in proportion to those who set about to take our finny friends from the water and make them available to man for his use. The Congress appropriates various funds from time to time to study means of enhancing our supply of fish or in finding means of replacement for those species which have been dwindling.

I lay no claim to being a scientist, but it appears to me that the best way in the world to increase our supply of fish is to provide those which are left in the water with a new place to feed and spawn. That is what I believe we are in an excellent position to do with this legislation. There are innumerable stretches of bottom along our coast where there are no natural reefs. This legislation would provide the means for assisting nature in building the reefs while at the same time taking all possible means to guarantee that the efforts would not pollute our oceans as many of man's activities do.

For years divers have noted that the remains of ships on the ocean floor attract a great variety of fish and other interesting forms of marine life. These, of course, are ships which have been sunk as the result of storms or wartime activity in most cases.

Artificial reefs have been built out of junked automobiles, automobile tires, huge rocks, and streetcars. All of these have proved successful with hugh quary rock probably the best of all because of its indestructibility. However, we continue to get the stories from divers about the heavy concentration of marine life around the hulls of vessels that have gone to the bottom.

It follows then if our Government were to make Liberty ships which are designated for the scrap heaps available to the States which would cooperate in building the artificial reefs, we could make a monumental contribution toward the replenishing of the oceans with marine life. This would be of inestimable value to the sport fishermen, and I am pleased to note that commercial interests have also expressed a deep interest in the project.

Through the years we have appropriated vast sums for recreation, primarily on land. It does not seem inappropriate to me that we enact this legislation and in so doing "strike a blow" so to speak for those who choose to find their recreation as sport fishermen.

I am wholeheartedly in favor of the purpose of this legislation and I hope that it will find a full measure of support.

Mr. PELLY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, first I yield to the distinguished gentleman from New York (Mr. GROVER), who is a member of the committee.

Mr. GROVER. Mr. Speaker, I thank my colleague for yielding this time to me.

I do rise in support of this legislation, which will have a salutary effect on sport and commerical fishing in the area it will serve.

I might suggest, also, to my colleagues that in the not too distant future we take a hard look at and consider the possibility of extending the fishery zone of our coastal waters.

I would like to compliment my colleague (Mr. DICKINSON) for his leadership in the fight in getting the committee to accede to his suggestion for this legislation to make possible these fishing reefs.

Mr. PELLY. Mr. Speaker, I agree with the gentleman from New York (Mr. GROVER). Mr. DICKINSON has been pressing very hard for the passage of this bill.

As soon as I make a few appropriate comments I intend to yield him some time.

Mr. Speaker, I rise in support of H.R. 5741, a bill which would authorize the Secretary of Commerce to transfer surplus Liberty ships to the States for use in marine life conservation programs, and strongly associate myself with the favorable remarks on the measure by my distinguished colleague on the House Merchant Marine and Fisheries Committee, the gentleman from Maryland (Mr. GARMATZ).

Simply stated, passage of this bill will provide various coastal States the opportunity to acquire approximately 118 Liberty ships currently in the National Defense Reserve Fleet, which have been designated as scrap candidates due to their long age and condition, for use in construction of artificial fish reefs at various offshore locations.

Your committee has taken appropriate steps to insure that the acquisition, placement, and utilization of these vessels will not result in any pollution of the marine environment by requiring a certification from the Environmental Protection Agency that such contemplated use will be compatible with water quality standards and other environmental protection requirements and laws. In addition, the Secretary of Commerce is required to conclude that the proposed use of a Liberty ship for this purpose will not contribute to the degradation of the environment prior to issuance of the permit.

Given the proper detoxification of the vessel prior to underwater placement, a condition which the Secretary of Commerce will require the applying State to adhere to, these Liberty ships will serve to vastly improve and lead to a dramatic increase in both sport and commercial fishing catches. Artificial reefs increase fish populations by providing improved habitats for marine organisms at the base of the food chain, such as barnacles and mussels and provide "hiding places" for young fish, increasing their survival chances. Scientific evidence indicates that the uniformly flat and sandy bottom of the Atlantic coast amounts almost to a "desert" in terms of the fish population it can support. Studies conducted by both Federal and State fishery agencies have shown that the artificial reefs stimulate a large and rapid biological procession that can quickly result in large catches of fish.

At present, artificial reefs have been built off San Francisco, Malibu Beach, Calif.; Fire Island, N.Y.; and other areas, including Hawaii and Japan. Others are present off New Jersey, South Carolina and Florida.

Your committee also has provided for adequate protection to navigation by requiring that the ships, once sunk, be immediately charted and marked as a hazard to navigation for informational purposes to small boatmen, mariners, and commercial vessels. The actual sinking site, method of sinking, and other factors required to insure the utmost in safety at sea for all concerned are subject to strict control and regulation.

There will be no cost to the Federal Government, since one of the requirements of the bill is that the transfer of such Liberty ships to the States be at no cost and in an "as is-where is" condition. The applying State will be responsible for detoxification of the ship, transportation of the ship to the approved dumping site, actual sinking, and subsequent monitoring on a systematic and periodic basis, in accordance with regulations promulgated by the Secretary of Commerce.

Your committee also has adequately protected any national security requirements by providing the Department of Defense an opportunity to comment on the proposed application.

Mr. Speaker, the economic and social benefits generated through the use of these surplus vessels as artificial reefs appears to far outweigh their value as scrap. The measure is supported by the administration, numerous colleagues on both sides of the aisle, a substantial number of coastal States, and various fishing organizations. I urge its immediate passage.

Mr. Speaker, I yield 5 minutes to the gentleman from Alabama (Mr. DICKINSON).

Mr. DICKINSON. Mr. Speaker, I rise in support of H.R. 5741 which authorizes the transfer of surplus Liberty ships to States for use as offshore artificial fishing reefs. I first introduced this legislation in the House of Representatives in March of 1970 to effect the transfer, and it has been a long struggle getting the legislation to the floor. I am grateful for the cooperation of the distinguished chairman of the Merchant Marine and Fisheries Committee.

Significant portions of our coastline consist of unbroken, sandy subtidal coastal plains which are relatively unproductive. Other areas have been polluted thus reducing or eliminating normal bottom-dwelling aquatic life. The development of artificial reefs offers an excellent opportunity to increase productivity of such coastal waters and to rehabilitate severely polluted or deteriorated bays and estuaries.

Artificial reefs have been studied for a number of years now and have proved to be most beneficial. The Bureau of Sport Fisheries and Wildlife has informed me that Bureau divers have been impressed with their investigations of "natural" wrecks and with the rapidity with which newly sunk vessels become productive for sport fishing. Ships' hulls have proven to have a much longer useful life than such often-used materials as automobile bodies and streetcars, and the high profile of the sunken ship makes it much easier for fishermen to locate a reef of which it is a part. The combination of the proven usefulness of ships as artificial reefs, the fact that artificial reefs have attracted a variety of fish and other marine life where long stretches of our seacoast were previously barren, and the availability of ships for sinking which would otherwise be scrapped is, in my opinion, a set of circumstances which not only justifies the passage of this legislation, but demands it.

I would like to point out that this bill provides that there will be no cost to the Federal Government in the transfer of these ships. Once the transfer has been made, it is the responsibility of the individual States to arrange for the transport of the ships to their destination, and the detoxification and sinking of the ships. The State of Alabama Department of Conservation has already made arrangements to enlist the aid of private firms as well as commercial and sport fishermen's groups in this project, and in spite of contrary testimony before the Merchant Marine and Fisheries Committee, we in Alabama have found the entire operation can be done at little or no cost to the State.

You may be aware that the Liberty ships in question could be sold by the Government for scrap for approximately $40,000 each. I have figures concerning the increase in the gross receipts of Alabama's charter fishing fleet which show that, should an artificial reef of six Liberty ships be constructed off the coast of Alabama, a monetary return during the first year of the reef's existence would exceed the estimated value of the six ships by $100,000. I understand this is a conservative estimate. Private boatowners would also make use of the fishing reef, which will extend the fishing season by a minimum of 2 months, and their increased use of recreational facilities would result in at least $20,000 increased revenue to motel owners each year. In addition, there would be an increased expenditure of more than $100,000 for gasoline for the private boats.

I believe it is evident that the bill will benefit both conservation interests and economic interests in the several coastal States, and in the long run, it will benefit the entire country through the boost it will give commercial and sport fishing. During the last 2½ years, many of the ships which might have been utilized as offshore artificial fishing reefs have been sold, and I am hopeful this body will suspend the rules today and pass H.R. 5741 before the remaining reserve ships are scrapped.

Mr. PELLY. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. Mr. Speaker, I rise in favor of H.R. 5741. This bill will allow the States to use surplus Liberty ships for marine life conservation. These ships have been gathering rust for several years and will be scrapped if this legislation is not enacted. H.R. 5741, like the similar bill which I cosponsored, will enable the States to sink these ships for use as offshore artificial reefs.

It has been proven that submerged objects provide an excellent substitute for the underwater reefs necessary for the promotion of fish life. Much of the continental shelf off the Atlantic and Gulf coasts has little of the irregular terrain necessary to support encrusting organisms, such as barnacles, hydroids, corals, mussels, and other marine life which in turn support valuable sport and commercial fish. Artificial reefs can materially increase the carrying capacity of the continental shelf and would increase the survival rate of many depleting breeds of fish and shellfish.

Adequate safeguards have been built into this bill to insure proper reef site selection and acceptable sinking procedures. All hulks made available for sinking would be carefully inspected to insure that all toxic materials, fuels, and other potential contaminants have been removed or rendered nontoxic.

I commend Chairman GARMATZ and the members of the Merchant Marine and Fisheries Committee for their work in considering this bill. And a word should be said about the fine interest and support shown by the people of my district since the inception of this project.

In summary, Mr. Speaker, this bill will be a plus for the conservationist and for the sport and commercial fisherman. I urge passage of H.R. 5741.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. SIKES), a cosponsor of the pending bill.

Mr. SIKES. Mr. Speaker, I rise in support of H.R. 5741, the bill now before the House for consideration. I am a sponsor of this legislation. It offers a meritorious objective and should be enacted into law.

The prospect of using otherwise unusable Liberty ships as artificial reefs for the improvement of marine life resources is extremely attractive to the people of my State of Florida. Many such reefs using all manner of scrap material have been situated in the coastal waters of Florida and I know of no instance where other than good was the result. Ships have been particularly effective for this purpose.

There are 400 or more ships which could be made available under the terms of this proposal and proper safeguards and regulations could be established so as to avoid pollution of the waters or frivolous use of the ships by States. In my State particularly, the offshore artificial reef can be most beneficial. Commercial fishing is a growing and vital industry in Florida. The Gulf of Mexico as well as the Atlantic Ocean provide for Florida what I believe is the finest fishing potential of any State of the Union. Sport fishing as well is an integral part of the vacation program of most of the millions of tourists who annually seek the pleasures available in Florida.

The ships which would be made available under this act are now of very little use other than for junk. They have passed their commercial life and now stand as rusting hulks in various shipyards along the coast. The return from these ships when junked is of much less importance than the utilization proposed as artificial reefs for the preservation of marine life. In fact, I know of no more fitting end for these vessels than to have them provide havens for marine life where, resting at the bottom, they will attract the fish and other sea creatures and where species of marine life will multiply to the benefit of mankind and the improvement of conservation practices.

I urge my colleagues to approve this legislation today.

Mr. FREY. Mr. Speaker, as a cosponsor of H.R. 650 which is similar to H.R. 5741, I vigorously support the legislation before us today which would authorize the Secretary of Commerce to transfer Liberty ships from the National Defense Reserve Fleet to the States for use as offshore artificial reefs for the conservation of marine life.

Sport fishing has declined rapidly in recent years. Several species of game fish have, in fact, been heavily depleted in the past 20 years. The Sheepshead—which gave its name to Long Island's Sheepshead Bay—no longer inhabits New York's waters.

Approximately 4 million sport fishermen lower their lines along the Atlantic coast alone, each one catching some 100 pounds of fish yearly. This 400 million pounds added to 1,700,000 pounds caught commercially between Maine and Florida indicates the need to develop new productive habitats for marine life.

This need is especially great in my own State of Florida where sport fishing is a big business. The Continental Shelf off both the Atlantic and gulf coasts is inhabited by the majority of our valuable sport and commercial fish. However, much of this shelf area is relatively unproductive with little or no irregular relief. Such relief is necessary for the encrusting organisms such as barnacles, hydroids, corals, and mussels to settle. It also provides protective areas, food sources, and spawning sites for finfish. Many marine animals need solid substrates to complete their life cycles and it is well known that coral reefs, rock ledges, and each other areas of relief on the shelf are effective habitats for numbers of fishes and invertebrates.

These ships could form the nucleus of large artificial reefs which would increase the area of favorable habitat and provide more food and shelter for finfish and invertebrates. The increase in favorable habitat should effectively increase the carrying capacity of the shelf and would potentially increase the survival rate of both fish and some shellfish in these areas.

Several local communities in Florida have put together such artificial reefs with great success. A reef of 129 car bodies in Biscayne Bay, Miami, has produced a large fish population where none previously existed. Similar results have been obtained at Jacksonville and Palm Beach. The reef at Palm Beach, it should be noted, consists of two surplus Navy vessels.

Safeguards contained in this legislation will insure that the surplus ships will be used only for beneficial purposes and will not interfere with commercial fishing, mining, or other activities. Provision is only made that the vessels will be used in conformity with water quality standards and other appropriate environmental protection requirements.

Mr. Speaker, by acting favorably on this bill we will be using these vessels for productive purposes and our shipyards will not have to be used to warehouse what in reality has become "junk."

Mr. KEITH. Mr. Speaker, on behalf of the fisheries population of the Nation's coastal waters, I rise in support of this legislation. The primary purpose of this bill is to provide a sheltered spot for our fish to have an opportunity for privacy, procreation, propagation, and a population explosion.

This is, as it happens, an entirely serious matter, for the broad sweep of coastal waters often provides entirely too little room for such necessary activities. Certainly there could be no more appropriate vessel for such activities than a Liberty ship.

It has already been established that fish prefer such man-made retreats to the seabed itself. Now this experiment is being conducted on a broader scale, and the results will aid scientific studies from the Woods Hole Oceanographic Institution to the Kinsey Institute.

As my friend, the gentleman from Maine (Mr. HATHAWAY) pointed out at the hearings on this bill, it is most appropriate that these ships should now support the waters which for so long supported them.

Mr. BIAGGI. Mr. Speaker, I rise in support of H.R. 5741, a bill which would permit the use of surplus Liberty ships to build artificial reefs for marine life conservation.

This measure will benefit the fishing industry and the sport fisherman, and will help improve the tourist trade in and around coastal fishing zones. Most importantly, it will help expand fish habitats to preserve and increase the population of the many sport and commercial fish that abound off our shores.

In the New York area, the fishing region known as the New York Bight is nearing depletion. The natural bottoms, the few wrecks and the small artificial reefs that are currently available are insufficient to provide enough fish to meet the demand.

The porgy, once a favorite of the small fisherman, has been heavily decimated. Not too many years ago, party boats would carry large groups of New Yorkers out in quest of porgies. I would point out here that party boat anglers are the private boat. These are people living in apartments in the city who go out on boats in large numbers to enjoy a day's fishing in the ocean.

Experts have indicated that party boat anglers catch twice as many fish per angler hour in artificial reef areas as in natural bottom fishing grounds. Expansion of artificial reefs through the sinking of Liberty ships would bring the porgy back in large numbers. Other area fish that would benefit by artificial reefs are the cod, ling, whiting, blackfish, and sea bass. Also, by providing good local feeding grounds through the artificial reefs, the migratory fish such as the blue fish and the mackeral would be more plentiful.

It is very rare that we have a bill that will provide so many benefits and so few drawbacks. In fact, the only drawback would be the loss of revenues from the sale of these ships as scrap. However, this is a small price to pay for improving the fishing grounds of this Nation for the benefit of all.

I would add that as Congress contemplates the creation of more recreation areas along our shores, such as the Gateway National Park in the New York-New Jersey area, improved offshore sport fishing areas will be essential. The average American has more leisure time than ever before. As a nation founded in the fishing industry, the desire to grab a pole and go fishing is almost a natural inclination for urban and rural Americans alike.

Mr. Speaker, the legislation being considered at this time would be a significant step toward providing one outlet for leisure time activities while at the same time improving our commercial fishing industry and protecting marine wildlife. I urge my colleagues to support this bill.

Mr. HOGAN. Mr. Speaker, as a cosponsor of similar legislation, I am pleased to lend my support to the passage of H.R. 5741—a bill to authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs. These old ships, rather than being scrapped for junk, can serve usefully as artificial reefs and provide an excellent substitute for the underwater reefs necessary for the promotion of fish life.

At a time when the disposal of solid metallic waste has become a problem of alarming proportions, it is gratifying to find a useful purpose for scrap material. And, it is even more rewarding when that waste can aid in restoring a part of our wildlife resources. Experimentation with artificial reefs has been going on since the late 1950's and has met with great success. As any fisherman knows, the best fishing spots often are to be found centered around old shipwrecks.

In my own State of Maryland, just off Sandy Point, there is a good example of the effectiveness of artificial reefs in attracting a large fish population. At the end of World War II, the Government floated approximately 100 old ship hulks down the Potomac River to Mallows Bay and abandoned them there after filling them with sand to secure them. Over the years these ship hulks have become the breeding place for striped bass and other varieties of marine life, as well as gaining the appearance of unique islands which have come to be the home of herons, egrets, and American bald eagles. Recent efforts to have these ships removed were opposed by conservationists, and by me, because of the damage such action would cause to the fish beds in and around the hulks. One of the most popular fishing areas off the coast of Ocean City is the "Jackspot" which is over an old sunken ship.

The safeguards that have been built into H.R. 5741 will adequately prevent the sunken Liberty ships from being a navigation hazard and also insure that their placement and utilization will not result in any pollution of the marine environment.

As a confirmed ocean lover, I want to see all possible steps taken to insure that future generations will have the opportunity to enjoy its recreational delights. By the sinking of these old, surplus ships we will be halting the dwindling supply of tomorrow's fish.

I urge approval of this legislation.

GENERAL LEAVE

Mr. PELLY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may revise and extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. GARMATZ. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland (Mr. GARMATZ) that the House suspend the rules and pass the bill H.R. 5741, as amended.

Mr. HOSMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 325, nays 2, not voting 105, as follows:

[Roll No. 287]

YEAS—325

Abbitt
Abernethy
Abourezk
Abzug
Adams
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashley
Aspin
Aspinall
Baker
Baring
Barrett
Begich
Belcher
Bell
Bennett
Bergland
Betts
Biaggi
Biester
Bingham
Blackburn
Blatnik
Boland
Bolling
Brademas
Brasco
Brav
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Byron
Cabell
Camp
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Collier
Collins, Ill.
Collins, Tex.
Colmer
Conable
Conover
Conte
Cotter
Coughlin
Crane
Curlin
Daniel, Va.
Danielson
Davis, S.C.
Davis, Wis.
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dow
Downing
Drinan
Dulski
Duncan
du Pont
Dwyer
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Eshleman
Evans, Colo.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Ford, Gerald R.
Ford, William D.
Forsythe
Fraser
Frenzel
Frey
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kuykendall
Landgrebe
Latta
Leggett
Lennon
Link
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McCollister
McCulloch
McDade
McEwen
McFall
McKay
Madden
Mahon
Mailliard
Mallary
Mann
Martin
Mathis, Ga.
Matsunaga
Mazzoli
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nix
O'Hara
O'Konski
Patman
Patten
Pelly
Perkins
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Price, Ill.
Price, Tex.
Quie
Quillen
Railsback
Randall
Rangel
Rees
Reuss
Rhodes
Riegle
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Runnels
St Germain
Sarbanes
Satterfield
Saylor
Schneebeli
Schwengel
Scott
Sebelius
Seiberling
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Van Deerlin
Vanik
Veysey
Vigorito
Waldie
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Charles H.
Winn
Wright
Wyatt
Wydler
Wylie
Yates
Yatron
Young, Tex.
Zablocki
Zion
Zwach

NAYS—2

Gross
Schmitz

NOT VOTING—105

Addabbo
Alexander
Anderson, Tenn.
Ashbrook
Badillo
Bevill
Blanton
Boggs
Bow
Broomfield
Byrnes, Wis.
Caffery
Celler
Chisholm
Clay
Cleveland
Conyers
Corman
Culver
Daniels, N.J.
Davis, Ga.
de la Garza
Delaney
Donohue
Dorn
Dowdy
Eckhardt
Edmondson
Esch
Evins, Tenn.
Flynt
Foley
Fountain
Frelinghuysen
Fulton
Gallagher
Gude
Hagan
Halpern
Hansen, Idaho
Harrington
Harsha
Hébert
Hillis
Hutchinson
Jarman
Jonas
Jones, Tenn.
Kyl
Kyros
Landrum
Lent
Long, La.
McClure
McCormack
McDonald, Mich.
McKevitt
McKinney
McMillan
Macdonald, Mass.
Mathias, Calif.
Mayne
Meeds
Melcher
Metcalfe
Minshall
Murphy, N.Y.
Nedzi
Nelsen
Nichols
Obey
O'Neill
Passman
Pepper
Pettis
Powell
Preyer, N.C.
Pryor, Ark.
Pucinski
Purcell
Rarick
Reid
Roberts
Rogers
Rooney, N.Y.
Ruppe
Ruth
Ryan
Sandman
Scherle
Scheuer
Shipley
Smith, Iowa
Steiger, Wis.
Stephens
Stuckey
Symington
Ullman
Vander Jagt
Waggonner
Whalley
Wilson, Bob
Wolff
Wyman
Young, Fla.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bow.
Mr. Addabbo with Mr. Broomfield.
Mr. Waggonner with Mr. Esch.
Mr. Boggs with Mr. McDonald of Michigan.
Mr. Rooney of New York with Mr. Lent.
Mr. Shipley with Mr. Halpern.
Mr. Bevill with Mr. Hansen of Idaho.
Mr. Celler with Mr. McKevitt.
Mr. Daniels of New Jersey with Mr. Sandman.
Mr. Davis of Georgia with Mr. Hutchinson.
Mr. Delaney with Mr. Wyman.
Mr. Dorn with Mr. Jonas.
Mr. O'Neill with Mr. Harsha.
Mr. Murphy of New York with Mr. Metcalfe.
Mr. Jones of Tennessee with Mr. Mathias of California.
Mr. Stephens with Mr. McClure.
Mr. Evins of Tennessee with Mr. Hillis.
Mr. Foley with Mr. Kyl.
Mr. Fountain with Mr. Ruth.
Mr. Rogers with Mr. Minshall.
Mr. Roberts with Mr. Nelsen.
Mr. Rarick with Mr. Badillo.
Mr. Passman with Mr. Powell.
Mr. Nedzi with Mr. Ruppe.
Mr. Nichols with Mr. Pettis.
Mr. Meeds with Mr. Steiger of Wisconsin.

Mr. Landrum with Mr. Alexander.
Mr. Jarman with Mr. Scherle.
Mr. Stuckey with Mr. Young of Florida.
Mr. Blanton with Mr. Scheuer.
Mr. Caffery with Mr. McCormack.
Mr. Corman with Mr. Bob Wilson.
Mr. Culver with Mr. Vander Jagt.
Mr. Edmondson with Mr. Pucinski.
Mr. Flynt with Mr. Whalley.
Mr. Fulton with Mr. Gallagher.
Mr. Clay with Mr. Harrington.
Mr. Eckhardt with Mr. Hagan.
Mr. Ryan with Mr. Pryor of Arkansas.
Mr. Reid with Mr. Preyer of North Carolina.
Mr. Pepper with Mr. McMillan.
Mr. Ullman with Mr. Long of Louisiana.
Mr. Symington with Mr. Macdonald of Massachusetts.
Mr. Smith of Iowa with Mr. Melcher.
Mr. Anderson of Tennessee with Mr. Mayne.
Mr. Kyros with Mr. Ashbrook.
Mrs. Chisholm with Mr. Conyers.
Mr. Wolff with Mr. Byrnes of Wisconsin.
Mr. de la Garza with Mr. Cleveland.
Mr. Donohue with Mr. Frelinghuysen.
Mr. Purcell with Mr. McKinney.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

CONFERENCE REPORT ON H.R. 14108, NATIONAL SCIENCE FOUNDATION AUTHORIZATION, 1973

Mr. CABELL (on behalf of Mr. MILLER of California) filed the following conference report and statement on the bill (H.R. 14108) to authorize appropriations for activities of the National Science Foundation, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 92–1265)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14108) to authorize appropriations for activities of the National Science Foundation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1973, for the following categories:

(1) Scientific Research Project Support, $275,300,000;

(2) National and Special Research Programs, $108,600,000;

(3) National Research Centers, $42,300,000;

(4) Computing Activities in Education and Research, $19,500,000;

(5) Science Information Activities, $9,500,000;

(6) International Cooperative Scientific Activities, $4,700,000;

(7) Research Applied to National Needs, $87,500,000;

(8) Intergovernmental Science Program, $1,700,000;

(9) Institutional Improvement for Science, $18,500,000;

(10) Graduate Student Support, $21,200,000;

(11) Science Education Improvement, $76,000,000;

(12) Planning and Policy Studies, $2,800,000;

(13) Program Development and Management, $29,300,000.

SEC. 2. Notwithstanding any other provision of this Act—

(a) of the amount stipulated for the purpose of "National and Special Research Programs" in category (2) of section 1, not less than $4,500,000 shall be available for the oceanographic ship construction/conversion program;

(b) of the amount stipulated for the purpose of "Research Applied to National Needs" in category (7) of section 1, not less than $19,500,000 shall be available for energy research and technology programs, including but not limited to solar, geothermal, and other nonconventional energy sources, and not less than $8,000,000 shall be available for earthquake engineering programs.

(c) not less than $13,000,000 of the amount stipulated for the purpose of "Institutional Improvement for Science" in category (9) of section 1 shall be available for that purpose, and of such amount not more than $4,000,000 shall be available for institutional grants for research management improvement:

(d) not less than $16,500,000 of the amount stipulated for the purpose of "Graduate Student Support" in category (10) of section 1 shall be available for that purpose, and of such amount not less than $13,000,000 shall be available for graduate fellowships and not less than $3,500,000 for postdoctoral fellowships;

(e) not less than $74,000,000 of the amount stipulated for the purpose of "Science Education Improvement" in category (11) of section 1 shall be available for that purpose, and of such amount not more than $1,500,000 shall be available for experimental projects to encourage initiatives in science education.

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed $5,000, for official consultation, representation, or other extraordinary expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by section 1, not to exceed $7,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1973, for expenses of the National Science Foundation incurred outside the United States to be paid in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 5. Appropriations made pursuant to authority provided in sections 1, 3, and 4 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 6. No funds may be transferred from any particular category listed in section 1 to any other category or categories listed in such section if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in section 1 from any other category or categories listed in such section if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

(A) a period of thirty legislative days (or forty-five calendar days, when Congress is in adjournment sine die) has passed after the Director or his designee has transmitted to the Speaker of the House of Representatives and the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Labor and Public Welfare of the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(B) each such committee before the expiration of such period has transmitted to the Director written notice to the effect that such committee has no objection to the proposed action.

SEC. 7. (a) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institution from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two-year period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(c) The programs referred to in subsections (a) and (b) are as follows:

(1) The programs authorized by the National Science Foundation Act of 1950; and

(2) The programs authorized under title IX of the National Defense Education Act of 1958 relating to establishing the Science Information Service.

(d) (1) Nothing in this Act, or any Act amended by this Act, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

(3) Nothing in this section shall be construed to limit the freedom of any student to

verbal expression of individual views or opinions.

Sec. 8. Section 3(a)(1) of the National Science Foundation Act of 1950 is amended—

(1) by inserting "and science education programs at all levels" after "scientific research potential"; and

(2) by striking out "scientific activities" and inserting in lieu thereof "scientific and educational activities".

Sec. 9. This Act may be cited as the "National Science Foundation Authorization Act of 1973".

And the Senate agree to the same.

George P. Miller,
John W. Davis,
Earle Cabell,
Alphonzo Bell,
Marvin L. Esch,
James W. Symington,
Charles A. Mosher,
Managers on the Part of the House.
Edward M. Kennedy,
Claiborne Pell,
Thomas F. Eagleton,
Alan Cranston,
Peter H. Dominick,
Bob Packwood,
Robert T. Stafford,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14108) to authorize appropriations for activities of the National Science Foundation, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The amendment of the Senate struck out all after the enacting clause in the House bill and substituted new language. The committee of conference agreed to accept the Senate amendment with certain amendments and stipulations proposed by the conferees.

The National Science Foundation requested authorization in the amount of $647,418,000, as revised, for fiscal year 1973, plus $7 million in excess foreign currencies. The House authorized $673.8 million plus $7 million in excess foreign currencies. The respective Senate figures were $720 million and $7 million in excess foreign currencies.

The Committee of Conference recommends $696.9 million, plus $7 million in excess foreign currencies. This figure is $23.1 million more than authorized by the House and $23.1 million less than authorized by the Senate for fiscal year 1973.

The specific actions taken by the Conference are as follows:

Section 1—Funds:

1. For *Scientific Research Project Support*, the budget request of the National Science Foundation was $274.6 million. The House authorized $270.6 million and the Senate authorized $275.3 million. The House concurred in the higher Senate figure in order to assure more adequate support for the vital basic research activities of the nation.

2. For *National and Special Research Programs*, the Foundation requested $109.1 million. This was reduced to $106.9 million by the House, whereas the Senate approved $112.5 million. The Conferees approved a compromise figure, bringing the total to $108.6 million.

3. For *National Research Centers*, the House, Senate and Conferees approved the NSF request of $42.3 million without change.

4. For *Computing Activities in Education and Research*, the Foundation request of $20.5 million was reduced to $19.5 million by the House. The Senate approved the requested level. In Conference the Senate receded and accepted the House figure as adequate to support this activity for Fiscal Year 1973.

5. For *Science Information Activities*, the House, Senate and Conferees approved the NSF request of $9.5 million without change.

6. For *International Cooperative Scientific Activities*, the House, Senate, and Conferees approved the NSF request of $4.7 million without change.

7. For *Research Applied to National Needs*, the Foundation requested $80 million, which sum was approved by the House. In its request to the Senate, the NSF revised this amount to $78,775,000. The Senate increased this total to $96.5 million. A compromise of $87.5 million was approved by the Conferees.

8. For *Intergovernmental Science Program*, the NSF requested $1 million and the House increased this to $1.2 million. This was further increased to $3.2 million by the Senate, and the Conferees agreed to the sum of $1.7 million. This increase should permit increased utilization of science and technology for state and local science activities in fiscal year 1973.

9. For *Institutional Improvement for Science*, the Foundation requested $7 million for Fiscal Year 1973. This sum was increased to $18 million by the House and to $22 million by the Senate. The Conferees agreed on $18.5 million for the funding of institutional science activities.

10. For *Graduate Student Support*, the NSF request of $9.2 million was increased to $20 million by the House and to $25 million by the Senate. The Conferees agreed to the sum of $21.2 million.

11. For *Science Education Improvement*, the Foundation requested $58.8 million, which was increased to $71.8 million by the House and $76 million by the Senate. The House agreed to the Senate figure as necessary for assuring continuing high quality science education programs in the secondary schools and colleges of the country.

12. For *Planning and Policy Studies*, the request of $2.5 million was agreed to by the House, but increased to $3.2 million by the Senate. A compromise of $2.8 million was agreed upon by the Conferees.

13. For *Program Development and Management*, the House approved the Foundation's request of $26.8 million. A revised request of $29.3 million was presented to the Senate and approved, in part due to Federal salary increases incorporated in other legislation which Congress passed after the Foundation's original request. The Conferees agreed on the higher figure contained in the Senate bill as necessary to provide adequate management capability to the Foundation as it carries out its continuing programs of research and education.

Section 2: The bill as passed by the House put floors under 3 budget categories, and the Senate bill put floors under 3 additional programs.

For Institutional Improvement for Science, the Conferees recommend a floor of $13 million; for Graduate Student Support, a floor of $16.5 million; for Science Education Improvements a floor of $74 million. These minimum funding levels, recommended by the House and agreed to by the Senate, are designed to help assure an adequate educational base for the research and development requirements of the nation's academic and industrial activities.

The Conferees recommend minimum levels of $4.5 million for Oceanographic Ship Construction/Conversion; $19.5 million for Energy Research and Technology; $8 million for Earthquake Engineering. These programs, recommended by the Senate and agreed to by the House, were identified as among those most in need of accelerated research due to their potential for helping solve pressing national problems.

The Committee of Conference considers the programs covered by those specific budget items in Section 2 of the bill to be extremely important for the future scientific well-being of this nation. Compromising the amounts allocated for these programs in no way reduces the importance of such research activities in the eyes of the Committee of Conference. The higher funding levels which appear in the individual bills passed by the House and Senate are appropriate goals for the Foundation in fiscal year 1973. In the event funds from a supplemental appropriation are made available to the NSF in fiscal year 1973, the Committee of Conference expects the NSF to fund these budget items at the higher levels included in the specific bills passed by the two Houses.

Section 3: Section 3 is identical to Section 3 of the Senate bill and identical to Section 4 of the House bill.

Section 4: Section 4 is identical to Section 4 of the Senate bill and Section 5 of the House bill.

Section 5: Section 5 is identical to Section 5 of the Senate bill and similar to Section 3 of the House bill. The difference is that the official consultation funds are authorized to remain available for such periods as may be provided in the appropriation acts.

Section 6: Section 6 is identical to the House bill, except that it provides additionally for transfers to take effect without approval of the Congress after 45 calendar days when Congress is in adjournment sine die. This is designed to avoid those instances when Congress might be in an extended period of adjournment sine die, with the result that NSF could not transfer funds between categories amounting to more than 10 percent of any category.

Section 7: Section 7 is identical to Section 7 in both House and Senate bills.

Section 8: Section 8 is the same as Section 8 of the House and Senate bills with minor technical changes. These changes make clear the intention to emphasize the authority of the NSF to support programs in science education independently of their immediate effects on scientific research potential.

Section 9: Section 9 is identical to Section 9 of the House bill and Section 10 of the Senate bill.

The Senate bill included a provision which would establish a Division of Energy Research and Technology within NSF. The Conferees deleted this provision.

The Committee of Conference recognizes the great importance of research and development in meeting the energy crisis facing this country. It feels that the establishment of a Division of Energy Research and Technology would be useful to the Foundation as it carries out its increasing responsibilities in the fields of energy research and development. The deletion of Section 9 of the Senate bill establishing such a Division is made in the interest of administrative flexibility for NSF, as exemplified by the NSF Amendments Act of 1968, and in no way reflects a lack of support for such a Division.

George P. Miller,
John W. Davis,
Earle Cabell,
Alphonzo Bell,
Marvin L. Esch,
James W. Symington,
Charles A. Mosher,
Managers on the Part of the House.
Edward M. Kennedy,
Claiborne Pell,
Thomas F. Eagleton,
Alan Cranston,
Peter H. Dominick,
Bob Packwood,
Robert T. Stafford,
Managers on the Part of the Senate.

FEDERAL SHIP MORTGAGE INSURANCE FOR HIGH-POWERED VESSELS

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11300) to amend section 509 of the Merchant Marine Act, 1936, as amended.

The Clerk read as follows:

H.R. 11300

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 509 of the Merchant Marine Act, 1936, is amended by inserting in the fourth sentence thereof after the words, "oceangoing barge of more than two thousand five hundred gross tons" a comma and the words, "or in the case of a vessel of more than two thousand five hundred horsepower designed to be capable of sustained speed of not less than forty knots".

The SPEAKER pro tempore (Mr. Bolling). Is a second demanded?

Mr. PELLY. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. Garmatz).

Mr. GARMATZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker. I rise in support of H.R. 11300, a bill which amends section 509 of the Merchant Marine Act of 1936, as amended.

This bill would authorize and permit hydrofoil-type vessels of more than 2,500 horsepower and capable of sustained speeds of not less than 40 knots, to receive additional mortgage insurance benefits under title XI of the Merchant Marine Act of 1936.

Existing law, title XI, authorizes the Secretary of Commerce to guarantee ship mortgages up to 75 percent of the actual cost of the vessel. If the vessel meets certain criteria under section 509, the Secretary is authorized to guarantee a ship mortgage up to 87½ percent of the actual cost of the vessel. Presently, vessels qualifying for higher mortgage insurance under section 509 are:

Vessels exceeding 3,500 gross tons with sustained speeds of not less than 14 knots; passenger vessels of at least 1,000 gross tons and capable of speeds of not less than 8 knots, designed for inland waterways; and, vessels designed as oceangoing tugs of more than 2,500 horsepower and oceangoing barges of more than 2,500 gross tons.

H.R. 11300 would authorize the guaranteeing of ship mortgages for vessels capable of high speeds—not less than 40 knots—and with engines of more than 2,500 horsepower at the 87½ percent rate. The basic impact of the legislation is that the mortgagor's downpayment requirement for mortgage insurance would be lower by 12½ percent.

The recent technological development of high-speed hydrofoil vessels is a direct benefit or spinoff of application of these techniques in military vessels. Enactment of this measure will insure and encourage the continued development, construction, and actual operation on an expanded basis of hydrofoils, surface-effect ships, and other modern, high-speed ships. In addition, by facilitating private financing, the measure should materially assist in the application of these new concepts of naval architecture and ship propulsion in solving mass transit problems in major metropolitan areas situated on the Nation's seacoasts. In particular, the bill will go a long way toward developing an arterial waterway in Hawaii and Alaska, where the only means of relatively rapid transportation is by air at this point in time.

The measure is supported by the administration and the merchant marine industry and will result in no cost to the Federal Government. It was reported out unanimously by your committee. I urge is passage.

Mr. GROSS. Will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Iowa.

Mr. GROSS. This applies only to the 87½ percent? This financing applies only to hydrofoil vessels?

Mr. GARMATZ. No, but hydrofoil vessels will be included along with the other type vessels that are entitled to get the 87½ percent mortgage insurance.

Mr. GROSS. Are we building tugs with sustained speeds of 40 knots or more per hour?

Mr. GARMATZ. No; but these other type vessels already are entitled to title XI mortgage insurance.

Mr. GROSS. What other vessels would be covered?

Mr. GARMATZ. The categories of vessels that have the statutory tonnage and horsepower requirements.

Mr. GROSS. To move at sustained speeds of more than 40 knots per hour or more than 40 miles per hour?

Mr. GARMATZ. For hydrofoils to come under the 87½ percent for insurance they would go at least 40 knots. This is just for hydrofoils and not the other categories of vessels.

Mr. GROSS. To come under it they would have to move at that sustained speed, is that correct?

Mr. GARMATZ. No. No, sir.

Mr. GROSS. Well, what then does that cover? What then does the 87½ percent financing guarantee cover?

Mr. GARMATZ. The present-day vessels qualifying for higher mortgage insurance under section 509 are vessels exceeding 3,500 gross tons at sustained speeds of not less than 14 knots or passenger vessels of at least 1,000 gross tons capable of speeds not less than 8 knots designed for inland waterways; and vessels designed as oceangoing tugs of more than 2,500 horsepower and oceangoing barges of more than 2,500 gross tons.

Mr. GROSS. Is the bill not aimed primarily at guaranteeing the development of hydrofoil vessels?

Mr. GARMATZ. Correct, as far as this legislation is concerned.

Mr. GROSS. And up to this point how feasible have they been demonstrated to be?

Mr. GARMATZ. The ones that they have now that are covered in the bill have been proven to be very successful. I think there are three of them that the Navy has been experimenting with.

I gladly yield to the gentlemen from Washington to answer that particular portion of the question.

Mr. PELLY. I would like to say to the gentleman from Iowa, if he will give me his attention that this bill qualifies high-speed, hydrofoil vessels for 87½ percent title XI insurance, and its purpose actually is to help in the production of these hydrofoil vessels.

The Maritime Administration has come to the conclusion that hydrofoil vessels at high speeds are economically feasible and will help with the water transportation of passengers and cargo into cities and for other useful purposes.

Mr. GROSS. Mr. Speaker, will the gentleman from Maryland yield so I might ask the gentleman from Washington a question?

Mr. GARMATZ. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, then the feasibility of hydrofoil vessels has been established?

Mr. PELLY. Very definitely. The Navy uses these hydrofoil vessels and they have been very successful as far as their operation is conerned.

Mr. GROSS. How many of them are presently in operation?

Mr. PELLY. There are hydrofoils all over the world actually. The Russians use them. But of the type anticipated by this legislation there are three large ones in the possession of the Navy which they have found very satisfactory. I think they will order more. They are oceangoing hydrofoils.

Mr. GROSS. They are used both as cargo and passenger carrying vessels?

Mr. PELLY. Yes. This guaranteed insurance always more than pays the cost for the program. There will be no cost to the Federal Government under this legislation.

Mr. GROSS. I thank the gentleman.

Mr. GARMATZ. If I might point out, in the report it says further:

> Building upon the experience of the U.S. Navy, which is now successfully operating a large, high-speed hydrofoil gunboat, employing water jet propulsion and fully submerged foils, the U.S.S. *Tucumcari*, the shipbuilding industry in the United States is in a unique position to apply these concepts to such important transportation problems as urban mass transportation in major metropolitan areas situated on our seacoasts and interport transportation of people and merchandise in Hawaii and Alaska where the only means of relatively rapid transportation at this time is by air.

So the Navy has several of these operating. They have been very successful.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I would like to follow up on the colloquy with the gentleman from Washington, and I would like to ask whether or not this reduction in downpayment or increase in insurance is something that is extended to vessels that are built for foreign registration?

Mr. GARMATZ. No; this applies only to U.S.-flag vessels.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, this registration is to qualify ships built in the United States for sale in the United States.

Mr. VANIK. Under U.S. registration?

Mr. PELLY. Yes.

Mr. DANIELSON. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from California.

Mr. DANIELSON. Mr. Speaker, I am not opposed to the merchant marine, in fact I favor it, but first of all is it not true that at present we subsidize construction of new merchant vessels at the rate of some 35 to 55 percent.

Mr. GARMATZ. This is not a construction instrument. This is for mortgage insurance.

Mr. DANIELSON. I know, but is it not true we subsidize the vessels at 35 to 55 percent?

Mr. GARMATZ. The present rate is 41 percent.

Mr. DANIELSON. Are we then in a position of insuring our own subsidies in part?

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, there is no subsidy under the law at all. These hydrofoils would be sold in the regular market. There would be no subsidy.

Mr. DANIELSON. These ships would have no subsidy whatever?

Mr. PELLY. Neither in construction nor in operation. The only thing we do is to enable the people who want to buy them to finance them and we guarantee the fund which this program anticipates. There are premiums paid into it. There will be no losses in this program in the overall.

Mr. DANIELSON. It is my understanding that there are to be no Government subsidies of the construction of the ships, the insurance of which is contemplated by this bill?

Mr. PELLY. The gentleman is correct.

Mr. DANIELSON. May I ask, does this insurance in effect insure the purchase price of these vessels, the payment of the purchase price? Is that true?

Mr. PELLY. It requires, if the Maritime Administration approves, a downpayment of only 12½ percent and the rest is covered by the mortgage, and whoever purchases the hydrofoil or any of the vessels under this program pays over a period of time.

Mr. DANIELSON. But the payment is guaranteed by the U.S. Treasury. Is that correct?

Mr. PELLY. And the mortgage is held privately. It is privately financed, but the Government guarantees it.

Mr. DANIELSON. The Government guarantees it. That is what I was after.

Awhile back, not too long ago, I seem to recall a controversy on the floor where it was sought to have the Government guarantee a loan to the Lockheed Corp. for completion of the L-1011. Can the gentleman point out a difference between that type of guarantee and that which is contemplated by this bill?

Mr. PELLY. Mr. Speaker, if the chairman of the committee will yield, it is not the same. There is no similarity whatsoever. To begin with, this is a longstanding program under which anyone who takes advantage of the mortgage and gets a Government guarantee has to comply with requirements of the title XI insurance program.

It is like a bank deposit, where the banks pay insurance into a guarantee fund. It is self-sustaining.

Mr. DANIELSON. In the bank analogy, we have a Federal Deposit Insurance Corporation. The savings and loan associations have a Federal Savings and Loan Insurance Corporation. Members of those institutions contribute a portion annually, to make the fund actuarily sound. Is there a comparable insurance corporation to guarantee these loans?

Mr. PELLY. No; just the Maritime Administration, to which premiums are paid. They have a fund, a pool, to protect all these mortgages. The premium is paid to them. If there were a loss it would come out of that fund.

Mr. DANIELSON. Then there is no danger that the U.S. Treasury, through the general fund, the taxpayers, would have to pay for it?

Mr. PELLY. In the overall there has been no loss. There have been individual occasions when a mortgage was foreclosed.

Mr. DANIELSON. I thank the gentleman.

Mr. GARMATZ. Mr. Speaker, I have no further requests for time.

Mr. PELLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 11300, a bill designed to authorize 87½ percent Federal ship mortgages under title XI of the Merchant Marine Act, 1936, for certain high-speed vessels such as hydrofoils and hovercraft. Under existing law, two levels of Federal ship mortgage insurance are available—a 75-percent mortgage and a 87-percent mortgage. The higher level of Federal ship mortgage insurance is available to those ships which qualify under the criteria set forth in section 509 of the Merchant Marine Act, 1936. Those criteria generally involve a combination of minimum tonnage and minimum speed. Surface-effect ships, including hydrofoils and hovercraft, although far exceeding the speed requirements of the existing law, do not qualify, because of their unique design, under the tonnage requirements of section 509.

This legislation with authorize the Secretary of Commerce to guarantee ship mortgages at the 87½-percent rate for vessels capable of sustained speeds of not less than 40 knots and powered by engines of more than 2,500 horsepower. Thus, this legislation adopts a horsepower criteria for high-speed vessels in lieu of the tonnage criteria used for conventional ships.

We all are aware, Mr. Speaker, of the great strides being made by American shipbuilders in their efforts to become more competitive with foreign yards under the Merchant Marine Act of 1970. However, only where the United States enjoys a substantial margin of technological superiority can we expect our industry to overcome entirely the great disparity between foreign and American shipbuilding costs. One area in which the United States does enjoy such technological superiority is in the design and construction of advanced hydrofoil ships. Stimulated by the interest of the Navy in the advantages of hydrofoils over conventional ship designs for small, fast gunboats, American industry has produced hydrofoil vessels that are a quantum jump in technology over any similar ships built abroad.

This technology involves two important factors; the elimination of the traditional propeller in favor of water-jet propulsion, and the employment of fully submerged foils to lift the ship out of the water in place of the more traditional V-shaped struts. The U.S.S. *Tucumcari* has been operated successfully by the Navy for a number of years, employing these advanced design features. This ship is capable of speeds in excess of 50 knots and can maintain that speed in heavy seas. Although weighing only 60 tons, it is capable of operating anywhere in the world and has crossed the Atlantic several times.

Building upon the experience gained in the design, construction and operation of the U.S.S. *Tucumcari*, American industry is now prepared to build large commercial hydrofoil ships for use here in the United States to meet some of our most pressing commuter transportation problems and for export abroad. Contracts are now pending for the construction in the United States of hydrofoil passenger ships for Japan, Hong Kong, and England. The U.S. plans for the construction of five hydrofoil passenger ships for use in the Hawaiian Islands are well underway.

H.R. 11300, by facilitating private financing of high-speed hydrofoil and other surface-effect ships will assist in meeting some of our most pressing urban transportation problems along our seacoasts where the principal metropolitan areas are concentrated. Although ships built for foreign ownership do not qualify for title XI insurance, the impetus given to the construction of ships for domestic use will certainly enable our shipbuilders to compete vigorously for foreign business.

In conclusion, Mr. Speaker, the state of the art has now developed to the point where large commercial hydrofoil ships are practical and commercially attractive. This is another example of the technological spin-off which we have previously experienced in the field of commercial aviation which benefited so greatly from the earlier development of military jet aircraft. Fostering new technology is one of the major means by which the U.S. merchant marine and our shipbuilding industry can become competitive. Enactment of this legislation will allow this country to pursue more vigorously still another technological innovation. I, therefore, urge my colleagues to support this important bill. As reported by your committee, H.R. 11300 is identical to S. 2684 passed earlier this year in the other body.

The SPEAKER pro tempore (Mr. BOLLING). The question is on the motion offered by the gentleman from Maryland (Mr. GARMATZ) that the House suspend the rules and pass the bill H.R. 11300, as amended.

The question was taken.

Mr. O'KONSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 332, nays 1, not voting 100, as follows:

[Roll No. 288]

YEAS—332

Abbitt
Abernethy
Abourezk
Abzug
Adams
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspin
Aspinall
Baker
Baring
Barrett
Begich
Belcher
Bell
Bennett
Bergland
Betts
Biaggi
Biester
Bingham
Blatnik
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Camp
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Ill.
Collins, Tex.
Conable
Conover
Conte
Conyers
Cotter
Coughlin
Crane
Curlin
Daniel, Va.
Danielson
Davis, S.C.
Davis, Wis.
de la Garza
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dow
Downing
Drinan
Dulski
Duncan
du Pont
Dwyer
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Eshleman
Evans, Colo.
Fascell
Fish
Fisher
Flood
Flowers
Ford, Gerald R.
Forsythe
Fraser
Frelinghuysen
Frenzel
Frey
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kuykendall
Kyros
Landgrebe
Latta
Leggett
Lennon
Link
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McCollister
McCulloch
McDade
McEwen
McFall
McKay
McKinney
Macdonald, Mass.
Madden
Mahon
Mailliard
Mallary
Mann
Martin
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Mikva
Miller, Calif.
Miller, Ohio
Mills, Md.
Minish
Mink
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nix
O'Hara
O'Konski
Patten
Pelly
Perkins
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Price, Ill.
Price, Tex.
Purcell
Quie
Quillen
Randall
Rangel
Rees
Reuss
Rhodes
Riegle
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Runnels
St Germain
Sarbanes
Satterfield
Saylor
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Seiberling
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, N.Y.
Snyder
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Van Deerlin
Veysey
Vigorito
Waldie
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Yates
Yatron
Young, Tex.
Zablocki
Zion
Zwach

NAYS—1

Vanik

NOT VOTING—100

Addabbo
Alexander
Archer
Badillo
Bevill
Blackburn
Blanton
Boggs
Bow
Broomfield
Caffery
Celler
Clay
Colmer
Corman
Culver
Daniels, N.J.
Davis, Ga.
Delaney
Dorn
Dowdy
Eckhardt
Edmondson
Esch
Evins, Tenn.
Findley
Flynt
Foley
Ford, William D.
Fountain
Fulton
Gallagher
Hagan
Halpern
Hansen, Idaho
Harrington
Harsha
Hébert
Hillis
Hutchinson
Jarman
Jonas
Jones, Tenn.
Kyl
Landrum
Lent
Long, La.
McClure
McCormack
McDonald, Mich.
McKevitt
McMillan
Mathias, Calif.
Meeds
Melcher
Metcalfe
Michel
Mills, Ark.
Minshall
Murphy, N.Y.
Nedzi
Nelsen
Nichols
Obey
O'Neill
Passman
Patman
Pepper
Pettis
Powell
Preyer, N.C.
Pryor, Ark.
Pucinski
Railsback
Rarick
Reid
Roberts
Rogers
Rooney, N.Y.
Ruppe
Ruth
Ryan
Sandman
Scherle
Scheuer
Shipley
Smith, Calif.
Smith, Iowa
Steiger, Wis.
Stephens
Stuckey
Symington
Ullman
Vander Jagt
Waggonner
Whalley
Wilson, Bob
Wyman
Young, Fla.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bow.
Mr. Addabbo with Mr. Broomfield.
Mr. Waggonner with Mr. Esch.
Mr. Boggs with Mr. McDonald of Michigan.
Mr. Rooney of New York with Mr. Lent.
Mr. Shipley with Mr. Halpern.
Mr. Bevill with Mr. Hansen of Idaho.
Mr. Celler with Mr. McKevitt.
Mr. Daniels of New Jersey with Mr. Sandman.
Mr. Davis of Georgia with Mr. Hutchinson.
Mr. Delaney with Mr. Wyman.
Mr. Dorn with Mr. Jonas.
Mr. O'Neill with Mr. Harsha.
Mr. Murphy of New York with Mr. Metcalfe.
Mr. Jones of Tennessee with Mr. Mathias of California.
Mr. Stephens with Mr. McClure.
Mr. Evins of Tennessee with Mr. Hillis.
Mr. Foley with Mr. Kyl.
Mr. Fountain with Mr. Ruth.
Mr. Rogers with Mr. Minshall.
Mr. Roberts with Mr. Nelsen.
Mr. Rarick with Mr. Badillo.
Mr. Passman with Mr. Powell.
Mr. Nedzi with Mr. Ruppe.
Mr. Nichols with Mr. Pettis.
Mr. Meads with Mr. Steiger of Wisconsin.
Mr. Landrum with Mr. Alexander.
Mr. Jarman with Mr. Scherle.
Mr. Stuckey with Mr. Young of Florida.
Mr. Blanton with Mr. Scheuer.
Mr. Caffery with Mr. McCormack.
Mr. Corman with Mr. Bob Wilson.
Mr. Culver with Mr. Vander Jagt.
Mr. Edmondson with Mr. Pucinski.
Mr. Flynt with Mr. Whalley.
Mr. Fulton with Mr. Gallagher.
Mr. Clay with Mr. Harrington.
Mr. Eckhardt with Mr. Hagan.
Mr. Ryan with Mr. Pryor of Arkansas.
Mr. Reid with Mr. Preyer of North Carolina.
Mr. Pepper with Mr. McMillan.
Mr. Ullman with Mr. Long of Louisiana.
Mr. Symington with Mr. Dowdy.
Mr. Smith of Iowa with Mr. Melcher.
Mr. Colmer with Mr. Archer.
Mr. William D. Ford with Mr. Blackburn.
Mr. Mills of Arkansas with Mr. Findley.
Mr. Patman with Mr. Michel.
Mr. Smith of California with Mr. Railsback.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be discharged from further consideration of an identical Senate bill (S. 2684) to amend section 509 of the Merchant Marine Act, 1936, as amended, and ask for immediate consideration of the Senate bill.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Clerk read the Senate bill as follows:

S. 2684

An act to amend section 509 of the Merchant Marine Act, 1936, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 509 of the Merchant Marine Act, 1936, is amended by inserting in the fourth sentence thereof after the words, "oceangoing barge of more than two thousand five hundred gross tons" a comma and the words, "or in the case of a vessel of more than two thousand five hundred horsepower designed to be capable of sustained speed of not less than forty knots".

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11300) was laid on the table.

PRINTING OF PROCEEDINGS OF THE ITALIAN-AMERICAN WAR VETERANS

Mr. BRADEMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13804) to amend the act of March 2, 1931, to provide that certain proceedings of the Italian-American War Veterans of the United States, Incorporated, shall be printed as a House document, and for other purposes, as amended.

The Clerk read as follows:

H.R. 13804

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1332 of title 44, United States Code, is amended to read as follows:

"That hereafter the proceedings of the national encampments of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, the Military Order of the Purple Heart, the Veterans of World War I of the United States of America, Incorporated, the Disabled American Veterans, the AMVETS (American Veterans of World War II), and the Italian American War Veterans of the United States, Incorporated, respectively, shall be printed annually, with accompanying illustrations, as separate House documents of the session of the Congress to which they may be submitted."

The **SPEAKER** pro tempore. Is a second demanded?

Mr. VEYSEY. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 13804 would authorize the printing of the annual proceedings of the Italian-American War Veterans of the United States, Inc.

Section 1332 of title 44, United States Code, now provides for the printing as a House document of the proceedings of the national encampments of the following veterans organizations:

First, the Grand Army of the Republic;

Second, the United Spanish War Veterans;

Third, the Veterans of Foreign Wars of the United States;

Fourth, the American Legion;

Fifth, the Military Order of the Purple Heart;

Sixth, the Veterans of World War I of the United States, Inc.;

Seventh, the Disabled Veterans; and

Eighth, the Amvets—American Veterans of World War II.

H.R. 13804 would amend section 1332 of title 44 United States Code by adding the Italian American War Veterans to the list of veterans organizations whose annual proceedings are printed as House documents.

Printing as a House document calls for 1,500 copies. The estimated cost for the 1,500 copies of the annual proceedings of the Italian-American War Veterans is estimated to be $4,423.10.

The sponsor of this measure is our distinguished colleague from Chicago, the Honorable Frank Annunzio.

The bill was approved unanimously by both the Subcommittee on Printing and the Committee on House Administration.

Mr. Speaker, I recommend the House give this measure favorable consideration.

Mr. BIAGGI. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I am very glad to yield to my friend from New York (Mr. Biaggi).

Mr. BIAGGI. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the bill H.R. 13804, sponsored by my good friend and distinguished colleague from Illinois (Mr. Annunzio). This bill provides for printing as a House document certain proceedings of the Italian American War Veterans of the United States, Inc.

I feel it only appropriate that this outstanding veterans organization be accorded the same recognition that is presently enjoyed by other veterans organizations. The members of this organization have been devoted citizens who have demonstrated true allegiance and dedication to the cause of freedom.

This outstanding veterans organization is a nonprofit and nonpolitical group made up wholly and without exception of honorably discharged American war veterans. Can we not at least give them this small gesture of appreciation for the sacrifices they have made to preserve our country?

I hope that my colleagues here will approve this bill and that it will be passed quickly in the Senate as well. I feel the time is long overdue for this Nation to honor and recognize a true group of sterling Americans, the Italian American War Veterans.

Mr. ANNUNZIO. Mr. Speaker, I wish to thank Hon. Wayne Hays of Ohio, the outstanding chairman of the Committee on House Administration, for his capable and energetic support of H.R. 13804, and Hon. John Brademas of Indiana, the distinguished chairman of the Subcommittee on Printing for the expeditious manner in which he has brought this legislation to the floor of the House for action.

H.R. 13804 is a bill to provide for printing as a House Document certain proceedings of the Italian-American War Veterans of the United States, Inc.

It is an honor for an individual's activities or the proceedings of one's organization to be recorded among the official documents associated with the House of Representatives. It is an honor we have accorded to veterans organizations since 1931. We have done this as one of the symbols of high esteem a grateful nation bestows upon its veterans. To be included among official Government papers is to be accorded a certain symbolic immortality.

It is certainly appropriate for the Congress to extend this recognition, which is now enjoyed by other veterans organizations, to the Italian American War Veterans of the United States whose members have done their share to uphold and preserve the freedom and security of our beloved country. It is only fitting that they and their activities should survive as long as the Republic itself. It is fitting that we remember their sacrifices for the perpetuation of national ideals.

This outstanding veterans organization is a nonprofit and nonpolitical group made up wholly and without exception of honorably discharged American war veterans. They are devoted citizens who have demonstrated splendid patriotism and dedication to the cause of freedom.

I urge my Colleagues to join in bipartisan support of H.R. 13804, which would include Italian Americans among those great veterans organizations which are honored by the Congress of the United States.

I wish, at this point in the Record, to include the Preamble to the Constitution of the Italian-American War Veterans of the United States, Inc.:

> For God and Nation, and for our commonwealth, we former members of the armed forces of the United States, having aided in maintaining the honor, integrity and supremacy of the Country, holding in remembrance the sacrifice in common made and drawn together by strong bonds of respect and mutual suffering, solemnly and firmly associate ourselves together in creating the Italian-American War Veterans of the United States, Inc., the principles and purposes of which shall be allegiance to the United States of America and fidelity to its constitution and laws; to hold aloft the torch of true patriotism; to strive for a better understanding between nations, that peace and goods will may prevail; to cherish and preserve the memories of our military associations; and to aid and assist veterans, their widows and orphans.

Mrs. GRASSO. Mr. Speaker, I am pleased to support H.R. 13804, a bill to provide that certain proceedings of the Italian-American War Veterans of the United States shall be printed as a House document.

The Italian-American War Veterans of the United States is a splendid organization whose members have made vital contributions to the strength and security of this Nation. I am particularly proud that throughout the years the Italian-American War Veterans have consistently upheld the cherished ideals and traditions of our great Nation. Their devotion to freedom and their willingness to defend it is an inspiration to all of us.

The publication as a House document of the proceedings of the Italian-American War Veterans would, I believe, provide a recognition by the Congress of the outstanding work and achievements of this organization. It would also give future generations the opportunity to read accounts of the activities of the Italian-American War Veterans. I welcome the adoption of H.R. 13804 today by the House and hope that it will receive speedy and favorable consideration by the other body.

Mr. MINISH. Mr. Speaker, I rise in support of H.R. 13804, a bill to honor the Italian American War Veterans of the United States by providing that their annual proceedings be printed as a document of the House of Representatives.

From revolutionary times through the present Vietnam conflict, Americans of Italian ancestry have served the United States in wartime with valor and with distinction. No other group has surpassed Italian-Americans in dedication to the American ideals of freedom and democracy.

The Italian-American war veterans organization is a nonprofit, nonpolitical association of men who have been honorably discharged from the Armed Forces of the United States.

Members of the Italian-American War Veterans devote their lives to the principles and purposes of the organization as stated in the preamble of their constitution:

> For God and Nation, and for our commonwealth, we former members of the armed forces of the United States, having aided in maintaining the honor, integrity and supremacy of the Country, holding in remembrance the sacrifice in common made and drawn together by strong bonds of respect and mutual suffering, solemnly and firmly associate ourselves together in creating the Italian-American War Veterans of the United States, Inc., the principles and purposes of which shall be allegiance to the United States of American and fidelity to its constitution and laws; to hold aloft the torch of true patriotism; to strive for a better understanding between nations, that peace and good will may prevail; to cherish and preserve the memories of our military associations; and to aid and assist veterans, their widows and orphans.

Mr. Speaker, it is my privilege to support this long-overdue and richly deserved tribute to the Italian-American War Veterans. I urge all my colleagues in the House to lend their votes toward the overwhelming passage of H.R. 13804, and I call upon the Senate to act promptly and affirmatively to send this worthwhile bill to the President's desk for his signature.

Mr. BRADEMAS. Mr. Speaker, I have no further requests for time.

Mr. VEYSEY. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. BRADEMAS) that the House suspend the rules and pass the bill H.R. 13804, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "To amend chapter 13 of title 44, United States Code, to provide that certain proceedings of the Italian-American War Veterans of the United States, Incorporated, shall be printed as a House document, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AUTHORIZING PUBLIC PRINTER TO DESIGNATE THE LIBRARY OF HIGHEST APPELLATE COURT IN EACH STATE AS DEPOSITORY LIBRARY

Mr. BRADEMAS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2227) to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library.

The Clerk read as follows:

S. 2227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 19 of title 44, United States Code, is amended by adding at the end thereof the following new section:

"§ 1915. Highest State appellate court libraries as depository libraries

"Upon the request of the highest appellate court of a State, the Public Printer is authorized to designate the library of that court as a depository library. The provisions of section 1911 of this title shall not apply to any library so designated."

(b) The chapter analysis of such chapter is amended by adding at the end thereof the following new item:

"1915. Highest State appellate court libraries as depository libraries."

The SPEAKER pro tempore. Is a second demanded?

Mr. VEYSEY. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 2227 would amend title 44, United States Code, to authorize the Public Printer to designate the highest State appellate court libraries in each State as depository libraries.

Mr. Speaker, depository libraries are a special class of libraries in which Government publications are deposited for use by the public.

A total of 1,070 depository libraries are presently in the program. This is 271 short of the 1,341 libraries authorized to be designated under current law. The Public Printer estimates the total cost of this program to the Government is $2,123,091.

The Public Printer has estimated that the average cost of maintaining a general depository library is $2,647 per year.

The average cost of sustaining a depository law library is slightly lower—$2,400 per year.

S. 2227 would amend the depository library program by adding an additional category of libraries that may be designated as depositories—the libraries of the highest State appellate courts.

Since the State supreme court libraries of Alabama, Arkansas, Missouri, and New Mexico have already been designated as depositories under other categories, this measure would provide for a potential of 46 additions to the depository libraries program.

Government documents that would be provided to the State supreme court libraries as a result of this designation would be of great value and utility to the courts, to the legal community that uses these libraries and to the general public that also has access to these collections.

The Public Printer has estimated that the total cost for the designation of 46 additional law libraries would be $78,800.

The committee unanimously agreed that this additional cost was fully justified by the anticipated benefit of this expanded depository program.

Mr. Speaker, S. 2227 was approved by the other body on July 16, 1971, and I urge that the House approve this bill.

Mr. VEYSEY. Mr. Speaker, I have no requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana that the House suspend the rules and pass the bill S. 2227.

The question was taken.

Mr. MAYNE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 333, nays 1, not voting 98, as follows:

[Roll No. 289]

YEAS—333

Abbitt
Abernethy
Abourezk
Abzug
Adams
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Ashley
Aspin
Aspinall
Baker
Baring
Barrett
Begich
Belcher
Bell
Bennett
Bergland
Betts
Biaggi
Biester
Bingham
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Camp
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Ill.
Collins, Tex.
Colmer
Conable
Conover
Conte
Conyers
Cotter
Coughlin
Crane
Curlin
Daniel, Va.
Danielson
Davis, S.C.
Davis, Wis.
de la Garza
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dow
Downing
Drinan
Dulski
Duncan
du Pont
Dwyer
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn

Eshleman
Evans, Colo.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Ford, Gerald R.
Ford, William D.
Forsythe
Fraser
Frelinghuysen
Frenzel
Frey
Fuqua
Galifianakis
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski

Koch
Kyros
Landgrebe
Latta
Leggett
Lennon
Lent
Link
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McCollister
McCulloch
McDade
McEwen
McFall
McKay
McKinney
Macdonald, Mass.
Madden
Mahon
Mailliard
Mallary
Mann
Martin
Mathis, Ga.
Matsunaga
Mazzoli
Michel
Mikva
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Murphy, Ill.
Myers
Natcher
Nix
O'Hara
O'Konski
O'Neill
Patten
Pelly
Pepper
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Price, Ill.
Price, Tex.
Purcell
Quie
Quillen
Railsback
Randall
Rees
Mayne
Reuss
Rhodes
Riegle
Robinson, Va.
Robison, N.Y.
Roe

Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Ruppe
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Seiberling
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, N.Y.
Snyder
Spence
Springer
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Van Deerlin
Vanik
Veysey
Vigorito
Waldie
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Charles H.
Winn
Wolff
Wyatt
Wydler
Wylie
Yates
Yatron
Young, Tex.
Zablocki
Zion
Zwach

NAYS—1

Runnels

NOT VOTING—98

Addabbo
Alexander
Anderson, Tenn.
Badillo
Bevill
Blackburn
Blanton
Blatnik
Boggs
Broomfield
Caffery
Celler
Clay
Corman
Culver
Daniels, N.J.
Davis, Ga.
Delaney

Dorn
Dowdy
Eckhardt
Edmondson
Esch
Evins, Tenn.
Flynt
Foley
Fountain
Fulton
Gallagher
Garmatz
Hagan
Halpern
Hansen, Idaho
Harrington
Harsha
Hébert
Hillis

Hutchinson
Jarman
Jonas
Jones, Tenn.
Kuykendall
Kyl
Landrum
Long, La.
McClure
McCormack
McDonald, Mich.
McKevitt
McMillan
Mathias, Calif.
Meeds
Melcher
Metcalfe
Miller, Calif.

Minshall
Moss
Murphy, N.Y.
Nedzi
Nelsen
Nichols
Obey
Passman
Patman
Perkins
Pettis
Powell
Preyer, N.C.
Pryor, Ark.
Pucinski

Rangel
Rarick
Reid
Roberts
Rodino
Rogers
Rooney, N.Y.
Ruth
Ryan
Scherle
Scheuer
Shipley
Smith, Calif.
Smith, Iowa
Staggers

Steiger, Wis.
Stephens
Stuckey
Symington
Teague, Tex.
Ullman
Vander Jagt
Waggonner
Whalley
Wilson, Bob
Wright
Wyman
Young, Fla.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. McKevitt.

Mr. Addabbo with Mr. Broomfield.

Mr. Waggonner with Mr. McClure.

Mr. Boggs with Mr. McDonald of Michigan.

Mr. Shipley with Mr. Hutchinson.

Mr. Daniels of New Jersey with Mr. Pettis.

Mr. Celler with Mr. Halpern.

Mr. Bevill with Mr. Blackburn.

Mr. Blatnik with Mr. Esch.

Mr. Evins of Tennessee with Mr. Hansen of Idaho.

Mr. Fountain with Mr. Jonas.

Mr. Rooney of New York with Mr. Mathias of California.

Mr. Murphy of New York with Mr. Minshall.

Mr. Staggers with Mr. Harsha.

Mr. Wright with Mr. Hillis.

Mr. Jones of Tennessee with Mr. Kuykendall.

Mr. Alexander with Mr. Powell.

Mr. Davis of Georgia with Mr. Ruth.

Mr. Dorn with Mr. Scherle.

Mr. Foley with Mr. Kyl.

Mr. Fulton with Mr. Nelsen.

Mr. Teague of Texas with Mr. Smith of California.

Mr. Jarman with Mr. Steiger of Wisconsin.

Mr. Anderson of Tennessee with Mr. Vander Jagt.

Mr. Caffery with Mr. Whalley.

Mr. Passman with Mr. McMillan.

Mr. Pucinski with Mr. Wyman.

Mr. Reid with Mr. Clay.

Mr. Roberts with Mr. Gallagher.

Mr. Rodino with Mr. Metcalfe.

Mr. Rogers with Mr. Young of Florida.

Mr. Garmatz with Mr. Patman.

Mr. Delaney with Mr. Symington.

Mr. Culver with Mr. Scheuer.

Mr. Corman with Mr. Bob Wilson.

Mr. Stephens with Mr. Badillo.

Mr. Blanton with Mr. Harrington.

Mr. Ullman with Mr. Long of Louisiana.

Mr. Smith of Iowa with Mr. Edmondson.

Mr. Flynt with Mr. Pryor of Arkansas.

Mr. Meeds with Mr. Miller of California.

Mr. Melcher with Mr. Rarick.

Mr. Eckhardt with Mr. Rangel.

Mr. Hagan with Mr. Ryan.

Mr. Nichols with Mr. Nedzi.

Mr. Moss with Mr. McCormack.

Mr. Preyer of North Carolina with Mr. Landrum.

Mr. Stuckey with Mr. Perkins.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, as well as on the next bill to be considered, which is S. 3463.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

TO PROVIDE COPIES OF THE DAILY AND SEMIMONTHLY CONGRESSIONAL RECORD TO LIBRARIES OF CERTAIN U.S. COURTS

Mr. BRADEMAS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3463) to amend section 906 of title 44, United States Code, to provide copies of the daily and semimonthly CONGRESSIONAL RECORD to libraries of certain U.S. courts.

The Clerk read as follows:

S. 3463

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that clause of section 906 of title 44, United States Code, relating to the furnishing of bound copies of the Congressional Record to libraries of the United States courts of appeals and certain other courts, is amended by inserting immediately before "one bound copy" the following: "one copy of the daily, one semimonthly copy, and".

The SPEAKER pro tempore. Is a second demanded?

Mr. VEYSEY. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 3463 amends section 906 of title 44, United States Code, to provide copies of the daily and semimonthly CONGRESSIONAL RECORD to libraries of certain U.S. courts.

Under existing law, the libraries of the following U.S. courts are authorized to receive one bound copy of the CONGRESSIONAL RECORD:

U.S. courts of appeal, 11;

U.S. district courts, 93;

U.S. Court of Claims;

U.S. Court of Customs and Patent Appeals;

U.S. Customs Court;

Tax Court of the United States; and

U.S. Court of Military Appeals.

S. 3463 would authorize these libraries to receive one copy of the daily and semimonthly CONGRESSIONAL RECORD as well. Since delivery of the bound volume of the CONGRESSIONAL RECORD is often delayed for over a year, the authorization in S. 3463 would assure that these libraries would receive a copy of the daily and semimonthly CONGRESSIONAL RECORD on a current and regular basis.

Important information is included in the RECORD every day—information that often has an immediate bearing on litigation before these U.S. courts. In considering this measure, the committee determined that the RECORD should be available on an immediate basis to those libraries of the U.S. courts that express an interest in receiving this information.

Section 906 provides that bound volumes of the Congressional Record be furnished to those libraries of the U.S. courts that request it. Records indicate that 29 libraries have requested and are receiving this bound edition.

If S. 3463 is enacted and only these 29 libraries request copies of the daily and semimonthly Records, the additional estimated cost per year would be $4,771. If all authorized libraries of the U.S. courts request these volumes of the Congressional Record, the estimated additional cost per year would be $12,668.

Mr. VEYSEY. Mr. Speaker, I have no requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. Brademas) that the House suspend the rules and pass the bill, S. 3463.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DOES SENATOR McGOVERN ACCEPT OR REPUDIATE APPARENT ENDORSEMENT BY NORTH VIETNAM OFFICIAL?

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, an Associated Press wire service release bearing the date of July 28, 1972, has just come to my attention. Some of the statements contained therein attributable to Ngo Dien, Head of the Press and Information Department of the North Vietnamese Foreign Ministry, are rather informative, and I will take the liberty of quoting that press release here:

> Tokyo.—North Vietnam predicted Thursday that the election of Senator George McGovern as President of the United States in November "would lead to a correct and a peaceful settlement of the Vietnam problem."
>
> Ngo Dien, Head of the Press and Information Department of the North Vietnamese Foreign Ministry, and McGovern's "sweeping victory" at the Democratic Party Convention "is mainly due to his stand on the Vietnam Problem."
>
> "Mr. McGovern," Ngo Dien declared, "holds that all American bombing in Indochina would be stopped, that all American troops should be withdrawn from Indochina and end all military assistance to the Thieu regime," all with no preconditions.
>
> McGovern's position "is the opposite of that of Mr. Nixon who even now keeps carrying on the aggressive war, pursuing the Vietnamization, refusing to withdraw American troops and maintaining the Nguyen Van Thieu Administration," Ngo Dien said.
>
> He appeared at a news conference in Hanoi to make public a memorandum which exposed what he said was "an extremely serious war escalation move by the United States against North Vietnam." His remarks and the memorandum were distributed by Hanoi's Vietnam News Agency in a broadcast monitored in Tokyo.
>
> Answering questions by Newsmen, Ngo Dien said North Vietnam's view "is that the choice of the U.S. President is an internal affair of the American people." He added, however, that any candidate who wishes to gain the voters' support should respond to the people's most burning problems, including "the prompt ending of the war in Vietnam."
>
> McGovern's position "contains positive elements which would lead to a correct, peaceful settlement of the Vietnam problem," he said.
>
> Commenting on reports of U.S. bombing of North Vietnam, Ngo Dien asserted it was ridiculous to say the destruction of dikes was accidental. "If this is attributed to mistakes, then there have been too many mistakes," he said.

I now ask Senator McGovern, does he accept or repudiate the apparent endorsement by the North Vietnam official of his candidacy?

It is not difficult to understand why the North Vietnamese Government would like to have as President of the United States a man who will beg North Vietnam for forgiveness.

It will be less understandable if a candidate for President of the United States finds it to his advantage to receive the praise and blessing of a government whose armed forces have killed over 40,000 Americans and whose forces are today engaged in one of the rawest examples of aggression and barbarism in modern history.

SPEED OR WASTE?

(Mr. FUQUA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FUQUA. Mr. Speaker, much is said about the need for Government to be responsive to the people.

You would think that Members of Congress just might have reason to expect that agencies would be responsive to our inquiries in behalf of our people. It really should be that individual citizens could get a response in a reasonable period of time, rather than having to go through our offices.

Be that as it may.

On May 22, 1972, I wrote a letter to the U.S. Department of Labor with a very simple request. The Department had mailed out a publication entitled "Manpower" and had sent same by first class mail, necessitating an expenditure of 40 cents per issue.

This puzzled me in light of the declaration of the administration that it is the Congress, rather than the executive branch, that is responsible for the deficits that are piling up.

Well, I have just received a response. I hasten to mention that we called the Department of Labor on July 14 to find out why our letter had not been answered.

With extreme haste, they then got around to writing an answer on July 27.

Now in their response to me they had this to say:

> This is in reply to your letter requesting information on why the Manpower magazine is mailed first class.
>
> Manpower is the official monthly journal of the Manpower Administration. As a dated monthly periodical, it is felt that reasonable speed and dependability of delivery are important, both to the Manpower Administration and to subscribers. In the past, delivery could take as long as three weeks unless first-class mail was used.
>
> On July 1, 1972, the United States Postal Service initiated a new program enabling government agencies, under certain conditions, to use any class of mail. In the past, it was not possible for government agencies to use second-class mail. It is the policy of the Department of Labor that mailing cost be kept to a minimum. The Department of Labor is, therefore, now in the process of discussing the use of second-class mail for the Manpower magazine. Therefore, it appears that we will no longer need to use first-class mail for this puropse. Because an issue of the magazine is now in the final stages of printing and distribution, the present classification may continue for an additional month.
>
> We appreciate your bringing this matter to our attention, and assure you that we are making a concerted effort to reduce our mailing costs to a minimum.
>
> Frederick L. Webber,
> *Special Assistant for Legislative Affairs.*

Now you will note that they were very concerned about getting this monthly periodical out with speed. But they showed no such concern for my office and my constituent.

Is it too much to expect a reply to a letter written May 22 before over 2 months pass? I think not.

When a Member of Congress cannot get a reply for his constituent in over 8 weeks, heaven help the ordinary taxpayer.

In making these remarks, I would note that I am going to send them to Secretary Hodgson after their publication and urge him to take steps to see that Members of Congress get an answer to their inquiries and that at least as much concern be shown us as they have in the waste of money in sending this magazine by first-class mail in the first place.

ASPIN REVEALS $3.6 BILLION COST INCREASE ON B-1

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. Aspin) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, officials of the Office of Systems Analysis in the Pentagon have estimated that the B-1 cost are underestimated by at least $3.6 billion—increasing the cost of the program by a whopping $3.6 billion.

These officials project the cost of the B-1 bomber at $60 million per plane as opposed to the official Air Force estimate of $45 million for each aircraft.

Mr. Speaker, I am calling today on the Secretary of Defense Melvin Laird to resolve this obvious dispute within the Pentagon and present new costs estimates to the Congress. Before the Congress approves this year's $445 million request for the B-1, this controversy must be settled.

The upshot of this development is that the Air Force is guilty of attempting to deceive the Congress and the American people about the true cost of the B-1 bomber.

As my colleagues know, since the signing of the SALT treaty Secretary Laird has linked his own support of the accord with continued development and eventual procurement of the B-1 and Trident submarine. I hope that Secretary Laird will be willing to reconsider his support of the B–1 in light of the fact that the program will be much more costly than originally anticipated.

Also, I am informed that there may be additional cost increases. Systems analysis in some of its estimates accepts the assumption of the Air Force that the B–1 will contain only 3,800 pounds of electronic equipment despite the fact that space is available for 10,000 pounds. Each additional pound of electronic equipment is expected to cost an additional $1,400 for each plane. If the Air Force places a full 10,000 pounds of electronic gear on the new B–1, the cost may increase another $2 billion.

Not only is the B–1 bomber extremely costly, but I believe it is also an unnecessary addition to our inventory of weapons systems. The United States has a large fleet of B–52 G & H bombers which can be modernized with the SRAM missile and provide an excellent bomber attack force.

In the long run, since the United States already maintains a large number of nuclear power ballistic submarines and land based intercontinental ballistic missiles, it may be wise to seriously consider dropping our strategic bomber force. In any case, the building of the B–1 bomber is a mistake.

OPENING DIVERTED ACREAGE TO CATTLE GRAZING CAN HELP KEEP BEEF PRICES DOWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, spiraling food prices—particularly meat prices—have had a disastrous effect on the budget of the typical American household. The latest evidence is the Department of Agriculture's disclosure this past week that food prices climbed in June at an annual rate of well over 10 percent. Meat, and in particular beef, once again led the parade.

Agriculture experts tell us that, insofar as beef is concerned, supply limitation in the face of rising demand by the public is a key factor in the problem.

With that in mind, I urged the administration more than a month ago to take what seems to me a particularly promising approach.

Specifically, I noted that some 58 million acres of land are presently held out of crop production, under the Agricultural Act Amendments of 1965. And only a small portion of these set-aside lands—lands on which farmers are paid up to $65 an acre not to grow crops—may be used for grazing cattle during the summer growing season.

While holding these lands fallow may have made sense initially, other considerations are now overbalanced by the beef supply shortages which are reflected in rising prices to the consumer. We need more grazing land if we are to have more beef, and so keep costs within reasonable bounds.

The 1965 act should be interpreted to open the fallow land to grazing as swiftly as possible.

Walter Wilcox, senior specialist in agriculture with the Library of Congress, has estimated that more than a third of this acreage is suitable for grazing now. This would support a potential increase in U.S. herds of up to 4 million head.

And I stress that, under the 1970 Agricultural Act, the Secretary of Agriculture has the authority to change the use of set-aside lands "in order to prevent or alleviate a shortage." There is no doubt that a beef shortage exists. The Secretary could help to correct it, virtually by a stroke of the pen.

Mr. Speaker, I was gratified to note that, soon after I initially made my proposal, a top official of the American Meat Institute took favorable notice of the idea of using the diverted acreage for beef production.

Aled P. Davies, vice president of the industry group, made his comments in a June 29 speech to Montana livestock producers, meeting in Kalispell, Mont.

Mr. Davies said:

> As the Congress and the President, whoever he may be next year look forward to preparing an agricultural program for the coming years, there is no question in my mind but that those who represent the urban voices in the Congress will look at the thousands of diverted acres in this country that are not now being utilized to produce beef.

He continued:

> They ask—and one cannot blame them—if government policy has been directed to controlling surpluses that are an economic load both to the country and to agriculture, why cannot government policy be outlined to encourge the production of what we want, namely, meat and especially beef?
>
> I fully recognize that cattlemen who have survived, prospered and suffered through long periods to brings us where we are today in meat production look askance at suggestions that the government should pay the grain farmer for diverting his acres from grain and also allow him to produce cattle in competition with unsubsidized cattle producers, and rightly so. But possibly some form of compromise could be worked out where the basic right to produce grain on reserve acres could be preserved and yet the diverted acreage be used to produce beef cattle with a suspension in diversion payments. Specifically, my suggestion would be to allow the grain growers to preserve his historic acreage base, but give him the option of using such acreage without payment if he choose to enter the cow business.
>
> I think that I am safe in saying that there will be more and more demand for policies and programs that will encourage agriculture to produce what consumers want rather than piling up those things that they do not seem to want in the amounts that we can produce them.

Mr. Speaker, it is clear that the problem of a beef supply limited by the lack of sufficient suitable grazing land for cattle herds will not go away by itself. Action is needed right now to help assure adequate supply in future years. I call upon the administration once again to take the necessary steps to open set-aside lands to grazing.

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DAVIS) is recognized for 10 minutes.

Mr. DAVIS of South Carolina. Mr. Speaker, I rise to call attention to the golden anniversary of the Order of Ahepa. This fine organization was founded this months in Atlanta, Ga., in 1922. Today, the good deeds of AHEPA are known across the country and the membership rolls have grown to 430 local chapters. The Order of Ahepa has spread to Canada and Australia.

It gives me great pleasure to report the First Congressional District in South Carolina is ably represented in the Order of Ahepa. President John B. Carroll, Vice President George J. Morris, Secretary Ted N. Gianaris, Treasurer Constantine N. Palassis, Supreme Governor John G. Speliopoulos, and all the members of the local chapter of AHEPA in Charleston, S.C., are to be cited for their outstanding display of community spirit and progressive leadership. Supreme President Sam Nakis and his fellow national and international officers are to be commended for maintaining the high standards and forward thinking of the organization.

Today, as in times past, AHEPA stands ready to come to the aid of people in need. Today, as in times past, AHEPA is a leader in the community educational projects. In the course of the past 50 years, AHEPA has contributed to war orphans, boys homes, hospitals, libraries, refugees, and student scholarships. AHEPA has sent disaster relief to victims of hurricanes, floods, and earthquakes.

Who can forget the $500 million worth of war bonds which AHEPA sold in World War II?

On this 50th anniversary, let us offer thanks for the many lives that AHEPA has touched in the past 50 years, and to also offer them every success in the years ahead.

DRUG TRAFFIC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WOLFF) is recognized for 15 minutes.

Mr. WOLFF. Mr. Speaker, today, newspapers across this Nation carried a syndicated report concerning the seizure and destruction of some 26 tons of opium in Thailand on March 7, 1972. According to Columnist Jack Anderson, the CIA and other Federal agencies have learned that only about 5 tons out of the 26 were actually opium, the rest was reportedly cheap fodder.

My colleagues are well aware of my persistent efforts to expose the major role of Thailand in the illegal and deadly heroin traffic in the Far East. On March 8, 1972, I addressed the House on this grave matter and commended the Thai Government for their action in burning the 26 tons which they had said was a rebuttal to my charge that Thailand was not taking adequate steps to halt the drug trade.

If much of this seizure was not, in fact, opium, then I must again cite this as an example of the lack of cooperation which we have been receiving. The commitment of the Congress to halting drug traffic at its source caused the Foreign Affairs Committee to adopt, with only one dissenting vote, my amendment to halt aid to Thailand because of its role in narcotics traffic.

If there was deception on the part of the Government of Thailand in this case, it would not be without precedent in the conduct of international relations. However, what really concerns me is the possibility of deception on the part of our own government which would have been specifically calculated to stem the intense congressional criticism of our antinarcotics efforts in Southeast Asia.

Let us look at the record on this matter. In March 14 Secretary Rogers and Mr. Newman of the State Department testified before the Foreign Affairs Committee. In response to my questions that day, they officially confirmed earlier press reports of the destruction of the opium.

Saturday's edition of the New York Times carried an op-ed article by Nelson Gross, the senior adviser and coordinator for international narcotics matters of the State Department. Mr. Gross devotes an entire paragraph to explain the collection and destruction of the opium in Thailand.

> In its efforts to control the situation, the Thai Government has also initiated a resettlement program for the old Kuomintang Chinese irregular forces by which the Kuomintang would turn over all their opium stocks to the Government and cease their involvement with narcotics in return for land upon which to permanently resettle. Twenty-six tons of Kuomintang opium were burned by Thai officials on March 7, 1972.

Because of my active interest in this problem, I have received numerous "leads" during the past few months. Recently, I received several unconfirmed reports that the opium burning may not have been genuine. Naturally, I did not, and still will not, charge that I have been deceived. However, last Thursday, the State Department did inform a member of my staff that there was no truth to such rumors and that two BNDD agents were at the scene of the burning and did test samples from the seizure.

As Members of Congress and specifically the Foreign Affairs Committee, we expect to receive all reports on narcotics matters, not just the favorable ones. I demand to see all of the information available on this case and if this material is not forthcoming, I will request the distinguished chairman of the Foreign Affairs Committee to hold an inquiry in this matter.

At this point, Mr. Speaker, I should like to make a few comments on another matter of great importance, far removed from the drug trade in Thailand. I have just returned from a visit to the Federal courthouse in Fort Worth, Tex., where I met with a constituent of mine, Mr. Thomas Laffey.

Mr. Laffey, along with four other New Yorkers, is being held in the Tarrant County jail in Fort Worth for civil contempt of court. He has been incarcerated for more than 1 month. He has not been charged with any crime or wrongdoing, nor has bail been set in his case. He is being held prisoner for his refusal to answer certain questions posed by the Federal grand jury which has been impaneled in the northern district of Texas.

Perhaps, Mr. Speaker, the fate that has befallen Mr. Laffey's family is not unlike that of many other families of prisoners. His children are left without their father; his wife is left without the necessary means of support. His family, which had been sustained by his work as a real estate agent, must now look toward the indignity of welfare to sustain them.

Yet, this case is different. All of these men reside in the New York metropolitan area. However, they were summoned more than 1,500 miles away to appear before a Texas grand jury. All of these men are being held without bail. Even the alleged assassin of Governor Wallace has had bail set for his crime. They are being held without charges and can be held without benefit of speedy trial for the life of the grand jury—in this case 18 months. Even if they are released at the end of the 18 months, the impaneling of another grand jury could put these men right back in jail. This, it seems to me, is hardly compatible to the fundamental right of habeas corpus and freedoms which are guaranteed by our Constitution.

Mr. Speaker, the occasion of my visit was the first time in 1 month that Mr. Laffey had seen natural light. I submit that this is not proper treatment for a man who has neither been charged with nor convicted of a crime. In fact, he is not even provided the same quality of facilities and programs that are afforded to even federally convicted felons.

As I met with him in the heat of the Texas summer and as I have thought about it for the past 2 days, I continue to be shocked and worried that this case could set a precedent for the type of preventive detention inconsistent with democracy. I do not know whether Mr. Laffey is innocent or guilty. I personally told him that if he were found to be guilty, I would be in favor of his receiving the full sentence of the law. But the fact is that in this Nation a man is still innocent until proven guilty and there is a basic principle of the right to bail and a speedy trial involved in this case.

I traveled to Texas to visit him to demonstrate my commitment as a lawmaker to these basic principles: I do not want them to be stripped away from the fabric of this Nation's legal system. I cannot help but feel that the type of treatment afforded to Mr. Laffey in this matter is not unlike that which I saw just 3 weeks ago at the Long Kersh Detention Camp in Northern Ireland—people held for months on mere suspicion without trial.

When Mr. Laffey's family, and subsequently, Mr. Laffey himself called upon me to help them, I responded because this case does not affect them alone: it affects all of us. If I can take the man at his word, he swore to me that he had never been to Texas, known anyone in Texas, written anyone or called anyone in Texas. He was shocked to be subpenaed to appear in Fort Worth, and now this veteran of our Armed Forces is wondering what kind of justice America really provides to her citizens.

These are some of the issues at stake in this case and why I continue to bring the plight of one man to the attention of my colleagues and the American people. These are the reasons which have prompted me to call for a congressional inquiry by the Government Operations Committee in the role of the Justice Department in this case. Certainly the innocence or guilt of these individuals is a matter for the courts to decide. However, the question of these men's basic constitutional rights and personal freedom is a matter which must concern us as their elected representatives.

I have also requested a meeting with the appropriate officials of the Justice Department to be briefed further on this case. I am not seeking to intervene in the operation of a separate branch of Government. However, I feel it is my duty to see that not only the constitutional rights of these men, but of all Americans is not infringed upon by proceedings which raise the kind of questions that I have discussed.

THE 50TH ANNIVERSARY OF THE ORDER OF AHEPA

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, About 50 years ago in the city of Atlanta, Ga., the national fraternity of the Order of Ahepa was established. The word AHEPA is an acrostic, and is derived from the initials of the American Hellenic Educational Progressive Association. This group and three other separate organizations, the Daughters of Penelope, the Sons of Pericles, and the Maids of Athena, work in cooperation towards such objectives as promoting and developing good citizenship, education, and fellowship in this Nation and around the world. From here in the United States where the group originated, the organization has now branched out and established groups in Canada and Australia.

The Order of Ahepa by working at the local, district, and national levels has achieved a great deal towards attaining the goals they have set for themselves. Some of the many various contributions this organization has made are relief programs to help victims of natural disasters, National Scholarships for deserving students, relief programs for war refugees in many parts of the world, establishment of the Dr. George Papanicolaou Cancer Research Institute of Miami, and many other services, including the sale of 500 million dollars worth of U.S. war bonds during World War II as an official issuing agency of the U.S. Treasury.

I would like to congratulate this group for their accomplishments and thank them for the great service they have rendered for this Nation and others. A special thanks goes out to the men who serve as officers in this organization in my own district, Mr. Ernest Macrides, Peyer K. Marinos, Robert J. Harris, and Kikos Athanas. Men like these and their organization show the great humanitarian and national devotion of the American People.

CAPTIVE NATIONS' WEEK

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, this week as in the past 13 years, we must again mark the existence of a Captive Nations Week. It is a pity that such a Commemoration has to exist, just as it is a pity that these several nations must exist bound by the shackles of the Kremlin's slavery.

Since the development of a tribal organization among men when one nation has tried to encroach upon the property and the rights of another nation, the invading nation has had to revert to the use of treachery and bloodshed. Now the Communists of the U.S.S.R. have forcefully stamped their dreadful monogram upon the homelands and possessions of the captive, East European people, but as yet their attempts to stamp their mark onto the hearts, souls and minds of these proud, relentless people have been fruitless.

As the citizens of these imprisoned nations have not given their very beings into the indomitable forces or their countrymen living on foreign soil, including the United States, quit the fight, neither shall we, the United States, as an entire nation, deny these nations our support. We must also proclaim and make known to the rest of the free world the bitter truth of the Moscow tyranny and pledge ourselves to affording the people of Albania, Poland, Hungary, Rumania, Bulgaria, Estonia, Latvia, Lithuania, the Ukraine, East Germany, and Czechoslovakia a degree of hope that in the end they shall against all odds have what is rightfully theirs.

A WELFARE REFORM PROGRAM WHICH SEEMS TO MAKE SENSE

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, the Senate has before it a welfare reform program which appears to make more sense than other pending welfare measures in the Congress. It proposes realistic reforms. The bill, by Senator Russell Long, chairman of the Senate Finance Committee, would place emphasis in getting people to work rather than getting them on welfare programs. It is universally accepted that something must be done to stem mounting costs of welfare. It is disturbing that there now seems little progress on the bill despite the fact it is highly important that a welfare reform measure be enacted into law during this session.

Let us start out with the premise that those who need help should get it. This includes those who cannot work. Those who are aged or infirm in particular should have the steadying hand of Government ready to offer assistance. These latter are actually in need of more generous help from the Government than they are receiving. They are the ones for whom welfare really is intended.

One of the principal weaknesses in present welfare programs has been in the Aid to Dependent Children program. Under Senator Long's plan, recipients would be compelled to take jobs if they are physically able to work. Some of them would receive Federal subsidies for lower paying jobs in order to insure them a livelihood. It also would create a Federal work agency which would insure that useful jobs are available if none are to be had in the private sector.

Most important among the innovative features of the proposal are those which would revoke Federal assistance to any family if the adult in that family refuses to work.

For too long, welfare cheaters and just plain lazy people have hidden behind the faces of hungry children and, in effect, have dared the Government to deny them a livelihood. Many of them flatly refuse to accept or even to look for a job. The American people are very tired of this situation.

Many families with working parents receive far less in wages than do some of the welfare recipients who do nothing but feed from the public trough. We can sympathize with the needy, but not with the greedy.

Senator Long's proposal, or some other realistic measure, should receive the strong support of the Congress. The costs of welfare are going right through the ceiling. As it presently is constituted, the program provides an open invitation for the growth of bureaucracy and for mistakes, delays and abuses from mounting confusion between Federal, State, and local welfare agencies. Latest figures show there are 15 million Americans on welfare. The number is growing rapidly. It is time for a change.

SALUTE TO EDUCATION

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, today as I join my colleagues and the National Education Association in a "Salute to Education," I hesitate to praise the entire educational system of this Nation. If, in this, my salute, I am expected to praise without seeking to remedy, I might as well be expected to salute the educational "flag" for the "colors of its cloth."

As a former school teacher and administrator, I have firsthand knowledge of the many strides the educational system has made. Our schools are better equipped than I could ever have imagined as a young man teaching in Colorado. Our teachers are specialists, better trained to aid the student in discovering and transmitting his talents and ambitions to the needs of the Nation. The schools are avenues by which youth can learn to compete and coexist in the adult community. More students than ever before are planning to attend colleges and universities.

However, we are faced with major problems which overshadow this progressive education. The Nation has learned that more classrooms and college preparatory classes do not appeal to the potential drop-out. The quest for better quantity has led us to over-population in many career positons. Our constituents have begun to say "No" to increases in taxation in order to build more. The educational "ideal" has seemingly taken the place of "ideas" in education.

I am not downgrading the values of education. However, I am saying that we must re-evaluate our priorities; noting success with failure, past with present, and learn ourselves.

The "weavers" of the educational system of this Nation knew that they would be the "cornerstone" of a strong nation. They taught that all youth has a place in life whether he be scientist, laborer, executive, technician, secretary or educator and gave him the tools by which he could maintain his pride in a nation of proud men.

It is time that we join together in utilizing the tools which we have to build our country. It is time that we "pledge allengance to the flag of quality education for all" and thereby give our "salute" true meaning.

NEW YORK SCHOOL SAFETY PLAN

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, the new plan to improve safety and security in the New York City schools recently announced by the board of education is a commendable one. I am encouraged particularly by the change of emphasis in the new plan toward trained civilian patrols in the schools rather than uniformed police. This is an approach which has worked successfully in other school systems in major cities, and which I recommended in conjunction with the Safe Schools Act which I originated and introduced in the House early in 1971.

The Safe Schools Act, Mr. Speaker, would provide Federal funds to school districts for the purpose of developing and implementing plans to better assure the physical security of school students, personnel, and property. Federal funds under existing educational programs have not been generally available for this purpose, though I am aware of no legislative provision so restricting the use of currently available funds. But it is clear that, in view of the seriousness of the crime problem in many of our schools and the lack of information and resources in the educational community for dealing with this problem, that a legislative mandate and additional funds are needed specifically to enable school districts to assure an atmosphere in the schools that is free from fear of harm and destruction.

I think the plan recently announced by the New York City School Board is a most promising one, and the considerable cost of carrying it out will be well worth the price to the youngsters, teachers, school administrators, and parents of New York City. I am hopeful that the Safe Schools Act, or similar legislation, will be enacted in the near future to provide needed funds for such programs.

Mr. Speaker, a report on the new New York school safety plan by Iver Peterson from the July 28 issue of the New York Times follows:

School-Safety Plan Is To Start With Special Training of Aides

(By Iver Peterson)

The Board of Education yesterday made public its school safety plan to "get the cops out of the schools" and replace them with specially trained but unarmed men and women who will work with students and the surrounding community in an effort to prevent school violence.

Eldridge Waith, the 54-year-old former commander of the city police in northern Manhattan, was introduced by Chancellor Harvey B. Scribner as the board's first chief administrator for school safety. Mr. Waith will head the program.

Under the plan, presented at a news conference in the Warwick Hotel, 65 West 54th Street, about 200 "school service officers" will be trained by next September to take over security duties from the more than 200 uniformed police-trained security guards now assigned to the city's 1,000 elementary and 93 high schools.

AIM IS SPECIFIED

The service officers, Dr. Scribner said, "will be trained both in public-safety measures and in basic principles of human relations."

"Simply put," the Chancellor continued, "the objective is to place trained people in the schools who can work constructively with students and staff to make the schools less prone to incidents, and who can cope rationally and effectively with incidents when they do occur."

The present staff of security guards will have the option of applying for training and rehiring as service officers. Applicants will be screened for their suitability for the new jobs.

Requirements for selection as service officers will be a high school diploma, familiarity with the community surrounding a given school, and "attitude."

In all cases, Mr. Waith and Dr. Scribner emphasized, the service officers will be under the control of the school principals, who will be ultimately responsible for maintaining school safety.

The plan calls for training and hiring 10 two-man teams of "school service coordinators" to make the rounds of certain schools and advise the service officers, as well as to "act as my eyes and ears" in the schools, as Mr. Waith put it.

The entire program may be expanded to include as many as 450 service officers once it is under way, Mr. Waith said. Its yearly cost was put at about $3.4-million, with a third of the amount coming from city funds, a third in Federal money and the rest yet to be found, Dr. Scribner said.

Police Commissioner Patrick V. Murphy was present at the news conference and said the new plan "has a great deal of promise." He made a wry but approving face when Mr. Waith, who was once under Mr. Murphy's command, described his aims:

"I'd like to see Commissioner Murphy put out of business—that is, to keep the cops out of the schools. Cops don't have any business in schools."

Mr. Waith said he wanted men and women between 21 and 45 "who can enter a school, establish rapport with the students, and act as a guide, as a counselor to them, and at the same time, who will be able to act if a security incident occurs."

WOULD CALL THE POLICE

"I want to get the cops out of the schools, and I want to put an ex-cop in—Eldridge Waith," Mr. Waith said with a grin.

But he added that he would not hesitate to call in police if they were needed.

About half of the 200 school service officers who will be trained by next fall will be assigned among the city's high schools, which are under the jurisdiction of the central board, Mr. Waith said, and the other half would go to the elementary and intermediate schools of the decentralized community school districts.

The community school boards in each district will have the right to request the service officers or to reject the project entirely, he said.

SCRIBNER NAMED GROUP

School principals will be invited to take training in "group relations" to help them handle incidents stemming from social and racial conflicts, according to a report on the plan released by the board.

The over-all plan is the product of a study by a group of professors and urban experts appointed by Dr. Scribner last year. The thrust of the 33-page document is that school safety officers must "assume a preventive, service-oriented role rather than that of enforcers of the law."

"It is not desirable to have service officers attend police academies, mix with police officers and acquire a police philosophy," the group's report states. "A successful school safety program must contribute toward the educational process and the improvement of group and interpersonal * * *.

Mr. Waith's salary will be $32,500.

The school service officers will be paid $6,500 a year, and the coordinators, who will be required to have a college degree, will receive $12,500 according to the report.

THE WORLD TRADE CENTER AND TV RECEPTION IN NEW YORK CITY

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, a situation has arisen in New York City regarding television reception that demands immediate attention by the executive branch.

Since the World Trade Center, a twin-tower skyscraper, was constructed in the city, my constituents in the Bronx have been plagued with severe problems with their television reception. Some time ago, the New York Port Authority, which controls the World Trade Center, agreed to relocate television antennas from the Empire State Building—their present site—to the top of the World Trade Center anticipating that television reception problems would develop as the towering Trade Center took shape. But now the port authority appears to be reneging on its commitment for no apparent good reason.

The nine television stations in New York with antennas on the Empire State Building have filed applications with the Federal Communications Commission to relocate their antennas to the World Trade Center. The port authority, however, has filed documents with the FCC contesting and opposing such a move.

I think it is deplorable that the comfort and convenience of people in their own homes might be upset by construction of a building over which they had no real control and the reluctance of the port authority to meet its obligations. It is imperative that the people of the Bronx and other areas of the city where TV reception may be adversely affected not be victims of the maneuvering of the port authority. It is well established that the airwaves belong to the public and the convenience of the public should come first in determining the location of TV antennas. As a public body, the port authority is particularly remiss in resisting this change in antenna location that would improve television reception for substantial numbers of New Yorkers, and I have sent the following letter to the Chairman of the Federal Communications Commission urging the Commission to require the port authority to make good on its commitments and to approve the applications of the television stations to relocate their TV antennas to the World Trade Center:

FEDERAL COMUNICATIONS COMMISSION,
July 26, 1972.

Commissioner DEAN BURCH,
Chairman, Federal Communications Commission, Washington, D.C.

DEAR COMMISSIONER BURCH: I am very concerned about the situation in New York City regarding the TV antennas on the Empire State Building.

A number of my Bronx constituents wrote to me recently complaining about the shadowy TV reception on their sets since the World Trade Center was completed. As you know, the Port Authority originally agreed to move the antennas from the Empire State Building to the World Trade Center but now is apparently seeking to renege on its commitment.

In a letter from Wallace E. Johnson, Chief, Broadcast Bureau, Federal Communications Commission, of July 21, 1972, I was advised that nine television stations operating from the Empire State Building filed applications to move their antennas to the World Trade Center but that the Port Authority filed opposition applications.

I understand that the FCC is working on a plan for testing both sites and will meet with representatives of the TV stations and World Trade Center to discuss the plan. But, notwithstanding that meeting or the results of the tests it is still a fact that people in the Bronx are getting poor TV reception since the World Trade Center went up.

It is imperative that the people of the Bronx and other areas of the city where television reception may be adversely affected not be the victims of the maneuvering of the Port Authority. I strongly urge you to approve the applications of the television stations.

Sincerely,

JONATHAN B. BINGHAM.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CORMAN, for today, on account of official business.

Mr. FOLEY (at the request of Mr. MAZZOLI), for today, on account of family illness.

Mr. FOUNTAIN (at the request of Mr. GIAIMO), for today, on account of official business.

Mr. RYAN (at the request of Mr. GIAIMO), for today through August 11, on account of illness.

Mr. DANIELS of New Jersey (at the request of Mr. MAZZOLI), for this week, on account of official business.

Mr. ADDABBO (at the request of Mr. PODELL), for July 31, 1972, on account of official business.

Mr. STEIGER of Wisconsin (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business.

Mr. ROONEY of New York (at the request of Mr. PODELL), for Monday and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RONCALIO, for today, for 15 minutes, to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. MAZZOLI) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. ASPIN, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. REUSS, for 10 minutes, today.

Mr. DAVIS of South Carolina, for 10 minutes, today.

Mr. WOLFF, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. KEITH to extend his remarks following debate on H.R. 5741.

Mr. SCHMITZ to extend his remarks notwithstanding the estimate by the Public Printer of $1,147.50.

(The following Members (at the request of Mr. TERRY) and to include extraneous matter:)

Mr. BELL.

Mr. HOSMER in two instances.

Mr. STEIGER of Wisconsin in three instances.

Mr. DERWINSKI in two instances.

Mr. HARVEY in two instances.

Mr. SHRIVER.

Mr. MCCLORY in two instances.

Mr. ZWACH.

Mr. MCEWEN.

Mr. SCHERLE in 10 instances.

Mr. WHITEHURST.

Mr. BUCHANAN in two instances.

Mr. DUNCAN.

Mr. ARENDS.

Mr. COLLIER in three instances.

Mr. STEIGER of Arizona in two instances.

(The following Members (at the request of Mr. MAZZOLI) and to include extraneous matter:)

Mr. BEGICH.

Mr. DOW.

Mr. LINK in two instances.

Mr. MURPHY of New York.

Mr. GONZALEZ in three instances.

Mr. FLOOD.

Mr. JOHNSON of California.

Mr. RARICK in three instances.

Mr. GETTYS.

Mr. ANNUNZIO in two instances.

Mr. HUNGATE in two instances.

Mr. VAN DEERLIN.

Mr. DANIELSON.

Mr. HICKS of Washington.

Mr. ADAMS.

Mr. GRIFFIN in two instances.

Mr. WOLFF.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1682. An act to provide for deferment of construction charges payable by Westlands Water District attributable to lands of the Naval Air Station, Lemoore, Calif., included in said district, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On July 27, 1972:

H.R. 15950. An act to amend section 125 of title 23, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as a result of recent floods and other disasters; and

H.R. 15951. An act to authorize the Secretary of the Army to undertake a national program of inspection of dams.

On July 28, 1972:

H.R. 736. An act to designate certain lands in the Cedar Keys National Wildlife Refuge in Florida as wilderness.

ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, as a further mark of respect to the memory of the deceased Senator from Louisiana, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 26 minutes p.m.), the House adjourned until tomorrow, Tuesday, August 1, 1972, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 or rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(Pursuant to the order of the House on July 27, 1972, the following report was filed on July 28, 1972)

Mr. BLATNIK: Committee on Public Works. S. 1819. An act to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments after July 1, 1972, for relocation assistance made available under federally assisted programs and for an extension of the effective date of the act; with amendments (Rept. No. 92–1262). Referred to the Committee of the Whole House on the State of the Union.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2200. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 8371 of title 10, United States Code, to authorize officers of the Air National Guard of the United States to be considered for promotion to the Reserve grade of colonel by the Air Force Reserve overall vacancy board; to the Committee on Armed Services.

2201. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to improve the opportunity of nurses and medical specialists for appointment and promotion in the Regular Army or Regular Air Force, and authorize their retention beyond the mandatory retirement age; to the Committee on Armed Services.

2202. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting a report of the number of employees in each general schedule grade employed by the Environmental Protection Agency as of June 30, 1971, and June 30, 1972, pursuant to section 1310 of the Supplemental Appropriation Act of 1952; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15922. A bill to amend the Railroad Retirement Act of 1937 to simplify administration of the act (Rept. No. 92–1263). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15927. A bill to amend the Railroad Retirement Act of 1937 to provide a temporary 20-percent increase in annuities, and for other purposes (Rept. No. 92–1264). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee of conference. Conference report on H.R. 14108 (Rept. No. 92–1265). Ordered to be printed.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 12114. A bill to declare title to certain Federal lands in the State of Oregon to be in the United States in trust for the use and benefit of the Confederated

Tribes of the Warm Springs Reservation of Oregon; with amendments (Rept. No. 92-1266). Referred to the Committee of the Whole House on the State of the Union.

Mr. DANIELSON: Committee on the Judiciary. H.R. 13825. A bill to extend the time for commencing actions on behalf of an Indian tribe, band, or group; with an amendment (Rept. No. 92-1267). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONOHUE: Committee on the Judiciary. H.R. 15883. A bill to amend title 18, United States Code, to provide for expanded protection of foreign officials, and for other purposes; with amendments (Rept. No. 92-1268). Referred to he Committee of the Whole House on the State of the Union.

Mrs. SULLIVAN: Committee or Banking and Currency. S. 2499. An act to provide for the striking of medals commemorating the 175th anniversary of the launching of the U.S. frigate *Constellation* (Rept. No. 92-1269) Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 1071. A resolution providing for the consideration of H.R. 15989. A bill to establish a Council on International Economic Act of 1969, and for other purposes (Rept. No. 92-1270). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG (for herself and Mr. Podell):

H.R. 16095. A bill to amend title II of the Social Security Act to provide that full old-age, wife's, and husband's insurance benefits (and medicare benefits) shall be payable at age 60 (with such benefits being payable in reduced amounts at age 55), to provide that full widow's, widower's, and parent's insurance benefits shall be payable without regard to age, and for other purposes; to the Committee on Ways and Means.

H.R. 16096. A bill to amend title II of the Social Security Act to eliminate the special dependency requirements for entitlement to husband's and widower's insurance benefits, so that such benefits will be payable on the same basis as benefits for wives and widows; to the Committee on Ways and Means.

H.R. 16097. A bill to amend title II of the Social Security Act to reduce from 20 to 5 years the length of time a divorced woman's marriage to an insured individual must have lasted in order for her to qualify for wife's or widow's benefits on his wage record; to the Committee on Ways and Means.

H.R. 16098. A bill to amend title II of the Social Security Act to eliminate the "family maximum" provisions which presently limit the total amount of benefits that may be paid on an individual's wage record; to the Committee on Ways and Means.

H.R. 16099. A bill to amend title II of the Social Security Act to provide that the marriage or remarriage of a beneficiary shall not terminate his or her entitlement to benefits or reduce the amount thereof; to the Committee on Ways and Means.

H.R. 16100. A bill to amend title II of the Social Security Act to eliminate the duration-of-marriage and other special requirements which are presently applicable in determining whether a person is the spouse or former spouse of an insured individual for benefit purposes; to the Committee on Ways and Means.

H.R. 16101. A bill to amend title II of the Social Security Act to provide benefits for widowed fathers with minor children on the same basis as is presently provided for widowed mothers with minor children; to the Committee on Ways and Means.

H.R. 16102. A bill to amend title II of the Social Security Act to increase to $9,000 a year the amount of outside earnings permitted without deduction from benefits thereunder, and to provide that deductions from benefits on account of outside earnings in excess of that amount shall not exceed one-half of such excess; to the Committee on Ways and Means.

H.R. 16103. A bill to amend title II of the Social Security Act to provide that an individual who resides with and maintains a household for another person or persons (while such person or any of such persons is employed or self-employed) shall be considered as performing covered services in maintaining such household and shall be credited accordingly for benefit purposes; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 16104. A bill to amend section 109 of title 38, United States Code, to provide hospital and medical care to certain members of the armed forces of nations allied or associated with the United States in World War I or World War II; to the Committee on Veterans' Affairs.

By Mr. BROWN of Ohio:

H.R. 16105. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 16106. A bill to prohibit the exportation of crude petroleum and petroleum products of the United States during any time in which oil import restrictions are in effect; to the Committee on Banking and Currency.

H.R. 16107. A bill to establish the General Budget Office, and for other purposes; to the Committee on Government Operations.

H.R. 16108. A bill to deny percentage depletion in the case of oil which is exported from or imported into the United States, and to provide that intangible drilling and development deductions shall be recaptured where oil is so exported or imported; to the Committee on Ways and Means.

H.R. 16109. A bill to amend the Trade Expansion Act of 1962 in order to prohibit the sale, transfer of interest in, or exchange of allocation of imported petroleum; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 16110. A bill to establish the Airport Noise Curfew Commission and to define its functions and duties; to the Committee on

By Mrs. GRASSO:

H.R. 16111. A bill to amend the Internal Revenue Code of 1954 to provide an additional itemized deduction for individuals who perform voluntary public service by working for certain organizations; to the Committee on Ways and Means.

By Mr. HEINZ (for himself, Mr. Begich, Mr. Conover, Mr. Halpern, Mr. Johnson of Pennsylvania, Mrs. Hicks of Massachusetts, Mr. McDade, Mr. Runnels, and Mr. Schneebeli):

H.R. 16112. A bill to create a demonstration project for the maintenance of safe Federal-aid highways, other than interstate, by the most feasible economical methods; to the Committee on Public Works.

By Mr. KOCH (for himself, Mr. Burton, Mr. Railsback, and Mr. Thompson of New Jersey):

H.R. 16113. A bill to amend the Education of the Handicapped Act to provide for comprehensive education programs for severely and profoundly mentally retarded children; to the Committee on Education and Labor.

By Mr. THOMPSON of Georgia:

H.R. 16114. A bill to provide for the awarding of a Medal of Honor for Policemen and a Medal of Honor for Firemen; to the Committee on Banking and Currency.

H.R. 16115. A bill to provide a penalty for unlawful assault upon policemen, firemen, and other law enforcement personnel, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITEHURST:

H.R. 16116. A bill to amend the Horse Protection Act of 1970, to provide for criminal sanctions for any person who interferes with any person while engaged in the performance of his official duties under this act, and to change the authorization of appropriations; to the Committee on Interstate and Foreign Commerce.

By Mrs. ABZUG:

H.J. Res. 1266. Joint resolution authorizing the President to proclaim September 8 of each year as "National Cancer Day"; to the Committee on the Judiciary.

By Mr. GOODLING (for himself and Mr. Buchanan):

H. Con. Res. 655. Concurrent resolution designating October as "National Gospel-Rescue Mission Month"; to the Committee on the Judiciary.

By Mr. O'HARA (for himself and Mrs. Griffiths):

H. Con. Res. 656. Concurrent resolution expressing the sense of Congress that there shall be no general pardon or amnesty for those who evaded the draft or deserted the Armed Forces during the conflict in Vietnam; to the Committee on Armed Services.

By Mr. BIESTER (for himself and Mr. du Pont):

H. Res. 1069. Resolution authorizing employment of senior citizen interns for Members of the House of Representatives; to the Committee on House Administration.

By Mr. BOGGS (for himself and Mr. Gerald R. Ford):

H. Res. 1070. Resolution providing for printing as a House document the joint report to the House of Representatives by the majority and minority leaders on their recent mission to the People's Republic of China; to the Committee on House Administration.

SENATE—*Monday, July 31, 1972*

The Senate met at 10 a.m. and was called to order by the Acting President pro tempore (Mr. Metcalf).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, we thank Thee for the gift of this new day with its opportunities for growth in nobility of character and in service to others. May we so invest the hours as to enhance the welfare of the Nation and advance Thy kingdom on earth. Inspire us to break through and break down the barriers of prejudice and selfishness. Give us the courage to drive out all that corrupts and destroys the common life and grant us grace to preserve our own lives untarnished by evil ways. In all that we do help us to grow in the likeness of the Master of life. Be with all who work here this day and to those who travel give journeying mercies. Let Thy goodness and mercy follow us all of our days that we may dwell in the house of the Lord forever.

We pray in the Redeemer's name. Amen.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, July 28, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the call of the Legislative Calendar, under rules VII and VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSE CONCURRENT RESOLUTION 648, RELATING TO ADJOURNMENTS IN EXCESS OF 3 DAYS AND ADJOURNMENT SINE DIE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of House Concurrent Resolution 648 and that the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, the committee is discharged and the resolution will be stated.

The assistant legislative clerk read as follows:

H. CON. RES. 648

Resolved by the House of Representatives (the Senate concurring), That notwithstanding the provisions of sec. 132(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 198), as amended by section 461 of the Legislative Reorganization Act of 1970 (P.L. 91–510; 84 Stat. 1193), the House of Representatives and the Senate shall not adjourn for a period in excess of three days, or adjourn sine die, until both Houses of Congress have adopted a concurrent resolution providing either for an adjournment (in excess of three days) to a day certain, or for adjournment sine die.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (H. Con. Res. 648) was considered and agreed to.

THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of unobjected-to items on the calendar, beginning with No. 938 and proceeding through No. 945.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THOMAS JEFFERSON UNIVERSITY, PHILADELPHIA, PA.

The Senate proceeded to consider the joint resolution (S.J. Res. 199) to recognize Thomas Jefferson University, Philadelphia, Pa., as the first university in the United States to bear the full name of the third President of the United States.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The joint resolution was passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

Whereas the Jefferson Medical College of Philadelphia was founded in 1824 during the lifetime of its namesake, Thomas Jefferson;

Whereas the Jefferson Medical College of Philadelphia was given a university charter in 1838 by the State of Pennsylvania;

Whereas the Jefferson Medical College of Philadelphia has long represented and promoted the principles for which Thomas Jefferson stood;

Whereas the Jefferson Medical College of Philadelphia officially changed its name to the Thomas Jefferson University on July 1, 1969: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Thomas Jefferson University, Philadelphia, Pennsylvania, be and is hereby recognized as the first university in the United States to bear the full name of the third President of the United States.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–989), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the joint resolution is to provide that the Thomas Jefferson University, Philadelphia, Pennsylvania, is recognized as the first university in the United States to bear the full name of the third President of the United States.

STATEMENT

Thomas Jefferson advocated the creation of a national university near the Nation's Capital as early as 1786 and as late as 1807. Unfortunately. it never materialized. However, in 1824, the Jefferson Medical College of Philadelphia was founded and 4 years later was granted a university charter. On July 1, 1969, the college changed its name to Thomas Jefferson University.

The title, Thomas Jefferson University, was selected to honor one of the founders of our Nation and to specifically perpetuate his name. At the present time, it is the only university which bears his full name and since it stands for the principles promoted by Thomas Jefferson I felt that it is appropriate to offer my resolution today.

Jefferson University's president, Dr. Peter A. Herbut, rhetorically asked:

"What could be more fitting for such a monument that—a school which bears Jefferson's name and was created 2 years before his death—a school which is located in the City of Brotherly Love, only a stone's throw from the Graff House where he wrote the Declaration of Independence and another stone's throw from Independence Hall where the Declaration was signed, and—a school which is dedicated to the promotion of academic freedom advanced by Thomas Jefferson?"

The committee believes that this resolution has a meritorious purpose and accordingly recommends favorable consideration of Senate Joint Resolution 199, without amendment.

SUSAN A. QUILLIN

The bill (S. 2826) for the relief of Susan A. Quillin, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 301(b) of the Immigration and Nationality Act, the periods of time Susan A. Quillin has resided abroad as the dependent of a United States citizen serviceman, shall be held and considered to be continuous physical presence within the United States.

MICHELE KOTON

The bill (S. 3099) for the relief of Michele Koton was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, the periods of time Michele Koton has resided in the United States with her citizen parents shall be held and considered to meet the continuous physical presence requirement of section 301(b) of such Act.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–991), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to deem the periods of time Michele Koton has resided in the United States to meet the requirements of section 301(b) of the Immigration and Nationality Act, thus preserving her U.S. citizenship.

JUANITO SEGISMUNDO

The Senate proceeded to consider the bill (S. 2101) for the relief of Juanito Segismundo, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of section 101 (a) (27) (B) of the Immigration and Nationality Act, Juanito Segismundo shall be held and considered to be a returning resident alien and may be issued a visa and be admited to the United States for permanent residence notwithstanding the provisions of section 212(a) (19) of the said Act, if he is found to be otherwise admissible: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–992), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to deem Juanito Segismundo, the son of a U.S. citizen, to be a returning resident alien, and to waive the excluding provision of existing law relating to one who has procured a visa by fraud or misrepresentation of a material fact in his behalf. The bill has been amended to clarify the language and delete the requirement for the posting of a bond.

STATEMENT OF FACTS

The beneficiary of the bill is a 39-year-old native and citizen of the Philippine Islands, who presently resides in that country with his wife and four children. His father is a naturalized U.S. citizen and his mother is a permanent resident alien. The beneficiary entered the United States as an immigrant on December 26, 1961, on the basis of a visa issued to him as the unmarried son of a citizen of the United States when, in fact, he had married subsequent to approval of the visa petition granting him preferred status. The beneficiary was deported on July 10, 1965, after conviction of making a false claim in an immigration document, and without the waiver provided for in the bill, he cannot apply for a visa to return to the United States.

MARC STANLEY L. KOCH

The Senate proceeded to consider the bill (S. 3155) for the relief of Marc Stanley L. Koch, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, the periods of time Marc Stanley L. Koch has resided in the United States with his citizen parents shall be held and considered to meet the continuous physical presence requirement of section 301(b) of the said Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-993), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to deem the periods of time Marc Stanley L. Koch has resided in the United States to meet the requirements of section 301(b) of the Immigration and Nationality Act, thus preserving his U.S. citizenship. The bill has been amended to clarify the language in accordance with the recommendation of the Immigration and Naturalization Service.

AMENDMENT OF THE DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958

The Senate proceeded to consider the bill (H.R. 15580) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

TITLE I—AMENDMENTS TO DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACTS

SEC. 101. The salary schedule contained in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823) is amended to read as follows:

"SALARY SCHEDULE

"Salary class and title	Service step—								
	1	2	3	4	5	6	7	8	9
Class 1: Fire Private, Police Private	$10,000	$10,300	$10,800	$11,300	$12,100	$12,900	$13,400	$13,900	$14,400
Class 2: Fire Inspector	11,400	12,100	12,800	13,500	14,200	14,900	15,600		
Class 3: Detective, Assistant Pilot, Assistant Marine Engineer	12,500	13,125	13,750	14,375	15,000	15,625	16,250		
Class 4: Fire Sergeant, Police Sergeant, Detective Sergeant	13,580	14,260	14,940	15,620	16,300	16,980			
Class 5: Fire Lieutenant, Police Lieutenant	15,700	16,485	17,270	18,055	18,840				
Class 6: Marine Engineer, Pilot	17,150	18,005	18,860	19,715					
Class 7: Fire Captain, Police Captain	18,600	19,530	20,460	21,390					
Class 8: Battalion Fire Chief, Police Inspector	21,560	22,640	23,720	24,800					
Class 9: Deputy Fire Chief, Deputy Chief of Police	25,300	27,015	28,730	30,445					
Class 10: Assistant Chief of Police, Assistant Fire Chief, Commanding Officer of the Executive Protective Service, Commanding Officer of the U.S. Park Police	30,000	32,000	34,000						
Class 11: Fire Chief, Chief of Police	34,700	36,800							

SEC. 102. Section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823) is amended (1) by striking out "The" and inserting in lieu thereof "(a) Except as provided in subsection (b), the", the (2) by inserting after the salary schedule in that section the following:

"(b) Compensation may not be paid, by reason of any provision of this Act, at a rate in excess of the rate of basic pay for level F of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code."

SEC. 103. Section 201 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-824) is amended to read as follows:

"SEC. 201. The rates of basic compensation of officers and members in active service on the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 shall be adjusted as follows:

"(1) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of subclass (a) or (b) of salary class 1 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 1 in the salary schedule in effect on and after such date, and each such officer or member shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a) or (b) of salary class 1 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 1 in the salary schedule in effect on and after such date, and each such officer or member shall be placed in a service step as follows:

"From Class 1, subclass (a) or (b): Longevity step A—To Class: Service step 7.

"From Class 1, subclass (a) or (b): Longevity step B—To Class 1: Service step 8.

"From Class 1, subclass (a) or (b): Longevity step C—To Class 1: Service step 9.

"(2) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of subclass (a) or (b) of salary class 2 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 2 in the salary schedule in effect on and after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a) or (b) of salary class 2 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 2 in the salary schedule in effect on and after such date, and each such officer or member shall be placed in a service step as follows:

"From Class 2, subclass (a) or (b): Longevity step A—To Class 2: Service step 5.

"From Class 2, subclass (a) or (b): Longevity step B—To Class 2: Service step 6.

"From Class 2, subclass (a) or (b): Longevity step C—To Class 2: Service step 7.

"(3) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of salary class 3, 5, 6, 7, 8, or 9 in the salary schedule in effect on the day next preceding such effective date shall receive a rate of basic compensation at the corresponding scheduled service step and salary class in the salary schedule in effect on and after such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of salary class 3, 5, 6, 7, 8, or 9 in the salary schedule in effect on the day next preceding such effective date shall receive basic compensation at the corresponding salary class in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

"From Class 3: Longevity step A—To Class 3: Service step 5. Longevity step B— Service step 6. Longevity C—Service step 7.

From—Class 5: Longevity steps A and B—To Class 5: Service step 5.

"From Class 6, 7, 8, or 9: Longevity steps A and B—To Class 6, 7, 8, or 9: Service step 4.

"(4) Each officer or member receiving

basic compensation immediately prior to such effective date at one of the scheduled service step rates of subclass (a), (b), or (c) of salary class 4 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 4 in the salary schedule in effect on or after such date, and each shall be placed at the respective service step in which he was serving immediately prior to such date. Each officer or member receiving basic compensation immediately prior to such date at one of the scheduled longevity step rates of subclass (a), (b), or (c) of salary class 4 in the salary schedule in effect on the day next preceding such effective date shall be placed in and receive basic compensation in salary class 4 in the salary schedule in effect on and after such date, and each shall be placed in a service step as follows:

"From Class 4, subclass (a), (b), or (c)—To Class 4: Longevity step A—Service step 5. Longevity steps B and C—Service step 6.

"(5) Each officer or member receiving basic compensation immediately prior to such effective date at one of the scheduled service step rates of salary class 10 or 11 in the salary schedule in effect on the day next preceding such effective date shall receive a rate of basic compensation at the corresponding scheduled service step and salary class in the salary schedule in effect on and after such date, except that any such officer or member who immediately prior to such date was serving in service step 4 of salary class 10 or in service step 3 of salary class 11 shall be placed in and receive basic compensation in a service step as follows:

From Class 10: Service step 4—To Class 10: Service step 3.

"From Class 11: Service step 3—To class 11: Service step 2."

SEC. 104. Section 202 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, 4–825) is amended to read as follows:

"SEC. 202. Each officer or member of the Metropolitan Police force, Executive Protectective Service, and United States Park Police force assigned on or after the effective date of District of Columbia Police and Firemen's Salary Act Amendments of 1972—

"(1) to perform the duty of a helicopter pilot, or

"(2) to render explosive devices ineffective or to otherwise dispose of such devices.

shall receive, in addition to his scheduled rate of basic compensation, $2,100 per annum so long as he remains in such assignment. The additional compensation authorized by this section shall be paid to an officer or member in the same manner as he is paid the basic compensation to which he is entitled. No officer or member who receives the additional compensation authorized by this section may receive additional compensation under section 302."

SEC. 105. (a) Section 203 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–826) is amended to read as follows:

"SEC. 203. The aide to the Fire Marshal shall be included as a Fire Inspector in salary class 2."

(b Section 204 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–826a) is repealed.

SEC. 106. Section 302 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–828) is amended to read as follows:

"SEC. 302. (a) The Commissioner of the District of Columbia, in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, are authorized to establish and determine, from time to time, the positions in salary classes 1, 2, and 4 to be included as technicians' positions.

"(b) Each officer or member—

"(1) who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972—

"(A) was in a position assigned to subclass (b) of salary class 1 or 2 or subclass (c) of salary class 4, or

"(B) was in salary class 4 and was performing the duty of a dog handler, or

"(2) whose position is determined under subsection (a) to be included in salary class 1, 2, or 4 on or after such date as a technician's position,

shall on or after such date receive, in addition to his scheduled rate of basic compensation, $680 per annum. An officer or member described in paragraph (1)(A) or (2) shall receive the additional compensation authorized by this subsection until his position is determined under subsection (a) not to be included in salary class 1, 2, or 4 as a technician's position or until he no longer occupies such position, whichever occurs first. An officer or member described in paragraph (1)(B) shall receive such compensation so long as he performs the duty of a dog handler. If the position of dog handler is included under subsection (a) as a technician's position, an officer or member performing the duty of a dog handler may not receive both the additional compensation authorized for an officer or member occupying a technician's position and the additional compensation authorized for officers and members performing the duty of a dog handler.

"(c) Each officer or member who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 was assigned as a detective sergeant in subclass (b) of salary class 4 shall on or after such date, receive, in addition to his scheduled rate of basic compensation, $500 per annum so long as he remains in such assignment. Each officer or member who is promoted after such date to the rank of detective sergeant shall receive, in addition to his scheduled rate of basic compensation, $500 per annum so long as he remains in such assignment.

"(d) The additional compensation authorized by subsections (b) and (c) shall be paid to an officer or member in the same manner as he is paid the basic compensation to which he is entitled."

SEC. 107. Section 303 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–829) is amended to read as follows:

"SEC. 303. (a) Each officer and member, if he has a current performance rating of 'satisfactory' or better, shall have his service step adjusted in the following manner:

"(1) Each officer and member in service step 1, 2, or 3 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of fifty-two calendar weeks of active service in his service step;

"(2) Each officer and member in service step 4 or 5 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and four calendar weeks of active service in his service step;

"(3) Each officer and member in service step 6, 7, or 8 of salary class 1 shall be advanced in compensation successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and fifty-six calendar weeks of active service in his service step;

"(4) Each officer and member in salary classes 2 through 11 who has not attained the maximum service step rate of compensation for the rank or title in which he is placed shall be advanced in compensation successively to the next higher service step rate for such rank or title at the beginning of the first pay period immediately subsequent to the completion of one hundred and four calendar weeks of active service in his service step, except that in the case of an officer or member in service step 4, 5, or 6 of salary class 2 or 3, service step 4 or 5 of salary class 4, and service step 4 of salary class 5, such officer or member shall be advanced successively to the next higher service step at the beginning of the first pay period immediately subsequent to the completion of one hundred and fifty-six calendar weeks of active service in his service step.

"(b) As used in this title, the term 'calendar week of active service' includes all periods of leave with pay, and periods of nonpay status which do not cumulatively equal one basic workweek."

SEC. 108. Section 304 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–830) is amended to read as follows:

"SEC. 304. (a) Except as otherwise provided in subsection (b) of this section, any officer or member who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher salary class which exceeds his existing scheduled rate of basic compensation by not less than one step increase of the next higher step of the salary class from which he is promoted or transferred.

"(b) Any officer or member receiving additional compensation as provided in section 302 of this Act who is promoted or transferred to a higher salary class shall receive basic compensation at the lowest scheduled rate of such higher class which exceeds his existing scheduled rate of basic compensation by at least the sum of one step increase of the next higher step of the salary class from which he is promoted or transferred and the amount of such additional compensation."

SEC. 109. Section 305 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–831) is amended by (1) striking out "Commissioners" and inserting in lieu thereof "Commissioner", and (2) striking out "or Subclass" immediately after "Class".

SEC. 110. Section 401 of the Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–832) is amended to read as follows:

"SEC. 401. (a) (1) In recognition of long and faithful service, each officer and member in the active service on or after the effective date of the District of Columbia Police and Firemen's Salary Act Amendment of 1972 shall receive per annum, in addition to the rate of basic compensation prescribed in the salary schedule contained in section 101 of this Act, an amount computed in accordance with the following table:

"If an officer or member has completed at least: 15 years of continuous service: he shall receive per annum an amount, fixed to the nearest dollar, equal to: 5 per centum of the rate of basic compensation prescribed for service step 1 of the salary class of such salary schedule which he occupies.

"If an officer or member has completed at least: 20 years of continuous service, he shall receive per annum an amount, fixed to the nearest dollar, equal to: 10 per centum of such compensation.

"If an officer or member has completed at least: 25 years of continuous service, he shall receive per annum an amount, fixed to the nearest dollar, equal to: 15 per centum of such compensation.

"If an officer or member has completed at least: 30 years of continuous service, he shall receive per annum an amount, fixed to the nearest dollar, equal to: 20 per centum of such compensation.

"(2) For purposes of paragraph (1), continuous service as an officer or member includes any period of his service in the Armed Forces of the United States other than any period of such service (A) determined not to have been satisfactory service, (B) rendered before appointment as an officer or member, or (C) rendered after resignation as an officer or member.

"(3) Each officer and member shall receive additional compensation in accordance with paragraph (1) so long as he remains in the active service. Such compensation shall be paid in the same manner as the basic compensation to which such officer or member is entitled, shall be subject to deduction and withholding for retirement and insurance, and shall be considered as salary for the purpose of computing annuities pursuant to the Policemen and Firemen's Retirement and Disability Act and for the purpose of computing insurance coverage under the provisions of chapter 87 of title 5, United States Code. At such time as an officer or member for any reason retires under the provisions of the Policemen and Firemen's Retirement and Disability Act, the additional compensation he is receiving at the time of retirement by reason of the enactment of this section shall remain fixed for purposes of computing his retirement compensation and, at the time of his death, the annuity of any survivors.

"(b) Notwithstanding any other provision of this or any other law, individuals retired from active service prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, and who are entitled to receive a pension relief allowance or retirement compensation under the provisions of the Policemen and Firemen's Retirement and Disability Act, shall not be entitled to receive an increase in their pension relief allowance or retirement compensation by reason of the enactment of this section, except that each individual whose retirement was effective from and after December 31, 1971, but prior to such effective date shall, on the first day of the first month following such effective date, be entitled to receive the increase in his pension relief allowance or retirement compensation to which he would have been entitled by reason of the enactment of this section had such retirement occurred on or after such effective date."

SEC. 111. Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4–833) is amended by (1) adding "and the Executive Protective Service" immediately after "United States Police", and (2) striking out "or Sub-Classes" at the end of such section.

SEC. 112. The Act approved May 25, 1926 (D.C. Code, sec. 4–13), is amended (1) by inserting "(a)" immediately after "That", and (2) by adding at the end thereof the following new subsection:

"(b) The Chief of Police of the Metropolitan Police force, the Commanding Officer of the Executive Protective Service, and Commanding Officer of the United States Park Police force, are each authorized to provide a clothing allowance, not to exceed $300 in any one year, to an officer or member assigned to perform duties in 'plainclothes'. Such clothing allowance is not to be treated as part of the officer's or member's basic compensation and shall not be used for the purpose of computing his overtime, promotions, or retirement benefits. Such allowance for any officer or member may be discontinued at any time upon written notification by the authorizing official."

SEC. 113. (a) The Commissioner of the District of Columbia, in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, may—

(1) establish eligibility requirements for, and

(2) pay to any officer or member (other than an officer or member in salary class 10 or 11 of the salary schedule contained in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958) who (A) is in the force, Department, or Service under their jurisdiction, and (B) meets such eligibility requirements, additional annual compensation for successful completion of educational course work leading to a degree in police or fire science or administration. Such additional compensation shall be fixed to the nearest dollar and shall be payable at the rate of 2 per centum of the scheduled rate of basic compensation for service step 1 of salary class 1 of such salary schedule, in effect at the time of payment, for each fifteen acceptable credit hours of such educational course work completed, except that the rate payable may not exceed 16 per centum of such scheduled rate.

(b) The additional compensation authorized by this section shall be in addition to the basic compensation to which such officer or member is entitled and shall be paid in the same manner as such basic compensation. Such additional compensation shall not be subject to deduction or withholding for retirement or insurance and shall not be considered as salary (1) for the purpose of computing annuities pursuant to the Policemen and Firemen's Retirement and Disability Act, or (2) for the purpose of computing insurance coverage under chapter 87 of title 5, United States Code.

(c) Nowithstanding any other provision of this or any other law, individuals retired from active service prior to the effective date of this section and entitled to receive a pension relief allowance or retirement compensation under the provisions of the Policemen and Firemen's Retirement and Disability Act shall not be entitled to receive an increase in their pension relief allowance or retirement compensation by reason of the enactment of this section.

(d) This section shall take effect on the first day of the first pay period beginning on or after the sixtieth day following the date of the enactment of this Act.

SEC. 114. Subsection (h) of the first section of the Act approved August 15, 1950 (D.C. Code, sec. 4–904(h)), is amended by striking out "class 10" wherever it appears therein and inserting in lieu thereof "the salary class applicable to the Fire Chief and Chief of Police".

SEC. 115. Section 301 of the District of Columbia Police and Firemen's Salary Act of 1953 (D.C. Code, sec. 4–518) is amended—

(1) by striking out "Such" in the second sentence and inserting in lieu thereof "Except as otherwise provided in this section, such";

(2) by striking out the third sentence;

(3) by inserting "(a)" immediately after "SEC. 301." and by adding the following at the end thereof:

"(b) The increase prescribed by subsection (a) of this section in the pension relief allowance or retirement compensation received by an individual retired from active service before the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 under the Policemen and Firemen's Retirement and Disability Act as a result of the increase in salary provided by the District of Columbia Police and Firemen's Salary Act Amendments of 1972 shall not be less than 17 per centum of such allowance or compensation.

"(c) Each individual retired from active service and entitled to receive a pension relief allowance or retirement compensation under the Policemen and Firemen's Retirement and Disability Act shall be entitled to receive, without making application therefor, with respect to each increase in salary, granted by any law which takes effect after the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972, to which he would be entitled if he were in active service, an increase in his pension relief allowance or retirement compensation computed as follows: His pension relief allowance or retirement compensation shall be increased by an amount equal to the product of such allowance or compensation and the per centum increase made by such law in the scheduled rate of compensation to which he would be entitled if he were in active service on the effective date of such increase in salary.

"(d) Each increase in pension relief allowance or retirement compensation made under this section because of an increase in salary shall take effect as of the first day of the first month following the effective date of such increase in salary."

SEC. 116. (a) Section 2 of the Act of September 8, 1960 (D.C. Code, sec. 4–823b) is repealed.

(b) Section 2 of the Act of October 24, 1962 (D.C. Code, sec. 4–823c) is repealed.

(c) Section 102 of the Act of September 2, 1964 (D.C. Code, sec. 4–823d) is repealed.

(d) Section 102 of the District of Columbia Policemen and Firemen's Salary Act Amendments of 1966 (D.C. Code, sec. 4–823d–1) is repealed.

(e) Section 2 of the District of Columbia Police and Firemen's Salary Act Amendments of 1968 (D.C. Code, sec. 4–823d–2) is repealed.

(f) Section 103 of the District of Columbia Police and Firemen's Salary Act Amendments of 1970 (D.C. Code, sec. 4–823d–3) is repealed.

SEC. 117. (a) Retroactive compensation or salary shall be paid by reason of the amendments made by this title only in the case of an individual in the service of the District of Columbia government or of the United States (including service in the Armed Forces of United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, or the Executive Protective Service, who retired during the period beginning on the first day of the first pay period which begins on or after March 1, 1972, and ending on the date of enactment of this Act, for services rendered during such period, and (2) in accordance with the provisions of subchapter VIII of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on the first day of the first pay period which begins on or after March 1, 1972, and ending on the date of enactment of this Act, by an officer or member who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

(c) For the purpose of determining the amount of insurance for which an officer or member is eligible under the provisions of chapter 37 of title 5, United States Code (relating to Government employees group life insurance), all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

SEC. 118. Except as provided in section 113, the effective date of this title and the amendments made by this title shall be the first day of the first pay period beginning on or after March 1, 1972.

SEC. 119. This title may be cited as the "District of Columbia Police and Firemen's Salary Act Amendments of 1972".

TITLE II—POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT AMENDMENTS

SEC. 201. (a) Section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended (D.C. Code, sec. 4–521 et seq.), is amended as follows:

(1) Subparagraph (5)(B) in subsection (a) of such section (D.C. Code, sec. 4–521) is amended by striking out "or" immediately after "residence".

(2) Paragraph (5) of subsection (c) of such section (D.C. Code, sec. 4–523) is amended by adding at the end thereof the following new sentence: "No deposit shall be required for days of unused sick leave credited under subsection (h) of this section.".

(3) Subsection (h) of such section (D.C. Code, sec. 4–528) is amended by adding at the end thereof the following new paragraph:

"(4) In computing an annuity under this subsection, the police or fire service of a member who has not retired prior to the effective date of this paragraph shall include, without regard to the limitation imposed by paragraph (3) of this subsection, the days of unused sick leave credited to him. Days of unused sick leave shall not be counted in determining a member's eligibility for an annuity under this subsection."

(4) The first paragraph of subsection (k) of such section (D.C. Code, sec. 4–531) is amended to read as follows:

"(k)(1) In the event that any member dies in the performance of duty, and such death is determined by the Commissioner to have been the sole and direct result of a personal injury sustained while performing such duty, leaving a survivor, or if there be none a parent or a sibling, who received more than one-half his support from the member, such person shall be entitled to receive a lump-sum payment of $50,000; *Provided*, That if such death is caused by the willful misconduct of the member or by the member's intention to bring about the death of himself, or if intoxication of the injured member is the proximate cause of such death, no such lump-sum payment shall be made: *And provided further*, That if such member leaves more than one survivor, or if there be none, more than one parent or sibling, who received more than one-half his support from the member, each such person shall be entitled to receive an equal share of such lump-sum payment."

(b) Paragraphs (1) and (4) of subsection (a) of this section and the amendments made thereby shall be effective on and after November 1, 1970. Paragraphs (2) and (3) of such subsection and the amendments made thereby shall be effective on the first day of the first pay period beginning on or after the date of enactment of this title.

SEC. 202. (a) Section 3 of chapter 226 of the Act of July 11, 1947, as added September 27, 1959 (D.C. Code, sec. 4–183a) is amended by striking out "on the effective date of this section".

(b) Section 4 of chapter 226 of the Act of July 11, 1947, as added September 22, 1959 (D.C. Code, sec. 4–183b) is amended by striking out "on September 22, 1959".

(c) This section shall take effect on the date of the enactment of this Act.

TITLE III—REVENUE FOR SALARY INCREASES

SEC. 301. Section 125 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602) is amended by striking out "4 per centum" and inserting in lieu thereof "5 per centum".

SEC. 302. Section 125(1) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602(1)) is amended to read as follows:

"(1) the rate of tax shall be 2 per centum of the gross receipts from sales of food for human consumption off the premises where such food is sold;".

SEC. 303. Section 125(2) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602(2)) is amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

SEC. 304. Section 125(3) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2602(3)) is amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

SEC. 305. Paragraph (a) of section 127 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2604(a)) is amended by (1) striking out "and other than sales or charges for rooms, lodgings, or accommodations furnished to transients", and (2) striking out the comma following the word "transients".

SEC. 306. Paragraph (c) of section 127 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2604(c)) is repealed.

SEC. 307. Section 212 of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702) is amended by striking out "4 per centum" and inserting in lieu thereof "5 per centum".

SEC. 308. Section 212(1) of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702(1)) is amended to read as follows:

"(1) the rate of tax shall be 2 per centum of the sales price of sales of food for human consumption off the premises where such food is sold;".

SEC. 309. Section 212(2) of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702(2)) is amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

SEC. 310. Section 212(3) of the District of Columbia Use Tax Act (D.C. Code, sec. 47–2702(3)) is amended by striking out "5 per centum" and inserting in lieu thereof "6 per centum".

SEC. 311. (a) Subsection (a) of section 603 of the District of Columbia Cigarette Tax Act (D.C. Code, sec. 47–2802 (a)) is amended by striking out "4 cents" and inserting in lieu thereof "6 cents".

(b) Except as otherwise provided, the amendment made by subsection (a) shall apply with respect to cigarette tax stamps purchased on or after the effective date of this section, which shall be the first day of the first month which begins on or after the thirtieth day after the date of the enactment of this Act.

(c) In the case of cigarette tax stamps which have been purchased prior to the effective date of this section and which on such date are held (affixed to a cigarette package or otherwise) by a wholesaler, retailer, or vending machine operator, licensed under the District of Columbia Cigarette Tax Act, such licensee shall pay to the Commissioner (in accordance with subsection (d)) an amount equal to the difference between the amount of tax represented by such tax stamps on the date of their purchase and the amount of tax which an equal number of cigarette tax stamps would represent if purchased on the effective date of this section.

(d) Within twenty days after the effective date of this section, each such licensee (1) shall file with the Commissioner a sworn statement (on a form to be prescribed by the Commissioner) showing the number of such cigarette tax stamps held by him as of the beginning of the day on which this section becomes effective or, if such day is a Sunday, as of the beginning of the following day, and (2) shall pay to the Commissioner the amount specified in subsection (c).

(e) Each such licensee shall keep and preserve for the twelve-month period immediately following the effective date of this section the inventories and other records made which form the basis for the information furnished to the Commissioner on the sworn statement required to be filed under this section.

(f) For purposes of this section, a tax stamp shall be considered as held by a wholesaler, retailer, or vending machine operator if title thereto has passed to such wholesaler, retailer, or operator (whether or not delivery to him has been made) and if title to such stamp has not at any time been transferred to any person other than such wholesaler, retailer, or operator.

(g) A violation of the provisions of subsection (c), (d) or (e) of this section shall be punishable as provided in section 611 of the District of Columbia Cigarette Tax Act (D.C. Code, sec. 47–2810).

SEC. 312. The amendments made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act.

Mr. MATHIAS. Mr. President, the bill before us today is a bill that the hardworking police and firemen of the District of Columbia have been waiting for since last December. And it provides benefits that these men have deserved for much longer than that.

Those of us who work or live in the District of Columbia are privileged to enjoy the protection of one of the finest police departments and one of the finest fire departments in the Nation. Under the leadership of Chief Jerry V. Wilson, the metropolitan police have stemmed the tide of violent crime in the District and are making significant efforts toward the elimination of the root causes of criminal activity. The fire department, under Chief Joseph H. Mattare, has demonstrated its ability to handle a steadily growing volume of work with full professional competence. We in Maryland are proud that so many residents of our State are making an important contribution to the safety of the Nation's Capital through their work in the police department, and fire department, and related agencies.

The last pay adjustment for the police and firemen of the District of Columbia had an effective date of July 1, 1969. For 3 long years, while living costs in Metropolitan Washington have risen nearly 12 percent, these men have been forced to remain on fixed salaries. During that time, their neighbors who may be classified employees of the District or Federal Governments have had several pay increases, averaging a total of 17.4 percent. Their neighbors who may be blue-collar employees of the District have received increases averaging 19.2 percent.

Salaries for beginning police and firemen in the six major suburban jurisdictions in nearby Maryland and Virginia now surpass those offered in the District. Washington has dropped to 16th and 19th place among the 24 American cities over 500,000 population in the entrance salaries offered police and firemen.

The worker family budget for Washington issued late last year showed that a family of four required a budget of $11,252 in 1970 to maintain an intermediate standard of living. Yet, District fire and police privates were being paid $8,500 to start and $10,965 at the maximum. Inflation since then has further eroded the economic position of these men we rely on to maintain public safety in the Capital.

As ranking minority member of the Committee on the District of Columbia, I am pleased to join in recommending prompt adoption of this bill, as recommended by our committee. This bill, with the committee amendment, will provide an average 17 percent pay increase for District police and firemen, retroactive to March 1, 1972. It will increase the starting minimum for new police and firemen to $10,000 and provide increases to other ranks proportionately. This bill establishes a new system of longevity pay to encourage men to make careers in the difficult field of police and fire work. This bill establishes a system of pay incentives for police and firemen to continue their education and training through appropriate college course work. And, it makes no change in the long-established system of annuity computation based on a man's departure salary.

This bill is the product of collective bargaining between the city and the asciations representing its police and firemen which began on an informal basis nearly 18 months ago. Tentative agreement on this pay and benefit package was reached in December 1971, and the District government and the employee associations jointly supported the request for prompt approval by the Pay Board.

Having been, at that time, 2½ years without pay adjustment, the firemen, policemen, and other employees affected by this agreement felt quite naturally that they should receive their increment promptly. But it was May 8, more than 4 months later, before the Pay Board issued its decision that the increases in wages and salaries proposed in this agreement would not be inconsistent with the Board's general criteria.

Promptly, 3 days later, the Office of the Commissioner of the District of Columbia forwarded the proposal to Congress, in legislative form, along with provision for tax increases to finance it. Because of the necessity of including tax provisions in the legislation, the Senate Committee on the District of Columbia was constitutionally barred from any formal consideration of this matter until July 22, when H.R. 15580 reached the committee after passage in the House the previous day.

However, because of the desire of members of the committee to be able to act as promptly as possible when the legislation did reach us, the committee on June 22 held a public hearing on the proposal to hear the detailed explanation of Commissioner-Mayor Walter E. Washington and his associates, along with spokesmen for the policemen's association, the firefighters association, the retired policemen's association and others.

As Members of this body know, I have long favored the fullest practicable home rule for the citizens of the District of Columbia. Last October, I was pleased to join the chairman and other members of the Committee on the District of Columbia in sponsoring S. 2652, to provide for an elected mayor and city council with substantial authority over local affairs. It was gratifying to see the support given this proposal by the Senate when it passed S. 2652 on October 12, 1971, by a vote of 68 to 8.

It is the intent of S. 2562, and it was the desire of those of us who sponsored it, that the Congress no longer exercise direct legislative authority over such matters as pay rates for District of Columbia employees and sales taxes to be imposed in the District of Columbia.

The pay and benefit adjustments for District of Columbia police and firemen contained in this bill, as amended, are those agreed to by the District and the associations representing its police and firemen. This is the product of collective bargaining similar to that engaged in by hundreds of American municipalities and their employees. In this instance, as in so many others, the District government and its employees have demonstrated their ability to handle municipal affairs just as other cities and their employees do.

The original proposal submitted to Congress would have provided a two-step pay increase, raising starting police and firemen to $9,500 per annum on the date of enactment and to $10,000 per annum on July 1. However, more than 7 months have elapsed since the terms of this agreement were concurred in by the District and the police and firemen's associations. Increases which normally would have been awarded early this year have yet to be provided. And the families of these deserving men have had to continue to hold the budget line at 1969 salary levels.

This bill, as amended by the committee, provides that the July 1 pay schedule be made retroactive to March 1. This will provide these men retroactive compensation approximating the amounts they would have received had a normal collective-bargaining agreement between a municipality and its employees, with normal prompt implementation, been involved. We should not penalize the police and firemen of our Nation's Capital for the delays beyond both their control and ours which have held up this already long overdue pay adjustment.

Because of the demonstrated need for this adjustment, and in light of the demonstrated commitment of the Senate to home rule for the District of Columbia, I urge prompt enactment of this legislation to carry out both the letter and the spirit of the agreement between the District and its police and fire department employees.

Mr. EAGLETON. Mr. President, as chairman of the Committee on the District of Columbia, I have been terribly concerned over the lack of adequate compensation for police and firemen in the District of Columbia. The last increase for District of Columbia policemen and firemen took place June 30, 1970, retroactive to July 1, 1969. The increase was based on the District's competitive pay position in 1969.

The need for a salary adjustment for District policemen and firemen cannot be doubted. Between the periods of August 1969 and February 1972 the cost of living for Washington, D.C., has risen by 10.6 percent thereby substantially reducing the real earnings of District policemen and firemen. Salaries for District and Federal classified employees have been increased an average 17.4 percent as a result of increases granted in January 1970, June 1971, and January 1972. It should also be noted that the District's 8,000 blue collar employees have received increases averaging 19.2 percent between the period November 1969 and November 1971. Last, the competitive position of the District's police and firemen is unfavorable in comparison with the six local jurisdictions in the Washington Metropolitan area and the 24 other cities with over 500,000 population for entrance salaries offered police and fire privates.

I hasten to add that the salary computation including the retroactive provision should not be considered overly generous. It was unanimously reported out of the committee and is fully justified on the basis of historic computation and analyses. In fact, H.R. 15580 is essentially a catch-up and go-ahead pay adjustment to offset the effect of inflation since the last pay raise.

In substance, the bill provides an average 17 percent-salary increase for all officers and members covered by the bill, and this same increase applies to retired police and firemen or their survivors.

The principle provisions of H.R. 15580 as amended and reported are as follows:

First. An increase in salaries of policemen and firemen averaging 17 percent effective on the first day of the first pay period which begins on or after March 1, 1972. The new starting salary for police and fire privates at salary class 1 would be $10,000.

Second. Remove the longevity steps currently found in the schedule and establish longevity differentials based on continuous service at 15, 20, 25, and 30 years applicable to active members and those retiring after December 31, 1971, on a prospective basis.

Third. Provide additional compensation of $2,100 per annum for members who perform duties as helicopter pilots or for members of the explosive disposal unit.

Fourth. Increase the additional compensation for technicians from $595 per annum to $680 per annum.

Fifth. Maintain the $500 per annum differential for detective sergeant until the rank is finally phased out.

Sixth. Authorize the Chief of Police to provide a clothing allowance not to exceed $300 in any 1 year to an officer or member assigned in plainclothes.

Seventh. Establish educational incentive pay for uniformed members who successfully complete educational course work leading to a degree in police or fire science or administration. The additional compensation would be paid at the rate of 2 percent of step 1 of salary class 1 for each block of 15 credits earned not to exceed 16 percent.

Eighth. Correct the existing overtime limitation to provide that overtime earned in a pay period cannot exceed step 1 of the salary class of the Chief of Police or Fire Chief rather than step 1 of salary class 10 as is currently provided. This provision was not changed when the Chiefs were changed from salary class 10 to salary class 11 in the Police and Firemen's Salary Act Amendments of 1970.

On the best information available to the committee, the total package will be financed as follows:

First. General sales tax, increase from 4 percent to 5 percent. It is estimated that this will yield $13 million of additional revenue a year;

Second. Sales tax on rentals of transient rooms and lodgings, and on the sale of restaurant meals, alcoholic beverages, both offsale and by the drink, from 5 percent to 6 percent. This increase is estimated to yield an additional $2.8 million a year.

Third. Tax on commercial laundry and dry cleaning and nonprescription drugs, from 2 percent to 5 percent. This increase is estimated to yield $1.4 million a year.

Fourth. Cigarette tax from 4 cents to 6 cents a pack. This increase is estimated to yield $1.6 million a year and shall remain in effect for the period necessary to defray the cost of the retroactive increase for the period of March 1, 1972, through June 30, 1972. These tax increases will become effective on the first day of the first month which begins on or after the 30th day after the date of the enactment of this bill.

COST ESTIMATES

The committee is advised by the District of Columbia Government that the cost of the provisions for the fiscal year 1973:

Pay increase	$11,911,000
Longevity increase	1,030,000
Education incentive pay	1,920,000
Overtime, terminal leave, and holiday pay	750,000
Helicopter pay	25,500
Plainclothes allowance	127,000
Retirement equalization	4,000,000
Total	19,763,500

Cost for the retroactive period March 1, 1972 through June 30, 1972 is estimated at $6.4 million. The committee has provided an increase in the cigarette tax of 4 cents to 6 cents per pack for the period of time necessary to defray the cost of this retroactive provision.

FUNDING

We are advised that the Metropolitan Police Force and District of Columbia Fire Department can absorb 15 percent of the estimated cost of this bill for the fiscal year 1973, or $2,563,500, in their operating budgets. This leaves some $17,200,000 which must accrue from new revenue sources.

It is estimated that the amendments to the District of Columbia sales and use taxes provided in title III of the bill will produce some $17,200,000 of additional revenue per year. The costs which will result from the enactment of this legislation are amply funded for fiscal year 1973.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-994), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purposes of the bill, H.R. 15580, as amended, are threefold:

Title I amends the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to provide increased salaries averaging 17 percent and other benefits to officers and members of the Metropolitan Police Department, the District of Columbia Fire Department, the U.S. Park Police, and the Executive Protection Service.

Title II amends the retirement benefits provided under the Policemen and Firemen's Retirement and Disability Act (1) to provide for the crediting of unused sick leave for optional retirement in the same manner as allowed for Federal and District Government classified and wage employees (2) to extend the $50,000 lump sum death benefits to parents and siblings who receive more than one-half their support from a member who dies in the performance of duty (3) to provide the Band Director of the Metropolitan Police Department with the same retirement coverage as other uniformed personnel and (4) to make certain technical amendments to the Act.

Title III amends present law with respect to certain taxes in the District of Columbia, so as to provide new revenues sufficient to meet the additional costs incident to this legislation.

NEED FOR THE LEGISLATION AND SALARY INCREASES

The last pay adjustment for policemen and firemen covered by the provisions of this bill was June 30, 1970, retroactive to July 1, 1969. Significantly, between August 1969 and May 1972, the cost of living for Metropolitan Washington rose by 11.8 percent, thereby substantially reducing the real earnings of District policemen and firemen.

Since the effective date of the last pay adjustment for District police and firemen, salaries for District and Federal classified employees have been increased an average 17.4 percent. Additionally, the District's 8,000 blue collar employees have received increases averaging 19.2 percent during the period November 1969 and November 1971.

The Committee was advised that District police and fire privates rank in last place for both minimum and maximum salaries paid in comparison with the six major suburban jurisdictions in the Washington Metropolitan Area and in sixteenth and nineteenth place, respectively, in comparison with 24 other cities over 500,000 population for entrance salaries offered police and fire privates.

We have also been advised that the cost to the City for 635 policemen who resigned in 1971 amounted to a loss exceeding $3 million; we are told many of these losses were due to non-competitive salary levels.

The 17 percent increase afforded by this legislation will increase the entrance salary for privates from $8,500 to $10,000 and the highest salary for privates attainable after 16 years of service will change from $12,240 to $14,400. The starting salary for chiefs will be raised from the present $32,775 attainable after 4 years of service in that position to $36,800 which is attained after 2 years of service. The Committee stipulates that the compensation which can be earned by any one member (the amount presented by the schedule plus any additional amount provided for total service longevity or particular assignments or positions) may not exceed the basic salary for level V of the Executive Schedule, which is presently established at $36,000.

We believe that the District Government is correct when it argues that the effectiveness of any sound salary administration policy is its ability to *recruit* its share of qualified individuals in the labor market, *retain* highly competent employees who are giving quality performance, and provide a salary which provides employees relative *economic security*.

We are also inclined to the District's position that the present salary structure fails to recompense our safety personnel for truly outstanding services to our Nation's Capital. We hasten to add, however, that our considerations were guided by the following principles:

1. Rates of pay for policemen and firemen must be in a favorable competitive position with the rates of pay of major cities having over 500,000 population, especially with those cities in the eastern half of the United States. In the past this area has constituted the primary labor market for recruitment of District of Columbia policemen and firemen. In addition, Washington, D.C., by reason of its national and international prominence and the need for a reputation for excellence, should rank at least in the top quarter of the other major cities in salaries paid policemen and firemen.

2. Rates of pay for policemen and firemen should be in reasonable alignment with rates of pay for classified employees of the Federal and District Governments not only on the basis of comparable duties and responsibilities, but also with due consideration of the hazards inherent in large urban police and fire activities and the special problems of large cities.

3. Rates of pay for District policemen and firemen should be fully competitive with the rates of pay for policemen and firemen in other parts of the Washington Metropolitan Area. This is essential if the District Government is to successfully compete with the surrounding jurisdictions who use the difficulties of the city as a basis to entice police and fire candidates to the suburban areas.

At the present time the District Government is unable to comply with any one of these three principles with respect to pay for its policemen and firemen. Accordingly, we think our decision to recommend favorable adoption of H.R. 15580, as amended, is both sound and in the interest of maintaining a first-class police and fire department.

The salary increases are to become effective on a retroactive basis, to the pay period which begins on or after March 1, 1972.

The supporting documentation which graphically portrays the local and national competitive position of District Government policemen and firemen is shown as D.C. Charts 2A, 2B, 3, and 4 of this Report.

CHART NO. 2A.—MINIMUM AND MAXIMUM SALARIES PAID POLICE PRIVATES BY 25 CITIES OVER 500,000 POPULATION

Cities	Minimum	Rank	Maximum	Rank
Atlanta	$8,316	18	$1,248	19
Baltimore	8,199	21	10,419	17
Boston	8,300	20	10,311	18
Buffalo [1]	8,510	15	11,080	12
Chicago	10,524	4	13,680	2
Cincinnati	9,666	10	10,836	15
Cleveland [1]	9,969	8	11,470	10
Dallas	8,157	23	9,180	23
Denver	8,448	17	11,160	11
Detroit [1]	9,000	12	12,750	4
Houston	8,585	14	9,882	20
Indianapolis	7,350	24	8,505	25
Kansas City, Mo	8,988	13	12,612	5
Los Angeles [1]	11,292	2	13,296	3
Milwaukee [1]	9,893	9	11,663	9
New Orleans	6,570	25	9,504	21
New York [1]	10,699	3	12,150	7
Philadelphia [1]	10,328	5	10,850	14
Pittsburgh	9,563	11	10,500	16
St. Louis	8,190	22	9,464	22
San Antonio	8,304	19	9,036	24
San Diego	10,140	7	12,324	6
San Francisco [1]	13,332	1	13,932	1
Seattle	10,176	6	11,700	8
Washington, D.C. (present)	8,500	16	10,965	13
Washington, D.C. (proposed)	10,000	8	12,900	4
Mean (except District of Columbia)	9,271		11,106	
Median (except District of Columbia)	9,044		10,965	

[1] Cities contemplating salary increases on or before July 1, 1972.

Source: Unpublished survey data from survey conducted by District of Columbia Personnel Office, Pay Systems and Labor Relations Divisions.

CHART NO. 2B.—MINIMUM AND MAXIMUM SALARIES PAID FIRE PRIVATES IN 25 CITIES OVER 500,000 POPULATION

Cities	Minimum	Rank	Maximum	Rank
Atlanta	$7,344	25	$9,048	23
Baltimore	8,199	22	10,419	18
Boston	9,286	12	11,520	9
Buffalo[1]	8,510	17	11,080	11
Chicago	10,524	4	13,680	2
Cincinnati	9,666	10	10,836	15
Cleveland[1]	9,969	7	11,470	10
Dallas	7,680	23	9,180	22
Denver	8,448	20	11,004	12
Detroit[1]	8,953	13	12,668	5
Houston	8,585	16	9,882	21
Indianapolis	8,505	18	8,505	25
Kansas City, Mo	8,813	14	10,198	20
Los Angeles[1]	11,292	3	13,296	4
Milwaukee[1]	9,506	11	11,860	7
New Orleans	7,675	24	10,615	17
New York[1]	12,099	2	13,550	3
Philadelphia[1]	10,328	5	10,850	14
Pittsburgh	9,713	9	10,650	16
St. Louis	8,685	15	10,338	19
San Antonio	8,244	21	8,952	24
San Diego	$9,900	18	$12,024	6
San Francisco[1]	13,332	1	13,932	1
Seattle	10,176	6	11,700	8
Washington, D.C. (present)	8,500	19	10,965	13
Washington, D.C. (proposed)	10,000	7	12,900	5
Mean (except District of Columbia)	9,393		11,136	
Median (except District of Columbia)	9,120		10,927	

[1] Cities contemplating salary increases on or before July 1, 1972.

Source: Unpublished survey data from survey conducted by District of Columbia Personnel Office, Pay Systems and Labor Relations Division.

CHART NO. 3—COMPARISON OF ENTRANCE SALARIES FOR POLICE PRIVATE BETWEEN 1969 AND 1972 FOR 24 CITIES OVER 500,000 AND 5 LOCAL JURISDICTIONS

Cities	Minimum salary, 1969	Minimum salary, present	Percent increase at minimum since 1969	Number of increases since 1969
Baltimore	$7,104	$8,199	15.4	4
Boston	6,344	8,300	30.8	1
Buffalo[1]	7,400	8,510	15.0	3
Chicago	8,316	10,524	26.6	4
Cincinnati	7,744	9,666	24.8	4
Cleveland[1]	7,934	9,969	25.6	3
Dallas	6,504	8,157	25.4	4
Denver	6,600	8,448	28.0	2
Detroit[1]	7,500	9,000	20.0	3
Houston	7,202	8,585	19.2	3
Indianapolis	6,800	7,350	8.1	2
Kansas City, Mo	6,384	8,988	40.8	4
Los Angeles[1]	8,580	11,292	31.6	3
Milwaukee[1]	7,700	9,893	28.5	6
New Orleans	6,222	6,570	5.6	3
New York[1]	[2] 9,499	[2] 10,699	12.6	[2] 2
Philadelphia[1]	7,807	10,328	32.3	5
Pittsburgh	7,763	9,563	23.2	4
St. Louis	6,604	8,190	24.0	3
San Antonio	6,000	8,304	38.4	2
San Diego	8,148	10,140	24.4	3
San Francisco[1]	11,196	13,332	19.1	4
Seattle	8,340	10,176	22.0	4
Washington, D.C	[3] 8,500	[3] 8,500	0	0
Local jurisdictions:				
Alexandria	7,345	9,100	23.9	2
Arlington County	7,342	8,575	16.8	2
Fairfax County	8,112	9,069	11.8	3
Montgomery County	7,283	9,021	23.9	5
Prince Georges County	7,384	8,653	17.2	3

[1] Cities contemplating salary increase on or before July 1, 1972.

[2] New York is negotiating with the Patrolmen's Benevolent Association on an increase retroactive to Jan. 1, 1971.

[3] Retroactive to July 1, 1969. Starting salary prior to July 1 was $8,000.

Source: Survey conducted by District of Columbia Police Association, December 1971, and unpublished data from survey by District of Columbia Personnel Office.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

REVISION OF DIVISIONS OF THE FEDERAL JUDICIAL DISTRICT OF SOUTH DAKOTA

The bill (H.R. 6745) to amend section 122 of title 28 of the United States Code to transfer certain counties of the central division of the judicial district of South Dakota was considered, ordered to a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–995), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 6745 is to amend section 122 of title 28 of the U.S. Code to revise the geographic composition of three divisions in the Judicial District of South Dakota.

COST

No additional cost to the Government is involved.

STATEMENT

The realinement of the Federal Judicial District of South Dakota is expected to reduce the distance required to be traveled by jurors, litigants, and their attorneys from the affected counties. A reduction in distances traveled would also be expected to result in a reduction of costs incurred by the Government and litigants in conducting the business of the court.

The State of South Dakota constitutes one judicial district consisting of four divisions served by two district judges. Each division is composed of the enumerated counties in the statute and regular terms of the court are authorized to be held as follows:

Court for the Northern Division: Aberdeen.

Court for the Southern Division: Sioux Falls.

Court for the Central Division: Pierre.

Court for the Western Division: Deadwood and Rapid City.

H.R. 6745 would transfer Gregory County from the Southern Division and Mellette, Todd and Tripp Counties from the Western Division, all to the Central Division. Also, since the County of Armstrong is now nonexistent, it is deleted from the list of counties comprising the Central Division. The Judicial Conference of the United States has recommended enactment of H.R. 6745 and the Department of Justice has deferred to the opinion of the Judicial Conference.

The committee believes H.R. 6745 serves a meritorious purpose and, accordingly, recommends the bill be favorably considered.

RECALL OF RETIRED COMMISSIONERS OF COURT OF CLAIMS

The bill (H.R. 12979) to amend title 28, United States Code, to authorize the recall of retired commissioners of the U.S. Court of Claims for temporary assignments was considered, ordered to a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–996), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 12979 is to add a new section 797 to title 28 of the United States Code to authorize the Court of Claims to recall retired commissioners of the Court of Claims to perform the duties of a commissioner for a period of time fixed by the court. S. 3370 is an identical companion bill.

STATEMENT

The U.S. Court of Claims has jurisdiction over those particular cases which are assigned to it under the provisions of chapter 91, title 28, United States Code. Its jurisdiction includes specified claims against the United States including claims against the United States for money damages (except the Tennessee Valley Commission and tort cases) Indian claims, oyster growers claims, infringement claims, certain contract claims, and other enumerated claims. The judges of the court, seven in number, are authorized by section 792 of title 28, United States Code, to appoint 15 commissioners whose duties are to conduct factual hearings and make findings of fact and recommendations for conclusions of law which are subject to review by the full Court. The commissioners are organized in what is denominated the Trial Division of the Court of Claims. The following table illustrates that the workload of the Trial Division of the Court of Claims in recent years has greatly increased, following the pattern set in all other Federal courts:

CASELOAD OF TRIAL DIVISION, U.S. COURT OF CLAIMS

Calendar year	Cases pending Jan. 1	New cases filed	Cases terminated[1]	Cases pending Dec. 3
1967	1,108	434	443	1,099
1968	1,099	380	419	1,060
1969	1,060	532	348	1,244
1970	1,244	464	331	1,377
1971	1,377	888	372	1,883

[1] Adjusted to eliminate duplication.

The foregoing statistics reflect only *cases* as distinguished from *claimants*. Since many of the cases involve multiple claimants, it is pertinent to note that during this 5-year span, the number of claimants involved in the cases pending has increased from 6,969 in 1967 to 10,424 in 1971. Part of this increase was due to the transfer to the Court of Claims pursuant to Public Law 92–41 [Act of July 1, 1971, 85 Stat. 97] of jurisdiction over renegotiation cases formerly heard by the tax court. Also, since October 1966, the Court of Claims has had jurisdiction in congressional reference cases [Public Law 89–681 (28 U.S.C. Sec. 1492)] to hear evidence and make factual findings in cases involving petitions for private relief. In December 1971, Public Law 92–203 [Act of December 18, 1971 (85 Stat. 688)], dealing with Alaska Native Claims Settlements conferred jurisdiction upon the commissioners of the Court of Claims to hold hearings and make recommendations in determination of claims of Alaskan natives. In addition to this pure numerical increase in the workload of the commissioners of the Court of Claims, some of the cases within their jurisdiction require an inordinate amount of time in the hearing process. For example, claims arising from the pollution of the Santa Barbara Channel required 89 days of fact hearings. In short, the workload of the trial division has now exceeded the capacity of the authorized 15 commissioners.

The Judicial Conference of the United States and the judges of the Court of Claims have recommended the enactment of legislation; now embodied in H.R. 12979, authorizing the recall of retired commissioners of the Court of Claims as a supplement of the force of 15 active commissioners authorized by law. Hearings on this bill were held by the House Judiciary Committee on March 1, 1972. A review of the hearing record establishes the need for this remedial legislation.

Under the provisions of H.R. 12979, a retired commissioner, with his consent, could be recalled by the court and would be designated as a "senior" commissioner. He would perform the regular duties of a commissioner as specified by existing law. He would continue to receive his retirement annuity but in addition, as compensation for performance of duties, he would also receive such supplemental pay as was necessary to make his annuity and the supplement equal to the full salary of a commissioner during his period of recalled service. A retired commissioner's civil service annuity could vary between 55 percent and 80 percent of average salary and thus the additional or supplemental compensation authorized to be paid by this bill would require less than 45 percent of full salary for the office in order to obtain full-time services. At the present time, there are two retired commissioners eligible for recall and, thus, the cost of the proposed legislation is under $50,000, including supplemental pay and travel expenses.

The committee adopts the following additional explanation from House Report No. 92–947 on this bill:

"On the basis of the information supplied this committee, it is now apparent that at times the trial commissioners will not be able to carry the increase in the regular caseload, plus the additional work outlined above, without falling behind and building up a backlog. Such a result would impose a hardship on litigants and the Government alike, and would interfere with the efficient functioning of the court. The committee has concluded that the new section which would be added to title 28 by this bill will provide an efficient and economical means of assisting the commissioners to meet the increased demands placed upon them by the increasing caseload they face. The committee further notes that this bill provides a desirable alternative to increasing the number of active commissioners. It can be noted that the added cost to the Government would be limited to the additional salary and expenses of the designated retired commissioner for the period of his recall."

The committee believes that H.R. 12979 has a meritorious purpose and recommends favorable consideration.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 947 and 950.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JUDGMENT IN FAVOR OF THE SHOSHONE-BANNOCK TRIBES OF INDIANS OF THE FORT HALL RESERVATION, IDAHO

The Senate proceeded to consider the bill (S. 2478) to provide for the disposition of funds to pay a judgment in favor of the Shoshone-Bannock Tribes of Indians of the Fort Hall Reservation, Idaho, as representatives of the Lemhi Tribe, in Indian Claims Commission docket numbered 3261, and for other purposes which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 4, after the word "the", where it appears the second time, insert "Lemhi Tribe, represented by the"; and, on page 2, line 13, after the word "taxes.", insert "A share or interest payable to enrolles less than eighteen years of age or under legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines appropriate to protect the best interest of such persons."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the United States Treasury to the credit of the Lemhi Tribe, represented by the Shoshone-Bannock Tribes of Indians of the Fort Hall Reservation, Idaho, appropriated by the Act of May 25, 1971 (Public Law 92–18), to pay a judgment of $4,500,000 entered by the Indian Claims Commission in docket numbered 326–I, and interest thereon less attorneys' fees and expenses shall be credited to the Shoshone-Bannock Tribes of the Fort Hall Reservation for the claims of said tribes enumerated in docket numbered 326–I.

SEC. 2. The funds credited to the Shoshone-Bannock Tribes of the Fort Hall Reservation pursuant to section 1, may be advanced, deposited, expended, invested, or reinvested for any purposes that are authorized by the tribal governing body and approved by the Secretary of the Interior.

SEC. 3. None of the funds distributed per capita to members of the tribes under the provisions of this Act shall be subject to Federal or State income taxes. A share or interest payable to enrollees less than eighteen years of age or under legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary determines appropriate to protect the best interest of such persons.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INHERITANCE OF CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF OREGON

The bill (H.R. 5721) pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon was considered, ordered to a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 92–998), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF BILL

H.R. 5721, limits the right to receive by devise or inheritance any interest in trust or restricted property on the Warm Springs Reservation to persons who are enrolled members of the Confederated Tribes. The limitation will not apply, however, unless the person who is precluded from inheriting is paid by the tribes the fair market value of the interest in the land.

NEED

This bill is an exact parallel of the statute enacted by the 91st Congress for the Yakima Reservation (act of December 31, 1970; 84 Stat. 1874). The purpose in both cases is to keep as much of the reservation as possible in the ownership of the tribal members, and to preclude the transfer of reservation lands by devise or descent to nonmembers of the tribe. As a matter of fairness, however, if an heir or devisee is precluded from taking an interest in reservation land he must be paid for its fair market value. If he is not paid he may inherit. In other words, the nonmember is entitled either to the land or its value in money, and the choice rests with the tribe.

The enactment of H.R. 5721 is also needed to correct an inequity created by the Yakima statute. Many members of the Yakima and Warm Springs Tribes are intermarried and have property on both reservations. A Yakima member may inherit land on the Warm Springs Reservation, but a Warm Springs member may not inherit land on the Yakima Reservation. H.R. 5721, will make the same rule of law apply to both groups.

COST

Enactment of H.R. 5721 will involve no additional Federal expenditure.

COMMITTEE RECOMMENDATION

Open hearings were held by the Indian Affairs Subcommittee on June 16, 1972, on H.R. 5721 and S. 3596, the Senate companion measure sponsored by Senator Hatfield. The Committee on Interior and Insular Affairs in executive session on July 19, 1972, recommended unanimously the enactment of the House passed bill, H.R. 5712.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the standing order of the Senate does the Senator from Arizona desire recognition at this time?

Mr. FANNIN. No, Mr. President, I do not desire to be recognized.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to extend beyond 10:30 a.m., with statements therein limited to 3 minutes.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair lays before the Senate the unfinished business, which will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum and I ask unanimous consent that the time not be charged against either side.

The ACTING PRESIDENT pro tempore.Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. ROBERT C BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 951 and Calendar Order No. 952.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

THE RUNAWAY YOUTH ACT

The Senate proceeded to consider the bill (S. 2829) to strengthen interstate reporting and interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; and for the establishment, maintenance, and operation of temporary housing and counseling services for transient youth; and for other purposes which had been reported from the Committee on the Judiciary with amendments. On page 2, after line 9, strike out:

(4) that the anxieties and fears of parents whose children have run away from home can best be alleviated by effective interstate reporting services and the earliest possible contact with their children;

At the beginning of line 14, strike out "(5)" and insert "(4)"; at the beginning of line 18, strike out "(6)" and insert "(5)"; on page 3, line 6, after the word "which", strike out "wherever possible,"; on page 4, line 6, after the word "parents", insert "or relatives in accordance with the law of the State in which the runaway house is established"; in line 15, after the word "within", strike out "a twenty-five-mile radius of the house" and insert "the State in which the runaway house is located and assuring, as possible, that aftercare services will be provided to those children who are returned beyond the State in which the runaway house is located"; on page 5, line 6, after the word "Welfare", insert "reasonably"; in line 12, after "section 102.", insert "Priority shall be given to grants smaller than $50,000."; on page 6, line 6, after the word "their", strike out "effectiveness in insuring an early return to the children's homes" and insert "ability to reunite children with their families"; and, in line 25, after the words "per centum.", insert "The non-Federal share may be in cash or in kind, fairly evaluated, including plant, equipment, or services."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Runaway Youth Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 2. The Congress hereby finds that—

(1) the number of juveniles who leave and remain away from home without parental permission has increased to alarming proportions, creating a substantial law enforcement problem for the communities inundated, and significantly endangering the young people who are without resources and live on the street;

(2) that the exact nature of the problem is not well defined because national statistics on the size and profile of the runaway youth population are not tabulated;

(3) that many of these young people, because of their age and situation, are urgently in need of temporary shelter and counseling services;

(4) that the problem of locating, detaining, and returning runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities; and

(5) that in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop accurate reporting of the problem nationally and to develop an effective system of temporary care outside the law enforcement structure.

TITLE I

SEC. 101. The Secretary of Health, Education, and Welfare is authorized to make grants and to provide technical assistance to localities and nonprofit private agencies in accordance with the provisions of this title beginning July 1, 1972, and ending June 30, 1975. Grants under this title should be made for the purpose of developing local facilities to deal primarily with the immediate needs of runaways in a manner which is outside the law enforcement structure and juvenile justice system. The size of such grants should be determined by the number of runaway children in the community and the existing availability of services. Among applicants priority should be given to private organizations or institutions who have had past experience in dealing with runaways.

SEC. 102. (a) To be eligible for assistance under this title, an applicant must propose to establish, strengthen, or fund an existing or proposed runaway house, a locally controlled facility providing temporary shelter, and counseling services to juveniles who have left home without the permission of their parents or guardians.

(b) In order to qualify, an applicant must submit a plan to the Secretary of Health, Education, and Welfare meeting the following requirements and including the following information. Each house—

(1) shall be located in an area which is demonstrably frequented by or easily reachable by runaway children.

(2) shall have a maximum capacity of no more than twenty children, with a ratio of staff to children of sufficient proportion to insure adequate supervision and treatment;

(3) shall develop an adequate plan for contacting the child's parents or relatives in accordance with the law of the State in which the runaway house is established and insuring his safe return according to the best interests of the child;

(4) shall develop an adequate plan for insuring proper relations with law enforcement personnel, and the return of runaways from correctional institutions;

(5) shall develop an adequate plan for aftercare counseling involving runaway children and their parents within the State in which the runaway house is located and assuring, as possible, that aftercare services will be provided to those children who are returned beyond the state in which the runaway house is located;

(6) shall keep adequate statistical records profiling the children and parents which it serves;

(7) shall submit annual reports to the Secretary of Health, Education, and Welfare detailing how the house has been able to meet the goals of its plans and reporting the statistical summaries required in section 102(b)(6);

(8) shall demonstrate its ability to operate under accounting procedures and fiscal control devices as required by the Secretary of Health, Education, and Welfare; and

(9) shall supply such other information as the Secretary of Health, Education, and Welfare reasonably deems necessary.

SEC. 103. An application by a State, locality, or nonprofit private agency for a grant under this title may be approved by the Secretary only if it is consistent with the applicable provisions of this title and meets the requirements set forth in section 102. Priority shall be given to grants smaller than $50,000.

SEC. 104. Nothing in this title shall be construed to deny grants to nonprofit private agencies which are fully controlled by private boards or persons but which in other ways meet the requirements of this title and agree to be legally responsible for the operation of the runaway house. Nothing in this title shall give the Federal Government and its agencies control over the staffing and personnel decisions of facilities receiving Federal funds, except as the staffs of such facilities must meet the standards under this title.

SEC. 105. The Secretary of Health, Education, and Welfare shall annually report to Congress on the status and accomplishments of the runaway houses which were funded with particular attention to—

(1) their effectiveness in alleviating the problems of runaway youth;

(2) their ability to reunite children with their families and in encouraging the resolution of intrafamily problems through counseling and other services;

(3) their effectiveness in reducing drug abuse and undesirable conditions existing in areas which runaway youth frequent; and

(4) their effectiveness in strengthening family relationships and encouraging stable living situations for children.

SEC. 106. As used in this title, the term "State" shall include Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

SEC. 107. (a) The Federal share for the construction of new facilities under this title shall be no more than 50 per centum. The Federal share for the acquisition and renovation of existing structures, the provision of counseling services, staff training, and the general costs of operations of such facility's budget for any fiscal year shall be 90 per centum. The non-Federal share may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

(b) The Secretary of Health, Education, and Welfare shall pay to each applicant which has an application approved 90 per centum of the cost of such applications.

(c) Payments under this section may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(d) There is authorized to be appropriated for each of the fiscal years 1973, 1974, and 1975 not to exceed $10,000,000 to carry out this title.

TITLE II

SEC. 201. The Secretary of Health, Education, and Welfare shall gather information and carry out a comprehensive statistical survey defining the major characteristics of the runaway youth population and determining the areas of the country most affected. Such survey shall include, but not be limited to, the age, sex, socioeconomic background of runaway children, the places from which and to which children run, and the relationship beween running away and other illegal behavior. The Secretary shall report to Congress not later than June 30, 1973.

SEC. 202. There is authorized to be appropriated a sum not to exceed $500,000 to carry out this title.

Mr. BAYH. Mr. President, the Senate is about to consider the Runaway Youth Act, a measure which I introduced to deal with the crisis of runaway children. While this problem has received little attention in the press or before Congress, it is both serious and growing.

In the early 1950's, it was estimated that 275,000 children ran away each year. Today, we believe that the figure is approximately 1,000,000 a year. While the number of runaways has multiplied nearly four times in less than 20 years, neither the Federal Government nor the States have made any serious attempt to focus resources on developing solutions to this problem.

The runaway problem has gone unnoticed because it is a silent problem, far less dramatic than most of the other ills that effect our young people. Most runaways are not criminals. Instead, they are confused and troubled boys and girls who are overburdened by personal, family or school problems and decide to flee. They deserve our help and our understanding, but instead, they have been met with indifference and even hostility.

Hearings held by the Juvenile Delinquency Subcommittee earlier this year provided a number of insights into the situation of the typical runaway. Runaways are young, generally under 18 years old. The largest number are 15 or 16, but many are as young as 12 or 13. There are at least as many female runaways as males. However, in many places the number of female runaways seems to be increasing rapidly. While most runaways are white, this is not simply a white middle-class problem. Runaways come from all racial, social, and economic groups.

Although most runaways have committed no crimes, they are breaking juvenile status laws in most States. Running away is an offense which may result in incarceration in a juvenile institution. Even where this does not occur, the runaway is subject to arrest by the police. Last year more than 270,000 children were arrested as runaways. Many of these children were detained in jail before being returned home. There they were exposed to more hardened juveniles and in some cases, to adult offenders. What is even worse is that when the child is returned home, society's concern ceases. Thus, the child is often sent back to the same problems no better equipped to deal with them than when he first left. For this reason, many thousands of runaways leave home again and again.

Even if a young runaway has no contact with the police, the experience "on the street" may be extremely damaging. Most runaways flee from the suburbs to our large cities. Being inexperienced and without resources or shelter they are vulnerable to many of our urban dangers. For many young people, the runaway episode provides the first contact with drugs, street violence and petty crime. In this way, many young people are prepared for more serious criminal behavior in the future.

The Runaway Youth Act attempts to solve this problem by removing the young people from the streets, by returning them home without police intervention, and by providing the child with help to solve the problems that caused him to run away in the first place. To accomplish this, the act authorizes the Secretary of Health, Education, and Welfare to provide assistance to local groups to operate temporary shelter care programs in areas where runaways tend to congregate.

Unlike traditional halfway houses, these facilities are designed to shelter young people for a very short period of time rather than on a long-term basis. These facilities could be used by the courts and the police to house runaways temporarily prior to their return home or to another permanent living arrangement. However, their primary function is to provide a place where runaways can find shelter and immediate assistance, such as medical care and counseling. Once in the runaway house, the young person would be encouraged to contact home and reestablish a permanent living arrangement Professional, medical, and psychological services would be available to these houses from the community as they are needed.

Most importantly, the shelters established under S. 2829 will be equipped to provide field counseling for both the runaway and his family after the runaway has moved to permanent living facilities. If field counseling is not appropriate or feasible, information on where to seek more comprehensive professional help will be supplied. In short, these houses will serve as highly specialized alternatives to the traditional law enforcement methods of dealing with runaways.

S. 2829 authorizes appropriations of $10 million for each of 3 years. While this amount is not large, temporary shelter care is relatively inexpensive to provide. Furthermore, experience has shown that these houses can serve a large number of people. For those programs now in existence, it is not unusual to provide residential services for more than 500 young people a year.

The Runaway Youth Act also authorizes funds to conduct research on the scope of the runaway problem in this country, particularly with regard to data on the types of children who run. I believe that reliable statistics rather than broad-based research will be more useful at the present time in developing effective approaches to the runaway youth problem. Thus, the research would focus on "the age, sex, socioeconomic background of the runaway children, the places from which and to which children run, and the relationship between running away and other illegal behavior."

Mr. President, we often speak of inferior prisons, overcrowded courts, and overworked police. However, if we are ever to solve the failures of our cirminal justice system, we must begin to help people before they break the law. The Runaway Youth Act makes this effort. It is a delinquency prevention measure designed to help troubled youngsters before they become a serious burden upon society. Therefore, I urge that my colleagues give it serious and favorable consideration.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–1002), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE AND ANALYSIS

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Most importantly, the shelters established under S. 2829 will be equipped to provide field counseling for both the runaway and his family after the runaway has moved to permanent living facilities. If field counseling is not appropriate or feasible, information on where to seek more comprehensive professional help will be supplied. In short, these houses will serve as highly specialized alternatives to the traditional law enforcement methods of dealing with runaways.

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The Runaway Youth Act also authorizes funds to conduct research on the scope of the runaway problem in this country, particularly with regard to data on the types of children who run. The committee believes that reliable statistics rather than broad-based research may be more useful at the present time in developing effective approaches to the runaway youth problem. Thus, the scope of the research is to focus on "the age, sex, socioeconomic background of the runaway children, the places from which and to which children run, and the relationship between running away and other illegal behavior."

HEARINGS HELD

On January 13 and 14, 1972, hearings were held on the Runaway Youth Act. While research on the runaway problem had been conducted and a report issued by the committee in 1955, these were the first congressional hearings held on the subject in at least a decade.

The scope of the runaway problem is very large, although its exact dimensions are unknown. It is estimated that at least 1 million young people run away each year. While the primary concern of the subcommittee focused on runaways under the age of 18, several witnesses, including Catherine Hiatt of the Travelers Aid Association of America, made it clear that people of all ages run away and that many are in desperate need of help. S. 2829 does not specify age limits for those who may receive services, although it is assumed that the vast majority will be young people.

The most common age of runaways reported by the witnesses who operate runaway programs is 15. However, the prevalence of younger runaways is increasing. It was noted that a few years ago the most common age was 16 or 17. More recently, 43 percent of the runaways reported in New York were in the 11 to 14 age category.

All of the witnesses representing runaway programs indicated that the majority of runaways are female. John Wedemeyer of the Bridge in San Diego, Calif., noted that female runaways in San Diego outnumber males 2 to 1. The FBI Uniform Crime Reports, the only national statistics in the field, show that the number of arrests for running away among females is significantly greater than the number of arrests among males.

Although the runaway problem is usually seen as particularly prevalent among the white middle class, other groups are also affected. Brian Slattery of Huckleberry House in San Francisco, Calif., testified that their clients from the bay area "reflected the racial composition of the community." One young black witness from the District of Columbia testified that running away was often related to an intolerable home situation which could be found in any racial, social, or economic group.

Many of those who testified emphasized that providing shelter and counseling for runaway youth was an effective method of delinquency prevention. Warren W. Martin, Jr., a judge from a rural Indiana community, Rev. Frederick Eckhardt, a pastor in the Greenwich Village area of New York City, and William Treanor, director of Runaway House in the District of Columbia, noted that running away was often symptomatic of serious problems which, if left unchecked, might lead to serious delinquent behavior and perhaps to a life of adult crime. Moreover, authoritative research on the subject of runaways confirmed the testimony of several witnesses that the runaway event poses a unique opportunity to deal with the fundamental problems of the family. Dr. Robert Shellow, author of the National Institute of Mental Health study, "Suburban Runaways of the 1960's" noted that:

> The runaway crisis offers an opportunity to give assistance to families when they most want it, and to wait at all may be to wait too long.
>
> Since most people are more willing to seek help when they are hurting, a lot can be accomplished during the runaways crisis. Once the child has returned, however, the crisis is seen as being over, and the families comfort themselves with the belief that everything is all right. In many cases, however, it is not.

When the underlying problems remain unsolved, running away again and again often becomes a means of escape. Young people who habitually run away often have to steal or sell drugs to support themselves. Drug abuse and petty theft are normally the young runaway's next step along the path that all too often leads to a life of adult crime.

Another important function of runaway houses is to divert young people from the traditional criminal justice system. Diversion is desirable for several reasons. First, the burden of the runaway problem falls primarily on the shoulders of the police. Jerry V. Wilson, Commissioner of Police in Washington, D.C., noted in a letter to Senator Bayh endorsing the Runaway Youth Act, that the runaway problem results in the expenditure of many hours of police time annually. Similarly, FBI arrest statistics demonstrate that runaways significantly occupy police time. Runaways are the seventh most frequent reason for arrest in a list of 21 categories, even though the runaway category is the only one which applies exclusively to people under 18. Second, the police are not equipped to provide counseling and can only return a runaway to his home.

Maj. John Bechtel of the Montgomery County Police Department testified that the runaway problem is a social problem which unduly burdens the police. Third, arrest for running away often results in detention in a juvenile hall or adult jail and damaging contact with hardened offenders. This point was made dramatically clear by Becky and Cathy, two young witnesses, who were detained in juvenile hall for running away at the ages of 15 and 13 respectively. Both girls were locked up with older girls who were sophisticated in criminal activity and were charged with serious violations. Fourth, running away often results in long-term incarceration in reform school and the permanent stigma of the juvenile delinquent label. It was noted that a recent study of the Indiana Girls' School showed that one-half of the inmates were there for having run away. While incarcerated in reform school the runaway is forced to live with much more serious offenders. Through this relationship the runaway may be abused and will certainly learn of more sophisticated ways to violate the law.

ANALYSIS OF ARGUMENTS IN OPPOSITION TO THE BILL

All of the witnesses with the exception of the representatives of the Department of Health, Education, and Welfare supported the legislation. Most witnesses emphasized the seriousness of the problem and the need for immediate action.

Philip Rutledge, Deputy Administrator of Social and Rehabilitation Service, testified that new legislation designed to deal with the runaway problem was not needed since existing legislation was sufficient. He cited the Juvenile Delinquency Prevention and Control Act of 1968 and title IV of the Social Security Act. However, although the Juvenile Delinquency Act became law over 3 years ago, only four isolated programs have been funded to deal with runaways. Additionally, the Social Security Act is unsuited to deal with the runaway problem for several reasons. First, while large sums of money are available under title IV(A), that money may only be spent for children on welfare or who are likely to become candidates for welfare. This would exclude the bulk of the runaway population who are from middle-class homes. Second, although title IV(B) specifically provides money for temporary maintenance and return home of runways, these funds can only be spent on interstate runaways. Several of the witnesses testified that a substantial number of runaways, possibly a majority, could not qualify since they never cross State lines. Additionally, title IV(B) provides no counselling services and merely requires the return of the runaway to his home. During the hearings it was frequently noted that counseling is a crucial requirement for a successful runaway program. Moreover, in many cases, to return the runaway home simply exacerbates the problem since it returns him to the situation that caused the run initially.

Another point raised by HEW was that S. 2829 was simply another categorical grant program whereas:

> The Department's position is that services to youth should be provided on an integrated, comprehensive basis and provided in a manner that recognizes that interrelatedness of the many manifestations of youth alienation from modern American society.

However, the lack of sufficient concern by the Federal Government for runaways to date indicates that unless individual legislation is addressed to the runaway problems it will continue to be ignored. Moreover, State and regional planning has not been focused on the runaway problem. This lack of planning and coordination has been recognized by the administration in regard to the entire field of juvenile delinquency. In announcing the decentralization of authority to regional offices on May 18, 1971, Mr. Jerris Leonard, Administrator of the Law Enforcement Assistance Administration, specified that juvenile delinquency programs would be excepted from this decentralization and that supervisory control would remain in headquarters. Mr. Leonard said:

> This is a real problem area—the apparent inability of all of the programs that we have in the juvenile delinquency field to dovetail and address the problems of a very broad and effective base. That's something that can't be done at the regional or State level; the coordination effort has got to come from the National Government and from Washington.

Similarly, the annual report of the Youth Development and Delinquency Prevention Administration issued in March 1971 described State planning as "spasmodic and ineffective." Finally, it was made clear at the hearings that HEW could effectively administer the Runaway Youth Act. In response to questioning, Robert Foster, Deputy Administrator of YDDPA, indicated that a categorical program like the Runaway Youth Act could be very useful in filling the gaps in services left by presently uncoordinated programs.

The representatives of HEW noted that the facilities established by S. 2829 appeared to be limited only to runaways whereas they should also be available to other juvenile status offenders. However, eligibility for services under the act does not depend upon the legal classification imposed by the court or police on the juvenile. The act would provide services for "juveniles who have left home without the specific permission of their parents or guardians" (sec. 102(a)). Since other juvenile status offenders, such as truants and incorrigibles, are often involved in a runaway situation as defined by the act, services could be provided for them.

The last argument raised by HEW was that the mechanism for awarding grants precluded effective coordination on the local, State, or regional level. However, the experience of existing runaway houses shows that this objection is groundless. All of the witnesses who represented runaway programs testified to the importance of developing close working relationships with the police, the courts, social service agencies, and the local community. John Wedemeyer of the Bridge in San Diego estimated that through such coordination his program was able to receive $76,000 in volunteered services last year. Moreover, he noted that such coordination is also beneficial to the community that the runaway program serves:

> We cooperate with the probation department, the welfare department, and the police department. They are eager to have us there, because they feel that they are heavily overworked. If they could have 20 percent of their caseload dispensed to some other social service agency, they would probably be thrilled to death.

CONCLUSIONS

The committee believes that the time has come to address this serious problem which affects so many of our young people and their families. The committee reports favorably the Runaway Youth Act S. 2829 as amended, and recommends that it do pass.

JUVENILE DELINQUENCY PREVENTION ACT

The Senate proceeded to consider the bill (H.R. 15635) to extend the Juvenile Delinquency Prevention and Control Act of 1968 for 2 additional years, to assist elementary and secondary schools, community agencies, and other public and nonprofit private agencies to prevent juvenile delinquency, and for other purposes.

Mr. MATHIAS. Mr. President, if we do not win the battle against juvenile delinquency and youth crime, we will lose the war against crime in this country. It is elementary logic that the unstopped juvenile crime of today is the costly adult crime of tomorrow. It just makes good sense therefore to spend the bulk of our crime money on the prevention of juvenile delinquency and on the treatment and rehabilitation of juvenile delinquents. I find it discouraging however, that the Congress and the Federal Government have not yet responded to this need. Although juveniles now make up well over half of the arrests in this country, the bulk of our urban crime and the great proportion of the serious and more violent crime in this country, we continue to neglect the problem.

The Government's major effort in juvenile delinquency is divided between LEAA within the Department of Justice and the Department of Health, Education, and Welfare and its YDDPA. LEAA resources are devoted to the treatment and rehabilitation of juveniles within the criminal justice system, while HEW's program deals with prevention. The Department of Justice spends only an approximate 25 percent of its budget on juvenile delinquency, while HEW's YDDPA spends a meager $10 million on prevention. Not only are these amounts dreadfully inadequate, but they are ill-proportioned. If we do not spend more money on prevention, we will merely be guaranteeing additional money in the years ahead on treatment and rehabilitation.

I have introduced numerous pieces of legislation, along with many of my colleagues, to both increase the money allocated to juvenile delinquency and to put some congressional guidance in the spending of that money. I give the Congress fair and formal warning that I intend to diligently pursue the matter of effective delinquency legislation in the 93d Congress. The need for the mental health of our children cuts across State and party lines. It is a concern for all for it affects us all.

The legislation which created the YDDPA program within the Department of Health, Education, and Welfare, recently passed the House in the extension of the Juvenile Delinquency Act of 1968. The Senate passed a companion bill, S. 3443, on June 19. Since there are some differences between the two bills, the question is now whether a conference between the two Chambers is in order.

Let me say quite frankly that I am not satisfied with the bill. I think it is a good interim measure; a program which will fill the need prior to the enactment of more meaningful and more comprehensive legislation. The distinguished and most able chairman of the Subcommittee on Juvenile Delinquency, Senator BAYH, of Indiana, is committed to the passage of comprehensive legislation in the 93d Congress. I share his concern and intend to seek the same objective. We have been told that HEW only expects to spend $10 million on this program in this next year. That is simply a drop in the bucket. It is, therefore, token legislation. It is important that we strengthen the role of HEW in the area of prevention. Ten million is simply inadequate.

In general, the House bill is more limited in scope than the Senate bill. This could be explained by the House, I am sure, as a practical measure realizing that HEW will only spend $10 million on the program. I would still disagree.

Too many kids in need of help are constantly falling between the bureaucratic cracks never to receive any help. There is a need for broad coverage if only to realize the great number of America's children who are in need of assistance.

The House version puts a heavy emphasis on services for youth who have "behavioral problems." The Senate bill, on the other hand defines "delinquent youth" and "youth in danger of becoming delinquent" broadly to include coverage for any child who is likely to come within the jurisdiction of the Juvenile Court or any youth who is likely to be in need of supervision. The fact that the bill puts a priority on local educational agencies to be the applicant or coordinating agency compounds the problem for often a school associates a "behavioral problem" with a deficient learning characteristic which may or may not eventually lead to real difficulty outside the school. Behavior problems in school can be a good barometer of possible future delinquency; however, there is a danger if this is the only indicator. A teacher may have an ill-conceived notion of behavior maladjustment. Often a child who is uncontrollable, undisciplined, critical, or aggressive, is categorized as having a "behavior problem" and singled out for special treatment when many times that child may be very normal, and it is the teacher who is intolerant or incapable of handling the child. This incorrect identification would be costly both to the individual child and to the Government.

This emphasis on behavior problems would not be so damaging in my mind if there were sufficient money in the bill for research into what is considered a "behavior problem." The House, however, deleted all money for improved techniques and related research. If we continue to define and judge delinquency without sufficient contemporary standards we will produce a costly generation gap between what is needed and what is being provided. Furthermore, there is no practical research into the causes and effects of juvenile delinquency of any decent size within the entire Federal Government.

The omission by the House of programs associated with probation and parole further narrows the scope of the program. And, I imagine its decision to decrease from 15 to 12 percent the amount any one State can receive under the program is also in keeping with this philosophy.

This question of scope, although a serious question in my mind, is not as important as these following three and it is here where I would like some clarification from the Senator from Indiana.

First, in the area of responsibilities of the applicant agency, the Senate bill held the applicant agency "accountable," while the House bill simply sets forth the duty of assuring that the services be "accessible" to the community and prospective participants. The trouble with most Federal programs dealing with youthful offenders is that many juveniles in need of help are lost in the bureaucratic process, never to be found nor treated. We must make the agency accountable to these kids; it is not enough that these youth services be made available or accessible; the agency must take some responsibility for getting these services delivered; they must be accountable to the community. Somebody must. I am tired of educational programs when we need action programs. We must begin to demand delivery of services.

The second area of concern is the provision in the House bill enabling the Secretary to award a contract for 3 years and when it is in the interest of the program to fund a grant beyond 3 years when the Senate limited the authorization of the program to 2 years. This provision seriously curtails the possibility of meaningful legislation in the next Congress. In addition, it is unfair if applicant agencies are made to believe that they may have a 3-year grant when authorizations for appropriations are only for 2 years.

Third, and I find this objection most serious, there is contained in the House bill, section 410. It reads:

> SEC. 410(a) Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, or physical development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which is otherwise provided by law.
>
> (b) The Secretary is directed to establish appropriate procedures to insure that no child shall be the subject of any research or experimentation under this Act other than routine testing and normal program evaluation unless the parent or guardian of such child is informed of such research or experimentation and is given an opportunity as of right to except such child therefrom.

In describing the application of this section, Congressman ASHBROOK and Congressman PUCINSKI stated the following on the floor of the House on July 17:

> Mr. ASHBROOK. . . . The committee did agree, on page 17, under the general provisions, to place in the bill a provision that would at least require *the permission of a parent before the so-called diagnosis and treatment of a youth in danger of becoming delinquent was carried into effect*. This is my amendment. Even with it I am concerned about this legislation and think it is dangerous experimentation (Emphasis added).
>
> I should like to ask the gentleman from Illinois, just for the purpose of legislative history, to indicate what the intention of the bill is in regard to predelinquency diagnosis and testing? . . . could we have some statement from the chairman as to how

he views this very, very sensitive problem of diagnosis and treatment of youths in danger of becoming delinquent.

Mr. PUCINSKI. . . . This language clearly establishes the doctrine, and for the purpose of legislative history I want to make the intent very clear. This provides that for any type of testing, psychological testing or psychiatric testing, beyond the normal educational testing we now use in our school systems, as presently being used, any special testing of a youngster will first have to undergo approval of the parents.

This will protect the rights of the parent to first be consulted and advised and apprised (sic) of what is going to happen.

In other words, the gentleman has quite properly put into this bill the safeguard that there is not going to be extensive psychological and psychiatric testing of youngsters without the permission of their parents. The intent of the gentleman's language is very clear.

I am somewhat confused by such an interpretation. It should be noted section 410(b) refers to research and experimentation when the House clearly took out of the bill authority to conduct any research and spend money on improved techniques. I do hope the Senator from Indiana can straighten the record here. This does bother me a great deal.

I am not in favor of taking away any parental responsibility; I just want to see an effective program funded and see the kids of America get some help. What about the kids who come into these community centers with veneral diseases, with drug problems who would not seek any help if they had to tell their parents? Would we rather see a kid die from an overdose of LSD and thus be intolerably inflexible in applying the notion of parental responsibility, or should we consider the objectives of the program.

I would want the parents' consent on treatment which would not be considered ordinary. Any experimentation of course should require parental consent. But we don't want to burden or thwart the working of the program by unnecessary parental consent. What is considered "ordinary treatment" might very well be spelled out in guidelines promulgated by the agency.

The section also has some constitutional and policy considerations. There are many States, including the State of Maryland which have passed laws permitting treatment—in Maryland for instance, in the case of venereal disease and pregnancy—without parental consent. Thirty-three States, in one form or another, permit their minors to receive some kind of treatment without parental consent. Are we going to preempt this State legislation? Is this the intent of the House? If it is; I believe the Senate should request a conference.

Mr. BAYH. Mr. President, I share the concern of the distinguished Senator from Maryland that the legislation we are extending today does not have the scope of authority and the massive resources needed to deal effectively with the problems of juvenile delinquency. The Subcommittee on Juvenile Delinquency, of which I am chairman, has conducted extensive hearings on the need for an entire restructuring of the Federal approach; we have heard from witness after witness that the present fragmented, piecemeal effort is having little impact on the upward spiral of juvenile crime. My colleague from Maryland shares my view that more comprehensive, far-reaching legislation is needed, and we will work together to insure that effective, meaningful legislation is enacted in the next Congress.

Let me now turn to the three areas which you bring up—areas and questions which, I believe, must be explained in order to avoid a conference. I think that two of these problems can be corrected by guidelines promulgated by HEW, while the third, the matter of the length of authorization, can be explained satisfactorily.

Section 103(b) in the House bill which authorizes grants for 3 years and beyond, I too, find most objectionable. It not only contravenes the intention of the Senate, but most unfortunately, it gives States and prospective applicant agencies the wrong impression that their program may be funded for 3 years. I do not think it will thwart the chances for comprehensive legislation in the 93d Congress, for the authorized extension of the act is clearly only for 2 years. It is, as I say, misguiding for the States. I will contact the administrator of the program and make sure applicants are put on fair notice of the Agency's fiscal limitations.

You mention the House amendment with regard to the responsibilities of the applicant agency. I agree with your interpretation; however, I believe this was an oversight in the House. I am sure they would not want any child to be neglected by the program. I believe, as you do, that the applicant agency should be held strictly accountable for the delivery of services to these kids. This matter can be corrected, I believe, by rules and regulations.

The last matter, I must agree with you, is the most important difference between the two bills. This is the so-called Ashbrook amendment—section 410 of the bill. If the intention of that amendment is to require parental consent for ordinary treatment, testing, and diagnosis, I, too, would require a conference to correct the matter. I believe, however, that the distinguished chairman of the House General Education Subcommittee, Congressman PUCINSKI of Illinois, and Congressman ASHBROOK, with their extensive experience in these problems would not have intended this result. Most youngsters would indeed be very reluctant to receive certain kinds of services if they had to obtain their parents' consent as a condition to receiving those services. Your examples of drug treatment and venereal disease are most relevant. I am quite confident that the intent of this provision is to require parental consent only when it comes to testing, diagnosis, and treatment which is experimental in nature, or is not ordinarily given under normal circumstances. Your point about usurping the jurisdiction of the States in this matter is quite apt and this gives me more reason to believe that this was not the intent of the House.

I hope that these remarks have clarified the questions raised by my friend from Maryland. I share his concern that the Federal effort to prevent and treat juvenile delinquency be made more effective, and I look forward to working with him, and with my other colleagues on the Juvenile Delinquency Subcommittee, and in the Senate, in enacting the kind of comprehensive, meaningful legislation that has so long been needed in this area.

Mr. MATHIAS. The Senator from Indiana has answered my concerns satisfactorily and I see no need for a conference.

Mr. BAYH. Mr. President, I ask unanimous consent to have printed in the RECORD a letter I received from the distinguished Representative from Illinois, Mr. ROMAN C. PUCINSKI.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
July 27, 1972.

Hon. BIRCH BAYH,
Old Senate Office Building,
Washington, D.C.

DEAR BIRCH: It is my understanding that the Senate Committee on the Judiciary yesterday considered and unanimously reported H.R. 15635, a bill to extend and amend the Juvenile Delinquency Prevention and Control Act of 1968. I also understand that there was some confusion in the committee as to the legislative intent of the House concerning several provisions of H.R. 15635, especially those provisions which differed from S. 3443, the original Senate passed version of the bill.

As Chairman of the House General Subcommittee on Education and as floor manager of H.R. 15635, I am writing to you as Chairman of the Senate Subcommittee to Investigate Juvenile Delinquency in order to clarify the intent behind these provisions of the bill. In particular, I want to make clear that the House intended this bill to have a two year authorization of appropriations and that the provision in section 103(b) providing that no grant may be made under Title I for a period exceeding three years is simply intended to put grantees on notice that they must become self-supporting after an initial, limited period of time. But this latter provision for a termination of grants obviously would not apply if Congress should decide not to extend the Juvenile Delinquency Act beyond June 30, 1974 since there would then be no third year in the program. In other words, this section demonstrates the long-range intent of the Act to encourage the phasing out of Federal support for the local juvenile delinquency prevention programs with the continuation of proven programs coming through other means and in no way implies that the Act will be extended beyond the two year authorization period provided in section 402 without another act of Congress or a continuing resolution.

I also understand that some concern exists about the meaning of the Ashbrook amendment. That amendment, section 410 of the bill, was added in committee and provides:

"SEC. 410 (a). Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, or physical development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which is otherwise provided by law.

"(b) The Secretary is directed to establish appropriate procedures to insure that no child shall be the subject of any research or experimentation under this Act other than routine testing and normal program evaluation unless the parent or guardian of such child is informed of such research or experimentation and is given an opportunity as of right to except such child therefrom."

My understanding of this provision is that it makes clear that any type of testing, psychological testing or psychiatric testing, beyond normal testing will first have to have the approval of the parents of the child involved. I assume that any extensive, unusual treatment of a youth in danger of becoming delinquent would also require parental consent. I do not interpret section 410, however, as requiring parental consent for treatment of typical adolescent problems, but whenever it would assist in helping to resolve the over-all problem then the parents should be notified of treatment.

I am pleased that the Senate Committee on the Judiciary has acted favorably on H.R. 15635 and I hope that it will be enacted into law as expeditiously as possible.

Sincerely,
ROMAN C. PUCINSKI,
Chairman, General Subcommittee on Education.

The bill (H.R. 15635) was ordered to a third reading, read the third time, and passed.

FURTHER PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a resumption of the period for routine morning business, for not to exceed 10 minutes, with statements limited therein to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTE TO LATE SENATOR ALLEN J. ELLENDER

Mr. STENNIS. Mr. President, before we start the session of business here today, I want to say a few words with reference to our late friend and colleague, Senator Allen Ellender, of Louisiana, whose funeral will be in his hometown, Houma, this morning at 11 o'clock central time and 12 o'clock eastern time. If we are still in session when 12 o'clock arrives, Mr. President, I will move that we recess during that period as a mark of respect during the funeral services and exercises.

I regret exceedingly that I am not there to pay my final respects at the funeral, but I decided last Friday that I could pay a better tribute, to him, and to the illustrious record and pattern that he set here over a great number of years, by staying here, especially since I am floor manager of the bill that we have under consideration.

Thus I would be following the pattern that he set and lived up to for many, many years.

He was an untiring worker, and his record in the Senate is shown by his never-ending attention to his vast and always growing legislative duties.

I am sure he would approve today as we dispatch the Government's business here in the regular way, except for the period that I hope we can recess. He would want the Government's wheels to be turning doing the people's business. So our session here is 100 percent in keeping with his career, and I consider our work as another tribute to him.

In all the time I have been here I considered Senator Ellender a highly valuable and personal friend. He made suggestions to me when I came here that were very helpful—personal suggestions and also official suggestions. I value that official and personal friendship very highly.

He was a friend, too, of the people of Mississippi. They had a personal interest in him, and a great many of them knew him personally. He in turn, of course, knew them. They appreciated him as a man and what he stood for, and his fine record and work. They appreciated his interest in our problems. I speak for them also in paying this brief tribute to him as we begin our work today.

I repeat that I feel our work itself is a special tribute to him, in keeping with his record, and that he would have the deepest appreciation for the fact that we are proceeding.

I thank the Senator for yielding.

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. JACKSON. Mr. President, under the unanimous-consent agreement of last Friday, my amendment was scheduled to be considered first today. Due to this previous order, I was unable to attend the funeral for our late colleague, Senator Allen Ellender. I should like to say a few brief words regarding Senator Ellender at this point. I certainly wish to associate myself with the remarks of the distinguished Senator from Mississippi.

Almost every night during the week, around 5:30 or 6, I make it a point to spend an hour in the gym. I think it is a mathematical fact that, almost without exception over the years that I have been in the Senate, I would always find Senator Allen Ellender in the gym at that time. He has always been a strenuous advocate of many things, but the gym was a very important part of his makeup; and I think this brings home the fact that he was truly a physical and mental powerhouse.

Whatever he got into, he plunged all the way, Mr. President. It is easy to say that a Senator is courageous on this issue or on that issue. I can best put it this way:

Senator Ellender was never neutral on anything, and I think we all—certainly all of us in the U.S. Senate—appreciate and admire those who make their positions clear and unequivocal. Obviously, it is not always easy, on difficult questions, to come down hard on one side or the other. But it was certainly characteristic of Senator Ellender to come to a conclusion and then to make clear, as clear as anyone can in this body, his views.

He was a tireless worker. He plunged into whatever subject matter he was dealing with, with all his heart and soul. Certainly as a man of 81 years he did not have an equal in my memory who was so active physically and who participated with such mental vigor in the problems that we face.

As I said at the outset, we would meet in the gym. He would spend at least an hour there daily, and whatever he was involved in, whether it was lifting barbells, riding a bike, or doing all the things that a younger man would be involved in, he was doing it vigorously, and doing it right down to the time of his death.

We will miss him in the Senate, because every Member of this body looked upon him as a man who would take a lively, active, and decisive part in whatever issues might face us in this body.

Finally, Mr. President, he was a warm, friendly man. We will miss his famous Louisiana gumbo luncheons. We will miss his warmth. We will miss his courage. We will miss his vigor. His death is a loss not only to the Senate, but to the Nation.

Mr. ALLOTT. Mr. President, I have had the opportunity to listen to the distinguished Senator from Mississippi and the distinguished Senator from Washington speak on this very sad day concerning our friend, the late Senator Allen Ellender. I suppose it is very difficult for many people to understand how a great warmth of affection and respect can develop between members of different parties, often between members with very diverse views.

The death of Allen Ellender came almost as a physical shock to me, because of all Senators he was probably the most assiduous in maintaining his physical condition. I have worked with him for almost 14 years on the Appropriations Committee. I must say that his detailed attention to his work would be impossible for anyone to understand who had not been intimately involved with the work of that committee. I think especially of the Public Works Subcommittee of which he was chairman for so many years, which requires such an infinite amount of detailed knowledge and attention.

What we have accomplished this year in the field of appropriations is primarily due to his drive and insistence, which he even exercised, in some instances, at the risk of incurring the disfavor of some of his friends in the Senate. If we have not gotten farther in our appropriation process this year, it is because of the sad fact that some of the committees of Congress have been so laggard in doing their work, or that authorization bills have been delayed in one way or another, so that his desire to get the work of Congress completely accomplished was thwarted.

I personally feel the loss of a great leader in the Senate. Whether we always agreed with him or not, we knew where he stood. He was courageous, he was forthright, and more than that, Mr. President, as I have had ample opportunity to observe, he was always loyal to his principles and to his country.

We shall miss him. To his son and his family, I extend my most sincere condolences and sympathies, as well as those of Mrs. Allott. This is a sad day for the Senate. I know he will find his reward, because he certainly has earned it in his life in the Senate and his life here on earth.

Mr. ROBERT C. BYRD. Mr. President, at a future time, there will be a day and hour set aside for eulogies to our late departed colleague, Senator Ellender. The distinguished majority leader, in consultation with the distinguished Republican leader, will make a decision as to the day and hour, and it will be announced for the convenience of all Senators.

ORDER FOR ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it stand in adjournment until 9:45 a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR BUCKLEY TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the recognition of the two leaders under the standing order on tomorrow morning, the distinguished Senator from New York (Mr. BUCKLEY) be recognized for not to exceed 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the following letters, which were referred as indicated:

Report on Approval of Loan for Construction of Certain Transmission Facilities

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, on the approval of a loan to Tri-State Generation and Transmission Association, Inc., of Denver, Colo., in the amount of $6,160,000, to finance the construction of certain transmission facilities (with an accompanying paper); to the Committee on Appropriations.

Proposed Amendment of Title 10, United States Code

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to improve the opportunity of nurses and medical specialists for appointment and promotion in the Regular Army or Regular Air Force, and authorize their retention beyond the mandatory retirement age (with an accompanying paper); to the Committee on Armed Services.

Proposed Amendment of Section 8371 of Title 10, United States Code

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 8371 of title 10, United States Code, to authorize officers of the Air National Guard of the United States to be considered for promotion to the reserve grade of colonel by the Air Force Reserve overall vacancy board (with an accompanying paper); to the Committee on Armed Services.

Report on Employees of Environmental Protection Agency

A letter from the Assistant Administrator for Planning and Management, U.S. Environmental Protection Agency, reporting, pursuant to law, on the employees of that Agency, for the year ended June 30, 1972; to the Committees on Appropriations and Post Office and Civil Service.

Report on Delay of Report Relating to Grants to States for Construction of Health Facilities

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on a delay in submission of a report relating to a study of the effects of the formular utilized in allotting grants to States for the construction of health facilities; to the Committee on Labor and Public Welfare.

Report of National Commission on State Workmen's Compensation Laws

A letter from the Chairman, National Commission on State Workmen's Compensation Laws, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated July 1972 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. BAYH, from the Committee on the Judiciary, with amendments:

S. 2507. A bill to amend the Gun Control Act of 1968 (Rept. No. 92–1004). (Together with supplemental and additional views.)

ORDER FOR A STAR PRINT OF S. 3838

Mr. STEVENS. Mr. President, on Monday, July 24, I introduced S. 3838, amending the Federal Aviation Act of 1958. The purpose of this bill was to insure that competitive air service would be possible in areas of the United States receiving neither highway service nor railroad service. The bill, as introduced, was specifically intended to insure that competing air service could be maintained. However, the specific language to carry out this intent was inadvertently left out of the bill.

Mr. President, I specifically request unanimous consent that a star print be made of S. 3838, including the new section 3, which is as follows:

SEC. 3. In determining the public convenience and necessity under this section, the Board shall consider as necessary to the sound development of an air-transport system properly adapted to the needs of the foreign and domestic commerce of the United States, the postal service and the national defense, the certification of at least two air carriers to provide air service to points in the United States receiving neither highway service nor railroad service.

The PRESIDING OFFICER (Mr. MOSS). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the bill as amended be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The Federal Aviation Act of 1958, as amended, is hereby further amended as follows:

SECTION 1. By adding the following sentence to subsection (b) of section 406 (49 U.S.C. 1376): "In the exercise of their powers and duties under this subsection, the Board and the Secretary of Transportation shall consider as required for the commerce of the United States, the Postal Service, and the national defense, air service to points in the continental United States which shall include Alaska and Hawaii receiving neither highway service nor railroad service."

SEC. 2. By adding a paragraph (7) to subsection (e) of section 401 (49 U.S.C. 1371) that shall provide as follows:

"(7) No term or condition in any certificate shall limit the maximum subsidy amounts payable with respect to service to or from points that receive neither railroad service nor highway service. The Board shall, without hearings, alter, modify, or amend any existing certificate term or condition in contravention of this requirement so as to bring such term or condition into conformity therewith."

SEC. 3. In determining the public convenience and necessity under this section, the Board shall consider as necessary to the sound development of an air-transport system properly adapted to the needs of the foreign and domestic commerce of the United States, the postal service and the national defense, the certification of at least two air carriers to provide air service to points in the United States receiving neither highway service nor railroad service.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. GOLDWATER:

S. 3860. A bill to amend the Strategic and Critical Materials Stock Piling Act, and for other purposes. Referred to the Committee on Armed Services.

By Mr. SPONG:

S. 3861. A bill to convey to the city of Alexandria, Va., certain lands of the United States, and for other purposes. Referred to the Committee on the District of Columbia.

By Mr. ANDERSON:

S. 3862. A bill to declare that certain federally owned land is held by the United States in trust for the pueblo of Nambe, N. Mex. Referred to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

S. 3863. A bill to amend title VII of the Housing and Urban Development Act of 1965. Referred to the Committee on Banking, Housing and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GOLDWATER:

S. 3860. A bill to amend the Strategic and Critical Materials Stock Piling Act, and for other purposes. Referred to the Committee on Armed Services.

Mr. GOLDWATER. Mr. President, I present for appropriate reference a bill to amend the Strategic and Critical Materials Stock Piling Act.

This legislation is vital to the national interest, Mr. President. The United States is about to begin negotiations that may lead to a very substantial expansion in trade with the Soviet Union. Looking ahead several years, it is reasonable also to expect an appreciable increase in trade with mainland China and other Communist countries.

Typically, the bulk of trade with Communist nations is conducted on a barter basis. Hundreds of U.S. companies will be negotiating individual transactions with a state trading company, arranging to exchange our exports for some commodity which can be sold in this country. Because of the nature of the Soviet economic system, a substantial proportion of the goods which they are likely to barter for U.S. exports will consist of large quantities of raw materials, including many items deemed essential under the terms of the Strategic and Critical Materials Stock Piling Act of 1946, as amended (50 U.S.C. 98).

While there are obvious potential beneficial aspects of such trade, there can also be substantial dangers—particularly if the Soviets concentrate their exports on one or two strategic commodities, thereby weakening the normal sources of free world supply and endangering the ability of the United States to obtain adequate supplies of these vital commodities in event of unforeseen emergencies. At the present time, the U.S. Government has no mechanism to guard against this possibility.

That is the purpose of the proposed legislation. It would amend the Strategic and Critical Materials Stock Piling Act to arm the President with authority and the mechanism to protect his country against over-dependence on imports of critical and strategic materials from Communist countries, in a manner which at the same time is equitable and flexible.

The fundamental concept of the 1946 Strategic and Critical Materials Stock Piling Act, which remains entirely valid today, is that the United States must have available, during any wartime emergency, a secure supply of vital raw materials which would be needed to meet military and essential civilian needs. Strategic stockpile objectives are determined, of course, by calculating U.S. needs, both for defense production and for essential civilian production, during a possible emergency period and comparing these needs with estimated supplies available during that same period from secure sources.

If there is no current stockpile objective for materials regarded as strategic and critical, that is because the estimate of supply available from secure sources during the contemplated emergency is sufficient to meet our estimated needs. Thus, security of supply is fundamental to all stockpile calculations.

Secure sources of supply include domestic producers of strategic and critical materials as well as imports from friendly nations which would continue to be accessible during a time of emergency. Obviously, imports from the Soviet Union or from other Communist countries could not be counted upon during a national emergency involving those countries. The United States therefore cannot afford to become overly dependent on these sources for any strategic and critical material.

With that in mind, this legislation has been framed to provide the authority, now lacking, for the President to regulate imports of strategic and critical materials from Communist countries. Under existing law, there is no way for the United States Government to assure that the barter arrangements made between Communist state trading entities and hundreds of U.S. firms will not, in their totality, result in a very substantial increase in the quantity of any particular strategic and critical material being imported into this country. There is no way at present to assure that such imports will not reach a level detrimental to traditional suppliers of that material.

In fact, given the size and rigidity of the Soviet economic apparatus, such a result will almost certainly occur if we do not take advance steps to prevent it. The Soviet export apparatus simply is not geared to developing a reasonable mix of commodities for export. It tends to generate large quantities of several items at one time and to rely upon these commodities as the primary means of barter.

The legislation here recommended equips the President with the authority to keep imports of particular strategic and critical materials under reasonable restraint, thus assuring maintenance of secure supplies in terms of sufficient active producing capacity to meet emergency requirements of the U.S. market. The purpose is not to close off Soviet trade in these commodities. Indeed the legislation contemplates a fairly substantial amount of trade and allows for reasonable growth. It is intended rather to prevent undue concentration of trade in a few commodities, thus weakening the supply base for those commodities. The objective is to assure that imports from the Soviet Union will be spread over a substantial number of commodities as trade between this country and the U.S.S.R. increases.

The legislation also provides a mechanism through which the Director of the Office of Emergency Preparedness can be called upon to determine under certain conditions whether imports of particular strategic and critical materials have reached levels likely to create a dangerous and costly dependence on Communist supplies.

In recognition of the fact that the United States now imports some strategic commodities in differing amounts from Communist countries, this legislation establishes growth from a preexisting base as the standard for initiating an inquiry into the question of excessive dependency. This is to assure sufficient flexibility in determining when excessive dependency has occurred.

Finally, the legislation gives the President authority to exceed limitations otherwise imposed whenever he deems additional imports necessary to protect the health of the domestic economy and to maintain the capability of the United States to meet national security requirements.

The proposal affords ample scope for agreement on trade matters between the United States and the Soviet Union. It contemplates access to the U.S. market for Soviet materials and allows opportunity for growth in such commerce. It merely seeks to guarantee that at an appropriate point the Director of the Office of Emergency Preparedness will thoroughly consider the question of whether the United States is becoming excessively dependent on Communist sources for essential materials. Should such an overdependence develop, the legislation would provide the President with authority to control imports of that material from Communist countries without, at the same time, imposing limitations on imports from those allied nations which may be regarded as secure sources of supply in event of emergency.

By Mr. SPONG:

S. 3861. A bill to convey to the city of Alexandria, Va., certain lands of the United States, and for other purposes. Referred to the Committee on the District of Columbia.

Mr. SPONG. Mr. President, I introduce today a bill to convey to the city of Alexandria, Va., the interests of the United States in certain waterfront property within the corporate limits of the city. This bill is identical to H.R. 15550 which was reported by the House District Committee on July 24, 1972, a measure which is agreed upon by all the major interests involved and endorsed by the Department of Interior. My purpose in introducing the bill today is to expedite Senate consideration and I am hopeful an early hearing will be held.

By Mr. MOSS:

S. 3863. A bill to amend title VII of the Housing and Urban Development Act of 1965. Referred to the Committee on Banking, Housing and Urban Affairs.

EMERGENCY PUBLIC WORKS EMPLOYMENT AND INVESTMENT ACT OF 1972

Mr. MOSS. Mr. President, I introduce a bill to provide for emergency Federal assistance to local communities which are now unable to construct "basic" public works such as sewer and water facilities. The purpose of the bill is twofold: to help communities to supply these needed environmental protection facilities while, at the same time, to create new job opportunities in those areas of the country which are experiencing high unemployment.

According to the Department of Housing and Urban Development, the current backlog of applications for Federal sewer and water grants comes to well over $2 billion. Local communities in many parts of the country are simply unable to receive assistance even for projects which are highly qualified.

In Utah, the backlog of applications for HUD sewer and water grants is substantial. During the past fiscal year, 15 out of 20 applications were sent back due to lack of Federal funding.

I ask unanimous consent that a list of these applications appear in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Utah communities which received HUD Water and Sewer Grants in fiscal 1972:

Community:	*Amount of Grant*
Provo	$131,500
Layton	378,000
Salt Lake City	230,212
Salt Lake County	185,000
Price	32,600

Utah communities which were denied HUD Sewer and Water Grants in fiscal 1972 due to lack of funding:

Clearfield; Orem (2 projects).
Clinton City; Oakley.
North Davis County Sewer District; Bona Vista.
Lehi; North Logan.
Kaysville; Central Utah Water District.
Riverdale; Magna.
Salt Lake City and Tooele.

Mr. MOSS. Mr. President, the situation is not confined to Utah. In the six-State Rocky Mountain region communities needed $39 million in Federal water and sewer assistance during the last fiscal year. They received only $8 million.

The bill which I introduce today would accelerate Federal funding of these projects, thus cutting into the giant public works backlog.

It would also go a long way in alleviating the severe unemployment problem which continues to affect so many of our communities.

According to the latest figures, Utah's jobless rate stands at 6.2 percent, far higher than the national average.

In the Rocky Mountain region as a whole unemployment has been consistently higher than the overall U.S. figure. Even in 1969, when the Nation as a whole was experiencing "full employment" conditions, this region of the country had a jobless rate of 4.2 percent. While the gap between the Rocky Mountains' unemployment rate and the national average has narrowed in recent years, the region continues to experience a rate of unemployment which is abnormally high.

These lagging economic conditions make it especially difficult for many of our communities to meet their local public works needs. The loss of tax revenues caused by high unemployment is indeed a major cause of declining community services. This, in turn, contributes to further economic deterioration as commerce and industry begins to leave the area.

The bill which I introduce today will address these very conditions. Emergency public works employment and investment grants will go, specifically, to those localities which have taken the brunt of the economic downturn. It will give particular recognition to those areas which are threatened with an "abrupt rise of unemployment due to the closing or curtailment of a major source of employment."

This provision will be especially helpful to those communities which have felt the impact of Federal manpower reductions. The current "R.I.F." at Hill Air Force Base has already cost the Utah economy over 1,000 jobs. Four hundred workers have received "rif" notices in the last month alone.

Mr. President, this legislation goes to the heart of our current economic situation. It offers a clear opportunity to redirect the Nation's manpower and material resources to long overdue domestic needs. It would put funds where they are needed most—in constructing basic public facilities to guard our most precious natural resource—water.

Today, there is an urgent need for such a redirection. Certainly the American people want to see such a shift in our Federal spending priorities toward our domestic requirements. Yet when one looks at the Federal budget there is little to demonstrate this new concern. Defense spending remains, by far, the "No. 1" spending priority. Since 1962 alone, our Nation's military spending has risen some $27 billion.

On the other hand, we continue to spend only 2 percent of the total budget on community development and housing, a little more than 4 percent on education, less than 3 percent on agriculture and only 1 percent on our natural resources and environment.

Mr. President, I do not think these figures represent the wishes nor the priorities of the American people. They certainly do not represent mine. Yet every time a proposal is made to take action in meeting our urgent domestic needs, we are told that such action is inflationary. Why is it, Mr. President, that we never hear the word "inflation" when talking about military spending, but only when the debate is on a domestic program—a domestic program as fundamental as public works and environmental protection?

Mr. President, this Nation is spending $20 million a day in Indochina for the air war alone. In the next fiscal year, the war is expected to cost this Nation almost $15 billion. Even a "wound down" war has proven to be all too expensive, all too inflationary.

Another objection made to emergency community facilities legislation is that it duplicates the purposes of the Federal Water Pollution Control Act Amendments of 1972 which is now in House-Senate conference. Nothing could be further from the fact. The bills would in fact complement each other.

The water pollution bill is directed toward the construction of sewage treatment facilities. The Emergency Public Works Employment and Investment bill I introduce today will assist the development of sewage collection systems, systems which are used to carry the sewage to the treatment facilities. It would thus contribute substantially to the goals of the water pollution bill.

The need for this kind of Federal assistance is undeniable. Since 1966, Utah communities alone have made applications for water and sewer projects costing over $34 million.

I ask that a list of those communities which have made these applications be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Utah communities which have applied for water and sewer grants and loans since 1966

Davis County:	*Cost of project*
Clearfield	$163,000
Clearfield	100,000
Clearfield	177,811
Clearfield	300,000
Clearfield	300,000
Layton	224,000
Layton	765,000
Layton	765,000
Clinton City	300,000
Clinton City	247,000
Clinton City	488,802
Sunset	377,000
Sunset	342,000
East Layton	249,000
East Layton	412,570
Centerville	477,000
Fruit Heights	87,000
Fruit Heights	126,000
Bountiful	94,000
Bountiful	652,000
Bountiful	143,528
North Davis	200,000
North Davis	102,000
North Davis	102,000
Woods Cross	259,440
Kaysville	108,600
Kaysville	247,474
Syracuse	82,163
Weber County:	
Roy	450,000
Roy	450,000
Roy	654,000
Roy	350,000
Plain City	750,000
Plain City	1,208,000
Harrisville	150,000
Harrisville	353,571
South Ogden	128,000
South Ogden	$360,000
Washington Terrace	277,475
Uintah	108,000
Riverdale	330,000
Riverdale	330,000
Bona Vista	50,000
Utah County:	
American Fork	321,245
Lindon	86,000
Lindon	188,000
Springville	105,710
Springville	251,501
Provo	1,003,003
Provo	120,000
Salina	175,000
Spanish Fork	296,000
Spanish Fork	233,000
Spanish Fork	442,000
Mapleton	198,000
Mapleton	164,000
Orem	80,000
Orem	204,800
Orem	160,000
Orem	200,000
Alpine	172,000
Salem	42,100
Salem	60,000
Lehi	349,000
Lehi	251,138
Carbon County:	
Price River District	3,245,498
Price	250,000
Rice Municipal Corporation	71,000
Helper	79,000
Castle Gate	50,800
Heber	896,750
Cache County:	
Logan	2,524,000
Weber County:	
Weber Basin	875,000
Pleasant View	500,000
Pleasant View	822,000
Utah County:	
Pleasant Grove	217,000
Pleasant Grove	153,576
Pleasant Grove	495,600
Weber County:	
Ogden	13,000
Ogden	59,133
Ogden	55,400
Ogden	12,500
Ogden	15,000
Ogden	2,495,000
Washington County:	
St. George	1,055,138
Tooele County:	
Tooele	393,000
Grantsville	415,000
Grantsville	470,000
Salt Lake County:	
County government	2,675,000
County government	143,013
County government	157,803
County government	208,100
County government	394,000
County government	3,766,000
County government	2,781,000
County government	487,114
South Salt Lake	4,637,000
South Salt Lake	350,800
Salt Lake City	120,000
Salt Lake City	812,000
Salt Lake City	1,442,790
Salt Lake City	931,788
Salt Lake City	691,386
Kearns	126,280
Kearns	118,000
South Jordan	360,000
South Jordan	362,000
South Jordan	320,000
West Jordan	583,730
Magna	98,000
Magna	240,000
Metropolitan Water District	2,800,000
Metropolitan Water District	2,800,000
Central Utah District	5,000,000
Murray	6,000,000
Coppertown	60,000
Iron County:	
Cedar City	25,000
Cost of all Utah projects	34,940,323

Mr. MOSS. Mr. President, the need for this Federal assistance is well established. Our need to create new job opportunities as well as to relieve local communities of further dependence on regressive property taxes has, in many parts of the country, reached the emergency state. It is time that we took action to redirect our national resources to meet these needs before the situation deteriorates even further in our poorer communities.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2360

At the request of Mr. WILLIAMS, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor of S. 2360, the Automobile Driver Education Act.

S. 3614

At the request of Mr. WILLIAMS, the Senator from Nevada (Mr. CANNON) was added as a cosponsor of S. 3614, the Education for All Handicapped Children Act.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973—AMENDMENT

AMENDMENT NO. 1381

(Ordered to be printed and to lie on the table.)

Mr. McGOVERN submitted an amendment intended to be proposed by him to the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

DISASTER RELIEF—AMENDMENT

AMENDMENT NO. 1382

(Ordered to be printed and to lie on the table.)

Mr. TAFT. Mr. President, for myself, Senator CRANSTON, and Senator ROTH, I am submitting two amendments to H.R. 15692, the legislation which amends the Small Business Act to provide increased relief to victims of disasters. I proposed each of these amendments to the Banking, Housing and Urban Affairs Committee, which rejected each of them by a vote of 7 to 7.

My first amendment would offer homeowners and small businessmen affected by an SBA-declared or presidentially declared disaster a low-interest loan with between 20 percent and 100 percent of the principal forgiven up to a maximum of $5,000. The percentage of principal forgiven would be determined on a sliding scale related to the borrower's last year's income—or for a borrower who retires or becomes disabled in that year or in the year of the disaster, his next year's income as estimated by the Administrator of SBA. The percentage forgiveness would be 100 percent for those people with incomes of $6,000 or less, and would drop by 4 percent for each additional thousand dollars of income, which the person made in the last taxable year. The interest rate would be 1 percent on the first $10,000 of the loan principal, and 2 percent on the remaining principal. This approach would apportion Government subsidies according to a person's ability to pay for repairs and the absolute amount of damage suffered.

My amendment also includes a provision to insure that those few victims of disasters occurring before the enactment of this legislation who would be worse off under the provisions of my amendment than under present law can claim the benefits presently available.

I believe that my proposal is an improvement over the Banking Committee's proposal to provide $5,000 forgiveness grants, in addition to 1 percent loans, in these three ways:

First, by relating the amount of forgiveness to the amount of hardship inflicted, it distributes benefits in a more equitable manner.

Under the $5,000, 1-percent approach, a millionaire could obtain a grant of up to $5,000 for any needed repairs to his tennis courts, and a 1-percent loan for any such expenses exceeding $5,000. I believe that the provision of this much assistance for people who have suffered little real hardship is an overly generous utilization of Government money. By limiting the forgiveness available to these people, we would be saving the Government considerable money while still providing them with a heavily subsidized interest rate and in some cases a rather large grant. These savings would make the expense of drastically increasing assistance to the people who really need it more bearable.

Second, the requirement to pay back most of the loan principal will reduce the incentive for fraud by people who have suffered little hardship.

The fraud which resulted in California from the $2,500 forgiveness provision has been well documented. Fourteen percent of the applicants for assistance asked for exactly $3,000, thereby receiving the maximum forgiveness and the minimum required loan. There would still be some incentive for fraud under my approach, but the limitation on forgiveness should help to reduce this incentive somewhat.

Third, the 2 percent interest rate rather than a 1-percent rate on principal over $10,000 would save the Government considerable money that often does not help those most in need.

The 1 percent overall rate would only help significantly those who have large loan principals. In many cases a large loan principal is an indication that a person owned considerable property in the first place, and therefore probably has the resources so that the disaster did not leave him helpless. The subcommittee chairman recognized this factor when he introduced legislation calling for 1 percent interest rate on the first $10,000 of loan principal, a 3 percent rate on the second $10,000, and the cost of money to the U.S. Treasury on any principal exceeding $20,000.

In any case, on a $20,000, 25-year loan the provision of a 2 percent interest rate rather than a 5 percent rate would result in a reduction of interest costs of $9,866—the present rate is 5⅛ percent. When coupled with the increase in forgiveness over present law, this means that on a $25,000 loss we are providing a $12,500 deeper subsidy than under present law—even with a 2 percent interest rate. Perhaps there is no need to go much further.

I have compiled a table which compares the forgiveness grant available under the committee bill with the forgiveness grant available under my approach, for people with various sized incomes who have suffered various amounts of property damage as a result of a disaster. I ask unanimous consent that both the table and a copy of the amendment itself be printed in the RECORD at this point.

There being no objection, the table and amendment were ordered to be printed in the RECORD, as follows:

	Subcommittee bill		Taft amendment		
Income and damage amount	Amount forgiven (Government subsidy)	Principal amount	Percent forgiveness	Amount forgiven (Government subsidy)	Principal amount
$6,000 and under:					
$2,000	$2,000	0	100	$2,000	0
$5,000	5 000	0		5,000	0
$10,000	5,000	$5,000		5,000	$5,000
$10,000:					
$2,000	2,000	0	84	1,680	320
$5,000	5,000	0		4,200	800
$10,000	5,000	5,000		5,000	5,000
$14,000:					
$2,000	2,000	0	68	1,360	640
$5,000	5,000	0		3,400	1,600
$7,000	5,000	2,000		4,760	2,240
$10,000	5,000	5,000		5,000	5,000
$18,000:					
$2,000	2,000	0	52	1,040	960
$5,000	5,000	0		2,600	2,400
$18,000—Continued					
$7,000	$5,000	$2,000		$3,640	$3,360
$10,000	5,000	5,000		5,000	5,000
$22,000:					
$2,000	2,000	0	36	720	1,280
$5,000	5,000	0		1,800	3,200
$7,000	5,000	2,000		2,520	4,480
$10,000	5,000	5,000		3,600	6,400
$15,000	5,000	10,000		5,000	10,000
$26,000 and over:					
$2,000	2,000	0	20	400	1,600
$5,000	5,000	0		1,000	4,000
$7,000	5,000	2,000		1,400	5,600
$10,000	5,000	5,000		2,000	8,000
$15,000	5,000	10,000		3,000	12,000
$25,000	5,000	20,000		5,000	20,000

Amendment No. 1382

On page 7, strike lines 8 through 16 and insert in lieu thereof the following:

"(C) shall, notwithstanding the provisions of any other law and upon presentation by the applicant of proof of loss or damage or injury and a bona fide estimate of cost of repair, rehabilitation, or replacement, cancel 100% of the principal of any loan made to cover a loss or damage or injury resulting from such disaster, except that

"(i) the total amount so cancelled shall not exceed $5000, and

"(ii) the percentum of the principal of the loan to be cancelled shall be reduced by 4 for each $1000 by which the borrower's income exceeds $6000, but in no case shall such percentum be less than 20, and make the balance of the loan at an interest rate of 1 percentum per annum up to a maximum loan of $10,000, provided that on loans in excess of $10,000, the interest rate shall be 2% on that amount of the loan over $10,000.

"For the purpose of this clause (C), 'income' means

"(i) except in the case of a borrower who retires or becomes disabled in either the taxable year in which the loss or damage is sustained or the preceding taxable year, or in the case of a borrower which is a corporation, adjusted gross income, as defined in Section 62 of the Internal Revenue Code of 1954, reduced by $300 for each deduction for personal exemptions allowable to the borrower under Section 151 of such code, for the taxable year preceding the taxable year in which the loss or damage is sustained,

"(ii) in the case of a borrower who retires or becomes disabled in the taxable year in which the loss or damage is sustained or in the previous taxable year, adjusted gross income as defined in Section 62 of the Internal Revenue Code of 1954, reduced by $300 for each deduction for personal exemptions allowable to the borrower under Section 151 of such code, as estimated by the Administrator for the taxable year after the taxable year in which the loss or damage is sustained, and

"(iii) in the case of a corporation, taxable income, as defined in Section 63 of the Internal Revenue Code of 1954, for the taxable year preceding the taxable year in which the loss or damage is sustained."

On page 8, after line 10, insert the following:

"(c) any person who (A) suffers any loss or damage as a result of a major disaster as determined by the President which occurred prior to the date of enactment of this Act, (B) is eligible for assistance under the amendment made by subsection (a), and (C) is eligible under existing law for benefits greater than those provided by the amendment made by subsection (a), may elect to receive such greater benefits."

Mr. TAFT. Mr. President, my second amendment would change the effective date of the legislation from January 1, 1971 to June 1, 1972.

While I sympathize with the desire of every Senator to see that victims of the disaster in his State are afforded increased assistance, I see no logical reason for the legislation to go back any further than is necessary to cover the Agnes and Rapid City tragedies which prompted the legislation. There is no equitable way to provide retroactive relief to some disaster victims and deny it to others. For example, why should we provide further assistance to victims of the California earthquake, which took place over 16 months ago, and not provide that same further assistance to Texas' Hurricane Celia of 2 years ago? If we go further back than the disasters which have prompted this legislation, there is no reason to stop at any specific cutoff date.

My amendment to change the effective date to June 1, 1972, would relieve the SBA of a major financial and administrative burden which would result from forcing them to grant increased assistance related to all presidential and SBA disasters during the last fiscal year. There were 36 presidentially declared disasters and seven SBA-declared disasters during that time. Over 102,000 disaster assistance loans were made. The SBA has estimated that even if no new loans are made nor outstanding loans augmented for disasters which have already occurred, it would cost approximately $160 million to provide the required additional assistance to victims of all disasters since January 1, 1971. In addition, the SBA would be forced to reinterview many of the borrowers and receive additional certification of their property damage.

In view of the importance of this legislation, I ask each Senator to give each of these two amendments his most careful consideration.

EQUAL STATE TAXATION OF NATIONAL BANKS—AMENDMENT

AMENDMENT NO. 1383

(Ordered to be printed and referred to the Committee on Banking, Housing and Urban Affairs.)

Mr. TOWER (for himself and Mr. Cranston) (by request) submitted an amendment intended to be proposed by them jointly to the bill (S. 3652) so clarify and regulate the powers of the States to tax commercial banks, to empower the States to tax national banks, to foster and promote the dual banking system by providing for equal State taxation of National and State banks, to promote the interstate flow of moneyed capital and the financial resources of insured banks, to foster and promote interstate and foreign commerce, and for other purposes.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 1367

At the request of Mr. Humphrey, the Senator from Illinois (Mr. Stevenson), who was inadvertently omitted from the listing of original cosponsors, was added as a cosponsor of amendment No. 1367 intended to be proposed to the bill (S. 3691) to provide that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs and the establishment of a national infant feeding program.

AMENDMENT NO. 1371

At the request of Mr. Curtis, the Senator from North Dakota (Mr. Burdick), the Senator from Kansas (Mr. Pearson), the Senator from Texas (Mr. Bentsen), the Senator from Iowa (Mr. Hughes), the Senator from South Carolina (Mr. Thurmond), and the Senator from Minnesota (Mr. Mondale were added as cosponsors of amendment No. 1371 intended to be proposed to the bill (S. 3726) to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, establish a Council on International Economic Policy, and for other purposes.

AMENDMENT NO. 1373

At the request of Mr. McGee, the Senator from North Dakota (Mr. Burdick), the Senator from Georgia (Mr. Talmadge), the Senator from Nebraska (Mr. Curtis), the Senators from Montana (Mr. Mansfield and Mr. Metcalf), the Senator from Wyoming (Mr. Hansen), the Senator from Idaho (Mr. Jordan), the Senator from Colorado (Mr. Dominick), the Senator from Iowa (Mr. Hughes) were added as cosponsors of amendment No. 1373, intended to be proposed to the bill (S. 3726), supra.

NOTICE OF HEARINGS ON CORPORATE SECRECY: INDUSTRIAL AND NATURAL RESOURCES OWNERSHIP AND CONTROL

Mr. NELSON. Mr. President, I announce that the Subcommittee on Monopoly of the Select Committee on Small Business will resume its hearings on the role of giant corporations in the American and world economies on Monday, August 7, 1972, at 10 a.m., in room 318, Old Senate Office Building. The session will open part 4 of the hearings. This part will be entitled "Corporate Secrecy: Industrial and Natural Resources Ownership and Control." This is the session which was originally scheduled for June 28, 1972, and announced in the Congressional Record of June 19, 1972.

NOTICE OF HEARINGS ON SELF-REGULATION IN THE SECURITIES INDUSTRY

Mr. WILLIAMS. Mr. President, I announce that the Subcommittee on Securities of the Senate Committee on Banking, Housing and Urban Affairs, will hold hearings on August 8 and 9, 1972, on two case studies on self-regulation in the securities industry. The first relates to the decision on the inclusion of listed securities in NASDAQ; the second relates to the decision on the sale of life insurance by stock exchange members.

The hearings will be held in room 5302, New Senate Office Building, beginning at 2 p.m.

Persons wishing to submit statements for the record should write to the Subcommittee on Securities, Senate Committee on Banking, Housing and Urban Affairs, Washington D.C. 20510.

ADDITIONAL STATEMENTS

SHIRLEY HIGHWAY BUS LANES

Mr. ALLOTT. Mr. President, a great deal has been written about the success of the Shirley Highway bus lanes between Washington, D.C., and Springfield, Va. This transit route has been cited as one of the most successful examples of Federal participation in transit operation.

I view the Shirley Highway exclusive bus lanes as a moderate success. It is not, however, the "fantastic breakthrough" which the Federal Highway Administration and the Urban Mass Transportation Administrations have claimed that it is.

A memorandum from E. L. Tennyson, deputy secretary for local and area transportation of the State of Pennsylvania, to Mr. Jack Kinstlinger, deputy secretary for planning, for the State of Pennsylvania, has put the question of the Shirley Highway bus demonstration project into proper perspective. I agree with Mr. Tennyson when he says:

> The dramatic increase in transit use generated by the Shirley Highway demonstration is not to be denied. The commuter has benefited greatly. The problem here is to avoid acceptance of the exclusive bus lane as a panacea when, in fact, it is a temporary palliative pending rail rapid transit which will attract far more riders at much lower operating cost with far more flexible trip opportunities even though it will be fixed rail.

Mr. President, so that all Senators may benefit from Mr. Tennyson's memorandum, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MAY 16, 1972.

Subject: Exclusive bus lane express bus demonstration—Shirley Highway.

To: Mr. Jack Kinstlinger, Deputy Secretary for Planning.

From: E. L. Tennyson, deputy secretary for local and area transportation.

Because of the tremendous emphasis FHWA is putting on exclusive bus lanes, I have analyzed the operation on Shirley Highway I–95 from Washington, D.C. to Springfield, Virginia, known as bus route 18.

With subsidy, this six-trip-a-peak rudimentary service has grown to 34 weekday trips, 24 of which are in the peak hour, but the service is of no use to local riders, reverse peak riders, non-auto owners, or riders with limited income. Ridership of 2700 passengers per weekday is up 400%, a dramatic increase, but far short of the increases achieved on Philadelphia's Fox Case and Levittown rail commuter lines when similar service expansion was undertaken. The riding habit is only 28 per year, as opposed to rapid transit expectation of 60.

The fare for the 12 mile distance between Springfield and Washington is 80¢ or 25¢ plus 4½¢ per mile. The new increased rate on the Port Authority Transit line (Lindenwold) is 75¢ for 14 miles and on the Port Authority (Pittsburgh) 60¢. The Pittsburgh Library rapid transit trolley, similar to length and population to Springfield, Va., serves about 3000 weekday riders on a much faster and more complete schedule in a much smaller city. The 75¢ zone of the Lindenwold line, comparable to the Springfield area but lower in population serves 13,000 riders, five times as many, but serving a larger central city.

The origin to destination speed of the Springfield-Washington Shirley service is abysmal. Peak trips, which furnish no service to the intermediate centers of Shirlington and Landmark, consume 62 minutes one way, or 13 miles per hour. The Pittsburgh trolly needs only 40 minutes for the same distance and Lindenwold 23 minutes. Off-peak, with intermediate stops at Shirlington and Landmark, the time is 66 minutes. A Philadelphia commuter train would use only 27 minutes for this distance in local service.

The cost of the Shirley express is excessive. Twenty-three (23) peak buses are scheduled which cost $2300 per day for operation plus $250 more for capital. Revenue, even at 75¢ average (Pentagon is only 70¢) produces only $2025 per day. The Lindenwold line makes a healthy operating profit on an average fare of 60¢.

The dramatic increase in transit use generated by the Shirley Highway demonstration is not to be denied. The commuter has benefited greatly. The problem here is to avoid acceptance of the exclusive bus lane as a panacea when, in fact, it is a temoprary palliative pending rail rapid transit which will attract far more riders at much lower operating cost with **far more flexible trip** opportunities even though it will be fixed rail.

For domestics, school teachers, and other reverse commuters, it should be noted the first bus arrives at Springfield at 10:07 a.m., and the last one returns at 3:56 p.m., a very narrow band of trip making opportunity outside of center city office employment. If even a center city employee is kept after 6:45 p.m. at the office, he cannot go home by this transit. I cannot recommend this pattern as a universal service. No Saturday or Sunday service is provided either. The entire service is useless to a non-motorist, and of limited high cost use to typical commuters.

HIDDEN HAZARDS IN THE SOCIAL SECURITY INCREASE

Mr. FANNIN. Mr. President, I am deeply concerned by the trend in Congress to pass legislation aimed at solving immediate problems without taking into consideration the long-term effect.

There seems to be a growing disregard for the burdens which we may be placing on future generations of Americans. In short, we have mortgaged our future, and have no reluctance about second mortgages.

One premise which we have worked on is the belief that our Nation will continue to expand rapidly, both in population and in the economic sphere. Yet, the very liberals who use this as rationalization for extravagant spending schemes are the ones who most often are the advocates of zero population growth and even zero economic growth in the name of ecology.

The lack of regard for today's young and future generations was nowhere more evident than in our passage of the recent social security increase.

Certainly the increase could be justified on the grounds that our elderly are entitled to everything which we can afford to provide.

What was not considered were two major factors:

First. The immediate inflationary impact which could hurt rather than help the elderly.

Second. The long-range impact on today's workingman who will retire in perhaps 20 or 30 years.

Robert J. Myers, who was chief actuary of the Social Security Administration from 1947 to 1970, has written a most interesting article on the long-range impact of the social security increase.

Mr. Myers, who is now professor of actuarial science at Temple University, states:

> We who are doing the planning today should not create a difficult, perhaps intolerable, financial situation for future generations that have no way of avoiding it once it has occurred.

He foresees the day—true this may be 30 or 40 years away—when our children or grandchildren could be paying 15 to 20 percent of the taxable payroll into social security.

Mr. President, I believe that Mr. Myers makes some excellent points which were ignored in considering the social security program. I ask unanimous consent that the article published in the Wall Street Journal of July 28, 1972, be printed in the RECORD:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOCIAL SECURITY'S HIDDEN HAZARDS

(By Robert J. Myers)

Ecologists have put great store in the need to curb population growth in order to conserve the world's limited natural resources. Actuaries and demographers, in turn, have realized for years that at some time over the long-range future the rate of population growth must level off and stabilize because of the simple mathematical fact that indefinite compounding of population growth would produce completely untenable results.

Actually, current experience seems to indicate that from a fertility standpoint our nation is very close to approaching Zero Population Growth level.

It's widely agreed that ZPG is very desirable. Although there may be different views as to how to achieve ZPG, it appears that it will likely be achieved in a gradual manner over several decades, as fertility is controlled to produce an approximate replacement level among women moving through the childbearing ages. But what will the demographic trend mean to the nation's Social Security program?

There is every indication that ZPG will inevitably present a serious Social Security financing problem to the nation's working population in the years following 2010. Some may scoff and say who cares what happens in such a long-distant future year, but we must realize that everybody under age 20 as of today will still be in the working population at that time.

Thus, we, who are doing the planning today should not create a difficult, perhaps even intolerable, financial situation for future generations that have no way of avoiding it once has occurred. In actions such as the recent 20% boost in Social Security benefits, unfortunately, the Congress and even the administration have seemed oblivious to this hidden hazard.

BIRTH AND DEATH RATES

Currently, the crude birth rate (total births in a year divided by total population) has been at a level of about 17 per thousand, although in the 1950s it had averaged about 24 per thousand. On the other hand, the crude death rate (total deaths in a year divided by total population) is currently slightly less than 10 per thousand, and it has hovered at this level for several decades.

It should be recognized, of course, that consideration of crude birth and death rates alone is not significant when viewing long-range possibilities. Both rates depend strongly on the age structure of the particular population. In a relatively young and non-mature population such as ours, the crude birth rate will be higher and the crude death rate will be lower than will eventually be the case when the age structure approaches a mature condition.

Those who believe in forecasting the future by blindly projecting past trends, without any thorough analysis of the underlying details, might well assert that, since the crude death rate has remained level for several decades, it will continue to do so into the indefinite future. Actually, such cannot be the case, even though this level trend may persist for several decades. Eventually, it will have to increase to a level of about 13 or 14 per thousand.

With our current crude birth rate of about 17 per thousand and a crude death rate of about 10 per thousand, our population growth is thus at an annual rate of about 7 per thousand, exclusive of the relatively minor effect of net immigration.

Naive ZPG advocates who are eager for fast action say we should immediately have no further increase in our total population, by reducing the birth rate at once. Such a course of action would be virtually impossible to carry out because it would mean cutting the crude birthrate by 40% immediately. If this level of fertility continued for very long in the future, we would have a decreasing population and it would require sharply increased fertility to maintain population stability. You just cannot turn fertility off and on like electricity.

The more logical approach to ZPG, and one that the country seems to be following, is a fertility rate such that the average woman in passing through the child-bearing ages has an average of slightly more than two children (to make up for the fact that slightly more boys are born than girls). Or, to put it another way, ZPG will be attained if every 100 women who have children have about 230 children, to make up for the higher male sex ratio of births and for women who, for one reason or another, do not reproduce.

If ZPG is effectuated immediately in this manner, it will take a number of decades before total population growth will have ceased, but such a result will be certain to come, as the total U.S. population curves gradually flattens toward a level of about 270 million, compared with the present population of about 208 million.

However, it may be noted that cost estimates for the Social Security program are based on a different basis as to ZPG—namely a considerably deferred basis such that ZPG from a fertility standpoint would not be reached for at least four decades, and thus total population growth would not level off until at least eight decades from now.

When viewed from a cost standpoint, the vast bulk of the cost of the Social Security program (over 90%) relates to aged persons, 62 or over. No matter in which way ZPG is attained, the absolute number of aged persons will be unaffected for the next six decades, and any resulting effects will only be felt slowly thereafter. Similarly, the effect of ZPG will not be felt on the working population for some length of time, but here the grace period will be much shorter, only about two decades.

Let us next consider what the long-range Social Security cost situation will be under various ZPG conditions insofar as fertility rates of women are concerned.

For the next 20 years, Social Security costs relative to taxable payroll will be about the same under immediate-ZPG conditions as under the deferred-ZPG conditions still being used in the official Social Security Administration cost estimates. (These projections, which assume ZPG on a fertility basis will be reached in 2010, were made under my responsibility in 1966 and were far lower than corresponding estimates made by the Bureau of the Census at that time. As actual experience has developed, even my low-fertility assumptions now seem to be too high.

Social Security costs, in fact, will be slightly lower under immediate-ZPG conditions, because of a lower number of children in the country and thus somewhat fewer child beneficiaries with respect to survivor, disability and retirement cases. However, in the 1990s and increasingly more in the immediately following decades, the pendulum will swing, and the immediate-ZPG conditions will produce fewer individuals at the working ages to support the same number of aged beneficiaries.

The situation will become particularly acute after the year 2010 as the combined effects of two factors are felt. First, there will be the aforementioned smaller number of people in the working ages of 21 to 64. Under immediate-ZPG conditions, there will be about 169 million people by 2025 versus 185 million under deferred-ZPG conditions. This compares with 105 million at present and about 151 million to 157 million in the year 2000.

Second there will be a rapid increase in the aged population, which will tend to be relatively level from 1990 to 2010 at about 29 million (when it will consist largely of the survivors of the low number of births during the depression years of the 1930s), as compared with about 21 million at present. But beginning in 2010 the survivors of the large number of births in the post-World War II years will reach the aged category and the total number of aged will zoom up, not only absolutely but even more significantly, relatively.

Thus the total aged population will rise from about 29 million in the 1990–2010 period to about 45 million in 2025, an increase of about 55%—as against a rise of only about 15% for the productive population.

FIGURING COSTS

In our dynamic—or to use another word, inflationary—economy, Social Security costs should be considered relative to taxable payroll, rather than in dollar amounts. It is widely agreed that Social Security should be financed on a current-cost basis, so that income from contributions or taxes will somewhat more than meet the cost per year for benefits and administrative expenses. I say "somewhat more" because of the desirability, even the necessity, of maintaining a trust-fund balance of about one year's outgo.

It is easy and popular to advocate boosting Social Security benefits, but it should be recognized that this ratcheting affect is permanent and can commit future generations to extremely high costs.

Typical is the 20% increase in Social Security benefits that has just been enacted into law, effective in September. This compares with a rise of only about 8% that was justifiable in terms of cost-of-living changes since the previous increase was effective in January 1971.

The Nixon administration opposed the 20% increase, but rather strangely, not on the really important grounds of what the large benefit increase would do to the long-range financing of the program with its heavy load on the private sector as taxes rise. Rather, the Nixon opposition seemed based solely on the short-range inflationary effects of aged beneficiaries having more money to spend.

We might ask by what magic can Social Security benefits be increased by about 10% more than the change in the cost of living, while at the same time tax rates over the next few decades are decreased from what was scheduled in the previous law, by holding them virtually constant at the present level?

This politically attractive result was achieved through several means. Over the short-range, additional financing is accomplished by raising the maximum taxable earnings base to $12,000 in 1974, which is far more than proportionate to the rise in individual incomes that has occurred since the base was last adjusted in 1968. Such action brings in far more money in the early years than the additional benefits paid out, although in the long-run benefits are substantially increased.

Further, the tax schedule contained in the previous law had rates which were far too high currently and for several decades to come, as compared with what would be needed under current cost financing. Instead, these near future tax rates should have been lowered under any legislation enacted this year (as I had recommended with regard to the predecessor legislation in early 1970, when I was chief actuary of the Social Security Administration.) Thus the excessive tax rates in the previous law have been used for the near future to increase benefits.

NEGLECTED ITEMS

Over the long-range, the costs have been made to appear low by neglecting to take into account the current trend toward immediate ZPG and by assuming that the nation's productivity will continue to increase into the indefinite future at an annual rate of about 2% to 2¼%, as it did in the past, certainly far from a sure thing in light of the shift of public emphasis toward ecological goals rather than year-after-year production increases.

Nevertheless the cost burden seems bound to rise on the working population. Under the deferred-ZPG assumptions used in the cost estimates of the Social Security Administration, the cost of the present level of Social Security benefits (kept up-to-date with future changes in prices) will likely be as high as about 15½% of taxable payroll in the decade of the 2010s. Under immediate-ZPG conditions, this figure would rise to about 20% of taxable payroll.

Assuming that we will very likely have immediate-ZPG conditions and that the country believes this to be desirable, it seems essential that we should recognize its effect on the Social Security program. If we do so, we should then be hesitant about over-expanding the program at the present time, when it in is a low-cost condition due to demographic elements that will most certainly be different in the future. Not to consider this situation will place an unduly heavy burden on our present younger generation and on generations to come.

RETIREMENT OF LAURENCE K. WALRATH, INTERSTATE COMMERCE COMMISSIONER

Mr. STEVENS. Mr. President, on June 30, Laurence K. Walrath retired as a Commissioner of the Interstate Commerce Commission, a position he has held since 1956.

We do not often take the time we should to show the respect and admiration for those who serve the country and Government with great dedication and intelligence. Therefore, it is of great importance that we recognize Laurence Walrath on the occasion of his resignation from the ICC. To perform in such high official capacity for 16 years commends him for his dedication and self-sacrifice. The fact that he has been reappointed by three different Presidents speaks for the respect which his Nation has for him. Rather than directing his great capabilities toward his own future and comfort, he chose to devote himself to the often frustrating rigors of Government service.

It is hard to lose men like this; and Mr. Walrath should know that he takes with him the warmest regards of those in Congress who know him, and our sincere good wishes for whatever pursuits he should choose in the future.

ENDORSEMENT OF A PRESIDENTIAL CANDIDATE BY AMERICAN NEWSPAPER GUILD

Mr. ALLOTT. Mr. President, the editors of the Rocky Mountain News are, I know, intelligent and thoughtful men. I assume they represent various political philosophies and allegiences. It is my pleasure to call to the attention of the Senate a cogent editorial on the subject of the decision by the leadership of the American Newspaper Guild to endorse a presidential candidate. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Newsmen and Politics

Since it was founded in Cleveland 39 years ago, the American Newspaper Guild, which as a labor union represents 33,000 reporters, photographers and clerical workers, most of them in large cities, never has endorsed a candidate for President.

That tradition was broken last week when the Guild's 14-member executive board voted to endorse Sen. George S. McGovern during the Democratic convention in Miami Beach.

Guild President Charles A. Perlik Jr. explained that "compelling human pressures pushed the Guild off the thin, illusory edge of neutralism and into the arena where the battle will be fought."

The line between neutralism and partisanship may be thin, all right, but it is by no means as "illusory" as Perlik would have us believe.

Most newsmen, whatever their political persuasions, lean over backwards to be fair in their reporting, and the endorsement of Sen. McGovern by an organization that speaks for newsmen is bound to raise doubts in the minds of the readers.

Sen. Barry M. Goldwater, R-Ariz., says the Guild action confirms his belief that newsmen favor "radical Democrats" over conservative Republicans like himself.

The truth is that reporters are as skeptical of politicians, left and right, as they are of editors and editorial writers, which might be a good thing for all concerned.

Fortunately, hundreds of reporters from New York to Minneapolis have signed petitions opposing the Guild action and disavowing the endorsement of Sen. McGovern or any other candidate.

Delegates from the Denver local who attended the national convention in Puerto Rico voted 5-to-3 to oppose Perlik's move, based largely on the conviction that the Guild, representing people covering politics in an active way, should not take any kind of partisan stance to compromise their reportorial credibility.

We insist a newspaper reporter should detach himself, as far as possible, from the events and personalities he is covering so as to present the most objective possible view to the public.

For the Guild to take sides in a presidential election campaign, or any other political contest, is a handicap most reporters can cheerfully do without.

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

Mr. CURTIS. Mr. President, it is my privilege to extend sincere congratulations to the officers and members of the Order of Ahepa in celebrating its golden anniversary.

The Order of Ahepa was founded on July 26, 1922. During this half century, the Order of Ahepa has made many contributions to the betterment of American life. It has 430 local chapters and I am proud to state that Nebraska is among the States represented.

AHEPA's contributions to worthy causes are many and include financial and other assistance to victims of hurricanes, floods, and other disasters. The members of AHEPA are men in all walks of life. They may be businessmen, professional men, educators, laboring men, but all are men of good moral character with the common goal of good fellowship and mutual understanding.

The Order of Ahepa has one main purpose, and that is the improvement and betterment of our social, moral, and family life. All programs of AHEPA are designed toward this end.

I join many other citizens of our country in extending good wishes.

FINANCIAL ASSISTANCE TO ROTC STUDENTS

Mr. STEVENS. Mr. President, I have received from Dr. George Benson, the Deputy Assistant Secretary of Defense for Education, an opinion of Defense Department counsel interpreting the provision of H.R. 4729, now Public Law 92–166, which provides for additional scholarships under the financial assistance program pursuant to 10 U.S.C. 2107.

This provision provides that at least 50 percent of the ROTC students receiving financial assistance under that section must qualify to receive in-State tuition rates at their respective institutions. The Department of Defense counsel has interpreted this provision to apply the percentage limitation on a departmental-wide basis rather than by an institution-by-institution basis.

In addition, Representative F. Edward Hébert, chairman of the Committee on Armed Services, states that this 50-percent limitation is intended to apply solely to students attending public institutions.

The practical implications of these rulings will be to enable many students from States without ROTC programs to participate in the financial assistance program. Of course, it will also enable students who could not otherwise afford to do so to attend schools under the ROTC financial assistance program at college outside their home States.

Because this is so important to so many young men and women across the United States, I ask unanimous consent that the opinion and the letter from Mr. Hébert be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Department of Defense,
Washington, D.C., November 30, 1971.

Memorandum for: Dr. George C. S. Benson, Deputy Assistant Secretary (Education).
Subject: Interpretation of a provision of H.R. 4729.

This is in reply to your memorandum of 22 November 1971, subject as above, requesting an interpretation of a provision in H.R. 4729 which reads as follows:

"At least 50 percent of the cadets and midshipmen appointed under this section must qualify for in-State tuition rates at their respective institutions and will receive tuition benefits at that rate."

We find no legal objection to apply the percentage limitation on a departmental-wide basis in accordance with your suggestion. The legislative history indicates that the Congressional intent in requesting the amendment set forth above was to reduce the cost of the program. The application of the percentage on a departmental basis will affect such a reduction. In addition, it would avoid the discrimination you suggest against out-of-state students attending institutions which charge higher rates for nonresidents.

Frank A. Bartimo,
Assistant General Counsel (Manpower, Reserve Affairs, Health and Environment.

U.S. House of Representatives,
Washington, D.C., January 27, 1972.

Hon. Roger T. Kelly,
Assistant Secretary of Defense (M&RA), Department of Defense, Washington, D.C.

Dear Mr. Secretary: Public Law 92–166 recently passed by the Congress concerning the ROTC requires that at least 50 percent of the students awarded scholarships must qualify for in-state tuition rates at their respective institutions. This matter is being brought to your attention because of varying interpretations that may be possible in the absence of published legislative history on the matter.

It was not our intent to apply the provision to scholarships awarded to students attending private institutions. The limitation was intended to apply solely to students attending public institutions. This interpretation reflects the intent of the committee.

Any other interpretation of this provision will probably create serious disruption and hardship in the scholarship program. For example, the Navy originated ROTC scholarships in 1946 and has been successful in using them. More than two-thirds of Naval ROTC scholarships are awarded to students attending private institutions or to nonresident students at public institutions. The committee obviously did not intend to force scholarship holders to attend public institutions, but rather to insure that their attendance at these schools is in a resident status.

I hope that this information will be helpful in administering the law.

Sincerely,

F. Edw. Hébert,
Chairman.

ASSESSMENT OF SUCCESS OF PRESIDENT'S ECONOMIC POLICIES

Mr. ALLOTT. Mr. President, the Denver Post of July 25 contained a useful, accurate assessment of the success of the President's economic policies. I ask unanimous consent for this editorial to be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Nixon Economic Measures Begin To Show Good Results

The Commerce Department last week gave us some very solid evidence that President Nixon's economic game plan is finally working.

During the second quarter of 1972, according to Commerce statistics, the nation recorded a sharp gain in real output; during the same period, there was a marked decrease in the rate of inflation.

Specifically, the U.S. gross national product (GNP) grew during the quarter at an annual rate of 8.9 per cent. This, coupled with a 7.4 per cent gain during the first three months of the year, indicates that government predictions for a 6 per cent increase for the year were overly cautious.

Second quarter inflation was slowed to a 2.1 per cent annual rate, less than half the 5.1 per cent pace during January, February and March.

In commenting on both sets of figures, Herbert Stein, chairman of the Council of Economic Advisers, called them "the best combination of economic numbers released on any one day in this decade."

Stein, unquestionably, had cause for delight; it has, after all, been a long, slow battle to turn the economy around from last year's low point.

But we'd like to mention two potential stumbling blocks in the country's drive toward continuing, non-inflationary prosperity.

First, there is the lurking danger that wage-price controls, for political reasons, may be lifted too soon.

The President's Committee for Economic Development has anticipated this possibility and warned Mr. Nixon against any "premature removal" of such restraints.

Even after Phase 2 controls finally do come to an end, we suggest that as a matter of prudence Mr. Nixon should retain standby power to reimpose compulsory controls on any individual industry or union that disregards voluntary guidelines.

Second, there is always the chance that the government, having revved up the economy through deficit spending, may become committed to too many projects that will require further huge outlays in years to come.

The time may soon come when the President will have to mop up excess liquidity either through budget cuts (a slackening of government spending) or through some sort of tax increase.

The point is that economic health is not a permanent, self-perpetuating condition. Someone has to keep close watch on the country's symptoms—and where necessary, apply the right medicine.

INVESTIGATION OF ENVIRONMENT AT VALDEZ, ALASKA

Mr. STEVENS. Mr. President, the first quarter 1972 issue of The Humble Way magazine contains an article entitled "Investigating the Environment at Valdez." This is a most interesting piece describing the oceanographic and meteorological research now being conducted into the Valdez Arm through which the proposed trans-Alaska pipeline will extend. This research is being sponsored by the Alyeska Pipeline Co., the company which will build and operate the trans-Alaska pipeline.

Alaskans and environmentalists of all kinds have insisted that the trans-Alaska pipeline be constructed without despoiling Alaska's beautiful environment. Because of this concern, the U.S. Department of the Interior has laid down the most stringent regulations ever established for the construction and operation of this pipeline. In addition, a more detailed and thorough analysis has been devoted to this project than to any other pipeline system in the world. Stringent regulations have been laid down for the construction phase of the pipeline system, and the American tankers which will be necessary for the transport of the Alaskan oil will be constructed with facilities and equipment to prevent spills and other calamities. Double-bottom tankers will be required and special ballast tanks are being designed so that no oily water will be discharged into harbors.

In addition, a great deal of research has been devoted to the marine environment south of Valdez through which the new tankers will travel. The research study discussed in this article will also provide urgent data which will be vital for the tankers traversing this area.

The Valdez Arm is a beautifully clean fjord in which the present study is taking place. The researchers examining this virgin body of water are examining its physical, biological, and chemical composition. They are all skilled scientists who have had great experience in their various fields. Provided with a highly capable and scientifically equipped ship, they are gathering various data which will be of great use in the future.

Mr. President, I believe that it is indeed commendable that the industries planning construction of the trans-Alaska pipeline are sponsoring studies such as the one in the Valdez Arm. They will insure that Alaska will not be left a ravaged wasteland. Instead, I believe that they will prove that wise economic development and environmental conservation are not mutually exclusive but can exist side by side.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INVESTIGATING THE ENVIRONMENT AT VALDEZ

(By Don Pedera)

The problem is vexatious, immediate and increasing. To solve it, Bill Shiels activates a precision-made, thoroughly tested, highly effective instrument standard in Alaskan oceanography:

". . . Stick, round, tapered, of straight-grain ash, exactly 1.067 meters long, maximum of 69.5 millimeters in diameter, stamped with an oval trademark, "Louisville Slugger."

Swinging his big league baseball bat, Shiels shuffles up and down the slippery, heaving decks of the Research Vessel *Acona*. He flails away at the crusts of frozen spray clinging to rails, jackstaff, winches, wire ropes and superstructure. With every smite, shards of ice fly away on a wintry wind. And the *Acona*, relieved of her burden, makes her way toward another station in the Valdez Arm of Prince William Sound. Bill Shiels stows his bat in the pilot house, and brings into play yet another apparatus familiar to northern latitudes, a snow scoop. Hampered by bulky clothing. Shiels gingerly clears slush from a solar meter, from seawater incubators, from coils of plastic tubing leading to a laboratory aft.

If "exploration is the sport of the scientist" (Auguste Piccard), the men of the *Acona* are participating sportsmen in a championship academic expedition. Their contest is unique in oceanography: to pursue history's first modern, comprehensive, long-term study of a pristine fjord.

"To my knowledge," says team leader Dr. D. W. Hood, "nowhere in the world has advanced oceanography been employed in this detail for so long a time in the thorough investigation of a fjord estuary before man became a significant influence." Dr. Hood explains that Valdez Arm, unlike most other fjords, is very nearly a virgin body of water. With men and equipment which he says are the very best, he has been examining the physical, biological and chemical composition of the fjord for over a year. "We're establishing baselines sure to be useful far into the future," Dr. Hood says. And he adds, "Don't we wish somebody could have done this in San Francisco Bay 200 years ago!"

Need for the Valdez Arm studies arose with plans for an 800-mile overland pipeline to transport oil from Alaska's North Slope. Valdez (pronounced Val-*deez*) was selected as the southern terminal of the pipeline, the port where tankers might take aboard oil for delivery to the U.S. West Coast. Along with its deep natural harbor, Valdez is blessed with two other advantages—a relatively warm climate in winter which prevents thick surface ice from forming, and stable bedrock sites for shoreside facilities.

Of priceless value, this sheltered inlet is also spectacularly beautiful. Dark mounts rear full-born from sea level to snowy caps 6,500 feet above the fjord. In the narrow, densely wooded valleys, rivers spring as waterfalls from melting glaciers creeping down from South Central Alaska's mighty Chugach Mountains.

Against so grand a scale, the marks of a man are faint. Whalers anchored here in the 1800's, and at the turn of the century, thousands of sourdoughs climbed a shortcut through the mountains surrounding Valdez to the gold fields. Their trail became the Richardson Highway, but a hoped-for railroad went another route. So Valdez remained a cozy tourist town of 600 residents until its date with destiny on Good Friday of 1964.

That day, the mightiest earthquake on record in North America rumbled out of the Chugach. Valdez, built on a sandy river flat just 35 miles from the epicenter, caught the full brunt of a temblor that released the energy of 500,000 Hiroshima-size atomic bombs. The loose sediments of the delta quivered like gelatine in a bowl, and the buildings of Valdez came tumbling down. Of the quake's 115 victims, 31 perished at Valdez, more than anywhere else.

Thus, Valdez gained a reputation for vulnerability. But later, following "the most intense study of a natural disaster on earth," the experts said otherwise. The U.S. Army Corps of Engineers recommended a new townsite on solid ground in an area not subject to instability in the event of future earthquake." There, four miles west of Old Valdez, survivors built their town anew. On bedrock across from the new town Alyeska Pipe Line Service Company proposes to place its tanker docks and oil loading facilities.

Yet even if Valdez was a logical place for the pipeline, would such a facility pose a threat to the unspoiled fjord?

Dr. Hood was among the first to wonder. Author of some 75 scientific papers, director of the Institute of Marine Science at the University of Alaska, past chairman of the Alaska Coast Commission, the 53-year-old biochemist proposed a study to assist "the maintenance of environmental quality at Port Valdez."

The philosophy for such a study: "The public, state, and federal agencies, and private individuals, are all vitally interested in developing this area, but not at the expense of sacrificing environmental quality." And further, "Development of natural systems must proceed under conditions and restraints that are compatible to multiple use resources. This is the basic attitude of the Institute of Marine Science, and the work proposed here is directed to accomplish those ends."

Alyeska Pipeline, in which Humble is a partner, agreed that studies were needed as a precaution against possible damage to the environment. With funds from Alyeska, the voyages of the *Acona* began, in May of 1971. Thereafter, in all seasons she revisited established stations to sample marine life, to measure currents, to probe the depths. Fact by fact, the peculiarities of Valdez fjord began to take shape on the graphs and charts of the dauntless little vessel.

Admiration of the *Acona* requires a respect for function. She was built in 1961 specifically for oceanographic research. More turtle than porpoise, at the beam she exceeds a third of her 85-foot length, making space for wet and dry labs and berths for nine scientists in addition to the crew. An auxiliary propeller forward aids maneuverability; electronics include autopilot, loran, direction finder, depth recorders, and radiophone; deepsea winches and hydrographic davits clutter her decks. Still another research vessel, the *Ursa Minor*, is available from time to time for use as a stationary laboratory.

Although in the beginning oceanographic information was scarce, some scientific data were known about Valdez Arm. Coast surveyors had charted its dimensions. Historically, the climate was marine, with cool summers and moderate winters, cloudy skies, and 62 inches of annual precipitation, much of it dense, moist snow.

The *Acona* confirmed earlier reconnaissance which suggested that Valdez was a typical Alaskan fjord. It had been gouged out by a glacier at a time when great amounts of water were stored in polar ice sheets. When the planet warmed up and the ice melted, the ocean rose to drown the U-shaped valley.

At its greatest depth Valdez Arm is 800 feet deep. In common with most fjords, just outside its entrance is a submerged sill deposited by the vanished glacier. The fjord receives considerably more fresh water from river run-off and moisture-fall than it loses to evaporation.

"So here we have a classical estuarine circulation," says Dr. Robin D. Muench, 29-year-old physical oceanographer and outdoorsman. Dr. Muench will write the final report of the *Acona's* physical oceanographic findings.

Dr. Muench explains that water from rivers flowing into Valdez Arm tends to flow directly toward the mouth of the inlet as a surface layer of low salinity. Deeper down, a layer composed primarily of seawater flows in across the sill. Tides induce some circulation, he explains, and winds and atmospheric pressure also push the water around. "It's all very complicated," says Dr. Muench, "but important, because these are the circulation processes by which an inlet like Valdez continuously renews its waters."

To establish the important facts of water movement, the physical inquiry at Valdez employs current meters, parachute drogues, dye studies, and Nansen bottles to fetch samples of water from various depths.

Of these, Dr. Muench considers the dye studies among the most important. "They help us determine how contaminants might be diffused within the fjord," he says.

Rhodamine B, a dye detectable in very small quantities, serves as a "contaminant" in Dr. Muench's diffusion studies. From an 18-foot skiff anchored on a station, he releases a quantity of dye at a known depth. As the *Acona* circles the skiff, hoses lowered over the side to the proper depth draw in water and pass it through extremely sensitive detectors. "If all goes well, we delineate a plume of dye," Dr. Muench says. "The procedure is also qualitatively useful in learning about currents, tides, eddies, and turbulence."

Careers of the scientists on board the *Acona* indicate the diversity of disciplines gathered under the umbrella term of oceanography.

Dr. Muench has led three expeditions in physical oceanography to the Eastern Arctic. Dr. Hood's experience goes back to the secret Manhattan atomic energy project of World War II. In his 15 years in oceanography, Dr. J. J. Goering has studied biological production off the coast of Peru, and nutrients from the waters of the seven seas. Dr. P. J. Kinney has written numerous papers on the fate of hydrocarbons in northern waters. In related work, Dr. D. K. Button has become an expert in "biodegradation," the process by which oil is broken down by bacteria in the sea. Dr. Howard M. Feder, marine biologist, heads a three-man team studying the benthic fauna (the bottom-dwelling animal communities) in Port Valdez. His research, which has produced several important papers on the marine environment, has led him from the coastal waters of Southern California to the Chukchi Sea. Dr. G. D. Sharma is a geological oceanographer who has studied the sedimentary processes of river deltas in India and the Bering Sea. Now he is studying the nature of the suspended and bottom sediments of Valdez Arm. Then there are the willing and tireless professionals such as chemist Charles Patton, who spent two summers studying salmon eggs on Admiralty Island, and David L. Nebert, physical oceanographer hired to analyze data from the *Acona* cruises.

And there is William E. Shiels, who—beyond his talents with baseball bat and snow shovel—is an accomplished biologist. His studies at Valdez cover the primary production of organic matter and the effect of petroleum on growth of native organisms. Both are vital. For even casual inspection reveals the fjord to be biologically rich. Runs of herring, and silver and king salmon are seasonally enormous. Sports fishermen from Port Valdez also catch red snapper, halibut, and crab. Seals, whales, porpoises, and sea otters frequent the inlet, as do migratory waterfowl. Black bears, mountain goats, beavers, and moose call the surrounding mountains home.

"But we're looking at less conspicuous life," Shiels says. "We're examining the algae and plankton upon which the higher forms feed." He explains that the cold waters of Valdez are surprisingly productive and sometimes bloom richly with marine line, although the number of species is small compared to a coral atoll, for example. At 26 biological stations in the Valdez Arm, Shiels and other scientists sample chlorophyll, nutrients, plant and animal plankton, seaweed, and eelgrass. Experiments continue on the effect of oil on plankton. In another type of research project, a team of biologists are taking grab samples of the bottom for a study of invertebrate animals.

The pleasant workdays of the fjord's shirtsleeve summer yield all too soon to windy, wet, and cold winter, which for the *Acona's* crew, turns easy chores into grinding, arduous labor. And potentially dangerous. With the *Acona* pitching on wind-roiled seas, men encumbered by heavy clothing must be doubly careful. A fall into the fjord's 40-degree water would mean death in less than ten minutes. Numb with cold and swathed in bulky garments, men work less efficiently. "You find yourself doing dumb things," Shiels grumps. "You drop wrenches over the side or trip Nansen bottles before you get the whole cast set."

A three-day snowstorm had Shiels constantly on deck sweeping snow from bottles of phytoplankton in the seawater incubators and from meters recording solar energy. Freezing plankton nets became stiff and unwieldy in rubber-gloved hands. Ice-glazed decks provided treacherous footing, and icicles hampered the use of equipment. "That's when we broke out the baseball bats," Shiels recalls. In the labs, chemicals and electronic gear had to be secured against the ship's constant rolling and tossing.

Dye experiments, difficult under ideal conditions, became doubly complicated. A skiff on one station acquired an unwelcome cargo of two feet of snow. To prevent dye from freezing, scientists installed heating elements in their containers. "Under the circumstances, we did very well," says Shiels. "All said, it was a great cruise."

On the young side of 30, Shiels is one of a generation that has expressed much concern about pollution, depletion of natural resources, and environmental quality. Married, father of one child, he is nearing completion of work toward a master's degree at the University of Alaska. He has chosen a career of positive action toward preservation of the life systems of nature.

"That's the rewarding part of this work for me," he says.

It's not only research for the sake of research, but research directly related to a question of environmental quality. On the Valdez fjord. Aboard the *Acona*. Mixing messy red dye. Fighting frozen metering wheels. And keeping handy a snow scoop and a baseball bat.

COMMUNITY MENTAL HEALTH SERVICES

Mr. BURDICK. Mr. President, effective delivery of mental health services remains a goal still to be achieved throughout the Nation. While Congress and the Federal Government have made strides, much must be done. We have made attempts, and I have joined in them, to decentralize mental health facilities and provide community services. Still the big problem has remained—how to provide services to an individual early enough to ward off more serious problems?

The North Dakota Mental Health Association has come up with an innovative answer. Led by their outstanding leadership, Mrs. Gerridee Wheeler and Mr. Herb Miller, the association has enlisted the State's beauticians and bartenders as mental health helpers. After some instruction from the mental health association, they look out for troubled persons and gently direct them toward professional help.

Midwesterners are known for their friendliness and their willingness to help their fellow man. I would hope, however, that this is more than a regional characteristic, for our North Dakota program should serve as a model to other States and cities. It is a simple, human approach to helping others.

Parade magazine for July 30 reported on the North Dakota project. I ask unanimous consent that the article be printed in the RECORD. I commend it to all who are concerned about the delivery of community mental health services.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW MENTAL HEALTH PROGRAM: THEY TELL IT TO BARTENDERS AND BEAUTICIANS

(By Theodore Irwin)

BISMARCK, N. DAK.—In most American communities, people with emotional problems can go to a psychiatrist. But in North Dakota, with only 19 psychiatrists in the entire state, this is not always feasible.

To help solve the problem, the state's Mental Health Association has enlisted the aid of bartenders and beauticians (the nation's unpaid psychiatrists).

Says Sally Speidel, who runs Sally's Beauty Boutique in Bismark: "A woman may be in our stylist chair for an hour and a half. All this time she is usually unburdening herself by confiding in the beautician."

"A bartender," says Ken Habiger, who owns the Red Baron Lounge here, "can sense that a customer is begging for help. The guy may become belligerent, start an argument, but sooner or later he'll tell the bartender what's wrong."

As a board member of the Mental Health

Association, it was Habiger who suggested last year that the Association reach out to bartenders as "mental health helpers."

BARTENDERS COACHED

The Association explained the idea to bartenders, and provided them with "Help" booklets listing agencies for referral, including social service centers, alcoholism clinics, and the like. Over 60 bartenders became involved.

Meanwhile, Mrs. Gerridee Wheeler, Association president at the time, was in the beauty parlor one morning for a manicure when she overheard an operator advising another woman who was having marital problems.

With the bartending experiment fresh in mind, Mrs. Wheeler was struck with an idea. Why not beauticians, too?

"Troubled people are usually reluctant to go directly for professional aid," she explains, "perhaps because they feel it creates a stigma. I thought we should use trained citizens who are in constant contact with people as a bridge or conduit into available services. They could encourage those in distress to get the help they need."

In the case of beauticians, however, Mrs. Wheeler went about things a little differently, by approaching the state's 12 beauty colleges and urging them to provide training in mental health care. North Dakota Governor William L. Guy did his part, writing a letter to the state Board of Hairdressers in which he called for "broader understanding of mental health problems."

TO HELP CUSTOMERS

As a result, students at all 12 colleges now take a week-long intensive training course in how to be "mental health helpers." In addition, Mrs. Joyce Robson, an experienced beautician and one of the instructors, plans courses for already-licensed operators. As for the bartenders, they were sufficiently impressed by the beauticians' experience to institute training sessions of their own. Soon they will meet on holidays to listen to a psychiatrist, a priest who does counseling, and a recovered alcoholic who teaches on a college faculty.

The idea, of course, is *not* to replace the psychiatrist's couch with a barstool or beautician's chair. Mental health helpers are reminded, however, that "you can do a lot of good by guiding patrons, and encouraging them to get professional help if they seem to need it."

SCALP TELLS

Mrs. Robson, who maintains that she can tell when a customer is "shook up" by noting the tightness of her scalp, or unusual dryness or lack of glossiness in her hair, also cautions students against making critical judgments or probing too deeply for information. Rather, she explains, she should provide support by expressing reassurance, warmth, and empathy. "In a way," says Mrs. Robson, "we are sounding boards."

Students also visit social agencies, and engage in "psychodrama skits" which demonstrate ways of handling different kinds of problems. Like the bartenders, they are given a directory of various community services. Equally important, they are instructed in the need to respect customer confidences.

Real life situations run the gamut of human tragedy: alcoholism, mentally retarded relatives, marital disputes, rebellious children.

In Williston, N. Dak., a bartender chatted with a regular customer who had just been jilted by his girlfriend. The young man contemplated suicide, and even bought a gun. After two drinks he spilled his story to the bartender. The bartender consulted his "Help" booklet and persuaded the young man to stop in at the local Social Service Center.

Beautician Sally Speidel tells of the wealthy patron whose breath reeked of liquor and who always carried a bottle in her large purse. One morning the woman blurted out that her heavy drinking was ruining her marriage, that she was thinking of "ending it all." Mrs. Speidel soothed her with the tale of another customer who had quit drinking after going to the Heartview Alcoholism Treatment Center in nearby Mandan. There really wasn't any such customer, but there is now, for, two weeks later, the woman wrote to Mrs. Speidel. She was sorry, she said, but she was canceling her regular appointment at the beauty parlor because she had just entered Heartview. "Sally," the letter concluded, "I think I can really lick it this time."

PROJECTS PRAISED

Already, North Dakota has received awards from the American Psychiatric Association and the Department of Health, Education and Welfare for its pioneering achievements in mental health. Moreover, its approach may catch on. Inquiries have come in from 15 other states, and the National Institute of Mental Health (NIMH) has filmed training sessions at Bismarck's beauty colleges.

How come North Dakota, one of our most rural states, is setting the pace for the rest of the country? The answer, says Mrs. Wheeler, is citizen involvement. "We've made mental health so exciting," she declares, "it's caught the imaginations of volunteers all over our state."

To which NIMH official Herbert L. Rooney adds: "We're beginning to recognize that people are a natural resource for helping other people."

INVITATION TO SENATE TO ATTEND 175TH ANNIVERSARY CELEBRATION OF U.S. FRIGATE "CONSTELLATION"—SEPTEMBER 7, 1972

Mr. BEALL. Mr. President, today it is my pleasure to extend an invitation to Senators, staff members, and the general public to attend the 175th anniversary celebration of the launching of the U.S. Frigate *Constellation*, the first ship in the U.S. Navy. This invitation is extended on behalf of Mr. Donald F. Stewart and Mr. Earle H. Burger, director and assistant director, respectively, the Constellation Restoration Committee. Ships from at least eight other nations, including the Soviet square-rigger *Tovarish*, will be on hand to salute the *Constellation* on this occasion.

The Senate recently passed S. 2499, a bill to provide for the striking of a commemorative medal honoring this milestone in the history of this proud vessel. Similar legislation has been reported by the House Banking and Currency Committee, and action by the full House of Representatives is expected in the not too distant future. The funds accumulated from the sale of these medals will help to assure the continuation of the current restoration program.

During its long history, the *Constellation* has undergone various structural changes and restoration projects. From the time of its launching in 1797 until approximately 1871, the *Constellation* was one of the most important warships in the American Navy. It actively participated in various Caribbean patrols, the War of 1812, the Civil War, and the numerous other conflicts which mark the early years of our Republic. Between 1871 and 1940 the vessel was converted into a supply and naval training ship. In 1940 it was again called upon to serve America in time of war, this time as the flagship of our Atlantic fleet. From offices on board, Admirals King and Ingersoll directed the movements of the Atlantic Fleet throughout the Second World War. In 1955 the *Constellation* was finally returned to its home port of Baltimore, where the current phase of restoration began. Today, as a national historical landmark, it serves as a symbol of American freedom to more than 70,000 people who annually visit the vessel. In addition, the *Constellation* serves Baltimore as a focal point around which the inner harbor redevelopment project will take shape. This major effort to revitalize the central city will have the *Constellation* as its centerpiece, permanently berthed at the soon to be completed Constellation dock.

Therefore, with the future of the U.S. Frigate *Constellation* assured, I am particularly pleased to extend this invitation for all to attend this 175th anniversary celebration. The Constellation Committee is planning day-long activities culminating with the Navy Band's award-winning program "The Spirit of Freedom," to be presented at 8:30 p.m., September 7, 1972, on Baltimore's Pier 1, the Constellation dock. I would be pleased to have all Senators join me in honoring the first ship of the U.S. Navy.

RELIEF TO MAGAZINES AND OTHER SECOND-CLASS MAILERS

Mr. MONDALE. Mr. President, in the weeks since I cosponsored with the Senator from Wisconsin (Mr. NELSON) a bill S. 3758, to afford relief to magazines and other second-class mailers, there has been increasing recognition of the *vital* importance of this legislation. No better statement of the high priority which should be afforded this measure can be offered than an editorial published in the St. Paul Dispatch on July 20.

For all the reasons mentioned in this editorial, I once again urge the swift consideration of and action on this measure.

I ask unanimous consent that the St. Paul Dispatch editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEATH BY POSTAL RATE

The most immediate threat to a free press in this country is not subpoenas, government secrecy or Spiro Agnew. It is what has been called "death by postal rate."

In February 1971 the newly-formed U.S. Postal Service requested rate increases for second-class mail (newspapers and magazines) that would average 143 per cent over five years. After public hearings, the Postal Rate Commission recommended an increase of 127 per cent over that period and imposed a first-year increase of 33 and a third per cent. Every publication that puts copies in the mail will be affected, including about 10,000 magazines, many of which already are on the brink of going into the red.

Hardest hit will be magazines of small circulation, say 200,000 or less, which draw relatively little advertising and have limited access to crowded newsstands. Most of their copies go through the mail.

Sens. Walter Mondale of Minnesota and Gaylord Nelson of Wisconsin are cosponsoring a bill which would provide relief from the proposed second-class rate increases and prevent death by postal rate. The bill would freeze postal rates at the June 1, 1972, levels for the first 250,000 copies of each issue of any magazine or newspaper.

The bill deserves bipartisan support. You may call it a subsidy. It is the only one provided the general run of citizens.

SENATOR ALLEN J. ELLENDER, OF LOUISIANA—IN MEMORIAM

Mr. McGEE. Mr. President, I wish to pay tribute to the memory of the late Senator and distinguished colleague from Louisiana, Allen J. Ellender. Senator Ellender was the dean of the Senate, serving as its President pro tempore, and as chairman of the powerful and prestigious Senate Appropriations Committee. He was, indeed, one of the true, genuine, and outstanding leaders of this body.

Relatively few individuals in the history of our country had the privilege of serving the U.S. Senate as long as Senator Ellender. Few men have served his fellow man, his State, and his Nation as did Senator Ellender.

In due time, history will fully record the achievements of Senator Ellender and the contributions he made. That list will be not only lengthy, but also, impressive as well. I should like briefly review here today just a few of his accomplishments that come immediately to mind as we pause to look at the career of this outstanding individual.

As a member, and later as chairman, of the Committee on Agriculture and Forestry, Senator Ellender was instrumental for literally decades in drawing up and pushing through the Senate landmark farm legislation. Agriculture was one of his first interests in the Senate, and it remained a vital interest to his last day. I recall a time less than 2 years ago when he stepped aside as chairman of the Agriculture Committee to assume the chairmanship of the Appropriations Committee. He did so with mixed emotions. Only after resolving in his own mind that he could make a greater contribution to agriculture, to his State, and to his Nation did he assume the chairmanship of the powerful Appropriations Committee.

Senator Ellender was recognized for many characteristics and traits which made him such an exceptional representative of the people. Perhaps one of the most outstanding attributes was his constant demand for fiscal responsibility in the Federal Government. No matter what the circumstance may have been, Senator Ellender's position was always clear and consistent—appropriate what we need to do the job right, but at all times avoid waste. It was to this goal that he dedicated his life—a goal for which all America can be thankful.

Just a few months ago, the Department of Agriculture conducted ceremonies commemorating the 25th anniversary of the School Lunch Act. Senator Ellender was present at the ceremony and was recognized as the original author of that legislation. The program has been of tremendous importance to millions of youngsters who have participated in it during its 25 years of existence. It would be difficult for us to imagine today what it would be like in our school systems without the school lunch program. I am not so sure, however, that its merits were that readily perceptible a quarter of a century ago. At that time, it took imagination, foresight, and courage to initiate and enact this program. Senator Ellender saw the program expand very rapidly under his leadership. Allen Ellender will be remembered for many significant contributions to his fellow man, but in my opinion, none will be more significant than his contributions to the school lunch program.

Senator Ellender was a hard and dedicated worker. He demanded much of himself and much from those around him. Yet, like many other great leaders of this country, his toughness and drive was always matched, by courtesy, compassion, and understanding. It was a combination of these qualities which made Allen Ellender the respected and effective leader he was.

During my years of service in the U.S. Senate, it has been my privilege to serve on the Committee on Appropriations with Senator Ellender. It was in this capacity that I came to know him best. From the very first day that I came to serve on that committee, I found Senator Ellender to be most helpful; and I shall be forever grateful to him as a result. The Senate has lost its leader. We have all lost a respected and esteemed colleague. I have lost a highly valued friend.

PROVOCATIVE QUESTIONS ABOUT REVENUE SHARING

Mr. BURDICK. Mr. President, tomorrow the Committee on Finance is scheduled to begin its markup of the House-passed revenue sharing bill, H.R. 14370, the State and Local Fiscal Assistance Act of 1972.

In its lead editorial yesterday, the Fargo Forum, one of North Dakota's leading newspapers, raised a number of extremely provocative questions regarding the measure.

I should like to share the editorial with Senators especially those who serve on the Finance Committee, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REVENUE SHARING CUTS THE PIE UNREALISTICALLY

Governors of all the states and mayors of most big cities are pressuring the United States to approve the "State and Local Fiscal Assistance Act of 1972" without deviation from the revenue sharing formula that has already been approved by the House of Representatives.

These spokesmen for state and local government are so anxious to get their hands into the federal treasury that they have overlooked the details of the House-approved formula.

The bill would provide $5.3 billion among the 50 states, and all of the cities, counties, and townships in the nation. In other words, in order to get some money where it is needed—principally the major cities—the pressure is on for Congress to give something to everybody.

The prospective drain on the U.S. Treasury is fantastic, because once the program starts, who will stop it? Of the $5.3 billion slated for distribution in 1972, $1.8 billion would go to state governments with no strings attached and $3.5 billion would be made available to the smaller branches of government—school districts are not included.

But the local money has strings, and it will be distributed under formulas which measure the need of cities, counties and townships by taking into account population, the extent of poverty in the localities, as indicated by the relative income levels of their residents. These formulas result in some highly unrealistic distribution of funds, in the county-by-county breakdown that was prepared by the House Committee on Ways and Means.

The state of North Dakota would get $3.6 million and the local governments would divide $8.4 million for a total of $12 million. North Dakota's total share is the fourth smallest, with only Alaska, Vermont and Wyoming getting less. South Dakota would get $13.5 million, Montana $16.8 million and Minnesota $114.1 million.

In explaining the purpose of the bill, the Ways and Means Committee said: "The basic purpose of the assistance program is to help state and local governments finance their vital needs. It is essential that the funds be spent for high priority purposes. It would theoretically have been possible for the legislation to insure that the air funds are spent for desirable high purposes by setting down minute and detail specifications as how the funds are to be spent. Your committee rejected this procedure because it would defeat a major purpose of the new program, namely, to fill in a gap in the present categorical aid programs by providing a more flexible system of assistance."

The committee also rejected the proposal to let the local governments spend the assistance funds as they saw fit.

It provides "guidance as to how the local governments shall spend the aid" by requiring them to spend this assistance on specified list of high priority items. These include maintenance and operating expenses for public safety, environmental protection and public transportation as well as capital expenditures for sewage collection and treatment, refuse disposal systems and public transportation. The local governments retain flexibility in spending the assistance because they are given the discretion as how much of the needs are to be spent on any particular high priority items.

Such are the guidelines, but the distribution of funds in North Dakota makes one wonder how some governmental units are going to spend the first dollar of federal assistance.

The statistics, breakdown shows that the local government's share of the 1972 grant in North Dakota is $8,345,133. Of this, the county governments get just a shade under 50 per cent or $4,137,667.

Just how North Dakota counties will use this federal money is somewhat of a puzzle. Perhaps they could use it to entirely finance the sheriff's budget, but that is about all. It could not go for welfare. The counties are not in the business of collecting garbage, although such programs may be soon developed. Nor do the counties run sewer systems or any of the other high priority allocations.

A similar problem of how to spend the money would confront North Dakota townships, which would get $1,296,562. This township grant is 25 per cent of the total township taxes for general purposes levied in 1970. The township general fund levies for that year came to $4,727,935 while total township levies were $5,165,259.

North Dakota townships are primarily engaged in road maintenance. Only a few of them have such persons as a township constable. There is little that the Federal money could be spent for at the township level, and this money would not divert to the state or to the counties, but to the federal treasury.

North Dakota cities would be entitled to $3,196,919. And two-thirds of this would go to the 15 cities with 2,500 population or more.

These cities probably would have no difficulty in applying the federal money to the fire department, the police department and the improvement of sewage disposal facilities. But it would also give these favored departments of the city government an edge at the bargaining table during budget time. The personnel of these departments could contend that their salaries cost the city nothing, and therefore they should be on an escalated wage scale compared to the rest of the city employes.

The formula for distributing the money among the cities is just as puzzling. Fargo, the largest city in the state, would get $409,341 but Grand Forks, with 25 per cent fewer people, would get $518,121. There is no way in the material available to explain this difference.

Another discrepancy shows up in the grants to Devils Lake and Wahpeton. Devils Lake with a population of 7,078 would get $38,495, but Wahpeton with only two fewer people, 7,076, would get only $28,500.

West Fargo with a population of 5,161 would get $42,037, but Grafton with nearly 800 more people at 5,946, would get only $26,595.

Other allocations to major cities in North Dakota are: Valley City, $29,910; Bottineau, $11,431; Bismarck, $302,240; Mandan, $64,829; Rugby, $13,394; Dickinson, $96,007; Jamestown, $131,711; Mayville, $11,390; Minot, $355,946, and Williston, $65,721.

In nearby Minnesota, Moorhead would get $239,651; Detroit Lakes, $33,070; Bemidji, $82,551; St. Cloud, $431,578; Brainerd, $64,763; Alexandria, $36,703; Park Rapids, $12,353; Little Falls, $54,664; Rochester, $772,343; Fergus Falls, $87,775; Thief River Falls, $35,783; Crookston, $52,171; East Grand Forks, $47,509; and Wadena, $24,153.

The big winners in Minnesota of course would be Minneapolis at $4,827,398, and St. Paul, at $3,935,472. All of the Twin Cities suburbs would also get the share, such as $500,388 for Robbinsdale and $498,245 for St. Louis Park.

In North Dakota, the grants to the county would amount to about 30 per cent of their 1970 general fund levy and more than 20 per cent of their total expenditures. The city grants would be about 20 per cent of their total expenditures.

There is a "pie in the sky" philosophy in this federal handout to local governments.

Too much money is going where it is not needed, and probably not enough to where it is needed.

All that such a program would do under the present formulas is boost federal spending one more notch to the point where we will never be able to get it under control.

Revenue sharing might be a great idea, but it should only develop after the federal government gets into the status of a balanced budget. To share revenue when the government is $30 billion or more in the hole each year is nonsense.

SALUTE TO GEN. HENRY A. MILEY, JR., AND U.S. ARMY MATERIEL COMMAND

Mr. HUGHES. Mr. President, on August 1, the U.S. Army Materiel Command, Washington, D.C., will celebrate its 10th anniversary. This organization is headed by a man who qualifies as a dedicated professional, an outstanding leader, a public servant of the first order and, above all, a man concerned with his fellow man—Gen. Henry A. Miley, Jr.

I have the greatest admiration and respect for General Miley both as a military leader and as a man. He is a selfless person whose only desire is to provide the best possible support to American servicemen wherever they may be stationed and, concurrently, to serve his Nation.

Ten years ago, when the Army Materiel Command was formed, it assumed all the functions of five of the old technical services—Ordnance, Quartermaster, Transportation, Signal, and Chemical Corps, plus the logistics function of the Corps of Engineers. It was an innovative approach and a difficult task, but one which promised to make the American soldier the best fed, best clothed, best equipped fighting man in the history of the world.

Before AMC had had the chance to settle its daily routine, it found itself involved in supporting U.S. troops in Vietnam on a logistics scale which rivaled and eventually surpassed, in sheer bulk, earlier conflicts. It met the challenge magnificently.

When General Miley assumed command of the Army Materiel Command on November 1, 1970, it was a time for restructuring priorities and, in his own words, "putting it all together." He was faced with the task of streamlining an organization which had not had the time to streamline in previous years. This he did. In the past 2 years, AMC has undergone a series of changes which have reorganized it, reduced its size, and improved its vertical flow of information. And that transformation continues today as General Miley faces a world of reduced budgets, fewer employees, and lower average grades for those employees.

At the same time, though the war in Southeast Asia has continued to wind down for most, AMC finds itself shipping more ammunition than ever—but still it has succeeded as an avant garde employer deeply involved in the welfare of its 130,000 military and civilian employees. General Miley has promoted an excellent program for equal employment opportunity, a far-reaching drug and alcohol abuse program, and improved community relations wherever AMC has an installation or activity.

General Miley is also keenly aware of AMC's role in the daily fabric of American life and has fostered AMC's contribution to improve that life. According to the information I have received, AMC's scientists were leaders in the development of a virtually pollution-free gasoline engine with great potential for the automobile industry. I believe they also were instrumental in perfecting the freeze-dried food process, and have developed a process to change recycled paper into sugar.

These are only a few of AMC's accomplishments at the hands of an outstanding soldier and citizen. General Miley deserves the respect of the individual soldier, the American scientific and industrial community, and the average American.

It is my personal privilege and, I am sure, the privilege of my distinguished colleagues, to salute Gen. Henry A. Miley, Jr., and his associates on this, the 10th anniversary of the U.S. Army Materiel Command and to wish them continued success in their quest.

I ask unanimous consent to have printed in the Record a summary of the important programs of General Miley's command during the past year.

There being no objection, the summary was ordered to be printed in the Record, as follows:

ARMY MATERIEL COMMAND AT 10 YEARS

The organizers of Army Materiel Command (AMC), faced with a highly complex situation, set three broad goals: First, the new organization had to be responsive to the Army's needs for materiel and logistics support. Secondly, a single Army wholesale logistics system had to replace six of the seven Technical Services systems. And, thirdly, the end result had to be more efficient and more economical.

If there is a single yardstick by which the effectiveness of AMC in its first decade of existence can be measured, Vietnam is it. Army Chief of Staff William C. Westmoreland, who had commanded the Vietnam war effort for four and a half years, attested to the manner in which AMC met its challenge when he said: "The success of our fighting forces in Vietnam is a direct reflection of the Army Materiel Command's ability to keep the fighting men supplied with the best and most advanced materiel."

AMC had performed well during the Cuban and Dominican crises, but it was in Vietnam that the staggering requirements of building up and supplying an Army halfway around the world and over a prolonged period left no doubt as to the new organization's capability of meeting the first goal. In Southeast Asia, AMC materiel and logistics support included: construction equipment and supplies to build bases, ports, airfields, and communications centers; movable piers that helped speed up port construction; and containerization that not only facilitated supply but provided emergency storage in emergencies.

The second goal, to develop a single Army wholesale logistics system to replace six Technical Services systems, has been accomplished with restructured functional management.

A recent notable improvement in the functional structure was the adoption of the Headquarters deputy commanding general organization in 1969. Under this concept the principal Deputy Commanding General is the commander's alter ego and is responsible for management of AMC resources: people, money, and facilities. The Deputy Commanding General for Materiel Acquisition focuses on the development, engineering and industrial base. The Deputy Commanding General for Logistics Support focuses on logistics support for the Army in the field. And the Deputy for Laboratories focuses on the scientific community.

Another functional management development was the formulation and implementation of the Army Supply and Maintenance System (TASAMS). This system, devised mainly by the now disestablished subordinate Supply and Maintenance Command, integrated and improved the control over materiel programing, storage, distribution, and maintenance, and firmly established and standardized supply and maintenance procedures in the basic commodity organizations.

In support of research and development, Technical Industrial Liaison Offices have been established, whose objectives are to provide scientific and technical data to the industrial community. This program has proved mutually beneficial, and contributes greatly to the accomplishment of the Army research and development mission.

Although there are many figures that can be used to point out proof of more efficiency and economy—the third goal—the one that stands out is that AMC now operates with 50,000 fewer people than the Technical Services had in 1962.

There has been a consistently high level of achievement in the Cost Reduction area before, during, and after the Vietnam buildup, with validated savings exceeding DA and DOD goals in every year since AMC's inception. More than a billion dollars in savings were realized as a result of the program during the past five years.

A typical example would be the reduction in the Army's bulk petroleum storage from a pre-1964 level of 31.6 million dollars to 5.5 million dollars. Results—a one-time savings of 26.1 million dollars, and annual savings of one million dollars in operational and maintenance costs.

While getting materiel to Vietnam, AMC has continued to pursue its short and long range functions in research and development of weapons and equipment for the Army. To more effectively manage certain high interest technical areas in which several laboratories are engaged, AMC has recently emphasized the lead laboratory concept. The designated lead laboratory for a specified technical or technology area coordinates the technical efforts of the other AMC laboratories working in that area; formulates and defends the program; and receives and distributes the related program funds. Among the technology areas currently included under lead laboratory managership are: camouflage, countermine, fluidics, guidance and control/terminal homing, high energy laser, low energy laser, human factors engineering, materials, night vision, nuclear effects and vulnerability. The designated areas are not static. The programs are continually reviewed and revised as warranted by requirements.

Among major items introduced into combat as a result of AMC laboratory research and development are: the M16 rifle, the M79 40MM grenade launcher, General Sheridan Reconnaissance Vehicle, and the Starlight Scope.

Typical of AMC's hundreds of research and development projects was the miniaturization work of the AN/GSA-77 (Battery Terminal Equipment). This small and highly reliable item replaces the Fire Unit Integration Facility and Code Decoder Group for integration of the NIKE HERCULES and HAWK Missile System with the various Army Air Defense Command Posts. The significant achievements included the reduction in weight from 4,000 to 128 pounds; the reduction in size from 700 to 3.7 cubic feet; and the reduction in power requirements from 7,000 to 170 watts.

Other research and development accomplishments include:

Conventional munitions with significant increase in firepower effectiveness.

A new tropical boot that provides a watertight seal between the sole and the upper part of the shoe, is lighter in weight than previous types, needs no break-in period, and ends the need for field repair.

Families of tactical missile systems that give the soldier more firepower and protection against tanks and attacking aircraft.

The AN/PRC-25 manpack radio set, a tactical radio that had been called "the best damned radio in Vietnam."

Ceramic torso shields, worn by aircrewmen in Vietnam, that resulted in the saving of many lives.

Magnesium dry batteries that last more than twice as long as the zinc-carbon type.

Image intensification night vision devices to give a clear, bright picture of any desired target in darkness.

A family of armed helicotpers developed and integrated into the Army system, resulting in increased firepower and mobility.

Improved aircraft crash survivability by improved design and equipment, the most notable of which has been the crashworthy fuel system which significantly reduces the incidence of crash fires.

A new floating tactical bridge which can be emplaced four times faster and requires a fifth of the manpower to erect.

There are just as many examples of savings. The maximum use of tire retreading is an excellent example. During the past eighteen months AMC has increased the utilization of retread tires from 30 to 58 percent. During this period 465,000 tires have been retreaded at an approximate savings of $15 million. AMC has two depots—Red River and Tooele—specializing in retreading for the purpose of training, and retraining a minimum in-house capability as a base for expansion in the event of mobilization. The full implementation of this program should save $20,000,000 annually.

From an organization standpoint AMC has completely restructured the maze of independently administered Tech Services depots into a centrally directed network. Aside from reworking and combining hundreds of rules and regulations, policies, and procedures used by the Tech Services, it has had to develop new and improved procedures to keep pace with the computer age and advancing management techniques.

Vietnam provided AMC an opportunity to test its new procedures and techniques under severe actual combat conditions. Typical of the many lessons learned from Vietnam is that maintenance must be an integral part of system or equipment design and maintenance support must be mobile and durable in the field.

Looking to the future—what's in store for AMC in the next ten years? Those most qualified to forecast AMC's future offer the following estimates: AMC is definitely people-oriented and must be concerned as to what happens to its military and civilian populations. For one thing the next few years will no doubt see the military personnel starting more stabilized assignments with AMC. Some of these assignments may run as long as five years. Those assigned to AMC will have higher education level and those who desire to return to education development programs will be encouraged AMC already has an Army "first" with an educational goal for senior NCOs (E7, E8, and E9) to attain at least two years of college equivalency.

There is going to be a big change among AMC's civilian workers. In 1973 and 1974 slightly more than 20 percent of the technical and professional personnel currently in key positions will be eligible for retirement. This will mean new leadership in key management and technical mission-oriented jobs.

In the future AMC must have expansion in the field of communications between AUTODIN terminals and ADP computers. It must have improved message distribution systems, and greater standardization of communications software and hardware. There must also be many improvements in the management areas, such as increased use of quantitative analysis techniques, and changes in the materiel acquisition process to reduce development time and end item costs, and to increase overall performance effectiveness.

AMC will be increaingly oriented toward the Service Center Concept, which is the centralization of the ADP functions at a single location to provide management information services to satellited depots, thus reducing overhead and operating cost.

There will definitely be a trend toward fewer installations for a savings in overhead through consolidation of activities.

While there will be a trend toward more centralized control of data management, especially with the adoption of AMC's Standard Automatic Data Processing Systems, decentralization of command control and the placing of more authority in the hands of subordinate commanders are definitely planned for the future.

A fully-implemented Modern Volunteer Army would benefit AMC. Such an Army would provide the opportunity to retain personnel over a longer period of time and permit training of career personnel in higher level skills.

AMC installations and activities are working toward a policy of relieving of all troops of the need to perform menial details not related to their military duties. This is being achieved through both the hiring of civilian labor and the use of labor-saving devices.

As with other Services, the Army will see continued reductions in strength as the US role in Vietnam decreases. As far as AMC is concerned, reductions will probably be achieved through normal retirements, resignations, and job changes. Such reductions will force AMC to examine priorities in light of changing requirements.

AMC's efforts will not be confined strictly to defense needs. Already the development of air and environmental pollution control methods by AMC have helped to lead the way for the entire country. Fluorescent particle tracer techniques developed at Deseret Test Center have become standard for a majority of today's environmental studies.

In 1972 it can be said that AMC has met its challenges and that unlimited opportunities still remain.

In looking to the future, GEN Henry A. Miley, Jr., Commanding General, says: "AMC was built on the foundation of the Army's Technical Services. Although AMC itself is relatively young, it is the inheritor of a proud tradition of technical excellence and responsive logistics support. This tradition goes back to the early days of our nation's history. AMC employs thousands of men and women, both military and civilian, in its offices, depots, laboratories, arsenals, industrial plants, and proving grounds. These dedicated people are committed to upholding AMC's tradition of excellence."

Fact Sheet: The U.S. Army Materiel Command

Consists of a nationwide network of 83 military installations and more than 100 activities—including four corporate laboratories, and three Army Service schools.

Responsible for the materiel functions formerly performed by six of the Army's Technical Services (Ordnance, Signal, Quartermaster, Engineer, Transportation, and Chemical), including research and development, test and evaluation, procurement and production, storage and distribution, inventory management, maintenance, and disposal.

Manages a $30 billion inventory and an annual expenditure of approximately $9 billion.

Directly employs 12,400 military and 131,000 civilian personnel.

Headquartered in Washington, D.C. area with nine subcommands, and depots, laboratories, arsenals, maintenance shops, proving grounds, tests ranges, and procurement offices throughout the United States.

The nine AMC major subordinate commands are:

US Army Aviation Systems Command (AVSCOM), St. Louis, Missouri.

US Army Electronics Command (ECOM), Fort Monmouth, New Jersey.

US Army Missile Comand (MICOM), Redstone Arsenal, Alabama.

US Army Mobility Equipment Command (MECOM), St. Louis, Missouri.

U.S. Army Munitions Command (MUCOM), Picatinny Arsenal, Dover, New Jersey.

US Army Tank-Automotive Command (TACOM), Warren, Michigan.

US Army Weapons Command (WECOM), Rock Island, Illinois.

US Army Test and Evaluation Command (TECOM), Aberdeen Proving Ground, Maryland.

US Army Safeguard Logistics Command (SAFLOG), Huntsville, Alabama.

Operates CONUS Army Depot System which consists of six General Supply Depots, four Ammunition Depots and six General Purpose Depots. The System employs approximately 42,000 military and civilian personnel who have a wide variety of technical and logistic skills.

FAMILY FARM STATISTICS

Mr. SAXBE. Mr. President, Earl McMunn, editor of the Ohio Farmer, makes a telling point in the current issue of that publication. I respectfully submit that all of us in the Congress should heed his advice when considering any issue. In this case, the issue is the family farm, and Earl's message is that we must separate the statistical wheat from the chaff.

Secretary Butz came under severe criticism for policies that may have driven families off small farms. The editorial which I present today illustrates that most people living on small farms have subordinate income from city jobs which would give them the flexibility and stability to weather most any decision that might be made at the Federal level.

I am not sure when this trend started, but now many people live and work on small farms and commute to cities for other jobs. Full-time farmers affectionately call these folks "sundowners" because most of their farm work is done in the evening hours.

The practice may have started when the land was no longer inherited but purchased at rates too high to provide a reasonable family income. Or, it could have begun about the time roads became good enough to merit driving to town for a supplementary job and home again to work the farm. No matter when it started it is factual that most low production farms in my State and many other States are worked by people who have other jobs.

Manufacturers in Ohio have informed me that the workers who are also small farmers have a very high degree of productivity in the shop or on the assembly line. Those of us who spring from farm stock are proud that rurally oriented people have this reputation with the business community. Philosophically, I believe there is good reason for this. People who love the land and live on it have insight into the very essence of life and can see their efforts turn into tangible daily progress. They have attainable personal goals that merit the sacrifice of working hard at two jobs.

In short, part-time farmers love the land. Whether they come from the city to enjoy rural living or go to town to keep their family farm intact makes little difference. However, statistically they should be treated differently from full-time farmers. Earl McMunn makes this point very well in his editorial entitled "The Myth About Driving Families Off Their Farms." I ask unanimous consent that his editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THAT MYTH ABOUT "DRIVING FAMILIES OFF THEIR FARMS"

(By Earl W. McMunn)

A myth is being circulated that the secretary of agriculture is trying to "drive" a million or so low-income families off their farms. These are fighting words. They conjure up images of U.S. cavalrymen herding defenseless Indians toward some desolate reservation. But the charge is just about as implausible and outdated as the image it is intended to create.

The truth is that no policy of any secretary of agriculture could be effective in driving the million families with lowest farm income anywhere. There is one fundamental reason. These families average about eight dollars from non-farm sources for every dollar they get from farming!

We do have a million farms where gross sales are less than $2,500 per year. The average net farm income for this group is a mere $1,050. But this same group averages almost $8,000 from non-farm sources. This ups the total family income to an average above $9,000. These are Census Bureau and USDA figures.

What about farms with sales between $2,500 and $5,000? The pattern is much the same. Here the average income from farming is a little over $2,000. But these same farmers average almost $5,500 from non-farm sources.

Even farmers with sales between $5,000 and $10,000 receive more income from non-farm than from farm sources. Here the income from farming averages about $3,500 and from non-farm sources almost $5,000.

What does all this mean? Perhaps most important is that a lot of rural people have been working out their economic destinies on a pretty sound basis. And, without much aid or interference from government. They have their roots in the soil but look to other jobs for most of their income. With this combination, no one is likely to drive them anywhere. Nor, the excesses of political rhetoric notwithstanding, is any secretary of agriculture even thinking of trying.

It is a fact of life that commercial inputs have made every farm worker many times more productive. This means fewer but larger units, if you're to depend entirely upon farming for a living. But everyone hasn't wanted to get big. Nor, was there any reason why they should.

Here's where most of our low-income "farms" come into the picture. You can live on five, 10 or 40 acres of land. It provides all the advantages of country living, but perhaps not enough cash to meet your needs. Why not combine country living with cash from outside work? This is what a great many people are doing and for them it is a desirable pattern.

The misconception starts with the definition of a farm. According to census bureau, a farm is "a place where agricultural operations were conducted any time during the census year. Places of less than 10 acres are considered farms if the estimated sale of farm products during the year was $250 or more. Places of 10 acres or more, are considered farms if sales of farm products are over $50. Places having less than these minimum amounts of sales are counted as farms if they could normally be expected to produce sufficient agricultural products to meet the requirements of the definition."

With this definition, is it surprising that we have a million "farmers" grossing less than $2,500 per year? Of course not. But it's a distortion of the truth to use this figure without explaining that these same rural residents receive almost $8,000 per year from other soures. This is what some people are doing—whether out of ignorance or by deliberate intent.

Why shouldn't we be looking at these figures openly and honestly? And, considering their meaning in an objective manner. The first answer is that so-called "low-income farmers" are a lot better off than some alarmists are willing to admit. The country is also better off because of the living pattern they have developed.

We have replaced human labor with commercial inputs such as big tractors, chemical fertilizer, pesticides and all the rest. And, we'd not want it any other way. Farm people can't afford a hand-labor peasant type of agriculture while the rest of the people are enjoying the good things of the jet age.

If there's anything good about "keeping people on farms," then India or China would be the place to live. Most of their people are still classified as "farmers." But, what of their standards of living? A high percentage of their people live in squalor which can't even be imagined by most Americans. And, leaders of those nations understand that improving agricultural efficiency and freeing people for other productive work is the key to improving their standards of living.

But, our total demand for farm products is limited to what the people of this country will consume and what we can sell abroad. Our productive capacity is greater than market demand and is likely to remain this way for some years to come. So, everyone meeting the definition of a farmer can't expect to have a high income from farming alone. Many of the units are too small for this. Neither a 10-acre place with $50 in sales, nor a five-acre unit selling $250 is going to provide acceptable living by modern-day standards.

It is obvious that the time has come to redefine what we mean by a farm. Or, at least we must consider both farm and off-farm incomes when we discuss the well being of people. There's nothing wrong with earning a part of your living from farming and a part by working somewhere else. This pattern wasn't ordered by someone from Washington. It has succeeded because it has met the needs of many families.

Most people agree that there is no substitute for truth. But the truth may be forgotten or an important detail overlooked in frantic attempts to sway public opinion. This is especially true in an election year. Image building becomes all important. And one way to become a hero is to stand up against an "enemy of the people." It matters little whether the enemy is real or imaginary. A mythical enemy may even be the most inviting target. This is the reason some people voice such concern for "farmers making less than $2,500 per year." And, why they don't say anything about the other $8,000!

But if we're to have sound policy decisions, we must consider all the facts, not just those that appear to serve our immediate purpose. We paint a distorted picture if we talk only about farm income for low-volume producers and neglect to mention total income for those same families.

We know that everything in our economy is in a state of change. This isn't confined to farming. The long-hair fad has driven some barbers out of business and reduced the incomes of others.

How you view agricultural change will be influenced to a degree by your political philosophy. If you believe in big government programs and controls from Washington, you will interpret facts in one way. If you believe in producing to meet market needs with a minimum of controls from Washington, you will probably see things in a different light.

But, about one thing we can be certain. We should not let emotion and political rhetoric blind us to the truth. We all enjoy listening to the facts we want to hear. But we may wind up fooling only ourselves. It's even more serious when we lose our credibility by telling only part of the truth.

President Nixon said it this way after his return from Moscow: "Neither security nor peace can be found in hiding from reality." He was talking about dealings between nations. But the same principle applies in our thinking through of agriculture's problems and opportunities.

NATIONAL READING PROGRAM

Mr. TALMADGE. Mr. President, 21 million Americans lack the basic functional reading skills needed to deal with the everyday demands of daily living and working, according to a survey conducted by Louis R. Harris Associates for the National Reading Center of Washington, D.C.

Principals tell us that 43 percent of the elementary schoolchildren in this Nation cannot keep up with their classmates because of weakness in reading. Educators estimate that 8 million youngsters need special help in learning to read.

I am pleased to report a pioneer effort to assure that Georgia children grow up with the reading skills necessary to live and work productively.

There are not enough teachers, nor sufficient money, to provide the individual attention required in cases where one-to-one reading instruction is needed.

Volunteer help is the only answer to assure this needed assistance, and to assure that children acquire their basic reading skills at the very beginning of the educational process.

Recently, in Atlanta, 125 Georgia volunteers from throughout the State, representing 28 county school districts and six principal cities—Atlanta, Decatur, La Grange, Marietta, Rome, and Thomaston—attended a 2-day reading tutor-trainer workshop sponsored by the department of education and the National Reading Center.

These trained volunteers have now returned to their home communities. They are teaching other volunteers how to tutor children in reading, under supervision of neighborhood classroom teachers, when primary schools begin this fall.

I invite all Senators to join me in commending and encouraging the volunteer reading-tutor program conceived by the National Reading Center as a significant part of the national right-to-read effort.

Georgia is a leader in this endeavor, as one of the first 20 States where departments of education have joined with the center in sponsoring State-level workshops. Also, as volunteer sponsors and participants in the Georgia workshop, were the following universities and colleges: University of Georgia, Augusta College, Dalton Junior College, Mercer University, Morehouse College, Savannah State College, and West Georgia College. Also, the Augusta-Richmond Public Library, and the Lake Blackshear Regional Library participated.

Mr. President, I ask unanimous consent to have printed in the Record a list of the Georgia county school districts and of some of the volunteer organizations engaged in this fine endeavor to help our State's children advance firmly in reading.

There being no objection, the lists were ordered to be printed in the Record, as follows:

Georgia County School District

COUNTY DISTRICTS

Baldwin.
Bartow.
Bibb.
Cobb.
Colquitt.
Columbia.
Coweta.
De Kalb.
Dodge.
Douglas.
Floyd.
Franklin.
Fulton.
Gainesville-Hall.
Glynn.
Griffin-Spaulding.
Hancock.
Jefferson.
McDuffie.
Muscogee.
Oconee.
Richmond.
Thomas.
Tift.
Warren.
Washington.
Wheeler.
Whitfield.

ORGANIZATIONS

Atlanta Urban Work Ministry—United Methodist.

Boys Club of Macon, Ga.

Cobb Urban Ministry.

De Kalb Reading Center.

EPDA Reading Center.

Frederick Douglass Tutorial Institute, Atlanta, Ga.

Georgia Association of Educational Organizations.

Georgia Department of Labor.

Heart of Georgia Schools, Shared Services, Dodge County School District.

Little River Educational Service Centers.

Model Cities Adult Program.

ADDITIONAL RESPONSES ON INTERVENTION BY CONSUMER PROTECTION AGENTS

Mr. ALLEN. Mr. President, I have received two more letters from Federal agencies—the Federal Trade Commission and the National Park Service—responding to our request for a list of proceedings or activities subject to the proposed Consumer Protection Agency's discretionary rights of intrusion and court appeal under S. 1177, a bill now being actively considered by the Government Operations Committee on which I serve.

As with some other agencies, the FTC's reply was not responsive to the request merely for a list of its proceedings and activities that would be subject to consumer protection agents' intervention and appeal.

Instead, the FTC issued a general statement saying it could not support active consumer protection agent intervention in its adjudicative proceedings, as proposed in the bill we are working on.

The FTC also stated that since it was an independent agency charged by statute with protecting consumers, it should be granted additional consumer protection responsibilities, rather than create a new agency for this purpose.

The National Park Service response, on the other hand, described eight general types of its proceedings or activities subject to consumer protection agent advocacy, and incorporated by reference an additional 121 pertaining to visitor use as listed in the Code of Federal Regulations.

This brings the number of Federal agencies that have responded to our inquiry to 30.

Under the bill, as presently drafted, a "Federal Agency" is any instrumentality which is charged with the administration of any statute of the United States. Thus, the Girl Scouts of America and the American Legion—which, respectively, administer chapters 2A and 3 of title 36, United States Code—congressional commissions and independent Federal agencies are covered as well as Cabinet-level departments and the various operational units of these departments.

Not counting such general and negative responses as those from the FTC and the Justice Department, the total number of proceedings and activities subject to consumer protection agent advocacy listed by the 30 responding Federal organizations is 1,124.

As I did on the 17th and 25th of July, I ask unanimous consent to have printed in the Record the responses received to date—in this case the FTC and National Park Service responses—to prepare Senators for the debate on the bill, which I hope will be reported shortly.

There being no objection, the letters were ordered to be printed in the Record as follows:

Federal Trade Commission,
Washington, D.C., July 26, 1972.

Hon. James B. Allen,
U.S. Senate,
Washington, D.C.

Dear Senator Allen: This is in response to your recent letter requesting information as to how S. 1177—The Consumer Protection Organization Act of 1971—would affect the Federal Trade Commission.

The Senate Government Operations Committee has not formally asked the Commission to submit its views on S. 1177 or H.R. 10835. Therefore, no official Commission position has been developed regarding either of these bills or the intervention sections contained therein.

However, on May 6th, 1971, I testified on behalf of the Commission before the Subcommittee on Legislation and Military Operations of the House Committee on Government Operations on four consumer protection organization bills—H.R. 16, H.R. 254, H.R. 1015 and H.R. 3809. A copy of that statement is attached. On page 9 of the attached statement you will note that the Commission was not unanimous in its views regarding intervention by a consumer advocate. While the Commission is most interested in receiving any information a consumer advocate may wish to transmit, whether in a rulemaking or in an adjudicative proceeding, we are somewhat reluctant to support his active intervention in the Commission's adjudicative proceedings.

At the time of the House hearings there was some discussion as to where the consumer advocate function should be placed, i.e., within the Federal Trade Commission or in a new Federal agency. While S. 1177 and H.R. 10835 place certain consumer protection responsibilities including the consumer advocate in a new independent agency, the Commission stated in its May testimony that such responsibilities logically should be placed in the Commission as it is an established independent agency charged with the responsibility of protecting consumers. This approach would alleviate many of the difficulties involved in the intervention concept.

If I may be of further assistance, please do not hesitate to call on me.

With kindest regards, I am

Sincerely,

MILES W. KIRKPATRICK,
Chairman.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., July 25, 1972.

Hon. JAMES B. ALLEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLEN: Thank you for your letter concerning the proposed bill to create the Consumer Protection Agency (CPA). Our answers are designed to correspond to the designations of your questions:

1.a. National Park Service regulations, intended for codification in Title 36, Code of Federal Regulations (CFR), are first published in the "Federal Register" as a proposal of rulemaking, prior to final issuance. It is the policy of the Department of the Interior to allow public comment in accordance with 5 U.S.C. 553. Therefore, CPA would have an involvement concerning regulations affecting a consumer interest of park visitors.

1.b. Part 8 of Title 36, CFR, provides labor standards applicable to employees of National Park Service concessioners. Section 8.7 provides a method for settlement of questions arising under Part 8.

Part 20 of Title 36, CFR, provides regulations to control commercial fishing at Isle Royale National Park Section 20.4 provides for an appeal procedure in instances of revocation of a commercial fishing permit.

By notice in the "Federal Register" of April 15, 1971, at page 7184, it was provided that appeals under Title 36, CFR, Part 8, and Title 36, CFR, Part 20 would be heard by the Director, Office of Hearings and Appeals, Department of the Interior.

2. A prime purpose of the National Park Service is to provide for visitor use and enjoyment of areas of the National Park System. In a large sense, the visitor is a consumer and some National Park Service activities could affect him as such.

National Park Service regulation, in Parts 1–7 of Title 36, CFR, in the main, control visitor use.

The charging of entrance and user fees and the control of concession activities have a consumer impact.

The handling of applications for special uses of park lands such as rights-of-way, in some instances, could affect consumer interests.

We appreciate your interest in this matter.

Sincerely yours.

LAWRENCE C. HADLEY,
Assistant Director.

OCEAN DUMPING

Mr. HOLLINGS. Mr. President, recently, the U.S. Army Corps of Engineers has granted permission to American Cyanamid Co. to construct a dock near Savannah, Ga., so as to load barges with sulfuric acid waste material for transportation to dumping sites in the Atlantic Ocean.

This issue has caused grave concern among citizens, environmentalists, wildlife experts, and fishermen along the coast from North Carolina to Florida. We in South Carolina are especially worried about the possible effects this action will have on coastal fishing and marine life in general.

South Carolina is justly proud of its quality of life. We still have clean rivers and beaches. We still have a number of unpolluted estuaries, and our leadership is dedicated to a statewide program of water quality, wildlife preservation, outdoor sports, and a clean, healthy environment.

Today, I have received from the South Carolina Legislature two concurrent resolutions which touch directly upon these issues of ocean dumping and clean water. Both resolutions bear out my belief that South Carolina must be considered among the leaders in those States committed to fighting pollution. I ask unanimous consent of the Senate that the two resolutions be printed in their entirety in the CONGRESSIONAL RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD as follows:

H. 3703

A concurrent resolution to request the Federal Environmental Protection Agency to investigate the possible harmful effects of proposed dumping of industrial acid in ocean areas southeast of Beaufort and report its recommendations to the Congress

Whereas, news reports indicate a plan has been proposed to dump industrial acids at or near the continental shelf south of Savannah; and

Whereas, with the northward flow of the Gulf Stream, such acids could flow through some of the most productive fishing waters off the South Carolina coast and might well pollute and destroy such waters for fishing; and

Whereas, numerous State officials, expert in such matters, have expressed grave concern about this proposed massive dumping of industrial acids.

Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

That the federal Environmental Protection Agency is requested to investigate the proposed plan for dumping of industrial acids in the waters off the South Carolina and Georgia coast and report its findings and recommendations to the Congress of the United States as to the effect of such dumping upon the marine life in the area.

Be it further resolved that copies of this resolution be forwarded to the regional office of the federal Environmental Protection Agency in Atlanta and to each member of the South Carolina congressional delegation in Washington, D.C.

H. 3674

A concurrent resolution to memorialize the Congress of the United States to take necessary action to insure the protection of fresh water supplies for Bushy Park and Metropolitan Charleston provided by the Back River Reservoir and the Cooper River.

Whereas, the water resources of this nation are one of our most valuable assets; and

Whereas, the maintenance of a quality water supply for the citizens of any area depends on the efforts of those in government to protect, preserve and control these resources; and

Whereas, it is in the best interest of the citizens of South Carolina to preserve the high quality and quantity of water now available to Bushy Park Industrial Area and Metropolitan Charleston area by way of the Back River Reservoir and the Cooper River in Berkeley and Charleston Counties, South Carolina.

Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

That the General Assembly by this resolution does hereby memorialize the Congress of the United States to protect under all conditions the public and private interests in the fresh water supply now available to the Bushy Park and Metropolitan Charleston areas against any alteration or change that may adversely effect the continuing availability of high quality water to current and prospective users.

Be it further resolved that assurances be made to the end that no federally financed public works project be authorized for construction without such protection, including specifically any proposals of rediversion of flow from the Cooper River System into the Santee River System.

Be it further resolved that copies of this resolution be forwarded to all members of the South Carolina Congressional Delegation in Washington, D.C.

SENATOR ALLEN J. ELLENDER, OF LOUISIANA—IN MEMORIAM

Mr. HATFIELD. Mr. President, while I recognize a special time for tributes to our late fellow Senator, Mr. Ellender, will be set aside on a later date, I wanted to express today my extreme sorrow upon hearing the news of his death.

I will not recount earlier accolades as to his legislative accomplishments—such as the school lunch program—some of my colleagues mentioned these last Friday during the Senate session.

Instead, I wish only to express my profound sorrow at the loss of a friend and teacher. As a new member of the Appropriations Committee, I had the opportunity of receiving Senator Ellender's advice and his counsel many times, and I shall miss not only this guidance, but also his direct and straightforward approach to understanding the myriad complexities of our Federal budget.

I was not a member of the Appropriations Committee until early this year, so I cannot reflect on how our committee operated prior to that time. I do know, however, that all of us on this committee have been pressed to work as diligently on our committee business as did our able chairman, Senator Ellender.

I want to mention one other side of Senator Ellender's many faceted life today, and that is his human warmth. As many Senators are aware, my wife has written a number of cookbooks, and is very much interested, naturally, in cooking. We all know of Senator Ellender's love of cooking. My wife, Antoinette, and Senator Ellender talked many times about cooking and the relative merits of one recipe over some other one. I know she joins me in expressing sorrow at the loss of a warm, a charming, and a most gracious gentleman.

In his travels throughout the world, including his several visits to the Soviet Union, Senator Ellender showed the benefits of people-to-people contacts, and he knew the many advantages to both countries from such contacts. We all will miss the guidance and the counsel of one of our distinguished colleagues

The citizens of Louisiana are mourning the passing of the courageous fighter for the interests of their State; the people of the entire country are mourning the loss of a leader whose imprint is on much of our legislation; we in the Senate are mourning the loss of a special friend.

There never will be another Allen Ellender, and the Senate and the country suffer because of it.

SCHOOL LUNCH HEARINGS ON S. 3691 AND H.R. 14896

Mr. HUMPHREY. Mr. President, last Friday, I testified before the Agricultural Research and General Legislation Subcommittee of the Committee on Agriculture and Forestry Committee on school lunch and child nutrition legislation. In that I have commented on earlier occasions before this body on the importance of the Congress acting promptly regarding this legislation as it may effect the coming school year, I will not dwell on that point again at this time. However, I would like to point out to my Senate colleagues that my amended version of S. 3691 contains two important provisions not contained in the House-passed bill, H.R. 14896: They are: First, a "grandfather" clause which would prevent any child participating in last year's child nutrition programs from being dropped in the future by reason of the new income eligibility standards provided in the bill, and second, provisions for the establishment of a new, but very modest, national infant feeding program to combat malnutrition among pregnant women and infants ranging in age from birth to age 4.

The only other difference between my bill and the House-passed bill is that my bill does not authorize the use of vending machines in schools to offer students supplementary nutritious foods.

The distinguished chairman of the Subcommittee on Agricultural Research and General Legislation, Mr. JAMES B. ALLEN, chaired last Friday's hearings. He reported to me following the completion of those hearings that he will get his subcommittee together at 9 a.m. this Wednesday, to markup and complete subcommittee action on this important piece of legislation. If he is able to accomplish that objective, the full Senate Committee on Agriculture and Forestry may be able to consider this legislation during its regularly scheduled session immediately following the subcommittee meeting at 10 a.m. on Wednesday of this week, August 2, 1972.

This timetable is very much in keeping with the commitment made earlier by both the chairman of our full committee, Senator TALMADGE and Senator ALLEN that prompt action would be taken on this legislation.

I hope that my Senate colleagues will join me in urging the members of the subcommittee (Senators ALLEN, JORDAN of North Carolina, EASTLAND, CHILES, DOLE, YOUNG, and CURTIS) and other members of the full committee (Senators TALMADGE, MCGOVERN, MILLER, AIKEN, and BELLMON) to support my amendments to H.R. 14896 which are contained in my amendment (No. 1367) in the form of a substitute to S. 3691.

Mr. President, in view of the fact that the record of the hearings will not be available in print prior to the markup session, I ask unanimous consent that the following items be printed at this point in the RECORD:

First. My testimony before the Subcommittee on Agriculture, Research, and General Legislation; and

Second. The testimony of several other witnesses who appeared at last Friday's hearings whose testimony was in general support of my bill and amendments: Dr. David Paige, associate professor of maternal and child health at Johns Hopkins University in Baltimore, Md.; Mrs. Virginia H. Ball, director of school food service; St. Paul, Minn.; Josephine Martin, chairman of the legislative committee of the American School Food Service Administration, and Mrs. Elizabeth S. Hitchcock, R.D., who serves as the acting nutrition services supervisor of the Virginia State Department of Health in Richmond, Va.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

TESTIMONY OF SENATOR HUBERT H. HUMPHREY

Mr. Chairman, Members of the Subcommittee, I am here to urge swift and affirmative action on the child nutrition legislation before you at this time.

The legislation is H.R. 14896, a bill which the House of Representatives passed by an overwhelming two-thirds majority, and my amendment S. 3691, the bill which I have introduced along with 12 Senators, Republican and Democratic.

I urge you to limit consideration of child nutrition legislation to these proposals for now. Other proposals are pending before this Committee, including a bill introduced for the Administration by the Chairman, Senator Talmadge, and the ranking minority member, Senator Miller; a bill sponsored by Senator Hart and many others; a bill sponsored by Senator McGovern and others; a bill sponsored by several other Senators and me.

All of them will involve major, and much needed revisions in the child feeding program. Together they will provide new authority, require improved regulations and support more effective procedures. However, they need careful examination and thorough discussion. The Administration bill, for example, will greatly restrict the operational flexibility of states and local school districts, and we should proceed very carefully to further concentrate authority over local conditions in the Federal bureaucracy. My own bill authorizes a meals program in schools which would make nutrition as much of a service as textbooks; what goes into a child's stomach is directly related to the knowledge the child's mind can retain.

Senator Hart's bill would greatly expand the school breakfast program, an action which more and more school teachers and administrators are coming to view as an urgent reform in child nutrition. Senator McGovern proposes to begin the universal food service program in a carefully structured model for pilot testing and evaluation.

These proposals all have merit, but it will take time to mold them into the first major reform of the child nutrition program since the School Lunch Act was passed in 1946.

We do not have this much time. School begins in less than a month, and the Congress must act now to help the States and school districts prepare to feed those children who will be coming in the school door. The major reforms must wait until the next Congress.

S. 3691 in its amended form and H.R. 14896 do not differ greatly in content. Both contain the same provisions for setting eligibility standards, the same provisions for breakfast and non-school food programs, the same level of reimbursement for local schools and the same authorization to help schools obtain equipment and food service facilities. The purpose of both is the same. They define a public policy which says the children should be fed and reject a USDA policy which threatens school officials who put good nutrition as a first priority.

There is substantial agreement that schools will need a higher reimbursement level if we are to avoid higher lunch prices this fall, a situation which will lead to fewer rather than more children obtaining a nutritious meal. The proposals call for an eight cent reimbursement on all meals served, or two cents more than the Congress provided last school year. The amount will simply enable schools to meet the cost of higher food prices and wages.

Similarly, we should join with the House in authorizing States and local districts to set eligibility levels which are broader than the Federal income eligibility level of $4,110 a year for a family of four. The USDA will urge a more restrictive policy, but anything less than these bills provide will be a harsh and inhuman effort to keep children from families with low and moderate incomes from being served by this program.

The breakfast provision will let any school, including the 22,000 schools which the USDA failed to approve for breakfast last year, start the program immediately. The provision also will correct an erroneous impression which the USDA has gained about the intent of Congress.

Senator Bellmon, in persistent questioning of the USDA before the Select Committee on Nutrition recently, got the agency to say the "basic legislation would not lead one to believe the intent of the Congress" was to reach substantially larger numbers of children.

As always, we must take the USDA by the hand and show it what compassion for people is all about.

That, in effect, is the purpose of the major new provision I have included in my bill, the amendment to authorize a program to supplement the diets of pregnant and lactating women and of children from birth through age four.

A program is operated by the USDA to distribute commodities which masquerade as a supplemental nutrition effort, but it is difficult to characterize it as a sincere effort to help mothers and infants.

The USDA has issued instructions that no new areas are to be added to this program, nor are any existing projects to be expanded. Witnesses can be brought from Detroit to confirm this, and to establish the fact that a quota of no more than 15,000 persons will be helped by this program in Detroit.

Witnesses can also testify that only through the strenuous intervention of Senator Griffin in Michigan last winter did the USDA reverse a policy of cutting back on the foods provided under this program.

The point is that the USDA has drawn the line on a program which, with creative administration could reach the one group which most needs nutritional aid and is least likely to be served by food programs. Infants from birth until nearly age two can be impaired physically and mentally by malnutrition, and the evidence is building that the damage is irreversible if not caught in time. Others will testfy here today in more detail on these facts, and I simply want to say that we can no longer afford to neglect our responsibilities to mothers and children who are at nutritional risk.

There is ample evidence, which also will be presented later to this committee, that a program which combines special infant formula with a careful demonstration and nutrition education effort in neighborhood clinics and in homes can bring malnourished infants from far below the average health level to a point far above average.

And, there is ample evidence that states and communities are ready and eager to begin such programs now. The State of

Maryland has requested, and has been rejected funds for a statewide program.

I am proposing that a new program, in addition to current USDA efforts, be authorized to serve pregnant and lactating women from low income populations which demonstrate one or several of these characteristics: Known inadequate nutritional patterns, unacceptably high incidence of anemia, high prematurity ratios or inadequate patterns of growth (underweight, obesity, or stunting). Low income individuals with evidence of previous high risk pregnancy as evidenced by abortion, premature birth, or severe anemia would also be included.

Infants or young children at nutritional risk who would be target groups include those in low income populations which have shown a deficient pattern of growth by minimally acceptable standards as reflected by an excessive number of children in the lower percentiles of height and weight.

I would emphasize that funds for this program would be used for grants to States and communities, and not converted into commodities by USDA. Any commodities would be provided in addition to funds authorized.

Further, it would be the sense of this legislation that mothers and infants at risk should be helped to obtain an improved diet, and that regulations, instructions, guides and other administrative devices should help people and not build bureaucratic prisons for program funds and authority.

Mr. Chairman, I have several articles relating some of the scientific evidence available in support of the need for this new infant feeding program which I would like to have inserted into the hearing record following the completion of my statement.

S. 3691 also contains a positive statement that no child who received a free or reduced price lunch last school year will be made ineligible simply because of a change in the law.

And, finally, my legislative proposal does not include the provision in H.R. 14896 authorizing vending machines. This food service technique poses some serious problems for school food service managers. Until adequate nutrition safeguards can be provided, the issue should not be raised.

Swift action on this legislation will enable school administrators and lunch room managers to be ready for the fall term. Failing prompt and affirmative action, lunch and breakfast programs will start in an atmosphere of great confusion and uncertainty, and the only thing which will be certain is that Congress has joined the USDA to help prolong malnutrition in this nation.

Mr. Chairman, I want to commend you and other Members of your Subcommittee and Members of our Full Agriculture Committee for their leadership and initiatives concerning improvements in our nation's child nutrition program.

I want to pledge to you and others on the Committee my continued support regarding these efforts. Thank you.

Testimony Before the Senate Agricultural Subcommittee on Research and General Legislation, July 28, 1972

(By David M. Paige, M.D., M.P.H.)

I am David M. Paige, M.D., M.P.H., Associate Professor of Maternal and Child Health, The Johns Hopkins University, School of Hygiene and Public Health, Baltimore, Maryland. I am also a member of the Board of Directors of the Maryland Food Committee and I am speaking here today in both capacities.

The Maryland Food Committee is a citizens committee dedicated to the elimination of hunger in Maryland. Organized in 1969 as a response to a report of thousands of undernourished children in Baltimore elementary schools without a school lunch program, the committee soon came to a realization of what was also the conviction of the medical profession, that the problem of malnutrition begins long before children reach school.

In 1970 a study of children entering the first grade of Baltimore's inner city schools showed 25% to be suffering from nutritional anemia and low serum Vitamin A levels. Another study of children in Baltimore City Health Clinics showed an incidence of borderline and unequivocal iron deficiency anemia among children 6 months to 2 years of age in over ⅓ of the population studied. Other survey data suggests that 40 to 60 percent of the children living under depressed conditions will exhibit this form of nutritional anemia at one year of age.

What we have said above is simply to state that the problem of malnutrition is a continuum: an insidious cycle of events often originating before a baby is born and continuing through the individual's life. The nutritionally deprived young infant, who manifests objective criteria of malnutrition in terms of stunting of growth and weight; small head circumference, nutritional anemia and many other measurable biological and biochemical parameters, begins life at a serious and very real disadvantage.

If the already poor nutritional status of such an infant is further stressed by continued inadequate food, a permanent loss of full potential of growth and development is noted. (The period of maximum growth of brain size is during the first two years of life with 85% completion by the end of that time.) This not only leads to intellectual impairment, but behavioral unresponsiveness as well.

Such a child does not relate well to his environment. His normally short attention span, fatiguability and distraction are all greatly increased. He therefore has less time to learn. His biological deficits are compounded and developmental landmarks are delayed. He exhibits poor cognition, slowness in learning, and poor retention of what has been learned.

We begin to see a spiral effect as this less than adequately nourished young child becomes increasingly unable to learn and to successfully compete in a highly technological society. Once these critical early years of growth, neurological maturation, and cognitive developments are passed it is impossible to go back. By the time the youngster enters school, remedial action is too late. The cost to the nation in terms of lost human potential and the high cost of remedial or custodial care is incalculable. The only sound approach is the reinforcement of the nutritional state or disadvantaged children during the critical formative infant and preschool periods.

We have taken such an approach in Maryland. Our population of disadvantaged children, cared for by the federally supported Children and Youth Project, demonstrated and reflected the same severe problem of poor nutrition seen among many disadvantaged children. The growth and development of these children were compared against standard charts: 20% of C & Y children, more than six times the number expected, during infant and preschool years are below the minimally accepted standards for eight (third percentile of the Boston-Stuart height chart). 15% of C & Y children, more than five times the number expected, are below the minimally accepted standards for weight (third percentile of the Boston-Stuart weight chart). 31% of the infants at twelve months of age showed iron deficiency anemia with a hematocrit of 31.0% or less.

Recognizing that the severity and scope of this problem demanded attention, a vigorous nutritional program aimed at infants was initiated. The Baltimore City Health Department and the Maryland Food Committee working in cooperation with the Johns Hopkins University School of Hygiene and Public Health developed a pilot project to improve the nutritional state of an indigent group of inner city Baltimore infants through the distribution of iron fortified powdered infant formula. The objectives were to provide:

(1) a rich source of biologically superior protein to enhance neurological maturation, growth, and development

(2) iron to modify and eliminate the alarmingly high prevalence of nutritional anemia

(3) nutrition education to assist mothers in applying sound nutritional principles in the feeding of their youngsters, as well as others in the home.

When these infants were initially evaluated at birth or their first clinic visit, there were six times as many children as normal below the third percentile for length; four times as many children as normal below the third percentile for weight, with approximately 40% of these children showing signs of anemia with a hematocrit of 33.9% or less. (8% had hematocrit readings under 30.0%). When one analyzes these records it is abundantly clear that this is a population of infants at considerable risk—similar in all respect to the population of children studied at the C & Y clinics. This handicap is clear from the overwhelming morbidity, or presence of illness, found in these children at their "*well* baby" clinic visits. More than 80% have some identifiable medical problem at clinic visits.

Preliminary results indicate, however, by the third clinic visit at approximately six to seven months of age, marked and significant improvement takes place with the continued consumption of iron-fortified formula. Only 5% of the children are below the third percentile for height compared to 20% in the non-supplemented group. Only 3% of children are below the third percentile for weight compared to 18%. Hematocrits indicate only 2% of infants now have a hematocrit less than 30.0% whereas 8% of infants had deficient hematocrits when enrolled in the study. The number of children completing the fourth clinic visit at approximately nine months of age is not sufficiently large to report in detail. However, all the evidence shows an even greater improvement in nutritional indicies.

These studies suggest that iron-fortified infant formula programs contribute significantly in upgrading the nutritional status of high risk infants. They significantly reduce the expected frequencies of iron deficiency anemia during the first nine months of life and contribute to an accelerated improvement in the height and weight of these infants. This program has shown itself eminently practical from an administrative point of view, so much so that the Maryland Food Committee, with the cooperation of the State Health Department expanded it in October 1971 into nine counties in Maryland. This spring Maryland applied for federal funds to operate a statewide program but the Department of Agriculture has not acknowledged this need.

However, the results of a study, such as the one just reported, underscore the importance and urgency of addressing our attention, energy, and money toward eliminating poor nutrition among infants. To be able to eliminate undernutrition among infants, and thus prevent the tragic and costly results in wasted human potential which this malnutrition can cause, and to neglect the opportunity is a serious distribution of National priorities. The $125 to $150 it might cost to provide iron fortified formula to one child for one year is only a fraction of the cost of medical or remedial care for that same child if he is undernourished.

I would therefore urge this Committee to support and provide for presently existing programs aimed at improving the nutrition of the nation's infants, and to provide sufficient funds to encourage expansion or development of new programs. This is a matter of great urgency. It is our considered opinion that the distribution of iron enriched infant formulas during the first year of life represents a major step toward reinforcing the nutritional status of children in the United States.

Let us be very clear about one thing. No new money is being requested. The $20 million in the amendment in Sec. 7 of the legislation before you represents funds already appropriated by Congress, but not spent in fiscal 1972.

This Congress has demonstrated in the last year, through its passage of PL 92–32 and H.J. Res. 923, its very real concern with the hungry children of this country and its determination to do something about it. The funding of the School Lunch and Summer Lunch programs and the pressure on the Dept. of Agriculture to expand the School Breakfast and year-round non-school food service (day care) programs has been very heartening. It is a logical and essential addition to this effort that would reach infants with iron-fortified milk, so that children would not go through that most crucial, formative first year poor nutrition.

TESTIMONY ON H.R. 14896

(By Mrs. Virginia H. Ball)

Mr. Chairman and Members of the Committee: It is a privilege for me to represent the urban and rural areas, major city directors and the Board of Education of Independent School District #625, St. Paul, Minnesota, before your committee today.

By the way of background, the Board of Education and the school administration mandated, in 1967, food service for all children in St. Paul as rapidly as it could be accomplished. Eighteen (18) secondary schools and three (3) elementary schools serving handicapped children had been in the school lunch program for many years. Fifty-nine (59) elementary programs opened between September, 1967 and September 1971. All of the 49,837 children in the St. Paul Public Schools have a hot, well-balanced, nutritious lunch available today.

We have ninety-two (92) lunch programs and this includes satelliting the school lunch to four (4) parochial schools. There have been thirty-one (31) breakfast programs, and four pilot programs for feeding the elderly in operation this past year. We will expand the program for senior citizens to fourteen (14) schools in September. There are thirty-five (35) kitchens which provide the lunch for their school and fifty-seven (57) satellite schools. We have an average daily participation of 28,000 students or approximately 62% of the enrollment. As of the end of the last school year, we were providing free and reduced price lunches to 11,626 students or 24.2% of the student body.

We support H.R. 14896 but we have four major areas of concern:

TIME

The food service director at the local level today operates on the crisis approach to change. We desperately need to have legislation and its interpretation done in such a way that we may have an adequate amount of time to plan and implement the wishes of Congress.

P.L. 91–248 which is certainly the greatest thing that has happened to school food service since its inception requires, under guidelines developed by the U.S.D.A., that every parent receive policy statements, eligibility standards, applications for free and reduced rates, and acceptance or rejection notices for every applicant. This is both an extremely time-consuming and costly operation. We would normally send this information home with the children during the last two weeks of school in June and work all summer processing the thousands of applications we receive in order to be ready to provide this service on the opening day of school.

In St. Paul, we use a system whereby tickets are mailed to the students' home in our effort to protect their anonymity and increase their participation in the program.

Today is the 28th of July and we do not know the criteria for free and reduced meals which we will be expected to provide on September 5. We are apprehensive of our ability to provide this service because of the time element. If we are to have any degree of efficiency in our operation, these guidelines should be available to all of us by April 1st.

COSTS

We are grateful for the additional 2¢ per meal provided in H.R. 14896, but this will not really meet our needs. We, in St. Paul, lost approximately 200,000 dollars in the last school year. This was the result of a combination of circumstances. We were first notified of the change in reimbursement at the National School Food Service Convention in Minneapolis the first week in August. Controls mandated by the President prohibited an increase in the cost of the program to students. The ensuing settlement of the hassle between the U.S.D.A. and the Congress on reimbursement was not resolved until November, which meant that we, at the local level, did not know what appropriations we could expect until December, three full months after school opened.

One of the objectives of this program has always been to provide meals at a minimal cost, available to all students. This is no longer true. We are being forced to price ourselves out of the market. There is a direct relationship between the price of the school lunch and participation. Year before last, in St. Paul, we had twenty-six (26) schools in low-income areas on totally reduced rates. The maximum charge to students was 20¢ per lunch. Regulations were changed this last year, and we were not permitted to continue operating in this manner. Our records show that we fed 14.2% fewer children in these schools when the price of the lunch returned to 30¢ for elementary and 35¢ for secondary students.

Due to our loss in operation this past year, it will be necessary to increase the cost of the school lunch to 35¢ for elementary students and 40¢ for secondary. We anticipate that at least 10% of our students will be unable to participate in the program because of this increase.

Under the present bill, a family of four whose gross earnings exceed $5,138 for free lunch or $6,165 for reduced rates would be expected to pay full price. Families whose income places them in a bracket just outside of the maximum eligibility standards for free and reduced rate lunches—and these figures are gross with no allowance for even normal deductions—cannot receive assistance and at the same time cannot afford to pay for their children's lunch. This forces them either to do without or to carry bag lunches which in many cases do not meet accepted nutrition standards. It seems to us that we are feeding the affluent and the economically deprived while the "forgotten child" is the one whose family does not qualify for assistance and who cannot really afford to pay. If your family of four consisted of a parent and three children with gross earnings of $6,166 annually, this is one dollar more than the maximum earnings on a chart for reduced meals, would you be economically able to send $1.05 or $1.20 per day to school for your children's lunch?

We find that the administration of the guidelines for this program as outlined by the U.S.D.A. in providing all of the materials for every parent in our district as well as tickets, etc. to be very costly. We, in St. Paul, listed only those items to which we could attach a dollar value and found that in this last year we spent more than $28,000. Roseville and Bloomington, two nearby suburban areas, spent $24,691 and $36,900 respectively. St. Paul could have provided children with more than 49,000 lunches based upon our last year's cost figures for the same amount of money. These figures do not include the intangibles such as sorting paid, free, and reduced tickets; making daily reports; selling tickets in our schools, etc.

We would like to ask, if the minimum wage law before the Congress now goes through at $2.20 per hour, that consideration be given to increasing the 8¢ figure proportionately. Many, many districts throughout the United States will either have to increase prices and lose participation of those students who need to be a part of the program or rely upon the Congress for increased appropriations to cover higher labor costs. Most school districts, unless they are unionized or a part of a civil service system, pay minimum wage.

BREAKFAST PROGRAMS

The provision in H.R. 14896 to allow the expansion of the breakfast program to all schools and to make it permanent is most welcome. This is an important program and one many educators will say is more valuable than the lunch program. Many of the St. Paul principals have told me how tardiness has declined, attendance is up and children are more receptive to their classes as a result of having had breakfast. In St. Paul, we have thirty-one (31) breakfast programs. We would like to expand this number, but under the new regulations which demand that we use the same accountability system for breakfast as is required for lunch programs and a five cent (5¢) reimbursement for the paying child, makes us hesitant. Our breakfast prices to children for the last three years have been five cents (5¢) at the elementary level and ten cents (10¢) for secondary. This has been too low this past year and we will increase them to ten cents (10¢) and fifteen cents (15¢) in September. On the one hand, with a five cents (5¢) reimbursement, we cannot make ends meet, on the other, if we raise our prices beyond the five cents (5¢), we will reduce participation.

Innumerable studies have proven that poor nutrition affects all aspects of our society and we do not want to price our services out of the range of all students. We believe reimbursement for free and reduced breakfasts to be adequate. However, citing the same example used before—parent and three children with a gross earning of $6,166 annually, would have to provide the children with not $1.05 to $1.20 per day, but $1.95 to $2.10, if they were to participate in both the breakfast and lunch program and we were to break-even.

The lack of funds during this past year in the breakfast program has made it difficult to add schools and those of us with schools eligible under the old regulations for 100% reimbursement, could not get it simply because the states did not have the money.

VENDING MACHINES FOR NUTRITIOUS FOODS

We urge that Section 7 of the bill having to do with vending machines for nutritious foods and profits accruing to any organization approved by the school be denied.

In St. Paul, we recognize that children from junior and senior high schools need some choice in foods. We provide three lunches every day, two hot and a salad bar. They all meet Type A requirements. Our a-la-carte items are apples, oranges, ice cream and extra milk and they are sold over the counter.

If we must have vending machines, then

we would ask that those foods permitted be clearly specified. It is not possible to say that candy has no nutritional value. It does have, but three candy bars for lunch will not provide one-third to one-half of the nutrients required by the growing child.

The National Nutrition Education Conference in Washington last November pointed out the growing concern for the lack of good nutrition in the diets of teenagers today. Studies and surveys throughout the country have shown that teenage diets from every cultural, social and economic group are inadequate and deficient in many of the essential nutrients. That is not due to a lack of good food, but from improper choices and points up the great need for mandatory nutrition education in our schools today. Wise food choices at an early age must be taught just as we provide instruction in reading, spelling or arithmetic.

Vending machines are operated for a profit. If we must have them, we believe the profit should accrue to the food service programs to aid in off-setting the cost of the contribution to the programs by the Congress and, in turn, help reduce the burden to the taxpayers.

An obvious inequality resulting from the use of vending machines is the inability of children receiving free and reduced tickets to participate. These children would be tempted to sell or barter their tickets for money to use in these machines.

Parents send money to school for the purpose of providing their child with a nutritious lunch or breakfast. The vending machines would also tempt paying children to spend a part of their money, leaving insufficient funds for their meal ticket.

SUMMARY

In summation, this testimony may sound highly critical. It is not meant to be. The rapid expansion of food service programs today have made them "big business". In St. Paul this is more than a 2½ million dollar a year business. While in business the usual goals are profit and expansion, ours are to feed every child well. As money for schools becomes more difficult, we are asked to operate on a break-even basis. We believe you would find it very difficult to operate your business in the manner we are asked to provide a break-even food service. We would suggest that food service programs be put on a business-like basis with adequate time for planning and implementing the wishes of Congress and that funding keep pace. We would urge that all regulations and reimbursement rates be made available to all of us by April 1, at the latest, each year for the following year.

The children we are feeding today will replace you and me tomorrow and hopefully we will have offered to them the best we have available today.

Being a food service director is not all bad. When you walk among the children eating in an elementary school, feel a tug on your skirt and a little seven or eight year old freckle-faced, red-headed boy looks up at you and says, "Lady, this is the bestest lunch I ever had," it is all worthwhile.

Statement of Josephine Martin

Mr. Chairman and Members of the Sub-Committee:

I am Josephine Martin, Administrator of School Food Services Program in the Georgia Department of Education. I also serve as Chairman of the Legislative Committee of the American School Food Service Association. As I testify before you today, I represent the 48,000 members of ASFSA, an organization totally committed to meeting nutrition needs of children during the school day.

On behalf of the association I wish to thank the Sub-Committee for the opportunity to express our views on the legislation under consideration, H.R. 14896. Passage of this bill is both important and urgent. Members of the ASFSA are grateful to you for your support of more adequate programs in child nutrition. It was hardly a year ago that we were appealing to you to provide a solution to a crisis which resulted when USDA regulations proposed in August, 1971 would have denied lunches to thousands of school children. You and the other members of the Senate Agriculture Committee initiated the action that resolved that crisis for the 1971–72 year.

Today we face another crisis; a crisis of uncertainty and inadequate funding! Only Congress can resolve the crisis. At the present time, I and other directors who operate programs are faced with a dilemma. It's time that local school systems had information about rates and eligibility standards as the new school term will begin for many children August 25. To send information now will surely mean retracting and beginning again!

H.R. 14896, the bill being considered today would resolve many problems; it will do much to eliminate the confusion and uncertainty that exists at the state and local school district level with respect to funding and operation of the school lunch and child nutrition programs for this current fiscal year. Moreover, it will greatly simplify and make more efficient the state level of administration of these programs. Early passage of this is urgent because state school lunch agencies and local school districts are well into their planning operations for the programs which will begin serving lunches in late August or early September.

First, let me speak to uncertainties; uncertainties arising when legislation contained in P.L. 92–153 expired June 30, 1972. The following provisions expired:

(1) Guarantee of 6¢ for all lunches.

(2) Guidelines regarding eligibility standards for free and reduced lunches.

Although USDA has requested 6¢ in the 1973 appropriation, without a statutory guarantee we have no assurance of 6¢. With the freshness of the August, 1971 proposed cuts in reimbursement still in mind, it's difficult not to have apprehension regarding the rates.

Secondly, USDA has advised states that all free and reduced meal policies must be approved before school begins and before any agreements are extended. As a school food service administrator, I find it difficult to require systems to establish eligibility standards when the guidelines have not been set by Congress or USDA. Just this week a USDA official stated: "If you set them below the level Congress indicates, you'll be O.K.; if, however, you promulgate guidelines in excess of the congressional direction, then states will have to retract information." The Secretary has issued a guideline. The present legislation establishes no ceiling. The Administration Bill S. 3661 pending establishes a ceiling of 15% above the Secretary's guideline for free and 30% above the Secretary's guideline for reduced price meals. Section 5 of H.R. 14896 provides specific guidelines by which to determine eligibility for free and reduced meals. It establishes a ceiling of 25% above the Secretary's guideline for free and 50% above for reduced lunches. (The proposed ceiling in the Administration Bill (15% and 30%) will automatically exclude many children who received reduced lunches in 1971–72; it would exclude some children from free lunches.)

I am sure you recognize the dilemma faced by the states. It's time for school to begin. Information is needed by school systems. The *only* safe decision for states to make is one that will deny many children access to free and reduced lunches. The decision is intolerable—how do you make a choice between hungry children and playing it safe?

The purpose of P.L. 91–248 was to assure that all economically needy children would have a right to a free or a reduced price meal. Now in the absence of guidance from Congress this right is in question. A safe decision in some states will readily deny certain children free lunches or reduced lunches in the new school year and those same children received lunches last year. Such a decision could jeopardize the integrity of the program and of the people who run the programs.

We need your help now to provide legislation that will (1) give positive direction and (2) assure that no child receiving free or reduced lunches in 1971–72 would be denied lunches by new legislation. S. 3691 pending before the Senate would assure this.

Section 4 of H.R. 14896 not only guarantees a rate for all lunches, it provides an assurance of 8¢ per lunch. I wish to thank you for the guaranteed rate for lunches provided in 1971–72. The guaranteed rate was initiated in the Senate Agriculture Committee. It is interesting to note that apparently USDA has approved the concept of a guaranteed minimum as included in S. 3661 (the Administration Bill).

Although the rate of 6¢ in S. 3661 is too low, we are delighted to have a minimum rate included; and that's what we are pleading for in H.R. 14896, except we request that you support 8¢ per lunch.

Schools across the nation are facing a financial disaster. Food and labor increases are mandating increased revenues. Unless Congress provides higher levels of reimbursement for all lunches, schools must increase sale prices. A recent USDA study revealed that an increase of 5¢ in sale price resulted in 10% decrease in paying students. Gentlemen, when that happens, it's the "average taxpayer," "the working man," the young family who gets hurt. The House of Representatives has approved the guarantee of 8¢ which would help to offset the increased cost of preparing a meal which will result from the increase in the minimum wage which appears to be on the horizon.

An increase of 2¢ from Section 4 funds for all meals will result in a decrease in the use of Section 11 and Section 32 funds for free and reduced meals as P.L. 92–153 provides for a reimbursement of 40¢ or the cost of the meal whichever is lower.

Mr. Chairman there is a vital need to increase the level of general support for the program. The 8¢ requested in this bill is the minimum, the absolute minimum, necessary to maintain the program on a sound basis as a program for all children. Rapid increases in food prices and other prices in the past two years has made it necessary for nearly all schools to increase lunch prices with cost in reductions in participation. One million fewer children are paying for lunches now. I seriously feel that the financial stability of the program is very severely threatened. The witnesses to follow me will place considerable emphasis on this provision of the bill.

Section 6 of H.R. 14896 provides for an increased authorization from $20 to $40 million for nonfood assistance. According to USDA figures there are still 14,000 schools without food service programs and 4,000 of these are needy schools. There are still approximately 13,000,000 to 15,000,000 children in schools with food service programs who are not reached, and a large number of these do not eat because the facilities are inadequate and/or obselete. Nationwide State school food service directors and system directors plead for additional equipment funds. We listen to the phrase, "Now is the time to put an end to hunger in America's classrooms;" but when the facilities are stretched to the seams or there are no facilities, there is no way until additional funds are available. Reorganization of schools has compounded the problem. Assignment of more children to a school than it was designed for results in over-crowding and inadequate school food service facilities. A survey made by ASFSA of the states indicated a need for $80 million for equipment. We feel that an increase in the authorization and appropriations is absolutely essential if we are to "put an end to hunger in America's classrooms."

H.R. 14896 provides for the USDA to survey the states to determine equipment needs, and this is necessary if we are to remove the barrier.

In order to assure the most rapid expansion of food service into no-program schools, the funds designated for that purpose should be used solely for no-program schools.

Section 3 of H.R. 14896 strengthens breakfast program legislation and makes the operation more parallel to school lunch. It eliminates one serious inequity in the present law as it provides for any school to be eligible to participate in the breakfast program with emphasis within these schools being given to target populations. At the present time many, many schools are being denied participation in this program because the funding is inadequate, and in addition the program guidelines have limited the program to special areas where there are large concentrations of needy children or where children travel long distances by bus; and on the other hand the ground rules have denied participation to schools which have perhaps limited numbers of needy children. This in itself sets up a situation of severe inequity. The breakfast program has proven very effective in improving nutrition of the children in selected low income areas.

The provision contained in this bill are essential if the program is to "be operated fully on the same basis as the school lunch program—available where needed at a free and reduced price for all needy children.

Section 7 of H.R. 14896 contains a provision which would, in our judgment, weaken the nutritional soundness of school food service programs and therefore a provision which we must oppose. It provides that regulations governing school food service programs permit the sale of nutritious foods through vending machines where the proceeds of such sales will accrue to the benefit of organizations other than the school lunch program itself. The bill will further provide that such sales would not substantially interfere with the programs authorized under the School Lunch and Child Nutrition Acts. We feel that this is bad legislation for several reasons.

First of all, in P.L. 91-248 the Congress authorized to the Department of Agriculture to issue regulations to control competition with the lunch program. Accordingly the Department of Agriculture has issued regulations which require that any food sold in the lunchroom must be sold on the basis that the revenue therefrom accrues to the school lunch account.

Accordingly it would be a very large step backward if we were at this time to authorize all types of vending machines to be treated in the lunchroom itself. Secondly, it is entirely clear that virtually every school lunch program has been meeting with extreme difficulties in attempting to finance their operations without increasing the charge to the children for a complete lunch. The establishment of vending machines directly in the lunch program itself would further threaten the financial stability of the program.

Finally, it must be recognized that the school lunch program is a nutrition program; a Type A lunch which contains ⅓ of the nutrients needed daily by the child is the heart of this program. Through the years the school lunch people have worked as hard as they could to provide each child with the proper kind of lunch at school. To allow children to pick and choose through a wide variety of food items made available through vending machines would, we think, destroy the whole purpose of the program which is to encourage children to eat not only at school but at home and to eat in the future the kinds of foods in proper combinations that contribute to the best nutrition. There would also be the serious problem, should this provision of the bill be included, of trying to administer the operation of vending machines, of trying to determine what food items are nutritious and of trying to determine whether or not the sale of such items would substantially interfere with the lunch program itself. "Nutritious" is a vague term and could mean "sweetened water."

Although we recognize a place for nutritious snacks in the diets of children, we oppose the sale of "nutritious foods" in competition with a nutritionally sound school food service program. We therefore, strongly oppose this provision and we would strongly urge that you oppose this provision or any legislation that would weaken the USDA's present position regarding competitive foods. We would strongly urge that you continue to support the concept of a non-profit nutritionally sound school food service program as we believe that this is the program in the best interest of children.

Finally, H.R. 14896 makes the following provisions for the summer feeding program:

(1) It provides an additional $25 million in Section 32 funds for lunches for needy children.

(2) It extends the Special Food Program for Children through fiscal year 1974.

(3) It would provide an open-end authorization.

As you know the Special Food Service Program for children covers both child care centers operating on a year-round basis and summer recreation programs which serve low income areas. Unless the appropriations authority is increased and the funds appropriated, it will not be possible to accommodate all the eligible institutions or summer recreation programs which are eligible for and have applied for the program. At the present time, we face the difficult situation where certain organizations are being permitted to participate in this program while others that are equally eligible under legislation are being denied participation. We do not believe that this is the kind of situation which should continue.

In summary, let me thank you for the opportunity to testify today, and again to express appreciation to this sub-committee and to the Agriculture and Forestry Committee for leadership in expanding Child Nutrition Programs. Just as we looked to you in 1969-70 for P.L. 91-248 and in 1971 for P.L. 92-153, we look again to you to resolve the 1972 crisis that has erupted from lack of funds and lack of direction through legislation. We believe H.R. 14896 or S. 3691 would provide the assurances needed to "carry out the mandate by the Congress relating to Child Nutrition Programs."

STATEMENT BY MRS. ELIZABETH S. HITCHCOCK, R.D.

In cooperation with the Virginia Departments of Welfare and Health the Supplemental Food Program, administered by the Department of Agriculture, was initiated on a limited basis December 20, 1968. This program, serving pregnant women and teenagers, infants and young children grew throughout the State, not only in number of individuals, but also in the number of localities receiving services.

During January, 1972, 49 counties and cities had activated supplemental foods in their respective communities. Those participants were: pregnant and lactating women, 271; children, 2,389; infants, 605—for a total number of 3,265 recipients in Virginia's Supplemental Feeding Program.

On February 29, 1972, the Supplemental Feeding Program was discontinued by the Department of Agriculture. Lack of State and local funds for storage and transportation was the reason cited. Prior to the discontinuation of this feeding program, questionnaires were sent to the 49 participating areas—47 were returned. The three questions and their respective responses were as follows:

Q. We see the Supplemental Feeding Program as definite value to the residents of this area?

A. 38 Yes—9 No.

Q. We would be willing to make a budget request to cover this expense?

A. 9 Yes, 6 Yes?, 32 No. (Because the questionnaire was distributed at a time when realization of exact financial status is revealed, a favorable response was not forthcoming from many localities—especially those located in already deprived and isolated areas.)

Q. The Supplemental Food Program is a success in our area?

A. 35 Yes, 12 No.

The majority of health directors participating agreed that there was a definite value; but in spite of administrative difficulties, the program was a success.

In a subjective survey done across the State, health officers in central Virginia reported that there seemed to be good evidence that the program was beneficial. Teachers were reporting that children seemed to be brighter and more alert with less behavioral problems and public health nurses found that underweight children were gaining weight and hematocrit levels were improved in children and pregnant women. Preschool learning also seemed improved. This was reported even though visible results were not expected, and originally there had been a somewhat pessimistic view of the program—chiefly because of the physical and administrative problems entailed.

Recently a public health nurse in a county with food stamps which had also used supplemental foods, found an infant drinking a powdered soft drink mixture from the bottle (extremely low in nutritional value). She inquired about this and the mother said that they were unable to buy enough milk for everyone, even though they were on food stamps.

It has been well substantiated that the most nutritionally vulnerable periods of the life cycle are, pregnancy, infancy, early childhood and adolescence. Marginally nourished persons encounter problems during these periods of rapid growth. The National Academy of Sciences in their report *Maternal Nutrition and the Course of Pregnancy* (p. 190), recommended "The determination of food policies on the basis of psychological need places infants, children, adolescents, and pregnant women in high priority. Special consideration should be given to these groups by officials administering food programs designed to benefit low-income families."

The Maternity and Infant Care Project #552 in Richmond City serves several census tracts with high-risk population groups. This interdisciplinary approach utilizes the services of physicians, nutritionists, nurses, social workers, health educators, neighborhood aides, home economists, a dentist and a dental assistant. All infants followed through this project are placed on an iron enriched proprietary formula at birth. This formula is then supplied through the clinics at a greatly reduced price. The infant is kept on the formula until 12 to 18 months of age. Older children on whole milk receive added iron and vitamins as well as nutrition education. It is difficult to tease apart the various medical, social and nutritional factors that have helped to lower the prematurity and infant mortality rates in this area as compared to some of the surrounding areas. However, the nutrition aspect is a part of the total program.

Interestingly enough, a nutrition survey done by the State Health Department in Loudoun County (*Virginia Medical Monthly*, May, 1972), prior to the implementation of Food Stamps, but with a good school lunch program, showed that malnutrition, especially obesity, appeared equally among the high, middle and low income or socio-economic groups. Recommendations from that study included fullest implementation of food programs and nutrition education for all income levels.

We favor a system of food supplementation for the poor that would employ a minimum of administrative detail and avoid additional storage and transportation of food. Perhaps a modification of a food certificate system providing certain important food items could be a solution. These food items should be selected for promotion and insurance of optimum health and nutritional status for the most vulnerable portions of our population.

We believe that economic assistance is not the whole answer. Rather, a combination of programs with a strong nutrition education component is necessary to improve nutrition of all our citizens.

JOSEPH J. BONNER

Mr. HUMPHREY. Mr. President, Mr. Joseph J. Bonner, an outstanding young attorney in Maryland and the husband of my former assistant, died recently.

Joseph Bonner was a respected assistant attorney general of Maryland. He was well known on Capitol Hill, having been associated with the office of Senator Joseph Clark while he was a law student. Mrs. Humphrey and I wish to extend our heartfelt sympathy to his wife, Leila, and to his mother, Mrs. Jane Bonner, his brother, William Bonner, and his sister, Mrs. Maria Bonner Newton, all of Philadelphia.

We wish to say also to his children, Joseph J. II, Gregory Scott, and Christine Lee that their father was a very fine man, and that he and their mother have many friends among whom the Humphreys should be counted.

I ask unanimous consent to have printed in the RECORD the eulogy constructed by his friends and delivered at his funeral in Prince Georges County, Md., at the Fort Lincoln Cemetery Chapel, Tuesday, July 25, 1972.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

EULOGY

Without warning, while still in his law office, a massive attack seized young Joseph Bonner and cast an indelible pall over all his fellow humans that were privileged to cross his path during life, for Joseph Bonner was a man of hard, unrelenting courage with an intense desire to be of service to his friends and associates.

Joseph Bonner was a distinguished veteran who served his country which he so dearly loved as a navigator and bombardier in the Korean conflict.

Joseph Bonner was a dedicated public servant who served his community as a police officer and prosecutor and his State as an Assistant Attorney General.

Joseph Bonner was a conscientious and hard fighting attorney who always looked out for the best interests of his clients.

Joseph Bonner was also a friend and counselor to all who came to him for help.

Many times throughout life, one comes in close lasting contact with another human only to later discover that some important part of that person's way of life lingers on in the form of influence. Joseph Bonner's deep commitment to practicality and competitive spirit were the very qualities that enriched the lives of his intimate friends.

Joe's close friends, of which there were many, knew him as a warm, sentimental, kind, and faithful friend who had a witty down-to-earth sense of humor. Above all however, Joseph Bonner was a very dedicated and devoted family man. His very drive of life was generated for the benefit of his beloved Leila and his three precious children.

Joseph Bonner was a warmly sensitive man whose seemingly hard exterior was often used as a camouflage for his tenderness.

Joe's life may be well characterized by saying that no matter what he undertook, from his early life onward, he was confronted with obstacle after obstacle. But regardless of the many hurdles, he was always imminently successful in all that he undertook. Joseph Bonner knew only too well that happiness and achievement was a restless and shifting creature which almost never stands still long enough to be identified, but he always persisted.

When in high school, as an example, although his stature was of only slight proportion, for football, he decided to try out for Philadelphia's powerhouse football team gathered from an all-male school where competition was fierce and toughness of spirit a must. He battled and fought his way as a center and was later offered a full scholarship to Drexel University.

From the inception of his military career to the culmination of his legal career, Joe devoted the same spirit and energy that characterized his early life. Due to his good spirit and adherance to high principles, he was truly a successful man.

Joe's style of speech was the same as his entire make up—straightforward, and understandable. Indeed, Joe Became appreciated by those who knew him intimately well for his disarming simplicity, objectivity of judgment, and directness of expression.

Joseph Bonner was generous in spirit and action and endowed with a cheerful and understanding nature that endeared him to his many friends.

Joseph Bonner was an extraordinary person. He tried his best to hide that fact—but it was a fact. His talents were many. He developed a keen knowledge of the business world, his taste for reading was all encompassing and his appetite for the printed word was voracious. He loved music and was something of a walking library of the classics of past centuries.

Joseph Bonner was a good samaritan in every phase of his life—while serving the public, in his home, and on the streets, he made no show of this trait of character, but his many acts of kindness were well known by his friends. He was constantly reminding his friends what true life was all about and holding out a helping hand for their benefit. He was always worried about the health of his fellow humans and would constantly take strangers from the street to the hospital for needed treatment and care whenever he came upon them in his travels.

One of Joe's happiest talents was his ability to tell stories, especially humorous stories. He could swap yarns by the hour and often did.

How he loved to take on a worthy adversary in a court battle. He reveled in the use of good trial strategy and tactics to win a case, and he was filled with stories of hard fought victories. With glee, prior to many trials, he would bend to his opponent's ear and caution in a rough whisper that he "had better put his helmet on".

Every trial was a war to Joe, and no client, including the State of Maryland could have had a more courageous, more dedicated or more competent soldier to fight its legal battles.

We are grateful for his life and the contributions he made. And because of his character, he has left his three children the most precious gift of all—a good and honest reputation upon which to build.

Yes, we will miss him greatly. We will miss his spontaneity; we will miss his wit. We will miss his many good natured stories of life. We will miss his warm fellowship and above all we will miss his rough tenderness and charm.

GALBRAITH, HELLER, SAMUELSON APPEAR BEFORE JOINT ECONOMIC COMMITTEE

Mr. PROXMIRE. Mr. President, during the course of its mid-year review of the economy, the Joint Economic Committee heard testimony from three of the most distinguished private economists in our country—John Kenneth Galbraith, Walter Heller, and Paul Samuelson. These witnesses appeared on July 27, the day following the President's request for a $250 billion spending ceiling. In view of the timeliness of their appearance I ask unanimous consent to have printed in the RECORD their prepared statements and excerpts from the subsequent discussion relating to a budget ceiling:

There being no objection, the items were ordered to be printed in the RECORD, as follows:

TESTIMONY BY JOHN KENNETH GALBRAITH, PAUL M. WARBURG, PROFESSOR OF ECONOMICS, HARVARD UNIVERSITY, BEFORE THE JOINT ECONOMIC COMMITTEE, JULY 27, 1972

(1) We meet for this mid-year review of the economic position under conditions which allow of a considerable agreement—something that does not always characterize the deliberations of economists. Spokesmen for the Administration and occasional critics such as my colleagues of this morning and myself will unite on two out of three basic propositions concerning economic performance. Accepting, though only for the moment, the conventional tests of such performance—the level of unemployment, the rate of inflation, the movement in industrial production, national income and product—all will agree that the past has been highly unsatisfactory. And all will agree that the present is less than good. The only difference of opinion concerns the future. Where economists are concerned, such convergence—on two propositions out of a possible three—amounts almost to unanimity.

(2) It is currently being emphasized that the present is better than the recent past—that unemployment at 5.5 percent of the labor force is somewhat better than the August 1971 peak of 6.1 percent and that the rate of inflation (in the consumer price index) of approximately 3 percent over the past twelve months is less than the 6.5 percent increase between 1969 and 1970 or the 5 percent increase between 1970 and 1971. And although the index of industrial production increased only fractionally in May and June—from 112.1 in April to 112.4 in May to 112.7 in June—there clearly has been a substantial increase so far this year in national product as a whole. I do not believe, however, that any Administration spokesmen will wish to defend either the present level of unemployment or, on a balanced view of food and the industrial components, the present rate of inflation. And others will wish to reflect that until the advent of the present Administration, the present combination of inflation and unemployment was thought, by the best scholars, to be impossible.

(3) As I have said, the one point of disagreement concerns the future. This, as usual, is unrevealed even to economists although, at any given time, the profession includes a certain number of people who do not know that they do not know. For what it may be worth, I would expect that under the combined stimulus of easy money and exceptionally daring deficit financing—policies that have not in the past been pillars of Republican policy—expansion will continue. And there could be some reduction in unemployment—although there is a distinction between policies designed to expand product with the existing labor force and those that are designed more deliberately to create jobs and the Administration has strongly favored the first.

Against this favorable prospect are two negative factors. The first is the considerable danger of continuing and accelerating inflation—especially if the policy on the industrial price controls continues, as in the past, to be one of ratifying price increases that would have occurred anyway. The second negative factor is, of course, the unconcealed preoccupation with the performance of the economy not over the indefinite future but in the last week of October and the first week of November of this year. This raises the spectre of abandoned controls and a sharply contractionist monetary and fiscal policy, sharply reversing the course of the present expansion, once the election is safety won—or lost. In this connection, if I might depart for a moment from the strictly non-political character of these proceedings, I would like to question the deeply held belief that the American people render their judgment on economic performance in accordance with the behavior of the economy in the week immediately preceding an election. This suggests that our compatriots are either singularly stupid or the victims of actute amnesia. A rational electorate must surely judge the performance of an Administration whatever its political complexion over either the whole of its four years or some appreciable portion thereof.

(4) Now I would like to change radically the subject and proceed to a question which, so it seems to me, should have been asked long ago in connection with these periodic examinations of economic performance. The question is whether it is fair and proper to appraise the economic performance of all administrations regardless of political complexion by the same economic tests. We take pride on all occasions of public ceremony in our possession of a two-party system. We do not suggest that the two parties appeal in economic matters to a homogeneous electorate; we take for granted that each appeals to a different (if not always sharply demarked) grouping of interests. Were it otherwise elections, at least so far as domestic policy is concerned, would be important only for their recreational value. Instead of maintaining the myth that unemployment, inflation, industrial output and economic growth are common and universal tests of all performance, it would seem to me obvious that we should test Democratic Administrations by their service to the broad groups whose interests they avow and that, similarly, a Republican Administration should be adjudged in relation to the groups with which it is identified. If Democrats avow their affection for minorities, the poor, the young, the women and the blue collar worker, the family of average or sub-average income, it is by their service to such groups that they should be judged. And if a Republican Administration is identified, generally, with the economically successful, the propertied, the otherwise affluent and the corporations, service to such interests should here likewise be a prime test of performance. There is nothing illegitimate in association between party and interest; no interest is unworthy of voice and representation. Nor is such representation denied in practice. And not many will think me wrong in associating the present Administration with the economically successful, the affluent and the corporations.

(5) Tested by its service to this supporting interest, the economic performance of the Administration becomes much more favorable. One can fairly say that, by such test, its policy has been very successful. Thus between 1968 and 1970 the income distributed to the highest fifth of families increased from 40.6 to 41.6 percent of all income going to families; that going to the top five percent increased from 14.0 to 14.4 percent. Figures are not yet at hand for 1971. However, the recent improvement in profits and the changes in the income tax effective last year allow one to predict with confidence a continuation of the earlier trend. Corporate profits show a similar and even more favorable response to Administration policy. While, as noted, unemployment remained high following the recent recession and median family income has kept pace only with inflation, profits have come back handsomely—from $75.4 billion in 1970 to an estimated annual rate of $91.9 billion in the first quarter of this year. The after-tax recovery has been even more rapid—from $41.2 billion in 1970 to a $52.5 billion rate in the first quarter of 1972—and with a sensational further 16 percent increase in the second quarter for 748 corporations just surveyed by the First National City Bank. These after-tax gains, as Congressman Charles Vanik has shown in his admirable recent testimony before this Committee, are being helped by large and increasing concessions in corporate taxation—concessions which already by 1969 had reduced the effective rate to 37 percent for all corporations and to an even more advantageous 26.9 percent for the hundred largest firms. Although profits are, by nature, the most mercurial item in the income accounts, the recent recovery—which has brought them to record levels—has been the most rapid in recent history. The result here is in contrast with the policy of stabilizing other income payments, most notably those to labor.

(6) In all, as Mr. Nat Goldfinger of the AFL–CIO recently pointed out in U.S. Department of Treasury Hearings, the share of corporations in all income taxes has declined over the last decade from a little less than 35 percent in 1960 to a little over 28 percent (estimated) for 1972. The tax position of persons of wealth has similarly improved. Personal income taxes, the tax that weighs most heavily on the affluent, more than doubled in yield between 1961 when it provided $41.3 billion and 1969 when it brought in $87.2 billion. Since then the yield has largely levelled off; the 1972 return will be an estimated $94.4 billion, that of 1973 an estimated $95.5 billion. The stock market, which may be taken perhaps more than any other indicator as mirroring the expectations of the very affluent, has reflected the forgoing changes. In recent months it has been near its all-time high. Very recent performance has been especially favorable. It would by common calculation have passed its previous peak, had there not been doubt about the continuation of some of the tax policies so favorable to the recent improvement. Thus by a rational performance test—one that measures the effect of economic policies on the interest which the Administration seeks to serve—the recent economic record cannot be seriously faulted.

(7) It will be suggested that if a Republican Administration should be tested by its service to the corporations and the affluent then a Democratic Administration should be tested by its service to minorities, blue collar workers, the young and the generally poor. And it will be held, further, that past Democratic Administrations would fail their test. With both points I agree; the new test of economic performance which I am here proposing—measurement of accomplishment in relation to interest served or services promised—will be even harder on Democratic than on Republican Administrations. In recent times—if I may simplify slightly but not to the point of error—Republican Administrations have had an unavowed commitment to the rich which they have kept. The Democrats have had an avowed commitment to the poor which they fell far short of keeping. Reform requires of a Republican Administration only that it declare its interest—that it affirm its commitment to the well-being of the affluent and the corporations. Of the Democrats, reform requires that they keep more fully their promises. This means that something effective must be done about the redistribution of taxes and income which, we should remember, was bad before the Republicans made it modestly worse; that effective action must be taken to reduce black unemployment which is far higher than for whites; that there must be similar action on unemployment of young people and especially of black youngsters where it comes to perhaps a third of that part of the labor force; that there be effective improvement in the median income of all families matching the improvement in incomes of those receiving profits and property income; that the median income of black families which is only 60 percent of that of whites be greatly increased; that steps be taken to arrest and reverse the slow increase, beginning in 1967, in families falling below the poverty line—a total of 25.6 million families in 1971; that the fantastically high proportion of black families (31 percent) which fall below the poverty line be reduced; that earnings of working women (the low level of which is a major cause of poverty) be brought into line with those of men. The median income of working women in 1970 was only 59 percent of that of working males and accounted for 40 percent of all the families falling below the poverty line.

(9) None of the foregoing will be easy; it is much easier, as a purely technical matter, to keep faith with the rich than with the average man or the poor. Also another advantage of those who aligned themselves with the less affluent may be disappearing. In the past it was possible to make promises without it being seriously proposed that they would be kept. Increasingly one senses an expectation on the part of the less advantaged that promises will be kept—that something will in fact be done about the very unequal manifestation of what is called the American dream. This feeling seems even to have communicated itself to wealthy idealists. For the first time some are asking whether promises currently being made are real, and are making no secret both of their personal anxiety and their inability to afford continued idealism. Thus my conclusion: economic performance tests that reflect not the abstraction but the reality—which measure performance against the promised response, unavowed or avowed to recognized interest—are long overdue. And they will be less pleasant than the present tests for all concerned. But their application will add lustre and distinction—and a large infusion of realism—to future proceedings of this valuable Committee.

STATEMENT OF WALTER W. HELLER

Mr. Chairman and Members of the Committee: Now that the U.S. economy is at long last on the move and inflation is at long last on the wane—thanks largely to the fact that Mr. Nixon at long last (in his August 15, 1971, about face and his liberal election-year budget) responded to persistent Democratic calls for fiscal stimulus, wage-price restraints, and liberation of the dollar—the voice of over-cautious conservation is raised again at the other end of Pennsylvania Avenue: "reach for the brakes, slash the budget, seek an end to wage-price restraints."

So, looking ahead to 1973, the constructive critic has a new job cut out for him, with three objectives in view:

First, prevent men of little faith in the U.S. economy from aborting the current recovery short of full-term, i.e. short of full employment in fact, not just in name.

Second, correct the list to starboard of our present wage-price controls and batten down the hatches for next year's onslaught of cost pressures.

Third, restore fiscal responsibility without gutting the budget.

THE UNEMPLOYMENT PROBLEM

The greatest single threat to the five million unemployed in the United States today is the mistaken belief in high places that after only three quarters of up-to-snuff recovery (following three long years of economic slow-down, recession, sluggishness), the limits to U.S. economic expansion are not far off. The Nixon policy-makers, having found that their oft-promised and oft-predicted 4 percent unemployment level was beyond their grasp, seem to have concluded that it is also beyond their reach. So to all intents and purposes (except for the calculation of full-employment revenues, for which the 4 percent banner yet waves), the Administration now associates the U.S. economic potential with an unemployment rate of 5 percent or a bit below. Coupled with expectations of a booming recovery, this view of the world foresees an economy bumping against its ceiling and overheating by mid-1973. Small wonder that such dark forebodings lead to thoughts of hitting the monetary and fiscal brakes and dismantling the wage-price controls before they are swamped by a new round of excess-demand inflation.

But there is another view of the world that sees the cup of economic recovery as not half full but two-thirds empty, with lots of room for expansion before the cup runneth over. Even using only the modest interim target of 4 percent unemployment (rather than the 3 percent on which Chairman Proxmire has set his sights), one finds that full employment and excess demand are still $60 billion away, i.e. that our actual GNP is running $60 billion below our potential. Since it takes an $80 billion annual advance in GNP just to stand still—i.e., just to absorb the 4.4 percent annual growth in labor force and productivity and allow for 3 percent inflation—it would take at least two $110-billion GNP advances back to back or three consecutive $100-billion advances just to catch up once more with our economic potential. In this view of the world, which I share, we won't be reaching tolerable levels of unemployment and making full use of the potential of the U.S. economy until 1974.

Clearly, we face once again a test of faith in the power and flexibility of the American economy. What's at stake in this test? Just this: if the country accepts an economic policy that flinches at the first signs of real recovery, succumbs to the bogeys of timid economic thinking, and lowers its sights from a target of 4-percent to one of 5-percent unemployment, it will be giving up each year about $35 billion of GNP, $10 billion of profits before taxes, and $10–12 billion of Federal tax revenues. Settling for 5 percent instead of 4 percent unemployment would mean denying jobs to one million people, and denying the country—and especially the poor and the non-white, who are at the end of the job line—the benefits of the better living standards and the social advances we can buy with $35 billion of added output and $10 billion of added Federal revenue per year.

Since there is so much at stake, let me be more specific about how the two schools of thought differ in assessing the amount of slack in the U.S. economy:

What we might call the "uptight school" stresses

That today's unemployment rate of 5½–6 percent (a) includes much low-grade labor, (b) conceals the fact that less than 3 percent of adult married males are unemployed, (c) ignores the fact that it's as hard as ever to find good maids, gardeners, and handymen;

That current data showing 77 percent operating rates in manufacturing are based on slippery capacity numbers and include lots of obsolete productive capacity;

That the Department of Commerce estimate of the GNP gap (roughly a $60 billion, or 5½-percent, gap between actual and potential output) is based on the "old" target of 4-percent unemployment, so that $40 billion or less than 4 percent of GNP is a more realistic number.

In contrast, the "lots-of-head-room school" stresses

That today's unemployment rate doesn't even count millions of (a) hidden unemployed, i.e. discouraged dropouts and nonentrants who will seek jobs as the economy strengthens; (b) part-time workers who want full-time work; (c) skilled laborers and professionals forced to work well below their capacities;

That even if nearly half of the idle capacity (say, 10 percent of total capacity) is classed as obsolete or inefficient, that still leaves 13 percentage points of manufacturing slack to be taken up. (Indeed, the index of manufacturing output has barely regained its peak of 3 years ago);

That an economy which was operating at 3⅓ percent unemployment when Mr. Nixon took office, ought to be able to get back to 4 percent without rampant inflation, given reasonable fiscal-monetary and wage-price policies.

As I see it, then, the battle for full-employment is far from over, it has really only just begun. The major policy prescription has to be a negative one: don't prematurely cut off the monetary and fiscal life blood of this expansion. Don't choke it off in its infancy, but with the aid of carefully tailored wage-price policies and an eventual tax increase as we approach full-employment, permit it to grow to a balanced maturity.

I have been stressing the aggregate demand side of the problem. As the Committee may know, I have also repeatedly directed attention to, and made recommendations on, the structural changes that have to be made in man-power policy and the urgency of adopting the "Jobs Now" program. The Reuss-Mondale Bill to put 500,000 of the unemployed into public service jobs that badly need doing, deserves not the calloused contempt it gets from Mr. Nixon, but immediate passage to help reduce unemployment, particularly for the young, the women, and the disadvantaged job-seekers, both active and discouraged.

BUDGET POLICY

Let me turn now to Federal budget policy, an area of high economic importance that is super-charged with politics in an election year. What we are witnessing at the moment is an unseemly and undignified scramble by the Nixon White House—which has plunged the country deep into deficits demanding a tax increase by 1974—to pin the blame on the Democrats. Last year, as part of his economic revival program, Mr. Nixon pushed through over $12 billion of permanent tax cuts that the country could ill afford. This year, he has opened wide the election-year spending spigots and initiated new and bigger programs that, by his own budget reckoning, would add about $25 billion to the budget within three years and $33 billion within five years. By the meticulous calculations of the Brookings study, the Nixon program of tax cuts and budget boosts is building in a $17 million annual deficit at full employment by 1974–75 in the absence of tax increases.

Yet, in the face of that record, the White House is busily spreading the canard that if a tax increase is needed and if inflation breaks out again, it's all the fault of a billion dollars here and few hundred million there added by a Democratic Congress to beef up social programs. They would have us believe that when the Republicans pour on the budgetary coal to the tune of $10 and $20 billion, it generates the needed steam of expansion, but when Democrats add $3 or $4 billion, it feeds the fires of inflation. I doubt that they will get away with this blatantly cynical game of pin-the-tail-on-the-donkey—there is something incongruous about a donkey sporting an elephant's tail!

Since the White House has so thoroughly politicized the budget issue, one finds it difficult to sort out and stick to the economics of the issue.

One is even tempted to point out Mr. Nixon's all-time record in budget mismanagement, for example,

Forecasting a $2 billion surplus for 1971, only to see it turn into a $23 billion deficit, a mere $25 billion budget boner;

Forecasting a $12 billion deficit for FY 1972, then boosting the estimate to $39 billion last January and now, six months later, telling us proudly that it's only $23 billion (neglecting to mention the inexcusable blunders in underestimating tax withholding and overestimating expenditures that account for the latest dipsy-doo in the Nixon budget roller coaster).

Laying aside the record of budget chicanery and mismanagement, let's now look at budget economics.

Short run. For 1972–73, as things are turning out, our national fiscal policy has stumbled into a posture that will help sustain vigorous economic expansion;

Instead of the sequence projected in the Nixon budget—first a fiscal spurt generating a big full-employment deficit in the first half of 1972, and then putting the budget into reverse to generate a full-employment surplus in FY 1973—the over-withholding and under-spending miscues are generating just the reverse pattern. In national income accounts (NIA) terms, a full-employment surplus is now turning into a sizable full-employment deficit to provide further stimulus to economic recovery.

Given a large pool of unemployed to draw on (the five million visible job seekers, plus millions of invisible and part-time employed), the large idle capacity implicit in 77 percent operating rates, and the $60 million of head-room for expansion—not to mention the sharp productivity rises that accompany vigorous expansion—we are in a period of remission from both demand-pull and cost-push inflation. Barring a premature slamming on of the budget brakes, our fiscal policy (even if by inadvertence rather than design) is helping us capitalize on our large unused resources and declining inflationary pressures.

Long run. For the period beyond 1973, when we will again be approaching—indeed, with appropriate fiscal, monetary, and wage-price policies, not only approaching but reaching—full-employment, the realities of Mr. Nixon's budget tell us there is a tax increase in our future. Unless he suddenly decides to jettison revenue sharing, bury his Family Assistance Plan and welfare reform, and lower rather than raise the defense budget—a series of highly improbable events—we will have to have a tax increase simply to finance already programmed increases in expenditures.

If we fail to rise to this tax challenge, the alternatives are either (a) drastic slashes in needed programs, (b) an open invitation to a new wave of excess demand inflation, or (c) passing the buck to the Federal Reserve, which would mean drum-tight money and a credit cruch that will curl our hair. To ward off these grim alternatives will call for positive planning and action in 1973, to bring into being a tax increase for 1974 and beyond.

The case for that tax increase rests not alone on Mr. Nixon's current budget, but is strengthened by probable developments that will swell rather than shrink the budget expenditure totals:

First are the add-ons that will inevitably come in the congressional process as well as future presidential budgets.

Second, Mr. Nixon's White House and HEW have dangled before the electorate the lure of $13 billion or so of property tax relief for local school districts. Democratic candidates have both preceded and followed Mr. Nixon in these promises for school tax relief and equalization. So if the Federal government lives up to its responsibilities in this area, expenditures will rise by a minimum of another $10–$15 billion—with or without the value-added tax on which the White House made such favorable noises some months ago but then fell strangely silent.

Third, it is also worth noting that if this country were to backslide from 4 percent to 5 percent as our official unemployment target, it would logically involve us in another $10 billion-plus tax increase (unless we were willing to cut Federal expenditures by that amount). That is, if we retained a balanced full-employment budget as a general fiscal target, and accept 1 percent more unemployment as our economic target, we would have to subtract over $10 billion of lost revenues from the receipts side of the full-employment budget statement. This would call for corresponding cuts in Federal spending or boosts in Federal taxes to be consistent with a balanced budget at "full" employment.

In the light of these cold budget facts, it's high time for the Administration in particular and politicians in general to end the double talk of higher spending side by side with lower taxes and tell the public to face up to the reality that:

It wants and needs these vital programs;

It wants and needs state-local tax relief;

It wants and needs protection against a renewed excess-demand inflation at full-employment;

Automatic growth in revenues, even at $20 billion or better a year, can't finance these wants and needs;

Therefore, absent Draconian cuts in defense outlays, there is only one place to get the money, namely, Federal tax increases.

So let's stop the charade and chatter about whether a tax increase is necessary (it is); who is to blame for any coming increase (the in's when they're in and the out's when they're in); and get down to the nitty-gritty of how to raise the money; whether by the good old income tax or the bad new sales tax (VAT).

WAGE-PRICE POLICY

Shaping national wage-price policies to fit the contours of expansion is a demanding business. It demands, among other things, that policy-makers

Don't clip the wings of our expansion prematurely, lest the cyclical productivity surge that underlies ebbing cost pressures be brought to an untimely end;

Do face up to their fiscal responsibliities by putting through a tax increase to avoid the build-up of excess demand pressures in 1974–75.

Given a responsible fiscal-monetary policy, there is no reason that a gradually restructured wage-price restraint program cannot play a key role in permitting us to get to 4 percent unemployment and beyond without intolerable inflation. (The economist cannot provide a definition of "tolerable," since that is a choice the body politic must make, given the trade-offs between jobs, prices, and controls. But it is worth noting that a 3 percent rate of U.S. inflation will look pretty good relative to the projected 5 percent rate this year and 6 percent next year in the Common Market countries.) That restructuring must first correct the imbalance in present wage-price controls and then convert them into a mechanism that can cope with later renewed cost-pressures without smothering economic freedom.

What do I mean by the current problem of imbalance? Primarily that, contrary to the fears that the Pay Board would be openhanded and the Price Commission tightfisted, thereby squeezing profits, the recent trend has been the other way. Not only are profits and cash-flow being liberally aided by Mr. Nixon's tax breaks for business (which, in a political sense, "subsidize" the price side of Phases I and II), but the relatively liberal price rules plus the effective slowdown of wage increases are contributing further to rapid profit increases.

My point is not that profits have yet regained a reasonable ratio to GNP—but that the speed of their recovery has to be balanced against the speed of real wage increases. For the moment, the productivity upswing is muting the potential conflict—as President Kennedy used to say, "A rising tide lifts all the boats." But the question of distributional fairness in the wage-price controls is central and disturbing. I have the distinct impression that, in spite of the Pay Board and Price Commission, two things are happening:

In the unorganized labor sector, employers are only too willing to help the government administer the 5.5% standard. So this very large sector (some 70% of all workers) is getting less than its fair share relative to both organized labor (which can use the strike threat to get a better break) and the profits sector.

Too little of the productivity gain is being passed on to consumers in price cuts or more moderate price increases.

Let me expand on that latter point a bit. As production responds to rising demand and overhead costs are spread thinner, the benevolent effects on unit labor costs can be dramatic. The second quarter numbers, given what we already know about rapidly rising output and moderating prices, will give bright testimony on this point. If left to ourselves in these circumstances, producers will be sorely tempted to capture most of this productivity surge in higher profits and higher wages, sharing little of their gains with consumers. Here is where an effective incomes policy—a tough and balanced application of Phase II wage-price restraints—can nudge business and labor into sharing their gains with consumers and help convert rising output into receding inflation.

To correct the "list to starboard," then, the Price Commission has to tighten its net. A 2½% price standard is too generous in the light of current circumstances. Indeed, if the Administration is to achieve its price targets in the light of 3½% inflation in the service sector and the problems of containing food price increases, Tier I companies are going to have to be satisfied with less than 2½% price increases. Balance also requires a more even-handed treatment of organized and unorganized labor by the Pay Board.

Finally, a few words about the role of wage-price restraints in 1973 and beyond. One thing is crystal clear: To abandon wage-price controls completely in 1973 (and thereby repeat the mistake the Administration made in renouncing all wage-price intervention early in 1969) would be an open invitation to a resurgence of cost-push inflation:

In 1973 the country will have to run the gauntlet of critical wage negotiations in one big industry after another.

Moreover, many existing wage settlements have provisions for re-openers when and if controls end.

Eventually, we will run out of the lush productivity gains that are relieving cost pressures today.

Given this set of circumstances, active planning should be under way for Phase III of our price-wage restraint efforts. Contrary to the gloomy forecasts of the critics, Phase I helped break the back of expectational inflation and Phase II is helping (albeit, in an unbalanced and insufficient way) to convert rising productivity into a falling rate of inflation.

Now for Phase III: as 1973 unfolds, we should be converting mandatory controls into a set of semi-voluntary wage-price restraints focused primarily on those who occupy the seats of market power in both labor and business. I will not retrace here the familiar ground of wage-price guideposts, with clout—i.e., the case for a set of wage-price rules, anchored in productivity, that injects the national interest into private wage-price decisions; a wage-price review board to help the President distinguish between the good guys and the bad guys, focusing the spotlight on the latter; and a set of sanctions to apply in cases of flagrant violations of the public interest.

Given a semi-voluntary set of wage-price restraints of this kind, backed by a responsible fiscal-monetary policy which will let demand have its head today but prevent excesses tomorrow, the country could look forward to the third phase of a wage-price experience that contradicts the cliché that wage-price restraints and income policies don't work.

STATEMENT OF PAUL A. SAMUELSON, PROFESSOR OF ECONOMICS, MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Mr. Chairman, as a sheltered academic professor, I must express my appreciation of being able to appear here with these blue-collared gentlemen (referring to blue shirts worn by Mr. Galbraith and Mr. Heller) in a practical experience.

I apologize in advance for the brevity of my testimony, but I have learned from experience that such is the density of my thought that only one packed page is as much as your committee can take of my particular wisdom.

First, it should be emphasized that there has been no confusion of fiscal and monetary policy, that it has finally begun to pay off in terms of vigorous real expansion of output and employment. And let me say that those of us who were skeptical about the ability of the Phase II wage and price controls to moderate the rate of inflation—and here I am not speaking for my fellow members of the panel, nor am I speaking for that group of articulate economists who claim that controls would not work or would make the problem worse—well, everyone should have been pleasantly surprised by the recent second-quarter growth in real GNP at 8.9 percent annual rate, and the simmering down of the price-deflator index in that quarter to barely over a two percent annual rate, 2.1 percent.

This would seem to be the summer of our content. Even the stubborn index of unemployment dropped from 5.9 percent to 5.5 percent in June.

We have been reminded that total employment is up, and has been substantially. Profits are soaring, as predicted, and a bit beyond what was predicted. Even the government economists, who this year have rejoined the club, are having a good year in their general forecasts for the year. It is a case where every prospect pleases, and only the Dow theory is vile.

The first thing to emphasize is that economic law does operate. If John Maynard Keynes could come back to life he could say, I have seen the President, and it worked. Well, it has been working. You can take some credit.

The new macroeconomics has been working. The nagging of your committee, tedious as it may sometimes seem even to your own ears, is the Lord's work in this era when new ideologies and game plans attempted to set back the clock of governmental stabilization.

I think what needs to be emphasized here is the remarkable fact that the same medicine which has been working here at home has also been working abroad. Who can doubt that the successive crises in the foreign exchange markets, when taken against the background of the psychological slowdowns occurring in Germany, Italy and Japan, would under the laissez faire regime of a few decades back have led by now to a worldwide depression?

Instead, we see recoveries abroad from what have been mild and short-lived hesitations.

What you need to emphasize is that all this just did not happen. The present expansion required action—determined and sometimes unorthodox action—by the central banks and the legislatures of the modern mixed economies. Those who cursed the Federal Reserve for countenancing the growth in the money supply at an eleven percent annual rate earlier this year are rubbing their hands in glee at the gains in production and profits.

Congress has responsibly insisted upon budget deficits that by historical standards would have been considered large, but which the anatomy and physiology of the GNP accounts have shown to be vitally necessary to turn an anemic expansion into a vigorous one.

Mr. Chairman, you should not apologize when you go to heaven when St. Peter asks you what you did in your career in Congress. You should not say, St. Peter, I held down government expenditures. There is danger that you will have lamely to say that.

What you should be able to say to St. Peter is, I arranged that wasteful government expenditures were cut out, I insisted as far as my poor, soft, lone voice was concerned in the Congress that social priorities prevailed in the determination of government expenditures. And you should be able to say with good conscience that back in 1969, back in 1970, back in 1971, when different counsels were heard through the land, I was a responsible and prudent voice for modern macroeconomics.

Nobody expects an 8.9 percent increase in real output to last. The last part of the quarter was weaker than the first. If the Commerce Department comes to revise its GNP estimates, I suspect any significant change will be on the down rather than up side.

If Commerce comes to revise its estimates again, as you can confidently predict that it will, I suspect that it will be more likely to cut down a little bit upon that rate of growth than to add to it.

As has been already mentioned, the half-hearted converts to macroeconomic stabilization always tend, when the going improves, to fear that it is all too good to be tolerable. They can stand everything but success.

In the summer of our healthy advance, they look forward to the winter of our excess. Already official and unofficial witnesses are appearing before you—this was a prophecy, but it has now been proved to be true—warning that the strong growth is too much of a good thing, that the Fed must hew back to some fancied target rate of range of long-run growth in the money supply, that government expenditures that Congress considers necessary in the public interest be cut back to levels that unchanged tax rates can finance within some rigid limit on budget deficits.

I should emphasize that we are in danger of repeating the mistakes of the sorry Eisenhower decade. That is as close to a partisan statement as will emerge in my testimony.

When real GNP grew in early years of recovery from recession—seven and one-half percent in 1955, six and three-eighths in 1959— there appeared before you Administration and public witnesses warning against the excesses of Sodom and Gomorrah: And we reap the winnow which they sowed.

The record of that sorry decade is that from 1953 or 1952 to 1960 we showed annual rates of real growth of only two percent, and unemployment of an unconscionable level.

Now, by contrast—and I can say it in the presence of Walter Heller only with some embarrassment—

In the Kennedy years each time the economy showed signs of flagging prior to high employment, macroeconomic measures were renewed to keep the expansion a healthy one. No esoteric "fine tuning" is required to implement this lean-against-the-wind philosophy, but if it is to be dubbed fine tuning, then we should all try to be worthy of the title.

Let me conclude with a brief glance into the future.

No matter who wins the election, Congress will find itself legislating higher taxes next year. You do not have to read a Brookings study to realize the arithmetic of the problem. We are not an overtaxed nation, we were not an overtaxed nation in 1965, when so many of our troubles came on the wake of the Vietnam escalation.

Each of you here, and those members of the committee who are not here, should ask themselves, where was I when a tax increase was needed in 1965, and in 1966, in 1967?

You cannot say that the economists of the nation did not advise you to this effect. It is true, the President did not ask for that, but he must ask himself in retrospect, where was he upon this occasion. We are not overtaxed. We were taxed instead by cruel inflation.

Now, let me comment upon the future in terms of the election outcome. Alienists have discredited themselves. You can get one to testify with respect to the sanity of a witness or his insanity, ad lib.

Econometrics is beginning to discredit itself. We have computers which are apparently Republican computers and which estimate that if that man wins the election, the grass will grow in the streets of Main Street and Wall Street, and they work it out to the last fraction of a billion dollars.

I am referring to the Michael Evans Chase econometric computer. We have the Wharton School computer, or the Data Resources Computer, which tell an opposite story.

Now, lest we throw our cigarette lighters into the technological works, let me point out that literary economics is in no better position. The Pierre Rinfrets we have always with us prepared to testify that if that man is elected a disaster will strike.

By my own count, there are thousands of assistant professors in this land who are prepared in a literary way to testify in the opposite direction.

It is relevant to the economic performance of the economy for the rest of this decade which policies, broad philosophical policies with respect to taxation, are adopted.

So let me just give you my own back-of-the-envelope estimate, which says that the decade of the 1970s will be better economically—and I mean better for all the constituencies, almost all the constituencies—if we close the more flagrant tax loopholes.

Broadly, this means capital gains taxation, constructive capital gains taxation, at death, at the very least, and a lessening of the differential in the rate of taxation of so-called long-term realined capital gains, and depletion. If we also replace much of the present system of welfare aid with an intelligently formulated negative income tax and family income maintenance program, the country will be better off for it, Main Street will be better off for it, and even Wall Street will be better off for it.

Chairman PROXMIRE. Thank you, gentlemen, very much for stimulating, entertaining, and enjoyable, as well as very helpful advice.

I would like to ask each of you gentlemen to respond to the President's proposal for a ceiling on spending, and an attack on the spending policies of Congress as being inflationary.

I would like to ask first if, looking at the aggregate picture, economic picture, you gentlemen judge that a $250 billion spending ceiling is likely to give the economy the proper stimulus that we need under the present circumstances, number one: and number two, would each of you volunteer on how Congress can adjust current priorities, particularly those imposed by the President, if the President's ceiling is established.

Mr. Galbraith.

Professor GALBRAITH. I certainly would not like to see this done through a ceiling. The problem is for the Congress and the Administration effectively to address itself to the problem of military spending. We have had in these last years a very substantial change in the attitude of the United States in respect to its foreign policy. We are no longer committing ourselves—even the Nixon Administration is not committing itself to the notion of policing the world against communism. And it remains in Vietnam only as a matter of habit and faith. And yet we still have a military budget that is related to the military policy of five years ago, 10 years ago, which even in our relations to the Soviet Union does not take account of recent detentes, and doesn't relate itself to the phenomenom of overkill, which reflects extraordinary arms agreement in recent times, which apparently requires a substantial increase in arms spending.

So as long as this kind of expenditure is central to the budget as it is, then it would seem to me to be quite outrageous.

Now as to the overall ceiling, the overall effect, as the Chairman I am sure will agree, will be on the outlays for other than the Pentagon.

Chairman PROXMIRE. Dr. Heller.

Professor HELLER. I have associated myself with what Ken Galbraith has just said, and go on to note that an arbitrary ceiling tends to lead to arbitrary cuts. It leads to exactly those across the board cuts which seem to be the main thing that Arthur Burns could come across with yesterday.

Chairman PROXMIRE. Let me just interrupt to say that it may well be that a $250 *billion* ceiling is too high or too low. But it seems to me that the concept of a ceiling has some merit. It requires a Congress then to think in terms of overall priorities. What we do now is simply pass appropriations measures, that aren't related to each other, that have come up to some figure that may be enough, or not enough. And first I would appreciate if you would say why the idea of ceiling doesn't force a priority conclusion on the part of the Congress that can be quite constructive, and then whether the ceiling ought to be higher.

Professor HELLER. My only way out, in response to your intelligent question, is to note that I said an arbitrary ceiling. And what I mean by that is this. I feel quite strongly that the concept of the Congress sitting down and saying to itself, here is what the nation's priorities and economic policy of the time requires, and setting an overall goal in those terms makes good sense. It has to be done more adeptly than our comic opera attempt in 1947 and 1948. Ken you remember we had such a ceiling, and it was simply on order in the breach and not in the observance.

Chairman PROXMIRE. 1967?

Professor HELLER. No, 1947 and 1948 when we had that procedure which required—that isn't before your time, is it, Senator?

When we had the Monroney Bill which required a joint Committee, the two spending and two taxing committees, to set a ceiling within which Congress was then supposed to make its appropriations. And they set a ceiling of $37.7 billion. I don't know why that figure is etched on my mind. And Congress went right up through it. What you need is a whole new setup within which the Congress would have a larger staff, and the ability to analyze the economic situation side by side with the priorities, and then set a ceiling which would represent both economic responsibilities and physical responsibility. And that kind of ceiling I would happily go along with.

There is one other thing. At the moment I am afraid that a rigid $250 billion ceiling would not be high enough to allow us to have fiscal stimulus that this economy still needs. We have such a long way to go before we hit the kind of ceiling that men of great faith in the American economy believe exists, in other words, the four percent or less unemployment ceiling, that I think the $250 billion ceiling would not be economically productive.

Chairman Proxmire. Do you think that the $250 billion ceiling is too low?

Professor Heller. I think it is too low.

Chairman Proxmire. And you think we are not ready at the present time to arrange our priorities with such logic to make it work effectively, so that it gives the President the discretion to do whatever he wants to do within the ceiling?

Professor Heller. I am happy to have those words put in my mouth. You are precisely right, that we are not geared up to this. What good is it to put in a $250 billion ceiling to which, among other things, now going back to the mechanics of it, the Congress can't possibly enter its present organizational conformances.

Chairman Proxmire. Senator Javits and Senator Mondale have just suggested in getting a bill through the Senate establishing an Office of Goals and Priorities which would try to do this. But I take it that that is a few years off, or at least a year or two off.

Professor Heller. And without the Congress having that mechanism, it would all be left to the President to cut where he pleases.

Chairman Proxmire. Dr. Samuelson.

Professor Samuelson. We have a good deal of experience with public debt ceiling and other kinds of ceilings. And there are no substitutes for discipline by Congress in voting programs that can justify themselves in terms of intrinsic merits. Nor are they at all closely related to working out what the exact amount that the economy needs for macroeconomic health.

Now, just to give an example, I have before me the estimate of Dr. Michael Levy of the Conference Board—no radical organization—for fiscal 1973. Without the escalated bombing in Vietnam, his estimate is $250 billion, and his highest estimate was something like $255 billion. You have a 3 to 5 billion increase just for the escalated bombing. Does this mean that somebody in the innercity is going to starve because an increase which is not under the control of Congress takes place? And certainly no Congressman that is responsible is going to send an airplane over the sky unarmed and running out of ammunition. You know what is going to win out under those circumstances.

So instead of getting responsibility and responsive government spending and taxing to the needs of the people, you get the more haphazard things, including deception. Time and again we have sold the Post Office off on Friday and bought them back at a loss on Monday in the various backdoor financing schemes, which both political parties have learned to be so skillful at.

Any ceiling, if we came to a tough one, should include ceilings on the backdoor tax spending. And $250 billion would be ample, if you really did something about the erosion of the tax base. But who is to say that in the Appropriations Committee you are in fact going to wait upon that to happen.

So I think you would be very poorly advised to go along with an across the board $250 billion ceiling.

CONCORD, CALIF., CONSUMER HOTLINE

Mr. HUMPHREY. Mr. President, I invite the attention of Senators to an innovative Consumer Hotline program that was introduced in the city of Concord, Calif., in 1971, under the guidance and encouragement of Mayor Daniel Helix, and with the extraordinary help of his assistant, Mrs. Olga Byrd.

Originally, the Hotline was created to provide a complaint referral service to the citizens of Concord, who, like so many other Americans, were overwhelmed by the multitude of State and Federal agencies exercising jurisdiction over consumer problems.

For a constituent to issue a complaint, he or she calls city hall and asks for the Consumer Hotline Service. A staff assistant receives the complaint, advises the caller as to the appropriate agency, including the name of the person to be contacted, and assists in the preparation of a complaint form prepared by the Bay Area Consumer Protection Coordinating Committee. A followup service has been commenced whereby the city can evaluate the effectiveness of this program.

Recently, at a Federal Executive Board Seminar for the Ninth Region, a new dimension was suggested whereby the Consumer Hotline can serve in an even more effective capacity by functioning as an intermediary between State and Federal agencies and local consumer protection groups. Private consumer action groups complained that Federal agencies were not doing enough to communicate the full range of their capabilities and powers. Consequently, representatives from 40 separate Federal agencies such as the Federal Trade Commission, Housing and Urban Development, Food and Drug Administration, the Health, Education, and Welfare Department, et al., outlined the many areas of consumer activity in each respective department.

To interface the Federal, State, and private groups, the Hotline's ideal role emerged as twofold—on one hand, to advise the Federal agencies of the existence of the many organized groups so that they might distribute information concerning the scope of their activities, and, on the other hand, to assist in advising local groups of the jurisdiction of the respective agencies.

I commend Mayor Helix for this Consumer Hotline Service as a valuable expression of local government receptiveness to the need for citizens to communicate with local bureaucracy on the problems of consumerism. The success of this program has illustrated that even the smallest city can provide such service with minimum expense to the taxpayer. I hope that other cities will take advantage of this progressive and important service by following its fine example.

FIFTIETH ANNIVERSARY OF AHEPA

Mr. WILLIAMS. Mr. President, I extend congratulations to the members of the American Hellenic Educational Progressive Association and their families on the occasion of the organization's 50th anniversary.

Every American recognizes the spirit of ancient Greece in our democratic social and political institutions, the fine arts, and in so many other important areas. It is fortunate for our Nation that the Hellenic spirit continues to flourish through the many contributions of the members of the Order of Ahepa.

AHEPA's members have given generously of themselves for diaster relief, orphans, education, refugees, and our national defense. These contributions have been made at every level of human endeavor, with the lack of fanfare that characterizes giving from an open heart and in the most noble ideals of America and the Hellenic culture.

I am proud that so many of my friends in New Jersey and the Congress are members of AHEPA and are continuing their devoted and distinguished public service.

AHEPA's objectives are admirable and they should serve as goals for all Americans during these troubled times. These are the goals of AHEPA:

First. To promote and encourage loyalty to the United States.

Second. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind.

Third. To instill in its membership a due appreciation of the privileges of citizenship.

Fourth. To encourage its members to always be profoundly interested and actively participating in the political civic, social, and commercial fields of human endeavor.

Fifth. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to life, property, prosperity, honor, and integrity of every nation.

Sixth. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture.

Seventh. To promote good fellowship, and endow its members with the perfection of the moral sense.

Eighth. To endow its members with a spirit of altruism, common understanding, mutual benevolence, and helpfulness.

Ninth. To champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

Mr. President, I am delighted to have this opportunity to salute the outstanding individuals who make up AHEPA and share a common purpose.

SENATOR ALLEN J. ELLENDER

Mr. HUMPREY. Mr. President, it is with profound sadness that I observe the death of a dear friend and honored colleague, Senator Allen J. Ellender.

The long and distinguished career of Senator Ellender as a public attorney, leader in the Louisiana State Legislature, and U.S. Senator since 1937 constitutes a sustained record of dedicated public service of lasting benefit to his State and the Nation. It is a record of continuous hard work, fully recognized in the Senate by his selection as President pro tempore and his appointment to the chairmanship of the Senate Committees on Appropriations and Agriculture and Forestry.

Senator Ellender's knowledge of world affairs is well known and respected. He set a firm standard for responsible and expeditious action by Congress on appropriations for departments and agencies of the Federal Government. From the outset of his chairmanship of the Senate Committee on Agriculture and Forestry—a term of service that was to exceed that of any of the other 40 chairmen of this committee—his goal was the establishment of a prosperous, strong, and efficient agriculture. And millions of Americans will continue to benefit from Senator Ellender's extensive work on public works and water resources projects.

It was my particular privilege to serve with Senator Ellender on the Committee on Agriculture and Forestry benefiting from his partnership and leadership in the enactment of the food for peace and national school lunch programs which have accomplished so much in combating malnutrition at home and abroad. He had helped to draft the Agricultural Adjustment Act of 1938, which still stands as a basis of our vitally important farm price-support programs. And for those of us deeply concerned to advance rural electrification and land, forest, and water conservation programs, the legislative foundations laid by Senator Ellender will not be forgotten.

I have known Senator Ellender as a dependable coworker both in the Senate and in a Presidential election campign, and I shall continue to treasure the memory and inspiration of his commitment to public service. I extend my deepest sympathy to his son and to his grandchildren at Houma, La. I and all Members of the Senate share their sense of great loss, for Senator Allen J. Ellender was a man dedicated both to his family and to his Nation, in whose service he has placed us all in his debt.

GENOCIDE CONVENTION AND THE FIRST AMENDMENT

Mr. PROXMIRE. Mr. President, several critics of the Genocide Convention have argued that article III(c) of the convention, in prohibiting "direct and public incitement" to commit genocide is contrary to the first amendment's guarantee of free speech.

The various interpretations of the first amendment make it impossible to state categorically whether any given statement falls within its protection. Nevertheless, it appears that article III(c) was written so that it would not conflict with the first amendment. In its recommendation that the United States ratify the convention on the prevention and punishment of the crime of genocide, the American Bar Association cites several reasons for its judgment that article III is compatible with the Constitution.

Shortly after World War I, Justice Holmes stated the argument in favor of a provision such as article III(c) in speaking for the Supreme Court in Frohwerk against United States as follows:

> We think it necessary to add to what has been said in Schenk v. United States * * * that the First Amendment, while prohibiting legislation against free speech as such, cannot have been, and obviously was not intended to give immunity for every possible use of language. We venture to believe that neither Hamilton nor Madison, nor any other competent person then or later, ever supposed that to make criminal the counseling of murder within the jurisdiction of Congress would be an unconstitutional interference with free speech.

Thirty years later Mr. Justice Black expressed the same thought in a case involving an injunction against peaceful picketing to induce violation of a State law concerning trade:

> It has rarely been suggested that the constitutional freedom for speech and press extends its immunity to speech or writing used as an integral part of conduct in violation of a valid criminal statute. We reject that contention now.

The acceptance of article III(c) and the first amendment rests upon the distinction between condemnation of a racial, religious, or ethnic group and intent to destroy such a group. In defining the crime of genocide, the Genocide Convention has distinguished between advocacy and incitement, the dividing line set forth by Mr. Justice Brandeis in Whitney against California.

> * * * even advocacy of violation, however reprehensible morally, is not justification for denying free speech where advocacy falls short of incitement acted on. The wide divergence between advocacy and incitement, between preparational attempt, between assembling and conspiracy, must be borne in mind.

It is clear that article III(c) is not a barrier to ratification of the Genocide Convention. Therefore, I urge the Senate to approve the treaty without further delay.

JERSEY JOE WALCOTT, SHERIFF OF CAMDEN COUNTY, N.J.

Mr. WILLIAMS. Mr. President, a little more than 20 years ago, Jersey Joe Walcott reigned as the world champion of heavyweight boxing. Arnold Cream who fought so skillfully and courageously as Jersey Joe is still a heavyweight—this time fighting the urban problems of his home city, Camden, N.J.

Arnold Cream has become sheriff of Camden County, and he is displaying the same fighting spirit and dedication to the public welfare which endeared him to millions of sport fans two decades ago. Whether working to reform the county jail and rehabilitate prisoners or speaking to kids on the street and preventing juvenile delinquency, Jersey Joe has retained the title of champion. He is a champion of the common man who is trying to lift himself from the despair of the ghetto and years of discrimination and second-class citizenship. Arnold "Jersey Joe" Cream is a gentleman who has selflessly served his community and all New Jerseyites take pride in his outstanding accomplishments.

Mr. President, I ask unanimous consent that an article entitled "Walcott Has One Dream Left," published in the Washington Post of July 25, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WALCOTT HAS ONE DREAM LEFT

(By David Lamb)

CAMDEN, N.J., July 24.—The sheriff is 58 now, a gentle man whose face is unscarred from his many fights, and age has taught him that the roar of the crowd can be a silent, empty thing when a champion grows old.

Sometimes, early in the morning, he can be seen jogging in the parks, his huge arms moving like pistons at his sides, the sweat dripping from his brow. Jab. Jab. Pow! The arms stab at an imaginary opponent.

"Hey, mister," a youngster calls, "ain't you the champ?" And Arnold Cream, the sheriff of Camden County, N.J., shuffles to a stop, his bear paw-sized hands ruffling the boy's hair, and smiles, "Yes, son, I am."

It is a question that always delights the sheriff who carries no bullets in his gun, who never has had to use physical force on his job and who believes compassion is the most powerful law enforcement weapon. For he is indeed proud when someone remembers, as someone always does in Camden, that for 432 days two decades ago he was the world heavyweight boxing champion while fighting under the name of Jersey Joe Walcott.

"Through all those years when there was no food on the table, no coal in the bin," he said the other day, "I prayed and I promised God that if he'd let me be champion, even if it was for only one day, I'd dedicate the rest of my life to serving people.

"A man's got to have more than the cheers of the crowd. To me, if I can walk down the street in any given town and the people remember things I've done with my life beside fighting, that's a lot more important."

Cream was elected to the $15,000-a-year sheriff's post in November by one of the widest margins in New Jersey history. He gave all his talks off-the-cuff, hired no speech writers and refused to let his campaign staff say a derogatory word about his opponent. The day after the election, he took the Republican loser to lunch.

Almost every day now, he spends several hours walking the streets alone, popping in and out of bar rooms and pool halls, rapping with people to learn their problems. His mere presence has quelled volatile racial situations; his humble, uncomplicated manner has won him more respect and authority than a gun or nightstick ever could.

In the jail, he wanders from cell block to cell block, bringing prisoners cigarettes and gum and listening to grievances. He has started Saturday band concerts in the jail and recently received a letter signed by most of the 210 inmates thanking him for the drastically improved conditions during the past six months.

"These people are human beings and sometimes if they can find a friend who is willing to listen—just to listen—it can mean so much," he said. "I think some officeholders forget that."

But it is unlikely sheriff Cream will. His road to the top—he fought six times for the heavyweight crown, winning it from Ezzard Charles in 1951 and losing it to Rocky Marciano the next year—was too painfully meandering to permit him to forget what it was like to own nothing but dreams.

His father died when he was 14. Two years later, after quitting school to help support his 11 brothers and sisters, he won his first fight, a first-round knockout that earned him $7.50. For the next 21 years and 100 fights, he drifted in and out of retirement, often fighting unknowns for $25 or $50, before winning the title. At 37, he was the oldest man ever to hold it.

When a fight with Joe Louis in 1947 finally put Cream on his feet financially, one of the first things he did was pay back all the relief money he had collected. And when he won the championship four years later, his cavalcade carried him past 100,000 well-wishers lining the same Camden streets he had traveled as a garbage man a few lean years earlier.

Cream, raised in nearby Merchantville, went to work for the Camden city government in 1954, a little over a year after losing in the first round to Marciano. He worked as a juvenile officer and as the mayor's man-in-the-streets in Camden.

Now in demand as a speaker, Cream has been honored by having a local boy's gym and a hospital wing named for him. He is the man who has accomplished everything he set out to do in life, but there is still one more dream.

"Yeah," he said, "I want to live so that when I get at the age I'm unable to be active, that my family or whoever's responsible for me can set me on the porch and as people pass with their little ones, they'll recognize some of the things I've attempted to do in my lifetime.

"And they'll bring the youngsters over and say, 'See this man over here. This man used to be fighter. This man used to be a sheriff. But more important, this man done a lot of things to help your daddy and granddaddy.' "

It is a dream that began long after the arenas emptied and the crowds became silent. And like his other dreams, this one will probably come true, too.

LEAGUE OF MINNESOTA MUNICIPALITIES AND REVENUE SHARING

Mr. HUMPHREY. Mr. President, as Members of Congress know, I have been a long and consistent advocate of revenue sharing. I have spoken in favor of this idea before countless meetings of mayors, county government officials, State legislators, and boro officials.

Revenue sharing was the first bill I introduced when I returned to the Senate in 1971. I have now joined with the Senator from Tennessee (Mr. Baker) to cosponsor the House of Representatives-passed revenue sharing measure.

I am hopeful that the Senate will shortly consider this bill.

Mr. President, I invite the attention of Senators to a letter supporting revenue sharing that Philip Cohen, president of the League of Minnesota Municipalities, wrote in response to an editorial of the Minneapolis Tribune asking for a delay of revenue sharing.

I ask unanimous consent that Mayor Cohen's reply to the Tribune editorial and the Tribune editorial be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

League of
Minnesota Municipalities,
Minneapolis, Minn., July 11, 1972.

Minneapolis Star,
Minneapolis, Minn.
Attention: Mr. Peter Vanderpoel.

To the Editor: As one of those municipal officials who has strongly supported federal revenue sharing, I would like to comment on your recent editorial entitled "A Poor Time for Revenue Sharing." I cannot agree with your conclusion that ". . . the case for revenue sharing is very weak from a national viewpoint, and even weaker, for the House-passed bill, from Minnesota's viewpoint." However, it is not your conclusion which causes my concern as much as the arguments upon which your conclusion is based. Therefore, I would like to comment on the four arguments which you apparently used to justify your opposition to federal revenue sharing at this time.

Your first argument is that "Revenue sharing carried a good deal of basic logic in 1964, . . . But the fiscal picture looks quite different now. Federal deficits are large and growing. The post-Vietnam fiscal dividend has disappeared. (and) . . . For the first time . . . federal spending on civilian programs is rising faster than revenues from a growing economy. So for Congress to commit the federal government now to a $30 billion bill (over a five-year period), at least without an accompanying tax increase, is irresponsible."

This argument assumes that the adoption of federal revenue sharing will inevitably mean that the federal deficit will be much larger in each of the next five years. However, this need not be the case. Every legislative body, whether it be local, state or federal, must periodically reassess priorities and and allocate the available funds among those services and programs which in their judgment are most essential and beneficial to their constituents. Admittedly it will be difficult for the Congress to curtail or eliminate any of the existing federal programs. However, it will also be difficult to continue to have large deficits or to increase federal taxes. In short, both the Administration and Congress will be forced to make some difficult choices, just as their counterparts in state and local government must.

This is not a valid argument for not adopting revenue sharing. The plain fact is that money is always scarce in government and if Congress delays revenue sharing until there is a budget surplus, it will never be adopted.

Your second argument is that in the last eight years ". . . Congress either has eased, or is moving to ease, state-local fiscal burdens by providing large aid increases in specific program areas . . ."

Although the federal government spends $25–30 billion a year through some 530 categorical aid programs, financial burdens at the local level have not in fact been materially eased. This has happened for two reasons. First, since each of these grant programs has its own bureaucratic machinery and "red tape", the federal grant administration process has become so time consuming and expensive for the recipients as to be quite literally unworkable. Second, since such grant programs seldom provide any operating funds for local units of government, they do not serve to relieve local financial burden where they are most acute.

In striking contrast to the unsatisfactory experience with federal grant programs in our own experience with the state government sharing state collected revenue with municipalities, counties and townships on a "no strings attached" basis. This system, which is very similar to federal revenue sharing, has proved to be not only administratively simple and inexpensive but a highly efficient means of assisting local units of government to serve their citizens better. While it is perhaps unrealistic (at least in the short run) to conceive of federal revenue sharing as a replacement for any of the present categorical aid programs, we desperately need to experiment with simpler and more effective ways of channeling federal funds to local units of government. If revenue sharing at the federal level proves to be as successful as it has been here in Minnesota, it will almost surely have a profound long-term impact upon the way in which federal aid is administered. Thus, far from being an argument against federal revenue sharing, the present federal categorical aid programs are a forceful argument in favor of it.

Your third argument focuses upon the shortcomings of the revenue sharing bill passed by the U.S. House of Representatives (H.R. 14370) and particularly on the distribution formula which you allege does not give sufficient advantage to states (like Minnesota) with high levels of taxation. In your own words, "Why should high fiscal effort states send money to Washington to help relieve so-called fiscal crisis in states that are unwilling even to levy an income tax?"

I'd like to make three comments in reply to this argument. First, without question there are states which have not seen fit to tax themselves very heavily, but two-thirds of the funds will go to local units of government where all too often the fiscal crises are very real. Second, although the formula does not go as far as some of us would like, it does provide a bonus for those states which do make a high tax effort. Third, as a practical matter the high tax effort states will continue to send money to Washington whether federal revenue sharing is adopted or not. The question is whether we are content to receive substantially all of the federal funds which come back through categorical aid programs o whether we wish to receive part of it as federal revenue sharing.

Your final argument is that ". . . the revenue sharing bill does not represent enough money to justify the urgency with which mayors and governors are lobbying for it." You add that the state government would receive an amount equal to only about 3.4 percent of its present budget.

While this may be true for the State of Minnesota, local government in Minnesota would receive an initial allocation of $62.4 million annually. This would be a significant new source of non-property tax revenue which could be used to support essential local services and/or to reduce local property taxes. It would be helpful if those who opposed federal revenue sharing would suggest an alternative means of providing a similiar amount of money to local government.

In making the comments above, I am not inferring that federal revenue sharing is some type of cure-all for state and local fiscal problems. Nor am I unaware of the shortcomings of H.R. 14370. But the fact remains that revenue sharing is a very important concept which could represent a major break through to federal-state-local fiscal relationships. As such it deserves the support of all those who would foster the continuing evolution of the American federal system.

Sincerely,

Phil Cohen,
Mayor of Brooklyn Center and President of the League of Minnesota Municipalities.

A Poor Time for Revenue Sharing

A member of Gov. Anderson's staff and a conservative state legislator reacted almost identically the other day to passage by the U.S. House of Representatives of the federal revenue-sharing bill. Although they aren't often in agreement, both were enthusiastic. So the bill's formulas aren't particularly helpful to Minnesota, each said; so it's a strange time for a deficit-ridden Congress to be approving a new aid program. No matter. Any new revenue for the state is welcome.

That's typical of the attitude of the coalition of state and local officials who helped lobby the bill through the House and are now working to get it passed in the Senate. The proposal would provide $5.3 billion in the next fiscal year—$3.5 billion to cities, towns and counties, $1.8 billion to states—and more than $30 billion during the next five years.

We think the case for revenue-sharing is very weak from a national viewpoint, and even weaker, for the House-passed bill, from Minnesota's viewpoint.

Revenue-sharing carried a good deal of basic logic in 1964, when it was first proposed by the University of Minnesota's Walter Heller—then chairman of the President's Council of Economic Advisors. The argument then was that the progressive federal income tax soon would produce much more money than the national government needed, particularly in light of an expected post-Vietnam windfall.

But the fiscal picture looks quite different now. Federal deficits are large and growing. The post-Vietnam fiscal dividend has disappeared. The Brookings Institution, in a book-length analysis last month, made a convincing case that federal taxes will need to be increased just to support present program levels. For the first time, the study said, fedral spending on civilian programs is rising faster than revenues from a growing economy. So for Congress to commit the federal government now to a $30-billion bill, at least without an accompanying tax increase, is irresponsible.

Another difference between today and 1964 is that Congress either has eased, or is moving to ease, state-local fiscal burdens by providing large aid increases in specific program areas—higher education, elementary and secondary education, welfare, water-pollution control.

Revenue-sharing as proposed is particularly disadvantageous for states such as Minnesota, which already are taxing themselves relatively heavily. Few states have done all they can for themselves or their local units of government. One recent rating of state fiscal systems by the federal Advisory Council on Intergovernmental Relations gave only three states (including Minnesota) a "passing grade" of 70 or more, based on factors such as fiscal effort, progressivity of the state-local tax system and amount of state aid paid local units. Eleven states don't even have a personal income tax. in a number of others, rates are flat (not progressive) or very low. Only 35 states have both general sales and income taxes.

Why should high-fiscal-effort states send money to Washington to help relieve so-called "fiscal crises" in states that are unwilling even to levy an income tax? In this regard, the House bill was at least palatable when introduced last December: It provided no money for states lacking a personal income tax. But that provision has been dropped, and the bill as passed contains only a slight bonus for states that tax themselves heavily.

As a practical matter, the revenue-sharing bill does not represent enough money to justify the urgency with which mayors and governors are lobbying for it. In Minnesota, for example, the state government would get an amount equal to about 3.4 percent of its present budget.

The Senate Finance Committee chairman, Sen. Long, has promised to process the bill promptly so that it can be voted on by the full Senate this summer. If the committee can't at least improve the bill, we'd like to see it killed. Revenue-sharing was proposed as way to channel expected federal revenue surpluses to the states, not as a high-priority federal expenditure in the face of massive deficits. As a minimum, the committee should take time to devise a better distribution formula—one giving more weight to high-tax states—and require that funds go only to states with broad-based, progressive personal income taxes. And we hope the mayors and governors who are pressuring the Senate for the bill will tell their constituents that its passage will increase the likelihood of a federal tax increase in 1973.

PROVISIONS OF HATCH ACT DECLARED UNCONSTITUTIONAL

Mr. MOSS. Mr. President, for more than 30 years, Federal employees have been prohibited from any form of active participation in our democratic processes. The Hatch Act, which was enacted in 1939 for the purpose of protecting Federal employee rights, has served to deny them. Its reform has been long overdue.

Today Federal employees all across the country received good news. The U.S. district court in the District of Columbia has ruled a central provision in the Hatch Act unconstitutional. Specifically, the decision dealt with a section which "prohibits—Federal employees or employees in federally financed programs—from taking active part in political campaigning." The district court ruled that the language in the law was "broad, ambiguous, and unsatisfactory" and in violation of the first amendment.

Mr. President, while this decision remains subject to rulings by higher courts, I believe it offers real hope that Federal employees may soon be able to exercise the same political freedoms enjoyed by other Americans, freedoms which have been denied to them for far too long.

The decision comes at a particularly crucial time. The Senate Committee on Post Office and Civil Service, of which I am a member, has been studying a number of proposals to reform the Hatch Act. All of them would restore considerable political freedom to the Government worker.

One of these bills, which may not now be necessary, is S. 3417, a measure which I introduced to give Federal employees the right to participate freely in National, State, and local elections. It would also allow them to serve as officers of political organizations, to serve as delegates to conventions and to run for office at the local level. More fundamentally, it would permit these workers to express their political opinions publicly, a basic right they have long been denied.

No one can deny the need for reform of the Hatch Act. Today, Federal workers, at all levels, are being denied any role whatsoever in active politics. They cannot give public support to a candidate, write an article in support of a candidate or in support of a particular political issue. They cannot distribute campaign material, solict funds for candidates, nor serve as delegates to political conventions.

Mr. President, today's action by the U.S. district court must give all Americans hope that our basic political freedoms are expanding more vigorously than ever, that participation in the political process is now open to more Americans than at any time in the past. I support this great new expansion of democracy.

CARGO LOSS, THEFT, AND PILFERAGE

Mr. WILLIAMS. Mr. President, on numerous occasions I have expressed deep concern in the Senate about the growing threat of cargo theft, loss, and pilferage within all modes of our Nation's transportation systems.

The July issue of Transportation and Distribution Management, one of the Nation's most prestigious and influential commerce journals, contains a series of excellent articles which provide one of the most accurate pictures of the problem that I have seen to date.

This issue is devoted to exposing the true impact of crime in transportation. It presents the message in such a way as to motivate those sharing the responsibility to seek affirmative-action solutions. Associate Editor Richard Bickerton in the magazine's lead editorial states:

> We who are involved in transportation can help ourselves. And we can begin by recognizing the carriers operate at the public convenience and necessity, which imposes upon them the responsibility of not being apathetic over cargo theft. The thief who steals from transportation steals from the public. The transportation industry cannot, therefore, do as the regular merchant might do and simply write the problem off.

Mr. President, I, and I am sure most of my colleagues, agree wholeheartedly with this statement.

One fact which comes through loud and clear in this publication is that the distinguished senior Senator from Nevada (Mr. BIBLE) is the one person who called the attention of the Nation to this growing threat to the very vitality of our Nation's commerce/transportation system. The transportation industry, air, truck, rail, and maritime, owe to him a debt of gratitude right along with the Nation's shippers and the consumer public.

To quote Transportation and Distribution Management:

> For many years, the transport criminal operated more or less freely. That situation is changing, thanks largely to an energetic Senate Committee that doesn't hesitate to use the unofficial big stick to accomplish whatever can't be done through orthodox channels.

Mr. President, the chairman of this "energetic committee" is both an energetic and, I might add, dedicated Senator—ALAN BIBLE. As a member of the Small Business Committee, I can personally attest to the difficult and in many cases unrewarding task which ALAN BIBLE undertook to shake up a lethargic carrier industry and numerous Federal Government agencies on behalf of all shippers nationally, particularly the small business shipper who is victimized to an even greater degree than the larger shipper with more economic leverage.

I commend to Senators this series of articles in Transportation and Distribution Management.

I ask unanimous consent that the article concerning Senator BIBLE be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE LEGISLATIVE BATTLEFRONT

(NOTE.—For many years, the transportation criminal operated more or less freely. That situation is changing, thanks largely to an energetic Senate committee that doesn't hesitate to use the unofficial big stick to accomplish whatever can't be done through orthodox channels.)

The Small Business Protection Act of 1967 required the Small Business Administration to undertake a study of crime's impact on small business. In cooperation with the University of Michigan and the Stanford Research Institute, the SBA did as it was directed and in January of 1969, it presented to the Congress a book entitled "Crime Against Small Business."

In the same year, a third-term United States senator from Nevada, Alan Bible, was made chairman of the Senate Select Committee on Small Business. He read the SBA book and characterized its findings as "a shocking profile of lawlessness in America."

Sen. Bible's committee subsequently began investigatory hearings aimed at developing legislation to correct the situation, and it wasn't long before the particular problem of crime in transportation began to burn with special intensity through the general testimony.

When the Bible committee responded to the obvious by seeking special information on crime in transportation, says Chester H. Smith, the committee's staff director and general counsel, "we found very little interest on the part of most carriers, the government or most anyone else, except the small shipper suffering skyrocketing losses that all too often put him out of business entirely." Even today, Smith barely manages to conceal his outrage as he recalls that "no government body, no trade association, no one at all knew what was being lost through cargo theft. Our committee had as witnesses representatives from the federal executive branch and federal regulatory agencies, who calmly informed us they knew nothing about the problem, had very little concern over it, and, after all, wasn't it someone else's responsibility anyway?"

The Senate Small Business Committee early on in its hearings identified "six contributing factors to the cargo theft problem and barriers to the development of effective solutions." Those six factors: (1) lack of uniform loss data; (2) lack of carrier management interest in or knowledge of basic security practices; (3) lack of interest on the part of governmental regulatory agencies about cargo theft as a result of inadequate liability limits, embargo practices, and insufficient claims rules and procedures; (4) lack of private sector initiative to improve security, probably most pronounced in the air and maritime carrier areas; (5) inadequate coordination among law enforcement agencies and between those agencies and the private sector; (6) failure of federal departments and agencies to identify the problems and mount an effective response to them.

Today—in the fourth year of continuing Small Business Committee hearings the record of which at the moment fills four volumes of small type printed on 1,148 pages—the matter of responsibility has been settled, a battery of legislative artillery is in the process of being deployed for use in the war on transportation crime, the various transportation regulatory agencies have been convinced there is, after all, much they can do administratively by way of making carriers more cognizant of their own crime-related problems, and the carriers, in turn, are organizing themselves into a more effective front-line force.

In brief, here are the various pieces of legislation.

S. 942, To Establish a Commission on Security and Safety of Cargo. This bill has passed in the Senate and is awaiting House action. Called unofficially the "Cargo Commission" bill, it would establish a study group of 10 members drawn from air, truck, water and rail carriers, cargo unions, shippers, import/export concerns and the offices of the United States attorney general, secretary of transportation and secretary of commerce. The federal transportation regulatory agencies and the insurance industry would be represented ex officially.

Briefly, the commission's duties would be to: (1) define the causes, scope and value of cargo losses and their disposal methods; (2) evaluate cargo theft deterrents, including packaging, containerization, personnel security, physical security and law enforcement liaison; (3) establish a uniform, centralized loss reporting system for all cargo; (4) examine insurance liability limitations; (5) encourage development of crime prevention technology; (6) recommend appropriate legislation to Congress; (7) conduct an inquiry into the feasibility of federal licensing and/or identification systems; and (8) provide statutory authority for the secretary of the Department of Transportation to establish minimum physical security standards.

The bill would require that the commission make a preliminary report at the end of one year, a final report at the end of two years.

This Senate bill has two House counterparts—H.R. 5080 and H.R. 10295. The first is identical to S. 942, the second—introduced by Rep. Jake Pickle (D.-Tex.) differs in that it would have the commission make its first report at the end of six months, its final report at the end of one year. The Pickle bill also would have representatives of state and local officials on the committee. Hearings on the House bills are being held before the Committee on Interstate and Foreign Commerce.

S. 1763, To Amend the Federal Aviation Act of 1958 so as to Add Thereto Provisions with Respect to Through Bills of Lading and Liability for Loss, Damage or Injury. Briefly, the central feature of this bill would impose by statute a legal limit of liability for cargo air carriers that would conform more closely with present cash value liability levels of surface carriers. Unlike the "Cargo Commission" bills, S. 1763 carries a fair share of controversy, with the air carrier industry generating most of the opposition.

The present rate of liability for domestic air carriers is generally limited to $50 per shipment, or 50 cents a pound for shipments weighing in excess of 100 pounds. A shipper can claim a higher value for his freight and, by paying 10 cents per $100 of claimed excess value, be better protected. Sen. Bible says "one very important aspect of the liability of the carrier as provided by statute is the fact that the shipper is deemed to have knowledge of the provisions of the tariff, as filed with the Civil Aeronautics Board, irrespective of whether or not he does. Thus, the carrier is under no obligation to affirmatively inform the shipper of its legal limit of liability or the fact that he can be covered for a greater amount" by paying the additional premium.

Bible claims the present level of air carrier liability, which the CAB notes has been in effect without change since the 1944–47 inception of the air freight industry, is on its face absurdly low. Under the terms of the Warsaw Convention, by contrast, air carrier liability for international cargo is $7.52 per pound.

This bill, at the moment, has been referred to the Committee on Commerce, where it rests in apparent limbo—the reason being, the CAB is attempting a rule-making proceeding that would accomplish the same ends and Congress regards such voluntary administrative moves by regulatory agencies themselves as the preferred road to change. The airlines, however, have moved to block the CAB proceeding with a complaint that it would be too burdensome to, first, designate shipments as either domestic or international and, second, to separate loss claims as between air and ground movements.

Sen. Bible says the air carriers have a "horse-and-buggy" outlook accompanied by "head-in-the-sand" security attitudes, and complains further that the air carrier industry does not "meet the responsibility owed to the shipping public it serves." He likes to prove his point by citing testimony before his committee by Walter Perry of the American Institute of Marine Underwriters concerning the 1968 theft from New York's John F. Kennedy International Airport of diamonds and cash having a real value of $262,000. "The shipment weighed 48½ pounds," Perry testified, "and the air carrier's liability was a mere $362.79."

S. 1654 To Increase the Security and Protection of Imported Merchandise and Merchandise for Export at Points of Entry in the United States from Loss or Damage as a Result of Criminal and Corrupt Practices. This bill originated in the Treasury Department and was introduced by Sen. Wallace Bennett (R.-Utah). It has a House counterpart—H.R. 8476—cosponsored by representatives John Byrnes (R.-Wis.) and Elwood Hillis (R.-Ind.).

Both versions of the bill would provide increased port security at international air and seaports by designating tightly controlled security areas, imposing physical security standards and licensing and identifying all employees in security areas.

The Senate version of the bill has been referred to the Committee on Finance, the House version to the Committee on Ways and Means. Again, both versions of the legislation seem assigned to limbo in the hope the Treasury's Customs Bureau can bring about the sought-after ends through jurisdictional rulings.

S. 2426, To Add a New Section to Title 18 of the United States Code Relating to Crimes Involving Property in Interstate or Foreign Commerce to Provide a Civil Action for Damages Resulting from Violations of Section 659. Someone has very sensibly shortened this unwieldy title so that the bill is known as the "Treble Damage Act."

Whatever it might be called, S. 2426 could prove, if enacted, to be the most effective piece of anti-crime legislation to come down the pike in some time. It would permit carriers, shippers or anyone lawfully in possession of goods moving in interstate or foreign commerce to recover triple damages from any person who steals, buys or receives such goods, having knowledge of their stolen character. The bill is in effect a civil remedy reinforcing present criminal statutes, notably the Theft in Interstate Shipments Act (18 Stat. 659). It is aimed at the professional fence who makes crime profitable or at least worthwhile. Bible says the bill is designed to "dislocate the criminal market by taking the profit motive out of the picture."

There is precedent for S. 2426 in the Organized Crime Control Act of 1970 (84 Stat. 922) which allows those persons injured as a result of the racketeering conduct of others to recover treble damages without a dollar limitation.

The whole idea behind S. 2426 as a civil action matter is that the burden of proof in a civil action is considerably less stringent than in criminal law. Evidence insufficient to obtain a criminal conviction usually is strong enough to warrant a successful damage judgment in a civil action.

An example of how it would work is provided by a tort action in Georgia. In that case, a judgment was entered under a Georgia state law for the value of merchandise stolen from a commercial trucking firm and punitive damages were assessed against those who participated in the theft and against the owner of a company who purchased the stolen goods.

The thieves stole $26,000 worth of wire fencing from a motor carrier and immediately contacted a fence, who says Sen. Bible, "by a middle-of-the-night call sold the fencing to the owner of a retail building supply firm for $2,600. Subsequently, the Federal Bureau of Investigation solved the case, recovering some of the wire. The two thieves and the fence." Bible says, "were tried and found guilty under federal criminal law. The final buyer was not brought to trial on criminal charges because of a decision that proving he had knowledge of the theft at the time of his purchase might be too difficult to secure a criminal verdict." Bible says, however, evidence was sufficient for a civil suit under a Georgia state law having to do with receiving stolen property. Suit was brought and "the plaintiff trucking company was awarded full actual damages of $11,877.12 and $4,375 in punitive damages were assessed against each of the four defendants—the two thieves, the fence and the buyer."

Bible has also entered various and broadened provisions of S. 2426 in the form of amendments to other pieces of proposed legislation, most notably Sen. John McClellan's (D.-Ark.) S. 2994, the so-called "Victims of Crime Act of 1972." Hearings on the McClellan bill have recently been concluded by the criminal laws and procedures subcommittee of the Senate Judiciary Committee. The Bible amendments to the McClellan bill would: (a) empower the United States attorney general to enter civil damage suits on a class-action basis in behalf of all United States citizens, which would make it possible to bring the fence into court even if potential witnesses had been frightened out of the picture; (b) give federal district courts the power to issue injunctive orders forcing divestiture of business properties and other assets being used as fronts by persons engaged in the purchase and resale of stolen property; and (c) an extremely important provision, make the selling of goods at less than fair market value prima facie evidence that the seller is trafficking in stolen goods.

In arguing for his various pieces of legislation, particularly S. 2426 and his amendments to the McClellan bill. Sen. Bible asks his auditors to merely "consider the hard facts: each year there are $3 billion in employee thefts. Each day there are $8 million in shoplifting thefts. Each year there are $250 million in auto thefts, and each year there are $1½ billion in cargo thefts. This vast amount of consumer goods must go somewhere; it must be handled, it must be moved, it must be sold, it must go through a marketing distribution system. Obviously, it must be fenced, and there's where the criminal gets his profit. Let's put the fence out of business and take a big step forward in the fight against crime."

A CRISIS IN HIGHER EDUCATION

Mr. PROXMIRE. Mr. President, higher education has long been regarded in this country as the key which unlocks the door, the lamp which illuminates the path to a better job and a brighter future. Parents and educators urge our young people to attend college, and thanks to countless State, Federal, and private scholarships and loan programs, it is possible for nearly every high school graduate who so desires to further his education.

This fall some 9 million young people will be college bound in pursuit of the American dream of success through education. Unfortunately, that dream may end for many in a nightmare of failure and frustration. If current trends continue, all too many college graduates will find themselves unemployed or underemployed in a job market which has reached the saturation point for degree-bearing job seekers. In 1960, college graduates constituted one-twelfth of our labor force; today that figure is one-ninth, and by 1980 one out of every six job hunters and holders will have college degrees. Unfortunately, jobs are not being generated at the same rate. A survey conducted by the Department of Labor last October revealed that 7.4 percent of those 1970 and 1971 college graduates who did not enter graduate school had not yet found employment. This represents more than 80,000 young people, and compares unfavorably with an overall unemployment rate of 5.8 percent. Equally tragic is the fact that many of those graduates who had found jobs were working below their capacity and outside their fields in a simple effort to make a living.

It is apparent that we are fast approaching, if not already faced with, a crisis resulting from the overeducation and underemployment of a vital segment of our population. One obvious but often overlooked solution to this problem is to be found in vocational and technical education. A rapidly growing number of 2-year institutions across the country prepare students for worthwhile careers in a variety of fields. For a minimal investment of time and money, they reap maximum financial and personal rewards while performing needed services for society. Most importantly, the need for the technicians and paraprofessionals produced by such institutions often outweighs the demand for the overabundance of college graduates.

Colleges will always play an important role in our educational systems; we will always need the professionals which only those institutions can produce. But it is time that we gave vocational and technical education the credit and support it deserves, and began presenting it as a viable alternative to our college bound youth.

On May 25 of this year, CBS News presented a highly acclaimed report entitled "Higher Education: Who Needs It?", which graphically portrayed the plight of today's college graduates, and highlighted the advantages of our fast-growing 2-year institutions. I ask unanimous consent that the transcript of this program be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Higher Education: Who Needs It?

Thursday, May 25, 1972

(Produced by CBS News.—Reporter: Hughes Rudd)

Hughes Rudd. This is supposed to be a happy time for the young: graduation from college at last, with the world waiting out there as their oyster.

Man. Dorothy Badmer, Jeffrey Bamford . . .

Rudd. It's the season when almost a million young men and women on more than 2,000 campuses take their synthetic sheepskins and leave the academic nest. The college degree has been part of the American Dream, a passport to success, money and the better life. But it may not work that way any more.

How about you? Have you got a job lined up yet?

Man. No, I haven't. I've applied to 15 places, I've had two interviews and I have not heard from any yet. But all the rest have been no vacancies.

Woman. Anybody that needs an excellent phys. ed. teacher, here I am.

Man. With a bachelor's, it's almost impossible to find a job.

Rudd. When you started in school four years ago, did you think it would be this tough when you got out?

Woman. No, not at all.

Rudd. Have you got any jobs lined up?

Man. No, not even close.

Rudd. Have you got a job lined up?

Woman. No. I hope I do. I don't know yet. I have another interview Tuesday. I doubt it.

Rudd. Have you got a job lined up?

Man. Nope.

Man. What is available is just something you could have gotten without much of an education before, and opportunities are not so great, that any optimistic outlook now is a bit of a sham.

Announcer. CBS Reports: "Higher Education: Who Needs It?"

(Announcements.)

Announcer. And now, here is CBS News Correspondent Hughes Rudd.

Rudd. Americans, of course, like nothing better than success; the bigger the better. Our national motto says we place our trust in God, but we're considerably more pragmatic than that. In our pursuit of success, we place an incredible amount of trust in higher education. It's an article of faith in this country that the more education you have, the more money you can make. As a result, the vast machinery of higher education in the United States is behaving like a runaway factory, producing ever-increasing numbers of graduates. We are exposed to more education than any people in history and proud of it.

Today just about any American can go to college. Next year some nine million students will be on the nation's college and university campuses, and we're spending some $31-billion on higher education this year. Twenty years ago there were not quite 2,000 institutions of higher learning in this country; today there are more than twenty-five hundred. The boom in two-year community or junior colleges is especially remarkable: in 1960 there were about 400, today there are almost 900, with two and a half million students enrolled—and a new community college opens every week.

All this seems very American, somehow, very democratic: anybody who wants a college education should be allowed to have it and plenty of it. Degrees, we believe, equal dough: you can exchange the sheepskin for shekels in the marketplace. But it turns out that ain't necessarily so.

This is a recent gathering of college graduates, but they haven't gotten together to sing the old college fight song or to brag about how well they're doing in the real world. This is an employment agency in New Jersey, and the young men are not doing well at all.

Thomas Pitroscia. Well, I was trained basically in biology and chemistry, and it's very difficult. The market is very tough.

Rudd. Not having any luck?

Pitroscia. I've been trying since May, or even before that, before I graduated. I have about 50 applications out, been to about six employment agencies, and it's really a wild goose chase.

Ken Kensinger. I've had numerous employment agencies tell me, "Well, it's going to be much better in six months." Six months isn't going to do me any good. I'm living with my in-laws right now. I've got a three-month-old baby and a wife to support. Where do you go? I've tried to remain flexible and not finding a place to live so that I could relocate. But sooner or later you've just got to take something.

Mark Wilensky. I have to drive a taxicab to support myself. And every time I drive a taxicab I take along a batch of resumes. I hand them out to anybody who sounds—anybody who seems interesting and anybody who seems interested in what I'm doing. And this is one way of looking. I have to do this on weekends. I have to drive that taxicab and I drive it all around New York, and I pick up interesting people and I ask them, "Do you have a job for me?"

Alan Rudolph. I've been looking for a job full-time now about a month and a half. I worked for a while doing various jobs just to get some money and now I'm out looking for something in management or marketing or sales or just about anything I can find at this point, and it's rough anywhere you go.

Edward Gabrielski. Well, I've been looking pretty hard since January. I've sent over 60, 70 resumes out to the major companies and I've answered all the ads in the paper, anything close to what I'm looking for. I'm looking for maybe even a management trainee job and I'd see any employment agency just about, and just anybody, talk to anybody who thinks they might know of a place where there's a job open.

Rudd. Would you take anything?

Gabrielski. Anything, anywhere, just about.

Rudd. Youth must be full of hope, of course: one condition defines the other. So these young men hope, deep down, that things will get better. But older and perhaps wiser heads are often pretty gloomy. They certainly are about the employment prospects for today's graduates. Economist Joseph Froomkin used to be assistant commissioner of the United States Office of Education and he's made a study of college graduates and the job market.

Froomkin. I'm afraid that the difficulty of college graduates in finding jobs is going to last for at least the next 10 years and probably longer if present college-going rates stay at the present level. As a matter of fact, I feel that by 1980 roughly eight percent of all college graduates will be either looking for jobs or will be in jobs which college graduates have usually not filled up to now.

Rudd. Why? What's causing that?

Froomkin. Look, there are some very simple figures which will show you what the problems are. There were 6.8 million college graduates in the labor force in 1960. Today there are about 9.2 million college graduates in the labor force, which means that those are the people who either have jobs or are looking for jobs. In other words, one out of 12 workers in 1960 was a college graduate. Today it is one out of nine. By 1980 one out of six workers will have a college degree. Now this is a tremendous increase.

Rudd. Dr. Froomkin is also concerned about what's happening to young women in our educational system.

Froomkin. By the end of this decade there is going to be a real crisis with respect to females. Right now, you see, most women go into female-dominated professions. One out of two is either a teacher or a nurse. By 1980 only one out of three is going to be a teacher or a nurse, and they too will start competing for those jobs.

Rudd. Won't jobs keep pace with the increase in graduates?

Froomkin. I have grave doubts that our technology is developing that fast and that the skill mix of the labor force by 1980 will justify the employment of one college graduate for every six workers.

Rudd. Do you feel that the whole college experience was a waste of time, then, or what?

Wilensky. I don't think it's a waste of time. However, I think that the colleges should have prepared us. They should have been more efficient in preparing us for the outside world. I think that the academic world and the business world operate totally differently.

Gabrielski. I feel the only good—best background that college gives you is to go on for your master's or your doctorate. I mean that's what they actually train you for. They train you for more education. Now someplace along the line somebody is going to have to decide either to train you after you come out of school or during the last few years of your school—your schooling to go out and get a job, or persuade or force the companies to offer programs such as that.

Rudolph. In my situation, it wasn't a question of going to college, it was simply assumed that, like on a commercial, "Without that sheepskin you're not going anywhere."

Frank Newman. What is it that we have told people about college, over and over again—and almost all of us are guilty of this: to go to college is essential to your career. What we've said is: college is the vehicle for getting to the good life. And you may think that this argument is dead, but it isn't. Think of the arguments about—for example, the Yale argument about the contingent repayment loan plan. What was the thing they said? They said: "You can afford to pay this higher tuition. We'll give you a loan and you can pay it back over a very long period of time, because for the rest of your life, you're going to make a much higher income."

Rudd. Frank Newman is a Stanford University administrator who heads a group looking into the problems and promises of higher education, at the behest of the Federal Government. The first Newman report came out last year and immediately ruffled a lot of academic feathers, although many educators thought it was "right on." The report accused the universities and colleges of "lukewarm interest in innovation and self-reform." Mr. Newman and his associates are still in the gadfly business, telling it the way they at least think it is. Here he is before a recent educators' convention in Chicago.

Newman. . . . obviously, and where we're all now aware of it, run into an enormous, if you—we have called it an oversupply problem. If you want to choose the euphemisms of the trade, it is an underemployment problem. There is no logical way out of that in the future, in terms of changes in the job market. Consequently, we've got to begin to ask ourselves, even if we don't want to: what is the function of college in relation to this?

I think we're going to have to begin to examine what the Swedes have been calling recurrent education. But they're already terribly worried about this underemployment-oversupply problem. What they argue—and I would argue it too—is that we must move toward the concept where college does not determine your place in life. Rather, you succeed in life by your own energies and ability and that college is an educational process which aids you in that, for whatever you choose your life to be. Consequently, what has to happen, then, is we have to have the kind of relationship where one can return—go to college when one finds it appropriate, leave college when it's better to be off doing what you want to do, return to college without any great premiums, and educate yourself further as you move on in whatever it is you choose to do. And I don't mean that college should only be functional toward a career. It may very well be that you will find later that you need a sense of liberal arts for simply your sense of participation in society.

Rudd. The second Newman report will come out this fall and Mr. Newman says it will emphasize creating a more realistic relationship between college education and careers. The question is whether or not the universities and colleges will pay any attention to its recommendations. George Bonham is editor of Change magazine, the leading monthly journal devoted to higher education. We asked him what sort of reception he thinks the Newman report will receive.

Bonham. I think it will be very mixed. There has not been much evidence by most campuses that they're willing to face up to this relationship of education and jobs. I just came from a faculty relationship of education and jobs. I just came from a faculty meeting up in New England, and I asked this question of department chairmen: are they concerned about the fact that their graduate students cannot get jobs? Well, they didn't seem to be very much concerned. One of the people said: "Well, that's not our business. Our business is education and it's up to society to provide the jobs once they get out."

Rudd. That attitude seems to be general among true-blue academics, but at Michigan State University—enrollment 44,000—the deans are at least willing to listen to a voice from the marketplace. Jack Shingleton is placement officer at Michigan State and his job is finding jobs for the graduates.

Shingleton. The so-called elite jobs are not available in sufficient numbers to meet the aspirations of the multitudes graduating from our colleges and universities. Now educators have never said, "Go to college and get a job," but this has been implied and now students expect it. If this is not the case, we need to tell students as emphatically as we can that they are being educated for other than career purposes. If we care what happens to these students after college, then let's get involved with what should be one of the basic purposes of education, and that is career preparation.

Richard E. Sullivan. And I'd like to submit that survival in this coming age is not going to be in the world of work so much as it's going to be in the world of deciding what's good and bad, what's humanly livable and what isn't, and so forth, and that the real challange before the university world of the future is to adjust people to that kind of thing. I wonder if you are not just defining for us the world of work, as you see it from a placement officer's point of view.

Shingleton. I would agree with you that I'm probably inclined to look at it more from the hard, cold world of work. But on the other hand, when we look at what happens to our gradutes today—and the graduates that you're turning out—about 75 to 80 percent of our graduates are going into that world.

Richard E. Chapin. Jack, I want to follow up some on what Dean Sullivan was saying. You refer to a couple of things that should be the goal of the university—a rich and rewarding career.

Shingleton. One of the purposes, yes.

Chapin. I wonder if maybe a rich and rewarding life might be more appropriate.

Shingleton. That is more important.

Chapin. And if we look 10 years hence, Jack, the amount of time our students spend in the real world—as you call it—or the work world is going to be much less than what they spend in the real world today. They're going to work fewer days, they're going to work fewer hours, and then what are they going to do with their life the rest of that time if we design a curriculum around a career-development program all the way?

SHINGLETON. Well, very definitely we've got to educate the people for the free time, but don't underrate the importance of jobs. To enjoy their leisure time they're going to have money to do the things that they want to do in those leisure time—in that leisure time. They're going to get that through their job.

MILTON E. MUELDER. I'd like to make a comment. I think we have in Jack Shingleton a very fine placement officer and we're grateful for all of the work that he's done. But when you get over into the problem of educational philosophy—the type of research and so forth in education—I just think that you're completely out of order on that thing and I think it's a rather fruitless, often sophomoric discussion when it comes to that level. This is not an easy problem and it's not up to you to try to solve the problem. But I just think it's out of order for us to try to discuss what the educational philosophy of Michigan State University should be in this context, and I for one think we ought to conclude the discussion.

SHINGLETON. May I just have a rebuttal to that, John? I think you've touched, Dean Muelder, on one of the most significant problems in American education today. If you'll please excuse my sophomoric approach, as you've described it, the whole problem with American education is that they have not listened to the American public, nor have they listened to the taxpayers in society at large, in terms of the major issues in American education. I think the time is now due that someone speaks up to some of the ivory-tower thoughts that have been generated over a long period of time and that have been perpetuated. I think some of those should be examined. And I do believe that all of us—and I know I can certainly stand it—can do to hear from other people outside of my area, and perhaps you would do well to consider the same. I congratulate this group on giving me the opportunity . . .

RUDD. Such discussions as this, impassioned and important though they may be, are really academic. More than 75 percent of our college students go to public colleges and universities, which exist only because of the taxpayers. That means the muscle which moves the academic body is not on campus but under the domes of the state capitols. In Michigan, State Senator Charles Oscar Zollar heads the appropriations committee, which controls the way the taxpayers' money is spent. As a businessman who's met plenty of payrolls in his time, the Senator is getting pretty impatient with those academic types who haven't.

ZOLLAR. In many areas I think we've made tremendous progress in higher education in Michigan. I'm not satisfied in many of the other areas, especially in the area of accountability—that is, establishing in the taxpayer's mind, and that's the person who's really paying the bill, that we're getting a dollar's worth for a dollar spent.

RUDD. But how can one determine in higher education whether or not you're getting your money's worth?

ZOLLAR. There are many ways that you can measure accountability. And this is the thing we're demanding. We're demanding now of higher education that they be accountable to the legislature and to the taxpayers through us that they are producing the type of education that is usable to the student.

RUDD. That means that would tend to get him gainful employment when he gets out?

ZOLLAR. That's exactly it. You put your finger right on the word.

RUDD. Some of the academic people don't seem to think that's any of the university's business.

ZOLLAR. Well, I think it is, now I disagree with them. I think if they're training people, and it is their duty to train them so that they're efficient enough to go out and become useful in a commercial way—because I think that's what we're really talking about, you know, to go out and make a living—then it's their responsibility to see that they're trained in the proper fields and that they come out equipped to go into society capable of making that living.

RUDD. But as I understand it, more and more college graduates are not able to find employment nowadays.

ZOLLAR. This is one of the reasons that the accountability factor is so important. Now we knew, in our committee, that four or five years ago that there were too many teachers being trained for the incoming influx of students in the elementary grades. And yet because of the bureaucracy that was built into the educational—higher educational system, they continued to train teachers. Now you have a surplus of teachers in Michigan, and the number given to me last year was about 10,000 certified teachers that couldn't find a job. Now this is the thing that we want to avoid.

RUDD. I would imagine you're going to get an awful lot of opposition to these ideas from the more, well, traditional academic types, aren't you?

ZOLLAR. Well, I think you always have that problem. Those that are embedded in a system that has been traditional for years always oppose change. This is nothing new in government. You have to fight that as it comes along.

RUDD. Well, how do you punish them if they don't change? How do you . . .

ZOLLAR. By not giving them as much money as they want. Quite simply, that's the answer.

(Announcements.)

RUDD. Emil Bonaduce graduated six months ago from Haverford College with a degree in economics. Haverford is one of the best small colleges in the United States. Emil is married, has been looking for months for something related to economics, without success. He works now as a newspaper deliveryman in Newtown, Pennsylvania, but he likes to think that's only temporary. We asked him how much he makes from the paper route.

BONADUCE. Oh, jeez, 70, 60, 70 dollars a week, I think, right now.

RUDD. That's not much nowadays.

BONADUCE. No, doesn't go far at all. I can't even get off the ground. Been doing this for three months. I can't get off the ground.

ROGER HANSEN. Got out of school the 21st of January and since then I've been searching full-time for a job. Actually, I'm looking for social work, but, oh, for the past four or five months I've been looking in state bulletins and there's just no jobs that'll take you without experience. A lot of my friends have had similar experiences, where it's been—they've been out since June and they're still seeking jobs. So I didn't feel I was going to have much success.

RUDD. When you went to college in the first place, did you go there in order to learn how to make a living, do you think, or something else?

HANSEN. Well, when I was encouraged to go to school, you were always told you'd be received with open arms by whatever prospective employer you might go in to, and I found just the reverse.

PETER CRICHTON. Well, to my knowledge—ours was a very small graduating class, so there aren't too many people—there's only one girl that I know of who graduated who's working—for the Rochester Pure Waters Agency. Another one got an assistantship of some sort with the University of Rochester. The fellows in our class—one is working for a hospital, not in biology but more in medical technology. There's another one in a motorcycle shop repairing motorcycles. Another one, as far as I know, stayed on with the college working in their library. And another one went to work as a janitor for the college.

GREGORY KOPIA. I started actively looking for a job in September of this past year and I've been looking ever since. I've been hitting employment agencies regularly. I'm trying to be as optimistic as I can. I have this job that I'm working at now, as a painter. It's not really what I want to do, but it's paying me and it's keeping me active. I just can't get down about it. I'm sure that things are going to change and I'm hoping they'll change soon.

WILLIAM WRY. Well, I'm not giving up, but I'm not as optimistic as I was in the beginning. At the beginning, I thought my chances would be a lot better, but now, looking around for about six or seven weeks, I feel that it's going to get rougher. It's just that I don't go to every interview like I did in the past. Some of the employment counselors you go to, they promise you a lot and tell you about all they've done for people in the past, but it seems like for you they're just not doing enough or they're not doing anything at all.

RUDD. Well, when you started out in college, what did you think: "Well, by going to college I'll earn more money and get a better job"?

WRY. Right. I think it was the old American Dream there that, you know, go to school, get ahead and you'll be a lot better off for it. But I think a lot of times it doesn't really happen. I know it seems that quite a few people in my age bracket right now are going through the same experience I am—of a degree but no job.

RUDD. Well, there's obviously plenty of money in the liquor business. That's not your primary concern, I guess.

WRY. No, my primary concern really isn't money. It's more or less happiness in what I'm doing and the desire to be in that position. Money isn't really my main object, because right now I'd (phone ringing) make more money in a job like this than any starting training job with a company in the United States.

Hello. Broad Liquors.

RUDD. Well, Mike, where did you go to school?

MIKE SMITH. I went to New Mexico State University for my bachelor's and my master's and I went to the University of Toledo for any doctorate—work on my doctorate.

RUDD. What was your field?

SMITH. My field was American history, specialty in the American Indians.

RUDD. Well, what are you doing driving cars in a garage for a living?

SMITH. Paying the bills. I'm looking for work in the daytime.

RUDD. You couldn't get anything in your profession?

SMITH. No, absolutely nothing. Nothing available.

RUDD. How hard did you try?

SMITH. Well, last year for example, I sent out over 300 letters to different colleges and junior colleges, got no responses—good responses.

RUDD. Well, are you tempted to go back and get a degree in something else? Change your field?

SMITH. No, that wouldn't be any good, because I'm overqualified already for most of the jobs I've applied for. I'd just be wasting my time. I'm not getting any younger.

RUDD. Mike is probably right when he says there's no point in getting another degree. We're pumping out 34,000 Ph.D.'s this year, with almost 300,000 graduate students still in the pipeline, despite the fact that most professions requiring graduate studies are oversupplied already. It's almost impossible now to get a job in the classroom: by 1980, experts predict, we may have a surplus of a million and a half neophyte teachers. At the same time, we have an enormous shortage of people for those jobs which don't require college degrees. Richard Rosensteel of the Ford Motor Company.

Rosensteel. In this company currently, we need approximately 20,000 trained automotive mechanics right now. And we have only about one-fourth of the franchise dealerships within the nation. So if you extend those figures, you would come up to a figure of something near 80,000 mechanics needed in franchise dealerships. And if you could add to that the back-alley garages and other kinds of organizations that require automotive mechanics, the number could easily go over 100,000. Yet where are those people coming from now?

Rudd. Well, one place where some of them can come from is Ferris State College in Big Rapids, Michigan. Ferris State has been in business for about 90 years, and its main business is vocational education. The school's 9,000 students get a sprinkling of liberal arts and total immersion in how to get the job done, whether it's mixing medicines, building buildings or binding books. Ferris State College offers 65 vocational programs as well as the usual four-year baccalaureate degree. We asked the school president, Robert Ewigleben, what sort of students Ferris attracts.

Ewigleben. Today we're finding some kids that could get into any school in the country coming here. But for the most part, though, we do get a different cut of cloth. We get middle-class, lower-middle-class kids, kids that come from working-class families where the work ethic is still a very, very strong motivating factor. We tend to get first-generation college students, as opposed to families that have had two or three generations of higher education before them.

Rudd. Dr. Ewigleben's students are here—and Ferris State itself is here—because of a curious imbalance in human supply and demand in this country.

Ewigleben. Now in this very community there isn't a licensed plumber and yet we could tomorrow hire 20 Ph.D.'s in physics. We have a waiting list of 120 applicants—of masters and Ph.D.'s—that would like to come to Ferris in that particular discipline and go to work.

Rudd. But no master plumbers.

Ewigleben. But no master plumbers. Well, that's kind of where we are in this society.

Rudd. Well, Dean, how many students do you have in this program?

Aaron L. Andrews. We have 1,004 students in our School of Health Sciences and Arts. This includes a total of 13 programs in the school at the present time.

Rudd. Well, is that an unusually large number or is that fairly standard for a school teaching this sort of thing?

Andrews. No, we are one of the largest schools in the United States, if not the largest, at the present time in our field.

Rudd. Well, when these dental technicians or dental hygenists get out, are they pretty much guaranteed a job, would you say?

Andrews. Definitely yes.

Rudd. What sort of money do they start out at?

Andrews. The money they start out at will vary according to the area of study and the geography. Students starting in the programs such as we're in the area at the present time—dental laboratory technology—they're going to be starting at around $9,000 per year. The . . .

Rudd. That's after a two-year course?

Andrews. That's after a two-year course, yes. Students in our four-year program in environmental health, they'll generally be starting at around $10,000 per year. Basically, starting salaries are going to run in an area of $9,000 to $12,000.

Rudd. Well, what excites you about this? The fact that these kids are all getting jobs or the fact that it's really going to alter living conditions in the United States?

Andrews. The thing that really excites me—and I've been in, working with schools of this type for about 15 years now—is the fact that these graduates are going to make the availability and the accessibility as well as the quality of health care in the future to the people of the United States a meaningful and realistic thing.

Rudd. Well, in this part of the school, just what subjects do you teach—avionics and what else?

Eugene Bychinsky. Yes. We teach radio, TV and transmitter service and avionics. This particular room is the laboratory—electrical and electronics laboratory—that you see. And the equipment you see on the benches back there are from private planes and we're repairing them—we're certified to repair them. In the automotive service we have a 30-car garage, which always has 30 cars waiting to go in from people in this community that have a problem—it could be a banged-in fender or an overhauled transmission required. We'll do that as part of the curriculum. They have nothing but real-life situations in each of our courses.

Teacher. When you get that connection made back in there, we'll hook up . . .

Rudd. What are the students when they get out of that, after two or four years?

Bychinsky. They generally become lead mechanics in automotive shops. They also go into the insurance field and become adjusters and all the ancillary things that relate to the automotive field: service men, they become supply people, sales people. They are very well indoctrinated into all aspects of the automotive service field.

Rudd. Well, what about the parents? I would think an awful lot of people in this country think that a college education is a, oh, a kind of a magic password almost to higher things, and yet most of these young men are not really getting that, are they?

Bychinsky. Yes, that brings us to a very interesting point. Many of our parents are disappointed in their youngsters when they first announce that they want to be a radio and TV man or come into avionics. They maybe wanted them to be a doctor or lawyer or a professor or something else. We consider it a dignified skill to be able to analyze a car problem and do it accurately and expeditiously and economically, or to assist in repairing an avionics piece of equipment that's being needed by industry. These are very high-minded types of enterprises. They are needed by our society; they are essential to our society. And thank goodness that the monetary rewards now are not so much different from the so-called white-collar workers. These gentlemen that you'll meet as you go through here will tell you that, gee, they have high expectations to make a good living at what they're doing. They have removed the stigma between white and blue collars.

Student. I've always had an interest in airplanes and flying, and I was glancing through the college catalogue this year and I found that they had this avionics program that they just started. So mainly that's what I was in here for, was the flying and the part of the planes, but the more I got into the electronic part of it, it was real interesting and also, I think, there's great opportunity in the avionics field.

Rudd. What about your parents? What do they think of you studying this instead of business?

Student. Well, my father sort of wanted me to go on and get a four-year degree, but the more I told him about it the more he got interested in it. He also likes to fly, as I do.

Rudd. What does he do?

Student. He's a senior machine designer at Fisher Body in Detroit.

Student. I'm in automotive heavy-equipment technology.

Rudd. What is that going to mean? What will you be when you get out?

Student. Well, I can go into the field of the auto industry, not—I won't necessarily be a mechanic. I can be a representative or some managerial job.

Rudd. What do your parents think of all this?

Student. Well, my father was a doctor and he wanted me to be a doctor. And then I quite didn't want to be a doctor and I didn't know really what I wanted to be and went into the service. And after I finished the service I decided I'd have to pick up a trade, and my father asked around and he wanted me to be a plumber.

Rudd. Why? Why a plumber?

Student. Well, he asked around his patients. He's—being a doctor, he's kind of money-minded, and he wanted me to go in that field because of that reason alone. And I quite didn't want to be a plumber so I chose to be a mechanic. And after I went through automotive service I decided to go two more years and get a degree.

Rudd. Well, is he reconciled to it? Does he think you can make enough money this way?

Student. Oh, yes. He's really happy now.

Rudd. Professor Harold Hodgkinson of the University of California has visited or investigated more than 2,000 campuses. He sees a great economic leveling process affecting white- and blue-collar workers: in his view, they're both shading into gray.

Hodgkinson. You find that today, if you look at the income levels of all American workers, in 60 percent of the cases you can't tell whether the person who made that salary was a college graduate or a non-college person just from the salary level. So these matters have really indicated that the blue-collar worker, especially in unionized areas, has overlapped the salary levels of those who've been to college.

In my case, for example, I have a bachelor's degree, a master's degree and a doctorate from Harvard, and my average salary is about $4,000 below the mean of intercontinental truckers who drive trucks across the country. Now I'm not sure that's necessarily bad. That is, I'm not sure myself that I should be compensated for every year of graduate study that I've engaged in, because I've done it primarily for my own self-interest.

Rudd. Clark Kerr, former president of the University of California, currently chairman of the Carnegie Commission on Higher Education.

Kerr. We may be getting into a period in the future in the United States where people get paid not just for their skill but also the disagreeableness of their work. And somebody who's doing a very disagreeable job may end up getting as much money as a person with a good deal of skill. And there'll be a certain amount of social justice in that and I really think the American people will live better with each other that way.

(Announcements.)

Rudd. This is not really a commercial.

"Computer". Hi, Tommy.

Tom Smothers. Hi. Hey, are there really good jobs for kids without four years of college?

"Computer". Yes, as technicians. Look in my visual communications center. You will see openings in engineering, chemistry . . .

Rudd. This public service message is aimed at convincing young people that they don't have to have a college degree in order to get a good job. The same message is going out on radio and in a poster campaign all over the country.

Smothers. What's that address again? 'Cause my brother, he's looking for work.

"Computer". Careers, Washington, D.C.

Rudd. All this originates in the Office of Education of the Department of Health, Education and Welfare.

Tape-recorded Voices. You're nothing in this country without a college degree.

If you can't afford college, you'll never get a good job.

You're both wrong. There are thousands of college graduates who can't find work, yet today there is a crying need for technicians. You don't need four years of college to become a technician. All you . . .

Rudd. Sir, it sounds like you're discouraging young people from going to college.

Commissioner of Education Sidney Marland. On the contrary, I've been a school man for too long to disregard the very important job of the schools to include college, certainly among the expectations of young people as one of their alternatives. But we're now hoping that young people will have greater freedom of choice in deciding about post-secondary education and not feel that it's the only road to glory. We know, for example—the Department of Labor tells us that fully 80 percent of the jobs in the next decade will be filled by people who don't require a college education.

Rudd. The Commissioner also pointed out that too many young Americans don't even bother to finish high school, much less college, and he drew some conclusions from that.

Marland. Well, there's something wrong with the system. We don't denounce any part of it, but we say that we can be better. And we can especially be better for those young people in the United States who are disenchanted with the system of education at all levels, particularly high school students and college students who are moving aimlessly through a network because someone says the network is good and it's supposed to be there for everybody—and indeed it is. But we're now adding what we hope will be a sense of purposefulness to that network.

Rudd. As more and more young Americans begin to realize that a four-year degree has not a guarantee of employment, we may expect an increase in enrollment in the already-booming two-year community or junior colleges, which offer both vocational training and the liberal arts. Any high school graduate can get into a community college, no matter what grades he or she made in high school, and tuition costs next to nothing.

When Miami-Dade Junior College opened with one campus in 1960, it had fourteen hundred students. Today there are two campuses and 38,000 students. Another campus is under construction and there are more on the drawing boards.

Teacher. Chekhov and Ibsen died within a year of each other: Ibsen in 1905, Chekhov in 1904 . . .

Rudd. At community colleges, 70 percent of the students say that they want to go on to a regular four-year institution and get a degree, but the dropout rate is enormous and nobody really knows how many actually do go on and get that degree.

Teacher. He may frisk you if he has probable cause to believe that you are armed and dangerous to him.

Rudd. Curiously enough, only 30 percent of the nation's community college students choose vocational courses. For those who do at Miami-Dade, the most popular program is police science, which trains men and women for all sorts of law enforcement work.

Student. . . . stop the guy, like say he was belligerent to you and then you'd stop and frisk him, but then you thought he might have something in the car. Would you be allowed to go in the car?

Teacher. No, a stop and a frisk does not allow a car search, unless you have further probable cause to believe that the car is carrying what is, the court says, material offensive to the law.

Rudd. Some people have said that community colleges are just educational holding basins which society has created to contain those young men and women who have not yet decided what to do with their lives or who couldn't get into four-year colleges. We put that proposition to Miami-Dade's President, Peter Masiko.

Masiko. If your conception of a college is somebody who ranks in the top ten percent of his high school class and anybody who ranks below that is not worthy of any consideration in higher education, then I can't argue with you. My philosophy is that anybody, regardless of where he stands, if he wants to move himself up, if he has higher ambitions, it's not inappropriate for us to try to work with him and develop his talent.

Rudd. We asked Clark Kerr if he thinks everyone should go to college.

Kerr. To begin with, I don't think you can deny young people that opportunity if they want it. And there may be a lot of people that don't get the jobs they want to get, but still there are other things that come out of college aside from just getting a job. Generally, the studies show that people who've gone to college enjoy life more, they have more varied interests, they participate more in community activity, et cetera. So it isn't just jobs. But it just seems to me that in a democracy, almost regardless of the consequences, that every young person ought to have a chance to develop his ability and, as a matter of fact, they're going to have that chance.

Hodgkinson. The question one has to ask is: given increasing years of education, is there any increased quality of the human beings who come out of the other end of the system? Are we really adding that much to people's competence or ability to live well as a human being? I think that's an open question.

Rudd. Well, I suppose that raises the inevitable question of what higher education is really for.

Hodgkinson. There's been a continual debate over that question and clearly there's no answer. The problem is that the elitist models that we're following—like Harvard, Yale and Princeton—have for years proclaimed that the B.A. did not certify anybody to do anything. That is, the bachelor's was never assumed to be a marketable commodity. Today more and more students are saying: "What can we do with this kind of tool? You've given us this degree. What does it now mean?" And I think some changes are going to take place along that line.

Rudd. Well, do you think that everybody should go on and get a higher education or not?

Hodgkinson. I don't think necessarily that everybody should get a baccalaureate degree from an accredited school. I think everybody who wants to should have some chance to further his educational interests, some of which may be in colleges, some of which may be not. It would seem to me that many American young people could, without ever going to a college at all, build a very satisfactory life around a good income, a good home, reasonable knowledge of cultural values, sell-expression, the time to develop their own code of ethics and morality, and time to participate in community affairs. There's very little evidence that college students are necessarily any different along those lines. And the stereotypes we've held about college as being the only stepping-stone to high-status careers, I think, is going to break down.

Rudd. Meanwhile, the million members of the class of 1972 are upon us, destined—in all too many cases—to join the ranks of the unemployed members of the class of 1971.

Brockport State College in upstate New York graduated fifteen hundred young men and women this month. It was, as usual, a cheerful scene.

(Voices)

But underneath the graduation-day euphoria lie some tough statistics. In the past, Brockport has been successful in finding jobs for its graduates; this year twelve hundred of the graduates registered with the placement office for employment, but only 16 actually had firm job offers at graduation.

Excuse me, miss, what was your major?

Woman. Elementary education and history.

Rudd. Have you got a job yet?

Woman. Partially. I have a promise of one from Buffalo.

Rudd. You sound sort of doubtful about it.

Woman. Well, they have a list that they place people from and I'm number 40.

Rudd. Forty?

Woman. Out of 401.

Rudd. Well, how many job openings are there?

Woman. They said they didn't know yet, so that's why it's doubtful.

Man. I figure there's a 25 percent chance I'll have a job come September.

Rudd. Did you have to borrow money to go to school, by any chance?

Man. Yes, all four years, on the New York State Higher Education Assistance.

Rudd. How about paying it back? Are they pretty lenient about that?

Man. I think we have 10 years—I'm not sure—to pay it back. So I should get it done, one way or another.

Father. It's been a pretty tough four years, but we finally got around to it. She's been here for the four years.

Rudd. Well, I just wonder if a lot of these young people are feeling pretty bitter about this. Are you? About the employment situation?

Woman. Well, I think there should be more jobs, but there aren't. There's nothing anybody can do.

Man. I sent out about, I'd say, 20 letters of inquiry. You get back maybe five applications—some of them just throw the letters away, I guess. And from that maybe I'll fill out the applications, send them in from there. Have to wait until they call you. And they haven't called.

Rudd. Well, as parents, how do you feel about all that? Do you think—have you wasted four years of money, do you think?

Father. No . . .

Mother. We're very proud.

Father. . . . definitely not. No waste. He'll make it. He'll find something. He's very ambitious.

Rudd. What are you going to do if nothing turns up in your field?

Man. Possibly go on and get a master's, but as of yet I'm undecided.

Rudd. Are these your parents?

Man. Yes, they are.

Rudd. What's your reaction to that, sir? When he started in school, did you expect him to be able to get a job when he got out, fairly easily?

Father. We hoped he would, but he hasn't been able to as yet.

Rudd. Does that seem like a terribly frustrating thing to you, I would imagine. Is it?

Man. Yes, it is, very much. It seems that if you spend all this time and money in a college investment, that you would expect some reasonable return, but I guess I have to try harder.

Rudd. There's an old saying in this country: If you're so smart, how come you're not rich? Well, of course, a college degree never guaranteed smartness, but it did give you an edge in the job market over those who didn't have it. Actually, of course, the rewards of truly "higher" education are almost by definition intangible and Americans are not noted as a people fond of intangible rewards. We like a return on the dollar, preferably in cash, but most of today's graduates are not getting it. Of course, for the graduates of the elite Ivy League schools, the "old boy" network will probably continue to function: they won't have as much trouble finding jobs as those from Old Siwash. And the ones who are highly motivated and scholastically inclined will probably—and should probably—go on for the four-year degree and graduate school. But most young Americans don't fit those categories, and that vast majority is in trouble, with no agreement at all on how to get them out.

There are those who blame the problems of most graduates on the temporary sluggishness of the economy, although many economists say that it isn't temporary for college graduates. Some blame the colleges and universities for not warning the undergraduates that it's tough out there; but the school men argue, with tradition on their side, that their function is to educate, not to run employment agencies. Also, of course, revolutionary changes in higher education would mean changes in faculties, and it's only human to try and protect one's job. Then, some blame the American Mom and Dad, who simply want their kid to go to college.

But blame implies guilt and guilt implies something wrong has been done and wrongdoing implies that something right could have been done. Well, we thought, of course, we were doing the right thing, but as we're learning more and more these days, the road to hell sometimes is paved with good intentions, and with the best intentions in the world, we've put our young college graduates in one hell of a fix.

This is Hughes Rudd for CBS Reports.

(Announcements.)

SPEECH BY SENATOR GEORGE McGOVERN AT ANNUAL CONVENTION OF NATIONAL EDUCATION ASSOCIATION, ATLANTIC CITY, N.J., JUNE 29, 1972

Mr. WILLIAMS. Mr. President, recently Senator GEORGE McGOVERN addressed the National Convention of the National Education Association in Atlantic City, N.J. I have read the text of that speech and found it to be a most thought-provoking dissertation—particularly to someone like myself who has been intensely interested in education, what we have done, what we have not done, and where we are heading. Like all good speeches, it contains matters with which some people will disagree, while others will agree. But, I found the speech to be of such overriding interest that I felt it should be made available in our general documents. Therefore, I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR GEORGE McGOVERN AT THE ANNUAL CONVENTION OF THE NATIONAL EDUCATION ASSOCIATION, ATLANTIC CITY, N.J., JUNE, 29, 1972

For some months now the political commentators have been doing their best to explain how an obscure small state Senator low on charisma has come so close to what Disraeli once called "the top of the greasy pole."

I think that ultimately, much of the credit—or blame, if you will—must go to a few teachers in South Dakota, the well-known hotbed of radicalism.

There was a time, forty years ago, back in the first grade in Mitchell, when I was so afraid of public speaking I wouldn't even read aloud in class. Because of this my first grade teacher was on the verge of keeping me back. She finally passed me, but only "on condition." In the second grade I had a teacher who made it clear that I would read out loud—or else.

Later, in high school, two other teachers got me interested in debating and politics. Of course, the times were simpler then, and so was I. But the first lessons in grit stayed with me, and so did the memory of teachers who cared enough about one boy to go out of their way to coax, prod, sometimes threaten and finally inspire him.

I don't think that the essentials of good teaching have changed much since then. It still comes down to caring for a single boy or girl, simply because they are a single boy or girl. I tried to remember that when I taught in the History Department of Dakota Wesleyan University, concern for others is a pretty good credo to live by, not only for teachers, but for politicians.

So I come to you today as a politician, a candidate for office, but also as a former teacher who hasn't forgotten either its joys or its frustrations.

Education today is being blamed for many of our problems, from dropouts to drug abuse. Overnight everyone has become an expert on what is wrong with our schools. It some times seems as if the most qualified experts on education are those who have the least to do with it.

I do not wish to diminish or dismiss their complaints. One does not have to spend every day of his life in the classroom to know that something is fundamentally amiss. To have a son or daughter of school age is sometimes expertise enough.

Plainly, American education is in trouble. It is not doing its job—certainly not the job it did for me.

After 200 years of boasting an educational system that provides free and equal opportunity for all, we have forgotten what free and equal for all really means.

As a nation, we are neither free nor equal, when a child's chance to quality education depends not on his own initiative and energy, but on where he is born or where he is bused, or where his family runs to escape a declining urban environment.

We are, as a nation neither free nor equal, when, within a single state, the money invested in education can range from $569 per pupil to nearly $2500.

Equal opportunity is not a privilege, to be dispensed to the wealthy, and withheld from the poor. It is the right of every American, whatever his color or birth or neighborhood. Making equal educational opportunity a reality is not a choice, but an obligation, and that obligation is not fulfilled by a government that vetoes funds for education, ties the hands of school boards trying to obey the law, whose priorities are so distorted that it pays for 90% of the cost of the inter-state highway system and only 7% of the cost of education.

The budget of the United States government shows us a nation whose commitment to education—in terms of national wealth—is smaller than that of any other major country of the world;

A nation whose federal government will ask of each citizen a $400 contribution for the military, and a $12 contribution for elementary and secondary education;

A nation which spends $21,600 to kill a Vietcong soldier, and $44 federal dollars per year to educate each of her primary school children.

It is time to stop spending money killing Asian children, and start spending it to teach American children.

To do what we must in the field of education will cost a great deal more money than we are spending today. But an affluent society which believes in equal access to education should be willing to pay for it.

I am not the first candidate for the presidency to make such a statement. In 1968, another candidate, in an open letter to the teachers of America, said flatly: "When we talk about cutting the expense of government—either federal, state or local—the one area we can't shortchange is education. Education is the one area in which we must do everything that is necessary to achieve the American dream."

Those are the words of Richard Nixon, the same man who, as President vetoed an education appropriations bill, and who would have killed a second had not the Congress overridden his veto. In the four years since Richard Nixon was elected President, federal aid to the schools has declined 12% and would have slid further if the President had had his way.

We must find new funds for education, outside of the unfair and inadequate system of school finance we have today.

The ordinary working man, who scrimps and saves to come up with the monthly mortgage payment is fed up with a system which taxes his property at full value, and permits United States Steel to earn $154 million on profits and pay no income taxes at all.

Working people are directing this rage at desperately needed school bond issues. Teachers are being laid off, classes are being cut back, essential services curtailed, and some schools are faced with having to close their doors.

We cannot depend on these old declining sources for the funds we need. Nor can we look to heaven and pray for additional revenues from economic growth, which may or may not come in and may or may not be monopolized by the rising costs of current programs.

I have made it a rule in my campaign not to propose additional federal expenditures unless I can show where the money is coming from. That is why I have made proposals for tax reform and defense reductions. They may be controversial, but it is far more responsible to propose and debate them now than to make fake promises and raise false hopes among our people and our children.

Specifically, as President, I would immediately take the $4 billion we are spending this year to finance the increased bombardment of Indochina and use it to more than double the current federal assistance to elementary and secondary education.

I would recommend to the Congress that the Federal government pay one third of the total costs of public elementary and secondary education, while continuing to provide funds for existing compensatory and special purpose aid. Based on current expenditures, this program would amount to about $15 billion per year.

Three of every four dollars of that money should be allocated to the states based on their ability to raise revenue, and their educational needs—including numbers of students in average daily attendance, and special conditions which increase per pupil costs.

The remaining dollars would be allocated among the states under an incentive program, designed to achieve fair administration of the state and local tax structure. This money would be used to encourage such steps as publication of property valuations, uniform statewide property assessments, simplified procedures for citizen action to assure equitable tax enforcement, and the elimination of special local tax privileges.

Finally, all of the federal education money allocated to the states would be distributed under a formula designed to equalize educational opportunity, by achieving minimum standards of educational quality in all school districts from the combination of federal funds, state aid and uniform local school tax effort.

In doing so, we should pay special attention not only to the needs of inner-city youth, but to the special bilingual needs of Mexican-American youth, in those parts of the country where they live; and to the needs of Indian children not just for better schools, but for preservation of the rich heritage of Indian culture.

These proposals in no way pretend to be the final solution to why, after billions of dollars, and hundreds of millions of dedicated man-hours, there are too many children who are not learning enough, or are not learning at all. So far at least, a great deal of money has not been able to reach them. This is the real dilemma in education. For all our expertise, we are still fumbling for the key to what makes children learn.

As a former teacher, and the father of five children, I do not believe that "death" must necessarily come "at an early age." I offer no ultimate answers. I only propose we begin to look for them, in ourselves, and in the children we seek to serve.

One obvious way to centralize our efforts is in a single government agency of cabinet-rank, a department which can bring the full force of our creative educational talent to bear. As President, I will ask the Congress for authority to create a separate Department of Education, run by educators and responsive to them. And since women today account for 75% of all our teachers in the elementary and secondary schools, I would put their practical experience to work by naming a woman Secretary of Education.

Teachers may not have all the answers, but it is high time we start to ask them the questions.

If the self-esteem of pupils is, as the experts say, crucial to the learning process, the self-esteem of teachers, and the respect we show them is no less so. Too often, I have talked to young men and women across the country, who, when asked what they do, reply, with a trace of embarrassment, "I'm only a teacher."

Teaching ought to be our highest calling. As far as I am concerned it is.

But while we have talked long about teachers' responsibilities, I think we have fallen far short on teachers' rights. And that is a condition we must change.

That means first of all that we must have speedy ratification of the Equal Rights Amendment. I returned from the campaign trail to help defeat the crippling amendments which were offered to that amendment on the Senate floor. As in all other jobs and professions, I want to see the teachers who are women paid and advanced on the basis of worth, and not according to old, arbitrary and senseless prejudices.

Beyond that, I want to see that all American teachers have a Federally-assured right to collective bargaining. We need that not only to achieve decent treatment on pay and benefits; we need it to back up the public interest in quality education. I want teachers to have the same right to bargain collectively that people in the private sector enjoy. I applaud your growing insistence that you be assured the full right of collective bargaining. I know that you want this power not alone for your own interest, but to lift the quality of education for our own children.

Once teachers are accorded this proper respect, once they are paid as the professionals they are, once the blame for educational failure is placed where it belongs—on regressive tax situations, on discriminatory hiring, on outmoded curricula, on the plain unwillingness of a few to allow free and equal opportunity for all—and not solely on the backs of teachers, then will teaching regain the eminence it had in the earliest days of our republic, when the surest sign of civilization was the arrival of the village schoolmarm.

I am proud to have been a teacher. I hope, as I move around this great country of ours in the coming months, to do a little teaching on my own, because, in the final analysis, that is what the President must be: a teacher for the nation.

If America educates less well than it should, it is in part because the man who should be the nation's leading educator has abdicated that role. Instead of schooling the nation in the rule of law, there is an evasion of and contempt for the law.

I do not believe this is what the Presidency is all about. It is not what America is all about, and it certainly is not what teaching is all about.

As a candidate for President, I think we can do better; as an American, with children of my own, I know we must.

TAX REFORM FOR SMALL BUSINESS

Mr. BAYH. Mr. President, much has been said during recent months about the need for revision of the Tax Code. A great deal has been said about the closing of loopholes, of aiding the poor, of doing something for minorities.

Needless to say, I endorse these statements, and have myself been the sponsor of many of them. I have noted however, during the preceeding months an absence of remarks on the need for tax reform affecting a major economic and social sector of our economy, namely the small business community. Let us not forget that this vital backbone of the country is responsible for employing some 40 million of our entire labor force.

In my own State of Indiana, of a total of 82,510 business reporting units, 78,651, almost 97 percent employ 50 or fewer people. This Mr. President, is the force of small business, true not only for my State, but true, as well, for the Nation as a whole.

Bearing this picture in mind, I would like to call to the attention of my colleagues the efforts being made by the National Committee for Small Business Tax Reform. This is a committee, formed by the National Small Business Association. The chairman of this committee is Mr. Ed Larson, president of the Anderson Co. of Gary, Ind. The sole purpose of this committee is to foster tax reform for small business. To date, I believe the committee has done an outstanding job and as proof thereof I am extremely happy to see that 169 Members of the House of Representatives and 28 Members of the U.S. Senate have either introduced or cosponsored legislation aimed at assisting the small businessman.

Mr. President, I am proud to have been able to add my name to this growing list of small business supporters in the Congress and I would urge those of my colleagues who have not as yet been able to do so, to come forward in support of small business by either introducing measures of their own, or by cosponsoring bills already introduced.

Mr. President, I know that the National Committee for Small Business Tax Reform has already met with leading members of the House Ways and Means Committee to urge that hearings be held on this matter. I add my own voice to that of Ed Larson, his committee and all the members of the National Small Business Association in this plea.

"NEWS FOR THE DEAF"—A PUBLIC SERVICE

Mr. WILLIAMS. Mr. President, there is a growing awareness in the television industry of the need to provide programs and do research to increase the utility of this media for the handicapped. It is my understanding that many stations currently provide a video recap of news bulletins which preempt regularly scheduled broadcasts as well as captions for some popular shows and special programs.

One television station in Washington area, however, has a regularly scheduled news summary for the deaf and deserves special commendation.

During the recent devastation of Hurricane Agnes, WTOP–TV recruited a deaf person to report on the weather, flooding, road conditions and evacuation plans for the Washington metropolitan area.

Because of overwhelmingly favorable public response, WTOP–TV has decided to include "News for the Deaf" on the CBS morning news with John Hart. This creative and spontaneously originated programing in sign language represents a milestone in public service telecommunications.

As the sponsor of S. 3407, the Supplementary Education Services for the Handicapped Act of 1972, I am particularly pleased that WTOP–TV has taken a pioneering lead in providing equal opportunity for deaf persons to receive information in emergencies as well as increased access to educational, cultural and recreational opportunities. These are some of the purposes of S. 3407 and "News For the Deaf" is a prime example of the vital role television can play in integrating the handicapped into the mainstream of society.

Mr. President, I am proud to commend WTOP for its responsiveness to this long overdue need of the handicapped and for its continuing leadership in promoting civic responsibility. I am hopeful that "News For the Deaf" will provide an example of expanded community service for every television station in America.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The ACTING PRESIDENT pro tempore. The time for morning business having expired again, under the unanimous-consent agreement the Chair lays before the Senate the unfinished business, which will be stated by title.

The second assistant legislative clerk read as follows:

A bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The **ACTING PRESIDENT** pro tempore. Under the previous unanimous-consent agreement, the Senator from Washington (Mr. JACKSON) is recognized to call up an amendment on which time for debate is limited to 30 minutes at this time.

Mr. JACKSON. Mr. President, I call up my unprinted amendment which is at the desk, and ask that it be stated.

The **ACTING PRESIDENT** pro tempore. The amendment will be stated.

The amendment was read, as follows:

On page 23, after line 4, insert a new section 605 as follows:

"SEC. 605. Notwithstanding any other provision of law, the authority provided in section 501 of the Defense Procurement Act of 1970, Act of October 7, 1970, Pub. Law 91-441, is hereby extended until December 31, 1973."

The **ACTING PRESIDENT** pro tempore. Will the Senator from Washington permit the Chair to state the remainder of the unanimous-consent agreement pertaining to this part of the bill?

Mr. JACKSON. So long as it is not taken out of my time.

The **ACTING PRESIDENT** pro tempore. The time will not be charged to any Senator.

There will be no vote at this time on the amendment of the Senator from Washington. Immediately after the time has expired, the Senator from California (Mr. CRANSTON) will be recognized to call up his amendment, on which there is a limitation of 1½ hours, to be followed by recognition of the Senator from Indiana (Mr. HARTKE) to call up an amendment on which there is a limitation of 1½ hours. Votes on these three amendments will occur later in the day.

The time will be equally divided between and controlled by the authors of the amendments and the manager of the bill, the Senator from Mississippi (Mr. STENNIS).

The Senator from Washington is now recognized for such time as he desires to yield.

Mr. JACKSON. Mr. President, the amendment I am proposing is not only simple, it is even familiar. I offer it here today as I did on an earlier occasion and for much the same reason. The amendment merely extends the life of section 501 of Public Law 91-441 for an additional year, until December 31, 1973, rather than this September 1972, when the existing authority will expire.

Without this amendment, we face the very real possibility that the President will be left without the authority to extend much needed military credits to Israel in a timely fashion and on the basis of interest rates the Israelis can afford. In the ordinary course of events authority for these purposes would have been enacted by now in the military assistance legislation that last week failed to obtain a majority in the Senate. It is therefore essential, if the uninterrupted flow of equipment to Israel is to continue, that we move now to extend the life of the current authority granted under my amendment to the 1970 Defense Procurement Act.

Mr. President, the Foreign Assistance Act contained some $300 million in credits for Israel. These credits were to enable Israel to pay for defense items made available under negotiated arrangements with the U.S. Government. There is now a very considerable risk that these funds will not be authorized in a manner that would permit the flow of equipment to continue free of interruption or uncertainty. My amendment would alleviate that situation should the inability to obtain alternative authority persist, as well it might.

The provision of law that I am seeking to extend is simple: It authorizes the President to transfer to Israel by credit sale such equipment as may be necessary to maintain the military balance in the Middle East. This authority was first enacted into law in October 1970, when my original amendment passed the Senate by an overwhelming vote. That authority, signed into law on October 7, 1970, formed the basis on which the flow of vital Phantom aircraft to Israel was shortly thereafter resumed.

Mr. President, let me recall for my colleagues the previous vote in this body on the measure that I am seeking here to extend, in point of time, for another year. The vote came on an amendment to delete the present authority largely on the ground that jurisdiction was lacking in the procurement bill. The Senate, in its wisdom, acted to uphold my amendment by a vote of 87 to 7. Senators felt then, as I am sure they will now, that the crucial authority I was seeking to enact into law dwarfed in importance any technical matter of jurisdiction.

Mr. President, the events of the last several days in the Middle East, in which Egypt has moved to reduce the Soviet presence on her soil strongly support the view I have many times urged upon the Senate: That the determination to maintain the military balance in the Middle East by helping Israel remain strong is the key building block on which peace and stability are based. Only by helping to assure that Israel will always be in a position to defend herself will her hostile neighbors be brought to understand the futility of resort to military force and the importance of direct negotiation toward a lasting peace.

Mr. President, I am confident that the Senate will act today to extend the law it so strongly supported and passed when I offered it before. It was important then as it is now to the security of the United States and to the safety of its brave and trusted friend, Israel.

Mr. President, I ask unanimous consent that the amendment I have just offered be printed at this point in the RECORD together with section 501 of Publac Law 91-441.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

On page 23, after line 4, insert a new section 605 as follows:

"SEC. 605. Notwithstanding any other provision of law, the authority provided in section 501 of the Defense Procurement Act of 1970, Act of October 7, 1970, Public Law 91-441, is hereby extended until December 31, 1973."

SECTION 501, PUBLIC LAW 91-441

SEC. 501. The Congress views with grave concern the deepening involvement of the Soviet Union in the Middle East and the clear and present danger to world peace resulting from such involvement which cannot be ignored by the United States. In order to restore and maintain the military balance in the Middle East, by furnishing to Israel the means of providing for its own security, the President is authorized to transfer to Israel, by sale, credit sale, or guaranty, such aircraft, and equipment appropriate to use, maintain, and protect such aircraft, as may be necessary to counteract any past, present, or future increased military assistance provided to other countries of the Middle East. Any such sale, credit sale, or guaranty shall be made on terms and conditions not less favorable than those extended to other countries which receive the same or similar types of aircraft and equipment. The authority contained in the second sentence of this section shall expire September 30, 1972.

Mr. ALLOTT. Mr. President, will the Senator yield me 4 or 5 minutes?

Mr. JACKSON. I yield to the Senator from Colorado such time as he may need.

Mr. ALLOTT. Mr. President, I am pleased to join with the distinguished junior Senator from Washington in sponsoring this amendment.

The purpose of this amendment is to extend until December 1973, the life of a policy first adopted nearly 2 years ago, a policy whereby the President is empowered to meet the credit needs of Israel relating to weapons purchases, and especially to the purchase of Phantom jets.

This amendment reaffirms established policy at a moment when reaffirmation is needed. It is needed for three reasons.

First, Congress has been having substantial trouble producing a military assistance bill. We cannot allow the security of Israel to be jeopardized while we sort out our differences on military assistance. It is clear that our differences do not pertain to aiding Israel.

Second, peace has not yet come to the Middle East. It would be rash for us to act as if it had, and it would be folly for Israel to act as though it had. There are some hopeful signs. We all pray that they are harbingers of real progress toward a peace consistent with the demonstrated requirements of Israel's security. But there have been false dawns before in the Middle East. Thus, it is important that we do our part to enable Israel to maintain the strength that is a necessary—though, alas, not a sufficient—condition for stability.

Third, this policy permits the President the kind of discretion that it is proper that he have in administering aid. This policy enables him to help Israel finance weapons procurement in the United States. This policy involves funds which are repaid in their entirety by the recipient nation.

Mr. President, it is my earnest hope

that in jointly submitting this amendment, Senator JACKSON, Senator RIBICOFF, and I are giving to a watching world a clear exposition of one of the touchstones of U.S. foreign policy. That touchstone is a broad and unwavering bipartisan commitment to maintaining the security of Israel by maintaining the military balance in the Middle East.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. STENNIS. Mr. President, may I ask the Senator from Washington, on my time, two or three brief questions?

Mr. JACKSON. We will not be yielding any more time.

Mr. STENNIS. This is on my time.

As I understand it, the Senator's proposal does not contain anything in the nature of a grant; is that correct?

Mr. JACKSON. It does not. It is merely authority.

Mr. STENNIS. All the authority here, then, relates to credit sales in the amendment?

Mr. JACKSON. Credit sales.

Mr. STENNIS. Yes. I wanted to get that clear in the record, unless the Senator wants to say something else on those points.

Mr. JACKSON. In that connection, my amendment would simply extend the loan now in effect until December 31, 1973. The law would otherwise expire September 30 next.

Mr. STENNIS. Mr. President, I am opposed to the amendment, as floor leader of the bill, as chairman of the committee, and also as an individual Senator, not for the fact of the credit assistance. I have favored that before and I favor them generally now. To put it bluntly, this matter pertains to the balance of power in the Middle East. Credit sales are justified. I would vote for them in a bill from the Committee on Foreign Relations covering the same purposes, but I oppose it here for the sound reason, I think, that we should not mix apples and oranges insofar as committee jurisdiction is concerned.

This is a matter that the Committee on Foreign Relations has unquestioned jurisdiction over. In fact, it has sole jurisdiction over this subject matter. We should not draw the line so loosely that we bend it around and change the rule, in effect, to meet every wind that blows or situation that might arise. It is true that the bill to which this proposal would ordinarily be attached was defeated here about a week ago, by a fairly close vote. That has nothing to do with jurisdiction. As a matter of fact, that strengthens the point that I have just made—that because a bill out of a committee that has jurisdiction is defeated, regardless of the good purposes of the amendment, that is no justification for coming over into another committee and putting a part of the defeated bill into a bill from the other committee's province. Here, the jurisdiction belongs, as I said, to the Committee on Foreign Relations, and clearly does not belong with the Armed Services Committee. On its face it is a contradiction to the rules of the Senate. If this amendment is adopted, it will be a contradiction by the Senate of those rules. I cannot avoid mentioning the fact, as it seems to me that we are going further and further and further afield from our own rules with reference to the jurisdiction of our committees. That means that we are depending less and less on the committees for their recommendations on important legislation—depending on them less and less, I submit, at a time when we should be depending more and more on them.

Anyone familiar with the great amount of business that the Senate now has to pass upon, with the flood of bills being introduced from the time we convene until the end of the session—grinding through the committee sessions being held from early in the morning until the evening hours, many times, and passing on a budget here which is running into colossal sums—must realize, I think, that we should be traveling in the other direction, back to committee jurisdiction.

Furthermore, this is a bill from the Armed Services Committee that relates primarily, I think—and should relate solely—to questions that the law provides be passed on in this military procurement bill. That is set up more than by the rules of the Senate, it is set up by the law itself with reference to there being no appropriations until the programs are authorized.

Here last year, or 2 years ago, we passed a law, not a Senate rule but a law, providing that this committee also set the manpower levels and also the vast problem of research and development funds which have to be authorized before there can be any appropriations. Those are all in this bill. I have uniformly opposed adoption of amendments unless there was some real necessity not foreign to the primary purpose of the bill. This is a bill that you might say, Mr. President, has to pass. So any amendment that can be put on it has a good chance of riding along and reaching the President's desk. He has to sign something on this subject matter.

So I am urging now, and will urge again strongly, that however a Senator may feel about the merits of the amendment—and I am sure that many, many of the membership support the amendment on the merit of the substance—in view of the fact that there are other avenues open expressly designated by the rules to follow, I hope that they will defeat this amendment and let it come in an orderly way. Let it be placed on another military assistance bill which we know, as a practical matter, we are going to have here, and I imagine in not too long, or in a few weeks anyway.

So we will discuss this later. I have no complaint. The Senator from Washington has been consistent. He got it in the bill once before with the acquiescence of committee itself. I was opposed to it then, as he will recall. I hope that instead of continuing to travel in the wrong direction, we will retrace our steps today.

The Senator will get the loan some way, before this session is over. He does not have to have it on this bill.

I reserve the remainder of my time.

Mr. JACKSON. Mr. President, I am prepared to yield back the remainder of my time if it is agreeable to the Senator from Mississippi.

The PRESIDING OFFICER (Mr. CHILES). Is all time yielded back?

Mr. STENNIS. Mr. President, a parliamentary inquiry. We have 15 additional minutes for each side prior to the vote on this amendment; is that not correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STENNIS. Mr. President, well, under the circumstances, with no overwhelming requests here for time, I yield back the remainder of my time.

Mr. JACKSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on this amendment has been yielded back, other than for the 15 minutes on each side reserved prior to the vote under the original unanimous-consent agreement.

The Senate will now proceed to the consideration of the amendment by the Senator from California.

PRIVILEGE OF THE FLOOR

Mr. CRANSTON. Mr. President, I ask unanimous consent that during the consideration of these amendments two members of my staff be allowed the privilege of the floor: Ellen Frost and Murray Flander.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, does the Senator wish the staff members on the floor during consideration of all the amendments today or just this amendment?

Mr. CRANSTON. I should like them here during consideration of all amendments relating to this bill.

Mr. ROBERT C. BYRD. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 12, line 22, strike out "$1,885,786,000" and insert in lieu thereof "$1,714, 386,000".

On page 13, between lines 7 and 8, insert a new section as follows:

SEC. 203. No funds authorized to be appropriated under this or any other Act may be expended for the purpose of carrying out research, development, test, and evaluation in connection with the SAM–D ground-to-air missile program.

Mr. CRANSTON. Mr. President, I first want to express my admiration to the distinguished chairman of the Committee on Armed Services for the very fine work he has done. His efforts reflect the will of the Senate and, I think, the will of the country, to do what can be done to hold down the defense budget.

I note that cuts were made by the committee in the amount of $2,751 million. If looked at in one way, that is an 11.8 percent cut. Part of that cut was voted because there was not time to consider all the material before the committee. The overall reduction in relation to decisions that had been thoroughly reviewed amounted to 7.5 percent of the request submitted by the administration.

Mr. President, I think that is a very fine move toward the sort of economy that we need in government, and most of all in defense. I am one of those who believe that we are spending considerably more than is necessary.

The amendment that I have introduced calls for deleting $171.4 million authorized for continuing the development of the SAM-D.

I might say that before coming to the floor I reviewed the secret material in the possession of the committee in regard to this weapons system. And I found nothing there to alter my views on this matter.

A motion identical to the pending amendment was offered in the Armed Services Committee. It failed by a fairly close vote of nine to six. Six members of the Armed Services Committee, including the chairman of the Armed Services Committee, voted to delete funds for the SAM-D.

Since the committee report states, "The committee considers an approval of the $171.4 million in fiscal year 1973 does not constitute a commitment to production," I think we should take a hard look at this program. I am delighted that that language exists in the report. It indicates that we are not yet committed to the staggering figures associated with the actual production of the SAM-D.

The SAM-D is a surface-to-air missile system designed primarily to protect the field army from hostile aircraft. Its primary role would be to replace the Nike Hercules and Hawk missiles in Europe, with a second optional role in the air defense system of the United States. I understand that the system was basically planned for use in Europe, and that it would be mainly used there. This point raises questions about another matter that has been before the Senate a number of times. That question is: how long we are going to continue spending so much money in Europe so many years after the end of World War II? I ask this question in view of the reluctance of our NATO Allies to carry their fair share of the cost of all of this, and in view of the general easing of tensions in Europe.

The amendment offered frequently by the distinguished majority leader, the Senator from Montana (Mr. MANSFIELD), is designed to cut back our NATO troop strength. As such it is directly related to the issue I bring before the Senate. If SAM-D went into production, its astounding cost would represent an addition to the costs of our NATO operations in Europe.

No one doubts our duty as Senators to see that our soldiers on the ground receive adequate support against hostile aircraft. But the SAM-D is basically redundant. It offers us only a little more for far too much more money.

To illustrate why I think that SAM-D is unnecessary, let me describe the range of sophisticated antiaircraft weapons already deployed—or soon to be deployed—by our field army. I will begin from the ground up—literally.

The field army already has a system called Manpads, or Man Portable Air Defense System. Its missile, which is now being improved, is called the Redeye II. Weighing 30 pounds and reaching 60 inches in length, the Redeye II is a portable, shoulder-fired homing missile. It requires a two-man team on foot—$18 million has been requested for research, development, test, and evaluation, or R.D.T. & E., in fiscal year 1973.

Also included in the low-altitude forward area air defense system are the Vulcan gun system and the Chaparral missile system. Together with Redeye II, these systems are served by Forward Area Alerting Radar—FAAR—which provides target location and identification to all three. Together they are organized in a composite battalion.

The Vulcan and Chaparral fire units are deployed throughout the division to protect critical targets. They are low-altitude, fair weather missile systems designed to counter the Soviet MIG-17 ground attack fighter, the SU-7 fighter-bomber, and the MIG-21 when used in a close air support role. Planned expenditures through 1974 include $388.5 million for the Chaparral and $187.9 million for the Vulcan.

At the next level up, the improved Hawk missile system provides the field army with low to medium altitude all-weather support. Its Soviet counterpart is the SA-3.

The improved Hawk system includes a so-called information coordination center. This nerve center houses an automatic data processor which can detect targets, set firing priorities, and make assignments to the launching sections. It is equipped with two types of radar, one of which is designed to provide target range in the midst of electronic countermeasures or ECM, such as jamming and deception. Because of its swift reaction time, high speed, intercept range, accuracy, and thrust, the improved Hawk is formidable. Some half a billion dollars is tied up in this system.

The Nike-Hercules missile system, first deployed in 1958, surpasses the Hawk in both range and altitude. It is this system above all which is supposed to be replaced by the SAM-D. Accordingly, no major upgrading program is being considered. The reasons for this decision not to improve the Nike-Hercules rest mainly on the high cost of an extensive upgrading program. So the Nike-Hercules will be phased out. A very strong argument can be made that we can get along fine without it. And if the Army wants to come up with plans for a simpler, more cost-effective missile to replace it, then we can consider the proposal on its merits.

A final component of the field army air defense system is the brandnew F-15 fighter. Grant Hansen, Assistant Secretary of the Air Force, took the occasion of its debut to announce that the F-15 will "outclimb, outmaneuver, and outaccelerate any fighter threat in existence or seen on the horizon." The Air Force officer in charge of the F-15's development told the public that the plane is "equal to anything the Soviet Union is flying now," including the Mig-23. and in hearings before the Senate Armed Services Committee, Defense Department spokesmen claimed that the F-15 can reach and shoot down the advanced tactical fighter Foxbat traveling at three times the speed of sound at an altitude of 70,000 feet.

One reason why the F-15 appears to be so effective is that simplicity has been a guiding rule in its blueprint. Unnecessary structural "extras" were avoided. Avionics features which did not specifically contribute to air-to-air capability were deleted. A complex missile was rejected in favor of a relatively advanced Sidewinder type. With successful flight test experience, the first squadron of F-15's might reach initial operational capability by the mid-1970's.

Mr. President, there seems to be a military trend these days to hatch weapons systems which are ever larger in size and ever more varied in function. The CVN-70 and the Trident submarine are cases in point. But the F-15, by contrast, has been described as the first plane produced since 1948 which is specifically designed to achieve superiority in air-to-air combat.

It can fly at up to two and a half times the speed of sound and travel 500 to 600 feet a second at combat altitudes. According to the Air Force, its operational ceiling exceeds that of the Soviet Mig-23, which is 80,000 feet. But while the F-15 can perform well at high altitudes, the major attraction advanced by the Air Force is its maneuverability at lower altitudes.

Mr. President, I have gone on at length about the present components of our air defense system in order to show where and how the SAM-D fits in. I think it is already clear that even without any contributions from our European allies, the field army's air defense system already covers low, medium, and high altitudes.

The SAM-D program began in 1964. Formal concept formulation and definition were completed in 1967. After four and a half years the SAM-D has finally completed advanced development and entered the stage of engineering development. After some disagreement, the Department of Defense has decided in favor of the project.

The technology incorporated in the SAM-D is indeed impressive. The so-called firing section of the SAM-D consists of the following:

First, a radar unit which can be reoriented;

Second, a weapon-control unit equipped with a digital computer;

Third, a launcher unit carrying four missile rounds;

Fourth, the missile itself, which is 16 inches in diameter and 16 feet long, and

Fifth, the prime power module.

Advanced development hardware includes a phased-array radar antenna, a display and control console, a transmitter, an airborne guidance section, and a weapon-control computer.

This computer maintains position data on several tracks at once. This data is then evaluated by what is called Mark XII Identification Friend or Foe. Several targets may then be engaged simultaneously.

Before all this technology dazzles us to the point of blindness, I think we should consider exactly what the SAM–D does. It is capable of multiple targeting at medium to high altitudes. It is effective against electronic countermeasures.

But the F–15 services similar protective functions at the same altitude range, together with the Nike-Hercules and improved Hawk systems. The Hawk has been equipped with radar equipment designed to offset electronic countermeasures.

The SAM–D does have some distinct advantages, including more advanced radar, a multiple targeting capability, longer range, and an ability to fire several shots at a single target. It incorporates very sophisticated technology.

But I still say we are getting a little more hardware and a little more protection for a lot more money.

Mr. President, total cost estimates for the SAM–D have exploded upward, and I use the word "exploded" advisedly. In 1969 the estimate for procurement plus R.D.T. & E. was $2.5 billion. In 1970 it had expanded to $3.5 billion, and by 1971 to $3.9 billion. The 1972 estimate was no less than $5.2 billion, representing a 108 percent increase over a 3-year period.

So far, a total of $386.9 million has been spent on R.D.T. & E. for the SAM–D. An additional $171.4 million is requested in fiscal year 1973, with a final $641.7 million required for completion of that portion of the program. The total R.D.T. & E. pricetag, therefore, is some $1.2 billion, with procurement estimated at $4 billion. These pricetags do not include associated costs, such as family housing. They have all been the subject of sharp questioning by the Armed Services Committee.

It is small wonder that in classic Pentagonese, Lt. Col. E. S. Parchinski of the Missiles and Space Directorate of the Office of Chief of Research and Development admitted in hearings that:

> Since 1967 SAM–D has had funding perturbations which have caused program slippages.

Mr. President, Senators have not been the only people concerned about the SAM–D's worth. A study of electronic warfare sponsored by the Electronic Warfare Board in the Pentagon recently recommended some 70 changes in the SAM–D to insure effectiveness. At the end of 1970, the Secretary of Defense disagreed with the results of a 9-month study conducted by the Air Defense Evaluation Board and delayed the onset of engineering development. Last fall the Government Accounting Office produced a study showing that the SAM–D's unit costs had already doubled.

If the SAM–D is so important, why have not the Europeans built their own system, or at least offered to share the costs of ours? The answer presented in the Defense hearings was that we initially withheld technology from our allies, but that they could be expected to share the costs of the program from now on. I would like to hear more about this subject before I vote for any more money for the SAM–D.

Finally, Mr. President, I would like to raise the point that the SAM–D may be incompatible with the recently concluded ABM treaty. Like the distinguished Senator from Wisconsin, Senator PROXMIRE, I believe that the cost and redundancy of the SAM–D system are sufficient to make me vote against it. But he has raised some important questions. Specifically:

Pentagon spokesmen have testified that SAM–D has some ABM capability.

The ABM treaty specifically prohibits mobile land-based ABM systems.

No upgrading of SAM systems to incorporate an ABM capability is allowed.

There is a prohibition against the deployment of strategic early warning radars anywhere but on the borders of each nation, and the SAM–D includes radar units.

Dr. John Foster, Director of Defense Research and Engineering, has stated that in order for the SAM–D to constitute a violation of the SALT agreements, it would have to be fitted with a nuclear warhead and tested against reentry vehicles. But I think we should all be aware of the danger that my colleague from Wisconsin has raised.

Mr. President, I simply do not agree that promoting our national security means voting for every weapons system on the books, regardless of its demonstrated cost-effectiveness. I believe approval of the SAM–D would mean that this body would once again pour money into a wasteful program. The people of this country are looking to us for leadership, and it is high time we stopped letting them down.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Mr. President, how much time do I have on this amendment?

The PRESIDING OFFICER. The Senator from Mississippi has 45 minutes on this amendment.

Mr. STENNIS. I thank the Chair very much.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, first I wish to thank the Senator from California for his very fine remarks concerning the efforts of our committee this year to scrutinize carefully the items in the bill and to try to bring a definite recommendation here based on testimony we had developed. I appreciate his attitude. He is always very concerned and also very reasonable about these matters.

Mr. President, in this discussion reference to "SAM–D" sounds a little odd. As is often true, these letters represent the first letters of phrases that are highly descriptive. "SAM" means surface-to-air missile, one that starts from the ground and tries to knock down something in the air. That is highly descriptive. The letter D means the D version of this missile or this undertaking, just as in the old days we had the model T Ford and the model A Ford, I believe it was.

This is the model D of the SAM missile.

Mr. President, this is a matter of judgment. We must have more modern and more up-to-date ground-to-air missiles that will incorporate the current up-to-date technology that has been developed since we had technology of the Hercules family of missiles. We should be capable of producing, now, a much better missile than the Hercules and the Hawk. We have now a modernized version of the Hawk. That technique has been exhausted and we are down to the point now where we must have a new and modern missile.

I have been disappointed that this research and development has gone for so long a time and cost a great deal of money. Just as a layman, I thought they were trying to make it do too many things. At one time they were trying to make it knock down not only aircraft but also incoming missiles, and that is a horse of another color altogether. They now say they have abandoned that part of the undertaking, and they are going to limit it to attack against aircraft.

So it is true that, at the markup of this bill, the Senator from California said he learned from the committee record—and it is a public record—that I voted against including $171 million for research and development funds for this SAM–D missile for I did so largely on the ground that I thought we ought not to abolish it, but that we ought to call a complete halt and get a new start and more definite delineation of what the object was going to be in view of the experience we had already obtained, and also learn something more definite about the number we were going to produce, because this matter can run well over $5 billion. It was my idea that we ought to call that halt now.

But that position was not agreed to, and I have no complaint about that.

I have been gratified to learn that it is clear on the record now, as I understand it that the military authorities are not going to try to develop it into an antimissile missile.

I do not favor the amendment striking out SAM–D altogether. I believe that would be an error. My purpose was to call it to a halt until we could get some committals on some matters, and then some money in the bill this year to carry on this new mission. But the amendment proposed would strike out all of the funds. I would not favor that at all.

I point out here, too, that we are not required to make a decision now as to the production of this missile until about 1977. So this is still in the research and development field. Even though costly, it is confined to that part of the program, and this is by no means a committal for production.

Moreover, Mr. President, as I said, this system as a whole is extremely costly, and I believe that a more simple system can be available. Also, this is a weapon primarily welcomed by NATO to be used by the Army in Europe, although it can be used in the United States against attack from aircraft.

As I said, it is my understanding that at one time they were trying to inject some capability for knocking down some types of missiles. Apparently, however, that has been eliminated.

The reason why I think it is unwise to terminate this program at this time is that it is still in the research and development stage. There has been no commitment to go to production, and that decision will not be required, as I said, until 1977.

I think it is a mistake to totally stop the program. I feel, however, that it should be closely watched in order to bring down the cost element and still be kept as near as possible on schedule.

I repeat for emphasis that I think we ought to have a more definite understanding as to the number of the missiles that are going to be procured, if it does reach procurement. Just to be totally frank about it, I am not in favor of spending $5 billion in missiles and putting most of them in Western Europe, in a program the other countries will not go into in any part or bear a part of the cost.

But I urge my colleagues, for the time being, let us not kill this program, but keep it in the bill at some level, and I join at this time with the committee in recommending the level it has already fixed.

I yield to the Senator from South Carolina (Mr. THURMOND), a very capable man in this field, 15 minutes.

Mr. THURMOND. I rise in opposition to the amendment which would strike from the pending bill the Army's surface-to-air defense system commonly known as SAM-D.

It is my belief that the Army's SAM-D air defense missile program represents vitally needed muscle for defense to our modern field Army. Further, deployment of this system will reduce defense expenditures by replacing two aging air defense missile systems with one modern system and reducing the manpower required to produce a needed level of defense against a determined attacker.

There are known deficiencies in the present air defense of our field forces. To correct these deficiencies, major research and development efforts are being devoted to SAM-D to insure the earliest possible deployment of this next generation system. Present priorities dictate the design of SAM-D primarily as a field army weapon for the 1980's and beyond. In this role, this system will counter advanced-maneuvering-type attack aircraft—and this is important, because many of the weapons we have have not been able to do this—at low, medium, and high altitudes in an intense electronic countermeasure environment.

SAM-D will insure that penetration tactics and modern countermeasures technology in potential future conflicts will not be able to defeat our air defenses in the way we were able to overcome the Soviet-developed surface-to-air missile systems in North Vietnam.

The present SAM-D concept, which resulted from over a decade of studies on the part of the Army and various industrial firms, stresses high performance against the advanced tactical air threat, high reliability, and equally important, low-support costs.

A graphic indicator of these potential cost savings is that today's technology allows the replacement of 10 radars—I repeat, 10 radars—presently used in Hercules and Hawk by one SAM-D radar. This single SAM-D radar performs all the functions now performed by the 10 radars in the present systems.

Although the cost savings resulting from deployment of the SAM-D system are significant, we would be remiss to consider this aspect alone without a corollary consideration of the function of this system in defending field forces wherever they might be.

Hawk and Hercules have performed well against their design threat but these present systems do not provide the necessary defense capability against the advanced threat of the late 1970's and beyond. At the most, improvements being incorporated in these present systems are only interim measures to reduce the military risk until an advanced system is deployed.

These performance deficiencies represent an ever-increasing, ever-dangerous threat to the troops comprising our field army. For example, both existing systems, Hawk and Hercules, are deficient in terms of firepower capability. This means that a determined enemy can saturate present systems relatively easy, thereby achieving free access to his objectives. The SAM-D system with its high firepower and target handling capability can cope with many targets simultaneously.

The SAM-D is the only system specifically designed to overcome the present weaknesses and to fully counter the penetration tactics envisioned for the future.

Mr. President, the field army of the 1980's—and that is what we are preparing for now, because it takes about 8 to 12 years from the time a complex weapon like SAM-D goes on the drawing board until it is ready for deployment—must be defended against a sophisticated air threat.

Mr. President, in summary, I want to say:

First, the SAM-D is the Army's only long-range air defense sytem for the future, and the field army will be unprotected against high-altitude bomber attacks without it.

Second, the SAM-D is mobile, and any deployment to Europe could be brought home if we pull out there. It would not be a waste of money. It can go any place that the field army goes.

Third, the Soviets have placed great emphasis on SAM—which means surface-to-air missiles—with great success. There are Soviet SAM's in Vietnam, and this is something that I think is very important: The Soviet SAM's in Vietnam have accounted for the vast majority of U.S. aircraft lost over the North.

Fourth, the present system, Hawk and Hercules, has proved more vulnerable, in that electronically-guided maneuvering actions by enemy aircraft have reduced their effectiveness.

Fifth, the SAM-D program needs to proceed at least through engineering development before any final decision is made, and that is what we are doing here. We are providing the research and development to see just how effective it is. We know we need a system like this. We are hoping that the research and development here will be able to produce the weapon that we need to protect the field army.

Sixth, while the radar only searches a 90-degree quandrant at one time, it can cover 360 degrees by simply rotating around.

Seventh, SAM-D will require 40 percent fewer personnel to operate than now required for the Hawk and Hercules.

Eighth, the SAM-D can handle eight targets at one time, compared to two by the Hawk.

So, Mr. President, any way we look at it, we know that the SAM-D offers a tremendous potential for the field army. We know that this weapon, or some such weapon, is needed by the field army. The complaint that it will just be used in Europe and will not protect this country is a lot of bosh. This system is mobile and, as I have stated, it can be brought home if it is not needed in Europe or it is determined to bring it home. It will not be a waste of money.

If we are to protect the field army—and that is the force that has to do the hard man-to-man fighting—then our personnel are entitled to the best of weapons and equipment, and we cannot just say now that we are going to have it next year. We will not have it next year. This is for the field army of the 1980's, and we have to start this far ahead, and do the research and development, in order to get this weapon ready for the 1980 field army.

Mr. President, I hope the Senate will see fit to kill this amendment and allow this research and development to go on, so that we can proceed to develop this weapon. We are not committing our selves to production; we are merely committing ourselves to research and development; and if this weapon is successful, we certainly want it. If it is not successful, we ought to know it, so that we can discontinue it. The Army thinks it will be successful, and the Army wants it, because it feels the need of such a weapon to protect our people fighting in a theater of war.

I hope the amendment will be defeated.

Mr. STENNIS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 24 minutes remaining.

Mr. STENNIS. Mr. President, I yield 14 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, in presenting the first of several arguments that I shall present to defend the SAM-D, I want to get into history a bit, because I feel there is not much understood about weaponry on the floor of the Senate, except by those who make it their business to study it, and apparently it is not much understood by the Peace through Law group or the Brookings Institution, and particularly among Senators who are trying to cut down on weaponry and cut down our strength.

I would like to go back into history, because, being a conservative, I believe that what is past is prelude, and we like to study the past because what we are going through today we have gone through before.

Mr. President, in any approach to the non-nuclear warfare problem in Europe substantial lessons and insights can be obtained by an examination of historical data in World War II. Toward this end we have data which are the result of a detailed examination and translation of pertinent documents which describe in detail the first 6 weeks of the German attack on the Soviet Union. The code name for this attack was Barbarossa and I should like now to present the results of the German air attack in order to provide a better insight into future U.S. air defense system requirements. The German attack on the Soviet Union occurred on Sunday morning, June 22, 1941, at 3 a.m. On the morning of the attack the total inventory of aircraft on the front numbered 2,230—350 of which were non-combat type. The first wave attack was made up of 868 planes directed against 31 bases. The 31 bases initially attacked were those in closest proximity to the ground attacks of General Hoth, General Guderian, and General Manstein. The results on the first day were almost unbelievable; 1,811 Soviet aircraft were destroyed to a loss of only 35 German planes. Continuing past the first day, historical data shows that during the first 6 days the Soviets almost lost their entire tactical air force—3,806 aircraft. The overall German commander during this campaign was a man by the name of General Halder who was an Army officer. He was a man who kept meticulous war diaries and at the end of the third day he indicated in his diary he could not believe the effectiveness reports he as receiving from General Goering. As a result he appointed a commission, the majority of which were made up of Army officers to either verify or contradict these reports. Two weeks later, General Halder indicated that, in fact, these results were correct. The task at this time was simplified—a matter only of counting Soviet fuselages since the Germans had overrun almost all the airbases. This type of historical data coupled with the same evidence in the Israel-Egyptian Six-Day War indicates the requirement for an air defense system around high value targets, such as air bases, to handle concentrated high traffic rate enemy attacks. We, therefore, see the requirement for an air defense system capable of engaging many targets simultaneously—a significant capability which has been built into the SAM–D system far superior to any existing air defense system. It should also be noted that this air defense capability is not competitive but shelter program, since we cannot allow the enemy to engage in a tactic of cratering and blowing up airfield runways, thus providing a situation in which our sheltered aircraft, while they survive, are still not operationally useful. An active effective air defense system can make this tactic very costly for an enemy attacker.

We shall now turn our attention to an examination of the effectiveness of German air attacks on ground targets other than aircraft. Inspection of this data indicates the Germans were achieving approximately one target destroyed per sortie flown. Since the bomb load of these aircraft was approximately 2,000 pounds, the Germans were destroying a target for each ton of bombs delivered. These results are approximately the same as those of the U.S. 8th Air Force in 1944. It should also be noted the Germans were also able to fly 4.8 sorties during the first week of the conflict.

Indeed, one might wonder why the effectiveness of the German air force and the U.S. Air Force in World War II is substantially greater than the experience with today's aircraft in Southeast Asia and today's technology. One explanation for this is the dramatic difference in target density of a modern Army in Europe versus our enemy in Southeast Asia. As an example, during the highest traffic period, there were less vehicles on the Ho-Chi-Minh Trail at any one time than are in a U.S. Army brigade. In addition, if that same comparison is made based upon numbers of vehicles per square mile occupied, then a U.S. division in its defensive position in Europe represents a target density 33 times that associated with Southeast Asia. In addition, of course, the U.S. division would be emplaced both day and night, unlike in Southeast Asia, where travel is restricted almost entirely to nighttime hours.

I might add, Mr. President, that history will prove that there were no restrictions on the bombing in World War II on either side. Commanders of air fleets and air forces of both sides had complete decisionmaking in their hands as to what would be bombed, when it would be bombed, the amount of weight that would be placed in the bombing. In other words, their air war was fought by airmen working with groundmen, not by airmen trying to work with civilians such as Robert McNamara and President Johnson, 10,000 miles away in Washington, who knew practically nothing of strategic or tactical bombing.

Therefore, the tremendous "target rich" environment of modern armies in Europe coupled with the spectacular strides being made in improvements in air-to-ground weapon delivery—for example, smart bombs—represents the urgent requirement for an effective air defense system for the U.S. Army throughout the 1980's.

Finally, we should ask ourselves what the impact of an air attack can be on a ground fighting force. If, for example, we were to consider the assignment of approximately 150 aircraft to attack a division in close support and these aircraft flew three sorties a day—compared to the four and one-eighth sorties flown by the Germans in World War II—and these aircraft were able to do no better than aircraft in World War II—that is, their effect was limited to destroying one vehicle per sortie—and this air attack would be attributed to the maximum extent afforded by our present-day air defense systems, then at the end of 3 days that division's surviving combat effectiveness would be 50 percent of full strength—a figure which most ground combat military officers would suggest would represent a requirement for either replacement or substantial reconstitution of that division. The substantial increment in attrition per sortie afforded by the SAM–D system, not only because of its higher effectiveness against individual aircraft but also because of its simultaneous engagement capability, would limit the same attack to a negligible impact on the ground fighting force.

We can therefore observe, from an examination of historical data, that the requirement for SAM–D not only derives from increased sophistication of the aircraft threat—speed, electronic countermeasures, and so forth—but also from the large numerical quantity of PACT aircraft, thus necessitating the effective simultaneous engagement of a large number of enemy aircraft at the lowest total system life cycle cost.

Now, why replace the Hawk with the SAM–D? This question, or one like it, continues to be raised. The real question is, Why do we need air defenses for our field forces? The intelligence community has told us as much as it can about the threat of the 1980's. The intensive fight on the battlefield for air supremacy during this future period will really reflect on how well we have planned today. No one seriously questions the ability of an enemy to build, maintain, and use aircraft which will fly at supersonic speeds, carry the most devastating and sophisticated weaponry, utilize electronic countermeasures, and fly with tactics that can be adapted to use the full gamut of the aircraft's design. If we are to have a field army facing this enemy, the field army must be able to protect itself so that, if called on, it can wage a winning battle.

The present air defense weapon systems that would be replaced by SAM–D are the improved Hawk and the Nike-Hercules. These are not bad weapons. These are good weapons. However, they are not designed for the 1980's. The improved Hawk is an upgrade of technology of the 1950's. It is an interim measure for the 1970's. The Nike-Hercules and the Hawk were deployed in the 1950's. With technology advances continuing at such a rapid pace, it is simply not possible for them to do the job of the future. We are moving ahead with the Stinger, an improvement for Redeye, and work continues on an improved Vulcan and an improved Chaparral system. These are Shorad systems—short-range air defense against the low-flying threat. These systems must be complemented by a system which has low-altitude capability, but also capability against medium- and high-altitude threats possessing all the versatility that this new technology furnishes. Each SAM–D system with its high firepower and target handling capability will be able to cope with the numbers of aircraft expected to be attacking our field forces.

If we have no SAM–D, we have no other system in the development cycle ready to take on this role. Do we abdicate the air defense of our field forces? This bill does not ask for money for deployment. We are still in engineering development. Procurement of hardware for deployment is still a few years away.

If we stop this present effort, what do we look to? As Senators know, there has not been a decision to deploy SAM–D in the continental United States. The total procurement package of $5.2 billion to SAM–D includes moneys for a possible deployment. To be exact, $1.4 billion is directed to this continental U.S. deployment option. I do not feel we should close out the possibility of defending ourselves at home in the 1980's in the early 1970's, particularly when today we are only addressing money that is for development of a system for the future.

I feel that as long as we have armies that we will maintain to protect us, we must give them every chance to survive on the battlefield and wage a winning war effort.

Mr. President, in the few moments remaining to me, I want to bring one or two facts to the attention of the Senate.

First, in war games in which I have participated from time to time, unless—and get this—unless the U.S. commander in Europe can retaliate immediately with nuclear-tipped weapons, our forces in Europe could not survive more than 3 days, possibly 2½ days.

Mr. President, I would like to continue this matter later. I am told that the services for Senator Ellender commence at 12 noon, and I certainly would not want to speak during that time. So I will close by asking unanimous consent that three tables be printed in the RECORD entitled "German Air Experience," "German-Soviet Aircraft Losses," and "German V Air Corps Results."

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

GERMAN FORCE STRUCTURE, 22 JUNE 1941

Bombers	880
Dive bombers	280
Fighters	660
Ground attack	60
Reconnaissance	120
Transport	150
Liaison	80
Total	2,230

FIRST WAVE ATTACK

Bombers	637
Fighters	231

Attacked 31 air bases (97 total bases).

FIRST DAY RESULTS

German losses	35
Soviet losses:	
By air and antiaircraft atillery	322
Destroyed on ground	1,489
Total	1,811

GERMAN, SOVIET AIRCRAFT LOSSES (JUNE 22–27, 1941)

	22	23	24	25	26	27	Totals
German	35	16	24	15	18	13	121
Soviet:							
Air-to-air (includes AAA)	322	123	117	155	188	67	972
Ground	1,489	648	348	196	88	65	2,834
Tota'	1,811	771	465	351	276	132	3,806

GERMAN V AIR CORPS RESULTS

	Sorties	Aircraft		Trucks	Tanks	Locomotives	Freight cars
		Air	Ground				
K.G. 51	1,194	16	475	1,331	33		1,500
K.G. 54	3,300	24	356	1,495	177	109	1,207
K.G. 55	4,439	33	175	2,544	112	92	649
K.G. 210	173	22	96				
ST. G. 77	4,183	2	14	2,401	234		
K.G. 27	77	1	2	343	13		7
Total	13,366	98	1,118	8,114	569	201	3,363

Mr. GOLDWATER. Mr. President, later today, if the chairman will allow me, I should like to continue my remarks, because I think we are treading on very dangerous ground here.

Mr. STENNIS. The Senator from Arizona may be assured that additional time will be allowed him.

Mr. President, I now yield to the Senator from West Virginia.

RECESS AS MARK OF RESPECT TO THE LATE SENATOR ELLENDER

Mr. ROBERT C. BYRD. Mr. President, it being 12 o'clock noon, eastern daylight time, the funeral services for our late departed colleague Mr. Ellender are now beginning at Houma, La.

Out of respect for our late departed colleague Mr. Ellender, and in conformity with the suggestion made by the very distinguished Senator from Mississippi (Mr. STENNIS), I now move that the Senate stand in recess until the hour of 12:45 p.m. today.

The motion was agreed to; and at 12 noon the Senate took a recess until 12:45 p.m., whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ROBERT C. BYRD).

The PRESIDING OFFICER. In my capacity as a Senator, I suggest the absence of a quorum.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THURMOND). Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the time consumed during the recess and on the quorum call just ended not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time?

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, I had expected the Senator from Arizona to be here, but I am sure he is detained in some way. He has a few additional remarks that he wishes to make.

The Senator from California (Mr. CRANSTON) says that he has some questions that he wishes to ask, so I ask unanimous consent that we may proceed with that, and that when the Senator from Arizona returns, he can resume his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. I thank the Chair. I shall be glad to use my own time, because I think it is appropriate that I ask some questions, if I may.

Referring to the general practice of cost overruns on weapons systems, the General Accounting Office reported in mid-July that there had been an increase of $28.7 billion between the original and the current cost estimates of 77 different weapons systems. One of those weapons systems was the SAM-D, in which there has been an increase from the $2.5 billion originally estimated to the current—and perhaps not the last—estimate of $5.2 billion.

An article in yesterday's New York Times specifically singled out the SAM–D as an example of "flabbiness" that permits large cost overruns.

Quite plainly, the committee has been very concerned about this, and quite properly so. I wonder whether the distinguished chairman of the committee could shed any light on why there have been such vast cost overruns in this particular weapon system. As I understand it, these overruns exceed even the most notorious cases such as the C–5A.

Mr. STENNIS. I say to the Senator from California that before the debate closes on this question today, I will try to have available for a more definite answer than I am able to give now, on such short notice.

This is one of the more expensive weapons systems. It has had a great deal of trouble and a great deal of delay. It is in the field of highly complex weaponry. It is a missile, and it is a highly important one, with a very important mission. They have even considered expanding that mission, as I said this morning, not only to aircraft but also to defense against incoming missiles. So it would be in one of the most difficult fields in which to stop and start and change after finding out that certain things would not work.

I can get a more specific answer on the history of this matter, with which I am not too familiar at this time. My recollection has not been refreshed on it. Hearings were held on this matter by the Tactical Air Subcommittee, and the direct contact I have had with this matter this year has been the discussion we have had around our committee table. Before the debate concludes, I will have some information for the Senator.

The Senator mentioned an estimate of $5.2 billion for the production. That is for a great number of missiles. It includes all the R. & D. and all the in-between items, and then the missiles themselves.

That is still just an estimate. You have to find out everything that has to go into the missile first. I really do not think, in the case of a missile as complicated as this is, that everything over the first estimate mentioned can automatically be called an overrun. I will get a more definite answer for the Senator.

Mr. CRANSTON. I thank the Senator.

As I understand it, the program now costs as much as the F-14. Cost overruns are now larger than overruns for the C-5A in fact, the program would cost more than the Washington ABM.

I should like to ask another question on the matter. Since the R. & D. is not yet fully completed, since engineering development has only just gotten underway, since production remains in the future, and since deployment is not really planned until the end of this decade, what assurances are there that the price tag will not keep on escalating, and that there will not be more cost overruns?

Mr. STENNIS. We now have a decision date for initial production in 1977, and that would make actual production come on up into the 1980's, anyway. Most likely, there will be some increase in cost. It is just like the cost of living index. It keeps going up. The cost of labor, the cost of material, and the cost of everything else goes up. It is like the Earth moving around the Sun: Everything else moves with it. That would not be chargeable to SAM-D any more than to anything else. But more and more will be added, unless we have a change in our inflationary trend.

Mr. CRANSTON. How high could it go—$6 billion, $7 billion, $8 billion?

Mr. STENNIS. I would not attempt to put a figure on it. The Senator's calculations are correct. As you add the years, you usually have to add to the cost. I do not call that an overrun. That reflects the inflationary spiral, and a factor is usually written into the contract at a certain estimated level. That is part of the target price, anyway.

Mr. CRANSTON. The President chastised Congress the other day for appropriating sums that he felt were excessive. He suggested that there should be a ceiling on expenditures. Should there not be some kind of ceiling on weapons expenditures, within reason, taking into account our defense needs? I ask particularly because so many of our weapons systems seem to involve these incredible cost overruns, so that we do not know what we are getting into when we start.

Mr. STENNIS. Most of these cost overruns, the worst ones, come in a weaponry that is a new concept. No one knows at the beginning anything more than what they hope they can find is obtainable. They hope to find a missile that can do a certain thing. They start from there.

I do not think it would be very practical to put a ceiling on the weaponry that is necessary. We could hardly do it with any accuracy, unless somewhere along the line we were going to give up certain weapons.

The Army tank became so expensive, while it was still in the R. & D. stage, that it was abandoned by Congress. The cost became so high per unit that last year Congress just dropped it. That can happen to a weapon that goes on——

Mr. CRANSTON. That is a fine precedent. I hope it can apply here.

Mr. STENNIS. I think that we are trying to make weapons do too much. That was the main reason with respect to the tank. I am not predicting this end for the SAM-D. We must have a missile in this field. I think the Senator supports that idea, but he is concerned about the enormous cost, as I am.

Mr. Fine, our very able and valuable staff member, thinks that the high-risk problems as to cost have been solved, largely overcome, and it is expected that these costs will be estimated more accurately from now on. There were some very-high-risk items.

The last contract that was let on it is what they call the engineering and development contract. It is still in the development stage. That contract was let on March 1, 1972. That was from the 1972 funds. We are talking about 1973 funds now.

Mr. CRANSTON. I certainly hope that all the cost overruns have already occurred. But I have heard that hope expressed about other weapons systems before we found out, to our sorrow, otherwise. In regard to——

Mr. STENNIS. Pardon me, before the Senator leaves that point, I think this weaponry has considerably more surveillance now by Congress than in years past. The tank had more and the C-5A had more, but that came all at once and it was too late to do anything about it. This weapon is having surveillance now much more than several years ago. I thought, maybe, that would encourage the Senator.

Mr. CRANSTON. I am encouraged by that. I am also encouraged by the fact that because of the leadership and accomplishments of the chairman, we are a lot more hopeful that more surveillance will produce cuts in requests for money for the military.

In regard to the matter of a ceiling, an engineer considers cost as part of the feasibility of any project. An engineer could theoretically draw up almost any project to do almost anything, if he did not have to worry about costs. But cost is always a practical consideration.

I recognize that our military planners need a system that will perform functions analogous to what SAM-D is expected to do. That would be hard to dispute. But I do question whether we need to double or triple the number of systems that have that capacity. We already have the Hawk. The SAM-D was dreamed up at a time when the Hawk had not been improved. Now it is improved, and there is some question as to whether we need both.

I would also like to ask: How much overlap is there between the Navy's Aegis missile and the SAM-D?

Mr. STENNIS. I am advised that that missile is being developed solely for the Navy and really would not have the qualities or the characteristics that could be used as a ground missile, surface-to-air missile for the Army. It would not be practical. I think that has been gone into rather thoroughly by the committee and by the Department of Defense. I know it has been gone into by the committee thoroughly. The Senator from New Hampshire is one who is rather diligent and persistent in this field.

Mr. CRANSTON. Yes. He spoke to me of his interest in it. One reason among others why we are having no votes till later today, is that under the unanimous consent agreement, the Senator hoped that we could put off full discussion on this matter until he could be present.

In relation to the Aegis missile, I would hope it might be possible, through hearings or through publication of whatever can be published, to get on the record at some point a clearer understanding of the differences and the similarities between the Aegis missile and the SAM-D missile, and also the Hawk.

I would like to ask another question about plans for use of the SAM-D. Is it primarily planned for use in Europe?

Mr. STENNIS. Yes. The Senator is correct.

Mr. CRANSTON. The Senator from South Carolina (Mr. THURMOND) stated that the SAM-D is designed to protect our field army in Europe in the 1980's. Does this commitment to the missile imply any commitment to maintain troops in Europe on into the 1980's and perhaps thereafter?

Mr. STENNIS. I do not think there is any definite commitment into the 1980's and beyond, but really we have to think about the necessary weaponry in advance because, as illustrated here, it takes a great deal of time to perfect a new missile that carries all the technological possibilities. We would have to, in the 1970's, be thinking about 1980 whether event followed that pattern or not.

As for the Army, they would use some of the missiles. That "some" is a big question. I really wanted it firmed up more definitely when we went into production.

Mr. CRANSTON. I share the hope of the Senator from Montana (Mr. MANSFIELD), as well as other Senators, that by 1980 we will be out of Europe, so that we will be able to lessen the outflow of gold, ease the tensions in that part of the world, and halt an investment of over $5 billion. The original concept behind the Sam-D, which was apparently planned almost entirely for our men in Europe, seems to be a dubious matter.

Have our NATO allies agreed to share the costs?

Mr. STENNIS. They have not. On the contrary, they declined to agree to share the costs. Frankly, I am not too well familiar with the reasons given altogether, but one of them was the cost of the missile.

Mr. CRANSTON. So again we are faced with heavy costs, and our NATO allies do not desire to share them.

Are there any plans worked out for deployment of the SAM-D missile in the United States?

Mr. STENNIS. I understand and I have been told that there would be a need here. Yes, this planning sheet we have here shows 42 batteries for the United

States. I do not know whether this information about the European number of batteries is classified or not, but there is more for the United States, I can tell the Senator that.

Mr. CRANSTON. But there are no precise plans worked out, so far, for deployment in this country, is that correct?

Mr. STENNIS. No. Contemplated. They will have 42 batteries, but so far as putting a figure on the different spots and places is concerned, that has not been done yet.

Mr. CRANSTON. Is the Senator speaking of use in connection with training or actual deployment?

Mr. STENNIS. I am speaking of both, I would think, yes. Training has to come, of course, but this will be primarily deployment.

Mr. CRANSTON. In regard to use of the SAM–D in this country, I should like to read one paragraph from an article written by Henry R. Myers, a Washington consultant on arms control and science policy, published in the Washington Post:

> The strong support for the Moscow agreements in Congress, meaning the SALT agreements, combined with the Administration's half-hearted justification of the Washington ABM site, indicates a general recognition that attempts to build missile defense systems for any purpose have served only to fuel the arms race. The meaning of SALT is that the United States and the Soviet Union have acknowledged that missile defense and "mutual restraint" cannot coexist.

I should like to ask the status of using a nuclear capacity in this country in connection with the ABM agreements. If undertaken, is the SAM–D a violation of the SALT agreement?

Article 6 of the SALT Agreements states:

> To enhance assurance of the effectiveness of the limitations on ABM systems and their components provided by this Treaty, each Party undertakes:
>
> (*a*) not to give missiles, launchers, or radars, other than ABM interceptor missiles, ABM launchers, or ABM radars, capabilities to counter strategic ballistic missiles or their elements in flight trajectory, and not to test them in an ABM mode;

Mr. STENNIS. Mr. President, I think all the way through that, relating to nuclear versions of conventional weapons, they are in no way restricted in the SALT Agreements and restriction is not contemplated.

The present plan is to work on all of them. The SAM–D is a conventional weapon with no present plans to have any nuclear weapon capacity. It is a tactical weapon.

Mr. CRANSTON. Mr. President, would it be a conventional weapon if it were endowed with nuclear capacity?

Mr. STENNIS. I would not call it conventional if it were using nuclear capacity, but it would be a tactical rather than a strategic weapon.

Mr. CRANSTON. So, presumably on this point, the Army is not planning to give the SAM–D that capacity.

Mr. STENNIS. The Senator is correct. That is what we are assured.

Mr. CRANSTON. Mr. President, returning to the figures on U.S. forces in Europe, I have heard different estimates about the size of the air threat posed by the Warsaw Pact forces. Is the Senator in a position to say why the present missiles are insufficient to deal with the situation in Europe?

Mr. STENNIS. Mr. President, I would rather that the Senator from New Hampshire answer that question. I expect to yield all of my time to him when he comes to the floor. If the Senator does not mind, we can save that question for him.

Mr. President, there is one more aspect of the procurement and production question, and that is when the time will come to decide on how many batteries and where they are to be. There is no need for a final plan. However, they estimate now, for working purposes, 42 batteries. The exact location would be determined later. They will be like the Nike-Hercules, the SAM, and the Hawk missiles. So, making allowances, for the differences, in the SAM–D being more advanced generally in pattern, it would follow to some degree the pattern of the Hercules and the Hawk.

Mr. CRANSTON. Mr. President, I would be delighted to wait for the Senator from New Hampshire (Mr. McINTYRE) and to hear his answer to the particular question I posed to the Senator from Mississippi about the Warsaw Pact forces. However, we will have very limited time to get into these matters when we come to vote this afternoon.

Mr. STENNIS. I will give the Senator my opinion based on my years of service on the Armed Services Committee. I think that the threat over there, close up in Eastern Europe, would be much greater and our coverage would have to be a great deal thicker, because that is where the realities are, at close range over there, even though we are putting up this defense against a bomber that has to come all the way from the Soviet bases or somewhere else far off. So, the situation is much more acute there, up against the Warsaw Pact countries. They have some 8,000 aircraft, I am advised, according to the latest figures, in this area. That is a lot of planes.

Mr. CRANSTON. Mr. President, we maintain many men with many costly weapons in Europe many years after World War II. Does the Senator have any comment on the view that quite possibly the Soviet Union's wish to keep troops in some of the Warsaw Pact nations is eased by the fact that we maintain so many troops there and equip them so well? According to this view, our presence gives them the excuse to keep their troops there. If there were a little restraint on our part, and if we withdrew some of our troops and spent less on heavy weapons, the Russians might come under heavy pressure to withdraw some of their troops from Eastern Europe.

Does the Senator have any comment to make along that line?

Mr. STENNIS. I can see the possibilities there. I really think though that the richer possibility is for our chances to reach a further agreement with the Soviets in the nuclear field now.

This last year seems to have proven that. I have been very hopeful that once a start is made in that field, with respect to the Warsaw Pact agreement, there is a possibility of a mutual reduction of some kind and that would then become a greater possibility. The chances would be greater, and that would be pursued.

We had that matter up for consideration and had very active debate here, if the Senator will recall, on an amendment proposed in an appropriation bill. I got as fully advised on it then as I possibly could. The SALT talks were beginning about that time, and they started moving. I thought it was a first priority. If we get that agreement, the next priority, to me, would be to go back to the original problem which the Senator brought up with reference to the Warsaw Pact agreements.

Mr. CRANSTON. Mr. President, I have been greatly heartened and encouraged by the interest of the distinguished chairman of the committee in the SALT negotiations and the treaties that have come out of them.

The Senator is the leader in the Senate on military matters. He is the man who bears the greatest responsibility in that field. His support and interest in reaching arms limitation agreements is highly significant.

What troubles me about proceeding with something like the SAM–D at this point is that if we successfully work out a nuclear arms control agreement, rushing into a spiralling arms race would not really benefit all concerned.

Mr. STENNIS. It is a good point. And I hope that we go on into the present field.

Mr. CRANSTON. Mr. President, a question has arisen in regard to the possible nuclear capability of the SAM–D. The Senator says that he is not now contemplating either the relationship of costs factors or the cost overruns on the multiple missions of the SAM—D.

The PRESIDING OFFICER. The time of the Senator from California has expired. The Senator from Mississippi has 11 minutes remaining.

Mr. STENNIS. Mr. President, I yield to the Senator from California 5 minutes or as much thereof as he may need.

The PRESIDING OFFICER. The Senator from California is recognized for an additional 5 minutes.

Mr. CRANSTON. Mr. President, I thank the Senator from Mississippi.

Mr. President, the Senator from Mississippi said that the reasons for the cost overruns on the multiple missions of the SAM–D include its antimissile capacity. Now that kind of mission has been dropped. Should not the cost estimates go down rather than up?

Mr. STENNIS. I think the most the Senator could hope for there would be a cutoff of some of the spiral, some of the costs that have been going up. I would not expect any immediate showing of a reduction, but I certainly would expect some in the course of the next few years. We have been in this development now for about 5 years. Then, we have to see; that is about all I can say about it. Then, it should cause some reduction, but not immediately.

Mr. CRANSTON. Before concluding, I

would like to make a further point. One reason I offered this amendment on the SAM–D was that the distinguished chairman of the committee had made plain his own grave reservation about the system when he voted against it in committee. Upon looking further into the background, I found that the record indicates grave concern about the SAM–D in the Committee on Armed Services all along. In 1970, the committee directed that $75 million intended for the SAM–D be cut and that the program be terminated. The stated reason was that the cost did not match operational priorities. But the program was restored in conference.

In 1971 the committee directed that $15 million be cut and that a study be made of the SAM–D program. That reduction was restored in conference. The same thing happened in fiscal year 1972.

It was against this background that I decided that the SAM–D might warrant further thought and action on the floor of the Senate.

I appreciate very much the very helpful role of the Senator in answering the questions I have posed to him. I thank the Senator for his generous comments about my efforts in this matter.

Mr. President, before closing, I ask unanimous consent to have printed in the Record a letter that I wrote to my Senator colleagues about the amendment and my reasons for offering it.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Labor and Public Welfare,
Washington, D.C., July 31, 1972.

Dear Colleagues: I am introducing an amendment to the military procurement authorization bill to delete $171.4 million for continued development of the Army's SAM–D program. It will be voted upon this afternoon.

The SAM–D is a surface-to-air missile system designed primarily to protect the field army from hostile aircraft. Its primary role will be to replace the Nike Hercules and Hawk missiles in Europe, with a second optional role in the air defense system of the continental United States.

Our field army deserves adequate protection against hostile aircraft. But the SAM–D is basically redundant. Our field army already employs a sophisticated anti-aircraft system which includes the Redeye, Vulcan, Chaparral, Hercules, and Hawk missile systems. Our new fighter, the F–15, also overlaps with the functions of the SAM–D.

The SAM–D does have more advanced radar, a multiple targeting capability, longer range, and an ability to fire several shots at a single target at a very high cost.

Total cost estimates for the SAM–D have exploded upward. The 1972 estimate was no less than $5.2 billion. The original Pentagon cost estimate, in 1969, was $2.5 billion. *This represents a 108% increase over a three-year period.*

The SAM–D is intended primarily for use in Europe—but our NATO allies won't build their own system and won't help share the cost of ours.

An amendment identical to mine to delete SAM–D was defeated by a 9–6 vote in the Armed Services Committee. Favoring the amendment were Senators Stennis, Symington, Ervin, Cannon, Bentsen, and Saxbe. Opposing were Senators Jackson, McIntyre, Hughes, Smith, Thurmond, Tower, Dominick, Goldwater, and Schweiker.

I can sum up the case against the SAM–D program by saying that it gives us a little more hardware for a lot more money. I hope that you will join me in voting against this program.

Sincerely,

Alan Cranston.

Mr. CRANSTON. Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I do not have any additional remarks to make now.

I suggest the absence of a quorum on my time while someone on the other side undertakes to contact the Senator from Arizona.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time on the Cranston amendment has expired.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the distinguished Senator from Mississippi may have 10 additional minutes for the purpose of putting in a quorum call, awaiting the arrival of a Senator who wishes to speak briefly on this amendment.

The PRESIDING OFFICER. Without objection it is so ordered. The Senator from Mississippi has 10 additional minutes.

Mr. STENNIS. I thank the Chair very much, if the Chair will indulge me for just a half minute.

Mr. President, I yield 8 minutes to the Senator from Arizona and I will save 2 minutes for the Senator from California, in fairness, because the time on both sides has been used.

Mr. GOLDWATER. Mr. President, I spoke on this subject this morning. I indicated that I would speak more, although at not much greater length, on the need of the Army for the SAM–D.

We have two systems today, the Hawk and the Hercules, and I know that there have been some rather interesting figures presented that would indicate that these systems upgraded could solve the problem of the battlefield today.

I disagree with that completely. It is like saying we can replace the modern tank with the horse. The horse served its purpose in great shape. The tank is carrying on, and we will undoubtedly have technological improvements in surface vehicles that will obsolete the tank.

We cannot stand still on the subject of missile design for the defense of Army forces in particular, and also for air bases, and I am speaking particularly of the European theater.

This morning I digressed at some length on the impossibility of comparing the Southeast Asia theater with any theater that we would engage in, in Europe.

Now, the Soviet Union has fielded four major tactical air defense missile systems in recent years. Meanwhile, the backbone of the tactical air defenses in the U.S. Army continues to be the systems, or modifications of the systems, conceived in the 1950's and in the era of the 1960's.

I remind my colleagues that these systems were designed to defend against aircraft of the 1950–60 era, and the modern Soviet tactical aircraft is a far different piece of equipment we would be called upon to defend against than we would in the 1950's and 1960's.

We are now looking more and more at weapons, both tactical aircraft and enemy missiles, of a low-flying, low-approach capability that we did not think much of in the 1950–60 era. We are now even beginning to think of antiballistic missile systems and intercontinental ballistic missile systems with very low trajectory that can go beneath any radar system sufficiently to cause complete surprise.

I close my remarks by reminding my colleagues that if war comes and if the NATO structure were hit at any point at any time by the Russians, they would undoubtedly used nuclear-tipped rockets fired from aircraft, or low-flying intermediate-range battlefield missiles.

The Hercules and the Hawk, as I say, were good systems, and are good systems, but they are not good systems against the type of enemy equipment we are going to be called upon to defend against today.

What is this SAM system? What are we talking about? What is the Hawk and Hercules system?

If we were absolutely certain of the time that the enemy would launch an attack, we could maintain aircraft aloft that could, to a great degree, take care of incoming missiles or incoming tactical aircraft, but in any engagement that we would fall into in the future, while we might know that an attack was imminent because of the worldwide situation, surprise will be more and more, even more than heretofore in warfare, the dominant feature that any enemy would provide or that we would provide.

Being denied a more or less time-certain element, we would have to have some way of reacting against an incoming missile or incoming aircraft that could destroy an airbase or disrupt or destroy an Army installation.

The war games that we have had showed that if we did not respond in time—that is, if we did not respond immediately; I am talking about minutes, not hours—with nuclear-tipped rockets ourselves, or our own Hawk- and Hercules-type systems, we could not survive more than 3 days in a NATO battlefield, and probably 2½ days would be the limit, because the enemy would be capable of destroying our airbases and capable of doing at least 50 percent materiel and personnel damage to our Army bases, which would require, in the Air Force, for instance, a complete rebuilding—which would be impossible—and in the Army a complete rebuilding, which can be done, but it would be done at great expense and at a great waste of time.

The purpose of these missiles, like the SAM–D or the Hawk or the Hercules—I am particularly speaking of the SAM–D because it is designed to take care of modern weapons—is not only to function against low-flying and intercept enemy weapons aimed at one of our weapons, but they are capable of going up to 80,-

000 feet, which is where the new Russian Foxbat will probably be found flying. If we do as well, as we have been doing, we will have a capability of look-down radar that will enable them to launch missiles from that altitude at aircraft that we would have to intercept. The absolute ceiling of the high altitude of the specified high-altitude threat aircraft—I mentioned the Foxbat—is about 80,000 feet. SAM–D can intercept this aircraft, and as fallout capability, can perform intercepts to altitudes in excess of 100,000 feet.

I do not want to stress this high-altitude capability too much, because I do not think we are at the state of the art where we are going to be able to field this as the average performance, although the SAM–D will be able to do it.

A perhaps more serious threat than the sophisticated, high-altitude, reconnaissance, and intercepter aircraft are the large number of Warsaw Pact aircraft which can be used in attacking troops in columns en route to the front, as well as fuel and ordnance supplies or command areas, airports, and so forth. Mass attacks of up to 40 aircraft in waves of four to eight is a favored pact tactic. This sets a requirement on tactical air defense systems for large numbers of available missiles, targets under observation, and simultaneous engagements.

For 120 missiles on launchers, the "Improved Hawk" requires about 1,700 men. SAM–D requires less than 600 men. So, for the same number of read missiles, if the "Improved Hawk" were fielded in sufficient quantities to provide capability for an equal number of simultaneous engagements as SAM–D, its operation and maintenance costs would be about four times the operation, maintenance, and acquisition costs of SAM–D. In the characteristics noted just now, the Hercules system is poorer by at least a factor of two than the improved Hawk.

This is interesting, because I know there is a tendency of Americans not to believe anything bad that we hear about our own forces, and certainly a tendency of the influential press and media of this country to downgrade anything we hear that might not put our forces equal to or above those of the Soviets. But the number of aircraft available to the pact forces is very large. It is conceivable that they could jump off with a surprise attack with more than 2,000 aircraft of all types. These are just the aircraft available to the Soviets. If we take all the Warsaw Pact nations, this figure might go as high as 5,000.

I remind my colleagues that we could hardly scratch together 5,000 aircraft in our flying services if we included the airlines; we have been that far back in procurement in the last 10 years.

In the event of massive surprise air attack on troops in the field or on duty stations—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. Will the Senator from California desire additional time?

Mr. CRANSTON. One minute.

Mr. STENNIS. I yield the Senator from Arizona 1 additional minute.

Mr. GOLDWATER. In the event of massive surprise air attack on troops in the field or en route to duty stations, the loss of men and material represents a substantial loss to the NATO forces. With no air defense against these attacks, a value loss equivalent to between $8 and $10 billion could be realized in a 3-day all-out attack with just 500 aircraft. An effective, high rate of fire air defense system such as SAM–D could reduce this loss to less than $1 billion at the 500 aircraft attack level. With the equivalent of 100 missiles on launchers per division area, attrition of enemy aircraft would be sufficiently great to sustain attacks in excess of 1,000 aircraft while maintaining men and material losses below $1 billion equivalent.

If we assume that modern day Warsaw Pact aircraft is worth $1.5 million, the missiles that kills the attacker—including kill probability—is less than 10 percent of the cost of the aircraft killed. Against an aggressor possessing large numbers of manned aircraft SAM–D is clearly the most cost effective means of dealing with the threat.

SAM–D as currently designed has the capability of engaging simultaneously up to eight aircraft, while maintaining track on up to 100 additional potential threats. Such a system is mandatory for defense of logistics, command, and air bases in any conflict in Western Europe.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I yield 1 minute to the Senator from California.

Mr. CRANSTON. Mr. President, at the outset of the remarks of the Senator from Arizona, he stated that those who seek to cut back on weaponry would thereby cut down on America's strength. I respond by saying that I do not believe that cutting back on weaponry necessarily cuts down on America's strength if the weaponry is of dubious or questionable value, and if a vital element of America's strength is a sound economy, which I believe to be the case. I believe that a sound economy is threatened by excessive military spending, by the vast overruns connected with the SAM–D and other weapons, by the inflation that comes out of this excessive military spending, by the outflow of gold and the downpull of the dollar that are consequences of this kind of program when it goes overseas, and by the diversion of resources, of man's time and attention, of man's mind and muscle, and of the resources of the earth from our great problems at home. These problems threaten both the viability of our economy and the feasibility of our domestic programs.

Mr. MOSS. Mr. President, the Senate in its wisdom voted last week to authorize $906 million for the Trident submarine and $299 million for a nuclear aircraft carrier.

Today, the distinguished Senator from California (Mr. Cranston) has moved to delete the comparatively small sum of $171.4 million for a missile known as the SAM–D.

This is not a new program by any means. In fact, it began so long ago the Army apparently is no longer sure of the date it began. According to testimony in the Armed Services Committee, the Army said it was 1964, and in another place they said it was 1965. At any rate, $386 million has been spent on this missile through fiscal year 1972.

A contract was awarded to Raytheon in 1967 and the program has been in advanced development for the past 5 years.

While the Army, in all probability, had a good reason for wanting the SAM–D back then, they apparently are not as sure of the missile's intended purpose today.

The Senate Armed Services Committee report on S. 3108, part 2, page 547, contains the following paragraph:

> The SAM–D system is being developed primarily for defense of the field army overseas and not principally for continental U.S. air defense. Current phase out plans for the Nike-Hercules units in continental U.S. are a reduction of forces and no replacement is planned at this time. Those Nike-Hercules units which remain in the continental U.S. could be replaced with SAM–D in the distant future if modernization of those forces is required.

The meaning, as I read that paragraph, is that replacement for the Nike-Hercules is a strictly secondary and remote function of the missile at some unspecified time in the distant future.

But part 6, page 3727, of the same report contains the following:

> The U. S. Army has long recognized the need for a new air defense system to replace Nike-Hercules in the 1980's. That system is SAM–D.

There is no mention of the alleged primary function of the missile quoted earlier: the defense of the field army overseas.

Mr. President, I respectfully suggest that the Army does not even know for what purpose they want this $171.4 million.

But this is only the beginning: My understanding is that the ultimate cost of this program is in the $5 billion range for about 50 missiles. Is this really necessary?

We have already given the military about $1.3 billion in questionable weapons systems. The SAM–D is where we should draw the line.

Let us end this waste. The newspapers have been filled in the past few weeks with calls by the administration for trimming Federal spending. Here, once again, is a golden opportunity to trim the fat from this bloated military budget. We have failed twice before to take a firm stand. Let us not fail again.

The PRESIDING OFFICER (Mr. Hughes). All time has expired on the amendment of the Senator from California. In accordance with the unanimous-consent agreement, the amendment of the Senator from Indiana (Mr. Hartke) is to be called up for debate at this time, and argued for 1½ hours.

AMENDMENT NO. 1369

Mr. ROBERT C. BYRD. Mr. President, I take the liberty, in the absence at the moment of the distinguished Senator from Indiana (Mr. Hartke), to call up his amendment No. 1369, which was to be proposed by the Senator from Indiana (Mr. Hartke), and ask that it be stated by the clerk.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. **ROBERT C. BYRD**. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. HARTKE's amendment (No. 1369) is as follows:

On page 23, after line 4, insert the following new sections:

SEC. 605. Notwithstanding any other provision of law, a member or former member of a uniformed service (a) who is 60 years of age or older and who is entitled to retired or retainer pay computed under the rates of basic pay in effect before January 1, 1972, or (b) who is entitled to retired pay for physical disability under title IV of the Career Compensation Act of 1949 (63 Stat. 816–825), as amended, or chapter 61 of title 10, United States Code, whose disability was finally determined to be of permanent nature and at least 30 percent under the standard schedule of rating disabilities in use by the Veterans' Administration at the time of that determination, and whose pay is computed under the rates of basic pay in effect before January 1, 1972, is entitled to have that pay recomputed upon the rates of basic pay in effect on January 1, 1972.

SEC. 606. A member or former member of a uniformed service whose retired or retainer pay is recomputed under section 605 of this Act is entitled to have that pay increased by any applicable adjustments in that pay under section 1401a of title 10, United States Code, which occur after January 1, 1972.

SEC. 607. The enactment of sections 605 and 606 of this Act does not reduce the monthly retired or retainer pay to which a member or former member of a uniformed service was entitled on the day before the effective date of this Act.

SEC. 608. Sections 605, 606, and 607 of this Act become effective on the first day of the first calendar month beginning after the date of its enactment.

The **PRESIDING OFFICER**. Who yields time?

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. **ROBERT C. BYRD**. Mr. President, I yield myself such time as I may consume.

Mr. President, for some reason which I cannot explain, I was under the impression—during the discussions which led up to the unanimous-consent agreement on the bill before the Senate—that the distinguished Senator from Wisconsin (Mr. PROXMIRE) and the distinguished Senator from South Dakota (Mr. MCGOVERN) were, acting together, to propose an amendment tomorrow. For some reason, as I say, I inadvertently understood Mr. PROXMIRE was a coauthor of that amendment. I now find that that is not the case, and that the amendment is to be proposed by the Senator from South Dakota (Mr. MCGOVERN) for himself. I apologize to the distinguished Senator from Wisconsin (Mr. PROXMIRE) for my misunderstanding, and I therefore ask unanimous consent, Mr. President, that when the unanimous consent agreement is reprinted on the usual card and in the calendar of business for tomorrow, the name of the Senator from Wisconsin (Mr. PROXMIRE) be deleted with respect to that amendment.

The **PRESIDING OFFICER**. Is there objection?

Mr. **GOLDWATER**. Mr. President, reserving the right to object, and I shall not object, is that amendment No. 1369?

Mr. **ROBERT C. BYRD**. No. The pending amendment in amendment No. 1369, proposed by the Senator from Indiana (Mr. HARTKE). I am referring now to an amendment to be called up tomorrow by the Senator from South Dakota (Mr. MCGOVERN). I had understood that the Senator from Wisconsin (Mr. PROXMIRE) was to join Senator MCGOVERN in cosponsoring that amendment. I find that I am in error, and therefore have asked unanimous consent that when the unanimous-consent agreement is reprinted in the calendar and the card for tomorrow, the name of the Senator from Wisconsin (Mr. PROXMIRE) be eliminated.

Mr. **GOLDWATER**. That is the amendment with reference to limiting obligational authority?

Mr. **ROBERT C. BYRD**. I believe the Senator is correct. I know of only one amendment which was to be sponsored by Mr. MCGOVERN, and that is the first amendment to be called up tomorrow at 10 a.m.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Mr. **ROBERT C. BYRD**. Mr. President, I have taken the liberty to call up amendment No. 1369 by the Senator from Indiana (Mr. HARTKE) because, at this time, under the unanimous-consent agreement, the distinguished senior Senator from Indiana (Mr. HARTKE) was to have been recognized for that purpose. The Senator from Indiana is in Louisiana with the funeral delegation attending the funeral services of our late departed colleague, Senator Ellender.

The office of the Senator from Indiana, it is my understanding, was aware that the amendment was to be called up at this time. The whip notice, which was distributed to all offices of Democratic Senators on Friday last, indicated that the amendment would be called up at this time. The statement of the program as published in the RECORD of Friday last, which was distributed to each Senator's office on Saturday, indicated that the amendment would be called up at this time. The calendar of business, which was in each Senator's office yesterday, I am sure, because I saw it in my office yesterday—it may have been in each Senator's office on Saturday, I am not sure about that—indicated, of course, that the amendment would be called up at this time.

Time could not begin running on the amendment until it was called up and made the pending question before the Senate. The Senator from Mississippi, the distinguished floor manager of the bill, is here and is prepared to make his case against the amendment. For these reasons, I felt that the amendment should be called up in its proper place under the order, so that time could be yielded thereon and the distinguished Senator from Mississippi could make his case, or such portion of the case as he wishes to address his remarks to, at this time. Other Senators will also want to speak, at this time, some of them in support of the amendment. The amendment then will again take its place in the sequence of events later in the day, upon the return of the able senior Senator from Indiana and the delegation from the services in Louisiana.

Under the precedents, I believe that the order providing time for 1 hour and a half on the amendment following the debate on the Cranston amendment would have lapsed, in any event, had the amendment not been called up now. Hence, I have called up the amendment on behalf of Mr. HARTKE, and the distinguished Senator from Mississippi may wish to speak to it now.

The office of the Senator from Indiana (Mr. HARTKE) has been contacted for the purpose of ascertaining whether or not any other Senator could be on the floor at this time to speak for the amendment on behalf of the Senator from Indiana. I do not believe that any other Senator has been found to do that.

Mr. President, that is the explanation for what is developing in regard to the amendment. The distinguished Senator from Indiana (Mr. HARTKE) will be back later in the day; and at such time as the amendment is again before the Senate, in conformity with the agreement, the Senator from Indiana will be prepared to make his case in support thereof.

Mr. **GOLDWATER**. Mr. President, will the Senator yield for a question?

Mr. **ROBERT C. BYRD**. I yield.

Mr. **GOLDWATER**. The amendment now has been called up, and its proponent is not here. When the proponent, the Senator from Indiana, returns, will he then be given the full time agreed upon by the unanimous consent agreement, or will there be some penalty for his not being here?

Mr. **ROBERT C. BYRD**. There is no penalty. The time simply will lapse unless, by unanimous consent, such time as has not been utilized should be reserved to the Senator without prejudice. It may be that when he returns, an additional few minutes may be desired by either the Senator from Indiana or the Senator from Mississippi, in which case the Senator wishing to do so may ask unanimous consent that he have an additional few minutes. Unless that is done, the agreement as ordered will stand; and when the amendment is again before the Senate later today, there will be one-half hour on the amendment, to be equally divided.

Mr. **GOLDWATER**. I apologize for using the word "penalty." Nothing else came to my mind.

Mr. President, this is a very, very vital matter. It is a very complicated matter. It is one that the President of the United States has partially pledged himself to obtain.

Mr. **ROBERT C. BYRD**. Mr. President, I yield to the Senator such time as he may desire, the time to be charged against the time allotted to the Senator from Indiana.

Mr. **GOLDWATER**. I do not think it is a matter that can be discussed on the floor in an hour and a half.

As I recall, the last time we held hearings on this general matter was approximately 14 years ago. It is called recomputation. It is an extremely expensive decision, if we make it. Again, I think it should be made only after adequate hearings before a subcommittee or the full Committee on Armed Services.

I am not against the idea of recomputation. I think it should come. But I do not think it should come by an action on the floor in which we have only 45 minutes to discuss the pros and 45 minutes to discuss the cons.

I do not know of any retired military man who does not want to see recomputation come about so as to readjust the rather bad effects of the 1958 act that we put through that are not fair but, in my opinion, cannot be fairly adjusted by this amendment as it is written or fairly adjusted by debate on the floor. I do not think we have the time.

So, Mr. President, I am going to oppose this amendment, even though I am very strongly in favor of recomputation for men who have retired from the armed services. I hope that the chairman of the full committee, as he has indicated to me, will have hearings when the decks are cleared, so that we can find out for the full Senate what it is going to cost and how it is going to work.

I might add something that was mentioned the other day, which I have discussed with many military men: Perhaps we can come up with a new system of retirement for the man in uniform, particularly now that pay scales have reached not exactly a comparable basis but a basis that is far more fair than a few years ago. I have found very few men in uniform who would now hesitate to pay something into a retirement fund, just as all civil servants do. Retirement for the military was always one of the fringe benefits when pay was ridiculously low, and I think it was right that we gave the man in uniform something to look forward to. I always called it that silver rung at the top of the ladder toward which a man could work and stay in the military.

So, while I will vote against this amendment, I will work for recomputation. I hope that the committee will, at the proper time, report a well thought out and well studied means of paying a recomputed retirement benefit to our retired military people and make it possible to establish some actuarially sound retirement system for the military.

I thank the chairman for allowing me to speak, and I thank the assistant majority leader for yielding time.

Mr. ROBERT C. BYRD. The Senator is welcome.

Mr. STENNIS. I thank the Senator for his very kind remarks.

Mr. President, what is the pending order of business?

The PRESIDING OFFICER. The pending order of business is the amendment of the Senator from Indiana (Mr. HARTKE), No. 1369. The Senator from Mississippi has 45 minutes.

Mr. STENNIS. I yield myself 15 minutes.

Mr. President, when agreement was had about this amendment, we thought debate would continue now and that we would have 30 minutes for repeating points late in the day.

I point out to all Senators in the Chamber and to those who will read the RECORD that this amendment is a highly important matter. It is important to the retirees who are affected. It is certainly important to the Government and to the taxpayers.

As the Senator from Arizona has said, there have been no hearings on this amendment. It involves the expenditure of in excess of $10 billion on an amendment that has not been heard. That sum will not come due all in 1 year, but it will be over the period of the operating time of this recomputation.

I wish there had been a chance to get at the real issue earlier, and I am going to start with a statement of what I think is the issue.

The issue in connection with this amendment is not whether we should adopt an amendment allowing all persons, when 60 years of age, to compute their military retirement pay on the basis of the basic pay rates in effect on January 1, 1972. The real issue is this: Shall Congress do its duty, through hearings, to develop all the facts so as to do justice to the individuals and enact a system for the future that will be a proper formula for awarding retirement pay in the future? I mean by that that I think a new formula has to be devised for retirement pay. New standards must be laid down about when a person is eligible for retirement and a great many related matters.

At this time, retirement pay alone each year is costing $4.4 billion. A very few years ago, in 1960, this retirement pay was only about $700 million. In 1972, it had run up to $4.4 billion which is a 600-percent increase within the brief span of 12 years.

By 1995—and these are accurate figures—under the present system, with no added benefits, one Department of Defense study states that the annual cost will be $17 billion per year. This is a conservative figure, on the low side, since it assumes only a 1.5-percent increase in the cost of living each year, which is less than half that of the past several years.

I point out that I do not get any pleasure out of going into this matter in this way, but a man has a duty, Mr. President, to bring out the facts here, for the benefit of all his colleagues.

I find, on looking at the figures, that the average age of retired officers for fiscal year 1971—and that is the latest figure available—is 46. That is the average age at which they retire, 46.

For enlisted men it is 40 years of age.

For fiscal year 1971, the average age of retirement is 46 years, the average lifetime pay for those officers is $255,000 as of fiscal year 1970.

The average lifetime retired pay for enlisted personnel is $121,000. This is on the low side, since it is based on fiscal year 1970 data as is the data for officers. In addition, it assumes a 1.5 percent per year increase in retired pay which is on the low side.

For certain high-ranking officers, currently retiring, the lifetime pay will be over $600,000.

For a colonel, average lifetime retired pay would range between $307,000 to $391,000—it ranges between $307,000 for over 20 years' service, and $391,000 for over 30 years of service.

The figure on enlisted men will range from about $125,000 to $290,000.

This amendment before the Senate will add at least $10 billion in lifetime costs, with an estimated first year appropriation cost of $275 million to be added to the $4.4 billion I have already mentioned.

Just the statement of those figures shows where we are going, and the rate at which we are going. There is no plan, no brake on this thing. It is running away with itself.

I made a speech in January of this year showing my concern for the whole military retirement system. I said then that the amount was becoming unreasonable, that the whole program was becoming unmanageable. Without pointing the finger at the past or trying to take away from anyone something they have earned, I said that we had to get a new system and put it in motion, and do it now, start it running, so that eventually it would be the retirement system.

I think that such a system has got to include the idea of contributing amounts to be paid in by the military personnel in question. They make no such direct payments now. It all has to be paid out by the Federal Government. I have urged, as I urged then, that this is an executive function. We can argue about these things in committee, on the floor of the Senate, or in the House, for days and days and days, without being able to put anything together that we could agree on as sound and reasonable and workable and fair. It will take a collection of experts and computers as high as the Washington Monument, almost, to figure out all the complexities that go with this problem, trying to find a proper foundation, and a plan that can be passed by majority vote in Congress, one that will then set in motion a new system. If we do not do that, I warn now—and I am being as impersonal about it as I can be—that we will ride this horse and it will fall in its tracks. We will ruin the whole system, because the load will be too heavy to be carried the way it is going now.

We increased salaries last year. I am not complaining about that, but whenever we increase them we crank in all the other things that I have related. By 1995, as I mentioned awhile ago, that sounds a long way off but is only 23 years from now—the Department of Defense study states that military retirement pay will cost $21 billion. That is a conservative figure because of the low rate of increase in the cost of living each year, which is figured at only 1.5 percent. I do not know why they have such a low percentage figure, but that is what they took—to be on the safe side, I guess.

In my speech last January, I called on the executive branch to come up with a plan. I had mentioned it to them before. I do not think that this legislative branch can cope with this matter for the reasons I have already given. It will take the executive branch to take the lead.

I talked to the Secretary of Defense about it over the telephone within the past week, and he says he has been working in that direction. That is what he said, and I am sure he is telling the truth; but they have not got the plan up here yet. That will fit in with something else I am going to mention later.

Now, Mr. President, I have a copy of a letter in my hand from a general, a man in the Army, the one the Department of Defense who has in charge of these figures, these calculations that we have been calling for. He reports in a letter that I will read—I asked him the question last week, and I understand now that he is speaking for Secretary Kelley of the Department of Defense, who is the Assistant Secretary for Manpower and Reserve Affairs—and he is a good one—the name of this gentleman is Taber, a lieutenant general in the United States Army, acting, and he says in this letter:

> This is with reference to your request for the views of the Department of Defense in regard to the amendment to be prepared by Senator Hartke to H.R. 15495—

Which is the military bill we are on now—

> The amendment would authorize recomputation of the military retirement pay in certain instances.

Then he goes on to say—I will have the whole letter printed in the RECORD—but he refers to two or three sections and he gives them in here, as to the estimated cost—

> The real proposed amendment has not been fully developed as to precise costs, but it is estimated that the first full year's cost would be approximately $275 million, and the lifetime cost would be in excess of $10 billion.

Now here is a key phrase:

> The Department of Defense respectfully urges that the proposed amendment to H.R. 15495 as discussed above not be adopted.

I want to call that to the attention of those Senators who are present. And I wish that there were a way to get this information over to the other Senators. This letter is dated July 28 and is addressed to me as chairman of the committee. I repeat what I have read from the letter:

> The Department of Defense respectfully urges that the proposed amendment to H.R. 15495 as discussed above not be adopted.

So, that has a tremendous impact upon the idea that we can get up here and pass an over $10 billion measure, not to a personnel bill, not to a pay bill, not to anything connected with those subjects, but to a bill that is designed to get tanks, guns, ships, planes, missiles, and all of the things that go to make up military hardware. I submit that there must be a better way to do this and to get to the facts of the case and dispose of the subject here. This is not going to solve itself. It is going to get worse. I hope that there will be some way to get these facts before the membership of the Senate before the vote is had.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **STENNIS**. Mr. President, I yield myself 5 additional minutes.

The **PRESIDING OFFICER**. The Senator from Mississippi is recognized for 5 additional minutes.

Mr. **STENNIS**. Mr. President, back in 1958 retirement hearings were held in depth. Also in 1963 hearings were held in depth by the Senator from Nevada (Mr. CANNON). And Congress made a decision on this same matter and they let all of the officers then in retirement recompute under the 1958 level or take an increase of 5 percent, whichever was greater, giving them their choice. So, this matter has been handled as late as 1963.

We wrote into the permanent law in 1963 what is called a cost-of-living increase which is automatically, by operation of law, based upon a recognized formula. And that has been operating now since 1963. They had these specific increases: October, 1963, 5 percent; September, 1965, 4.4 percent; December, 1966, 3.3 percent. And it goes on down the line. Every year or sometimes twice a year, there has been an increase. In 1969 there were two increases that total 9.3 percent. Then as early thereafter as August 1970 there was a 5.6 percent increase. It goes on and adds up since 1958 to an almost 60 percent increase, year after year, automatically by operation of law. That is the law now, and I am not suggesting that we change it.

This proposed amendment would let all officers, when they become 60 years of age, recompute under the salary scales of January 1, 1972. That is after the big increase of last year. All of that would be in addition to what I have already read. And on top of that recomputation, then they would continue to get these automatic increases every period. I will not say every year, because sometimes there are two of them in a year. Of course, the formula is based on a cost-of-living increase. If the cost of living does not continue to go up, they will not get an increase on top of this recomputation.

The Senate knows that I have sometimes been accused of leaning toward the military. Certainly I am not against them. I do not propose to see that they are neglected or anything else. However, this is a matter that has gotten to the point where it concerns the Nation, the national debt, and the taxes that people have to pay.

I do not want this thing to proceed until the taxpayers feel they must say something about it and to vote negatively on some of these things. I do not want it to run on until it breaks down like an overloaded vehicle of some kind that is just crushed and all four wheels go down at the same time.

I am going to make a definite proposal here before the debate is over, so that we can go into some hearings that will thoroughly establish the facts and give everyone a fair consideration and fair treatment on the matter. I am talking about retirees. We will come up with our best effort and the best efforts of the executive branch. A lot of things can be cleared up after the election. Maybe this might be one. I mean getting down to our basic thinking and basic policy formation and formulating a system that is sound and fair.

If we do this now, we will hear from the civil service people because they are going to want to recompute. It would mean that they would come in years later, after all these years. We do not let them do that now. However, they are intelligent, and they follow events, and they will try it.

So, I think that we have to get all of our facts together and get something that is sound and solid and something that is fair and something that we can live with.

I do not mean to lean away from the military or against them. Whatever leanings I have, I suppose are with them. However, we have a policy which permits a man to retire from the military when he has served for 20 years. We have never said that he must retire, or anything like that. The military has said that he may retire at the end of 20 years for the good of the service. And under that language everyone who wants to do so can retire at the end of 20 years.

They are still young men. I think they are mighty young. If they go in at 18, they are 38 when they can retire. If they go in at 20, they are 40 when they can retire. These men have an earning capacity, most of them do.

The average expectancy of these young men, men of 40 years of age—and they are in good health, most of them are—is that they will live to be 75. So they will have 35 years of retired pay.

Now, we are asked to recompute it for a man having served 20 years in the service. Is that exactly in keeping with the way we treat our Civil Service employees, or our social security people who are making contributions for all those years and cannot retire until 62 at the present time? This is the lowest age at which a man can retire now. I think that all of these things must be put down and weighed.

The **PRESIDING OFFICER**. The Senator's time has expired.

Mr. **STENNIS**. Mr. President, I yield myself an additional 5 minutes.

The **PRESIDING OFFICER**. The Senator from Mississippi is recognized for another 5 minutes.

Mr. **STENNIS**. So, Mr. President, that is about the case. There have not been any hearings held on this proposal. Some may want to blame me. However, there have not been any hearings held in the House, and there have not been any plans completed by the executive branch.

Mr. President, this general speaks without contradiction for the assistant director of personnel and he said that he urges we do not dispose of this question by amendment. If I understood the Senator from Arizona correctly he is for the purposes of the amendment and he wants them to pass but he does not think it should be done here—in this way. He wants a further look.

I am thinking now in terms of how soon we can get at this matter, and I am speaking in terms of starting some in-depth hearings this year. This is not something that is going to be finished in 2, 3, or 4 months, either. There must be help from someone who knows a great deal about it, according to the staff. There must be Senators who are willing to dig into it and learn all about it, who would have to act and have hearings.

With plans something along that line, sometime before next year is too far along we should be able to have a bill here that represents our thinking and some of the thinking of the executive branch, a bill that does fairness to these retirees and tries to grapple with their problem and tries to bring up some kind of plan for them in the future—a future system of retirement pay and a decision on whether or not they are going to have to contribute directly to that fund.

Something can be worked out along those lines. I am not begging; I do not beg. But I hope the majority of Senators will find that it is the sound approach to this problem that I have outlined here all too briefly.

To get this matter in our minds just a little, by way of summary I have written out a list of salient points that came to my mind a day or 2 ago between some of the debate we have had. I think these salient points that I have written out in longhand will help.

The military personnel now make no direct money contribution to the retirement system. Now, they can argue, and I do not blame them for that, that their salaries are set in relation to the fact that they do not pay and that they would be paid more if they had to contribute to the fund.

We debated this salary question here last year for over 3 months from time to time and I did not hear that point mentioned all the way through. It is pretty well in our minds, I think, that we pay those salaries on the basis of what we think they should have and do not take into consideration that they do not pay anything into the retirement fund and would have to make it less than we would have otherwise.

No. 2, since 1957 military personnel have had the benefits of the Social Security Act. In 1957 we passed a law giving those that wished to have benefits of the act the opportunity to share in the social security system, with the Federal Government paying all the accrued liability of the individual's cost of the system up to that time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I yield myself 3 additional minutes.

Whatever the backpay was, so called, they paid part of it.

Retirees now get, and I mentioned this before, cost-of-living increases, and they have since 1958. This has amounted to a total of almost 60 percent. If this amendment is passed, on reaching 60 years of age each retiree would be able to recompute and continue to receive these bureaucratic cost-of-living increases. That computation will be on the basis of January 1, 1972, pay scales, which include all these previous increases.

I am proud that our Government has been able to get them such a liberal system as this all these years, but I think in fairness now it has to be considered. There has to be some consideration given to the others along with it and consideration has to be given to the cost, the continuing liability, the accrued liability over the period of years.

An amendment was passed here the other day for $995 million. I remembered how close that was to $1 billion. Here is one $10 billion amendment, with 30 minutes to a side. We will have another 30 minutes later.

I yield to the Senator from West Virginia.

Mr. ROBERT C. BYRD. Mr. President, with respect to the amendment adopted the other day in the Senate in the amount of $968 million, to which the distinguished Senator just referred, that money had been authorized by a previous measure passed by Congress this year and, following the hearings conducted by the House and Senate Committees on Appropriations on the HEW appropriation bill, a budget estimate was received from the President requesting the funds.

That money was for payments, so-called black lung payments, so I wish to emphasize—and I know the Senator would be pleased to have me do this—that the money had been authorized by a previous legislative act and had been requested by the President in a budget estimate sent to Congress.

Mr. STENNIS. Yes. I am sure there was a good basis for it, because it had good sponsorship. I remember it was almost what could be called a fixed liability. But I remember some that were vague. I was not referring to the Senator.

Mr. GURNEY. Mr. President, who controls time for the amendment? I wish to speak in support of the amendment.

Mr. ROBERT C. BYRD. How much time does the Senator want?

Mr. GURNEY. Ten minutes.

Mr. ROBERT C. BYRD. Mr. President, on behalf of the Senator from Indiana (Mr. HARTKE) I yield 10 minutes to the able Senator from Florida.

Mr. GURNEY. Mr. President, I support the amendment of the Senator from Indiana (Mr. HARTKE). This amendment, No. 1396, to this military procurement bill, if passed, will cure what I feel is a longstanding injustice. Prior to 1958, retirement pay for our veterans was increased the same amount as pay for those on active duty. Thus, when the military received a 5-percent pay increase, all military personnel—both active and retired—benefited equally. Then, in 1958, the system was changed; instead of increasing retirement pay the same amount as active duty pay, Congress voted to tie increases in retirement pay solely to increases in the cost of living. As a result of this change, retirement pay has increased less than half as rapidly as active duty pay. It should not be surprising then that many military people have felt that they have been dealt a terrible injustice since 1958.

Ever since I came to the Congress, I have actively supported bills which would have returned us to the pre-1958 method of determining retirement pay for military personel. But for years nothing was done. Then on March 10, 1971, President Nixon appointed an interagency committee composed of the Assistant Secretary of Defense for Manpower and Reserve Affairs, the Administrator of the Veterans' Administration, the Chairman of the Civil Service Commission, and the Assistant Director of the Office of Management and Budget for the purpose of making recommendations on how best to improve our military retirement system. One of the proposals resulting from this effort is the one we have before us today, the so-called, one-time recomputation of retired pay which would grant to those who retired for years of service and are 60 or older, an increase in retirement pay. Passage of this proposal would bring military retirement income more into line with the real cost of retiring today. Such a change is badly needed and long overdue.

Mr. President, I see no reason why we should not go ahead and adopt this one-time recomputation measure. Since the institution of the present system of computing retirement, the economic position of older retirees has grown steadily worse. While active duty military salaries have become more comparable to civilian salaries, military retirement benefits have barely kept pace with inflation.

In the thousands of letters I have received on this issue in my time in the Congress, the most frequent cause for complaint has been that the older retirees feel cheated because their younger comrades receive substantially higher retirement benefits due to recent military pay increases.

Let us take an example. Suppose a colonel retires today. His retirement pay, of course, is computed on what the present active pay is. Yet a colonel who retired 12 years ago has his retired pay computed on what the active pay was at a time when it was considerably less than it is today. The older retiree, without question, has a greater need for a higher income today than the young man who is much more able to get on the work force and in the job stream to supplement his income, as compared with the older retiree who is not able to get in the work system and who receives substantially lower retirement pay. It does not make sense. It is an injustice which should be corrected.

One would think all retirees should be treated equally, but this is not the case with our armed services personnel. Years ago, as we all know, military pay was substantially lower than civilian pay for the same type of work. For years, many of us felt that additional benefits accorded to the military made up for the low active duty pay. But in the past 15 years or so, we have realized that this is not necessarily the case, and we have set about making pay for the military comparable to pay for civilians. We have forgotten about the military retiree, however, who retired 10 or 15 years ago before military salaries became competitive with civilian salaries. The military man who retired 10 years ago has seen active duty pay skyrocket. His retirement pay, however, was based on a low salary to begin with, and has increased solely on the basis of the cost of living. In essence, then, the older retiree received low pay while he worked, and now that he is retired and can no longer work, he is receiving an inadequate retirement benefit to meet the cost of modern day living.

Crucial to any discussion of this amendment is the effect it will have on bringing us closer to a voluntary military. The President and both national political parties are on record as favoring a volunteer Army. I certainly believe an all volunteer Army is better than the draft and better than the lottery. I know we will never have a volunteer military unless we make clear our intention to deliver on the promise, an equitable retirement program. The pre-1958 retirement pay system was both equitable and attractive; to live up to its promise would not only right a wrong done a retired veteran, but would make a military career more appealing to potential servicemen.

Mr. President, just a few weeks ago we gave our senior citizens a 20 percent social security boost. At the same time, we also made future benefit increases automatic and tied them to the cost of living. This amounts to recomputation; what, in effect, we said was the cost-of-living increases alone was not enough to overcome existing disparities in income. One time recomputation does exactly the same thing for military retirees as the social security benefit increases did for our senior citizens. As with social security, this Nation made commitments to its servicemen and one that needs to be lived up to. Career military men have made a lot of sacrifices for this Nation; to not accord them the same treatment others are accorded is a circumstance that needs to be rectified.

I sincerely hope the Senate will adopt the amendment and get on with this business, which should have been done a long time ago, and bring retired pay in keeping with present active pay by this one time recomputation.

I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND. Mr. President, I think the Senator from West Virginia would yield me time.

Mr. STENNIS. Mr. President, I think I am authorized to yield to the Senator such time as he may need.

Mr. THURMOND. Fifteen minutes.

Mr. STENNIS. I yield 15 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, it is with reluctance that I rise to speak contrary to the position of the distinguished chairman of the Senate Armed Services Committee, because of the high respect I have for him and because of the great work he has done on this particular piece of legislation. However, Mr. President, I feel that justice is justice and that something must be said to show the justice of this amendment.

This amendment provides that any member or former member of the uniformed services who is age 60 or older and is entitled to retired pay in effect prior to January 1, 1972, would be allowed to recompute this pay based on the rates in effect January 1, 1972.

The amendment also allows recomputation for some retirees with disabilities of 30 percent and more and permits both groups to benefit from the Consumer Price Index formula.

Mr. President, as a long-time supporter of military recomputation, this amendment appears reasonable. It does not provide for full recomputation—I want to emphasize that; it does not provide for full recomputation—which also has my support, but it is at least a step in the right direction.

The Senate should also be aware that this amendment falls short of the recomputation proposal sent to the Congress by President Nixon. The President's proposal would cost about $300 million the first year, with a lifetime cost of $14 billion. The latter figure is based upon the estimated life of those additional retirees who would receive benefits under the Nixon plan.

The pending Hartke amendment would cost about $275 million the first year, with the lifetime cost estimated at $10 billion.

Mr. President, until 1958 those retired from the uniformed services received pay increases along with those serving on active duty. These retirees were, of course, only receiving a fraction of the active duty base pay, but when the pay for a certain rank or grade was increased the retiree's pay was increased proportionately. And, Mr. President, I emphasize that the 1958 act changed this, and that the law it changed had been in effect as a permanent statute and had stood for almost 100 years.

This policy of many, many years was changed in 1958 and the retired pay was tied to the Consumer Price Index formula. As a result, during the last decade many retirees' have been discharged on different pay scales. It is my view that Congress did not understand in 1958 that its action in changing the law would have the unfair effect which has resulted in the past 14 years. Otherwise I do not think Congress would have passed it.

Mr. President, this is an illustration: A sergeant-major with 30 years of service to his country who retired in 1969 is paid $3,710 more a year than his identical counterpart who retired in 1958.

Who needs the larger amount more than the older man who retired in 1958, or the man who retired many years ago? Yet the young man who retired just 3 years ago gets $3,710 more than his counterpart who retired in 1958.

The gap is even greater today. Yet, both face the same cost of living. This kind of inequity exists in all ranks between those who retired before 1958 and those who have retired since 1958. For almost a hundred years, retired pay percentage was computed on active duty base pay. This method treated everyone fairly. It was recomputed each time active duty base pay was increased until 1958 when the tradition was broken. Under the present system, the pay gap widens each time there is an active duty pay raise.

Tragically, we have not kept the faith with the men and women of our uniformed services.

Mr. President, in the 91st Congress, about 47 Senators and many more Representatives introduced or cosponsored legislation to base retired pay on a percentage of current active duty base pay to conform to the long-established principle which had existed for almost a century. The failure of the Congress has caused these bills to die without a vote in the Senate or in the House.

Can you imagine 47 Senators introducing legislation, and many more Representatives, unless there is merit in it?

In this session of Congress—the present session—61 recomputation bills have been introduced or cosponsored in the House. My distinguished colleague from Texas (Mr. TOWER) has introduced S. 377, which is cosponsored by about 44 Senators. It is obvious that the time has come to correct an injustice.

Mr. President, there have been numerous boards, committees, and study groups on the subject of military pay, active and retired. Bills on this matter have been pending in the Congress for years. We should have dealt with recomputation long before now.

My esteemed colleagues, I feel that this body can do no less than to give prompt attention to the plight of those who laid their lives on the line to preserve our heritage, not just because the law demanded it but because they were committed and served voluntarily until they had, by virtue of their sacrifices, attained retirement.

Mr. President, I repeat that this law does not apply to anyone, officer or enlisted person, who has not reached the age of 60. A full recomputation would go back and take in all of those who have retired after 20 years. In other words, if a young man went in the service, say, at 20, when he became 40 years of age he could retire. Men in that category would not come under this provision. They have 20 more years to wait. So this is not a full recomputation. Even the President's bill provided that where they had 25 years of service they could retire.

So this is not giveaway bill. This is not runaway bill. This is the most conservative of all the amendments that have been offered, and it requires less money than any of the others that have been offered.

We can hold hearings on this. They should have been held long ago. Mr. President, what we are doing now is giving the lowest rate to the oldest group, because salaries in the service have been raised year after year since 1958. They have received any number of raises, and justly so. But the fellow who served his country just as long before 1958 now gets 50 percent less, in many cases, than the fellow who retired, say, last year or the year before, in the same grade.

Mr. President, I repeat that the President has recommended that recomputation take place, except that his plan is a more liberal plan than this plan offered by the distinguished Senator from Indiana. I want to say further that the President included the money in the budget for this. Why would the President put the money in the budget? He knows there is talk about big spending, and my record shows that I have voted for economy as much as anyone here. I think we have got to reduce expenses. But I say we should not do it at the expense of any one category of people in this country, and especially those who wore the uniform and fought in wars, when the bullets were flying around.

Mr. President, I just want to say in closing that the 1958 Pay Act violated a permanent statute that had stood for almost 100 years. It is nothing but right that we have this recomputation. It is nothing but honest, nothing but just, that we treat these people the same as we treat those in the same grade and the same service who retire now.

Making it effective at 60 years of age is putting off all who could have retired before then, after serving from 20 to 30 years. If a man went in the service at 20 and served 30 years, he could retire at 50. But under this amendment, he will not come under its provisions until he has reached the age of 60. So no honest and just amendment that could be offered could be more conservative than this amendment offered by the Senator from Indiana, and I hope that the Senate will consider it carefully. I hope so because it is just. I think it would have been better to have had hearings, and I favor hearings, but we have not received hearings; and if we are to get hearings this year, after today, I doubt that the bill would come before the Senate this session.

Why should we punish these people for something they are not responsible for? Why not put them on the same basis as others of the same service, if they have served their country in a fine, honorable manner?

So I hope that the Senate will give careful attention to this amendment. I would rather not have seen it on this bill. I would rather have seen it in a separate bill. I am standing here fighting with the distinguished Senator from Mississippi while I prefer to help him on all these matters, but this is an honorable and a just amendment, and it should be adopted.

Mr. **STENNIS**. I thank the Senator very much for his fine remarks. He certainly does help out with problems on this bill. We happen to disagree on this matter.

Mr. President, I shall not detain the Senate for more than a few minutes. I understand that another bill is scheduled to be laid before the Senate soon.

I invite the attention of the Senate to the fact that hearings were held on this matter in 1963, and a bill was passed which allowed all those who had retired since 1958 to recompute under 1963 pay schedules or take a flat 5-percent increase, whichever was most advantageous to them. This record nails it down.

I refer to page 248 of the record of those hearings before the Committee on Armed Services on H.R. 5555, conducted July 16, 17, and 18, 1963, by the Senator from Nevada (Mr. CANNON). Admiral Smedberg is the witness to whom I refer. Admiral Smedberg was then Chief of Naval Personnel and the spokesman for the bill. He said, at page 66:

> My father was a brigadier general, a West Pointer. I spent some 60 years subject to influences of Army and Navy, and I know the deep feeling that exists and the trust and confidence that Regular officers have in the Congress and the commitments that are made to them when they come into the service. So I feel it is most significant, sir, that this recomputation be permitted for those people who retired prior to 1958, and I also agree that from now on, there is no reason for any of us who retire to feel that our retired pay should be boosted in conjunction with any increase in pay for the Active Forces.

He was talking about the bill then, and he was asking for recomputation at the 1963 level.

The bill also contained the provision I mentioned earlier about the periodic pay increases based on the rising scale of the economy.

I now refer to page 248 of the same hearing, before Senator CANNON, and the witness was Rear Admiral Denfeld, who was then president of the Retired Officers' Association. He was giving his reasons for advocating passage of the 1963 bill:

> (b) The fact that the Department of Defense's recommendation for recomputation based on the 1958 rates was made with—"the explicit understanding that henceforth, all personnel retired, or to be retired, will have periodic adjustments to retired pay made on recognized changes in the cost of living."
>
> The Retired Officers Association, therefore, recommends enactment of the bill, H.R. 5555, amended as suggested. Thank you very much, Mr. Chairman, and members of the committee, for the privilege of appearing before you today.
>
> Senator CANNON. Thank you, Admiral Denfeld.
>
> In order that we have the record straight, as I understand it now, your association recognizes the fact, as a fact, that if Congress enacts this law, providing recomputation under the 1958 pay bill, with the 5-percent increase up to now and the provision in the bill for cost-of-living raise hereafter, that this puts an end to recomputation once and for all?
>
> Admiral DENFELD. I think there is no question about that, Mr. Chairman. I think that this is the first time that they really have taken out all the provisions in previous bills for recomputation.
>
> Senator CANNON. And you support the bill on that premise?
>
> Admiral DENFELD. Yes, absolutely.
>
> Senator CANNON. With that recognition?
>
> Admiral DENFELD. Absolutely.

So, Mr. President, I do not see how we can get anything clearer, firmer, more binding, or more conclusive than the testimony of these witnesses.

Congress did exactly what it was asked to do by the Reserve Officers' Association and the others—to recompute one time, or, if 5 percent is more favorable, take the 5 percent. Then they would get these periodic pay increases. Since 1963, those periodic pay increases have been given and now total 60 percent. They have been given during periods of rise, sometimes two a year, and that, of course, will continue. If this amendment is adopted, it will continue on top of that. If the amendment is not adopted, it will continue in the regular way.

Mr. President, I will not pursue this matter further. We will have a chance to argue it briefly later in the day.

I ask unanimous consent to have printed in the RECORD a brief statement, based upon research, about the history of recomputation, together with certain tables which show amounts and the retired pay adjustments.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HISTORY OF RECOMPUTATION

Mr. President, since so much of this argument depends on historical precedent, it is essential to give a brief historical review to have any understanding of this matter.

EFFECT OF AMENDMENT

What this amendment proposes, Mr. President, is that we continue the cost-of-living method which would not be altered, and in addition authorize a one-shot recomputation for those reaching age 60 based on the January 1, 1972 rates.

In other words, the effect of the amendment is to leave unaltered the cost-of-living system which is permanent law but impose on top a one-shot recomputation for those reaching age 60.

I would observe, Mr. President, that since 1957 military personnel are now covered under the social security system and most of them are entitled to social security benefits in addition to the benefits under retirement laws.

MEANING OF TERM—RECOMPUTATION

Mr. President, the term recomputation meant that a military retired pay would be adjusted or "recomputed" whenever the active duty pay rates for his grade was increased. At this point, let me point out an important historical fact. Recomputation was always dependent on what the Congress decided as a part of the infrequent pay acts. There wasn't any permanent statute that provided that retired pay would be prospectively increased whenever the active duty rates were increased. This matter was dependent on each pay act. It was not automatic. The 1958 Act did not abrogate any general permanent statute authorizing recomputation.

DENIAL OF RECOMPUTATION FOR SOME IN 1949

The Congress began to depart from the recomputation as early as 1949. In the career compensation act as enacted over 40,000 retired persons were not allowed to recompute under the scales enacted at that time. This was a group that failed to qualify under the new disability retirement rules of 1949 legislation. This group was given no increase at all. Later, they received a percentage increase in 1952, 1955 and at later times just as the other groups.

HISTORIC TREATMENT

Mr. President, it has often been stated that recomputation was an un-interrupted system for over 100 years. Let me cite these facts as a matter of understanding. The pay raise of 1908 was the first general pay raise since 1870. The next raise did not occur until 1922 with the next one occurring in 1941.

These general pay increases which included the so-called recomputation provisions were nothing more than cost-of-living increases. The recomputation provisions which applied in the days when people had a full lifetime career and retired at about age 60 years was, in effect, the cost-of-living method of adjusting retired pay.

THE ACTION OF 1958

This matter was thoroughly debated and examined in 1958. In substance, it was decided that in lieu of continuing the recomputation method, a cost-of-living increase of a flat 6 percent would be granted to all persons then retired.

Had the recomputation been continued at that time, the retired increases would have been from 15 to 75 percent in the upper ranks; however, 38,000 in the lower ranks would have received less than 6 percent and some no increase at all.

The fundamental policy was established that active duty pay rates must be enacted primarily for meeting the needs of the active force. These needs are totally different from those on the retired list. For this reason, the cost-of-living approach was adopted.

Moreover, as I have stated, many systems in the public and private sectors do not allow for any increases following retirement.

ONE-SHOT RECOMPUTATION IN 1963 PAY LEGISLATION

Mr. President, in 1963 as a part of the pay legislation, the Congress did authorize a one-shot recomputation for those retired prior to 1958. Those retired in the higher ranks felt very strongly that they should be allowed to recompute on the 1958 pay rates. I would observe, Mr. President, that the 1963 hearings reflect that several high ranking military witnesses testified that if the one-shot 1963 recomputation were enacted, the recomputation should be ended once and for all.

ATTACHMENT 2

Grade and date retired (before)	Length of service	Current retired pay	Hartke amendment	Under Hartke amendment: Monthly increase	Under Hartke amendment: Annual increase	Under Hartke amendment: Annual retired pay
General–0–10:						
June 1, 1958	30	$1,816.38	$2,346.52	$530.14	$6,361.68	$28,158.24
Jan. 1, 1965	30	1,954.57	2,346.52	391.95	4,703.40	28,158.24
July 1, 1970	30	2,315.58	2,346.52	30.94	371.28	28,158.24
Lieutenant general–0–9:						
June 1 1958	30	1,602.70	2,126.38	523.68	6,284.16	25,516.56
Jan. 1, 1965	30	1,724.82	2,126.38	401.56	4,818.72	25,516.56
July 1, 1970	30	2,043.04	2,126.38	83.34	1,000.08	25,516.56
Major general–0–8:						
June 1, 1958	30	1,442.43	1,917.31	474.88	5,698.56	23,007.72
Jan. 1, 1965	30	1,555.25	1,917.31	362.06	4,344.72	23,007.72
July 1, 1970	30	1,842.26	1,917.31	75.05	900.60	23,007.72
Colonel–0–6:						
Jun 1, 1958	30	1,052.44	1,464.40	411.96	4,943.52	17,572.28
Jan. 1, 1965	30	1,188.25	1,464.40	276.15	3,313.80	17,572.28
July 1, 1970	30	1,407.08	1,464.40	57.32	687.84	17,572.28
Lieutenant colonel–0–5:						
June 1, 1958	25	690.03	995.74	305.71	3,668.52	11,948.88
Jan. 1 1965	25	807.76	995.74	187.98	2,255.76	11,948.88
July 1, 1970	25	956.61	995.74	39.13	469.56	11,948.88
Major–0–4:						
June 1, 1958	20	$448.75	$666.15	$217.40	$2,608.80	$7,993.80
Jan. 1, 1965	20	540.21	666.15	125.94	1,511.28	7,993.80
July 1, 1970	20	640.01	666.15	26.14	313.68	7,993.80
Sergeant major–E–9:						
June 1, 1958	30	(1)				9,500.88
Jan. 1, 1965	30	613.20	791.74	178.54	2,142.48	9,500.88
July 1, 1970	30	760.74	791.74	31.00	372.00	9,500.88
Master sergeant–E–8:						
June 1, 1958	30	(1)				8,486.40
Jan. 1, 1965	30	547.49	707.20	159.71	1,916.52	8,486.40
July 1, 1970	30	679.43	707.20	27.77	33.24	8,486.40
Sergeant 1st class–E–7:						
June 1, 1958	24	304.24	452.50	148.26	1,779.12	5,430.00
Jan. 1, 1965	24	250.54	452.50	101.96	1,223.52	5,430.00
July 1, 1970	24	434.82	452.50	17.68	212.16	5,430.00
Staff sergeant–E–6:						
June 1, 1958	20	216.43	311.03	94.60	1,135.20	3,732.36
Jan. 1, 1965	20	241.04	311.03	69.99	839.88	3,732.36
July 1, 1970	20	298.88	311.03	12.15	145.80	3,732.36

[1] Pay grades E–9 and E–8 were established June 1, 1958. Accordingly, there were no retirees in those grades before that date.

Retired Pay Adjustments

There are two basic methods that can be used to increase the pay of retired personnel. Retired pay can be *recomputed;* that is, when an element of the formula—for example, the pay base—is changed, retired pay is recalculated. Or retired pay can be *adjusted;* that is, the formula and pay base remain unchanged, but the dollar amount of the annuity is changed by increasing it by a flat amount or a percentage factor. These two basic methods can be used singly or in combination to produce many alternative methods of increasing retired pay.

HISTORICAL DEVELOPMENT

Recomputation of military retired pay dates from the Act of August 3, 1861, in which present retirement laws are based. Recomputation was a part of the military retirement system until the Joint Service Pay Act of 1922, when it was deleted because the structure of the proposed pay raise would have resulted in a great increase in retired costs. The recomputation provision was restored by Congress in 1926 in recognition of the requirement for earlier retirees to meet greater financial obligations due to increases in the cost of living. Again, in 1958 legislation, Congress departed from recomputation by providing that those retired before June 1, 1958, would not be entitled to an increase in retired pay based upon new rates of active duty pay which became effective on June 1, 1958. Instead, the pay of these retirees was adjusted by increasing the amount of retired pay as of May 31, 1958, by 6 percent. Since the active duty pay raise was much in excess of 6 percent for many personnel, recomputation of retired pay based on the new pay scale would have raised retirement costs substantially.

Widespread dissatisfaction with this legislation resulted in several bills being introduced in Congress; however, none were enacted. At that time, most of the proposals for a return to "recomputation" actually did not argue for a return to the practice on a continuing basis. Rather, the more usual argument was for a final "one-time recomputation" of the pay of those who retired before the 1958 pay raise, using the increased 1958 rates as the basis for this final recomputation. In 1960, such a recomputation bill passed the House but was defeated in the Senate. In 1963, with the support of the Department of Defense, that proposal was enacted.

This law, Public Law 88–132, allowed members who retired before June 1, 1958, to have their pay recomputed at the rates that became effective June 1, 1958, or to have their current retired pay increased by 5 percent, whichever was greater. In addition, it established in law the policy of adjusting retired pay based on increases in the Consumer Price Index (CPI).

Uniformed Services retired pay has been increased since June 1, 1958, as follows:

Date of increase	Comparative increase: Retired pay	Comparative increase: CPI	Cumulative increase: Retired pay	Cumulative increase: CPI
June 1, 1958	6.0		6.0	
Oct. 1, 1963	[1]5.0	6.3	11.3	6.3
Sept. 1, 1965	4.4	2.6	16.2	9.1
Dec. 1, 1966	3.7	3.7	20.5	13.2
Apr. 1, 1968	3.9	3.9	25.2	17.7
Feb. 1, 1969	4.0	4.0	30.2	22.4
Nov. 1, 1969	5.3	4.3	37.1	27.7
Aug. 1, 1970	5.6	4.6	44.8	33.5
June 1, 1971	4.5	3.5	51.3	38.2

[1] The increase in October was a 5 percent minimum increase or recomputation to June 1, 1958, pay scales. The average increase was 7.7 percent, and the largest increase was 10.3 percent.

STATEMENT OF PROBLEM

Stated in simplest terms, the problem of adjusting Uniformed Services retired pay is one of deciding to what degree service retirees should share in the benefits of economic growth and a rising standard of living. We live in a dynamic society with rising price levels and a rising standard of living. The benefit of gains in the economy is passed on to the worker primarily through higher wages. If his wages rise faster than prices, he will achieve a higher standard of living. Unless prices increase faster than his wage level, his achieved standard of living will not decline.

The comparability policy enacted by Congress in 1967 assures that Uniformed Services active duty pay raises will keep pace with pay raises in the civilian sector. Thus, active duty personnel can realistically anticipate an increasing real wage and a rising standard of living.[1]

The CPI method of adjusting retired pay provides retired members only with the assurance of a secure level of purchasing power. It guarantees to maintain a standard of living achieved at time of retirement but not to raise it beyond the extra 1 percent given with each CPI increase. The retired member must depend on his second career earnings to raise his standard of living if it is to rise.

CONSUMER PRICE INDEX METHOD VS. RECOMPUTATION

Under the CPI formula, retired pay is increased every time the CPI increases by 3 percent over the CPI at the last adjustment and sustains that level for 3 consecutive months. The adjustment is 1 percent more than the highest percentage increase during the 3-month period. It is effective at the beginning of the third month after the 3-month period.

Before 1958, military retired pay was related at all times to active duty pay, and whenever active duty pay scales were changed, the pay of retired members was recomputed on the basis of the new pay scale. Recomputation resulted in the equalization of retired pay; i.e., all retirees with the same grade and length of service received the same monthly retired pay, regardless of the date of retirement.

Those who advocate a return to recomputation either for all past and future retirees or for members who were on active duty in

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[1] This same effect is realized to some extent by Uniformed Services personnel retiring since 1967. Pay increases in the civilian force are applied to salary and because civilian retired pay is based on salary, retired pay increases in consonance with salary. These same pay increases are transmitted to Uniformed Services total compensation by the mechanism of increasing basic pay. Since basic pay is only one element of total compensation, it increases faster than total compensation. Because retired pay is calculated from basic pay, retired pay increases faster than it would if it were based on total compensation and, consequently, faster than the standard of living.

1958, when the practice was discontinued, generally cite the following arguments in support of their position;

Equalization of retired pay is desirable. Just as all active duty service members with the same grade and length of service receive the same pay, so should retired service members.

The Government "broke faith" with retirees and potential retirees in 1958 when a long-standing method of adjusting retired pay was discontinued. Service members had served at below-standard pay levels and had endured the extra rigors and hazards of military service partially in anticipation that their retired pay would be based on active duty pay as increased throughout their lifetime.

The recomputation method makes military service more attractive, increasing enlisted and officer accessions and increasing retention.

Opponents of a return to recomputation for any present or future retirees generally cite the following arguments to support their position:

Recomputation as a method of adjusting retired pay for future retirees is inefficient. It is the most costly method of adjusting retired pay. At the same time, it encourages early retirement, since liberal automatic increases make the combination of retired pay and second career income more attractive than continuing on active duty after retirement eligibility (at 20 years of service, any age) has been reached. It is also inefficient because it puts extra compensation resources into retired pay rather than into demonstrably more flexible and effective active duty pay elements.

If recomputation is restricted only to some limited groups of retirees, eventually, members of that group will receive higher retired pay than members of the same grade and length of service who retire *after* them. This "inversion" of retired pay will adversely affect the morale of future retirees, who in all probability would become a new dissatisfied group.

Members who are retired no longer contribute to national security to the same extent as their active duty counterparts. Therefore, while it is logical that their retired pay should be adjusted periodically to maintain its purchasing power, it is illogical to provide them with the same percentage increases that active duty members receive for their current productive service to the Nation.

The reasons for the distribution of active duty pay raises by grade and length of service are related to the procurement and retention needs of the active force. Retention problems or other active duty considerations may warrant a differential pay raise in which, for example, E–7's receive a higher percentage increase than O–5's. Nevertheless, recomputation passes that same differential on to retired members. This has the effect of basing retired pay on needs unrelated to those of retirees or, alternatively, denying management flexibility in using its resources.

No major public or private retirement system uses recomputation as a means of adjusting pay for retired employees. Further, the CPI adjustment method is liberal compared to private sector employer practice. Many private sector employers do not provide for any periodic adjustment of retirement annuities.

TWO KEY ISSUES

Two key questions were addressed by the Interagency Committee in developing its recommendation on adjusting retired pay:

Did the Government "break faith" with any service members, retired or active, when the practice of recomputation was terminated on June 1, 1958?

Would recomputation be appropriate as the method for adjusting service retired pay?

On the first question, opinions are diversified, and the answer is not clearcut. Behind the allegation of Governmental "breach of faith" in terminating recomputation is the argument that the action constituted, if not breach of formal contract, at least a breach of an implied contract. The Court of Claims in a 1966 case, *Charles L. Andrews Jr. vs. U.S.*, ruled that there was no formal contract guaranteeing recomputation to members, but that the entitlement was statutory and subject to legislative changes. The Court further ruled that service pay is not subject to common law rules governing contracts and that there was, therefore, no binding common law contract.

Thus, the Government has no legal obligation to return to recomputation for service retirees, and the issue of "broken faith" becomes ethical rather than legal and more difficult to define. If recomputation was a factor that pre-1958 service members considered at the time they made a career decision, it could be persuasively argued that by discontinuing the practice, the Government did break faith in an ethical sense and has an unfulfilled obligation toward members who served under the recomputation law.

On the second issue, the evidence is overwhelming. Compared with the CPI method for adjusting civil service retirement annuities, it would be much more generous and without justification under the principle of comparability. Compared with methods used by private industry and other public jurisdictions to adjust retired pay, it would be liberal and is without precedent among other major employers. Recomputation would not be an appropriate method of adjusting service retired pay. It would be enormously costly and, as discussed, a major impediment to the effective management of the active duty forces.

One recent survey[2] of state and local government retirement systems reported that of a total of 214 retirement plans, only 14 provided for an automatic increase in retired pay benefits to keep pace with the cost of living. Employers in the private sector are still less generous in their protection of the purchasing power of annuities. Another study[3] covering 201 major companies with over 7 million workers found no provisions in any of the plans for automatic adjustment of retirement income based on movements in the CPI.

CONCLUSIONS

The Interagency Committee is persuaded that termination of recomputation was inevitable in view of the trends toward earlier retirement after World War II. The pre-World War II retiree spent most of his working lifetime in the military while the post-World War II retiree, because retirement rules have been liberalized, is a younger man who re-enters the work force for many productive years. Under these circumstances, the Committee believes that the Government was justified in discontinuing recomputation.

Apart from the ethical obligation issue, which the Committee recognizes but does not consider overriding, there is no justification for recomputation. The CPI formula is fair and very generous compared to practice in industry and state governments. It provides military personnel with a level of security enjoyed only by the Federal civilian work force and very few other workers in the economy.

Although the Committee believes that a return to continuing recomputation is wholly unwarranted, it does recognize that the sudden discontinuance of recomputation in 1958 became a matter of grave concern for many of those already retired in 1958 as contrasted to those on active duty in 1958, most of whom will have second careers before reaching old age.

Thus, the Committee believes that the concept (income supplement/old age annuity) developed for use in revising the nondisability retirement system lends itself to providing remedial action for those affected by the discontinuance of recomputation. In the plan described below, those who have the greater need will receive an immediate increase in retired pay when the revised plan becomes law. The retirees in the defined second career period will receive an adjustment upon reaching the established old age thresholds.

Mr. STENNIS. Mr. President, I ask unanimous consent to have printed in the RECORD some information furnished to the House Committee on Armed Services which they have kindly forwarded to me regarding future retired pay costs. This information, all compiled by the Department of Defense, states that the cumulative retired disbursements starting in fiscal year 1973 and going through the year 2000 will be $339 billion without any added statutory benefits. This computation sets forth the additional cost of various forms of recomputation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COST ESTIMATES OF RECOMPUTATION ALTERNATIVE BILLS

The attached table shows retired pay costs under the present system without recomputation compared to retired pay costs under a variety of recomputation proposals.

The cost projections are based on the following assumptions:

Active duty force size—2.64 million.

Members leave active duty according to the 1963, 1964, 1965 Multiple Decrement Table.

Retirees die according to the 1937 Standard Mortality Table.

Basic pay increases 5% per year beginning in July 1973.

The CPI increases 1.5% per year beginning in July 1973.

Disability retirees receiving pay based on the October 1, 1949 retirement laws and pay scales and recomputed only if they qualify for and compute their retired pay under the Career Compensation Cut formula.

The attached table is structured as follows:

The first column of annual disbursements portrays the cost of the present retirement system without recomputation.

The second set of projections portrays the cost of the DOD recomputation recommendation, as submitted to Congress on April 15, 1972. The difference between this alternative and the present system is also presented.

The third set of projections portrays the cost of the present retirement system with full recomputation.

The fourth set of projections portrays the cost of recomputation only for persons who served on active duty prior to 1958.

The fifth set of projections portrays the cost of recomputation only for persons who served on active duty prior to 1950.

The sixth set of projections portrays the cost of one-time recomputation to the 1972 pay scales. We assume that these scales will be those in effect at enactment of recomputation.

The seventh set of projections portrays the cost of restoring recomputation at age 60.

The eighth set of projections portrays the cost of restoring recomputation at age 65.

The last set of projections portrays the cost of restoring full recomputation for disability retirees only.

All cost projections assume that pre-CCA disability retirees are recomputed only if they come under the CCA disability provisions.

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[2] State and Local Employee Pension Systems, Tax Foundations, Inc., December, 1969.

[3] Bankers Trust Company, *1970 Study of Industrial Pension Plans*, New York, 1970.

ANNUAL RETIREMENT DISBURSEMENTS STARTING IN FISCAL YEAR 1973 FOR THE PRESENT SYSTEM WITH VARIOUS RECOMP PROPOSALS

[Billions of dollars]

	Present system	Annual disbursement projections							
		DOD proposal		Full recomp[1]		Recomp 1958 group[2]		Recomp 1950 group[3]	
		Annual	Difference	Annual	Difference	Annual	Difference	Annual	Difference
Fiscal year:									
1973	$4.339	$4.627	$0.288	$5.494	$1.155	$5.479	$1.140	$5.455	$1.116
1974	4.758	5.065	.307	6.083	1.325	6.064	1.306	6.021	1.263
1975	5.210	5.539	.329	6.728	1.518	6.708	1.498	6.638	1.428
1976	5.732	6.029	.297	7.462	1.730	7.439	1.707	7.330	1.598
1977	6.274	6.662	.388	8.243	1.969	8.218	1.944	8.054	1.780
1970	7.975	8.538	.563	10.794	2.819	10.740	2.765	10.337	2.362
1990	13.916	14.541	.625	21.073	7.157	20.018	6.102	18.185	4.269
2000	21.662	22.052	.390	35.129	13.467	30.190	8.528	26.585	4.923
Cumulative to fiscal year 2000	339.310	353.623	14.313	509.686	170.376	476.257	136.947	435.471	96.161

	Present system	Annual disbursement projections							
		1-time recomp to 72[4]		Full recomp after 60[5]		Full recomp after 65[6]		Full recomp disability[7]	
		Annual	Difference	Annual	Difference	Annual	Difference	Annual	Difference
Fiscal year:									
1973	$4.339	$5.328	$0.989	$4.614	$0.275	$4.516	$0.177	$4.508	$0.169
1974	4.758	5.739	.981	5.086	.328	4.969	.211	4.955	.197
1975	5.210	6.190	.980	5.609	.399	5.465	.255	5.437	.227
1976	5.732	6.708	.976	6.221	.489	6.023	.291	5.991	.259
1977	6.274	7.247	.973	6.871	.597	6.600	.326	6.568	.294
1980	7.975	8.929	.954	9.272	1.297	8.557	.582	8.389	.414
1990	13.916	14.712	.796	18.430	4.514	17.212	3.296	14.867	.951
2000	21.662	22.160	.498	31.535	9.873	29.308	7.646	23.255	1.593
Cumulative to fiscal year 2000	339.310	362.282	22.972	446.038	106.728	417.275	77.965	361.543	22.233

[1] Continuing recomp for all now on retired rolls and all retired thereafter.

[2] Recomp for persons who had served on active duty or in an active status before May 31, 1958.

[3] Recomp for persons who had served on active duty or in an active status before May 13, 1950.

[4] 1-time recomp for all on retired rolls when legislation enacted; thereafter CPI adjustments only; future retirees CPI adjustments only.

[5] Recomp restored for all at age 60; CPI adjustments until that age.

[6] Recomp restored for all at age 65; CPI adjustments until that age.

[7] Recomp restored for disability retirees only.

Mr. STENNIS. Mr. President, frequently comparisons are made between the civil service and military retirement systems. I would like to include in the RECORD at this time a comparison of age, length of service, and future retired lifetimes for military and civil service retirements in fiscal year 1970. I believe that this comparison will provide some valuable and interesting facts in regard to the two systems.

I ask unanimous consent to have this material printed in the RECORD, together with a table in connection with lifetime pay by grade.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPARISON OF AGE, LENGTH OF SERVICE, AND FUTURE RETIRED LIFETIMES FOR MILITARY AND CIVIL SERVICE RETIREMENTS IN FISCAL YEAR 1970 (RETIREMENTS FROM ACTIVE SERVICE ONLY)

	Number of retirements[1]	Average number in active service	Percent	Average monthly retired pay	Adjusted age at entry[2]	Average years of service[3]	Average age at retirement	Average retired lifetime[4] (years)	Average terminal age[5]	Average lifetime retired pay[6]	Lump-sum equivalent[7]
MILITARY RETIREMENTS											
Officers and enlisted:											
Nondisability	51,561	3,281,000	1.57	$453	21.6	22.2	43.8	30.6	74.4	$158,714	$94,718
Disability	18,085	3,281,000	.55	319	22.4	11.5	33.9	20.8	54.7	78,539	48,482
All	69,646	3,281,000	2.12	418	21.9	19.4	41.3	28.1	69.4	138,126	82,845
Officers:											
Nondisability	14,440	409,000	3.53	792	23.1	24.1	47.2	27.6	74.8	255,256	157,221
Disability	3,655	409,000	.89	759	24.3	20.1	44.4	20.1	64.5	179,984	115,658
All	18,095	409,000	4.42	785	23.4	23.3	46.7	26.1	72.8	240,191	148,903
Enlisted:											
Nondisability	37,121	2,872,000	1.29	322	21.1	21.4	42.5	31.8	74.3	121,313	70,503
Disability	14,430	2,872,000	.50	207	21.9	9.4	31.3	20.9	52.2	52,826	31,455
All	51,551	2,872,000	1.79	290	21.3	18.1	39.4	28.8	68.2	102,367	59,701
CIVIL SERVICE RETIREMENTS											
Men and women:											
Nondisability	44,330	2,675,000	1.66	412	34.5	27.5	62.0	17.9	79.9	88,949	61,835
Disability	16,718	2,675,000	.62	265	33.8	19.1	52.9	18.5	71.4	58,234	39,192
All	61,048	2,675,000	2.28	371	34.3	25.2	59.5	18.1	77.6	80,537	55,634
Men:											
Nondisability	33,702	1,878,000	1.80	445	33.2	28.4	61.6	17.2	78.8	92,898	65,379
Disability	12,789	1,878,000	.68	278	33.0	19.9	52.9	17.2	70.1	57,296	39,300
All	46,491	1,878,000	2.48	399	33.1	26.1	59.2	17.2	76.4	83,105	58,205
Women:											
Nondisability	10,628	797,000	1.34	305	38.7	24.4	63.1	20.4	83.5	76,424	50,598
Disability	3,929	797,000	.49	221	36.3	16.5	52.8	22.8	75.6	61,287	38,841
All	14,557	797,000	1.83	282	38.0	22.3	60.3	21.0	81.3	72,339	47,425

[1] The number of military retirements omits persons who retired and died in fiscal year 1970 and persons who waived all of the military retired pay to obtain benefits from the Veterans' Administration. The number is somewhat incomplete due to delay in mailing the first check.

[2] This is the original age at entry into the service if the service was continuous; otherwise, the original age at entry has been increased by the number of years absent. For civil service, "years absent" includes years for which the contributions were refunded and not redeposited.

[3] For civil service, this excludes any years for which the contributions were refunded and not edeposited. For the military, this includes constructive service in some instances.

[4] The retired lifetime can be terminated by death or in some instances by recovery from disability.

[5] The average age at the time of termination of retired pay by death or recovery from disability.

[6] These amounts include no future Consumer Price Index (CPI) increases.

[7] Commuted value of future retired pay at time of retirement, calculated at 3½-percent interest. Use of a higher interest rate would reduce the commuted values, and narrow gap between military and civil service figures.

TABLE 3.—TOTAL LIFETIME RETIRED PAY UNDER THE MILITARY RETIREMENT SYSTEM FOR PERSONS RETIRING ON OR AFTER JAN. 1, 1972, BASED ON THE 1937 STANDARD ANNUITY TABLE WITH ENTRY AGE 23 FOR OFFICERS AND 19 FOR ENLISTED NONDISABILITY RETIREMENTS

Pay grade	Title	Years of service										
		Over 20	Over 21	Over 22	Over 23	Over 24	Over 25	Over 26	Over 27	Over 28	Over 29	Over 30
COMMISSIONED OFFICERS												
O-10	Chief of staff	$586,988	$599,432	$610,418	$620,003	$628,222	$635,092	$640,643	$644,931	$647,951	$649,791	$650,477
O-10	General/admiral	547,024	558,623	568,858	577,794	585,449	591,854	598,104	602,105	604,926	606,642	607,284
O-9	Lieutenant general/vice admiral	478,522	488,668	497,622	505,438	512,136	517,738	559,647	563,389	566,029	567,636	568,237
O-8	Major general/rear admiral (upper half)	444,436	453,861	480,813	488,361	494,834	500,247	504,622	507,996	510,376	511,825	512,367
O-7	Brigadier general/rear admiral (lower half)	401,965	410,487	418,011	424,576	430,201	434,906	438,711	441,645	443,713	444,971	445,444
O-6	Colonel/captain	307,708	314,231	338,625	343,945	348,501	352,315	385,418	387,997	389,814	390,920	391,334
O-5	Lieutenant colonel/commander	278,334	284,235	299,645	304,353	308,384	311,759	314,483	316,589	318,070	318,974	319,310
O-4	Major/lieutenant commander	240,960	246,070	250,580	254,513	257,886	260,708	262,988	264,745	265,986	266,741	267,024
COMMISSIONED OFFICERS WITH LESS THAN 4 YEARS OF ACTIVE SERVICE AS AN ENLISTED MEMBER												
O-3	Captain/lieutenant	$208,353	$212,773	$216,670	$220,074	$222,989	$225,430	$227,399	$228,922	$229,993	$230,647	$230,889
O-2	1st lieutenant/lieutenant (junior grade)	154,594	157,872	160,766	163,288	165,453	167,264	168,727	169,853	170,650	171,134	171,316
O-1	2d lieutenant/ensign	121,987	124,575	126,856	128,850	130,556	131,986	133,138	134,030	134,657	135,040	135,181
COMMISSIONED OFFICERS WITH MORE THAN 4 YEARS OF ACTIVE SERVICE AS AN ENLISTED MEMBER												
O-3	Captain/lieutenant	$211,587	$216,074	$220,034	$223,487	$226,450	$228,927	$230,929	$232,472	$233,562	$234,225	$234,474
O-2	1st lieutenant/lieutenant (junior grade)	179,090	182,887	186,238	189,163	191,670	193,766	195,460	196,768	197,690	198,251	198,460
O-1	2d lieutenant/ensign	151,415	154,625	157,461	159,933	162,051	163,823	165,258	166,362	167,141	167,615	167,794
WARRANT OFFICERS												
W-4	Chief warrant/commissioned warrant	$200,188	$204,433	$215,074	$218,454	$221,347	$223,770	$243,189	$244,818	$245,963	$246,662	$246,922
W-3	Chief warrant/commissioned warrant	175,856	179,586	189,543	192,522	195,071	197,207	206,048	207,425	208,397	208,989	209,211
W-2	Chief warrant/commissioned warrant	157,882	161,230	170,851	173,536	175,834	177,759	179,312	180,513	181,357	181,873	182,064
W-1	Warrant officer/warrant officer	146,538	149,647	152,387	154,782	156,831	158,548	159,933	161,004	161,757	162,218	162,388
ENLISTED MEMBERS												
E-9	Senior enlisted member	$258,122	$264,112	$269,497	$274,286	$278,499	$282,145	$285,228	$287,769	$289,782	$291,277	$292,267
E-9	Sergeant major/master chief petty officer	183,825	188,091	202,105	205,697	208,858	211,593	234,647	236,738	238,395	239,625	240,438
E-8	Master sergeant/senior chief petty officer	161,212	164,955	178,179	181,345	184,131	186,543	209,593	211,461	212,940	214,039	214,765
E-7	Sergeant 1st class/chief petty officer	142,196	145,497	158,390	161,202	163,680	165,824	188,580	190,260	191,592	192,580	193,234
E-6	Staff sergeant/petty officer 1st class	125,130	128,035	130,645	132,964	135,008	136,777	138,271	139,501	140,478	141,204	141,683
E-5	Sergeant/petty officer 2d class	106,175	108,641	110,853	112,825	114,556	116,058	117,323	118,371	119,197	119,814	120,219
E-4	Corporal/petty officer 3d class	88,194	90,240	92,082	93,718	95,156	96,402	97,457	98,325	99,012	99,522	99,862
E-3	Private first class/seaman	77,223	79,015	80,628	82,060	83,319	84,410	85,334	86,094	86,695	87,142	87,440
E-2	Private/seaman apprentice	65,155	66,688	68,028	69,234	70,299	71,220	71,999	72,638	73,147	73,525	73,775
E-1	Recruit/seaman recruit	58,512	59,870	61,090	62,176	63,131	63,958	64,656	65,232	65,689	66,128	66,252

Note: These figures are based on the assumption that the years of service for pay purposes are the same as the years of active service.

Mr. SPONG. Mr. President, one of the first legislative proposals called to my attention after my election to the Senate in 1967 was a bill to reinstate the principle of recomputation in retirement pay for military personnel. Early in 1971, I began giving consideration to legislation to reinstitute the recomputation principle for all those individuals then on the retirement rolls who entered active service before June 1, 1958. Because it was obvious that objections with respect to cost would be involved, I asked for a projection of the annual cost of such a proposal if enacted.

According to figures furnished by the Department of Defense, the first year cost of recomputation for those retired prior to June 1, 1958, would be $932 million. The proposal was opposed by the Department of Defense and a compromise was offered. The first year cost of this amendment will be $288 million. Those funds are in the budget request. The enactment of this amendment will not increase the President's budget.

On July 17, 1971, I announced that I would support the reinstitution of the principle of recomputation at least to those individuals who retired prior to 1958 and who had every right to believe that they would retire with the recomputation principle applicable to their future retirement pay.

It is my firm conviction that the amendment which we consider today is fair. It does not increase the President's budget request. To provide for recomputation using the base rates of January 1, 1972, is, I believe, the nearest thing to equity which we can provide for members of the armed services for those who have retired for years of service and are 60 or more years of age. Other retired personnel would have their retirement pay computed when they reach age 60.

Mr. President, I think this is fair legislation. I intend to support the amendment and I hope it will be enacted.

Mr. ROBERT C. BYRD. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. Sixteen minutes remain, 8 minutes to each side.

Mr. ROBERT C. BYRD. Mr. President, I am prepared to yield back the 8 minutes on behalf of Mr. HARTKE.

Mr. STENNIS. I do not know of any other Senator who wishes to speak now. I yield back the remainder of my time.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, in accordance with the agreement entered, that the unfinished business now be laid aside temporarily and that it remain in a temporarily laid aside status until later today, at such time as the distinguished majority leader or his designee may wish to return to the unfinished business, again in accordance with the agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Allen J. Ellender, late a Senator from the State of Louisiana.

The message announced that the House had passed, without amendment, the following bills of the Senate:

S. 2227. An act to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library;

S. 2684. An act to amend section 509 of the Merchant Marine Act, 1936, as amended; and

S. 3463. An act to amend section 906 of title 44, United States Code, to provide copies of the daily and semimonthly Congressional Record to libraries of certain United States courts.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13435) to increase the authorization for appropriation for continuing work in the Upper Colorado River Basin by the Secretary of the Interior.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15690) making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1973, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Mahon, Mr. Whitten, Mr. Natcher, Mr. Hull, Mr. Shipley, Mr. Evans of Colorado, Mr. Bow, Mr. Andrews of North Dakota, Mr. Michel, and Mr. Scherle were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 1682) to provide for deferment of construction charges payable by Westlands Water District attributable to lands of the Naval Air Station, Lemoore, Calif., included in said district, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore.

PUBLIC WORKS APPROPRIATIONS—APPOINTMENT OF ADDITIONAL CONFEREES

Mr. STENNIS. Mr. President, this concerns a matter in which conferees have been appointed, and a conference has been called on H.R. 15586, the public works appropriations for 1973. I ask unanimous consent that the names of the Senator from West Virginia (Mr. Robert C. Byrd) and the Senator from Colorado (Mr. Allott) be added as conferees on the part of the Senate.

The PRESIDING OFFICER (Mr. Buckley). Without objection, it is so ordered.

EQUAL EXPORT OPPORTUNITY ACT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 931, S. 3726.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 3726) to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with amendments on page 11, line 24, after the word "the", strike out "Committee on Banking, Housing and Urban Affairs of the Senate, the Committee on Banking and Currency of the House of Representatives, and the Joint Economic Committee an" and insert "Congress an"; on page 13, line 4, after "(a)", strike out:

The staff of the Council shall be headed by an Executive Director who shall be appointed by the President. It shall be the duty of the Executive Director to—

(1) direct the activities of the Council staff,

(2) develop the agenda and supporting materials for Council meetings and review all matters before the Council, and

(3) establish a work program, including topics and the selection of individuals to carry out particular assignments.

And insert:

The staff of the Council shall be headed by an Executive Director who shall be an assistant to the President and direct the Council staff. He shall keep the Committee on Banking, Housing and Urban Affairs of the Senate, the Committee on Banking and Currency of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Joint Economic Committee fully and currently informed regarding the activities of the Council.;

On page 14, after line 22, strike out:

(e) Section 5313 of title 5, United States Code (relating to positions at level II of the Executive Schedule), is amended by adding at the end thereof the following:

(22) Executive Director, Council on International Economic Policy.

On page 15, after line 2, insert a new section, as follows:

Sec. 209. The provisions of this title II shall expire on June 30, 1973, unless extended by legislation enacted by the Congress.

At the beginning of line 7, change the section number from "209" to "210"; and, in line 9, after "1973", strike out the comma and "and not to exceed $1,600,000 for fiscal year 1974"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO THE EXPORT ADMINISTRATION ACT OF 1969

Sec. 101. This title may be cited as the "Equal Export Opportunity Act".

Sec. 102. Section 2(3) of the Export Administration Act of 1969 is amended by inserting before the period at the end thereof a comma and the following: "particularly when export restrictions applied by the United States are more extensive than export restrictions imposed by countries with which the United States has defense treaty commitments".

Sec. 103. Section 3 of the Export Administration Act of 1969 is amended by adding at the end thereof the following:

"(6) It is the policy of the United States that the desirability of subjecting, or continuing to subject, particular articles, materials, or supplies, including technical data or other information, to United States export controls should be determined after review by and consultation with representatives of appropriate United States Government agencies and qualified experts from private industry."

Sec. 104. Section 4(b) of the Export Administration Act of 1969 is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding at the end thereof the following new paragraphs:

"(2) The Secretary of Commerce, in cooperation with appropriate United States Government departments and agencies and the appropriate technical advisory committees established under section 5(c), shall undertake an investigation to determine which articles, materials, and supplies, including technical data and other information, should no longer be subject to export controls because of their significance to the national security of the United States. Notwithstanding the provisions of paragraph (1), the Secretary of Commerce shall remove unilateral export controls on the export from the United States of articles, materials, or supplies, including technical data or other information, which he determines are available without restriction from sources outside the United States in significant quantities and comparable in quality to those produced in the United States, except that any such control may remain in effect if the Secretary of Commerce determines that adequate evidence has been presented to him demonstrating that the absence of such a control would constitute a threat to the national security of the United States. The nature of such evidence shall be included in the special report required by paragraph (4).

"(3) In conducting the investigation referred to in paragraph (2) and in taking the action required under such paragraph, the Secretary of Commerce shall give priority to those controls which apply to articles, materials, and supplies, including technical data and other information, for which there are significant potential export markets.

"(4) Not later than six months after the date of enactment of the Equal Export Opportunity Act, the Secretary of Commerce shall submit to the President and to the Congress a special report of actions taken under paragraphs (2) and (3). Such report shall contain—

"(A) a list of any articles, materials, and supplies, including technical data and other information, which are subject under this Act to export controls greater than those imposed by nations with which the United States has defense treaty commitments, and the reasons for such greater controls; and

"(B) a list of any procedures applicable to export licensing in the United States which are more burdensome than similar procedures utilized in nations with which the United States has defense treaty commitments, and the reasons for retaining such procedures in their present form.".

Sec. 105. Section 5 of the Export Administration Act of 1969 is amended by adding at the end thereof the following:

"(c) (1) The Secretary of Commerce shall appoint a technical advisory committee for each group of articles, materials, and supplies, including technical data and other information, which—

"(A) is or may be made subject to export controls because of its significance to the national security of the United States; and

"(B) is difficult to evaluate for technical or strategic reasons.

Each such committee shall consist of representatives of United States industry and government who may be appointed for terms of not more than two years. No person serving on any such committee who is representative of industry shall serve on such committee for more than two consecutive years.

"(2) It shall be the duty and function of the technical advisory committees established under paragraph (1) to advise and assist the Secretary of Commerce and any other department, agency, or official of the Government of the United States to which the President has delegated power, authority, and discretion under section 4(d) with respect to actions designed to carry out the policy set forth in section 3 of this Act. Such committees shall be consulted with respect to the level of United States export controls applicable to all articles, materials, or supplies, including technical data or other information, and including those whose export is subject to multilateral controls undertaken in cooperation with nations with which the United States has defense treaty commitments. Such committees shall also be consulted and kept fully informed of progress with respect to the investigation required by section 4(b)(2) of this Act. Nothing in this subsection shall prevent the Secretary from consulting, at any time, with any person representing industry or the general public regardless of whether such person is a member of a technical advisory committee. Members of the public shall be given a reasonable opportunity, pursuant to regulations prescribed by the Secretary of Commerce, to present evidence to such committees.

"(3) Any member of any such committee who is not an officer or employee of the United States shall be entitled to receive compensation at not to exceed the daily rate prescribed for GS–18 of the General Schedule under section 5332 of title 5, United States Code, during such time as he is engaged in the performance of his duties as a member. Each member may be reimbursed for travel, subsistence, and other necessary expenses incurred in connection with his duties as a member.

"(4) Each such committee shall elect a chairman, and shall meet at the call of the Chairman but not less often than four times each year."

SEC. 106. Section 14 of the Export Administration Act of 1969 is amended by striking out "August 1, 1972" and inserting in lieu thereof "June 30, 1974".

SEC. 107. Nothing in this title shall be construed to require the release or publication of information which is classified pursuant to Executive order or to affect the confidentiality safeguards provided in section 7(c) of the Export Administration Act of 1969.

TITLE II—COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SHORT TITLE

SEC. 201. This title may be cited as the "International Economic Policy Act of 1972".

STATEMENT OF PURPOSES

SEC. 202. It is the purpose of this title to provide for closer Federal interagency coordination in the development of a more rational and orderly international economic policy for the United States.

FINDINGS AND POLICY

SEC. 203. The Congress finds that there are many activities undertaken by various departments, agencies, and instrumentalities of the Federal Government which, in the aggregate, constitute the domestic and international economic policy of the United States. The Congress further finds that the objectives of the United States with respect to a sound and purposeful international economic policy can be better accomplished through the closer coordination of (1) domestic and foreign economic activity, and (2) in particular, that economic behavior which, taken together, constitutes United States international economic policy. Therefore this Act establishes a Council on International Economic Policy which will provide for—

(A) a clear top level focus for the full range of international economic issues; deal with international economic policies including trade, investment, balance of payments, and finance as a coherent whole;

(B) consistency between domestic and foreign economic policy; and

(C) close coordination with basic foreign policy objectives.

The Congress intends that the Council shall be provided with the opportunity to (i) investigate problems with respect to the coordination, implementation, and long-range development of international economic policy, and (ii) make appropriate findings and recommendations for the purpose of assisting in the development of a rational and orderly international economic policy for the United States.

CREATION OF COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SEC. 204. There is created in the Executive Office of the President a Council on International Economic Policy (hereinafter referred to in this title as the ("Council").

MEMBERSHIP

SEC. 205 The Council shall be composed of the following members and such additional members as the President may designate:

(1) The President.

(2) The Secretary of State.

(3) The Secretary of the Treasury.

(4) The Secretary of Defense.

(5) The Secretary of Agriculture.

(6) The Secretary of Commerce.

(7) The Secretary of Labor.

(8) The Director of the Office of Management and Budget.

(9) The Chairman of the Council of Economic Advisers.

(10) The Special Representative for Trade Negotiations.

The President shall be the Chairman of the Council and shall preside over the meetings of the Council; in his absence he may designate a member of the Council to preside in his place.

DUTIES OF THE COUNCIL

SEC. 206. Subject to the direction of the President, and in addition to performing such other functions as he may direct, it shall be the duty of the Council to—

(1) assist and advice the President in the preparation of the International Report required under section 207;

(2) review the activities and the policies of the United States Government which indirectly or directly relate to international economics and, for the purpose of making recommendations to the President in connection therewith, consider with some degree of specificity the substance and scope of the international economic policy of the United States, which consideration shall include examination of the economic activities of (A) the various agencies, departments, and instrumentalities of the Federal Government, (B) the several States, and (C) private industry:

(3) collect, analyze, and evaluate authoritative information, current and prospective, concerning international economic matters;

(4) consider policies and programs for coordinating the activities of all the departments and agencies of the United States with one another for the purpose of accomplishing a more consistent international economic policy, and make recommendations to the President in connection therewith;

(5) continually assess the progress and effectiveness of Federal efforts to carry out a consistent international economic policy; and

(6) make recommendations to the President for domestic and foreign programs which will promote a more consistent international economic policy on the part of the United States and private industry. Recommendations under this paragraph shall include, but shall not be limited to, policy proposals relating to monetary mechanisms, foreign investment, trade, the balance of payments, foreign aid, taxes, international tourism and aviation, and international treaties and agreements relating to all such matters. In addition to other appropriate objectives, such policy proposals should be developed with a view toward—

(A) strengthening the United States competitive position in world trade;

(B) achieving equilibrium in international payment accounts of the United States;

(C) increasing exports of goods and services;

(D) protecting and improving the earnings of foreign investments;

(E) achieving freedom of movement of people, goods, capital, information, and technology on a reciprocal and worldwide basis; and

(F) increasing the real employment and income of workers and consumers on the basis of international economic activity.

REPORT

SEC. 207. (a) The President shall transmit to the Congress an annual report on the international economic position of the United States. Such report (hereinafter referred to as the "International Economic Report") shall be submitted not later than sixty days after the beginning of each regular session of the Congress, and shall include—

(1) information and statistics describing characteristics of international economic activity and identifying significant current and foreseeable trends and developments;

(2) a review of the international economic program of the Federal Government and a review of domestic and foreign economic conditions and other significant matters affecting the balance of international payments of the United States and of their effect on the international trade, investment, financial, and monetary position of the United States; and

(3) a program for carrying out the policy objectives of this title, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports supplementary to the International Economic Report, each of which may include such supplementary or revised recomemndations as he may deem necessary or desirable to achieve the purposes and policy objectives set forth in this title.

EXECUTIVE DIRECTOR AND STAFF OF THE COUNCIL

SEC. 208. (a) The staff of the Council shall be headed by an Executive Director who shall be an assistant to the President and direct the Council staff. He shall keep the Committee on Banking, Housing and Urban Affairs of the Senate, the Committee on Banking and Currency of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Joint Economic Committee fully and currently informed regarding the activities of the Council.

(b)(1) With the approval of the Council, the Executive Director may appoint and fix the compensation of such staff personnel as he deems necessary. Except as provided in paragraph (2), the staff of the Council shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(2) With the approval of the Council, the Executive Director may appoint and fix the compensation of one officer at a rate of basic compensation not to exceed the rate provided for level IV of the Federal Executive Salary Schedule, and appoint and fix the compensation of two officers at rates of basic compensation not to exceed the rate provided for level V of the Federal Executive Salary Schedule.

(c) With the approval of the Council, the Executive Director may procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for GS–18.

(d) Upon request of the Executive Director, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to the Council to assist it in carrying out its duties under this title.

(e) Section 5313 of title 5, Uinted States Code (relating to positions at level II of the Executive Schedule), is amended by adding at the end thereof the following:

SEC. 209. The provisions of this title II shall expire on June 30, 1973, unless extended by legislation enacted by the Congress.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 210. For the purpose of carrying out the provisions of this title, there are authorized to be appropriated not to exceed $1,400,000 for fiscal year 1973.

Mr. ROBERT C. BYRD. Mr. President, the Senate will now proceed to debate the bill, S. 3726. Opening statements will be made. Senators may call up amendments. If debate on such amendments should reach its termination prior to the time the delegation has returned from Louisiana, the leadership will have any yea and nay votes laid over until the delegation has returned and the votes would occur following the scheduled votes on the three amendments by Mr. JACKSON, Mr. CRANSTON, and Mr. HARTKE, respectively; votes in relation to S. 3726 may even go over until the second track is reached tomorrow, but, in any event, no votes will occur until the delegation has returned later today.

Mr. BROCK. Mr. President, on the bill, S. 3726, to extend the Export Administration Act, there are a couple of amendments that have been agreed to. I ask the Senator from West Virginia (Mr. ROBERT C. BYRD) if we have an agreement on amendments, there is no reason not to go ahead and act on them, is there, by voice vote; or does the Senator want to withhold action on any amendment?

Mr. ROBERT C. BYRD. I am glad that the distinguished Senator from Tennessee asked that question. Certainly there will be no intention to delay action on any amendments which can be decided by a voice vote.

Mr. BROCK. I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TAFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TAFT. Mr. President, I take this time to talk on title I of the bill, the Export Control Administration Extension Act. In the committee, I sponsored in title I of the bill sections called the Equal Export Opportunity Act because I do not believe that U.S. exporters should suffer any longer from a masochistic policy of retaining excessive export controls. Economists often speak of nontariff barriers to trade by which countries limit the penetration of imports into their domestic markets. By continuing to control the export of many items which are not of strategic value and are not controlled by our foreign competitors the United States has been perpetuating a nontariff trade barrier against its own products.

This barrier effectively contributes to our unfortunate economic performance in Eastern Europe. In 1970, the U.S. share of the world market was 16 percent, but our share of the Eastern European market was only 3 percent.

The U.S. trade deficit through April 1972 was a record $2.1 billion. Despite some recent improvement, our unemployment rate is still unacceptably high. Under these circumstances, we can ill afford to let our export control program augment the trade deficit and eliminate American jobs by creating an advantage for Western European and Japanese manufacturers.

In our committee's hearings on the Export Administration Act, the administration witness rightly pointed out that progress toward liberalizing the export control system has been made since the enactment of the act in 1969. This administration has gone further in the direction of decontrolling exports to Eastern Europe than any previous administration. The number of items which have been decontrolled since 1969 has been substantial. Unfortunately, however, many of these were low technology articles for which there is little foreign demand. Some of the machine tools recently decontrolled are no longer ever manufactured in the United States. By contrast, the liberalization of controls applying to items involving a higher level of technology has been slow. For example, the Commerce Department was reluctant to grant a license for selling printed circuit boards to Bulgaria, even though such circuit boards are freely available in Eastern Europe and have been used in telephones and radios since the late 1950's. The Department agreed to allow the company to export the circuit board only if the company could document in advance the end use of every single one of them. That arrangement was not overly practical, since circuit boards can be used in many ways and the number of circuit boards in an individual order can be in the hundreds of thousands.

Of all our exportable materials, the Eastern Europeans are most interested in those involving much higher technology than circuit boards. Partly because of excessive export controls on such goods, however, the United States has sold few of them in Eastern Europe. For example, in 1969, the U.S. share of the world market for high technology, electrical measuring and control instruments was 36 percent. In Eastern Europe it was 7 percent, less than half that of the United Kingdom, West Germany, or France.

Our failure to solve all of our export control problems under the Export Administration Act is further reflected in the fact that U.S. exports to Eastern Europe as a percentage of Cocom exports to Eastern Europe decreased from 4.35 percent in 1967 to about 4 percent in 1971. A review of Commerce Department actions and export record in Eastern Europe indicates clearly that modernization of our export control system is far from complete.

At this time the United States controls 495 classifications of good technology by multilateral—Cocom—agreement with our allies. In addition, the United States chooses to retain unilateral controls on 461 classifications of goods and technology. The United States is the only Cocom country which controls the export of a significantly greater number of items than those which the Cocom agrees to control multilaterally.

Some of the items under unilateral control are eventually granted export licenses, but the delay and uncertainty in the licensing process often cost American exporters sales even when this happens. Twenty-six percent of the applications for export licenses to Eastern Europe, involving many of the high technology items in which the Eastern Europeans are most interested, took more than 15 working days to process.

To the extent that the problems relating to the licensing process are more acute in the United States than in the other Cocom countries, American exporters are placed at a disadvantage to the Cocom exporters even when the exportable item is Cocom controlled. Many representatives of the American industries have voiced the opinion that our export licensing process does impose more costs, uncertainty, and delays than exporters from other Cocom countries suffer. Our Cocom competitors allegedly even provide advantages to their exporters by giving them a better idea of which licensing applications will receive favorable action, referring their applications for exceptions to Cocom regulations to the Cocom with less preliminary screening requiring less documentation regarding the end use of the item to be exported, imposing less stringent requirements for insuring that an item is never diverted for strategic use, granting more liberal licensing provisions for supplying spare parts, and in several other ways.

Delays in the U.S. processing system have been crippling at times. Some export license applications have languished for months—some for more than a year—while the Government debated whether to allow U.S. participation in Russian truck plants. Even where there is no major political issue raised by an application, it can take months to secure a license for equipment subject to unilateral controls. The licensing process is expensive and frustrating, particularly for the small company not familiar with current practices and procedures.

I realize that part of the reason for this program is that the Office of Export Control is understaffed and underfunded. In addition, delays are often the fault of other agencies represented on the Advisory Committee for Export Policy. I hope that administrative changes will be made—to afford export control operations higher priority in Commerce Department funding and personnel planning and to speed up the workings of the Advisory Committee for Export Policy. The most effective solution for the licensing problem, however, is the same solution that is needed for problems arising from excessive unilateral controls. All export controls should be removed except where control is clearly necessary or pursuant to international agreement. The Equal Export Opportunity Act would clearly push the Commerce Department in this direction. It would amend the Export

Administration Act to require prompt decontrol of unilateral U.S. export controls which are not necessary to protect our national security.

Upon the enactment of the amendment, the Commerce Department would head up a study to determine which goods and technology should be controlled. Goods and technology for which there is a significant export market would be given priority in the review process. Unless convincing evidence is presented that the absence of export controls on an item in question would prove detrimental to the national security, items which are available without restriction from sources outside the United States would be decontrolled. Such decontrol would take place within 6 months after the enactment of the amendment. At that time, the Secretary of Commerce would be required to give reasons for retaining any procedure applicable to export licensing which are more burdensome than similar procedures utilized by other Cocom countries.

The Equal Export Opportunity Act also provides for the establishment of Government-industry technical advisory committees. These committees would be consulted and formed with respect to the level of U.S. export controls, including those controls which are imposed internationally under the Cocom agreement.

The technical advisory committees would provide information to the Commerce Department on technical matters, worldwide availability and actual utilization of the products and technology and the relative burden of licensing procedures.

The Commerce Department officials administering export controls must make decisions affecting all kinds of goods and technology. Without extensive industry advice, these officials cannot possibly be expected to utilize effectively the vast amount of expertise needed to make an intelligent decision about any given product—particularly if it is a complicated, high-technology item. The hearings before our committee were full of evidence indicating that delays have been caused and unnecessary restrictions retained because Commerce was trying to base decisions on insufficient or irrelevant information. I believe that the technical advisory committees will provide the Commerce Department with the improved accessibility and exposure to expertise which is needed to prevent such administrative problems.

The committees will also help to keep businesses more up to date with regard to the latest Commerce Department policies. One witness said that his industry could not come across such vital information as who the U.S. negotiators at the Cocom are or what their instructions are. In a world where most of the other Cocom governments work closely with their industries, even to the extent of coaching them to improve their chances of obtaining exceptions to Cocom regulations, the U.S. Government must take pains to give American industries the information they need to formulate as effective an export strategy as possible.

The successful enactment of title I will put American exporters on a more equal footing with foreign exporters in the competition for Eastern European markets. Industries whose products are presently subject to unilateral export control, such as chemicals, electrical machinery, other types of machinery including machine tools, and certain types of fabrics and materials could realize immediate benefits from decontrol action taken under the title. The potential benefits are great. For example, the machine tool industry conducted its first industry-organized, Government-approved trade mission to the U.S.S.R. and Hungary in the spring of 1971. During these sessions, Soviet officials gave the companies requests for quotations for U.S.-built machine tools which totaled more than $50 million. As a result of the industry's recent mission to Poland, industry officials expect more than $50 million in requests to be received by U.S. machine tool companies who participated in the mission.

The importance of this legislation extends far beyond whatever benefits will be realized by exporters in the next year or two. Industrialization is now proceeding full speed in Eastern Europe, which is one of the fastest growing regions in the world. At the same time, the recent lessening of East-West tensions has created a favorable environment for the expansion of trade. As a result of this combination of events the vast markets of Eastern Europe are opening up—now. If we are going to participate in the rapid growth of eastern Europe, our industries must be able to move in without further delay, subject only to restrictions which are really necessary to protect the national security.

The policy embodied in title I is politically desirable as well as economically beneficial. Maurice Stans pointed out in Moscow last fall that a normalization of relations on the commercial side should go hand in hand with political detente. Because this legislation can be a large step in the direction of normalizing our business relationship with the Russians and Eastern Europeans, it will complement the political understandings achieved at the recent Moscow summit.

From both an economic and political standpoint, I urge the Senate to help modernize an export control system that is one of the most costly anachronisms of the cold war. I urge the Senate to act favorably upon the Equal Export Opportunity Act.

Mr. MONDALE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. MONDALE. Mr. President, I am in great sympathy with the general objectives of the Senator from Ohio (Mr. TAFT) who has just spoken. I have long advocated what he proposes. When I became a member of the Committee on Banking, Housing and Urban Affairs and chairman of the Subcommittee on International Finance 4 years ago, it was my privilege to take an extended factfinding trip through Western and Eastern Europe. I became wholly convinced during that trip that our policies at that time, which unilaterally restricted United States peaceful nonstrategic trade in Eastern Europe, were almost totally self-defeating. We were denying nothing to Eastern Europe and the result of our policy was simply to divert the beneficial nonstrategic trade with Eastern Europe from U.S. businessmen to our competitors in England, France, Western Germany, Italy, Japan, and other countries which have substantial trade with that area.

Because I was convinced of this, in 1969, we pushed for liberalization of our export control policies, and our proposals were embodied in the Export Administration Act of 1969.

However, the 1969 act left enormous discretion in the hands of the Commerce Department to determine how they would proceed under that act. I have been impressed by some of the progress made, yet the hearings we held this summer show, as the Senator from Ohio pointed out, that there is an inconsistent and spotty record.

I think the changes proposed by the Senator from Ohio, which are incorporated in S. 3726, will help enormously in establishing clearer policy objectives for the administration of the Export Administration Act.

I see no justification in our restricting trade in peaceful nonstrategic goods with Eastern Europe on a unilateral basis which hurts only this country. I do not think there is any reason for such a public policy and I hope the proposals of the Senator from Ohio which are incorporated in this legislation will be accepted. I find them wholly acceptable.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MONDALE. I am glad to yield to the Senator from Ohio.

Mr. TAFT. Some technical questions have been raised about the amendment at the present time as title I stands in the bill before the Senate. Those questions have been discussed in considerable detail and arrangements worked out for an amendment that I understand would be offered on the floor of the Senate that will not change in principle the objectives of effectiveness of the provisions of title I of the bill as it presently stands. I know of no opposition at any rate to the amendments that will be offered, and I know of no opposition to title I of the bill as amended by that amendment when it comes up.

Mr. MONDALE. I thank the Senator.

Mr. President, S. 3726 is a bill with two distinct sections and purposes.

Title I is the Equal Export Opportunity Act which amends the Export Administration Act of 1969. Title II is the International Economic Policy Act which gives statutory recognition and a distinct budget to the Council on Economic Policy at the White House.

The changes which title I makes in the Export Administration Act will reduce unnecessary export controls which hamper the growth of American trade. They are badly needed to encourage U.S. exports to Eastern Europe and other Communist countries.

Eastern Europe is one of the fastest growing markets in the world. Its total trade has increased by one-third between 1967 and 1970. Yet in 1970 the U.S. share of trade with that fast growing market was only about 3 percent, while our share of total world trade was 16 percent.

All our trading rivals, Japan, West Germany, Italy, and Great Britain, do a much larger share of their trade with Eastern Europe than we do. Our trade with Eastern Europe is increasing—and I applaud the recent grain agreement and the efforts which the President is making to increase our trade in other ways with this area—but we have a long way to go still to achieve our full share.

One of the reasons why our trade with Eastern Europe is so much smaller than that of our rivals is that our businessmen face export control regulations which are much more restrictive than those faced by their competitors. The steps which we are proposing in this Equal Export Opportunity Act will push the Commerce Department to do away with excessive controls which are putting us at a competitive disadvantage.

At present, the United States is the only NATO country which controls its exports unilaterally to a significantly greater degree than do its allies. There is a multilateral organization called Cocom in which the United States develops with its allies export controls on sensitive items. What we are aiming to do with this act is to do away with unilateral U.S. controls which go way beyond these agreed control levels. There is no question of doing away with export controls altogether. We need some controls to prevent the export of certain goods and equipment which would damage our national security. But we should rely to the maximum extent possible on Cocom controls which do not put our businessman at a disadvantage.

Title I requires the Secretary of Commerce to end unilateral U.S. export controls which cannot be justified on national security grounds so that our exporters will get an equal chance to compete. The Secretary of Commerce will have to report to Congress within 6 months after enactment of this legislation giving his reasons why particular unilaterally controlled items cannot be decontrolled.

He must also inform us of any procedures which businessmen face in obtaining export licenses which are more burdensome than procedures in the other countries which control exports to Eastern Europe.

Mr. President, during our hearings in March on export controls several witnesses representing industries which export to Eastern Europe said that a major problem was the lack of consultation between the Commerce Department which controls exports and the businessmen who must face these governmental decisions.

We know that European businessmen consult closely with their governments on the level of export controls which should be applied jointly by the Cocom countries. Our businessmen, on the other hand, are consulted only sporadically by the Commerce Department and they have little contact with Defense Department experts who seem to make many of the important decisions in the export control area.

Because businessmen have day to day access to trade information and because they must live with trade restrictions, it is important that they be consulted more adequately. Therefore, we have provided in this legislation for technical advisory committees which will bring the expertise of businessmen as well as Government officials to bear on the problems of control. By providing for the creation of a flexible series of technical advisory committees including businessmen and Government experts, this legislation will meet the problem of improving consultation which, in turn, will make decontrol easier.

Title II of this legislation, the International Economic Policy Act, also could be an important step ahead in American trade policy. The Council proposed here brings together under the chairmanship of the President nine top officials of the Government agencies which play leading roles in foreign economic policy. Everyone agrees that this policy badly needs coordination and direction and the Council, hopefully, will provide both.

It will advise the President concerning various aspects of U.S. economic policy, and have the responsibility to assist him in coordinating policy in this area.

When the Banking, Housing and Urban Affairs Committee reported this bill, I said in my additional views that I had reservations concerning some features of this section of the legislation.

The issue is not whether there should a Council, but whether Congress should give this Council the authority and the money to coordinate the functions of existing Federal departments and agencies without requiring that its Executive Director come before the Senate for confirmation.

Several members of the Committee on Foreign Relations also were concerned by this problem. The bill which was reported from the Banking Committee to the floor was referred to the Foreign Relations Committee so that a day of hearings could be held on this question.

The hearings were held on July 19 and the compromise which emerged requires that the Executive Director of the Council keep the various committees of the Congress which are concerned with the international economic policy area "fully and currently informed regarding the activities of the Council." It also provides that this title shall expire on June 30, 1973, unless extended by new legislation. This expiration provision may help to insure that the Congress is kept fully and adequately informed.

Although I continue to believe that the traditional formula calling for confirmation of high ranking officials like the Executive Director would be a preferable one, I think the Foreign Relations Committee has moved toward an acceptable compromise. I hope the Senate will move to accept S. 3726 as a complete package.

Mr. BROCK. Mr. President, I hope that we can approve this bill without undue delay because without an extension included in this legislation, our Export Administration Act, which provides authority for the President to prohibit or restrict the export of commodities and technical data if he determines that such exports would prove detrimental to the national security of the United States, will expire Tuesday, August 1. That authority should be extended regardless of the differences of opinion that exist regarding other provisions contained in this legislation.

In addition to extending the Export Administration Act until June 30, 1974, this bill has two major purposes. Title I is intended to facilitate the prompt removal of U.S. unilateral export controls which are not necessary to protect our national security, and insure that the Department of Commerce consults with and makes use of the expertise of private industry in the administration of export controls.

Title II of the bill provides a statutory basis and authorizes appropriations for a period of 1 year for the Council on International Economic Policy which was established by the President in January of 1971. It also creates the Office of Executive Director who would be an assistant to the President. The President would be required to transmit a report on international economic policy annually. This report would be prepared with the assistance of the Council.

The membership of the Council is to include the President, the Secretaries of State, Treasury, Defense, Agriculture, Commerce, Labor, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and the Special Representative for Trade Negotiations. The Council is subject to the direction of the President, who is it Chairman and who may appoint additional members.

The purpose of the Council is to review the activities and policies of the various agencies, departments, and instrumentalities of the U.S. Government in the international economic area and make recommendations to the President to promote more consistent international economic policy in order to strengthen the competitiveness of the United States, improve the balance of payments, increase exports, protect and improve foreign investments, improve trade relations, and increase the employment and real income of workers and consumers through international economic activity.

Mr. President, this section of the bill has been the subject of some controversy, but I believe that we have now agreed on a form which can be accepted by the Senate. The proposal now contained in the bill is not what the administration desired, nor is it what some members of our Banking Committee desired, nor is it what some members of the Foreign Relations Committee desired. It is, however, the most reasonable compromise of the various viewpoints that we have been able to work out, and I believe that it should be accepted by the Senate. All parties have had to bend their desires somewhat in order to have an acceptable provision. As it is presented today to the Senate, the authority for the Council is limited to a period of 1 year during which time it will be possible to evaluate the operations of the Council.

TITLE II OF S. 3726 ESTABLISHING THE COUNCIL ON INTERNATIONAL ECONOMIC POLICY

Mr. President, in his testimony in support of the bill establishing the Council on International Economic Policy delivered before the House Banking and Currency Committee, Secretary Peterson correctly put into focus the questions which this legislation poses to us in the Congress. These are the questions:

First. Is there a genuine need for a policy advisory organization at the White House level specializing in international economic affairs?

Second. How has the Council functioned to date?

Third. Should it be given legislative authorization?

Mr. President, speaking to the first question, the need for the Council has been recognized by the President's Advisory Council on Executive Reorganization, chaired by Mr. Roy Ash, which recommended its establishment, and by the Commission on International Trade and Investment Policy which endorsed the Council on International Economic Policy, and recommended that it be given statutory authorization and funding. The Ash Council's analysis concluded that the executive branch was not adequately structured to deal with international economic problems. They found that responsibilities for international economic affairs were dispersed among numerous departments, agencies and committees with no consistent, formally structured means of providing advice to the President or insuring the development of a coherent policy considering all the facets of the various issues.

The President created the CIEP to give to international economic problems the same top level focus which national security and domestic policy issues receive from utilizing the Council approach, and to give a sense of coordination and leadership to this entire area.

The formulation and administration of foreign economic policy is a complex task which affects all other aspects of our foreign relations. National security is frequently involved as well as domestic economic policy. This is why so many Government departments and agencies participate in the formulation and implementation of foreign economic policy. But the involvement of so many diverse agencies means that eventually all of the strands converge at the Executive Office of the President, posing a formidable problem of coordination. The CIEP is the mechanism that assumes this coordinating and advisory responsibility. The staff of the Council is responsible for collecting and synthesizing for presentation to the President the sometimes divergent views of the agencies. The Council itself is a forum in which the President discusses with those top level policymakers the issues which need resolution.

Although the previously existing institutional deficiencies by themselves are reason enough for establishing the Council, there is also an attitudinal problem among our policymakers which the existence of the Council will help to correct. For too long there has been a lack of understanding of the new realities confronting the United States in its international economic dealings. The United States has not, until the last year, had a clear vision of its own international economic position. Many people were ignoring the fact that our whole international competitive position was changing—as evidenced by our trade balances declining from a 7 billion surplus position in 1964 to a deficit position that at the end of 1971 turned out to be more than 2 billion.

The fact is that many of our first rate foreign policy minds did not put enough priority on the economic aspects of our foreign policies, having over the years become accustomed to a U.S. economic dominance that left them free to concentrate largely on the national security and political aspects of our foreign policies. What the Council on International Economic Policy has done is to elevate these international economic matters to the level of emphasis they deserve in a world where international economic interdependence of nations is rapidly increasing and where U.S. ecoeconomic dominance can no longer be taken for granted.

Mr. President, I think the need for the Council is now a well recognized fact. Hearings have been held in the Senate and House Banking Committees and in the Senate Foreign Relations Committee. All of these have recommended the legislative establishment of the Council. This, of course, is in addition to the Ash Commission recommendations and the endorsement of the Commission on Trade and Investment Policy.

The second question we should address ourselves to is how the Council has functioned up to this point. I believe the Council in the last year and a half has done very well. Its accomplishments are particularly impressive when one considers that it began only 18 months ago, with a totally new staff and mission, that it has not had an independent budget, and that it has had to function with personnel detailed from the various agencies. I should perhaps at this point enumerate the accomplishments of the Council over the last year. One of the first assignments given to it by the President was to prepare an assessment of the evolving U.S. situation in international economic affairs over the past two decades. This assessment was later published and provided to the Congress under the title of "The United States and the Changing World Economy." This document has given us a clear, concise view of where we are and where we're headed. The President was very impressed with this evaluation, and I think it is correct to say that the August 15, 1971, decisions were to a very large degree influenced by it.

The Council has also played a key role in securing voluntary restraint agreements limiting textile, shoe, and steel imports into the United States. These agreements, which were reached without the need for restrictive legislation which would inevitably bring retaliation by our trading partners, will have the effect of preserving American jobs, and allow the industries involved time to improve their competitive stance.

The Council has also participated in the development of strategy and tactics for the negotiations with the Soviet Union and with China—negotiations which are already beginning to pay off. The recent agreement under which the Soviet Union will purchase $750 million in U.S. grains over a 3-year period is the largest long-term purchase agreement ever made between two nations, will result in a 17-percent increase in grain exports and purchases from U.S. farmers.

The Council is also playing a central role in developing strategy for our negotiations on a new monetary agreement as well as the multilateral comprehensive trade negotiations contemplated for 1973.

I submit that one of the major ingredients of the turnaround in U.S. international economic policy over the past year has been the creation of the Council on International Economic Policy. I believe that as a result of the creation of the Council and new policies which the United States has embarked upon, the rest of the world now has a better understanding that the United States intends to vigorously assert its international economic policy interests and insist on an equitable and fair environment for its exports.

However, the problems which confront us on the international economic front are not going to disappear over the next few years. Instead, they will become more intense. I agree with the President's belief that we are entering an era where military confrontation will be replaced by economic competition. As a result, our international economic problems are going to become more critical and more difficult to resolve. We are already involved in discussions which will eventually lead us to a new international monetary system.

Next year we will begin discussions on a new international trading system. Certainly, the President is entitled to the best advice possible and to organize his own office in the way which enables him to best serve the interests of the Nation. This is why I believe the answer to the third question is that the Council should be authorized and funded so that it can function as effectively as possible.

I would like to mention one last point concerning the Council, the development of foreign economic policy and the role of Congress. I believe legislative authority and appropriations for CIEP definitely will place Congress in a better position to be informed of, and to review the operations of, the CIEP. To regularize that relationship is a good idea. A direct result of legislative authorization would be the annual review of CIEP budget estimates and action thereon by Congress. Moreover, amendments and extensions of the authorization act itself will become an occasion for congressional review and action. I should point out that the legislation gives the Council a very short authorization and we will in the near future have the opportunity to look it over again.

S. 3726 also makes provision for the President to transmit to us here in Congress an annual report on the international economic position of the United States. This report, which will include recommendations for carrying out the objectives of this legislation, will be of invaluable help and should give the Congress much more information than it has now. In addition: for major Administration initiatives in the foreign economic field, legislation is invariably required.

Thus, rather than weakening our hand in the formulation and development of international economic policy as some have charged, I believe this legislation will strengthen the position of Congress.

I strongly urge the Senate to act favorably on this legislation without delay.

Mr. President, the Senator from Ohio mentioned his amendment. We have spent a good deal of time in committee trying to achieve the same objectives he seeks.

The Senator from Alabama (Mr. Sparkman), the chairman of the committee, and the Senator from Utah (Mr. Bennett), both are unable to be present at this particular point in time. They will be here later.

On behalf of the Senator from Utah (Mr. Bennett) I wish to offer an amendment to the bill.

The PRESIDING OFFICER. The Committee amendments have to be agreed to first. Does the Senator from Minnesota wish the committee amendments to be agreed to en bloc?

Mr. MONDALE. Mr. President, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MONDALE. Is it necessary at this point to move for the consideration of those amendments en bloc?

The PRESIDING OFFICER. It is not necessary that they be considered en bloc, but it is necessary that the committee amendments be first considered.

Mr. MONDALE. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

Does the Senator desire that the committee amendments as agreed to en bloc be considered original text?

Mr. MONDALE. Mr. President, I ask unanimous consent that the committee amendments as agreed to be considered as original text for purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROCK. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. BROCK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection the amendment will be printed in the Record.

The amendment, ordered to be printed in the Record is as follows:

On page 2, line 15, delete the words "be determined after review" and insert in lieu thereof "be subjected to review".

On page 3, lines 5 and 6, delete the words "Secretary of Commerce" and insert in lieu thereof "President".

On page 3, line 13, delete the words "Secretary of Commerce" and insert in lieu thereof "President".

On page 3, line 15, delete the words "constitute a threat" and insert in lieu thereof "prove detrimental".

On page 4, line 1, delete the word "six" and insert in lieu thereof "nine".

On page 4, line 13, delete the word "are" and insert in lieu thereof "may be or are claimed to be".

On page 4, after line 20, strike all through line 4 on page 5, and insert the following:

"(c) (1) Upon written request by representatives of a substantial segment of any industry which produces articles, materials and supplies, including technical data and other information, which are subject to export controls or are being considered for such controls because of their significance to the national security of the United States, the Secretary of Commerce shall appoint a technical advisory committee for any grouping of such articles, materials, and supplies, including technical data and other information, which he determines is difficult to evaluate because of questions concerning technical matters, worldwide availability and actual utilization of production and technology, or licensing procedures."

On page 5, line 6, strike all after the word "government" through the word "years" on line 7.

On page 5, line 18, strike all beginning with the word "Such" through line 24, and insert in lieu thereof the following:

"Such committees shall be consulted with respect to questions involving technical matters, worldwide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to any articles, materials, or supplies, including technical data or other information, and including those whose export is subject to multilateral controls undertaken with nations with which the United States has defense treaty commitments, for which the committees have expertise. Such committees shall also be consulted and kept".

On page 6, line 17, strike all through line 20, and insert the following:

"(4) Each such committee shall elect a chairman, and shall meet at least every three months at the call of the Chairman, unless the Chairman determines, in consultation with the other members of the committee, that such a meeting is not necessary to achieve the purposes of this Act. Each such committee shall be terminated after a period of two years, unless extended by the Secretary for additional periods of two years. The Secretary shall consult each such committee with regard to such termination or extension of that committee."

Mr. BROCK. Mr. President, when S. 3726 was reported by our Committee on Banking, Housing, and Urban Affairs, Senators Tower and Bennett discussed some problems which they felt would be brought about by title I of the bill. In discussions with the Department of Commerce officials who are responsible for the day-to-day operation of the Export Administration Act, it was concluded that the provisions of title I as approved by the committee could actually complicate and hinder consultation with industry rather than improve it, and instead of speeding up the process of reviewing and decontrolling items which should be decontrolled, the requirements of title I could actually slow it down. In views included with the committee report, they more fully expressed the problems which they saw in the committee bill.

Since committee action, the Senator from Ohio, who sponsored the amendments contained in title I, has been very cooperative in working with the Department of Commerce in an effort to work out an agreement on language which would reain the thrust of these amendments while meeting some of the problems which could arise from the language approved by the committee. As the result of this cooperative effort, several amendments which I understand are acceptable to the Senator from Ohio and to the manager of the bill have been drafted. Senator Bennett asked that I offer these amendments for him if he was not back from the services held for the late Senator from Louisiana when this bill was considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROCK. Mr. President, I think these amendments are adequate to the need and the expressed desire of the Senator from Ohio. If he has no objection, we can proceed.

Mr. TAFT. Mr. President, if the Senator from Tennessee will yield briefly I would like to make a few remarks on the amendment.

Mr. BROCK. I yield.

Mr. TAFT. Mr. President, the Commerce Department believes that the adoption of the proposed amendment will enable them to carry out the actions prescribed in title I more effectively. I am willing to accept the amendment on those grounds. It should be made absolutely clear, however, that the amendment does not in the slightest way affect the intent of title I or the results which should accrue from this legislation.

The change in the declaration of policy section was made to indicate that the Office of Export Control does not necessarily have to consult formally with the Technical Advisory Committee before imposing export restrictions on any particular item. The effectiveness of imposing controls would be diminished if an item could be exported during the time which the merits of controlling its exportation are being discussed. Such a situation would certainly be unacceptable when an emergency situation necessitates the immediate imposition of controls. The amendment takes care of such problems. It is clear from section 105 of the bill, however, that decisions to place items under export controls would eventually be reviewed by the appropriate Technical Advisory Committee if that committee saw fit to do so.

The substitution of the word "President" for "Secretary of Commerce" in several places is a technical change which brings title I into conformity with the present Export Administration Act. The substitution of the words "prove detrimental" for "constitute a threat" is likewise a conforming change. It makes that standard for controlling the export of an item to avoid undermining the national security identical to the standard in the present act. The language is S. 3726, however, reverses the burden of proof in the present act for items freely available from foreign sources. Instead of giving the President the authority to control the export of such items if he thinks that their exportation would prove detrimental to the national security, it requires him to decontrol such items unless he determines that this would be the case, and reports the nature of any evidence supporting such a determination to Congress.

The Commerce Department insisted that it could not complete the required review of unilateral export controls in 6 months. To me, this is absolutely incredible, since section 4(a)(1) of the Export Administration Act has required such reviews to be made continually since the enactment of the act of 1969. I have reluctantly consented to give the Department 3 extra months. I hope the time to be used wisely, however, so that Commerce will now be able to furnish us with a much better review than we would have received after 6 months.

The Department has expressed a desire to print the special report required in section 104 at the same time as one of the quarterly reports already required by the Export Administration Act. As long as there is no resulting sacrifice in the quality of the special report and the 9-month deadline is met, this would seem to be perfectly acceptable.

The change in the requirement for the listing of burdensome licensing procedures will enable the Commerce Department to avoid an exhaustive study to ascertain what licensing procedures are actually in effect in other Cocom countries.

The Department knows well which procedures are alleged to be more burdensome; many of these procedures are mentioned on the top of page 4 of the committee report. It is my hope that this technical amendment will therefore give the Department more time for a thorough review of any of its own licensing procedures which may handicap our exporters more than similar procedures handicap Cocom exporters of other nationalities. I would except any procedure which could possibly fit this description to be reviewed.

To allay the Commerce Department's concern that my legislation would call for the creation of an excessive number of technical advisory committees with loosely defined functions, I am willing to accept amendments by which the creation of any such committee is made contingent upon a written request by a substantial segment of an industry, which spell out the role of the technical advisory committtees in detail, and which make clear that the Department does not have to consult a committee about an item outside of that committee's area of technical expertise. No consultation with a technical advisory committee would be expected in reference to an item which is outside the technical groupings for which committees have been created.

The final change provides that the chairman of a committee can waive the required quarterly meeting if he determines, in consultation with other committee members, that the meeting is not necessary. It also provides that each committee would be terminated after 2 years, unless the Secretary of Commerce extends its life for 2 more years. It requires the Secretary to consult each committee with regard to its termination or extension. This will provide a mechanism for eliminating committees which are no longer necessary.

I hope it is now clear that this amendment consists of technical improvements rather than substantive alterations. With this understanding, I urge adoption of the amendment.

Mr. BROCK. Mr. President, may I just take a moment to say I appreciate very much the willingness of the Senator from Ohio to work this out. I think it is an objective we all share. He has been more than willing to cooperate and to accept modifications which do not change in any significant respect the basic intent or effect of the amendment, but which will make the act more workable, and I think more readily of benefit to American business, which is, I think, the purpose of what we are trying to do in order to extend and enhance the prospect of American jobs through American exports.

So I appreciate very much his willingness to cooperate and work together toward this objective, and I think he has made a great contribution to this particular bill.

Mr. MONDALE. Mr. President, I thank the Senator from Tennessee and the Senator from Ohio.

I understand there is no objection to the pending amendment. I shall be very glad to take it. I move its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendments submitted by the Senator from Tennessee to be voted on en bloc.

The amendments were agreed to en bloc.

Mr. MONDALE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONDALE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROCK. Mr. President, on July 26, the chairman of our Banking Committee, Senator Sparkman, received a letter from the chairman of the Senate Committee on Finance, stating that he believed the Finance Committee, like the Committee on Foreign Relations, should have been given an opportunity to review title II of the bill. He added that he would not press the jurisdictional point because of the urgency of extending the Export Administration Act but asked that the bill be amended so that the list of committees the Executive Director would keep fully and currently informed include the Senate Committee on Finance and the House Committee on Ways and Means.

Mr. President, I ask unanimous consent that the letter to which I have referred be included at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Finance,
Washington, D.C., July 24, 1972.
The Honorable John Sparkman,
U.S. Senate,
Washington, D.C.

Dear Senator Sparkman: S. 3726 has recently been ordered reported by the Foreign Relations Committee after having been originally reported favorably to the Senate by the Banking, Housing and Urban Affairs Committee.

Apparently, as reported by the Foreign Relations Committee, section 208 of the bill would require the Executive Director of the Council on International Economic Policy to keep various Committees of Congress "fully and currently informed regarding the activities of the Council."

The duties of the Council as described in section 206 of the bill relate directly to many matters on which the Finance Committee has important jurisdictional responsibility in the Senate, and the Ways and Means Committee in the House. In the ordinary course of legislation, I believe the Finance Committee, like the Committee on Foreign Relations, should have been given an opportunity to review Title II of the bill.

However, because of the urgency in enacting the basic purpose of the bill—extension of the Export Administration Act of 1969—I will not press the jurisdiction point. I do feel strongly that the list of Committees the Executive Director would keep "fully and currently informed" should include the Senate Committee on Finance and the House Committee on Ways and Means.

I would hope that as Chairman of the Committee of Banking, Housing and Urban Affairs, which will present the bill to the Senate, you would be receptive to an amendment along these lines. If you could handle the matter as a committee amendment, it would not be necessary for me to take the time of the Senate with a formal, time-consuming statement and debate. Please let me know if such a procedure is satisfactory to you.

With every good wish, I am
Sincerely,
Russell B. Long, *Chairman.*

Mr. BROCK. Mr. President, I appreciate the fact that the chairman of the Finance Committee, the Senator from Louisiana, is not going to press the jurisdictional point and offer for the Senator from Alabama the amendment which he requested.

I understand that the amendment is acceptable to the manager of the bill.

Mr. President, I offer, for the Senator from Alabama, the amendment which he requested.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 13, following line 20, insert the following:

"the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives,".

Mr. BROCK. Mr. President, I will say, very simply, the effort or thrust of the amendment is simply to add to those presently enumerated in section 208(a) of the bill to be kept informed regarding the activities of the council, the Finance Committee of the Senate and the Ways and Means Committee of the House. I hope the amendment finds acceptance on the part of the manager of the bill.

Mr. MONDALE. Mr. President, I do not think I have any objection to the amendment. I just want to ask one question. In no sense is this amendment intended to undermine the jurisdiction of the Committee on Banking, Housing and Urban Affairs over the Export Control Office; is that correct?

Mr. BROCK. I appreciate the Senator's question. No, of course not. As the Senator knows, I am a very vigorous advocate of the creation of this new move. I do not think, frankly, it goes far enough, as he knows. This is just a step in the right direction. Certainly its jurisdiction should remain in the Banking, Housing, and Urban Affairs Committee. That is the intent of the amendment.

Mr. MONDALE. Apparently all the amendment calls for is for this newly created Council to keep the three committees which have interest in trade; that is, the Banking, Housing and Urban Affairs Committee, the Foreign Relations Committee, and the Finance Committee advised of its operations.

Mr. BROCK. The Senator is correct. He realizes, of course, that the bill includes the corresponding House committees as well as the Joint Economic Committee.

Mr. MONDALE. But the basic jurisdiction which the Banking, Housing and Urban Affairs Committee has had and has asserted over the years remains unchanged?

Mr. BROCK. The Senator from Louisiana made it perfectly clear that he simply wanted to be kept fully and currently informed on what the Council is doing when it is in his area of concern as chairman of the Finance Committee. I think it is right in that regard.

Mr. MONDALE. Mr. Presdent, I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ROBERT C. BYRD. Mr. President, today we seek to extend the Export Administration Act of 1969 in order to authorize the President to control exports for national security, short supply, and foreign policy reasons. This authority expires tomorrow and our failure to act today could have disastrous consequences to our national security and the orderly administration of a program in effect since 1949.

One of the obstacles to the prompt passage of this extension is an amendment by the distinguished junior Senator from Nebraska which would require the Secretary of Commerce to terminate the short supply controls on exports of cattle hides which he introduced on July 15.

Because the controls on cattle hides are controversial and because such controls involve the use of a ticket system which may not be fully understood by all concerned, I would like to explain the basis on which the Secretary decided to establish this control program, and how it operates.

Let us consider the events which preceded this decision. During the period 1953–70 and well into 1971, composite cattle hide prices had ranged around 14 cents per pound. However, during the latter part of 1971, those prices began an upward spiral reaching a level of 27 cents to 29 cents per pound during May and June of this year and actually averaging 29.75 cents on July 14, the day before the Commerce Department took action.

Needless to say, the adverse effects of the national cattlehide supply and demand situation swelled in direct proportion to the increases in cattlehide prices, with crippling results to the operations of tanning companies.

In my own State of West Virginia, five tanning plants were heavily and adversely affected. The rising cost of rawhides, occasioned by increasing exports of this product, made it uneconomical to operate small tanning plants.

My State's largest tanning company, the Parsons Tanning Co., operating in Parsons, W. Va., employed 150 persons and was the major employer in a community of 1,500—a community which recently suffered the loss of a woolen mill, another major employer which had provided approximately 300 jobs.

On Tuesday, May 23, Parsons Tanning Co. stopped the soaking of hides and began laying off employees, in preparation for complete closure, unless relief could be, in some manner, received from the Federal Government—relief from the economic pressure of runaway cattlehide costs brought about by the growing export of hides to foreign leather goods manufacturers. And it is important to note that many of those same foreign manufacturers are providing low-cost imports, which, having been manufactured by cheap labor, are brought back to the United States for sale here in advantageous competition against our own domestic-made products.

In an effort to save this tanning company and to relieve the depressive economic effects on our domestic tanning industry, appeals went out to the President, to the Department of Commerce, to the Cost-of-Living Council, and to the General Services Administration, which has stockpile disposal administration responsibilities for tanning agents. All of these efforts were made to prevent a further loss of jobs in the hard-pressed Appalachian area where the town of Parsons is located.

The administration and Department of Commerce authorities were specifically warned of the depressive economic effects of the cattle hide prices and the need for export controls so that the entire U.S. tanning industry could secure hides at reasonable prices. Appeals were made for immediate implementation of measures to provide relief for U.S. tanneries and their employees, including specifically the Parsons Tanning Co.

However, the Department of Commerce had determined not to take any action until after it had an opportunity to collect necessary data, to study and evaluate them, and then to determine whether controls were warranted under the short supply criteria of the Export Administration Act. As Senators are no doubt aware, these criteria are stated as being "to protect the domestic economy from the excessive drain of materials and reduce the serious inflationary impact of foreign demand."

Thus the Parsons tanning industry continued its closeout operations to a point that on the day of the plant's final operations, with a reported 10 employees on a "closeout" basis, new hope came to the community of Parsons. W. Va., with the announcement by Secretary Peterson that the Department of Commerce was instituting a program to control exports of cattlehides and thus reduce inflationary pressures.

Based on that prospect of export control, the Parsons Tanning Co. advised me that the company had made a decision to reopen the Parsons Tanning Co. operations at Parsons and to start soaking 400 hides a day, beginning July 24. It was pointed out that this was only a one-half production, but as soon as the hides "were rolling" it was planned to increase production to 800 hides, which is full production, by August 14. The company officials stated that their plan was to reemploy the 150 people that are now idle at the plant and, with the aid given by the Department of Commerce action, it was hoped "to survive and keep Parsons a prosperous and happy community."

However, that plan has now been placed in jeopardy, along with the jobs of the Parsons Tanning Co. employees, by the proposal of the amendment to require the Secretary of Commerce to terminate the short supply controls on exports of cattlehides.

Let us now recapitulate the background of Secretary Peterson's proposal for those short supply controls of cattlehides.

When the upward trend in cattlehide prices began to cause deep concern to the domestic users of cattlehides, such as the tanners and the shoe manufacturers, who warned the Federal Government that these price increases were due to the abnormal foreign demand for U.S. cattlehides, the Department undertook consideration of the impending crisis.

Department officials met with industry representatives but found they did not agree as to the causes of the rise in cattlehide prices and future prospects in that market. Hence, Commerce undertook its own extensive study. The Bureau of the Census surveyed the domestic industries involved to determine the supply and demand factors at work in the cattle hide markets. Mandatory questionnaires were sent throughout industry and responses were carefully studied and tabulated. Inquiries were made through our commercial posts abroad. The Department specifically inquired into the situation prevailing in Argentina and Brazil which had been principal suppliers of cattle hides in the world market but which had recently halted all hide exports. Simultaneously, at the request of the Price Commission, the Internal Revenue Service audited meatpackers to determine whether they had followed the cost pass-through rules in setting their hide prices.

The Department's evaluation of the data it had collected enabled it to reach its decision. First, it was demonstrated that the embargoes imposed by Argentina and Brazil have resulted in a transfer of the world demand normally satisfied by their cattlehide supplies to demand for U.S. cattle hides. Moreover, it appears that these embargoes are not to be lifted soon enough to provide relief for U.S. industries. Both Argentina and Brazil appear determined to develop their own tannery and shoe industries and their controls on hide exports can, therefore, be expected to continue for some time in the future.

Beyond the drain of U.S. hides caused by Argentina and Brazil's action, I would note that an increase in world demand for shoes as a result of rising standards of living has contributed to the increasing exports of cattle hides from the United States.

Second, the Department found a projected increase in domestic demand for cattle hides, mainly due to projected increase in domestic shoe production. This represents a most encouraging turnaround for our domestic shoe industry, whose production has been declining for several years. It also represents a turnaround in domestic hide consumption, which has declined in recent years but is projected to increase in 1972.

Against this picture of growing foreign and domestic demand, projected domestic supply based on estimated cattle slaughter showed an increase which was inadequate to meet the overall demand. Also, domestic user's inventories of hide and leather, an important facet of their supplies, were seriously depleted.

When the data on supply and demand were put together, a picture of serious shortage emerged. Demands were up, supplies down, and a shortfall of supplies was projected to be over 1,500,000 hides.

Thus, the conditions for controls were found to be present—serious price inflation, abnormal foreign demand, and domestic supply shortage. These facts provided the basis for Secretary Peterson's decision to introduce controls on hide exports.

The remaining issue then was how best to implement a program of controls so as to assure an adequate domestic supply and curb the inflationary pressures while minimizing the disruptive effect which controls could have on some segments of industry. First, he chose an export quota level which is reasonable and not too restrictive. Unlike the action taken in 1966, the present quota levels do not force a sharp rollback in export levels, but rather hold exports at the 1971 level which was a record high. Thus, domestic hide producers need not fear that their export markets will be damaged, and no glut of hide supplies is likely to occur.

Next the Department has devised a method of controls which will guide the economic benefits to American consumers and the farmers and ranchers—the cattle producers. This is how the program works.

The ticket system of controls will begin operation on September 1. Commerce will establish quotas for cattle hide exports for 3-month periods. Then, their Office of Export Control—OEC—will issue cattle hide export tickets for the number of cattle hides equal to the quota for each period.

Importantly, they will issue the tickets not to the exporters but to the cattle hide producers, principally packers. The tickets will be freely transferable. Since exporters can export hides only under validated export licenses, and since the exporters must present cattle hide export tickets in order to obtain these licenses from OEC, exporters, will have to acquire tickets from the cattle hide producers.

Then, the Price Commission will require that the revenue from the sale of cattlehide tickets must be treated as revenue received from the animal. Another Price Commission rule operates to limit the profit margins of the packers to a maximum level. Combined together, these rules should require the packers to pass on the revenues of the sales of cattlehide tickets to domestic consumers in the form of low hide prices or to the farmer and rancher in the form of higher prices for their cattle.

To sum up, there are two major differences between the control program which Secretary Peterson announced on July 15 and the cattle hide program introduced by Commerce in 1966. First, there is the degree of control. In 1966 quotas were stringently set so as to seriously roll back exports and apply to certain categories of hide pieces for which there is no domestic demand. This caused unnecessary hardship to the U.S. producers, the U.S. exporters and to the foreign buyers. The quotas set this year for the transition period and the first 3 months of the ticket system requires no cutback from the historic high level of exports set in 1971. Second there is the benefit to the rancher and the consumer through the ticket system. Whereas the program in 1966 allowed exporters to maximize their profits on the basis of the increases in world prices caused by our limitation on exports, the program this year insures, through the ticket system, that this benefit should reach ranchers and the American consumer.

In conclusion, the necessity for the cattlehide export controls has been adequately demonstrated and the program appears reasonably designed to solve the problem on the fairest terms for all segments of the industry concerned. To terminate this program before it has had an opportunity to be shown to work, seems to me unfair. Moreover, to delay extension of the act for such a purpose and thereby cause a lapse of authority which would jeopardize our national security interest is an action to which I am sure this body does not want to be a party. Accordingly, I urge that this amendment be defeated and the extension of the Export Administration Act as provided by S. 3726 be passed without any further delay.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, at a later time, I will offer an amendment to the bill now before the Senate, which is the amendments to the Export Administration Act of 1969. Due to the fact that a number of Senators are out of the city for the funeral of our beloved former President pro tempore of the Senate, the distinguished Senator from Louisiana Mr. Ellender, and due to the fact that a large number of Senators are interested in this proposal—many of them are cosponsors—I will not offer the amendment at this time.

One of the reasons for speaking now is that I might place the material in the RECORD so that it can be read by Senators, because the material I refer to is contained in hearings that have not yet been printed.

Mr. President, the bill, S. 3726, to extend the authority of the Export Administration Act and also to amend it, was before the Committee on Banking, Housing and Urban Affairs. It is my understanding that it reported it favorably. Later it was referred to the Committee on Foreign Relations and that committee reported favorably on it.

About the time that this was happening, the Department of Commerce issued an order controlling and restricting the export of cattle hides from the United States. They did so in a very complicated way. They would require certain tickets to be used by exporters in order to have the right to export.

The testimony taken by knowledgeable people in the industry indicates that what they propose to do is very complicated and complex. It may lead to a black market in export tickets. That is one of the reasons why there is such wide opposition to what the Department of Commerce did in issuing its order controlling, regulating, and restricting the export of cattle hides.

It is rather ironic that agricultural exports are the one class of exports that has added favorably to our balance of trade, yet by Executive order in recent weeks, they have encouraged the importation into this country of meat, thereby throwing it further out of balance. Now, within the last week or so, the restriction on the export of hides which adds a double injury to our balance-of-payments situation. Both actions are injurious to the agricultural interests of the country, that segment of the economy which has not made any contribution whatever to inflation.

Consequently, I think it is incumbent on the Senate carefully to review what the Department of Commerce has done because I believe that when it is fully understood Congress will end the order.

A somewhat similar order was issued in

1966. It did not hold down the price of shoes. It did compress the price of cattle. The bureaucrats who imposed it did not bring it to an end. It was ended by Congress.

Now, Mr. President, I ask unanimous consent to have printed in the RECORD my amendment No. 1371, which I shall offer at a later time.

There being no objection, the amendment (No. 1371) was ordered to be printed in the RECORD, as follows:

> On page 2, line 18, after "SEC. 104." insert "(a)".
>
> On page 4, between lines 17 and 18, insert the following:
>
> "(b) (1) Section 4(e) of such Act is amended to read as follows:
>
> "'(e) The authority conferred by this section shall not be exercised with respect to any agricultural commodity, including fats and oils or animal hides or skins, without the approval of the Secretary of Agriculture. The Secretary of Agriculture shall not approve the exercise of such authority with respect to any such commodity during any period for which the supply of such commodity is determined by him to be in excess of the requirements of the domestic economy, except to the extent the President determines that such exercise of authority is required to effectuate the policies set forth in clause (B) or (C) of paragraph (2) of section 3 of this Act.'
>
> "(2) Any rule, regulation, proclamation, or order issued after July 1, 1972, under section 4 of the Export Administration Act of 1969, exercising any authority conferred by such section with respect to any agricultural commodity, including fats and oils or animal hides or skins, shall cease to be effective upon the date of enactment of this Act."

Mr. CURTIS. Mr. President, the amendment I shall be offering, No. 1371, does two things. It would provide that the authority shall not be exercised with respect to any agricultural commodity including fats, oils, and animal hides and skins, without the approval of the Secretary of Agriculture.

It also makes reference to where the President acts to carry out the foreign policy of the country.

Section 2 would provide that the present order issued by the Secretary of Commerce with reference to hides and skins shall cease to be effective on the date of the act.

This amendment will be offered with the following cosponsors:

Senators BELLMON, BURDICK, DOMINICK, DOLE, HANSEN, HRUSKA, HUGHES, MCGEE, MILLER, MONDALE, PEARSON, TALMADGE, THURMOND, TOWER, and YOUNG.

Mr. President, it was not possible for us to have the hearings conducted by the Committee on Agriculture and Forestry. As soon as the committee heard of this order, it directed that hearings be held on it. After all, it is an agricultural subject.

Mr. President, hides are a part of the cattle. They are part of the livestock industry. And certainly the Senate should not have a chance to legislate a remedy on an agricultural matter without having heard from the Committee on Agriculture and Forestry.

Those hearings were held for 3 days last week. The hearings have not yet been printed. We should wait until they are printed.

I am aware, however, that this authority expires tomorrow night. Therefore, it will be my purpose in my remarks today to incorporate in my remarks certain excerpts from the hearings so that when the RECORD is printed tonight, these facts will be available to all Senators tomorrow.

As nearly as I can figure out, the chief architect in the Department of Commerce of this order was the General Counsel, Mr. William M. Letson. I am sure that he is a very capable lawyer. I am sure that he is well versed in many aspects of our economy. He is not familiar with the problems of agriculture generally. He is not familiar with the situation in respect to cattle hides. He is not familiar with the manner of trading in cattle hides or leather or the export thereof.

When Mr. Letson was before the Committee on Agriculture and Forestry, the Senator from Oklahoma (Mr. BELLMON) had this to say:

> Senator BELLMON. I am still hung up on your figures. If it turned out, you are mistaken and that you got an estimated additional demand of 1.2 million, if it turns out the Secretary of Agriculture is right and it is an increase of 1.4 million cattle coming along, your whole program isn't needed. You are basing your decision on these figures, but the Secretary of Agriculture has given us other figures, and I would suggest that the Secretary of Agriculture knows more about cattle than you do.
>
> Mr. LETSON. I think that you are absolutely right on that point.

The discussion then went on concerning the various sources of cattle hides. The bulk of the cattle are sent to packinghouses, and there the hide is removed. The meatpacking company sells the hide perhaps to a dealer or broker. It then goes on to the manufacturer.

There are many other hides. There are hides that come from the cattle butchered on the farm or ranch. There are hides that come from the cattle butchered by custom slaughterers. There are hides that come from rendering plants, concerns that take the dead bodies of cattle that die from various causes. There are also some cattle that die on the farm or ranch that never get to a rendering plant.

It was in that background that Mr. Letson had this to say:

> Mr. LETSON. Well, there you get into difficulties also. Not every dead cow gets to the tanner.

I am sure that what he said was, "not the hide of every dead cow gets to the tanner."

Then Senator MILLER said:

> Senator MILLER. This is so, so the tanners—how many hides were produced last year—they can tell you in relationship to the number of cattle on hand. And I think you could use a similar approach year-in and year-out and make an accurate forecast.
>
> Senator BELLMON. Mr. Chairman, does he know how to get those hides off the dead cows to the tanners? It hasn't been worth skinning a dead cow for years. Every time a cow died out in the country, you would get the renderer to come and pick her up and take her back to the tanning factory and take the hide off of her, because they were worth something. Now, you don't have any value in them so you have the carcass, which isn't worth anything, and you are producing extra hides but holding the prices down.
>
> Mr. LETSON. I can't pretend to be an expert. We have figures from the renderers, which imply to us that this is still a very active group.
>
> Senator BELLMON. They don't pick cattle up out in the country any more. They don't even pick them up around the feed lots.

Then the Senator from Oklahoma (Mr. BELLMON) went on to point out that the way to get more cattle profit is to raise the price and not do something that depresses the profit. If we want more cattle hides to be turned into leather for both foreign and domestic use, let us pay a sufficient price for the hides. After all, it is a rather complex task, especially in hot weather, to go near the carcass of a dead animal and proceed to carefully skin that animal so that the hide is in usable condition. And individuals are not going to do that for exercise. However, if the hide is worth a decent price, they will do it.

Mr. President, it is so evident that Mr. Letson—a very fine lawyer and a well intentioned public servant—did not fully understand what was involved or what would be the results of the order that he drew for regulating and controlling and restricting the exportation of cattle hides from this country.

In his testimony before the Committee on Agriculture and Forestry, last week William N. Leston, General Counsel of the Commerce Department stated:

> The question of whether and how to introduce controls proved to be one of the most difficult questions which the department has faced in a long time. This was particularly so since we all strongly believe in free and open markets. However, facing the facts—the seriously inflated prices, the domestic shortage of hides, and the abnormal foreign demand—and bearing the responsibility which Congress placed in our hands under the Export Administration Act, we concluded that we should act.

I believe a proper interpretation of the current hide situation is this:

First, the June 1972 hide exports were released last Friday, July 28, 1972, and are 1,317,000 pieces compared to 1,235,000 last June—1971. The 6-month hide exports for 1972 are 8,073,000 pieces as compared to 7,848,000 pieces last year. This means the 6-month exports for 1972 are only 2 percent greater than the 6 months for 1971, hardy an abnormal foreign demand causing an excessive drain on scarce raw material—hides—the reason the Commerce Department gave for their July 15 action.

Second, shoe production through May is down 1½ percent this year compared to last year. Yet the Commerce Department projected an increase in domestic shoe production requiring 638,000 more hides. Also from some of the testimony the tanners gave last Thursday, they would themselves expect leather shoe production would be down this year, not up.

Third, industry analysts now are expecting commercial cattle slaughter for July to December to total about 19.0 million head, which is 900,000 more than last year. This forecast is supported by the USDA estimate of 1,566,000 more cattle on feed July 1 than last year.

Thus the slaughter estimate used by the Department of Commerce could prove to be conservative.

Fourth, the calculated shortage presented by the Commerce Department in support of its export control program included a figure of 1,002,000 hides needed to replace inventories. There is no such thing as a minimum inventory that has been violated.

Fifth, hence, instead of an imbalance of 1,521,000 hides to be set right by the controls, we see the possibility of a surplus developing that could wreak havoc with the hide market and seriously depress cattle prices, if the controls are not discontinued.

Sixth, according to the Department of Commerce testimony last week, the action taken July 15 was not to reduce hide prices, but to stabilize them, and hopefully keep them from advancing so rapidly in the future. Yet the market has declined one-half to 1 cent a pound in most hides last week, the equivalent of about 35 to 65 cents per hide.

Mr. President, a little later I will refer to the testimony of one witness coming from a large packing company that states that all last week they did not get a call for hides. Their slaughtering process is going on but there was no bid for the hides.

Mr. President, some very interesting testimony was presented to the Committee on Agriculture and Forestry last week by Mr. Herrell DeGraff, president, American Meat Institute. He was accompanied by Mr. D. M. Clute, chairman of the Hide Committee of the American Meat Institute. Here is what Mr. DeGraff said in part:

> It is pertinent to note that this is the second time in six years that the U.S. Department of Commerce has deemed it necessary, under its legislative authority, to institute export quotas for U.S. cattle hides.
>
> The 1966 experience, which lasted about eight months, was based on a relatively simple system of export licenses. And while the program was generally judged in the trade to be a fiasco, it was terminated only by Congressional action. The agency that had put the controls into effect could not bring itself to voluntarily abandon its brainchild. Hence, we take very little comfort in Secretary Peterson's statement that "the controls will be lifted as soon as market conditions warrant."
>
> Now we are looking at a repeat of the 1966 experience. And while the actors have changed, the play is much the same. Only this time the Department has launched a more complex program based on a kind of rationing system using export tickets as a right to a share of the market.

He goes on to point out that actually the increase in the price of shoes, footwear, has gone up exactly according to the general consumer's price index. The Consumer Price Index stood at 121.3 in 1971. In June 1972 it had gone to 125, or an increase of 3 percent. The footwear index average for 1971 was 121.5. It went to 124.7, about a 3-percent increase. During this time hide prices did go from 14 cents a pound to 28 cents a pound, or increased 100 percent, and it did not cause the price of shoes to increase in price any more than the general consumer's price index.

The average cattle hide weighs about 60 pounds. That means that even at the present price it has a value of only a little over $17. From a cattle hide they can make at least 20 pairs of men's shoes. Men's shoes have a little more leather in them, a heavier sole, a broader heel, and the upper part is more of a shoe than women's shoes. So it might be safe to guess that, with reference to ladies' shoes, which are sold with heels and straps, probably they can make twice as many ladies' shoes as men's shoes out of that one hide. In the case of small children, perhaps not 20 pairs, but perhaps twice as many, 40 pairs can be made. And out of that the farmer or rancher gets $17—$17 whole dollars for enough hide to make 20 pairs of men's shoes; $17 for enough hide to make 40 pairs of ladies' shoes or children's shoes.

Why, it is just a matter of a few cents. The fact that one pays $30, $35, $40, $50, or even $25 or less for a pair of shoes indicates that the price of hides is not a significant factor at all in the price of shoes. At the very most, in connection with men's footwear, it involves about 5 percent of the cost.

Yet here is the powerful U.S. Government exceeding its authority, in the opinion of many, and curtailing the export of hides in order to force the price down. They did so because they got their facts not from the best and most objective sources, but from that segment of our industry that wants lower prices of cattle hides.

Mr. President, an injustice is being done, something that is wrong and cannot be justified.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. MONDALE. A moment ago the Senator from Nebraska made the point that there is doubt about the legality of the regulation to which the Senator objects. I must say I agree with the Senator on that point.

Mr. President, I ask unanimous consent that the record set forth the language of section 3, subsection (2), of the Export Administration Act of 1969.

There being no objection, the subsection was ordered to be printed in the RECORD, as follows:

> EXPORT CONTROLS
>
> (2) It is the policy of the United States to use export controls (A) to the extent necessary to protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand, (B) to the extent necessary to further significantly the foreign policy of the United States and to fulfill its international responsibilities, and (C) to the extent necessary to exercise the necessary vigilance over exports from the standpoint of their significance to the national security of the United States.

Mr. MONDALE. Mr. President, the relevant point reads that—

> It is the policy of the United States to use export controls (a) to the extent necessary to protect the domestic economy from the excessive drain of scarce material and to reduce the serious inflationary impact of abnormal foreign demand

The key phrase here is "serious inflationary impact." I cannot see how the present, almost infinitesimal impact of the cost of the hide as a part of the total cost of the shoe could be said to have resulted in serious inflationary impact.

I think the figures which the Senator from Nebraska has presented show that cattle hides make up a very small portion of the cost to the consumer of a finished pair of shoes. Since the provision I have just read is the only one that could conceivably be used to justify these regulations restricting the export of cattle hides, I have grave doubt that this regulation complies with the terms of that statute.

I think the amendment which will be offered by the Senator from Nebraska, calling as it does for rescission of this decision on hides and for the approval of the Secretary of Agriculture before another such step can be taken against an agricultural export in the future may help moderate tendencies toward overhasty actions in other cases.

Mr. CURTIS. I agree with the Senator, and I thank him very much for his contribution.

Mr. MONDALE. This issue came up in the Committee on Banking, Housing and Urban Affairs as well when we were acting on the President's economic control legislation, and an effort was made legislatively to put a dramatic restriction on export controls. We were successful in eliminating any such legislative amendment in the economic control legislation on grounds very much as stated by the Senator from Nebraska, that the farmers are not doing well, that the parity ratios for our farmers are at an abysmal level, that hides make up an infinitesimal portion of the cost of a finished pair of shoes, and that to place these kinds of restrictions upon cattle hides is just an unfair imposition upon the cattle farmer for the benefit of other commercial interests.

Mr. CURTIS. I thank my distinguished friend very much, and I agree with him.

I would now like to call the attention of the Senator to the testimony of William Carey. He, together with Martin Blumenthal, appeared before the Committee on Agriculture for the American Association of Hides, Skins, and Leather Merchants, New York, N.Y. Mr. Carey said that he was the export manager of the Southwestern Trading Co., of Houston, Tex., and here is what he said:

> I deeply appreciate the opportunity to appear before this committee to describe the manner in which the Department of Commerce has taken an action of substantial significance in regard to an agricultural product when the action is not only in violation of the provisions of the statute but also is an abuse to the statute as it applies to agricultural products.

He goes on:

> This is strong language but we are convinced that it is true. The statute under which the Secretary of Commerce acted in imposing export controls on cattle hides declares, for example, that it is the policy of the United States to use export controls.
>
> (a) To the extent necessary to protect the domestic economy from the excessive drain of scarce materials, and to reduce the serious

> inflationary impact of abnormal foreign demand.
>
> (b) To the extent necessary to further significantly the foreign policy of the United States and to fulfill its international responsibilities, and
>
> (c) To the extent necessary to exercise the necessary vigilance over exports from the standpoint of their significance to the national security of the United States.
>
> In his statement, the Secretary of Commerce recognized that his action was not based either upon a necessity to further significantly the foreign policy of the United States or to protect the national security of the United States.
>
> He specifically based his action only upon the ground that it was necessary to use export controls to protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand.

Mr. President, all of this I am reading is from Mr. Carey's statement:

> No amount of contortions which the Secretary of Commerce has taken with data dealing with this agricultural commodity can conceal the fact that neither of these two required statutory tests have been met.
>
> Cattle hides are not a scarce material because this country has been an exporter of hides since 1952. In fact, as shown by the data in the exhibits of the Secretary of Commerce, we have traditionally exported a very substantial portion of our domestic production of hides.
>
> Today, even with an increase in exports of hides, we can meet the total quantity required for domestic use. The Secretary has not shown that the unrestricted exports could reduce the quantity below that needed for domestic use.
>
> Why is this so? It is true simply because the Nation is a major meat-consuming country. In fact, it is the major meat-consuming country in the world and since 1952 we have not been able to utilize in the domestic production of leather goods the vast quantity of hides produced as a by-product of our production and consumption of meat.
>
> In short, cattle hides are not some sort of scarce atomic isotope.
>
> The second part of this statutory criteria, which the Secretary of Commerce is required to meet to impose export controls, is "to reduce the serious" inflationary impact of abnormal foreign demand.
>
> I would like to say that "serious" was added to the statute in 1969 by the Congress as a reflection of disapproval of the use of this provision by the Department of Commerce to control the export of walnut logs and hides and skins in the 1960's.
>
> There has been no abnormal change in foreign demand in the world hide business.
>
> The Secretary of Commerce had proved this point in his own data by showing that Argentina and Brazil have adopted policies to become major leather and shoe exporters instead of exporters of cattle hides.
>
> This decision by those countries did not change the world demand for cattle hides. It simply converted the world trade market for trade in cattle hides so far as those countries were concerned, to trade in leather and shoes but the world consumption of cattle hides has not changed as a result.
>
> It is already becoming apparent that the world market is adjusting to this shift by Argentina and Brazil because we believe that some countries are exploring the possibility of purchasing Brazilian and Argentinian leather instead of the hides previously exported by those countries.
>
> This is the way the world market accommodates itself to change, whether the change is caused by drought, government action, or other impact. Large rises or falls in price tend to be of short duration.
>
> In discussing the world trade data used by the Secretary of Commerce to support his action, the frailties of that data are also worth noting. Unlike the Congress of the United States which provides for a hearing on even the most significant matters facing this country, the Department of Commerce took this action without any hearing and with only informal consultation with a few individuals in the industry.

Mr. President, it is quite apparent that had a real hearing been held, with publication of the proposed action and notice to all parties, the Department of Commerce might have been spared from the embarrassment that must surely be theirs over this ill-advised order.

Now, Mr. President, I would like to refer to the testimony of Mr. John Minnoch, president of the National Hide Association of Chicago, Ill. He testified as follows:

> I would like to say that Congress insisted in 1966 that controls were needed, and the plan at that time didn't work. Yet, at that time, they assured us it did work. Do we have any assurance that the present plan will work any better, because at that time we tried an unknown thing, too, and we are right back going on another operation that is still unknown, untried, and we are the guinea pig again.
>
> I give that at the start because in hearing the gentleman from Commerce this morning, it is just unbelievable to me that anyone who has analyzed this market the way they claim to a done, and these intensive studies, so called, could overlook two million hides. And these, basically, are the types of hides that go for exports, render hides. Locker butchers are included in the figures, but it is unbelievable to me that they just plain overlooked that many hides. And I would like to bring that out because I can't buy the "intensive study," and, obviously, I think that every dead animal was plain overlooked, particularly when this type of hide goes for export.

Then Mr. Minnoch points out something else:

> We worked 15 years to build up markets. Of course, one Department tells us to build up markets and along comes the next one and tells us to tear them down.

It is the policy of the U.S. Government, so far as the Department of Agriculture is concerned, to promote exports. We have to have an export business in agriculture.

The taxpayers have agricultural experts traveling abroad in order to promote exports. Yet, the Department of Commerce comes along and says:

> There is an abnormal situation, and we are going to control and regulate and restrict exports.

I could not follow the Department of Commerce in all their figures and charts. The room was full of people, and a great many of the individuals from the Department of Commerce who testified before the Committee on Agriculture and Forestry were of the same mind as Mr. Minnoch. They wondered what happened to 2 million hides. The figures in their charts did not stand up at all.

Mr. President, I think Senators would be interested in the testimony of Mr. Wilson F. Pruitt, of Pruitt & Co., Muskogee, Okla. I read from his testimony:

> Just briefly, I would like to state that maybe our position is a little unique in this hearing. We deal 100 percent in what we call small packer hides. I think the overall question here of 36 million hides, of which the big packers represent—I don't know, I am guessing—will be 80 percent of the total.
>
> I would like to go back and regress just a few years. My father has been in the produce business and the hide business in Oklahoma since 1932. We didn't get into this export thing until about seven years ago and I remember the time as a boy and even on up to young manhood, of having a basement full of hides and waiting for the phone to ring, for somebody to buy them. Particularly, in the small packer, No. 3 hides, render hides, locker butcher hides, and other small operations in the packer field.

Mr. President, digressing from Mr. Pruitt's testimony, I should like to point out that this has been said by some of these witnesses. This country eats a great deal of meat. That makes the hides a byproduct. Unless we can export those hides, we will have so many of them here that it will be chaotic.

I can recall the time when I was a boy, living on a farm, hearing my father and the neighbors tell about individuals who would have a home butchery. They would carefully remove the hide and ship it to a tanner or to a dealer in hides, and sometimes the price they received was less than the shipping charges, so they would be billed for the difference. They would produce a hide, go to all the work of removing it, ship it, part with it, and then be billed for that part of the transportation cost that the price of the hide could not pay.

Fortunately, we are not faced with that situation, and one of the reasons is that for 15 years an export business has been built up in this country. But no business is indestructible. If this Government interferes with that export business, the purchasers will turn to other sources or they will use leather substitutes.

Now, Mr. President, I will continue reading from the testimony of Mr. Pruitt:

> It seems to me that through a good marketing effort of the exporters, the National Hide people, that we have been able to market an American product and do a real good job of it. I think I should point out here this morning that the usage of the hides in any appreciable amount by the American Tanners Association, so to speak—these hides have got to be sold some place because they cannot use them all.

Then he goes on to say:

> I think if something is not done, we are going to have a chaotic situation. I don't know how the big exporters feel about this. We are real small people in this thing. This is our livelihood, and if this is not changed or corrected, it might put us out of business.

Mr. President, my interests in this matter are primarily the agricultural interests. I have read from the testimony of witnesses from the hide industry because they are very knowledgeable as to how the trade operates. Their opinion as to what will happen as a result of the order issued by the Department of Commerce certainly is worth considering, and the fact that they strongly believe that the method followed by the Department of Commerce is in error and will lead to a black market certainly is worth considering. I know of no group that knows more about the hide business than the people engaged in the hide business. So, before I turn to some witnesses who are speaking directly from the agricultural point of view, I want to refer to another witness from the hide industry.

I invite the attention of Senators to the testimony of Dr. Fred Bistlinghoff, president of the National Renderers Association, Peoria, Ill., and Dean A. Specht, executive director of the National Renderers Associaiton, Des Plaines, Ill. This is what Mr. Specht said:

> It is overwhelmingly evident the rendering industry, as a separate segment of the hide industry, has been overlooked or ignored by the Commerce Department in developing these controls.

Mr. President, think of it: Here, bureaucrats assume the omniscience to interfere with our economy. Yet they overlook one important segment of the hide economy and one important supplier of hides.

Mr. Specht goes on to say:

> Our members produce the class of hides known as "renderer hides" from dead animals picked up in livestock raising areas and they also collect a class of hides known as "country hides" from butcher hides, locker hides, from hundreds—even thousands—of locker plants, butchers, and small meat packers in rural areas of this Country.
>
> These renderer and country hides are the lowest class of hides produced in this Country. They are collected in the raw or "green" state by our members who do the first preserving or curing of the hides.
>
> These are a separate class of hides which, because of being lesser quality than the fresh hides from meat packers, have been shunned by American leather manufacturers. In fact, in periods of low hide prices, the number of renderer hides decreases considerably because the whole animal, including hide, is rendered—the hide value does not cover the cost of skinning and curing.
>
> Because of the salvage nature of these hides, production and marketing statistics are not developed by the Department of Commerce. However, a cross section of the producers and exporters of these hides places U.S. production of this type of hide at three to four million category. This represents only about 10 percent of the estimated production of 37 million hides of all types last year.
>
> The serious inequity of these export controls is this: because of the low quality of these renderer and country hides by U.S. standards, 80 to 90 percent of this class has been exported in recent years. This movement is not recognized by the current controls, and we ask your help to see that it is provided for.
>
> Leather manufacturers have avoided purchasing this class of hides whenever possible as they continually push for better quality and more usable hides. This has left renderer and country hides with little or no domestic market and our only salvation has been the interest in these hides by overseas buyers.
>
> Incidentally, this has helped the U.S. balance of payments because most of these hides go to Japan, Italy and European countries for dollars. Because they are unwanted by U.S. leather manufacturers and because they are the bottom 10 percent of U.S. hide production, they have little or no impact on domestic needs.

Now, Mr. President, think of that. Here is a class of hides used by our domestic shoe manufacturers, yet the Department of Commerce controls, regulates and restricts them and, thus, denies the American economy a market that has been built up, and also seriously damages our balance of payments.

Mr. MONDALE. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield.

Mr. MONDALE. One can look at the need for this amendment, which I support, in another way, I look particularly at its impact on my State of Minnesota, if the present decision restricting the exports of hides is continued, the income from cattle hides, which is important to the farmers of my State will drop drastically. Last year, our State produced 1,585,000 hides, worth in current prices, around $25 million. The average hide is worth $16. This price, of course, helps the livestock farmer who, I think, everyone agrees is not in good shape at all. Anyone who looks at the current receipts realizes that livestock and other farmers are probably working harder and receiving less. Costs are rising faster in relation to prices than in almost any other sector of the economy and they need every dollar that they can get.

The administration case for putting controls on hide exports rests on the assumption that the higher hide price is causing shoe prices to rise. Analysis will show that this must be nonsense.

Take a specific case in Minnesota. Twenty to 25 pairs of shoes can be made from a single green hide. That means that the leather in a pair of men's shoes produced from one Minnesota hide, which is now worth about $16, costs only 80 cents. This is about 3 percent of the price of a $25 pair of shoes. If quotas were to bring down the price of hides by 50 percent, the cost of the hide in a pair of men's shoes will drop by only 40 cents. That is the cost to the shoe manufacturer. But it would cost Minnesota farmers millions of dollars at a time when they can least afford it.

I think it is speculative that the consumer would ever save one penny.

In 1966, I am advised—I do not have the figures right now, but I hope to be able to get them and put them in the RECORD later—when export controls were slapped on hides, the price dropped disastrously to the livestock farmers but, I am told, shoe prices actually increased.

Mr. CURTIS. That is correct.

Mr. MONDALE. So that instead of receiving a benefit, the middleman and the shoe manufacturer simply put the difference in their pockets. Once again, the farmers paid the price—about $4 a head drop in cattle prices—and the consumers received not only no benefit but, in fact, the cost of shoes went up.

So, I would hope that we would have learned from that unfortunate mistake and that we could be mindful of the desperate position the farmers find themselves in and realize how much a few dollars mean to each farmer. It is really painful.

In addition, there is a real question about the legality of this move. For some years, I have been chairman of the International Finance Subcommittee which has jurisdiction over the Export Administration Act. We have tried to make clear that restrictions on agricultural exports can only be justified when these exports can be said to have a serious inflationary impact. I do not think there is any case that can be made that the price of cattle hides today has had that impact on our economy. Indeed, I think one would be hard pressed to prove that it has had any effect on shoe prices to the American consumer.

Therefore, I think that the amendment offered by the distinguished Senator from Nebraska is a reasonable one. Indeed, it is a modest one. It eliminates this highly questionable action which imposes quotas on hide exports and simply requires that before such steps can be taken in the future the Department of Agriculture—which, after all, would know most about this problem—must be consulted. It is a reasonable proposal and I am pleased to support it.

Mr. CURTIS. Again I thank my distinguished colleague from Minnesota for his contribution.

Mr. President, when the Committee on Agriculture and Forestry was holding hearings last week on this subject, one of the witnesses was Reuben L. Johnson, director of legislative services for the National Farmers Union. I quote from that:

> Mr. JOHNSON. Thank you, Mr. Chairman.
>
> On July 19, National Farmers Union President, Tony Dechant, in a statement released to the press, called on the Administration "to act immediatley to remove the recently imposed controls by the Department of Commerce on cattle hide exports."
>
> The Secretary of Commerce, Peter G. Peterson, has placed admittedly, restrictions on cattle hide sales abroad as a means of reducing the domestic price. This means that the domestic shoe industry will be able to buy cattle hides at lower prices at the expense of the farmer.
>
> Last year the number of cattle hides exported rose to 15,514,000 and brought us $125,890,000 in revenue from overseas customers. The livestock industry benefited from these transactions. The nation as a whole benefited through the reduction of the foreign exchange problems of gold outflow and the balance of payments.
>
> The action of the Secretary of Commerce will not permit consumers to buy shoes at lesser costs because the cost of hide has little if any relationship at all to the cost of shoes. It is obvious that the shoe industry planned to raise prices anyway which casts a grave shadow over the Commerce Department's action to establish controls on the export of domestically produced cattle hides. The shoe industry, like bakers of bread, would have the public believe that farm prices of hides and wheat determine the cost of shoes and bread. But, we believe the consuming public knows better.

Mr. President, the Mr. Agriculture of the United States Senate, in my opinion, is none other than our beloved senior Senator from North Dakota (Mr. YOUNG). Here is what he had to say when the Committee on Agriculture and Forestry met to hold hearings concerning the order relating to the export of hides:

> We are all concerned about the inflation that has plagued our economy. No one has escaped the effects of this menace that erodes the value of the dollar. It is disturbing to note, however, that two of the most publicized steps taken in an effort to control inflation in recent weeks have come at the expense of the Nation's cattle producers. I have particular reference to the lifting of

> the quotas on meat imports and the imposition of export limitations on hides.
>
> On the one hand, the cattle producer is told he is making too much money so he will have to compete with a lower quality, lower priced product that is produced abroad under lower cost conditions.
>
> On the other hand, he is told that even though he has a product that is in great demand for export, he cannot take full advantage of this export market.
>
> Both of these moves have been made in the name of helping the consumer. They are both aimed at lowering or holding the line on consumer costs. Little, if any, consumer benefit will be realized, but the livestock producer now faces the threat of a squeeze from both sides. His costs continue to rise, while the price for his production is, in effect, limited by these governmental actions.
>
> I feel, Mr. Chairman, that the action limiting hide exports announced on July 15 could have a much more adverse effect on cattle prices over a period of time than the lifting of meat import quotas, as objectionable as that action was.
>
> One of the major adverse effects of this move will be to force foreign purchasers of American hides to look for synthetics or substitutes for leather. Invariably, once a manufacturer goes to cheaper substitutes or synthetics he rarely goes back to the better quality natural product.

Mr. President, Mr. Don F. Magdanz, executive secretary-treasurer of the National Livestock Feeders Association, was one of the witnesses before the Committee on Agriculture and Forestry. He made a distinct contribution. I read from his testimony:

> We declare that the action announced by Secretary Peterson on July 15 is absolutely unjustified, grossly unfair to the cattle industry, completely illogical, and downright provocative. Furthermore, it is incompatible with numerous principles and decisions previously made and embraced by both the Congress and the Administration.
>
> I will support these allegations after enumerating the specific inconsistencies involved. In our opinion, the restriction placed on cattle hides is:
>
> 1. Inconsistent with the intent of Congress in passing and extending the Export Administration Act;
> 2. Inconsistent with the removal of meat import restraints;
> 3. Inconsistent with efforts to expand U.S. exports and improve the balance of payments situation;
> 4. Inconsistent with the stated objective of holding shoe prices in check; and
> 5. Inconsistent with the stated goal of the Congress and the Administration to raise farm income to equitable levels.
>
> In addition, the action by the Department of Commerce is:
>
> 1. Ill-timed, coming just ahead of increased cattle hide production;
> 2. A tailor-made invitation for unscrupulous persons to develop a flourishing speculative market in trading the required export tickets; and
> 3. An obvious attempt to bail out the U.S. shoe manufacturers at the expense of domestic cattle feeders and producers.

Mr. Magdanz testified later in his testimony:

> Mr. Magdanz. The question of whether or not the production of cattle hides exceeds domestic requirements is not open to question. It is an indisputable fact that production does exceed domestic requirements. As shown in the table on the last page of this statement, 40 to 45 percent of our entire cattle hide production goes abroad.
>
> It is evident that the action of the Secretary of Commerce stands on the legal technicality that a determination has not been made by the Secretary of Agriculture to the effect that cattle hides are being produced in a quantity which exceeds domestic requirements.
>
> However, we interpret the intent of Congress to make it incumbent on the President, or his delegate, to seek the determination provided for in Section 4(e) before taking any export control action on an agricultural commodity under the authority provided in Section 3(2)(A).
>
> Most certainly, it was not, and is not, the intent of the Congress that the provisions of the Export Administration Act be used to deliberately roll back the prices of farm products.

Mr. President, Mr. Magdanz and many other witnesses went on in their testimony to specifically endorse the Curtis amendment.

Mr. President, another knowledgeable witness before the Committee on Agriculture and Forestry last week was Mr. C. W. McMillan, executive vice president of the American National Cattlemen's Association. I read from his testimony:

> The domestic beef cattle industry is tired of having to "pay the bill" under the threat of U.S. tanners and shoe manufacturers that they must raise shoe prices "if something isn't done to restrict the exportation of U.S. cattle hides."
>
> The 1972 action of the Commerce Department, although not identical to 1966, closely parallels it.
>
> In 1966, shoe manufacturers threatened to raise shoe prices unless something was done to force down the price of domestic cattle hides.
>
> An export embargo was placed on them, prices fell, reflecting approximately $4.00 per head drop in domestic cattle prices and the shoe manufacturers proceeded to raise the price of shoes anyway. U.S. cattlemen paid the bill and the U.S. shoe manufacturers pocketed the profits.
>
> Although the 1972 action of the Commerce Department still permits hides to be exported, there has been so much confusion and concern about the complex ticket or certificate method, meat packers cannot adequately plan their cattle buying programs and take into account by-product values. This completely disrupts marketing patterns of beef cattle.

Mr. McMillan goes on to state:

> It is the earnest hope of the American National Cattlemen's Association that the restriction on hide exports will be lifted. Were it not for the price levels that have prevailed for hides in recent weeks, the by-product drop of meat packers would be much lower. If that by-product drop declines substantially, the meat packer must adjust his margin by paying less for cattle or selling carcass beef for more.
>
> If carcass beef prices increase, this means that consumers will have to pay more for beef in the retail meat counter. If meat packers pay less for cattle, it could place cattlemen in a loss position. As a practical matter, both of these things will probably happen.
>
> A serious effect of restricting hide exports is on the matter of U.S. balance of payments. It seems inconceivable that the Administration has opened flood gates to more meat imports while restricting hide exports. Both of these actions are detrimental to the beef cattle industry, but together they compound the very serious balance of payments problem.
>
> Senator Curtis has offered an amendment to the Export Control Act which we believe deserves the support of every U.S. Senator. His proposal would require the approval of the Secretary of Agriculture, before any action is taken to restrict the exportation of an agricultural commodity. Had this authority been available, the unfortunate action of the Commerce Department of July 15, 1972, likely would not have occurred.

Mr. President, the hearings conducted by the Committee on Agriculture and Forestry, even though confined to 3 days, were very thorough. No witnesses were turned away, yet we were able to take the testimony of the most knowledgeable people in this field. I wish to say again for the Record that one of the reasons the junior Senator from Nebraska is speaking at length and incorporating in his remarks material from these various witnesses is that our time situation is such that Senators will not have the benefit of the printed hearings.

Mr. Baxter Freese, president of the Iowa Beef Producers, Ames, Iowa, gave some very helpful testimony to the committee. I quote now that testimony:

> I appreciate the opportunity to appear before you today to share the views of Iowa's 50,000 cattlemen on the matter of hide export restrictions.
>
> My name is Baxter Freeze. I am an Iowa farmer actively involved in the production of beef, pork, corn and soybeans. I have only limited knowledge about hide sales, the tanning industry and shoe manufacturing. Therefore, I will limit my remarks to an expression of the feelings of Iowa cattlemen.
>
> Gentlemen, these feelings can best be phrased very simply and bluntly—they are mad, just plain mad. This was alluded to by Senator Aiken and this is not an exaggeration. This was not brought about by people like me, as our fellow feeders called me. They kind of got me perturbed.
>
> In fact, I have not witnessed such an aroused reaction from a governmental decision for many years.
>
> We were disappointed when quotas were lifted on imported meats. We were frustrated when the Secretary of State started actively soliciting shipments of foreign meat into this country. To have our industry be made the whipping boy for the third time in as many weeks should explain why Iowa cattlemen have reacted in this way.

I also quote from Mr. Freese as follows:

> We would ask, why are Iowa cattlemen expected to subsidize the tanning industry and the shoe manufacturing industry when there is probably no more than 75 cents to $1.50 worth of rawhide in a pair of shoes retailing in the range of $20 to $40. With five children, no one is more aware of the high cost of shoes than I.

Mr. President, I think Mr. Freese was exceedingly fair in his statement because it is very doubtful that the amount of hide in a pair of shoes runs from 75 cents to $1.50; it is more apt to be from a few cents to 50 cents.

I again quote from Mr. Freese:

> The other comment I might make, after listening to the presentation this morning from the Commerce Department, and their knowledge of the cattle business became apparent. I think that every cattle producer in the State of Iowa, every banker, and every truck driver and every feed manufacturer is going to be 100 percent behind Senator Curtis' amendment to put somewhat controls on hide exports under the jurisdiction of the Department of Agriculture.

We were favored with the testimony of Mr. H. L. Gerhart, Jr., president of the Independent Bankers Association of America and president of the First National Bank, Newman Grove, Nebr.

Mr. President, Newman Grove is a fine, small city in the State of Nebraska. It came close to being the county seat. It is one of those towns where, as in many other American towns, the banker is known by everyone and knows everyone, and he has helped the people of his community and is familiar with their problems and with their hopes. I read from his testimony before the committee:

> I consider the quotas announced by the Secretary of Commerce as unfair and unwarranted for the following reasons:
>
> 1. It will have a depressing effect on prices of live cattle at a time when these prices are just getting back up to what they were 20 years ago. We submit that none of us would be satisfied with wages received 20 years ago.
>
> 2. Prices received by agriculture have not kept up with costs or prices received by other segments of the economy over the past 20 years. Today's American housewife spends 16 percent of the family budget for food compared to 31 percent in France and 50 percent in Russia. Yet in 1971 net farm income was slightly lower than in 1950.
>
> 3. Our information is that after allowing a moderate amount for labor and management, the farmer and rancher received 1.1 percent return on his investment in 1969, compared to 23.6 percent for leading food chains. While his net income dropped slightly during these 20 years, his debt increased by over five times and investment increased by over 2½ times. It is no wonder that our farm population has decreased by about 58 percent in the past 20 years, seriously affecting our nation's small towns and businesses.
>
> 4. The reasons given for imposing cealings on hide exports is to hold down the price of shoes and other leather goods.
>
> The Secretary, as quoted by the press, has stated that hides have climbed to a price of 29 cents per pound as compared to an average of 14 cents. The 15-cent-per-pound difference in the price of a hide from one steer amounts to $7.50, a sum that could mean the difference between a profit or a loss to the rancher selling the steer.

Mr. President, additional helpful testimony was presented by Mr. Frank R. West, chairman of the board and president of American Beef Packers, Inc. I quote from his testimony:

> I am Frank West, President of American Beef Packers, the second largest slaughterer of choice and prime cattle in the United States with annual sales over $500 million. American Beef defleshes and sorts all of their hides into various categories for selling to U.S. tanners and to exporters for overseas customers. My views on the new regulations restricting hide exports are as follows:
>
> 1. The regulations resulted in a stalemate in the trading of hides. On July 17 and 18 there was no hide market at all; then on July 19 and 20 there was a market for selected categories. Again on July 21 there was no market, and this week to date there has been no hide market.
>
> Senator Curtis. Will you explain to those of us who are not in the trade what is meant by there is no market this week? Does that mean you couldn't sell any or there weren't any quotations?
>
> Mr. West. No quotations, no bids. We would get very few calls. Where normally you may get ten calls a day from people wanting to buy hides, you may get four inquiries on what you would take for hides but no call backs to trade.
>
> Senator Curtis. Do those calls normally come from tanners?
>
> Mr. West. These calls come from what we call dealers, dealers and exporters, who then sell to the tanners.
>
> Senator Miller. So what are you doing with your hides?
>
> Mr. West. We are holding them.
>
> Senator Curtis. Holding them?
>
> Mr. West. Yes.
>
> Senator Curtis. What kind of a problem is that? Maybe it is covered in your statement later, but does that create a space storage problem for some packers?
>
> Mr. West. Normally we sell our hides from six weeks to as much as through November 14, on some categories, certain export hides.
>
> Senator Miller. Do you mean some of the hides you have in your inventory have been sold for delivery at that time?
>
> Mr. West. Yes. As we make them we ship them against contracts made through November 14. However, some categories exporters don't use on a regular basis.
>
> Senator Curtis. When you are talking about no bids, you are talking about no bids for future delivery?
>
> Mr. West. That is right. Practically all hides are sold on a future delivery because of the storage problem, shrink and factors of this nature.
>
> Senator Curtis. But there has currently been practically no bidding going on since this program was announced?
>
> Mr. West. That is right.
>
> I predict there is going to be a ticket business, as tickets will be traded as an item and the worst part of this is that people other than the regular exporters or packers will be able to purchase these tickets. I anticipate that tickets will be worth a substantial amount—no one knows at this point. I also predict that there could be a black market in tickets. Further, it is my belief that U.S. shoe prices will not change in any way except possibly to go up. Since 95 percent of the cost of a shoe is made up of retail markup, labor, and other costs related to the manufacturing and tanning of hides, only five percent of the cost of a shoe goes for the raw hide.
>
> In looking over the regulations, I noted there are no restrictions on bellies, shoulders or cropons. Also, there are no restrictions on exporting of wet blue hides. I see these as nothing but big loopholes.
>
> As hides are sold approximately six weeks to three months in advance, there are going to be many breaches of contracts on overseas customers that have been cultivated in the past three years. If the regulations stand as written, many exporters could go bankrupt. American Beef Packers and many other packers like us have sold hides to exporters through November 15 prior to the restrictions. If exporters have to dump these hides back on the domestic market, it will be chaos.

Then I asked Mr. West:

> Senator Curtis. Will it have an adverse effect on the price of cattle?
>
> Mr. West. Yes. I would predict this. The only reason it hasn't shown up immediately is because hides are sold ahead. You will see more of this problem around the first of October.
>
> Senator Curtis. Did you have experience under the 1966 effort to restrict the export of hides?
>
> Mr. West. Yes.
>
> Senator Curtis. This ticket arrangement did not exist at that time?
>
> Mr. West. No, sir.
>
> Senator Curtis. And this is more cumbersome and more damaging to the normal flow of business?
>
> Mr. West. I believe it is. It is a negotiable ticket and people who are not in the exporting business or in the hide business at the present time, or meat packers—any man on the street—could buy one of these tickets.
>
> Senator Curtis. It opens up opportunities, at least, for taking advantage and getting it in the hands of people who will use it against our interest; is that correct?
>
> Mr. West. If they remain the same as written, I predict you will have a regular black market.

Mr. President, another witness appearing before the Committee on Agriculture and Forestry was Mr. Roy W. Lennartson, of the Western States Meat Packers' Association, who offices in Bethesda, Md. Here is what he said:

> The only highlight I would mention is Western States Meat Packers is headquartered in San Francisco, representing the packers and producers in 11 western states. The association is obviously opposed to the program announced by Commerce. We don't think it is necessary in terms of its scope and its complexities and so forth, and in view of the doubtful remedies it set out to correct.
>
> We do point out that the packers and producers of the West Coast have been discriminated seriously in the proposal in that over 75 percent of all hides produced in those states are exported. In many, many cases 100 percent are exported on the part of the packers and producers. We do reflect concern also with respect to the distribution nationwide of these so-called export tickets. It sets up a whole new system of exchange which is going to be complex and the results of which nobody can contemplate at this time.
>
> The potential value of these certificates could well be such as to create a very serious black market situation, as we call it. We doubt seriously whether the results of this additional value will be imparted back to the producers.
>
> Finally, we are very much concerned as to the impact this program is going to have on the tremendous amount of work conducted by both the association and the Department of Agriculture in developing export markets for hides over the years.
>
> These may now come to naught in view of the disruption that will be caused by the program.

Mr. S. W. Frankenthal, president of Packerland Packing Co., Green Bay, Wis., had this to say:

> I feel that the real problem is that the tanning and shoe industry have obtained special economic protection to cover up its inefficiencies and the high cost of production, but all at the proposed expense of the farmers and the vendor of hides.
>
> The tragic truth is that hides are being exported, processed into leather, sold for production of leather goods which are shipped back to this country, and sold at retail prices considerably lower than the same product manufactured in the United States.

Mr. President, the shoe manufacturers and the tanners are faced with some tough competition, but there is nothing unfair or to their disadvantage in their purchase of cattle hides, because the foreign purchasers are not buying cattle hides more cheaply than our own industry can. As a matter of fact, the foreign purchasers, in many instances, are paying more than are domestic purchasers of hides.

Another witness before the Committee on Agriculture and Forestry last week was Mr. John Dunning, director of government relations for the National Independent Meatpackers Association. With him was Mr. Edwin H. Pewett, the general counsel of that organization.

I quote from Mr. Dunning's statement:

> This unwarranted action was based on the premise that the domestic supply of these materials was being endangered by a growing export market for cattle hides. Follow-

> ing a meeting of the Secretary of Commerce with industry executives on April 17, 1972, the Secretary announced that more information was needed to establish the present inventory of cattle hides; the estimated requirements of the domestic shoe manufacturers; the estimated requirements of the exporters; as well as the projected production of cattle hides for the balance of the year.
>
> When these figures were compiled and analyzed, the Secretary determined that the domestic supply of hides was not rising fast enough to cover what he described as "burgeoning demands by domestic and foreign buyers for U.S. hides" and that he was therefore required to move under the Export Administration Act "to protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand."

I quote further:

> We believe that the Secretary was misled by the information given him. The figures covering the domestic and foreign demand for cattle hides were provided by segments of the industry having a direct interest in lower prices for hides.
>
> The shoe manufacturers themselves provided the Department of Commerce with the "projected" production figure of leather shoes and slippers for the August-December 1972 period. These figures appear in Chart A attached to this statement and was supplied by the Department of Commerce as part of the background information for this Export Control program.
>
> The shoe manufacturers estimated their production at 158,101,000 pairs of shoes for the period August–December 1972, or 7.3 percent more production than during the same period of 1971. Yet the domestic production of leather shoes has declined every year since 1966 by an average amount of 6.3 percent per year, and in fact has continued to decline at the rate of 2.9 percent during the first four months of 1972.

Mr. Dunning's statement continued:

> Allowing for a two percent increase in shoe production, in spite of a six year history of declining production, the projected increase in domestic needs for cattle hides would be 253,000 hides rather than 638,000 hides as shown on Chart B, for the period March-December 1972. And projecting a 2.2 percent increase in hide exports for this same period, which is in line with exports through May of this year, we can account for an increase in hide exports of 294,000 hides.
>
> Projecting these demand figures against the estimated domestic supply of hides and leather, we foresee an imbalance of 240,000 out of 30,800,000 hides produced between March-December 1972, or a short supply situation so slight as to be negligible.
>
> I believe the figure runs at something like 1/100ths of one percent.
>
> This is certainly not a situation warranting the exercise of the Export Administration Act.

Mr. President, I refer now to some of the testimony—and there was not very much—in support of the action taken by the Department of Commerce.

This is the testimony of Mr. Robert W. Anderson, president, and Herbert Weinstein, of Parson's Tanning Co., Chicago, Ill.

> It is our opinion that export controls will result in strengthening the tanning and shoe industries of the United States for it will be a great equalizer. Raw material costs to foreign nations will be higher thereby reducing their labor cost advantage. American tanning and shoe manufacturers will have lower raw material costs offsetting their high labor cost. The net effect will be the United States shoe manufacturer will be able to better compete with shoe imports than he can now.

Mr. President, is that not startling? They say they want to knock down the price to the farmer to offset their high labor costs. I did not say that; they did. The tanners openly admit that the reason why they pressured these bureaucrats into issuing such an order was, in their language, thus "offsetting their high labor costs." How unfair can we get?

I want to read again from Mr. Anderson's testimony. I asked this question:

> Senator Curtis. Are Japanese buying hides in this country cheaper than you can buy them?
>
> Mr. Anderson. No. They pay a premium for all hides. There is a hide man in this room that sells to Japan under contract at higher prices than domestic. This has been normal.
>
> Senator Curtis. So any advantage that the Japanese have isn't because of the price of hides?
>
> Mr. Anderson. Whatever advantage they they get, sir, it seems to be that the government is behind the operation to some extent. How they can pay these prices——
>
> Mr. Weinstein. They have in Japan a tanning capacity for 12 million hides, approximately, and they use those hides basically for their own consumption.
>
> We cannot ship a foot or a pound of leather into Japan legally. It is illegal for us to ship leather into Japan.
>
> Senator Curtis. That is what I said. Your problem is not because Japan can buy hides cheaper than you can. Your problem is other matters. Japan has no advantage in the hide situation, according to your own testimony.
>
> Mr. Anderson. No, they would be at a disadvantage. They are buying a higher priced raw material.

Think of it. Because these gentlemen, who want this order, cannot reach the foreigner, and seemingly they cannot do anything about their labor costs, they are attacking the producer of cattle in this country.

Mr. President, as I stated at the beginning, the amendment I have proposed, which is joined in by a long list of cosponsors, would do two things: It would provide that in the exercise of this export control authority, they could not exercise it with respect to an agricultural commodity, including hides, without the consent of the Secretary of Agriculture. The second part would be to bring to an end the order that already has been issued. I doubt that it would have any force and effect after we would change the law, but, to make it clear, we have incorporated the second section, which would do that.

Naturally, the question is raised, What good will the transfer of this authority to the Department of Agriculture do? It would do a great deal of good. You will be dealing with the Department that knows agriculture, that has jurisdiction of the Packers and Stockyards Act, where these cattle are slaughtered. Knowledgeable people in many sections of the Department will be working out these things.

Furthermore, they will have accurate statistics. I could not follow the Department of Commerce in their charts. But there were many witnesses in the room who are still looking for 2 million hides.

My purpose in offering this amendment is to do something about hides. I would like to see the farmers of the country retain a business they built up, rather than have it destroyed and tampered with, rather than have a black market, and rather than rob the farmer because somebody else is getting too much.

Secretary Butz appeared as a witness. His defense of the American farmer is well known. His willingness to go to bat for the farm families of our country has been well established in recent months.

I invite attention to two things in the statement of Secretary Butz. Naturally, he could not come there and state that his own administration was in error. But he did respond to the questions.

Before I quote Secretary Butz on the important question, I want to quote him on another matter in his testimony last week before the Committee on Agriculture. This is what Secretary Butz said:

> Secretary Butz. In 1972, the consumers will spend approximately 15.6 percent of their disposal income for food, compared with 16 percent last year. It was 23 percent 20 years ago for their food and the consumer is spending less each year for food, at least of their disposal income.

Then Senator Bellmon, after much discussion of the subject of exports of hides, presented the important question to the Secretary:

> Senator Bellmon. Even if the export demands are up, what is the reason for this, other than that we want to drive prices down. I think we have the wrong man, honestly, on the griddle. I don't believe you honestly want to do what was done.
>
> Secretary Butz. There is no secret about it. I will tell you that it is no secret. I argued against it. I did not want it imposed.

This is the Government official who should be in charge of this.

Mr. President, I hope that the managers of this bill will see fit to accept this amendment. That way, the measure can be completed tomorrow, it can go to the President, and it can be signed. I am not unaware that there are features of this export control law that are necessary. I will, at a later date, offer this amendment. I have spoken today for the purpose of apprising Senators of the record that was established by the Committee on Agriculture and Forestry.

Mr. President, I yield the floor.

Mr. HRUSKA. I wish to commend the Senator from Nebraska for the initiative taken by him in proposing an amendment to the export control bill which would give final authority over export controls over all agricultural products, including fats and oils and animal hides, to the Department of Agriculture. That is where it belongs. I am pleased to be a cosponsor of the Curtis amendment.

The recent action by the Secretary of Commerce in imposing a ceiling on hide exports has been a grave disservice to the farmer. Testimony presented to the Senate Committee on Agriculture has made that amply clear. The purpose of the control is to check or reduce the price of hides which, admittedly, have advanced since last year. We are told that hide prices are at an all-time high. But what is "high" in this case? Hide prices today are actually lower than the OPA ceilings of 30 years ago, if adjustment is made for changes in the general price level. After all, everything—wages, rents, the prices of other things, costs generally including the costs of the farmer and the whole cattle and meat industry—are all at an all-time high. How can this one industry live at a price which is below the ceiling level of 30 years ago, when all other prices are up?

Any reduction in the price of hides has an impact directly on the price of cattle which the rancher and feeder sell. A reduction of 10 cents a pound in the price of hides means a loss of about $7 a head in the price received for cattle. In effect, this decision represents action to benefit the leather and shoe industries at the expense of agriculture. Why should the shoe industry be given assistance at the expense of the farmer?

Year in and year out in this body we are concerned about farm income, we pass legislation designed to help maintain farm income at a reasonable level. Despite our best efforts, the farmer's share in the national income continues to dwindle, and each year thousands of farmers close down, sell out, give up the effort to continue an independent operation. If the market supports a level of hide prices which helps give the livestockman an adequate income, the Government should at least restrain itself from interfering with that wholesome fact.

We are told that it requires about 5½ pounds of green hides on the average to make a pair of men's shoes. For women's or children's shoes, only half that weight of hides is required. Thus, even at present hide prices, the cost of the hides makes up only about 10 percent of the final retail price. Holding down the price of hides to control shoe prices is like holding down the price of wheat to control bread prices or the price of cotton to manufacture and sell the white shirts or the colored shirts that many of you may be wearing today. The cost of the raw material is just too small a part of the retail price of a pair of shoes to make much difference.

The Department of Agriculture has calculated that production of hides this year will be about 39 million, compared with 37.6 million last year, an increase of 1.4 million hides. The last report of cattle on feed shows an increase on July 1 of 14.4 percent, compared with last year. These cattle will be coming to market, along with the fall marketing of nonfed cattle, and this will mean a heavy volume of hide production during the remainder of the year. Clearly there is no shortage in prospect.

On the other hand, domestic use has fallen off steadily for the last 3 years. Domestic use reached a peak of 22.5 million pieces in 1968, but amounted to only 19.9 million pieces in 1971. Meanwhile, export demand has remained strong and this has been the salvation of the cattleman. The hide export control order would permit only a very slight increase in foreign sales, while perhaps providing the domestic leather and shoe industries with more hides than they need or can use.

I strongly urge the Senate that we permit the Secretary of Agriculture to play a role in decisions of this sort, by adding the Curtis amendment to the pending bill.

Mr. President, again I want to commend my colleague from Nebraska.

Mr. TAFT. Mr. President, I have no desire to debate the proposed amendment of the Senator from Nebraska (Mr. Curtis), who has such wide knowledge in this area.

However, it should be pointed out that the current problem with hide prices—which have doubled—in a year come from other nations' policies and actions.

Also, while I share the concern of the Senator for the failure of our farmers to share in our economic growth, I question how much this amendment would help, especially since, even after the 100 percent-increase in price in the last year, the hide represents less than 5 percent of the price of the animal.

Against this must be measured the increased costs to consumers and the potential loss of jobs in the United States.

So that the Senate may have some views and facts relating to these concerns I ask that certain material be inserted in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement by Wilbur Mills, Chairman of the House Ways and Means Committee, on the Floor of the House of Representatives, March 2, 1972

The recent controversy over the import surcharge has distracted attention from the overdue need to close inflationary loopholes in certain of our export markets.

Specifically, I am greatly concerned that the export loophole inviting foreign speculative exploitation of the American hide market is at one and the same time inflating our costs and deflating our employment.

"Stagflation" is more than a theory so far as the inflation of American hide costs and the deflation of the American shoe and leather industry are concerned. It is a costly fact.

U.S. hide prices have roughly doubled in the past year. Export demand has bid them up. The jump in hide exports is matched by a corresponding jump in shoe imports, which have been running close to half of U.S. shoe production—as against a mere 5% in 1960. According to the Department of Commerce, imports soared to no less than two-thirds of U.S. shoe production in January! This ratio of imports to a basic American product is insupportable! It calls for prompt and incisive action by the President—just as soon as he is able to focus again on domestic and economic affairs!

In the case of the distress suffered by America's import-sensitive textile and steel industries, Presidential relief actions were prompted when the ratio of imports to production hit the sore nerve represented by 10%.

The policy implications of this spectacle are even more disturbing than the actual toll taken by hide cost inflation and shoe industry shrinkage. No other power of standing in the world today freely invites its competitors to strip it of its proprietary raw materials, while inviting them at the same time to flood its markets with lower-cost products fabricated from these same proprietary raw materials. I do not believe that America is still so rich or so naive that she can afford or agree to remain so improvident.

Two warning signals from the marketplace leave no doubt that failure to close this export loophole promptly will cause the other shoe to drop—and I am not joking.

The first danger signal is coming from the distress-ridden dollar market overseas: there is no doubt that foreign shoe manufacturers, joining in the speculation that the dollars they already have and the dollars they are expecting to earn will be worth less, are using them now to bid up the price of hides. Consequently, foreign fears for another markdown in the dollar are confirming domestic fears of another notch-up for both inflation and unemployment.

The second danger confronts the American consumer. The direct cost consequences to the American consumer of the run-up in the hide market are putting the Price Commission on notice to sanction an increase in the retail price of shoes of anything from $1 to $3 a pair. This price increase will come just as soon as today's run-up in hide costs translates itself into tomorrow's shipments of manufactured shoes. This means that the mothers of America's school children will find themselves paying more for shoes just before school opens next September. It also guarantees yet another upward "tilt" in the cost-of-living index which will, therefore, entitle all union members still employed next summer to the offsetting pay increases guaranteed by the cost-of-living clauses in their contracts.

I call upon the President to instruct the Secretary of Commerce to take prompt steps to introduce a licensing system to limit the export of hides and to study any other parallel cases of abuse. I would much prefer the lesser evil of hide export controls to the unmitigated disaster of dollar exchange controls. Failure to take such relatively limited remedial actions now will invite still new distortions threatening to force larger emergency actions sooner than I care to contemplate.

Shoe Hide Shortage, Imports Pinch Profits

(By Eliot Janeway)

New York City.—Nowadays, talk about economics sounds so much like both philosophy and mathematics that figuring out how business actually works tends to increasingly get lost in the shuffle of words. Relating market trends and decision-making cross-currents to conditions in the basic industries making and selling the staples of daily life is the pragmatic way to get a handle on the way things are working in the market place.

Shoes are a handy place to begin—especially now that America is better dressed than it has ever been, while its once-thriving shoe industry needs a resolving job.

Philip G. Barach, head of Cincinnati-based United States Shoe Corp., is on both sides of the import argument. U.S. Shoe makes shoes in its 24 plants and sells them thru its 151 company-owned stores and 572 leased shoe departments. Here is his audit of the shoe trade balance.

Janeway. Do you see shoe prices going up this year and if so, why?

Barach. Yes. The domestic shoe industry cannot be expected to hold the line on prices past this summer in view of the rapidly rising cost of hides and the continuing import problem. Hide prices have doubled in the last year and the further increases I see coming could add anywhere from $1.00 to $2.00 on retail shoe prices by August or September.

This, of course, will hit families just when they are outfitting their kids for the new school term and will also cause the cost of living index to jump.

Janeway. What's behind this increase in hide costs?

Barach. Well, the United States is the biggest hide producing country, but Argentina normally supplies about 15 per cent of world production. Last year, Argentina drastically cut her cattle slaughter and since has retained a large portion of her hides for local tanning purposes.

This has put a squeeze on world supplies and sent the world price up sharply. U.S. hide producers are exporting to get the best price and U.S. users are faced with both soaring prices and hide shortages.

Janeway. What's happening to the hides bought abroad? Are they going into current consumption, or being hoarded speculatively?

Barach. First of all, part of the demand reflects buying of leather as a hedge against the dollar. Foreign shoe manufacturers figure the dollars they expect to earn, are going to be worth less in the future, so they latch onto hides, which they think can be sold later at higher prices.

As for the hides, we've found there's a one-to-one ratio between the amount of hides going out of this country and the amount returning in make-up articles, such as shoes and handbags.

Janeway. The import problem has been around a bit longer. What has U. S. Shoe done to compensate for the rising flow of imports?

Barach. We're calling for a moderation in imports by voluntary quotas. We're branching out into specialty retail operations. And we're importing 15 per cent of our shoe lines from Italy and Spain. The problem is a serious one. Imports accounted for over one-third of U. S. footwear sales in 1971. In the face of this we felt we had to bring in shoes if we were to remain competitive.

Speaking for myself, I think it's alarming that the country has allowed a situation to develop where domestic manufacturers are inclined to make a growing portion of their products outside the country.

Janeway. Are you saying that what America is doing is exporting jobs?

Barach. That's right. Probably no other country of any significance is unrestrainedly shipping its raw materials out of the country, and then buying them back in fabricated form at a much higher price. Even Argentina realizes the importance of not exporting its raw materials without some value added. Argentina, and India too, now sell their hides in crust, or partly processed form.

Janeway. Has U. S. Shoe been affected by this exporting of jobs?

Barach. Yes, we've had to phase down a number of our manufacturing operations, including facilities in Adjuntas, Puerto Rico; New York City, Keene, New Hampshire and Norwood, Ohio, due in large measure to the import problem. It's ironic that at a time when the country is facing high unemployment and rising welfare costs, the government is exporting high labor content industries.

Janeway. What do you figure you saved the government in welfare payments alone, thru your investment in Appalachia?

Barach. Our Prestonburg, Kentucky, plant has been operating five years and generates roughly a $1.3 million annual payroll. Tho about 90 per cent of the employes are women, at least half of these women represent families where there were persistent unemployment and probably welfare payments.

We think we've saved the government about $250,000 a year in welfare costs there, to say nothing of the resulting general all-around increase in the tax base of the surrounding community. And, of course, there's no way to measure the dignity people get by making their own living.

Janeway. To shift overseas for a moment, do you see any changes in the manufacturing patterns over there as a result of the European economic slump?

Barach. We see indications that Germany is beginning to ship home the workers it formerly brought in and trained and it is sending capital after them in other words, it's exporting its manufacturing operations, too. As a result, there is a speedup in the low wage countries like Spain and a slowdown in Germany.

Hides Take Giant Steps in Two Packers' Trades

Chicago.—The hide market took another giant step upward early this week.

An estimated 20,000 hides, or roughly last week's total volume, was traded by Wednesday morning by Swift and Wilson. Swift started Tuesday by moving 20,000 hides, including heavy native steers at 26, butts at 24, Collies at 23, branded cows at 25 and light native cows at 31. Prices were 1½ to 2 cents over last week's levels. Wilson fo'lowed suit Wednesday, moving at the same prices, but instead of heavy native cows, traded light native steers at 20.

Some sources here said it is impossible to determine whether the hides sold are going strictly domestic bound. Positive feedback from the leather shows and good leather business were most often quoted as reasons for the prices. Additionally, packers' offerings have been very limited, sources say.

Because of the hush-hush attitudes on many trades lately, volume for last week was difficult to pin down, but the source estimated between 25,000 and 30,000 hides traded. Light volume was blamed on attendance at the Leather Show.

Milwaukee.—Side leather specs maintain their "excellent" rating, according to tanners here, although blanket orders continue to be slow. One tanner rated the mood of footwear manufacturers as "ugly" because of the extended delivery of leather and strong competition from imports.

Side leather prices are very firm, especially in view of advances on the hide market scored early this week. A few weeks ago, tanners had eased off about 2 cents from peak prices.

Calf business is experiencing its between-season sluggishness.

Boston.—Hide prices were up on the average of 2 cents this week, but tanners reported business was active. New orders were considered good. "What business we have is good," remarked one tanner, "but we just don't have enough of it because of the unsteady market."

Specs were good, with interest mixed in full-grain and soft leathers and reversible suede.

CHICAGO HIDE AND SKIN PRICES, AS OF WEDNESDAY MORNING, MAY 3, 1972

	This week	Last week	Year ago
PACKER HIDES			
Heavy native steers	26	23½-24	15-15½
Light native steers	29	28	16½-17
Ex. lite native steers	30N	29N	18
Heavy native cows	26	25-26	14½-15
Ex. lite Texas steers	27N	26N	15N
Butt branded steers	24	22	12-12½
Colorado steers	23	20½-21	10-10½
Branded cows	25	22-22½	12-13
Native bulls	15N	14½-15N	8-8½
CALFSKINS			
Pkr. Nor. lgt. (under 9½ lbs.)	62½	62½	32½N
Pkr. Nor. hvy. (9½-15 lbs.)	57½	57½	30N
Pkr. Riv. lt. (under 9½ lbs.)	62½N	62½N	32½N
Pkr. Riv. hvy. (9½-15 lbs.)	57½N	57½N	30N

	Northern River		Southeastern	
	This week	Last week	This week	Last week
KIPSKINS				
Pkr. (15-25 lbs.)	45	45	43N	43N
Pkr. (25-30 lbs.)	43	43	41N	41N

N=Nominal trading.

The United States Shoe Corp.,
Cincinnati, Ohio, May 4, 1972.

Mr. James Lynn,
Under Secretary of Commerce, Department of Commerce, Washington, D.C.

Dear Mr. Lynn: In the interest of keeping you fully posted relative to current pulse beats . . . our Chief Leather Buyer just yesterday afternoon informed me that several tanners called on May 3 . . . indicating a strong and considered opinion that hide prices were on the rise again and that the past modest dip in the last two or three weeks would be wiped out with prices returning to their former high level market. The tanneries who have been interacting indicate that the major reason for the sudden pick up keys on the return of foreign buyers in our hide market.

We consider the source of this information to be quite reliable and not a situation where tanneries are prodding us to rush in and cover our remaining 20 to 25% necessary commitments for our Fall line.

We have been standing aside hoping that prices would normalize a bit more.

While the press reports that have been emanating from Secretary Petersen's office have indicated a need for further study and information . . . we have found that some of the key hide dealers have been advising their foreign clients that the "word is out" that the Commerce Department will be doing nothing remotely connected with hide controls. We have also heard through the "rumor mill" that the best the industry can hope for is some kind of suggestion that we increase our productivity and that the Commerce Department may be willing to underwrite a study by someone like Battelle to help on increased productivity.

Evidently the hide exporter has therein rekindled the strong demand of overseas buyers who are in an unusual position to purchase either our calfskin or our hides with anywhere from a 10 to 17% devalued dollar.

The injustice and irony of these circumstances is certainly compelling to merit my writing.

I trust you are aware that I called Mr. Letson . . . advising him that the Price Commission has suspended our pending price increase applications . . . making some reference to a need for clarification on some industry studies on the hide and leather industry which we have been led to believe is a reference to the Department of Commerce studies.

This represents the height of a miscarriage of justice and is tremendously discriminatory and am not sure if it is even legal. These pending price increases are in our children's and men's areas and one small women's division . . . and likewise in our western boot division . . . probably applying to 40% of our sales.

Here we have already paid the higher price on leather and components . . . here we have not raised our prices for the last six months . . . and here we have answered all questions relating to the individual divisions . . . and now to have the Price Commission come along and suspend price increase requests that were due out on May 4 in two major divisions . . . by falling back on some Department of Commerce study. It really is an unbelievable travesty of justice for we have already paid the higher prices . . . and unless I can convince Mr. Neeb in an appointment that I have on Tuesday morning at 10:30 on the injustice of the case . . . then our own firm will suffer quite detrimentally in a classic cost-price squeeze over which we had no control.

The fact is that hide and calfskin prices have gone up 100–120% and 35% respectively and with no fault of our own.

While this is a separate matter . . . you should be aware of the injustice to which businessmen are being subjected on matters over which they have no control. If the Secretary has the power to lower the export of hides and thus lower hide prices and with the rising leather market . . . it seems that the shoe industry is being overly discriminated against . . . not only in paying more for their raw materials . . . but now evidently being unable to pass along any of these costs because of what appears to be an arbitrary whim by the Price Commission.

Ironically, just when the country needs more employment it puts the United States Shoe Corporation, and I am sure many other shoe companies, in the position of re-studying the feasibility of shutting down another two or three of our plants . . . idling nearly 1,000 workers . . . and transferring the work to our Spanish and Italian complex of factories where our overseas manufacturing sources can actually buy the American hides at lower prices with their devalued dollars . . . and tan them more advantageously for production abroad.

All it will mean is that we will raise the level of our import capability through our marketing skills . . . further compound the balance of payment problem . . . further increase the lay-offs in the industry . . . probably ignite other competitors in following suit . . . and adding more people to the welfare rolls since the unemployment rate in most of the towns in which we operate exceeds 6% currently.

If we can't dissuade the Price Commission and there aren't legal steps that we can take to defend our shareholders' rights . . . then there is the added argument that we are better off to import more. In this area the Price Commission has no current jurisdiction.

The whole thing is insane in some respects with the injustices so ironic to the well-meaning and well-intentioned American Businessman. It is almost as if the Administration is trying to destroy an important domestic industry that employs over 200,000 people with another 100,000 in the supply industries.

Several additional points that need to be expressed are in the areas of productivity and "what happened in 1966".

The productivity of the American shoe manufacturer and shoe worker is the highest probably in the world. In our women's factories our production exceeds ten pairs per operator . . . in Spain it is six to seven pairs . . . and Italy seven to eight pairs per employee. Nearly ten years ago we had the Battalle people look through our factories, and while I am sure there is some good that would come of additional input in this area, please recognize that we have utilized every sophisticated skill in layout and its method analysis to increase production. 90% of our employees are on piece rates and have higher motivation to produce effectively.

Nearly all of our factories are one-storied, modern, well laid-out with the latest possible equipment. With the exception of trying to find some way of using more man-made materials which aren't up to our quality and standards . . . we know of no other way to increase productivity.

The reason for our current ability to run the factories reasonably full—compared to last year—was a commitment to more intricate designing . . . especially in our women's footwear . . . to match the more detailed shoes which take a great deal of hand labor . . . in lower priced labor countries like Spain and Italy. It is this adjustment in our mix of shoes requiring more hand labor and product excitement that has slowed down our productivity by 10% . . . but conversely and pleasantly, it has increased our production and sales so that we had the very pleasant situation of just a month or so ago reaching out to open up a closed down factory in a depressed town, Maysville, Kentucky . . . albeit . . . on a temporary basis to make more footwear.

When one reads all the negative statements made by both the spokesman for the Price Commission and even for the Department of Commerce . . . I am surprised . . . since it doesn't indicate a deep understanding of the problems that have confronted the American shoe manufacturer.

In our men's division, one of the most successful product and advertising campaigns has keyed on the fact that these were . . . "American made Italian shoes". Again reflecting more hand detailing and labor intensity.

Perhaps the Labor Department, the Department of Commerce and the Administration would prefer that we continued exporting our jobs . . . recognizing that last year we shut down three factories and exported 900 jobs overseas . . . and here we are as a company—90% non-union in the production field . . . and with the most wonderful labor crew who literally agreed this year to continue through with but a 1 to 2% increase primarily in their fringe benefits . . . and in April raising our minimum wage level to $1.80 . . . so we could compete more effectively with low wage countries.

I really don't know how much more can be expected of an innovative and dedicated management group. I really wish people would understand the whole question of productivity in our industry. It isn't the fault of the American footwear manufacturer that we have had such modest increases in productivity for the past ten years.

The second additional point concerns the situation of 1966. It is true that price increases in the shoe industry rose probably an average of 4 to 5% after the period and even during the time when there was a hide embargo on . . . and they rose in the same manner through 1970. However, no one has pointed out that the relative comparison in the hourly wage of the shoe worker versus the average industrial worker was strikingly discounted. In other words, from the period of 1960 to 1966 wages were relatively stable . . . maybe averaging increases of 1 to 3% . . . and prices were likewise stable.

As I recall, in 1966 the shoe worker's unions put great pressure on the two leading shoe manufacturers, Brown and Interco which are about 100% organized with 7 to 9% yearly wage increases secured. This pattern continued right through 1972 . . . and our own firm followed suit commensurately.

The shoe industry is not a high paying industry with our average hourly wage of $2.50 compared to the average industrial worker of $3.50. Therefore, while shoe prices did rise . . . the stability of our leather market enabled the shoe manufacturers to pass along primarily their increases in labor . . . so that the slow-down in hide exports held price increases to a level of sanity.

All these figures are verifiable if you check with your boot and shoe workers' union and go back and get the average hourly wage from 1961 to 1966 . . . and follow its rather rapid escalation through 1972 and then compare it with the average industrial worker.

Within your own department's exhibits it was made plain that the profit margins for the same period of time for the past five years have been trending downwards. I believe our own firm—six or seven years ago—was able to net 5% after taxes . . . and for the past two or three years . . . our after-tax margins have been between 3½ to 4% . . . so certainly from an overall corporate viewpoint it hasn't been in the shoe manufacturers profit margins.

I would conclude that the whole problem of the hide and leather prices is integrated with the problems of imports. Here you have an industry with no restraints in imports . . . while in the oil industry the limit is $1.25 per drum . . . when you have a textile industry which recently has been granted some protection of voluntary controls . . . when you have a steel industry that already has them . . . when you have a shoe industry which from the chart attached has shown nothing but a decimation by imports so that its domestic production is back to a level of fifteen years ago. We have had for the last five years in New England alone 110 factories shut down and a loss of jobs of 20,000 people . . . where we have overseas countries helping through subtle subsidization of export credits to stimulate lower cost shipments to the United States and now to be saddled with the final blow of a sharply rising leather market and a current inability to pass those increases along. (Am enclosing the Price Commission's telegram . . . ironically, we filed on April 4 for our price increases in the men's and children's divisions and they would normally have been approved by May 4 . . . our western boot division was filed on April 26 and would normally be out May 26).

In some respects this caps the final madness that would indicate to a historical writer twenty years hence of perhaps an unmeaning set of circumstances that literally destroyed an important industry and whose destruction will add immeasurably to our welfare rolls and rapidly escalating unfavorable balance of payment problems.

Since from time to time I have taken my case to Henry Cashen . . . I am sending him a copy of this letter . . . also to Senator Taft and a copy to your own counsel, Mr. Letson . . . who I have conversed with on the Price Commission interaction.

I am sure there will be other thoughts that come to your mind to add to your meeting several weeks ago . . . but I did feel it important to keep you closely posted and I trust that Secretary Petersen will likewise have the opportunity to be appraised of this letter or to read its contents.

With every good wish.

Sincerely,

PHILIP G. BARACH.

P.S.—Am also enclosing an article that appeared in the April 30 New York Times in the event you missed it . . . which carries with it key center industry coverage.

Mr. TAFT. Mr. President, another consideration for the Senate in considering adopting this amendment is the likely effect it may have in delaying the necessary extension of the basic legislation on export controls.

Mr. TOWER. Mr. President, the recent imposition of export controls on cattlehides is an action which appears to have little probability of saving the American consumer any money, yet will serve to impair our export earnings, irritate our trading partners, and generally upset supply-demand economics in hides and leather goods at home and internationally. The disruption of the free-market, free-trade balance in this commodity can be expected, under basic economic theory, to gradually restrict total world supply and to overprice the supply that is available. We cannot escape the facts that demand for cattlehides has increased substantially in 1971–72, and that world supply has been impaired by the herd-rebuilding embargoes of Argentina and Brazil. The natural result of increased demand and restricted supply is higher prices, but that result serves the basic economic function of encouraging more production and encouraging more competition from new middlemen in the marketing process.

I will agree that there can be conditions under which limited controls might be necessary, as where U.S. cattle producers might be depleting herds, or where international tensions might justify partial embargoes or stockpiling—to the extent this is possible with hides. But without such serious conditions present, it is difficult to justify the interference with the basic supply-demand rules of trade in such a commodity.

I therefore support the amendment offered by Senator Curtis, to remove the present export controls from cattlehides, and to involve the Secretary of Agriculture in any further actions under this act involving agricultural exports.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The PRESIDING OFFICER (Mr. Burdick). The hour of 6 p.m. having arrived, the Senate will now return to the unfinished, H.R. 15495, which the clerk will state.

The assistant legislative clerk read as follows:

H.R. 15495, to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment by the Senator from Washington (Mr. Jackson), on which there will be one half-hour debate before action thereon.

ORDER FOR CONSIDERATION OF EQUAL EXPORT OPPORTUNITY ACT TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to proceed for 30 seconds without the time being charged.

The PRESIDING OFFICER. Without objetcion, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, on tomorrow, following disposition of the amendment by the Senator from Massachusetts (Mr. Kennedy) to H.R. 15495, the unfinished business, or at such time as the distinguished majority leader or his designee may wish to do so, it be in order to proceed again to the consideration of S. 3726 for the second track.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Moss). Without objection, it is so ordered.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard anti-ballistic-missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. JACKSON. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. JACKSON. Mr. President, I wish to take but a moment of the Senate's time to summarize the measure now before us, my unprinted amendment authorizing the President to continue for another year our existing policy of supplying Israel with credits for the purchase of defense equipment including aircraft.

Senators will doubtless recall that the amendment I am today proposing passed this body earlier, in September 1970. It was, for the purpose of consistency, set to expire 2 years later, or a couple of months from now. The effect of my present amendment is to extend the authority we granted in 1970 through the end of next year.

Two years ago the situation we faced in the Congress was very similar to the situation with which we are today confronted. Then, as now, the military assistance bill had failed in the Senate and the President was left without authority for credit sales to Israel. The Senate acted to extend that authority and it did so despite some questions as to the jurisdiction of military credit authority in the Procurement Act. I am confident that Senators will again give resounding approval to my amendment and thereby assure that these vital credits will continue.

Without this amendment we face the very real possibility that the President will be left without the authority to extend much needed military credits to Israel in a timely fashion and on the basis of interest rates the Israelis can afford. In the ordinary course of events authority for these purposes would have been enacted by now in the military assistance legislation that last week failed to obtain a majority in the Senate. It is therefore essential, if the uninterrupted flow of equipment to Israel is to continue, that we move now to extend the life of the current authority granted under my amendment to the 1970 Defense Procurement Act.

Mr. President, the 87 to 7 vote that affirmed my original amendment in September 1970 represented the wisdom of the Senate in acting to assure the flow of essential equipment to Israel on credit terms the Israelis could afford.

The present extension is essential to meet obligations already incurred in negotiations with Israel. Extension of this authority will enable us to provide these credits, on the same credit basis as was applied to an earlier $350 million credit sale carried out under this authority.

Mr. President, I hope that the Senate will act expeditiously on this matter.

I am very pleased to yield 5 minutes to the senior Senator from Connecticut, who has been long active and most effective in assisting in this matter.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. RIBICOFF. Mr. President, as a cosponsor of this amendment I urge all my colleagues on both sides of the aisle to give it their support. I know that the distinguished Senator from Washington, whose expertise in this area is unchallenged, would not have sought to amend the military procurement bill unless it were essential.

The recent defeat here in the Senate of the Foreign Assistance Act which included some $300 million in credits for Israel raises substantial uncertainties whether this item can be resurrected by new legislation in a timely fashion. The Congress must act now to insure that the flow of needed armaments to Israel continues. Failure to act could only contribute to greater instability in a region which is now in a considerable state of flux.

The history of the Middle East since the 6-Day War clearly demonstrates that during the times that the United States has lent Israel its diplomatic and military support the chances for peace have improved. By the same token during the times when Israel was threatened with a cut off of arms and was pressured to commit itself to total withdrawal from the Sinai as a precondition to negotiations, the threat of hostilities increased. The bellicose rejection by Egypt's President Sadat of Prime Minister Meir's most recent pleas for peace negotiations underscores the need for maintaining Israel's deterrent capabilities.

It is still too early to assess the full significance of the withdrawal from Egypt of some of the Soviet advisers previously stationed there. But what should remain unmistakably clear is that the key to peace in the Middle East is the maintenance of a secure and viable Israel behind defensible borders.

Now is not the time for the Senate to decide such a fundamental issue on technicalities of jurisdiction. As in the past when the Senate has confronted this problem, it has voted overwhelmingly to provide this authority. I am confident that the Senate in its traditional spirit of bipartisanship on this subject will resolve this issue in favor of maintaining the military balance in the Middle East, and in favor of peace.

Mr. JACKSON. Mr. President, I ask unanimous consent that the name of the senior Senator from New York (Mr. Javits) be added as a cosponsor of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, I yield 2 minutes to the distinguished Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, I commend the Senator from Washington who has taken an extraordinarily fine position on this matter before and who does so again. I thoroughly agree with him that the protective character of this amendment needs to be emphasized in view of the unfortunate action of the Senate with respect to the military foreign assistance bill.

Mr. President, I have asked for time because there are two observations I wish to make. I have joined as a cosponsor of the amendment and I urge it upon the Senate.

Mr. President, I have just been to the Middle East within the last 2 weeks and had an opportunity to consult with both our own authorities there and the authorities of the Israeli Government. Everything I saw there bears out exactly what was anticipated when action was first taken on the amendment of the Senator from Washington about 2 years ago, that if we made the Israelis feel secure in terms of their own survival, they would relax in terms of their willingness to work out a peace.

They are always willing to negotiate directly. However, there is a certain constraint. They had to hold on to everything that could possibly give them a sense of great assurance so long as the uncertainty remained. That uncertainty was ended by the action taken by Congress and the President. Really for the first time in the history of Israel, since 1948, I found an attitude which was very much more congenial toward the possibility of peace in that area of the world.

I cannot come back with stated proposals but I can come back and report that in my judgment the attitude of the Israeli authorities is such that any opening for peace, as Mrs. Meir already stated, will be cordially received and pursued which I think is deeply attributable to the American policy. I believe the American policy has been vindicated in the Middle East because it is clear you cannot win favor in the Middle East among even the Arab States by yielding to unwise policies, in terms of Russian control of the area or the oil resources there. But by maintaining our character and integrity as we have with respect to Israel and our general policy makes clear that while we express the greatest friendship for each of the Arab States we will not allow them to influence us adversely against Israel.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, will the Senator yield to me for 1 additional minute?

Mr. JACKSON. I yield 1 minute to the Senator from New York.

Mr. JAVITS. Mr. President, by doing that we have won rather than lost respect and I deeply believe we are on the way back to a more equitable and stable situation in that area, which has now started with Yemen, and which, in my opinion, will continue in a very real way.

What happened in Egypt, while it may not be exactly attributable to this policy, is another confirmation of it. It cannot help but ease the tension which existed there so long.

So this amendment comes at a very fortuitous time and represents a very constructive policy on that part of our country. I hope the Senate gives it overwhelming approval. I congratulate my colleague on the very fine initiative with which he moved forward in this area. There is no better way of doing things than simply and directly, and that is what he has done.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, if I may have the attention of the Senate, we went over this matter this morning. I am opposed to the amendment, not on the substance of what is in it, but this same provision was on the floor about a week ago in connection with the military assistance bill, and that bill failed to pass.

Undoubtedly, the Committee on Foreign Relations has jurisdiction of this subject matter. If we are not going to abide by our rules to the extent that Senators can put amendments on any bill they wish, regardless of the subject matter, and when defeated, pick up the amendment and put it on another bill, we should change the rules of the Senate. I think we have a sound procedure and it is the only kind that will keep us out of trouble.

Another point is that this is strictly a military hardware bill. It is not a policy bill, primarily. It has a special place in the hard law as military bill and it is a bill that has to pass. I have tried to maintain the proper subject matter for this bill all the way through with some slight exceptions of a very minor nature.

I do not think a vote against this amendment would be interpreted as a vote on the merits of the credit sales involved. To the contrary, it would be better, in the long run to let this measure take its regular course. Some kind of military assistance bill will be passed this year and that is the place for consideration of this matter, along with other related matters in that field.

Therefore, I submit this amendment, should not go into a real substance of this bill. I hope the amendment is rejected for those reasons.

Mr. TUNNEY. Mr. President, I commend my able colleague from Washington on his fine work in again bringing to the attention of the Senate the important needs of the state of Israel.

Sometimes American citizens tend to forget that survival is an imperative and continuing concern for the tiny Middle Eastern democracy. Sometimes we tend to believe that, because of Israel's startling economic and social success, her military credit needs are somehow less urgent.

Nothing could be further from the truth. Eternal vigilance is the price of liberty—in Israel as in the United States. It remains on a continuing basis our obligation to help the Israelis maintain that vigilance.

The funds authorized by this amendment are no less urgent for fiscal year 1973 than they were before. And the needs of the Israelis are no less reasonable in fiscal year 1973 than they have been before. Israel does not ask for American men. She does not ask for the support of farflung or tenuous strategic or tactical objectives. She does not ask for assistance on behalf of a divided or totalitarian country.

Instead, Israel, the only democratic regime in the Middle East, continues to need the minimal American commitment to her survival, to the survival of a free and united democracy. Although the region has been relatively tranquil in the past several months, Israel is still surrounded by hostile neighbors, countries who are likely to take immediate advantage of the slightest military weakness.

The United States cannot allow that possibility to occur. We must continue to support and assist Israel in her legitimate and reasonable needs, and it is for that reason that I strongly support the amendment that has been offered.

Mr. JACKSON. Mr. President, I am ready to yield back my time. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JACKSON. I am prepared to yield back the remainder of my time.

Mr. STENNIS. I yield back the remainder of my time.

Mr. JACKSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time is yielded back. The question is on agreeing to the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. Church), the Senator from Georgia (Mr. Gambrell), the Senator from Alaska (Mr. Gravel), the Senator from Oklahoma (Mr. Harris), the Senator from North Carolina (Mr. Jordan), the Senator from Maine (Mr. Muskie), and the Senator from Alabama (Mr. Sparkman), are necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. Muskie), the Senator from Oklahoma (Mr. Harris), the Senator from Alaska (Mr. Gravel), and the Senator from Georgia (Mr. Gambrell) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker), the Senator from Oklahoma (Mr. BELLMON), the Senator from Colorado (Mr. DOMINICK), the Senator from Iowa (Mr. MILLER), and the Senator from Kansas (Mr. PEARSON) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Tennessee (Mr. BROCK) is detained on official business.

If present and voting, the Senator from Iowa (Mr. MILLER) would vote "yea."

The result was announced—yeas 76, nays 9, as follows:

[No. 322 Leg.]

YEAS—76

Allen
Allott
Anderson
Bayh
Beall
Bennett
Bentsen
Bible
Boggs
Brooke
Buckley
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cook
Cotton
Cranston
Curtis
Dole
Eagleton
Eastland
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hart
Hartke
Hollings
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Magnuson
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Nelson
Packwood
Pastore
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Spong
Stafford
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—9

Aiken
Cooper
Ervin
Fulbright
Hatfield
Hughes
Mansfield
Smith
Stennis

NOT VOTING—14

Baker
Bellmon
Brock
Church
Dominick
Gambrell
Gravel
Harris
Jordan, N.C.
Miller
Mundt
Muskie
Pearson
Sparkman

So Mr. JACKSON's amendment was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. RIBICOFF. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senate will be in order. Under the previous unanimous-consent agreement, there will now be one-half hour of debate on the amendment of the Senator from California (Mr. CRANSTON), following which the vote on that amendment will be taken. The Senator from California is recognized. How much time does he yield himself?

Mr. CRANSTON. Mr. President, I yield myself such time as I may require.

My amendment would eliminate $171.4 million for the so-called SAM–D program. SAM–D is a surface-to-air missile system designed primarily to protect the field army from hostile aircraft.

I yield to a distinguished member of the Committee on Armed Services, the Senator from Missouri (Mr. SYMINGTON).

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. CRANSTON. Five minutes.

Mr. SYMINGTON. I thank the able Senator from California.

Mr. President, it was not possible for me to be here earlier today for the debate on this amendment now being offered by the senior Senator from California (Mr. CRANSTON).

As a member of the Tactical Air Power Subcommittee, however, I participated in the review of the SAM–D surface-to-air missile system and supported the recommendation of that subcommittee to the full Armed Services Committee that "because of the high cost and low quantity of the program, the $171.4 million request should be deleted and the program terminated."

That recommendation to delete funds for SAM–D was supported by six other members of the Armed Services Committee. I regret, however, that in the full committee the proposal was defeated by a vote of 9 to 7.

Time is limited, but I would briefly outline the major considerations on which the Tactical Air Power Subcommittee based its recommendation.

The Congress has already appropriated $387 million for advance development of SAM–D. The total R. & D. is estimated at $1.2 billion; and the price tag of the total program is estimated at $3.8 to $5.2 billion, depending on the quantity procured.

The cost per fire section of surface-to-air missiles is quite high, and the fact that a SAM–D fire section has only one radar makes it highly vulnerable to attack. One direct hit can destroy the entire fire section.

As noted in the subcommittee report:

> Both the NATO countries and the Marines will not buy SAM–D, are looking for a lower cost, higher quantity SAM system to follow the Improved HAWK.

If the Defense Department continues to insist on pursuing the production of this expensive system—despite our allies refusal to purchase same—once again, the American taxpayer is bound to be left holding the bag.

I do not believe this system is worth the cost, and therefore strongly support the position of the Senator from California.

Mr. CRANSTON. I thank the Senator very much for his support and contribution. I yield to the Senator from Ohio.

Mr. SAXBE. Mr. President, I want to speak briefly in favor of Senator CRANSTON's amendment to strike funds for the SAM–D, surface-to-air missile program. I was one of those who joined with the Senator from Missouri (Mr. SYMINGTON) in the committee in support of this recommendation. According to testimony before the Senate Armed Services Committee, the cost to completion of this program has grown by $1.3 billion during the past 12 months.

This year's SAM–D request is for the first full year of engineering development; $387 million has been appropriated in prior years for advanced development on SAM–D, while the total R. & D. is estimated at $1.2 billion, and the total program at $3.8 to $5.2 billion, depending on the quantity procured.

SAM–D would replace both the improved Hawk medium-range SAM and the Nike-Hercules long-range, high-altitude SAM in the 1980's time period. Its advantages are greater maneuverability, better electronic countermeasures capability, and the ability to fire up to eight missiles simultaneously.

As to the disadvantages of SAM–D, I suppose the primary one is the high cost per fire section—again we are talking about cost effectiveness—and coupled with that the inherently vulnerability of a high cost, low quantity system. There is only one radar set in a SAM–D fire section. This is placed along with two vans of electronic computers and a power van. One direct hit can destroy the whole fire section. Thus, this system is extremely vulnerable.

SAM–D procurement cost—in escalated dolars—will average $20.7 million per fire section of 20 missiles. Including R. & D. it is $27 million. Because of this high cost per unit, both the NATO countries and the Marines will not buy SAM–D and are looking for a lower cost, higher quantity SAM system to follow the improved Hawk.

Because of the high cost and low quantity of the SAM–D program, I recommend deletion of the $171.4 million request and termination of the program. The Army should be encouraged to develop a cheaper "wider proliferation" SAM system that NATO and other friendly countries can afford.

Mr. CRANSTON. I thank the Senator from Ohio for his welcome and strong support.

Mr. President, let me briefly summarize the reasons for my concern and for the concern of many others over SAM–D.

First, there is the matter of overruns. A few days ago the GAO reported an increase of $28.7 billion between the original and current cost estimates of 77 different weapons systems. SAM–D is one of the worst overrun offenders. The original estimate for SAM–D in 1969 was $2.5 billion. The estimate now is $5.2 billion—an increase of 108 percent in 3 years.

The cost overrun on SAM–D is bigger than the C–5A overrun. SAM–D now costs as much as the F–14. It would cost more than the Washington ABM. There probably will be more overruns. Why is that? Because R. & D. is not yet completed, because engineering development is only being undertaken just now, because production is way off in the future, because use will not come until the end of this decade.

This morning I questioned the distinguished chairman of the committee, Senator STENNIS, about whether we might anticipate some overruns. He said that we probably will have still more increased costs on this complicated system. I asked how much SAM–D eventually will cost—$6 billion, $7 billion, $8 billion? Nobody really knows.

My second point relates to SAM–D and NATO. SAM–D was originally planned for use by our troops assigned to NATO in Europe. No plans have yet been made to deploy it in the United States. Our NATO allies have not offered to help pay for SAM–D. They have not entered into any agreement to pay for SAM–D, for the reasons given by the Senator from

Ohio. They think it costs too much, and they question its capacity to stand up under attack.

So here is $5 billion and more added to the cost shouldered by U.S. taxpayers of all the U.S. troops stationed in Europe for 27 years after World War II. Meanwhile, our allies refuse to pay their fair share of the costs of NATO, and the dollar falls in value as gold flows out to meet our military commitments in Europe and elsewhere.

All this seems to me to be further evidence of the wisdom of Senator Mansfield's fight to reduce our NATO costs. Costs of the SAM–D will increase. Will we still have these American troops in Europe in the early 1980's, when SAM–D may be ready? Is that why we are now planning this vast expense for SAM–D?

My third point relates to the SALT negotiations. I paid tribute this morning to the distinguished Senator from Mississippi for his strong support for those agreements. Since we apparently have made a breakthrough in weaponry in negotiations with the Soviet Union, why do we have to turn right around and escalate in some area not covered by the agreements?

I want to read one paragraph from an article published in the Washington Post yesterday, in which Henry R. Myers, a Washington consultant on arms control and science policy, said the following:

> The strong support for the Moscow agreements in Congress, combined with the administration's half-hearted justification of the Washington ABM site, indicates a general recognition that attempts to build missile defense systems for any purpose have served only to fuel the arms race. The meaning of SALT is that the United States and the Soviet Union have acknowledged that missile defense and "mutual restraint" cannot coexist.

So, why SAM–D?

Fourth, the missile package of the Redeye, Vulcan, and Chaparral systems against low-flying aircraft, and the improved Hawk, a system similar in many respects to SAM–D, against medium- and high-flying planes, gives our ground troops more than adequate protection against hostile fire.

The F–15, which Assistant Secretary of the Air Force Grant Hansen claims will "outclimb, outmaneuver, and outaccelerate any fighter threat in existence foreseen on the horizon" also makes SAM–D less than totally necessary.

In addition, the Navy already has the analogous Aegis missile. The differences between SAM–D and the Aegis have not been made very clear. I tried to clarify them this morning in a discussion with the distinguished Senator from Mississippi, and it was not possible to clarify any great difference between these missiles at this point—if, indeed, there is truly a significant difference.

Is interservice rivalry involved? Must each branch of the service have its own special missile?

Let me say in closing that if the Armed Services Committee and its distinguished chairman had not had their own doubts about SAM–D, I probably would not have had the temerity to stand up and offer this amendment. But let me recount the history of the committee in regard to this weapons system.

In fiscal year 1970, the Armed Services Committee directed that $75 million intended for the SAM–D be cut and that the program be terminated. Their stated reason was that the SAM–D's costs did not match operational priorities. The program was restored in conference. In fiscal year 1971, the committee directed that $15 million be cut and that a study should be made of the SAM–D's cost-effectiveness. These measures lost in conference. The same thing happened in fiscal year 1972.

When the pending bill was considered by the committee, an amendment identical to the one I have offered was defeated by a close vote, as Senator Symington indicated. The chairman of the committee, Senator Stennis, was one of those voting against the SAM–D and for the amendment in the committee.

It is for these reasons that I urge adoption of this amendment, ending the SAM–D program.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McINTYRE. Mr. President, will the Senator yield me 10 minutes?

Mr. STENNIS. I yield 10 minutes to the Senator from New Hampshire.

Mr. McINTYRE. Mr. President, the Senate knows how critically I have examined the R. & D. budget of the Department of Defense in my capacity as chairman of the ad hoc Subcommittee on Research and Development. I have been no less critical in my appraisal of the request for funds to support the engineering development program for the Army's surface to air missile for the 1980's and 1990's, the SAM–D.

I am convinced, Mr. President, that the SAM–D is essential to provide our field armies with the protection from air attack which they will require in that time period. We all recognize that technology does not stand still. Our potential adversaries, no less than we, are developing electronic countermeasures—ECM—and tactics which can defeat weapons which are designed for less sophisticated offensive systems than those which will be available in the next two decades.

Our current surface to air missile systems, Hercules and Hawk, were conceived and deployed in the 1950's. They are already 20 years old. Even with the stopgap measures of the improved Hawk system, we can extend their effective life for at best another 10 years. It is too much to expect of 1950 technology that it can contend with the experience and scientific advancement of 30 years of development.

So it seems to me imperative that we take the necessary steps to assure that our technology keeps pace. To ignore this critical segment of our weapons system modernization program would be to expose our field forces to unacceptable risks.

For a field army to be effective, it must be able to maneuver in the combat environment. Our experience in World War II and in Korea—even in Vietnam—has taught us that a modern army—and even a quasi-guerrilla army cannot effectively maneuver to achieve its objectives if the enemy controls the air. Nowhere has this been more dramatically proved than in the 6-day war between Israel and the United Arab Republic. Even in Vietnam where the enemy has been willing to take casualties which would be totally unacceptable to us with our different concepts of the value of human life, the North Vietnam army has been unable to sustain an offensive in the face of unrestrained air attacks.

The lesson to me is clear: If we are going to commit field armies to the possibility of combat, we simply must provide them with the capability of defending themselves against air attack.

Currently, we are providing our forces with air defense protection with a family of surface to air missiles, Hercules, Hawk, and the shorter range Chaparral and Redeye missiles, augmented by various point defense weapons like the Vulcan antiaircraft gun and, of course, the area defenses provided by Air Force interceptors. Studies by the Army and Defense Department clearly indicate that these systems will not provide adequate defenses in the 1980's and 1990's.

For a decade now, the services have studied the problem with a view toward providing the necessary air defense protection within the constraints imposed by budgetary limitations and the priority needs for modernization of other weapon systems. The end result has been an urgent and priority recommendation that we proceed with development of the SAM–D and a supporting family of short range air defense weapons.

In designing the SAM–D, system, cost has been a driving factor. Every effort has been made to design a system which would provide adequate defense levels in the most cost effective manner. The number of fire units has been reduced; manning requirements have been drastically curtailed; maintenance requirements have been significantly cut by use of solid state electronic technology and modular maintenance techniques; and the logistic burden has been sharply reduced by paring the number of components in the system.

The net result is that SAM–D represents the most cost effective air defense system we are able to devise with current technology. It is a low risk development whose major components have been proved in an extensive advanced development program.

SAM–D is a battlefield weapon system—designed for survivability. It is mobile. It can be moved quickly from site to site presenting an enemy with a difficult problem in fixing its location for attack. It is readily camouflaged with only a few motorized units and no highly visible rotating antenna. It has a self defense capability to engage multiple targets simultaneously, making it a costly target for enemy air attack.

Mr. President, we have already invested $386 million in the various stages of development of this system to bring it to the stage of engineering development where we can finally evolve it into an effective, deployable defense system. But, more than that, we have invested time.

To scrap this development now on the whimsical notion that we might somehow develop a more austere system which might serve the purpose would be to waste not only the dollars we have poured into this effort but, perhaps more importantly, to delay the deployment of a defense system which might mean the difference in the survival of our field forces.

The Army and the Department of Defense urgently recommend the SAM–D development, Mr. President. The need for an adequate defense system and the cost effectiveness of SAM–D as the answer to that need are persuasive to me.

The effect of this amendment would be to scrap this promising system. I shall vote against the amendment and I hope that it will be defeated.

Mr. President, I ask unanimous consent that a statement of the responses to questions raised by the Senator from California (Mr. CRANSTON) be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Question 1. Why so much cost growth in SAM–D?

Answer. The original estimate for SAM–D in 1967 was made in current year dollars and did not anticipate the Advanced Development Program. Since 1967, there have been extensive studies of the potential threat which have necessitated adjustments in weapon system requirements. The expanding threat describes a high performance maneuvering target, in a severe ECM environment, and the employment of saturation tactics by the enemy. Five years of Advanced Development of critical componentry for the SAM–D weapon system has given considerable insight into the complexities of the hardware required to defeat the expanding threat. This insight has allowed a more realistic adjustment to the cost estimates. By this extensive hardware effort, coupled with a detailed analysis of the lessons learned and applied to the Engineering Development and production cost estimates, has projected increases in the original cost estimates which would have amounted to overruns had the program been contracted for as originally estimated in 1967. The increased cost estimates have been further validated by the application of parametric cost techniques which takes into account lessons learned from other comparable programs.

What the Army has accomplished in pointing out these cost estimate increases is the identification of higher costs before they become overruns.

Senator Cranston's statement that the SAM–D Project is basically redundant and militarily unnecessary is incorrect in that the SAM–D weapon is intended to counter the project threat through the 1980–1990 time frame. Improved Hawk is a missile improvement only, does not include improvements to ground equipment, nor can the ground equipment be updated without major redesign. Current systems such as Hercules and Improved Hawk are not expected to be able to counter the threat beyond the 1970's. The ". . . little more hardware for a lot more money" is hardware necessary to counter the high performance maneuvering target in a severe ECM environment using saturation tactics which cannot be accommodated by current systems.

Senator Cranston notes that ". . . estimate of project cost increased 108% in three years." Senator Cranston fails to note that in the price increase the quantities of hardware have changed, e.g., more than twice the number of launchers as in the 1969 engineering estimate, almost twice the number of missiles, further that estimate was in constant 1969 dollars, while the current estimate takes into account expected inflation over a projected 15 year period, engineering changes to accommodate such features as increased nuclear hardening, increased ECCM capabilities and weapon reconfiguration for improved strategic mobility, and finally the applications of lessons learned from other similar programs through the use of parametric cost estimating techniques. It should be recognized that if SAM–D is not developed, the cost of extending the use of Hawk and Hercules will eventually equal and exceed the cost of developing and deploying SAM–D and will still not provide adequate defense.

The suggestion that the F115 makes SAM–D unnecessary does not appear to take into account the enormous expense of maintaining aircraft on station to counter an unexpected threat nor does it take into account the considerably less reaction capability that manned aircraft have as compared to terminal air defense weapons, also, the application of a fighter aircraft to effect terminal air defense requires a "one for one" interceptor to target which makes a multiple engagement capability extremely expensive as well as somewhat hazardous. Finally, the mission priority may preclude the application of fighter aircraft in their terminal air defense role.

Question 2. What assurance is there that cost growth has stopped?

Answer. Cost growths are under control by the following actions taken by the Army. First, the current estimates project fifteen years into the future and are escalated to include anticipated inflation over that period. Next, there is established a Requirements Control Board at the executive level of Department of the Army which includes two Assistant Secretaries and several senior Army Generals who continually review requirements with a view toward lessening costs, and further they attempt to lower costs wherever possible. There are in the development contract production cost objectives which provide incentive to the contractor to keep production costs down. Finally, there is a monitoring contractor whose mission is to overview the entire SAM–D program—contractor and government effort—for the purpose of identifying high cost areas and recommending to the Project Manager alternate designs to reduce not only production unit cost, but life cycle cost as well. Finally the applications of lessons learned from other similar programs through the use of parametric cost estimating techniques should give a firmer potential cost estimate.

Question 3. Relationship of SAM–D to Navy Aegis?

Answer. Both the Army and the Navy have under development air defense systems for deployment during the same time period. Considerable joint effort was expended from 1965 to 1967 in attempting to define aspects of the proposed development efforts by each service which could be common. The Army's requirement for a field mobile air defense system and the Navy's requirement for a shipboard system compatible with present developed Navy hardware made both programs sufficiently different to warrant independent developments. To insure that both programs shared in the technology developments by the other, a formal Joint Army/Navy Technical Interchange Group (JAN TIG) was established in September of 1968. The purpose of the group was to explore mutual technical problems, identify undesirable duplication of effort, and to provide potential backup for technical problem areas encountered by either service. To date beneficial exchanges have taken place in the areas of radar hardware, software, displays, targets for test programs, and the threat to include ECM.

Question 4. Why don't Europeans want to pay or help pay for SAM–D?

Answer. The current NATO requirement for a new weapon system contains a national forecast by country, expressing individual concern for the replacement of the U. S. furnished Nike Hercules and Improved Hawk systems. The NATO countries are currently generating an operational requirement for an air defense weapon similar to SAM–D. There are U. S. Army officers who are members of the NATO Working Group, who are participating in the development of the requirements for such a weapon system. Considerable interest has been expressed by the NATO countries in SAM–D. A representative of the SAM–D Project Office was requested by the Working Group in April 1972 to brief SAM–D's capabilities. The Working Group will visit the U.S. in October 1972. The SAM–D Project Office will serve as host to the group and will provide indepth briefings as well as visits to the contractors' plants for hardware reviews.

The NATO efforts to generate requirements for an air defense weapon are about at the same stage that SAM–D was in 1965, i.e. concept formulation (feasibility studies).

While a number of the NATO countries have individually expressed interest in SAM–D, until they have collectively examined and accepted requirements such as SAM–D is capable of meeting, one could not expect that they would indicate a willingness to help pay for SAM–D.

Question 5. What are the firm plans for CONUS deployment of SAM–D?

Answer. None. There are planning cost estimates for a CONUS deployment and there are studies to indicate quantities of hardware and locations. However, there is no officially approved plan for deployment of SAM–D in CONUS.

Question 6. What is the relationship of SAM–D to the SALT agreements?

Answer. The SALT Agreements do not address SAM–D as such since SAM–D is designed to defend against aircraft only. The Treaty precludes testing such systems as SAM–D in an ABM mode and the U. S. Army plans no such tests. If the SAM–D Program were redirected so that the system had *no* capability against any ballistic missile, even short range tactical ballistic missiles, the system would not be operationally effective in an air defense role.

Question 7. What is the Soviet PACT threat?

Answer. The Soviet PACT Threat is the total number of aircraft that the Soviet Union and its Warsaw PACT countries have available for utilization against the U.S. Deployed Armies in Europe.

Mr. McINTYRE Mr. President, I have listened to the arguments of the distinguished Senator from California (Mr. CRANSTON), the distinguished Senator from Missouri (Mr. SYMINGTON), and the distinguished Senator from Ohio (Mr. SAXBE). I think I understand and have a feeling for the apprehension they are talking about when they consider the cost of this system. I believe the RECORD will show that I took a critical view of this back in 1969. But, as I stand here now, we already have invested some $350 million in this high-technology program—and, I might say, a low-risk program.

If it will be of any assistance to the Senator from California, I think we can assure him of something like this. In next year's hearings on the matter of

SAM–D, the R. & D. subcommittee, while we do not normally operate openly—we are really in executive session because of the secrecy involved in these issues—will be delighted to invite the Senator from California and such one, two, or three experts he may wish to bring before our subcommittee to give us the benefit of their feelings, that SAM–D is, we will say, oversophisticated, and to bring out all the arguments at the subcommittee level concerning this program, and to cooperate fully—with the misgivings that other members of this committee have held concerning this program—if, in return for this, he will be kind enough to withdraw his amendment.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. CRANSTON. I appreciate very much the approach suggested by the distinguished chairman of the subcommittee that has been responsible for this weapons system. I am grateful for his understanding approach to the problem and for his recognition that there may well be grave questions about this weapons system.

I talked with the Senator before the time began to run on this amendment. I talked earlier in the day with the distinguished chairman of the full committee. I suggested that if we could find a way to cut some of the funds now by agreement, and commit the weapons system to full-scale study before we go into the major production expenditures, I would then be happy to withdraw my amendment. In view of existing contracts, it was found that there is no possibility of making any significant cuts from the funds authorized in this measure.

However, in view of the fact that there is widespread concern on the part of many committee members over SAM–D, and in view of the agreement that we will have an opportunity for full investigation, for hearings, and for the appearance of witnesses who may have some new light to throw on this weapons system, I will be glad to agree with the Senator from New Hampshire.

In view of the lateness of the hour and the fact that many Members of the Senate may be rather tired after an exhausting day, I will be happy now to withdraw my amendment, and I hereby do so.

The PRESIDING OFFICER (Mr. MOSS). Does the Senator ask unanimous consent to withdraw his amendment?

Mr. CRANSTON. Yes. I ask unanimous consent——

Mr. STENNIS. Mr. President, a parliamentary inquiry. Did the Senator——

The PRESIDING OFFICER. The Senator asked unanimous consent that he be permitted to withdraw his amendment——

Mr. STENNIS. I do not believe I have a right to object, but I do want some more discussion here. Will the Senator withhold?

Mr. CRANSTON. I withhold withdrawing my amendment.

Mr. STENNIS. I yield such time to the Senator from New Hampshire (Mr. McINTYRE) as he may want.

Mr. McINTYRE. Mr. President, I am agreeable. I think that the Research and Development Subcommittee can cooperate with the Senator from California (Mr. CRANSTON) and such two or three of his expert witnesses that he would like to bring before us. It must be understood, however, that normally these subcommittee hearings are—while we do take down a record of everything that is said—held in low profile. There are no open hearings because of the secrecy involved.

Under those circumstances, I think, Mr. President, due to the statements here of Members that we can give this program a good, hard look, to allay some of the misgivings some of our colleagues have about it, I will be happy to assure the Senator from California that that will happen, and cooperate with him in view of his desire to withdraw his amendment.

Mr. CRANSTON. The purpose would be, as I understand it——

Mr. SYMINGTON. Mr. President, is there a unanimous-consent request——

Mr. CRANSTON. Not yet. In a moment.

Mr. SYMINGTON. Reserving the right to object, and I probably will not object, I should like to make a statement.

Mr. STENNIS. I yielded to the Senator from New Hampshire so that he may yield to the Senator from California.

Mr. CRANSTON. I have one question. The purpose of the hearing would be to get at the facts but not necessarily to allay our misgivings in regard to this weapons system, if such misgivings are well-founded.

Mr. SYMINGTON. Mr. President, will the Senator from California yield?

Mr. CRANSTON. I yield.

Mr. SYMINGTON. I am not quite sure I understand this development. The Tactical Air Subcommittee, under the chairmanship of the able Senator from Nevada, looked into the SAM–D and recommended against it, so I am not quite sure just what the position of the R. & D. Subcommittee is. I only mention this because the able junior Senator from Nevada is not on the floor at the moment and it was his subcommittee that looked into the SAM–D, to the best of my recollection.

Mr. CRANSTON. May I address that question to the chairman of the committee? Where would the responsibility lie for taking a look at this weapons system, which it so obviously merits?

Mr. STENNIS. I have been under the impression today that the Research and Development Subcommittee always handled this matter, but on looking into it further I find that there are one or two items that can fall into either category. We have them. They come within the category of either subcommittee. This one, it seems, this year, was handled by the Tactical Air Subcommittee, so to that extent I may have given the Senator from California (Mr. CRANSTON) the wrong impression.

Mr. McINTYRE. Mr. President, in prior years the Research and Development Subcommittee has taken a look at the SAM–D, and the Tactical Air Subcommittee has had a look at it this year. It is appropriate to do that. We do not have any fine lines on it. This is a program strictly research and development and primarily the jurisdiction would fall to the Research and Development Subcommittee.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. STENNIS. Yes, I yield.

Mr. CRANSTON. In light of our conversation prior to this matter's coming to a head on the floor——

Mr. STENNIS. Mr. President, may we have order and quiet? I think this is a worthwhile subject for all Senators to hear. It is very important. This weaponry is also very expensive.

The PRESIDING OFFICER (Mr. HARRY F. BYRD, JR.). The Senate will please be in order.

Mr. CRANSTON. In light of our conversations about the SAM–D prior to this moment, and in light of the colloquy we have just had, will the distinguished chairman of the Armed Services Committee assure us that in whatever way is appropriate, there will be an examination of this weapons system of the sort that we have had under discussion?

Mr. STENNIS. I think the Senator can certainly be assured of that. I would want an indepth look taken at it myself. I cannot speak for the entire committee. We have two very capable subcommittees, each one of which has gone into it in prior years. I would think the consensus would be that there would be an indepth hearing and everyone can speak for himself at it.

I announced today that I had voted against this item in the markup of the bill because I thought it should be arrested and considered in depth to see whether we could make a new start and what kind of new start, but I was not in favor of cutting it out altogether, so I was opposed to this amendment. I think we will have indepth hearings in keeping with the Senator's desire as already expressed on the floor. That would be my vote and my purpose.

Mr. CRANSTON. I appreciate that very much. I want to make plain my understanding, based on my conversation with the Senator from New Hampshire, that if it did turn out not to be the will of the committee to kill the program entirely, it might be possible to find ways to simplify the system, get away from the incredibly rapidly rising cost estimates, and find a system that might be sounder when under attack than this system appears to be.

Mr. SYMINGTON. Inasmuch as we apparently have had some problems in the subcommittees, for example, the Research and Development Subcommittee recommending unanimously against the recent track element, I would ask the able chairman of the Armed Services Committee—I am a member of one of the subcommittees, not the other—if he would be agreeable to saying that the full committee would look into this matter next year and then there would be no question of prerogative of priority among the various subjects.

Mr. STENNIS. Let me reply in this way, that I think we have two mighty good subcommittees, as I have said.

When this was in its hearing stage, the Research and Development Subcommittee handled it. This year, it has gone over to development, for this money we are talking about, so it got into the Tactical Air Subcommittee by consent, it seems, of the other subcommittee.

There is a great deal of interest in the subject matter. Many of us think it should be reevaluated. I say tonight to my good friend from Missouri, that I would hate to say we would favor taking the matter away from both subcommittees, but we will have a conference on it and talk the thing over before the full committee. If it appears wise at that time for the full committee to go into it. I will favor that, and we will work out something along that line.

Mr. SYMINGTON. I do not want to take away anything from a subcommittee. However, I was not properly informed about the research and development aspect of the Trident matter. I did not think that I was adequately prepared, based on one hearing we had in the full committee and therefore, inasmuch as it has been brought up on the floor just prior to the statement of the Senator from New Hampshire, in a statement based on the findings of the Tactical Air Subcommittee, I would hope that the able chairman would keep it in any of the subcommittees he would like to keep it in, that it be thoroughly investigated by the full committee before we get into a hassle such as this on the floor again. If the Senator would agree to that, I would appreciate it.

Mr. STENNIS. Mr. President, let us have it understood that at least there will be a broader chance permitted for the matter to be fully aired before the full committee before a final decision is made by the full committee. That would include the idea that one of the subcommittees could hold full hearings.

Mr. SYMINGTON. The Senator is correct.

Mr. TOWER. Mr. President, I support the committee request for $171.4 million for research and development of SAM–D. I do so because the need exists for a modern air defense system for the field Army and because SAM–D fills that need well.

There is no question that our troops face a massive air threat, particularly in Europe. Warsaw Pact countries possess about 4,000 fighter aircraft in combat units and about 1,800 more in training units. Historically, the Air Force has not been able to adequately defend the field Army during the overwhelming initial outbreak of hostilities. It would not appear that the beginning stages of any European conflict would be less intense. SAM–D will defend the airfields as well as the field Army and as an adjunct to Air Force fighters will be an important tool in attaining air superiority.

One of the major justifications in my mind, for SAM–D is its cost effectiveness. Studies have shown that five fire units of improved Hawk would be required to provide the same area coverage as one fire unit of SAM–D. This means fewer personnel and thus a reduction in the associated manpower costs that now consume over half the budget. The SAM–D life cycle cost is about one-third of that for improved Hawk while providing the same amount of defense. This is to a large part due to the fact that SAM–D uses approximately 40 percent less personnel when compared to improved Hawk and Nike Hercules. Additional cost savings are accrued because SAM–D requires only one-tenth the number of spare parts needed to keep improved Hawk and the Hercules system operative.

Against this background, we must remember that Nike Hercules, the current primary high-altitude system has a questionable life expectancy beyond 1975. While this system has served us well since its inception in the late 1950's, technical developments, and the simple fact that equipment wears out, prompt our consideration of SAM–D. Great strides have been made in electronic countermeasures. The success of our B–52 operations over North Vietnam are due primarily to the neutralization of salvos of SAM's by our electronic countermeasures. Similar developments by the Soviets cannot be far behind, if indeed they are not already here. In the ECM environment of the SAM–D time frame, improved Hawk would have a drastically reduced capability. Combine with this the increases in aircraft performance, particularly maneuverability, made since the midfifties, and one can see the need for an improved surface-to-air missile.

SAM–D is the only system capable of combating the threat. In addition to its electronic countermeasures capability and its ability to operate against highly maneuvering targets, SAM–D possesses the ability to engage multiple targets. Improved Hawk can engage only one target per fire section. This becomes particularly important when one remembers that any enemy is not likely to send its aircraft over one by one.

Some have alleged that the SALT treaty would limit SAM–D. This is not the case, however. The treaty pertains only to anti-ballistic-missile systems and, while SAM–D may have a minor inherent capability to counter tactical ballistic missiles and terminal air-to-surface missiles, the SAM–D is not designed to counter strategic ballistic missiles. Additionally, the treaty prohibits upgrading of SAM's for an ABM defensive role to include testing of the SAM in such a mode; here again we shall abide by the treaty and not pursue such a course with SAM–D. Therefore, it may be concluded that the Strategic Arms Limitation Agreement places no limitations on the proposed SAM–D program.

We need a modern air defense system. Our field armies must be protected; our airbases must be protected. SAM–D will help give us that protection.

Mrs. SMITH. Mr. President, I hope the Senate will reject this amendment. Our Nation needs the research and development funds for the SAM–D. That need is clear. A modern field army must enjoy control of the airspace over the battlefield in order to succeed on the ground.

It is as simple as that. If you need any proof of this truth look at what the Israelis with their control of the airspace did to the well-equipped Egyptian Army. Or look at what our airpower has done to the North Vietnamese army whose commanders place far less value on human life than we do.

We need SAM–D with its ground-to-air capability in order to attain this desired control of the airspace over the battlefield. It will not only replace the obsolescing Hercules and Hawk but it will reduce the requirements of fire units, manning, maintenance, and logistics.

Let us recognize that this amendment would make us technologically and defensively inferior. Let us defeat it.

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the Record additional material dealing with the SAM–D program.

There being no objection, the material was ordered to be printed in the Record, as follows:

SUMMARY

The Field Army of the 1980's must be defended against a sophisticated air threat.

As long as the United States maintains a standing Army and as long as potential adversaries maintain a tactical Air Force of some 8000 aircraft, ground based air defense is a necessary part of effective Army field operations. SAM–D is the program to provide future Field Army air defense.

BATTLEFIELD SURVIVABILITY

In order for a SAM system to perform its mission, it must survive. Experience in Viet Nam, coupled with various related studies, has established the features of importance to maximize SAM system survival. By incorporating these features, SAM–D has improved its survivability by a large factor over existing systems.

Survival is a function of two factors:

(1) Difficulty in locating the SAM site: SAM–D is much more difficult to locate from the air because of its less distinctive signature, as illustrated by the upper Table on the right. A large number of individual elements forms a distinctive pattern on the ground which is much easier to recognize from the air than the small number of SAM–D elements; further, since SAM–D does not employ rotating antennas, it can be easily camouflaged. When a missile is launched, its smoke trail immediately locates the launcher, and in the case of HAWK, the entire battery; remote location of mobile launchers in SAM–D precludes this. Finally, firing sites are often located on one sortie and attacked on the next. Because of the small number of central elements of a SAM–D site, they can easily be moved between sorties to void the previous location data.

(2) Difficulty in penetrating to and destroying the SAM–D site: Because of its high firepower, SAM–D extracts a higher attrition from an attack on itself than a low firepower system. Further, SAM–D has eliminated many vulnerable elements of existing systems, such as interconnecting cables, whose loss would render the system temporarily inoperative and thus helpless to the attacking aircraft. Viet Nam experience has shown that the use of Anti-Radiation Missiles (ARM's), which home on the signals radiated by radars, further complicates the problem of survival.

PROGRAM COSTS

A major objective of the decade of studies that led to SAM–D was to define the lowest cost approach to Army air defense. The low program cost of SAM–D results from (1) a smaller number of fire units required to provide a given level of defense, combined with (2) reduced manning requirements, maintenance requirements, and logistic burden per fire unit. These benefits result from application of the advanced technology described on page 2.

War game studies have been used to establish the quantitative levels of SAM–D and alternate systems needed to provide the required level of air defense. A dramatic illustration of the results of these studies is shown in the graph at the upper right, which compares the relative costs of SAM–D and a combination of Improved HAWK/Hercules (the existing SAM systems) to meet air defense needs. It is important to note that the SAM–D costs shown include the full research and development costs, investment costs, and support costs, including manpower and spare parts. No allowance was included in HAWK/Hercules costs for wear-out of already old equipment. The level of air defense provided in the two cases is identical, except against the higher threat level which only SAM–D can handle, as discussed on page 4.

The reader can readily see that the R&D and investment costs of SAM–D are paid back by its lower support costs within five years of first deployment. These lower support costs derive directly from the lower manpower requirements, which in turn result from the use of modern system and component technology. The component technology also provides a higher reliability and reduced dependence upon logistics supply and thus a considerable increase in combat readiness relative to the present systems. A comparison of the manpower requirements for one fire section of SAM–D and its equivalent in HAWK/Hercules is shown in the Table at the lower right.

PERFORMANCE

The advanced technology employed in SAM–D permits performance improvements in areas in which existing systems are limited. The most important of these areas are:

Firepower.

Operation in a jamming environment.

The SAM–D phased array radar permits the conduct of at least 4 times the number of intercepts at one time as the present systems. This increased firepower contributes to reducing the cost of a SAM–D deployment by requiring fewer fire units to establish a given level of air defense.

As we have learned in Viet Nam, electronic countermeasures (ECM), or "jamming", can be an effective tool for tactical aircraft. It is an evolving threat, since technology advances permit more sophistication and more power to be carried by the aircraft. Again, the SAM–D phased array radar, with its electronic beam pointing, provides good performance against even advanced ECM techniques. The graph at right illustrates this point in quantitative terms by showing the performance improvement obtained with SAM–D against the important "stand-off" jammer—that is, an aircraft standing outside of the SAM range and radiating jamming energy in order to screen aircraft attempting to penetrate the defense zone. The curves show the range to which the SAM's can effectively overcome this jamming.

It is seen that, while Hawk performs well against the current threat, its performance against the future threat is degraded to an unacceptable level.

Relative to the HAWK and Hercules Systems, these SAM–D features permit—

Performance Increase: 4 to 1 in Firepower; 10 to 1 in an ECM environment (+4 to 1 in firepower); 2 to 1 against maneuvering and formation targets (+4 to 1 in firepower and +10 to 1 in an ECM environment).

Cost Decrease: 10 to 1 decrease in logistic burden; 5 to 1 decrease in manning requirements; 3 to 1 decrease in operating and maintenance costs.

Battlefield Survivability Increase: These aspects are discussed in more detail in the following pages.

Because the SAM–D technology represents such a major advance, the DOD conducted an Advanced Development Program to fully demonstrate the new system features. This program, begun in May 1967, has recently been completed at a cost of approximately $230 million. 100 percent of all technical objectives were achieved as graded by a U.S. Army evaluation team.

BACKGROUND

Primary air defense of the US field army today is provided by the high altitude NIKE Hercules and low altitude HAWK surface to air missile systems. Both of these systems were conceived and deployed in the 1950's. Because of the state of technology at that time, they have only limited performance against certain aspects of the current threat, and they have high manning and maintenance costs. Recognizing this fact, the Army initiated an "Improved HAWK" program several years ago to improve the performance against the modern threat and to reduce maintenance costs. While the stop-gap of upgraded HAWK performance extends its useful life through the 1970's, it does not provide an adequate defense level against the anticipated threat of the 1980's and 1990's. Equally important, extending the life of the HAWK equipment, already over ten years old, into that period would create problems of equipment wearout which would very greatly increase field support costs.

The Army's solution to its air defense problems is SAM-D. SAM-D basically fulfills two objectives which cannot be met by improving existing systems. First, by applying modern technology, it provides a new system with inherently much greater capability than existing systems to cope with threats that are projected for the last two decades of the century. Second, it uses modern technology to reduce the manning requirements, maintenance requirements, and logistic burdens by a large factor as compared to existing systems. Not only does this ease the Army's serious problem of providing skilled manpower, but it provides a system whose research and development and investment costs will be entirely paid for by savings in support costs as compared with required levels of older systems.

THE SAM–D SYSTEM

SAM-D applies advanced technology to the future air defense needs of U.S. Army tactical forces. These needs of improved performance, improved combat readiness, and reduced costs are provided by four basic features of SAM-D:

(1) The single SAM-D system with only three unique major equipment items replaces both the HAWK and Hercules systems consisting of fourteen different major equipment items.

(2) The multi-function phased array radar of SAM-D with its high speed electronically steerable beam performs the functions now requiring ten radars in the HAWK and Hercules systems.

(3) The digital processing feature of SAM-D optimizes system performance, utilizing the latest in micro-electronic technology. This technology offers improved reliability, lower cost, and a ten to one reduction in the repair parts required for SAM-D relative to the repair parts required by HAWK and Hercules.

The new and unique guidance system of SAM–D permits considerable increases in system performance against maneuvering targets, formation targets, and ECM tactics while simultaneously reducing the complexity of the onboard missile equipment.

SAM–D COST GROWTH

The $1,318.7M cost estimate increase in the period 30 June 1971 to 31 March 1972 has reflected in the respective SAR's dates back to the last change which was the December 1970 SAR. Since December 1970 the number of missiles required has almost doubled, and the launcher requirements are up approximately two and one-half times that figure shown in the December 1970 SAR which accounts for $281M. There is $907M due to the application of new OSD escalation indices, a $334M increase that includes nuclear hardening features, electronic counter countermeasures capabilities, and hardware reconfiguration to allow use of standard Army vehicles. Continuation of the Advanced Development Program, pending decision for approval to enter Engineering Development accounts for $98M. These increases were offset by a decrease of $300M by revising cost estimates through application of parametric cost estimating techniques. This technique employees experience gained in comparable programs and provides a more intelligent estimate of possible program cost.

The original program estimate for SAM–D was prepared in March 1967. Since that time, an Advanced Development Program was directed which added $259M to that original estimate. The earlier estimate was prepared in constant year dollars and did not take into account cost growth due to inflation.

In 1970 while awaiting decision to enter Engineering Development the Army conducted a comprehensive Air Defense Review which resulted in increased requirements for SAM–D that included greater nuclear hardening, operation in a more severe ECM environment, and increased capability to cope with maneuvering targets. The results of the comprehensive review were evaluated by the SAM–D Program Office, the contractor, and Government support agencies. An assessment was made of the impact of the comprehensive Air Defense Review on SAM–D design and in turn program costs. Also, the lessons learned during the preceding four years of Advanced Development were applied to the preparation of a new program cost estimate. The results of these lengthly analyses has provided the Army a realistic cost estimate of SAM–D which in effect has projected expected actual costs through fifteen years into the future taking into account not only the cost of design to a more sophisticated threat but also anticipated inflation during that fifteen year period.

To insure an austere SAM–D Program, the Army has taken two steps in management intended to provide top level attention and to evaluate the weapon system design in terms of production cost as the design progresses.

The first step was the establishment of a high level requirements control board. This board includes two assistant secretaries of the Army along with several senior Army general officers. Its mission is to review requirements that drive cost and determine at the senior levels of the Army what alterations should be made to the Program to avoid cost increases. Such alterations include investigations of alternate solutions to the requirements and/or alterations of requirements to avoid expected cost increases. This board has already provided valuable direction in the elimination of the tracked vehicle as a carrier for the SAM–D weapon with an attendant tracked vehicle development cost savings of $12M and a production unit cost savings of $115,000 per vehicle by employing standard Army wheeled vehicles instead of tracked vehicles. The board evaluated the nuclear hardening requirements specified for SAM–D and made adjustments to the requirements which has reduced the production hardware cost estimates by $20M. Potential high cost areas will be continually examined by the Requirements Control Board to avoid cost growth and to lessen production unit cost where ever possible.

The other SAM-D unique management innovation is the Systems Engineering Cost Reduction Assistance Contractor (SECRAC) whose mission is to examine the SAM-D design from a systems engineering viewpoint with the objective of deriving a lower cost production design. This contractor is IBM/ITT. IBM in a support role to NASA has had extensive experience in solving such problems and has structured its Army support team with personnel experienced in the NASA support organization. The SECRAC's first contribution has been significant in that the SAM-D computer development hardware and tactical prototype design has been evaluated and has been found by the SECRAC to be the most austere concept available in the industry today. SECRAC's comparison included such candidates as one of their own computers, another Army program computer design which is in production along with the state of the art as exhibited throughout the computer industry. The SECRAC will continue to examine hardware requirements and propose more austere production designs. The SECRAC's findings will be reviewed with the SAM-D Project Manager and in turn with the Requirements Control Board as required.

The Army's contention is that SAM-D is consuming considerable RDT&E resources aimed at providing adequate air defense for the 1980's and '90's. It has resorted to innovative management techniques at highest levels to avoid cost overruns and to insure that there is in fact adequate air defense for the future.

Director of Defense Research and
Engineering,
Washington, D.C., July 24, 1972.

Hon. William Proxmire,
Chairman, Subcommittee on Priorities and Economy in Government, Joint Economic Committee, Washington, D.C.

Dear Mr. Chairman: I have been asked to answer your letter of June 26, 1972 concerning the relationship of SAM-D and SALT. As you are well aware, DoD has been concerned about the use of SAM's in an ABM mode for a considerable period of time. The DoD efforts in this regard have been focused on the potential degredation of the U.S. deterrent if the Soviets upgradeed their extensive SAM deployments to defend urban areas.

Based on this concern, substantial analysis within DoD has been directed at understanding the interrelationship among SAM equipment limitations, the technical limitations on upgrading SAM's, and the effectiveness of various offense responses to counter upgraded SAM's. During the negotiation of the ABM Treaty, both sides were well aware of SAM-D, and the Treaty does not preclude this system. However, the Treaty precludes testing such systems as SAM-D in an ABM mode and we will not do so.

The answers to your specific questions are provided in the attachment. If I can be of further assistance in this matter, please let me know.

Sincerely,

John S. Foster, Jr.

Questions of Chairman Proxmire, Subcommittee on Priorities and Economy in Government, Joint Economic Committee with Answers, Subjects SAM-D SALT Relationship

(1) Does SAM-D's capability against ballistic missiles bring it within the scope either of Article II(1)'s definition of an ABM system or provision (A) of Article VI, as interpreted by the United States?

The SAM-D program is not in conflict with either Article II(1) or Article VI(a) of the ABM Treaty.

(2) If SAM-D is within the scope of Article II(1) or provision (A) of Article VI as interpreted by the United States, have any plans been made for termination of the program and, if not, why not?

As stated in (1) above, the SAM-D program is not in conflict with either of these provisions, and thus does not need to be terminated.

(3) Would it be feasible to develop SAM-D in such a way that its capability against ballistic missiles was deleted? If so, what consideration is being given to this approach, and what are the arguments against it?

If the SAM-D program were redirected so that the system had *no* capability against any ballistic missile, even short range tactical ballistic missiles, the system would not be operationally effective in an air defense role. This is true primarily because there is an overlap in the attack characteristics between tactical ballistic missiles, aircraft, and aircraft-launched air-to-ground missiles. Thus, deletion of a capability against all ballistic missiles would deny a capability against aircraft and aircraft-launched missiles. There is, however, a distinct separation in attack characteristics between the above class of threats and long range strategic ballistic missiles. No consideration is being given to reducing SAM-D performance capabilities.

(4) If SAM-D's capability against ballistic missiles does not bring it within the scope of Article II(1) or provision (A) of Article VI as interpreted by the United States, what is the reasoning by which this conclusion is reached?

Simply stated, SAM-D is not in conflict with Articles II(1) or Article VI(a) for the following reasons:

SAM-D is being designed and developed as an Air Defense system, not as an ABM system to counter strategic ballistic missiles.

SAM-D will not be tested in an ABM mode.

(5) As interpreted by the United States what is the meaning of the term "strategic ballistic missiles" as used in Article II(1), and if the term is meant to exclude "tactical ballistic missiles, which of the following classes of Soviet missiles are, in fact, excluded—SRBMs? MRBMs? IRBMs? ICBMs? SLBMs? Is it true that SAM-D would have no capability whatsoever to intercept "strategic balistic missiles" as so defined?

The term "strategic ballistic missiles" is meant to exclude "tactical" ballistic missiles. The distinction between these two classes of missiles results from the different flight characteristic of the re-entry vehicle, e.g., velocity, which is related to the range of the missile, and trajectory altitude. A strategic ballistic missile operated at or near maximum range reaches an altitude well above the atmosphere and a peak flight velocity of about four to seven kilometers per second. By comparison, other ballistic missiles operate at lower velocities and altitudes which are in or near the aircraft regime.

The SAM-D system does not have the capacity to intercept strategic ballistic missiles and will not be tested in an ABM mode, SAM-D, therefore, will not have the operational capability to intercept strategic ballistic missiles in flight trajectory.

(6) What is the meaning of the phrase "flight trajectory with characteristics of a strategic ballistic missile flight trajectory" as used in the unilateral statement of the United States as to the meaning of the phrase "tested in an ABM mode"?

As stated in my testimony before the House Armed Services Committee on 13 June 1972, this phrase means, in my view, a flight trajectory with a maximum velocity exceeding two kilometers per second, or a maximum altitude exceeding 40 kilometers.

(7) Would deployment of SAM-D in Europe violate Article VI's prohibition against deployment of radars early warning of strategic ballistic missile attack outside national boundaries, as interpreted by the United States? Why or why not?
Why or why not?

SAM-D is neither an ABM system, nor is its radar a system to provide early warning of strategic ballistic missile attack and, therefore, its deployment is not restricted by Article VI.

(8) Was SAM-D specifically discussed during negotiating sessions with the Soviets? What certainly do we have that the Soviets interpretation of its compatibility with the ABM Treaty is identical to ours?

SAM-D was not discussed with the Soviets. The ABM Treaty places no limits on air defense systems per se. However, certain collateral constraints have been placed on air defense systems as an extension of the limits placed on ABM systems. These include limits on power aperture product of phrased-array radars and the obligation not to give air defense systems an ABM capability or to test air defense systems in an ABM role.

SAM-D Is Technologically Sound

A primary factor in continuing the development of any new weapon system, assuming there is a demonstrated need for the type of weapon being considered, is the existence of the necessary technology and industrial capacity to assure success of the development within cost and schedule constraints. I have previously stated my belief that the Army needs a new Air Defense Missile System.

I am convinced that the Army's SAM-D Development Program is technologically sound. I further believe that the supporting technology is sufficiently mature to warrant continued engineering development which has been requested by the Army.

The SAM-D Engineering Development program is based on the results not only of proposals and studies, but, and this is highly significant, on the results of an extensive, successful Advanced Development Program.

The primary objective of the SAM-D Advanced Development Program was to demonstrate that the supporting technology is sufficiently mature to warrant a full scale development program. Accordingly, the Advanced Development Program was planned and conducted in a manner to demonstrate those characteristics and performance factors which are essential to successful operation of the system in its intended roles and missions. This Advanced Development Program was initiated by the Army in 1967. The technological demonstration aspects of the program were successfully completed in 1971. In September 1971 a group of experts which had been tasked to review the Advanced Development Program published their review report with the conclusion that, and I quote, "the Advanced Development Program objectives, as defined—, have been met and exceeded in most cases."

My conviction of the technological soundness of the SAM-D Engineering Development Program is based not only on the conclusion of the review task team, but also on the scope of effort successfully completed in the Advanced Development Program.

In order to successfully cope with the airborne threat to our field army forces, an air defense system must be capable of gathering and processing rapidly, considerable quantities of data relating to the air battle situation. Given a decision to engage a target or targets, the system must then be capable of delivering the interceptor missile to the target under a variety of natural and enemy induced environments. Multiple simultaneous engagements are necessary to achieve a credible and effective air defense posture.

These system requirements are best achieved by the use of a combination of equipments that include: a radar that is capable of performing all data gathering functions and supporting the guidance of the interceptor missiles; missiles that use advanced guidance techniques; and, a high speed digital computer with software (computer programs) specifically designed to perform all equipment control and data processing operations not requiring the immediate application of human judgment.

Operating equipment and software necessary to demonstrate these system requirements were built and tested to specifications during the Advanced Development Program. The hardware and software were integrated into an operating system and all critical elements of system operation were demonstrated.

For reasons of economy in terms of both dollars and time, commercially available hardware parts, components, and assemblies were used in building the advanced development model system. No attempt was made to design the system at that time either to military form or to withstand the rigors of field operations. These aspects of system design are rightfully a part of and constitute the major effort of the Engineering Development Program. These aspects of system development, although not trivial, do not constitute a development risk.

In summary, there is no technological reason for not continuing the full scale development of the Army's SAM-D Air Defense Guided Missile System. Indeed, the supporting technology is far more advanced at this point in the development effort than for many other weapons systems development efforts that we have authorized, and funded.

I firmly believe and propose that we approve the program and funding level as contained in the Army's R&D budget request.

HAWK AND HERCULES COMPARED TO SAM-D

SAM-D is an advanced surface to air missile system designed primarily for defense of the Field Army. It is intended to replace Nike Hercules and Hawk missile systems overseas. A secondary and optional role of SAM-D is to replace Nike Hercules and Hawk in the Continental United States.

SAM-D will provide a significant increase in performance compared to either weapon system which it will replace. It will be able to engage more targets simultaneously, will be more effective against jamming electronic countermeasures and will be more effective against maneuvering targets. There is no other weapon system under development which can meet the requirements set for SAM-D.

SAM-D is designated to incorporate the functions of nine different type radars that the combined Hawk and Hercules weapons employ. Nike Hercules can handle only one target at the time and requires five different type radars. HAWK can handle two targets simultaneously, requiring five different radars of four different types. SAM-D can engage several targets simultaneously employing only one multifunction radar.

Nike Hercules and Hawk weapons employ technology of the 1950's. Hawk has been updated with an improvement program to extend the useful life of Basic Hawk through the 1970's. This was done by replacing the first generation missiles, however, the fire control equipment of the basic system cannot be modernized. SAM-D is designed around the latest technology to provide defense against the expanding threat and to extend an adequate level of defense against the anticipated threat through the 1980's and 1990's.

SAM-D will be a less costly weapon system because of reduced manning requirements, fewer operational units needed and decreased logistics burden. For a given deployment, about one-half the number of personnel are required for SAM-D as for combined Hawk and Hercules. Studies have shown that the ratio advantage for SAM-D over Improved Hawk can be as high as five to one. Hawk and Hercules have a combined total of 30,000 weapon system peculiar repair parts. SAM-D is being designed to require about one-tenth or 3,000 peculiar repair parts. This is made possible by using the latest in microelectronic technology. This technology offers improved reliability, lower cost along with the ten to one reduction in repair parts.

Another unique advantage that SAM-D provides over existing air defense weapons is its increased performance against maneuvering targets, formation targets, and ECM tactics while simultaneously reducing the complexity of the on-board missile equipment.

SAM-D's unique guidance scheme—referred to as a Target Via Missile relay link—allows the expensive guidance componentry to be placed on the ground rather than in the missile as earlier air defense missile systems were designed. The TVM guidance link and high speed digital computers make it possible for target information to be received at the defensive missile, rebroadcast to the ground, target data processed, and defensive missile steering commands transmitted back to the missile to effect terminal guidance. This technique also provides greater accuracy than command guided missiles like HERCULES and accuracy comparable to HAWK which has missile on-board guidance computation equipment.

SAM-D is being designed to meet the most sophisticated ECM and target maneuver tactics expected in the timeframe of its deployment. The age of Nike Hercules precludes it from consideration, and the improved Hawk design and growth potential limits it to the very near future threat projections.

In replacing both Hawk and Hercules air defense weapons, SAM-D has been given the HERCULES high altitude capability. The question of such a capability is answered by recognizing that high altitude aircraft reconnaissance will provide the enemy, via modern optical and electromagnetic reconnaissance equipment, vital intelligence data on all military facilities and installations deployed in support of Field Army operations as well as considerable intelligence data concerning Field Army forces. Such information in the hands of the enemy allows him to more effectively plan his tactics against our Field Army forces and support installations. Overflights of the Field Army to attack rear areas and troops enroute to the fighting area are also a logical reason for enemy high altitude operations, hence, the need for the high altitude capability of SAM-D.

Finally, current cost figures, constrained FY 72 dollars, shown in the Department of Defense approved Development Concept Paper for SAM-D, coupled with Army studies, indicate that the total life cycle cost of SAM-D will be approximately 50% of an equally effective deployment of improved HAWK. An equally effective deployment of improved HAWK is defined as four times the number of improved HAWK batteries currently programmed.

The PRESIDING OFFICER. All time has expired.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the Senator from Mississippi may be recognized for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I thank the Senator from California.

Let me assure the membership of the Senate that the difference of opinion here among some of the committee members—and I am one of them—is not as great as might appear on the surface. We are all concerned about the cost of the weapon. I think we are all agreed that there must be a modern ground-to-air missile. However, the extent of the program and how many are matters that are still open. We will consider that again next year.

I commend the Senator from California for the work he has done. He made a very fine presentation of his viewpoints this morning and presented some excellent arguments from his viewpoint.

The Senator from California is very willing to do what appears to be best, as I understand it, and defer this matter for consideration next year.

This has several years to run. I thank the Senator for his attitude.

Mr. CRANSTON. Mr. President, I thank all Senators involved, the Senator from Mississippi, the Senator from New Hampshire, the Senator from Missouri, the Senator from Ohio, and all others.

Mr. President, I ask unanimous consent that I may withdraw my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered, the amendment is withdrawn.

Mr. MANSFIELD. Mr. President, for the information of Senators, there will be no more votes this evening.

Mr. President, I suggest the absence of a quorum.

Mr. ROBERT C. BYRD. Mr. President, would the Senator withhold that request.

Mr. MANSFIELD. I withhold my request.

The PRESIDING OFFICER. The Senate will be in order. Senators will please take their seats. The Senate is not in order.

ORDER FOR RECOGNITION OF SENATOR HARTKE TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order with respect to the recognition of the senior Senator from Indiana (Mr. HARTKE) at this time, for the purpose of calling up his amendment, be vacated and that the distinguished Senator from Indiana (Mr. HARTKE) be recognized instead on tomorrow following the disposition of the Kennedy amendment which is also scheduled under the unanimous-consent agreement entered into.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR LIMITATION OF TIME ON HARTKE AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent further that time on the Hartke amendment on tomorrow be limited to 1½ hours, the time to be equally divided between the distinguished author of the amendment, the Senator from Indiana (Mr. HARTKE), and the distinguished manager of the bill, the Senator from Mississippi (Mr. STENNIS).

The PRESIDING OFFICER. Without objection, it is so ordered.

RESCISSION OF ORDER RECOGNIZING SENATOR TUNNEY TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order recognizing the distinguished Senator from California (Mr. TUNNEY) on tomorrow following the disposition of the amendment by the Senator from Oregon (Mr. HATFIELD) be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR TUNNEY TOMORROW

Mr. ROBERT C. BYRD. Mr. President, was the request to vacate the order with respect to the amendment by Mr. TUNNEY tomorrow agreed to?

The PRESIDING OFFICER. It was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order be reinstituted.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO 9:45 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 9:45 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER VACATING RECOGNITION OF SENATOR BUCKLEY TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order previously entered recognizing the distinguished Senator from New York (Mr. BUCKLEY) tomorrow be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR JAVITS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow immediately after the two leaders have been recognized under the standing order the distinguished senior Senator from New York (Mr. JAVITS) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY PROCUREMENT AUTHORIZATIONS

Mr. STENNIS. Mr. President, I had agreed to the withdrawal of the Hartke amendment in oral conversation with the Senator from West Virginia (Mr. ROBERT C. BYRD), but I want to say something for the RECORD. I was glad to agree to the change under all the circumstances. However, we stayed here today to move this calendar along and we have had a very good day.

According to the unanimous-consent agreement, it was certainly within the prerogatives of the Senator from West Virginia, to allot time on that Hartke amendment. Some who spoke on that amendment spoke for the amendment and I spoke in opposition.

Now, the Senator from Indiana, I understand, did not understand the amendment was to be voted on tonight, so it will go over until tomorrow. I think we will have time, if we move into debate, to dispose of these matters tomorrow, including the Hartke amendment.

Then on Wednesday we will have final debate, unless something unusual or unexpected comes along, such as the so-called end-the-war amendment, and final passage of the bill will be on Wednesday.

I thank the Senator from West Virginia for his leadership and assistance. I think these unanimous-consent requests made a few minutes ago will be taken care of in the morning, and then we will begin debate on the bill at 10 a.m. Is that correct?

Mr. ROBERT C. BYRD. The Senator is correct.

Mr. STENNIS. I thank the Senator.

EQUAL EXPORT OPPORTUNITY ACT — A UNANIMOUS-CONSENT AGREEMENT ON CURTIS AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as the Senate returns to the so-called second track item tomorrow evening, S. 3726, there be a time limitation on the amendment by Mr. CURTIS of 1 hour, to be equally divided between the distinguished Senator from Nebraska (Mr. CURTIS) and the distinguished Senator from Minnesota (Mr. MONDALE), manager of the bill.

May I say that this request is being promulgated with the concurrence of the two Senators whose names I have mentioned.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the disposition of the amendment by Mr. CURTIS, should the Senator from Wyoming (Mr. MCGEE) wish to offer an amendment, he be recognized for that purpose, and in that event the time limitation on the amendment by Mr. MCGEE be limited to 30 minutes, to be equally divided between the Senator from Wyoming and the majority leader or his designee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I know there will be no questions about Senators, who are opposed to the amendment by Mr. CURTIS, obtaining time from the manager of the bill tomorrow, but it just occurred to me that the manager of the bill supports the amendment by Mr. CURTIS. However, I think I will leave that request as it is, because ordinarily the time is given to the manager of the bill, and I am sure the Senator from Minnesota (Mr. MONDALE) will yield time to any Senators in opposition thereto, so there will be no question about that.

Mr. President, I ask unanimous consent that on any other amendment, if there be such, to S. 3726, there be a time limitation of 20 minutes, to be equally divided between the mover of such and the manager of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that final passage of the bill (S. 3726) occur tomorrow no later than 9 o'clock p.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, the vote on final passage of S. 3726 may occur perhaps as early as 8 o'clock p.m., but 9 o'clock would be the outside limit in any event.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 9:45 a.m.

After the two leaders have been recognized under the standing order, the senior Senator from New York (Mr. JAVITS) will be recognized for not to exceed 15 minutes.

At 10 a.m. the Senate will resume the consideration of the unfinished business. At that time, the Senator from South Dakota (Mr. MCGOVERN) will be recognized to call up his amendment, and upon the disposition of the McGovern amendment the Senator from Oregon (Mr. HATFIELD) will be recognized to call up his amendment, upon the disposition of which the Senator from California (Mr. TUNNEY) will be recognized for the same purpose. Upon the disposition of the Tunney amendment, the Senator from Massachusetts (Mr. KENNEDY) will be recognized to call up his amendment, on the disposition of which the senior Senator from Indiana (Mr. HARTKE) will be recognized to call up his amendment.

Mr. President, I ask unanimous consent that upon the disposition of the amendment by Mr. Hartke tomorrow, the Senate resume the consideration of the second track item, S. 3726.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, upon the resumption of the consideration of the second track item (S. 3726), the Export Control Act, there will be a time limitation on the amendment by Mr. CURTIS, and upon the action on that amendment, the Senator from Wyoming (Mr. MCGEE) may or may not have an amendment. In any event, final passage of the Export Control Act will occur at no later than 9 p.m. tomorrow.

Mr. President, there will be several yea and nay votes tomorrow.

ADJOURNMENT TO 9:45 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9:45 a.m. tomorrow.

The motion was agreed to; and at 7:45 p.m. the Senate adjourned until tomorrow, Tuesday, August 1, 1972, at 9:45 a.m.

EXTENSIONS OF REMARKS

DESERVED TRIBUTE TO THE ORDER OF AHEPA

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. HARVEY. Mr. Speaker, it is a distinct pleasure for me to join with many of our colleagues in a special tribute to the Order of Ahepa which, during the year of 1972, is celebrating its golden anniversary. I am proud to point out that one of the most active local chapters of the AHEPA, not only in the State of Michigan but the Nation as well, is located within our Eighth Congressional District: the Saginaw chapter.

All of us are very familiar with many of AHEPA's contributions to worthy causes during its 50 years of existence. They have ranged from special relief help for victims of hurricane and flood disasters, not only in the United States but other parts of the world, as well as scholarship help to worthy students.

The local chapters of AHEPA are active in their own civic affairs and projects, all of which conforms to its program of urging its members to be model citizens through planned civic activity. In Saginaw, our current AHEPA officers—Pete Metropoulos, president; Christ C. Psetas, Jr., vice president; Ted J. Veremis, secretary; and Gus Paron, treasurer—continue a tradition of quality leadership that this chapter has enjoyed over the years.

I have been honored to attend AHEPA national conferences here in Washington and I am impressed by the objectives of this fine organization:

First, to promote and encourage loyalty to the United States of America;

Second, to instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind;

Third, to instill in its membership a due appreciation of the privilege of citizenship;

Fourth, to encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor;

Fifth, to pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation;

Sixth, to promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture;

Seventh, to promote good fellowship, and endow its members with the perfection of the moral sense;

Eighth, to endow its members with a spirit of altruism, common understanding, mutual benevolence and helpfulness;

Ninth, to champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

A recent release by the Order of the Ahepa contained the best possible summary of its works and activities. It read:

> The Order of AHEPA has only one axe to grind—and that is the important improvement and betterment of our social, moral and family life. All programs of the AHEPA are designed towards this end.

My congratulations and thanks to the American Hellenic Educational Progressive Association—AHEPA. May it enjoy another 50 years equal to its first 50. Our country will be better for the services rendered by this fine fraternal organization.

FATHER DANIEL E. POWER

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, July 31, 1972

Mr. HUMPHREY. Mr. President, I have just learned that our good friend, Father Daniel E. Power, has just retired as director of public affairs for Georgetown University. Father Power has been one of the outstanding community leaders in the Nation's Capital. His good spirit and light touch have impressed all who have been associated with him because those qualities have permitted him to inject a strong spirit of religious faith and political democracy wherever he has been.

I ask unanimous consent to have printed in the Extensions of Remarks an excerpt from the current issue of Georgetown University magazine commenting on Father Power's career and retirement.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> FATHER POWER RETIRES
>
> Daniel E. Power, S.J., has retired as Georgetown's Director of Public Affairs, effective June 30.
>
> Father Power established the Georgetown University Forum, a show aired by 380 radio and 11 television stations. He served as program director since the beginning of the Forum, which has been run nationally on radio since 1946 and on television since 1951.
>
> Father Power also is a founder of Channel 26, Public Broadcasting Station, and for many years was vice president of the Greater Washington Educational Television Association (GWETA). He is currently a Public Trustee and a member of the Executive Committee. In the association's May newsletter, Father Power was hailed as a "man who, by his foresight, helped to provide the aggressive leadership which put WETA/26 on the air."
>
> Father Power's duties, including production of the University Forum, have been assumed by the Office of Development and Public Relations. Program Director for the Forum will be Brian L. Moran, who has joined the public relations staff as radio-television coordinator.
>
> His other duties include handling news program and special productions for the electronic media and scheduling university personnel on radio-television talk shows. Mr. Moran, who majored in broadcast journalism at the University of Utah, was recently discharged from the U.S. Army, where he last served in the Information Office at the U.S. Military Academy, West Point.

AMERICA HONORS POLISH ASTRONOMER: NICHOLAS COPERNICUS

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. ROE. Mr. Speaker, as a member of the Committee on Science and Astronautics, I am pleased to learn that when the National Aeronautics and Space Administration—NASA—launches our next astronomical satellite from Kennedy Space Center during this coming month of August, this global space venture will carry the distinguished name of the Polish astronomer Copernicus.

I join with my colleagues here in the House in hailing this U.S. contribution to the Copernican celebration for astronomers throughout the world in commemorating NASA's Orbiting Astronomical Observatory-C to the memory and honor of the famous Polish astronomer Nicholas Copernicus as it commences its orbiting for 1 year of active life collecting detailed scientific data available only by satellite.

The Copernican year, which celebrates the 500th anniversary of the birth of the Polish scientist, who revolutionized astronomy in the 16th century, begins formally on February 14, 1973. The Copernicus astronomical satellite will be carrying experiments from the University College, London and Princeton University, New Jersey and producing the bulk of its data by that date.

Copernicus's contributions to science were many, but his crowning achievement was the recognition that it was the Sun and not Earth that was the center of the then-known universe. The Copernican revolution broke the intellectual hold of the Ptolemaic Theory, which held that Earth was the center of the universe and that the Sun revolved around it. Copernicus also described the positions of a number of planets, their relationships to the Earth and Sun, and made a number of studies of the Moon and its orbit.

Polish and other scientists throughout the world will share the data collected by the Copernicus satellite whose objectives are to study the ultraviolet and X-ray emissions of celestial bodies which contain vital clues to the composition, density and the physical state of the matter from which they originate. Normally, these rays are blocked from Earth by the filtering effects of the atmosphere.

I am sure that all of our citizens of Polish heritage can take great pride, as we all do, in NASA's proposed historic August 1972 satellite launching and we look forward to a most successful mission evolving a highly valuable international exchange of goodwill and technical information among all peoples of the world as the Copernicus spacecraft orbits around the earth during the celebration of the Copernican Year commemorating a most distinguished Polish scientist—all in outstanding public service to our people and our environment.

BOSWELL STEVENS RETIRES

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. GRIFFIN. Mr. Speaker, in a few months the man who has been one of the leading forces in the development of Mississippi agriculture will retire after a long and distinguished tenure as president of the Mississippi Farm Bureau.

My good friend, Boswell Stevens, has served as president of the Mississippi Farm Bureau continuously since 1950. Since becoming active in the Farm Bureau in 1923, he has served with great dedication to the farm community, his State and the Nation.

Secretary of Agriculture Earl Butz, who addressed the southern Commissioners of Agriculture and farm leaders at a convention in Jackson, Miss., a couple of weeks ago, paid tribute to Boswell Stevens in these words.

> No mention of farm leadership in the Magnolia State would be complete without paying tribute to one of the best known farm leaders in the country. I refer to my good friend—and fellow fighter for farm interest—Boswell Stevens. I understand that "Bos" is going to give up the presidency of the Mississippi Farm Bureau this fall after serving longer than any of today's State Farm Bureau presidents. I salute you, "Bos". But more than that, I salute what you represent: the great strength and potency of private, volunteer farm leadership in this great region, and the real promise of what's to come.

I join in the tribute to this dedicated American farm leader and my fellow Mississippian and commend him for his distinguished service over the years. I would also like to include here in my remarks a recent editorial tribute to Mr. Stevens that recently appeared in the Jackson, Miss., Clarion Ledger.

The editorial follows:

FARM BUREAU STEVENS TO RETIRE WITH A GREAT RECORD

The longest tenure of any incumbent president of any State Farm Bureau president in America will end this November when the distinguished and esteemed Boswell Stevens retires from the high position he had held continuously since July, 1950.

Friend Stevens, age 74, recalled at a recent Jackson news conference that his first involvement in Farm Bureau Federation affairs was in 1923 with the Noxubee County Farm Bureau.

Over the years he has served with rare ability and dedication at local, county and state levels to gain national prominence for his rare qualities of leadership. He headed his county AFB organization, later became a state director and was elevated to the presidency of the Mississippi Farm Bureau Federation in 1950 upon the sudden death of the beloved Ransom Aldrich.

In July, 1950, Mississippi voting delegates honored Mr. Stevens by electing him state president. He has been a member of the national Farm Bureau executive committee and Board of Directors since 1953.

Farm Bureau membership was only 16,000 family members at that time. Groundwork had been completed for new membership services in the mid-1940s. Under his brilliant direction, his state organization built extensive and solid farmer support of Farm Bureau programs. He developed an efficient staff and spirit of teamwork among agricultural agencies, and generated great grass roots enthusiasm in building a strong voice for Mississippi farmers.

Thousands of friends in every part of our state wish Boswell Stevens much happiness and good health in his coming retirement. He has been an outstanding leader in agriculture, with a solid record of achievements and honors in service to his fellow man.

His good deeds will be a lasting monument to work well done for the advancement of Mississippi agriculture.

ORDER OF AHEPA

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. JOHNSON of California. Mr. Speaker, I rise today to pay tribute to a fine organization, which on July 26, 1972, observed its golden anniversary.

The Order of Ahepa was founded 50 years ago in Atlanta, Ga. Today its program reaches into all but one of our 50 States, and is very active in my own Golden State of California.

On this occasion I think it appropriate that each of us consider the objectives of the American Hellenic Educational Progressive Association:

First. To promote and encourage loyalty to the United States of America;

Second. To instruct its members in the tenets and fundamental principles of government, and in the recognition and respect of the inalienable rights of mankind;

Third. To instill in its membership a due appreciation of the privileges of citizenship;

Fourth. To encourage its members to always be profoundly interested and actively participating in the political, civic, social, and commercial fields of human endeavor;

Fifth. To pledge its members to do their utmost to stamp out any and all political corruption; and to arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation;

Sixth. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture;

Seventh. To promote good fellowship, and endow its members with the perfection of the moral sense;

Eighth. To endow its members with a spirit of altruism, common understanding, mutual benevolence, and helpfulness;

Ninth. To champion the cause of education, and to maintain new channels for facilitating the dissemination of culture and learning.

Are these goals not goals which can be shared by each and every one of us? Let us today on the 50th anniversary of the American Hellenic Educational Progressive Association not only pay tribute to the many contributions which it has made to our great Nation over the years but also in our own hearts dedicate ourselves to personal acceptance and adherence to these objectives. There is no better way that we can achieve a better Nation.

Thank you.

A TRIBUTE TO AHEPA

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. CAREY of New York. Mr. Speaker, in July 1922—half a century ago this month—the American Hellenic Educational Progressive Association was formed, to serve the interests of the Greek American community, promote and encourage loyalty to the United States of America, and to assist the stricken victims of disaster both here and abroad.

Better known as the Order of Ahepa, the organization has performed to the advantage of millions and is highly regarded by everyone familiar with its record of accomplishment, both in the area of charitable enterprise and in patriotic purposes.

It has contributed financially to the construction and maintenance of schools and medical institutions, educational journeys and experiences, memorials to both Greek and American heroes; and has ever been the friend of the afflicted. Hundreds of thousands of dollars have gone forth from the AHEPA to the relief of hurricane victims, and persons burdened by disease.

A staunch supporter of formal education, the AHEPA has provided scholarships for the past 41 years on the local, district, and national levels. The AHEPA Hall for Boys and the AHEPA School, both of St. Basil's Academy at Garrison, N.Y., are the product of AHEPA generosity. The AHEPA Agricultural School in Greece, is another fine example. More than 40,000 American books have been donated to high school and college libraries in Greece through the generosity of the AHEPA, and the AHEPA Medal for Scholastic Excellence in the Greek language is presented annually to local Greek Schools by AHEPA chapters. Annual scholarships are awarded through the American Farm School and Anatolia College, in Thessaloniki, Greece. Surveys are conducted of courses offered in colleges and universities in modern and ancient Greek, and in the classics. Students are offered summer studies in Greece that cover the Greek language, history, and culture, through the AHEPA educational journey to Greece programs.

The local chapters of the AHEPA are active in their own civic affairs and projects, all of which activity conforms to AHEPA's program of urging its members to be model citizens through planned civic activity. AHEPA chapters are foremost in aiding and contributing to worthy fund drives.

SUPPORT FOR H.R. 15015 CITED BY CONGRESSMAN ANNUNZIO

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. ANNUNZIO. Mr. Speaker, several weeks ago I introduced H.R. 15015 whose objective it was to provide hospital and medical care to certain members of the armed forces of nations allied or associated with the United States in World War I and World War II.

I am reintroducing that measure with certain minor revisions and I am pleased to inform my colleagues that the House of Representatives of the 77th General Assembly of the State of Illinois adopted on June 15, 1972, house resolution 732 which memorializes the Congress of the United States to "consider favorably and support passage of pending amendments to title 38 of the United States Code providing hospital and domiciliary care and medical services" for those persons who fought on the side of the allies against the enemy in World Wars I and II.

Further, I am pleased to report that Gov. Richard B. Ogilvie of the State of Illinois recently issued a proclamation in support of the objectives of my proposed bill.

Additionally, the concept set forth by my proposed legislation has gained the support of such outstanding organizations as the Illinois Division of the American Legion; the National Council of the Veterans of Foreign Wars; the 82d Airborne Division Association, Inc.; the 101st Airborne Division Association; and also of the Combined Veterans Associations of Chicago, which embraces the following organizations: the AMVETS; the Catholic War Veterans; the Disabled American War Veterans; the Italian-American War Veterans; the Jewish War Veterans; the Marine Corps League, the Navy Club, the Military Order of the Purple Heart; the Paralyzed Veterans of America, the Polish Legion of American Veterans, the United Spanish-American War Veterans; the Veterans of Foreign Wars of the United States; and the Veterans of World War I.

In view of the widespread support for my proposal, I am hopeful that prior to the adjournment of the 92d Congress, both the House and Senate shall take favorable action in order that these limited medical benefits may be made available to those men who fought so valiantly along with the American and allied forces, during two world conflicts for the preservation of our freedoms, and who, because of advancing age, are in greater need than ever before of these benefits.

THRESHOLD NO-FAULT: THE INSURANCE COMPANIES' BONANZA

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. HUNGATE. Mr. Speaker, in the continuing debate over no-fault insurance, the July 1972, American Bar Association Journal article by Richard Oliver is provocative, particularly the insurance industry's claim that bills will be paid more promptly.

Having recently conducted hearings on third party prescriptions as they affect small businessmen, especially the independent retail druggists, we learned that in many cases, despite stipulated liability, payments for drugs and medicine are delayed up to 6 months.

Since the insurance companies have stated repeatedly that they can disburse funds promptly in no-fault situations, I urge them to begin immediately a demonstration of how fast they can pay under the existing third party prescription program.

As long as prescription payments are delayed up to 6 months under existing cases of admitted liability, it will be hard to persuade the American consumer his no-fault insurance claim will be paid by return mail.

Richard Oliver's article follows:

THRESHOLD NO-FAULT: THE INSURANCE COMPANIES' BONANZA

(By Richard L. Oliver)

Several States may enact no-fault automobile insurance laws in 1972. What form these laws may take, no one knows. There are as many forms of no-fault insurance proposals as there are groups advocating them, with each proposal being different from the others. As a result, most people know vaguely that no-fault insurance is being advocated by somebody, although they are not sure by whom. They have been told that no fault will lower insurance rates. This appeals to the average insurance buyer. They are told that claims under no fault will be paid promptly and that disputes will be settled by arbitration. They are also told that one obstacle now preventing the adoption of no fault is a group of selfish lawyers.

What the public generally is not told is the identity and motives of the principal sponsors of no-fault insurance. The public also does not realize that much lower benefits would be paid to most blameless accident victims under no fault. As a result, many people now believe that no fault is a good thing which would benefit the public if only we could push a group of selfish lawyers aside and get the law passed. It probably would take several years for the true effect of a no-fault plan to be recognized by the public. Meanwhile, the sponsors of no fault probably would reap millions of additional profits at the expense of the insurance buying public and of blameless persons unfortunate enough to have been injured.

There are usually two sets of reasons for any proposed social change: the stated reasons and the true reasons. Who are the principal sponsors of no-fault insurance, and what are their true reasons for sponsoring it?

No-fault is not a new idea. It has been with us for a generation. However, it never got off the ground until recently. Why? Why did this old and somewhat moth-eaten idea suddenly appear everywhere almost overnight in the newspapers, magazines, television, radio and in the mails?

There is a simple answer. For many years some insurance companies made good profits on automobile insurance, while others lost money. Some companies that lost money on automobile insurance found they made a profit on health and accident insurance. There is a reason. The amount of a claimant's automobile recovery is uncertain because it can be set by a court or jury. But the amount of a claimant's recovery under a health and accident policy is more certain because it is set by the policy itself, which provides given medical, hospital and disability benefits. Insurance companies writing health and accident policies can predict and control their losses and premiums more accurately and be more certain of making a satisfactory profit. On the other hand, it takes considerable skill, experience and efficiency for an insurance company to make a profit on automobile insurance, because courts and juries often determine both liability and the amount of a claimant's recovery.

Some time ago a number of insurance executives concluded that automobile insurance would be more profitable if it could be changed over into something similar to health and accident insurance. This proposed change has been given the name "no-fault insurance". This is why we now have a big publicity campaign by insurance companies that seek to have no-fault insurance laws enacted. They believe they can make higher profits and more money if they can put over this change.

Many insurance companies sponsoring no fault belong to an association known as the American Insurance Association. During the past two years the A.I.A. and some of the companies comprising its membership have campaigned for no fault throughout the United States, using the media of mass communication, including television, radio, newspapers, magazines and the mails. In addition, they have sponsored no-fault bills in many state legislatures. Their representatives and spokesmen frequently have appeared before legislative committees and have advocated passage of the legislation.

In 1971 I attended several of these legislative hearings in Sacramento, California. I heard representatives of the A.I.A., speaking before legislative committees, say frankly that they supported no-fault insurance because they had lost money writing automobile insurance, and they thought they would make more money if the system were changed to no fault. They stated candidly that this was their reason for supporting no fault. They added, of course, that they thought no-fault insurance would be a good thing for the public. Thus, there is no secret about who is sponsoring no-fault insurance or why they are sponsoring it. This is not generally known by the public, however, because this information usually does not appear in the publicity released for public consumption.

Many social movements originate at the grass-roots level. No fault is not that kind of movement. It did not originate among automobile insurance buyers or automobile accident victims. The big push for no-fault insurance originated at the top of the insurance industry. It is now being brought down to the grass-roots level by a high-powered publicity campaign through all the mass media of communication.

However, this publicity campaign does not tell the public that insurance companies want no fault in order to make higher profits. Instead, the public is told that no fault would mean lower insurance rates. The public is not told that most blameless accident victims under no fault would receive far less than they do today. Instead, the public is told that benefits would be paid promptly and that courts and lawyers usually would be avoided. The publicity does not emphasize that the companies that now delay so long in paying claims would be the same companies that under no fault presumably would pay claims promptly without the need for lawyers or courts. Are we to assume that these insurance companies would suddenly become converted to a new moral code? If so, why must they wait for no fault before they start practicing this reformed way of life? Why can't they observe that new moral code now and pay claims without delay now under our present system?

CERTAIN RIGHTS WOULD BE UNJUSTLY DESTROYED

Most no-fault plans contains a medical expense threshold provision that would destroy the present rights of most blameless automobile accident victims to be compensated for the pain and suffering they undergo from an accident. Under the Massachusetts no-fault law, for example, the medical expense threshold level is $500.

To show how the present rights of a blameless automobile accident victim are unjustly destroyed under this system, take a simple illustration. Suppose a housewife driving an automobile to a supermarket is struck from the rear by a negligent driver and sustains a painful whiplash neck injury that requires her to wear a neck collar for several weeks and to undergo medical therapy for six months at a total medical cost of $400. Under the present law, this housewife would be entitled to have her $400 medical bill paid by the other driver's insurance company. In addition, she would be entitled to have a reasonable amount for the pain and suffering she endured for six months. Most judges, juries and lawyers would agree that a total settlement of $2,000 would be considered reasonable in this case—$400 for her medical bill and $1,600 for the pain and suffering.

Under a no-fault law with a $500 medical expense threshold, this same housewife would receive only the payment of her $400 medical bill. She would receive nothing whatever for the six months of pain and suffering she endured through no fault of her own. No fault would take away from this blameless accident victim 80 per cent of her present benefits.

Approximately 80 per cent of all injury claims have medical expenses under $500. This means that under this type of no-fault law, eight out of every ten blameless accident victims would receive only about 20 per cent of the amount they are now entitled to receive, and that they would lose about 80 per cent of the benefits to which they now are entitled.

By contrast, if this same housewife should slip and fall in the supermarket because of the market's negligence and suffer the same injuries, she would be entitled to receive payment of her $400 medical bill, and in addition she would be entitled to receive approximately $1,600 for the pain and suffering she endured from her injuries.

Thus, this no-fault law would create two classes of justice for persons receiving similar injuries. We would continue to provide first-class justice for all blameless accident victims, except automobile accident victims. We would provide second-class justice for automobile accident victims whose medical bills are less than $500 and allow them no recovery whatever for pain and suffering. But we would provide first-class justice for blameless automobile accident victims whose medical bills were more than $500 and who would also receive reasonable compensation for pain and suffering. In other words, this no-fault insurance proposes to provide second-class justice for approximately 80 per cent of all blameless automobile accident victims.

MASSACHUSETTS EXPERIENCE ILLUSTRATES NO FAULT

The experience in Massachusetts, the first state to adopt a no-fault insurance law with a $500 medical threshold level, illustrates graphically what happens to accident victims and to insurance company profits. The January 17, 1972, issue of *Barron's* reports that for the last six months before the adoption of no fault, the insurance companies in Massachusetts paid approximately $4,000,000 in benefits to automobile accident victims. But during the first six months after the adoption of no fault, these same companies paid accident victims approximately $800,000, or only 20 per cent of the benefits formerly paid. Is it not reasonable to assume that the remaining $3,200,000, which was retained by the insurance companies in their treasuries, probably would have been paid to accident victims had the law not been changed to no fault? Meanwhile, bodily injury automobile insurance rates in Massachusetts were reduced only 27.6 per cent as compared to the reduction of benefits to claimants of 80 per cent. These figures illustrate some of the true reasons why the insurance industry is supporting no-fault insurance.

Insurance companies that advocate the threshold form of no-fault insurance are really seeking to reduce benefits for blameless accident victims without providing for a corresponding reduction of insurance company profits. Is this fair?

One reason some people may support no fault, to their future regret, is that they think as a buyer of insurance rather than as a potential future accident victim. Most people own automobiles and buy automobile insurance each year. They are very much aware of automobile insurance costs. They seldom think that someday they might be injured. However, on the law of averages most drivers will be injured in an automobile accident sometime during their lifetimes. They should also reflect on what benefits they believe they should receive when it becomes their turn to be the accident victim.

Many people believe that under no fault there will be a large reduction of insurance premiums. This is a hoax. No fault, if enacted, will apply only to the bodily injury portion of the premium, not to the entire premium. Insurance policies make different premium charges for bodily injury, property damage, fire, theft, comprehensive, collision, medical reimbursement and uninsured motorist. Under no fault, all of these charges would remain the same, except that for bodily injury coverage, which is usually only 20 to 25 per cent of the total premium. Thus, if no fault should make a saving of 20 per cent on only the bodily injury portion of the total premium, there is a saving of $5 or $6 for each $100 of total premium. And even this is mostly hot aid and speculation, for not one no-fault insurance proposal guarantees any reduction whatever in premiums.

In 1971 I debated no fault over a Los Angeles radio station, KFI with a representative of the American Insurance Association. He made the claim that no fault, if adopted in California, would save California motorists approximately $50,000,000 a year in premiums. This sounded very impressive except for the fact that in 1971 more than 10,000,000 private passenger automobiles were registered in California, so that this estimated saving of $50,000,000 divided over these 10,000,000 plus automobiles would equal a premium reduction of a little less than $5 per car per year.

Many well-informed actuaries say no-fault insurance will not lower insurance costs at all. Under the most optimistic estimates of most no-fault proponents, the saving on insurance premiums would not be more than $4 or $5 per year per automobile. The insurance industry seeks to persuade us to destroy 80 per cent of the present rights of blameless automobile accident victims in order that insurance companies can make higher profits and in order that insurance buyers may or may not be able to save as much as $4 or $5 per year. This is some of the truth about the cost of no-fault insurance.

If the cost of insurance is the only consideration and there is no concern about benefits, then it would be possible to have life insurance at half its present cost. We could provide that the insurance company should pay only half a policy when a policyholder dies. Fire insurance could be obtained for half price merely by providing that in case one's house burns down, the insurance company would pay only half instead of its full value. Of course, we can have automobile insurance a little cheaper if we wish to provide under a no-fault law that a blameless accident victim shall receive only 20 per cent of present benefits. But do we want to do this? Is not the price too drastic for the slight saving?

It has been the law since the dawn of modern civilization that if one person negligently injures another, he should pay not only the injured person's medical expenses and loss of earnings, but he should also pay a reasonable amount for the pain and suffering he negligently inflicted. Our civil rights to be free from unwanted pain and suffering and not to have our happiness destroyed—in other words, our human rights—have always been considered as important, or even more important than our property rights. The threshold type of no-fault insurance proposes to destroy these rights we have always valued. It also proposes to destroy a substantial part of our property rights.

The person who will truly suffer under the threshold type of no fault is the blameless accident victim. The insurance company will not suffer; it plans to make more money. The buyer of insurance will not suffer; his rates may be slightly lower, although not nearly as much as he has been led to expect. Much of the saving made at the expense of the blameless accident victim will be retained by the insurance company as additional profits, as illustrated by what has happened in Massachusetts under its no-fault system.

Accident victims are not organized. An accident can happen to anyone. It may be the bank president or the bank janitor, an old age pensioner, a housewife or a small child, all with little in common except that they have been injured in an automobile accident. The people who would lose under no fault haven't even been injured at this time. They are walking around in normal health with no knowledge that later they are to be automobile accident victims. Instead of thinking as future accident victims, they think as insurance buyers, and they assume it is the other person who will be injured in an accident.

Since blameless accident victims are the only group that will be harmed and shortchanged by the threshold type of no-fault insurance and since they are unorganized and have no way of organizing or of knowing each other or of having a spokesman, it follows that there is only one group in our society that knows the plight and prospective harm they await under no fault. That group is composed of the lawyers who represent accident victims and know what is happening and know what is going to happen to blameless accident victims under a threshold type of no-fault insurance.

These lawyers know what is going on and are doing their utmost to prevent the blameless accident victim from being carved up as a sacrificial lamb by the insurance industry on the altar of higher profits. Organized labor is not speaking up, even though many of their members will be heavy losers under no fault. Management is not speaking up. Neither is the farmer nor the city dweller. Lawyers are the only group standing up to be counted on behalf of the blameless accident victim.

One would think the consumer groups would be coming to the rescue of the blameless accident victim. The consumer of automobile bodily injury insurance is not the insurance company. The ultimate consumer is the blameless automobile accident victim. If anyone should speak up for him and oppose the threshold type of no-fault insurance, shouldn't it be the Special Assistant to the President for Consumer Affairs? But incredible as it may seem, we recently saw the spectacle of an attack by Virginia Knauer, who holds that office, on that part of the legal profession that has been leading the fight to protect the insurance consumer.

LAWYERS REPRESENT AN OBSTACLE TO INSURANCE COMPANIES

Since lawyers represent an obstacle to insurance companies and their hopes for no-fault insurance, it is not surprising that the companies have mounted a publicity campaign against lawyers and accuse them of opposing no fault for selfish reasons. Insurance companies would have us believe that their motives are commendable while they advocate no fault in order to make higher profits, but that lawyers show bad faith in opposing no fault.

There are two answers to this attack. First, the plaintiff's lawyer usually works on a contingent-fee basis whereby he charges nothing if he loses and usually one third if he is successful in obtaining a recovery for his client. The plaintiff's lawyer would lose this fee of one third in those cases in which, under no fault, recoveries are abolished. However, the irony of it is that while he loses this one third of the recovery, the unfortunate blameless accident victim loses the other two thirds, as no fault would abolish the recovery entirely. The blameless accident victim loses twice as much as the lawyer.

Second, if no fault should be adopted and the services of the plaintiff's lawyer are no longer needed, he will not close his office or withdraw from the law practice. He will change his practice and enter other fields of law, and he will continue to earn a livelihood as a lawyer. He may be inconvenienced by no fault, but he will not be put out of business. However, the blameless accident victim will be put out of business. He cannot turn to another part of his profession. His rights will be permanently destroyed, and he will have no place to go where he may have them restored. He will have had it. Such is the glory of no-fault threshold insurance.

Contrary to the distorted picture of lawyers painted by the insurance industry and those allied with it, the fact is that lawyers favor almost all parts of the no-fault proposals now being advocated, except for the threshold feature. For example:

No-fault sponsors want insurance that will pay medical and hospital bills promptly, regardless of fault. Lawyers favor this.

No-fault sponsors want insurance that will pay disability benefits promptly to disabled wage earners, regardless of fault. Lawyers favor this.

No-fault sponsors want smaller cases handled by arbitration instead of courts. Lawyers favor this.

No-fault sponsors favor compulsory insurance. So do lawyers.

No-fault sponsors favor highway safety programs to reduce accidents. So do lawyers.

No-fault sponsors favor safer design of automobiles to reduce injuries. So do lawyers.

No-fault sponsors favor limiting multiple payments of medical and disability benefits. So do lawyers.

No-fault sponsors want uninsured motorist coverage to be made compulsory. So do lawyers.

In fact, lawyers favor about 90 per cent of the changes advocated by no-fault proponents. There is only one big and very important area in which lawyers oppose the insurance industry on no fault, and that is the threshold feature that would set an arbitrary medical limit to take away from blameless accident victims their present rights to recover damages for pain and suffering. The threshold proposal is morally and legally wrong. On this one issue, lawyers should fight without compromise. There is absolutely no reason as a matter of moral principle for the insurance industry to ask a blameless automobile accident victim to give up 80 per cent of his present rights so that the insurance companies can make more money or a motorist can save $4 or $5 a year on insurance premiums.

It is wrong in principle for a person whose medical bills are $499 to get nothing for pain and suffering while one whose bills are $501 should receive $2,000 or $3,000 for pain and suffering. It is wrong in principle to make second-class litigants of blameless accident victims and to give them second-class justice while others get first-class justice. It is class legislation without reasonable justification, directed at an unorganized group in our society who at this time do not even know they are the future blameless accident victims whose rights are being destroyed.

Lawyers will support no-fault proposals that do not take away from a blameless accident victim any of his present rights. But they will vigorously oppose placing any threshold provision in no fault which seeks to destroy any of the present rights of these victims. If they are slandered by the insurance industry or by the press or by politicians for doing this, it is a small price to pay for a just cause.

Lawyers will continue without apology and with pride to fight on behalf of present and future blameless accident victims. They invite all others to help in the battle to save innocent accident victims from having their rights plundered by the insurance industry for higher profits.

When a profession of private practicing lawyers tries to thwart the designs of an organized, $40 billion industry that has access to all channels of mass communication, it is not an even contest. It cannot be won by lawyers alone. Their hope is that by fighting courageously and vigorously to protect the blameless accident victims of the future, they can alert the public before it is too late.

ORDER OF AHEPA CELEBRATES ITS GOLDEN ANNIVERSARY

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. ARENDS. Mr. Speaker, 50 years ago, on July 26, the Order of Ahepa was founded. They have been 50 years of growth and 50 years of accomplishments too numerous to mention.

It is a nonpolitical, nonsectarian, fraternal organization dedicated to education and to the promotion of our American way of life. One of its foremost objectives is to promote and encourage loyalty to the United States. It does so by instilling in its membership an appreciation of what it means to be a citizen of the United States.

It has, indeed, contributed a great deal for the promotion of our American way of life. And needless to say, in these difficult times we need to remind ourselves how fortunate we are to live under the "Stars and Stripes."

During these past 50 years the Order of Ahepa has contributed financially to many worthy causes, and its 430 local chapters throughout the United States have given of their time and resources for worthy local community undertakings.

I take this opportunity to congratulate the Order of Ahepa, its officers and all its members, for all that they have accomplished for the betterment of all of us. I wish this very fine organization continued success in the coming years.

AHEPA GOLDEN ANNIVERSARY

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. HICKS of Washington. Mr. Speaker, I am pleased to join with my colleagues in paying a well-deserved tribute to one of America's most distinguished fraternal organizations—the Order of Ahepa. Founded 50 years ago in Atlanta, Ga., the AHEPA family has grown to 430 local chapters in 49 States, Canada, and Australia.

As you know, AHEPA's record of service to its fellow man, both here and abroad, has embodied the highest ideals of Hellenic tradition. For half a century it has generously given of its time and money to aid disaster victims from the Mississippi Delta to the villages of Ecuador; it has supported orphanages, hospitals, schools, and libraries in Greece; and it has contributed annually to local community programs, such as scholarships for needy students.

Of great importance to us all is the fact that AHEPA has helped preserve the rich cultural heritage of the Greek people throughout the world. Through its labors the bonds of friendship between the people of Greece and the United States have been strengthened.

Mr. Speaker, while the impact of AHEPA has been felt around the globe, its emphasis has always been focused upon the very foundation of our society—the family. As you know, their work is carried on through the AHEPA "family": the Order of Ahepa, the Daughters of Penelope, the Sons of Pericles, and the Maids of Athena. And, anyone who has ever attended an AHEPA convention can tell you that they are family conventions. Every member of the family is in attendance and all are included in the work and festivities.

Again, I wish to salute this fine organization on its golden anniversary and to take special note of the Tacoma chapters and their officers: Spiro J. Kalivas, Elias Panges, Nicholas Vitos, and Phillip Sgouros; Mrs. Pauline Ginnis, Mrs. Mary Basil, Mrs. Bess Javaras, Mrs. Kathryn Turlis, and Mrs. Gladys Caras; Miss Angela Bulldis, Miss Gloria Tshida, Miss Irene Tomaras, and Miss Tina Pantelis.

FIFTY YEARS OF SERVICE BY THE ORDER OF AHEPA

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. FLOOD. Mr. Speaker, in the course of our history as a nation, America has been blessed with an abundance of citizen participation. We are fortunate in this fact because it is the only way that a democracy can work.

For 50 years, the Order of Ahepa has dutifully encouraged such citizen participation. It is fitting that the American Hellenic Educational Progressive Association should be engaged in such an endeavor for it was ancient Greece that nurtured and formulated the first concepts of democracy.

AHEPA has always encouraged its members to be profoundly interested in and to actively participate in political, civic, social, and commercial fields of endeavor. It has also sought to instill in its membership a due appreciation of the privileges of citizenship. It is doubtful that the original founders, meeting in a classroom of the Greek Orthodox Church in Atlanta, Ga., some 50 years ago, could have guessed how far-reaching their actions would be. From that small meeting on July 26, 1922, AHEPA has grown to a membership bordering on the 100,000 mark. From one small chapter AHEPA has extended its jurisdiction to 49 States, Canada, and Australia with 430 local chapters.

The primary objective of this large international organization has been that of service. Many worthy causes, both on a national and an international level, have been the recipients of AHEPA generosity. At the local level, AHEPA chapters have always given generously and vigorously in support of local community undertakings in the fields of education, charity, and civic improvement.

At the local and at the national levels, AHEPA has always been in the forefront of patriotic efforts. During World War II, AHEPA was responsible for selling half a billion dollars in war bonds as an agent of the U.S. Government. Following the war, AHEPA was instrumental in aiding the victims of colossal devastation through the Greek War Relief Association. In addition to this effort, AHEPA established hospitals in Athens and Thessaloniki and seven health centers in other parts of Greece. A shelter home was founded in Athens as well as a war orphans program for the country as a whole.

AHEPA has also provided assistance for the fatherless children of refugees through the Near East Relief. AHEPA has, of course, always made a special effort to aid the victims of disaster, whether of natural or man-made origin.

Over the years, AHEPA has acquired an enviable reputation for achievement. AHEPA has championed the cause of education. It has also successfully fought for the freedom and self-respect of minority groups in its justice for Greece and justice for Cyprus programs.

The members of AHEPA can be justifiably proud of the accomplishments of their organization. AHEPA truly represents the best aspects of service-oriented organizations. America is fortunate in having such a patriotic and civic-minded advocate. On this, the 50th anniversary of AHEPA, it is only fitting that we extend a special measure of praise to this outstanding fraternity.

CAPTIVE NATIONS WEEK, 1959–72

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. STEIGER of Arizona. Mr. Speaker, since July 1959, when Congress unanimously passed the Captive Nations Week resolution, the American people have annually observed Captive Nations Week in the third week of July. Each observance made its successful mark, and the 14th observance in 1972 was no exception, especially in view of the euphoric atmosphere in our country. The following examples show the basic American feelings and attitude toward the one billion of mankind still kept in the bondage of totalitarian and imperialistic Communist rule: First, proclamation by Mayor Henry W. Maier of Milwaukee and Mayor Roman S. Gribbs of Detroit and second, a penetrating article in the VFW magazine on "Conscience and Stalin's Ghost" and the program at Georgetown University featuring the Honorable Philip M. Crane of Illinois on the subject of "The Captive Nations and U.S. Policy" and third, resolution adopted by Americans for Freedom of Captive Nations.

PROCLAMATION

Whereas: The imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba and others; and

Whereas: The desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas: The freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas: The Congress of the United States, by unanimous vote, passed Public Law 86–90, establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples;

Now, therefore, I, Henry W. Maier, Mayor of Milwaukee, do hereby proclaim the week commencing July 16, 1972, as Captive Nations Week in Milwaukee, and I call upon all citizens to join in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

CAPTIVE NATIONS

The reality of captive nations existing in Eastern Europe, the U.S.S.R., Asia and the Caribbean cannot be ignored if we value our own freedom.

The prime Communist objective has been to obtain Western acquiescence to their goal in holding under their control twenty-seven European nations.

Detroit has many residents with close personal and family ties with the peoples of Albania, Armenia, Byelorussia, Bulgaria, Cossackia, Crotia, Czechia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, Serbia, Slovakia and the Ukraine, who feel the hand of Communist dictatorships.

It is of great importance for us to morally sustain the hope and faith of the captive peoples in their eventual freedom.

Therefore, I, Roman S. Gribbs, Mayor of the City of Detroit, issue this proclamation calling attention to the plight of those who live from day to day in the captive nations of the world.

[From the V.F.W. magazine, June, 1972]

CONSCIENCE AND STALIN'S GHOST

(By David Green)

Stalin may have been dead for nearly 20 years, but his spirit seems to be alive and well in the USSR.

Just how much more of the Stalinist era's repressive malignancy has carried over into present-day life in the Soviet Union may soon be revealed if the fears of many in the West are realized.

The USSR consists of the world's largest land mass with the second largest population, approximately 240 million. Land and peoples are divided among 15 republics. Largest is the Russian Republic, which has a population of nearly 130 million. Among the others are Lithuania, Latvia, Estonia and Ukraine, with proud traditions of liberty arising in the mists of history.

Other republics also are trophies of Russian imperialism over the past four centuries: Kirghiz, Tadzhik, Kazakh, Armenia, Georgia and Azerbaizhan.

They surround Russia proper like great puffballs to soak up the punch of any invaders, for Russia has never forgotten the nudity of its borders. With a second rank of buffer states in Eastern Europe, Russia conceivably could convert the inner Soviet republics into a homogeneous, Greater Russia.

Ukraine, with 46 million, is the most significant state of the inner circle. Its population is too big to resettle, as Stalin *once* complained, too steeped in its own history to succumb easily to a divorce from its past, too different from the Russians to blend in the Marxist melting pot. And Moscow has not forgotten the Ukrainian risings in support of the Germans in 1941 and 1942. They thought the Teutons had come as liberators.

Concern is mounting that the arrest of a 24-year-old Belgian citizen last January in the USSR will soon trigger a "monster show trial" reminiscent of those parodies of justice that took place in the 1930s during the Great Purge.

Except for the brief announcement in "Radyanska in Ukraina," of Feb. 11, that Yaroslav Dobosh had been accused of coming to the Soviet Union "for the purpose of carrying out a criminal mission for the foreign anti-Soviet center—the Bandera-OUN (Organization of Ukrainian Nationalists)—which is financed by imperialist secret services and used by them to carry out diverse activities against the Soviet Union," little is known definitely.

However, for several months there have been waves of arrests of writers and other intellectuals in the Soviet Ukraine. The article announcing Dobosh's seizure noted that three others "have been taken to task for engaging in hostile activity directed against the socialist order."

They were I. O. Svitlychny, a literary critic who was a KGB prisoner for eight months in

1965 for allegedly smuggling another writer's manuscripts abroad; Vyacheslav Chornovil, who spent three years in prison for exposing illegalities in the trials of writers in 1965–66, and Yevhen Sversyuk, who defended a banned novel.

Besides these, 16 others were arrested in Kiev, Lvov and Ivano-Frankivsk in mass raids last Jan. 12 and 13. Included among them were Ivan Dzyuba, whose "Internationalism or Russification?" published in the West in 1969 won for him expulsion from the Writers' Union, and Zinoviya Franko, grand-daughter of Ivan Franko, one of Ukraine's most celebrated pre-Communist poets.

Alarm that she has been prepared as a witness against the others has been engendered by the publication last March of a "self-criticism" in which she admitted her "guilt" in carrying out "anti-Soviet activity" and in distributing "slanderous anti-Soviet" materials abroad. She concluded, "I will do penance for my guilt before the people."

One Western observer said "this shopworn form of personal degradation has not been practiced for a number of years, which makes its application in her case all the more remarkable. If the KGB has decided to employ such rusty instruments to keep the intellectuals in check, it must be aware of the risks involved. Zinoviya Franko's statement, even to the uninitiated observer, is obviously anything but a spontaneous expression of guilt . . . they do not flow from the pens of competent scholars like her but are unmistakably a KGB product forced on her."

Apparently also the ones now facing trial are being used as pawns in the Sino-Soviet conflict. Soviet Ukrainian press comments on the Dobosh case have mentioned a "pro-Chinese Ukrainian group" even though the OUN-Bandera referred to earlier is pro-Nationalist China.

One of the most blatant cases of Russian suppression is that of Valentyn Moroz now serving an additional nine years' sentence for writing "A Chronicle of Resistance" (which appeared Feb. 1971).

While the so-called offenses of other imprisoned writers generally have been "proven" to be "crimes" against the people, they are not political prisoners in the usual—espionage, sabotage or treason—sense. In some cases, their error was in championing a cause that has gone out of style because of the twists and turns in the Soviet political line.

In 1958, for example, a declaration by delegations of Ukrainian, Czech and Slovak writers in "Zakarpatska Pravda" extolled the cordiality and sincerity of their meeting on "pressing literary problems," and they vowed to continue to strengthen their creative relations as "our sacred duty to the fraternal peoples of Czechoslovakia and the Ukrainian SSR."

A dozen years later, with the warm sun of destalinization past its zenith, a letter to Oles Honchar, secretary of the Ukraine Writers Union, moaned, "How happy would the literary and cultural community of our republic . . . be to hear . . . about a congress . . . of people interested in Ukrainian studies, and . . . language courses for writers-translators from other republics."

Smuggled manuscripts and documents or publications, such as the Honchar letter, have been assembled in a frightening dossier for the UN Human Rights Commission.

"Violation of Human Rights in Ukraine—Documents" published in 1970 by the World Congress of Free Ukrainians reveals some of the details, such as forced Russification, discrimination based on national origin, persecution of churches, arbitrary arrests and deportations, secret trials, subjection of people to cruel, inhuman and degrading treatment and denial of freedom of movement, thought, conscience, religion, opinion, expression, peaceful assembly and association.

Combined with careful study of day-to-day reports from the Soviet Union, this tends to reinforce evidence that Russification guides Soviet policies.

One can only speculate on its significance today, but there are some clues.

Russia, it may be surmised from the reaction to any questioning of policies, puts Russia first, ideology second. In this light, the persecutions appear aimed at routing out and destroying individual nationalism. And the Soviet Union is well organized to uncover and punish such deviations.

A favorable review of Honchar's book "Sobor" ("The Cathedral"), later banned, cost S.Y. Shyinin his Communist Party card and his newspaper job. An evening of reading Ukrainian poetry was dubbed by the Russian carpetbaggers in top party policy positions as being nearly in the class of a counter-revolution. A director was fired for staging a Ukrainian play.

Thus, the post-Stalin easing of Soviet strains, internally and externally, probably is ending.

Although the 1971 Soviet budget called for more consumer goods, the line of liberalism was drawn when it came to "imitation of Western stars' body wiggling and face-pulling" by Russian pop singers. That criticism, by the way, came from Leonid Utyosov, 75, a popular dance band leader.

Expulsion from the Communist Party is serious punishment for an offending intellectual. He can be jailed (with or without hard labor), or just cast loose, a situation in which he can find no employment and no outlet for his talents.

The state may not let him starve, yet the work he will be permitted to find will not pay enough to let him eat properly. Someone like Chornovil could subsist properly only because his doctor-wife continued to work and remained in party favor.

Intellectuals in the USSR are forces to be watched. Two of Russia's last three Nobel Prize winners for literature, Alexander Solzhenitsyn and Boris Pasternak are celebrated in the West but unsung in their own lands, while Mikhail Sholokhov has at least had wide domestic recognition.

(In the case of Solzhenitsyn, who spent eight years in one of Stalin's prison camps, there is a satisfying irony in the message of congratulations to him, smuggled out of a forced labor camp south of Moscow from a dozen inmates. "Unfortunately," they wrote, "barbed wire and automatics in the hands of unthinking boys deprive us of the possibility to express to you personally the depth of our delight in your courageous work."

(Within hours the Soviet Novosti press agency began saluting Solzhenitsyn as a man of the "morbid self-importance" who "made of his loneliness not a tragedy but a business.")

They don't all go so quietly when packed off to prison. Andrei Amalrik, 31, author of "Involuntary Journey to Siberia" and "Will the Soviet Union Survive Until 1984?" (it won't, he says in the latter, anticipating a showdown with China), declaimed at his trial: "I think I am a better patriot than those who shout about their love for the fatherland but mean by that, love for their privileges . . ."

So Amalrik gets tucked away; Yuri Daniel goes free. Daniel, whose imprisonment with Andrei Sinyavsky in 1966 touched off an international furor, is forbidden to visit Moscow as one of the terms of his early release. He, too, could end up as a tractor driver or minor writer, condemned to produce each day, but fated never to publish.

Zhores Medvedev is back in circulation, too. A top-flight physiologist, he has been given a senior research position in Borovsk where he may languish nicely out of sight of Moscow. He had been in a mental hospital. He was the man who dashed the nonsense of Trofim Lysenko, Stalin's favorite charlatan geneticist. Possibly even that debunking wasn't so bad; but he also was the author of a major—unpublished—work on Soviet barriers to international scientific cooperation.

Again it must be emphasized that virtually all of these people—and there are thousands more, possibly; no one can say how many—are guilty of honesty, or a desire for reform, or progress, or recognition of individualism. They write letters to editors, to Party or union secretaries.

Word steals out from Soviet forced labor camps, into the Iron Curtain cities, to circulate in mimeograph form or in some underground newspaper, and filters through to the West.

One tells how a Ukrainian, Vasyl Makukh, burned himself to death in Kiev in protest against Russification and persecution in the Ukraine.

Ukrainian prisoners are able to sneak word through of their plight:

"We the Ukrainian political prisoners . . . were arrested for demanding improvements in the condition of Ukrainian workers and defending the rights of the Ukrainian language, education, and culture . . . Having failed to break us morally, the KGB are trying to transform us biologically from intellectuals into primitives.

"Poison is also added to the food in the camp. We have done a number of tests and have proved this to be true . . . Food packages from home are even more strongly poisoned . . . When we complained . . . we were transferred to separate cells . . . we live under electric lights all day with the exception of one hour each day when we walk outside . . ."

"A Letter from the Creative Youth of Dniepropetrovsk" to the chairman of the Ukrainian Council of Ministers was circulated in manuscript form. It cited the punishment of various writers, "accused of that fantastic 'Ukrainian bourgeois nationalism' invented in the building at Korolenko St. (KGB headquarters).

"In fact they were punished for their concern about the fate of the Ukrainian language and Ukrainian culture in madly Russified Dniepropetrovsk. The question arises, why people of high principles are so easily disposed of, dismissed from universities, expelled from the Party and dismissed from work? Are they criminals? Not really. Real criminals live quite comfortably.

"Is it possible that these honest citizens of the Ukrainian SSR who perceived their people's tragedy, who cannot renounce their native language and cannot renounce themselves, are enemies? Regarding this, a great Russian writer, V. Soloukhin, said: 'If I were born a Ukrainian, I would never want to be a Russian.' "

Conscience, stalked by Stalin's ghost.

The American Foreign Policy Forum

Sponsored by: Georgetown University Summer School and the Institute on Comparative Political & Economic Systems.

Presents the Honorable Philip M. Crane, Member of Congress from Illinois.

Speaking on "The Captive Nations and U.S. Policy," Tuesday, July 18, 8:00 p.m., New South Faculty Lounge.

Congressman Crane has won wide recognition nationally as an educator, author, and lecturer. He served on the faculty of Indiana University and Bradley University. Since 1968, Dr. Crane has worked as an educational consultant and President of the Foundation for Human Rights. Dr. Crane serves on the Board of Directors of the Intercollegiate Studies Institute and the Senior American Advisory Council of the World Youth Crusade for Freedom. In 1969 he was elected to Congress from Illinois' 13th Congressional District. He serves on the Banking and Currency Committee and the House Administration Committee in the House of Representatives.

AMERICANS FOR FREEDOM OF CAPTIVE NATIONS

Resolution adopted by the Freedom Rally on Saturday, July 15, 1972, at City Hall and County Mall in Los Angeles.

Mindful of a mounting Communist danger to freedom and rightful law in this country and all the world, we, Americans for Freedom of Captive Nations and citizens of Los Angeles gathered on July 15th, 1972 at the Captive Nations Freedom Rally in Los Angeles, do adopt and proclaim the following resolutions:

(1) We shall devote our ever increasing efforts to fulfilling the purpose of Captive Nations Week, as proclaimed in Public Law 86–90. We shall support the President's proclamation by informing the nation on the plight of the Captive Nations each year and all year . . . until freedom and independence . . . have been achieved for all the captive nations of the world.

(2) We regard as our duty to speak out on the true nature of Russian imperialism and its tool—Communism. Knowing the methods and modes of operation of the illegal pseudo-governments led by Red Moscow, we consider the so-called "cultural exchange" program in its present form as false and harmful, in that it gives Red Moscow a convenient disguise to spread red propaganda in our entire United States.

(3) We support the endeavors of the President and Members of Congress directed toward stopping the continuing Red aggression and the Red oppression of enslaved nations which are so courageously striving for freedom.

(4) We remember, on the fortieth anniversary of the dreadful famine of 1932–33 in the Ukraine, the 8 million victims who lost their lives in it. We state, that Red Kremlin deliberately caused and maintained that famine which is a true case of unrestricted mass genocide.

(5) We remember ten thousand Polish officers massacred by the Soviets in 1940 in the Katyn Forest.

(6) We remember the hundreds of thousands of victims murdered in the Baltic States—Estonia, Latvia and Lithuania, since the Soviet aggression in 1940.

(7) We remember the hundred thousand Croats—prisoners or war—murdered at Bleiburg-Maribor by Tito's guards.

(8) We remember how Communists ambushed King Boris the Third of Bulgaria killing Ilchev, then murdered Gen. Konstantin Georgiev and dynamited the cathedral church Sveta Nedelya in Sofia on April 16, 1925 during the funeral mass, killing 125 and maiming 500. We remember the two hundred thousand Bulgarians murdered in the Sept. 9th, 1944 takeover of Bulgeria by Soviet military force and the Fraternal Front of Moscow henchmen.

(9) We remember the two hundred thousand Hungarians murdered by the Soviets in and after the Hungarian Uprising of October 1956.

(10) We remember the many millions of people murdered, deported and enslaved by Communist conspiracies in all countries under Communist rule—such as Albania, Armenia, Bulgaria, Byelorussia, Croatia, Cuba, Czechoslovakia, Estonia, German People's Republic, Hungary, Latvia, Lithuania, Mainland China, North Korea, Poland, Romania, Slovakia, Soviet Union, Ukraine and Yugoslavia. We demand that the perpetrators of such murders and crimes against nations and peoples be brought to justice.

(11) We ask for steps toward an international condemnation of Red Kremlin for its aggression policies.

(12) We send greetings to all enslaved peoples. They remain free in their mind and resist the Communist brainwashing. Their youth, born under occupation rules, has discarded the false doctrines and knows of freedom, hoping to attain it in the near future.

(13) We ask all free people to unite in repelling Red brutality rule and rejecting Red claims for supremacy over freedom.

WHAT TO DO WITH JANE FONDA?

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. BRAY. Mr. Speaker, I have had some rather irate letters about what action should be taken with Miss Jane Fonda, who has made some pretty wild and unsubstantiated accusations against her country lately.

I submit that Scott Alexander, editor of the Franklin, Ind., Daily Journal, has a novel and rather intriguing idea. Following is his column from the July 16, 1972, Journal:

COUNTY CHATTER

(By Scott Alexander)

Judging from some of the coffee-cup banter of late, quite a few folks around these parts are getting "mighty sick and tired" of reading and hearing about the "world traveler" exploits of actress-activist Jane Fonda and a host of other entertainers who exploit their notoriety by projecting opinions about everything from "soup to nuts."

"What does she know about anything anyway," exclaimed one of the coffee-cup regulars. "Just being an actress . . . if that's what she is . . . doesn't give her any special insight into the world's problems," he added.

"I don't mind if she 'does her own thing,' " said another. "If she doesn't like our country or the way we do things, that's her privilege," the businessman added. "But I don't think the newspapers and television should blow up everything she says and does," he said.

"Yea, who cares?" piped another coffee-cup customer.

For those who may have missed it, the conversation was prompted by a United Press International news item concerning Miss Fonda's recent trip to Hanoi that appeared on page one of several newspapers, including the Journal.

It seems Miss Fonda called a news conference to tell the world that the United States is bombing civilian targets in North Vietnam and she says she has "documentary evidence" to prove it.

She claims the bombing of civilian targets is "deliberate," while U.S. officials say it isn't.

At any rate, that's the gist of the story relating to Miss Fonda's latest "activist" exploit and that's what the boys at the coffee shop were irked about.

In a rather feeble effort that got nowhere, we tried to explain that Jane Fonda makes "news" because (among other things) she is the daughter of famous film actor Henry Fonda.

"So what," said one of our companions. "Just because she's his daughter doesn't mean that she knows what she's talking about or that people give a . . . one way or the other."

"Do you think people give a hang about the Kennedy youngsters . . . or Nixon's kids," we asked?

"I don't," said one of the "regulars."

"That's different," said another.

"The thing is, if you people (news media) didn't give 'em so much publicity, they wouldn't be so important. Why don'tcha print what some of us think about that stuff," challenged one of the regulars.

Okay . . . we agreed.

So, we have.

Viewing the conversation in retrospect, it does occur to us that a great many ordinary and not-so-ordinary people are getting mighty disgusted at the widely publicized rantings and ravings of "entertainment folk" who, in many cases, don't know any more about the great issues of our time than anybody else.

Maybe . . . just maybe . . . we could eliminate such frustrations by scheduling a series of TV debates featuring Miss Fonda and her conservative, patriotic counterpart John Wayne.

Who knows . . . Dick Cavett and Bob Hope might even agree to moderate the debates.

Would they have an audience?

We'd predict a Fonda-Wayne debate would command a prime-time audience that would number in the millions.

Why?

You answer the question. Would you watch? If so, why?

CONGRESSMAN McCLORY SALUTES THE AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION ON ITS 50TH ANNIVERSARY

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. McCLORY. Mr. Speaker, this month the American Hellenic Educational Progressive Association, better known as the Order of Ahepa, is celebrating its 50th anniversary. Founded on July 26, 1922, in Atlanta, Ga., this society has enjoyed a spectacular expansion and today includes 430 local chapters in 49 States, Canada, and Australia.

Mr. Speaker, it is a pleasure to pay tribute to this exceptional organization. I am especially proud to have as my constituent Mrs. Adeline Jay Geo-Karis, past national president of the Daughters of Penelope, the senior auxiliary of the Order of Ahepa. During Mrs. Geo-Karis' term of office, she established an AHEPA chapter in Athens, Greece, to insure that the organization was kept fully informed of conditions in their homeland. I should also point out that Mrs. Geo-Karis has maintained an outstanding record of community involvement, highlighted by her current campaign as *Republican* candidate for the Illinois State General Assembly.

Mr. Speaker, special attention should be given to the nine objects of AHEPA, goals which we would all do well to strive for. This order has been instrumental in fostering patriotism and civic responsibility while promoting improved education opportunities for all. AHEPA's outstanding record of contributing generously in both time and money to countless worthwhile causes is equally indicative of its unceasing devotion to the public good.

Mr. Speaker, AHEPA has shown that it is possible to adapt fully to the American way of life while retaining love and admiration for one's ethnic background. Through hard work and devotion the Order of Ahepa has demonstrated that individuals can become an integral part of our society without forsaking their ethnic traditions.

Mr. Speaker, the Order of Ahepa has a record of 50 years of service and accomplishment, and I am confident that in the coming years this society will continue its remarkable record of achievement.

HALT THE KILLING OF POLAR BEARS

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. WHITEHURST. Mr. Speaker, today I had the pleasure of commenting on the increasing interest shown by many individuals and groups regarding the plight of the polar bear.

In testimony to a subcommittee of the House Foreign Affairs Committee, I reviewed the need for the Federal Government to adopt an international treaty protecting the polar bear and legislation providing for the accurate data needed for further protection. I include the testimony at this point in the RECORD.

TESTIMONY OF THE HON. G. WILLIAM WHITEHURST

Mr. Chairman, thank you for giving me the opportunity to testify on behalf of my bill, HJR 1179, calling for a moratorium on the killing of polar bears.

Since introducing this measure on April 26 of this year, I have come across increasingly contradictory and incomplete facts about the polar bear. I have come to the conclusion that my resolution should be adopted if for no other reason than to put a halt to the placing of blame. I am convinced that there is a real need for the immediate passage of my resolution.

The polar bear is the largest carnivore alive today. It inhabits the lands and floating ice of the Arctic region, and it comes under the separate jurisdictions of five nations: the United States, Canada, Norway, Denmark, and the USSR. The size of the various herds, the total population, and the degree of danger of total extinction vary dramatically according to the organization to which you speak. It is obvious, however, that the polar bear is in trouble and should be given immediate protection to assure its continued existence.

The estimated population of polar bears varies from a low of approximately 10,000 (according to the Red Data book of the IUCN) to a high of "not less than 20,000" given by the US Department of the Interior. Data regarding the migration habits are inadequate, as are the data concerning the feeding and denning habits of these magnificent animals. Because of the lack of definitive data, it is virtually impossible to obtain an accurate determination as to whether the world-wide population is increasing or declining. There are indications that the Alaska population is declining, because the sizes and ages of the bears in the annual harvest are lower than in previous years.

Many allegations have been made claiming that Alaska is allowing exploitation of the polar bear similar to that which occurred in the Soviet Union and prompted the USSR to institute total protective measures against the taking of polar bears in 1956. This action by the Russians has been effective.

In consonance with a federal law against shooting from aircraft, Alaska has recently announced a halt in aerial hunting. However, it is alleged that not only is this ban not being enforced, but that neither are the quota limits. The estimated annual harvest in Alaska is set at 300, and there are estimated to be an equal number killed illegally.

When you consider that the total world-wide legal kill is 1300, these figures are devastating. I would like to call to the attention of the Members of the Committee that both the National Rifle Association and the Boone and Crockett Club consider the plight of the polar bear so desperate that they have removed it from their lists of animals eligible for trophy points.

Mr. Chairman, it is not my intention to attempt to point the finger of blame at anyone. I am simply pointing out the misunderstandings that surround this animal. One of the greatest frustrations affects the humane and conservation organizations which have tried to have the Department of the Interior declare the polar bear an "endangered species."

The Department claims that it is not possible to declare this animal an "endangered species," because it does not contain a subspecies and must therefore be considered on the basis of its world-wide population rather than on the state of a herd in a single geographic location. This is the result of the language of the Endangered Species Act, which states that a species or subspecies must be "threatened with world-wide extinction."

Furthermore, even if the polar bear were declared an "endangered species," there would be nothing much the Department of the Interior could do, because they have no authority to offer protection to any endangered animal unless it is on federal property, and they cannot prohibit the importation into the United States of an animal, its offspring, or its by-products, unless it is "imported from a foreign country." Taking the animal on the high seas does not fit the category of "foreign country." Needless to say, I am disturbed by this situation, but I do understand the limitations which the Department must operate within.

Currently there are three legislative measures under consideration that would deal directly with this subject. The first is HJR 1179, which your Committee is considering today; the second is the Endangered Species amendments contained in HR 13111, still in the House Merchant Marine and Fisheries Committee; and the third is the Marine Mammal Bill, HR 10420, which has passed the House and is currently being debated in the Senate.

The Endangered Species Amendments would go a long way toward solving many of the problems affecting animals, and would be of direct benefit to the polar bear (as, let me add, would HR 14316, which I have introduced).

This bill would cover "animals imported" to those protection, instead of only those "imported from foreign countries." The bill would also extend the protective provisions of the Act by creating an additional category of animals, those likely to become threatened with extinction instead of simply those in danger of becoming extinct. This would cover the polar bear. Finally, and most important, the bill would extend coverage to all animals under its jurisdiction regardless of their location.

The Marine Mammal Bill, HR 10420, would extend protection to marine mammals taken on the high seas, as would HR 13111. But while these measures will go a long way toward providing protection to all threatened animals, they will not provide the type or degree of international protection that is needed for the polar bear, and that is why HJR 1179 is so necessary.

Mr. Chairman, the concern of the Members of this Committee for the plight of animals has been demonstrated in the past by the passage of a similar resolution calling for a moratorium on commercial whaling.

Time is needed for the collection of adequate and accurate data, and the passage of HJR 1179 along with the other bills I have mentioned can provide this time.

It is important that the US Government pursue the adoption of an international treaty based on the recommendations of the polar bear group of the International Union for the Conservation of Nature and Natural Resources (IUCN).

I thank the Committee for giving me this opportunity to testify, and I hope that favorable consideration can be given to HJR 1179.

A CALL TO ALL FARMERS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. ZWACH. Mr. Speaker, the problems of our family farms should be of concern too all of the people of America because our very way of life is dependent upon a healthy farm economy.

However, that economy has not been healthy and it is reflected in the shaky state of our national economy.

One of the problems with our farm economy is the failure of the various farm groups to unite and discuss these problems.

This matter was developed in a recent article by Rev. John J. McRaith, co-director of the National Catholic Rural Life Conference in the St. Cloud Visitor, a Catholic weekly newspaper in our Minnesota Sixth Congressional District, which, at this time I insert in the CONGRESSIONAL RECORD:

A CALL TO ALL FARMERS

(By Rev. John J. McRaith)

What would happen if every farmer who belongs to a farm organization were to find out the time of the next monthly meeting and with his wife attended the meeting? Now that in itself would be a real shock for most farm groups to say nothing of the rest of a TV watching America. What would happen if these same farmers and their wives were to go for the purpose of demanding that their respective organization work together with the others to accomplish something for them? Now this would likely create a rather nervous leadership in many cases. You say this is rather naive to even think such a thing—much less to put it into print.

Well is it so foolish? We all pray or should pray very often for peace in the world. We have put great pressure upon our government to solve the problem of the Viet Nam War. We really think that the world should be able to get along—and when we see the possibilities of a War we think they better get along. Well if Americans can have this eternal hope before them as far as world peace—is it really so foolish to think that a few Farmers working through their organizations could work together for the common cause of the Family Farmer and Rural America? It really shouldn't be that difficult. I would like to suggest that the reason this has not been done is not because farmer Joe and farmer Jim can not get along or can not agree or what is good for them. Rather, I suggest that it is the Leadership that has kept us all apart for these years. Leaders who have a vested interest in their jobs and positions and want to be the only Man in American Agriculture with all the answers. I also suggest that our politicians have used this human weakness within the leaders to continue to exploit the Family Farmer and Rural America. Have you ever considered how foolish all of this concern for the salvation of Rural America sounds when you find so many people who supposedly are utterly frustrated trying to do something to help. Foolish because if all were honest an answer would have been found.

Now I would like to go one step further. Everyone who lives in Rural America and makes his living by serving the Family Farmer and Family type Agriculture go to the same meeting. You may not be able to vote—but you can bring a goodly amount of pressure to bear upon those who can vote. You can see you really have a right to be there in that capacity because if they fail to unite and save themselves—you will join them in the parade to the Big City. If you don't, all your children will. So you see you have much at stake in all of this. And just as you have much to gain from a quick and satisfactory solution—you also have a great obligation to do all you can to bring it about.

We hear much of coalitions these days The problem with most of them again is that they are coalitions of people who are not farming. I am not suggesting a new farm organization—God forbid—but I am suggesting that All of America has a right to expect the existing organizations to cooperate in solving the problems of Rural America as they relate to the farmer. Other problems—such as moving industry into rural areas is the problem of the government as it relates to the federal policy on population distribution.

We all know that any organization is as good as its members. This is true whether they be the Dallas Cowboys, the Catholic Church, the Boy Scouts, the AFL–CIO or a farm organization. So if there has not been unity—it might be as I suggested the fault of the leadership—but in the end it is the fault of the membership—your fault Mr. farmer . . .

There may be forces that really want you to fail as a family farmer and as a family small town business man. The possibilities are there. You know what—they will succeed if you don't get together and now. Also you must face God knowing that you did not do what you could have done for Rural America and the family farmer—unless you try as we have suggested in this message. I wouldn't want that on my conscience—and I doubt if you do.

O.K.—we will see all of you at your farm group meeting—the very next meeting. All Rural America might be there to see if you are there and how you do. Don't disappoint us again.

FREEDOM OF SPEECH, THE ROLE OF PRESS AND ACADEMIA

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. McEWEN. Mr. Speaker, I am privileged to have as a constituent of my district Ambassador Roger W. Tubby of Saranac Lake, N.Y. Last month, Ambassador Tubby, on his retirement from the Foreign Service Institute, Department of State, concluded a long and distinguished career of service with our Federal Government. In addition to his various posts with our Department of State, including 7½ years as U.S. Ambassador in Geneva, Mr. Tubby also served as press secretary to former President Harry S. Truman.

My purpose, however, is not to call attention to the well-known facts of this great citizen's service to his country, but to call to the attention of my colleagues an address delivered by Ambassador Tubby to the Mississippi Press Association at Biloxi, Miss., on June 2, 1972.

The text of the Ambassador's speech follows:

ADDRESS OF AMBASSADOR ROGER W. TUBBY

Just twenty-five years ago this month, on May 8, at the Teachers College at Cleveland, Mississippi, an historic speech was made by the then Under Secretary of State. He called it later "the prologue to the Marshall Plan."

The proposal there outlined on the tree-shaded college lawn called for massive American aid to the war-devastated countries of Europe. "This is necessary," Acheson said, "if we are to preserve our own freedoms and our own democratic institutions. It is necessary for our security. And it is our duty and privilege as human beings."

In early 1947 I was in Europe with Will Clayton of Texas, then in charge of economic affairs at the State Department, when he noted how close to complete economic, political and social collapse were the countries of that continent. His memo to Acheson and Secretary Marshall recommended a great American aid program, not just as relief, but to revive agriculture, industry, and trade so that the stricken countries might again be self-supporting.

Thanks to the Marshall Plan, Western Europe recovered, became prosperous, remained free.

Today we are again living in momentous times with historic new initiatives, those of President Nixon's; his opening toward the People's Republic of China, his working for and reaching new understandings with the Soviet Union.

I am not in a position to talk knowledgeably about these development. Rather, I thought I'd share some of my thoughts about communications, especially those of the newspaper and academic worlds. About half of my working life has been in newspapering, and much of the other half has been in working closely with newsmen.

For the last two and a half years I've been with the State Department's Foreign Service Institute, enjoying enlightening contacts with the academic world. The FSI trains officers of the State Department and of other agencies with personnel serving abroad. Included in our programs are teaching of languages (some 54) and economics. We have area and country studies and review of cultural, economic and political developments in the United States so that our representatives abroad can speak knowledgeably about them.

Eminent professors lecture at FSI. We supervise academic year programs for about 70 mid-career officers at various universities, and we send six senior officers each year to serve with university faculties. We call them Diplomats-in-Residence. One of them, Lewis M. Purnell, will be nearby at the University of Alabama and Troy State University next year.

I myself have visited several campuses, and have been greatly impressed by the high quality of many of the offerings. Yet I have been disturbed, as we all should be, by the intolerance which has developed in certain departments on some campuses. It is the intolerance of the so-called New Left intellectuals, a contemptuous kind of intolerance which not only mocks those who disagree, or may disagree with them, but which has led on many campuses to the barring of non-New Left professors from faculty appointment. This behavior is not like that of a mad gunman. It is even more reprehensible, for it is the calculated, deliberate action of intellectuals denying freedom of expression on campus.

"Lux et Veritas," Light and Truth, is the motto of Yale, my alma mater, but Yale, like other great citadels of liberal education, in recent years has allowed its noisy, violent radicals to prevent freedom of expression, or to seriously inhibit it, through disruptive behavior.

We are told by these people that this country is rotten, that our traditions and democratic practices are a joke, that Blacks and other disadvantaged groups cannot get fair trials, and that our salvation can come only through destroying our way of life and replacing it with some form of socialism, a euphemism as they use it for communism of one form or another, or anarchy.

We have problems, plenty of them though not so severe and desperate as those of Western Europe after World War II, but we have the strength, the wisdom, the idealism needed to meet them, as we have met earlier problems in our history.

But we should not be complacent. We need to guard against acceptance of the notion, so ceaselessly repeated in so many ways, that we are finished, that we have had it, that our past was dishonorable.

We need to know, and be proud of, the great things we have achieved in our short history. We need to know that we are still the promised land to millions.

I'm aware of this especialy for, as U.S. Ambassador in Geneva for 7½ years, I worked with refugee organizations which were helping hundreds of thousands, many of whom had risked their lives to flee from behind the Iron Curtain. The U.S.A. was overwhelmingly their first choice for asylum and a new life, and this despite years of indoctrination about communist achievements and prospects, about the evils of capitalism, about U.S. decadence and immorality. Hungarians, East Germans, Poles, Czechs, Cubans have nevertheelss in great numbers chosen freedom in the U.S.

I wish that those of our young people who are partial to Marxist dogma, or to communist governments, would live for even a few months in a communist country, or at least read Solzhenitsyn or Pasternak, those enormously gifted Russian novelists who have dared to tell the truth about life under Stalin. It would give them greater understanding of the strengths and weaknesses in communist lands and enable them better to understand our own strengths and weaknesses.

Thanks to President Nixon's initiatives tensions will be lessened and more bridges of cultural, economic and political understanding will be built between the U.S., Russia, China and other communist countries, and their people in time hopefully will enjoy not only the blessings of peace but of greater freedom.

In the meantime we should improve the strength and quality of our own way of life. This we are working at, in racial relations, in dealing with the problems of pollution, unemployment, health, commerce and education.

In education, it seems to me, consideration should be given to including courses in world affairs as part of each school and college curriculum, on the same basis as English and math.

As citizens of the United States, and the world, our young people should acquire a broad understanding of geographic, economic, historic, cultural, and political factors affecting our development and our relations with other countries and with the United Nations and other international organizations.

This would be a lot to cover, but starting in grade school and going on through high school, and for the 2 in 7 who go on through college, such courses should give them a reasonably sound basis for making judgments about U.S. domestic and foreign policy.

And our young people should be encouraged to supplement their studies by reading a variety of newspapers and magazines and books. They should discover, or rediscover, the pleasure of reading broadly, of gaining knowledge and of weighing alternatives based on knowledge.

Jefferson spoke of the need for an informed citizenry. We've never before had such sophisticated means to spread information. We've never before, perhaps, had such a need to do it well.

Yet never before has it been more difficult to reach through to our people because of the infinite diversity of their interests.

This is why I suggest that in the school and college years we make the study of world affairs part of the curriculum.

Knowing about ourselves and others, making a lifetime habit of searching for the truth about ourselves and others, should be a basic and essential part of our education and our way of life.

If we do this we should be less naive, less gullible, and have more confidence in standing up for our country, for ourselves, whether from Vermont or Mississippi.

You of the press since our earliest days have played a key role in informing the people.

Your probing has been recognized as essential to a healthy democracy by Presidents from Washington to Nixon, though every one of them at times has disagreed with, or resented, things that the press has said about them or their administrations.

I hope in the future you will report and comment in even greater depth while offering different points of view.

I plea here for balance, for fairness, for tolerance, for doing a more thorough job of reporting and teaching so that our people can react wisely and move to do what needs to be done, to make this a still better country, while keeping our freedom.

PROMISING MENTAL HEALTH PROGRAM INTRODUCED IN NORTH DAKOTA

HON. ARTHUR A. LINK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. LINK. Mr. Speaker, I would like to call attention to an innovative mental health program introduced by the North Dakota Mental Health Association. Yesterday's Parade magazine, in an article titled "They Tell It to Bartenders and Beauticians," pointed out the importance of citizen involvement in the success of mental health programs. The article by Theodore Irwin follows:

NEW MENTAL HEALTH PROGRAM: THEY TELL IT TO BARTENDERS AND BEAUTICIANS

(By Theodore Irwin)

In most American communities, people with emotional problems can go to a psychiatrist. But in North Dakota, with only 19 psychiatrists in the entire state, this is not always feasible.

To help solve the problem, the state's Mental Health Association has enlisted the aid of bartenders and beauticians (the nation's unpaid psychiatrists).

Says Sally Speidel, who runs Sally's Beauty Boutique in Bismarck: "A women may be in our stylist chair for an hour and a half. All this time she is usually unburdening herself by confiding in the beautician."

"A bartender," says Ken Habiger, who owns the Red Baron Lounge here, "can sense that a customer is begging for help. The guy may become belligerent, start an argument, but sooner or later he'll tell the bartender what's wrong."

As a board member of the Mental Health Association, it was Habiger who suggested last year that the Association reach out to bartenders as "mental health helpers."

BARTENDERS COACHED

The Association explained the idea to bartenders, and provided them with "Help" booklets listing agencies for referral, including social services centers, alcoholism clinics, and the like. Over 60 bartenders became involved.

Meanwhile, Mrs. Gerridee Wheeler, Association president at the time, was in the beauty parlor one morning for a manicure when she overheard an operator advising another woman who was having marital problems.

With the bartending experiment fresh in mind, Mrs. Wheeler was struck with an idea. Why not beauticians, too?

"Troubled people are usually reluctant to go directly for professional aid," she explains, "perhaps because they feel it creates a stigma. I thought we should use trained citizens who are in constant contact with people as a bridge or conduit into available services. They could encourage those in distress to get the help they need."

In the case of beauticians, however, Mrs. Wheeler went about things a little differently, by approaching the state's 12 beauty colleges and urging them to provide training in mental health care. North Dakota Governor William L. Guy did his part, writing a letter to the state Board of Hairdressers in which he called for "broader understanding of mental health problems."

TO HELP CUSTOMERS

As a result, students at all 12 colleges now take a week-long intensive training course in how to be "mental health helpers." In addition, Mrs. Joyce Robson, an experienced beautician and one of the instructors, plans courses for already-licensed operators. As for the bartenders, they were sufficiently impressed by the beauticians' experience to institute training sessions of their own. Soon they will meet on holidays to listen to a psychiatrist, a priest who does counseling, and a recovered alcoholic who teaches on a college faculty.

The idea, of course, is *not* to replace the psychiatrist's couch with a barstool or beautician's chair. Mental health helpers are reminded, however, that "you can do a lot of good by guiding patrons, and encouraging them to get professional help if they seem to need it."

SCALP TELLS

Mrs. Robson, who maintains that she can tell when a customer is "shook up" by noting the tightness of her scalp, or unusual dryness or lack of glossiness in her hair, also cautions students against making critical judgments or probing too deeply for information. Rather, she explains, they should provide support by expressing reassurance, warmth, and empathy. "In a way," says Mrs. Robson, "we are sounding boards."

Students also visit social agencies, and engage in "psychodrama skits" which demonstrate ways of handling different kinds of problems. Like the bartenders, they are given a directory of various community services. Equally important, they are instructed in the need to respect customer confidences.

Real life situations run the gamut of human tragedy: alcoholism, mentally retarded relatives, marital disputes, rebellious children.

In Williston, N. Dak., a bartender chatted with a regular customer who had just been jilted by his girlfriend. The young man contemplated suicide, and even bought a gun. After two drinks he spilled his story to the bartender. The bartender consulted his "help" booklet and persuaded the young man to stop in at the local Social Service Center.

Beautician Sally Speidel tells of the wealthy patron whose breath reeked of liquor and who always carried a bottle in her large purse. One morning the woman blurted out that her heavy drinking was ruining her marriage, that she was thinking of "ending it all." Mrs. Speidel soothed her with the tale of another customer who had quit drinking after going to the Heathview Alcoholism Treatment Center in nearby Mandan. There really wasn't any such customer, but there is now, for two weeks later, the woman wrote to Mrs. Speidel. She was sorry, she said, but she was canceling her regular appointment at the beauty parlor because she had just entered Heathview. "Sally," the letter concluded, "I think I can really lick it this time."

PROJECTS PRAISED

Already, North Dakota has received awards from the American Psychiatric Association, and the Department of Health, Education, and Welfare for its pioneering achievements in mental health. Moreover, its approach may catch on. Inquiries have come in from 15 other states, and the National Institute of Mental Health (NIMH) has filmed training sessions at Bismarck's beauty colleges.

How come North Dakota, one of our most rural states, is setting the pace for the rest of the country? The answer, says Mrs. Wheeler, is citizen involvement. "We've made mental health so exciting," she declares, "it's caught the imaginations of volunteers all over our state."

To which NIMH official Herbert L. Rooney adds: "We're beginning to recognize that people are a natural resource for helping other people."

DUKE POWER CO. INVESTS IN SOUTH CAROLINA

HON. TOM S. GETTYS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. GETTYS. Mr. Speaker, Duke Power Co. has just announced that it will build a $700 million nuclear powerplant in my home county of York in the Fifth Congressional District of South Carolina.

Construction of the new plant is scheduled to commence in 1974 and be completed in 1979 with a capability of generating 2,360,000 kilowatts. It is interesting to note that the generating capacity of the first Duke power station which was built in 1904 had a capacity of 3,300 kilowatt.

The plant will represent the largest investment in a single facility in the history of South Carolina. According to a formula used by the Federal Power Commission, the new installation will produce annually about $16 million in local and State taxes and about $19 million in Federal tax revenues. During the 6-year construction period, an average of about 1,500 people will be employed with a total construction payroll of approximately $85 million. Upon completion, the plant will employ about 100 people with an annual payroll well in excess of $1 million.

The direct effect of the plant, of course, will be construction and operating payrolls, taxes, and local purchases, but there will be a tremendous indirect impact on the area because of the economic benefit deriving from the assurance of an adequate, reliable supply of electrical power at reasonable cost in the Piedmont Carolinas, one of the fastest growing sections in the Nation.

Duke Power has been analyzing the environmental effects of heated water discharged into its lakes for many years. Recent studies made in cooperation with the North Carolina Wildlife Resources Commission and Johns Hopkins University show some beneficial and no ill effects of this discharge into Duke lakes.

Most significantly, Duke officials say the radioactive effect of the facility on the environment will be so small as to be practically immeasurable. For example, they say a person living continuously at the edge of the plant site will receive no more radiation in 1 year than a passenger would receive on a single jet flight to California.

Duke Power Co. and the Carolinas have come a long way since March 30, 1904, when power flowed for the first time from the Catawba River station to the Victoria Cotton Mills at Rock Hill, a firm, incidentally, with which my own father was then associated and of which he later became president. Dr. W. Gil Wylie, a native of nearby Chester County, and William S. Lee, a young engineer, obtained a charter from the South Carolina Legislature in 1901 to mark the beginning of Duke Power Co.

Mr. Speaker, I congratulate Mr. Carl Horn, president of Duke Power Co., and his associates who have the foresight to plan for the future energy needs of our section of the country. I appreciate too their excellent judgment in expressing their faith in the future by locating this plant in my area of South Carolina.

RESULTS OF HON. JAMES HARVEY'S LATEST QUESTIONNAIRE

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. HARVEY. Mr. Speaker, I would like to call to the attention of my colleagues the results of our 12th annual congressional questionnaire conducted within our Eighth Congressional District in Michigan. I was delighted with the nearly 20,000 individual responses and we were able to tabulate 18,680 votes.

As I mentioned in a news statement, which follows, along with the detailed county-by-county breakdown of the voting, we did achieve participation by a good number of Eighth District residents.

As always, I am particularly grateful for the wonderful cooperation received from the public media, especially weekly and daily newspapers which printed the questionnaire as a reader service.

The final tabulation includes those totals from the counties of the new Eighth Congressional District but does feature the results of St. Clair County, now alined with the 12th District.

The news statement, which is being released today, follows along with the final questionnaire results:

NEWS STATEMENT BY CONGRESSMAN HARVEY

WASHINGTON, D.C.—With but three exceptions, Michigan Eighth District residents casting votes in Congressman Jim Harvey's 12th annual Congressional questionnaire were emphatic in taking positions on key domestic and international issues confronting the nation. In the largest response ever, Congressman Jim Harvey announced today results of the "poll" which attracted nearly 20,000 individual responses. The tabulation also is presented in a more comprehensive fashion with a county-by-county breakdown.

Congressman Harvey, expressing great satisfaction with the citizen participation, commented, "We have achieved one of our primary goals of the questionnaire—to get people involved, to give them a convenient and easy way to express their opinions. I am particularly gratetul to the fine support and especially those weekly and daily newspapers which saw fit to print the questionnaire as a public service. Everyone had a chance to vote."

The three close votes came on the questions dealing with discontinuance of the draft next year; Federal legislation on gun controls; and legalization of abortion on a Federal level. The votes on the other 11 questions were one-sided.

On the two special questions, President Richard M. Nixon, as was the case in last year's poll, topped the choices for President by a wide margin while law and order, for the second consecutive year, led a host of "problems" as the "single most important problem facing the nation."

Mr. Harvey said that the results of the question on gun control legislation on a Federal level was also the most surprising. "There is no question that the shooting of Governor George Wallace may have had some influence on this result, as well as continuing deep citizen concern on crime," Harvey said.

Based on tabulation of all the Counties in the new Eighth District, gun control legislation carried by a 49.4%–46.3% margin. On the question of Federal legislation to legalize abortion, it barely lost by a 47.9%–44.8% difference. The third close vote centered on voters favoring continuance of the draft next year by a 51.4%–41.6% edge. "Obviously," Harvey said, "there is serious doubt that a volunteer military service is either possible or acceptable."

President Nixon's Vietnam policy received strong backing. 79.5% voted in favor of a complete withdrawal within four months if American prisoners are returned and there is a cease-fire. On the other hand, some 11.9% favored an immediate withdrawal of U.S. troops from South Vietnam without any conditions. Some 8% did not make a choice between the two.

Congressman Harvey, on domestic issues, was keenly interested in the lopsided vote on the question dealing with compulsory arbitration of labor-management disputes in the Transportation industry when a strike is deemed to damage the national interest. Harvey has provided the leadership in Congress with legislative efforts to get approval of such a bill. Over 70 House Members became cosponsors of Harvey's legislation which has been acknowledged as a reasonable compromise. On the questionnaire, 85.1% favored enactment of such legislation with only 10.3% in opposition.

But it was the busing issue that recorded the most resounding result. The question of busing school children in order to achieve racial balance in public schools received a vote of 92.8% against with only 5.6% favoring such action. "Developments in Michigan forecasted a vote against busing," Harvey said, "but I did not expect such a wide margin of defeat."

Voters also turned down extending the Presidential term to six years with a one-term limit by a 70%–26.6% with a near identical result in rejecting a check-off on Federal income tax form for donations to a political party, 71.1%–24.0%.

Perhaps tired already of the Presidential campaign, voters gave strong backing to a national Presidential primary election, 62.3% to 30.5%.

It wasn't close on the question of whether to grant amnesty to those who evaded military service during the Vietnam conflict. Voters turned this down 75.8% to 19.8%. The same margin existed on present wage and price controls to combat inflation with 76% favoring the program and only 19.5% against. Also, 74.2% as against 20.6% favored expansion of cultural and trade relations with both Communist China and the Soviet Union.

On two final votes, the margin was closer. 56.2% voted against Federal assistance to private and parochial schools with 41.2% in favor. On whether to divert some highway user taxes for financing urban mass transit systems, 39.9% were in favor and 53.5% against.

President Nixon gained favor with 50.2% of the voters as compared to his percentage of 54.4% last year. Governor Wallace ran second with 15.8% and Senator George McGovern was third with 10.2%. There was a large undecided vote, some 20.4%.

On the single most important problem, law and order was selected by 18.4% with Vietnam named by 14.4%. The economy was the choice of 12.2%. These were the three biggest vote getters with taxes, drugs, welfare, unemployment, morality, governmental bureaucracy and pollution also receiving wide mention.

FINAL 1972 CONGRESSIONAL QUESTIONNAIRE RESULTS

[Total responses, 18,680; new 8th district, 15,116; St. Clair County, 3,564]

	Percent			Total tabulated (percent)
	Yes	No	Undecided	
DO YOU FAVOR				
1. Expanded cultural and trade relations with Communist China and the Soviet Union?				
Arenac County (part)	73.2	24.7	2.1	155
Bay County	75.4	20.2	4.4	3,190
Huron County	78.1	15.8	6.1	1,177
Lapeer County	72.9	21.9	5.2	834
Saginaw County	73.5	20.2	6.3	6,632
St. Clair County	70.5	24.0	5.5	3,564
Sanilac County	70.6	24.7	5.7	1,448
Tuscola County	74.9	21.4	3.7	1,583
Total new 8th district	74.2	20.6	5.2	14,961
(Select 1):				
2. (a) Immediate withdrawal of U.S. troops from South Vietnam without any conditions?				Yes (percent)
Arenac County (part)				9.3
Bay County				15.2
Huron County				12.2
Lapeer County				11.2
Saginaw County				11.0
St. Clair County				10.2
Sanilac County				7.3
Tuscola County				11.5
Total new 8th district				11.9
(b) Complete withdrawal within 4 months if American prisoners are returned and there is a cease-fire?				
Arenac County (part)				74.2
Bay County				76.1
Huron County				80.3
Lapeer County				78.3
Saginaw County				80.0
St. Clair County				80.2
Sanilac County				83.0
Tuscola County				79.5
Total new 8th district				79.5

	Percent		
	Yes	No	Undecided
3. Granting amnesty to those who evaded military service during the Vietnam conflict?			
Arenac County (part)	13.4	83.5	3.1
Bay County	21.4	75.2	3.4
Huron County	21.0	73.1	5.9
Lapeer County	18.2	77.6	4.2
Saginaw County	20.0	76.0	4.0
St. Clair County	17.0	79.9	3.1
Sanilac County	16.7	80.9	2.4
Tuscola County	18.9	74.8	6.3
Total new 8th district	19.8	75.8	4.4
4. Discontinuance of the draft next year?			
Arenac County (part)	34.0	58.8	7.2
Bay County	44.7	49.4	5.9
Huron County	39.2	52.2	8.6
Lapeer County	42.0	49.5	8.5
Saginaw County	40.0	53.0	7.0
St. Clair County	42.9	48.9	8.2
Sanilac County	41.4	49.6	9.0
Tuscola County	43.2	48.7	8.1
Total new 8th district	41.6	51.4	7.0

	Percent		
	Yes	No	Undecided
5. A national Presidential primary election?			
Arenac County (part)	57.7	37.1	5.2
Bay County	67.4	27.7	4.9
Huron County	57.9	36.5	5.6
Lapeer County	67.3	25.9	6.8
Saginaw County	62.0	30.0	8.0
St. Clair County	57.6	35.2	7.2
Sanilac County	59.9	31.0	9.1
Tuscola County	56.8	35.2	8.0
Total new 8th district	62.3	30.5	7.2
6. Extending Presidential term to 6 years with 1-term limit?			
Arenac County (part)	18.6	77.3	4.1
Bay County	24.8	71.7	3.5
Huron County	21.7	77.6	1.7
Lapeer County	25.2	72.7	2.1
Saginaw County	30.0	66.0	4.0
St. Clair County	21.7	74.7	3.6
Sanilac County	20.4	76.8	2.6
Tuscola County	24.5	71.5	4.0
Total new 8th district	26.6	70.0	3.4
7. A check-off on your Federal income tax form for donations to political parties?			
Arenac County (part)	12.4	80.4	7.2
Bay County	27.6	69.2	3.2
Huron County	25.6	68.8	5.6
Lapeer County	20.0	77.4	2.6
Saginaw County	26.5	68.3	5.2
St. Clair County	23.6	70.9	5.5
Sanilac County	14.9	81.2	3.8
Tuscola County	21.3	74.7	4.0
Total new 8th district.	24.4	71.1	4.5
8. Busing of school children in order to achieve racial balance in public schools?			
Arenac County (part)	7.2	91.8	1.0
Bay County	7.5	90.5	2.0
Huron County	6.4	92.7	0.9
Lapeer County	5.8	92.8	1.4
Saginaw County	6.0	93.0	1.0
St. Clair County	4.9	93.5	1.6
Sanilac County	2.1	96.5	1.4
Tuscola County	3.4	93.9	2.7
Total new 8th district.	5.6	92.8	1.6
9. Federal assistance to private and parochial schools?			
Arenac County (part)	39.2	56.7	4.1
Bay County	45.5	52.2	2.3
Huron County	37.5	57.7	4.8
Lapeer County	30.6	65.8	3.6
Saginaw County	44.5	53.7	2.8
St. Clair County	35.3	61.4	3.3
Sanilac County	32.8	64.6	2.8
Tuscola County	34.4	62.9	2.7
Total new 8th district	41.2	56.2	2.6
10. Present wage and price controls to combat inflation?			
Arenac County (part)	75.3	17.5	7.2
Bay County	73.2	22.0	4.8
Huron County	82.3	13.4	4.3
Lapeer County	75.4	19.8	4.8
Saginaw County	77.1	19.2	3.7
St. Clair County	79.7	15.7	4.6
Sanilac County	74.9	20.2	4.9
Tuscola County	74.3	19.6	6.1
Total new 8th district	76.0	19.5	4.5
11. Compulsory arbitration of labor-management disputes in the transportation industry when a strike is deemed to damage the national interest?			
Arenac County (part)	84.5	11.3	4.2
Bay County	84.5	10.6	4.9
Huron County	88.0	6.3	5.7
Lapeer County	83.5	11.5	5.0
Saginaw County	85.0	11.2	3.8
St. Clair County	87.0	9.5	3.5
Sanilac County	88.7	6.7	4.6
Tuscola County	82.9	11.9	5.2
Total new 8th district	85.1	10.3	4.6
12. Diverting some highway user taxes to finance urban mass transit systems?			
Arenac County (part)	28.9	64.9	6.2
Bay County	44.9	48.8	6.3
Huron County	31.7	60.6	7.7
Lapeer County	33.2	63.5	3.3
Saginaw County	45.6	47.8	6.6
St. Clair County	45.5	46.8	7.7
Sanilac County	26.7	65.1	8.2
Tuscola County	28.3	64.8	6.9
Total new 8th district	39.9	53.5	6.6
13. Increase gun control legislation on a Federal level?			
Arenac County (part)	42.3	55.6	2.1
Bay County	51.4	45.3	3.3
Huron County	46.0	48.0	6.0
Lapeer County	43.6	52.8	3.6
Saginaw County	53.0	42.8	4.2
St. Clair County	55.0	39.9	5.1
Sanilac County	43.3	51.8	4.9
Tuscola County	42.2	52.1	5.7
Total new 8th district	49.4	46.3	4.3
14. Federal legislation to legalize abortion?			
Arenac County (part)	44.3	48.5	7.2
Bay County	46.4	47.2	6.4
Huron County	36.4	55.5	8.1
Lapeer County	45.7	48.1	6.2
Saginaw County	47.9	45.0	7.1
St. Clair County	46.0	44.7	9.0
Sanilac County	40.0	51.2	8.8
Tuscola County	39.0	52.6	8.4
Total new 8th district	44.8	47.9	7.3

As of now, who is your choice for President in November?

Arenac County (part): Nixon 48.5%; Wallace 22.7%; McGovern 13.4%; Huhphrey 3.1%.

Bay County: Nixon 40.5%; Undecided 22.8%; McGovern 15.9%; Wallace 13.9%; Humphrey 3.3%; Muskie 1.5%.

Huron County: Nixon 52.8%; Undecided 24.5%; Wallace 10.8%; McGovern 9.5%; Humphrey 1.6%.

Lapeer County: Nixon 47.1%; Wallace 21.2%; Undecided 17.6%; McGovern 10.1%; Humphrey 2.5%.

Saginaw County: Nixon 54.5%; Undecided 20.3%; Wallace 13.6%; McGovern 8.6%; Humphrey 1.8%.

Sanilac County: Nixon 50.8%; Wallace 23.1%; Undecided 17.2%; McGovern 7.4%.

St. Clair County: Nixon 48.9%; Undecided 23.5%; Wallace 17.7%; McGovern 7.7%; Humphrey 1.2%.

Tuscola County: Nixon 47.7%; Wallace 22.8%; Undecided 18.4%; McGovern 8.2%; Humphrey 2.3%.

Total New 8th District: Nixon 50.2%; Undecided 20.4%; Wallace 15.8%; McGovern 10.2%; Humphrey 2.1%.

WHAT IS THE SINGLE MOST IMPORTANT PROBLEM FACING THE NATION?

Arenac County (part): Economy 14.4%; Vietnam 12.4%; Welfare 11.3%; Law and Order 5.3%; Taxes 5.2%; Drugs 4.3%; Unemployment 4.2%; Bureaucracy 4.2%.

Bay County: Vietnam 16.1%; Economy 11.3%; Law and Order 10.8%; Taxes 8.0%; Unemployment 5.7%; Bureaucracy 5.2%; Welfare 4.6%; Morality 4.0%; Drugs 3.5%.

Huron County: Law and Order 17.8%; Vietnam 15.5%; Economy 13.7%; Drugs 6.6%; Welfare 5.5%; Taxes 4.2%; Morality 4.0%; Unemployment 3.7%.

Lapeer County: Vietnam 17.3%; Law and Order 13.3%; Economy 11.0%; Morality 8.2%; Taxes 7.1%; Bureaucracy 4.9%; Unemployment 3.6%; Drugs 3.6%; Pollution 3.5%; Welfare 3.1%.

Saginaw County: Law and Order 23.5%; Vietnam 13.2%; Economy 11.9%; Drugs 6.5%; Taxes 5.1%; Morality 3.5%; Welfare 3.2%; Pollution 2.7%; Bureaucracy 2.6%.

St. Clair County: Law and Order 16.2%; Economy 15.2%; Vietnam 13.5%; Drugs 6.3%; Taxes 5.9%; Welfare 4.2%; Bureaucracy 3.7%; Morality 3.4%; Unemployment 2.8%; Pollution 2.6%.

Sanilac County: Law and Order 17.1%; Economy 16.2%; Vietnam 13.3%; Welfare 4.2%; Morality 4.4%; Drugs 3.7%; Taxes 3.6%; Unemployment 2.4%; Busing 2.2%; Bureaucracy 2.1%.

Tuscola County: Law and Order 18.0%; Vietnam 15.1%; Economy 11.5%; Morality 6.1%; Taxes 6.0%; Bureaucracy 4.3%; Drugs 4.5%; Welfare 3.6%; Unemployment 1.9%.

SPEECH OF CONGRESSMAN SPENCE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. DERWINSKI. Mr. Speaker, to observe Captive Nations Week, the people of the Republic of China held a mass rally at Taipei, Taiwan, with our colleague, Congressman FLOYD SPENCE, as the featured speaker. Congressman SPENCE is an outstanding Member of Congress who is especially knowledgeable in the field of foreign affairs. He is dedicated to the maintenance of firmness, courage, and realism in our foreign policy and, in view of the great significance of his remarks in Taipei, I insert his speech into the RECORD at this point:

SPEECH OF FLOYD SPENCE

Mr. Chairman, Distinguished Guests, and Friends:

It is a very great honor and privilege for me to be with you for this, the 13th annual observance of Captive Nation's week.

We are living in an era of uncertainty and change in the field of international relations—an era which deeply concerns and troubles me as I know it does all of you.

In the past year we have witnessed the sudden and startling admission of Communist China to the United Nations, after years of opposition to such a move and without any demonstrated change in her own position or any evidence whatsoever that she will live up to the requirements of the U.N. Charter.

It was not enough that the doors of the world's peacekeeping organization were thrown open to a belligerent, totalitarian regime, in violation of the Charter, but the United Nations further ignored and perverted its own rules in order to give China's seat on the Security Council to Peking, replacing the rightful and long-recognized legal government of China—the Republic of China.

As a Member of the United States House of Representatives, I strongly opposed Peking's admission to the United Nations. I believe it was a tragic error. Officially, the United States government stood by its traditional policy of opposing the admission of Peking. I am aware, however, that many people and nations who shared that stance are of the opinion that the then-impending U.S.-Peking summit meeting created an atmosphere in which official deeds appeared to contradict official words. Therefore the United States government is blamed for the U.N. action, despite her official opposition to it.

I am inclined to agree with that analysis. Whether or not the result was intended by official Washington, it was imminently predictable.

From the summit meeting in Peking last Fall, we moved to the summit meeting in Moscow this Spring. Here the results of several years of Strategic Arms Limitations Talks were announced, embodied in treaties and agreements now before the United States Congress for ratification. Again, there is serious question as to just what the effect or results of these agreements will be.

If the Soviets follow their historical pattern—and there is no reason to assume they will do otherwise—they will honor the agreements only so long and to such extent, as it may suit their own purposes. On the other hand, it may be safely assumed that the United States will endeavor to honor the agreements which seem, indeed, even on their face, to place greater restraints upon our arms, both defense and offensive, than upon the Soviets.

Yet, the agreements have, thus far, engendered precious little opposition in the Congress. In fact, there now appears to be serious concern that the treaties will be ratified so easily as to place the United States in a weaker negotiating position during Phase II of the SALT talks than was the case in Phase I. An effort is now being mounted to encourage more vocal opposition.

Similarly, though they encountered much heavier opposition, the Berlin agreement and the so-called Moscow and Warsaw Treaties with West Germany survived that opposition and have, thus, branded as official policy certain aspects of Communist diplomatic blackmail which were long resisted by predecessor governments in Bonn.

These and other very significant changes have taken place recently on the international scene in terms of Communist-Free World relations. They are disturbing developments which raise many doubts and questions about the future.

But, looming massive in the background of all this change, is one undisputed constant. Communism has not changed! It is still Communism with all that it implies in terms of captive people, totalitarian states, international imperialism, diplomatic blackmail, and visions of World conquest. And those implications remain the same, whether the brand of Communism be that of Soviet Russia or Red China.

If there has been a mellowing in Soviet Russia it is not apparent in their attitude toward resolving the Vietnam conflict. It is not apparent in the backing they gave to the recent nationalization of the oil industry in Iraq. It is not apparent in the threats of renewed Cold War if West Germany did not ratify the Moscow and Warsaw Treaties.

If there is a thawing in the behavior of Red China, it is not apparent in their attitude toward ending the conflict in Vietnam and their extensive supplying of the North Vietnamese. It is not apparent in their continued holding of American prisoners. It is not apparent in the new chants heard during their May Day celebrations—chants such as these:

"Peoples of the world, unite to crush American aggressors and their running dogs."

"Support the American people against the American government's aggressive policy."

But I do not need to tell you here of the recalcitrant arrogance of the mainland government of China—or of its atrocities or its unconscienable treatment of its own captive citizens.

It is a very dangerous game to play at diplomacy with Communists. If history teaches us nothing else, it teaches us that.

That is the reason this annual observance of Captive Nations Week is so vitally important. For it regularly focuses the attention of the world upon the one immutable fact we must never forget—that Communism does not change, it only appears to change in ways that suit the goals of international domination. Communists do not go to the negotiating table to negotiate—they go there to win. Just as the Soviets play chess to win and the Chinese Communists play ping-pong to win, their leaders negotiate, not to compromise, but to win.

You, here in the Republic of China, deserve the highest commendation and accolades of the Free World for the leadership you have exercised and the burdens you have borne with equanimity in the ongoing struggle to see that free men do not forget the real nature—the real face—of their communist enemy.

Even though I am not here as an official representative of my government, I believe I can tell you with assurance that the United States is not going to withdraw from the world or betray its long-standing commitments to its allies. You may hear voices from the United States to the effect that we should withdraw from the world and turn our attentions inward to domestic matters, but those are not the true voices of America. They do not represent the will or the desires of the American people.

As a world leader and a free nation, we cannot and will not cast aside our leadership responsibilities or abandon our many small-nation allies. We are aware that the people of Taiwan, and of many other small democratic nations, cannot defend themselves without our support. Wherever the leaders of the Free World leave a vacuum, it is clear that the Communists move in and take over. It is this process of gradualism which led to the decline of the British Empire, and we must not let history repeat itself in this fashion. It is the small island nations on the perimeter of Asia which are the key to whether or not Asians will be free or enslaved. Our leaders, both civilian and military, know this. And I firmly believe that, whatever you may hear to the contrary, the American people will never abandon their allies to communist enslavement.

Still, the struggle for freedom will not be easy for any of us. This was impressed on me with shocking vividness on a recent trip to West Germany when I endeavored to make a brief excursion into the Eastern sector while visiting Berlin.

In the process, I was separated from my companions and taken to an interrogation room where I was questioned and confined for nearly an hour. I was never told the purposed of this or given any kind of explanation. My passport and all identification were taken from me before the interrogation began. It was an altogether unreal and unbelievable experience. At the time it angered me more than anything else. But, looking back, I realize that I experienced some of the concern, some of the misgivings, indeed, some of the fear, which the people of captive nations face as a daily routine.

It is appalling that people anywhere should have to live in such fear and regimentation, possessed of no rights but those which the state sees fit to give them.

This is the struggle which must continue—the struggle to assure peace, freedom and the right of self-determination to all peoples everywhere. It is a struggle in which free peoples must maintain a common and united front. It is a struggle in which there is no room for the "quitter"—no place for discouragement and doom-crying.

I have stressed some of the cause of concern in the current course of our struggle.

Let me turn, for the moment, to some of the more encouraging signs. Though they lost the first over ratification of the treaties, the opposition party in the West German Parliament served notice that such matters cannot be taken for granted. And they obtained agreement in interpretation of some provisions which might otherwise have been construed more disastrously—especially on points relating to German reunification.

In Italy the electorate recently chose a more conservative government.

Despite the cause for concern over the SALT agreements, they seem to have served as a catalyst for a more determined effort in the U.S. Congress to appropriate funds at a reasonable level for national defense and to move ahead with new programs such as the B-1 bomber and the Undersea Long-Range Missile program.

On a broader front, I believe there will be increased pressure upon the Soviets and upon Peking to measure up to the promise and the hopes which many in the Free World have invested in the developments of the "new era of negotiation." If they do, we are all winners. If they do not—as I strongly suspect they will not—it is incumbent upon each of us here to exploit that failure to the utmost.

Negotiation can be made a two-way street—a two-edged sword, if you will—if we do not give in to despair. One of the real difficulties in maintaining a strong united front against Communism today is the creeping acceptance among free peoples of the idea that the Communists have changed—that somehow they have come to want peace as much as we and are willing to compromise and can be trusted to carry out their agreements and abide by their treaties.

If the Communists once again raise the hopes of the world only to shatter them with cynical displays of self-serving and deceit, it may do more to awaken free people to the challenge than anything we could have done. We must be alert to that potential and prepare to seize it as an opportunity rather than accept it as yet another dismal blow to freedom.

There is an old saying in my country, "United we stand, divided we fall." While we may disagree widely among ourselves over the best ways of meeting the challenge, we must never let these differences blot out our awareness of the common enemy nor weaken our resolve to resist. Much has been made of the schism between Moscow and Peking as evidence that the world Communist movement is hopelessly divided. You and I know that, whatever their apparent differences, their goals are the same and when it suits the purpose they will be perfectly capable of uniting to further that common purpose, just as their present differences may well serve that same common purpose.

Here, then, is the lesson. Let us here resolve that, regardless of our differences or disappointments, we are determined that nothing can deflect us from pursuing our common goal which is full freedom for the captive and enslaved peoples of our world. Together, with both history and moral strength on our side, we are more than equal to the task.

SALUTE TO ORDER OF AHEPA

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. ADAMS. Mr. Speaker, I would like to commend the American Hellenic Educational Progressive Association for their efforts to improve American life over the past 50 years. This voluntary fraternal organization was founded in the city of Atlanta, Ga., on July 26, 1922. Since that time, AHEPA has made innumerable and valuable contributions, especially in the areas of disaster relief, scholarships to worthy students, and the instruction of their members in American citizenship.

While preserving and perpetuating the heritage and culture that is theirs by birth, the AHEPA strives to promote and encourage loyalty to the United States. This organization is highly respected in Washington State as a champion of the cause of education and a nonpartisan force dedicated to the improvement and betterment of social, moral, and family life.

The State of Washington is fortunate and proud to have such an organization and such dedicated, loyal citizens. We salute them during their golden anniversary celebration.

ROSEMEAD, CALIF., CELEBRATES ITS 13TH BIRTHDAY

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. DANIELSON. Mr. Speaker, on August 4, 1959, the city of Rosemead, Calif., was incorporated. On Saturday, evening, August 5, Rosemead citizens will be celebrating the city's 13th birthday at Rosemead Park. This year's emphasis is on community involvement, with activities planned for the entire family. Stage entertainment, rides, games, teen dance, and a barbecue dinner are some of the activities planned for the occasion. I want to take this time to congratulate the city of Rosemead and its people for their community spirit and growth.

Rosemead has a long and colorful history. In 1769, Father Junipero Serra entered what is now California and commenced the construction of the famous California missions. In 1771, the Franciscans established the San Gabriel Mission in the San Gabriel Valley along El Camino Real between Mexico and Monterey, Calif. California later, in 1821, became Mexican territory, and on September 9, 1850, it became the 31st State to be admitted to the Union.

The community of Rosemead developed around the Savannah Ranch and the Rosemead Ranch. John and Harriet Guess came to settle in the area around 1852, purchasing the Savannah Ranch—100 acres along what is now known as Valley Boulevard—by 1867. L. J. Rose established his Rosemead Ranch in 1866 between today's Rosemead Boulevard, Walnut Grove Avenue, Grand Avenue, and Shea Place. The city got its name from the old Rose Ranch. Other pioneers moving west followed Rose and Guess, and throughout the 1880's Rosemead consisted primarily of large ranches.

By 1920, Rosemead had been divided into small truck farming areas and chicken and rabbit farms. In 1919, the first grocery store was opened, with two more stores opened shortly thereafter. The 365 residents in the area objected to this "commercialism," pointing out that Rosemead was a residential area. In spite of objections, Rosemead grew, and other businesses developed. In 1925, Rosemead had its first newspaper, the Rosemead Review. In 1927, the Rosemead Chamber of Commerce was chartered. The First City Bank and a local post office were established in 1928.

By 1930, 50 businesses, the Forum Club, Women's Club, public library, a doctor, several churches, two schools, and other civic developments were situated in Rosemead. The population had grown to 5,000.

As in all of California during the 1940's and 1950's, Rosemead grew. When the city incorporated in 1959 the population was 16,000. Rosemead developed under the council-manager form of government, contracting with Los Angeles County for many of its city services.

Today, Rosemead has a population of approximately 42,000. It is a well-balanced community, with industry, commerce, and fine residential areas. It is known as a warm, friendly city with a wealth of civic and service groups and churches.

I am happy to commend the people of the city of Rosemead for their achievements of the past 13 years and to extend my best wishes for the future as Rosemead continues to make its contribution as a young city in the San Gabriel Valley.

FAKE IDENTIFICATION CARDS: THE CHICAGO TRIBUNE TASK FORCE REPORT—PART X

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. MIKVA. Mr. Speaker, every college student knows how easy it is to evade the drinking age laws with the use of a false identification card. Reporters from the Chicago Tribune found that it is just as easy to evade the licensing requirements of the Nation's gun control laws.

Guns kill 10,000 Americans each year. The Chicago Tribune recently created a task force to study this epidemic of violence. This is the final article in a series of 10 task force reports:

GUN REGISTRATION MADE EASY

(By Pamela Zekman)

I am a registered firearms owner in the State of Illinois—or at least my face is.

The card issued June 24, 1972, by the Illinois Department of Law Enforcement bears a picture of me wearing a blond wig, but it says my name is Sally Wagner. I am not Sally Wagner.

Because the state's licensing law does not require an applicant's fingerprints, the department has no way of knowing that I am not the person I said I was, conceded Mario Costa, administrator of the Firearms Owners Identification Department.

IDENTIFICATION DIFFICULTIES

In fact, it has no way of knowing for sure if I am an ex-convict or a former mental patient, tho the state law prohibits such persons from obtaining firearms cards.

And the state mental health department does not give out information on former patients' backgrounds, "So we have no way of checking that," said Costa. "We usually find out after the card has been issued and a man gets in trouble and a local law enforcement officer or a relative calls to find out why in the hell the man was given a firearms permit in the first place."

3,500 CARD DENIALS

Since the state law was enacted in July, 1968, 1,140,000 Illinois residents have received firearms identification cards, Costa said. Permits have been denied to 3,500 applicants found to have a felony record when a name check was made with the FBI or the state Bureau of Identification. The cards are required for any purchase of a firearm in Illinois.

I got my card through Howard Ehrlich, 42, who placed an advertisement in a daily newspaper recently to sell an "enforcer" carbine. Reporters responded to the ad, as any citizen could have done, and found Ehrlich ready and willing to sell his "collection" of handguns. He had some 300 to sell, he said at one point, and was unloading them to buy new parts for his yacht.

Ehrlich is not a licensed gun dealer, but the 1968 federal Gun Control Act does not prohibit private citizens from selling their own weapons.

Ehrlich, who shares offices with his brother at 2726 W. Peterson Av., runs the H. Ehrlich Construction Co.; his brother operates several amusement companies that run X-rated movie theaters.

SURROUNDED BY GUNS

On May 19 I visited Ehrlich in his office and found him surrounded by an assortment of guns, model cars, cameras, and sheriff's badges. He had been a deputy for Sheriff Richard Elrod for three months and helped run Elrod's campaign, he said.

Ehrlich refused to sell me a gun until I got a state firearms card. I protested that it would take too long. I needed a gun soon, I said, because I was afraid of being mugged.

"We'll get you a card. It won't take long. I can take care of it," he said.

PROMISES TO USE CULT

He informed me that he was the 48th Ward secretary [he no longer is] and was "in heavy with the Mayor's office."

Taking care of a firearms permit meant he would have the application expedited by calling his "good friend" who is a former state official.

"I'll take the application down to him, and he'll push it through. He's a friend of mine and he'll do it," said Ehrlich.

APPLICATION COMPLETED

With that settled, he filled out my application, using Sally Wagner's driver's license. [The firearms identification law does not even provide for revocation of a card when an applicant uses a name other than his own.]

To the questions Ehrlich read from the form, I responded: No, I wasn't an ex-mental patient, nor was I ever convicted of a crime.

LAPSES OF MEMORY

That was it. A week later Ehrlich told me his friend agreed to "expedite the matter." Three weeks later the card arrived in the mail. It usually takes four to five weeks, Costa said. The card enables me to buy any number of firearms at any gun shop in the state.

As Sally Wagner I later thanked the ex-state official for his assistance, and he responded: "You're welcome. I'm glad you got it. How long did it take?"

As Pamela Zekman, I asked the same man two hours later if he had helped expedite the permit as a favor to Ehrlich. "I can't recall," he said.

First he said he couldn't remember Ehrlich; then he said he could. Then he denied expediting the permit but admitted he had done such things in the past for deputy sheriffs and a handful of personal friends. "I can do it in three or four days," he said.

SEEKS SUITABLE WEAPON

While waiting for the card, Ehrlich and I negotiated about a gun. He pulled three handguns from his carved wood desk but then decided his supply didn't include a weapon suitable for me.

"I'll ask around and get the right kind," he said. "I have friends, and they have guns, and I'll ask them and we'll fix you up with the right thing."

Tho firearms laws are silent about a collector selling a personally owned weapon, Ehrlich now indicated his willingness to step into the role of a dealer, obtaining weapons from others to sell to a customer.

RULES OUT DERRINGERS

When I inquired if a small derringer would be best for me, he explained the disadvantages of owning such a weapon.

If assailants should come thru the door, he said, "a derringer won't stop them. It'll just make them mad. But [with] one of these babies that I want for you, the bullet will jump around inside and really mess him up, and he'll know he's been hit."

Had I gone thru with the transaction, I could have owned a weapon like that under an assumed name. It never could have been traced to me.

DETAILS GUN'S DRAWBACKS

Ehrlich displayed similar concern about owning the appropriate weapon when reporter Philip Caputo visited his office in response to the advertisement a week before my visit. Caputo said he wanted a good weapon for self-protection.

He should not buy a snubnosed revolver, Ehrlich said, because "you might jam it into your belt, and you may be out with a broad some night, and some guy makes you mad and you shoot him. Then you're in trouble because you're not allowed to carry a gun."

TRIBUTE TO ALLEN J. ELLENDER

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. MURPHY of New York. Mr. Speaker, it is with a sense of great loss that I offer these words to the family of Allen Ellender in behalf of one of the most outstanding Members of the U.S. Congress, Allen J. Ellender. He was a man of deep conviction who stated what he thought, and when he spoke the Congress listened. His diligence and effective labors in behalf of the management of this country's funds in the U.S. Senate and in other Government agencies, his concern for our Nation's public welfare, and his leadership in developing a prosperous, strong and effective agriculture and country have left a legacy to the Congress of the United States and to the people of Louisiana which will never be forgotten.

Senator Ellender's legislative philosophy, which he lived and practiced in whatever he did, summarizes the true sense of our democratic process. He set a pace that kept most everyone straining to match; he established a record of accomplishments that was nothing short of astounding. He never forgot the needs of the people of Louisiana and he worked faithfully for them. His devotion to his senatorial duties and his performance in the execution of them serve as a model to us all.

Senator Ellender was by far one of the most influential Members of Congress during his 36 years on Capitol Hill. He was elected President pro tempore of the U.S. Senate in February 1971, which is the highest honor the Senate can bestow on one of its Members. He was also chairman of the Senate Appropriations Committee, in which position he oversaw the entire Federal budget—more than $200 billion annually. He also served as ranking member of the Senate Public Works Committee, as ranking member and past chairman of the Senate Committee on Agriculture and Forestry, a member of the Senate Democratic Steering Committee, and a member of the Senate Democratic Policy Committee.

Allen Ellender was an outstanding American in the greatest tradition of the Founding Fathers. He believed in America. He believed in a strong America. He was a true Southern gentleman of the highest caliber—a credit to his people in Louisiana, and to his country.

Mr. Speaker, I join all my colleagues in expressing my heartfelt sympathies and deepest respect to his family, and the people of Louisiana, in their sorrow and bereavement.

LONGSTANDING FRIENDSHIP ENDANGERED

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. SHRIVER. Mr. Speaker, Mr. John D. Montgomery, publisher of the Junction City, Kans., Daily Union, who is familiar with Latin American affairs, has written a thought-provoking editorial which has significant bearing upon our U.S. economy and foreign policy. The editorial cites key examples of how State Department and congressional actions can have economic consequences here at home as well as endanger longstanding friendships with Latin American countries such as Brazil.

The editorial follows:

[From the Junction City (Kan.) Union]

LONGSTANDING FRIENDSHIP ENDANGERED

(By John D. Montgomery)

During the past few years there has been a tendency on the part of some members of Congress and some State Department personnel to promote sanctions against the Brazilian Government. These attitudes have tended to erode a long-standing friendship and also to forestall mutually beneficial transactions. Only recently a senator from an aircraft producing state proposed that the military assistance program for Brazil then pending before Congress be denied. Fortunately the program, which is a small one involving only training and technical advisory activities, was allowed to remain.

Since 1969, these negative actions and attitudes have precluded the United States from making substantial sales to Brazil. For example, in 1968 the Brazilian Government desired to buy a squadron of F-5 jet aircraft from the U.S. Because of Congressional and State Department attitudes toward the Brazilian Government, the purchase of the F-5 was denied and instead jet aircraft in an amount of over 80 million dollars were purchased in France. If our attitude had not been negative, the purchase could have been made in the United States. Another example is a ship building program of over 100 million dollars that could have been arranged with the United States but instead went to a European ship builder. Still another example is the purchase arrangement with an Italian aircraft company for over 100 jet trainers. A more logical buy would have been the T-37 trainer from Wichita, Kansas, inasmuch as the Brazilian Air Force already has in its inventory the T-37. The additional buy of T-37 would have been a natural add-on and was preferred by the Brazilian Air Force. Each example above, it must be noted, involved a purchase and not military grant aid.

Not only did the loss of the above sales, and others not mentioned above, deny United States firms of substantial sales but also lost the residual benefits in years to come in the purchase of spare parts, handling equipment, etc. In addition, and probably more far reaching than the dollar loss, will be the additional import to Brazil of European technical know how and skills which since World War II has been a primary area of influence of the United States. This could spill over into the civilian sphere in Brazil, affecting industrial and commercial development according to Common Market trends rather than our own.

This depressing situation has been brought about by a small group who fail to recognize that Brazil is not a banana republic run by an oppressive military dictatorship. The Brazilian military did oust a corrupt regime in 1964 and installed an efficient, effective and pro U.S. government. Not only has the economy grown over 50 per cent during the past five years, with an increased GNP of 11.3 per cent in 1971, but equally important have been the tremendous social improvements in the country. To cite only two examples of many impressive gains: since 1964 primary education enrollments have more than doubled, and more public housing has been built than during the entire previous history of Brazil. If we are to continue our forward position with Brazil as this vast country develops, those few nay-sayers in Congress and in the Administration must put Brazil in its true perspective in order to develop our policies which can mutually accommodate the United States and this tremendously large and progressive country of 200 million people.

FOREIGN GAS HIGH PRICED

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. COLLINS of Texas. Mr. Speaker, the Commerce Committee is soon to consider the Murphy bill. This bill provides for sanctity of gas contract so domestic oil and gas exploration can be intensified.

Drilling has been running at half past performance levels while gas demand reaches new highs. The poorest answer for gas shortage is foreign imports of extremely high-priced gas.

Clyde La Motte wrote a story out of Washington on the impact from Algerian Gas imports. This article in the business page of the Dallas Morning News makes sense. You will be interested in reading the facts in La Motte's story in the Dallas News:

IMPACT OF ALGERIAN GAS IMPORTS

(By Clyde La Motte)

WASHINGTON.—There was no dancing in the streets when the Federal Power Commission recently approved a plan which would add about one billion cubic feet a day to the nation's dwindling supply of natural gas.

The whopper of a plan involves shipments in liquefied form (LNG) from Algeria by special tankers to U.S. markets.

Furthermore, FPC approval doubtlessly will add momentum to other such plans. Already there has been talk of a deal with the Soviet Union for vast quantities of LNG. And a Pacific Coast utility is planning on importing up to 500 million feet of gas a day from Australia.

These plans, and others being formulated, would boost this nation's available supply of energy substantially.

Still there was no dancing. Rather, there were rumblings of discontent over the sobering realization that the United States, once abundantly self-sufficient is readily available energy resources at low prices, was becoming a have-not nation paying unbelievably high prices for gas from abroad.

The power commission was unhappy over its own decision. It said, in effect, that it was approving the Algerian plan because it really didn't have any other choice, short of letting U.S. consumers do without adequate supplies.

It said its action was "an exercise of our responsibility in carrying out our policy to remedy the gas shortage to the extent we are able to do so."

Commissioner Pinkney Walker voiced the discontent in this fashion: "It is not rational to approve the importation of foreign LNG, which is currently approximately twice as expensive as domestic supplies, without moving ahead to develop policies which will stimulate domestic production and lead to additional incremental supplies at a lesser price."

Commissioner Rush Moody Jr., who said he voted for the plan with "grave reservations," also noted the high-cost aspect of the imported LNG. He said the agency's approval puts it in the awkward position of permitting the purchasing companies—Southern Natural Gas Co., Columbia Gas System and Consolidated Natural Gas Co.—to contract with their respective LNG subsidiaries for gas at a price approximately $1 per thousand cubic feet while prohibiting the same companies from paying Independent domestic producer area rate of more than 26¢.

Moody reached the conclusion domestic producers reached long ago: "Decontrol of domestic gas prices, through amendment of the Natural Gas Act, is now necessary."

Moody said: "It is self-evident that if we are to continue our regulation of natural gas prices under the Natural Gas Act as now written and interpreted, we will only bring to the American consumer the highest priced gas."

He said the FPC is bound tightly by yesterday's law which cannot meet today's necessities.

Walker said it is important to throw off "slavish adherence" to the traditional cost-of-service approach to rate-making with its heavy reliance on historical cost. "We must undertake a comprehensive review of our producer regulation and determine how it can be modified to better serve the public interest," he said.

Domestic gas producers could hardly help but be dismayed by the prospect that billions of dollars are likely to be poured into foreign facilities at a time when FPC imposed ceilings are driving away investment capital from domestic sources.

Many are convinced that the United States still has a tremendous potential of undiscovered and underdeveloped gas reserves of its own which could be brought to the marketplace if the price were right.

The cost of the Algerian project alone will run about $1.6 billion. That's in addition to the outflow of funds for the billion cubic feet of gas daily. Through its subsidiaries, will buy the gas from the government-controlled Algerian firm, Sonatrach, in liquid form and transport the LNG by tanker to two U.S. East Coast ports for sale to the three pipeline transmission companies.

There is a possibility that the Algerian deal may fall through yet, despite FPC's authorization. The reason: FPC imposed several conditions, including elimination of an escalation clause tied to Bureau of Labor cost indices for steel and other materials that would be used.

"OLDSTER" WRITES OF RAILROAD HISTORY

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. HOGAN. Mr. Speaker, the history of railroads and the men who developed them is truly an American legend. One man who has spent his entire life working with railroads is Col. Howard G. Hill of Bladensburg, Md., and he himself is part of that railroad legend. From his earliest years Colonel Hill has been fascinated by trains, and during his long railroad career he designed the first U.S. steam locomotive for overseas combat service, for which he has been widely acclaimed.

Colonel Hill has now written a book called, "Riding the Limiteds' Locomotives," which describes his experiences on steam engines when they were at their height. The Prince Georges Sentinel published an article about Colonel Hill and his book, and I would now like to share that article with my colleagues by inserting it into the RECORD:

"OLDSTER" WRITES OF RAILROAD HISTORY

(By Jennifer Frosh)

Col. Howard G. Hill, author of the soon to be published "Riding the Limiteds' Locomotives", is one of those veteran railroad characters whose love affair with the great steam-driving titans has lasted all his life.

The taped, disembodied sounds of engines he once designed, engineered and rode in for thousands and thousands of miles—gutteral, growling music pierced by sharp, clear exhausts, hoarse bellowing whistles, and fierce thunderous spasms of monstrous 80-inch drivers hammering away—brings tears to his eyes.

And when he reads other writers' accounts of the now phased-out engines, his words grow faint with almost 70 years of unfailing devotion.

Except for the unlit cigar he rolls over and over in his hand, and the awesome collection of grand old steam engine relics crowded in a converted "roundhouse" study, the retired army reserves colonel strikes one as a man of quieter tastes, with a sense of urbanity well suited to his family's Bostonian traditions.

But just like his father before him, the sight of a locomotive like the J-1 Hudson model, hauling the 20th Century Limited with its 12 gleaming dark-green pullman cars and firebox glow, sends him right "off the deep-end".

He's a railroad man all right—and perhaps one of the few left in this country to consider the total mechanical beauty of the steam locomotive as an art form in itself, as much a part of America's tradition as Andrew Wyeth.

"Was there ever a prouder looking, more beautiful looking sight," reads a section of the book describing the 20th Century Limited.

"She was the Century's pride and joy, complete and ready for a superb example of locomotive and train operation, the ultimate in power, stamina, and beauty."

Relaxing in his "roundhouse", surrounded by a library of over 700 railroad books, photographs, models, and wrought-iron builder's plates, Hill listens to his railroad tapes over and over.

"It's one of the most beautiful sounds in the world. Boy, I'm telling you when I see one of those babies today, it's a real thrill."

"Next to steam engines, I love pipe organs best. They both produce the sweetest music in the world" Hill said. And then, as an afterthought, he adds "When I listen, it kinda takes the edge off things."

The sound of coal ("chunks of real estate" Hill quips) being scooped up and dumped in the firebox can be heard from the tape, and then Hill's scratchy faint voice calling out "Just listen to her go. Now she's lined for the main track. Wait'll ya hear the music when she really gets going."

A long hoarse whistle comes next and then Hill's comment, "Doesn't that curl your hair?"

As he looks around his mini-museum, Hill points out a picture, or a plate here or there, each time exhibiting his amazing wealth of knowledge, skills, and devotion when it comes to anything connected with railroads.

"You might say I'm a railroad hot-rod" says playfully as he switches off the tape.

Hill's book, "Riding the Limiteds' Locomotives", which is due on the stands in August, is the story of his trip in the cabs of the 20th Century Limited and the Broadway Limited in the hey day of New York Central Pennsylvania, and other eastern railroads.

His book will be published by Superior Publishing Co., Seattle, Wash. It contains 250 pages and 104 illustrations. Priced at $12.95.

In his book he describes the performances of the engines, their speeds, what stops were on each line, and every detail of the schedule—how many miles they covered each day, how the engineer handled the engine, and the kinds of problems that arose.

The book is not so much a technical account, however, as a personal one of a man who relishes every part of the train experience and thrills to every sensation.

Accounts like the performance of Bob Butterfield, chief engineer for the J-1 Hudson type locomotive hauled by the Century, as he slowed his engine to a right-on-schedule stop at a station, could draw any reader, railroad buff or not, into Hill's informative text.

"Bob Butterfield produced superb music as he sat at the controls of the 5302 that day. His left hand flashed back and forth from the throttle lever to the automatic brake handle, while his right hand released the engine brakes and operated the sander valve to prevent no sudden stop, the slight slipping of the driving wheels which occurred with distracting frequency. Through it all his attitude was one of calm, unruffled competence."

The description reminds one of a picture of Hill on his roundhouse wall, shot 20 years ago as he leaned out the window of a cab engine, cap tilted slightly over brow and an expression of serene control on his face. Suddenly you see that calculated, precision-marked skill is what's really involved in handling these steam monsters—not the brawn and unleashed energy of all the railway legends.

Precision, urbanity, calmness is what railway men respect most in each other, and Hill, representative of this tradition, teaches this in his book as well.

Hill says he got the idea for his book 15 years ago as a result of a suit brought against his company for claims made on their new oil greases.

Bill was sent all over the country demonstrating the product and testified at the trial using his own drawings and photographs of engines.

One of his photographs was recognized by a lawyer for the other side. It was of a locomotive known to be running just fine on the old form of grease.

"I was sent the very next day to ride the 20th Century Limited straight through to Chicago, to see if her performance was noticably affected by the old form of grease."

As it turned out, Hill discovered they were using the grease with satisfactory results, but they were changing grease at every stop and thus increasing the cost of maintenance.

Hill has run engines in the United States, Mexico, Canada, Guatemala, Morrocco, Algeria, Italy, England, and Japan.

His railroad life began at the age of 15 when he began submerging himself in technical railroad engineering books at the public library.

"All I could think about was steam engines" he says and this pattern never changed for the rest of his career.

Hill spent all his space time in the Houston railroad shops or roundhouses of the Southern Pacific Railroad, watching and studying engines.

In five years he rose from apprentice machinist to mechanical engineer. Later he moved to the field where he was required to make general inspections and offer suggestions for improvements.

In 1920, Hill left the SP and joined the Texas firm which eventually sent him on his 20th century odyssey.

During World War II, he was called up for active duty in the Railway Branch, Office of the Chief of Engineers in Washington.

While here he designed the first U.S. steam locomotive for overseas combat service, and by 1942, 200 of them were ordered by the British and sent to Iran, Egypt, Palestine, Syria and Turkey. By 1943, the Northwestern Railway in India received 584 engines of a similar design, called the Mikado type.

Honors have been heaped on Hill over the years, ranging from the Legion of Merit awarded by Gen. George Patton while he was in Sicily during the war, and letters from the President of Iranian State Railroads congratulating him on the "best steam locomotive ever running on their railroad course."

Col. Howard Hill presently lives in Bladensburg with his wife.

SECRETARY BUTZ IS "AS WELCOME AS A REFRESHING RAIN"

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, at the close of the recent recess, I had the honor of hosting a meeting attended by Secretary of Agriculture Earl Butz and over 500 farm residents of east central Wisconsin. Secretary Butz traveled to Fond du Lac expressly to meet with working farm people. He met them by the hundreds, joined them in consuming beef bratwurst and pork patties, and responded to their straight questions with straight answers.

Harley Buchholz, farm editor of the Fond du Lac Reporter, presented a sampling of the Secretary's concerns:

The average age of the American farmer is 52; we are 10 years behind time in re-manning American farms (a matter of concern to everyone who eats food); and, food is still economically priced in terms of how hard you have to work to get it.

The feeling and atmosphere that was present at the Wisconsin gathering is also aptly captured in a July 23 Chicago Tribune report entitled, "America's Farmers Think Butz Is Beautiful." I include this article as part of my remarks and I heartily commend it to my colleagues who are interested in farm problems and the cost of food.

The article follows:

[From the Chicago Tribune, July 23, 1972]

AMERICA'S FARMERS THINK "BUTZ IS BEAUTIFUL"

(By Richard Orr)

In the spring and summer of 1966 spiraling inflation was boosting costs of food and other consumer items, creating widespread complaints over Johnson administration economic policies, and boding ill for Democratic candidates in the fall elections. At a closed briefing for Democratic congressional candidates in Washington, an Ohio candidate asked Orville L. Freeman, secretary of agriculture, for advice on how to handle questions from voters about the rising cost of living.

"Slip, slide, and duck any question of higher consumer prices if you possibly can," Freeman advised. "Don't get caught in a debate over prices between housewives and farmers."

That prize piece of political profundity might never have been revealed had not Aldo Beckman of The Tribune's Washington bureau been sitting unnoticed among the candidates in the back of the room. He promptly wrote a story to the embarrassment of the Johnson administration and its red-faced secretary of agriculture.

AGAIN IN HEADLINES

This year soaring food prices have again been making headlines, bringing widespread complaints about Nixon administration effort to curb inflation. But there was no slipping, sliding, or ducking from a new secretary of agriculture, Dr. Earl L. Butz, when he met a barrage of press conference questions about high food prices.

"I don't want to see food prices come down," said Butz. "Farmers have too long realized too little profit and often no profit."

Such candor in behalf of 9.5 million farm people against 207 million consumers is hardly standard political operating procedure in a Presidential election year. It tells a lot about why Butz, a gutsy, give-'em-hell fighter for agriculture, is turning things around in farming areas where Republican prospects were gloomy less than eight months ago when he took office.

Since then Butz has been saying and doing things which have delighted farmers, irked consumer advocates and labor leaders, confounded political critics, and focused national attention on agriculture.

His message, repeated over and over, is simply this: Farmers are not to blame for higher food prices or inflation. Their prices have gone up relatively little, while their rate of productivity zooms upward at a record rate. Farmers deserve higher prices and better incomes because they earn only three-fourths as much as city people. Rising food prices are largely the result of higher wages and other distribution costs, together with rapidly growing demands by consumers who have more money to spend.

"It isn't so much the high cost of living as it is the cost of high living," he tells his audiences.

When C. Jackson Grayson Jr., Price Commission chairman, hinted that prices of live stock and other "raw" farm commodities might have to be controlled, Butz replied promptly he would "fight like a wounded steer" to prevent it. Rationing, black markets, and empty meat counters would be the inevitable results of such controls, he declared.

Butz reminds housewives who complain about high food prices that they never had it so good. Food costs are the lowest in history—down to 15.6 cents of each dollar of take-home pay, compared with 23 cents two decades ago. In the same 20 years the farmer's share of the consumer's food dollar has shrunk to 38 cents from 49 cents.

"One reason why housewives think food is expensive is that they buy it several times a week and are aware of every little change in prices," says Butz. "On the other hand, they buy, say, furniture or a refrigerator once every 10 years, and they are not as aware of what has happened to prices of those items.

"The housewife may spend more on her week's trip to the store, and when she gets home she complains about food prices as she takes the pantyhose, detergent, mouthwash, and floor wax out of her shopping bag."

To labor leaders who demand controls on farm prices, Butz points out that in the last 20 years those prices have gone up a total of only 6 per cent, while wage rates were rising an average of 6 per cent a year, or a total of 130 per cent.

"Thru the years the power of labor leaders willingly and deliberately helped create inflation—and the same power should have the will to help correct inflation," he asserts. "It was a sorry sight to see labor leaders walk out of the Pay Board as if to say this is somebody else's responsibility."

The secretary of agriculture takes pains to remind farmers that farm income this year will be at an all-time record high any way you figure it—in total realized net income, net income per farm, and net income per capita. Yet per capita net income of farmers is only 75 per cent of that of nonfarm people.

"And that's not good enough," Butz adds. "I won't be satisfied until the income of farm people is at least on a par with city people."

As might be expected, his message draws mixed reactions.

"I get letters from farmers saying 'Glory hallelujah'," he says. "I also get letters from housewives saying, in effect, 'You silly S. O. B., what are you trying to do to us, anyway?' "

A DIFFICULT PROBLEM

"Politically, of course, you've got a very difficult problem with the election coming on. You don't want to antagonize consumers, of whom there are 207 million, nor do you want to offend producers, of whom there are many fewer than that."

Earl Lauer Butz, 63, was born and raised on a farm near Albion, Ind., one of three sons and two daughters of German Lutheran parents. He was a 4-H Club boy and leader before attending Purdue University and graduating in animal husbandry in 1932 in the midst of the great Depression.

After farming for a year with his father, he returned to Purdue, where he received his doctorate in agricultural economics and became an instructor in 1937. He has been at Purdue most of the time since then as head of the department of agricultural economics, dean of agriculture, vice president of the university's Research Foundation, and dean of continuing education.

Butz gained experience in practical politics in an unsuccessful 1968 bid for the Republican gubernatorial nomination in Indiana and during three years of service as assistant secretary of agriculture for marketing and foreign agriculture in the Eisenhower administration. As an agricultural consultant to Richard Nixon in the 1968 Presidential campaign, Butz was prominently mentioned as a possible candidate for secretary of agriculture.

But the job went to Dr. Clifford M. Hardin, chancellor of the University of Nebraska, an economist who had been one of Butz's students at Purdue. In his nearly three years as secretary, Hardin proved to be a lackluster performer in Washington's supercharged political atmosphere. By last November, G.O.P. leaders were in near panic over signs of an incipient farm revolt over low farm prices and what farmers considered to be Nixon administration neglect of their economic plight.

Out went Hardin. In came Butz. But not before an assortment of Democratic leaders and some farm groups, baying like bloodhounds on a fresh trail, had raised a much publicized ruckus that threatened to block his Senate confirmation.

The main issues were Butz's conservative economic philosophy and his directorships and stock holdings in three large agriculture-related business firms. His detractors charged he would dismantle federal price support programs and toss farmers to the vagaries of the free market. They cited his associations with "agribusiness", as proof that he was an agent of "giant corporations that are destroying family farms and driving farmers off the land."

Sen. McGovern called Butz' appointment "a catastrophe for American agriculture." Sen. Hubert Humphrey proclaimed that "Dr. Butz can hardly be considered a champion of America's small family farmer."

JOIN IN ATTACK

The National Farmers Union and the National Farmers Organization joined in the attack, calling his economic views "archaic" and his appointment the "worst possible choice." A last minute endorsement by the American Farm Bureau Federation, the nation's biggest farm group, helped Butz squeak thru the Senate by a narrow 51 to 44 vote.

Butz shrugged off these attacks as the "opening salvo of the election campaign in the Farm Belt." Within minutes after taking the oath of office, he began dispelling the charges of his critics in his first official utterance: "The price of corn is too low." Next day he ordered his department to buy corn to jack up prices.

A few days later he told the annual Farm Bureau convention in Chicago, "We're going to do everything possible within the limitations of reasonable budgetary soundness to restore farm income to the level that you people are entitled to."

Since then he has changed the feed grain and wheat programs to give farmers more money to cut surpluses by not planting crops. He has won release of an additional $109 million in rural electrification loans and $55 million for the rural environmental assistance program, got another $200 million for the food stamp program, and boosted rice allotments by 11 per cent. Farmers in the $1 billion wheat subsidy program, which went up by $132 million this year, have been promised another $100 million next year.

These and other administration moves before Butz took office, coupled with a fortunate rise in some market prices, should make Republicans odds-on favorites in the campaign for the farm vote.

Net farm income this year is forecast at an all-time high of $17.7 billion, up $2 billion from last year. Half of the increase results from higher cash subsidies which bring total 1972 direct farm payments from the federal Treasury to a record $4.3 billion.

Agricultural exports reached a record $8 billion high in fiscal 1972. They may go higher next year as a result of the recently announced three-year trade agreement under which Russia will buy $750 million or more of American grains. In addition to direct farm spending, the Department of Agriculture is spending a record $2.9 billion this year—double 1969 expenditure—to improve housing, water and sewage systems, electric and telephone services, recreation facilities, and community development in rural America.

Rural America includes more than the 9.5 million farm people living on 2.8 million farms and comprising less than 5 per cent of the total population. Altogether, about 53 million persons live in rural America, a fourth of the population, the bulk of them dependent on a healthy agriculture for their welfare.

Despite the declining number of farms, agriculture remains the nation's biggest industry, employing 4.5 million workers, or almost as many as are employed in the transportation, steel, and auto industries combined. An additional 2 million persons have jobs supplying things farmers use in production, and 8 to 10 million more people have jobs storing, transporting, processing, and merchandising commodities farmers produce. One of every five jobs in private employment is related to agriculture, directly or indirectly.

It is this agricultural complex, comprising the world's most efficient food producers and related industries, for which Earl Butz undertakes to be a "vigorous spokesman." He also regards it as the secretary of agriculture's obligation to "assure a continuity of ample, healthful food at reasonable cost—and reasonable cost means fair play in the marketplace for both consumers and farmers."

Butz still has his critics who contend he isn't doing enough for agriculture, along with many farmers who hesitate to rate his performance thus far. Illinois farmers polled last April by Prairie Farmer magazine indicated that 45.9 per cent of those questioned approved of his performance, 8.8 per cent disapproved, and 45.3 per cent were undecided.

Tony T. Dechant, president of the National Farmers Union, concedes that Butz is a "very knowledgeable agriculturalist and articulate spokesman," but says he isn't doing enough to raise farm income.

ASSESS BUTZ' PERFORMANCE

Nevertheless, recent soundings by Midwest farm editors indicate that many farmers agree with the G. O. P. National Committee's assessment that Butz performance is "as welcome as a refreshing rain after planting." A veteran Kansas farm editor commented, "I can't find anyone who is against him." An Iowa farmer told a New York reporter, "Farmers are pretty satisfied right now with Mr. Butz, and I don't hear much talk against the Nixon administration's economics as far as farm prices are concerned."

Sen. Herman Talmadge [D., Ga.], chairman of the Senate Agriculture Committee, who opposed Butz' confirmation, observed recently: "I must say that since that time I've been impressed. The other secretaries were always lurking in the shadows, but he's looking after the interests of American agriculture."

An Illinois hog raiser summed up his impression succinctly: "Butz is beautiful."

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 Americans prisoners of war and their families.

How long?

FOUR-DAY, FORTY-HOUR WORKWEEK

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, as the sponsor of legislation in the House of Representatives to permit the 4-day, 40-hour workweek for government contractors, I have sought to inform my colleagues of recent developments in this area. The New York Times carried an article which describes the benefits and difficulties of this new workweek concept.

The article indicates that, despite some objections to this change, there is a continuing and growing trend toward the 4-day workweek. For those desiring further information on the 4-day workweek, I would recommend a recent study by Judi and Raymond Peddersen, "Shorter Workweek," which provides an excellent introduction to the 4-day workweek.

The article follows:

FOUR-DAY WORKWEEK GETTING MIXED RECEPTION

(By Agis Salpukas)

DETROIT, July 15.—Small companies at the rate of two a day are switching to the four-day work week, but the new schedule has yet to become a major trend in American industry.

In the two years since the altered work week began to catch on, not one major company has adopted it for all of its work force. However, some large companies, such as the Equitable Life Insurance Company, have put part of their clerical workers on it, and Pacific Southwest Airlines has one-half of its 2,400-member work force on the four-day schedule.

There is little prospect that mass-production industry, which is largely unionized, will soon try the new system, under which workers normally have three days off in return for working 10-hour shifts for four days.

One major reason is that it has aroused the opposition of the labor movement, which views the rejuggling of days merely as a gimmick, diverting its member from the goal of shortening the total number of hours they have to work.

Opposition from American Federation of Labor and Congress of Industrial Organizations was largely responsible for the recent defeat of a proposed change in the Walsh-Healy Act, which requires overtime pay after an eight-hour day from companies engaged in Federal contract work.

A MAJOR OBSTACLE

Most small, nonunion companies can get around the requirement by offsetting the time-and-a-half provision and having workers agree to take a pay cut to balance things out. But it is a major obstacle to companies with unions that are reluctant to tamper with ratified contracts.

For the small companies, the enthusiasm is growing. About 1,000 of them, employing about 75,000 workers, are now on a four-day week, compared with 50 companies, employing 10,000 workers, two years ago.

Most of them report that the benefits, such as less absenteeism and turnover, better use of plants and equipment and higher employe morale, have become permanent.

"It's beautiful," Linda Laus, a 21-year-old darkroom technician at the Hoechstetter Printing Company in Pittsburgh, said in an interview. "I traveled around the state or to

Washington and I don't have to hurry back to work Monday morning."

"If I have things to do in town," she said, "I do them on Mondays. Saturday when I don't go away I clean at home or do other chores. I'd never give it up. What's an hour or so more a day when I can have Monday all to myself."

Clark Davis, a pressman, was not as enthusiastic when the plant, specializing in color lithography, went on a four-day week a year ago. He has a one-hour ride on a bus each way and so it's a 12-hour day for him.

"But it's worked out fine," he said. "I spend weekends in Uniontown with my family and I can go to the courthouse or take care of other business on Mondays."

The four-day week has proved itself well suited to police departments, car dealerships and smaller concerns employing professionals.

Some police departments, including those in Houston and Washington, have found that they can overlap their two, 10-hour shifts and have double the manpower on patrol during high crime periods.

In Pasadena, a suburb of 90,000 people near Houston, the 10-hour day has enabled Police Chief Ellis Means to double the number of men on patrol between 8 P.M. and 2 A.M.

"With double the number of cars," he said, "we can cut the time of response to police calls from an average of seven minutes to three and a half."

In the four months since the new week was adopted, he said, there has been a slight decrease in nighttime burglaries and a big increase in the number of charges filed for drunken driving.

"When the joints close up at midnight," he said, "we're out there on the streets to grab them."

Since most shifts on a four-day week begin at 8 A.M., when other companies have established "quiet periods" during which workers do not have to deal with customers, take phone calls or go out on assignments.

At Ellerbee Architects in St. Paul, for example, where 75 per cent of the workers are professionals, there is a quiet period from 7:30 to 10 A.M. Kenneth Mahal, president of the firm, said that a survey of 500 employes showed almost unanimous support for the change.

The four-day week has also become popular with car dealers, who have been able to stay open later in the evening.

Al Stokes, a Volkswagen dealer who put his service and parts employees on a four-day week now stays open 11 more hours a week. "It meets the growing demand by car owners for longer and more convenient service hours," he said.

The shift can cause problems, too. John Wierenga, a mechanic at the dealership who works on a commission, said he had been able to handle fewer customers and had lost money.

Some workers complain about fatigue on a 10-hour shift. Velma McFadden, who works as a teller at the Merchants Park Bank in Houston, said she had a problem getting up at 5:30 in the morning. "I take vitamins from getting too tired," she said.

Edmund Gifford, president of the Rockland Insurance Company in Boston, said that an experiment with the four day week was abandoned recently after a year because salesmen had to continue to work five-hour days. "Who would a saleman call at seven in the morning?" he asked.

He also said that people on the 8 A.M.-to-6 P.M. shift did very little work in the last hour, adding: "They were wandering away from their desks or spending excessive time in the ladies' and men's rooms."

There are also critics who contend that shuffling the work week may bring about some temporary gain but that they are of no lasting benefit to workers and actually put greater pressure on them. Absenteeism decreases, they say, because it is more costly to lose one-fourth of one's pay instead of one-fifth.

There is also concern that the four-day week may further intensify the feeling that work is a penalty for pay and leisure.

Thomas K. Connellan, a research associate for the University of Michigan, said in a recent article that the four-day week might divert companies from dealing with the growing problem of job dissatisfaction.

LESS PHILOSOPHICAL

"The vast majority of jobs, and this includes positions from the top to the bottom of organizations, simply do not challenge the ability of individuals," he wrote. The four-day work week, he argued, does not make the nature of the work itself more interesting.

Unions are less philosophical in their opposition. Dominic Fornaro, president of the A.F.L.-C.I.O. council in Baltimore, said that if union members were asked to work 10 hours a day for four days they should be paid time-and-a-half for the last two hours.

It was the issue of overtime that led the United Automobile Workers and the Chrysler Corporation to end talks concerning the four-day week a year ago. Chrysler contended that 10-hour shifts would be difficult to incorporate into plants that now operate 24 hours on three shifts of eight hours.

There is also some concern that moonlighting would increase, intensifying the job shortage.

A survey of 51 companies on the four-day week made by the School of Business at the University of Pittsburgh found that 10 per cent of the workers chose to get a second job. This is two times as high as the national average of 5 per cent of all employed persons who have two jobs.

But the survey also showed that about two-thirds of the workers liked their work more than before and that only one of six was more tired at the end of the day than before the new work week.

Supporters of the movement are optimistic. They feel they are part of a general trend in which workers prefer to have their leisure in bigger chunks, allowing them to take longer trips or finish work at home.

Gus Sirotzki, a four-day supervisor at a Colonial Carbon plant in suburban Chicago, said: "I accomplish much more. I have more time with my family."

His sister-in-law, Mrs. Dorothy Czajka, who is a packer at the same plant, said she enjoyed saving one trip to work each week. "The Fridays off are valuable to me," she said. "I do my shopping and beat the Saturday rush. I don't know what we'd do without my Fridays."

A TRIBUTE TO AHEPA

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. BELL. Mr. Speaker, I would like to take this opportunity to pay tribute to the Order of Ahepa on the occasion of their golden anniversary which is being celebrated this month.

AHEPA's objectives are numerous; they include the promotion and encouragement of loyalty to the United States, instruction of its members in the tenets and fundamental principles of government and in the recognition and respect of the inalienable rights of mankind.

The organization has sponsored and contributed to such benevolent and worthwhile causes as the relief of victims of the Florida hurricane, the Missouri flood, the Turkish earthquake, and the war orphans of Greece.

On the domestic scene, the organization contributes to the betterment of American life by offering scholarships to deserving high school students and by promoting participation in civic organizations to insure responsive and honest government.

While I have mentioned only a limited number of AHEPA's activities, I wish to commend all their efforts and to express the hope that they will continue and expand these admirable projects in the future.

THE MYTH OF SO-CALLED EXECUTIVE PRIVILEGE—PROFESSOR BERGER SUGGESTS CONGRESSIONAL ACTION TO REGAIN ITS LOST POWERS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. MOORHEAD. Mr. Speaker, on May 25, 1972, I placed in the Appendix of the RECORD—page 19060—the text of a remarkable statement by Prof. Raoul Berger, Charles Warren, senior fellow in legal history at the Harvard Law School in which he totally destroyed the constitutional and historical basis of the so-called doctrine of "executive privilege." Professor Berger, a well-known legal historian and author, is a recognized expert on this subject. His statement was presented to the Foreign Operations and Government Information Subcommittee during our hearings on the denial of information by the Executive to Congress—part of our exhaustive study of Government information policies and practices.

A clear summary of Professor Berger's arguments against "executive privilege" and some suggested actions which Congress could take to restore our prerogatives as a coequal branch of Government were contained in a recent article by Sareen R. Gerson in the Boston Globe for July 23, 1972. So that all Members may share the views of Professor Berger on this vital matter, I am inserting the full text at this point in the RECORD:

THE DOCTRINE OF "EXECUTIVE PRIVILEGE": NIXON MEN REMAIN INCOMMUNICADO

(By Sareen R. Gerson)

WASHINGTON.—Retired law professor Raoul Berger, whose book "Impeachment: Some Constitutional Problems" will be published this fall, is trying to quicken congressional courage against White House claims of "executive privilege."

A senior fellow at Harvard Law School, Berger testified this spring before Rep. William S. Moorhead's Foreign Operations and Government Information Subcommittee, which is looking into President Nixon's growing controls over information.

"I have no favors to ask—I'm retired and devoting myself to writing—but for God's sake do something, get on with it: your task goes to the roots of American government," Berger said.

REVIVAL OF POWER

Berger wants Congress to revive the use of its contempt power, authorizing the sergeant-at-arms to physically arrest recalcitrant witnesses and lock them up.

The Nixon Administration claims for "executive privilege" to shut off congressional inquiry have no real precedent in history, Berger said. Instances cited by William Rehnquist when he was assistant attorney general "went back no further than the Truman Administration." Reducing the "privilege" concept to a sort of Johnny-come-lately mythology, Berger said there is plenty of precedent for Congress' role as "the Grand Inquest of the Nation," but no comparable history for the "executive privilege" claim.

"What you have here is a brand new doctrine called geographic location: if you're located on the White House staff, you've got immunity," he said.

For more than two hours, Berger spoke and answered questions, reviewing the pre-constitutional theory of separation of powers, and Congress' right of inquiry. Even the originator of the doctrine of separate branches of goverement, the French philosopher Montesquieu, whose works greatly influenced the US Constitution, said that the legislature "should have the means of examining in what manner its laws have been executed by the public officials," he said.

The US Supreme Court in 1927, in the wake of the Teapot Dome scandals, gave broad interpretation to Congress' investigative powers.

Berger also gave his course for immediate action:

"Pick a lesser man," he suggested (meaning, presumably, someone less than Peter Flanagan or Dr. Henry Kissinger). "One of the bureau chiefs.

"Ask for information. Issue a subpoena. If he fails to appear, have your sergeant-at-arms arrest him. Lock him up.

"He has to begin a habeas corpus suit to get out, and the court has got to decide it. I don't see how the court could dodge it.

"It won't require an endless series of contempt and the President and his staff will comply," he said.

RECOMMENDATIONS

On a long-range basis, beyond the immediate use of the contempt power, Berger urged Congress to:

Amend the 1928 statute which requires the executive branch to furnish information to the Government Operations Committee, by adding the right for Congress to take into court any official denying testimony or documents.

Authorize, by specific statute, a suit against any member of the Executive Branch who refuses to testify before the committee.

Appoint permanent legal counsel to bring such suits on behalf of Congress (and to screen all suits proposed by Congress, in order to prevent abuses.)

Make cut-off of funds explicitly dependent on information ("no information, no funds.")

At the very least, Berger advised (adding that "for one thing, it would hit the front pages"), Congress could boldly ask President Nixon to appoint a special counsel to represent Congress in such actions—on the theory that the Attorney General, representing the executive, would have a conflict of interest.

COURT JURISDICTION

Berger favored putting great controversies—particularly on questions of boundaries of power—into the laps of the court.

Although he knows of no case where a Congressional suit about "executive privilege" has ever been submitted to the courts, Berger does not think the Supreme Court would disclaim jurisdiction.

Nor would public opinion sympathize with lawbreakers, he maintained.

"If you don't play a role, do something decisive, the American democracy is in peril: the root of our government is information," he said.

Subcommittee chairman Moorhead (D-Pa.) said that if the President had "a very few private advisers, that would be one thing—but when decisions appear to be made by this very large White House staff who claim not to be available to Congress, that's another."

Moorhead admitted that "Congress is no longer the first branch of government; instead of having representative democracy, every four years we elect a man who is a dictator for four years."

"There is a crisis in government," Berger continued, "when top level decisions are made in secret and you don't know until something is done. The public doesn't know that the power Truman used going into Korea, and the power Nixon is using in Vietnam, is not a constitutional power."

HISTORICAL BASE

On the role played by Henry Kissinger, Berger had these comments: "The Secretary of State himself enjoys no immunity, but here we have a man who is de facto secretary of state and he is incommunicado, claimed to be unaccountable to Congress. This is a vastly overrated exercise of privilege.

"I'm not saying there may not prove to be desirable areas of accommodation. You may feel it is undesirable to press Kissinger on everything he has told the President, but it is a healthy thing to stress constitutional power.

"Congress is treated like an office boy," he said. "That's up to you to correct; the executive won't do it."

JACK W. GORE OF FORT LAUDERDALE NEWS WINS AMA EDITORIAL AWARD

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 1972

Mr. ROGERS. Mr. Speaker, since the problem of drug abuse became a national problem, the Congress and the various States and local governments have tried to respond in a number of ways in order to stem this growing menace.

Mr. Jack Gore, editor of the Fort Lauderdale News, authored two columns which reflect on this national problem. One details the death of a young boy who had experimented with LSD. The other pointed out the need for the Government to do more in treating the thousands of returning veterans who have become addicted.

For his efforts, Mr. Gore was awarded a first place in the 1971 Medical Journalism Awards which were presented at the American Medical Association meeting in Los Angeles. Gore was the only winner in the editorial writing category.

Although both columns were written more than a year ago, the message of both are as valid today as when they were written.

At this time I would like to insert both columns into the RECORD for the interest and information of my colleagues and congratulate Mr. Gore for a job well done in an area which vitally needs attention:

TRAGIC DEATH OF YOUTH SHOULD BE WARNING TO DRUG "EXPERIMENTERS"

While it is difficult to understand the motivation that drives young people or anybody else to experiment with dangerous drugs, the tragic story of the 14-year-old boy who died at Memorial Hospital last Friday afternoon should give some second thoughts to all those who might be tempted to give these drugs a whirl, or who might even now be following the same path this boy took.

We can understand well enough the tremendous upsurge in this country in the use of marijuana, particularly among the younger generation, as the addictive or harmful nature of that particular drug on the human body has yet to be proved, so we are told, by any solid medical evidence.

Many young people tend to look upon the use of marijuana as no worse than having a few alcoholic drinks or smoking cigarettes.

The use of some of these other so-called "hard" drugs, however, is something else again as there is certainly no lack of medical evidence to show what these drugs can do to the mind and body. Thus, we simply cannot understand why anybody in his right mind and in full knowledge of what can happen to him as a result of experimenting with these drugs will even try one the first time.

For those who might still doubt what can happen we suggest they read and then read again last Sunday's front page story of young Robert Dietrick.

Here was a boy who had a tremendously bright future. He was extremely popular with his classmates at Nova High School and was regarded as a leader in almost every respect.

Somewhere along the line, however, Robert Dietrick got on the drug kick. One of his friends told police he and young Dietrick first experimented with LSD around December. Whatever the date, it didn't take long for LSD to wreak havoc on the boy.

According to his parents, they didn't even know the boy had been taking drugs until the afternoon he died in the hospital. Even though seven specialists did their best to keep the youth alive, and even brought in an experimental machine that breaks down the blood, too much damage had been done. An autopsy reportedly showed that at the time of his death his liver was almost gone and his brain was totally gone.

The doctors have indicated it was too many LSD tablets or because he got hold of some that were "real bummers" that brought on his horrible death. And what makes things even worse for his stepfather and mother, is the unverified suspicion that somebody might have sneaked into the boy's room in the hospital and given him more drugs.

Whether that be true or not we have no way of knowing, but we do know that 14-year-old Robert Dietrick is dead today and his death should serve as a grim reminder of what can happen, and with increasing frequency does happen these days to youngsters who casually disregard warnings about experimenting with hard-core drugs.

Young Dietrick's death has already had one noteworthy effect. It has caused a friend who experimented with LSD with him to swear off drugs completley and to launch a one-man crusade to convince every youngster he knows who is taking drugs to kick the habit before it is too late.

When this boy was asked what he thought about using drugs now that he had seen his erstwhile best friend die of the effects, it didn't take him long to answer.

"It is the worst thing in the whole world that could possibly ever happen to anyone," he sadly remarked.

"They are curiosity killed the cat, this time it killed Bob," he added.

Perhaps the 150 or so other youths whom young Dietrick's friend says he personally knows are involved in drug abuse will listen now to one of their own age group who has had a first-hand experience with the tragic damage drugs can cause to the mind and the body. Perhaps, also, the other revelations that have so far come out of this tragic incident will help to further alert parents and school officials to the spreading menace of drug peddling in and around our public schools and bring about a more effective crackdown on this nasty business.

As we said above, we don't know what motivates any youngster to fool around with hard core drugs when they should know they are taking a terrible chance of blowing their minds and wrecking their bodies for some kind of a temporary thrill.

Yet, they are doing it, and the tragedy of it is that more and more of them aren't finding out until it is too late they have taken an almost irreversible path to their own destruction.

That's why we advise these youngsters to read and reread the Robert Dietrick story. It's not a pleasant story, but maybe what happened to him could well cause others of his age group to walk away from drugs before they meet the same kind of fate.

GOVERNMENT MUST TREAT SERVICEMEN WHO ARE ADDICTED TO DRUGS

One of the more sickening aspects of the war in Vietnam, and one which makes it a good bit different than any other this nation has ever fought, is the now admitted fact that an increasing percentage of the men coming back home from the war are returning as confirmed drug addicts.

For a long while Defense Department officials, while aware of this growing problem, tended to shrug it off as a matter of minor consequence and involving a very small number of individuals.

Now, however, even the Defense Department is being forced to admit it is fast becoming a major problem that poses serious consequences, not only to the military establishment but to the returning servicemen who are coming back to this country hooked on hard drugs.

What is complicating the problem no end is the ready availability and the low price of the so-called hard drugs in Vietnam. Another complicating factor is the fact that many of the U.S. troops still in Vietnam have been withdrawn from combat positions, and now have a lot more leisure time and opportunities to fall victim to the hard-drug habit.

As a consequence, more and more servicemen are getting "hooked." When a GI addict is detected, the military procedure now in effect is to put the individual through a physical withdrawal treatment and then hand him a discharge.

But, as Rep. Paul Rogers, who is chairman of the House Health Subcommittee, has pointed out, the chances of such individuals staying off drugs after being discharged are slim.

He knows from all the anguished letters he has been receiving from distraught parents that the military's system of handling drug addicts isn't working. More often than not, it tends to turn loose on society what Rep. Rogers terms as a "human time bomb," who hasn't been cured of his drug habit, and who soon finds that feeding the habit here in the U.S. can cost him up to $200 per day for the same quality of drugs that cost a tiny fraction of that amount in Vietnam.

Rep. Rogers has also pointed out, however, that many other drug addicts aren't detected while in the service, and these return home to learn they are stuck in an almost impossible situation.

If they aren't wealthy enough to afford a $200-a-day habit, the Florida congressman has stated, each addict "will result in a $20,000 to $30,000-a-year walking crime wave to a community."

One of the letters Rep. Rogers has received came from a Fort Lauderdale businessman who explained what had happened to his grandson who had become a heroin addict while in the military service.

"They knew he was a confirmed addict, yet they palmed him off on society," the businessman wrote.

"This boy has been a problem to all of us, and he has practically killed his mother with his badgering her for money for drugs. He has impoverished her and made a nervous wreck out of her" the letter writer added. The businessman concluded his letter by stating that at the time his letter was written his grandson had been arrested and was in jail.

This isn't a unique case, according to Rep. Rogers. In the past few weeks he has had a number of similar letters from parents appealing for his help in getting their sons into a rehabilitation program to cure a drug habit they had picked up in the service.

As a result of such letters and other evidence he has received, all indicating that GI drug abuse is mounting, Rep. Rogers introduced legislation this week to require the armed forces to identify, treat and rehabilitate servicemen who are addicts.

This is hardly asking too much. If the military establishment can't keep hard drugs out of the hands of our servicemen, it certainly has the responsibility of doing everything possible to see that addicts are detected and given adequate rehabilitative treatment before they are discharged and turned loose on society.

According to Rep. Rogers, there may be as many as 40,000 drug addicts still stationed in Vietnam, and with these men due to be returned home at a stepped-up pace in coming months, it is easy to see what can and no doubt will happen if the majority of these addicts aren't detected, treated and rehabilitated before they are given a final discharge.

Wounded veterans certainly aren't discharged before everything possible in the way of adequate medical care is given them. Even after treatment and eventual discharge, they still qualify for further care, if needed, and they also are entitled to disability payments.

A returning veteran who has picked up a hardcore drug habit while in the service is, in most cases, far worse off than a wounded veteran. It may not be the military's fault he became an adidct, but if it happened while the man was in the service, the armed forces have a clear responsibility to provide the man with the best curative treatment possible before he is discharged to resume his civilian life.

This is what Rep. Rogers' legislation is designed to accomplish, and while the Congress isn't noted for its speed in approving anything but emergency bills, this is a bill that certainly justifies quick approval by both the House and the Senate.

R. HAROLD DeLOZIER

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. DUNCAN. Mr. Speaker, the success story of R. Harold DeLozier, of Maryville, Tenn., reaffirms the notion that America is still a land where dreams are realized through hard work and self-sacrifice.

Today, Harold DeLozier's early employers have still not forgotten the determination and dedication of purpose which allowed this outstanding Tennessean to fulfill his dreams and ambitions. One of these employers, the Blount National Bank of Maryville, has published a summary of Harold's journey on the road to success, so that others traveling the same path may find encouragement and hope in his story.

The following is Blount National Bank's tribute to a self-made man—R. Harold DeLozier:

R. HAROLD DELOZIER

(By Ken Powers)

It has become popular in recent years to scoff at talk of "the self-made man." But what is popular is not always correct. In spite of all the arguments to the contrary, "the self-made man" is still "the American dream." R. Harold DeLozier, a director of Blount National Bank, is a local example.

Born in Wildwood Community, east of Maryville, a year before Kaiser Wilhelm's Prussian armies introduced the world to global war. Harold DeLozier reached adulthood as the U.S. and the world entered "The Great Depression." There was little hope for a young man; jobs were scarce; relief lines were long; the "hobo" was rapidly becoming an American symbol. But DeLozier refused to accept this bleak and uninspiring world as the end of opportunity.

Penniless, but willing to work, he entered Draughon's Business College in the spring of 1932. DeLozier fired the furnace in the teacher's home in return for a room. After the morning stoking, he delivered the Knoxville Journal, until classtime. After morning classes, DeLozier hurried to Miller's cafeteria. This third job earned him his lunch and $5 per week. A year later, he graduated from the College, having completed all courses required for a diploma in general business—with an average of 94.75 percent.

His first regular job was as an order clerk at C. M. McClung's, a Knoxville hardware firm. Eighteen months later, he returned to Maryville, which he calls "the capital of the world" because of its beauty and friendly people. He joined Blount National Bank, bringing the total number of bank employees to four. During his year and a half with the bank, DeLozier worked in all phases of the business, from teller to posting clerk to making loans.

At the age of 22, he left the security of being an employee to establish his own business—DeLozier Insurance Agency, in which he is still active today. "I liked working in the bank," he says, "but I wanted to have my own business, and insurance goes well with banking." In only eight years, he had built a reputation for competence and honesty that earned him national recognition in the Hartford Insurance Company magazine. DeLozier says that honesty is all-important—"There is no such thing as a little bit dishonest. One is honest, or he is not."

In 1945, Harold DeLozier and Beryl Bredlove pledged marriage vows. They became associates in serving Maryville's insurance needs. Mrs. DeLozier remains active in the agency, and her husband says with obvious pride, "She is a well-informed insurance lady. Our clients don't hesitate to discuss their problems with her." The DeLozier's daughter, Kathy, is presently employed in the bank's computer department.

One of the two charter members remaining active in Maryville Lions Club, DeLozier has served as president, secretary, and treasurer, and as zone secretary-treasurer. A 32nd degree Mason, he is member of Knoxville Consistory. DeLozier has been a member of Blount County Chamber of Commerce, "for a long time," and is a member of Maryville's First Baptist Church.

Appointed to the bank's board of directors in 1946, DeLozier is thankful for the opportunities he has had to serve the people of Blount County. Looking back upon those dark years of his youth, he says, "There is always some sunshine, somewhere. You just have to look for it."

Harold DeLozier is the kind of man who had made Blount National "The Leader." He is typical of the American dream; successful because he would not accept defeat.

LIMITATION ON OFFENSIVE WEAPONS

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. DOW. Mr. Speaker, it is expected that this House will, as part of the whole Congress, shortly consider for approval, an "executive agreement," limiting offensive weapons between the United States and Soviet Russia. Likewise, the Senate will consider a "treaty" limiting defensive weapons.

Since I was puzzled by the rationale for treating the offensive weapons in an executive agreement, and the defensive weapons in a treaty, I took the liberty of inquiring at the Library of Congress. While I could have addressed the same question to the Department of State, it struck me that the Library of Congress might be more objective in their response.

The Library of Congress has provided a very interesting statement that does point out some differences in the two avenues for consummating the total pact with Soviet Russia. Whether these differences justify the two avenues, one a treaty on defensive weapons to pass the Senate, the other an executive agreement on offensive weapons to pass the whole Congress, I am not attempting to assert. I do believe, however, that the explanation offered by the Library of Congress should be of interest to my colleagues. The memorandum from the Library of Congress appears below:

THE LIBRARY OF CONGRESS,
CONGRESSIONAL RESEARCH SERVICE,
Washington, D.C., July 14, 1972.

To: Honorable John G. Dow.
From: Leneice N. Wu, Analyst in International Relations.
Via: Chief, Foreign Affairs Division.
Subject: Information on the form of the SALT agreements and pertinent Congressional action.

It appears from the statements of Executive officials that the basis for their decision to use two kinds of international agreements from the strategic arms limitation talks (SALT) may be found in certain distinctions between the terms of each agreement. The treaty, which deals with the defensive weapons systems (primarily antiballistic missiles or ABMs), is of unlimited duration. Moreover, it seems reasonable to assume that further elaboration of the terms of this treaty or even further limits on defensive weapons systems in general, is not an immediate concern to either the Soviet Union or the United States. Different considerations apply in the case of the executive agreement.

In the first place, this agreement concerns offensive weapons and its terms apply for five years only. In a press conference in Moscow, Presidential adviser Henry Kissinger pointed out that in the case of offensive weapons, "the situation was so complex," and therefore, the current agreement "was an inevitable first step to get an end of the production [of offensive weapons] for a while before one could make a rational agreement on the permanent arrangement." [1] Secretary of State William Rogers described the agreement to the Senate Foreign Relations Committee as "temporary and not comprehensive," and it was hoped to replace it "by a more complete agreement in treaty form covering strategic offensive weapons." [2]

An additional point which various Administration officials have reiterated involves the relationship between the two agreements. Representative of U.S. policy on this question is a statement by Secretary Rogers, who said that "if an agreement providing for more complete strategic offensive arms limitations were achieved within five years, . . . it would constitute a basis for withdrawal from the [ABM] Treaty." [3] In general, one might conclude that the different forms were used to accommodate differences in the scope and duration of the limitations on offensive and defensive weapons systems, but that the two agreements are not unrelated to each other.

The second question, regarding the basis for seeking Congressional approval of the executive agreement can be answered by the Arms Control and Disarmament Act of 1961, which established the U.S. Arms Control and Disarmament Agency. It requires that any agreement which limits U.S. arms must have Congressional approval. The complete text is as follows:

> . . . no action shall be taken under this chapter or any other law that will obligate the United States to disarm or to reduce or to limit the Armed Forces or armaments of the United States, except pursuant to the treaty making power of the President under the Constitution or unless authorized by further affirmative legislation by the Congress of the United States.[4]

Although the Administration has asked for congressional approval of the executive agreement through joint resolution, we have not found any instance in which Executive spokesmen have specifically mentioned this provision as the reason for this action.

If this Service can be of further assistance, please let us know.

FOOTNOTES

[1] Office of the White House Press Secretary Release. May 27, 1972. pp. 6–7.

[2] The Secretary of State. Statement in Support of the SALT Agreements to the Senate Foreign Relations Committee. June 19, 1972. p. 24, 18.

[3] Ibid., pp. 16–17.

[4] U.S. Code, 1964 edition. Title 22, Chapter 35, 2573. p. 4719.

FOUR MYTHS ABOUT WORLD AFFAIRS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. CRANE. Mr. Speaker, Americans have often been accused by those in Europe and elsewhere of being "naive" in their approach to international affairs. Always prepared to believe the best of our adversaries, we have tended, in many instances, to underestimate their own dedication to a dogmatic ideology.

Today, when Communist leaders say that they seek "peaceful coexistence," we seem prepared, at a moment's notice, to forget the Berlin Wall, the invasion of Hungary and of Czechoslovakia, the persecution of religious and indigenous cultures, and the huge buildup of Soviet arms in the Middle East, the Indian Ocean, the North Atlantic, and other parts of the world.

Too many Americans, it seems, have forgotten that actions and not words are the true mark of a nation, as they are of a man. While the words have changed, the actions, unfortunately, have not.

Prof. Anthony T. Bouscaren of Le Moyne College recently set forth what he considered to be four myths now prevalent in American thinking about world affairs.

One of these myths is that:

> "The international Communist movement no longer exists, thus the danger has dissipated." Professor Bouscaren notes, in response, that "The 1971 24th Congress of the Communist Party, Soviet Union, was attended by most Communist parties in the world . . . Brezhnev and Gromyko boasted of gains in Latin America, the weakened Western position on Germany and Berlin, and the consolidation of control in Czechoslovakia and Poland, and gains in the Middle East, South and Southeast Asia.

To the idea that "the cold war is a thing of the past" and that "cold warriors should adjust to the realities of detente," Professor Bouscaren responds:

> Tell it to Hanoi, Cairo and Moscow. They are the cold warriors who refuse to cease and desist. The current Communist invasion of South Vietnam is in the tradition of the Prague Spring of 1968 and the June 1967 war in the Middle East.

Professor Bouscaren concludes that:

> Our experience in Berlin, the Cuban missile crisis, Quemoy and Matsu, Lebanon, South Korea and South Vietnam indicate that adventurism won't just blow away. It must be stopped. If we do not negotiate from strength, there is no chance for realistic adjustments anywhere.

It is unfortunate that the wishful thinkers who proclaim that the cold war is over are not correct. The cold war will not be over until world communism ceases its aggressive aims and policies. That day is not yet upon us.

I wish to share with my colleagues Professor Bouscaren's thoughtful article, which appeared in the New York Times of June 27, 1972, and insert it into the RECORD at this time:

[From the New York Times, June 27, 1972]

FOUR "MYTHS"

(By Anthony T. Bouscaren)

1. The international Communist movement no longer exists, thus the danger has dissipated.

The 1969 Moscow meeting of Communist and workers parties, together with "anti-imperialist forces" was attended by 75 parties, of which 61 signed the resolutions without reservations, and six with reservations. The 1971 24th Congress of the Communist Party, Soviet Union, was attended by most Communist parties in the world, except for China and its allies (which did not attend the 1969 meeting either). Brezhnev and Gromyko boasted of gains in Latin America, the weakened Western position on Germany and Berlin, the consolidation of control in Czechoslovakia and Poland, and gains in the Middle East, South and Southeast Asia.

The February, 1972 meeting of "peace" groups in Versailles, France, demonstrated how Soviet leadership (aided by North Vietnam) could persuade both Trotskyite and "New Left" groups to join with orthodox Communists in support of the forthcoming invasion across the DMZ in Vietnam.

In the fields of subversion and espionage (notably the recent K.G.B. expose in Britain) the new international Communist movement has shown its muscle.

Even Communist parties which disagree with Moscow from time to time share common objectives with the U.S.S.R. Moscow and Peking support the Hanoi invasion of South Vietnam. Both promote anti-American programs in Africa and Latin America.

2. Since Stalin, the U.S.S.R. monolith has dissolved; Moscow has mellowed, and the Soviet leaders accept live-and-let-live.

At the 20th Party Congress, Khrushchev supported the notion of "just wars" (national liberation wars). That same year he repressed freedom in Hungary. Subsequently he built the Berlin Wall, emplaced offensive missiles in Cuba, and helped Cairo and Hanoi in military action against Israel and South Vietnam. His successor, Brezhnev, invaded Czechoslovakia, continues to support adventurism in the Middle East and South and Southeast Asia, sends dissident intellectuals into mental hospitals and displays the same anti-Semitism as his predecessors.

Not only did the Soviets send massive numbers of tanks and artillery to Hanoi for the current invasion, but top Soviet officers planned the invasion in Hanoi jointly with General Giap.

3. Communism is an idea which can't be stopped with bombs and bullets.

Communism as an idea has long since been discredited. It was Soviet power, and not ideas, which swept over East and Central Europe. The Berlin Wall was built to keep people with ideas from going west. The invasions of South Korea and South Vietnam were military actions. No elections brought Ho, Mao, or Fidel to power. Brezhnev, Kadar, Husak and Ulbright are afraid of their own people, and try to block ideas from the West by jamming their radio broadcasts.

Look at the refugee movements out of East Germany, Hungary, Cuba, the People's Republic of China, North Korea and North Vietnam. When was the last time you heard of someone trying to get through the Berlin Wall from West to East? It is the Western ideas that attract, and Communist power which repels.

4. The Cold War is a thing of the past. Cold warriors should adjust to the realities of détente.

Tell it to Hanoi, Cairo and Moscow. They are the cold warriors who refuse to cease and desist. The current Communist invasion of South Vietnam is in the tradition of the Prague Spring of 1968 and the June 1967 war in the Middle East. Hanoi rejects all overtures for a cease-fire, troop withdrawals and prisoner exchanges. It takes two to make peace. We cannot disengage from those who seek to bury us.

Incantations cannot alter the fact that the Soviet leaders have all been reared in the Communist faith, that Soviet ambitions remain an inescapable reality of world politics.

Our experience in Berlin, the Cuban missile crisis, Quemoy and Matsu, Lebanon, South Korea and South Vietnam indicate that adventurism won't just blow away. It must be stopped. If we do not negotiate from strength, there is no chance for realistic adjustments anywhere.

"NONE DARE CALL IT CONSPIRACY," CHAPTERS 3 AND 4

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. SCHMITZ. Mr. Speaker, following are the third and fourth chapters of Gary Allen's important book, "None Dare Call It Conspiracy," which I present to my colleagues in Congress with the strong recommendation that—whatever your preconceived ideas about the conspiracy theory of history—you give its facts and arguments the most serious consideration.

These chapters, entitled "The Money Manipulators" and "Bankrolling the Bolshevik Revolution," explore the role of international financiers in the advance of communism and socialism throughout the world during the 20th century.

CHAPTER 3—THE MONEY MANIPULATORS

Many college history professors tell their charges that the books they will be using in the class are "objective." But stop and ask yourself: Is it possible to write a history book without a particular point of view? There are billions of events which take place in the world each day. To think of writing a complete history of a nation covering even a year is absolutely incredible.

Not only is a historian's ability to write an "objective" history limited by the sheer volume of happenings but by the fact that many of the most important happenings never appear in the papers or even in somebody's memoirs. The decisions reached by the "Big Boys" in the smoke-filled rooms are not reported even in the *New York Times* which ostensibly reports all the news that is fit to print. ("All the news that fits" is a more accurate description.)

In order to build his case, a historian must select a miniscule number of facts from the limited number that are known. If he does not have a "theory," how does he separate important facts from unimportant ones? As Professor Stuart Crane has pointed out, this is why every book "proves" the author's thesis. But no book is objective. No book can be objective; and this book is not objective. (Liberal reviewers should have a ball quoting that out of context.) The information in it is true, but the book is not objective. We have carefully selected the facts to prove our case. We believe that most other historians have focused on the landscape, and ignored that which is most important: the cart, boy and donkey.

Most of the facts which we bring out are readily verifiable at any large library. But our contention is that we have arranged these facts in the order which most accurately reveals their true significance in history. These are the facts the Establishment does not want you to know.

Have you ever had the experience of walking into a mystery movie two-thirds of the way through? Confusing wasn't it? All the evidence made it look as if the butler were the murderer, but in the final scenes you find out, surprisingly, that it was the man's wife all along. You have to stay and see the beginning of the film. Then as all the pieces fall into place, the story makes sense.

This situation is very similar to the one in which millions of Americans find themselves today. They are confused by current happenings in the nation. They have come in as the movie, so to speak, is going into its conclusion. The earlier portion of the mystery is needed to make the whole thing understandable. (Actually, we are not really starting at the beginning, but we are going back far enough to give meaning to today's happenings.)

In order to understand the conspiracy it is necessary to have some rudimentary knowledge of banking and, particularly, of international bankers. While it would be an oversimplification to ascribe the entire conspiracy to international bankers, they nevertheless have played a key role. Think of the conspiracy as a hand with one finger labelled "international banking," others "foundations," "the anti-religion movement" "Fabian Socialism," and "Communism." But it was the international bankers of whom Professor Quigley was speaking when we quoted him earlier as stating that their aim was nothing less than control of the world through finance.

Where do governments get the enormous amounts of money they need? Most, of course, comes from taxation; but governments often spend more than they are willing to tax from their citizens and so are forced to borrow. Our national debt is now $455 billion—every cent of it borrowed at interest from somewhere.

The public is led to believe that our government borrows from "the people" through savings bonds. Actually, only the smallest percentage of the national debt is held by individuals in this form. Most government bonds, except those owned by the government itself through its trust funds, are held by vast banking firms known as international banks.

For centuries there has been big money to be made by international bankers in the financing of governments and kings. Such operators are faced, however, with certain thorny problems. We know that smaller banking operations protect themselves by taking collateral, but what kind of collateral can you get from a government or a king? What if the banker comes to collect and the king says, "Off with his head"? The process through which one collects a debt from a government or a monarch is not a subject taught in the business schools of our universities, and most of us—never having been in the business of financing kings—have not given the problem much thought. But there is a king-financing business and to those who can ensure collection it is lucrative indeed.

Economics Professor Stuart Crane notes that there are two means used to collateralize loans to governments and kings. Whenever a business firm borrows big money its creditor obtains a voice in management to protect his investment. Like a business, no government can borrow big money unless willing to surrender to the creditor some measure of sovereignty as collateral. Certainly international bankers who have loaned hundreds of billions of dollars to governments around the world command considerable influence in the policies of such governments.

But the ultimate advantage the creditor has over the king or president is that if the ruler gets out of line the banker can finance his enemy or rival. Therefore, if you want to stay in the lucrative king-financing business, it is wise to have an enemy or rival waiting in the wigs to unseat every king or president to whom you lend. If the king doesn't have an enemy, you must create one.

Preeminent in playing this game was the famous House of Rothschild. Its founder, Meyer Amschel Rothschild (1743–1812) of Frankfurt, Germany, kept one of his five sons at home to run the Frankfurt bank and sent the others to London, Paris, Vienna and Naples. The Rothschilds became incredibly wealthy during the nineteenth century by financing governments to fight each other. According to Professor Stuart Crane:

"If you will look back at every war in Europe during the Nineteenth Century, you will see that they always ended with the establishment of a 'balance of power.' With every re-shuffling there was a balance of power in a new grouping around the House of Rothschild in England, France, or Austria. They grouped nations so that if any king got out of line a war would break out and the war would be decided by which way the financing went. Researching the debt positions of the warring nations will usually indicate who was to be punished."

In describing the characteristics of the Rothschilds and other major international bankers, Dr. Quigley tells us that they remained different from ordinary bankers in several ways: they were cosmopolitan and international; they were close to governments and were particularly concerned with government debts, including foreign government debts; these bankers came to be called "international bankers." (Quigley, *Tragedy and Hope*, p. 52)

One major reason for the historical blackout on the role of the international bankers in political history is that the Rothschilds were Jewish. Anti-Semites have played into the conspiracy by trying to portray the entire conspiracy as Jewish. Nothing could be farther from the truth. The traditionally Anglo-Saxon J. P. Morgan and Rockefeller international banking institutions have played a key role in the conspiracy. But there is no denying the importance of the Rothschilds and their satellites. However, it is just as unreasonable and immoral to blame all Jews for the crimes of the Rothschilds as it is to hold all Baptists accountable for the crimes of the Rockefellers.

The Jewish members of the conspiracy have used an organization called the Anti-Defamation League as an instrument to try to convince everyone that any mention of the Rothschilds or their allies is an attack on all Jews. In this way they have stifled almost all honest scholarship on international bankers and made the subject taboo within universities.

Any individual or book exploring this subject is immediately attacked by hundreds of A.D.L. committees all over the country. The A.D.L. has never let truth or logic interfere with its highly professional smear jobs. When no evidence is apparent, the A.D.L., which staunchly opposed so-called "McCarthyism," accuses people of being "latent anti-Semites." Can you imagine how they would yowl and scream if someone accused them of being "latent" Communists?

Actually, nobody has a right to be more angry at the Rothschild clique than their fellow Jews. The Warburgs, part of the Rothschild empire, helped finance Adolph Hitler. There were few if any Rothschild or Warburgs in the Nazi prison camps! They sat out the war in luxurious hotels in Paris or emigrated to the United States or England. As a group, Jews have suffered most at the hands of these power seekers. A Rothschild has much more in common with a Rockefeller than he does with a tailor from Budapest or the Bronx.

Since the keystone of the international banking empires has been government bonds, it has been in the interest of these international bankers to encourage government debt. The higher the debt the more the interest. Nothing drives government deeply into debt like a war; and it has not been an uncommon practice among international bankers to finance both sides of the bloodiest military conflicts. For example, during our Civil War the North was financed by the Rothschilds through their American agent, August Belmont, and the American South through the Erlangers, Rothschild relatives.

But while wars and revolutions have been useful to international bankers in gaining or increasing control over governments, the key to such control has always been control of money. You can control a government if you have it in your debt; a creditor is in a position to demand the privileges of monopoly from the sovereign. Money-seeking governments have granted monopolies in state banking, natural resources, oil concessions and transportation. However, the monopoly which the international financiers most covet is control over a nation's money.

Eventually these international bankers actually owned as private corporations the central banks of the various European nations. The Bank of England, Bank of France and Bank of Germany were not owned by their respective governments, as almost everyone imagines, but were privately owned monopolies granted by the heads of state, usually in return for loans. Under this system, observed Reginald McKenna, President of the Midlands Bank of England: "Those that create and issue the money and credit direct the policies of government and hold in their hands the destiny of the people." Once the government is in debt to the bankers it is at their mercy. A frightening example was cited by the *London Financial Times* of September 26, 1921, which revealed that even at that time: "Half a dozen men at the top of the Big Five Banks could upset the whole fabric of government finance by refraining from renewing Treasury Bills."

All those who have sought dictatorial control over modern nations have understood the necessity of a central bank. When the League of Just Men hired a hack revolutionary named Karl Marx to write a blueprint for conquest called *The Communist Manifesto*, the fifth plank read: "Centralization of credit in the hands of the state, by means of a national bank with state capital and an exclusive monopoly." Lenin later said that the establishment of a central bank was ninety percent of communizing a country. Such conspirators knew that you cannot take control of a nation without military force unless that nation has a central bank through which you can control its economy. The anarchist Bakunin sarcastically remarked about the followers of Karl Marx: "They have one foot in the bank and one foot in the socialist movement."

The international financiers set up their own front man in charge of each of Europe's central banks. Professor Quigley reports:

"It must not be felt that these heads of the world's chief central banks were themselves substantive powers in world finance. They were not. Rather, they were the technicians and agents of the dominant investment bankers of their own countries, who had raised them up and were perfectly capable of throwing them down. The substantive financial powers of the world were in the hands of these investment bankers (also called 'international' or 'merchants' bankers) who remained largely behind the scenes in their own unincorporated private banks. These formed a system of international cooperation and national dominance which was more private, more powerful, and more secret than that of their agents in the central banks. . . ." (Quigley, op. cit., pp. 326–7.)

Dr. Quigley also reveals that the international bankers who owned and controlled the Banks of England and France maintained their power even after those Banks were theoretically socialized.

Naturally those who controlled the central banks of Europe were eager from the start to fasten a similar establishment on the United States. From the earliest days, the Founding Fathers had been conscious of attempts to control America through money manipulations and they carried on a running battle with the international bankers. Thomas Jefferson wrote to John Adams: ". . . I sincerely believe, with you, that banking establishments are more dangerous than standing armies. . . ."

But, even though America did not have a central bank after President Jackson abolished it in 1836, the European financiers and their American agents managed to obtain a great deal of control over our monetary system. Gustavus Myers, in his *History of The Great American Fortunes*, reveals:

"Under the surface, the Rothschilds long had a powerful influence in dictating American financial laws. The law records show that they were powers in the old Bank of the United States [abolished by Andrew Jackson]."

During the nineteenth century the leading financiers of the metropolitan East often cut one another's financial throats, but as their Western and rural victims started to organize politically, the "robber barons" saw that they had a "community of interest" toward which they must work together to protect themselves from thousands of irate farmers and up and coming competitors. This diffusion of economic power was one of the main factors stimulating the demands for a central bank by would-be business and financial monopolists.

In *Years of Plunder* Proctor Hansl writes of this era:

"Among the Morgans, Kuhn-Loebs and other similar pillars of the industrial order there was less disposition to become involved in disagreements that led to financial dislocation. A community of interest came into being, with results that were highly beneficial. . . ."

But aside from the major Eastern centers, most American bankers and their customers still distrusted the whole concept.

In order to show the hinterlands that they were going to need a central banking system, the international bankers created a series of panics as a demonstration of their power—a warning of what would happen unless the rest of the bankers got into line. The man in charge of conducting these lessons was J. Pierpont Morgan, American-born but educated in England and Germany. Morgan is referred to by many, including Congressman Louis McFadden, (a banker who for ten years headed the House Banking and Currency Committee), as the top American agent of the English Rothschilds.

By the turn of the century J. P. Morgan was already an old hand at creating artificial panics. Such affairs were well co-ordinated. Senator Robert Owen, a co-author of the Federal Reserve Act, (who later deeply regretted his role), testified before a Congressional Committee that the bank he owned received from the National Bankers' Association what came to be known as the "Panic Circular of 1893." It stated: "You will at once retire one-third of your circulation and call in one-half of your loans. . . ."

Historian Frederick Lewis Allen tells in *Life* magazine of April 25, 1949, of Morgan's role in spreading rumors about the insolvency of the Knickerbocker Bank and The Trust Company of America, which rumors triggered the 1907 panic. In answer to the question: "Did Morgan precipitate the panic?" Allen reports:

"Oakleigh Thorne, the president of that particular trust company, testified later before a congressional committee that his bank had been subjected to only moderate withdrawals . . . that he had not applied for help, and that it was the [Morgan's] 'sore point' statement alone that had caused the run on his bank. From this testimony, plus the disciplinary measures taken by the Clearing House against the Heinze, Morse and Thomas banks, plus other fragments of supposedly pertinent evidence, certain chroniclers have arrived at the ingenious conclusion that the Morgan interests took advantage of the unsettled conditions during the autumn of 1907 to precipitate the panic, guiding it shrewdly as it progressed so that it would kill off rival banks and consolidate the preeminence of the banks within the Morgan orbit."

The "panic" which Morgan had created, he proceeded to end almost single-handedly. He had made his point. Frederick Allen explains:

"The lesson of the Panic of 1907 was clear, though not for some six years was it destined to be embodied in legislation: the United States gravely needed a central banking system. . . ."

The man who was to play the most significant part in providing America with that central bank was Paul Warburg, who along with his brother Felix had immigrated to the United States from Germany in 1902. They left brother Max (later a major financier of the Russian Revolution) at home in Frankfurt to run the family bank (M. N. Warburg & Company).

Paul Warburg married Nina Loeb, daughter of Solomon Loeb of Kuhn, Loeb and Company, America's most powerful international banking firm. Brother Felix married Frieda Schiff, daughter of Jacob Shiff, the ruling power behind Kuhn, Loeb. Stephen Birmingham writes in his authoritative *Our Crowd*: "In the eighteenth century the Schiffs and Rothschilds shared a double house" in Frankfurt. Schiff reportedly bought his partnership in Kuhn, Loeb with Rothschild money.

Both Paul and Felix Warburg became partners in Kuhn, Loeb and Company.

In 1907, the year the Morgan-precipitated panic, Paul Warburg began spending almost all of his time writing and lecturing on the need for "bank reform." Kuhn, Loeb and Company was sufficiently public spirited about the matter to keep him on salary at $500,000 per year while for the next six years he donated his time to "the public good."

Working with Warburg in promoting this "banking reform" was Nelson Aldrich, known as "Morgan's floor broker in the Senate." Aldrich's daughter Abby married John D. Rockefeller Jr. (the current Governor of New York is named for his maternal grandfather).

After the Panic of 1907, Aldrich was appointed by the Senate to head the National Monetary Commission. Although he had no technical knowledge of banking, Aldrich and his entourage spent nearly two years and $300,000 of the taxpayers' money being wined and dined by the owners of Europe's central banks as they toured the Continent "studying" central banking. When the Commission returned from its luxurious junket it held no meetings and made no report for nearly two years. But Senator Aldrich was busy "arranging" things. Together with Paul Warburg and other international bankers, he staged one of the most important secret meetings in the history of the United States. Rockefeller agent Frank Vanderlip admitted many years later in his memoirs:

"Despite my views about the value to society of greater publicity for the affairs of corporations, there was an occasion, near the close of 1910, when I was as secretive—indeed as furtive—as any conspirator. . . . I do not feel it is any exaggeration to speak of our secret expedition to Jekyl Island as the occasion of the actual conception of what eventually became the Federal Reserve System."

The secrecy was well warranted. At stake was control over the entire economy. Senator Aldrich had issued confidential invitations to Henry P. Davison of J. P. Morgan & Company; Frank A. Vanderlip, President of the Rockefeller-owned National City Bank; A. Piatt Andrew, Assistant Secretary of the Treasury; Benjamin Strong of Morgan's Bankers Trust Company; and Paul Warburg. They were all to accompany him to Jekyl Island, Georgia, to write the final recommendations of the National Monetary Commission report.

At Jekyl Island, writes B. C. Forbes in his *Men Who Are Making America:*

"After a general discussion it was decided to draw up certain broad principles on which all could agree. Every member of the group voted for a central bank as being the ideal cornerstone for any banking system." (Page 399)

Warburg stressed that the name "central bank" must be avoided at all costs. It was decided to promote the scheme as a "regional reserve" system with four (later twelve) branches in different sections of the country. The conspirators knew that the New York bank would dominate the rest, which would be marble "white elephants" to deceive the public.

Out of the Jekyl Island meeting came the completion of the Monetary Commission Report and the Aldrich Bill. Warburg had proposed the bill be designated the "Federal Reserve System," but Aldrich insisted his own name was already associated in the public's mind with banking reform and that it would arouse suspicion if a bill were introduced which did not bear his name. However, Aldrich's name attached to the bill proved to be the kiss of death, since any law bearing his name was so obviously a project of the international bankers.

When the Aldrich Bill could not be pushed through Congress, a new strategy had to be devised. The Republican Party was too closely connected with Wall Street. The only hope for a central bank was to disguise it and have it put through by the Demorats as a measure to strip Wall Street of its power. The opportunity to do this came with the approach of the 1912 Presidential election. Republican President William Howard Taft, who had turned against the Aldrich Bill, seemed a sure-fire bet for reelection until Taft's predecessor, fellow Republican Teddy Roosevelt, agreed to run on the ticket of the Progessive Party. In *America's 60 Families*, Ferdinand Lundberg acknowledges:

"As soon as Roosevelt signified that he would again challenge Taft the President's defeat was inevitable. Throughout the three-cornered fight [Taft-Roosevelt-Wilson] Roosevelt had [Morgan agents Frank] Munsey and [George] Perkins constantly at his heels, supplying money, going over his speeches, bringing people from Wall Street in to help, and, in general, carrying the entire burden of the campaign against Taft. . . .

"Perkins and J. P. Morgan and Company were the substance of the Progressive Party; everything else was trimming. . . .

"In short, most of Roosevelt's campaign fund was supplied by the two Morgan hatchet men who were seeking Taft's scalp." (Pp. 110–112)

The Democrat candidate, Woodrow Wilson, was equally the property of Morgan. Dr. Gabriel Wilko in his *The Triumph of Conservatism*, reports: "In late 1907 he [Wilson] supported the Aldrich Bill on banking, and was full of praise for Morgan's role in American society." (Page 205) According to Lundberg: "For nearly twenty years before his nomination Woodrow Wilson had moved in the shadow of Wall Street." (Page 112)

Woodrow Wilson and Teddy Roosevelt proceeded to whistle-stop the country trying to out-do each other in florid (and hypocritical) denunciations of the Wall Street "money trust"—the same group of *Insiders* which was financing the campaigns of both.

Dr. Kolko goes on to tell us that, at the beginning of 1912, banking reform "seemed a dead issue. . . . The banking reform movement had neatly isolated itself." Wilson resurrected the issue and promised the country a money system free from domination by the international bankers of Wall Street. Moreover, the Democrat platform expressly stated: "We are opposed to the Aldrich plan for a central bank." But the "Big Boys" knew who they had bought. Among the international financiers who contributed heavily to the Wilson campaign, in addition to those already named, were Jacob Schiff, Bernard Baruch, Henry Morgenthau, Thomas Fortune Ryan, and *New York Times* publisher Adolph Ochs.

The *Insiders'* sheepdog who controlled Wilson and guided the program through Congress was the mysterious "Colonel" Edward Mandel House, the British-educated son of a representative of England's financial interests in the American South. The title was honorary; House never served in the military. He was strictly a behind-the-scenes wire-puller and is regarded by many historians as the real President of the United States during the Wilson years. House authored a book, *Philip Dru: Administrator*, in which he wrote of establishing "Socialism as dreamed by Karl Marx." As steps toward his goal, House, both in his book and in real life, called for passage of a graduated income tax and a central bank providing "a flexible [inflatable paper] currency." The graduated income tax and a central bank are two of the ten planks of *The Communist Manifesto*.

In his *The Intimate Papers of Colonel House*, Professor Charles Seymour refers to the "Colonel" as the "unseen guardian angel" of the Federal Reserve Act. Seymour's work contains numerous documents and records showing constant contact between House and Paul Warburg while the Federal Reserve Act was being prepared and steered through Congress. Biographer George Viereck assures us that "The Schiffs, the Warburgs, the Kahns, the Rockefellers, and the Morgans put their faith in House. . . ." Their faith was amply rewarded.

In order to support the fiction that the Federal Reserve Act was "a people's bill," the *Insider* financiers put up a smoke-screen of opposition to it. It was strictly a case of Br'e Rabbit begging not to be thrown into the briar patch. Both Aldrich and Vanderlip denounced what in actuality was their own bill. Nearly twenty-five years later Frank Vanderlip admitted: "Now although the Aldrich Federal Reserve Plan was defeated when it bore the name Aldrich, nevertheless its essential points were all contained in the plan that finally was adopted."

Taking advantage of Congress' desire to adjourn for Christmas, the Federal Reserve Act was passed on December 22, 1913 by a vote of 298 to 60 in the House, and in the Senate by a majority of 43 to 25. Wilson had fulfilled to the *Insiders* the pledge he had made in order to become President. Warburg told House, "Well, it hasn't got quite everything we want, but the lack can be adjusted later by administrative process."

There was genuine opposition to the Act, but it could not match the power of the bill's advocates. Conservative Henry Cabot Lodge Sr. proclaimed with great foresight, "The bill as it stands seems to me to open the way to a vast inflation of currency. . . . I do not like to think that any law can be passed which will make it possible to submerge the gold standard in a flood of irredeemable paper currency." (*Congressional Record*, June 10, 1932.) After the vote, Congressman Charles A. Lindbergh Sr., father of the famous aviator, told Congress:

"This act establishes the most gigantic trust on earth. . . . When the President signs this act the invisible government by the money power, proven to exist by the Money Trust investigation, will be legalized. . . .

"This is the Aldrich Bill in disguise. . . .

"The new law will create inflation whenever the trust want inflation. . . ."

The Federal Reserve Act was, and still is, hailed as a victory of "democracy" over the "money trust." Nothing could be farther from the truth.

The whole central bank concept was engineered by the very group it was supposed to strip of power. The myth that the "money trust" had been defrocked should have been exploded when Paul Warburg was appointed to the first Federal Reserve Board—a board which was handpicked by "Colonel" House. Paul Warburg relinquished his $500,000 a year as a Kuhn, Loeb partner to take a $12,000 a year job with the Federal Reserve. The "accidentalists" who teach in our universities would have you believe that he did it because he was a "public spirited citizen." And the man who served as Chairman of the New York Federal Reserve Bank during its early critical years was the same Benjamin Strong of the Morgan interests, who accompanied Warburg, Davison, Vanderlip *et al.* to Jekyl Island, Georgia, to draft the Aldrich Bill.

How powerful is our "central bank?" The Federal Reserve controls our money supply and interest rates, and thereby manipulates the entire economy—creating inflation or deflation, recession or boom, and sending the stock market up or down at whim. The Federal Reserve is so powerful that Congressman

Wright Patman, Chairman of the House Banking Committee, maintains:

"In the United States today we have in effect two governments. . . . We have the duly constituted Government. . . . Then we have an independent, uncontrolled and uncoordinated government in the Federal Reserve System, operating the money powers which are reserved to Congress by the Constitution."

Neither Presidents, Congressmen nor Secretaries of the Treasury direct the Federal Reserve! In the matters of money, the Federal Reserve directs them! The uncontrolled power of the "Fed" was admitted by Secretary of the Treasury David M. Kennedy in an interview for the May 5, 1969, issue of *U. S. News & World Report:*

"Q. Do you approve of the latest credit-tightening moves?

"A. It's not my job to approve or disapprove. It is the action of the Federal Reserve." And, curiously enough, the Federal Reserve System has never audited and has firmly resisted all attempts by House Banking Committee Chairman Wright Patman to have it audited. (*N. Y. Times*, Sept. 14, 1967.)

How successful has the Federal Reserve System been? It depends on your point of view. Since Woodrow Wilson took his oath of office, the national debt has risen from $1 billion to $455 billion. The total amount of interest paid since then to the international bankers holding that debt is staggering, with interest having become the third largest item in the federal budget. Interest on the national debt is now $22 billion every year, and climbing steeply as inflation pushes up the interest rate on government bonds. Meanwhile, our gold is mortgaged to European central banks, and our silver has all been sold. With economic catastrophe imminent, only a blind disciple of the "accidental theory of history" could believe that all of this has occurred by coincidence.

When the Federal Reserve System was foisted on an unsuspecting American public, there were absolute guarantees that there would be no more boom and bust economic cycles. The men who, behind the scenes, were pushing the central bank concept for the international bankers faithfully promised that from then on there would be only steady growth and perpetual prosperity. However, Congressman Charles A. Lindberg Sr. accurately proclaimed: "From now on depressions will be scientifically created."

Using a central bank to create alternate periods of inflation and deflation, and thus whipsawing the public for vast profits, had been worked out by the international bankers to an exact science.

Having built the Federal Reserve as a tool to consolidate and control wealth, the international bankers were now ready to make a major killing. Between 1923 and 1929, the Federal Reserve expanded (inflated) the money supply by sixty-two percent. Much of this new money was used to bid the stock market up to dizzying heights.

At the same time that enormous amounts of credit money were being made available, the mass media began to ballyhoo tales of the instant riches to be made in the stock market. According to Ferdinand Lundberg:

"For profits to be made on these funds the public had to be induced to speculate, and it was so induced by misleading newspaper accounts, many of them bought and paid for by the brokers that operated the pools. . . ."

The House Hearings on Stabilization of the Purchasing Power of the Dollar disclosed evidence in 1928 that the Federal Reserve Board was working closely with the heads of European central banks. The Committee warned that a major crash had been planned in 1927. At a secret luncheon of the Federal Reserve Board and heads of the European central banks, the committee warned, the international bankers were tightening the noose.

Montagu Norman, Governor of the Bank of England came to Washington on February 6, 1929, to confer with Andrew Mellon, Secretary of the Treasury. On November 11, 1927, the *Wall Street Journal* described Mr. Norman as "the currency dictator of Europe." Professor Carroll Quigley notes that Norman, a close confidant of J. P. Morgan, admitted: "I hold the hegemony of the world." Immediately after this mysterious visit, the Federal Reserve Board reversed its easy-money policy and began raising the discount rate. The balloon which had been inflated constantly for nearly seven years was about to be exploded.

On October 24, the feathers hit the fan. Writing in *The United States' Unresolved Monetary and Political Problems,* William Bryan describes what happened:

"When everything was ready, the New York financiers started calling 24 hour broker call loans. This meant that the stock brokers and the customers had to dump their stock on the market in order to pay the loans. This naturally collapsed the stock market and brought a banking collapse all over the country because the banks not owned by the oligarchy were heavily involved in broker call claims at this time, and bank runs soon exhausted their coin and currency and they had to close. The Federal Reserve System would not come to their aid, although they were instructed under the law to maintain an elastic currency."

The investing public, including most stock brokers and bankers, took a horrendous blow in the crash, but not the *Insiders*. They were either out of the market or had sold "short" so that they made enormous profis as the Dow Jones plummeted. For those who knew the score, a comment by Paul Warburg had provided the warning to sell. That signal came on March 9, 1929, when the *Financial Chronical* quoted Warburg as giving this sound advice:

"If orgies of unrestricted speculation are permitted to spread too far . . . the ultimate collapse is certain . . . to bring about a general depression involving the whole country."

Sharpies were later able to buy back these stocks at a ninety percent discount from their former highs.

To think that the scientifically engineered Crash of '29 was an accident or the result of stupidity defies all logic. The international bankers who promoted the inflationary policies and pushed the propaganda which pumped up the stock market represented too many generations of accumulated expertise to have blundered into "the great depression."

Congressman Louis McFadden, Chairman of the House Banking and Currency Committee, commented:

"It [the depression] was not accidental. It was a carefully contrived occurrence. . . . The international bankers sought to bring about a condition of despair here so that they might emerge as the rulers of us all."

Although we have not had another depression of the magnitude of that which followed 1929, we have since suffered regular recessions. Each of these has followed a period in which the Federal Reserve tromped down hard on the money accelerator and then slammed on the brakes. Since 1929 the following recessions have been created by such manipulation:

1936–1937—Stock Prices fell fifty percent;

1948—Stock prices dropped sixteen percent;

1953—Stock declined thirteen percent;

1956-1957—The market dipped thirteen percent;

1957—Late in the year the market plunged nineteen percent;

1960—The market was off seventeen percent;

1966—Stock prices plummeted twenty-five percent;

1970—The market plunged over twenty-five percent.

Chart 5, based on one appearing in the highly respected financial publication, *Indicator Digest* of June 24, 1969, shows the effects on the Dow-Jones Industrial Average of Federal Reserve policies of expanding or restricting the monetary supply. This is how the stock market is manipulated and how depression or recessions are scientifically created. If you have inside knowledge as to which way the Federal Reserve policy is going to go, you can make a ton of money. (Chart 5 not printed.)

The members of the Federal Reserve Board are appointed by the President for fourteen year terms. Since these positions control the entire economy of the country they are far more important than cabinet positions, but who has ever heard of any of them except possibly Chairman Arthur Burns? These appointments which should be extensively debated by the Senate are routinely approved. But, here, as in Europe, these men are mere figureheads, put in their positions at the behest of the international bankers who finance the Presidential campaigns of both political parties.

And, Professor Quigley reveals that these international bankers who owned and controlled the Banks of England and France maintained their power even after those banks were theoretically socialized. The American system is slightly different, but the net effect is the same—ever-increasing debt requiring ever-increasing interest payments, inflation and periodic scientifically created depressions and recessions.

The end result, if the *Insiders* have their way, will be the dream of Montagu Norman of the Bank of England "that the Hegemony of World Finance should reign supreme over everyone, everywhere, as one whole supernational control mechanism." (*Montagu Norman* by John Hargrave, Greystone Press, N.Y., 1942.)

Chapter 4—Bankrolling the Bolshevik Revolution

The establishing of the Federal Reserve System provided the "conspiracy" with an instrument whereby the international bankers could run the national debt up to the sky, thereby collecting enormous amounts of interest and also gaining control over the borrower. During the Wilson Administration alone, the national debt expanded 800 percent.

Two months prior to the passage of the Federal Reserve Act, the conspirators had created the mechanism to collect the funds to pay the interest on the national debt. That mechanism was the progressive income tax, the second plank of Karl Marx' *Communist Manifesto* which contained ten planks for socializing a country.

One quite naturally assumes that the graduated income tax would be opposed by the wealthy. The fact is that many of the wealthiest Americans supported it. Some, no doubt, out of altruism and because, at first, the taxes were very small. But others backed the scheme because they already had a plan for permanently avoiding both the income tax and the subsequent inheritance tax.

What happened was this: At the turn of the century the Populists, a group of rural socialists, were gaining strength and challenging the power of the New York bankers and monopolist industrialists. While the Populists had the wrong answers, they asked many of the right questions. Unfortunately, they were led to believe that the banker-monopolist control over government, which they opposed, was a product of free enterprise.

Since the Populist threat to the cartelists was from the Left (there being no organized political movement for *laissez-faire*), the *Insiders* moved to capture the Left. Professor Quigley discloses that over fifty years ago the Morgan firm decided to infiltrate the Leftwing political movement in the United States. This was not difficult to do since these Left groups needed funds and were eager for help to get their message to the public. Wall Street supplied both. There was nothing new about this decision, says Quigley, since other financiers had talked about it and even attempted it earlier. He continues:

"What made it decisively important this time was the combination of its adoption by the dominant Wall Street financier, at a time when tax policy was driving all financiers to seek tax-exempt refuges for their fortunes. . . ." (Page 938)

Radical movements are never successful unless they attract big money and/or outside support. The great historian of the Twentieth Century, Oswald Spengler, was one of those who saw what American Liberals refuse to see—that the Left is controlled by its alleged enemy, the malefactors of great wealth. He wrote in his monumental *Decline of the West* (Modern Library, New York, 1945):

"There is no proletarian, not even a Communist, movement, that has not operated in the interests of money, in the direction indicated by money, and for the time being permitted by money—and that without the idealists among its leaders having the slightest suspicion of the fact."

While the Populist movement was basically non-conspiratorial, its Leftist ideology and platform were made to order for the elitist *Insiders* because it aimed at concentrating power in government. The *Insiders* knew they could control that power and use it to their own purposes. They were not, of course, interested in promoting competition but in restricting it. Professor Gabriel Kolko has prepared a lengthy volume presenting the undeniable proof that the giant corporate manipulators *promoted* much of the so-called "progressive legislation" of the Roosevelt and Wilson eras—legislation which ostensibly was aimed at controlling their abuses, but which was so written as to suit their interests. In *The Triumph of Conservatism* (by which Kolko mistakably means big business), he notes:

". . . the significant reason for many businessmen welcoming and working to increase federal intervention into their affairs has been virtually ignored by historians and economists. The oversight was due to the illusion that American industry was centralized and monopolized to such an extent that it could rationalize the activity [regulate production and prices] in its various branches voluntarily. Quite the opposite was true. Despite the large numbers of mergers, and the growth in the absolute size of many corporations, the dominant tendency in the American economy at the beginning of this century was toward growing competition. Competition was unacceptable to many key business and financial interests . . ."

The best way for the *Insiders* to eliminate this growing competition was to impose a progressive income tax on their competitors while writing the laws so as to include built-in escape hatches for themselves. Actually, very few of the proponents of the graduated income tax realized they were playing into the hands of those they were seeking to control. As Ferdinand Lundberg notes in *The Rich And The Super Rich:*

"What it [the income tax] became, finally, was a siphon gradually inserted into the pocketbooks of the general public. Imposed to popular huzzas as a class tax, the income tax was gradually turned into a mass tax in a jiujitsu turnaround . . ."

The *Insiders'* principal mouthpiece in the Senate during this period was Nelson Aldrich, one of the conspirators involved in engineering the creation of the Federal Reserve and the maternal grandfather of Nelson Aldrich Rockefeller. Lundberg says that "When Aldrich spoke, newsmen understood that although the words were his, the dramatic line was surely approved by 'Big John [D. Rockefeller]. . .' " In earlier years Aldrich had denounced the income tax as "communistic and socialistic," but in 1909 he pulled a dramatic and stunning reversal. The *American Biographical Dictionary* comments:

"Just when the opposition had become formidable he [Aldrich] took the wind out of its sails by bringing forward, with the support of the President [Taft], a proposed amendment to the Constitution empowering Congress to lay income taxes."

Howard Hinton records in his biography of Cordell Hull that Congressman Hull, who had been pushing in the House for the income tax, wrote this stunned observation:

"During the past few weeks the unexpected spectacle of certain so-called 'old-line conservative' [sic] Republican leaders in Congress suddenly reversing their attitude of a lifetime and seemingly espousing, through ill-concealed reluctance, the proposed income-tax amendment to the Constitution has been the occasion of universal surprise and wonder."

The escape hatch for the *Insiders* to avoid paying taxes was ready. By the time the Amendment had been approved by the states (even before the income-tax was passed), the Rockefellers and Carnegie foundations were in full operation.

One must remember that it was to break up the Standard Oil (Rockefeller) and U. S. Steel (Carnegie) monopolies that the various anti-trust acts were ostensibly passed. These monopolists could now compound their wealth tax-free while competitors had to face a graduated income tax which made it difficult to amass capital. As we have said, socialism is not a share-the-wealth program, as the socialists would like you to believe, but a consolidate-and-control-the-wealth program for the *Insiders*. The Reece Committee which investigated foundations for Congress in 1953 proved with an overwhelming amount of evidence that the various Rockefeller and Carnegie foundations have been promoting socialism since their inception. (See Rene Wormser's *Foundations: Their Power and Influence*, Devin Adair, New York, 1958.)

The conspirators now had created the mechanisms to run up the debt, to collect the debt, and (for themselves) to avoid the taxes required to pay the yearly interest on the debt. Then all that was needed was a reason to escalate the debt. Nothing runs up a national debt like a war. And World War I was being brewed in Europe.

In 1916, Woodrow Wilson was re-elected by a hair. He had based his campaign on the slogan: "He Kept Us Out of War!" The American public was extremely opposed to America's getting involved in a European war. Staying out of the perennial foreign quarrels had been an American tradition since George Washington. But as Wilson was stumping the country giving his solemn word that American soldiers would not be sent into a foreign war, he was preparing to do just the opposite. His "alter ego," as he called "Colonel" House, was making behind-the-scenes agreements with England which committed America to entering the war. Just five months later we were in it. The same crowd which manipulated the passage of the income tax and the Federal Reserve System wanted America in the war. J. P. Morgan, John D. Rockefeller, "Colonel" House, Jacob Schiff, Paul Warburg and the rest of the Jekyl Island conspirators were all deeply involved in getting us involved. Many of these financiers had loaned England large sums of money. In fact, J. P. Morgan & Co. served as British financial agents in this country during World War I.

While all of the standard reasons given for the outbreak of World War I in Europe doubtless were factors, there were also other more important causes. The conspiracy had been planning the war for over two decades. The assassination of an Austrian Archduke was merely an incident providing an excuse for starting a chain reaction.

After years of fighting, the war was a complete stalemate and would have ended almost immediately in a negotiated settlement (as had most other European conflicts) had not the U.S. declared war on Germany.

As soon as Wilson's re-election had been engineered through the "he kept us out of war" slogan, a complete reversal of propaganda was instituted. In those days before radio and television, public opinion was controlled almost exclusively by newspapers. Many of the major newspapers were controlled by the Federal Reserve crowd. Now they began beating the drums over the "inevitability of war." Arthur Ponsonby, a member of the British parliament, admitted in his book *Falsehood In War Time* (E. P. Dutton & Co., Inc., New York, 1928): "There must have been more deliberate lying in the world from 1914 to 1918 than in any other period of the world's history." Propaganda concerning the war was heavily one-sided. Although after the war many historians admitted that one side was as guilty as the other in starting the war, Germany was pictured as a militaristic monster which wanted to rule the world. Remember, this picture was painted by Britain which had its soldiers in more countries around the world than all other nations put together. So-called "Prussian militarism" did exist, but it was no threat to conquer the world. Meanwhile, the sun never set on the British Empire! Actually, the Germans were proving to be tough business competitors in the world's markets and the British did not approve.

In order to generate war fever, the sinking of the Lusitania—a British ship torpedoed two years earlier—was revived and given renewed headlines. German submarine warfare was turned into a major issue by the newspapers.

Submarine warfare was a phony issue. Germany and England were at war. Each was blockading the other country. J. P. Morgan and other financiers were selling munitions to Britain. The Germans could not allow those supplies to be delivered any more than the English would have allowed them to be delivered to Germany. If Morgan wanted to take the risks and reap the rewards (or suffer the consequences) of selling munitions to England, that was his business. It was certainly nothing over which the entire nation should have been dragged into war.

The Lusitania, at the time it was sunk, was carrying six million pounds of ammunition. It was actually illegal for American passengers to be aboard a ship carrying munitions to belligerents. Almost two years before the liner was sunk, the *New York Tribune* (June 19, 1913) carried a squib which stated: "Cunard officials acknowledged to the *Tribune* correspondent today that the greyhound [Lusitania] is being equipped with high power naval rifles. . . ." In fact, the Lusitania was registered in the British navy as an auxiliary cruiser. (Barnes, Harry E., *The Genesis of the War*, Alfred Knopf, New York, 1926, p. 611.) In addition, the German government took out large ads in all the New York papers warning potential passengers that the ship was carrying munitions and telling them not to cross the Atlantic on it. Those who chose to make the trip knew the risk they were taking. Yet the sinking of the Lusitania was used by clever propagandists to portray the Germans as inhuman slaughterers of innocents. Submarine warfare was manufactured into a *cause célèbre* to push us into war. On April 6, 1917, Congress declared war. The American people acquiesced on the basis that it would be a "war to end all wars."

During the "war to end all wars," *Insider* banker Bernard Baruch was made absolute dictator over American business when President Wilson appointed him Chairman of the War Industries Board, where he had control of all domestic contracts for Allied war materials. Bauch made lots of friends while placing tens of billions in government contracts, and it was widely rumored on Wall Street that out of the war to make the world safe for international bankers he netted $200 million for himself.

While *Insider* banker Paul Warburg controlled the Federal Reserve, and international banker Bernard Baruch placed government contracts, international banker Eugene Meyer, a former partner of Baruch and the son of a partner in the Rothschilds' international banking house of Lazard Frères, was Wilson's choice to head the War Finance Corporation, where he too made a little money.—(Myer later gained control of the highly influential Washington Post which became known as the *"Washington Daily Worker."*

It should be noted that Sir William Wiseman, the man sent by British Intelligence to help bring the United States into the war, was amply rewarded for his services. He stayed in this country after WWI as a new partner in the Jacob Schiff-Paul Warburg-controlled Kuhn, Loeb bank.

World War I was a financial bonanza for the international bankers. But it was a catastrophe of such magnitude for the United States that few even today grasp its importance. The war reversed our traditional foreign policy of non-involvement and we have been enmeshed almost constantly ever since in perpetual wars for perpetual peace. Winston Churchill once observed that all nations would have been better off had the U.S. minded its own business. Had we done so, he said, "peace would have been made with Germany; and there would have been no collapse in Russia leading to Communism; no breakdown of government in Italy followed by Fascism; and Naxiism never would have gained ascendancy in Germany." (*Social Justice* Magazine, July 3, 1939, p. 4.)

The Bolshevik Revolution in Russia was obviously one of the great turning points in world history. It is an event over which misinformation abounds. The myth-makers and re-writers of history have done their landscape painting jobs well. The establishing of Communism in Russia is a classic example of the second "big lie" of Communism, i.e., that it is the movement of the downtrodden masses rising up against exploiting bosses. This cunning deception has been fostered since before the first French Revolution in 1789.

Most people today believe the Communists were successful in Russia because they were able to rally behind them the sympathy and frustration of the Russian people who were sick of the tyranny of the Czars. This is to ignore the history of what actually happened. While almost everybody is reminded that the Bolshevik Revolution took place in November of 1917, few know that the Czar had abdicated seven months earlier in March. When Czar Nicholas II abdicated, a provisional government was established by Prince Lvov who wanted to pattern the new Russian government after our own. But, unfortunately, the Lvov government gave way to the Kerensky regime. Kerensky, a so-called democratic socialist, may have been running a caretaker government for the Communists. He kept the war going against Germany and the other Central Powers, but he issued a general amnesty for Communists and other revolutionaries, many of whom had been exiled after the abortive Red Revolution of 1905. Back to mother Russia came 250,000 dedicated revolutionaries, and Kerensky's own government's doom was sealed.

In the Soviet Union, as in every Communist country (or as they call themselves—the Socialist countries), the power has not come to the Communists' hands because the downtrodden masses willed it so. The power has come *from the top down* in every instance. Let us briefly reconstruct the sequences of the Communist takeover.

The year is 1917. The Allies are fighting the Central Powers. The Allies include Russia, the British Commonwealth, France and by April 1917, the United States. In March of 1917, purposeful planners set in motion the forces to compel Czar Nicholas II to abdicate. He did so under pressure from the Allies after severe riots in the Czarist capital of Petrograd, riots that were caused by the breakdowns in the transportation system which cut the city off from food supplies and led to the closing of factories.

But where were Lenin and Trotsky when all this was taking place? Lenin was in Switzerland and had been in Western Europe since 1905 when he was exiled for trying to topple the Czar in the abortive Communist revolution of that year. Trotsky also was in exile, a reporter for a Communist newspaper on the lower east side of New York City. The Bolsheviks were not a visible political force at the time the Czar abdicated. And they came to power not because the downtrodden masses of Russia called them back, but because very powerful men in Europe and the United States sent them in.

Lenin was sent across Europe-at-war on the famous "sealed train." With him Lenin took some $5 to $6 million in gold. The whole thing was arranged by the German high command and Max Warburg, through another very wealthy and life-long socialist by the name of Alexander Helphand alias "Parvus." When Trotsky left New York aboard the S.S. Christiania, on March 27, 1917, with his entourage of 275 revolutionaries, the first port of call was Halifax, Nova Scotia. There the Canadians grabbed Trotsky and his money and impounded them both. This was a very logical thing for the Canadian government to do for Trotsky had said many times that if he were successful in coming to power in Russia he would immediately stop what he called the "imperialist war" and sue for a separate peace with Germany. This would free millions of German troops for transfer from the Eastern front to the Western front where they could kill Canadians. So Trotsky cooled his heels in a Canadian prison—for five days. Then all of a sudden the British (through future Kuhn, Loeb partner Sir William Wiseman) and the United States (through none other than the ubiquitious "Colonel" House) pressured the Canadian government. And, despite the fact we were now in the war, said, in so many words, "Let Trotsky go." Thus, with an American passport, Trotsky went back to meet Lenin. They joined up, and by November, through bribery, cunning, brutality and deception, they were able (not to bring the masses rallying to their cause, but) to hire enough thugs and make enough deals to impose out of the gun barrel what Lenin called "all power to the Soviets." The Communists came to power by seizing a mere handful of key cities. In fact, practically the whole Bolshevik Revolution took place in one city—Petrograd. It was as if the whole United States became Communist because a Communist-led mob seized Washington, D.C. It was years before the Soviets solidified power throughout Russia.

The Germans, on the face of it, had a plausible excuse for financing Lenin and Trotsky. The two Germans most responsible for the financing of Lenin were Max Warburg and a displaced Russian named Alexander Helphand. They could claim that they were serving their country's cause by helping and financing Lenin. However, these two German "patriots" neglected to mention to the Kaiser their plan to foment a Communist revolution in Russia. The picture takes on another dimension when you consider that the brother of Max Warburg was Paul Warburg, prime mover in establishing the Federal Reserve System and who from his position on the Federal Reserve Board of Directors, played a key role in financing the American war effort. (When news leaked out in American papers about brother Max running the German finances, Paul resigned from his Federal Reserve post without a whimper.) From here on the plot sickens.

For the father-in-law of Max Warburg's brother, Felix, was Jacob Schiff, senior partner in Kuhn, Loeb & Co. (Paul and Felix Warburg, you will recall, were also partners in Kuhn, Loeb & Co. while Max ran the Rothschild-allied family bank of Frankfurt.) Jacob Schiff also helped finance Leon Trotsky. According to the *New York Journal-American* of February 3, 1949: "Today it is estimated by Jacob's grandson, John Schiff, that the old man sank about 20,000,000 dollars for the final triumph of Bolshevism in Russia."

One of the best sources of information on the financing of the Bolshevik Revolution is *Czarism and the Revolution* by an important White Russian General named Arsene de Goulevitch who was founder in France of the Union of Oppressed Peoples. In this volume, written in French and subsequently translated into English, de Goulevitch notes:

"The main purveyors of funds for the revolution, however, were neither the crackpot Russian millionaires nor the armed bandits of Lenin. The 'real' money primarily came from certain British and American circles which for a long time past had lent their support to the Russian revolutionary cause. . . ."

De Goulevitch continues:

"The important part played by the wealthy American banker, Jacob Schiff, in the events in Russia, though as yet only partially revealed, is no longer a secret."

General Alexander Nechvolodov is quoted by de Goulevitch as stating in his book on the Bolshevik Revolution:

"In April 1917, Jacob Schiff publicly declared that it was thanks to his financial support that the revolution in Russia had succeeded.

"In the Spring of the same year, Schiff commenced to subsidize Trotsky . . .

"Simultaneously Trotsky and Co. were also being subsidized by Max Warburg and Olaf Aschberg of the Nye Banken of Stockholm . . . The Rhine Westphalian Syndicate and Jivotovsky, . . . whose daughter later married Trotsky."

Schiff spent millions to overthrow the Czar and more millions to overthrow Kerensky. He was sending money to Russia long after the true character of the Bolsheviks was known to the world. Schiff raised $10 million, supposedly for Jewish war relief in Russia, but later events revealed it to be a good business investment. (Forbes, B. C., *Men Who Are Making America*, pp. 334–5.)

According to de Goulevitch:

"Mr. Bakhmetiev, the late Russian Imperial Ambassador to the United States, tells us that the Bolsheviks, after victory, transferred 600 million roubles in gold between the years 1918 and 1922 to Kuhn, Loeb & Company [Schiff's firm]."

Schiff's participation in the Bolshevik Revolution, though quite naturally now denied, was well known among Allied intelligence services at the time. This led to much talk about Bolshevism being a Jewish plot. The result was that the subject of financing the Communist takeover of Russia became taboo. Later evidence indicates that the bankrolling of the Bolsheviks was handled by a syndicate of international bankers, which in addition to the Schiff-Warburg clique, included Morgan and Rockefeller interests. Documents show that the Morgan organization put at least $1 million in the Red revolutionary kitty.—(Hagadorn, Herman, *The Magnate*, John Day, N.Y. See also *Washington Post*, Feb. 2, 1918, p. 195.)

Still another important financier of the Bolshevik Revolution was an extremely wealthy Englishman named Lord Alfred Milner, the organizer and head of a secret organization called "The Round Table" Group which was backed by Lord Rothschild (discussed in the next chapter).

De Goulevitch notes further:

"On April 7, 1917, General Janin made the following entry in his diary ('Au G.Q.G. Russe'—At Russian G.H.Q.—Le Monde Slave, Vol. 2, 1927, pp. 296–297): Long interview with R., who confirmed what I have previously been told by M. After referring to the German hatred of himself and his family, he turned to the subject of the Revolution which he claimed, was engineered by the English and, more precisely, by Sir George Buchanan and Lord [Alfred] Milner. Petrograd at the time was teeming with English. . . . He could, he asserted, name the streets and the numbers of the houses in which British agents were quartered. They were reported, during the rising, to have distributed money to the soldiers and incited them to mutiny."

De Goulevitch goes on to reveal: "In private interviews I have been told that over 21 million rubles were spent by Lord Milner in financing the Russian Revolution."

It should be noted parenthetically that Lord Milner, Paul, Felix and Max Warburg represented "their" respective countries at the Paris Peace Conference at the conclusion of World War I.

If we can somehow ascribe Max Warburg's financing of Lenin to German "patriotism," is was certainly not "patriotism" which inspired Schiff, Morgan, Rockefeller and Milner to bankroll the Bolsheviks. Both Britain and America were at war with Germany and were allies of Czarist Russia. To free dozens of German divisions to switch from the Eastern front to France and kill hundreds of thousands of American and British soldiers was nothing short of treason.

In the Bolshevik Revolution we see many of the same old faces that were responsible for creating the Federal Reserve System, initiating the graduated income tax, setting up the tax-free foundations and pushing us into WWI. However, if you conclude that this is anything but coincidental, your name will be immediately expunged from the Social Register.

No revolution can be successful without organization and money. "The downtrodden masses" usually provided little of the former and none of the latter. But *Insiders* at the top can arrange for both.

What did these people possibly have to gain in financing the Russian Revolution? What did they have to gain by keeping it alive and afloat, or, during the 1920's by pouring millions of dollars into what Lenin called his New Economic Program, thus saving the Soviets from collapse?

Why would these "capitalists" do all this? If your goal is global conquest, you have to start somewhere. It may or may not have been coincidental, but Russia was the one major European country without a central bank. In Russia, for the first time, the Communist conspiracy gained a geographical homeland from which to launch assaults against the other nations of the world. The West now had an enemy.

In the Bolshevik Revolution we have some of the world's richest and most powerful men financing a movement which claims its very existence is based on the concept of stripping of their wealth men like the Rothschilds, Rockefellers, Schiffs, Warburgs, Morgans, Harrimans, and Milners. But obviously these men have no fear of international Communism. It is only logical to assume that if they financed it and do not fear it, it must be because they control it. Can there be any other explanation that makes sense? Remember that for over 150 years it has been standard operating procedure of the Rothschilds and their allies to control both sides of every conflict. You must have an "enemy" if you are going to collect from the King. The East-West balance-of-power politics is used as one of the main excuses for the socialization of America. Although it was not their main purpose, by nationalization of Russia the *Insiders* bought themselves an enormous piece of real estate, complete with mineral rights, for somewhere between $30 and $40 million.

We can only theorize on the manner in which Moscow is controlled from New York, London and Paris. Undoubtedly much of the control is economic, but certainly the international bankers have an enforcer arm within Russia to keep the Soviet leaders in line. The organization may be SMERSH, the international Communist murder organization described in testimony before Congressional Committees and by Ian Fleming in his James Bond books. For although the Bond novels were wildly imaginative, Fleming had been in British Navy intelligence, maintained excellent intelligence contacts around the world and was reputedly a keen student of the international conspiracy.

We do know this, however. A clique of American financiers not only helped establish Communism in Russia, but has striven mightily ever since to keep it alive. Ever since 1918 this clique has been engaged in transferring money and, probably more important, technical information, to the Soviet Union. This is made abundantly clear in the three volume history *Western Technology and Soviet Economic Development* by scholar Antony Sutton of Stanford University's Hoover Institution on War, Revolution and Peace. Using, for the most part, official State Department documents, Sutton shows conclusively that virtually everything the Soviets possess has been acquired from the West. It is not much of an exaggeration to say that the U.S.S.R. was made in the U.S.A. The landscape painters, unable to refute Sutton's monumental scholarship, simply paint him out of the picture.

At Versailles, this same clique carved up Europe and set the stage for World War II. As Lord Curzon commented: "It is not a peace treaty, it is simply a break in hostilities." In 1933, the same *Insiders* pushed FDR into recognizing the Soviet Union, thus saving it from financial collapse, while at the same time they were underwriting huge loans on both sides of the Atlantic for the new regime of Adolph Hitler. In so doing they assisted greatly in setting the stage for World War II, and the events that followed. In 1941 the same *Insiders* rushed to the aid of our "noble ally," Stalin, after his break with Hitler. In 1943, these same *Insiders* marched off to the Teheran Conference and proceeded to start the carving up of Europe after the second great "war to end war." Again at Yalta and Potsdam in 1945, they established the China policy . . . later summarized by Owen Lattimore: "The problem was how to allow them [China] to fall without making it look as if the United States had pushed them." The facts are inescapable. In one country after another Communism had been imposed on the local population from the top down. The most prominent forces for the imposition of that tyranny came from the United States and Great Britain. Here is a charge that no American enjoys making, but the facts lead to no other possible conclusion. The idea that Communism is a movement of the downtrodden masses is a fraud.

None of the foregoing makes sense if Communism really is what the Communists and the Establishment tell us it is. But if Communism is an arm of a bigger conspiracy to control the world by power-mad billionaires (and brilliant but ruthless academicians who have shown them how to use their power) it all becomes perfectly logical.

It is at this point that we should again make it clear that this conspiracy is not made up solely of bankers and international cartelists, but includes every field of human endeavor. Starting with Voltaire and Adam Weishaupt and running through John Ruskin, Sidney Webb, Nicholas Murray Butler, and on to the present with Henry Kissinger and John Kenneth Galbraith, it has always been the scholar looking for avenues of power who has shown the "sons of the very powerful" how their wealth could be used to rule the world.

We cannot stress too greatly the importance of the reader keeping in mind that this book is discussing only one segment of the conspiracy, certain international bankers. Other equally important segments which work to foment labor, religious and racial strife in order to promote socialism have been described in numerous other books. These other divisions of the conspiracy operate independently of the international bankers in most cases and it would certainly be disastrous to ignore the danger to our freedom they represent.

It would be equally disastrous to lump all businessmen and bankers into the conspiracy. One must draw the distinction between competitive free enterprise, the most moral and productive system ever devised, and cartel capitalism dominated by industrial monopolists and international bankers. The difference is the private enterpriser operates by offering products and services in a competitive free market while the cartel capitalist uses the government to force the public to do business with him. These corporate socialists are the deadly enemies of competitive private enterprise.

Liberals are willing to believe that these "robber barons" will fix prices, rig markets, establish monopolies, buy politicians, exploit employees and fire them the day before they are eligible for pensions, but they absolutely will not believe that these same men would want to rule the world or would use Communism as the striking edge of their conspiracy. When one discusses the machinations of these men, Liberals usually respond by saying, "But don't you think they mean well?"

However, if you think with logic, reason and precision in this field and try to expose these power seekers, the Establishment's mass media will accuse you of being a dangerous paranoid who is "dividing" our people. In every other area, of course, they encourage dissent as being healthy in a "democracy."

WHAT MINIMUM WAGES DO NOT DO

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. McCLORY. Mr. Speaker, during the recent debates on the minimum wage legislation, I expressed my opinion against the principle of establishing Federal minimum wages—particularly as this legislation affects young citizens and part-time employees.

The counterproductive implications of this popular political issue are becoming daily more apparent. Minimum wage laws are causing the welfare rolls to swell, increasing the unemployment ranks, reducing the motivation to work and to earn money for one's own self-support and self-respect—and producing other harmful consequences.

Mr. Speaker, I was pleased to read a most enlightening editorial confirming my position which appeared in yesterday's—Chicago Tribune—Sunday, July 30, 1972.

I direct the following editorial to the attention of my colleagues:

WHAT MINIMUM WAGES DON'T DO

Illinois Rep. Roman Pucinski, who is running for the Senate and is a member of the House-Senate conference committee considering the minimum wage bill, supports the more generous Senate version of the bill. He also thinks the $2.20 rate should be effective next year instead of in 1974.

"This nation could save billions of dollars in welfare costs," he said the other day, "the sooner we crack the $2-an-hour minimum. . . . There is a direct correlation between the minimum wage and the cost of public welfare."

There is indeed a correlation, as the accompanying graph shows, but it isn't quite the relationship Mr. Pucinski has in mind. With every increase in the minimum wage, welfare costs have soared.

Of course there are a great many factors that affects welfare costs, and the minimum wage is only one of them. Mr. Pucinski says that giving more money to the lowest paid workers will reduce their need for public aid. To some extent it will. But the higher minimum wage also eliminates a good many marginal jobs which aren't worth the higher pay—and those who lose these jobs or can't get them often end up on relief. Higher minimum wages also tend to push wages up all along the line and are thus a factor in the inflation which raises the level of public aid payments.

The record suggests that higher minimum wages do more to increase public aid costs than to reduce them, and that the chief value of minimum wages is in campaign oratory. We are glad to offer Mr. Pucinski this graph for whatever use he cares to make of it.

FLEXIBLE PROGRAM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. DERWINSKI. Mr. Speaker, under Governor Ogilvie, Illinois has made great strides in expanding higher education. One of the most progressive universities in the State is Governors State University in Park Forest South. The student body will to a substantial degree be drawn from residents of my congressional district.

An editorial in the Homewood-Flossmoor Star of Sunday, July 23, points out the great progress being made in practical, innovative educational programs in Illinois.

The editorial follows:

FLEXIBLE PROGRAM

A new program of higher education that credits success without punishing failure is expected to make its debut in Illinois in the fall.

Designed primarily for adults, the baccalaureate degree program has sufficient flexibility in residency and academic requirements to enable a person to graduate without long attendance at one institution. It was developed by the five institutions administered by the Illinois board of governors of state institutions and colleges, among which is Governors State university in Park Forest South.

Highly innovative, the program provides for "life experience" credit toward academic requirements and also has a novel "no-fail" policy. It requires 120 semester credits, but only 15 need to be taken at board of governors institutions, and they may be taken in any order.

A total of 40 semester credits must be at the junior-senior level, and 12 semester credits each from the social sciences, natural sciences and humanities must be earned. Persons who complete the requirements will receive a "board of governors" bachelor of arts degree.

Salient features of the novel degree program are that it is directed primarily toward the mature populace and persons "on the move," and that it has only minimal residency requirements. There is no set timetable for degree completion and no declared major is necessary. Students may pool credits from several institutions and also receive credit for knowledge acquired informally. In addition, instruction in non-traditional forms—television, independent study, correspondence schools, programmed instruction—is encouraged.

Among the chief beneficiaries of the program are residents whose jobs cause them to relocate frequently, such as construction workers, and U.S. servicemen stationed in Illinois. Airmen at Chanute Air Force base in Rantoul, for instance, are expected to be among the first participants, enrolling at nearby Eastern Illinois university.

It wasn't so many years ago that the concept of adult education—programmed instruction for mature persons beyond college-age—finally managed to find public acceptance. Now the board of governor's "flexible" degree program gives another dimension to efforts to provide every resident with an education consistent with his abilities and his needs. This is a refreshing step forward.

RECOMPUTATION IS A MORAL ISSUE

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. STEIGER of Arizona. Mr. Speaker, last week one of my constituents, Colonel Haefner, USAR, Retired, sent the following letter to the Wall Street Journal editor. I wish to bring this to the attention of everyone who might have missed it:

KOREAN RESERVE SERVICE

PRESCOTT, ARIZ.

Editor, The Wall Street Journal:

Your story concerning "Fighting Mad" retired military personnel whose pensions have not been tied to the active duty pay scale since 1958 may indeed raise a moral issue.

On the other hand, what about the "moral issue" related to a very small group of loyal reserve officers who served during both World Wars and the Korean war and remained active reserve officers until age 60, and retired without any pension whatsoever, not even with a gold watch?

I know one officer who served over eight years on extended active duty in both World Wars and the Korean war. He was recalled during the Korean war at the age of 51. In those eight years his military pay was substantially less than his corresponding civilian income. Moreover, this officer with 18½ years reserve service is neither eligible for an adjusted pension nor to receive military hospital benefits and other prerequisites granted to pensioned officers.

The only recompense for reserve officers in the above category is to be listed in the Officers Honorary Retired List of the U.S. Army Register and to take some solace in the inaugural address of President John Kennedy, "Ask not what your country can do for you, but what you can do for your country."

EARL W. HAEFNER,
Colonel, USAR-Ret.

HON. EDITH GREEN WRITES ON THE "EDUCATION-POVERTY-INDUSTRIAL COMPLEX"

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. BRAY. Mr. Speaker, the following article by our distinguished and respected colleague from Oregon, Congresswoman EDITH GREEN, appeared in the summer 1972 edition of the quarterly magazine the Public Interest.

For some years she has given her attention to what she so aptly terms the "education-poverty-industrial complex," which she defines as "people and companies devoted to reaping profit from the Nation's legitimate interest in education and welfare." This "study for hire" syndrome has badly infected the bureaucracy; her article, a case history of just one study, is a valuable contribution to the problem:

THE EDUCATIONAL ENTREPRENEUR—A PORTRAIT

(By Hon. EDITH GREEN)

During the past decade, the federal government has made many new attempts to aid in the solution of the country's major problems. Great hopes and high ideals underlay these attempts. For the most part, the motives of those who championed new programs were good, and the people supporting these programs were truly representative of a national will to do something about many of the larger problems that plague our times.

As plans turned to realities, in attempting to provide solutions to our country's pressing ills, we have set up a monstrous apparatus that can no longer be supervised or controlled by even the best of men. This tremendous proliferation of programs and activities is leading to a major collapse of rational management. We are becoming ever more aware of the pitfalls we were warned about by former President Lyndon Johnson, when he said that "legislation should not be examined in the light of benefits it will convey if properly administered—but by wrongs it would cause if improperly administered."

What is true of Government in general is true as well of the federal presence in education. The Office of Education will supervise the expenditure of over five billion dollars in fiscal 1972, through programs that take over seven printed pages to list. Other federal agencies and departments will pour additional billions from federal coffers into educational enterprises. The duplication, complexity, and sheer weight of these efforts is becoming unbearable to taxpayers and officials alike. Thus, the first major problem we have to face today is how to restore a rational form to our government, and keep it in a manageable form.

Closely related to this problem is a second one, namely, the extent to which education is becoming allied with business and industry. It might be useful to place this problem in the perspective of history. Educators have always wanted to have a decent income; in this respect, they have never been different from the rest of humanity. But it has been customary to realize that financial benefits were simply means to greater ends, and the ends were clear: the pursuit of knowledge, the discovery of truth, and the transmission of our cultural heritage. Only recently have the means become ends in themselves. It is a very modern phenomenon to find educators busily at work accumulating wealth as an academic pursuit in its own right. We have entered the era of the large-scale education industry, complete with all the excesses that so often appear in a burgeoning big business.

It is sad to say that a well-meaning governmental policy has probably been largely responsible for this development. During the past decade, Congress has supported education more generously and vigorously than ever before. Very large sums of money, funding innumerable new programs, have been made available at every level of the educational ladder, from preschool to postdoctoral. Whether the result has been an improvement in education is not entirely clear; only time will tell, and only serious evaluations will help us find out. But one thing *has* become evident: The result of all this federal funding has been, directly and indirectly, the personal enrichment of some, and the runaway growth of a great many educational institutions and private corporations.

For several years now I have been particularly interested in what I have come to call the "education-poverty-industrial complex"—people and companies devoted to reaping profit from the nation's legitimate interest in education and welfare. What I have learned has not been encouraging. Studies made at my request by my staff and by the General Accounting Office have revealed serious irregularities in numerous areas. Over and over again, we have found educators enriching themselves at public expense through sizable consulting fees, often for work of which there is no record at all. Over and over again, we have found educational organizations taking money for work not done, for studies not performed, for analyses not prepared, for results not produced. Over and over again, we have found educators using public funds for research projects that have turned out to be esoteric, irrelevant, and often not even research.

Perhaps the precise nature of the problems we face today will be illuminated by a specific example of a case study from my office files. The example I have chosen is neither the best nor the worst of those studied to date; rather, it is quite average in many respects, and for this reason it serves quite well to help underline the deep systemic problems, not the unusual and extraordinary failures.

The case study outlined in the next section represents a total governmental outlay of some $60,000. This may seem a trivial amount by comparison with the billions spent by the Office of Education (OE), but in fact contracts of this size are typical of OE's operation. Consider the projects being funded by OE's National Center for Educational Research and Development (NCERD, formerly the Bureau of Research) in 1970. There was a total of 1,151 projects, as recorded in NCERD's massive directory for July 1970. This total broke down as follows: 368 projects in the under $10,000 range; 404 projects in the $10,000-$100,000 range; 318 projects in the $100,000-$1,000,000 range; and 61 projects in the over $1,000,000 range. From this it can be seen that a contract in the amount of $60,000 typifies a category of OE activity that is representative of OE-funded projects—a category that is, when added up, quite significant fiscally in the overall picture. Although the names of all parties concerned in the case have been protected, all the details of the following story are true, and are based on data preserved in the NCERD files.

In the spring of 1968, what appears to have been an unsolicited project proposal was received by OE. It was submitted by Professor A. of New York through S.R., a private firm based in Washington, where the work was to be done. The idea was to study in a thorough and extensive manner the sociological aspects of one particular facet of higher education policy. The project was to extend from July 1968 to September 1969.

The basic point of the proposed study is explained in the opening paragraph of the proposal. Immediately thereafter, the basic weakness of the proposal is candidly exposed—to wit, the absence of a concrete plan:

We would like to stress at this point that many of the details of the following outline are necessarily tentative. They illustrate what we are after and the ways we shall proceed; many additional details, though, will have to be developed and others revised as our study progresses.

The proposal contains no background information at all, no context, no reference to other work, no methodology or plan, no *curriculum vitae* of the principal investigator (or anyone else). At the end, A. writes:

Our ultimate purpose is to provide information and analysis to serve the needs of policy makers. . . .

Products:

1. A report . . . including background data and reasons for conclusions reached.

2. The training of a sociologist in educational research. . . .

The aim is to give the government advice, via a report. The exact meaning of product 2, "the training of a sociologist in educational research," is nowhere explained or even referred to in the body of the proposal.

The total funds requested for the study come to about $70,000. (All figures are approximate.) Of this, $21,000 is for overhead, $3,000 for a fee. Salaries and benefits are to total $42,000, according to the following breakdown of effort: half time for the director (at a rate of $30,000/yr. for full time) and half time for a research associate (at a rate of $17,000/yr. for full time) for the period September 1968—September 1969, and consultant status for these two (sic!) for July and August 1968; half time for a secretary; full time for a junior research assistant. A., the director, is the only person identified by name.

The first reaction to this proposal must be one of puzzlement. There is a lot of broadly descriptive (and fairly simple-minded and obvious) material, but virtually no specifics. yet there is quite a price tag. What is it all about? The first reaction on file came from B.N. of OE, in a hastily written memorandum to D.O. It reads in full: "B. and P. feel that the A. proposal is too expensive and see it in the $40-$50,000 range and not $70,000. Will you look it over to see how we can pare it down." B. and P. are OE officials. They clearly have no problem at all with the product being bought, just a bit of a complaint about the price.

On that day, requests for evaluation were sent to two outside readers. The evaluations were returned within a few days. One recommended flat disapproval. The summary stated the case plainly:

"I do not feel that this is a good study; nor is it a good proposal. Reason: The proposal does not specify the methodology, other than a broad and unbounded discussion of the several levels that may be influenced by a specific type of policy to assist higher education. . . . At best it is wordy, not focused, unspecific, and carries no measure of effectiveness as to how policy makers may choose. I can not approve a research proposal on the basis of hope. . . . I am not sure that the author is fully acquainted with the world of education. . . .

Under "Educational Significance," the evaluator writes "Negative" and goes on to complain that "the proposal does not suggest any real familiarity with educational literature or recent experience with ESEA or HEA." The comment on "Personnel and Facilities" reads: "No resume of personnel resources was attached. I have no way of knowing if the author is capable except on the basis of the proposal—which is very weak." He finds the research design "very poor," and the economic efficiency "extremely poor."

The second evaluation came back with a recommendation for provision approval. The summary is not too encouraging:

"The applicant has identified an area of great importance to the future of American higher education, and is a highly creative investigator who can be expected to generate valuable insights. However, there are several areas of vagueness in the proposal—possibly due to necessary shortness of time in its preparation—which ought to be remedied before a formal award is made. I would propose the following modification to be negotiated:

"1. The applicant should satisfy the OE staff of his knowledge of existing materials in the area of inquiry. . . .

"2. The caliber of the 'Research Associate' should be specified on the satisfaction of the USOE staff. (Note, on p. 11, that one 'product' is to be the 'training of a sociologist in educational research.' At a salary of $17,000/yr., one would expect to hire someone who was already well trained)

"8. The 'Fee' . . . should be eliminated from the budget or justified to the satisfaction of OE staff. . . .

"The evaluator goes on to note that 'the work envisioned here parallels recent developments within the Bureau of the Budget and the planning offices of the several federal agencies.' He finds the proposal 'very vague on methodology.' He is concerned that 'duplication of effort is to be avoided,' and notes that the proposal is silent on this question, since 'the applicant fails to relate his proposed study to similar work, in any *explicit* manner.' And again, he comments that the research design is 'the weakest part of the proposal,' and that 'the budget total strikes me as somewhat high.'

"In light of all these criticisms, how could he recommend provisional approval? The answer lies in his comments under 'Personnel and Facilities.' So great is the evaluator's regard for A. that this outweighs his concern about the rest of the background support:

"'A. is an outstanding sociologist, highly imaginative, and a prolific worker. There should be some specification of the qualifications of the proposed Research Associate. The S.R. probably lacks library resources which would be required to relate the proposed work to relevant literature in the field. I would *hope* that creative computer people would be available within the S.R. to experiment with system simulation, but this hope isn't directly justified by the contents of the proposal."

In mid-June, D.O. provided his opinion of the proposal, in an "inhouse review." As we learn from the various official forms, D.O. had been designated project officer for this study. On the question of educational significance, he had this to say:

"The problem of policies for federal support of higher education is of top priority (see President's Education Message); but I am not sure how much hard data this project would furnish on the problem as distinguished from intuitive and informed guesses."

He notes candidly that there is "no clear research design . . . no hypothesis, no experimental procedures, no reference to related research, no procedures described." Also, he writes, under "Economic Efficiency":

"Cost higher than necessary. Do we need to "train a sociologist in educational research" at $17,000 a year? The "fee" . . . is unjustified when indirect costs . . . are incurred."

But despite these faults, he recommended approval. His reasoning is presented at the outset of the review:

"This is not really a research proposal but a proposal to engage the services of a competent and inventive sociologist to forecast the "futures" of American higher education and patterns of federal support. It should be coordinated with the Secretary's task force on strategies of support (*e.g.,* Bob

Berk) and Clark Kerr's Commission on the Future of Higher Education."

And again, later. "This is a proposal essentially to fund a well-known sociologist to think about higher education."

The sequence of events leading to the actual contract award bordered on comic opera. The Funding Approval Request originated by D.O. in mid-June—just two weeks before the end of the fiscal year deadline—obtained its final signature within a week; it called for Fiscal Year 1968 funding in the total of $45,000 for this project. Where did the figure $45,000 come from? We shall never know. It certainly is not the amount requested by A., and there is no other document presenting a budget in that amount. The only plausible explanation relates to the memo from B.N. quoted above, calling for something "in the $40-$50,000 range"—$45,000 being right in the middle of the range. At any rate, for the time being, $45,000 was the magic figure. The Procurement Action Request executed in the last week of June also carried that figure, as did D.O.'s Schedule of Negotiable Items, which was entirely blank except for the total project cost, listed as $45,000, without any indication of how OE wanted S.R. to cut their proposal to that figure.

Apparently, despite all the effort, Fiscal 1968 was missed, so the procedure had to start all over again in July. A new Procurement Action Request was issued in early July, calling again for $45,000, but this time in Fiscal 1969 funds. Meanwhile, mid-July saw some negotiations between OE and S.R. We have some handwritten memos from that period discussing several issues, among which were the following: (1) The size of S.R.'s overhead rate; (2) the propriety of a fee (which, in the end, S.R. received); (3) the propriety of hiring a $17,000-a-year man for "training," an objection raised, as we saw, during the evaluations; (4) the propriety of paying the director in a consultant status during the summer; and (5) the "need for clerk and sec'y for 1 person."

Whatever the mechanism that finally did the trick, S.R. got the message, and produced a slightly reduced budget—a "revised cost estimate"—at the end of July. The covering letter explains that two reductions were involved: (1) the provisional overhead rate was dropped to 50 percent; (2) the junior research assistant's time was cut back drastically, from full time for the whole 15 months, to approximately one-fourth time. In this way, the budget was brought down to $55,000. Actually, the first reduction was a pure fiction, because a final overhead rate was to be established later, quite apart from the provisional rate, and the government would end up paying in full whatever the final overhead rate would turn out to be.

The end of July thus saw a $10,000 discrepancy between the $45,000 asked for in OE's Procurement Action Request and the revision downward to $55,000 offered by S.R. What was OE to do? It apparently never occurred to anybody to say to S.R., "Take the $45,000 or leave it." Instead, with no justification, the $10,000 was added, with the aid of a subterfuge. D.O. sent a memo to the Chief of the Contracts Division asking for the additional funds, with the following explanation:

"Reason for the increase over amount authorized in original Procurement Action Request is that the overhead rate was inadvertently left out in the proposed budget when [NCERD] approved the proposal."

The absurdity of this explanation could have been revealed at a glance, since the sum requested had no relation at all to any overhead shown on any version of the proposal.

But no matter; it was an unimportant detail. A new request for the additional amount went out, and by the beginning of September, a contract was ready. Five days later, A. wrote OE the happy news that he was now in Washington at S.R., although the letter had to be signed by someone else "in Dr. A.'s absence"!

A disturbing note disrupts the peaceful progress of A.'s cogitation at OE expense. In September, one Dr. J. B. wrote OE asking for help and information regarding a study he had begun *with OE funds* on the same subject! There was obviously considerable overlap with A.'s work, although not one person involved with either project—in or out of OE—knew that the other was taking place! When the two projects had been funded, no one had checked to see whether there might be others doing the same thing! D.O.'s reply asked J.B. for a copy of his proposal and the names of his OE project officers. Apparently D.O. knew that he could get the information from J.B. more rapidly than he could extract it from the OE bureaucracy of which he himself was a part.

Such duplication, unfortunately, is far from unusual. Part of the problem is OE's abysmal record system, which is virtually useless. Thus, it is almost impossible to obtain accurate information—or even sketchy information, for that matter—on such questions as what projects are currently being funded, what projects have recently been completed, what contractors or grantees hold which contracts or grants, etc. Part of the problem is OE's incredibly complex—and ever-changing!—internal organization, which allows for numerous overlaps in authority and which seems to encourage random duplication in various fields.

To return to our narrative: The first progress report was submitted around the beginning of the new year and was quickly accepted by D.O. The report covered the first four months of work, about one third the total length of the project. The first paragraph told it all:

"In line with our study design the first period of our research has largely involved 1) a preliminary survey of the literature, especially works which attempt to give an overall view of the higher education system, 2) acquaintance with the data base, and 3) refinement of the research design."

The word "preliminary" in (1) really meant just that, as we are told that "in the months that have elapsed . . . we have only been able to cover a small fraction of the literature on higher education. . . . We are increasingly focusing on literature that reports specific empirical findings relevant to our problem."

Thus, very little had been accomplished, and most of the time had been spent in highly electric reading. What the staff was doing was not clear. Since there had been no research design in the first place, no one at OE could complain. But by the time a few months had passed, it had already become clear that A. was not necessarily a good choice even as a consultant, since he was barely acquainted with the field—something that the proposal evaluators had warned about. It appears that the sociologist who was being "trained" in education research was A. himself!

The end of March 1969 brought the second progress report; the half-way point had already been reached. The three-page report repeatedly stressed how complex the problems are. The first paragraph again tells the essential story of what was going on:

Since the last progress report we have focused primarily on two tasks:

(1) A relatively detailed survey of the current programs of federal assistance to higher education and the proposals for additional assistance, and the development of conceptual tools to facilitate their analysis.

(2) Determining the probable consequences of "ideal-type" forms of aid for educational opportunity, and more generally social stratification.

It must have heartened OE personnel to learn that A. was at last becoming acquainted with the existing federal programs. But we do not find out very much about the kinds of "conceptual tools" that were being developed, or the "probable consequences" that were being looked at.

This report was so loose and chatty that it obviously got on D.O.'s nerves. By the end of April he had worked up the determination to do something; not, of course, anything substantive, because A. was being paid to do exactly what he was doing, as D.O. himself had pointed out in his evaluation of the proposal; but rather, something *formal*, to make things *look* better. D.O. sent A. a letter asking, in effect, that the format be cleaned up and formalized!

A. was, of course, happy to comply, and a week later the "new look" report was mailed back, prettier than the old one but containing the same information. A few new touches were added, as for example the assurance that "no special difficulties have been encountered. The project is well on its way, as planned." We also learn the following good news:

"Professor A. will visit with Professor K., world renowned authority on higher education, [in Great Britain] to consult about our findings. No consulting fee is being charged by Professor K. and Professor A. will pay his own travel expenses."

This is an incredible paragraph "Findings" that have never been revealed are alluded to; and we are assured that K. will not charge a fee for chatting with A., and that A. will not charge OE for this junket—as if this had been considered a possibility!

In mid-June of 1969, A. wrote a letter to OE containing two requests. The first of these was for an additional $6,000—"a small amount of supplementary funds"—to analyze data in the American Council on Education's newly operational data bank. Basically, the money was to pay for five weeks of a research analyst's time and two weeks of a programmer's time; for data processing; and for overhead and fee. There is no hint as to what kind of analysis is to be performed, nor is there any research plan at all. The second request is for more time:

Secondly, it seems advisable to extend the period of analysis for three months. This would mean that the final report would be submitted December 31, 1969. This additional time is required primarily because of two factors. First of all the relevant empirical relationships already encountered are more complex than originally anticipated. Secondly, researchers have been much more active in this field in the last year than it was possible to anticipate when the proposal was submitted. To cite only two examples, both the Carnegie Commission (under Clark Kerr) and HEW (under Alice Rivlin) have conducted extensive studies in this area and presented far-ranging policy proposals. It has been necessary to spend a considerable amount of time analyzing and evaluating these and other efforts, and relating them to our own work. Finally the analysis of the additional data from the ACE discussed in point one will require some extra time, though the additional three months of analysis seems required, however, even if supplemental funds are not available for analysis of the ACE data.

The reasoning is ingenious. As we had already found out in the progress reports, A. was discovering the problems to be rather complex, something he just might have been expected to have known in advance. Also, as OE had been forewarned from the outset, A.'s study was not the only one in the field, to put it delicately, and his acquaintance with other work was minimal; so OE was paying him to find out what other people were doing, and now OE was being asked to extend the contract because A. had discovered that other people were doing a lot.

The June 30 progress report—mailed on June 27 (but in a project like this it could have been written almost any time)—repeated the substance of the above-cited letter, and reported a few developments. First, A. was slowly becoming more confident in his "tentative finding" that "federal aid—regardless of the form—aimed at enabling more lower-class high school graduates to attend college would generally have less impact on the societal stratification structure (in terms of social mobility roles) than is generally assumed." This hazy and almost meaningless platitude could hardly have left OE gasping with amazement at A.'s powers of analysis and insight.

Second, the report tells what A. had been doing with most of his time: He had, during the April 1–June 30 period, "focused primarily on estimating the effects of federal aid on stimulating racial equality." When one compares A.'s sweeping plans, as outlined in his proposal, with this rather limited perspective, it becomes very evident that he was not doing anything near what he had originally said he would do. By now, OE would probably have had no trouble cutting off further support of this abortive project, even given OE's loose management of it up to this point. But this was not to be.

A.'s request for more money and time must have rattled OE. D.O. took his time and asked for more explanation of the proposed "analysis" of ACE's data, as well as for a breakdown of two budget items: the salary item of $1600 and the "data processing" item of $2800. A. replied to this inquiry in a letter giving no details at all about the analysis, but carrying on at some length about how important the analysis is. As for the budget items, which cover $4400 of the $6000 asked for, A. broke them down into line form without explaining why each item was actually necessary.

Apparently it never occurred to anyone at OE to turn down A.'s request, so the extension and additional funds were granted. Another *opera-bouffe*-style series of errors ensued in the course of this "small" additional award, which, by the time it was over, must have cost a few thousand dollars in wasted man-hours. We will omit the minute details, which are spelled out in the documents.

Even this was not yet the end. In December, A. wrote for another extension, to March 31, 1970. The delay was entirely due to the slowness of receiving the ACE data, according to A.; he expected everything to be done by February at "the latest," but he was "asking for a delay until the end of March just to be on the safe side." The request was duly processed and granted by OE "at no additional cost to the government."

The report finally arrived in March 1970. It is authored by A. and his associate M. The Office of Education is nowhere mentioned; a reader would not know that OE funds had supported the project. The "Acknowledgments" page does not mention OE or a single person associated with OE or with the government.

What OE got was a very, very long (and wordy) essay, very, very short on hard data. At first sight, it looks as if OE got what it paid for: the thoughts of A. on the subject at hand. A closer look, however, reveals something very different. To begin with, we find out that Part I was written by M., not A. (although we are assured that A. "freely exchanged ideas" with M., whatever that means). Now, Part I of the report is 191 pages long, more than half of the whole. It is to be questioned whether OE would have spent the money had it known that half the product was to be, after all, M.'s thoughts on the subject.

But at least M.'s thoughts are on the subject of the study! A.'s thoughts, on the other hand, as presented in the last 146 pages—some of which happened to be written by other people—are not on the subject of the contract at all. As it turned out, OE was subsidizing A., and a regal support staff, to do whatever A. pleased during—and quite a bit after—the year 1968–1969. There is no record of any evaluation of the final report. A form letter from D.O., sent in June, accepted the report and approved final payment.

This relatively modest case points up many of the specific problems we have earlier mentioned in general terms. On the government side, no one was really clear where the proposed study belonged, whether it should be made, or what program it properly fitted into. Over a dozen OE officials were involved at one point or another, but they were not in contact with each other on a regular basis and could not coordinate their activities. Errors and oversights were frequent. There were no clear guidelines concerning proper budgetary supervision or technical supervision, nor were there policies governing use of whatever findings might be produced. All in all, one gets the feeling that the Office of Education was hopelessly unaware of what the project was really all about, and had no mechanisms for keeping abreast of what was going on.

On the contractor's side, all the dilemmas are in evidence, albeit in miniature. What overhead and fee, if any, are appropriate? How is the value of thinking power to be measured? What is the line between flexibility and misrepresentation? When is a company performing a service, and when is it taking the government for a ride?

The problems encountered in the case I have just presented are by no means unusual One company we have studied, a well-known private educational consulting firm, received over a million dollars' worth of contracts from the Office of Education and other federal agencies in about two years' time. What makes this statistic so significant is the fact that at the outset of this period, the company was doing business at a total rate of only $250,000 a year from all sources and had only one full-time professional employee! Naturally, this firm expanded rapidly and was helped in the process by an ingenious device; several proposals would be filed simultaneously, and the same names would appear on the various proposals as the investigators and researchers. As the proposals were funded, money became available to hire new staff—with the excess over 100 per cent of any given person's time when the contributions from the various projects were added up.

Another firm we have looked into made a practice of submitting proposals with virtually no research design. This would make it difficult for OE personnel to know exactly what was to be expected in the project, and hence impossible for the government to monitor what was going on. Another regular practice of this firm was to promise mountains of data and accompanying analyses, and then to submit only the raw data, in the form of thousands and thousands of sheets of computer printouts. Since data in this form are virtually useless, the firm was then in a position to ask for additional funds for the analyses, and these funds would invariably be granted by a helpless and gullible OE. Although this happened repeatedly, no one at OE caught on to the pattern, and the firm enjoyed, and still enjoys, an excellent reputation.

Time and time again, firms have displayed a total disregard of deadlines and complete indifference to the importance of delivering result on time. In instance after instance, firms have asked for, and received, fees in addition to overhead charges, on the pretext that these fees were necessary to stimulate corporate stability and growth—as if these considerations are relevant to OE contracts and grants. Over and over, a project would be escalated into a far bigger activity than originally proposed or planned, with vast additional funds being allocated by OE through a non-competitive, non-reviewed amendment procedure rather than through the normal process of funding approval. In one case we have studied, a project that OE thought might cost $75,000 was funded at $140,135 and was escalated through a series of amendments to $416,743—and it is still alive!

All the problems are by no means concentrated on the side of the contractor or grantee. The Office of Education, as provider of the funds and as the public agent responsible for their proper use, has plenty of its own problems. Our case studies are beginning to uncover a broad pattern of defective management throughout all phases of OE's activities—a dismal pattern that has been glimpsed in part by other study panels, but is only now being revealed in its full impact. Consider, for example, the following partial list of defects that we have uncovered in OE's handling of contracts and grants during the pre-award period alone:

(1) Pre-arrangement seems to be the rule rather than the exception, in consideration of potential contractors and grantees. However an idea originates, it is apparently common practice for OE to discuss a project extensively with a favored award recipient, and to work out some sort of plan for proceeding. When this is done, the formalities are then instituted as an afterthought.

(2) The intent of Congress is often disregarded by OE. Awards are often made with hardly a glance at the legislative intent of the program that has been authorized by Congress. It sometimes seems as if OE considers the total funds appropriated by Congress in any fiscal year as a big pool on which OE can draw at will for whatever programs it sees fit to fund.

(3) Another failing prevalent in the early states of OE projects is the absence of carefully conceived specifications, work plans, or research designs. This failing is evidence both in OE-originated projects, where it is a critical flaw, and in outside-originated projects which have been discussed in advance with OE personnel.

(4) Yet another virtually universal problem in proposals is the unavailability of solid budget information, a lack which OE does nothing to remedy. It is as if the very concept of budget justification is entirely alien to OE. The budgets are almost always descriptive line-item affairs presenting totals, with hardly a thought given to explaining *why* the particular item is necessary or *how* the money will be used to further the project. Indeed, we have seen many instances where the line-item description does not even correspond to the verbal description given in the text of the proposal! OE virtually never attempts to clarify the budget or force an adequate explanation prior to the award.

(5) Evaluation procedures are slipshod and erratic. Sometimes there is no evaluation at all. Sometimes there are a few in-house evaluations. Sometimes there are a few outside evaluations. There seems to be no rhyme or reason to the process, no pattern at all. But worst of all, OE has no discernible policy concerning what ought to be done with an evaluation once they get it. There seems to be no connection at all between the content of evaluations and further subsequent actions by OE.

(6) A particularly disturbing feature of the award procedure is the seeming determination of OE to spend all the money that has been appropriated. In the few cases where contracts are put for bids, it is a foregone conclusion that someone will get the award, even if no one has submitted a really satisfactory proposal. Similarly, when pre-arranged proposals come in, there is an almost inexorable drive to fund them, regardless of their defects. All this becomes even more evident as the end of the fiscal year approaches, when more and more projects are frenetically rushed through in order to commit all available funds. No one at OE seems to feel that Congressional appropriations are (except where otherwise indicated, in explicit language) *upper* ceilings on permissible ex-

penditures, and that public moneys should not be spent on unworthy projects.

The defects listed above form but a small part of the whole picture. Many additional problems arise during the award period and after the project is completed. What we are finding is the simple absence of good management, or virtually any management at all, at OE. The implications of this situation are truly staggering when one contemplates the important, indeed central, role that OE plays in the educational affairs of virtually every community in the nation.

The first major set of questions must relate to the structure of the federal government. We must ask candidly and repeatedly: What form of agency and departmental organization can best serve the needs of our government today? What overlapping jurisdictions need to be separated, what conflicting authorities have to be resolved? What principles of management must be introduced to insure that public funds are being spent in a reasonable manner? These questions are only beginning to be asked now, and they are scarcely being posed with the sense of urgency that the situation calls for. Unless they are asked and answered soon, we will be engulfed and overburdened with a runaway federal program—a diverse, overlapping, unplanned, confusing array of governmental efforts whose faults are beyond remedy and whose abuses are beyond belief.

The second major set of questions centers upon the rampant commercialism that threatens to dominate the educational scene. Will the lucrative contract or grant become the new mark of academic success, to replace the traditional measures of teaching skill, scholarship, and humanity? Will the high fee be tomorrow's school prize? Will the wisdom of educators be turned to outfoxing government agencies and finding ways to make short deliveries on long promises, instead of being turned to shortening the path to truth? Will the educator devote his energies to luring the government into surrendering funds, instead of pursuing his scholarly and pedagogical interests? The whole question of the relation of profits to social betterment must be examined. It is not simply, "Are profits in this area bad?" but, "What should profits in this area look like? Which are acceptable and which are not acceptable? What are we getting for our money?"

There is no doubt that much value can be realized by the efforts of private companies and individual investigators. The private sector is richly populated with those who honestly offer the service of their companies in the solution of social problems feeling that they can do it better because they know better, and feeling also that they can make a legitimate profit and feel comfortable about it because the results *really have* produced a better society in some respect, no matter how small.

We should not allow ourselves to be deluded by the categorization of companies into "profit-making" and "non-profit." Some times we act as if "non-profit" organizations are morally superior because somehow they are doing the job out of some high moral ideal—as if somehow it were immoral to make a profit. In fact, any organization has to receive enough income to cover its outgo, or it goes out of business. The only real difference between corporations usually classified as "profit-making" and those classified as "non-profit" is that the former require a profit as a return on equity advanced by stockholders in the form of money, while the latter require a "profit" as return on equity advanced by members in the form of skills. In a corporation a profit is distributed as dividends to the stockholders; is a non-profit association a profit is distributed to the controlling members as increased salaries, or in the form of other fringe benefits and improvements.

To summarize, then, there are two central concepts involved here: (1) the inefficiency, confusion, waste, breakdown, and corruption (active or passive) of the federal bureaucracy; (2) the inefficiency, confusion, waste, breakdown and corruption (active or passive) of the private technocratic bureaucracy. And the big questions before us are the following:

1. What can Congress and the people honestly expect from big business, or from the federal agencies, in answering social needs?

2. What price are we willing to pay private industry for its expertise?

3. How richly are we willing to subsidize the development of expertise? How do we gauge what is fair here?

4. How do we identify industrial parasites when they surface and how might we control their growth?

5. What are some parallels in the development of the "rampant rise in commercialism" on the part of professional educators and the rise of the profiteers in the poverty-education arena who are in private industry? Is there a connection between the two?

These questions cry for answers. Soon. Before education is taken irreversibly out of the hands of educators and placed in the hands of managers and entrepreneurs.

IN MEMORIAM TO THE HONORABLE PAUL L. TROAST, "MR. NEW JERSEY"

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. ROE. Mr. Speaker, on Friday, July 21, 1972, the most distinguished citizen of my congressional district, the State of New Jersey and our Nation—the Honorable Paul L. Troast of Clifton—went to his eternal rest. We deeply mourn his passing. He was a close personal friend and a most capable and adroit business leader and statesman.

I will never forget his greatness and will particularly hold dear our fine association working together for the State of New Jersey as well as his good counsel and judgment that he bestowed on behalf of our people and the quality of his leadership in encouraging the domestic and international preeminence and economic vitality of the State of New Jersey as chairman of the New Jersey State Economic Council during my tenure as commissioner of the New Jersey State Department of Conservation and Economic Development. He also achieved an exceptional reputation and standards of excellence in the business world as chairman of the board of the New Jersey Manufacturers Association and the Mahony-Troast Construction Co.

Mr. Speaker, there is much that can be said for his outstanding public service and his lifetime of contribution to our community, State, and Nation in seeking a better world for all mankind. I would like to call your attention to the following editorial that appeared in the July 24, 1972, issue of one of our most prestigious newspapers in New Jersey, the Herald News of Passaic, which will provide you with a brief profile of his endowment to our people in helping to shape the destiny of our State and Nation. The editorial reads as follows:

PAUL L. TROAST, "MR. NEW JERSEY"

Paul L. Troast was a distinguished citizen of New Jersey and more. He was a good citizen. He freely used the talents with which he was endowed for the benefit of his fellow citizens. Hospitals, colleges and other worthy causes benefited from his aid.

Mr. Troast early impressed those who knew him. In the 1920s acquaintances marked him as a man most likely to succeed. During the long depression of the 1930s, he served as the first secretary-treasurer of the Passaic Valley Water Commission, which had been organized by Passaic, Clifton and Paterson to take over and operate a water system.

World War II brought the opportunity to demonstrate his ability. His fledgling construction company, Mahony-Troast, received the contract to build a giant airplane engine factory on a Wood-Ridge farm. Using novel construction methods, his company built the plant in record time, and Wright Aeronautical produced in Wood Ridge the engines that helped to defeat Nazi Germany and Japan.

After the war, his reputation and the pent-up demand made Mahony-Troast a leader in the construction field in this part of the nation. Firms, institutions and individuals had such confidence in his integrity and ability that they sought him out. It was inevitable then that when Gov. Driscoll envisioned a turnpike in the corridor between New York City and Philadelphia, he picked Mr. Troast to translate the dream into reality as head of the turnpipe authority. The turnpike was built in the amazing time of 23 months. The authority Mr. Troast headed enlisted local help to acquire the right of way. Steel was in short supply but the authority got the steel it needed in time for the numerous superhighway bridges. It was a magnificent accomplishment.

This led Mr. Troast to try for high elective office. He became the Republican candidate for governor in 1953. His opponent was a virtually unknown state senator from Warren County named Robert B. Meyner, a tough political foe. The Republican party had controlled the governship, with one interruption, for decades and the voters felt it was time for a change. Mr. Troast lost the election but Jersey gained. Mr. Troast and Gov. Meyner became fast friends. The new governor kept Mr. Troast as turnpike chief and made him a fixture in the state government. Mr. Troast served as chairman of the New Jersey Tercentenary Commission, which conducted a year-long observance in 1964 that required several years of planning and preparation. When Gov. Hughes succeeded Gov. Meyner, Mr. Troast continued his unpaid public service, becoming chairman of the New Jersey Economic Development Council, and in effect New Jersey's chief economic ambassador. All the while Mr. Troast attended to business and served in other capacities.

Mr. Troast was truly, as former Gov. Hughes said, "Mr. New Jersey." Few have been as successful and at the same time done so much for their fellow citizens. His life was one of extraordinary usefulness and service.

I ask my colleagues here in the Congress to join with me in silent prayer to his memory. May his family soon find abiding comfort in the faith that God has given them and in the knowledge that the Honorable Paul L. Troast is now under His eternal care. May he rest in peace.

EIGHT MYTHS ABOUT GUN CONTROL IN THE UNITED STATES

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1972

Mr. HUNGATE. Mr. Speaker, as the congressional debate on firearms legislation continues, the following article from the Christian Science Monitor is useful in examining the merits and flaws of the arguments advanced by each side and should be useful in reaching a sound position on this problem:

EIGHT MYTHS ABOUT GUN CONTROL IN THE UNITED STATES

(By Franklin E. Zimring)

CHICAGO.—At times of violence or assassination, Americans tune in to the hopeful optimism of those who see the end of violence around the next corner of gun legislation. Even more regularly, gun-owning groups assure us that the 80 million handguns in the nation have nothing to do with violent crime in the United States. Each side is convinced that it is absolutely right, and nobody bothers to get his facts straight: Sadly, our national debate over gun control is often a battle of empty slogans.

Before we get suitably serious about the gun problem in this country, it will be necessary to clear away some of the rhetorical excesses that have marked the gun-control debate. The first step is a few basic facts.

There are about 100 million guns in this country—more than two-thirds of them shotguns and rifles, the traditional sporting weapons in American life. The other 30 million or so are handguns owned more in cities than in rural areas, rarely used in sport and nine times as likely as long guns to be involved in crime.

The vast majority of all guns are not violently misused, but guns are involved in a quarter of a million violent episodes each year, and our millions of guns—again particularly handguns—contribute to the crime problem by making robbery easy and serious assault more deadly. The real difficulty in the present debate over gun laws is that half of the participants underestimate the problem while the other half underestimate the time, money, and loss of liberty that will probably be necessary to solve it. The best way to illustrate this theme is by examining eight myths about guns—four from each side.

Myth No. 1: "We have a crime problem, not a gun problem."

This refrain, often heard from anti-gun control groups is true to the extent that 100 million guns would pose no problem in this country if nobody fired one. The problem is that robbers, angry husbands, and barroom debaters use them hundreds of thousands of times each year.

And when guns are used, they increase the chance that death will result by a factor of four. We have both a crime problem and a gun problem, and each makes the other worse.

Myth No. 2:" The handgun is a useful tool of household self-defense."

Millions of Americans (myself included) live in some fear of robbers and burglars invading their homes. About 25 percent of all households have acquired handguns in the belief that they provide an effective defense against the criminal stranger, and this is why we have 30 million privately owned handguns.

Yet the homeowner's gun rarely protects him against burglars, who seek to elude him, or the occasional robber, who counts on surprise and a weapon of his own to render the homeowner helpless. The loaded handgun in your home is much more likely to accidentally kill someone in the family than to save his life.

Perhaps if this were fully understood, most domestic handguns, and most of our gun problems, would go away by themselves. But that is unlikely.

People seek guns for a sense of security and will resist heeding any information that undermines that sense of security.

Myth No. 3: "Legitimate citizens are not part of our gun problem."

Since crime is caused by criminals, many people argue that our many million gun-owning families have nothing to do with the gun problem.

Yet the truth is that the majority of all gun homicides are committed by persons without serious prior criminal records. And even more important, without registration and license laws it is very difficult to keep 30 million handguns in legitimate hands while still preventing potential criminals from buying guns secondhand or stealing them.

Even registration of guns and licensing of their owners might not stem the flow from legitimate to illegitimate owners with so many millions of guns in circulation.

So it appears that we will have to bring many millions of guns under control to get at the violent quarter of a million gun episodes.

Myth No. 4: "Gun laws can't work since criminals don't obey laws."

There is a grain of truth to this argument, but it is nonetheless a dangerous oversimplification.

In fact, the argument proves a bit too much since it suggests that all criminal laws are futile, because all the people who violate them are, indeed, criminal. The more complicated truth is that laws do not work automatically. They must be enforced and they must deal with the reality of gun use in this country. But laws that cut down the transfer of guns from legitimate to illegitimate owners, or dramatically reduce our domestic handgun supply, can cut down on the role of guns in violence.

Myth No. 5: "Gun laws can reduce crime in the United States to the same levels experienced in countries like Britain and Japan."

If the anti-control partisans tend to forget the gun part of our crime problem, some of the pro-control people seem to forget that guns are only a part of the set of special problems that make violent-crime rates higher in this country than in the rest of modern Western society.

We often hear that the United States has a gun-killing rate 38 times as high as England, which presumably means that we could reduce killing to the English rate if we adopted stern gun controls. Unfortunately, our violent crime rate will remain much higher than that of other developed countries no matter how much we do about guns, because Americans rob and attack one another with all weapons at greater rates than do the English or Japanese.

Reducing the proportion of attacks by guns will reduce the death toll from attack because other weapons are less dangerous. But it is not a cure for crime, and those who oversell gun control in this way only add to our profound national confusion over guns and violence.

Myth No. 6: "Gun laws would not result in much cost or inconvenience to law-abiding citizens."

There are, to be sure, some gun-control laws that won't cost much—the problem is that they might not achieve much either.

If we really want to keep guns out of the hands of the irresponsible, we must put all owners to the inconvenience of getting licenses and registering guns. If we want to dramatically reduce handgun violence, we probably have to reduce the total number of such guns.

There is really a simple corollary to Myth No. 3, because if legitimate gun ownership is part of the problem, loss of freedom and inconvenience to legitimate gun owners is part of the solution.

Myth No. 7: "Only the National Rifle Association stands between this country and effective gun laws."

Just as gun-owning groups see the call for more controls as an evil conspiracy, many pro-control citizens think that the only real opposition to gun regulation is the National Rifle Association. But oposition to compulsory licensing and schemes to cut down on handgun ownership has its roots much deeper in American culture.

People in this country are afraid of crime, and having guns makes them feel better. It is also difficult for legitimate gun owners to see themselves as any part of the problem, since 99 percent of all our guns are used responsibly and everyone sees himself as part of that 99 percent. It is thus difficult to convince him that there should be gun laws that inconvenience him.

Myth No. 8: "All that is needed to solve our gun problem is strict legislation."

American experience with prohibition of alcoholic beverages suggests that new laws, alone, are not any guarantee of significant social change.

Public support for law must be high for if a law cuts against the grain of public sentiment, too many people will disobey it. Police and court support are necessary if legislation is to be more than a hollow shell. Also, it should be clear by now, with as many thousand gun laws scattered around this country as gun deaths, that passing the right laws under the right conditions is much more important than passing another law.

We need to know more than we do about guns and the effect of gun laws. We need to change attitudes and values.

Clearing away a few of the myths surrounding the gun debate is only a first step in choosing the appropriate national gun policy. Once it is known that gun controls will be expensive, might take many years to accomplish, and are not the final solution to the crime problem, we must address the question of whether various types of control are worth their costs.

In relation to mild steps such as firearm registration, the answer is easy to find. Even if the effect of such laws is modest, the failure to try them can only mean that we are not serious about curbing violence.

A campaign to remove the handgun from civilian ownership raises harder questions. In a nation dedicated to individual freedom, in an era when we are finding that the criminal prohibition of things like marijuana and abortion may not be worth the cost, there is a special irony in hearing liberal politicians urge a criminal prohibition of handguns.

Yet the handgun is a special problem.

With the possible exception of heroin, never has a product cost so much and given so little to the quality of American urban life.

A strategy as unstylish as prohibition may be the appropriate solution to the handgun problem. It may not. But before we can make intelligent choices in this area, we must face the real issues.

HOUSE OF REPRESENTATIVES—*Tuesday, August 1, 1972*

The House met at 12 o'clock noon.

Msgr. John L. Manning, Sacred Heart Church, Charleston, S.C., offered the following prayer:

Our Father, in whose divine hands are governments, peoples, and nations, humbly but earnestly we ask You to share today in the work of this Congress of the United States. These legislators are human beings with all the weaknesses of human nature, yet they must face pressing problems of immeasurable importance to the well-being, even to the life, of this great American Nation. They need You now. They need Your light and Your wisdom; they need Your guidance and Your constant assistance. Through Your Eternal Spirit, enlighten their minds to think accurately and discuss frankly without rancor; influence their wills to decide wisely and rightly in a manner most conformable to Your divine will and to the best interests of our glorious American Government. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On July 26, 1972:

H.R. 1997. An act for the relief of Joseph F. Sullivan;

H.R. 3751. An act for the relief of Albert W. Reiser, Jr.;

H.R. 6739. An act for the relief of Cpl. Michael T. Kent, U.S. Marine Corps Reserve; and

H.R. 7829. An act for the relief of Stephen H. Clarkson.

On July 28, 1972:

H.R. 5237. An act to carry into effect a provision of the Convention of Paris for the Protection of Industrial Property, as revised at Stockholm, Sweden, July 14, 1967.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 5721. An act pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon;

H.R. 6745. An act to amend section 122 of title 28 of the United States Code to transfer certain counties of the central division of the judicial district of South Dakota;

H.R. 12979. An act to amend title 28, United States Code, to authorize the recall of retired commissioners of the U.S. Court of Claims for temporary assignments;

H.R. 15635. An act to assist elementary and secondary schools, community agencies, and other public and nonprofit private agencies to prevent juvenile delinquency, and for other purposes; and

H. Con. Res. 648. Concurrent resolution providing that the House of Representatives and the Senate shall not adjourn for a period in excess of 3 days, or adjourn sine die until both Houses have adopted a concurrent resolution for an adjournment (in excess of 3 days) to a day certain or for adjournment sine die.

The message also announced that the Senate had passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 15580. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2101. An act for the relief of Juanito Segismundo;

S. 2478. An act to provide for the disposition of funds to pay a judgment in favor of the Shoshone-Bannock Tribes of Indians of the Fort Hall Reservation, Idaho, as representatives of the Lemhi Tribe, in Indian Claims Commission docket No. 326–I and for other purposes;

S. 2826. An act for the relief of Susan A. Quillin;

S. 2829. An act to strengthen interstate reporting and interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; for the establishment, maintenance, and operation of temporary housing and counseling services for transient youth, and for other purposes;

S. 3099. An act for the relief of Michele Koton;

S. 3155. An act for the relief of Marc Stanley L. Koch; and

S.J. Res. 199. Joint resolution to recognize Thomas Jefferson University, Philadelphia, Pa., as the first university in the United States to bear the full name of the third President of the United States.

The message also announced that Mr. ROBERT C. BYRD and Mr. ALLOTT were appointed as additional conferees on the bill (H.R. 15586) making appropriations for public works for fiscal year 1973.

ORDER OF BUSINESS

The SPEAKER. Without objection, the Chair will recognize the gentleman from South Carolina (Mr. DAVIS) prior to the call of the Private Calendar.

There was no objection.

THE RIGHT REVEREND JOHN L. MANNING

(Mr. DAVIS of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of South Carolina. Mr. Speaker, today we have had the privilege of the Right Reverend John L. Manning presenting the prayer. Monsignor Manning is without a doubt one of the finest men ever produced in Charleston. He has touched our community through his service to the church and education. He was born, reared, and educated in Charleston, and was ordained in Rome in 1927 for the Diocese of Charleston. Since his ordination, he has served as the rector of Bishop England High School in Charleston for 24 years, as chancellor of the Charleston diocese, and is presently the vicar-general of the Charleston diocese, as well as serving as pastor of the Sacred Heart Church.

Mr. Speaker, it is indeed a pride and joy to represent a district that has produced men such as the Right Reverend John L. Manning. I am sure that his service to our community will long be remembered for many years after we have left these hallowed Halls. He is indeed an asset to our community, our State, and our Nation.

PRIVATE CALENDAR

The SPEAKER. This is Private Calenday Day. The Clerk will call the first individual bill on the Private Calendar.

MRS. ROSE THOMAS

The Clerk called the bill (H.R. 2067) for the relief of Mrs. Rose Thomas.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MARIA LUIGIA DI GIORGIO

The Clerk called the bill (H.R. 2070) for the relief of Mari Luigia Di Giorgio.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MRS. ANNA MARIA BALDINI DELA ROSA

The Clerk called the bill (H.R. 3713) for the relief of Mrs. Anna Maria Baldini Dela Rosa.

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

CHARLES COLBATH

The Clerk called the bill (H.R. 4310) for the relief of Charles Colbath.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. CARMEN PRADO

The Clerk called the bill (H.R. 6108) for the relief of Mrs. Carmen Prado.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RENE PAULO ROHDEN-SOBRINHO

The Clerk called the bill (H.R. 5181) for the relief of Rene Paulo Rohden-Sobrinho.

Mr. HALL Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CATHERINE E. SPELL

The Clerk called the bill (H.R. 7312) for the relief of Catherine E. Spell.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DONALD L. BULMER

The Clerk called the bill (H.R. 1994) for the relief of Donald L. Bulmer.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MRS. MARINA MUNOZ DE WYSS (NEE LOPEZ)

The Clerk called the bill (H.R. 5579) for the relief of Mrs. Marina Munoz de Wyss (nee Lopez).

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CARMEN MARIA PENA-GARCANO

The Clerk called the bill (H.R. 6342) for the relief of Carmen Maria Pena-Garcano.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

WILLIAM H. NICKERSON

The Clerk called the bill (H.R. 4064) for the relief of William H. Nickerson.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ALBINA LUCIO Z. MANLUCU

The Clerk called the bill (S. 559) for the relief of Albina Lucio Z. Manlucu.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MARGARIDA ALDORA CORREIA DOS REIS

The Clerk called the bill (H.R. 6504) for the relief of Margarida Aldora Correia dos Reis.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EMILIA RUFFOLO

The Clerk called the bill (H.R. 10142) for the relief of Emilia Ruffolo.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DONALD P. LARIVIERE

The Clerk called the bill (H.R. 8952) for the relief of Donald P. Lariviere.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MR. AND MRS. JOHN F. FUENTES

The Clerk called the bill (H.R. 11045) for the relief of Mr. and Mrs. John F. Fuentes.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ARLINE LOADER AND MAURICE LOADER

The Clerk called the bill (S. 341) for the relief of Arline Loader and Maurice Loader.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

FREDI ROBERT DREILICH

The Clerk called the bill (H.R. 2725) for the relief of Fredi Robert Dreilich.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DENNIS YIANTOS

The Clerk called the bill (S. 65) for the relief of Dennis Yiantos.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SGT. GARY L. RIVERS

The Clerk called the bill (H.R. 12638) for the relief of Sgt. Gary L. Rivers, U.S. Marine Corps, retired.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SEAVIEW ELECTRIC CO.

The Clerk called House Resolution 943, to refer the bill (H.R. 3462) entitled "A bill for the relief of Seaview Electric Co.," to the Chief Commissioner of the Court of Claims.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ELMER ERICKSON

The Clerk called the bill (S. 889) to restore the postal service seniority of Elmer Erickson.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RITA ROSELLA VALLERIANI

The Clerk called the bill (S. 2704) for the relief of Rita Rosella Valleriani.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

WILLIAM JOHN WEST

The Clerk called the bill (S. 2575) for the relief of William John West.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

WALTER EDUARD KOENIG

The Clerk called the bill (H.R. 14173) for the relief of Walter Eduard Koenig.

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, in accordance with the rules for the Private Calendar, I question the eligibility of this bill for consideration today. It has not been filed for 3 legislative days. I request it be deferred without prejudice until the next call of the Private Calendar.

The SPEAKER. That rule, the Chair will advise the gentleman, does not relate to bills on the Private Calendar; it relates to bills on the Consent Calendar.

Mr. HALL. Well, then, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 7378, COMMISSION ON REVISION OF THE JUDICIAL CIRCUITS OF THE UNITED STATES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7378) to establish a Commission on Revision of the Judicial Circuits of the United States, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. CELLER, BROOKS, HUNGATE, MIKVA, MCCULLOCH, HUTCHINSON, and MCCLORY.

APPOINTMENT OF CONFEREES ON H.R. 15586, PUBLIC WORKS FOR WATER AND POWER DEVELOPMENT AND ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1973

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15586) making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1973, and for other purpose", with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? The Chair hears none, and appoints the following conferees: Messrs. EVINS of Tennessee, BOLAND, WHITTEN, SLACK, PASSMAN, MAHON, RHODES, DAVIS of Wisconsin, ROBISON of New York, and BOW.

MOTION TO REQUEST CONFERENCE ON H.R. 7130, FAIR LABOR STANDARDS AMENDMENTS OF 1972

Mr. PERKINS. Mr. Speaker, upon direction of the Committee on Education and Labor, I move to take from the Speaker's desk the bill (H.R. 7130) to amend the Fair Labor Standards Act of 1938 to increase the minimum wage under that act, to extend its coverage, to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

POINT OF ORDER

Mr. ERLENBORN. Mr. Speaker, I make a point of order against the motion.

The SPEAKER. The gentleman will state his point of order.

Mr. ERLENBORN. Mr. Speaker, the motion to request a conference is not in order until a motion to disagree to the Senate amendments has been made and disposed of. I should like to be heard on the point of order.

The SPEAKER. The Chair will hear the gentleman on the point of order.

Mr. ERLENBORN. Mr. Speaker, Jefferson's Manual, section 535, on page 265, states:

> The motion to ask a conference is distinct from motions to agree or disagree to amendments of the other House and is not in order until the House has disposed of the preferential motions to agree, recede, or insist.

The SPEAKER. Will the gentleman restate his point of order?

Mr. ERLENBORN. Mr. Speaker, I make the point of order against the motion since it includes as a part of the motion that the House ask for a conference with the Senate on the grounds that that part of the motion is not in order until the motion to disagree with the Senate amendments has been disposed of.

I refer in that point of order to section 535 of the precedents, Jefferson's Manual, and I will repeat:

> The motion to ask a conference is distinct from motions to agree or disagree to amendments of the other House and is not in order until the House has disposed of the preferential motions to agree, recede, or insist.

The SPEAKER. The rule which the gentleman is talking about has been superseded by clause 1 of rule XX which provides a procedure for sending bills to conference. The Chair overrules the point of order.

The question is on the motion of the gentleman from Kentucky.

PARLIAMENTARY INQUIRY

Mr. ERLENBORN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ERLENBORN. Is there time to debate the motion offered by the gentleman from Kentucky?

The SPEAKER. It is under the 1-hour rule. The gentleman from Kentucky controls the time. The gentleman from Kentucky is recognized.

Mr. PERKINS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois.

Mr. ERLENBORN. I thank the gentleman for yielding.

Mr. Speaker, I oppose the motion of the gentleman from Kentucky on the grounds that the gentleman from Kentucky has informed me, and he has informed the House last week when I reserved the point of order and directed the question to him, that it is his intention to recommend to the Speaker the appointment of 10 conferees on the part of the House. The 10 conferees on the part of the House that the gentleman from Kentucky will recommend will consist of six from the majority party and four from the minority party. The gentleman is recommending six managers on the part of the House who oppose the position of the House as revealed by the vote of the House on the adoption of the substitute bill during the consideration of the bill in the House.

The precedents are clear, I think, in this case. Section 536 of Jefferson's Manual states that the Speaker appoints the managers of the House, selecting them so as to represent the attitude of the majority and the minority of the House on the disagreements in issue; and while it is usual to represent the party divisions of the House, the representation of the opinions as to the pending differences is rather the more important consideration.

Again from volume 5 of the precedents, section 6336, it states that—

> In the selection of the managers the two large political parties are usually represented. Also care is taken that there shall be a representation of the two opinions which almost always exist on subjects of importance. Of course the majority party and the prevailing opinion have the majority of the managers.

Mr. Speaker, I know it is the prerogative of the Speaker to appoint the conferees. It has been the practice for the Speaker to follow the recommendations of the chairman of the committee in requesting the appointment of the conference and conferees. If the Chair should follow the recommendations of the gentleman from Kentucky, the majority of the managers on the part of the House would be those who have taken a position contrary to that of the majority of the House.

Mr. Speaker, it has been the practice all too often in this House for conferees to be appointed who will agree in conference to those matters that the House has insisted upon that they disagree even when motions to instruct the conferees have been made. All too often the conferees will disregard those instructions. They are not legally bound, I understand, but all too often the conferees will disregard the instructions of the House and will agree to matters that the House does not care to have them agree to.

I maintain that the only way we may protect the prerogatives of this House is to have a majority of the managers on the part of the House those who sustain and support the position of the House. Therefore, Mr. Speaker, I am asking that the House turn down this motion, vote "no" on the motion, and I will ask for a rollcall vote.

If we refuse to send the bill to conference at this time then we may receive assurances in the future that when the bill does go to conference a majority of the managers will fight for the position the House had taken, and that is the only way that we can have an assurance that the House will be properly represented in conference.

Mr. PERKINS. Mr. Speaker, I yield myself 3 minutes.

First, Mr. Speaker, the argument of the gentleman from Illinois (Mr. ERLENBORN) in my judgment is farfetched and not to the point. The conferees that I have suggested to the Speaker were suggested in accordance with the rules of the Committee on Education and Labor which direct that members of the subcommittee having jurisdiction over a bill shall have preference when conferees are selected. The sole purpose of the conference is to compromise or to work out the differences between the bills of the respective bodies. I regret to see the gentleman from Illinois suggesting action that would tie the hands of the conferees in working out the differences. And that is all we intend to do. To suggest to the Speaker that the conferees are not eligible is an absurd statement in my view.

I do not think we need to discuss this issue any further, Mr. Speaker. We ought to get along with this conference, and work out a compromise between the House and the Senate, and that is all we intend to do.

Mr. RUTH. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield 5 minutes to the distinguished gentleman from North Carolina (Mr. RUTH).

Mr. RUTH. Mr. Speaker, this is not a new dilemma to the House of Representatives, for if the Members will recall we made an effort to instruct conferees in the higher education bill, and none other than the distinguished Speaker of the House himself said that he could not force the conferees to follow the will of the House.

It seems to me it is time we took a step in the right direction to see that the position of the House is upheld more strongly in the conference, and I see no reason that we should be represented in the conference by conferees who did not vote the will of the House. I strongly urge that we follow the suggestion of the gentleman from Illinois (Mr. ERLENBORN) and get a little teeth in the position of the House when we go to conference.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, the position of the House, as I understand it to be, is the vote of the House on its last and final vote on a proposition that is before it.

If the House position is to be measured on every vote on every amendment that is offered to the bill before its final passage, then it might be very difficult to find in this House enough Members to represent a majority on all of the amendments that were offered and who voted upon them.

It so happened that only 78 Members of this House voted against the House position on this bill. I think the vote was something like 330 to 78.

Now on the proposed list of conferees, every person who has been suggested by the seniority rule as being a member of the conference is, and has been, in support of the House position on a rollcall vote except one. That is one of the Members on the minority side who has voted against the whole bill—if he is named to the conference—he voted against the complete bill as it came up, so he therefore is definitely against the House position and, yet, on the minority side I understand he is to be named as one of the conferees.

It has always been my position to go to a conference to measure what can be best for the total good—the question of whether or not the legislation does greater good than it does harm in each section of the bill, and to say that our position is totally right is to say that the Senate position is totally wrong. To say that the Senate position is totally right is to say that our position is totally wrong.

I have never come back to this House from a conference where there have not been changes that were approved by the House in the final vote on the conference.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, in light of the gentleman's recent statement, which he just made, I am a little confused.

I have here in my hand a UPI discussion of the pending matter, and I will quote from this UPI statement, which includes a quotation from my distinguished friend, the gentleman from Pennsylvania

Let me read it to you.

Mr. DENT. I will give it to you if you do not want to read it.

Mr. GERALD R. FORD. This reads as follows:

> "A conference with the Senate would not take more than 20 minutes," Dent said recently. "We'll take the Senate bill entirely."

Now how do you reconcile that quotation with the statement that the gentleman just made?

Mr. DENT. All I can say to the gentleman is that it is the usual newspaper reporting.

This reporter or somebody in the crowd came up and said to me, "We understand PHIL BURTON is going to move to go ahead and accept the Senate provision." I said, "If that is the case, the conference won't take more than 20 minutes, and we will have to accept the Senate position."

If there is anything wrong with that statement, it is only because it was reported in such a context.

You know I am not going to buy the Senate position, as it is. You know me better than that. You know how I have fought for many years to make the minimum wage bill a reasonable approach.

The SPEAKER. The time of the gentleman has expired.

Mr. PERKINS. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. DENT. The record shows that the minimum wage bill has always been and will always be controversial. But, if you will note over the last year since I have been handling it, a great majority of this House—the greater majority by 75 percent to 90 percent, has supported the final product that we have been able to come before this House with. That speaks well for our position in conference. I would not go to a conference blindfolded or handcuffed any more than the gentleman from Illinois would, because he has protested that very position on the floor.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman.

Mr. GERALD R. FORD. Does the gentleman go to conference feeling a personal obligation to uphold the views of the House as the bill was passed by the House?

Mr. DENT. Wherein the views of the House in comparison with the views of the Senate are inferior to what the Senate is doing for people covered by the act, I will not oppose the views of the House.

Wherein they are in favor of and do good for the people covered by the bill, I will uphold it. That is why you are sending me to conference and I will not go under any other condition.

Mr. GERALD R. FORD. Let me ask the gentleman one further question.

The record shows that the gentleman

voted one way when we had the bill before the House and a majority of the Members in the House on both sides of the aisle voted differently, and the final version of the bill reflected a view different than the bill did as reported by the Committee on Education and Labor.

I ask the gentleman again, does he not feel a personal obligation, despite his personal conviction, to uphold the views of the House when he as the head of the managers on the part of the House meet with managers of the other body?

Mr. DENT. If I remember right, you go to conference to work out the disagreeing points in the bill between the House and the Senate. If I were to say to you that I would go to any conference tied down to a single position, then I would not be telling you the truth. I might say to you that I have served on conferences with the very persons who are demanding that I take a position without any elbow room to move toward what I think is better for the greater number of people, and then have gone into that conference and have tried to put in amendments to the conference report after they were defeated soundly on the floor. They have never been tied to the position of the House and the majority. They have always tried to put their view into the bill.

The **SPEAKER.** The time of the gentleman from Pennsylvania has expired.

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished chairman of the Committee on Education and Labor yield to the gentleman from Pennsylvania 5 additional minutes?

Mr. PERKINS. I yield the gentleman as much time as the gentleman from Pennsylvania requests.

Mr. GERALD R. FORD. Would the gentleman from Pennsylvania yield to me?

Mr. DENT. Yes, surely.

Mr. GERALD R. FORD. There were several very, very critical issues that were debated and voted on when the House considered this important legislation. One of them was the amount; whether it should be $2 or $1.80. In the Anderson of Illinois amendment to the Erlenborn substitute, the gentleman voted against the Anderson of Illinois amendment. The majority of the House voted for the Anderson of Illinois amendment. That is a critical point, and is an important difference between the House version and the Senate version.

Does the gentleman from Pennsylvania have an obligation as a manager on the part of the House to strongly represent the views of the House on this critical point?

Mr. DENT. The question is this: Am I going to support what you call the Anderson of Illinois view of the escalation of the increase in pay, or am I going to support the Senate view?

I was hoping that in the conference we could strike a middle ground more in keeping with the needs of the moment than either of those views, in my position. I would say to the gentleman that were he in my position he would have voted the same as I did because my subcommittee voted to support the view that I presented to the floor of the House. The full committee of the House Labor and Education Committee voted to support the view that I had taken. The committee rejected the substitute in committee and so, therefore, my position was just as strong then as it must be now to support that which we believe to be the greater good for the greater number.

I see neither the position of the House as represented by the Erlenborn substitute or the position of the Senate as doing the greater good for the greater number of people.

Mr. GERALD R. FORD. Would the gentleman yield?

Mr. DENT. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Under no circumstances am I challenging the integrity or the sincerity or the personal views of the gentleman from Pennsylvania, but when a person is apopinted as a manager on the part of the House, he has the greater obligation over and above his own personal convictions and feelings.

All I can ask from the gentleman from Pennsylvania is that he go to that conference, whether it is on the Anderson of Illinois amendment or on the Erlenborn substitute, which includes the youth differential and the elimination of some of the other broadening of coverage; that he go there in good conscience with that higher obligation than his own personal conviction, because he is one of 10 that must represent a majority of the views of 435 Members of this body.

Now, I know he is an honorable man, and I know he knows he has a responsibility over and above his own personal feeling, and I only urge that he assume that responsibility in the high and fine way that I know he will.

Mr. DENT. I thank the gentleman for his very complimentary remarks, but I might say that it is my understanding that the chairman of the full committee is going to assume the responsibility of the managership of the conference, so I will probably be only in the position of a supporting cast in this matter.

I would hope that the gentleman from Michigan will not feel any different about my actions after the conference than he has intimated that he feels before.

Mr. RUTH. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes, I yield to the gentleman.

Mr. RUTH. Mr. Speaker, my good friend, the gentleman from Pennsylvania, has made the point on two occasions about how solidly this bill came out of the committee and how there were only 78 people who voted against the bill. By this same token, does not the gentleman feel it is a little unfair to have conferees stacked with people who voted against the Erlenborn amendment?

Mr. DENT. My dear friend.

Mr. RUTH. I get scared when the gentleman starts that way.

Mr. DENT. The gentleman from North Carolina has not served here as long as I have, and when the committee goes back to demanding conferees on other than the basis of seniority, the only way we can get a majority of those who did not vote in favor of the Erlenborn amendment as it appeared in the final bill as it came before the House is to have an election and get new Members, because there are no members on either side of the committee, outside of the gentleman's side, who voted against the position of the House. The position of the House was the Dent bill as amended by the substitute, so in the committee we are at liberty to confer with the Senate to try to get the best bill we can, and I cannot do any more than that.

Mr. RUTH. If the gentleman will yield further, I think he made my point very well for me, that the Erlenborn amendment is the thing we are talking about, and it is the House position, and that is why I am urging people to support the Erlenborn position, because we do not have to get conferees from the Education and Labor Committee, and if we do we are stuck. We are trying to get a vote in such a way as to get those people—is the gentleman from Pennsylvania cutting off his friend from North Carolina?

Mr. DENT. I have only a minute remaining.

Mr. RUTH. The gentleman yielded and now he is cutting me off.

Mr. DENT. I might say to the gentleman we can sing together but we cannot shout together.

I will say in all kindness we will do the best we can so we get the best bill for the country.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, there is one thing that needs to be said at this point in time. There is no Erlenborn amendment pending at the present. The motion before the House is a motion by the chairman of the House Committee on Education and Labor to take the House-passed bill from the Speaker's table and to ask for a conference with the Senate. If we do that, here is the position the House is going to be left with and find itself in.

We are going to have a situation somewhat similar to the conference on the higher education bill. If we pass this motion, if we ask for a conference, the House having passed its minimum wage bill prior to the passage of the Senate bill, the conference report papers will, when the conference has been completed, go to the Senate for action, and the House will be left with the situation of having an up or a down vote on the conference report.

We will not have an opportunity, should there be some item of disagreement in the conference report, for the House in any way to work its will on the conference report. We cannot move to recommit the conference report with instructions. And the House having passed the bill first, I feel it incumbent upon the Senate to ask for the conference with the House and let the House have a chance to work at least in a limited way its will.

This is the reason I have decided since this debate has begun that we must reject the motion by the gentleman from Kentucky, because at least the House is entitled to have more than an up or a down vote on whatever the conference report might in the final analysis turn out to be especially in view of the fact that a majority of the conferees to be recommended did not support the House position when this bill passed the House.

I know when they are going to conference somebody is going to have to make some sort of compromise with regard to the money in the bill and with regard to the exemptions involved in the bill. I urge this House to vote down the motion offered by the gentleman from Kentucky so this House can have at least some opportunity to work its will on at least a portion of the conference report.

Mr. PERKINS. Mr. Speaker, let me make an observation. I can assure the membership of this House when this bill comes back there will be changes, and I would hope that the Members would not go off on tangents here, and that they will let us work out a compromise that will meet with the approval of the majority of the Members of this House.

After making that statement, Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky (Mr. PERKINS).

PARLIAMENTARY INQUIRY

Mr. ERLENBORN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ERLENBORN. The vote is on the question of the adoption of the motion offered by the gentleman from Kentucky to send the bill to conference?

The SPEAKER. The gentleman is correct.

Mr. ERLENBORN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 198, not voting 44, as follows:

[Roll No. 290]

YEAS—190

Abourezk
Abzug
Adams
Addabbo
Anderson, Calif.
Annunzio
Ashley
Aspin
Aspinall
Badillo
Barrett
Begich
Bell
Bergland
Bevill
Biaggi
Biester
Bingham
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burlison, Mo.
Burton
Byrne, Pa.
Carey, N.Y.
Carney
Celler
Chisholm
Clark
Collins, Ill.
Conte
Conyers
Corman
Cotter
Culver
Danielson
Davis, S.C.
Delaney
Dellums
Denholm
Dent
Diggs
Dingell
Donohue
Dow
Drinan
Dulski
Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fascell
Flood
Foley
Ford, William D.
Fraser
Garmatz
Gaydos
Giaimo
Gibbons
Gonzalez
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks, Mass.
Hicks, Wash.
Hillis
Holifield
Horton
Howard
Hungate
Ichord
Jacobs
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kee
Kluczynski
Koch
Kyros
Leggett
Lent
Link
Long, Md.
McCloskey
McCormack
McDade
McFall
McKay
McKinney
Macdonald, Mass.
Madden
Mailliard
Matsunaga
Mazzoli
Melcher
Metcalfe
Mikva
Mills, Ark.
Minish
Mink
Mitchell
Mollohan
Monagan
Moorhead
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Nix
Obey
O'Hara
O'Konski
O'Neill
Patten
Pepper
Perkins
Peyser
Pike
Podell
Price, Ill.
Pryor, Ark.
Pucinski
Randall
Rangel
Rees
Reid
Reuss
Riegle
Rodino
Roe
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
St Germain
Sarbanes
Saylor
Seiberling
Shipley
Sisk
Slack
Staggers
Stanton, James V.
Steed
Steele
Stokes
Stratton
Sullivan
Teague, Tex.
Thompson, N.J.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Young, Tex.
Zablocki

NAYS—198

Abbitt
Abernethy
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Archer
Arends
Baker
Baring
Belcher
Bennett
Betts
Blackburn
Bow
Bray
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Byrnes, Wis.
Byron
Cabell
Camp
Carlson
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Tex.
Colmer
Conable
Conover
Coughlin
Crane
Curlin
Daniel, Va.
Davis, Wis.
de la Garza
Dellenback
Dennis
Derwinski
Devine
Dickinson
Dorn
Downing
Duncan
du Pont
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fish
Fisher
Flowers
Ford, Gerald R.
Forsythe
Fountain
Frelinghuysen
Frenzel
Frey
Fuqua
Galifianakis
Gettys
Goldwater
Goodling
Griffin
Gross
Grover
Gubser
Haley
Hall
Hammerschmidt
Harsha
Harvey
Hastings
Heinz
Henderson
Hogan
Hosmer
Hull
Hunt
Johnson, Pa.
Jonas
Jones, N.C.
Kazen
Keating
Keith
Kemp
King
Kuykendall
Kyl
Landgrebe
Latta
Lennon
Lloyd
Lujan
McClory
McCollister
McCulloch
McEwen
McKevitt
Mahon
Mallary
Mann
Martin
Mathias, Calif.
Mathis, Ga.
Mayne
Michel
Miller, Ohio
Mills, Md.
Mizell
Montgomery
Mosher
Myers
Natcher
Nelsen
Nichols
Passman
Pelly
Pettis
Pickle
Pirnie
Poage
Poff
Powell
Preyer, N.C.
Price, Tex.
Purcell
Quie
Quillen
Railsback
Rhodes
Robinson, Va.
Robison, N.Y.
Rogers
Rousselot
Ruppe
Ruth
Satterfield
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shoup
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Spence
Springer
Stanton, J. William
Steiger, Ariz.
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Terry
Thompson, Ga.
Thomson, Wis.
Thone
Veysey
Waggonner
Wampler
Ware
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Young, Fla.
Zion
Zwach

NOT VOTING—44

Alexander
Anderson, Tenn.
Ashbrook
Blanton
Blatnik
Broomfield
Caffery
Clay
Daniels, N.J.
Davis, Ga.
Dowdy
Edmondson
Flynt
Fulton
Gallagher
Hagan
Hansen, Idaho
Hansen, Wash.
Harrington
Hébert
Hutchinson
Jarman
Jones, Tenn.
Landrum
Long, La.
McClure
McDonald, Mich.
McMillan
Meeds
Miller, Calif.
Minshall
Nedzi
Patman
Rarick
Roberts
Rooney, N.Y.
Ryan
Sandman
Scheuer
Smith, Iowa
Steiger, Wis.
Stuckey
Symington
Vander Jagt

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Rooney of New York for, with Mr. Hébert against.

Mr. Ryan for, with Mr. Hagan against.

Mr. Fulton for, with Mr. Dowdy against.

Mr. Daniels of New Jersey for, with Mr. Jones of Tennessee against.

Mr. Blanton for, with Mr. Ashbrook against.

Mr. Blatnik for, with Mr. McClure against.

Mrs. Hansen of Washington for, with Mr. Vander Jagt against.

Mr. Harrington for, with Mr. Steiger of Wisconsin against.

Mr. Nedzi for, with Mr. Hansen of Idaho against.

Mr. Meeds for, with Mr. Flynt against.

Mr. Anderson of Tennessee for, with Mr. Hutchinson against.

Mr. Symington for, with Mr. Roberts against.

Mr. Smith of Iowa for, with Mr. Stuckey against.

Mr. Edmondson for, with Mr. Jarman against.

Mr. Clay for, with Mr. McMillan against.

Until further notice:

Mr. Alexander with Mr. Minshall.

Mr. Miller of California with Mr. McDonald of Michigan.

Mr. Caffery with Mr. Landrum.

Mr. Gallagher with Mr. Broomfield.

Mr. Scheuer with Mr. Davis of Georgia.

Mr. Patman with Mr. Rarick.

Mr. SAYLOR changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 11350, DUES FOR MEMBERSHIP IN INTERNATIONAL CRIMINAL POLICE ORGANIZATION

Mr. EDWARDS of California. Mr. Speaker, I call up the conference report on the bill (H.R. 11350) to increase the limit on dues for U.S. membership in the International Criminal Police Organization, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was on objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 24, 1972.)

Mr. EDWARDS of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the statement.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of H.R. 11350 is to provide authorization for the payment by the United States of its dues for participation in the International Criminal Police Organization.

As originally passed by the House of Representatives, this measure substituted $55,000 for the present statutory ceiling of $28,500 on the total annual dues. In addition, since at that time the United States was already in arrears for 1 year of dues, the measure also provided authorization for the amounts in arrears.

Since the passage of this measure by the House on November 15, 1971, the United States has fallen into arrears with respect to an additional year's dues. When H.R. 11350 was considered by the Senate, this additional arrearage was taken into account and provided the basis for Senate amendments Nos. 2 and 3. Therefore, the conferees have agreed that Senate amendments Nos. 2 and 3 should be retained.

With respect to the dues for future years, H.R. 11350, as passed by the House, authorized the sum of $55,000. Senate amendment No. 1 would have authorized annual dues of $100,000 in anticipation of future increases.

Subsequent to the passage on April 20, 1972, by the Senate of H.R. 11350 with amendments, the executive committee of the International Criminal Police Organization voted to recommend an increase of 38.57 percent in all member contributions. It is anticipated that this recommendation will be accepted by the membership. Under the provisions of the recommended increase, the U.S. contribution—at the current April official exchange rate of 0.2606 U.S. dollars to the Swiss franc—would amount to $75,840. In considering this matter of current and prospective dues, the conferees have agreed to limit the authorization to $80,000. This should anticipate the prospective increase and at the same time provide an additional cushion to account for an international monetary fluctuation.

Mr. Speaker, I yield 10 minutes to the gentleman from California (Mr. WIGGINS).

Mr. WIGGINS. Mr. Speaker, I readily join with my good friend and colleague, the gentleman from California (Mr. EDWARDS), in urging the House to adopt the report of the committee of conference on the disagreeing votes of the two Houses on the bill H.R. 11350, to increase the limit on dues for U.S. membership in the International Criminal Police Organization—commonly known as Interpol.

As passed by the House last November, this bill would raise the statutory ceiling on amounts payable by this country annually for dues to Interpol, to take account of a general dues increase voted by the membership of the organization in 1969. It would also authorize payment of a 1970 dues arrearage which developed by virtue of the failure of the last Congress to raise the dues limit accordingly.

Since the other body did not act on H.R. 11350 during the last session, the United States is now partially in arrears on its Interpol dues for 2 successive calendar years, 1970 and 1971. It is therefore only logical that the House now concur in the Senate amendments Nos. 2 and 3, respectively, as recommended by the managers, since they would merely authorize payment of the arrearages for both years rather than for 1970 alone.

The remaining Senate amendment, No. 1, raised the ceiling on amounts payable henceforth by the United States from the $55,000 specified in the original House version to $100,000 annually. The Department of the Treasury, which represents the United States in Interpol, advised the conference committee that it fully expects the general assembly of Interpol which meets later this year to approve a recommendation of the organization's executive committee for an across-the-board annual dues increase of 38.57 percent, to take effect in calendar year 1973 and to apply for at least 2 years thereafter. The recommendation of the conference committee that Senate amendment No. 3 be amended to authorize an annual expenditure of $80,000 for Interpol dues takes account of this anticipated dues increase.

In both the new annual dues ceiling and the authorization for payment of back dues, the conference report provides for a small cushion for possible minor fluctuations from the current rate of exchange between U.S. dollars and Swiss francs—the currency in which all payments will actually be made.

Mr. Speaker, when the House voted last year to pass H.R. 11350, we clearly intended to enable the United States to continue membership in Interpol and to restore that membership to a status of good standing. I urge my colleagues to reaffirm that intention today by taking what is, in plain and simple terms, the only reasonable step available to us at this time to accomplish that purpose: to adopt the conference report.

Mr. EDWARDS of California. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Virginia (Mr. POFF).

Mr. POFF. Mr. Speaker, having cosponsored this bill with the distinguished chairman of the Committee on the Judiciary, the gentleman from New York (Mr. CELLER), I rise to urge the adoption of the conference report.

The bill simply authorizes the United States to pay the annual dues necessary to continue the membership which we have maintained in Interpol since 1938, and to pay back dues, back dues have accrued in the past 2 years because of our failure to raise the ceiling on amounts expendable for dues to meet the last general dues increase.

U.S. membership in Interpol clearly serves the best interests of American law enforcement. Even at the anticipated new rate of annual dues to take effect next year, our membership is a bargain, considering the major benefits which accrue to this country.

The amendments proposed by the other body, as modified by the conference report, are only reasonable and necessary ones, in light of the events which have occurred since this bill first passed the House last November.

Mr. Speaker, I favor the enactment of H.R. 11350 as recommended by the conference committee, and I urge the House to adopt the conference report.

Mr. EDWARDS of California. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 10420, MARINE MAMMALS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10420) to protect marine mammals: to establish a Marine Mammal Commission; and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? The Chair hears none, and appoints the following conferees: Messrs. GARMATZ, DINGELL, ANDERSON of California, GOODLING, and MCCLOSKEY.

PROVIDING FOR CURRENT LISTING OF DRUGS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9936) to amend the Federal Food, Drug, and Cosmetic Act to provide for a current listing of each drug manufactured, prepared, propagated, compounded, or processed by a registrant under that act, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1 line 4, strike out "1971"." and insert "1972"."

Page 7, strike out all after line 14 over to and including line 3 on page 8.

Page 8, line 4, strike out "6." and insert "5."

Mr. STAGGERS. Mr. Speaker, this bill as passed by the House provides for drug manufacturers to notify FDA whenever they begin or discontinue the manufacture of any drug.

As passed by the House, the bill contained a provision which could have been construed to restrict the access of congressional committees to information in FDA files. In order to eliminate any possibility that this could occur, the Senate deleted the language in the House bill which could have been construed that way.

The Senate amendment makes no change in the substance of the bill, and has been cleared with the ranking minority member of the committee, Mr. SPRINGER. I urge its passage.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON S. 3323, NATIONAL ATTACK AGAINST DISEASES OF THE HEART AND BLOOD VESSELS, THE LUNGS, AND BLOOD

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the

Speaker's table the bill (S. 3323) to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes, with the House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, ROGERS, SATTERFIELD, NELSEN, and CARTER.

APPOINTMENT OF CONFEREES ON S. 3442, GRANTS FOR COMMUNICABLE DISEASE CONTROL AND VACCINATION ASSISTANCE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3442) to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes, with the House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs: STAGGERS, ROGERS, SATTERFIELD, NELSEN, and CARTER.

THE DIFFICULTIES OF MOVING PEOPLE AND GOODS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-331)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency and ordered to be printed:

To the Congress of the United States:

The difficulties of moving people and goods in our increasingly urbanized society are matters of deep concern to this Administration.

It is clear that the problems of our cities cannot be solved unless we devise better means to coordinate the efforts of transportation planners with those of urban officials so that we can clear the way for fast, efficient and economical transportation throughout our Nation.

The report which I am pleased to submit to the Congress today summarizes the many ways in which the executive branch of the Federal Government is now trying to make significant improvements in urban transportation.

The report was prepared jointly by the Departments of Transportation and Housing and Urban Development as required by Section 4(g) of the Department of Transportation Act of 1966. In particular, it documents the cooperative efforts on legislative proposals, policies and activities that have been taken by this Administration to assure that urban transportation systems most effectively serve both our national transportation needs and the planned development of urban areas.

I commend this report to the attention of the Congress.

RICHARD NIXON.

THE WHITE HOUSE, *August 1, 1972.*

NATIONAL SURVEY OF PROFESSIONAL, ADMINISTRATIVE, TECHNICAL AND CLERICAL PAY, JUNE 1971—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-332)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

I am forwarding herewith the annual comparison of Federal salaries in the statutory pay systems to the salaries paid in private enterprise, as required by section 5305 of title 5, United States Code.

The report, prepared by the Director of the Office of Management and Budget and the Chairman of the Civil Service Commission, compares the General Schedule pay rates to the rates paid in private enterprise for the same levels of work, as published in the Bureau of Labor Statistics Bulletin No. 1742, *National Survey of Professional, Administrative, Technical and Clerical Pay*, June 1971.

No adjustment based upon the comparison was made in Federal pay rates because of the substitute measure enacted as a part of the Economic Stabilization Act Amendments of 1971 (Public Law 92-210, approved December 22, 1971).

In addition, the Advisory Committee on Federal Pay reviewed the report and its comments are enclosed.

RICHARD NIXON.

THE WHITE HOUSE, *August 1, 1972.*

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 15475, NATIONAL ADVISORY COMMISSION ON MULTIPLE SCLEROSIS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1065 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1065

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15475) to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Indiana (Mr. MADDEN).

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1065, calls up for consideration the rule on H.R. 15475, a bill which was reported out by the House Interstate and Foreign Commerce Committee, calling for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. This bill was reported out of the Rules Committee under an open rule, providing for 1 hour of general debate, and passed our committee with a unanimous vote. I am proud to be one of the cosponsors of this legislation along with our colleague, Congresswoman MARGARET M. HECKLER of Massachusetts.

The purpose of this bill is to establish a National Advisory Commission on Multiple Sclerosis. The bill directs the Commission to emphasize in its study the need for further financial support and other means by which the Federal Government can best participate in this effort.

The Secretary of Health, Education, and Welfare is directed to appoint the nine members of the Commission, five to be chosen from members of the advisory council to the National Institute of Neurological Diseases and Stroke, and four to be chosen from qualified members of the public.

The Commission is directed to provide a final report to the Secretary of Health, Education, and Welfare, for transmittal to the President and the Congress, within 1 year after the enactment of the act.

MULTIPLE SCLEROSIS

Multiple sclerosis is a chronic, usually progressive disease of the nervous system which generally strikes adults in the prime of life, between the ages of 20 and 40. It is estimated that approximately 250,000 individuals in the United States are afflicted.

The disease is characterized by the degradation in the brain and spinal cord of portions of the fatty myelin sheath which surrounds the nerve tissue, and the subsequent formation of scar tissue—scleroses—at the sites of the damage. This damage results in the symptoms of the disease, which may include shaking or tremor of the body, extreme weakness, progressive paralysis, and visual disorders.

Mr. Speaker, I now yield 30 minutes of my time to the gentleman from California (Mr. SMITH) and I reserve the balance of my time. I do hope this legislation passes by a large majority of the House.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1065 provides for 1 hour, under an open rule, for the consideration of H.R. 15475, the National Advisory Commission on Multiple Sclerosis Act.

The bill has been explained, and under my permission to revise and extend my remarks, which I will do, Mr. Speaker, I urge the adoption of the rule.

The purpose of H.R. 15475 is to establish a National Advisory Commission on Multiple Sclerosis. The object of the Commission is to determine the most effective means of finding the cause of, and cures for, this disease.

The Commission is to consist of nine members, to be appointed by the Secretary of Health, Education, and Welfare. Five of these members are to be chosen from members of the Advisory Council to the National Institute of Neurological Diseases and Stroke, and the remaining four are to be chosen from qualified members of the general public. Commission members are to be compensated at the GS–18 level while performing their duties, plus travel expenses. Administrative services are to be provided by HEW.

The Commission is to prepare a report for the President and Congress not later than 1 year after enactment. The Commission will then cease to exist 30 days after submission of the report.

The cost of the bill is estimated at less than $25,000. The bill provides no separate authorization. Personnel and material are to be furnished by other Government agencies at the request of the Commission Chairman.

There are letters from both the Office of Management and Budget and HEW opposing the bill on the ground that the objectives of the bill are already being carried out by the National Institute of Neurological Diseases and Stroke which spent approximately $4,130,000 on multiple sclerosis in fiscal year 1972. The letter from HEW notes that the critical need is for new leads from basic research and that this proposed Commission could do little to accelerate such research.

There are no minority views in the committee report.

The Committee on Interstate and Foreign Commerce reported the bill by a voice vote.

Mr. Speaker, I support the rule and urge its adoption.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 15474, NATIONAL COOLEY'S ANEMIA CONTROL ACT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1064 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1064

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15474) to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1064 provides an open rule with 1 hour of general debate for consideration of H.R. 15474, the National Cooley's Anemia Control Act.

The purpose of H.R. 15474 is to establish a program for diagnosis, prevention, treatment of and research in Cooley's anemia, which is a hereditary blood disease caused by an impairment in the synthesis of hemoglobin.

The disease occurs primarily in the Mediterranean countries; however, it is thought that approximately 200,000 individuals—primarily of Italian or Greek descent—in this country may have it. The lifespan of a person having the disease is generally 10 to 20 years.

The legislation authorizes the Secretary of HEW to make grants and enter into contracts for the establishment and operation of voluntary screening, treatment and counseling programs and to support research in the treatment and prevention of the disease. The Secretary is directed to establish a program through the Public Health Service facilities to provide for voluntary treatment and counseling.

Appropriations are authorized for each fiscal year 1973–75 in the amount of $1 million for grants and contracts for projects for screening, treatment and counseling programs; $1.7 million for projects for research; $25,000 for an information and educational program—a total of $8.175 million for the 3-year period.

Mr. Speaker, I urge the adoption of the rule.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from California (Mr. SISK), House Resolution 1064 provides for an open rule with 1 hour of general debate for consideration of the bill H.R. 15474, Cooley's Anemia Control Act.

As stated by the gentleman from California (Mr. SISK), the purpose of H.R. 15474 is to provide funds to fight Cooley's anemia. Cooley's anemia is a hereditary blood disease, occuring primarily in children whose ancestors were native to countries surrounding the Mediterranean Sea.

The cost of the bill is $2,725,000 per year for fiscal years 1973, 1974, and 1975. Thus, the total cost of the bill is $8,175,000. In each year $1 million is to go for screening, treatment, and counseling programs, $1,700,000 is for research, and $25,000 is for education and information dissemination.

In a letter printed in the committee report, the Office of Management and Budget opposes this bill on the ground that research on Cooley's anemia is currently being supported by the National Institutes of Health and that this bill would duplicate existing authority for the proposed research, service, and education programs,

There are no minority views in the committee report.

The Committee on Interstate and Foreign Commerce reported the bill by a voice vote.

Mr. Speaker, I urge adoption of the rule.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. MADDEN).

Mr. MADDEN. Mr. Speaker, I wish to commend the Interstate and Foreign Commerce Committee for reporting out the very important bill, H.R. 15474, referred to as the National Cooley's Anemia Control Act.

This legislation would establish a national program for the diagnosis, prevention, and treatment of Cooley's anemia. This penetrating and spreading disease primarily has a historic origin and has baffled the medical profession for generations in an effort to curb and bring about a remedy or cure.

The disease primarily afflicts individuals of Greek and Italian extraction and in a lesser degree afflicts populations living in the southern areas of Europe and Asia, particularly in nations immediately surrounding the Mediterranean countries. It is estimated that over 200,000 people in the United States are afflicted with Cooley's anemia.

Authorization under this program extends over a period of 3 fiscal years. Recommendations have also been made that the Federal department assigned the duties of carrying out the provision of curbing this disease work in harmony with medical institutions and university medical schools throughout the Nation.

I do hope this legislation passes without any crippling amendments as it has been too long delayed—to solve a domestic and international health problem which will aid the health and relieve the suffering of millions in future generations.

I do hope the bill is enacted into law by a large majority of my colleagues in Congress.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL ADVISORY COMMISSION ON MULTIPLE SCLEROSIS

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15475) to provide for the establishment of a National Advisory Commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15475, with Mr. BEVILL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Minnesota (Mr. NELSEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 15475, a bill to create a National Advisory Commission on Multiple Sclerosis.

This bill provides for the establishment of a nine-man commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis.

Five members of the commission shall be members of the existing advisory council to the National Institute on Neurological Diseases and Stroke, and four members shall be selected by the Secretary from the public.

The commission is to make recommendations within 1 year, and shall cease to exist 30 days after making its final report.

Hearings were held on May 23, 1972, and following the hearings a clean bill was introduced carrying out the recommendations of the subcommittee, which was then ordered reported by the full committee without amendment.

The cause of multiple sclerosis is not known. The critical need in this area is determined to be the most productive avenue of exploration in researching the possible causes and cures for this disease. We feel that the establishment of this commission will hasten the attainment of that objective and I urge its passage by the House.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. ROGERS), the subcommittee chairman.

Mr. ROGERS. Mr. Chairman, I thank the chairman of the committee for yielding.

I think the bill has really been pretty well explained by the two speakers who have preceded me. This is an important bill. The need for this legislation was brought to the attention of the subcommittee by the gentlewoman from Massachusetts (Mrs. HECKLER). She has been most diligent in this matter, as has the gentleman from Minnesota (Mr. NELSEN), and other Members of the Congress.

One of the important organizations of this Nation vitally concerned with this project has been the Jaycees, the young men of action who have been duly impressed with the need to begin to point up and analyze what needs to be done to bring about the most effective program to fight this crippling disease.

The support they have brought about has spotlighted this for the Congress.

Mr. Chairman, H.R. 15475—the National Advisory Commission of Multiple Sclerosis Act—is aimed at providing new direction to finding the as yet unknown answers to the causes and treatment of multiple sclerosis, known by far too many Americans as the great crippler of young adults.

Multiple sclerosis is the most common disease affecting the nervous system, afflicting men and women in the prime of life. It generally strikes young adults between the ages of 20 and 40 and often leaves its victims crippled and unable to work as the disease runs its course. The average life expectancy of a multiple sclerosis victim is between 13 and 25 years. The disease afflicts approximately 250,000 in the United States. The cause of MS is still unknown but a number of the characteristics of the disease suggest possible environmental and geographical factors affecting its incidence. Japan, for example, has a very low incidence of MS while the Shetland and Orkney Islands are stricken at a rate three times higher than any known population.

The Federal program of research on MS is carried out at the National Institute of Neurolgical Disease and Stroke and consists of a wide area of basic research to try to determine the cause of MS.

Mr. Chairman, at the urging of our colleague from Massachusetts (Mrs. HECKLER) the Subcommittee on Public Health and Environment conducted hearings on May 23, 1972, on the effectiveness of Federal programs designed to combat MS. Some of our findings were of great concern. For example, the funding of research by the National Institute of Neurological Diseases and Stroke is strikingly inconsistent. In 1968, NINDS research support for sclerosing disorders was $3,043,000; in 1969 it was $3,163,000. Then in 1970 it dipped to a little under $2.9 million. In 1971, support rose to $3.13 million but decreased again in 1972 to $3.02 million.

Mr. Chairman, the cause of this disease is unknown. Treatment is limited to rehabilitation and drugs to decrease pain. There is no cure. Why, then, has Federal funding into badly needed research been so sporadic?

Because the answers to this question appear to be complex, the subcommittee determined that it would be advisable to establish a National Commission to advise the President, the Congress and the American people on the most effective means for attempting to find the cause and cures of the disease. For this reason, the bill authorizes the establishment of a nine member commission appointed by the Secretary of HEW which would accomplish this purpose. The commission will be composed of five members of the general public and four members of the existing National Advisory Council to the NINDS. They will be required to transmit to the Secretary, the President and the Congress a report containing recommendations for administrative and legislative action within 1 year of enactment of this bill.

Mr. Chairman, the price of this bill is minimal.

It is time, Mr. Chairman, to insure the American public that the most effective program for discovering the causes of and cures and treatment of this disease be mounted by the Government. That is what this bill is intended to accomplish. I urge its adoption.

Mr. NELSEN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Massachusetts (Mrs. HECKLER).

Mrs. HECKLER of Massachusetts. Mr. Chairman, if any one of us thought we are legislating in a vacuum, let him consider what we are doing today.

Right now there are hundreds of thousands of Americans to whom we in this body represent their last best hope on earth.

If we include their immediate families, the total constituency immediately and directly affected by our action today quadruples, at least.

Finally, if we count all those who our action might save, the vacuum is completely filled.

Mr. Chairman, I am talking about this bill (H.R. 15475) which is designed to marshal the considerable resources of this Nation for an extensive and concentrated attack on the disease known as multiple sclerosis.

This disease affects a minimum of a quarter million Americans, and, indirectly, their families. It can strike anyone at any time.

It affects the lining of the body's central nervous system, and deteriorates it until the sufferer is at best incapacitated or at worst completely paralyzed.

The cause is unknown. The cure is unknown.

But this is not the whole story.

Because of its peculiarities, multiple sclerosis is particularly tragic, but it is also particularly vulnerable to research, which is our hope.

It is especially tragic because it strikes, in two-thirds of the cases, the young people between the ages of 20 and 40, those who we call in the prime of life. They are often our most productive human beings and citizens. They are beginning their careers, beginning their families, beginning their lives of service to their community, to their State, and to their Nation.

When those people are suddenly subtracted from the ranks of productive citizens, how can the loss be measured by society? It has been estimated that the cost in dollars and cents loss to the economy would be $2 billion a year. But what of the loss in creativity and in the potential solution of the problems that plague us in America today? What of their families, of their children and spouses? To them the loss cannot be calculated.

Yet, within this tragedy are the very seeds of its own destruction. It strikes at this particular age group. Sixty percent of the victims are women. Its incidence increases markedly in areas away from the equator, strangely enough, so that it is almost exclusively confined to the temperate zones.

Scientists tell us that there is evidence this disease is vulnerable to an all-out research effort. Dr. Jonas Salk, the first conqueror of polio, sums up their feelings of being potentially on the threshold of a breakthrough when he says that there is a time for every disease and that the time for multiple sclerosis is now.

Because of this strange combination of tragedy and potential, Mr. Chairman, I introduced a bill to create a National Commission on Multiple Sclerosis. The first purpose of this legislation is to engender national concern, national concentration, on the problem so that the disease will yield to a new momentum.

A very short time after I introduced the first bill more than 80 Members of this distinguished body joined me as cosponsors, and shortly after that, to its great credit, the Subcommittee on Public Health and Environment held hearings on this legislation.

I would like to pay a special tribute to that subcommittee and, indeed, to the total committee but to the subcommittee particularly, and to single out at the outset the gentleman from Florida (Mr. ROGERS) and also the distinguished ranking member of the committee, the gentleman from Minnesota (Mr. NELSEN). They showed concern and cooperation and scheduled hearings and acted on this legislation without requiring it to languish in the subcommittee for years.

I believe that their initiative and leadership should be complimented not only by this House but certainly by all of the victims of multiple sclerosis and their families, because they brought us to this point now.

Last night, Mr. Chairman, Mr. NELSEN was honored in his hometown for his many contributions to the field of medicine and health. I think this bill and countless others like it are the reasons why his hometown chose to honor him.

During the hearings the committee allowed anyone who chose to testify. There was a broad range of witnesses from the medical profession on this general subject and the Department of HEW and the general public. Collectively they told the same story as I have recounted here.

The Multiple Sclerosis Society contributed its expertise in the hearings, as it has throughout the years, to the pursuit of the cure and treatment of this illness.

In its wisdom, the committee amended my legislation, and the amended version was approved by the full committee. It is H.R. 15475, the bill before us today, establishing a nine-member National Advisory Committee on Multiple Sclerosis. Five of the members must be chosen from the National Institute of Neurological Diseases and Stroke Advisory Committee and four of them from the general public.

It is my wish, and in fact my great concern, that the expertise, the knowledge, and concern of the Multiple Sclerosis Society should be recognized in choosing the public members of this Commission. I hope the society is well represented on the Commission.

The Commission would be authorized to inventory all of the national and international public and private research on multiple sclerosis and select one or more avenues of research which offer the most promise of success. It would report its findings in 1 year to the President of the United States, to the Secretary of HEW, and to the Congress with recommendations for further Federal action, should it be necessary.

The legislation carries an authorization only for the expenses of the commission.

H.R. 15475 is essentially the legislation that I first introduced. It differs in form but not in substance from my original bill. The purposes are the same, and I am confident that the results can be the same.

As ANCHER NELSEN told us earlier, the multiple sclerosis story was presented today in the same way that it was presented to the committee by one of its victims. He had very poignantly and persuasively brought the problems of his suffering and his plight to the attention of the national Jaycees and the Massachusetts Jaycees, who, with the cooperation of the Multiple Sclerosis Society and those of us in Congress, brought us to the point that we are at today.

This young man did so not because he thought we would find a cure for him. Certainly that might have been his hope, but his real purpose was to start a movement which could in some way find an answer for all those who are afflicted with this particularly tragic type of suffering. This is his small contribution, he said. I would not deem it a small contribution. "I really feel," Bob Baptiste said in the hearing before the subcommittee "if in a person's lifetime he cannot contribute one small bit to his fellow man, then his life has not been fulfilled."

Robert Baptiste of Mansfield, Mass., who is a member of the Attleboro Jaycees, made a contribution which in a sense brought us so far and offers the hope for a final breakthrough, through the research of this commission. Let it not be said of us that we did not make the contribution to fight against multiple sclerosis when we see it is the potential to so much suffering and there is so much human casualty.

Mr. ROGERS. Mr. Chairman, will the gentlewoman yield?

Mrs. HECKLER of Massachusetts. I yield to the gentleman from Florida.

Mr. ROGERS. Mr. Chairman, I want to commend the gentlewoman, as I did previously for her intense research and efforts in this whole matter, and also to join with the gentlewoman in commending Robert Baptiste. The committee was most impressed with him, and I think it does revitalize one's faith in our system that a single individual who is willing to devote time and effort for a cause that he deems worthy can really accomplish something, and I think that is proved in this legislation.

Mrs. HECKLER of Massachusetts. I thank the gentleman from Florida.

I want to say that Bob Baptiste also stated to me privately that the response of this subcommittee in its sympathy and understanding, and the efficiency with which it acted, reinforced his own faith in the system. Granted there were differences of opinion as we advanced the legislation, but the ultimate objective has been achieved. I feel that society has worked together with the Congress and the public and the victims of multiple sclerosis, and the various offices joined together to produce this effort. I think that Bob Baptiste deserves to be mentioned here. I am very proud of the fact that the Congress has shown its own responsiveness at a time when it is important to be relevant to our great needs.

Mrs. SULLIVAN. Mr. Chairman, will the gentlewoman yield?

Mrs. HECKLER of Massachusetts. I will be happy to yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Chairman, I would like to say that I am very much in favor of a commission to make a study on multiple sclerosis. I just wanted to express my personal disappointment that the bill, H.R. 13978, originally introduced by the gentlewoman from Massachusetts (Mrs. HECKLER) has been watered down to a degree that I think it does little toward finding a cure for this dreadful disease. I would have preferred the bill that the gentlewoman from Massachusetts originally introduced, divorced entirely from the Secretary of HEW.

Mr. ROGERS. Mr. Chairman, will the gentlewoman yield?

Mrs. HECKLER of Massachusetts. I will be happy to yield to the gentleman from Florida.

Mr. ROGERS. Mr. Chairman, I regret the statement just made, because I think our committee went into this in great detail. It is not watered down. It is a national commission, it is appointed by the Secretary of HEW to report to the Congress and to the President. In fact, I think it would be much more effective than some of the Presidential commissions that have been appointed heretofore, many of whose recommendations have never been carried out. We intend to follow this matter, and I can assure you that the subcommittee has an intense interest in this, and will follow it.

So I want to assure the gentlewoman from Missouri that this will be a very strong national commission that will accomplish its purpose.

Mrs. HECKLER of Massachusetts. I would also like to assure the gentlewoman from Missouri that that is my intention in supporting this version of the bill. Of course, I had pride of authorship in the earlier version. However, I feel very strongly that there is no difference in substance. The whole goal and potential of a national commission really relates to the caliber of the individuals named to that Commission. We have seen Presidential Commissions make their reports in the glare of television, only to gather dust on the shelves, whereas I feel that in pursuing this, the interests of the Congress in this matter will not permit the results to gather dust. We expect that very highly qualified people will be named to the Commission, both from the area of basic medical research, from the advisory council, and from the public. I believe that the great hope and the potential of this Commission lies in the membership of the Commission, and I am confident that very able people will be so appointed.

The fact of the matter is that our purpose in meeting today on this legislation is to find an answer to the problem of multiple sclerosis and to get to the actual root of the problem, and then to direct further congressional action to supplement what the researchers find.

I think this will be accomplished through this vehicle. Perhaps this is even a better one than the initial bill in the sense that it combines basic biomedical understanding, which is an important part of all research, with those of the public who will be so concerned and knowledgeable to provide the urgency of public concern.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mrs. HECKLER of Massachusetts. I am happy to yield to the gentleman.

Mr. ROGERS. Just to make the point that I was trying to make—for instance, the cancer program came about from a commission that was not a Presidential commission. In fact, it was appointed by one of the committees of Congress.

So the thrust of action is going to be the Congress. This Commission, I can assure the gentlewoman from Missouri, will be composed, I feel certain, of competent people who can then give some ideas to Congress, but it is the Congress who is going to do the work just like it did on cancer.

Mrs. SULLIVAN. Mr. Chairman, will the gentlewoman yield?

Mrs. HECKLER of Massachusetts. I yield to the gentlewoman.

Mrs. SULLIVAN. Since it will be controlled entirely by the Secretary of Health, Education, and Welfare, is this Commission necessary? Could not this study be made right within the Department itself without creating any commission? That is my question.

Mrs. HECKLER of Massachusetts. I think the question in the gentlewoman's initial comment relates to the question of control. There is no stipulation in this bill and, in fact, it is not the purpose of the bill nor the intent of its sponsors to give the Secretary of HEW or, indeed, the President, control.

The Secretary would make the appointments with the input from the public and the Multiple Sclerosis Society. The Secretary would bring in five members from the Advisory Council. But at the same time, there is no control, and, in fact, if we wanted a controlled study, we would not need this legislation.

I believe the only control here would be the power of appointment. But there is unlimited power in the membership of the Commission to achieve the objectives of this legislation as a congressional mandate.

Mrs. SULLIVAN. I thank the gentlewoman.

Mr. STAGGERS. Mr. Chairman, would the gentlewoman yield?

Mrs. HECKLER of Massachusetts. I yield to the gentleman.

Mr. STAGGERS. Mr. Chairman, first I want to commend the gentlewoman for her interest in this disease because it is a universal disease. I think not only all Americans will be indebted to her but all citizens of the world because we hope that through this commission we will bring together the knowledge not only that they are accumulating at the National Institutes of Health now and in the 65 separate laboratories that we have across America where research is being done to find a cure, but if not to make further recommendations to the Congress, and this Commission which is a national commission to me is as important or more important probably than the gentlewoman's first proposal.

It will have the public interest because we are going to have some public members and I think this gives it a little bit different thrust.

Now what it does, and the gentlewoman knows and I commend her again as I said for it, because I think it is a proper approach—they will try to get all of this correlated and then make recommendations to the President and to the Congress for further legislation or appropriations, if needed, because they just have not been doing the job and doing the research that is needed and not been able to get this correlated and have not been able to get the word around. We know when this is done and this gets through, the Congress is going to be able to follow it with further action.

Again I want to commend the gentlewoman.

Mrs. HECKLER of Massachusetts. I thank the gentleman.

I just wish to say, in my judgment, this is a congressional mandate to those appointed under this legislation to this Commission to exercise their fullest and best judgment independent of any other influence to find breakthroughs on multiple sclerosis in its prevention, cure, and treatment. If they fail in this, I would be the last to support their efforts. This is their mandate. This is their potential and this is hope for all multiple sclerosis sufferers.

Mr. NELSEN. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. WIDNALL).

Mr. WIDNALL. Mr. Chairman, I rise in support of H.R. 15475 and urge my colleagues to vote for this most worthwhile legislation. The National Advisory Commission on Multiple Sclerosis Act is a prudent and necessary step for the Federal Government to take in an effort to curb and, hopefully, to arrest the impact of this disease on our young adults. While all diseases are to be deplored, multiple sclerosis is particularly tragic because it normally strikes men and women in the middle of the most productive and hopeful years of their lives. Too many young husbands and wives have had to learn that their loved ones are stricken with a disease which can slowly incapacitate them and eventually kill them after a long period of suffering for both them and their families.

I am particularly proud to have been a sponsor of H.R. 14450, a bill similar to this one, because this law will help pool and coordinate existing efforts. Thus scientists will benefit as much as possible from each other's work and future research efforts can move ahead without needlessly retracing old paths of inquiry. This will not be an expensive bill. This is a bill designed to catalog and evaluate those research efforts made to date or now underway so that larger amounts of Federal assistance, which may be forthcoming in the future, may be spent as prudently and efficiently as possible. The numerous scientists working on diverse aspects of this subject need to have this commission and its assistance to be guided in their future efforts.

Particular care has been given in this legislation to insure that qualified scholars from this medical field will sit upon the commission so that there is a full and sensitive understanding of the complex interactions of present research efforts, which can often mystify laymen. With their help and with the faithful efforts of other dedicated men and women in this endeavor, we will, I hope, soon penetrate the mysteries of this dread crippler and discover the means of prevention and methods of cure for multiple sclerosis.

Mr. NELSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Chairman, multiple sclerosis is a chronic progressive disease of the nervous system which usually strikes adults between 20 and 40 years of age. In the United States, 250,000 people are afflicted by the disease.

In this disease, degeneration of the brain and of the spinal cord occur. Scar tissue forms at the sites of degeneration. It is characterized often by tremors, weakness, progressive paralysis, and often visual disorders. The individual may have periods of arrest and be relatively symptom free over a period of years. The life expectancy is between 13 and 25 years after the disease appears.

The cause is unknown. One theory is that slow viruses that may lie quiescent for years cause the disease. This is under study.

The purpose of this bill is to permit the appointment of a commission of nine members, five to be chosen from NINDS and four from qualified members of the public.

Their purpose is to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis.

After 1 year, a report is to be transmitted to the President of the United States.

This is a much dreaded disease and this resolution deserves our support.

I submit, Mr. Chairman, since the flesh is heir to many, many diseases, that we should establish priorities based upon the number of people adversely affected by a disease. Proportionate appropriations should be made according to the number of people affected. The most serious diseases affecting adversely larger numbers of our population should receive larger appropriations.

I doubt the advisability of specifying each particular disease, of which we have so many, and redlining an authorization or appropriation for that particular disease.

Approximately 250,000 Americans are afflicted with multiple sclerosis, with only new theories to help them. This chronic disease which is characterized by degeneration within the brain and spinal cord and by loss of motor and sensory functions, strikes adults in the prime of life, between the ages of 20 and 40.

The National Advisory Commission of Multiple Sclerosis Act would establish a commission of five members to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. As of today there is no known cure for multiple sclerosis, so more research and clinical studies are required to elucidate the factors responsible for the development of this disease.

There are many new theories which are currently undergoing investigation and giving hope to those people with multiple sclerosis for a cure. The research has proven that multiple sclerosis varies within different populations throughout the world and in what family situations it occurs most frequently. We, as Americans, have let this disease progress too long and it is now our turn to try to do something about it. We must carry out these new hypotheses to their furthest extent possible since we have progressed into new findings such as the environmental factor of the disease and how it tends to act upon children, not adults.

A person with multiple sclerosis has a life expectancy between 13 and 25 years after the first symptoms appear. The major symptoms of this disease include shaking or tremor of the body, extreme weakness, progressive paralysis, and visual disorders. Generally, an individual with multiple sclerosis experiences periods of severe symptoms followed by periods of relatively free symptoms. The thought of going to bed at night and not knowing what to expect in the morning is a terrifying feeling for an individual with multiple sclerosis, he may be fine or not even have the ability to control his own body.

The development of research for multiple sclerosis will require further epidemiological studies, a deeper understanding of the mechanisms of action of slow viruses and their possible association with the disease, and broader infestation of the role of the body's immune reaction to multiple sclerosis. It is important to continue this research in order to help these people and to prevent the spread of this crippling disease. It is unfair to give these stricken people hope and then not follow through with the research. We have waited too long to help in the research and it is about time we did something to help instead of sitting back and watching these people grow progressively worse.

Mr. NELSEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to comment a bit on the discussion just completed relative to whether or not this effort has been diluted by the change in the bill. I would like to call attention to the fact that in our committee so many times we may find an agency of Government not operating as it ought to, so we set up another agency to do what the earlier one was supposed to do. It would be much wiser to take a look at the structure of what we have, to improve its operations and not start building another structure, and the costs go up and efficiency is totally overlooked. Our design of this bill attempts to meet these standards.

With reference to the cancer bill, I think it must be pointed out again that instead of abolishing, we tried to place special attention and effort into doing the job in the agency that was supposed to have been doing the job and will continue to do it with earmarked funds, and with a Special Assistant Secretary plus a three-man commission to overview the operation.

Now, we are trying to follow that same pattern in this bill. I think more will be done with public input in this bill, as provided for in the structure of the bill. We have not set up an expensive operation, but an attempt has been made in this bill to focus attention on the problem; to speed it up a bit and get a better job done.

Mr. Chairman, I have no further requests for time.

Mr. COTTER. Mr. Chairman, multiple sclerosis is one of the most dread diseases afflicting American citizens.

In recognition of this serious disease, H.R. 15475 establishes a special National Advisory Commission on Multiple Sclerosis.

I have had a number of constituents write to me supporting this concept and I have had not a moment's hesitation in supporting this bill.

This new Commission will specifically work to discover the cause and cure for multiple sclerosis. Over 250,000 Americans suffer from this disease, which strikes mostly young adults.

I urge my colleagues to support this necessary legislation.

Mr. FASCELL. Mr. Chairman, I rise in support of H.R. 15475, the bill to provide for the establishment of a National Advisory Commission to determine the most effective means of finding the cause and cures or treatments of multiple sclerosis.

Multiple sclerosis is a chronic, usually progressive disease of the nervous system which generally strikes adults in the prime of life, between the ages of 20 and 40. It is estimated that approximately 250,000 individuals in the United States are afflicted.

The disease is characterized by the degradation in the brain and spinal cord which is subsequently covered over by scar tissue—sclerosis. This damage results in the symptoms of the disease, which may include shaking of the body, extreme weakness, progressive paralysis, and visual disorders. Usually, the individual with this disease has periods with progressively severe symptoms interspersed with periods relatively symptom free. The life expectancy of the individual averages between 13 and 25 years after symptoms first appear.

The cause of multiple sclerosis is not known at present, although there are promising theories which are currently being developed and investigated. It is now believed, for instance, that there is an environmental factor in the disease and that it tends to act upon children, not adults. Further epidemiological studies may elucidate these points.

Because the cause of multiple sclerosis is not yet known, more research will be required to bring light upon the factors responsible for the development of this disease. I believe it is our responsibility to pave the way for a commission to be created to handle the pressing burden of using present knowledge to determine how best to proceed with the task of ascertaining the causitive factors of multiple sclerosis and the most effective means of treatment and cure for the disease. If we enact this legislation, a quarter million victims of this disease may be able to live a normal life once again.

Mr. BENNETT. Mr. Chairman, I am happy to speak in behalf of H.R. 15475, to provide for the establishment of a National Advisory Commission to determine the most effective means of finding the cause of and cure and treatment for multiple sclerosis. This bill is H.R. 15268 which I introduced earlier this year. I am proud to have had the opportunity to support this effort.

Multiple sclerosis is one of the most devastating diseases found in the United States today.

First, it is a chronic and usually progressive disease of the nervous system and approximately 250,000 people in the United States have it. Those who contract this disease then have a life expectancy between 13 and 25 years and the remaining years are many times plagued with the shaking of the body, weakness, visual disorders and progressive paralysis.

Second, multiple sclerosis strikes young adults between the ages of 20 and 40, just as they are in the prime of life. Multiple sclerosis cripples many active doctors, lawyers, merchants, laborers, teachers, housewives, mothers, and fathers. Slowly, it eliminates the primary wage earner in many families and brings to bear tremendous financial burdens as a result of increased medical expenses.

At present, doctors and researchers do not know the cause of multiple sclerosis. They also do not have the cure but are continuing in a relentless search for answers to the many questions about this mysterious crippler.

H.R. 15475 calls for the establishment of a National Advisory Commission on Multiple Sclerosis that would determine the most effective means of finding the causes and cures and treatments of multiple sclerosis. Within 1 year this commission would report directly to the Secretary of Health, Education, and Welfare, the President, and the Congress, outlining the need for further financial support and other means by which the Federal Government can best participate in this effort. This vital link with the Federal Government can do much to step up the fight against multiple sclerosis. I strongly urge passage of this legislation.

Mr. GALIFIANAKIS. Mr. Chairman, today the House is considering a bill which is of considerable importance to all young Americans. H.R. 15475 seeks to establish a national commission for the study of research on multiple sclerosis.

This disease which is known as the great crippler of young adults, numbers half a million Americans as its victims. It afflicts both males and females and is characterized by degeneration within the brain and spinal cord and by loss of motor and sensory functions. In the vast majority of cases it appears between the 20th and 40th years of life. It strikes down some of the most productive members of our society and often brings disaster to young families. At present there is no known cause or cure.

Breakthroughs have been made by members of our research community working under the auspices of the National Multiple Sclerosis Society, the National Institutes of Health, and various other private foundations. This research has been scattered, however, and there is a great need to coordinate and evaluate all these efforts. The national commission which this legislation hopes to establish would make a thorough study of current research and hopefully we could soon identify the causes and cures for this dread disease.

Unfortunately, this is a disease which has often been forgotten by the American public. National Jaycees are making very admirable efforts to bring multiple sclerosis information to the attention of our Nation. I commend their actions, and I am pleased to have the opportunity as a cosponsor of this bill to join their efforts. I urge that every Member of this Congress today join hands in taking a major step to wipe out this dread disease and offer hope to all multiple sclerosis patients and their families.

Mrs. HICKS of Massachusetts. Mr. Chairman, as a cosponsor of legislation which is very similar to the bill before the House today, I wish to express my strong support for H.R. 15475, a bill which will establish a National Commission on Multiple Sclerosis.

The time is now that the national spotlight should be focused on multiple sclerosis, a disease that strikes down those who are in the prime of life, young adults between 20 and 40 years of age. It is a chronic and progressive disease of the brain and spinal cord for which there is no known cure nor cause, but for which there is reason to hope. The research of multiple sclerosis has been scattered and uncoordinated. What is needed is concerted effort to find the cause and treatment.

The National Commission on Multiple Sclerosis would establish a commission to explore current medical concepts with regard to multiple sclerosis and to determine how best research can move toward learning the cause and cure of this disease. The goal of the commission will be to develop and present recommendations on the best means by which our national resources can be mobilized to conquer multiple sclerosis. The commission will provide an opportunity to develop an overview of progress to date in our understanding of multiple sclerosis. This overview should lead to clearer understanding of what remains to be done in research and in clinical application of the research.

I urge support for this bill.

Mr. KYROS. Mr. Chairman, I rise in support of H.R. 15475, a measure to create a nine-member National Advisory Commission on Multiple Sclerosis. It is indeed time that more direct Federal attention is focused on this chronic, progressive, and crippling neurological disorder, which strikes people in their most fruitful and productive years, between ages 20 and 40.

We have all seen the little plastic containers in drug stores and other places of business, pleading for our help in fighting this disease. The Commission which we are authorizing today will have as its goal the responsibility of determining the most effective ways of researching the causes of multiple sclerosis, and will then recommend the most productive use of funds and manpower in that research.

Our National Institute of Neurological Diseases has done some work on multiple sclerosis, however that research has been scattered. The cause of this dibilitating and often fatal disease remains obscure. Some 300,000 persons in this country are suffering from MS, 6,000 of them in my own State of Maine. Multiple sclerosis strikes down people in their most creative years and we cannot afford to be deprived of that talent.

The bill, H.R. 15475, establishes a Commission composed of five members of the Federal health community—the Advisory Council to the National Institute of Neurological Disease and Stroke—who will be assisted by four members of the private sector. This is a much-needed effort toward solving this particular health problem.

We in the Congress have worked to encourage more health manpower and better delivery of health services. It is now imperative that we turn our attention to the specific diseases that continue to plague such a sizable percentage of our population.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 15475, the National Advisory Commission on Multiple Sclerosis Act. This bill creates a National Advisory Commission to determine a plan for ascertaining the cause of and developing cures for multiple sclerosis. This task would be carried out by a nine-member Commission appointed by the Secretary of Health, Education, and Welfare. Five of the nine members would be appointed from the National Institute of Neurological Diseases and Stroke with four members appointed from the public.

The disease of multiple sclerosis remains one of those serious illnesses with no known cure. A national program such as proposed under H.R. 15475 could well develop the necessary research to find such a cure and for that reason I support this legislation and urge its adoption by the House of Representatives.

The cost of this proposal is certainly not great especially in view of the great dedication and private contribution by so many. We would be most negligent if we passed by an opportunity to find the answer to this disease, at such a low cost. While some Government financed research is being conducted on multiple sclerosis, I believe a commission is needed to coordinate and accelerate efforts in this area.

This Congress has passed a number of important measures designed to improve the Nation's health and to find cures for a number of diseases which remain immune from effective treatment. This legislation is another such bill and I urge my colleagues to vote in favor of H.R. 15475.

Mrs. GRASSO. Mr. Chairman, today the House must accept the opportunity to participate actively in the effort to conquer the crippling disease of multiple sclerosis by passing H.R. 15475, a bill to establish the National Advisory Commission on Multiple Sclerosis. The purpose of the National Advisory Commission is to determine the best means to continue and direct research on multiple sclerosis. Through this bill we will make a commitment to fight and defeat a dread disease.

A pressing need exists for this legislation. Multiple sclerosis is a chronic disease of the nervous system which cripples thousands of young adults. About 250,000 Americans have this disease which results in paralysis and eventual death—death for young people who should be thinking of life.

The legislation establishes a National Advisory Commission to determine the most effective means of continuing the ongoing research on MS. This Commission will accelerate the progress being made in finding the cause of and discovering a cure for this dread disease. The stimulation of new and more thorough research will increase public and professional interest in the problems of MS and its victims.

The Medical Advisory Board of the National Multiple Sclerosis Society has stated that recent scientific developments point to specific approaches to solve the mystery of multiple sclerosis. The National Advisory Commission will help provide the scientific leadership and administrative support needed to continue research efforts and increase our understanding of this disease.

As a cosponsor of the original National Commission on Multiple Sclerosis Act, I am certain that the House will pass H.R. 15475 and hope that the other body will also give it early and favorable consideration.

Mr. GRIFFIN. Mr. Chairman, I rise in support of legislation to aid in the fight against multiple sclerosis. As a cosponsor of legislation to establish a National Commission of Multiple Sclerosis, I am very concerned about the problem and the legislation before us today, H.R. 15475.

Multiple sclerosis is a chronic disease of the nervous system which generally strikes adults in the prime of life. It robs our Nation of some of our most productive citizens. Today, it is estimated that over 250,000 individuals in the United States are afflicted.

At the present there is no cure for multiple sclerosis, but there is reason for hope. The research efforts into this disease have been somewhat scattered and fragmented to date. But recent scientific developments have pointed to approaches to achieve a cure. It is indeed a solvable problem. But it will take strong scientific leadership and administrative support if the leads to a cure are to be exploited.

I do not believe that the legislation before us meets the challenge of leadership needed nor makes the commitment effort necessary to find out the cause and a cure of MS. The bill, H.R. 15475, creates a National Advisory Commission on multiple sclerosis composed of nine members. This Advisory Commission will be placed under the Secretary of HEW. This is contrary to the legislation supported by the National Multiple Sclerosis Society and cosponsored by 85 Members of this House which would have establish a Presidential Commission on Multiple Sclerosis.

The purpose of such legislation was to create a commission that would serve as a vehicle to study, coordinate, and evaluate research efforts into multiple sclerosis to the fullest. With a better coordination of research leadership we are hopeful that the solution to this disease might be found much sooner.

It is difficult to imagine that the best means to accomplish coordination of these research efforts is to create simply an advisory commission and bury it in the maze of HEW. This would simply allow the same investigators and methods of research to drag on.

A Presidential commission set up independently would serve to provide better evaluation and coordination of research efforts and approaches. Such a Presidential commission as proposed would focus more on the problem of multiple sclerosis and serve to spur greater research. Increased interest and concern would be generated with the prestige of a Presidential commission.

Certainly promising and fruitful research is being done in the field of MS, but the fact remains that these efforts so far have not succeeded. I think it imperative that we commit ourselves to using the means necessary to insure the best possible research efforts to conquer multiple sclerosis.

I do not believe however that this legislation creating an advisory commission under the Secretary of HEW fully commits us to seeking the fastest possible solution to the problem. I still feel that a Presidential commission is vital to the ultimate success in finding a cure for multiple sclerosis and I would hope we would pursue that approach to this serious and dreaded disease.

Mr. DONOHUE. Mr. Chairman, as a cosponsor of the original legislation providing for the establishment of a National Advisory Commission on Multiple Sclerosis I most earnestly urge and hope that the substance of this measure now before us, H.R. 15475, is speedily and overwhelmingly approved by this House.

From the authoritative evidence and testimony presented in the discussion of this bill today it is very clear that the most respected medical authorities in this special field believe that multiple sclerosis is a solvable problem and that the weight and prestige of a national commission would immeasurably add to the force needed to accelerate continued research into recently discovered leads into the causes of this dreaded disease and thereby more rapidly and effectively move toward its prevention and treatment. Undoubtedly the impact of such a commission would also serve to excite a much greater interest among the general public and thereby provide a real stimulus for fundraising projects.

In simple summary, the National Commission proposed by this measure would unquestionably tend to stimulate new and more thorough research; result in the recruitment of new investigators into multiple sclerosis research field; provide concentrated direction for research efforts and the expenditure of funds; spur the raising of public funds through the visibility that is concomitant with the prestige of a national commission; and strongly increase the probability of finding the cause, prevention, and treatment of multiple sclerosis.

Mr. Chairman, a coordinated effort, under the energies and resources of a national advisory commission to determine the most effective means for finding the causes of and cure and treatment of multiple sclerosis is undeniably in the national interest. These, in short, are the wholesome objectives of this bill and I urge the House to resoundingly approve it without extended delay.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in strong support of H.R. 15475, of which I am a cosponsor, to establish a National Advisory Commission on Multiple Sclerosis whose purpose is to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. I also want to congratulate the distinguished gentlewoman from Massachusetts (Mrs. HECKLER) for initiating this legislation and the gentleman from Florida (Mr. ROGERS) for recognizing the need for expeditious approval by his subcommittee.

Multiple sclerosis, commonly known as the great crippler of young adults, generally makes its first appearance in the peak of their activity, between the ages of 20 to 40. Since there is no known cause or cure, the most productive members of our society are struck down thus robbing our Nation of its very heart of creativity, vitality, and vigor.

At this time there is a great deal of scientific research being undertaken in the effort to conquer this dread disease. However, these efforts cannot be completely effective if they remain scattered and fragmented. This bill is an attempt to bring a degree of coordination and direction to the attack on multiple sclerosis with a comprehensive, integrated, nationwide program of research and evaluation.

Mr. Chairman, while I sponsored the original legislation calling for a presidentially appointed Commission, I am willing to accept the judgment of the Subcommittee on Public Health which held hearings on the measure and recommended the language in the bill we are considering today.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Advisory Commission on Multiple Sclerosis Act".

FINDINGS

SEC. 2. The Congress finds that—

(1) multiple sclerosis is a disease characterized by degeneration within the brain and spinal cord and by loss of motor and sensory functions;

(2) this disease, known as the great crippler of young adults, generally makes its first appearance in the very prime of life, between the ages of twenty and forty, already affects great numbers of Americans, and will begin to afflict an even greater number as our young adult population expands;

(3) the cause of multiple sclerosis is unknown and there is neither a preventive nor a cure for the disease; and

(4) the determination of the most effective program for discovering the cause of and cures and treatments for the disease deserves the highest priority.

NATIONAL ADVISORY COMMISSION

SEC. 3. (a) (1) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary"), after consultation with the advisory council to the National Institute on Neurological Diseases and Stroke appointed under section 342 of the Public Health Service Act, shall appoint a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. Such study and investigation shall give particular emphasis to the need for additional financial support by the Federal Government and the means by which the Federal Government can best participate in the effort to find the cause of and cures and treatments for multiple sclerosis.

(2) The Secretary shall appoint to the commission five members of the advisory council referred to in paragraph (1) and four other individuals from the public who are particularly qualified to participate in the work of the commission. The members of the commission shall select from among their number a chairman. Members of the commission shall each be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day including traveltime) during which they are engaged in the actual performance of duties vested in the commission. While away from their homes or regular places of business in the performance of services for the commission, members of the commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(3) The Secretary shall provide such administrative support services for the commission as it may request.

(b) Each department, agency, and instrumentality of the executive branch of the Federal Government, including independent agencies, shall furnish to the commission, upon the request of its chairman, such information, services, personnel, and facilities as the commission deems necessary to carry out the purposes of this section.

(c) The commission shall transmit to the Secretary for transmittal to the President and the Congress a final report (which shall include recommendations for such legislation as the commission determines is necessary) not later than one year after the date of enactment of this Act, and the commission shall cease to exist thirty days after submitting its report.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike the next to the last word.

Mr. Chairman, I know of no one in or out of Congress who would not like to see proper treatment and a cure for multiple sclerosis, but what is this proposed National Advisory Commission going to do that is not already being done?

Mr. STAGGERS. Will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from West Virginia.

Mr. STAGGERS. One thing it will do is to focus the attention of all the health people on the matter to the fact that Congress is interested in this. We expect this Commission to bring together all of these different studies and all the different laboratories where research is being done in order to see that at the end of their study they can make a complete report with reference to this problem, and at the end of that report to see if there is needed further legislation.

If further appropriations are needed, then they will recommend them to the Congress, to the President or both. We need to really make a further attack on it, because we have been dealing funds out, a little at a time here, there, and elsewhere. The study will cost the people of this country very little additional money.

There are 65 different grants in America on this disease; and 31 different groups working in the National Institutes of Health. All we are asking for today is study to determine how to conduct an all-out, frontal attack. It can be done and we will do it. Then they will correlate and bring together all the work and research that is now available so that we can get on with the job.

Mr. GROSS. Is the gentleman saying that the Interstate and Foreign Commerce Committee has discovered that those who are already working on this problem, who were doing research and so forth and so on, are at odds; that they cannot get together; that they have not been cooperating; that it is the finding of the Interstate and Foreign Commerce Committee that things are not going right? What is the evidence that calls for the Commission?

We already have some 3,000 advisory boards, advisory commissions, committees, councils, and so on and so forth in this Governmnet. Does it require the creation of still another one to pull the ends together in this case? Is that what the gentleman is saying?

Mr. STAGGERS. If the gentleman will yield, I think what the gentleman is saying is precisely correct. We do not claim great expertise in the Committee on Interstate and Foreign Commerce on this, but I would like to say the gentlewoman from Massachusetts offered the bill, together with about 80 sponsors. All the subcommittee members whose names appear on this bill are sponsors.

The commission the gentleman is talking about is a temporary one which by law will be in effect for 1 year only.

Mr. GROSS. Mr. Chairman, I notice the Office of Management and Budget as well as the Department of Health, Education, and Welfare is opposed to this legislation.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield again?

Mr. GROSS. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I think if the gentleman will look back he will see that on a number of bills that have come out of out committee the Office of Management and Budget has offered opposition, but the committee, those who represent the people, say they want these things done and they think these things can be done to assist in solving the problems which affect our people and civilization. We want something done now and not next year. We have set up this commission to correlate this job and see that it is not put off.

Mr. GROSS. I think one of the better provisions of the bill is that the commission will expire within 1 year and 30 days after its appointment. In that period of time they will report, I assume, to the Congress?

Mr. STAGGERS. To the Congress.

Mr. GROSS. They will report their findings?

Mr. STAGGERS. To the Congress of the United States and to the President of the United States?

It is one of the ways, if the gentleman will yield further, in which this committee in its wisdom though there could be action taken to see if we could eliminate one of the problems the results of which we can see every day in our travels.

Mr. GROSS. Mr. Chairman, I would simply like to add that we already are spending millions of dollars annually, as I understand it, and have been throughout the years, on the problem of multiple sclerosis.

Mr. STAGGERS. That is correct. I would say again that that is one of the reasons why we want to get something done under this bill. I think the gentleman from Iowa recognizes the fact that we have to get together the different groups which are working separately and have all the work reviewed by experts. They will ask where we stand now. That is the purpose of the bill. We say that has not been done and is not being done. This is one way to focus attention on this disease and probably eradicate it as one of the ailments affecting human beings.

Mrs. HECKLER of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman from Massachusetts.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I would like to say the Multiple Sclerosis Society has raised more money over the years than the Federal Government has contributed to the research. When the Federal Government did not appropriate funds, the Multiple Sclerosis Society contributed funds itself which it had raised privately to be used for research grants under the Federal research grant program.

Mr. Chairman, I would like to say during the testimony on this bill the committee heard witnesses from the Department of Health, Education, and Welfare who indicated the enormous depth and the general areas of research in neurological studies. However, there was not a specific focus on multiple sclerosis which the situation and the need in our society requires today. For this reason the bill was considered necessary.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a cosponsor of this legislation, I urge its prompt approval by the House.

Millions of Americans either suffer from multiple sclerosis or are friends of those who do. Their pain and heartbreak are a sad reality of life. Research into the cause and cure of this great crippler of young adults has been scattered and uncoordinated. Consequently there is a clear need to correlate and evaluate efforts that have been made in this area.

The Commission we are proposing to establish would be charged with the responsibility of making an up-to-date and thorough study of current research with the hope of identifying the most productive avenues of approach toward finding causes, cures, and treatments. We are not proposing another far-flung billion dollar Federal program with loosely defined goals. Rather, we are offering an approach to a serious problem that is characterized with precision and will involve a minimum of expense.

We are not promising miracles. But with the passage of this legislation, we are pledging our commitment to do our utmost to alleviate the tragedy of multiple sclerosis. My colleague, the gentlewoman from Massachusetts, is to be commended for her dedication in shepherding this legislation to the floor of the House. Let us waste no time in endorsing this measure.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BEVILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 15475) to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis, pursuant to House Resolution 1065, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL COOLEY'S ANEMIA CONTROL ACT

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the

Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15474) to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15474, with Mr. BEVILL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and members of the committee, this bill is similar to legislation which was passed earlier in this session known as the sickle cell anemia legislation.

At that time the gentleman from Connecticut (Mr. GIAIMO) offered an amendment to include Cooley's anemia, but the amendment was defeated because the committee had had no hearings on this. I promised then that the committee would have hearings at the earliest possible time.

That very same day the gentleman from Connecticut (Mr. GIAIMO) and the gentlewoman from Connecticut (Mrs. GRASSO) joined in cosponsoring legislation, on which hearings were subsequently held. The subcommittee did exactly what we promised, which was to expedite the hearings.

From those hearings comes the bill which is before the House today.

The bill establishes a 3-year program with total authorizations of $8,175,000 for support of three purposes; screening, treatment and counseling programs; research in diagnosis, treatment and prevention; and development and dissemination of education and information materials.

There are a number of research areas which are related to Cooley's anemia which require further investigation and development of more efficient forms of therapy, which will enable victims of the disease to lead more comfortable and more productive lives.

Cooley's anemia is a genetic disorder and, therefore, screening and counseling programs are required in order to minimize the possibility of children inheriting this disease.

Twenty-five percent of the children of a husband and wife who carry the trait will have Cooley's anemia, 50 percent will carry the trait, and 25 percent will neither have the disease nor carry the trait. By screening, people can learn that they carry the trait and take that into account in carriage and planning their families.

The bill is one which is needed because at the present time we have no way to prevent the disease. Therefore, screening and counseling of those who carry the trait is necessary.

It has been said by a member of the Committee on Rules, which gave a presentation on the bill, that over 200,000 individuals in the United States alone have the trait. There are many other countries of the world where Cooley's anemia occurs. If we can find a cure here, it will not only help those who live in America but all over the world.

The bill calls for getting information to try to find a cure, but until we have a cure we will have the screening and counseling necessary so that anyone who wishes to may avail themselves of it. It is not compulsory but it is voluntary, and it will be held confidential.

With that explanation and the fact that it came out of the subcommittee without dissent and, as I recall it, out of the full committee without any dissenting votes, I urge the passage of the bill by the House.

Mr. CARTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill would establish a national program to assist the youngsters of the United States who may be victims of Cooley's anemia. It is established that some 200,000 people of Mediterranean origin may have the trait—the gene which carries this disease. Cooley's anemia is inherited according to the Mendelian laws. If two parents have the gene—both father and mother carry the trait—one child, according to the law, will more than likely have the disease; two will carry the gene or the trait; one will be free of the trait. In other words, one-fourth of the youngsters born to families in which both mother and father carry this particular gene will have Cooley's anemia.

Cooley's anemia is characterized by imperfect formation of hemoglobin, and an increased fragility of red blood cells. In affected infants, destruction of red cells occurs at a very rapid rate, so that blood transfusions are necessary to keep the infants alive. Repeated blood transfusions cause retention of iron, which is not readily excreted from the body, and causes many problems.

Organs concerned with the metabolism of red blood cells are greatly enlarged, and children with Cooley's anemia often have enlarged spleens and livers. Bone growth is uneven and leads to structural deformities, causing a Mongoloid facial appearance.

These youngsters have a greatly reduced life expectancy. There is no known cure for Cooley's anemia; however, the administration of blood transfusions does lengthen the lives of these youngsters. The disease is almost universally fatal. 200,000 people in the United States carry the trait. Approximately 50,000, by the Mendelian theory, would be estimated to have the disease.

This bill provides three things:

One. To establish grants and contracts by the Secretary for screening, treatment, and counseling programs so that those who have the disease may know it. Actually, if those with the trait refuse to marry other persons with the trait, the disease would be obliterated.

The second portion of the bill authorized grants and contracts for research in the diagnosis and treatment of Cooley's anemia, including the development of efficient and inexpensive detection tests.

The third section of the bill requires the Secretary to carry out a program to develop materials relating to Cooley's anemia and to distribute such information to the public and health professions.

Mr. Chairman, nearly 50 years after the discovery of Cooley's anemia, Congress now has an opportunity to do its share to wage war on this disease. According to our Committee on Interstate and Foreign Commerce report, it is thought that 200,000 Americans carry the gene of this hereditary disease.

For too many years now, we Americans, as a people, have allowed this disease to spread and affect thousands more annually. For too long, we have left the sponsoring of research concerning the causes and cures of this problem to the National Institute of Health without adequately providing for the funding of this research. Because of other programs which we have given a higher priority, we have allowed those plagued by this disease to suffer under the burden of not only the disease, but also under the burden of knowing that the proper element of research to help them was not being undertaken.

As our committee pointed out, the plight of those afflicted by Cooley's anemia has been bettered over the past 47 years of research, but much remains to be done. Instead of a 1-year life expectancy as was the case in 1925, the average lifespan has now increased to 20 years. Expanded research into the causes of the disease has revealed that many people who do not suffer from the disease themselves do serve as carriers and pass the trait along to their children. When both parents carry the trait of Cooley's anemia, their children are much more susceptible to the severe form of the disease. Symptoms are listlessness, loss of appetite, pallor and irritability. A diagnosis can be determined as early as in the first year of a child's life. Blood transfusions are the only therapy and, unfortunately, no cure has as yet been discovered.

Fortunately, however, for the combatants of this prolonged killer, the National Cooley's Anemia Control Act attacks the disease on all fronts. In an effort to be as comprehensive as possible in the struggle to end the Cooley's anemia threat, my fellow committee members and I have tried to meet the challenge by proposing a bill which is three-faceted. This measure would attack the illness by first, research; second, treatment and counseling; and third, dissemination of information to the public.

The authorizations under this bill would allow for a 3-year period of funding which would enhance further research and treatment of the disease. The Office of Management and Budget's objection that this measure would duplicate efforts undertaken by the National Institute of Health is unwarranted. To the contrary, the National Cooley's Anemia Control Act would not duplicate present efforts but would compliment them and undergird the entire program which is currently underway. The scope of present studies could be greatly enlarged and could expand the amount of information now received.

The steps undertaken by the National Cooley's Anemia Control Act would not usurp the authority of present health programs in dealing with the disease, but would instead work through them. No new bureaucratic agencies would be created to sap funds from the public treasury. These new appropriations which will be granted upon passage of this bill will supplant insufficient amounts in both the public and private fields of medical research along these lines and will strengthen the entire efforts that have been advanced to the present.

The National Cooley's Anemia Control Act appropriations are not exaggerated beyond the present needs of the program which we propose. Indeed, the funds requested would be a bare minimum in the fight to conquer this menace to our society and to people the world over. The allocation of $1,000,000 for fiscal year 1973 and for each of the 2 following years would provide a strong foundation of support for future gains in overcoming the tragedy of this illness. Grants to individual research projects would promote individual initiative to further expand the scope of participation of those in battle for a common goal—the prevention and cure of Cooley's anemia.

In a time when medical care and the costs of insurance are dominant in the news, let us now see fit to aid in providing the best insurance possible—the insurance provided by disease prevention. This prevention can be gained only through research. Today we can provide for one area of research. I ask that we not fail to fulfill our obligation in promoting that research.

In closing, please picture if you will, the world of a 7-year-old body. His classmates are playing ball at recess, but he is too tired to play ball. His friends skip home from school together in the afternoon, but he has to ride home with his mother. He is too tired to go along with his friends. On the weekend, his neighbors are going camping and have asked him to go along. He cannot. He is unable to do the hiking which the others will be doing.

This young boy is not lazy, he is sick. Once a week he has to have a blood transfusion. He is faced with this situation for the rest of his life, however long or short that may be. He never feels really well anymore. He has little to look forward to; he just hopes.

Let us keep his hopes up. Let us pass the National Cooley's Anemia Control Act today and show the thousands of others like him that the Congress cares. Today, we can provide hope.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. ROGERS), the chairman of the subcommittee.

Mr. ROGERS. Mr. Chairman, I thank the gentleman for yielding me this time. I think the bill has been well explained by the chairman of the full committee, the gentleman from West Virginia (Mr. STAGGERS) and by the ranking member, the gentleman from Kentucky (Mr. CARTER).

Mr. Chairman, I rise in support of H.R. 15474, which would provide for an expanded national attack on Cooley's anemia. The Subcommittee on Public Health and Environment conducted hearings on this legislation on May 23, 1972, and unanimously ordered this bill reported to the full committee, which, likewise, unanimously reported the bill.

Cooley's anemia is caused by a genetic blockage of the synthesis of adult hemoglobin and is characterized by severe anemia, enlargement of the spleen, and characteristic changes in the skin and facial features. Individuals who have the disease generally do not live beyond the first decade of life, although some persons can be kept alive for a longer period of time with the aid of transfusions. Cooley's anemia is not primarily associated with a particular racial group, but instead appears in a number of populations, notably those whose ancestors lived near the Mediterranean, especially Italians and Greeks.

Mr. Chairman, most Members of this body will recall that last March the House passed legislation to mount an attack on sickle cell anemia, a little understood, genetically transmittable blood disease. This legislation was signed into law in May. During the final stages of consideration of the sickle cell anemia bill we were asked by the gentleman from Connecticut (Mr. GIAIMO), and the gentlewoman from Connecticut (Mrs. GRASSO), to include Cooley's anemia among the programs authorized in that legislation. Because of the lack of hearings on the issue, it was determined that the proposal should be studied in greater depth.

We have now, Mr. Chairman, had the opportunity to study Cooley's anemia and the research support it presently is receiving. We have determined that, as was true with sickle cell anemia, research into the causes and treatment of Cooley's anemia has received a tragically low priority. For this reason, we have recommended legislation patterned very closely upon the sickle cell anemia legislation.

Briefly, Mr. Chairman, the legislation provides for the following:

One million dollars per year for 3 years for treatment, screening, and counseling programs.

One million seven hundred thousand dollars per year for 3 years for research programs, including research into inexpensive screening tests.

Twenty-five thousand dollars per year for 3 years for dissemination of information to the public on Cooley's anemia.

This totals $2,725,000 per year for 3 years, Mr. Chairman. Of course, not all of this is new money. For example, grants for research related to the disease from the National Institutes of Health totaled $600,000 in fiscal 1972.

Needless to say, Mr. Chairman, I commend those Members who have been so diligent in this in bringing it to the attention of the committee and to the subcommittee members for bringing this bill to the floor today.

Mr. Chairman, I would urge passage of this bill.

Mr. CARTER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, before addressing myself to the legislation before us here with regard to Cooley's anemia, may I just make a comment relative to the bill just passed establishing a National Advisory Commission on Multiple Sclerosis.

To listen to some of the debate that preceded the gentleman here in the well, one would think that the Federal Government, the Congress, and the National Institutes of Health are utterly oblivious to the problem of multiple sclerosis, and that by passage of the bill just a few moments ago all of a sudden we open up the doors to a remedy for it. Whereas, as a matter of fact, in this current fiscal year, $4.1 million, as I recall it, has been allocated to the NINDS, the National Institute on Neurological Diseases and strokes for multiple sclerosis. Also in the Social and Rehabilitation Service we have over $1 million for rehabilitating those afflicted with multiple sclerosis. Now, compared to the vast sums of money we are spending in toto at the NIH, I guess you could say that these are not large sums of money, but nevertheless it is of some significance. As I recall the approximate figures, there is something like $6 million raised from private sources with most of it going for clinical work and about a million and a half for research grants.

Mr. Chairman, Cooley's anemia is a disease that results in pain, suffering, and the early death of a number of Americans—even one would be too many. So, I am glad to see congressional and public attention being brought to bear on the need to find methods to control and eradicate this disease.

I want to express my concern, though, about a growing tendency here to pick out a specific disease that affects a relatively small portion of our population and build a Federal program around it. It seems to me that this kind of compartmentalization can only hamper our overall Federal research effort. I am concerned that the proponents of this bill may be defeating their own purpose, by urging its passage.

Here we have a disease that, like sickle cell anemia, is one of more than 100 different types of abnormal hemoglobin. I really fail to see the advantage in breaking out or separating research on specific anemias from the overall hemoglobin research carried out by the National Institutes of Health.

During our HEW appropriation hearings this year I questioned Dr. Cooper and Dr. Berliner of the National Heart and Lung Institute about sickle cell and Cooley's anemia research, and they reaffirmed the close interrelationship of all research on the various types of anemia. Research into one type of anemia or hemoglobin disorder can and often does shed light on another. This is really the nature of research. So, the point is, by setting up separate programs like this, we may be closing doors, rather than opening them.

In May, when hearings were held on this bill, testimony from the National Institutes of Health indicated that NIH was already funding 33 grants relating to Cooley's anemia, totaling some $1.3 million dollars. And, a breakthrough here may come from some completely unrelated research area, as it often does in other cases.

This bill really adds nothing in the way of legislative authority to facilitate research on Cooley's anemia, and the Department testified that, at this time, the screening, treatment and counseling provisions in the bill would not result in a significant decrease in the incidence of this disease, nor would it result in the alleviation of human suffering, which is the goal of every one of us.

Then, on top of that, there is a problem with the provision in this bill that would require use of the Public Health Service facilities for screening, counseling and treatment activities. The use of PHS facilities is currently limited to Federal beneficiaries such as merchant marine, the uniformed services and their dependents, but this bill would apparently make anyone who asks for these services a beneficiary. The PHS hospitals are eventually going to be turned over to the local communities where they are located, and this legislated change in long-standing PHS policy would make such transfers much more difficult.

Let me make just one last point here. I want to see those who suffer from Cooley's anemia helped. The 10 to 15 thousand cases estimated by NIH may seem a small number, but as I said earlier, even one is too many.

But, we have to remember that there are a multitude of diseases that affect only a few thousand people of the more than 200 million in this country——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MICHEL. Mr. Chairman, would the gentleman yield me 1 additional minute?

Mr. CARTER. I will yield the gentleman 2 additional minutes, if the gentleman will let me ask one question.

Mr. MICHEL. I yield to the gentleman.

Mr. CARTER. Do you feel it is true that our Public Health Service facilities can render services only to members of the Public Health Service and merchant seamen?

Mr. MICHEL. No; I do not—that is probably extreme.

Mr. CARTER. I understood you to make that statement.

Mr. MICHEL. I am sorry I did not quite hear the gentleman.

Mr. CARTER. I understood you to make that statement.

Mr. MICHEL. I said that it is established Public Health Service policy to limit the use of PHS facilities to Federal beneficiaries such as merchant marine, the uniformed services and their dependents. While HEW is authorized to use the facilities for the Emergency Health Personnel Act, I believe the current policy is not to use them for this purpose.

Mr. CARTER. I must disagree with the gentleman. I feel that is incorrect. By virtue of the Emergency Health Personnel Act, PHS facilities feel they are empowered to admit and treat other patients.

I think they do do more work than that at the present time in their facilities throughout this country. I believe other Members would agree with me that that is true.

Now I must agree that in many areas you are quite right about this. For this purpose today, with the gentleman from Minnesota (Mr. NELSEN) on my side of the aisle, I am introducing a bill to direct the Secretary of Health, Education, and Welfare to make requests for appropriations for programs respecting a specific disease or category of disease on the basis of the relative mortality and morbidity rates of the disease, the category of diseases and its relative impact on the health of persons in the United States and on the economy. I believe that that would help to solve the problem of which the gentleman has been speaking.

Mr. MICHEL. Well, in the absence of the enactment of that kind of legislation I just simply want to conclude here by asking the question:

Are we to afford each of these diseases a special Federal program, shutting them off from research in other areas? Medical research just does not work that way. It is not like constructing a building—and I think we political types—I mean every Congressman and every Senator—should be mighty careful with the kinds of limitations we impose on what is now the best overall research effort anywhere—the National Institutes of Health. We may get some political mileage out of a bill like this, some points with the folks back in the district, but we have to stop and think about what it will do in the long run.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Maine (Mr. KYROS) a member of the subcommittee.

Mr. KYROS. Mr. Chairman, I rise in support of the bill, H.R. 15474, the National Cooley's Anemia Control Act, which I have cosponsored, and would simply add to what was just said a few moments ago about the compartmentalization of diseases; recently we dealt with sickle cell anemia which is a blood disease limited to black Americans. For that disease we set up special programs that would carry out screening, treatment and research utilizing the Public Health Service.

This disease is treated no differently. One problem with this disease, namely, Cooley's anemia, is that people from the Mediterranean areas have intermarried a great deal in the United States, and as a result, have diffused the potential of this disease even more in our country. I think a close reading of the RECORD will indicate, even further, that there was great question as to whether there were any funds that would be available to take care of the victims of Cooley's anemia, because if you are a victim by the time you get to be a teenager you must go through numerous blood transfusions. The stories we hear about children going over and over again to have blood transfusions are really tragic.

So it seems that this is an extremely debilitating disease, harmful to our people. It has widespread possibilities for affecting others throughout the United States through 200,000 carriers.

Surely it is the kind of disease, not with the same priority as cancer, heart disease, or sickle cell anemia, perhaps, that requires a special effort. Until now there really has not been one concerted drive. Certainly a few million dollars, just a few million dollars for this disease is a most worthy project.

This legislation is of vital importance to thousands of Americans who trace their heritage to the Mediterranean regions, and who suffer the genetic blood disorder known as Cooley's anemia, or thalassemia major.

Cooley's anemia was discovered in 1925 by Dr. Thomas Cooley, and occurs primarily in families whose ancestry is of countries surrounding the Mediterranean Sea. It is a fatal, congenital disease of children, associated with a severe anemia, and does not respond to any medication. Life span is about 20 years, with painful and frequent blood transfusions necessary to achieve that.

Cooley's anemia is now estimated to affect 200,000 Americans. Through intermarriage, the disease has been discovered in the Middle East, India, Southeast Asia, and here in the United States, among Italians, Greeks, and orientals. Among Americans of Greek and Italian ancestry, the disease frequency is estimated at 1 in 25, and in New York City alone, as many as 120,000 carry the thalassemia trait.

I am particularly pleased and proud of the Public Health Subcommittee action which authorizes a total of $8.1 million over 3 years to combat this disease. The goal of H.R. 15474 is to attack Cooley's Anemia in two ways: from a preventive aspect, genetic screening and counseling programs for young people about to be married or couples newly pregnant will be established. Also, $1.7 annually is authorized for research grants and contracts into causes and cures.

From a curative aspect, treatment programs and clinical centers where children may receive total care by well-trained and equipped staffs, will be established. This is essential since costs of a blood transfusion maintenance program and general outpatient care are about $4,000 a year. Since some families have more than one afflicted child, few can afford this expense.

Mr. Chairman, it is a pleasure to give my full and unqualified support to the National Cooley's Anemia Control Act, and I am confident my colleagues in the House will join in passage of this bill.

Mr. CARTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. I thank my good friend, the gentleman from Kentucky.

I rise in support of this legislation.

Mr. Chairman, I am very pleased that the National Cooley's Anemia Control Act is up for our consideration today.

Earlier this year, the distinguished gentleman from Connecticut (Mr. GIAIMO), alerted us to the very real dangers posed by the unchecked spreading of Cooley's anemia. I joined him on the floor of the

House in March to urge that prompt action be taken in halting this devastating onslaught. The Interstate and Foreign Commerce Committee is therefore to be commended for so quickly reporting out this important legislation.

As I pointed out in March, the alarming fact about this disease is the rapidly rising number of people that are being afflicted by it. At one time, the disease was limited solely to individuals of Mediterranean background. Down through the years, however, intermarriage has spread it to persons of Scandinavian, German, Jewish and even oriental backgrounds. No race or nationality is spared. Indeed Cooley's anemia now affects about 200,000 young Americans. And the sad fact is, few of these will survive the age of 20.

The comparatively modest amount that this bill authorizes for the screening, treatment, research, and education programs for Cooley's anemia is a prudent and necessary investment. As a member of the Labor-HEW Appropriations Subcommittee, I pledge my support for the adequate funding of this program.

I ask that my colleagues join me in passing this crucial measure.

Thank you.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the cosponsor of the bill, the gentlewoman from Connecticut (Mrs. GRASSO).

Mrs. GRASSO. Mr. Chairman, let me first take the opportunity to thank the distinguished chairman of the Interstate and Foreign Commerce Committee, the gentleman from West Virginia (Mr. STAGGERS), and the distinguished chairman of the Subcommittee on Public Health and Environment, the gentleman from Florida (Mr. ROGERS), for their assistance in bringing H.R. 15474, the National Cooley's Anemia Control Act, to the floor of the House.

As an original sponsor of legislation to amend the Public Health Service Act to establish a national program for treatment, prevention, and cure of Cooley's anemia, I believe passage of the legislation before us today is imperative for the future health of large numbers of Americans. H.R. 15474 would authorize $8,175,000 for these purposes over a 3-year period. Each year, $1 million would be used for screening, treatment, and counseling programs; $1.7 million for research projects, including the development of an inexpensive and effective test for Cooley's anemia; and $25,000 for education and information programs.

Today, few Americans have heard of Cooley's anemia, except for the families and friends of individuals afflicted with the disease. However, through the efforts of concerned people such as Leonard J. Patricelli, president of Broadcast House-WTIC in Hartford, Conn., this situation is changing. Mr. Patricelli was in the forefront of the effort to inform the public about sickle cell anemia. He has now taken up the cause of Cooley's anemia, and as a result people throughout southern New England are learning about another dread disease. Through Mr. Patricelli's generosity, I was recently able to give my colleagues in the House the opportunity to view an informative TV documentary on Cooley's anemia which was prepared by WTIC.

When the proposed program before us today becomes law, information will be provided to the public at the same time resources become available to enable extensive research on Cooley's anemia. For the sake of the children and young adults who are ravaged by this disease, we must find a cure.

Cooley's anemia, known medically as thalassemia, is a genetically transmitted blood disorder which occurs in a major and minor form in as many as 200,000 persons today. Individuals with the single Cooley's trait live normal lives, but could pass the trait and disease on to their children. Individuals who develop the major form of Cooley's anemia, encounter defective hemoglobin synthesis which leads to eventual death. Most of the victims of Cooley's anemia are children of descendants from Mediterranean countries—primarily Italians and Greeks. However, because of widespread intermarriage, the Cooley's trait has been passed on to other nationalities as well. If both a man and woman with the Cooley's trait have children, the Mendelian law of genetics holds that, statistically, 25 percent of their children may contract the major form of thalassemia and another 50 percent may become carriers of the Cooley's trait.

For those children who are unfortunate enough to inherit the genetic code causing Cooley's anemia in the hemoglobin chains, symptons known as thalassemia major usually appear after the first 3 months of life. Victims of Cooley's anemia also suffer from enlargement of the spleen, changes in skin and facial features, poor bone growth, as well as susceptibility to other ailments and fatigue.

At this time only supportive therapy exists for victims of Cooley's anemia. The patient must undergo periodic blood transfusions, usually once a month, to help maintain a stable hemoglobin count. However, as the illness progresses, iron from the blood transfusions accumulates in all the tissues of the body and may affect the endocrine glands and muscles, including the heart.

Recent medical advances have lengthened the life expectancy of Cooley's anemia sufferers from a few years to over two decades. Nevertheless, children and young adults with the major form of Cooley's anemia can only look forward to an agonizing life and a painful, early death.

Despite the admirable research and educational work being conducted by the Cooley's Anemia Blood and Research Foundation for Children, more assistance is desperately needed to help the victims of Cooley's anemia and to inform the carriers of the Cooley's trait about the disease. Moreover, without substantial continuous funding, the programs undertaken may never provide fruitful and hopeful results.

Mr. Chairman, sickle cell anemia and Cooley's anemia are the major genetically transmitted blood disorders which afflict our citizens. During the House debate last March on the Sickle Cell Anemia Prevention Act which had my complete support, I joined my friend and colleague from Connecticut (Mr. GIAIMO) in supporting a Cooley's anemia control program as an amendment to that bill. Our amendment was defeated, but not because the amendment lacked merit. Rather, as the record shows, opposition to the absence of committee hearings on Cooley's anemia was raised. Consequently, the very same day, March 22, Mr. GIAIMO and I introduced H.R. 14016, the original Cooley's Anemia Control Act.

On May 23, the Subcommittee on Public Health and Environment conducted hearings which proved a pressing need for this type of program. The bill before us today accomplishes what we attempted to achieve in March. By modifying title XI of the Public Health Services Act, it establishes a national attack against genetic blood disorders.

During the subcommittee hearings, administration spokesmen testified that authority already exists for the programs which this bill would authorize. I would like to remind my colleagues that, technically, legislative authority also existed for sickle cell anemia prevention programs. Yet Congress passed legislation in this area for one very important and effective reason: to elevate programs to prevent and control sickle cell anemia to a rightful priority among our health programs.

Once again, the legislative route is the one we must take in order to assure that research and treatment of Cooley's anemia will receive the full support it must have, as well as a badly needed, widespread screening program which now does not exist. At the May 23 hearings, Dr. G. Donald Whedon, Director of the National Institute of Arthritis and Metabolic Diseases, testified that, while the National Institutes of Health funds 33 grants in thalassemia or related research, the total intramural NIH effort is about $160,000. This effort represents the work of three investigators—one of whom devotes at most 10 percent of his time to work on Cooley's anemia—and six technicians.

Even Dr. Whedon agreed that the Cooley's anemia program was not substantial. Passage of this bill would acknowledge the magnitude of the health problem that victims of Cooley's anemia bear by providing legislative authorization for a program to combat the second major genetic blood disorder afflicting Americans today.

This legislation has the support of many important organizations and individuals. These include UNICO National, a service organization of business and professional leaders of Italian descent; the American Justinian Society of Jurists, comprised of lawyers of Italian descent; Grand Lodge of Connecticut, Order Sons of Italy in America; the Department of Connecticut, Italian American War Veterans of the United States, Inc.; the Bernardino-Badolato Post No. 2 and the Columbian Federation, both of New Britain, Conn. At their recent Connecticut State convention, the Order Sons of Italy in America passed a resolution giving their full support to our Cooley's anemia bill.

Mr. Chairman, we cannot place a price tag on human life, on the heartache and suffering of Cooley's anemia victims, or the mental anguish of their families and friends. The program contained in H.R. 15474, the Cooley's Anemia Control Act, will help eliminate the agony of today and provide a strong ray of hope in the future for tomorrow's victims of this disease. We can and we must help eliminate Cooley's anemia for present and future generations by passage of the legislation before us today.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut, the cosponsor of the bill.

Mr. CAREY of New York. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from New York (Mr. Carey).

Mr. CAREY of New York. Mr. Chairman, I thank the gentleman from Connecticut for yielding.

Mr. Chairman, I rise in support of the bill.

I rise today in support of the National Cooley's Anemia Control Act, which would establish a national program for the diagnosis, prevention, and treatment of Cooley's anemia. The bill also provides for screening, education, and counseling programs.

I am pleased that Chairman Staggers and Congressman Rogers, chairman of the Subcommittee on Public Health and Environment, saw fit to promptly report this vital legislation. I would also like to commend Congressman Giaimo for his fine efforts in introducing this legislation. I join with my colleague in urging prompt consideration of this bill.

Cooley's anemia, also called Mediterranean anemia, is a genetic blood disease which primarily affects individuals whose ancestors were natives of the countries surrounding the Mediterranean Sea. In the United States, the disease is most commonly found in the descendants of people with Greek and Italian ancestry.

The passage of this legislation, which would marshal additional resources of the Federal Government to the cure of this disease, can spell life to the 200,000 people in the United States presently suffering from Cooley's anemia. Some will argue that adequate research is now being done, however, research cannot provide diagnosis and treatment for the victims. The bill now before us does provide this.

Mr. Chairman, as one who has long supported health research and programs, I strongly urge my colleagues to join me in support of this important legislation.

Mr. GIAIMO. Mr. Chairman, the bill before this House deals with a tragic disease—a genetic blood disorder which leads to chronic anemia, sentences its victims to a lifetime of frequent and often acute hospitalization, and is invariably fatal, usually by age 20. It is called Cooley's anemia—for the Detroit physician who first fully described its manifestations in 1925—and is also known as thalassemia or Mediterranean anemia.

Through an accident of evolution, the disease strikes primarily children in countries surrounding the Mediterranean Sea—Italy, Greece, Israel, Turkey, part of France, and so on—although thousands of years of interbreeding have distributed the genetic trait to literally all peoples. Some of the problems brought by this disease should be addressed by this Federal Government.

The dual goals of the bill before us are to prevent, through appropriate screening and education, the appearance of any new cases of Cooley's anemia and at the same time to stimulate research into potential cures for those who now have the disease.

This screening task is of particular importance. Parents who may both have the genetic trait for Cooley's anemia and who therefore run the risk of having children with the crippling form of the disease have a right to know about that risk—they should have this information available.

Fortunately for those parents, simple, inexpensive screening tests for the genetic trait for Cooley's anemia have been devised by Dr. Howard Pearson's research team at Yale-New Haven Hospital. For those not familiar with his work, I should note that Dr. Pearson recently received the Martin Luther King Award for his equally impressive research on sickle cell anemia.

The test Dr. Pearson has devised, which can be done in any community hospital that has a standard red blood cell counter and measurement device, costs about a nickel a test, and can literally be done by the thousands. These tests have shown, in pilot projects, that between 5 and 10 percent of all Italian-Americans, 7 percent of Greek-Americans, and individuals from many other different ethnic and racial groups—from Irish to Jewish and even black American peoples—can have the genetic trait for Cooley's anemia.

With a concerted effort, we can determine who has the genetic trait, give them as parents the information they need to help make appropriate decisions, and dramatically decrease the number of new cases of this disease occurring each year.

Just as important, however, are the funds in this bill for medical research and training. Just as our national effort in fighting other diseases—heart disease, cancer, kidney disease, sickle cell anemia, and so forth—is ultimately dependent on good medical research, funds are needed to support research in Cooley's anemia.

It has been noted by the administration, in opposing this measure, that some $1.3 million is already being directed into Cooley's anemia research and that additional funds go to basic research which could be important in fighting that disease. I am sorry to note, however, that this claim amounts to outright deception of the Congress, since an examination of the project titles shown for their primary emphasis on Cooley's anemia reveals more than 75 percent to be more general work, potentially concerned with this disease but actually related to a wider variety of basic research questions.

There is a need to determine who the approximately 200,000 people are in this country who have the genetic trait for Cooley's anemia, and an equally compelling need to find a cure for the 15,000 to 20,000 children and young adults who have the tragic, full-scale form of this disease. This bill does the job, and I urge its passage.

Mr. Chairman, I certainly commend the committee, and the gentleman from West Virginia (Mr. Staggers), and the ranking minority member, the gentleman from Minnesota (Mr. Nelsen), and the gentleman from Florida (Mr. Rogers) for the effort and understanding which they have put into this legislation.

Mr. Chairman, I do not want to belabor this point but I do want to point out one fact which was raised by my good friend and cocommittee member on the Appropriations Committee, the gentleman from Illinois (Mr. Michel). He stated much has been done in the way of research. He mentioned there were 32 or 33 grants. The fact is—and I have looked into this quite closely—the effort by the Government and the Institutes of Health in the area of Cooley's anemia, as in the case of sickle cell anemia, has been meager. In fact, by their own testimony, as shown on page 28 of the hearings, Dr. Whedon, representing the Government says: "I would agree, it is not large." He was referring to the effort of the Government. If we look at most of those 32 grants we will find they are not grants for the study of Cooley's anemia but they are studies in the general area of hemoglobin research or general blood disorders.

I would also like to say that an important effort in this legislation, in addition to research, will be the setting up of screening and counseling services, because at this time—as we are going to do in the case of sickle cell anemia—we can identify the people who may have the trait. As Dr. Carter, the gentleman from Kentucky, our distinguished colleague has suggested, if that is so, then through screening and counseling we can perhaps curtail to a great extent the number of cases of children who will have this disease.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. Biaggi).

Mr. BIAGGI. Mr. Chairman, I rise in support of this bill, the National Cooley's Anemia Control Act, which would establish a national program for the diagnosis, prevention, and treatment of Cooley's anemia. In addition, this legislation provides for screening, education, and counseling programs and authorizes a total of $2.73 million per year, for the next 3 fiscal years, to carry out all of these programs.

Mr. Chairman, Cooley's anemia is a hereditary disease of the blood which occurs early in childhood and rapidly worsens over the formative years of the child's development. Most individuals afflicted by this disease do not live beyond the first or second decade of their life. During their short lives, these individuals must undergo frequent blood transfusions in order to maintain an adequate supply of red blood cells.

Mr. Chairman, this disorder occurs most commonly in individuals whose ancestors were natives of the countries surrounding the Mediterranean Sea. In the United States, therefore, most of the patients are of Italian descent. Those of Greek, Turkish, Albanian, southern French, and northern African origins are also more susceptible. As many as 200,000 individuals in the United States may carry the gene for this disease. The major, or fatal form of the disease, has stricken over 100,000 children in the United States. In the New York metropolitan area alone, over 700 young Americans have the major form of the disease.

But we are not here to vote on a bill which afflicts children of Mediterranean origin, we are here to vote on a program to rid this Nation of a fatal disease which afflicts a large number of our Nation's youth.

Many of us in this hall have children. How would we feel if our children were afflicted with this fatal disease. How would we feel if we were forced to stand by helplessly, day after day, knowing full well that the life of our child would end before his 20th birthday. Yes, while other children were out in the park playing ball, our child would be forced to stand on the sidelines because he would not have the energy to participate.

Finally, how would we feel if we knew that the primary reason for not being able to find a cure for this fatal disease was due to the fact that the funds for research of this dread killer were inadequate.

Mr. Chairman, if we are going to talk of reordering our priorities, and spending our Nation's money on worthy programs, let us begin with health programs, for health is our Nation's most valuable commodity.

I am a cosponsor of this bill and one of its strong supporters. I have seen what this disease has done to a large number of children. There is no doubt on how I am going to vote on this measure. But for my colleagues in the House who still have doubts about how they are going to vote on this bill let me just urge them to vote as if their child was dying from Cooley's anemia.

Mr. STAGGERS. Mr. Chairman, I take this time to commend the two principal cosponsors of the bill, the gentlewoman from Connecticut (Mrs. GRASSO) and the gentleman from Connecticut (Mr. GIAIMO).

I commend all the members of the subcommittee for its consideration of the bill. They have done their usual good job, and produced legislation which I believe needs to be done for the people of America.

Mr. ROSENTHAL. Mr. Chairman, as a sponsor of the Cooley's Anemia Assistance Act, I recently visited one of the Nation's leading centers for treatment, research, and teaching on childhood blood disease—the clinic of pediatric hematology at New York Hospital-Cornell Medical Center.

I saw young Cooley's anemia victims receiving the blood transfusions needed to keep them alive. I talked to these children, to their parents, and to the doctors who treat them. What I learned increased my determination to help these children.

Today we have that opportunity when we vote on H.R. 15474. What we decide today may mean the difference between hope and doom for more than 200,000 American children.

They are the youngsters who suffer from this little-known and largely neglected disease. It is a hereditary incurable childhood blood disorder requiring frequent blood transfusions to keep its victims alive.

Frequency of the transfusions depends on the severity of the case, but most children with Cooley's anemia require transfusions every 2 to 4 weeks—for the rest of their lives or until a cure can be found.

Legislation before this House today would establish a national program for the diagnosis, prevention, and treatment of Cooley's anemia. It would also establish a voluntary screening program to detect the disease.

This is a step we must take.

I urge all my fellow Members to support this legislation. The children of the Children's Blood Foundation Clinic and those in similar facilities throughout our country are in desperate need of this help.

Mr. GUDE. Mr. Chairman, I rise in support of H.R. 15474 to provide assistance for programs for the diagnosis, prevention, treatment of and research in Cooley's anemia at the national level. H.R. 15474 will serve most importantly as a means to focus attention upon education and prevention programs against Cooley's anemia at the national level.

Known also as Mediterranean anemia, Cooley's anemia occurs primarily in children whose ancestors were native to countries surrounding the Mediterranean Sea. It has been estimated that about 200,000 individuals may carry the gene for Cooley's anemia in the United States, primarily persons of Italian and Greek descent, but not these groups alone. As with sickle cell anemia, it is important to distinguish between those with the disease, and those who are carriers. Victims of this disease are generally afflicted early in childhood, and do not live beyond the first or second decade of life.

The national attack on this disease deserves expansion. Basic research is being conducted now, but significant progress is only just beginning in pinpointing the genetic causes of the disease. Treatment through blood transfusions has succeeded in prolonging the life expectancy of Cooley's anemia victims, since the disease was first classified in 1925, but such treatment is costly, and dangerous in itself.

It is essential that we provide those who seek help with screening and counseling that will eliminate any misinformation about the disease and its carriers, and thereby, get to the root of this problem in the most effective way. I am convinced that properly administered the terms of H.R. 15474, when enacted, will contribute to the ultimate conquest of this disease.

Mr. SAYLOR. Mr. Chairman, the impact of Cooley's anemia, thalassemia major, Mediterranean anemia, or any other name one wishes to use in a description of this merciless killer, has been tragic.

This deadly disease occurs primarily in children whose ancestors were native to countries surrounding the Mediterranean Sea. Due to intermarriage and emigration of people in this area, Cooley's anemia has become fairly widespread and in the United States occurs primarily among children of Greek and Italian descent. However, this dreaded disease has not been confined to these groups alone, and as many as 200,000 people may carry the gene of Cooley's anemia in this country.

Thalassemia major, a more technical, civilized name for this primitive disease, occurs early in childhood and is relentlessly progressive in its attack on human life. So devastating is the attack that those who have it generally do not reach legal voting age. To survive this long, the individual must undergo frequent blood transfusions in order to maintain an adequate supply of red blood cells. Unfortunately, these transfusions cause an overabundance of iron in the system, and damage to the heart, liver and pancreas are an added burden and threat to life.

Treatment for Cooley's anemia for a person, from birth to death, who requires blood transfusions at 3-week intervals, as well as additional medical costs associated with the affliction, cost an average of $72,000. Some patients require more intense treatment and the costs become staggering.

To date, Federal money has only been spent on researching the cause or cure of Cooley's anemia. I urge my colleagues to support and offer my support to H.R. 14016 in order to establish screening and treatment programs, as well as preventive research for the portion of this Nation's population plagued with this horrendous disease.

Mr. O'NEILL. Mr. Chairman, I rise in strong support of H.R. 15474, the national Cooley's anemia program. In establishing a national program for the diagnosis, prevention, and treatment of Cooley's anemia, together with screening, counseling, and educational programs, this act makes a real national commitment to attack this crippling and in most cases, fatal, hereditary disease.

The passage of this bill will enable the Federal Government for the first time to assist in establishing and operating voluntary Cooley's anemia screening, treatment and counseling programs as part of existing health programs. For the first time, the Federal Government will support research in the diagnosis, treatment, and prevention of Cooley's anemia; for the first time, the Federal Government will develop and distribute information regarding Cooley's anemia to the public.

I commend the progress which has been made over the past 40 years in prolonging the life of those who suffer from this disease. Today, with the aid of blood transfusions, the average lifespan of a victim of Cooley's anemia is approximately 20 years. But much more work needs to be done in an effort to treat and prevent this disease.

At the present time, there is no known cure for Cooley's anemia. It is estimated that approximately 200,000 Americans may carry the gene. Initially, Cooley's anemia was prevalent only in persons of Mediterranean descent, namely Greeks and Italians. Today, however, America's Mediterranean population has intermarried. The disease is now found not only in Americans of Italian and Greek origin, but also in Americans of Jewish, Scandinavian, and even oriental origin. It is a national problem which confronts all of us.

There are commonly found two genetic blood disorders leading to anemia in America, the other one being sickle cell anemia. The victims of both Cooley's anemia and sickle cell anemia rarely live to adulthood. Like sickle cell anemia, Cooley's anemia is a hereditary disease in which 25 percent of the children born of individuals with even a mere trait of the disease will have a severe form of the disease and 50 percent of these will be carriers. While the victims of sickle cell anemia may suffer from mild forms of the disease, the victims of Cooley's disease always suffer from very severe forms. Indeed, from early life on, the victims of Cooley's anemia must undergo daily blood transfusions in order to maintain a blood count sufficient for survival.

Not much Federal research or grant programs have been given to find the treatment, cure or prevention of Cooley's anemia. The efforts provided in this bill are only initial commitments to attack this disease. H.R. 15474 authorizes $2.75 million for fiscal 1973, the first fiscal year this act goes into effect. This authorization is only the first step in helping the victims of Cooley's anemia. But it is a very significant step, and I urge all my colleagues to vote for the adoption of this bill.

Mrs. HICKS of Massachusetts. Mr. Chairman, as a cosponsor of legislation similar to the bill before the House today, I rise in support of the bill H.R. 15474 to amend the Public Health Service Act to provide for the prevention of Cooley's anemia known as the National Cooley's Anemia Control Act.

Cooley's anemia research desperately needs Federal financial support. Cooley's anemia is an inherited blood disorder which occurs in persons of Mediterranean ancestry. In the United States most of the victims are of Italian descent or of Greek origin. As in many genetic diseases those who inherit the gene from only one parent carry the trait but are usually free of symptoms, while those who inherit the gene from both parents have symptomatic Cooley's anemia. Cooley's anemia is characterized by the production of abnormally thin red blood cells and by a profound anemia which appears soon after birth and becomes progressively more severe.

The true incidence of Cooley's anemia varies from area to area of the country depending upon the percent of Mediterranean origin. The best available estimates are that about 200,000 individuals in this country carry the gene.

The bill before the House would authorize programs for diagnosis, prevention, and treatment of and research in Cooley's anemia, to establish screening, treatment, and counseling programs; make grants for research in the diagnosis, treatment and prevention of Cooley's anemia. Participation would be wholly voluntary and provision is made for confidentially of information on those tested.

This bill is of great importance to the Italo-Americans whom I represent, as this anemia is more prevalent among the Italians of our country.

I urge passage of this bill so that the grants can be given for the research in the diagnosis, treatment, and prevention of this type of anemia.

Mr. BURKE of Florida. Mr. Chairman, I rise in support of H.R. 15474, which amends the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

On June 19 of this year I received a petition which was circulated by Mr. Anthony Folisi containing over 500 signatures of residents from Tamarac and Fort Lauderdale, Fla., in my congressional district, urging enactment of legislation to deal with this dreaded disease.

There has been no major breakthrough in the treatment and prevention of Cooley's anemia, although some progress has been made during the past 40 years in helping to prolong the life of those who suffer from this disease. In 1925, when it was first classified, the average life expectancy of a victim of Cooley's anemia was only 1 year. Today, with the aid of blood transfusions, the average lifespan has increased to approximately 20 years.

Genetic diseases are becoming more and more in evidence in our society—diabetes, sickle cell anemia, hemophilia, Cooley's anemia and others—but, still we treat only the symptoms. Unfortunately we are unable to deal with the causes. Research on one genetic disease might very well lead to a breakthrough and perhaps aid all victims of genetic disorders.

Mr. Chairman, Cooley's anemia, an inherited blood disease, is characterized by a diminished production of hemoglobin, the substance in red blood cells which enables them to carry oxygen to the tissues of the body. The result of this inadequate production of hemoglobin leads to a change in the size and shape of the red blood cells.

This disease is found mostly in children whose ancestors were natives of the countries surrounding the Mediterranean Sea. In our country these affected children are predominantly of Greek and Italian origin, but, because of widespread intermarriage the disorder is also found in children of Irish, Scandanavian, Jewish, oriental, and Turkish descent. Since it is inherited genetically it, therefore, follows Mendel's laws of heredity, that is, two carriers of the trait who marry will probably produce the trait in 50 percent of their offspring, and the disease itself in 25 percent of their offspring.

There are two kinds of Cooley's anemia: First, the carrier form in those who inherited half of the genetic code; and, second, the severe form in those who inherited all of the genetic code for defective hemoglobin synthesis.

Carriers are not handicapped and have no physical defects. The only sign or symptom of the trait may be a change in the size and shape of the red blood cells.

The severe form, however, is usually detectable during the first year of life. Early signs include listlessness, loss of appetite, and irritability. The victim's blood will show changes in the size, shape, and numbers of red blood cells as well as severe anemia. Individuals with this disease rarely live beyond the age of 20, and, from the beginning of life may have to undergo blood transfusions almost daily to maintain a blood count sufficient for survival.

There is no known cure for Cooley's anemia, and no precise test to diagnose carriers. At present the chief method of detecting the carrier form involves a number of hematologic tests including electrophoresis. While there are no exact records, it is estimated that there are 200,000 people in the United States who are carriers of the trait.

As I mentioned before this is just a small fraction of the people in this country who are afflicted by genetic disorders of one kind or another. Still Cooley's anemia is one of the most urgent and irreversible diseases known. Doctors must work with these patients continuously throughout their lives. This makes it likely that important information that may shed light on less severe genetic disorders may be obtained by intensifying efforts to diagnose, treat, and prevent Cooley's anemia. I urge my colleagues to join with me in passing this important health bill that will mean so much to children yet unborn.

Mr. COTTER. Mr. Chairman, I rise in strong support of H.R. 15474, the National Cooley's Anemia Control Act.

Through the valiant efforts of my friends and colleagues, Ella Grasso and Bob Giaimo, this necessary legislation is before the House of Representatives today. I was pleased to join these two outstanding Members in this effort.

Cooley's anemia affects many U.S. citizens of Mediterranean descent. It is estimated that over 200,000 U.S. citizens carry the gene which predisposes one to the disease.

This new legislation authorizes approximately $3 million each year over the next 3 years to support both treatment, prevention, and research in this disease.

I urge my colleagues to support this necessary bill.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 15474, the National Cooley's Anemia Control Act.

There are a number of blood diseases which affect only members of certain ethnic groups in our country. One of these diseases is sickle cell anemia. Another is Cooley's anemia. Although a distinct disease, Cooley's anemia, like sickle cell anemia, is a disorder of the blood and is transmitted genetically. The disease occurs mostly in individuals whose ancestors were of Mediterranean stock such as Italians and Greeks. However, because of generations of intermarriage, it is found among a great variety of ethnic groups. Already, Cooley's anemia has spread to persons of Jewish, Scandinavian, German, and even oriental backgrounds. It spares no race or nationality.

Even though the effects of these diseases are not as widespread as cancer or heart disease, the human beings afflicted are in the same terrible need. Our great Nation has resources for medical research which must be used more effectively, not only for the benefit of its own citizens, but also for the benefit of mankind. But we must begin here at home.

Little is known about Cooley's anemia, even though it was described nearly 50 years ago by Dr. Thomas C. Cooley. One thing about Cooley's anemia is certain—those who have the disease rarely grow to maturity; it is a disease of young adults and children. The victims of Cooley's anemia do not survive, but the carriers of a new generation of victims survive and reproduce. Like sickle cell anemia, this deadly disease is inherited when both parents carry the disease trait. The incidence of Cooley's anemia is rising. Let us not wait until it claims more lives than sickle cell anemia to mount an effective attacks.

Until now, little Federal money has been spent in the fight against this dreaded disease. Existing programs in the research of the causes and possible cures for this disease have not been adequate. This bill will provide the impetus necessary for major research in this lesser known but no less necessary and vital area of medical endeavor. Today we have before us legislation which represents a national commitment to combat this disease and eventually eliminate it.

H.R. 15474 will provide for counseling, screening and treatment programs by authorizing $7.1 million over 3 years. Also grants to public and nonprofit private organizations would be available under this bill.

The tragic consequences of this cruel disease have been neglected for too long. I urge the support of my colleagues for the Cooley's anemia legislation which will show that our country has the ability and the concern to fight this killer disease. Your support for H.R. 15474 will lead the way for a national program that can meet the challenge of this critical health problem.

Mr. DOW. Mr. Chairman, I rise in support of H.R. 15474 which will initiate a national program for the prevention and treatment of Cooley's anemia, an inherited and noncommunicable disease which strikes those of Italian or Greek descent. We can greatly reduce the incidence of this ailment by helping to identify those who are carriers of the gene which gives rise to this blood disorder, and warning them about having children by another person who carries the gene.

Certainly this disease, which greatly reduces the life expectancy of its victims, should be the focus of a national effort in prevention, treatment, and cure. Reducing human suffering is one of the most worthwhile ways in which Congress can work to better the Nation.

I previously supported Congressman GIAIMO's unsuccessful effort to amend the sickle cell anemia bill to include a program for sufferers of Cooley's anemia, a disease which is very similar. I am pleased that we will have another opportunity to vote on this program today. This is a national problem effecting those Americans who are of Mediterranean descent, and it requires a national solution. I am hopeful that my colleagues will pay heed to the suffering caused by this disease, and enact this rather modest program to develop prevention, treatment, and, hopefully, a cure for Cooley's anemia.

Mr. BIESTER. Mr. Chairman, as a cosponsor of legislation to enact the National Cooley's Anemia Control Act, I rise in support of H.R. 15474, a bill to provide for the prevention of Cooley's anemia.

This legislation would provide for research projects into the diagnosis, treatment, and prevention of an anemia, an inheritable blood disease afflicting approximately 200,000 Americans, mostly children.

Cooley's anemia is at present an incurable childhood blood disorder requiring regular and frequent blood transfusions to keep its young victims alive. Characteristics of the disease are poor bone growth, small stature, susceptibility to other ailments, fatigue and lack of energy. Those afflicted seldom live to maturity.

Cooley's is another of those lesser known diseases that too often are overlooked while more severe and widespread diseases receive priority attention. However, those who are suffering from Cooley's anemia and those suffering along with those afflicted look upon the disease with the utmost urgency. They desperately need help.

Potentially fruitful avenues of attack on Cooley's anemia demand further attention. Basic research is a must. Early detection and counseling is essential. More practical types of therapy would remove many of the obstacles to a more promising and productive life for Cooley's victims. One of the dozen regional Cooley's anemia research and treatment centers is located in Cornwells Heights in the congressional district which I represent. The hardworking people associated with this clinic are awaiting the signal of our commitment to their efforts. This legislation offers the hope that these efforts can be realized, and I strongly urge my colleagues to vote their support of this most worthwhile undertaking.

Mr. FASCELL. Mr. Chairman, I would like to urge our colleagues to support H.R. 15474, the National Cooley's Anemia Control Act. This bill would amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

Cooley's anemia is a hereditary disease of the blood and is caused by an impairment in the synthesis of hemoglobin, the substance in red blood cells which enables them to carry oxygen to the tissues of the body. Onset of the disease occurs early in childhood and is relentlessly progressive. Individuals who have the disease generally do not live beyond 20 years and must undergo frequent transfusions of blood in order to maintain an adequate supply of red blood cells.

Cooley's anemia occurs primarily in children whose ancestors were native to the area surrounding the Mediterranean Sea. In the United States, it occurs usually among children of Italian or Greek descent, but it is not confined to these groups. There have been no reliable statistics available as to the number of Americans who are victims of this disease, but it has been suggested that as many as 200,000 individuals may carry the inheritive trait.

Diagnosis of Cooley's anemia may be made during the first year of life. Victims of the disease show early signs of listlessness, loss of appetite, pallor, and irritability. The disease is caused by the production of red blood cells with insufficient and abnormally constituted hemoglobin. These defective cells are destroyed at a rate of 30 to 50 percent faster than that or normal blood cells, resulting in profound anemia which increases in severity during the lifetime of the patient.

Symptoms are a greatly enlarged spleen and liver, and stunted bone growth. The child with Cooley's anemia is usually unable to engage in strenuous physical activity and these physical handicaps contribute greatly to a reduced life expectancy.

At present there is no known cure for Cooley's anemia and treatment is purely abative. The only effective therapy is the proper administration of blood transfusions to alleviate the shortage of red blood cells. With the help of these transfusions, however, the lifespan of a Cooley's victim has been raised from 1 year in 1925 to about 20 years today.

At this time, a number of research areas relating to Cooley's anemia warrant further investigation. Basic research should provide a better understanding of the genetic mechanisms involved as well as an insight into the causes of related anemias and genetic disorders.

Ultimately, the solution lies in prevention—whether through an effective program of screening and counseling or through the future development of some form of genetic therapy.

Mr. Chairman, I urge the support of this legislation, for programs proposed by it would make it possible to both increase the national research effort and to provide services to all who might seek them.

Mr. DONOHUE. Mr. Chairman, I hope that the House will resoundingly approve this bill before us, H.R. 15474, the National Cooley's Anemia Control Act, designed to provide assistance for programs for the diagnosis, prevention, treatment of and research in Cooley's anemia, together with supplementary screening, counseling and education programs.

Cooley's anemia is a hereditary disease of the blood which is also known as Mediterranean anemia or Thalassemia major and it primarily occurs in children whose ancestors were residents of countries surrounding the Mediterranean Sea. In the United States it occurs principally among children of Italian and Greek descent but it is by no means confined to these groups.

At present there is no accepted cure for Cooley's anemia and although there appears to have been no major breakthroughs in the treatment and prevention of this crippling blood disease progress has been made over the past 40 years in prolonging the lives of those who suffer so severely from it.

Efforts in basic research are beginning to identify the genetic mechanism ultimately responsible for this illness. The authoritative testimony revealed here this afternoon establishes that researchers in the intramural program conducted at the National Heart and Lung Institute have been able to pinpoint the defective RNA molecule associated with the hemoglobin abnormality and studies are now aimed at locating and regulating the gene responsible for the problem.

Unquestionably, the development of newer and more efficient forms of therapy would enable Cooley's anemia victims to lead longer, more comfortable and more productive lives and, in addition, there is a very urgent need for development of an efficient and inexpensive test for the detection of the trait in those who carry it asymptomatically.

The expert testimony also very clearly demonstrates that ultimately the solution of this affliction lies in its prevention, whether through an effective program of screening and counseling or through the future development of some form of genetic therapy. At present voluntary screening and counseling programs present the best means by which to prevent the occurrence of the disease and coupled with sound education programs they can and most likely will provide reliable information and meaningful choices to those affected.

Mr. Chairman, the programs authorized by this pending bill would make it possible both to increase the national research effort and to provide these medical services to all who might seek them. Mr. Chairman, I submit that the recommended authorizations are reasonable and prudent and that the accelerated pursuit, provided in this bill, of the treatment and prevention of Cooley's anemia, is in the national interest. I urge, therefore, that the measure be speedily and overwhelmingly adopted.

Mr. RODINO. Mr. Chairman, I rise to express my strong support for H.R. 15474, to establish a national Cooley's anemia assistance program.

For many years, persons of Italian, Greek, Turkish, Southern French and North African origin—peoples of heritage that in the past resided adjacent to the Mediterranean Sea—have fallen victim to a dread disease, Cooley's anemia.

Thalassemia major, the medical term for Cooley's anemia, is a disorder of the hemoglobin of the blood and is transmitted genetically. Today it is estimated that there are over 200,000 Americans carrying the gene of Cooley's anemia. The majority of those afflicted are children, and the disease becomes evident during the first year of life. A reduction in the formation of red blood cells and an enlargement on the spleen are the first obvious symptoms of Cooley's anemia. Frequent and costly blood transfusions are necessary and, tragically, in most cases death occurs before the 20th year of age.

As in many genetic diseases, those who inherit the gene from only one parent carry the trait but are usually free of symptoms. However, those who inherit the gene from both parents have symptomatic Cooley's anemia.

While once Cooley's anemia was largely limited to people of Mediterranean descent, because of the great extent of intermarriage that has occurred in this great melting pot of America, the disease has spread to include citizens of many more diverse heritages.

As one who first joined with our distinguished colleague (Mr. Giaimo) in calling for Congress to undertake an effort to combat Cooley's anemia, I wholeheartedly endorse H.R. 15474, which I have introduced as H.R. 15582.

The legislation before us would authorize three 3-year programs to fight Cooley's anemia. The first program would be the establishment and operation of Cooley's anemia screening, treatment and counseling programs; the second would authorize research in diagnosis, treatment and prevention; and the third would provide for development and dissemination of education and informational materials. One million dollars would be authorized for the first program for each of the 3 years. For each of the 3 years for the second program, $1,700,000 would be authorized, and $25 million per year for the educational program.

Mr. Chairman, we can no longer turn our backs on the young victims of this terrible disease, or the adults whose lives are nightmares because of the effects of Cooley's anemia on their children and grandchildren and other close relatives. We cannot turn our backs on the potential 200,000 people who carry or transmit the disease. We cannot ignore the pleas of the victims of Cooley's anemia who so desperately need our help.

I most strongly urge our immediate approval of this urgent and essential legislation.

Mr. MINISH. Mr. Chairman, I rise in strong support of H.R. 15474, the National Cooley's Anemia Control Act. As a cosponsor of legislation on this subject, I wish to commend the Committee on Interstate and Foreign Commerce and its subcommittee on Public Health and Environment for reporting an excellent and vital piece of legislation to the full House.

Thalassemia major, more commonly known as Cooley's anemia, is a little known, but deadly disease which, by some estimates, now affects over 100,000 of our fellow Americans.

The disease occurs mostly in individuals whose ancestors were of Mediterranean stock such as Italians and Greeks. However, due to intermarriage, Cooley's anemia today is found among a great variety of ethnic groups.

Cooley's anemia is an hereditary blood disorder caused by the impairment in the synthesis of hemoglobin, the substance in red blood cells which enables them to carry oxygen to the tissues of the body. It usually manifests itself during the first year of life through signs such as pallor, listlessness, loss of appetite, and irritability. Examination of the patient often reveals an enlargement of the spleen and liver, pallor of the skin and mucous membranes, and sometimes a slight degree of jaundice of the whites of the eyes. Blood examination will usually show changes in the shape and numbers of the red blood cells, and a variety of alterations from the normal in special properties of the blood cells, in addition to severe anemia.

Children with the disease are greatly handicapped. Bone growth is poor—they are therefore unusually small for their age. The bones are more fragile than normal, and fractures occurring almost spontaneously are common. Rarely does a victim of Cooley's anemia live beyond the age of 20, and from early life victims are compelled to undergo frequent blood transfusions in order to survive.

Mr. Chairman, the legislation before us today would provide almost $8.2 million over the next 3 years to combat Cooley's anemia. The legislation provides authorization for three areas: first, screening, treatment, and counseling programs; second, research in diagnosis, treatment, and prevention; and, third, development and dissemination of education and information materials.

For too many years this disease has brought pain, suffering, and death to its victims and their families. I urge overwhelming approval of the National Cooley's Anemia Control Act.

Mr. WOLFF. Mr. Chairman, I rise in support of H.R. 15474, to provide assistance in seeking a cure for Cooley's anemia. I am pleased that efforts to focus attention on the need to find a cure for this terrible and usually fatal disease have come this far. A number of months ago, when the Committee on Interstate and Foreign Commerce held hearings on the National Sickle Cell Anemia Control Act, which provides much needed research and treatment assistance for this related disease, I joined with my distinguished colleague, Congressman Giaimo, and others in an effort to include funds for Cooley's anemia research as well. In March, when the sickle cell anemia legislation reached the House floor, we again tried to amend the bill by including an additional $7.1 million specifically for research and treatment of Cooley's anemia. Because the original bill was not broadened at this time, a clean bill was introduced, which we have before us today, that authorizes $8 million specifically for Cooley's anemia.

There are some who maintain this legislation is unnecessary and argue that adequate research efforts are being conducted within the National Institutes of Health. No one can dispute the fact, however, that nearly 200,000 Americans are afflicted with this dread disease, without hope of cure. And while some research may be on-going within NIH, there is presently no concerted, unified effort that is required if we are ever to find a cure and provide relief for the thousands of people who suffer and die each year. This bill would not establish a new agency or bureaucracy nor would it divert existing programs from their goals. Rather, it would supplement present medical research and expand our research capability by insuring that needed funds are directed to a unified investigative effort.

People from every city and State endure the pain and suffering of this terrible affliction, which brings to our children the doom of never reaching adulthood. Our responsibility as legislators is to provide an avenue for relief from this suffering, and I therefore call on my distinguished colleagues to join with me in supporting this important, necessary measure, and voting for its passage today.

Mr. MONAGAN. Mr. Chairman, I support H.R. 15474, National Cooley's Anemia Control Act. This bill is similar to legislation which I introduced earlier this session to amend the Public Health Service Act to provide for the prevention of this disease.

Cooley's anemia is a disorder of the hemoglobin of the blood and is transmitted genetically. There are approximately 200,000 Americans afflicted with this painful disease, and tragically the majority are children. Predominantly found in children of Greek and Italian origin, the disorder is also found in children of Irish, Scandinavian, Jewish, Oriental, and Turkish descent due to widespread intermarriage.

The disease becomes manifest during the first year of life. The victims suffer a reduction in the formation, size, shape, and duration of red blood cells, loss of appetite, listlessness, enlargement of the spleen and liver, pallor, and a slight degree of jaundice. Those afflicted require frequent and costly blood transfusions to correct their anemia often beginning from their first year of life. These transfusions may be required weekly and in some instances as often as once a day. Cooley's anemia children suffer severe handicaps and tend to be small for their age because bone growth is poor. They also suffer malformed bone development leading to brittle, easily broken bones and alteration in facial appearance. These afflicted children usually cannot engage in strenuous physical activities since the anemia causes fatigue. In most instances, death occurs before the 20th year.

The existing programs in the research of the causes and possible cures for this disease are totally inadequate. In fact, at this time very little is known about Cooley's anemia even though it was described as a separate and specific type of blood disease about 1925 by Dr. Thomas B. Cooley. There is no known cure for the disease. Treatment consists solely of the frequent administration of blood transfusions to alleviate the constantly recurring anemia. These transfusions also add the problem of creating excess amounts of iron in the body which then collect in the liver, heart, pancreas, and other vital body organs. This iron overload may eventually lead to failure of these organs. There are chemicals that can remove this excess iron, but those presently available are too toxic for clinical use. These research programs must be given adequate monetary resources to carry their activities to positive effect.

We must not continue to neglect those individuals afflicted with Cooley's anemia. I have received numerous communications from Connecticut constituents and others throughout the country concerning the tragic experience of years of anguish and enormous medical expenses and the ultimate death of a brother, sister, son, daughter, nephew, niece or grandchild. Decisive action must be taken by this Congress before additional children become the victims of this killing malady.

The National Cooley's Anemia Control Act would provide $8.1 million for research, treatment, and training programs to ease and eventually eliminate the agony of Cooley's anemia. I urge my colleagues to support H.R. 15474 and provide for the establishment of this national program for the elimination of this dread disease.

Mr. PEYSER. I am pleased to announce my support of H.R. 15474, a bill to provide resources for a national coordinated attack on Cooley's anemia. It is entirely fitting that the Congress, after leading the way in promoting cancer and sickle cell anemia research, should take the initiative in mounting a campaign to eliminate this insidious disease which attacks primarily children of Italian and Greek descent. I urge my colleagues to join me in support of this worthy legislation.

Mr. ANDERSON of California. Mr. Chairman, I rise in support of H.R. 15474, a bill to prevent and treat the blood disease known as Cooley's anemia.

This disease, also known as Mediterranean anemia, is found in children whose ancestors were natives to the countries surrounding the Mediterranean Sea. In America, these children are of predominantly Greek and Italian origin.

The child afflicted with Cooley's anemia is, generally, small, with malformed bone development, and a mongoloid facial appearance.

In 1925, the life expectancy of a Cooley's anemic child was 1 year. Today, due to scientific advances, a victim lives approximately 20 years.

There is no known cure for Cooley's anemia and the only effective treatment is blood transfusions.

Mr. Chairman, there are no statistics on the number of cases of Cooley's anemia in the United States, although it is estimated that there are approximately 200,000 individuals in our country who are carriers of the trait.

Ultimately, the solution lies in prevention—whether through an effective program of screening and counseling or through future development and research.

Presently, voluntary screening and counseling offer the best means by which to prevent occurrence of the disease. Coupled with sound education programs, they can provide reliable information to those affected.

The bill before us today, H.R. 15474, establishes a national program to provide support for research in Cooley's anemia and for screening, counseling and education for those affected by the disease.

One million dollars would be authorized for each of 3 years for the establishment and operation of screening, treatment and counseling activities.

In addition, $5.1 million would be authorized for a 3-year period to establish research, treatment, and prevention of Cooley's anemia.

Finally, this bill authorizes $75,000 to develop information and educational materials relating to this disease and to distribute such information to the public and to medical personnel.

Mr. Chairman, I support this 3-year program to combat Cooley's anemia, and I urge my colleagues to join in this fight by voting for the passage of H.R. 15474.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 15474, the National Cooley's Anemia Control Act. This bill authorizes a national program to coordinate efforts to diagnose, prevent, and treat this serious disease which presently afflicts more than 200,000 people in the United States, primarily those of Italian and Greek extraction.

I commend the chairman of the House Interstate and Foreign Commerce Committee, Mr. STAGGERS, and the chairman of the Health Subcommittee, Mr. ROGERS and the members of the committee for their work on this legislation. The authorization of $2.73 million a year for each of the next 3 fiscal years should provide the financing to mount an effective control program against Cooley's anemia. As a member of the Appropriations Committee, I will certainly support adequate funding levels under the proposed authorization.

As the committee report indicates, Cooley's anemia is a serious disease which requires a national control program as set forth in H.R. 15474. I disagree with the administration's contention that research can be handled adequately by the National Institutes of Health and base my disagreement on both the extent and seriousness of the illness.

I urge my colleagues in the House to join me in voting in favor of H.R. 15474, another important action in this health minded session of the 92d Congress.

Mr. CARTER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Cooley's Anemia Control Act".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds and declares—

(1) that Cooley's anemia is a debilitating inheritable disease that afflicts thousands of American citizens and has been largely neglected;

(2) that efforts to prevent Cooley's anemia must be directed toward increased research in the cause and treatment of the disease, and the education, screening, and counseling of carriers of the trait;

(3) that programs to prevent Cooley's anemia must be based entirely upon the voluntary cooperation of the individuals involved; and

(4) that the attainment of better methods of prevention, diagnosis, and treatment of Cooley's anemia deserves the highest priority.

(b) In order to preserve and protect the health and welfare of all citizens, it is the purpose of this Act to establish a national program for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

COOLEY'S ANEMIA PROGRAMS

SEC. 3. Title XI of the Public Health Service Act is amended by adding after section 1106 the following:

"PART B—COOLEY'S ANEMIA PROGRAMS

"COOLEY'S ANEMIA SCREENING, TREATMENT, AND COUNSELING, RESEARCH, AND INFORMATION AND EDUCATION PROGRAMS

"SEC. 1111. (a) (1) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities, for projects for the establishment and operation, primarily through other existing health programs, of Cooley's anemia screening, treatment, and counseling programs.

"(2) The Secretary may make grants to public and nonprofit private entities, and may enter into contracts with public and private entities and individuals, for projects for research in the diagnosis, treatment, and prevention of Cooley's anemia, including projects for the development of effective and inexpensive tests which will identify those who have the disease or carry the trait.

"(3) The Secretary shall carry out a program to develop information and educational materials relating to Cooley's anemia and to disseminate such information and materials to persons providing health care and to the public generally. The Secretary may carry out such program through grants to public and nonprofit private entities or contracts with public and private entities and individuals.

"(b)(1) For the purpose of making payments pursuant to grants and contracts under subsection (a)(1), there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(2) For the purpose of making payments pursuant to grants and contracts under subsection (a)(2), there are authorized to be appropriated $1,700,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"(3) For the purpose of carrying out subsection (a) (3), there are authorized to be appropriated $25,000 for the fiscal year ending June 30, 1973, and for each of the next two fiscal years.

"VOLUNTARY PARTICIPATION

"SEC. 1112. The participation by any individual in any program or portion thereof under this part shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program.

"APPLICATIONS; ADMINISTRATION OF GRANT AND CONTRACT PROGRAMS

"SEC. 1113. (a) A grant under this part may be made upon application to the Secretary at such time, in such manner, containing and accompanied by such information, as the Secretary deems necessary. Each application shall—

"(1) provide that the programs and activities for which assistance under this part is sought will be administered by or under the supervision of the applicant;

"(2) provide for strict confidentiality of all test results, medical records, and other information regarding screening, counseling, or treatment of any person treated, except for (A) such information as the patient (or his guardian) consents to be released, or (B) statistical data compiled without reference to the identity of any such patient;

"(3) provide for appropriate community representation in the development and operation of any program funded by a grant under this part;

"(4) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part; and

"(5) provide for making such reports in such form and containing such information as the Secretary may reasonably require.

"(b) (1) In making any grant or contract under this part, the Secretary shall (A) take into account the number of persons to be served by the program supported by such grant or contract and the extent to which rapid and effective use will be made of funds under the grant or contract; and (B) give priority to programs operating in areas which the Secretary determines have the greatest number of persons in need of the services provided under such programs.

"(2) The Secretary may make a grant under section 1111(a)(1) for a screening, treatment, and counseling program when he determines that the screening provided by such program will be done through an effective and inexpensive Cooley's anemia screening test.

"PUBLIC HEALTH SERVICE FACILITIES

"SEC. 1114. The Secretary shall establish a program within the Public Health Service to provide for voluntary Cooley's anemia screening, counseling, and treatment. Such program shall utilize effective and inexpensive Cooley's anemia screening tests, shall be made available through facilities of the Public Health Service to any person requesting screening, counseling, or treatment, and shall include appropriate publicity of the availability and voluntary nature of such programs.

"REPORTS

"SEC. 1115. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on or before April 1 of each year a comprehensive report on the administration of this part.

"(b) The report required by this section shall contain such recommendations for additional legislation as the Secretary deems necessary."

CONFORMING AMENDMENTS TO TITLE XI OF THE PUBLIC HEALTH SERVICE ACT

SEC. 4. Title XI of the Public Health Service Act is amended—

(1) by striking out

"TITLE XI—SICKLE CELL ANEMIA PROGRAM"

and inserting in lieu thereof

"TITLE XI—GENERIC BLOOD DISORDERS

"PART A—SICKLE CELL ANEMIA PROGRAMS";

(2) by striking out paragraph (3) of section 1101(a); and

(3) by striking out "title" each place it occurs in sections 1103, 1104, and 1106 and inserting in lieu thereof "part".

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. If there are no amendments to be proposed, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BEVILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 15474) to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia, pursuant to House Resolution 1064, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CLANCY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 377, nays 11, not voting 44, as follows:

[Roll No. 291]

YEAS—377

Abbitt
Abernethy
Abourezk
Abzug
Adams
Addabbo
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Ashley
Aspin
Aspinall
Badillo
Baker
Baring
Barrett
Begich
Belcher
Bennett
Bergland
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blatnik
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Collier
Collins, Ill.
Colmer
Conable
Conover
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Culver
Curlin
Daniel, Va.
Danielson
Davis, Wis.
de la Garza
Delaney
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Frelinghuysen
Frenzel
Frey
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Latta
Leggett
Lennon
Lent
Link
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McCollister
McCormack
McCulloch
McDade
McEwen
McFall
McKay
McKevitt
McKinney
Macdonald, Mass.
Madden
Mahon
Mailliard
Mallary
Mann
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Melcher
Metcalfe
Michel
Mikva
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
Nix
Obey
O'Hara
O'Konski
O'Neill
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Powell

Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rangel
Rees
Reid
Reuss
Rhodes
Riegle
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Runnels
Ruppe
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor

Scherle
Schwengel
Scott
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Stephens
Stokes
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone

Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Zablocki
Zion
Zwach

NAYS—11

Camp
Collins, Tex.
Dellenback
Goodling

Hall
Martin
Schmitz
Schneebeli

Sebelius
Steiger, Ariz.
Terry

NOT VOTING—44

Alexander
Anderson, Tenn.
Bell
Blanton
Boggs
Broomfield
Caffery
Daniels, N.J.
Davis, Ga.
Davis, S.C.
Dowdy
Dwyer
Edmondson
Flynt
Fraser

Fulton
Gallagher
Hagan
Hansen, Idaho
Hansen, Wash.
Hébert
Hutchinson
Jarman
Jones, Tenn.
Landgrebe
Landrum
Long, La.
McClure
McDonald, Mich.
McMillan

Meeds
Miller, Calif.
Minshall
Nedzi
Patman
Rarick
Roberts
Rooney, N.Y.
Ryan
Scheuer
Steiger, Wis.
Stuckey
Symington
Young, Tex.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. McClure.
Mr. Boggs with Mr. Steiger of Wisconsin.
Mr. Rooney of New York with Mrs. Dwyer.
Mr. Nedzi with Mr. McDonald of Michigan.
Mr. Meeds with Mr. Hansen of Idaho.
Mr. Young of Texas with Mr. Bell.
Mr. Anderson of Tennessee with Mr. Hutchinson.
Mr. Fulton with Mr. Landgrebe.
Mr. Fraser with Mr. Broomfield.
Mr. Flynt with Mr. Minshall.
Mr. Roberts with Mr. Rarick.
Mr. Ryan with Mr. Gallagher.
Mr. Hagan with Mr. Long of Louisiana.
Mr. Stuckey with Mr. Scheuer.
Mrs. Hansen of Washington with Mr. Landrum.
Mr. Blanton with Mr. McMillan.
Mr. Daniels of New Jersey with Mr. Patman.
Mr. Davis of South Carolina with Mr. Jarman.
Mr. Davis of Georgia with Mr. Caffery.
Mr. Jones of Tennessee with Mr. Miller of California.
Mr. Symington with Mr. Dowdy.
Mr. Alexander with Mr. Edmondson.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the two bills just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 9092, WAGE RATES FOR PREVAILING RATE EMPLOYEES

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that the managers have until midnight tonight to file a conference report on H.R. 9092.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CONFERENCE REPORT (H. REPT. No. 92–1275)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9092) to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 7, 8, 9, 10, 11, 12, 13, 14, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, and 16 and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6 and agree to the same with an amendment as follows:

Restore the matter proposed to be stricken out by Senate amendment numbered 6; and, on page 18, line 23, of the House engrossed bill, strike out "President" and insert "Chairman of the Civil Service Commission".

And the Senate agree to the same.

T. J. DULSKI,
DAVID N. HENDERSON,
RICHARD C. WHITE,
Managers on the Part of the House.

GALE W. MCGEE,
JENNINGS RANDOLPH,
QUENTIN BURDICK,
J. CALEB BOGGS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9092) to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TECHNICAL AMENDMENTS

Amendment No. 1: This technical amendment, which changes a section reference in the House engrossed bill, is eliminated as inappropriate because of the action taken by the conference committee on Senate amendment No. 6. The Senate recedes.

Amendments Nos. 2, 3, 4, and 5: These technical amendments make certain changes in one of the amendments in the House engrossed bill to title 5, United States Code, in order to conform the language style of the bill to the language style of that title. The House recedes.

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

Amendment No. 6:

House Bill

The House bill established a Federal Prevailing Rate Advisory Committee, composed of 11 members, to study the prevailing rate system and, from time to time, advise the Civil Service Commission thereon. The advisory committee would be composed of 5 representatives of management and 5 representatives of Federal employee organizations plus an independent chairman to be appointed by the President.

The chairman, who would not hold any other office or position in the Federal Government or in the District of Columbia Government, would be appointed for a 4-year term. The selection of the five employee organization members would be made by the Chairman of the Civil Service Commission and would be based upon the proportion of the total number of prevailing rate employees represented by a particular employee organization.

The Committee would be required to submit an annual report to the President for transmittal to the Congress.

Senate amendment

The Senate amendment eliminated all provisions of the House bill relating to the Federal Prevailing Rate Advisory Committee.

Conference agreement

The conference agreement adopts the provisions of the House bill regarding the Federal Prevailing Rate Advisory Committee, except that the chairman of the advisory committee will be appointed by the Chairman of the United States Civil Service Commission instead of by the President.

TECHNICAL AMENDMENT

Amendment No. 7: This technical amendment, which changes a section reference in the House engrossed bill, is eliminated as inappropriate because of the action taken by the conference committee on Senate amendment No. 6. The Senate recedes.

VESSEL EMPLOYEES OF PANAMA CANAL COMPANY

Amendment No. 8:

House bill

The House bill provided that vessel employees of the Panama Canal Company *may* be paid in accordance with the wage practices of the maritime industry. This House provision continues existing law contained in section 5342(b) of title 5, United States Code.

Under existing law, the Panama Canal Company has discretionary authority to pay its vessel employees in accordance with wage practices of the maritime industry. The Company has utilized this authority with respect to the pay for employees of the Company's one oceangoing vessel which operates between the Canal Zone and the United States. Maritime rates are not paid to the employees who work on the various classes of floating equipment in the Panama Canal.

Senate amendment

The Senate amendment changes existing law to provide, in effect, that vessel employees of the Panama Canal Company *shall* be paid in accordance with the wage practices of the maritime industry, thus eliminating the discretionary authority of the Panama Canal Company regarding the fixing of pay for vessel employees.

Under the Senate amendment, therefore, the Panama Canal Company would be *re-*

quired to pay all of its vessel employees in accordance with the wage practices of the maritime industry, including those employees who work on the various classes of floating equipment.

Conference agreement

The conference agreement is the same as the House bill. The Senate recedes.

The managers on the part of the House and the Senate agree that because public hearings have not been held on this issue, it is advisable at this time to retain existing law. However, it is the intention of the managers to bring this matter before their respective committees at an early date in the 93rd Congress for investigation and consideration.

TECHNICAL AMENDMENTS

Amendments Nos. 9, 10, 11, 12, 13, 14, and 15: These technical amendments, which change certain section references in the House engrossed bill, are eliminated as inappropriate because of the action taken by the conference committee on Senate amendment No. 6. The Senate recedes.

EFFECTIVE DATE OF NEW FOURTH AND FIFTH PAY STEPS FOR GRADES OF NONSUPERVISORY REGULAR WAGE SCHEDULES

Amendment No. 16:

House bill

Under the effective date section of the House bill, the provisions of the measure relating to the new fourth and fifth pay steps for each grade of a regular wage schedule for nonsupervisory prevailing rate employees become effective on the first day of the first applicable pay period which begins on or after the 90th day after the date of enactment of the bill. However, with respect to the prevailing rate employees of nonappropriated fund instrumentalities or of the Veterans' Canteen Service of the Veterans' Administration, the provisions relating to the fourth and fifth pay steps become effective on the first day of the first applicable pay period which begins on or after the 180th day after such date of enactment or on such earlier date (not earlier than the 90th day after such date of enactment) as the Civil Service Commission prescribes.

Senate amendment

The Senate amendment provided that the provisions of the House bill relating to the new fourth and fifth pay steps for grades of nonsupervisory regular wage schedules of all prevailing rate employees shall not become effective until the first day of the first applicable pay period commencing after (1) the date on which the President ceases to exercise his authority under the Economic Stabilization Act of 1970 to stabilize wages and salaries or (2) April 30, 1973, whichever date occurs first.

Conference agreement

The conference agreement is the same as the Senate amendment. The House recedes.

T. J. Dulski,
David N. Henderson,
Richard C. White,
Managers on the Part of the House.
Gale W. McGee,
Jennings Randolph,
Quentin Burdick,
J. Caleb Boggs,
Managers on the Part of the Senate.

THE RECENT EVICTION OF SOVIET PERSONNEL FROM EGYPT

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, in the rush of events surrounding the recent eviction of Soviet personnel from Egypt, the role which President Nixon's peace initiatives played in the developments were underemphasized when mentioned at all.

By all accounts, Egyptian President Anwar el-Sadat dismissed the 18,000 to 20,000 Russians in Egypt because the Soviet Union had failed to provide his nation with new offensive weapons, weapons which President Sadat undoubtedly planned to deploy against Israel.

But the reason behind the reason has been overlooked: Why did not the Soviet Union supply this new offensive weaponry? One reason, if not the paramount one, is the foundation for negotiation as opposed to confrontation which President Nixon has laid through his bold peace initiatives of recent months.

There can be little question that a very explosive situation in the Middle East has been at least partially defused. With President Sadat deprived of his offensive weapons, the likelihood of an Israeli-Egyptian flare-up is markedly diminished. With Soviet troops thrown out of Egypt, the chance of a United States-Soviet Union clash is materially diminished.

Perhaps only history will determine for certain what role President Nixon's positive leadership toward peace has played in the easing of tension in the Middle East and in other corners of the world. But certainly President Nixon's initiatives have been a factor, and I believe a decisive one.

HANDGUN CONTROLS

(Mr. GUDE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GUDE. Mr. Speaker, on December 7, 1971, I introduced H.R. 12077, an amendment to the Gun Control Act of 1968 which would prohibit the sale of domestic "Saturday night specials," the cheap handguns which are widely used in robberies, murders, and other violent crimes. The Gun Control Act of 1968 already bans the importation of these weapons.

The Senate Judiciary Committee approved the Senate counterpart to my legislation on June 28, 1972, by a 12-to-2 vote. I commend the committee for that action and look forward to final passage in the Senate in the near future. The margin of the vote in committee indicates that the Senators understand the urgency behind this legislation. I would hope that the House Judiciary Committee will consider this issue before recess in August so that we can have this new law on the books by the end of this Congress.

"Saturday night specials" are small caliber, inexpensive revolvers, usually of .22-caliber or .25-caliber design. They are useless for sporting purposes but have been frequently used in the commission of crimes.

In the 1960's, the imported "Saturday night special" became the gun used in 30 percent of all gun murders, armed robberies, and aggravated assaults.

The flow of these handguns should be totally cut off so that no more will fall into the possession of the criminal elements. This year is the time to act because 1 million of these weapons are sold annually and that creates the potential for much violence and tragedy.

It is unfortunate, Mr. Speaker, that demands for gun control legislation seem to come only after the shooting of public figures. Let us not wait for another tragedy to take this small step toward a rational gun control policy.

THE ORDER OF AHEPA CELEBRATES ITS 50TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Kemp) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, as the only non-Greek member of AHEPA in western New York, it is with a feeling of special pride that I rise today to pay tribute to that outstanding Hellenic organization on the occasion of its golden anniversary.

The Order of Ahepa is a nonpolitical and nonsectarian fraternal organization which was founded July 26, 1922, in Atlanta, Ga. Its growth has been rapid until it now has 430 chapters in 49 States, Canada, and Australia.

Many of our outstanding Government leaders are or have been members of the AHEPA. The late President Franklin D. Roosevelt became a member while still Governor of New York, and maintained his membership faithfully. Former President Harry S. Truman is a member of the AHEPA and Vice President Spiro T. Agnew is also a member. Cabinet members, U.S. Senators, and Representatives, State and local officials are members of the AHEPA.

The Order of Ahepa has made many contributions to worthy causes during its 50-year history. Local AHEPA chapters have always given generously and vigorously supported local community undertakings in the fields of education, charity, and civic improvement. AHEPA's national and international contributions include: relief of Florida hurricane victims; relief of Mississippi flood victims; relief of Corinth earthquake victims; aid to the war orphans of Greece; relief of Dodecanese earthquake victims; aid for the fatherless children of refugees, through the Near East relief; contributions for the Hellenic Museum; national scholarships to worthy students; Sons of Pericles Memorial to the American Philhellenes of 1821, at Missolonghi, Greece; relief of Turkish earthquake victims; Ecuadorean relief; Kansas City flood relief; Greek war relief; AHEPA hospitals in Athens and Thessalonika, and seven health centers in Greece; sale of $500 million in U.S. war bonds during World War II as an official issuing agency of the U.S. Treasury; the Dr. George Papanicolaou Research Institute at Miami; the AHEPA Educational Journey to Greece student program, and the New Smyrna Beach, Fla., monument commemorating the first landing of Hellenes in the new world in the year 1768. And these accomplishments, Mr. Speaker, are only a representative sampling of the many contributions which AHEPA has made since its founding.

Through my membership in William McKinley Chapter 91, I have become personally acquainted with AHEPA's activities and its numerous projects to aid worthy causes. I would like to take this opportunity to congratulate local AHEPA officers, Angelo E. Pefanis, president, Buffalo; Tasos Kellaris, vice president, Buffalo; Chris Liaros, secretary, Buffalo; Nick Kafasis, treasurer, Buffalo; and George Carcales, athletic director, Buffalo, for their hard work and dedicated efforts toward the AHEPA goal of the improvement and betterment of our social, moral, and family life.

We owe much to Americans of Greek origin and to their native land of Greece with its priceless heritage of individual liberty and freedom. It was the magnificent Greek philosophy to which our Founding Fathers turned in the beginning days of our Republic and since that time the people of America and Greece have shared a unique friendship.

Mr. Speaker, I congratulate AHEPA on its outstanding record of achievements over these past 50 years and I join my colleagues in wishing this fine organization continuing success in the years to come.

LEONARD P. FRIEDER: THE PASSING OF A DISTINGUISHED AMERICAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. McDADE) is recognized for 5 minutes.

Mr. McDADE. Mr. Speaker, this Nation has lost one of its outstanding men in the death of Leonard P. Frieder, the president of the Gentex Corp. in my own congressional district.

He was know as "Pete," and he was, I believe, one of the great rugged individualists of this century. He had started his career as a small boy in the General Textile Co., in New England, and learned from his father a code of ethics that endured and ripened throughout "Pete's" lifetime. He gave to his work the last ounce of a tremendous intelligence. He had profound respect for the capabilities and opinions of those who worked for him and with him. He believed he had a responsibility to his workers and to their families.

The culmination of these beliefs was his absolute determination to produce in Gentex only items which would meet any measure that any reasonable man might devise. He demanded a perfection in his products to meet the stringent tests of his own life.

The range of his inventiveness was enormous. When the armed services needed a parachute that was virtually foolproof, "Pete" Frieder invented one that the OSS could give to a man who had never seen a parachute before and he could jump safely with virtually no danger of injury on landing. When the Navy was faced with the loss of its divers through the premature explosion of blasting caps being used for underwater demolition, "Pete" developed a carrying case for the blasting caps which would permit the entire load being carried by the diver to explode with nothing more happening to the diver than a slight earache from a minor increase in water pressure in the vicinity.

When the helicopter became such a significant weapon among all the services, and when the decibel level under the overhead props became so great that the hearing of our helicopter pilots was seriously jeopardized, Pete developed the SPH-4, the helmet of standard issue among our helicopter pilots today, with ear cups of such noise attenuation qualities that we need have no concern over the loss of hearing among the men who fly helicopters in America.

He was a man who loved America and gave so much of his life to develop products which we needed for a better life in America and for the defense of America. He was a man who loved his community, and above all, a man who loved his family.

I pay tribute to "Pete" Frieder today because I believe that it was men of his indomitable character who did most to build this Nation. He was the sort of man who believed that if anyone could ask a question, however difficult that question might be, then surely a reasonable man could find a solution—and he went about doing just that.

His loss is a personal loss to all of us. He set a standard of excellence that all of us might emulate. I do not think we shall often see his like again.

LACK OF FREEDOMS IN SOVIET UNION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRENZEL) is recognized for 15 minutes.

Mr. FRENZEL. Mr. Speaker, in recent years a great deal of public attention has focused upon the lack of individual freedoms in the Soviet Union. I, like most Members of Congress, deplore the Soviet Government's treatment of all religious groups and some nationalities within their country. We believe that basic rights—the right of people to openly practice their religious beliefs, the right of all peoples to live in the country of their choice and to leave a country if they choose, the cultural rights of an ethnic minority, the right to have an occupying military power leave the land of a captive nation—are being denied.

Recently the great Russian writer Alexander Solzhenitsyn wrote a Lenten letter to Pimen, patriarch of all Russia, deploring the condition of the Russian Orthodox Church in the Soviet Union. Mr. Solzhenitsyn knows firsthand the abuses of the Soviet regime. He spent several years in Siberia for some of the material which he has written. He has been denied facilities to conduct research on several historical works which he wishes to write. He and his family have been harassed by the Soviet authorities. And, perhaps best publicized, Mr. Solzhenitsyn has been denied permission to receive the Nobel Prize for Literature in Russia. Mr. Solzhenitsyn will not leave Russia voluntarily to receive his Nobel Prize because he is certain that once he is out, he will not be permitted to return.

Even though the Soviet Government has been hard on Mr. Solzhenitsyn, he does not support its overthrow. Mr. Solzhenitsyn is against the abuses of the regime, not the existence of the regime itself. That makes the letter he wrote to Primate Pimen even more poignant. I submit for the RECORD the Keith Armes translation of Alexander Solzhenitsyn's letter to the primate.

Most Holy Lord: I write to you about that which crushes the heads and sunders the breasts of still surviving Orthodox Russian people like a gravestone. All know it, and it has already been cried aloud (1), but again all are silent in hopeless resignation. But put just a little stone on top of the gravestone, and it becomes impossible to be silent any longer. Such a little stone pressed down upon me when I heard your message on Christmas Eve. (2) I felt a stab of pain when you finally spoke of the children—perhaps the first time for half a century that this message came from such an eminence—summoning parents to inspire in their children together with love for their country love for the Church (and evidently love for the faith itself?) And to strengthen this love with the force of their own good example. I heard this—and there arose before me my early childhood, spent at many church services, and my original impression, so exceptional in its freshness and purity, which no millstones or intellectual theories could later erase.

But how is this? Why did you address this honorable appeal only to Russian émigrés? (3) Why is it only *these* children whom you call upon the parents to bring up in the Christian faith, why is it only this far-off flock whom you warn to "beware of slander and lies" and fortify themselves in justice and truth? But what of *us*—are *we* to beware? Are we to inspire love for the Church in *our children* or not? Yes, Christ bade us to go seek the hundredth lost sheep, but only after ninety-nine are safe. But when the ninety-nine who should be at hand are lost—should *they* not be our first concern?

Why should I have to produce my passport when I come to church to christen my son? (4) What canonical need impels the Moscow Patriarchate to require the registration of christened souls? One should be surprised at the spiritual fortitude of parents which gives them the strength to endure this registration, compelling them to inform against themselves to the state and then be subjected to persecution at their work or public derision by ignoramuses.

But at this point the persistence of the parents becomes exhausted, and the children's involvement with the Church usually ends with their being christened as infants, while the following stages of upbringing in the faith are firmly closed to them and they are prevented from serving at the altar, sometimes from receiving the Communion or even attending a service. We are robbing our children by depriving them of that unrepeatable and angelically pure perception of the service which it is impossible for them ever to experience later in adult life or even to realize what they have lost. Their right to continue the faith of their fathers has been violated as well as the right of parents to bring up their children in accordance with their own understanding of the world—and you, hierarchs of the Church, are reconciled to this and give it your support, finding such a situation to be a sure sign of religious freedom. A situation in which we are obliged to give up our defenseless children, give them up not into neutral hands, but into the power of atheistic propaganda of the most primitive and unscrupulous nature. A situation in which children who have been torn away from Christianity in order to prevent their being infected by it are left no more than a gap between the Communist propagandist's guidebook and the Criminal Code. (5)

The past half-century has already been lost beyond hope, it is pointless to attempt to rescue the present, but how are we to save the future of our country—the future which will consist of the children of today? The true, profound fate of our country ultimately depends on whether the rightness of force will finally become rooted in the understanding of the people or whether the force of rightness will emerge from its eclipse and again shine forth. Will we succeed in restoring in ourselves at least some Christian characteristics, or will we lose *all* of those that still remain to us and surrender ourselves up to the calculations of self-preservation and personal advantage?

The study of Russian history during the last few centuries convinces one that the whole of our history would have taken a far more humane and harmonious course if the Church had not renounced her independence (6) and if the people had heeded her voice in a way comparable, for instance, to Poland. Alas, in our country it has long been otherwise. Gradually we have come to lose that radiant Christian ethical atmosphere in which over a period of thousands of years were established our mores, way of life, view of the world and folklore, even the very name in Russian for the Russian peasants—"krestjane." (7) We are losing the last tokens and characteristics of a Christian people—how is it possible that this should not be the principal concern of the Russian Patriarch? The Russian Church has agitated views on every evil to be found in far-off Asia or Africa; only on internal disasters does it never have any views whatever. Why are the messages handed down to us from the summit of the Church always so traditionally serene? Why are all the Church documents as complacent as if they were issued in the midst of a supremely Christian people?

After one such serene message after another, will there not finally come a miserable year in which the need to write them will disappear completely? Nobody will be left to address them to, since no flock will remain except for the Patriarchal Chancellery.

It is now six years since two most honorable priests, Yakunin and Eshliman, wrote a well-known letter to your predecessor, confirming by their self-sacrificial example that the pure flame of the Christian faith had not yet been extinguished in our native land. In full detail and with abundance of proof they pictured to him the voluntary internal enslavement, amounting to self-destruction, to which the Russian Church had been reduced. They asked to be informed if there were anything untrue in their letter. But every word they had written was true, none of the hierarchs undertook to refute them. And what reply did they receive? The simplest and crudest: they were punished for saying the truth by being forbidden to perform services. And you have not remedied this wrong to this day. Similiarly the terrible letter of the twelve men from Vyatka has remained unanswered; (8) instead, they have been persecuted. And similarly the one fearless Archbishop, Hermogen of Kaluga, remains exiled to this day, imprisoned in a monastery, for having prevented belatedly raging atheism from closing his churches and burning icons and books after all the success which atheism had enjoyed in the other bishoprics during the period immediately preceding 1964.(9)

Six years since everything was said out loud—and what has changed? For every working church there are twenty churches which have been demolished and destroyed irrecoverably and twenty abandoned and desecrated. Is there a sight more heartrending than these skeltons of churches, the property of birds and storekeeprs? How many towns and villages are there in our country where the nearest church is 100 or even 200 kilometers away? And the North is left completely without churches, the region which is the age-old storehouse of the Russian spirit and—predictably—the most reliable surety for the future of Russia. (10) Any attempt by church volunteers, religious donors or the faithful in their legacies to restore even the smallest church is blocked by the one-sided laws respecting the so-called seperation of church and state. We scarcely even dare to ask about bellringing—but why should Russia be deprived of her ancient ornament, of her best voice? But what use is it to talk of churches! Even a copy of the Gospel is nowhere to be had Even the Gospel is brought to us from abroad, in the same way as our missionaries used to take it with them to the Indigirka. (11)

Six years have passed—and has anything been successfully defended by the Church? The entire administration of the Church, the appointment of parish priests and bishops (including those who commit outrages with the aim of making it easier to deride and destroy the Church), (12) everything is controlled by the Commitee on Religious Affairs(13) just as secretly as before.

Such a church, directed dictatorially by atheists, is a sight which has not been seen for two millennia. All the property of the Church has been surrendered to their control, as well as the use of the Church funds, the coppers dropped into the collection plates by devout fingers. Five million rubles have been donated with grandiose gestures to extraneous causes, while beggars are driven away from the church porch and there is no money to repair the leaking roof of a church in a poor parish. The priests are deprived of their rights in their parishes, remaining entrusted solely with the holding of services; however, they are not allowed even to leave their churches in order to cross the threshold to visit a sick man or go to the cemetery; to do so they are obliged to ask official permission from the City Council.

What arguments can one find to convince oneself that the systematic destruction of the spirit and body of the Church under the direction of atheists is the best means of preserving it? Preservation for whom? Evidently not for Christ. Preservation—but how? By lying? But after this lying who is to perform the Eucharist? (14)

Most holy lord! Do not disdain utterly my unworthy cry. It may be that not every seven years even such a cry as this reaches your ears. Do not give us reason to suppose, do not make us think that for the prelates of the Russian Church temporal power is above heavenly power and that temporal responsibility is more fearful than responsibility before God.

Let us not craftily pretend either before others or, above all, in our prayers that external fetters are stronger than our spirit. It was no easier at the time of the birth of Christianity, but nevertheless Christianity withstood everything and flourished. And it showed us the way: the way of sacrifice. He who is deprived of all material strength will finally always be triumphant through sacrifice. Within our memory our priests and fellow-believers have undergone just such a martyrdom worthy of the first centuries of Christianity. Then they were thrown to the lions, while today they can lose only their material welfare.

In these days, as you kneel before the cross, set up for Easter in the middle of the church, (15) ask our Lord: what other aim can there be for your service amongst the people, who have almost lost both the spirit of Christianity and the very semblance of Christans?

The fourth week of Lent, 1972.

ALEXANDER SOLZHENITSYN.

CONGRATULATIONS TO AHEPA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 5 minutes.

Mr. WILLIAMS. Mr. Speaker, today, I join with many of my colleagues in offering my congratulations to the Order of Ahepa, more formally known as the American Hellenic Educational Progressive Association, which is celebrating its golden anniversary this month.

This national fraternal organization was founded 50 years ago in Atlanta, Ga. In the years since 1922, the Order of Ahepa has made countless contributions to the victims of floods, earthquakes, and other natural disasters, both in this country and abroad. Local AHEPA chapters have given generously in support of community undertakings in the fields of charity, education, and civic improvement.

Since I serve as a commissioner on the American Revolution Bicentennial Commission, I was pleased to learn that the Order of Ahepa has announced the establishment of its own bicentennial committee. They plan to emphasize two themes in their bicentennial program planning—the influence of Greek history and Greek thought on the American Revolution and on the Founding Fathers, as well as the highly significant contributions of Greek-Americans to the history and culture of the United States. The distinguished chairman of this committee is Mr. George E. Perry, head, Slavic room and Greek area specialist at the Library of Congress.

We should all honor the Order of Ahepa, Mr. Speaker, if for no other reason than because it is an extremely patriotic organization that produces citizens who become the backbone of this Nation. The members of AHEPA make a conscious and persistent effort to instill in their youngest members a fierce love of freedom and a deep sense of loyalty to the United States.

There is a local chapter of AHEPA in Upper Darby, Pa., which is part of the district I represent. I take this opportunity to commend all of the members of that chapter, and particularly the officers, President L. Eric Davidis, Vice President John Solomon, Secretary Apostolos W. Karavassily and Treasurer D. John Simeonides, for their excellent work, and wish them success in their next half century.

AEC CHAIRMAN SCHLESINGER GIVES TIMELY COMMENT ON ENERGY PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wyoming (Mr. RONCALIO) is recognized for 15 minutes.

Mr. RONCALIO. Mr. Speaker, the Nation faces a severe energy shortage in the not-too distant future. The inability of producers to supply sufficient power to industry and the consumer is already reflected in blackouts, an ever-increasing dependence on foreign oil and similar reoccurring incidents. By 1980 estimated domestic oil production will top out at 12 million barrels a day, while estimated domestic consumption will be between 22 and 28 million barrels a day. This would result in an excess of $15 billion a year price tag for foreign oil, which would wreak havoc with our already insecure balance of payments. Current annual production of gas is 22 million cubic feet, a level which will remain constant through 1980. However, the demand for gas in 1980 is predicted to be 35 million cubic feet a year. Even our coal resources are not unlimited. They will be totally depleted in little more than a century.

As the availability of energy producing fuels decreases prices are on the rise. Supply and demand are not the only factors causing this spiral. A growing concern over the quality of our environment has resulted in increased production expenditures. Rampant inflation, barely checked by recent administrative measures, has added to increased costs. Inefficiency in the construction of fuel extraction and refining facilities and power-generating plants is another cause for the rise in purchasing prices. The cost per kilowatt will be 40 percent higher in 1980, largely because of the higher cost in construction, the rising cost of fuels, environmental constraints, and inflation.

We face a sordid predicament. Alternatives to our present system of power production and consumption must be found. An already existing remedy lies in atomic energy. Atomic energy plants have proved to be a viable means of producing cheap, convertible power with negligible side effects. Solutions to thermal pollution, disposal of radioactive waste, workable cooling systems, and other shortcomings witnessed by the harnessing of the atom for peaceful use have been found or are on the verge of major breakthroughs.

James R. Schlesinger, the personable Chairman of the Atomic Energy Commission and a strong advocate for solving the country's power shortage through atomic energy, makes several candid revelations on this matter of national concern. In a July 9, Washington Post interview, Dr. Schlesinger states:

> There is no alternative to substantial use of nuclear power.

He indicates that by 1980 25 percent of the Nation's total power-producing capacity will be found in nuclear plants. This figure climbs to 50 percent by 1990. Changes in national energy and fuel policy could result in an even greater reliance on nuclear energy.

Schlesinger calls for a rapid state-of-the-art conversion from light water nuclear reactors to liquid-metal fast breeder reactors. This is essential as the price of uranium is on the increase.

> The breeder will exploit about 70% of the energy content in uranium, whereas the light water reactors built today exploit only 1% of uranium's energy content.

The advantages of fast breeder reactors are obvious and become more a reality as the problems of controlling the fussion of uranium-238 into plutonium-239 by means of high-energy neutrons produced in the fission process are ironed out.

I have long supported the use of atoms as an infinitely productive source of power. In my State of Wyoming, however, we seem to have gotten off the track. The proposed stimulation of natural gas by nuclear detonation is an unacceptable reallocation of priorities. I have made this point time and again before my colleagues citing a myriad of factors which illustrate the futility of such a venture. Economic, environmental, and technological aspects of the Wagon Wheel project dictate that such an experiment is doomed to failure.

Dr. Schlesinger's comments add fuel to the fire. There is no logic in indirect approaches to the problem when direct and immediate solutions are available. Generation of power through fast breeder reactors is the correct avenue for overcoming our Nation's energy shortage. To do otherwise, Mr. Speaker, is folly.

The prefatory remarks which follow were written by Thomas O'Toole, Washington Post staff writer:

[From the Washington Post, July 9, 1972]

THE ENERGY CRISIS: AN AEC OVERVIEW

(By Thomas O'Toole)

Few men speak more straightforwardly about the nation's rising energy needs than James R. Schlesinger, the 42-year-old chairman of the Atomic Energy Commission. He briefs the White House, lectures the Treasury Department, scolds industry and testifies before Congress on it. He's concerned with all forms and aspects of energy—not just atomic energy. He speaks openly, for instance, about the possibility of rationing electrical energy.

"I think we're going to want to slow down the demand for electric power, if only for good environmental reasons," Schlesinger said not long ago. "We may have to have laws that restrict the way in which power can be used.

If Schlesinger is nothing else, he is candid and direct. When he took over as AEC chairman he brought in a retired Air Force colonel to study a branch of the AEC for a possible overhaul. A month later, the colonel walked into Schlesinger's office with charts and graphs to dress up his report.

"Let's cut out that Pentagon baloney," Schlesinger said abruptly. "Just give me the facts."

His knowledge of the Pentagon was at least part of the reason Schlesinger was appointed AEC chairman by President Nixon. He had spent six years as director of strategic studies for the Rand Corp. and two years as assistant director of the Budget Bureau in charge of, among other things, military spending. His friends say he was personally responsible for cutting $6 billion from the Pentagon request in the first year of the Nixon administration.

"He had the hammer on the defense guys for more than a year," recalls a high-ranking Nixon appointee. "He made very few friends in the Pentagon."

There's more to Schlesinger than directness. He has a Ph.D. from Harvard, taught economics for eight years at the University of Virginia and wrote a book on foreign economic policy that many economists regard as a bible. He's regarded on Capitol Hill and in the White House as a man who's truly interested in finding the right solutions to our energy problems.

"What impresses me about Schlesinger is that, while he's scowling at you, he'll still listen to you," said a man who served President Johnson and President Nixon. "He's even capable of changing his mind."

While he's been chairman a little less than a year, Schlesinger has made some dramatic changes in the AEC. He's certainly altered its image, which had been one of secrecy and resistance to change. He's also changed its mission, making the commission more a regulator than a promoter of nuclear power and pushing the AEC for the first time into research on non-nuclear energy.

"I think the strength of the AEC lies in technology," he said in explaining the move into battery and geothermal energy research. "We must have a balanced technology if we're to get the most out of our energy sources."

To the chagrin of many in private industry, Schlesinger has also turned out to be something of an environmentalist. He listens to ecologists' complaints about nuclear plant sites and worries actively about what he considers nuclear power's most serious impact on the environment.

"Thermal pollution of our streams and rivers by a power plant's heated discharge is the most complicated of all our questions," he said once. "Heating things up doesn't have to be bad, but it can be bad for small bodies of water, for upwater streams, for shallow bays. There's no easy solution to this question."

One of Schlesinger's serious hobbies helps to explain his naturalist instincts. He's a bird watcher and often gets up before 5 a.m. to get in two hours of watching before going to his office. He also composes and sings political folk ballads, accompanied by his own guitar.

The father of eight children, Schlesinger has little time for social life. He shuns the cocktail circuit and turns down almost all political dinner invitations. In his office—where the interview excerpted below was recorded—he's seen in his shirtsleeves, his tie askew, his shirttail out. He is almost always seen smoking a pipe, a habit he's had for the last 24 years.

A man of professorial charm, Schlesinger has no time for ceremony. Before becoming AEC chairman, he drove an old blue car that had a Blue Book value of $50. Now he's driven by a chauffeur in a limousine, which he openly dislikes. The limousine broke down once and he happily walked the half mile back to his home, got into his beat-up car and drove his chauffeur and himself to the office.

Q. The whole country talks as if the United States is in the midst of an energy crisis. The White House says it, the Congress says it and the press says it. What do you think?

A. I would prefer to avoid the general term "crisis." Clearly we have a problem with regard to fuels. We have topped out, in terms of oil production in the lower 48 states, at about 10 million barrels a day. Assuming Alaska comes on, that will provide an additional 2 million barrels a day. If you consider prospective demands for 1980, it lies somewhere between 22 million and 28 million barrels a day. If one took the immediately prospective oil prices for 1972, and we're talking about importing as many as 16 million barrels a day in 1980, the cost of that would be in excess of $15 billion a year.

The U.S. balance of payments is in a rather parlous condition, and it's not clear that additional outpayment of $15 billion a year for foreign oil is something we can support. And that is only assuming a static situation. The trend in oil prices is up, and one can anticipate they will continue upward. So that the burden on U.S. balance of payments, unless we're able to substitute other fuels for oil, could be on the order of $30 billion a year.

Beyond the question of fuel supply, there is a seemingly chronic problem with respect to electric service reliability. In the near term, there has been concern regarding regional shortages of electric power supply with the resultant possibilities of brownouts and even blackouts.

Q. Can we substitute gas and coal for oil?

A. The further development of gas in sizable amounts seems out of the question—at least until we have gas from coal. The annual demand for gas could be greater than 35 trillion cubic feet by 1980, but the supply we anticipate will be little if any in excess of the 22 trillion cubic feet we produce today. There can be some supplement from imported liquefied natural gas, but it will be limited. We have enough coal to go for a century or, more, but utilities have tended to shift away from coal because of its sulfur oxides and other pollutants. We have not developed a way of readily and economically getting rid of the sulfur in coal. There is a fair amount of low-sulfur coal in the West, but it's fairly expensive to transport. We will require an extensive national effort either to achieve coal gasification or otherwise to convert the coal to a form where it can be used in abundance within environmental constraints.

Q. The country wants power, but it wants clean, cheap power. How can it go on getting clean, cheap power in view of the fuels crisis you've just described?

A. The trend in power costs is upward. One reason it's upward is the introduction of environmental regulations. Another reason is the rising cost of fuel. As we clean up our fuels, as we prevent noxious combustion products from getting into the air, or as we limit the discharge of heat into the water, this will cost money. Consequently, the price of power will rise but it will be cleaner power.

Q. How much more expensive will it be?

A. The cost per kilowatt probably will be something like 40 per cent higher in 1980 than it is today, largely reflecting the higher cost of construction, the rising cost of fuels and environmental requirements. Through greater efficiencies we hope to limit the rate of increase in power costs. How? The construction of a nuclear plant now requires on the order of eight years—in other countries half that time. If we can cut the time for construction, we can do much to limit the increase in the cost of power.

Q. What happened to put this country in the fix it's in today with regard to energy?

A. The driving force behind the problem has been the enormous increase in energy demand, so that we have outstripped our own oil production at the same time that environmental considerations put limits on the strip mining of coal and the burning of coal. It all reflects the higher aspirations of America and it has all come together at the same time.

Q. Do you think there was a lack of foresight in government and industry as far as anticipating the demand for power, anticipating the environmental revolution and even in anticipating what could have been done in technology to offset the problems we have today?

A. There is something in that, though, it's very difficult to anticipate a relatively sudden development like the thrust toward . . . higher environmental standards. There have been new findings with regard to the physical and health impact of combustion products that have, I think, reinforced the esthetic or quality-of-life aspect of the environmental movement.

Most of the technology you've referred to has primarily been the responsibility of industry. The one exception was nuclear energy. As a result of the government monopoly in nuclear energy, the total energy research and development budget for civil application tended to be funded in a lopsided manner: most of the money into nuclear, relatively little into other energy sources. We can see this in retrospect.

One of the things you have to keep in mind is that the utility industry is a regulated industry, and even though it receives impressive revenues, nearly $25 billion a year, it has rarely put significant money directly into research and development. This is partly because it's a regulated industry, partly because it's fragmented and partly because of reasons of its own historical perspectives and its role relative to the manufacturers. The utility industry should have been a major source of funding for technology development but it has not been. However, we now see clear signs of change.

Q. Congress has criticized the executive branch for scattering energy policy throughout as many as 61 federal agencies, which suggests that if the United States has an energy policy it isn't a coherent one. What is your feeling? Does the country have what you would call a coherent energy policy?

A. We need a far more coherent energy policy than we have at present. President Nixon's proposal for a Department of Natural Resources would help solve these problems, but I believe we should have review of our fuel policies in one place. At present, the Interior Department has responsibility for coal and oil, the AEC has responsibility for uranium, the Federal Power Commission licenses hydropower facilities and regulates the price of gas. I believe all these fuel policies should be under one roof, so there can be a more consistent treatment of fuels. As a member of the executive branch, I would say that one of the problems there is not only the fragmentation of responsibilities within the Executive but the fragmentation of assignments on Capitol Hill. In some sense, that may be a more difficult problem to deal with than reorganization with the executive.

Q. One aspect of our energy dilemma is the environmental movement, a movement that has forced considerable change on energy policy. What kind of impact do you think this movement has had—mostly positive or largely negative?

A. In some respects it has aggravated the dilemma because environmental regulations limit the use of fuels and technologies, but I think that in the large it has focused attention on the energy problem and in the long run that focusing of attention may be more valuable than the short-run impediments. Is it necessary for total energy demand to grow at a rate of 4–5 per cent a year? This is the fundamental issue that the environmental movement has raised, and it is a good issue. Of course, it can be said that a fair number of environmentalists have been rather contentious, but this should not distract attention from the movement's fundamental contribution, which is to focus on what we can do about ever-growing energy use.

Q. How much good or ill effect has the environmental movement had on the atomic energy program in the United States?

A. Well, a minority in the environmental movement just do not like nuclear energy. The primary reason may be a fear of the unknown—neophobia. But all in all, the environmental movement has made a major contribution to nuclear energy. The reason is quite clear—the chief advantage of nuclear energy from an environmental standpoint is that there are no combustion products and therefore essentially no air pollution. There has been a push in the direction of nuclear power because of the low availability of fossil fuels that meet our environmental standards. I'm not sure that was the objective of the environmentalists, but that's the way it has worked out.

Q. How can you say the environmentalists have helped nuclear power that much? They've held up licensing permits on countless nuclear plant projects, which doesn't seem like much help.

A. Hearings by licensing boards have been far more extensive than necessary. Delaying tactics have been deliberately employed in some cases, and I don't believe that's in the public interest. However, we should all be careful not to blame environmentalists. Many plants, both fossil and nuclear, were behind schedule even before the upsurge of interest in environmental matters. The schedule slippage of most nuclear plants is due to inadequate planning, the slow pace of construction, labor disputes, the late delivery of equipment, and prolonged test programs. There are a fair number of plants which have elicited no protests from environmentalists that are two or more years behind schedule. The United States has turned out to be a country of relatively low efficiency in the construction of nuclear power plants. Until we've improved our efficiency, we should all be careful not to put too much blame on the environmental movement.

Q. Nuclear power generates less than 2 per cent of all the electricity produced in the U.S. today, but is a growing fraction of the total. Could you tell us what your latest projections are for nuclear power?

A. We're still projecting 25 per cent of total capacity in 1980 in nuclear plants. That would be approximately 150 million kilowatts. Construction lags might slow it down. By 1990, our estimate rises to almost 50 per cent of total power, something on the order of 600 million kilowatts. Changes in national energy and fuel policy could speed that up. It is useful to reflect on those numbers. When the United States entered the Second World War, the generating capacity in the country was 42 million kilowatts. So the nuclear power estimate for 1980 is almost four times the total generating capacity of the U.S. at the start of the Second World War. For the next few years, the annual additions to nuclear capacity will represent about 50 per cent of all the power we had prior to World War II. Roughly 50 per cent of all the capacity being ordered today is nuclear and in the years ahead it will probably be closer to 65 per cent.

One reason for hesitancy in ordering nuclear plants is the congestion in the regulatory process, delays in hearings, delays in licensing. But despite these delays, I think utilities recognize that nuclear plants meet environmental standards and provide a ready source of fuel. They look to the future and they probably see fewer uncertainties with nuclear power than they do with fossil fuels. In the long run, the extensive public debates about nuclear power will seem secondary. There is no alternative to substantial use of nuclear power.

Q. But right now there is a lively debate about the future availability of uranium with some people suggesting we won't have enough cheap uranium to fuel the nuclear plants we'll be building in the next 10 years.

A. It's hard to anticipate just how long low-cost uranium reserves will last. The estimates of uranium reserves in the United States are made on a quite conservative basis. Much of the world has not been explored, and even in the United States there are areas that have not been explored. There was a find recently along the Santa Fe Railway in New Mexico. I think we can count on having plenty of uranium to meet our needs.

Eventually the price of uranium would begin to rise and then the economics of light water reactors would start to suffer. We would begin to run out of low-cost uranium, but that is where the fast breeder reactor would prove its merits, because the price of electric power in the breeder is essentially insensitive to the price of uranium. The breeder will exploit about 70 per cent of the energy content in uranium, whereas the light water reactors built today exploit only 1 per cent of the energy content. In fact, the breeder will permit us to use what is a major potential asset in the United States and that is the vast amounts of depleted uranium left over from our weapons program, which could fuel breeders for almost a century.

Q. The United States has spent more than 20 years and about $800 million on breeder *research. The AEC is about to enter into a contract for the first breeder demonstration plant, which is to be located in the Tennessee Valley. When can the country expect to see commercial electricity from the breeder?*

A. President Nixon has indicated that we should have an operating "demo" plant by 1980, and that continues to be our objective. We will be very close to that and I hope we beat it. We've ironed out all the outstanding problems except for the site, which we're now looking at. There are four or five sites under consideration. There will be a second demo plant located outside the Tennessee Valley. Our best judgment is that the first commercial breeders would be coming in after 1985.

Q. Few Americans understand the concept of the fast breeder. Can you describe how it would work and can you discuss its safety aspects?

A. The fast breeder is just what the name suggest. Fast or highly energetic neutrons are produced in the fission process, and are absorbed by the fertile uranium-238. The absorption of neutrons converts the uranium-238 into plutonium-239, which can be used as fuel. We anticipate that in 10 years' time a fast breeder would produce twice as much fuel as was consumed.

On the safety aspects, a better understanding seems to be developing. For example, the power densities will be about six times higher in the breeder than they are in the light water reactor. That means that if all of the coolant were lost from around the fuel, it is more difficult to dissipate the leftover heat to avoid melting the fuel. But in the breeder there is far less likelihood of losing the coolant even in the case of an instantaneous double-ended major pipe rupture. The reason is that liquid sodium is used to cool the hot reactor core instead of water. One of the most important things to remember about sodium as a reactor coolant is that its boiling point is about 1,600 degrees F., and consequently it does not have to be pressurized like water. Because it won't be pressurized, one avoids any chance of a major loss-of-coolant accident through blow-down, when loss of pressure turns very hot cooling water instantaneously into steam. That can't happen with a liquid metal coolant, because the coolant won't be under significant pressure.

It has been pointed out that hot sodium is tricky to handle, that it reacts rapidly on contact with air or moisture. The design calls for the steel coolant system to be surrounded by nitrogen, so that if there are leaks of sodium there won't be any serious reaction of the hot liquid metal with oxygen. I should also point out that liquid sodium is not a new coolant. We and others throughout the world have used it in reactor plants safely for over 20 years. More than a dozen sodium-cooled reactors have operated over this period of time. Sodium has been used in the EBR-II [an experimental breeder reactor in Arco, Idaho] for over eight years, and it was used for three years as the coolant in the world's second nuclear submarine, the Seawolf.

Q. Once nuclear power becomes really big business the question of the disposal of radioactive wastes comes up. How does the AEC plan to store its wastes once the nuclear garbage begins to pile up?

A. Since the quantities of accumulated wastes are small, we do not have to begin storming high-level wastes from the commercial power reactors in a separate repository until about 1960. What we plan to do is to develop surface storage facilities at the same time that we continue to investigate geologic storage in a variety of configurations. We have put off any decision to move into underground geologic storage because the decision seemed to be an irreversible one. There has been concern about the effects of the long-term dissipation of heat from the solid wastes on salt formations. There is also concern that once placed underground, the wastes could become irretrievable. I think further experimentation will resolve these uncertainties, but until such time as these uncertainties are resolved we plan to have an acceptable alternative—the capability for storing such high-level solid wastes safely above ground.

One of the problems in salt storage is that you must dissipate heat by natural means in a relatively confined area, with the salt closely packed around the cylinders, where one would want to watch what the dissipated heat might do to the salt and to the other geologic structures adjoining the salt. At the surface we can use methods by which the heat is readily dissipated, we're able to cool the cylinders and we're able to watch them for leaks. We're also able to move these wastes from one storage vault to another or re-can them if a leak should occur. Don't forget, these wastes will be solified. There will be no liquids to worry about.

The amount of wastes will be very small when the waste storage program begins, no matter where we're putting it. A 1 million kilowatt plant will produce about a cubic meter of high-level waste per year. All of the high-level wastes that will be generated by the year 2000 will require no more than 30 acres of total storage area, even if we store the wastes above ground.

DRUG TRAFFIC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WOLFF), is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, this morning the Bureau of Narcotics and Dangerous Drugs held a press conference to refute charges made in a syndicated column yesterday that some 26 tons of opium destroyed by the Thai Government on March 7, 1972, may not have been entirely opium.

At this press conference, it was admitted for the first time that about $1 million of U.S. funds were spent for resettlement of certain KMT irregular forces in Thailand in connection with the so-called seizure of the 26 tons.

I must strenuously protest the outright deception involved in the buying of this quantity of opium. No American or Thai official statement or any press dispatch ever mentioned that U.S. funds were involved in this so-called seizure which has been cited again and again by administration spokesmen as evidence of Thai cooperation to halt the drug traffic.

If the United States did buy up opium and see to it that it was destroyed, then the action might be defended. But, according to the BNDD, all we did was pay and inspect part of it before it was burned. Meanwhile, it was the Thais who collected it, tested it at the time of collection, and ultimately destroyed it.

I had hoped that the BNDD might clear this matter up. However, all that has happened is that the new question of U.S. involvement in this case has surfaced and the BNDD spokesman admitted that he had not even read the official interagency report upon which the Anderson column had been based.

Therefore, I renew my request for this additional documentation in this matter so that we in the Foreign Affairs Committee may have the information available to us for our study and consideration.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. TERRY) to revise and extend their remarks and include extraneous matter:)

Mr. KEMP, for 15 minutes, today.
Mr. MCDADE, for 5 minutes,, today.
Mr. FRENZEL, for 15 minutes. today.
Mr. WILLIAMS, for 5 minutes. today.

(The following Members (at the request of Mr. DENHOLM) to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 5 minutes, today.
Mr. RONCALIO, for 15 minutes, today.
Mr. WOLFF, for 5 minutes, today.
Mr. HÉBERT, for 60 minutes, August 3.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. TERRY) and to include extraneous matter:)

Mr. MCCOLLISTER in three instances.
Mr. BROYHILL of Virginia.
Mr. KEATING in two instances.
Mr. MCCLOSKEY.
Mr. CARLSON.
Mr. CONTE.
Mr. GUBSER.
Mr. WYMAN in two instances.
Mr. GROVER.
Mr. MIZELL in 10 instances.
Mr. ZWACH.
Mr. BRAY in four instances.
Mr. STEIGER of Wisconsin.
Mr. STEELE in two instances.
Mr. DON H. CLAUSEN in two instances.
Mr. NELSEN.
Mr. LUJAN.
Mr. RAILSBACK.
Mr. FRENZEL in two instances.
Mr. SAYLOR in five instances.
Mr. CHAMBERLAIN.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous matter:)

Mr. JONES of Alabama in two instances.
Mr. DOW.
Mr. MATSUNAGA in 10 instances.
Mr. CAREY of New York in three instances.
Mr. JAMES V. STANTON.
Mr. EVANS of Colorado.
Mr. GONZALEZ in three instances.
Mr. RARICK in three instances.
Mr. HARRINGTON in two instances.
Mr. HENDERSON.
Mr. FLOOD.
Mr. RANGEL in two instances.
Mr. ROY.
Mr. WOLFF.
Mr. COTTER in two instances.
Mr. BRADEMAS in six instances.
Mr. CHAPPELL in two instances.
Mrs. GRASSO in 10 instances.
Mr. BRASCO.
Mr. ROUSH.
Mr. GALIFIANAKIS.
Mr. DENT.
Mr. WALDIE in two instances.
Mr. MINISH.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2101. An act for the relief of Juanito Segismundo, to the committee on the Judiciary.

S. 2478. An act to provide for the disposition of funds to pay a judgment in favor of the Shoshone-Bannock Tribes of Indians of the Fort Hall Reservation, Idaho, as representatives of the Lemhi Tribe, in Indian Claims Commission docket No. 326–I, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2826. An act for the relief of Susan A. Quillina; to the Committee on the Judiciary.

S. 2829. An act to strengthen interstate reporting and interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; for the establishment, maintenance, and operation of temporary housing and counseling services for transient youth, and for other purposes, to the Committee on Education and Labor.

S. 3099. An act for the relief of Michele Koton; to the Committee on the Judiciary.

S. 3155. An act for the relief of Marc Stanley L. Koch; to the Committee on the Judiciary.

S.J. Res. 199. Joint Resolution to recognize Thomas Jefferson University, Philadelphia, Pa., as the first university in the United States to bear the full name of the third President of the United States; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 6745. An act to amend section 122 of title 28 of the United States Code to transfer certain counties of the central division of the judicial district of South Dakota;

H.R. 12979. An act to amend title 28, United States Code, to authorize the recall of retired commissioners of the U.S. Court of Claims for temporary assignments; and

H.R. 13435. An act to increase the authorization for appropriation for continuing work in the Upper Colorado River Basin by the Secretary of the Interior.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The **SPEAKER** announced his signature to an enrolled joint resolution of the Senate of the following titles:

S.J. Res. 208. Joint resolution authorizing the President to proclaim the third Sunday in October 1972 as "National Shut-in Day."

ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 19 minutes p.m.), the House adjourned until tomorrow, Wedesday, August 2, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2203. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, tracked combat vehicles, other weapons, and military construction, and for other purposes; to the Committee on Armed Services.

2204. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a report on the facts in each application for conditional entry into the United States under section 203(a)(7) of the Immigration and Nationality Act for the 6-month period ended June 30, 1972, pursuant to section 203(f) of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 13697. A bill to amend the provisions of title 14, United States Code, relating to the flag officer structure of the Coast Guard, and for other purposes; with amendments (Rept. No. 92–1271). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 14891. A bill to amend title 14, United States Code, to authorize involuntary active duty for Coast Guard reservists for emergency augmentation of Regular forces; with amendments (Rept. No. 92–1272). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 16029. A bill to amend the Foreign Assistance Act of 1961, and for other purposes (Rept. No. 92–1273). Referred to the Committee of the Whole House on the State of the Union

Mr. COLMER: Committee on Rules. House Resolution 610. Resolution providing for the consideration of House Joint Resolution 620, proposing an amendment to the Constitution of the United States; with an amendment (Rept. No. 92–1274). Referred to the House Calendar.

Mr. DULSKI: Committee of conference. Conference report on H.R. 9092. With amend- (Rept. No. 92–1275). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG:

H.R. 16117. A bill to provide for suitable work of art in Federal buildings; to the Committee on Public Works.

By Mr. BERGLAND:

H.R. 16118. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mr. CABELL (by request):

H.R. 16119. A bill to provide for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus system engaged in scheduled regular route operations in the National Capital area, and for other purposes; to the Committee on the District of Columbia.

By Mr. CHAPPELL:

H.R. 16120. A bill to amend the Vocational Education Act of 1963 to assure Federal support for vocational education for junior high school students; to the Committee on Education and Labor.

H.R. 16121. A bill to amend the Fair Labor Standards Act of 1938 to encourage the employment of full-time students under the age of 21 and of other persons under the age of 18; to the Committee on Education and Labor.

H.R. 16122. A bill to provide for increased international control of the production of, and traffic in, opium, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DULSKI:

H.R. 16123. A bill to provide free postage for parcels mailed to disaster areas; to the Committee on Post Office and Civil Service.

By Mr. FISH:

H.R. 16124. A bill to amend section 205 of the Flood Control Act; to the Committee on Public Works.

By Mr. GUDE:

H.R. 16125. A bill to amend the Small Business Act, to provide financial assistance for handicapped individuals establishing or operating small business concerns, and for other purposes; to the Committee on Banking and Currency.

By Mr. GRAY:

H.R. 16126. A bill to amend the District of Columbia Traffic Act, 1925, to exempt from payment of the excise tax on certain motor vehicles which are operated between the State of Maryland or the Commonwealth of Virginia and the District of Columbia and whose owners have paid the excise tax required by the laws of those States; to the Committee on the District of Columbia.

By Mrs. HICKS of Massachusetts:

H.R. 16127. A bill to amend the United States Housing Act of 1937 to provide for grants to local public housing agencies to assist in financing security arrangements designed to prevent crimes and otherwise insure the safety and well-being of low-rent-housing tenants; to the Committee on Banking and Currency.

By Mr. HOLIFIELD (by request):

H.R. 16128. A bill to revise certain duties of the U.S. General Accounting Office relating to the audit of Government corporations and certain revolving fund accounts; to the Committee on Government Operations.

H.R. 16129. A bill to amend the act of August 30, 1964, relating to the use of statistical sampling procedures on the examination of vouchers; to the Committee on Government Operations.

By Mr. LUJAN:

H.R. 16130. A bill to declare that the United States holds in trust for the pueblo of Santa Ana certain public domain lands; to the Committee on Interior and Insular Affairs.

H.R. 16131. A bill to declare that the United States holds in trust for the pueblo of Santa Ana certain public domain lands; to the Committee on Interior and Insular Affairs.

H.R. 16132. A bill to declare that the United States holds in trust for the pueblo of Santa Ana certain public domain lands; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS:

H.R. 16133. A bill to amend title 18 to penalize the use of firearms in all crimes and to forbid plea bargaining in connection with such crimes; to the Committee on the Judiciary.

By Mr. ROUSH:

H.R. 16134. A bill to amend the Judiciary and Judicial Procedure Act of 1948; to the Committee on the Judiciary.

By Mr. STAGGERS (for himself and Mr. SPRINGER):

H.R. 16135. A bill to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs; to the Committee on Interstate and Foreign Commerce.

H.R. 16136. A bill to amend the Interstate Commerce Act to provide increased fines for violation of the motor carrier safety regulations, to extend the application of civil penalties to all violations of the motor carrier safety regulations, to permit suspension or revocation of operating rights for violation of safety regulations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16137. A bill to amend section 1306(a) of the Federal Aviation Act of 1958 to authorize the investment of the war risk insurance fund in securities of, or guaranteed by, the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 16138. A bill to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN (for himself, Mr. Fountain, Mr. Waldie, Mr. Harvey, Mr. Landgrebe, Mr. Mallary, Mr. Derwinski, Mr. Gubser, Mr. Archer, Mr. Waggonner, Mr. Collier, Mr. Hogan, and Mr. Keating):

H.R. 16139. A bill to amend the Federal Property and Administrative Services Act of 1949 to prohibit the making available of Government procurement sources to Federal grantees and contractors; to the Committee on Government Operations.

By Mr. CLANCY (for himself, Mr. Devine, Mr. Hunt, Mr. King, Mr. Thompson of Georgia, Mr. Collier, Mr. Del Clawson, and Mr. Michel):

H. J. Res. 1267. Joint resolution proposing amendment to the Constitution of the United States to permit the Congress to provide by law for the imposition and carrying out of the death penalty in the case of certain crimes involving aircraft piracy; to the Committee on the Judiciary.

By Mr. FRASER (for himself, Mr. Bingham, Mr. Fascell, Mr. Halpern, Mr. Rosenthal, and Mr. Whitehurst):

H.J. Res. 1268. Joint resolution calling for an immediate and appropriate moratorium on the killing of polar bears; to the Committee on Foreign Affairs.

By Mr. CHAPPELL:

H. Res. 1072. Resolution expressing the sense of the House that the Federal Communications Commission establish advisory guidelines which recommend that certain physical violence not be broadcast over television during certain time periods, because such violence is not suitable to be viewed by children; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLS of Arkansas (for himself and Mr. Byrnes of Wisconsin):

H. Res. 1073. Resolution authorizing the employment of additional personnel by the Committee on Ways and Means; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. ICHORD presented a bill (H.R. 16140) for the relief of John W. Hollis, which was referred to the Committee on the Judiciary.

SENATE—*Tuesday, August 1, 1972*

The Senate met at 9:45 a.m. and was called to order by the President pro tempore (Mr. Eastland).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou Infinite and Eternal Spirit, in whose will all events move and have their meaning, we who are finite and know not what a day may bring forth offer to Thee the love of our hearts and the service of our lives. Whatever the day may bring of success or failure, of reward or disappointment, enable us to turn it into a testimony of Thy grace and grow in wisdom and in character. Help us to distill from each experience a new joy and beauty of life which does not turn from difficulty nor flinch in hardship but moves steadily onward for the making of a better world according to Thy will. Grant that all our leaders and all who follow them may heed Thy written word, "Commit thy ways unto the Lord, trust also in Him and He shall direct thy paths."

We pray in the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 31, 1972, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Indian Affairs Subcommittee of the Committee on Interior and Insular Affairs, the Subcommittee on Health of the Committee on Labor and Public Welfare, and the Committee on Finance be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Under the previous order, the Senator from New York (Mr. Javits) is recognized for not to exceed 15 minutes.

WORKMEN'S COMPENSATION LAWS

Mr. JAVITS. Mr. President, a very remarkable report has just been issued by the National Commission on State Workmen's Compensation Laws, which was appointed pursuant to an amendment in the bill relating to industrial safety, which amendment I had the honor to offer, and which, Mr. President, represents a drastic improvement in the workmen's compensation system as we all know it, and fully justified the action which the Senate and the House of Representatives confirmed, of which I had the honor to be the author, for appointment of this commission, and I believe requires Federal legislation.

The point of my statement this morning is to call to the attention of the Senate and the country the fact that legislation is desirable and necessary, and to state my intention to introduce it.

Mr. President, I ask unanimous consent that a summary and the introduction to the report of the Workmen's Compensation Commission as authorized by the Occupational Health and Safety Act of 1970 be printed in the Record.

There being no objection, the introduction and summary were ordered to be printed in the Record, as follows:

Major Conclusions and Recommendations

INTRODUCTION

Congress, in the Occupational Safety and Health Act of 1970, declared that: the vast majority of American workers, and their families, are dependent on workmen's compensation for their basic economic security in the event such workers suffer disabling injury or death in the course of their employment; and that the full protection of American workers from job-related injury or death requires an adequate, prompt, and equitable system of workmen's compensation as well as an effective program of occupational health and safety regulation. . . .

Congress went on to find, however, that: in recent years serious questions have been raised concerning the fairness and adequacy of present workmen's compensation laws in the light of the growth of the economy, the changing nature of the labor force, increases in medical knowledge, changes in the hazards associated with various types of employment, new technology creating new risks to health and safety, and increases in the general level of wages and the cost of living.

For these reasons, Congress established the National Commission on State Workmen's Compensation Laws to "undertake a comprehensive study and evaluation of State workmen's compensation laws in order to determine if such laws provide an adequate, prompt, and equitable system of compensation." The Act required that a final report, containing a "detailed statement of the findings and conclusions of the Commission, together with such recommendations as it deems advisable," be transmitted by the Commission to the President and to the Congress no later than July 31, 1972.

Activities of the Commission

On June 15, 1971, the President appointed 15 Commission members, representing State workmen's compensation agencies, business, labor, insurance carriers, the medical profession, educators, and the general public. In addition, the Act designated three members of the President's cabinet as Commissioners.

The Commission faced a formidable task. We were asked to evaluate 56 diverse jurisdictions and 16 specific topics, many complex. Our effective working period was less than a year. We resolved at our first meeting to meet our deadline despite the advantages that would have flowed from additional time. We made this decision because important and pressing issues dictated prompt action. The Congress had expressed a keen sense of urgency about workmen's compensation in setting the July 31 deadline. The Commission members and staff have responded to this urgent concern with their best effort.

The Commission has had an active and productive year. Since its first meeting, on July 21, 1971, ten additional meetings have been held to develop the plan and review the substance of this Report. In total, these sessions consumed 32 days with, on the average, 17 Commissioners in attendance.

In addition to the meetings, the Commission held nine public hearings for a total of 18 days. These hearings included three in Washington, plus regional hearings in Chicago, Boston, San Francisco, Dallas, Atlanta, and New York. Because the first hearing was scheduled on short notice, only 10 Commissioners were able to attend. For the subsequent eight hearings, never were fewer than 15 Commissioners present. More than 200 witnesses appeared. The edited transcript of the hearings, to be published, is expected to exceed 800 printed pages.

A full-time staff of 30 employees assisted the Commissioners. The professional staff included economists, lawyers, physicians, statisticians and others specialising in workmen's compensation and rehabilitation. More than 200 documents were provided to the Commission by the staff, including selections from previous publications and original reports based on staff surveys and studies.

The Commission was authorized to enter into contracts with government agencies, private firms, institutions, and individuals for the conduct of research or surveys and the preparation of reports to be published by the Commission. These publications include a *Compendium on Workmen's Compensation*, a comprehensive review of the issues and information concerning workmen's compensation, and a series of *Supplemental Studies* which examine selected issues in detail. As the *Compendium* and *Supplemental Studies* were prepared and edited by independent scholars, the Commission assumes no responsibility for the ideas expressed in these publications. With some of these ideas the Commission disagrees. Nonetheless, the material was valuable to the Commission and is being published in order to encourage further studies and appraisals of workmen's compensation.

We have carefully considered the views presented at our hearings and by our staff and contractors. The issues have been analyzed thoroughly in our formal sessions, correspondence, and conversations. Although we have given serious attention to previous recommendations for workmen's compensation programs, such as the widely approved standards published by the U.S. Department of Labor, and the Model Act published by the Council of State Governments, we assumed as our responsibility a complete reexamination of workmen's compensation in light of the historical changes noted by Congress. We have evaluated the effects of these changes on the "fairness and adequacy" of the program launched more than 50 years ago. We have concluded there is a substantial and vital role for workmen's compensation in contemporary America.

The main body of our Report contains three parts which lead to this broad conclusion. The general objectives of a modern workmen's compensation program are discussed in Part One. A detailed evaluation of the present workmen's compensation program and our recommendations follow in Part Two. In Part Three, we discuss the future of workmen's compensation.

These three parts are summarized below. Many supporting data and analyses are contained in the corresponding sections of the Report. References for factual information in the Report are included in the Compendium.

Part I. Objectives for a Modern Workmen's Compensation Program

There are five major objectives for a modern workmen's compensation program: four of them basic and an equally important one that supports the others.

The four basic objectives are:

Broad coverage of employees and of work-related injuries and diseases

Protection should be extended to as many workers as feasible, and all work-related injuries and diseases should be covered.

Substantial protection against interruption of income

A high proportion of a disabled worker's lost earnings should be replaced by workmen's compensation benefits.

Provision of sufficient medical care and rehabilitation services

The injured worker's physical condition and earning capacity should be promptly restored.

Encouragement of safety

Economic incentives in the program should reduce the number of work-related injuries and diseases.

The achievement of these four basic objectives is dependent on a fifth objective:

An effective system for delivery of the benefits and services

The basic objectives should be met comprehensively and efficiently.

Part II. Evaluation of State Workmen's Compensation Programs and Selected Recommendations

Congress in the Occupational Health and Safety Act of 1970 specified that our study and evaluation should include, "without being limited to," 16 subjects. We believe this evaluation will be most significant if those subjects are discussed in relation to the five objectives cited above. Accordingly the 16 subjects are listed below (Figure A) with reference to the objectives most pertinent and with a citation of the chapter in the Report which deals most extensively with the respective topics.

In addition to the five objectives, another basis for our evaluation is the Congressional directive to determine if State workmen's compensation laws provide an "adequate, prompt, and equitable" system. We use "adequate" to mean sufficient to meet the needs or objectives of the program; thus, we examine whether the resources being devoted to workmen's compensation income benefits are sufficient. We use "equitable" to mean fair or just; thus, we examine whether workers with similar disabilities resulting from work-related injuries or diseases are treated similarly by different States. (See Glossary for full definitions of these and other terms.)

A modern workmen's compensation program should provide broad coverage of employees and work-related injuries and diseases.

Coverage of employees [Section 27(d)(1)(C)].

Although the percentage of employees covered by workmen's compensation is increasing, State and Federal programs now reach only about 85 percent of all employees. This coverage is inadequate. Inequity results from the wide variations among the States in the proportion of their workers protected by workmen's compensation. Thirteen States cover more than 85 percent of their workers, contain more than half of the nation's labor force, but 15 States cover less than 70 percent. Inequity also results because the employees not covered usually are those most in need of protection: the low-wage workers, such as farm help, domestics, casual workers, and employees of small firms.

The lack of coverage is due primarily to the statutory exclusion of specific occupations or classes of employers. Another important factor is the persistence in some States of a tradition that coverage be elective.

Our recommendations on coverage are in essence that coverage be extended so as to provide protection to most employees now excluded and that coverage be mandatory.

Elective coverage [Section 27(d)(1)(I)]. Despite progress in recent decades, the laws of more than a third of the States retain the elective feature, installed originally in deference to constitutional interpretations that are largely irrelevant now.

We recommend that workmen's compensation be compulsory rather than elective. (See R2.1)

(In this Introduction and Summary, in the interest of brevity, we have abbreviated and reworded some of our recommendations contained in Chapters 2 through 6. Each recommendation in this summary contains a reference to the full text of the recommendations published in these five chapters. R2.1 is the first recommendation in Chapter 2.)

Numerical exemptions [Section 27(d)(1)(C)]. Barely half the States extend coverage to firms with one or more employees, and among these are States which exempt certain classes of employers, such as charitable organizations.

We recommend that employers not be exempted from workmen's compensation because of the number of their employees. (See R2.2)

Exclusions [Section 27(d)(1)(C)]. Exclusions include such categories as farmworkers, casual and domestic workers, and employees of State or local governments.

Farmworkers. Only about a third of the States cover farmworkers on essentially the same basis as other workers. Because of administrative considerations, we recommend a two-stage approach to coverage for agricultural workers.

As of July 1, 1973, coverage should be extended to agricultural employees whose employer's annual payroll exceeds $1,000. By July 1, 1975, coverage should be extended to farmworkers on the same basis as all other employees. (See R2.4)

Casual and domestic workers. Although several States cover some casual househhold employees, no State covers them on the same basis as all other workers. The transient or casual character of domestic jobs and the large number of households argue against efforts to provide coverage by conventional means.

We recommend that by July 1, 1975, household workers and all casual workers be covered under workmen's compensation at least to the extent they are covered by Social Security. (See R2.5)

Government employees. The laws of 44 States require coverage of some or all State employees; 36 States require coverage of employees of local governments; the other laws are elective.

We recommend that workmen's compensation coverage be mandatory for all government employees. (Sec. R2.6)

Conflicts among State Laws [Section 27(d)(1)(M)]. Employees who are subject to the laws of two or more jurisdictions are often uncertain as to where to file a claim: The claim may be compensable under one State law and invalid under another, or, in the extreme, compensable under neither.

We recommend that the employee be given the choice of filing a claim for workmen's compensation in any State where he was hired, or where his employment was principally localized, or where he was injured. (See R2.11)

Coverage of Injuries and Diseases, Section 27(d)(1)(D)

Substantial litigation results from efforts to determine which injuries or diseases are work-related and compensable. There are both legal and medical questions in each claim. The medical question is whether there was in fact an impairment or death caused by an injury or disease that was work-related. The legal question is whether the worker has suffered disability, i.e., a loss of actual earnings or earning capacity attributable at least in part to the work-related impairment.

The traditional test for determining whether an injury or disease is compensable, is that the cause must be an "accident,"—sudden, unexpected, and determinate as to time and place. This interpretation has served to bar compensation for most diseases and for injuries which were considered routine and usual in the place of employment.

We recommend that the "accident" requirement be dropped as a test for compensability. (See R2.12)

The compensability of diseases has been hampered also by the uncertain etiology of many impairments. Efforts to overcome this uncertainty by listing specific compensable diseases results in lack of coverage for some diseases.

We recommend that all States provide full coverage of work-related diseases. (See R2.13)

A MODERN WORKMEN'S COMPENSATION PROGRAM SHOULD PROVIDE SUBSTANTIAL PROTECTION AGAINST INTERRUPTION OF INCOME

In general, workmen's compensation programs provide cash benefits which are inadequate. The majority of disabled beneficiaries receives less than two-thirds of the lost wages. In most States, the most a beneficiary may receive, "the maximum weekly benefit," is less than the poverty level of income for a family of four. Moreover, many States limit the duration or the total amount of cash payments.

Payments are inequitable as well as inadequate. Benefits differ widely from State to State. Within States, high-wage workers, if disabled, receive a smaller proportion of their lost earnings than do low-wage earners because they are limited by the ceiling of the maximum weekly benefits. Also, in some States, it appears that benefits paid for minor injuries are relatively more generous than payments for serious injuries.

Many programs appear to pay uncontested claims with reasonable promptness. When claims are contested, the record is less satisfactory.

Cash benefits are based primarily on the worker's actual loss of wages or loss of wage earning capacity. Also, whether or not they suffer a loss of wages or of earning power, workers in many States may receive cash payments because of work-related impairments.

Benefits usually are computed as a percentage of gross pay, rather than spendable earnings. Tax factors and the number of dependents contribute to inequities in this approach, and the inequities would be compounded if higher benefits were paid. The traditional payments are two-thirds of pretax wages. Benefits calculated as 80 percent of spendable earnings would better reflect the worker's preinjury economic circumstances and cost the system little more. The small increase in cost would in any event recognize the value of the supplements on fringe benefits which have been introduced since the two-thirds formula was established, and which are not included in gross pay.

Temporary total disability benefits [Section 27(d)(1)(A)]. A worker who is temporarily and totally disabled experiences a temporary and complete loss of wages. Benefits do not begin unless the disability persists for a specified waiting period. Usually, if the disability continues beyond a specified qualifying period, the worker receives benefits retroactively for the time lost in the waiting period. A worker's benefit is calculated as a prescribed proportion of his previous wages, subject to minimum and maximum weekly benefits.

Waiting period [Section 27(d)(1)(H)]. The Department of Labor recommends a 3 day waiting period and a 14 day retroactive period. In contrast, the Model Act of the Council of State Governments specifies a 7 day waiting, and 28 day. Most States meet the standard of the Model Act, but do not meet the Department of Labor recommendation. Although the Model Act would provide benefits for 83 percent of lost time, the U.S. Department of Labor standard would compensate for 93 percent. The purpose of the waiting and retroactive provisions are to reduce payments for truly minor incidents and to assure benefits for even moderately serious injuries.

We recommend that the waiting period be no more than 3 days and that the retroactive period be no more than 14 days. (See R3.5)

Maximum weekly benefits. Both the Department of Labor and the Model Act recommend the maximum weekly benefit should be at least two-thirds of the average weekly wage in the State. The majority of States do not meet this standard: most did in 1940, but since then have not kept pace with the rise in wages. In 32 States as of January 1, 1972, the maximum for a family of four was less than 60 percent of the State's average wage. Such levels of payments are clearly inadequate.

A maximum of two-thirds of the State's average wage, coupled with a provision that purports to provide disabled workers at least two-thirds of their individual wages, produces the anomaly that almost half of all disabled workers—those who had earned more than the State's average wage—would receive less than two-thirds of their lost pay.

We recommend progressive increases in the maximum weekly wage benefit, according to a time schedule stipulated in Chapter 3, so that 1981 the maximum in each State would be at least 200 percent of the State's average weekly wage. (See R3.8 and R3.9)

Proportion of lost wages to be replaced. The decision fixing the proportion of lost wages to be replaced must balance incentives to employers to improve safety with incentives to the disabled to take full advantage of rehabilitation services and to return to work.

We recommend that cash benefits for temporary total disability be at least two-thirds of the worker's gross weekly wage. The two-thirds formulation should be used only on a transitional basis until the State adopts a provision making payments at least 80 percent of the worker's spendable weekly earnings. (See R3.7 and R3.8)

Permanent total disability benefits [Section 27(d)(1)(A)]. A worker is eligible for permanent total benefits when he experiences a complete loss of wages for a prolonged period. In a few States, a worker may receive permanent total benefits merely because he is unable to return to his previous job.

We recommend that our permanent total benefit proposals be applicable only in those cases which meet the test of permanent total disability used in most States. (See R3.11)

Our position on maximum weekly benefits and the proportion of wages to be replaced is identical with our recommendations for temporary total disability. The main issues for permanent total disability benefits concern the total sum allowed and the duration of payments.

Although there is wide agreement that payments for permanent total disability should be paid for life, we found that 19 States in 1972 failed to comply with that recommended standard. In 15 States, duration of payments was limited to 15 years and in 11 States the gross sum payable was less than $25,000, which is less than the average full-time worker in the United States earns in four years.

We recommend that permanent total benefits be paid for the duration of the worker's disability without limitations as to dollar amount or time. (See R3.17)

Relationship to other programs [Section 27(d)(1)(O)]. The variability of benefits provided to disabled workers from sources other than workmen's compensation aggravates the inequities of the system.

If our recommendations for increases in the maximum weekly benefit for permanent total disability and the removal of limitations of time and duration are accepted, we believe that these permanent total benefits should be coordinated with other programs.

We recommend that the Social Security benefits for permanent and total disability be reduced in the presence of workmen's compensation benefits. (See R3.18)

Permanent partial disability benefits. The issues arising from benefits for permanent partial disability are so critical to the future of workmen's compensation that the subject warrants the highest priority. Unfortunately, the critical need for corrective action is matched by the elusiveness of the proper remedy, and there is a serious danger that premature or insufficiently detailed recommendations might only worsen the present problems. These problems include the wide variation from State to State in the ratio of permanent partial benefits to total benefits, and the apparent tendency in some States for the payment of disproportionately large benefits for minor permanent partial disabilities relative to the benefits for major permanent partial and permanent total disabilities. Also in some States, evaluations of the extent of permanent partial disability often seem to be without consistent guidelines. Although the recently issued American Medical Association *Guides to the Evaluation of Permanent Impairment* are a welcome contribution, they are designed only for the evaluation of impairment and do not purport to provide guidance for the evaluation of disability, as opposed to impairment.

These apparent inconsistencies and deficiencies warrant a separate study and report. We do not deny the importance of the permanent partial phase of workmen's compensation; we feel our responsibility at this time is to point to the need for the immediate commencement of a thorough examination of permanent partial benefits.

Death benefits. Death benefits consist of payments to the surviving spouse, minor children, or other dependents of a worker who dies as a result of a work-related injury or disease. Such benefits account for less than one percent of all workmen's compensation cases and less than ten percent of the total payments. The limits on the weekly benefits and on the total duration or amount, as found in many States, result in little overall cost saving for the program and are particularly ill founded.

We recommend that death benefits be at least 66⅔ percent of the worker's gross weekly wage. The two-thirds formulation should be used only on a transitional basis until the State adopts a provision making payments at least 80 percent of the spendable earnings of the worker. (See R3.20 and R3.21)

We recommend that the minimum weekly benefit for death cases be at least 50 percent of the average weekly wage in the State. (See R3.26)

In death cases, we recommend that the State's maximum weekly benefit be increased until, by 1981, the maximum represents 200 percent of the State's average weekly wage. (See R3.23 and R3.24)

We see no justification for arbitrary limitation of the amount or duration of benefits to survivors of a deceased worker.

We recommend that benefits in death cases be paid to a widow or widower for life or until remarriage, and in the event of remarriage we recommend that two years' benefits be paid in a lump sum to the widow or widower. We also recommend that benefits for a dependent child be continued until the child reaches 18, or beyond such age if actually dependent, or at least until age 25 if enrolled as a full-time student in any accredited educational institution. (See R3.25)

Relationship to other programs [Section 27(d)(1)(O)]. Adoption of our recommendations will assure that families of those who die from work-related causes will have greater and more continuous protection than they might receive from Social Security.

We recommend that workmen's compensation benefits be reduced by the amount of any payments received from Social Security by the deceased worker's family. (See R3.27)

Workmen's Compensation Should Provide Sufficient Medical Care and Rehabilitation Services.

Medical care and rehabilitation services contribute both a monetary and a human value to the workmen's compensation system. Medical benefits have a monetary value of one billion dollars a year, about a third of the charges to the system. Four out of five beneficiaries receive medical services only.

In addition to medical services from the time of injury or detection of the disease, the system provides physical restoration services, including surgery and physical therapy, guidance and instruction in restoring earning capabilities, and placement in productive employment.

The record of delivering such services varies. Performance of medical services is reasonably good but, with only a few exceptions, the performance of physical restoration is less successful. Vocational guidance and instruction services are spotty and placement services for rehabilitated workers are generally inadequate. These services need increased attention and coordination.

Choice of physician [Section 27(d) (1) (B).] Among the issues that relate to the quality of medical care is the method of selecting a physician for the injured employee. The recommended standard published by the U.S. Department of Labor would permit the employee to select the physician freely or in accord with rules of the workmen's compensation agency. Half the States use this system. It can be argued that such freedom for the employee is illusory or disadvantageous to one with a work-related disease which may be improperly diagnosed by a physician unfamiliar with a specialized working environment. Conversely it may be argued that any limitation on the freedom of choice is an infringement on access to independent medical services.

We recommend that the worker be permitted the initial selection of his physician, either from among all licensed physicians in the State or from a panel of physicians selected or approved by the State's workmen's compensation agency. (See R4.1)

Amount and Duration of Medical Benefit [Section 27(d) (1) (B)]. Limits on the amount or duration of medical care are more prevalent for work-related diseases than for injuries. The trend has been to remove such limits for injuries: 41 States comply with the U.S. Department of Labor standard of full medical benefits for those injured on the job. The trend has been similar with respect to diseases but only 35 States in 1972 provide full benefits. The limitations apply largely to diseases activated by dust.

Where the statutes specify payment of "all reasonable" charges, this language has been interpreted in some States to impose limitations on the types of services used. The wisdom of limiting services according to the merits of an individual situation is not open to challenge, but we oppose arbitrary rules that limit medical or rehabilitation services without regard to their merit. Such limits can be self-defeating if they deny benefits, such as prosthetic devices, which restore a patient to a productive career. For the same reasons we oppose compromise and release agreements which terminate an employee's right to medical benefits. Even when lump sum payments are offered in exchange for such waiver of rights, we believe the agreements should require approval of the administrative agency.

We recommend there be no statutory limits on the length of time or dollar amount for medical care or physical rehabilitation services for any work-related impairment. (See R4.2)

Supervision of quality care at reasonable cost. There are no short cuts to economical delivery of medical care of satisfactory quality. There is no substitute for conscientious supervision by competent professionals in order to insure that a job is done well. Nevertheless, fewer than half the States provide such supervision within the workmen's compensation agency. Supervision cannot be effective if limited to a clerical review of case histories. There must be skilled observation and authority to order provision of necessary services, to curb excessive charges, and to recommend or require workmen to seek appropriate consultation.

Fewer than half of the States have a medical-rehabilitation division and only 26 provide such supervision in a manner consistent with recommended standards.

We recommend that each workmen's compensation agency establish a medical rehabilitation division, with authority to effectively supervise medical care and rehabilitation services. (See R4.5)

Vocational Rehabilitation [Section 27(d) (1) (E)]. Medical care would be far more effective if well coordinated with vocational rehabilitation services. Such coordination would require employers to report promptly to the medical-rehabilitation division on the condition of claimants who are seriously disabled. Simultaneously, the claimant should be informed of his rights and opportunities to use restorative, guidance, and instruction services. Employees of the medical-rehabilitation division would be held responsible for following the course of such services and for assisting in their delivery.

Although some vocational services are provided by insurance carriers and employers, vocational aspects of rehabilitation are handled in most States mainly by agencies that rarely have more than a tangential relationship with workmen's compensation or physical rehabilitation services.

Many disabled workers fail to receive vocational services partly because they are not aware of their rights, partly because they lack motivation because of a fear they will lose compensation benefits if rehabilitated, and partly because they cannot afford the out-of-pocket costs of maintenance during instruction.

We recommend that the medical-rehabilitation division within each State's workmen's compensation agency be given the specific responsibility of assuring that every worker who could benefit from vocational rehabilitation services be offered those services. (See R4.7)

The cost of such services should be assessed against the employers, if only to assure that rehabilitation receives appropriate attention within the workmen's compensation program. Provision of special maintenance benefits during the period of instruction, with the sum and period to be determined by the medical-rehabilitation division, would help to assure cooperation of the worker in the instruction program. A worker who refuses vocational assistance might also be subject to denial of other benefits.

Placement of the disabled and use of second-injury funds [Section 27(d) (1) (F)]. "Hire the Handicapped" campaigns have a much broader base than workmen's compensation. They aim to employ not only those disabled on the job, a small portion of the total number of disabled, but others, notably veterans.

The employer concerned with operating costs, including premiums for workmen's compensation insurance, tends to be dubious about, if not averse to, hiring anyone with a preexisting impairment. If an employee with only one hand loses the other, or if an employee with sight in only one eye becomes totally blind, it is inequitable to burden the employer with the charges for the total disability. For this reason, all but four States have established a subsequent- or second-injury fund which assumes responsibility for paying for the compounding effects of a second injury. By this means, the worker receives in full the benefits which are high right, but the employer is charged only for the contributing effects of the last injury and not for the total. He is charged for one eye only: the fund pays the balance of the award for total blindness.

Unfortunately, many employers appear to have little knowledge of such funds. In many States, the funds themselves are insufficiently financed. Only 20 States have second-injury funds with broad coverage of preexisting impairments. Coverage that is so broad as to cover virtually every employee would defeat the purpose of the land. The Model Act specifies 26 permanent physical impairments eligible for coverage by a second injury fund and, in addition, covers any impairment which is equivalent to 50 percent total impairment.

We recommend that States establish a second injury fund with a broad coverage of preexisting impairments. We recommend that the second injury fund be financed by charges against all carriers, State funds, and self-insuring employers in proportion to the benefits paid each, or by general revenue, or by both sources. We urge State workmen's compensation agencies and carriers to interpret eligibility for second-injury funds liberally in order to encourage employment of the physically handicapped and to publicize the programs to employers and employees. (See R4.10, R4.11, and R4.12)

Workmen's Compensation Should Encourage Safety.

Consistent with its aims to protect maintenance of income and to deliver services of high quality with the maximum economy, workmen's compensation also offers incentives to improve the safety of working conditions.

Although the supporting evidence is limited, we believe that the experience rating of insurance premiums can offer employers an incentive to develop safe designs, practices, and working arrangements. It has been demonstrated in individual industries that preventive health and safety programs dramatically improve productivity and reduce labor costs. The spur to safety from experience-rating is restricted because 80 percent of all employers are too small to be eligible under present regulations.

We recommend that, subject to sound actuarial standards, the experience rating principle be extended to as many employers as practicable. (See R5.3)

In addition to the built-in stimulus to safety provided by experience rating, workmen's compensation also promotes safety by expending substantial resources on accident prevention services. However, in some States there are so many carriers writing workmen's compensation insurance, it is unlikely that all provide effective safety programs. Likewise, some State-operated insurance funds and some self-insuring employers devote insufficient resources to safety programs.

We recommend that insurance carriers be required to provide loss prevention services and that the workmen's compensation agency carefully audit these services. State operated workmen's compensation funds should provide similar accident prevention services, under independent audit procedures, where practicable. Self-insurers should likewise be subject to audit with respect to the adequacy of their safety programs. (See R5.2)

There should be an effective delivery system for workmen's compensation.

The effectiveness of workmen's compensation is to be judged by the program's ability to deliver the benefits and services which fulfill its basic objectives.

Six obligations of administration [Section 27(d) (1) (J)]. In this connection, the primary obligations of the workmen's compensation agency are: (1) to take initiatives in administering the act, (2) to provide for continuing review and seek periodic revision of both the workmen's compensation statute and supporting regulations and procedures, based on research findings, changing needs, and the evidence of experience, (3) to advise employees of their rights and obligations and to assure workers of their benefits under the law, (4) to apprise employers, carriers, and others involved of their rights, obligations, and privileges, (5) to assist voluntary resolutions of disputes, consistent with the law, (6) and to adjudicate disputes which do not yield to voluntary negotiation. Adjudication should be the least burdensome of these six obligations if the others are well executed.

Legal Expenses [Section 27(d)(1)(K)]. Originally it was hoped that the program would be self-administering; that employees would protect their interests without need for legal counsel or other outside intervention. The no-fault concept and prescribed benefits, it was assumed, would reduce the need for litigation. The complexities of the law and doubts about the sources and nature of impairments have dashed these expectations, although, given sufficient assistance by administrative agencies, claimants might have relied less on privately retained counsel and the system as a whole might have been spared the concomitant legal expenses.

We recommend that attorneys' fees for all parties be reported for each case, and that the fees be regulated under the rule making authority of the workmen's compensation administrator. (See R6.)

Administrative organization. Disputes on claims in five States are assigned immediately to the general courts. Adjudicators who handle workmen's compensation cases exclusively have the primary duty to resolve disputes in 45 States. Only if they fail are the decisions appealed to the courts.

We recommend that each State utilize a workmen's compensation agency to fulfill the administrative obligations of a modern workmen's compensation program. (See R6.1)

In line with their traditional role of providing a laboratory for experimentation, with variations suited to their own experience, needs, or creativity, the States have devised a variety of structures to administer their workmen's compensation programs. It is difficult to evaluate these structures outside the entire political and economic context of each State. The State agencies vary remarkably in their assignment and exercise of responsibilities. Some agencies do little but adjudicate, with small regard for the effective delivery of workmen's compensation services or for their other administrative obligations, cited above. For this reason, we advocate a strong administrative leadership with authority commensurate to the responsibility, empowered to supervise all employees except the members of the appeals board. One person should be responsible for the administration of the State workmen's compensation program. This emphasis on personnel as a crucial factor in the excellence of the system extends to the entire staff of the agency.

We recommend that, insofar as practical, all employees of the agency be full-time with no outside employment, with salaries commensurate with this full-time status. (See R6.5)

Processing of claims. A number of positive recommendations on administrative procedure appear in Chapter 6. In this summary, we will mention only two, which are included in the list of subjects assigned to us for evaluation by Congress.

Time limits on filing claims [Section 27(d)(1)(G)]. The problem for an employee in meeting the time limit for filing his claim is particularly acute when his impairment results from a work-related disease. A substantial lag may occur between exposure to the disease-producing substance and the manifestation or diagnosis of the disease. The Department of Labor has recommended a flexible time limit, so that workers with long-developing disabilities can still receive benefits, and about one-half of the States meet this recommended standard.

We recommend that the time limit for initiating a claim be two years after the date the claimant knows, or by exercise of reasonable diligence should have known, of the existence of the impairment and its possible relationship to his employment, or within three years after the employee first experiences a loss of wages which the employee knows, or by exercise of reasonable diligence should have known, was because of the work-related impairment. If benefits have previously been provided, the claim period should begin on the date benefits were last furnished. (See R6.13)

A Uniform System of Reporting [Section 27(d)(1)(L)]. An active State agency, such as we have recommended, requires the receipt and analysis of substantial data. Most of these data may be useful only within the particular State, but there are advantages which would result from nationally uniform data on several aspects of workmen's compensation, such as promptness of payments, the number of workers receiving the maximum benefits, and the amount of legal fees. At the present time, most States cannot provide this information on any basis, and almost none of the data can be compared across States.

A salutary consequence of preparation and dissemination of comparable data would be the enhancement of one virtue of the Federal system, namely that States can be laboratories of experiment and learn from one another.

Insurance systems [Section 27(d)(1)(N)]. Most workmen's compensation laws provide that qualified employers self-insure their obligations. Other employers are required to buy insurance from a private carrier or a State fund. Although private carriers are excluded from some States, they provide 63 percent of all workmen's compensation benefits; State funds, 23 percent; and self-insured employers, 14 percent.

The studies available to us indicate that no type of insurance has a general advantage over another in delivering services.

We recommend that States be free to continue their present insurance arrangements or, if the States wish, to permit private insurance, self-insurance, and State funds where any of these types of insurance now are absent. (See R6.20)

Protection against Insolvency. Special means are needed to protect employees in the event the employer fails to comply with the insurance requirements of the workmen's compensation law or if a carrier or employer become insolvent. Insolvency is a risk of the free enterprise system, but the penalties should not be assessed upon disabled employees.

We recommend that procedures be established in each State to provide benefits to employees whose benefits are endangered because of an insolvent carrier or employer, or because an employer fails to comply with the law mandating the purchase of workmen's compensation insurance. (See R6.21)

Part III. The Future of Workmen's Compensation

Our intensive evaluation of the evidence compels us to conclude that State workmen's compensation laws are in general neither adequate nor equitable. While several States have good programs, and while medical care and some other aspects of workmen's compensation are commendable, strong points too often are matched by weak.

In recent years, State laws have improved. In 1971, more than 300 bills were enacted, about 100 more than customary in odd-year legislative sessions. This encouraging burst of activity nevertheless failed to satisfy many basic needs. Of 16 recommendations for workmen's compensation published by the Department of Labor, the average State meets only eight. The wide variation among the States also are disturbing. While 9 States meet at least 13 of the recommendations, 10 States meet 4 or fewer.

An appropriate response to the serious deficiencies of workmen's compensation has been the major concern of our Commission. Are we to conclude that workmen's compensation is permanently and totally disabled, or is there a rational basis for continuing the program?

That fundamental question has obliged us to consider the possible alternatives to workmen's compensation. We have discussed the implications of abolishing workmen's compensation and reverting to the negligence suits, a remedy abandoned some 50 years ago. This option is still inferior to workmen's compensation: its deficiencies include uncertainties for both employer and worker and the substantial costs arising from litigation over the degree and source of impairment. Such litigation also has serious adverse effects on efforts at rehabilitation.

An even more radical option is the proposal to disassemble the program and distribute the components elsewhere. We are convinced that the problems associated with partition are insoluble, and that the injured workingman would be adversely affected. Each of the programs to which the components would be assigned has at least one serious deficiency compared to workingmen's compensation. For example, the eligibility requirements of the Disability Insurance program under Social Security preclude benefits until the worker has several quarters of covered employment. In workmen's compensation, in contrast, the worker is eligible from the first day he is employed. Also, we do not believe there is likely to be in the near future a source of medical care as satisfactory as workmen's compensation. Under most proposals for national health insurance, there are deductibles and other limitations on benefits not found in most workmen's compensation statutes. The ultimate weakness of partition, however, is that there are no well established locations for the two most important components of workmen's compensation: cash benefits for short-term total disabilities and cash benefits for long-term partial disabilities.

Perhaps in another decade or two, an attractive alternative to workmen's compensation will emerge.

For the foreseeable future we are convinced that, if our recommendations for a modern workmen's compensation program are adopted, the program should be retained.

The issue then becomes the final subject assigned to us by Congress: what are the "methods of implementing the recommendations of the Commission?" As we have reviewed the efforts for improvement by the various States, it has become apparent that the answer to this question is the most elusive of all that have been raised. Our recommendations are not fundamentally different from those of earlier investigations; yet previous recommendations have won no strong support.

Several reasons for the indifferent response to previous reform proposals are evident. The lack of interest in or understanding of workmen's compensation by State legislators and the general public is attributable in part to the complexity of the program. Various interest groups, including employers, unions, attorneys, and insurance carriers, have often allowed their specialized concerns to stand in the way of general reform. And State legislators and officials, even when they have been genuinely interested in reform, have too often been dissuaded by the irrational fear that the resulting increase in costs would induce employers to transfer business to States with less generous benefits and lower costs.

In view of these experiences, we have contemplated various strategies for improving workmen's compensation. Among those suggested at our hearings were a complete Federal takeover; retention of present State programs with only voluntary responses to Federal guidance or recommendations; and various methods of combining the basic State-run system with a more active and influential role for the Federal government.

Despite disagreements among the Commissioners on some matters, such as the timing of certain methods for improving workmen's compensation, we all agree on some points.

We agree that the States have the economic capability of responding to our recommendations.

Although our recommendations will increase the costs of workmen's compensation for most States and many employers, we agree that employers and the States have the resources to meet such costs. The States have the distinct advantage of having personnel and procedures in place: a Federal takeover would substantially disrupt established administrative arrangements. Moreover, we have seen no evidence that Federal administrative procedures are superior to those of the States.

We reject the suggestion that Federal administration be substituted for State programs at this time.

Several Commissioners believe that a Federal takeover of workmen's compensation may be appropriate in a few years if the present deficiencies are not corrected promptly but they also believe these deficiencies can be overcome by the States.

All Commissioners believe the virtues of a decentralized, State-administered workmen's compensation program can be enhanced by creative Federal assistance.

One role for the Federal Government is to help the States learn from one another. Our hearings have impressed us that a superior method in one State is not adopted swiftly by other States, a lag explained partially by the complexity of workmen's compensation. This learning lag can be shortened substantially.

We urge the President to appoint a Federal commission to provide encouragement and technical assistance to the States.

This assistance could include consultation on statutory amendments and improved data and reporting systems. Another function of the Commission would be to develop additional recommendations to supplement ours. Some of their recommendations should be based on a continuing review of permanent partial disability benefits and the delivery system for workmen's compensation. These topics could not be examined thoroughly during the brief life of this Commission, and are critical to the overall design of a modern workmen's compensation program and to the elimination of the most likely sources of inefficiencies and excessive payments in the present program.

All Commissioners believe there is another potential role for the Federal Government in workmen's compensation. We have specified certain of our recommendations of the essential elements of a modern workmen's compensation program. We recommend that compliance of the States with these essential recommendations be evaluated on July 1, 1975, and, if necessary, Congress with no further delay in the effective date should then guarantee compliance with these recommendations.

The essential elements of workmen's compensation recommended by this Commission are:

Compulsory Coverage (R.2.1)

No Occupational or Numerical Exemptions to Coverage (R2.2, R2.4, R2.5, R2.6 and R2.7)

Full Coverage of Work-Related Diseases (R2.13)

Full Medical and Physical Rehabilitation Services without Arbitrary Limits (R4.2 and 4.4)

Employee's Choice of Jurisdiction for Filing Interstate Claims (R2.11)

Adequate Weekly Cash Benefits for Temporary Total, Permanent Total, and Death Cases (R3.7, R3.8, R3.11, R3.12, R3.15, R3.21, R3.23)

No Arbitrary Limits on Duration or Sum of Benefits (R3.17, R3.25)

If, after the 1975 review, Federal support is needed to guarantee compliance with these essential recommendations, they should be included as mandates in Federal legislation. Any employer not covered by a State workmen's compensation act would be required to elect coverage in an appropriate State. For all employers in States where the scope of protection of the State act does not include the essential recommendations, supplemental insurance or self-insurance to provide this broader protections would be required. The normal enforcement method would be the imposition of fines on noncomplying employers. Most claims would be handled by existing State workmen's compensation agencies using their regular procedures, except that the scope of protection afforded by the State must include the essential recommendations.

The Commission was unanimous in concluding that congressional intervention may be necessary to bring about the reforms essential to survival of the State workmen's compensation system. We believe that the threat of or, if necessary, the enactment of Federal mandates will remove from each State the main barrier to effective workmen's compensation reform: the fear that compensation costs may drive employers to move away to markets where protection for disabled workers is inadequate but less expensive. There was disagreement concerning the appropriate time for Congressional action, with a majority concluding that States should be given until 1975 to act before Federal mandates are enacted if States have not adopted our essential recommendations. One reason for the delay is the feeling that an immediate push for congressional legislation would precipitate a confrontation which would delay positive action at the State level pending the outcome. Another reason is that many necessary reforms in the State workmen's compensation programs are not susceptible to Federal mandates. If our mandates immediately were adopted by Congress and made applicable to the States, some States might fail to undertake the thorough review of our recommendations that are not appropriate as Federal mandates.

If the Federal government guarantees the adoption of our essential recommendations, if a new Commission is established to encourage and assist the States, and, most important, if those who control the fate of workmen's compensation at the State level accept responsibility for the program's reform, we believe that soon the protection provided by workmen's compensation to "the vast majority of American workers, and their families . . . in the event such workers suffer disabling injury or death in the course of their employment. . . . [will be] adequate, prompt, and equitable."

Mr. JAVITS. Mr. President, yesterday I announced plans to introduce legislation designed to implement recommendations for improvements in workmen's compensation laws made by the National Commission on State Workmen's Compensation Laws in its report. I am the author of the legislation which established the Commission. It is always gratifying to see an initiative taken here in the Congress and this report is particularly gratifying to me because it completely substantiates my own conclusions as to the inadequacy of many of the existing State workmen's compensation laws and the corresponding need for drastic improvement in the system as we know it. The Commission's report states:

> Our intensive evaluation of the evidence compels us to conclude that State workmen's compensation laws are in general neither adequate nor equitable. While several States have good programs, and while medical care and some other aspects of workmen's compensation are commendable, strong points too often are matched by weak.

The report of the Commission makes it clear that there is no longer any room for doubt as to the need for drastic workmen's compensation reform in America and that the Federal Government has a role to play in insuring that State programs are upgraded to meet the legitimate needs of injured workers.

One of the aspects of the report which I think deserves particular attention is that the Commission found that State laws are inadequate judged even by what had previously been generally accepted standards, such as the recommendations promulgated by the Department of Labor, the International Association of Industrial Accident Boards and Commissions, and the Model Code developed under the auspices of the Council of State Governments, but it also went further and developed in its recommendations far more adequate criteria than have heretofore been utilized.

For example, the Commission did not accept what has previously been the generally agreed upon standard of 66⅔ percent of the average weekly wage within the State for determining the maximum benefits payable for temporary and permanent total disability. As noted when I first introduced the legislation which established the Commission, and in my testimony before the Commission, such a maximum limitation means that any employee earning over the average weekly wage in the State will not get reasonable income replacement if he suffers a disabling work-related injury. The Commission recommends that an increase in a State maximum limits to 100 percent of average weekly wages by 1975 and further staged increases up to 200 percent of average weekly wages by 1981. In my judgment, that is a far more reasonable standard than 66⅔ percent of average weekly wage. It will assure that most workers actually receive adequate income replacement.

Another area in which the Commission went further than prior efforts concerns the manner in which most State workmen's compensation agencies are administered and, particularly, their failure to assume a more active role in providing assistance to injured workers. That includes their failure to take the initiative in supervising and providing adequate medical care and rehabilitation, as well as technical and, where necessary, legal assistance. All too often workmen's compensation agencies are little more than referees in contested cases and do not conceive of themselves or function as the guardians of the welfare of injured workers. As the Commission notes, that is one reason why the system has become so oriented to litigation. Claimants have had no choice but to turn to private attorneys for help. The Commission report specifically addressed itself to this problem and recommends a much more activist approach by workmen's compensation agencies through the provision of technical assistance to claimants and direct supervision of medical care and rehabilitation efforts. This is one of the most important, but perhaps most frequently overlooked problems in workmen's compensation, and the Commission's recommendations in this area are among its most important.

I have mentioned just two areas in which the Commission has made recommendations. However, the Commission's report actually covers the whole gamut of workmen's compensation problems. The introduction to the report contains a summary of its main conclusions and recommendations, and I ask unanimous consent that part of the Commission's report be printed in the RECORD at the end of my remarks. The recommendations cover such areas as making coverage compulsory rather than elective, eliminating exemptions for such categories of workers as farmworkers and domestics, who need coverage as much or more than other categories of employees, full coverage for occupational disease, standards for temporary and permanent total disability benefits, the provision of medical care and rehabilitation services without limitations as to time or amount, time limits for filing claims, and other important areas which desperately need improvement.

I concur with virtually all of the substantive recommendations for changes in existing State laws and the manner in which State programs are now being administered.

There is, however, one aspect of the Commission's report which I believe is too timid. The Commission's recommendations for implementing its substantive recommendations are for no Federal legislation to be enacted until 1975. In the interim, the Commission suggests that a new Commission be appointed by the President to monitor the States' performance and to render the States assistance in complying with the Commission's recommendations for substantive changes. If the States do not update their programs sufficiently by 1975, then the Commission recommends that Federal legislation be enacted under which employers would be required to provide benefits in accordance with Federal standards. If employers refuse to comply, they would be subject to fines and suits in the Federal district courts by injured workers, with the assistance of local U.S. attorneys. These implementing recommendations of the Commission are obviously designed to mute the controversy that has historically accompanied any attempt to have the Federal Government become involved in workmen's compensation matters.

In my judgment, history and the Commission's own report demonstrate the futility of relying on the recommendations alone as sufficient incentive to produce required changes in State laws. Thus, despite the recommendations of the Department of Labor, despite the recommendations of the International Association of Industrial Accident Boards and Commissions, and despite the prestigious model code developed by the Council of State Governments, benefit levels today replace less income lost by injured workers than they did in 1940. It is true, as the Commission points out, that there have been a number of desirable changes in State laws in recent years, particularly since the Commission itself began to function. This should come as no surprise, and the Commission's report itself notes that many of these changes were probably attributable to the threat of Federal action implicit in the establishment of the Commission.

It seems to me that we should take advantage of the momentum created by the Commission's report to enact Federal legislation now which will give the States a reasonable time to comply with the Commission's substantive recommendations, but at the same time make it clear that if the States do not comply, the Federal Government must cure the default.

I support the Commission's conclusion that we ought not to scrap the existing State system in favor of a totally federally administered system. There is too much that is good in the present system to justify starting all over and I have no quarrel with the recommendation that the States should be given a reasonable period of time in which to act to bring their laws into compliance with the minimum standards recommended by the Commission. But these considerations hardly dictate against Federal action. On the contrary, we can and should act now to spur the State action that is required.

Furthermore, I also think it is clear that if a State does not comply with the minimal recommendations of the Commission, we ought not to relegate injured employees to court actions and bring criminal proceedings against the employer. There is a much more simple, direct approach available which we have already utilized in connection with the coal miners black lung compensation program. If the States do not comply with the minimal recommendations within a reasonable period of time, then a Federal workmen's compensation law should go into effect for the benefit of employees working in those States.

I intend to introduce legislation along these lines in the very near future, and I intend to do all I can to see to it that it is given the highest priority. It may even be possible to include appropriate legislation to implement the Commission's recommendations as an amendment to the Longshoremen's and Harbor Worker's Compensation Act now being considered by the Committee on Labor and Public Welfare.

Through the years, millions of injured workers have been forced to suffer the consequences of disabling injuries under State laws, of which over 50 percent, according to the Commission's own findings, provide maximum limitations on benefits which are less than the amount needed to escape poverty under officially accepted standards. In the face of the Commission's superb documentations of the inadequacies of the present system, I do not think that the American people or Congress should be willing any longer to let archaic notions of States' rights stand in the way of bringing elementary justice to workers who have become injured or diseased on the job.

Finally, while I differ with the Commission in that I favor immediate Federal legislation to implement the Commission's recommendations, I would like to emphasize my admiration for the Commission's report as a whole. The Commission has done a superb job of analyzing the deficiencies in the present system and in formulating its recommendations for substantive changes. I am certain that, whatever happens in the way of Federal legislation, this report will have a profound effect in causing needed improvements to the existing systems by which we compensate and treat injured workers. I have personal knowledge of the sincerity and dedication of all the members of the Commission and I now publicly reiterate what I have previously said when I appeared before the Commission: This report is not going to just gather dust on some shelf.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The PRESIDING OFFICER (Mr. EAGLETON). Under the previous order, the hour of 10 a.m. having arrived, the Chair lays before the Senate the unfinished business, H.R. 15495, which the clerk will state.

The assistant legislative clerk read as follows:

> H.R. 15495, to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. MANSFIELD. Mr. President, is there an amendment pending?

The PRESIDING OFFICER. Yes, there is an amendment pending. However, the Senator from South Dakota (Mr. McGOVERN) was expected to be here to call it up. There is an order to recognize the Senator from South Dakota.

AMENDMENT 1381

Mr. MANSFIELD. I believe that I can, in good faith, ask unanimous consent that that amendment now be laid before the Senate at this time.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> At the end of the Act add a new title as follows:
>
> TITLE VII—LIMITATION ON NEW OBLIGATIONAL AUTHORITY FOR THE DEPARTMENT OF DEFENSE, MILITARY, FOR FISCAL YEAR 1973
>
> SEC. 701. Notwithstanding any other provision of law, the new obligational authority for the Department of Defense, Military, shall not exceed a total of $77,663,000,000 for the fiscal year beginning July 1, 1972.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, on the time of both sides, I am about to propound a unanimous-consent request.

Mr. President, at the conclusion of debate tomorrow, Wednesday, August 2, 1972, on the Brooke amendment, I ask unanimous consent that the distinguished Senator from Vermont (Mr. AIKEN) be recognized for the purpose of offering a perfecting amendment not to exceed 1 hour, the time to be equally divided between the Senator from Vermont (Mr. AIKEN) and the majority leader, in this instance, or whomever he may designate.

Mr. CRANSTON. Mr. President, reserving the right to object, and I shall not object, I just want clarification—is that perfecting amendment to my amendment, or to the Brooke amendment?

Mr. MANSFIELD. To the Brooke amendment.

Mr. ALLEN. Mr. President, if I may interject there, it would be to the Cranston amendment——

Mr. MANSFIELD. The Cranston amendment, yes. I thought it was the Brooke amendment.

Mr. STENNIS. Mr. President, reserving the right to object, and I do not object, on the point of the majority leader's controlling the time, it is customary for the floor leader——

Mr. MANSFIELD. Yes, I was under the impression that the manager of the bill might be in favor of it and I was trying to relieve him of any——

Mr. STENNIS. If that arises, but the membership is in the habit of coming to the manager of the bill for time.

Mr. MANSFIELD. That is perfectly all right.

The PRESIDING OFFICER. Does the Senator from Montana amend his unanimous-consent request?

Mr. MANSFIELD. Yes, that the time be under the control, in opposition, of the manager of the bill or whomever he may designate.

The PRESIDING OFFICER (Mr. EAGLETON). Is there objection to the unanimous-consentrequest of the Senator from Montana? The Chair hears none and it is so ordered.

Mr. MANSFIELD. Mr. President, after the Cranston amendment is disposed of, I ask unanimous consent that there be 1 hour on the Tunney amendment, the time to be equally divided between the distinguished Senator from California (Mr. TUNNEY) and the distinguished chairman of the committee, the manager of the bill, the Senator from Mississippi (Mr. STENNIS).

Mr. TUNNEY. Mr. President, reserving the right to object, and I do not intend to object, one thing I wanted to ask the majority leader is, what the situation would be if I release the time so that I could bring up the Tunney amendment after the Cranston amendment, depending on what happened to the Cranston amendment?

Mr. MANSFIELD. That would be a judgment for the Senator to make at that time.

Mr. TUNNEY. The problem is, if I call up the amendment prior to the time of the Cranston amendment, that would require unanimous consent to withdraw it, and the Senator from California does not intend to have a vote on his amendment if the amendment of my distinguished senior colleague (Mr. CRANSTON) passes.

Mr. MANSFIELD. Then I would suggest to the Senator, if he would be willing to accommodate himself, that he give up his 1½ hours today and that he permit me to ask unanimous consent that he be recognized after the disposition of the Cranston amendment tomorrow for the purpose of offering his amendment and if he offers it, that there be a time limitation of 1 hour to be equally divided and controlled by the Senator from California (Mr. TUNNEY) and the manager of the bill.

Mr. TUNNEY. That is what I would like to do if the distinguished majority leader will modify his unanimous consent request accordingly.

Mr. MANSFIELD. Mr. President, I would add to that request, that the 1½ hours allocated to the distinguished Senator from California (Mr. TUNNEY) today be vacated.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ALLEN. Mr. President, a parliamentary inquiry. I understand that a unanimous-consent agreement has been entered into that, on Wednesday, tomorrow, the Cranston amendment would be called up, with 4 hours being allotted for debate on that amendment. At the conclusion of that 4-hour period, the Brooke amendment would be called up and would be subjected to debate for 2 hours, and at the expiration of that time, without a vote on the Brooke amendment, the distinguished Senator from Vermont (Mr. AIKEN) would be recognized for the purpose of offering a perfecting amendment to the Cranston amendment, and that debate on that perfecting amendment of the distinguished Senator from Vermont (Mr. AIKEN) will last for 1 hour, at which time there will be a vote on such amendment. Is that correct?

The PRESIDING OFFICER. The Senator is absolutely correct in his understanding.

Mr. ALLEN. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. McGOVERN. Mr. President, what is the pending business?

The PRESIDING OFFICER (Mr. EAGLETON). The pending business is the amendment of the Senator from South Dakota (Mr. McGOVERN), amendment No. 1381.

Mr. McGOVERN. Mr. President, I am delighted to speak to that amendment. I am especially pleased that the distinguished Senator from Missouri (Mr. EAGLETON) is now presiding. At the opening of the debate on the pending amendment, I am glad to know in advance of his own personal support of the amendment the Senate is about to consider.

Mr. President, the pending amendment is designed to prevent military spending authority from rising in the current fiscal year.

My amendment would authorize military appropriations of $77.6 billion, and no more, in fiscal 1973.

That amount is identical to the fiscal 1972 request for new obligational authority. And it is slightly more than actual spending in the fiscal year just completed. It rejects nothing that the administration says it wants to buy this year.

But it would cut almost exactly $4 billion from the $81.6 billion in new obligational authority for the Department of Defense—exclusive of military aid, Atomic Energy Commission programs, and defense-related activities of other agencies—that the administration has requested for fiscal 1973.

The net effect would be to hold arms appropriations steady at last year's level, or slightly more.

All I propose is that we pass by, at least for the time being, the dramatic increase in appropriations the President has requested this year. I suggest that we refuse to accept now the new obligations which could, according to the Brookings Institution study, "Setting National Priorities—The 1973 Budget," commit us to an arms budget of some $100 billion a year by 1975.

That load is simply too great for today's strained economy to bear. In the name of national security, it would undermine our safety, and debase the real sources of our strength, more than anything else we might do.

Last week, the President lectured the Congress on the threat of inflation. He told us expenditures must be rigidly controlled if we are to find stable prices again.

He suggested that the Congress is too concerned about such things as cleaning up the heavy, putrid air which has been sending thousands of people to hospitals—and some to graveyards—in our major cities in recent days. We will worsen inflation, he says, if we do something about that problem.

The President implied that the Congress gives too much attention to the plight of older Americans, many of whom have been subsisting on less than we spend to care for the pandas at the National Zoo. We find that a decent social security system is inflationary, too, in the eyes of this administration.

The President thinks we have asked too much for schools—to keep the Federal share of school support somewhere in line with rising school costs and to prevent the crushing property tax burden from getting any worse.

Mr. President, as I have traveled across the country, I have found in every State of the Union mounting concern about the problem of the school financing. It puts a strain on homeowners and on property owners in all parts of this country to sustain even the present inadequate level of educational expenditures. And the only way that I can see to deal with this crisis in a practical way is for increased Federal support for education.

But under any fair interpretation, the President told the Congress last week that we invite inflation by anything we do to build up our own country, to care for our own people, and to improve the quality of life in our own society.

That view has nothing to do with reality.

We must consider the real sources of inflation. If, in fact, the President's concern about inflation is a real one—and I think it is—and if our concern about this problem is a real one—and I am sure it is—then we have to examine carefully what is the basis for the inflationary pressures that have been building in this country since 1965.

I think first of all that inflation derives from the reckless war in Indochina. It comes from the bombs, the bullets, the planes and the missiles which we have piled up beyond any rational need. And if we accept the $100 billion arms obligation represented here, we will be adopting a program of guaranteed ruinous inflation for years to come.

Surely, we should exercise some reasonable restraint on Federal spending at a time when inflation is on the minds of every citizen in this land.

But let us do it in ways that reflect decent moral and human concerns.

Instead of holding up hungry children; instead of holding up the old who suffer in silence; instead of holding up 5 million or more idle workers who cannot be heard; let us, for once, stand up to the generals and the admirals who are bleeding our economy dry.

This weekend the President dispatched his top economic adviser to forecast economic doom if we have a new administration next January.

But the President did that with his own economic record lying in a heap around his ankles. And the same is true of Mr. Stein.

I have no economic miracles to offer. But it seems to me that it would take a mind bent on wrecking our economic system to compile a record much worse than that of the Nixon administration. And I do not think any of us need lectures on economic management from the architects of these past 4 years.

Instead, let us open the way to a new direction, if that is what the American people choose this fall.

It is no secret that I regard much of what is in this year's military spending package as needless and damaging to our national security.

There are funds, for example, to continue the outrageous pounding of Indochina for the single purpose of propping up a dictator who cannot rally the genuine support of his own people.

There are funds in this budget to send still more American pilots into prisoner-of-war camps, to join the hundreds already there and the hundreds more missing in action—including five more shot out of the sky and lost just 2 days ago.

There are funds to keep young Americans slogging hopelessly through the swamps of Vietnam.

There is money in this bill to underwrite astounding bureaucratic incompetence of the same kind that has produced cost overruns of $28.7 billion on 77 weapons systems in recent years.

There are funds for a galloping new race in strategic arms, before the ink is even dry on the Moscow arms reduction agreement.

There are funds for still more nuclear overkill, at a time when we can reduce any adversary to ashes 20 times over.

That is a fact that we ought to contemplate, that we now have the capacity to destroy every strategic target in the Soviet Union or in China some 20 times over without adding any additional capacity of our Military Establishment.

There are funds to maintain a vast excess of military manpower, including officers who stumble over themselves looking for troops to command—5,000 more colonels, generals, commanders, captains, and admirals than we had in 1964, to command 190,000 fewer men.

And there are funds for goldplating weapons so they actually endanger the men who must use them; funds for clinging to outmoded strategies which would almost certainly fail in any test; funds for pushing pet military projects at the expense of carefully conceived weapons that can make a real contribution to our own defense and to the security of our allies around the world.

But the bulk of those funds—certainly all of them to be actually laid out in fiscal 1973—would not be touched by my amendment.

In a separate, earlier proposal, I have outlined substantial reductions in arms spending to be accomplished over a period of several years, that would bring the military budget down to some $55 billion by fiscal 1975.

But a first requirement is that those cutbacks must go hand in hand with sound economic conversion planning, to provide jobs and income for the people who will shift to peacetime production.

I understand the concern of many Members of the Senate about making arms reductions that might add to the unemployment in this country. But when one considers the enormous need in the United States for new educational facilities, for new programs to clean up and strengthen our cities, for new programs to save our environment, all of the things that our country needs, it seems to me to be inexcusable that we would say, in effect, that we lack the imagination to figure out ways to provide jobs for people who are now working on military systems that no longer add anything to the security of the Nation.

Hundreds of thousands of arms industry workers already have been thrown out of work by the Nixon administration. They are production line workers, apprentices, machinists, and some of our most highly skilled scientists and engineers. They are people who want desperately to work. And they are people whose unemployment benefits have long since run out, whose kids are dropping out of college, whose mortgages are past due, and whose lives are in disarray.

I have never understood why that is necessary. If we plan wisely, and if we marshall our resources with care, I believe we can guarantee a job for every one of those workers now unemployed, or any others who might become unemployed as a consequence of changes in our military requirements. We can assure that new priorities need not be a personal calamity for anyone; that they can mean refreshing and hopeful new opportunities for us all.

In that connection let me say that many times over the last few months I have visited with military-defense related workers who are actually disturbed about the fact that their jobs depend on the production of things they feel in their hearts are no longer necessary for the defense and security of this country. These highly trained men and women, highly skilled people, I am convinced, would much prefer to be working on products that would lift the quality of their lives rather than contribute to programs they feel are wasteful and unnecessary. So we need not harm the workers on the defense line. We need not throw them out of work, provided we will look ahead to some of the alternative sources for their labor and their investment.

We are wasting life and blood and treasure in Southeast Asia. We are wasting precious resources on military overruns and overkill.

But we need not replace that tragic waste with another; with the waste of human energy and dignity and skill here at home.

We ought to end our involvement in Indochina just as quickly as transportation can be arranged, and that issue will be considered in other amendments related to that war. We need not send young Americans to war in order to keep their parents at work here at home.

But beyond that, all I propose is that we avoid luring still more workers out on a precarious military limb from which so many have already fallen. Let us instead find these citizens jobs that are worthy, in the production of things the country desperately needs.

At the same time let us give the people a chance to express themselves on the issues that we are discussing here today. The issues are going to be very sharply drawn on the question of military spending versus domestic priorities in the coming campaign. There is no question that the lines are already forming on that issue.

They are drawn most sharply of all when it comes to determining what national security really means.

For a quarter century we have sought security in protection against threats from abroad. We have seen dangers from large nations and small; from nations with substantial power, and from primitive nations with almost no power at all.

To meet those threats we have stationed American forces around the globe. We have sacrificed thousands of our sons. We have spent more than $1¼ trillion, and we have built the mightiest arsenal the world has ever known in all its history.

Mr. President, it is a dangerous world. There are real dangers and risks from hostile nations abroad. Those dangers must concern us all.

But after traveling to all parts of America in recent months, I sense a broader definition of national defense and security taking shape in the minds of the American people.

I think the people of this country are alert to threats from abroad. I do not think they need to be convinced that this country requires adequate military defense. But they are equally concerned with the deterioration of our society from within.

They see decayed cities, wasted air and water, rampant crime, crumbling housing, and failing transportation. They see a government which is more preoccupied with its image abroad than with its failures at home. And they are tired of seeing their needs starved to underwrite corrupt governments overseas, to pay more than our share of alliances with the rich nations of Europe, and to buy shiny new airplanes that do not fly, guns that do not fire, and missiles that only increase the nuclear terror.

I suggest that the most serious national security questions today involve such questions as the health of our people, the quality of our schools, the safety of our streets, the condition of our environment, the vitality of our economic system, and most of all the confidence of our society that this Nation cares about its own people.

So, Mr. President, to conclude, all I ask today is that Congress not prejudge this issue.

My amendment is a modest request that before we embark on the next spiral of foreign preoccupation and domestic neglect, we give the American people a chance to speak on that issue this fall.

Let them hear the arguments and render their judgment on questions that are now squarely before them, nationwide, for the first time in the memory of anyone here.

Our very worst foreign fears require no more. Our faith in democracy requires no less.

I plead with Members of the Senate to consider this amendment carefully, to consider it against the background of the President's own warning that Congress be careful about authorizing new spending at a time when inflation is already a very serious matter on the mind of every American.

Let us think very carefully about robbing the paychecks of the workers of the country, about robbing the consumers of the country, by authorizing new spending levels today that will go beyond any reasonable test of our national defense.

I strongly urge that the Senate favorably consider the amendment.

Mr. SYMINGTON. Mr. President, will the able Senator yield for a statement and then several questions?

Mr. McGOVERN. I am happy to yield to the distinguished senior Senator from Missouri, who is a member both of the Committee on Armed Services and the Committee on Foreign Relations, a former Secretary of the Air Force; and a man whom I consider to be one of the great experts in the Senate in the field of defense.

Mr. SYMINGTON. I thank the able Senator from South Dakota for his undeserved but deeply appreciated comments.

What the Senator is requesting the Senate to do this morning is exactly the policy a corporation would follow in times of bad business. We who remember 1932 know we arbitrarily reduced expenditures in private business by what were called "across-the-board" cuts. That is what, in very mild fashion compared to what was necessary in those days, the able Senator from South Dakota is proposing this morning. Actually, he is not even proposing a reduction, rather simply stating that, as a result of unfortunate developments in the economy and our present military posture, we do not need to increase arms expenditures; and if there is any extra money available, it should be devoted to deteriorating situations here at home.

I congratulate him on his amendment, which I look forward to supporting.

On July 7, in an article written from San Clemente on July 6, the New York Times stated that:

> The new congressional liaison for the Nixon administration, Mr. William E. Timmons—denounced the record of the Democratic controlled Congress today as "miserable," "irresponsible," "appalling," and "cynical."

It seems those observations of this new congressional assistant are not the best way to obtain full cooperation by Congress with the administration; but that would be for him to decide.

Later, I noticed in the Washington Post an article entitled: "Nixon Warns Congress on 'Miserable Record'."

Mr. Timmons there stated:

> We feel Congress owes the American people an up or down vote on the President's proposals.

And he then urges we limit authorizations, apppropriations, and expenditures.

My question to the able Senator from South Dakota is: Does he not agree that, in effect, what he is proposing this morning is an effort to cooperate with the administration, notwithstanding this incredible attack made on the Senate and House of Representatives by the head of congressional liaison?

Mr. McGOVERN. Yes, the Senator is absolutely right. Both the President and his top aides have made it clear that they are going to take this case to the country—that is, the case of Federal spending—and that any Member of Congress who is careless on the question of Federal expenditures is going to be attacked in the election this fall for adding needlessly to inflationary pressures.

The question is: How sincere is the administration in that warning? Does it apply to the biggest single part of the Federal budget, which is the military section, or is the military part considered sacred territory?

In other words, are we being asked to reduce funds for senior citizens? Are we being asked to hold down expenditures for education? Are we being asked to hold down expenditures for health care for the American people? Are we being asked to hold down expenditures for our cities and States, and to give up the idea of any real revenue sharing? There is certainly not going to be much revenue to share if we continue to operate with deficits of $30 billion to $35 billion a year.

I think the Senator's question is well taken. The amendment is an attempt to respond to the concern which the President himself expressed, namely, that we be very cautious about providing for additional Federal expenditures right now. I am saying, let us not add the $4 billion in arms expenditures that the administration has requested above what we appropriated in the last fiscal year.

Mr. SYMINGTON. I thank the able Senator for his response.

If Mr. Timmons believes the record of the Democratic-controlled Congress today is miserable, irresponsible, appalling, and cynical, any objective-minded person, regardless of party, would be glad to vote for this business-like amendment proposed by the Senator from South Dakota.

Now I will read into the RECORD excerpts from an article entitled "SCRAM, SCAD, ULMS and Other Aspects of the $85.9 Billion Defense Budget," written by Robert Sherrill, and published in the New York Times Magazine of July 30, 1972. The article has to do with the way in which we handle our military appropriations.

> The way Pentagon money primes the national economic pump is hardly a secret, but on the other hand it's seldom spoken of quite as openly as it was in one exchange between Senator Proxmire and then-Treasury Secretary John Connally.
>
> Proxmire argued that the proposed $250-million loan for Lockheed was not subsidy but downright welfare, in that there would result "no benefit, no quid for the quo."
>
> CONNALLY. "What do you mean no benefit?"
>
> PROXMIRE. "Well, they don't have to perform."
>
> CONNALLY. "What do we care whether they perform? We are guaranteeing them basically a $250-million loan."

These are reported as direct quotations of the Secretary of the Treasury, and I repeat:

> CONNALLY. "What do you mean no benefit?"
>
> PROXMIRE. "Well, they don't have to perform."
>
> CONNALLY. "What do we care whether they perform?"

That is quite a statement in itself. Secretary Connally continued:

> "We are guaranteeing them basically a $250-million loan. What for? Basically so they can hopefully minimize their losses, so they can provide employment for 31,000 people throughout the country at a time when we desperately need that type of employment. That is basically the rationale and justification."

In passing, I would say that the provision of that amount of employment for that good company took away thousands of jobs in my own State; therefore did not particularly appeal as a logical argument on the part of the then-Secretary of the Treasury.

The article continues—one more short paragraph:

> The same rationale and justification helps explain why talk of radically cutting the armed services falls on Congress's deaf ear. It might tempt them to violate a ground rule of that legislative body: Avoid hidden

problems whose solution would only create a more visible problem.

Now, in recent days we have heard about the reports of two subcommittees of the Senate Armed Services Committee, one of which was made to the full committee unanimously, but reversed by the full committee and later by a vote on the floor of the Senate. In other words, the position taken by those Senators who were requested to study the matter carefully was first reversed in the full committee and then by the Senate; so that whatever the decisions were, they were not based on the intelligent conclusions of the Senators on the subcommittees.

I believe, based on what I know, that these reversals were made because of pressures. I will not get into the nature or degree of those pressures, but stand by that statement.

There is another question I would ask the able Senator from South Dakota, who has the courage to bring this matter before the Senate and the country, and whose record as a highly decorated bomber pilot in World War II means no one can criticize him for any lack of patriotism.

Is it not true that one of the basic tenets of Karl Marx was that capitalism needed war, and the preparation for war, to preserve its system of free enterprise?

Mr. McGOVERN. The Senator is absolutely correct. Marxist literature is filled with references to the failure of capitalism to provide jobs and income for the workers without war. As a matter of fact, that is one of the principal Marxist indictments of capitalism, that it requires war and imperialism in order to sustain itself, that in the absence of what amounts to a war-oriented economy, capitalism does not work.

I do not believe that, and I know the Senator from Missouri does not believe that. As a matter of fact, the more I have studied the economic problems of this country, the more I am convinced that all of our serious economic difficulties are aggravated by too much spending in the military field. There is no question that it has contributed to the inflationary pressures now playing on the country. I think it has contributed to the unemployment, in that we have wasted resources overseas on military ventures that really add nothing to our security here at home, and add very few jobs, by the way. I think every study will show that excessive investments in the military field deprive us of resources that would create even more jobs if they were spent on civilian purposes.

But it is a fact that those who argue that we have to have expanding levels of military expenditures in order to provide jobs here at home are actually following the Marxist line. They may be doing it unwittingly, but nevertheless they are accepting a Marxist premise, that you have to have a war economy in order to make capitalism work.

Mr. SYMINGTON. Mr. President, I thank my able colleague for his comments. I have no criticism, in any way, of the patriotism of my good friend Secretary John Connally, but am worried about a dialog this article reports he had with Senator PROXMIRE:

PROXMIRE: "Well, they don't have to perform."

This with respect to the Lockheed loan; I am somewhat sensitive about this loan because it took thousands of jobs out of Missouri. The only other plane that competed in this commercial class with the Lockheed plane was built by a company in my State.

To the observation, "They don't have to perform," Mr. Connally responded:

> What do we care whether they perform?

Mr. President, I have heard much on this floor about why capitalism is better than communism because of superior performance incident to efficiency and effectiveness of our system. With this I fully agree. But here we have one of the members of the President's Cabinet saying that performance is not important, that what is important is more jobs.

I congratulate the Senator for bringing this matter to the attention of the Senate, and would say that, if the Senate passes this amendment, it will be doing what the President of the United States recommended when he commented that Congress has a miserable record to date.

I thank the Senator for yielding.

Mr. McGOVERN. I thank the Senator from Missouri for his very helpful contribution to the consideration of this amendment.

I wonder if I could ask the Senator if he would remain here to comment on a question I would like to raise. I am sure that the question going through the minds of some Members of the Senate, perhaps all Members of the Senate, as they consider this amendment, is the question of whether we are in any way weakening the deterrent capacity of this Nation. Are we undermining our military credibility, either in the eyes of potential enemies or in the eyes of friends who depend on us? Is there anything about holding military spending to its present level that, in the judgment of the Senator from Missouri as a member of the Armed Services Committee, would jeopardize the military capability of the Nation?

Mr. SYMINGTON. No, let me say to my able colleague, I was quite surprised at the Trident vote, for example, which was against the unanimous opinion of the Senate subcommittee which considered the Trident matter in detail—the only place where, to the best of my knowledge, it was considered in detail.

If these new submarines under its program—and the Defense Department testified the figures were correct—were built, the cost of those 10 submarines would be $4 billion more plus than the cost of 10 additional nuclear carriers. It is for such financial reasons, plus the obvious, to me, effort on the part of the United States to influence world politics to a point well beyond the need of this Government, that I opposed it. Why should we pay out billions of dollars in order to have that right to tell other people how they should govern themselves, what religion they should have, and so forth?

People came over to this country to avoid being told how to govern themselves, yet now the United States of America is wielding its great power all over the world in a Pax Americana effort comparable to the Pax Britannica effort of the 19th century, with one great exception: This British Empire was built on and for profit. When they found that, as a result of needed coaling stations, before oil came into the picture, that they could make a profit by growing cotton in India, forbidding the cotton to be manufactured into shirts in India, first shipping the cotton to Manchester and then shipping the shirts back to India, that formed the basis of the entire colonial concept of Pax Britannica. In our case, however, exactly the opposite is true.

One need only go to far places such as Vietnam—and I believe I have been there as much as any other Member of Congress, including this year—and look at the amount of taxpayers money, aside from the moral and political aspects, being expended, billions and billions of dollars to realize how contrary it is to the Pax Britannica theory. None of it ever comes back in any form except financial loss. It is all gone, and we continue to pay because of the interest on our increased debt.

Therefore, it is hard for me to understand what the basic thinking is behind these requests for gigantic increases in our Military Establishment at this time. I would say again to my able friend from South Dakota, that one of the reasons the people of the United States have been increasingly listening to him is that they realize it does not make any difference whether we can destroy another country two thousand times and they us only one thousand times, or vice versa. The theory of overkill is solid, but the reverse of that theory is expressed by the request to heavily increase the amount of our military budget today. Most of what is being requested is needed. Some is not. To eliminate some of the latter is the purpose of the Senator's amendment.

Mr. McGOVERN. Again, I thank the Senator from Missouri for his very helpful contribution to this discussion.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the Senator from California.

Mr. CRANSTON. I was deeply interested in the Senator's original proposal, made sometime ago, for a staged cut in what we spend on military matters. We both favor returning to a sane budget that, in the Senator's opinion and in mine, would not decrease our security but would actually increase it. It would do so because our security relates to the strength of our economy as well as to the military weapons we possess. The proposal made by the Senator today is a modest beginning in this direction, and I think it is a very sound beginning.

The President of the United States, President Nixon, has journeyed to Peking and to Moscow in an effort to ease tensions in our world. The Senator and I, and many others on this side of the aisle, have praised those efforts. Mr. Kissinger has engaged in many missions for the same purpose. The strategic arms limitation talks have been, I think, a very fine—at least, hopeful—beginning in the search for a limitation on arms and a reduction of all the dangers and the burdens of the arms race.

Yet it seems to me that there is a great inconsistency in the fact that, in spite of those efforts by the President, by Mr. Kissinger, and by many others in the administration, we find that we still fight in Vietnam. We find that the President thus far has been unable, in more than 3½ years, to fulfill his campaign promise to end the war.

We find a failure to negotiate successfully thus far with the other side. We find the President resisting the efforts of the Senator and many others in Congress to pass measures that would lead to an end to the war. Meanwhile, we find the President requesting in this budget new weapons, new expenditures, and new burdens relating to the arms race. This fact seems to me to be totally inconsistent with what the President has been seeking to do in these other efforts.

In Sunday's issue of the Washington Post, an article by Henry R. Myers, a consultant on arms control and science policy, stated:

> The strong support for the Moscow Agreements in Congress, combined with the administration's half-hearted justification of the Washington ABM site, indicates a general recognition that attempts to build missile defense systems for any purpose has served only to fuel the arms race. The meaning of SALT is that the United States and the Soviet Union have acknowledged that missile defense and mutual restraint cannot coexist.

Yet now we find the President, in the budget submitted by the administration, ignoring that truth. That budget suggests that there have been no peaceful consequences, no reduction in strains stemming from efforts to negotiate in Peking and Moscow, and no lessening of strains between nations.

The Senator is now coming to grips with a request for more money. We are moving toward a $100 billion military budget that is not too far off, if we do not manage to change the course of events. We have seen our Nation spend nearly $1 trillion on weapons and war since World War II. I believe that the Vietnam war will cost us $1 trillion by the time we have paid the final bill many years hence—or by the time our grandchildren have paid the bill.

I ask the Senator whether he can see any way that the American people can reconcile these two totally conflicting images—that of alleged efforts for peace, on the one hand, and, on the other hand, demands that we still need so much more money for military strength.

Mr. McGOVERN. I think the Senator has put his finger on a basic contradiction in administration policy in the last few months.

The President is in the posture of having conferred with the Chinese—with the approval, I think, of most Americans—in an effort to try to reduce the dangers between our two countries. He has returned from Moscow, the other great superpower in the world, other than the United States, with an arms reduction proposal that the Senate soon is going to be asked to ratify.

Yet, in a curious and contradictory way, the administration now tells us that, because of the arms reduction agreement with the Soviet Union, it is going to be necessary to increase military spending. In other words, we have foregone certain military systems; but in what seems like a clearly contradictory conclusion, we are asked to spend more money on the over-all size of our military establishment as a direct consequence of the arms reduction agreement with the Soviet Union. It would almost seem that we cannot afford these arms reduction agreements because they cost more money.

I think what has happened is that the President has made a political judgment, not a military judgment, not a national security judgment. He has made a political judgment that, because he has come back from Moscow with an agreement to reduce arms, he somehow has to pacify the element in our society that feels that they need some bolstering up by some kind of evidence that we are going to do even more on the military front. But I do not see how any reasonable person can reconcile an arms reduction agreement with our principal rival in the world on the one hand, with an immediate request for more money, that we now have to spend more on military purposes, rather than less.

Neither do I understand why, at a time when the administration claims to be winding down the war in Vietnam, we are asked for additional expenditures for the Indochina war. Why is it that estimates of $3 billion to $5 billion are being added to the cost of waging this war at a time when it is supposed to be winding down? These are questions that I think must puzzle the American people. I do not think these are spurious questions at all. I think they go right to the heart of what is clearly a contradictory course that the administration is pursuing. It seems to be an administration at war with itself, that offers the prospect of arms reduction and peace and accommodation with one hand, and with the other hand calls on Congress to provide billions of dollars in increases in military spending. Those two positions are incompatible, in my judgment.

Mr. CRANSTON. I thank the Senator. To use a military phrase, his analysis is "right on target."

I should like to make one comment about the Senator's proposal in the amendment he has offered. He has been charged with a radical approach to military spending. The position he has offered the Senate and the country today is not radical. It is sensible and sound. Actually, it is a middle-of-the-road position.

When we discuss military spending in the atmosphere of today's world, there are really three major alternatives. The first is that when we are in an arms race, we increase expenditures, which is what President Nixon wants to do. The second is disarmament, which means to decrease expenditures. What the Senator has proposed is a sound, middle position, to maintain our position where we are while seeking to decrease our military spending in a stable, secure, and studied way.

I applaud the Senator for his leadership in this direction.

Mr. McGOVERN. I thank the Senator from California.

Now, Mr. President, the junior Senator from Missouri has——

Mr. PASTORE. Mr. President, will the Senator from South Dakota yield before he recognizes the Senator from Missouri?

Mr. McGOVERN. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I merely want to say to my colleagues at this juncture that I too, am one of those who voted for the nuclear aircraft carrier, and if I were called upon to do it tomorrow, I would do it all over again. This is because I feel, contrary to what other people sincerely feel, that the carrier is an integral and indispensable part of our Navy, and if we are going to have two nuclear aircraft carriers in the Atlantic, then as a two-ocean Nation, we should have two in the Pacific.

I also voted for Trident, and if I were called upon to vote again tomorrow, I would cast the same vote for the Trident.

So essential defense is not my complaint. But I do have a complaint; which makes me agree with the Senator from South Dakota: I have found, from my experience, both as a member of the Joint Committee on Atomic Energy and as a member of the Appropriations Committee, that the trouble with the Defense Department is their reluctance to release the old every time they need something new—now I do not question the need for something new because we are living in a fast moving world where technology is improving every day. So we give them the new but they never give up anything old. They just pile the new on top of the old.

I do not know why this is, but the budget always seems to be kept at a certain level. There are a certain number of four-star generals, three-star generals, four-star admirals and three-star admirals, so many colonels and captains, and so forth. I do not know what the reason for it is but we find, as we look at some of the items as they come in, that consistently they remain at the same figure.

When there is change, it is addition not subtraction.

My support for the Trident supposed that it could negate the need for certain costly defenses.

That was my idea on the Trident if the Trident is built—and I think it can be built, it is a feasible ship, it is going to be a good ship, and it is going to be a fine innovation for undersea warfare—it will carry a missile that will go about 6,000 miles. That means we do not actually have to be in the Mediterranean, we do not have to be immediately off the coast of Spain, we do not have to be right off the coast of Morocco. We can shoot it from a point maybe 100 miles off the coast of New York City. That is the Trident potential.

So I ask the question: If that is true, do we need as many land-based missiles as we have now?

The answer we get from the Navy is, "Well, we do not know—we do not want to start fighting with the Air Force." So what we do is, we pile up our land-based missiles and we will also develop a missile that can go some 6,000 miles from a submarine.

The point is that we are unnecessarily and extravagantly putting good dollars on top of old dollars. It keeps going on and on, like Tennyson's brook. There never seems to be an end to it.

Mr. President, while I am practical and realistic enough to know that the fate of the Senator's amendment could be very much in doubt, because of the tenor of other votes taken here in the past few weeks, I think he is pointing up something that needs to be discussed.

The President of the United States has cautioned the American people that we cannot afford to spend more than $250 billion. He went so far as to castigate the Senate and to castigate the House of Representatives for being wasteful and cynical, and irresponsible—I think that is the word he used. The Government can be cynical in saving—no less than spending. I seem to recall the other day, in a public housing project in my State, that a number of janitors had to be let go because no money was available for administrative purposes. I called them up and I said, "Congress appropriated the money. Why don't you have the money?" "Oh," they said, "the Office of Management and Budget is holding up that money."

I do not commend that technique of thrift at the expense of housing. Mind you, Mr. President, holding up money for the administration of public housing.

Now, if we need to save, I think the time has come when we should begin to scrutinize the budget. How well has the Defense Department budget been scrutinized? I tell you frankly, Mr. President, I am a little bit weary about it, because they come in and they say, "We do not have the facility, we do not have the staff, to go in and do the research to find out whether a situation is so or not." We have to take their word for it.

The point is that what the Senator is doing here is leaving the appropriation at what it was last year. If he cut much beyond that, I tell you frankly, Mr. President, I would have to give my position a second consideration.

But the point I want to make now is, we have requests, year in and year out, for atomic weaponry. I have been on that joint committee since 1953 and it has never been less than $850 million annually. It comes to almost the same amount every year.

I endorsed the President's phase I program on the ABM. I read the record before the House Armed Services Committee. There it said they would not give the President phase II until we prove out phase I. We never checked out phase I until we had a device tested at Amchitka with the nuclear warhead. If that had failed, we would not have had phase 1 or phase II. But we were talking about 12 sites. Then we compromised at four sites. And then we went to Helsinki and we compromised for two sites. But we got one site. They are going to have two and we are talking about building one around Washington.

I think we need that in Washington as much as—well, I shall not use the expression—not for the RECORD. [Laughter.]

But, there you are, Mr. President. When we buy a new automobile, what do we do? We trade in the old one. If we have a 1960 Ford and we buy a 1972 brand new Ford, we get rid of the old Ford. But the Defense Department does not work that way. They would keep them both, because they feel they have to occupy that empty garage space, otherwise we would cut that item down. They may not run the 1960 Ford, but if they cut down on their garage space, we might take 20 cents out of their budget. In other words, they never give in.

I do not know how this amendment will fare. I am happy that it comes up at this time. It is good to debate the Senate mood on spending. There has been a lot of talk about whether this will be a test. It cannot be a test, because we will not really know the test until after November 7, 1972. I do not know what frame of mind Congress is in, but I have been very much concerned about this. Maybe the amount the Senator is suggesting is a little too large, or maybe it is not large enough. I asked him informally why he picked out that figure and he said, "Well, the past I had to go by, so let us spend what we did last year. If it was good enough last year, it should be good enough now."

Mr. President, I want to say here that I hope we do not tie this down with the aircraft carrier because that is past history.

We voted on that. Let us not tie it down on the Trident. That is past history. After all, let us say to the Defense Department, "If we are going to limit the overall budget to $250 billion a year, you ought to take your fair share of the overall cut, begin to sharpen up your pencils, begin to look at what you have got rather than at what you are asking for. And if you don't need it, get rid of it."

That is something that has not been done. I hope that it will be done. Keep the old that still proves itself—and embrace the new that preserves the peace of tomorrow.

I repeat everything I had to say when I voted for the aircraft carrier and for the Trident. I would do it over again. I am not apologizing for that vote. I think the Defense Department ought to understand that the time has come when the taxpayers of the country are somewhat weary and wary of our sense of priorities.

Welfare has its needs no less than warfare. We can and must serve human dignity as well as our national defense.

We regret that a country that can spend $80 billion a year for defense cannot provide enough money to build homes for the elderly, will not provide enough money to take care of the poverty stricken, will not provide enough money to have a national health program, will not provide enough money to find enough public housing in which to house people who need and deserve to be housed.

These are the problems that are affecting America.

Mr. President, I am not saying that we ought to give up our security to promote the economy. I am not saying that for one single moment. I do not think we ought to do anything to cut out jobs. I do not believe that workers make the waste. What I am saying is that we ought to take the fat out of the budget, we ought to take the waste out of the budget and get down to plain commonsense. If we are going to save money and meet the budget limit of $250 billion a year, a good place in which to start assuredly is in the Defense Department.

That is what the amendment of the Senator from South Dakota intends to do.

Mr. President, I thank the Senator from South Dakota very much.

Mr. McGOVERN. Mr. President, I thank the Senator from Rhode Island for his great contribution to this discussion. His points are so well taken that I do not think any further comment is needed on them.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. HOLLINGS). The Senator from South Dakota has 23 minutes remaining.

Mr. McGOVERN. Mr. President, I yield 12 minutes of that time to the distinguished Senator from Missouri (Mr. EAGLETON), with whom I have discussed the pending amendment. In many respects it is a joint enterprise. I am very pleased and proud to yield at this time to the Senator from Missouri.

Mr. EAGLETON. Mr. President, I thank the Senator from South Dakota.

I rise to support Senator McGOVERN's amendment to reduce the defense budget by $4 billion, to last year's level of spending.

This amendment has been offered in response to President Nixon's request for fiscal responsibility. There is no better place to cut this Nation's budget.

The security of Nation cannot be measured in arms alone.

America must be strong militarily. But a Nation weakened from within is just as endangered as one threatened from without.

The strength of our military force must be matched by the quality of our life. If this balance is not maintained our entire system will suffer.

This is a strange year for the American political system. Parenthetically, I can say that again. Not only does the candidate for the Presidency, GEORGE McGOVERN, state his positions on our national defense clearly and succinctly, but the Secretary of Defense, who recently released a 64-page indictment of the McGovern defense posture, designs to immerse himself and his office in the political arena.

It is indeed a strange year—the traditional roles of contender and incumbent have been reversed. In 1972 it appears that the candidate, instead of the incumbent, is willing to offer proposals to correct the problems of America. I do not regret this reversal of roles, I simply feel it should be made permanent.

The Nixon administration has requested $83.4 billion for defense in fiscal 1973, an increase of $6.3 billion over last year's budget. In addition, the Secretary of Defense has recently indicated that he may seek a further increase of $5 billion to cover the enormous expense of escalating the bombing of North Vietnam.

A budget already swelled by waste is being expanded by an administration that wishes to perpetuate a military establishment enfeebled by mismanagement and softened by excessive pampering.

I charge the Nixon administration with severely weakening the defense posture of this Nation and with endangering the security of America.

At the outset of his administration, President Nixon coined the word "sufficiency." He stated that our military force should include exactly what is necessary to maintain our security—nothing more and nothing less. But just as in the case of other Nixon programs, the rhetoric has not matched the performance.

The Nixon administration procurement practices are an abomination. According to a recent GAO study cost overruns totalled $28.7 billion this year.

The American people should know why manpower utilization practices require supporting forces many times the size of fighting forces. They should know why operational procedures call for three expensive aircraft carriers in order to keep one station. They should know why this administration believes in continuing the arms race after reaching an agreement to limit arms.

The American people are fed up with the defense policies of Richard Nixon. Senator McGovern has offered an alternative to the American people. He has offered an alternative to waste, an alternative to mismanagement, an alternative to a weak and inflexible military force. The McGovern defense posture will cut the fat from our Military Establishment and return the quality of lean toughness to the American fighting force.

The Nixon program, on the other hand calls for the procurement of weapons systems that would be developed and procured before the nature of any threat is known. The development of weapons that could be outmoded even before they are deployed is a colossal waste. If we expect reciprocity from the Russians we should not attempt to acquire weapons which neither side needs. We cannot afford to match waste with waste.

This administration calls for the modernization of weapons and the creation of new ones even before the threat to our Nation can be assessed. The entire Military Establishment must be modernized so that America can be defended effectively and with sufficiency.

When President Nixon returned from Moscow earlier this year, with what appeared to be the most significant strategic arms limitation agreement ever reached, the American people felt relieved. Those who watched in horror as the arms race clock moved slowly toward the dreadful hour of holocaust, took great solace. That ominous minute hand seemed to have been moved back a few notches.

But the feeling of relief and satisfaction that pervaded our Nation was short-lived. President Nixon's Secretary of Defense soon divulged the master plan and the security of America became a bargaining chip. The escalation of strategic arms has since been continued with more enthusiasm than ever before.

Let us examine more closely Mr. Nixon's "bargaining chip" theory. This theory holds that the development of strategic weapons systems that are not covered by the SALT agreements should not only be continued, but accelerated and deployed.

But what is the real effect of deploying our bargaining chips?

At the outset of his administration President Nixon argued strongly that the Safeguard ABM system had to be deployed to persuade the Soviets to agree to limit ABM's and stop building large ICBM's. No facts were ever presented to support this thesis. This was the first time the American people were exposed to the Nixon bargaining chip theory.

It is now clear that the ABM deployment marketedly reduced the value of the agreement achieved in Moscow. Because we possessed an ineffective ABM defense of one Minuteman site, and because the Russians had a small, albeit useless, ABM defense of Moscow, the final SALT treaty provided that both countries could expand to two ABM sites, just to match the capability of the other side.

This unfortunate bargaining posture was caused by our reckless deployment of a system that had no security value.

Because we have tested and deployed the MIRV system as our latest bargaining chip, the Russians have refused to negotiate any controls on MIRV. And unless we refrain from further deployment they will no doubt continue this intransigent attitude until they have developed a MIRV system of their own.

This blind escalation of the arms race results in a net loss to the security of the United States.

I would like to discuss two of President Nixon's pet projects for fiscal 1973. These projects have heretofore been voted on by this body but they would be reduced by this amendment. I feel these two projects will provide an excellent view of his defense philosophy.

The President has requested $906.4 million to accelerate the development and deployment of the Trident submarine, a nuclear sub carrying a missile with a range of 6,000 miles.

Until late last year the production schedule of Trident called for a launch date of 1981. In an obvious effort to stall a severe economic recession until after the election, the administration ordered the Trident speedup. Now the first submarine is scheduled to be launched in December 1978.

But what are the military advantages to be gained?

The administration has made its standard appear to the fears of the American people by claiming a "massive" buildup in Soviet seapower. The Polaris submarine, they say, might, at some future date, become vulnerable to attack. No testimony or evidence has been given to back up this assertion. It is, of course, impossible to foresee the threat that will exist in 1978, or in 1981. It is entirely possible that when we launch our first Trident submarine, it will be outmoded and vulnerable to Soviet antisubmarine warfare. If so, it will be another colossal waste of the American taxpayer's money.

I do not question the necessity of maintaining a valid undersea deterrent—under present circumstances it appears to be the most secure of our deterrent forces. We must continue to responsibly develop weapons through careful research that will anticipate and meet any threat to our ability to deter nuclear attack. But we must not play our bargaining chips by deploying these weapons prematurely. This is the height of irresponsibility.

Another item high on the administration's shopping list is the B–1 bomber—the Air Force's dream machine of the future. The Pentagon calls the B–1 a "replacement" for the "aging B–52"—built in the early 1960's—but they studiously avoid talking about the antiquated Soviet bomber fleet, built in the 1950's and one-fifth the size of our own.

It is clear that the life of the B–52 could be extended for 10 to 15 years with inexpensive structural improvements. The B–1 is a luxury our Nation can ill-afford.

At present the Soviets possess a very sophisticated bomber defense which includes radar and surface-to-air missiles. If we build an improved strategic bomber the natural Soviet reaction will be to improve its bomber defenses. As we have experienced with our own SAM–D system, the conversion of a surface-to-air missile system to an anti-ballistic-missile system—ABM—is a logical and rather tempting extension of the state of the art.

For this reason, I feel that the development of the B–1 bomber would not only discourage efforts to reach a bomber agreement at SALT II but also undermine the SALT I ABM treaty.

These weapons systems are only the most noteworthy of the erroneous defense policies of Richard Nixon. There are many more but my time today is limited.

There are those, especially in the aerospace industries, who are deeply concerned that the cuts recommended by Senator McGovern will affect them personally. These concerns are understandable and, for a temporary period, may be well-founded.

But we cannot continue to have our biggest industries living off wasteful and unnecessary defense contracts. We cannot rob one pocket to pay another.

I state categorically that the goal of the Democratic Party is to get America back to work. We do not believe—as does the present administration—in reducing the number of jobs available to America's working men to reduce inflation. The "trickle down" policies of the Republican Party have historically failed to satisfy the basic needs of America. Seldom before have those policies been pursued with such enthusiasm than by this administration.

But what is the real story behind defense related employment?

The Bureau of Labor Statistics has reported that 1 billion defense dollars can generate 60,000 jobs. One billion dollars in the civilian economy can, on the other hand, produce 100,000 jobs. It is clear then that gradual and well-programed cut in military spending will result in increased employment, not less. We cannot continue to place a bandaid over a gaping wound when only major surgery can save the American economy.

The resources of America should be invested in sound—not frivolous—defense. But more importantly, we must direct our priorities to the needs of people. We must invest in the quality of American life.

Senator McGOVERN's amendment is eminently responsible. I urge my colleagues to support it.

Mr. McGOVERN. Mr. President, I thank the Senator from Missouri for a very distinguished and brilliant address this morning on this important matter. I think he has touched the key issue when he said that the security of the Nation cannot be measured in arms alone; we need a broader perspective of what constitutes national defense. That is what this debate is all about. I thank the Senator.

Mr. STENNIS. Mr. President, I yield myself 20 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, as one who has been going through the budget, or some parts of it, since last fall, and particularly through all its major parts since January, I consider this amendment to be highly important, and, also, that it is a contradiction of positions that already have been taken on the floor of the Senate, some as recently as just a few days ago, late last week, since this bill came on the floor for debate.

With reference to amounts added from last year, we can get into all kinds of argument, but two of the main items that caused an increase in the budget are as follows. The Trident has jumped from a little over $100 million last year to $920 million this year. After very thorough debate just last week that increase was approved by the majority of the membership of this body after far more than average consideration. Secondly, I believe that there was $299 million in new money for the beginning of the carrier. After full and thorough debate and consideration that amendment was approved by an appreciable margin. That was not a real thin vote.

So as we go into these increases we find even though we are disappointed to have to approve them, we think they are necessary and essential. Otherwise I am sure they would not have been voted.

These are excellent speeches being made here, but there has not been much said about the real details of what this proposal would cut into and what caused these increases over last year's budget. There has not been much said about that; something has been said, but not a great deal, by the supporters of the amendment.

There are more of these items. I have mentioned two. Generally, the author of the amendment, the Senator from South Dakota, in his very fine speech, said that his purpose is to hold this year to last year's budget. I am taking that as a general guide.

We get to the figures for manpower. Manpower constitutes more than 50 percent of all the costs, including such related costs such as food for enlisted men. This consumes 56 percent of the entire budget.

We can argue as much as we want to but as long as we approve this size military force, and that is what we are doing, and as long as we run up those salaries and increase the pay, we are going to have these sums shows up in the budget.

I have asked for a computation on how much of the added increases is due to manpower and pay increases, and I find that $928 million of this increase is due to increased pay—increased manpower costs. I am not saying, "I told you so," but I vigorously opposed some of these increases last year. However, it was the wisdom of the Senate that the Senate thought them essential and the Senate voted for them. Now, payday has come. It is just natural that it had to come. We placed those items in the budget.

By the way, the budget figure for this year has items in it that I do not think are going to be used. I do not believe that the $400 million that is in the budget for additional salary increases will be approved by Congress. I do not know, but I have not heard anything about it.

I return to my list. The next item in this increase—we are getting down to dollars—is the increase in civilian costs, the blue-collar workers, civil service, and so forth since last year amounting to $1.9 billion. They are items we put in ourselves. We ran up those salaries. We ran up those benefits. We ran up the costs. That item is in here for $1.9 billion. Of course, that is almost $2 billion.

Parts of those increases are due to inflation and other costs of that kind, but that is the best estimate we could get. These figures come from the Department of Defense. I told them I wanted the facts. I wanted the figures just as close as they could possibly get them.

Here is another fixed item, an increase since last year, and we are going to debate it again here today. It is an item that was put in the budget for approximately $296 million in recomputation cost for retirees. I opposed that in the debate yesterday. I will again today. But if we vote it in, it will have to be paid.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. STENNIS. I will yield briefly, if the Senator does not mind.

Mr. CANNON. Does the $635 million——

Mr. STENNIS. I am coming to that.

Mr. CANNON. I wanted to know where the recomputation figure was in here.

Mr. STENNIS. I understand it has been allowed for in there. I have been told so by those who are proponents. I will find that.

Mr. CANNON. Very well.

Mr. STENNIS. Leaving it as it is, I understood that item was in the budget. I understood that from those who made arguments here on the floor for it. Anyway, it has been put in, and we will have a chance to knock that out. I am going to help do that. I do not know whether I will succeed in doing it, but that will be a real test. If we really want to hold down the 1973 budget, we can knock down the recomputation figure.

Another item that is an added cost is the item of $636 million increase in military retirement pay. That is a matter that is fixed by law. We pass on that every year. So it is going up at that rate now. There is an increase of $636 million from the 1972 budget to the 1973 budget.

I am not using that statement here now as an argument against recomputation, but these are the hard facts of life. Does any Senator want to offer an amendment to take that out? I do not think so.

To return for just a moment to the $296 million, the information I have now is that the $296 million was put in the 1973 budget in anticipation of the Congress' passing the recomputation proposal, which, as I have said, I am opposed to, and we will have a chance to reduce the budget by that much. I will refer to that item again in the consideration of that point, with all deference to other Senators.

The added costs of goods from industry and services that the Department of Defense has to pay, as estimated, and the best that can be reported to me, is $1.3 billion above last year. That increase is due to increased prices, inflation, more expense everywhere one turns. Those items add up.

We forced the Department to use up—and our committees are responsible for this—some balances they had, rather than appropriate new money, so much so that the Department had $1.577 billion less in those balances carried over than it has been having on the average year. It had $1.55 billion less in balances as compared with what it had when it moved over from 1971 to 1972, because in 1972 we forced the Department to use up that balance, and the Department does not have it to pass on to 1973.

So, in the facts of life, that is an addition that deserves to be counted. I am very familiar with that, because our committee was partly responsible for forcing the department to use that balance up. So was the Appropriations Committee.

So the add-ons in the bill come to $6.5 billion. They are the increases over the 1972 levels that I have been able to identify. They are added by reason of inflation, added costs, prices going up, the decrease in the balance, retirement increases, increases for manpower within the military, and other manpower increases.

So I think, in round numbers, that is a very solid and reasonable ground for these increases. It does not balance up exactly. One can figure a budget over a year's time and count expenditures in many different ways, but this is a rock-bottom figure that, as far as it goes, is substantially correct.

Let me point out, too, that this amendment attempts to put a ceiling not only on what is in this bill. It would have been relevant and germane to the appropriation bill, and I could not have complained about it there. I am not fussing now about the amendment being offered at this time, but the amendment does undertake to put a ceiling, now, on all the military budget for 1973, before our

Appropriations Committee has had a chance to give one iota of meaning to this body as to what it proposes to do. Everybody knows that committee has been working assiduously on this matter since last fall. It began in January with very extensive hearings. The committee was headed by our friend, the Senator from Louisiana, the late Mr. Ellender, and the next ranking member of that subcommittee is the Senator from Arkansas.

We have rather loose rules in the Senate, but this is the most abrupt, total, and violent invasion of the rules of the Senate, as far as committee responsibilities are concerned, that I have ever seen take place here on the floor of the Senate. It is done before this huge appropriation bill even gets here, with no report filed, and nothing consummated. Yet there is an attempt to put a ceiling on it and invade the province of the committee which has the duty and the responsibility. It attempts to put a ceiling on what that committee can say. I am sure we do not want to go that far.

I am sure that, on second thought analysis, all of us here who are experienced—and everyone of us here is experienced to a degree—will not want to do that.

I will have to say that, as far as the wording and effectiveness are concerned, it will be a futile thing. If we pass this proposal and it becomes law, with a ceiling of $77 billion in it, and then we bring up an appropriation bill providing for $82 billion and pass it, everyone knows that the last law passed and signed controls.

No one is trying to say here that we are going to pass a law today that says, in effect, Congress shall not pass a law this year appropriating more than $77 billion for the Department of Defense, but that is what this amendment undertakes to do. It undertakes to say that Congress shall not pass a law this year for the 1973 defense budget that will be over $77 billion. We know we cannot do that. We just cannot do it under the Constitution of the United States. I do not know if it is spelled out, but everyone knows that the last law passed is the one recognized, and that has been recognized since the Year One of our Nation.

So this is not an amendment which gets right down to the nitty-gritty of controlling the situation, and it is apparent on its face that it does not. This amendment is just an expression as of now, and even if it should become the law and should be signed by the President, when we pass the appropriation bill that bill is going to supersede it.

I say with all deference, let us not take this too seriously. The language of this amendment speaks for itself, and everybody knows that we cannot control Congress in that way.

Just a word further here: I have discussed the arithmetic. I say to my colleagues, add it up, and whether or not these items are justified is for you to say.

I will mention this war. We are going to have the war under debate tomorrow, but let me mention it here. We have to battle with this issue on the Appropriations Committee and on the Armed Services Committee as well, the war in Asia. We passed on these matters carefully last year, and reduced the appropriation considerably. We took some chances there, and I joined in some of those reductions and argued for them here on this floor.

But when the new push came on March 31, and North Vietnam crossed the demilitarized zone and into South Vietnam with this broad offensive, everyone knew that was going to run up the cost of the war. Everybody knew it. I said then, "The bill will come in later. It will have to."

But that does not figure very much in the budget we are considering here today. There is a request pending, that we did not get a chance to fully analyze. But I mention this, with all the talk about the war, we could not have responded by saying, "No, we are not going to respond because we will overrun our budget, or we will have to ask for money next year." Our Nation does not act that way.

I wish we had been out of there long ago. Long ago. But we are there, and we cannot run away and say, "No, we do not have the money in the budget." So we are going to have some increase. We have already incurred it in this offensive. You do not mine a harbor on the other side of the world and maintain such an action without having to spend some money. So that is a part of the picture here, but not directly. Those items are not in the bill.

As I have already mentioned, the salary and supporting costs like food, clothing, and other matters that we furnish to our men in uniform take up 57 percent of the military dollar. And I mentioned here the training, the cost of training. I had said, "Well, we can certainly reduce the cost of training this year," and went into that in January.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. I yield myself 5 additional minutes.

I found out that, no, they were going to have to train around 700,000 men again this year in the training process, that many in and that many out, and we would not be able to put mandatory restrictions on the cost of that training.

I wanted to do it, but when I found out what the facts were, I backed off of it and thought it was my duty to protect that and be sure that we did not cut the money short for that required training.

We have been into this manpower question. Senators might ask, "Why don't you do something about that?" We have been into that situation, and the bill we have before us now, though it has not yet been mentioned in this debate, does make a reduction in manpower and sets a lower ceiling for total manpower that will save something like $500 million per year less the cost, the first year, of putting it into effect, because you do not just kick them all out at once.

So we are doing something about it. My idea is to do it in an orderly way, with a forced reduction every year, until we cut down to the bone and muscle. We hope that things will be stabilized and make it more possible to have reduced costs.

I want to say a few more words. It has been said here that the SALT agreements will be on the floor for debate I think as early as Thursday. The treaty plus the 5-year agreement, and if they really provides arms limitation or have such prospects, they ought to be reducing this budget instead of our having to call for these additional items.

Well, I am disappointed myself. I wish it could have reduced the budget somewhat immediately. I said to someone at the White House, just before they left, "Bring us back something that will make it possible to decrease this military budget somewhat."

But what is the situation about that agreement? It will be debated fully, and I am for it. I am going to support the treaty and I am going to support the 5-year agreement. We have finished hearings, and I am satisfied that we are now able to protect ourselves and have all the deterrent force that is necessary. This does not have anything to do with Western Europe, now; I am thinking about the people of the United States. We do have that capacity, and will have it at the end of 5 years after going into this agreement, if it is not renewed, extended, or expanded, as we hope it will be. I am satisfied that we have the authority under that treaty, in the meantime, to increase our deterrent forces to the extent that 5 years from now we will still be able to have the necessary deterrent, further agreement or no agreement; that we are now in a position that we are going to come out able to protect ourselves. Otherwise, I would not support the 5-year plan.

We submitted that to the Senate last week, particularly with reference to the Trident. That was the issue, and that was the only issue in stepping up that Trident program: to be ready, 5 to 6 years from now, in case that agreement does not work or is not renewed.

Every Senator here understood that, and made a judgment, and a majority said, "We want to prepare."

That is what runs up the money. Those are the items that run up this budget, and I hope and I believe that, even though this treaty and agreement are scant in their operation now, there is a good chance that they will lay the predicate, open the door, for more meaningful agreements and understandings in the future whereby we can reduce these limits as to military weapons and manpower. We hope and pray that that will be the case.

But in the meantime we have to stay prepared. And I say to Senators, you will not find any dissent on that point among the people. Not a bit; no appreciable dissent from that position. So we have got to make up our minds that it is going to cost money.

I am willing to trust the Senate, including its Appropriations Committee, to come in here with as low a figure as they think essential, and what they think is necessary, and submit it to this body in due time, and we will debate it and vote on it then.

We could not set that figure now if we wanted to, and this amendment does not purport to set such a figure. It cannot. It would be shadowboxing.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. Mr. President, will the Senator yield me 5 minutes?

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, this is a very dangerous amendment, coming at a very critical point in our history. I rise to oppose it as vehemently as I can.

Mr. President, we hear a great deal of talk on this floor about budgets. I would like to remind my colleagues that every time a HEW item comes on this floor, it is usually increased by at least double. HEW has become the biggest budget that faces us today, year after year.

So far as the military costs are concerned, let me remind my colleagues that, based on the 1964 dollar, we are spending only 1 percent more for military materiel than we spent in that year.

Mr. President, two major problems face us in beefing up our military—and I stress the word "beef" because we need it. We are now behind the Soviets in substantially every field of our military efforts. One, we have a very serious problem in the field of procurement; and the Committee on Armed Services, under the leadership of Senator Stennis, is well aware of this. We are working with civilians from companies and we are working with the men in uniform to try to work out a better procurement method for obtaining the weapons we need.

Mr. President, we went through 10 long years in this country with a Secretary of Defense who was determined to unilaterally disarm this country, and for 10 years we had no meaningful research and development. Therefore, when President Nixon came into office—and I do not care who the President would have been, had he been a Democrat or a Republican, but it happened to have been President Nixon—there was nothing to buy.

I have often used this simile. It would be like complaining to my wife: "You don't look very well, honey. Why don't you buy a new dress?" She replies: "I've been looking all over town, and there are no new dresses."

That is the fix the President was in when he came into office. There was nothing to buy.

Now, for the first time in 4 years, we find aircraft beginning to come off the lines, we find armament beginning to come off the lines, and we find new weapons systems becoming available to the military. Thanks to President Nixon.

This budget is not too high, so far as obtaining military equipment is concerned. As the chairman has indicated, 57 percent of this budget goes to pay the troops, goes to feed and clothe the troops. If we cut it to that bare figure, then we have no arms establishment, no improved weapons systems, or anything else to give them. The problem, as I say, is not having had any meaningful research and development, no acquisition of new weapons systems in more than 10 years, and in having an outmoded and outdated system of procurement.

Mr. President, let me remind this body that we have not had a new fighter aircraft in the inventory in 15 years. The B–52 bomber is now beginning to wear out. It is going on 20 years of age. The average age of our ships in the fleet is over 20 years, and the average age of a Russian ship is just under 10 years.

We do not have a strong military in this country. We do not have a military strong enough to keep the commitments we have made, whether they are wise commitments or not. That is beside the point, so far as I am concerned. We have made them under Democratic Presidents and Republican Presidents alike.

The big problem that comes to my mind in the McGOVERN suggestion of a $4 billion cut is, where do we apply it? We have already voted the major weapons systems. The committee has turned down the ABM defense of Washington, and unless the House changes that, we are not going to construct that system in Washington. Where do we put this $4 billion?

I think it is wrong for any Senator to suggest an across-the-board cut without giving us some indication of where he would cut it. He wants to cut troop strength. I can tell the Senator—if he would ask about it—that troop strength is being cut. It is the determination of the Army to reduce the strength to under 900,000. The Air Force, Navy, and other components of the military are aiming at fewer personnel. Every 100,000 men we phase out of uniforms saves $1 billion.

Mr. President, to say that we are going to drop $4 billion puts a load back on the committee, a committee that I can honestly say does as good if not a better job of investigating what it is supposed to do than any other committee of this body, because of the very nature of it. We are assigned the job of reviewing an $83 billion budget. I serve on 2 subcommittees and spend most of my time working on those subcommittees, and we have cut billions of dollars out of requests. This is not a committee that just says, "Yes, sir" to everything for which the Pentagon asks. We go through this budget and cut it.

I would challenge the Senator from South Dakota to tell us where he will cut $4 billion. I would like somebody to have him explain where he is going to cut $33 billion. But that is going to come later down the path.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GOLDWATER. I thank the Senator very much for yielding.

Mr. STENNIS. Mr. President, I yield 10 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise in opposition to the pending amendment offered by the distinguished Senator from South Dakota (Mr. McGOVERN).

This amendment ignores changing defense requirements by calling for a return to fiscal year 1972 spending levels despite different military conditions.

Mr. President, there are specific reasons why this amendment is ill-founded and unwise.

First, by making an across-the-board cut, it ignores the rightful role of Congress to work its will on the defense budget. The amendment merely reduces military spending and leaves in the hands of the Defense Department how and where the reductions will be made.

Why should the Senate surrender its role in traditionally approving or disapproving specific defense requests? Why should we permit the executive branch a decisionmaking power which is clearly ours?

What has been the purpose of months and months of hearings, which we have held, if now in the closing hours we lop billions off this bill and let the Defense Department decide which programs get the ax?

Adoption of the amendment would be a clear abrogation of our legislative responsibility.

Second, Mr. President, our national security would be jeopardized by a cut of this size. A defense budget cut of this size would wipe out numerous vital defense programs.

Could we do without Trident, the B–1, the ABM, the new carrier? I think not. Where would billions be saved? There is no way a cut of this size could be made without seriously impairing our national security.

Third, reducing the defense budget to this degree is putting the cart before the horse. It would wreck our overseas alliances. If we want to reduce these commitments, treaties should be scrapped first rather than going back on our word to our allies.

The United States has defense agreements with more than 40 nations, and so long as these exist, we must make some kind of effort to defend ourselves and live up to our obligations or the free world alliance will crumble.

We are witnessing today a great deal of pressure and criticism of our military, even though all they are trying to do is to see that we are adequately armed and prepared to meet our national policy and fulfill our commitments. Rather than castigating the military so much, it seems we should be examining these treaties. All of them have been ratified by the same Senate which today is being asked to emasculate our ability to meet the very obligations which we have previously approved.

Mr. President, we have multilateral and bilateral treaty agreements with more than 40 countries on five continents. We cannot dump these commitments by lopping off billions from a carefully thought-out defense budget.

Fourth, the so-called defense spending increase in fiscal year 1973 of approximately $5.8 billion is significantly consumed with costs resulting from inflation and increased pay.

All of us know that because of inflation we can buy less with our money this year than last. The same is true for the Defense Department. Experts say a 2.8-percent inflation factor between fiscal year 1972 and fiscal year 1973 has resulted in defense equipment for the last billion.

As to pay and allowance approved by the Congress in recent months, we find that this expenditure runs to roughly $1.9 billion.

Adding these two costs together, inflation hikes and pay increases, we come up with a figure of $3.2 billion in costs during fiscal year 1973 that provide us with no more equipment and services than received in fiscal year 1972.

Thus, it is clear that about 50 percent of the fiscal year 1973 budget increase allows no more than we received in the fiscal year 1972 budget.

Mr. President, before leaving the inflation issue, it would be appropriate to comment on charges by some that higher defense spending is the main cause of inflation in this country.

The facts do not support this contention at all. Inflation has been most severe since 1968 when massive defense cuts were initiated. It was in this period that the defense budget began falling. Defense outlays now represent 30 percent of the national debt, down 12.5 percent from the fiscal year 1968 peak of 42.5 percent. The gross national product going to defense has declined in the last 4 years to 6.4 percent, the lowest point in 22 years.

From 1968 to 1972, State and local spending has risen by $80 billion. Federal spending has risen $74 billion. Either sum is about equal with the entire defense budget. Mr. President, it is thus obvious that defense spending is not responsible for the current inflation.

During the 1940's, defense costs did spur inflation as military expenditures rose to 77 percent of all public spending. Defense also aided inflation in the 1950's when it amounted to 50 percent of all public spending, but today it represents only 20 percent of all public spending.

The Senate should bear in mind that a cut of this size called for in this amendment could have a serious effect on the readiness of our military forces.

Because of the 1-year service policy in Vietnam, short tours in Europe and sharp personnel cutbacks imposed by Congress, the Army has experienced severe manpower turbulence.

This tremendous personnel turnover is largely the cause of the poor state of readiness in our Army divisions. Men simply cannot become integral parts of fighting units when they have to be moved from place to place every 6 months or year. Training is also disrupted by excessive personnel changes.

The distinguished chairman of the Senate Armed Services Committee, (Mr. Stennis) has directed an investigation of the Army's readiness posture. This investigation is presently underway. I predict it will show that the low state of readiness within the Army is largely due to various personnel policies and manpower reductions.

If this amendment is passed, the fund cut will almost assuredly impact further on the military's manpower problems. The result, of course, will be an even lower state of readiness than presently exists.

Mr. President, for these reasons I urge the Senate to decisively defeat this amendment so that the American public, the man in uniform and our allies will know the Senate stands firm in providing the necessary defense posture to assure our national security.

Mr. President, in closing, let me repeat that in 1972, this year, the defense budget is only 30 percent of the entire budget of this Nation. In 1968, 4 years ago, the defense budget was 42.5 percent of the budget of this Nation. So we can see that we have come down in the past 4 years from 42.5 percent to 30 percent as representing defense to the entire budget.

I would also remind the Senate that today the defense budget is only 6.4 percent of the gross national product. That is the lowest in 22 years.

So, Mr. President, it is not the Defense Department that is causing this trouble. It is not the Defense budget that is causing deficits. It is not the Defense budget that we should be cutting. We should be cutting nonessential programs, nondefense programs.

If there is any program we need in this country, it is the defense program. We need defense because it provides for our national security. Nothing is worthwhile—worth anything—unless we have security for this Nation so that it can survive. It cannot survive unless we maintain a strong national defense.

Mr. STENNIS. I thank the Senator from South Carolina.

Mr. President, I yield 3 minutes, more if he needs it, to the Senator from North Dakota (Mr. Young).

The PRESIDING OFFICER (Mr. Hart). The Senator from North Dakota is recognized for 3 minutes.

Mr. YOUNG. Mr. President, I rise in opposition to the amendment of the junior Senator from South Dakota (Mr. McGovern).

As has been explained, this amendment would impose a ceiling of $77,663,000,000 on the new appropriations available to the Department of Defense for military functions during the current fiscal year.

The current fiscal year 1973 request for the various military functions activities, of the Department of Defense, totals $84,162.4 million, including amendments submitted and anticipated.

If the pending amendment is adopted, there will be a reduction of $6,499.4 million in these requests—a reduction of approximately 7.7 percent.

I want to point out that the amendment is in the nature of a limitation, and does not specify where this reduction of $6.5 billion shall be made. Is it to be made by the Committees on Appropriations, by the Congress in acting on the Department of Defense appropriation bill, or by the Secretary of Defense?

Mr. President, this is bad legislative procedure. The amendment should be rejected.

In the near future, the Senate Appropriations Committee will be considering the Department of Defense appropriation bill for the fiscal year 1973. That is an appropriate vehicle for amendments proposing reductions of appropriations for the Department of Defense.

Last year, the Senate Appropriations Committee cut the Defense budget by approximately $3.5 billion. It is entirely possible that we can find a way to cut appropriations by another $3.5 billion—perhaps even more; but this will be based on hearings, testimony, and facts, and not just a meat ax approach. Then Members of the Senate will know what we are going to cut. Are we going to cut out the F-15, or the nuclear carrier? Where will the cuts be made? What bases may be closed? The Senate has a right to know where cuts as large as this are going to be made.

There is no more important appropriation bill considered by the Senate than that involving our national security.

Mr. STENNIS. I thank the Senator very much for his remarks.

Mr. President, I now yield 5 minutes to the distinguished Senator from Arkansas (Mr. McClellan).

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. McCLELLAN. Mr. President, I want generally to associate myself with the remarks of the distinguished Senator from North Dakota (Mr. Young), who is the ranking minority member on the Committee on Appropriations and the Department of Defense Subcommittee of the Committee on Appropriations.

As Members are aware, our late beloved colleague, Senator Allen J. Ellender, was chairman of the Department of Defense Subcommittee on Appropriations. His successor has not yet been designated. However, as a member of the Department of Defense Subcommittee for many years, I am convinced that large, across-the-board, or general, unspecified reductions in requests are not the proper way for Congress to legislate. It is not the proper way for Congress to meet its responsibilities and to exercise its constitutional duty in providing for the common defense.

As the distinguished Senator from North Dakota (Mr. Young) stated, in the near future, this body will be considering the Department of Defense appropriation bill for fiscal year 1973.

That bill will contain funds for many, many specific items, activities, and programs for the Department of Defense. At that time it will be in order for any Member of the Senate to submit an amendment to reduce expenditures for specific programs and activities.

Mr. President, that is the traditional way. That is the proper way for Congress to meet its responsibilities. Therefore, I urge the rejection of the pending amendment.

I would point out, Mr. President, as have others who have addressed themselves to this issue, that this amendment does not tell where or does not indicate where any specific reduction should be made. I do not know to whom it leaves the responsibility. Congress has a responsibility. And Congress meets its responsibility in the appropriations bill.

If Congress cannot meet its responsibility item by item, then it had better meet its responsibility for our Government and for our country.

With a broadax cut such as this, who takes the responsibility? On whom are we placing the responsibility? Why do we not have the courage to do this when the items are before us and the country wants and needs them? The Defense Department needs the money. It is in the interest of our country to make the appropriation and to provide the Defense Department with those specific amounts or it is not. We ought to have the capacity and the ability to meet the issue and to say where we should cut, what items should be reduced, and what items should be appropriated.

Suppose we pass this amendment and then Congress in its wisdom and in its authority appropriates amounts in excess of the limitations for this year. What is the consequence? Congress today says that we should adopt a limitation of $77.7 billion. And thereafter in appropriations bills, Congress actually appropriates more. It reverses its limitation and overrides or changes its position by granting the appropriation. Which action of Congress prevails?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield the Senator 1 additional minute.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 1 additional minute.

Mr. McCLELLAN. Mr. President, I say that the courageous way to do it and the right way to do it is to face the issue item by item. Then if we take the responsibility for doing it and if we sustain the budget or even increase it, that responsibility for doing that is a matter of judgment and reason. However, that is not so in this matter of escaping the responsibility and sticking our heads in the sand and saying, "Let someone else do it." It is our duty to do it and to do it when we face it and not to respond in this fashion.

Mr. STENNIS. Mr. President, I yield 2 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. SCOTT. Mr. President, the distinguished Senator from Arkansas made an excellent case against the amendment. The distinguished Senator from South Dakota has made the point on his agreement with the President's judgment and expertise in working out a treaty with Russia and the interim agreement which he indicates has his approval.

He indicates, however, that while he approves the President's making this treaty, he does not approve the President's implementing the treaty in accordance with the clear intent and understanding between the President and the other government.

No President would want to be deprived of the right to follow up a commitment he makes on behalf of the United States.

I cannot imagine anyone wanting the office of the Presidency who would want to see a program cut out from under him by any such tactic as this.

Moreover, this meat ax approach has to be directed somewhere. The tactic here is to say that we should cut it and, if we should succeed, we should cut it again and again. However, we should never tell where the budget should be cut. We cannot support expenditures for food and salary for the troops or for retirement. However, let us make the public believe that we will cut $4 billion.

Obviously the public will not be a party to that.

The Senator from South Dakota said what he would do in his statement on national defense policy. On page 30 he indicates that one of these cuts would come in the amphibious forces.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield 2 additional minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 additional minutes.

Mr. SCOTT. Mr. President, I served in the amphibious forces in 1942. I have some idea of what happens with the amphibious forces.

The Senator from South Dakota indicates that we do not need two landing amphibious forces, one for the Atlantic and one for the Pacific. He said that he would go a long way to eliminate the need for keeping amphibious assault forces for both the Atlantic and Pacific theaters simultaneously.

In other words, if it is to be used, it will be used only for amphibious forces for the protection of the United States. Suppose that one is stationed at Guam and something occurs in the Middle East. Or suppose that one is safely stationed at Norfolk and something happens at Guam that requires an amphibious landing?

The Senator does not know what amphibious landings are evidently, because amphibious landings when last used were used in Lebanon and were not used to overrun enemy territory, but to protect the interests of the United States in the Mideast. And that is what the President would do.

The pending amendment would endanger us in the Middle East and in the Atlantic.

Mr. STENNIS. Mr. President, I yield 4 minutes to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada is recognized for 4 minutes.

Mr. CANNON. Mr. President, the Senator from South Dakota has stated that he wishes to hold the defense budget to last year's level. He does not wish to see us committed to a large increase in defense spending at this time. I must say, Mr. President, that I agree, provided that we are talking in terms of real buying power.

Let me illustrate what I mean. On November 14, 1971, the military pay and allowance increases in Public Law 92–129 took effect. These higher rates of pay were in effect for 7½ months in fiscal year 1972. They will be in effect for the full 12 months of fiscal year 1973. That item alone will add $928 million to our costs from fiscal year 1972 to fiscal year 1973.

On January 1, 1972, a general pay increase took effect for military personnel and for classified civilians. We paid these higher rates for just 6 months in fiscal year 1972, but we will have to pay them for all 12 months of fiscal year 1973. Another general pay increase is contemplated for January 1, 1973. We will have to cover 6 months of that, another increase from what we paid in fiscal year 1972. Finally, wage board increases have to be met. The cost of these pay raises, over and above what we paid in fiscal year 1972, is $1,985 million.

Military retired pay, an item fixed by statute, will rise by $66 million from fiscal year 1972 to fiscal year 1973. This results from increases in the retired population, as well as from cost-of-living increases which are automatic under the statute when we pass it. And we pass it in Congress.

The cost of the goods and services that the department buys from industry is subject to inflation, just as the groceries we purchase are. From fiscal year 1972 to fiscal year 1973, this is estimated at 2.8 percent and will add $1,366 million.

I must say that having had a part in connection with the F–14 airplane contract and having found what happened in that particular contract as a result of the underestimated inflation costs, I am highly doubtful that the 2.8 percent inflation figure used in arriving at this conclusion is adequate. I think the inflation cost is more likely to be 4 percent.

Finally, in fiscal year 1972, the Congress directed the use of certain old balances that had accumulated, in lieu of providing new budget authority. In effect, we were able to finance part of the defense program without providing new budget authority. But those old balances are gone now and—to support the same program we provided for fiscal year 1972—we would have to provide an additional $1,577 million in new money.

The items I have just mentioned amount, in total, to $6,492 million. That is how much we would have to add to the budget authority we provided for fiscal year 1972, just to stay even in terms of real buying power: $6.5 billion.

Turning it around, if we hold budget authority to the fiscal year 1972 level—if we add nothing—then we are, in effect, cutting the defense budget by $6.5 billion.

We enacted Public Law 92–129—the Draft Act Extension—which provided for large increases in military pay and allowances. We knew it would cost money.

Is it sound policy, now, to tell the Department that it must give up $928 million worth of weapons and personnel to pay for that? And another $2 billion worth of jobs and weapons to pay for the two January pay increases—also under laws we enacted? Plus $636 million more, to meet the growing costs of retired pay, fixed by law?

I do not believe the kind of ceiling proposed by the Senator from South Dakota (Mr. McGovern)—which ignores billions of added costs enacted by the Congress itself—is a very logical way to approach the defense budgets. When we enacted those pay increases, there was no discussion of meeting the costs by carving out billions worth of manpower and weapons. And yet this is precisely what Senator McGovern now proposes to do.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CANNON. Mr. President, will the Senator yield to me for 1 additional minute?

Mr. STENNIS. I yield 1 minute to the Senator.

Mr. CANNON. Mr. President, we enacted these pay increases. We knew that they would add billions to Defense costs. Now, when the bills are presented, is not the time to say that we never intended to finance these increases. Let us not impose a huge manpower and weapons cut by refusing to meet the added pay costs which we ourselves have enacted into law.

The Congress appropriated $74.8 billion for the Department of Defense last year. The pay and price increases I enumerated earlier amount to $6.5 billion. Just to stay even with the fiscal year 1972 program, then, we would have to provide $81.3 billion. Senator McGovern proposes, instead, a ceiling of $7.7 billion. That's a cut of $3.6 billion—in terms of real buying power—from the levels we approved for fiscal year 1972. The Senator's proposal then, does not provide for holding Defense at the fiscal year 1972 level. It provides for a very sharp cut, in terms of real buying power. It provides for trading in those pay raises for reductions in manpower and weapons.

I would like to ask the distinguished chairman if it is not a fact that we enacted some very substantial reductions in the procurement request of the Department of Defense to the extent of $1.78 billion, for procurement in R.D.T. & E.?

Mr. STENNIS. The Senator is correct.

Mr. CANNON. Is it not a fact that we reduced the size of the military force to result in 56,000 man-years, for a reduction of a half billion dollars in pay and allowances?

Mr. STENNIS. The Senator is correct.

Mr. CANNON. Is it not a fact that with the reductions we have made in the Committee on Armed Services and in this bill as reported we have come out with a bill that is $133 million less than the amount that would be required for the Department of Defense to stay exactly even with what they had last year?

Mr. STENNIS. The Senator is correct.

Mr. CANNON. I thank the Senator for his kind comments.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield 1 minute to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. TOWER. Mr. President, aside from the fact that this $6.5 billion reduction seriously endangers our attempts to match the Soviet Union at their current momentum, and modernization and improvement of their military technology, and quantitative and qualitative improvements as well, the ancillary pullout by the adoption of this amendment would have a very serious impact on our economy. This amendment should be called the massive unemployment amendment.

Mr. President, if you cut $6.5 billion out of procurement it has the effect of cutting 650,000 jobs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. Mr President, will the Senator yield to me for 1 additional minute?

Mr. STENNIS. I yield.

Mr. TOWER. So what we are looking at here is an immediate and tremendous adverse impact on the economy because 650,000 people would be thrown out of work.

I hope those concerned about unemployment figures in this country will vote against this amendment.

Mr. STENNIS. I thank the Senator.

I yield 3 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I have listened to the debate this morning, and particularly the remarks of the Senator from South Dakota and the Senator from Missouri. I would like to point out with respect to some of those remarks that the SALT agreements would not have been possible at all if it had not been for the ABM program. Mr. President, you cannot negotiate with the Soviets or anybody else from a position of weakness. It is the desire of all of us to cut defense appropriations, but the cuts and savings will come as we proceed with the 5-year agreements, and their success will be far, far in excess of the cost of keeping this Nation strong.

Mr. President, I wish to call attention to two or three matters. First, this amendment provides a cut of approximately $6.5 billion. What happened to the $30 billion cut that was being talked about?

There is upcoming, as of January 1, a pay raise for the military of $792 million. Is this going to be taken out of there, or is it going to be taken out somewhere else? How about statutory increases for retired pay—there is $200 million for that. How about the blue collar raises coming up for $155 million the first of the year? What about the money for an all-voluntary force which we all desire so much and to which we gave great impetus last year when we passed the military pay raise?

What about the recomputation for the pensions of retired military personnel? That is an inequity which is long, long overdue for adjustment by Congress.

Not as a member of the Committee on Armed Services but as a member of the Committee on Appropriations, and particularly the Subcommittee for Defense, I resent the fact that we are attempting here to put the power of that committee over the Department of Defense.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLOTT. Mr. President, will the Senator yield to me for 1 additional minute?

Mr. STENNIS. I yield to the Senator from Colorado 1 additional minute.

Mr. ALLOTT. I resent the fact that we are putting the power to cut this. One thing Congress has always objected to has been giving the President an item veto. What we are doing here if we deprive the Committee on Appropriations of action, is to deprive the Senate of the opportunity to act and we place an item veto over in the Department of Defense.

Are we going to cut off the F–15? What are we going to do if we apply this $6.5 billion cut? This meatax approach is not a sensible approach and it is not an intelligent approach. If cuts are desired they should be taken up in the appropriation bill that comes before the Senate.

Mr. STENNIS. I thank the Senator. I yield 3 minutes to the Senator from Maine.

Mrs. SMITH. Mr. President, this amendment to cut across the board is the "meat ax" and irresponsible approach to economy.

Whether one agreed with the other economy amendments offered to this bill, in each instance it must be recognized that such amendments were forthright and specific. They clearly expressed opposition to certain defense weapons systems. They accepted responsibility for such opposition.

This amendment is vague. It lacks the forthright specificness of the other amendments.

It would impose the responsibility of weakening our national security and national defense upon others. It lacks the honesty of saying just exactly where the cuts should be made.

From those who propose this way of cutting our defense funds, the American people are entitled to know specifically just where and how such cuts be made. They should not be forced to buy a "pig in a poke" not knowing really what they are, or are not, getting.

Mr. President, I hope very much that the Senate will think about this very seriously and remember that we cannot afford to weaken our national security, and vote against this amendment.

Mr. McGOVERN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from South Dakota has 12 minutes remaining.

Mr. McGOVERN. I yield 4 minutes to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I rise today to support the McGovern amendment.

Only last week the President of the United States castigated the Congress for proposed excessive spending. He called for a ceiling and a limit on congressional appropriations. His agents have called for a halt to wasteful spending by Congress.

It seems to me it is up to the Senate to answer that today.

When we talk about military spending, that is not spending, somehow. That does not amount to spending.

Mr. President, the McGovern proposal is a hold-the-line proposal which requires the military to take the increased cost of inflation—and there are such increases—and the increased costs of the pay increases—and there are such increases—out of the waste in its budget.

It is no secret that the Senate of the United States has voted repeatedly to get out of the war in Vietnam. We could save $5 billion to $6 billion by doing that alone.

Last year the President asked for $77.6 billion in new appropriations for the Department of Defense—military. Including supplemental appropriations, Congress passed $75 billion in new obligational authority or appropriations.

What the McGovern amendment does is to limit this year's appropriations. It puts a ceiling on this year's appropriations at exactly the $77.6 billion the President asked for last year. It cuts back, by $4 billion, the original request of the President for $81.6 billion in new appropriations for the Department of Defense—military in fiscal year 1973. It is a hold-the-line amendment.

MORTGAGING THE FUTURE

What the President's new request does is to mortgage the future. The new request for $81.6 billion plus the supplements already submitted will lead to a $100 billion defense budget within 2 or 3 years.

In the new budget, money for Trident went up from $140 million in fiscal year 1972 to $942 million in fiscal year 1973.

B-1 bomber funds went up from $370 to $450 million.

Funds for AWACS—the airborne warning and control system—rose from $142 to $474 million.

The F-15 fighter funds rose from $420 to $911 million.

In addition, $299 million in entirely new funds for the CVN-70 are in this budget.

These relatively small funds now represent mammoth spending in the future.

For 10 ships. Trident will cost over $1 billion a ship. If we move to a 30-ship Trident program, at least $30 billion is involved.

The B-1 bomber program will cost at least $12 billion, and more like $20 billion if it is finished.

A single carrier costs $1 billion. Its planes cost about another billion. Its supporting fleet costs $1 billion more. Thus the $200 million for CVN-70 obligates us for at least $3 billion in the future.

AWACS is a $20 billion program.

The request for new obligational authority submitted by the President of the United States should be termed a credit card budget. Small down payments now mean big spending later.

THE PENTAGON MUST MAKE CHOICES

In this day of inflation and huge budget deficits, the Pentagon must make tough choices like everyone else. If they want a new carrier—which virtually every military expert tells us is obsolete—let them take those funds from some other program. Let them make their priorities.

If they are going to go all out for manned bombers in an age of sophisticated missiles, for bomber defense when missiles are the danger, and for new submarines when the paint is not even dry on the present Poseidon conversions, let them take money from some other military source. Let them make the tough, hard choices. But Congress should not be required to fund in full both all the old programs and all the new programs.

They have now spent an extra $1.5 billion in Vietnam due to the stepped up bombing. They will shortly spend another $1.5 billion for that purpose. I oppose that, but if they are going ahead with it, let them find those funds from existing sources, rather than to come to us and demand that we fund with extra money all the new programs they desire. What they want is "All this and heaven too."

THE JOBS ISSUE

There is one very great advantage to the McGovern amendment over ceiling amendments in the past. This amendment does not threaten existing jobs.

It is a hold the line amendment rather than a cutback amendment. It gives ample time to prepare for any conversion which should be made in the future.

Last year the Pentagon spent about $75 billion. They will spend about the same amount this year. Last year they requested $77.6 billion in new appropriations. They got $75 billion. This amendment provides a ceiling equal to last year's request and $1.6 billion more than last year's appropriations.

Any charge that this amendment would affect jobs is therefore false. With a 2-percent increase in actual appropriations and with a general increase in productivity of 2–3 percent this year in the economy, this amendment does not cut existing programs or existing jobs. But it does make the Pentagon choose between and among what they want to do with the funds that are appropriated.

WASTE, WASTE, WASTE

Furthermore, if the Pentagon would turn its mind to it, there are hundreds of places where funds could be saved in the new budget.

Overruns are running at fantastic rates. One can look in vain for a single program which has been built on time, which meets the original specifications, and which costs anything near its original estimated cost.

The military is topheavy with generals and admirals. Last year the military committees reported that there were then more high-ranking officers of certain ranks than at the height of World War II.

We have about 400 major and some 3,000 minor bases scattered throughout the world, many of which could be trimmed and are entirely unneeded for our military security.

There is some $6 million a year now spent in military foreign aid. About $2.5 billion is in this budget. Why should we be spending our money in some 46 countries around the world for military aid? Do we really need to give military aid to Latin America, most of Africa, and much of the subcontinent of Asia, especially India and Pakistan, where it has created far more mischief than any good it has done?

Furthermore, only a few days ago the Senate killed the request for $1.7 billion in military foreign aid. If we stick to that action, additional savings can be made.

VIETNAM

The cost of the Vietnam war is a place where money could be saved. If we got out of Vietnam we could save $7 to $8 billion a year in existing incremental costs of that war.

That cost, combined with the stepped up bombing, could provide more than enough savings to cut back the President's request by the $4 billion in this amendment plus $5 or $6 billion more.

CONCLUSION

For all these reasons, the McGovern amendment is a responsible, hold-the-line amendment, which puts into effect what the President asked Congress to do; namely, to cut back on existing appropriations this year.

It will be interesting to see the results of this vote. It will be interesting to see whether the President and his followers believe that budget message, or whether big spending to them excludes military spending but includes only funds for miners' black lung disease, school lunches, and increases in social security.

This country cannot and should not try to afford everything at once. We must make choices. We must set priorities. This amendment does exactly that. I commend it to the Senate.

Let us hold the line against big spending. Let us stop the credit card, small down payment, budget.

Mr. STENNIS. Mr. President, I yield 2 minutes to the Senator from Colorado (Mr. DOMINICK).

Mr. DOMINICK. I thank the Senator.

Mr. President, I have been listening to this debate with considerable interest. It seems to me the proponents of this amendment have totally failed to recognize what has been done insofar as the Armed Services Committee is concerned. Having served on the committee for some 8 years now, I can recall when we stopped the program on the F-111B, when we stopped the Cheyenne program, when we cut down the R.D.T. & E. by a very substantial amount, when we took into consideration whether we ought to continue the Harrier, and decided not to do it.

Over and over and over again our committee has reduced every single one of these weapons systems after determining whether we should continue them or cut them out.

In this procurement bill we have reduced the requested budget by a considerable amount of money—11.8 percent, as will be seen on page 2 of the report.

It strikes me that, after this careful consideration, to go over it again and say we are going to make a meat ax approach and require a cut is not the way to do it. I would like to know where. Where are we not going to spend any more money? Is it going to be for pay? Are we going to decrease the amount for pay that we authorized in order to try to get military personnel off the welfare rolls, which so many of them were on? Are we going to try to take it out of a program which we approved on Thursday or Friday of last week? Are we going to say that what we did we ought to do all over again?

I simply cannot see how the Senator from South Dakota can have any real credibility on this type of amendment.

I thank the Senator from Mississippi for yielding.

Mr. STENNIS. Mr. President, I yield 3 minutes to the Senator from Washington (Mr. JACKSON).

Mr. JACKSON. Mr. President, my colleagues, I think, have already covered very well the issues that are really involved here.

First of all, the question is whether or not we are going to take away from the Appropriations Committee the authority to determine the ultimate amount of the budget. Our responsibility in relation to the Appropriations Committee is tied to procurement items. I think that is a fundamental point that is overlooked. As has been pointed out by other Senators, the Armed Services Committee has cut over $2 billion out of the procurement request, after careful deliberation and consideration of specific programs on their merits.

The other thing being lost sight of by the public generally is what is really happening to defense costs. About 5 years ago pay, allowances, and related matters represented 42 percent of the defense budget. It is hard to realize that 5 years ago it was 42 percent. What is it now? It is about 56 percent, just to cover the increased cost for pay and allowances and related matters. Then when we add onto that the inflation that has occurred, what we have really been doing is dipping into our strategic capital. That is what has been happening to the defense budget.

I think when we discuss an all-volunteer force, as we have been the last 2 or 3 years, there has been an inadequate amount of attention paid to its cost.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JACKSON. May I have 1 minute?

Mr. STENNIS. I yield 2 additional minutes to the Senator from Washington.

Mr. JACKSON. It is all well and good to talk about ending the draft and having an all-volunteer force, as though all it involved was a legislative decree. But it would in reality add billions of dollars to defense costs.

In recent years, in trying to keep a lid on defense costs, we have been avoiding the investments that we should have been making, particularly in the strategic area, I would say.

Under the able leadership of the distinguished chairman of our committee, we have been cutting general purpose forces, and I think we are getting down near the bone.

It would be unwise, in my judgment, for us to make the kind of cut that is proposed in this sort of way at a time when we are trying to achieve an all-volunteer force. You cannot have it both ways. I hope the amendment will be rejected.

Mr. McGOVERN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McGOVERN. Mr. President, I now yield 4 minutes to the Senator from Arkansas, the distinguished chairman of the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, I am not sure that there is much new that can be said about this matter. We can only reiterate what has been said.

In my opinion, the security of this country has been endangered by overexpenditure of our available resources for strictly military affairs and the neglect of our own domestic economy and other nonmilitary economic international affairs.

We have the SALT agreement coming up on Thursday; it has been announced, and all Senators are aware of it. That has been one achievement which I think is in the right direction. The effect of the SALT agreement has been, in effect, for the Russians and the Americans to say to each other that we do not expect to develop a defense against intercontinental missiles. In effect, our respective populations are hostage to each other.

This, I think, guarantees an adequate deterrent on both sides for the foreseeable future, until some new and unexpected breakthrough in weapons systems should occur. I know of no evidence that there is anything very new.

The weapons systems proposed in these programs are not all that new. The Trident is simply a larger and more powerful submarine. There is a great question whether a larger and more powerful one is better than two or three smaller ones, but in any case that is a technical matter.

On balance, it is my opinion that we are continuing to endanger the security of this country by believing that only military affairs constitute security. I think this has been a great misconception for the last 20 years. We have spent well over $1,300 billion on military affairs, and we have not increased our security to that extent. I think we have endangered it by overemphasis on that matter.

So I very much support the Senator's amendment. It is timely because of SALT; and it is timely because of, for example, the withdrawal of the Russians from the Middle East. Only recently, their presence was cited as a persuasive reason why we should have much stronger weapons in the Mediterranean and in the Middle East. Now that the Russians are being withdrawn, we are told the reason they are withdrawing is because we had all these weapons. I do not see any connection between those matters. The actual reason is because the Egyptians asked them to withdraw and for other reasons than any increase in weaponry on our part in the Middle East.

I think all countries except ours have recognized that this armament race is a futile race; it does not increase their security, and all of them are coming to a realization that it is an unwise way to expend their resources in the accumulation of ever-growing stocks of armaments. I would hope that this country would come to that recognition also, that our resources are not unlimited, and that we ought to begin to exercise some discretion in the way we spend them.

I just came from a hearing on revenue sharing. We hear, on the one hand, from our cities and counties, to please give them more money, they are desperate for funds. We come over here, and we hear we should spend more money on armaments. All the Senator from South Dakota is saying is to keep the spending at the present year's level of funding. That seems to me to be a most reasonable provision. It simply says that the administration should use its judgment in keeping expenditures at this level, and that they need not proceed to the funding of such programs as the new aircraft carrier.

It is true that we voted for it, and we voted for Trident. Of course, they will take anything we will give them.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FULBRIGHT. But I do hope that the Senate in this case will abide by the President's request that this Congress not be noted as a spendthrift Congress, far exceeding his budget requests.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. Ten minutes remains to the Senator from Mississippi.

Mr. STENNIS. May I ask about the time of the author of the amendment as well?

The PRESIDING OFFICER. Four minutes remain to the Senator from South Dakota.

Mr. STENNIS. Mr. President, I have been holding some time for the Senator from Ohio. He did come into the Chamber, but I could not get to him in time. I hate for him not to have a chance to use it. Will someone remind him if he returns?

Mr. President, I know that this proposal is prompted by the very highest motives, and it draws the issue here and sheds light on this whole military budget; but I actually believe that the farther we go with this debate—when we get down into the details of where these cuts are coming from—it becomes clearer and clearer that we have already made very substantial reductions in this bill.

It is also clear that other items in this budget for the military are not going to be utilized this year. For instance, this $400 million proposed pay raise; it is not going to come into being. There are others that I can mention. But to me the outstanding point is that this reduction has been urged by more than one of the able speakers who say that it can be justified by not spending the money on the Trident, when the ink is not yet dry on the records of the debate and the vote of last week by which this same body approved the Trident figures in the bill by a very appreciable margin—10 votes or 11 votes or something like that. And in a small body like this, that is a considerable difference.

Other illustrations have also been cited. But the biggest thing that is outstanding in my mind—and we are going to debate this Thursday, or soon—is that this body has already decided on whether there can be any reductions this year because of the SALT agreement and treaty and the 5-year plan. That was decided in the debate on the Trident and the carrier, and there was a decided margin there, as I say. So these matters have already been settled by this very body.

Here is another great point that has been made by witnesses, and it is outstanding to me: That 56 percent of all the money in the military budget this year goes for pay, allowances and related items for manpower—up, as the Senator from Washington pointed out, from 42 percent just 5 years ago—leaving only 44 percent for all the weaponry that is necessary; and it is very expensive weaponry, there is no doubt about that. We try to hold the cost down by doing this and doing that, but still it costs a lot of money. So when we get down to real details—I see that the Senator from Ohio has returned. I intend to yield to him in a moment.

How much time do I have left, please?

The PRESIDING OFFICER. Six minutes.

Mr. STENNIS. I shall yield a part of that to the Senator from Ohio. I just want to call the names of those who have come in here and taken part in this debate, and what they said about it.

The Senator from Arizona (Mr. GOLDWATER), versed in weaponry, talked about the new weapons.

The Senator from South Carolina (Mr. THURMOND), well versed in these matters, justified the items that go to make the budget up. The Senator from North Dakota, a member of the Committee on Appropriations, spoke about staying this amendment, as did the Senator from Arkansas (Mr. MCCLELLAN), who called it a meat-ax approach. The Senator from Pennsylvania (Mr. SCOTT) spoke, as did the Senator from Texas, the Senator from Colorado, the Senator from Maine, the Senator from Washington. That is the broadest cross section and the finest kind of knowledgeable interest in this entire problem, and this military budget is a problem. The military security of this Nation is a problem, too.

I welcome the thoughts of all, but I respectfully submit that, after all, the way this amendment is worded, it does not have any meaning in the real world, even if it should become law, because what is going to decide this matter eventually, this year, is the appropriation bill and the figures we put in it on these two floors.

Mr. President, whatever time I have remaining, I yield to the Senator from Ohio.

Mr. SAXBE. Mr. President, as a member of the Committee on Armed Services, I have not been reluctant to sponsor bills to cut the appropriations, and I have either been a sponsor or a cosponsor of every bill that has come up on this floor this week. The one pertaining to a carrier I handled myself. I cosponsored the one pertaining to the Trident. I was active yesterday in regard to the SAM–D missile. In the committee, I opposed the Cheyenne helicopter. I opposed the ABM, and I opposed the Washington ABM and the extension of the F–14. I fought the proposal as to the Harrier almost singlehandedly on the floor last year.

So I consider it a little dishonest when people come in and will not take a stand on these individual items and say, "We will just cut across the board." They do not say, "I am going to close a base in this State." We do not want to say that. It might hurt somebody.

When you raise some question about the B–1, my good friend the Senator from California says, "You can't cut the B–1. They make that out in California." When you cut anything out of the Navy, my good friend the Senator from Rhode Island says, "We can't do this because this is in my State." Some of my good friends on the Republican side are strong for cutting something until the shoe tightens.

Mr. PASTORE. Mr. President, will the Senator yield, because he used my name?

Mr. SAXBE. No. I do not have time.

Mr. PASTORE. The Senator has used my name.

Mr. SAXBE. The SAM–D missile, for example, was an item that everybody questioned in committee. Yet, certain people who are here in Congress on both sides came in and said, "This is a great big thing for our area in Massachusetts, and it's an important element, so don't cut the SAM–D missile. We'll get the kinks out of it."

With respect to the Harrier last year, I say to my good friend the Senator from Missouri (Mr. SYMINGTON), they were going to move the Harrier from England to Missouri, to the McDonnell Douglas plant—double the cost of it. I opposed that.

I opposed these things when they were hurting me. The advance money for the carrier was going to be spent at Babcock & Wilcox, in the State of Ohio, who make the reactors. The advance money for the Trident submarine was going to be spent in the State of Ohio, the same place, because the long-term advance goes into the reactors.

What I am saying is this: They refuse to take a stand on an individual item. They either do not show up to vote or to vote for it on an individual item. They do not say what base you are going to close. They do not say what element of the bill you are going to cut back. Then they come along with an across-the-board meat-ax proposal and say, "We'll leave it up to the armed services as to where they cut back." They are against military spending, and they do not have to make anybody mad.

I do not trust the military on this. We had a similar situation in Ohio, when the State ran out of money. Instead of laying off a thousand paper shufflers hanging around the water cooler, they closed the State parks. This is always what happens when you cut back on military services. You do not fire anybody; you do not fail to create new jobs. The first thing you do, you do not pick up the garbage. It is obvious. Or you let the bus service go to pieces.

This is the old political approach. You want to cut military spending, but on the individual items everybody bellies right up and says, "Not me. Don't cut this. We'll all vote for the individual items, so we'll make it back on the across-the-board proposal."

To me, this is the type of intellectual dishonesty that I think the people of this country question. That is why, even though I favor a cut in military spending, I am not going to vote for the meat-ax approach in this amendment.

The PRESIDING OFFICER. All time remaining to the Senator from Mississippi has expired.

Mr. McGOVERN. Mr. President, the Senator from Ohio has closed on the note with which I would like to conclude my remarks today.

He reminded us of the importance of maintaining our intellectual honesty and intellectual integrity.

We are in a position in which the President of the United States has called on Congress to set a ceiling of $250 billion in expenditures on new obligational authority in fiscal 1973. He says that we have already exceeded that on a projected basis by some $7 billion, and Congress has taken a very severe rebuke from the President for our "carelessness" in failing to hold Federal spending below the $250 billion level.

All this amendment does is to respond in a broad sense to that concern, which I assume Congress shares with the President, in trying to hold expenditures to a reasonable level. It says that if we are going to make that effort, we ought to include the largest department of the Government, the biggest part of the Federal Government, in those restraints.

So the amendment suggests that we hold military spending to the same level at which it was last year.

This is not an amendment that guts any essential part of military spending.

The senior Senator from Pennsylvania talked about it being a threat to the Middle East in that it might require some changes in our forces in the Mediterranean. But what the amendment does is to leave to the discretion of the Secretary of Defense where these reductions can best be made. I do not believe that Secretary Laird and the President of the United States would be so foolish as to make reductions that would jeopardize our commitment to the State of Israel and to the security of the Middle East.

But there are numerous other areas where cuts can be made.

Yesterday, many of us attended the funeral of the late Senator from Louisiana, Senator Ellender. A number of other Senators heard him say a few weeks ago that if he were reelected this year, he was going to devote the next 6 years to trying to eliminate some of the fat and waste in our Military Establishment. This amendment could very well be known as the antifat amendment of the antiwaste amendment. It gives the Secretary of Defense an opportunity to make reductions that would eliminate some of the waste in our defense expenditures.

One could consider, for example, that since 1964 we have added 5,000 officers above the rank of colonel, to command 190,000 less men than we had in 1964. We could look at the possibility of slowing down progress on the Trident, on the new aircraft carrier, on the B–1, and on the ABM. All those are things that were decided by a very close vote in the Committee on Armed Services or on the floor of the Senate and are areas where possible cuts could be made.

To those who say that the Senate is giving up this authority, I would say that we are doing the opposite. We are reserving our authority to decide what the priorities of the Nation ought to be. We are saying that if cuts are to be made in the overall size of the Federal Government the Senate should exercise its authority as to where some of the cuts can best be made.

I urgently hope that the Senate will approve this amendment, holding military expenditures for fiscal 1973 at the level where they stood in fiscal 1972.

SENATOR RANDOLPH CONTINUES POSITION ON REDUCED EXPENDITURES

Mr. RANDOLPH. Mr. President, I support the amendment by the diligent Senator from South Dakota (Mr. McGovern) to place a limitation on new obligational authority for the Department of Defense during fiscal year 1973, thereby reducing the proposed obligational authority by approximately $4 billion. It is my belief that the pending amendment is a reasoned and needed reduction in the defense budget. I stress that if enacted into law this provision would impose a reduction in funding which amounts to slightly less than 5 percent of the administration's request for Department of Defense budget authority.

Over a period of many years I have endeavored to work for reductions in defense expenditures which have taken so much from our ability to come to grips with urgent social and economic problems at home. Facts have been developed on defense spending and informative and extensive debate has taken place in the Senate each year on defense budgets and military procurement. I am convinced that we can effect substantial lessening of defense spending without endangering the military posture of our Nation and at the same time without preventing the executive branch from moving forward with effective and advanced military weapons systems.

My position on this vote is consistent with my support in past years of amendments to provide a ceiling for defense expenditures or to enact a certain percentage reduction in budget requests for the Department of Defense. In this connection it is interesting to recall that in 1963 the Senator from South Dakota (Mr. McGovern) and the Senator from Wisconsin (Mr. Nelson) together with former Senator Wayne Morse and this Senator sponsored an amendment to cut procurement, research, development, test, and evaluation programs by $2.2 billion or 10 percent. This amendment was to the defense appropriations bill for fiscal year 1964. That amendment was defeated 74 to 2 with only the Senator from South Dakota and this Senator voting in the affirmative. I quote from my remarks during that debate:

> We can and we must save billions in these categories that drain off so much of our gross national product and require so much of our national income that we are unable to fulfill our obligations to our own people at home and to provide the economic foundation that makes all the rest possible.
>
> A higher priority and a higher percentage of the budgeted dollar must be assigned to the requirements of our domestic programs, especially in the fields of education, health, job opportunities and job training, and public improvements, including continuation of the program of accelerating public works on a Federal-local matching basis.

We have come a long way since 1963 in securing support in the effort to make reasonable reductions in the defense budget. Regrettably the Congress has not arrived at the consensus of thinking which will provide the opportunity for success in this 1972 effort.

Mr. HARTKE. Mr President, I would like to state my views on the amendment offered earlier today by Senator George McGovern of South Dakota to the military procurement authorization bill which would limit military spending from rising in the current year beyond the rational needs of the country for such spending. The amendment would have authorized a cut of only $4 billion from the $81.6 billion requested by the administration for new obligational authority to a level of $77.6 billion in fiscal 1973. The decrease would not be substantial. The following figures give us a raw comparison of that figure, $77.6 billion, to other recommendations and possible levels of military spending.

For new obligational authorization:

	Billions
Fiscal 1972 defense authorization level	$78.1
Senate Armed Services Committee reduction of 12 percent procurement authorization for fiscal 1973 extrapolated to entire defense authorization level	71.8
Full House of Representatives reduction of 11 percent for military procurement authorization for fiscal 1973 extrapolated to entire defense authorization level	72.7
Urban coalition recommendation for 1973 Defense Budget	50.3
Brookings Institution recommendation for budget level for "elimination of less effective forces and selective slowdown in modernization"	72.0
McGovern amendment	77.6
Administration request for fiscal 1973	81.6

Comparatively, the proposed McGovern cut is not substantial when compared to these figures. I urge substantial decreases in future years.

Senator McGovern has urged upon us a total authorization level for military spending of $55 billion in 1975. However, any substantial cutback or even a freeze on arms spending must be coupled with an economic conversion plan. But beyond economic conversion planning there is a need to examine the growth, goals, and priorities of this Nation in conjunction with any substantial cut in arms spending. I commend to you the need for national planning to assure those opportunities in the context of our goals for national security.

The PRESIDING OFFICER (Mr. Hart). All time on the amendment has now expired.

The question is on agreeing to the amendment of the Senator from South Dakota (Mr. McGovern), No. 1381.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1381 of the Senator from South Dakota (Mr. McGovern).

Mr. STENNIS. I thank the Chair.

The PRESIDING OFFICER. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. Church) and the Senator from Georgia (Mr. Gambrell) are necessarily absent.

I further announce that the Senator from North Carolina (Mr. Jordan) is absent on official business.

I further announce that, if present and voting, the Senator from Georgia (Mr. Gambrell) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker) and the Senator from Iowa (Mr. Miller) are necessarily absent.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from Kansas (Mr. Pearson) is detained on official business.

If present and voting, the Senator from Iowa (Mr. Miller) would vote "nay."

The result was announced—yeas 33, nays 59, as follows:

[No. 323 Leg.]

YEAS—33

Anderson
Bayh
Burdick
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Kennedy
Mansfield
McGovern
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Stevenson
Symington
Tunney
Williams

NAYS—59

Aiken
Allen
Allott
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Brooke
Buckley
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cook
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Javits
Jordan, Idaho
Long
Magnuson
Mathias
McClellan
McGee
McIntyre
Packwood
Percy
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Taft
Talmadge
Thurmond
Tower
Weicker
Young

NOT VOTING—7

Baker
Church
Gambrell
Jordan, N.C.
Miller
Mundt
Pearson

So Mr. McGovern's amendment (No. 1381) was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SCOTT. Mr. President, I move to lay that motion on the table.

Mr. THURMOND. Mr. President, I move to lay that motion on the table.

The motion was agreed to.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on July 28, 1972, the President had approved and signed the following acts:

S. 473, an act to amend the Automobile Information Disclosure Act to make its provisions applicable to the possessions of the United States; and

S. 1139, an act to amend the Federal Crop Insurance Act, as amended, so as to permit certain persons under 21 years of age to obtain insurance coverage under such act.

REPORT ON URBAN TRANSPORTATION POLICIES AND ACTIVITIES—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. McINTYRE) laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking, Housing and Urban Affairs:

To the Congress of the United States:

The difficulties of moving people and goods in our increasingly urbanized society are matters of deep concern to this Administration.

It is clear that the problems of our cities cannot be solved unless we devise better means to coordinate the efforts of transportation planners with those of urban officials so that we can clear the way for fast, efficient and economical transportation throughout our Nation.

The report which I am pleased to submit to the Congress today summarizes the many ways in which the executive branch of the Federal Government is now trying to make significant improvements in urban transportation.

The report was prepared jointly by the Departments of Transportation and Housing and Urban Development as required by Section 4(g) of the Department of Transportation Act of 1966. In particular, it documents the cooperative efforts on legislative proposals, policies and activities that have been taken by this Administration to assure that urban transportation systems most effectively serve both our national transportation needs and the planned development of urban areas.

I commend this report to the attention of the Congress.

RICHARD NIXON.

THE WHITE HOUSE, *August 1, 1972.*

REPORT ON FEDERAL STATUTORY PAY SYSTEMS—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. McINTYRE) laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

I am forwarding herewith the annual comparison of Federal salaries in the statutory pay systems to the salaries paid in private enterprise, as required by section 5305 of title 5, United States Code.

The report, prepared by the Director of the Office of Management and Budget and the Chairman of the Civil Service Commission, compares the General Schedule pay rates to the rates paid in private enterprise for the same levels of work, as published in the Bureau of Labor Statistics Bulletin No. 1742, *National Survey of Professional, Administrative, Technical and Clerical Pay,* June 1971.

No adjustment based upon the comparison was made in Federal pay rates because of the substitute measure enacted as a part of the Economic Stabilization Act Amendments of 1971 (Public Law 92-210, approved December 22, 1971).

In addition, the Advisory Committee on Federal Pay reviewed the report and its comments are enclosed.

RICHARD NIXON.

The WHITE HOUSE, *August 1, 1972.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 7338) to establish a Commission on Revision of the Judicial Circuits of the United States; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. BROOKS, Mr. HUNGATE, Mr. MIKVA, Mr. McCULLOCH, Mr. HUTCHINSON, and Mr. McCLORY, were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15586) making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1973, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. EVINS of Tennessee, Mr. BOLAND, Mr. WHITTEN, Mr. SLACK, Mr. PASSMAN, Mr. MAHON, Mr. RHODES, Mr. DAVIS of Wisconsin, Mr. ROBISON of New York, and Mr. BOW were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5741. An act to authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conversation programs; and

H.R. 13804. An act to amend chapter 13 of title 44, United States Code, to provide that certain proceedings of the Italian American War Veterans of the United States, Incorporated, shall be printed as a House document, and for other purposes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution:

H.R. 13435. An act to increase the authorization for appropriation for continuing work in the Upper Colorado River Basin by the Secretary of the Interior; and

S.J. Res. 208. Joint resolution authorizing the President to proclaim the third Sunday in October 1972 as "National Shut-In Day".

The enrolled bill and joint resolution were subsequently signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H.R. 5741. An act to authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs; to the Committee on Commerce.

H.R. 13804. An act to amend chapter 13 of title 44, United States Code, to provide that certain proceedings of the Italian American War Veterans of the United States, Inc., shall be printed as a House document, and for other purposes; to the Committee on Rules and Administration.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

AMENDMENT NO. 1370

The PRESIDING OFFICER (Mr. McINTYRE). Under the previous agreement, the Senator from Oregon (Mr. HATFIELD) is recognized to call up his amendment on which there will be 3 hours of debate.

The clerk will report the amendment.

The legislative clerk read as follows:

At the end of the bill add a new section as follows:

SEC. 605. Section 17(c) of the Military Selective Service Act is amended by striking out "July 1, 1973" and inserting in lieu thereof "December 31, 1972".

ORDER OF BUSINESS

Mr. SCOTT. Mr. President, will the Senator from Oregon yield me 3 minutes for the purpose of having a colloquy with the distinguished majority leader?

Mr. HATFIELD. Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

PROGRAM

Mr. SCOTT. Mr. President, I rise to ask the distinguished majority leader if he would tell us the order of business, what if anything is on the second track, and whether we can expedite the rollcalls.

Mr. ROBERT C. BYRD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. Senators will please take their seats.

Mr. MANSFIELD. Yes, indeed. I will be delighted to. First, I make my apologies to the distinguished Republican leader because I assured him that when it was time for a vote on the amendment which has just been defeated, I would put in a quorum call. I came to the Chamber too late, and I did not leave any instructions. I hope that the Senator from Pennsylvania will understand.

Mr. SCOTT. That is perfectly all right.

Mr. MANSFIELD. Mr. President, the Hatfield amendment will take up 3 hours. If all time is used, a vote will occur at approximately 4:25.

Following that we will consider the Kennedy amendment, which has a 1-hour limitation of time. The vote will occur at approximately 5:30.

Following that, the Senate will consider the Hartke amendment on which there is a time limitation of 1½ hours. The vote will occur at approximately 7:15.

The Senate will then go to the second track and will resume the consideration of the export control bill, S. 2736.

There is only one amendment, the Curtis amendment, on which there will be a yea-and-nay vote, and on which there is a 1-hour limitation. There may be one or more amendments offered. We have agreed to vote on this bill—which has to be finished by midnight tonight—at no later than 9 p.m.

I would express the hope that, if possible, those Senators who are offering amendments and those Senators who are opposing them would consider the possibility, if it is possible, to perhaps reduce the time limitations so that the Senate could get on to its business that much more quickly. However, that is something that Senators who are concerned will have to make a judgment on, and if they use the full time that is perfectly agreeable with the leadership.

However, in view of the fact that we will have a number of votes, I ask unanimous consent that votes from now on be limited to 10 minutes rather than 15 minutes and that the warning bells be rung at 2½ minutes after the rollcall has begun.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I do this with the concurrence of the distinguished Republican leader.

Mr. SCOTT. I thank the distinguished majority leader and the Senator from Oregon.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I suggest to the Democratic cloakroom that this notice be sent out to all Senators.

Mr. SCOTT. I will be glad to do the same.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes

Mr. HATFIELD. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. HATFIELD. Mr. President, the amendment which I have just called up would change the expiration date of the Selective Service Act from June 30, 1973, to December 31, 1972. The amendment would terminate the President's authority to induct men into the Armed Forces at the end of this year, rather than at the end of fiscal year 1973.

The issue of the draft is critical to our Nation's moral fiber and our national strength. Both are interdependent; you cannot have one without the other. A peacetime draft, which is what we have faced since the close of the Second World War, is not only iniquitous to the very nature of a democracy and the individual freedoms to which we so often rhetorically refer but is detrimental to our defense posture and inimical to our foreign policy. A volunteer military is inherently more equitable, just, and efficient than one that is considered.

Each time that legislation to halt the draft has come before this body we have heard of the dire consequences that we would face if it were not continued to be implemented.

Drastic manpower shortages would result we have been told in each debate in the face of contradicting data from the Defense Department.

Last year, for instance, the Selective Service Act expired, and the Congress debated its extension for 5 months, finally deciding to extend the President's authority to induct men into the Armed Forces for 2 more years. In spite of all of the calls of undermining our national defense which we heard in the Chamber and from the Pentagon, once the induction authority had been regained, only 10,800 men were drafted during the last 3 months of calendar 1972. During the first 3 months of calendar 1973 there were not any draft calls, and Secretary Laird has announced draft calls for 50,000 men for the remainder of the year. In other words, in 18 months a maximum of 60,800 men will have been drafted, and the actual figure may be well below that number. Be that as it may, there is substantial question as to whether these inductions are actually needed in light of evidence accumulated during the last 6 months. This evidence indicates that, due to mismanagement and indecisiveness, the Defense Department is falling short of the mandate of the President to move to an All-Volunteer Armed Force.

Before examining the management problems of the Pentagon, I would like to focus on the general manpower questions we face. The administration has requested 2.358 million men for the end strength of fiscal year 1973. The Defense Department is projecting a shortfall of between 40,000–100,000 men by June 30, 1973, if the draft is halted December 31, 1972. With the civilianization programs now considered by the Department, and the greater emphasis on utilization of women in the services, this shortfall could be easily overcome. Furthermore, if the recommended troop cutbacks of the Senate Armed Services Committee are implemented, this projected shortfall would be immediately overcome. The Armed Services Committee has recommended a 56,000-man cut in the average troops strength for this fiscal year. If these cuts were implemented on an even and consistent basis throughout the year, this would mean an end strength reduction of approximately 112,000 men, thereby having an end strength for fiscal year 1973 of 2.246 million men. If, as the Senate Armed Services Committee has noted in its report, the Gates commission recommendations regarding civilianization were effected, roughly 106,000 positions could be filled by civilians that are presently occupied by military personnel. Thus, the end strength for fiscal 1973 would be reduced to 2.140 million men. Add to this the added utilization of women within the services, and the overall end strength for men in the armed services, this fiscal year would be reduced to perhaps below 2 million. Put another way, if none of these reductions or programs occur, recruiters would only have to increase their present recruiting capability by one additional enlistment per recruiter every 2 months to meet the shortfall. Not only does either set of data eliminate the shortfall projected by the Department, but provides an overabundance of men, thus allowing the services an opportunity to become more selective in their personnel than they are now. Consequently, the qualitative as well as the quantitative requirements of our Armed Forces will be adequately met.

Last year this issue of quality was raised on the floor. I think it of particular interest to note that the quality in the overall Armed Forces has increased during the past year, and the influence has been negligible, if any. In testimony in March of this year before the Armed Services Subcommittee on the Volunteer Armed Force and Selective Service, Lt. Gen. George Forsythe, former director of Project Volunteer, said:

> The quality of new recruits is improving. In late September, the Army focused on bringing in higher quality recruits—high school graduates, and personnel in the upper mental categories. During October, enlistments dropped several thousand, but quality was up by 25 percent. In November, quality continued to rise and numbers began to climb. By December, quality was up almost 8 percent and total enlistments were almost 80 percent and total enlistments were

over 20 percent higher than the previous December. In August and September, slightly over 50 percent of Army volunteers were high school graduates. With emphasis placed on quality starting in September, the percentage of high school graduates rose to 80 percent in October, 84 percent in November, and 88 percent in December.

Mr. President, I would like to point out that these figures represent voluntary accessions during a period when only 10,800 men were drafted prior to which time we had had no draft for 5 months. More recent data continues to indicate that quality has increased in the Armed Forces, so the argument that a volunteer military without the threat of the draft is spurious and without foundation.

Another point of concern in previous debates has been enlistments into combat arms. In testimony before the Senate Armed Services Committee, February 8, 1972, Assistant Secretary of Defense for Manpower and Reserve Affairs Roger Kelley testified that enlistments into the combat arms had increased by 1,200 percent between the last half of 1970 and the last half of 1971. This represented an average monthly increase from 250 in 1970 to 3,000 in 1971. Recent data indicates that this increase has continued so that during June 1972, last month, over 5,300 men enlisted into the combat arms—an increase of over 130 percent over last year and a jump of over 2,000 percent from 1970. With this trend established and with the combat enlistment bonus voted last year by this body, there is not any foreseeable problem in attracting the necessary men into the combat arms that was feared by some in this Chamber last year. As a matter of fact, if shortfalls do occur in this area in the future, as the Defense Department has indicated from time to time, it will be a result of poor management on their part, not a shortage of men. The Senate Armed Services Committee has pointed to this problem this year. In its report it questioned the fact that manpower cutbacks mandated by the Congress have taken place, particularly in the area of combat arms. On page 125 of its report (92–962), the committee states:

> The Services have often tended to protect their support establishments when reductions have been made in the past by making those reductions in combat forces. The committee is strongly opposed to this tendency.

The committee then goes on to indicate the areas in which these future reductions should take place.

Some Senators have raised the question in the past about maintaining adequate Reserve and National Guard strength in the absence of conscription. I would like at this point to quote from a memorandum I sent to the Members of this body over the weekend:

> The paid drill reserves are currently understrength.
>
> This problem could have been avoided if the Army had co-ordinated its massive early-release program with a reserve recruiting effort. Instead, the program was confined to just two posts during most of 1971, when the greatest reductions in active duty forces were being generated.
>
> More importantly, Defense waited until April, 1972 to request its reserve bonus package. Had it been able to use these incentives when thousands of young men were leaving active duty, the Army would have had waiting lists for the reserves. My amendment will compel the Army to correct these management errors now, not when it is time to consider the Selective Service Act again.

Furthermore, Mr. President, the draft is no longer relevant to the Reserves and National Guard. It is true, as has often been pointed out on the floor, that up to 75 percent of the enlistments into the Reserves and National Guard were in order to avoid the draft. Draft calls during previous years have been significantly higher than the presently projected 50,000 for this calendar year. In 1968, 300,000 men were drafted. In 1970, 163,000 men were inducted. In 1971, 98,000 were conscripted. When you consider that there are 498,055 in the draft pool—roughly 440,000 more men than will be drafted—there is virtually no pressure whatsoever on young men to enlist in the Reserves or National Guard because of the draft. I agree that there are problems facing us with respect to meeting our strength requirements for our Reserves and National Guard, but the draft is no longer related to that issue. I anticipate legislation to come before this body which will remedy this situation during this session, and I will strongly support it, but trying to relate the draft to the Reserves and National Guard at this point in time is like comparing apples and oranges.

Another issue has usually been raised in opposition to a volunteer military during previous debates. It is that a volunteer military would attract a disproportionate number of blacks and poor into the military and that they would consequently be carrying the brunt of our actions in Southeast Asia. We have heard it said that poor men would be fighting rich men's wars. Those asserting this position have alleged that the draft prevents poor men from fighting rich men's wars—in this case, Vietnam. Recent data verifies what previous projections concluded, namely that the racial and income balance within the military is continuing to be roughly proportional to the overall population in the country. As a matter of fact, it could be forcefully argued that, in spite of the draft, poor men were fighting our war in Southeast Asia because those with poorer skills and opportunities, particularly among blacks, were participating in combat roles in much higher ratios than that of their representation in the overall population. The fact remains that the question is moot. The President has announced that we are no longer, nor will we resume, sending draftees to Vietnam. The issue is not relevant.

The simple fact remains that, if the management practices of the Defense Department were more efficient, we would have a volunteer military today and not have the need for military inductions this year or during the previous year. For fiscal year 1973, volunteer force initiatives have been reduced from $320 million the previous year to $272 million. It is puzzling that while the Defense Department has been unwilling to commit the Department to a specific date for ending the draft, they have requested less money for key programs this year than the year before. Either Defense feels that most of the problems have been solved, or someone is interested in having the Department fall short of the President's goal. By terminating the draft on December 31, 1972, we will force the Defense Department to take this low-priority label off the President's program.

Implementation of volunteer force programs has lagged badly in some areas. Over 400,000 first-term enlisted men live in inadequate barracks, many of them World War II vintage open bays. Yet, Defense Department officials testified in the spring of 1972, that the fiscal year 1971 barracks improvement program was only 78 percent completed, and that only 10 percent of the fiscal year 1972 program had been implemented. Military officials stated that the funds had to be diverted to Southeast Asia. Regardless of one's views on the war in Indochina, all Senators will agree, I am sure, that the funds to support that conflict should come from direct appropriations, and not taken from moneys that have been designated to improve the lot of the individual GI.

Housing opportunities, most travel allowances—for household goods and dependents—and separation allowances—all of which are available to careerists—are still denied junior enlisted men. This discriminatory treatment of lower ranking GI's means that 200,000 soldiers and their families are forced to either separate from their families or see their new pay hikes eaten up by costly long-distance moving expenses. The problem is particularly severe overseas—as noted in a recent Army Times article entitled, "Poverty in Europe"—because last year's reevaluation negated much of the value of the congressionally mandated comparability increases.

The shoddy personnel accounting practices bred by years of reliance on the draft have become painfully obvious from the Army's conduct of its congressionally mandated reduction-in-force last year. These deficiencies were noted by a Lt. Gen. William E. DePuy in testimony before the Senate Armed Services Committee, February 9, 1972. In his testimony, Lieutenant General DePuy stated:

> Our loss estimating is difficult. That is particularly true this year, when we have a whole variety of early release programs in effect at the same time, some of which are optional. So we could not possibly be correct in our estimates. We have been as much as 10 percent off both ways in any particular month.
>
> In the hearings and in deliberation here in the Congress, another 27,000 man-year reduction occurred. Then we did two things. We did not react right away. Perhaps, foolishly, we hoped maybe that would be restored; it was not. So, we waited. That cost us some man years. Then our management was not perfect for several months, we ran over strength. So the combination of all of that gave us problems.

Commenting on this mismanagement, the Senate Armed Services Committee noted on page 135 of its report No. 92–962:

> The Conference on the Selective Service Bill, in which the manpower authorization was included, announced its agreement on

manpower authorization levels and all other matters save one—the Mansfield Amendment relating to a termination of hostilities in Indo-China—on July 1, 1971. Thus the Army had notice at the beginning of the fiscal year that the committee's recommended cut would be approved by the Congress unless the Conference Report were rejected by the House or Senate and, in a new Conference, the question of manpower levels was re-opened. The Army admitted in response to a prepared question from the committee that the Congressional reduction would not materialize. This hope proved barren when the Conference Report was approved by the House and then by the Senate on September 21, shortly after the summer recess.

A second delay then compounded in the initial delay. In the Army's words there were "several months in early FY 1972 in which the Army overestimated its losses and underestimated its gains, thus aggravating the man-year problem." The reason for this is not clear. The Army has an inherently harder job of estimating manpower gains and losses than the other Services because of its combined reliance on draftees, draft-motivated volunteers, and true volunteers. Also, there is reason to believe that there is some room for improvement in the Army's personnel data system.

As a result of this poor planning in releasing too many men too soon, the Army will have a fiscal year 1972 end strength of 40,000 below authorized levels. This, of course, will make accession requirements for fiscal year 1973 higher than normal, since the Army will not only have to meet normal goals, but also make up for fiscal year 1972's over-reduction. This mismanagement was hardly designed to comport with the President's goal of ending the draft and raises grave questions about the enthusiasm of certain personnel planners for the Volunteer Force.

In addition, the Army has been unwilling to divulge its plans for ending the draft. Consider the following examples from the Senate Armed Services Committee hearings of February 8 and 9, 1972:

"You might be surprised to know, for example, that in our program that we run out into fiscal year 1974, we have (deleted) we do in 1973—208,000 in 1973 and about (deleted) in 1974 because of that phenomenon.

"We are taking losses in 1972 that we would have taken in 1973, so a strange phenomenon occurs in 1973. Our losses are low, lower than our gains by about (deleted) a month. The gains are higher because they are being put in to take care of the later losses. So that difference of about (deleted) is multiplied by 6 is about (deleted); that is the build-up here."

Since Department of Defense officials were quite willing to discuss accession requirements in a steady state, it is surprising that they should want to delete fiscal year 1973 losses and fiscal 1974 requirements from the hearings. Certainly it is not a question of withholding information on the grounds of national security—it is an attempt by the Army to either hide its plans for ending the draft, or hide the fact that its personnel management is so slipshod that it cannot make an accurte prediction of requirements 1 year hence. My amendment will require the military to make their plans for an end to the draft, rather than a justification for a renewal.

According to the Navy Secretary, John Warner, their recruiting service of the Navy rested on their laurels too long and began improving their enlistment practices 9 to 12 months later than they should have. The result has been a Navy performance inferior to that of the other services. Given the Navy's traditional recruiting advantage over that of the Army, it has been surprising to see the Army's superior performance to date. It is even more astonishing to see both services some 3 years behind the Air Force in use of advanced recruiting techniques. Secretary Warner has implemented the necessary corrective measures for a rapid movement toward an end to the draft. As a former Navy officer—who knows that the sea-service is a "can-do" organization—I am confident that my amendment will speed the Navy's ability to meet its requirements in an all-volunteer environment.

Aside from these mismanagement problems, Mr. President, last year, rather than trying to increase reenlistments, the Defense Department succeeded in reducing them from their usual 11 to 12 percent to roughly 2 percent. This action reduced their accessions and thereby increased accession requirements and possible needs for inductions. Clearly the draft is not needed to meet our manpower requirements. My amendment provides more than enough time for a transition from the draft into an all-volunteer environment. Aside from the manpower question it is not needed to maintain some sense of equity or justice, as some would have us believe. Not only do the facts belie any assertion along these lines but also contradict any historical or commonly accepted use of either word "equity" or "justice." Involuntary servitude, which is what military conscription is today, is the most iniquitous institution in our society. It contravenes every value which our country has stood for since our founding, and represents potential inroads of authoritarianism into our republic.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. HATFIELD. On my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time?

Mr. HATFIELD. I yield myself 5 minutes.

Mr. President, I ask unanimous consent that the names of the following Senators be added as cosponsors of amendment 1370: Senators **HART**, **McGOVERN**, **GRAVEL**, **HUGHES**, **CRANSTON**, **PROXMIRE**, and **SCHWEIKER**.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, the constitutional aspects of military peacetime conscription are often overlooked in the mass of manpower figures and foreign policy statements in which the general issue is generally presented. I think that it might be of value to other Members of this body to review an opinion written in an unpublished manuscript by former Chief Justice Roger B. Taney on May 7, 1886.

Of particular interest is the Chief Justice's nonreliance on the issue of individual rights but on State's rights and, most importantly, his argument that the Founding Fathers had not contemplated conscription on a national basis because it did not come into practice until 1788 with Napoleon.

As I mentioned during the debate last year, the Federal Appeals Court had ruled that Congress' passage of the Selective Service Act and the appropriation of funds for Southeast Asia was an implicit declaration of war. That decision was appealed, and on October 26, 1971, the Court of Appeals filed a certified copy of an order of the Supreme Court denying petition. Consequently, any Senator or Congressman voting for the Selective Service Act or appropriations legislation for Southeast Asia favors our military involvement in that part of the world.

Mr. President, I ask for unanimous consent that the unpublished portion of the opinion of the former Chief Justice of the United States be printed in the RECORD.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

THOUGHTS ON THE CONSCRIPTION LAW OF THE UNITED STATES

(By Roger B. Taney)

By the Act of Congress entitled an Act for enrolling and calling out the national forces and for other purposes (generally called the conscription law) all able bodied male citizens of the United States between the ages of twenty and forty-five years except as thereinafter excepted are declared to constitute the national forces and liable to perform military duty in the service of the United States when called out by the President for that purpose.

The 2nd Section excepts and exempts from operation of the Law, the Vice President of the United States, the Judges of the various Courts of the United States, the head of the various executive departments of the government, and the governors of the several States, sundry other descriptions of persons are also exempted from family considerations, or want of health, whose exemption is not material to the matter now before the Court.

The 18th Section provides that the persons called out shall be liable to serve for a period not exceeding three years.

The question to be decided is,—Does Congress under the Constitution of the United States possess the power it has in this instance exercised?

In determining this question it is necessary that we should fix clearly in our minds the relative powers of the general and State governments, and the attitude in which they stand to each other when exercising their respective powers.

The confederation which existed prior to the adoption of the present constitution was a mere league of independent States. Each State retained the entire sovereignty within its own territorial limits, and the confederate power could not exercise forcibly any authority civil or military by its own officers within the territories of a State without its consent nor did it possess any power within these limits in any case paramount and superior to that of a State.

It was under these circumstances and in

this state of things that the present Constitution was formed.

By adopting this Constitution, the people of the several States created the government of the United States and delegated to it certain specified powers of sovereignty within their respective territories;[2] but in express terms retained all the powers not thereby conferred on the U. States, in their own hands. Two separate governments are thus to exercise powers of sovereignty over the same territory and the same people at the same time. The line of division between them is marked out. Each of them is altogether independent of the other in the sphere of action assigned to it. The power of the Federal government is paramount to that of the State within the limits of its delegated powers. The authority of the several States is equally paramount within the limits retained by the States—neither owes allegiance to, or is inferior to the other,[3] being both sovereignties they stand on equal ground—and the Citizen owes allegiance to the General government to the extent of the powers conferred on it and no further—and he owes equal allegiance to the State to the extent of the sovereign powers[4] they reserved,—The rule as to allegiance and the reason of the rule are clearly stated in I Blackstone's Commentaries, 366, in the following words: "Allegiance is the tie or ligament which binds the subject to the King in return for that protection which the King affords to the subject."—And as neither the Federal government, nor that of a State, could lawfully afford protection to the Citizen beyond the limit of their respective powers, no allegiance can be claimed or is due from the Citizen to either government beyond those limits. It is a divided allegiance but not inconsistent—the boundaries of each sovereignty being defined and established, and not interfering with one another, and each independent of the other in its own sphere of action.

These principles were decided by this Court unanimously and upon much consideration in the case af Ablemore vs. Booth,[5] 21 How. 366. But the great importance of the case now before the Court makes it proper that I should again refer to the clauses in the Constitution which bear upon the subject. Clause 16, S. 8, Article I. authorizes Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the government of the United States, or in any Department or officer thereof. And again the second clause of the 6 article declares that this constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States shall be the supreme law of the land, and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

And Article 11 of the amendments to the Constitution declares "that the powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people.

These clauses show that the sovereignty of the general government is not a general & pervading one—but is confined to the powers delegated by the Constitution. And all the rights and powers of sovereignty not delegated are reserved to the States. The sovereignty of the State therefore to the extent of this reservation is wholly independent of the general government.[6]

The last mentioned clause it will be observed was an amendment to the original Constitution after it had been fully discussed before the people and in the conventions of the different States, and was manifestly adopted to show more clearly than the original instrument was supposed to do, that no general supremacy over the States was intended to be conferred on the Federal government, and to show by the plainest and most positive words that the States were still sovereignties in their character.

Indeed the sovereignty of the States is expressly recognized in the 2d clause of the 2d Sect. of the 4th Article which provides that "a person charged in any State with treason, felony or other crime who shall flee from justice and be found in another State shall on demand of the Executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime." The State must be sovereign,[7] and the party accused must owe it allegiance in return for the protection it affords him, or the crime of high treason could not be committed against it, nor its Courts have jurisdiction of the offence.

It follows from what is above stated, that the Federal government has no inherent, and original powers of sovereignty. It has only what the States delegated—and any exercise of sovereign power beyond these limits would be a usurpation[8] of State sovereignty—and consequently illegal.[9]

This brings me to inquire whether the power exercised in passing the Conscription Act above mentioned has been delegated to the Federal government.

In pursuing this inquiry we must not confine our attention to a single clause and construe it as if it stood by itself apart from all other provisions. The whole instrument must be taken together—general words in one clause may be restrained in the meaning by other provisions in the instrument and no construction can by any just rule of construction, be given to any one clause, that would make it repugnant to the plain words of another and make the Constitution so carefully and deliberately prepared inconsistent with itself.

Guided by this well established and familiar rule of construction—I proceed to examine the clauses in the Constitution which bear directly on the question.

The Constitution establishes and recognizes two kinds of military force entirely different from each other in their character, obligations and duties.—The 12th clause of the 8th Section of the 1st Article gives to Congress the power to raise and support armies. The power is general,—the number is not limited and it embraces times of peace as well as times of war, when raised it is exclusively subject to the control of the United States authorities.—It is a body of men separated from the general mass of citizen—subject to a different code of laws liable to be tried by Military Courts instead of the Civil Tribunals.—and may be employed at all times in or out of the United States, at the pleasure of Congress—and willing or not willing forced to obey the orders of their superior officers. And in the 3rd clause of the 10th Section of the 1st Article it is provided that "no State shall without the consent of Congress keep troops, or ships of war in time of peace."—The powers given to the general government to raise and support armies, necessarily carries with it the power to appoint their officers, and the power to make rules and regulations for its government is given by the 14th clause of the Section and Article last above referred to. These rules and regulations so far as they concern the individuals who compose the army are altogether independent of State authority,—and the control of the whole body is exclusively and absolutely in the general government.—They compose the national forces,—or what is called in the Constitution the land forces of the United States.

The other description of military force is the militia over which by the express provisions of the Constitution the general government can exercise no power in time of peace, and but a limited and specified power in time of war.—It will be observed that as relates to the Army the power is given to raise and support it, a power which Congress in its discretion may or may not exercise. But the militia is spoken of, as a known military force, always existing and needing no law to bring it into existence and merely requiring organization, discipline and training to make it efficient.

Thus the clause 16—in the Section and Article aforesaid declares that Congress shall have power "to provide for organizing, arming and disciplining the militia and governing such part of them as may be employed in the service of the United States reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

The clause immediately preceding (15) gives Congress the power to provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion. But what description of persons composes the militia who are thus to be officered and trained by the State,—and may be called to aid the general government in the emergencies above mentioned? The answer will be found in the 2d amendment to the Constitution which declares that "A well regulated militia being necessary to the security of a free State, this right of the people to keep and bear arms shall not be infringed". The militia is therefore to be composed of Citizens of the States, who retain all their rights and privileges as citizens who when called into service by the United States are not to be fused[10] into one body—nor confounded with the Army of the United States, but are to be called out as the militia of the several States to which they belong and consequently commanded by the officers appointed by the State. It is only in that form or organization that they are recognized in the Constitution as a military force.[11]

The United States can exercise no authority over them except only in the contingencies specified in the Constitution.

This . . . . . is plainly and distinctly expressed in the 1st clause of the 2nd Section of the Second Article which declares that—

"The President shall be commander in chief of the Army and Navy of the United States and of *the militia of the several States* when called into the actual service of the United States."

The distinction between the Army of the United States and the Militia of the several States and the power which the President may exercise over them respectively is here clearly stated. He has no power over the Militia unless when called into the actual service of the United States. They are then called out in the language of the Constitution, as the militia of the several States. The General government has no militia, it has only the Army and Navy—The militia force duly organized and ready to be called out belongs to the several States and may be called on in the emergencies mentioned to aid the land and naval forces of the United States.

But if the act of Congress of which I am speaking can be maintained all of the clauses in the Constitution above referred to are abrogated. There is no longer any militia—it is absorbed in the Army.—Every able bodied Citizen, not exempted by that law, belongs to the national forces—that is to the Army of the United States. They are not to be called out as the Militia of a State—but as a part of its land forces—and subject as soon as called on to all the obligations of a private soldier, in the ranks of the regular army.

The Generals, Colonels and other Officers appointed by the State according to the provisions of the Constitution are reduced to the ranks, and compelled to march as private soldiers and obey the orders of such persons as the President may select to command them,

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Footnotes at end of article.

and they and every other able bodied citizen except those whom it has been the pleasure of Congress to exempt, are compelled against their will to subject themselves to military law, to be tried by military Courts instead of the civil tribunals—and to be treated as deserters if they refuse to surrender their civil rights.

It appears to me impossible to believe that a Constitution and form of government framed by such men can contain provisions so repugnant to each other. For if the conscription law be authorized by the Constitution, then all of the clauses so elaborately prepared in relation to the militia, coupled as they are with the declaration "that a well regulated militia is necessary for the security of a free State", are of no practical value and may be set aside and annulled whenever Congress may deem it expedient.

The power to do this is, I understand, claimed under the clause which gives Congress the power to raise and support armies.

It is true that the power is delegated without specifying the manner in which the armies are to be raised.[12] But no inference can be drawn from these general words that would render null and inoperative the plain and specific provisions in regard to the militia, to which I have above referred. No just rule of construction can give any weight to inferences drawn from general words, when these inferences are opposed to special and express provisions, in the same instrument.

But apart from this consideration the words themselves, even if they stood alone, will not, according to their known and established use and meaning in the English language, justify this construction.

During the period when the United States were English Colonies, the Army of England,—the standing army,—was always raised by voluntary enlistments,[13]—and the right to coerce all the able bodied subjects of the Crown into the ranks of the Army and subject them to military law, was not claimed or exercised by the English government—and when the power to raise and support armies was delegated to Congress, the words of the grant necessarily implied that they were to be raised in the usual manner.[14]—And the general government has always heretofore so understood them and has uniformly by its own officers recruited the ranks of its "land forces" by voluntary enlistments for a specified period.

The general words "to provide and maintain a navy" could with much more apparent plausibility be construed to authorize coercion when a sufficient number of volunteer seamen could not be obtained. For at the time the Constitution was adopted and long before it had been the practice of the British government to compel by force seamen to serve on board its ships of war whenever there was a deficiency of volunteers—and it might be said with some appearance of reason, that the power to provide and maintain a navy, implied that it was to be provided and maintained in the same manner that it had been provided and maintained by the the government under which we had before lived.—I do not think the Whalers and Fishermen, and Seamen of the Northern States would assent to such a construction or admit it to be correct.—It certainly would not be correct—for such a power over landsmen or seamen would have been repugnant to the principles of the government which was then framed and adopted.

It is true also that the act recites in the preamble that an insurrection and rebellion exists against the authority of the United States, and that it is its duty to suppress it.—But this is the very crisis which the framers of the Constitution foresaw might happen and has given to the general government the powers they deemed adequate to meet it, or safe to grant.

It is the state of things in which Congress is authorized to provide for calling out the militia of the several States and if that course was pursued; the forces called out would be commanded by officers appointed by the State,—and it can hardly be maintained that where a specific power is given to Congress in a certain contingency, Congress may when the contingency happens repudiate the means prescribed in the Constitution and adopt others which it may deem more effectual,—such a construction would make the Constitution of no higher authority than an act of Congress,—and every provision in it liable to be repealed and altered or disregarded whenever in the judgment of a majority of the Legislature the public interest would be promoted by the exercise of powers not conferred.[15]

Much has been said in Courts of Justice as well as elsewhere of the war powers of the general government, and it seems to be assumed that the Constitution was made for a time of peace only and that there is no provision for a time of war. I can see no ground whatever for this argument. The war power of the Federal government is as clearly defined in the Constitution as its powers in time of peace—Congress may raise and support armies—it may provide and establish a Navy—it may lay an embargo—it may provide for calling out the militia of the several States—it may grant letters of marque and reprisal—it may suspend the habeas corpus—it may quarter soldiers in a house without the consent of the owner, in a manner to be regulated by law, which it cannot do in time of peace. These are all war powers—powers to be exercised in time or war—or in preparation for war—And when we find these powers and none others enumerated and conferred for war purposes, it is conclusive proof that they are all that were deemed necessary, and that it was not deemed safe or prudent to trust more in the hands of the new government. This conclusion seems inevitable when we find that all powers not delegated to the general government or forbidden to the States were reserved to the States and the people. The same considerations apply with equal force to the case of an insurrection or rebellion against the authority of the United States. The Habeas Corpus may be suspended and the militia called out to suppress it—The Constitution has armed the general government with these powers to meet the emergency mentioned in the preamble to this law. But it seems to be supposed that these measures are not adequate to meet the crisis—and that the Federal government may for the time disregard the limitations of power contained in the Constitution and adopt any measures it may deem necessary to put down the rebellion. This view of the subject, in its effect, puts aside the government created by the Constitution and establishes a temporary or provisional government in its place—But the Judiciary who derive all the power they possess from the Constitutional government—and have all sworn to support it, would hardly be justified in violating any of its provisions—or in sanctioning their violation by any other Department of the government—They can never be called on to execute or enforce unconstitutional laws or recognize as justifiable assumptions of power which the Constitution has not conferred.

But there is a more serious objection to this act of Congress—than those above stated—It enables the general government to disorganize at its pleasure the government of the States—by taking forcibly from them the public officers necessary to the execution of its laws.

I have already spoken of the sovereignty reserved to the States, as altogether independent of the sovereignty of the United States and in no respect subordinate to it. It had high duties to perform in the protection of the persons and property of the citizen in preserving the peace and promoting the prosperity of the Citizens of the State. And as the militia when called into the service of the United States were to be taken from the people of the State it is essential to the existence of State Sovereignty that its governors, judges and civil officers necessary for the purpose of carrying on the government should not be taken away, and the government thereby disorganized and rendered incapable of fulfilling the duties for which it was created, what officers are required for that purpose, the State sovereignty alone can judge, accordingly we find in the clause of the Constitution herein before referred to, that no power is granted to the Federal government to determine what description of persons shall compose the military force called the militia; the power to provide for organizing, arming and disciplining the militia, was necessarily delegated to Congress to make that arm of the military force efficient by conforming that organization and discipline to that of the army, so that when called into the service of the United States they might conveniently act together.

But the power prescribed who shall be liable to be called on and who exempted, is not given, not any power from which it can be inferred, on the contrary the right to appoint the officers and train the men is reserved to the State—The State must therefore determine who are to be trained, and they are to be selected from the people or the State—It would necessarily happen that many from age or infirmity were unfit for military duty—and many would hold official stations essential to the existence and exercise of the State government; of this the people of the State have the sole right to judge. And such persons would not be enrolled and trained by the State because their duties required them to be elsewhere. And if the services of the militia were called for by the United States those only who were enrolled and trained under the State officers would be required by the State to respond to the call, and the State government would go fulfilling its functions without interruption or inconvenience.

But the Act of Congress assumes the right of the General government to enroll in the national forces of the United States, and is in the army or "land forces" as they are called in the Constitution, every able bodied male citizen of the State without regarding the position he may hold in the State government—neither the judges nor executive officers, except the governor, are exempted and are made liable to trial by military court, and to punishment as deserters, if they refuse to march when ordered by the President. What is to become of the people of a State if their executive officers and judges are taken away, and their Courts of Justice shut up? It will hardly be said in defence of the law that the Governor may appoint others to fill their places; for I believe it will be found that the people of no one of the States anticipated the possibility of such a state of things and have not therefore made provisions in their respective Constitutions to meet it. And indeed if every able bodied citizen is liable to the Conscription unless exempted by Congress, the Governors of the States, if they had not been specially exempted, might be forced into the army, and find themselves standing by the side of their generals and Judges as privates in the ranks and commanded and disciplined by officers appointed by a different sovereignty.

Neither does the privilege of hiring substitutes or paying $300, lessen the constitutional objections to the law. For the State Officers could not be required to furnish substitutes or pay $300, unless the power exists to compel them to serve in person.

There can be no actual government with-

Footnotes at end of article.

out proper officers to exercise its powers and execute its laws. The act in question shows that Congress was fully sensible of this—and has exempted all of the executives and judicial officers of the United States, whose services are required to carry on the government. That government is preserved in the full, free and uninterrupted exercise of all its powers. But it exempts none of the Officers of the State governments, but the Governor—and it leaves him without any other officer, executive or judicial. How is the peace of the State to be preserved, and the laws efficiently executed, if the whole or even a part of the officers of the State to whom these duties have been assigned are taken away and forced into the Army of the United States? No one I think can believe that the men who framed the Constitution could have intended to give to the new sovereignty they then created the power to paralyze or cripple the old ones, so as to disable them from executing the power expressly reserved to them[16] powers essential to the safety of the people of the State and which the State government alone could exercise under the provisions of the Constitution.

I speak of the Constitutional and lawful power, not of the physical power which the Constitution has placed in the hands of the Federal government.[17]

For in a contest of mere force, a State would meet the United States upon very unequal terms—prepared as the latter always is with a disciplined army and navy at its command. But so far from intending to give the general government the power to disorganize the government of a State they have carefully and jealously excluded it from any right to interfere in the domestic controversies and difficulties of a State, even where its aid might be supposed to be useful. For in the case of rebellion or insurrection against the State government, the United States is not allowed to interfere in it, to support the State authority, unless its assistance is applied for by the Legislature of the State or by the Executive where the Legislature cannot be convened (Art.—4, S. 4.) scarcely any provision could more strongly show how anxiously and jealously the sovereignty of the States was guarded from any interposition by the United States. It is not permitted even to defend it, unless their assistance is asked for by the State authorities.

The circumstances that the Federal government pervades the whole union, and that its power within the sphere of action assigned to it, is supreme over that of the States, is perhaps calculated to create an impression upon the minds of those whose pursuits have not led them to examine particularly the provisions of the Constitution—that its supremacy over the State extends to all cases where the general government may choose to exercise it. The character of the powers assigned to it, and in which its power is supreme, is also calculated to attract the public attention far more than the quiet exercise of State powers, in any single State. But it must be remembered that State Sovereignty also pervades every part of the Union and in that respect is coextensive with that of the United States. In every part of the Union (except the territories) there is a State government, exercising independently of the general government, all the powers not delegated to the United States. These powers although not so striking as those exercised by the general Government are not less important to the happiness of the people. For while the powers conferred on the general government contain mainly our foreign relations and the intercourse between the different States, it is the State Sovereignty which preserves tranquility in the State, and guards the life, liberty and property of the individual Citizen, and protects him in his home and in his ordinary business pursuits.

It cannot be that the men who framed the Constitution, or the people who adopted it could have regarded these interests as of less value than those committed to the care of the Federal Government,—and could have intended on that account to give the latter the power, whenever it deemed it expedient to paralyze the action of the State governments,—and leave the people to choose between anarchy on the one side, or a purely unlimited military despotism on the other, to be coerced by the United States.

For the reasons above stated, I am of opinion that this Act of Congress is unconstitutional and void,—and confers no lawful authority on the persons appointed to execute it.

FOOTNOTES

[1] Omitted.

[2] Judge Taney at this point claims that the people delegated powers to the federal government. In Ableman vs. Booth he says "it was necessary that many of the rights of sovereignty which the states then possessed should be ceded to the general government." (21 Howard 517). In neither case does he say a new nation was created. In the Booth case he also pointed out that the courts were a substitute for an appeal to arms. Perhaps we might draw the conclusion that even a bad decision might be more desirable than a bad war.

[3] It would seem to follow that to refuse to obey an unconstitutional act or order of either government would be no treason. Thus the ancient Calvinistic doctrine and the spirit of Magna Charta seem to put on new life from this reading of the Constitution. There seems to be suggested a constitutional right of resistance to ungranted powers.

[4] The word sovereignty, as Daniel Webster so ably pointed out in the case of the Bank of Augusta vs. Earle, does not occur in the Constitution. Persons who remember Webster only for his nationalistic arguments in his Reply to Hayne might be both interested and surprised at his demarcation of state and federal sovereignty so well stated in this later case. It would seem that Taney's essay suggests more points in harmony with those views than either George Ticknor Curtis or Alexander H. Stephens reveals in his debate on the subject after the War Between the States (See Alexander H. Stephens, Reviewers Reviewed, New York, 1872, pp. 61–123). When Webster chose to argue for the reserved sovereignty of the states he could state it with all his accustomed ability.

[5] It has seemed to me that this paper of Judge Taney is even clearer on the rights and extent of state sovereignty than the able exposition of the subject given in the Booth case. But even at that time when Taney was upholding the powers of the federal government against the defiance of a state Taney was careful to call attention to the "voluntary" entrance of the states into the compact of the federal union. The meaning of the word contract has been virtually converted into the word organic by writers of the federalist and nationalist schools of thought.

[6] This relationship still exists. Should the New Deal and even the federal government perish in some frightful political cataclysm the states would, legally at least, remain with their rights of sovereignty and allegiance unimpaired.

[7] This enunciation is a great victory for states' rights and state sovereignty, for it locates a residual sovereignty powerful to defend itself within the language of the constitution itself. It is an argument which could be used either by the Calhoun followers or by those of Taney. Taney was no worshipper or follower of Calhoun. Indeed he seems to have either distrusted or disliked him. See Carl Brent Swisher's Roger B. Taney, New York, 1935, p. 451.

[8] See note 3.

[9] This paragraph reminds us of a part of President Buchanan's Message of December 1860. One of the instances of this doctrine of limitation will be found in Taney's opinion in Commonwealth of Kentucky vs. Dennison, Governor of Ohio, (241 Howard 107). In this case, it will be remembered, Taney overruled the fugitive slave law in favor of non-coercion of the Governor. President Buchanan's message in 1860 in favor of the non-coercion of a state found some critics but some of his friends and certain of his foes held that the Supreme Court had in this case sustained his argument, e.g. Charles Warren, The Supreme Court, Boston, 1932, Vol. II, p. 367.

[10] A second oath is still used to federalize the militia.

[11] Marshall, before he went on the bench, seemed to hold that the states had the right to resist federal usurpations by force of arms if necessary. Madison once spoke in the same strain. See P. C. Centz. (alias for Sage), The Republic of Republics, Boston, 1881, pp. 389, 392; Elliot's Debates, vol. III, 414, 420. Governor John Floyd of Virginia defined Andrew Jackson's intention to coerce South Carolina as treason. He was not only prepared to resist it but if necessary to die in the struggle. Charles H. Amber. Ed., The Life and Diary of John Floyd, Richmond, 1918, pp. 204, 206. As a result of Floyd's defiant attitude federal troops were sent by sea instead of through the Old Dominion. No actual engagement was fought at the time and the question rested until 1861.

[12] Lincoln saw this difficulty but nevertheless claimed the power for the federal government. Professor Andrew C. MacLaughlin in his able but very federalistic volume, *Constitutional History of the United States*, (New York, 1935, pp. 628, 629, quoting Lincoln's works, vol. II, p. 381), extols Lincoln's policy.

[13] Chief Justice White, himself a Confederate Veteran, took a different view of the subject in the draft cases in 1918 (245 U.S. 366). Although he stressed the changes wrought by the 14th Amendment in that case, he seemed unwilling to admit that Elliot's Debates would have denied him a similar conclusion. Taney had knowledge of these debates and came to a different conclusion. According to Doctor Steiner, Taney thought what had sufficed for Washington ought to be sufficient for Lincoln. We managed to survive the Revolution without a draft by the central authority and ought to have been able to do as well under the stronger union of 1789. He held that the same method was ample in either event. After all it is a sad commentary on democracy when the so-called sovereign people have to be forced by their alleged agents to continue a slaughter. Both governments in the War of '61 had to resort to conscription and both found much opposition in their paths. Taney hoped that both sides would call a convention and settle their differences. See Smith's *Roger B. Taney*, p. 190, Durham, N.C., 1935.

[14] For the unpopularity of the draft during the War of 1812 (See McMaster, *A History of the People of the United States*, Vol. IV, pp. 241, 242). This action was against a foreign enemy.

[15] Evidently Taney would not have held that the governors, who refused to call out the militia in answer to Lincoln's orders, were guilty of misconduct. Such governors who refused were either silent or questioned the constitutionality of the call.

[16] This same type of reasoning appears in Kentucky vs. Dennison. When the conscription act of the Confederacy was challenged the opponents of the act used this same line of attack. Their reasoning is as clear as Taney's statement. Moreover, the Confederate Constitution like the Articles of Confederation left no doubt as to its position in the matter of state sovereignty. Yet the Virginia Court before which the case was tried, rejected this point of view and sustained the Confederate draft. (John Randolph Tucker, The Constitution of the United States, Chicago, 1897, vol. 11, pp. 579, 580). It was the same line of reasoning which Chief Justice White

accepted in the draft cases in 1918. Thus a broad construction view of a Confederate Court became part of the law of the land during the World War. Had Taney decided the matter in the 60's his opinion in Kentucky vs. Dennison seems to indicate that he would not have sustained a Federal Conscription Act. His essay leaves no doubt concerning his personal views on the subject.

[17] These excellent distinctions between right and might deserve a wider circulation.

Mr. HATFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. HATFIELD. On my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, what is the pending matter before the Senate?

The PRESIDING OFFICER. The amendment of the Senator from Oregon, No. 1370.

Mr. STENNIS. Mr. President, for the information of Senators, there is a time limitation of 3 hours on this amendment, and it is possible that we will be able to yield back some time, as indicated to me by the Senator from Oregon. I state that for the information and guidance of the Senate. Two Senators have asked me to yield them some time.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ROBERT C. BYRD. I am glad to hear the distinguished manager of the bill indicate that there is a good possibility that time will be yielded back. With all the amendments and the passage of another bill in sight before the day ends, it is going to run us quite late if full time is taken on each amendment. Would there be any possibility at this time that the distinguished manager of the bill would indicate that the time could be cut back on this amendment from 3 to 2 hours?

Mr. STENNIS. I think it could be better than that.

Mr. ROBERT C. BYRD. May I ask the distinguished Senator from Oregon if he would react to that question?

Mr. HATFIELD. I am willing to yield back the remainder of my time at this point.

Mr. STENNIS. I hope to be able to communicate within the next few minutes with the two Senators who want to speak.

Mr. ROBERT C. BYRD. I thank the Senator.

Mr. STENNIS. Mr. President, we all recall that last year we spent a great number of weeks in debate after full hearings about the extension of the draft. Some thought the draft should be extended for 2 years, as was the custom. Some wanted it extended for 2 years, others 1 year, and others did not want it renewed at all. After the utmost consideration, we finally agreed in substance—the majority did—that assuming that the volunteer Army was going to be the future program, 2 more years of the draft was necessary, nevertheless, and we passed the bill on that basis.

One year has passed, and my remarks will relate primarily to what has happened since then and will lead to a conclusion of the need for the draft certainly for another year.

Mr. President, I yield myself 10 minutes, and I will conclude as rapidly as I can.

For more than 30 years, this Nation has relied on the draft as a major source of military manpower. The transition to an all-volunteer armed force must be careful and deliberate or it may not succeed. I think it is clear that many want to end the draft as quickly as possible, but it is important that we not sacrifice the strength and effectiveness of the Armed Forces in the process. Last year the Congress approved a legislative program to raise military pay, improve conditions of military service and extend the draft for 2 years until July 1, 1973. In my opinion, this 2-year period is a reasonable timetable for giving the all-volunteer force a fair chance. Any shortening of this time—any disruption of this planning—would mean that we would risk losing the chance of attaining an all-volunteer force.

Let us examine the record of accomplishment during the last 3 years:

The draft system was reformed by eliminating inequitable deferments and by reducing a young man's period of draft vulnerability from 7 to 1 year.

Draft calls were reduced from 299,000 in 1968 to 50,000 in 1972. This reduction in draft calls was made possible by substantially reducing the size of the Active Forces and by troop withdrawals from Vietnam. The Active Forces were reduced by 1.2 million men and U.S. troop levels in Vietnam are being reduced from a peak of 549,500 to 39,000 by September 1.

The Department of Defense recently announced that draftees will not be sent to Vietnam.

Military pay has been raised to competitive levels, the service recruiting organizations have been expanded and vigorous efforts are being made by the armed services to improve the attractiveness of military service. As a result of these actions, there has been a slow but steady increase of volunteers who joined, because they perceive the advantages of a military career and not because of the pressure of the draft.

Although we may be within sight of the goal of ending the draft, much remains to be done in the 11 months before July 1, 1973. I hope the services can succeed in these 11 months, but they need all this time.

Mr. President, I was doubtful about the so-called volunteer army, but I agreed to give it a try. I thought 2 years was the minimum, and the experience of the first year has proved not only that it is essential to have the draft for 2 years, but it proves that there is a good chance it might be successful. So it is entirely possible that, a year from now, instead of talking about repealing the draft law, we will be saying that everyone is happy and we are not going to have a draft law. I am not committing myself to that position now, but I am not so hardheaded as some think. When we get some proof, I will be happy that we can end the draft.

The number of true volunteers entering military service is still inadequate to sustain the Active Forces. In fiscal year 1972, 93,000, or 25 percent of the 371,000 who enlisted. volunteered only because of the pressure of the draft. This is an improvement over last year, but we still have a long way to go before we can do without this draft pressure on enlistments. These draft induced enlistments are running about double the actual number of draftees who are inducted.

Strength shortages in the National Guard and Reserves are serious—49,000 below statutory strength—because draft inducement is more important in the Reserves than even in the Regulars.

Health professionals and other critical specialists are badly needed, and a quick termination of the draft could create a health manpower crisis in the Armed Forces.

The amendment to end the draft on December 31, 1972, will not solve any of these difficult manpower problems. I strongly urge the Senate to vote against this amendment and to give the Department of Defense time to try to make the volunteer Armed Force concept work.

Mr. President, I ask unanimous consent to have printed in the RECORD this letter to me, dated yesterday, from the General Counsel of the Department of Defense, which urges and gives reasons for the retention of the draft until July 1, 1973.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 31, 1972.

Hon. JOHN C. STENNIS,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to Amendment No. 1370 to H.R. 15495, 92d Congress.

The Amendment would amend section 17 (c) of the Military Selective Service Act to terminate induction authority thereunder on December 31, 1972 instead of July 1, 1973.

Military manpower requirements essential to the national security are not yet being fully met even with limited induction; hence, termination of such authority on December 31, 1972 could jeopardize national security.

Before the draft can be safely terminated, there are significant problems which must be solved:

Twenty-five percent of those who enlisted in the past fiscal year volunteered only because of the pressure of the draft. Additional time will be required to increase the number of true volunteers entering the Active Forces.

Additional incentives are needed to avoid projected shortages of doctors and other health professionals after the draft ends, and to meet requirements for other critical specialists whose skills command a premium wage in the civilian economy.

The National Guard and Reserves have fallen 49,000 below their statutory strengths as draft pressure has eased. Guard and Reserve strengths will continue to decline unless a way is found to stimulate enlistments and reenlistments.

The Department of Defense believes that these problems can be solved if it is given the time to improve the attractiveness of military service.

The most significant effect on officer procurement would be in the ability to obtain health professionals, particularly physicians and dentists. For more than twenty years most of these officers have been obtained as a result of the existence of the so-called "doctor draft". If this mechanism is removed before alternative procurement methods are developed, it is anticipated that the Department of Defense would be unable to obtain the minimum number of health professionals necessary to meet military requirements. The most immediate deficit would be among dental officers because the procurement of dentists during FY 1973 is dependent upon the continued existence of the "doctor draft."

Accordingly, the Department of Defense strongly recommends against the adoption of Amendment No. 1370.

Sincerely,

J. FRED BUZHARDT.

Mr. STENNIS. Mr. President, we have some staff members out now from the Armed Services Committee making a survey about readiness of the Army, as to manpower, weaponry, morale, and so forth. They made a preliminary run last week. I awaited their report on that before firming up the idea that we would make this complete study. Now it is my opinion that we should make the survey complete. Although I am not convinced yet, it may be that we will have hearings on this entire matter of readiness which includes the points I have already listed, but certainly this indicates that an honest try is being given to make the volunteer Army work.

If we repeal the Selective Service Act now, virtually everything we have gained will have been lost. Pandemonium, almost, will result. Whereas, if we let this run until the expiration date, we can prepare for that date in advance, or we can prepare for a plan to try to get it renewed.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. STAFFORD). Who yields time?

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from South Carolina (Mr. THURMOND), and then I will yield to the distinguished Senator from New York (Mr. BUCKLEY) next.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 5 minutes.

Mr. THURMOND. Mr. President, I rise in opposition to the pending amendment offered by the distinguished Senator from Oregon (Mr. HATFIELD).

This amendment would terminate the Selective Service Act December 31, 1972, rather than July 1, 1973, as earlier provided for by the Congress.

Mr. President, the orderly termination of the draft is a major and costly undertaking. It is not possible to say at this time as to whether or not it can be safely accomplished.

While draft calls have been low in recent months, it is still necessary to bring into military service small numbers of personnel to meet the national security needs of the Nation. Without the Selective Service authority to summon these men and without the act's inducement upon volunteers the Nation's uniformed forces could be forced into a serious condition.

The Senate should bear in mind that the Congress has sharply cut back the Army in recent years and the resulting personnel turbulence has brought readiness levels down to very low points. Further personnel turbulence, such as could result from this amendment almost certainly would cause serious problems, especially in the Army.

President Nixon's program to reach a volunteer force and to end reliance on the draft as early as possible while meeting our national security requirements have been assigned the highest priority within the Department of Defense.

Significant progress has been made in moving to a volunteer force but there are, nevertheless, major problems remaining. Draft calls were reduced to 98,000 in calendar year 1971 compared to 163,500 in calendar year 1970. During the last 6 months of calendar year 1971, it is estimated that 70 percent of all enlistees were true volunteers compared to 60 percent of enlistments a year ago and 50 percent 2 years ago.

Further, on June 28, 1971, the President announced the nonassignment of draftees to Vietnam unless they volunteer. At the time of the President's announcement, 170 draftees were on orders for assignment to Vietnam during the period July–October 1972. There appears to be no severe impact from their reassignment.

The initial assessment on the basis of July enlistments to date is that the President's announcement has had no adverse effect on enlistments in part due to the virtual cessation of U.S. Army forces in land combat operations.

Present shortfalls in recruiting for the National Guard and Reserve Forces would increase in fiscal year 1973 if the induction authority was terminated on July 1, 1972. Abut three-fourths of all Guard and Reserve enlishments were draft-motivated in fiscal year 1971. In spite of the pay raise and intensified recruiting efforts, and because of the very low draft calls, actual strengths of the Guard and Reserve have dropped 52,000 below statutory minimums. It not only appears that congressional authorization will be required for additional incentives to improve voluntary enlistments in the Guard and Reserve, but that during fiscal year 1973 continuation of the draft authority will be necessary as a motivator of enlistments until the other programs are more productive.

Mr. President, for these reasons I oppose the amendment and hope that it will be rejected.

Mr. STENNIS. Mr. President, I now yield 5 minutes to the distinguished Senator from New York (Mr. BUCKLEY).

The PRESIDING OFFICER (Mr. STAFFORD). The Senator from New York is recognized for 5 minutes.

Mr. BUCKLEY. Mr. President, I want to thank the Senator from Mississippi for yielding me this time.

I stand, also, to speak in opposition to the pending amendment. I do so not because I do not have total sympathy with the objectives of the distinguished Senator from Oregon (Mr. HATFIELD). As a matter of fact, a year ago I argued as strongly as I could in favor of the Dominick amendment which would have terminated the extension of the draft on December 31, 1972. When that failed, I also introduced an amendment of my own, seeking a compromise which would have terminated the draft in March of next year, in order precisely to keep strong pressure on the military to do its best, toward achieving the objective of a volunteer military.

I feel, however, that this Congress made its decision a year ago when it provided the Department of Defense with a 2-year period within which to achieve the objective of an all volunteer military. I think that Congress made it totally clear, in coming forward with the 2-year extension instead of the customary longer extension, that Congress was serious about achieving that objective.

I would agree with the distinguished Senator from Oregon that, in many details, the Pentagon has probably not been so effective as it might have been in inducing young men to volunteer for military service or to choose military careers.

For example, we saw the phenomenon of allowing thousands upon thousands of young men to terminate their service 4 months earlier, ahead of schedule, when the offer of such a termination could have been used as an inducement for the men to join the Reserves, where we are falling so critically short.

But, nevertheless, I again get back to my main point and that is that to attempt, now, this late in this period, to cut the draft back by over 50 percent in the remaining time, would create pressures that would be unfair to the military and, by the same token, pressures which could jeopardize the concept of the volunteer military.

I believe that the last thing we want is to see this concept fail. It is a concept that is totally in the tradition of America's history, a concept that is totally consistent with our ideas of freedom and of voluntarism.

I, for one, do not want to see our chances of establishing that it can work aborted by an attempt to assert discretion far too late in the game to be effective. Finally, I would like to say that one of the best times in which to achieve the enlistment of large numbers of recruits comes right after the close of the school year when young men and graduating from high school or from colleges and are thinking about their lifetime careers, when the larger pay scales now available for those in the military service are far more attractive, and when they can weigh the advantages and the integrity of service and military life outside the context of a hot war.

I believe it would be very foolish to remove the opportunity for the military to make an effort to get recruits in the crucial month of June of next year by terminating the draft on December 31 of this year.

Mr. President, as I say, I totally sympathize with the objectives of the Senator from Oregon. But I believe his effort to totally achieve an all-volunteer army at an earlier date is contrary to the result that we all want.

Mr. HATFIELD. Mr. President, I yield 5 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. CRANSTON. Mr. President, I first want to applaud the Senator from Oregon for the distinguished leadership he has provided in committee and in the Senate over a substantial period of time in the fight against the draft. His consistency and deep understanding of this complex issue has been a great source of our committee's effort.

Mr. President, the Senator's basic presentation covered many of the key issues involved in a consideration of whether we should abolish the draft and move at once to an all-volunteer army.

One major point, it seems to me, is that a dictatorship gives orders even when unnecessary, and a democracy should always give choices and only gives orders when it is absolutely necessary.

Mr. President, I worked as a young newspaper correspondent in Hitler's Germany. And a member of that program defined that regime as meaning that "everything that was not prohibited was compulsory." We should be as far from that as we can be.

Judging from the studies I and others have made, and from the criteria applied by the Senator from Oregon, I am convinced that we can meet our manpower needs without a draft.

At the present time, therefore, I believe that a draft is totally inconsistent with a democracy.

The President of the United States has stated that he wants to end the draft by June 30, 1973. I believe that he is sincere in working toward that goal. However, recent hearings before the Armed Services Committee and the Subcommittee on the Volunteer Armed Force and Selective Service have convinced me that the miitary is not moving fast enough toward the President's goal.

Rather than increasing their requests for volunteer-force initiatives in the fiscal year 1972 budget, the Department of Defense has actually lowered its request in this area, from $320 million in fiscal year 1972 to $272 million for fiscal year 1973. This reduction is significant because this budget will take us through the President's target date, and because the hearings held this year demonstrate that the services have a long way to go before achieving an all-volunteer-force capability. Apparently, either the Department feels that all the problems have been solved, or someone in the Department is not interested in meeting the President's date.

One example of an Army program which is far behind schedule is the barracks rehabilitation program. Lt. Gen. George I. Forsythe, Special Assistant for the Modern All Volunter Army, testified that the fiscal year 1971 portion of the program is only 78 percent complete and the fiscal year 1972 part of the program is only 10 percent complete. Even more surprising however, was the revelation that this program is behind schedule because the Army has been transferring funds from this program for the war effort in Vietnam. I think we all can agree that the money for the Vietnam war should come from direct appropriations, not from the money the Congress expected to be spent on improving the lot of the individual GI.

Beyond this example, housing opportunities, most travel allowances—for household goods and dependents—and separation allowances—all of which are available to careerists—are still denied to junior enlisted men. The results are discussed in the article, "Poverty in Europe," published in a recent issue of the Army Times. The situation is particularly severe overseas, but it is no less a problem here in the United States, where some men are still forced to make use of food stamps and other welfare programs.

Neither has the military even begun to make full use of women. The Department claims that more studies are needed before they can determine where women can be best utilized. It has been 3 years since the President announced his June 30 deadline for ending reliance on the draft. Why were not these studies made long ago if the Pentagon really believed the President? And, furthermore, why is the Department insisting that only 18,000 women will be utilized by 1978?

By far the worst example of bad management by the military, however, was the Army's handling of the reduction in force ordered by the Congress last year. As a result of very poor planning, too many men were released early, leaving the Army with a shortfall of 40,000 men which will have to be made up in 1973. I wonder why we should make young men suffer the consequences of the Army's bad personnel planning and policies. Assuming, however, that we must make up the shortfall, the Hatfield amendment does not go into effect until December 1972. That should allow plenty of time to utilize the draft.

The Navy must also come in for some criticism because they waited too long before upgrading their recruiting procedures. This has resulted in a shortfall for the Navy as well. It is interesting to note that, in spite of the traditional recruiting advantage the Navy has held over the Army, the Army's performance has been far superior in the low-draft environment. On the other hand, both the Army and the Navy are 3 years behind the Air Force in utilizing modern recruiting techniques.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HATFIELD. Mr. President, I yield 3 additional minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 3 additional minutes.

Mr. CRANSTON. Finally, Mr. President, the Reserves and the National Guard are also facing a shortfall of 50,000 men as a result of waiting too long before developing a recruiting system. These two branches have traditionally been able to depend on draft-induced volunteers, but in a low draft situation, their numbers have fallen off sharply. Again the question arises: Why did they wait until they were confronted by low draft pressure to to begin implementing an adequate recruiting system?

Mr. President, I am convinced that the military did not believe that the President really intended to let the draft expire in June of 1973. For that reason, they have dragged their feet in implementing the programs which would make achievement of this goal possible. However, it is not too late. If the Senate acts now and ends the draft on December 31 of this year, the services will still have time to implement the programs already funded, and the Congress can respond by acting on the incentive package which I introduced along with the Senator from Colorado (Mr. ALLOTT). I believe that this is the only way we can in fact achieve an end to the draft, because the military shows no inclination to end their reliance on this abhorrent system.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. GOLDWATER. Mr. President, it is with deep reluctance that I rise to speak in opposition of the proposal of my friend, the Senator from Oregon. He and I traveled in the same direction in days past on this measure to bring the men home earlier.

I feel particularly keen about this. I believe I was the first man in public life to openly advocate the end of the draft, and I did so in my opening speech during my campaign of 1964.

The reason I oppose this, Mr. President, is mostly a matter of timing. I would have to agree with the Senator from California that the military generally have not taken after the all volunteer military with the insight and the zeal that I think they should have. I really believe they felt that we would never end the draft in Congress. But I think they are convinced now that Congress means that on June 30 of next year the draft will end.

My opposition to the draft is a moral one and a constitutional one. I do not believe, with the exception of a dire emergency when this country must raise a military force of millions of men, that we have the constitutional or the moral right to tell any young person how he or she is going to spend 2, 3, or 4 years of his or her life.

If we try to do this at this time, and end the draft at the end of December, I do not think that it is fair to the Pentagon. They realize we mean business when we talk about a volunteer military. We should keep prodding them and I feel, as I have all along, as the war in Vietnam ends and the division ends in this country, particularly among young people about serving their country in time of need, the military is going to become an attractive career.

Certainly, we have raised the pay scales and we have raised fringe benefits. We have made service in the military, while not comparable fully in pay, comparable to other professions and businesses. Certainly, comparability has been raised and it should become, as it has been in years past, very desirable for any young man or woman in the future.

I hope this amendment is defeated. Knowing the military as I do, I know their change of heart. I know while some people in the military do not believe we can have a volunteer force, I firmly believe we can, and I think those people in the personnel departments of the different branches of our military are beginning to realize they are going to be dependent upon volunteers and they are going to improve their methods of attracting these people. After all, there is not much difference between December 31 and June 30. Our call for draftees has dropped almost to zero. The pitiful thing of this whole operation to me is the fact that we are seeing applications for Reserve service and National Guard service fall off because men no longer feel they have to duck the draft by getting into these two groups. If we are going to maintain a Reserve Force at the adequacy Secretary Laird has said it must be held in both the Reserve and the Guard, we will have more young men and women asking to join these organizations, and both will be better organizations if they are not filled up with people using them to get out of being drafted.

While I dislike disagreeing with my friend from Oregon, I feel in this case that, in all fairness, it would not be fair to the military or to the country at this time to order an end to the draft. It is going to be difficult enough to bring it to an end in June.

Mr. President, I hope the vote will be against the amendment.

Mr. HATFIELD. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. HATFIELD. Mr. President, briefly, to summarize the posture of the amendment and the purpose as to why I presented it at this time, I think it is very interesting to know that even for those who have agreed with the basic philosophy of a volunteer system, many are caught in the dilemma as to whether the military has taken it seriously.

Frankly, this is a cause of great concern to me that we have to say on the floor of the Senate in effect that the military perhaps has been dragging its feet in fulfilling the mandate of Congress, not only the mandate on forced reductions but even on the mandate which has been clearly stated by the President of the United States that the draft is going to end in June 1973. I think that is something of great concern to all of us because no admiral or general should be higher in decisionmaking or policymaking in this democracy of ours than the civilians who are represented on the floor of the Senate and on the floor of the House.

Frankly, too often we had abdicated our responsibility by saying that the generals and admirals know best. That is not what the Constitution says. The Constitution states that Congress sets the military levels and raises the Army and the Navy.

It is a sad admission we have to make on too many occasions that we in Congress, as civilians, do not have the expertise, or that we have to wait for the admirals and the generals to make decisions or tell us how to make decisions. I have great respect for our military leadership. Some of my closest friends represent the leadership in the Army, Navy, and Air Fore, but as one Senator I have a constitutional duty to be informed fully, to know what the facts are, to make judgments with the input of the military counsel but not in the domination of the military, either because of its failure to fulfill the mandate of Congresss or because it is dragging its feet on the objectives stated by the President.

It is clear that even with the reduction in the draft calls in the last 3 years, we have had a distinctive increase, a very noticeable and impressive increase in enlistments in the Army and for combat duty within the Army. We have already cited statistics of how much increase we have had but also not only have we had an increase in the number who volunteered at a time when there was less pressure from the draft and threat for them to be drafted, but an increase in the quality of our military personnel.

I have cited statistics where we had up to an 84- to 88-percent increase in high school graduates just in the first 6-month period of this year. We also concede there has been mismanagement on the part of the Pentagon which created the shortfall. and with better personnel management we could have achieved the all-volunteer army even before this moment at which we speak, let alone the time set forth in this amendment of December 31.

Mr. President, yesterday Secretary of Defense Laird addressed an ROTC summer training program in Indiantown Gap Military Reservation, Pa. I ask unanimous consent to have printed in the RECORD the remarks he made at that time.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS OF SECRETARY OF DEFENSE MELVIN R. LAIRD

Secretary LAIRD: Thank you very much. I appreciate this opportunity to visit with the ROTC Cadets that are here at Indiantown Gap. I've had the opportunity to be here before as Member of Congress some six years ago when there was some talk about changing over this particular training spot and making some changes. After that trip it was agreed that we would keep this facility open for a period of time and the Executive Branch yielded to Congressional pressure at that particular time. I was part of that Congressional pressure.

I'm here today to try to dramatize, as best as I can, the importance of the ROTC program as we begin another school year. We have a waiting list of universities and colleges that are interested in taking this program on and we are doing, I believe, very well in maintaining our enrollment. Next year, I hope that there's some women here at this training program as far as your Army is concerned, because we have equal and fair treatment for all individuals as far as the Services are concerned. We're moving in the direction of moving up the Army, as the Air Force has already done, to ROTC training for women as well as men.

I'm from a political background, as all of you know. I was for nine terms in the Congress of the United States, the House of Representatives, and then have served as Secretary of Defense these past 3½ years. There's one thing that's a great asset. Don't let anybody mislead you about that. Military service is one of the first things a Democrat or a Republican lists as one of their qualifications to go forward in public life. When people are looking for a job or a job opportunity after they get out of college or after they finish their other training pursuit, whether it be in vocational education or high school technical programs, one of the first things that you'll see on any job application, one of the things looked at by employers and personnel managers all over this country, is the fact that a young person has had some of the military training some of the discipline that goes along with military training, and so I think that's one of the things we should be talking about.

We're changing in the Department of Defense for the first time since 1939. Since 1939, as all of you know, the manpower requirement as far as the Department of Defense is concerned has been made up of conscript labor, where young people did not have a choice. Each time there was a manpower problem in the Department of Defense, be it in the Army, Navy, the Air Force, the Marine Corps, all the personnel officers had to do was just look to Selective Service and say, well, we can fill those requirements by putting a little more pressure on as far as Selective Service is concerned.

The military was not adequately paid or adequately compensated as compared with other segments of our society. Since 1939 that manpower problem has been taken care of that way. We are making the change and we are going to make the transition so that on June 30 of next year we will be in a volunteer situation, and we're moving in that direction as you know. When I became Secretary of Defense, 300,000 young people were taken into military service through the Selective Service and many more were draft-motivated. We reduced that to 200,000 the first year; then 100,000; and 50,000 this year; and we will go to zero by June 30. We've done that by making some of the incentives available to young men and to young women, and we've put almost the entire peace dividend as we've changed from war and wound down the war in Southeast Asia; as we've removed over 500,000 men, we've taken this savings that has come about there and put them almost entirely into manpower. So that all you have to do is look at the manpower costs in 1965, when we were spending $21 billion in this manpower area but we've done it because we believe that one out of ten, under a volunteer service, which we will reach this next year, one out of ten young men and women, that are needed for military *service* should be compensated just as other people in our society are compensated for the kind of jobs that they're doing.

Their job is just as important as other professional jobs are in our society, because the national security requirements which are the requirements that we have to maintain the foreign policy objectives of our country, to meet the obligations of our four multilateral and four bilateral treaty arrangements which have been confirmed and approved under our Constitutional process by the United States Senate, those obligations have to be met, they are to be met by young men and women who are willing to serve in our military services. But everyone isn't going to be required to serve, but those that do serve should be adequately compensated on a fair and equitable basis and the labor costs should up in the Defense budget and we should stop using conscript labor to use and meet the national security requirements of our country.

So as you go back, and some of you will be going back to your college campuses, I hope that you will discuss with your fellow students the importance of adequately financing in the Defense budget the manpower costs; adequately compensating those young men and women who've given us this foreign policy tool that is so important. It's absolutely essential, I think, that we not take any back seat from anyone in stressing the importance of truly reflecting our labor costs for manpower in the DoD budget, and not using other means of taxing our young people to perform this important labor which is so necessary to the safety and security of our people.

I've talked too long. I just wanted to express to you my appreciation as Secretary of Defense for the contribution all of you are making, and to hope that you will never take a back seat in looking upon your mission, your training with pride, because I know I'm proud to be associated with you, and the important work which we have in restoring peace and maintaining peace for the years to come.

Thank you.

Mr. HATFIELD. Mr. President, I wish to quote from one part of the statement where Secretary Laird said:

> We should stop using conscript labor to use and meet the national security requirements of our country.

That is about as clear a statement that I can imagine, using the King's English, or I guess it is using the Queen's English, from the Secretary of Defense as to his position. It is very clearly stated.

The President has made a very clear statement giving dates as to his commitment and I think with the record I have cited and the statistics from the Pentagon and the Senate Armed Services Committee, it is well within our responsibility and well within our authority and well within our good sound judgment to bring about an end to the draft and signify that to the Armed Forces effective December 31 of this year.

Mr. STENNIS. Mr. President, there are no other speakers that I know of who wish to speak in opposition to the amendment. I have only this concluding thought.

Senators will recall that we passed the 2-year Selective Service Act and that 1 year of that period has expired. All of these efforts have been going on in trying to get a volunteer army concept that is workable but naturally more than 1 year is required. Plans were based on a 2-year concept. To cut it off now would be to reverse what has been done and throw away what progress has been made.

I hope the amendment is rejected. I hope next year we will not have to enact a continuation of the draft, but as of now I think the probabilities are that we will have to reenact it. That is all I can say, and I am ready, if the Senator from Oregon is ready, to yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Oregon yield back the remainder of his time?

Mr. HATFIELD. Mr. President. I am ready to yield back, but first I would like to say that I always enjoy debate and colloquy on the floor of the Senate with my good friend from Mississippi because, as he recalls, we had this debate in 1967, 1968, 1969, 1970, 1971, and again in 1972, and we are always just in the preparation of an all-volunteer army. So I say, with all respect, I hope to be back here in 1973, and by that time to celebrate, if we do not adopt this amendment, the passing of a very odious form of conscription, which is contrary, in my opinion, to the ideals of a democracy and the ideas expressed therein.

Mr. STENNIS. Mr. President, may I take half a minute to reply?

In the debates the Senator is referring to, he certainly had me traveling uphill and going in low gear. Today we are just floating along in neutral, and it is a lot easier this way.

Mr. STAFFORD. Mr. President, since I have the highest personal regard for the outstanding Senator from Oregon and because I have been proposing an all-volunteer force since 1967, it is with regret that I oppose his amendment to end the draft as of December 31 of this year. The draft expires next June 30, and as I do not expect the Senate to extend the authority at that time, I see no valid reason for cutting the period by 6 months, thus jeopardizing the administration's efforts to end the draft once and for all.

It is simply not fair to the administration to cut short its final months when just last year we gave them a clear extension of induction authority until June 30, 1973. As a Member of the House of Representatives, I voted last year for a 1-year extension. But that vote lost in the House just as it did in the Senate.

Congress by its actions gave the administration until June 30, 1973, to complete its transition to an all-volunteer force. The planning and programing depend on that time period, and to suddenly cut that short by a full 6 months could create havoc with any sensible planning process.

But what is more more important, Mr. President, is the fact that because the draft almost surely will not be extended next year, the services need those final 6 months to improve their manpower management to a point where they will be able to sustain sufficient forces to meet our national security needs on a completely volunteer basis.

That we are now in the final 11 months of the draft is quite clear. Just yesterday, Secretary Laird told a group of ROTC cadets that, and I quote, "The United States will have an all-volunteer Army by next June 30." I want to emphasize the significance of this statement, for it is the first time that the administration has set a firm date. Up to now, the administration, as well as all of us, have been simply hoping that we would be able to make it. The Secretary has now committed the Department of Defense and the military services to reaching that goal.

I am, I admit, sympathetic with the argument that ending the draft now will put such pressure on the services that to protect their own force levels, they will then, and only then, make the effort needed to attract and retain sufficient volunteers. Some of the manpower policy problems that have developed over the last year would indicate that there is a viable basis for such an argument.

But I think it premature—essentially because the services are finally accepting the fact that the draft is not one of their planning options—that it would not exist after next June. Because of this, I think we can assume that they will do all that is necessary over the next 11 months to insure that we will meet the needs of national security with volunteers, and be able to do so on a continuing basis.

I am reminded of the Army's attitude just last year. In June, the conference committee on the Military Selective Service Act and pay bill issued a statement of agreement on 27 of the 28 differences between the House and the Senate—reserving the end-the-war language for further discussion. At that time, it became fully clear that the Army would be required to implement a reduction in force of some 50,000 average man-years during fiscal year 1972. But planning and actions did not go into effect until after the President signed the act in September and a full third of the year had been lost. Had action been taken earlier, the reduction in force would not have forced the Army to drop its reenlistment rate precipitously and lose valuable, trained men who were volunteering for continued duty. Their actions are reflected in much higher than necessary draft calls this year and a general postponement of the day when zero calls would have been reached.

At a meeting in my office with Assistant Secretary of the Army for Manpower and Reserve Affairs Hadlai Hull and General Kerwin, Deputy Chief of Staff for Personnel, both men assured me that they understood the draft would not be extended next year. Speculation was irrelevant, they added, for their planning was based on that assumption. In other words, leaders in the Army were finally understanding that an end-of-the-draft is a foregone conclusion. Now is not the time, therefore, to snap the rug out from under these manpower planners who are counting on the final 11 months to implement the remaining changes necessary to establish a no-draft situation without endangering national security.

I am impressed with many of the actions recently taken by Navy to bolster its recruiting establishment, including an attempt to up-grade the quality of Navy recruiters. Their delay of 9 months to a year was costly, to be sure; but having now undertaken reform, those reforms need a chance to become effective.

A recruiter new in a territory is just not going to recruit as many men as he will after some months on the job gaining experience in the community and developing personal contacts. No salesman strikes 100 percent his first day in a new territory, and neither should we expect that from our recruiters. We should begin to see the effects of the Navy's reforms in this area by late fall and get the benefit of their actions fully next spring, just as the draft is coming to an end. But again, that first 6 months of next year is needed to finish the transition process.

Mr. President, I have arranged for continuing information on the Army's and Navy's progress toward an all-volunteer force. In an attempt to understand the nature of some of the problems that have developed over the last year, I will be looking closely at a broad range of manpower management. I am hopeful that I can report to the Senate at a later time that progress is smooth, fast and successful. It is my ultimate hope that next spring, as the Congress places the Selective Service System on a stand-by basis, I can congratulate the services on a job well done. Keeping to the timetable we set last fall will, I am sure, give the services the opportunity to do what is necessary so that my report to the Senate next year will be all that I hope.

Mr. PERCY. Mr. President, I am pleased to join the Senator from Oregon (Mr. HATFIELD) in his amendment to end the draft by December 31, 1972. Last year, I supported the efforts of Senator SCHWEIKER to limit the draft extension to 1 year.

The Gates commission estimated that a 1-year transition would be necessary between enactment of substantial pay increases for the military and an end to the draft. Although Senator SCHWEIKER's amendment was narrowly defeated last year, Senator ALLOTT's proposal to establish military pay comparability for first-term enlisted men—which I cosponsored—prevailed. The new pay scales and the cost-of-living increase became effective on January 1, 1972—thus creating the 1-year transition period if we terminate the draft at the end of this year.

Four years ago, few commentators seriously regarded the idea that the draft could be ended when Richard M. Nixon embraced the concept during his 1968 campaign. But upon taking office, President Nixon set out to achieve that goal. One of his first acts as President was to appoint a commission to develop a plan for ending the draft. The commission reported that an end to the draft was both feasible and desirable—and that by establishing an equitable wage scale for our men in uniform, an effective volunteer force could be created to meet our peacetime military requirements.

Since that time a wide variety of proposals to carry out the commission's recommendations have been developed. In addition to pay raises, other programs have sought to remove many of the irritants traditionally associated with service life, enhance the dignity of the individual GI, and provide adequate living conditions for the serviceman and his family. Recruiting forces have been greatly expanded, and a variety of proposals have been developed to attract high-caliber personnel into the Armed Forces. The success of this effort can be seen in the fact that the administration has been able to reduce draft calls from 150,000 in fiscal year 1971 to 25,000 in fiscal year 1972.

Of course, as the Senator from Oregon (Mr. HATFIELD) has noted, these programs must be perfected and refined—and his amendment provides the Defense Department with the time to make the transition to an all-volunteer force.

While the President has provided the leadership in this field, I should also like to note the role that this body has played in the debate over the draft. Support for an all-volunteer army has come from members of both parties. The debate was initiated largely through the efforts of the Senator from Arizona (Mr. GOLDWATER) and the Senator from Oregon (Mr. HATFIELD). In addition, the Senator from Colorado (Mr. ALLOTT) and the Senator from California (Mr. CRANSTON) worked together in the successful effort to achieve comparability in military pay. The proposal last year to limit the draft extension to 1 year, which I supported was introduced by the Senator from Pennsylvania (Mr. SCHWEIKER) and the Senator from Iowa (Mr. HUGHES). It has been this type of bipartisan cooperation which has led to the success achieved so far in designing programs which will enable us to end the draft.

In conclusion I should like to note that in ending the draft, we are taking a responsible, sensible step, consistent with the need to meet our national security requirements. As Assistant Secretary of Defense Roger T. Kelley told the Senate Armed Services Committee this spring:

> I told you when I appeared about a year ago before your committee why we favored an All-Volunteer Force over one that relied upon the draft, and I think our experience in the past year tends to bear out the accuracy of those reasons. We believed then and we believe now that the Armed Forces, like other organizations in a free society, seem to function best when they compete with other organizations for people. We believe that an organization of volunteers, having survived the test of free competition, is more efficient than one that relies on forced entry. Finally, we believe that the so-called pitfalls of the voluntary force, that it would be dominated by mercenaries who might take over the nation or might be dominated by blacks or by some other racial or ethnic strain, proved to be false claims as well as gratuitous ones, and they are totally without support in the makeup of that portion of our military organization that is volunteer.
>
> If you isolate out of the total force those people who have chosen to reenlist, given the option of getting out of the service, you find that the racial minority portion of the total force is within about 1 percent of the racial minority percent of the total national population in that age group.
>
> Finally, we believed then and now, Mr. Chairman, that once the transition to an All-Volunteer Force has been accomplished, the military force will be more effective and will consist of many fewer people than would its conscripted counterpart.

I concur with Assistant Secretary Kelley. As we wind down the war in Vietnam—and we now can see the light at the end of the tunnel at long last—it is an appropriate time to set an early date to end the draft. At the same time, Mr. President, by ending the draft we will be returning our Nation to its traditional heritage of respecting the freedom and dignity of the individual to choose his own calling, and decide for himself the manner in which he will serve his country.

Mr. ALLOTT. Mr. President, it is time to survey the progress we have made toward ending the draft and to examine the final steps that should be taken to insure that we achieve complete freedom from conscription by the time the current induction authority expires next June.

The progress that has been made toward an all-volunteer armed force is among the most significant and personally gratifying achievements of the Nixon administration. I am proud to have been directly involved in devising various measures that have brought us to a point where we can realistically and responsibly look forward to ending the draft by next June at the latest.

We have not yet achieved the conditions that will enable us to completely dispense with the draft. But we are almost there, and we know what needs to be done now in order to complete the task.

On September 28 of last year, the President signed into law a bill extending the military induction authority until June 30, 1973. I voted for that measure at that time, and against an attempt to end the draft 1 year earlier. I believed then, and I do now, that the President needed a full 2 years to implement all of the necessary reforms in personnel management, service life, and recruiting to achieve an all-volunteer force. I do not want to compromise a permanent end to the draft by hasty action.

Without the underlying reforms which are needed to support a continuing volunteer system, an immediate end to the draft would have soon been followed by a reimplementation of it. That is a risk that still exists today, but it will not exist by next June if we act prudently now.

On more than one occasion I have indicated my belief that everyone benefits from a military dependent on voluntary enlistment rather than conscription. The armed services is clearly benefiting from increased professionalism. Professionalism is enhanced by a reduction in make-work and an increase in time spent on training and mission responsibilities. More attention to the needs of the individual soldier and improved manpower management also contribute to increased professionalism. There will be less turnover and less turbulence in assignments, producing more effective man-days and better team effort. Motivation will be higher producing men happier in their work and thus, as the British experience has clearly shown, more effective men. Training costs will go down, while new forms of training to maximize potential will be encouraged. There will be a better match of skill with job and a reduction in the two evils of bad management—overskilled unchallenged to perform and underskilled incapable of performing. Open channels of communication will be further developed, permitting change from within and opportunities for new ideas to be heard. It is the pressure of having to attract and retain good men that has and will continue to impel these improvements.

Society benefits from the all-volunteer force no less than the military. In the words of President Nixon:

> A system of compulsory service that arbitrarily selects some and not others simply cannot be squared with our whole concept of liberty, justice and equality under the law.

It is precisely this sentiment which requires a continuing reevaluation of the need for the draft—for only when the Nation's security is at stake and there is no means short of a draft which will provide for the common defense, can a draft be tolerated. We must not forget the principles upon which this Nation was founded—minimal interference by the Government with the freedom of the individual to lead his life as he chooses. We have lived with the draft so long that many of us might forget that it should be used only when absolutely necessary.

It is this necessity which the Nixon administration, with my enthusiastic support, is eliminating. It is doing this through improved manpower management within the services and through a variety of actions by Congress.

Last year, the Senate adopted the Allott amendment to the military selective service and pay bill. That amendment expressed this body's belief that it should do all that it could to end the draft. By substantially raising the pay of first term servicemen, my amendment implemented the recommendations of the Gates commission.

In its report of February 1970, the commission recommended "that these additional funds be provided effective July 1, 1970." It went on to say that:

> We believe, on the basis of our study, that the increased pay and other recommended improvements in personnel management will provide enough additional volunteers during the transition to achieve an all-volunteer force by July 1, 1971.

In other words the President's Commission on an All-Volunteer Armed Force expressed its belief that only 1 year from implementation was necessary to achieve an all-volunteer force.

Last fall, the Congress adopted an altered pay program for the military, after compromising with the House of Representatives. The final pay scale was not as strong as the Gates commission recommended and went into effect only last November 14. A cost-of-living increase on January 1 of this year brought the first-term soldiers pay to a closer approximation of the Gates commission recommendations.

We are now experiencing the results of that increase with an increase in true volunteers. But pay alone will not remove all of the obstacles to achieving an all-volunteer force. Personnel management is equally important and in that area there has not been immediate success. It has taken us longer to modernize a manpower system which depended on the existence of the draft than had been expected.

The services are not to be slighted by underestimating their extraordinary achievements so far. Few organizations can boast such a major reversal in manpower policies in such a short time. After a 30-year history of relying on conscription as the basis for their manpower, the services had a major task ahead. Every single facet of military manpower management was affected by those 30 years of draft reliance, and it is not an easy task to redesign the methods of recruiting, of assigning men, of distributing service benefits such as housing and travel, of regulating the numbers and quality of men enlisting, reenlisting, and being promoted through complicated career patterns. All of this has not been easy, and the task is not yet done. For this reason, the full period of extension, granted by Congress last year should be given to the services for finishing their difficult task.

I hasten to add, however, that I do not see the outstanding accomplishments of the services as totally free of some poor judgment. No operation of the magnitude of switching to a volunteer system can be without fault. Last year's reduction-in-force appeared to me somewhat ill designed. I noted that hearings before the Senate Armed Services Committee have sought to clarify this particular problem. Even with these difficulties, however, the services should be able to finish the job and complete the needed reforms by the end of the draft next June 30.

Congress has its responsibilities as well. The President has sent us a sound program of expenditures for the all-volunteer force. Of particular interest are increased recruiting programs and costs of shifting some responsibilities of the current first-term soldier to civilians. In connection with the latter, I am particularly anxious to see the benefits derived from an increase in time for training and military duties, rather than the wasteful, demoralizing, and nonprofessional activities now burdening our servicemen. And naturally, we cannot expect the services to recruit sufficient men without sufficient recruiters. The budget requests made by the President in these areas still await congressional action. It is not necessary to violate the President's proposed spending limit to assure a full recruiting and civilianization program. I sincerely hope that the Congress will not restrain the President's efforts to move to an all-volunteer force by failing to fully fund these programs.

Finally, an administration-endorsed special pay system for the Guard and Reserves, the medical specialties, and certain highly skilled individuals and a revision of the wasteful reenlistment bonus system is awaiting congressional action. The bill which I filed in the Senate along with Senators STAFFORD, TOWER, and CRANSTON is an important tool for the services in fully obtaining an all-volunteer force. I am hopeful that action will be taken on this measure in the near future.

It is my belief that the full period the Congress provided last September will afford the services ample time to manage their manpower reforms properly. And once the Congress meets its responsibilities to the services and the American people, the goal of an all-volunteer force will be obtained with ease by early next year. Thus, I cannot foresee any reason, short of an international crisis, for the extension of induction authority next spring.

Barring some such unforeseen problem, I hope to vote next year to put draft on standby. After all of the efforts the Congress and administration have made so far, a test period of no draft for at least 2 or 3 years is fully justified.

Mr. TALMADGE. Mr. President, I oppose the amendment offered by the distinguished Senator from Oregon. I do not oppose it because I feel it is premature. I oppose it because I firmly believe that America will be making a serious mistake if it abolishes the draft entirely and adopts the volunteer army concept, now or in the foreseeable future.

Mr. President, I feel that there are many valid reasons for opposing the volunteer army. There are security considerations—it would be hazardous indeed to attempt to weather a war of any dimension without the draft. There is the question of money—the cost of a volunteer army would cut heavily into the money we will save when we finally remove ourselves from this terrible war in Vietnam. But, the main reason I have for opposing it is what such a decision would say about us as a country, and what we stand for.

America is under almost constant criticism today, both from within and without. Some people seem to feel that our Nation has become a large ship drifting through an uncharted sea with no one in firm control of the helm.

But, there are still some points worth making about this country. America still seems to be an attractive enough place so that we have to limit the number of people who can come in every year—and that is not true in all parts of the world. Our leaders are accused of being politically motivated, but what that really means is that they are accountable to the people of this country for what they do—and that is not true in all parts of the world. We are a country deeply torn by dissension and different points of view, but the points of view are freely expressed—and that is not true in all parts of the world.

This is a list that could be extended to some length, Mr. President, but I think the point I am trying to make is clear. America, as a nation, still stands for some good things. I do not believe that an army of mercenaries would be an impressive addition to that list. An all volunteer army simply means that the poor boys will be fighting the rich boys' wars.

Whether or not you support a volunteer army has nothing to do with being pro or antiwar. No one of any intelligence is prowar. However, whether we like it or not, we need an adequate Military Establishment today. There can be legitimate disagreements on the size of this establishment. But, no one with any intelligence would contend that we need no military at all. Therefore, the question to be answered is, How do we fill this need?

There has been a good deal of criticism of our selective service, Mr. President, and some of it is well taken. Some say our draft laws are becoming as complex and intricate as our income tax laws—and like our income tax laws, not many of the loopholes favor the poor of our Nation.

But, what are we talking about replacing it with? An all-volunteer army. Now, who is going to volunteer for such an army, Mr. President? The Rockefeller children? the Ford children? the Mellon children? We all know the answer to that. What we are doing is replacing our former system of deferments and exemptions with one simple qualification—if you have enough money so that you are not tempted by the salary, then you do not have to go. Instead of divinity students and medical students, we are now deferring playboys.

When we read in the history books about men who paid other men to take their places in the ranks, it does not reflect much credit on those who did the paying. I think that is what we, as a nation, are contemplating, Mr. President, and I think it discredits us as well.

There seems to be some people in this country today who believe that if we do away with the means of waging war, that war itself will disappear. I submit, Mr. President, that they have the cart before the horse. We can do away with war by increasing understanding between nations. When our potential adversaries learn that they cannot subdue us by force, they will seek to find ways of living with us. Then, and only then, will we have taken the first substantial step down the road toward peace. Until that time, Mr. President, we must have a trained and ready fighting force. That force should be a cross section of the Nation it is sworn to defend. A truly great nation strives not only to expand its opportunities and share them equally, but also to realize its obligations and distribute them equally. That is the kind of country we have said we are trying to become, Mr. President. I hope we do not decide to swerve from this course which is worthy of the best efforts of us all.

Mr. MATHIAS. Mr. President, I support the amendment of the Senator from Oregon (Mr. HATFIELD) to end the draft on December 31, 1972. I give this measure my unqualified support, because it is designed to assist the President in achieving one of the major goals of his administration.

In seeking a mandate from the American people in 1968, Richard M. Nixon boldly faced one of the most controversial issues of the day—the Selective Service draft:

> Just as soon as our reduced manpower requirements in Vietnam permit us to do so, we should stop the draft and put our Selective Service structure on standby.
>
> * * * * *
>
> It does not work fairly—and, given the facts of American life, it can't.
>
> The inequity stems from one simple fact—that some of our young are forced to spend two years of their lives in our nation's defense, while others are not. It's not so much the way they're selected that's wrong, as it is the fact of selection.
>
> * * * * *
>
> Today all across the country we face a crisis of confidence. Nowhere is it more acute than among our young people. They recognize the draft as a infringement on their liberty—which it is. To them, it represents a government insensitive to their rights—a government callous to their status as free men. They ask for justice—and they deserve it.

President Nixon has demonstrated his commitment to that campaign pledge by:

Appointing a commission of distinguished Americans to develop a plan for ending the draft;

Initiating compensation proposals to provide a competitive basis for attracting a high-quality volunteer force;

Reducing draft calls from 300,000 in 1968 to less than 50,000 in 1972;

Terminating the use of the draft for the conflict in Vietnam;

Promoting a wide range of programs designed to upgrade the quality of the Armed Forces, eliminate the irritants traditionally associated with military life, and enhance the dignity of the individual GI.

It should be noted, however, that at the same time these creative reforms were being initiated by the President, other actions have illustrated a reluctance among some elements of the defense establishment to make an all-out effort to achieve the President's goal. Volunteer force initiatives were cut back by $50 million for fiscal year 1973, the Navy delayed far too long in expanding its recruiting operation, and the Army has been slow to implement some of its programs—in particular, the area of barracks improvement has suffered from funds being diverted away from "people-oriented" planning.

These examples would seem to illustrate a belief in some quarters that there is little need to act now—that the volunteer force can be given a low priority because Congress will again extend the draft in 1973 if requested, just as it has extended the draft upon every request since 1951.

Nothing, Mr. President, could be further from the truth. Anyone who recalls the close debate over the draft last summer will recognize that this body will no longer grant the power to conscript, except in time of grave national emergency.

FEASIBILITY OF THE HATFIELD AMENDMENT

As the Senator from Oregon (Mr. HATFIELD) has noted, his amendment will give the Armed Forces a sufficient transitional period to prepare for the volunteer force. And it will provide for a more effective military force. As Assistant Secretary of Defense Roger T. Kelley told the Senate Armed Services Committee this spring:

> In moving to a voluntary organization we are also renewing and revitalizing the military organization. This cannot be done by pay alone. Satisfying and challenging jobs and educational opportunities must be offered. In the long run an organization composed of volunteers, having functioned in competition for its people, will tend to be more effective than one which relies on the forced entry of people. A more effective force is one of the promises of a volunteer force.

TERMINATION OF SELECTIVE SERVICE

The time to end the draft is now. We have reached the point where the inequities in the draft cannot be removed, where the power of the executive to raise and support armies must be shared with the Congress, and where our young people should be given the opportunity to choose for themselves the manner in which they will serve the Nation.

Today, military manpower needs require that only one young man in five join the armed forces—and that less than one in 20 be drafted. No matter how well the lottery is made to function, it simply cannot spread the burden of military service evenly when so few are needed. And, as the Draft Task Force of last year's White House Conference on Youth pointed out, even under the lottery, the educated and affluent can more easily escape induction into the Armed Forces. The Task Force, which included such authorities on the draft as Secretary Kelley, Representative WILLIAM A. STEIGER, and Dr. Walter Y. Oi of the Gates Commission staff, noted that—

> Men can still be deferred as conscientious objectors, and under recent court rulings, an individual needs only to establish the sincerity of his beliefs (not necessarily religious beliefs) to be deferred. Higher education enables an individual to more clearly articulate his beliefs and gives him a decided advantage over the less educated men. Medical and mental disqualifications that bestow 4-F and 1-Y deferments are presumably determined by Army doctors, but we learn that even these can be manipulated. The possibility for such manipulation was best described by an Army doctor who related: "A white kid, a college student who came in with asthma, or an ulcer or a psychiatric problem had usually been treated for his condition for years. He knew the doctor who saw him for asthma at age 15 and had a letter from the doctor. We might not be able to verify the condition, but we would still disqualify him. The typical black kid came from a ghetto or a rural area, and he might have had the same conditions, but he never had been treated for them and we never found out about them."
>
> The opportunities to avoid the draft by finding irregularities in local board procedures or through other loopholes are clearly greater for the well-to-do youth who can readily obtain draft counseling or even hire a lawyer; draft lawyers today claim that they are winning over 90 per cent of their cases. It is clear that even with a lottery, the burden of the draft will still be carried by the less educated, physically qualified youths from the lower middle classes.

THE CONDUCT OF FOREIGN POLICY

The very existence of conscription allows for an all too easy application of military solutions to foreign policy problems. In an early defense of the congressional prerogative in foreign policy, Daniel Webster issued a warning which rings prophetically true in light of our experience in Vietnam:

> In the present want of men and money, the Secretary of War has proposed to Congress a military conscription. For the conquest of Canada, the people will not enlist; and if they would, the treasury is exhausted and they could not be paid. Conscription is chosen as the most promising instrument, both of overcoming reluctance to the service, and of subduing the difficulties which arise from the eschequer.
>
> Persons thus taken by force and put into the army, may be compelled to serve . . . according to the will and pleasure of the government. This power does not grow out of any invasion of the country, or even out of a state of war. It belongs to the government at all times, in peace as well as in war, and it is to be exercised under all circumstances according to its mere discretion.
>
> Is this, sir, consistent with the character of a free government? Is this civil liberty? Is this the real character of our Constitution? No, sir, indeed it is not. The constitution is libelled, fouly libelled. The people of the country have not established for themselves such a fabric of despotism . . . Where is it written in the Constitution . . . that you may take children from their parents, and parents from the children, and compel them to fight the battles of any war in which the folly or wickedness of government may engage it?

For the better part of our Nation's history, Congress steadfastly avoided granting the power of conscription to the

Executive, except for brief periods during the Civil War and World War I. However, after World War II and the onset of the cold war, the enthusiasm of the Congress for oversight of foreign policy matters diminished. The House and Senate routinely granted an extension of the draft every fourth year—never questioning whether peacetime manpower needs could be met on a voluntary basis.

The tragedy of our involvement in Vietnam illustrates the insidious effect of the draft on the foreign policy process. In August 1964, Congress approved the Gulf of Tonkin resolution, largely as a show of support for a Presidential response to what was described as an attack on our naval vessels. But over the next 12 months—without ever consulting the Congress—the draft was used to slowly but steadily increase the size of the Armed Forces. Then, in late July of 1965—almost a full year after the Tonkin resolution—those conscripted forces provided the basis for the first massive infusion of troops into Vietnam. The distinguished chairman of the Armed Services Committee last year noted the deleterious consequences of such executive escalation:

> Only by a decisive vote in the Congress which represents the people can there be a real test of the sentiment of the country for supporting any war and mobilizing all our resources.
>
> I readily recall the gradual escalation under which the highest officials of our country testified that with an additional 50 or 100 thousand troops and passage of another year, the Vietnam problem would be solved. This process was repeated year after year and, as we know, the problem is not yet solved although a solution is in sight.
>
> Let me emphasize that I believe that Congress should exercise its Constitutional role in a more vigorous fashion. I totally reject the concept advocated from time to time that the President has certain inherent powers as Commander in Chief which enable him to extensively commit major forces without Congressional consent.

Mr. President, had we not been operating under a system of conscripted manpower, the President would have had to ask the Congress for the authority to use compulsion to achieve such a drastic increase in force levels. I am convinced that had the Congress been forced to vote on reinstating the conscription of young men to support the war in Vietnam at the same time it voted on the Gulf of Tonkin Resolution, the course of that unfortunate conflict would have been drastically altered.

We are now presented with the historic opportunity to prevent future Vietnams by terminating the induction authority and returning to the Congress its rightful power to raise and support armies.

THE PRESIDENT AND THE YOUTH OF AMERICA

In conclusion, Mr. President, I should again wish to express my belief that we could not be on the verge of terminating the draft were it not for the forthright stance taken by President Nixon. The eloquent expression of his April 1970 message on the draft sums up all that ever need be said on this subject:

> With an end to the draft, we will demonstrate to the world the responsiveness of republican government—and our continuing commitment to the maximum freedom of the individual, enshrined in our earliest traditions and founding documents. By upholding the cause of freedom without conscription we will have demonstrated in one more area the superiority of a society based upon the belief in the dignity of man over a society based on the supremacy of the State.

Mr. MUSKIE. Mr. President, I will vote against the Hatfield amendment which would end the draft system at the end of this year. I strongly support reforms in the military manpower system, such as additional financial incentives, which will enable the country to move toward zero draft calls in times of peace. But I believe the draft system must continue to be available during times of war or national emergency. I have explained my position at length during previous occasions on which this issue has come before the Senate. I would like to do so more briefly today.

I believe we must first of all consider the question of what means a society uses to select those young men who will fight and perhaps die in a war. We will be asking these men to take risks in exposing themselves to the greatest sacrifice any society can demand. What are the most just means in a democratic society? When all is weighed, I think there can be only one answer: That all the young men in that society, rich and poor, majority and minority, must be presented with an equal risk of undergoing the danger of those sacrifices. I see no other fair way of distributing this potential for death, since all men cannot serve in battle.

The proposed alternative to a draft system is a volunteer army. The major inducement for service in such an army must be economic, whether volunteering is for pay, training, education, or escape. There are disputes over which group in our society would volunteer under such a system—middle class, lower middle class, urban black, rural white, and so on; but essentially it makes no difference, for whoever does volunteer will do so because he finds the incentives in the Army better than those in private life.

Such a system allows the more affluent members of society to avoid the obligations of defending that society during times of crisis. It was followed in the Civil War when wealthier young men could avoid the draft by buying a substitute for something like $300. I think, over a century later, with a greater appreciation for the demands of equal protection, we must reject such a method of selection during wartime.

Secondly, I believe we must recognize that the draft system, by imposing the greatest cost of war—military service—uniformly throughout the country, serves as a healthy check upon any tendency to commit our Nation to unwise military adventures abroad. A volunteer army would impose the burden of service upon those least likely to protest politically and upon those least likely to do so effectively, even if they wanted to do so. Through increased military appropriations, a process which is easily accomplished because of the committee structure of the Congress, a President can easily escalate a conflict using a volunteer army without confronting those political forces in our Nation which would be best able to oppose such escalation. We would reduce citizen impact on foreign policy.

In contrast, the draft system imposes service upon all, and if a President increases military manpower commitments, he must face the task of convincing all segments of society that such an increase is necessary for the public good.

Finally, I believe that a volunteer army during war might be prohibitively expensive. Our society cannot afford to spend billions of dollars for the primary purpose of avoiding military induction during times of war for those who would rather not serve this Nation's defense. We have too many other urgent priorities to which we must devote our precious resources—including the development of economic opportunity for those who now find such opportunity only in military service.

For these reasons, I must oppose the concept of an all-volunteer army and continue to support the draft system for use during times of war and national emergency.

Mr. TUNNEY. Mr. President, I cannot accept the Hatfield amendment to end the draft. While I believe that the draft has been abused and misused, has been distorted by its application in Indochina beyond its legitimate purposes. I do not believe that the solution to the problems wrought by Vietnam will be resolved by an end to the draft.

Tomorrow, Mr. President, we will have the opportunity to vote to end the tragic, cruel, and senseless war in Indochina. We will have an opportunity, clearly and decisively, to say "no more war" in Vietnam. Passage of that legislation is imperative. It is still the most urgent priority of this Congress.

But, despite its misuse, the draft remains an alternative that is preferable to the volunteer army proposed by the Nixon administration. It is my view that our problems in Vietnam would be compounded rather than reduced by an all-volunteer army.

A volunteer army would present this Nation with several unpleasant problems. First, it would be devoid of the healthy crosscurrents of civilian life. It would be removed from civilian ranks and would not be affected substantially by the constant and salutary infusion of men who are not career soldiers, men whose civilian backgrounds and attitudes maintain an essential balance in the Armed Forces.

Second, an all-volunteer army would create a permanent combat force comprised of the poor, the uneducated and the minorities—people who would look upon the military as the only avenue of opportunity to escape from the pockets of poverty and prejudice which exist in America. Only the disadvantaged in our society would be exposed to the cruelty, the horror, and the agony of war. For only they would have the financial incentive to join a volunteer army.

Thus, a volunteer army would be less responsive to the civilian direction and control that is essential to a free society. At the same time it would be a shelter for the disadvantaged but an unheard-of concept for the comfortable. Such an institution, Mr. President, would not be one characterized by diversity of thought, creative or imaginative concepts, or the potential for critical comment. Such an institution, I believe, would be detrimental to a free society.

It would be far easier to wage wars with a band of mercenaries than with a groups of draftees. It would be far easier to delude ourselves into thinking that lives are cheaper and wars are morally less debilitating when they are being waged by professional soldiers.

This is an ugly and dangerous concept and one that I feel pervades the idea of an all-volunteer army.

I urge my colleagues in the Senate to think about the draft in terms of life and death; for this is what the draft has meant to thousands of young Americans. Matters of this moment and urgency should not be reserved to the disadvantaged few. The issues should be apparent and real for all America. For only then will all America be exposed to the vital questions and implications of the draft.

Accordingly, I must oppose Senator HATFIELD's amendment, for I believe it is not the wisest or the best way to protect our young citizens or our Nation from the horror and the agony of war.

THE END OF THE DRAFT

Mr. BROCK. Mr. President, we are on the verge of a historic effort—the end of mass conscription in the United States. With a meaningful reduction of force, so wisely initiated by the Committee on Armed Services, I believe we can render the draft unnecessary.

Last year by creating a competitive pay scale for the military, we in the Congress provided the President with one necessary tool to end the draft far ahead of the legislated deadline. While the approach of putting the military on parity with civil service pay is a good foundation toward the achievement of an all-volunteer force, it is not the final solution. To obtain a true volunteer force will require a modern approach, a full appreciation of human resources, and the best of management.

Mr. President, I am very reluctant to oppose the pending amendment because of my respect for many of the Senators who are sponsoring it. I have also been impressed by the cogent, lucid, and compelling statements made by its proponents. I do oppose the amendment, for one reason—by doing the job right we can make the volunteer Army work. If, in our haste to achieve it we lay an inadequate foundation, it will fail. To me, the ultimate objective is far too important for such a gamble. Thus, I will vote, as I have in the past, for a volunteer Army, and for a program which will enable us to meet the President's absolute deadline for ending the draft on June 30, 1972.

In recent years the controversial debate of the "Volunteer Army" versus the draft has been the subject of countless editorials, television shows, and political campaigns. President Nixon introduced the issue in the presidential campaign of 1968 and he has consistently worked to bring about an end to the system which denies the basic rights of the individual granted by a free society.

The President has markedly reduced reliance on the draft and reversed the trend to use conscription as an open account to draw people whenever they are needed. The Selective Service Act of 1968 essentially authorized the President to maintain whatever manning level desired by simply increasing the draft. It was under this method that former President Johnson expanded the total Armed Forces from 2.65 to 3.5 million and the Army alone from 973,238 to 1,397,899 in roughly a year's time by simply increasing the draft from 7,800 in December 1964, to 40,200 men in December 1965. This 36 percent increase in the size of Armed Forces represented a 500-percent increase in the draft rate and brought the Vietnam war home to the public and the draft system into the political arena.

Through implementation of new competitive wage scales for the military, President Nixon has been able to reduce draft calls tremendously. In fiscal year 1971 draft callups totaled 152,000. This was reduced to only 25,000 in fiscal year 1972.

In 1969 the President established a new lottery system to make the draft more equitable. This year, this first phase of transition to a total volunteer forces has not exceeded 75 as a maximum. Soon the lottery may be dropped forever.

To date, the military services have implemented many new important reforms for ending the draft with excellent results. In fiscal year 1972 the Department of Defense met 90 percent of its recruiting objectives. In June, 1972, total military enlistment production was 17,908 above May. Of these 76 percent could be classified as true volunteers. Moreover, contrary to the fears of draft supporters, pay increases and reduced draft pressure have resulted in an improvement on the quality of personnel entering the Army. In June, 31 percent of all enlistments fell into mental groups one and two and only 18 percent were mental group four's. Seventy percent of the total enlistments were high school graduates. Also, combat arms enlistments have shown a definite improvement. In fiscal year 1971 enlistments for this category stood at 9,800 and increased dramatically for fiscal year 1972 to 38,800.

In the past DOD recruiting programs have been a low priority item. Draft reliance relegated many recruiting offices to signing up only those individuals who applied. To correct the problem, the Army doubled the size of its recruiting force and expanded the number of field offices. By upgrading the status of recruiters through intensified training, special duty assignment pay, and allowances for out-of-pocket expenses, the Army has built the foundation for an aggressive recruiting program. This effort has been aided by new special opportunities for training, the popular "unit-of-choice," and the area-of-choice options.

If we are to maintain congressionally approved manning levels throughout all branches of the uniformed military services through voluntary enlistment, we must move quickly to improve nonmonetary incentives to enlist. There is no doubt that we are veering away from the diseconomic use of the draftee. From his day of induction, the average recruit will spend approximately 1 year in basic training, specialty training, annual leave, and then on-the-scene training before he will actually fill a functional billet. Hence, a 2-year draftee has only 1 year of productive military service.

The noncareer 'first termers" have been the focal point of the debate on voluntary service as opposed to continuation of the draft. Noncareer is presently comprised of well over half of the enlisted ranks. This proportion is too high to be effective or efficient. The turnover rate is too expensive. It costs approximately $3,600 to train each first termer.

Through reform we must induce first termers to remain beyond the service period of the 2-year draftee. If the initial enlistment period for a first termer averaged to only 3 years, the productive service of a typical first termer would be doubled in duration and actually improve in quality as the average experience level of his production service is increased by 50 percent. With a 4-year initial contract for 3 years at an experience level of 2 years in service. Unfortunately, much remains to be done before we can realize our goal.

The list of management deficienices in gaining an all-volunter force is lengthy.

According to Secretary of the Navy Warner, the Navy began its recruiting drive 9 months later than it should have.

Paid drill reserves have fallen below their authorized strengths.

The Army's reenlistments remain substantially below plan.

The draft remains as a crutch to deny moving allotments, family separation allowances, and housing opportunities to more than 200,000 first term enlisted men.

And the Army has mismanaged its current reduction-in-force program to a point where the lower than authorized end strength for fiscal year 1972 could result in additional accession requirements for fiscal year 1973.

Mr. President, if we are to have a true volunteer force 11 months hence, not only must we correct the deficiencies within the military, we must make every effort to let the youth of America know what a military career has to offer them.

The potential volunter must believe that a military career can be fruitful, rewarding occupation competitive in every way with civilian life. We can accord the individual all sorts of incentives to join but if he does not know what is offered, then the incentives will serve no purpose.

In discussing ways to attract the potential volunteer the Army's Deputy Chief of Staff for Personnel recently told a House Armed Services Subcommittee that paid advertising plays a critical role.

> Once we went on the air with a combined paid TV, radio, and our normal magazine advertising and newspapers, along with the options that we had to sell—the new options for Germany, Vietnam and Korea, the unit of choice in the United States, training, and so

> forth, the 32 enlistment options which we offer—the enlistments started to go up and have been consistently going up until last month. They were at 18,000 plus in a non-draft environment.
>
> In addition, the combat arms enlistment went from roughly 400 a month up to about 4,000 a month.
>
> If you put all of that together, sir, and say, "Is that due to paid TV and radio?" it's very difficult to say how much is due to that. But I think that the fact that we had something to sell, and the fact that we were displaying a better public image of the Army, combined with the enlistment options, combined with the expansion of the recruiting command, plus all the other efforts that have gone into this thing, that the combination has certainly, in my opinion, proven to be a winner.

In hearings before the House Interstate and Foreign Commerce Committee an Army official testified:

> Reducing reliance on the draft will depend in large part on our ability to inform the youth of this nation of the advantages of a military career. The judicious use of advertising is a necessary part of a successful advertising campaign.

Mr. President, spreading the word that the military can offer the individual a rewarding lifetime career is essential to the success of the all-volunteer force. If we combine the major elements of reform, recruitment, and recasting the image the public has of the armed services, we can look forward to the return of yet another individual freedom.

Voluntarism is the touchstone of our democracy. If America is willing to show her young men the respect they deserve for their willingness to serve, I am convinced that an effective all-volunteer force may be maintained.

AN END TO THE DRAFT

Mr. McGOVERN. Mr. President, I wholeheartedly support the efforts of the distinguished Senator from Oregon (Mr. HATFIELD) to put an end to the draft. I share very strongly his view that we can terminate the induction authority in 5 months and still provide sufficient time for the transition to a volunteer force.

Mr. President, when I addressed this issue in 1968, I called for a complete end to compulsory military service. It is inimical to the deepest traditions of American life. Now in 1972, the time has certainly come to return to the cherished tradition of voluntarism.

The use of conscription for the last 30 years has made us all too accustomed to its presence—a presence which clearly violates our American heritage. The first settlers arrived in America to avoid impressment by the Crown. Ever since then this Nation has held the belief that only out of the most dire necessity should we resort to the compulsion.

But a return to our traditions of freedom is not all that is gained by ending the draft.

Assistant Secretary of Defense Roger Kelley told the Senate Armed Services Committee that the experience of the past year bears out the accuracy of his predictions on the benefits to the military of an all-volunteer force. At that time he reported:

> In the adult work world, the Armed Forces (like other organizations) function best in a free environment where they compete with others for people.
>
> An organization composed of volunteers, having survived the test of free competition, tends to be more efficient than one that relies on forced entry.
>
> The alleged pitfalls of the voluntary military organization—that it will be dominated by mercenaries, who will take over our Nation, or be all black—are gratuitous and false claims, totally unsupported by the makeup of that portion of the military organization that is volunteer.
>
> Once the transition to an All-Volunteer Force has been accomplished, the military organization will be totally more effective and will consist of many fewer people than its conscripted counterpart.

On the basis of both tradition and efficiency, we should end the draft just as soon as national security permits it.

Congress and the administration have both taken steps to end reliance on the draft. Minimal use of the induction authority over the last year suggests that we have reached the historic time when we can end the draft for good.

Let me point to just a few of the circumstances underlying that position.

The Defense Department has before it a substantial array of manpower options which, if exercised, would eliminate any possible gap between the service's needs and the number of men they obtain.

First. The services could embark on the long-overdue program to replace uniformed men with civilians—a proposal which has been recommended and discussed for several years and which provides the added attraction of saving money.

Second. Opportunities for women to serve in an equal capacity with men are underutilized and late in coming.

Third. The Navy's success in the Second World War with lateral entry programs—bringing in skilled workers directly at the rank and pay they deserve—as we currently do with doctors and chaplains—should be setting the pattern for all the services now.

Finally, there is considerable potential for better recruiting practices.

The Navy is just beginning to catch up from a year's delay in beefing up its recruiting establishment. The Army has doubled the number of men in the field. But an archaic information system still retards the effectiveness of the recruiters. Better selection criteria and more sophisticated use of screening techniques, to avoid the loss of a single qualified man, are needed as well.

In addition to action to insure sufficient volunteers, the services should avoid some of the management pitfalls into which they have fallen during the last year.

In this respect, I offer my sincere congratulations to the chairman of the Armed Services Committee who, for 2 years in a row, has examined in detail the manpower authorization levels proposed by the administration, and has led the way in reducing their inflated requests. His hearings uncovered a major disaster for the Army last year in the way they handled the congressionally mandate reduction in force. Few would disagree with the conclusions of those hearings that the move to an all-volunteer force has been severely set back by the inexplicable delays in cutbacks by the Department of the Army. Reenlistment of first-term servicemen—those who were already trained and skilled and who had the motivation to stay in the service—had to be forced down precipitously to insure the proper reduction. The ultimate costs of such an endeavor in both men and dollars has yet to be determined. But they are certain to be astronomical.

A further basis for acting now is found in a review of the report issued by the Gates Commission—the President's Commission on an All-Volunteer Armed Force. The Commission recommended that an increase in basic pay for first-termers be provided effective July 1, 1970. They went on to say:

> We believe, on the basis of our study, that the increased pay and other recommended improvements in personnel management will provide enough additional volunteers during the transition to achieve an all-volunteer force by July 1, 1971.

In other words, had the Gates Commission recommendations been implemented when they should have been, the end of the draft would have followed just 1 year later.

Last fall Congress passed the largest pay raise for servicemen in history. The cost-of-living raise of January 1 of this year brought the pay figures up to the recommendations of the Gates Commission. On December 31 we will have waited 1 year since the implementation of the pay raise—clearly sufficient time to meet the transitional timetable of the President's own Commission.

Finally, the underlying basis for ending the draft at the end of this year, rather than 6 months hence, is what I would like to call a self-fulfilling prophecy. I firmly believe that the earlier we end the draft, the sooner the services will come to understand that conscription is not a viable option for them.

I have no doubt that the services will do what they must to insure the national security. Manpower reform and the improvement of personnel management will come all the sooner, if the easy resort to compulsion to produce more men is eliminated as an option. Planning, programing, and budgeting—Washington's favorite words—will become a reality out of necessity.

I am not impressed with the argument that because the Army and Navy entered this fiscal year with shortfalls to be made up, that the draft will be necessary through next June. Projected manpower requirements show that after this unusual transitional year, requirements for manpower drop significantly, especially for the Navy where they drop from some 125,000 this year to only 85,000 next year. Thus, we have only this year's hump to get over, and there is plenty of time to do that before the draft authority is terminated.

More important, those shortfalls are insignificant in number. Last year Congress voted a reduction in average strength of some 56,000 men—50,000 for the Army alone. This year, the Senate Armed Services Committee has recommended—and I fully support—a further reduction of average strength of some 56,000 men—with some 26,000 for the Army. I would go much further. But if Congress can determine that such a reduction is feasible, a more intensive study into the layers of support within the Defense Department can reveal even greater room for reducing required strength. I have noted with interest the report issued by a House Armed Services Subcommittee chaired by the exceedingly able Congressman OTIS PIKE which noted the significant imbalance in our force structure caused by the overabundance of top-brass. There is certainly room, they suggest, for reducing the numbers of "colonels carrying briefcases for generals." Moreover, last year's debates on the draft extension revealed a senior Army officer's estimate that some 95,000 soldiers were doing no more than KP and grasscutting.

By terminating the draft, the services will not be able to afford such surplus manpower. The projected shortfalls of 50,000 or 60,000 men in proportion to entire Defense requirements is just not enough men to warrant an extension of the draft authority, especially when viable alternatives are available.

Mr. President, let me conclude by quoting the man who is closest to this issue: the Assistant Secretary of Defense for Manpower and Reserve Affairs. Just five weeks ago, before the National Convention of the Reserve Officers Association, the Secretary made this statement:

> The All-Volunteer Force is beyond the stage of debate. It is an idea whose time has come, and a goal whose final attainment is in close range and within sight.

I believe we can assure attainment of that goal by ending the draft on December 31, 1972.

Mr. STENNIS. I yield back the remainder of my time.

Mr. HATFIELD. I yield back my time.

Mr. ROBERT C. BYRD. Mr. President, our colleagues, I think, had anticipated that the rollcall would come at about 4:30. I want to personally congratulate and thank the Senators for having concluded the debate earlier. I think our colleagues, however, should be given a brief notice, so therefore, I would ask, with the indulgence of my colleagues, that I may suggest the absence of a quorum.

Mr. STENNIS. Mr. President, I suggest the Senator notify Senators interested in the next amendment, the author of which is the Senator from Massachusetts, to be ready to move forward on that amendment in about 15 minutes.

Mr. ROBERT C. BYRD. Very well. I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Oregon (Mr. HATFIELD). The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Georgia (Mr. GAMBRELL), the Senator from Louisiana (Mr. LONG), and the Senator from Oklahoma (Mr. HARRIS) are necessarily absent.

I further announce that the Senator from North Carolina (Mr. JORDAN) is absent on official business.

I further announce that, if present and voting, the Senator from Louisiana (Mr. LONG) and the Senator from Georgia (Mr. GAMBRELL) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER) and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Kansas (Mr. DOLE) and the Senator from Oregon (Mr. PACKWOOD) are detained on official business.

If present and voting, the Senator from Iowa (Mr. MILLER) would vote "nay."

The result was announced—yeas 25, nays 64, as follows:

[No. 324 Leg.]

YEAS—25

Bayh
Brooke
Cook
Cranston
Fulbright
Gravel
Hart
Hartke
Hatfield
Hughes
Mansfield
Mathias
McGovern
Metcalf
Mondale
Nelson
Pearson
Pell
Percy
Proxmire
Ribicoff
Schweiker
Stevenson
Taft
Williams

NAYS—64

Aiken
Allen
Allott
Anderson
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Buckley
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cooper
Cotton
Curtis
Dominick
Eagleton
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hollings
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Magnuson
McClellan
McGee
McIntyre
Montoya
Moss
Muskie
Pastore
Randolph
Roth
Saxbe
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tunney
Weicker
Young

NOT VOTING—10

Baker
Church
Dole
Gambrell
Harris
Jordan, N.C.
Long
Miller
Mundt
Packwood

So Mr. HATFIELD's amendment (No. 1370) was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote whereby the amendment was rejected.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I ask the Chair to lay before the Senate the next amendment.

Mr. ROBERT C. BYRD. Mr. President, I was asked by the Senator from Massachusetts (Mr. KENNEDY) to enter a quorum call as soon as the Senate is ready to consider his amendment. I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call be charged against the time of the Senator from Massachusetts.

The PRESIDING OFFICER. There is no time on the amendment until the amendment is laid down.

Mr. ROBERT C. BYRD. Then I ask unanimous consent that the time be charged equally against both sides on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. KENNEDY. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The second assistant legislative clerk proceeded to read the amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 13, between lines 7 and 8, insert a new section as follows:

SEC. 203 (a) It is hereby declared to be the policy of the United States that Federal funds may be used to conduct research involving human beings as experimental subjects only when each participant has freely volunteered to participate after having been fully informed of any physical or mental health risks which may be incurred as a result of participating in such research.

(b) In order to carry out the policy stated in subsection (a) of this section with respect to the Department of Defense, none of the funds authorized by this or any other Act may be used by the Department of Defense to contract with any individual, corporation, institution, organization, or other entity, for the purpose of carrying out any research project which uses human beings as experimental subjects unless—

(1) the Secretary of Defense has determined that such project is essential to the national defense;

(2) the Secretary of Health, Education, and Welfare has been informed of the project and he has either (A) indicated in writing to the Secretary of Defense whether the research project is one which will involve substantial risk of serious injury to the physical or mental health of the human subjects to be used and whether the research project is one which will involve substantial risk of resulting in any genetic change in such subjects, or (B) permitted forty-five days to elapse after having been officially informed of such project without having submitted to the Secretary of Defense a written notice as described in subclause (A) of this clause;

(3) the human subjects to be used have been fully informed of the nature and purposes of the research project and of any possible physical and mental health consequences that may result from participation in such research project, including any physical and mental health consequences included in the report of the Secretary of Health, Education, and Welfare submitted pursuant to clause (2); and

(4) each person participating in such project has freely volunteered to participate after he has received the information referred to in clause (3).

The PRESIDING OFFICER. The Chair reminds Senators that, under the previous agreement, there is 1 hour for debate on this amendment, to be equally divided between the Senator from Massachusetts and the manager of the bill.

Mr. STENNIS. Mr. President, in the name of membership, I ask that the Chair maintain order to the extent that we can at least hear.

The PRESIDING OFFICER. The Senate will be in order. The Senator will suspend until Senators have taken their seats and ceased audible conversation.

HUMAN EXPERIMENTATION AMENDMENT TO MILITARY PROCUREMENT AUTHORIZATION BILL

Mr. KENNEDY. Mr. President, advances in modern medical science have lengthened the span and changed the quality and very meaning of human life. But at the same time, these advances have opened a Pandora's box of ethical, social, and legal issues in areas such as heart transplants, artificial kidneys, test tube babies, genetic intervention, behavior modification, and experiments on human beings.

For example, recently a hospital has been sued for allegedly allowing a black laborer to die so that his heart could be used in a transplant operation. I would not want to comment on the merits of that particular case, but it illustrates the range of difficult questions which must be faced: When heartbeat and other vital signs can be maintained by artificial means, how is death to be defined? Under what circumstances may the organs of the deceased be used for transplants? Who should give permission for such transplants? Did racial considerations affect the decision to use this heart, as was alleged in the suit?

Medical science advances pose many other difficult ethical and social questions:

Should carriers of hereditary diseases, like sickle cell anemia, be prohibited from having children? Should they be counseled against having them?

Should retarded persons be segregated from members of the opposite sex? Should they be sterilized?

What are the ethical implications of test tube babies? What will happen to our population when men and women are free to determine the sex of their children? Or to fabricate babies with preestablished characteristics?

How should society regulate the use of behavior modification drugs and other techniques to control human behavior? How can we control the controllers?

How should the Nation allocate scarce medical resources between organ transplants for a few individuals versus research and services which can help many?

Which individuals should receive the life and death benefit of artificial kidney facilities? How should we choose among those who need this help?

How long will the Nation tolerate a situation in which 50,000 need kidney services, and only 2,000 can receive them because of financial limitations?

The solutions to these sorts of problems cannot be found within science alone. As Dr. Jerome Wiesner said, "Science is no substitute for thought." These issues cannot be resolved by complex mathematical formulas or high speed computers.

They fundamentally involve questions of ethics and social responsibility. To come to grips with them, we must focus the full range of human talent and imagination—from the natural and social sciences, the arts and humanities, religion and philosophy, and the professions of law, medicine, and public service. We must draw on all the resources mankind has to offer; for after all, it is the quality of man's life which is at stake.

Obviously the solution to these problems will not come overnight. The Senate has already taken a major step toward the solution of these problems. On November 9, 1971, as chairman of the Health Subcommittee, I held hearings on these issues and specifically focused on Senate Joint Resolution 75, to establish a National Advisory Commission on Health, Science, and Society. This resolution had been introduced by the distinguished Senator from Minnesota (Mr. MONDALE). The hearings record provided overwhelming support for this resolution, and on December 2, 1971, the Senate passed Senate Joint Resolution 75. The resolution is now before the Health Subcommittee in the House, and I am hopeful that it will receive hearings and House action this year.

But even if the resolution is passed, and the National Advisory Commission on Health Science and Society is established, it will be 2 years before the Commission presents its final report to the President and the Congress. And then it will undoubtedly take additional time before the recommendations of the Commission are incorporated in appropriate legislation and executive action.

It is fitting and necessary that this Commission activity occur. For these problems will confront mankind for the foreseeable future. Developing lasting solutions to the problems must require considerable thought and effort.

But while these long-term efforts are underway, it is equally important that we move ahead and take whatever constructive steps are possible now to cope with the existing problems in these areas.

One of the most significant problems in this entire area is that of human experimentation. Historically the advance of modern medical science has traditionally made use of human experimentation, frequently with the scientists using themselves as experimental guinea pigs. Without some human experimentation it would not have been possible to develop the smallpox vaccine or to begin to cope with malaria. And the development of modern drugs is dependent on a certain amount of experimental drug use among special patient groups. Such drug testing has to be much more closely monitored and regulated than it has been in the past, but under the proper controlled conditions it has to occur; for human experimentation is an essential requirement for medical progress.

The thrust of my remarks today is not that human experimentation is inherently bad or that it should be banned or prohibited. Human experimentation is essential in a balanced program of medical research. But the problems posed by human experimentation—in medicine, ethics, law, and social policy—are enormous. How we resolve these issues will have a major impact on the lives of millions of Americans over the coming years.

The kind of impact human experimentation can have has been dramatically demonstrated in recent days with revelation of the tragic syphilis project at Tuskegee. The disclosure of a 40-year experiment on hundreds of poor, black men stricken with syphilis in Alabama, raises the specter of an Orwellian nightmare. Because we now have complex devices like kidney machines, and because we can now transplant a man's heart; and because we have now ended the deathly plagues of smallpox and polio—too many Americans have been lulled into a false sense of security about the powers and practices of medical science. But the news that a Federal agency—the Public Health Service—has used taxpayers' dollars to conduct a program to experiment on poor, sick, black people—without their knowing it—is an alarming revelation at best.

Many questions leap to mind with that outrageous news:

Why were not the patients treated with penicillin after that "wonder" drug had been discovered?

Why did the experiment include only men? And why were only black men included?

How many of those men are now in mental institutions, because the syphilis infection caused irreversible brain damage?

How many of those test patients fathered children who contracted congenital syphilis?

Are Federal agencies conducting any other such experiments?

And, why has the news of the Tuskegee experiment come to light right at this time?

Current Public Health Service figures show that nearly 100,000 new cases of syphilis were reported nationwide in 1971. During 1970 and 1971, the increase in reported cases rose 8 percent and 15 percent respectively. Those alarming rates definitely suggest that syphilis has reached epidemic proportions. Health authorities are particularly concerned at the fact that especially high rates are reported among our Nation's young people.

Can it be that the news about the 40-year-old Tuskegee experiment is intended to appease the national concern over the current syphilis epidemic? Since some health officials insist that treatment of the few Tuskegee survivors is useless—do they also plan to announce that treatment of today's teenagers is not required?

Mr. President, there is an almost endless stream of questions raised by the announcement that syphilis experiments on hundreds of black men have been sponsored by the Public Health Service. The amendment I have offered today is but one small step in coping with these problems. But it does establish as national policy that Federal funds can be used for human experimentation only when the participants have freely volunteered after knowing the risks involved.

The Tuskegee case is perhaps the most striking and heart-rending instance of human experimentation which has yet been brought to light. But many other cases exist. Some involve clearcut violations of human rights, as in Tuskegee. But many others involve complex problems of fact, of law, of medical judgment, of ethics, and social policy. The range of issues involved can be seen from the following examples:

At an institution for the mentally retarded, children were deliberately exposed to hepatitus to study the problems involved in developing immunity to the disease. The issues in this case are complex. The families of the children apparently did give their consent to the procedure, but many authorities on medical ethics question whether parents have the moral right to "volunteer" their children for experiments. And even when parents do volunteer their children in such a case, are they doing so under some subtle pressure which prevails when children are inmates of such an institution?

Another factor in this case was the fact that almost all children in this particular institution would contract hepatitus sooner or later, whether or not they were deliberately exposed. So the doctor in charge of the research asserted that deliberately exposing them under controlled conditions did not increase the danger to them. Others have argued, however, that the problem lies with the inadequate conditions at the institution. If proper sanitation were maintained, they would not contract the disease as a normal matter of course. I think this case illustrates the kind of problems we have to face in this area.

Another case involves experimenting with prisoners. In one case, prisoners who were particularly prone to serious violence have been subjected to brain surgery to try to alter their behavior characteristics and inhibit or destroy their tendency toward violence. Some medical authorities argue that this is a perfectly acceptable procedure for such cases. But others assert that it is merely a way of turning the prisoners into vegetables who will not have the capacity for violence after their operation. Even if the medical profession were to determine that this is a sound procedure in certain cases, who is to determine which individuals have a strong-enough tendency to violence that can only be treated by surgery? And what procedures are they to follow in making that decision? And even if certain individuals were singled out by such a procedure, how would they volunteer to have the operation? In their situation could they really understand all the facts involved? And can any prisoner, who is in an inherently coercive situation, really "volunteer" for anything? In this connection it is worth noting that in Great Britain the use of prisoners in human experimentation is prohibited by law, on the grounds that prisoners cannot really volunteer, in the true sense of volunteering. This problem of "what it means to volunteer" also applies to individuals in mental institutions and to patients with a terminal illness, who may be desperate to try anything.

Another case, which was the subject of a recent Washington Post editorial, involved 398 women who were mostly Mexican-Americans. In a study funded by AID, the women were divided into three groups. One group was given regular commercially marketed birth control pills. Another group was given an experimental pill which had not yet been tested out in terms of its effectiveness or its safety. The third group was given a placebo or fake pill with no effect. The startling point about this experiment, however, was that the women were not told they were participating in an experiment. Thus all the women thought they were taking birth control pills which were effective. The sad result of this experiment was that a number of the women who took the placebo or fake pill gave birth to unwanted children, with all the potential tragedy that that portends. And the experimental pill was later declared to be unsafe for human use by FDA, so that the women in that group were using a dangerous medication without knowledge that it was being administered to them.

One of the AID officials involved in dealing with the study was quoted in the press as commenting:

> The potential benefits to humanity in this kind of study outweigh the potential risks to the individual subjects.

Perhaps there is someone wise enough to make such judgments, but the essence of democracy is that we do not delegate to any officials the right to make such decisions for others. Free choice is at the basis of our Nation, and if we once allow that right to be eroded—regardless of for what purported humanitarian purposes—we have lost one of our most precious rights.

We cannot permit Government bureaucrats to make decisions which place others into experimental situations without their full knowledge and without their volunteering to participate. We must establish a national policy for human experimentation which safeguards this right and which provides Government officials with procedures to guide their actions on such matters.

Another case involved 525 members of the Air Force who had strep sore throats. It was common medical knowledge at the time of this incident that treatment with penicilin could prevent strep throat from developing into rheumatic fever; but that without penicillin some of the airmen would be likely to develop rheumatic fever. The doctors running this experiment were aware of these facts; yet they wanted to learn what the effects of withholding penicillin would be. So none of the 525 airmen received penicillin, and at least 25 of the airmen contracted rheumatic fever. According to the testimony we received at our hearing last November, none of these airmen knew they were being experimented on; they were certainly not volunteering with awareness of what was involved.

Another case involved a group of 80 to 100 terminal cancer patients who were being treated with whole-body radiation at a civilian general hospital. The hospital had a contract with the Defense Department to study the effects of the whole-body radiation on the cancer patients. The results were provided to DOD for use in planning with respect to nuclear warfare; for the whole body radiation which the patients received had some similarity to what soldiers would experience on a battlefield if they were exposed to radiation from a nuclear explosion.

There is nothing inherently wrong with such a project provided that the radiation dosage which the patients received was not affected by the requirements of the DOD contract; and that the patients knew the nature of the research they were participating in and freely volunteered to do so, after having a thorough explanation of what was involved. However, because there was considerable confusion about the facts of the case, a controversy developed with charges and countercharges being made about the project. As a result of this controversy the institution at which this treatment occurred has since suspended the project, and indicated that if it is resumed in the future it will not be with Defense Department funds.

I have no intent in mentioning this case to criticize the Defense Department or the institution involved. The point is that adequate policies and procedures were lacking for handling such a situation, and as a result controversy and confusion developed which were certainly not beneficial to DOD, to the institution involved, or to the individual patients who participated in the research. The purpose of my amendment is to prevent such situations from developing in the future.

A final illustration of the problems involved in human experimentation also involves DOD funding of a project at a civilian medical institution. This case involves patients who have cancer of the eye, and whose eyes are going to be removed in an operation. Shortly before they are due for the operation, their diseased eye is subjected to an intense beam of radiation, similar to what military personnel would receive if they witnessed a nuclear explosion in the distance. After the diseased eye is removed, the tissue is studied to help in military planning with respect to nuclear conflict. Again the case is not cited in a critical vein, but merely to indicate the existence of such projects and the need to assure that there are adequate policies and procedures to safeguard the rights of the individuals involved.

I think the foregoing examples show the range and complexity of the problems involved in human experimentation. We cannot solve these problems overnight.

The Health Subcommittee has been studying these problems, with the aim of determining what legislation may be necessary in this area. And I am considering the need for hearings on human experimentation to aid in the development of such legislation.

But while we are working on the more fundamental problems and trying to develop lasting solutions to them, there is an important constructive step which the Senate can take today in its consideration of the military procurement bill.

Let me reemphasize the point that human experimentation under appropriate safeguards is an essential part of medical research. And the Defense Department has many legitimate requirements to conduct and sponsor human experimentation.

For example, when military test pilots test a new aircraft, they may have their physiological responses monitored to help in evaluating the plane and in preparing for its use in normal operations. This is a form of human experimentation, and it is of course fully justified, even though the subject's participation may involve serious risk of substantial injury or death to himself. He volunteers for such service with full knowledge of what is involved.

Similarly, testing out new undersea vehicles or deepsea diving techniques can involve substantial danger to the volunteers involved, and is a form of human experimentation, but again is fully justified. And in more conventional terms, the military has to experiment with human reactions to night combat, to undue stress and strain, and to a host of other situations which occur in military activity. Similarly, DOD runs vast educational and training programs, and needs the benefits of research on training methods, like computer assisted instruction.

So there are many areas of legitimate, necessary research on human beings which DOD carries out. It is not my purpose to attempt to delineate these or in any way circumscribe them. The purpose of my amendment is merely to assure that basic national policy is established and followed to protect the rights of the human beings involved in the research.

This is a goal with which I think there should be little, if any, disagreement. In this connection, it is my understanding, as indicated by the staff of the Armed Services Committee, that the Department of Defense does not oppose this amendment.

I am also delighted that the distinguished Senator from New Hampshire has decided to cosponsor this amendment. As chairman of the Armed Services Subcommittee on Research and Development, he is an authority on such matters; and I welcome his support for this measure.

Incidentally, I should mention that 16 Senators have cosponsored the amendment. In addition to Senator McIntyre, they include Senators Bayh, Brooke, Cranston, Harris, Hart, Hughes, Humphrey, Inouye, Javits, McGovern, Mondale, Randolph, Ribicoff, Tunney, and Williams.

The purpose of the amendment is to help in clarifying national policy on human experimentation, and particularly to assist DOD in implementing this policy with respect to human experimentation which is carried out under DOD contract. The present DOD policies in this regard are not entirely comprehensive and clear; so I believe this amendment can be of considerable help to DOD. The staff of the Armed Services Committee was helpful in obtaining for us copies of DOD regulations on human experimentation; and at my request the Comptroller General also made a survey and summary of the situation. I shall ask that the material they provided be inserted in the Record at the conclusion of my remarks. But the major point is that the regulations are not entirely uniform or comprehensive so that my amendment should prove helpful to DOD in establishing clear policies on human experimentation.

The substance of the amendment is simple. Subsection (a) establishes as national policy that Federal funds will be used for human experimentation only when the participants have freely volunteered after being fully informed of the risks involved. This subsection applies to all Government agencies. Subsection (b) applies this policy to the Defense Department. It says that DOD can contract for research on human beings only when: First, it is essential to the national defense; second, when HEW has indicated whether substantial risk of serious injury is involved; third, when the participants have been fully informed of what is involved; and fourth, when they freely volunteer to participate.

To summarize my remarks, the problem of human experimentation is enormous. My amendment is only a small, but I believe significant, step to move forward on this front. It would clarify national policy on human experimentation. And it would assist the Department of Defense in implementing that policy.

I am convinced it would be of great help to the Defense Department, to the institutions which perform the research, and above all, it would help protect the human rights of the individuals involved in the experiments.

I urge each Senator to support this amendment.

Mr. President, at my request the General Accounting Office studied the policy of the Department of Defense regarding the protection of human beings used in medical research projects under DOD contracts. The Comptroller General of the United States wrote me summarizing the GAO findings, and I ask unanimous consent that his letter be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Comptroller General of the United States,
Washington, D.C., May 26, 1972.

Hon. Edward M. Kennedy,
Chairman, Subcommittee on Health, Committee on Labor and Public Welfare, U.S. Senate.

Dear Mr. Chairman: Pursuant to your request of December 23, 1971, and discussions with your office, we obtained documents relating to . . . the policy of the Department of Defense on the subject of the protection of humans used in medical research projects under contract. . . .

Concerning the policy on the subject of the protection of humans used in medical research projects, an official of the Department advised us that the policy of the Department was set forth in Department of Defense Instruction 5030.29, dated May 12, 1964. The instruction, which is applicable to all components of the Department and to its contractors or grantees, states that:

"The Department of Defense assumes full responsibility for the protection of humans involved in research under its sponsorship whether this involves investigational drugs or other hazards.

"Each Military Department will establish within the office of its Surgeon General a formal Review Board of professional personnel to consider each research proposal from within that Military Department or from its contractors or grantees which may involve the use of human subjects in the clinical investigation of new drugs. Before a clinical test with an investigational drug may be performed under the sponsorship of a Military Department—

"1. the plan of the test and other pertinent details must be submitted to the appropriate Review Board,

"2. the Board must indicate its approval, and

"3. the approval must be confirmed by the respective Surgeon General."

With the exception of certain reports that were required to be filed with the Food and Drug Administration of the Department of Health, Education, and Welfare in the case of investigational new drugs, no procedures were specified in the instruction with regard to the use of human subjects for other research purposes. The reports to be filed with the Food and Drug Administration were set forth in a Memorandum of Understanding between the Department of Health, Education, and Welfare and the Department of Defense, dated February 1964, which contained the procedures to be followed to ensure that the requirements of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 355), and the regulations issued under the act are fully met.

Although the instruction appeared to be directed primarily toward the investigational use of drugs, an official of the Department of Defense advised us that the instruction applied to all medical research projects. He stated also that each service directed its own research projects without control from the Department.

We contacted officials of the Departments of the Army, Navy, and Air Force and of the Defense Nuclear Agency . . . to determine whether they had any instructions or regulations that were applicable to the use of humans in medical research work under contract. The officials were not aware of any instructions or regulations, other than the instructions and regulations implementing human subjects that would apply to contractors conducting medical research for their organizations.

An official of the Department of the Air Force advised us that the Air Force did not conduct medical research under contract. Officials of the Departments of the Army and Navy stated that, although most medical research had been conducted in-house, some had been performed under contract. They stated also that, when work is to be performed under contract, they must be satisfied that patient consent forms will be used and that human subjects will be adequately protected before a contract is executed.

An official of the Defense Nuclear Agency advised us that, although the Defense Nuclear Agency did not have any contracts for the use of human subjects for medical research, the following language had been included in all medical contracts after August 1971.

"The COR [Contracting Officer's Representative] shall be informed in writing of any project plans on the part of the Contractor to employ new, experimental, and investigational drugs or other hazards in research involving human subjects, and such experimentation shall be specifically authorized by the Contracting Officer in writing prior to the prosecution of such research. Without the concurrence and authorization by the Contracting Officer for the specified drug or other hazard involved, such research shall not be performed. (The purpose of this clause is to insure compliance with the Department of Defense Instruction, 5030.29, 1964 May 12, entitled 'Investigational Use of Drugs or Other Hazards by the Department of Defense', a copy of which is furnished to the Contractor with this Contract)." . . .

We plan to make no further distribution of this report unless copies are specifically requested, and then we shall make distribution only after your agreement has been obtained or public announcement has been made by you concerning the contents of the report. We trust these comments will serve the purpose of your inquiry.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

Mr. KENNEDY. Mr. President, at the request of the staff of the Health Subcommittee, the staff of the Armed Services Subcommittee on Research and Development contacted the Defense Department to inquire about their policies and procedures regarding human experimentation. Attached is the DOD response, including copies of applicable regulations. I ask unanimous consent that this information be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE DIRECTOR OF
DEFENSE AND ENGINEERING,
Washington, D.C., February 18, 1972.

Mr. HYMAN FINE,
Professional Staff Member, Committee on Armed Services, Old Senate Office Building, Washington,, D.C.

DEAR MR. FINE: Enclosed are preliminary answers to your questions of 14 February 1972. We hope they will be of help to you.

To provide full answers to your questions, particularly number 1, will involve considerable effort for us; may I receive from you confirmation that such detail is necessary?

Since the medical field is somewhat sensitive about the use of the term "guinea pig" for human subjects, I've taken the liberty to slightly reword your questions.

Sincerely,

GUS D. DOROUGH,
Deputy Director, (Research & Advanced Technology).

Attachments.

QUESTIONS AND ANSWERS

Question 1. Is the Defense Department spending any money or asking for any money for research purposes which would use military or civilians as "experimental subjects" in medical research (include all funds spent to date, broken out by fiscal year, by appropriation, and by program and project)?

Answer: The answer is yes, but to determine the amount with the kind of detailed breakdown your request will require considerable collating effort. We believe the dollar value is a relatively small percentage of the total medical R&D. A very common area of human personnel use involves studies on the medical effects of certain military environments (high performance aircraft, submarines, and other climatic and underwater environments). Another use is in the final stages of development of vaccines against infectious diseases.

Question 2. If the Defense Department is using, or should plan to use human beings in medical research, what authority, if any, is necessary for them to undertake such research? Secretary of Defense approval, etc.? Is Surgeon General or anyone in HEW involved? Is the Environmental Protection Agency involved?

Answer: The authority necessary to undertake research varies with the DoD agency and the nature of the research. In general it requires the approval of a major laboratory director as a minimum, and more commonly requires the review and authority of the Surgeon General of a Military Department and frequently is restricted to the authority of the Secretary of a Military Department.

The main guides in this area are a DoD instruction and Army, Navy and Air Force regulations and instructions. Copies of these are enclosed.

The Surgeon General and HEW are definitely involved in all research pertaining to the investigational use of new drugs. This is a result of an interagency agreement, a copy of which is enclosed.

As far as we can tell the Environmental Protection Agency is not directly involved in any DoD research with human volunteers, unless the research itself has an environmental implication.

Question 3. What information is given to those who may participate in such research as "experimental subjects"? Are they fully informed as to all of the risks or possible consequences of the testing on themselves?

Answer: Informed consent is a primary ethical and legal requirement for all DoD use of human volunteers. The enclosed instructions and regulations describe this in some detail. We will provide amplifying information if you so desire.

Question 4. What controls exist within the Department of Defense to ascertain the needs for these projects, the impact on the patients, and the adherence to accepted medical standards for the programs?

Answer: The most important control does not exist in any regulation or bureaucratic procedure. It exists in the integrity and ethical standards of the physicians charged with conducting and supervising such research.

No regulation requires that the principal investigator and his professional co-workers be the first humans to receive a new vaccine or explore a new part of an acceleration profile, but they usually are.

The formal controls are outlined in the enclosed documents, but we will provide you with amplifying information if you so desire.

Question 5. Are there different standards applied to military personnel than to civilians?

Answer: In terms of supervision, volunteering, informed consent, freedom to terminate, there is no difference between military and civilian standards.

Professionals and technicians in the Armed Forces traditionally have voluntarily accepted higher degrees of risk to obtain vital information, than would be regarded as appropriate to ask of civilian volunteers. Examples are the Army Yellow Fever Volunteers. Colonel W. R. Lovelace (MC) U.S. Air Force–High Altitude Parachute Research in World War II and Lt. Carter Collins, MSC USN centrifuge demonstration that men could tolerate the G forces of reentry from space.

MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, AND THE DEPARTMENT OF DEFENSE CONCERNING INVESTIGATIONAL USE OF DRUGS BY THE DEPARTMENT OF DEFENSE

BACKGROUND

Section 505(a) of the Federal Food, Drug and Cosmetic Act, as amended by Section 104 of P.L. 87–781, 76 Stat. 784, 21 U.S.C. Sec. 355, (1962 Supp.) established new procedures for the approval required before the new drug can be introduced into interstate commerce. Section 355(i) of Title 21, United States Code (1962 Supp.) establishes exemptions from the new approval procedures for drugs which will be used only for manufacture of other drugs or for investigational purposes. That section establishes the general basis for exemption and provides that the Secretary of Health, Education, and Welfare shall promulgate regulations to give effect to the general guidance of the statute.

On January 8, 1963, the Secretary published the regulations in 28 Federal Register 179 (1963); the regulations will eventually appear in Title 21, Part 130, Section 130.3 of the Code of Federal Regulations. These regulations establish the procedure and prescribe the necessary forms to be filed in order to exempt drugs to be used only for investigational purposes from the approval procedures of the Food, Drug and Cosmetic Act.

PURPOSE

The purpose of this Memorandum of Understanding is to state the procedures that will be followed by the Departments of Defense and Health, Education, and Welfare to insure that the requirements of the Federal Food, Drug, and Cosmetic Act and the investigational drug regulations issued under that Act are fully met without jeopardizing or impeding the requirements of national security or the requirements of Federal laws and regulations relating to such use of drugs.

The Surgeon General of each Military Department has established within his office a formal "Review Board" which carefully considers each research proposal from its own agency or from outside contractors which may involve the use of human subjects in the clinical investigation of new drugs. Each "Review Board" is staffed with professional people capable of performing competent review of such research proposals to insure adequate protection of human subjects. The Department of Defense assumes full responsibility for the protection of humans involved in research under its sponsorship whether this involves investigational drugs or other hazards.

Before a clinical test may be performed with an investigational drug, the plan of the test and other pertinent details must be submitted to the appropriate "Review Board," the Board must indicate its approval, and the approval must be confirmed by the appropriate Surgeon General.

AGREEMENT

Under these circumstances, the Departments of Defense, and Health, Education, and Welfare agree that the following procedure meets the requirements of the Food, Drug, and Cosmetic Act:

1. Clinical investigations that are classified for reasons of national security will not require the filing of a formal "Claim for Exemption" to the Department of Health Education, and Welfare. Approval of the test by the appropriate Review Board and Surgeon General will automatically exempt the drug being employed from the application of the new drug section of the Food, Drug, and Cosmetic Act during the investigational study. The Department of Defense will report to FDA findings associated with such studies which FDA should be aware of in order to make a sound evaluation of nonclassified studies proposed on the same or similar drugs. Additionally, the Department of Defense will discuss its classified investigations of drugs periodically with FDA personnel who have proper security clearance.

2. In the case of non-classified security research programs sponsored by the Department of Defense and conducted within its research facilities or for the Department upon contract, copies of the request for approval submitted to the appropriate DOD Review Board, the Review Board's evaluation and approval, and notice of approval by the

appropriate Surgeon General will be filed with the FDA as the claim for exemption for the investigational drug.

3. When the Department of Defense performs clinical tests upon new drugs being sponsored by the pharmaceutical industry, the ordinary claim for exemption (Form 1571 of the Investigational Drug Regulations) will be filed with the Food and Drug Administration.

ANTHONY J. CELEBREZZE,
The Secretary of Health, Education, and Welfare.
CYRUS VANCE,
The Deputy Secretary of Defense.
February 18, 1964.

QUESTIONS

1. Is the Defense Department spending any money or asking for any money for research purposes which would use military or civilians as "guinea pigs" in medical research (include all funds spent to date, broken out by fiscal year, by appropriation, and by program and project)?

2. If the Defense Department is using, or should plan to use human beings in medical research, what authority, if any, is necessary for them to undertake such research? Secretary of Defense approval, etc.? Is Surgeon General or anyone in HEW involved? Is the Environmental Protection Agency involved?

3. What information is given to those who may participate in such research as "guinea pigs"? Are they fully informed as to all of the risks or possible consequences of the testing on themselves?

4. What controls exist within the Department of Defense to ascertain the needs for these projects, the impact on the patients, and the adherence to accepted medical standards for the programs?

5. Are there different standards applied to military personnel than to civilians?

RESEARCH AND DEVELOPMENT—USE OF VOLUNTEERS AS SUBJECTS OF RESEARCH

HEADQUARTERS,
DEPARTMENT OF THE ARMY,
Washington, D.C., March 26, 1962.

1. PURPOSE

These regulations prescribe policies and procedures governing the use of volunteers as subjects in Department of the Army research, including research in nuclear, biological, and chemical warfare, wherein human beings are deliberately exposed to unusual or potentially hazardous conditions. These regulations are applicable worldwide, wherever volunteers are used as subjects in Department of the Army research.

2. DEFINITION

For the purpose of these regulations, unusual and potentially hazardous conditions are those which may be reasonably expected to involve the risk, beyond the normal call of duty, of privation, discomfort, distress, pain, damage to health, bodily harm, physical injury, or death.

3. EXEMPTIONS

The following categories of activities and investigative programs are exempt from the provisions of these regulations:

a. Research and nonresearch programs, tasks, and tests which may involve inherent occupational hazards to health or exposure of personnel to potentially hazardous situations encountered as part of training or other normal duties, e.g., flight training, jump training, marksmanship training, ranger training, fire drills, gas drills, and handling of explosives.

b. That portion of human factors research which involves normal training or other military duties as part of an experiment, wherein disclosure of experimental conditions to participating personnel would reveal the artificial nature of such conditions and defeat the purpose of the investigation.

c. Ethical medical and clinical investigations involving the basic disease process or new treatment procedures conducted by the Army Medical Service for the benefit of patients.

4. BASIC PRINCIPLES

Certain basic principles must be observed to satisfy moral, ethical, and legal concepts. These are—

a. Voluntary consent is absolutely essential.

(1) The Volunteer will have legal capacity to give consent, and must give consent freely without being subjected to any force or duress. He must have sufficient understanding of the implications of his participation to enable him to make an informed decision, so far as such knowledge does not compromise the experiment. He will be told as much of the nature, duration, and purpose of the experiment, the method and means by which it is to be conducted, and the inconveniences and hazards to be expected, as will not invalidate the results. He will be fully informed of the effects upon his health or person which may possibly come from his participation in the experiment.

(2) The consent of the volunteer will be in writing. A document setting forth substantially the above requirements will be signed by the volunteer in the presence of at least one witness not involved in the research study who will attest to such signature in writing.

(3) The responsibility for ascertaining the quality of the consent rests upon each person who initiates, directs, or conducts the experiment. It is a personal responsibility which may not be delegated.

b. The number of volunteers used will be kept at a minimum consistent with *c* below.

c. The experiment must be such as to contribute significantly to approved research and have reasonable prospects of yielding militarily important results essential to an Army research program which are not obtainable by other methods or means of study.

d. The experiment will be conducted so as to avoid all unnecessary physical and mental suffering and injury.

e. No experiment will be conducted if there is any reason inherent to the nature of the experiment to believe that death or disabling injury will occur.

f. The degree of risk to be taken will never exceed that determined to be required by the urgency or importance of the Army program for which the experiment is necessary.

g. Proper preparations will be made and adequate facilities provided to protect the volunteer against all foreseeable possibilities of injury, disability, or death.

h. The experiment will be conducted only by scientifically qualified persons. The highest degree of skill and care will be required during all stages of the experiment of persons who conduct or engage in the experiment.

i. The volunteer will be informed that at any time during the course of the experiment he will have the right to revoke his consent and withdraw from the experiment, without prejudice to himself.

j. Volunteers will have no physical or mental diseases which will make the proposed experiment more hazardous for them than for normal healthy persons. This determination will be made by the project leader with, if necessary, competent medical advice.

k. The scientist in charge will be prepared to terminate the experiment at any stage if he has probable cause to believe, in the exercise of the good faith, superior skill, and careful judgment required of him, that continuation is likely to result in injury, disability, or death to the volunteer.

l. Prisoners of war will not be used under any circumstances.

5. ADDITIONAL SAFEGUARDS

As added protection for volunteers, the following safeguards will be provided:

a. A physician approved by The Surgeon General will be responsible for the medical care of volunteers. The physician may or may not be the project leader but will have authority to terminate the experiment at any time that he believes death, injury, or bodily harm is likely to result.

b. All apparatus and instruments necessary to deal with likely emergency situations will be available.

c. Required medical treatment and hospitalization will be provided for all casualties.

d. The physician in charge will have consultants available to him on short notice throughout the experiment who are competent to advise or assist with complications which can be anticipated.

6. APPROVAL TO CONDUCT EXPERIMENT

It is the responsibility of the head of each major command and other agency to submit to The Surgeon General a written proposal for studies which come within the purview of this directive. The proposal will include for each study the name of the person to be in charge, name of the proposed attending physician, and the detailed plan of the experiment. The Surgeon General will review the proposal and forward it with his comments and recommendations on medical aspects to the Chief of Research and Development for approval. When a proposal pertains to research with nuclear, biological, or chemical agents, the Chief of Research and Development will submit the proposal, together with The Surgeon General's review, to the Secretary of the Army for approval. No research with nuclear, biological, or chemical agents using volunteers will be undertaken without the consent of the Secretary of the Army.

7. CIVILIAN EMPLOYEES

When civilian employees of the Department of the Army volunteer under this program, the following instructions will be observed:

a. Any duty as a volunteer performed during the employee's regularly scheduled tour of duty will be considered as constructive duty for which straight time rates are payable. Time spent in connection with an experiment outside the employee's regularly scheduled tour will be considered as voluntary overtime for which no payment may be made nor compensatory time granted. The employee will be so informed before acceptance of his volunteer services.

b. Claims submitted to the Bureau of Employees' Compensation, U.S. Department of Labor, because of disability or death resulting from an employee's voluntary participation in experiments, will include a citation to title 10, United States Code, section 4503 as the Department of the Army authority for the use of such volunteer services.

c. All questions concerning hours of duty, pay, leave, compensation claims, or application of other civilian personnel regulations to volunteer employees will be presented through channels to the Deputy Chief of Staff for Personnel, ATTN: Office of Civilian Personnel.

8. IMPLEMENTING INSTRUCTIONS

Heads of major commands and other agencies will issue necessary implementing instructions to subordinate units. Copies of implementing instructions will be furnished to the Chief of Research and Development.

[Appendix]

LEGAL IMPLICATIONS

The following opinions of The Judge Advocate General furnish specific guidance for all participants in research using volunteers:

1. Authority. The Secretary of the Army is authorized to conduct research and development programs including the procurement of services that are needed for these programs (10 U.S.C. 4503). The Secretary has the authority to "assign detail and prescribe the duties" of both members of the Army and civilian personnel (10 U.S.C. 3012(e)).

2. Military personnel and Department of

the Army civilian employees. Compensation for the disability or death of a civilian employee resulting from personal injury or disease proximately caused by his employment is payable under the Federal Employees Compensation Act (39 Stat. 742 et seq.), as amended (5 U.S.C. 751 et seq.), regardless of whether his employment was of a hazardous nature. The amount and type of disability compensation or other benefits payable by reason of the death or disability of a member of the Army resulting from injury or disease incident to service depends upon the individual status of each member, and is covered by various provisions of law. It may be stated generally that under present laws no additional rights against the Government will result from the death or disability of military and civilian personnel participating in experiments by reason of the hazardous nature of the operations.

3. Private citizens. It is the policy of the United States to prohibit the acceptance of voluntary services particularly when they may provide a basis for a future claim against the Government. (R.S. 3679, as amended; 31 U.S.C. 665(b).

4. Use of appropriated funds for the purchase of life insurance. As the payment of insurance premiums on the life of an officer or employee of the United States is a form of compensation which is not currently authorized, payment of those premiums is prohibited (R.S. 1765; *Commissioner of Internal Revenue* v. *Bonwit*, 87 F 2d 764 (2d Cir. 1937); *Canaday* v. *Guitteau*, 86 F 2d 303 (6th Cir., 1936); 24 Comp. Gen. 648 (1945)).

5. Contractor's employees. There appears to be no legal objection to the use of employees of contractors in research and development experiments. It is the responsibility of the contracting officer to determine whether the terms of the contract are sufficiently broad to permit the participation of these employees. Generally, benefits to which private employees may become entitled by reason of death or disability resulting from their employment are payable under State law except persons covered by the survivors insurance provisions of the Social Security Act (49 Stat. 623, as amended (42 U.S.C. 402)). Reimbursement of the employer for additional costs by reason of this liability of his employees will depend upon the terms of each contract. These employees are not disqualified from prosecuting claims against the Government under the Federal Torts Claim Act (28 U.S.C. 2671 et seq., see AR 25-70). In cost reimbursement type research contracts with commercial organizations the cost of maintaining group accident and life insurance may be reimbursed to the contractor (subject to certain exceptions) under ASPR 15-205.16 provided that the approval of the head of the Procuring Activity is obtained (APP 10-551).

6. Irregular or fee-basis employees. Intermittent services of such employees are authorized. (For experts and consultants see Sec. 15, Act of 2 Aug. 1946 (60 Stat. 810; 5 U.S.C. 55a); Sec. 501, DoD Appropriation Act, 1961 (74 Stat. 349); note APP 30-204.1, CPR A7; Sec. 710 Defense Production Act of 1960 (64 Stat. 819; 50 U.S.C. App. 2160); and for architects, engineers, and other technical and professional personnel on a fee basis, see 10 U.S.C. 4540.). Whether these employees can be detailed or assigned to the proposed experiments will depend upon the statutory authority for employment and the provisions of their employment agreement in each case. The Federal Employees Compensation Act, *supra*, in all probability applies with respect to these irregular and fee-basis employees for any injury or disease resulting from their employment, although a final determination in such cases will have to be made by the Bureau of Employees Compensation, Department of Labor. Subject to such restrictions and limitations as may appear in the statutory authority under which he is employed, it would appear that the Government may legally bear the expense of premiums upon the life of an irregular or fee-basis employee whose rate of compensation is not fixed by law or regulations. In this regard, it may be advisable for the Government to provide an additional allowance to the employee for financing such private insurance arrangements as he may wish to make rather than to undertake direct negotiations with insurance carriers for the desired coverage.

7. Conclusion. Subject to the above conditions, Armed Forces personnel and/or civilians on duty at installations engaged in research in subject fields will be permitted to actively participate in all phases of the program.

By order of the Secretary of the Army:

G. H. DECKER,
General, United States Army,
Chief of Staff.

J. C. LAMBERT,
Major General, United States Army,
The Adjutant General.

DEPARTMENT OF THE NAVY,
Washington, D.C., April 28, 1969.

SECNAV Instruction 3900.39.
From: Secretary of the Navy.
To: Distribution List.
Subj: Use of volunteers as subjects in research, development, test, and evaluation.
Ref: (a) Manual of the Medical Department Chapter 20, Research and Development, Paragraph 20-8, Use of Volunteers in Hazardous Experiments.
Encl: (1) Sample Human-Volunteer Consent Document.

1. *Purpose.* To prescribe policies and procedures of the Department of the Navy governing the use of volunteer subjects in research, development, test, and evaluation (RDT&E) conducted by, within, or for the Naval Establishment wherein human beings are experimentally exposed to hazardous conditions or materials. This Instruction does not apply to the use, in the treatment of individual patients, of drugs approved by the Federal Drug Administration for investigational use only. It does apply to the use of investigational drugs under an approved RDT&E project or task in a volunteer population of healthy persons or a volunteer population of patients in which the experimental drug testing has no relationship to the cause of their being on the sick list.

2. *Background.* In the use of volunteers as subjects in hazardous experimental situations, it is obvious that military R&D commanders, scientific and technical program managers, and project directors have special responsibilities both moral and legal in nature. It has long been recognized that hazardous experiments utilizing human test subjects are absolutely necessary to extend the frontiers of medical science, aerospace flight, and undersea exploration. The atrocities which were committed against human beings during the Second World War served as a decisive factor in the adoption by the World Medical Association of a clearly stated code of medical ethics. It is accepted United States national and Department of Defense policy that the use of human subjects be based upon voluntary, informed consent and be confined to experiments or tests which are necessary, scientifically sound, and reasonably safe.

3. *Definitions.* For the purpose of this Instruction, hazardous conditions or materials are those which present risk of privation, discomfort, distress, pain, physical or mental injury, or death greater than the hazards inherent in training or work within accepted occupational parameters.

4. *Policy.* Certain basic principles must be observed to satisfy moral and legal concepts. These are:

a. Voluntary consent is essential.

(1) The volunteer must have legal capacity to give consent. He will be so situated as to be able to exercise free power of choice, without the intervention of any element of force, deceit, duress, or ulterior form of constraint or coercion. He will have sufficient knowledge and comprehension of the elements of the subject matter involved to enable him to make an understanding and enlightened decision. Such knowledge will be provided to the volunteer in such a manner as not to compromise the experiment. Thus he will be told, prior to acceptance of his consent, the nature, approximate duration, and purpose of the experiment; the method and means by which it is to be conducted; and the inconviences and hazards entailed—all in such a way as not to invalidate the results. He will be fully informed of the effects upon his health or person which may possibly result from his participation in the experiment. He will be made to understand clearly that, at any time during the course of the experiment, he will have the right to revoke his consent and to withdraw from the experiment without prejudice to himself.

(2) The document of consent will be in writing, setting forth the above requirements and containing, or having attached and referenced, a summary of the information given to the volunteer pursuant to the foregoing requirements. It shall also contain a statement by the volunteer that he is not relying upon any information or representation not set forth in the document of consent and that his consent is given as an exercise of free will, without any force or duress of any kind. The document will be signed by the volunteer—over his full name; his rank, rate, grade, or title; and his date of birth—in the presence of at least one witness who is not directly involved in the experiment or test and who will attest to such signature in writing. Enclosure (1) provides a sample of an acceptable volunteer consent document, the original of which will remain in the records of the activity conducting the RDT&E.

(3) The responsibility for ascertaining the validity of the consent rests upon the person who directs the experiment or test. It is a personal responsibility which may not be delegated.

b. The number of volunteers used will be kept at a minimum consistent with sample-size requirements necessary for scientifically valid conclusions.

c. The experiment must be such as to contribute to an approved naval RDT&E project. In addition, the experiment or test should be such as to yield fruitful results for the good of society, unobtainable by other methods or means of study, and not random and unnecessary in nature. There will be reasonable anticipation that the results will justify the performance of the experiment or test. Accordingly, all experiments and tests will be based upon prior study or experimentation and designed to accomplish this objective. All medical experiment or experiments involving the use of an experimental drug should be based upon the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study.

d. The experiment or test will be conducted so as to avoid unnecessary physical or mental stress. No experiment or test will be conducted if, upon careful consideration by the person who directs the experiment, there is reason to believe that death or disabling injury will occur. The degree of risk to be taken will never exceed that determined to be justifiable by the humanitarian importance of the problem to be solved by the experiment. Proper preparations will be made under the supervision of a qualified physician, knowledgeable in the test field, and with adequate medical facilities and safety equipment being provided to protect the volunteer against the possibilities of injury, disability, or death. Adequate and complete medical treatment will be available for treatment of casualties. The physician-in-charge will have consultants, available on short notice, who are competent to advise or assist with unexpected complications.

e. The experiment or test will be directed only by scientifically qualified persons with a high degree of technical and professional competence in conducting such procedures. All personnel supervising or participating in such procedures must be adequately trained to perform their duties reliably in foreseeable circumstances. The highest degree of care will be required at all stages of the experiment or test.

f. Volunteers will have no physical or mental diseases which will make the proposed experiment more hazardous for them than for normal healthy persons. This determination will be made by the experiment or test director on the basis of competent medical advice.

g. The experiment or test director, or his acting subordinate, will exercise careful judgment, superior skill, and good faith at all times during the course of the experiment or test. The director will terminate the procedure at any stage if it is likely that continuation will result in injury, disability, or death to a volunteer. During the course of an experiment or test, a volunteer shall be at liberty to revoke or withhold his consent and to withdraw, without prejudice to himself, from the experiment or test, or from a portion thereof. New dangers and adverse developments arising during the course of the experiment or test, about which the volunteer has not been briefed or warned, shall be reported to the volunteer in a timely manner unless such communication would pose an immediate threat to his safety.

h. Prisoners of war will not be used under any circumstances.

5. *Procedures*. a. The experiment or test director will prepare a written request for approval of the use of volunteers in any proposed procedure coming within the purview of this Instruction. The request will include the names of the director and the conducting activity and the identity of the responsible supporting medical activity. It will speak appropriately to the principles of policy guidance expressed in paragraph 4 of this Instruction. The request will enclose a plan of the experiment or test consistent with security requirements.

b. The request will be forwarded via (1) the appropriate military chain of command; (2) the Chief, Bureau of Medicine and Surgery; (3) the Chief of Naval Personnel/Commandant of the Marine Corps, or both, as appropriate; and (4) the Chief of Naval Operations (DCNO(DEV)) to the Secretary of the Navy (ASN(R&D)).

(1) The RDT&E chain of command endorsements are to be directed primarily to the technical soundness and program importance of the experiment or test for which the use of human volunteers is proposed.

(2) The Chief, Bureau of Medicine and Surgery, will direct his endorsement specifically to the degree of hazard inherent in the test, the adequacy of safety measures, the adequacy of medical supervision and support, and the adequacy of the human-volunteer consent statement to be utilized.

(3) The Chief of Naval Personnel/Commandant of the Marine Corps will direct their respective endorsements in particular to the utilization of active-duty military personnel in existing billets for voluntary duty as experimental subjects, and to other aspects as they deem appropriate.

(4) The Chief of Naval Operations (DCNO (DEV)) will direct his endorsement to the validity of the requirement for doing the experiment; the adequacy of the certification by BUMED on pertinent medical aspects; the approved utilization of personnel in the manner proposed; and the statement of program needed by the sponsoring command. Administrative and coordination action will be assigned to the Staff Assistant for Medical and Allied Sciences.

(5) The Assistant Secretary of the Navy (Research and Development) will act as approving authority for the Secretary of the Navy. Review of legal aspects will be accomplished by the Office of the Judge Advocate General.

6. *Management*. Since the use of volunteers in experimental or test situations is an integral part of the conduct of the RDT&E Program and does not involve the establishment of additional manpower billets, action on such requests, including coordination of manpower and legal aspects, will be through the RDT&E chain of command.

7. *Implementation*. Addressees are authorized to take such action as is necessary to assure compliance with this Instruction throughout the Naval Establishment.

John W. Warner,
Under Secretary of the Navy.

[Sample form]

April 28, 1969.

CONSENT TO PARTICIPATE VOLUNTARILY IN A RESEARCH, DEVELOPMENT, TEST, OR EVALUATION (R.D.T. & E.) PROCEDURE

Date -------.

1. I hereby volunteer to participate as a subject in a RDT&E procedure being conducted under Element No. ----, Project No. ----, Work Unit Title "------," which has been approved by ------ (sponsoring command). I understand that the adequacy of safety measures has been certified by the Chief, Bureau of Medicine and Surgery, and that authority to use human volunteers has been granted by the Secretary of the Navy.

2. The nature and purpose of the procedures have been explained to me as follows: (See attached summary.)

3. In making my decision to volunteer, I am not relying upon any information or representation not set forth in this document, or attached summary. My consent is given as an exercise of free will, without any force or duress of any kind. I understand that my consent to participate does not constitute a release from any possible future liability by the United States attributable to the experiments.

Signed: --------------------------------
(Typed name, rank, rate, or grade)
Date of birth ---------------------------.
Witnessed: -----------------------------.
(Not directly involved in test)
Approved: -------------- (Test Director).

Department of the Air Force,
Washington, D.C., August 28, 1969.

RESEARCH AND DEVELOPMENT—USE OF VOLUNTEERS IN AEROSPACE RESEARCH

(This regulation establishes the policy and assigns the responsibility for using volunteer test subjects in aerospace research, development, test and evaluation (RDT&E). It applies to the use of humans in studies conducted in facilities where the subjects are Government employees and where there is a risk of health damage.)

1. APPLICATION OF THIS REGULATION

The provisions of this regulation:

a. Apply to RDT&E procedures in which human subjects are used and in which there is inherent risk of distress, pain, damage to health, physical or emotional injury, invasion of privacy, surrender of autonomy or death. Such tests usually are conducted to determine either the level of human tolerance/performance for a condition that may be imposed by Air Force operations or the adequacy of equipment designed for human use (see AFR 80-14). This includes tests and experiments conducted within a Federal Government installation or facility regardless of the composition of the investigating team (contractor personnel, military personnel, civil service personnel or a mixture thereof) or at contractor facilities when the human subjects are Government employees, either military or civilian.

b. Do not apply to:

(1) Investigations conducted under the provisions of AFRs 169-6 and 169-8.

(2) RDT&E that involves inherent occupational hazards to health, or exposure to potentially hazardous situations such as those encountered in training or other duties requiring orders for regular and frequent performance of hazardous duty; for example: flight training, jump training, pressure chamber indoctrination, and handling of explosives, etc.

(3) The human engineering portions of a research project when they involve only hazards encountered in normal training or other normal military duties and when disclosure of the research conditions would defeat the purpose of the investigation by revealing the artificial nature of the experiment.

(4) Experiments using human subjects that are judged to be nonhazardous on the basis of meeting *all* of the following criteria:

(a) They are conducted in the usual ambient environment of the laboratory, office, or in moderate weather outdoors.

(b) They involve only the application to the subject of stimuli to the communication senses (sight, hearing, touch, and smell) at energy levels and durations known to be well within commonly experienced and tolerated ranges.

(c) They do not involve the planned application of unusual or known to be harmful physical or chemical energy to the subject, such as noise, vibration, barometric pressure alterations, deceleration or acceleration, immersion in water, chemical agents, or drugs, etc.

(d) They do not involve unusual physical exertion or application of force by the subject.

(e) The experimental environments have no ground safety hazards, such as electrical shock, sharp objects, slippery floors, or obstacles not readily visible.

(f) Have no combination of conditions which are expected to produce any of the adverse effects covered in paragraph 1a.

2. OBTAINING VOLUNTARY CONSENT

a. The principal investigator must insure that the volunteer (or the person acting for him) has the legal capacity to consent, is able to exercise true freedom of choice without overt or hidden persuasion, and is fully informed. The fact that a member of the Armed Forces is less than 21 years of age does not impair his legal capacity for this purpose.

b. Before a volunteer (or the person acting for him) is permitted to give his consent, the investigator must give him an accurate explanation of the research study that he can and does understand. The explanation shall include at least:

(1) The purpose, nature, and duration of the study.

(2) The methods and means by which the study will be conducted.

(3) Foreseeable inconveniences, hazards, and effects upon the volunteer's health that could result from his participation in the experiment.

(4) An identification of any parts of the test program that neither the volunteer nor the individual conducting the test can stop immediately.

c. The volunteer (or the person acting for him) must give his consent in writing as shown by attachment 1; when a person is acting for the volunteer, the wording will be appropriately modified. He must sign the consent in the presence of at least one witness who will then attest to the volunteer's signature by signing in the place provided. In addition, the investigator who advised of possible consequences must also sign the consent in the presence of the same witness.

3. Use of Volunteers in RDT&E. The following criteria apply to all RDT&E efforts which involve volunteers as subjects:

a. All necessary preliminary tests with laboratory animals and human simulators must have been conducted and evaluated before a human subject is used. Hazardous research that uses volunteers will be performed only to validate important data essential to a project, development, system or Air Force mission.

b. Research studies using volunteers will be conducted to avoid all unnecessary physical or mental discomfort. Before the investigation or test begins, a physician will conduct, and record such examinations and evaluations of the volunteer as his professional judgment dictates. Permanent records of these examinations will be maintained as part of the project record, as required in AFR 161–2, and also in the volunteer's DD Form 722, "Health Record."

c. A physician, other than the principal investigator will be designated to be responsible for the professional care and safety of the volunteer during the project. This physician will *not* be involved in the research or test in any way other than to be the protector of the life and health of the volunteer. This physician or the investigators may terminate the study at any time.

d. The volunteer, at any time, has the right to revoke his consent and withdraw from the experiment without prejudice. The volunteer must be fully informed of these facts and procedures.

e. Before being a subject of RDT&E, the consent of the volunteer, or his legal representative, must be obtained and placed in the records of the project. (See attachment 1.)

f. If the volunteer has taken medication or received medical or dental treatment since last used as a subject, it is mandatory that he inform the principal investigator and the physician of this fact before the conduct of the next experiment.

g. For each RDT&E project, the Laboratory or Test Director and a physician must examine a protocol submitted by the project/task scientist to determine:

(1) The necessity to use volunteers.
(2) The safety precautions.
(3) The protective measures.
(4) The adequacy of medical surveillance.

Both the Laboratory or Test Director and a physician will sign a certification attesting to the above conditions. These documents will become permanent records in the RDT&E protocol.

4. COMMAND RESPONSIBILITIES

a. Major commands will establish suitable procedures to insure compliance with the policies stated in this regulation.

b. Laboratory commanders will approve or disapprove all RDT&E protocols involving the use of volunteer subjects and are responsible for basing this decision upon appropriate medical review and advice.

5. PUBLICATIONS PERTAINING TO HUMAN VOLUNTEERS

All printed papers or articles reporting research in which volunteer subjects are used will contain the following footnote: "The voluntary informed consent of the subjects used in this research was obtained in accordance with AFR 80–33.

By order of the Secretary of the Air Force.

JOHN D. RYAN,
General, USAF, Chief of Staff.
JOHN F. RASH,
Colonel, USAF, Director of Administration.

AUGUST 28, 1969.

VOLUNTEER'S CONSENT

Subject: Consent of Volunteer.

1. I hereby volunteer to participate as a test subject in the following (insert "investigation" or "test" as appropriate) which has as its purpose (state the purpose in sufficient detail to assure that it will be clearly understood by both the medical review authority and the volunteer). (Insert rank, name, component, and corps) has discussed with me to my satisfaction the reasons for this (insert "investigation" or "test" as appropriate) and its possible adverse and beneficial consequences.

2. This consent is voluntary and has been given under circumstances in which I can exercise free power of choice. I have been informed that I may at any time revoke my consent and withdraw from the experiment without prejudice and that the investigator or physician may terminate the experiment at any time regardless of my wishes.

3. I understand that before my use as a test subject, I must inform the principal investigator and project physician of any change to my medical status. This information will include any medications I have taken and any medical or dental care/treatment received since my last use as a test subject.

(Signature of Volunteer.)

(Signature of Officer who Advised of Possible Consequences.)

(Signature of Witness.)

DEPARTMENT OF DEFENSE INSTRUCTION,
May 12, 1964.

Subject: Investigational Use of Drugs by the Department of Defense.

Reference: (a) Drug regulations published by Department of Health, Education and Welfare (21 CFR 130.3).

I. PURPOSE

This Instruction specifies the manner in which the regulations cited in reference (a) will be applied to the investigational use of drugs by the Department of Defense.

II. APPLICABILITY

The provisions of this Instruction apply to all DOD Components and their contractors or grantees engaged in the investigational use of drugs.

III. RESPONSIBILITIES

A. The Department of Defense assumes full responsibility for the protection of humans involved in research under its sponsorship whether this involves investigational drugs or other hazards.

B. Each Military Department will establish within the office of its Surgeon General a formal Review Board of professional personnel to consider each research proposal from within that Military Department or from its contractors or grantees which may involve the use of human subjects in the clinical investigation of new drugs. Before a clinical test with an investigational drug may be performed under the sponsorship of a Military Department—

1. the plan of the test and other pertinent details must be submitted to the appropriate Review Board,

2. the Board must indicate its approval, and

3. the approval must be confirmed by the respective Surgeon General.

IV. REPORTS

A. Clinical investigations that are classified for reasons of national security will not require the filing of a formal "Claim for Exemption" to the Department of Health, Education, and Welfare. Approval of the test by the appropriate Review Board and Surgeon General will automatically exempt the drug being employed from the application of the new drug section of the Food, Drug, and Cosmetic Act during the investigational study. The Military Departments will report to the Food and Drug Administration (copies to OSD unnecessary) findings associated with such studies which FDA should be aware of in order to make a sound evaluation of non-classified studies proposed on the same or similar drugs. Additionally, the Military Departments will discuss their classified investigations of drugs periodically with FDA personnel who have proper security clearance.

B. In the case of non-classified security research programs sponsored by the Department of Defense and conducted within its research facilities or for the Department upon contract, copies of the request for approval submitted to the appropriate Review Board, the Review Board's evaluation and approval, and notice of approval by the appropriate Surgeon General will be filed with the FDA as the claim for exemption for the investigational drug.

C. When the Department of Defense performs clinical tests upon new drugs being sponsored by the pharmaceutical industry, the ordinary claim for exemption (Form 1571 of the Investigational Drug Regulations) will be filed with the FDA.

V. EFFECTIVE DATE AND IMPLEMENTATION

This instruction is effective immediately. Two copies of implementing instructions shall be forwarded to the Director of Defense Research and Engineering within sixty days.

HAROLD BROWN,
Director of Defense Research and Engineering.

Mr. DOMINICK. Mr. President, will the Senator from Massachusetts yield for a question?

Mr. KENNEDY. I yield.

Mr. DOMINICK. Does the Senator have any programs he knows of that are being started now, or are being conducted now, which will be in violation of the proposal he has made?

Mr. KENNEDY. No. I have been careful not to identify any of the existing programs, because we are not seeking to ascribe blame or criticize particular programs. The amendment is addressed at the general problem. The problem, as suggested by the Comptroller General, is that there is no single standard, no uniform or comprehensive policy to cover all DOD contracts for human experimentation, which amount to approximately $10,000,000 per year. So it seems to me, in order to establish a uniform policy, this amendment is worthwhile.

Mr. DOMINICK. I believe the Senator has a perfectly good amendment. The only thing I was wondering about was whether there was anything we could do immediately. I gather that hearings will be held.

Mr. KENNEDY. That is right. The Senator from Colorado is familiar with some of the matters which have been brought to the attention of the committee as a result of newspaper reports and others, but I am not prepared at this time to get into an evaluation of the programs. We need more time for that. Staff studies are being made on some of the programs. I do not want to identify them at this time. But there is justification, given the facts, to establish a uniform policy. I would hope this amendment would meet that need.

Mr. DOMINICK. I thank the Senator from Massachusetts.

Mr. ALLEN. Mr. President, will the Senator from Massachusetts yield for a further question?

Mr. KENNEDY. I yield.

Mr. ALLEN. Does the Senator's amendment guard in some way against the kind of program such as the U.S. Public Health Service inaugurated back in the early 1930's at Tuskegee, Ala., where some 400 poor, black, uneducated citizens of that area were drawn into an experimental program under which they were hospitalized for a given treatment for every ailment that they had except the real one that they had, which was syphilis; and this program continued up to the present time, even though a cure for syphilis was developed many years ago, in the early 1940's, I believe. The medicine and the treatment for cure of syphilis was withheld from these 400 citizens under that early program, with these people not being advised of the nature of the program that they were participating in, the agreement being that they would stay under the program for the remainder of their lives, and that at the end of their lives, they would be subject to an autopsy to determine the debilitating effect of the disease.

Would the Senator's amendment ward off a program of that sort?

Mr. KENNEDY. I believe that it would. Quite clearly, it is intended to encompass that kind of program. I fail to see how, if those individuals had been notified and made aware of the dimensions of that program, if they had been made aware of the fact that a cure for syphilis had been developed—through penicillin—how there would have been any further justification to continue that program.

Mr. ALLEN. They were not advised.

Mr. KENNEDY. No, they were not advised or notified. This amendment would apply to such cases in the future. Furthermore, let me say that I was very much distressed to read the newspaper accounts of that program.

We had Dr. Du Val, Assistant Secretary of Health, Education, and Welfare, before our committee and we asked him to make a complete report on this, as well as other human experimentation programs conducted by the HEW. He will submit them to our Health Subcommittee and we intend to conduct our own investigation, not only into that one, but other kinds of human experimentation programs.

This amendment would obviously address itself to that particular development, and others; I was horrified to read about that particular program the Senator mentioned.

Mr. ALLEN. When did Dr. Du Val say that this report or investigation of this program would be made available to the general public?

Mr. KENNEDY. We asked him on Thursday of last week, and if my memory serves me correctly, he said it would take about 4 to 6 weeks, and, in the meantime, what he did say was that procedures will be followed in HEW to insure, during the time they are conducting this study, that this will not happen again. The report will be printed in the RECORD as soon as we receive it, for the benefit of all Senators.

Mr. ALLEN. I thank the Senator from Massachusetts very much. I want to assure him that I support his amendment.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER (Mr. STAFFORD). The Senator from New Hampshire is recognized for 5 minutes.

Mr. McINTYRE. Mr. President, I am pleased to speak in support of the human experimentation amendment which it is my privilege to cosponsor with my distinguished colleague from the State of Massachusetts. Senator KENNEDY's amendment to the military procurement authorization bill is another clear indication of his concern with matters involving the health of our population.

The declaration of policy which is contained in the proposed amendment is much broader in its meaning than is involved in the operations of the Department of Defense. However, it should serve as a basis for providing the impetus to all Federal agencies which are engaged in research involving the citizenry of our country to insure that their physical and mental health is adequately protected.

There have been instances reported in the press involving the Department of Defense and the Department of Health, Education, and Welfare where some doubts were raised concerning the procedures employed in the conduct of research on human beings. It is important that when the Department of Defense undertakes to contract for such research with individuals, corporations, institutions, or other organizations outside the Federal Government, any risks to the physical or mental health of the subject be made known to that subject before research is conducted. In that case, the person involved will have an opportunity to have considered all aspects of the research before he agrees to participate.

The additional provision which would establish a formalized procedure involving the Secretary of Health, Education, and Welfare, who will review such proposed research before the Department of Defense may proceed, represents another positive means for insuring the intent of this amendment is being properly implemented.

I am informed that the Department of Defense has reviewed the language of the proposed amendment and has no objection. I urge my colleagues, therefore, to join with me in agreeing to this amendment.

Mr. STENNIS. Mr. President, I yield myself 1 minute before I yield to the Senator from Ohio (Mr. TAFT) to say that I have been over this amendment as it now stands, and even though I do not like the idea at all of putting a primarily health provision into a military hardware bill, I do recognize its merits, as a regulation only, dealing with human beings. Those purposes being set forth clearly and reasonably, in its present form, I do not think I could oppose the amendment or that I should oppose it. So I am going to agree, in its present form, to support the amendment. But there will be some further debate on it and I make that announcement now.

Mr. President, I am glad to yield 10 minutes to the Senator from Ohio. And I can yield him additional time if he requires it.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 10 minutes.

Mr. TAFT. Mr. President, I thank the distinguished chairman for yielding to me at this time.

I bring up the matter that really lies behind this amendment with some qualms. I think it is unfortunate, as the chairman has stated, that this issue is raised on a military authorization bill. It should, I certainly think, receive the attention of the Senate and should receive the attention of the House and should become law, or a provision similar to this should become law.

I have no arguments with the merit of the language in the amendment. However, there are inherent dangers involved in this situation that the Senate ought to consider very carefully.

I have no desire today, as I have indicated, to go into any great detail with regard to the rather protracted discussion and exchange of correspondence that I have had with the Senator from Massachusetts on this subject relating to the investigation by the subcommittee of an institution in my State.

I am not going to belabor that and go into that in any great detail. As a matter of fact, a good deal of the correspondence is already in the RECORD. It is contained in the CONGRESSIONAL RECORD, volume 117, part 36, page 47050, and in the RECORD of January 19, 1972, from page 250 on. It goes into some detail with regard to the entire problem.

The difficulty that arose in connection with this related to a project in which total body radiation was already being studied as a research activity by an institution and by professional men in the medical profession of the highest reputation and ability, in my opinion.

The matter was brought under the scrutiny of the staff of the committee without any action by the subcommittee itself. Investigators were sent out and a demand was made for information relating to the individual patients involved.

I have not explained that the financing of it by defense in this connection related to a report on what the effects of the particular program that was under way and was already being studied might be.

A refusal was made by the medical men involved to reveal the information, and I think very properly. And they have been upheld in this matter by legal opinion as to what the doctor-patient relationship is.

I feel that we ought to make some safeguards about this entire area.

I think that prior to that time in the RECORD I had asked for an investigation to go on. And as a matter of fact, there were a number of investigations. One of them was by a special committee appointed by the American College of Radiology. They went into the matter and gave the program a clean bill of health and also as to the health of the individuals involved.

The people involved tell me that the publicity given to the program was unauthorized by the committee. At least, it was unauthorized by me. I am a member of that committee. This had a very deleterious effect on at least one patient involved.

Mr. President, when all time is yielded back on this amendment, I hope to offer a further amendment to the amendment which will have the effect of providing that no Federal money will be used to violate the doctor-patient privilege or require the disclosure of confidential information by other doctors engaged in any such research project.

I think this safeguard is overdue and necessary. I think that if we go the one step, in view of the track record that already exists on this particular case, we ought to go that additional step.

Mr. STENNIS. Mr. President, I yield myself one-half minute because of the importance of these proceedings. I hope that we can have quiet so that the Senators will have a chance to understand the discussion and maybe the conversations here can cease.

The PRESIDING OFFICER. The Senate will please be in order.

Mr. KENNEDY. Mr. President, I would be willing to modify my amendment to include the language requested by the Senator from Ohio if we could add at the end, "except as may be required by law."

Would the Senator be willing to include those words? I am advised by legislative counsel that this would achieve, I believe, what he is attempting to achieve. It is certainly important. We definitely want to protect the confidentiality of the doctor-patient relationship. If I correctly understand the thrust of the Senator's amendment, it is to protect those rights. And I share with him the desire to achieve the goal of his amendment to my amendment.

If the Senator remembers, in the recent Communicable Disease Act that we just passed, the second title referral to a special health problem as it applied to syphilis. The question came up there as to how we were going to keep and maintain records.

I believe that we worked out a compromise in the Committee on Labor and Public Welfare that was satisfactory. I have received information by way of a telephone call to my staff that this language follows that very closely, and it would be acceptable to me if we could add the additional words.

Mr. TAFT. Mr. President, I am not sure that I understand the intent of the Senator. I understand the import of the language he suggests adding to my amendment. Is the import intended to specify that the requirement of law be one of protecting the confidential relationship between the doctor and the patient, or is it the intention that if there is a Federal law that requires the production of information, even though it violates that relationship, the information would have to be given?

Mr. KENNEDY. Mr. President, I had not seen the Senator's amendment until a few minutes ago. Since we do not want to modify or adjust or change the patient-doctor relationship, we do not want to write in something here which would vitiate what we did in the Communicable Disease Act and perhaps in other disease programs which may already be in existence.

As I say, title II of the Communicable Disease Act considered the whole question as applied to one particular disease.

I do not want in the amendment, which was very carefully worked out by those doing the research for that particular disease, and also with legal authority and with all doctors who are working on it, to vitiate what we did in the other act, or what has previously been done in similar acts.

It is identical to the language which would protect the doctor-patient relationship and would provide sufficient information necessary to develop a comprehensive kind of program with which to attack syphillis.

Mr. President, I am sympathetic to what the Senator is attempting to do. There is no intention in my amendment to violate the doctor-patient relationship. I would have no objection to accepting the Senator's amendment, provided it includes the change I proposed.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. KENNEDY. Mr. President, I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, I have heard the Senator from Massachusetts. It is not the intent of the Senator in any way to affect the Communicable Disease Act.

I think with his explanation of his intention in this connection of the change he is proposing would be appropriate, and my amendment could be offered when time is yielded back. I would be willing to include my remarks on the bill. I understand it is a parliamentary matter.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TAFT. Mr. President, as I understand the situation, the Senator from Massachusetts has to yield back his time before my amendment could be called up.

The PRESIDING OFFICER. All time would have to be yielded back before the Senator from Ohio could offer his amendment.

Mr. TAFT. The other question I wish to ask the Senator from Massachusetts. Would the Senator amend his amendment to include the language I have proposed, since that might be a shorter route?

Mr. KENNEDY. Mr. President, I move to amend my amendment as suggested by the amendment of the Senator from Ohio, and to add the additional language "except as may be required by law."

The PRESIDING OFFICER. Does the Senator from Massachusetts make that a unanimous-consent request?

Mr. KENNEDY. Mr. President, I have not asked for the yeas and nays. I believe that it is in order to make the request.

The PRESIDING OFFICER. Does the Senator make a unanimous-consent request to amend his amendment?

Mr. KENNEDY. I will, if necessary, but as I understand it, if the yeas and nays have not been ordered I can amend the amendment at any time. Is that correct?

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that in this case modification takes unanimous consent because of a previous unanimous-consent agreement on this particular amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent to modify my amendment, as expressed in the amendment of the Senator from Ohio, with the additional language I proposed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 13, between lines 7 and 8, insert a new section as follows:

SEC. 203 (a) It is hereby declared to be the policy of the United States that Federal funds may be used to conduct research involving human beings as experimental subjects only when each participant has freely volunteered to participate after having been fully informed of any physical or mental health risks which may be incurred as a result of participating in such research.

(b) In order to carry out the policy stated in subsection (a) of this section with respect to the Department of Defense, none of the funds authorized by this or any other Act may be used by the Department of Defense to contract with any individual, corporation, institution, organization, or other entity, for the purpose of carrying out any research project which uses human beings as experimental subjects unless—

(1) the Secretary of Defense has determined that such project is essential to the national defense, and no federal employee violates the doctor-patient privilege or requires confidential information developed because of the doctor-patient relationship in any such research project, except as may be required by law;

(2) the Secretary of Health, Education, and Welfare has been informed of the project and he has either (A) indicated in writing to the Secretary of Defense whether the research project is one which will involve substantial risk of serious injury to the physical or mental health of the human subjects to be used and whether the research project is one which will involve substantial risk of resulting in any genetic change in such subjects, or (B) permitted forty-five days to elapse after having been officially informed of such project without having submitted to the Secretary of Defense a written notice as described in subclause (A) of this clause;

(3) the human subjects to be used have been fully informed of the nature and purposes of the research project and of any possible physical and mental health consequences that may result from participation in such research project, including any physical and mental health consequences included in the report of the Secretary of Health, Education, and Welfare submitted pursuant to clause (2); and

(4) each person participating in such project has freely volunteered to participate after he has received the information referred to in clause (3)

Mr. KENNEDY. I am prepared to yield back my time.

Mr. STENNIS. I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 2 minutes.

Mr. STENNIS. Mr. President, it has been impossible for those of us not familiar with the amendment to get the full significance of what it might mean. I have not seen the Taft amendment. I think the amendment of the Senator from Massachusetts was well placed, as far as this bill is concerned.

I have a verbal, oral report that the Department of Defense said the Kennedy amendment was workable, and so forth. I have nothing from them on the Taft amendment.

I mention that because sometimes it is possible to run into strong opposition to an amendment that has not been referred, and it becomes all but impossible to handle. However, I still feel as I did about the Kennedy amendment, which is now modified.

Mr. BAYH. Mr. President, I am pleased to cosponsor this important amendment to the military procurement authorization bill by my good friend, the Senator from Massachusetts (Mr. KENNEDY). It is only fitting that when we authorize many billions of dollars for the procurement of weapons designed to destroy human life that we at the same time express our concern for the sanctity of human life and the respect that we have for individual human beings.

The purpose of this amendment is to see to it that human beings involved as subjects in research and experimentation are not treated as mere laboratory specimens. This amendment establishes as national policy "that Federal funds may be used to conduct research involving human beings as experimental subjects only when each participant has freely volunteered to participate after having been fully informed of any physical or mental health risks which may be incurred as a result of participating in such research."

I am sure that none of our colleagues could quarrel with such a purpose, especially with the knowledge of the kind of experiments that have been conducted using human subjects—without these subjects having been informed of the possible risks and dangers involved in the experiments. It has long been a fundamental tenet of our law that an uninformed consent is no consent at all. Therefore when we read stories of how mentally retarded children are injected with hepatitis—children whose capacity to consent is questionable—and whose parents were not fully apprised of the risks involved; when we read of uneducated women in Texas who are deceived as to the nature of experimentation with contraceptives in which they are involved; when we are all too aware of the many abuses of prisoners with regard to their participation in often hazardous experiments—conducted at times under the most questionable of circumstances; and most recently when we all learned of the shocking and outrageous revelations regarding the Tuskegee study of syphilitic patients—when we are made aware of these trespasses against human dignity, all of which purported to be carried out only with the consent of the subjects, then it is time that we begin to define just what the elements of this consent must be.

This amendment writes into law the kind of safeguards that should have been carried out all along in every branch of the Government. We are finding out, tragically, now, that these safeguards may not have been carried out in all instances. Now at least the Department of Defense and its contractors will be required to comply with basic elements of decency: subjects must be fully informed of the possible risks to their physical and mental health, including such risks as the Secretary of Health, Education, and Welfare may report to the Department of Defense; and each subject must have freely volunteered to participate after he has received the information concerning the possible risks to his mental and physical health. And while this amendment by its terms applies only to the Department of Defense and its contractors, it is my hope that such regulation of human experimentation will be established in all the departments and agencies of this Government as a mark of the respect for human life which is the hallmark of a civilized nation.

I join Senator KENNEDY and the other cosponsors of this amendment in urging its adoption this afternoon.

Mr. KENNEDY. I am prepared to yield back the remainder of my time.

Mr. STENNIS. I am prepared to yield back the remainder of my time. But before I do so I imagine we can have a voice vote.

Mr. KENNEDY. Yes.

Mr. STENNIS. I yield back my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Massachusetts, as modified.

The amendment, as modified, was agreed to.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION, 1973—CONFERENCE REPORT

Mr. KENNEDY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14108) to authorize appropriations for activities of the National Science Foundation, and for other purposes.

I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. THURMOND). Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of July 31, 1972, pp. 25994–25995.

Mr. KENNEDY. Mr. President, the conference committee on the National Science Foundation authorization bill for fiscal year 1973 recommends a compromise authorization of $704 million for this fiscal year. This figure is exactly midway between the $681 million which would have been authorized by the House-passed bill, and the $727 million which would have been authorized by the Senate-passed bill.

I believe this compromise to be entirely fair and to provide the National Science Foundation with an authorization adequate to carry out its programs over the current fiscal year. Indeed, this will be the first National Science Foundation Authorization Act which provides more than $700 million. This is a milestone in the growth of the National Science Foundation as the principal civilian science agency of the Government. It highlights the increasing national need for research and education in science and engineering, and it indicates the recognition by Congress that the Foundation must be provided with adequate resources to meet those needs.

Since its creation as an independent agency in 1950, the National Science Foundation has carried out the extremely important mission of maintaining the Nation's scientific strength. The Foundation operates no laboratories or scientific facilities of its own, but through grants and contracts supports programs of scientific research and education in thousands of universities, research institutes, and other organizations. These programs cover all fields of science and engineering, encompassing the mathematical and physical sciences, engineering, social sciences, biological and medical sciences, materials research and the environmental sciences. They cover all levels of science education from elementary school through postdoctoral fellowships. And these programs are carried out in all of the 50 States to assure a strong, broadly based national scientific enterprise.

The impact of the Foundation's programs is both pervasive and profound on the Nation and on the future of mankind. For we live in an age of science—from the computers that increasingly manage our transactions to the transistors that power our electronic devices to the advanced medical technology which promises profoundly to affect the maintenance of man's health. Science has become essential to the Nation's military security, to the strength of its domestic economy and international economic position, and, indeed, to the resolution of the widespread social problems which beset our Nation.

But scientific research is not a spigot which can be turned on and off at will. Before scientific know-how can be effectively applied to particular problems in areas such as transportation, health care, housing, communication, energy resources, nutrition, and pollution control, the underlying foundation of basic research must be patiently and continuously built over the years, and the Nation's scientific and technical talent must be carefully nurtured and trained.

This is the key task to which the Foundation has directed its principal efforts over the years; but in recent years the Foundation has also expanded its programs with respect to applied research which is relevant to the Nation's social problems. Although the various Federal agencies sponsor some applied research relevant to their particular missions, there remains a considerable amount of extremely important applied research which is too broad in scope or too fundamental in substance to fall within the mandate or resources of the mission agencies. The National Science Foundation is the only agency which can tackle these problems. So the role of the National Science Foundation is to keep the Nation strong in basic science, sponsor the applied research which cannot be effectively handled by other agencies, and assure the Nation an adequate supply of scientific talent.

Although the $704 million fiscal year 1973 authorization for the Foundation is $43 million less than the $747 million contained in the NSF authorization bill (S. 3511) which I introduced on April 19, 1972, this year's authorization will still be $50 million more than the amount which was requested by the administration. This additional funding is for urgently needed research and education programs in science and engineering. The principal programs which account for the additional funding are: $17 million more for science education improvement; $12 million more for graduate student support; $11 million more for institutional improvement for science; and $8 million more for research applied to national needs.

The increases in science education programs are necessary to arrest the recent decline in Federal support of science education programs and assure the Nation a strong academic science program and an adequate supply of scientific talent over the coming years.

Although the country is witnessing a high level of technical unemployment at this time, this is a condition which cannot be permitted to continue. S. 32, the National Science Policy and Priorities Act—which the Committee on Labor and Public Welfare unanimously ordered reported, and which I hope the Senate will pass before the August recess—should go a long way toward reducing the current unemployment levels of scientists, engineers, and technicians. The increasing pressure of national problems requiring science and technology for their solution makes it abundantly clear that overall demand for scientific talent in our society will continue to grow over the years ahead.

In the April 7 issue of Science magazine, the executive director of the Scientific Manpower Commission, Mrs. Betty Vetter, was quoted as follows:

> The needs for technologically trained experts to meet national and social goals will not have diminished by the time these smaller classes emerge from the educational pipeline. We will still be trying to erase urban blight, produce adequate clean energy, purge the environment, create effective transportation systems, and provide adequate health care, while maintaining our national defense and continuing some level of space exploration. If the state of the economy and a reordering of national priorities has enabled us to convert these needs into demand (meaning jobs), the supply of technologically trained specialists may again be too small in a few years.

The situation has been further exacerbated by the administration's unconscionable action in impounding $21 million in fiscal year 1972 appropriated funds for National Science Foundation education programs. During fiscal year 1972, the Office of Management and Budget impounded $5 million for institutional improvement for science, $4,800,000 for graduate student support, and $11,200,000 for science education improvement. Although the administration has indicated these funds will be released in fiscal year 1973, the injury to important science education programs has already been incurred.

To provide the Nation with the scientific talent which will be required over the coming years, it is important that the National Science Foundation be authorized the total of $116 million for educational programs which is contained in this bill. And to help assure that the intent of Congress with respect to these programs is carried out, the bill establishes floors under the three educational budget categories. Thus the bill provides a floor of $74 million for science education improvement; $16.5 million for graduate student support; and $13 million for institutional improvement for science.

The bill also establishes a floor of $19.5 million for energy research and technology programs; and the conference report calls upon NSF to spend the full $26 million which was allocated for these programs in the Senate bill, if sufficient supplemental appropriations are forthcoming. It is expected that the thrust of these additional funds for energy research and technology will be directed toward solar, geothermal, and other nonconventional and hopefully nonpolluting energy sources.

The report of the conference committee also recommends that the National Science Foundation establish a new Division of Energy Research and Technology to aid the Foundation in carrying out its growing responsibilities in the fields of energy research and development.

In the hearings on the NSF authorization, the committee received impressive testimony on the Nation's burgeoning demand for energy and the urgency of finding ways to meet those energy needs. For example, by 1985, it is estimated that the United States will have to import more than 44 percent of its oil. Some estimates indicate that domestic supplies of natural gas may be entirely exhausted by the decade 1990–2000, and that by that time as much as 50 percent of our petroleum requirements may have to be met from foreign sources. As stated in the Washington Post of April 14, 1972:

> The richest nation in the world has discovered it is energy poor and that this sudden poverty threatens the balance of trade, our attempts to clean up the air and water, and the efforts we've made to hold down the prices of products from gasoline to electricity. In fact, the energy crisis in America threatens the American way of life.

The additional funds provided for energy research and technology in this bill should help in enabling the Nation to meet this crisis, especially if supplemental appropriations are forthcoming and NSF spends the full $26 million recommended by the conference committee.

The bill also establishes a floor of $8 million for earthquake engineering programs; and the conference committee report indicates that NSF should spend the full $10 million for earthquake engineering contained in the Senate bill, if supplemental appropriations are forthcoming. The earthquake engineering program is of great importance to the lives and property of thousands of American citizens in all parts of the country. Contrary to the prevalent view, earthquakes in America are not limited to California and Alaska. There is no State in the Union which has not experienced earthquake damage at one time or another. Twenty States have been subjected to serious damage, and are likely to experience serious damage again. These include South Carolina, Nevada, Kentucky, Washington, Illinois, New York, Idaho, Massachusetts, New Hampshire, Tennessee, Mississippi, Montana, Wyoming, Utah, Maine, Indiana, Missouri, and Arkansas, as well as California and Alaska. Through the earthquake engineering program, the Nation can take steps to prepare for future earthquakes and to minimize their adverse consequences.

Another area of vital importance to the Nation's continuing efforts to improve environmental quality is the provision of modern research vessels needed for the conduct of advanced research in oceanography. Of the 32 research vessels supported by the National Science Foundation, 13, or more than 40 percent, were built 25 or more years ago. The Foundation's budget request provides for the construction of one new research vessel at a cost of $2.8 million. Close examination of the ship replacement requirements makes it clear that the Foundation should accelerate fleet modernization programs in fiscal year 1973.

Accordingly, the bill recommended by the conference committee places a floor of $4.5 million under the oceanographic ship construction/conversion program; and the conference committee report states that the Foundation should spend the full $6 million authorized for the program in the Senate bill, if sufficient supplemental appropriations are forthcoming.

The following is a brief summary of the programs included in the National Science Foundation Authorization Act:

First. Scientific research project support, $274,300,000. The objective of this program is to provide support for individual scientists or groups of scientists in finding answers to unresolved scientific questions. The fiscal year 1973 program provides for the expansion of biological, physical, environmental, and social sciences, and engineering, particularly in those areas where new knowledge can lead to the solution of problems of national concern in the seventies, or where increased efforts can significantly advance our understanding of basic life processes, natural phenomena and physical laws that govern our universe.

Second. National and special research programs, $108,600,000. These are a variety of major programs which require special coordination and include the: International biological program; global atmospheric research program; experimental R. & D. assessment program; international decade of ocean exploration; ocean sediment coring program; Arctic research program; U.S. Antarctic research program; oceanographic facilities and support; and logistics support for the 1973 solar eclipse.

Third. National research centers, $42,300,000. These include the National Astronomy and Ionosphere Center at Arecibo; Kitt Peak National Observatory; Cerro Tololo Inter-American Observatory; and National Center for Atmospheric Research.

Fourth. Computing activities in education and research, $19,500,000. This program is designed to: Develop new knowledge in the computer sciences for application in the design of improved computer hardware, software, and integrated computer systems; promote the development of innovative computer uses in the educational process and seek new ways to couple the capabilities of computers to the conduct of research in all areas of science.

Fifth. Science information activities, $9,500,000. This program is designed to facilitate the flow of scientific and technical information and reduce unnecessary redundancy and overlap in the generation and dissemination of scientific information.

Sixth. International cooperative scientific activities, $4,700,000. This program is designed to promote U.S. access to, and appropriate participation in, international scientific activities.

Seventh. Research applied to national needs, $87,500,000. This program includes: advanced technology applications; energy research and technology programs; environmental systems and resources; social systems and human resources; and exploratory research and problem assessment.

Eighth. Intergovernmental science program $1,700,000 to aid State, regional, and local governmental agencies in making the benefits of science and technology more widely available within their regions.

Ninth. Institutional improvement for science, $18,500,000. These funds will go to colleges and universities to improve their academic science programs and to increase the effectiveness of their research programs, through improved management.

Tenth. Graduate student support, $21,200,000. This includes graduate fellowships to assure an adequate flow of highly talented individuals into science careers; and postdoctoral fellowships to assist scientists and engineers in upgrading their professional skills and in making a transition into other technical areas.

Eleventh. Science education improvement, $76 million. This program is designed to help improve the effectiveness of science education at all academic levels. It focuses on such problems as: Increasing the cost effectiveness of science education through improved programs, technology, and instructional strategies and methodologies; assuring the Nation of a large enough and flexible enough scientific and technical workforce; improving science education for the nonscientists; and providing adequate science educational opportunities outside the formal structure of the educational system.

Twelfth. Planning and policy studies, $2,800,000. This program is designed to provide the factual data and analytical basis for sound national science policy decisions.

Thirteenth. Program development and management, $29,300,000. These funds are used to provide for the operation and management costs of carrying out the preceding 12 programs.

In addition to the above programs, the bill authorizes the appropriation to the National Science Foundation of $7,000,000 to be paid in excess foreign currencies, for expenses which the Foundation incurs in its activities abroad.

As can be readily seen from this summary, the programs of the National Science Foundation are extremely diverse, cut across innumerable fields, and are far reaching in their implications. In many cases their effects may not be felt for years, or even decades. But if the history of the 20th century can serve as a guide, then sooner or later these effects will surely be felt and will have a major impact on the shape of our civilization and the quality of our lives.

There is no doubt that science is the key to progress in our time. The vitality of our economy and the viability of our society depend on further scientific advances. This authorization for the National Science Foundation represents an essential investment in the future of the Nation. If we are unwilling to make the necessary investment today, we will reap a bitter harvest in polluted water and air, in congested roads and cities, in contaminated food and drugs, in inadequate energy supplies, and in stagnant or even declining quality of life. And as we would suffer for our shortsightedness, so would our children, and our children's children for many years to come.

I urge the Senate to accept the recommendations of the conference committee and to approve this important authorization for the National Science Foundation.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 9936) to amend the Federal Food, Drug, and Cosmetic Act to provide for a current listing of each drug manufactured, prepared, propagated, compounded, or processed by a registrant under that act, and for other purposes.

The message also announced that the House had agreed to the report of the committees of conference on the disagreeing votes of the two Houses in the amendments of the Senate to the bill (H.R. 11350) to increase the limit on dues for U.S. membership in the International Criminal Police Organization.

The message further announced that the House insisted upon its amendment to the bill (S. 3323) to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. ROGERS, Mr. SATTERFIELD, Mr. NELSEN, and Mr. CARTER were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the bill (S. 3442) to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. ROGERS, Mr. SATTERFIELD, Mr. NELSEN, and Mr. CARTER were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 10420) to protect marine mammals; to establish a Marine Mammal Commission; and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GARMATZ, Mr. DINGELL, Mr. ANDERSON of California, Mr. GOODLING, and Mr. MCCLOSKEY were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 6745. An act to amend section 122 of title 28 of the United States Code to transfer certain counties of the central division of the judicial district of South Dakota; and

H.R. 12979. An act to amend title 28, United States Code, to authorize the recall of retired commissioners of the United States Court of Claims for temporary assignments.

The enrolled bills were subsequently signed by the President pro tempore.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate resumed the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, that brings us down to the Hartke amendment. I suggest that the leadership notify the Senator from Indiana that we are ready to proceed with that amendment because we have dispensed with a rollcall vote and he naturally waited for the signal from the Senate.

In the meantime, I suggest the absence of a quorum and I hope the time is not charged to anyone under the circumstances.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THURMOND). Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I wish to advise the Chair that in the consideration of the Kennedy amendment the Senator from California had been promised 5 minutes and he did not have notification. I ask unanimous consent that we may hear the Senator from California for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California is recognized.

Mr. TUNNEY. Mr. President, I thank the distinguished chairman of the committee for his unanimous-consent request.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. TUNNEY. Mr. President, I rise to discuss the end of the war legislation pending before the Senate in the form of the amendment offered by my distinguished senior colleague from California (Mr. CRANSTON). I rise to discuss the urgency with which I believe it must be addressed.

It appears almost redundant to discuss month after month and year after year, the same issues—now almost timeworn—that mark our misadventure in Indochina. But still the war continues. And, as the war progresses, so must the protest.

But recently, Mr. President, a momentous issue has been brought with increasing frequency to the attention of the American people. And, as my contribution to this debate, I would like to focus on that issue.

I have decided with some reluctance to speak on this subject, but I believe that it must be raised on the floor of the U.S. Senate and I believe it must be raised now.

The subject is the bombing of dikes by American planes in North Vietnam. This is a sensitive issue, an issue which has already raised bitter emotions, occasioned fierce debate, become a matter of worldwide concern. It is not a pleasant issue.

I feel there is a great urgency in the matter of the bombing of the dikes. I think this act, this bombing of the dikes, this possible drowning or starvation of millions, this act above all others must be prevented and we must prevent it in a way that will insure that no more dikes will be bombed and that no more dikes can be bombed. The Senate must take it unto itself to pass legislation which will prevent this.

The rains have begun in North Vietnam. The waters are rising as they course down through the dozens of rivers interlacing the Red River Valley, a densely populated area inhabited by over 10 million people. In a month or so these waters will reach their peak, threatening to inundate the lands through which they rage, held back only by a complicated dike system several thousand years old. Some of these dikes range as high as 40 feet. They stretch for over 2,500 miles. If they do not hold, if the waters pounding against the dikes do break through, millions of people could meet instant death through drowning or a more protracted end through starvation.

North Vietnam's dikes, then, are not just another "target," not just another "military objective," nor even just another part of the "civilian infrastructure." They are the very underpinning of life for over 10 million of our fellow human beings, as essential as the food they eat, the water they drink.

I think it is clear from public admissions by representatives of the Department of Defense and the State Department that, in fact, some dikes have been hit.

This past Friday, July 28, 1972, the administration has made public a CIA report officially confirming that American bombs dropped by American aircraft have struck various dikes.

It does not seem fitting to enter into a debate on numbers here. On May 9 we were told by our military command that we were not hitting any dikes at all. Indeed, they went so far as to suggest that any dikes hit may possibly have been struck by North Vietnamese missiles fired at American planes which had missed and fallen back on the dikes. Now we are told that, in fact, American bombs have struck dikes on 12 separate occasions.

None of us know now if, in fact, this figure of 12 is correct, any more than we knew that our troops had killed hundreds of civilians in Mylai in March 1968, that three firestorms had been attempted in 1965, 1966, and 1967, that "protective reaction" strikes were in fact massive, all-out raids in the winter of 1972.

But what we do know now beyond any shadow of a doubt is that American aircraft are striking dikes in North Vietnam.

It also does not seem useful to cloud the issue by sterile argumentation over whether these dike bombings are "deliberate" or "accidental." After being told that we were not bombing any dikes, we were suddenly informed on June 9 that we were hitting the dikes after all, but that these strikes were "accidental." Then. on July 6 and July 17, Defense Secretary Laird stated that the dikes attacks were not really "accidental."

Rather, he explained, we are in fact targeting dikes if roads, antiaircraft sites, or bridges were located in or around them. Let us leave it to our semantic experts to tell us whether a strike which is targeted against a dike because it has a road running on it is "deliberate" or "accidental."

But what we can indisputably know now is that these strikes against North Vietnam's dike system appear to be an inevitable part of our bombing campaign in that tortured land.

And what we do know, therefore, is that if these attacks on the dikes are to stop the simplest, surest way to halt them is to stop all bombing over North Vietnam.

I am, therefore, joining my voice to those of the Secretary General of the United Nations, the General Secretary of the World Council of Churches, the distinguished justice who has served this country so honorably on the International Court of Justice, and a former U.S. Assistant Secretary of Defense.

If the Senate does not resolve to end this cruel and senseless war, I plan to ask you to join with me in legislating an end to the bombing of dikes and dams, the leveling of cities, the killing and maiming of civilians.

If the end-the-war legislation before this body is not accepted, I shall ask you to support an amendment calling for an end to the bombing of North Vietnam and thereby help to avert what Justice Jessup has rightfully warned could be "one of the greatest human catastrophes of the 20th century," and that is the massive bombing which has been going on over Vietnam.

I think we all realize that the bombing of the dikes transcends partisan debate. I think there are many people even who support the war who would not support the deliberate bombing of the dikes, which could produce death to so many innocent people.

I recognize that there are those who use the argument that when in war, you go after any target that would weaken the enemy, and that war is hell, and that we used fire bombing over Dresden, killing hundreds of thousands of people in World War II; but it would seem to me that we have come a long way since World War II and we are not up against an enemy that could conceivably destroy western civilization as we have known it.

We are up against a primitive economy, a people who have a long history of culture but who clearly do not have the military wherewithal to destroy our way of life.

I think that to risk the lives of hundreds of thousands—yes, even millions—of people through a continuation of the bombing in North Vietnam, bombs, which, as I say, result in destroying dikes, is inexcusable and unconscionable for a society that prides itself on the ethical value of human life the way we do in this country.

So I would hope that, in the first instance, the amendment offered by my distinguished senior colleague from California would be accepted, but in the event it is not accepted, I plan to offer an amendment tomorrow to stop the bombing of North Vietnam.

The PRESIDING OFFICER (Mr. STAFFORD). Who yields time?

Mr. STENNIS. Mr. President, the situation is that we are back now to the Hartke amendment. I do not want to call it up myself, but the time has come when we have to proceed one way or another. I have asked the cloakroom to call the Senator from Indiana.

If the Chair would hear me further on that, the leadership has been detained from the floor, and I am trying to get the Senator from Indiana in. The Senator from California says he needs 3 additional minutes, so I ask unanimous consent that he be given 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AWARD OF SPACE SHUTTLE PROGRAM TO NORTH AMERICAN ROCKWELL CORP. OF CALIFORNIA

Mr. TUNNEY. Mr. President, I have a matter that I would like to bring to the attention of the Senate. It is a little out of order in that it does not pertain to what we are discussing today, but it is very important, I think, to the country.

I think we all realize that California's economic health is vital to the Nation's. That is one of the reasons why I worked so hard for the space shuttle program, and it helps explain my dismay that the democratic national committee would criticize the award of that program to North American Rockwell Corp. of California.

Our space program has provided the greatest incentive to scientific and technological discovery in this Nation's history, and already practical, everyday application is being made of dozens of advances made in metallurgy, communications, medicine, meteorology, and other scientific fields.

I believe Democratic National Committee Chairwoman Jean M. Westwood was wrong when she called the contract "an outrageous misuse of this Nation's tax revenues."

Our continued involvement in the Vietnam war surely is such a tragic misuse, but our space program is an essential extension of our Nation's relentless quest to improve the basic tools of science.

Clearly, I favor reconstruction of our national priorities to eliminate poverty, build schools, reduce pollution, fight crime, and rebuild our cities. At the same time, I do not believe we have to sacrifice prudent efforts in space.

The space shuttle clearly is not a partisan program, but rather a bispartisan effort of a number of Senators and Representatives.

Frankly, I am proud that North American Rockwell won the contract. It will mean more than 60,000 jobs for California and upward of $4 billion to her economy. And, of course, it will mean that the Nation will continue to improve her scientific and technological skills.

Mrs. Westwood concludes her statement with an attack on the President's reelection committee for not revealing contributors to its reputed $10 million kitty. In this, I wholeheartedly concur, for the committee's failure is but a contemptuous refusal by the President and his party to come clean with the American people.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. The Chair will inform the Senate that, under the previous agreement, the Senator from Indiana (Mr. HARTKE) is recognized to call up his amendment No. 1369, on which there is a limitation of one and a half hours of debate, to be equally divided between the Senator from Indiana (Mr. HARTKE) and the manager of the bill (Mr. STENNIS).

The Senator from Indiana.

Mr. HARTKE. Mr. President, the amendment, which was offered yesterday, and on which there was a little bit of confusion——

The PRESIDING OFFICER. Will the Senator from Indiana call up his amendment?

Mr. HARTKE. Mr. President, if I recall correctly, and if I understand the RECORD correctly, the amendment was called up yesterday by the distinguished Senator from West Virginia, the assistant majority leader.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARTKE. I ask that it now be made the pending business.

AMENDMENT NO. 1369

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mr. HARTKE. Mr. President, the amendment which is pending, which was discussed at some length in my absence yesterday, is designed to alleviate an injustice that has been done by the Congress to the retired members of our uniformed services.

The amendment which I have offered will provide a one-time recomputation of military retirement benefits to the January 1, 1972, rates as compared to the January 1, 1971, rates as proposed by the administration bill. The 1972 rates will be effective immediately for persons who have retired for physical disability under the laws in effect before 1949, or a physical disability of at least 30 percent under later laws, and for nearly all those who have retired for years of service and are 60 or more years of age. Other retirees who are not yet 60 would have their retired pay recomputed at the time they reach that age.

I am in the unusual position of acting to redeem a campaign promise made by President Nixon in 1968. As part of his election drive, the President felt that the precipitous suspension of the recomputation system was, to quote the President:

> A breach of faith for those hundreds of thousands of American patriots, who have devoted a career of service to their country and who, when they entered the service, relied upon the laws insuring equal retirement benefits.

Mr. President, I ask unanimous consent that at the conclusion of my remarks the entire statement of the President in 1968 be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HARTKE. The President pledged to remedy this inequity as soon as possible. That was almost 4 years ago.

Senator HUMPHREY and Governor Wallace were equally strong in their endorsement of a restoration of recomputation rights to retired officers.

The Hartke approach is very similar to the course recommended by President Nixon in H.R. 14524. The cost estimates of the Hartke amendment are less than the $288 million of the administration bill. That amount has already been included in the administration's budgetary request.

Mr. President, our retired military personnel have relied on a recomputation system that stood for almost 100 years. From 1861, when the President approved "an act for the better organization of the Military Establishment," officers of the uniformed services were entitled to retire for length of service and to have their pay determined initially as a percentage of the rates in existence at the time, to be recomputed upon the new rates each time raises were granted in the future to the members of the Active Forces.

Similar provisions were made for enlisted members of the forces a few years later.

This system was in continuous operation until passage of the Joint Services Pay Act of 1922, which denied to those retired prior to the effective date of the act the right to recompute their retired pay on the basis of the new schedules.

In 1926, the 69th Congress corrected this injustice by restoring the right to recomputation for those on the retired rolls. The Senate committee report stated that:

> The 1922 legislation deprives all officers retired prior to that date of said benefits, thereby violating the basic law under which these officers gained their retirement rights. There is no justice in two pay schedules for equal merit and equal service. (Senate Report 364, 69th Congress).

I submit, Mr. President, that the 1926 statement is equally valid today. And yet, Mr. President, today we have 11 different rates of retired pay for retirees of equal grade and service, with the oldest retirees, whose need is apt to be greatest, in each case receiving the smallest pay and the youngest receiving the largest. The disparity in many cases approaches 50 percent.

This situation exists because of the sudden suspension of the recomputation system in 1958 and its repeal in 1963, at which time a system of raises based upon increases in the cost of living was substituted with no "savings clause" to protect the previously earned benefit. This new provision has utterly failed to make up for the loss of the earned right to which the retirees had previously been entitled.

The reduction in the earned benefit was made in spite of the fact that the recomputation system had been reconfirmed by Congress in each pay act passed since it was restored in 1926, and in spite of the fact that the 1958 Pay Act was built upon the recommendations of the Cordiner military pay study committee. The Cordiner committee concluded that—

> The incentive value of the existing military retirement system depends to a major degree upon the integral relationship with active duty compensation and the confidence which has been built up in the military body that no breach of faith or breach of retirement contract has ever been permitted by Congress and the American people.

As a consequence of the actions taken in 1958 and 1963, merit and length of service are no longer primary factors in determining the compensation a retiree will receive during the inactive phase of his career. On the contrary, it has now become a matter of when the individual was born and how successful he was in manipulating a favorable retirement date. For instance, a lieutenant colonel retiring today receives more retired pay than a major general who retired only 10 years ago.

In 1968, President Nixon pledged to submit legislation—

> To remedy this injustice at the earliest possible time.

In keeping with that pledge, in 1971 he appointed an interagency committee to study the problem and on April 15 of this year he submitted a compromise proposal to Congress based upon the committee's recommendation. The proposal is for a "one-time" recomputation to the 1971 pay scales for certain classes of physically disabled retirees and for those with less than 25 years of service who are over age 60 and those with 25 or more years service at age 55. The 1973 budget contains funds in the amount of $288 million to cover the cost of the proposed compromise.

I think we have waited too long to remedy this injustice to those who have honorably and faithfully served their country during the two world wars, Korea, and Vietnam.

A full restoration of the recomputation system, however, implies a cost of $1 billion in fiscal year 1973. I propose a simpler and I believe fairer solution than the one forwarded by the Department of Defense for the administration. At the same time, it is designed to keep the expenditure at approximately the level provided for in the budget.

Perhaps at a later time, the appropriate committee can take up a proposal for a continuing system of recomputation for those who entered the service in the expectation that the Government would carry out its obligation. I would support such a move. However, at the moment, I believe it important that we take this first step in making good on the ethical obligation which we owe to those who served their country so well.

The **PRESIDING OFFICER.** The Senator has consumed the 10 minutes.

Mr. **HARTKE.** I ask for an additional extension of 3 minutes.

Mr. President, I ask unanimous consent that the name of the Senator from Texas (Mr. TOWER), who is the author of the most comprehensive recomputation bill, be added as a cosponsor of the Hartke amendment.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **HARTKE.** Mr. President, I have brought to the floor a chart describing two cases. One is the case of a commissioned officer, a major, and one of an enlisted man, a master sergeant. The major has 24 years of active service, and it shows how his retired pay is affected.

On the basis of examining the major's case, the disparity against older retirees amounts to 46.6 percent. The major with 24 years of service who retired in 1958 will have retirement pay in 1972, adjusted because of the increase in the cost of living, is $547. The same officer retiring today will receive $802. In other words, there is a difference of $255 for the same officer, simply because one man retired earlier. If anything, his retirement earlier means that he has greater expense today, more medical expense, more care for himself. Yet, he receives $255 less than a man who has retired this year.

The **PRESIDING OFFICER.** The Senator has consumed 3 additional minutes.

Mr. **HARTKE.** I ask for 2 additional minutes.

If the master sergeant retired in 1958, his present-day retirement pay would be $304. If he retires today, he gets $453. That is a difference of $149, or almost 50 percent.

The second chart compares the administration proposal for recomputation to the Hartke proposal. First, under the administration proposal, the one-time recomputation of military retirees are figured on January 1, 1971, base rates of active duty pay. The Hartke proposal would make that one-time recomputation on January 1, 1972, rates. The administration increase would occur immediately for retirees who have a disability rating of 30 percent or greater under the Career Compensation Act of 1949. The Hartke proposal is identical in that regard.

Under the administration proposal there is an increase for nondisability retirees who retire at the age of 55 with 25 years or more of service. That provision is not in the Hartke proposal. Administration bill also provides an increase at age 60 for those with less than 25 years of service. In effect, this feature is included in the Hartke amendment for the very simple reason that the Hartke proposal provides that an increase for all other retirees will occur at the age of 60.

The administration and the Hartke proposals both retain the Consumer Price Index cost-of-living increase.

The **PRESIDING OFFICER.** The 2 minutes of the Senator have expired.

Mr. **HARTKE.** I yield myself 2 additional minutes.

Mr. President, yesterday, on the floor of the Senate, the distinguished chairman of the Armed Services Committee made some comments. Specifically, he introduced a statement from the Department of Defense, leaving the impression, that the administration was opposed to the Hartke proposal. That is only true insofar as they really say that they prefer the administration proposal, and I would imagine that it is not unusual for them to prefer their own bill to different approach, however, *similar* it might be to their own.

I point out that the Hartke proposal does provide for recomputation at the age of 60, not at the age of 44, not at the age of 50, but at the age of 60. Therefore, it excludes the provision of the administration proposal which permits recomputation at age 55 with 25 or more years of service. The Hartke amendment is $13 million less expensive. So it is more conservative than the administration proposal. It certainly is much more conservative than the Tower bill, and Senator TOWER has seen fit to endorse this proposal.

I point out, also, that the distinguished chairman of the Armed Services Committee said yesterday that the lifetime cost of the Hartke amendment would be $10 billion. The lifetime cost of the administration proposal would be $14 billion. If the Senator wants to rely on the statement of the Department of Defense, the administration bill proves to be much more expensive than the proposal I have submitted at this time.

I agree that we should have hearings. But for 4 years we have not had them. I agree that we should have hearings after we adopt the Hartke proposal, and I am willing to join the distinguished Senator in that effort. But I think we ought at least to keep faith with these people. We ought to try to make sure that the individuals on active duty should not have twice the retirement benefits of those who are already retired. What has happened is that some retirement benefits are now about 50 percent behind those of an active duty member of the armed services.

EXHIBIT 1

WASHINGTON, D.C.,
September 13, 1968.

Maj. Gen. W. PRESTON CORDERMAN,
President, Retired Officers Association,
Washington, D.C.:

Because of the concern of your organization with the issue of equalization of retired military pay I want to take this opportunity to share with you my views on this important subject.

For the past several years, our retired military personnel have been unjustly treated because of the failure of the administration and the Democratic-controlled Congress to remedy the growing disparity between active duty and retired military pay. This unfair discrimination is wholly contrary to the long established principle of equalizing retired pay with existing active duty pay for the same grade or rank. It is a breach of faith for those hundreds of thousands of American patriots, who have devoted a career of service to their country and who, when they entered the service, relied upon the laws insuring equal retirement benefits.

The retired pay of some of our older retirees has slipped more than 30% behind that of their younger comrades. In a period of skyrocketing cost of living increases, it is an intolerable and unfair burden for our retired military.

I intend to urge the Congress to remedy this injustice at the earliest possible time by passing legislation along the lines of that introduced by Senator Tower of Texas, chairman of my key issues committee. General Eisenhower and I worked vigorously to seek legislative relief in 1960. Now, after prolonged inaction by an administration of which Vice President Humphrey has been a part, the time is at hand to do simple justice and to recognize the great contribution to our Nation by those who have served their country with honor and distinction.

RICHARD M. NIXON.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. I yield myself 20 minutes. The time can start running now.

Mr. President, I know of the sincerity of the Senator from Indiana in presenting this amendment. I do not have any feeling of censure for him or anyone who votes for it.

I am not trying to defeat any fair adjustments if there are any injustices. I am not trying to defeat the passage of a bill. But I have a responsibility here that makes it necessary to bring out the facts and give some warning signs about the road down which we are traveling and say something about what it will cost. A man does not buy a suit of clothes without asking first what it will cost. We have reached the time on this program, as well as others, when I think the American people expect us to ask what it is going to cost. Going to cost whom? Going to cost the American taxpayers. I think it is time to raise the question here, that if we are going to do this recomputation on military retirement benefits every few years, what are we going to do for the benefit of those who retired a few years ago as civil servants or as school teachers? What about the man that is retired now who earned $2 an hour as a machinist, and he was a good one, and the machinist that retires today—12 or 15 years after the other one—who is making $5, $7, or $8 an hour? What are we going to do about them? Do we owe them something? Does society owe them something? Does the Government owe them some kind of adjustment?

I think this has gone just that far. If we are going to continue indefinitely to make these increases, we should have some calculations made to see what it is going to cost, at least partly to even up things with other people. That is exactly the issue we have before us now.

The facts in this case are of major importance. We do not get at the facts by comparing the Hartke amendment with what the Senator from Texas recommended or what the administration recommended. That is not the question. The question is: What can we afford in fairness to the taxpayers? Just because one plan is a little less or more than the other, I respectfully say that is no argument at all in favor of either one of them. The basic question is: What are we going to do with this problem?

I have not got time to go into it, but as to the point of 100 unbroken years of history, I respectfully submit that the facts do not support that assertion, although I know the Senator used it in good faith. But I will have to skip that.

We held hearings on this matter in 1963 and the case was presented in the same way, for a recomputation. There had not been one since 1958.

There appeared before the committee Admiral Smedberg and from his testimony I read on page 66 of those hearings held on July 16, 17, and 18, 1963.

The admiral was presenting the case for the retirees and he said:

> Senator, I feel it is most significant, sir, that this recomputation be permitted for those people who retired prior to 1958. I also agree from now on that there is no reason for any of us who retire to feel that our retirement pay should be boosted in conjunction with any increase in pay for the active forces.

Another point here, in the same hearings, another witness, for the Retired Officers Association, Rear Admiral Denfeld, quoted the Retired Officers Association and said they recommended the passage of the bill; then up on this subject:

> Senator CANNON. Thank you, Admiral. In order that we may have the record straight, as I understand it now, your association—that is, the Reserve Officers Association—recognize the fact as a fact that if Congress enacts this law to provide recomputation under the 1958 pay bill, with the 5 percent increase up to now, and the provisions in the bill with the cost of living raised hereafter, that this puts an end to recomputation once and or all.
>
> Admiral DENFELD. I think there is no question about that, Mr. Chairman. I think that this is the first time that they really have taken out all the provisions in previous bills for recomputation.
>
> Senator CANNON. And you support the bill on that premise.
>
> Admiral DENFELD. Yes, absolutely.
>
> Senator CANNON. With that recognition.
>
> Admiral DENFELD. Absolutely.

So, Mr. President, there is no question about that. The matter was settled at that time, and we can add, for all time, by letting them recompute their retirement or receive a 5-percent, lump-sum payment, whichever is greater, because some of them would benefit very little, and also wrote into the permanent law an automatic cost-of-living increase according to the standard provided by the Government. Those automatic increases have come periodically, sometimes twice a year, since 1963. Those increases add up to 60 percent already.

It was a matter that is permanent law. It would not be changed and no one was wanting to change it. It was fair, right, and proper. That was the way the entire matter was settled. This is all of public record and everyone knew about it.

That is what they call a one-time recomputation. Now we come back here today and we have another one. They call it a single recomputation or one-time recomputation bill. That is what the administration calls theirs, and I will come back to that point. That is what the Senator from Indiana calls his. That is what the others have referred to.

Mr. President, on the record of history, there is no such thing as one-time recomputation bill. It just means that this is one for now. There will be another one in 4 or 5 years. That is the history of it. This is just an installment plan on permanent recomputation. Let us not be fooled by terms. If that is what the Senate wants to do, that will be its will, but we will get into the figures later and show where we are going and that we are not doing anything similar about any other group.

What is the attitude of the Pentagon expressed by the one who is handling the matter over there? This would ordinarily fall under the Assistant Secretary of Defense for Manpower, Secretary Kelley, and he is a good one, but he is out of town now, and in his stead there a gentleman by the name of Robert C. Taber, lieutenant general, U.S. Army, and he says here in a letter to me dated July 28, 1972:

> DEAR MR. CHAIRMAN: This is in reference to your request for the views of the Department of Defense in regard to the amendment to be proposed by Senator Hartke to H.R. 15495—

That identifies the amendment—I will put the entire letter in the RECORD—but on page 2 at the top, after making certain comments on certain sections, he makes this statement:

> The Department of Defense respectfully urges the proposed amendment to H.R. 15495, as discussed above, not be adopted.

I repeat—"not be adopted."

Mr. HARTKE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I will yield in a minute.

Now, Mr. President, I judge those words mean what they say. I am here caught between an item in the budget and the administration setting up the money for the payment of a recomputation, if it is passed. The letter, though, is from the Department of Defense and the only true spokesman for the administration as to this amendment.

This is a key point. There are not but four or five Senators present to hear this. However, this is a key point. The letter says: "Do not pass this amendment."

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. STENNIS. I will in a minute, please. I would like to finish my remarks and then I will yield on my own time to the Senator.

Mr. HARTKE. Mr. President, I thank the Senator.

Mr. STENNIS. Mr. President, let us not take the 1,000-percent assertion that the administration wants this amendment passed when the administration says that it does not want it passed. They have to put money in the budget if such a provision is passed.

That gentleman, speaking as I say for the Department of Defense, says that the recomputation of military retired pay was the subject of intensive review in the executive branch in recent months.

Here is the letter. I want everyone to read it. I do not want to take up too much time. It says in part:

> In view of those differences, and further in the interest of full, orderly consideration of this important matter, the Department of Defense urges—

And that is a strong word—

> that the legislation submitted by the Department of Defense to the Congress on April 15, 1972, be considered and enacted by the Congress in lieu of the proposed amendment to H.R. 15495.

I do not know of anything else in writing to prove what the administration is asking to be done about the amendment.

In that connection we have not held any hearings this year on this. And the House has not held any hearings on it. Our committee has spent double time, virtually every member of the committee, since January on other military matters. But I have in mind—and I state this is a fact, if the Senator wants me to use the word "promise," I use the word "promise"—that if this amendment does not pass, I will set up a subcommittee empowered to look into the matter, as a subcommittee did in previous years, and take the Hartke proposal, the administration proposal, or the proposal of anyone else and go into it and try to find a basis which is fair. But I will have someone make the request that they go into this proposition with an idea of trying to bring about a plan for the future that is fair and bearable, because I tell the Senate now that something has got to be done to stop these runaway figures and the runaway costs for this group of people. And I am for them and not against them. It is a matter of fairness to all taxpayers, and they are taxpayers, too.

I want something that will make this program manageable and make sure that it will operate properly. At some time in the future we have to do something about letting everyone who wants to retire, when they have been in the service for 20 years, and then draw retirement pay for the rest of their lives under these rates that go up and up and up every year.

I think that a man who has served 30 years in the Army is entitled to retire at a higher rate than a man who has served only 20 years. In the first place, he has given 10 years more of his life. He has given 50 percent more of his time than the man with 20 years of service. His civilian longevity is going to be less. He does not have those 10 workable years on the outside.

I am talking about fairness, and not a matter of individuals. We may not find an answer. However, I want someone to try to do so. And that is one of the things I point out. That is where we have been doing a lot of work and we will get into these hearings this year. I urge that we do. I do not think that we can finish the hearings. This is a very complex and involved matter. By early 1973, I would propose that that subcommittee report to the full committee. And I will see that the full committee has a chance to pass on it soon after it is reported. If they vote it out, it will then be up to the Senate to consider what it will do.

Mr. President, I cannot speak for the House. However, I know that they are not indifferent to this problem.

To that end now, when the time comes parliamentary-wise, based upon the facts and the promise that I have made, I will move to table the amendment. I do not ordinarily do that. However, this is controlled time anyway. Everyone will have had all the time they want in which to discuss the matter.

I want to give notice that in all fairness that that is my present intention.

Mr. President, getting on to the facts, we have had increases since 1958, as I have said. They are automatic increases and are still in the law. They amount to a 60-percent increase. They will continue right alongside the civil service people. These are cost-of-living increases. These figures go to the whole problem.

Mr. President, I refer to one other thing in this letter from General Taber. He estimates that the cost of this amendment would be a total of in excess of $10 billion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield myself 10 additional minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 10 additional minutes.

Mr. STENNIS. Mr. President, the plan of someone else may involve a cost of $12 billion. However, that is hardly relevant. The point is that this amendment, if we pass it, would cost in excess of $10 billion. It would cost $275 million the first year. And the lifetime cost would be in excess of $10 billion.

In 1960, the cost of the retired pay for our military friends was $700 million. Those who do not already know the next figure will be shocked. In 1972 the cost of retired pay under the present law for retired military personnel will be $4.4 billion. That is a 600-percent increase.

Mr. President, 23 years from now—and that is 1 year less than twice the 12-year period I have just referred to—according to the Department of Defense estimates, under the present law, without any increases, without the Hartke amendment, and without other increases, we will have to pay, for military retired pay alone, $21 billion a year.

What are we going to do about these mechanics that retire on $2.50 an hour? What are we going to do about the civil service people who have paid in on their retirement? What are we going to do?

I think we had better look at them along with these others.

Mr. President, it is a shocking fact that there is an accrued liability now for past service, past time and service rendered in past years by these people, under the present law, of $117 billion. I mean by that that this is the accrued cost. And we are not appropriating the pro rata part of the money every year. We are passing it up and leaving it there as a minus mark. So, in years to come, we will have to pay all of that rather than financing it now. If we financed it now and let it draw interest, it would be $117 billion. If not, it will be $234 billion. And that is the amount that has already accrued not counting additional ones that may come into the service.

Those are some of the staggering facts I want the committee to consider. I find also that the average age of officers at the time of retirement is 46 years. These are 1971 figures. The average age of retirement for enlisted men in 1971 was 40 years of age. The average lifetime retirement pay for all military officers—the average, putting them all together, captains, majors, lieutenant colonels, and generals—the average they would draw according to 1970 figures, in military retired pay alone, is $255,000. Mr. President, that is more than a quarter of a million dollars in retirement. The average enlisted man would receive $121,000.

I do not know what the man who retired with equal ability and skill as a civil service employee would receive. I do not know what his retirement would be, but I do not believe it would be anything like that or nearly that much. I do not know how they compute civil service or social security and I do not know what they have paid in to receive retirement payments. But under the present system our military personnel do not have to make a contribution into the retirement fund.

Those who are currently retiring, that is, on the January 1, 1972, pay scale, would have figures as follows. I gave the average. For a colonel it would run from $309,000 to $391,000, depending on the time and age at which he retired. The enlisted man would run from $125,000 to $290,000 high, as a possibility.

This retirement system has gone forward so fast and we have to have a retirement system—I do not want to abolish it—but I am afraid it will abolish itself by destroying itself, by running away.

We used to have motors that had to have governors on them. I remember one time when the governors went off and one engine tore itself to pieces. I guess it threw itself into a thousand parts. I am afraid this system is running downhill so fast it is going to destroy itself. That is why I think we have to put some remedial legislation on the books.

Last January I spoke on this matter on my own volition and said: I do not want to rob anyone of a right, but we have to set up a retirement system in the military and start it running now and get some contributions, some money into it, and have it operating so that finally the old system will fade out. Those in it will fade out, as the years come and go, and we will be on a sounder basis.

I have certain salient points that I would like to get before the membership and then I am going to conclude for the time being.

Military personnel make no contribution to the retirement system. That is a fact of life which has to be considered.

Now, there is another point. Since 1957 our military personnel have had the benefits of the Social Security Act. Those that wanted to could join the social security system, and those that did join it had the benefit of the Federal Government paying what we might call their back time. The Federal Government paid its part of their time each year, and they paid for their part for each year thereafter. But that was a gift. All the back pay was put in for them.

As I said, these retirees now get periodic cost-of-living increases. That is fair and right and it applies in the same way as to our civil service people. If this amendment is agreed to, on reaching the age of 60 each retiree will be able to recompute under the 1972 scale. Many of them would be working then at very respectable salaries. I hope all of them who want to work are able to do so. But they will have been working and receiving those funds and they will have this recomputation and also receive periodic costs-of-living increases.

When all those things are happening to a person I believe we should look around before we take a final approach on this matter. That is what the administration has done. They have looked around and they have sent a letter in here. They stated in the letter:

> Wait. Do not act from an amendment from the floor. It should be explored more.

All those things would happen if this becomes law. Those who receive disability retirement receive that tax free. I do not know how many of the retirees are on disability but I notice in the Hartke amendment if they have as much as 30-percent disability they do not have to wait until they get to be 60 years of age. I do not know what 30-percent disability means. I may be under that much disability.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 3 additional minutes.

Mr. STENNIS. Mr. President, with all those considerations we should pause here and say, "Let us take a look; let us take a second look before we adopt this amendment." I hope Senators will do just that and that it will give me and the committee the opportunity of carrying out this plan as I have outlined it and we will do our best.

I yield now to the Senator from Indiana if he has a question.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND. Mr. President, the Senator from Indiana was going to yield to me for 15 minutes. If there is no objection I may proceed now.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, I rise to support the amendment introduced by the senior Senator from Indiana. For almost a century, our retired military were paid a percentage of active duty base pay. Since 1958, this time-honored method has been discarded, and the pay of retired personnel has lagged in comparison with pay for current members retiring from service. The amendment introduced by my colleague from Indiana, Senator HARTKE, would correct this grave injustice.

Mr. President, did you know that a sergeant-major with 30 years of service to his country who retired in 1969 is paid $3,710 more a year than his identical counterpart who retired in 1958? The gap is even greater today. Yet, both face the same cost of living. This kind of inequity exists in all ranks between those who retired before 1958 and those who have retired since 1958.

Mr. President, for almost a hundred years, retired pay percentage was computed on active duty base pay. This method treated everyone fairly. It was recomputed each time active duty base pay was increased until 1958 when this tradition was broken. Under the present system, the pay gap widens each time there is an active duty pay raise.

Persons who entered the Armed Forces prior to June 1, 1958, had every right to expect that their retired pay would be computed no less favorably than then provided by law. Tragically, we have not kept the faith.

Mr. President, in the 91st Congress, about 47 Senators and many more Representatives introduced or cosponsored legislation to base retired pay on a percentage of current active duty base pay to conform to the long-established principle which had existed for almost a century. The failure of the Congress has caused these bills to die without a vote in the Senate or in the House.

In this session of Congress, 61 recomputation bills have been introduced or cosponsored in the House. My distinguished colleague from Texas, Senator TOWER, has introduced S. 377, which is cosponsored by about 42 Senators. It is obvious that the time has come to correct an injustice.

Mr. President, the action in 1958 served to create a "second-class" group of retirees and put the military on notice that they were no longer under the protection of the law governing the computation of their retired pay in effect when they embarked upon a career in the services. With the last pay raise of January 1971 there are now 10 "classes" of retirees drawing varying rates of retired pay for equal grade and length of service. This injustice is further compounded by the sad fact that those who suffer most, who are hardest hit by these disparities, are the old retirees, who retired under significantly lower pay scales and who are incapable of supplementing their meager retirement pay because of age or disability.

Under the present system, inequities develop because active duty pay increases faster than the Consumer Price Index which was substituted for recomputation in 1958. The Consumer Price Index formula has served in a meager way to alleviate the plight of the retiree who entered the services with every expectation that his retired pay would, by law, be related to active duty pay. However, in spite of these nominal increases, I would like to point out for the record the disparities in retired pay between two grades with 24 years of service. A major, or equivalent, who retired before June 1, 1958, draws about $501 monthly retirement, while his counterpart retiring after January 1, 1971, draws about $738, a differential of about 47.3 percent. The comparable figures for a master sergeant are about $278 and $418, for a disparity of about 50.4 percent. Each future active duty pay raise will increase these disparities and create yet another class of retirees.

Mr. President, there have been numerous boards, committees, and study groups on the subject of military pay, active and retired. It is noted that President Nixon recently recommended corrective action to the Congress after an extensive Inter-Agency Study. President Nixon has kept his promise. Four years ago, President Nixon stated:

> For the past several years, our retired military personnel have been unjustly treated because of the failure of the Administration and Congress to remedy the growing disparity between active duty and retired military pay. . . . I intend to urge the Congress to remedy this injustice at the earliest possible time. . . . Now, after prolonged inaction . . . the time is at hand to do simple justice.

I am confident a majority in the Congress welcome the administration's proposal to correct the injustice, although it is a compromise proposal. This amendment is also a compromise in order to reduce cost, but it is better than nothing.

Mr. President, I feel that this body can do no less than to give prompt attention to the plight of those who laid their lives on the line to preserve our heritage, not just because the law demanded it, but because they were committed and served voluntarily until they had, by virtue of their sacrifices, attained retirement.

Mr. President, I hold in my hand copies of telegrams sent in 1968 by President Nixon, saying that he favors a recomputation, another by Presidential candidate, Senator HUBERT HUMPHREY, giving a commitment along the same line, another by George Wallace, a candidate for President in 1968, who also approved a recomputation. Every major presidential candidate in 1968 supported recomputation — President Nixon, Senator HUMPHREY, and Governor Wallace.

The distinguished Senator from Texas (Mr. TOWER) introduced a bill on January 27, 1971, S. 3777 which has, in addition to the Senator from Texas, 42 cosponsors. I believe the junior Senator from Texas (Mr. BENTSEN) has introduced an identical bill, which would make, in all, about 44 Senators who have gone on record as favoring recomputation. They are as follows: Senators ALLEN, ALLOTT, BAKER, BAYH, BELLMON, BENNETT, BROCK, CANNON, CHILES, COOK, COOPER, COTTON, CRANSTON, CURTIS, DOLE, DOMINICK, EASTLAND, FANNIN, FONG, GOLDWATER, GURNEY, HARRIS, HOLLINGS, HRUSKA, INOUYE, JACKSON, KENNEDY, Magnuson, Mathias, McClellan, McGovern, Moss, Pastore, Pearson, Pell, Prouty, Randolph, Scott, Sparkman, Stevens, Thurmond, and Tunney.

Mr. President, in addition, the ranking member on the Republican side of the Senate Armed Services Committee, Senator Margaret Chase Smith, has indicated her support of this bill.

I cannot believe that this many Senators would have been sucked in on a proposition unless they felt there was merit in it. The bills were studied. They joined as cosponsors. They joined voluntarily. Almost half the membership of the Senate has indicated an interest in correcting this injustice.

This bill does not provide for full recomputation. If so, a young man who joined the Army at 21 and stayed 20 years and retired at 41 years of age would not have his retirement recomputed until he was 60. He would draw his retirement based on the active duty pay at the time he retired. This bill, therefore, is less costly than the bill introduced by the Senator from Texas.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Maine, who is the ranking Republican member of the Armed Services Committee.

Mrs. SMITH. Mr. President, I notice that my name was not listed among the cosponsors. I have long supported recomputation, in fact, I made a fight for it on the floor some years ago, and have been a cosponsor from the beginning of the bill. I am sure it has been omitted by error.

Mr. THURMOND. Mr. President, I wish to thank the distinguished Senator from Maine for that statement. Possibly her name was omitted by error. I am sure it can be added to the bill.

I just want to say that the bill the administration supports would cost about $288 million a year. A full recomputation bill would cost several times that amount. But the measure introduced by the distinguished Senator from Indiana will cost only $275 million.

This is a fair bill. It is a just bill. It only applies, as I said, to people over 60 years of age, and I want to say further that the President would not have put the money in the budget this year if he had not felt that this was a just piece of legislation. It is hoped that the Senate will see fit to take this matter into consideration.

Mr. President, this is the most conservative of all three approaches. The bill of the Senator from Texas, as I have stated, would cost several times the cost of this bill—around a billion dollars the first year. The bill of the administration would cost about $288 million—$13 million more than this bill. This is the most conservative bill on recomputation that has been introduced.

What is the fairness of a man who retired back in 1958 getting 50 percent less than a man who retires in 1972 who held the same grade? In fact, the man who retired in 1958 is now older. He needs the retirement more; he needs a greater amount than the younger man retiring now in 1972.

It is nothing but simple justice, fairness, and honesty that this bill pass. I am sure something will be done on this matter. It may not be done today, though I hope it will. But something is going to be done. This is the most conservative approach that has been made, and it is made with the idea in view that the officers who retire before 60 can engage in other work and get by, but when they reach the age of 60, they can recompute their pensions as of that time.

That is a fair basis to put it on, Mr. President.

I hope that the Senate will see fit to pass this amendment, because it is a just amendment, and I commend the distinguished Senator from Indiana for offering it.

Mr. HARTKE. Mr. President, I compliment the Senator from South Carolina, who has worked on so many matters with me on the Veterans' Committee, because, in a way, this is the same approach we have taken in that field. What we are working for is equity and fairness of treatment.

Many persons are themselves personally interested in this legislation, including the members of the Veterans of Foreign Wars and the American Legion, have made this matter part of their legislative programs. I would like to quote, from the Veterans of Foreign Wars Priority Goals, Legislative and Security, for 1972, item No. 6 under the heading "Military Manpower and Personnel," in which they:

> Urge a vigorous effort to have benefits and privileges restored to retired military personnel equivalent to those of active duty miltary personnel.

Mr. President, what is the situation on time?

The PRESIDING OFFICER. The Senator from Indiana has 13 minutes remaining.

Mr. HARTKE. Mr. President, I yield myself 5 minutes at this time.

The distinguished chairman of the Committee on Armed Services is certainly one Senator who has the respect of this entire body, and certainly the respect of the Senator from Indiana, because of his longtime devotion to the principles of fairness and equity. I suspect that in this case one of two things is true: Either that he misunderstands our intentions, or otherwise that he feels this is not an appropriate time. I am willing to accept either of these explanations.

The fact is that what we are trying to do here, very simply, is make a temporary adjustment in a situation which has been ignored since 1958. In many cases, we do know that the military establishment is forcing individuals to retire. They are people who have come into the services to help their country in time of great stress and strain.

There are differences in this body as to what the effects of this past war have been, but there can be no difference about one simple fact of life: that if you retired as a master sergeant or a major in 1958, you ought not to be treated with disrespect by breaching a promise made at the time of your enlistment, a commitment made to all military personnel that people of equal rank should be treated with equal respect. That is all we are trying to do.

What the Senator from Mississippi has said, as I understand it, is basically that we need a complete reexamination of this policy.

Mr. President, the passage of this measure would not prevent that. Everything he said about a subcommittee being established, in my opinion, should be done. If there is inequity or injustice, or too much expense, if the present system is wrong, that is one thing. But the fact is that we are not dealing with something ad infinitum into the future; we are dealing with a one-time recomputation. We are saying to the military retirees involved, "Look, we made a commitment to you, and we are going to keep our commitment." The fact is that we should not permit persons of equal rank to be treated with that type of disparity.

Let me point out further, so that there will be no misunderstanding, that we are not advocating these benefits for people who retire at 40 years of age. They will have to wait 20 years to receive the benefits of this proposal. Whether we need a new system or not is not in controversy. The present system, as the Senator from Mississippi has stated, costs $4.4 billion. That is the total cost without the amendment, and that is not materially affected. The military procurement bill that the Hartke proposal will amend amounts to $20.5 billion. The Hartke proposal itself is an item of less than $300 million—$275 million, on a one-shot operation to try to provide for some equity *and some* fairness. This is just a step, in the words of President Nixon, toward simple justice.

I would like to read what the President said in the concluding part of his statement in September, 1968. This is President Nixon speaking, 4 years ago:

> I intend to urge the Congress to remedy this injustice at the earliest possible time by passing legislation along the lines of that introduced by Senator Tower of Texas, chairman of my Key issues Committee. General Eisenhower and I worked vigorously to seek legislative relief in 1960. Now, after prolonged inaction by an administration of which Vice President Humphrey has been a part, the time is at hand to do simple justice and to recognize the great contribution to our Nation by those who have served their country with honor and distinction.

President Nixon referred to just the small amendment we have before us. The Tower proposal the President specifically endorses would cost more than a billion dollars.

As I have stated, we have a situation where the President's message, as I have previously stated, was concurred in by the then Vice President Senator Humphrey, who endorsed it on July 29, 1968, and Governor Wallace, who endorsed the same proposal on September 24, 1968. I ask unanimous consent that their endorsements be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Washington, D.C., *July 29, 1968.*

Maj. Gen. W. Preston Corderman,
President, Retired Officers Association,
Washington, D.C.

Dear General Corderman: You might be interested to know that I am sympathetic to your efforts to obtain an equalization of retired pay. I shall be happy to support you in whatever way that I can.

I have studied carefully the history of this problem. I can see no logic, least of all fairness, in the present system. It does not make sense for the government to provide eight different rates of pay to military retirees of the same rank, who have served exactly the same length of time, enduring equivalent hardships and dangers. The date of retirement is the gauge now for how much a person receives. In each case, the lowest rate is for the oldest group of retirees.

The disparity is compounded against the older groups with each successive rise in the "cost of living."

Throughout my legislative career, I have advocated fairness, based on sound economic considerations, in my approach to veterans' affairs and benefits. I consider equalization of retired pay not only as a desirable proposal, but one which will correct obvious inequities.

Sincerely,
HUBERT H. HUMPHREY,
Vice President.

MONTGOMERY, ALA.,
September 24, 1968.

Maj. Gen. W. PRESTON CORDERMAN,
President, Retired Officer's Association,
Washington, D.C.

DEAR GENERAL CORDERMAN: It is a pleasure for me to advise you that I fully support the principles that a military retirement benefit provided by law when a person enters the military service, should not at a later date be denied to that person by the government.

I believe that an obligation incurred by the government should be fully and fairly satisfied. I, therefore, support your efforts to insure that military retirees of the same grade and years of service, who entered the armed forces while the laws provided for computation of retired pay upon current active duty rates, should have their pay so computed.

When Congress abruptly suspended the direct relationship between retired pay and current active duty rates in 1958, provision should have been made to protect the equities of those persons who had entered the service prior to the change in rules. It appears to me that legislative relief to correct the current injustice is urgently needed, especially when the retired pay of some of our older retirees has slipped more than 30% behind that of their younger comrades.

I assure you that I shall support legislation which will equalize military retired pay for persons of the same grade and years of service.

Sincerely yours,
GEORGE C. WALLACE.

Mr. HARTKE. I want to point out something remarkable. George Wallace used to have a pet phrase. He said, "There is not a dime's worth of difference between the two political parties." I say there was not a dime's worth of difference between Hubert Humphrey, Richard Nixon, and George Wallace on this issue, and there should not be a dime's worth of difference between us in this body as we consider this matter today.

This proposal deals only with people over the age of 60. It is a one-time operation, It is a conservative measure, and it is certainly entitled to every consideration. The Department of Defense letter says only that they endorse the administration proposal. If the Senator from Mississippi were more inclined to be sympathetic toward this proposal, and felt that the administration proposal should be adopted——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARTKE. I yield myself 1 more minute.

If the Senator from Mississippi were more inclined to accept the proposal of the administration, I could even amend this measure to do just that. But I think it the better part of judgment to deal with this problem in this way, so that the chairman of the Armed Services Committee can go ahead with his committee next year and have an in-depth study, and come back to us with appropriate legislation. We are not doing anything to destroy that opportunity for a greater contribution toward our armed services.

Mr. President, let us remember one thing. The defense of this country depends upon those people who have been a part of the defense system. Some of them are veterans. Others are retired military personnel. All we say is that they are entitled to fair treatment from their Government. After all, the Government took their time and life, their bodies and sometimes their minds. They are certainly entitled to have fair treatment and honesty in response.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I find myself in a very unusual situation, in that I think I have fought longer and harder to obtain recomputation than any Member of this body. But I stand here today as a retired major general of the Air Force Reserve, receiving retirement income, which a Reservist is allowed to do by law. I think I would be voting against principle if I voted for or against the amendment, and if I am asked to vote on a straight up or down vote, I shall merely record myself as being present. But if a motion is made to table, and I understand there may be, then I would feel free to vote.

Mr. President, I have asked for hearings on recomputation for as long as I have been here. We held hearings back in 1958, but they did not turn out to be fair to the man who retired before 1958 and in some respects not fair to the man who retired after that time.

I note that on the chart of the Senator from Indiana starts with 1958. We should be concerned with the man who retired before 1958, because he is the one who really has been hurt in the matter of failure to have recomputation.

Adjustment is needed; but, Mr. President, this is not the way to do it. We are dealing with a very, very important matter. In my humble opinion, the whole subject of military retirement needs thorough study. It needs adequate hearings. It needs to be put on an actuarial basis, which it is not on now. With the increase in salaries that we have provided for the military, I think the military themselves would be favorable toward participation such as is the case with all civil servants.

In the past, retirement has been one of the fringe benefits. Pay for the military man never has been even remotely comparable to the civilian side of our life. So the Federal Government has provided the income for retirement without the military man being responsible for any payment. I think that today they probably would welcome a chance, as we do, to contribute to some extent to their retirement.

A study is needed of this matter, and we cannot make a study of it by looking at two charts on the floor of the Senate and listening to debate on this subject for an hour and a half. In my humble opinion, a subject that has not been studied by the Armed Services Committee of the Senate for 14 years cannot be heard or discussed adequately in a way that will enable any Member of this body to vote intelligently.

I realize that there is a great deal of political sex appeal in this matter, that every member of the military services across the Nation is looking to us right now to vote favorably upon this proposal. I will probably catch hell—if Senators will excuse the word—from friends of mine in the service because of the position I am forced to take by feeling that the amendment, if adopted, is not going to do what the man in uniform wants done—namely, to have a retirement that is going to be adjusted to meet the rising cost of living, to be established on a basis that he can retire, and, more important than anything else, the service-connected amendment that was before the Senate the other day, whereby the surviving spouse, the wife, would benefit to the extent of 55 percent in the case of her husband passing on.

Mr. President, as I said at the outset, I am in an unusual position. I probably would be wise if I just kept my mouth shut and sat down. But I cannot do that in a case where I feel that—although the Senator from Indiana and others interested in this amendment are acting in all sincerity—if this amendment is adopted by the Senate, it is not going to be accepted by the House, because they have not had hearings on it at a later date.

I suggest—if the chairman of the committee feels inclined—that he could offer the Senator from Indiana a chance to withdraw his amendment, with the understanding that there would be immediate hearings and a subcommittee appointed immediately to have hearings, with the hope that even in this session we might be able to get something out on which we could vote, as we agreed to the other day, when we agreed with the Senator from Maryland (Mr. BEALL) that the Armed Services Committee would hold hearings on the matter of survivor's benefits.

I think the same thing can be done here, and I assure the Senator from Indiana that I will personally put my attention to it, to the end that we will have adequate hearings. This is a subject I have been interested in ever since I have been in the Senate, and I am glad that it is surfacing. But I am not happy that it is surfacing in a way that I think is going to be more detrimental to the man in uniform than helpful. I am convinced that we can and we must work out a new system of retirement for the man in uniform. It has to be more fair than the system we have had in the past. I think I can safely say that the man in uniform feels that this change is needed, and he is not going to oppose the kind of retirement payments that might be necessary to keep it actuarially sound.

I repeat that we look at the chart, and we are interested in 1958 on, and a great inequity was done to the men who retired before 1958, and we have never done anything to correct that.

I think I could draw a much more enticing chart than the one showing the cases of the major and the master sergeant. If we take the cost of living in 1958 and apply it to a major retiring, the cost of living eventually could earn for this man, if he lived long enough, more retirement than a man retired as a brigadier general or a major general prior to 1958.

Mr. President, there are many, many imponderables. Many things are unknown about this subject. It is a subject that has to be studied, and the floor of the Senate is no place to study it, although I think it is a good place to bring up the subject so that the chairman of the Armed Services Committee can realize that there is a great interest in this matter and, hopefully, will act in the months ahead to the end that we in this Congress, or at the opening of the next Congress, can finally have a chance to vote on something that is not temporary, that is not going to take care of anyone for a few months, but will take care of the man in uniform for years ahead.

Mr. President, I repeat: I cannot vote on this amendment if it is a straight up and down vote, because of my position. If a motion is made to table, I will feel free to vote. I hope this amendment would be withdrawn or tabled.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. STENNIS. How much time does the proponent have remaining?

The PRESIDING OFFICER. The Senator from Indiana has 7 minutes remaining.

Mr. HARTKE. Mr. President, I should like to comment briefly on what the distinguished Senator from Arizona has said.

He is talking about people who retired before 1958. We picked up the date of 1958 because that is simply when the change was made.

All we are doing to these people is saying, "If you are 60 years of age—that is not too young—and you are a retired military person, then you certainly are entitled to be given consideration for what has happened to the base pay of military people in the interim."

These individuals had no choice whatever about those pay raises. They did not vote for them. The Senate voted base pay increases for military personnel. Whether that decision was right or wrong does not detract in any way from the claim these individuals have for fairness and justice.

With respect to contribution to a retirement system, the Senate has not given the right to military personnel to contribute. If the Senate wants to change that next year, that may be a salutary decision. But that is not the fault of the people who have retired. They could not have made a contribution if they had wanted to. If they had, they just would be given their money away.

We are saying that for those people over 60, we recognize the commitment that was made by three candidates for President 4 years ago. We are saying that, in all fairness and equity, they should be treated as individuals who have a right to expect this Government to keep its contract. That is all.

I say to the distinguished chairman of the Armed Services Committee that if he wants to talk about lifetime cost, let us remember that the total lifetime cost estimated for the social security fund at this time is $1,200 billion. When we talk in terms of lifetime cost of $10 billion for this bill, $14 billion for the administration proposal, or $36 billion for the Tower proposal, let us not be carried away by these lifetime estimates. The truth is that if most people would examine what they pay into a life insurance policy over a lifetime, they will receive the shock of their lives. Let us avoid these kinds of shocks.

I reserve the remainder of my time.

Mr. STENNIS. I yield myself 5 minutes.

Mr. HARTKE. Mr. President, will the Senator yield for a moment so that I may ask for the yeas and nays on my amendment?

Mr. STENNIS. I yield.

Mr. HARTKE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. CHILES). The Senator from Mississippi is recognized for 5 minutes.

Mr. STENNIS. Mr. President, I want to commend the distinguished Senator from Arizona (Mr. GOLDWATER) for the great deal of common sense he has expressed to all Senators present in this Chamber. I want to refer to the charts of the Senator from Indiana. He is talking about this master sergeant with 24 years of service who retired in 1958 and gets $304 a month, whereas if he retired in 1972 he would get $453 a month. The master sergeant who retired in 1958 has been out 14 years. What has he been doing all that time? Using his earning capacity. He has been earning more money than that. So we cannot consider him to be a cipher. He is no pauper. He has had this earning capacity for 14 years and he has been using it. If he retired at 40, he is now only 54 years old. Presumably, he is still in the full vigor of health.

They can give me figures here about these people, but turn over back on the next page of the book, and we will find that the civil service people and all the people under social security, and other groups, this amendment does not one thing for them. My point is, we have got to move the programs along more in a sense of proportion, more in a sense of fairness, and more in a sense of equality.

I want to refer to the 100-year program that has been going on. The historic facts are that the pay raise of 1908 was the first general pay raise since 1870. The next raise did not occur until 1922, and the next one was in 1941. So whether we call that recomputation, or whatever it was, it was applied to people who were 60 years old before they got out at that time. So it is altogether a different situation now.

When these fine young men come in at 18 and go out at 38, with the annual average span of life, thankfully, they have all these years ahead of them. I believe the average life today is 75 years. After having retired at 38, they spend more time in retirement than they did in uniform. Times have changed. We have got to keep this thing in bounds. We have got to change the system to cope with it.

The Senator called on me here about going on, even if this amendment becomes law, to press for reform. I want all employees in there together. That will help to get some reform because the military are a respectful group as well as an active group and we need their help if we are going to get any reform. But if we give all this money now, this thing will be as dead as Hector from now until it comes time to recompute again.

Now, Mr. President, my time is short. But I want to point out again what I consider the five or six salient points, by way of comparison, which should be considered. We should halt ourselves here and say, "Wait a minute." This amendment has a lot of good in it, but let us table it for now. Let us get to hearings. Let us bring back a bill, hopefully, with some reform in it, and then get some permanent legislation on the subject.

So I point out now these facts, and they will be true if this amendment passes. Military personnel make no contributions to the retirement system now. Since 1957 they have had social security benefits, too. I guess perhaps Senators did not remember that.

When we passed it in 1957, the Government paid up all the past dues, so to speak.

Now, Mr. President, there is no pleasure, of course, in opposing that which a great number of people honestly believe they are entitled to. But I have a duty to bring the full facts to the Senate and I have done this in my remarks. I have a duty to make a definite recommendation to the Senate. I think the full facts of the entire matter should be developed by in depth hearings on the entire subject and that is what I propose. The legislative department is entitled to the full and active effort of the executive department on this perplexing subject. Both the House and the Senate can hold full hearings. I propose to appoint a subcommittee for that purpose and ask them to prepare and start hearings this year, on the entire subject matter, complete hearings as soon as reasonably possible in 1973, and report a bill to the full committee which, as chairman, I give assurances will be called up before the full committee for consideration and disposition. If a bill is recommended, it will be reported to the Senate floor for such action as the Senate may take. I make this statement in the nature of a promise for my part.

This, I submit, is a fair way to dispose of the entire subject and I hope the amendment is not agreed to on this procurement bill where it would necessarily have only a slight chance, if any, of becoming law.

Mr. President, the yeas and nays on the amendment have been ordered and when the time of the Senator from Indiana expires, I propose to make a motion to table.

Mr. HARTKE. Mr. President, if the Senator desires 2 minutes of my time, I will be glad to give it to him.

Mr. STENNIS. I thank the Senator but he is entitled to his own time.

Mr. HARTKE. Mr. President, this is a very simple amendment. The heart of it is recommended by this administration in these words:

> As a result of that review by the executive department, after consideration of all the aspects of the matter, the proposal for a one time recomputation of military retired pay based on January 1, 1971 pay rates was adopted and was submitted to Congress on April 15, 1972.

In essence, Mr. President, that is included in the Hartke amendment. What we are saying is practically the same thing. As I said, if the chairman of the committee were interested in taking the administration's proposal, I would be willing to withdraw my proposal and introduce that of President Nixon. The Hartke amendment meets the commitment made by President Nixon and by his two opponents in 1968. It is the commitment that was made to that master sergeant by his Government.

The President and Congress have an opportunity to keep that commitment. A master sergeant who retires in 1972, will retire on $453 a month, while the man who is older and has been retired for 14 years gets $304 a month, a difference of 49 percent, or $149 a month.

We are talking about equity. We are talking about justice. We are talking about the system as it is. If the Senator from Mississippi wants to reform the program, he will have to get the administration to change its mind first, because they are not talking about reform.

The distinguished Senator from Mississippi is talking about reform. I will join him in that effort and we will both work together on such a program. I will work hard with him and I hope that the administration will, too.

Mr. TOWER. Mr. President, I support Senator Hartke's amendment to the military procurement bill. Retired military officers have suffered too long under the inequities of the current military retirement system. There is no justification for more recent retirees getting, in some cases, one and a half times the retirement compensation received by older retirees. To compound this inequity, it is precisely the younger retiree who is most likely to have a second job. Did these older men serve their country any less? Were their sacrifices any less noble? Do they deserve diminished praise because they served at an earlier time? I think not.

My own bill, S. 377, was designed to restore full recomputation, to replace the CPI system of calculating military retired pay raises. It was argued the costs were too high—and they were high. But this is a clear indication of the debt we owe these military retirees. It should argue all the more for a swift resolution of the retiree problem. We must not allow these men to bear this inequity any longer. The compromise proposed by Senator Hartke in his amendment is an imminently fair resolution to that problem. He tempers the cost of the one-time recomputation by applying it to the older retiree only. In this way, those younger men who are capable of holding a second job can do so without posing at the same time a full burden upon the retirement system. As a temporary compromise, Senator Hartke's amendment will provide satisfactory equity for the time being.

But eventually, we must move toward permanent equalization of military retired pay. I feel recomputation provides a tested way to achieve that equalization but there are others. I would urge the chairman of the Armed Services Committee to appoint a subcommittee to fully investigate the problem of equalization of military retired pay and to come up with concrete recommendations on how best to resolve this chronic problem.

Mr. President, the Senate is well aware of my longstanding concern that recomputation be restored. Some have argued that a compromise such as we have before us does not go far enough—that we should not therefore support such a measure. It, in my opinion, does not go far enough, but to vote against this amendment would be to condemn thousands of retirees to continued discrimination. I strongly urge Senators to support the amendment.

Mr. THURMOND. Mr. President, I strongly favor the recomputation amendment offered by the distinguished Senator from Indiana but shall withhold my vote upon the merits of the matter, as I would be personally affected by the adoption of the amendment.

Mr. HARTKE. Mr. President, I yield back all the time that has not expired.

The PRESIDING OFFICER (Mr. Chiles). All time on the amendment has now expired.

Mr. STENNIS. Mr. President, under the circumstances, I think it would be well if we could have a short quorum call, and then I will be recognized to make that motion.

Mr. President, I ask unanimous consent that the membership may be notified by having a very short quorum call and then I will ask that the call be rescinded. Then I will make a motion to table.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Chiles). Without objection, it is so ordered.

Mr. STENNIS. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana.

Mr. STENNIS. Mr. President, all time having been exhausted, I move that the amendment of the Senator from Indiana be tabled.

The PRESIDING OFFICER. The question recurs on the motion to table. Those in favor signify by saying "Aye."

Mr. STENNIS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi to lay on the table the amendment of the Senator from Indiana. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FONG (when his name was called). Present.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. Church), the Senator from Georgia (Mr. Gambrell), the Senator from Texas (Mr. Bentsen), and the Senator from Oklahoma (Mr. Harris) are necessarily absent.

I further announce that the Senator from North Carolina (Mr. Jordan) is absent on official business.

I further announce that if present and voting; the Senator from Georgia (Mr. Gambrell) would vote "nay".

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker), the Senator from Massachusetts (Mr. Brooke), and the Senator from Iowa (Mr. Miller) are necessarily absent.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from Delaware (Mr. Boggs) is detained on official business.

If present and voting, the Senator from Tennessee (Mr. Baker), the Senator from Massachusetts (Mr. Brooke), and the Senator from Iowa (Mr. Miller) would each vote "nay."

The result was announced—yeas 17, nays 71, as follows:

[No. 325 Leg.]

YEAS—17

Bennett
Buckley
Burdick
Dole
Ervin
Fannin
Fulbright
Goldwater
Kennedy
Mansfield
McGee
Packwood
Saxbe
Scott
Stennis
Taft
Weicker

NAYS—71

Aiken
Allen
Allott
Anderson
Bayh
Beall
Bellmon
Bible
Brock
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cook
Cooper
Cotton
Cranston
Curtis
Dominick
Eagleton
Eastland
Gravel
Griffin
Gurney
Hansen
Hart
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson

Javits
Jordan, Idaho
Long
Magnuson
Mathias
McClellan
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Smith
Sparkman
Spong
Stafford
Stevens
Stevenson
Symington
Talmadge
Thurmond
Tower
Tunney
Williams
Young

ANSWERED "PRESENT"—1

Fong

NOT VOTING—10

Baker
Bentsen
Boggs
Brooke
Church
Gambrell
Harris
Jordan, N.C.
Miller
Mundt

So the motion to lay on the table was rejected.

The PRESIDING OFFICER (Mr. HUMPHREY). The question now recurs on amendment proposed by the Senator from Indiana. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FONG (when his name was called). Present.

Mr. GOLDWATER (when his name called). Present.

Mr. THURMOND (when his name was called). Mr. President, for the reasons I have already stated, I announce present.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Idaho (Mr. CHURCH), the Senator from Georgia (Mr. GAMBRELL), and the Senator from Oklahoma (Mr. HARRIS) are necessarily absent.

I further announce that the Senator from North Carolina (Mr. JORDAN) is absent on official business.

I further announce that if present and voting, the Senator from Georgia (Mr. GAMRELL) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Delaware (Mr. BOGGS) is detained on official business.

If present and voting, the Senator from Tennessee (Mr. BAKER), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Iowa (Mr. MILLER) would each vote "yea."

The result was announced—yeas 82, nays 4, as follows:

[No. 326 Leg.]

YEAS—82

Aiken
Allen
Allott
Anderson
Bayh
Beall
Bellmon
Bennett
Bible
Brock
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Dominick
Eagleton
Eastland
Ervin
Fannin
Gravel
Griffin
Gurney
Hansen
Hart
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Magnuson
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stevens
Stevenson
Symington
Taft
Talmadge
Tower
Tunney
Weicker
Williams
Young

NAYS—4

Buckley
Fulbright
Mansfield
Stennis

ANSWERED "PRESENT"—3

Fong
Goldwater
Thurmond

NOT VOTING—10

Baker
Bentsen
Boggs
Brooke
Church
Gambrell
Harris
Jordan, N.C.
Miller
Mundt

So Mr. HARTKE's amendment was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HARTKE and Mr. GRIFFIN moved to lay the motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT ON ADMINISTRATION OF THE RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. CHILES) laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

I transmit herewith the 1971 Annual Report on the administration of the Radiation Control for Health and Safety Act of 1968 (Public Law 90-602), as prepared by the Secretary of Health, Education, and Welfare.

RICHARD NIXON.

THE WHITE HOUSE, *August 1, 1972.*

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 1, 1972, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 208) authorizing the President to proclaim the third Sunday in October 1972 as "National Shut-In Day."

EQUAL EXPORT OPPORTUNITY ACT

The PRESIDING OFFICER. Under the previous order, the unfinished business will now be temporarily laid aside and the Chair now lays before the Senate S. 3726, which the clerk will state by title.

The legislative clerk read the bill by title, as follows:

A bill (S. 3726) to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes.

Mr. MANSFIELD. Mr. President, will the Senator yield me 1 minute?

Mr. MONDALE. Mr. President, I yield 1 minute to the Senator from Montana.

WHITE EARTH RESERVATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 920, S. 1217.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read the bill by title, as follows:

A bill (S. 1217) to declare that certain federally owned lands within the White Earth Reservation shall be held by the United States in trust for the Minnesota Chippewa Tribe, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported with an amendment, on page 1, line 4, after the word "United", strike out "States in the" and insert "States, except all minerals including oil and gas, in the submarginal".

Mr. ALLOTT. Mr. President, I have only a couple of remarks in regard to this bill. This is the second of the so-called "submarginal lands" bills on which hearings were held by the Interior and Insular Affairs Committee, of which I am the ranking minority member. Each bill is for only one tribe.

There are, however, a total of 19 tribes who have been trying for 33 years to obtain legislation donating the "submarginal lands" located near their reservations to them.

The minority members of the committee could not support the first of the two bills, S. 722, and our reasons are set out in the minority views filed in Report No. 92–822 on that bill, last May.

Those minority views show that at least 139 bills have been submitted, including bills in every Congress since 1939, for the purpose of transferring some, or all, of these "'submarginal lands" to these tribes.

As explained in our previous minority views—pages 23–25—and in the floor consideration of S. 722, the list of lands which fall in the same category as the land which would be donated by S. 1217, including land near 20 reservations. Congress, in 1956, did make a transfer of some submarginal lands and other lands to the Seminole Indians, but Congress believed the purpose and the surrounding circumstances clearly took the situation out of the category of the remaining 19. That previous discussion pointed out two other instances which might be argued to be a precedent and explains why they were not, and could not be, considered a precedent for these 19 tribes. Thus, no tribe, prior to this Congress, had been given a preference over the others and, of course, it does not appear at this point that the other body intends to move ahead with S. 722. Our minority views delineate the reasons for the failure of

Congress to act on the requests of the 19 tribes and concludes that if Congress is now going to act on behalf of some tribes, then the requests of all the tribes should be considered at the same time.

We believed that the committee had acted in March 1971 to bring this result about, but the full and complete report from the Comptroller General updating his 1962 report in regard to all of the lands sought by all of the tribes, as the committee directed, was not issued. This was allegedly because the Comptroller General was not willing, or able, to do it even though he made the basic 1962 report in 6 months and he had had 14 months to accomplish only an updating of it, from the time the committee ordered it in March 1971, until the time it acted on S. 722, in May 1972. It has now been 16 months.

To try to assure consideration of the requests of the other tribes, after we learned, in May 1972 of the failure of the Comptroller General, all of the minority members of the committee introduced an omnibus bill for all 19 tribes. That bill is S. 3688.

The committee report on S. 1217, before the Senate today, we believe, is misleading in two particular respects. First, that report indicates the committee in March 1971 voted to defer action on the bills for only the two tribes until a request was made to the Comptroller General for an updating of his 1962 report. That statement is inaccurate because the committee did not vote to wait until the request was made but, rather, to defer until the entire updated report was received. There is no question about this as there is no question that the updated report has never been received. The Indians of the other tribes are entitled to know this.

Second, the committee report says the Comptroller General's report of 1962 and his separate report only on this bill, S. 1217, made "no objections" to the transfer of the lands to the Indians.

The 1962 report made many recommendations for different ways of proceeding. The 1971 report makes three other recommendations for substantial amendments to S. 1217. The three recommended amendments can be seen in the sixth paragraph of the GAO report set forth on page 9 of the committee report. One is an amendment to assure that adverse environmental consequences do not result and the Congress should know this.

GAO, as may be seen on page 10 of the committee report, also advised the committee, in effect, that the offset provision in S. 1217 should be removed for the reason it has been ruled to be of no value by the Indian Claims Commission.

The committee accepted none of the GAO recommendations in its 1962 and 1971 reports, but the language of the committee report implies endorsement by the GAO of the bill as introduced and reported. We believe the Congress should be properly advised.

Among other things, failure to provide the true picture could reflect adversely on the other tribes when their requests are considered. Hopefully, those tribes will not be required to wait another 33 years before the committee acts to consider all of their requests.

Mr. MONDALE. Mr. President, I support S. 1217, a bill to transfer the beneficial interest in federally owned submarginal lands within the White Earth Reservation to the Minnesota Chippewa Tribe.

First, I should like to express my gratitude for the great leadership of the chairman of the Senate Interior Committee (Mr. JACKSON) in bringing this measure to the Senate floor.

The lands that would be affected by this bill—approximately 28,700 acres—were originally owned by the Minnesota Chippewa Tribe, but under the allotment acts they passed from Indian ownership. In the 1930's the land was acquired by the Federal Government, with the expectation that it would subsequently be made available for tribal use. This expectation has remained unfulfilled as a result of limitations under the present Federal ownership.

The White Earth Reservation Council adopted a provisional economic development plan on December 2, 1961, which included the use of submarginal and tribal lands. Approval and endorsement of the plan was given by tribal officers in March of 1962, succeeded by the Department of the Interior in August of that year.

This development program would provide employment for reservation inhabitants; it would improve living standards with better housing, health, and welfare facilities; and it would permit more effective utilization of natural resources to afford greater economic growth.

Within the reservation land area there exists a considerable potential for industrial and recreational development. Yet the tribe is hindered under the limitations imposed by revocable permits. As a result, the improvements necessary to make full use of the submarginal land are greatly impaired. Tribal plans for campground development, tourist trade, lakeshore leasing, road construction, as well as individual home construction are limited in each case because of the year-to-year revocable permits.

In 1967, I first introduced legislation to restore the submarginal lands to the Minnesota Chippewa Tribe. Approval of this measure today, would achieve this objective, lift the revokable permit restrictions, and in effect untie the hands of the tribe in implementing the much-needed development plan.

I urge that the Senate swiftly approve S. 1217.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-967), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The basic purpose of this legislation is to transfer 28,700 acres of federally owned submarginal land on the White Earth Reservation in Mahnomen and Becker Counties, Minnesota, to the Minnesota Chippewa Tribe, with the title to be held in trust by the United States. It also provides protection to any person who may have a vested interest in the land. The bill contains a provision that directs the Indian Claims Commission to determine the extent to which the value of the beneficial interest conveyed should or should not be set off against any claim against the United States determined by the Commission, and all mineral interests in the land are reserved to the United States.

BACKGROUND

The lands involved were acquired during the middle 1930's under title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and subsequent relief acts. At the White Earth Reservation the purchase price was $175,664. This land represents a small part of the submarginal land program undertaken by the Federal Government for the benefit of Indians.

In Circular No. 1, issued on June 7, 1934, by the Federal Emergency Relief Administration, to govern the acquisition of submarginal lands, it is stated that the land acquisition program of the Federal Government would be of three major types, the third type being "Demonstration Indian land projects," which would include lands to be purchased primarily for the benefit of Indians. The general objectives of the programs were (1) social and economic advancement of the groups involved, and (2) various conservation activities.

The Indian people at the White Earth Reservation have utilized the land for many years in accordance with the intent of the legislation authorizing its acquisition. They have developed specific social and economic development plans for its further use and believe that beneficial title should be conveyed to them to bring their plans to reality.

S. 1217 was considered in executive session before the full committee on March 31, 1971. The committee agreed that further action on the bill be deferred, pending a request that the Comptroller General of the United States complete an updating of a 1962 General Accounting Office report relating to Indian submarginal lands.

COMPTROLLER GENERAL'S REPORT

The chairman of the committee, in a letter dated April 1, 1971, requested the General Accounting Office to provide the committee an updated version of the GAO's 1962 review of proposed legislation for conveyance to certain Indian tribes and groups of submarginal land administered by the Bureau of Indian Affairs.

The information on federally owned submarginal land on the White Earth Reservation in Minnesota proposed to be held in trust for the Minnesota Chippewa Tribe was transmitted to the committee by the Comptroller General in a report dated October 27, 1971. The Conclusion of this report follows:

> If beneficial interest in the submarginal land on the White Earth Reservation is conveyed to the tribe, the revenues now being collected by the Government, except for that portion the Bureau would charge to cover its administrative costs, would accrue to the tribe. Such revenues, in addition to those the tribe already receives through subpermits, could help tribe members advance their social and economic standing, provided they are invested in planning, establishing, and operating enterprises which would employ Indians and have reasonable chances of success.

Neither the original 1962 General Accounting Office report nor the updated version dated October 27, 1971, posed objections to the submarginal lands being transferred to the White Earth Reservation.

NATIONAL COUNCIL ON INDIAN OPPORTUNITY

In May 1971, the Cabinet-level National Council on Indian Opportunity, which is chaired by Vice President Agnew, released its report entitled "Indian Submarginal Lands: An Unresolved Problem." The conclusion of this report states in part:

Whereas many of the wrongs Native Americans have suffered from broken promises in the past are irredeemable, the issue of submarginal lands presents a unique opportunity. For here, the promise has not been broken—it simply has not been kept. And the opportunity remains to fulfill the promise by simple legislative action.

While for most of the population, the terrors and deprivation of the Great Depression have long since been overcome, the economic situation on many of the reservations has changed relatively little in the more than 30 years since the Land Program was conceived and undertaken. On some of the reservations whose submarginal land parcels are the subject of this report, the unemployment rate remains at more than sixty per cent of the adult labor force.

An examination of the legislative history and course of administration of this program can lead to but one conclusion: the land was purchased with special funds to be consolidated with other tribal land holdings, and held in trust for the tribes. . . .

Thus, the fulfillment of this promise made long ago requires passage of legislation delivering trust title to the submarginal lands to the respective tribes for whom they were purchased, for use in accord with land use plans which have been legislatively approved. . . .

The aforementioned report has been made a part of the permanent files of the Committee.

EXECUTIVE COMMUNICATION

The Department of the Interior executive communication to the Congress dated March 1, 1971, transmitting proposal legislation to convey beneficial interest in the submarginal land to the Minnesota Chippewa Tribe states in part:

The records disclose a complete understanding between the Federal Agencies involved in the acquisition and administration of submarginal lands on or near Indian reservations. It was that the lands were being selected for acquisition in connection with demonstration Indian projects; that they were needed by the Indians; that they would be utilized by the Indians in connection with the use of Indian-owned lands; and that proper recommendations would be made at the appropriate time for the enactment of legislation to add these lands permanently to Indian reservations.

LEGISLATIVE PRECEDENTS

On three occasions in the past, Congress has enacted legislation which transferred title to submarginal lands to Indian groups as follows:

(1) The act of August 13, 1949 (63 Stat. 604), transferred trust title to 457,530 acres of submarginal land and 154,502 acres of public domain lands to several Pueblos and Canoncito Navajo of New Mexico. No provision in the Act to provide for set-off against any claim against the United States Government determined by the Indian Claims Commission. The act provided for the transfer of income ($8,174.62) derived from the submarginal lands to the Indians;

(2) The act of August 2, 1956 (70 Stat. 941), transferred trust title to 78,372 acres of submarginal lands to the Jemez and Zia Pueblos of New Mexico. No jurisdiction in the act to determine set-offs by the Indian Claims Commission; and

(3) The act on July 20, 1956 (70 Stat. 581) transferred trust title of 27,000 acres of submarginal lands to the Seminole Indians of Florida. No jurisdiction in the Act to consider set-offs by the Indian Claims Commission.

COST

No additional expenditure of Federal funds will result from the enactment of S. 1217.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to valid existing rights, all of the right, title, and interest of the United States, except all minerals including oil and gas, in the submarginal lands, and the improvements thereon, that were acquired under title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), and section 55 of the Act of August 24, 1935 (49 Stat. 750, 781), and that are now administered by the Secretary of the Interior for the benefit of the Minnesota Chippewa Tribe, White Earth Reservation, are hereby declared to be held by the United States in trust for said tribe, and the lands shall be a part of the reservation heretofore established for the tribe.

Sec. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the beneficial interest conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

EQUAL EXPORT OPPORTUNITY ACT

The Senate resumed the consideration of the bill (S. 3726) to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes.

Mr. MONDALE. Mr. President, what is the agreement on controlled time?

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the Senator from Nebraska (Mr. Curtis) will be recognized to offer his amendment, on which debate is limited to 1 hour, to be equally divided between and controlled by the Senator from Nebraska (Mr. Curtis) and the senior Senator from Minnesota (Mr. Mondale).

The Senator from Nebraska is now recognized.

AMENDMENT NO. 1371

Mr. CURTIS. Mr. President, I have amendment No. 1371 at the desk, which I offer at this time and ask to have read.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk proceeded to read the amendment (No. 1371).

Mr. CURTIS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by Mr. Curtis (for himself, Mr. Bellmon, Mr. Dominick, Mr. Dole, Mr. Hansen, Mr. Hruska, Mr. McGee, Mr. Miller, Mr. Talmadge, Mr. Tower, and Mr. Young) are as follows:

On page 2, line 18, after "Sec. 104." insert "(a)".

On page 4, between lines 17 and 18, insert the following:

"(b) (1) Section 4(e) of such Act is amended to read as follows:

"'(e) The authority conferred by this section shall not be exercised with respect to any agricultural commodity, including fats and oils or animal hides or skins, without the approval of the Secretary of Agriculture. The Secretary of Agriculture shall not approve the exercise of such authority with respect to any such commodity during any period for which the supply of such commodity is determined by him to be in excess of the requirements of the domestic economy, except to the extent the President determines that such exercise of authority is required to effectuate the policies set forth in clause (B) or (C) of paragraph (2) of section 3 of this Act.'

"(2) Any rule, regulation, proclamation, or order issued after July 1, 1972, under section 4 of the Export Admnistration Act of 1969, exercising any authority conferred by such section with respect to any agricultural commodity, including fats and oils or animal hides or skins, shall cease to be effective upon the date of enactment of this Act."

Mr. CURTIS. Mr. President, I ask unanimous consent that the distinguished Senator from Oregon (Mr. Hatfield) be listed as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I yield myself 4 minutes.

Mr. MAGNUSON. Mr. President, will the Senator yield to me?

Mr. CURTIS. I yield.

Mr. MAGNUSON. Will the Senator let me be a cosponsor of the amendment?

Mr. CURTIS. Mr. President, I ask unanimous consent to have the Senator from Washington included as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. And the distinguished Senator from New Mexico (Mr. Montoya).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I yield myself 4 minutes.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, about the middle of July the Secretary of Commerce issued an order restricting and controlling and regulating the export of cattle hides from this country. Those of us who offer this amendment believe that that is very detrimental to the farmers and ranchers of the country and that it will curtail markets and cause an adverse effect on the price of a steer that may run as much as $7 a head.

We had a similar program—Mr. President, may we have order?

The PRESIDING OFFICER (Mr. Humphrey). The Senate will be in order. Senators will take their seats or hold their conferences in the cloakroom.

The Senator from Nebraska may proceed.

Mr. CURTIS. Mr. President, I spoke at length yesterday on this matter, and set forth in some detail the reasons for it.

In 1966 a similar order was issued. It proved a failure. At that time the price of shoes went up and the price of cattle went down.

The present order is somewhat similar, but it is different. It calls for a complicated system of rationing and the issuing of tickets for export.

The testimony taken by the Committee on Agriculture and Forestry indicates that there will be a black market in export tickets, and this was not denied by any other witness.

I am in sympathy with the problem of the tanners and the shoe manufacturers who find themselves undersold in the American market by foreign manufacturers. But they have applied the wrong remedy. Mr. Robert Anderson, president of the Parsons Tanning Co., said this:

> It is our opinion that export controls will result in strengthening the tanning and shoe industries of the United States for it will be a great equalizer. Raw material costs to foreign nations will be higher thereby reducing their labor cost advantage. American tanning and shoe manufacturers will have lower raw material costs offsetting their high labor cost.

Now, is that not something? Because they are paying higher costs, they want to use the power of government to force down the farmers' price to offset their costs.

The **PRESIDING OFFICER**. The Senator's 4 minutes have expired.

Mr. **CURTIS**. I yield myself 2 additional minutes.

I proceeded to ask Mr. Anderson this question:

> Senator Curtis. Are Japanese buying hides in this country cheaper than you can buy them?
>
> Mr. Anderson. No. They pay a premium for all hides.

So the foreigners have no advantage in buying hides.

Mr. President, here is what this amendment would do: It provides that hereafter authority of this kind with respect to an agricultural commodity, including fats, oils, animal hides, and skins, shall not be issued without the approval of the Secretary of Agriculture. And section 2 of my amendment does away with the order issued last July.

Mr. President, I reserve the remainder of my time.

Mr. **DOMINICK**. Mr. President, will the Senator yield me 2 minutes?

Mr. **CURTIS**. I yield the distinguished Senator 3 minutes.

Mr. **DOMINICK**. Mr. President, I just wanted, as a cosponsor of this amendment, to congratulate the Senator from Nebraska for having introduced it.

Obviously, the cattle industry is of great importance in our State.

Mr. President, as a cosponsor of amendment No. 1371, introduced by Senator Curtis to the Export Administration Act, I wish to commend my colleague Carl Curtis for his excellent analysis of the crisis facing the Western cattle producers as a result of the unfortunate decision on July 15, 1972, by the Secretary of Commerce. At that time, the Commerce Department announced that it would take action to impose limitations on the export of cattle hides. Three days of hearings have been held by the Senate Agriculture and Forestry Committee and the action by the Secretary of Commerce has been submitted to close scrutiny by that committee.

This amendment would require that the Secretary of Commerce obtain the prior approval of the Secretary of Agriculture before exercising authority to limit exports on agricultural commodities, including animal hides and skins. Such prior approval by the Secretary of Agriculture is not to be given during any period when the supply of such item exceeds the domestic requirements. This amendment would be retroactively effective to July 1, thereby reversing the July 15 decision of the Commerce Department.

Mr. President, the cattle industry is of enormous importance to the State of Colorado. Colorado ranks 11th nationally with 3,716,000 cattle and calves on Colorado farms and ranches. The value of such cattle on January 1, 1972, was estimated at $762 million.

Mr. President, this amendment merely requires that the Secretary of Commerce be required to go to the expert—the Department of Agriculture—and obtain from that expert the necessary information regarding the agricultural industry before charting a proposed course of action regarding export limitations.

There seems to be little question that a cattle hide at today's prices is worth approximately $17, and that each hide contains enough leather for 20 pair of men's shoes or 40 pair of women's and children's shoes. At $25 per pair, we can conclude that the leather in a pair of men's shoes represents about 3½ percent of the retail price. The reduction in the price of the hide would not reduce the retail price of a pair of shoes.

The action of the Commerce Department would have little effect on the consumer, but the consequences on the cattleman will be significant insofar as the sale of cattle hides is concerned.

Hide producers from Western States depend almost entirely upon overseas markets as an outlet for their hides. According to Mr. Roy W. Lennartson of Western States Meat Packers Association, the 11 Western States of Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, and California produce 22 percent of the total U.S. hide production and no major tanneries are located in the West. The large leather users claim that Western hides are not suitable for their requirements. Because of this and high cost of shipping, Western hide producers had to develop other markets. Most Western hides are exported to markets in the Far East. The limitation on hide exports will have little effect on anyone except the cattle producer. It will destroy markets that have taken years to develop.

The action by the Commerce Department was not justified on the basis of present facts. These facts would have been available through the Department of Agriculture and, for this reason, the amendment before the Senate must be enacted.

Mr. **DOLE**. Mr. President, as a cosponsor of the amendment offered by the Senator from Nebraska (Mr. Curtis) I should like to emphasize the need for the Secretary of Agriculture to have the approval of imposition of export control on agricultural commodities as outlined in the amendment.

During the hearings conducted by the Senate Agriculture and Forestry Committee last week and cited by Senator Curtis yesterday in presenting his amendment, it was obvious that the Secretary of Agriculture did not have the option to approve the Secretary of Commerce's decision to impose the restriction on hide exports.

If he had this authority, Secretary Butz would recognize that our producers do not receive $32 per hide as was indicated in the testimony; but closer to $18 or $20, and this is twice as much as he had been paid for some time.

Hide prices are not excessive, nor is the price of cattle or beef. Our farmers are entitled to a fair price for their animals and a fair return on their investment. Recently, cattle prices reached an all-time high. I say justly so, and they should be higher. For according to USDA figures, our farmers are still receiving only 75 percent of the income received by nonfarm workers.

Now, when cattle prices have attained the same level as 20 years ago, some have urged actions to lower cattle prices; but this is not the solution to the consumer's problems. The restrictions proposed to control hide exports will not lower the price of shoes materially. The increases for other components in a pair of shoes and costs of labor will maintain shoe prices at nearly the present levels, and blaming farmers for the price of cattle hides and for increased shoe prices is totally unfair.

Mr. President, in addition, I ask unanimous consent that a letter from Mr. Kalo Hineman, president of the Kansas Livestock Association be inserted in the Record. Mr. Hineman outlines the farmers' objections to this hide export control very well and his letter will be helpful in considering this amendment.

Senators who cosponsored this amendment have filled the record with the facts, clarifying this misconception.

I ask all other Senators to join in supporting this amendment, which will assure farmers adequate protection in the administration of the Export Administration Act.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Kansas Livestock Association,
Topeka, Kans., July 28, 1972.
Senator Robert Dole,
New Senate Office Building,
Washington, D.C.

Dear Senator Dole: Most cattlemen realize that beef is, as Secretary of Agriculture Butz has pointed out many times, a demand-oriented product. The supply of beef cannot be adjusted overnight. Therefore . . . beef operates well in a fluctuating supply and demand market.

Cattle hides are also demand-oriented. The supply of hides depends on the number of cattle slaughtered for beef. Obviously, this supply is also unable to be adjusted quickly.

People don't consume leather. While fashion trends will increase the demand for leather products to a certain degree, generally Americans are not buying huge quantities of leather. With increased numbers of hides from greater beef production, there has had to be a reliance on foreign countries for trade. Hide buyers, packers and exporters in the seventeen western states, because of the branding laws and customs, have been unable to compete in the domestic hide market.

> They have had to promote and hustle to establish world markets for thinner, branded hides. This they have done remarkably well.
>
> If a sudden shift in the world hide situation (Argentina's decision to keep cattle for breeding) has caused greater competition among tanners, it doesn't change the fact that these western exporters still have no export market. As producers, we are glad that hide buyers have developed this market. While the price of hides is very small in comparison to the entire animal, hide prices do have an effect on the cattle market.
>
> The Commerce Department's decision to grant 43% tickets to packers all over the country is, in our opinion, very unfair. Assuming that the plan is workable, which we doubt, western hide buyers will have more than half of their hides ineligible for export. On the other hand, eastern hide handlers, who have had the domestic market to themselves, suddenly will find themselves with an automatic advantage of exporting 43% of their hides. For the market to continue as it has, western hide people will have to pay eastern hide people for these tickets. The result can only depress our western hide price and, in turn, our western cattle price.
>
> We do not pretend to be experts at the manipulation of commerce. Yet, if—as Secretary Peterson admitted—the effect on shoe prices will be minute at best, there seems to be little reason to go ahead with this awkward, discriminatory plan. We urge a new solution.
>
> Sincerely yours,
>
> KALO A. HINEMAN,
> *President, Kansas Livestock Association.*

Mr. McINTYRE. Mr. President, will the Senator from Minnesota yield me 6 minutes?

Mr. MONDALE. I yield 6 minutes to the Senator from New Hampshire.

Mr. McINTYRE. Mr. President, as a member of the committee which reported the bill before us, and more particularly as a spokesman for my many constituents whose livelihood is directly affected by the provisions of this bill, I wish to speak in opposition to the pending amendment. My views on this amendment apply, with equal force and reason, to any similar amendment which may be proposed later.

The basic issue behind this amendment stems from the action of the Secretary of Commerce, early in July, to exercise his authority under the Export Administration Act to regulate the export of cattlehides. The Secretary acted only after the longest possible study, consideration, and, in my opinion, undue delay imposed as a concession to the Secretary of Agriculture.

In the period of time since last August 15, almost a year ago, when price controls were imposed on most sectors of the economy, the price of cattlehides has soared. Cattlehide prices have risen, depending on the type and grade involved, by some 100 percent to 200 percent. The impact of this dramatic price increase has been felt in the first instance by the tanning industry and then by the shoe manufacturing industry. It is about to be felt in full force by the consuming public.

I should point out, Mr. President, that at the time that cattlehide prices were doubling and tripling the tanning industry and the shoe industry were subjected to unusually rigorous regulation by the Price Commission. In the case of the shoe industry, shoe manufacturers were singled out for practically unique hardship by the Price Commission in that that industry has been prohibited from earning its normal profit on costs. The Price Commission has pointed out that this severe regulation was made necessary by the soaring cost of cattlehides.

While this action by the Price Commission seems to me to be lacking in reason, and possibly unjustified in terms of the Economic Stabilization Act, nevertheless it places pressures upon the shoe and tanning industries which make it impossible for those industries to continue in business if the hide market situation should get worse. Thus, in the past few months, many shoe manufacturers and tanners were forced to begin planning to close down their factories.

The State of New Hampshire has seen too many shoe plants close down before. In this case, it is just inconceivable to me that a Secretary of Commerce could sit by and watch this situation get out of hand. Months ago, I and other Members of the Senate urged the Secretary to move swiftly to impose export controls on hides. Now that he has finally acted, it would be the height of irresponsibility for Congress to make his job even more difficult.

The Secretary acted because the cattlehide situation met the statutory criteria. There exists today an abnormal foreign demand for hides—caused by the curtailment of supplies for the world hide market from Argentina. This demand has created inflationary pressures and domestic shortages. Prices have skyrocketed and domestic buyers are unable to fill their needs, at any price. I understand, for example, that Japanese buyers have placed standing orders for hides at 2 cents per pound higher than the domestic market regardless of the market level. So a domestic shortage clearly exists.

It has been suggested today that these controls are unfair to the economic interests of the cattle industry. Nothing could be further from the truth. The system of controls imposed by the Department of Commerce bends over backwards to be fair to the cattle interests. For one thing, export levels are set at the level of 1971 exports and 1971 was the best year in history for hide exports. Hide prices are now up at levels which cattlemen for decades would have believed to be unreasonably high, or even impossibly high.

The income from the sale of hides and meat has been felt. Last Friday the Government released the quarterly personal income figures for States and regions. The greatest positive improvement in personal income was felt in the Rocky Mountain and Southwest regions of the country. The report states:

> The large income gains in the Rocky Mountain and Southwest regions primarily reflect large increases in farm proprietors' income associated with soaring livestock prices . . . (Dept. of Commerce, BEA 72-47, July 28, 1972)

Mr. President, at the same time that soaring livestock prices were resulting in large income gains for the cattle interests, shoe workers in New Hampshire were losing their jobs.

I am not opposed to higher incomes for cattle producers, but I do not believe that these gains should be achieved at the cost of jobs for shoe and leather workers. The export controls which have been placed on cattle hides are very generous to the cattle interests; they are temporary, they are flexible, and they represent a balancing of the various equities involved. Mr. President, I urge the Senate to reject any amendment which seeks to further restrict the ability of the Department of Commerce to impose controls on commodities which are in short supply.

Mr. JAVITS. Mr. President, will the Senator yield me 30 seconds?

Mr. MONDALE. I yield.

Mr. JAVITS. Mr. President, it is always refreshing to hear the voice of the consumer and the voice of the worker spoken in these protectionist issues. It is refreshing to me, and I believe it is refreshing to many in this country. I congratulate the Senator from New Hampshire, who has spoken from the position of deep analysis which coincides with the analyses of the administration. I should like to identify myself with the Senator's position and express the hope that the Senate will reject the amendment.

Mr. McINTYRE. I thank the Senator from New York.

Mr. MONDALE. Mr. President, I yield 4 minutes to the Senator from Maine.

Mr. MUSKIE. Mr. President, I intend to vote against the amendment to the Export Administration Act of 1969 offered by Senator CURTIS. His amendment, if adopted, as the Senator from New Hampshire has pointed out, would seriously harm the leather and shoe industries of our country by invalidating the export controls on cattle hides which the administration imposed on July 15 after the most careful study.

Indeed, the administration clearly resisted the imposition of export controls on hides, and I and a number of my colleagues, over a period of several months, directed a steady stream of letters to the President and the Secretary of Commerce citing the accelerating cost of cattlehides and urging that action be taken under the Export Administration Act to control their export. Secretary Peterson, in announcing the export controls on July 15, underlined the administration's reluctance to impose these controls when he described the elaborate study process which preceded their imposition. Secretary Peterson noted that the administration:

> Launched the most comprehensive kind of intensive survey of supply and demand outlook for hides—both domestic and international. Under the Secretary's statutory authority, we got the facts from packers, farmers, exporters, and shoe manufacturers on their inventories and their expectations of short-term demand. We got the latest estimates we could get of cattle slaughter and hide production.

Only then did the administration act to impose controls, and only after the facts uncovered made the need for action overwhelmingly clear.

What were these facts which mandated the administration's action? They included the following:

First, hide prices are at record highs with the composite prices running in the 27 cents to 29 cents per pound range for the 2 months prior to the imposition of Secretary Peterson's orders.

Second, a Commerce Department survey projected a demand for an additional 638,000 hides for current use for the period March through December 1972 over a comparable period for 1971.

Third, for the last 5 months of 1972, domestic shoe production is projected to increase 7.3 percent over the comparable period for 1971.

Fourth, a Commerce Department survey projects, in the absence of controls, an increase in the export of cattlehides of 576,000 hides for the period March through December 1972 over a comparable period of 1971.

Fifth, Argentina's and Brazil's exports accounted for 26.2 percent of total world exports in 1969, 20.7 percent in 1970, and an estimated 10.2 percent in 1971—but these sources have been terminated.

Sixth, between March 1971 and March 1972, domestic cattlehide and leather inventories have decreased 1,002,000 hide equivalents.

Seventh, in spite of projected production increases in hides, the projected demands for hides for the period March through December 1972 could be expected to exceed supplies by 1,521,000.

These facts, as Secretary Peterson recognized, portray precisely the kind of situation envisioned when the Export Control Act was adopted. I was privileged to serve as chairman of the subcommittee which drew up that act, and I was one of its principal sponsors. The statutory language triggers controls when they are necessary "to protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand." There is no doubt in my mind that the present hide situation fits these criteria.

Now, slightly over 2 weeks after Secretary Peterson acted to control hide exports, and even before the ticket system of controls begins operation on September 1, the Senate is asked to overrule Secretary Peterson's actions and turn its back on the serious plight of the shoe industry in our country. Such hasty action would be unfair and unwise.

There is evidence that our domestic shoe industry, after a period of decline, will experience an increase in shoe production. But this hopeful trend simply cannot survive an uncontrolled rise in cattlehide prices. Hides are the major cost of producing leather and a principal cost of making shoes. The hide price increases that have occurred so far are expected to affect the retail cost of American-made shoes in varying degrees, according to size and construction. Specifically, the cost of women's shoes will probably rise $1 to $2, men's shoes will cost $2 to $4 more, and women's boots may be as much as $4 to $6 more expensive.

The precarious competitive position of our domestic shoe industry is gravely endangered by such increases. In my own State of Maine, between 1968 and June of 1972, employment in Maine's leather footwear industry declined from 26,900 employees to 18,500. During 1971 and 1972, 13 shoe firms in Maine employing over 3,000 people have closed. This pattern is not unique to Maine. We must not allow the situation to deteriorate further through uncontrolled increases in cattlehide prices.

I would have hoped that export controls on hides would not have been necessary. I believe we should pursue, as vigorously as possible, free-trade conditions. However, we cannot be blind to reality and ignore the plight of a vital American industry. When market conditions warrant, and Secretary Peterson has pledged to monitor the situation closely in the coming months, the controls can be lifted. In the interval, in a period of serious hide scarcity and dramatically rising hide prices, Secretary Peterson's necessary action deserves support. I urge my colleagues to adopt this wise course of action and vote against the amendment offered by the distinguished Senator from Nebraska.

Mr. MONDALE. Mr. President, I yield 3 minutes to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, for many years, many of us have been struggling with the Secretaries of Commerce of this and the last three administrations, and with other officials of these administrations, first, to save our textiles and, second, to save our shoe industry. I have rehearsed on this floor, on other occasions, the fact that mill after mill, and factory after factory, has closed in my State of New Hampshire as well as in adjoining States.

At last, we have received some action in insisting upon voluntary quotas and, if necessary, other quotas to protect our shoe workers and save our shoe industry. As a matter of fact, I have voted on several occasions, in other years, with my good friends from Nebraska and from other States, to help them save and promote the meat production industry and sales. I never want to be parochial in my attitude, but I cannot find myself greatly alarmed, even though I respect and admire my dear friend from Nebraska, for his spirited attempt to protect the export of hides. I hold in my hand today's copy of the Wall Street Journal and I note on page 28 that 1 year ago the price of hides was 15 cents a pound and today it is 33 cents a pound. It went up 1 cent a pound right after the Secretary of Commerce issued his order.

I believe that the Secretary of Commerce can be depended on not to do anything seriously to injure our friends in the West. He has not done so yet because the price of hides has not gone down but has gone up. It would absolutely vitiate this protection we have, to make it subject to the Secretary of Agriculture, because it would be the old story of putting the fox in charge of protecting the chicken coop.

I am compelled, Mr. President, to vote against this amendment offered by my good friend from Nebraska.

Mr. MONDALE. Mr. President, I yield 2 minutes to the Senator from Tennessee.

The PRESIDING OFFICER (Mr. HUMPHREY). The Senator from Tennessee is recognized for 2 minutes.

Mr. BROCK. Mr. President, I rise in opposition to the amendment to exempt cattlehides from the Export Administration Act of 1969.

The purpose of this amendment is to nullify the action taken by the Secretary of Commerce on July 12 to control export of cattlehides to cut inflationary pressures on prices of shoes and other leather goods. The action taken by the Secretary was both necessary and fair to all concerned.

In face of the soaring hide prices and shortage of cattlehides, the Secretary had no other alternative than to act in a vigorous manner. Since August 15, 1971, the start of phase I of the President's economic program, hide prices have increased almost 100 percent. This fantastic inflation in hides means that retailed shoe prices must go up at least $1 to $2 a pair and the end is not in sight. These increases will be borne by the American consumer. In addition, there is a deepening shortage of cattlehides which is crippling our domestic leather and shoe industries. In spite of projected production increases in cattlehides, projected demand for hides for the period March–December 1972 could be expected to exceed supply by 1,521,000 hides.

This dire situation has been brought about by the activity of foreign hide buyers who are increasing their demand for U.S. hide production, thereby driving prices up and draining hide supplies. Since 1967 hide exports have increased from 11,900,000 to 16,000,000 in 1971.

In the same period, exports as percent of domestic hide production climbed from 33.2 percent to 42.6 percent. The Department of Commerce survey projected increases in export of cattlehides of 576,000 hides for the period March through December 1972 over a comparable period in 1971 if controls were not instigated.

The shortage of hides in this country can be attributable to several factors, the principle one being that the major hide exporting nations with exception of the United States have placed embargos on exportation. For example, Argentina and Brazil who exported 26.2 percent of the world's supply of cattlehides in 1969 have placed a total embargo on exports. The policy of both of these countries is to build tannery and shoe industries to become major shoe exporters.

It seems grossly unfair to ask the American worker and consumer to bear the brunt of the restrictive policies of these countries.

Although hide production in this country is expected to increase for the remainder of 1972, absent controls, it would not be expected to meet domestic demands.

Thus, the Secretary of Commerce was faced with a critical situation. Countries normally buying in South America are converging on the U.S. market. Foreign buyers have the great advantage of currency revaluation which has made their money worth more. Prices of leather goods and shoes were soaring. Factories were threatened with curtailment or shutdown from sheer lack of supply.

That would have meant more unemployment. The action taken by the Secretary of Commerce was long overdue.

The Secretary's program should prove to be a fair and effective one. Rather than impose conventional export controls as was done in 1966, the Secretary is utilizing an export ticket system in hopes of preventing windfall profits to go to exporters of foreign producers. Under the regulations, export tickets will be issued to cattlehide producers in an amount equal to last year's export levels. The effect of this approach will be to reserve for hard-pressed domestic buyers and industries the additional cattlehides which it is anticipated will be available for sale to people who export hides. Under the ticket system benefits of higher foreign hide prices should accrue to the American consumers and cattle producers—not to foreign purchasers and exporters.

Under this program the consumer will enjoy stable prices for leather goods, the workers in the leather goods industry will have their jobs preserved, and the cattle producers will receive the benefit of any increase in prices on the foreign export market.

Mr. CURTIS. Mr. President, how much time remains to each side?

The PRESIDING OFFICER (Mr. STEVENSON). The Senator from Nebraska has 20 minutes remaining and the Senator from Minnesota has 12 minutes remaining.

Mr. MONDALE. Mr. President, I yield 4 minutes to the Senator from North Dakota (Mr. YOUNG).

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 4 minutes.

Mr. YOUNG. Mr. President, the cattle industry is in a unique situation. Controls on imports have been lifted so that they now have to compete with the rest of the world on the meat that they produce. Now controls are being placed on exports. One of the few commodities we can produce and sell to the rest of the world are cattle hides. But the cattle producer is in a bind both ways.

Mr. President, I have a great deal of sympathy for those here today who express concern about losing an industry in the United States. The textile industry has been hurt badly during the past few years. I voted to help them. The shoe industry, no doubt, is being hurt. But even if they got the cattle hides for nothing, they would still have about the same trouble, because the cattle hide represents only a small percentage of the cost of a pair of shoes.

There are many other industries in this country which are getting hurt and where we are exporting jobs. It is hard to buy a camera today in the United States where most of the components are not made in foreign countries. It is hard to buy clothing of any kind where the cloth is not made in some foreign country. The same thing is true of bicycles and motorcycles. We cannot even buy barbed wire any more made in the United States. We stopped making barbed wire except for military purposes. We are, of course, importing more and more automobiles. Many other industries are getting hurt badly by excessive imports.

Thus, Mr. President, I feel that we are facing a serious situation when we are exporting jobs and importing all our requirements.

The answer is not to destroy an industry in this country that needs help, or to injure it, which would result from limiting exports.

My gosh, at this time, we should be concerned about producing more commodities for export to earn more money which will place us in a better position with regard to our balance of payments.

Mr. President, the recently announced limitation on the export of cattle hides was a most unfortunate blow to the American livestock producer and to the economy in general.

The Secretary of Commerce made a questionable interpretation of his authority under the Export Administration Act when he ordered these limitations. I feel that it is absolutely necessary for the Congress to spell out that authority clearly so that further problems of this type will be avoided.

We are all concerned over the inflation that has plagued our economy. Controlling inflation must be our No. 1 domestic economic goal. While I recognize this need, I am deeply disturbed that two of the most publicized moves taken in recent weeks to help control inflation will have a direct, adverse impact on a segment of the economy that has not fully shared in the great advances in the general level of economic activity. I am speaking of course, of the American farmer and rancher.

The lifting of meat import quotas a few weeks ago will force livestock producers to compete with additional quantities of lower quality, lower priced meat produced in foreign countries under lower cost conditions. The hide export limitation, on the other hand, prevents producers from taking full advantage of an export market that is badly needed.

Last week, the Senate Committee on Agriculture and Forestry held hearings on this action. During these sessions, it was repeatedly demonstrated that the limitation would have little, if any, effect on the rate of inflation in this country. It will, however, have a serious adverse impact on our balance-of-payments problem.

This problem has become one of the most difficult economic problems ever to confront this Nation. Every possible effort is being made to expand American exports in an effort to bring relief from these difficulties. The record is clear, Mr. President, that market development efforts on hides have been successful. The record is equally clear that export limitations on them are damaging to that market. Limitations were placed on hide exports in 1966. While those limitations did not halt the rise in shoe prices as they were supposed to, they did very effectively reduce the level of hide exports. In fact, it took 3 years to regain the level of hide exports we had in 1966.

This action is going to lose markets for the United States. Some of these markets will be lost for a few months or a few years, depending on how long the limitations are in effect. Others will be lost for good. A major effect of this move will be to force foreign purchasers of American hides to look for synthetics or substitutes for leather. Invariably, once a manufacturer goes to cheaper substitutes or synthetics, he rarely goes back to the better quality, natural product.

To argue that this move will protect the consumer from further increases in the price of shoes and other leader products is to ignore the experience of 1966. Despite the export limitation at that time and the consequent drop in hide exports and prices, shoe prices in this country continued to rise.

It is easy to understand why this happened then and will, in all probability, happen again. The U.S. Department of Agriculture estimates that less than 5 percent of the cost of a pair of men's oxford shoes goes to pay for the rawhide used.

Mr. President, I strongly support the effort to remove this unwise limitation. It will not remove the threat of rising leather product prices. It will result in reduced income for livestock producers. It will adversely affect our balance-of-payments situation.

Mr. CURTIS. Mr. President, will the Senator from North Dakota yield for an observation?

Mr. YOUNG. I am glad to yield.

Mr. CURTIS. The testimony is that out of the average cattle hide they can make 20 pairs of men's shoes. Of course, women's shoes with just the sole, the heel, and some straps, maybe twice that many—and certainly with children's shoes. So the hide is only about 5 percent of the cost of a pair of shoes; is that not correct?

Mr. YOUNG. That is correct. In referring to testimony, in many cases, the higher priced shoes are much less than that, down to 1½ percent.

Mr. CURTIS. I thank the Senator from North Dakota.

Mr. President, I yield 4 minutes to the Senator from Oklahoma (Mr. BELLMON).

The PRESIDING OFFICER (Mr. STEVENSON). The Senator from Oklahoma is recognized for 4 minutes.

Mr. BELLMON. Mr. President, I thank my distinguished colleague from Nebraska for yielding me this time. I am very proud to be a cosponsor of his amendment. It is very much needed. I believe that those who oppose it probably do not fully understand the impact of this action by the Secretary of Commerce.

In the long range, this amendment is very much in the best interests of the consumer. As one who is in the cattle producing business, I can testify that the price of cattle hides in recent years has been slowing down. A substantial amount of the cattle hides produced in this country are not even recovered.

There was a time when the renderers of the country would come around to the ranches and the farms and pick up animals that had died, to recover the hides as well as the fats, oils, and the proteins in the carcasses. But over the past several years, the price of hides has been so low that the animals have been allowed to decompose on the farms and ranches, and that potential source of leather has been lost.

Mr. President, I would also like to point out that at the present time we are involved in a presidential campaign. One of the big issues that has been raised is farm parity. Farm parity with interest has gone up recently from 73 percent to 75 percent. I challenge any Member of the Senate to point to any other industry that can operate when it receives only three-fourths of the amount of income it is entitled to have.

The situation in the cattle industry is a little better. Cattle parity is something like 93 percent. But here we have an action by the Government, by the Secretary of Commerce, which is taken for the devout purpose of forcing down the price of hides which constitutes a very substantial amount of the income of the farmer when the price of the product is only 93 percent of what it should be.

To me it is totally inconsistent for our Government, a part of the Government, to complain about low farm parity and on the other hand to take action that tends to keep the price from rising to a fair level.

I feel that the Curtis amendment is needed and that it will help to bring equity to the farm income. We have to make available an adequate supply of this essential material.

The testimony on this matter before the Committee on Agriculture and Forestry points out that Mr. Letson, from the Department of Commerce, had some misinformation upon which his decision was based. The testimony from the Secretary of Agriculture showed that we expected about 1,560,000 more cattle to come to market during the balance of the year than during 1971. The testimony was that the increased demand for domestic hides was far less than that amount.

It appears we will be faced with a surplus and not a shortage of hides. The witness was totally mistaken.

Mr. President, I express my support for the Curtis amendment and urge its adoption.

Mr. CURTIS. Mr. President, I yield 3 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 3 minutes.

Mr. HUGHES. I am pleased to join with Senator CURTIS on this amendment, which would correct a serious injustice done to cattle producers as well as a dangerous reversal in our historic policy of encouraging agricultural exports.

In principle, and as the law now declares, export controls should be used only in cases of an excess drain of critical materials or when there is a serious inflationary impact.

The facts now available to us do not justify this extreme step.

Exports of cattle hides are up only 2 percent this year compared with the first 6 months of 1971.

Domestic demand has dropped along with declining shoe production.

And domestic cattle production is up, with 900,000 more cattle than last year expected to be slaughtered in the next 6 months.

Shoe prices have been going up, as have all prices, but rising cattle hide prices are not solely to blame. In fact, shoe prices have risen only as much as the general consumer price level. Yet, the current export controls will make cattlemen bear the entire burden for these increases, when hides account for 75 cents to $1.50 in the $20-to-$40 cost of a pair of shoes.

Already cattle producers have been placed in double jeopardy by this administration—first by the suspension of meat import quotas and now by the restrictions on exports of hides.

I think it is time we stopped making our food producers pay for the failure of the administration's economic policy to halt inflation or to correct our balance-of-payments deficits.

The 50,000 cattlemen in Iowa should not be further penalized by policies which deny them the right to sell at a fair price what they have worked so hard to produce. Yet, if history is any guide, they will suffer. In 1966, when such controls were last imposed, livestock prices plummeted but shoe prices actually increased. Some of my constituents now estimate that these export controls will knock $4 or $5 off the price of every steer sold to the packinghouse.

In fairness to our cattlemen, while still doing justice for our consumers, I believe that this amendment should be speedily approved.

I am pleased to join with the Senator from Nebraska in an amendment which would correct what I believe is a serious injustice being done to the cattle producers as well as a dangerous reversal in our historic policy of encouraging agricultural exports.

I rise as a Senator with a record in the Senate of supporting the problems of the American worker and American consumer. And in every instance I believe the record will show that I am willing to support measures that do not deprive a quite seriously affected segment of our economy in order to bring about an element of relief. There are better ways of doing that.

I rise in support of the 50,000 beef producers of the State of Iowa who for years have struggled and have been going down in numbers as a result of the economic pressures on the American farmers and the American beef producers along with an ever-increasing rise in the price of food for the American table with the American dollar being able to buy less than the previous year.

The facts now available to us do not justify this extreme step. The export of cattle hides are up only 2 percent this year compared with the first 6 months of 1971. Domestic demand has dropped along with declining shoe production.

The domestic cattle production is up, as has been stated here.

I believe, Mr. President, that we are taking the wrong approach. Those of us who are willing to support the problems of the workers in the factories and who have continued to express that support in the Senate do not believe that the method to take in supporting them is to deprive an ever-increasing number of farmers from the rural sections of the country of a fair income.

This is precisely the step that has been taken already. The cattle farmers have been placed in double jeopardy, first by the restriction on meat export quotas and next with respect to the reduction in hides.

I think it is time that we stop this practice.

I strongly urge passage of the amendment of the Senator from Nebraska.

Mr. McGEE. Mr. President, will the Senator yield me 2 minutes?

Mr. CURTIS. Mr. President, I yield 2 minutes to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 2 minutes.

Mr. McGEE. Mr. President, as a sponsor of amendment No. 1371 to the Export Administration Act (S. 3726), I want to join with my distinguished colleague, the Senator from Nebraska (Mr. CURTIS), in urging passage of this proposal.

The recent action by the Secretary of Commerce in imposing a ceiling on hide exports has resulted in a grave disservice to the American cattleman. The reasons given by the Secretary of Commerce for taking this action range from the alleged inflationary pressures stemming from a recent increase in prices for hides over the 1953–70 composite average, to an alleged estimated shortage of such hides in meeting the domestic supply demand.

However, I would like to refer to testimony offered the Senate Committee on Agriculture and Forestry last week by Mr. C. W. McMillan, executive vice president of the American National Cattlemen's Association.

Mr. McMillan stated that:

> The domestic beef cattle industry is tired of having to "pay the bill" under the threat of U.S. tanners and shoe manufacturers that they must raise shoe prices "if something isn't done to restrict the exportation of U.S. cattlehides."
>
> The 1972 action of the Commerce Department, although not identical to 1966, closely parallels it.
>
> In 1966, shoe manufacturers threatened to raise shoe prices unless something was done to force down the price of domestic cattlehides.
>
> An export embargo was placed on them, prices fell, reflecting approximately $4 per head drop in domestic cattle prices and the shoe manufacturers proceeded to raise the price of shoes anyway. U.S. cattlemen paid the bill and the U.S. shoe manufacturers pocketed the profits.
>
> Although the 1972 action of the Commerce Department still permits hides to be exported, there has been so much confusion and concern about the complex ticket or certificate method, meat packers cannot adequately plan their cattle buying programs and take into account by-product values. This completely disrupts marketing patterns of beef cattle.

Mr. President, I believe Mr. McMillan's concerns are well founded. It appears that this administration's response to complaints of inflationary pressures on the economy is to find a scapegoat. High meat prices in the supermarket resulted in the administration placing the door wide open to foreign meat imports. Now we see the American meat producer again being made the scapegoat, because U.S. tanners and shoe manufacturers claim they will have to raise shoe prices "if something is not done to restrict the exportation of U.S. cattlehides."

Once again, the administration is wide

of the mark in searching out the real culprit for this Nation's economic woes. It is not the American cattleman. Mr. McMillan also testified that:

> It is the earnest hope of the American National Cattlemen's Association that the restriction on hide exports will be lifted. Were it not for the price levels that have prevailed for hides in recent weeks, the by-product drop of meat packers would be much lower. If that by-product drop declines substantially, the meat packer must adjust his margin by paying less for cattle or selling carcass beef for more.
>
> If carcass beef prices increase, this means that consumers will have to pay more for beef in the retail meat counter. If meat packers pay less for cattle, it could place cattlemen in a "loss" position. As a practical matter, both of these things will probably happen.
>
> A serious effect of restricting hide exports is the matter of U.S. balance of payments. It seems inconceivable that the Administration has opened the flood gates to more meat imports while restricting hide exports. Both of these actions are detrimental to the beef cattle industry but together they compound the very serious balance-of-payments problem.

Mr. President, it is, indeed, apparent that the Department of Commerce did not realistically assess the situation before they took action to limit the exportation of cattlehides. If they had, we would not be spending the time today to rectify the inequity of this action.

We have been fighting this battle and trying to protect those who are on this economic ladder against mistakes and misjudgment in inflationary tendencies that take place all the way down the line until it reaches the consumer.

Invariably, we still fail to convince the consumer when the cattleman has a good case in point. The cattleman receives the prices now that he was receiving in 1952. Yet, he is asked to live in a really inflated world in which it costs a great deal more to live.

There was an attempt made to restrict the export of meat products. This socked the meat producer of this country where it hurts. We now have a proposal to bar the exports of cattle hides.

Once more they are delivering the body blow to the very group that is the least at fault in this economic chain of events.

My petition is that we point the finger at some of the economic factors that are to blame.

Whatever else, the cattlemen of this country, the producers of agricultural products of the country have not been the ones who have been adding to the prices of the products or skimming off the top, whatever it may be.

I would hope that the Senate supports the amendment of the distinguished Senator from Nebraska.

Mr. CURTIS. Mr. President, I yield 2 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 minutes.

Mr. MONDALE. Mr. President, yesterday I spoke briefly in favor of the amendment offered by the Senator from Nebraska. In my remarks I made reference to the fact that the last time we imposed restrictions on the import of cattle hides, the price of the hides to farmers and hide producers dropped disastrously. At the same time I noted that the prices of American shoes went up. This shows that export quotas on hides, while sure to hurt thep roducers, will not necessarily help our consumers.

There is not a close relationship between the cost of the hides and the price that the consumer is paying for shoes, because the cost of the hides is a very small proportion of the cost of the shoes. Something like 3 or 4 percent at the most

Since yesterday, Mr. President, I have had a chance to check the 1966 records. The Bureau of Labor Statistics indices are very clear on the point I made. Quotas were imposed in March 1966 and were in force until October of that year. Largely as a result of quotas, hide prices tumbled 46 percent from May 1966 to May 1967. During that same 1-year period, however, as I said yesterday, men's and boys' shoe prices showed an increase of 1 percent.

So, if it is thought that forcing down hide prices to farmers with the export quotas is going to have a beneficial effect on the American consumer, the 1966 case shows that it probably will do no such thing.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CURTIS. Mr. President, I yield the Senator 1 additional minute.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 1 additional minute.

Mr. MONDALE. Mr. President, the fact is that cattlehides have very little to do with shoe prices because they are such a small proportion of the cost. They have practically nothing to do with corresponding shoe prices. The only thing quotas will do is deliver a disastrous reduction in farm income at the very time when the American farmer most needs an income boost.

Mr. President, I am hopeful that the amendment, which is a very modest one, which has been offered by the Senator from Nebraska, will be agreed to.

Mr. CURTIS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. CURTIS. How much time do the opponents have remaining?

The PRESIDING OFFICER. 12 minutes.

Mr. CURTIS. Mr. President, I yield 3 minutes to the distinguished Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. HANSEN. Mr. President, I think it is important that we get a few facts straight. I have supported the distinguished Senator from New Hampshire on every bill that I recall he has introduced to protect American industry. I have been pretty consistent in that respect. But I think we should know and understand it is one thing to talk about protecting American industry and American jobs, which I favor, and it is another thing to talk about protecting the consumers, by opposing this amendment.

Mr. President, if we are interested in cheap shoes, send all the hides abroad because the lower wages paid by the Japanese, or other foreign countries will insure you can buy cheaper shoes in America if they are made abroad. Let us not get into any charade around here and say that we are concerned about the consumer by saying we want a ban on the export of American cattle hides. It does not stand up.

It is important that we do something to see that American job holders all prosper because they undergird this great economy of ours and make it possible for all of us to live better. That is what I want to do and it should be what the Senate wants to do, and if I may predict, it is what the Senate will do.

The reason it is important not to let this bill pass without the Curtis amendment attached to it is that we are concerned primarily in this country with two products that come from the ranges, the farms, and ranches of America engaged in the production of cattle. No. 1 is meat and No. 2 is leather. If we want to concern ourselves with both of these major continuing interests what we must do now is to see that we help support the reasonable price of meat by assuring that the price paid for hides will be as much as the market will bear in order to help make it possible for the price of meat to be as low as the market itself will permit it to be.

In the long run the best interests of all consumers will be served by all actions which encourage the production of adequate supplies of beef in the United States. A profitable operation gives this incentive. The Curtis amendment helps assure that the impact of demand will contribute to the best interests of those who wear the shoes and eat the meat—all Americans.

It is on this point I think it makes sense that the very realistic amendment proposed by the Senator from Nebraska carry in order that the price of hides will support the continued production of meat and beef so that Americans tomorrow and next year can be assured there will be adequate supplies, not only of leather but of meat, reasonably priced at the same time. That is what we are talking about, and it is what my colleague from Wyoming was talking about when he said we have been trying for a long time to help out an industry that is important.

I hope this amendment is agreed to.

Mr. McINTYRE. Mr. President, will the Senator yield to me for 2 minutes?

Mr. MONDALE. I yield 2 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. McINTYRE. Mr. President, with the passage of the Equalization and Stabilization Act domestic sales of hides were under controls; the export of hides for sale abroad were not under control.

The world situation with respect to the demand for hides was made extremely critical in the past year by the embargo by Argentina, a country that is one of the great suppliers of hides, prohibiting the export of hides from Argentina. In this situation the world price of hides has soared.

The price was very appetizing to our friends from cattle-producing areas and they continued to sell them at high prices.

In the Economic and Stabilization Act, I believe that the manager of the bill voted with me to insert into the Stabilization Act the words "domestic shortages." This would be a trigger under which the Secretary of Commerce could act to prevent the sale or exportation uncontrolled. Am I correct?

Mr. MONDALE. Mr. President, I yield myself 1 minute to respond to the Senator.

The Senator from New Hampshire will remember that this very issue came up in the Committee on Banking, Housing, and Urban Affairs. At the time we were dealing with the President's Economic Stabilization Act. I vigorously opposed an amendment which was offered, which was designed to impose restrictions on the export of cattle hides. My point of view was sustained in the Committee on Banking, Housing, and Urban Affairs.

Mr. McINTYRE. Does the Senator not recall that he agreed to provide in those situations where the Secretary of Commerce could act, where he could figure into action, the words "domestic shortages"?

Mr. MONDALE. I do not remember that.

Mr. McINTYRE. It is in the bill.

Mr. MONDALE. I recall the issue on cattle hides.

Mr. McINTYRE. It is in the bill. That is what occurred. After long and laborious efforts the Secretary of Commerce under this administration acted, and this amendment this evening by the Senator from Nebraska seeks to void and nullify the action of the Secretary of Commerce in bringing some measure of relief to the tanners, shoe manufacturers, and I say to the consumers of America.

Mr. MONDALE. Mr. President, I think the record will show that the Commerce Department acted under the terms of the Export Administration Act and not under economic control legislation. I think there is grave doubt they have legal authority to do as they did because the specific language of the Export Administration Act under which they have acted provides there must be very substantial evidence of serious inflation resulting from the failure to impose restrictions on export of cattle hides before action may be taken. I do not think there is evidence to justify that finding.

Mr. McINTYRE. It is my understanding that on some hides, and I am not an expert on hides, the prices have increased 100 to 200 percent. Does the Senator deny that? Does the Senator feel this is untrue?

Mr. CURTIS. I would like to answer that question. The price of hides is down to 14 cents. As a result, as was pointed out by the distinguished Senator from Oklahoma (Mr. BELLMON) many dead cattle were not even skinned, because it was not worth it. They could not get anybody to come out and pick them up. The fact it is doubled does not mean anything. In a pair of shoes only 5 cents is related to cattle hides.

This is clearly intended to be an imposition on agriculture and to beat down their prices because you are faced with higher labor costs and other costs than are foreign competitors. That is an unfair restriction.

Mr. McINTYRE. I understand the Senator stated the price of hides in the last year has risen 200 percent.

Mr. CURTIS. Not 200 percent; it has gone up about 100 percent, but it is still far below parity.

I would like to correct the RECORD. There is no shortage of hides. We have been exporting hides for 15 years. This is the greatest meat consuming country in the world, and you cannot get meat without producing some hides. Last week the second largest slaughterer did not sell a single hide.

Mr. MONDALE. Mr. President, I yield 1 minute to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I rise to cite what I remember and recall as an experience in the previous administration. My good friend, Secretary Freeman, imposed quotas on hides; export controls. What happened? The price of hides went down. What else happened? The price of men's and boys' shoes, which use a lot of leather, practically stayed the same. Then, what happened? It was not very good for the farmer, it was not very good for the consumers; it did not help our export business; and it did not help domestic sales. It just does not work. When reference is made to women's shoes, there is little leather in them; most of them are a fabricated, synthetic product, and the price of those shoes is not affected by hides any more than cereals are affected by the price of wheat.

Mr. McGEE. Mr. President, on July 15, the U.S. Department of Commerce announced it would take action which would limit the exportation of cattlehides to last year's level.

The reason given for this action is the recent increase in the prices of cattlehides over their 1953–70 composite average. The Commerce Department asserts it is taking this action in order to check the "inflationary" impact these price rises are allegedly having on the domestic shoe and other leather industries.

However, cattle producers and hide sellers are opposed to this arbitrary action which they fear will adversely affect the prices they receive for hides and live cattle.

As a result, I have introduced amendment No. 1373 to the Export Administration Act (S. 3726) which would prohibit the Secretary of Commerce from limiting the exportation of cattlehides from this country. In addition, the order which accompanied the July 15 announcement by the Commerce Department would cease to be effective under the Export Administration Act renewal—the legislation which is presently before this body.

The reasons for the introduction of this amendment are many. The benefits to farmers and consumers of higher prices for hides on the world market far outweigh the minimal benefits to anyone else. Farmers and ranchers in this country get the direct benefits of higher prices for hides; while housewives are the indirect beneficiaries, since they avoid paying higher prices for beef when hides and other byproducts can be sold for good prices.

It was not so long ago that, in my own State of Wyoming, a rancher was lucky if he could get $2 for a big steer hide—let alone, find a hide buyer.

It seems that most of the shoes being produced in this country were being made out of ersatz leather and paper.

Then, quite unexpectedly, the American cattle producer discovered there was a demand for his cattlehides. Foreign shoe manufacturers began bidding up the prices on American cattlehides, because they could be obtained at such a bargain. An overseas market developed. As a consequence, according to official figures, last year alone saw more than 15.5 million cattlehides exported from this country, which brought the American livestockman a bonus of $125.8 million.

According to statistics compiled by the National Farmers Union, some 20 to 25 pairs of shoes can be made from one hide. The value of green hide in one pair of shoes is only $1. If the price of a hide should drop a quarter, then the price of leather in a pair of shoes should go down about 25 cents. Yet, not many of us expect that the retail price of $15 for a pair of shoes would be shaved to $14.75, because of lower hide prices. This makes the argument by the Secretary of Commerce, that cattlehide prices are having an inflationary impact on the domestic shoe and other leather industries, specious at best.

In his testimony to the Senate Committee on Agriculture and Forestry on the question of the Commerce Department order, William N. Letson, General Counsel for the Department stated:

> The question of whether, and how, to introduce controls proved to be one of the most difficult questions which the department has faced in a long time. This was particularly so, since we all strongly believe in free and open markets. However, facing the facts—the seriously inflated prices, the domestic shortage of hides, and the abnormal foreign demand—and bearing the responsibility which Congress placed in our hands under the Export Administration Act, we concluded that we should act.

However, American Meat Institute feels that proper interpretation of the current hide situation is this:

First, the June 1972, hide exports were released last Friday. These figures showed that 1,317,000 pieces were exported compared to 1,235,000 exported in June of 1971. Hide exports for the first 6 months of 1972 were 8,073,000 pieces as compared to 7,848,000 pieces for the first 6 months of 1971. This means the 6-month exports for 1972 are only 2 percent greater than for the first 6 months of 1971. This hardly represents an abnormal foreign demand causing an excessive drain on a scarce raw material—hides—which is one reason the Commerce Department gave to back their July 15 action.

Second, through May of this year, figures show that shoe production is down 1½ percent this year as compared to last year. Yet the Commerce Department projected an increase in domestic shoe production requiring 638,000 more hides. Some of the testimony delivered to the

Agriculture and Forestry Committee last week by the tanners indicated they expect leather shoe production to be down this year, not up.

Third, industry analysts now are expecting commercial cattle slaughter for July through December of this year to total about 19 million head, which is 900,000 more than last year. This forecast is supported by the USDA estimate of 1,566,000 more cattle on feed this July 1 than last year. Thus, the slaughter estimate used by the Department of Commerce appears to be very much on the conservative side.

Fourth, the calculated shortage presented by the Commerce Department in support of its export program included a figure of 1,002,000 hides needed to replace inventories. However, there is no such thing as a minimum inventory, which has been violated as the Commerce Department officials claimed.

Fifth, hence, instead of an imbalance of 1,521,000 hides to be rectified by controls, we see the possibility of a surplus developing that could wreak havoc with the hide market and seriously depress cattle prices if the controls are not discontinued. I believe this to be a key issue, and it could very well be what the Commerce Department had in mind when it issued the order. This is certainly in line with other administration action which resulted in lifting the quotas on the importation of foreign meat and the urging of beef producers in other countries to flood the American market with foreign beef.

It is apparent from these discrepancies between the Department of Commerce figures and estimates and those of the Department of Agriculture that perhaps someone is purposely giving us an inaccurate picture of the cattlehide situation in this country. I hardly suspect the Department of Agriculture experts are the ones who are off the mark in their projections.

In conclusion, Mr. President, it is inconceivable to me that the Department of Agriculture would begin regulating a raw product such as cattlehides—a product which was virtually worthless just a few years ago—at a time when the livestock industry is just beginning to regain some signs of economic stability. It is also inconceivable to me that at a time when this Nation faces serious balance-of-payments problems that the Commerce Department would limit exports of a product which can only result in strengthening our balance-of-trade problems.

In light of these facts, I urge my colleagues to support my amendment to the Export Administration Act.

Mr. ALLOTT. Mr. President, will the Senator yield me 1 minute?

Mr. MONDALE. I am glad to yield 1 minute to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I want to bring out one point that I think has not been emphasized here. This does not hurt just our cattle raisers and our cattlefeeders. It also hurts our processors.

I have a letter in my files in which a man points out to me and gives the specific economics of where the actual profit is taken at his packing plant in Colorado Springs. He points out that it comes not from selling the meat—and he sells mainly to one of the retail grocers—but his profit comes out of the sale of hides, liver, and the other byproducts of the cow.

I think it is fair to say that, with respect to the amount of leather used in shoes, we cannot leave the hides sitting around this country with no place to sell them when we have a market for them abroad. We have done this to the American farmer for a long time, and it is about time that we stop.

Mr. TOWER. Mr. President, I support the amendment of the Senator from Nebraska. I do not believe that the recently imposed controls on cattlehide exports will be of any significant assistance to the consumer of leather products, and yet it will serve to interfere with our trade relations, with our international earnings, and with our farm earnings.

We are fortunate in this country to have a very active cattlehide export industry in this country. They have managed to open markets for our hides around the world, hides which we simply could not consume totally at home. Hide is not a great cost factor to the shoe production process, so that even restricting all of the U.S. hides to the domestic market would not make shoes so much of a bargain that shoe purchases among lower income consumers would be materially increased. We need this export market in order to make the best economic use of this cattle byproduct, and I cannot see any economic justification for closing off normal international supply-demand forces in this market.

Our farmers and ranchers also receive a portion of their already too low income from the sale of cattlehides. These are presently worth perhaps $16 to $17 per hide. If cattlehide prices have been moving upward due to increased domestic and international demand, who is to say that the farmer does not deserve to receive some of this financial benefit of being in the right business at the right time? Why limit the further potential of real demand forces to place an economically justified price on this particular cattle byproduct, particularly when there is only a minor effect on consumer prices?

I urge my colleagues to vote aye on this important amendment.

Mr. PEARSON. Mr. President, once again an attempt is being made to restrict the export of cattle hides from this country. We went through this exercise for 8 months in 1966 and the Congress finally had to legislate an end to the controls. Today, the Senator from Nebraska (Mr. CURTIS) offers an amendment to S. 3726 to prevent the introduction of controls on the export of hides. I am a cosponsor of that amendment and urge its acceptance.

Mr. President, neither the theory behind this attempt to halt excessive price rises in leather goods nor the method the administration proposes to use in regulating the export of hides are sound. I shall address my remarks to both theory and method.

Theoretically, the proposed controls are to be imposed, because cost increases in the shoe industry are so excessive that the economic damage to cattle raisers, the damage to our balance of trade and the high administrative cost of the complex controls are worth the price. I submit that this is not the case.

Price increases in the shoe industry have not been excessive. The American Meat Institute points out that the increase in the price of footwear has only matched the general consumer's price index. This represents an increase of 3 percent in the last year. And it must be pointed out that the price of leather contributes to only 5 percent of the cost of shoes.

Second, shoe industry demands for leather have not increased. Instead, this year's shoe production is down 1.5 percent. Finally, according to USDA estimates, hide production is increasing in this country. Therefore, with falling demand, rising hide prices may well be checked by the forces of increasing domestic supply and reduced demand.

Putting aside all of the arguments concerning the supply-and-demand situation, the method of controlling the export of hides is incredibly complex and costly to administer. It could well lead to a black market in these so-called export tickets.

It would seem clear, Mr. President, that this well-intended effort to hold down the cost of footwear misses its mark. The facts of the case simply do not bear out the position of those who favor controlling exports of cattle hides. I urge the Senate to adopt the amendment of the distinguished Senator from Nebraska (Mr. CURTIS) and myself.

Mr. THURMOND. Mr. President, we are now considering amendment No. 1371 to S. 3726, which would prohibit the Department of Commerce from setting export controls on agricultural commodities including fats and oils or animal hides or skins, without the approval of the Secretary of Agriculture.

The Department of Commerce has placed export controls on hides under authority granted by the Export Administration Act of 1969, which says exports may be controlled to prevent the excessive drain of raw materials or to reduce the serious inflationary impact of abnormal foreign demand. There is no evidence that exporting hides is having either effect.

In reality, Mr. President, hide exports have helped the economy of the United States. The purchase of hides by foreign nations has added favorably to our balance of trade. The foreign demand for hides has provided an additional market for the financially unstable livestock industry.

Demands for export controls have come from shoe manufacturers who want to reduce hide prices by limiting foreign sales and flooding the domestic market. They say that hides are scarce on the domestic markets and are so expensive that the price of shoes will have to be raised. Yet, testimony before the Committee on Agriculture and Forestry disputed these claims. Hide dealers said they had no shortage of hides and some even testified of surpluses which were difficult to sell.

Testimony also revealed that the amount of leather in an average pair of shoes, costs about 80 cents. This figure is so insignificant it hardly figures in the cost of one pair of shoes. If the price of hides were cut so drastically that the amount of leather in a pair of shoes costs only 10 cents, there would still be no savings to pass on to consumers. The only group which benefits from export controls on hides are shoe manufacturers who save a few pennies on each pair of shoes.

Mr. President, I urge my colleagues to support this amendment, and give agriculture a representative voice before export controls are placed on their products.

Mr. KENNEDY. Mr. President, I oppose the pending amendment because I believe the President should have broad authority to deal with specific international economic crises, free of restrictions designed to benefit special interest groups in particular cases.

The present amendment is a case in point. During the past several months, many American shoe and leather companies have been crippled by a serious shortage of hide supplies. Domestic manufacturers, especially those in Massachusetts and other New England States, have faced a dwindling hide supply and rapidly increasing prices. As a result, American consumers in all parts of the country have been confronted with spiraling prices on shoes and leather products.

In large part, the current crisis is the result of unusual international economic circumstances. A drastic cutback in exports of hides from Argentina resulted in substantial increases in the cost of hides on the world market and a severe cutback in the supply of hides for domestic manufacturers in the United States, as many U.S. hide producers turned to international markets to reap the windfall benefits of the soaring world prices. Shoe and leather industries in New England—already facing severe cutbacks in production, higher prices for other raw materials, and intense foreign competition—suddenly found themselves confronting yet another crisis because of the difficulty in obtaining hide supplies at reasonable prices.

Earlier this month, in a move that was widely approved by many groups and concerned citizens, the administration acted to alleviate the heavy burden of the crisis by imposing specific controls on hide exports, under the authority of the Export Control Act. I supported that action as a necessary step under the circumstances, and I oppose the present amendment as an unfortunate attempt to deny to the administration the effective remedy it has already invoked.

The facts of the current situation are as clear as they are distressing. In my own State of Massachusetts, the shoe industry continues to decline as a result of increased imports of foreign-made shoes. In 1967, we had 189 shoe factories in the Commonwealth. Today we have only 122. The raw statistic that 67 shoe factories have closed over the past 5 years alone is dramatic evidence in itself of the plight of the shoe industry in New England—a shocking 35-percent decline in 5 years. But it does not even begin to indicate the hardship and economic dislocation suffered by the 11,500 workers in Massachusetts who lost their jobs when these factories shut their gates.

In 1967, six shoe factories closed in Massachusetts; 15 in 1968, 15 in 1969, 16 in 1970, and 14 in 1971. The slide is continuing today. This year, the Hammond Shoe Co. in Worcester was forced out of business, and 200 more workers lost their jobs. In 1969, when the B. F. Goodrich Co. closed its doors in Watertown, Mass., more than 3,000 workers were left without jobs at a single stroke.

We cannot measure in these figures the human misery for the thousands of shoe workers and their families who have been affected by these closings—many of them are elderly citizens, who have spent long and productive lives in the shoe factories, only to lose their jobs at a time when they can least afford it. We cannot measure the number of additional shoe companies which will be forced to close if vigorous action is not taken to resolve this latest crisis for the industry—the crisis caused by the shortage of hides.

In recent years, the shoe industry has begun to make effective steps toward progress and modernization. But we cannot look forward to the revitalization of this threatened industry in Massachusetts as long as shoe and leather manufacturers continue to be exposed to the sort of serious problem posed by the shortage of raw materials like hides.

The situation in the leather industries is a critical one for domestic manufacturers and consumers alike. The administration has chosen export controls as the remedy for the crisis, and it came at a time none too soon. Indeed, estimates ranged from $1 to $4 on the increased price for a pair of shoes if action had not been taken immediately to assure an adequate domestic hide supply. Undoubtedly, many additional plants would have been forced to close, and many additional workers would have lost their jobs.

In closing, let me say that I am pleased to have been able to work with representatives of industry and Government officials in an effort to find a fair solution to the present situation.

On March 9, I met with representatives of the Tanners' Council of America to discuss the hide crisis. Following that meeting, I contacted a number of other members of the New England congressional delegation, asking them to join with me in urging the administration to take immediate steps to aid our stricken industry in facing this new threat. Subsequently, on March 15, we sent a joint letter to the President, urging him to take appropriate action, including the possibility of export controls.

Then, in a letter of June 30, I expressed my grave concern to Under Secretary of Commerce James T. Lynn, emphasizing the need for immediate remedial action by the Department of Commerce.

Finally, Mr. President, on July 18, the administration recognized the need and acted effectively to meet it. The pending amendment would jeopardize all the progress we have made, and I urge that it be defeated.

Mr. President, I ask unanimous consent that the text of the letters I have mentioned may be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MARCH 16, 1972.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As you know, recent events in Argentina have resulted in a catastrophic increase in the price of cattlehides. In the first eleven months of 1971, Argentine hides exports declined by more than three and one-half million. As a result, the purchasing countries have almost uniformly turned to the U.S. as a source for cattlehides. Exports of hides from the U.S. in the last several months have left the American leather and shoe industries with less than 50% of the supply needed. Hide prices have increaserd 80% since the wage-price freeze was imposed, affecting not only American, but Western European leather industries as well. We join together to request that your attention be given to this urgent situation and ask that the administration take immediate steps at the highest level to avoid further economic chaos.

Direct action by the Administration is needed to stabilize the world market in hide prices, to reduce the drastic inflationary prices in shoes for the American consumer, and to prevent the already crippled shoe industry from further devastation due to a lack of supply.

Price stabilization is one of the major goals of Phase II economic policy, and we believe that the problem of soaring prices in the leather and shoe industries deserve immediate attention. If prompt action is not taken for these industries throughout the world, we will have dealt the final blow to our own shoe manufacturers and tanning companies. During this period of hide supply shortage, we urge your action to guarantee to the American consumer that he will have the shoes and leather products he needs at a price he can afford.

We have joined together to direct your attention to this crisis. We urge the Administration to explore all possibilities of action, including use of the Export Administration Act of 1969 and other remedial trade measures available to the Government.

Sincerely,

Edward M. Kennedy, Edward W. Brooke, Margaret Chase Smith, Edmund S. Muskie, Thomas J. McIntyre, Abraham Ribicoff, John O. Pastore, Clairborne Pell.

Robert F. Drinan, Harold D. Donohue, F. Bradford Morse, Michael J. Harrington, Thomas P. O'Neill, Jr., Louise Day Hicks, Margaret M. Heckler, James A. Burke.

Hastings Keith, Silvio O. Conte, Edward P. Boland, Peter N. Kyros, William D. Hathaway, John S. Monagan, Fernand J. St Germain, Robert O. Tiernan.

JUNE 30, 1972.

Hon. JAMES T. LYNN,
Under Secretary of Commerce, Department of Commerce, Washington, D.C.

DEAR MR. LYNN: I am writing to you regarding the urgent situation in the shoe and leather industries in my state as a result of the shortage of hides. As you know, I asked the members of the New England delegation to join me in a request to the President for immediate action to avoid further economic chaos in these threatened industries. Our response indicated that the Department of Commerce was analyzing conditions to determine whether export controls were warranted.

During your discussion with Congressional representatives on April 17, you indicated that the Department of Commerce was conducting a field investigation to determine the cause of the spiralling costs of cattlehides, since current information did not suggest an increase in exports was the cause of the shortage. Since that time, the shoe and leather companies have continued to experience a hide shortage and a crippling increase in hide costs. I am told that two large tanneries in Massachusetts have announced they will close if action is not taken immediately.

Because this situation in the shoe industry is crucial, I am asking again that the Department of Commerce take immediate action to assist these companies. I would appreciate any information which the field investigating team has gathered to date which suggests the cause of the hide shortage, and your suggestions for remedial action. I feel that the shoe and leather industries, as well as the American consumer cannot tolerate any further delay.

Thank you for your attention to this.

Sincerely,

Edward M. Kennedy.

SENATOR RANDOLPH SUPPORTS CONTROLS ON EXPORT OF CATTLEHIDES

Mr. RANDOLPH. Mr. President, I am in opposition to the pending amendment to limit the jurisdiction of the Secretary of Commerce to impose controls on the export of cattlehides. As Senators know, this amendment is offered to counteract the action announced on July 15 by the Secretary of Commerce. Having watched the cattlehide situation closely, I believe that the Secretary was fully justified by the facts which his Department so carefully and conscientiously gathered over a period of 3 months. Without doubt, the controls imposed on the exports of cattlehides were required by the dire circumstances which confronted domestic users, including the tanning industry. The manner in which this authority was exercised by the Secretary was aimed at avoiding the kind of situation which arose in 1966 when export controls were last imposed. Rather than being criticized, it is my belief that Secretary Peterson deserves to be commended for his diligence in trying, to the best of his ability, to protect the interest of cattlehide producers and the consumer, while at the same time meeting his responsibilities under the short supply provisions of the Export Administration Act.

I think it is important to review the facts which confronted the Secretary:

Hide prices had reached record high with the composite price running in the 29-cent range—more than double the historic average of 14 cents per pound. To be sure, there is nothing sacrosanct about 14 cents. We must bear in mind, however, that the price has gone up more than 100 percent in less than a year, a rise which surely can be labeled inflationary.

The Commerce Department projects demand for an additional 638,000 hides for current use for the period March through December 1972 over the same period last year. At the same time that cattlehide reexports are expected to increase by 576,000 hides over exports for the comparable period in 1971.

Argentina's and Brazil's exports amounted to 26.2 percent of total world exports in 1969, 20.7 percent in 1970, and an estimated 10.2 percent in 1971. Now these sources have been terminated and it is my understanding that there is little prospect for change in the situation.

Between March 1971 and March 1972, domestic cattle hide and leather inventories have decreased 1,002,000 hide equivalents.

Cattle slaughter is projected by Department of Agriculture to yield 695,000 additional hides during March through December 1972 over comparable period in 1971. It is expected that in 1973 cattle slaughter in the United States will increase about 1,300,000 over 1972.

Estimated production increases will not cover projected demand for hides for the period March-December 1972. Demand is expected to exceed supply—and I emphasize this point—by 1,521,000.

It is my belief that these facts of record high prices; increased domestic demand for cattle hides; low levels of cattle hide and leather inventories; increased exports of hides over the past few years, and estimated record levels in the remainder of this year; and hide demand in excess of supplies meet the statutory criteria for short supply export controls. Without export controls, the result would be continued and increased inflationary pressures on domestic users and consumers.

Senators have referred to the 1966 export control program for cattle hides, which had several unfortunate results. Export quotas were announced that were far below previous years' levels: 1,800,000 hides below the comparable 7-month period for 1965. A two-price system developed in world markets and the benefits of the higher foreign prices accrued to foreigners and exporters. In addition, the reduced export quotas greatly distorted foreign markets. The situation regarding this new export control program is substantially different.

Quotas for the remainder of 1972 are set at 1971 levels for comparable period; and 1971 levels were at record highs. By establishing such a level, disruption of foreign markets will be minimized. Further, the export ticket system will assure that benefits of higher foreign hide prices will go to the American consumers and cattle producers rather than foreign purchasers and exporters.

The action taken by the Secretary benefits American workers and American industry by insuring a stable supply of hides for the tanning domestic shoe industries. It will protect against further sharp increases in the cost of shoes to the American consumer, and because of the ticket system used to administer these export controls, the producer of hides will share in any difference between world and domestic price markets. The short supply provisions of the Export Control Act were designed to meet circumstances such as prevailed in the cattle hide situation over these past few months, and it would be unwise for the Congress to exempt from these controls one particular segment of our economy.

Mr. President, I think Senators should be aware that the Secretary's decision to limit the export of hides has impact on many communities throughout our country where the major source of employment is a leather or tanning operation. Very frankly, it was this aspect of the cattle hide question that brought the complex issues into focus for me.

In West Virginia, we have five tanning plants or firms which depend on a continuing and stable supply of cattlehides. For one of our communities, Parsons in Tucker County, the Parsons Tanning Co., is the largest employer in the area. Approximately one-hundred and fifty persons are employed in the tanning plant, with a total payroll of nearly $70,000 per month.

Recently, this county lost its most important source of employment with the closing of a woolen mill and the loss of over 300 jobs. Now there are some areas where the loss of 300 or 400 or 500 jobs might have little impact on the economy. In such areas, those persons who are out of work might be quickly absorbed into the existing labor market—although I am not aware of many parts of our Nation which can take the loss of this large number of jobs. I know, however, with complete certainty that Parsons and Tucker County, W. Va., cannot sustain such a high loss of employment. Tucker County has a population of less than 7,500 people, while Parsons has approximately 1,500 residents. Without any real knowledge of the basic economy of this area, one can readily visualize the impact of losing 500 jobs—and that is just the situation which was existing in this area of West Virginia. Clearly, the continued maintenance of the tanning industry employment is critical to the economy of this community.

However, because of the skyrocketing cattlehide prices, the Parsons Tanning Co. announced its closing in May of this year.

This company requires approximately 20,000 hides per month for its full operation. As of last September, this company—as other firms—was paying slightly less than 13 cents per pound for hides, with the average hide costing $6.66. As Senators know, that price was driven to a high of nearly 30 cents per pound, at the time of Secretary Peterson's decision to impose controls. The average cost of a hide was $18.58. For the Parsons Tanning Co., I am advised that the break-even point is in the range of 18 cents a pound. Thus, it is quite apparent that this company could not stay in operation without some indication of relief from spiraling prices and some action to provide a stable supply of hides.

Mr. President, over a period of several weeks my able colleague (Mr. Robert C. Byrd) and I worked with local officials, citizens, and representatives of the Parsons Tanning Co. in an effort to find some solution to this perplexing problem. And we did explore many avenues, from Government loans to possible reduction in the prices of tanning agents which are sold from Government stockpiles. None of these possibilities gave any hope for relief. We worked constantly with officials of the Department of Commerce. Senator Byrd and I very definitely arrived at the conclusion that only feasible and timely course of action which might provide the opportunity for this company to remain in operation and continue to employ 150 persons was the imposition of export controls.

Once the imposition of export controls was announced, officials of the Parsons Tanning Co. very quickly made a decision to reopen this plant and to go to full operation as quickly as possible, possibly by the middle of August. The pending amendment could cause that decision to be reversed.

Mr. President, this is the story of Parsons, W. Va. It is a set of facts which must be told here in the Senate, before a vote is taken on the pending amendment. While there are many facets to the problems of cattlehide prices and supplies, I think that this information on this one company and community clearly indicates that Secretary Peterson took an action which will aid people and help to preserve jobs. And it was a reasonable and carefully drawn action to alleviate any adverse impact which might develop on another sector of our economy. It is my hope that the pending amendment will be defeated. I shall vote against it.

IN SUPPORT OF THE AMENDMENT

Mr. HANSEN. Mr. President, I support the efforts to rescind the restrictions placed on cattlehide exports on June 15, by the Secretary of Commerce.

I am opposed to the action taken by the Secretary under the Export Control Act to place a ceiling on the number of cattle hides which may be exported from the United States. I respect the Secretary for his diligence in meeting his responsibilities, and I would never suggest that he should do less. But after reviewing his action of July 25, 1972, I believe that the action taken is without justification and misses the mark.

The Secretary stated:

> Our main concern must be shoe prices for the American consumer and there was no relief in sight.

I do not share this view to the exclusion of other considerations. If low priced shoes were our only objective it could logically be argued that we should export all our cattlehides, buying relatively cheaper imports which reflect the great differential in wages paid American shoe employees and their foreign counterparts.

When the Secretary states that—

> Our main concern must be shoe prices for the American consumer.

I suggest that a prime concern of this administration and the American consumer has been meat prices for the American consumer and this major concern appears to have been conveniently overlooked in the Secretary's decision.

To insure that the total picture is reviewed and analyzed before decisions of this type are made, I have joined with the Senator from Nebraska (Mr. CURTIS) in sponsoring an amendment to the extension of the Export Administration Act of 1969 which would require the approval of the Secretary of Agriculture before any action is taken by the Secretary of Commerce to restrict the exportation of an agricultural commodity.

Hopefully, this requirement would prevent the recurrence of the situation we face today. Action has been taken to depress the price of cattlehides in this country. Cattlehides are an important byproduct of the meatpacking industry. A depression in cattlehide values can result in a readjustment of margin by the meatpacker by raising the prices on carcass beef and the American consumer paying more for the beef products consumed in his daily diet. Or the meatpacker might pay less to the cattle producer resulting in loss to the cattle industry. This effectively means that the cattle producer and his employees are being required to take a loss in order to protect the profits of the shoe industry and its employees. The inequity of the situation is obvious.

Not only is the restrictive action on hide exports of concern because of its potential effect on meat prices to the American consumer and its impact on the cattle industry, but the Congress and the administration should be equally concerned that this administrative action will result in increasing the deficit which the United States is presently experiencing in its balance of trade. Recently the import quotas on beef were rescinded. This action will result in a currency flow from the United States to pay for imported beef. Now we are being told that a ceiling will be placed on the export of cattle hides, an important byproduct, which will result in a decrease in the flow of currency to the United States in exchange for cattle hides. This situation makes little sense in light of the importance which is attached to the question of U.S. balance of payments.

In summary, these recent actions appear to have been taken without regard for overall strategy and total impact. I believe that the Curtis amendment to the extension of the Export Administration Act of 1969 would remedy this situation and hope that Senators will join with me in supporting this amendment.

I do not wish to be misunderstood. I, too, am concerned over shoe prices and jobs for American workers in the shoe industry. I have stated this position many times on the Senate floor. But the problem is caused by the high price of American labor versus the cheap cost of labor in foreign countries. This is the problem to which the Secretary of Commerce should address himself rather than taking action which can increase food costs to the American consumer, penalize one American industry to protect another, and increase the deficit in the American balance of payments.

Mr. MONDALE. Mr. President, I yield back my time.

Mr. CURTIS. Mr. President, I yield back my time.

The PRESIDING OFFICER. All remaining time on the amendment of the Senator from Nebraska has been yielded back. The question is on agreeing to the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BEALL (after having voted in the negative). Mr. President, on this vote I have a live pair with the Senator from Iowa (Mr. MILLER). If he were present and voting, he would vote "yea." I have already cast my vote as "nay." I therefore withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Idaho (Mr. CHURCH), the Senator from Georgia (Mr. GAMBRELL), the Senator from Oklahoma (Mr. HARRIS), and the Senator from South Dakota (Mr. MCGOVERN) are necessarily absent.

I further announce that the Senator from North Carolina (Mr. JORDAN) is absent on official business.

I further announce that if present and voting; the Senator from Georgia (Mr. GAMBRELL) would vote "yea".

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Massachusetts (Mr. BROOKE), and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

If present and voting, the Senator from Massachusetts (Mr. BROOKE) would vote "nay."

The pair of the Senator from Iowa (Mr. MILLER) has been previously announced.

The result was announced—yeas 52, nays 35, as follows:

[No. 327 Leg.]

YEAS—52

Allen
Allott
Anderson
Bayh
Bellmon
Bennett
Bible
Boggs
Buckley
Burdick
Cannon
Chiles
Cranston
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Gravel
Gurney
Hansen
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson
Jordan, Idaho
Long
Magnuson
Mansfield
McGee
Metcalf
Mondale
Montoya
Moss
Pearson
Percy
Sparkman
Stennis
Stevens
Stevenson
Talmadge
Thurmond
Tower
Tunney
Young

NAYS—35

Aiken
Brock
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Case
Cook
Cooper
Cotton
Eagleton
Griffin
Hart
Javits
Kennedy
Mathias
McClellan
McIntyre
Muskie
Nelson
Packwood
Pastore
Pell
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Spong
Stafford
Symington
Taft
Weicker
Williams

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Beall, against.

NOT VOTING—11

Baker
Bentsen
Brooke
Church
Gambrell
Goldwater
Harris
Jordan, N.C.
McGovern
Miller
Mundt

So Mr. CURTIS' amendment was agreed to.

Mr. CURTIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MONDALE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONDALE. Mr. President, I send to the desk an amendment and ask unanimous consent that its reading be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MONDALE**. It is a nominal amendment, but I yield 10 minutes to the Senator from Arkansas.

Mr. MONDALE's amendment is as follows:

> On page 7, after line 3, insert a new section as follows:
>
> "SEC. 108. The provisions of this title take effect as of the close of July 31, 1972."

Mr. **FULBRIGHT**. Mr. President, I wish to make a brief statement for the record concerning Foreign Relations Committee amendments to title II of the pending bill, S. 3726. As Members know, the bill was referred on a sequential basis to the Foreign Relations Committee for a 30-day period. Owing to the recess for the political convention, action had to be taken in a rather hasty manner between July 19 and July 24 and the results of that action, although generally made explicit in the committee report on S. 3726, may call for further clarification.

Because of a family illness I was not able to be present either at the Foreign Relations Committee hearing on July 19 or at the executive session the following day when the bill was ordered reported with amendments. These later were presented as a compromise between what the administration wanted—namely, virtually no change at all in title II—and what many of us believe to be in the best interests of the Senate and of our constitutional system. Therefore, after reviewing the record, I want to emphasize my understanding of this compromise. This is all the more necessary because of the excellent letter I received on July 20 from the distinguished senior Senator from North Carolina. Senator ERVIN made a number of extremely important and valid observations about the issues at stake in S. 3726, and I ask unanimous consent that his letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., July 20, 1972.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR BILL: I wish to express by support for those members of the Committee on Foreign Relations who during consideration of S. 3726 by the Committee, have insisted that the Executive director of the Council on International Economic Policy be accountable to the Congress. Under the provisions of S. 3726, the Council would be authorized by Congress and funded by Congress. It is imperative that Congress be kept informed by the executive director of the operations of this Council, and of the use of the many millions of dollars which Congress would appropriate to it. To my mind, it is certainly within the prerogatives of Congress, indeed, it is the duty of Congress, to require a proper accounting.

I was greatly disturbed at the report I received that at the hearings held yesterday by the Committee on these proposals, Mr. Carlucci, Associate Director of the Office of Management and Budget, expressed concern over any attempt to require the executive director of the Council to "testify on a regular basis" or under any formal arrangement of accountability. Mr. Carlucci was further quoted as stating that the executive director would "not normally be available because of the nature of his position." Mr. Carlucci appears to be suggesting an even greater expansion of executive privilege, and it is just such an expansion of the concept of executive privilege which we in Congress must resist.

This executive practice has traditionally been a personal privilege accorded the President to protect confidential communications between him and his personal advisers. It is only very recently that the claim of the privilege has been expanded. We are all familiar with the White House refusals to release information or to allow the appearance of witnesses based on the supposed "principle that members of the President's *immediate staff* not appear and testify before Congressional committees". Now, as evidenced by Mr. Carlucci's statements, the privilege is to be extended to the entire Executive Office staff. The practical implication is that executive privilege is no longer the President's personal privilege, but can be claimed by any employee of the White House or Executive Office by virtue of their position even if no personal communication with the President is involved.

The Subcommittee on Separation of Powers, of which I am Chairman, has already done an extensive study of the use, or misuse, of executive privilege. The Senate is greatly indebted to you, Bill, for your contributions in this area. Most of those who have studied this problem are alarmed at the trend toward expanded use of executive privilege. This trend is inimical to our system of separation of powers and, if permitted to continue, will succeed in completely insulating the Executive branch from any effective system of public accountability. At some point we in the Legislative branch must assert our prerogatives and reinstate the division of responsibility upon which our democracy is based.

Requiring the confirmation of the executive director reinforces the Senate's position on accessibility. However, confirmation cannot be the sole criteria for determining an individual's availability for questioning by Congress. Even if the executive director were not confirmed by the Senate, he still should be accountable by the very nature of his position. In no sense is the executive director of the Council only a personal advisor to the President. He is unmistakably an integral part of the decision-making process and Congress must be kept informed of that process and have some input into it. Effective legislative oversight cannot be realized on the basis of information obtained from those who simply implement policy and have nothing to do with how those policy decisions are made. We must avoid the continued concentration of governmental power in a few individuals who are immune from congressional and public scrutiny.

I shall support any amendment by the Committee which would explicitly require that the executive director be confirmed by the Senate and that Congress be kept fully and currently informed of the activities of the Council as a means of ensuring our legislative prerogatives. I would hesitate to leave the matter on an informal basis, as suggested by the Administration, or to the spirit of comity since it has been proven that too often such means are not effective.

With kindest wishes,

Sincerely yours,

SAM J. ERVIN, Jr.,
Chairman, Subcommittee on Separation of Powers.

Mr. **FULBRIGHT**. Mr. President, I shall read only the last paragraph, simply for the information of the Senate at this time, of Senator ERVIN's letter. He says:

> I shall support any amendment by the Committee which would explicitly require that the executive director be confirmed by the Senate and that Congress be kept fully and currently informed of the activities of the Council as a means of ensuring our legislative prerogatives. I would hesitate to leave the matter on an informal basis, as suggested by the Administration, or to the spirit of comity since it has been proven that too often such means are not effective.

It is clear from our committee report on the bill that the senior Senator from New York in effect has temporarily set aside, without prejudging the merits of the issue, the question of whether Senate confirmation should be required for the position of Executive Director of the Council on International Economic Policy. On the other side of the coin, his amendments limit both the statutory basis for the Council and for the Executive Director's position to the single fiscal year 1973. Moreover, they require the latter official to keep the appropriate committees of the Congress "fully and currently informed regarding the activities of the Council."

I make no secret of the fact that I believe Senate confirmation of such an important official is necessary; the arguments of Senator ERVIN on this point to my mind are compelling. However, the Foreign Relations Committee in my absence accepted an intended compromise position and I feel I should abide by that decision. But I also think it essential to quote here the final paragraph of our committee report on S. 3726, as follows:

> Finally, it should be stressed that a number of members wished the report to make it clear that the Foreign Relations Committee intends to examine the whole subject matter of title II closely during fiscal year 1973. In effect, the executive branch is being given something less than a year of grace in order to enable the committee, and the Congress as a whole, an opportunity to observe the workings of this arrangement. Specifically, the question of Senate confirmation of the Council's Executive Director is open to reconsideration next year, and the committee in the interim intends to have every assurance that the Executive Director will be personally available to the appropriate enumerated committees of the Congress for exchanges of views and information.

In short, the proof of the pudding is the eating. We will have the needed answers to our questions well before this time next year. And it is obvious there are indeed questions.

Along with the Senator from North Carolina, I have been disturbed by the nature of the committee testimony presented on behalf of the administration by Mr. Carlucci, Associate Director of the Office of Management and Budget. In particular, I find entirely unpersuasive Mr. Carlucci's efforts to depict the Council's Executive Director as merely a staff man—almost just a scrivener—while insisting that his relationship to the President is so important and confidential that he should not normally be available to testify before the Congress.

In fact, Mr. Carlucci's own testimony in our committee hearing record amply refutes such a position. On page 29 of the printed hearings the distinguished senior Senator from Illinois inquired about the number of times the Council had met during its 18 months of existence, saying, and I quote:

> If there are frequent meetings then it would suggest that the Council really runs the policy. If the meetings are infrequent, I would judge the staff may run it.

On the following two pages Mr. Carlucci states that the Council has only met three times and that many decisions are discussed at the "Senior Review Group level"; he also submits material showing that the Council's Executive Director serves as Chairman of the Senior Review Group. This in itself is sufficient evidence as to the importance of the Executive Director's position and of his accessibility to the Congress.

Now I trust that the legislative history makes it absolutely clear that the committee amendment is designed to insure that the Executive Director will testify upon request in the regular way before the congressional committees named in section 208(a) of the bill. It is also my belief that this history precludes any possible attempt by the administration to place our relationship with the Council's Executive Director on a basis resembling in any way our past relations—or lack of them—with Mr. Kissinger.

With this understanding, Mr. President, I shall not raise the issue of Senate confirmation or oppose favorable action on S. 3726 at this time.

Mr. MONDALE. I yield myself 1 minute.

Mr. President, the amendment I sent to the desk is in the nature of a technical amendment which the Department of Commerce has asked for because the Export Administration Act expires today. It is an amendment that simply makes title I of this bill, S. 3726, retroactive to the expiration of the Export Administration Act on August 1.

I yield back the remainder of my time and ask for adoption of the amendment.

Mr. BENNETT. Mr. President, I agree with the manager of the bill. The amendment should be adopted.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment is yielded back.

The question is on agreeing to the amendment of the Senator from Minnesota.

The amendment was agreed to.

Mr. MONDALE. Mr. President, as I understand it, the only remaining amendments are those to be offered by the distinguished Senator from Indiana. I am hopeful that we can accept them. At least, at this point no one has asked for the yeas and nays, but they might.

Mr. HARTKE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONDALE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE COUNCIL ON INTERNATIONAL ECONOMIC POLICY

Mr. ROTH. Mr. President, I am particularly pleased to support title II of the Export Administration Act which will give statutory basis to the President's Council on International Economic Policy. I commend the distinguished junior Senator from Tennessee for his initiative in this matter.

The United States has entered an especially critical period in our economic relations with other countries. While domestic economic indicators have shown substantial improvement in the past few months, our balance-of-payments position continues to be in serious disequilibrium.

There are many reasons, of course, why foreign economic relationships do not respond as readily to Government policies as the domestic economy does. The international economy is affected by the policies of many countries, and the effect of our policies in this area are subject to being canceled out by the retaliatory or dilatory measures of other governments. Moreover, it takes a long time for the actions we take to show up measurably in our balance-of-payments position. For example, the full effect of the Smithsonian Agreement of last December realining the par values of the major free world currencies may not be felt for still another year. Finally, there is a paucity of data on many aspects of international trade and capital movements, and even where relatively reliable data is available, its policy implications may be disputed. The current debate on the effects of foreign direct investment by multinationals is a case in point.

In spite of these complexities, the United States has been slower to provide policy coordination in the foreign economic field than in almost any other major policy area. While the National Security Council was established years ago to provide policy coordination for the defense and foreign policy fields, the NSC tended to neglect foreign economic policy. Instead, the responsibility for our foreign economic policies was scattered among some 60 different government agencies and departments.

It was the recognition of this situation that caused the President to create a Council on International Economic Policy within the Executive Office in January of last year. It is now time to give this experiment statutory authority. When we must deal with many foreign countries, it is helpful to at least have a policy coordinating center in our own Government apparatus.

We now have tangible evidence of what such a Council can do. The first Executive Director, Mr. Peter G. Peterson, now our Secretary of Commerce, provided the Council, the President, and Congress a thoughtful statement of personal views on the major issues involved in our international economic policies. Accompanying the Peterson report were useful charts giving a wealth of practical information on our international economic relationships. This kind of information not only helps executive policymakers do their job by providing a common point of reference, but it will also help the Congress in understanding our economic problems.

Title II provides that an annual report of a similar nature will be presented to the Congress. This report will help to provide information and understanding in a policy area where better information and understanding are sorely needed.

Mr. HARTKE. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. JAVITS. Mr. President, reserving the right to object—and I hope I shall not object—I want to make this clear. I hope that no assurance is being given to the Senate that we will not have rollcall votes. We may very well have rollcall votes on these amendments or on whatever other amendments the Senator from Indiana has in mind. We are about to deal with very big matters.

Second, I reserve the right to object because, as the amendment is written, it has no pagination whatever. It is not a new title. It seeks to amend an existing title in the bill.

I happen to have studied it, so I understand it, and I am perfectly willing to let it go, if Senators are willing to take a general explanation. But if Senators went up to the desk and read it, it would take the same half-hour that it took me to find out exactly what it does to the bill. I shall not object, because I understand it; but I am simply giving notice to the Senate that in order to understand it, one has to listen carefully to Senator HARTKE and myself, or anyone else who speaks on it.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. SYMINGTON. Would the Senator mind having the amendment read?

Mr. HARTKE. I do not mind having it read.

Mr. President, I withdraw my request that further reading of the amendment be dispensed with, and I ask that the clerk read the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read, as follows:

> Title II, Sec. 206(2) line 10, after the words "private industry" add "Such review of policies shall include but not be limited to the impact of the Canadian Automobile Amendment and roll of any trading partner with which we have a substantial trade deficit."
>
> Title II, Sec. 206(3) Add. Such evaluations shall include but not be limited to the impact of international trade on the level, stability, and financial rewards for domestic labor and the impact of the transnational corporation on international trade flows.
>
> Title II, Sec. 206(6)(D) Add. consonant with the concepts of tax equity and the need for domestic investment.
>
> Title II, Sec. 206(6) following F, add a new section:
>
> (G) Preserving the existing diversified industrial base of the United States.
>
> Title II, Sec. 207(a) renumber Sec. 207(a)(3) as Sec. 207(a)(4) and insert Section 207(a)(3) a review of the impact of international voluntary standards, the foreign in-

vestments of U.S. based transnational firms, and the level of foreign wage rates on the level, stability, and financial reward for domestic employment.

Title II, Sec. 208(a) after line 20, insert the following material: the Committee on Finance of the Senate and the Committee on Ways and Means of the House.

Mr. **HARTKE**. Mr. President, I ask unanimous consent that the name of the Senator from Minnesota (Mr. HUMPHREY) be added as a cosponsor of the amendment.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **HARTKE**. Mr. President, I have discussed these amendments with the manager of the bill, and I had hoped that we would not have to have a rollcall vote on them, because they do not really do anything, in the final analysis, except require an in-depth study of some provisions matters would otherwise not be covered in the original report.

We have a situation in which our balance-of-payments deficit is in the neighborhood of $10 billion. The entire balance-of-payments deficit this year is already in excess of the total deficit of last year, and there is no hope for correction.

Last year, we had a balance of trade deficit for the first time in our history. This year, the balance of trade deficit probably will be double what it was last year.

We had a balance of trade surplus with Canada and until we entered into the Canadian Automobile Agreement, which has completely destroyed that base and has caused some needless international tensions. I am not asking that these be set aside. I am asking that when we consider what we are going to do about an export program, we ought to give consideration to all the factors that could possibly be involved. So these amendments which were submitted separately are now in a group and deal with section 206 which states:

> Such review of policies shall include but not be limited to the impact of the Canadian Automobile Amendment and the role of any trading partner with which we have a substantial trade deficit.

Mr. President, in 1967, we had a trade surplus with Japan of $500 million. The trade deficit last year with Japan was $3 billion. At the present time, the President intends to meet with Prime Minister Tanaka of Japan, to arrange for some clarification and a discussion of trade issues. I see no reason why the Canadian Automobile Agreement and relations with Japan should not be included in an overall study of this kind. That is one amendment. If the Senator from Minnesota (Mr. MONDALE) has any comment, I would appreciate it.

Mr. **MONDALE**. The Senator proposes six amendments. Some deal with areas which the council created in the bill. Others deal with matters which the council should include in its report.

Unless there is some objection on the other side of the aisle, I would be inclined to accept these amendments and take them to conference.

Mr. **JAVITS**. Mr. President, what has been done here in these amendments is to express, in terms of what this particular agency shall study as well as what it shall report, a particular point of view on international trade questions. All of these requirements are slanted that way.

For example, I seriously doubt that it does us any good with respect to Canada to have a specific stake in the bill, that

> Such review of policies shall include but not be limited to the impact of the Canadian Automobile Amendment . . .

I doubt that this is desirable. It does not add anything. It goes on to say:

> and role of any trading partner with which we have a substantial trade deficit.

If I were running it, I would want to eliminate the reference to Canada.

So far as I know, and I am going on my own recollection, this is the only reference, by name, to any country in the whole bill. So that kind of thing permeates these statements.

Here is another example to show why it troubles me. It speaks of

> Such evaluations shall include but not be limited to the impact of international trade on the level, stability, and financial rewards for domestic labor and the impact of the transnational corporation on international trade flows.

It carefully omits any impact of the transnational corporations either on international monetary affairs or on our balance of payments. Yet we all know that if the transnational corporation is to be justified at all, it is going to be justified on the basis of a major shift in the United States economy toward major returns from investments and dividends.

To go on, another section which relates to reports, and so forth, it says,

> Preserving the existing diversified industrial base of the United States.

Well, I do not know whether that is the kind of slanting we want, to preserve the buggy whip business, which we would be doing if all we had since 1789 was to preserve existing diversified industrial bases in the United States, or whether it is meant to be taken as a kind of general prefatory statement.

Then we go on with what they require to review and it states:

> . . . a review of the impact of international voluntary standards, the foreign investments of U.S. based transnational firms, and the level of foreign wage rates on the level, stability, and financial reward for domestic employment.

Again, we see exactly what this is being slanted for. The theory is that certain jobs are running away to foreign wage earners and it will take bread from the mouths of American workers. However, this is what we find. If my colleague from Minnesota would like to take this, I am not going to stand in the way of it. I have explained it to the Senate. I think we can work it out in conference. I am confident that we can. So that it coincides with the general thrust of the bill. I express my confidence by not standing in the way of the Senator's taking the amendments.

I understand the last amendment—to wit, something about notice to the Committee on Finance of the Senate and to the Committee on Ways and Means. It has been accepted. So that it may be that the Senator, perhaps, just wants to eliminate it. But I am willing to go along with the Senator from Minnesota.

Mr. **BROCK**. Mr. President, may I just say that I do not really like accepting this amendment because I think the essence of the amendment is to cast this new group in a protectionist light. I think that flies in the face of what we are trying to do here. As one of the principal authors of this particular section, we were trying to create a Council of Advisers to the President and to Congress which would deal with the problem of our balance of payments in a positive, creative, and constructive way, and would address itself to those problems in terms of the real world and not in terms of erecting new barriers or penalizing the multinational corporations or the transnational corporations, however we want to describe them.

If in any way this amendment were to be interpreted as trying to place this group in a protectionist light, in the light of impinging on free trade, it would be terribly detrimental to the thrust and objective of this particular piece of legislation.

For myself, I simply cannot say that the amendment is something that is harmless or could be ironed out in conference. I do not believe that it can. It is detrimental to what we are trying to accomplish with this particular bill. I do not think the bill goes far enough in setting up a counterpart to a council of advisers concerning an international base. But this is a step in the right direction. Here we are, though, giving it a split personality right from the start. I do not think that that is right.

Mr. **AIKEN**. Mr. President, I want the RECORD to show that I am not in favor of adopting this amendment which has been proposed by the Senator from Indiana. I think, too, that it is an extremely far-reaching amendment. We have had only 10 minutes time to study it. The amendment was not printed. I do not know why. But I am always suspicious of last minute amendments that are not printed.

As I listened to the very short explanation given by the Senator from Indiana and the Senator from New York, it appeared to me that this amendment opens up the opportunity for almost unlimited monkey business on the part of the United States and international industries in relations with other countries.

I think it is just shocking that we should be expected to vote on a measure like this without even knowing what it is. We do not even have a copy of the amendment now. I think we should have a yea-and-nay vote on it so that each of us will go on record as to whether we approve of this method of legislating.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. **PASTORE**. Mr. President, I seldom disagree with my distinguished colleague from Vermont (Mr. AIKEN), but this is a matter that has been brewing for a long time. I have served in Congress under five Presidents. We feared that this time would come. We saw it coming in the 1950's but no one would listen to us, whether it was President Eisenhower, President Kennedy, President Johnson, and now President Nixon.

The trouble is that we have been playing Santa Claus for too long. We are in trouble in this country. Now we talk about our balance of trade. The fact still remains that our markets today are being saturated by goods that are being produced in Japan.

Mr. President, the people in my State are being put out of work. No matter what one picks up today, whether it is in brazen letters, small letters, or obscure letters, it says "Made in Japan." Not too long ago my sister-in-law wanted to buy a television set. I took her to a friend of mine who was a dealer. He had Zenith, RCA, Admiral, and all makes of sets. I said, "Which one do you recommend?" He said, "It does not make any difference. They are all made in Japan."

That is what it comes down to. Our people are out of work.

The American market has always been an attractive market because we have had workers here. However, the American consumer is a consumer only as long as he has a job. The amendment says that "It shall be our policy." That is a little complicated. However, I think we ought to put the council on notice that we are concerned. I do not know whether Canada should be left out or whether Japan should be put in. I do not know. However, I do know that we are buying a lot more than we are selling. The international market is a two-way street. And it has not been that. Our international policy on trade has been a foreign program.

It is time that we took politics out of foreign trade and put economic concepts into it.

Mr. AIKEN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Vermont has 1 minute remaining.

Mr. PASTORE. Mr. President, I did not even get to the crescendo.

Mr. AIKEN. Mr. President, the Senator is correct. This trouble has been brewing a long time. However, if it has been brewing a long time, why is it that we were not permitted to know about this proposal, especially those of us who are on the committee, until about 15 minutes ago. And we are now expected to vote on a measure which admittedly, according to the Senator from Indiana and the Senator from New York, is a very large proposal, in less than 15 minutes time?

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HARTKE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Indiana has 6 minutes remaining.

Mr. HARTKE. Mr. President, I thank the Senator from Rhode Island for his comments.

Let me answer the Senator from Vermont. There is nothing mandatory in this provision, I assure the Senator. Not a word is mandatory. This states very clearly that there are certain problems that we would like to have people examine. That is all.

I talked to the distinguished Senator with regard to this measure. I did not feel that these proposals were controversial. I will grant the Senator that certain people are worried about our ultimate goal. I do not mind telling the Senator what my ultimate goal is. My ultimate goal is to get a favorable balance of trade and a favorable balance of payments for our Government. I am interested in that. I know that what we are doing now is not getting the job done.

I do not criticize anybody. But people are being thrown out of work. And people are getting jobs overseas.

There are tax subsidies to transnational firms that amount to almost $4 billion. If the Senator wants me to offer a real amendment, I could offer an appropriate one. I could offer one to cut out the tax subsidies being given to the corporations who are being given tax credits.

That is a $4 billion gift from the taxpayers. These big corporations—and God bless them, I do not blame them for it—do it for their own protection. However, they should not do it at the expense of the taxpayer.

The Hartke amendments do not address themselves to that. They say that we should have an honest report. And when the report leads to a discussion of jobs and tax benefits and tax equity we will vote for appropriate legislation. Ultimately, this body will make that decision. There should be debate on international voluntary standards, the level of foreign wage rates and the level, stability, and financial reward for domestic employment.

Let me say to the Senator from New York that if he wants monetary reform, I will accept that. I think there is a great need for monetary reform.

I am willing to sponsor such a provision tonight, if the Senator wants me to. However, this is not mandatory. It strictly calls for a complete in-depth study.

I will say that if there is any fear on the part of anyone, it comes out of a guilty conscience.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. HARTKE. Mr. President, time is still running. I yield to the Senator for a question.

Mr. JAVITS. Mr. President, I ask the Senator from Indiana whose concept of tax equity he is talking about. Is it the concept of the Council, the concept of the President, or the concept of the Senate?

Mr. HARTKE. It is the concept of the people appointed by the Council. It is the Council that ultimately does the examination. This Council does not pass laws. They can only recommend to Congress.

I am not going to be appointed to the Council. If I had my way I would have Congress appoint the Council.

I reported to the chairman of the Finance Committee that I am tired of having reports to Congress based solely on executive facts and figures.

Mr. BENNETT. Mr. President, will the Senator yield for a question?

Mr. HARTKE. I yield.

Mr. BENNETT. Mr. President, the Senator says that this is not mandatory, that it is entirely voluntary. Can the Commission ignore the requirements put in the bill if it chooses to do so?

Mr. HARTKE. I say that they shall study the matters and report on them.

Mr. BENNETT. Then it is mandatory. They study and make a report on it.

Mr. HARTKE. The study is mandatory, the conclusions are not.

Mr. MONDALE. Mr. President, I think I am identified as one who is in favor of a reasonable trade policy. But I am not afraid of these amendments. They relate only to certain areas which the Council should study and problems which they should include in their report. I think people may be raising an issue where none exists.

Mr. HARTKE. Mr. President, I did not ask for a rollcall vote. I did not anticipate it. I had discussed the Hartke amendment with the manager of the bill and expected to encounter no controversy on this floor. I appreciate the kind words of the manager of the bill and his generous support.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Indiana. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Idaho (Mr. CHURCH), the Senator from Georgia (Mr. GAMBRELL), and the Senator from Oklahoma (Mr. HARRIS), are necessarily absent.

I further announce that the Senator from North Carolina (Mr. JORDAN) is absent on official business.

I further announce that if present and voting; the Senator from Georgia (Mr. GAMBRELL) would vote "nay".

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER) and the Senator from Iowa (Mr MILLER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Massachusetts (Mr. BROOKE), the Senator from New Hampshire (Mr. COTTON), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Kansas (Mr. PEARSON) are necessarily absent.

If present and voting, the Senator from Massachusetts (Mr. BROOKE) and the Senator from Iowa (Mr. MILLER) would each vote "Nay."

The result was announced—yeas 52, nays 35, as follows:

[No. 328 Leg.]

YEAS—52

Allen
Bayh
Beall
Bible
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cranston
Eagleton
Eastland
Ervin
Fulbright
Gravel
Griffin
Hart
Hartke
Hollings
Hughes
Humphrey
Inouye
Jackson
Kennedy
Long
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson

Pastore
Pell
Proxmire
Randolph
Ribicoff
Schweiker
Spong
Stennis
Stevenson
Symington
Talmadge
Tunney
Williams
Young

NAYS—35

Aiken
Allott
Anderson
Bellmon
Bennett
Boggs
Brock
Buckley
Cook
Cooper
Curtis
Dole
Dominick
Fannin
Fong
Gurney
Hansen
Hatfield
Hruska
Javits
Jordan, Idaho
Mathias
Packwood
Percy
Roth
Saxbe
Scott
Smith
Sparkman
Stafford
Stevens
Taft
Thurmond
Tower
Weicker

NOT VOTING—12

Baker
Bentsen
Brooke
Church
Cotton
Gambrell
Goldwater
Harris
Jordan, N.C.
Miller
Mundt
Pearson

So Mr. Hartke's amendment was agreed to.

Mr. TALMADGE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HARTKE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MONDALE. Mr. President, I believe we are ready for third reading.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MONDALE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered. The question is, Shall the bill pass? The clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. Bentsen), the Senator from Idaho (Mr. Church), the Senator from Georgia (Mr. Gambrell), and the Senator from Oklahoma (Mr. Harris) are necessarily absent.

I further announce that the Senator from North Carolina (Mr. Jordan) is absent on official business.

I further announce that, if present and voting, the Senator from Georgia (Mr. Gambrell) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker) and the Senator from Iowa (Mr. Miller) are necessarily absent.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Iowa (Mr. Miller), the Senator from Ohio (Mr. Taft), and the Senator from Massachusetts (Mr. Brooke) would each vote "yea."

Also, the Senator from Tennessee (Mr. Brock), the Senator from Massachusetts (Mr. Brooke), the Senator from New Hampshire (Mr. Cotton), the Senator from Arizona (Mr. Goldwater), the Senator from Kansas (Mr. Pearson), and the Senators from Ohio (Mr. Saxbe and Mr. Taft) are necessarily absent.

The result was announced—yeas 81, nays 3, as follows:

[No. 329 Leg.]

YEAS—81

Allen
Allott
Anderson
Bayh
Beall
Bellmon
Bennett
Bible
Boggs
Buckley
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Cook
Cranston
Curtis
Dole
Dominick
Eagleton
Eastland
Ervin
Fannin
Fong
Fulbright
Gravel
Griffin
Gurney
Hansen
Hart
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McGovern
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Stevenson
Symington
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—3

Aiken
Cooper
McIntyre

NOT VOTING—15

Baker
Bentsen
Brock
Brooke
Church
Cotton
Gambrell
Goldwater
Harris
Jordan, N.C.
Miller
Mundt
Pearson
Saxbe
Taft

So the bill (S. 3726) was passed, as follows:

S. 3726

An act to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO THE EXPORT ADMINISTRATION ACT OF 1969

Sec. 101. This title may be cited as the "Equal Export Opportunity Act".

Sec. 102. Section 2(3) of the Export Administration Act of 1969 is amended by inserting before the period at the end thereof a comma and the following: "particularly when export restrictions applied by the United States are more extensive than export restrictions imposed by countries with which the United States has defense treaty commitments".

Sec. 103. Section 3 of the Export Administration Act of 1969 is amended by adding at the end thereof the following:

"(6) It is the policy of the United States that the desirability of subjecting, or continuing to subject, particular articles, materials, or supplies, including technical data or other information, to United States export controls should be subjected to review by and consultation with representatives of appropriate United States Government agencies and qualified experts from private industry."

Sec. 104. (a) Section 4(b) of the Export Administration Act of 1969 is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding at the end thereof the following new paragraphs:

"(2) The Secretary of Commerce, in cooperation with appropriate United States Government departments and agencies and the appropriate technical advisory committees established under section 5(c), shall undertake an investigation to determine which articles, materials, and supplies, including technical data and other information, should no longer be subject to export control because of their significance to the national security of the United States. Notwithstanding the provisions of paragraph (1), the President shall remove unilateral export controls on the export from the United States of articles, materials, or supplies, including technical data or other information, which he determines are available without restriction from sources outside the United States in significant quantities and comparable in quality to those produced in the United States, except that any such control may remain in effect if the President determines that adequate evidence has been presented to him demonstrating that the absence of such a control would prove detrimental to the national security of the United States. The nature of such evidence shall be included in the special report required by paragraph (4).

"(3) In conducting the investigation referred to in paragraph (2) and in taking the action required under such paragraph, the Secretary of Commerce shall give priority to those controls which apply to articles, materials, and supplies, including technical data and other information, for which there are significant potential export markets.

"(4) Not later than nine months after the date of enactment of the Equal Export Opportunity Act, the Secretary of Commerce shall submit to the President and to the Congress a special report of actions taken under paragraphs (2) and (3). Such report shall contain—

"(A) a list of any articles, materials, and supplies, including technical data and other information, which are subject under this Act to export controls greater than those imposed by nations with which the United States has defense treaty commitments, and the reasons for such greater controls; and

"(B) a list of any procedures applicable to export licensing in the United States which may be or are claimed to be more burdensome than similar procedures utilized in nations with which the United States has defense treaty commitments, and the reasons for retaining such procedures in their present form.".

(b) (1) Section 4(e) of such Act is amended to read as follows:

"(e) The authority conferred by this section shall not be exercised with respect to any agricultural commodity, including fats and oils or animal hides or skins, without the approval of the Secretary of Agriculture. The Secretary of Agriculture shall not approve the exercise of such authority with respect to any such commodity during any period for which the supply of such commodity is determined by him to be in excess of the requirements of the domestic economy, except to the extent the President determines that such exercise of authority is required to effectuate the policies set forth in clause (B) or (C) of paragraph (2) of section 3 of this Act."

(2) Any rule, regulation, proclamation, or order issued after July 1, 1972, under section 4 of the Export Administration Act of 1969, exercising any authority conferred by such section with respect to any agricultural commodity, including fats and oils or animal hides or skins, shall cease to be effective upon the date of enactment of this Act.

Sec. 105. Section 5 of the Export Administration Act of 1969 is amended by adding at the end thereof the following:

"(c) (1) Upon written request by representatives of a substantial segment of any industry which produces articles, materials and supplies, including technical data and other information, which are subject to export controls or are being considered for such controls because of their significance to the national security of the United States, the Secretary of Commerce shall appoint a technical advisory committee for any grouping of such articles, materials, and supplies, including technical data and other information, which he determines is difficult to evaluate because of questions concerning technical matters, worldwide availability and actual utilization of production and technology, or licensing procedures. Each such committee shall consist of representatives of United States industry and government. No person serving on any such committee who is representative of industry shall serve on such committee for more than two consecutive years.

"(2) It shall be the duty and function of the technical advisory committees established under paragraph (1) to advise and assist the Secretary of Commerce and any other department, agency, or official of the Government of the United States to which the President has delegated power, authority, and discretion under section 4(d) with respect to actions designed to carry out the policy set forth in section 3 of this Act. Such committee shall be consulted with respect to questions involving technical matters, worldwide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to any articles, materials, or supplies, including technical data or other information, and including those whose export is subject to multilateral controls undertaken with nations with which the United States has defense treaty commitments, for which the committees have expertise. Such committees shall also be consulted and kept fully informed of progress with respect to the investigation required by section 4(b)(2) of this Act. Nothing in this subsection shall prevent the Secretary from consulting, at any time, with any person representing industry or the general public regardless of whether such person is a member of a technical advisory committee. Members of the public shall be given a reasonable opportunity, pursuant to regulations prescribed by the Secretary of Commerce, to present evidence to such committees.

"(3) Any member of any such committee who is not an officer or employee of the United States shall be entitled to receive compensation at not to exceed the daily rate prescribed for GS–18 of the General Schedule under section 5332 of title 5, United States Code, during such time as he is engaged in the performance of his duties as a member. Each member may be reimbursed for travel, subsistence, and other necessary expenses incurred in connection with his duties as a member.

"(4) Each such committee shall elect a chairman, and shall meet at least every three months at the call of the Chairman, unless the Chairman determines, in consultation with the other members of the committee, that such a meeting is not necessary to achieve the purposes of this Act. Each such committee shall be terminated after a period of two years, unless extended by the Secretary for additional periods of two years. The Secretary shall consult each such committee with regard to such termination or extension of that committee."

Sec. 106. Section 14 of the Export Administration Act of 1969 is amended by striking out "August 1, 1972" and inserting in lieu thereof "June 30, 1974".

Sec. 107. Nothing in this title shall be construed to require the release or publication of information which is classified pursuant to Executive order or to affect the confidentiality safeguards provided in section 7(c) of the Export Administration Act of 1969.

Sec. 108. The provisions of this title take effect as of the close of July 31, 1972.

TITLE II—COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SHORT TITLE

Sec. 201. This title may be cited as the "International Economic Policy Act of 1972".

STATEMENT OF PURPOSES

Sec. 202. It is the purpose of this title to provide for closer Federal interagency coordination in the development of a more rational and orderly international economic policy for the United States.

FINDINGS AND POLICY

Sec. 203. The Congress finds that there are many activities undertaken by various departments, agencies, and instrumentalities of the Federal Government which, in the aggregate, constitute the domestic and international economic policy of the United States. The Congress further finds that the objectives of the United States with respect to a sound and purposeful international economic policy can be better accomplished through the closer coordination of (1) domestic and foreign economic activity, and (2) in particular, that economic behavior which, taken together, constitute United States international economic policy. Therefore this Act establishes a Council on International Economic Policy which will provide for—

(A) a clear top level focus for the full range of international economic issues; deal with international economic policies including trade, investment, balance of payments, nad finance as a coherent whole;

(B) consistency between domestic and foreign economic policy; and

(C) close coordination with basic foreign policy objectives.

The Congress intends that the Council shall be provided with the opportunity to (i) investigate problems with respect to the coordination, implementation, and long-range development of international economic policy, and (ii) make appropriate findings and recommendations for the purpose of assisting in the development of a rational and orderly international economic policy for the United States.

CREATION OF COUNCIL ON INTERNATIONAL ECONOMIC POLICY

Sec. 204. There is created in the Executive Office of the President a Council on International Economic Policy (hereinafter referred to in this title as the "Council").

MEMBERSHIP

Sec. 205. The Council shall be composed of the following members and such additional members as the President may designate:

(1) The President.

(2) The Secretary of State.

(3) The Secretary of the Treasury.

(4) The Secretary of Defense.

(5) The Secretary of Agriculture.

(6) The Secretary of Commerce.

(7) The Secretary of Labor.

(8) The Director of the Office of Management and Budget.

(9) The Chairman of Council of Economic Advisers.

(10) The Special Representative for Trade Negotiations:

The President shall be the Chairman of the Council and shall preside over the meetings of the Council; in his absence he may designate a member of the Council to preside in his place.

DUTIES OF THE COUNCIL

Sec. 206. Subject to the direction of the President, and in addition to performing such other functions as he may direct, it shall be the duty of the Council to—

(1) assist and advise the President in the preparation of the International Economic Report required under section 207;

(2) review the activities and the policies of the United States Government which indirectly or directly relate to international economics and, for the purpose of making recommendations to the President in connection therewith, consider with some degree of specificity the substance and scope of the international economic policy of the United States, which consideration shall include examination of the economic activities of (A) the various agencies, departments, and instrumentalities of the Federal Government, (B) the several States, and (C) private industry. Such review of policies shall include but not be limited to the impact of the Canadian Automobile Amendments and roll of any trading partner with which we have a substantial trade deficit;

(3) collect, analyze, and evaluate authoritative information, current and prospective, concerning international economic matters. Such evaluations shall include but not be limited to the impact of international trade on the level, stability, and financial rewards for domestic labor and the impact of the transnational corporation on international trade flows;

(4) consider policies and programs for coordinating the activities of all the departments and agencies of the United States with one another for the purpose of accomplishing a more consistent international economic policy, and make recommendations to the President in connection therewith;

(5) continually assess the progress and effectiveness of Federal efforts to carry out a consistent international economic policy; and

(6) make recommendations to the President for domestic and foreign programs which will promote a more consistent international economic policy on the part of the United States and private industry. Recommendations under this paragraph shall include, but shall not be limited to, policy proposals relating to monetary mechanisms, foreign investment, trade, the balance of payments, foreign aid, taxes, international tourism and aviation, and international treaties and agreements relating to all such matters. In addition to other appropriate objectives, such policy proposals should be developed with a view toward—

(A) strengthening the United States competitive position in world trade;

(B) achieving equilibrium in international payment accounts of the United States;

(C) increasing exports of goods and services;

(D) protecting and improving the earnings of foreign investments consonant with the concepts of tax equity and the need for domestic investment;

(E) achieving freedom of movement of people, goods, capital, information, and technology on a reciprocal and worldwide basis;

(F) increasing the real employment and income of workers and consumers on the basis of international economic activity; and

(G) preserving the existing diversified industrial base of the United States.

REPORT

Sec. 207. (a) The President shall transmit to the Congress an annual report on the international economic position of the United States. Such report (hereinafter referred to as the "International Economic Report") shall be submitted not later than sixty days after the beginning of each regular session of the Congress, and shall include—

(1) information and statistics describing characteristics of international economic activity and identifying significant current and foreseeable trends and developments;

(2) a review of the international economic program of the Federal Government and a review of domestic and foreign economic conditions and other significant matters affecting the balance of international payments of the United States and of their effect on the international trade, investment, financial, and monetary position of the United States;

(3) a review of the impact of international voluntary standards, the foreign investments of U. S. based transnational firms, and the level of foreign wage rates on the level, stability, and financial reward for domestic employment; and

(4) a program for carrying out the policy objectives of this title, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports supplementary to the International Economic Report, each of which may include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the purposes and policy objectives set forth in this title.

EXECUTIVE DIRECTOR AND STAFF OF THE COUNCIL

SEC. 208. (a) The staff of the Council shall be headed by an Executive Director who shall be an assistant to the President and direct the Council staff. He shall keep the Committee on Banking, Housing and Urban Affairs of the Senate, the Committee on Banking and Currency of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and the Joint Economic Committee fully and currently informed regarding the activities of the Council.

(b) (1) With the approval of the Council, the Executive Director may appoint and fix the compensation of such staff personnel as he deems necessary. Except as provided in paragraph (2), the staff of the Council shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(2) With the approval of the Council, the Executive Director may appoint and fix the compensation of one officer at a rate of basic compensation not to exceed the rate provided for level IV of the Federal Executive Salary Schedule, and appoint and fix the compensation of two officers at rates of basic compensation not to exceed the rate provided for level V of the Federal Executive Salary Schedule.

(c) With the approval of the Council, the Executive Director may procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for GS–18.

(d) Upon request of the Executive Director, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to the Council to assist it in carrying out its duties under this title.

SEC. 209. The provisions of this title II shall expire on June 30, 1973, unless extended by legislation enacted by the Congress.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 210. For the purpose of carrying out the provisions of this title, there are authorized to be appropriated not to exceed $1,400,000 for fiscal year 1973.

Mr. SPARKMAN. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the passage of S. 3726 demonstrates again the skill and leadership of the distinguished Senator from Minnesota (Mr. MONDALE). The ease with which he handles the complexities of the issues of international trade and economic policy cannot be surpassed in the Senate.

I wish also to commend his counterpart on the minority side, the able Senator from Oregon (Mr. PACKWOOD) and the able Senator from Utah (Mr. BENNETT) for their contribution and assistance in expediting the passage of this legislation.

In addition to the Senators from Indiana (Mr. HARTKE) and Nebraska (Mr. CURTIS) we are indebted to the contributions they made by offering their amendments which were agreed to by the full Senate.

To the Senator from New Hampshire (Mr. McINTYRE), the Senator from New York (Mr. JAVITS), the Senator from Arkansas (Mr. FULBRIGHT), the leadership owes a debt of gratitude for their cooperation and assistance in expediting the passage of this urgently needed legislation.

To the Senate as a whole, I extend my appreciation for Senators' cooperation and assistance in expediting the Senate's business.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. I ask unanimous consent that there now be a period for the transaction of routine morning business, with the statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

RETIREMENT OF FIREFIGHTERS

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 916.

The PRESIDING OFFICER (Mr. ALLEN) laid before the Senate the amendment of the House of Representatives to the bill (S. 916) to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations which was to strike out all after the enacting clause, and insert:

> That the first sentence of section 8336(c) of title 5, United States Code, is amended by inserting after "United States" the following: "or are primarily to perform work directly connected with the control and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment".

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CANNON, from the Committee on Commerce, with amendments:

S. 3755. A bill to amend the Airport and Airway Development Act of 1970 to increase the United States share of allowable projects costs under such Act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air transportation, and for other purposes (Rept. No. 92–1005).

By Mr. HRUSKA, from the Committee on the Judiciary, with amendments.

H.R. 12652. An act to extend the life of the Commission on Civil Rights, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes (Rept No. 92–1006).

By Mr. McINTYRE, from the Committee on Banking, Housing and Urban Affairs, with an amendment:

S. 3337. A bill to amend the Small Business Investment Act of 1958, and for other purposes (Rept. No. 92–1007).

Mr. McINTYRE. Mr. President, from the Committee on Banking, Housing and Urban Affairs, I report favorably, without amendment, the bill (S. 3337), to amend the Small Business Investment Act of 1958 to provide for the establishment of a Minority Enterprise Small Business Investment program in the Small Business Administration, and I submit a report thereon. I ask unanimous consent that the report be printed.

By Mr. McINTYRE, from the Committee on Banking, Housing and Urban Affairs, with amendments:

H.R. 15692. An act to amend the Small Business Act to reduce the interest rate of Small Business Administration disaster loans (Rept. No. 92–1008). (Together with supplemental views.)

Mr. McINTYRE. Mr. President, from the Committee on Banking, Housing and Urban Affairs, I report favorably, with amendments, the bill (H.R. 15692), to amend the disaster relief section of the Small Business Act to provide increased Government assistance to disaster relief victims, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with supplemental views.

HEALTH MAINTENANCE ORGANIZATIONS—FINANCE COMMITTEE CONSIDERATION OF S. 3327 AND DISCHARGE OF COMMITTEE

Mr. LONG. Mr. President, on July 21, the Committee on Labor and Public Welfare reported S. 3327 to the Senate; and pursuant to the request of the Committee on Finance, the bill was re-referred to the Committee on Finance. Our direct jurisdictional concern involved provisions which would have earmarked certain Federal tax collections for the purpose of financing health maintenance organizations and their operation. I am pleased that the bill as reported by the Committee on Labor and Public Welfare deleted these tax features. Their deletion largely eliminated the direct jurisdictional problems we had with the bill.

Nonetheless, the bill as reported still includes provisions which affect the legislative responsibilities of the Finance Committee. Although they seem to be apparently relatively unimportant in relation to the principal purposes of the bill, these features are significant enough that I should express them for the record.

First, the bill appears to impress upon the medicare and medicaid programs, which are within the Finance Committee jurisdiction, standards of health-care which may dilute the quality of care we have meticulously worked out over the years and insisted upon in the health-care programs under the Social Security Act.

Second, the bill seems to create a program of care through health maintenance organizations for poor people whose health needs today presumably are provided for under the medicaid program. But it offers no rules for coordinating with medicaid, a program under Finance Committee jurisdiction.

And third, the bill places the Federal Government in the position of guaranteeing the principal and interest on tax-exempt State and local bonds which may be issued for the purpose of financing health maintenance organizations. The Treasury Department has voiced strong opposition to this feature—which again, involves a matter within the Finance Committee's jurisdiction.

I ask unanimous consent that a memorandum outlining these concerns, together with a copy of a letter from the General Counsel of the Treasury Department describing the Treasury objections to the bill, be printed at this point in the Record.

There being no objection, the memorandum and letter were ordered to be printed in the Record, as follows:

S. 3327—Health Maintenance Organization Development Act

BACKGROUND

On March 13, 1972, Senator Kennedy's Health Maintenance Organization bill, S. 3327, was referred to the Labor Committee under a unanimous consent agreement providing that the bill was to be referred to Finance when reported, if the Finance Committee so desired. On May 19, 1972, the Finance Committee agreed that they would like to review S. 3327 and a letter to that effect was sent to the Chairman of the Labor Committee. The bill was reported out on July 21, 1972, and referred to the Finance Committee.

DESCRIPTION OF BILL

S. 3327 deals primarily with establishing a massive program of grants and loans for the planning, development and initial operation of Health Maintenance Organizations. A separate title of the bill establishes an independent Quality Health Care Commission, responsible for setting Federal standards and norms for health care. Other titles of the bill deal with medical malpractice and the establishment of a National Institute of Health Care Delivery.

MATTERS OF PARTICULAR CONCERN TO THE FINANCE COMMITTEE

1. With respect to Medicare and Medicaid, the Committee has spent years developing detailed legislation relating to the quality of health care—including peer review—and standards for health facilities. Senator Kennedy's Independent Commission on Quality Health Care would establish standards and norms the effect of which could be to override all other Federal quality of care and review requirements, including those established or proposed under the Social Security health care programs.

2. The bill also authorizes $700 million which the Secretary of Health, Education and Welfare can use to pay all or part of HMO premium charges for people who he determines are unable to pay such costs. In effect, the Secretary would be purchasing health insurance for the poor (as he defines "poor") in HMO's through this mechanism, with unknown implications for the Medicaid program.

3. The bill also contains a provision amending the National Labor Relations Act to define as an "unfair labor practice" an employer's refusal to offer his employees, in any collective bargaining over health insurance, the option of choosing an HMO. In effect, employers who provide health benefits are required to offer an HMO option where an HMO exists in an area. This could affect the future course of national health insurance, a matter within this Committee's jurisdiction.

4. The bill includes a mechanism for Federal guarantees of both principal and interest of loans to HMO's by non-Federal lenders, including State and local governments whose bonds produce tax-free interest. The Treasury Department has advised the Committee that it is strongly opposed to this feature.

The Department's opposition to Federal guarantees of tax-exempt obligation is based on four fundamental problems raised by such guarantees: (1) the guarantee of tax-exempts is an inefficient subsidy since the Federal tax revenue loss exceeds the interest savings of the borrower from tax-exempt interest, (2) the guarantee of tax-exempts disproportionately benefits investors in high Federal income tax brackets, (3) such guaranteed obligations heighten the competition for the limited amount of such funds available to State and local borrowers from high tax bracket investors and raise the cost of financing other local projects for which direct Federal credit aid is not provided, and (4) such guarantees conflict with Federal debt management policy by creating a class of securities (tax exempt) which the Federal Government itself is prohibited from issuing by the Public Debt Act of 1941.

The General Counsel
of the Treasury,
Washington, D.C., July 26, 1972.
Hon. Russell B. Long,
Chairman, Committee on Finance,
U.S. Senate,
Washington, D.C.

Dear Mr. Chairman: Reference is made to your request for the views of this Department on S. 3327, the "Health Maintenance Organization and Resources Development Act of 1972."

The bill would add a new title XI to the Public Health Service Act. New section 1141, as proposed to be added by S. 3327, would authorize the Secretary of Health, Education and Welfare to guarantee the payment of principal and interest to non-Federal lenders making loans to private health maintenance organizations (HMO's) and to health service organizations (HSO's) to assist them in meeting the cost of construction projects for ambulatory care facilities and transportation services for the provision of health services to their enrollees; to meet their initial development costs; or to pay for a portion of their initial operating costs in excess of gross revenues. This section would also authorize the Secretary to guarantee loans to assist university health centers in the development of area health education and service centers, and to provide working capital for the operation of such centers as well as to subsidize the difference between income and operating expenditures.

Under existing law, the interest income from most obligations issued by State and local public bodies is exempt from Federal income taxation. Since the bill would not alter the tax status of the proposed guaranteed obligations, the guarantee authority would result in Federal guarantees of tax-exempt obligations. The Treasury is strongly opposed to Federal guarantees of tax-exempt obligations.

The Department's opposition to Federal guarantees of tax-exempt obligations is based on four fundamental problems raised by such guarantees: (1) the guarantee of tax-exempts is an inefficient subsidy since the Federal tax revenue loss exceeds the interest savings of the borrower from tax-exempt interest, (2) the guarantee of tax-exempts disproportionately benefits investors in high Federal income tax brackets, (3) such guaranteed obligations heighten the competition for the limited amount of such funds available to State and local borrowers from high tax bracket investors and raise the cost of financing other local projects for which direct Federal credit aid is not provided, and (4) such guarantees conflict with Federal debt management policy by creating a class of securities (tax-exempt) which the Federal Government itself is prohibited from issuing by the Public Debt Act of 1941.

New section 1106 would authorize the Secretary of Health, Education, and Welfare to make loans to any public or private nonprofit HMO to assist it in meeting the cost of construction of facilities for ambulatory care and transportation services to its enrollees. New section 1125 would authorize such loans to any HSO. Sections 1107 and 1126 would authorize loans to such organizations for a portion of their initial operating costs in excess of gross revenues. Such loans would bear interest at the legal rate of interest prevailing with respect to loans which are guaranteed under the bill. The meaning of this interest rate language is not clear.

There would be no requirement under the Federal credit assistance programs proposed in new sections 1106, 1107, 1125, 1126, and 1141, that the borrower demonstrate that credit is not otherwise available under reasonable terms and conditions. Such a requirement is necessary to preclude unnecessary dependence on Federal credit and Federal competition with and duplication of the activities of private lenders.

Proposed sections 1106, 1107, 1125, 1126, 1141, 1143, and 1226 would create revolving funds for programs created under the bill and would authorize moneys to be appropriated to such funds. There would be no requirement for the payment of interest on Federal capital supplied to such funds.

A fundamental purpose of establishing a revolving fund is to provide for the systematic disclosure of the relationship between receipts and expenditures thus facilitating decisions regarding the fees to be charged under the program and the allocation of budget resources. To the extent that all costs, including interest on Federal capital whether obtained from appropriations or borrowing from the Treasury, are not accounted for, this fundamental purpose will not be achieved.

Section 1220 as proposed to be added by S. 3327 would establish a Federal Medical Malpractice Insurance Program to make insurance available to providers of health care to cover liability for medical malpractice arbitration awards. Such insurance would be available at rates adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, rates consistent with the objective of making medical malpractice insurance available at reasonable rates to encourage prospective insureds to purchase such insurance. The need for such subsidized premiums is not clear.

The financial provisions of this section are deficient in several important respects. There would be no requirement that the applicant demonstrate that insurance is not otherwise available on reasonable terms. There would be no limit on the maximum amount of claims which could be paid under any one policy, no deductible requirement to minimize payment of nuisance claims, and no limit on the aggregate Federal liability under the proposal. Consideration of a Federal malpractice insurance program should be deferred until completion of the comprehensive study by the Commission on Medical Malpractice.

Section 1143 as proposed to be added by the bill would establish in the Treasury a Health Maintenance Fund which would be available for making grants to HMO's or HSO's serving persons who cannot afford the premiums charged by such organizations. The fund would be credited with 5 percent of the taxes received in the Treasury under chapter 51 of the Internal Revenue Code of 1954 (relating to taxes on distilled spirits, wines, and beer) and under chapter 52 (relating to taxes on tobacco, cigars, cigarettes, and cigarette papers and tubes).

As a general principle of effective budgetary management, budget receipts should not be earmarked for particular purposes but should be available in the general fund of the Treasury for appropriation by the Congress for programs that have the highest current priority. Legislative enactments setting aside certain budgetary receipts for particular expenditure purposes introduce undesirable rigidities into the budget process and thus limit the flexibility of the President and the Congress in determining priorities on the basis of their evaluation of current needs. This could promote unnecessary and inefficient public spending. Particularly in view of the rapidly changing nature of domestic and national security needs, it is essential that decisionmakers have maximum flexibility in the allocation of scarce budgetary resources. The proposed earmarking could result in substantial and unintended variations in the amounts provided the designated purpose, since these amounts would be determined largely by the happenstance of unrelated revenue changes rather than on the basis of program needs and sound budgetary planning.

The Administration has proposed legislation to provide assistance to health maintenance organizations. In view of the foregoing, the Department recommends favorable action on the Administration's proposals in lieu of action on S. 3327.

The Department has been advised by the Office of Management and Budget that there is no objection from the standpoint of the Administration's program to the submission of this report to your Committee.

Sincerely yours,

SAMUEL R. PIERCE, Jr.,
General Counsel.

Mr. LONG. Mr. President, the Committee on Finance discussed S. 3327 in executive session today and directed me to suggest to the chairman of the Committee on Labor and Public Welfare that the objectionable features of the bill which I have described be eliminated; and if that were done, any jurisdictional questions we may have would be resolved.

I ask unanimous consent that my letter to Senator WILLIAMS, chairman of the Committee on Labor and Public Welfare, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., August 1, 1972.

Hon. HARRISON A. WILLIAMS, Jr
Chairman, Labor and Public Welfare Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I very much appreciate your cooperation in having S. 3327, the Health Maintenance Organization Development Act, referred to the Finance Committee, pursuant to the request in my letter to you dated May 19, 1972.

While the specific provision in S. 3327, as introduced, which would have amended the Internal Revenue Code, is not included in the bill as reported out by your Committee, Title VI of the bill, establishing a "Commission on Quality Health Care Assurance," does cause some concern to this Committee.

As you know, the area of standards and norms of health care today is one of considerable uncertainty. The Finance Committee, along with the Committee on Ways and Means, has worked for years to develop means of removing much of that uncertainty with respect to the Medicare and Medicaid programs. H. R. 1 contains many detailed changes in Medicare and Medicaid designed to improve the quality of care provided under those programs through establishment of precise standards and specific utilization and quality review mechanisms. It is not clear from S. 3327 as to whether any norms of care authorized by Title VI would override Medicare and Medicaid requirements.

We would prefer that these ambiguous provisions dealing with the development of standards and norms be deleted because they would duplicate the Medicare and Medicaid standards which today encompass virtually all health care institutions and organizations—including participating health maintenance organizations.

Further, we are concerned over the ambiguity and potential impact of the provision to subsidize HMO premiums for persons whom the Secretary of Health, Education and Welfare defines as "poor". Presumably this would include many persons presently eligible for health care under the Medicaid and Medicare programs. This could have the effect of creating significant inequities among the millions of poor people now eligible for Medicaid and Medicare benefits under the Social Security Act.

In addition, the Treasury Department has advised the Committee of its strong objection to the provisions of the bill which provide for Federal guarantees of principal and interest on loans to HMO's by non-Federal lenders. The Treasury reports that:

"The Department's opposition to Federal guarantees of tax-exempt obligations is based on four fundamental problems raised by such guarantees: (1) the guarantee of tax-exempts is an inefficient subsidy since the Federal tax revenue loss exceeds the interest savings of the borrower from tax-exempt interest, (2) the guarantee of tax-exempts disproportionately benefits investors in high Federal income tax brackets, (3) such guaranteed obligations heighten the competition for the limited amount of such funds available to State and local borrowers from high tax bracket investors and raise the cost of financing other local projects for which direct Federal credit aid is not provided, and (4) such guarantees conflict with Federal debt management policy by creating a class of securities (tax-exempt) which the Federal Government itself is prohibited from issuing by the Public Debt Act of 1941."

From the standpoint of the Committee on Finance, your bill would be improved if this guarantee feature were eliminated.

With these matters taken care of, any jurisdictional questions we may have would be resolved.

The Committee has authorized us to move that the Committee on Finance be discharged from further consideration of the bill, and we plan to do so this afternoon.

Thank you for your cooperation.

Sincerely,

RUSSELL B. LONG,
Chairman.
WALLACE F. BENNETT,
Ranking Minority Member.

With these matters taken care of, I believe any jurisdictional questions we may have would be resolved.

The Committee has authorized me to move that we be discharged from further consideration of the bill, and I plan to do so this afternoon.

Thank you for your cooperation.

Sincerely,

Chairman.

Mr. LONG. Mr. President, I hope the Committee on Labor and Public Welfare will agree to modify S. 3327 along the lines suggested. Other than that, the Committee on Finance is not insisting on jurisdiction over the bill. Accordingly, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 3327.

The PRESIDING OFFICER (Mr. ALLEN). Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Dixy Lee Ray, of Washington, to be a member of the Atomic Energy Commission.

By Mr. EASTLAND, from the Committee on the Judiciary:

Marshall A. Neill, of Washington, to be a U.S. district judge for the Eastern District of Washington.

TRANSPORTATION SYSTEMS IMPROVEMENT ACT OF 1972—CHANGE OF REFERENCE

Mr. HUMPHREY. Mr. President, I ask unanimous consent that S. 3366, a bill to allow States and localities more flexibility in funding ground transportation improvement in order to better meet the needs of interstate commerce, and for other purposes, be referred to the Committee on Public Works.

I have mentioned this to the chairman of the Finance Committee, to which the bill was originally referred, because other bills related to it are now being considered by the Committee on Public Works.

If there are any provisions relating to highway trust funds that require further consideration of the Finance Committee, the bill can then be rereferred to that committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. HARRIS:

S. 3864. A bill for the relief of Eleanor R. Isip. Referred to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 3865. A bill to provide for unlimited insurance for deposits of public funds in insured banks and other institutions. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. MAGNUSON (by request):

S. 3866. A bill to provide for the transfer to the Federal Power Commission of all functions and administrative authority now vested in the Securities and Exchange Commission under the Public Utility Holding

Company Act of 1935. Referred to the Committee on Commerce.

By Mr. STEVENS:

S. 3867. A bill to amend the Public Health Service Act to provide for a Public Health and National Health Service Corps Scholarship Training Program. Referred to the Committee on Labor and Public Welfare.

By Mr. DOLE (for himself and Mr. PEARSON):

S. 3868. A bill to provide for the disposition of funds appropriated to pay certain judgments in favor of the Iowa Tribes of Oklahoma and of Kansas and Nebraska. Referred to the Committee on Interior and Insular Affairs.

By Mr. COOK:

S. 3869. A bill to provide for civil and criminal actions to prevent or restrain physical or economic intimidation of individuals engaged in voting or activities related to voting. Referred to the Committee on the Judiciary.

By Mr. BURDICK (by request):

S. 3870. A bill to clarify the ownership of certain church property located in the Virgin Islands. Referred to the Committee on Interior and Insular Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MAGNUSON:

S. 3865. A bill to provide for unlimited insurance for deposits of public funds in insured banks and other institutions. Referred to the Committee on Banking, Housing and Urban Affairs.

Mr. MAGNUSON. Mr. President, today I am introducing a bill to provide full deposit insurance for public units when they place their funds in insured savings and loan associations or in banks. I introduced a similar bill in 1968 and offered it as an amendment to the Housing Bill that year. During the floor discussion of my amendment, Mr. SPARKMAN, chairman of the Senate Committee on Banking, Housing, and Urban Affairs. recognized the problem and offered to work out a solution. However, it has come to my attention, and I am sure that the chairman of the committee would agree, that the problem cannot be solved administratively.

Basically, this bill provides for 100 percent insurance for public funds placed on deposit in savings and loans and banks. In my State of Washington, and in many other States, public officials cannot place public funds in insured institutions beyond the amount of equal insurance, which is currently limited to $20,000. We all recognized the need for increasing the funds available for home financing. This bill would permit public officials having considerable amounts of public funds under their discretion, to place these funds in savings and loan associations or in banks and be fully protected by insurance either from the FSLIC or the FDIC.

These public funds belong to the thousands of citizens in the given jurisdiction so that even large sums, if multiplied by the $20,000 per account insurance of each individual, would not exceed the basic philosophy of a $20,000 per person limit on the insurance.

Since I originally introduced my bill, there have been several other bills up to and including this year that would accomplish the same purpose. I am informed that a House Subcommittee has favorably reported a bill (H.R. 15656) which contains a section that is identical to the bill which I am introducing today. It is also my understanding that in the next few weeks the Senate Banking, Housing, and Urban Affairs Committee will be holding hearings on banking legislation. I would hope that this committee will consider my bill at that time.

This bill would definitely provide billions of dollars of additional funds for home financing. It would further protect public funds from any possible losses such as those which have occurred in recent years in several States. In summary, this bill is in the public interest, will aid housing, and will fully protect the funds of the Federal, State and local governments which are deposited in these institutions.

By Mr. MAGNUSON (by request):

S. 3866. A bill to provide for the transfer to the Federal Power Commission of all functions and administrative authority now vested in the Securities and Exchange Commission under the Public Utility Holding Company Act of 1935. Referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, by request, I introduce a bill and I ask unanimous consent that the letter of transmittal and explanation of the bill be printed in the RECORD.

There being no objection, the letter and explanation were ordered to be printed in the RECORD, as follows:

SECURITIES AND EXCHANGE
COMMISSION,
Washington, D.C., July 19, 1972.

THE PRESIDENT OF THE SENATE,
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,

SIR: I have the honor to transmit to the Congress a draft of a proposed bill to transfer to the Federal Power Commission those regulatory functions over public utility holding companies which are now exercised by the Securities and Exchange Commission under the Public Utility Holding Company Act of 1935 [15 U.S.C. 79a et seq.].

While the proposed legislation would transfer the special regulatory functions of this Commission under the Public Utility Holding Company Act, it would retain in the Commission, with respect to such public utility holding companies, the type of responsibility which it now exercises with respect to publicly owned corporations generally, e.g., proxy solicitations, insider trading restrictions, and reports to investors. In order to accomplish this purpose, it is necessary to amend the Public Utility Holding Company Act in various ways, due to the existence of special provisions therein on these subjects which duplicate provisions of the Securities Exchange Act of 1934 as amended in 1964 [15 U.S.C. 78a et seq.]. These proposed amendments are described in the Explanatory State of the Draft Bill which is attached.

In connection with this proposed legislation, attention is called to the existence of certain provisions in the Internal Revenue Code relating to the tax impact on changes in corporate structures required by this Commission pursuant to the Public Utility Holding Company Act. If the proposed bill is enacted, technical modifications of those provisions of the Internal Revenue Code will be required. However, such modifications have not been included in the proposed bill, since the Commission does not believe it to be appropriate for it to undertake the drafting of amendments to the Internal Revenue Code. Nevertheless, this matter will have to be taken into account in the consideration of the proposed legislation.

There are two primary reasons for the proposed transfer of functions. First, the principal mission entrusted to the Commission by the Congress through enactment of the Public Utility Holding Company Act was largely accomplished during the first twenty years of the Act's history. This was to eliminate or reorganize the complex, unwieldly and unsound utility holding companies' structures which had been built up during the 1920's and which Congress determined to be contrary to the public interest. The Committee on Independent Regulatory Commissions of the first (1949) Hoover Commission suggested that the Commission's functions under the Act should probably be transferred to the Federal Power Commission once the Securities and Exchange Commission had accomplished the primary mission of the Act. This primary mission was substantially accomplished by the middle 1950's. Thereafter, the Commission's functions under the Act were, for a considerable period, largely with securities issuances and minor acquisitions by those companies which continued as registered holding companies. During that period, the attention of the Commission and of its staff was therefore largely focused on other areas of the Commission's responsibilities, in view of the tremendous growth of the securities markets in general and of the investment company industry in particular during the postwar period. More recently, the Report on Selected Independent Regulatory Agencies by The President's Advisory Council on Executive Reorganization (the "Ash Council Report") dated January 1971 also states that the Commission has achieved its primary goal under the Act to protect the investor in subordinate public utilities from excesses of holding companies, and the regulatory functions under the Public Utility Holding Company Act should be transferred to the Federal Power Agency.

Second, as the Commission has pointed out in testimony before the appropriations committees of Congress, there has recently been a considerable revival of activity and interest in the public utility holding company area, and this appears likely to increase. The nature and motivation of this development is, however, quite different from that which existed in the 1920's. Then, holding company empires were built up primarily as promotional ventures accomplished by the manipulation of corporate structures for the profit of those who engaged in these activities. The current interest is more a response to technological developments in the utility industry, such as the increasing importance of atomic energy in the generation of electricity, and the economies available through the use of very large electric generating plants which have become feasible, particularly when accompanied by transmission facilities capable of transmitting large amounts of power over long distances. The holding company device is viewed by some as one means of facilitating the best use of those technological advances.

The regulatory problems and opportunities which are presented by these developments are therefore quite different from those which existed in the 1930's. While these problems include corporate structure and financial aspects, they are more a matter of industry technology. This Commission in recent years has had a rather limited exposure to these types of problems, while the Federal Power Commission has, of course, been deeply involved in such matters for many years and has been concerning itself recently with the impact of the new technology. For example, Section 30 of the Public Utility Holding Company Act calls essentially for economic studies of developments in the public utility field and the making of recommendations as to the type and size of geographically and economically integrated public utility systems which can best serve the public interest. The Commission has never been in a position to mount such a study, since during the early years of the Act, it had more important tasks and thereafter it did not have the available resources. The Federal Power Commission, on the other hand, has for some time been making studies relating to interconnections and coordination of electric facilities and national power requirements.

Consequently, it appears that this would be an appropriate time to centralize in one agency Federal responsibilities for public-utility regulation, and that the Federal Power Commission is the appropriate agency for this purpose. Such centralization should produce greater efficiency, economy and coordination of regulatory policy. As pointed out above, the special conditions which led Congress to vest administration of the Public Utility Holding Company Act in this Commission rather than in the Federal Power Commission, i.e., the fact that the problems in the public-utility holding company area were largely corporate and financial rather than economic and technical, have been very substantially modified by the events of the past thirty years.

It is recognized that the transfer of the Holding Company Act to the Federal Power Commission will give that Commission a greater degree of responsibility in the area of corporate finance and perhaps also investor protection than it has heretofore had. This Commission is confident, however, that the Federal Power Commission has or can develop the capacity to assume those responsibilities, particularly if its efforts are adequately funded, and that the transfer should, as mentioned above, promote efficiency and economy in the Federal Government.

The Office of Management and Budget has advised that there is no objection to the submission of this bill from the standpoint of the program of the Administration.

By direction of the Commission.

WILLIAM J. CASEY,
Chairman.

EXPLANATORY STATEMENT OF DRAFT BILL TRANSFERRING FUNCTIONS OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 TO THE FEDERAL POWER COMMISSION

Under the draft Bill, the first 4 sections are self-explanatory and merely relate to the transfer of the Public Utility Holding Company Act functions to the Federal Power Commission (FPC).

Section 5 of the draft Bill substitutes the words "Federal Power Commission" for "Securities and Exchange Commission" in Section 2(a)(6) of the Holding Company Act. As a consequence, any reference in that Act to "Commission" means the Federal Power Commission.

Section 6 of the draft Bill deletes Section 12(e) of the Holding Company Act. Section 12(e) relates to proxy statements. By its deletion the FPC will have no jurisdiction in this area. The Securities and Exchange Commission (the SEC) will have such jurisdiction as is contained in the Securities Exchange Act. Since many of the registered holding companies have their securities listed on a national securities exchange, and since the other companies are within the standards of Section 12(g) of that Act, the SEC will have sole, and the same type of, jurisdiction as to proxy statements as it now has under the Public Utility Holding Company Act.

Section 7 of the draft Bill amends Section 15(e) of the Public Utility Holding Company Act by adding the indicated proviso. This proviso has the effect of requiring persons subject to the Public Utility Holding Company Act to comply with any requirement under any Act administered by the SEC with respect to accounting procedures.

Section 8 of the draft Bill is a technical amendment necessitated by the amendment of Section 17 of the Public Utility Holding Company Act discussed below.

Section 9 of the draft Bill deletes subsections (a) and (b) of Section 17 of the Public Utility Holding Company Act. Those subsections relate to the "6-month insider trading" provision. By the deletion of those subsections, the FPC will have no jurisdiction in this area. The SEC will have sole jurisdiction in this area by reason of Sections 16(a) and 16(b) of the Securities Exchange Act. Those provisions of the Securities Exchange Act are broad enough to cover the same classes of persons as are now encompassed within Sections 17(a) and 17(b) of the Public Utility Holding Company Act.

Section 10 of the draft Bill does two things. First, it deletes the first sentence of subsection 20(d) of the Public Utility Holding Company Act. This sentence authorizes the SEC to permit any information required to be filed under the Public Utility Holding Company Act, the Securities Act of 1933, or the Securities Exchange Act of 1934 to be incorporated by reference in any filing required to be submitted under any of the other two Acts. Secondly, Section 10 of the draft Bill adds a new subsection, (e), to Section 20 of the Public Utility Holding Company Act. This new subsection authorizes the SEC to permit companies subject to the Public Utility Holding Company Act to file with the SEC, in compliance with the requirements of the Securities Act, the Securities Exchange Act or the Trust Indenture Act of 1939, duplicate copies of the information filed with the FPC.

Section 11 of the draft Bill amends Section 21 of the Public Utility Holding Company Act. It is a technical amendment which makes it clear that the jurisdiction of the SEC under the other statutes administered by it will not be affected by the transfer of the administration of the Public Utility Holding Company Act to the FPC.

Section 12 of the draft Bill repeals the last sentence of Section 30 of the Public Utility Holding Company Act, which is obsolete. It directs the Securities and Exchange Commission to make a study of the functions and activities of investment trusts and investment companies and to report the results and its recommendations to the Congress on or before January 4, 1937. Such a report was filed and it served as a basis for the introduction of a bill which became the Investment Company Act of 1940.

Section 13 of the draft Bill amends Section 318 of the Federal Power Act by deleting the words "Securities and Exchange" from that section. As a consequence, so far as there may be any inconsistency between the provisions of the Public Utility Holding Company Act and the Federal Power Act, the provisions of the Public Utility Holding Company Act will prevail.

Section 14 of the draft Bill grants the SEC authorization to retain jurisdiction of any proceeding that may be pending at the effective date of the Act.

Sections 15 and 16 are self-explanatory, and Section 17 provides that the effective date of the Act is 90 days after its enactment.

By Mr. STEVENS:

S. 3867. A bill to amend the Public Health Service Act to provide for a Public Health and National Health Service Corps Scholarship Training Program. Referred to the Committee on Labor and Public Welfare.

Mr. STEVENS. Mr. President, I am today introducing legislation which will improve the ability of the Public Health and National Health Service Corps to recruit young men and women who are training for health service professions. This will be accomplished by providing a scholarship training program for persons training in medical, dental, or other health-related professions.

This program would provide full tuition for all health related academic training as well as a stipend including salary, books, supplies, student medical expenses, and other necessary educational expenses. In return for this scholarship, the individual is required to serve in the Commissioned Corps of the PHS or as a civilian member of the National Health Service Corps for 1 year for each year of academic training received. An incentive, such as that provided in my amendment, is needed to attract young men and women to HEW programs which service areas with a dire need for health services.

Since the Selective Service Act of 1949 provided that service in the Public Health Service Corps would fulfill the draft obligation, the Corps has depended almost exclusively on this provision for recruitment. Approximately 99 percent of the physicians and dentists being recruited into the Corps today are recruited through the use of this draft mechanism. With this dependence on the draft as a recruitment incentive, the voluntary recruitment machinery of the Corps has drastically degenerated. With the trend toward the abolishment of the draft to create an all volunteer army, the Corps is in serious trouble. One of the findings of the 1971 report of the Secretary's Committee To Study the PHS Commissioned Corps states that—

> The recruitment and retention of physicians and dentists will constitute the critical problem following the end of using the draft mechanism, and plans to meet these problems must be developed.

The time to act on this problem is now, before it becomes too critical to correct and before one of our most valued governmental services is lost. By enacting this scholarship program now we will begin to build in the incentives urgently needed to maintain the Corps and will work toward avoiding a last minute personnel manpower crisis when and if we abolish the draft.

But regardless of this motivation, I also believe this is good legislation in its own right for today's situation. It gives the PHS and the National Health Service Corps a strong scholarship recruitment vehicle such as the military has had for years. The Department of Health, Education, and Welfare's programs which provide health care for some of our country's most needy areas through the Public Health Service and National Health Service Corps are, I believe, extremely important to the health system of our Nation. They need and deserve a recruitment program of the highest caliber to attract our citizens who wish to enter the health field, through their ranks, so these important health delivery programs of HEW will be adequately staffed and well operated.

For example, there are 132 counties in the United States which have no physicians. These counties comprise approximately 472,000 people. The national average ratio of doctors to individuals is 166 per 100,000 but in my own State of Alaska the ratio is only 64 per 100,000. Without the assistance of the Public Health and National Health Service Corps this ratio would be even more alarmingly low. There is no question that the Corps provides a necessary service to areas so lacking in health care and that we must do our utmost to see that the corps survives.

My amendment would also discourage individuals from "buying out" of their active duty service obligation. Should an individual decide not to complete the required active duty period, the scholarship would automatically be converted into a loan which must be repaid in full with maximum legal interest. Thus, if the individual carries out this commitment he or she will be doing this country a great service by helping to solve the health manpower shortage problem by serving in Federal programs where we urgently need more health personnel and, if not, the Government will not lose a cent.

I ask unanimous consent that this bill be printed in the RECORD immediately following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 218 of the Public Health Service Act is amended to read as follows:

"PUBLIC HEALTH AND NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP TRAINING PROGRAM

"SEC. 218. (a) The purpose of the Public Health and National Health Service Corps Scholarship Training Program (hereinafter referred to as 'such program') is to obtain trained physicians, dentists, nurses and other health related specialists for the National Health Service Corps and the Public Health Service Corps of the Department of Health, Education, and Welfare.

"(b) To be eligible for acceptance and continued participation in such program, each applicant must—

"(1) be accepted for enrollment, or be enrolled as a full-time student in an accredited (as determined by the Secretary) educational institution in the United States, or its territories or possessions;

"(2) pursue an approved course of study, and maintain an acceptable level of academic standing, leading to a degree in medicine, dentistry or other health related specialty, as determined by the Secretary;

"(3) be eligible for, and hold an appointment as a commissioned officer in the Regular or Reserve Corps of the Public Health Service or be selected for civilian service in the National Health Service Corps; and

"(4) agree in writing to serve in the Commissioned Corps of the Public Health Service or as a civilian member of the National Health Service Corps following completion of training as provided in subsection (f) of this section.

"(c) Each participant in such program will be authorized a stipend for each approved academic year of training, not to exceed four years, in an amount prescribed by the Secretary and payable in monthly installments. The stipend shall not exceed an amount equal to the basic pay and allowances of a commissioned officer on active duty in pay grade O-1 with less than two years of service, plus an amount to cover the reasonable cost of books, supplies, equipment, student medical expenses, and other necessary educational expenses which are not otherwise paid as a part of the basic tuition payment.

"(d) The Secretary may contract with an accredited educational institution for the payment of tuition and other education expenses, not otherwise covered under subsection (c) of this section, for persons participating in such program. If necessary, persons participating in such program may be reimbursed for the actual cost of tuition and other educational expenses authorized in this subsection, in lieu of a contract with the educational institution.

"(e) A person participating in such program shall be obligated to serve on active duty as a commissioned officer in the Public Health Service or as a civilian member of the National Health Service Corps following completion of academic training, for a period of time prescribed by the Secretary which will not be less than one year of service on active duty for each academic year of training received under such program. For persons receiving a degree from a school of medicine, the commencement of a period of obligated service can be deferred for the period of time required to complete internship. For persons receiving degrees in other health professions the obligated service period will commence upon completion of their academic training. Periods of internship or residency shall not be creditable in satisfying an active duty service obligation under this section except that if such residency is served in a PHS facility or facility of the National Health Service Corps such service shall be counted as satisfying the active duty service obligation under this section.

"(f) If, for any reasons, a person fails to complete an active duty service obligation under this section, he shall be liable for the payment of an amount equal to the cost of tuition, and other education expenses, and salary expenses, paid under this section plus interest at the maximum legal prevailing rate. The Secretary shall prescribe rules and regulations with regard to the timing of the repayment of such liability.

"(g) When a person undergoing training in such program is academically dismissed or voluntarily terminates academic training, he shall be liable for repayment to the Government for an amount equal to the cost of tuition and other educational expenses paid from Federal funds, plus all salary payment which he received under such program.

"(h) The Secretary shall by regulations provide for the waiver or suspension of any such obligation applicable to any individual whenever compliance by such individual is impossible or would involve extreme hardship to such individual and if enforcement of such obligation with respect to any individual would be against equity and good conscience.

"(1) Notwithstanding any other provision of law, persons undergoing academic training under such program shall not be counted against any employment ceiling affecting the Department of Health, Education, and Welfare.

"(j) The Secretary of Health, Education, and Welfare shall issue regulations governing the implementation of this section.

"(k) To carry out the purpose of this program, there are authorized to be appropriated $10,800,000 for the fiscal year ending June 30, 1974, and $11,500,000 for the fiscal year ending June 30, 1975."

By Mr. DOLE (for himself and Mr. PEARSON):

S. 3868. A bill to provide for the disposition of funds appropriated to pay certain judgments in favor of the Iowa Tribes of Oklahoma and of Kansas and Nebraska. Referred to the Committee on Interior and Insular Affairs.

Mr. DOLE. Mr. President, on May 7, 1965, the Indian Claims Commission made an award to the Iowa Indian Tribe of Kansas and Nebraska and the Iowa Tribe of Oklahoma. The award was made as payment for certain land which was excluded from the Iowa Reservation established in southeast Nebraska and northeast Kansas by an 1854 treaty and as additional payment for other land sold under the same treaty.

Funds to pay this award were appropriated by Congress on March 21, 1972, and the tribes have since agreed on the division of the funds. I, therefore, introduce legislation to authorize payment of the appropriated sum to the Iowa Tribes.

Mr. President, it is unreasonable that a just claim arising from a formal U.S. treaty adopted nearly 120 years ago should still remain unsatisfied. It would be even more unjust for the Senate to delay any longer the satisfaction of this claim. The Claims Commission has awarded the claim, Congress has appropriated the money, a tribal agreement on distribution of the funds has been reached, and Congress must now pass the authorizing legislation to enable settlement of this claim. I, therefore, encourage my colleagues to act promptly in their consideration of this bill, and bring about prompt payment of this 120-year-old obligation.

The Iowa Tribes of Oklahoma and of Kansas and Nebraska have a membership of approximately 1,740 individuals. The Iowa Reservation of the Kansas and Nebraska Tribe is located in Brown County, Kans., and in Richardson County, Nebr. It covers approximately 1,378 acres, most of which is farmland. Approximately 83 percent of the land is used by Indians and the remainder by non-Indians under lease arrangements.

The tribe is governed by a general council composed of all enrolled members of legal age, and by an executive committee which has broad delegated powers for carrying on the daily business of the tribe.

The primary functions of the tribal government are in matters pertaining to the preparation of claims, prosecution and distribution of claims, preparation of membership rolls, and supervision of the tribal lands.

The tribal government has proposed distribution of the judgment now in question on a per capita basis to currently enrolled members, in accordance with the tribal constitution. They have voted to hold payments distributed to minors in trust for them, and are in the process of establishing a trust fund in a local bank for this purpose. Once completed, the trust proposal will be submitted to the Secretary of the Interior for final approval. I urge the Senate to respect the wishes of the tribe and permit retention of the trust funds in the local Indian community.

There is no controversy surrounding this award. The Claims Commission has adjudged it, the Iowa tribal government has agreed on the distribution scheme, and Congress has appropriated $633,193.77 to satisfy claim docket No. 135. I am hopeful that this authorization bill can be acted upon promptly so that this obligation owed by the United States to the people of the Iowa Tribes may finally be met.

Mr. PEARSON. Mr. President, I am pleased to join with my colleague, Mr. DOLE, in support of the bill to provide for the disposition of funds appropriated to pay certain judgments in favor of the Iowa Tribes of Kansas, Nebraska, and Oklahoma. Specifically, this bill will authorize the payment of a judgment approved by the Indian Claims Commission on May 7, 1965.

I believe that it is most important to emphasize the noncontroversial nature of this bill. Following the award by the Claims Commission, $633,193.77 was appropriated by Congress on March 21, 1972, to satisfy the claim. In addition, the tribal government has met and agreed on the distribution scheme. Their plan is both equitable and prudent. It proposes a distribution on a per capita basis to currently enrolled members, in accordance with the tribal constitution. Payments to minors are to be paid into trust, subject to the final approval of the Secretary of the Interior.

Mr. President, I am particularly interested in these payments since a large number of the Iowa Tribe currently live in Brown County, Kans. Their contribution to our State has been long recognized and should now be rewarded with an expeditious handling of their legislative claim.

Given the foregoing facts, I believe that it is important that this award, which is payment pursuant to a treaty obligation incurred in 1854, should now receive satisfaction from the U.S. Senate.

By Mr. COOK

S. 3869. A bill to provide for civil and criminal actions to prevent or restrain physical or economic intimidation of individuals engaged in voting or activities related to voting. Referred to the Committee on the Judiciary.

Mr. COOK. Mr. President, I am sending to the desk for appropriate referral a bill which will provide for criminal and civil actions to prevent or restrain physical or economic intimidation of individuals engaged in voting or activities related to voting.

The bill will make it unlawful for any person acting under color of law or otherwise to intentionally intimidate or interfere with another person's civil voting rights. The bill will also make it unlawful to employ or promote, to demote, to evict, to refuse to sell or purchase goods or services, or to apply economic pressure upon another person in order to intimidate that person in voting or activities related to voting.

Addressing the Young Republic in the Federalist No. 10, a distinguished patriot and statesman, James Madison, attempted to warn the Nation of the vulnerability of a democracy in the absence of competing power centers and interest groups in a community. He was concerned that "men of factious tempers, of local prejudices, or of sinister designs, may be intrigue, by corruption or by other means, first obtain the suffrages, and then betray the interests of the people." Mr. Madison recognized the essential nature of pluralism in preserving the rights of men and enforcing the fundamental precepts of a democracy and sought to convince the citizens of its merits.

Unfortunately in the absence of pluralism, circumstances exist that the subjugation of the many by the few, or of the weak by the powerful, or of the unfortunate by the fortunate, to undermine the freedom to exercise the basic civil rights. Witness to these events can be seen in what is referred to as the "company town," a situation which I would suggest be defined as the operation of one large corporate concern within a locality wherein virtually the entire labor force owes its employment and even its very existence to the operation of the particular factory, plant, or mill within that locality.

Although many might tend to think the exodus by large companies to cosmopolitan centers has caused the "company town" to be an anachronism in 1972, there are literally thousands of examples of corporate dominated communities across the country. Numerous are the instances where a company's initiative in a town has transformed a once underprivileged, depressed community into a prosperous region of low unemployment and relatively high per capita income. I applaud these Samaritan achievements however motivated, but the ties that bind may also strangle, and when people go beyond the exercise of permissible authority in operating a mill—corrections are vital.

It is unfortunate, indeed, that one commonality dwarfing all others can lead to abuses of municipal power. This may and has directly resulted in the dominance by a corporate enterprise of all or virtually all aspects of community life, including the exercise of fundamental political rights, which dominance is made possible by such enterprises' "economic muscle." Not uncommon are instances, because of conflicts of interest and intricate webs of economic and financial relationships, of small town tyranny, political dominance of local governmental machinery, and paternalism. More familiar to the "company town" may be the complete breakdown of the pluralistic system and competing power centers against which President Madison cautioned. Complete control is often exercised over jobs, information, taxes, and the political structure leading to widespread fear among the local townsfolk. The dominance may have such deep roots as to even render unions, of which less than one-fourth of the labor force are members, completely helpless in that workers are galvanized into pacificism for fear of reprisals.

I had previously thought it inconceivable that economic dependence of the people could be so awesome and their indenturism so terrifying. The Civil Rights Acts of 1957, 1960, 1964, and 1968, and the Voting Rights Acts of 1965, and the Voting Rights Amendments of 1970 passed overwhelmingly by this body, together with the rights secured by the Constitution were, I thought, capable of effectively protecting the rights of men and women, particularly the civil right of voting. However, I am informed of cases in "company towns" in which employees are preemptorily fired for being of a particular party affiliation and where opposition to management belief is extinguished without delay or scruple. Checks and balances are vital to the function of democracy and certainly the preface of any democracy, particularly American democracy, is the freedom to exercise ones vote. Therefore, I am somewhat more discouraged to see its collapse in "company towns." I think it unconscionable that smalltown citizens should be compelled to purchase affluence at the cost of cherished political and social freedoms. For this reason I introduce the Economic Nonintimidation Voting Activities Act of 1972 as a conscious effort to protect everyones right to vote. I ask unanimous consent that this bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1)

Mr. COOK. Mr. President, since ratification of the 14th amendment, Congress has had the constitutional authority to determine what legislative action is necessary to afford equal protection to persons who have been deprived of their rights when States fail to protect them. Section 1 of this amendment in part reads:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the law.

Only when States fail to meet their responsibility of protecting rights and privileges must the Federal Government assert the power granted it by the equal protection clause.

To strengthen the capability of the Federal Government in meeting the problem of interference with voting rights, 18 United States Code, 241–242, are the oldest meaningful statutes offering a semblance of voting rights protection. Originally designed to combat the ills of the reconstruction era, section 241 makes it illegal to conspire to injure or intimidate any citizen in the free exercise of any right secured by the Constitution. It has been primarily a vote fraud statute for Federal elections and has remained virtually unchanged for more than a century. Section 242 makes it illegal for anyone acting under color of law to deprive another of rights secured or protected by the Constitution or laws of the United States. Its major use has been in connection with the use of violence by State-local police. It, too, has not been amended to any appreciable degree to keep pace with the times.

Unfortunately, through court interpretations, *Screws* v. *United States* (325 U.S. 91, 101, 107 (1945)), *United States* v. *Johnson* (390 U.S. 563 (1968)), there has been a lack of specificity, and hence a lack of warning to possible defendants of the kind of conduct prohibited in these two statutes making them impermissibly vague under due process standards. On the face they would seem to be a sovereign remedy for all wrongs, but their generality is an impediment to their potential effectiveness.

Although application of the statutes are too broad, a boost for further action was forthcoming in *United States* v. *Guest* (383 U.S. 745). Commenting on the vague language of section 241, Justice Brennen stated in part:

> . . . Since the limitation on the statute's effectiveness derives from Congress' failure to define—with any measure of specificity—the rights encompassed, the remedy is for Congress to write a law without this defect.

Commenting further in his separate opinion in the Guest case Justice Brennen rejected the idea that Congress authority to punish interference with the exercise of the 14th amendment rights was limited to punishing officers or others acting under color of State law. He said:

> Rather, Section 5 (Fourteenth Amendment) authorizes Congress to make laws that it concludes are reasonably necessary to protect a right created by and arising under that amendment; and Congress is thus fully empowered to determine that punishment of private conspiracies interfering with the exercise of such a right is necessary to its protection. (383 U.S. at 782).

Pointing out that a majority of the Court members concurred in his landmark decision that Congress could provide for the punishment of private acts constituting interference with 14th amendment rights was sufficient invitation to Congress to pass title I of the Civil Rights Act of 1968 dealing with violent interference with certain federally protected activities. Codified as 18 United States Code 245, it is subsection (b) (1) (A) which delineates voting activities federally protected from interference. By far and above the most comprehensive Federal protection offered to date, this statute reads:

> (b) Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate, or interfere with—
>
> (1) any such person because he is or has been, or in order to intimidate such person or any other person or class of persons from—
>
> (A) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special, or general election;
>
> Shall be fined not more than $1,000 or imprisoned not more than one year, or both;

Stiffer penalties are provided in this statute if bodily injury or death results.

Section 245 to title 18, United States Code, added a new section to the criminal code designed to deter and punish interference by force or threat of force with activities protected by Federal law or the Constitution and specifically set forth in the bill. The areas of protected activity include voting to meet the problem of violent interference, for racial or other discriminatory reasons, with a person's free exercise of his civil rights. Originally framed as legislation to prevent racially motivated violent interference in certain protected areas, the bill was a movement toward full enjoyment of equal rights. It is undoubtedly the most extensive and detailed criminal sanction civil rights legislation ever considered and enacted by Congress. However, because this law was designed to safeguard from violent interference in civil rights with the more general purpose of aiding Federal prosecution of violators of constitutional rights, only violent interference is unlawful to the exclusion of such nonviolent interference in civil rights as economic coercion.

My bill will correct this inequity to encompass nonviolent interference which is by no means peculiar to "company towns," although this is where it appears to be most flagrant. Section 245 of title 18, United States Code, postulates activities in which the Federal Government has generic power to protect all persons. I believe that whether it be violent interference, or peaceful interference as in cases of economic coercion, makes no difference. Interference is interference regardless of the form it takes and we as legislators have the responsibility to protect the citizens from those who are the perpetrators. Lawbreakers must be deterred from victimizing the people, but so long as nonviolent interference continues unnoticed and unprotectable, the workings of the criminal process will be inadequate. Section 245 is the furthest evolution in Federal protection of voting activities, but it falls short of providing ample protection.

My bill, on the other hand is the only available alternative to protect against invidious interferences by economic means. It confers injunctive power on the Attorney General to institute an action for preventive relief, including an application for a temporary or permanent injunction, or restraining order in an appropriate U.S. district court for anyone aggrieved by a violation of the bill. The bill also allows any aggrieved person to bring a civil action to an appropriate U.S. district court without regard to the amount in controversy. Although private injunctive relief is available under 42 U.S.C. 1983. This section is worded in the broad vein of 18 U.S.C. 242 and requires a showing of action "under color" of law. Also, 42 U.S.C. 1971 confers injunctive power on the Attorney General, but only to the extent that Federal elections are involved. Therefore, my bill, which will provide for the same criminal sanctions that now appear in 18 U.S.C. 245, and also provide for civil injunctive relief, is necessary to correct the problems faced by economic coercion on all levels—be it local, State, or Federal.

Quoting the Working Papers of the National Commission on Reform of Federal Criminal Laws, established by Congress in Public Law 89-801 relating to the study draft of a new Federal Criminal Code, I attempt to document the need others have seen to provide protection against economic coercion. It states:

> Although problems of proof might make prosecutions more difficult regarding economic coercion than in cases where an objective act of force is present, there is in principle no strong argument for totally exempting from the criminal process nonforceful interferences with the interests covered by 18 U.S.C. section 245. They are not totally exempted now, because under 18 U.S.C. section 241 nonforceful conspiracies to deny federal rights can be reached. But the vagueness in section 241 compounds problems of proof, because to save its constitutionality very specific intent on the part of the defendant must be proved.

Mr. President, this should be sufficient confirmation that the means are not currently available to outlaw economic coercion. The language of my bill, on the other hand, leaves no room for vagueness or misinterpretation. In quite specific language it makes actions to apply economic pressure upon another person in voting or activities related to voting unlawful. The language of the bill clearly eliminates the possibility of semantic interpretations by the courts because the actions protected against are spelled out.

At the time the Civil Rights Act of 1968 was debated on the floor of the Senate, there were those opponents who argued that the bill was predicated on the theory that State officials do not have the character or the intelligence to enforce the laws as they existed. Further argument said the bill would centralize the authority in the Federal Government and subjugate the role of the individual States in the field of law enforcement by establishing a Federal police force. I neither advocate a Federal police force, nor do I propose a loss of power by the individual States to prosecute. What I firmly believe, however, is that when local officials either have been unable or unwilling to solve and prosecute crimes or to obtain convictions, even where the facts seemed to warrant, then there is an urgent need for Federal action to compensate for the lack of effective protection and prosecution on the local level. Lawless acts that are distinctly Federal crimes, and interference with civil voting rights is such a crime, must be protected against. There can be no question that this should be an appropriate area of Federal responsibility and vindication for the rights infringed upon should be committed to the Federal courts.

By investing the Federal Government with the authority and responsibility of protecting certain civil rights, we will be providing for a shared responsibility of both the States and the Federal Government. This will insure the necessary deterrent effect of law enforcement in situations where all too often local law enforcement has been unwilling or unable to protect a portion of the population that it is sworn to protect. Consequently, I believe a minimal, but necessary Federal presence in the field of law enforcement is essential. In this way those individuals having suffered economic intimidation in the exercise of their civil right to vote can gain needed relief; either under this act or under the several States statutes that are available.

Mr. President, this "company town" situation I have discussed today is not a problem of yesteryear. It is very much with us today, but remains largely unnoticed. Easily documented are "company towns" in which there is a vicious cycle of ever-deepening dependence of the citizens upon the whims of their company bosses. In plain and simple language, I believe this to be grossly unjust. The legislation I send to the desk today is an equitable means of assuring the right of all employees to be free of economic retaliation when exercising their basic right to vote.

S. 3869

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it shall be unlawful for any person, acting under color of law or otherwise,

(1) by force or threat of force, to willfully injure, intimidate, or interfere with, or to attempt to injure, intimidate, or interfere with another person or class of persons, or

(2) to dismiss from employment, to significantly modify the conditions of employment, to refuse to employ or promote, to demote, to evict, to refuse to sell or purchase goods or services made available to the public, or otherwise to apply economic pressure upon another person or class of persons in order to intimidate that other person or class of persons from or because that other person or class of persons is, or has been

(A) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher or any other legally authorized election official, in any primary, special, or general election;

(B) affording another person or class of persons opportunity or protection to participate in any of the activities described in paragraph (A); or

(C) lawfully aiding or encouraging another person or class of persons to participate in the activities described in paragraph (A).

(b) Any person aggrieved by a violation of subsection (a) may bring a civil action in an appropriate United States district court without regard to the amount in controversy. The court may grant as relief, as it deems appropriate, a permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual and punitive damages, together with court costs and reasonable attorney fees in the case of a prevailing plaintiff. The court may assess court costs and reasonable attorney fees against a non-prevailing plaintiff if it finds the action was brought maliciously or in bad faith.

(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by subsection (a), the Attorney General may institute for the United States, or in the name of the United States, an action for equitable relief, including an application for a temporary or permanent injunction, restraining order, or other order, in an appropriate United States district court. An action commenced under this subsection shall not bar actions commenced under subsection (b) of this section.

(d) For purposes of this section, "person" means an individual, firm, corporation, unincorporated association, or other legal entity.

Sec. 2. The district courts of the United States shall have jurisdiction of proceedings instituted under the first section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Sec. 3. Section 245 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"(d) Whoever, whether or not acting under color of law,

(1) by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate, or interfere with another person or class of persons, or

(2) dismisses from employment, significantly modifies the conditions of employment, refuses to employ or promote, demotes, evicts, refuses to sell or purchase goods or services made available to the public, or otherwise applies economic pressure upon another person or class of persons in order to intimidate that other person or class of persons from or because that other person or class of persons is, or has been

(A) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher or any legally authorized election official, in any primary, special, or general election;

(B) affording another person or class of persons opportunity or protection to participate in any of the activities described in paragraph (A); or

(C) lawfully aiding or encouraging another person or class of persons to participate in the activities described in paragraph (A),

shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life."

By Mr. BURDICK (by request):

S. 3870. A bill to clarify the ownership of certain church property located in the Virgin Islands. Referred to the Committee on Interior and Insular Affairs.

Mr. BURDICK. Mr. President, under date of July 3, the Honorable Melvin H. Evans, Governor of the Virgin Islands, requested that I introduce legislation to remove a cloud on the title to a 1½-acre tract of land located in St. Thomas, Virgin Islands.

I ask unanimous consent that a copy of the communication received from Governor Evans, together with background material on this problem, be printed in the Record following my remarks.

There being no objection, the material was ordered to be printed in the Record, as follows:

The Virgin Islands
of the United States,
Charlotte Amalie, St. Thomas, July 3, 1972.

Senator Quentin N. Burdick,
Old Senate Office Building,
Washington, D.C.

Dear Senator Burdick: It has come to my attention that a reversionary interest in a piece of real estate in the Virgin Islands owned by the Frederick Lutheran Church, a legal description of which is attached, constitutes a cloud on the title of the Church which can only be removed by Federal law which might be similar in language to Private Law 84–450 a copy of which is attached for your convenience.

The property in question, which is known as the Ebenezer Home, consists of an acre, more or less, on which the Church wishes to build 70 units of middle income elderly housing, having an estimated value of two and a half million dollars.

The Chase Manhattan Bank has agreed to finance the project under a Federal guarantee program. In the course of finalizing financing, the existence of a reverter clause in the deed from the Danish Government to the Church has come to light, which constitutes a cloud on the title which must be removed in order to obtain the permanent financing.

The property and a house with accommodations for five elderly ladies were conveyed with the provision that should the house cease to be used as housing for the elderly ladies, the entire property would revert to the Danish Government. The legislative history of Private Law 86–450 will reflect the fact that under the terms of the transfer of the Virgin Islands from the Danish Government to the United States, the United States acquired all right, title and interest in real estate then held by the Government of Denmark.

The reversionary interest, constituting for these reasons the interest of the United States in the real estate in question, requires Congressional action to transfer this interest to the Frederick Lutheran Church before the project can proceed further.

I have reviewed the matter in detail with my Attorney General, Ronald H. Tonkin, who in turn has discussed the details with counsel for your Subcommittee. All of us concur that the only feasible solution is legislative. I, of course, realize that the Congress faces a heavy workload prior to adjournment and apologize for the lateness of this request. As you are aware, housing here, especially for the elderly, is critically short, so I feel that anything we can do to expedite this project is of high priority.

We of the Virgin Islands will be deeply grateful for any assistance you can give us in this connection.

Sincerely,

Melvin H. Evans, M.D.,
Governor.

Legal Description of Ebenezer Home Tract

ALL of that parcel of land and improvements thereon containing 1.57 acres of land more or less as shown by the St. Thomas Land Survey Protocol "C" Page 128, dated December 29, 1885, and known as Plot No. 9F of Hospitalsplantation No. 9 New Quarter, St. Thomas, Virgin Islands of the United States of America.

[86th Congress, H.R. 11854, July 14, 1960]

Private Law 86–450

An act to clarify the ownership of certain church properties located in the Virgin Islands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby conveyed to the Frederick Lutheran Church of Charlotte Amalie, Saint Thomas, Virgin Islands, all of the right, title, and interest of the United States in and to the following tracts of land, and improvements located thereon:

(a) The tract designated as number 7 Norre Gade (including number 34 Kongens Gade), King's Quarter, in the town of Charlotte Amalie, Saint Thomas, Virgin Islands, as described in the surveyor's records for the town of Charlotee Amalie, book I, folio 4, survey of December 15, 1836, consisting of thirteen thousand two hundred and ninety square feet, more or less; and

(b) The tract designated as number 23 Kongens Gade, King's Quarter, in the town of Charlotte Amalie, Saint Thomas, Virgin Islands, as described in the surveyor's records for the town of Charlotte Amalie, book I, folio 52, survey of March 25, 1843, consisting of eight thousand six hundred and thirty-eight square feet, more or less.

Sec. 2. There is hereby conveyed to the Christiansted Lutheran Church of Christiansted, Saint Croix, Virgin Islands, all of the right, title, and interest of the United States in and to the following tracts of land, and improvements located thereon:

(a) The tract designated as number 4 King Street, in the town of Christiansted, Saint Croix, Virgin Islands, as described in the records of the office of the public surveyor, Christiansted, Saint Croix, consisting of twelve thousand and five square feet, more or less; and

(b) The tract designated as number 51 King Street, in the town of Christiansted, Saint Croix, Virgin Islands, as described in the records of the office of the public surveyor, Christiansted, Saint Croix, consisting of six thousand and seventy-three square feet, more or less.

Sec. 3. There is hereby conveyed to the Holy Trinity Lutheran Church of Frederiksted, Saint Croix, Virgin Islands, all of the right, title, and interest of the United States in and to the tract of land, and improvements located thereon, designated as numbers 11, 12, 13, and 14 Hospital Street, and 11, 12, 13, and 14 New Street, in the town of Frederiksted, Saint Croix, Virgin Islands, as described in the records of the office of the public surveyor, Christiansted, Saint Croix, consisting of forty-five thousand one hundred and thirty-four square feet, more or less.

Approved July 14, 1960.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 3708

At the request of Mr. Schweiker, the Senator from South Carolina (Mr. Thurmond) was added as a cosponsor of S. 3708, the Fair International Trade Act of 1972, a bill to amend the tariff and trade laws of the United States, and for other purposes.

S. 3841

At the request of Mr. Hansen, the Senator from Kansas (Mr. Dole) was added as a cosponsor of S. 3841, to amend the Internal Revenue Code of 1954 to provide for an estate tax charitable deduction in the case of certain charitable remainder trusts.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973—AMENDMENT

AMENDMENT NO. 1384

(Ordered to be printed and to lie on the table.)

Mr. AIKEN (for himself, Mr. Anderson, Mr. Allen, Mr. Scott, Mr. Stennis, Mr. Sparkman, Mr. Griffin, and Mr. Jordan of Idaho) submitted an amendment intended to be proposed by them jointly to amendment No. 1349 intended to be proposed by Mr. Cranston to the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

DISASTER RELIEF—AMENDMENT

AMENDMENT NO. 1385

(Ordered to be printed and referred to the Committee on Banking, Housing and Urban Affairs.)

Mr. SCHWEIKER. Mr. President, I introduce an amendment, for myself and the distinguished senior Senator from Pennsylvania (Mr. Scott), to H.R. 15692, an act to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans.

This amendment would amend the Higher Education Act of 1965 so that private colleges and universities will be eligible for funds to restore or replace academic facilities destroyed or seriously damaged in a major disaster.

Public colleges and universities are eligible for such funds under existing law, but private institutions of higher education are not included. In Pennsylvania during tropical storm Agnes, 17 private colleges suffered flood damages of more than $15 million, while eight public colleges and universities suffered $4 million in flood damages. Thus it was private institutions that suffered considerably more damage, as a group, than the public institutions.

In the city of Wilkes-Barre, which bore some of the heaviest flood damage in the State, two private colleges near the Susquehanna River were devastated by the flood: Wilkes College, with 2,500 full-time students, sustained $10 million in losses to its buildings, books, and equipment. King's College, with 2,000 students, had $4 million in such losses. These colleges, in addition to the students they serve, are two of Wilkes-Barre's major employers. Elsewhere in Pennsylvania, 15 other private colleges suffered losses from the flood of up to $350,000.

Mr. President, private colleges have traditionally been eligible for Federal aid for construction and other purposes in all preceding higher education legislation. Thus, if they can demonstrate a need for disaster relief funds in the wake of tropical storm Agnes or other natural disasters, there is no reason why they should not be fully eligible for these funds.

Mr. President, I ask unanimous consent that the text of this amendment be printed in the Record at this point.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

Amendment No. 1385

At the end of the Act, insert the following:

Sec. —. (a) Sections 761(a), 762(a), and 765 of the Higher Education Act of 1965 are each amended by striking out "public."

(b) Section 766 of the Higher Education Act of 1965 is amended to read as follows:

"DEFINITIONS

"Sec. 766. For purposes of this part, the term 'major disaster' means a disaster determined to be a major disaster under section 102(1) of the Disaster Relief Act of 1970."

(c) The amendments made by this section shall take effect on June 24, 1972. Part D of title VII of the Higher Education Act of 1965, as amended by Public Law 92-318, and as further amended by this section, shall apply with respect to any major disaster occurring after June 1, 1972.

NATIONAL NO-FAULT MOTOR VEHICLE INSURANCE ACT—AMENDMENT

AMENDMENT NO. 1386

(Ordered to be printed and to lie on the table.)

Mr. CRANSTON. Mr. President, I submit for printing on behalf of myself, Senator Magnuson, Senator Williams, and Senator Hart, an amendment to S. 945, the proposed "National No-Fault Motor Vehicle Insurance Act."

I am particularly gratified that the principal sponsors of S. 945, the Senator from Washington, (Mr. Magnuson), and the Senator from Michigan (Mr. Hart) are cosponsors of this amendment as well as the Senator from New Jersey (Mr. Williams), who as chairman of the Committee on Labor and Public Welfare has such a direct interest and expertise in the areas to which the amendment is directed. I am also very grateful to the staff of the Commerce Committee for their cooperation in providing technical assistance in the development of this amendment.

This amendment applies to two sections of S. 945—section 109 which deals with incentives to improve programs and services for the provision of rehabilitation services to victims of accidents; and section 110 which deals with incentives to improve programs and services for the provision of emergency medical services to these victims. The basic intent of the provisions in the bill as reported would not be changed by the amendment.

Mr. President, legislation is currently under consideration in the Committee on Labor and Public Welfare dealing specifically with the Federal effort to strengthen programs in the fields of rehabilitation and emergency medical services. Specifically, I refer to H.R. 8395, the "Rehabilitation Act of 1972" now under consideration in the Subcommittee on the Handicapped for which I am serving as acting chairman, and section (3)(d) of S. 3716, which has been ordered reported to the Senate, and S. 3784, the proposed "Emergency Medical Services Systems Development Act of 1972" both of which I authored.

The amendment to S. 945 which I will offer when the bill is taken up will relate programs in these two fields resulting from the provisions of S. 945 to programs authorized under the legislation now being considered in the House and Senate Committee dealing specifically with these substantive areas. The purpose of the amendment is to strengthen the provisions of these sections of S. 945 and to insure that they will be carried out in conference with ongoing Federal programs for vocational rehabilitation and emergency medical services.

I am most impressed with the work of the Committee on Commerce and with the understanding that committee displayed of the needs of accident victims for, first, better hospital emergency rooms, ambulances, and equipment and more and better trained emergency doctors and paramedics, and second, rehabilitation to make possible a return to a sound and healthy personal, family, community, and employment life.

The slaughter on America's highways each day, week, month, and year is a deplorable and tragic fact.

Projections from studies indicate that mortality from accidents alone could be reduced by from 10 to 20 percent by proper medical care at the scene of the accident or en route to an emergency facility.

The Ambulance Association of America has estimated that 25,000 individuals are permanently injured or disabled every year as a result of inappropriate measures taken by untrained ambulance attendants and rescue workers.

The problem is especially acute in rural and inaccessible communities. The National Academy of Sciences reports that seven out of 10 motor vehicle deaths occur in rural areas and communities with populations of under 2,500. In California, where one-fourth of the land area is 30 minutes or more away from any kind of ambulance service, a 1967 study showed the death rate in auto accidents to be 17 per 100,000 in urban areas, 46.8 in rural areas, and as high as 85.5 in the mountains.

Section 110 and 109 of S. 945 as reported aims to do something about two particularly discomforting aspects of the present situation; namely, the fact that a substantial percentage of the people who die as a result of automobile accidents die of "survivable injuries" and the fact that a substantial percentage of the people who are injured and seriously injured remain disabled—both in terms of the capacity for independent living and to obtain gainful employment—throughout life because they either fail to start a disciplined program or rehabilitation or start too late or because no rehabilitation facilities are available in their community. If the woeful inadequacies of America's emergency medical services system and the underutilization and undercapitalization of America's rehabilitation services system were remedied, we would in a relatively short period of time see a dramatic reduction in the total annual losses due to automobile accidents a development which would mean higher profit margins for commercial insurance underwriters which could be passed on to consumers in the form of lower premiums.

The Committee on Commerce developed and presented in sections 109 and 110 a way to join, first, the interest of the insurer and consumer in the reduction of losses due to automobile accidents with, second, the need of the rehabilitation and emergency medical systems for large amounts of new capital for facilities services, and training.

However, S. 945 as reported from the Commerce Committee applies the provisions of section 109 and 110 to only those States not adopting a State plan for no-fault insurance.

The more States improve their capabilities to provide effective services, the more accident victims will benefit from the results. With today's automobile-oriented population, many citizens do a lot of driving outside of their own States. If they suffer an accident outside of their home State, their chances of full recovery will depend upon the resources of the State where the accident occurs to provide immediate emergency care. Thus, in order to provide a real measure of assurance in this area, a national system applying nationwide standards of quality and comprehensiveness is needed.

Because the highway accident death and disability rate is a national problem due to the high mobility of the population, the amendment proposes that the provisions of section 109 and 110 as they would be revised be applied as minimum standards for acceptable State no-fault motor vehicle insurance plans.

Sections 109 and 110 as reported from committee include a provision requiring each insurer writing qualifying no-fault policies pursuant to the Federal plan to invest 1 percent of the total premiums from the sale of such policies in rehabilitation and emergency medical services facilities. This mandatory investment would have applied to insurers selling no-fault policies only in those States not adopting a plan for no-fault motor vehicle insurance meeting the minimum requirements of S. 945. Estimates are that only a small number of States would fall into this category—thus the funds made available by this provision would be relatively small.

In order to expand the potential base from which investments authorized under sections 109 and 110 can be derived, the amendment would apply such a premium investment policy to both programs under a State plan as well as under a Federal plan. The base is also expanded to include not only premiums from the sale of qualifying no-fault policies but from the sale of mandatory optional coverages as well.

In 1970, the latest date for which figures are available, it was estimated that the total premiums from the sale of automobile insurance totaled $14.8 billion. With inclusion of premiums for mandatory optional coverages, this figure is increased to approximately $18 billion. Thus, at the maximum, under the amendment some $180 million could be made available each year for improving our ability to meet the needs for rehabilitation of those injured in accidents, and the same amount would be made available each year to improve the Nation's ability to provide quick and effective emergency medical services to those injured in accidents. The bill as reported as well as the amendment would authorize these investments until January of 1978.

To assist the insurer in making these investments, and to encourage that the moneys made available as a result of these provisions are used for programs most essential to the development of a State's resources to provide necessary emergency medical services and rehabilitation services, the State Vocational Rehabilitation Agency, and the State Emergency Medical Committee might find it useful to make available to insurers in the State information on community needs in these areas which would conform to the respective plans adopted and which would meet with the approval mechanisms required as explained later in my summary of the amendment's provisions.

In view of the national policy established by the Congress some years ago to the effect that regulation of insurance should be a matter for the States under a delegation of the Federal power to regulate interstate commerce, the amendment also makes the requirement of such investments a matter of discretion on the part of the State insurance regulatory authority rather than making the investments mandatory—for States operating under the Federal plan—as required in the bill as reported from committee. There is reason to believe that a substantial number of States will choose to require these investments.

I would like to point out also, that these investments are not pure philanthropy on the part of the insurance companies. Through improving the Nation's capability of assuring the quickest and most complete recovery of an accident victim, the payouts under policies would be commensurately reduced. The automobile accident rate and the annual highway death toll is a national problem. I believe the insurers recognize this and will see that it is in their own self-interest to support such an investment program in each State and to cooperate in its implementation.

I would like to summarize the provisions of this amendment for the benefit of the Members of this body.

SUMMARY OF AMENDMENT

Section 109(a) as reported provided that the insurer—which term includes self-insurers throughout the amendment—refer each victim of an accident who as a result of his injury will be eligible for basic economic loss—that is, unable to work, attend school, keep house, and so forth—to the State rehabilitation agency or agencies administering the State plan for rehabilitation services under the Vocational Rehabilitation Act. The insurance would then cover the costs as a basic benefit under no-fault automobile insurance of any rehabilitation services which the appropriate agency authorizes. This provision is needed to remedy the fact that the present tort and liability insurance system does not pinpoint responsibility on any one party to get the accident victim started in rehabilitation.

The amendment offered makes clear that these services will be provided in conformance with the approved programs of the State plan for rehabilitation services and will meet all the standards of quality and performance which are prescribed by that plan. The amendment adds language which clarifies that the services and the providers of such services must be approved by and be in conformity with the State plan for rehabilitation services as specified under the Vocational Rehabilitation Act.

Subsection (b) as reported provides that the insurer may, after 30 days notice in writing, make deductions from payments for monthly earnings to which an individual is entitled if the individual refuses without good cause to accept appropriate rehabilitation services. As in the committee bill, an individual is deemed to have good cause to refuse such services if he is a member of a church or religious sect which teaches its members to rely on prayer or spiritual means for treatment and cure of any physical or mental impairment and refuses services on those grounds.

Under the bill as reported from committee, the language was unclear as to the services an individual would be able to refuse, and defined good cause in the statute only as a religious prohibition.

The amendment further clarifies that the requirement to accept rehabilitation services is for those that are "appropriate," and further defines good cause as services which "are inaccessible or inappropriate in terms of sound medical practice and rehabilitation standards which shall take into account as one factor the degree of extreme discomfort involved in the prescribed program of rehabilitation."

Subsection (c) of the amendment revises subsection (d) of section 109 in the reported bill. Subsection (d) required all insurers writing policies under the Federal no-fault plan to invest 1 percent of the total amount of premiums collected each year until January 1, 1978, with up to 50 percent of such investments in grants, loans, or equity investments in the construction or improvement of rehabilitation facilities within the State, provided that such investments were approved in advance by the State rehabilitation agency or agencies, or by the Secretary of Health, Education, and Welfare. The remainder of the investment was to be paid to the State rehabilitation agency or agencies as an ordinary and necessary business expense within the State for the purposes of construction or improvement of rehabilitation facilities, programs, and equipment within the State.

Under the bill as reported from committee, such investments by insurers were required only in States operating under the Federal no-fault plan. In addition, language put emphasis on investments in the construction and improvement of facilities rather than improvement and expansion of services to individuals injured in automobile accidents, or in research, training, and development of new rehabilitation techniques.

In order to broaden the scope and applicability of these provisions, and to insure that such investments are utilized to the greatest benefit of accident victims, the amendment does the following:

First, authorizes the State insurance regulatory authority to require each insurer to make investments of 1 percent of premiums, less premium taxes, collected each year from the sale of both qualifying no-fault policies and mandatory optional coverages within the State. There are two broadening provisions in this amendment. The provision would apply to insurers writing policies under a State plan as well as under the Federal plan—thus all States would be able to participate; and second, the 1 percent would be based on premiums from not only the sale of qualifying no-fault policies, but from the sale of mandatory optional coverages as well.

Second, broadens the purposes to which the first 50 percent of the investments may be directed to include not only construction or improvement of rehabilitation facilities, but also development, expansion, or improvement of services, and research, training, and the development of new rehabilitation techniques; and requires that any such investments must be in conformance with the approved State vocational rehabilitation plan. The same broadening of the purposes to which the investments can be directed under the remaining 50 percent of the investment made by the State vocational rehabilitation agency or agencies is made by the amendment.

The amendment clarifies that such investments may not be used by the State rehabilitation agency as part of its non-Federal share of payments required by the Vocational Rehabilitation Act. The agency is required to submit to the State insurance regulatory authority, and to the Secretary of Health, Education, and Welfare, as well as make available to the public an annual accounting of all grants, loans, or equity investments approved or made by it pursuant to this section.

Section 110 has been substantially changed by the amendment to make its provisions compatible with programs which are being developed for the provision of comprehensive emergency medical services and which will be developed as a result of legislation which is expected to be adopted in both the Senate and House this Congress.

Subsection (a), paragraph (1) directs each insurer selling automobile no-fault policies to assist the State emergency medical committee in the development and maintenance of an effective and adequate emergency medical services system for victims of motor vehicle accidents, and defines the phrase State emergency medical committee to include the insurance regulatory authority, the highway safety authority, and the health authority approved for this purpose by the Secretary of Health, Education, and Welfare—the three governmental groups which must work cooperatively.

Subsection (a) paragraph (2) requires that the State emergency medical committee coordinate investments made under the provisions of the section and insure they are in conformity with the provisions of appropriate Federal and State law.

Subsection (a) paragraph (3) provides that each governmental unit to which funds under the section are made available shall prepare a plan for the provision of comprehensive emergency medical services which must be approved by the Secretary of HEW in accordance with regulations he prescribes. These regulations would tie in with requirements of legislation S. 3716, S. 3784, and H.R. 15859 now being acted upon in the House and Senate committees having jurisdiction over health matters.

Subsection (b) of section 110 as reported by the committee required all insurers writing policies under the Federal no-fault plan to invest 1 percent of the total amount of premiums collected each year until January 1, 1978, in emergency medical and transportation facilities, programs and equipment within the State, with approval of such investments by the State agency administering the State highway safety program.

The amendment makes changes in this provision similar to those made to the parallel provision in section 109, as follows:

First. Authorizes the State insurance regulatory authority to require each insurer to make investments of 1 percent of premiums, less premium taxes, collected each year from the sale of qualifying no-fault policies and mandatory optional coverages within the State. There are two broadening provisions in this amendment. The provision would apply to insurers writing policies under a State plan as well as under the Federal plan—thus all States would be able to participate; and second, the 1 percent would be based on premiums from not only the sale of qualifying no-fault policies but from the sale of mandatory optional coverages as well.

Second. The provision of emergency medical services has in recent years become a matter of great interest to the medical community and to all health care consumers, with the resultant recognition that emergency medical services cannot be provided on a piecemeal basis, but must be part of a program fully planned and coordinated with the participation of all elements of the community. The bills pending before the health committees in each House respond to this need and require a total community effort in the planning and implementation of emergency medical services systems.

Thus the provisions in the amendment covering the purposes to which the first 50 percent of the investments can be directed are amended to require such investments to be in conformance with the plans for the establishment of comprehensive emergency medical services systems required by subsection (a) (3), and to meet the review and approval requirements established by the Secretary of Health, Education, and Welfare. This provision will insure that investments will be in programs or components of programs which meet the standards of quality recommended by medical authorities and will be in conformance with the community needs.

The State Emergency Medical Committee is the designated conduit of the remaining 50 percent of the investment, playing a parallel role to that of the State Vocational Rehabilitation Agency or agencies under section 109. The amendment requires that any distribution of investments made by the State Emergency Medical Committee must also be in conformance with the approved plans of the State or communities and must meet the review and approval requirements approved by the Secretary of HEW for such plans.

Unlike the prohibition included in section 109, as amended, the amendment specifies that investments under section 110 may be applied to the non-Federal share of grants or contracts awarded for emergency medical services systems. This discretion is provided because the bills pending in both the Senate and House committees regarding emergency medical services provide for project grants—with a State share—not formula grants, as currently in the vocational rehabilitation program where States have traditionally been able to meet the non-Federal share requirements.

The State Emergency Medical Committee is required to submit to the State insurance regulatory authority, and to the Secretary of Transportation and the Secretary of Health, Education, and Welfare, as well as make available to the public an annual accounting of all grants, loans, or equity investments approved or made by it pursuant to this section.

Subsection (c) directs Federal authorities to make their expertise and experience in terms of emergency medical services available to the States. The inclusion, as one Federal program, of the Public Health Services is self-explanatory, as is that of the Department of Transportation, but the subsection also includes the Department of Defense which has developed emergency medical services systems in Indochina for wounded combat soldiers and airmen dramatizing the opportunities available to the civilian community to utilize similar new techniques and developments for these purposes. The translation of these military techniques to civilian programs has great potential as is evidenced by the great success and widespread demand for further implementation of the MAST program.

An important change made by the amendment is the inclusion in the list of provisions with which the State no-fault plan must be consistent, of sections 109 and 110. As reported from committee, the bill directed a State to provide the means to assure the availability of adequate rehabilitation services and to improve the emergency medical response system. The amendment would provide the means for the State to implement this directive.

Although requiring that their programs in this area must be substantively consistent with the provisions of 109 and 110 this amendment would in no way make mandatory the discretionary authority given each State insurance regulatory authority with respect to premium investments.

The amendment deletes section 203(c) from the bill since its provisions are included in section 109 which the amendment makes a requirement of a State plan for no-fault insurance.

I ask unanimous consent, Mr. President, that the full text of the amendment be printed in the RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT No. 1386

On page 46, line 3, delete all through line 21 on page 51 and insert in lieu thereof the following:

REHABILITATION SERVICES

SEC. 109. (a) The insurer or self-insurer shall refer each person to whom benefits are paid or expected to be paid for three months or more for net basic economic loss to the State agency or agencies (or delegate agencies designated by such agency or agencies) administering or supervising the administration of the State plan for rehabilitation services approved under the Vocational Rehabilitation Act (29 U.S.C. 35) for the provision of appropriate rehabilitation services. An insured may elect to receive such rehabilitation services, authorized by a State agency operating under the approved State plan for vocational rehabilitation, from any private agency, organization, institution, or individual offering rehabilitation services under the State plan.

(b) If a person who is entitled to benefits of a qualifying no-fault policy or approved self-insurance plan refuses without good cause to accept appropriate rehabilitation services available to him under a State plan approved under the Vocational Rehabilitation Act, the insurer or self-insurer is authorized, after thirty days notice in writing to such person, to make deductions from any payment or payments to which such individual is entitled, until the total of such deductions equals 50 per centum of such individual's benefit or benefits for monthly earnings for any month in which such individual refuses without good cause to accept appropriate rehabilitation services. Any person who refuses to accept appropriate rehabilitation services available to him under a State plan approved under the Vocational Rehabilitation Act shall, for the purposes of the first sentence of this subsection, be deemed to have done so with good cause if (1) he is a member or adherent of any church or religious sect which teaches its members or adherents to rely solely, in the treatment and cure of any physical or mental impairment, upon prayer or spiritual means through the application and use of the teachings of such church or sect, and if he refuses solely because of his adherence to the teachings or tenets of such church, or sect, or (2) if he refuses because the services are inaccessible or inappropriate in terms of sound medical practice and rehabilitation standards which shall take into account as one factor the degree of extreme discomfort involved in the prescribed program of rehabilitation.

(c) The State insurance regulatory authority is authorized to require each insurer writing qualifying no-fault policies within a State to invest until January 1, 1978, one per centum of the total amount of premiums less premium taxes collected each year from the sale of qualifying no-fault policies and mandatory optional coverages within such State. The State insurance regulatory authority shall prescribe regulations which shall set forth the extent to which, for the purposes of this subsection, a self-insurance shall be deemed to be an insurer. Up to 50 per centum of such investment may be in grants, loans, or equity investments in the construction or improvement of rehabilitation facilities, in the development, expansion or improvement of services to victims of accidental harm, and in research, training, and development of new rehabilitation techniques for victims of motor vehicle accidents: *Provided*, That such investments are approved in advance by the State agency or agencies administering or supervising the administration of the State vocational rehabilitation plan, and are in compliance with such approved State plan. The remainder of the required investment shall be paid to such State agency or agencies no later than April 1 of each year, as an ordinary and necessary expense of doing business in the State, and such sums shall be expended by such State agency or agencies for the development, expansion, or improvement of rehabilitation services to handicapped individuals disabled in motor vehicle accidents and on research and development of new rehabilitation techniques and methods. Investments made pursuant to this section may not be used by the State agency for the non-Federal share of payments required by the Vocational Rehabilitation Act. Such State agency or agencies shall submit to the State insurance regulatory authority and to the Secretary of Health, Education, and Welfare and make available to the public an annual accounting of all grants, loans or equity investments approved or made by it pursuant to this subsection. The State insurance regulatory authority shall withdraw the authority to write qualifying no-fault policies from any insurer that fails to make any investments required, or disapprove any self-insurance plan if the self-insurer fails to make investments required.

EMERGENCY MEDICAL SERVICES

SEC. 110. (a)(1) Each insurer writing qualifying no-fault policies within a State and any self-insurer shall assist the State emergency medical committee in the development and maintenance of an effective and adequate emergency medical services system for victims of motor vehicle accidents. As used in this section, the term "State emergency medical committee'' means a committee composed of a designee of the State agency administering or supervising the State highway safety program approved under section 402 of title 23, United States Code, of the State Health Authority approved for purposes of this section by the Secretary of Health, Education, and Welfare, and of the State insurance regulatory authority.

(2) Such State emergency medical committee shall coordinate investments made under this section and ensure that such investments are made in conformance with State and Federal laws related to the development and planning of State and area comprehensive emergency medical services systems.

(3) Each governmental unit to which funds are paid pursuant to subsection (b) of this section shall prepare a plan for the provision of a State or area comprehensive emergency medical services system which plan must be approved by the Secretary of Health, Education, and Welfare, in accordance with regulations he shall prescribe before any funds made available under this section can be invested. Such regulations shall include all elements of regulations established by such Secretary to govern Federal grants or contracts for comprehensive emergency medical services systems.

(b) The State insurance regulatory authority is authorized to require each insurer writing qualifying no-fault policies within a State to invest until January 1, 1978, 1 per centum of the total amount of premiums less premium taxes collected each year from the sale of qualifying no-fault policies and mandatory optional coverages within such State. The State insurance regulatory authority shall prescribe regulations which shall set forth the extent to which, for purposes of this subsection, a self-insurer shall be deemed to be an insurer. Up to 50 per centum of such investments may be in grants, loans, or equity investments in emergency medical and transportation facilities and equipment and the operation of emergency medical services programs within such State: *Provided*, That such investments are in conformance with the State or area plans approved pursuant to subsection (a)(3) of this section and are deemed as amendments to such plans and as such are reviewed and approved in accordance with the regulations prescribed by the Secretary of Health, Education, and Welfare. The remainder of the required investments shall be paid to the State emergency medical committee no later than April 1 of each year, as an ordinary and necessary expense of doing business in the State, and shall be distributed by such committee to State or area comprehensive emergency medical services systems developed pursuant to subsection (a)(3) of this section: *Provided*, That such distributions are in conformance with such State or area plans and are deemed as amendments to such plans and as such are reviewed and approved in accordance with the regulations prescribed by the Secretary of Health, Education, and Welfare. Investments made under this section may be applied to the non-Federal share of grants made in support of comprehensive emergency medical services systems. The State emergency medical committee shall submit to the State insurance regulatory authority and the Secretary of Transportation and the Secretary of Health, Education, and Welfare, and make available to the public an annual accounting of all grants, loans, or equity investments approved or made by it pursuant to this subsection. The State insurance regulatory authority shall withdraw the authority to write qualifying no-fault policies from any insurer that fails to make any investments required, or disapprove any self-insurance plan if the self-insurer fails to make investments required.

(c) The Secretary of Health, Education, and Welfare, in consultation with the Secretary of Transportation and the Secretary of Defense, shall cooperate with States and local governmental units for the purpose of aiding them to solve their emergency medical service system problems, by providing the benefit of relevant experience of the Public Health Service and such departments in services, transportation, communications, training, licensing, construction, and improvement of facilities, equipment, care, treatment, supervision, inspection, and standards.

On page 54, between lines 12 and 13, insert the following and renumber clauses (8) and (9) accordingly:

"(8) section 109 (rehabilitation services):

"(9) section 110 (emergency medical services);"

On page 54, beginning on line 25, strike out all through line 5 on page 55 and renumber clause (4) accordingly.

On page 59, beginning on line 4, strike out all through line 3 on page 60 and reletter subsections (d) and (e) accordingly.

AMENDMENT NO. 1387

(Ordered to be printed and to lie on the table.)

Mr. TUNNEY submitted an amendment intended to be proposed by him to the bill (S. 945), the National No-Fault Motor Vehicle Insurance Act of 1972.

NOTICE OF CHANGE IN HEARING DATE ON U.S. MAGISTRATES

Mr. BURDICK. Mr. President, on July 24, 1972, I announced that hearings would be held by the Senate Subcommittee on Improvements in Judicial Machinery relating to the operation of the U.S. magistrates system, including an amendment to the statutory ceiling on magistrates' salaries as proposed by H.R. 7375, on August 3, 1972, in room 1114 and on August 10, 1972, in room 2228 of the New Senate Office Building.

I now wish to amend this announcement to advise that the hearing date of August 10 has been changed to August 11, commencing at 10 a.m., in room 2228, New Senate Office Building.

ADDITIONAL STATEMENTS

TODAY'S CHALLENGES

Mr. STENNIS. Mr. President, the distinguished Senator from Alabama (Mr. ALLEN), gave an address at David Lipscomb College in Nashville, Tenn., on June 3 entitled "Facing Today's Unmet Challenges," in which he gave a very clear analysis of the basic challenges that still face mankind, after centuries of progress.

In remarks to the Senate breakfast group on June 19, Senator ALLEN pursued this subject. He expressed the view that each of us, living as we are in the most exciting era of history, needs a sense of purpose in relation to it. He said that though vast changes have taken place in man's knowledge and abilities, yet basically the world is the same, for the power of God's will and judgment are unchanging.

Senator ALLEN very convincingly pointed out that in several qualities of character of our people, including spirituality, patriotism, and ability to live together in peace and harmony, there has been little improvement in the past 200 years, and he stressed the need for all to do their parts as constructive builders toward a better world. I ask unanimous consent that Senator ALLEN's address of June 3 be printed in the RECORD where it will prove of value to a wide and varied group throughout the Nation. The thoughts reflected in his remarks are further evidence of Senator ALLEN's truly fine contributions to the Senate and to the Nation.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FACING TODAY'S UNMET CHALLENGES

Today we live in an age of change. The environment is changing. Our rivers and lakes and oceans and our air are being polluted. There is a flight of the unemployed and the unemployable from the rural areas to the cities and a flight of the more affluent from the cities to the suburbs. We are taking giant strides in science, in medicine, in technology.

Perhaps a decade ago, I heard Dr. Wehrner Von Braun say in a speech that man's store of knowledge doubled in the period 1750 to 1900, a space of 150 years; that it doubled again in the period 1900 to 1950, a period of only 50 years; that it doubled again in the decade 1950 to 1960; and as he looked into the decade of the 60s, he said that it would double again by 1967. I am sure that Dr. Von Braun would be the first to say that his suggestion is an over-simplification to emphasize the fact that we have an explosion of knowledge taking place in the world today.

Yes, there are explosions, or rapid accelerations in other fields. There is an explosion of population. It has been estimated that at the time of the birth of Christ there were 250,000,000 people in the world and that in 1215, at the time of the Magna Charta, the population had risen only to some 350 million because of wars, famines and plagues. By 1776 it had risen to 850 million and double that to one billion, 700 million by 1914. Then it doubled by 1970 to 3 billion, 600 million, and it is estimated that by 2006 it will have doubled again to 7 billion, 200 million.

Yes, there is an explosion of debt, both private and public, for the national debt stands at some $450 billion and private debt at some 1½ trillion dollars.

There has been an explosion in the gross national product from some $55 billion in 1933 to some 1 trillion, 100 billion dollars this year.

There is an explosion in government expenditures, local, state and national. The expenditures of the Federal Government in the year starting July 1 will run well over 250 billion dollars, which is many billions more than the entire gross national product of some 211 billion dollars in 1945 as World War II was coming to a close.

I relate all of these facts to point out that the evidences of change are all about us—men on the moon, live television from the moon and from anywhere on earth, airplanes travelling several times faster than sound, nuclear bombs, polio conquered, heart transplants, change everywhere.

But let's examine things a little closer.

There is an old French proverb to the effect that the more things change, the more they seem to be the same.

And Charles Dickens, writing around 1840 or 1850 in the *Tale of Two Cities* about conditions at the time of the French Revolution, said that:

It was the *Best of Times*—It was the *Worst of Times*

It was the *Age of Wisdom*—It was the *Age of Foolishness*

It was the *Epoch of Belief*—It was the *Epoch of Incredulity*

It was the *Season of Light*—It was the *Season of Darkness*

It was the *Spring of Hope*—It was the *Winter of Despair*

We *had everything before us*—We *had nothing before us*

And Dickens wrote that conditions, as he related that they were some 50 or 60 years before, were the same as they were at the time he wrote *A Tale of Two Cities*. And I submit that our times today can well be described in similar terms, for truly

It is the *Best of Times*—It is the *Worst of Times*

It is the *Age of Wisdom*—It is the *Age of Foolishness*

It is the *Epoch of Belief*—It is the *Epoch of Incredulity*

It is the *Season of Light*—It is the *Season of Darkness*

It is the *Spring of Hope*—It is the *Winter of Despair*

We have *everything before us*—We have *nothing before us*

So, now, as in the past, we can go just as far in life as our abilities, our ambitions and our efforts will take us.

But the explosion of knowledge that we are having illustrates the fact that having reached this milestone in your lives today, you cannot rest on your laurels. In order to keep up, you must continue your studies, by continued college work and by private study, reading and research.

I know that your education thus far has supplied you with many facts, with much knowledge and with wisdom properly to apply that knowledge. I know that you have had instilled within you the desire to learn as well as the ability to study and learn.

I know that your education thus far has helped each of you to find yourself as an individual and that it will help you to lose yourself in interests, causes and ideas larger than you are, and to help you do your part in creating a better world.

You are truly participants in one of the most exciting eras in history, and it is important that you have a sense of purpose in relation to it.

But we were analyzing the premise that perhaps, with all the changes taking place in the world, things haven't changed so much after all.

There is a familiar prayer that goes: "O, God, give us serenity to accept what cannot be changed; courage to change what should be changed; and wisdom to distinguish the one from the other."

God's love hasn't changed; nor have the immortality of the soul; the Gospel message; the reality of Satan, of sin and our susceptibility to sin and the wages of sin; the inevitability of death and the judgment; the need to pray and the power of prayer; the hope and, yes, the availability of salvation. None of these has changed in more than 1900 years. They haven't changed, and they can't change.

Now, let us turn to an examination of the character, of some of the qualities and attributes of our people to see if there are areas in which no advancement, no change for the better, has taken place. Many such areas come to mind, and I will name a few. Others will doubtless occur to you.

First, I would suggest that in the area of spirituality there has been no improvement in the last two centuries. Compared with 200 years ago, there is less reverence, less of a feeling that God is a part of our everyday lives, less of a feeling that God rules and that God cares, less of a feeling that we are accountable to God for our actions on this earth.

Next, I would suggest that in the area of patriotism we are falling behind. Never before have Americans paraded, carrying proudly aloft the flag of our enemies, and never before have citizens publicly declared their wish for a victory by our enemies over our own country.

In the area of man's ability to live in peace and harmony with his fellow man, there has been no change for the better. This applies to our dealings with our neighbors, with others with whom we come in contact, and to dealings between citizens of this country and foreign nations.

Then, in the area of individual enterprise, self-reliance and resourcefulness—what was once called the pioneer spirit—there has been no change for the better. All too often the feeling is, let the government do it, let the government assume the burden and pay the cost.

In these areas there has been no change for the better in this so-called age of change. But in these areas, change is not only possible, it is highly desirable.

So, it is in these areas that I would challenge you today to make your influence felt as you go through life.

Then, too, throughout the land there is the attitude of permissiveness and a rebellion against authority and against institutions that have helped make America the greatest country in the world. Freedoms are abused and authority is flouted. People set themselves above the law when all are subject to the law, and no one is above the law. Some would tear our country apart and substitute anarchy and chaos for peace and tranquility and for law and order.

I think of the old poem which goes something like this:

BUILDERS

I watched them tearing a building down—
A group of men in a busy town
With a ho-heave-ho and a lusty yell—

They swung a beam and a side wall fell

I asked the foreman, Are these men skilled,
The men you would hire if you had to build?"

He gave a laugh and said, "No, indeed,
Unskilled labor is all I need."

I can easily wreck in a day or two—
What builders have taken years to do

So I thought to myself as I went my way—
"Which of these roles do I try to play?"
"Am I a builder who works with care
Measuring life with the rule and square?"

"Or am I a wrecker who walks the town
Content with the role of tearing down?"

So, let me not only encourage you, but urge you, as you live out your lives, and as you shape and participate in shaping the decisions and conduct of yourselves and of your fellow man, to be *builders* and not *wreckers*. Builders have built this country and made it great. It must not be abandoned to wreckers. Each of us must do our part.

LASSIE

Mrs. SMITH. Mr. President, a recent editorial in the July 25, 1972, issue of the Bangor. Maine Daily News gives the pause for thought—especially parents. Because it does, I ask unanimous consent that it be placed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

FCC Boots Lassie

Although Lassie fans are sure to lament the recent FCC ruling, this broadcasting regulatory agency has, in essence, decided that "Wild Kingdom" has more redeeming value as a re-run than the world's most famous canine drama, "Lassie."

In a recent 5-to-1 vote, the FCC refused Lassie's sponsor a waiver of the "prime time access rule" for the coming season. This ruling will prohibit the Campbell Soup Company from running Lassie re-runs this fall.

Though the ruling will protect TV viewers from re-runs to some extent, the decision has broader implications. Since the FCC had previously granted a similar waiver for re-runs of "Wild Kingdom," the Lassie ruling places the FCC smack dab in the middle of a business in which (we think) they have no business—making qualitative judgments about our television programming. The FCC admitted basing their ruling on the relative quality of the two programs.

Now we like Wild Kingdom; it's a good factual presentation. But television's fictional Lassie has been around for 17 years. This canine heroine was bringing honest tears to children's eyes and warming the hearts of American kids long before Wild Kingdom was even a plot. And Wild Kingdom's Dr. Perkins was probably still doing undergraduate work when Lassie first became a movie star.

With Lassie's TV demise, we now have one minority group yet to be heard and one federal regulatory body yet to be investigated.

As FCC Chairman Dean Burch drops his gavel to the podium, we hear him say, "The chair now recognizes testimony from the 'peanut gallery'."

USDA ACTS ON INEQUITIES IN FOOD STAMP PROGRAM

Mr. PERCY. Mr. President, I am pleased that the Department of Agriculture has once again demonstrated its responsiveness to testimony presented before the Select Committee on Nutrition and Human Needs concerning inequities in our food assistance programs.

On June 7 I presided at a hearing of the Select Committee which heard testimony from Dorothy Cain and Dr. Richard Byerly of Des Moines, Iowa.

Dorothy Cain participates in the food stamp program and at the same time is pursuing her education as a WIN recipient under a program sponsored by the Des Moines Area Manpower Council.

Because of changes in regulations designed to achieve nationwide uniformity in eligibility standards and income determination, Dorothy Cain faced a situation in which her food stamp bonus was going to be reduced although her income remained unchanged.

Dorothy Cain was being forced to choose between continuing her education—and thereby becoming a contributing member of her community—or feeding her family by dropping out of the program.

I have received word from Richard Lyng, Assistant Secretary of Agriculture, that as a result of Dorothy Cain's and Dr. Byerly's testimony, an amendment to the food stamp regulations has been published which will eliminate the inequitable provision. Secretary Lyng writes:

> We are proposing that the shelter adjustment be calculated on the basis of income remaining after all other allowable deductions instead of our current procedure which uses total income, less mandatory fees such as taxes, as the basis of determining a shelter hardship. We expect this change to have a favorable impact on WIN participants who have high tuition and child care costs but for whom this money may not actually be available.

I trust that the proposed change in the computation of the shelter hardship adjustment will remove the disincentive to Dorothy Cain—and others in a similar position—to continue their education in such way as to become self-sufficient.

I welcome this additional evidence of the close cooperation between the Department of Agriculture and the Select Committee on Nutrition and Human Needs in improving our food assistance programs.

Mr. President, I ask unanimous consent that the text of Secretary Lyng's letter to me be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Agriculture,
Washington, D.C., July 26, 1972.

Hon. Charles Percy,
U.S. Senate.

Dear Senator Percy: In response to testimony provided by Mrs. Dorothy Cain and Dr. Richard Byerly at the Senate Select Committee on Nutrition and Human Needs, we have reevaluated our procedures on the handling of income in the Food Stamp Program. We are publishing a proposed rule making in the *Federal Register* for public comment which revises the manner in which the shelter hardship adjustment is computed.

Our regulations were written to consider income from any source in the determination of a family's purchase requirement. Because the income calculation shows how much the family will pay for its stamps, deductions are made for mandatory expenses such as taxes. Deductions are also permitted for such items as excessive shelter, child care and medical costs. Actual tuition costs for students or WIN recipients are additionaly deducted. The net food stamp income after these deductions is designed to be an accurate base from which to determine food stamp purchase price.

While we think it critical that we retain our "income is income" philosophy, we now believe that the technical way in which we calculate some of these adjustments, specifically the shelter hardship deduction, is not equitable. We are proposing that the shelter adjustment be calculated on the basis of income remaining after all other allowable deductions instead of our current procedure which uses total income, less mandatory fees such as taxes, as the basis of determining a shelter hardship. We expect this change to have a favorable impact on WIN participants who have high tuition and child care costs but for whom this money may not actually be available. However, for those households which, under the old regulations were permitted a total disregard of WIN income, we anticipate that there will still be a slight upward revision in their purchase requirement over that under the old program.

In Mrs. Cain's case, the method of calculating her purchase requirement lowers it from $64 to either $40 or $46 since her adjusted income is on the borderline of our tables. As you can see, this is significant difference and one which we feel will prove beneficial to Mrs. Cain.

Your concern and interest in this matter are appreciated. If you have any further questions or comments, please do not hesitate to contact us.

Sincerely,

Richard Lyng,
Assistant Secretary.

THE GENOCIDE CONVENTION: A CONTRIBUTION TO WORLD PEACE

Mr. PROXMIRE. Mr. President, I ask you to recall the effective U.S. leadership at the 1945 San Francisco convention which led directly to a strong endorsement of the international promotion of human rights in the U.N. Charter.

The U.S. delegation supported the human rights section in the U.N. Charter because it recognized that unchecked domestic oppression too frequently grows into foreign aggression, as demonstrated by the Axis powers.

It was 27 years ago that the United States led in the worldwide struggle for human rights. Although we can be proud of our leadership at the 1945 San Francisco convention, we must not rest upon our laurels. For 23 years the Senate has refused to take a stand on the United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

I believe that we Americans overwhelmingly support international standards of human dignity. We want for other people those freedoms which we cherish.

Nevertheless, cynical voices are raised in objection to the Genocide Convention. They ask: What can it accomplish and why do we need it when our own laws already protect us from the threat of genocide?

Mr. President, my answer to these critics is this: The United States has as its stated foreign policy objective the promotion of peace and freedom. Human rights, including the right to live, and peace are historically interdependent. When the human rights of any people are threatened, peace itself is in jeopardy.

I call upon the Senate to consider the connection between human rights and world peace. I urge the Senate to assume a position of leadership by ratifying the Genocide Convention.

CREDIBILITY OF THE PRESS

Mr. GOLDWATER. Mr. President, it has long been my contention that if anything happens in this country to damage what we call the freedom of the press it will come about through raw partisanship and gross irresponsibility on the part of some segments of the press itself. This is a concept which is seldom heard and which many members of the so-called fourth estate reject as ridiculous. They would have you believe that the only threat to press freedom in this country is raised by political figures or Government officials who have the temerity to criticize the press and point out mistakes made by the news media as well as ideological preferences shown by some segments of that media.

Mr. President, for some years I had the distinction, I believe, of being one of the major targets of those considerable numbers of reporters and commentators with an affinity for liberal causes, candidates, and proposals. More recently, of course, Vice President Agnew has become the object of almost hysterical criticism by some elements of the news media. His unpopularity began with a well-reasoned TV address several years ago in which he asked the newspapers and the networks to correct some of the major deficiencies which were showing up very obviously on TV screens and front pages throughout the country.

Mr. President, my point here today is that these have been a rough few weeks for press credibility and certainly not because of anything done by politicians or Government officials. The violence done to the credibility of the press—and consequently the threat arising to freedom of the press—were occasioned by the fact that the American Newspaper Guild for the first time in 40 years jumped into politics by endorsing the Democrat candidate for President before the Republicans even held their convention.

In addition to the action of the guild leadership against the wishes of hundreds of its dues-paying members, there is the example of this year's Pulitzer Prize winner for journalism—columnist Jack Anderson—getting caught in a deliberate effort to smear the Democrat nominee for Vice President and being forced to apologize publicly. Of course, in this case, public interest made it impossible for Anderson to get away with this bit of character assassination. Almost as soon as he broadcast—over a Mutual System radio network—that Senator Tom Eagleton had been arrested for drunken driving in Missouri, he was called upon to produce his evidence. The fact that he had no evidence and was forced to admit to total irresponsibility did violence to the credibility of the American press on a scale it will be impossible to measure.

Thus, Mr. President, I repeat my assertion that if freedom of the press suffers any major setbacks in this day and age it will be as a result of actions taken by some members of the press itself—actions such as the guild endorsement of a political candidate and the Anderson broadcast.

CURRENT U.S. POPULATION

Mr. PACKWOOD. Mr. President, according to current Census Bureau approximations, the total population of the United States as of today is 209,418,039. This represents an increase of 126,865 since July 1, or roughly equivalent to the population of Amarillo, Tex. It also represents an addition of 1,665,218 since August 1st of last year, an increase equivalent to twice the population of Dallas, Tex.

MEDICAL EXPERIMENTS

Mr. RIBICOFF. Mr. President, a recent article by Jean Heller of the Associated Press revealed that the Public Health Service, an agency of the U.S. Government, for 40 years withheld all treatment from several hundred victims of syphilis as part of a medical experiment. New evidence suggests that not only was treatment withheld, but that the subjects of the experiment were not even told that they were part of an experiment and were misled into believing that they were in fact receiving treatment. This case is a frightening instance of bureaucratic arrogance and insensitivity.

The study was begun in 1932, and its stated purpose, according to spokesmen from the Center for Disease Control of the Public Health Service, was to determine whether the risk of mortality from syphilis was greater than the risk of mortality from the treatment for syphilis. At that time, the preferred method of treatment was the administration of drugs containing heavy metals.

A group of 399 black males from Macon County, Ala., with syphilis was the subject of the study. They were matched against 201 nonsyphilitic males. None of the syphilis victims received any treatment. The object of the study was to see whether untreated syphilis victims had a higher incidence of death and debilitation than those without syphilis.

By 1946, penicillin had become generally available, and was soon the drug choice for the treatment of syphilis. Unlike the previous heavy metal treatment, penicillin was not itself highly dangerous, and was far more effective than the previous drugs. Thus, even if the original experiment could have been justified because of the need to measure the risks of syphilis against the risks of heavy metals treatment, the advent of penicillin should have precluded the need for continuing the study.

Incredibly, however, Public Health Service officials continued to deny treatment to any of the subjects of the experiment. No records have been cited that show that any of the subjects were even informed of the existence of the new drug.

Public Health Service officials have condemned the methods used in this reprehensible episode. They state that no such thing could happen again. And yet this kind of experiment with people's lives seems all too typical of the way the health bureaucracy in this country has been treating the people it is supposed to be protecting.

Last fall, I released a GAO report concerning an experimental program run by the CDC on Capitol Hill. In that program, an investigational new drug, the 300-mg isoniazed tablet, was administered to people on Capitol Hill without adequate warnings to the subjects of the experiment, without adequate patient followup, and without the drug's having cleared FDA's established regulations for investigational drug use. As a result of that experiment, two persons died of infectious hepatitis and at least 17 others contracted the disease.

Another glaring example is the drug MK–665, which was used experimentally on human subjects by the Merck Co. before adequate data on animal tests were compiled. When the animal tests were finally reported to the FDA—months later than they should have been—they showed that dogs who had received the drug had developed tumors. In spite of this shameful history, followup on the conditions of these unfortunate people who were the subject of the human experiments with MK–665 has been grossly inadequate.

I have been increasingly disturbed about the problems of using unproven and possibly unsafe drugs experimentally on subjects who are not fully informed of the potential hazard and are not adequately protected by proper procedures. In some instances, hundreds of thousands of doses of investigational new drugs have been allowed on the market by FDA long before new drug approval is given.

I have been especially concerned about the accumulation of cases involving misuse of experimental drugs on human subjects. In each instance, it has been pleaded by the bureaucracy that some mistake has taken place, and that in the typical case, the agency has a spotless record. The staff of my Subcommittee on Executive Reorganization developed a list of approximately 15 drugs which have been used experimentally since the mid-1960's, but which have still not received new drug approval for general marketing. I asked the GAO to look into the FDA's files on each of these drugs to see how experiments on human beings had been conducted.

The GAO study is not complete, but preliminary reports show that there are significant and deeply disturbing problems in a number of cases. The full report will be available early this fall. Cases such as these are becoming too frequent to be dismissed as isolated mistakes.

Americans are justified in demanding that bureaucrats and drug companies responsible for testing potentially dangerous drugs do a better job of safeguarding the rights of the human subjects of drug experiments. It is intolerable not to assure that every reasonable precaution is taken when investigational drugs are used in human populations.

The syphilis study presents a bizarre—almost unbelievable—example of bureaucratic callousness and bad judgment. But the general problem it illustrates is far broader and more pervasive than a single misguided experiment. It is time for a comprehensive review of the adequacy of investigational new drug regulations and a review of the extent to which existing regulations are being observed.

I ask unanimous consent that Miss Heller's articles and articles by Victor Cohn and Jeff Nesmith, of the Washington Post, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Syphilis Study

(By Frank Carey)

Washington.—A former government doctor who played a key role in a federal syphilis study involving Alabama black men says "there was nothing in the experiment that was unethical or unscientific."

U.S. Public Health Service officials in Atlanta have said their records show that none of the 400 or so syphilitic men in the PHS study ever received treatment for the disease during the experiment.

At least seven men died as a direct result of syphilis and that figure could be higher, the officials said. They voiced concern about the morality of the study, particularly about its continuation after penicillin was discovered as a cure for syphilis.

Dr. John R. Heller, the former PHS doctor, said it was his impression that all of the study's participants received some form of treatment for their syphilis from private doctors and clinics in the Tuskegee, Ala., area where the experiment was conducted.

However, at another point in an interview, Dr. Heller said that he did not know how many of the syphilitics were treated by outside doctors and he indicated that no check was made as to whether the patients actually went to doctors to whom he said they were referred.

"It was not the intention of the study that the participants should be intentionally deprived of treatment and it was not built into the project that treatment would be withheld,'' Dr. Heller said.

He was immediate director of the Tuskegee Study in 1933–34 and later had overall responsibility for five years when he became chief of the PHS's venereal disease division in 1943. The doctor is now a general consultant to the National Cancer Institute, of which he once was director.

He said also it was not the responsibility or purpose of the experiment to provide treatment for the disease. "Naturally, you'd rather have the study population untreated, but there was no covert attempt to keep these people untreated," Dr. Heller said.

However, Dr. J. W. Williams, a black Tuskegee physician who worked on the experiment as an intern in the 1930s, said the participants "were not told, so far as I know, what they were being treated for or what they were not being treated for."

"We told them what they had," Dr. Heller said in the interview here. But in Tuskegee, Dr. Williams said, "We didn't tell them we were looking for syphilis. I don't think they would have known what it was."

Discussing the fact that all participants in the study were black, Dr. Heller said, "There was absolutely no racial overtones to the study, and this was not an attempt to exploit the Negroes." Tuskegee was chosen as the site for the study of syphilis because the area had the nation's highest per capita rate when the experiment began in 1932, he said.

After The Associated Press disclosed existence of the 40-year experiment, the Department of Health, Education and Welfare, parent agency of the PHS, began an investigation of the study.

Dr. Merlin K. DuVal, assistant secretary of HEW, said, "I especially want to determine why the study was permitted to continue past the time penicillin became the effective drug of choice against the disease."

Dr. Heller was asked if he had made any effort to obtain penicillin for the syphilitics when it became gradually available in the 1940s.

"No," he said, "and it never occurred to us to ask because the demand was so great for other people who needed it much more than they did—the armed forces and people in civilian life" with other serious diseases.

"Also," Dr. Heller added, "we were not responsible for getting it to them so we made no effort to get it. This was a community responsibility in Tuskegee . . . It was not our ball of wax."

He said also: "We didn't know enough about penicillin to know whether it would be effective against late syphilis as distinguished from the early, highly infectious type. Most of the patients at Tuskegee had late syphilis ranging from five to 50 years.

"It took studies that ran into the 1950s to determine whether penicillin was effective against late syphilis that has gone beyond the infectious stages and involves the brain and central nervous system, the cardiovascular system, or lurks latent and quiescent in the body."

Dr. J. D. Millar, current chief of the PHS' Center for Disease Control in Atlanta, said earlier this week that he knew of some study participants who "were treated with penicillin for other diseases and then dropped from the program because the drug had some positive effect on the primary disease, syphilis. Looking at it now, one cannot see any reason they could not have been treated at that time" for syphilis.

To this, Dr. Heller said, "Dr. Millar makes the assumption that it was the responsibility of the project to give treatment, which it was not."

Syphilis Study

(By Jean Heller)

Tuskegee, Ala.—A local doctor who took part in the early years of a federal syphilis study says he does not recall that the Black participants were ever told they were subjects of an experiment or what the study involved.

"The people who came in were not told what was being done," Dr. J. W. Williams said in an interview Wednesday. "We told them we wanted to test them. They were not told, so far as I know, what they were being treated for or what they were not being treated for.

"We didn't tell them we were looking for syphilis," he said. "I don't think they would have known what that was".

The experiment, called the Tuskegee Study, began in 1932. It was run by the U.S. Public Health Service and involved 600 Black men from this area, 200 with no signs of syphilis and 400 who had the disease, according to the federal agency.

Current officials at the PHS Center for Disease Control in Atlanta have said their records show that none of the 400 syphilitics in the study ever received treatment for the disease during the experiment, which now has lasted 40 years.

At least seven men died as a direct result of syphilis and that figure could be higher, the officials said.

Dr. Williams, a Black physician, said he was an intern at the Local Tuskegee Institute Hospital when the study began and that he and two other interns, under the direction of two PHS doctors from Washington, worked on participants when they came in.

Williams said that part of this job involved going to church gatherings to convince adults from the black community to come into centers for blood tests. This was part of an area-wide effort to combat syphilis.

In Alabama, according to a 1927 state law, persons diagnosed as syphilitic were required to be treated for the disease.

During the area-wide study, statistics showed that the Tuskegee had an exceptionally high rate of syphilis. One group of men was set aside for experimentation.

Dr. Williams said that the interns were never informed of the purposes or procedures of the study.

"I was just told who to give a needle to when the people came back," Williams said. "I thought I was administering an arsenical the mercury-arsenic treatment used at the time to combat syphilis, but now I think some may have been a placebo a dummy treatment that does no harm or good. I don't know for certain what it was."

Williams said patients were drawn to the experiment by promises of free medical treatment for their ailments. "These people thought they were being treated for rheumatism or bad stomachs," he said. Williams, 73, is director of health and hygiene for the Office of Economic Opportunity's Community Action agency here. He heads a staff of six who have set up 17 clinics in Macon County for the poor.

He said he could not condemn the Tuskegee Study as a whole because he left it in 1937, but he said he believed more information should have been given to the people who took part. He said he returned to Tuskegee in the early 1940s as director of the Tuskegee Institute Hospital where the study was being conducted. But he said he did not resume any role in the study because the hospital was only being used as a base and took no active part in it. "All I knew about the experiment at that point is that when a person in the program died his body was brought in for post-mortem work," he said. "A pathologist from the local Veterans Administration hospital did all that work."

The Department of Health Education and Welfare, parent agency of PHS, Tuesday began an investigation of the Tuskegee study following disclosure of its existence by The Associated Press. Dr. Merlin K. DuVal, assistant secretary of HEW, said, "I especially want to determine why the study was permitted to continue past the time penicillin became the effective drug of choice against the disease."

The mercury-arsenic treatment available before penicillin was almost as bad as having untreated syphilis, Dr. Williams said. But, according to Dr. J. D. Millar, head of the CDC's venereal-disease branch, penicillin became widely available after World War II and its use in the Tuskegee Study then probably could have helped or saved a number of experiment participants.

Syphilis can cause bone and tooth deterioration, blindness, deafness, central nervous system disorders, insanity, heart disease and death.

"I think a definite moral problem existed when the study was undertaken, a more serious moral problem was overlooked in the post-war years when penicillin became available but was not given to these men, and a moral problem still exists," Dr. Millar said.

"But the study began when attitudes were much different on treatment and experimentation. At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation, I don't believe the program would be undertaken," he said.

Syphilis, a highly contagious infection spread by sexual contact, can cause, if untreated, bone and dental deformations, deafness, blindness, heart disease and central nervous system deterioration.

No figures were available on when the last death occurred in the program. And one official said that apparently no conscious effort to halt the program was made after it got under way.

A 1969 CDC study of 276 treated and untreated syphilitics who participated in the Tuskegee Study showed that seven had died as a direct result of syphilis. Another 154 died of heart disease. CDC officials say they cannot determine at this late date how many of the heart disease deaths were caused by syphilis or how many additional deaths could be linked to the disease.

Syphilis Study

(By Jean Heller)

WASHINGTON.—The Department of Health, Education and Welfare has launched a full investigation of a federal experiment in which some Alabama black men died because they were denied proper medical treatment for syphilis and its side-effects.

The investigation was announced Tuesday night by Dr. Merlin K. DuVal, assistant secretary of HEW, who said he was shocked and horrified to learn of the experiment. The announcement followed disclosure by The Associated Press of the 40-year study.

"Although the study was begun in 1932, and although the opportunity to bring treatment to these men has long passed, I am today launching a full investigation into the circumstances surrounding it," DuVal said.

"I especially want to determine why the study was permitted to continue past the time penicillin became the effective drug of choice against the disease," he said. "I can say with certainty that such a study could not be launched today."

HEW oversees the Public Health Service, which, in 1932, initiated the Tuskegee Study, an experiment which withheld proper medical treatment from a group of Tuskegee, Ala., syphilitics in order to determine through autopsy at the time of their deaths what damage the untreated disease can do to the human body.

Tuskegee was chosen, PHS officials say, because it had the highest syphilis rate in the nation at the time.

The doctor responsible for initiating the experiment was identified by PHS officials as Dr. J. R. Heller, assistant surgeon general in the service's venereal-disease section who later became division chief. Current PS officials say they have questions about the morality of the study, particularly the post-World War II decision not to treat the syphilitics with penicillin, then a proven readily available cure for the disease.

Originally, PHS officials at the Center for Disease Control in Atlanta told The Associated Press that the study involved 600 Black-men divided into three groups: 200 not suffering syphilis, 200 with the disease and treated with the best methods known at the time and 200 not treated for syphilis at all.

However, after the study was disclosed and CDC officials rechecked, they said they found that none of the 400 men who had syphilis ever was treated for it, doubling the size of the group exposed to disability and death.

As incentives to enter the program, the men were promised free transportation to and from hospitals, free hot lunches, free medicine for any disease other than syphilis and free burial.

The Tuskegee Study began 10 years before penicillin was discovered to be an effective cure for syphilis and 15 years before the drug was widely available to doctors. Yet even after penicillin became common, and while its use probably could have helped or saved a number of experiment participants, the drug was not given to them, according to Dr. J. D. Millar.

He is chief of the venereal-disease branch of the Atlanta Center for Disease Control and is now in charge of what is left of the Tuskegee Study.

"I think that the moral problem, if any in 1932, was very vague because the risk of treatment was, in the minds of many physicians, worse than the risks of the disease," Millar said in an interview.

The pre-penicillin treatment for syphilis consisted primarily of injections of arsenic and mercury. A treatment-related death rate of 1 in 100 was considered a good record.

But, Dr. Millar added, "a more serious moral problem was overlooked in the post-war years when penicillin became available but was not given to these men, and a moral problem still exists. Looking at it now, one cannot see any reason they, the syphilitics, could not have been treated at that time."

Asked who made the postwar decision not to treat the syphilitics, Millar said, "I doubt that it was a one-man decision. These things seldom are."

Syphilis is a highly contagious infection spread by sexual contact. If left untreated it can cause blindness, deafness, deterioration of bones, teeth and the central nervous system, insanity, heart disease and death.

In 1969, a CDC review of the record of 276 syphilitics in the Tuskegee Study found that seven had died as a direct result of the disease. Officials could not say immediately how many other deaths could be linked to syphilis.

In the group, 154 had died of heart failure not attributable to syphilis, the officials added.

Seventy-four men participating in the study were still alive at the beginning of this year but, for them, syphilis therapy is too late. Their average age is 74 and, Millar said, the possible ill effects of massive penicillin therapy constitute too great a risk to the individuals, particularly those whose syphilis condition is dormant.

Some of the men, he said, have received penicillin or antibiotics in past years for other diseases and this may have helped them stay alive.

Syphilis Study

(By Jean Heller)

TUSKEGEE, ALA.—"Syphilis put Tuskegee on the map." Bill Lennard reflected grimly. "How's that for a town motto?"

Lennard is project coordinator for the local OEO Community Action Agency, a college-educated black, born and raised in Tuskegee and now deeply concerned about the future of his home town.

"How could I have lived here all my life and never know this was going on?" Lennard asked. "I'm astounded. I'm shocked and I feel sick. I don't know what it's going to do to this town."

This town and the surrounding county have, for 40 years, been the object of the Tuskegee Study, a syphilis experiment involving 600 local blacks.

The study was a cooperative project of the U.S. Public Health Service, the Alabama Health Department, the Macon County Medical Society and the Macon County Health Department and was conducted to determine what damage untreated syphilis does to the human body.

In the beginning, 1932, about 200 of the study group showed no signs of syphilis and were used for purposes of comparison with the 400 or so men who had the disease.

Questions existed over just how many of the 400 men ever received any treatment for their syphilis.

When the Tuskegee Study first was disclosed, the PHS' Center for Disease Control in Atlanta, now in charge of what remains of the study, said half the 400 received some treatment but the other half received none.

Later, officials said they didn't think any of the 400 ever received treatment.

A firm figure probably will have to await the conclusion of a current investigation by the Department of Health, Education and Welfare, parent agency of the PHS.

Another investigation is under way in the Alabama attorney general's office. Among other things, a spokesman said, an effort will be made to determine if the lack of treatment for some of the study participants violated a 1927 state law requiring treatment for all who suffered from the disease.

Both investigations were begun after Associated Press disclosure of the study last week.

During the study at least seven men died as a direct result of syphilis and the figure could be higher, said Dr. Don Printz of the venereal disease branch of CDC.

CDC officials have released no figures on whether any of the participants suffered other side effects of the disease, which can be deafness, blindness, heart disease, central nervous system damage, bone deterioration and insanity.

Local residents are deeply disturbed about the study and concerned about the surviving participants, particularly, that one of them was publicly identified, apparently by health officials.

"I know his family so well: some of them are highly educated and he's a real good farmer," a former county agent said. "Now they've got this stigma attached to them. Folks keep asking me if it's safe to shake his hand."

It is. Neither the man to whom the agent referred nor any other participant in the Tuskegee Study has syphilis in contagious form, according to PHS officials in Atlanta. At the time the study began, all participants had passed the infectious stage and could not have spread the disease, the official say.

Two issues have been raised since disclosure of the experiment: Why the study was allowed to continue in the era after World War II when penicillin and sulfa drugs were widely available, had been proven a cure for syphilis and probably could have helped or saved a number of the experiment's subjects? The other issue is compensation for surviving participants and families of men who died.

Several of the Tuskegee Study survivors have retained a prominent civil rights lawyer, Fred D. Gray, to represent them, hoping to compensate for their part in the program.

Gray, a black state legislator who represented the late Dr. Martin Luther King and was active in the case which integrated the University of Alabama, said he intends to do "whatever we need to do to correct this injustice."

Based on interviews with his clients, Gray said he does not believe they knew what was in store for them when they volunteered for the Tuskegee Study. Nor, he added, do they recall signing any releases when they joined.

"What they were told was that they had bad blood or that something was wrong," he said. "I don't know if they understood what it was that was wrong. But it is my understanding that they were under the impression they were receiving proper treatment for whatever it was that was wrong with them."

Dr. J. W. Williams, a local black doctor who participated as an intern during the early years of the Tuskegee Study, said he does not recall any of the participants being told what was happening to them. In fact, he added, the three interns working as technicians under the direction of two PHS doctors from Washington were not told about the study, either.

"The people who came in were not told what was being done," he said. "They were not told, so far as I know, what they were being treated for or what they were not being treated for. We the interns were never told what was going on."

There seems to be a general consensus among PHS and state doctors that the Tuskegee Study may have had some validity when it was undertaken in 1932. There still were areas where research into the effects of syphilis was needed. The treatment available at that time was almost as dangerous as the disease, and sometimes fatal.

The question of morality arises in the decision not to end the study and treat all remaining participants with penicillin or sulfa drugs after World War II.

Dr. J. D. Millar, current chief of the CDC's venereal disease branch, said the two drugs were widely available after the war and their use probably could have helped or saved a number of the Tuskegee Study's participants.

Others disagree. Dr. John R. Heller, who had over-all responsibility stated that it was not the responsibility of the study to give penicillin to the syphilitics.

"It never occurred to us to ask for penicillin because the demand was so great for other people who needed it much more than they did," Heller said. "We were not responsible for getting it to them so we made no effort to get it."

Heller said he believed there was nothing unethical about the study and said that he was under the impression all of the study participants received some form of syphilis therapy from private doctors or health clinics. However, he added, no checks were made to determine if the men ever went to private doctors.

Dr. Ira L. Myers, the current Alabama state health officer, said the furor over disclosure of the study was an attempt "to make a mountain out of a mole hill."

In Tuskegee, a town which feels stigmatized, the problem already is a mountain.

Many people who were involved in the program, both as participants and supervisors, have gone into temporary seclusion. They don't answer their phones or doorbells and are said by their friends to feel the town may turn against them.

In restaurants, the Tuskeegee Study is the basic topic of conversation. Many still don't believe it. Many don't want to believe it. A few don't care. But basically, the people seem dazed.

"This used to be a real friendly town," said one black resident who asked not to be identified. "Now everybody's suspicious of everybody else. Folks are all trying to figure out who the people in the study were and they don't know what to do about them, whether they're safe or not.

"I've seen folks cross the street to avoid talking to someone they think was in the study," he added. "This is the biggest thing that ever hit this town. Everybody's buzzing. It ain't ever going to be the same around here and that's too bad. It's all too bad. It's all just a damned shame."

SYPHILIS STUDY

(By Jean Heller)

WASHINGTON.—During a 40-year federal experiment, a group of syphilis victims was denied proper medical treatment for their disease. Some participants died as a result, but survivors now are getting whatever aid is possible, the U.S. Public Health Service says.

The experiment, conducted by the PHS, was designed to determine through autopsies what damage untreated syphilis does to the human body.

Or about 600 Alabama black men who originally took part in the study, 200 or so were allowed to suffer the disease and its side effects without treatment, even after penicillin was discovered as a cure for syphilis. Treatment then probably could have saved or helped many of the experiment participants, PHS officials say.

They contend that survivors of the experiment are now too old to treat for syphilis, but add that PHS doctors are giving the men thorough physical examinations every two years and are treating them for whatever other ailments and diseases they have developed.

Members of Congress reacted with shock to disclosure Tuesday by The Associated Press that the PHS syphilis experimentation on human guinea pigs had taken place.

Sen. William Proxmire, D-Wis., a member of the Senate Appropriations Subcommittee which oversees PHS budgets, called the study "a moral and ethical nightmare."

"It's incredible to me that such a thing could ever have happened," he said in a statement. "The Congress should give careful consideration to compensating the families of these men."

Sen. Edward M. Kennedy, D-Mass., chairman of the Senate health subcommittee, said through a committee spokesman that he deplores the facts of the case and is concerned about whether any other such experiments exist.

The syphilis experiment, called the Tuskegee Study, began in 1932 in Tuskegee, Ala., an area which had the highest syphilis rate in the nation at that time.

When the study began, the discovery of penicillin as a cure for syphilis was still 10 years away and the general availability of the drug was 15 years away. Treatment in the 1930's consisted primarily of doses of arsenic and mercury.

Of the 600 original participants in the study, one third showed no signs of having syphilis; the others had the disease. According to PHS data, half the men with syphilis were given the arsenic-mercury treatment, but the other half, about 200 men, received no treatment for syphilis at all.

Men were persuaded to participate by promises of free transportation to and from hospitals, free hot lunches, free medical treatment for ailments other than syphilis and free burial.

Seventy-four of the untreated syphilitics were still alive last January.

Syphilis is a highly contagious infection spread through sexual contact. If left untreated it can cause blindness, deafness, deterioration of bones, teeth and the central nervous system, insanity, heart disease and death.

In 1969, the PHS Center for Disease Control in Atlanta, which has been in charge of the Tuskegee Study, reviewed records of 276 syphilitics, both treated and untreated, who participated in the experiment.

It found that seven men had died as a direct result of syphilis. Another 154 died of heart failure, but CDC officials say they cannot determine now how many of those deaths were caused by syphilis or how many additional deaths may have been linked to the disease.

PHS officials responsible for initiating the Tuskegee Study have long since retired and current PHS officials say they do not know their identity. But the current officials say, in retrospect, they believe the study may have been a moral mistake.

"I think a definite moral problem existed when the study was undertaken, a more serious moral problem was overlooked in the post-war years when penicillin became available but was not given to these men, and a moral problem still exists," said Dr. J. D. Millar, chief of the veneral disease branch of the CDC.

"But the study began when attitudes were much different on treatment and experimentation," he added. "At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation, I don't believe the program would be undertaken."

Don Prince, another official in the venereal disease branch of CDC, said the Tuskegee Study had shown that the morbidity and mortality rate of untreated syphilitics was not as high as previously believed, but he said he thought the study should have been halted with penicillin treatment for participants after World War II.

"I don't know why the decision was made in 1946 not to stop the program," Prince said. "I was unpleasantly surprised when I first came here and found out about it. It really puzzles me."

Because of their age, the CDC cannot now treat the 74 survivors of the Tuskegee Study for syphilis, Dr. Millar said. Possible ill side effects of massive penicillin therapy constitute too great a risk to the individuals, particularly those whose syphilitic condition is dormant.

However, he added, there was a point when the men could have been treated with some measure of success.

"The most critical moral issue about this experiment arises in the post-war era, the years after the end of World War II, when penicillin became widely available.

"I know some were treated with penicillin for other diseases and then dropped from the program because the drug had some positive effect on the primary disease syphilis. Looking at it now, one cannot see any reason they could not have been treated at that time."

SYPHILIS STUDY—AN AP NEWS SPECIAL

(By Jean Heller)

WASHINGTON.—For 40 years the U.S. Public Health Service has conducted a study in which human guinea pigs, denied proper medical treatment, have died of syphilis and its side effects.

The study was conducted to determine from autopsies what the disease does to the human body.

PHS officials responsible for initiating the experiment have long since retired. Current PHS officials, who say they have serious doubts about the morality of the study, also say it's too late to treat syphilis in any of the study's surviving participants.

But PHS doctors say they are rendering whatever other medical services they now can give to the survivors while the study of the disease's effects continues.

The experiment, called the Tuskegee Study, began in 1932 with about 600 Black men, mostly poor and uneducated, from Tuskegee, Ala., an area which had the highest syphilis rate in the nation at the time.

One-third of the group was free of syphilis; two-thirds showed evidence of the disease. In the syphilitic group, half were given the best treatment known at the time, but the other half, about 200 men, received no treatment at all for syphilis, PHS officials say.

As incentives to enter the program, the men were promised free transportation to and from hospitals, free hot lunches, free medicine for any disease other than syphilis and free burial after autopsies were performed.

The Tuskegee Study began 10 years before penicillin was discovered to be a cure for syphilis and 15 years before the drug became widely available. Yet even after penicillin became common, and while its use probably could have helped or saved a number of the experiment subjects, the drug was denied them, according to Dr. J. D. Millar.

He is chief of the venereal disease branch of the PHS' Center for Disease Control in Atlanta and is now in charge of what remains of the Tuskegee Study. Dr. Millar said in an interview he has serious doubts about the program.

"I think a definite moral problem existed when the study was undertaken, a more serious moral problem was overlooked in the post-war years when penicillin became available but was not given to these men, and a moral problem still exists," Dr. Millar said.

"But the study began when attitudes were much different on treatment and experimentation. At this point in time, with our current knowledge of treatment and the disease and the revolutionary change in approach to human experimentation, I don't believe the program would be undertaken," he said.

Syphilis, a highly contagious infection spread by sexual contact, can cause, if untreated, bone and dental deformations, deafness, blindness, heart disease and central nervous system deterioration.

No figures were available on when the last death occurred in the program. And one official said that apparently no conscious effort to halt the program was made after it got under way.

A 1969 CDC study of 276 treated and untreated syphilitics who participated in the Tuskegee Study showed that seven had died as a direct result of syphilis. Another 154 died of heart disease. CDC officials say they cannot determine at this late date how many of the heart disease deaths were caused by syphilis or how many additional deaths could be linked to the disease.

However, several years ago an American Medical Association study determined that untreated syphilis reduces life expectancy by 17 per cent in black men between the ages of 25 and 50, a precise description of the Tuskegee Study subjects.

Don Prince, another official in the venereal disease branch of CDC, said the Tuskegee Study had contributed some knowledge about syphilis, particularly that the morbidity and mortality rate among untreated syphilitics was not as high as previously believed. Prince said he did not know the names of PHS officials who initiated the study.

Like Dr. Millar, he said he believes the study should have been concluded with penicillin treatment after World War II.

"I don't know why the decision was made in 1946 not to stop the program," Prince said. "I was unpleasantly surprised when I first came here and found out about it. It really puzzles me."

At the beginning of 1972, according to CDC data, 74 of the untreated syphilitics were still living. All of them, Dr. Millar said, were men who did not suffer any potentially fatal side effects from their bouts with the disease.

Some of them received penicillin and antibiotics in past years for other ailments, Prince said, but none has even received treatment for syphilis. Now, both men agree, it's too late.

The Tuskegee Study by CDC indicates that treatment now for survivors is medically questionable, Dr. Millar said. Their average age is 74 and massive penicillin therapy, with possible ill side effects, is deemed too great a risk to the individuals, particularly for those whose syphilis is now dormant.

However, Dr. Millar added, there was a point in time when survivors could have been treated with at least some measure of success.

"In the 1930s when the experiment began, those treated for syphilis were treated with mercury and arsenic," he said. "This period was before penicillin, before sulfa drugs, and the treatment was worse than the disease.

"The most critical moral issue about this experiment arises in the post-war era, the years after the end of World War II when penicillin became widely available.

"I know some were treated with penicillin for other diseases and then dropped from the program because the drug had some positive effect on the primary disease syphilis. Looking at it now, one cannot see any reason they could not have been treated at that time."

For survivors of the Tuskegee Study, the PHS is currently providing the best medical treatment it can, Prince said. "We see to it that they get a complete physical at least every two years," he said. "We can't treat them for syphilis but we can treat them for hernias and arthritis and any other problems they have. I guess you'd say we're doing all we can."

SYPHILIS

(By Jean Heller)

TUSKEGEE, ALA.—Several surviving participants in a federal syphilis experiment have retained a civil-rights lawyer to represent them in hopes of obtaining compensation for their roles in the study.

The lawyer, Fred D. Gray, said Thursday he also expects to represent families of several men who died in the experiment, called the Tuskegee Study.

Gray has represented the late Dr. Martin Luther King and other civil rights activists and is a member of the Alabama Legislature.

In an interview, Gray said several of the Alabama black men who participated in the Tuskegee study have told him that when they joined the experiment, they believed they were going to be treated for whatever disease they had.

"What they were told was that they had bad blood or that something was wrong," Gray said. 'I don't know if they understood what it was that was wrong, but it is my understanding that they were under the impression they were receiving proper treatment for whatever it was that was wrong with them."

The Tuskegee Study was begun by the U.S. Public Health Service in 1932 with 600 black men from this area. Two hundred showed no signs of syphilis and were used as controls. The other 400, according to PHS officials, had syphilis but were not treated for it so that damage caused by the disease could be determined through autopsy after death.

The officials also said they had determined that all of the syphilitics used in the study had passed the disease's contagious stage and could no longer infect other people.

At least seven deaths among the group can be attributed to syphilis and the figure could be much higher, current PHS officials says.

Current officials there say they have serious doubt about the morality of the study, especially the post-World War II decision to continue denying treatment to participants after the discovery of penicillin as a proven and readily available cure for syphilis.

The Alabama Health Department, the Tuskegee Medical Society and the Macon Medical Health Department, the Tuskegee Medical Society and the Macon County Health Department cooperated with the PHS in the project.

Dr. Ira L. Myers, state health officer, said he believes the participants were receiving proper care and that the furor following disclosure of the study was "trying to make a mountain out of a molehill."

Gray said he will do for the Tuskegee Study participants whatever "we deem necessary and proper to be sure they are properly compensated for any damages which they have sustained as a result of the study."

"They haven't gotten much so far," he said. "They told me that after they had been in the program for 25 years they received a certificate of appreciation."

[From the Washington Post, July 31, 1972]

SYPHILIS EXPERIMENT PROBED—EXPERTS ARGUE OVER POSSIBLE REPETITION

(By Victor Cohn)

The case of the "Four Hundred Black Alabamians With Syphilis," it might be called.

It is a new medical mystery in several aspects. A chiller in its effect on any reader. And perhaps a murder story, by some allegations—allegations hotly denied by doctors who were involved.

The 400, as disclosed by the Associated Press Tuesday, were men from their 20s through their 70s assembled in 1932 in the U.S. county with the highest rate of syphilis, a disease for which there was then no good treatment.

The 400 received no treatment as any part of a Public Health Service study—still continuing today, with 78 survivors—of what happens to men with untreated latent or inactive, yet possibly smouldering syphilis.

This fact is not so surprising for the 1930s. For German Paul Ehrlich's "Salvarsan" or "606," though he won a Nobel prize and was immortalized by Edward G. Robinson in an effusive 1940 movie called "Dr. Ehrlich's Magic Bullet," in fact may have harmed as many persons as it cured.

What surprised readers last week—and members of Congress and even government health officials who had never heard of this study—was that none of the men was given the new wonder drug, penicillin, after it became available in the mid-1940s.

These are the bare bones of the story.

They alone were enough to make Sen. James Allen (D-Ala.) call the study "callous" and Sen. William Proxmire (D-Wis.) call it "a moral and ethical nightmare." They prompted Rep. Ralph H. Metcalfe (D-Ill.), member of the Black Caucus, to brand the project "one of the most frightening forms of genocide practiced upon minorities in this country."

They were also enough to make Assistant Secretary of Health, Education and Welfare Dr. Merlin K. DuVal says after preliminary inquiry, "I was shocked and horrified . . . I am today launching a full investigation."

But what really happened? And why?

Also, in the question of Rep. Metcalfe, "How many more of these human sacrifices are being made elsewhere in this country?"

"I can say with certainty that such a study could not be launched today," said DuVal, assistant secretary for health and scientific affairs.

"It does happen today," said Dr. Jon Katz, a New Haven psychiatrist, adjunct professor of law at Yale University and author of the new 1,159-page book, "Experimentation With Human Beings," published by the Russell Sage Foundation. "Man's inhumanity against man" is pervasive, states Katz's book, and the medical world is not immune.

But the so-called "Tuskegee Project"—Tuskegee is the seat of Macon County, Ala.—was humane by all its intention in the 1930s. This is something of its story, based on Washington Post and Associated Press interviews.

Syphilis in 1932 was a baffling medical problem. There were indeed "treatments:" usually injection with heavy metals like mercury and bismuth, followed by arsenicals. The "magic bullet" was an arsenic compound.

All helped kill the syphilis organisms. But the treatments had to be continued weekly for many months. The compounds were poisonous, and some patients died.

"The treatment was horrible," said Dr. Donald Printz, today assistant VD chief at Atlanta's federal Center for Disease Control. "Weighing the effects of the disease against the effects of the treatment was a constant battle."

Doctors habitually asked, "Is the cure worse than the illness?" but did not really know.

A study was certainly needed to seek the answer, especially for that great bulk of syphilitics known as latent cases—people who harbor the germ, respond as "positive" to a blood test, but are showing no symptoms.

Most doctors attacked all syphilis, active or latent, with the dangerous poisons, although a famous 1890-to-1930 Oslo study—a group of patients left untreated for 40 years—had shown that 60 per cent never displayed further symptoms.

Very few latents ever got treatment, however, or were seen by a doctor for any reason in the pretty, rolling cattle and cotton country of Macon County, Alabama.

What better place, thought the federal doctors, to follow a group of untreated latents and compare their fates with an age-matched group of nonsyphilitic men?

Four hundred latents, then, were sought out by blood tests, and another 200 men as the healthy controls. All were examined yearly.

Anyone with any active illness, syphilis or otherwise, was apparently told to go to a doctor or hospital for treatment. But a figure on the number really cared for will probably have to await DuVal's investigation.

In the early days, at least, there was no check to see if any had been treated, a key early participant, Dr. John R. Heller, told the AP last week.

Treatment was not the study's purpose or responsibility, he explained. "Naturally you'd rather have the study population untreated, but there was no covert attempt to keep these people untreated."

He insisted, too. "There was nothing in the experiment that was unethical or unscientific."

Heller, now 67, was then a young Public Health Service officer. One superior was Dr. Raymond A. Vonderlehr, who almost certainly would have had the approval of the famous, longtime surgeon general, Dr. Thomas Parran. VD was one of Parran's prime concerns.

Parran is dead. Vonderlehr at 75 still lives in Atlanta but is frail and ill. He went on to become a director of the important "CDC," then called the "Center for Communicable Disease."

Talented, well-known Rod Heller became chief of the Public Health Service's VD division from 1943 to 1948, and later director of the National Cancer Institute in Bethesda. Reviewing the anti-cancer battle, Time put him on its July 27, 1959 cover, calling him "a near ideal choice" as a leader, a "diplomat" who could keep peace among "backbiting" scientists.

Although all the patients in the Alabama study were black, Heller adds, "There was absolutely no racial overtone, and this was not an attempt to exploit the Negroes."

They were certainly what scientists call a homogeneous population, and they were concentrated in this area where they could easily be reached.

Also, said Heller: "We told them what they had."

However, "we didn't tell them we were looking for syphilis," said Dr. J. W. Williams, a Tuskegee physician who worked on the project as an intern in the 1930s. "I don't think they would have known what it was."

"They told me I had the bad blood," testifies 66-year-old Charlie Pollard, a young man of 26 when he was enrolled. "Bad blood" was a common phrase for venereal disease. It is still in use today in more than one part of the country.

The project has issued at least 13 valuable reports. A 1952 study, said Printz, showed that the life expectancy of the Tuskegee untreated had been reduced by only 4.17 years, compared with a 7.1-year decrease among treated syphilitics.

"We followed these people very carefully. They were not left to die," said Dr. Sidney Olansky of Emory University Medical School, who joined the project in 1950. "They got excellent medical care, better than the average person in that area. I resent very much this business that we took a bunch of poor people and let them die."

At least seven of the 400 have died of syphilis, however, and some might have lived longer, agreed Dr. Printz and his chief, Dr. J. D. Millar.

For in 1943 penicillin first became available in small amounts. By the mid or late 1940s it was in good supply.

There was for a time sincere medical debate over its value in syphilis, especially late syphilis. Penicillin also sometimes produces its own adverse reactions.

"We did not know enough. We would not have been comfortable about treating this group with penicillin until the mid-1950s," Olansky maintained.

By then was it too late to treat any of these men? "I would think so," he said. "If I had a 50-year-old latent walk into my office right now with no complications, I probably would not give him pencillin."

Printz disagreed. True, he said. "At that time the average man in the study had had the disease at least 20 years. But that was the critical juncture when some could have been helped. I can't tell you how many."

Printz said doctors today would almost universally give pencillin to a latent patient in his 50s who caught the disease two decades before. There is still hope, he maintained, of preventing the late heart and nervous system damage which often makes a patient's last years unbearable.

In 1969, a group was finally convened at Atlanta to review this study in "both its medical and moral aspects," Printz reported. At this late date, the main conclusion was to try to see that the men were given good care by their local doctors for the rest of their lives.

Some of the survivors have themselves engaged a civil rights lawyer in hope of getting compensation.

DuVal, Printz and Olansky—though of different views on the handling of the Alabama 400—agreed that this experiment would never be repeated today.

Most of the nation's medical research is funded by the National Institutes of Health. Its present guidelines, states director Dr. Robert Marston, emphasize a grantee's "basic responsibilities for safeguarding the subjects' rights." They say "an appropriate institutional committee" must insure that all rights are protected, that any risks to an individual "are outweighed by the potential benefits to him or by the importance of the knowledge to be gained, and that informed consent is to be obtained."

[From the Washington Post, July 27, 1972]

Human Guinea Pig Bares 40 Years of "Doctoring on Me"

(By Jeff Nesmith)

Notasulga, Ala., July 25—In 1932 Charlie Pollard, a 26-year-old Macon County farmer, took advantage of a public health official's offer of a free blood test and was told a few days later that he had "bad blood."

"They been doctoring on me off and on ever since then," Pollard, now 66, said Tuesday. "And they give me a blood tonic."

Pollard was not told—and did not know until Tuesday—but for the past 40 years he has been one of a constantly dwindling number of human guinea pigs in whose "bad blood" the effects of syphilis has been observed.

U.S. Public Health Service Officials revealed Tuesday that under a PHS study, treatment for syphilis has been withheld from hundreds of afflicted Negroes for the 40-year period. For the past 25 years, penicillin has been generally available to treat it. The purpose of the study was observation of the course of the disease in untreated persons over long periods of time.

Elizabeth Kennebrew, a nurse with the Macon County Board of Health who spends most of her time tracking the medical histories of the survivors, identified Pollard as a member of the group, from whom treatment was withheld.

"Back here in the '50s, they give me a certificate, saying I had been in the program 25 years," Pollard said, "and since then they don't come around as much."

During the first 25 years, however, health officials returned annually to the 400-acre cotton and cattle farm Pollard owns and operates near this tiny town west of Auburn, to collect blood samples.

"They haven't been by here in a year or two now," he said.

And while he believes he has received good medical care through "the program," he has turned to home remedies during recent years. "You say they ain't been doctoring me?" he asked a reporter who visited him Tuesday. "Well, they sure give me enough shots and took out enough blood for some reason. I even got one of them spinal taps."

On one occasion, Pollard said, he was given an operation, for removal of prostate glands.

Asked several times if he were aware that he had syphilis, Pollard always replied, "Well, they told me I had the bad blood."

Pollard was working on his father's farm in 1932 when health officials distributed a notice among black men in the Tuskegee, Ala., area, offering the free blood test.

"Then a few days later, they tolds us our blood was bad, and they always keep coming back and taking more."

Over the years, Pollard said, most other members of the group have died. "I think there's about eight or nine of us left in this area, though."

"I thought they did me, far as I know of, pretty good," "they say my heart is good, and I don't wear reading glasses. I ride a tractor practically every day."

However, about a year ago Pollard began having severe pains in his back and left leg and spent several weeks in a hospital in Montgomery.

"They told me there wasn't anything they could do for it and sent me home," he said. "I was on crutches for about six or eight weeks and I began to think I was to lose the use of this leg.

"So I tried me a home remedy the old folks had told me about for arthritis and put me some fat lightard (heart pine) splinters in some whiskey and let it soak awhile and every now and then I'd take a little sip of that.

"Now I don't be bothered with my back as much."

ALLEN J. ELLENDER

Mr. SCOTT. Mr. President, yesterday, July 31, colleagues of the late Senate President Pro Tempore Allen Ellender joined with President Nixon in paying tribute to this great southern gentleman who gave so much of his life to the people of the State of Louisiana and the Nation. Mr. President, I ask unanimous consent that the editorial, "Allen J. Ellender," which appeared in Monday's editions of the Washington Post, be printed in today's RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ALLEN J. ELLENDER

Dean of the Senate and at his death the 81-year-old chairman of its Appropriations Committee, Allen J. Ellender, rose to political eminence less by his achievements or personal qualities, as considerable as they were, than by the workings of the seniority system, which brought him great power. A product of the Huey Long political machine in Louisiana, he arrived in the Senate in 1937, there easily fitting the Long populism to the New Deal spirit then pervasive on the national scene. For 18 years the former proprietor of the family's Hard Scrabble Plantation chaired the Agriculture Committee, shaping the programs which at once made him the favorite of producers, especially the big producers, and the bane of small farmers and the rural poor. He never abandoned his generation's regional heritage, which gave him his courtly manner, his skill as a chef, his Puritan ethic and, unfortunately, his attitudes on race.

In the loneliness that overtook this intense disciplined man after his wife's death in 1949, Senator Ellender turned relentlessly to world travel, going practically everywhere to collect evidence with the only means he trusted—his own eyes, becoming a scourge for American diplomats whose activities he scrutinized, and making long reports and films which in their simplicities ("there is water in the canals of Venice") did much to enhance his already substantial reputation as an eccentric.

His travels also brought him early to a world view which many of his fellow Americans did not take seriously for another 10 or 15 years: that the United States was recklessly over-extended, that it was spending far too much on arms and on dubious anti-Communist projects abroad, and that the Soviet Union, which he visited five times, was not inevitably a deadly menace after all. "It seems to me that we have as much to fear from ignorance, prejudice, selfishness and bias in our own nation as we have from a similar condition on the part of the Russian leadership," he concluded. Proud of his own legislative career in the determined way of a self-made man, Allen Ellender nonetheless felt regret that he had not been paid more heed for his counsel of peace.

SENATOR ALLEN J. ELLENDER, OF LOUISIANA—IN MEMORIAM

Mr. PERCY. Mr. President, the passing of Allen Ellender has left all of us greatly saddened. There is no question in my mind that history will remember him as one of the truly fine legislative leaders of this body. During the period I served on the Appropriations Committee I came to know him as a hardworking chairman, who nevertheless found time to help a very junior Senator become acclimated to the details involved in appropriations work.

At an age when many men are content to rest in retirement, he was serving the public interest with energy and vitality. His tireless dedication to the interests of his State and his Nation typified the best in public service. The 12- and 13-hour days were as nothing to him. His final hours were spent flying back to Washington to cast a vote on the agricultural appropriations bill.

He was a great traveler, and I consider the films he has shown in my home among the best sound motion pictures made in foreign countries that I have been privileged to see. Mr. President, I know that I speak for Senators on both sides of the aisle when I say that the Senate has lost a wise and dedicated servant. We have lost a dear friend. We shall miss him.

OCEANOGRAPHY: THE QUEST FOR SECRETS OF THE SEA

Mr. HUMPHREY. Mr. President, I invite the attention of the Senate to three articles by Mr. Al Rossiter, Jr., published in the Minneapolis Tribune on July 16, 1972. Mr. Rossiter focuses upon the national unawareness of the values of the oceans. Following the economic principles of resource scarcity, it is becoming increasingly clear that the resources of the continents are, in fact, already hard pressed in meeting the world's burgeoning populations and expanding technologies.

In our oceans, however, lies a new frontier rich in untapped resources. In them are nurtured the potential harvest of marine protein which could help meet worldwide malnutrition, especially the permanent debilitation that is the fate of protein-deficient children. In our oceans lie vast and uncharted expanses of seabed oil, gas, and minerals that will be required to supplement continental sources for an energy- and ore-hungry world. Rich in history, our oceans for centuries have served as avenues of commerce as well as culture. And finally, in our oceans emerges the potent locale for international cooperation among all nations who share in the sea today but could also share in its benefits tomorrow.

Clearly, the time has come to further extend our efforts seaward. As Vice President, I was assigned the responsibility of presiding over the Marine Science Council as created by the Marine Resources and Engineering Development Act of 1966, to carry out a mandate for more comprehensive study of the utilization of the sea. In June 1971, the Marine Science Council's statutory limitation expired, but during its brief history it laid the groundwork for what has largely been assumed by the National Oceanic and Atmospheric Administration.

But more can and must be done in this field. It is now our duty to take deliberate steps to further assess the social and economic concerns of our people and to determine how the oceans, through modern science and technology, can contribute more to our welfare.

We have witnessed the dramatic extension of man's presence to the surface of the moon—an event which satisfied the inherent curiosity of people all around the world. We can do no less for the sea. And in gaining a greater comprehension of its potential, we must direct its utilization to practical benefits that will serve our Nation well, and serve all mankind.

I ask unanimous consent that Mr. Rossiter's articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

OCEANOGRAPHY: THE QUEST FOR SECRETS OF THE SEA

(NOTE.—Oceans cover most of the earth's surface, but what goes on in them is still more mystery than knowledge. Articles on this page examine the new science of oceanography, its past successes, its current state, its outlook for the future.)

(By Al Rossiter, Jr.)

Her majesty's ship Challenger, a converted British warship, sailed from Portsmouth, England, 100 years ago on man's first comprehensive attempt to explore the world under water.

Today there are hundreds of vessels of all descriptions and many nations plying the seas to add to the world's storehouse of information about the great blankets of water that cover more than two-thirds of the earth.

Oceanography, its roots reaching back to the Challenger's initial research cruise in 1872, is now a well established science.

Within the past five years it has come up with a dazzling new discovery—the principle of "continental drift." Oceanography, scientists say, has provided them with proof that the continents are slowly drifting and the sea floors are spreading with molten rock coming up from deep within the earth to form a new oceanic crust.

Dr. Robert M. White, director of the National Oceanic and Atmospheric Administration (NOAA), said verification of the continental drift theory "is one of the great scientific achievements of this century."

Much of the evidence on continental drift has come from the deep sea drilling ship, Glomar Challenger, namesake of the HMS Challenger.

More than 10 miles of ocean bottom cores, drilled in water depths up to 20,000 feet, are now stored for scientific examination in large humidified and refrigerated vaults at main research laboratories.

During its 23rd expedition this spring, the Glomar Challenger drilled to a depth of 4,264 feet below the floor of the Arabian sea—the deepest penetration ever made into the bottom of a deep sea.

Because of its successes and the unknowns remaining, the Glomar Challenger's drilling operations were extended this year for another three years, bringing the total cost for seven years of drilling operations to about $68 million. The project is managed by the Scripps Institution of Oceanography for the National Science Foundation (NSF).

As a result of the drilling project and other oceanographic studies, said Maurice Ewing, director of the Lamont Geological Observatory, "the science of geology has been completely revolutionized, and the benefits of this advance in understanding the evolution of the earth will be reaped for centuries to come."

Man has turned to sea for reasons more material than pure science, too. It is becoming increasingly clear that the resources of the continents will soon be hard pressed to meet the growing needs of burgeoning populations and expanding technologies. In the past decade glowing assessments have been made of the oceans as a new source of food, minerals and drugs.

For example, one resourceful American firm hopes to start mining the floor of the Pacific Ocean in 1976 using a massive vacuum cleaner to dredge up potato-sized lumps of metal which pave broad areas of the sea bottoms like cobblestones.

Deepsea Ventures, Inc., of Gloucester Point, Va., predicts it will be able to produce 260,000 tons of manganese, 12,600 tons of nickel, 10,000 tons of copper and 2,400 tons of cobalt from an annual harvest of 1 million tons of nodules.

If the enterprise is successful, it will mark a major breakthrough in man's quest for treasure from the sea.

On the other hand, many researchers believe the wealth of the sea often has been oversold.

"One cannot hold out the hope that the promises that have been made can indeed be fulfilled," said Dr. Robert A. Ragotzkie, director of the Marine Studies Center at the University of Wisconsin. "There are areas, however, where great benefits could be reaped if we were a little more realistic."

Offshore recovery of oil, gas and sulphur is the most dramatic example of the wealth in the land under the sea that has become available to man. Sixteen per cent of America's petroleum now comes from offshore wells, and coastal operations are being expanded around the world.

The continental shelves also produce large amounts of sand and gravel, particularly in England, along with coal in Japan, diamonds in South Africa and tin in Indonesia.

Salt, bromine and magnesium are successfully extracted from sea water and such operations in the United States compete favorably with land-based enterprises.

But despite these advances in the recovery of minerals, fisheries remain the largest economic harvest of the oceans.

Food from the sea has served man since the dawn of history and it has great promise for the future. But scientists agree it alone will not solve the problem of feeding the growing numbers of undernourished people around the world.

The U.S. Stratton Commission, convened in 1969 to study undersea potential, concluded that the overall calorie requirements of the human diet can be met from land farming for the foreseeable future. But the panel said ocean food is important to the world as a source of protein and edible oils.

These needs alone, the commission said, "are sufficiently large and urgent to compel a greatly accelerated effort" to expand harvesting of the sea's food resources.

The worldwide fish catch is rapidly increasing. The United Nations Food and Agricultural Organization (FAO), based in Rome, reported that the global catch in 1970 was 76.4 million tons—triple the catch in 1950. FAO predicted a catch of 107 million tons by 1985.

Nevertheless, America's fish production has changed relatively little during the past 20 years while Peru, Japan and the U.S.S.R.—the world leaders—have registered great gains.

In 1970, the most recent year for which figures are available, Peru accounted for 18.2 per cent of the world's fish production, followed by Japan with 13.4 per cent and the U.S.S.R. with 10.4 per cent. The United States with 3.9 percent followed China and Norway.

Fish farming—sometimes called aquaculture or mariculture—holds great promise in increasing fish production. Japan produced 600,000 tons of fish in 1970 from artificial ocean farms, mostly located in shallow waters. Fish farming also is under way in the United States with research being carried out by governmental and private laboratories around the Nation.

Sea life also is showing promise as a source of medicinal drugs—everything from antibiotics to anticancer agents.

For example, it has been found that stonefish secrete a poison that reduces blood pressure in animals. This, said Dr. John C. Baiardi of the New York Ocean Science Laboratory, might be used to reduce hypertension.

"The marine worm bonelia contains a water-soluble, growth-arresting hormone which may be useful in cancer therapy, while potent anti-tumor agents from clams, oysters and sea cucumbers are very promising," Baiardi said in an address at Long Island University.

Even barnacles have proved useful. The cement produced by the pesty crustaceans has been used as a strong, quick-hardening adhesive.

We no longer regard the resources of the sea as merely modest adjuncts to the resources of the land," said Dr. White, NOAA administrator.

Exploration of the sea has become a fertile new ground for expansion of technological knowhow. The United States, France, and the Soviet Union are actively pursuing deep diving programs. Even more nations have man-in-the-sea projects to explore the possibilities of man living and working in the sea.

"In terms of knowledge, the status of marine technology is excellent," said Dr. John P. Craven, dean of marine affairs at the University of Hawaii. "We know how to do many more things than we are supported by society to do."

One of the major problems, Craven said, is that the current image of ocean technology in the United States is futuristic with the sea seen as a place of fairy tale and fantasy.

"It envisions 21st century cities under the sea, it envisions a small and rare breed of aquanauts journeying with flooded lung and artificial gills to the deepest parts of the ocean, combating the white shark and riding the bottle-nosed dolphin. It envisions a few brave hydronauts making excursions in space-like vehicles to the deepest seabed in search of sunken treasure or lost civilizations."

Craven, also president of the Marine Technology Society, told fellow members at their last annual meeting that the ocean engineering community "has been partially guilty of fostering these myths."

Instead, he said, a more relevant approach should be taken. Marine technology should be pointed to areas where it can contribute to the solution of America's most pressing current problems.

The sea, for example, can help solve urban problems by housing power plants, air fields and refineries on low-cost ocean platforms, Craven said. He also suggested "floating communities" located anywhere near a harbor could offer a solution to many urban, transportation and recreational problems.

There is general agreement that the development of ocean technology will be slow and that it will not match the pace set by the advancement of space technology.

"The progress will not be as rapid nor the results as spectacular," said Ragotzkie at the University of Wisconsin. "However, the grass-roots support of this, of the ocean environment program, will grow as the benefits show up."

"If society makes progress, interest in the oceans will probably increase," Craven said. "If society doesn't, forget it."

POLLUTION POSES THREAT TO OCEANS

Pollution of the oceans is a growing concern around the globe.

French underwater pioneer Jacques Cousteau told an international conference on ocean pollution in Washington last October that the world's oceans will die within half a century if nothing is done to eliminate pollution.

Another famed underwater explorer, Jacques Piccard, said in Rome a year ago that all life on earth may suffocate if man keeps dumping poisonous waste into the seas.

Anthropologist Thor Heyerdahl reported at a conference in Malta last July that while crossing the Atlantic in a papyrus boat he found the sea too dirty to brush his teeth: "We could not dip our toothbrushes into the water in mid-Atlantic."

M. T. Lasarav, chief of the international sea law section of the Soviet Institute of the State and Law, told the same meeting that a Russian woman, Prof. Troitska, was once stranded on the bottom of the Mediterranean Sea in a French bathyscape for eight hours by technical problems. When she finally surfaced, she was asked for her impression of the 7,500-foot dive.

"Everybody thought that she would talk about the danger she had just experienced," Lasarav said. Her reply: "The most impressive experience I had was viewing the garbage on the seabed of the Mediterranean."

Some scientists, however, think that the pollution problem has been overstressed. Dr. John P. Craven, dean of marine affairs at the University of Hawaii, said that American development of the oceans has been hindered by a "fear of destroying the ocean environment."

"We must overcome the national feeling that the ocean is frail and easily polluted," he said.

Actually, the sea has been a much more successful environment for the life forms than land. Some primitive sea creatures have persisted for millions of years while their land counterparts have long been extinct.

U.S.S.R. CHALLENGES U.S. LEAD IN TECHNOLOGY

(By Al Rossiter, Jr.)

How does the United States compare with other nations in ocean research?

"Until recently," according to Dr. Richard A. Geyer, director of Texas A&M's Department of Oceanography, "it could be said safely that this nation's marine capability was outstanding. . . . However, at this moment it is barely equal, if that, to the capabilities of the U.S.S.R."

Since 1958, the Soviet Union has steadily increased its oceanographic program to the point where it today outstrips British, French and Japanese research. It comes close to matching and sometimes surpasses American oceanography, many scientists believe.

Dr. Gunter Giermann, deputy secretary of the Intergovernmental Oceanographic Commission headquartered in Paris, said he believes the United States is still the leading nation in ocean research, followed by Russia and then Japan.

America's oceanographic effort for years has been kept alive by the U.S. Navy, which got into marine research after World War II. The Navy still spends more money on ocean science and technology than any other government agency. In fact, it provides the majority of funding for such marine research centers as Scripps Institution of Oceanography at La Jolla, Calif.; the Woods Hole Oceanography Institution, Woods Hole, Mass., and the Lamont Geological Observatory, Palisades, N.Y.

In the last 11 years, dozens of other marine science institutions and laboratories have come into being in the United States. The number of academic institutions active in oceanography increased from less than 20 in 1960 to more than 135 in 1971.

With the Navy playing a major role, much of the U.S. research effort has military overtones. The Soviet Union, too, seems to have geared its ocean research for short-term results, with emphasis on the military importance of the sea and its potential as a source of food and minerals.

The Russians now operate an estimated 200 research vessels and Soviet oceanographers have the assistance of the state-owned merchant marine and fishing fleet. The research fleet reached size parity with the American oceanographic fleet in 1964 and today in tonnage terms is about 50 per cent bigger.

There are now more than 2,000 qualified ocean scientists in the Soviet Union and Western sources say the Russians are training five times as many students in marine subjects as are the Americans.

In the United States, the scientific community has been inundated in the past 10 years with reports and studies on ocean sciences and their importance to today's world. The sequence ended with a four-volume report by the government's Commission on Marine Sciences, Engineering and Resources in 1969. The panel concluded that the nation's use of the sea in the decades ahead will affect profoundly its security, economy and influence.

"The nation's stake in the uses of the sea is synonymous with the promise and threat of tomorrow," the commission said. It called for a strong national effort to fulfill the promises and forestall the threats.

One result of the commission's work was the creation in 1970 of the National Oceanic and Atmospheric Administration (NOAA). But as set up by President Nixon, NOAA is not the independent agency recommended by the commission. Instead it operates under the Commerce Department.

Dr. H. Crane Miller, marine counsel to the Senate Commerce Committee, said the federal role in national oceanographic programs is dead unless ocean interests develop some political clout. "Unless we start focusing our attention to the development of a strong, popular constituency, were lost, we're dead," Miller said.

The problem, Dr. John P. Craven of the University of Hawaii said, is that there is a "national non-awareness of the value of the oceans. Therefore, there is no coalescence of political pressure and without this there is no action."

The United States spent about $500 million on ocean research and technology in 1969, 1970 and 1971 with about half of that going to the Defense Department. President Nixon raised the budget to $609 million for fiscal 1972 which ended last month and asked Congress to appropriate $647 million to be spent by 11 agencies in the new fiscal year.

The budget includes ocean science expenditures totaling $234 million for the Defense Department, $193 million for NOAA, and $69 million for the National Science Foundation, which is responsible for basic marine research.

NOAA's budget request for ocean work represents a 21 percent increase over the last fiscal year. That, Robert M. White, NOAA administrator said, "is the best evidence of the administration's intent with respect to the oceans."

"I think the interest in the general public is very extensive," White said, "I think there's no question that we will see a continually growing national effort . . . in activities in the marine environment."

FURTHER STUDY OF OVERTIME PAY REQUIRED

Mr. JAVITS. Mr. President, last week the Senate passed S. 1861, the minimum wage bill. As all Senators are aware, the bill is extremely important. In my opinion it is legislation which is vitally needed to enable low income workers to keep pace with inflation and provide themselves and their families with the vital necessities of life.

Because of the critical importance of raising the minimum wage now, the Committee on Labor and Public Welfare was not able to concentrate right now on the general issue of overtime. S. 1861 does narrow a number of the existing overtime exemptions, but it does not deal with overtime problems in a general way. I, myself, have devoted some time to studying this problem. Earlier this year I raised the question of providing for the payment of double time for overtime which was in fact regularly scheduled and therefore regular time. I did not press the matter in the committee or on the floor because other issues on the minimum wage precluded adequate consideration of this one but I believe that the time has come for us to take a broader look at the whole overtime question.

For example, is it the purpose of overtime to spread available work opportunities, or is it simply a matter of providing equitable compensation for long hours of work? Is legislation necessary to encourage further experimentation with the workday and the workweek, as we are now seeing with the 4-day week, 10 hours per day?

To the extent that overtime is a spread-work device, how well has it worked and how can it be made to work more effectively? That would include, in addition to the possibility of requiring a heavier penalty for excessive overtime, the question of whether groups now exempt from the overtime requirements of the law should be brought under them. These groups include employees in specific industries, and in addition all professional employees, who are now exempt. Thus, we presently see the spectacle of engineers and scientists working overtime in the aerospace industry while thousands of their counterparts have been laid off.

In that connection, I have just recently received petitions signed by over 500 members of the Professional, Technical, and Salaried Division of the International Union of Electrical, Radio, and Machine Workers urging that the exemption for professional employees from the overtime requirements of the Fair Labor Standards Act be repealed.

Mr. President, I do not know how many additional full-time jobs we could create by actually reducing the amount of really unneeded overtime work in American industry. But I have seen enough evidence to indicate that there is a possibility of creating several hundred thousand new jobs if we could just spread the work that is available a little more equitably than it is now being spread.

I make these remarks today to indicate for the RECORD that in my view with the passage of S. 1861 further consideration of changes in the overtime requirements of the FLSA are not a dead issue until the need arises to raise the minimum wage again. There is a great need to go into the overtime problem in more depth and I shall ask the Committee on Labor and Public Welfare, in the near future, to turn its attention to this problem. I certainly intend to continue my own work in this area with a view toward introducing appropriate legislation at the beginning of the next session.

TOWARD A MORE RATIONAL DELIVERY SYSTEM FOR FEDERAL GRANTS-IN-AID: THE STANDARDIZATION OF REQUIREMENTS

Mr. ROTH. Mr. President, it has become evident over the last few years that the delivery system of Federal domestic grants-in-aid operates in a less than effective manner. I have been concerned with the operation of this system, particularly as it affects State and local government. In the past, to provide sufficient information on Federal programs to potential applicants, I introduced the Program Information Act, which calls upon the Office of Management and Budget to regularly publish and update a listing of all Federal domestic assistance programs. To insure more rational decisionmaking in choosing among alternative programs, I became interested in the evaluation practices of the executive agencies and in the information available to the Congress on program results. This interest has led me recently to issue the results of a survey conducted by my staff on the evaluation practices of 12 executive departments and 29 independent agencies.

A major aspect of the delivery system to which I have given much attention, one which clearly contributes to the ineffectiveness characteristic of this system, is the complexity and inflexibility of the requirements imposed by the Federal Government on grant applicants. What has most concerned me is that we in Congress have continued to proliferate categorical programs without concerning ourselves sufficiently with their utility to intended recipients. Even a cursory study of the various guidelines, regulations, and application procedures reveals that this utility is greatly diminished by the needless expense, time, and effort required simply to apply for a single grant.

Mr. President, this point has been made painfully clear to me by the experience of a small town in Delaware seeking aid to develop adequate housing for its residents. Upon finding that some of the residents of the town of Laurel were living in inadequate housing facilities, a Department of Housing and Urban Development field team determined that Laurel was eligible for Federal assistance under an urban renewal program. The town subsequently prepared an application for this program, at which time they were told by the Department that funds were not available and were advised to reapply under a different program also administered by HUD. Mr. President, not only was the effort and expense used to prepare the earlier application wasted, but the preparation of the new application eventually cost the town an additional $30,000.

I consider the situation I have just described unacceptable, a gross distortion of our federal system. It is a clear example of the irrationality of bureaucratic redtape. Certainly it is not a rational system where, to solve the same problem, a small town must put forth great effort and expense to prepare two different applications, both of which went to the same agency. And the actual application for a grant is but one step in a process that is inordinately complicated. Simply to discover a program suitably designed to solve a particular problem involves research of such a specialized nature that many smaller counties are actually forced to hire a full-time expert. Compounding the problem is the delay between initial application and final decision, caused primarily by the specificity of the application requirements and by the procedure of multiple review. The most regrettable aspect of these delays, which in the case of Laurel has been almost 2 years, is that the time spent processing could be far better spent actually solving the problem.

I have stated that I find this situation deplorable. The President has demonstrated that he shares my dissatisfaction. In March of 1969, he initiated the Federal assistance review and charged it with the task of decentralizing and simplifying the machinery of Federal aid. Constructive directions in which the OMB has moved under FAR guidance include: The decentralization of grant administration; the establishment of common regional boundaries for agencies offering grants; the development of regional councils for the coordination of application procedures; the improvement of program information; and pilot projects in joint funding.

These are significant steps in the effort to achieve a more effective delivery system. A short while ago, I learned that substantial progress has also been made in achieving greater consistency in Federal requirements. As a first step, the OMB collected information concerning current practices for all Federal grant programs. Distinguishing between administrative requirements and program or even project-specific technical requirements, the OMB was able to classify all administrative requirements into 14 basic areas. Regulations in many of these areas were then standardized governmentwide and are now promulgated in OMB Circular A–102. Mr. President. I ask unanimous consent that Circular A–102 be included in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **ROTH**. Mr. President, it is apparent upon studying a before and after chart of the areas in which the OMB has moved that they undertook a huge task and have accomplished a great deal. For example, with regard to regulations affecting matching shares, before standardization, of the 159 representative programs studied, 115 required cost matching. Of these 115, to determine the non-Federal share, 82 programs based this amount on a percentage of total costs, 24 on a percentage of some part of total costs, five on a fixed amount per grant and eight other programs based the amount on various other criteria such as level of effort. Adding to the complexity, agencies distinguished among types of matching. Of the 115 programs with matching provisions, 34 required cash contributions only, 42 required cash and inkind contributions, while 36 programs did not specifically define the type of contribution. Among the 42 programs allowing for inkind contributions, there were varying rules governing such things as methods for valuation of the contribution.

Complaints from State and local agencies about the unnecessary variance in Federal grant regulations seem to be wholly reasonable. This is especially true in light of the fact that in the first sustained effort at reform, the OMB has been able to create from this mish-mash of duplicative, unnecessary and confusing matching requirements one set of uniform guidelines for all grant programs. Similiar results were obtained in other areas, including: cash depository regulations; bonding and insurance requirements; record custody and retention requirements; waiver of "single" State agency requirements; program income regulations; expenditure reporting guidelines; and application forms.

These results do represent substantial progress in simplifying unreasonably difficult procedures. I am not, however, convinced that there is nothing more that can be done. Though there are now, as a result of the FAR project's accomplishments, only two different application forms, it will still be necessary for a prospective grantee to reapply for each separate project. Understandably, different programs require different information from the applicant; nevertheless, it is wasteful to require an applicant to prepare a completely new application for each program. A more practical approach would be to establish a central data bank in the executive branch, to store basic information on each State, town or institution that applies for Federal assistance. The data bank could then be used to furnish this basic information each time the grantee is required to prepare a new application.

Another area in which constructive reform could be initiated is that which the OMB termed technical, program requirements. With administrative procedures standardized for the most part, it will now be possible to get a clearer picture of the extent to which program-specific requirements vary needlessly. The experience that the OMB has obtained in securing executivewide cooperation can now be usefully employed to standardize this more difficult set of requirements. Of course, it is not yet clear what degree of success can be expected from efforts to simplify requirements generated by specific program needs. But it is obvious that these requirements contribute a great deal to the confusion and frustration many State planners feel. It is equally clear that there is much duplication and unnecessary variety here. It has been indicated to members of my staff that no commitment has been made to standardize program requirements. Mr. President, a commitment to restore the proper balance of federalism by decentralizing and simplifying the redtape in Federal assistance programs certainly seems to call for an all-out effort to eliminate irrationality from the machinery of domestic assistance. Anything less would be only a partial answer to the problem.

This is a roughly sketched picture of the situation which confronts the State and local governments when they try to secure Federal aid in solving their problems. I have been interested in efforts to make the delivery system for this aid more responsive to local needs since my first days in Congress and thus commend the Federal assistance review and the Office of Management and Budget for their progress along this line. Much has been done. Much still remains to be done, including reforms that Congress must initiate. It is my hope that we can continue to act creatively and energetically to make our grant system a more effective part of a vital and balanced federal system.

EXHIBIT 1

[Circular No. A–102, Transmittal Memorandum No. 1]

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., January 25, 1972.

To the heads of executive departments and establishments.

Subject: Uniform administrative requirements for grant-in-aid to State and local governments.

This Transmittal Memorandum No. 1 promulgates Attachments E and F of Circular No. A–102. They extend simplification and standardization of administrative requirements to additional areas in keeping with the objectives of the Federal Assistance Review Program to streamline the administration of grants to State and local governments.

GEORGE P. SHULTZ,
Director.

[Circular No. A–102]

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., January 25, 1972.

To the heads of executive departments and establishments.

Subject: Uniform administrative requirements for grants-in-aid to State and lcoal governments.

1. *Purpose*. This Circular promulgates Attachments A, B, C, and D containing standards for establishing consistency and uniformity among Federal agencies in the administration of grants to State and local governments. Also included in the Circular are standards to insure the consistent implementation of sections 202, 203, and 204 of the Intergovernmental Cooperation Act of 1968 (82 Stat. 1101).

2. *Rescission*. This Circular rescinds and supersedes Office of Management and Budget Circular A–96 dated August 29, 1969.

3. *Background*. By a memorandum of March 27, 1969, to the Office of Management and Budget and to ten Federal agencies engaged in domestic grant-in-aid programs, the President ordered a three-year effort to simplify, standardize, decentralize and otherwise modernize the Federal grant machinery. The standards included in the attachments to this Circular will replace the multitude of varying and oftentimes conflicting requirements in the same subject matter which have been burdensome to the State and local governments. (Additional attachments will be issued as standardization in other areas is developed.) Inherent in this standardizaton process is the concept of placing greater reliance on State and local governments. In addition, the Intergovernmental Cooperation

Act of 1968 was passed, in part, for the purposes of: (a) achieving the fullest cooperation and coordination of activities among levels of Government; (b) improving the administration of grants-in-aid to the States; and (c) establishing coordinated intergovernmental policy and administration of Federal assistance programs. This Act provided certain basic policies pertaining to administrative requirements to be imposed upon the States as a condition to receiving Federal grants. The implementing instructions of these policies were initially issued in Circular A-96. These instructions are modified herein in the interest of achieving further consistency in implementing that Act.

4. *Applicable provisions of the Intergovernmental Cooperation Act of 1968.* Federal agencies shall continue to follow the provisions of the Act, quoted below:

"DEPOSITS OF GRANTS-IN-AID

"Sec. 202. No grant-in-aid to a State shall be required by Federal law or administrative regulation to be deposited in a separate bank account apart from other funds administered by the State. All Federal grant-in-aid funds made available to the States shall be properly accounted for as Federal funds in the accounts of the State. In each case the State agency concerned shall render regular authenticated reports to the appropriate Federal agency covering the status and the application of the funds, the liabilities and obligations on hand, and such other facts as may be required by said Federal agency. The head of the Federal agency and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to the grant-in-aid received by the States.

"SCHEDULING OF FEDERAL TRANSFERS TO THE STATES

"Sec. 203. Heads of Federal departments and agencies responsible for administering grant-in-aid programs shall schedule the transfer of grant-in-aid funds consistent with program purposes and applicable Treasury regulations, so as to minimize the time elapsing between the transfer of such funds from the United States Treasury and the disbursement thereof by a State, whether such disbursement occurs prior to or subsequent to such transfer of funds, or subsequent to such transfer of funds. [Sic] States shall not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes."

"ELIGIBLE STATE AGENCY

"Sec. 204. Notwithstanding any other Federal law which provides that a single State agency or multimember board or commission must be established or designated to administer or supervise the administration of any grant-in-aid program, the head of any Federal department or agency administering such program may, upon request of the Governor or other appropriate executive or legislative authority of the State responsible for determining or revising the organizational structure of State government, waive the single State agency or multimember board or commission provision upon adequate showing that such provision prevents the establishment of the most effective and efficient organizational arrangements within the State government and approve other State administrative structure or arrangements: *Provided,* That the head of the Federal department or agency determines that the objectives of the Federal statute authorizing the grant-in-aid program will not be endangered by the use of such other State structure or arrangements."

Some of the above provisions require implementing instructions and they are provided in several of the attachments to this Circular which deal with the specific subject matter.

5. *Definitions.* For the purpose of this Circular:

a. The term "grant" or "grant-in-aid" means money, or property provided in lieu of money, paid or furnished by the Federal Government to a State or local government under programs that provide financial assistance through grant or contractual arrangements. It does not include technical assistance programs or other assistance in the form of revenue sharing, loans, loan guarantees, or insurance.

b. The term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State exclusive of State institutions of higher education and hospitals.

c. The term "local government" means a local unit of government including specifically a county, municipality, city, town, township, local public authority, special district, intrastate district, council of governments, sponsor group representative organization, and other regional or interstate government entity, or any agency or instrumentality of a local government exclusive of institutions of higher education, hospitals, and school districts.

6. *Coverage.* The standards promulgated by this Circular are applicable to all Federal agencies responsible for administering programs that involve grants to State and local governments. However, agencies are encouraged to apply the standards to loan and loan guarantee programs to the extent practicable.

7. *Other statutory provisions.* Where the enabling legislation for a specific grant program prescribes policies or requirements that differ from the standards provided herein, the provisions of the enabling legislation shall govern.

8. *Requests for exceptions.* The Office of Management and Budget may grant exceptions from the requirements of this Circular when permissible under existing laws. However, in the interest of keeping uniformity to the maximum extent, deviations from the requirements of this Circular will be permitted only in exceptional cases. The head of each Federal agency responsible for administering programs that involve grants to State and local governments will designate an official to serve as the agency representative on matters relating to the implementation of this Circular. The name of the agency representative should be sent to the Office of Management and Budget within thirty days after the receipt of this Circular.

9. *Effective date.* The standards in the attachments to this Circular will be applied as soon as practicable but not later than July 1, 1972.

GEORGE P. SHULTZ,
Director.

[Attachment A, Circular No. A-102]

UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS-IN-AID TO STATE AND LOCAL GOVERNMENTS

CASH DEPOSITORIES

1. Except for situations described in 2., 3., and 4., below, no grant program shall:

a. Require physical segregation of cash depositories for Federal grant funds which are provided to a State or local government.

b. Establish any eligibility requirements for cash depositories, in which Federal grant funds are deposited by State or local governments.

2. A separate bank account may be used when payments under letter of credit are made on a "checks-paid" basis in accordance with agreements entered into by a grantee, the Federal Government, and the banking institutions involved.

3. Any moneys advanced to the State or local governments which are determined to be "public moneys" (owned by the Federal Government) must be deposited in a bank with FDIC insurance coverage and the balances exceeding the FDIC coverage must be collaterally secure, as provided for in 12 U.S.C. 265.

4. Consistent with the national goal of expanding the opportunities for minority business enterprises, State and local governments shall be encouraged to use minority banks.

[Attachment B, Circular No. A-102]

BONDING AND INSURANCE

1. Except for situations described in 2. and 3., below, Federal grantor agencies shall not impose bonding and insurance requirements, including fidelity bonds, over and above those normally required by the State or local units of government.

2. A State or local unit of government receiving a grant from the Federal Government which requires contracting for construction or facility improvement shall follow its own requirements relating to bid guarantees, performance bonds, and payment bonds except for contracts exceeding $100,000. For contracts exceeding $100,000, the minimum requirements shall be as follows:

a. *A bid guarantee from each bidder equivalent to five percent of the bid price.* The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

b. *A performance bond on the part of the contractor for 100 percent of the contract price.* A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

c. *A payment bond on the part of the contractor for 100 percent of the contract price.* A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

3. Where the Federal Government guarantees the payment of money borrowed by the grantee, the Federal grantor agency may, at its discretion, require adequate bonding and insurance if the bonding and insurance requirements of a State or local government are not deemed to be sufficient to protect adequately the interest of the Federal Government.

[Attachment C, Circular No. A-102]

RETENTION AND CUSTODIAL REQUIREMENTS FOR RECORDS

1. Federal grantor agencies shall not impose record retention requirements over and above those established by the State or local governments receiving Federal grants except that financial records, supporting documents, statistical records, and all other records pertinent to a grant program shall be retained for a period of three years, with the following qualifications:

a. The records shall be retained beyond the three-year period if audit findings have not been resolved.

b. Records for nonexpendable property which was acquired with Federal grant funds shall be retained for three years after its final disposition.

c. When grant records are transferred to or maintained by the Federal grantor agency, the three-year retention requirement is not applicable to the grantee.

2. The retention period starts from the date of the submission of the final expenditure report or, for grants which are renewed annually, from the date of the submission of the annual expenditure report.

3. State and local governments should be authorized, by the Federal grantor agency, if

they so desire, to substitute microfilm copies in lieu of original records.

4. The Federal grantor agency shall request transfer of certain records to its custody from State and local governments when it determines that the records possess long-term retention value. However, in order to avoid duplicate recordkeeping a Federal grantor agency may make arrangements with State and local governments to retain any records which are continuously needed for joint use.

5. The head of the Federal grantor agency and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the State and local governments and their subgrantees which are pertinent to a specific grant program for the purpose of making audit, examination, excerpts and transcripts.

6. Unless otherwise required by law, no Federal grantor agency will place restrictions on State and local governments which will limit public access to the State and local governments' records except when records must remain confidential for the following reasons:

a. Prevent a clearly unwarranted invasion of personal privacy.

b. Specifically required by Executive order or statute to be kept secret.

c. Commercial or financial information obtained from a person or a firm on a privileged or confidential basis.

d. Any other information which can be exploited for the purpose of personal gains.

[Attachment D, Circular No. A–102]

WAIVER OF "SINGLE" STATE AGENCY REQUIREMENTS

1. Requests to Federal grantor agencies from the Governors, or other duly constituted State authorities, for waiver of the "single" State agency requirements in accordance with section 204 of the Intergovernmental Cooperation Act of 1968 should be given expeditious handling and, whenever possible, an affirmative response should be made to such requests.

2. When it is necessary to refuse a request for waiver of the "single" State agency requirements under section 204, the Federal grantor agency handling such request will so advise the Office of Management and Budget prior to informing the State that the request cannot be granted. Such advice should indicate the reasons for the denial of the request.

3. Future legislative proposals embracing grant-in-aid programs should avoid inclusion of proposals for "single" State agencies in the absence of compelling reasons to do otherwise. In addition, existing "single" State agency requirements in present grant-in-aid programs should be reviewed and legislative proposals should be developed for the removal of these restrictive provisions.

[Attachment E, Circular No. A–102]

PROGRAM INCOME

1. Federal grant or agencies shall apply the standards set forth in this Attachment in requiring State and local government grantees to account for program income related to projects financed in whole or in part with Federal grant funds. For the purpose of this Attachment, program income means gross income earned by the grant-supported activities.

2. In accordance with Section 203 of the Intergovernmental Cooperation Act of 1968 (Public Law 90–577), the States and any agency or instrumentality of a State shall not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes.

3. Units of local government shall be required to return to the Federal Government interest earned on advances of grant-in-aid funds in accordance with a decision of the Comptroller General of the United States (42 Comp. Gen. 289).

4. Proceeds from the sale of real and personal property, either provided by the Federal Government or purchased in whole or in part with Federal funds, shall be handled in accordance with the Attachment to this Circular pertaining to Property Management, to be issued at a later date.

5. Royalties received from copyrights and patents during the grant period shall be retained by the grantee and, in accordance with the grant agreement, be either added to the funds already committed to the program or deducted from total project costs for the purpose of determining the net costs on which the Federal share of costs will be based. After termination or completion of the grant, the Federal share of royalties in excess of $200 received annually shall be returned to the Federal grantor agency in the absence of other specific agreements between the grantor agency and the grantee. The Federal share of royalties shall be computed on the same ratio basis as the Federal share of the total project cost.

6. All other program income earned during the grant period shall be retained by the grantee and, in accordance with the grant agreement, shall be:

a. Added to funds committed to the project by the grantor and grantee and be used to further eligible program objectives, or

b. Deducted from the total project costs for the purpose of determining the net costs on which the Federal share of costs will be based.

7. Federal grantor agencies shall require the grantees to record the receipt and expenditure of revenues (such as taxes, special assessments, levies, fines, etc.) as a part of grant project transactions when such revenues are specifically earmarked for a grant project in accordance with grant agreements.

a. *Valuation of volunteer services.* Volunteer services may be furnished by professional and technical personnel, consultants, and other skilled and unskilled labor. Each hour of volunteered service may be counted as matching share if the service is an integral and necessary part of an approved program.

(1) *Rates for volunteer services.* Rates for volunteers should be consistent with those regular rates paid for similar work in other activities of the State or local government. In cases where the kinds of skills required for the federally-assisted activities are not found in the other activities of the grantee, rates used should be consistent with those paid for similar work in the labor market in which the grantee competes for the kind of services involved.

(2) *Volunteers employed by other organizations.* When an employer other than the grantee furnishes the services of an employee, these services shall be valued at the employee's regular rate of pay (exclusive of fringe benefits and overhead cost) provided these services are in the same skill for which the employee in normally paid.

b. *Valuation of materials.* Contributed materials include office supplies, maintenance supplies or workshop and classroom supplies. Prices assessed to donated materials included in the matching share should be reasonable and should not exceed the cost of the materials to the donor or current market prices, whichever is less, at the time they are charged to the project.

c. *Valuation of donated equipment, buildings and land or use of space.*

(1) The method used for charging matching share for donated equipment, buildings, and land may differ depending upon the purpose of the grant as follows:

(a) If the purpose of the grant is to furnish equipment, buildings, or land to the grantee or otherwise provide a facility, the total value of the donated property may be claimed as a matching share.

(b) If the purpose of the grant is to support activities that require the use of equipment, buildings or land on a temporary or part-time basis, depreciation or use charges for equipment and buildings may be made; and fair rental charges for land may be made provided that the grantor agency has approved the charges.

(1) The value of donated property will be determined as follows:

(a) *Equipment and buildings.* The value of donated equipment or buildings should be based on the donor's cost less depreciation or the current market prices of similar property, whichever is less.

(b) *Land or use of space.* The value of donated land or its usage charge should be established by an independent appraiser (i.e., private realty firm or GSA representatives) and certified by the responsible official of the grantee.

d. *Valuation of other charges.* Other necessary charges incurred specifically for and in direct benefit to the grant program in behalf of the grantee may be accepted as matching share provided that they are adequately supported and permissible under the law. Such charges must be reasonable and properly justifiable.

5. The following requirements pertain to the grantee's supporting records for in-kind contribution from private organizations and individuals:

a. The number of hours of volunteer services must be supported by the same methods used by the grantee for its employees.

b. The basis for determining the charges for personal services, materials, equipment, buildings, and land must be documented.

[Attachment F, Circular No. A–102]

MATCHING SHARE

1. This Attachment sets forth criteria and procedures for the allowability and evaluation of cash and in-kind contributions made by State and local governments in satisfying matching share requirements of Federal grants.

2. The following definitions apply for the purpose of this Attachment:

a. *Project costs.* Project costs are all necessary charges made by a grantee in accomplishing the objectives of a grant during the grant period. For matching share purposes, project costs are limited to the allowable types of costs as set forth in Office of Management and Budget Circular No. A–87.

b. *Matching share.* In general, matching share represents that portion of project costs not borne by the Federal Government. Usually, a minimum percentage for matching share is prescribed by program legislation, and matching share requirements are included in the grant agreements.

c. *Cash contributions.* Cash contributions represent the grantee's cash outlay, including the outlay of money contributed to the grantee by other public agencies and institutions, and private organizations and individuals. When authorized by Federal legislation, Federal funds received from other grants may be considered as grantee's cash contributions.

d. *In-kind contributions.* In-kind contributions represent the value of noncash contributions provided by (1) the grantee, (2) other public agencies and institutions, and (3) private organizations and individuals. In-kind contributions may consist of charges for real property and equipment, and value of goods and services directly benefiting and specifically identifiable to the grant program. When authorized by Federal legislation, property purchased with Federal funds may be considered as grantee's in-kind contributions.

3. General guidelines for computing matching share are as follows:

a. Matching share may consist of:

(1) Charges incurred by the grantee as project costs. Not all charges require cash

outlays during the grant period by the grantee; examples are depreciation and use charges for buildings and equipment.

(2) Project costs financed with cash contributed or donated to the grantee by other public agencies and institutions, and private organizations and individuals.

(3) Project costs represented by services and real or personal property, or use thereof, donated by other public agencies and institutions, and private organizations and individuals.

b. All in-kind contributions shall be accepted as part of the grantee's matching share when such contributions meet the following criteria:

(1) Are identifiable from the grantee's records;

(2) Are not included as contributions for any other federally-assisted program;

(3) Are necessary and reasonable for proper and efficient accomplishment of project objectives; and

(4) Conform to other provisions of this Attachment.

4. Specific procedures for the grantees in placing the value on in-kind contributions from private organizations and individuals are set forth below:

NATIONAL COUNCIL ON CRIME AND DELINQUENCY URGES CRIMINAL JUSTICE REFORM

Mr. HUMPHREY. Mr. President, I invite attention to three policy statements just released by the National Council on Crime and Delinquency calling for reform in the Nation's corrections systems. The council, headed by prominent leaders such as Milton Rector, executive director of NCCD; criminologist-psychiatrist Karl Menninger; New York Police Commissioner Patrick V. Murphy; and Duke University President Terry Sanford, urges national and State legislators and administrators, civic organizations, and the general public to demand the immediate implementation of the three following proposals:

Minimum standards and wages for the Nation's prison industries;

A halt in construction of new penal institutions until community alternatives are fully achieved; and

The replacement of the Federal Bureau of Prisons with a Federal corrections agency to supervise and assist State and local systems.

These proposals are important and needed ideas concerning reform of our criminal justice system. As the sponsor of S. 3612, to establish a National Institute of Justice, I again urge my colleagues to recognize the immediacy of this issue and join in support of this legislation to promote comprehensive review, research, and reform our entire justice system. I ask unanimous consent that excerpts from the NCCD news release be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

THE FEDERAL BUREAU OF PRISONS

The original concept of the federal government's relationship to state governments severely limited the role of criminal law in the federal system. Thus, throughout most of our history, federal crimes dealt only with protection of borders, the currency, and similar matters that affected the interest of the nation as a whole. In contrast, all other common law crimes were the concern of the states.

In 1895, Congress transferred the military prison at Fort Leavenworth, Kans., from the War Department to the Department of Justice; the first new federal penitentiary, at Atlanta, Ga., was opened in 1902. Since federal prisoners were then being "boarded out" in state and local institutions, this new penitentiary was not a necessity. Nevertheless, in the next forty years, fourteen new federal penal institutions were built. At the same time, the federal government expanded its criminal code, enacting many provisions that duplicated state laws—laws which governed, for example, prostitution, auto theft, and juvenile delinquency, all of which could have safely been left to the states—and, in 1930, it established the Bureau of Prisons, to manage a system that had grown larger than that of any state.

To summarize this unfortunate development: first the federal government built unneeded institutions, then it enacted duplicative laws that produced inmates to fill these institutions, and finally it created an agency to administer this unnecessary system, which now is a complex of about forty penitentiaries, correctional institutions, reformatories, institutions for juvenile and youthful offenders, prison camps, and detention, medical and treatment centers.

Since the federal system consists only of institutions and does not deal with noninstitutional community treatment, it has no prospect of serving as a fully developed correctional model for the states. As innovative and forward looking as the Bureau's program has been, its institutions do not have a better record in rehabilitation than the states'; in addition, the federal system usually requires that the offender be transported great distances from his residence for presentence diagnosis or correctional confinement. The Bureau's proposed "community centers" cannot, of course, be established in every community; each one must necessarily serve a large region. The federal institution system can only duplicate the states' systems, and its very existence impedes a state's trend toward community correction.

For these reasons, the National Council on Crime and Delinquency urges the disestablishment of the Federal Bureau of Prisons and its replacement by a Federal Correction Agency whose functions would be to provide technical assistance, program guidelines, and research designs to state and local governments. LEAA funds should be used to upgrade state and local probation systems for the rehabilitation of all offenders—federal as well as state—in the local communities. Pre-trial detention centers should be operated by each state—for federal as well as state law violators. NCCD opposes the Federal Bureau of Prisons' plan to construct a large number of detention and correctional institutions at a cost of several hundred million dollars in the next decade. The funds should be allocated to the states to help them develop the maximum use of community correction.

INSTITUTIONAL CONSTRUCTION

No new detention or penal institution should be built before alternatives to incarceration are fully achieved. Specifically, the National Council on Crime and Delinquency calls for a halt on the construction of all prisons, jails, juvenile training schools, and detention homes until the maximum funding, staffing, and utilization of noninstitutional correction have been attained.

What is the justification for this position in view of the present condition of these institutions?

There is scarcely a large city in the country that does not suffer from crowded jails and detention facilities. In some jails, two or more persons are caged in cells designed for only one. The buildings are often dirty, cramped, and suffocating. Their age (some are more than two hundred years old) defies adequate refurbishment and modernization. The results of overcrowding under such conditions are evidenced by high tension, conflicts, and, sometimes, riots and death.

The large state and federal prisons and training schools are often overcrowded, though not so severely as the city jails and detention homes. But many of these facilities are among the most dismal custodial buildings in the country. Typically, they are in the remote areas of the state, far from the inmates' families, far from universities with their behavior specialists and education programs, far from industry with its opportunities for training and work-release, far from medical centers with competence in therapy and research.

Our incarceration and detention institutions have frequently been characterized as sordid and destructive. Rather than rehabilitate, they dehumanize and criminalize. Prison protests have been rising. Inmates have rebelled; some, to protest their brutalizing prison experience, have even crippled themselves by cutting their Achilles tendons.

Do we not, therefore, need new institutions? Since projected construction of prisons, jails and juvenile facilities totals nearly two billion dollars, many state and local governments apparently believe we need them. Why, then, does NCCD believe we do not need them?

Correctional officials repeatedly say that their prisons contain many men who should not be there. The American Correctional Association estimates that less than 15 per cent of the men in prisons need maximum security. The President's Crime Commission urged that "only the very dangerous should be held in prison." It would be unwise, therefore, to plan new construction based on present practices. Until all forms of community-based correction are used to the optimum, the size, location, or type of facility required for the few remaining offenders who require institutional commitment cannot be accurately planned.

The compelling reason for turning aside from prison to community treatment is summed up by the director of the President's Crime Commission: "If we take a person whose criminal conduct shows he cannot manage his life, lock him up with others like himself, increase his frustrations and anger, and take away from him any responsibility for planning his life, he is almost certain to be more dangerous when he gets out than when he went in."

To allocate funds for institutions before making the greatest possible use of community correction will increase rather than decrease institution populations; it will absorb manpower and money that would be better used for community correction. Instead of wasting massive sums on a system that has not worked in the past and is not likely to work in the future, we should first allocate funds for expanded community treatment.

Through an investment in probation, California has reduced its state prison population from 28,000 to 21,000 in three years.

In Saginaw, Mich., NCCD conducted a three-year project which demonstrated that 80 per cent of felony offenders can be placed on probation without danger to the community. Their recidivism rate was lower than for those who went through prison. And in just eighty-eight cases, the citizens of Michigan saved over $400,000.

In New Mexico, where 1,500 men and women were jammed into cells designed to hold 1,200, state authorities established an effective parole and probation system. The prison population dropped to 800. The proposed expenditure of $20 million for a new institution was found to be unwarranted.

Cities, too, can benefit from community treatment. Philadelphia spends $10.4 million to maintain a daily average of 2,961 prisoners. Cost: $3,200 a year per prisoner. Upon release, at least 65 per cent will commit more crime. At the same time, the city spends $2 million a year to supervise 17,300 offenders on probation. Cost: $150 a year per person. The recidivism rate is about 16 per cent. Community treatment makes sense.

A recent jail census carried out by the National Criminal Justice Information and Statistics Service showed that 52 per cent of all persons in jail were in pre-trial detention. Most of them could not post bail or qualify for release-on-recognizance. Expanded use of pre-trial release such as that carried out in the Des Moines community correction project can significantly cut the number detained in jail each year.

The removal of victimless crimes—drunkenness, addiction, prostitution, gambling—from the criminal codes would drastically reduce the jail and prison population. Half of all those now in jail are victimless crime offenders.

Institutions are necessary for only the dangerous offender. On that basis we have vastly more institutional space than we need. This is why NCCD calls for a halt in institutional construction until the potential of community treatment is fully achieved.

COMPENSATION OF INMATE LABOR

Virtually all prisons have work programs in which inmates produce, for sale to and use by government departments, salable articles such as clothing, textile products, machine parts, stamped metal goods, and farm produce, among other items.

Work that prepares the inmate for jobs outside the institution is especially valuable. Any work that trains and improves inmate skills and is performed under humane conditions is an essential part of a sound correction program.

The present condition of prison industries, however, limits the value of these programs. The deficiencies vary from prison to prison. In some institutions the operation is so slipshod and poorly organized that, despite the virtual absence of the cost of labor, it loses money for the state; sometimes two or three inmates are assigned to do a task that would require only one worker in private industry. In none are even 25 percent of the inmates released to work for which they were trained in prison. In all prison systems, idleness still obtains for a large part of the inmate population.

The equipment on which the prisoner works is frequently antiquated and obsolete. Skills learned by the inmate during imprisonment are seldom marketable when he is released. And even where equipment is new, it is usually designed for a very restricted type of industrial production. The work done with it produces skills that can be applied only by men who have returned to prison.

Prison administrators who speak candidly (usually off the record) admit that much prison labor is "busy work." The whole operation lacks efficiency, incentives, production norms, and the complex of operational goals and attitudes that are the hallmark of a successful industrial endeavor. The knowhow of private business or organized labor is not involved in inmate training or industry operation.

The pay for inmates employed in prison is too low to be regarded as wages. The average prison laborer receives from 10¢ to 65¢ a day. No institution pays its inmate workers for a day's work what the federal minimum wage law requires for an hour's work. The rate of pay, therefore, provides no incentive; indeed, since it is only a token, it is a daily rebuke to the inmate, reminding him of society's power to exploit him at will.

This counterproductive prison labor system must be changed. An inmate receiving equitable payment for work performed will be able to provide some support of his family, continue payments on his social security, provide restitution (if this is applicable in his case), make some payment for room and board, and save some money to assist himself upon his return to society.

Therefore, the National Council on Crime and Deliquency urges the introduction of federal and state legislation requiring that an inmate employed at productive work in a federal, state, or local institution shall be paid no less than the minimum wage operative nationally or in his state.

We urge legislators and administrators to adopt and support the foregoing policy and we call on civic organizations and the general public to demand its implementation.

STUDENTS SUPPORT THE PRESIDENT

Mr. BROCK. Mr. President, the growing support the President is enjoying among young people reflects, I believe, an appreciation of his record on many matters of concern to these young people.

More than anything else, however, I feel it is because they know that throughout his term in office he has sought, for this generation and for generations to come, a world of peace. In fact, he has done more than any man in my lifetime to bring lasting peace to the world.

A number of test elections and polls have been held on the campuses of high schools, colleges, and universities across the Nation. These elections and polls show that President Nixon enjoys wide support among young people.

The large majority of these test elections and polls were sponsored and conducted by official organizations, such as student councils and student government associations. Others were coordinated by independent, nonpartisan groups.

As chairman of the Congressional Advisory Board of the Young Voters for the President Committee, I have followed these reports closely.

Mr. President, I ask unanimous consent that the names of these 109 high schools, colleges and universities—where young people have demonstrated the same strong support for the President—be printed in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

Atlantic University.
Central Florida Community College.
Chipola Junior College.
Embry.
Florida Presbyterian College.
Palm Beach Atlantic College.
Lake Samter College.
St. Petersburg Junior College.
St. Leo College.
Seminole Junior College.
Florida A & M.
Brevard Junior College—Gential Campus.
Valencia Junior College.
Polk Community College.
North Florida Junior College.
Rollins College.
Hillsborough Community College—Dale-Mabry Campus.
Indian River Community College.
Brevard Junior College—South Campus.
St. Petersburg Junior College.
Florida Southern College.
Palm Beach Junior College.
Gulf Coast Community College.
Miami Dade College (North).
Daytona Beach Junior College.
Okaloosa—Walton Junior College.
Stetson University.
University of Miami.
Florida Technological University.
Bethomb Cookman College.
Barry College.
Florida Institute of Technology.
Hillsboro Community College—Seminole Campus.
Pensacola Junior College.
Tallahassee Junior College.
Florida State University.
Auburn University.
Teenage Fair, Hollywood Palladium.
John F. Kennedy High School, Los Angeles.
John F. Kennedy University.
Whittier College.
California State College—Fullerton.
University of Southern California.
Pepperdine College.
Occidental College.
Los Angeles Valley College.
Five Campus Poll in Los Angeles.
University of California, Davis.
California Junior Statesmen of America.
William S. Hart High School.
Huntington High School.
Wheat Ridge Junior High School.
Fifth National Student's Presidential Preference Poll.
University of Connecticut.
Oakton Senior High School.
Hialeah Senior High School.
N. Miami Beach Senior High School.
Youth Political Bipartisan Convention of N.E. Florida.
Chipola Junior College.
St. John's Jr. College.
District Eight—Teenage Republicans Student Primary.
College of Idaho.
Taylor University.
Kansas University.
Centenary College, Shreveport.
University of Maryland.
Oxon Hill High School.
Albert Einstein High School.
Brooks Senior High School, Massachusetts.
High School Poll of Seniors in East Detroit.
Central Michigan.
Kellogg Community College.
Phi Theta Kappa, Jr. College Honor Society.
University of Mississippi.
Plymouth High School.
Kearsage High School.
Dover High School.
Spaulding High School.
Keene High School.
Laconia High School.
Pinkerton Academy.
New Hampshire College.
New Hampshire Technical Institute.
Plymouth State College.
St. John's River Jr. College.
Chipola Junior College.
Rider College.
East Carolina University.
Lees-McRae College.
Ohio State University.
Denison University.
Edinborough State College.
University of South Carolina.
Statewide Mock Convention at University of South Dakota.
Nettleton Commercial College.
McCallie School.
University of Tennessee.
Vanderbilt Undergraduate Political Science Association.
University of Houston.
University of Virginia.
Mary Washington College.
Washington State University.
University of Wisconsin, Madison.
University of Wisconsin, Whitewater.
Louisiana Tech University.
Louisiana State University.
Charles H. Boehm High School.
Norwich University.
Vermont College.

REVENUE SHARING

Mr. HARRIS. Mr. President, I hope that, if the Senate Finance Committee votes out any revenue sharing bill, it will recognize the just claims of Indian tribes to share in this revenue. To that end I have cosponsored an amendment, principally offered by the distinguished Senator from Montana (Mr. METCALF) to the pending bill. Today, I have received a resolution of the Salt River Pima-Maricopa Indian Community Council supporting that amendment. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION No. SR-833-73

Whereas, there has been introduced in the 92nd Congress, Second Session, H.R. 14370, which is the proposed "State and Local Fiscal Assistance Act of 1972" which provides for federal payments to States and other units of local governments; and,

Whereas, Indian tribes are the only local governments in the country which are not benefited from H.R. 14370 in its present form; and,

Whereas, the Senate Finance Committee will be considering H.R. 14370 which has passed the House; and,

Whereas, the Tribal financial resources to meet tribal governmental responsibilities and the pressing needs of Indian Reservation communities are highly inadequate, notwithstanding some financial assistance through the Bureau of Indian Affairs and other governmental sources; and,

Whereas, the present bill which ignores the needs of Indian tribes violates long standing national policies embodied in numerous statutes and countless court decisions of recognizing and encouraging Indian-Tribal Governments. Now, therefore, be it

Resolved by the Salt River Pima-Maricopa Indian Community Council in meeting assembled this 19th day of July, 1972, that it respectfully requests Senator Paul Fannin and other members of the Senate Finance Committee to consider an Indian Revenue Sharing amendment which would provide for a reasonable share of the Revenue Sharing to Indian Tribes; and, be it further

Resolved that copies of this Resolution be forwarded to the members of the Senate Finance Committee and to the Arizona Congressional Delegation for its consideration.

ANOTHER DOLE FOR THE KENNEDY CENTER?

Mr. ALLOTT. Mr. President, I noted with interest an article in this morning's Washington Post stating that the Kennedy Center might be coming back to Congress yet again for another dole.

I hope this report is not accurate.

It has been apparent for some time that some of those associated with the Kennedy Center believe that the center has an inalienable right to a perpetual draw on the public Treasury. I disagree, and I intend to use whatever powers are at my command to see that this fictitious right does not become a reality.

It has been apparent for some time that the Kennedy Center is living beyond its means—unless it manages to make the Public Treasury a part of its "means."

It has been apparent for some time that the Kennedy Center lacks the will or the skill to bring its expenses into line with its revenues. I do not know what can be done about this. Perhaps the best and only thing that can be done is to provide the Kennedy Center with a special incentive to mend its constantly troublesome ways. That is, we can simply provide unambiguous assurances that the Federal money should not be a part of the Kennedy Center's finances. Or, failing this, we must squarely face the depressing possibility of Congress assuming full jurisdiction over the Center's finances.

I hope that all Senators will be resistant to additional siphoning off of Federal money.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article ws ordered to be printed in the RECORD, as follows:

CENTER TO REQUEST MORE MONEY?

(By Stephen Green)

The John F. Kennedy Center for the Performing Arts could end up asking Congress for more construction funds, according to congressional testimony.

Roger L. Stevens, chairman of the Center's board of trustees, has previously testified in committee that Congress will not be asked to vote more money for construction, but the testimony released yesterday appeared to reopen that possibility.

The further construction expenses could be as much as $4.6 million more than a 1969 price limit set by Congress, according to William A. Schmidt, a Center official.

"How long we can hold the creditors at bay I do not know," Stevens told the House Interior Appropriations Subcommittee during a July 20 closed hearing. A record of the hearing was released yesterday.

"Will you be required to come back to Congress for more money?" asked Rep. Sidney R. Yates (D-Ill.).

"I don't know," answered Stevens.

It was unclear from the record whether Stevens might seek outright funding or borrowing authority.

During the hearing, the subcommittee, headed by Rep. Julia Butler Hansen (D-Wash.) was told that the final cost of the Center building by the Potomac River probably will be about $71 million—$26.6 million more than the original cost estimate of $4.4 million.

Congress in 1969 set a price limit of $66.4 million for Center construction.

"I think the total cost of the construction contracted for, including settlement for . . . claims, will approach $71 million," said Schmidt, executive director of engineering for the Center.

Stevens, who last month said he is unable to obtain money from private sources to pay outstanding construction claims estimated at $4.6 million, could not be reached for comment late yesterday on his testimony.

However, William W. Becker, a Center attorney, explained while giving no further details, that there "is no question the board of trustees has a problem. When Congress was told that no more money for construction would be requested, it was based on a 1969 General Services Administration estimate of $66.4 million. Since then we've had the increased costs."

Becker told the subcommittee that the Center is issuing one-year promissory notes carrying 6 per cent interest.

"The notes, in effect, defer the requirement to make immediate payment . . . The trustees felt that they did have to make some provision for interest in light of the fact that the outstanding obligations would continue to be unpaid for some period of time," Becker added.

Under questioning by Yates, he said the federal government is not responsible for payment of the notes.

Yesterday Becker said that about $300,000 in notes already have been issued or are in the process of being issued.

Rep. Hansen called the hearing to determine if Congress should appropriate $1.5 million for the National Park Service to pay non-performing costs of the Center. The funds were appropriated last week.

Included in the $1.5 million debt is a $359,232 electricity bill and $271,302 for janitorial services performed by ITT Service Industries Corp., one of three ITT subsidiaries holding Center contracts.

The others are Airports Parking Company (APCOA) and Canteen Corporation. APCOA has a contract to manage the Center garage and has loaned the Center $3.5 million which is supposed to be paid back by 1977, Canteen has a 16-year contract to run Center eating facilities.

For construction, Congress appropriated $23 million and authorized the Center to issue $20.4 million in revenue bonds. Another $23 million was raised through donations.

Schmidt told the subcommittee that $2.7 million of the extra construction cost is due to the fact that the amount of steel for the building was underestimated by a third.

The General Services Administration, he said, figured that 12,800 tons of steel would be needed but it turned out that 17,500 tons were required.

AMERICA'S SHEEP INDUSTRY TODAY

Mr. HANSEN. Mr. President, the New York Times of Sunday, June 23, 1972, contains an interesting article entitled, "Sheep Flock at Low," written by Mr. Kurt Knox.

The article, bearing a Cheyenne, Wyo., dateline, stated that nationally the sheep industry inventory set an all time low according to the Department of Agriculture. There were 33 million sheep in the United States in 1959. There are now only 18.5 million in the country as of early 1972.

Reasons for this dropoff in numbers of sheep and the effect it is having on the rancher and the average citizen are the subject of the article. Through interviews with several Wyoming citizens who are engaged in the sheep industry, the author presents some insight into America's sheep industry today.

In order that Senators might have a fuller understanding of the sheep industry today and its potential for the future, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 23, 1972]

SHEEP FLOCK AT LOW

(By Kurt Knox)

CHEYENNE, WYO.—For generations Wyoming sheep families have grazed their flocks on the prairie grass of the high plateau west of here. But in the last decade a number of threats to their traditional way of life have developed.

Nor is the trend peculiar to Wyoming. Nationally the sheep inventory has declined to the lowest in the nation's history—18.5 million in early 1972 from 33 million in 1959, according to the Department of Agriculture.

The all-polyester, double-knit fabrics "clobbered us and the wool market fell out of bed," Verne Vivion explained. Mr. Vivion, a sun-tanned, third-generation rancher from Rawlings in south central Wyoming, is president of the National Woolgrowers Association and a big sheep-raiser. In fact, mill use of raw apparel wool plummeted from the 1960–64 average of 255 million pounds annually to 115 million pounds in 1971.

Still, there is no consensus for the plight of the sheep herd. Some cite the greater consumer demand for beef than lamb, which has caused some ranchers to concentrate on cattle.

Curtis Rochelle, another Rawlings rancher, says his No. 1 problem "is the coyote. I estimate my losses to coyotes run around $30,000 a year." He also cites lack of efficient labor and Government ownership of land as problems.

The dimmest outlook for sheep came from John Etchepare, who is in charge of the Warren Livestock Company, while his father, Paul Etchepare, recuperates from a heart attack.

"There is no incentive left," he said flatly. "The only incentive is some return for time and investment. The sheep industry is a tremendously time-consuming agricultural endeavor. It is not an eight-to-five job, and it never will be. When there is no return, you are not going to get young people to stay in the business. They are going to go elsewhere."

But Mr. Vivion, for one, calls himself "more optimistic than pessimistic," although he agrees that "a lot of people will go out of the sheep business before it turns around," an event he suggests might come within five years, provided the industry practices improved management and more cross breeding to produce larger lamb crops.

"We could be facing a world-wide wool shortage in the next year, if demand continues," he said, because of "unsatisfactory" polyesters and "some new polyester fabrics requiring the use of wool as a base" to give them the right feel and warmth.

Wool prices have already rebounded to the 40-cent-a-pound level from last year's 10-cent level: In addition under the Wool Act of 1954, sheep producers are eligible for Federal incentive payments, which have been fixed at 72 cents a pound through 1973, the same as in 1970 and 1971. Based on this year's average price, 40 cents, the incentive a rancher selling at that price would receive is 32 cents, or 80 per cent of his selling price and consequently anyone else—whether he sells above or below average—is also eligible for an incentive of 80 per cent of his selling price, so that his actual return may be more or less than 72 cents.

Mr. Vivion's optimism is not unqualified. He does attach the proviso, "if we can look for some type of predator program which is sensible."

The use of poisons on Federal lands was banned last year. Prior to that one common method of combatting coyotes was leaving animal carcasses poisoned with thallium sulfate for the coyotes to find.

Now the predators are sometimes shot and sometimes trapped. In addition the state is considering setting up a program, for sheep ranching is important to Wyoming's economy, and with 1,711,000 head, it ranks second only to Texas's 3,524,000.

But none of the sheep operators favored a plan advanced in some government circles to reimburse them for predator losses from public monies. For instance, Mr. Rochelle, who runs up to 30,000 sheep in summer and 16,000 in winter, along with 2,000 cattle on 300,000 acres, called the plan "stupid," even though it was he who rated coyotes as the greatest problem. He said he feared there "could be a lot of abuse."

But not everyone is equally perturbed by the coyote. Mrs. M. L. Foster, whose husband is a former Laramie County commissioner and a veteran rancher, said losses from coyote attacks in the last two years have been small.

They run some 400 sheep annually on average, which for Wyoming is a relatively small-scale operation, but have no intention of giving up raising sheep, even though last year's 10-cent-a-pound price was "not enough to pay for the shearing."

This year the Fosters have received a 25-cent-a-pound down payment for their wool, and Mrs. Foster noted that price "keeps coming up all the time." She expects it to reach 35 to 40 cents.

She added that sheep were a good hedge crop when some other farm-ranch crops might not pan out, and that she and her husband did not have help problems "because we are a family operation." Their ewes are Corriedales.

While sheep have declined in the United States, they have multiplied abroad, but most ranchers discounted import competition as a reason for the decline here, citing domestic factors instead.

Mr. Vivion, the National Woolgrowers Association president, said, "I think (currently) the economic picture favors the raising of cattle, but not everybody can change overnight. Much of this range is primarily adaptable to sheep. Sheep can live where cattle can't and do better.

"It is pathetic to think we wouldn't have them to convert the great Western grasses. I really don't think it will happen. I think we are going to survive this." But when the decline in sheep is reversed, Mr. Vivion expects a large part of them will be found on Eastern farms.

Perhaps one of the most important influences likely to mitigate against further major declines in Western sheep flocks in reluctance to abandon a traditional way of life.

Then too, as Mr. Vivion said, "Wool is a good product and lamb is a good product."

A MINNESOTA INVITATION TO THE PEOPLE'S REPUBLIC OF CHINA

Mr. HUMPHREY. Mr. President, I am pleased to announce that Gov. Wendell Anderson has extended an invitation to Premier Chou En-lai to send a delegation from his country to visit the State of Minnesota. I applaud this initiative taken by our Governor and would encourage other States to do the same. We have a lot to learn about mainland China and its people. They in turn have a lot to learn about our country. The only way that the learning process can begin is by undertaking the kind of educational and scientific exchange suggested by Governor Anderson. I am hopeful that Governor Anderson's invitation will be accepted and that an exchange with some leaders in the Minnesota community can also be worked out in the future.

Mr. President, I ask unanimous consent that the news release on the Minnesota invitation be printed at this point in the Record.

There being no objection, the release was ordered to be printed in the Record, as follows:

News Release

Last week we extended a unique invitation to the world's most populous nation, the People's Republic of China.

On behalf of the people of Minnesota, we invited Premier Chou En Lai to send a delegation of Chinese to our state in order to examine aspects of our technology, industry and culture.

The invitation was the first extended by any state to mainland China. We hope, of course, that it will be accepted, and that it will result in an invitation to us, in turn, to send a Minnesota trade delegation to China.

We have absolutely no way of knowing whether such an exchange will ever take place. In fact, our rather extensive dealings with the State Department, the Vice President's Office and other federal agencies have convinced me that no one in this country really knows how the Chinese will react.

I am of strong conviction, however, that the benefits could be very great.

Minnesota's prosperity, to a greater extent than is comonly recognized, is dependent upon the volume of its exports. We ranked ninth among all states in agricultural exports in 1970. Our Minnesota-based electronics firms sell to a worldwide market. The techniques we have developed in medicine and the mining of low-grade ores have, in a very real sense, been exported throughout the world.

For many years, the Canadians, West Germans and others have traded with the Chinese. In 1970, for instance, the Canadians sold $142 million worth of wheat to that nation.

I think Minnesota farmers and businessmen, as well as their Canadian and West German counterparts, ought to have the opportunity to sell in that huge market.

In conclusion, I believe the exchange would be an enriching experience for all Minnesotans, both culturally and economically.

The Chinese, during the President's recent visit, proved themselves warm and gracious hosts. I have no doubt they would accord similarly gracious treatment to visitors from our state. The people of Minnesota, in turn, would be equally excellent hosts, I'm sure.

Mr. HUMPHREY. Mr. President, I intend to do what I can to see that exchanges of this kind and a full-scale program of improved relations with the People's Republic of China will be worked out in an organized fashion. This is not a matter for Presidential decree, but one in which Congress, with the assistance of experts in the field of Chinese studies, can work to establish a comprehensive agenda for interrelations between the United States and the People's Republic of China.

THE MAFIA AND MEAT PRICES

Mr. HANSEN. Mr. President, recently the Farm Journal published an article by Ralph D. Wennblom entitled "How the Mafia Drives Up Meat Prices." The article notes that the New York meat market is the country's biggest and a bellwether for wholesale meat prices.

The article charges that racketeers probably make more profit on meat between the unloading dock and the store counter than the livestockman does from feeding the animals for several months. Mr. Wennblom then states:

> Congress needs to face the problem head on and do whatever is needed to clean it up fast.

Mr. Wennblom notes that certain Members of Congress from New York have clamored the loudest for price controls on meats. Perhaps the interests of the consumers of New York might best be served by looking into the situation described by Mr. Wennblom to determine the extent of the problem and the steps which can be taken to correct it.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

How the Mafia Drives Up Meat Prices

(By Ralph D. Wennblom)

Certain members of Congress from New York have clamored the loudest for price controls on meat. Meanwhile, back in Manhattan, the forces of organized crime systematically add on at least $1 million a week to the meat bills of 18 million consumers in the Greater New York area.

This is important because the New York market is the country's biggest, and a bellwether for wholesale meat prices.

These racketeers probably make more profit on meat between the unloading dock and the store counter than you normally do from feeding the animals for several months.

That such a situation was allowed to develop, much less persist, is a disgrace. Congress needs to face the problem head-on and do whatever is needed to clean it up. *Fast.*

Unfortunately, the key people in the syndicates of organized crime are hard to nail in court. No one in the meat business is senseless enough to face up to the mobsters on their own, and precious few people have the courage to cooperate with law enforcement officials. It's simpler and safer to cooperate with the crooks. Fears of reprisal against your business, your family and your life are very real.

People were reluctant to talk with me as I gathered information for this article. "These people are gangsters," said one source. "I look the other way when they're around, and you writers damn well better too, or you'll make a splash all right—in the river with a chunk of concrete tied to your ankle."

But I talked with enough informed people to convince me that organized crime has infiltrated certain labor unions and the meat business in New York City. "No one is exempt; there isn't a store that gets around all of their schemes for extorting payments for labor peace, bribes, kickbacks," said one informant who knows the New York meat market well. "Everybody pays off somewhere along the line sooner or later, and they would all love to get out from under it."

From an out-of-town meat packer: "We can't get our meat into New York City under our own label."

From a supermarket chain: "We simply gave up trying to operate—closed out our New York City stores."

Other cities are also involved. An authority on supermarket operations told me that "there are areas in this country where you pay a premium for meat. For what reason, I wouldn't want to say. But there are many metropolitan cities involved with this. And it reeks—just reeks with rottenness. I've known the premium to be as much as 3¢ a pound on a wholesale carcass, which is a wad of money when you're talking about hundreds of thousands of pounds a week."

Law enforcement officials agree that the problem is not confined to New York. "If organized crime's take here is as big as our information indicates, the possibility is great that they're also operating in other cities," says William Aronwald, Special Attorney with the Joint N.Y. Strike Force on Organized Crime.

Ownership of legitimate businesses by organized crime, which they then run in an illegitimate way, is part of a trend. "They especially like the meat business because it lends itself to concealing large earnings from gambling and loansharking," says one Federal source.

For more than a year, a secret grand jury has been holding hearings in New York City to determine whether certain people engaged in the meat brokerage business, and corrupt union leaders, are fronts for organized crime.

The nature of the investigation came to light a few weeks ago when the office of Manhattan District Attorney Frank Hogan had to tip its hand and invoke a court order to bring a balky witness, Herbert Newman, back from Florida to testify about conversations overheard by the District Attorney through court-authorized wiretaps.

Newman's testimony, as well as all proceedings of the Grand Jury, are secret. Both Alfred J. Scotti, the gutsy Chief Assistant District Attorney in charge of the Rackets Bureau, and Assistant District Attorney Franklyn H. Snithow, who are in charge of the investigation, refuse to comment on the case. Except to say that they don't call the groups the Mafia "because we don't want to get involved in a controversy over nomenclature."

But there's no doubt that they believe there's collusion between organized crime and the meat business. The order asking for Newman's return specifically stated that their investigation seeks to determine "whether there exists a conspiracy unlawfully requiring representatives of certain supermarkets to make payments of money to certain labor union officials and to certain individuals fronting for organized criminal elements.

"Whether representatives of the supermarkets were required to pay inflated prices in order to obtain labor peace;

"Whether certain officials of certain supermarkets have accepted unlawfully payments of money from Herbert Newman, Moe Steinman, Sol Steinman and others for having caused the said supermarkets to purchase meat from wholesale suppliers at inflated prices."

Newman is the retired president of Trans World Fabricators, a meat wholesaling firm.

In an article on the links between organized crime and the meat industry, The New York Times for May 9, 1972, reported: "One of the leading credit-clearing houses for the food industry, Market Services, Inc., lists Sol Steinman as its vice president. A source there described him as the brother of Moe Steinman, who is the director of labor relations for Daitch Shopwell." (Daitch Shopwell is a chain of supermarkets in the New York area, whose sales run more than $150 million a year.)

Continued the Times: "Moe Steinman was a key witness at the State Commission of Investigation's 1969 hearings into the infiltration of organized crime into legitimate business. He admitted during the hearings that he had a close social relationship with John Dioguardi, who is known as Johnny Dio and is described by law-enforcement officials as a captain in the crime-syndicate family operated by the late Thomas Luchese." (Dio is now in jail for the fraudulent bankruptcy of a meat company.)

Because meat packers operate on such thin margins, slaughtering usually doesn't appeal to the racketeers. They prefer to take over when dressed meat arrives at the unloading dock. Without the mob's permission, your meat probably won't be unloaded. Or 10 carcasses somehow get "lost" enroute to the buyer's cooler. Whatever "tribute" you pay to get it unloaded promptly without pilferage is shared by the racketeers and corrupt union leaders.

Once in the wholesaler's cooler, the meat becomes fair game for everyone up the line except the consumer who can do nothing except pick up the tab for the financial shenanigans and blame farmers for high meat prices.

"Costs are so inflated along the way," I was told, "that a New York supermarket can't afford to use meats as 'specials' as many supermarkets do."

Exactly how much more meat costs in New York City than it should is impossible to prove. But every shakedown is passed along, and the retailer ends up charging for all of them. If you assume that 18 million people in the Greater New York area buy 500 million pounds of meat a week, 2¢ a pound to organized crime amounts to $1 million a week; 3¢, $1½ million.

Here are average retail prices for U.S. Choice cuts from the U.S. Department of Labor's Bureau of Labor Statistics for April, 1972:

	New York per pound	Chicago per pound
Round steak	$1.77	$1.16
Sirloin	1.56	1.36
Porterhouse	1.81	1.64
Rump roast	1.63	1.20
Rib roast	1.19	1.28
Chuck roast	.86	.81
Hamburger	.97	.75
Pork chops	1.37	1.00
Loin roast	.92	.79

With beef, about a third of the carcass goes over the counter as hamburger. By marking up its hamburger, a supermarket is able to keep sirloin and porterhouse prices more nearly in line. Freight from Chicago is 2c to 3c a pound, according to Supermarket News.

To raise the money to pay the syndicate and corrupt labor leaders, some companies exchange invoices among themselves to indicate purchases of meat from each other when, in fact, no meat changes hands.

Or, a company pads a real purchase to accumulate the surplus cash needed for the extortion payment or bribe.

In other instances, the syndicate manipulates the market and forces the buyer to pay more than the "going price" for meat, part of which they may kick back to the buyer.

Whatever the approach, once a buyer "cooperates" with the mobsters, he soon finds himself in over his head and settling on the racketeers' terms.

Unless stores meet those terms, they can find themselves in trouble with three unions: meat cutters, teamsters and retail clerks. "The meat industry can't attack the meat unions because unless the industry is successful, it will work out very badly for them," says Nicholas Scoppetta, Special Assistant U.S. Attorney who successfully prosecuted three officers of Local 174 of the Amalgamated Meat Cutters and Butchers Workmen's Union for extortion in 1969. "In that trial, the people who had been victimized by the union didn't parade down and say 'let me tell you about this problem.' We had to dig it out. All of them testified only after being compelled by subpoena."

Scoppetta saves his sharpest scorn for businessmen who "find it profitable to deal with the elite criminal element."

Racket-buster Scotti puts it more bluntly. "Our efforts would be substantially aided by the cooperation of organized labor and the meat industry," he says. "It is most regrettable that greed causes the industry to be blinded by expediency. They don't really care because they know that the cost can be passed onto the helpless consumer."

Scotti saves his strongest wrath for corrupt unions. "One New York local has been dominated by underworld characters for more than 30 years," he said in a court proceeding. "The racketeers use it as an instrument of extortion—to shake down meat dealers, supermarkets, chain stores, even other unions."

Scotti says flatly that unless unions devote themselves exclusively to the welfare of their members, and the meat industry concentrates on protecting the integrity of its business, "both will become helpless captives of organized crime." Maybe they already have.

RETIREMENT OF STATE SENATOR EDGAR A. BROWN OF SOUTH CAROLINA

Mr. THURMOND. Mr. President, on July 28, 1972, upon the final adjournment of this year's session of the South Carolina General Assembly, the long legislative service of that body's senior member was also concluded.

Senator Edgar A. Brown of Barnwell, S.C., who has served in the State legislature for 50 years, retired on that day.

He began his service in 1921 as a member of the house of representatives where he served for 6 years, the last 2 of which were as speaker. After remaining out of the legislature for 2 years, he went to the State senate in 1929 where he served continuously until last Friday.

Mr. President, Senator Brown served his county and his State ably, effectively, and with dedication. He has left a legacy of sound financing by the State government which has developed and maintained an enviable triple-A credit rating. Such astute planning and management have saved our citizens millions in taxes which, otherwise, would have been necessary to pay the higher interest rates on bond issues. As president pro tempore of the senate and chairman of the finance committee since 1942, Senator Brown exerted a powerful and effective influence over the affairs of his State.

Mr. President, an article published in the State newspaper of Columbia, S.C., following Senator Brown's last day of legislative service contains accounts of the esteem with which he was held by his colleagues. I ask unanimous consent that the article entitled "Brown Ends Legislative Career," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Brown Ends Legislative Career

(By Levona Page)

"I have felt the cut of the sharp sword that he had . . . but my life has been better because I have been associated with him."

With rare frankness about his relationship with his so-called "Barnwell Ring" colleague, House Speaker Sol Blatt joined the governor and the state Senate in tributes to Sen. Edgar A. Brown who ended his 50-year legislative career Friday.

The Senate made Brown an honorary senator emeritus, gave him his desk and chair which he said will be put on display with other memorabilia at Clemson University and presented him a silver-handled walking cane.

With tear-filled eyes and a cracking voice, the 84-year-old Brown told the Senate, "You say 50 years is a long time and it is, but in retrospect, if I look back on the last 50 years I have served in this General Assembly, I see a panorama of activity and growth, and fights—strong, hard fights.

"That panoramic view is so filled with activity that I can scarcely realize that I have been a part of state government for the past half century."

During Brown's career, he has been speaker of the House, president pro tem of the Senate, chairman of the Senate Finance Committee for 29 years, and a national committeeman of the State Democratic Party. A small town attorney, he never finished high school, but holds honorary doctorates from two state universities.

Gov. John C. West, who said he slipped into the Senate chamber without an invitation because Brown had said he wanted no fuss on his last day, told the senator, "I'm going to be calling on you and depending on your wise guidance through the remaining months of my administration."

West added, "South Carolina will always be richer as long as you are here to guide us."

Speaker Blatt stood at the back of the Senate chamber listening to the tributes to Brown before he was invited to take the floor himself to speak of his 40-year legislative association with the senator.

Alluding to the political differences that have sometimes privately divided the two powerful Barnwell lawmakers, Blatt said, "I have felt the cut of the sharp sword that he had and felt the blessing of his help. I have always loved and respected him and have admired him as a statesman and a gentleman."

Blatt continued, "I have been close to him at times and at other times there has been a valley between us, but at no time did that cause me to lose my love and respect for him and I hope that at no time did it cause him to lose the love and respect I hope he had for me."

South Carolinians, Blatt said, should be indebted to Brown. "When I see smoke stacks all over South Carolina, when I see school buildings, roads paved, mental patients treated, and those who have been convicted of crimes in proper housing, I look at my colleague from Barnwell and say, 'Thank you, Edgar'."

He continued, "For 40 years, he and I have been on the same team . . . although sometimes at odds, but at no time did we let our differences interfere with the people of South Carolina. We had our battles, but as a result of that, it made for a better South Carolina."

Brown struggled to keep back the tears as he shook hands with Blatt after the speaker's comments.

Sen. L. Marion Gressette, D-Calhoun, who is in line to succeed Brown as president pro tem of the Senate, said Brown "will never retire so long as the men in this chamber are granted the gift of memory." He said a plaque with an appropriate inscription will be placed under Brown's portrait in the Senate chamber.

Sen. James P. Mozingo, D-Darlington, who if re-elected will be Brown's successor as chairman of the Senate Finance Committee, presented the senator his desk and chair, the traditional gift to a retiring lawmaker.

The fourth senior senator, Sen. Rembert C. Dennis, D-Berkeley, whom Brown has called his right-hand man on the Senate Finance Committee, presented the Senate's gift of a silver-handled walking cane.

Wiping away tears, Brown lightened the moment by telling the Senate, "This walking cane is something that I need and use now," but said as a youth, he "walked with a cane, wore a derby hat and an ascot tie and sang in a barber shop quartet."

As the tributes continued Lt. Gov. Earle E. Morris, Jr., suggested that the best route for South Carolina to take in the presidential election would be to "write in the name of Edgar Brown for president this November."

ABUSE OF A FEDERAL GRAND JURY IN TEXAS

Mr. KENNEDY. Mr. President, I believe that the Department of Justice is engaging in a double abuse of the grand jury process by its peremptory and heavy handed actions in connection with a pending grand jury investigation in Texas of gun-running to Northern Ireland. I have today written a letter to the Attorney General, calling for the immediate release on bail of the five men who have now been imprisoned for contempt for more than a month in the Tarrant County jail in Fort Worth.

Mr. President, the Department of Justice convened this grand jury in Texas, far from the homes and families and friends of those witnesses. In addition, it has refused to allow bail to the prisoners, even though difficult legal and constitutional issues surrounding the validity of their contempt citations must be resolved before their imprisonment can be justified.

Last week, I received a handwritten letter from the five men now imprisoned in the Tarrant County Jail. Their letter is an eloquent plea for freedom and a testament against injustice, a worthy companion to Martin Luther King's letter from the Birmingham jail and other famous letters from prison in the past.

In my letter to the Attorney General, I have urged him to make a thorough review of this grand jury investigation, and to take whatever steps may be necessary to secure the prompt release of the five men now imprisoned so unfairly.

Mr. President, I ask unanimous consent that the text of my letter to the Attorney General, which explains the circumstances of the investigation in greater detail, and the text of the letter I have received from the Tarrant County jail be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
August 1, 1972.

Hon. Richard G. Kleindienst,
Attorney General, Department of Justice,
Washington, D.C.

Dear Mr. Attorney General: I am writing to protest what I believe is the unjustifiable treatment by the Department of Justice of five Irish-Americans now imprisoned in the Tarrant County Jail in Fort Worth, Texas.

These five individuals—Thomas Laffey, Matthias Reilly, Kenneth Tierney, Daniel Crawford and Paschal Morahan—have been imprisoned for more than a month on charges of contempt of court arising out of their refusal to answer certain questions before a Federal Grand Jury convened by the Department of Justice in Fort Worth to investigate possible gun-running from the United States to the Irish Republican Army in Northern Ireland. I understand that this investigation was initiated by the Department of Justice, upon the basis of representations made by the Government of Great Britain.

I hold no brief for the Irish Republican Army. In no way do I condone the indiscriminate killing and maiming of the people of Ulster that has been taking place for so long at the hands of the IRA. I recognize the obligation of the Department of Justice to investigate and prevent the shipment of arms to Ulster from this country, and I fully support a legitimate investigation.

But the circumstances of the present case strongly suggest that the Department of Justice has exceeded the bounds of legitimate investigation in the present case and is now engaged in a double abuse of the grand jury process:

—First, the convening of the grand jury in Fort Worth, Texas, and the subpoenas to these men—all residents of New York State—to appear before that grand jury, far from their homes, their families, and their friends, has imposed a serious hardship on the witnesses for no apparent law enforcement purpose. As I understand it, these men are the only known witnesses to appear before the grand jury, and the grand jury has set aside its inquiry without additional testimony. In these circumstances, it seems to me that the Department of Justice has a strong obligation to demonstrate that the grand jury was a part of a legitimate Federal investigation, and that some substantial law enforcement purpose was served by the extraordinary inconvenience inflicted on these witnesses.

Second, the imprisonment of these witnesses without bail, on charges of contempt, for refusing to answer certain questions before the grand jury, appears to be an even more clear-cut abuse of the grand jury process. In order to compel their testimony, the

Department of Justice granted immunity to the witnesses, invoking the relevant Federal immunity statute. The refusal of the witnesses to answer the questions asked by the grand jury, even after receiving the Department's grant of immunity, was based on their view that the immunity was too narrow to protect them from self-incrimination, in violation of their rights under the Fifth Amendment to the Constitution, since the immunity would protect them only from prosecution by the United States, not from prosecution by the British Government.

I understand that this issue of immunity is at the heart of the prisoners' appeal now pending in the Federal courts. The issue is a substantial one, going to the root of the interpretation of the Fifth Amendment and our basic constitutional rights as Americans. Given the very real legal doubts as to the validity of the contempt citations in these circumstances, I find it unconscionable that the Department of Justice refuses to acquiesce in the grant of bail to the prisoners pending resolution of the issue.

Overall, as I have indicated, the pending investigation raises extremely serious questions of abuse of the grand jury process by the Department of Justice. The peremptory and heavy-handed investigation has every appearance of being another unfortunate step in the politicization of the Department of Justice. It is a travesty on fundamental principles of American justice, and a thinly veiled attempt to harass and intimidate peaceful and legitimate activities by Irish American individuals and groups in this country in support of equal justice for the Catholic minority in Northern Ireland.

I urge you to make a thorough inquiry into the circumstances of this investigation, and to take whatever steps may be necessary to secure the prompt release of the five men now unfairly imprisoned in the Tarrant County Jail.

Respectfully,

/s/ EDWARD M. KENNEDY.

TARRANT COUNTY JAIL,
Fort Worth, Tex., July 17, 1972.

DEAR SENATOR KENNEDY: We the five imprisoned Irish born men who in most un-American have been torn from our wifes children families neighborhoods and our livelihoods, wish to thank you for the interest and help you have already generated in our most unusual case.

As you well known we are in jail without charge or trial on the flimsiest "contemp" charge. The police state tactics used to incarcerate us is a disgrace to the principles of our founding fathers.

There is no doubt whatever but that we are the victims of the dictactorial Unionists of Belfast and their upholders the Tories in England.

The Archie Bunkers of the Republican Party have shown their willingness to railroad Yankee Irish-Americans to the Mason-Dixon line for obvious reasons.

Having you as our champion fills us with utmost confidence.

Very Sincerely,

/s/ THOMAS LAFFEY,
MATTHIAS REILLY,
KENNETH TIERNEY,
DANIEL CRAWFORD,
PASCHAL MORAHAN.

VETERANS' DRUG AND ALCOHOL TREATMENT AND REHABILITATION ACT OF 1972

Mr. HANSEN. Mr. President, it is a pleasure to join with several other Senators in support of S. 2108, which is in accord with the President's policy on drug abuse.

During the last year, Senators and their staffs have labored hard and long to bring before this body a bill which will provide adequate means to significantly reduce the incidence of drug and alcohol abuse in these United States.

To aid the Special Action Office on Drug Abuse, the Veterans' Administration will make available its vast hospital system which now includes 32 centers. Another 12 will be in operation in the next few days.

This bill will provide both inpatient and outpatient care of addicts in a community setting. The hard statistics about drug addiction are brutal; the National Institute of Mental Health estimates there are about a quarter of a million addicts in the United States today, and this figure could increase even more unless we provide some means of curtailing it along with this measure of treating it.

One of the most tragic aspects of this problem is the human cost in terms of lost talent and family anguish and personal suffering. Once a person is hooked, he requires more and more drugs each time. The life expectancy of a heroin addict is 15 to 20 years less than a nonaddict. Addiction produces mental and physical dependency and precludes a productive roll in society for the user.

These statistics point up the fact that heroin addiction is one of the most severe social problems this Nation faces.

Both Congress and the administration realize that present procedures against addiction must be improved and strengthened.

The approach embodied in this bill is a further step in the right direction.

HEARINGS IN PHILADELPHIA POINT TO NEED FOR REFORM OF PRIVATE PENSION SYSTEM

Mr. SCHWEIKER. Mr. President, the Subcommittee on Labor of the Committee on Labor and Public Welfare has conducted for the past 2 years an in-depth study of problems encountered by many of the 34 million American workers covered by private pension plans. Currently pending before the subcommittee is a comprehensive bill to reform the private pension system, S. 3598, introduced by the distinguished chairman of both the subcommittee and full committee (Mr. WILLIAMS) and the ranking minority member of the subcommittee and full committee (Mr. JAVITS). I am pleased to be a cosponsor of S. 3598, as are 15 of the 17 Senators who serve on the full committee.

In line with our work on S. 3598, the subcommittee has held field hearings this year in St. Louis, Minneapolis, Cleveland, Newark, and Philadelphia, to examine cases in those cities of pension plans which have terminated, leaving workers either with no pension benefits at all or with pensions much lower than they anticipated. I was glad to have the opportunity to preside at the hearings held in Philadelphia on July 17.

Mr. President, the Philadelphia hearings attracted wide public attention. Many people, especially working people, are becoming increasingly aware of what can happen to a pension plan and its beneficiaries when the business firm goes out of business, goes bankrupt or is merged into another company. Several hundred persons came to the Philadelphia hearing, and it had ample coverage in newspapers and on television. The time has definitely come to eliminate certain abuses in private pension plans through the passage of comprehensive Federal legislation. There has been a notable lack of strong Federal legislation in this field, but our hearings and the other investigations made by the subcommittee and its staff clearly show the need for such legislation now.

Mr. President, I ask unanimous consent that several newspaper accounts of the July 17 hearings in Philadelphia be printed in the RECORD: from the Philadelphia Evening Bulletin of July 17; the Philadelphia Inquirer of July 18; the New York Times of July 18; the Philadelphia Daily News of July 18, and the Delaware County Daily Times of July 17 and July 22.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Evening Bulletin, July 17, 1972]

THIRTY-THREE PERCENT WON'T GET NICKEL OF PENSION, PANEL TOLD

(By Henry W. Mesaros)

A third to one half of American workers covered by pension plans will not realize a nickel when they retire, U.S. Sen. Richard S. Schweiker (R-Pa.) said here today.

"Workers are losing their pension rights when their companies go bankrupt, merge with companies or simply go out of business," he said.

Schweiker, a ranking member of the Senate subcommittee on labor, made his statement as he opened a public hearing in the Federal Building, 9th and Chestnut sts., on pension reform legislation being considered by the subcommittee.

PENSIONS LOST

Among witnesses called to testify were former employes whose pensions were lost or drastically reduced because of the financial difficulties of the Horn & Hardart Baking Co. here and the closing of the Baldwin-Lima-Hamilton Co. in Eddystone, Schweiker said.

Schweiker said he and many other members of Congress feel a much stronger federal law is needed to protect the pension rights of workers. He estimated that 34 million Americans now are covered by private plans with combined assets of $152.8 billion, a figure which will approach $250 billion by 1980.

OVERFLOW CROWD

Among seven Baldwin-Lima-Hamilton employes testifying before an overflow crowd of mostly elderly persons in Courtroom 6 was Thomas Litchko, 39, a father of five, who said he lost his job when the Greyhound Corp. took over the plant in April.

"After I contributed nearly $1,000 to the pension plan, Greyhound, out of the goodness of its heart, gave me $400, less taxes, when they let me go," Litchko told Schweiker. "This is wrong. There should be protection. You're better off on welfare than on that kind of pensions many people get."

Litchko, who started at 99½ cents an hour as an apprentice and was earning $4.50 as a machinist when his job folded, said "this reminds me of a dangerous intersection where they holler for a red light after somebody's been killed."

FEELS CHEATED

"The red light is long overdue in this field," he added. "Most of us gave the best part of our lives and have nothing to show for it."

Alfred Campbell, who worked 29½ years for the company, said he has been "hurt and feels cheated."

"I'm on the unemployment markets," he said. "At 59, it's hard to get any kind of work—and it's not because of anything that I have done.

"I had planned to retire at age 62 and take a cruise now and then. But now, my pension plan has been dissolved."

Paul F. Dempsey, corporate director of labor relations and personnel for Baldwin-Lima-Hamilton Co., told Schweiker the plant had closed because of foreign competition, mostly from Germany and Japan.

In explaining the pension plan problem, Dempsey said the company had put an extra $500,000 into the plan this year and $234,000 previously. He said about 680 employes with the company as of last April would receive their entire pension while another 530 employes, who were over 40 and had 15 years seniority, would receive 38 to 41 percent of their pension roughly $180 a month.

HORN & HARDART

Dempsey also told Schweiker the employes did not contribute to the pension plan. This brought cries of "Gestapo," "liar" and such from the employes. Litchko stood up and said, "That's not true. We agreed to forfeit our raises in favor of the pension plan." The employes put 51 cents an hour into the plan, Litchko said.

Also testifying were a number of former employes of the Horn & Hardart Baking Co., now being operated by trustees by order of the Federal Bankruptcy Court. Leon Grimes, 73, said, "We were told this (the pension plan) would make us financially well and we would have nothing to worry about."

At that point, Schweiker held up a company brochure describing the plan and read from it, "Happy retirement to you whenever it comes." Schweiker said, "This gave the employes, no doubt, great expectations in their planning and hoping for the future."

Four other former employes, all in their 70s, told Schweiker they were still working because of the situation they were left in by the company.

"GOOD FAITH"

Horn & Hardart was represented by C. Thomas Gibbons, vice president and secretary-treasurer of the company. He said the pension plan had been instituted in good faith, primarily to provide a supplement to Social Security for a group of about 250 employes who were about to retire.

Gibbons said the company's financial problems began when it was forced to move to the Northeast in 1966. "Between 1966 and 1971, the company had net losses totaling $16.9 million," he said. Prior to 1966 the company had never had a losing year, Gibbons said. The pension problem stemmed, he said, from the company's "absolute inability" to finance further payments to the pension fund.

[From the Philadelphia Inquirer, July 18, 1972]

Senate Panel Hears Plight of Elderly Who Lost Pensions

The plight of 601 employees who lost their pensions when Horn & Hardart Baking Co. went bankrupt last year was detailed before a U.S. Senate labor subcommittee in the U.S. Courthouse on Monday.

Laughter and applause rang out from the packed audience when Sen. Richard S. Schweiker (R., Pa.), who chaired the hearing, held up the pension information booklet H & H distributed to employes and read:

"Happy retirement to you when your time comes."

"Great expectation," Schweiker said. "But it didn't work."

Many of the baking firm employes, the senator said, were forced to retire, and then forced to return to work elsewhere when financial difficulty hit the firm and their pensions stopped. All the employes are in their 60s and 70s, with more than 40 years of average service.

Similar stories came from many representatives of the 1,300 employes who were laid off when the Eddystone plant of Baldwin-Lima-Hamilton Corp. shut down in April. Many veteran employes will get reduced pensions because of inadequate financing of the fund.

The subcommittee has been reviewing private pension plans for more than two years.

When the subcommittee recessed its hearings, Schweiker said the stories he had heard were "typical of the sad state of affairs in which we find our pension system in this country". He pledged that a reform bill would be on the Senate floor for a vote before the end of the year.

Some recommendations before the subcommittee suggested that there be plans to insure that sufficient funds would be available to continue payment of pensions if a company went out of business.

Schweiker estimated that between one-third and one-half of all workers now covered by pension plans will not "realize a nickel from their pension plans when they retire."

Olaf Anderson, who worked for H & H for nearly 49 years, said his $100 monthly pension was stopped by the bankruptcy. He said pensions were also stopped for his two brothers, one with 44 years of service and another with 46 years.

Leon Grimes, who worked 37 years for the firm, said at age 73 he is working for a Chestnut st. typewriter firm to make ends meet.

He said he was forced to retire at 65, then after four years was told the pension funds ran out. He said H&H should have been a "little more careful with its money."

Mrs. Ethel Lowe said she began work for the firm in 1924 for 27 cents an hour, and when she retired in 1964 got a monthly $26.22 pension.

"How do you get along?" Schweiker asked.

"I own my own home, and my niece helps share the bills," she replied. It's kind of tight. Kind of tight."

C. Thomas Gibbons, vice president of H&H, testified that the firm was making a million dollars annually until 1965. But he said it lost $16.9 million from 1966 to 1971.

Gibbons blamed the Redevelopment Authority for forcing H & H to move its commissary from center city to the Northeast to make way for expansion of Jefferson Medical College.

The company borrowed the $15 million for the new plant, and then began forcing retirement of employees over 65. The pension plan was established in 1964.

Since H&H began in the city in 1888, it reached a peak of 44 restaurants and 55 retail outlets. It now has 19 restaurants and 10 retail stores.

[From the New York Times, July 18, 1972]

Reform of Private Pension Systems Urged—Senate Labor Group Concludes Hearings as Union Pickets

(By Michael C. Jensen)

Philadelphia, July 17.— Senator Richard S. Schweiker called today for reform of the nation's private pension system, and complained that workers are losing their pension rights when their companies go bankrupt, merge with other concerns or go out of business.

The Pennsylvania Republican presided over the last in a series of five field hearings by the Senate labor subcommittee, and heard testimony from a dozen workers who had been deprived of their pensions. Meanwhile, about 50 union pickets paraded quietly in front of the Federal courthouse in support of reform legislation, then crowded into the already filled courtroom.

In an interview following the hearing, Mr. Schweiker said pension insurance and early vesting (a guarantee of future pension rights) were likely to be approved by Congress within 12 months, and predicted that it may be mandatory for companies to provide some sort of pension plan for their employes within a decade. Such plans are now voluntary.

CITE HORN & HARDART CASES

One of the witnesses, Mrs. Ethel Lowe, 65, said she worked 40 years for the Horn & Hardart Baking Company of Philadelphia before suffering a heart attack in 1964 and retiring on a monthly pension of $26.22. That pension ended when the company filed for bankruptcy late last year, she said.

Another Horn & Hardart employe, 72-year-old Kenneth Jones, also worked 40 years for the company before retiring in 1965. His pension of $60.50 a month was terminated last year. In addition, Mr. Jones's wife worked 28 years for the same company but was not qualified for a pension when she left for a better job in 1967 at the age of 54.

C. Thomas Gibbons, vice president of Horn & Hardart, which is separate from the Horn & Hardart Company in New York, outlined the financial difficulties of the concern that led it to bankruptcy. He said pension plans bargained for by unions still are being paid, while those promised individually before 1964 are not.

Among the signs carried by the pickets outside the courthouse were: "The Government Insures Stockholders and Corporate Loans, Why Not Private Pensions?" and "Pension Reinsurance, Only Answer to Plant Shutdowns."

William J. Hill, president of Local 92 of the United Auto Workers, who was supervising the picketing, said the men were from seven local unions, and were present to support the testimony of the witnesses inside.

Among the legislative leaders for pension reform are Senator Harrison Williams of New Jersey and Senator Jacob Javits of New York.

Senator Schweiker cited the testimony of the retired employes of Horn & Hardart, noting that they involved men and women in their 60's and 70's.

"Today they are retired and forced to keep working because the company has hit financial difficulty and has had to give up its pension plan," he said.

"This has meant no pensions for 601 retired workers, 100 current workers and six executives of the company."

The highlights of the reform legislation, he said, included (1) a guarantee to every employe of a vested pension right after he's worked eight years for a company, with full vesting after 15 years. (2) Sound funding schedules, and (3) insurance for pension plans that are terminated.

[From the Philadelphia Daily News, July 18, 1972]

Workers Tell Panel of Losing Pension Funds

(By Kitty Caparella)

When Mrs. Ethyl Lowe, 65, began working for Horn and Hardart Baking Co. in 1924 she made 27 cents an hour. When she was forced to retire in 1964, 40 years later, she made $1.23 an hour.

In 1971 her pension of $26.22 a month was cut off when the company filed for bankruptcy.

Hubert Talbot, 42, worked 23 years at the Baldwin-Lima-Hamilton Corp. near Chester making heavy duty equipment and paying into the pension fund. When the plant closed down in April the father of two ended up on unemployment and ineligible for "vested" pension benefits because he was not 45.

Leon Grimes, 73, worked 37 years for Horn and Hardart. When unions organized the workers there, Grimes refused to join. His wife who also worked there, did join. She received a $74-a-month pension until she died a month ago.

Grimes receives nothing.

The three were among the 19 persons to testify about the need for pension plan reforms at a hearing conducted by Sen. Richard S. Schweiker yesterday in U.S. District Court here.

Schweiker, a member of the Senate Labor subcommittee which has been investigating pension plans for two years, was collecting testimony in the fifth hearing on Senate Bill 3598 which he co-sponsored in May.

"One-third to one-half of all workers now covered by pension plans will not realize a nickel . . . when they retire. In one study made by our subcommittee of 51 pension plans covering 6.9 million workers since 1950 92 percent of the workers in these plans are left without any benefit whatsoever," Schweiker told the standing room-only courtroom crowd of more than 300 persons.

About 34 million workers are covered by private pension plans which have combined assets of $152.8 billion, he said. By 1980 the assets will approach $250 billion.

One by one workers told how their company either went bankrupt or merged with another company—forcing them to look for other employment and making them, in some cases, ineligible for pensions which they paid into.

When Horn and Hardart filed bankruptcy in 1971 after losing $16.9 million in six years it left no pensions for 601 retired workers, 100 current workers and six executives. More than one-third had served more than 30 years, it was testified.

When the Baldwin Corp. merged with Greyhound Corp. in April, 1300 workers were affected. Those hardest hit are under 60. Workers between 45 and 60 will only receive about one-third of their vested pension benefits. Those under 40 will receive nothing, despite paying into the fund and working in some cases more than 15 years for the company, the employes testified.

Schweiker said Senate bill 3589 would guarantee partial pension rights after eight years and complete rights after 15 years of service.

[From the Delaware County Daily Times, July 18, 1972]

PLEDGE GIVEN RETIREES

(By James F. Byrnes 3rd)

PHILADELPHIA.—U.S. Sen. Richard S. Schweiker (R-Pa.) pledged Monday to push for passage of a Senate bill aimed at reforming federal regulation of private pension plans.

Schweiker made his promise to an overflow crowd of mostly retired persons in Courtroom 6 of the U.S. Courthouse, 9th and Chestnut Sts., at the conclusion of a three-hour field hearing of the Senate Labor Subcommittee.

The session brought statements from both exemployes and management representatives of two companies, the Baldwin-Lima Hamilton Corp's Eddystone facility and Horn & Hardart, a Philadelphia baking company.

Seven former BLH workers told of losing what they considered to be substantial pension benefits when the Eddystone plant shut down in late April, while several longtime Horn & Hardart employes said their pensions ceased when the company declared bankruptcy in 1971.

"All people who work for a living feel there is something radically wrong when they work all their lives and have nothing to show for it," one witness told Schweiker and his panel of attorneys and researchers for the subcommittee.

After listening intently to the stories workers told, Schweiker said, "This in itself is an indication of why the law has to be changed."

"I think the cases we heard today are rather typical of the sad state of affairs of private pension plans," he said. "All we want to do is write some safeguards and procedures to prevent a recurrence."

"To illustrate the magnitude of the problem, it has been conservatively estimated that between one-third to one-half of all the workers now covered by pension plans will not realize a nickel from their pension plans when they retire."

"Workers are losing their pension rights when their companies go bankrupt, merge with other companies or simply go out of business," Schweiker said.

The session was the fifth subcommittee field hearing, with others bringing statements from workers in St. Louis, Cleveland, Newark and Minneapolis.

The hearing, attended by a sizable contingent of United Auto Workers Union members who support the subcommittee's proposal for reform, got under way at 9:30 a.m. with testimony from the former BLH employes.

Some, nearing retirement age but falling just short when the plant closed, said their benefits will be cut substantially.

Alfred Campbell, who worked for BLH for nearly 30 years, said he "feels cheated" by the former locally-owned company's takeover by the Greyhound Corp.

"I'm on the unemployment market," he said. "At age 59, it's hard to get any kind of work and it's not because of anything I've done.

"I had planned to retire at age 62 and take a cruise now and then. But now, my pension has been dissolved," said Campbell.

Others with long years of employment but who failed to qualify for vesting rights said they will receive either a small cash settlement or no return at all from the pension plan.

Paul F. Dempsey, BLH corporate director of labor relations and personnel, and Frank X. Bruton, industrial relations for the Media-based company, told the panel the Eddystone plant was forced to close due to foreign competition and a slump in capital goods.

They said 681 retirees are due to receive 100 percent of their pensions while 530 more workers with vested rights, those over 40 with at least 15 years service, would receive an estimated 38 to 41 percent of their benefits or roughly $180 monthly.

When Dempsey said employes had never contributed to their own plan, Thomas Litchko, an ex-BLH worker now unemployed, interrupted with the cry. "That's a lie."

Litchko, who earlier testified, said members of the United Steelworkers Unions had agreed to forego 51 cents in hourly wage increase to have the hike go instead to pension funds.

"In other words, we were forfeiting raises in favor of the pension," Litchko said.

Schweiker and 14 other Senators on the committee are sponsoring a bill that would institute six basic reforms, including the establishment of a program of pension plan termination insurance to cover unfunded vested benefits.

[From the Delaware County Daily Times, July 22, 1972]

PENSION BILL WILL PROTECT RETIREE'S RIGHTS

(By James F. Byrnes 3rd)

The U.S. Senate Labor Sub-Committee research hearing in Philadelphia on Monday brought to the fore a legislative proposal for reforming private pension plans.

Chaired by U.S. Sen. Richard S. Schweiker (R-Pa.), one of 15 co-sponsors of Senate Bill 3598, the session brought stories of lost pension benefits from former employes of the Baldwin-Lima-Hamilton Corp. plant in Eddystone and ex-Horn & Hardart workers.

The people who told Schweiker's panel their tales of lost retirement benefits said they had reconciled themselves to the fact that it was too late for them. But, they said, they wanted to prevent the same thing from happening to others.

The Senate's Retirement Income Security for Employees Act of 1972 is aimed at correcting some of the faults of private pension plans in at least six area.

The bill calls for:

A federal law establishing minimum standards of vesting, of the non-forfeitable benefits a worker is guaranteed after a specific number of years on the job.

A federal law establishing systematic requirements for funding of pension plans, accompanied by a program of plan termination insurance to cover unfunded vested benefits.

A uniform federal standard of fiduciary responsibility, so that pension plan trust funds are adequately maintained.

A federal law requiring improved disclosure and communication of plan provisions to workers, to be accomplished in part by the revision of existing disclosure requirements.

The institution under federal guidelines, of a program to develop portability and reciprocity among private pension plans. Portability and reciprocity provide that a worker can maintain his pension benefits when shifting from one employer to another.

The centralization in one agency of all existing, as well as prospective, legislation of private pension plans to the maximum extent feasible.

Other bills now pending in both the House and Senate have similar aims, as well as asking "the federal government to play a more protective role to assure fulfillment of the expectations of plan participants."

Chris Randolph, an aide to Sen. Jacob Javits (R-N.Y.), who is ranking minority member on the sub-committee, expressed confidence on the bill will be passed when Congress resumes session in the fall, or when a new Congress is seated in January.

"Our interest is what the law says today. We're interested in changing the law so that in the future we can prevent what occurred there (at BLH and Horn & Hardat)," Randolph said.

Randolph said the bill proposed by the Senate provides for wider reforms than those contained in Nixon Administration proposals and that a House bill for expanding pension coverage is "a diversion from the real ills."

The subcommittee's study of private pension plans turned up evidence that a collectively-bargained, 22-year-old plan at a Pennsylvania steel fabricating plant has almost twice as much vested benefit liabilities than the company has in assets.

"Assets on hand after 20 years of funding are only sufficient to cover one-half of the vested benefit liabilities covered by the plan. If this plan should terminate today substantial numbers of participants with vested rights would have their benefit expectations frustrated." the sub-committee reported

Randolph summed up the status of thousands of retirees, whose benefits were either greatly reduced or altogether nonexistent when he said, "The law hasn't been broken. It's just a fact of life."

THE NATURAL BEAUTY OF GROWING THINGS

Mr. SPARKMAN. Mr. President, in an article entitled "Rock the Cradle in Deep South," published in the May-June edition of the National Gardener, there was deserved recognition of a project in Montgomery, Ala., involving both young and aging. This program involves young people from all groups—Girl Scouts, Boy Scouts, public schools and others; and the residents of Richardson Terrace, a low-rent housing project for the aging managed by the Montgomery Housing Authority.

Mr. President, this program results from the vision and tireless energy of a retired Montgomery schoolteacher, Mrs. Betty Fitz-Gerald. Mrs. Fitz-Gerald recognized an opportunity to bring together a common interest of our young and aging—an interest in the natural beauty of growing things.

Her plan that is attracting national attention and has been adopted by the garden clubs of the Deep South—Tennessee, Georgia, Missouri, Louisiana, Florida, and Alabama—was born and rocked in the cradle of the Confederacy, Montgomery, Ala. It became the pilot project of the Garden Club of Alabama—Mrs. James Durden, president—and was directed by Mrs. Fitz-Gerald who is Deep South youth and aging chairman.

The planning with J. C. Miller, Jr., director of the Montgomery Housing Authority, assisted by Wiley Thomas, Jr., Mrs. Pat Morgan, Mayor James Robinson and recreation director of city senior services, Mrs. Mary McMasters, has resulted in a bridging of the generation gap by Girl Scouts, high school boys and girls—Robert E. Lee High, with Principal Clinton Carter a part of the planning sessions—and their "grandparents adoption plan" of retirees 60 to 93 years of age. The youth do the planting and the foster grandparents teach them how.

This joint project of mini-gardening—vegetable and flower—and a beautification program in an unsightly area of Montgomery has done much to develop responsibility for the aging, a better knowledge of conservation laws of the State and to prove that, "youth only needs to be busy doing good and they will be good." To discover the world around us, its truths, beauty and order and the individual worth of every human being and ways of proving that worth, is to meet the needs of America today and to insure a future of a better world for tomorrow has been the purpose of this youth-aging program.

Mrs. Vernon Connor, first vice president of national council of garden clubs and a resident of Florida, moved that the Richardson Terrace pilot program of Montgomery be adopted as Deep South project at the recent national convention in Cleveland, Ohio. Mrs. Lewis Easterly, Deep South chairman of garden clubs, has asked Mrs. W. J. Kearney of Birmingham, Ala., to serve as cochairman of the project with Mrs. Fitz-Gerald.

Mr. President, I commend Mrs. Fitz-Gerald, the Montgomery Housing Authority, and all those who had a part to play in this undertaking. It is one which I hope will continue to spread through the country.

I ask unanimous consent that the article from the National Gardener be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Gardener, May-June 1972]

"ROCK THE CRADLE" IN DEEP SOUTH

Following a leadership workship in October 1971, twenty-three garden clubs, members of the Montgomery (Alabama) Federation of Garden Clubs, pledged themselves to actively work toward revitalizing a lagging youth gardening program.

The results of this concerted effort has been gratifying according to Mrs. Betty Fitz-Gerald, Regional Chairman of High School Gardeners and Youth Chairman for the Montgomery Federation. There are now 1,454 Junior, Intermediate and High School gardeners enrolled and more clubs are in the making.

Mrs. Fitz-Gerald cites a few of the accomplishments of six of these youth groups as being typical of what young people can do and want to do—if given the proper guidance and leadership. She says these six groups are *"Literally rocking this old 'cradle of the Deep South.'"*

One of the groups, Lanier High School Boys Garden Club, a well-established unit with 35 members, has for several years grown flowers from which they make corsages which they sell at football games and for other school functions.

Under the guidance of their teachers-director, W. C. Locke and the sponsorship of Cherokee Rose Garden Club, they carry on a well-balanced gardening program. With this particular project, unusual in its concept, they are learning the fundamentals of horticulture; acquainting themselves with beauty; developing dexterity and a design consciousness; and at the same time acquiring business acumen as they market the product of their work and creativity.

The other five units, which are a part of this "*cradle-rocking*" group, were organized last fall at the R. E. Lee High School. With an approximate total membership of 115 these five units are guided by teachers-directors and sponsored by three senior clubs.

The combined accomplishments of this group is amazing and each facet of their work is a story unto itself. Briefly, however, here are some of the things they are doing: on weekends they work on schoolground beautification; sponsor a year-long anti-litter campaign by eye-catching bulletin boards placed strategically around the building and suitable to each month's emphasis; paint trash barrels for the schoolgrounds; work on landscape design and civic projects and put to practical use a well organized in-school program of conservation. Many of the members of this 5-unit group are registered for their first voting under the recently passed 18 year old vote law. They are *boning up* on state and national conservational bills and anti-pollution laws.

The preceding "brief" account of what these fine young people are doing does not tell the complete story. Mrs. Fitz-Gerald continues with a few specific activities which indicate the depth and scope of their concern and involvement.

Richard Terrace is a low rental project designed for the aging (60 to 92 years) who do not yet require nursing home care. Together with a group of Girl Scout Gardeners, they have "adopted" grandparents from among the residents of this housing project and are helping them to build an old-fashioned flower garden and wayside park on the grounds.

They participated in a Christmas tree lighting ceremony along with girl scouts, civic leaders, garden club officials and other interested citizens. This event received wide approval and was filmed in color for showing on a local TV station.

During the vacation months they have organized summer tours of a tree farm with the assistance of Mrs. Rosalie Koch of Washington, D.C., American Forest Institute, and "show-me-trips" to nearby parks and lakes while at the same time maintaining their schoolground program and continuing to work with the residents of Richardson Terrace.

Mrs. Fitz-Gerald, in commenting on the projects and personal involvement of these 10th, 11th and 12th grade students, suggests they are proving "Youth only needs to be kept busy doing good and they will be good. They have an affinity with nature. They can bridge the generation gap and give to and learn from the aged."

Based on her experience in youth and educational work, Mrs. Fitz-Gerald says of the garden club sponsorship of youth programs, "Through these garden club programs the students learn to appreciate beauty, to conserve our natural resources and to contribute toward the betterment of our communities. It is obvious that youth who participate in these programs are seldom found in delinquent groups or in our courts. Thousands of our youth are becoming 18 year old voters each year. Those who have come up through our vocational programs and have been influenced by garden club experiences can be counted on to aid in the protection and conservation of our natural and human resources and to encourage civic beauty, community-wide, state-wide and nation-wide."

This was endorsed by Vocational Director of Alabama State Department of Education T. L. Faulkner.

RUNAWAY YOUTH ACT

Mr. HRUSKA. Mr. President, official business prevented my participating in debate on S. 2829, Runaway Youth Act, on yesterday. Hence, I make the following comment now in opposition to the bill. This is not an easy measure to vote against because everyone in this Nation—and certainly this Senator—is concerned about the adequate protection of young people who run away from home. But, praiseworthy goals provide an unsatisfactory litmus with which to test the value of legislation.

My reasons for opposing this measure are threefold:

First, this bill was insufficiently considered by the Juvenile Delinquency Subcommittee;

Second, this bill will contribute to the further fragmentation of an already existing congressional mandate to the executive branch to deal with the problem of runaway youth; and

Third, while there are may be a need for additional legislation in this field, this bill is not the answer.

Let me turn to each of these three points in turn and discuss the facts regarding this bill as they were set out in my individual views appended to the report on this bill, report No. 92–1002:

> The hearings in support of this legislation were conducted on January 13 and 14 of this year—days which fell during the adjournment of Congress between sessions. It is no surprise that they were attended only by the subcommittee chairman. I find no satisfactory explanation for conducting hearings during a period when both tradition and good sense dictate that business of this sort is to be avoided. Such activity amounts to a fundamental rejection of the committee process by denying to other Senators of whatever political persuasion the opportunity to participate in hearings. The further consideration of S. 2829 during a subcommittee executive session just 12 days after these hearings, prior to the availability of the printed hearing record, represents an additional distortion of the committee process. I strenuously object now, as I did then, to this type of arrangement in the absence of some overriding consideration. No such consideration exists with regard to S. 2829.
>
> Turning to the bill itself, the question of its need involves some basic issues. Is this, first of all, a problem of national implications with a sufficient Federal nexus to justify action by the U.S. Congress? There is no doubt that young people run away from home—it is estimated that perhaps 1 mil-

lion a year do so. But it is not clear whether this is a growth in numbers, a decrease, or a relatively constant amount in relation to our growing population. Other factors, such as increased affluence and mobility, ought to be taken into account. My reading of the record indicates that these aspects were not given sufficient coverage during the 2 days of hearings.

Witnesses were heard from the metropolitan areas of New York, San Francisco, San Diego, and Washington, D.C. A judge from Indiana was also heard. These witnesses supported S. 2829. The sole administration witness, Mr. Philip J. Rutledge of the Department of Health, Education, and Welfare, opposed the bill. He did so on several pragmatic grounds which are addressed in the majority report. The supporting witnesses likewise provide a pragmatic basis for their endorsement of S. 2829, but on a far more general predicate. All of these witnesses indicated that facilities should exist at which wayward juveniles could be received, counseled, and sheltered in a professional manner outside the judicial process. They voiced approval of S. 2829 as an ostensible means of providing funds to meet this end.

Unfortunately, such support for a legislative proposal of this nature begs the question. Will the specific approach taken in S. 2829 result in the creation of facilities which will have a beneficial effect on juvenile delinquency in general and on runaway youth in particular? Based on the evidence at hand, an affirmative answer to this question would be unrealistic.

This bill would set up a categorical grant program designed to support facilities regarding which both governmental control and coordination would be minimal. Mr. Treanor, the director of Runaway House in the District of Columbia, testified that he considers this lack of control a virtue (hearings, p. 9). As legislators preparing to authorize the expenditure of 30.5 million tax dollars I am not convinced that we can share Mr. Treanor's viewpoint.

Although the record in support of this bill leaves several key questions unanswered, it does provide ample evidence that young people leave home for a variety of reasons. Further, a study by the National Institute of Mental Health which was quoted with approval by Mr. Slattery, a codirector of Huckleberry House in San Francisco (hearings, pp. 31–32), indicates that runaways can be broken down into two groups: a small group whose running away is bound up with individual or family pathology, and a much larger group consisting of those who run away only once. This study states that this larger group "was not clearly distinguishable from adolescents generally. . . . These, too, are troubled children, but they are troubled in much the same way as other adolescents are troubled. Unlike the pathologically driven frequent repeater, the others need no custodial care and have no special need for individualized professional services" (hearings, pp. 227–228).

Everyone would want those who are compelled to run away to be protected and returned home as soon as possible. But if a reduction in the number of runaways is a goal of equal or even greater priority, the proliferation of facilities to which juveniles know they can run raises serious problems. It is not enough to dismiss this concern, as Mr. Slattery did, by calling it "just a fancy theory" (hearings, p. 43). The possibility of creating potential "attractive nuisances" for adolescents must not be minimized.

Mr. Rutledge, the only adverse witness, made no effort to minimize the problem of runaway youth. Neither did he insist that it was receiving adequate attention. He did, however, state that adequate legislative authority exists to provide an appropriate Federal response to this problem. Mr. Rutledge cited the Juvenile Delinquency Prevention and Control Act of 1968 and title IV of the Social Security Act as examples of such authority. To quote Mr. Rutledge, "What is called for is not legislation establishing new categorical programs dealing with one aspect of the larger problem. Instead, efforts are needed at the State, Federal, and local level to integrate those services that are already available, and to fill gaps in the provision of services in each community, according to the needs of that community" (hearings, p. 20).

Neither the Congress nor the administration have been idle in the area of juvenile delinquency. The Vocational Education Act of 1963, as amended in 1968, provides Federal funding to State programs designed to provide vocational education to, among others, those with records of juvenile delinquency. Educational assistance to delinquent children is also available under the original Elementary and Secondary Education Act of 1965, as amended. One of these amendments, in 1970, gave special attention to the problem of juvenile delinquency, as did a 1970 amendment to title V of the Higher Education Act of 1965. There is other legislation which provides money and assistance in specific areas which have particular applicability to our troubled youth, such as drug abuse, manpower training, and relevant community action projects.

In 1970 the Omnibus Crime Control and Safe Streets Act of 1968 was amended to add a new part E to title I. This part provides for specific programs dealing with corrections, which must include special attention to the handling of delinquents and youthful offenders. And then there is the Juvenile Delinquency Prevention and Control Act of 1968 which, for all its faults, offers considerable promise if properly revised and administered. Last year this act was extended to June 30, 1972 and it is now to be extended again until June 20, 1974. Included in last year's extension was the creation of an interdepartmental council to coordinate all Federal juvenile delinquency programs. To be noted is the language of the committee in favorably reporting the extension of the 1968 act: "its relative ineffectiveness in its 3 years of operation has been a result of weakness in administration rather than of faulty conception" (S. Rept. 92–220, p. 3).

The newly created Interdepartmental Council is in full operation, and bureaucratic entanglements appear to have been significantly unsnarled. The President's budget for fiscal year 1973 calls for expenditures of $43.7 million by the Law Enforcement Assistance Administration on juvenile delinquency prevention and control. The Department of Health, Education, and Welfare has projected $19.5 million to be spent by the National Foundation for Higher Education, and $17.1 million by one Social and Rehabilitation Fund, in this same area. No funds have as yet been budgeted for the Juvenile Delinquency Prevention and Control Act of 1968 because of its pending expiration.

An additional, fragmented approach to juvenile delinquency, regardless of how well-intentioned, would be counterproductive. Coming at the point where the executive branch is displaying a heartening intention and ability to coordinate its efforts in this area, S. 2829 could become a liability.

Singular recognition of the need for a comprehensive and coordinated approach to juvenile delinquency is evident in the introduction by the chairman of the Subcommittee To Investigate Juvenile Delinquency of a bill entitled "Juvenile Justice and Delinquency Prevention Act of 1972." In the words of the subcommittee chairman, who is also the primary sponsor of S. 2829, his proposal "completely restructures the Federal approach to the problems of juvenile delinquency." Since the Juvenile Delinquency Prevention and Control Act of 1968 is again coming up for review, the question whether it should be extended or replaced by a restructured program is not out of place. But piecemeal efforts like S. 2829, the Runaway Youth Act, only detract from such an approach.

Every year the volumes of the United States Code grow fatter with new laws designed to cure the ills of society. And every year the truly valuable legislation produced by Congress becomes overshadowed by other laws which increase the credibility gap between promise and performance. It is long past time that we make a more serious effort to improve our partnership with the executive branch so that existing laws can be made to function, particularly in this important area. While we should never hesitate to improve law through reasoned amendments, these should be enacted only upon a sound foundation of demonstrated need. We will never have true improvement in juvenile delinquency, as in other fields, if we do not give our partners in the executive branch an opportunity to adjust to and implement the laws we do pass in a manner that will permit effective administration.

It is for these reasons that I oppose the passage of S. 2929.

COMMENCEMENT ADDRESS BY MRS. JACQUELYN MATTFELD

Mr. PELL. Mr. President, Mrs. Jacquelyn Mattfeld, dean of academic affairs at Brown University and a consultant to the National Endowment for the Humanities, recently gave a commencement address to the class of 1972 at Sarah Lawrence College. Mrs. Mattfeld's remarks constitute a valuable perspective on the enrichment of our lives by an understanding of both our humanness and our humaneness. It is a message of optimism, but calls for a recognition of responsibility for ourselves and others, and a utilization of the individual's gifts in the service of others. Mrs. Mattfeld's work in the academic world and her contribution to the humanities endowment have set a fine example of living out her own words. I ask unanimous consent that Mrs. Mattfeld's remarks be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Mrs. Mattfeld

Few commencement speakers are fortunate enough to know the school or the graduating class they address as intimately as I have been privileged to know Sarah Lawrence College and these seniors. Because so many of us who are leaving Sarah Lawrence have become friends it may not be too presumptuous of me to say out loud that I think most of us here were initially drawn to this college because of our personal affinity with its singular, brave insistence upon the indivisable unity of the intellect and emotion in the process of education. I would like, therefore, to speak with you today about the relationship between that unusual educational philosophy and the raw reality of our times and the lives you will choose to be your future.

You, the class of 1972 were freshmen in 1968–69, the year of national student uprisings. The student strikes, black walkouts, indeed *all* the social movements and their attendant demands of that year and the next were the energetic, angry attempt of the young to effect change in the consciousness and actions of those with power. They cried out against the escalating undeclared war. They deplored the degrading deprivations and indignities endured by the poor of this wealthy nation. They rejected the gross social injustice blindly perpetuated for generations on the non-white races, on women, children, the mentally ill, and the aged in a country which promises human rights for all. They decried the squalor and dehumanization of the cities, and the wanton destruction of all those resources of the planet which sustain life itself. 1968–69 was a chaotic, disrupted year in which to begin study.

For many students that distracting confusion was accompanied by a heady sense that after several millenia of human failure, theirs might be the generation of an elect who could usher in an era of peace and create a new and humane society which would dignify *all* persons, and exist in harmonious interdependence with nature.

You who were freshmen in 1968–69 experience for a year or two the support of your causes by many faculties, and a positive, if fearful, response to your common concerns, *not* from the vast silent majority of our countrymen, to be sure, but at least from the colleges and universities historically conditioned to meet whatever changes in knowledge and skills the citizenry require of formal learning. By this your senior year, we have witnessed together how shockingly short lived and superficial much that we took for social awakening and change has again proven. Idealism in individuals and institutions faded, while in an incomprehensible economy this nation sent more men into space and war but cried "depression" as public and private support were withdrawn from education, poverty programs, libraries and the arts. It has been a quiet year on campuses across the country; disillusioned and despairing, the older students appear human nature, and that history repeats itself because mankind does not change.

No other animal has the enormous capacity for reasoning, communication, creativity, empathy, and love that the human has. No other pursues the indiscriminate destruction of his own specie, or commits conscious and deliberate suicide. Only when we have accepted the opposing facets of our humaness and understood the enormity of the implications of this duality do we fully recognize the degree to which it is we ourselves who will determine the quality of our lives no matter the state of the world in which we find ourselves. There is abundant record that again and again throughout human history individual men and women have wrested purpose, and beauty, and meaning out of human existence during turbulent and barbaric times. You, too, have that capacity and that opportunity.

The purpose of education is to assist us in attaining mastery over the demonic traits of our humaness, and in developing to their highest power all that set us apart from bestiality. In all we learn, we are in pursuit of self-understanding—knowledge of ourselves, of our own and our fellows' identity, the workings of our minds, and feelings, and physical being. Even as we explore the laws that govern every aspect of our world and our universe we are in search of reassurance of orientation in our surroundings. At Sarah Lawrence most of your teachers have understood that this is so. They have tried to make explicit the connections between theory and reality. They have attempted to have withdrawn from the political into the academic. They remark that their younger successors seem resigned or apathetic, that they conform to the resurgent conventions of school and society in a spirit of passivity or cynical gamesmanship. Many outside observers have commented that a brooding pessimism hangs like a pall over the most gifted and sensitive young people. As you graduate today many of you are asking silently, or have discussed with one another behind closed doors through long nights, just what good education is if it can not resolve the agonizing dilemmas of contemporary society gone out of control.

Four *thousand* years ago in 2000 B.C. an Egyptian chronicle wrote these lines, "No one ploughs the land any longer. People keep saying, 'We never know what will happen from one day to the next' . . . Filth is everywhere . . . The country is spinning madly round and round like a potters' wheel . . . No one ever laughs any more . . . No public office is really open as it should be, and the masses mill like terrified sheep without a shepherd."

Five *hundred* years ago the poet Eustache Deschamps asked, "Why are the times so overcast that men do not know one another at all, and Governments quite clearly change from bad to worse? The bygone days were more worthwhile. Now what holds sway? Only deep gloom and boredom. Justice and law are nowhere to be found. I no longer know where I belong."

These dark passages out of man's past remind us what we so often forget—that learning has never been able to change show the connections that exist between *what* you are learning and the *you* who is learning. Your education began long before you arrived at Sarah Lawrence College. It will continue—at times formally, at times informally—so long as you are truly alive. We would like to believe that when you look back upon these four years you will find you were strengthened in the certainty of your worth, and encouraged to accept the responsibility of all who are so richly endowed, namely, to bring mind and heart together in your personal relationships and the service you render through community and profession. We can promise you that though we are nomads, we are not alone in the accidental horrors and possibilities of this historic moment. We may feel beleaguered and alienated as we encounter greed, cruelty, jealously, hypocrisy, fear and prejudice in our fellows. Yet there will always be the recurrent miracle of encountering their opposites—compassion, generosity, truth, courage, and wisdom. These will not enable you to become comfortable with the swift-footed pace of change nor with the uncertainty, ambiguity and contradiction that are inherent in the human condition. But you can become strong by learning to be yourself—by daring to love, to suffer, and to work for the realization of the highest the human race is capable of attaining, wherever you are, with whatever gifts you find you can develop and put into the service of others.

The world will not become perfected by your efforts, but you will have had the rarest and most unlikely experience this universe is believed to contain—a truly *human* life.

Live well—and godspeed.

LABOR STRIKES FARAH IN EL PASO, TEX.

Mr. MONTOYA. Mr. President, to every woman working in America, the fruits of labor are guaranteed under a system of law which fulfills, sustains, and gives dignity to our Nation's constitutional imperative: "All men are created equal."

The rights to air grievances and bargain collectively have become as basic to our 20th century standard of economic justice as our Nation's productivity is to our unparalleled standard of living.

Employer and worker alike, not without pain and even begrudging sacrifice, have come to embrace a system of law which guarantees good faith and which gives dignity to the aspirations of both.

The wise and judicious application of progressive labor law in this century has afforded the American worker and his employer a mutual respect unequaled in industrial history. An honest day's work for an honest day's pay is a reality because thoughtful men opened avenues of exchange through law.

It is deeply troubling, therefore, to uncover the small pockets of injustice which do exist, to find that good law is calously violated in small corners of our country, to see that economic exploitation is a living experience for one of our Nation's people, to whom the fruits of labor are bitter at best, if extended at all.

In another age, illegal union busting by wealthy industrial employers was a cruelly expedient and commonplace corollary to the American worker's struggle to secure better working conditions for himself, a better home for his family, a better future for his children.

The subtle and calculated deployment of selective layoffs, withholding of wages, restrictions on outside activities, intimidating interrogations, and threats, as a pattern of discriminatory practices against dissatisfied and disaffected workers, are well documented in the accounts of the early trade union movement. So, too, locked factory exits, the use of vicious dogs and mass employee arrests are, for most workers, a closed and all but forgotten chapter in American history.

But for 3,000 Mexican-American workers employed by the Farah Manufacturing Co. in west Texas and New Mexico, 19th century union busting tactics have become almost a daily reality.

The Farah Co. is one of the Nation's larger producers of men's pants, and operates nine plants in El Paso, San Antonio, and Victoria, Tex.; Las Cruces and Albuquerque, N. Mex., The company has thrived in areas where jobs are scarce, where unemployment is so acute that a man will take anything he can get. Its plants are known for their high barricaded walls and barbed wire.

In August of 1969, a shipping department employee at one of the four El Paso plants was summarily discharged from his job for the simple act of meeting with a representative of the Amalgamated Clothing Workers Joint Board, and seeking the union's assistance in organizing the plant. Although a court review reinstated this man to his job, the event touched off a sequence of activity which remains unresolved after 3 long years. In the fall of 1969, Farah instituted and enforced stiff rules prohibiting the distribution of literature and employee solicitation as part of a campaign to avoid unionization at all cost.

When the National Labor Relations Board, in October of 1970, upheld a petition to hold elections on the question of forming a union unit among cutting room employees at one plant, the company attempted to stymie the election process by a series of maneuvers, including the publication of unreadable eligibility lists and attempted participation in the voting process by ineligible employees, methods which can be described only as an effort to rig the vote.

Despite this, the workers voted in favor of unionization, and the cutting room at the Gateway plant has been certified. Farah has filed more than 100 challenges to the certification.

The company continued its campaign to ferret out union sentiment in the

Gateway plant during 1970 by the consistent discharge of those workers suspected of union activity, by maintaining an open watch on employee activities, by enforcing both discriminatory work practices and nonsolicitation rules. The company sharply cracked down on nonwork-related conversations between employees, and even color coded identification tags to prohibit interdepartmental solicitation. Many of these practices, including the firing of 20 employees in 1970, are in direct violation of Federal labor law.

On May 9 of this year, employees initiated a walkout at the two San Antonio plants and at four Farah facilities in El Paso, in response to the discriminate firing of workers for their participation in a union organizing committee. The consistent intransigence of the Farah management in refusing to allow employees to air grievances gave few recourses to workers, and a totally peaceful and orderly picketing demonstration was organized.

As a result, 600 strikers were arrested en masse for alleged violations of Texas picketing laws. Some workers were awakened from sleep in the middle of the night and taken to jail for the act of exercising their constitutional rights of publicly airing their dissatisfaction with social injustice.

The bail bonds for the 600 men totals $240,000, or $400 apiece, although the usual bond is $25 for such an alleged misdemeanor. Unmuzzled police dogs "protected" the Farah gates while still and moving pictures were taken of all striking employees for later use in court.

The company has since employed its tactics of withholding paychecks to strikers, and has even ordered the physical blocking of plant exits at times, in order to prohibit sympathetic workers from joining picket lines.

Judicial remedies through local avenues of justice have been all but exhausted. The El Paso Justice of the Peace who set the high bond for the strikers has been heard to say that "arrests will continue until the strike is broken." Justice through the local courts is all but impossible given the Farah company's position of prominence in El Paso city affairs.

Mr. President, strike busting, Farah style, was outlawed in this country decades ago, yet it thrives in a corner of the Southwest in America, 1972. The right of workers to form a union for their own betterment is safeguarded in law, to prevent closed economic communities and political monopolies from breeding economic exploitation and social injustice.

The small pockets of injustice fester as sores on a national model which has consistently proven its worth in securing a better way of life for all workers, and a stable economy for all America.

Chicano people are becoming acutely aware that they must bear twice the burden, pay twice the price, and suffer twice as much to gain the protections of law which America guarantees to all. If we permit a comparative handful of American citizens to be so easily thwarted in their struggle against corporate injustice in securing their human and legal rights, then the claims of all workers under the law are weakened, and the letter and spirit of all our progressive labor legislation remains unfulfilled.

If those in management in this case feel that their side has been distorted, I shall not close my ears. Management is entitled to be heard in the open forums of discussion. Above all, we have a responsibility to bring about human equity and justice to this situation which blemishes our economic landscape.

It is our responsibility as a Nation and as individuals in a society to assure for our fellow man the equal opportunity that gives meaning to our Federal Constitution. To sit idly by is to maintain this injustice, and to assist our people in need is to give voice to our aspirations as a free Nation.

IMPLEMENTATION OF EDUCATION AMENDMENTS OF 1972 BY DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. PELL. Mr. President, I am deeply concerned about the manner in which the Department of Health, Education, and Welfare is implementing the education amendments of 1972. We have quite often had problems with the Department's tendency to rewrite the law—frequently to the point that we do not recognize it. However, the siutation on the present law is more extreme than has ever, to my knowledge, been the case.

I would like to bring to the attention of the Senate an example of their blatant disregard for the plain language of the law as well as the unequivocal intent of Congress.

One of the major underlying purposes of the recently enacted higher education portion of the education amendments of 1972 was to make student assistance available to students from middle and upper middle income families. While this purpose is reflected in many portions of the bill, it is especially evident in the amendments to the guaranteed student loan program.

The guaranteed student loan program was established in 1965. Put simply: It is a Federal program carried out in partnership with the lending institutions of our Nation under which a student obtains a loan to finance his education. That loan—subsidized in certain cases—is fully guaranteed by the Federal Government, thus making it an attractive loan for the banks, and one which is easily obtainable by the student, whether he has a banking history or not. Interest to the student is 7 percent; however, under previous law, where students are from families with adjusted family incomes of less than $15,000, 3 percent of the interest is subsidized while the student is in school. There was a limit of $1,500 per year per student.

The conference, attempting to make the guaranteed student loan program available to more middle-income people, changed this figure from a yearly limit of $1,500 to $2,500. More important, the limitation on the adjusted family income levels to which the interest subsidy was to be made available was deleted in the House bill, so that students from families earning more than $15,000 could receive interest subsidies.

It is the interpretation of this latter change, from prior law, which is causing a serious problem. The Senate version of S. 659 contained no change from prior law, while the House version contained an amendment removing the $15,000 ceiling on eligibility for interest subsidies and, at the same time, imposing a "needs test" on all student borrowers. The Senate conferees favored removing the $15,000 ceiling but opposed the inclusion of the "needs test" on all borrowers. The conferees compromised by removing the $15,000 ceiling and including a "needs test" for eligibility, but only for students from families with annual adjusted incomes in excess of $15,000.

Recent interim regulations issued by the Department of Health, Education, and Welfare represent a misreading of the intent of Congress, and, if allowed to continue, will bring to an end the guaranteed student loan program. The first regulation involved would make a "needs test" necessary for any guaranteed loan, no matter what the income level of the student or his family. Therefore, a student who comes from a $10,000 family, and who automatically received interest subsidy last year, is considered no longer eligible unless he proves his need for a loan to the student loan officer and ultimately, the lender.

The institution of a "needs test" for those from families under $15,000 was not the intent nor purpose of this legislation. When one considers that we wished to broaden the program and make it available to more families, it should be clear that interpreting the legislation in a manner which restricts availability of loans is directly contrary to the intent. It is our view that there is a presumption of need for families with incomes of $15,000 or less, as there was before the legislation was enacted, and that the need factor is only to be taken into consideration with families of $15,000 or more income. Therefore, an HEW regulation requiring a needs finding for all loans is clearly a contravention of law.

The other regulation which is contrary to both the intent and letter of the law is that which states that the bank can only loan as much as the student financial aid officer recommends. This is found nowhere in the statute, and it should be pointed out that we indeed used the word "recommend." A recommendation is just that—it carries no force and effect—and the lenders may, according to their own judgment, loan more than the student financial aid officer recommends.

These two regulations which are just now being broadcast throughout the country are definitely limiting participation in the guaranteed student loan program, instead of broadening that program.

On Friday, I communicated my concern about HEW's interpretation of the limitation, along with Representatives Brademas and Perkins and Senators Randolph and Williams. I ask unanimous consent that the letter be printed in the Record.

There being no objection, the letter

was ordered to be printed in the Record, as follows:

Congress of the United States, House of Representatives, Committee on Education and Labor
Washington, D.C., July 28, 1972.

Hon. Sidney P. Marland, Jr.,
Commissioner of Education, Office of Education, Washington, D.C.

Dear Commissioner Marland: We are writing to you with respect to an interim regulation affecting the interest subsidy provisions of the Guaranteed Student Loan Program, which was filed last week and published in the Federal Register of July 18, 1972.

Having compared the regulation to the relevant provisions of the statute, we must tell you that in our view the regulation seriously misconstrues the law, and, if left unchanged, will effect a substantial change in Federal student aid policy that we as Members of the Committee of Conference on the Education Amendments of 1972 did not intend.

The regulation in question purports to give effect to Section 132C (a) of the recently approved Education Amendments of 1972, and states in part:

"(b) In connection with a loan issued after June 30, 1972, in order for a student to be eligible for payment on his behalf by the Commissioner of a portion of the interest on such loan . . . the eligible institution at which the student has been accepted for enrollment or which he is attending . . . must, prior to the making of such loan, (1) determine, pursuant to paragraph (c) of this section, the loan amount needed by the student, if any, and (2) recommend that the lender make a loan in the amount so determined.

In our view this regulation would not be objectionable if it governed only the eligibility to receive interest benefits of students whose adjusted family incomes exceed $15,000, since in essence it merely restates the three elements of subparagraph II of Section 428(a)(1)(C) of the statute, as amended. These elements are: (1) that the institution has determined the student is in need of a loan; (2) that the institution has determined the amount of the loan of which the student is in need; and (3) that the institution has recommended to the lender that it make a loan in the amount of such need.

The comparable statutory provision running to students whose adjusted family incomes does not exceed $15,000, however, contains only two of these three elements, omitting the requirement that the institution has determined the student is in need of a loan.

This omission was intended by the Conferees to have meaning. Our intent was to create *a presumption* of need in favor of students whose adjusted family incomes does not exceed $15,000, and not to change existing law in this respect.

The statement of the managers that accompanied the legislative provisions of the Conference Report supports this conclusion:

"The conference substitute contains features drawn from both the Senate and House amendments. Under it a student would be eligible for an interest subsidy if his adjusted family income is less than $15,000. The student's school will furnish the leader with a statement concerning its determination of the amount of the student's need for the loan and a recommendation as to amount of the subsidized loan. In the case of students whose adjusted family income is over $15,000, the school may determine that he is in need of a loan to attend the institution. If it so determines, it shall provide the lender with a statement evidencing the school's determination of the amount of his need and a recommendation as to the amount of the subsidized loan.

You will note that the statement of managers describes in absolute terms the eligibility to receive interest benefits of students with adjusted family incomes of less than $15,000. Further, the statement of managers clearly indicates that the only issue to be addressed by the educational institution under such circumstances is the *amount* of the student's need, and the amount of the loan it will recommend.

Thus, on the strength of the language of the statute, as well as the statement of managers that accompanied it, we feel that the only reasonable construction of the recently enacted amendments is one which recognizes a clear distinction between the eligibility requirements applicable to a student with an adjusted family income of less than $15,000, and those applicable to a student with an adjusted family income in excess of $15,000. Indeed, unless Section 132C when read in its entirety is construed as having this meaning, our action in writing two separate eligibility provisions could at best be regarded as a frivolous exercise. It was not.

You will appreciate that the above analysis has more than academic interest, since it bears directly on a question to be addressed in subsequent regulations, i.e. the basis on which the payment of interest benefits may be made on loans in excess of the recommendation of the educational institution.

The regulation here addressed implies—and the form (OE 1260) intended to implement it flatly states—that "if the educational institution makes no recommendation for a loan . . . , the loan is not eligible for the Federal interest benefits."

Again, in our view such a result would not be objectionable if it applied only to the eligibility to receive interest benefits of students whose adjusted family income exceeds $15,000, for there an institutional determination of need is a prerequisite to any further consideration of a student's application.

When applied to students whose adjusted family income is less than $15,000, however, such a rule would have the effect of allowing the educational institution to overcome the statutory presumption of need on the part of such students, thus exercising a power Congress did not grant, and working a substantial change in previously existing law.

This result was not our intent. We intended to leave existing law substantially unchanged with respect to students with adjusted family incomes of less than $15,000, adding only the requirement that the educational institution have some input into the judgment reached by the lender before the loan is made. This input was not intended to be conclusive, and students with adjusted family incomes of above and below $15,000, respectively, were not intended to have to proceed on the same footing.

It follows from this conclusion that if the Office of Education is to administer the loan subsidy program in the manner intended by Congress, substantial changes must be made in the regulation promulgated last week. Such changes should reflect the intent of Congress that students with adjusted family incomes of less than $15,000, and students with adjusted family incomes in excess of $15,000, not be treated the same, and that the former be accorded a presumption of need, as was the case under previous law.

It is our understanding that, pursuant to Section 139 of the recently enacted Education Amendments, the Office of Education will submit proposed permanent regulations, guidelines, and application forms issued in connection with the subsidized loan program to the Committee on Labor and Public Welfare of the Senate, and to the Committee on Education and Labor of the House of Representatives, at least thirty days prior to such regulations, guidelines, and application forms taking effect. We trust that copies of the relevant documents will be transmitted as soon as possible since the immediate plans of millions of college students, and thousands of colleges, universities and lending institutions, are dependent upon the matter being resolved without delay.

In the meantime we hope the information contained in this letter will be useful to you in revising the regulation issued last week. We appreciate that the Office of Education has had to move with considerable speed in implementing the changes made by Congress in the subsidized loan program but know you will agree that this and all programs created by statute must be administered in accordance with the intent of Congress, without exception.

Best wishes.

Sincerely,

Carl D. Perkins,
Chairman, House Committee on Education and Labor.

John Brademas,
Member, House Committee on Education and Labor.

Harrison A. Williams, Jr.,
Chairman, Senate Committee on Labor and Public Welfare.

Claiborne Pell,
Chairman, Senate Subcommittee on Education.

Jennings Randolph
Ranking Majority Member, Senate Committee on Labor and Public Welfare.

A BILL TO PROVIDE FOR THE PAYMENT OF FUNDS TO THE IOWA INDIAN TRIBE

Mr. DOLE. Mr. President, on May 7, 1965, the Indian Claims Commission made an award to the Iowa Indian Tribe of Kansas and Nebraska and the Iowa Tribe of Oklahoma. The award was made as payment for certain land which was excluded from the Iowa reservation established in southeast Nebraska and northeast Kansas by an 1854 treaty and as additional payment for other land sold under the same treaty.

Funds to pay this award were appropriated by Congress on March 21, 1972, and the tribes have since agreed on the division of the funds. I, therefore, introduce legislation to authorize payment of the appropriated sum to the Iowa tribes.

Mr. President, it is unreasonable that a just claim arising from a formal U.S. treaty adopted nearly 120 years ago should still remain unsatisfied. It would be even more unjust for the Senate to delay any longer the satisfaction of this claim. The Claims Commission has awarded the claim, Congress has appropriated the money, a tribal agreement on distribution of the funds has been reached, and Congress must now pass the authorizing legislation to enable settlement of this claim. I, therefore, encourage my colleagues to act promptly in their consideration of this bill, and bring about prompt payment of this 120-year-old obligation.

The Iowa Tribes of Oklahoma and of Kansas and Nebraska have a membership of approximately 1,740 individuals. The Iowa Reservation of the Kansas and Nebraska Tribe is located in Brown County, Kans., and in Richardson County, Nebr. It covers approximately 1,378 acres, most of which is farmland. Approximately 83 percent of the land is used by Indians and the remainder by non-Indians under lease arrangements.

The tribe is governed by a general council composed of all enrolled members of legal age, and by an executive committee which has broad delegated powers for carrying on the daily business of the tribe.

The primary functions of the tribal government are in matters pertaining to the preparation of claims, prosecution and distribution of claims, preparation of membership rolls, and supervision of the tribal lands.

The tribal government has proposed distribution of the judgment now in question on a per capita basis to currently enrolled members, in accordance with the tribal constitution. They have voted to hold payments distributed to minors in trust for them, and are in the process of establishing a trust fund in a local bank for this purpose. Once completed, the trust proposal will be submitted to the Secretary of the Interior for final approval. I urge the Senate to respect the wishes of the tribe and permit retention of the trust funds in the local Indian community.

There is no controversy surrounding this award. The Claims Commission has adjudged it, the Iowa tribal government has agreed on the distribution scheme, and Congress has appropriated $633,193.77 to satisfy claim docket No. 135. I am hopeful that this authorization bill can be acted upon promptly so that this obligation owed by the United States to the people of the Iowa Tribes may finally be met.

PAUL-HENRI SPAAK

Mr. PERCY. Mr. President, it was with great sadness that I heard the news of the death of Paul-Henri Spaak, the Belgian statesman and one of the chief architects of European unity and the Atlantic partnership. Mr. Spaak earned the title of Mr. Europe for his efforts to preserve Western solidarity and independence in the critical years after World War II.

Mr. Spaak's vision of a free, united Europe never faltered and his leadership, skill and determination to strengthen and preserve the free societies of Europe gave heart and hope to his people and colleagues.

There is hardly an international organization in Europe that does not owe in part its birth and healthy existence to the tireless efforts of Mr. Spaak. He was president of the European Coal and Steel Community, president of the Council of Europe, and signatory to the Treaties of Rome which created the European Economic Community. He was also one of the principal creators of NATO and its secretary general from 1957–61. He helped write the Charter of the United Nations and served as the first president of the U.N. General Assembly in 1946.

Remarkably Mr. Spaak also found time to serve three times as Belgium's Premier, and six times as its foreign minister in addition to numerous other cabinet and government posts.

Mr. President, the Western World truly owes a great debt of gratitude to Paul-Henri Spaak. His vision of a peaceful and just world was based on a concept of a unified Europe and partinership between Europe and the United States. The Atlantic partnership on which so much of our own foreign policy is based would have been impossible without him.

FEDERAL REVENUE SHARING

Mr. MATHIAS. Mr. President, as a long-time advocate of Federal revenue sharing, I am pleased to see that at long last there is some hope for passage of this critical reform this year. The many communications I have received from officials throughout my own State of Maryland attest to the urgency of the need for the fiscal relief provided in the State and Local Fiscal Assistance Act of 1972. I recently spoke to this point in a statement to the Committee on Finance during its hearings on S. 3651. I ask unanimous consent that the statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Charles McC. Mathias, Jr., Submitted to the Senate Finance Committee, July 27, 1972

Mr Chairman, I am deeply grateful to have the opportunity to express to your Committee my enthusiastic support for S. 3651, the State and Local Fiscal Assistance Act of 1972. As a former member of the Senate Government Operations Committee's Intergovernmental Relations Subcommittee, I am all too familiar with the fiscal plight of our State and local governments and with the various proposals for easing it. Moreover, I recently held hearings in my own State of Maryland to study alternatives to the inadequate property tax system upon which our local governments have been forced to lean. I am convinced that revenue sharing is essential, not only to the survival of the federal system as we know it, but to the solution of our most urgent public problems.

Maryland will receive $117.5 million this year if S. 3651 is enacted, bringing relief to property owners who have watched their taxes soar as local governments strive to pay for schools, police, fire protection, water and sewer lines and other public services. The $19.4 million available to Baltimore this year under revenue sharing is essential to bringing new life to the urban center of Maryland. How essential will be understood when it is realized that the current Baltimore City budget anticipates these funds and will be in default if they are not provided. A real urban crisis would follow the defeat of this bill.

I would like to address myself to one of the objections most often raised against revenue sharing—the charge that it would divorce the authority to tax from the authority to spend and thus destroy one of our most basic built-in controls over irresponsible spending. There is, it is argued, no more effective check upon such spending than the requirement that the responsibility for raising and for spending money should rest upon the same governmental shoulders. To permit a government to enjoy the power of spending money without having first to endure the pain of raising it is, we are told, to undermine the principle of public accountability.

On the face of it, Mr. Chairman, this argument would seem to have a good deal of force. But it simply does not stand up under close and careful analysis.

To begin with, revenue sharing is not the novel notion—the alien and untried idea—that some would have us think it is. In the broadest sense of the phrase, revenue sharing has been with us since the early decades of the Republic. It has, more recently, become not only a fact of federal life, but an increasingly important feature of our federal system. We have developed what Daniel Elazar has called a "cooperative system," in which "the federal government, the states, and the localities share the burden for the great domestic programs by making the larger governments primarily responsible for raising the revenues, and the smaller ones primarily responsible for administering the programs." As we all know, state and local officials have, for decades now, administered billions of dollars of federal assistance. But what is far more significant, and what we rarely seem to recognize, is the fact that for years every state in the nation has been sharing large portions of its revenues with local units of government. In fiscal 1969, the states disbursed almost $25 billion to their local governments.

The development of these state revenue sharing practices has not been merely a matter of accident or convenience, but of deliberate design. We have relied heavily, under our federal system, upon those governments and agencies closest to the people—upon local governments and agencies—for the actual provision of many of our public services. We have, at the same time, relied just as heavily upon the Federal and state treasuries for much of the funding of these services. And we have done so for some very sound reasons.

It is, to begin with, impossible to devise a set of geographic boundaries that would divide the country into governmental units capable of raising precisely the amount of revenue each unit would need. Some of our areas are wealthy, others poor; some are rural, others urban; some are industrial, others residential; and so on. Yet none of these areas is self-contained. Over their boundaries, countless times daily, millions upon millions of people are passing—making demands upon one jurisdiction while paying taxes in another.

The only way to make government responsive and effective under these conditions is to work out a system of intergovernmental transfers to help insure the provision of at least the essential services in every jurisdiction. Without some such system, many units of government would inevitably elect to block the immigration of people or businesses or activities which, for one reason or another, might add to its financial burden. In varying degrees this has, in fact, already happened—most notably in the resistance of some suburbs to the construction of low and moderate income housing. It is to counter this tendency that we have developed a rather complex set of both federal-state and state-local transfers.

Recently, the federal-state system of transfers—the federal grant in aid system—has come in for a good deal of attention. But we have in the process almost entirely ignored the fact that, for many years, the states have had highly advanced systems of grants. Indeed, state grants account for over 30 per cent of local governmental expenditures, and for about a third of state budgets. Many of these grants are for specific purposes, but many others are not. State grants, in other words, cover the entire spectrum of possibilities—from grants that are completely untied, to others which allow a great deal of latitude, to still others that leave state-local officials with virtually no discretion.

Take, for example, my own State of Maryland. We have had school equalization grants for many years. These are transfers from the State to local governments which spend money they do not raise in taxes. Every school board in my State spends money it is not responsible for raising. Finally, the county "piggy-back" income taxes are a form of revenue sharing, at least to the extent of the minimum 25 per cent which the State requires of all counties.

The same situation holds true in a variety of ways throughout the country. A number of states have independently enacted "per capita grants" to their local governments, which are similar in every respect to the revenue sharing grants proposed in the legislation before us today. Back in 1949, New York State replaced most of its shared taxes (personal and corporate income, alcoholic beverages, and utility taxes) with per capita aid to localities. Many other states use shared taxes in one form or another; and still others provide support in the form of property tax relief.

The enactment of a new revenue sharing plan in New York stands out as the most dramatic state aid development of 1970. The New York plan will distribute 21 per cent of the State personal income tax to counties and municipalities. As a result, New York's per capita aid will triple from the present $200 million to $600 million.

At the federal-state level, some degree of federal sharing of revenue with the states has occurred in every period since the beginning years of the nation. Before the depression years of the 1930's, most such distribution of funds was of a temporary or short-term nature—with a few notable exceptions such as the land grant colleges, vocational education, and the federal aid highway system. In 1790, at the recommendation of Secretary of the Treasury Alexander Hamilton, the Federal government assumed some $18.3 million worth of Revolutionary War debts incurred by the states. During the closing years of the second Jackson Administration federal revenues exceeded both the national debt and the level of current expenditures. The Federal government decided, in 1836, to distribute more than $28 million of its surplus funds to the states in proportion to their electoral votes.

Today, in addition to the billions of dollars of federal categorical or restricted assistance which each year pour out of the federal treasury and into the hands of state and local officials, the Federal government directly shares with state and local governments a portion of the revenues it derives from the sale of public lands from grazing leases and permits, and from the use of national grasslands.

In short, Mr. Chairman, state and local officials are already very much involved in spending funds which they themselves have had no hand in raising—and they have been doing so for many, many years.

There is, however, one glaring gap between the Federal-state and the state-local transfer systems: states *do* make general purpose grants to localities, while the Federal government currently makes no such grants to state and local governments. That gap should, in my judgment, be closed by a carefully constructed program of Federal revenue sharing.

The major reason for revenue sharing, which I shall not expand upon here, is to help reduce the enormous disparities that have developed in the revenue raising abilities of our state and local governments—disparities that we cannot diminish through the conditional grant system. Next to the swelling growth in Federal revenues—a ninety-fold increase in 36 years—state and local revenues seem almost at a standstill, their growth stifled by their dependence upon regressive and excessive property and sales taxes. As John Kenneth Galbraith once said: "The great economic anachronism of our time is that economic growth gives the federal government the revenues while, along with population increase, it gives the states and especially the cities the problems."

A federal revenue sharing program to overcome that fiscal imbalance would, I am convinced, strengthen rather than subvert political accountability at all levels of government—Federal, state and local.

If divorcing the authorities to tax and to spend were as dire a deed as some suggest, then we would have been done for long ago—for, as I've stressed, we have had such a divorce, in some form or other, from the start.

Nor do I see how the current system of categorical aid is in any respect more "accountable" than a system of general revenue sharing. As President Nixon noted in his Revenue Sharing Message to Congress, the "crucial operating decisions are often made by anonymous bureaucrats who are directly accountable neither to elected officials, nor to the public at large." Indeed, even many of the elected officials who control federal spending have only a limited degree of public accountability. In its sheer size and complexity, with its 500 different spigots, the current multi-billion dollar categorical aid system defies both Presidential and Congressional oversight. Under this system, authority rests in the hidden hands of thousands of program administrators who run the system by spawning a vast jungle of regulation that serves as an almost impenetrable obstacle to efficient state and local use of Federal aid dollars.

Presidential and Congressional control over this sprawling system has steadily slipped away. Increasingly, the Congress has relied on trust funds, long term contract authorizations, and debt service grants to help finance highways, airports, mass transit facilities, college housing, and public housing units. The great gap between Federal aid promises (program authorizations) and funding performance (annual appropriations) has been one of the strongest factors behind the demand that Congress make the funding of these and other capital facility programs far more certain. We have paid an extremely high price for that certainty—as the President and the Congressional appropriations committees have been stripped of much of their annual budgetary control over these categorial aid programs.

In a real sense, then, neither the Congress nor the President nor the Federal bureaucrats down the line are capable of being really accountable or responsive to the mass of citizens who are affected by their actions.

As President Nixon put it in his Message, "accountability really depends, in the end, on accessibility—on how *easily* a given official can be held responsible for his spending decisions." The crucial question is thus not where the money comes from, but whether the official who spends it can be made to answer to those who are affected by the choices he makes. To echo the President: Can the people get their views through to him? Is the prospect of their future support a significant incentive for him? Can they remove him from office if they are unhappy with his performance? These questions, quite clearly, are far more likely to receive an affirmative answer in a smaller jurisdiction than in a larger one.

Under revenue sharing, therefore, the political accountability of state and local officials to their electorate would stand as a powerful and natural defense against wasteful fiscal practices. Local policymakers will fully realize that, if they fritter away revenue sharing funds, they will be forced to ask their constituents to pay yet higher taxes.

As an argument against revenue sharing, therefore, the issue of divorced taxing and spending and of diminished accountability simply does not stand up. It is a false issue that simply diverts our attention from the real one—the urgent and overriding need to relieve the fiscal plight of our states and localities.

Mr. Chairman, we can no longer ignore the fiscal crisis threatening our states and localities—we can no longer delay action on revenue sharing. I strongly urge prompt adoption of S. 3651.

THE 193D BIRTHDAY ANNIVERSARY OF FRANCIS SCOTT KEY

Mr. MATHIAS. Mr. President, today marks the birthday of a man well remembered not only in the history of my own State of Maryland, but also in the history of the United States. Francis Scott Key, the lawyer turned poet, who wrote the "Star-Spangled Banner," was born in Frederick, Md., 193 years ago today.

In 1814 Key traveled to Fort McHenry to obtain the release of a friend, and witnessed from an anchored ship the Battle of Baltimore during the War of 1812. A gigantic 42-foot by 30-foot flag flying through the night over the embattled fort, had been made by Baltimore citizens to express their outrage and defiance of the British. For Francis Scott Key, the banner symbolized a profound patriotism to which he responded with the words all America now sings.

Mr. President, I am proud to mark the birthday of this famous Marylander. It is an occasion to stop and remember the patriotism upon which this great Nation was built, a deep love of country which I hope we may never lose.

ORDER FOR RECOGNITION OF SENATOR CHILES ON FRIDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Friday of this week, after the two leaders have been recognized under the standing order, the distinguished junior Senator from Florida (Mr. Chiles) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR BOGGS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow following the recognition of the two leaders under the standing order, the distinguished Senator from Delaware (Mr. Boggs) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MANSFIELD AND SENATOR BOGGS TOMORROW, AND FOR THE SENATE THEN TO PROCEED TO CONSIDERATION OF THE UNFINISHED BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the remarks of the two leaders under the standing order on tomorrow, the distinguished majority leader, the Senator from Montana (Mr. Mansfield), be recognized for not to exceed 15 minutes; that he be followed by the distinguished Senator from Delaware (Mr. Boggs) for not to exceed 15 minutes, and that the unfinished business be laid before the Senate upon the conclusion of the remarks by Mr. Boggs.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF S. 945, THE NO-FAULT INSURANCE BILL, TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, upon the final passage of the military procurement bill, the Senate proceed to the consideration of S. 945, the national no-fault motor vehicle insurance bill, and that that bill be made the so-called second-track item.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 9:45 a.m. The distinguished majority leader will be recognized for not to exceed 15 minutes, after which the distinguished Senator from Delaware (Mr. Boggs) will be recognized for not to exceed 15 minutes, after which the Senate will resume consideration of the unfinished business, the military procurement bill. There is a time limitation on that bill and on amendments thereto.

When the unfinished business is laid before the Senate on tomorrow, the time agreement runs as follows: There will be 4 hours of debate on the amendment by Mr. Cranston, followed by 2 hours of debate on an amendment by Mr. Brooke, followed by the recognition of the distinguished Senator from Vermont (Mr. Aiken) for the purpose of calling up an amendment on which there is a 1-hour limitation. There will be a yea-and-nay vote on the amendment by Mr. Aiken, and undoubtedly there will be yea-and-nay votes on the amendment by Mr. Brooke and the amendment by Mr. Cranston, as amended, if amended; and other amendments may then be offered.

As I recall, following the disposition of the amendment by Mr. Cranston, the distinguished junior Senator from California (Mr. Tunney) may be recognized, if he elects to do so, for the purpose of submitting an amendment, with a time limitation thereon of 1 hour.

A final rollcall vote on passage of the military procurement bill will occur tomorrow at no later than 6 p.m., following which the Chair will lay before the Senate the second-track item, which will remain on the second track daily until disposed of, that being S. 945, a bill to regulate interstate commerce and to provide for the general welfare by requiring certain insurance.

In conformity with the decision of the distinguished majority leader, on Thursday morning the Senate will proceed to the consideration, in executive session, of the SALT treaty. That treaty will remain the main track item, or the unfinished business, daily, until it is disposed of; and at some time during each afternoon—this will be discussed later and ordered later—the Senate will return to legislative session, in which the second-track item, no-fault insurance, will be considered until it is disposed of.

After the SALT treaty has been disposed of as the main track item, the Senate will proceed to the consideration of the interim agreement, and it will remain the main track item daily until disposed of. Following its disposition, hopefully, the revenue-sharing bill will become the main track item daily.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 9:45 a.m. tomorrow.

The motion was agreed to; and at 7:57 p.m. the Senate adjourned until tomorrow, Wednesday, August 2, 1972, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate August 1, 1972:

In the Navy

Rear Adm. Damon W. Cooper, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

EXTENSIONS OF REMARKS

SENATOR ROBERT C. BYRD PRAISED BY COLLEAGUES AND THE PRESS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, August 1, 1972

Mr. RANDOLPH. Mr. President, Members of the Senate are fully aware of the skill and diligence with which the able assistant majority leader carries out his duties.

Senator Robert C. Byrd's talents have long been recognized by the voters of West Virginia, who have placed their trust in him, and they are recognized by the Senators with whom he is associated daily. Recently, two of his colleagues, the Senator from Utah (Mr. Moss) and the Senator from Virginia (Mr. Harry F. Byrd, Jr.), gave public testimony to their respect for the assistant majority leader.

Their comments were incorporated in an editorial published on July 28, 1972, in the Elkins, W. Va., Inter-Mountain. Mr. President, this editorial reflects the feelings for Senator Robert C. Byrd that are held both by his colleagues and by the citizens of West Virginia. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Praise for Byrd

West Virginia gets kicked around frequently by outside critics so we are pleased when the opportunity presents itself to pass along favorable comment made about one of the state's distinguished citizens and public servants.

United States Senator Robert C. Byrd of West Virginia has risen to the high position of Majority Whip in the Senate and his diligent work there has not gone unnoticed by those who serve with him.

Recently, Senator Harry F. Byrd of Virginia offered a tribute to the work of our Senator Byrd as acting majority leader over the past busy weeks when long hours and controversial legislation often resulted in tempers becoming frayed.

But as Senator Byrd of Virginia said, ". . . one member of the Senate has had the responsibility of seeing that the Senate proceeded in an orderly and appropriate way. Throughout the year, and especially during the past three weeks, he has been the first Senator to arrive in the Senate each morning, and he has been the last to leave each night."

Sen. Byrd of Virginia was referring to Sen. Byrd of West Virginia, "a man whose tact and patience and good will were indispensable to the workings of the Senate during the past few hectic weeks."

"I wish," he said, "that every one of the 1,700,000 West Virginians could come to the Capitol and sit in the gallery and watch Senator Robert C. Byrd as he undertakes the responsibilities and duties of the acting majority leader of this great body. I am sure that every one of those 1,700,000 of his fellow citizens would be as proud of him as we in the Senate are proud of him."

Senator Frank E. Moss of Utah joined in the tribute to Sen. Byrd saying, "He has maintained his rapport with the Senate. He has gone out of his way to accommodate and work with every Senator. No Senator has been denied any of his rights. They have been protected jealously. Yet, the Senator from West Virginia has moved the work along in a very difficult time."

Sen. Moss continued, "The Senate is now so burdened with legislative work that without that kind of attention and effort and diplomacy, we could have been so tangled up that we would not have adjourned for the conventions, much less get through any time this year. I am hopeful now, because of the great work done by the Senator from West Virginia, that we can complete our legislative task this year in time for Senators and others to go home and participate in the election process this fall, with enough time to really be effective."

Hopefully some of the national publications that are quick to criticize Sen. Byrd at times for his courageous and outspoken views on issues and others who seem to delight in downgrading West Virginia will not hesitate now to recognize the important job the Senator is doing for his country. All West Virginians have reason to feel proud of the tribute offered Sen. Byrd for it is the people of this State that have had the wisdom to elect and re-elect this outstanding citizen to the office of the United States Senate.

"AMBASSADORS OF SONG" REACH FINANCIAL GOALS, SET FOR EUROPEAN TRIP

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. EILBERG. Mr. Speaker, it is my pleasure to announce that the Frankford High School A Cappella Choir, the Ambassadors of Song, will start its fifth goodwill people-to-people tour on August 7. Frankford High School is located in my northeast Philadelphia congressional district.

Those who have heard the Ambassadors' repertoire agree that no organization better represents this Nation's efforts toward international harmony. On this 22-day tour, the choir will perform in Italy, Australia, and Yugoslavia under the inspirational direction of Mr. David J. M. King. Moreover, the Ambassadors have been granted preliminary permission to perform before Pope Paul VI during their stay in Italy.

It should be noted that these young men and women have worked diligently for this opportunity. Of the $44,000 needed for the trip, $41,000 was raised through car washes, stamp drives, cake sales and a fair. The remaining $3,000 was privately donated and no public funds of any kind are being used.

In 1964, the Ambassadors of Song, a title bestowed upon the choir by the State Department, toured Scandinavia and performed before the Swedish Royal Family. In 1966, the Ambassadors traveled 27,000 miles through the South American continent performing in the capitals of Peru, Chile, Argentina, and Brazil, as well as in the great Opera House in Rio de Janeiro before an audience of 4,000 persons. In 1967, the choir toured the Montreal Expo and sang at the Canadian Folk Festival. Two years later, there was a journey to Japan. The most exciting performance of this tour was a concert for the wounded American servicemen at a military hospital. During the singing of the choir's theme, "Medley America," both those in the audience and members of the choir were moved to tears by the experience.

Mr. Speaker, through their music, the Ambassadors of Song have achieved that for which men through the centuries have strived—the communication of a spirit of friendship and enthusiasm for their fellowmen. In its travels around the globe, the Frankford A. Cappella Choir has truly proven music to be our international language.

I insert into the RECORD an article which appeared in the Mayfair-Northeast News on Thursday, July 27, 1972. I wish these talented young men and women good music and Godspeed on their tour.

The article follows:

"AMBASSADORS OF SONG" REACH FINANCIAL GOALS, SET FOR EUROPEAN TRIP

Choir has preliminary approval to sing for Pope Paul VI.

Frankford High School's A Cappella Choir, called "The Ambassadors of Song" by the United States State Department, will depart on August 7 for a 22-day concert tour of Italy, Austria and Yugoslavia it was announced today by Principal James A. Killough and Choirmaster David J. M. King.

The choir has been granted preliminary permission to sing for Pope Paul VI at Castel Gandolpho. Final arrangements will be made when the choir arrives in Italy.

Other important concerts will be given at the Official Church Music Festival in Venice, the Church of Santa Suzanna (the American Roman Catholic Church) in Rome, the Basilica of St. Francis of Assisi in Bologna, Italy, and the Tyrolean Festival at Innesbruck, Austria. Arrangements for appearances in Yugoslavia are still being made. Frankford's ensemble will be the first choir from this area to perform in Yugoslavia.

Included in the concerts will be music by Bach, Brahms, Nehlybel and Pergolesi plus selected spirituals, folk songs, Gospel songs, madrigals and motets.

Funds for the trip, about $44,000 to cover expenses for 63 singers and 13 adults, were raised almost entirely by choir members under the direction of the Ambassadors of Song Parents Association. Only about $3,000 came in as donations while the rest was earned through stamp drives, car washes, cake sales and a fair held during the week of July 3 at Francis Hopkinson Elementary School, "L" and Luzerne sts., Philadelphia. No public funds of any kind are being used.

This will be the choir's fifth international tour since 1964. The Scandinavian countries were visited in 1964, South America in 1966, Canada for Expo '67 in 1967 and Japan in 1969. Future plans, according to Choirmaster King, include a proposed trip to Israel in 1973 to perform during that country's 25th Anniversary.

Sixty-three singers of the 80 member choir will be able to take the trip, including student officers Gary Green, President; Scott Landis, Vice President; Cindy Ferguson, Secretary and Edna St. Sauveur, Secretary-Treasurer. Eight parents will travel as chaperons. In addition to Choirmaster King, other adults include Dr. Michael Glamo, Assistant Director of Music for the Philadelphia Public Schools, Mrs. Glamo, Mr. Wesley A. Day, accompanist and the past dean of the American Guild of Organists, and Sister Mary Seraphim, music teacher at the St. Pius X School in Broomall, Pa.

David King, who holds B.S. and M.E.D. degrees in music from West Chester State Teachers College and has done graduate work in music at Temple University, has been in the Philadelphia School System 11 years, the past two at Frankford. He is a graduate of Northeast High School (now Thomas Edison).

King, leading his first international trip with the choir, is pleased with the progress of his young people. He says that during the school year, and this summer in preparation for the trip, the teenagers have practiced about three hours every day on their own time. He is also pleased that 25 of the choir's 27 black members, including June graduate and Choir President Green, are making the trip.

The choir was formed in 1936 under Miss Frances Snyder. Subsequent directors have been Mr. Forrest Newmyer, Mr. Walter Lamont, Mr. Robert Hamilton and Mr. Jerome Wright. Travel arrangements are by Meridian Travel Group, Wynnewood, Pa.

PRESIDENTIAL INAUGURATION OF CHAPMAN COLLEGE

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Tuesday, August 1, 1972

Mr. TUNNEY. Mr. President, I thought Senators would be interested in the keen insights into the role of liberal arts colleges in our Nation today, offered by Dr. W. B. Langsdorf at the inauguration of Dr. Donald Kleckner as president of Chapman College this past April. I believe they will find these remarks to be quite thought provoking.

I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHALLENGE TO THE LIBERAL ARTS COLLEGE

(By Dr. W. B. Langsdorf)

The genius and strength of American higher education lies in its diversity, in the great number and many types of institutions which provide it. Public colleges and public and private universities profess a dedication to liberal education, but concentrate a major share of their resources and energies on preparation for entry into occupations and professions. The true liberal arts college, on the other hand, concentrates its attention on liberal education. It cannot compete efficiently in professional education with the large university, public or private. If it abandons liberal education as its chief purpose, it loses its reason for being.

THE EDUCATION OF A FREE MAN

It is not my intent here to subject you to a scholarly discourse on liberal arts. I think we can all agree that a liberal education is the education of a free man. Its function is to liberate man from both the dogmatism of accepted fact and the gullibility to which he is prey because of the ever more efficient arts of persuasion, to give him breadth of understanding, and perspective, a sense of values, and above all, a commitment to the common good.

I submit that none of these are essential objectives of professional or vocational education, or, to use the present national administration's term, "career education."

Liberal education has been a cornerstone of democratic institutions in this nation from its inception. While it had its European origins in Renaissance education for the elite and in medieval clerical education, it has never in *this* nation properly been a finishing school for the few. Quite in contrast, liberal education for the many was denounced in England in 1678 as "diverting those whom Nature or Fortune had determin'd to the Plough, the Oar, or other Handicrafts, from their proper design, to the study of Liberal Arts, and even of Divinity itself."

Liberal education has always faced a challenge from those who measure the value of an education solely in terms of material results, immediate entry into a profession, or dollar value. De Tocqueville, in his perceptive *Democracy in America* written almost a century and a half ago, said that in this age "the American mind must be coerced into theoretical studies—it runs of its own accord to practical applications." As education became the chief avenue for upward mobility of middle and lower social and economic classes, and the road to recognition for the sons of immigrants, assurance of immediate entry into a profession took on the greatest importance. Today it appears that the great majority of middle class Americans, and now also those previously disadvantaged, want a college education for their children, not because it will make them educated men and women, but because they believe it will guarantee to their children personal economic opportunity and security, and the status of a profession or white collar job.

The diversification of knowledge, the multiplication of specialized jobs requiring a college education, and the proliferation of courses to provide preparation for them have eroded the core of liberal education to which every college and university is supposedly committed. Some professional programs and institutions, recognizing the danger, have sought to mandate a substantial amount of liberal arts. Some national professional organizations recommend that professional courses shall comprise not more than one half of undergraduate work. Great science and engineering institutions like the California Institute of Technology require a humanities and social science base. Yet from my own experience, it appears that while a profession of an institution primarily preparing for the professions may be committed to liberal education, the motivation of their students often seems concerned solely with the professional training aspects of the collegiate education provided them.

EDUCATION FOR LEADERSHIP

Liberal education has always faced challenges; yet it has continued, chiefly through liberal arts colleges like Chapman, to turn out a great portion of the leaders in all walks of life. Now it faces a greater challenge than ever. It is being questioned at many levels of government and educational leadership from which should come the greatest commitment to human values as opposed to the accelerating momentum of a production oriented technology.

Just a little over a month ago. Governor James Rhodes of Ohio was installed (in San Diego) as Vice Chairman of the National Advisory Council on Vocational Education. Speaking at that meeting, Governor Rhodes said, "Today we're teaching a general course in high schools and colleges—and that means we're teaching general unemployment."

The California Legislature in September 1971, apparently out of concern for unemployment passed Assembly Concurrent Resolution No. 62, which reads in part:

"Whereas it is important that sound planning for educational output be a continuing part of educational administration to insure that the skills taught are truly useful and marketable—

Be it resolved that the governing boards of (public) higher education report to the 1972 session on their efforts to develop and maintain academic programs that are relevant to the manpower needs of society." To cite this resolution here is not to deny the necessity for appropriate occupations preparation, but to note the apparent absence of legislative concern for anything but career education.

In March, 1971, Chief Justice Burger delivered the Supreme Court opinion in the case of Willie Griggs vs. the Duke Power Company. The judgment held that under the Civil Rights Act of 1964, an employer may not require a high school education or passing of a general intelligence test as a condition of employment in, or transfer to, jobs where (a) neither standard is shown to be significantly related to successful job performance; (b) both requirements operate to disqualify Negroes at a substantially higher rate than white applicants; and (c) the jobs in question formerly had been filled only by white employees as part of a long-standing practice of giving preference to whites. Now, surely, none of us would defend race discrimination in employment. However, the lower Federal Court had held, and the Supreme Court agreed, though reversing the Circuit Court, that the Duke Power Company had clearly not been motivated by reasons of racial discrimination. While the decision appears to relate chiefly to civil rights, I believe a careful reading of the opinion can only lead to the conclusion that in the future, unless an employer can demonstrate that a diploma—high school or college—is clear evidence of vocational or professional preparation for a specific job, it cannot be a prerequisite for employment. The implications are ominous for liberal education, and for those employers who in the future seek broadly educated and adaptable persons rather than those with narrow occupational training.

The United States Commissioner of Education, Sidney Marland, has only recently announced the slogan, "career education," as the theme for all students from first grade through college. He has designated "career education" as the "major objective of the U.S. Office of Education at this moment and for the foreseeable future." We can readily guess what direction federal funding and support will take.

Nearer at hand, the Los Angeles Public Schools have announced a plan which, by 1973, will sharply curtail academic subjects and assure each and every student a marketable job skill on high school graduation.

Last month, Clark Kerr, in connection with testimony before the Select Committee on the Master Plan, is reported to have predicted disastrous consequences if more students receive college degrees than required by the job market—on the assumption that, as in pre-Hitler Germany, mass discontent would result. One could respond that many woman college graduates never enter the job market, that earlier predictions of oversupply have all proven wrong, and that many college graduates may well be satisfied with a job which does not require a college degree, particularly when it may pay more, and provide more leisure than many a professional position. Once, over a campfire, I became acquainted with one of the better-educated men I have known. He was a college graduate, but a cross-country truck driver by occupation and by choice. He said his job gave him a feeling of freedom, the opportunity to exchange ideas with a wide cross section of people, time to think, and far more leisure and pay than most professions he might have followed. He did not feel his college education was wasted.

I would be remiss if I did not add that some of even the strongest advocates of career education at times qualify their insistence that it be the sole objective of higher education. For example, Willard Wertz, after alleging that liberal arts education is a mistaken ideal since, according to him, only a few will ever be able to use it, adds that it would be equally a mistake to concentrate education "too much now on a single set of factors—job opportunities—in what is a rapidly changing concept of what people want their lives to be—and what those lives are probably going to be."

Perhaps he intended by his qualification to make allowances for the rapidity of change which Alvin Toffler so well describes in *Future Shock*. What could be more frustrating to a college graduate, upon first entering the job market—or for that matter even later—than to find his specialized skill no longer needed, the job for which he prepared obsolete or better handled by a machine, and to realize that he is not prepared to adapt to different needs. Concentration solely on narrow career education may bring far more hazards and pitfalls than have yet been officially recognized.

While I hope and believe that public higher education and the private university will be able to resist the mounting pressures to emphasize professional and occupational training to the exclusion of liberal education, it is certain that much of the leadership in the defense of liberal studies must come from the private liberal arts college. This can come both by its support of liberal education generally, through a common front with academic leaders of public education in the accreditation process, and by serving as a model of excellence and living proof, through its students and graduates, of the value and significance of a liberal education.

If the liberal arts college is to serve this function, it cannot be content with much of the so-called liberal education of the past. Liberal education cannot be education purely leisure, or for the dilettante, education for "gentle folk," the finishing school for the so-called "beautiful people," the idle rich who live lives of sated boredom, ever seeking thrills in new pleasure spas.

It cannot rely on the traditional academic curriculum which at its inception had meaning and relevance long since lost. It has been said that the only thing harder to move than a cemetery is a college curriculum, and now even cemeteries dip their flags to freeways. Much of the frozen curriculum has been called liberal arts. It took a student uprising at Harvard in 1823 to bring change there. Only after one third of the students, including the son of John Quincy Adams, had been expelled without hope of reprieve did the faculty conclude something must be amiss. One result of their soul searching was the introduction of the elective system, which at least gave the student opportunity to escape from some of the crystallized courses. Some years ago, a survey of Harvard graduates twenty-five years after commencement seemed to indicate change was again due. One-third of the respondents said no course taken at Harvard was of any value later. In answer to the question "Which professor influenced you most?", the answer of 41% appeared to be "not a doggone one." Fortunately and wisely, in the intervening years, Harvard had made dramatic changes in its general studies.

In the past few years, students in many colleges and universities, often because of inflexible and unimaginative curriculum and faculty, have demanded relevancy. On occasion, determination of courses and course content has been abdicated to them. As one might expect, this has eventually proved unproductive. Even the most highly motivated exchange of ignorance eventually becomes boring, as the students of at least one California liberal arts college have discovered for themselves.

NEEDED: REDEDICATION TO BASIC COMMITMENTS

If liberal education is to meet the challenge it faces, it must clean its own house, rethink its basic purposes and then consciously plan each course and program to achieve these objectives.

I believe if we are to achieve success in defending liberal education and the liberal arts college, there must be a massive rededication to certain basic commitments.

1. The first of these is commitment to the perfectibility or at least improvability of man. This is a fundamental tenent of our nation's heritage, taken by our founding fathers from Condorcet's thesis of human progress through man's own efforts. It is basic to a republic, and to democratic institutions, and sets them apart from those of other ideologies. There is no liberal education behind the iron or bamboo curtains. The liberal arts college must be committed to the value and inherent goodness and improvability of every human being. No one who lacks this faith belongs on the faculty.

2. The second is commitment to make all learning exciting. I wonder what we do to children that changes the eager enthusiasm of the first grader into the bored indifference of the high school senior. Effective liberal education always seems fresh and new. Alfred North Whitehead in an address in 1927 said, to have impact, education must be "either new in itself or invested with some novelty of application to the new world or new times." He went on to say, "Knowledge does not keep any better than fish." At another point, he emphasized the importance of imagination. "Imagination is a contagious disease. It cannot be measured by the year or weighed by the pound. It can only be communicated by a faculty whose members themselves wear their learining with imagination."

Because liberal education must be exciting and challenging, the student himself is often the best judge of faculty effectiveness. I was aware several years ago that Chapman was one of the leaders in instituting student evaluation of all faculty.

3. A third commitment is to develop self-motivated and self-disciplined students.

One of our leading educational philosophers once said that a teacher hasn't taught if the students haven't learned. A major function of the teacher is to provide motivation. When students fail, more often than not the failure is not theirs, but that of the teacher.

Effective liberal education provides the student with a multitude of learning resources and encourages him to use them on his own time and at his own pace. The lecture, except for occasional challenge or synthesis, or for dramatic excitement of which not many faculty are capable, became obsolete as an efficient learning tool with the invention of printing. The faculty in liberal arts should be constantly seeking new and different learning resources and methods of education. Chapman's World Campus Afloat is one most imaginative answer.

Self-motivated learning, and familiarity with a wide variety of learning tools and resources are of special significance to liberal education. If its goals are fully realized, the most important aspect of a college education will be its introduction of the student to a lifetime of learning. The college degree should be in fact as well as in name just the commencement.

4. The fourth commitment is to a design of education as preparation for the future.

Too often liberal arts have been thought of only in terms of understanding our past heritage. If this is all they mean, then they are sterile. Knowledge of the past should be useful for understanding the present and preparing for the future, and this should be a clear purpose of every course. Jefferson, Franklin, Madison and the others who laid the basis for our nation were profound students of the past. They used that knowledge to build this nation and plan for its future. How great is our need now for men and women with similar understanding and foresight. When one reads Alvin Toffler's *Future Shock* one can only wonder whether mankind has created a Frankenstein which he can neither understand nor control, and which will inevitably destroy him.

THE CONCERNS OF FREE MEN

When man can reach the planets or destroy the earth with his power, use chemistry to change personality and intelligence, remodel heredity, and create life itself, the need for men of wisdom, conscience and commitment becomes imperative. With invention and change so dramatic and traumatic, education must prepare men and women to live with change, to speculate continually about it, to anticipate it, and to choose wisely among alternate courses of action. To achieve this, Toffler suggests even science fiction might play a significant part in liberal studies. Imaginative guesses can be proven right by history. In any case, examination of even seemingly impossible alternatives can serve to expand flexibility of mind. We need to find new ways to develop imaginative foresight, in effect, to study the future. This may be one of them.

There are today hopeful signs that liberal education has had productive meaning to many. Widespread concern for our polluted lakes, streams, and oceans, for the exhaustion of our resources, for overpopulation, for the destruction of rare species, for the protection of wilderness areas, for use of the oceans to benefit future generations are not concerns which would normally result from professional or vocational studies. These are the concerns of free men, liberally educated.

While the Harvard study of 25 years after must have been discouraging to many, one reassuring note was that the graduates who believed they had lived a happy life felt this was due not to wealth or power, but because they felt they had achieved something for mankind. If a liberal education can have only this one result, is it not worthwhile? Of all the characteristics of liberal education, perhaps the most significant is that it inspires commitment to the future.

A college that is dedicated to the improvability of man, creates joy in learning, teaches students self-motivation which will continue their learning life long, and which both prepares them for future changes and inspires them to commitment to mankind, is a liberal arts college in the highest and best sense. I feel certain this is the kind of college Chapman will be, and that as the years pass its graduates will be men and women adequate to the great challenges of the twenty-first century.

THAI DRUG HOAX: ARE WE BEING TAKEN FOR A RIDE?

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. RANGEL. Mr. Speaker, the flood of heroin from Southeast Asia continues to endanger the life of every American. At a time when there are an estimated 560,000 addicts in this country, I fail to understand how the administration can refuse to carry out the mandate of Congress and to cut off foreign assistance to those nations which are partners in the drug trade.

Section 109 of the Foreign Assistance Act of 1971, signed into law earlier this year, requires the President to suspend economic and military assistance to any country when the President determines that the government involved has failed to take adequate steps to stop the production, processing, and trafficking of narcotics. Related provisions in the laws authorizing U.S. contributions to the International Development Association, the Asian Development Bank, and the Inter-American Development Bank—provisions which I authored—require the Secretary of the Treasury to instruct our executive directors of these organizations to vote against any loan for a country when the President has made such a determination of noncooperation in the fight against drugs.

Despite the clear language of these laws, the President has not taken his responsibility seriously enough to cut off funds to such nations. In fact, the administration has allowed itself to be duped by public relations stunts into thinking that, all of a sudden, corrupt governments, which have long prospered because of opium traffic, have turned around 180 degrees.

Columnist Jack Anderson has reported how the Thai Government, hoping to put a lid on angry American public opinion, set out to purchase opium from the KMT forces still in Thailand in order to "prove" that it is cracking down on the opium trade. The Thai Government did in fact buy what it thought to be 26 tons of opium, but what was in reality only 5 tons of opium and 21 tons of fodder and chemicals. As Anderson wrote:

> Either through corruption or stupidity, the Thai officials failed to test the huge mounds of "opium" before they soaked it with gasoline and put it to the torch. Only as the smell of burning molasses wafted through Chiang Mai did the Thais suspect they had been had. Then. It was too late to do anything but cover up their goof.

The Bangkok propaganda campaign was successful and America's mass media graphically described the burning of the opium. No mention was made of the filler materials, however. In fact, it was not until early this summer that American agencies first learned of the deception.

Our country is still being taken for a ride by the Thai Government and American economic and military assistance continues to flow unhampered to Bangkok.

BUN BENTON BRAY RETIRES AFTER 30 YEARS

HON. DAVID N. HENDERSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. HENDERSON. Mr. Speaker, Mr. Bun Benton Bray, staff director of the Subcommittee on Manpower and Civil Service since its formation in 1957 is retiring from Federal service after 30 years.

Mr. Bray, who came to be known to Federal employees all over the world as "Mr. Manpower," originally came to the subcommittee because of his background in personnel work in the Navy Department, and it was assumed that a good percentage of the work of the subcommittee would involve oversight in the field of personnel practices and procedures in the Department of Defense since it is by far the largest employer of civil personnel in the Federal establishment.

Not content to sit in an office and accept reports on blind faith, Bray traveled all over the world and made on-the-scene investigations, talking with both rank and file employees and management at the ground level.

As a result of his personal investigations and staff-instigated studies, we have been able to bring about some substantial changes in both local and national manpower policies and procedures.

Bray's background as a World War II naval officer and high-level civilian official in the Navy Department did not make of him a promanagement figurehead as might have been expected, but instead he came to be known as an ombudsman for the rank and file.

Although he often clashed with both military and civilian brass in the Pentagon, he was highly respected there and achieved a reputation for toughness and fairness.

He has left a personal imprint on civilian manpower in the Federal service which can be matched by few, if any, public officials in either the executive or legislative branch of the Government. Naval officer, civil service employee, and legislative committee staffer, Bun Bray did an outstanding job and his absence from the active scene will be keenly felt.

THE GREEK CONTRIBUTION

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. BRASCO. Mr. Speaker, July marked the golden anniversary of the founding of the Order of Ahepa in this Nation. This fraternal organization for the Aemrican-Greek community has performed outstandingly on behalf of its members and the Nation during the past half century. A broad range of accomplishments may be listed to its credit.

It is worth noting, however, that rather than just list its accomplishments, we should place this organization in context within the American frame of reference. Here is an organization that is uniquely American while remaining very much a representative organ of what began as an immigrant community. All the ethnic communities have responded to the American challenge by bringing forth such organizations.

Few, however, have met with the success encountered by the Order of Ahepa. Over its long and illustrious history, it has not only fostered understanding of and loyalty for America, but has also made clear to its members what American citizenship really means.

Without such organizations, the transition from immigrant to American citizen would have been much more difficult, both for the individual and for the Nation.

Such an organization deserves recognition nationally for its worth and compassion as well. For previous crises have witnessed that compassion for those in need or travail transcends ethnic considerations. This organization has constantly reached out to aid those in distress, whether here or abroad. Without their aid, the misery of this world would be that much worse.

So it is fitting for Members of this House to recognize their contribution and wish them long life and success in the years to come. The spirit of Greek ideals transcends all recorded instances of attempts to snuff it out. All the more reason to pay tribute to those sons of that land who are so devoted to those concepts here in America.

McGOVERN AN EISENHOWER "DISCIPLE"?

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, a friend and constituent of mine recently asked that I insert in the RECORD a most timely article printed in the Washington Post on Sunday, July 2, 1972, in which John Eisenhower, son of our late President, responds to allegations that the position of the new Democratic nominee for President of the United States with regard to our military defense posture is like that of the late President.

As I believe the article deserves careful consideration by all who read this RECORD, I insert it at this point:

[From the Washington Post, July 2, 1972]

McGOVERN, AN EISENHOWER "DISCIPLE"?

(By John Eisenhower)

If Senator George McGovern is indeed a disciple of my father's in his military opinions, then the Boss must be rotating in his grave at the failure of his pupil to learn his lessons.

No matter how much Senator McGovern may claim to have learned from President Eisenhower's defense policies, he seems to have grasped everything except the fundamentals. For a basic premise that the Eisenhower Administration worked on, was that strong military defense—a posture consistent with moral and economic sources of national strength—was of paramount importance.

That single leg of national strength—military strength—could never afford to become the weak leg of the stool. I well remember that statement that the then General Eisenhower made in New York City in June of 1945: "Weakness cannot cooperate with anybody; it can only surrender." This was a fundamental precept with him, much as it pained him to see billions of dollars spent on troops and weaponry that could, under happier conditions, be used for the betterment of mankind.

I would be foolish, moreover, to try to adapt the exact policies that worked for the Eisenhower Administration 12 years ago with the conditions of today. The 34th President was the epitome of flexibility in military thinking. As a young officer, only 5 years out of West Point, he and his friend, George S. Patton, Jr., both came to loggerheads with the Chiefs of their respective branches—Infantry and Cavalry—on the principle of massing of tanks. From those early days, his military thinking evolved with comparative ease to include vast armadas of land, sea and air—and eventually to hitherto-unknown weapons of mass destruction. President Eisenhower would be the last one to say that the policies he followed during the 1950s should be taken line-by-line and followed in the 1970s.

And yet, even considering the vast superiority that the United States held over the Communist world in his time, the figures regarding his force structure for Fiscal Year 1960 were dramatically higher than those in the McGovern proposals for Fiscal Year 1975:

	Eisenhower budget fiscal year 1960	McGovern proposals fiscal year 1975
Total outlays (billions)	75 (approximate 1975 dollars)	54.8 (1975 dollars).
Total active forces	2.5 millions	1.7 millions.
Army divisions	14	10.
Marine divisions	3	2.
Troops in Europe	379,000	130,000.
AF fighter/attack squadrons.	61	54 (approximate).
Navy fighter/attack squadrons.	80	20 (approximate).
Aircraft carriers	23 (14 attack carriers).	6 (1).
CONUS air defense:		
SAMS	4,400	8 batteries.
Air Force fighter/interceptor squadrons.	65	5.
Economic and military aid.	4.0 (approximate 1975 dollars).	.4 (1975 dollars).

President Eisenhower was, to be sure, leery of committing ground forces on a large scale in SE Asia. What he would have done if faced with the situation that confronted President Kennedy in 1963 can be only a matter of conjecture for anyone. But the point is that he retained the flexibility to apply American military strength whenever and wherever he felt it to his advantage. Witness the swiftness with which he moved 13,000 troops—both Army and Marine—to Lebanon on July 16, 1958. Could Senator McGovern's proposed force structure support such an operation?

It is true, as Senator McGovern says, that on the part of the Communist world, Senator McGovern, from what I read, feels differently. He cites the unilateral suspension of nuclear testing during 1958–1959; but I can assure the reader that this action was taken with great discomfiture—and in the realization of the gigantic lead the United States then enjoyed in the quality of its nuclear weaponry. The actual philosophy Eisenhower expressed succinctly:

"Since an acceptable treaty for controlled disarmament was not realized, we continued to build an overpowering military establishment as the only feasible defense against the menace and probings of international Communism and as the indispensable platform from which to continue negotiations for a peaceful world."—*Waging Peace*, p. 483.

This line of thinking has been followed faithfully by the Nixon Administration and has begun to bear fruit.

Perhaps the most dramatic difference in viewpoint between President Eisenhower and Senator McGovern lies in the matter of our worldwide alliances, many of which are maintained by a program of Mutual Security (Foreign Aid). In Fiscal 1960, the administration asked Congress for funds in the amount of approximately $4 billion (1975 value). Senator McGovern would cut this back to $1.4 billion. Even while the President was fighting to obtain this sum—which he himself considered inadequate—one of his big opponents was the then Congressman George McGovern. By what stretch of the imagination, in examining this set of facts, can one consider McGovern as a "disciple" of Eisenhower?

These then are the differences. The only similarity in the military philosophy of McGovern and Eisenhower lay in the desire, shared by all, to keep military expenditures to the lowest level possible so that those funds can be used along more constructive channels. But the order of priorities places the two men poles apart.

Senator McGovern has courageously put forward his own views. He is entitled to do so and we should all be grateful that he has. But in listening to these views, let none of us be fooled by any self-serving association between George McGovern and Dwight D. Eisenhower.

U.S. POSTAL SERVICE IS GOING MODERN

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. KEATING. Mr. Speaker, the President's Commission on Postal Reorganization found in 1968 that the postal system:

> Was not capable of meeting the—service—demands placed on it because of decades of low priorities assigned to modernization and management needs.

Congress responded to the crisis, in 1970, by creating the independent U.S. Postal Corporation and giving it the mandate to "improve and modernize" the system.

The Postal Service is taking that mandate seriously. It has embarked on an ambitious research and development program to computerize the crucial job of processing the mails.

Machines are being perfected that can process 43,200 letters an hour—a rate 43 times faster than conventional manual methods. And, of course, speed is of the essence: Our post offices must process some 250,000,000 pieces a day, or about 90 billion a year. Obviously, old methods cannot cope with such a tidal wave of mail.

I am especially pleased that Cincinnati, my hometown, was selected as the site of the prototype electronic post office. I have toured the facility and am encouraged by the great progress that is being made to develop new and better ways to move the Nation's mail.

I commend to you an article from the Cincinnati Enquirer which describes the program in accurate detail.

The article follows:

POSTAL ANNEX "CANCELS" BAG OF PROBLEMS

(By Dennis Doherty)

The U.S. Postal Service has just celebrated its first birthday, but there wasn't much of a party.

Irate postal customers skipped the traditional congratulatory card, and during its first year initiated 30,000 congressional inquiries wondering why a miracle had not occurred with the advent of the new system.

But if there was any celebrating in order, it should have been in Cincinnati where a new automated system, unique throughout the world, each day promises quicker and more accurate deliveries of love letters, legal contracts, valentines, and, of course, bills.

Two years ago Rep. Morris K. Udall (D—Ariz.), chairman of the House Postal Service Subcommittee, steered postal reform through the House. A new law permitted the service to do what the old Post Office could not do: borrow for modern facilities and equipment, improve management-employee relations, adjust postal rates and appoint local post office officials.

With these new advantages, even Udall did not expect results delivered the same day. Postal customers expected an immediate, business-like postal system, and gave little thought to the fact that restructuring such a mammoth enterprise would be a success if it could show signs of progress within two or three years.

Cincinnati's contribution to that goal is running ahead of schedule.

That contribution functions 24 hours a day at the Postal Service's annex at Liberty and Dalton Sts. and sports the innocuous title, Letter Mail Code Sort System (LMCSS). And the system, which appears as complex as the Space Center during a Moon shot, pivots on one basic principle: the application of a machine-readable code upon the mail piece prior to or during insertion into the mail processing system so that all sorting operations can be performed with automated equipment.

In other words, your mailman can do a better job if he doesn't have to stand in front of those wooden pigeon holes and toss in each piece of mail before he delivers it.

The value of LMCSS is apparent when understood in the context of one of the Postal Service's primary goal—cost reduction. Manual distribution is one of the most costly factors in mailing a letter. In the Cincinnati metropolitan area, more than one billion letters, 129 million flat pieces of mail, 40 million parcels and 119 million assorted other pieces were handled for a total of 1.346 billion pieces of mail. That mail was for 2.235 million persons living in a 7277-mile-square area.

Manual sorting precludes efficiency at that level.

Coding the items so that a machine can sort them speedily and correctly promises efficiency.

At the annex, letters to be processed for the system are stacked in a storage and dispatch unit. In response to an automatic signal from a coding machine, letters are fed in batches via conveyor to one of 24 coding machines where a coding operator applies a special code to the address and keys the extracted code to the computer. The computer translates the extraction code to a pattern object code and causes that code to be printed on the envelope.

Coded letters are then dropped into presort channels which carry the mail into another unit. Depending on the letter destination, the mail piece will be fed directly to a secondary distribution conveyor or to a stacker and sack rack.

The mail which goes to a secondary distribution conveyor is carried to a code reader. The reader scans the pattern code on the envelope and sends a signal to the computer. The computer translates the signal into a bin destination and causes the letter to be deposited into a particular pocket of the Letter Sorting Machine (LSM). The LSM can operate at a rate of 43,200 letters per hour. Manual sorting is rated at 1000 letters per hour.

Another device, an optical character reader, reads the bottom two address lines and encodes the mail. Coded letters are fed into a 30-channel diverter for presorting and those pieces requiring further sorting will be transported to the LSM.

The code placed on each letter represents the complete address information required to perform all subsequent sorting operations within the post office and in other offices. This means that a letter encoded in one city can be sorted in another city by the use of simple code readers.

The ultimate goal of the system is to provide a carrier sequencer operation. This equipment receives mail for local delivery that has been decoded and sorted by the letter sorting machine for the carrier. The sequencer sorts each carrier's mail in the order that he delivers his route.

Despite the preponderance of machinery zipping letters through channels like slot car racers, the system can be speeded up with customer participation. Pre-printing the bar code on envelopes by companies with a large mail volume is one way, according to Joseph Scanlon, Cincinnati Postmaster.

"We have more than 50 Cincinnati firms preprinting their bar code (the small imprint) resembling a pocket comb with broken teeth appearing in the lower right hand corner of the envelope) on the mail, and the results have been gratifying."

Automation of the Cincinnati district's postal facilities started about five years ago and the savings have been great, said Scanlon. Annual labor savings amount to approximately $5 million under 1967 costs without counting the volume increase which has averaged 2% a year.

Scanlon said the department has not been able to realize the actual $5 million annual savings because there have been salary increases during the five-year period. Five years ago there were slightly more than 6000 postal employees in the district and this number has been reduced to about 4800.

The sophisticated machinery pays for itself in short order, he said, the larger machines in 1½ to two years and the smaller ones in a year.

Another method of precoding uses a computer and computer-driven printers to prepare addresses. Since the rules employed in determining the code for a particular address are constant, these rules could be retained in a computer program which generates the binary code whenever an address is printed. Depending upon the individual mailer's software-hardware configuration, bar code generation could be repeated each time an address is to be printed, or on a one-time basis with the codes developed and stored on tape with the addresses.

Scanlon points out that 80% of the mail is generated by business and more and more mailers are using computers in the preparation of mail. It is estimated that more than 50% of the total letter mail may eventually be a candidate for precoding by the customer.

The postal service has allocated a budget of approximately $80 million for fiscal 1973 for developmental and engineering activities to fund programs designed to improve mechanized postal operations and further develop the LMCSS.

Troops of congressmen and scores of government officials from other countries have visited the annex to check the brightest light in the new business called the U.S. Postal Service.

Scanlon doesn't pretend to understand the technology of the system. "But I understand the value of the system and I can see the results," he says. "The best is yet to come and that should not be too far away."

LEAD-BASED PAINT POISONING

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. HALPERN. Mr. Speaker, in the near future, this body will act on legislation which substantially increases our Nation's commitment to ending the tragedy of lead-based paint poisoning. Passage of this legislation is of the utmost importance, for it extends and broadens the provisions of Public Law 91–695, the Lead-based Paint Poisoning Prevention Act.

Countless statistical reports have pointed out the cold, hard facts witnessing to the lethal presence of this silent killer: over 2,000,000 children are presently living as "risks" in houses whose construction has deteriorated to the point where it is regarded as a threat to those children's health; approximately 400,000 of these children have abnormally high lead blood contents. A mere fraction of these will be reached in time to receive medical attention, yet thousands will still be left mentally retarded. Of the original sample, 200 will die.

This situation points to the need for unequivocal action. While the House has passed appropriations under Public Law 91–695 for fiscal year 1973 totalling $12 million, the Senate Appropriations Committee has reported out a figure of $16 million. Even so, on June 14, the Senate passed S. 3080, which authorizes $100 million annually for this measure, and the House Committee on Banking and Currency is considering an authorization of $50 million per year. All the while, New York City's Lead-Poisoning Control Bureau has had to attack lead poisoning without any Federal assistance. The city's 2-year-old program represents a courageous start, but we mus also do our part. Congress enacted legislation to deal with this problem, but the program threatens to serve as nothing more than an empty promise in the absence of adequate funding.

Mr. Speaker, the task we have before us is not as easy to toying with dollar signs. The complexity of the lead-based paint poisoning problem necessitates a close working relationship between the Departments of Health, Education, and Welfare and Housing and Urban Development. Prevention of this disease is a necessary adjunct to any program aimed merely at treating poisoned victims. Consequently, we must dedicate ourselves to eliminating the housing conditions which have allowed this epidemic to spread.

Mr. Speaker, this Nation's role in conquering polio stands out as a landmark achievement in the field of medical science. As indicated in medical records, however, the incidence of childhood lead poisoning is now far more widespread than was polio, even at its peak. What we, as a Nation, did at that time to arrest the spread of a rampaging childhood disease, we must now do once again.

PREPAREDNESS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. HOGAN. Mr. Speaker, during last month's floods, there were many courageous individuals who risked their lives to save the lives and property of others, and I believe everyone living in the Washington, D.C., area owes these people a vote of thanks.

In a recent WMAL editorial, that station paid tribute to these valiant policemen, firemen, rescue workers, and public works employees, and I now insert that editorial in the RECORD:

PREPAREDNESS

WMAL reporters who covered the chaotic predawn hours of June 22 can attest to the skill, stamina, and frequent bravery with which police, fire-and-rescue crews, and public-works employees battled the pitch-dark swelling of area streams. Police sloshed through the vortex of trouble spots, warning and evacuating slumbering residents. Fire-and-rescue missions saved dozens of people from drowning and electrocution. Public-works crews raced floodwaters to plant life-saving barricades and rescued their share of trapped people themselves. At emergency-operations headquarters, rank-and-file officers calmed a populace that was still shuddering at reports from Rapid City. Command officials—captains and lieutenants at first—risked second-guessing and took a firm stand, advising the evacuation of residents living near threatened dams.

Only one flaw crept into this outstanding preparedness: Little forethought had been given flood-evacuation sites, particularly in lower Montgomery County, where some low-lying schools were at first selected and other locations hustled up with frantic phone calls. A flooded school packed with 1,000 families would have been a tragedy indeed.

That single flaw aside, the men who fought Agnes' drenching rains deserve our undying gratitude.

POSTAL SERVICE CAMPAIGNS FOR IMPROVEMENT

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. CHAPPELL. Mr. Speaker, the U.S. Postal Service is undertaking a campaign of its own in this election year. After 1 year under new, nonpolitical management the U.S. Postal Service is striving to improve service levels. In its "Serving America" campaign, the Postal Service is asking its customers for suggestions, training clerks to better handle inquiries and establishing new service and delivery standards.

The new program has been outlined in a recent article appearing in the Wall Street Journal. I call this to the attention of my colleagues and wish the Postal Service well in its endeavors to improve this country's mail service. Included as a part of my remarks is the article from the July 31, 1972, Wall Street Journal:

POSTAL SERVICE AIMS TO CONVINCE AMERICANS SERVICE HAS IMPROVED

(By Timothy D. Schellhardt)

WASHINGTON.—The Postal Service is launching its own election-year campaign, complete with catchy slogan, buttons and snappy campaign literature.

Its aim: To win the vote of more than 50 million U.S. families, convincing them that mail service provided by the year-old semi-independent agency has improved from that of its predecessor, the Cabinet-level Post Office Department.

Postal officials concede that their first year in office, which ended June 30, didn't attract many endorsements of the service's claim that mail deliveries are speedier. Indeed, mail pickup and delivery services have deteriorated in several parts of the country.

But that was last year, "It's a new ball game," asserted J. T. Ellington Jr., assistant postmaster general for planning and the chief lieutenant behind the current public relations campaign.

Its theme is "Serving America," a slogan mail users will see a lot of in the coming months. Already it's emblazoned in red, white and blue on thousands of black buttons worn by postal employes. "Serving America" posters are appearing in most of the nation's 32,000 Post Offices and the slogan may even become a central theme for an advertising drive the service is considering.

NO SHORTAGE OF PROMISES

The campaign isn't short of promises, either. Mr. Ellington declares the services will (and already has begun to):

Expand evening mailbox collection services.

Improve air mail delivery performances.

Listen to mail user comments about service through questionnaires and comment cards placed in lobbies and through periodic consumer surveys.

Renovate 6,000 post office lobbies by painting them in bright green, blue or orange colors, and installing central kiosk-type information centers in the larger post offices.

The service also is taking its campaign to its 700,000 employes. A documentary film, currently in preparation, will depict the role employes play in getting mail delivered on time. A special magazine, underscoring the "Serving America" theme, will be sent to each employes home, and merit awards honoring employes achieving specific performance goals will be increased. Performance records showing service and efficiency will be posted frequently at many post offices.

In addition, the service's 58,000 windows clerks—renamed "customer representatives"—are completing a special two-day training session to help them better handle inquiries, complaints and telephone requests. The window clerks have been given individual name tags for their uniforms. And their familiar military-type uniforms are expected to be replaced soon with sportier outfits.

SERVICE IS OUR ONLY BUSINESS

The Postal Service, which also has begun a $500 million cost-reduction program in hopes of avoiding another round of postage increases, "wants to make damn sure that service doesn't deteriorate as our cost-paring drive continues," asserts Mr. Ellington. "This campaign simply will make the message clear: Service is our only business," he adds.

Early in August, the service will mail to more than 50 million families a pamphlet telling them how to get faster mail service. The brochure, for example, indicates that letters traveling more than 150 miles will be delivered faster if they're sent air mail. (September is being designated "Air Mail Month" with the service joining with several airlines to promote mailing by air.)

The pamphlet indirectly admits to mail users that the Postal Service has sharply reduced mail collection service in recent years. It discloses that new mailboxes, labeled "one-star" and "two-star," have been designated since July 1 in most communities. The "one-star" mailbox has a last collection pickup generally at 5 p.m. daily, while the "two-star" boxes have later pickups between 6:30 p.m. and 8 p.m. Only two or three years ago most mailboxes promised such late-night pickups.

Mr. Ellington says the designated star mailboxes will practically assure that local letters mailed by the last pickup will be delivered the next day. The star boxes also will assure mail pickups on Sunday and holidays, a service that has been curtailed at many non-star boxes.

The service will announce other improvement programs in the coming months, Mr. Ellington promises. Included will be service standards for various types of mail, including parcel post.

Those of us who have supported the aims of the Postal Service Corporation are encouraged with this campaign. Mr. Speaker, we applaud their efforts; we champion their endeavors; and we wish to cooperate with them in every possible way to improve the activities of the Postal Service.

HON. BILL FRENZEL'S VOTING RECORD

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. FRENZEL. Mr. Speaker, I have received a number of requests from my constituents concerning my voting record in the second session of the 92d Congress. In order to make this information readily available for my constituents, I am submitting for the RECORD my votes in the second session of the 92d Congress.

A voting record does not tell the entire story of a Congressman's activities in Congress, but, it is a useful guide. I hope it will be of help to interested parties:

MEMBER'S INDIVIDUAL VOTING RECORD—92D CONGRESS, 2D SESSION

HON. BILL FRENZEL

Roll No.	Date	Page in daily record	Description	Member's response
1	Jan. 18, 1972	H 1	Call of the House	Present.
2	do	H 24	H.R. 8787 (on passage)	Yea.
3	Jan. 19, 1972	H 85	Call of the House	Present.
4	do	H 99	S. 382 (agree to conference report)	Yea.
5	Jan. 25, 1972	H 246	H. Res. 765 (on agree to res.)	Yea.
6	do	H 251	S. 2819 (agree to conference report)	Yea.
7	Jan. 26, 1972	H 323	Call of the House	Present.
8	do	H 338	H.R. 6957 (on passage)	Yea.
9	Jan. 27, 1972	H 372	Call of the House	Present.
10	do	H 380	H.R. 8085 (on passage)	Nay.
11	Jan. 31, 1972	H 411	Call of the House	Present.
12	do	H 420	H.R. 10086 (on passage)	Yea.
13	Feb. 1, 1972	H 459	H. Res. 786 (on agree to res.)	Yea.
14	do	H 474	S. 748 (on passage)	Yea.
15	do	H 480	S. 749 (on passage)	Yea.
[1] 16	do	H 487	S. 210 (on amendment)	Not voting.
17	do	H 489	S. 2010 (on passage)	Yea.
18	Feb. 2, 1972	H 571	H.R. 7987 (on passage)	Yea.
19	do	H 580	Call in committee	Present.
[1] 20	do	H 584	H.R. 11394 (on amendment)	Nay.
21	Feb. 3, 1972	H 676	Call of the House	Present.
22	do	H 678	do	Do.
[1] 23	do	H 709	H.R. 12089 (on amendment)	Nay.
24	do	H 711	H.R. 12089 (on passage)	Yea.
25	Feb. 7, 1972	H 751	Call of the House	Present.
26	do	H 756	S. 1857 (motion to suspend)	Yea.
27	do	H 784	S. 1163 (motion to suspend)	Yea.
28	do	H 790	H.R. 7088 (motion to suspend)	Yea.
29	do	H 797	H.R. 12186 (motion to suspend)	Yea.
30	do	H 807	H.R. 12741 (motion to suspend)	Yea.
31	Feb. 8, 1972	H 839	Call of the House	Present.
32	do	H 855	do	Do.
33	do	H 864	H. Res. 164 (on agree to res.)	Yea.
34	do	H 886	H.R. 10243 (on passage)	Nay.
35	Feb. 9, 1972	H 955	Call of the House	Present.
36	do	H 969	Call in committee	Do.
37	do	H 986	H.R. 12910 (on passage)	Yea.
38	do	H 990	Call of the House	Present.
39	do	H 994	H. Res. 796 (on agree to res.)	Yea.
40	do	H 1010	H. J. Res. 1925 (on passage)	Yea.
41	Feb. 16, 1972	H 1057	Call of the House	Present.
42	do	H 1066	Call in committee	Do.
43	Feb. 17, 1972	H 1205	Call of the House	Do.
44	do	H 1207	Call in committee	Do.
[1] 45	do	H 1221	H.R. 12350 (on amendment)	Nay.
46	do	H 1233	H.R. 12350 (on passage)	Yea.
47	Feb. 22, 1972	H 1296	Call of the House	Present.
48	Feb. 23, 1972	H 1330	do	Do.
[1] 49	do	H 1353	H.R. 12931 (on amendment)	Yea.
50	Feb. 24, 1972	H 1430	Call of the House	Present.
51	do	H 1437	H.R. 12067 (agree to conference report)	Yea.
52	do	H 1440	H.R. 12067 (on amendment)	Yea.
53	Feb. 29, 1972	H 1499	Call of the House	Present.
54	do	H 1527	Call in committee	Do.
55	do	H 1539	H.R. 11021 (on passage)	Yea.
56	Mar. 1, 1972	H 1610	Call of the House	Present.
57	do	H 1619	H. Res. 849 (on agree to res.)	Yea.
58	do	H 1627	H. Res. 847 (on agree to res.)	Yea.
59	Mar. 2, 1972	H 1684	Call of the House	Present.
60	do	H 1692	H.R. 11384 (on passage)	Yea.
61	Mar. 6, 1972	H 1755	Call of the House	Present.
62	do	H 1760	H.R. 2589 (motion to suspend)	Yea.
63	do	H 1779	H.R. 12828 (motion to suspend)	Do.
64	Mar. 8, 1972	H 1838	Call of the House	Present.
65	do	H 1851	S. 659 (motion to table)	Yea.
66	do	H 1860	S. 659 (motion to recommit)	Nay.
67	do	H 1870	H.R. 1746 (agree to conference report,	Yea.
68	do	H 1875	H.R. 11624 (on passage)	Do.
69	Mar. 9, 1972	H 1899	Call of the House	Present.
70	do	H 1931	H.R. 10420 (on passage)	Yea.
71	Mar. 13, 1972	H 1961	Call of the House	Absent.
72	do	H 1968	H.R. 12410 (on passage)	Not voting.
73	Mar. 14, 1972	H 2007	H.J. Res. 1097 (on passage)	Yea.
74	Mar. 15, 1972	H 2033	Call of the House	Present.
75	do	H 2035	do	Do.
76	do	H 2038	H.R. 12910 (agree to conference report)	Yea.
[1] 77	do	H 2064	H.R. 11417 (on amendment)	Nay.
78	do	H 2065	H.R. 11417 (on passage)	Yea.
79	Mar. 16, 1972	H 2112	S. 2097 (agree to conference report)	Do.
80	Mar. 20, 1972	H 2238	H.R. 8395 (motion to suspend)	Do.
81	do	H 2240	H.R. 11948 (motion to suspend)	Yea.
82	Mar. 20, 1972	H 2245	H.R. 4174 (motion to suspend)	Yea.
83	Mar. 21, 1972	H 2273	Call of the House	Present.
84	do	H 2295	H.R. 13120 (on passage)	Yea.
85	Mar. 22, 1972	H 2325	Call of the House	Present.
86	do	H 2348	Call in committee	Do.
87	do	H 2349	H.R. 13592 (on passage)	Yea.
88	Mar. 23, 1972	H 2423	Call of the House	Present.
89	do	H 2442	H.R. 13955 (on passage)	Yea.
90	Mar. 27, 1972	H 2475	Call of the House	Present.
91	Mar. 28, 1972	H 2583	do	Do.
[1] 92	do	H 2616	H.R. 11896 (on amendment)	Yea.
[1] 93	do	H 2621	do	Yea
[1] 94	do	H 2632	do	Nay.
[1] 95	do	H 2637	do	Nay.
96	Mar. 29, 1972	H 2718	Call of the House	Present.
[1] 97	do	H 2731	H.R. 11896 (on amendment)	Nay.
[1] 98	do	H 2738	do	Yea.
[1] 99	do	H 2741	do	Yea.
[1] 100	do	H 2745	do	Yea.
101	do	H 2773	H.R. 11896 (on passage)	Yea.
102	Apr. 11, 1972	H 2927	Call of the House	Present.
103	do	H 2936	H.R. 9552 (on passage)	Yea.
104	do	H 2942	H.R. 13324 (on passage)	Yea.
105	do	H 2950	H.R. 13188 (on passage)	Yea.
106	Apr. 12, 1972	H 2991	H.R. 13336 (on passage)	Yea.
107	Apr. 17, 1972	H 3057	Call of the House	Present.
108	do	H 3086	H. Con. Res. 471 (motion to suspend)	Yea
109	do	H 3100	H.R. 13752 (motion to suspend)	Nay.
110	do	H 3105	Call of the House	Present.
111	Apr. 18, 1972	H 3196	do	Do.
112	do	H 3220	H.R. 45 (motion to recommit)	Nay.
113	Apr. 19, 1972	H 3272	Call of the House	Present.
[1] 114	do	H 3294	H.R. 10488 (on amendment)	Yea.
115	do	H 3300	H.R. 10488 (on passage)	Yea.
116	Apr. 20, 1972	H 3354	H.R. 14070 (resolve to committee)	Yea.
117	do	H 3355	Call in committee	Present.
118	do	H 3377	do	Do.
119	do	H 3388	H.R. 14070 (on passage)	Yea.
120	Apr. 25, 1972	H 3490	Call of the House	Present.
121	do	H 3507	H.R. 14108 (on passage)	Yea.
122	Apr. 26, 1972	H 3542	Call of the House	Present.
123	do	H 3628	H. Res. 918 (motion to table)	Yea.
124	do	H 3656	H.R. 14582 (on passage)	Yea.
125	Apr. 27, 1972	H 3702	Call in committee	Absent.
126	do	H 3707	do	Do.
[1] 127	do	H 3723	H.R. 12202 (on amendment)	Nay.
[1] 128	do	H 3724	do	Yea.
129	do	H 3725	H.R. 12202 (on passage)	Nay.
130	May 1, 1972	H 3775	S. 2713 (motion to suspend)	Yea.
131	do	H 3784	H.R. 12652 (motion to suspend)	Yea.
132	do	H 3786	H.R. 9676 (motion to suspend)	Yea.
133	do	H 3790	H.R. 13334 (motion to suspend)	Yea.
134	May 3, 1972	H 4013	H.R. 13591 (on passage)	Yea.
135	do	H 4023	H.R. 13089 (on passage)	Yea.
136	May 4, 1972	H 4118	H.J. Res. 1174 (on passage)	Yea.
137	May 8, 1972	H 4194	Call of the House	Present.
138	do	H 4211	H.R. 14718 (on passage)	Nay.
139	May 9, 1972	H 4274	H.J. Res. 55 (on passage)	Yea.
140	do	H 4285	H.R. 4383 (on passage)	Yea.
141	May 10, 1972	H 4340	H.R. 9112 (agree to conference report)	Nay.
142	do	H 4354	H. Res. 968 (agree to resolution)	Yea.
143	May 11, 1972	H 4424	S. 659. (motion to table)	Yea.
144	do	H 4425	S. 659 (motion to instruct)	Nay.
[1] 145	do	H 4435	H.R. 7130 (on amendment)	Nay.
[1] 146	do	H 4441	do	Nay.
[1] 147	do	H 4444	do	Nay.
[1] 148	do	H 4454	do	Yea.
149	do	H 4455	H.R. 7130 (on passage)	Yea.
150	May 15, 1972	H 4490	Call of the House	Present.
151	do	H 4497	H.R. 7378 (motion to suspend)	Yea.
152	do	H 4499	H.J. Res. 812 (motion to suspend)	Yea.
153	May 16, 1972	H 4563	Call of the House	Present.
154	do	H 4579	Call in committee	Do.
155	May 17, 1972	H 4643	H.R. 14582 Aagree to conference report)	Yea.
156	do	H 4645	H.R. 14582 (motion to concur)	Yea.
157	do	H 4654	H.R. 14734 (on passage)	Yea.
158	May 18, 1972	H 4685	Call of the House	Present.
[1] 159	do	H 4695	H.R. 14989 (on amendment)	Yea.
[1] 160	do	H 4701	do	Not voting.
[1] 161	do	H 4708	do	Do.
[1] 162	do	H 4717	H.R. 14989 (on amendment)	Yea.
[1] 163	do	H 4721	do	Nay.
[1] 164	do	H 4722	do	Nay.
165	May 22, 1972	H 4750	Call of the House	Present.
166	do	H 4771	H.R. 6788 (on passage)	Yea.
167	do	H 4788	H.R. 11627 (on passage)	Not voting.
168	May 23, 1972	H 4831	Call of the House	Present.
169	do	H 4924	H.R. 15093 (on passage)	Yea.
170	May 24, 1972	H 4954	H. Res. 991 (on agree to res.)	Yea.
171	do	H 4974	H.R. 15097 (on passage)	Yea.
172	May 30, 1972	H 5056	Call of the House	Absent.
173	do	H 5084	H.R. 9669 (on passage)	Nay.
174	May 31, 1972	H 5103	Call of the House	Present.
175	do	H 5112	do	Do.
176	June 1, 1972	H 5141	Call in committee	Do.
[1] 177	do	H 5152	H.R. 13918 (on amendment)	Nay.
[1] 178	do	H 5159	do	Nay.
[1] 179	do	H 5162	do	Nay.
[1] 180	do	H 5165	do	Yea.
181	do	H 5168	do	Yea.
182	do	H 5169	H.R. 13918 (on passage)	Yea.
183	do	H 5173	H. Res. 965 (on agree to res.)	Yea.
184	June 5, 1972	H 5214	Call of the House	Present.
185	do	H 5219	S. 1736 (agree to conference representative.)	Yea.
186	do	H 5242	H.R. 12674 (motion to suspend)	Yea.
187	do	H 5248	H.R. 10310 (motion to suspend)	Yea.
188	do	H 5250	H.R. 14731 (motion to suspend)	Yea.
189	do	H 5253	H.R. 14106 (motion to suspend)	Yea.
190	June 6, 1972	H 5276	Call of the House	Present.
191	June 7, 1972	H 5316	Call in committee	Do.
192	do	H 5324	H.R. 15259 (on passage)	Yea.
193	do	H 5349	H.R. 14990 (on passage)	Yea.
194	June 8, 1972	H 5393	Call of the House	Present.
195	do	H 5446	S. 659 (agree to conference representative)	Yea.
196	June 12, 1972	H 5463	H. Res. 995 (on agree to res.)	Yea.
197	do	H 5470	H.R. 10792 (on passage)	Yea.
198	do	H 5491	H.R. 12846 (on passage)	Yea.
199	June 13, 1972	H 5537	Call in committee	Present.
200	do	H 5551	H.R. 15418 (on passage)	Yea.
201	June 14, 1972	H 5584	H.R. 15417 (resolve to committee)	Yes.
202	do	H 5605	Call in committee	Present.
[1] 203	do	H 5667	H.R. 15417 (on amendment)	Nay.
[1] 204	June 15, 1972	H 5669	do	Yea.

HON. BILL FRENZEL

Roll No.	Date	Page in daily record	Description	Member's response
[1] 205	do	H 5681	H.R. 15417 (on amendment)	Nay.
[1] 206	do	H 5693	do	Not voting.
207	do	H 5712	H.R. 15417 (motion to recommit)	Do.
208	do	H 5713	H.R. 15417 (on passage)	NVF.[2]
209	June 19, 1972	H 5743	Call of the House	Present.
210	do	H 5752	H.R. 13694 (motion to suspend)	Yea.
211	do	H 5767	S. 3343 (motion to suspend)	Do.
212	June 20, 1972	H 5782	Call of the House	Absent.
213	June 21, 1972	H 5864	do	Present.
214	do	H 5876	H. Res. 996 (on previous question)	Yea.
215	do	H 5881	Call in committee	Present.
216	do	H 5883	do	Do.
217	June 21, 1972	H 5884	do	Do.
218	June 22, 1972	H 5986	Call of the House	Do.
219	do	H 5987	H.R. 14370 (motion to recommit)	Nay.
220	do	H 5988	H.R. 14370 (on passage)	Yea.

[1] Indicates recorded teller vote.

[2] NVF—Present not voting (paired for).

ORDER OF AHEPA CELEBRATES ITS GOLDEN ANNIVERSARY

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. LUJAN. Mr. Speaker, I rise to salute the Order of Ahepa on the occasion of its 50th anniversary and to call to the attention of my colleagues the many contributions this order and its members have made to the betterment of American life.

The word "AHEPA," Mr. Speaker, stands for "American Hellenic Educational Progressive Association." It was founded July 26, 1922, in Atlanta, Ga. It is composed of four separate organizations, each with its separate function but all working in harmony toward the order's goals. These four organizations are: The Order of Ahepa, the Daughters of Penelope—senior women's auxiliary, the Sons of Pericles—junior young men's auxiliary, and the Maids of Athena—junior young women's auxiliary.

I take great personal pride in bringing to your attention the record of accomplishments of this organization.

During World War II, AHEPA members sold $500 million in U.S. war bonds, demonstrating their faith and trust in the wartime cause of this Nation.

When hurricanes struck the Florida coast, destroying homes and devastating whole communities, AHEPA raised money, food, and clothes which were rushed to the victims. And this action was not unique for AHEPA. Wherever natural disaster strikes at home or abroad, AHEPA is there with help: Kansas City flood, Corinth earthquake, Ecuadorian relief, Mississippi flood, Greek war orphans—the list goes on and on, from one humanitarian effort to another throughout the world.

But, while aid to natural and manmade disaster victims is probably the most visible of AHEPA's work, by far the more important effort made by the order is in the field of education.

One of AHEPA's goals is "To champion the cause of education, and to maintain new chanels for facilitating the dissemination of culture and learning." How fitting a goal for the race of people who gave us Pericles, Demosthenes, Aristotle, the golden age of poetry, art, music, and sculpture, the wonderful myths, legends, and heroic epics, to say nothing of the lasting architectural beauty of the Acropolis, the Parthenon, and all the other perfectly proportioned structures of ancient Greece.

For 41 years AHEPA has awarded local, district, and national scholarships to worthy students. At St. Basil's Academy in Garrison, N.Y., stand the AHEPA Hall for Boys and the Ahepa School, both donated by the order. The seven-volume set of the Greek classics is donated by AHEPA chapters to high school and college libraries. More than 40,000 American books have been donated to schools and libraries in Greece by AHEPA, and every year the order offers summer studies in Greece to American students through the Ahepa educational journey to Greece programs.

Mr. James Pavlakos, president of the Albuquerque chapter of AHEPA, informs me that it was the Order of Ahepa that purchased the land in 1944 on which the Greek Community Center now stands—a lasting monument to the work of New Mexico members of the order. AHEPA has been in existence for 43 years in our State, Mr. Speaker, and its members include some of New Mexico's most outstanding and public-spirited citizens.

The local chapters of AHEPA are always active in civic affairs and projects, following the order's program of urging its members to be model citizens through planned civic activity. And, while I am certain that all members of the order are proud of the fact that our great Vice President SPIRO AGNEW is a member of AHEPA, I think all Americans should be proud to have this outstanding organization in our midst, working for all that is fine and good in this great democracy.

Mr. Speaker, I urge my colleagues and all Americans to rise in salute to this fine order and to congratulate its members on the golden anniversary of AHEPA.

E. E. "RED" COX RETIRES

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. JONES of Alabama. Mr. Speaker, a dedicated and able friend, E. E. "Red" Cox, has retired following an exceptional career in the Federal service.

For 20 years, Red Cox was the chief aide to Hon. Albert Rains of Gadsden, Ala., and was involved in many details that went into the planning and enactment of much of the legislation which has advanced this Nation's housing programs and the regulation of the banking industry.

Red was quick to grasp the problems which were presented and responded clearly with a feasible solution. He rendered valuable service to Representative Rains, the people of Alabama, and the Nation.

His intimate knowledge of the laws relating to banks, the soundness of their management and financial condition has been engaged in the public interest in recent years in his work as special assistant to the Comptroller of the Currency, the position from which he is retiring.

Before his service with Congressman Rains, Red Cox had been associated with the Government in the Office of the Comptroller of the Currency from 1933 to 1937 and in the Federal Housing Administration from 1937 until 1945.

In all of his work, he has demonstrated both industry and excellence. He has dedicated himself to the highest standards of public service.

As he retires, he has my commendation for a job well done and my best wishes for every success in the years ahead.

COLORADO'S POET LAUREATE

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. EVANS of Colorado. Mr. Speaker, the State of Colorado has the distinction of celebrating the centennial of its admission to the Union in the same year that all Americans will be celebrating the 200th anniversary of the United States of America.

When Colorado became a State on August 1, 1876, it was known as the Centennial State in commemoration of the 100th anniversary of the United States.

Now as Colorado nears its own 100th anniversary, the State's Poet Laureate, Mr. Milford E. Shields of Durango, has written two poems, one to mark the U.S. Bicentennial and the other to mark the State's centennial.

The poems follow:

UNITED STATES OF AMERICA BICENTENNIAL

July 4, 1976

The Jamestown start, the onward years of time,
The virile rhythm and the holy rhyme;
The land of liberty, the country just,
The destiny of peoples and the trust.
The group assembled of the sons of faith,

The issue joined, the pledges upto death
Of lives and fortunes, sacred honor all,
The fields of blood, the country's bugle call.
The symbol of the flag to lead them through,
The spirit of the Red, the White, the Blue
Was written in our Constitution's light,
Our witness and our covenant of right.

The decades that are history are ours,
Dimensions, depths and properties and pow'rs;
In time's full tide we have progressed and won
A brighter place in all the nation's sun.

Now we have walked upon the heaven's moon
In full technocracy and moral tune;
Two centuries of God's expanding time
Have made our flag, our nation glow sublime.

COLORADO CENTENNIAL

August 1, 1976

One hundred years ago our mountain gold
Was coined into our State bright to behold;
We were Centennial's true offering
To our United States, our golden thing.

Our decades and our issues and our men
Had forged and fashioned solid times again;
Our mountains and our plains formed bulwarks great
And they were forged into our Four Square State.

For ten decades we have moved surely on,
Each day has been an even brighter dawn;
We've played our part in honor and in pride,
Our Trust of Statehood has been justified.

One hundred years of dedicated time
Have made our star upon the flag sublime;
Look at our Capitol and there behold
Its dome, our witness, sealed in purest gold.

SUPPORTING MEMBERS OF CONGRESS

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. SAYLOR. Mr. Speaker, I feel the time has come for a statement to be made supporting Members of Congress who, as elections draw closer, are once again feeling the piercing edge of the public sword wielded by those citizens we so diligently serve. This battle casts us as flamboyant ne'er-do-wells who are unreceptive to constituents, too difficult to see, too liberal, too conservative, too stupid, or too smart. As the public eye changes focus, so does our image in that vision.

If the average citizen could spend just 1 week performing the duties of a Congressman, he would be truly amazed. As he attends the never-ending meetings, meets the onslaught of invitations for personal appearance, keeps informed on current legislation and events, and receives the criticism and rare plaudits of his constituency, he would be overjoyed at the prospect of returning to his 5-day 40-hour week. For he would soon learn that once a person accepts the responsibilities of a Member of Congress he is on call from the public 24 hours per day, 7 days a week.

In 1936, Congressman Maury Maverick authored a timely description of the life of a Congressman, the text of which appeared in the August issue of American Heritage. The contents of this article, which follow, could easily have been authored by any of us here today:

WHAT MADE MAURY RUN

(By Barbara S. Kraft)

(NOTE.—In December, 1936, Oswald Garrison Villard, longtime liberal editor of The Nation, wrote his friend Representative Maury Maverick (1895–1954), of San Antonio, Texas, that he wanted to inform the public of the congressional burdens caused by the New Deal's economic emphasis. He asked that Maverick's secretary send him a statistical breakdown of a week in the life of a congressman.

(Deeply devoted to his job, the brash and boisterous Maverick had already, in the first of the two terms he would serve, won a national reputation by ignoring the protocol of silence observed by freshmen in the House. He had no patience with hypocrisy or with official language that obfuscated issues, for which he coined the word gobbledygook. He was intensely proud of his colonial heritage, of his grandfather who had signed the Texas Declaration of Independence; and he saw, as his historic mission, the safeguarding of individuals' rights and the nation's natural resources. This same grandfather, Samuel Maverick, according to a frequently repeated legend, added a word to the English language when, probably through an oversight of his slaves, he failed to brand a small herd of cattle in his possession. Thereafter, "maverick" was the common name for an unbranded animal, and in time the word stood for a politician independent of party control. Maury Maverick, both in Congress and in a term as mayor of San Antonio, from 1939 to 1941, lived up to the name.

(The secretary's report indicated that Congressman Maverick received 150 letters and forty callers daily, attended up to six weekly committee meetings, and was often at his desk late into the night. During adjournment, there was some surcease, though the office seekers increased and the phone never stopped ringing. But the secretary's simple listing of statistics didn't tell of the "pangs and pains" or the "emotional strain" the congressman endures, so Maverick took pen to paper and did the job himself.)

In the first place, no one ever talks to a Congressman unless they are either unemployed, angry, or in a state of defeat. The "successful" men have no time to talk to a Congressman, and you receive no visits from your friends, because your office is always packed and jammed with unfortunate people demanding immediate attention. You are constantly besieged to make speeches, and you are supposed to make facetious remarks and tell two or three jokes—generally jokes which are wholly outside of the realm of thought—and then to make a very grave speech, complimenting the group you address.

It is impossible for a Congressman to walk down the street, even with his wife and children, or with his best friends or associates. Leaving the Maverick Building and going to the St. Anthony Hotel, which is only two short blocks, I am frequently stopped as many as ten or twenty times. Each person starts out by saying: "Congressman. Can I see you just a minute?" or "You're the hardest man to find in town. I've been trying to get you for six weeks." Or similar approaches. In biting cold weather, and already late, it is necessary to listen to a long story which has no point, with a great mass of irrelevant data,—all of which could have been handled as a routine matter by my secretary in the first place.

Point: There is absolutely no time for the average Congressman to study, make research, and improve his mind. His secretarial staff is insufficient for the amount of work. With large numbers of people calling all the time, the telephone ringing incessantly, and work to be done, the physical part of the task, the simple administrative duties, simply weight the Congressman down. It is perfectly natural, therefore, for Congressmen to break under the impact and give up entirely using their own brains.

Second point: Democracy is likely to break down of its own weight. After great hullabaloo, accusations and counter-accusations, a man is elected to office. Then the people prevent him from doing his duty. Strangely enough, in reference to Congressmen, the people have no respect at all for each other. Attempting to talk to one constituent means nothing to another—he will break in and start talking about his own affairs. I know that this is not the plight of the lawyer, businessman, or average citizen who is "prominent"—because before I was in Congress people talked to me one at a time.

Historical psychological background (in deep confidence): In times past, the royalty had a touch of magic. There is no royalty now, and no one to settle a man's problems. If he is a Catholic, he can go to a priest for confession and, I understand, get some consolation. But if he wants a pension, is out of a job, has been fired, has been given a dishonorable discharge from the Army and wants to get back in, is going to lose his home because he hasn't paid anything on his HOLC loan since he made it some 12 to 16 months before, or wants a job for a "friend," or has anything the matter with him at all, the only person who will even speak to him, or whom he can speak to, is the degraded remnant of royalty—the Congressman. Hence, no Congressman can walk down the streets of his home town naturally. He cannot stop at a shop window, because he will be pinched, slapped on the back, or jerked away and asked questions and told views until he gives up in disgust, calls a taxicab and hides his head so he can get home and get away from it all.

As for Washington, the situation is not quite as bad, but there comes all day long cranks of all kinds who have a "plan" to solve the depression, or a fool-proof "pension system," and most of them are good people who have some hold on you and you have to speak to them. I have an additional burden, and this is true of all Congressmen who are unfortunate enough to have Revolutionary, 1812, Mexican War, and Civil War relatives. Thank God there are no Abolitionists in my family, or I would break under the strain. But there are plenty of others—I think I have you beat by several generations of them.

Then in Washington life, it has a feature which is disgusting. You are invited to a supper, and frequently an important one. It is supposed to start at seven, and it starts at eight. It's supposed to close at nine, but then everyone makes a speech, it is impossible to get away, and sometimes they last until eleven or twelve o'clock. You go home, having eaten too much, smoked too much, and listened too much tiresome bull; you sleep too late; get to your office late. You can't get in on account of the people blocking the door waiting to see you, and you have a mass of correspondence which you probably don't answer in the morning and which is deferred until that night. You get behind further and further.

When any man makes a speech who has some self-respect, he has to make research. This is almost impossible, and so you send to the Library to get your books. You, of course, cannot read a speech, because Congressmen don't listen, anyway, which necessitates an extreme familiarity with your subject if you talk without manuscript. The result is frequently slipshod speeches.

I hand you herewith a typical example of correspondence which I received this morning—one of my firends, whom I have known for twenty-five years, suggests that I lack sincerity because I disagree with him on the Supreme Court. I have written him a very sharp letter and have told him to mind his own business—but the customary thing for most Congressmen is to write a letter and say they appreciate the suggestion, and so on.

I can truthfully state the following, of every Congressman:

Republican, or Democrat, he works harder than any two businesmen.

He is above average, and I do not believe there is a single Member of Congress who would accept a bribe in money in any sum.

He is generally a better representative than his constituents deserve.

His health is bad because of his constant application to work, and statistics show that Congressmen die of acute indigestion, heart trouble of various kinds, such as coronary thrombosis, also arterio-sclerosis, and diseases due to improper diet.

He really wants to learn, study and apply himself, but conditions of being a modern messenger boy simply make it impossible.

Very truly yours,

MAURY MAVERICK,
Member of Congress.

THE AMERICAN CREED

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. COLLINS of Texas. Mr. Speaker, I was proud to read in my Park Cities News that they included the American Creed as a special news item. At the top of page 3 they quoted the American Creed just as it is written.

Ed Wilson, the editor of the Park Cities News, believes the American Creed is news and a story we should reread. The publishers, Clarence Stark and Mike Anderson, have built the Park Cities News based on sound American fundamentals.

Today we have many Americans who do not pause to appreciate how fortunate they are to be Americans. America has a challenge from within, as the people themselves give up more and more of their liberty as they vest more centralized power in Washington.

It is great to have editors like Ed Wilson of the Park Cities News down in Dallas, Tex. We still believe in prayer in schools, and the American Creed in every home.

Here is the American Creed as presented in the Park Cities News:

THE AMERICAN CREED

I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a republic; a sovereign nation of many sovereign states; a perfect nation, and one inseparable established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it; support its Constitution; to obey its laws, to respect its flag; and to defend it against all enemies.

CHARLES L. SNYDER HONORED BY RED CROSS

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. BYRON. Mr. Speaker, last week the Frederick County Chapter of the American Red Cross presented Charles L. Snyder its award of Volunteer of the Year. Immediately afterward, the chapter elected him chairman for the next year. These double honors were richly deserved. During the recent floods caused by Hurricane Agnes. Mr. Synder worked diligently to aid victims of the disaster.

The Frederick News published an editorial on July 31 praising Mr. Snyder's efforts. I would like to add my own personal note of congratulations and to share the editorial with my colleagues.

The editorial follows:

FOR SERVICE ABOVE SELF

It was a fitting honor that the venerable Frederick County Chapter, American Red Cross bestowed upon a relative newcomer at its annual meeting last week in first selecting Charles L. Snyder as its volunteer for the year 1972, and a few moments later electing him to chapter chairmanship.

It was under his direction that the Disaster Services of the Chapter were revitalized during the past year—and just in time to care for the hundreds who were stranded, homeless and helpless from the floods of Tropical storm Agnes.

A brief review of the chapter activities during the Agnes disaster showed that the three shelters set up—at Carroll Manor School, Coblentz Hall at Hood College and the National Guard Armory—served a total of 185 persons.

Five disaster specialists were sent from the National Red Cross to assist the chapter in its rehabilitation work, and assistance centers were established at Point of Rocks, Sagner Court recreation hall, and West Frederick Junior High School.

The Red Cross expended a total of $17,436 for disaster relief here during the emergency to the 350 families who suffered loss of some type or other.

Assisting the Red Cross were the Clorox Co. and Frederick Trading Co. for donations of cleaning supplies. Assisting with food for shelters were McDonald's and A&P.

The Red Cross assistance in time of emergency is an outright gift, and $3,769 was raised locally for the Agnes disaster and the Black Hills flood.

The tribute to newly elected Chairman Snyder in the report of the Chapter reads:

"This nominee for the Volunteer of the Year Award came to the Frederick County Chapter, experienced in Red Cross procedures and philosopohy. He had previously held the office of Chapter chairman and Disaster chairman in Ohio. Once the Chapter learned of this 'find', he was invited to become a member of the Board of Directors and in the course of a short time his capabilities were recognized. He was appointed Disaster chairman and vice chairman of the Board.

"He was aware that the Disaster Services in the Chapter were obsolete and no recent planning had been done. His job was to revitalize the plan if Red Cross was to function according to its Congressional Charter. He traveled over the highways and back roads of the County, canvassing motels, small and large, churches and fire halls, explaining the great need for shelters for travelers stranded in heavy snows. He established a close rapport with the State Police and Civil Defense. He talked with the Board of Education about the need for schools for mass sheltering. Then he put it all together and published the First Disaster Preparedness Handbook for the Frederick Chapter.

"Could he have been clairvoyant? Several weeks later Tropical Storm Agnes struck. Maryland and Frederick County experienced its worst disaster in 40 years. The plan was there and after the first few hours of panic and confusion, everything fell into place.

"This volunteer worked around the clock, gathering up the stranded, bringing them into shelters, transporting food supplies, collecting cleaning kits and working closely with the National Staff. When the central Disaster Assistance Center was created, he supplied certain office equipment for their needs. He assisted the building specialist from the National Red Cross complete an accurate survey of the storm damage in the area. This information was requested not only by Red Cross but the Governor's Office.

"Prior to Agnes, this volunteer completed an inventory of all Chapter equipment which had been recommended by the Department of Defense auditors. He has helped Public Information by publishing programs for special events. In every task this volunteer has accepted, he has seen it through to completion with no procrastination and always leaves a record of his procedures for the next man who might follow.

"The Chapter is fortunate not only in having this nominee, but in knowing that he has the support of his wife who is a Red Cross Nurse who volunteers at the Blood visitations and in the Disaster Shelters. This is truly a Red Cross team and the Chapter appreciates her patience and understanding.

"The Frederick County Chapter is proud to present Mr. Charles L. Snyder as its Volunteer for the Year of 1972."

We add our congratulations.

THE LATE WILLIAM GARRETT

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mrs. GRASSO. Mr. Speaker, on July 19, a distinguished newsman and dear friend passed away. William Garrett, the dean of Connecticut reporters in Washington, was a sparkling, remarkable journalist whose trademark was excellence, whose fairness was consistent, and whose interest in people, sense of compassion and touch of humor were enduring.

Bill was an inspiration and comfort to all who knew him and to all his avid admirers and readers during his more than 35 years in newspaperwork. His fascinating, informative columns of life and politics in the Nation's Capital were a special pleasure to read and will be sorely missed by the devoted readership of the Bristol Press and the Hartford Times.

While Bill is no longer with us, we will not forget this splendid human being who touched so many lives with warmth and grace. For the interest of my colleagues, a recent editorial and article in the Bristol Press and an article in the

Hartford Times about Bill Garrett follow:

WILLIAM F. GARRETT, TIMES COLUMNIST

SILVER SPRING, MD.—William F. Garrett, a former Hartford Times reporter and 20-year veteran of the Gannett News Service Washington Bureau, died last night at Holy Cross Hospital here after an apparent heart attack. He was 61.

A veteran of more than 35 years in the newspaper business, Garrett is a former Bristol resident. He worked earlier for the New Britain Herald and covered the Bristol area for five years for The Times. After serving on the city staff of The Times, Garrett went to Washington in 1950. He authored a column on the Washington scene, highlighting persons and happenings of particular Connecticut interest.

After retiring from the Gannett News Service bureau in 1970, Garrett still kept active, free-lancing for the bureau and writing periodic columns for The Times.

Born in Troy, N.Y., he lived in Bristol until moving to the Washington area in 1950. He and his wife lived at 11310 Galt Ave., Wheaton, Md., a northerly suburb of Washington.

He is survived by his wife, Calista McEnany Garrett, originally of Terryville.

Once a weekly newspaper editor and for a time an assistant public relations director for General Motors New Departure division in Connecticut, he favored reporting and writing over other areas of the newspaper business.

"Most of my working life has been given to newspaper reporting," Garrett once wrote, when he provided background for a column he started at The Times. "I've done little editing because I've never wanted to be glued to a desk."

When he left The Times for Gannett (The Times is a member of the Gannett group), he took on a new role. During his 20 years' tenure at the news service bureau he became the bureau's resident "expert" on such matters as radio-television, the Federal Communications Commission, federal-state relations and a variety of related subjects such as housing, highways, urban renewal and airport programs.

For a time Garrett was a contributor to the Gannett News Service's "Capitol Memo," a radio program carried by six stations owned by Gannett.

Garrett was active in public life in Connecticut, serving at varying times as Bristol's justice of the peace, as a member of the school board and of the housing authority.

A graduate of Trinity College, Garrett was a former president and a founder of the Eastern Professional Basketball League, a past president of the Southern New England Industrial Editors Association, and former district governor of the Exchange Club.

Garrett was also a member of the National Press Club, Sigma Delta Chi, professional journalism fraternity, and the White House Correspondents Association.

Besides his wife, he leaves three daughters, Mrs. Margaret King Jr. of Mt. Holly, N.J., Mrs. Mary Zolly of Rockville, Md., and Mrs. Evelyn Long Jr., of Ellicott City, Md.; a son, William J. of Hyattsville, Md.; a sister, Mrs. Michael Krampitz of Bristol, and seven grandchildren.

Funeral arrangements are incomplete. They are being handled by Collins Funeral Home, Silver Spring, Md.

WILLIAM A. GARRETT

Like any profession, journalism includes among its members all manner of men and women with assorted skills, background, dedication and character. But, they do have one thing in common, a ready ability to recognize among their own a true craftsman whose nose for news, writing ability and character entitle him to be ranked tops in this field of endeavor.

Bill Garrett was just such a newspaperman and that is why so many in Bristol were shocked Thursday to learn of his passing though it was generally known that his was far from the best of health and even though it had been 22 years since he left this community to become a Washington staffer for the Gannett News Service.

This unusual man apparently kept busy right up to the end because his columns still are appearing in The Press just as they have for the past three years while he was the newspaper's Washington correspondent.

Bill probably spent more hours at a typewriter than any newsman we can recall. He wrote swiftly, using just one finger, a remarkably rapid and agile digit which was the instrument he turned to turn out voluminous, lucid and clean copy. It was always a pleasure to edit a Garrett column because it required a minimum of editing. Although he had little formal education, he wrote with the facility of an English major and told his story with amazing incisiveness. Connecticut has seen few writers like him.

Garrett was also one of Bristol's finest citizens during the many years he lived here. He served in many civic capacities and at one time was one of the most distinguished members of the Board of Education. He also participated in many social and fraternal activities and was in the forefront of the promotion of a host of sports undertakings. Garrett spent a good part of his life in the cause of clean athletics even though it meant little to him in the way of financial reward.

Despite being the busiest of men, Bill Garrett always maintained a friendly attitude for all. We cannot remember a single person who might have had occasion to consider him an enemy. He was above the petty grudge situations in which some newsmen indulge. His policy was to write facts and let them speak for themselves without letting personal feelings color a story in any vein or direction.

Bill was devoted to his wife and four children and to his hundreds of friends both here and in the Washington area. The friend of the great and the near-great, he had the humble nature that dictated his being nice to any person whether he be a Vice President of the United States or some ordinary private citizen.

Our sympathy goes to his family in this dark hour. We at The Press will miss not only his wonderful journalistic contributions to our editorial page but also those friendly visits he would make to our offices whenever he made the long trip back home to Bristol from Maryland.

Although "30" factually has been applied to the Garrett career, the memory of his cheery presence will be with us for a long time to come.

WILLIAM A. GARRETT, 61, VETERAN NEWSMAN, DIES

William A. Garrett, 61, of Wheaton, Md., Washington, D.C. correspondent for The Bristol Press for the past several years and one of Connecticut's best known and most respected newspapermen, died at 4 a.m. today at Holy Cross Hospital in Silver Springs, Md. after suffering a heart attack at his home. He died in the same hospital where Alabama Gov. George Wallace was a patient after the attempt on his life.

Just yesterday two of Garrett's widely read Washington Beat features arrived at The Press. One is being used on the editorial page today and another tomorrow.

Until 22 years ago Garrett made his home in Bristol and was one of the community's most active citizens. At various times he served on the Board of Education and the Housing Authority and was prominent in many sports, civic, church and fraternal activities.

Garrett was born in Troy, N.Y. Sept. 23, 1910, son of Adelor and Delia (Fassett) Garrett and came to Bristol when he was a year old. He attended St. Ann's School here and Trinity College. His first journalistic assignment here was as local correspondent for The New Britain Herald. In 1934 he succeeded Rolfe E. Rowe as Bristol correspondent for the Hartford Times after Rowe had been elected town and city clerk.

During World War II, he was in the Public Relations Department of the New Departure Division of General Motors Corporation. After the war, he rejoined The Hartford Times as a roving correspondent and won several awards for his brilliant coverage of two sensational "mercy killing" cases, the Carol Paight trial in Stamford and the Doctor Sanders trial in New Haven.

In 1950, Gannett News Service, of which The Hartford Times is a subsidiary, transferred him to its bureau in Washington, D.C. and he served there until his retirement three years ago. He had since been turning out his Washington Beat pieces for The Press at his home at the rate of three or four a week.

Funeral arrangements are incomplete and it is expected that final rites will be in Maryland.

Garrett's survivors include his wife, Mrs. Calista (McEnany) Garrett, formerly of Terryville; a son, William J. Garrett of Hyattsville, Md.; three daughters, Mrs. Mary Zolly of Rockville, Md., Mrs. Margaret King of Mount Holly, N.J., and Mrs. Evelyn Long of Ellicott, Md.; a sister, Mrs. Michael Krampitz of Bristol; 11 grandchildren and a nephew and two nieces.

PROMINENT IN SPORTS

Garrett's illustrious career started at a tender age when he managed the old Blue Jays baseball team. The club was highly successful in the won-lost column and attracted considerable attention throughout the State because of the favorable publicity it had received. Bill was the manager and public relations director.

It was with Ray Casey's Maple End athletic teams that Garrett enjoyed himself immensely. In later years, he would mention the Maple End teams whenever Bristol sports came up for discussion.

He took great pride in the accomplishments of the late George (Big Wrinkle) Alexander and his brother Philip, who was recently honored at a citywide sports testimonial.

Another of Garrett's favorites was Joseph (Sugar) Hugret, one of Bristol's all-time great football players. Hugret played briefly for the Maple Ends after gaining All-America recognition before an injury shortened his promising career.

Another team that was well-publicized, thanks to Garrett's efforts, was the Farmer's Feed & Supply basketball team which won several championships in the City Basketball League in the late '20s and early '30s.

In addition to his sportswriting activities, Garrett also found time to manage several outstanding Maple End baseball and basketball teams, as well as Jack's Captains, a team that brought a great deal of recognition to the city because of its many traveling engagements.

LEAGUE SECRETARY

After World War II, he served as the perennial secretary of the State Basketball League. President of the league was Louis G. Black, veteran Associated Press sportswriter.

Garrett was wrapped up in the league because Bristol was represented by the Bristol Tramps, owned and coached by Julie Larese.

Asked once to compare the old City League and the State League, Garrett said: "That would be too tough. They both were loaded with outstanding players."

Bill also helped publicize world's archery champion Russ Hoogerhyde. As a matter of fact, he was responsible in featuring the archery kind prior to Jack's Captains games.

The Bristol newspaperman would publicize anything with a Bristol label attached to it. He loved the Maple End-West End Athletic Club football rivalry and often submitted glittering accounts of the Thanksgiving Day battles.

Bill had a fond liking for Rebelle S. Carpener and Raymond J. Casey, former West End and Maple End club presidents respectively.

When he left Bristol to become associated with the Gannett News Service, Garrett didn't leave Bristol in back of him. Whenever he came upon a Bristol story in the nation's capital, he would send it along for publication in the Bristol Press sports pages.

Garrett was also a charter member of the Bristol Exchange Club and a past grand knight of Palos Council, Knights of Columbus.

THE PERILS OF "UNHATCHING"

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. NELSEN. Mr. Speaker, in 1966–67, I was privileged to serve as a member of the Commission on Political Activity of Government Personnel which reviewed the Hatch Act and subsequently recommended a number of changes to Congress. In an earlier Congress, I also chaired a Republican task force on the Federal civil service merit system.

Accordingly, I have had particular interest in yesterday's majority opinion authored by U.S. District Court Judge Gerhard A. Gesell that a section of the Hatch Act barring Federal workers from participating in partisan political campaigns is unconstitutional.

It seems to me that the court, in a 2–1 split decision, has unwisely opened up a can of political worms and improperly intruded on the lawmaking powers of Congress.

I share the court's view that the act is overly broad and believe that there should be a realistic clarification of provisions relating to political activities permitted and prohibited so that all Federal employees may have a clearer understanding of the law.

But this is the task of Congress, not the Federal courts. To throw out by judicial fiat main restrictions on political activity is to invite the return of the worst excesses of the old, discredited spoils system. This misguided court decision would eventually crucify the merit system of public service. It would subject employees to greater arm-twisting pressures for political contributions and other favors, irrespective of other provisions of law.

Job protection would become almost impossible for those Federal employees who become deeply embroiled in heated political campaigns, thereby compromising their impartiality.

In order to maintain a completely impartial and effective public service, those involved in such service must owe primary loyalty to the Government by which they are employed and not to a particular individual, party or faction.

I sincerely hope that the Supreme Court will overturn the lower court's decision in this case when it is appealed.

It is unfortunate, of course, that Congress has done so little relative to the clarification of the Hatch Act. While I am not a member of the committee with responsibility in this area, the court decision does renew the focus on the need for revisions and improvements in this important law.

SALUTE TO AMBASSADOR GEORGE BUSH

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, I would like to take this opportunity to commend our former colleague, Ambassador George Bush, for the exceptional job he is producing as U.S. Ambassador to the United Nations. Through his consistent efforts in his role as America's chief diplomat and strategist in the U.N., he has been able to carry out our Nation's policy effectively. I know that all of us join in in extending heartfelt wishes for the continued success of his work as our representative in the world body.

As part of my remarks today, I include an article written by Ambassador Bush which appeared in the July 9, 1972, issue of the New York Times:

VIEW FROM THE U.N.: MOST OF THE COUNTRIES AT THE U.N. RECOGNIZE IN OUR FOREIGN POLICY UNDER PRESIDENT NIXON A WILLINGNESS TO INNOVATE

(By George Bush)

UNITED NATIONS, N.Y.—From the vantage point at the United Nations one gets a rather concentrated dose of world opinion.

Right now there are two main points under constant corridor discussion. First, Can the patterns of war give way to a generation of peace? Second, Do the successful visits of President Nixon to Moscow and Peking strengthen or detract from the utility of the United Nations?

On the first point, it is too early to tell whether the patterns of the fifties and sixties can now, in the seventies, be changed. But it is appropriate to say that great progress toward breaking the patterns has been made. President Nixon's landmark journeys to Peking and to Moscow—culminating in the historic agreement between the United States and the Soviet Union limiting nuclear arms for the first time—have established a firm base from which the major international powers can move toward a structure of peace. This structure is realistic and, for the first time, practical. It is a structure of peace based on carefully analyzed enlightened self-interest on the part of all the major powers.

When President Nixon first took office, he correctly perceived that the way the United States was carrying out its commitment to South Vietnam had made both the Soviet Union and the People's Republic of China suspicious of our motives and dubious of our intentions.

Meanwhile, America's traditional allies suffered an erosion of confidence in the United States' long-run desire, or even ability, to help defend their interest.

Immediately after entering the White House, President Nixon directed that this country re-evaluate its role in world affairs. A new Vietnam policy was put into effect, a policy which will fulfill our responsibilities without seeming to threaten other nations with whom we must negotiate other crucial issues in the international community. Steps were taken to enter into a new China policy. The Soviet Union was approached with a new openness and a new sense of realism on the issues of Berlin, the Middle East and nuclear weapons. Our European allies were reassured of our commitment to them.

President Nixon said, "Listen more and lecture less." Now, three years later, after one of the most intensive periods of international negotiations in this century, the results are beginning to pour forth. Already they can be termed truly extraordinary.

The United States is ending its role in Vietnam without sacrifice of its honor and responsibility. The People's Republic of China has been brought into its proper role in the world community. A cease-fire is in existence in the Middle East. A Berlin agreement has been reached. Negotiations with the Soviet Union have been concluded on such issues as the environment, health, international disputes at sea, trade and, most important, the limitation of strategic nuclear weapons, both offensive and defensive.

I am not about to suggest that all the steps the President has taken have met with the approval of all the countries at the United Nations. I think it is fair to say that most of the countries at the United Nations recognize in our foreign policy under President Nixon a willingness to innovate. They are apt to give credit to the President for his creed of "negotiation over confrontation."

Some home-front critics have suggested that our nation's security has been undermined by the steps the President has taken. Though there is undoubtedly some risk involved in any such agreements, there would have been a far greater risk to us and to much of the world in continuing to base our foreign policy on obsolete considerations that had validity in the past, but had subsequently been overtaken by events.

Our most treasured and respected allies do not feel threatened by the results of the summits at Moscow and Peking.

They are almost unanimous in their view that the trips will lead to a more peaceful world. They are reassured by the President's determination to keep a strong defense, for no matter how enthusiastic they are about the new agreements, they understand that without strength these agreements would have been impossible. Further, that without strength in the future, future agreements will be impossible.

Lastly, on the United Nations itself, some have criticized the President for "not using the United Nations" or for "going around the United Nations."

Arthur Vandenburg talked about "outside the United Nations, but inside the Charter." This phrase could apply to the President's trips. Most of my colleagues recognize that the U.N. will not be fully effective unless the major powers are in agreement.

Thus, any steps that move any of the major powers away from age-old differences and toward agreement, will in the long run benefit the U.N. itself.

The United Nations has never come to grips with the Vietnam question—principally because Peking and Moscow, reflecting North Vietnam's strongly held view, have opposed United Nations action.

The United Nations was unable to stop the killing in the India-Pakistan war because the major powers were in disagreement.

It follows that the more agreement and understanding that exists between the major powers, the better the chance for effective United Nations action.

It is fair to state that the President's visits had strong support at the United Nations. The members there, with all the diverse ideologies the world possesses, recognized that our President was reaching out as peacemaker to both the U.S.S.R. and Peking.

Differences will continue to divide the states at the United Nations, but when it came to success for the Peking or Moscow meetings, the world was almost as one in its aspirations; for the nations represented there saw a chance for peace and a chance for a stronger United Nations itself.

HE LEAVES A MONUMENT

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. GROVER. Mr. Speaker, my home community, New York State, and our country have lost a great man. Sid Shapiro as a close personal friend or a dynamic engineer can only be described in superlatives. The Thursday, July 27, 1972 editorial and article in the Islip Town Bulletin help me to do just that:

HE LEAVES A MONUMENT

On any given day you can ride Long Island Parkways and look with awe at his handiwork—his monument, so to speak.

We refer, of course to Sidney M. Shapiro, who died last Thursday.

Mr. Shapiro was for many years the good right-arm of masterbuilder Robert Moses. Together they fashioned the world's most outstanding park and recreation system.

Along with Mr. Moses, he was sometimes called a dreamer. But the world must have dreamers if we are to survive. We shall surely miss him.

SIDNEY M. SHAPIRO, LONG-TIME MOSES AIDE, DIES

Largely attended funeral services were held from Christ Episcopal Church in Babylon Monday afternoon for Sidney M. Shapiro, 68, of Babylon, who retired last April as Chief engineer and general manager of the Long Island State Park Commission. He died last Thursday at Columbia-Presbyterian Medical Center.

The Rev. Charles T. Knapp officiated at the rites and burial followed in Pinelawn Memorial Park under direction of the Boyd Funeral Home.

Mr. Shapiro is survived by his widow, Undine; a son, Robert; a daughter, Mrs. Helen Totom; a brother, Theodore; a sister, Mrs. Sylvia Edelstein and four grandchildren.

At the time of his retirement The Bulletin carried the following story on his life and achievements.

When Sidney M. Shapiro, 68, Chief Engineer and General Manager of the Long Island State Park Commission, last of a small group of dedicated men who in the year 1925 launched the Long Island State Park and Parkway Program under the leadership of the then 37-year-old Master Builder, Robert Moses, retires next month, he will have completed 46 years of service with the Commission. One by one the members of the original group of almost half a century ago have gone their way. Bob Moses himself, now 83, retired from the Commission 10 years ago.

In the beginning when Shapiro began engineering surveys for what was to become world renowned Jones Beach State Park, the combined population of Nassau and Suffolk Counties was little more than the present number of visitors to the park on a single busy day. What was then an inaccessible, uninhabited virtually unheard of barrier reef, inundated constantly by high water of the Atlantic, now provides parking space for 50,000 cars a day, mostly on filled-in land, contains attractive bathhouses, swimming pools, boat basins, fishing piers, a Marine Boardwalk, restaurants, cafeterias and snack bars, four 1000-foot deep water wells, a monumental Water Tower, an 8200-seat Marine Theatre and many other diversified recreational facilities. Last year 15,000,000 people visited the famous park, up from one-half million the year it opened in 1929. Since then some 400,000,000 visits have been paid to this greatest of all state-owned and operated oceanfront resort. Yet, Jones Beach was rejected by the voters when first presented by Robert Moses in 1925, then given a second chance the following year when it squeaked through in a referendum.

ONE SMALL PARK

In the beginning, there was only one state park on Long Island, an isolated 200 acres on Fire Island approachable by a small ferry. Today there are 20 state parks in the system extending from the New York City line to Montauk Point with a combined area of 35,000 acres visited annually by 22,000,000 people. The little park on Fire Island has been transformed into magnificent Robert Moses State Park, 600 acres in size, visited by 3,000,000 people a year.

In the beginning, one causeway was built to Jones Beach, four lanes wide. Today the park is reached by four causeways with a total of 21 lanes. These are the Meadowbrook, Long Beach Loop, Wantagh and Robert Moses causeways.

In the beginning, there were no parkways. The Southern State Parkway was a dream on paper. Last year it carried 43,000,000 cars, highest in the nation for a passenger-car artery. Nor did the Northern exist, with the network of connecting parkways in Nassau and Suffolk Counties. Today this entire comprehensive system of landscaped state parkways is traversed by over 100,000,000 cars a year.

In the beginning, there was no Bethpage State Park. Today Bethpage, with its five 18-hole golf courses, is the largest enterprise of its kind in the United States.

In the beginning, there was no land bank or greenbelt. Today Caumsett State Park, the Nissequoque and Connetquot Reservations with parts of Sunken Meadow State Park on the north and Heckscher State Park on the south, form a 9000-acre greenbelt to be used for conservation, ecology studies, nature trails, hiking, fishing, and bird and wildlife sanctuaries, representing one of the largest open-space programs of any metropolitan area in the nation.

As a follower of the prophet Moses, Shapiro saw the whole system, valued today at 550 million dollars, emerge from birth to maturity and world-wide fame, second to none in the park and parkway field. Shapiro himself is a nationally recognized expert on beach, park and parkway development. His advice is frequently sought by municipal authorities both in this nation and abroad.

HELD TOP POSTS

In addition to holding the top executive position with the Commission, Mr. Shapiro is also Chief Engineer and General Manager of the Jones Beach State Parkway Authority and the Bethpage Park Authority. He has served as consultant to the Triborough Bridge and Tunnel Authority, to Kennedy International Airport, to Nassau County in its early program of acquisition and development of Mitchell Field. He has been consultant to the New York State Power Authority, the New York World's Fair Corporation, the Federal Bureau of Public Roads, the Hoover Commission for the Reorganization of the United States Government, the Army-Navy War Production Board, to many metropolitan communities including New Orleans, Pittsburgh, Baltimore, San Francisco, San Diego, Portland, Oregon and to cities in Brazil, Venezuela and others.

Shapiro served under seven Governors of New York State: Al Smith, Franklin Roosevelt, Lehman, Poletti, Dewey, Harriman and Nelson Rockfeller; all three Presidents of the Long Island State Park Commission; Bob Moses, Perry Duryea and Holly Patterson; and under Laurance Rockefeller, Chairman of the State Council of Parks.

When Shapiro won the coveted Long Island Press Distinguished Service Award in 1968, Governor Rockefeller commented: "This is an eminently suitable recognition of your splendid services to the State as General Manager and Chief Engineer of the Long Island State Park Commission, as well as your activities for the public good in your community. Your work surely merits appreciation, to which I am happy to add my voice."

When he won the Huttleston Award for State Park Service in 1970, Laurance Rockefeller said: "This award is in recognition of many years of public service, the highest standard of professionalism, concern for people and preservation of public lands."

ENGINEER AWARD

When he won the Metropolitan Civil Engineer Award last year, Robert Moses said: "Sid was one of our top men in all the subsequent Long Island and State developments and made side trips abroad as a consultant to Brazil and other distant parts, helped put on two World's Fairs and otherwise played a distinguished part in the engineering of the metropolis." Holly Patterson said: "In his many years of service to the State of New York and the Long Island community, Sid Shapiro has consistently worked for the public good, exemplified the finest in engineering aspiration and achievement and helped bring national renown to the fine system of parks and parkways on Long Island."

When he won the Suffolk County Engineer Award in 1964, Perry Duryea, then President of the Long Island State Park Commission, said: "In no sector of our recreation and transportation world—public or private—is there a man who has given so much of himself in such an effective way to so many people."

On the educational front, Mr. Shapiro has been a visiting lecturer at Harvard, Yale, Massachusetts Institute of Technology, New York University and other institutions. He is a member of various national and international professional organizations and has had a number of articles published in technical journals. He was educated at the College of the City of New York, lives with his wife Undine, at Belmont Lake State Park, north of Babylon, and has a son Robert, a daughter Helen, and four grandchildren. He has purchased a new home in Babylon bordering the Great South Bay. It faces an engineering handiwork of his, the Robert Moses Bridge over Fire Island Inlet, and will be his headquarters for engagements for consulting work, lecturing and writing, but principally, he says, "for the piscatorial pursuit of the elusive bluefish and striped bass."

RELIEF FOR OUR WORLD WAR I VETERANS

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. YOUNG of Florida. Mr. Speaker, I would like to submit for my colleagues' attention this copy of my testimony before the House Veterans' Affairs Committee in favor of my bill, H.R. 14364, which is identical to H.R. 12504, the World War I Pension Act. I sincerely hope that Congress will expeditiously act on this desperately needed legislation:

TESTIMONY OF THE HONORABLE C. W. BILL YOUNG, OF FLORIDA, BEFORE THE HOUSE COMMITTEE ON VETERANS' AFFAIRS IN SUPPORT OF HIS BILL, H.R. 14364, JULY 28, 1972

Mr. Chairman, I appreciate this opportunity to express my strong support of my bill, H.R. 14364, which is identical to H.R. 12504, the World War I Pension Act. These bills will provide a long over-due expansion of benefits to all veterans of World War I.

As the Congressman from Florida's Eighth Congressional District, I am honored to represent over 90,000 veterans and, as a result of my close work with these men and women, I have become painfully aware of the many hardships they are facing daily while forced to live on meager incomes in our inflationary economy. The World War I Pension Act would go a long way in relieving these veterans of many of their apprehensions and anxieties.

Mr. Chairman, in a day and time when those who defend our country face so many challenges on the home front, it is indeed heartening to reflect upon the selfless service offered by these brave men and women who fought for freedom and liberty for us and the future of our country. They were there when their country needed them—now they need help from their country. Lets not turn our backs on them in their hour of need. I strongly urge the Committee to act favorably on this legislation so that these men and women may receive the relief they deserve and need.

HELP FOR THE POLICE OFFICER

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. ROUSH. Mr. Speaker, I rise today to introduce a bill to provide a kind of protection to law enforcement officers who are sued in Federal court.

I believe the reason for this legislation is obvious; namely, the increasing number of suits filed against law enforcement officers in which damages are claimed resulting from the performance of the officer's duties. Certainly there is no purpose in this proposal to reduce the incidence of legitimate suits. It does propose to reduce harassment suits or those aimed at delaying criminal prosecutions. This is to be accomplished by requiring that the plaintiff file a bond with the court conditioned on the payment of reasonable costs of investigation and legal fees if the defendant law enforcement officer prevails.

As one law enforcement official from the Fourth Congressional District of Indiana wrote me:

> This kind of legislation is necessary to decrease the number of harassment suits filed against law enforcement personnel. These are nuisance suits that serve only to delay honest and necessary police work.

Indeed many law enforcement officials must use their own financial resources in these cases and communities frequently have found insurance costs to cover their law enforcement officers too costly for the community to bear.

This same bill has had other sponsors and congressional support, however so far no action has taken place. I believe one reason for the delay is the Department of Justice's failure to respond to the House Judiciary Committee's request for a comment on this proposal. I urge both the Department of Justice and the House Judiciary Committee to move forward on this legislation and I hope the other Members of Congress supporting this bill will further encourage these efforts.

YONKERS, N.Y.

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. PEYSER. Mr. Speaker, on June 15, Oxie Reichler, the very distinguished former editor of the Yonkers Herald Statesman delivered a very interesting and well done speech about the city of Yonkers, N.Y. I would like to call it to the attention of my colleagues and have inserted in the RECORD at this point so that people throughout the country will have an opportunity to see it:

[From the Herald Statesman, Yonkers (N.Y.), July 18, 1972]

HISTORY OF YONKERS—COLORFUL AND DRAMATIC

(By Oxie Reichler)

Whenever I pick up a copy of the Herald Statesman, and see one of those bold headlines scattered through the paper—reading Yonkers, 100 Years Old—I say to myself, "Big Deal! I'm nearly as old as that myself!"

Then I realize that Yonkers is not really a century old, but much older—and much younger, too.

For example, Yonkers is only 64 years old as a second-class city (which we became in 1908). How long will it be before we become a first-class city, with a million population?

Yes, Yonkers became a third class city on June 1, 1872, just a century ago.

Is Yonkers really older? Yes, it is. Yonkers was chartered as a village 117 years ago—in 1855. And it's nearly two century ago that Yonkers became a town—on March 7, 1788—when our Country was only 12 years old.

And, as you all know, we were three centuries old in 1946—when our Tercentennial celebration marked the arrival of the White Man in this community. That makes us 326 years old in 1972.

But Yonkers was here for perhaps millions of years before that—and we are told that it was actually occupied by some fine human beings about the time, King Solomon was taking over in ancient Israel from his father, King David. That was 3,000 years ago.

In what is now Yonkers, clusters of Red Men—at least two tribes of Indians—were having a jolly old time. Their community was called Nappeckamack, which means rapid waters. On the west side were the Mohicians, in tents along the Hudson, which they called the Shatemuc. On the east side of what is now Yonkers, along the Saw Mill and the Bronx Rivers, were the Weckquaeskecks.

I say they had a jolly old time here, because they were free of many worries and there was no women's lib. The men and boys hunted and fished—and fought. The squaws and the girls did all the work, inside the tent and outside.

So let's be fair to history. Let us say, beyond and serious argument, that Yonkers is not just 100 years old, but that it is at least 30 times that old. Which lifts my spirits, because I now realize I'm not really nearly as old as Yonkers.

Despite these various dates and years, it is highly proper that we mark our Centennial, and that we celebrate our birthday as a city, as we have been doing since that Chamber of Commerce breakfast on June 1, at which our Yonkers lieutenant governor, Malcolm Wilson, brought us the welcome tidings that the State Arterial at last will be funded again, so Yonkers can grow as it should, especially in the Downtown Yonkers sector.

How should we be celebrating our Centennial? It is appropriate, of course, that we are having an assortment of municipal ceremonies, formal and informal; flag-raisings, dedications, concerts and various other events planned or to be planned. These are all to the good. But are they enough?

I hope you will agree with me that our Centennial offers each of us opportunities to do something for Yonkers—a little or a lot—and to do it without fancy ceremonials and at little or no cost.

All we need is a little bit of civic patriotism—and that includes some civic pride. I would suggest that each of us in Yonkers—all the nearly 100,000 men and women and all the children and grandchildren, too—Can do something for Yonkers from now till the end of next May, when our Centennial year runs out. If we do that, we may have established a good habit that will continue for a lifetime.

What can all of us undertake to do?

That's easy. We can recognize and believe that Yonkers is a wonderful city of more than 200,000 souls, with tremendous assets that we should know and appreciate, with a proud history that should cause us to lift our heads, and the prospect of a future that should win our earnest application and support. We should realize further that many another city, town and village would envy Yonkers if they but knew about us. Therefore, let each of us undertake three simple projects:

First, say something nice about Yonkers every day—better yet, several times a day—at home and away from home.

Second, write something nice about Yonkers every day—better yet, several times a day—at home and away from home—to as many people, businesses, institutions and organizations as you can.

And third, do something nice for Yonkers, even though it is something for yourself—like keeping your lawn neat, like growing some flowers, planting a tree, sweeping the sidewalk, painting the house, making your business attractive inside and out, stimulating courtesy and thoughtfulness among associates and staffs—by personal example. Be a volunteer in any good cause. Serve in public office.

It doesn't sound like much, does it? Say, write and do something nice for Yonkers. Give Yonkers the best possible image—and polish that image a little, personally.

Sounds corny? Sure! But it works.

Civic service, kindness and thoughtfulness may be square, but they are a continuing foundation for business, industry and the professions, for society, religion, government, leisure activity and what have you. And these always will be foundation stones.

Experimenting with civic service won't always work, but it will most of the time. Let me give you a recent example—which was not successful.

Miss Norma Quarles of WNBC-TV (that's Channel 4) phoned me one afternoon from the Hudson River Museum to tell me she was preparing a short series of broadcasts about Yonkers for the Six O'Clock News. Would I participate? I told her I would be glad to help her in any way I could.

"You do believe that Yonkers is deteriorating badly, don't you?" she asked.

"No, no," I answered. "Don't get off on that kick! Yonkers is a wonderful community, with plenty of progress."

She mentioned the troubles police, firemen and teachers were having in getting their salaries pushed higher, and she said she felt strikes were coming. Somebody obviously had been filling her mind with doomsday stuff, intimating to her that Yonkers was going to hell in a basket.

Would I go on camera for her? No, I wouldn't. (She already had scared the life out of me with her pessimistic approach.) But, I told her, I would be glad to help her get information, or participants, or anything at all that might help the City of Yonkers. I suggested some names, officials and civic leaders. Then I told her I could supply her with some optimistic data about Yonkers—would she look at it, if I mailed it to her? She said she would.

I mentioned a brochure on Yonkers history that a group of Yonkers teachers had prepared for publication in The Herald Statesman, which the Peoples Saving Bank later had republished for distribution. It had illustrations that might help her. Would she rifle through this if I supplied her a copy? She said she would.

I was about to mail these, when I had qualms about how long it would take the Postal Service to deliver a Yonkers package to Rockefeller Center, so I took them down myself.

I attended a one-sheet letter, exhorting her to get off the negative kick about Yonkers, to realize we have a lively thriving city. I mentioned how, a few days before, our city manager had been pressured by the City Council to the point of resignation, whereupon our Chamber of Commerce, taxpayer groups and the League of Women Voters—acting wtih a quick clout in less than 48 hours—got the Council to reverse itself, and the chief executive has remained at the helm.

And then I told her something else—all on that single sheet—in an effort to convince her that Yonkers was NOT going to hell in a basket. I suggested to Miss Quarles that she pick the president of any New York City bank, the bigger the better, and ask him about Yonkers and its future.

I enumerated for her the kinds and quality of banks we have in Yonkers—the National Bank of North America, 23rd largest metropolitan bank with 11 units here and building a 12th; County Trust, with half a dozen units, and the Bank of Commerce. I mentioned Yonkers Savings with four banks, Peoples Savings with four. Yonkers Savings and Loan, Westchester Federal Savings and Loan, and Fourth Federal Savings and Loan.

And I explained how, in recent months, many of the most prestigious financial institutions in the world have been battling for locations in Yonkers.

I told her we now have Chemical Bank in Getty Square and building another in South Yonkers Manufacturers Hanover in Getty Square and South Yonkers, and preparing a third unit on upper North Broadway. And I added that we also have Chase Manhattan, First National City and Marine Midland, with probably more such branches on the way.

Reasoning with her, I observed that these New York institutions sure regard their units as valuable investments in a growing Yonkers, confident that they will profit highly from them in the coming years.

How can one doubt the glowing prospects for the tomorrows in Yonkers, when you see such positive evidence on the part of the financial giants of America?

Next morning I deposited the bundle on Miss Quarles' desk—the short history, the data on what a nice town Yonkers is and the covering letter. But what happened?

How many here saw these three broadcasts—or any one of them? Were you impressed? I found them sickening. The viewer got the impression Yonkers was dying, that Yonkers is a cluster of slums, that public employe strikes were imminent. While the actual words were not used—that Yonkers was headed for hell in a basket—the pictures tried hard to prove such was the case.

So I failed on that one. But I can tell you that most of my efforts over the years—to say or do something nice about Yonkers—worked out much better. Yet it was worth trying. I do not regret my efforts. Who knows but that something I said or supplied may yet lead WNBC–TV News to present a more accurate picture of our city.

An so I urge you Rotarians, and you guests, and all with whom you come in contact: Do say, write and do something nice for Yonkers every day. Try it, you'll like it!

I do not suggest that you become an utter bore with your civic pride, but you can be graceful about sharing information about Yonkers with those you know, those you meet, those you correspond with.

When you're having a conversation about Yonkers, cite the fact that our growth in population is in almost exactly the ratio of America the Beautiful. Take the latest figures for the population of the U.S. and you knock off the last three zeros—and you have pretty accurate figures for Yonkers. You cannot do that for many other cities, and I'll tell you why. Yonkers alone, among the larger cities in the Empire State, has been increasing in people during the last quarter century, while most other larger cities have been declining. Yonkers therefore has pushed Syracuse out of fourth place in the state, making the present standing: New York, Buffalo, Rochester, Yonkers.

Does someone mention the trouble New York City is having when it comes to borrowing money at reasonable interest rates? Point out that last week the Yonkers Urban Renewal Agency borrowed $8 million and got a low rate of 2.84 per cent—with a dozen big banks competing for this investment in Yonkers.

Maybe the cost of Westchester government comes up. Which, among the cities, towns and villages, pays the biggest county tax and gets the least for each tax dollar. You know the answer, of course, it's Yonkers, the county's step-child.

Maybe the conversation—at home or elsewhere—turns to sports. Remember to recall that the first golf game in America was played here in 1888, at North Broadway and Shonnard Place, where St. Andrew's Golf Club then was located.

If it's sports, celebrate the Centennial by weaving in a reference to the Yonkers Sports Hall of Fame at 285 Nepperhan Ave. Share your civic pride in the eminent sports figures Yonkers has enthroned there, with suitable memorabilia. Oh, you know who they are:

Football—Coach Charlie Caldwell and all-American Irwin (King Kong) Klein.

Basketball—Coach Joe Lapchick.

Baseball—Swatter Walter Simpson, the Babe Ruth of the minor leagues.

Tennis—World Champion Vinnie Richards.

Boxing—Junior Lightweight Champion Jack Bernstein.

Swimming—Olympic Whiz Doris O'Mara.

Ice Skating—Champions Lillian and Ruth Corke, sisters.

Track—Saul Mellor, father of our nationally known Yonkers Marathon; Thomas Barden, long-distance runner, and Eulace Peacock, Olympic sprinter.

Canoe-Racing—Steve Macknowski and Steve Lysak, the first Americans to win an Olympics canoe championship.

To celebrate the Centennial, take your family and friends to the Hudson River Museum in Trevor Park and enjoy an exciting visit to the Planetarium, which is one of the finest in the East. Mention the museum in conversations, in letters—even in business letters—and spread the good tidings of this unusual place, with a view of the lordly Palisades worth traveling hours to see.

Mention our colleges—Sarah Lawrence, Elizabeth Seton, Dunwoodie Seminary and Mount St. Vincent. And also our Westchester Community College, for which Yonkers foots a good share of the bill. Mention also our world-famous Boyce Thompson Institute for Plant Research, which helps many nations to feed their people better.

If you're watching television anywhere—at home, around the country or anywhere in the world—remind those with you that the voice on the TV set is FM, frequency modulation, that comes over static-free—and that this was invented and developed in his North Broadway laboratory by Maj. Edwin H. Armstrong.

And if it's radio you're listening to, don't hesitate to point out that many of the basic patents for radio were developed here in Yonkers by Lee DeForest.

Take cognizance of our dependable city water supply. Mention our effective and progressive organizations, especially our service clubs.

When good government comes up for discussion, recall the good fights carried on by former Mayor Edith P. Welty and her thousands of women cohorts; by James H. Moseley, Col. Oliver J. Troster and John J. Rust, who organized the Committee of 100 that saved Yonkers taxpayers millions of dollars by research, well assisted by many in this room. Remember the battles for decent government when the patronage-hungry party machines tried to destroy Council-Manager government and return to the lush pickings of what went before.

If the subject is parochial schools, mention that one-third of our children attend such schools in Yonkers, and that from Yonkers—from atop Dunwoodie Seminary on Valentine Hill—emanate the television broadcasts by which all the Catholic schools in the Archdiocese of New York are educated.

Civic pride is something wonderful, even more than personal pride, because it is shared so readily and effectively and beneficially.

In any conversation or letter, bring up the millions of dollars about to be invested in Downtown Yonkers—in the merchantile sector and also in the industrial area along the Hudson. Mention Philipse Manor Hall in Larkin Plaza and its priceless collection of paintings. That's the oldest building in Westchester still standing—and it was once our City Hall. Now it's a state museum. And mention also our historic churches, like St. John's in Getty Square, where George Washington often knelt.

Whenever you're riding an elevator or escalator—in Chicago or San Francisco or anywhere else—civic pride will lead you to look for that four letter word meaning Yonkers—Otis—and you can point out to friends or even strangers that the first safe elevator was invented and built in this city.

If you're enjoying a dish of ice cream (any flavor) or sipping a soda—in New Orleans, or Cincinnati, or at home—be sure to remark that probably there's a bit of Yonkers in the delicacy—Flo-Sweet liquid sugar, produced by Refined Syrups and Sugars.

Whenever and wherever you stop to buy gas or oil, look for the Octane sign, and point out that the Octane Scale, which measures the anti-knock quality of gasoline, was invented on Nepperhan Avenue in Yonkers by

Dr. Graham Edgar of the Ethyl Corp. and that the scale is now used everywhere in the world, including the Soviet Union and the People's Republic of China.

If the conversation turns to the SALT talks, and missiles, refer to 3,000 miles of Yonkers-made cable—strung from Alaska to Hudson's Bay—to make up the Distant Early Warning Line in case any missiles are headed this way. Habirshaw Division of Phelps Dodge made it.

And if you get chatting about World War II, you can bring up how Habirshaw also produced (in great secrecy over months) that 65-mile hollow cable, which was strung across the English Channel and fed a million gallons of gasoline a day to General Eisenhower on D-Day for the invasion of France. And you can mention the miles upon miles of khaki cloth produced by the Alexander Smith Mills, the bomb sights and other instruments fashioned by Otis and the many other products made here, including medicines and K-rations.

If newspapers are being discussed wherever you are, never hesitate to celebrate the Centennial by mentioning The Herald Statesman—praising it, naturally—for you will find that it is one of the few hometown papers that is widely known, even overseas.

Nor should you hesitate, in such conversations about Yonkers' assets, to speak well of your own business—and also being your competitor's operations—favorably, of course.

As in the Biblical injunction about bread cast upon the waters, you're likely to benefit from the backwash of good will from what you'll be saying about Yonkers. Say something nice, too, about our municipal government.

Don't hang up on your next telephone call without deliberately saying something nice about Yonkers and its people—even if the person on the other end of the line is surprised enough to ask why you mentioned that? Tell him or her about the Centennial, and how you're observing it for a year.

Maybe you'll be discussing the news—last week's important treaty between West Germany and East Germany. Celebrate the Centennial by remarking casually that a Yonkers educator, Hans Simons, wrote the Bonn Constitution for West Germany.

Maybe the conversation includes some reference to Judge Tony Cerrato, past president of this club. Mention his fine Park Hill home, once occupied by the actor Richard Bennett and his charming and talented daughters, Constance, Barbara and Joan.

Catch on? It's a sort of Centennial Game you will be playing. Somebody mentions President Nixon's wife Patricia—and you say she has Yonkers cousins, among them Edward O. Sullivan Jr. Or you're at a Rotary assembly or convention and someone mentions the recent world president of Rotary International, Luther H. Hodges—the former U.S. Secretary of Commerce. You break in to say he used to live in Yonkers. If your conversation runs to the opera, you will mention that the golden-voiced Madam Schumann-Heink lived on Sunnyside Drive here and used to give "free concerts" for the pupils at School 3 where her children studied.

Almost any field that is being talked about—music, science, the stage, politics, anything—opens an opportunity for you to mention some of our eminent residents, living or dead.

People like Sid Caesar, Art Carney and Morey Amsterdam the comedians; Ann Bancroft the actress; Ella Fitzgerald the singer; William C. Handy, the father of the blues; Gene Krupa, the drummer; Jerome Kern and Geoffrey O'Hara, the song-writers; Samuel T. Clemens, better known as Mark Twain; Charles P. Steinmetz, the electrical wizard; Leo Baekeland, the inventor of bakelite, the first plastic; Samuel Tilden who ran for President in 1876, General "Vinegar Joe" Stilwell of World War II, Ambassador Ellsworth Bunker, former Congressman John E. Andrus, the philanthropist.

Well, you get the idea. I'm trying to show you how easy it is to say something nice about Yonkers, and to write something nice about our community. It's just a little harder to do something for Yonkers, but not if you're looking for things to do.

By the exercise of civic power, you can best celebrate our Centennial—and enhance your citizenship for a lifetime. How do you exercise civic power?

After reading the paper, retell one of the more interesting and constructive news items, reflecting some constructive experience or idea or suggestion. Write letters to your mayor, city manager, councilman, county legislator, to County Executive Michaelian, to Lt. Gov. Malcolm Wilson and to Gov. Nelson A. Rockefeller. Write your ideas—especially about Yonkers and its needs and merits—to President Nixon, Vice President Agnew, Senators Javits and Buckley, Congressman Biaggi or Peyser.

There's power in them-thar letters. You think such a letter carries little or no weight? You're wrong. I remember sitting alongside a powerful legislator as he glanced at his mail. He picked up one letter and remarked:

"This is interesting. A constituent wants me to vote for a bill that's coming up today. I intended to vote against it. Now I'll vote for it." That letter-writer may never know how his single letter changed a vote in Congress.

I ask each of you to observe the Centennial in the civic service way—speak, write and do—each intended to make Yonkers' image here and elsewhere more attractive. By whatever we do or don't do we affect the vital community image. Our image is polished or splattered by citizens generally, by public employes, by merchants and industrialists and professional people, even by school children—even by thoughtless dog owners!

So it is my opinion and suggestion that each of us can celebrate the Yonkers Centennial well—and do so proudly, eagerly and effectively.

We can say something nice about Yonkers at every opportunity, even making opportunities. We can write favorably about our Yonkers whenever it is feasible. And we can do many things to advance our city's welfare—tiny things, medium things and huge and important contributions of all kinds. Like doing volunteer service.

Such procedures fit right in snugly with Rotary's Four Objects. By applying these, each of us has the personal privilege to be a Yonkers Builder—and to impress children and grandchildren with the need for them to become Yonkers Builders, too.

We need to build well for the tomorrows, and the Centennial provides an excellent time to do this. I am confident that for Yonkers, in this Centennial year, the future is brighter and promising. The best is yet to be. I hope all of you share my optimism, and will act that way.

THE EFFECTS OF MINIMUM WAGES ON THE DISTRIBUTION OF CHANGES IN AGGREGATE EMPLOYMENT

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. DENT. Mr. Speaker, I read with concern the summary of an article on minimum wage effects which Congressman ANDERSON, of Illinois, placed in the CONGRESSIONAL RECORD on July 28, 1972. As I read the summary of "The Effects of Minimum Wages on the Distribution of Changes in Aggregate Employment" by Marvin Kosters and Finis Welch it makes the case that only through the imposition of a subminimum wage for teenagers can you bring about the substitution of teenagers for adult workers.

This article furnishes additional economic support for those who have testified in the Congress against a youth wage. Opponents of a lower minimum wage for youth have repeatedly charged that a youth wage will not generate additional jobs but rather it will result in the replacement of adult workers by teenagers. The paper in the American Economic Review by Kosters and Welch attributes increased stability in adult employment to minimum wage increases. I would not want to quarrel with this conclusion nor would I want to support legislation which would undercut job security for adult workers.

So, I say again, let us get about the business of creating more jobs for all and vote against job substitution as a device to make the unemployment statistics picture look better.

CONSERVATION AND PRESERVATION OF ATLANTIC SALMON

HON. CLIFFARD D. CARLSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. CARLSON Mr. Speaker, over the past few years I have been fortunate to have the opportunity to spend some time experiencing the great joy of fishing for salmon on the Miramichi River, New Brunswick, Canada. The Atlantic salmon is one of the world's most prized trophies among freshwater anglers. This spectacular game fish may reach a size of 50 pounds. The preferred angling technique is fly fishing and when hooked no other fish can match its tenacity and aerial aerobatics.

These salmon spawn in the clear, unpolluted, fast flowing streams of Norway, Sweden, the British Isles, Spain, France, Ireland, Greeland, eastern Canada, and Maine. Like most salmon, the Atlantic salmon is anadromous, spending much of its life in salt water often hundreds of miles from shore, and then in some mysterious manner returning several times in its life to spawn in the stream of its origin.

Unfortunately today's Atlantic salmon are but remnants of the vast population which existed before the combination of polluted waters and excessive commercial fishing decimated their numbers and destroyed many of their historic spawning streams. Nearly two decades ago, the Atlantic salmon ocean feeding grounds were accidentally discovered off the coast of Greenland. These grounds were found to contain fish from European as well as U.S. rivers. The concentration of fish in this area made them highly vulnerable to the commercial fisherman of every country with the result that their numbers were even further reduced. Along with other American sports fishermen and conservationists, I am greatly concerned about the protection and conservation of the Atlantic salmon.

The sad plight of this great game fish was first brought to world attention through the International Conference on Atlantic Salmon held in London in April 1969. This conference was attended by delegates from 14 countries. Richard Stroud, executive vice president of the Sport Fishing Institute of the United States was active in the affairs of that conference. A further significant development in the Atlantic salmon story was the drafting of a North Atlantic salmon policy by a number of prominent conservation organizations of national and international standing at a meeting held last September in New York. The resolution adopted at this meeting urged that the Governments of the United States and Canada join in an agreement to consult, plan, and cooperate in research, management ,and propagation of Atlantic salmon with the objective of restoring the species to abundance in New England and Canadian waters.

Early in 1971 Canada's Environment Minister, Jack Davis, took courageous steps to restore the Atlantic salmon fisheries. In the face of great pressure from commercial interests, Minister Davis imposed a series of stringent commercial fishery restrictions aimed at protecting the spawning population. He also initiated stronger efforts to reduce pollution in Canadian salmon rivers and pointed to the importance of negotiating with Denmark for the reduction or elimination of their commercial fishery off Greenland. The efforts of Mr. Davis to conserve the salmon are already showing signs of success and American sportsmen who go to New Brunswick can often be assured of catching their daily quota. Let me say that during the recent congressional recess I had an occasion to fish on the Miramichi River and found the fishing to be much better this year than last. We were especialy pleased to see so many adult salmon going up the river to spawn. This is particularly significant because in previous years they have apparently been prevented from going in great numbers because of the commercial nets and other factors.

When the hoped for negotiations with Denmark failed to materialize in 1971, our colleague, the distinguished gentleman from Washington (Mr. PELLY) introduced legislation which could ban the importation of fish products from any nation who's fishing activities were endangering the spawning stocks of Atlantic salmon. The passage of this extremely farsighted legislation had the immediate result of bringing the Danes to the conference table. As a result of that conference, the Danes salt water fishery for Atlantic salmon will be phased out gradually and will end in 1975.

Thus, although significant advances have been made in efforts to rebuild the population of the Atlantic salmon, this job is far from completed. In September of this year, an International Atlantic Salmon Symposium will be held at St. Andrews, New Brunswick. This symposium will provide a forum for the exchange of all available scientific information concerning this great game fish species. Our U.S. Ambassador to Canada, the Honorable Adolph W. Schmidt, will address this session as well as Environment Minister Davis of Canada. As an active sports fisherman concerned about our environment, I would like to congratulate the organizers of this symposium and wish them every possible success. I will be following their progress with great interest.

In closing, once again I would like to commend Canada's Environment Minister, Jack Davis, for his inspirational leadership in saving the Atlantic salmon and to urge support for all necessary steps to restore the species in our own New England rivers. In this connection, I am pleased to note that an item of $125,000 has been included in the Department of Interior appropriation bill, through the efforts of the distinguished gentleman from Massachusetts (Mr. CONTE) and other Members of Congress, for the purpose of advance planning and land acquisition for a new Federal fish hatchery in Bethel, Vt. This modest appropriation is a vital first step in the program to restore the Atlantic salmon in New England waters—and I shall certainly give it my wholehearted support.

GENERAL LAVELLE REVISITED

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. HARRINGTON. Mr. Speaker, the flight of high-ranking military officers to executive positions or high-paying advisory posts with firms doing business with the Pentagon after they leave the Armed Forces has become so common that it is no longer newsworthy. However, the recent appointment of retired Gen. John Lavelle as part-time consultant to Battelle Memorial Institute in Columbus, Ohio, a firm which relies heavily on defense contracts, once again draws attention to the question of whether the punishment that General Lavelle received for carrying out his unauthorized private war with North Vietnam was proper.

I, for one, believe that the token disciplinary action, loss of one star to lieutenant general and early retirement, that the military has taken against General Lavelle for deliberately disobeying orders and deceiving his superiors in reporting the unauthorized bombing raids in North Vietnam, is a travesty of justice, and is illustrative of the double standard that exists in our present system of military justice.

Any private who disobeys orders is court-martialed and usually receives a dishonorable discharge. The stigma that accompanies a dishonorable discharge makes it difficult for him to obtain a civilian job At the same time officers, particularly colonels and generals, suspected of a crime are given the option of resigning or retiring rather than face a court-martial. These high-ranking military officers know only too well that when they leave the military, there are usually high-paying positions waiting for them in defense-related industries.

When asked to comment on the Lavelle incident at his press conference last month, President Nixon said the following with regard to the punishment meted out against Lavelle:

> But since it did exceed authorization, it was proper for him to be relieved and retired. And I think that it was the proper action to take, and I believe that that will assure that kind of activity may not occur in the future.

I find it difficult to believe that the prospect of retiring from the military with a monthly pension of $2,500 and a high-salaried position with a firm doing business with the Pentagon is much of a deterrent. Only when generals who disobey orders are made subject to the discipline of military tribunals like all other servicemen rather than given the opportunity to accept a loss of one star and retire early at a high pension will there be any real deterrent to insure that such an activity will not occur in the future.

I would like to insert into the RECORD an article from the July 29 Washington Star which describes General Lavelle's new job with the Battelle Institute.

The article follows:

LAVELLE JOINS ADVISORY FIRM TO PENTAGON

(By Ned Scharff)

Gen. John D. Lavelle, former commander of the Seventh Air Force who was forced to retire after ordering unauthorized attacks on North Vietnam, has landed a job with a private think-tank organization which does extensive work for the Defense Department.

Lavelle, relieved of his command on April 7, now is a part-time consultant to Battelle Memorial Institute in Columbus, Ohio.

Lavelle last night said he only spends "a few hours a week" working for Battelle. He said his work there was in the field of science and technology and that some of it involved defense contracts, but he refused to define the projects he is working on more specifically.

A spokesman for the institute would not say what kind of work Lavelle is doing except that "he is drawing on his research and development-related experience in the Air Force."

Before assuming command in Vietnam, the general was director of the Defense Communications Planning Group in the Pentagon and earlier he had directed several aerospace programs.

The Defense Department said Battelle ranks 67th among the top 500 defense research and development firms in the country.

The institute had $12 million in Defense Department contracts in 1971, but in the first nine months of this year it's scheduled for only $6.7 million in contracts, the Pentagon said.

A Pentagon spokesman said there was nothing illegal or uncommon about a retired officer working on projects under government contract.

Lavelle was a four-star general until it was disclosed he had ordered bombing of unauthorized targets in North Vietnam and had ordered falsification of reports to disguise the effort.

He was relieved of his post then retired at three-star rank. As a retired lieutenant general, Lavelle draws a monthly pension of $2,500.

EASTERN AIR LINES TO INAUGURATE "GROUP 40" TRAVEL PLAN IN SEPTEMBER

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. FASCELL. Mr. Speaker, beginning September 7, Eastern Air Lines will offer "a revolutionary air fare" for groups of 40 or more persons. The "Group 40" plan will enable 40 or more members of an affinity group—clubs, unions, companies, and others—to fly on regularly scheduled flights at nearly half the cost of the basic coach fare.

The "Group 40" rate will make it possible for many persons, members of small organizations, to travel by air perhaps for the first time. In addition, members of local chapters of national organizations will be able to fly to faraway convention sites at this special reduced charter rate.

Mr. Speaker, Larry Birger of the Miami News has written an informative article about Eastern's experimental "Group 40" plan, and I call it to the attention of all Members in the House of Representatives:

EAL Hopes Group 40 Charters Will Fill Planes in Slack Season

Business in the trunk airline industry, as any knowledgeable source will tell you, is very cyclical. When it's good, it's generally very good; but when it's bad, it's really sad.

Basically, it's a business of peaks and valleys. International carriers like Pan American Airways and Trans World Airlines enjoy their peak traffic in the summer, when travel to Europe and other vacation spots is at its height. But then in winter, traffic drops off drastically and the red ink flows in buckets.

A domestic carrier like Eastern Air Lines does best in winter, when people rush to Florida or to the Caribbean to escape the snowy North, and in summertime when vacationers seek bargains in Miami Beach, the Caribbean or Mexico.

But then, in fall or spring, traffic slows to a snail's pace by EAL's standards and the airline's execs beat their heads against the wall trying to figure ways to drum up business.

To put it bluntly, it's feast or famine.

And that's the reason why the industry has come up with a multitude of discount fares and other promotions like the weekend excursion from Florida to northern cities to entice the flying public to fill their empty seats.

The latest ploy, just initiated by EAL and approved by the Civil Aeronautics Board on an experimental basis, is one that appears to have more merit than most.

Starting Sept. 7 and running through Dec. 11, the airline will offer what it terms "a revolutionary air fare" which permits groups of 40 or more travelers to fly at charter rates on 600 of its daily flights.

In other words, if you're a member of an affinity group like the Kiwanis Club or B'nai B'rith, or a union member or an employee of a company, you can fly at discounts of up to 47 per cent of the basic coach fare.

The only restriction is that you must travel in a group of 40 or more, hence the "Group 40" nomenclature. Group travel means you fly at nearly half the cost of a regularly-scheduled flight between two cities.

For example, the basic coach fare between New York and Miami is $102, but the Group 40 price will be $65; if you're flying between New York and San Juan, the ticket price will be snipped from $213 to $111.

The key word is "charter." Up to now, if a group wanted to travel from one destination to another, it had in most instances to charter an entire airplane—say a DC–8 with 129 seats—and pay for every seat whether it was filled or not.

Under the Eastern scheme, only 40 seats have to be "chartered," and the members of the affinity group travel on regularly scheduled flights. They pay for only the seats they actually fill unless they book more than 40 and have some "no-shows."

B. Craig Raupe, Eastern's division vice president of passenger sales, has been traveling the country trying to get his agents in various cities to push Group 40. He believes the fare could reshape the peaks and valleys encountered in seasonal air traffic patterns.

As noted earlier, the plan will be introduced this fall. But it will also be offered next spring, between April 30 and June 15. And both dates suit Raupe just fine.

That's because they are the times of year when convention groups generally gather and Raupe believes Group 40 offers small units such as clubs, unions and companies the opportunity to travel to faraway destinations when they otherwise would have stayed at home.

Eastern, of course, designates the flights on which those signing up for Group 40 can travel, and has listed 600 of its approximate 1,475 daily flights across the system because they are the least likely to be filled, having a load factor of 30 per cent or lower.

Raupe insists, however, this doesn't mean Group 40 passengers will be asked to fly in the middle of the night or anything like that.

"Obviously, we're not going to put our Group 40 people on our busiest flights, but we're not going to ask them to travel as second-class citizens either," he says.

There's no assurance of instant success, and Raupe and Thomas B. McFadden, senior vice president-marketing, realize the Group 40 scheme could fall flat on its ear.

One of the problems, at least for this fall, is that affinity groups usually make their travel plans well in advance—six months to a year and even more. So it may be difficult to persuade a large number of organizations to take the step between Sept. 7 and Dec. 11.

As Raupe is quick to admit, "We're plowing new ground so we don't know whether we can cut it this fall or not. We've only just received our fall schedules."

But he does feel, based on the initial response from his own sales personnel and from travel agencies who book tour groups, that the airline will sell at least $2½ million in Group 40 fares during the fall period.

That may seem like an insignificant amount of new business, but Raupe says the sum would at least take up the slack in full planeload charters, based on what Eastern sold last fall but can't this fall because of a shortage of equipment.

He's looking down the road to a time when, through proper promotion and, of course, further approval from the CAB, Group 40 business can be generated by working months ahead with potential cutomers.

As he says, "We think it will work because, of all the plethora of discount fares, rates and tariffs, this is the first time that an airline has come up with something that, if properly utilized, can be applicable to convention planners or businessmen who want to set up sales meetings."

That's because, as one of the virtues of the "charter" fare, a convention group of, say, 800 members, could fly to a destination from 20 different locations in groups of 40.

"We think we've come up with the perfect plan for groups, large and small, to fly regularly-scheduled flights at charter rates to fill our empty seats rather than to charter an entire plane which could cost a lot more if it wasn't completely filled."

This, of course, brings up the subject of diversion of traffic—a sore point with a number of competing airlines. They insisted, in opposing the EAL plan, that it would divert large numbers of passengers who normally would pay full fare to travel.

They claimed, in fact, that Eastern's estimate of only a 20 per cent diversion in its presentation to the CAB was far too low and the new discount fare would be self-defeating.

"We don't think so," answers Raupe. "Only time will tell, but we feel we'll generate 80 per cent new business, flying people who otherwise wouldn't have traveled, and this will open up an entirely new area of travel to level Eastern's peaks and valleys."

CRITICS OF AMERICA SHOULD REMEMBER POSTWAR AID

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. CRANE. Mr. Speaker, it is popular among many in our country, as well as abroad, to criticize the United States as a world power which has become "aggressive" and "imperialistic."

This has been the approach taken by the new left, and a number of public figures outside of the new left have echoed this view.

Such criticism overlooks totally the role which America has played in the world since the end of World War II. If we were, in fact, "aggressive" and "imperialistic" we would have proceeded in a far different way. We would, for example, not have restored freedom and independence to Germany and Japan, the nations we had just defeated in war. An "aggressive" and "imperialistic" country would have occupied and controlled such former enemies for its own gain. Compare how Germany and Japan were treated by the United States with the manner in which the Soviet Union has treated East Germany, not to mention Czechoslovakia and Hungary.

It has often been said that if you wish to learn the truth about a country the best way to do so is to talk with its former enemies. It is fair to point out that no place in the world do people think more highly of the United States than in Germany and Japan.

An editorial in the important German newspaper, the Frankfurter Allgemeine Zeitung recently noted that:

> People have completely forgotten the unparalleled generosity and helpfulness of the Americans. British sociologist G. Gorer once wrote that in no other country in the world did the majority of inhabitants give so easily and so willingly, almost without considering the cost.

The editorial continues to point out that:

> Americans . . . of all industrial nations . . . take up first place in the amount of aid they offer to developing countries. They also provide much money for the military protection of Europe. It was also the Americans with their Marshall Plan who helped Europe to her feet again after the destruction, famine,

and ravages of the Second World War. Even former enemies—the Germans and Italians—were included in this generous aid programme while the Russians mercilessly plundered the countries they occupied and annexed and tore up whole stretches of railway line in East Germany.

At a time when "young Socialist fanatics refer to the Americans only in terms of abuse and laud the Soviet Union to the skies," states the Frankfurther Allgemeine Zeitung:

> Fairness and gratitude call for a reminder of the true state of affairs . . . Today's grumblers and fault-finders who make America to be the big bogey-man appear shabby in face of such generosity and willingness to help. The generous American must not be forgotten.

It is important, as well, that Americans not forget their own recent history. I wish to share this article by Hans Roeper from the June 5, 1972 edition of the Frankfurter Allgemeine Zeitung fur Deutschland with my colleagues, and insert it into the Record at this time:

Critics of America Should Bear in Mind America's Postwar Aid

There is a widespread tendency in all countries to criticise the Americans. Young people above all see the United States as an incarnation of imperialism and as a nation wallowing in brutality, suppressing its coloured population, recklessly chasing after money and exploiting other countries.

The war in Vietnam doubtlessly done a lot to worsen America's reputation but Americans abroad were anything but popular even before this. "Yanks, go home" was always a frequent cry.

Americans themselves may not be completely blameless as regards this aversion but another motive is no less potent—the envy and spite of smaller and weaker nations.

Like all other nations the Americans have their faults and their virtues. Today their weaknesses are attacked though nothing is said about their good points.

People have completely forgotten the unparalleled generosity and helpfulness of the Americans. British sociologist G. Gorer once wrote that in no other country in the world did the majority of inhabitants give so easily and so willingly, almost without considering the cost.

Americans generously donate money to any cause they consider worthy, Gorer stated, and this is not due to affluence alone. In many cases donation involved great personal sacrifice.

Americans have indeed done a lot to counter hardship and misery throughout the world. Of all industrial nations, they take up first place in the amount of aid they offer to developing countries.

They also provide much money for the military protection of Europe. It was also the American with their Marshall plan who helped Europe to her feet again after the destruction, famine and ravages of the Second World War.

Even former enemies—the Germans and Italians—were included in this generous aid programme while the Russians mercilessly plundered the countries they occupied and annexed and tore up whole stretches of railway line in East Germany.

Now that young Socialist fanatics refer to the Americans only in terms of abuse and laud the Soviet Union to the skies, fairness and gratitude call for a reminder of the true state of affairs.

Speaking at Harvard University twenty-five years ago on 5 June 1947, American Secretary of State George C. Marshall first announced the aid programme that was later named after him.

Pointing to the disastrous situation in Europe, he stated, "It is logical that the United States should do whatever it is able to do to assist in the return of normal economic health in the world without which there can be no political stability and no assured peace. Our policy is directed not against any country or doctrine but against hunger, poverty, desperation and chaos. It would be neither fitting nor efficacious for this government to draw up unilaterally a programme designed to place Europe on its feet economically. That is the business of the Europeans. The initiative, I think, must come from Europe."

The Americans thus laid the foundation stone for unity, economic cooperation and lastly the Common Market. Delegates from sixteen European countries met in Paris on 12 July 1947 and formed the Committee on European Economic Cooperation which later became the Organization for European Economic Cooperation that finally grew into today's Organization for Economic Cooperation and Development.

The Soviet Union had also been called upon to attend the conference but Moscow declined and forced other Eastern Bloc countries to refuse American aid they would have liked to have and prevailed on them to stay away from the conference.

The sixteen Western European countries handed the American Foreign Minister their first extensive report on the most urgent measures requiring American aid in September 1947.

Between 1948 and 1952 the Americans raised thirteen thousand million dollars to be used within the framework of the Marshall Plan. Seventy per cent, or over nine thousand million dollars, were written off from the very outset.

This was a real sacrifice even for an affluent country like the United States, Thirteen thousand million dollars made up an average eight per cent of the taxes paid to the American government at that time.

Even before Marshall Aid had begun, the United States granted loans and gifts totalling almost twenty thousand million dollars to other countries between 1945 and 1948.

These included the GARIOA supplies (Government Appropriation for Relief in Occupied Areas), mainly food, seed-corn, medicaments and fuel, that Washington sent to those areas occupied by American troops.

West Germany received GARIOA supplies worth about 1,700 million dollars plus another 1,300 million dollars under Marshall Aid. Altogether this adds up to three thousand million dollars.

Only one thousand million dollars needed to be repaid and this was done in 1961 in advance of the agreed date. The Mark equivalent of the remaining two thousand million dollars formed the West German government's special European Recovery Programme fund.

This is still used today to provide credits for measures calculated to aid the West German economy. Part of West Germany's development aid programme is paid from it and the fund has been a constant source of help to West Berlin's industry. The beneficial effects of the Marshall Plan can still be felt today, twenty-five years after it was first announced.

But the Americans have not only given us the Marshall Plan. They have, as has already been mentioned, contributed to the economic and political unification of Europe.

By actively supporting the European currencies become freely convertible. It was America that provided the main initiative for the establishment of the International Monetary Fund, the World Bank and the General Agreement on Tariffs and Trade. All this created the basis for a mighty upsurge in world trade.

America's high balance of payment deficits cause us much annoyance and difficulty today but we should always remember how much the Americans have done for Europe since the Second World War.

Today's grumblers and fault-finders who make out America to be the big bogey-man appear shabby in face of such generosity and willingness to help. The generous American must not be forgotten.

"THE GODFATHER"

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. MINISH. Mr. Speaker, in a democracy founded on the worth and dignity of the individual, every citizen has the right to be judged solely on the basis of his own character and ability irrespective of such extraneous consideration as race, religion, color, or sex. The proud title of American can be claimed equally by all citizens, first generation or 10th, from all the corners of the earth, who make up the rich fabric of our Nation.

Every thoughtful American must accordingly resent and deplore mindless characterizations as villians, knaves, or dolts of ethnic or racial groups in our polyglot society. The most striking current example of this despicable trend is the motion picture "The Godfather" which stereotypes Italian Americans as gangsters and murderers. In this time of alienation and divisiveness in our land, when reconciliation and understanding are so imperative "The Godfather" does a grave injustice not only to Americans of Italian ancestry but to our whole citizenry. Speaking as one whose mother was born in the Province of Avellino, Italy, and whose maternal and paternal grandparents came from that beautiful land, I can vouch for the fact that the characters in "The Godfather" are as alien to the vast majority of Italian Americans as to any other groups. The hard-working, God-fearing, warm-hearted people among whom I was reared bear no resemblance whatsoever to the Italian American portrayed in this infamous motion picture.

The damage done to our fine Americans of Italian ancestry and to the values of our Nation is perceptively described by William V. Shannon in his article in today's New York Times. I hope that the producers will ponder Mr. Shannon's admonition as to the consequences of this revolting film and will abandon their plans for a sequel. I urge all Americans, first generation or 10th, who cherish our principles and our values, to let the film makers know that they agree with Mr. Shannon's estimate of "The Godfather."

The article follows:

"The Godfather"

(By William V. Shannon)

Washington, July 31.—The announcement that production will soon begin on a movie called "The Godfather—Part Two" must surely rank as the most depressing cultural event of 1972.

This revolting film, already a box office success, is apparently to be mined for another thick profit. I can imagine the series now—"Return of the Godfather," "Son of the Godfather," "The Godfather in Las Vegas," "The Godfather in Miami Beach," and so stretching on into profitable infinity.

In one of its aspects, "The Godfather" is part of the growing pornography in violence. Having done about all they can to make sexual intercourse explicit and boring on the widescreen, the movie makers are now in the process of acquainting everyone with the many varieties of violence. Murder by submachine gun is still a hardy favorite. "The Godfather" teaches some new lessons in murder such as How to Garrot Your Brother-in-Law. These are in addition to examples of persons being murdered while starting a car, having a massage, paying a causeway toll, going through a revolving door and eating spaghetti.

With startling close-up, vivid death agony sequences and technicolor blood spurting everywhere, these new-style movie murders do manage to hold audience attention. By the end of movie, however, when the new Godfather presides over the murders of the heads of the New York underworld's "Five Families" as well as two or three miscellaneous enemies (I lost count), these deaths are becoming mechanical and meaningless.

A few years of such pictures will succeed in making the most gruesome and vivid murders as tedious as a nudist film. In reaching that impasse, the movie industry will have further degraded the taste and coarsened the sensitivity of millions of people, including the vulnerable young.

Any person of religious sensibility can only find the film's exploitation of a child's Baptism profoundly offensive. To juxtapose the preparation for multiple murders against the words of the Priest claiming the child for Christ is to trivialize the most important of the Christian sacraments.

It is as offensive as the scene in that much overpraised film, "The Graduate," in which the hero uses a crucifix to jam the church door. And in both films, these crude gestures are used to make an artistic point which is already abundantly clear.

In "The Godfather," the exploitation of Catholic rituals and Italian customs—in the wedding and funeral scenes as well as the Baptism—is part of the biggest cultural ripoff that any commercial promoters have gotten away with in years. "The Godfather" stereotypes Italian-Americans as gangsters or as the half-admiring, half-fearful pawns of gangsters. The authentic details of how a bride receives money gifts at a wedding or how spaghetti is cooked only give credibility to that central lie about Italian-Americans.

The film flatters Italian males by stressing their toughness and sexual prowess. But to what purpose? To end with a hero, the young Godfather, who is—by any decent human standard—a monster. Some flattery.

As an American of Irish ancestry, it seems to me that Italian-Americans ought to dislike the picture intensely. There was a time much earlier in this century when the Irish dominated the underworld. In 1931, Warner Brothers started the modern genre of gangster films with "Public Enemy" starring James Cagney as an Irish-American gangster. The Hays Office censorship of those days did not permit murders to be depicted in morbid detail, but Cagney came through quite as tough and nasty as the Corleone Brothers. In one famous scene he slammed a grapefruit into his wife's face at the breakfast table.

When John O'Hara wrote "Butterfield 8" in 1935 he had the hero complain bitterly that Hollywood cast actors like Cagney as the perfect gangster type because the tough young Irishman fit Protestant America's stereotype of an outlaw.

But by that time the Irish were already a dwinding force in organized crime, and the stereotype faded. Indeed, one of the best things that ever happened to the American Irish was that they were muscled out of the mobs by hungrier, more ruthless competitors. Otherwise, some Irish-American stockbrokers and advertising men who now sedately ride the commuter trains and shake their heads over the morning newspaper at the latest misdeeds of the Mafia might themselves be Gaelic version of Michael Corleone.

No one denies that a few Italian-Americans are gangsters. To that extent, "The Godfather" rests on a substratum of fact. But for the millions of Italian-Americans who are not gangsters, the success of this film raises an enormous cultural obstacle. It retards their efforts to overcome this dark legacy from the past and to establish positive heroes for their children to emulate.

Events have consequences, and the consequences of "The Godfather" cannot be good for Americans of Italian or non-Italian ancestry.

OUR SPACE PROGRAM

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. DORN. Mr. Speaker, the United States is No. 1 in space. We are the only Nation to land men on the moon. This superb national achievement is in the interest of peace, the good health, prosperity, and happiness of all mankind.

Mr. Speaker, the following editorial appeared this morning in the State, one of the Nation's leading newspapers. I commend this outstanding editorial to the attention of my colleagues in the Congress and to the American people.

[From the State (Columbia, S.C.), Aug. 1, 1972]

ALL MANKIND BENEFITS FROM SPACE SPIN-OFF

Critics of the United States space program who advocate other uses for money budgeted for the National Aeronautics and Space Administration (NASA) would have us believe the taxpayers' dollars are burned up wastefully in probing the heavens.

Not so. The spin-off benefits of the costly research to explore the Moon, orbit working satellites around our Earth, and investigate the outer planets will ultimately pay dividends beyond belief.

And those dividends will benefit all mankind—in knowledge, well-being, health, and comfort.

The impact of space technology in miniaturization of sophisticated electronic circuitry is profound, especially in the field of medicine. If Houston can monitor the pulse and temperature of a man on the Moon, what are the potentials for the sick on Earth?

As a result of NASA's work, there is now commercially produced a gas analyzer to measure the composition of air breathed by patients. It gives prompt information on respiration and metabolism that has been unavailable or too time consuming to obtain.

Used in intensive care units, it immediately signals changes in breathing of acutely ill patients. There is now an alarm device which sounds at a nurse's station when an infant stops breathing in another room.

A "sight switch" developed by NASA research allows an armless and legless patient, by the motion of his eye, to activate a nurse's alarm, turn pages of a book, operate radio and TV sets, and control powered wheelchairs.

Ambulatory heart patients can broadcast their own heart signals to a central monitoring station while walking around; and there is a sleep analyzer that monitors the brain and eyes of a sleeping patient—potentially valuable for diagnosis in rehabilitation of drug addicts.

NASA's acknowledged leadership in computer technology has produced a computer motion picture of a beating heart in a three dimensional image—an obvious aid in locating heart injuries, aneurisms, and other cardiac problems.

The NASA computers have also produced a program to help industrial firms, universities, laboratories, and government agencies solve structural engineering problems of stress in designing bridges, power plants, buildings, and aircraft.

Industrially, the development of battery technology for the space program has led to a line of high energy commercial products for powering chain saws, golf and baggage carts, outboard motor starters, portable electrocardiogram units, toys, and other appliances.

Electrical digital clocks are being produced by a firm at reduced cost because of NASA-developed stepping drive that keeps the clock accurate within a fraction of a second. Fifty companies here and abroad have been licensed to make and market a compound preventing the fogging of lenses and other optic and visual equipment.

The list can go on and on, including fire resistant clothing, paints, fabrics, and at least two new uses for laser beams (surveying terrain despite obstructions and measuring the presence of plankton, that essential of marine animal life and of oxygen production).

The technology of NASA's programs is not at all lost in space. The quality of life here on Earth will be steadily improved because of it.

WASHINGTON NEWS NOTES

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. HOSMER. Mr. Speaker, the forshortened August version of my monthly Washington News Notes sent to persons residing in the congressional district I am honored to represent is reproduced below. Its obverse side contains U.S. Government Printing Office Form 1972—O—459-931 bearing the intriguing title: "Publications Available for Distribution by Members of Congresss to Homemakers and Residents of Cities and Towns":

CONGRESSMAN CRAIG HOSMER'S WASHINGTON NEWS NOTES

WILDLIFE REFUGE NEARS REALITY

Congressman Craig Hosmer is predicting that the Senate will act "within the next few weeks" on his bill to create the Seal Beach National Wildlife Refuge. The bill passed the House in June by a 314-0 vote. Once the Senate acts and the bill is signed into law by the President, the fish and wildlife resources of the Anaheim Bay area—including many endangered species—will be protected for all time by Federal law.

BRINGING ORDER TO ELECTORAL CHAOS

Remember the big push four years ago to reform the Electoral College and other facets of our Presidential election process? That was quietly forgotten once the election was passed. This year, attention is focusing on the primary elections.

A single national primary election has been suggested, but Congressman Hosmer doesn't think much of the idea. It would pretty much restrict consideration to those candidates with enough money to wage a national campaign. Dark horse candidates couldn't afford it. Craig says he would prefer the Congress to take a hard look at the entire electoral process not just bits and pieces.

PEACE THROUGH OUTER SPACE?

NASA Administrator James Fletcher says that the planned U.S.-Soviet space venture is more than just a gesture of cooperation. It will help the push for peace. Cooperation in space—a Soviet-American earth orbital lab, a joint manned Moon station and eventually a joint expedition to Mars—hopefully will lead to more cooperation here on Earth.

ABOUT THAT SOCIAL SECURITY INCREASE

Congressional action to boost Social Security benefits by 20% is good news for today's retired persons. Further improvements in the system are contained in the Welfare Reform bill (H.R. 1), now stalled in the Senate. The challenge facing Congress is to bring the program into line with today's needs without overburdening it a few years from now.

FREE CONSUMER BOOKLETS AVAILABLE

Congressman Hosmer is offering consumer-oriented booklets without charge to residents of the 32nd District. If you find some materials of interest, please check the numbered boxes on the back of this letter, print your name and address on the form below and return this entire page to Craig. *Please limit your order to a maximum of five booklets* so that the available supply may accommodate as many residents as possible. Mail to: Congressman Craig Hosmer, House of Representatives, Washington, D.C. 20515.

TELEPHONE PRIVACY—XXIX

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. ASPIN. Mr. Speaker, I reintroduced the telephone privacy bill on May 10, 1972, with a total of 48 cosponsors.

This bill would give individuals the right to indicate to the telephone company if they do not wish to be commercially solicited over the telephone. Commercial firms wanting to solicit business over the phone would then be required to obtain from the phone company a list of customers who opted for the commercial prohibition. The FCC would also be given the option of requiring the phone company, instead of supplying a list, to put an asterisk by the name of those individuals in the phone book who have chosen to invoke the commercial solicitation ban.

Those not covered by the legislation would be charities and other nonprofit groups, political candidates or organizations, and opinion polltakers. Also not covered would be debt collection agencies or any other individual or companies with whom the individual has an existing contract or debt.

I have received an enormous amount of correspondence on this legislation from all over the country. Today, I am placing a 27th sampling of these letters into the RECORD, since they describe far more vividly than I possibly could, the need for this legislation.

These letters follow—the names have been omitted:

NAPERVILLE, ILL.,
July 19, 1972.

HOUSE OFFICE BUILDING,
Washington, D.C.

DEAR REP. ASPIN: This letter concerns H.R. 14884, the bill to prevent nuisance telephone calls. I've been waiting a long time for such a bill to be adopted. Thank you for your past efforts in writing the bill. I encourage you to continue working to see that it is passed. I think I share the opinion of most people when I say that we don't want such calls and would really appreciate the efforts of those who could make it possible to prevent any such further calls.

Thank you,

——— ———.

NORTHLAKE, ILL.,
July 19, 1972.

U.S. Representative LES ASPIN,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE ASPIN: We would like to go on record as being very much in support of the bill HR–14884 to regulate telephone solicitors.

We appreciate your introduction and support of this bill. Personal privacy is becoming a scarce commodity, and what few vestiges of it remain must be jealously protected.

Thank you for whatever you can do to encourage passage of this bill.

Very truly yours,

——— ———.

ROLLING MEADOWS, ILL.,
July 21, 1972.

Re: Bill HR–14884.
U.S. Representative LES ASPIN,
House Office Building,
Washington, D.C.

DEAR SIR: Through the Chicago Tribune I learned that there is a bill pending that would "keep nuisances off my phone". This would certainly be a blessing, since there are an unbelievable number of people soliciting in this manner. Yesterday I had two calls regarding land sales. It isn't even 10:30 a.m. and I have just had *two more*. They are worse than leeches to get rid of. I tell them immediately that I am not interested, but they are most persistent. The time has come for me to stop being polite!

We would certainly appreciate the kind of protection your bill would afford. It isn't fair to have to obtain an unlisted number to avoid these nuisances as I have threatened to do, which would deprive me of hearing from friends who do not have my number.

Thank you for your consideration, and I shall be looking forward to hearing of the passage of your bill.

Yours very truly,

——— ———.

MOUNT PROSPECT, ILL.,
July 23, 1972.

SIR: The Chicago Tribune states that you have introduced a bill, HR 14884, to keep nuisances off the telephone. We are in total agreement with this measure. We have even been insulted by phone solicitors and have gone so far as to have our number removed from the phone book. We still receive all sorts of calls soliciting for numerous business offers as well as for donations. The worst offenders are the ones who make the call sound like long distance. These alarm us because we have a family member in New York who is quite ill.

Please continue to push this measure to inhibit this invasion of our privacy.

Thank you,

——— ———.

MOUNT PROSPECT, ILL.,
July 18, 1972.

Mr. LES ASPIN,
House Office Building,
Washington, D.C.

DEAR MR. ASPIN: We are so glad you are sponsoring bill HR 14884 and hope very much that it will be passed. Thank you for trying to get some relief for us from the nuisance telephone calls we are plagued with.

If here is any way we can help to get this bill through, please let us know.

Sincerely yours,

——— ———.

OAK PARK, ILL.,
July 25, 1972.

Hon. LES ASPIN:

Please count me and my family as very much in favor of the passage of bill HR 14884.

Sincerely,

——— ———.

LAKE FOREST, ILL.,
July 14, 1972.

Re. H.R. 14884.
Hon. LES ASPIN,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE ASPIN: I, too, am tired of telephone solicitations.

Please continue your good work on HR 14884.

Respectfully yours,

——— ———.

NATIONAL LEGAL SECRETARIES' COURT OBSERVANCE WEEK

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. RAILSBACK. Mr. Speaker, since 1946, when the National Association of Legal Secretaries was founded, this fine organization has been dedicated to raising the professional standards of secretaries dealing with all aspects of the law. The association discovered that a frequent gap in their members' education was the opportunity to observe first-hand the type of court proceedings which followed from the efforts they had made in their respective offices. So in 1956 a Day-in-Court program was instituted to satisfy this need, and its effects have proved widely beneficial.

Mrs. Roberta L. Moens, president of the Rock Island County Legal Secretaries Association explained the program to me in this way:

> Each October, we observe said program by sponsoring courthouse tours, presenting mock trials, attending special events and observing court procedures to gain a working knowledge of our judicial system. At every available opportunity, we extend invitations to high school and business school students to join our association in its activities.

Mrs. Moens went on to say:

> We sincerely believe that through our Annual Day-in-Court program we have created a better understanding of our court system and in some small way, raised the standard of our profession. We further believe that a National Legal Secretaries Court Observance Week would further our cause and help to educate not only legal secretaries and students but the general public as well.

Mr. Speaker, I feel that this fine program should be highly commended and encouraged. As a lawyer I can testify to the great responsibility that is placed on many of these individuals in the day-to-day operation of our courts and law offices. Without their efficient and knowledgeable assistance the wheels of justice would be greatly slowed.

Further, as Mrs. Moens indicated, the National Association of Legal Secretaries is interested not only in gaining knowledge for themselves, but also in sharing that knowledge with others. This I feel, is most important. Regrettably, I have found that Americans know less about our judicial system than any other branch of government, even though their most direct—and often dismaying—experience with our Government come through it. Also, with criticism of our judicial system, and our Nation, continuing to mount, I believe that an expanded Day-in-Court program would provide an important opportunity for Americans to gain an increased understanding of their rights and privileges as American citizens, as well as their obligations to others.

For these reasons, I joined my distinguished colleague from South Carolina (FLOYD SPENCE) in sponsoring a joint resolution authorizing and requesting the President to proclaim the second full week in October of each year as "National Legal Secretaries' Court Observance Week" and call upon the people of the United States to observe such week with appropriate ceremonies and activities. I would like to commend the House for its passage of this resolution on July 28, 1972.

IS NAVAL PARITY WITH THE U.S.S.R. ENOUGH?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. WYMAN. Mr. Speaker, for the past several days this Congress has been engaged in debate over the military procurement authorization bill for fiscal year 1973. At issue in the past and still at issue is whether administration proposals for modernizing the U.S. Navy are sufficient to meet the Soviet threat.

The New York Times has now provided an answer of sorts in the statements of the commander of the Soviet Union's Navy on the occasion of Soviet Navy Day.

Admiral of the Fleet Sergei G. Gorshkov alleged in the Soviet Communist Party Newspaper Pravda that the Soviet fleets could detect and destroy an enemy vessel anywhere in the world.

The Times goes on to state in an article datelined Moscow, July 30 that Communist Party leader Leonid J. Brezhnev had indicated that the Russians had reached a state of nuclear equality with the United States and now has every intention of gaining naval parity if not supremacy.

Mr. Speaker, I submit that our potential adversary, the Soviet Union has stripped some of the clouds of rhetoric from our debate and has laid the issue squarely before us. Do we have the will to maintain a naval force sufficient to insure our freedom to use the oceans of the world, or do we abandon those portions of this globe to the supremacy of the Soviet Union?

I am including the Times article in the RECORD, so that my colleagues can examine the express intentions of the other side, quite clearly stated, and decide on the policy issue of strength or weakness for our naval forces in accordance with their individual judgment:

CHIEF OF SOVIET NAVY SAYS FLEETS CAN REACH ANY FOE

MOSCOW, JULY 30.—The commander of the Soviet Union's Navy said today that his fleets, led by a growing number of nuclear submarines, could detect and destroy an enemy vessel anywhere in the world.

Admiral of the Fleet Sergei G. Gorshkov took the occasion of Soviet Navy Day to write in Pravda, the Soviet Communist party newspaper, that the Soviet Navy was a worldwide striking force and "an impressive factor deterring any attempts at sudden aggression against the Soviet Union."

He also stated that the "imperialists have unleashed more than 30 wars and armed conflicts in the postwar years." and, citing Vietnam and the Middle East as current dangers to world peace, he declared:

"It is quite natural that under such conditions our peaceful policy must be substantiated by defensive might."

The admiral added that the Soviet Union's nuclear submarines, "armed with ballistic missiles and long-range torpedoes, and backed by missile-carrying planes and ships, are capable of destroying an enemy in any region of the world's oceans."

Foreign submarines, he said, would fail to withstand a Soviet attack if war broke out. "Submarine, surface and air antisub forces can detect and utterly destroy any submarine in all weather conditions," the admiral wrote.

He did not refer directly to the United States, but his statements were clearly directed at his navy's No. 1 competitor for supremacy on the seas.

The agreements on limitation of strategic arms, signed in Moscow last May by President Nixon and the Communist party leader Leonid I. Brezhnev, indicated that the Russians had reached a state of nuclear equality with the United States and Moscow now has every intention of gaining naval parity, if not supremacy.

Since Admiral Gorshkov took command of the navy, 16 years ago, he has transformed an insignificant coastal defense force into four blue-water fleets that patrol from the Arctic to the Antarctic.

Admiral Gorshkov noted today that his ships had called at more than 60 ports in Asia, Africa, Europe and Latin America in the last three years.

The Pacific, Baltic, Arctic and Black Sea fleets have about 408 submarines, 95 of them nuclear-powered; 27 cruisers, two helicopter carriers, 101 destroyers and more than 1,000 smaller but heavily armed craft.

The United States still has superiority in aircraft carriers and destroyers, though it is outnumbered in cruisers and conventional submarines. Western specialists, however, are worried about the rate at which Soviet shipyards are producing nuclear submarines—an average of one every five weeks.

The United States has 101 nuclear submarines and is scheduled to produce only 11 in the 1972–73 programs.

Writing in the latest issue of the authoritative Jane's Fighting Ships, the editor, Raymond V. B. Blackman, said: "It is a sobering thought that no other country in the world in this day and age of sophistication and inflation can possibly build as many submarines as the Soviet Navy has at the present time."

And the Soviet Defense Minister, Andrei A. Grechko, indicated that the current buildup of nuclear submarines and other ships would continue at its present pace. His Order of the Day, published in the Defense Ministry paper, Krasnaya Zvezda, voiced the need for "new successes in creating ships equipped with the most up-to-date equipment and armaments for our navy."

M. LARRY LAWRENCE

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. VAN DEERLIN. Mr. Speaker, the Democratic Party has been enjoying a spectacular renaissance in San Diego County, thanks in large measure to the efforts of one man, my old friend and confident, M. Larry Lawrence.

Since Larry took over as southern California chairman of our party, we have taken a sizable lead in registrations in the county and elected one of our own to a State assembly seat previously regarded as the permanent possession of the GOP.

Larry is one of the most quotable, colorful personalities now in political practice anywhere. With his energy and way with words, and his willingness to wither a fellow partisan when he thinks such criticism merited, he has attracted a good deal of attention in the news media in San Diego and throughout California. In this fashion, he has helped stimulate public interest not only in the revival of our party, but in the political process generally.

All our colleagues might not agree with everything Larry says. But all, I am sure, would find his remarks of interest. With that in mind, I include at this point excerpts from a speech delivered by Larry to the San Diego Rotary Club shortly after he returned from service as a delegate at the Democratic National Convention:

SPEECH BY M. LARRY LAWRENCE

Machiavelli once said, "There is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things." This is a day of new ideas that bear on your and my lives, in business and the professions as well as politics, and only the most dogmatic will reject its reality!

I have just returned from a convention where everyone was serious and concerned, where everyone worked without sleep for days on end. where even in victory there was little exuberance, and where until the convention was over almost no one I saw took an alcoholic drink.

The delegates—many, but certainly by no means all, young—were exemplary in their manner and dedication, belying all predictions including my own. They went for values and ideals. and if there was one ideal they went for in the most part it was trust! They trust a hard headed, conservative in many ways, Dakota farmer-minister named George McGovern.

Many of the delegates represent the underdogs in this country, and I doubted they trusted anyone much anymore. And as a result, the order of things became turned about.

These delegates have rejected the big union bosses with the same fervor as the big political bosses. They give to Nixon the teamsters, whose recent president was released by Nixon after being jailed by Bobby Kennedy.

They believe of you and I, the biblical quotation, "Who can protest and does not, is an accomplice to the act."

No one who observes the American scene gives George McGovern much chance as of today.

But then again a few months back how many gave him much chance for the nomination?

Clearly his will be a people's campaign. The money, power, and most of the press, is on the side of the administration, and I am not so naive to believe that victory will be easy, though it is possible.

But I saw the rank amateurs of 1968 become better pro's than the pro's in 1972. If they don't pull it off in 1972 there is no way possible for them to lose in 1976. This year is the *last year* of an establishment presidential possibility. If you look at the figures of voting age requirements, you will note that by 1976 voters over 50 will be outnumbered 10–to–1 by voters under 30. In 1976 this same group will outnumber the voters from 30–50 almost 3–to–1. And that is the same ratio they are registering democratic, even in staid old San Diego. The old democratic coalition is gone, and strangely enough with it will be the old republic coalition.

If the Democratic party had one theme out of Miami, it is that Nixon and the Republican party will overkill, in hate and attack on McGovern's positions, and in the extravagant use of money.

They beg the Republicans to get bitter and mean and nasty. They believe they have met the test of devotion by behaving when things have gone against them.

They are counting on Nixon and his friends to create the climate of hate that will bring about Democratic victory. And you may be surprised to know that George McGovern is just one element of that victory, and some believe not the most important.

If there is an elaboration of the theme that binds the new coalition it was stated almost 20 years ago—and it is the policy that is the guiding inspiration to George McGovern.

I quote:

"Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who are hungry and are not fed, those who are cold and are not clothed.

"This world in arms is not spending money alone.

"It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children.

"The cost of one modern heavy bomber is this: a modern brick school in more than 30 cities.

"It is two electric power plants, each serving a town of 60,000 population.

"It is two fine, fully equipped hospitals.

"It is some 50 miles of concrete highway.

"We pay for a single fighter plane with a half million bushels of wheat.

"We pay for a single destroyer with new homes that could have housed more than 8,000 people.

"This, I repeat, is the best way of life to be found on the road the world has been taking.

"This is not a way of life at all, in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron."

The quotation is from President Dwight D. Eisenhower, April 16, 1953, to the American Society of Newspaper Editors, in Washington, D.C.

"YOUNG EXECUTIVES REPORT"

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. ZWACH. Mr. Speaker, recently 15 young executives of the Department of Agriculture received a great deal of notoriety for recommending the elimination of farm price support programs, even though the Department disclaimed responsibility for the contents of their report.

I have made a careful analysis of the records of the people making the report; when they entered Government service, what their salary was when they were hired, how much they are paid now, and their length of Government service.

It is interesting to see how these people have had their parity pay increases working under the shelter of the Federal Government, while condemning parity for our countryside residents.

I think it is noteworthy to point out that these individuals were appointed to this study because of the positions they held.

I think it is worthy to note that they entered Government service under four different Presidents, but only one of them under the present administration.

Seven of them started to work for the Government under President Kennedy, four under President Johnson, three under President Eisenhower, and one under President Nixon.

I think the public should know these facts. Here is the record:

Gene S. Bergoffen, Forester. Entered Federal service in 1960 at $4,980. Present salary, $23,424.

Allan S. Johnson, Assistant to the Administrator, Economic Research Service. Started in 1965 at $15,866. Present salary $26,436.

Carol J. Alexander, Administrative Librarian. Started with the Government in 1961 at $2,950. Present salary, $21,960.

Karen L. Berke, Public Information Specialist. Entered service in 1963 at $4,440. Present salary, $16,395.

John S. Bottum, Deputy Administrator, Rural Development. Started in 1957 at $3,415. Present salary, $30,667.

John E. Carson, Deputy Administrator, Administrative Management. Entered Government service in 1961 at $5,355. Present salary, $35,583.

Betty L. Dotson, Assistant to the Administrator, Food and Nutrition Service. Started in 1960 at $4,525. Present salary, $25,583.

Avram E. Guroff, international economist. Started with Government in 1965 at $11,782. Present salary, $21,960.

Clarence R. Hanna, Management Analyst. Started in 1964 at $5,540. Present salary, $23,424.

James E. Haskell, agricultural economist. Entered Government service in 1966 at $2.40 per hour. Present salary, $19,362.

Homer R. Hilner, Soil Conservationist. Started in 1963 at $3,175. Present salary, $23,424.

Jerome A. Miles, Director of Budget and Finance. Entered Government in 1953 at $4,725. Present salary, $36,000.

Gerald C. Puppe, Director of Personnel. Started with Government in 1962 at $4,690. Present salary, $25,583.

William L. Ruble, Assistant to Administrator, Agricultural Stabilization and Conservation Service. Started in 1968 at $25,708. Present salary, $32,645.

Robert P. Shiner, Agricultural Marketing Specialist. Entered service in 1962 at $4,565. Present salary, $19,987.

This is the kind of entrenched bureaucracy we must deal with in our efforts to better the economic conditions of our rural people. Thank God, the Congress, the elected representatives of the people, write our laws.

THE LAW OF THE SEA CONFERENCE—GENESIS AND PROSPECT FOR AGREEMENT IN 1973

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. DON H. CLAUSEN. Mr. Speaker, as one who believes strongly in, and has long fought for, meaningful legislation and programs to protect and enhance our fishery and ocean resources and the establishment of an offshore marine resources conservation zone, I am taking this opportunity to bring to the attention of my colleagues a very timely and in-depth address which my good friend and colleague, Congressman TOM PELLY of Washington, gave recently before the Lake City Rotary Club in his home community of Seattle.

In his address, Mr. PELLY provides a straightforward and very practical assessment of the overwhelming importance of the upcoming International Law of the Sea Conference to be held in Geneva next year as it relates to our future fishery and ocean resources within the overall context of an international agreement. Having read and analyzed his very timely and important speech, I want to commend Mr. PELLY personally for having made it and, at the same time, recommend it highly to my colleagues. I do so because both the President and many Members of Congress have placed a high priority on this particular international conference.

Several of us in the Congress have recently written the President urging him to name Mr. PELLY as one of our chief negotiators and a member of the U.S. delegation to the International Law of the Sea Conference. Certainly, TOM PELLY is eminently well qualified for this high honor. As the ranking minority member of our Merchant Marine and Fisheries Committee and in view of his outstanding leadership in the marine resources field, he has the unqualified respect and support of the American Federation of Fishermen as well as all the fishermen and fishermen's wives groups in my coastal congressional district of California. Having announced his retirement from the Congress, TOM PELLY will be in a position to devote all of his time and attention to this most important task.

The address follows:

The Law of the Sea Conference—Genesis and Prospect for Agreement in 1973

The International Law of the Sea is a highly complex subject—a nightmare of vague, deliberately ill-defined concepts. Unlike, however, most other aspects of international law, the Law of the Sea has profound day-to-day impact upon our lives.

It is a pleasure to be with you today to discuss the current efforts to overhaul the existing Law of the Sea structure, with particular emphasis upon the need for a new Fisheries Convention.

Over fifteen years ago, I introduced in Congress a bill to compensate the engineer of the tuna clipper, ARCTIC MAID, for his injuries following an attack by an Ecuadorian gun boat on the high seas, 23 miles off the coast of Ecuador. At that time, the United States while not recognizing the various territorial claims of Ecuador and other Latin American countries, refused to protect American fishing vessels and their crews from attack. The injustice of this situation was obvious to all but the United States Department of State. The attack upon the ARCTIC MAID and other innocent American fishing boats, together with the growing presence of foreign fishing vessels barely three miles off our shores, prompted me to initiate legislation to extend our jurisdiction seaward to the 12-mile limit and to secure the enactment of legislation to compensate our fishermen for the fines paid and the damages sustained as a result of such unlawful seizures. Always consistent, the State Department opposed to the bitter end these legislative proposals. Fortunately, however, clearer heads prevailed and our contiguous fishery zone was established. The Fishermen's Protective Act, at least provided some measure of compensation, although nothing could really make up for the danger to human life, to say nothing of the downright inconvenience, inherent in any seizure.

The international community had an opportunity at the 1958 and 1960 Geneva Conferences on the Law of the Sea to resolve the twin issues of excessive jurisdictional claims and over-exploitation of fishery resources. Those conferences were held before these issues had reached crises proportions. Nevertheless, agreement could not be achieved. The various conventions which were adopted simply side-stepped the issue of breadth of territorial seas and failed to agree upon even the most elementary principals of fishery management, most notably the abstention principle.

Thus, by 1966, the United States adopted two stop-gap measures: The nine-mile Contiguous Fisheries Zone and the Fishermen's Protective Act to make up for the deficiencies in existing international law. The prospect for reconsideration of the conventions appeared to be dim. The United States continued to place primary reliance upon regional fishery compacts to resolve the ever-growing problem of over-exploitation.

From an entirely different approach, however, the seeds of agitation for a new Law of the Sea Conference began to germinate. In 1967, Ambassador Pardo of Malta presented a resolution to the United Nations calling for the establishment of an international regime which would be charged with responsibility for exploring and exploiting the mineral resources of the oceans for the benefit of all mankind with particular emphasis upon the needs of the developing nations. He characterized the wealth of the sea-bed as the "Common Heritage of Mankind". In December, 1967, the United Nations General Assembly adopted a resolution establishing an ad hoc committee to study the "Peaceful Uses of the Sea-bed and Ocean Floor Beyond the Limits of National Jurisdiction". During 1968, this Committee began to consider the scientific, economic and legal aspects of sea-bed exploration and exploitation. In the fall of 1968, the General Assembly established a permanent Committee composed of 42 member states on the Peaceful Uses of the Sea-bed. The Committee's mandate was directed exclusively toward promotion of international cooperation for the development of the sea-bed for the benefit of mankind. During 1969, the Committee gradually defined the issues inherent in the establishment of such an international regime. These issues were the nature and geographic extent of national jurisdiction over the Continental Shelf, the deep sea-bed and super-adjacent waters, and the political feasibility of establishing an international regime to regulate sea-bed activities beyond the limit of national jurisdiction.

At this point, in the fall of 1969, it became apparent that the Malta Resolution—the concept of an international sea-bed regime—was inextricably bound to the continuing international dispute over coastal state jurisdiction in adjacent high seas areas. Put very simply, in order to define the jurisdiction of the international sea-bed resource agency, the international community must first decide the seaward limits of national jurisdiction. It was equally clear that one standard for sea-bed mineral resources and another standard for the living resources of the oceans would not be acceptable to the majority of nations. Of course, while the prospect of tapping the unknown riches of the sea-bed was being discussed in the United Nations, the worlds' fishery problems were steadily intensifying. The seizure of American tuna clippers became more and more frequent and the presence of vast fleets of Russian and other trawlers and factory ships became commonplace off the coast of Oregon and Washington and on the traditional fishing grounds of our New England fishermen.

In 1970, the United Nations approved a resolution calling for an international conference in 1973 on the Law of the Sea, officially bringing together the parallel issues of sea-bed resource development, territorial seas, and fishery jurisdiction. The sea-bed Committee, as it is still known, was expanded to 91 nations, virtually every member of the United Nations with any interest in the work of the Committee.

These developments formed the basis for a new State Department excuse for its failure to support reasonable efforts in the Congress to relieve the pressure on our Continental Shelf fishery resources and to make it unprofitable for the Latin American countries to continue seizing our tuna boats. Instead of saying as before, that bilateral negotiations were on the verge of producing an agreement, the State Department could now say that all of these problems would be resolved at the forthcoming Law of the Sea Conference.

The Sea-bed Committee, during 1971, did virtually nothing: The United States submitted a draft sea-bed convention which the developing countries promptly tore apart. Fishery problems were not even addressed except in the most generalized manner during the meetings of that year.

We now come to 1972 with only a year to go before this much touted Law of the Sea Conference is to begin its work.

The first 1972 session of the Sea-bed Committee was held last March in New York. A Tower of Babel would best describe that five-week meeting as 91 nations attempted to agree upon a draft agenda for the 1973 Conference. While you might think that an agenda would be the easiest topic for agreement—simply what issues the Conference will attempt to resolve—nothing at the United Nations is quite that simple. Hair splitting is the order of the day. The privilege of drafting a provisional agenda was informally delegated to a working group of Latin American, African and Asian countries. Even they could not agree among themselves however until the remaining members of the Committee appeared on the verge of revolt against this take-over by a handful of have-nots. Finally a draft agenda was tabled as the session closed.

Debate on this agenda covering over 20 major topics will be the first order of business when the Committee meets in Geneva on July 17th for a one-month stand.

Assuming that an agenda can be agreed upon promptly, the work of preparing draft treaty articles for consideration at the Law of the Sea Conference will begin.

With respect to a sea-bed regime, some progress has been made. In addition to the U.S. draft treaty, ten proposals have been submitted of varying complexity. These papers reflect the views of such countries as Russia, the United Kingdom, Japan and a variety of developing nations such as Tanzania working alone or in groups. None, however, come to grips with the basic issue linking the sea-bed and fisheries problems—the seaward limit of coastal state jurisdiction.

In the fisheries area much less has been accomplished. The issues are more emotion-charged and there is no clear cut community of interest among large blocks of nations. The lines of battle are not drawn between developing and industrialized nations. The Latin Americans seem to have a paranoid interest in the activities of the United States Congress and continually address the Committee in the most inflamatory terms, denouncing the efforts of Pelly and Company to protect the legitimate interest of American Fishermen. In such an atmosphere, little progress can be expected.

In September, the United Nations General Assembly will decide whether progress warrants calling a Law of the Sea Conference in 1973. I believe it will decide this question in the affirmative, although by any impartial measure of work accomplished, we will not be ready.

Pressure from the developing countries will, however, override all legitimate concern and the conference will begin in 1973 doing the work which the Sea-bed Committee should have accomplished during the previous two years. With all the brevity that this subject permits, that is where we stand today.

I would like to touch upon the U.S. Law of the Sea position as we enter this final phase of preparatory work and then I will glance quickly into my crystal ball, cloudy as it may be.

The United States is prepared, perhaps resigned is a better term, to accept extension of territorial seas to twelve miles provided the right to free passage through international straits, which would be closed by such an extension, is recognized. In the Law of the Sea we have been accustomed to speaking terms of "innocent passage" through international straits. There is a substantial difference, however, between free and innocent passage.

Thus submarines may navigate submerged under the concept of free passage, whereas they must surface and show their flag under the traditional right of innocent passage. Furthermore, beyond the obvious defense considerations in this age of missile submarines, there are commercial interests involved in this concept of free passage. Pollution is a genuine concern to many people in this age of giant super-tankers. Should such vessels enjoy the right of free transit unhampered by environmental regulations of coastal states or should the nations adjacent to narrow passages have the right to impose environmental safety regulations upon these ships? While the major powers are concerned with the movement of their submarine fleets and the industrial nations desire the unfettered movement of oil by the most direct route, the majority of U.N. members literally don't give a Damn about these issues. Is our straits policy essential from a national defense viewpoint? The Department of State appears to think this issue is negotiable, but the Defense Department appears to be locked into this issue. The fear shared by many observers of our position is that we will refuse to participate in any new Law of the Sea Convention that does not recognize the Defense Department position. I think, however, that in the final analysis, a balance will be struck which reflects our global naval strategy while conceding the right of coastal states to impose reasonable environmental controls on ships which have a high pollution potential in confined straits.

On the breadth of territorial sea, aside from the straits issue, I believe our current position is unreasonable. We are in effect saying that we will recognize what the majority of nations have already done. Twelve miles is simply not enough and should be extended for Conservation purposes.

Whether this is possible will depend upon the mood of the conference; however, I am guardedly optimistic on this point.

The United States' draft treaty on the sea-bed contemplates three levels of jurisdiction. From the shoreline seaward to the point where the water reaches a depth of 200 meters, the coastal states will exercise exclusive jurisdiction over the development of the sea-bed mineral resources as we do now under the Outer Continental Shelf Lands Act. From the 200-meter isobath seaward to the deep sea floor, we have proposed an intermediate zone, the precise seaward limit of which has been left open to future negotiation. The intermediate zone has been termed a trusteeship area where the coastal state will be responsible for development, but a portion of the wealth derived from this area will be turned over to the international community for the benefit of the developing nations. Exploitation of the deep sea-bed will be entirely international in character. This graduated approach from absolute coastal state jurisdiction to the 200-meter isobath and ending with a completely internationalized regime for the deep sea-bed is a rational and logical point of departure for the Law of the Sea Conference. It deserves serious and constructive consideration on the part of the other Committee members.

We are not giving up our Continental Shelf oil reserves which we desperately need to meet our energy demands. We are prepared, however, to participate fully with the international community in the development of deep sea-bed hard mineral resources in keeping with the "Common Heritage of Mankind" theme.

The proposals already tabled by the various developing countries on the other hand reflect a certain unreality which unfortunately pervades much of the United Nations deliberations. While these countries decry the profit motivation of the industrialized nations, they ignore the fact that only the United States, the major European nations and Japan have the capital resources necessary for exploitation of the deep sea-bed. Thus, they would exclude private enterprise entirely and yet fail to consider how and where the United Nations or any specialized agency might raise the millions of dollars required even to begin commercial extraction of sea-bed minerals such as manganese nodules.

Again, however, in the final analysis, I think a sea-bed regime very close to the United States proposal will be agreed upon, but not before we are subjected to a hundred or more anti-capitalist diatribes. Self interest will prevail after the speeches are over.

Lastly, and deliberately so, we come to the fisheries issue—where it all began.

Our fisheries position has evolved rapidly during the past year from espousing the traditional multilateral and regional approach—so discredited in New England and so inadequate in the case of salmon—to the species approach, which was first formally enunciated before the Sea-bed Committee by Canada.

We now propose that jurisdiction over coastal species, which are dependent upon the relatively shallow waters of the Continental Shelf during their entire life cycle, be delegated to the coastal state, and that foreign fishermen wishing to utilize these stocks observe the conservation measures imposed by the coastal state and contribute financially to these conservation efforts. We likewise propose that jurisdiction over anadromous species be vested in the nation whose inland fresh waters provide the breeding grounds for these stocks and whose domestic water restoration programs make possible their continued regeneration. The pelagic species such as tuna, which spend their entire life in the high seas and migrate vast distances in international waters do not lend themselves to conservation by any one nation, and there the United States has proposed that these species must be the subject of international and regional conservation measures.

Under this proposal, coastal states would regulate the taking of 75 percent of the world ocean fish harvest without regard to arbitrary distance measurements. The authority delegated to coastal states would be subject to international standards, such as those designed to assure conservation and maximum utilization of fisheries and agreed formula for historic fishing rights. Compulsory arbitration of disputes is an essential aspect of our formula.

While I firmly believe that the present United States position is compelling from the biologic standpoint and is fair to all nations truly concerned with balancing yield and sound conservation, I fear that many nations do not share this concern. Our experience in the North Atlantic with the decimation of the haddock and yellow-fin flounder stocks, the fate of halibut and cod in the Bering Sea and North Pacific—all throw serious doubt upon the professed interest of the Russians, the Japanese, and their lesser imitators, in conservation of the world's fisheries. By their actions they are known rather than their words. Callous diregard is the hallmark of their fishing expeditious to this continent over the past twenty years. As each species has been over-fished to the point of commercial extinction, pressure is applied to another.

The countries of the west coast of South America, in the same vein, preach conservation, while engaging in simple piracy. The tuna issue is used to stir emotions against the United States to divert attention from the government's inability to cope with pressing domestic social problems.

Do we, therefore, have any reasonable basis for hope that these concepts of fishery management will be accepted by a majority of nations in 1973? I find it hard to believe. A recent example of this widespread failure to practice even the most elementary principles of conservation involved the Atlantic Salmon.

In 1970, I became aware of the fact that Denmark had for some years been taking ever-increasing numbers of this highly-prized game fish in the waters between Greenland and Baffin Island. This involved only a handful of boats and a few hundred fishermen, yet had the potential for total destruction of the Canadian and American salmon runs. Although the International Commission for the Northwest Atlantic Fisheries (ICNAF) voted a total ban on high seas fishing for salmon, Denmark, Norway and West Germany refused to ratify the ban. I, therefore, introduced legislation which I am pleased is now law, to ban the importation of all fishery products from any country which fails to abide by an international fishery conservation program to which the United States is a party. Hardly had the President finished signing this bill into law, before Denmark agreed to phase out its Atlantic Salmon fishery. This, unfortunately, is the only approach which seems to work. Needless to say, the State Department opposed my bill and predicted dire international repercussions if the United States should dare to take such steps against a so-called "friendly NATO ally."

In view of this attitude reflected among most of the major fishing nations, I cannot believe that a rational fishery conservation agreement will be achieved voluntarily in 1973.

The United States, Canada, and other nations with viable Continental Shelf and anadromous fishery resources will be compelled either in groups or alone to declare these resources off-limits to those who will not abide by our standards. This may involve an arbitrary mileage figure for enforcement purposes or it may be coupled with a depth factor. The latter makes more sense from the biologic standpoint. Such unilateral measures will not truly protect the species, but they will hurt the major fishing nations in their pocketbooks; something they all understand. Only when the United States demonstrates, as we did in the Atlantic Salmon case, that we have the backbone to stand up for our legitimate interests, will we be heeded.

I am hopeful that bilateral negotiations with the Latin American countries over tuna will eventually succeed along the lines of our recent shrimp agreement with Brazil. In the meantime, we must continue to support our fishermen under the Protection Act and insure that this blackmail does not result in further physical harm to our citizens.

My pessimism regarding the prospect for a sweeping new fisheries agreement is predicated upon cold hard facts—facts which have been brought home to me time after time over the past twenty years in Congress. No Member of Congress has followed these developments more closely than I.

I would hope, of course, that a spirit of enlightened self-interest would prevail at this conference for the benefit of all men. The issues swept under the table in 1958 regarding territorial seas and the extent of coastal state jurisdiction over mineral resources in the sea-bed are ripe for settlement. Of all the issues, however, fisheries is the most pressing simply because so much of the resource is close to exhaustion.

Success of the conference in all areas will depend largely upon the leadership and determination of the United States. These qualities will be respected and heeded. While we have put forth a number of sound imaginative proposals, we have not exercised leadership in the deliberations thus far. We have permitted the developing nations to dominate the actions of the Sea-bed Committee. We have been timid and overly fearful of offending anyone. These qualities do not engender respect nor do they produce results. If the United States begins to pull its weight and stops engaging in a popularity contest, we just may have a chance.

I have attempted to present a realistic view of these developments so that you will understand more fully the problems we face. I appreciate your patient interest in this overview of the Law of the Sea movement and trust you will follow its progress closely in the months ahead.

The wise use of the wealth of the seas—

living and mineral—is a fascinating challenge to all nations. Let us hope we are all equal to the challenge.

CONGRESSMAN STANTON ANSWERS RALPH NADER QUESTIONNAIRE

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. JAMES V. STANTON. Mr. Speaker, along with other Members of the House, I have received and answered a lengthy questionnaire from the Ralph Nader organization. The 96-page document contained, as you know, 633 questions. I must confess that I at first regarded this as an imposition on my time and that of my staff, but my attitude changed when I examined the questionnaire closely. I see it now as affording me an opportunity—a vehicle, if you will—for advancing some ideas that have been taking shape in my mind during my first term as a Member of this body.

I would like to share these ideas with my colleagues here and, in addition, I think these tentative proposals might be of interest to members of the public who have been following the working of Congress. For these reasons, I am inserting here, in the CONGRESSIONAL RECORD, my answers to a few of the questions that were asked me on the form. I have selected, as excerpts to be published here, my replies with respect to the seniority system in Congress and some of the ethical questions confronting Members and, also, some suggestions I have made to the Nader organization with respect to restructuring the committee system in Congress. I would be interested in any comments that these suggestions might inspire, either on the part of my colleagues or members of the public.

I would like to add that I have furnished copies of my replies to all 633 questions to members of the press who serve here as correspondents for newspapers in the Cleveland, Ohio, area. Some news stories have appeared as a result. Were it not for the cost involved—I was told by the U.S. Government Printing Office that it would cost the taxpayers $2,890—I would have submitted for publication in the RECORD the entire questionnaire and all my replies. Since this is not feasible, I would like it to be known that I have copies of the questionnaire and my replies in my office, and I will gladly make them available to anyone who is interested in pursuing this subject in greater detail.

Here are the excerpts that I would like to include in the RECORD at this time:

EXCERPTS OF REPLIES TO RALPH NADER QUESTIONNAIRE

205. Would you favor limiting the length of time a Member of Congress may serve on any one committee (for example, by a system of rotating committee assignments)? A. Yes.

206. Your reasons?

In my opinion, no Member of Congress should serve more than five terms on any one Committee. First, since the concerns of the people of each constituency are panoramic, I don't think it behooves them to have their Congressman become stuck in one area of jurisdiction. Second, a Congressman who becomes a fixture in a given area of responsibility acquires power disproportionate to his position as the representative of a single constituency among 435 others. Third, it's in the nature of things that the longer a Congressman stays in one place, the greater the danger that his vision will narrow and that he might begin identifying himself with the various interests that have matters at stake before the Committee—a factor which would make him less responsive to the people as a whole.

269. What, if any, new methods of oversight and monitoring do you favor establishing, either inside or outside the Congress?

I believe Congress itself is in need—as is any institution—of oversight and monitoring. In my opinion this can be done effectively and reliably only by an entity outside of Congress. I don't regard the General Accounting Office as the appropriate agency for this purpose, since the office considers itself an arm of the legislative branch. I have seen no GAO reports criticizing Congress itself. I would suggest that an agency be set up for this purpose somewhere in the executive branch. While this is a constitutionally delicate matter, I see no reason why difficulties could not be overcome—if there were a will to do so. I think such an arrangement would fit in very well with our systems of checks and balances, and would help to enhance it. Since the President and a Member of Congress share the constituents of each Congressional District, I see no reason why review and oversight should not be mutual. My answers to subsequent questions will indicate some examples of what I have in mind.

270. Your additional comments, if any, on these sections of the questionnaire (committees and oversight):

As in my answer to 269, I obviously regard your questionnaire as a vehicle for putting out ideas for public consideration. I trust it is understood that I am herewith making no formal proposals, since a lot more thought has to be given to these matters, both from the standpoint of desirability and practicality. Be that as it may, I will proceed with some off-the-cuff suggestions about a restructuring of the committee system of Congress. (Please keep in mind that these suggestions ought to be considered in conjunction with my proposal limiting service on committees to five terms.)

I have felt for some time now that Congress ought to organize itself into Committees in a manner paralleling its organization of the Executive Branch into Departments. For example there should be a Transportation Committee, constituted as a counterpart to its creature in the Executive Branch, namely the Department of Transportation. To a certain extent we already have this in Congress, but the pattern is not consistent. If we were to achieve a substantially symmetrical system such as this, I believe it would enhance public understanding of the workings of government, since the voter would have virtually identical points of reference in both the executive and legislative branches. I think this is an important objective to strive toward in these times when the public is becoming progressively more alienated from government, one reason being distrust because it is so difficult to perceive how the government operates and how its different parts mesh.

Another advantage of such a system is that it would assist Congress in exercising oversight in a manner better organized than at present. It would have the further advantage of redistributing the functions and power of the existing Committees along lines that perhaps would help to expedite legislation. I have in mind, for example, the Ways and Means Committee, where much of the nation's high priority legislation is handled, with a backlog developing as each matter awaits its turn (revenue sharing, tax reform, national health insurance, social security, tariffs—to cite some examples). Under this scheme, a single committee would not have jurisdiction over all these items.

I have another suggestion to make about restructuring Congressional committees. It seems to me that three of the major functions of Congress—legislating, appropriating, and overseeing—could be discharged more efficiently if a single Committee were to carry out all three functions within its area of responsibility. For example, the Transportation Committee would not only legislate new programs for the Transportation Department, and extend or curtail existing programs, but it would also propose appropriations for the programs it establishes and then it would oversee the operations of these programs. To this end, each standing Committee could have, in addition to the Chairman, three Deputy Chairmen—one for legistion, a second for appropriations and a third for oversight. These positions would rotate as "old" members leave the Committee and new ones come in under the five-term limitation rule.

I see several advantages inherent in such a system. First, it would tend to close the gap between promise and fulfillment with respect to new programs where there are generous financial authorizations, followed by meager appropriations. Since the same Congressmen would be dealing both with authorizations and appropriations, one could expect more realistic and responsible legislation to result in both areas. Second, the Congressman dealing with appropriations would have better knowledge of the subject, since they will have helped develop the programs which they are being called on to finance. Similarly, the Congressional "authorizers" would have more intimate knowledge of the Departments to which the programs are being assigned. Third, with respect to oversight, such an arrangement would institutionalize this function on each committee. I think a lot more oversight is needed, and this is one means of providing it. Those exercising the oversight will have already, presumably, had a hand in establishing the programs they are reviewing, and they would have a better notion of what to look for.

In conjunction with this set-up, I see no reason why Congress could not also retain such committees of general oversight as Government Operations and the Joint Economic Committee. To the extent that there would be an increased flow of legislation to the floor, a strengthened Rules Committee also would appear to be desirable.

LOBBYING AND ADVOCACY

322. Are the current laws regulating Congressional lobbying adequate? A. No.

323. If no, what changes in the law should be made? I do not believe we can expect adequate enforcement of whatever antilobbying laws we have if we rely on officials such as the House's own Clerk for enforcement.

349. If you would like to see more incumbents defeated or retiring, how do you favor encouraging this?

I believe a new rule, such as I advocate here, limiting service on any given Committee to five terms automatically would encourage more incumbents to retire. A senior member contemplating the surrender of his Chairmanship and being assigned to lesser status on some other Committee would have less incentive to want to stay in Congress.

370. Do you believe that Members of Congress should have to disclose publicly all aspects of their personal wealth or financial interests? A. No.

371. If no, what public disclosures should they not have to make and why?

I would support resolutions for more complete disclosure, even of "all aspects of . . . personal wealth," on an up-and-down vote in the House. I do not have particularly strong feelings about this one way or the other. However, I believe that moving in this direction, rather than toward achieving stronger enforcement of rules that we already have, would be a mistake. I accept the proposition that public officials have an obligation to assure their constituents they are not involved in conflicts of interests, and also the proposition that public disclosures often might deter some members from becoming involved in a conflict. However, I believe it is naive to expect too much from the disclosures themselves. I doubt that, no matter how tightly the rules are drawn, the forms would be altogether revealing. There are too many ways to conceal assets, and the person who contrives to do so would have no more difficulty in filing a disclosure statement than a Communist spy would have in swearing to a non-Communist affidavit.

TRIBUTE TO DR. KARL TARGOWNIK

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. ROY. Mr. Speaker, last month I was privileged to present the Shawnee County, Kans., Law Day Liberty Bell Award to Dr. Karl Targownik of Topeka.

Dr. Targownik was given this honor in recognition of his long and effective years of service at the Kansas State Reception and Diagnostic Center in Topeka. Over and above this, however, Dr. Targownik deserves our consideration and praise because of the adversity he had to overcome in order to achieve his present position.

Of Jewish descent, Dr. Targownik lived in Poland prior to World War II and suffered much because of the Polish biological anti-Semitism of those years.

He survived Polish ghettos and labor camps during the early part of the war, only to be taken to Auschwitz in 1943, where he underwent truly inhuman physical and psychological torture.

Dr. Targownik was freed by the forces of Gen. George Patton. Soon after he began the study of medicine at the University of Heidelberg in 1945. After receiving his degree, he came to the United States.

This new member of the American medical profession adjusted quickly to his adopted homeland. Dr. Targownik secured licenses to practice medicine in the States of Kansas and Ohio. He became board certified in 1956 and a fellow of the American Psychiatric Association in 1963.

Dr. Targownik came to Topeka in 1951, and worked as a resident physician at Topeka State Hospital while attending the Menninger School of Psychiatry. He later served as a section chief at Topeka State and helped organize services at the hospital's Eastman Building, which embodies the most modern concept in psychiatric architecture and modern psychiatric treatment concepts.

In 1962, Dr. Targownik was given his most challenging responsibility, that of organizing clinical—medical, neurological, and psychiatric—services for the Kansas State Reception and Diagnostic Center. At the time, the center had almost nothing in the way of such services.

Today, after a decade of Dr. Targownik's leadership, the center is nationally recognized for its work in the areas of crime and delinquency.

The center has developed scientific methods for the examination of offenders—last year 800 of them—thus assisting the sentencing courts with the most valuable information about the "why" of a crime. The center's goal is to determine the best method of rehabilitation, taking into consideration both the offender's needs and the community's expectations.

The center has truly marked the beginning of a new era in the treatment of criminal offenders.

Thus Dr. Targownik received the Liberty Bell Award not for one particular act of the past year, but rather for his continuing efforts.

I know that my colleagues join me in extending thanks and best wishes to this man for a past well done and a future yet to come.

SALMON FISHERY ALONG NEW ENGLAND COAST

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. CONTE. Mr. Speaker, as an avid sportsman, I have had the pleasant experience over the years of trying my hand at salmon fishing on the beautiful Miramichi River in New Brunswick, Canada. Few sights are as thrilling to me as watching those salmon battling their way upstream.

Though I have not had the opportunity of late to visit the Miramichi, reports are that salmon fishing there this year is the best in several years. Unfortunately this is not the case in other parts of North America. Indeed, at one time it was feared that this precious natural resource was faced with outright extinction.

In 1967 an international effort was initiated to obtain a total ban on high seas fishing for salmon in the North Atlantic area. The problem is that salmon are anadromous fish. They are hatched in a fresh water stream, migrate to the ocean and return a few years later to spawn in their home stream. As these various stocks mix on the high seas, there is no way to determine which fish being caught belong to which stock. Consequently, it was conceivable that an entire race of Atlantic salmon could be wiped out by the wholesale fishing being pursued in the Atlantic, simply by catching virtually all the fish that spawn in the same home stream.

As part of the effort to confront the dangers posed by the high seas fishery problem, I cosponsored H.R. 3304 and worked vigorously for its enactment. It was ultimately signed into law on December 23, 1971. The new law permits the Secretary of the Treasury to prohibit the importation into the United States of any fish products from any country which conducts fishing operations in a manner or in such circumstances which diminish the effectiveness of domestic conservation programs.

Perhaps because of the impetus of this legislation, an agreement worked out between the United States and Denmark with regard to the curtailing of salmon fishing off west Greenland was announced in February of this year. Under the terms of this agreement, high seas fishery by Danish-flag vessels will be gradually phased out over a 4-year period, 1972 through 1975. In 1972, the maximum high seas catch will be 800 metric tons—the Danes took about 940 tons in 1971; 600 tons in 1973; 550 tons in 1974; and 500 tons in 1975, with the complete ban in effect in 1976.

In addition, the inshore catch by local Greenland fishermen will be stabilized at 1,100 metric tons—about 1,200 tons were reported for 1971.

The agreement also provides that future meetings to review the status of salmon stocks will be held at the request of either Government, and that the United States will seek to insure that further appropriate conservation measures are undertaken within North American inshore waters.

Though I am cautiously optimistic about this agreement, I share the fear of many scientists and conservationists that already badly depleted salmon stocks will not be able to withstand the further pressure of 4 years of extended fishing, at a rate which reduces only slightly each year from the present maximum level. It may well be necessary to call on the right to "review the status of salmon stocks," that is a part of the agreement. Hopefully Denmark would approach such a reassessment in the same cooperative spirit in which she has acted in recent months.

Indeed, Canada has already taken the honorable action of suspending for 10 years its commercial taking of the dwindling salmon population. Perhaps this move will induce Denmark to follow a similar course.

The survival of the salmon has been of intense concern in my own area of New England. Largely because of dams and pollution, the salmon disappeared from the Connecticut River over 100 years ago. A major program began in 1970, under the Anadromous Fisheries Act, to reintroduce salmon stock into our streams. As part of that program, 35,000 salmon smolts were placed into the Connecticut River. It is still too early to ascertain whether these salmon will return to the Connecticut to spawn, but hopes are high.

To assist in the goal of restoring runs of Atlantic salmon in the Connecticut and other rivers of New England, I worked hard with my colleagues of the New England delegation to include $125,000 in the fiscal 1973 Interior appropriations bill. These funds will be utilized for planning and acquisition of a salmon hatchery in Bethel, Vt., on the White River.

Through the efforts of concerned Congressmen and conservationists throughout the country—and here I must mention the Committee on the Atlantic Salmon in particular—the preservation of this valuable natural resource has been recognized as of the highest priority. I pledge my continuing support for the achievement of that goal.

Thank you, Mr. Speaker.

REMINDERS OF OUR HERITAGE

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. DOW. Mr. Speaker, on the morning of July 4, people from throughout my congressional district gathered at the Temple Hill Cantonment near Newburgh for the same kind of breakfast General Washington's officers must have had when they were headquartered there in the closing days of the Revolutionary War.

Prof. Harold K. Jonas, professor emeritus of history at Orange County Community College introduced two young historians, Dr. Thomas J. Archdeacon and Dr. Carol Ruth Berkin, who demonstrated how modern scholarship is providing us with new insights into the world and times in which this Nation was born.

Sometimes we forget that our Nation was born under the leadership of men who loved their Nation enough to see what was wrong and, at great personal risk, present profoundly new ideas. To remind progressive legislators that we are heirs of that tradition, I commend to my colleagues the remarks of Dr. Archdeacon and Dr. Berkin which follow below:

REMARKS OF DR. THOMAS J. ARCHDEACON

Today I would like to discuss how recent historians, in contrast to their predecessors, have interpreted the American Revolution. I would also like to suggest some possible shifts in approach to the topic which may occur as we approach the bicentennial year of 1976.

Throughout most of the 19th century, American scholars reflected the nationalistic exuberance of their young nation. George Bancroft was the greatest historian of this era, and according to him, the American Revolution was a straight-forward battle against tyranny. The Americans sought liberty, and the English government frustrated their efforts at every turn until finally the oppressions became unbearable under George II and the Americans were driven to revolt.

Late 19th century historians were the product of a more mature nation faced with different problems. They were trained to study history with the objectivity of scientists and thus found Bancroft's passions irresponsible and misdirected. To them George III was no tyrant, but rather a monarch attempting to administer a worldwide domain. The colonists were no longer patriots, but narrow-minded provincials too enamored of their own interests to recognize the needs of the mother country.

Progressive historians of the early 20th century, aware of the rise of labor organizations and conflicts over the enactment of social welfare legislation, began to understand the Revolution as an internal political and social struggle as well as an external war for independence. Carl Becker argued that the Americans shed their blood as much to determine who should rule at home as to win home rule. The success of the Revolution consequently produced fundamental social changes.

The Progressive interpretation began to lose its appeal in the aftermath of World War II, a period which was not sympathetic to class-oriented explanations of the Revolution. Bernard Bailyn of Harvard and his student Gordon Wood, now of Brown, broke the ground for a new interpretation during the 1960's.

Bailyn decided that the colonists were sincere in their accusations and determined to discover the reason why the Americans verged so close to a paranoia in their view of the British government. Bailyn came to understand the Revolution as being primarily ideological in origin.

He uncovered unexpected influences shaping the American's thoughts and reexamined their ramifications. One of these influences was the Latin classics, although the colonials' knowledge of them was at times superficial. The Americans also drew from the political and social commentaries of the Enlightenment writers of Europe.

Bailyn's major contribution has been the recognition of the role of yet another group, the reputation theorists of the English Civil War and Commonwealth period. All shared important common attitudes. All were hostile to the phenomena in 18th century English government which increased the potential for corruption. They postulated that government was a constant struggle between power and liberty. Rulers needed power to conduct affairs of state, but power corrupted and tempeted its possessors to expand its limits at the expense of liberty.

Of great importance were the changes in the conception of the proper structure of government which the patriots developed. These involved the theories of representation, sovereignty, and constitutionality. In the English conception of representation, the elected officer did not have to answer to his constituents. The responsibility of the elected officeholder was to rule, acting as his own intellect guided him, and not to follow the dictates of his district.

The provincials, however, returned to the medieval attitude that the representative was an attorney, working on behalf of those who sent him to the legislature. They thus had to reject the contention that a delegate was not responsible to his constituents.

The English made Parliament sovereign, but the Americans obviously could not accept the sovereignty of Parliament, and when independence came, they could not agree whether the central government or the states inherited the mantle. Federalists finally devised the solution by making the people rather than the legislature sovereign.

In ensuring popular control of the government, the most important innovation was the redefinition of the world "constitutional" and the use of written constitutions. The English constitution was unwritten, and the terms "constitutional" and "unconstitutional," simply meant "legal and "illegal."

The Americans came to understand that the primary function of the constitution was to define the boundaries of governmental powers, to limit what the legislature might do. The Constitution was a fundamental law. It designated what "part of their liberty" the people were to sacrifice to the necessity of having government by describing the form of the government and the extent of its powers.

Where will historians go from here? The approaching bicentennial of the War for Independence will surely encourage more study of our Revolutionary heritage. Perhaps the National Historical Publications Commission in the future attempt to make documents available which will allow scholars to examine more thoroughly the experiences of the common man in history. Then we may be able to produce a balanced, pluralistic account of the origins of our nation.

REMARKS OF DR. CAROL RUTH BERKIN

Long after the Revolution was over, John Adams made this judgment: one third the colonial population had enlisted under the banners of liberty and independence; one third had remained loyal to their King; and one third had chosen no side at all in the conflict raging about them. Adams used this over-simplified division of the population to emphasize that the call for revolution had not been unanimous. The founding fathers, in short, had won their contest against indifference and resistance as well as British armies and Parliament.

The indifference requires little explanation. But what of the resistance? It was real enough. Of a population of 2,500,000, estimates now run that 100,000 were active and exiled loyalists. Somewhere between 6 and 15% of the colonial population actively and openly and consistently opposed independence. To this must be added those who, from fear or pressure, did not publicly profess their allegiance to George III.

The colonists were well aware of the nature of this war. In 1780 no one needed to tell General George Washington that this was a civil war. His army at that time numbered 9,000, only a thousand more than the number of loyalists enlisted in the British army against him!

Who were these loyalists? And why did they choose to resist independence? To understand the Tory, we must look at the nature of the revolution itself. The colonials did not divide along class lines, and the revolution was led by the existing colonial leadership: planters, merchants, lawyers, and the political elite.

But in the second struggle to determine who should rule at home, the Tory had no role. His political crisis centered upon independence. It was this question of allegiance which divided colonists in 1775–1776, and that division did not develop along the lines of "haves" and "have nots."

Neither, tragically, was it a sharp ideological gulf which separated the Tory from his neighbor. There was a unity of opposition to the Stamp Act and to the Townshend Acts.

Likewise, the American mercantile world was united in its early opposition to England's restrictive trade measures. The cleavage in the merchants' ranks grew not over political content, but political strategy. Specifically, the radical merchants wanted to move quickly, using extra-legal means and were willing to accept the logical consequences of their escalation—independence—while those who become Tories balked at measures which lead to rebellion.

It was the price one was willing to pay for the redress of these grievances which separated the Tory from the Whig. Much, in truth, was to be risked. Human society had yet known but three political alternatives: anarchy, tyranny, and the British constitution, the latter representing the highest achievement in human social organization. To withdraw from this political system even for the sake of real issues and real evils, was to invite anarchy and chaos.

Most loyalists doubted from the start that an attempt at independence could succeed. Respect for legal means and for legitimate government, fear of change, a conviction that rebellion was doomed to failure, and an admiration for the British system of government under which the colonies had thus far prospered—these were important factors in the Tory's decision to remain loyal to the existing authorities. But no examination of motive can end wholely with the psychological or ideological. Let us then look at loyalism in its practical aspects.

A look at the map of the colonial world is helpful. Loyalism literally surrounded the revolution geographically. Trappers, traders, huntsmen were all anxious that the wave of settlement be held back. The British government had been consistent in its efforts at containment, but an independent American government might easily succumb to the land hunger of its citizens.

To the French Catholics of Canada, the anti-Catholic bias of many revolutionary leaders was well-known: did the Americans have partnership or domination in mind?

The stronghold of the loyalist movement was the maritime city for several reasons. The port cities housed the greatest concentration of government agencies and royal bureaucrats. Men whose livelihood depended directly and wholely upon the royal government's apparatus would be found in these urban and maritime areas—and their decision for loyalty is hardly remarkable.

Many Tories fled the colonies to Britain, where the strangeness of English society soon struck the refugees. They realized that society held no true place for them. For the long years of the war, they alternately cursed and longed for their native land. The New Englanders, in short, remained New Englanders.

Their situation was exacerbated by their dependence on the British government's largesse, for few had any money when they arrived in England. This uprooting, the inactivity, the home-sickness, the poverty, all took their toll upon the New England loyalist.

All of this attests to the American Revolution as a civil war, as a rending apart of the whole.

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. CHAMBERLAIN. Mr. Speaker, one of America's leading fraternal organizations celebrated its golden anniversary during the month of July. Just 50 years ago, this past July 26, was the founding of the Order of Ahepa in Atlanta, Ga. Over the years, this organization has expanded to include 430 local chapters in 49 States, Canada, and Australia.

I wish to commend the members for their fine work and congratulate them on their successes and accomplishments. The Order of Ahepa has championed the cause of education. It encourages loyalty to the United States of America and promotes greater understanding of the principles of our Government. It has made countless contributions to improving American life morally, socially, and culturally by proudly proclaiming what is right with America.

The Order of Ahepa, the American Hellenic Education Progressive Association, has been generous to America and Americans, and I extend my best wishes for its continued long life.

CENTER FOR DEFENSE INFORMATION ANALYSIS OF SALT AGREEMENT

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. ASPIN. Mr. Speaker, the Center for Defense Information has published in its third edition of the Defense Monitor an excellent analysis entitled "SALT and Afterward" describing both the advantages and disadvantages of the recent SALT accord. Unfortunately much of the debate surrounding these agreements has been charged with partisan politics. This analysis offers respite from the political battle and presents an objective and balanced view of the SALT accord. I recommend it to my colleagues for careful study. It follows:

SALT AND AFTERWARD

The SALT accords, signed May 26th in Moscow, were written in the face of a rapidly moving nuclear arms race. At the time of the signing the United States was installing multiple independently targetable warheads (MIRV) on its land and sea-based missiles. It was going forward with a program to greatly expand the destructive power of its strategic bombers by equipping them with short range attack missiles (SRAM). Together these steps would increase the US strategic nuclear warhead and bomb total from about 5700 in 1972 to more than 10,000 in 1976. On top of this the United States was developing a new strategic submarine called Trident, with new missiles to go with it, and a new strategic bomber, the B–1.

Meanwhile, the Soviet Union was building new intercontinental ballistic missile (ICBM) launchers at a rate of 250 per year. These included silos for the huge SS9 missile, capable of carrying 25 megatons (a US Minuteman II carries about 1 to 2 megatons). The Soviets had dug 25 silos possibly for a new missile even larger than the SS9. They were building new nuclear-powered strategic ballistic missile submarines at a rate of 7 to 9 per year, and could at this rate have twice as many such submarines as the United States in five years. The Russians were, however, years behind in MIRV. They were working on MIRV technology but had yet to test what US technicians considered to be a MIRV system.

Thus, the two superpowers were running their nuclear race in different ways. The United States was concentrating on MIRV, while holding its missile totals constant and reducing megatons. The Soviet Union was increasing numbers of missile launchers and deploying larger vehicles to carry fewer warheads but with greater megatonnage. Both sides were developing anti-ballistic missile (ABM) systems.

For the question "Who's ahead?" there were as many answers as there were ways to measure the strategic arms balance.

In numbers of ICBM launchers, the Soviet Union had come from behind and passed the United States.

In numbers of submarine missile launch tubes the Soviets were catching up, and would in a few years pass the United States.

In numbers of heavy bombers the United States had a 4 to 1 lead.

In numbers of separately targetable nuclear weapons, the United States had a 2 to 1 lead, and because of this country's head start in MIRV, this lead was rapidly widening in favor of the United States.

In total megatons the Soviets had about a 2 or 3 to 1 lead.

When all these measures were considered together the Soviet Union clearly had come from a position of nuclear inferiority to a position of rough parity.

THE ACCORDS

The SALT accords consist of a treaty limiting ABMs, a five-year Interim Agreement which puts certain partial limits on offensive weapons development pending further arms talks, a protocol to this Interim Agreement, and a number of statements of "interpretation", some agree and some unilateral. Based on all these documents, the following is a summary of the main provisions of the accords:

ABM Treaty

Each country agrees not to build an ABM system for defense of its entire territory or major region. This amounts to a pledge that neither will try to upset the present deterrent balance by deploying ABMs ot protect its general population and industry.

Each will limit ABM systems to two sites—one in defense of its national capital, the other in defense of an ICBM field. These must be at least 1300 kilometers (800 miles) apart, which means the Soviet ICBM field to be protected must be east of the Ural Mountains, away from the major western USSR population centers.

No more than 100 ABM launchers and 100 intercepter missiles may be deployed at each site.

Restrictions are set on numbers, types and placement of ABM radars to foreclose a radar capability for nationwide defense of either country.

In addition to these basic provisions, the two countries agree to ban sea-based, air-based, space-based or mobile land-based ABMs; not to deploy ABM systems of new kinds without prior discussion; not to convert air-defense or other systems to an ABM role; not to build radars for early warning of strategic ballistic missiles except along the edges of the country facing out; not to transfer ABM systems to other states or deploy them overseas.

There is no on-site inspection. Each side will use its own technical means of verification and each pledges not to interfere with these means or resort to deliberate concealment.

A Standing Consultative Commission will be established to implement the treaty and consider questions involving it.

The ABM treaty is of unlimited duration but either side can withdraw for supreme interest.

The treaty would require the United States to cut back its 12-site ABM program (of which four sites have been approved by Congress) to a maximum of 2. The Administration plans to complete the ABM site on which construction is farthest ahead—at the ICBM field at Grand Forks, N.D. It has halted work on three other sites at ICBM fields and has asked Congress to approve an ABM site at Washington, D.C. The treaty permits Russia to continue its ABM site already under construction at Moscow and to start a second site at an ICBM field.

Interim Agreement and Protocol

These deal with offensive nuclear weapons. In general they limit the numbers of ICBMs, ballistic missile submarines and submarine-launched ballistic missiles (SLBMs) to levels which each side agrees are presently deployed or under construction. These limitations are for five years, pending further SALT talks. With agreed "interpretations" the limitations are as follows:

No additional fixed, land-based ICBM launchers may be started during the freeze above the numbers deployed and "under active construction" at the time of signing—1,054 for the United States, and about 1,618 for the Soviet Union.

Launchers for so-called "light" ICBMs (the U.S. Minuteman and Soviet SS11 and 13) and "older" LCBMs (the U.S. Titan and Soviet SS7 and 8) may not be replaced by "modern heavy ICBMs" (the Soviet SS9). The SS9 class missiles may, however, be made heavier. Russia has 288 SS9s now and 25 apparently larger silos dug. It could therefore end up with 313 "modern heavy" ICBMs of SS9 size or larger. The United States has no "modern heavy" ICBMs and plans none.

Within these restrictions, ICBMs may be replaced with more modern ones—for example with MIRV. But in the process of modernization, launchers may not be increased in size more than 10–15%.

The number of launchers for submarine-launched ballistic missiles (SLBMs) each side presently has deployed or under construction was stipulated to be 656 U.S. and 740 USSR. These numbers can be increased subject to two provisions:

"Additional SLBM launchers may become operational only as replacements for an equal number of "older" ICBM launchers (first deployed prior to 1964) or for launchers on older nuclear-powered submarines or for modern SLBM launchers on any type of submarines.

"During the five year freeze the U.S. is limited to 44 modern ballistic missile submarines and 710 SLBM launchers. The Soviet Union is limited to 62 modern ballistic missile submarines and 950 SLBM launchers."

As in the case of ICBMs, submarine missile systems can be modernized. Single-warhead missiles can be replaced by MIRVed missiles. New submarines can be substituted for old.

Destruction or dismantling of old ICBMs or submarine missiles must begin by the start of sea trials of a replacement ballistic missile submarine.

Each side agrees not to significantly increase its number of test and training launchers for ICBMs or SLBMs.

There were several unresolved points of disagreement in the accords:

"The Soviet Union stated unilaterally that if US allies in NATO should increase their numbers of ballistic missile submarines beyond those presently in operation or under construction, the Soviet Union would have the right to make a corresponding increase in its number of submarines.

"The United States was unable to get agreement on a common definition of "heavy" ICBMs. The US considers it to be any missile bigger than the largest existing "light" ICBM, which is the Soviet SS11.

"The United States was unable to get agreement to include mobile ICBMs in the freeze. (Mobile ABMs are banned). The United States declared unilaterally that deployment of mobile ICBMs during the freeze would be considered 'inconsistent with the objectives' of the agreement."

WHAT THE ACCORDS MEAN

From an Arms Control View

The SALT accords can be examined from several viewpoints. One of these is the viewpoint of international arms control—that is, in terms of what effect the accords will have on the arms race.

Among the achievements in this regard:

The SALT accords represent the first—even though partial—limitations by the United States and Soviet Union dealing with the fundamentals of their arms race. Previously, the two countries had agreed to bar nuclear weapons from the Antarctic, from outer space, and from the sea bed. They had agreed not to test them in the atmosphere, underwater or in space and not to give them to other countries. But never had the two superpowers reached agreement on the nuclear weapons targeted at each other.

The ABM treaty bans the kind of ABM system which could be most de-stabilizing—a nation-wide or major regional defense of population and industry. Such a system, undertaken by either country, could threaten the other's deterrent and cause it to respond with additional offensive buildup. The complex restrictions on ABM sites should convince each side the other is not developing an ABM for defense of large areas. The treaty rules out a US ABM for population defense against China, which this country once planned but later abandoned.

Freezing ICBMs, SLBMs, and ballistic missile submarines at levels deployed and under construction is a first step in limiting offensive nuclear weapons, a step on which future SALT talks can build. Broadly speaking, the accords accommodate themselves to the different kinds of offensive weapons buildup which each side now has underway—Soviet construction of more and bigger missiles and US MIRV. They allow each side to substantially complete the round it now has in progress. The new levels become the starting point for attempting to freeze the arms race.

Among the debits from an arms control viewpoint:

Except for ABMs the accords do not stop any of the major weapons programs now in progress. This is because numerical limits are set high, qualitative improvements are allowed, and many weapons systems—including bombers, air-defense, anti-submarine warfare, air-breathing strategic missiles and tactical nuclear weapons—are not covered. Under SALT the United States can continue conversion of Minuteman and Polaris to MIRV, development of Trident submarines with new missiles, the B–1 bomber, research on "site defense" for ICBMs, submarine-launched cruise (air breathing) missiles and new submarines in which to carry them. The Soviet Union can continue, up to a point, building additional land and sea-based missile launchers, and could develop and deploy MIRV.

Because all these programs are allowed, and because numerical limits are set so high, military planners on each side will still point to future possibilities rather than existing or likely forces to justify their own building programs.

From a US Defense View

The accords can also be looked at from a much narrower view of US military defense.

Advantages:

Since only the Soviet Union is presently building up its number of offensive weapons launchers, it is to the advantage of the United States to put ceilings on these numbers. Within the totals the number of "heavy" ICBMs Russia can have is limited to 313. Without SALT, the Soviet Union could, at present rates of construction, exceed the freeze ceiling Instead of 62 modern ballistic missile submarines it could have 80 or 90. The US has no plans to add to it numbers of ICBMs or build "heavy" ones. It could, under the freeze, build 13 Trident submarines. Defense Secretary Laird has said only ten are planned. Actually the first Tridents would not become operational until after the 5-year freeze, and are therefore more related to future rounds of SALT than the first.

Freezing the number of ICBM launchers, especially "heavy" ones, will leave only one route for the Soviet Union to develop increased "counterforce" capability to knock out US ICBMs—qualitative improvements such as increased accuracy, MIRVing, and throw weight.

The ABM limit plus the limits on ICBM numbers lessen the chance that the Soviet Union could develop the capability for a successful "first strike"—that is, the ability to knock out enough US missiles to suffer no or substantially less damage in return.

Criticisms:

On the surface, a number of criticisms of the treaty can be made:

"The accords allow the Soviet Union more ICBM launchers, SLBMs and ballistic missile submarines the the United States.

"Only the Soviet Union can have "modern heavy" ICBMs, with capacity to carry more megatons than U.S. missiles. (Also more MIRVs than U.S. missiles if the Soviets develop a MIRV.)

"The Soviet Union retains more megatonage and more throw weight than the United States."

On the other hand, the SALT accords provide several effective limitations on Soviet weapons. Assuming recent Soviet construction rates were to continue until 1977, the Soviets could have built 200 ICBMs but now are limited to 1618. The Soviets could have built 1200 SLBMs, but are now limited to 950; and they could have built 80–90 modern ballistic missile subs but now are limited to 62.

While ICBM numbers are frozen at levels deployed and under active construction, the Russians did not say exactly how many they have under construction. The United States considers the freeze level to be 1618 for the Soviet Union. Dr. Henry Kissinger said on June 15 that the Russians could not exceed the freeze level to any significant degree without the United States detecting it, and if this happened the whole agreement would be in question.

An important factor in the defense controversy is MIRV. If the Soviet Union does not develop MIRV, it will still have little more than 2500 warheads five years from now when the United States will, under presently planned programs, have more than 10,000.

If the Soviet do develop MIRV, two key questions will be: How fast? And how much?

The Soviet Union appears to be years behind this country in MIRV. The United States began MIRV tests in August, 1968. The first squadron of Minuteman III missiles became operational Jan. 8, 1971; the first wing of 150, on Dec. 13, 1971. The Soviet Union has also been working on multiple warhead technology since about August, 1968, but it has yet to test a MIRV system as the United States knows the term. The Russians tested a triple-warhead system in which the warheads may or may not have been independently targetable. (US analysts differed on this point.) But these tests stopped in late 1970, suggesting that the Russians might have decided to start over on a new tack.

Defense Secretary Melvin R. Laird said June 5 that Russia "could have a MIRV capability in 24 months." But he did not say how many they might have by then.

Senator Henry Jackson (D-Wash.) has said that when the Soviets achieve MIRV ". . . the combination of their vastly superior payload and modern MIRV technology will give them superiority in warheads." There have been published reports that Soviet missiles larger than SS9s could hold up to 20 MIRVs each. (A US Minuteman holds up to 3; a Poseidon, 10 to 14). But other defense analysts believe this overstates what Russia could realistically achieve in MIRV during the next five years.

Table IV shows the Center for Defense Information's calculation of what the Soviet Union probably could achieve in MIRV during the five years of the Interim Agreement, if it develops MIRV. At the end of five years it would have some 3800 warheads compared to more than 10,000 for the United States under programs now planned. (Table III)

If the Soviet Union were to embark on an extensive program to MIRV its missiles, it could have some 14,000 warheads. This would involve installing 20 MIRVs in its bigger missiles and MIRVing its smaller missiles by the same factors as the United States. But it is doubtful that Russia could achieve this level in five years. The United States could have more than 16,000 warheads in the 1980s by exceeding present plans. This would include MIRVing all Minuteman missiles instead of only 550 of them, plus building ten Trident submarines and a fleet of B–1 bombers. (See Table V)

However, such calculations of marginal advantages for the United States or Soviet Union—whether they be in warheads, launchers or megatons—overlook one important point: Both countries have the power to destroy each other several times over, and this will remain the case during the five years of the Interim Agreement.

Gerard Smith, director of the Arms Control and Disarmament Agency, when asked during hearings of the Senate Foreign Relations Committee June 19 whether Russia would get ahead of the United States during the five year agreement, replied: "Nothing the Soviets can do within the five year agreement will offset the present strategic balance between the US and USSR."

COST

The immediate cost impact of the SALT acocrds on the fiscal 1973 defense budget has been listed by the Defense Department as follows:

	(In millions)
Reducing ABM program to two sites	−$711
INCREASES IN OTHER STRATEGIC PROGRAMS	
Accelerate and complete development of Site Defense	+60
Develop submarine-based cruise missile	+20
Accelerate bomber rebasing	+45
Augment verification capabilities	+13
Develop improved reentry vehicles for ICBMs and SLBMs	+20
Improved command, control and communications	+10
Net change	−543

Secretary Laird has testified that the total ABM saving through 1981 as a result of SALT would be $9.9 billion, figured in 1968 prices.

Further savings could come from the first round of SALT if the United States decided that, as a result of the recent accords, it could safely stop or slow down some of its other major nuclear weapons programs, such as Trident, the B–1, or air defense. The Administration wants to go ahead with these programs. The question of what this country's pace in nuclear weapons building should be following the first round of SALT has become a major issue.

POLICY FOLLOWING SALT

Secretary Laird told newsmen June 6: "I could not support the (SALT) agreements if Congress fails to act on the movement forward of the Trident system, on the B–1 bomber, and the other programs that we have outlined to improve our strategic offensive systems during this five year period." Admiral Moorer said the Joint Chiefs were in accord with the SALT agreements provided the older programs went ahead.

In a briefing for Senators and Congressmen June 15, Dr. Henry Kissinger, assistant to the President for national security, considerably moderated this stand. He said the Administration wants Congressional approval of both SALT and the new weapons programs but: "We are not making them conditional. We are saying that the treaty is justified on its merits, but we are also saying that the requirements of national security impel us in the direction of the strategic programs . . ."

Laird told the House Subcommittee on Defense Appropriations June 5 that "Just as the Moscow agreements were made possible by our successful action in such programs as Safeguard, Poseidon and Minuteman III, these future negotiations to which we are pledged can only succeed if we are equally successful in implementing such programs as the Trident system, the B–1 bomber, NCA defense, Site Defense, SLCM, and accelerated satellite basing of strategic bombers. We must also initiate certain other measures in areas such as intelligence, verification, and command, control, and communications."

Transmitting the SALT agreeemnts to Congress, President Nixon said: "Just as the maintenance of a strong strategic posture was an essential element in the success of these negotiations, it is now equally essential that we carry forward a sound strategic modernization program to maintain our security and to ensure that more permanent and comprehensive arms limitation agreements can be reached."

The Administration's position is that if the United States had not been deploying MIRVs and going forward with other programs it would have lacked the bargaining power to obtain a ceiling on Soviet building of SS9s and other systems.

CONCLUSIONS

Arms Control

The ABM treaty limits ABM systems and therefore is a significant and stabilizing step in limiting the arms race.

The five-year agreement on offensive weapons allows the United States and Soviet Union each to continue its present round of nuclear buildup, and then establishes a partial, quantitative freeze at the resulting new levels. This is a start which can be followed up in future SALT negotiations.

US Security

The accords place ceilings on numbers of offensive weapon launchers at a time when only the Soviet Union is increasing these numbers. Without the accords, Soviet construction could be greater. The offensive freeze plus the ABM limitation lessen the chances of Russia ever becoming able to launch a preemptive nuclear strike against this country without being destroyed in return. The accords thus tend to make nuclear war less likely.

While Russia under the accords will continue to lead the United States in numbers of launchers and total megatonnage, the United States will retain its lead in numbers of warheads. These differences, however, are less important than the fact that each country retains the power to destroy the other several times over.

Weapons Policy

It the objective of SALT is to limit weapons proliferation and thereby reduce tensions, the open end "bargaining chip" game has severe deficiencies. For so long as the United States and Russia are free to develop and build larger and better "chips", real limits will not be imposed. The goal of future SALTs should be to reduce and ultimately eliminate strategic weapon systems.

MISS LAKE COUNTY OF CALIFORNIA

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. DON H. CLAUSEN. Mr. Speaker, I wish to take this opportunity to bring to the attention of the House of Representatives a poem written by a lovely young lady who, to me, represents the very finest qualities of America's youth.

She is Kathleen Ann Covey of Lakeport, Calif., in the First Congressional District. Miss Covey is serving as Miss Lake County and was present at a recent ceremony I attended in California.

At that time she read the poem she composed for the occasion and I was touched by the depth of feeling she exhibited for her home area. Those of us who live in northern California share a great pride in the bounty nature has given us—a pride that is reflected in Miss Covey's composition.

I proudly submit her work for publication in the CONGRESSIONAL RECORD and for the attention of all Members of Congress:

POEM

(By Kathleen Ann Covey)

I stood upon a hill, looking out to the world
Seeing life in its stillness.
A peace of country living seen in the distance,
Where nestled among the trees
Proud and tall stands a church steeple,
Weathered with the years.
Reflected in the lake below, Mt. Konocti, a legend in itself.
A valley filled with history seen from every view.
An ancient Indian mountain, a hundred year old church,
Yet a youngness is seen here too.
Towering among the trees, the courthouse built not so long ago.
Here, we stand looking out at the babe of history
The freeway now complete.
A playground for the young, a fountain for us all
A storehouse of information,
But BEST of all, our county in all its splendor.
I stand upon a hilltop, looking out to the world.
An outstretched hand, a friendly "hi", warm smile
To greet a passerby.
But BEST of all, a moment of beauty, renewal of life,
As they too may now stand upon a hilltop,
And see life capturing history and helping to write another page.
A gift we give to all who come
Whether from near or from far
The beauty of God's creation seen from a hilltop.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

TIGHTENING UP THE LAW ON AUTO EMISSION DEVICES

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. STEELE. Mr. Speaker, I have introduced legislation which would make an important contribution to cleaning up air pollution in America. The legislation would prohibit tampering with antipollution devices which have been installed in automobiles in compliance with regulations under the Clean Air Amendments of 1970.

Automobile emissions are one of the leading sources of air pollution in this country today. Autos emit 64.7 percent of the carbon monoxide, 45.7 percent of the hydrocarbons, and 36.6 percent of the nitrogen oxides. In many cities, they account for more than 90 percent of carbon monoxide, more than 80 percent of hydrocarbons, and more than 70 percent of nitrogen oxides.

These pollutants constitute a serious threat to the health and well-being of all our people. Hydrocarbons and nitrogen oxides form oxidants, which cause respiratory and eye irritation and possible changes in lung function. They are extremely toxic to many plants and can physically weaken such materials as rubber and fabrics. And the aerosols formed in the production of these oxidants contribute significantly to white smog, which reduces visibility.

Carbon monoxide can be fatal in large amounts. Smaller concentrations place greater strain on persons with heart disease. Exposure for several hours to certain carbon monoxide levels can affect brain function, changing, for example, time-interval discrimination. In this way, it is feared, high carbon monoxide levels could contribute to traffic accidents.

The 100 million motor vehicles on the road today are the source of about 60 million tons of carbon monoxide, 16 million tons of hydrocarbons, and 7 million tons of nitrogen oxides annually—1,200 pounds of carbon monoxide, 320 pounds of hydrocarbons, and 140 pounds of nitorgen oxides per car. In an uncontrolled vehicle—that is, a car sold before any pollution-control devices were required—these emissions come from the engine crankcase, from fuel evaporation in the fuel tank and carburetor, and from the exhaust pipe.

To stop motor vehicles from spewing these large quantities of pollutants into the air, Congress enacted the Clean Air Act and the Clean Air Amendments of 1970. These acts provided for a vehicle emission control program based on the following premises. First, that ambient concentrations of carbon monoxide, hydrocarbons, nitrogen oxides, and oxidants in our large urban areas are much too high and must be greatly reduced; damage to health and to the environment have been shown. Second, that since there are only a few major manufacturers of automobiles, control is best carried out at the source—on new vehicles. Third, that since automobiles are sold nationwide, control should be at the Federal and not the State level.

Regulations issued under the law have already had some effect. The amount of carbon monoxide emitted by vehicles under present controls is 62 percent lower than that emitted by uncontrolled vehicles. Hydrocarbons have been reduced by 73 percent in controlled cars.

The Clean Air Amendments of 1970 and the regulations issued under the act require auto manufacturers to produce 1975 models which will emit no more than .41 grams of hydrocarbons per mile, or a reduction of 90 percent from 1970 levels of 4.1 grams per mile. The 1975 cars must emit no more than 3.4 grams per mile of carbon monoxide, also a 90 percent reduction from the 1970 level of 34 grams per mile.

The 1973 cars are restricted to nitrogen oxides emissions of 3 grams per mile, the first restrictions imposed on those pollutants. By 1976 nitrogen oxides must be reduced to 0.4 grams per mile. Uncontrolled cars emit 6 grams per mile of those pollutants. The table in the appendix shows the amounts of pollutants emitted under controlled and uncontrolled conditions.

In May 1972, William D. Ruckelshaus, Administrator of the Environmental Protection Agency, rejected requests by auto manufacturers for a 1-year extension of the 1975 emission deadline. Mr. Ruckelshaus recommended the use of noble-metal catalysts to meet the new requirements. He promised to allow the replacement of catalysts at least once during 50,000 miles of vehicle operation if that is necessary to keep the emission controls effective.

But, it has been charged, emission controls impair the performance of the vehicle. Auto manufacturers and others claim that the antipollution devices reduce gas mileage and contribute to hesitations. However, V. W. Makin, president of Matthey-Bishop, Inc., the world's largest refiner of platinum and an experimenter with catalytic converters, said that his firm's own tests showed the fuel penalty under the 1974 emissions requirements would be no greater than 5 percent and that the reduction in performance would be negligible. Furthermore, New York City has shown that its antipollution controls in police cruisers have not cut down driveability. Neither have they increased fuel consumption nor breakdowns. Fred C. Hart, director of the clean air program in the city, told the St. Louis Post Dispatch:

> The obvious conclusion is that if New York City can accomplish as much as it has, the auto manufacturers, with much greater resources, should be able to do much better.

Nevertheless, many car owners have been removing the antipollution devices from their automobiles. When they go to mechanics, these owners usually do not specify that they want the emission controls unfixed, although some do. Most of them only say that they want improved performance. But they realize, and do not care, that the tuneup may involve an unfixing.

Norman Shutler, director of the Mobile Source Division of the Federal Environmental Protection Agency, told the Wall Street Journal,

> It's kind of frightening that we don't know the extent to which this is going on.

If this practice is widespread, the effort to reduce auto emissions is in severe jeopardy. And there are facts which point to the prevalence of this practice. For example, the Wall Street Journal reports that sales by Detroit high performance warehouse of a kit to modify a car's distributor have increased from 15 to 20 percent in the last year. Distributors have been readjusted to control emissions. Mr. Gasket Co., a Cleveland firm that manufactures the kits, says sales have increased by 25 percent. Larry Pipes, manager of the auto diagnostic clinic of the Auto Club of Missouri, says that about 25 percent of the late-model cars passing through the clinic show that the emission controls have been tampered with.

But under Federal law tampering with the antipollution devices is illegal only if it is done before the sale and delivery of the vehicle to the ultimate purchaser or if it is done by the manufacturer or dealer. Only a few States, including New York and California, have laws against such tampering by anyone. Thus, in most States, owners, independent mechanics, or tuneup specialists can tamper with the devices.

At the present time the tampering involves adjusting various parts of the engine or sometimes removing or replacing certain parts. But removing the devices can be difficult and detrimental to the car. Because many controls now are designed right into different parts, there is not usually an easily identifiable mechanism or even a series of such mechanisms that can be eliminated. If all the emission controls were disconnected, the engine would be harmed.

In the Wall Street Journal article Charles Heinen, Chrysler's top emissions expert, reports that tampering with the engine's timing could cause a knock that could harm the pistons. Disconnecting the positive crankcase ventilation valve, the valve that keeps crankcase gases from leaking into the air, could lead to bad sludging and thus to sticking parts. Tampering with the carburetor can result in even poorer gas mileage, says Mr. Heinen.

A General Motors emissions engineer also reports in that article that a careless job of removing the antipollution devices could result in the leakage of poisonous carbon monoxide into the passenger compartment. Owners have been known to ruin their cars by tampering with the emission controls by themselves. Finally, tampering with these controls could result in voiding the warranty on the emissions devices and the warranty on all parts.

In the future tampering may be more difficult. The controls are becoming increasingly more complex. Eventually it might be almost impossible to tamper with the controls without almost ripping the car to pieces. With respect to legal impediments to tampering it should be noted that a New Jersey law, beginning July 5, will require emission tests when car owners bring their cars in for annual safety inspections.

Federal action to prohibit all persons from tampering with auto emission controls after the sale of the car is needed now if national air quality policy is to be implemented. Thus, I am introducing the following legislation:

APPENDIX

	Carbon monoxide		Hydrocarbons		Oxides of nitrogen		Particulates	
	g./mi.	Percent[1]	g./mi.	Percent[1]	g./mi.	Percent[1]	g./mi.	Percent[1]
Uncontrolled vehicles	125		16.8		6		0.3	
Present degree of control	47	62	4.6	73				
1972 standards	39	69	3.4	80				
1973 standards					3	50		
1975 standards	4.7	96	.45	97			.1	67
1976 standards					.4	93		

[1] Reduction from uncontrolled vehicle.

TRIBUTE TO THE ORDER OF AHEPA

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. GUBSER. Mr. Speaker, in this year of 1972 as the Order of Ahepa celebrates its golden anniversary of 50 years dedication to the promotion and encouragement of loyalty to the United States of America, it is, indeed, an honor for me to join my colleagues and fellow Americans throughout the Nation in paying tribute to this organization which has contributed so much to the improvement of education and civic affairs in our country.

History tells us that democracy was born in ancient Greece on a hill in Athens called the Pnyx. Here three or four times a month an assembly composed of the Athenian citizens met to vote. It can be no coincidence that the members of AHEPA, promoting as they do the attributes of Hellenic culture, have done so much to emulate and foster in America the high ideals which are the foundation of our democracy.

The Order of Ahepa—The American Hellenic Educational Progressive Association—can be justly proud of its 430 chapters throughout the United States composed of men of high moral character whose vigorous activities include not only those of local community projects and services but also undertakings on a national and international scale. While the organization is first and foremost in its service to America, the fruits of its endeavors have reached far corners of the world in relief to earthquake and flood victims and numerous causes which have alleviated much suffering and hardship of mankind.

Few organizations have championed the cause of education as has AHEPA with such projects as national scholarships, the AHEPA Agricultural College in Greece, the AHEPA School at St. Basil's Academy in Garrison, N.Y., and the Journey to Greece Student Program.

One of the many worthwhile objectives of AHEPA is to instill in its membership a due appreciation of the privileges of citizenship. Truly, the Order of Ahepa is a group of citizens who recognize that with the privilege of citizenship also comes the civic responsibility and it is undoubtedly that sense of responsibility with which AHEPA has endowed its members that has made possible its outstanding contributions to its fellow men.

As an American, I am grateful to AHEPA and most pleased to have the Garden City Chapter of San Jose, Calif., located in my congressional district.

NEW ENGLAND ECONOMY

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. HARRINGTON. Mr. Speaker, the Associated Press in New England has recently undertaken an indepth analysis of the state of the New England economy and its hope for the future.

The first article of the four-part series, examines the problem of unemployment. With 8 percent of the work force in New England unable to find jobs, unemployment ranks as the region's most serious problem.

This informative article, by Daniel Q. Haney, deals with the grim personal realities behind the unemployment statistics. I commend it to the attention of my fellow Members:

UNEMPLOYMENT GRIPS NEW ENGLAND AND SWEET LIFE GOES SOUR

(By Daniel Q. Haney)

(EDITOR'S NOTE.—This begins a series on the status and future hopes for the New England economy, compiled by the Associated Press across the 6-state region. Today's article: the human problem of unemployment.)

BOSTON.—Edgar Lane is a little part of a statistic—the 8 per cent of the work force in New England that doesn't have a job.

But for Lane and 435,900 like him, his problems are catastrophic and have the ring of the sweet life gone sour.

Four months ago, the 44-year-old father of six was pulling in an annual salary of $25,000-plus as an engineering manager at RCA's computer plant in Marlboro. That was just after RCA announced that it was getting rid of its computer business.

Lane lost his job, and now he gets $110 a week in state unemployment money.

Unemployment is the economic problem that touches most New Englanders the closest.

It ranges from about 9 per cent in Connecticut, hard hit by defense spending cutbacks, to under 5 per cent in New Hampshire, where many hard-to-employ young people are leaving the state. The national average is just under 6 per cent.

New England is traditionally a difficult place to make a living; expenses are high and wages are low.

The cost of living, mainly food and housing, is high because of New England's location. It dangles off the northeastern corner of the map, away from where most of the nation's goods are produced. It's cold, and there's not much agriculture.

As a result, building materials, heating oil and food have to be shipped in, and that makes them more expensive.

Because of the climate, houses are expensive to build. They require central heating, insulation and full cellars. And in the winter it takes a lot of fuel to heat them.

In Boston, for example, the cost of living for a family of four is 17 per cent above the national average. That makes it the most expensive city in the continental United States in which we live—2 per cent above New York.

Wages are lower in New England. The average weekly salary of an American factory worker is $152. Connecticut is a bit higher at $157, but it's followed by Massachusetts at $144; New Hampshire, $135; Vermont, $134; Rhode Island, $122, and Maine, $120.

To keep family incomes up, many women in New England have jobs.

"In New England, we have high living costs and low wages—a tough squeeze," says Wendall D. McDonald, regional director of the U.S. Bureau of Labor Statistics.

"Part of the reason for our high unemployment is the declining industries," says McDonald, pointing to textiles, shoes and other business which make bulky low-priced products that have been hurt by high shipping costs and foreign competition.

Added to that are layoffs from defense and aerospace cutbacks and large numbers of women and teenagers entering the labor market.

But for people like Edgar Lane, the unemployed computer engineer, the reasons for New England's tight working picture aren't much comfort.

"We're dipping into our reserves," Lane says, "and we're trying to pare our expenses to the bone.

"We told the kids they'd have to buy their own clothes. We're making do with our old car, and we've cut down on the amount of freedom the children have with it. We've put our cottage up for sale, and we're not going out to eat once a week like we used to."

Lane is one of the lucky ones who had some savings. For people who were living to the hilt of their pay checks before they got laid off, the shock of being without enough money is harsh, says David Jacobson, a Brandeis University anthropologist who is studying the effects of unemployment on people.

"People who have money cut back on some material things," says Jacobson, "but they try not to isolate themselves socially.

"But people who don't have money are in tough shape. They cut off almost all their relationships. They're embarrassed that they can't afford the social amenities. For instance, they can't go out to dinner at other people's houses, because they can't afford to invite them back."

Alice Ferreira, a 54-year-old single woman of Bristol, R.I., had to move in with her parents when she lost her job at a Providence department store last fall.

She had worked for the store for 22 years, part of that time as a payroll supervisor, and when it merged wtih another department store, there was a general layoff.

Miss Ferreira was making $97 a week at the store, and now she gets $54 unemployment compensation. The store employes weren't unionized, and there are no pension benefits.

"I go out every week (looking for work) and see what they have to offer me," she says. "But they prefer to give it to the young. I know I was discriminated against."

Prejudice against older, experienced workers appears common.

Philip N. Hambleton, 62, of Bedford, worked on the invention of color television in the 1950s. He's been out of a job for more than a year.

Hambleton, a Ph.D.-holding physicist, says, "I'm one of the hard-core unemployed—overtrained, overaged, overexperienced and oversalaried."

He's sent about 300 resumes and applications to possible employers, "but most of them never bother to write back.

"Their philosophy is, 'If we hire you and things get better, you'll leave us." They can hire younger fellows for less.

"Maybe I'm retired and don't know it," he says.

But also in difficult straits are the young whose talents are not in demand.

George D. Moore, 27, of Arrowsic, Maine, last worked a year ago as an inspector in a South Portland plant that makes jet engine parts.

"It's impossible to find anything in my line of work around here," he says.

The state employment office told him that the companies where he might find openings are in Massachusetts and Connecticut.

"But I like living in Maine," he said.

ANOTHER HERO IN FLORIDA

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. CHAPPELL. Mr. Speaker, I rise to praise the heroic act of three young men. David L. Hartshorn, a 19-year-old college student, rescued a man who was drowning off the beach at Ponte Vedra, and he, then, was aided by two others.

On December 28, 1971, Mr. Donald Niedhammer, swimming out a distance from the shore, encountered a strong undercurrent as he attempted to return to shore. He became exhausted and semiconscious and began to drift seaward. Young Hartshorn noticed the situation and swam out to Niedhammer, reaching him 390 feet from shore in water 10 feet deep. Towing Mr. Niedhammer, aged 36 and outweighing him greatly, Hartshorn fought against the undercurrent which had caused Mr. Niedhammer to falter. Two young men with an air mattress swam to Hartshorn and Niedhammer, reaching them 100 feet from the shore.

David Hartshorn, and the two young men who helped him, are to be deeply congratulated for their heroism. On behalf of all the citizens of this area, we salute them.

BILLS INTRODUCED OR COSPONSORED BY THE HON. BILL FRENZEL

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. FRENZEL. Mr. Speaker, a number of constituents have requested a list of bills I have either introduced or cosponsored. In order to make this list more easily accessible for them, I am submitting for the Record a list of such legislation.

Bill introductions and cosponsorship are but a small part of a Congressman's activities. A voting record, committee work, constituent relations, and much more project a better profile of a Congressman. However, it is helpful for interested parties to have a bill introduction record readily available. I hope that this list will help to provide the information:

List of Bills

The following is a complete listing of all the bills which Congressman Bill Frenzel has cosponsored or introduced thus far in the second session of the 92d Congress:

VIETNAM/DEFENSE

H.R. 13155. A bill to provide for a study and investigation to asses the extent of damage done to the environment in South Vietnam, Laos and Cambodia as a result of the operations of the United States Armed Forces in such countries and to consider plans for effectively rectifying said damage. February 16, 1972.

H.R. 14710. A bill to amend chapter 5, title 37 of the United States Code to revise the pay structure relating to members of the Armed Forces and for other purposes. May 1, 1972.

H. Res. 1189. A joint resolution declaring the policy of the United States with respect to the termination of hostilities in Indochina. May 4, 1972.

H. Res. 1200. A joint resolution providing for an end to the hostilities in Indochina. May 15, 1972.

H.R. 15383. A bill to provide for an end to the hostilities in Indochina and to secure the withdrawal of all United States forces therefrom and to express the sense of the Congress for a cease fire and an arms embargo therein. June 7, 1972.

ECOLOGY

H.R. 13025. A bill to amend the act of 1945 with respect to the use of real property for wildlife conservation purposes. Feb. 8, 1972.

H.R. 14155. A bill to amend the Soil Conservation and domestic Allotment Act, as amended, to establish an upland game reservation and conservation program. March 28, 1972.

H.J. Res. 1164. A joint resolution declaring the third week in April as "Earth Week." April 17, 1972.

H.R. 14809. A bill to amend the Wild and Scenic rivers Act by designating a segment of the Saint Croix River, Minnesota and Wisconsin, as a component of the national wild and scenic rivers system. May 4, 1972.

H.R. 14888. A bill to establish a commission to investigate and study the practices of clearcutting timber resources of the United States on Federal land. May 10, 1972.

THE ECONOMY/TAXES

H.J. Res. 1040. A joint resolution to create a joint committee to conduct an investigation and study into methods of significantly simplifying Federal income tax forms. Feb. 1, 1972.

H.R. 12848. A bill to amend the Railroad and Labor Act and the Labor Management relations Act, 1947, to provide more effectively means for protecting public interest in national emergency disputes, and for other purposes. Feb. 2, 1972.

H. Con. Res. 516. A concurrent resolution expressing the sense of the Congress with respect to motor vehicle insurance and an accident compensation system. Feb. 2, 1972.

H.R. 13668. A bill to provide for paper money of the United States to carry a designation in *BRAILLE* indicating denomination. March 8, 1972.

H.R. 14417. A bill to provide additional protection for the rights of participants in employee pension and profits sharing retirement plans to establish minimum standards for pension and profit sharing retirement plan vesting and funding, to establish a pension plan reinsurance program and to provide for regulation of the administration of pension and other employee benefit plans, to establish a United States Pension and Employee Benefit Commission, to amend the Welfare and Pension Plans Disclosure Act and for other purposes. April 17, 1972.

H.R. 14551. A bill to extend to all unmarried individuals the same tax benefits of income splitting now enjoyed by married individuals filing joint returns; and to remove rate inequities for married persons where both are employed. April 20, 1972.

H.R. 14665. A bill to amend the Internal Revenue Code of 1954 to provide that employees receiving lump sums from tax free pension or annuity plans on account of separation from employment shall not be taxed at the time of distribution to the extent that an equivalent amount is reinvested in another plan. April 27, 1972.

H.R. 15346. A bill to provide that existing Federal tax subsidies will terminate on January 1, 1974, and to provide for a maximum duration of two years for federal tax subsidies hereafter enacted. June 6, 1972.

TRANSPORTATION

H.R. 15492. A bill to authorize construction of certain highways and public mass transportation facilities in accordance with title 23 of the United States Code and to establish an urban transportation program. June 15, 1972.

FOREIGN AFFAIRS

H.J. Res. 1143. A joint resolution to establish a commission on United States' Participation in the United Nations. March 29, 1972.

H.R. 14329. A bill to authorize the Secretary of State to furnish assistance for the resettlement of Soviet Jewish refugees in Israel. April 12, 1972.

H. Res. 973. A bill calling for the ban of all nuclear underground testing. May 9, 1972.

CIVIL RIGHTS

H.R. 13515. A bill to restore the right to vote in federal elections to certain disenfranchised citizens. March 1, 1972.

HUMAN RESOURCES

H. Res. 830. Resolution to authorize each member, resident commissioner, and delegate to hire within the monetary limits of the existing clerk hire allowance two additional clerks who are physically handicapped. Feb. 22, 1972.

H.R. 13835. A bill to provide for the establishment of an office for the aged in the executive office of the president, for the fulfillment of the purposes of the Older Americans Act, for enlarging the scope of that Act and for other purposes. March 15, 1972.

H.R. 14626. A bill to provide the secretary of Health, Education and Welfare with the authority to make grants to States and local communities to pay for the costs of eye examinations programs to detect glaucoma for the elderly. April 26, 1972.

H.R. 14880. A bill to provide for the comprehensive development of correctional manpower training and employment and for other purposes. May 10, 1972.

H. Res. 1033. A bill authorizing senior citizens as interns for members of the house of representatives. June 29, 1972.

H.R. 12708. A bill to establish a commission on penal reform. January 27, 1972.

H.R. 12842. A bill to amend the Community Mental Health Centers Act to reorganize certain grant programs and for other purposes. Feb. 22, 1972.

H.J. Res. 1242. A bill designating the month of September, 1972 as "National Voter Registration Month". June 28, 1972.

AN ARGUMENT AGAINST THE GSA GRANTEE PROGRAM

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. KEATING. Mr. Speaker, today I joined Congressman Wyman in cosponsoring legislation to limit Government competition with small business. The enactment of this bill is a step which must be taken to insure the permanent prohibition of unnecessary and unwarranted Federal competition with small firms.

The problem precipitating this legislation surfaced in 1969, when the General Services Administration proposed to use the newly enacted Intergovernmental Cooperation Act of 1968 as a basis for extending its services to all State and local governments. This was the first time GSA openly extended its services beyond the scope of the Federal agencies and bureaus it was designed to serve.

The Nixon administration immediately recognized the detrimental implications of such a proposal. By offering its procurement and supply services to nongovernment institutions, GSA would be using taxpayers money to the disadvantage of small businesses.

Under the "grantee program" GSA is able to sell directly through its self-service stores and indirectly through its procurement and supply schedules.

With the recognition that government marketing is contrary to our free enterprise system, the administration ordered GSA to discontinue its plans, and to reserve its services exclusively for the giant Federal system.

However, GSA decided to recreate the same program under the assumed authority of the Federal Property and Administrative Services Act of 1949, as amended.

After further expression of public and governmental objection to this provision, GSA has begun the process by which it may withdraw the program.

To insure this recent step taken by GSA is followed through, and to prohibit its occurance in the future, I believe that legislation placing a permanent prohibition on this types of program is in order.

The express purpose of the bill is to amend the Federal Property and Administrative Services Act of 1949 to prohibit the making available of Government procurement sources to Federal grantees and contractors.

It is the Government's job to protect the rights of small business in the preservation of free competitive enterprise—not to jeopardize its success as a contributor to the community, the people of that community, and our Nation as a whole.

This is a job we must recognize and take the responsibility for. I urge my colleagues to give careful consideration to this legislation.

UNION CARBIDE CORP. ADVANCES EDUCATION OF TODAY'S YOUTH

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. JONES of Alabama. Mr. Speaker, throughout the year Washington is visited by thousands upon thousands of our Nation's young people. It is heartening indeed to see these young Americans visiting their halls of National Government and gaining a better understanding of the processes of government and the men and women who are their representatives in this Nation's Capitol. One such unique group of students from the Washington Workshops Foundation has been with us again recently. During the seminar they attended, these young people visited with many Senators, Congressmen, members of the press, and executive department officials.

It is my sincere pleasure to note that Mark Caudill, who is a constituent of mine and lives in Sheffield, Ala., was among those attending. Mark's presence here in the District was made possible through the citizenship education award by the civic-minded Union Carbide Corp. Every year Union Carbide grants numerous scholarships of this nature to students of their plant communities across the Nation, who have displayed outstanding merit and ability in their search for knowledge and creativity.

Mr. Speaker, may I commend wholeheartedly the Union Carbide Corp. for the faith they have displayed in the leaders of tomorrow. In this world of mistrust and strife, it is extremely refreshing to observe the willingness of Union Carbide to preserve the spirit of young citizenship manifested in the Washington Workshops and displayed so readily by Mark Caudill.

SENATE—*Wednesday, August 2, 1972*

The Senate met at 9:45 a.m. and was called to order by the President pro tempore (Mr. Eastland).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, from whom every good prayer cometh, and who pourest out on all who desire it, the spirit of grace and supplication, deliver us as we draw nigh to Thee, from all coldness of heart and wanderings of mind, that with steadfast thoughts and kindled affection we may commit our ways to Thee. Look upon our inmost longings and our deepest needs and hear our prayers both uttered and unexpressed. Grant that we may sincerely, faithfully, and honestly serve Thee this day, in obedience to Thy law and in love and fellowship with our colleagues. In our speaking and in our silence so guide us by Thy spirit that we may ever remain Thy faithful servants and finally know the peace of those whose minds are stayed on Thee.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, August 1, 1972, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ATOMIC ENERGY COMMISSION

The second assistant legislative clerk read the nomination of Dixy Lee Ray, of Washington, to be a member of the Atomic Energy Commission for a term of 5 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. DISTRICT COURTS

The second assistant legislative clerk read the nomination of Marshall A. Neill, of Washington, to be a U.S. district judge for the Eastern District of Washington.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

LEGISLATIVE SESSION

Mr. MANSFIELD. I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TOM EAGLETON

Mr. MANSFIELD. Mr. President, this past week, a Senator has been in a pressure chamber of public attention. The restless lights of a searching press have played on every recess of his life. His health, habits, and history have been examined from every conceivable angle. What was found, Mr. President, was little more than what was told with candor by the Senator himself at the outset. That, in itself, reveals a great deal of the caliber of the Senator from Missouri (Mr. EAGLETON).

We might well ask ourselves, within the Senate and without, who among us could have stood up at all under an ordeal of this kind? Let alone with his decency and dignity. Let alone with his unfailing sense of humor.

Perhaps, Mr. President, it takes an experience of this kind and a response such as has come from the Senator from Missouri to remind us that men and women in public life are not gods but humans. Sometimes, Mr. President, I think too much is asked of those who dare to offer themselves for election to the highest offices of the Nation.

In the ruthless search to find out everything about one Senator, it is to be hoped that, as a nation, we may have found out a little more about ourselves. Perhaps out of this harrowing experience on the part of one American there may come a degree of humility on the part of the rest of us.

Pride is a word which I do not often use. If I do so now, it is because the reactions of the Senate in this situation have kindled in me a great deal of pride. There were no wolves in this Chamber; there was no political blood lust. There were only human beings here, fully cognizant of their limitations. From both sides of the aisle, there has come only restraint, decency, understanding, and support for the Senator from Missouri in this situation.

Senator EAGLETON needs no praise from me, but he has my respect. He was a dedicated and able Senator when he entered this pressure chamber a week ago: He emerges from it as a Senator who towers in courage, strength, sensitivity, and wit. Whatever else, his comportment during this distressing episode reflects an immense credit on the people of his State, the Senate, and the Nation.

Mr. SCOTT. Mr. President, there is not a Member of this body whose heart does not go out to the Senator from Missouri, whose sympathy does not extend to him in one way or another. His courage and his demeanor, his valiant support of his point of view, all do him immense credit. I think the Senator from Missouri (Mr. EAGLETON) knows that he has the high regard of his colleagues, that we are glad to have him in this Chamber, and that we are glad to have him free of the furor and of the ferment which surrounded a very unhappy episode.

I think it only fair to make clear that in the Senate of the United States we are good judges of our colleagues and that all of us respect and have the highest regard and the warmest friendship for the Senator from Missouri.

If I were to say more at this point, I think it would be wrong; because anything further I would say would have to do with the behavior of others and certainly would not in any sense be critical of the Senator from Missouri. So I will separate what criticism I have as to the behavior of others for some more suitable occasion.

I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, I thank the distinguished Republican leader for his kind remarks on this occasion and assure him that I, personally, appreciate very much what he has said.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the following committees be authorized to meet during the session of the Senate today: the Subcommittee on Health of the Committee on Labor and Public Welfare, the Committee on Finance, the Committee on Foreign Relations, the Committee on Interior and Insular Affairs, the Committee on Commerce, and the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, before I excuse myself to attend a Democratic caucus, I want to say that, after talking the matter over with the distinguished Republican leader and the distinguished senior Senator from Delaware (Mr. BOGGS), it is my understanding that at the conclusion of the latter's remarks and the time allocated to the distinguished Senator from New York, the distinguished Senator from Delaware will make a motion that the Senate stand in recess until 10:15 a.m. today.

Mr. SCOTT. Mr. President, I assure the distinguished majority leader that while all Members of his party will be engaged in this caucus and, therefore, absent from the Chamber, the Union will be the better for it. [Laughter.]

The PRESIDENT pro tempore. Under the previous order the Senator from Delaware (Mr. BOGGS) is recognized for not to exceed 15 minutes.

(The remarks made by Mr. BOGGS on the introduction of S. 3871 and the remarks made by Mr. JAVITS on the introduction of S. 3872 are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

RECESS TO 10:15 A.M.

Mr. JAVITS. Mr. President, I move that the Senate stand in recess until 10:15 a.m. today.

The motion was agreed to; and, at 10:05 a.m. the Senate took a recess until 10:15 a.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. GRIFFIN).

The PRESIDING OFFICER. In my capacity as a Senator from Michigan, I suggest the absence of a quorum, the time not to be charged to either side. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. WEICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. WEICKER. Mr. President, I move that the Senate take a recess subject to the call of the Chair.

The motion was agreed to; and at 10:19 a.m. the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 10:45 a.m., when called to order by the Presiding Officer (Mr. STEVENSON).

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The PRESIDING OFFICER (Mr. STEVENSON). Under the previous order, the Chair lays before the Senate the unfinished business, H.R. 15495, which the clerk will state.

Mr. ROBERT C. BYRD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. Senators will please take seats and desist from conversation.

Mr. MANSFIELD. Mr. President, before the unfinished business is laid before the Senate, I would like to suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Chair lays before the Senate the unfinished business, H.R. 15495, which the clerk will state.

The assistant legislative clerk read as follows:

> A bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, for other purposes.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment of the Senator from California (Mr. CRANSTON), on which there will be a limitation of 4 hours of debate, to be equally divided between and controlled by the Senator from California (Mr. CRANSTON) and the manager of the bill (Mr. STENNIS).

Mr. MANSFIELD. Mr. President, will the Senator yield me 1 minute out of his time?

Mr. CRANSTON. I am glad to yield 1 minute to the majority leader.

Mr. MANSFIELD. And will the Senator from Arizona yield me 1 minute out of the manager's time?

Mr. GOLDWATER. I yield.

COMMITTEE ASSIGNMENTS

Mr. MANSFIELD. Mr. President, I submit three resolutions, and ask unanimous consent that they be considered in sequence immediately.

I ask for a voice vote on each resolution separately.

The PRESIDING OFFICER. The clerk will report the first resolution.

The assistant legislative clerk read as follows:

S. Res. 337

Resolved, That the Senator from Arkansas, John L. McClellan, be and is hereby elected chairman of the Committee on Appropriations.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the first resolution.

All those in favor say "aye." All those opposed say "no."

The "ayes" have it. The resolution is agreed to.

The clerk will report the second resolution.

The assistant legislative clerk read as follows:

S. Res. 338

Resolved, That the Senator from North Carolina, Sam J. Ervin, Jr., be and is hereby elected chairman of the Committee on Government Operations.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the second resolution.

All those in favor say "aye." All those opposed say "no."

The "ayes" have it. The resolution is agreed to.

The PRESIDING OFFICER. The clerk will report the third resolution.

The assistant legislative clerk read as follows:

S. Res. 339

Resolved, That the Senator from Indiana, Birch Bayh, be, and he is hereby, assigned to service on the Committee on Appropriations to fill a vacancy on that Committee.

The PRESIDING OFFICER. Without objection, the Senate will proceed to consideration of the third resolution.

All those in favor say "aye." All those opposed say "no."

The "ayes" have it. The resolution is agreed to.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard anti-ballistic-missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

PRIVILEGE OF THE FLOOR

Mr. CRANSTON. Mr. President, I ask unanimous consent that two members of my staff, Ellen Frost and Murray Flander, have the privilege of the floor today throughout the consideration of this amendment and other amendments relating to Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. Cranston's amendment reads as follows:

At the end of the bill, add a new section as follows:

Sec. . (a) Notwithstanding any provision of this or any other Act, all United States military forces, including combat and support forces, stationed in South Vietnam, shall be withdrawn in a safe and orderly manner from South Vietnam no later than October 1, 1972. No funds shall be authorized, appropriated, or used for the purpose of maintaining any United States military forces, including combat and support forces in South Vietnam after October 1, 1972.

(b) The involvement of United States military forces, land, sea, or air, for the purpose of maintaining, supporting, or engaging in hostilities in or over Indochina shall terminate after an agreement for—

(1) a verified cease-fire between United States forces and the National Liberation Front and those allied with the National Liberation Front, and

(2) the release of all United States prisoners of war held by the Government of North Vietnam and forces allied with such Government, and

(3) an accounting for all Americans missing in action who have been held by or known to such Government of such forces.

An accounting for such American personnel referred to above shall be subject to verification by the International Red Cross or any other international body mutually agreed to by the President of the United States and the Government of North Vietnam.

Mr. CRANSTON. Mr. President, Theodore Glen Feland of Sonoma, Calif., died in Vietnam at the age of 27. Today he would be approaching 40.

Today I am offering an amendment which is identical to the one proposed by the distinguished majority leader, Senator Mansfield, last week. The distinguished Senator from Massachusetts, Senator Brooke, is offering a substitute amendment which is identical to the Cooper-Brooke amendment, which passed last week by a vote of 50 to 45. But the defeat of S. 3390 on final passage left us in the same position as before.

Mr. President, Specialist Feland died more than 11 years ago. If this group of Senators does not stop paying for the carnage, we may still be fighting this war 11 years from today.

We have more than lived up to our commitment, whatever it was, to South Vietnam. According to an article written by Earl Ravenal and published in the July 1972 issue of Pacific Community, by 1973 the United States will have endowed South Vietnam with at least $20 billion worth of armaments. This figure represents at least three times the level of military aid given to North Vietnam by the Soviet Union and China. In fact, we give the Thieu regime over three times as much military aid as it spends for its own defense. And Saigon already spends two-thirds of its budget on defense.

The South Vietnamese Air Force includes at least 275 combat aircraft, including the A-37 light jet ground support aircraft, the A-1 propeller driven aircraft, and 120 helicopters. As yet I have been unable to determine what has been turned over to South Vietnam in the form of surplus artillery. Meanwhile, South Vietnam has almost 1 million men under arms, including 16 divisions of the South Vietnamese Army. These men have been trained by American advisers who are still risking their lives in the field.

I say we have done enough.

We have not only lived up to whatever commitment we had, we have exceeded it. The fruit of this long war, on both sides, is well over a million corpses. The progeny of this long war, on both sides, are hundreds of thousands of people whose minds and bodies have been permanently scarred and twisted and maimed.

I think it is time we stopped talking about which side has been more humane and restrained. Morality has long since disappeared from this war.

I think, too, that it is time we stopped talking about infringing on the powers of the President. That power has been wielded singlehandedly by three different occupants of the White House.

Abraham Lincoln would have had something to say about that. On the occasion of the Mexican War in 1848, he said:

> The provision of the Constitution giving the warmaking power to Congress was dictated, as I understand it, by the following reasons. Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our Convention took to be the most oppressive of all kingly oppressions; and they resolved to frame the Constitution that no one man should hold the power of bringing this oppression upon us.

One hundred and twenty-three years later, in DaCosta versus Laird, the U.S. Court of Appeals for the Second Circuit held that any future escalation of American hostilities would have to receive legislative approval in order to satisfy the Constitution. But instead of extending our approval, we withdrew the Tonkin Gulf resolution and expressed our opposition to the recent escalation in many different ways. All of them fell short of a fund cutoff—until last week.

Mr. President, history offers some valuable glimpses of the mentality shared by our current leaders. In April 1954, Richard Nixon stated that:

> It should be emphasized that if Indochina went Communist, Red pressure would increase on Malaya, Thailand, and Indonesia, and other Asian nations. The main target of the Communists in Indochina, as it was in Korea, is Japan. Conquests of areas so vital to Japan's economy would reduce Japan to an economic satellite of the U.S.S.R.

Nowadays we do not have to be so solicitous about Japan's economic interests. The Japanese are doing quite well for themselves. So Mr. Nixon has simply shifted the framework of his domino theory to other parts of the world. On May 8 he claimed that if South Vietnam collapsed, other countries would be encouraged to conquer their neighbors in the Middle East and in Europe.

So we can see that President Nixon's domino theory, like Johnson's before him, has survived virtually intact since the Dulles era. And like Dulles, Mr. Nixon warned in 1956 that uncommitted nations must choose between the United States and communism.

Mr. President, it is that kind of black-and-white frame of mind that led us into this war. But by now we should know that the reality of Asian politics is woven in many different ways.

Mr. Nixon refuses to accept that reality. And so, 6 years ago, he was quoted as predicting that victory in Vietnam would take 3 or 4 years and urging both the bombing of Hanoi and the blockade of Haiphong. That was in September 1966. Interestingly enough, a week later a man who said that President Johnson was in error for getting us deeply involved in Vietnam was none other than Melvin Laird.

As my distinguished colleagues know, these two men managed to get together. They also managed to reconcile their differences, largely, it appears, in Mr. Nixon's favor. Their combined wisdom, has added another 350 or so to the ranks of the POW's in Hanoi and roughly 20,000 to the American combat toll. That toll has now exceeded 56,000 men.

Mr. President, Mr. Nixon has complained that opponents of the war never say a word about casualties inflicted by the other side. I have said and will say now and in the future plenty of words about that. It may well be true that the recent North Vietnamese offensive swallowed up some 45,000 civilian lives. It is certainly true that Vietcong methods have often been cruel and brutal. It is true that North Vietnamese troops crossed the DMZ in April in direct violation of the 1954 Geneva Agreements. It is true that North Vietnam is not a free society. All these things are true.

But do they justify what we are doing to Indochina?

I want to emphasize strongly that voting for my amendment by no means whitewashes the facts that I have just listed.

But I do say that the very sophistication and power of our weapons technology places an extra responsibility on our side. The war has become increasing automated. Americans are increasingly removed from their targets. Our operations depend more on computers and chemicals than they do on muscles and manpower. As General Westmoreland put it,

> We are making unusual efforts to avoid having the American young man stand toe-to-toe, eyeball-to-eyeball, or even rifle-to-rifle with the enemy.

And in the words of a veteran of the electronic war:

> We got the Ho Chi Minh trail wired like a pinball machine.

At the peak of the war in May 1968, the United States made about 400 bombing sorties daily. Last January, the figure had dropped to just over four. But by last May it had climbed back to the point where 426 sorties were flown in a single day. And in June, after we had already neutralized the Case-Church amendment, American bombing was the heaviest for any month in two and a half years. On the average, every day took another American life. Every day another American joined the list of those missing in action.

There is ncthing inviolate, said one ranking officer responsible for the air war:

> If someone says we want that target up there—we go get it.

Mr. President, an Air Force manual defines a military target as:

> Any person, thing, idea, entity, or location selected for destruction, inactivation, or rendering nonusable with weapons which will reduce or destroy the will or ability of the enemy to resist.

The manual says that attacks on such threats are designed to:

> Dispel the people's belief in the invincibility of their forces, to create unrest, to reduce the output of the labor force, to cause—fear, panic, hunger, and passive resistance to the government.

No wonder there is nothing inviolate. No wonder we have already dumped no less than 23 billion pounds of munitions in Indochina since 1965.

American bombing has become both more massive and more selective. A typical mission of three B-52's leaves a carpet of devastation 1¼ miles long and six-tenths of a mile wide. Four missions of six B-52's each drop the equivalent of the A-bomb which blasted Hiroshima. Civilian casualties have risen from a monthly total of 95,000 under President Johnson to an average of 130,000 under President Nixon; 32 6 million acres are pockmarked by bomb blasts or embedded with bomb fragments. Twenty-six million bomb craters later, we still see no end to this war.

According to a former senior Air Force reconnaissance officer assigned to Laos, restrictions on bombing after March 1969:

> Appear to have been discarded and are only cited to placate Congressmen in Washington.

I am certainly not placated. I am sure that my colleagues in this Chamber are not placated either. Last Thursday President Nixon said with apparent pride in American restraint that:

> We are not using the great power that could finish off North Vietnam in an afternoon, and we will not.

But an unnamed Pentagon official quoted by CBS news in May asserted bluntly that:

> Unless they accept the President's peace plan, we will methodically destroy their ability to make war.

Despite our restraint the war has created 30,000 widows and 80,000 surviving parents of American servicemen killed. I am constrained to ask: What price restraint?

PRISONERS

Mr. President, supporters of Mr. Nixon's Vietnam policies have raised doubts about the North Vietnamese record on prisoners of war. The distinguished minority leader, for example, stated recently that a large number of French prisoners were never accounted for after Dien Bien Phu. But I have a copy of a letter from the First Secretary of the French Embassy here in Washington, reporting that:

> The last French prisoners [were] returned by the North Vietnamese less than 3 months after the conclusion of the Geneva Agreements of 1954.

And speaking of the Geneva Agreements of 1954, article 118 of the Geneva Convention of 1949 provides that Hanoi is not required to release the POW's until "after the cessation of all active hostilities."

I fully realize that North Vietnam has violated some of the provisions of that convention. I see no excuse, for example, for Hanoi's refusal to furnish a complete list of the prisoners. But I think that what Americans want most is not to draw up lists of accusations against North Vietnam but to get our men back. And the record here gives us no solid reason for believing that Hanoi wants to hold onto them forever.

I would like to remind my colleagues that the interim report of the International Commission for Supervision and Control in Vietnam stated in February 1955 that:

> Despite difficulties—the provisions of the agreement which are of a military or semi-military nature have on the whole been carried out according to the time schedules and directions given in the agreement—As regards POW's and civilian interness—by and large, the parties have and are carrying out the directions under Article 21, and the bulk of the exchanges have been completed.

But if we cling to our present course, where wil we be? The President has already pushed the number of POW's in North Vietnam over the 500 mark. And unless we change our course, we will stay mired in the same quicksand, losing more men to Hanoi's prison camps with no sound and workable plan to get them back safely.

Mr. President, my amendment would get us out of this bottomless trap.

Incidentally, so would the substitute amendment of the distinguished Senator from Massachusetts (Mr. BROOKE).

In conclusion, Mr. President, a member of the Vietcong delegation in Paris commented recently that:

> The tragedy of Mr. Nixon is that—he does not understand the capacity of the Vietnamese to defend our land.

I think we have all underestimated that capacity.

As Clark Clifford has stated so succinctly:

> We are in Vietnam today only because we got into Vietnam yesterday.

We must get out before too many more tomorrows.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I yield myself 15 minutes or so much thereof as I may use.

The PRESIDING OFFICER (Mr. Allen). The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, we have had this matter for consideration by the Senate before. It is already understood. This is the amendment that provides, in paragraph (a) thereof, that by October 1, 1972, without any exceptions, regardless of conditions, and without any reference to prisoners of war being released or not released, all of our military forces including combat forces shall be withdrawn from South Vietnam not later than October 1, 1972.

That is an unconditional mandate, regardless of all other circumstances so far as this wording is concerned, and, irrespective of all other circumstances that might develop or cause a change in the situation that, come that date, we would have to be out or we would be in violation of this mandate.

Without any exceptions, without any reference to the prisoners of war and whether they are released or not, and those who are in similar situations as that of the POW's, the second sentence is a final, complete, additional cutoff of funds for support of the U.S. military forces in South Vietnam after October 1, 1972. A full reading of that sentence is:

> No funds shall be authorized, appropriated or used for the purpose of maintaining any United States military forces, including combat and support forces in South Vietnam after October 1, 1972.

Mr. President, I warn again that this is striking language. It is unconditional. It is without precedent in all American history that the legislative branch of the Government would move in and actually and unconditionally cut off appropriated funds for use to back up its own military forces that are engaged in a war.

There is no other amendment that we have had up for consideration this year, last year, or any other time, except this one which we had up previously here, that goes that far. It is without precedent, and it is irrevocable. And I personally think it is a result of this war, which we all want to get out of. It would be dangerous precedent to set even under those circumstances. However, the part that it is unthinkable to me is that all of this would be written into the law and mandated, without any kind of release of prisoners or even a promise to release the prisoners of war, or any kind of condition or anything that might be helpful in that respect, except throwing us on the mercy and the liberality and the generosity, if I may use that word, of the North Vietnamese.

Under subsection (b) that follows, there is left the idea that they could be bombed. That is the main thing that it is directed toward, I believe. There could be bombing in Indochina, which in a way would be not a protection for the prisoners of war. However, it could be used as a coercive force that might benefit the prisoners of war in some way.

However, it is very vague and uncertain. Its impact is almost unknown in the realm of those with whom we are dealing.

Mr. President, even that is terminated after an agreement for a verified ceasefire between United States and the National Liberation Front and those allied with that front, and the release of all U.S. prisoners of war held by the Government of North Vietnam and forces allied with such Government.

As to the withdrawing of all of our troops from South Vietnam and permitting the bombing to continue, I really do not know how that will bring about a release of our prisoners of war when both the continued bombing and the troops over there for all of this time have not been able to bring about that result.

To me the logic and the reason and the commonsense that we apply to this amendment makes it fall short of meeting any practical results. And even though not intended by its author and those associated with him, it seems to me that it is bound to leave the North Vietnamese more free to do as they please than they are now.

This is offered at a time when, unmistakably, the South Vietnamese have developed and are showing day after day that they have the capacity to protect their country, a capacity to counterattack, and a capacity to help make things hard on Hanoi and make Hanoi hurt and make the North Vietnamese want to have some kind of a settlement of this highly unfortunate war.

I think those developments are reflected in the things now going on—the resumption of the peace talks and the resumption of the secret talks. And I do not totally discount those matters. It has been very slow, and I think it will be slow for a while. But I think the best proof and the strongest evidence we have ever had that anything is in progress is that which exists today. There is no doubt about that.

Mr. President, there is a constitutional principle, based on commonsense, that I want to repeat in making clear what my position is. Under our system of government, this is no time to dilute or to try to defeat the authority of the United States in dealing with this problem.

If we are going to divide up and have two policies, and the President has one policy and Congress has the other policy, certainly the consequences would prove conclusively that we are playing into the hands of our enemy, whether intended or not. That is exactly what this would do.

As to the executive branch of the Government and the responsibilities carried now by Mr. Richard Nixon, who was chosen President, we should keep the responsibility where the power is and keep the responsibility on him. This is where it is vested in the Constitution of the United States. It is vested there because of commonsense and reason, because a government cannot have two heads, two voices, two positions. It must have one, right or wrong.

We do not have any negotiating team. We do not have anyone to deal with Hanoi and to get better terms than the President. If we were going to take it away from him and try to appoint someone else, that would be a different question. However, the pending amendment would not affect one iota—except to put limitations on him—his power and the responsibility. It would not affect the responsibility of the President of the United States to represent this Government in policy questions.

However, it would take away from the power what is necessary to be effective, and that is the power of the purse. So we take away, whether we intend to do so or not, that power and we jerk the rug out from under him when we pass legislation of this kind.

Mr. President, how much time have I used?

The PRESIDING OFFICER (Mr. Inouye). The Senator from Mississippi has used 11 minutes.

Mr. STENNIS. Mr. President, I yield back the time I have remaining. And I yield 15 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 15 minutes.

Mr. GOLDWATER. Mr. President, at his press conference last Thursday, President Nixon said that legislators who introduced proposals of the kind before us today really should name their amendments "Prolong the War" resolutions. And he might well have described such legislation as an example of how to lose a war in one easy amendment.

Mr. President, I never thought I would see the day when the Congress of the United States would openly challenge the actions of our President and the course of our Government at a time when we are conducting armed conflict with an enemy. But that is what is happening today, when with the falsely named "End the War Amendments," the Senate is being asked to take legislative action which would directly usurp Presidential authority to negotiate the peace in Indochina, and would take over his authority to negotiate the release of American prisoners of war and an accounting for those missing in action. I am particularly unhappy with this because we are in effect announcing to the whole world during the existence of a state of war that we question the wisdom of the President's policy and the course of action being followed by the United States in a situation which the President has inherited because of decisions taken by his predecessors.

Mr. President I wish to repeat: This is a situation which the President has inherited because of decisions taken by his predecessors.

Mr. President, the pending amendments would cut off all funds authorized or appropriated by not only the military procurement bill but also by any other act of Congress which provides support for U.S. military forces with respect to military action in Indochina. It is worded broadly enough to ban for all time in the future any military action on the part of American forces in the entire area of Indochina, including Cambodia, Thailand, Laos, and Malaysia, as well as South Vietnam. What is more, the amendments specifically apply to ground, naval, and air forces and not merely to ground combat forces, as some earlier proposals have done.

Mr. President, these kinds of restrictions are extreme invasions of the President's powers as Commander in Chief and as the supreme negotiating authority of the United States. They represent unheard of grasps for power on the part of the Legislature and reflect a swollen sense of position for the Congress that has been building since 1969 when all kinds of riders and limitations have been introduced to shackle, cripple or halt Presidential decisions relative to U.S. activities in Indochina. The most incredible part of the effort to pass these amendments is that they come at a time when the President has made a most generous offer for a negotiated settlement when the enemy is visibly failing in its military offensive, and when the chances for a negotiated peace have never been greater.

I might add that we read in the morning newspaper that Dr. Henry Kissinger has just returned from a very intimate conversation with a man who could do more to bring an end to this action than any other man belonging to the enemy.

These circumstances attest to the wisdom of the constitutional arrangement made by the Founding Fathers which vested in the President the supreme authority over negotiations of international agreements and the exclusive command of the Armed Forces in time of war.

Mr. President, I emphasize that because while Congress certainly has the right and the power to limit or prohibit funds for the purposes of conducting a war, Congress has absolutely no power in the conduct of a war or even the opening of a war. It is true Congress can declare a war but out of the 192 odd engagements this country has had in its nearly 200-year history, only five have carried declarations of war by Congress and two of those involved one war.

We could in this body, or in this Congress, literally declare war every 5 minutes, but only the President can send troops into action. This is something we seem to forget in this body.

Again, I am not speaking against the right of Congress to limit funds, but I am speaking against the thought carried by some Members of this body and the other body that Congress was given power by the Constitution to actually conduct war, wage war, and settle peace. Only the President has these powers. Whether we like it or not, that is the Constitution.

I have also said on the floor, and I have said it in papers I have written for law journals, that if we want to change this, and maybe the American people might want to change it, it should be by a constitutional amendment offered from this body to the American people, or initiated by the American people as provided by the Constitution.

But it would be a very dangerous thing, in my opinion, for Congress ever to be given the controlling powers over war. I would much rather place my faith in one man, whether he be a Democrat or a Republican. I naturally have my preferences, but he is the President of the United States and I do not care which side he is on. I would much rather place my faith in one man than in 500 people who are regulated chiefly by politics. We see this every day on the floor of the Senate.

We have a resolution introduced to send aircraft to Israel. It passes overwhelmingly. Why? Not just because Israel is an important part of this world's consideration, but there are a lot of Jewish voters in this country. I have a hunch that if the Italians needed help they would get it because there are a lot of Italian voters; and if the Irish needed some help they would get it because there are a lot of Irish voters.

But we do not have a lot of Vietnamese voters in the United States so they catch a little bit of the rough end of it. That is one of the reasons I do not think Congress should ever begin meddling in the affairs of war because we 500 Members are governed more by the desire to be reelected and get favors from blocks of voters than determining what is right or wrong in the conduct of the war.

By setting themselves up as a congressional command center issuing the highest orders governing military tactics and negotiating strategy, as the proponents of these amendments in effect would do, there is a very real possibility that the war in Vietnam will be prolonged. Imagine the joy that it must bring to the headquarters of Madame Nuygen Binh, chief Vietcong negotiator at the Paris talks, when she hears there is presented to the U.S. Senate a substitute peace plan drafted by certain Members of this body in place of the official peace offer being negotiated by our President and his authorized representatives. Is it any wonder that the Communists will not soften their own peace terms so long as Senators and Congressmen keep proposing legislation that would give them what they want regardless of what the President has offered?

In this connection, while it has no direct bearing, any man in this body who has ever served in command or whoever served in any position in war knows that the knowledge of what the enemy is going to do is the most valuable bit of information that the commander can have, and this applies to the enemy, as well as our own forces.

I can think of no way to make the commanders of the North Vietnamese army happier than to have this body set a day certain that the war is going to end. The winning of the war, in effect, would be guaranteed to the enemy when we take that action. I do not think it is a wise one.

Mr. President, I am very concerned that legislative provisions of the kind before us will jeopardize the Paris peace negotiations. I frankly believe it is time for all of us to stop meddling in affairs which are better left, and are constitutionally meant to be left, with our President and his representatives.

Mr. President, none among us can fail to believe that President Nixon is totally sincere in his intent to attain a complete American withdrawal from Vietnam in a way that would bring our prisoners of war home and would end the war with a genuine peace. As President Nixon mentioned at his press conference last week, we are still negotiating, both in public and in private conferences. We have made fair offers and have not made them on a take-it or leave-it basis. But we are not going to take the immoral and unwise action of joining with our enemy to install a Communist government in South Vietnam. We are not going to shame the United States in the eyes of the world and to jeopardize future world peace by simply pulling out and imposing on the 17 million people of South Vietnam a Communist regime, with the bloodbath that would follow.

If some of our legislators and newscasters would just focus their sights on the Communist record in this unfortunate war, they would notice that since 1965 there have been 600,000 civilian casualties in South Vietnam caused as a direct result of deliberate policies of the Communists. They would recall that a minimum of a half million people are believed to have died in slave labor camps in North Vietnam during the reign of the hippie folk hero, Ho Chi Minh. They might see that there have been over 45,000 civilian casualties in South Vietnam, since the barbaric invasion of that country by North Vietnam on Easter weekend, as a result of the deliberate shelling of cities and the slaughter of refugees by the North Vietnamese in wanton disregard of human life. And then they might ask themselves the fundamental question of how wise and how moral and how in keeping with the best American traditions it would be to expose the 17 million people of South Vietnam completely to the mercy of the Communists and their policy of deliberate murder and assassination of civilians.

And I can hear now this suggestion being answered by people saying, "Well, we bombed the dikes." So we bombed the dikes. The dikes happened to be in places that we could not help hitting if we tried, and, frankly, I have advocated bombing of the dikes since 1960. So have members of the military. There has been a different feeling on the part of Presidents who have been in power, including, apparently, President Nixon. But I will be told that the tens of thousands of tons of bombs we are dropping on North Vietnam are killing civilians. They are, but we did not start this war. We want to end the war, and the war can be ended only by the country that started it, North Vietnam.

To repeat, they might ask themselves the fundamental question of how wise an how moral and how in keeping with the best American traditions it would be to expose the 17 million people of South Vietnam completely to the mercy of the Communists and their policy of deliberate murder and assassination of civilians.

If we do any such thing, Mr. President, it will leave a legacy of humiliation and despisement of the United States throughout the world. It would be the utter collapse of American honor. It would be treachery toward a people and an area of the world to which three Presidents have given their pledges of assistance. It would mark the United States as an instable, inconsistent and weak nation who could not be relied upon by its other allies to honor its commitments to them, or indeed even to protect its own interests. It would shatter faith and respect in the United States which might well encourage aggression around the world, in which smaller nations armed and urged on by the Soviet Union or Red Chinese will attack their neighbors at will in the Middle East, in Europe, or other areas of the world.

Mr. President, I strongly believe for these reasons that the pending amendments would give false encouragement to our enemies, would incite a prolongation of the war in Indochina, and would create a situation of instability that would result in new aggressions and new wars around the world as our adversaries conclude that the United States will not respond to threats to world peace because of legislative restrictions on the Executive.

Mr. President, I urge the defeat not only of the Cranston amendment, which I think will be so radically changed that it will be unrecognizable by the time we come to a final vote on it, but the defeat of all amendments that would try to force upon the President a decision that is his, and his alone, by the Constitution.

The **PRESIDING OFFICER**. The Senator's time has expired.

Who yields time?

Mr. **CRANSTON**. Mr. President, I yield myself such time as I may need.

If the Senator from Arizona would respond, I would like to ask him a question or two.

First, as I understood it, the Senator implied that since Senators are elected, it is inappropriate for them to end the war. It has always been my understanding that the President of the United States is also elected. Do we coronate him or annoint him, or what?

Mr. **GOLDWATER**. Mr. President, I do not see any relevancy in that question. That is not the point I was trying to make. The point I was trying to make is that the Constitution does not give Congress the powers of war; that is given to the President; nor does it give to Congress the powers of peace.

I recognize that what the Senator is trying to do is perfectly within his rights. We can control moneys. That is about the only power we have when we get right down to it. That was the point I was trying to make, and I see no application to the question asked.

Mr. **CRANSTON**. Well, I trust that the President, in his way, is seeking to end the war. I believe he is. I think he is wrong in the way he is going about it. But he is also elected and he is seeking reelection this year, and like some Members here, he must take into account many other matters, including the public interest. I think those who favor my amendment take into account the many factors involved, just as the Senator from Arizona does. I do not think the fact that we are running for election, as I am not, and as the Senator from Arizona is not, this year, is the principal factor in bringing up this proposal and making this appeal to the Members of this body or the people of our Nation.

Mr. **GOLDWATER**. I do not believe I made that allegation. I used as an example amendments that carry unanimously and that are voted for even by people openly opposed to war of any kind, for one reason—I do not say that is the total reason—because it is supported by people in their States who represent large blocs of voters.

My total purpose was in emphasizing the constitutional question. Yes, the President is running for reelection, and I might add—and I did not bring this into it—the President took office with 550,000 men in South Vietnam, which he has reduced to the point that there are no ground forces fighting there, and we do have, I would guess, something close to 100,000 men, which is a more accurate figure than 50,000 because we do not take into account naval forces that have been brought to bear off the coast of Vietnam. I think the figure would be closer to 90,000 or 100,000. But President Nixon did not start that war, and President Nixon is the only President we have had in the past 10 years who has made any move at all to end the war and bring the men home. I think he is doing a very good job, and, if it is going to be put on a political basis, I would rather have a man in the White House who knows what he is doing to bring that war to an end than a President who does not.

Mr. **GRIFFIN**. Mr. President, will the Senator yield to me?

Mr. **CRANSTON**. I am delighted to yield to the Senator from Michigan.

Mr. **GRIFFIN**. Mr. President, I am very sorry that the Senator from California has brought into this debate a reference to the fact that President Nixon is running for election. But he has. He has made that reference and since he has done so, the junior Senator from Michigan would like to point out that the President has an opponent who is also running for election.

Without necessarily questioning the motives of anyone who supports the amendment of the Senator from California, it is a rather unfortunate fact, in terms of the national interest, that his opponent's chances of being elected will be better if the war continues until after the election.

President Nixon said in a press conference last week that we have the best chance ever to reach a negotiated settlement with the enemy.

The amendment of the Senator from California, if adopted, would not end the war; it would not achieve a negotiated settlement. His amendment only provides for a time when all U.S. troops must be out of Vietnam.

But an amendment like that will not end the war, necessarily. The war could continue if Hanoi wants to fight on—and if Saigon wants to fight on.

The military situation over there is such that it is altogether possible that we could pull out all of our troops—and the war—the killing—would still continue. Furthermore, adoption of the Senator's amendment would not get our prisoners of war back.

The Senator from California mentioned that the President is running for reelection. He has an opponent who is also running for election. His opponent has promised that all U.S. troops would be withdrawn 90 days after inauguration day next January 20. Like the Senator's amendment, that would not necessarily end the war, if Hanoi and Saigon decide to fight on; that would not get our prisoners of war back.

At the present time, we do have a good chance of reaching a negotiated settlement—a negotiated settlement that will end all the killing in Vietnam and Indochina; an agreement that will get our prisoners back. But with all deference to the Senator from California—and I realize it is not his intention and purpose—the effect of the Senator's amendment, if it were adopted by the Senate, would be to encourage the enemy and prolong the war. I cannot believe that the Senate wants to do that. Surely the American people do not want us to do that. For that reason we should vote these amendments down.

I thank the Senator for yielding.

Mr. **CRANSTON**. Mr. President, I would like to say to the Senator from Michigan that it was the Senator from Arizona, not the Senator from California, who first brought the matter of people running for election into this discussion today. I will grant that the amendment I have offered and the amendment that the Senator from Massachusetts (Mr. BROOKE) has offered as a substitute will not necessarily end the war. I do believe that the adoption of either of the amendments and its implementation, would end the war for the United States and would end the killing of Americans, and that is my first interest. I would like to see the killing of Asians ended also, but my first interest lies in ending the killing of Americans and ending a war in which America is involved.

I would like to ask the Senator a question, if I may. What evidence is there, what real evidence, that we are on the verge of a negotiated settlement at long last, after so many years of frustration at Paris and elsewhere?

Mr. **GRIFFIN**. Well, if the Senator from California is saying he does not believe the President of the United States, I guess he is entitled to his opinion.

Mr. **CRANSTON**. I have not said that.

Mr. **GRIFFIN**. The President of the United States, last week in a press conference, indicated that we have the best chance ever of achieving a negotiated settlement.

It is well known that the President's personal representative, Dr. Kissinger, has just returned from Paris where he has been engaged in secret negotiations. This is known all over the world. Still I cannot say that an agreement will be reached tomorrow or next week.

However, I believe that whether an agreement is reached could very well depend on how many Senators follow the lead of the Senator from California. The chances for a negotiated settlement could be destroyed right here in the Senate today.

Mr. **CRANSTON**. The President has said repeatedly that the hopes are great for a negotiated settlement. I do not question the President's sincerity. I do question the President's judgment. I see no sign that we are anywhere close to a negotiated settlement, and let me say that we——

Mr. GRIFFIN. I wonder if the Senator from California knows as much about the negotiations as the President and Dr. Kissinger. That seems to be the position he is taking.

Mr. CRANSTON. I make no such claim, of course. But I have watched the negotiations go on endlessly. I know the President said 4 years ago that he had a plan to end the war. He must have felt that negotiations would work successfully, but I see no evidence that that is occurring. If it does, great; I hope it does.

Mr. GRIFFIN. All I can say is that there are many other observers of the scene who disagree and think otherwise. I am sure the Senator from California is well aware of that since he reads the newspapers. Those who disagree are not necessarily people who have agreed with the President in the past.

I am thinking now, for example, of John Knight of the Knight newspapers, who has disagreed with President Nixon on his Vietnam policy, who disagreed with President Johnson on his Vietnam policy, and who disagreed with President Kennedy on his Vietnam policy. Mr. Knight recently wrote—and I put it in the RECORD a few days ago—a very thoughtful and incisive article which, in effect, made some of the points I have tried to make here on the floor of the Senate today.

I would appeal to the Senator from California and other Senators to give the only person who does have a chance to negotiate between now and next January 20 an opportunity to negotiate. We wish him well, whoever the President in that situation might be. I am sure that the Senator from California wants to do that and intends to do that.

Mr. CRANSTON. I, of course, wish the President well. The Senator from Michigan said that the effect of my amendment would be to prolong the war. The fact is that the Vietnam war has already been prolonged for more than a quarter of a century without the benefit of my amendment or any other amendment like it.

It seems to me that the administration uses threats of war and peace to manipulate Congress to do its bidding. Every time Congress considers a defense budget, we are barraged with threats of reported buildups in Soviet arms. A new missile buildup or a missile advance is consistently and miraculously uncovered at just the right moment, when Congress is debating whether or not to approve the higher and higher military outlays that the Pentagon demands.

The administration follows the same transparent manipulative technique on the matter of peace. Each time Congress considers steps to bring about, finally and at long last, an end to the endless horrors of Vietnam, we are threatened with peace.

"Be quiet," Congress is told, "Peace is about to break out at any moment."

"Be quiet," Congress is told, "You may upset delicate negotiations."

"Be quiet," Congress is told, "You are undercutting our bargaining position."

Mr. President, I say, "Enough." Congress will not be quiet. I will not be quiet. We have been led and deluded with promises of instant peace for 3½ years, and where is it? Where is the peace that President Nixon promised us 3½ years ago? Where are the 20,000 Americans who were killed in Vietnam while we were waiting for the President to deliver us the peace he promised? Where are the billions of dollars we have continued to waste on this war, while waiting for the peace that President Nixon promised us 3½ years ago?

I say Congress must stop being the manipulatee and become the manipulator. Congress must take the war into its own hands and end it.

The Senator from Arizona stated that the Constitution did not give Congress the power to conduct war. Congress was not given the power to wage war, said the Senator from Arizona.

I, of course, concur in that, and there is no effort here to dictate the manner of waging or the conduct of the war. There is an effort here to exercise the responsibility given us in the Constitution to end an undesired war.

Prof. Alexander Bickel of the Yale Law School, a constitutional lawyer with basically conservative leanings, said in the current issue of Commentary, after an examination of the warmaking powers under the Constitution:

> President Lyndon Johnson did launch an unconstitutional war, and President Nixon, though entitled to wage *de facto* war until Congress stops him, should know, conservative lawyer that he is, that the war he wages was unconstitutional in its inception.

Let me make plain that I am not making any partisan statement here. I am talking about a Democratic President who helped get us into this quagmire.

The New York Times commented upon this just the other day, on Monday, July 31:

> The Constitution, in giving to Congress, and not to the President, the power to declare war, intended to prevent such hasty action.

This comment referred to the hasty action that landed us in Vietnam.

> It sought to create permanent institutional safeguards which, by demanding the approval of both houses of Congress, would eliminate the risk that the country might be led into wars by Presidential command decisions reached in secret agreement with advisers who are not responsible to the electorate.

The Senator from Mississippi also questioned the precedent for this sort of action. But does the Senator from Mississippi, I ask, question our constitutional right, our power, if we wish to do it, to do what this amendment would have us do?

Mr. STENNIS. No. I have said many times that there was no question about the power of Congress to withhold funds. Certainly, we have that authority. I do not question that at all. That is very clear to me. But I do say that just because we have a problem is not enough reason. There is no way to solve it, as I see it, except to provide the voice of our Nation in the negotiations—particularly the negotiations.

Mr. CRANSTON. I thank the Senator.

The Senator also said there is no precedent for action such as this by Congress. I grant that there is no precedent, although there is the power, if we wish to exercise it.

I ask the Senator, however, if there is any precedent, except for brief forays of short duration, where the constitutional power of the President has been used for military purposes overseas without consulting Congress. I make exceptions for brief expeditions and for Korea, which was done under mandate of the United Nations, with the United States voting in the United Nations for that mandate. Is there any other precedent for an undeclared war that has lasted as long as the Vietnam war, with all of its many casualties and tragic consequences?

Mr. STENNIS. Going back to the original step-by-step entry that we made into this war, frankly, not realizing fully that it was going to be a war—but I think this is an undeclared war—the issues should have been drawn very sharply and a "yes" and "no" vote given. There is no full precedent, as I see it, for the way we got into this war. The Korean war did have the action of the Security Council of the United Nations.

All this came out, as the Senator may recall, when we were debating here the bill defining the powers and the responsibilities of Congress—the bill we passed this year.

But after you are in a war and that has been accepted, more or less, I think that, then, as to the matter of the operation of the war and the termination of it, the usual rules as to executive functions have to apply, of necessity.

Mr. CRANSTON. I thank the Senator.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. GOLDWATER. I should like to clarify the situation.

We have had about 192 engagements of various types in the history of our Nation, and there have been only five in which Congress has made a declaration of war.

The Mexican War was a large war. I do not think the length of the war had anything to do with the President's determination to go to war. I can recall President Roosevelt, prior to our official entry—if that is what it is to be called—into World War II giving weapons of war to the English. When we were attacked at Pearl Harbor, we were fighting back very strenuously. We were in war before Congress declared war.

I should like to remind the Members of Congress that when the Founding Fathers were attempting to set up our form of government, the original concept was that Congress would have the right not only to declare war but also to supervise —if that be the word—the conduct of war. The effect of this upon Washington's efforts in the revolution was so bad, with the legislative branch interceding here and interceding there, that the Founding

Fathers very wisely decided not to leave the conduct of the war up to Congress but to leave it up to the President, but to retain in Congress the right of declaration. But it never said that we must make a declaration to go to war.

As I have suggested to the Committee on Foreign Relations and on this floor, if we want to change this, if the American people would feel safer with their elected officials not only declaring war but actually sending troops to war and conducting war, then it should be done through a constitutional amendment which would change the present situation.

This is what I keep getting back to—that amendments such as the Senator is proposing, while, in effect, proper and under our rights, do interfere with the constitutional prerogatives given to the President, whether we like it or not.

The Senator asked for precedents. We have far, far more precedents of a President using his power of war than Congress using its power to declare war—not that it might make any difference one way or the other. I think that when we have needed a declaration, to indicate to the world or to our enemies united action of the American people, Congress has come through without any question.

While some will question it, and I question whether the Tonkin Gulf Resolution was actually a declaration—I do not think it was—nevertheless, some people feel that it was and feel that it gave warning to the world that Congress stood behind the President.

I thank the Senator for yielding, because that is the point I wanted to make.

Mr. CRANSTON. I thank the Senator. I know that he has studied the matter of presidential power and its use in foreign conflicts very deeply. The Senator graciously gave me the benefit of some of those studies in the past, for which I thank him.

The unprecedented situation about this war is its long, long duration together with the inability of our Nation and our executive leaders to find a way to end it. I respect the President's sincerity, and I know of his desire to get us out of the war; but I do question his ability to do so. I know that he apparently has been quite successful in opening negotiations in Peking and Moscow, for which I applauded him the moment he announced those trips. I think it is very fine that he has carried through such successful negotiations as the Strategic Arms Limitation Talks. But when it gets around to the Vietnam conflict we see no signs thus far convincing us that negotiations, carried on by Dr. Kissinger or anyone else, have led to a successful resolution of this particular conflict. The President's greatest failure, it seems to me, is his inability up to this point to make this great announcement that peace is in our hands. But until we see that announcement and have convincing evidence that that has happened, the time has come, it seems to me, for the Senate to exercise some responsibility. That responsibility was given to us by the Founding Fathers in case the Nation ever found itself in exactly the same tragic situation we have landed in.

Mr. GRIFFIN. Mr. President, will the Senator from California yield?

Mr. CRANSTON. I am delighted to yield to the Senator from Michigan.

Mr. GRIFFIN. I was interested in the fact that the Senator from California conceded, during an earlier colloquy, that even if his amendment were adopted, it would not end the war—that the war could go on.

I wonder whether the Senator from California, since he has followed the negotiations closely, as he has indicated, would also concede that what the Senate may or may not do today with respect to his amendment could have an effect on the negotiations now taking place in Paris?

Mr. CRANSTON. Certainly, any action taken by the Senate may have an effect on the negotiations. It might have a beneficial effect.

Mr. GRIFFIN. If we were to pass his amendment which would require unilateral acton without regard to an agreement, is the Senator saying that such action would be beneficial in terms of the negotiations? Would that be beneficial to the United States?

Mr. CRANSTON. Yes; because it would serve notice to President Nixon and the world that we will not forever spill American blood in defense of President Thieu and his corrupt regime, that we will not forever commit that regime to having veto power over how long Americans shall die in Vietnam. We are not suggesting by this amendment a unilateral end to participation. There are still negotiations, to insure that if this amendment is enacted into law, that can well set the stage for successful negotiations, leading to the release of our prisoners of war which, I take it, is one of the objectives that the Senator from Michigan and I and most other Americans share.

Mr. GRIFFIN. In my view, Senator, that is an incredible position. I understand that the Senator really believes he is helping negotiations; but I believe that what he is doing is destroying them.

Mr. CRANSTON. We are seeking to get negotiations on a sensible track. Incredibly, the President, the Senator from Michigan and other Members of this body, pursue a policy that bears no promise of success. We are seeking to get negotiations at a level where they might well be successful.

Mr. GRIFFIN. The Senator from California takes a very heavy responsibility upon his shoulders when he passes judgment that there is no prospect for the success of these negotiations. Of course, he is entitled to his opinion, but let me say for the record that many others believe that the prospects for success are good enough to give the President a chance.

Mr. CRANSTON. Plainly it is our responsibility. What I have done unilaterally is to offer the Senate an opportunity to make a decision that this amendment, or the Brooke substitute, would indeed increase the hope for putting an end to the killing of Americans in Vietnam. That is a decision which the Senate will make today.

Mr. DOLE. Mr. President, will the Senator from California yield?

Mr. CRANSTON. I am delighted to yield to the Senator from Kansas.

Mr. DOLE. As the Senator knows, we have discussed this conflict before on the Senate floor, and sometimes we have disagreed. I have read the Senator's amendment and am familiar with it.

It has been my purpose, at some time, in the event the amendment should be adopted, to offer a further amendment. I understand, though, that I may be precluded from doing that because of the parliamentary situation. But this proposed amendment simply states that the Congress of the United States hereby accepts and assumes full responsibility for the consequences of policies established by this section.

If the Senator from California does not see any problem with that amendment, would he accept it as an amendment to his amendment?

Mr. CRANSTON. No. I think it is redundant. Plainly, when this body acts, it assumes responsibility for its acts. But the implication of the language proposed is negative and therefore I do not accept it.

Mr. DOLE. Is the Senator then opposed to accepting the responsibility, if the Senator wishes to take away from the President the authority for dealing with the situation?

Mr. CRANSTON. I would like to share responsibility with the President, as he has refused to do up to this point, in seeking an end to the war. It is plainly a responsibility that will rest on the shoulders of the majority of this body, if we exercise it. We will be responsible for the consequences, which I believe will be highly beneficial to our Nation and our world.

Mr. DOLE. But assuming that war conflict should be prolonged and it should become evident that it is being prolonged because of what the Congress has done, what I suggest is that we make it very clear to the American people that we are taking the responsibility away from President Nixon, or whoever the President may be, and we are accepting that responsibility as we should. If we seek to deny the President or want to rob him of his responsibility—which he did not request but which he accepted upon taking office—then we should be willing to accept that full and complete responsibility for all the consequences, should we not? Should we not accept responsibility for the prisoners of war, responsibility for our credibility around the world, responsibility for failure in South Vietnam itself either militarily or at the negotiating table? I think, perhaps, that we should accept this responsibility 1,000 percent. I would hope the Senator might be willing to incorporate this suggestion into his amendment. I will not vote for it, of course, but I wish the Senator would incorporate it into his amendment.

Mr. CRANSTON. Let me say that on July 27, President Nixon declared:

> At this point the chance for a negotiated settlement is better than it has ever been before.

What evidence, really, is there for that statement, or for more recent statements made on the floor today by those opposed to this amendment? On the very same day that he made that statement, July 27, a U.S. press aide, representing the administration in Paris at the talks, said:

> Polemics were read to us in a reasonably nonpolemic way at the latest meeting.

Is that all we have to go on? Is there anyone who knows for certain that this time is different from all the other earlier times when we were told that if Congress takes any action we will be jeopardizing the negotiations? I have 3½ years of failure to point to. Can the Senator point to one bit of evidence of success in the 3½ years in negotiation?

Mr. DOLE. I appreciate the statement by the Senator and appreciate his yielding to me for questions, but I wish he might respond to my question.

Mr. CRANSTON. Let the Senator respond to my question and I will respond to his.

Mr. DOLE. That is fair enough. I am not the President of the United States. Neither is the senior Senator from California. I have followed what President Nixon has said throughout his administration rather carefully and closely. He has not been given to statements he could not support. He never tried to say, as past administrations have said, that we are turning the corner on Vietnam, or that we are about to see the light at the end of the tunnel, as I recall was said in 1965 and 1966. He has always indicated there would be hard choices to make. He has always indicated, as he has pursued the policy of Vietnamization, that he would not make commitments he could not keep. And he has withdrawn over half a million American troops from South Vietnam—in full accordance with his promises and commitments.

There has not been any gain at the negotiating table. That is true. In fact, the negotiations were broken off. But now they have started up again and the President has made the statement that the chance of negotiations is better than ever.

I do not know what evidence he has. I assume he has some. I do not assume that I should be privy to what information the President has, because if we all knew the information he had, the chances for negotiations would not be better, but much worse, presumably. I do not know.

So I take the President's word. He is a man of credibility and honesty, who has been winding down a war which he inherited from other administrations. The American people, by and large, support President Nixon, not because they like war but because they want peace, and because they believe he has pursued an honest and highly successful policy in Southeast Asia—and elsewhere.

I do not have any specifics. I cannot give the Senator a laundry list of what North Vietnam may have said or what President Nixon may have reviewed in making his judgment.

Mr. CRANSTON. Mr. President, I do not exactly understand the answer of the Senator from Kansas to my question. I think that perhaps I can make my answer to what I think his question was somewhat clearer.

I accept the responsibility for what this amendment means. And it will be up to the Senate to accept the responsibility for what it means and for the consequences—beneficial, I think—flowing from it if adopted. I see no reason to amend my amendment as suggested.

Mr. DOLE. Mr. President, there is no question that the President understands the seriousness of the situation in Indochina and everywhere else in the world. He understands his responsibility as Commander in Chief in this respect. I assume that it might be suggested that if the President were inclined to do so, he might say, "Let them pass this amendment. I will wash my hands of the responsibility. And if anything happens, I will say that it was the Congress that passed the amendment and did away with my right to negotiate an end to the Indochina conflict."

I know that the war has dragged on. And I do not know of anyone who wants the war to last one more day. Certainly the Senator from Kansas does not.

We have had so many amendments like this, amendments called end the war amendment or amendment for peace. They have a great ringing appeal for the American public. However, I know that as legislators we cannot end the war by this amendment or by any other amendment. I do not care how many laws we pass; the negotiations will be for the President of the United States to conduct. The Senate cannot negotiate with North Vietnam. The President can.

Mr. President, if the President had done nothing over the past 3½ years, if he had not withdrawn a single American and had not kept his word with the American people, I suppose we might have some justification for offering an amendment such as the Senator from California suggests. However, if we are going to impose our will on the President and strip or take away from the President the matter of foreign policy and making a decision, that is one thing. However, at the same time we should accept the resopnsibility.

Some Members of this body want to blame the President if he fails and take credit if he succeeds. We cannot have it both ways. The Senator from California knows that. The Senator from Kansas knows that. And I believe that every American knows that.

Let us face it. Everyone in the Chamber knows what year this is. This is 1972. Eveyone knows that something will happen this year; there will be an election. Everyone knows, whether we like it or not, that Vietnam will be an issue in that election. Maybe what we do today will be somewhat inspired by politics. I do not know. However, I think the American people will read it that way. The Democrats want to do one thing. The Republicans want to do another thing. And some others want to do still another thing. Perhaps it cannot be divorced from the election itself. However, it seems to me that as a matter of objectivity and fairness to the President—not President Nixon, but to the office of the President—if we wish to strip the President of his power to negotiate, then we ought to strip him of his responsibility. In the amendment we say that we will trust the North Vietnamese because they can be trusted and they will accept the responsibility. I do not see anything in the amendment that says we trust the President of the United States—or that we recognize that by this amendment we would strip him of his authority—or that the Congress assumes and accepts the responsibility for doing so.

Mr. CRANSTON. The Senator from Kansas may be concerned about who gets credit for ending the war, if indeed it is ended. The Senator from California is not. The Senator from California is interested in seeing this war ended. If it takes a joint exercise of constitutional power between the President and Congress, then so be it. And I believe that is what is required.

The Senator from California is not at all concerned about being fair to the President in this war. He is concerned about being fair to the Americans who are dying in Vietnam. Our objective is to get them out and to get the prisoners back.

Mr. DOLE. Mr. President, will the amendment stop the dying?

Mr. CRANSTON. Mr. President, the amendment, I believe, will stop the dying in Vietnam. It might or might not speed the end of the dying of Vietnamese in Vietnam.

Mr. DOLE. Mr. President, the Senator from Michigan earlier indicated a question, and I believe we have a right to raise this question without impugning the motives of the Senator from California. In the event the amendment should not have the effect the Senator hopes and if it were to protract the war and extend the dying and extend the tragedies in Indochina—not only for Americans but also for all of those who live there, South Vietnamese, North Vietnamese, Laotians, or whatever—and I am certain that is not the intent of the Senator from California and I do not charge that at all, but we have the right to raise that question. If we raise the question about the President not caring or about the President not keeping his word or about the President not ending the war, and we have a right to examine this amendment in that light—then who assumes the responsibilities? Does the Senator from California, or does he then say that the President should have done something?

Mr. CRANSTON. Mr. President, this war has gone on for more than 25 years without the benefit of my amendment or any amendment like it. There is no sign that I see that the end of the war is in sight for Americans without this amendment.

The President has had 3½ years to stop the war. And I recognize that the war was not started by President Nixon. The President has wound it down in some respects, and he has wound it up in some respects. However, after 3½ years he has failed to get us out.

I believe it is up to the Senate to exercise our constitutional power. We must share responsibility to end the war, which is something that we have shrugged off up to this point.

Mr. STENNIS. Mr. President, I yield 15 minutes to the Senator from Alabama and will yield more time to him if he desires.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 15 minutes.

Mr. ALLEN. Mr. President, I thank the Senator from Mississippi for yielding to me at this time.

Mr. President, there will be at least three amendments offered today dealing with this general subject. The first amendment is an amendment offered by the distinguished Senator from California (Mr. CRANSTON). The next amendment will be a substitute offered by the distinguished Senator from Massachusetts (Mr. BROOKE). And the next amendment will be a perfecting amendment offered by the distinguished Senator from Vermont (Mr. AIKEN) to the Cranston amendment.

Four hours have been allotted for a discussion of the Cranston amendment, 2 hours for the Brooke amendment, and 1 hour for the Aiken amendment. Yet the Aiken amendment is going to be the amendment that is voted on first.

For that reason, I am going to use some of the time allotted to me to discuss the Aiken amendment because the first question to be determined by the Senate in its votes today will not be whether the Cranston amendment should be agreed to. It will be whether the Cranston amendment should be perfected as provided by the Aiken amendment. So, the two amendments would be weighted, not so much on the merits of the Brooke amendment as on a comparison of the merits and demerits of the Cranston amendment and the matter in which the Cranston amendment can be perfected or improved by the Aiken amendment.

Mr. President, the Cranston amendment, the Senator from California stated in his introductory remarks, is the same amendment as the Mansfield amendment, which was defeated just last week by a substitution in its stead of the Cooper amendment as perfected by the Brooke amendment. So this amendment already has been rejected by the Senate, and well it might have rejected this amendment because an analysis of the amendment would show that it does not represent the thinking of a majority of the Members of the Senate.

In the first place, it divides the question of withdrawal from Indochina into two phases, the first being a withdrawal of American forces from South Vietnam, to be accomplished by October 1 of this year. Not only is there a direction that there shall be a withdrawal of American forces from South Vietnam by October 1, 1972, but it is provided that all funds to support the military operation of those forces shall cease on and after October 1, 1972. Whether they are withdrawn by that date or not, all funds to support them would be withdrawn under this amendment.

Is North Vietnam required to do anything? Are any preconditions provided by this phase of the amendment for them? None whatsoever. Not one single prisoner of war is to be returned; not one single soldier who is missing in action is to be returned. We pick up lock, stock, and barrel and pull out of South Vietnam by October 1 of this year, and if we are not out no funds would be provided for the support of the troops. North Vietnam is not required to do one single thing in that time.

Mr. CRANSTON. Mr. President, will the Senator yield at that point?

Mr. ALLEN. I am glad to yield to the Senator from California.

Mr. CRANSTON. The amendment in its entirety does not really call for our getting out lock, stock, and barrel by October 1, because it leaves in the President the power for action in and over and around South Vietnam through naval and air action of the sort now going on in the north as well as the south. So we would provide that. That is a form of war now being conducted, incidentally, on a larger scale than before.

We would not by this amendment stop all military action without regard to the POW's and the missing in action.

Let me ask this question. Does the Senator know of any instance in history, and I have looked for it and others have looked for it and could not find it, of any war where prisoners of war were exchanged before hostilities were ended?

Mr. ALLEN. I would not know that. I would not be willing to vote for any provision that would call for the withdrawal of our troops from South Vietnam without, not just a promise of the return of our prisoners of war, but the actual return to the safety of their homeland.

Mr. CRANSTON. This amendment does not call for an end of hostilities on our part until the prisoners of war are out and the missing in action are accounted for.

Mr. ALLEN. I disagree with the distinguished Senator on that statement. I will, if the Senator would permit me, read into the record at this time the exact provisions of section (a) which is entirely different and distinct from section (b):

> Notwithstanding any provision of this or any other Act all United States military forces, including combat and support forces, stationed in South Vietnam—

That is every single one of them. I add parenthetically—

> shall be withdrawn in a safe and orderly manner from South Vietnam no later than October 1, 1972. No funds shall be authorized, appropriated, or used for the purpose of maintaining any United States military forces, including combat and support forces in South Vietnam ofter October 1, 1972.

Mr. CRANSTON. Mr. President, will the Senator yield

Mr. ALLEN. Yes, I am delighted to yield.

Mr. CRANSTON. The Senator read section (a) very accurately. Will the Senator now read section (b) into the record?

Mr. ALLEN. Yes, I will read that section, and I point out that it provides for an entirely different set of facts covering an entirely different area of the globe:

> (b) The involvement of United States military forces, land, sea, or air, for the purpose of maintaining, supporting, or engaging in hostilities in or over Indochina shall terminate after an agreement for—
>
> (1) a verified cease-fire between United States forces and the National Liberation Front and those allied with the National Liberation Front, and

I add parenthetically that it seems passing strange to the junior Senator from Alabama that this cease-fire is not just between North Vietnam and the American forces, which would be a separate peace in itself and an abandonment of our allies, but it makes provision, and pushes the National Liberation Front out in front. We would have provision for a verified cease-fire between U.S. forces and those allied with the National Liberation Front, as if this were merely a civil war between the South Vietnamese and the Vietcong rather than emphasizing the role of the invaders from North Vietnam.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. AIKEN. The Senator from California expressed great disappointment that the President of the United States has not kept all promises which he may have made. But apparently he has full confidence in the Government of Hanoi would keep any promises or agreements which they entered into.

There is somewhat a difference, however. The President of the United States can make a promise and a politically hostile Congress can prevent his keeping that promise.

Does the Senator from California understand that or does he claim that the government of Hanoi has no opposition congress which would prevent the leaders of that government from keeping their promise?

I think it is most unusual to say we can rely upon the word of the leaders of the Hanoi government, but we cannot trust the word of a President of the United States.

Mr. ALLEN. Yes.

Mr. AIKEN. I think it is very unusual to have anyone say that or, particularly, to put it in writing, as this calls for. After they promise they will do all these things we would immediately stop all hostile action and get the heck out of there.

Mr. ALLEN. The Senator is correct.

Mr. AIKEN. But the President of the United States can promise he is going to withdraw 500,000 troops from Vietnam, and he does withdraw 500,000 troops, but his words cannot be relied upon.

I do not understand why the word of North Vietnam should be so much more reliable than the word of the President of the United States.

Mr. CRANSTON. Mr. President, will the Senator from Alabama yield so that I may reply to that statement?

Mr. ALLEN. I have no objection to yielding, but I would ask that the Senator reply on his time, because I am on limited time. Does the Senator have objection to that?

Mr. CRANSTON. I thank the Senator. My reply will be on such time as I need, and it will be brief.

I do not doubt the President's word. I do not doubt his sincerity. I do doubt his capacity to keep one promise he has made, and that was the promise he made when he was campaigning in 1968 that he would end this war. I do not see that he has been successful in doing that.

I do not credit the word of Hanoi over the word of the President of the United States. I do not trust them to keep all agreements. Frankly, I am actually supporting the substitute amendment of the Senator from Massachusetts, which will come up as a substitute for this amendment, because in this respect it has superior language. It provides that we will not rely simply on trust. It provides that there will be a concurrent withdrawal of troops as the prisoners are released. We will not be relying on their good word; we will be relying on their act.

Mr. AIKEN. And we ought not to believe in promises being made over the next 3 months in this country by any candidate who might not be able to keep them, although the desire might be there. Nevertheless, I think there is quite a distinction on our part between taking the word of the President of the United States to do the best he can to keep his promise and taking the word of the Hanoi government.

Mr. CRANSTON. I am sure the President will do the best he can. I think his best is not good enough.

Mr. AIKEN. I think he has done the best he can. If he deserves a gold medal for anything whatsoever, it is for getting our troops out of Southeast Asia to the extent which we have accomplished so far.

Mr. CRANSTON. I would grant that the President of the United States might be given a gold medal for getting as many American troops out of Vietnam as he has. I do not suggest that he should be given the Nobel Peace Prize.

Mr. AIKEN. I notice that some people in California made that suggestion.

So in the amendment the Senator is proposing, he is not questioning the word of the President.

Mr. CRANSTON. Absolutely not.

Mr. ALLEN. Mr. President, going on with my remarks, the conditions for ending all hostilities in all of Indochina are as follows, as I read the language of the amendment by the Senator from California: It provides for a cease-fire between U.S. forces and the National Liberation Front, which is the Vietcong, indicating that the Vietcong is the chief actor in the war, rather than the Government of North Vietnam. I do not like that because I do not feel that is correct. I feel that the Government of North Vietnam directs the Vietcong, and not the other way around.

The second condition is the release of all U.S. prisoners of war held by the Government of Vietnam and forces allied with such government.

The third is an accounting for all Americans missing in action who have been held by or known to such government of such forces.

Then it provides for an accounting by the International Red Cross.

The amendment offered by the distinguished Senator from Vermont, of which I have the honor to be a cosponsor, would perfect the amendment offered by the distinguished Senator from California and make it a better amendment.

Let us see in which way that will be done. It eliminates the provision for a withdrawal from South Vietnam without precondition, and it knocks out all of the Cranston amendment starting on line 1 of page 1 down through line 11 of page 2, and it preserves in the amendment sections (2) and (3), and then the accounting by the Red Cross, but it makes the very same proposal made by the President of the United States on May 8.

The PRESIDING OFFICER. The 15 minutes of the Senator from Alabama have expired.

Mr. ALLEN. Mr. President, I yield myself 3 additional minutes, on behalf of the Senator from Mississippi.

Mr. STENNIS. Yes, Mr. President.

Mr. ALLEN. It makes the very same proposal made by the President of the United States.

Mr. President, I want to introduce at this time, and ask unanimous consent to have inserted in the RECORD, newspaper articles from the Washington Post and New York Times appearing this morning having to do with negotiations between Mr. Kissinger and representatives of North Vietnam.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 2, 1972]

KISSINGER, THO MEET IN PRIVATE

(By Murrey Marder)

White House security advisor Henry A. Kissinger met privately again with Hanoi Politburo member Lo Duc Tho in Paris yesterday, pressing President Nixon's call for a cease-fire to permit withdrawal of U.S. troops and release of prisoners of war.

There was no indication if any progress was made in this second Kissinger-Tho meeting in two weeks. Their talks now appear to be part of a prolonged probing exercise on both sides while U.S. air power pounds North Vietnam and a new Communist offensive is awaited in South Vietnam.

The only roundabout comment about the issues at stake in secret diplomacy came in an expression of concern voiced in Saigon by South Vietnamese President Nguyen Van Thieu.

Thieu told a South Vietnamese military graduating class yesterday that. "A cease-fire for South Vietnam only between the Americans and North Vietnamese with the release of prisoners of war, is a great danger for South Vietnam." His comments indicated a fear that the United States may be tempted into a separate cease-fire through political pressures on President Nixon before the November election to fulfill his pledge to end American involvement in the war.

Any cease-fire must apply to "all of Indochina," Thieu said. President Nixon, on May 8, did propose an Indochina-wide cease-fire, and a release of American prisoners of war, which he said would be followed by a complete withdrawal of all American troops within four months.

But the President, last Thursday, also said the United States is not negotiating on a "take-it-or-leave-it basis," and also that "the chance for a negotiated settlement is better now than it has ever been."

Both of these presidential themes arouse apprehension in Saigon. What the United States should do, Thieu said yesterday, is to "continue to destroy all of North Vietnam's military installations and economic power" with U.S. air attacks for "six or seven months more" and then, he said, North Vietnam would be obligated to accept a total cease-fire.

That timetable would, of course extend the fighting well past the November presidential election in the United States, the period of special concern for the Saigon government.

In any event, current forecasts on all sides of the Vietnam war, in Saigon, in Hanoi and in Washington, project intensified fighting in the months ahead. Thieu predicted new Communist offensives in the Hue-Quangtri area, which U.S. officials also anticipate, plus thrusts to try to isolate Saigon.

In Hanoi yesterday, North Vietnamese Defense Minister Vo Nguyen Giap also forecast increasing Communist military activity in the South.

Giap, speaking at a Chinese embassy reception in Hanoi on the 45th anniversary of the Chinese People's Liberation Army, said, "The South Vietnam resolution is now provided with favorable conditions to push forward its offensive and win complete victory."

In attempting to avoid the "imminent collapse" of allied forces in South Vietnam, Giap said, the United States has raised its "war of destruction against North Vietnam" to "a high degree of fierceness, ruthlessly bombing and shelling many heavily populated areas and many cities including Hanoi capital and Haiphong city, deliberately destroying dikes and irrigation works, mining and blockading our ports."

The latest Kissinger-Tho meeting was the 15th announced private talk that President Nixon's national security adviser has had in Paris since 1969 with Tho, or North Vietnam's official delegation chief, Xuan Thuy, and, more usually, both of them. Thuy participated in yesterday's meeting also, said White House press secretary Ronald L. Ziegler.

That announcement was made by Ziegler at 10 a.m., while the Paris meeting was under way. But the North Vietnamese delegation in Paris made no parallel disclosure of the meeting, as it did the last time Kissinger and Tho talked, on July 19. That meeting lasted six hours.

Kissinger flew back to Washington late last night from his Paris talks. The White House said that it would not have further comment on the talks until this morning.

No claim has been made by the Nixon administration that the July 19 meeting produced any breakthrough or any specific progress.

President Nixon said on July 27 that there is "one hang-up," and that is "the demands of the enemy" for the United States "directly or indirectly to do what they cannot accomplish themselves, impose a Communist government in South Vietnam."

This, in fact, is the central issue in the war: the control of power in Saigon.

"Cease-fire is the key" to a solution, U.S. Ambassador William J. Porter said at last Thursday's session of the formal Paris peace talks. Hanoi's Xuan Thuy countered that a cease-fire can only be achieved "once both the military and political problems are settled."

The United States is attempting to separate the military from the political issue so it can withdraw its troops and obtain the release of prisoners held by North Vietnam.

The Communist side has insisted that in addition to total withdrawal, the United States must halt all support for the Thieu regime so it can be replaced by a "government of national concord" composed of the Vietcong representatives, portions of the Saigon administration, and a third segment of "progressive forces, in triangular coalition.

In a restatement of position last week, Hanoi said that what President Nixon calls his "generous terms" really "boils down to maintaining the Saigon administration and army, removing the Provisional Revolutionary Government of the Republic of South

Vietnam, and demanding that the People's Liberation Armed Forces lay down their arms."

[From the New York Times, Aug. 2, 1972]

KISSINGER MEETS PRIVATELY WITH HANOI AIDES AGAIN

(By Robert B. Semple, Jr.)

WASHINGTON, August 1.—The White House disclosed this morning that Henry A. Kissinger, President Nixon's national security adviser conferred privately today for the second time in less than two weeks with top North Vietnamese negotiators in Paris.

[In Saigon, a United States Navy spokesman reported that American planes had bombed a shipyard at Haiphong that had built and repaired shallow supply boats.]

According to Ronald L. Ziegler, the White House press secretary, Mr. Kissinger conferred during the day with Le Duc Tho, a member of the North Vietnamese Politburo, and Xuan Thuy, head of the North Vietnamese delegation to the peace talks.

Mr. Kissinger returned tonight to brief the President.

No further details on the length or substance of the conversation were provided here and both the United States and North Vietnamese delegations in Paris kept complete silence.

The meeting was Mr. Kissinger's 15th private talk with Hanoi's chief negotiators in the last two years. The most recent was on July 19, after Mr. Kissinger had flown to Paris from the summer White House in San Clemente.

In the absence of any further report from Mr. Kissinger or the White House, officials here preferred to reserve judgment on whether today's meeting had narrowed differences between the two sides. But they were not optimistic.

Publicly, they noted, both sides have recently seemed to harden their positions. There has been no indication that the North Vietnamese are willing to move toward Mr. Nixon's basic proposal for an internationally supervised cease-fire, an exchange of prisoners, and withdrawal of American troops four months after a settlement is reached.

On the contrary—at least in public—Hanoi has clung to its basic seven-point proposal, the key elements of which would involve an American withdrawal, the removal of support for President Nguyen Van Thieu, and the establishment of a three-part coalition government before a cease-fire or an exchange of prisoners.

PRINCIPAL "HANGUP"

Mr. Nixon, at a news conference last Thursday, described Hanoi's insistence on a prior political settlement as the principal "hangup" in the negotiations, and said that he could not accede to any plan that would "impose a Communist government on South Vietnam."

This obstacle would also seem to threaten not only the achievement of a larger settlement but Mr. Nixon's hope of providing the voters with tangible evidence of diplomatic progress before the November election.

Some White House aides have been saying privately that, at a minimum, Mr. Nixon ought to obtain a cease-fire by November. But such an interim agreement would require a change in Hanoi's demands for a political settlement before a cease-fire and—despite a few hopeful hints—most officials here do not think the Communists are now prepared to make such a change.

NIXON IS HOPEFUL

At the same time, however, Mr. Nixon insisted that the chances for a peaceful settlement were better than ever and implored his critics in the Democratic party and on Capitol Hill to give him three months, unobstructed by competing proposals, to achieve a bargain.

He was particularly critical of various end-the-war resolutions that would, in effect, extract a prisoner exchange but not a cease-fire in return for withdrawal of American troops by a certain date.

Mr. Nixon said he thought the chances were better now because the enemy was suffering under heavy and continuous American bombing and was hurt on the battlefield. Other analysts here have derived hope from reports that North Vietnam's rice supply has dwindled badly and from hints in Paris that Hanoi might be willing to drop its insistence on the removal of Mr. Thieu as part of an initial settlement.

These hints gave rise to expectations here that the North Vietnamese might be prepared—as is Mr. Nixon—to work out a political solution after, and not before, an end to the fighting.

But these are frail reeds on which to base hopes for a major breakthrough, most analysts here acknowledge. Moreover, it is conceded among diplomats that Hanoi will be in no hurry to change its terms appreciably until it has a clearer picture of the outcome of the American election in November.

Hanoi has made no secret of its preference for the Democratic candidate, Senator George McGovern of South Dakota. Mr. McGovern has offered to end the bombing on Inauguration Day, withdraw all troops within three months and end support of the Saigon regime. He has said that the North Vietnamese would inevitably release American prisoners of war after these two steps were carried out, even though his plan does not meet Hanoi's demand for the creation of a coalition government acceptable to the Communists.

Mr. ALLEN. Mr. President, the articles call attention to the fact that Mr. Kissinger has been pressing President Nixon's call for a cease-fire to permit withdrawal of U.S. troops and release of prisoners of war. That simply is the plan or the offer of the President of the United States. This is inserted at the start of the Cranston amendment:

> SEC. . Notwithstanding any provision of this or any other Act, a complete withdrawal of all American forces from Vietnam shall be accomplished at a time certain not later than four months following:
>
> (1) the establishment of an internationally supervised cease-fire throughout Indochina, and.

That is differentiated from the Cranston amendment, which would call for a cease-fire between the United States and the Vietcong and forces allied with them.

Mr. President, how could we have a split cease-fire? How is a rocket sent by the North Vietnamese in the direction of a village containing South Vietnamese soldiers and American soldiers going to pick out whom to hit? How is it going to decide to hit an American or a South Vietnamese, because under the Cranston amendment the war will continue, with no cease-fire between North Vietnam and South Vietnam? The Aiken amendment provides for a cease-fire throughout all of Indochina, and then takes the remainder of the Cranston amendment, starting with subparagraph 2 on page 2, going on down through the remainder of his amendment.

So, it would not provide, as the Cranston amendment does, for withdrawal by October 1 of all American troops from South Vietnam without precondition. It says there shall first be a cease-fire. The Cranston amendment does not say that. Are our troops going to fight their way out? Under the Cranston amendment, they would have to. There is no precondition, no cease-fire, no return of prisoners provided for.

The proposal of the President of the United States provides for a cease-fire throughout all of Indochina and a return of American prisoners of war.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. ALLEN. I yield myself 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLEN. And an accounting for our mission in action.

That is what the Aiken amendment does, and for those reasons I support it.

I think that the United States and the Government of the United States should talk with one voice in these critical times. We should not be talking with 100 voices of 100 Members of the Senate.

Last week when this matter was under discussion in the Senate we had an amendment by the distinguished Senator from Montana (Mr. MANSFIELD) setting October 1st as the pullout date. We had an amendment by the distinguished Senator from Nevada (Mr. CANNON) that would have left in, I believe, the August 15 date provided in the substitute. Then later we had an amendment by the distinguished Senator from California (Mr. CRANSTON), and Mr. CANNON, and Mr. HUMPHREY, providing something else. Then an amendment by the Senator from Kentucky (Mr. COOPER) providing for a pullout without precondition. Then an amendment by the Senator from Massachusetts (Mr. BROOKE) providing for a pullout over a 4-year period and the release of prisoners of war over that 4-year period.

The United States was talking with seven or eight different voices. How many voices does North Vietnam talk with? They talk with just one voice.

If they get the notion that the United States and the Members of the Senate talk with seven or eight different voices, and have seven or eight different plans, they are never going to come to an agreement. But if we stand foursquare behind the President's proposal as represented in the Aiken amendment—and that will be the first vote to come up; it may be several hours off, but it will be the first vote—we shall say to the negotiators in Paris that we back the President's plan, that we back a nonpartisan and nonpolitical approach, that we stand behind him and we support him.

If by agreeing to the Aiken amendment we endorse the President's proposal, it will strengthen his hand. It will strengthen the hand of Dr. Kissinger in his secret meetings with the North Vietnamese. I hope that it will be received and accepted by the Senate in lieu of the Cranston amendment, and that it will then be received and accepted further through a defeat of the Brooke substitute, which will be voted on second.

Mr. President, I condemn the Cranston amendment as impractical. I condemn it as not supporting the President at this critical time.

The PRESIDING OFFICER. The Senator's 1 additional minute has expired.

Mr. ALLEN. I condemn it as being one of many voices, many separate plans, when the U.S. Senate ought to be speaking with one voice.

I yield back the remainder of my time, if I have any left.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. STENNIS. Mr. President, I yield 15 minutes, or so much thereof as he may use, to the Senator from South Carolina.

Mr. THURMOND. Mr. President, the pending amendment, offered by the distinguished Senator from California (Mr. CRANSTON) should be defeated soundly.

This amendment sharply undercuts delicate negotiations currently being carried out by President Nixon. If passed, it would liquidate the President's present position at the Paris peace talks and in my opinion would lengthen U.S. involvement in the Vietnam war.

This amendment would set a formal and fixed deadline of October 1, 1972, for the deployment of U.S. Armed Forces in South Vietnam. That date is less than 2 months away.

This amendment would also terminate the deployment of U.S. forces and the conduct of combat or support operations by U.S. forces in South Vietnam effective October 1, 1972.

It also provides for a prohibition against the expenditure of funds to support such a force after October 1, 1972.

Amendment 1349 also stipulates that the use of U.S. military forces for the purpose of maintaining, supporting or engaging in hostilities in or over Indochina shall terminate after an agreement has been reached for a verified ceasefire, the release of U.S. prisoners, and an accounting of all U.S. missing in action. This latter accounting would have to be verified by the International Red Cross or some other international body mutually agreed to by the United States and the North Vietnamese Communists.

Mr. President, taking this amendment as a whole, it appears that the Senate is being asked to negotiate through congressional mandate a solution to the Vietnam war which has defied the intensive efforts of our last two Presidents.

Of course the Senate is anxious for peace to be restored to Vietnam and for a total return of all U.S. forces. But it takes two to negotiate. I repeat, it takes two to negotiate, and the North Vietnamese Communists have never seriously negotiated although peace talks were initiated by President Johnson way back in 1968.

It appears that President Nixon has made some progress in the past 6 months. His visits to Moscow and Peking have apparently improved our negotiating position. Hopes for some success are perhaps at the highest level since the talks began. However, if the Senate starts jumping into the negotiating picture with amendments such as this one all the careful work of the President will be laid to waste.

The Senate should further bear in mind that although President Nixon has been negotiating since he came to office he has not depended on these efforts alone to reduce our involvement in Indochina.

In 1968, American troops in Vietnam reached a level of 549,000. During this month our ground troop level there will be reduced to 39,000 American military personnel. The President has succeeded in removing more than one-half million men from Vietnam. In addition, the United States is now spending less than one-third of that amount expended in the 1968 budget for our Vietnam effort.

Mr. President, it is also noteworthy that no draftees are currently being sent to Vietnam, and draft calls for 1972 have averaged less than 5,000 men a month. It is indeed gratifying that American casualties have been drastically reduced. Even with the present North Vietnamese invasion considered, our casualties have been reduced by 95 percent from the level we reached in 1968. This outstanding record of reducing American involvement in Vietnam deserves the support of the Congress rather than an irresponsible attempt to second-guess the President and thus torpedo his negotiating work and the extremely effective Vietnamization program.

Mr. President, Vietnamization is not something you can turn on and off like a spigot. This program has gained momentum and is working. The South Vietnamese, with our help, are rapidly improving their armed forces. Their readiness to successfully defend themselves without U.S. support cannot be made to coincide with a predetermined and arbitrary timetable. Achievement of this goal will certainly come soon but we cannot legislate it to be accomplished on October 1, 1972.

Our efforts in Vietnamization have reaped their harvest in that the South Vietnamese have thwarted the massive invasion by the North Vietnamese through the DMZ. With a small number of U.S. men on the ground this program can easily be guided to total success.

Further, Mr. President, the administration must have sufficient flexibility to continue support for the South Vietnamese forces. We should not abrogate our responsibility to continue to provide materiel and maintenance support through a military advisory mission of some sort.

In all of these matters the will of the Congress has been clear. The Congress desires an early withdrawal of U.S. forces but in a way as not to jeopardize the chances of our allies to repel the Communists' assaults which shall surely follow our exit.

Also, we must be in the strongest negotiating position possible until our prisoners and missing in action are returned and accounted for by a reputable international agency. This issue is of paramount importance.

In conclusion, Mr. President, the amendment boils down to another attempt to bring the Senate into the negotiating action. Rather than pass amendment No. 1349 the Senate should be considering an amendment to support the President in his present position. Such an action would bring the result we all desire much faster than amendments such as the present one.

I urge my colleagues to reject this amendment and proceed with legislating on this bill rather than trying to negotiate in Paris.

Mr. President, for a number of months we have had discussions of this matter; we have had amendments offered here. It is my judgment that these discussions about withdrawing from Vietnam and Congress setting a date to withdraw—and matters of that kind—have merely tended to lengthen this war. If the Communists know that we are there to wind up this war, that we are there to get our prisoners of war back, that we are there until we get a cease-fire, then, in my judgment, the war will end. But so long as we have attempts such as this by the Congress of the United States to fix a definite date, that is exactly what Hanoi wants.

I take the position that amendments of this kind have extended the war and consequently have been detrimental to the best interests of the United States.

Why not give President Nixon a little longer on this matter? He has withdrawn 510,000 men from Vietnam. The fighting forces are back. Only 39,000, mostly support personnel, are left there. He is doing everything he can to bring the war not just to a close but to an honorable close; and if we do not achieve an honorable close, we will have another war. He is trying to bring this war to an end in such a manner that we will not be forced into another war in the next few years.

The kind of amendment offered here today, just to withdraw, in my judgment will encourage the Communists to continue fighting there. The North Vietnamese are hoping that Congress will enact such an amendment and that then we will have to withdraw, and they can then step in and take over.

When President Nixon went into office, we had about 550,000 fighting men in Vietnam. The South Vietnamese had not been given modern weapons and equipment. They had not been given proper training. The American men were doing the fighting. I congratulate our President on taking the position that this is South Vietnam's war, that it is mostly their responsibility, and that we should let the South Vietnamese fight this war themselves. Yes, we will give them the equipment and we will train them, but let them do the fighting. That is what President Nixon has tried to do. He has tried to handle this war in a way that will save American lives and yet wind it up in an honorable way that will not bring on another war. But when amendments such as this come before the Senate—and they have been coming before the Senate now for a good while—they merely extend this war.

I repeat: Amendments of this kind are extending this war and delaying a final showdown that would bring peace over there—and would bring an honorable peace.

Mr. President, I hope the amendment will be rejected, and I hope that we can give the President time to continue his negotiations to wind up this war in a way so that we will not have another war started soon.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. THURMOND. I am glad to yield.

Mr. CRANSTON. The Senator and other opponents of my amendment praise the President for reducing the number of ground troops in South Vietnam. I do not quite understand why they then criticize this amendment, which, in effect, would bring about a further reduction.

Mr. THURMOND. For the simple reason that the President is negotiating to try to bring this war to a close in an honorable manner; and if this amendment is adopted and he is forced to withdraw pronto, it will not be brought to a close in an honorable manner, and I predict that another war will result further.

Mr. CRANSTON. The Senator said we should give the President more time. Four years ago, the President said he had a plan to end the war. How much time does the Senator feel we should give the President?

Mr. THURMOND. I think President Nixon would have ended this war before now if amendments such as this and the debate along this line had not taken place in this Congress.

Mr. CRANSTON. Nonetheless, how much more time should the President have?

Mr. THURMOND. A reasonable time to wind up this war in an honorable manner. But when amendments such as this are offered, Hanoi hopes that Congress will adopt proposals like this and force us out, so that they can come back and take over. President Nixon is not going to permit that, and I do not believe this Senate and this Congress are going to permit it.

Mr. CRANSTON. Let me ask the Senator this: Just to imagine a hypothetical situation, suppose that President Nixon is reelected this November. I do not say he will be or will not be, but let us suppose he is. Suppose that at this time next year the war is still going on. Would the Senator still say we must give President Nixon more time?

Mr. THURMOND. In my judgment, if Congress does not take some steps to tie the hands of the President in the negotiations he has carried on, the war will come to an end. It may not come to an end before this election, because the Democratic candidate has said he would tuck tail and run; he would disgrace America. I say to the Senator from California that I hope to God that a man running on that platform will not be elected.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CRANSTON. I yield myself such time as I may require.

There have been many years of this war without amendments such as this. The war went on and on before those of us responding to our consciences and to the concern of the country decided that Congress should exercise its constitutional responsibility to seek an end to this war. I make the point that the war went on and on for a long time, with America deeply involved, before debates such as this and before amendments such as this. The President still was unable to bring this war to a conclusion.

The Senator referred to this amendment as delaying "a final showdown." What does the Senator mean by that phrase?

Mr. THURMOND. I mean that amendments such as this are encouraging Hanoi to hold out. If Congress will back up our President in his position, Hanoi will have to give up. They know they cannot win. Yet, they are going to hold out because of amendments such as this and discussions on the part of some people in this country that are lending them hope. They are just hoping that such an amendment as this will be adopted. They are hoping that the Democratic candidate for President will be elected in November.

They are hoping that something will happen so that they can go back in. As soon as they are convinced that we are firm in our position, that we are backing up the President, this war will end.

Mr. CRANSTON. What is the evidence of that? The Vietnamese and the Vietcong have been fighting for more than 25 years. There never has been a sign that they were willing to give up. The French found that out. I see no signs at the present time that negotiations are on the verge of success. I hope they are. I share the hope of the country, the hope of the Senator from South Carolina, and the hope of the President, that negotiations are about to succeed. But what shred of evidence is there that they are about to succeed?

Mr. THURMOND. Well, Dr. Kissinger has been going back and forth working on this matter for some time. Our President is working on it. In my judgment, as I stated, the war would have ended before now if Hanoi had not been given hope. Yes, Hanoi has been fighting for a long time but, after all, let us go back a little bit. Where is the war being fought? In North Vietnam or in South Vietnam? In South Vietnam.

Where did the soldiers come from? They came down from North Vietnam into South Vietnam. If the North Vietnamese soldiers would go back to their own country and stay there, the war would end. This is an aggression by the North Vietnamese against the South Vietnamese. This is not just a civil war. They are different countries now. There are boundaries there just as in North Carolina and South Carolina, and in North Dakota and South Dakota.

When soldiers come down from North Vietnam and cross the DMZ into South Vietnam they are taking the war south.

This war can end tomorrow if North Vietnam would keep its soldiers within its own country, within its own boundaries. The war would end because there would be no fighting on either side. President Nixon is doing all he can. I am proud that he has been bombing as he has, because that is what should have been done years ago and this war could have been wound up in 60 days from the time it began, if our former Presidents had bombed as President Nixon is bombing now, because we have lost 50,000 men over there with 300,000 wounded and all of that could have been avoided, largely, if firm, aggressive action had been taken to nip the war in the bud when it first began.

Mr. CRANSTON. The Senator from South Carolina did not answer the question of the Senator from California. What shred of evidence is there that we are on the verge of any successful negotiation with the other side?

Mr. THURMOND. I am not saying successful negotiations are imminent. I am simply saying that if we back up President Nixon, the North Vietnamese will be convinced that the war will end, and they will be reasonable at the negotiating table. But as long as amendments are offered on the floor of the Senate like this, North Vietnam will feel that there is still some hope and they will hold out a little while longer. They have been doing that.

If only Members of the Senate will let the President be the President and let him handle the war and not try to fix dates and tell him how to fight the war. The President is doing more to bring this war to an end than any other President did before. He is doing more now than many of the people who are offering these amendments. Let us give the President a chance to do it. Let us back him up. He is the spokesman for America. The American people selected him to be their President. He speaks for all America. We cannot have half a dozen or a dozen different voices speaking for America all at the same time.

Let us have one voice. Let that voice be the voice of the President of the United States. He speaks firmly, strongly, and in the best interests of the country.

Mr. CRANSTON. The Constitution specifically gave Congress the power to declare war, to appropriate funds for a war, or to refuse to appropriate funds for a war under whatever circumstances they might deem to be appropriate. If the voice of the Senate speaks, and if the House joins the Senate, then Congress chooses to take action. In acting on the war, Congress would represent the desire of the country for peace and join the President in the search for peace which, despite his very fine intentions, has thus far eluded him.

The Senator from South Carolina has indicated that it takes two to negotiate. Apparently, it takes "Thieu" to negotiate. I say this because the President's policy, and the Aiken perfecting amendment about to be brought up, involves the dictator of South Vietnam in the negotiating process. In effect, this involvement gives the dictator of South Vietnam a veto over President Nixon's efforts to negotiate.

How long should we give a dictator in another land, or even a legitimately elected president in another land, veto power which in effect will determine how long Americans will fight overseas?

All Thieu has to do is to fail to negotiate a cease-fire throughout Indochina and, under present policy, or under the Aiken amendment, we are doomed to go on and on and on fighting there.

Mr. THURMOND. In reply, I would say that President Thieu has agreed to the proposals of President Nixon. Those terms are generous. President Nixon has said that we will withdraw 4 months after a cease-fire, provided we get our prisoners of war and missing in action back. Those are generous terms. Would the Senator want to withdraw before we get our prisoners back? Would the Senator want to leave our prisoners over there, the men who went there to fight for his freedom as well as mine?

Speaking as dictators, the people of South Vietnam elected President Thieu as President. I want to ask the Senator, where is the greatest dictatorship, in North Vietnam or South Vietnam? The Senator knows full well that dictatorships in Communist countries are prevalent everywhere. He knows full well that elections in Russia are a mere farce. He knows full well that elections in Red China are a mere farce. He knows full well that elections in North Vietnam are a mere farce.

In South Vietnam, the people elected their President. So South Vietnam does have more freedom than the people of North Vietnam.

I am surprised that the Senator would refer to dictatorships, when the Communist countries are known to be the worst in history—the real dictators.

Mr. CRANSTON. Certainly there is a dictatorship in North Vietnam. I am not at all convinced that it is the worst in history. I think the worst in history was Adolf Hitler's dictatorship in Germany. But there is also a dictatorship in South Vietnam.

Yes, they had an election in South Vietnam, with no other candidate, with other would-be candidates thrown in jail. What kind of democracy is that?

Mr. THURMOND. People had a right to run if they wanted to. Members of the United States were over there observing the election, and they came back and made a report and said that the elections were fair and just.

Mr. CRANSTON. What they had the right to do was to run for their lives. If they could not escape, they were thrown into prison when they stood in opposition to the policies of the dictator of South Vietnam.

Mr. THURMOND. South Vietnam is on our side. We are on their side. We are fighting together. Why does the Senator defend North Vietnam against the American side?

Mr. CRANSTON. What have I said in support of North Vietnam or in defense of North Vietnam?

Mr. THURMOND. Well, the very argument the Senator is making about dictatorships——

Mr. CRANSTON. I just said that the Government of North Vietnam is a dictatorship. I grant that. I would say also that we have a dictatorship in our so-called ally in South Vietnam.

Mr. THURMOND. Why not take up for the countries fighting on our side?

Mr. CRANSTON. The basic point that the two of us were seeking to examine, I think, was whether it is wise to tie a cease-fire to the whims of the President of South Vietnam, who the Senator feels is a fine representative of democracy, but who I feel is a dictator. Whatever he may be, he is the president of a foreign land, and a cease-fire which has to involve him before we get out means he has the final say over whether we keep on fighting. I think the representatives elected by the people of the United States, the President, and the Congress, should make that decision, and not yield it to someone in Saigon.

Mr. THURMOND. I deny that. Mr. Thieu will not say when America quits. Our country will say so. President Nixon has laid down the terms. President Thieu did not lay down the terms. President Nixon laid down the terms. He says that we will get out 4 months after we get our prisoners of war and missing in action back and after there is a cease-fire.

Mr. CRANSTON. That is exactly the point. We have to find means whereby Hanoi has to agree and Saigon has to agree, whether we like the terms or not. If President Thieu does not like the terms, or the dictator in the north does not like the terms, there is no general cease-fire and we go on fighting. The amendments offered today provide that only we and the other side will consent to a cease-fire and work out an agreement to get our prisoners of war back. Then we get out and get the prisoners back at the same time.

Mr. THURMOND. I would take a completely adverse position from that, because President Thieu will not make that decision. President Nixon will make that decision.

President Nixon will decide when the cease-fire takes place and when we have our prisoners of war back. What could Mr. Thieu do without our country's support? What could Mr. Thieu do without the backing of President Nixon? Mr. Nixon is going to make this decision. He will not follow Mr. Thieu. Mr. Thieu has to follow Mr. Nixon.

Mr. CRANSTON. Mr. President, is the Senator saying that Mr. Nixon will dictate to the leader of Saigon exactly when he has to agree to the cease-fire? There is no evidence that he has that power.

The Senator from South Carolina says that it is time for the South Vietnamese to carry on their own war. I agree. Perhaps Mr. Thieu does not agree. Perhaps he wishes us to continue protecting them.

Mr. THURMOND. Mr. President, when Mr. Nixon says that we have our prisoners of war and those missing in action back and when he says that we have a cease-fire, Mr. Thieu would have to agree, because he could not carry on the war without the equipment and the American soldiers and the help that this country has given him.

Mr. CRANSTON. Mr. President, President Thieu has not thus far indicated that he is that compliant with the wishes of the President of the United States.

Mr. THURMOND. Mr. President, even on the holidays when we had a cease-fire, the Communists violated the cease-fire. When Mr. Johnson was President and tried to show some consideration because they induced him to stop the bombing then, that was a great mistake. At that time the Communists did not live up to their word. The history of the Communists will show that they do not live up to their word. I do not trust them as far as I can see them.

Mr. CRANSTON. Just this morning, according to a news dispatch from Saigon published in the Washington Post, President Thieu warned, "A cease-fire for South Vietnam only between the Americans and the North Vietnamese with the release of prisoners of war is a great danger for South Vietnam."

That indicates that he may have quite a different feeling about a cease-fire. He may not be willing to go along with what may happen to be the thinking of America to be in the best interests of our country.

Mr. THURMOND. Mr. President, Mr. Thieu may have whatever feelings he wants to have. However, when Mr. Nixon says that we shall have a cease-fire, because we have the prisoners of war and those missing in action back and we will therefore get out, that is what Mr. Nixon says he will do, and that is what Mr. Nixon will do.

The PRESIDING OFFICER. Who yields time?

Mr. CRANSTON. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be equally charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 15474. An act to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia; and

H.R. 15475. An act to provide for the establishment of a National Advisory Commission to determine the most effective means of finding the cause of and cures and treatment for multiple sclerosis.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

S. 916. An act to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations;

S. 2227. An act to amend title 44, United States Code. to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library;

S. 2684. An act to amend section 509 of the Merchant Marine Act, 1936, as amended;

S. 3463. An act to amend section 906, of title 44, United States Code, to provide copies of the daily and semimonthly CONGRESSIONAL RECORD to libraries of certain U.S. courts;

H.R. 5721. An act pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon;

H.R. 11350. An act to increase the limit on dues for U.S. membership in the International Criminal Police Organization; and

H.R. 15635. An act to assist elementary and secondary schools, community agencies, and other public and nonprofit private agencies to prevent juvenile delinquency, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 15475) to provide for the establishment of a National Advisory Commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis, was read twice by its title and referred to the Committee on Labor and Public Welfare.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

The message from the President is as follows:

To the Congress of the United States:

Tropical Storm Agnes caused the most widespread destruction and devastation of any natural disaster in the history of the United States. On July 17, 1972, I sent to the Congress a proposal authorizing special disaster recovery measures which would aid victims of Agnes and also of the flood in Rapid City, South Dakota during June 1972.

As I stated in my transmittal message, the need for prompt enactment of these aid proposals, aimed at short and long-term recovery, is extreme and urgent. I asked the Congress then to consider and enact them within seven days. Sixteen days have passed without final Congressional action on the Disaster Recovery Act of 1972. I again urge the Congress to act immediately, because the victims of these disasters desperately need the help these measures would provide. And they need it now.

Today, I am transmitting an amendment which would make private, nonprofit educational institutions eligible for disaster relief grants under the Act. I urge that the Congress consider and enact promptly this amendment, which would authorize reconstruction relief for these institutions comparable to the disaster reconstruction relief already available to public educational institutions.

The Office of Emergency Preparedness estimates that property loss and damage at private non-profit educational institutions in the storm affected areas has exceeded $19 million. Many of these institutions have undergone damage so extensive that they would be unable to rebuild facilities or reopen without extraordinary assistance. For example, at one alone, Wilkes College in Wilkes-Barre, Pennsylvania, which is not a large or wealthy institution, the storm caused havoc and destruction estimated at several millions of dollars.

The proposal I am transmitting today would provide financial assistance to restore, reconstruct or replace disaster-damaged education facilities, supplies and equipment used primarily for nonsectarian educational purposes. I believe this temporary authority is required if we are to meet our public responsibilities equitably and in a just manner.

Again, I cannot stress too strongly that it is essential that the Congress immediately enact the pending disaster relief legislation I have proposed. It is imperative that this massive recovery program begin at once. Millions of Americans—individual homeowners, farmers and city dwellers, small businessmen—are struggling to rebuild their lives in the wake of these natural disasters. They need their Government's help. And they need it now.

RICHARD NIXON.

THE WHITE HOUSE, *August 2, 1972.*

REFERRAL OF MESSAGE FROM THE PRESIDENT

Mr. ROBERT C. BYRD subsequently said: Mr. President, I ask unanimous consent that a message from the President of the United States on Tropical Storm Agnes received today be referred jointly to the same committees to which a previous message on the same subject was referred; namely, the Committee on Public Works; the Committee on Banking, Housing and Urban Affairs; and the Committee on Agriculture and Forestry.

The PRESIDING OFFICER (Mr. HUGHES). Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. GRAVEL) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. CRANSTON. Mr. President, I yield such time as may be needed to the distinguished Senator from Iowa (Mr. HUGHES), whom I will replace in the chair.

(Mr. CRANSTON assumed the chair as Presiding Officer.)

Mr. HUGHES. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided between both sides.

The PRESIDING OFFICER (Mr. CRANSTON). Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUGHES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUGHES. Mr. President, I rise today in support of the amendment of the Senator from California. I rise again, as I have so many times before in the last 3½ years that I have been a Member of this body, in support of a move constitutionally based on the Senate's power and right to declare war and to supply the funds to support armies at war or during peacetime, almost unbelieving that so much time has passed since this debate began.

Some of us have been deeply torn by the fact that within our own party many years ago we had to part courses from a President that we dearly loved, a President with legislative prowess and with expressed concerns for peace for this country, who espoused great programs which were jointly brought into being through Congress, who has all but been forgotten because of one failure—a failure to bring an end to a conflict that not only has torn Southeast Asia apart, but also has torn apart this country.

I find myself today in a position of having agreed to time limitations on an amendment, when everything from the very center of my being cries out that we should have filibustered against the passage of this bill until a determination was made once and for all to end this war.

I find myself again listening to the rafters ring as men whom I honor and respect cry out for the blood of our enemies, and say that the only way for justice to prevail is through death, destruction, bombing, and destroying. They seem to believe that little children and civilians, peaceful people, the dying and the aged, are of no concern and of no conscience to the people of this country. I cannot believe that nor can I much longer tolerate it.

The expressed will of these people time and time again has cried out in agony from the very center of their being, saying, "Bring it to an end; do not let it go on."

Yet we fail and we say the same things over and over again: Give the President a little more time; let him negotiate; let him bomb; let him destroy; let him bring them to their knees.

Ten years have passed. Our President has long since gone of his own volition, and we have a new President who 4 years ago said to the American people:

> I have a plan to bring this war to an end. The people of America deserve a new President to make new decisions.

Since that time 22,000 American men have died in combat and other thousands have died for other reasons. There have been hundreds of thousands of civilian casualties, deaths on both sides of the borders, an invasion of Cambodia, an invasion of Laos, incessant bombing of the north, armies fighting without our knowledge or authorization, paid by the CIA.

How much longer can our consciences cry out, not for truth from our enemies, but for truth from our leadership in our country? How much longer must we consent to time agreements of 4 hours to debate an issue that has brought death to hundreds of thousands of people on the face of this earth?

How much longer must we be asked, in the interest of ending a session of Congress, to sacrifice our right, as Senators, to continue to try to bring this war to an end, if we feel it right to do so, or at least to exhaust every means we have?

We have coaxed, we have tried, and we have appealed. I do not speak in anger toward any Member of this body because of his personal feelings. I speak in anguish from the bottom of my heart and from the bottom of my soul at what this country has done in the name of justice and continues to perpetrate in the name of peace. How long can it go on and how long will the people tolerate it? It seems almost forever.

Since President Nixon came into office more days have passed than from the bombing of Pearl Harbor, the beginning of the buildup of our forces, the conquest of the Continent of Europe, the devastation of Hitler and to the day when peace was signed with those countries involved. Yet we are still at war with a little nation in Southeast Asia. And we were promised a settlement and justice.

Now, they say, "Give us time." They say, "You are aiding and abetting the enemy. You dare to cry out for the right to exercise your constitutional right as a Member of the Senate representing the people of your State."

I say that unless I dare to cry out in that regard, then I have ceased to represent the people of my State and the people of this country. I have not only the right but also the will to use whatever means and devices the forefathers of this country gave in the separation of powers in the constitutional structure of this country to see that civilian control of our military force to exercise justice in the world is derived from the feelings of the hearts and the consciences of the people and not from the heart of the military superpowers who know nothing but to be trained to fight wars.

I do not fault them. They have their purpose in being able to fight, to win, to conquer. But they are the servants of the will of the people of this country, not the rulers of it. Too long has it been the other way around.

The fact is, however, that a real bloodbath has been going on while we have been debating a hypothetical one. By the President's own admission, there have been 600,000 civilian casualties in South Vietnam since 1965. Official statistics now show more than 1 million combat deaths on all sides. In the past 3 months alone, there have been 45,000 additional civilian casualties, according to the President.

With this evidence and with the evidence of our environmental warfare, there can be no doubt now that we have been destroying Vietnam allegedly in order to save it.

How much longer can this continue? We cannot end this war by ourselves, of course; but we can end our contribution to the slaughter. We can halt our massive bombing, and we can bring all of our troops and prisoners home safely.

We have been preaching to the American people about changing the face of this war, and we have been moving forces into Thailand and into the South China Sea and wreaking destruction in the process. Is that bringing the war to an end? It is not bringing the war to an end.

The debate over what kind of government there is in South Vietnam as opposed to what kind of government there is in North Vietnam is interesting. It is interesting to see that Members of this body have no reluctance at all to vote in some instances for military support for dictatorships, but in other instances to condemn them, damn them, and to bomb them. It is curious to me that in some instances men talk as if there is no lid on the amounts of supplies or business we can do with Communist nations, and then on the other hand turn around and say, "I would not trust one as far as I can see them."

It is very interesting to note the policies of this country change so decidedly and favorably in a desire to live compatibly and peacefully on the face of this earth, and then have men stand on the flood in this body and condemn those of us who say there is another and a better way to do it.

The statement was made that the Democratic nominee would tuck tail, turn, and run if he won the election. I refute that as false and absolutely as hogwash. The nominee of our party, as a bomber pilot, served this country in one of the most devastating wars of this or any other age, and has proven his personal courage, ability, and dedication beyond question or doubt. To make such an implication on this floor is, I think, wrong, and an injustice not only to him but to the country.

I might add also no one here is imputing motives to anyone for the reasons they feel as they do. All I would ask is that those of us who believe differently from the others have the same right to express our will without being insulted in the process of doing it. We feel we are right, and I know that history will prove we are right.

My God, I can almost imagine, standing here today, that 4 years from now we will still be debating this question about what we ought to do and how we should do it. I am tired of seeing pictures of little girls running naked with their clothes burned off them. I am tired of seeing pictures of hospitals filled with maimed children and adults. I am tired of total cities and villages being destroyed. I am tired of moving populations from rural areas into the cities. I am tired of buildings being destroyed, rather than buildings being constructed.

In the name of justice, it is time—so long past time—that we examined this question, if at all possible, without the tenor of emotion that we have heard displayed, or without the tenor of the emotion I have displayed myself. But this anguish has torn this country too long. If there is any Member of this body who doubts the division remaining in this country simply because people are not marching in the streets any longer, he is wrong. Their hearts ache and their and their souls cry out and they would like to be pacified, as this injustice continues.

Causes we believed in, whatever they were in the beginning, no longer exist. The reasons why we are there, no matter what they were in the beginning, are no longer the same. As a great, distinguished U.S. Senator, the late Robert Kennedy, once said:

> The danger of this war is that we will become just as our enemy is.

Look at the history. We accuse the enemy of bombing innocent civilians. We accuse the enemy of assassination and we developed the Phoenix program of assassination and destruction. We accuse them of invasion, and they are guilty, and yet we invade ourselves, country after country. We accuse them for torturing the citizens of the countryside, and they have, and yet we have tortured these same citizens of the countryside.

Have we become that which we fight? I think any introspection would cause one to realize that we have.

Mr. President, I think this vote today is a critical vote. We are all tired. We are tired of the same question in a little different way. We know the President is tired and the President wants peace. God knows, we do not want to thwart him in wanting peace and seeking it. But too long have we stayed hitched in the same direction without trying a different means. The hour has come for this body to exercise its full right to answer the call for justice in this country, to adopt this amendment, so, with some finality, we and the people of our country might feel that at some foreseeable time in the future this death and destruction can be brought to an end.

The question of war is a question of how one looks at it and how he describes it. No man or woman in this body would abandon those who are prisoners of war or who may be missing in action and yet living. No man or woman wants to do anything in the exercise of that power not to see that they are returned to their loved ones as rapidly and as conveniently as possible. There is no man or woman in this body who does not want peace. We differ in the methods that we should follow.

I guess what I am saying, Mr. President, is that too long have we followed the other course. Let us try at long last to end not only the division in Asia, but the division in our own country, and the division in this body, that has separated friends, fathers and sons, brothers and sisters, in a way that no other conflict except the Civil War has ever done. Mr. President, we have that opportunity before us today, and it behooves us, those who feel the least inclined to do it, to bring it about by supporting this amendment.

Mr. President, in order to relieve the

Chair, I suggest the absence of a quorum and ask that the time for it be equally divided.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. HUGHES assumed the chair as Presiding Officer.)

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, will the distinguished Senator from California yield me 3 minutes?

Mr. CRANSTON. Certainly.

THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order Nos. 946, 948, and 949, all of which have been cleared on the other side, in that order.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, reserving the right to object, and I do not expect to object, will the Senator indicate what time that might take, because at the present rate we are already running beyond 6 o'clock.

Mr. ROBERT C. BYRD. Less than 3 minutes.

Mr. STENNIS. All right; I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

LANDS IN TRUST FOR CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF OREGON

The Senate proceeded to consider the bill (S. 2969) to declare title to certain Federal lands in the State of Oregon to be in the United States in trust for the use and benefit of the Confederated Tribes of the Warm Springs Reservation of Oregon which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 3, after the word "the", to insert "Federal"; and, on page 3, at the beginning of line 24, strike out "(c) That portion of the Pacific Crest Trail traversing the lands in the McQuinn Strip shall be managed by the Confederated Tribes and shall be open in perpetuity to public use on the same basis and under the same circumstances as adjacent segments administered by the United States Forest Service." and insert "(c) For that portion of the Pacific Crest Trail traversing the lands in the McQuinn Strip, the Secretary of Agriculture shall retain a right-of-way of not to exceed 200 feet in width for continued administration by the Secretary as the Pacific Crest Trail in accord with the provisions of the National Trails System Act (82 Stat. 919, 16 U.S.C. 1241–48)."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title to the Federal lands, together with all improvements thereon, known as the McQuinn Strip, is declared to be in the United States in trust for the use and benefit of the Confederated Tribes of the Warm Springs Reservation of Oregon, and a part of the Warm Springs Reservation of Oregon, and such lands are excluded from the Mount Hood and Willamette National Forests. The Secretary of the Interior shall administer such lands in accordance with, and for the purpose of, this Act.

Sec. 2. As used in this Act, the term "McQuinn Strip" means the approximately 61,360 acres of federally owned lands which are within the following described area:

An area bounded by a line beginning at a point in the middle of the channel of the Deschutes River, established as the initial point of the Handley Survey of 1871; thence in a direct line northwestwardly to the seven-and-one-half-mile post of the McQuinn Survey of 1887; thence continuing northwestwardly along the line of the McQuinn Survey to the thirty-mile post thereof at Little Dark Butte in the Cascade Mountains; thence following the McQuinn Survey southwestwardly in a direct line to the summit of Mount Jefferson; thence northeastwardly in a direct line to the western terminus of the northern boundary of the Warm Springs Indian Reservation as established by the Act of June 6, 1894 (28 Stat. 86); thence along said northern boundary to the place of beginning.

excluding any lands which are within the exterior boundaries of the Mount Jefferson Wilderness Area.

Sec. 3. The distributive shares of the respective counties of receipts from the national forests from which the lands described in section 2 of this Act are excluded, as paid under the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended, shall not be affected by the elimination of lands from such national forests by the enactment of this Act.

Sec. 4. The declaration of trust made by this Act shall be subject to the following provisions:

(a) Commercial timber from lands described in section 2 shall continue to be sold by public oral auction with qualifying sealed bids until January 1, 1992, such timber to be managed on a sustained yield basis, to be appraised and sold in accordance with established rules and regulations of the Secretary of Interior, and to be designated for primary manufacture in the United States. During such period until January 1, 1992, the Confederated Tribes of the Warm Springs Reservation of Oregon shall not participate in the bidding and shall not purchase or cut and remove any of the timber from the McQuinn Strip.

(b) Existing valid livestock grazing permits issued by the United States Government shall be converted to lease agreements between the Confederated Tribes of the Warm Springs Reservation of Oregon and the permittees, such leases to be on the same fee schedule, terms, and conditions as existing permits, except that the leases shall continue until January 1, 1992.

(c) For that portion of the Pacific Crest Trail traversing the lands in the McQuinn Strip, the Secretary of Agriculture shall retain a right-of-way of not to exceed 200 feet in width for continued administration by the Secretary as the Pacific Crest Trail in accord with the provisions of the National Trails System Act (82 Stat. 919, 16 U.S.C. 1241–48).

(d) All lakes within the boundaries of the lands transferred by this Act shall be open to public fishing, with appropriate access thereto, under rules and regulations adopted by the Confederated Tribes and approved by the Secretary of Interior.

(e) The Confederated Tribes shall enter into a cooperative agreement with the Oregon State Game Commission for the enforcement of State regulations and laws affecting hunting and fishing on all lands, streams, and lakes in the McQuinn Strip for a period of ten years from the date of this Act. The cooperative agreement shall give the commission the option to extend the agreement for an additional ten-year period if, in the judgment of said commission, additional time is required for the Confederated Tribes of the Warm Springs Reservation of Oregon to develop an effective program of fish and game management on such lands. Notwithstanding the preceding provisions of this subsection, the cooperative agreement shall provide that the area known as Sunflower Flats, and described as follows:

All of the McQuinn Strip within township 5 south and township 6 south, range 11 east of the Willamette meridian, Wasco County, Oregon, lying west of the Simnasho-Wapinitia Road,

shall be managed jointly by the Confederated Tribes of the Warm Springs Reservation of Oregon and the Oregon State Game Commission until the agreement is canceled by mutual agreement, and that no hunting shall be permitted in such area without the joint agreement of both the Confederated Tribes and the Oregon State Game Commission.

(f) The United States Forest Service shall have the right to the use without charge of all fire lookout stations within the McQuinn Strip, and the improvements and the lands upon which such improvements are located at the Bear Springs Ranger Station for so long as they are needed: *Provided,* That during such use, the Forest Service shall maintain the improvements.

(g) All public campgrounds within the McQuinn Strip shall be managed and maintained by the Confederated Tribes in perpetuity for use by the public with appropriate access thereto on the same basis that other comparable campgrounds are maintained by the Forest Service.

(h) All public roads within the McQuinn Strip shall be maintained as public roads in perpetuity.

(i) The Confederated Tribes of the Warm Springs Reservation of Oregon shall place an adequate fence for the control of livestock along the north boundary of the McQuinn Strip as soon as practicable after the enactment of this Act: *Provided,* That where fee patent lands are bisected by said north line, the Confederated Tribes shall pay 50 per centum of the cost of providing an adequate livestock fence along the boundary lines of such fee patent lands located within the McQuinn Strip in the event the owner of such fee patent lands shall desire to fence the same. On all fee patent lands located within the McQuinn Strip, the Confederated Tribes shall pay 50 per centum of the cost of providing an adequate livestock fence around said fee patent lands provided the owner of such lands desires to fence the same.

(j) The lands subject to this Act shall be subject to the Water Right Agreement entered into on the 29th day of June 1971, recorded July 8, 1971, in the records of Wasco County, Oregon, under microfilm numbered 711138, between the Confederated Tribes of the Warm Springs Reservation of Oregon and the Juniper Flat District Improvement Company, an Oregon corporation.

Sec. 5. The Confederated Tribes of the Warm Springs Reservation of Oregon, with the approval of the Secretary of Interior, shall promulgate such rules and regulations, and shall enter into such contracts with the State of Oregon and with individuals, organizations, and agencies of the United States, as may be necessary or desirable to effectuate the provisions of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President,

I ask unanimous consent to have printed in the Record an excerpt from the report (No. 92-999), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Purpose

S. 2969, as amended, and sponsored by Senators Hatfield and Packwood, would place in trust, for the use and benefit of the Confederated Tribes of the Warm Springs Reservation of Oregon, the lands and improvements on approximately 60,660 acres of the 61,360 acres of federally owned national forest land comprising the area known as the "McQuinn Strip." Approximately 700 acres of the McQuinn Strip within the exterior boundaries of the Mount Jefferson Wilderness would remain part of the wilderness under jurisdiction of the Secretary of Agriculture.

The bill would make the declaration of trust it provides subject to a number of provisions. Specifically, commercial timber would continue to be sold by public oral auction until January 1, 1992. Existing livestock grazing permits would be converted to leases by the tribes, to continue until January 1, 1992. That portion of the Pacific Crest Trail within the area would be required to be open in perpetuity to public use. Lakes would be open to the public subject to rules and regulations adopted by the Confederated Tribes and approved by the Secretary of the Interior. Hunting and fishing in the area would be in accordance with a cooperative agreement with the Oregon State Game Commission for 10 years or 20 years at the discretion of the State. Public campgrounds would be managed and maintained by the Confederated Tribes in perpetuity for use by the public, and all public roads would be maintained as public roads in perpetuity. The bill authorizes the use by the Forest Service of fire lookout stations and the Bear Springs Ranger Station for as long as these are needed. The bill also contains provisions relating to distributive shares of national forest receipts, fencing of the true boundary and water rights.

BACKGROUND

The Warm Springs Reservation was created by the treaty of June 25, 1855 (12 Stat. 963), between the United States and representatives of the Confederated Tribes and bands of Indians, residing in Middle Oregon, whereby the Indians ceded all their right, title, and claim to all the country claimed by them, provided a portion of the country described should be set aside as a reservation.

The Confederated Tribes of the Warm Springs Reservation have contended for many years that the exterior boundaries of the reservation created by the 1855 treaty as surveyed and established did not encompass all of the land described in the treaty. This issue was raised almost immediately after the boundaries of the reservation had been surveyed. Because of alleged erroneous surveys, the tribes charged that a large quantity of land known as the "McQuinn Strip," was omitted from the reservation area.

Although numerous attempts were made by and on behalf of the Indians to obtain a recognition of their claims to additional lands over the years, it was not until approximately 70 years later that the U.S. Court of Claims determined that the Indians were correct in their contention. However, the court determined that the offsets exceeded the value of the omitted lands and dismissed the case.

To overcome the apparent injustice of the settlement, Congress enacted legislation in 1948 which permits the Confederated Tribes to receive the revenues derived by the U.S. Forest Service through their management of the disputed land area. The tribes maintain that the land should be made a part of the present reservation and administered as tribal lands for economic enterprises.

A hearing was held before the Subcommittee on Indian Affairs on S. 2969 on June 16. Both the Department of the Interior and Department of Agriculture recommended that consideration of this measure be deferred pending the outcome of a study of instances in which a tribe seeks land beyond the present reservation boundary.

INDIAN SELF-DETERMINATION ACT OF 1972

The Senate proceeded to consider the bill (S. 3157) to promote maximum Indian participation in the government of the Indian people by providing for the full participation of Indian tribes in certain programs and services conducted by the Federal Government for Indians and by encouraging the development of the human resources of the Indian people, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 8, after line 7, to insert a new section, as follows:

Sec. 9. Nothing in this Act shall be construed as authorizing or requiring a tribal organization to enter into an agreement, directly or indirectly, with a non-Indian party for the construction of buildings, roads sidewalks, sewers, mains, or similar items without compliance with requirements of advertising and competitive bidding if the same would have been required if the contract had been entered into by the United States directly.

And, at the beginning of line 16, change the section number from "9" to "10"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Indian Self-determination Act of 1972".

FINDINGS AND PURPOSES

Section 1. (a) The Congress finds and declares that—

(1) inasmuch as all government derives its just powers from the consent of the governed, maximum Indian participation in the government of the Indian people shall be a national goal;

(2) maximum Indian participation in the government of Indian people would be enhanced by increased participation of Indians in the planning, conduct, and administration of programs and services of the Federal Government for the Indian people;

(3) the administration of such Federal programs and services is frequently not fully responsive to the needs and desires of the Indian people to whom such programs and services are provided; and

(4) increased participation of the Indian people in the planning, conduct, and administration of Federal programs and services designed to serve them will make such programs more responsive to the needs and desires of the Indian people, enhance the effectiveness of such programs, and encourage the development of essential administrative, managerial, business, and community leadership skills in the Indian people.

(b) The purpose of this Act is to promote maximum Indian participation in the government of the Indian people by—

(1) providing increased opportunities for effective and meaningful participation of the Indian people in the planning, conduct, and administration of Federal programs and services for Indians;

(2) authorizing technical and financial assistance to Indian tribes and tribal organizations to enable them to achieve such participation; and

(3) encouraging and assisting in the development of the administrative, managerial, business, and community leadership skills, and the formation of tribal organizations necessary to assure effective participation of the Indian people in Federal programs and services.

DEFINITIONS

Sec. 2. For the purposes of this Act:

(a) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native community, for which the Federal Government provides special programs and services because of its Indian identity; and

(b) "tribal organization" includes the elected governing body of any Indian tribe and any legally established organization of Indians which is controlled by one or more such bodies or which is controlled by a board of directors elected or selected by one or more such bodies (or elected by the Indian population to be served by such organization). Such an organization shall include the maximum participation of Indians in all phases of its activities.

CONTRACTS BY THE SECRETARY OF THE INTERIOR FOR PROGRAMS AND SERVICES

Sec. 3. The Secretary of the Interior is authorized, in his discretion and upon the request of any Indian tribe, to enter into a contract or contracts with any tribal organization of any such Indian tribe to plan, conduct, and administer programs, or portions thereof, of education, agricultural assistance, and social welfare, including relief of distress, of Indians provided for in the Act of April 16, 1934 (48 Stat. 596), as amended, and for any other program which the Secretary of the Interior is authorized to administer for the benefit of Indians under the Act of November 2, 1921 (42 Stat. 208), and any Act subsequent thereto.

CONTRACTS BY THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE FOR HEALTH AND SANITATION FACILITIES PROGRAMS

Sec. 4. The Secretary of Health, Education, and Welfare is authorized, in his discretion and upon the request of any Indian tribe, to enter into a contract or contracts with any tribal organization of any such Indian tribe or to carry out any or all of his functions, authorities, and responsibilities under the Act of August 5, 1954 (68 Stat. 674), as amended.

GRANTS TO INDIAN TRIBAL ORGANIZATIONS

Sec. 5. The Secretaries of the Interior and of Health, Education, and Welfare are each authorized, upon the request of any Indian tribe, to make a grant or grants to any tribal organization of any such Indian tribe for planning, training, evaluation, and other activities specifically designed to make it possible for such tribal organization to enter into contracts pursuant to sections 3 and 4 of this Act.

DETAIL OF PERSONNEL

Sec. 6. (a) The Secretaries of the Interior and of Health, Education, and Welfare are each authorized, upon the request of any tribal organization, to detail any civil service employee serving under a career or career-conditional appointment for a period of up to one hundred and eighty days to such tribal organization for the purpose of assisting such tribal organization in the planning, conduct, or administration of programs under contracts or grants made pursuant to this Act. The appropriate Secretary may, upon a showing by a tribal organization of a need for an employee detailed pursuant to this section, extend such detail for a period not to exceed ninety days.

(b) The Act of August 5, 1954 (68 Stat. 674), as amended, is amended by adding a new section 8 after section 7 of the Act, as follows:

"SEC. 8. In accordance with subsection (d) of section 214 of the Public Health Service Act (58 Stat. 690), as amended, upon the request of any Indian tribe, band, group, or community, personnel of the Service may be detailed by the Secretary for the purpose of assisting such Indian tribe, group, band, or community in carrying out the provisions of contracts with, or grants to, tribal organizations pursuant to the Indian Self-determination Act of 1972: *Provided*, That the cost of detailing such personnel is taken into account in determining the amount to be paid to such tribal organization under such contract or grant, and that the Secretary of Health, Education, and Welfare shall modify such contract or grant pursuant to subsection (c) of section 7 of such Act to effect the provisions of this section."

(c) Paragraph (2) of subsection (a) of section 6 of the Military Selective Service Act of 1967 (81 Stat. 100), as amended, is amended by inserting after the words "Environmental Science Services Administration" the words "or who are assigned to assist Indian tribes, groups, bands, or communities pursuant to the Act of August 5, 1954 (68 Stat. 674), as amended,".

ADMINISTRATIVE PROVISIONS

SEC. 7. (a) Contracts with tribal organizations pursuant to this Act shall be in accordance with all Federal contracting laws and regulations except that, in the discretion of the appropriate Secretary, such contracts may be negotiated without advertising and need not conform with the provisions of the Act of August 24, 1935 (49 Stat. 793), as amended.

(b) Payments of any grants or under any contracts pursuant to this Act may be made in advance or by way of reimbursement and in such installments and on such conditions as the appropriate Secretary deems necessary to carry out the purposes of this Act.

(c) Notwithstanding any provision of law to the contrary, the appropriate Secretary may, at the request or consent of a tribal organization, revise or amend any contract or grant made by him under this Act with such organization as he finds necessary to carry out the purposes of this Act.

(d) The appropriate Secretary may, in his discretion, enter into contracts for the construction or repair of buildings, roads, sidewalks, sewers, mains, or similar items with tribal organizations by negotiation, without advertising.

(e) In connection with any contract or grant made pursuant to this Act, the appropriate Secretary may permit a tribal organization to utilize, in carrying out such contract or grant, existing school buildings, hospitals, and other facilities and all equipment therein or appertaining thereto and other personal property owned by the Government within his jurisdiction under such terms and conditions as may be agreed upon for their use and maintenance.

SEC. 8. The Secretaries of the Interior and of Health, Education, and Welfare are each authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying out the provisions of this Act.

SEC. 9. Nothing in this Act shall be construed as authorizing or requiring a tribal organization to enter into an agreement, directly or indirectly, with a non-Indian party for the construction of buildings, roads, sidewalks, sewers, mains, or similar items without compliance with requirements of advertising and competitive bidding if the same would have been required if the contract had been entered into by the United States directly.

SEC. 10. Nothing in this Act shall be construed as authorizing or requiring the terrimination of any existing trust responsibility of the United States with respect to the Indian people.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–1001), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 3157, introduced by Senator Jackson and Allott, authorizes the Secretaries of the Interior and of Health, Education, and Welfare, upon the requests of the Indian tribes, to enter into contracts with tribal organizations so that they may plan, conduct, and administer projects under the Bureau of Indian Affairs and Indian Health Service, respectively. In addition, the bill provides for grants to Indian tribal organizations for planning, training, and other activities specifically designed to make it possible for such organizations to enter into contracts.

S. 3157 further authorizes the detail of personnel (including commissioned officers of the public health services) from the two Departments to assist the tribal organizations to fulfill their contract or grant responsibilities. Finally certain Federal contracting requirements which have frequently posed obstacles to Indians attempting to enter into contracts with the Government could be waived by the respective Secretaries at their discretion.

NEED

The concept of self-determination for Indian people and the opportunity for Indians to exercise greater control over Federal programs and efforts conducted for their exclusive benefit has gained increasing support from both the legislative and executive branches of Government in recent years. Through their official tribal leaders, the Indian people have expressed a strong desire to exercise greater self-determination as a means of improving their social and economic well-being. But in exercising self-determination, the Indian people want to be assured that such new-found freedom of expression and action will not contribute to the termination of any trust responsibility of the United States with respect to the Indian people.

The Bureau of Indian Affairs and the Indian Health Service, to a lesser degree, have entered into contracts with various Indian groups for the control and management of specified programs and services. Such contracts have been negotiated pursuant to the act of November 2, 1921 (42 Stat. 208) and the act of June 25, 1910 (36 Stat. 861). The applicability of these outdated statutes for these purposes has been questioned from several sources within Government.

There is a demonstrated need for new statutory authority to serve as an appropriate tool for the Federal agencies to implement an Indian self-determination policy in a manner that would meet the expressed wishes and desires of the Indian people. The enactment of S. 3157 would meet such a need.

COMMITTEE DISCUSSION

The committee views S. 3157 as a self-help measure designed to assist Indian people to become active participants in the various Federal programs operated for the exclusive benefit of Indians, rather than to continue as the passive users of these programs. The committee further is cognizant that many tribal groups lack the sophisticated management and professional skills required for them to enter into immediate contracts with the Bureau of Indian Affairs and the Indian Health Service for the control and management of their various programs. However the committee believes that sufficient flexibility has been incorporated in S. 3157 so that it can accommodate the circumstances surrounding each tribal group seeking to enter into a contract with either the Bureau of Indian Affairs or the Indian Health Service.

To insure that there will be no serious diminution in the quantity and quality of services to Indian people who are dependent upon the Federal programs and services, the two Secretaries will be expected to work closely with tribal groups to apprise them of their responsibilities before entering into contracts authorized under the bill. No tribal contractor should be expected to exceed the level of performance of the Federal agency, given the same amount of funds for the activity being operated under contract.

As a result of the hearing before the Subcommittee on Indian Affairs on May 8, 1972, on S. 3157 and a similar measure proposed by the administration, S. 1573, the committee concluded that the provisions of S. 3157 under which the tribes would enter into contracts with the two Secretaries was preferable to the administration's proposal.

The contracts made pursuant to S. 3157 will clearly delineate the responsibilities of both parties, whereas the administration bill appeared to Indian witnesses in the hearings and the committee members to possibly permit instances to arise where the responsibility and authority of the parties would be unclear.

COST

No additional expenditure of Federal funds will result from the enactment of S. 3157.

MODOC POINT UNIT OF THE KLAMATH INDIAN IRRIGATION DISTRICT

The bill (H.R. 489) to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian owned lands under the Modoc Point unit of the Klamath Indian irrigation project, Oregon, considered, ordered to a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–997), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION

The order of the Secretary of the Interior was issued pursuant to the Act of June 22, 1936 (25 U.S.C. 389), and under the terms of that act the order will not be effective until approved by Congress.

All units of the Klamath Indian Irrigation Project are being operated by the landowners without cost to the United States, except the Modoc Point Unit. The Modoc Point Irrigation District, organized under Oregon law, is willing to accept a transfer of the unit if all remaining construction charges against the lands are canceled.

The Secretary's order of December 31, 1968, cancels the remaining reimbursable charges against the non-Indian lands, conditioned on the completion of an agreement with the irrigation district to take over the unit. After that order is approved by enactment of the pending bill, the Secretary of the Interior will cancel administratively under authority of the Klamath Termination Act of August 13, 1954, the remaining reimbursable charges against the Indian lands in the project.

The irrigation system needs to be rehabilitated and extended at an estimated cost of $302,000. This cost would be beyond the ability of the water users to pay, unless the existing reimbursable charges are canceled. The cancellation of these charges will permit the irrigation district to assess the lands for the rehabilitation and betterment work, and the assessment will be within the economic ability of the lands to pay.

The committee is convinced that the proposed cancellation, together with a transfer to the irrigation district of all future responsibility for operation and maintenance of the unit, will be in the financial interest of the United States. The Secretary of the Interior stated the same conclusion as follows:

> Considering the cost to the Federal Government to continue to administer the Unit, the limited capability of the land to repay construction costs in addition to the payment of annual operation and maintenance costs, the long period over which construction costs are to be paid, the fact that the estimated cost to rehabilitate and extend the irrigation system exceeds the remaining reimbursable construction cost due the Federal Government, and the fact that the Modoc Point Irrigation District has now indicated a willingness to take over the Unit, we have determined that it would be to the advantage and best interest of the Federal Government to cancel all remaining irrigation charges against both the Indian and non-Indian owned lands and release all contracts and liens for such irrigation charges. Such cancellation would be subject to the Modoc Point Irrigation District assuming the full and sole responsibility for the future care, operation, maintenance, and rehabilitation of the irrigation system of the Modoc Point Unit of the Klamath Indian Irrigation Project.

COST

Enactment of the bill will involve no Federal expenditure but it will cancel reimbursable irrigation charges amounting to $76,302.29, plus interest and penalties.

MILITARY PROCUREMENT AUTHORIZATION, 1973

The Senate resumed the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. CRANSTON. Mr. President, I yield the distinguished Senator from Indiana such time as he may require.

Mr. HARTKE. Mr. President, the war in Vietnam has become indeed an American tragedy. The crisis in Vietnam is really an American crisis; it is no longer a crisis involving just Southeast Asia.

I think most people in the United States agree that the time has come to bring an end to this terrible conflict. Promises have been made and not kept; inferences have been put forward which have left false impressions; and always there seems to be a reason why we cannot end the war at the particular time in question. The numbers of dead continue to accumulate, the numbers of wounded continue to accumulate, and the devastation and destruction continue.

Everything about this war, all of the signs, would indicate that a liberal and sensible society would bring it to a conclusion at the earliest possible moment. Yet somehow we seem to be caught in that terrible turmoil in such a way that, while it seems we do not want to go along with the war, we do not want to continue it, somehow we cannot bring it to an end.

Recognizing this situation, a number of efforts have been made by well-meaning people who have sought to bring some type of sense out of the disorder; yet it seems that we continue to throw in the way roadblocks of a type which ultimately mean we are unable to create any type of order out of the chaos.

Some people say that the war is being continued for economic reasons, others for political reasons, others that it is being continued by reason of the fact that no one knows how to bring it to an end.

Mr. President, I believe it can be brought to an end. As I have said, the method for bringing American involvement to an end is clear and concise, and has been available to us for some time. I repeat what I have said a number of times on this floor, that as a result of conversations I held in Paris in April 1971, I learned that the conditions for America's termination of its participation in this war are rather simple. The conditions for ending that conflict, however, are entirely different from those for ending just the American participation. For that reason, this body ought to be clearly aware of the implication of some of the proposals which are made.

Our distinguished colleague from Vermont proposes that there be an internationally supervised cease-fire throughout Indochina. I say that that cannot be accomplished at this time, as a matter of practical reality. And if we do not deal with the realities, they will continue to make it impossible for this body, the President, or anyone else to bring an end to the war.

Everyone knows that there have always been available at least two distinct ways to end our participation in this war. One of them is for the United States and South Vietnam to give up. The other is for the North Vietnamese and the National Liberation Front to give up. Either side alone would be willing to accept that proposition, but the other side would not. So the reality of the situation requires an effort to try to find some middle ground, and that is what we are trying to do.

One middle ground is to arrange for a cease-fire, arrange for the return of the prisoners of war, and arrange for the return of all American military personnel. If we continue to be involved militarily, there is no question but that the war will probably go on and on and on.

I fully anticipate, as I stated before when we debated this proposal on the last chance we had to vote upon it, that there will be a cease-fire before August 15. As I said at that time, there is reason to anticipate that that date is not out of line. I would caution at the same time, however, that to depend on that occurring is to depend upon a contingency which is at this moment not valid, and which at this moment is not certain.

So I hope the Senate will take the position that it did the last time, following the rather clearcut initiative of the Senator from Massachusetts (Mr. BROOKE), or the position which is advocated by the Senator from California (Mr. CRANSTON), which in substance is the position advocated so long by our majority leader, the Senator from Montana (Mr. MANSFIELD).

Either of those positions, if followed through certainly will accomplish the desired end result. I hope that we can pass it here, that it will pass the House of Representatives, and that the President will heed our advice.

I would just say to those who fear the repercussions of any type of precipitate end to this war that they ought to look at what happened after the initiative taken by President Nixon when he went to Peking, when he broke the barrier there, and when he did what very few people thought could ever be accomplished, which was to modify our position toward Taipei and Formosa.

There is no question that the American people are so tired and fed up with this war that if the President would only find it within his power and in his mind to make the decision to terminate those hostilities, to bring the American troops home, and to go on about the unfinished business of America—the agenda of which is so long that it would take us all afternoon to catalog the items which need our attention and our money—then I reckon people would applaud him. I can say that I would applaud him, as much as I decry the fact that it has continued as long as it has. There is no use looking to the past and trying to find out who was at fault. I think there is plenty of fault to go around with a lot of people.

I know that the attitude has changed considerably in this country since February 7, 1965, when Pleiku was attacked, at the time I broke with President Johnson over this war. At that time only seven Americans were killed, and at that time only 750 had died in Vietnam. Now it is more than 55,000.

The terrible tragedy is not only in the deaths and in the military caskets and in the agony that has come to those who have suffered the loss of their loved ones. The terrible tragedy extends to the entire fabric of American society. We seem to be a nation which has lost its goal and, unfortunately, a nation which has lost its soul. A soulless nation and a goalless nation is one which ultimately is going to be faced with trials and tribulations which are much more severe than we have at the present time.

Think that the scars of Vietnam and the way the war has cauterized the American society are going to live with us throughout the rest of this century. I guarantee that unless we do the best we can to remove this terrible self-infliction of almost attempted national suicide, the longer we continue this involvement, the more difficult it is going to be to come up with some type of cure for what needs to be done.

I say again, as I have said before on this floor, that I intend to do all I can to make my voice heard and to do all I can to vote to bring this war to an end.

To say that sometimes I am discouraged with the efforts that are being made would probably be putting it very lightly. Yet, as much as we are discouraged, the effort must be made. For that reason, I congratulate the Senator from Massachusetts, the Senator from California, the majority leader, and others who have made the effort.

I am disappointed in the amendment offered by the Senator from Vermont, who was an early opponent of this war, who really had what probably was at one time a solution which very few people were willing to accept. He advocated that the United States declare that we had won the war and come home. That, in and of itself, was considered to be a somewhat facetious statement at the time, but it certainly would have been far preferable to what we have done in the intervening years since the Senator from Vermont made that statement.

I think that those Senators who vote for the Aiken amendment, if it is voted on today, will be voting, in substance, for a continuation of this war. In my opinion, I would say it is a "prolonging the war amendment."

I want out now. I think the American people want out now. I think that the amendment proposed by Senator CRANSTON and Senator BROOKE, either in conjunction or in the alternative, would provide a way to get out now.

I suppose that what is said on the Senate floor will have little effect upon how this vote is going to be cast. But I will say that efforts have been made during the past 5 or 6 years to silence some of us. The charges are made that we have been somewhat less than patriotic. I repeat what I have said before: I think that to be a true patriot is to love your country and want it to be successful and to put hope before despair and to put peace before war and to put life before death.

For those of us who have advocated that that should be the course of this Nation, I think that is the highest type of patriotism one can have. I think the greatest act of patriotism at this moment would be an immediate end to this war, the setting of a firm date for American troop withdrawal. I know that the assurances are on the Paris table at this moment that if that were done, an immediate cease-fire which could be accomplished within 48 hours, could be arranged, so far as American military personnel are concerned, and the prompt return of the prisoners of war. For those who want the prisoners of war home, who want the fighting to come to an end so far as the Americans are concerned, the establishment of a firm date of withdrawal will accomplish that end result. To those who are fearful of taking that type of initiative, I say that they are fearfull for the future of their country.

The PRESIDING OFFICER. Who yields time?

Mrs. SMITH. I yield 10 minutes to the distinguished junior Senator from New York.

Mr. BUCKLEY. Mr. President, I shall use 5 minutes.

I want to address myself to the general subjects of the kinds of limitations that would be legislated as a result of the adoption of the Cranston amendment or of the others which will be offered today.

I am gravely concerned about the effect of these attempts to legislate various formulae for our withdrawal from Southeast Asia, the effects these will have on our ability to conclude a political termination of this war, on our ability to negotiate the end we all seek so earnestly.

I do not know how many of my colleagues have had the experience of being engaged in protracted, hard business negotiations. I have. One thing is certain: To the extent that a negotiator's maneuvering ground is limited, to the extent that the opposition parties know the limitations within which you must operate, to that extent is your ability to negotiate effectively foreclosed.

I have no doubt in my mind that the intransigence we have seen in Paris from the very beginning is to a large extent—perhaps to a critical extent—sustained and fortified by the very debates which have been under way within the Senate of the United States and within Congress over the period of the last year or two.

The Senators who have been offering these amendments obviously have done so from the most humane motivations. They want to see the end to the fighting. They want to see an end to the loss of American lives. But I would earnestly call their attention to the effect of the debate, the effect of these attempted limitations on the maneuvering ground allowed the President in the course of those negotiations.

I believe that the effect of this debate has been to jeopardize our ability to secure a negotiated peace before the coming elections.

I can think of no one who can be more anxious for an orderly, early termination of these hostilities, who has, in fact, more to gain from them, than the President of the United States. I do not believe that anyone doubts the effort or the sincerity of the effort he has put into these negotiations. I honestly can think of no offer that could be made to someone, to another party desirous of a termination of the conflict, than the ones that already have been placed on the peace table by the President of the United States.

The one thing that the President will not do is to turn tail and pull out, and he cannot. He is faced with the responsibilities to our prisoners of war; and, of course, the current amendments at least will provide the satisfaction of knowing that no precipitate action would be taken until the prisoners of war had been returned, until we had a full accounting of those missing in action. But there are other factors beyond these. For better or for worse, we have been involved in the conflict. For better or for worse, we have encouraged South Vietnam to stand up and fight for the security and the freedom of their land. For better or for worse, we have caused hundreds and thousands of them to take sides and be identified with the South, to be identified with a cause. Therefore, if we were to legislate a termination such as to undercut the program of Vietnamization, we would be delivering South Vietnam to the North. We would be delivering hundreds of thousands of hostages to the brutalities of the kind Hanoi unleashed against its own people after it consolidated its power in the North.

There are considerations beyond that. There is the credibility of an American undertaking. We cannot put a fence around South Vietnam and tell the world that what happens there is of no consequence to the rest of the world. If we were to pull out in a manner which would be considered in the eyes of the world as irresponsible, the effect would be to erode the credibility of American alliance around the globe, to erode our ability to work for a stable order and for peace around the globe.

I suggest, Mr. President, that these are the kinds of considerations and factors which someone sitting in the White House with the responsibilites of a President, cannot ignore. These are the factors that he must take into consideration in working for a political solution to this conflict.

As I said earlier, I believe that the President has offered everything that could be asked for by people who operate in good faith. I feel that the negotiators of North Vietnam have demonstrably not been operating in good faith. I feel that the chances for success of these negotiations will precisely result from keeping the pressures going, as he has through the mining of the port of Haiphong, and of convincing the north that he will not in the end, toss in the towel, thereby encouraging them to stand firm.

I, therefore, hope that my colleagues will not vote in favor of the pending amendment or the other similar amendment which will be offered later on today.

Mr. President, I yield back the remainder of my time.

Mr. STENNIS. Mr. President, on my time, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROTH). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I yield 5 minutes to the distinguished Senator from Michigan (Mr. HART) to ask some questions, as I understand it.

Mr. HART. Mr. President, the distinguished Senator from Mississippi (Mr. STENNIS), some days ago, addressed himself to a problem that has come before all of us; namely, the proposal that the second of the two ABM sites which would be authorized, would be the one protecting the National Command Center in Washington, D.C., which is contained in the House-passed bill.

Our Armed Services Committee reported without prejudice a bill that does not include the Washington ABM site.

I went to Senator STENNIS and explained that while I could not say whether a majority of the Senate, if presented directly with the issue, would reject the Washington ABM site, I felt reasonably confident that that would be the outcome.

My concern, and it is a concern, I know, and that of the Senator from Mississippi, too, that all of us anticipate, to the extent we can make provision against the possibility, that when the conferees take up the bill, we will not be presented with a conference report that includes acceptance of the House position on the Washington ABM site.

I do know that the Senator from Mississippi (Mr. STENNIS) was kind enough to call my attention to it in more recent days, in an exchange with the Senator from Wisconsin (Mr. PROXMIRE). As I read it, Senator STENNIS said that this would not happen, certainly, unless and until the Armed Services Committee itself had taken testimony on the Washington ABM site and the committee itself was satisfied that justification had been developed in the record.

My fear is that all of us should attempt to build a little better protection against that possibility before we act finally on the bill. So I rise to observe with the Senator from Mississippi that we are all appreciative of the reasons that persuaded the Armed Services Committee to report the bill as it did; namely, to treat without prejudice the omission of the Washington ABM site, but to ask, would it not be desirable even from the standpoint of the conferees, some of whom may think a Washington ABM site makes sense, and in the interest of all of us, to make clear that the Senate itself will have an opportunity to act upon the Washington ABM site question directly if, in the days intervening between now and the conference committee report, the Armed Services Committee believes that the Senate should act affirmatively?

Mr. STENNIS. Well, Mr. President, I am glad to answer, insofar as I can, the Senator's inquiry, which is a legitimate one. I have to answer now within the confines of the legislative rules that apply in putting together a bill.

Going back now for a moment, the Senate Armed Services Committee received information about this request some 10 days or 2 weeks before we finished marking up the bill. However, we got the official estimate only 1 or 2 days before we completed the markup. And we did not have information, we thought, as to the prospective cost and also some of the other major points about this item. And it is a major item. At that time we thought it might be true that the bill would not be taken up for some time. So we decided to leave the matter on the table, as it were, without prejudice. There was discussion that we might move to have hearings before the bill was disposed of on the floor of the Senate. And the committee discussed not offering an amendment on the floor about the item. However, there was no disposition on my part to avoid the matter in any way.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 5 additional minutes.

Mr. STENNIS. Mr. President, as a matter of fact, I stated that we were not seeking to avoid the Senate having a chance to vote on it. We are now faced with a situation in which we were able to get the bill up for consideration earlier. That is what we wanted to do and not have to wait until September before we got the bill up for consideration. It will be voted on finally at 6 o'clock this afternoon and will go to conference.

The provision is in the House bill. No one can say what will happen in conference. We cannot go to a conference and try to tell them what things they are not going to do. However, this will be my position as one of the conferees—and I think this will meet with the general approval of all the other conferees—that we will have to lay before the House conferees what has happened and tell them that we cannot agree to this item under any circumstances unless we at least have a chance to hear the matter further before our committee.

We could hold up the conference and have that hearing. However, I would not favor considering proceeding until at least a majority of the Senate had voted in favor of this project. And I say right there that we are going to complete this conference as soon as we reasonably can. And I doubt if there would be anyone interested in delaying it for extended hearings. I seriously doubt that there would be a majority of the committee that would recommend this year the inclusion of such a project.

I think as a practical matter—and I do not want to offend the conferees on the other side by saying that we are not even going to consider—that there is a very small chance that a majority of our committee would approve it for this year. If we do not do it, we would have to tell the House conferees that that is the end of our role. I would want to keep in touch with the Senator from Michigan and any other Senator. I have to be further convinced myself before I would favor this project for this year.

Mr. HART. Mr. President, as always, the Senator from Mississippi has been very frank. I do understand the restraint under which he operates with respect to avoiding any attitude which would appear to be in advance of a conference, an absolute position. I do understand that. We all do.

I know, as the Senator has said, that he understands both the reason for our desire and the resulting need for me to courageously question the wisdom of whether the conferees could—and I am sure they would—name the one way and, at the moment, the only way that the Senate could directly pass the bill with the ABM Washington item in it would be for an amendment to be offered on the floor to include that project.

Mr. STENNIS. The Senator is correct. The only way the Senate could directly pass on it, would be if an amendment were offered.

Mr. HART. Mr. President, I think those of us who oppose the Washington ABM site fairly could be criticized for offering such an amendment now because we would be taking advantage of, in a sense, the absence of hearing testimony and we would inevitably win such a vote.

That being the fact, it might nonetheless be helpful to protect our interest in the conference.

We would therefore not offer such an amendment. And I am grateful to the Senator.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 5 additional minutes.

Mr. HART. Mr. President, I am grateful to the Senator to the extent that tradition and a sense of mutual relationship with the House permits it.

The Senator has indicated his own feelings and he has suggested the position of his colleagues on the Armed Services Committee.

I would suggest for the RECORD under the existing circumstances that it is not unfair for me to suggest that the attitude of a majority of the Senate at this moment would be in opposition to a Washington ABM site.

Mr. STENNIS. I think the Senator is correct, that a majority would be opposed to it. I think that probably, as of now, a majority of the Senate Armed Services Committee would be opposed to it. However, I do not speak for anyone except myself. And I am not saying that a majority of the Senate conferees will have to agree to it. I am saying that a majority of the Senate committee would have to agree to it as well as a majority of the Senate conferees before we could proceed.

Mr. HART. Mr. President, given the circumstances that the Senator from Mississippi described, in the unlikely event nonetheless that some day in the future a conference report comes back to us which includes the ABM site, while it is not unusual and the odds are never good when we try it, I think the Senator from Mississippi and my colleagues would understand why under those circumstances, notwithstanding this exchange, a fight might be made against the conference report.

Mr. STENNIS. Everyone would certainly be free, as I understand it, to oppose the conference report on that ground. And the Senator would be a little disadvantaged, as he has suggested earlier, under the rules. However, anyone who has to oppose the Senator from Michigan is disadvantaged to start with.

Mr. HART. Mr. President, I will stop there.

Mr. STENNIS. Mr. President, I thank the Senator for his inquiry.

Mr. President, I suggest the absence of a quorum on my own time.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. LONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14108) to authorize appropriations for activities of the National Science Foundation, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15418) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 7, 9, 10, 19, and 39 to the bill, and concurred therein; and that the House receded from its disagreement to the amendments of the Senate numbered 4, 12, 15, 21, 23, 26, 28, and 35 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 14108) to authorize appropriations for activities of the National Science Foundation, and for other purposes.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. LONG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I yield myself 5 minutes.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. How much time do I have remaining on this amendment?

The PRESIDING OFFICER. The Senator has 13 minutes remaining on this amendment.

Mr. STENNIS. Mr. President, how much time does the author of the amendment have remaining?

The PRESIDING OFFICER. The author of the amendment has 7 minutes remaining.

The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I wish to reiterate what I said this morning with respect to the commonsense of the situation. Whereas this war has been consistently wound down for months and months and—relatively—we have only a few men left there on the ground, from a military standpoint it has been more successful and pointing toward a determination in the last few months than it has been since it started in a large way.

There is a great abundance of proof here that the South Vietnamese are showing an ability to take care of the situation, although I know that is a very grave question and is still a debatable one. Certainly they have made progress since the mining of the harbors, the blockade, so to speak, and the increased bombing of North Vietnam. Unmistakably, there has been a greatly increased pressure on North Vietnam. There is much accumulating evidence, and it is accumulating every day, consistently, that North Vietnam is hurting, so to speak, and has far more desire to terminate this conflict than heretofore.

That is reflected in many ways. The peace talks in Paris have resumed, and Mr. Kissinger has made trips and we know the contacts he has had. Those events have a meaning.

Now, just as things are looking better for us and for our side, and for South Vietnam, too, I do not think we ought to pull the rug out from under the only Chief Executive we have. I am talking about a President, not any one particular President, but the man to whom our form of government gives authority to represent the Nation.

We have some responsibility—I am not ignoring that—but, as the spokesman and the negotiator and the one who takes the lead in trying to arrange terms that are satisfactory, or at least honorable, that power is vested in the Chief Executive.

Even now I do not think we help the cause to go back and talk about who was to blame for the war or how we got in or whether we are legally in. I think the question now is how are we going to get out. There can be only one official spokesman; Vietnam knows that; all our allies know that. It is the President of the United States.

As I said before, we do not have any negotiating power, we do not have any team, we do not have anyone we can send to represent the Nation, to confer with friend or foe. We might be persuasive, but we do not have the power to speak for this Nation in that field or to bind this Nation or make an agreement that is binding on them.

So, for all those reasons—and there is no use to repeat them over and over—I have been opposed all the while to these amendments, but I think there is more reason now why they should be left off. There is such a thing as overdoing something, even if it has merit. Time after time after time we have had these matters up on several bills. I have done my share of work on them. I have opposed them. But when we got one on a bill a year ago, I was persistent in conference about it, and we did bring back something that had meaning. But now I think it is time to see what can be done in these other areas. The last thing to do, I think, is to cut off the money from the department of our Government that has exclusive, official power to bind us and to bind our adversary. So I hope this amendment will be defeated.

I want to point out, too, as I understand now, the Senator from California has an amendment that he is going to offer, if this amendment is adopted, that will cut out the bombing in all that area of Indochina. This amendment does leave that power in the hands of the President. It is going to take all the power on the ground out of South Vietnam, but is going to leave him with power there to have some small maneuvering ground, anyway. But if this amendment of the Senator from California is adopted, and the other amendment to which I have referred is adopted, also, we will not have as much as a firecracker over there.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. I yield myself 5 additional minutes.

All these things are proposed to be done, and there is no proviso about our prisoners of war. Nothing is said about that. What is going to happen to them? We hope for certain things, but, after all, war is war, and this is a war. We do not expect any men to come out of there by laying down our own arms entirely and getting out.

So I think what is foremost in the minds of all of us—and I know the sponsors of the amendment are not indifferent to it—is getting our prisoners of war back. But under this amendment, and the added amendment, they would be left over there not only alone but without any kind of firepower to protect them. I do not think we want that. I do not think the American people want that. It seems to me that is one of the last things the people want.

It shows how far we can go by giving an inch here and an inch there, and demanding nothing that the other man must do.

This would be a drawback to the President of the United States, of course, in his negotiations and in his dealings with North Vietnam. That is about the only thing it will accomplish.

Mr. President, I yield the floor.

Mr. CRANSTON. Mr. President, in remarks made earlier today concerning the pending amendment, the Senator from Mississippi attacked a provision originally authored by the majority leader (Mr. MANSFIELD) because it provided that we withdraw personnel from South Vietnam without an POW provisions at all.

The Senator knows, of course, that the amendment does provide that the presence of our forces over and around South Vietnam would end only when there was an exchange of prisoners worked out in return for our withdrawal.

Mr. STENNIS. Mr. President, if the Senator will yield, I know that is in this amendment. I did not mean to imply or say that it was not left there. I referred to another amendment.

Mr. CRANSTON. Yes. How many actual infantrymen, that is, ground combat soldiers, do we have in Vietnam? Is not the figure somewhat under 5,000?

Mr. STENNIS. About 46,000 troops in all now, but so far as fighting men on the ground are concerned, they are few. Yes, something under 5,000.

Mr. CRANSTON. That was my question—fighting men.

Mr. STENNIS. Yes.

Mr. CRANSTON. The question I now ask is, what major influence can only 5,000 fighting men have in that situation, compared to the vast air and naval forces we have over and around Vietnam?

Mr. STENNIS. Well, it is not a tremendous fighting force. It is symbolic. However, if trouble were to break there in the wrong way, we have tremendous power to get many more men there on short notice.

We are pulling out. It is a fact; we are pulling out those ground troops.

Mr. CRANSTON. The Senator's response alarms me. Does the Senator foresee circumstances where we might send a vast new wave of men in there to fight?

Mr. STENNIS. No, I was not suggesting that. But we have that many, as I have already mentioned, more than 40,000 there, that have to be protected, and I have thought a great deal about that over the years. Five thousand troops are not many. But we would have a chance to get in additional men to protect the men that we have there rather rapidly. It may sound remote, but if conditions should be such that we would have to go in to protect our own POW's, or anything of that kind, we could supply the men very fast.

Mr. CRANSTON. Well, the POW's are presumably not in the south; they are held in the north.

Mr. STENNIS. No; that is true for most of them.

Mr. CRANSTON. Then the distinguished Senator, in effect, questions the withdrawal of further American troops, despite the fact that we would reserve the option to bomb and engage in other acts of force with air and naval forces. But in effect is that not the Nixon policy? The Nixon policy has been to withdraw the fighting men on the ground and to transfer other ground-based units out of South Vietnam, but to continue to step up the bombing. So it seems to me that the chairman's criticism of this amendment is in effect a criticism of the policy that the President is presently following.

Mr. STENNIS. Well, we all want to get out, and I am sure that includes the President. My main objection to the Senator's amendment is the cutting off of this money. It is eliminating this Nation as a military factor so far as the area there is concerned, shutting off the money and all to get out of South Vietnam. He leaves this bombing as an option there but the idea of forcing the President of the United States out of South Vietnam by cutting off the money for all the military men we have there is a very powerful argument at the so-called negotiating table, a powerful argument in favor of North Vietnam not doing anything, just waiting it out and maybe the Chief Executive would be left with nothing to negotiate about. So there could not be a stronger step taken, I think, than cutting off the funds.

Mr. CRANSTON. We do agree it is our constitutional power.

Mr. STENNIS. Yes; I think clearly the constitutional power is with Congress, but I am talking about a matter of judgment.

Mr. CRANSTON. To pursue this a bit farther, it seems to me that one option the President always has, and one option the President may well exercise, is to get all troops and all military personnel out of South Vietnam before, let us say, November, but to retain the option of bombing until something was worked out about the prisoners of war. Again, that is exactly in line with the amendment that is now pending. As a matter of fact, one of my gravest fears is that if the President does get all personnel out of South Vietnam some time in October, the American people might then well feel that the war had been pretty well wound down. In that case the President might even suspend the bombing for a time, but he would retain the option——

Mr. STENNIS. Mr. President, may we have order? I cannot hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. CRANSTON. Since the President would retain the option to bomb, the bombing might well be resumed after an election won by the President. People might feel that the war was totally wound down when it was not. We might then be in the difficult situation of facing 4 more years of air and naval war, with more American deaths, more POW captures, more devastation in Southeast Asia, and more division in the United States. We would then be right back where we are now, except that the President, if he was elected under those circumstances, would seemingly have won a sort of mandate from the people to support a peace that turned out to be illusory. I suspect we would then be right back here again in the Senate, debating another end-the-war amendment.

The PRESIDING OFFICER. The time of the Senator from California has expired. Five minutes remain to the Senator from Mississippi.

Mr. STENNIS. Does the Senator wish me to yield him some time?

Mr. CRANSTON. I would appreciate it.

Mr. STENNIS. I yield the Senator 3 minutes.

Mr. CRANSTON. I would like to ask another couple of questions in relationship to personnel in and around Vietnam.

How many men in Indochina are serving on temporary duty assignments?

Mr. STENNIS. I am sorry; I really do not know.

Mr. CRANSTON. Does the Senator know if there are Americans on TDY listed as assigned to a base not in a war zone, and so not included in official figures of Americans in Southeast Asia? Are there persons of that sort on TDY?

Mr. STENNIS. I am sorry; I did not understand the question.

Mr. CRANSTON. Are there Americans on TDY listed as assigned to a base not in a war zone, and therefore not included in the official figures on Americans in Southeast Asia?

Mr. STENNIS. I have never run across any evidence suggesting that the figures on the personnel we have there are anything except correct or substantially correct. I do not think there is any padding of the rolls one way or the other, or any classification in such a way as to avoid the truth. We have to go into all those matters in connection with the matter of authorizing funds and on the Appropriations Committee. I have never found any evidence except that the figures were substantially correct.

Mr. CRANSTON. I am concerned basically because of a letter I received which cites an employee of the Strategic Air Command as follows:

> What is happening is that men are being sent to Guam for duty. When they arrive they are given a temporary duty assignment (TDY), so that for the record men are being pulled out and nobody being sent in to replace them.

There is a possibility, then, that we are pulling out men from South Vietnam but actually assigning them to the war zone on TDY, so that they are not counted. Meanwhile, as the Senator well knows, they are actually increasing the number of sea and air personnel engaged in combat. In that case, there has actually been an escalation of the air war and the sea war matching the deescalation resulting from the withdrawal of ground forces. All this juggling makes one wonder whether the war is being deescalated after all, and where we are headed under President Nixon's policy.

Mr. STENNIS. Mr. President, I answer directly that I know of no makeshift arrangements about reporting of personnel. Of course, when we stepped up the bombing and sent the carriers in, we greatly increased the number of personnel involved.

The PRESIDING OFFICER. The Senator from Mississippi has 2 minutes remaining.

Mr. STENNIS. I yield the Senator my 2 additional minutes.

Mr. CRANSTON. I am not suggesting that there is false reporting. I have suggested a practice which may not make clear what is happening, and might mislead the careless observer.

I thank the Senator.

Mr. STENNIS. We have found the reports on manpower to be substantially true; and after comparing them with the money requests and related matters, I think that substantially accurate reporting has been made.

Mr. President, as I understand my time is up. I may refer to this amendment again in discussion of another one that is related to it, but I now yield back my remaining minute.

AMENDMENT NO. 1347, AS MODIFIED

The PRESIDING OFFICER (Mr. ROTH). Under the previous order, there will now be 2 hours of debate on the amendment of the Senator from Massachusetts (Mr. BROOKE), to be equally divided between and controlled by the Senator from Massachusetts (Mr. BROOKE) and the manager of the bill (Mr. STENNIS).

The amendment will be stated.

The assistant legislative clerk read as follows:

> In lieu of the language proposed to be inserted by the amendment of the Senator from California, Mr. CRANSTON, numbered 1349, insert the following:
>
> SEC. —. Funds authorized or appropriated by this or any other Act for United States forces with respect to military actions in Indochina may be used only for the purpose of withdrawing all United States ground, naval, and air forces from Vietnam, Laos, and Cambodia and protecting such forces as they are withdrawn. The withdrawal of all United States forces from Vietnam, Laos, and Cambodia shall be carried out within four months after the date of enactment of this Act: *Provided*, That there is a release within the four-month period of all American prisoners of war held by the Government of North Vietnam and all forces allied with such Government.

PRIVILEGE OF THE FLOOR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that Norvill Jones, a member of the staff of the Committee on Foreign Relations, be permitted to have the right to the floor during debate on the Aiken amendment, the Brooke amendment, and the Cranston amendment.

The PRESIDING OFFICER (Mr. ROTH). Without objection, it is so ordered.

Mr. BROOKE. Mr. President, the amendment which has been reported is the same amendment which I introduced and called up for a vote by the Senate last week, and which the Senate passed by a vote of 50 to 45, this amendment lost, however, when the Foreign Military Assistance Act, to which it was attached, was defeated by the Senate. Last week was the first time that the Senate had voted for a cutoff of funds conditioned upon the withdrawal of American forces from Indochina—from Cambodia and from Laos, as well as from Vietnam.

I regret that my colleagues were unable to pass the Foreign Military Assistance Act because of many differences with provisions of that act and because many of my colleagues have felt for some time that we should cut back drastically in our foreign military assistance program. At any rate, the Senate did vote affirmatively on a cutoff of funds, such funds to be used in Indochina only for the withdrawal of all American forces—land, sea, and air—provided that within that 4-month period all American prisoners of war would be returned.

Accordingly, feeling as strongly as I do about the necessity for the Senate to act on this important subject, and believing that my colleagues who had voted affirmatively for this amendment would desire to do so again, I attached that amendment to the military procurement bill, which is before the Senate and is the pending business at this time.

Mr. President, what would the amendment do? As I said, it is very simple. It is not a complicated amendment in any form or fashion. It was the amendment originally sponsored by the distinguished senior Senator from Kentucky (Mr. COOPER). Senator COOPER stated on the floor of the Senate last week that for too long we had been debating antiwar amendments. He said he had voted against many of these amendments because he believed that the President of the United States should be the one to negotiate and bring an end to the war in Southeast Asia. But, he said last week, he now believed that the time had to come when we should forthrightly look at this issue, stand up and take a vote, and vote on a clear and simple cutoff of funds, without any conditions whatsoever. He accordingly proposed that we should withdraw all our forces from Indochina within 4 months from the date of enactment.

In principle, I agree with the distinguished Senator from Kentucky. I believe that the Senate has too long debated this subject; that it has not taken the courageous stand it should have taken many, many months—perhaps many, many years—ago; and that it ought to vote up or down on an end-the-war amendment which would cut off the funds and which would call for the withdrawal of all our forces from Indochina.

However, Mr. President, prior to the Cooper amendment—and perhaps in each amendment that has come before the Senate for debate and for a vote—we have always had provisions for the return of the American prisoners of war. It was, first, because of a strong belief in this principle that I attached my amendment to the Cooper amendment, adding the proviso that within the 4-month period of time all American prisoners of war must be returned to the United States, before a total withdrawal of the American forces from Indochina.

The second reason why I attached the amendment was that, as a practical matter, I did not believe that the Cooper amendment would be accepted by the Senate. I believe, further, that too often in the past we have satisfied ourselves with noble losses without coming to grips with an amendment which could be effective and at the same time could be adopted by the Senate.

My amendment was debated and was adopted overwhelmingly, and I believe it was as a result of the adoption of this amendment that the Cooper amendment, as amended, was subsequently adopted by the vote of 50 to 45.

Now, Mr. President, we are back again with the same amendment that was voted upon favorably by the Senate, and I presume that the same arguments that were introduced at that time against the amendment will be introduced on the floor of the Senate this afternoon. In my preliminary remarks, therefore, I want to address myself to some of the arguments which have been used against the adoption of this amendment.

The first one is that it would impair negotiations. Even the distinguished Senator from Mississippi, the chairman of the Committee on Armed Services, the floor manager of this bill, in his recent statement in response to the Senator from California (Mr. CRANSTON), said he believed that Congress had a constitutional responsibility to act in this area. I agree with him. We do have a constitutional responsibility. I do not believe that any Senator or any Member of the House of Representatives wants to go on record as saying that Congress does not have, has not had, and should not have a constitutional responsibility in the matters of war and peace. There is no doubt in anyone's mind that this is and always has been—and I pray always will be—a constitutional responsibility of the Senate.

However, every time the Senate is called upon to vote on an antiwar amendment, so-called, the question is raised that we should not impair the executive branch in negotiations.

I am a proud member of the President's party. I know that President Nixon did not start the war in Vietnam. I know that he inherited the war in Vietnam at a time when that war was at its height; 543,000 Americans were there at the time. Since taking over the Presidency, President Nixon has drastically reduced the level of violence in the war, drastically reduced the number of deaths, drastically reduced the number of casualties, drastically reduced the amount of money we have been called upon to spend in that devastating war.

But the fact remains that the war still rages on, and that we still have American boys dying in Southeast Asia, in a war which, I think, our country has at long last recognized as not an American war but a Vietnamese war.

The President has withdrawn troops—and I give the President credit for having done so. We all give him credit for having reduced our troops from 543,000 when he took office to 46,000 who are now presently stationed in South Vietnam.

The President has said that we do not seek a military victory, that we seek only to let the South Vietnamese determine their own form of government. Therefore, even though there has been no victory as we have known it in warfare in the past, the President has consistently withdrawn our troops down to the present number of 46,000.

If the President did not agree that this was not an American war, certainly he would not have withdrawn all American troops down to 46,000. Let me get the record straight. I have heard various figures as to how many combat troops there are in South Vietnam. I called and checked on that this morning and my figures indicate, and they are authoritative, I believe, that of the 46,000 troops in South Vietnam at the present time, only 1,000 are combat troops. I repeat, 1,000, Mr. President, just a light battalion of 1,000 men.

Mr. CRANSTON. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I am pleased to yield to the Senator from California.

Mr. CRANSTON. The Senator is a distinguished member of the Armed Services Committee, who has studied this whole matter in great depth and has provided leadership for the Senate and the country over our attitude to the war in Vietnam. I would like to ask him: What possible important role can 1,000 combat troops play in protecting our prisoners of war? How can they play a decisive part in negotiations, in combat, or in anything else going on in Southeast Asia?

Mr. BROOKE. I thank my colleague for his question. The answer is obvious. The 1,000 combat troops remaining in South Vietnam today could not possibly give protection to the 45,000 logistical troops, in the main, who are now in South Vietnam. In fact, those 46,000 troops are practically hostages to the South Vietnamese. They are there to serve the ARVN troops and have no other purpose because they could not engage in offensive combat if they had to, and it would be difficult if not impossible for them to engage in defensive combat if they were attacked. Only 1,000 out of the 46,000 troops in South Vietnam today are combat troops. So obviously the President and the commanding officer do not believe that we need combat land forces in South Vietnam. All we are using there are troops to support the South Vietnamese Army, not to do any combat at the direction of the American Army.

Now, Mr. President, what are we giving up in this amendment? Well, No. 1, within the 4-month period, we would withdraw 46,000 troops if that agreement were entered into today. But we know that that will not be the fact because the amendment calls for 4 months after the enactment of the bill and the bill could not, by our procedures, be enacted into law until some time around the early part of September as a practical matter.

By the end of August or the 1st of September, the President, by his own timetable, has said that there will be only 39,000 troops remaining in South Vietnam.

I do not propose to know how many of the 39,000 will be combat troops. But it certainly is reasonable to believe that no more than 1,000 of those troops will be combat troops, since there are no more than 1,000 of the 46,000 troops that are combat troops there now. So at that time we would be withdrawing or starting the withdrawal of 39,000 troops, 1,000 of which, possibly, would be combat troops, 38,000 of which would be support troops for the South Vietnamese army.

In addition, Mr. President, this amendment would give the President of the United States the greatest flexibility as to the rate of withdrawal. I have heard the argument made that we cannot get the troops out in that period of time. Let us look at what has been done in the past. In the past, we have withdrawn, under President Nixon's withdrawal policy, as many as 23,500 American troops per month. I repeat, 23,500 American troops per month have been withdrawn from South Vietnam under present policy within a month's time.

So certainly in 4 months, if we can withdraw 23,500 in one month, there is no logistical problem in withdrawing 39,000 troops within 4 months. There is no question about that.

Mr. CHURCH. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I am pleased to yield to the Senator from Idaho.

Mr. CHURCH. Is it not true, I would ask the distinguished Senator from Massachusetts, that President Nixon himself has offered to withdraw all remaining troops from South Vietnam and to end all further American participation in the war, in the air and from the sea, within a 4-month period, if the two conditions he has called for are met, namely, release of American prisoners of war and an internationally supervised cease-fire? So, obviously, the President himself acknowledges that the 4-month period contained in the Senator's amendment is adequate, not only for accomplishing the withdrawal of the remainder of our troops in South Vietnam, but also for a total American military disengagement from the war in Southeast Asia. Would the Senator agree?

Mr. BROOKE. That is absolutely correct. I thank my distinguished colleague from Idaho for his contribution at this point.

So that means that not only do we have a precedent to show that it can be done, but we have the President's own words that it can be done and would be done if certain conditions are met.

Now, Mr. President, what other troops do we have, what other military personnel do we have, in Indochina?

Again this morning, to get the latest facts and figures, I have tried to find out how many troops we have in Cambodia.

The information I have received is that there are about 1,150 Americans in Laos, but the breakdown is classified as to how many are civilians and how many are military.

But even if they were all military, that is only 1,150 Americans of any type, civilian or military, in the country of Laos at the present time, so that this obviously would represent no particular problem to us in withdrawal in a 4-month period.

Then, Mr. President, in Cambodia, the third country in Indochina, it is my understanding that we have 103 military personnel at the present time.

Obviously again there is no question that the 103 can be removed within a 4-month period of time, certainly in a shorter time. And the personnel in these other two countries, to my understanding, are primarily in an advisory capacity. They are not I believe, in the main, combat troops which could be used for combat purposes in Southeast Asia.

So my first contention is that it seems to me it is within our means to withdraw all of the forces we now have in South Vietnam, in Cambodia, and in Laos without experiencing any difficulty whatsoever in their withdrawal.

Now, what does the amendment do during the period of withdrawing? The amendment gives to the President the authority to protect the withdrawal of our forces. And what do we have with which to protect the withdrawal of our forces?

Mr. President, without going into the figures, I think there is no question that we have almost complete superiority of the air. We have an Air Force in Thailand. We have an Air Force in Vietnam. And we have naval vessels. We have carriers. We have all of the firepower we need and more with which to protect the withdrawal of our forces from Indochina. So none of our American boys, none of our American civilians in any form or fashion would be unprotected under the amendment.

Mr. President, as to the argument about negotiations, we have been hearing about negotiations for a long period of time. All of us hope that we may bring about a negotiated peace. It is the best way to end the war, without question. And we have hoped and prayed that the President would be able to bring about a successful negotiation. However, the North Vietnamese have been very difficult to negotiate with.

We have heard the argument about the cease-fire and all of the others that have really been used as a barrier against successful negotiations. But the fact remains that the North Vietnamese have been pretty much adamant about a change in government in South Vietnam and a political coalition.

Mr. President, I do not believe that our Government wants to keep us in Southeast Asia pending a political coalition which is to be acceptable to the present South Vietnamese government. I do not think the President has ever suggested that. And I do not think it is a fact. But the fact is that we have not had successful negotiations to date. Even as late as this morning, Mr. Kissinger returned from Paris and, I believe, his 15th secret talk with the North Vietnamese. I do not know what those talks consist of or what, if any, success came from those talks. I hope again and pray that Mr. Kissinger would be successful. I hope if he was not successful on this occasion, that he will be successful in the future.

However, in the interim period, it seems to me that merely because negotiations have gone on and hopefully will continue to go on, Congress should not shirk its responsibility and again I say its constitutional responsibility, to act in this important area of peace and war.

Mr. President, Congress has an opportunity for the first time here in the Senate to accept that responsibility, to face it squarely, and to vote on an end-the-war amendment that does not jeopardize our forces, and—as I have pointed out—that does not impair negotiations. There is nothing in this amendment which would stop the President or hurt the President in his negotiations with the North Vietnamese. But it would bring an end to this war within a period of 4 months provided, and only provided, the North Vietnamese return each and every American prisoner of war in a North Vietnamese prison camp or in any prison camp of its allies.

What more can the North Vietnamese

expect than that we demand a return of our prisoners of war before we totally withdraw our forces from Indochina? They have asked us to get out time and time again. We have said that we want to get out. We have stayed there because we have been giving the South Vietnamese an opportunity to defend themselves. But I ask the old Biblical question, "How long, oh, Lord, how long?" How many more days, how many more months, how many more years must we stay in South Vietnam, still with a loss of American lives, to allow the South Vietnamese to get ready to defend themselves?

Mr. President, I say that we have stayed too long. For as long as an American life is being lost, we are there too long. And if we do not bite the bullet, if we do not stand up now and provide for the extrication of our forces, we could still be there, still hoping and praying for negotiations, not only for the next 4 months, but also for the next year or 2 years, or even more.

If our extrication from that war is dependent upon the South Vietnamese Government, I say that we have no control of our own destiny. That is why, Mr. President, I so strongly argue against the amendment to be offered by my friend, the distinguished senior Senator from Vermont (Mr. AIKEN), in which he provides for a cease-fire. We have been over that road too many times. We know where that road leads. That road gives the South Vietnamese Government a veto power, because they have said time and time again that, no matter whether we and the North Vietnamese agree to stop fighting, the South Vietnamese will continue fighting. And, if that is true, we cannot get a cease-fire that would include the South Vietnamese. And a cease-fire without the South Vietnamese is not a cease-fire at all. The war would still rage on.

I just do not know how much more the South Vietnamese can ask of the United States of America. It has already asked for more than 55,000 American lives. It has already asked for over 300,000 American casualties. It has already asked for over $100 billion of American money. And we are still spending money, having casualties, and losing lives.

I think that the Senate must stand up, that the Senate must vote on this measure. And I hope that it votes upon it favorably. I hope that it sustains, Mr. President, every provision contained in this amendment so that everyone who is called upon to vote on it clearly understands the language and intent of the amendment as I have tried to describe it in my opening remarks.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, the Senator from Idaho was here and he has a brief matter he wishes to take up.

Mr. CRANSTON. The Senator from Idaho asked that a quorum call be suggested so that he could come to the Chamber to bring up a conference report.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum, but we cannot wait for him very long.

The PRESIDING OFFICER. On whose time?

Mr. STENNIS. On my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield 5 minutes to the Senator from Idaho with the understanding that if his matter should not be terminated or completed at the end of that time we will go back on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SAWTOOTH NATIONAL RECREATION AREA, IDAHO—CONFERENCE REPORT

Mr. CHURCH. Mr. President, I submit a report of the committee of conference on H.R. 6957, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated by title.

The legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6957) to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report; signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report, which reads as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6957). To establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill, and agree to the same with an amendment, as follows: In lieu of the matter inserted by the Senate amendment, insert the following:

That (a) in order to assure the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreational values associated therewith, the Sawtooth National Recreation Area is hereby established.

(b) The Sawtooth National Recreation Area (hereafter referred to as the "recreation area"), including the Sawtooth Wilderness Area (hereafter referred to as the "wilderness area"), shall comprise the lands generally depicted on the map entitled "Sawtooth National Recreation Area" dated June 1972, which shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture (hereafter referred to as the "Secretary") shall, as soon as practicable after the date of enactment of this Act, publish a detailed description and map showing the boundaries of the recreation area in the Federal Register.

SEC. 2. (a) The Secretary shall administer the recreation area in accordance with the laws, rules and regulations applicable to the national forests in such manner as will best provide (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, natural, historic, pastoral, wildlife, and other values, contributing to and available for public recreation and enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) the management, utilization, and disposal of natural resources on federally owned lands such as timber, grazing, and mineral resources insofar as their utilization will not substantially impair the purposes for which the recreation area is established.

(b) The lands designated as the Sawtooth Wilderness Area, which supersedes the Sawtooth Primitive Area, shall be administered in accordance with the provisions of this Act and the provisions of the Wilderness Act (78 Stat. 890), whichever is more restrictive, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 3. (a) Except as provided in section 4, the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, bequest, or otherwise any lands, or lesser interests therein, including mineral interests and scenic easements, which he determines are needed for the purposes of this Act: *Provided*, That acquisitions of lands or interests therein for access to and utilization of public property, and for recreation and other facilities, shall not exceed five per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.

As used in this Act the term "scenic easement" means the right to control the use of land in order to protect the esthetic values for the purposes of this Act, but shall not preclude the continuation of any use exercised by the owner as of the date of this Act.

(b) In exercising this authority to acquire lands, the Secretary shall give prompt and careful consideration to any offer made by an individual owning any land, or interest in land, within the boundaries described in subsection 1(b) of this Act. In considering such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) The Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to accomplish the objectives of this Act.

(d) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property, or interests therein, located within the recreation area and, notwithstanding any other provision of law, he may convey in exchange therefor any federally owned property within the State of Idaho which he classifies as suitable for exchange and which is under his administrative jurisdiction. The values of the properties so exchanged shall be approximately equal or, if they are not approximately equal, they shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. In the exercise of his exchange authority, the Secretary may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(e) Nothing in this Act shall be construed as limiting the authority of the Secretary to acquire mineral interests in lands within the recreation area, with or without the consent of the owner. Upon acquisition of any such interest, the lands and/or minerals covered by such interest are by this Act withdrawn from entry or appropriation under the United States mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(f) Any land or interest in land owned by the State of Idaho or any of its political subdivisions may be acquired only by donation or exchange.

(g) Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act. Lands acquired by the Secretary or transferred to his administrative jurisdiction within the recreation area shall become parts of the recreation area and of the national forest within or adjacent to which they are located.

(h) Except as otherwise provided, the Secretary shall have the authority to use condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

Sec. 4. (a) The Secretary shall make and publish regulations setting standards for the use, subdivision, and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the recreation area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary. All regulations adopted under this section shall be promulgated in conformity with the provisions of the Administrative Procedure Act. The United States District Court for the District of Idaho shall have jurisdiction to review any regulations established pursuant to the first sentence of this subsection, upon a complaint filed within six months after the effective date of such regulations, by any affected landowner in an action for a declaratory judgment.

(b) After publication of such regulations, no privately owned lands shall be acquired by the Secretary by condemnation unless he determines, in his judgment, that such lands are being used, or are in imminent danger of being used, in a manner incompatible with the regulations established pursuant to this section or unless such lands are determined to be necessary for access or development, in which case such acquisitions shall be subject to the 5 per centum limitation established in subsection 3(a) of this Act.

Sec. 5. The Secretary shall, as soon as practicable after the enactment of this Act, review the undeveloped and unimproved portion or portions of the recreation area as to suitability or nonsuitability for preservation as a part of the National Wilderness Preservation System. In conducting his review, the Secretary shall comply with the provisions of subsection 3(d) of the Wilderness Act of September 3, 1964 (78 Stat. 892), relating to public notice, public hearings, and review by State and other agencies, and shall advise the Senate and House of Representatives of his recommendations with respect to the designation as wilderness of the area or areas reviewed.

Sec. 6. The Secretary may cooperate with other Federal agencies, with State and local public agencies, and with private individuals and agencies in the development and operation of facilities and services in the area in furtherance of the purposes of this Act, including, but not limited to, the restoration and maintenance of the historic setting and background of the frontier ranch-type town of Stanley.

Sec. 7. Nothing in this Act shall diminish, enlarge, or modify any right of the State of Idaho, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the recreation area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

Sec. 8. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the State of Idaho, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, of public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

Sec. 9. The jurisdiction of the State and the United States over waters of any stream included in the recreation area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time of enactment of this Act shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

Sec. 10. Subject to valid existing rights, all Federal lands located in the recreation area are hereby withdrawn from all forms of location, entry, and patent under the mining laws of the United States.

Sec. 11. The Congress hereby recognizes and declares the need to take action to regulate the use of, and protect the surface values of, the Federal lands in the recreation area, and directs that rules and regulations necessary to carry out this section shall be promulgated and issued by the Secretary of Agriculture after consultation with the Secretary of the Interior. Such regulations shall include, when deemed necessary, provisions for control of the use of motorized and mechanical equipment for transportation over, or alteration of, the surface of such Federal land in connection with any authorized activities on such land, including but not limited to mineral prospecting, exploration, or development operations.

Sec. 12. Patents shall not hereafter be issued for locations and claims heretofore made in the recreation area under the mining laws of the United States.

Sec. 13. There are authorized to be appropriated for the purposes of this Act not more than $19,802,000 for the acquisition of lands and interests in lands and not more than $26,241,000 for development. Money appropriated from the land and water conservation fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area.

Sec. 14. (a) The Secretary of the Interior, in consultation with appropriate Federal, State, and local agencies, shall make a comprehensive analysis of the natural, economic, and cultural values of the recreation area and the adjacent Pioneer Mountains for the purpose of evaluating the potentiality of establishing therein a national park or other unit of the national park system. He shall submit a report of the results of the analysis along with his recommendations to the Congress by December 31, 1974.

(b) His report shall show that in making the aforesaid recommendations he took into consideration, among other things—

(1) the feasible alternative uses of the land and the long- and short-term effect of such alternative uses upon, but not limited to, the following—

(A) the State and local economy,

(B) the natural and cultural environment,

(C) the management and use of water resources,

(D) the management of grazing, timber, mineral, and other commercial activities,

(E) the management of fish and wildlife resources,

(F) the continued occupancy of existing homesites, campsites, commercial and public recreation enterprises, and other privately owned properties and the future development of the same,

(G) the interrelation between recreation areas, wilderness areas and park lands, and

(2) the establishment of a national park in the mountain peaks and upland areas together with such portions of the national recreation area as may be necessary and appropriate for the proper administration and public use of and access to such park lands, leaving the valleys and low-lying lands available for multiple-use purposes.

(c) Any recommendation for the establishment of a unit of the national park system shall be accompanied by (1) a master plan for the development and administration of such unit, indicating proposed boundaries, access or other roads, visitor facilities, and proposed management concepts applicable to such unit; (2) a statement of the estimated Federal cost for acquisition, development, and operation of such unit; and (3) proposed legislation for establishment of such park administrative unit.

(d) There are authorized to be appropriated not more than $50,000 to carry out the provisions of this section.

Sec. 15. If any provision of this Act is declared to be invalid, such declaration shall not affect the validity of any other provision hereof.

Alan Bible,
Frank Church,
Frank E. Moss,
Clifford P. Hansen,
Len B. Jordan,
Managers on the Part of the Senate.

Wayne N. Aspinall,
Roy A. Taylor,
Morris K. Udall,
J. Skubitz,
James A. McClure,
Managers on the Part of the House.

Mr. CHURCH. Mr. President, in view of the fact that the conference report is being filed today in the House of Representatives, and the report, together with the joint statement of the conference committee, will be printed by the House, I ask unanimous consent that the printing of this report as a separate document by the Senate be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, there were numerous points of difference between the House version and the Senate amendment which were the subject of discussion and action by the committee of conference.

The committee of conference decided to accept the Senate's inclusion of the Sawtooth Wilderness Area within the boundaries of the recreation area. It eliminated the Senate provision that the landowner could require the Federal Government to purchase his property if he desired to sell. Compromise language was adopted on hunting and fishing which leaves basic management to the State of Idaho.

The committee on conference also accepted the Senate provision to make permanent the withdrawal of all Federal lands from entry and location under the mining laws.

The conferees have reached what I consider to be a reasonable compromise on the differences between the two versions and, therefore, Mr. President, I move the adoption of the conference report.

The motion was agreed to.

Mr. CHURCH. Mr. President, I wish to make one further comment.

This brings to a conclusion Senate action on a bill which has taken literally 10 years to be written into law. I think it is the most significant legislation affecting my State that will be passed by Congress in this session.

I particularly want to express my gratitude to my distinguished colleague, Senator LEN JORDAN, for the support and cooperation that he has extended in our joint effort to finally bring to fruition a decade of legislative effort to provide adequate environmental protection to one of the most beautiful Alpine regions in the West.

Mr. President, I yield back such time as I may have remaining.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate resumed the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic-missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

AUTHORIZATION OF APPROPRIATIONS FOR CENTER FOR NAVAL ANALYSES

Mr. JAVITS. Mr. President, I direct my question for my colleague, Senator BUCKLEY, and myself, to the Senator from New Hampshire.

The University of Rochester, Rochester, N.Y., has a deep concern about the fact that the provision in the authorization for the Center for Naval Analyses with which the university is concerned, is cut in half. The reason is that it is going from the fiscal year to the calendar year basis.

That leaves them up in the air and uncertain as to where the center will be as to the nature of its funding.

We would like to know from the Senator what assurance he can give us.

Mr. President, I yield to my colleague from New York.

Mr. BUCKLEY. Mr. President, I would like to emphasize that there is an understanding, of course, that there will be a continuing resolution for funding for fiscal year 1973. However, the fear is that funding will be based on a theoretical annual expenditure of $4.5 million rather than on a real annual program of $9 million. Is that a justified fear?

Mr. McINTYRE. Mr. President, that is substantially correct. Let me say in answer to the two distinguished Senators from New York that the reduction of $4.5 million for the Center for Naval Analyses will not interrupt the continued operation of that organization during fiscal year 1973. Their present contract, which is financed with fiscal year 1972 funds, will support them through December 31, 1972. If appropriations are enacted by that time, the funds recommended by the committee will be sufficient to continue their contract through the end of the fiscal year 1973, or June 30, 1973, provided that their program is approved by the Department of Defense.

If the program is enacted after December 31, 1972—and that, of course, is highly unlikely—and the continuing authority is provided by a joint resolution, the Department of Defense will have the authority to continue financing the contract at the same level pending final enactment of the appropriations.

That is the only one that is operated on a calendar year basis. We are putting them on a fiscal year basis, so that they will be the same as the others.

Mr. JAVITS. There is no reason for fear and uncertainty.

Mr. McINTYRE. There is no reason for fear and uncertainty.

Mr. BUCKLEY. Mr. President, the Senator mentioned the 6-month basis and that no cutback would be intended. We would not, however, be dividing the $4.5 million by 12 instead of by 6?

Mr. McINTYRE. The Senator is correct. It was established in January 1973, and runs through June 30, 1973, with $4.5 million.

Mr. BUCKLEY. I thank the Senator.

Mr. JAVITS. Mr. President, I thank the Senator from New Hampshire. He is most helpful and most gracious.

The PRESIDING OFFICER. Who yields time?

Mr. BROOKE. Mr. President, I yield to the Senator from Alaska for a question.

Mr. STEVENS. Mr. President, I would like to address some questions to the Senator from Massachusetts. As a preamble to the questions I would like to place in the RECORD the provision that was the Brooke amendment to the Cooper amendment. First, the Cooper amendment that was offered July 19, provided for a complete withdrawal of all U.S. forces from Vietnam, Laos, and Cambodia within 4 months of the enactment of the bill that that amendment would have been attached to.

After that was offered the Senator from Massachusetts offered this amendment which was in lieu of paragraph (b) of the Cooper amendment.

The amendment was:

> Provided there has been a release of all American prisoners of war held by the government of North Vietnam or any government allied with them.

At the time that amendment was offered, and I still maintain the same position, I was of the opinion that under the provision that was offered by the Senator from Massachusetts at that time, as I said, "Provided there has been a release of all American prisoners of war," there could not be that type of a condition precedent without having, in effect, a cease-fire, so I voted for that amendment.

My question to the Senator from Massachusetts is has he changed his amendment at this time. As I understand his amendment, the first portion of it is, in fact, the same as the Cooper amendment—the first two sentences—but it now has this proviso:

> Provided that there is a release within the four-month period of all American prisoners of war held by the government of North Vietnam and all forces allied with such government.

I would like to ask the Senator from Massachusetts if he could tell us what his reason is for changing his amendment from the prior amendment that was passed by the Senate, the prior amendment having been what I considered a condition precedent that would have permitted the President to continue to act as he has acted until there had actually been a release; and this one, I understand, means the funds will be cut off subject to release of our prisoners of war, within a 4-month period.

Am I correct or incorrect with regard to the amendment?

Mr. BROOKE. I thank the Senator for his question. The Senator is quite correct in saying the language of the original Cooper amendment has been left intact and untampered with in any fashion. It was not my intent to in any way change the original Cooper language in the first part of the amendment.

The reason why the language of the second part of the amendment was changed was for the purposes of clarification. The Senator from Kentucky (Mr. COOPER) always intended, as did I, that the 4-month period would begin to run upon enactment of the legislation, and that is clearly set forth in both amendments. The provision that the prisoners of war would be returned was intended by me within that 4-month period of time, and at that time it was intended, and is now, that after the enactment of the bill the 4-month period would begin. It was intended that the President would have complete flexibility, so far as the rate of withdrawal was concerned, and hopefully within that time the two governments would get together and work out the details as to how many prisoners would be returned and how many troops would be withdrawn, according to what schedule.

As I said earlier in my remarks, we would be talking, as a practical matter, only about some 39,000 troops. The rate of withdrawal would be left entirely up to the President. And during that period of time the North Vietnamese would be returning the American prisoners of war.

If the North Vietnamese did not return the American prisoners of war, then, to use an expression, all bets would be off, it would be null and void, and the President could continue the war as he saw fit. The amendment was designed to give the North Vietnamese an opportunity to have us withdraw from Indochina upon the return of our prisoners of war—all prisoners of war. That is the intent now. That was the intent then. I believe that this language as written in the amendment clearly states that intention.

Mr. STEVENS. Let me ask my colleague another question. I recall being on the floor when the Senator from Massachusetts made the statement on July 24, when he said;

> The fact is once we give up the presence of our troops in Southeast Asia, we have nothing to bargain with and nothing to negotiate for and we cannot be assured these American prisoners of war will be returned to us.

As I said, the Senator from Massachusetts had in his amendment on July 24 the proviso that "there has been a release of the American prisoners of war."

Would the Senator from Massachusetts tell me, during the period of time after the passage of the act that the 4 months would be involved in the present amendment, could the President of the United States continue to use forces of the United States in any manner he saw fit to continue, in effect, the pressure he has put on the enemy with regard to the bargaining for the release of the prisoners of war and for the total cessation of hostilities there, or would he be limited by the first sentence of the amendment to using these funds only for the purpose of withdrawing the troops and protecting them as they are withdrawn?

Mr. BROOKE. I hope that I understand the Senator's question. The President, under this amendment, would be bound to use the funds authorized under this amendment or appropriated under this amendment only for the purposes of withdrawing all U.S. ground, naval, and air forces from Vietnam, Laos, and Cambodia, and protecting such forces as they are withdrawn. How the President uses that power in the protection of the troops as he withdraws them is a matter left entirely up to the President. We are not trying to write into the legislation specifically what the President has to do in that regard. He has the power, and he is, by this amendment, compelled to start withdrawal after the date of the enactment of the legislation.

It has already been determined that he does not have any combat ground forces to speak of anywhere in Indochina at this time. But he still has his air force, which he can use in the protection of his troops as he withdraws them.

If the North Vietnamese fail to return our prisoners of war then this amendment is a nullity, this act of legislation is a nullity, and the President has all the powers to do that which he is doing at the present time.

May I just say I think the word "protection" is a very important word in this amendment, because the President will be the determinor as to what he needs to use in order to protect his troops as he withdraws them from Indochina.

Mr. STEVENS. I would ask another question, and I will say to my good friend from Massachusetts, I have not made up my mind yet as to whether this is the same amendment. On July 24, the Senator from Massachusetts made this statement:

> My amendment does not call for an agreement or any negotiations. It sets as a condition precedent that we will get back our prisoners of war before we withdraw all our forces from Southeast Asia.

Do I understand the Senator from Massachusetts today to say that under this amendment we will get back all of our forces before we withdraw from Southeast Asia, and I am talking in that regard about Vietnam, Laos, and Cambodia; that we will have our prisoners of war back before we make that withdrawal?

Mr. BROOKE. Before we complete that withdrawal, the answer is "Yes." The question as to the statement that the Senator refers to relates to a statement I made which said that this amendment does not call for any agreement as far as the return of the prisoners of war is concerned. It provides that the prisoners of war must be returned, not that the North Vietnamese sit down with us and work on an agreement with us for the return of our prisoners of war. We are providing that all prisoners of war must be returned.

This was the very lengthy, and I think very exhaustive, debate which took place on my amendment to the Cooper amendment. And I was very strong at that time, as I am now, that I want all American prisoners of war returned before all our forces are pulled out of Indochina. That is what this amendment says.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. BROOKE. I yield.

Mr. HUMPHREY. As a matter of fact, it was at that particular point that the Senator's amendment differentiated itself from the amendment which was offered by the Senator from Nevada (Mr. CANNON), with which the Senator from California (Mr. CRANSTON) and I associated ourselves. There was a difference between first an agreement and the fulfillment of the release of the prisoners of war, which was the crux of the Brooke amendment; namely, the withdrawal with the release of the prisoners of war accomplished. The amendment that the Senator from Massachusetts has offered gives the President the flexibility he needs, as the Senator has properly noted with the use of the word "protecting" such forces as they are withdrawn.

The President, under the terms of this language, could be going through diplomatic negotiations, or whatever we wish to call them, right up until the last day of the 4-month period, and during that period of time the preparing for the withdrawal of our forces, contingent upon the release of our prisoners, could take place, or it could be done later; but I do not think this cripples the President or says, "Look, you must stop all activity. You are helpless. You have to give up the trump card." What we are saying is that "We leave it up to you to interpret what you mean by protection of the American forces."

Of course, we all know the President today says that what he is doing in these protective reactions, and actually the intensified bombing, is protecting American forces and installations. Some people disagree with that, but we are not arguing that point in this amendment. I think the amendment gives the President the flexibility that he agrees he needs.

So to the argument that we are trying to cripple the President, to take away his power, to put him in some sort of straitjacket, I say that is not the purpose of that amendment as I read it, and if it were, I would not vote for it, because I do not believe that at this particular time we ought to do that.

But I do believe that Congress had better quit talking about ending the war or do something to end it, and that is what this is all about. There has been a lot of politics played with this way for 10 years, on all sides, and I think Congress has come to the point where the moment of truth is here, and we either ought to cut off funds under conditions we believe are fair and equitable, or quit trying to accuse the previous administration or this administration of anything relating to this war.

I think we have a responsibility. I think this amendment shares that responsibility with the President. I do not seek to make it difficult for President Nixon on this issue. I think he has been doing a job getting these forces out of there. I wonder how he can get them all out. I think it is to his advantage that Congress seek to help him in this way, and to the advantage of the country in every way.

Mr. BROOKE. Mr. President, I say to the Senator from Minnesota that he is absolutely correct about the issue raised by the Senator from Alaska about agreement. I certainly want to assure my colleague from Alaska, because I know he is very seriously concerned—he has voiced his concern to me privately, and he voices it on the floor of the Senate this afternoon—as to what protection we have, what safeguards we have, to assure that our American prisoners of war will be returned.

Let me say this to the Senator: First, the 39,000 troops in South Vietnam, of which at the outside 1,000 would be combat troops, certainly do not give us that protection. The civilians and military adsers, few in number, in Cambodia and Laos, certainly do not give us that protection. So the protection that we have, the real strength and power that the President has in assuring the return of American prisoners of war, is in our Air Force, most of which is not even in Indochina, but is in Thailand.

So we are really not giving up anything. Under this amendment, when I talked about agreement, I was discussing the agreement that the Senator from

Minnesota has alluded to, which was contained in the Cannon amendment. And when I now talk about discussions between the two governments, I am merely talking about the discussions as to how many will be returned at what time, and where. These are sort of housekeeping-type discussions, rather than setting any formal agreement as to whether the North Vietnamese will return our prisoners of war in return for our getting out of China. The amendment provides that they must return our prisoners of war before we get out of Indochina.

(Several Senators addressed the Chair.)

Mr. BROOKE. I yield to the Senator from Alaska.

Mr. STEVENS. Mr. President, if I may follow up on this question, because the Senator from Massachusetts has just said the amendment provides that we will not withdraw until we get our prisoners of war, I recall a colloquy between the Senator from Minnesota (Mr. HUMPHREY) and the Senator from Massachusetts before, right after the portion of the RECORD that I just read, where the Senator from Massachusetts commented, in response to the Senator from Minnesota, as follows:

> I do not recall any time when the Senate has acted otherwise. I would like to see us get out of Southeast Asia, land, sea, and air, but we have never voted to do so without first getting assurances that we would have the return of our prisoners of war.

That is what I want to know. Is this operative before we get our prisoners of war? Do we cut off funds from the President? I say to the Senate, if the funds are cut off before we get our prisoners of war, I shall vote against the amendment. If it cuts off the funds after we get our prisoners of war, I shall vote for it. I have never voted any other way since I have been here. But I think that here we may have a substantial change, and are saying to the President, "You cannot have these funds and spend them for anything other than getting our troops out of there. Meanwhile, get our prisoners of war, and do it within 4 months."

I do not see how we can tell the President that. That is not what we told him before. Before, we said "Provided there has been a release of our prisoners of war."

Now is the Senator saying, "Don't use any money except to bring these men home." I agree with that, but only if we have our prisoners of war. But to me, it makes a substantial difference as to whether we have our prisoners of war and then tell the President, "You cannot spend another dime except to bring our people home," or whether we tell him, "You cannot spend another dime except to bring our people home; meanwhile, get our prisoners of war back." That difference is a serious question in my mind.

Mr. BROOKE. I respect that serious question, and that is why I am trying, to the best of my ability, to explain the amendment to the satisfaction of my colleague from Alaska.

I think he well pointed out that under this amendment, the President has the power to protect the troops in Indochina. That power to protect the troops is a power that the President can exercise by the use of his Air Force. Nothing changes that at all in this amendment. He still has that. He is not going to use the 1,000 combat troops in South Vietnam for the protection of the troops. The Senator knows that is a fact. He is only going to use the Air Force, and the Air Force he can continue to use under this amendment for the protection of the troops. There is no cutoff of funds for that at all.

Mr. STEVENS. Mr. President, I repeat the same question: Does the President have to start removing the troops, by order of Congress, under the Senator's amendment, before he obtains the release of the prisoners of war?

Mr. JAVITS. Mr. President, will the Senator from Massachusetts yield to me?

Mr. BROOKE. I yield.

Mr. JAVITS. The answer is "No," and the reason is the following——

Mr. STENNIS. Will the Senator from Massachusetts yield to me?

Mr. JAVITS. Could I answer this question. It will just take 30 seconds.

Mr. BROOKE. Let the Senator from New York finish his answer.

Mr. JAVITS. The reason for that is this: I understand the Senator's concern. He wants to know about these 39,000 troops, even if there are only 1,000 combat troops, or whatever. His question is, Do they get out before the prisoners are released?

The reason I say "No" is as follows: There are three interdependent parts of this amendment. The first is to cut off funds except for withdrawal. The second part is that the withdrawal, as referred to in the first sentence, shall be within 4 months; and the third part is the proviso—the "however"—that there has been a release.

Mr. STEVENS. I say to my friend from New York, first, that that is not the amendment. The amendment has now been changed. It says "provided that there is a release."

Mr. JAVITS. Provided there is a release.

Mr. BROOKE. Provided there is a release within the 4-month period.

Mr. JAVITS. All right. As I read these three clauses, they are completely interdependent, and the proviso relates to both the first two. If there has not been a release, he does not remove the troops, and he removes or phases them out as the prisoners are released. That is the way I read it, and when I vote, that is the way I am going to vote.

Mr. STENNIS. Mr. President, will the Senator from Massachusetts yield to me, to respond to the question of the Senator from Alaska? The Senator will realily recall the argument that the Senator from Alaska referred to. I raised these questions, too, and I would like the Senator from Alaska to remain for a few minutes, anyway. Mr. President, I yield myself 15 minutes.

Mr. President, the Senator from Alaska has stated this matter better than I could have. His questions go to the very heart of the matter, and in asking those questions in the manner he did, he stated the answer at the same time.

I believe we can demonstrate clearly here that the Senator from Alaska was right about those questions and his suspected answers, and the language here will prove it. Mr. President, if Senators will just follow me here on this Brooke amendment, beginning with lines 1 and 2 at the bottom of page 1, it says:

> Funds authorized or appropriated by this or any other Act for United States Forces with respect to military actions—

All military actions—

> in Indochina—

That is, all that part of the world over there—

> may be used only—

Now, this goes into effect when the amendment passes.

There is only a 4-month period involved here, so this money can be used only for the purpose of withdrawing all U.S. forces, ground forces, naval forces, and air forces from Vietnam, Laos, and Cambodia, and protecting such forces as they are withdrawn.

That means he absolutely must get out. He cannot use this money for any other purpose. In that vast area of the world, it takes time. It cannot be done in a day, a week, or a month. It would take months to comply with this, and all the time throttled and tied to the ground: He cannot use this money for any purpose except a withdrawal and protecting such forces.

Does it say he can stand and fight? No. He cannot spend the money. He has to spend it for withdrawing and merely protecting them as they are withdrawn. Those are the words of the amendment.

Mr. BROOKE. Mr. President, will the Senator yield?

Mr. STENNIS. Give me a few minutes, please.

Those are the words of the amendment, not my words:

> withdrawing and protecting such forces as they are withdrawn.

All that must go along together. You cannot stand and fight. You cannot fight back. You have to keep withdrawing.

> All military actions must be directed toward a withdrawal.

You can shoot back, but you cannot stop and put up embankments or entrenchments or protections or fortifications. You must not stand and fight: you must withdraw. That is what the amendment says. All that has to go along together.

These prisoners have to be obtained in some way during the same period of time. All right—1 month passes and you withdraw. You cannot spend the money for anything else, so you must be withdrawing, and no prisoners are released. Another month passes, and you cannot spend the money for anything except withdrawal; so you have 2 months of withdrawal and no prisoners. Then you have 3 months of withdrawal and no prisoners. What is the President going to do then? Somebody has to give him a reasonable answer. There is no flexibility here, under this language. Give the Chief Executive of this Nation some reasonable room and some reasonable answer, something to stand on, in making it unlawful to spend the money.

The Senator from Alaska was correct. According to the provisions here, the President has to keep on withdrawing and only protect the troops as they withdraw. All right—3 months and 3 weeks pass. What is he going to do then? He still has his hands tied. The prisoners of war have not been returned yet.

Mr. President, that shows, with all respect, that this is a ridiculous provision to try to carve into hard law.

While we are at war, under these circumstances, while we are negotiating, while we are going to Paris and doing all these things, here comes a legislative act that absolutely picks the President's pockets, takes the money out of his pockets, so to speak, except for this little, small, narrow field of withdrawal. All the time he has to be showing evidence of withdrawing and withdrawing and withdrawing. If he fires any weapons, he has to be able to show that he is protecting the forces as they withdraw. That might be a good regulation for some school child or someone like that; but I submit that the idea of putting the President of the United States under such restrictions and limitations and uncertainties is ridiculous—it is ridiculous to think seriously about enacting legislaton that is so tightly drawn as this.

Here is the come-along to get it passed:

> Provided there is a release of the prisoners.

That, of course, is what we all want. But within this period of 4 months, the President is not permitted to be the Commander in Chief. He is not permitted to be the Chief Executive. In effect, he is not. Talking about limiting the funds and cutting off the money and putting him under an obligation of that kind—they would laugh at him. They would laugh at him if that provision becomes law.

What are we dealing with here, anyway? Are we getting ready for some kind of picnic or social affair that is not serious? This involves human lives. This involves commitments of this great Nation. It involves the executive branch, the highest office in the greatest, most powerful Nation in the world, an Executive who is trying to set some kind of pattern and trying to do something for a free world.

More than 50,000 men have given their lives in this effort, say what you want about it. And we are going to wind it up now, or try to, by binding the hands of the President of the United States. If we are going to do that, we literally ought to send up the white flag and not blame him. Do not give him an impossible job. We should take the responsibility ourselves, if this is the best we can do toward getting at this matter.

I do not have any criticism of anyone personally. I know the agony in the hearts of men who have responsibilities in connection with this war. I know a little about it from a personal standpoint. But I submit that we have gone far afield. This amendment is so tightly drawn, in trying to do the impossible and trying to deliver the prisoners of war, too—which has been impossible so far—that I believe we have overstepped by a great deal the bounds of reason.

It makes no difference what the political situation is. It makes no difference about the forthcoming elections. That is not an issue. Those elections are part of our government, and they come on the calendar depending on what year it is.

The question here is this: Let us not adopt something in trying to help and have it prove to be a stumbling block. This is an impossible formula.

I submit that this amendment—this proposed substitute, which is what it is—should be rejected forthwith. If we are going to get at the real problem in a practical way, the amendment should be redrafted, redrawn, and resubmitted at some other time. Other bills will be coming along; other matters will be coming along.

I have used all the time I care to use now, and I am glad to yield to the Senator from Massachusetts, if he wishes.

Mr. BROOKE. Mr. President, I do not think we need to use the entire time on the debate of this amendment. I think it has been given very exhaustive treatment on the floor of the Senate last week and again this week.

However, I am very concerned about the questions the distinguished Senator from Alaska has asked. And, as I said earlier, I want to satisfy him so far as the intent of this amendment and the language of this amendment are concerned.

The distinguished chairman of the Committee on Armed Services said:

> How can we withdraw all these troops within 4 months?

We are talking about only 39,000 troops, and we already have withdrawn as many as 23,500 in 1 month. Is there any question that we can withdraw 39,000 troops in 4 months without any injury to us?

The second question pertained to the rate of withdrawal. The chairman said we withdraw the first month, we withdraw the second month, and we withdraw the third month, and they have not returned any prisoners of war. He does not give much faith and credit to the President of the United States. We are not telling the President how fast he should withdraw the 39,000 from South Vietnam or the few remaining advisers from Cambodia and Laos. If he wants to withdraw 1,000 troops the first month, that would be less than he is withdrawing at the present time. If the President wants to withdraw another 1,000 troops the second month, he still would be behind the present schedule. Still, if the North Vietnamese have not returned any of our prisoners of war, he is not duty bound to withdraw all the 39,000, even the third month or the fourth month. So that we may end up in the fourth month with 39,000 troops still remaining in South Vietnam, if North Vietnam does not respond to our offer to return our prisoners of war. That is the answer to my colleague's question. That is what he is concerned about. That is what I was concerned about when I put this amendment on to the Cooper amendment, that we would not get our prisoners of war home before we withdraw from Indochina. I want to assure him that under my amendment this could not happen. And, in addition, that the word "protection" means that the President can go on using his Army, his Air Force, and his Navy, but most particularly his Air Force and his Navy because there really is no Army as such to be used for the protection of American forces there.

Mr. STEVENS. Mr. President, will the Senator from Massachusetts yield for a further question?

Mr. BROOKE. Certainly.

Mr. STEVENS. My question is clear and is graphically shown by the fact that here is an amendment on July 24 which is the amendment I voted for, which he attached to the Cooper amendment, and here is the amendment on July 25 and it is the same amendment as modified by Senator BROOKE a day later; and I still do not know why the Senator from Massachusetts saw fit to modify an amendment that was passed and to change it, from "there has been a release of prisoners of war" to "there is a release of prisoners of war within a four-month period."

Why did the Senator from Massachusetts change that amendment?

Mr. BROOKE. For purposes of clarification only. There was some question as to when the 4-month period would begin.

Mr. STEVENS. Does the Senator from Massachusetts believe that this is still the same amendment?

Mr. BROOKE. Yes. And I think I made it clear to the Senator from Alaska. The Senator from Alaska understood, and I think he wants to vote for this amendment as he voted for it before. All he wants is to assure himself, as I understand it, that this is the same amendment, with the same intent and the same purpose.

Mr. STEVENS. I want to be assured that before we tell the President that he must withdraw all our forces, we have a release of our prisoners of war.

Mr. BROOKE. That is exactly what we do in this amendment. Before the President withdraws our forces, we must have our prisoners of war. We say that he does not have to do a thing until the prisoners of war are returned. He has the flexibility, he has that determination, solely. We are not telling him any more than that under this amendment.

Mr. CRANSTON. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I yield.

Mr. CRANSTON. The Senator from Alaska has asked some penetrating questions which go right to the heart of this issue. They relate to our prisoners of war, whom we are all gravely concerned about. They also relate to the exercise of judgment, wisdom, and constitutional authority with respect to winding down the Vietnam war.

I am delighted that the Senator is asking those questions. Let me say to the Senator from Massachusetts that it was an act of high integrity on his part to add that clarification, at the possible cost of losing some support. He did not want an ambiguous amendment that could be interpreted in different ways by the President, by Senators, and by the American people. I respect him highly for that act, more than ever before. My respect for him has always been very high, because he is a man of the highest integrity.

I would like to have the attention of the Senator from Alaska now, because I am going to speak about some of the questions that trouble him.

In answer to the first part of the Senator from Alaska's question, it is my understanding that we do not get all the way out right away, and we do not necessarily stop all acts of force immediately. We retain our power to use air, land, and sea power when we wish if we do not get our prisoners out. Under this amendment, our use of force does not necessarily come to an end until the last man is out. This, I think, is the key point that is troubling the Senator from Alaska. The process of withdrawal does not necessarily start until we have reached an agreement and until its implementation has begun. We then begin to exercise restraint, and we begin to get the prisoners back. The language of the amendment says that funds may be used only for withdrawal, provided there is a release of the prisoners within 4 months. If there is no release, we do not necessarily apply that restriction to the President's aiblity to use funds in any way he sees fit.

Mr. BROOKE. I thank the Senator from California.

Now, Mr. President, we have heard four Senators talk on this question. The Senator from Minnesota, the Senator from New York, the Senator from California, and I have expressed our interpretation of this amendment. I just want to assure the Senator from Alaska, if I may have his attention, that the prisoners of war were uppermost in my mind when I took the floor and amend the original Cooper amendment. That is the provision I wanted. I share his concern for our prisoners of war. I did not want to give up the bargaining power that we have. We all want the prisoners returned before we give up our power.

I assure the Senator from Alaska that under this amendment, our power will not be given up until we have every American prisoner of war returned. That is what he voted for last week. That is what I hope we will vote for today because there has been no change, and let the Record show it clearly, there has been no change in the content of the amendment. The minor language change was solely for purposes of clarification. There was no change in what would happen under this amendment because the President was still being given the power and the flexibility he had under the original amendment.

Mr. COOPER. Mr. President, I did not intend to enter this debate, but because of the question being asked the distinguished Senator from Massachusetts (Mr. Brooke) and the answers given, illustrates the dilemma of so-called end the war amendments with conditions precedent such as the Brooke amendment. The amendment which I offered last week and which has now been incorporated in the amendment of the distinguished Senator from Massachusetts (Mr. Brooke) provided for the unconditional withdrawal of all our forces not only ground forces in Vietnam but in Laos and Cambodia and also our naval and air forces from the war, starting immediately upon the enactment of this bill. In short, it meant to get all the way out, to end U.S. participation in the war.

Now the attacks being made on the amendment of the Senator from Massachusetts from all sides, indicates the uncertainty of its meaning. I respect his deep feelings and his convictions. But the fact stands out, that the war will not be ended and no one gets out of the war under this amendment. The amendment is designed to end the war; yet he is forced to convince Senators that his amendment does not stop the fighting. It not only tells the President that he can continue to fight through the 4 months, but also after the 4 months have expired. If our prisoners of war have not been released, the Senator's amendment would authorize the continuation of the use of the mighty power of this country to bomb from the air and from the sea to continue the war. The amendment goes far—it implicity authorizes the war.

The Senator and the Senate cannot have it both ways. That is the point I tried to make last week. I am not complaining about the defeat of my amendment. The Senate did not want it. I can understand their humane reasons.

But it cannot be argued that an amendment which provides explicitly that no funds shall be used except for the purpose of withdrawing all forces and that not a cent shall be spent from the time of the enactment of this bill for any purpose except to withdraw authorize the continuation of the war. We cannot against that language say, "Yes, Mr. President. Our forces can continue to fight, to bomb, to strafe, and to shell for the next 4 months without any hindrance and from then on without any hindrance from thereon unless our prisoners are released."

I believe we would have a better chance to get the prisoners released if our participation in the war is ended.

I have great respect for by good friend Senator Brooke. However, I do not agree with his interpretation of that portion of his amendment which I wrote. I think his amendment proposes something that we have not done before. We are proposing an authorization to the President to continue the war although we have complained about it all the time.

That is the defeat of so called end-the-war amendments. On the other hand, they give the impression that the Senate is voting to end the war, and then by adding a condition to authorize its continuance.

Mr. BROOKE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Massachusetts has no time remaining.

Mr. STENNIS. Mr. President, I yield 1 minute to the Senator from Massachusetts.

Mr. BROOKE. Mr. President, I want to say that I agree with what the distinguished Senator from California (Mr. Cranston) said in response to a question from my distinguished friend, the Senator from Alaska (Mr. Stevens). As I said, I think we have debated this matter sufficiently. I just want to assure the Senators that the amendment is a simple amendment. It is the amendment that we considered last week. The amendment has not been changed in any form or fashion as to the intent and purposes, or in what it would do.

It would still only provide that we withdraw all American forces from Indochina, Cambodia, Laos, and South Vietnam within 4 months from the date of the enactment of this legislation, provided that within that period all American prisoners of war, all of them, are returned by North Vietnam and any allies who have them. The President has the full flexibility in that time to protect American forces in Indochina with all the power necessary. And we are only talking about some 39,000 troops, of which no more than 1,000 are combat troops.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SCOTT. Mr. President, I rise to support the Aiken amendment and to oppose the Brooke amendment. I support the Aiken amendment because it is a stop-the-killing amendment, because it will allow the continuance of the negotiations now going on in Paris, because it is furtherance of an early chance for peace, and because without a cease-fire, as we discovered in Korea, there can be no real chance for the recovery of our prisoners of war and no real protection for our prisoners in the process of their release.

Mr. STENNIS. Mr. President, I ask for order for the distinguished minority leader. There is a lot of noise and confusion down at the desk.

The PRESIDING OFFICER. The Senator's point is well taken. Then Senate will please be in order.

The Senator from Pennsylvania may proceed.

Mr. SCOTT. Mr. President, there would be no protection for our forces in the process of withdrawal unless we have a cease-fire. And all belligerency stops either with a total defeat of one side or with a cease-fire.

No one has urged here the total defeat of the North Vietnamese. No one has directly urged in this Chamber the total defeat of the United States, although there have been implications arising within and without the Chamber that that would be preferable to the continuance of the present situation.

I cannot believe now that the American people are advocating defeat for either side. I can believe that they are advocating a stop-the-killing amendment. Presumably that is the compassionate thing to do. That is the pragmatic thing to do. That is the logical thing to do. And it is consistent with what we are offering to do. We are back again to the old situation where the Senate is trying to second-guess the President, where the Senate suspects that something is going on, and the Senate, quite naturally, wishes to be part of the action.

The difficulty is that we cannot have 100 Senators negotiating a peace. They could not do any better job than Jane Fonda did under the circumstances. It is better that we leave the power to negotiate to the authority designated in the Constitution.

As to the amendment of my friend, the distinguished Senator from Massachusetts (Mr. BROOKE), it is indeed weaker than his earlier version. And I guess that merely to defeat the amendment, I perhaps should not point out exactly how weak it is. However, I think that is the fact.

The new amendment, instead of providing for a 4-month withdrawal after release, provides for a phasing out, or intends to provide some sort of phaseout of the prisoners of war and their return during a 4-month period.

So, we have here in this amendment no longer what the old amendment had, which was a release of the prisoners following which there would be a withdrawal of the forces. But we have here a withdrawal of the forces followed by the release of the prisoners. There is nothing in this amendment which would inhibit Hanoi from waiting to the last minute of the last day of the fourth month before actually releasing the prisoners of war or making an accountability for the missing in action.

So, we would get down to 1 day, 24 hours, remaining. If we had withdrawn all of our forces under this amendment, except 100, and that 100 would be mostly over in the PX, how conceivably could that 100 men representing the United States, offer protection either for their own withdrawal or for the withdrawal of our prisoners of war and an accountability for the missing in action?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield 1 additional minute to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 1 additional minute.

Mr. SCOTT. Mr. President, this does not necessarily have to happen until the last hour of the last day. Therefore, there are many reasons why it is weaker than the earlier amendment and many reasons why it should be defeated, more so than the other amendment.

The President, indeed, could ignore this wording, and all that would be accomplished would be an expression of good will which we all share for the ending of the war.

Mr. STENNIS. Mr. President, I yield 3 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 minutes.

Mr. AIKEN. Mr. President, so much has been said about what the proposed amendment will do. So much has been said by the Members of the Senate as to what the amendment would or would not do for the President of the United States I think that it is about time the Senate consider what the President thinks the amendment would do for him.

The President is very strongly opposed to the amendment offered by the Senator from California as written. He is strongly opposed to the substitute offered by the Senator from Massachusetts, being convinced that instead of helping him, these amendments they would both handicap him in his efforts to secure an early peace and an early return of our forces from South Vietnam.

The President strongly supports the amendment which I will propose shortly on behalf of myself and eight of my colleagues. He believes that will be of great help in his efforts to get an early peace in Indochina. I think that the President, having a responsibility, ought to have his opinions considered by the Senate. He knows what will hurt him in his efforts; he knows what will help him.

I am sorry there is so much opposition to his efforts. He has withdrawn over 90 percent of our troops now. We are on the way to winding up that situation over there. Why should we try to impede his efforts now? If they do not succeed, and they may not succeed if the enemy will not agree to them, then there will be time to consider something else.

But I think now, so long as he is Commander in Chief, and as long as he has responsibility for the situation over there we better give him some consideration and not try to drive him into the dirt.

Mr. President, that is all I have to say.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, I rise in opposition to the pending amendment offered by the distinguished Senator from Massachusetts (Mr. BROOKE), which would provide for a withdrawal of U.S. forces throughout Indochina within 4 months of enactment of H.R. 15495, provided that there is a release within the 4-month period of all American prisoners of war held by the Government of North Vietnam and all forces allied with such government.

Mr. President, here again the Senate is trying to impose itself as the negotiating body in reaching a settlement of the Vietnam war. At the same time, the President is actively conducting negotiations and the position he has adopted is certainly reasonable and from all appearances is acceptable to the American people.

U.S. withdrawal from Vietnam in a way which will preserve the freedom of the independent countries of Indochina is just not as simple as this amendment would suggest. Other factors must be weighed in carrying out this withdrawal.

First, the continued success of the Vietnamization program is of prime importance if the people of South Vietnam are to have a fighting chance to successfully resist the invaders who have occupied their soil and are killing their families and neighbors.

Second, amendment No. 1347 provides no guarantee whatsoever that all American prisoners of war now held by North Vietnam will be returned. The President has pointed out that even though the French withdrew completely from Vietnam, there are still thousands of French servicemen completely unaccounted for. Neither the President nor the Congress can afford to leave the fate of our POW's up to the discretion of the North Vietnamese Government.

Third, this amendment would leave our loyal allies, the South Vietnamese, completely at the mercy of an aggressive, cruel and totalitarian enemy. We are fighting in Vietnam to prevent Communist aggression from succeeding. The sacrifices of the American people on behalf of this important goal must not be in vain.

Fourth, President Nixon has stated time and again that the goal of his administration is to create a lasting and just peace. Were we to merely bring an end to any American involvement in military hostilities in Vietnam, yet create a situation which results in new aggression, new wars, and new demands on the American people and the American conscience to halt these new acts of Communist expansionism, we would have sacrificed much and gained nothing. Peace requires strength and the willingness to use that strength to defend world peace against those who would disturb it. Peace requires that an end to the Vietnam war discourage new aggression in its wake.

Finally, Mr. President, it appears to me the timing of this amendment could not possibly have been worse for our Government. Dr. Henry Kissinger, the President's negotiator on the war, is personally representing President Nixon in announced peace negotiations for the first time. Just today he is returning from Paris to give President Nixon the latest report on the progress of the talks.

If the Senate must speak on this issue more than it already has then surely such messages could be considered later in the year so as not to disrupt the present negotiations which hold new hope of some success.

We want to bring this war to a close. The President is working hard to bring the war to a close and Congress can work with him to accomplish that purpose if we will avoid such amendments as this.

Mr. President, for these reasons I urge the Senate to reject this amendment and to proceed to final passage of the military procurement bill.

Mr. STENNIS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 24 minutes remaining.

Mr. STENNIS. I yield 10 minutes to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. ALLEN. Mr. President, I thank the Senator from Mississippi for yielding to me.

Mr. President, three amendments are under discussion at this time. The amendment offered by the distinguished Senator from California (Mr. CRANSTON) was first offered; then, the amendment by the distinguished Senator from Massachusetts (Mr. BROOKE) was offered as a substitute; and in just a few moments the distinguished Senator from Vermont (Mr. AIKEN) is going to offer a perfecting amendment to the Cranston amendment. The Aiken amendment would be voted on first in an effort to perfect the Cranston amendment. Irrespective of the vote on the Aiken amendment, it will be followed by a vote on the Brooke amendment as a substitute to the Cranston amendment, or the Cranston amendment as amended by the Aiken perfecting amendment.

The first issue will be to choose between the Cranston amendment and the perfecting amendment of the distinguished Senator from Vermont (Mr. AIKEN).

As to the war in Vietnam and the presence of our soldiers there, the Cranston amendment makes no preconditions whatsoever with regard to their withdrawal. They must be withdrawn from South Vietnam within the period between now and the first of October, only less than 60 days off. Not only must they be withdrawn at that time, but all funds for their support are cut off as of the first of October of this year.

The Aiken amendment is, in effect, a restatement of the President's peace offer in his speech of May 8, and would provide that there would be a complete withdrawal of American troops from South Vietnam 4 months after the occurrence of three things: One would be a cease-fire supervised by an international body such as the Red Cross or other body to be approved by both parties. Second would be a release—not a promise to release as provided in one phrase of the Cranston amendment with regard to the withdrawal from Indochina—but the actual release, and not a gradual, simultaneous release as the distinguished Senator from Massachusetts (Mr. BROOKE) said his amendment now provides, but a release and return to their homes of American prisoners of war. Then an accounting for the missing in action.

I point out, Mr. President, that the accounting for the missing in action is not provided for in the Brooke amendment. It has to do only with the prisoners of war.

So these three preconditions must exist before it is necessary that we withdraw from Vietnam, and 4 months are allotted for that withdrawal.

Mr. President, much has been said by the distinguished Senator from Massachusetts (Mr. BROOKE) and the distinguished Senator from California (Mr. CRANSTON) about the Senate providing a definite plan to take this from the hands of the President, to share in the responsibility. The Cranston amendment removes this discretion from the President. It would not be in the area of uncertainty, as is the case with the present Brooke amendment, because disagreement has been voiced on the floor by distinguished Senators as to what the Brooke amendment actually means. It is not the same thing as he offered to the foreign aid bill, and which was adopted as an amendment, because that amendment provided that there had to be a release of all American prisoners of war before the 4-month period would start running, whereas under the present amendment it is provided that there has to be a release within the 4-month period of all prisoners of war.

Why does not the Brooke amendment provide for a ceasefire, as does the Aiken amendment? Does he want American soldiers to fight their way out of Vietnam? That is what they would have to do, because the Brooke amendment provides that from the date of the enactment of this law, no funds can be spent on our soldiers, on our forces in Vietnam, except for the purpose of withdrawing those soldiers—no funds whatsoever. It is provided then that the withdrawal of all U.S. forces from Vietnam, Laos, and Cambodia shall be carried out within 4 months after the date of enactment of this act, but with respect to the return of the prisoners, it is provided that there shall be a release within the 4-month period. This could come at the end of the 4-month period, whereas under the amendment it would be incumbent for this country to do nothing in the way of expenditures on our Armed Forces except in support of their withdrawal. So we would be in the act of withdrawing our soldiers and they would not have to do anything.

The explanation they give is that the President could make these determinations. That is what I thought the distinguished Senators who are offering these amendments are trying to do—to remove the President's discretion in this matter and get our soldiers out of Vietnam. This leaves it entirely up in the air, and it would take a Philadelphia lawyer, or a Boston lawyer, or a California lawyer to determine what in the world is meant here.

Why not pass something that is clear and unequivocal? Why not support the President's position? Why not support the advice of our negotiators in Paris? Why not support the secret negotiations that are taking place between Dr. Kissinger and representatives of North Vietnam? Why not give our support to them?

We are having critical days. We read in the newspapers, we hear on every hand, that the negotiations are at an acute stage. Why should we do something and speak, as the Senate, in a manner different from the way that our negotiators are speaking? Why not follow the President's proposal? Why not stand foursquare behind the President in the peace proposals he submitted on May 8?

Mr. President, I am going to support the perfecting amendment offered by the distinguished Senator from Vermont to the Cranston amendment, and if that is adopted, then I will vote against the Brooke amendment, or in any event I will vote against the Brooke amendment. Certainly, I will vote against the Brooke amendment if it seeks to replace the Aiken amendment.

The first vote is going to be on whether or not we support the President of the United States; whether we support the peace proposals he submitted on May 8 in his peace overtures to the North Vietnamese which were broadcast over television.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. Mr. President, I yield the Senator 2 additional minutes.

Mr. ALLEN. Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I take the floor for a special purpose. The Senator from Washington (Mr. MAGNUSON) has a matter. I am going to yield myself 3 minutes for a colloquy with the Senator.

Mr. MAGNUSON. Mr. President, the House committee added a general provision, section 606, to the Military Authorization Act which I feel is vitally important to the continued existence of this Nation's naval shipyards. My amendment would simply add House section 606 at the end of this act.

Mr. President, I am informed that section 606 was not considered by the Senate Armed Services Committee because of the press of time. I think it is entirely proper to consider this matter on the Senate floor.

I am vitally concerned about maintaining our naval shipyards and urge the Senate to approve my amendment since it simply requires the Secretary of Navy to assign to naval shipyards enough construction work to maintain a Navy shipbuilding capacity adequate to the needs of national defense. My amendment, which is identical to the provision in the House bill, also requires the Secretary of Navy to make a report on the Navy's plans for maintaining the naval shipyards in the future.

Mr. President, I intended to present this amendment, which is section 606 of the House bill. The House provides this language:

> The Secretary of the Navy shall assign to naval shipyards for construction a number of the naval vessels, for which appropriations are authorized by this Act or by the Military Procurement Authorization Act for fiscal year 1974, that he shall determine to be sufficient to maintain a Navy shipbuilding capacity adequate to the needs of national defense, in terms of preservation of an effective construction work force and the ability to respond immediately to emergent demands for naval vessel repairs. The Secretary of the Navy shall report to the Congress not later than December 31, 1972, on the Navy's plans for maintaining the naval shipyards in the future and carrying out the terms of this section.

That language is in the House bill. I have talked with the distinguished chairman of the committee about this matter. I understand that we want to get the bill moving and get it over to the House as fast as possible. I do not want to offer any amendment that might hinder its passage tonight. I do not think this proposal is controversial at all. I think we would vote for it. The language is in the House bill.

I withhold offering the amendment with the understanding that when we get to conference the Senate will take a look at the provision in the House bill and see if we cannot keep it in the bill.

Mr. STENNIS. Mr. President, I am glad to say we did not reject that amendment of the House. We just did not have time to consider House amendments under the circumstances. Just before the recess we finished consideration of the bill. We agreed around the committee table that all House amendments would be open for consideration in the conference without any prejudice against them in anyway. They would be open to honest persuasion and consideration.

Mr. MAGNUSON. I appreciate that statement.

Mr. President, I ask unanimous consent that a copy of the proposed amendment be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

> At the end of the Act following new section:
>
> SEC. —. The Secretary of the Navy shall assign to naval shipyards for construction a number of the naval vessels, for which appropriations are authorized by this Act or by the Military Procurement Authorization Act for fiscal year 1974, that he shall determine to be sufficient to maintain a Navy shipbuilding capacity adequate to the needs of national defense, in terms of preservation of an effective construction work force and the ability to respond immediately to emergent demands for naval vessel repairs. The Secretary of the Navy shall report to the Congress not later than December 31, 1972, on the Navy's plans for maintaining the naval shipyards in the future and carrying out the terms of this section.

Mr. STENNIS. Mr. President, how much time is remaining on the Brooke amendment?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Mr. STENNIS. I shall not detain the Senate on this amendment except for just a few minutes more.

I yield myself 5 minutes.

As the Senator from Alabama has pointed out, we are going to have three votes here, back to back, without an explanation in between. We will have to keep in mind that the first vote will be on the Aiken amendment, which was the last one to be offered, and the second vote will be on the Brooke amendment, offered as a substitute, and the last vote will be on the Cranston amendment or the Brooke amendment, which ever one might prevail.

Going back to the matter of this amendment, this is a ball and chain amendment. So far as the President of the United States is concerned, this is a ball and chain amendment because it catches him coming and going. There is no mistake about what plain words in the English language mean. The first few sentences in the amendment provide that military actions can be only actions of withdrawal, and the money can be used for no other purpose for ground forces, naval forces, and air forces in Vietnam, Laos, and Cambodia, but only for protecting such forces as they are withdrawn.

That is a withdrawing on every line. It is a withdrawing from beginning to end. That is all it can be legally.

That is all the money will be appropriated for under this amendment, a purely negative proposition, that the President of the United States will be faced with.

The continuation of the meaning of this amendment is that this withdrawal shall be carried out within 4 months after the date of the enactment of this act. It shall be done within a period of 4 months. Then there is this proviso that there be a release within the 4-month period of all American prisoners of war held by the Government of North Vietnam and forces allied with them.

Mr. President, the President of the United States has these limitations tied around his neck, regardless:

The first month passes. It must be a purely negative thing, withdrawal.

The second month passes, purely negative again, withdrawal. And if, in the meantime they are attacked or anything happens, nothing can be done beyond what is called protection in further withdrawal.

Three months pass; no prisoners of war; withdrawal.

Three and a half months; no prisoners of war released; still the mandate here is withdrawal. He cannot use one single dime of this money under these provisions except in a case of withdrawal; and the ridiculous situation is that when we get down to 3 months and 28 days, the mandate of this amendment is, "Oh, yes, but we have told you what to do. Regardless of the situation as to the prisoners of war, and regardless of the situation as to release or no release, you have to continue to withdraw."

Three months and 29 days; no prisoners of war released; same shackles, same bonds, same limitations.

Is that the President of the United States as he once was? No. He is some kind of vassal, a subservient minor civil servant of some kind, under the limitations of this amendment.

Four months pass, and there are no prisoners of war released. Where is he then? According to this language here, it says he never can use the money, as I read it. Let me read it here:

> Funds authorized or appropriated by this or any other Act for United States forces with respect to military actions in Indochina may be used only for the purpose of withdrawing.

Withdrawing. So he is still faced with that mandate, and no money.

Whatever we may finally decide to pass here, if we pass anything, and I hope we pass something, I say leave this situation alone, for a few weeks anyway. Whatever we pass, if we must pass something, I hope it will not be this purely negative language here, that reduces the President, as I say, to a minor civil servant of some kind, with all the responsibility of trying to get those men out over there, and all the other worldwide events and policies that hang with it. Certainly we have not reached that point. Not yet.

So I hope when the time comes——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. I yield myself 1 minute. I hope when the time comes, we will adopt the amendment of the Senator from Vermont. That will be, then, a modified amendment that the Senator from California will have, and I hope that all of them, then, will be disposed of in line with what I have said.

Mr. President, I yield back whatever time I have remaining on the Brooke amendment. What is the pending order of business now?

AMENDMENT NO. 1384

The PRESIDING OFFICER (Mr. ROTH). The Senate will be in order. Under the previous order, the Senator from Vermont (Mr. AIKEN) will now be recognized to call-up his perfecting amendment to the Cranston amendment, on which there will be 1 hour of debate, to be equally divided between and controlled by the Senator from Vermont (Mr. AIKEN) and the manager of the bill (Mr. STENNIS).

Mr. AIKEN. Mr. President, I send to the desk an amendment, and ask for its immediate consideration.

Mr. President, inasmuch as an hour's time has been granted on both sides to speak on this amendment, I now yield myself 10 minutes.

The PRESIDING OFFICER. The clerk will first please state the amendment.

The assistant legislative clerk read as follows:

> On page 1, beginning with line 1, strike out all down through line 11, page 2, and insert in lieu thereof the following:
>
> SEC. —. Notwithstanding any provision of this or any other Act, a complete withdrawal of all American forces from Vietnam shall be accomplished at a time certain not later than four months following:
>
> (1) the establishment of an internationally supervised cease-fire throughout Indochina, and

Mr. AIKEN. Mr. President, let me repeat again what I said earlier, that this amendment is a strong endorsement of President Nixon, because he feels that it will be of substantial help to him in his efforts that are now being made to secure an early peace in Indochina and the return of all our military forces to the United States.

During the years I have been a Member of this Senate, I have supported six Presidents.

I confess that I only voted for two of them, but once they took office, I supported them all.

This does not mean that I approved all their policies and proposals to Congress, any more than I have paid full allegiance to all the policies of my own political party.

All the Presidents I have known have made mistakes, even as every Member of this Senate has made mistakes.

Lyndon Johnson and Richard Nixon have been no exceptions to this statement.

I will not undertake to list what I believe to be their errors for in nearly every instance I feel they were made in good faith—in the belief that the best interests of America would be served by the decisions made.

There is a tendency among human beings, especially Government officials, that, having made an error, every effort must be made to justify such decision.

There is also an equally strong impulse

among those suffering from an uncontrollable urge for political power to put the mistakes of others in the worst possible light.

The unhappy situation in which we now find ourselves in Indochina is the result of a series of errors prompted by humanitarian instincts.

They were the errors of a nation rather than of a few individuals.

In 1954 and 1955, we, as a nation, could have stood by and watched the slaughter of another half million refugees in North Vietnam.

We did not do this, however, but assisted nearly a million people to escape to safety in the South.

We could then have disclaimed any further responsibility for their welfare, but we did not do this.

For several years, we gave them economic aid and food to insure their survival.

We could have refused them the means with which to defend themseves from the fate which would have surely followed had we not helped them.

But we did not complacently stand by.

We gave them the means to defend themselves and to rebuild their lives in the South.

From then on, step by step, we became involved in their affairs which finally led to armed conflict.

By the spring of 1969 over 540,000 American military personnel were committed to the bloodstained area of South Vietnam.

And, although over 90 percent of our men are now out of that area, and the immediate threat of slaughter to at least a million lives has been removed, the war goes ruthlessly on—a war no longer fought solely by U.S. troops on the battlefield, but a war to place the blame for all the misery caused by this conflict on the Presidents of the United States, past and present, and a battle to claim credit for such improvements as may have been brought about in world relations during recent months and years.

Mr. President, I do not believe that any Member of this body would willingly comply with the demands of North Vietnam today and turn over to them for slaughter or other punishment a possible 2 million persons who have found temporary security in the south.

I do not believe there is a Member of this body who would knowingly support action which would discredit the United States in the eyes of the world.

I do not believe that in his heart any Member of this Congress would want any American prisoner of war to be held as hostage until the United States complies with all the demands of the vengeance-seeking officials of North Vietnam.

I do believe that every Member of the Senate and most of the people of America earnestly hope and pray that the bloodshed and misery of Indochina may be brought to an early end and the reconstruction of that area may be promptly begun, including North Vietnam, so that those people, North and South, may find the way to political and military peace among themselves.

With that purpose in mind, I am now offering a perfecting amendment to the Cranston amendment No. 1349, and I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

> On page 1, beginning with line 1, strike out all down through line 11, page 2, and insert in lieu thereof the following:
>
> Sec. —. Notwithstanding any provision of this or any other Act, a complete withdrawal of all American forces from Vietnam shall be accomplished at a time certain not later than four months following:
>
> (1) the establishment of an internationally supervised cease-fire throughout Indochina, and

Mr. AIKEN. This amendment follows closely the provisions of that offered by Senator ALLEN and which was narrowly rejected on July 24.

The Senator from Alabama has graciously offered to cosponsor this amendment, thus assuring its nonpartisan character. It is also sponsored by Senators ANDERSON, GRIFFIN, JORDAN of Idaho, SCOTT, SPARKMAN, STENNIS, and BAKER.

Mr. President, I ask unanimous consent that the name of the Senator from South Carolina (Mr. THURMOND) be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. AIKEN. This amendment represents one more effort on my part to end our involvement and restore decent livable conditions for some 40 million people of Southeast Asia.

It may be that Hanoi will reject any efforts for peace on our part, but I believe that the people of North Vietnam are human beings, too, and would welcome an end to the unhappy era of the last 20 years. If I did not feel that offering this amendment would help bring peace to both that part of the world and ourselves. I would not offer it.

I will now briefly describe the amendment I am offering.

It differs from the Cranston amendment in three ways:

First. It would allow 4 months rather than 2 months for complete withdrawal of all American military forces from Vietnam after those conditions specified in paragraphs (2) and (3) on page 2 of the Cranston amendment have been met.

Second. It would provide for an internationally supervised cease-fire throughout Indochina rather than one applying only to a comparatively small area.

Third. It does not arbitrarily provide for the cut off of all funds for the maintenance of U.S. military forces in Vietnam or elsewhere in the world.

It differs from the Allen amendment of last week in this manner:

Whereas the Allen amendment was a "sense of the Congress" pronouncement, the amendment we now offer is more direct, calling for a complete withdrawal from Vietnam not later than 4 months after a supervised cease-fire has been established over Indochina, all American prisoners of war have been released, and Americans missing in action have been accounted for.

This does not mean that all our forces could not be withdrawn within a month after a cease-fire agreement.

It means that 4 months would be the absolute time limit.

Since American military action in Laos and Cambodia is already prohibited, this would mean the end of U.S. military action over all Indochina and the amendment is so intended.

The requirement for a cease-fire over all Indochina would prevent the shifting of the war from one area to another.

The amendment I am offering for my colleagues and myself calls for specific action rather than an expression of senatorial opinion.

Over the years, this Congress, as well as the executive branch of Government, has worked itself into an untenable situation.

All of us, including President Nixon, know what we want and what we have to do to get it and yet for months we have been carrying on political warfare among ourselves.

For the sake of all humanity this type of war must stop.

I don't know whether this amendment will carry or not.

I do know, however, that if this Congress does not show a determination to secure the release of Americans held hostage by the enemy, refuse to turn any part of Indochina into a slaughterhouse, and make every honorable effort to end our involvement in Indochina, that many of us will regret our negligence as long as we live.

Let us show the people of America and the rest of the world, too, that we all care about the misfortunes of others and let us take united action to try to restore peace and rebuild the hopes of the people of Indochina.

As I have said previously, President Nixon strongly favors this perfecting amendment to the Cranston amendment. He feels that it would be a great help to him in the efforts which are now going on to bring the conflict in Southeast Asia to an early conclusion. I, too, believe that it would result in shortening the war, and I fear that some of the other proposals would only prolong the war. I hope that this amendment will be approved by the Senate.

Mr. President, I yield 5 minutes to the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, I shall be brief, although this involves a very important question. I am privileged to join the Senator from Vermont in sponsorship of this amendment. He is one of the great assets of the Senate, with his long years of service here, his years of service on the Committee on Foreign Relations, his impartiality and frankness and candor.

Mr. President, in substance, the Aiken amendment would write into the Cranston amendment words that would make the Cranston amendment read as follows:

> Notwithstanding any provision of this or any other Act, a complete withdrawal of all American forces from Vietnam shall be accomplished at a time certain not later than four months following:
>
> (1) the establishment of an internationally supervised cease-fire throughout Indochina.

That is the main change, the big change.

Mr. President, I was very impressed by the fine statement made by the Senator from Vermont. He brought out that under our law we have vested in the President of the United States, whoever he may be—any President—under circumstances such as this, the power and the responsibility of representing this Nation in negotiations, or whatever term one wants to use; so we should see what the President thinks and what he says. Certainly, the President is entitled to a say, and we are entitled to know what he does say.

In his very fine way, the Senator from Vermont told us that the man carrying the load and responsibility—it does not make any difference, in my view of this, who is President—is opposed to these amendments because he thinks they would cripple and hobble him, and he frankly says so. Commonsense tells as the same thing. It is a much louder voice than could come from any other source. Logic tells us that in unmistakable terms.

If a person has a job to do and a responsibility of this kind to carry out, he has to have all the freedom that goes with his office.

So I think that is one of the main points here and that is not said in consideration of what some President has done or has not done, or anything of that kind. But, Mr. President, the only basic way, when we are in an unfortunate war, to bring that war to a conclusion is, a cease-fire. Anything else is not going to work. It has got to be some kind of cease-fire.

In World War II, we all remember the circumstances that took place to bring about a cease-fire. But we are dealing with a proposal that does not permit fine tooth adjustments in the English language as spelled out in the Brooke amendment. We have got to have something practical, workable, and down to earth that will be effective for both sides and will not run away or give anyone else the advantage at the last moment. That something must be a cease-fire.

This says a cease-fire throughout Indochina, and that means, of course, that whole area of the world except Thailand. I think that is about the only way we will get an effective cease-fire, to get one that will be regionwide. We also know, too, that there has to be some kind of supervision, otherwise a cease-fire can be broken any night, any day, or at any moment almost, by a renewal of hostilities.

So the Senator has carefully drawn the language and put down something here that the President can live with.

Mr. CRANSTON. Mr. President, I yield 2 minutes to the Senator from Massachusetts (Mr. KENNEDY).

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 2 minutes.

Mr. KENNEDY. Mr. President, I intend to vote for the amendment of my colleague from the Commonwealth of Massachusetts (Mr. BROOKE). I regret that the Senate will not have the opportunity to vote for the amendment which was initially propounded by the distinguished Senator from Kentucky (Mr. COOPER), which called for the complete withdrawal of all American forces from Indochina without any conditions. I think that his amendment offered the best hope we have to end the killing on the Indochina Peninsula, and to bring the safe return home of all our prisoners of war.

The Cooper amendment was really the "end-the-war" and "end-the-killing" amendment. It set no conditions for our withdrawal, because we know from harsh experience in the past that when we have established conditions—whether it is a condition guaranteeing the survival of President Thieu and the Government of South Vietnam, or a condition requiring a cease-fire, or even a condition requiring the release of our American prisoners of war—then we have not achieved any of our goals. We have not ended the war. We have not ended the killing. We have not brought our prisoners home. All we have ever achieved is more death and more devastation for our own forces and for the people of Indochina.

The Cooper amendment was a ray of fresh light. It offered us the best opportunity to end the killing. It would end the killing of American pilots and American soldiers. It would end the killing of South Vietnamese soldiers and the hundreds of thousands of civilian war casualties. It would end the killing of North Vietnamese soldiers and civilians. It would have been the end of our involvement. It would have ended the war. That was truly an end-the-war amendment, one which I would have preferred to vote for today.

Mr. President, it is a mistake to set conditions on our withdrawal from Indochina. History has shown us that in the past, when the French ended their involvement in Southeast Asia, the French prisoners of war were released. We found, in our own involvement in the Korean war, that when we ended the conflict, our American prisoners of war were released.

Of course, no one can absolutely guarantee that our prisoners will be returned, whatever amendment we support. But I believe that Senator COOPER's approach offers us a far better chance to get them back than any other course we may choose. We have tried other ways, and those ways have always failed, because they have always allowed the killing to go on. Does anyone seriously believe that our American prisoners will come home, so long as American bombers are flying their deadly daily missions over North Vietnam?

So I regret that Senator COOPER's amendment is not before us now. But I will support the amendment of my colleague (Mr. BROOKE) because I believe that it is the best step forward that can be taken by this body to show the American people and the world that we are tired of the war, tired of President Nixon's timetable, tired of President Thieu's timetable, tired of reports of rainmaking and firestorms and bombing at the dikes, tied of Mylai, tired of talk of bargaining chips in Paris when countless human lives are being lost every day the war goes on.

We want to end the war. We want a simple timetable which says that we are going to be out of Indochina at the earliest possible date.

Americans want the return of all prisoners of war to their homes. They want the return of all American soldiers and fliers to their homes. They want an end to the waste of our resources, the billions of dollars which have been spent on the war and which are still being spent today. They want those resources expended here at home in order to enhance the quality of life for all Americans.

So, Mr. President, for all these reasons, I will support the Brooke amendment, and I hope that the Senate will do so as well.

The PRESIDING OFFICER (Mr. ROTH). Who yields time?

Mr. AIKEN. Mr. President, I want to reserve myself a little time. If there is more opposition to the amendment, this would be a good time for Senators to speak.

The PRESIDING OFFICER. If no one yields time, the time will be charged equally against both sides.

Mr. STENNIS. Mr. President, I object.

Mr. AIKEN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. AIKEN. Mr. President, the Senator from Alabama (Mr. ALLEN) and the Senator from Tennessee (Mr. BAKER) want time to speak. I yield 5 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. STENNIS. Mr. President, I yield myself 20 seconds to advise the Chair that I transferred the time to the Senator from California (Mr. CRANSTON) in opposition to the amendment, because I am supporting the amendment.

The PRESIDING OFFICER. The Chair is aware of that.

Mr. STENNIS. I thank the Chair.

Mr. BAKER. I thank the distinguished Senator from Vermont (Mr. AIKEN) for yielding me this time.

Mr. President, once again we find ourselves debating the issue of how to effectively end our involvement in the tragic war in Indochina, a war which has caused unparalleled controversy in every corner of this country. To date, I believe that controversy has been accurately reflected by the Congress of the United States for with small exception, we have allowed the President to freely pursue his policies to end the war.

He has said on any number of occasions that the American people should hold him accountable for his conduct of the Vietnam war and yet, we are now prepared to deny the people that accountability in the midst of a presidential campaign and after 4 long years of protracted debate.

I submit, Mr. President, that to legislate an end to our involvement at this, the eleventh hour, would not only do a grave injustice to the American people, who have long awaited an opportunity to express their views on the war, but it would also seriously jeopardize chances for a negotiated settlement, chances which in the coming months most certainly will increase. They will increase due to the likelihood of the North Vietnamese pursuing one of two probable alternatives.

The first, as I see it, would consist of the North Vietnamese accepting, before the election, some variation of the President's latest offer on the assumption that he will be reelected and that after his reelection, the current bargaining flexibility of the United States might dissipate. This becomes even more persuasive in view of the diminishing success of the offensive in the South, the effect of the bombing and mining on the North, and perhaps most of all, the apparent shift in policy by their two principal allies in favor of a negotiated settlement.

The second alternative consists of a "wait and see" attitude on the part of the North Vietnamese whereby they gently probe the United States on our flexibility while actually waiting until after the election to see if they will have to negotiate. The idea is that if President Nixon is not reelected, there exists no need for them to compromise on any of their objectives; whereas if he is returned to office, there still remains the possibility of conducting negotiations. It is an ideal position to be in if they are willing to accept the continued bombing and mining of the North, but not so ideal if they are looking for immediate relief from the onslaught.

Nevertheless, Mr. President, either way would bring an end to U.S. involvement and guarantee the support of a majority of Americans, but not if we attempt, at this late date, to legislate that choice for both the American people and the North Vietnamese.

The amendment offered by the distinguished ranking minority member of the Foreign Relations Committee would allow the President to pursue a negotiated settlement without the added constraint of a congressional mandate and it would serve notice to the North Vietnamese that the time to negotiate is now.

Moreover, it would leave the very basic choice of policies for Indochina to the American people to whom it rightfully belongs.

The President may have failed in his efforts to bring an early end to the war, but he has succeeded in withdrawing more than 500,000 American troops, and of equal importance, his so-called Nixon doctrine has succeeded in bringing unprecedented diplomatic pressures upon the North Vietnamese to negotiate a settlement, not only from their two principal allies, but also indirectly from their Asian neighbors, the Koreans. This pressure is a direct result of the President's fruitful efforts to create what might be called "enlightened self-interests" around the world, or interests which are more attuned to domestic needs than they are to promoting or prolonging conflict in foreign lands.

The concept of enlightened self-interests is the cornerstone of the President's "generation of peace," and the only real obstruction to that era is the conflict in Southeast Asia, a conflict that can be ended through negotiations before the end of the year if we do not undermine the President's bargaining position at this time.

Adoption of the Senator from Vermont's perfecting amendment would strengthen the President's bargaining position and in all likelihood, enhance the chances for a negotiated settlement in the near future. I, therefore, urge my colleagues to support its adoption.

The PRESIDING OFFICER. Who yields time?

Mr. AIKEN. Mr. President, I yield 5 minutes to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. ALLEN. Mr. President, I thank the distinguished Senator from Vermont.

Mr. President, I support the perfecting amendment offered by the distinguished Senator from Vermont to the amendment of the distinguished Senator from California (Mr. CRANSTON).

Mr. President, the issue on this vote is whether the Senate will accept the formula provided in the Cranston amendment or whether it will accept the formula for withdrawal provided in the Aiken amendment. On this vote, the Brooke amendment is not involved. It will have its opportunity after the vote on the Aiken amendment.

The effect of this parliamentary situation is that the distinguished Senator from Vermont (Mr. AIKEN) is contending with the distinguished Senator from California (Mr. CRANSTON) as to which amendment will be sought to be substituted by the Brooke amendment. So, this vote will hinge on whether we support the Aiken amendment or the Cranston amendment.

What do the two amendments provide with respect to a withdrawing from South Vietnam?

The Cranston amendment provides for a withdrawal from South Vietnam by October 1 and a cutting off of funds for American troops in Vietnam by October 1 without any conditions whatsoever. It provides a different formula for the cessation of hostilities in all of Indochina, but as regards Vietnam it provides for a withdrawal by October 1 without any preconditions whatsoever.

The amendment offered by the distinguished Senator from Vermont (Mr. AIKEN) provides for a withdrawal within 4 months subject to three conditions.

The first is a cease-fire throughout all of Indochina.

The second is the return, and not a promise to return, but the return of all of our prisoners of war.

The third is an accounting for the missing in action.

Mr. President, I could be wrong, but I believe that this is the very first time the administration has supported the setting of a definite time within which American troops will be withdrawn from South Vietnam subject only to the happening of certain conditions. I feel that this is a major concession on the part of the administration, to agree that there be written into law the very terms the President proposed in his speech of May 8, that there be a withdrawal from South Vietnam within 4 months after the happening of these three conditions. First, the cease-fire, and that should be a part of any withdrawal terms because we should not have to fight our way out of Vietnam. There ought to be a cease-fire.

Second, there ought to be a return of all our prisoners, and that is not provided for in the Cranston amendment. And there ought to be an accounting for the missing in action. And that is not provided in the Cranston amendment.

So these three very important, very constructive, and very definite conditions are not provided in the Cranston amendment and are provided in the Aiken amendment—a cease-fire throughout all of Indochina, the return of all prisoners of war, and an accounting for those missing in action.

I believe that if we agree to the Aiken amendment and successfully resist the effort by the distinguished Senator from Massachusetts (Mr. BROOKE) to substitute a provision for the Aiken amendment, we will have gone a long way toward seeing to it that our country and the Congress of the United States and the Senate speak with one voice with regard to the settlement of the Vietnam war, negotiations in Paris, secret negotiations that have been held, and others to be held in all likelihood, between Dr. Kissinger and representatives of the North Vietnamese.

I urgently urge the Senate to approve the Aiken amendment as a perfecting amendment to the Cranston amendment.

The VICE PRESIDENT. The Senator's time has expired. Who yields time? If no one yields time, time will be charged against the two sides equally.

Mr. CRANSTON. Mr. President, the pending amendment has a cease-fire, that is true. The Cranston amendment, which is actually the Mansfield amendment, also has a cease-fire. The main point is that the cease-fire in the Aiken amendment is that it is a cease-fire for all of Indochina, which gives President Thieu a veto. If he does not choose to go along with the cease-fire, there is no cease-fire, and we go on fighting in South Vietnam. I say that we should make the decision about when we get out, and not President Thieu.

Second, the return of prisoners of war is covered in the Cranston amendment. We simply get them out more quickly than we would under the Aiken amendment.

What about withdrawal? The Aiken amendment would get us out only if all conditions were met some day, but the Cranston amendment would get our men out of Vietnam and out of all of Indochina, which is a significant difference. It is significant because most of the fighting is now taking place not in South Vietnam but in the rest of Indochina. Let me clarify my opposition to the Aiken amendment at greater length.

CEASE-FIRE

One of the key provisions in the amendment offered by the distinguished Senator from Vermont, Senator AIKEN, calls for "the establishment of an internationally supervised cease-fire throughout Indochina." President Nixon has used identical language in his latest peace proposal. The same words also appeared in an amendment offered in May by the distinguished Senator from West Virginia, Senator BYRD, and again in an amendment proposed last week by my distinguished colleague from Alabama, Senator ALLEN.

Why should I, a lifelong believer in international organization, oppose such language? And why should the Senators who have pressed hardest for an end to American military involvement in Indochina join me in my opposition? Why are these words so objectionable?

Mr. President, I will tell you why. These words perpetuate the veto power of the Thieu regime. These words threaten us with endless bickering over the nationality of the international supervisors, the shape of the conference table, and the validity and enforceability of the judgments.

Now, I want to make it plain that I generally favor more multilateral approaches to the peaceful settlement of disputes. I believe, for example, that the United Nations should establish a factfinding commission specifically empowered to observe and report on international conflict.

But the purpose of such a factfinding commission would be to prevent further conflict. The purpose of insistence on an internationally supervised cease-fire, by contrast, would be to prolong the conflict. That is a big difference.

WITHDRAWAL FROM VIETNAM ONLY

Another crippling feature of the Aiken amendment is that it provides only for the withdrawal of American personnel from Vietnam, and not from the rest of Indochina.

Mr. President, there are already more airmen flying bombing missions over North Vietnam from Thailand than there are troops in the whole of South Vietnam. We have almost 49,000 airmen in Thailand compared with about 46,000 soldiers in South Vietnam. We have 42,000 more Americans engaged in the naval war in Indochina, even more than the total of 35,000 stationed off Vietnam at the peak of the war in 1968. Our B-52 fleet in Thailand and Guam totals 205, or roughly double the previous peak in 1969. The Air Force has 378 F-4's in Thailand, compared with a total of 198 in Vietnam and Thailand combined before the start of the recent North Vietnamese offensive.

In fact, aside from political consequences in Saigon, even our total withdrawal from South Vietnam would not seriously affect our capacity to wage an air war against North Vietnam and to bomb Laos and Cambodia as well. So I do not believe that Mr. AIKEN's amendment would serve any purpose but to prolong the war.

NO FUND CUTOFF

Still another weakness in the amendment offered by the distinguished Senator from Vermont is the absence of a fund cutoff. The Members of this Chamber undoubtedly recall the fate of the amendment introduced last November by the distinguished leader of the majority, which in its House-approved version stated only that it was the policy of the United States to terminate military activities in Indochina at the earliest practicable date. Faced with a declaration of policy from the Congress of the United States, President Nixon openly announced that he would ignore it.

Mr. President, last week's vote on the Military Assistance Act convinced me that the Senate is finally willing to stand behind its beliefs by invoking its legitimate constitutional power—the power of the purse.

TIME PERIOD

Finally, Mr. AIKEN's amendment provides that withdrawal from Vietnam shall be accomplished no later than 4 months following the establishment of an internationally supervised cease-fire. My amendment says that all ground forces shall be withdrawn from South Vietnam by October 1, 1972, and that other hostilities shall terminate after an agreement for a verified cease-fire, the return of the POW's, and an accounting for those missing in action.

I have already pointed out that an internationally supervised cease-fire may be a long time in the making. But Mr. AIKEN's amendment would keep our troops in South Vietnam right along with those airmen in Thailand. So section (a) of the original Mansfield amendment, offered last week and retained in my amendment, would be stricken out. South Vietnam would hold our soldiers as hostages just as North Vietnam holds our soldiers as prisoners of war.

Mr. President, for all those reasons I oppose the Aiken amendment. I support my amendment as well as the Brooke substitute for it, which I think is a better, sounder amendment.

Mr. President, all the arguments have been made. I therefore yield back all time on my amendment.

Mr. ALLEN. Mr. President, before the Senator yields back his time, will he yield to the Senator from Alabama for a question?

Mr. CRANSTON. No. We have time problems. I yield back the remainder of my time

Mr. ALLEN. The Senator has time problems but he still yields back the remainder of his time?

Mr. CRANSTON. If the Senator can do it in 1 minute I yield.

Mr. ALLEN. I ask the Senator from Vermont if he will yield 2 minutes.

Mr. AIKEN I yield, but first I wish to state that a cease-fire that covers only one side is not a cease-fire at all.

Mr. ALLEN. There is no cease-fire, no return of prisoners, no accounting for missing in action as a condition precedent to the requirement to withdraw from South Vietnam under the Cranston amendment, is there?

Mr. AIKEN. The amendment of the Senator from California would prohibit the enemy from shooting at our boys while they are running for the boat or the plane to get out of there, but it would not cover any other area. They could simply ship them a few miles away and keep on with the war as usual.

The VICE PRESIDENT. Who yields time?

Mr. ALLEN. Mr. President, I would like to ask the Senator from Vermont to yield to me for 2 minutes.

The VICE PRESIDENT. The Senator from Vermont has 1 minute remaining.

Mr. AIKEN. Mr. President, I yield to the Senator from Alabama whatever time I have remaining.

The VICE PRESIDENT. The Senator from Alabama is recognized.

Mr. ALLEN. Mr. President, I merely wish to point out that in the amendment of the Senator from California (Mr. CRANSTON) regarding the withdrawal of troops from South Vietnam, there is no precondition whatever. The preconditions he speaks of are with respect to a cessation of hostilities in all of Indochina. There are no preconditions under his amendment regarding withdrawal from South Vietnam.

F-14

Mr. FULBRIGHT. Mr. President, I want to make a few comments on the F-14, a project which I have strongly opposed. I continue to believe that any further expenditure on the F-14 is ill-advised. However, I am encouraged by the inclusion in this legislation of a specific provision requiring that the funds being recommended for authorization be used only within the terms of the present F-14A prime contract with respect to the number of aircraft, ceiling price and delivery schedule. This has been a classic case of cost escalation. In addition to the greatly increased cost, there have been serious problems with the plane itself. Only last week we read reports that the Navy found 43 major flaws in test models of the F-14. Further, one of the $16.8 million planes crashed into Chesapeake Bay last month. This was the second of the F-14 planes to crash.

I regret that the committee has approved any further funding for this project. However, since the committee has recommended funding I am pleased that specific language has been inserted in the bill requiring that not less than 48 aircraft shall be procured for not more than $570.1 million.

DELETION WITHOUT PREJUDICE

One of the aspects of this legislation which concerns me most is the "deletion without prejudice" of certain items from the Senate bill. I particularly refer to the so-called SALT authorization amendment and Southeast Asia authorization amendment. Included in the "deleted without prejudice" category is $239 million for a national command authority—NCA—Safeguard ABM site and $60 million for additional ABM R. & D. Overall the House has apparently approved $860.5 million for the ABM program, including the site in North Dakota.

Mr. President, I am strongly opposed to the NCA site, which I, along with many others, view as a complete waste. Nor can I see justification for the $60 million for ABM R. & D. funds or the $20 million for a submarine-launched cruise missile. I see absolutely no reason why the Senate should defer to the House on this.

The Senate committee deleted "without prejudice" $973.4 million of procurement funds "related to activities in Southeast Asia" requested by the administration on June 27. The House has not yet acted on this request. To my knowledge no hearings have been held on this supplement procurement request, which is part of a proposed $2.8 billion increase in the defense budget to pay for stepped-up military activities in Southeast Asia. The June 27 request asks for an increase in the "authorization to support Vietnamese and other free world forces" from $2.5 billion to $3.2 billion. The bill before us, in authorizing "the support of Vietnam and other free world forces and in the support of local forces in Laos" imposes a limitation of $2.1 billion.

I would certainly hope that no action will be taken on these matters without serious Senate consideration.

I also have objections to some of the items included in the $973.4 procurement request and believe we should have a thorough explanation of the $732.2 million being asked for aircraft and $125.6 for missiles.

For example, the request includes $127.7 for 30 C–130 aircraft. This relates to another item in the House procurement bill, the so-called aircraft production lines provision. This is an extremely curious matter. It is not clear who instigated the assembly line request. It was not mentioned in the fiscal year 1973 budget submission. In a letter to me on July 14, Mr. Barry J. Shillito, Assistant Secretary of Defense, said:

> This resulted from budget constraints and should not be construed as any indication of a lack of requirement for the aircraft.

The House committee let it be known that it intended to include such funds during its markup of the bill. On April 27 Secretary Laird wrote to the House committee to say that he accepted a proposed reduction of $226.9 million in funds for AWACS and to request that a portion of those funds be applied to procurement of 24 A–7's, 12 C–130's, and seven F5–B's at a cost of $152 million. Since $60 million in savings from prior year A–7 programs could be transferred, $92 million was needed and approved by the committee.

Now the Pentagon says in the July 14 letter to me:

> Subsequent to our April request projections of C–130 shortages have been aggravated by the current invasion of South Vietnam. Accordingly, the President has included a request for 30 C–130 aircraft in the FY 1973 Southeast Asia amendment. This request is presently being considered by the Senate.

Mr. President, this raises a whole new set of questions. Is this request presently being considered by the Senate? How many C–130's are we being asked to approve—none or 30 or 42? Have 30 C–130's been lost in Vietnam in recent months—or even 10? If we have had such heavy losses, what function were the C–130's serving to be so hard hit?

The Southeast Asia amendment, with its request for 30 C–130's at a cost of $127 million, has been deleted without prejudice from the Senate bill. The assembly line provision, which would allow procurement of 12 C–130's at a cost of $50 million, is not even mentioned in the Senate report. The only C–130 cited is the LC–130R—a ski-equipped version of the Hercules that is used for logistic and scientific support to the National Science Foundation for Operation Deep Freeze. Five of these are requested for fiscal year 1973 at a cost of $31.5 million.

I am particularly mystified by the lack of any mention of the $92 million assembly line provision in the Senate report. There is no reference to a "deletion without prejudice." In fact, the assembly line request has apparently never been submitted to the Senate; only to the House.

I find this whole procedure to be most unusual and inappropriate. We are faced with the possibility of Lockheed receiving orders for 42 C–130's at a cost of $177 million without the matter ever really coming before the Senate. Actually the total is 47 and $208.5 million, but the ski-equipped version is clearly in the bill.

There is much more to be said on this subject, Mr. President, but I will reserve further comment until it becomes clear what the Armed Services Committee intends to do. I am strongly opposed to the procurement of any C–130's from Lockheed—particularly in view of that company's previous record—until much more is known about this matter and the Senate has an opportunity for through consideration.

I would like to know what happened to the "budget constraints" which prevented the inclusion of the C–130 in the original fiscal year 1973 budget? These constraints have suddenly disappeared in this case and so has the administration's credibility in continuing to apply constraints on many important programs to better the lives of Americans while removing them on these military programs.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to me from the Assistant Secretary of Defense and an article from the Washington Post of May 19.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., *July 14, 1972.*

Senator J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR FULBRIGHT: On behalf of Secretary Laird, I am responding to your letter of 28 June 1972 relative to the procurement of additional C–130 aircraft and your concern that this is a new "bailout" for the Lockheed-Georgia Company.

The C–130 is a medium transport aircraft used for tactical airlift; its principal mission being the air transport of personnel and material with delivery by land or by parachute from high or low altitudes. Because of its dependability and adaptability, it is the backbone of our tactical airlift force. Because of the aircraft's versatility, attrition losses, and diversion to other priority programs, there is now and there is predicted to be a significant shortage of total C–130 resources.

As to the absence of the request for additional C–130 aircraft in the Fiscal Year 1973 Budget submission, this resulted from budget constraints and should not be construed as any indication of a lack of requirement for the aircraft. During testimony before the Department of Defense Subcommittee of the House Committee on Appropriations earlier this year, Secretary Seamans responded to questions by the Committee concerning what programs the Air Force would include if additional funds were made available in the coming fiscal year. He listed the procurement of 12 C–130 aircraft to compensate for projected inventory deficiencies.

In April 1972, Chairman Hébert was requested to favorably consider the inclusion of 12 C–130's in his report on the FY 1973 authorization bill. His report does contain these aircraft. Subsequent to our April request projections of C–130 shortages have been aggravated by the increased aircraft losses resulting from the current invasion of South Vietnam. Accordingly, the President has included a request for 30 C–130 aircraft in the FY 1973 SEA Amendment. This request is presently being considered by the Senate. Should the Congress approve an FY 1973 procurement of additional C–130 aircraft, we are confident that a fair and reasonable price can and will be negotiated for the approved quantity.

I trust the above information will be helpful to you.

Sincerely,
BARRY J. SHILLITO,
Assistant Secretary of Defense,
Installations and Logistics.

LAIRD ASKS FUND SHIFT FOR PLANES

(By Michael Getler)

A day after the Senate Armed Services Committee cut $226.8 million from a supposedly high-priority Air Force national defense project, Defense Secretary Melvin R. Laird wrote to the Chairman of the House Armed Services Committee and told him those cuts were "acceptable" to the Pentagon.

In that same letter, Laird recommended that the House committee allow the Pentagon to transfer $152 million of the money saved by the Senate cut back to buy other aircraft whose production lines might otherwise close soon and which had not been scheduled to receive any more funds in the current $83.4 billion military budget request for fiscal 1973.

Laird's recommendation would allow the Air Force to buy 24 more A–7 attack planes from Ling-Temco-Vought in Texas at a cost of $90 million, 12 more C–130 transports from Lockheed in Georgia at a cost of $50 million and seven of the small F–5B export fighters built by Northrop in California for $12 million.

The Defense Secretary's letter, written April 27 and made available to The Washington Post yesterday has drawn a sharp response from Rep. Les Aspin (D-Wis.). Aspin is a freshman congressman, former Pentagon civilian analyst and House Armed Services Committee member who now regularly bombards the Pentagon with charges of waste and wrongdoing.

Aspin charges that the 12 extra C–130 transports constitute "a new $50 million bailout" for Lockheed.

He also cites a letter from Henry Durham, a former Lockheed aircraft production manager who has testified before Congress on the C5A transport cost overruns, that says "political pressure, even at the White House, was being used by Lockheed to win this $50 million bailout."

Aspin in a statement to The Post yesterday, said he would ask Laird to respond to Durhams charges and also to explain why the Pentagon gave up so easily on the Senate's cutback of the Air Forces Airborne Warning and Control System (AWAC) project.

In testimony earlier this year, Aspin noted, "Department of Defense officials described AWACS as vital to the national security."

AWACS involves an Air Force plan to develop and build a fleet of radar and computer-packed airplanes that would provide early warning against a possible Soviet bomber attack on the United States. The Air Force wants a fleet of 42 of these planes at a total cost estimated at about $2.7 billion over the next several years.

Despite inclusion of $474 million in the

Air Force fiscal 1973 budget request for AWACS and Laird's overt support, there is known to be considerable high-ranking opposition within the Nixon administration to the United States making any major new investment in defense against a very limited Soviet bomber threat when there is no defense against the much greater threat of Russian missileism.

In January. administration officials hinted that AWACS might wind up being limited to a much smaller number of planes that could be used to plug air defense gaps or in localized air control situations. There is also a group forming in the Senate to oppose AWACS.

In his letter to House Armed Services Committee Chairman F. Edward Hébert (D-La.), Laird noted the Senate committee cuts and said, "This action is acceptable to us."

When Laird volunteered this opinion, the House committee had not voted on the military authorization bill that includes AWACS. The committee still has not passed on the measure and Aspin—who as a Pentagon critic is in a distinct minority on the committee—now says he will ask his colleagues to review the bill again because of the Lockheed situation.

The Senate committee had actually cut out $309.9 million in AWACS procurement, but added $83 million to allow research-and-development work to continue on the project, causing a net reduction of $226.9 million.

Laird went on to explain to Hébert that "during the course of my testimony before your (committee, a concern was expressed by some committee members, Defense officials say) that production for the A-7, C-130 and F-5B aircraft would be terminated after the FY 1972 purchases.

"It was emphasized," the letter continues, "that in the event of additional requirements, for these aircraft, it would be extremely difficult to restart the lines and that as a matter of prudence small quantities of these aircraft could be procured to sustain a production base at reasonable costs.

"Additionally, Laird wrote, "it was pointed out that there is a current requirement for the aircraft, but as a consequence of priority considerations they could not be included within the budget totals."

Citing "the current invasion of South Vietnam," and "increased aircraft losses," Laird said this "emphasized the need for continued production, particularly in the case of the C-130 and the F-5B." The latter, he said is used for training the South Vietnamese Air Force. Following the Senate Comimttee action in cutting AWACS, Laird said "it is now recommended that a portion of the authorization which would otherwise have been required for the FY 1973 AWACS program be applied to the procurement of 24 A-7s, 12 C-130s and 7 R-5Bs."

While this would cost $152 million, Laird said there was still $60 million saved from earlier A-7 funds and thus a net amount of $92 million would have to be authorized.

The four-engine C-130 is the workhorse of the U.S. tactical airlift forces in South Vietnam and is also an excellent gunship. It has been widely hailed as a rugged and versatile plane. Four have been lost since the Communist offensive began March 30.

The Air Force, however, has 350 of these planes already operating, 12 more on order from last year which will be delivered in 1974, and 175 in the reserve fleet, according to Air Force figures.

Durham, the former Lockheed official, wrote to Aspin on May 9 and included a short news article from the May 5 edition of the Marietta (Ga.) Daily Journal.

The article reported that the head of Lockheed's C-130 program had told a local Kiwanis meeting that the company had enough C-130 orders to keep the production line running through 1973 "and is working on 1974 now. He didn't mention," the article states, "the hoped-for Air Force order of an additional 12 planes in the 1972-73 budget which the company has said are needed to fill a future gap in the line."

Durham said he was writing to Aspin to prevent another "giveaway" of public money to Lockheed. "If the Pentagon," he wrote, "has 55 to 60 extra million dollars to blow for unneeded C-130s, it could more profitably be used to start paying back the $400 million C-5 overpayment revealed by Senator William Proxmire in the March 27 hearing."

Durham's charges of Lockheed mismanagement on the C-5A program were attacked as "highly inaccurate" by Lockheed, but the former manager's charge of overpayments made to the firm by the government were substantially validated by the General Accounting Office during hearings last March.

THE BROOKE AMENDMENT

Mr. HATFIELD. Mr. President, once again, we in the Senate are faced with the decision to set a specific date for cutting off funds for Southeast Asia. Over the past 10 years the history of the war has been all too consistent: announcements of deescalation, increased bombing under various guides and definitions, more death, and more destruction. Over the past 3½ years, to the credit of the Nixon administration, American ground troop involvement has been significantly reduced, but the war continues even more odiously in the air over North Vietnam and off her shores. These policies, tried under the Johnson administration, have consistently proved counterproductive and have most likely enhanced North Vietnamese resolve.

I am just as firmly convinced today as when I first spoke out against our involvement in 1964, that our policies are wrong. Since coauthoring the first amendment to end the war in 1970, many votes have taken place on this most critical issue. Today we are to vote on the Brooke amendment to halt funding for Southeast Asia 4 months after enactment of the Military Procurement Act and the simultaneous return of the prisoners of war.

Recently, a new dangerously related matter has become known with respect to our involvement in that troubled part of the world. Evidence seems to be mounting that the Golden Triangle, centered in Southeast Asia, is now a major supplier of heroin to the United States. Not only does this bring into question our support of the already dictatorial corrupt regimes of the area, but it also means that a consequence of our involvement is increased heroin addiction and availability, both among our troops in Southeast Asia, and the youth and adult addicts in our country.

It is ironic, to say the least, that we have lost over 50,000 American lives, played a major role in creating more than 6 million refugees, spent over $132 billion, significantly contributed to the loss of more than 1 million Asian lives, seen the heroin addiction of many GI's and unwittingly contributed to the smuggling of heroin into our own country, all in order to save one dictatorship from another in a part of the work in which we have no vital interest.

This war must come to an end. Therefore, I will vote to support the Brooke amendment.

Mr. President, I therefore ask unanimous consent that the following articles be printed in the Record: an editorial by Charles W. Yost, former chief U.S. representative to the United Nations, printed in the August 2, 1972, edition of the Washington Post; an article by Tim O'Brien from the August 2, 1972, edition of the Washington Post; a July 22, 1972, article in the New York Times by Seymour Hersh; an article also by Seymour Hersh in the July 24, 1972, edition of the New York Times; and an editorial appearing in the July 26, 1972, edition of the Washington Post.

There being no objection, the items were ordered to be printed in the Record, as follows:

Bombing of Dikes, Dams? Argument Misses Heart of the Matter

(By Charles W. Yost)

The argument between the administration and its critics as to whether or not the United States is bombing dikes and dams in North Vietnam misses what seems to me the heart of the matter.

Bombing of North Vietnam on the vast scale we have done over the past three months cannot, as the administration itself says, help hitting some of the dikes which criss-cross so much of that country and on which its food supply depends. The real point, however, is that it does not make much difference to noncombatant men, women and children whether they are starved, drowned or blown up. As long as we continue bombing of the present magnitude—with such a loose application of the term "military objectives" and such reliance on the infallibility of "smart bombs"—we cannot help killing substantial numbers of non-combatants, whether or not we hit the dikes.

It will be argued that we and our allies engaged in World War II in large-scale bombing which incidentally killed many civilians and that this played a part in winning the war. The obvious difference is that at that time we were fighting against two regimes that we believed threatened both our national existence and western civilization. Even the most extravagant "hawks" would not make that claim about the regime in Hanoi in the summer of 1972. The question is whether there can be any justification, military or moral, for so lethal and prolonged a bombing at the present time and place.

This particular bombing campaign—by far the most severe since we entered the war seven years ago—was begun in response to Hanoi's offensive of last April, in order to prevent a disastrous defeat of the South Vietnamese and "humiliation" of the President just before the Moscow summit. That offensive has now been repulsed and rolled back. The Moscow summit is long since over and was a substantial success. Yet the bombing continues.

It will also be argued that the bombing of the North is still necessary to prevent a buildup and dispatch southward of supplies which would be used in another offensive at a later date. However, President Johnson should be able to testify, on the basis of considerable experience, that even continuous bombing of the North does not prevent the dispatch southward of sufficient supplies to mount repeated offensives, that it tends to toughen rather than soften North Vietnamese morale, and that offensives will recur as long as the war continues.

Finally, the bombing can no longer be excused as essential to protect United States ground forces, since most of them have been withdrawn and the rest could be in a very short time. Indeed it is hard to see how the continuation of large-scale bombing of the North any longer has an American rationale except as a factor of the United States elections.

It would not seem unreasonable to presume that the bombing of the North is being continued—after the special reasons for it cited at the beginning of May have ceased to exit—as a means of pressure on Hanoi to accept before November 7 our terms for ending the war. Such a result might be a decisive factor in the elections, causing the average voter to forget momentarily that the Republican plan for ending the war, promised in 1968, was carried out only after four years and 20,000 additional American dead.

Every American wants an agreement in Paris and an end to the fighting but are we to be wholly indifferent as to how we go about getting it? Mr. Nixon has often spoken of the "respect" which he seeks for this country and the Presidency. Can he be unaware that the respect is being daily eaten away by what seems to many Asians and Europeans, not to mention Americans, to be a casual indifference to massive human suffering which we inflict, a moral unscrupulousness about the means by which we as a great power achieve our ends? Our new partners in creating a "structure of peace," the Soviet Union and China, may be prepared to swallow their behavior, but will all the others who have looked up to us in the past?

Of course the North Vietnamese have for years been committing, and still are, unspeakable atrocities in the South. But how relevant is that? It has always been the proud boast and belief of Americans that our democracy embodies certain principles which make us worthy of admiration and emulation by the rest of the world. We have been the first to claim a "double standard" which distinguishes us from totalitarian states and our behavior from theirs. Now much of the rest of the world is beginning to see less and less moral difference between us and the adversaries we seem more and more to imitate.

The cold hard truth is that we cannot beat a small enemy "back to the stone age," abandon moral and military restraints in our war against him, without dangerously sapping the reservoir of international respect which our forefathers built up over two centuries and on which any claim we may have to world leadership must rest. Is the erosion of that respect worth "victory" in Vietnam or anyone's victory in November?

Report Pessimistic On Screening Out Indochina Drugs

(By Tim O'Brien)

A White House report circulated among congressmen early last month gives a gloomy forecast for U.S. efforts to stem illicit narcotics trafficking in Southeast Asia, particularly Burma and South Vietnam.

The little noticed report shows that a total of only 29 tons of illegal opium or its derivatives were seized in Southeast Asia between August 1971 and June 1972. This represents about four per cent of the annual illicit production in the region, which according to the Bureau of Narcotics and Dangerous Drugs is approximately 700 tons.

The report—a chronology of "narcotics action" in Thailand, Laos, Burma and South Vietnam—shows that 26 of 29 tons were destroyed at Chiang Mai, Thailand, last March.

The action has frequently been cited as an indication of a crackdown in Thailand.

But columnist Jack Anderson says that "the CIA and other federal agencies have quietly informed Washington that something besides opium went up in that bonfire." He said that all but five of the 26 tons was nothing but fodder, plant material and chemicals.

The Bureau of Narcotics and Dangerous Drugs refuted those charges, claiming that on-the-spot U.S. inspectors examined the material under microscopes and found it to be "genuine opium."

Andrew C. Tartaglino, Deputy Director for Operations in the BNDD, said "our chemist tested it before it was burned. There is no question—it was opium."

Anderson's colleague, reporter Les Whitten, was present at a BNDD press conference, challenging Tartaglino to make available a weekly intelligence summary compiled by the bureau from CIA and State Department reports. The summary, Whitten said, contained intelligence "to the effect that extraneous matter was mixed with only five tons of opium."

Tartaglino said the summary was based on "raw intelligence" and had been "discounted as unreliable." He said the summary is classified and cannot be released without going through "established procedures."

The United States paid $1 million for the 26 tons of material that was voluntarily turned over by bands of Nationalist Chinese living in northern Thailand according to Tartaglino.

The White House study, signed by Richard Harkness, information director for the President's Narcotics Control Program, said there would be difficulties in any long-term effort to stem the flow of illegal drugs in South Vietnam.

"Smuggling is endemic in the country and real control is unlikely," the report said.

According to the study, South Vietnam President Thieu was handed a memorandum on May 3, 1971, "which notes relationship between narcotics problems and future U.S. role in Vietnam." The memo urged him to greatly improve "intelligence and enforcement activities to identify and arrest narcotics ringleaders and pushers."

The following day, the head of the Vietnamese national police's narcotics bureau was replaced, and its personnel expanded from 26 to 52.

But the unpublicized White House report summarized: "Encouraging as Vietnam's recognition of the problem and (its) dynamic response may be, real progress of a long-term nature is questionable."

This conclusion stands in contrast to the administration's public optimism, reiterated only a week ago by presidential assistant, Egil Krogh Jr.

The study was compiled for the White House by those State Department desks responsible for the four countries covered in the narcotics action chronology.

The report listed no specific seizures or arrests in Burma, the largest opium producing country in Southeast Asia.

The Bureau of Narcotics and Dangerous Drugs estimates that Burma's illicit opium production is about 400 tons a year.

According to the report, "the Burmese government's policy of non-alignment and sensitivity to foreign influence is a limiting factor in its involvement with the U.S. or the United Nations in the narcotics field."

"There are no BNDD (Bureau of Narcotics and Dangerous Drugs) or U.S. Customs programs in Burma such as exist in neighboring countries with which the U.S. is allied or has common security interests and programs," the study said.

The White House said "very little opium is now grown in Laos; less than 30 tons a year." However, the Bureau of Narcotics and Dangerous Drugs estimated last Tuesday that Laos produces more than three times that amount—about 100 tons a year.

"Nearly all of (the Laotian opium) still being grown is consumed by the growers," the report said. "There is no evidence that significant amounts of Lao-grown opium are entering the international traffic. Laos is a conduit for Burmese opium and opium derivatives, including heroin, however."

Of the 30 or 100 tons of opium products grown each year in Laos, less than one ton was confiscated between August 1971 and June 1972, according to the report's chronology of narcotics actions.

Although the report said that Laos is a "conduit" for Burmese opium and although only one ton was confiscated there in the 10-month period, the report concludes that "the flow of opium and heroin through Laos has been seriously disrupted."

Alfred W. McCoy, author of a soon to be published book on "The Politics of Heroin in Southeast Asia," testified before a Senate subcommittee early last month that "all U.S. officials in Indochina know that the vast majority of the high grade heroin sold to GIs fighting in South Vietnam is manufactured in Laotian laboratories."

"In northern Laos," he said, "Air America aircraft and helicopters chartered by the U.S. Central Intelligence Agency and USAID have been transporting opium harvested by the agency's tribal mercenaries on a regular basis."

Publication of the book by Harper and Row, Inc., has been held up by a CIA request to review it. McCoy, under "strong protest," agreed to give the CIA an advance copy.

Last Friday, a CIA agent delivered "written comments and criticisms" to the New York publisher, but the company has not yet announced whether the CIA asked for revisions or a halt to publication. It is believed the firm will not agree to alter the manuscript, a source close to McCoy said.

Report to United States Sees No Hope of Halting Asian Drug Traffic

(By Seymour M. Hersh)

WASHINGTON, July 23.—A Cabinet-level report has concluded that, contrary to the Nixon Administration's public optimism, "there is no prospect" of stemming the smuggling of narcotics by air and sea in Southeast Asia "under any conditions that can realistically be projected."

"This is so," the report, dated Feb. 21, 1972, said, "because the governments in the region are unable and, in some cases, unwilling to do those things that would have to be done by them if a truly effective effort were to be made."

The report, prepared by officials of the Central Intelligence Agency, the State Department, and the Defense Department, noted that "the most basic problem, and the one that unfortunately appears least likely of any early solution, is the corruption, collusion and indifference at some places in some governments, particularly Thailand and South Vietnam, that precludes more effective suppression of traffic by the governments on whose territory it takes place."

The report sharply contradicted the official Administration position and Government intelligence sources say its conclusions are still valid today. In May, Secretary of State William P. Rogers told a Senate subcommittee that "we think all the countries are cooperating with us and we are quite satisfied with that cooperation."

Similarly, Nelson G. Gross, Senior Adviser to the Secretary of State and Coordinator for International Narcotics Matters, testified before Congress in June on the subject of narcotics smuggling that "the governments of Thailand, Laos and Vietnam have already joined us in the fight, and, while we have a long way to go, we feel that during the past year some real progress has been achieved."

All officials concerned with the drug problem acknowledge that the United States agencies, under personal prodding from President Nixon, have begun an intensive effort to stem the international narcotics traffic.

But critics contend that the effort is far less effective today than Administration officials say it is.

CRITICS' CHARGES BACKED

Two leading critics of what they allege to be the Government's laxness in stopping the flow of narcotics are Representative Robert H. Steele, Republican of Connecticut, and Alfred W. McCoy, a 26-year-old Yale graduate student who has writien a book on narcotics in Southeast Asia. The New York Times reported Saturday that Mr. McCoy's allegations concerning the C.I.A. and the drug traffic had been the subject of an intense and unusually public rebuttal by the agency.

The Cabinet-level report, made available to The Times, buttressed many of the charges made by the two critics, particularly about the pivotal importance of Thailand to the international drug smugglers. Thailand is also a major Air Force staging area for the United States.

In a report on the world heroin problem last year, Mr. Steele wrote that "from the American viewpoint, Thailand is as important to the control of the illegal international traffic in narcotics as Turkey. While all of the opium produced in Southeast Asia is not grown in Thailand, most of it is smuggled through that country."

Mr. Steele's report, filed with the House Committee on Foreign Affairs, noted that many American citizens had established residence in Bangkok, and had moved into the narcotics trade. The report added that the inability of the United States to have a few notorious smugglers deported had led some intelligence officials to conclude that the men were paying Thai officials for protection.

Mr. McCoy said in testimony before Congressional committees last month that hundreds of tons of Burmese opium passed through Thailand every year to international markets in Europe and the United States and that 80 to 90 per cent of the opium was carried by Chinese Nationalist paramilitary teams that were at one time paid by the C.I.A.

There are a number of opium refineries, along the northern Thai border, he said, and much of the processed high-quality heroin is shipped by trawler to Hong Kong.

"Even though they are heavily involved in the narcotics traffic," Mr. McCoy testified, "these Nationalist Chinese irregulars units are closely allied with the Thai Government." He said that Thai Government police units patrol the northern border area and collect an "import duty" of about $2.50 a pound of raw opium entering Thailand. All this activity, he said, is monitored by United States intelligence agencies.

THAI-U.S. AGREEMENTS CITED

Mr. Gross, the State Department's adviser on international narcotics, said in his Congressional testimony that "during the past year the Thais have increased their efforts in the drug field with United States and United Nations assistance." He cited two agreements, signed in late 1971, calling for more cooperation and more long-range planning between Thai and United States officials to stamp out the trade.

"Based on all intelligence information available," Mr. Gross testified, "the leaders of the Thai Government are not engaged in the opium or heroin traffic, nor are they extending protection to traffickers." He added that the top police official in Thailand had publicly stated that he would punish any corrupt official.

The cabinet-level report, submitted to the Cabinet Committee on International Narcotics Control, asked "highest priority" for suppression of the traffic by Thai trawlers, noting that each trawler "would represent something like 6 per cent of annual United States consumption of heroin."

The report said that the trawler traffic should have priority because "it is possible to attack the Thai trawler traffic without seeking the cooperation of Thai authorities and running the attendant risks of leaks, tipoffs and betrayals."

After such a seizure, the report said, the United States Embassy in Bangkok could "repeat with still greater force and insistence the representations it has already often made to the Government of Thailand" for more effective efforts "to interdict traffic from the north of Thailand to Bangkok and also the loading of narcotics on ships in Thai harbors."

At another point in the report, a general complaint was voiced. "It should surely be possible to convey to the right Thai or Vietnamese officials the mood of the Congress and the Administration on the subject of drugs," the report said. "No real progress can be made on the problem of illicit traffic until and unless the local governments concerned make it a matter of highest priority."

Representatives Steele, Lester L. Wolff, Democrat of Nassau County, and Morgan F. Murphy, Democrat of Illinois, have sponsored legislation that would cut off more than $100-million in foreign aid to Thailand unless she took more action to halt the production and traffic of heroin. Their measure cleared the House Foreign Affairs Committee on June 21 and is included in the Foreign Assistance Act, now pending.

During a Congressional hearing into drug traffic last month, Representative Wolff disputed the Administration's contention that it was making "real progress" in stemming the narcotics flow and said, "we think the trade has got so much protection in high places in Thailand that the Administration is afraid they'll tell us to take our air bases out if we put too much pressure on them."

CIA AIDES ASSAIL ASIA DRUG CHARGE—HEROIN TRAFFIC AMONG ALLIES OF UNITED STATES

(By Seymour M. Hersh)

WASHINGTON, July 21.—The Central Intelligence Agency has begun a public battle against accusations that it knew of but failed to stem the herion traffic of United States allies in Southeast Asia.

In recent weeks, high-ranking officials of the C.I.A. have signed letters for publication to a newspaper and magazine, granted a rare on-the-record interview at the agency's headquarters in McLean, Va., and—most significantly—persuaded the publishers of a forthcoming expose on the C.I.A. and the drug traffic to permit it to review the manuscript prior to publication.

The target of all these measures has been the recent writings and Congressional testimony of Alfred W. McCoy, a 26-year-old Yale graduate student who spent 18 months investigating the narcotics operations in Southeast Asia. His book, "The Politics of Heroin in Southeast Asia," is scheduled to be published by Harper & Row in mid-September—barring delays caused by the intelligence agency's review.

In his book, Mr. McCoy alleged that both C.I.A. and State Department officials have provided political and military support for America's Indochinese allies actively engaged in the drug traffic, have consciously covered up evidence of such involvement, and have been actively involved themselves in narcotic trade.

CMA officials said they had reason to believe that Mr. McCoy's book contained many unwarranted, unproven and fallacious accusations. They acknowledged that the public stance in opposition to such allegations was a departure from the usual "low profile" of the agency, but they insisted that there was no evidence linking the C.I.A. to the drug traffic in Southeast Asia. One well-informed Government official directly responsible for monitoring the illegal flow of narcotics complained in an interview that many of Mr. McCoy's charges "are out of date."

"Go back three or four years," he said, "and no one was concerned about this. It wasn't until our own troops started to get addicted, until 1968 or '69, that anyone was aware" of the narcotics problems in Southeast Asia.

This official said that in the eyes of the C.I.A., the charges were "unfair." He said of the C.I.A., "they think they're taking the heat for being unaware and not doing anything about something that was going on two or three years ago."

BASED ON 250 INTERVIEWS

During two Congressional appearances last month, Mr. McCoy testified that his accusations were based on more than 250 interviews, some of them with past and present officials of the C.I.A. He said that top-level South Vietnamese officials, including President Nguyen Van Thieu and Premier Iran Van Khiem, were specifically involved.

In July, 1971, Representative Robert H. Steele, Republican of Connecticut, said during a House Foreign Affairs subcommittee hearing that the United States Government possessed "hard intelligence" linking a number of high-ranking Southeast Asian officials, including Maj. Gen. Ngo Dzu, then commander of the South Vietnamese II Corps. with involvement in the narcotics trade. Mr. Steele's accusations were denied and mostly ignored.

Mr. McCoy also alleged that Corsican and American syndicate gangsters had become involved in the narcotics trade. He said that such information was known to the C.I.A In a chapter of his book published in this month's Harper Magazine, Mr. McCoy further charged that in 1967 the infamous "Golden Triangle"—an opium-producing area embracing parts of northeastern Burma, northern Thailand and northern Laos—was producing about 1,000 tons of raw opium annually, then about 70 per cent of the world's supply.

The bulk of Mr. McCoy's accusations—both in the magazine and during the Congressional hearings—failed to gain much national attention. Nonetheless, the C.I.A began its unusual public defense after a Washington Star reporter cited some of Mr. McCoy's allegations in a column.

LETTER SENT TO PAPER

Two letters were sent to the newspaper for publication. One was signed by W. E. Colby, the executive director of the C.I.A, and the other by Paul C. Velte, Jr. a Washington-based official with Air America, a charter airline that flies missions for the C.I.A. in Southeast Asia. Both categorically denied the allegations linking C.I.A. personnel to any knowledge of or activity in the drug traffic.

A similar letter of disavowal, signed by Mr. Colby, was sent for publication to the publisher of Harper's Magazine within the last week. Robert Schnayerson, the magazine's editor, said that the letter would be published as soon as possible.

The C.I.A. began its approach to Harper & Row in early June, apparently after learning of Mr. McCoy's appearance before the Senate subcommittee. Cord Meyer Jr., described as a senior agency official, met with officials of the publishing concern and informally asked for a copy of the manuscript for review prior to publication.

On July 5, a formal letter making the request, signed by Lawrence R. Houston, general counsel of the C.I.A. was sent to Harper & Row.

Mr. Houston's request was not based on national security, but on the thesis that "allegations concerning involvement of the U.S. Government (in drug traffic) or the participation of American citizens should be made only if based on hard evidence."

The letter continued: "It is our belief that no reputable publishing house would wish to publish such allegations without being assured that the supporting evidence was valid." If the manuscript were handed over, the letter said, "we believe we could demonstrate to you that a considerable number of Mr. McCoy's claims about this agency's alleged involvement are totally false and without foundation, a number are distorted beyond recognition, and none is based on convincing evidence." A copy of the letter was made available to The New York Times.

Mr. McCoy, in an interview, said that the book had been commissioned by Harper & Row and carefully and totally reviewed by its attorneys with no complaint until the C.I.A. request was made.

B. Brooks Thomas, vice president and general counsel of the publishing house, said in an interview in New York, "We don't have any doubts about the book at all. We've had it reviewed by others and we're persuaded that the work is amply documented and scholarly."

"We're not submitting to censorship or anything like that," Mr. Thomas said. "We're taking a responsible middle position. I just believe that the C.I.A. should have the chance to review it." If Mr. McCoy did not agree, he added, Harper & Row would not publish the book.

In a subsequent interview, Robert L. Bernstein, president of Random House and president of the Association of American Publishers, Inc., said that his concern had twice refused official C.I.A. requests for permission to revise manuscripts.

"In general," Mr. Bernstein said, "our opinion would be that we would not publish a book endangering the life of anybody working for the C.I.A. or an other Government agency. Short of that, we would publish any valid criticism."

In a series of interviews with The New York Times, a number of present and former officials of the C.I.A. acknowledged that smuggling and "looking the other way" was common throughout Southeast Asia during the nineteen-sixties. But many noted that the agency had since taken strong steps to curb such practices.

One official, who spent many years in Southeast Asia, said, "I don't believe that agency staff personnel were dealing in opium. But if you're talking about Air America hauling the stuff around, then I'll bet my bottom dollar that they were in it."

Another former C.I.A. agent described Mr. McCoy's published writings as "1 per cent tendentious and 90 per cent of the most valuable contribution I can think of."

HEROIN AND THE WAR

Alfred McCoy, a Yale graduate student who interviewed 250 people, charges that the Central Intelligence Agency has known of Thai and South Vietnamese official involvement in heroin traffic, has covered up their involvement and has participated in aspects of the traffic itself. The CIA has publicly denied these charges, in the process even persuading Mr. McCoy's publisher, Harper & Row, to let it review his book manuscript before publication. But now there comes an internal government report—done by the CIA and other agencies—on the difficulties of controlling the narcotics trade in Southeast Asia. The report states:

"The most basic problem, and the one that unfortunately appears least likely of any early solution, is the corruption, collusion, and indifference at some places in some governments, particularly Thailand and South Vietnam, that precludes more effective suppression of traffic by the governments on whose territory it takes place."

That is to say, a private report by agencies including the CIA confirms the thrust of charges which the CIA publicly denies. The White House contends the report, completed in February, is "out of date."

Now, we are aware that the Nixon administration has worked with great vigor and much effectiveness to curb the international narcotics trade. The fact remains that the largest supplies of the filthiest poison of them all apparently come from or through Thailand and South Vietnam, if one is to take the CIA's private word—as against its public word—on the matter. Nor should it stretch any reasonable man's credulity to understand that the United States has had to accept certain limitations on its efforts to get those governments to stop drug dealing because it has wanted to ensure their cooperation in the war against North Vietnam. In the final human analysis there is simply no place in the pursuit of honor and a just peace in Southeast Asia for an all-out honest effort to control traffic in heroin. This is the infinitely tragic fact flowing from continued American involvement in the war.

Would heroin addiction among Americans have swollen to its current dimensions and would the amount of heroin reaching the United States from South Vietnam and Thailand have reached its current levels if the war—and power politics—had not gotten in the way of effective American pressure upon the governments in Saigon and Bangkok? If President Nixon needs any further reason to make good his pledge to end the war, this is almost reason enough by itself for what it says about the character of regimes this country has gotten into the habit of supporting—lavishly and indiscriminately—in the name of our "national security" and "world peace."

DD–963 DESTROYER PROGRAM

Mr. MUSKIE. Mr. President, I would like to call the attention of the Senate to that section of the military procurement authorization bill relating to the DD–963 class destroyers, presently scheduled for construction by Litton Industries at the Pascagoula Navy Shipyard.

In July of 1970, the Navy awarded a multi-year procurement contract to Litton Systems, Inc., for the construction of 30 destroyers. To date, Congress has approved and appropriated $1.449 billion for 16 of these ships. According to the original contract schedule, the Navy was to request funding of seven more ships this year and the last seven in fiscal year 1974. Total cost of the full program is now estimated at $2.7 billion.

In its initial fiscal year 1973 budget request, the Navy asked for $610 million for seven additional ships. The Armed Services Committee, however, reduced this to $247 million for the purchase of certain items requiring a long lead-time, rather than to approve full funding. This action was taken as a consequence of a mutual agreement by the Navy and Litton to defer exercising an option to buy seven more ships until the next fiscal year. The committee, in its report, makes only passing reference to the "problems" experienced in Litton's shipyard which could have an impact on the destroyer program.

What is not mentioned is that Litton Industries is at least 24 months behind in the construction of five amphibious assualt craft—LHA's—which must precede the construction of the destroyers.

Nor is it pointed out that the Pascagoula Yard continues to experience severe manpower shortages and management difficulties.

Nor is there any mention of the Navy's statement to Litton that the "slippage—in the amphibious assault craft program—could have a direct and potentially disastrous effect upon your ability to deliver the DD–963 class destroyers."

Nor is there any discussion of the fact that the Navy's contract calls for a shift in the basis of payments to Litton on October 1 to reflect actual physical progress on the LHA's. As a result, Litton may have to return money previously advanced to the Navy, thus calling further into question the company's financial capabilities.

Mr. President, all available evidence indicates that Litton Industries is in serious trouble. Delays and cost over-runs on the destroyer program may be inevitable. I fear, Mr. President, that the DD–963 may soon become a floating C–5A.

Although Litton has not yet defaulted on the DD–963 contract, the implications of their present difficulties are clear. The sad truth of the matter, according to the Navy, is that the terms of the contract impose on the Government an automatic cancellation charge of $279 million if Congress fails to authorize construction of more ships. Thus, without specific Congressional approval, the Navy has obligated the Federal Government to pay a penalty of a quarter of a billion dollars to a contractor if, in the judgment of Congress, further purchases cannot be justified.

This obligation, I should add, is unrelated to the cost of a complete cancellation of the contract, but would be imposed if Congress chose simply to adopt a "wait and see" attitude before approving additional ships. This, Mr. President, is the consequence of the Navy's policy of writing multiyear contracts.

The Navy has placed the Congress in a serious predicament. If we deny the authorization, we may have to pay Litton $279 million. On the other hand, if we approve the authorization, I believe we will most assuredly face future delays and escalating costs.

The solution to this problem, initiated by the distinguished chairman of the House Armed Services Committee, Mr. HÉBERT and included by his committee in its report, was to arrive at an understanding with the Navy that, should Congress authorize funds for advance leadtime items, the Navy would not go forward with a decision to produce additional ships without specific congressional approval. The purpose of this understanding is to preserve the integrity of the contract while temporarily delaying costly commitments to Litton by the Navy. The Senate Armed Services Committee, in effect, accepted this understanding by its recommendation.

Mr. President, I am highly skeptical that this understanding is sufficient to protect the interest, or purse, of the Federal Government. I would have preferred that no further authorizations be granted at this time.

At the very least, the conditions attached to the authorization should have been included in the language of the bill.

The DD-963 program will come before the Senate Appropriations Committee shortly. I intend to urge the committee to review this matter closely to determine if an appropriation at any level can be justified as being in the public interest.

Today we are seeing the disastrous consequences of a Defense Department policy, implemented in 1969 and 1970 in the case of Litton, to award a total procurement package to a single contractor. Despite reservations expressed by Members of the Senate and House Armed Services Committees, and under circumstances strongly indicating a "buy-in," the contract was awarded to Litton over its nearest competitor, Bath Iron Works of Maine. The issue, now as then, is not whether the contract should have been awarded to Bath, but whether the contract should have been awarded to a single company.

Two years ago, in a speech to this body on August 31, 1970, I pointed out that:

> There is clear evidence that award of multiple numbers of ships to a company with a large and diverse backlog presents overwhelming managerial problems which come home to roost for the Navy and Congress.

The evidence today is even more striking. It is particularly painful for our taxpayers who must bear the burden of irresponsible spending in the defense budget.

The VICE PRESIDENT. All time has expired.

The question is on agreeing to the amendment of the Senator from Vermont.

Mr. ALLEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, I would like to state that the amendment we are now voting on is the amendment that I propose. Is that correct?

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Vermont. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. Gambrell) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. Gambrell) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. Mundt) is absent because of illness.

The result was announced—yeas 50, nays 47, as follows:

[No. 330 Leg.]

YEAS—50

Aiken
Allen
Allott
Anderson
Baker
Beall
Bennett
Boggs
Brock
Buckley
Byrd, Harry F., Jr.
Byrd, Robert C.
Cook
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Long
Mathias
McClellan
McGee
Miller
Packwood
Pearson
Roth
Saxbe
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Taft
Talmadge
Thurmond
Tower
Young

NAYS—47

Bayh
Bellmon
Bentsen
Bible
Brooke
Burdick
Cannon
Case
Chiles
Church
Cooper
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Javits
Kennedy
Magnuson
Mansfield
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Stevenson
Symington
Tunney
Weicker
Williams

NOT VOTING—2

Gambrell
Mundt

So Mr. Aiken's perfecting amendment was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that time on any rollcall during the remainder of the day be limited to 10 minutes, with the warning bell sounding after the first 2½ minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. AIKEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STENNIS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BROOKE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I move to lay on the table the amendment of the Senator from Massachusetts (Mr. Brooke).

The VICE PRESIDENT. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Massachusetts (Mr. Brooke).

Mr. SCOTT. On that question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BROOKE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. GRIFFIN. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. BROOKE. Will the Chair state the question again?

The VICE PRESIDENT. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Massachusetts (Mr. Brooke). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. Gambrell) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. Gambrell) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. Mundt) is absent because of illness.

The result was announced—yeas 46, nays 51, as follows:

[No. 331 Leg.]

YEAS—46

Aiken
Allen
Allott
Baker
Beall
Bellmon
Bennett
Boggs
Brock
Buckley
Byrd, Harry F., Jr.
Byrd, Robert C.
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Long
McClellan
McGee
Miller
Packwood
Roth
Saxbe
Scott
Smith
Sparkman
Stennis
Taft
Talmadge
Thurmond
Tower
Weicker
Young

NAYS—51

Anderson
Bayh
Bentsen
Bible
Brooke
Burdick
Cannon
Case
Chiles
Church
Cook
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Javits
Kennedy
Magnuson
Mansfield
Mathias
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Spong
Stafford
Stevens
Stevenson
Symington
Tunney
Williams

NOT VOTING—2

Gambrell
Mundt

So the motion to lay on the table was rejected.

The VICE PRESIDENT. The question recurs on the amendment of the Senator from Massachusetts. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ALLEN (after having voted in the negative). I vote "present."

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. Gambrell) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. Gambrell) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. Mundt) is absent because of illness.

The result was announced—yeas 49, nays 47, as follows:

[No. 332 Leg.]

YEAS—49

Anderson
Bayh
Bentsen
Bible
Brooke
Burdick
Case
Chiles
Church
Cook
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Javits
Kennedy
Magnuson
Mansfield
Mathias
McGovern
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Spong
Stafford
Stevens
Stevenson
Symington
Tunney
Williams

NAYS—47

Aiken
Allott
Baker
Beall
Bellmon
Bennett
Boggs
Brock
Buckley
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Long
McClellan
McGee

McIntyre
Miller
Packwood
Roth
Saxbe
Scott
Smith
Sparkman
Stennis
Taft
Talmadge
Thurmond
Tower
Weicker
Young

ANSWERED "PRESENT"—1

Allen

NOT VOTING—2

Gambrell
Mundt

So Mr. BROOKE's amendment was agreed to.

Mr. ALLEN. Mr. President, not having voted on the previous vote, I move to reconsider the vote by which the amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to table the motion of the Senator from Alabama.

Mr. ALLEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing on the motion to table the motion to reconsider.

On this question the yeas and nays have been ordered and the clerk will call the roll.

Mr. GRIFFIN. Mr. President, a parliamentary inquiry. What is the vote on?

The VICE PRESIDENT. A motion to table the motion to reconsider.

Mr. GRIFFIN. I thank the Chair.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL), and the Senator from Montana (Mr. METCALF) are necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 49, nays 47, as follows:

[No. 333 Leg.]

YEAS—49

Anderson
Bayh
Bentsen
Bible
Brooke
Burdick
Case
Chiles
Church
Cook
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Javits
Kennedy
Magnuson
Mansfield
Mathias
McGovern
McIntyre
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Spong
Stafford
Stevens
Stevenson
Symington
Tunney
Williams

NAYS—47

Aiken
Allen
Allott
Baker
Beall
Bellmon
Bennett
Boggs
Brock
Buckley
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Long
McClellan
McGee
Miller
Packwood
Roth
Saxbe
Scott
Smith
Sparkman
Stennis
Taft
Talmadge
Thurmond
Tower
Weicker
Young

NOT VOTING—3

Gambrell
Metcalf
Mundt

So the motion to table the motion to reconsider was agreed to.

Mr. ALLEN. Mr. President, I move to table the Cranston amendment as perfected by the Aiken amendment as amended by the Brooke substitute.

The VICE PRESIDENT. The question is on the motion to table.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Colorado will state it.

Mr. DOMINICK. Mr. President, I think that some of us are perhaps a little confused as to where we stand at this moment. Do I correctly understand that the Brooke amendment we just agreed to was an amendment to, or a substitute for, the Cranston amendment as modified by the Aiken substitute?

The VICE PRESIDENT. The Brooke amendment was a substitute for the other amendment.

Mr. DOMINICK. Mr. President, the vote then at the present time—am I correct—is just on the Brooke amendment?

The VICE PRESIDENT. The Senator is correct.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. PASTORE. Mr. President, would not the motion of the Senator from Alabama (Mr. ALLEN) vitiate the vote we have just taken?

The VICE PRESIDENT. The motion would table the entire amendment as amended.

Mr. PASTORE. I thank the Chair.

The VICE PRESIDENT. The question is on agreeing to the motion to table. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The yeas and nays resulted—yeas 46, nays 50, as follows:

[No. 334 Leg.]

YEAS—46

Aiken
Allen
Allott
Baker
Beall
Bellmon
Bennett
Boggs
Brock
Buckley
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Long
McClellan
McGee
Miller
Packwood
Roth
Saxbe
Smith
Sparkman
Stennis
Taft
Talmadge
Thurmond
Tower
Weicker
Young

NAYS—50

Anderson
Bayh
Bentsen
Bible
Brooke
Burdick
Case
Chiles
Church
Cook
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Javits
Kennedy
Magnuson
Mansfield
Mathias
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Spong
Stafford
Stevens
Stevenson
Symington
Tunney
Williams

ANSWERED "PRESENT"—1

Scott

NOT VOTING—2

Gambrell
Mundt

The VICE PRESIDENT. On this vote the yeas are 46 and the nays are 50. The motion to table the Cranston amendment is not agreed to.

Mr. SCOTT. Mr. President, not having voted on the prevailing side, I move to reconsider.

Mr. JAVITS. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. JAVITS. Is a motion to table subject to a motion to reconsider?

The VICE PRESIDENT. According to the Parliamentarian, it is.

Mr. JAVITS. I thank the Chair.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. PASTORE. Is a vote "present" a vote in the affirmative?

The VICE PRESIDENT. A yea vote to reconsider would open the vote again.

The question is on the motion to reconsider.

Mr. MANSFIELD. I move to table the motion.

The VICE PRESIDENT. The question is on the motion to table.

Mr. MANSFIELD. I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays have been requested.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Minnesota is recognized.

Mr. HUMPHREY. Mr. President, I want to ask the Chair, as a matter of policy and substance, is the vote "present" with the rules of this body or is it required that it be a yea-and-nay vote, unless there is a conflict of interest?

The VICE PRESIDENT. The Chair will consult the Parliamentarian.

The Chair will request the clerk to read rule XII.

The assistant legislative clerk read as follows:

RULE XII

1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

2. When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefor, and having assigned them, the Presiding Officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate; and these proceedings shall be had after the roll call and before the result is

> announced; and any further proceedings in reference thereto shall be after such announcement.

Mr. PASTORE. Mr. President, I move——

The VICE PRESIDENT. The Senator from Minnesota has the floor.

Mr. HUMPHREY. In light of the reading of the rule, I think it is necessary for the Senator who voted "present" to assign his reasons for voting "present" and to have this body stand in judgment as to whether or not those reasons are valid.

Mr. President, I was in this body when other Senators were compelled to vote, whether they wanted to or not. I cite for precedents the 1950's, at the time when the then Senator from New York, Mr. Lehman, was involved. If Senators will look at the precedents on that occasion, they will find that a vote is required unless there is unanimous consent or unless there is a vote by a majority of this body on the basis of the reason given by the Senator.

Mr. SCOTT. Mr. President——

The VICE PRESIDENT. The Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I make the point of order, having been recognized, that the inquiry raised by the Senator from Minnesota comes too late, because the vote has been announced and the statement made by the Senator from Minnesota is now moot.

Mr. PASTORE. Mr. President——

The VICE PRESIDENT. The Senator from Rhode Island.

Mr. PASTORE. Mr. President, I move at this time that the Senator from Pennsylvania be compelled to state his reason and cast his vote.

The VICE PRESIDENT. The Chair rules that the objection to the vote of "present" comes too late. It is not timely. Therefore, the question now is on the motion to table.

Mr. HUMPHREY. Mr. President——

The VICE PRESIDENT. Had it been done, according to the advice of the Parliamentarian, at a time before the vote was announced, it would have been timely, but it is not timely at this time.

Mr. HUMPHREY. Mr. President, I say the vote that had been announced was invalid because it violates the rules of the Senate, and the rules of the Senate cannot be violated.

The VICE PRESIDENT. The Chair has made its ruling.

Mr. HUMPHREY. Mr. President, I appeal from the ruling of the Chair.

The VICE PRESIDENT. The ruling of the Chair is appealed.

Several Senators requested the yeas and nays.

The VICE PRESIDENT. There is a sufficient second.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from West Virginia.

Mr. STENNIS. Mr. President, regular order.

The VICE PRESIDENT. The Senator from West Virginia has the floor. The Senate will be in order.

Mr. ROBERT C. BYRD. Mr. President, may I be heard on the appeal for just 1 minute?

The VICE PRESIDENT. Is there objection? The Chair hears no objection.

Mr. ROBERT C. BYRD. Mr. President, in my judgment, after a careful reading of the rule, I think that the Chair is correct in its ruling. I would hope that the Senate would not overturn the ruling of the Chair. May I say that I have had enough of this voting back and forth now, and I intend to vote to lay the motion to reconsider on the table, which I would not have done otherwise, but I do hope that, in order that we might preserve the precedents of the Senate, we will not vote to overrule the Chair's ruling.

I read now from rule XII:

> When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefor—

But the Senator was not so required at that time—

> and having assigned them, the Presiding Officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?"—

The Chair did not submit the question—

> which shall be decided without debate;

That was not decided because the Chair did not submit the question to the Senate—

> And these proceedings shall be had after the roll call and before the result is announced.

But the result of the rollcall had been announced, thus making any point of order untimely.

So I accept the Chair's ruling, because I think it is correct from a reading of the rule, and I hope that Senators will negate the call for the yeas and nays to appeal from the ruling of the Chair, and let us try to avoid a challenge to the rule and tc precedents.

The VICE PRESIDENT. The Senator's time has expired.

Mr. HUMPHREY. Mr. President——

The VICE PRESIDENT. The Senator from Minnesota.

Mr. HUMPHREY. Mr. President, may I say, in order to expedite the business of this body, in light of the explanation of the distinguished majority whip, I withdraw the appeal.

The VICE PRESIDENT. Is there objection to the withdrawal of the appeal? Without objection, it is so ordered.

Mr. CHILES. Mr. President——

Mr. MILLER. I object.

Mr. MANSFIELD. Mr. President, the Senator is too late. The Chair ruled. The Senator from Florida was seeking recognition.

Mr. CHILES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CHILES. The ruling of the Chair was that the objection to the vote of "present" was not timely because the result of the vote had been announced. The inquiry is as follows, Mr. President: Further objection could be made on the question of whether the vote of "present" is correct or not on the question of whether the Senator has standing to make a motion to reconsider. That question would not be moot. The rollcall vote would not have cured that. That would be a new question. So the point of order that I would raise would be that the Senator from Alabama, or the Senator from Ohio, cannot move to reconsider the question, or the Senator from Pennsylvania cannot move to reconsider the question, because he did not vote on the affirmative side of the question.

Mr. ALLEN. Mr. President——

The VICE PRESIDENT. The Parliamentarian advises the Chair that the Senator did not vote on the prevailing side; nor did he vote on the losing side; he simply announced himself as present, and therefore the objection to his vote as "present" was not timely, and the Chair so rules.

The question before the Chair now is on the motion to table. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, a motion to table what?

The VICE PRESIDENT. The Senator from Montana's motion to table the motion to reconsider.

The legislative clerk called the roll.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana to lay on the table the motion to reconsider the previous motion to lay on the table. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 52, nays 45, as follows:

[No. 335 Leg.]

YEAS—52

Anderson
Bayh
Bentsen
Bible
Brooke
Burdick
Byrd, Robert C.
Cannon
Case
Chiles
Church
Cook
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Javits
Kennedy
Magnuson
Mansfield
Mathias
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Spong
Stafford
Stevens
Stevenson
Symington
Tunney
Williams

NAYS—45

Aiken
Allen
Allott
Baker
Beall
Bellmon
Bennett
Boggs
Brock
Buckley
Byrd, Harry F., Jr.
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Long
McClellan
McGee
Miller
Packwood
Roth
Saxbe
Scott
Smith
Sparkman
Stennis
Taft
Talmadge
Thurmond
Tower
Weicker
Young

NOT VOTING—2

Gambrell
Mundt

So the motion to lay on the table the motion to reconsider the vote by which the previous motion to lay on the table was rejected, was agreed to.

The VICE PRESIDENT. The question now recurs on agreeing to the amendment of the Senator from California (Mr. CRANSTON) as amended by the amendment of the Senator from Massachusetts (Mr. BROOKE). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 50, nays 47, as follows:

[No. 336 Leg.]

YEAS—50

Allen
Anderson
Bayh
Bentsen
Bible
Brooke
Burdick
Case
Chiles
Church
Cook
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Javits
Kennedy
Magnuson
Mansfield
Mathias
McGovern
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Spong
Stafford
Stevens
Stevenson
Symington
Tunney
Williams

NAYS—47

Aiken
Allott
Baker
Beall
Bellmon
Bennett
Boggs
Brock
Buckley
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Long
McClellan
McGee
McIntyre
Miller
Packwood
Roth
Saxbe
Scott
Smith
Sparkman
Stennis
Taft
Talmadge
Thurmond
Tower
Weicker
Young

NOT VOTING—2

Gambrell
Mundt

So Mr. CRANSTON's amendment, as amended, was agreed to.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

Mr. ALLEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. HARRY F. BYRD, JR.). The question is on agreeing to the motion to lay on the table the motion to reconsider the vote by which the Cranston amendment was agreed to.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL) is necessarily absent.

I further announce that if present and voting, the Senator from Georgia (Mr. GAMBRELL), would vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 51, nays 46, as follows:

[No. 337 Leg.]

YEAS—51

Anderson
Bayh
Bentsen
Bible
Brooke
Burdick
Byrd, Robert C.
Case
Chiles
Church
Cook
Cranston
Eagleton
Fulbright
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Javits
Kennedy
Long
Magnuson
Mansfield
Mathias
McGovern
McIntyre
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Spong
Stafford
Stevens
Stevenson
Symington
Tunney
Williams

NAYS—46

Aiken
Allen
Allott
Baker
Beall
Bellmon
Bennett
Boggs
Brock
Buckley
Byrd, Harry F., Jr.
Cannon
Cooper
Cotton
Curtis
Dole
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
McClellan
McGee
Metcalf
Miller
Packwood
Roth
Saxbe
Scott
Smith
Sparkman
Stennis
Taft
Talmadge
Thurmond
Tower
Weicker
Young

NOT VOTING—2

Gambrell
Mundt

So the motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kansas.

Mr. DOLE. Mr. President, I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

> At the end of bill insert the following:
>
> Notwithstanding any provision of this act the Congress of the United States hereby accepts and assumes full responsibility for the consequences of the policy established by any section of this act.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays, and the regular order.

The yeas and nays were ordered.

Mr. MANSFIELD. Regular order, Mr. President.

Several Senators addressed the Chair.

Mr. PASTORE. Mr. President, I move that the amendment be laid on the table.

Mr. STENNIS. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Mississippi will state his point of order.

Mr. STENNIS. Mr. President, I make the point of order that the amendment is out of order. The time has long since passed for a time to vote on the bill. The only reason that I did not make the point of order earlier was that the amendments on which we had the votes had been included in the unanimous-consent agreement. If the amendment had come in before 6 o'clock, that would have been a different situation. I think it would have been in order. However, under the unanimous-consent agreement, it is now out of order.

The PRESIDING OFFICER. The Chair announces that under the precedents on unanimous-consent agreements, amendments may be presented and acted upon. However, there can be no debate on such amendments.

Mr. MANSFIELD. Regular order, Mr. President.

Several Senators addressed the Chair.

Mr. PASTORE. Mr. President, I made a motion to lay on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

Mr. PASTORE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MATHIAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Maryland will state his parliamentary inquiry.

Mr. MATHIAS. Mr. President, will it be possible to offer an amendment to this amendment after the vote on the motion to lay on the table, provided the amendment is not tabled?

The PRESIDING OFFICER. It is an amendment in the first degree, and it would be subject to amendment.

The question is on agreeing to the motion to table. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 59, nays 38, as follows:

[No. 338 Leg.]

YEAS—59

Anderson
Bayh
Bentsen
Bible
Brooke
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Church
Cooper
Cranston
Eagleton
Eastland
Ervin
Fulbright
Gravel
Harris
Hart
Hartke
Hollings
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy
Long
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Saxbe
Spong
Stafford
Stennis
Stevenson
Symington
Talmadge
Tunney
Weicker
Williams
Young

NAYS—38

Aiken
Allen
Allott
Baker
Beall
Bellmon
Bennett
Boggs
Brock
Buckley
Cook
Cotton
Curtis
Dole
Dominick
Fannin
Fong
Goldwater

Griffin
Gurney
Hansen
Hatfield
Hruska
Jordan, Idaho
Mathias
Miller
Packwood
Pearson
Percy
Roth
Schweiker
Scott
Smith
Sparkman
Stevens
Taft
Thurmond
Tower

NOT VOTING—2

Gambrell
Mundt

So the motion to lay the Dole amendment on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I think we are down now to third reading of the bill.

Mr. MILLER. Mr. President——

Mr. STENNIS. I certainly hope so. In view of that I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MILLER. Mr. President. I believe there is a serious omission in the bill in the way the Senate has perfected it. I call up my amendment which is at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read, as follows:

At the end of the bill, as amended, add the following:

"Notwithstanding any other provisions of this Act the withdrawal of United States forces from Vietnam, Laos, and Cambodia shall not be completed until there has been an accounting for United States servicemen missing in action by the Government of North Vietnam or any government allied therewith."

Mr. MANSFIELD. Mr. President, I move to table the amendment.

Several Senators requested the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays are ordered and the clerk will call the roll.

Mr. ROBERT C. BYRD. Mr. President, this vote is on the motion to table; is that correct?

The PRESIDING OFFICER. The question is on the motion to table.

Mr. MILLER. Who made the motion?

Mr. MANSFIELD. I did.

Mr. PASTORE. The majority leader.

Mr. MILLER. Have the yeas and nays been ordered on the motion to table?

Mr. ROBERT C. BYRD. Mr. President, I ask for the yeas and nays on the motion to table.

The PRESIDING OFFICER. There is a sufficient second. The yeas and nays have been ordered on the motion to table. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, a parliamentary inquiry. I know the ordinary rule is——

The PRESIDING OFFICER. The rollcall is in progress.

Mr. MILLER. Regular order.

Mr. STENNIS. May I make a parliamentary inquiry?

The PRESIDING OFFICER. A parliamentary inquiry is not in order during a rollcall. The clerk will continue with the call of the roll. The Senate will be in order.

The legislative clerk resumed and concluded the call of the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 1, nays 96, as follows:

[No. 339 Leg.]

YEAS—1

Cooper

NAYS—96

Aiken
Allen
Allott
Anderson
Baker
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Brooke
Buckley
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Church
Cook
Cotton
Cranston
Curtis
Dole
Dominick
Eagleton
Eastland
Ervin
Fannin
Fong
Fulbright
Goldwater
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NOT VOTING—2

Gambrell
Mundt

So the motion to lay Mr. MILLER's amendment on the table was rejected.

Mr. STENNIS. Mr. President, I ask unanimous consent, in view of the fact that we understand what is in the amendment, that the order for the yeas and nays be vacated and that we vote on the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. GOLDWATER. I object.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to the amendment offered by the Senator from Iowa.

Mr. GOLDWATER. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Georgia (Mr. GAMBRELL) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 95, nays 2, as follows:

[No. 340 Leg.]

YEAS—95

Allen
Allott
Anderson
Baker
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Brooke
Buckley
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Church
Cook
Cotton
Cranston
Curtis
Dole
Dominick
Eagleton
Eastland
Ervin
Fannin
Fong
Fulbright
Goldwater
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—2

Aiken
Cooper

NOT VOTING—2

Gambrell
Mundt

So Mr. MILLER's amendment was agreed to.

The PRESIDING OFFICER (Mr. HUMPHREY). The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

REPRESSION IN SOUTH VIETNAM

Mr. GRAVEL. Mr. President, President Nixon not long ago returned from a historic mission to Moscow dedicated to improving the chances for peace in the world. At the presentation of the SALT agreements, he proclaimed proudly that the world has moved a little closer to peace—a world safe for all the little Tanyas in every nation. There is not one of us in this Senate who does not share this desire for peace. Americans may be sharply divided on the methods best designed to obtain peace; we are as one in wanting to attain it.

Across the other ocean, President Nixon's ally, President Thieu, announced on July 15, 1970:

> I am ready to smash all movements calling for peace. We will beat to death the people who are demanding peace.

Thus speaks our ally, the anti-Communist leader of South Vietnam.

He has been beating them to death. On August 31, 1970, a national student congress in Saigon was invaded by his secret and combat police. After blockading the center, they set upon the students as they emerged from the building.

Tear gas and nausea gas first incapacitated them; as they tried to flee, the blockade was tightened. Helicopters then appeared firing tear gas and flame rockets, while those who escaped the target area were clubbed or stoned by the police; 117 were arrested.

Among the 117 was Huynh Tan Mam, a frail medical student who has been elected and reelected president of the medical student council, elected by all departments to be president of the Saigon Student Union, and similarly elected by the various student unions to be president of the South Vietnam National Student Union. Mam was unconscious when he arrived at the police station.

At this point, some may say that we have our student radicals, too. But a medical student or a law student in Vietnam has never been considered a child in school. In a country of many illiterates and barely lettered peasants, the veneration accorded to students has traditionally demanded of them leadership in the affairs of the country. As adults with special advantages, they have been asked to perform special services in guiding the thinking of their nation.

They have, that is, until the free and democratic government of President Thieu set out to "smash all movements calling for peace." It has not been a goal easy for him to achieve, for Vietnamese students do not protest in waves of enthusiasm, only to sink back into other roles at off-seasons. They regard leadership as a responsibility, a responsibility shared with labor union leaders, businessmen, publishers, Buddhist and Catholic authorities.

I should like to follow briefly the career of Huynh Tan Mam up to the present as an epitome of the fate of thousands of loyal Vietnamese who wish for their country a new day of peace.

Actually, the arrest outside the national student council was not Mam's first arrest. His first was in March of 1970 and was followed by 3 months in prison under daily torture. Soapy water was forced into his ears and mouth; he was kicked in the stomach and hung upside down by his toes; lighted cigarettes were applied to his genitals.

> We will beat to death the people who are demanding peace.

But the Vietnamese are not a people easily beaten to death—or even beaten back. How often we have been made aware of this almost fanatical Vietnamese courage when displayed by the North Vietnamese in warfare. We see the same indomitable determination in the South Vietnamese in their battle for peace. What the North Vietnamese endure for their military, the South Vietnamese endure against the militarization of their country.

After his arrest in August of 1970, a court refused to rule on Mam's case because there was no evidence. Was he released? No, he was to be smashed. He was taken before one of the unconstitutional military field tribunals set up to circumvent the guarantees of fair trial written into the Vietnamese Constitution. Here a conviction was readily obtained—a conviction promptly overturned by the Supreme Court of South Vietnam, which ruled that a civilian could not be tried by a military court, and that the evidence presented had been obtained by torture.

I wish we could take satisfaction in this evidence of judicial stability in South Vietnam. Unfortunately, the Saigon Government responded by removing the presiding supreme court justice in favor of a more amenable man. Legislation was hastily passed drawing a patina of constitutionality over the military field tribunals. One civilian judge was added to the four military judges sitting on each military field court, and the right of appeal was written into the military field court system. Thus, the military field courts were maintained as a reliable alternative to the constitutionally established civilian courts.

Mam and the 40 others arrested with him remained in jail. Six months later, growing popular pressure and a fast till death or release by Mam and 12 others forced their release.

When we speak of the repression of the public will by the Communists, we often forget that it is repression of the public will that is evil—not the label under which it is conducted. We oppose communism because it is so often characterized by repression of civil liberty; we do not oppose repression of civil liberty because it is Communist. When that repression of civil liberties occurs in a non-Communist country, we must oppose and condemn it for its intrinsic evil.

On Christmas Eve, Mam was arrested again, along with 30 others, in what was termed by the South Vietnamese Government a "preemptive raid." In ordinary English, this means that the student leaders had done nothing, but it was feared they might arouse passions for peace at the Christmas season. They were released a few days later.

On May 1, 1971, Mam was again arrested, this time with 21 others, and again taken before another military field court. Mam was last arrested on January 5, 1972, without warrant, and tortured at the Saigon Metropolitan Police Station. This did not occur as the result of some rally or incident, although Mam had previously released a statement calling for peace. Mam was accosted as he left the school and whisked away. Eyewitnesses have testified to his arrest by abduction but no report of his whereabouts was released by the government—as of March 1972. American Report magazine, in the issue of January 28, 1972, quoted a U.S. State Department official who did confirm Mam's arrest, saying:

> It looks like they may be out to get him this time.

Get him they have. Mam is now partially blinded, partially deaf, and crippled. Another prisoner who saw Mam in April said Mam's face was so swollen and peeling he was almost unrecognizable. This student prisoner, however, was able to talk with Mam. Mam has been kept in the glare of 200-watt bulbs directly in front of his eyes, beaten on knees and legs, tortured with electric shock, and ingenious methods of twisting the fingers about a ruler. In a note which Mam smuggled out of the jail, he reports having been secretly sentenced to 2 years in a government detention camp. His mother has been constantly told that he was not in detention and sometimes that he has fled to North Vietnam.

Or I could tell you about Madame Ngo Ba Thanh, graduate of our own Columbia Law School, wife of the former director of the Institute of Oceanography who lost his position because of their search for peace. She is the daughter of Dr. Pham Van Huyen, once an official in Diem's government charged with supervising the emigration of those who came south in 1954. Dr. Huyen is now in exile because he spoke for peace. Madame Thanh is chairman of the Women's Movement for the Right to Live, which supported Long Thanth Orphans' Village until President Thieu summarily closed it in February of this year and removed the 3,000 orphans from this care. The Women's Movement for the Right to Live also distributed in July 1971 a four-point declaration for human dignity and an end to the war. Following this statement hundreds of the women were arrested and subjected to the most indecent tortures.

For her deep concern for the little Tanyas of South Vietnam, their immediate health and their chances to grow up in a world at peace, Madame Ngo Thanh has been repeatedly arrested, her health broken, and her personal life totally disrupted. In 1971, fabricated charges against her were twice thrown out of court, but Madame Thanh was returned each time to confinement.

As reported in the New York Times, when at last she returned home on September 16, 1971, she was arrested by ruse 2 days later. She had been at a demonstration against a one-candidate presidential ballot, led by Ngo Cong Duc, a former Lower House Deputy. When the peaceful gathering was dispersed by tear gas and clubs, she joined friends at tea in a nearby hotel. From there she was flushed by a false cry of alarm that Ngo Cong Duc had been wounded in a bombing.

On running from the hotel, she and her friends were met with tear gas and vomit gas. She was taken to the hospital vomiting blood and needing a doctor. She continued to be severely ill, nauseated, vomiting blood, breathing shallowly, unable to talk or open her eyes after she had been moved to prison. When her husband brought a doctor himself, they were barred from seeing her. Her husband's despair caused him to attempt suicide in protest. Though he was prevented, his action did result in a police doctor being summoned.

As soon as Madam Thanh had recovered a little, however, she was submitted to interrogation with the result that she soon had to be transferred to the Municipal Police Hospital.

On March 22 of this year, after 6 months of prison and interrogation, Madam Thanh was carried to trial on a stretcher. She suffered heart failure and a severe asthma attack in the court room, but despite the pleadings of a doctor who insisted she could die at any moment, the five military judges refused to release her to a civilian hospital. Madam Ngo Ba Thanh returned to the prison at Thu Duc while relatives and friends sought vainly to get word of her condition.

How long shall our government dedicate itself to bringing peace to Vietnam while continuing to support a Government of South Vietnam which brands the mere mention of peace an act of treason? How long shall we save the South Vietnamese from the thought control and civil repression of communism by enslaving them to the thought control and civil repression of the Thieu Government? How long shall we demand human treatment for American prisoners of war in North Vietnam while underwriting torture and barbarity in the prisons of South Vietnam?

We in this Congress have not forgotten the chilling reports of Representative William Anderson and his team who discovered, in July of 1970, the infamous tiger cages of Con Son where shackled prisoners, three or four to a 5 by 9 cage, could not stand. Beaten bodies crusted with sores and scars, some with fingers missing, many partially blinded, were found living under ceiling bars through which lime was poured when they cried for food or drink or medicine.

How many of us know, however, that the United States is paying $400,000 this year to rebuild the tiger cages of Con Son? The Buffalo Evening News of April 25, 1972, headlined this super secret and "top 10 classification" project for priority supplies and personnel. A Federal court jury received a copy of our contract with Raymond, Morrison, Knudsen, Brown, Root & Jones, a $400,000 contract funded by the Military Assistance Command Civil Operations for Revolutionary Development and Support.

These cages, smaller than the originals, are not intended for North Vietnamese soldier prisoners—"enemies." They are intended for those who proclaim in South Vietnam the same desire for ultimate peace that our own President carries to Peking and Moscow.

The South Vietnam Constitution, hailed as the promise of a really democratic alternative to North Vietnamese communism when it was passed in 1967, states:

> Any restriction upon the basic rights of the citizens must be prescribed by law and the time and place within which such a restriction is in force must be clearly specified. In any event, the essence of all basic freedoms cannot be violated.

These basic freedoms have, in fact, never existed. Two of the defeated presidential candidates—in a field from which all Communist or neutralist contenders were eliminated—were arrested after the 1967 election. The Catholic priests of La Joc were arrested in November of 1971 and their journals seized when they sustained workers in a strike. In January of 1972, 159 issues of Saigon newspapers were confiscated for printing materials of which the Government did not approve. As long ago as 1968, Ton That Thien, Minister of Information for the Republic of South Vietnam, said:

> People who don't defend the national cause should not use the press. That is the whole Government policy. I have to carry it out.

The students of South Vietnam must move from house to house when they assume positions of leadership, and they are at times set upon by Army MP's, at times our own Army MP's—June 14, 15, 16, 1970—with M–16 rifles, tear gas grenades, and fire grenades. Labor leaders such as the chairman and general secretary of the Laborers' Trade Unions in 1971, have been imprisoned and intimidated.

What has been de facto since the partition of Vietnam has become de jure with the excuse of North Vietnam's present offensive. In declaring martial law in May, President Thieu abrogated all legislative powers save the declaration of war and the making of peace to himself. This, as Members of the American Congress should well appreciate, is not the imposition of strict control upon a populace under fire. This is, as the Baltimore Morning Sun described it, a total bypassing of the legislative branch of an elected government.

The following day, Vu Khanh, chief Government spokesman, said that President Thieu was working on new regulations:

> All kinds of liberties must now be restricted.

Specifically this legislation is to legitimatize what has in fact been President Thieu's policy since 1967.

Houses may be entered and searched without warrant; all travel, within as well as outside the country, is restricted; public meetings are banned; political and religious organizations may no longer publish newspapers, books, pamphlets, and leaflets; newspapers may publish only official war news. Vu Khanh said:

> We cannot have criticism of the Government and an active political opposition.

For the time being, he said, political parties will be allowed to continue, but—

> Opposition and criticism of the Thieu Government is prohibited.

And he added, lest there be any doubt left—

> All political parties must now support the Government or remain silent.

The Thieu Government has moved beyond the state where we could call its repressions and tortures and megalomania merely the inability of a government to understand quickly and implement fully the implications of a new, democratic constitution. The Thieu Government seeks to legislate that constitution out of effective existence, demonstrating in unequivocal words and laws that it understands the meaning of that constitution precisely, it knows exactly how it must be nullified, and it is determined to affect a definitive legislative nullification.

Like Diem before him, President Thieu is drawing the reins of power into his own hands, depending upon a tight circle of relatives rather than any elected leaders. His uncle is head of the Government Inspectorate; a cousin in charge of the Ministry of Education; another cousin heads the Ministry of Agricultural and Rural Development; yet another cousin is a province chief; his wife's nephew is press secretary.

The legislature is emasculated, the courts bypassed by the establishment of military field tribunals, the press muzzled, religious groups silenced, political groups disenfranchised, student leaders mowed down by military hardware, the prisons full to overflowing with citizens who are not charged, often not tried, and subjected to the most fiendish punishments humanity can devise.

President Nixon calls for peace with honor in Southeast Asia. There is no honor in the support of repression, persecution and dictatorship. We do not support these qualities in North Vietnam; we must not support them in South Vietnam.

REFUGEE RELOCATION IN VIETNAM

Mr. President, in a February 10, 1972, letter to the Secretary of State, I expressed deep concern about possible large-scale relocations of Vietnamese refugees from camps in the northernmost province of South Vietnam to new homes 450 miles away. Recent newspaper reports from Vietnam support my worst fears.

The letter stressed my dismay at seeing Vietnamese refugees moved further from their homes than ever before. I hoped by writing that letter to avoid having another unfortunate chapter added to the Vietnam tragedy when the administration was claiming that the war was winding down—claims which were quickly forgotten in the wake of the recent upsurge of fighting in Vietnam.

Back came a soothing reply from Assistant Secretary of State for Congressional Relations, David M. Abshire, on March 8, 1972. Mr. Abshire quoted some Vietnamese history, discussed hopeful plans and programs, and listed plentiful, reassuring statistics—but gave no true response to my specific questions.

Two articles dated June 27, 1972—one by Laurence Stern in the Washington Post and the other by Peter Kann in the Wall Street Journal—detail the *current* refugee situation and directly contradict American Government claims of refugee well-being.

The Assistant Secretary referred to the "secure tracts of land in Phuoc Tuy and Long Khanh Provinces in military region 3" to which the people were moved. He also spoke sanguinely of the "800 hectares of land which had been set aside for them and housing, medical services, food, blankets, and tools had been arranged." Yet, the articles point out that the original group of 1,300 refugees, later joined by a new group, was forced to flee the resettlement camp in mid-June after the Vietcong entered the area. Thus, despite Government assurances, the land proved little more secure than their former homes.

The most significant gap, however, between American claims and actual performance of pacification programs, is the failure to allocate to the refugees the promised three hectares of riceland so necessary for making a living in Vietnam.

The refugees also have not received many of the supplies to which they are entitled under the specifications of the pacification program.

One of the refugees lamented:

> We were promised agricultural implements, material to build houses and land—three hectares of land (about seven acres.) We were promised 1,000 piasters when we got on the plane. But all we're getting is a half kilo (about a pound) of rice and salt. And we are in danger of losing that.

This latest refugee relocation, like most pacification programs, may sound good in smooth explanations from the State Department. In reality, the program merely creates new burdens for the Vietnamese refugees.

The relocation scheme should not be resumed after the current fighting dies down. If the Vietnamese Government cannot take care of 1,300 people, it certainly cannot claim to be capable of resettling hundreds of thousands of people. The United States must move to withdraw immediately from the war in Vietnam and cease supporting grand programs designed to save the Vietnamese people but which only further destroy their lives and livelihood.

I ask unanimous consent to have printed in the Record an article from the Wall Street Journal entitled "Refugees in Vietnam: Not Just Fatalistic Flotsam of the War," and another from the Washington Post entitled "South Vietnamese Refugees Flee Showcase Hamlet." I also ask consent that my letter to Secretary Rogers concerning Vietnamese refugees, and Assistant Secretary Abshire's reply, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

February 10, 1972.

Hon. William P. Rogers,
Secretary of State,
Washington, D.C.

Dear Secretary Rogers: It has come to my attention the 1,500 refugees have been moved from their camps in the northernmost province of South Vietnam to new homes 450 miles away. I wish to express my deepest concern that at a time when the United States Government is claiming that the war is winding down, another unfortunate chapter is being added to the Vietnam tragedy.

I am especially dismayed to see that Vietnamese refugees are being moved farther from their homes than ever before. I also understand that though only a small number of people have moved, so far, a much larger number will soon be relocated.

In this regard, I will appreciate your providing answers to the following questions:

(1) How large are the relocations planned for the future?

(2) What preparations have been made to receive the refugees in their new homes?

(3) How involved is the United States in the current movement or any future movements?

(4) Has sufficient security yet been attained under the Vietnamization program to enable the refugees to return to their former homes in the I Corps region of South Vietnam?

(5) How do these relocations fit in with military plans of the South Vietnamese government to continue to fight the war?

I hope that the United States will not be involved in another forced relocation of the Vietnamese people of the kind that has occurred so frequently in the past.

Thank you for your attention to this matter.

Sincerely,

Mike Gravel.

Department of State,
Washington, March 8, 1972.

Hon. Mike Gravel,
U.S. Senate,
Washington, D.C.

Dear Senator Gravel: The Secretary has asked me to reply to your February 10 letter regarding the recent movement of some 1,300 refugees from Quang Tri Province to new homes in Phuoc Tuy Province, some 450 miles to the south.

The resettlement is the first established under the guidance of the Vietnamese Government's Directorate-General for Land Development and Hamlet Building, a sort of homesteading program which was established early in 1971 to put into production large areas of abandoned or virgin agricultural land, and to offer new economic opportunities to refugees, wartime urban dwellers, newly discharged veterans, and other needy and deserving South Vietnamese citizens. Much of this land is in Southern South Viet-Nam, owned by the Vietnamese Government as a result of the land reforms of the 1950s.

Vietnamese are traditionally attached to their native soil and the graves of their ancestors, but movement southward in search of a better life is also a strong Vietnamese tradition, not unlike our own westward movement. As recently as 1954, at least 800,000 Vietnamese moved from North to South Viet-Nam to escape Communist rule.

The Vietnamese Government's policy, which we support, has been to assist refugees in returning to their native villages if possible, and to resettle them elsewhere, as close as possible to home, if necessary. The most persistent residual refugee problem has been those Vietnamese in Central Viet-Nam who have been living in refugee sites for as many as four to five years. These sites are often unsatisfactory, partly because Central Viet-Nam has always had less land suitable for rice cultivation per capita than other parts of the country, and partly because the refugees themselves have been reluctant to improve the sites because they recognize them as not economically viable in the long run. Their prospects for return to their native villages are bleak for security reasons; for example, some of them originally lived in what is now the Demilitarized Zone.

The Quang Tri-Phuoc Tuy move follows the identification by the Vietnamese Directorate-General of Land Development and Hamlet Building of several secure tracts of land in Phuoc Tuy and Long Khanh Provinces in Military Region 3, discussions between Director-General Dr. Phan Quang Dan and village and hamlet chiefs at Ha Thanh resettlement site, visits by these leaders in September and October 1971 to the various possible sites, a report by these leaders to their people on the various sites and a recommendation that they accept the Government's offer of land at Suoi Nghe in Phuoc Tuy Province, and individual and voluntary signatures by some 2,000 residents of Ha Thanh expressing their desire to move. More than 1,300 of these were flown January 5–9 to Suoi Nghe, where 800 hectares of land had been set aside for them and housing, medical services, food, blankets and tools had been arranged. Reports to date indicate that the settlement is making good progress and that several hundred previously undecided Ha Thanh residents have now expressed the wish to join their neighbors.

I have the following answers to your specific questions:

1. How large are the relocations planned for the future? Since the relocations are voluntary and depend on the individual decisions of Vietnamese citizens, and since the results of the first relocation are not yet apparent, no one can predict the size of future moves. There is enough fertile, vacant land available in the southern region for eventual occupation by several hundred thousand people.

2. What preparations have been made to receive the refugees in their new homes? I have indicated above that land, shelter, food, medical services and tools were made available to the refugees on arrival at the Suoi Nghe site.

3. How involved is the United States in the current movement or any future movements? The Government of Viet-Nam is taking the leading role in this program, with the United States providing the same kind of advice and support that we provide for other Vietnamese Government programs for the welfare of war victims and refugees, through the War Victims Directorate of CORDS, our pacification advisory organization.

4. Has sufficient security yet been attained under the Vietnamization program to enable the refugees to return to their former homes in the I Corps region of South Viet-Nam? There has been progress in Military Region 1, as elsewhere in Viet-Nam, under the Government of Viet-Nam's pacification program and despite the withdrawal of American forces from this area. Some former residents of Ha Thanh have returned to their native villages or resettled elsewhere in Quang Tri. However, as indicated above, many of the remaining Ha Thanh people have concluded that security and economic conditions in the southern region offer more hope for the foreseeable future than those in Quang Tri.

5. How do these relocations fit in with military plans of the South Vietnamese Government to continue to fight the war? The Vietnamese Government states that the primary motive for the relocations is to cultivate agricultural lands and provide economic opportunities for its citizens. The program also improves security for the South Vietnamese people, since the relocatees are probably safer in Suoi Nghe than in Ha Thanh, while the government will be better able to defend South Vietnamese territory against North Vietnamese attack without risking injury to civilians.

We believe that the Ha Thanh-Suoi Nghe relocation offers hope to refugees who have been living under unsatisfactory conditions, and we support further long-distance refugee movements so long as they are voluntary, well-planned, and in the best long-range interests of the refugees themselves.

I hope that this information has been useful to you in your consideration of this matter. Please feel free to call upon me whenever you believe I can be helpful.

Sincerely yours,

David M. Abshire,
Assistant Secretary for Congressional Relations.

[From the Wall Street Journal, June 27, 1972]

Refugees in Vietnam: Not Just Fatalistic Flotsam of the War—The History of One Group, Now in Its Seventh Camp, Is a Case History of Misery

(By Peter R. Kann)

Phuoc Le, Vietnam.—The poor and frightened people packed together in schoolyards or churchyards or abandoned military bases. The little bundles of personal belongings of dented pots and tattered clothes. The rivulets of open sewage. The heat. The swarms of flies—it is the tableau of the times in Vietnam.

More than 814,000 refugees, by official count, have been created, or recreated, since the Communist offensive began on March 31. And while it may be pathetically true to say when you have seen one refugee camp you have seen them all, it is also true that each tale of trouble seems to have a new and bitter twist.

Such is the case of the roughly 4,000 refugees from Suoi Nghe settlement hamlet, who now are seeking refuge in a schoolhouse compound in this provincial capital 40 miles southwest of Saigon. Suoi Nghe, five miles north of town, is simply the latest place from which these people have been forced to flee. They have traveled 450 miles, though six refugee camps, only to arrive at this one.

The refugees of Suoi Nghe are a case study in more than misery. People, not territory, are what the Vietnam war is ultimately all about, and the Communists seem to have chosen these particular people as a military target to make a political point.

A PROTOTYPE HAMLET

Some may read their story as an indictment of the Vietcong as a callous enemy and find optimism in the fact that the people of Suoi Nghe are still seeking, if not finding, security under the government of South Vietnam (GVN). Other may read it as a catalog of errors by GVN officialdom and find cause for pessimism in the fear and disillusionment of the people. (The two views, of course, are not really mutualy exclusive.) Whatever the view, the case of Suoi Nghe indicates that the Communist offensive is still on in the countryside.

Suoi Nghe was the prototype "resettlement hamlet" of the GVN's "develop virgin land and construct hamlet program"—an effort to encourage chronic refugees from camps in northern Quang Tri Province to resettle on supposedly better, safer land to the south.

The program, conceived last year, was controversial on a number of counts. Critics suggested that the GVN aimed to move several hundred thousand reluctant refugees across vast (by Vietnamese standards) distances for military purposes—in order to turn much of Quang Tri into a free-fire zone.

The program seems somewhat less controversial these days with Quang Tri occupied by the North Vietnamese (and thus largely a free-fire zone) and with a quarter of a million Quang Tri residents, including many who were already refugees in Quang Tri, crowded into camps in Hue and Danang. The GVN talks of retaking Quang Tri, and perhaps it will, but few observers currently see a peaceful future for that province.

FOLLOWED BY THE WAR

Thus, the 1,341 Quang Tri refugees who were resettled at Suoi Nghe in January, before the Communist offensive, and the 2,095 Quang Tri refugees who were brought south to Suoi Nghe in May, after the North Vietnamese rolled through Quang Tri, could be considered fortunatie—except that the war followed them to Suoi Nghe.

On the night of June 16 about 100 enemy soldiers entered Suoi Nghe under cover of heavy rain. They entered undetected (or at least unopposed) by the battalion of South Vietnamese soldiers supposedly guarding the hamlet. The Vietcong, according to the people, assassinated a number of persons with close GVN connections, rounded up 28 young men who would later be taken away with them, and warned the people of Suoi Nghe that the hamlet would have to be abandoned.

"The Vietcong told us that if we tried to live in Suoi Nghe we would be killed by both sides fighting each other," says a local leader. "They said the area belonged to them, that it had been temporarily ceded to the Australians (an Australian division operated in this province until early this year) but now it was being reclaimed. They said Suoi Nghe was insecure and that we should move to Binh Ba (a Vietcong-controlled hamlet about five miles away)."

At 1:30 a.m., having been in the hamlet for 90 minutes, the Vietcong shot some sleeping soldiers in the hamlet administration office and men laid siege to the military outpost. A helicopter gunship came in to provide support for the outpost. There was much shooting, and it was near dawn before most of the people were able to flee from the hamlet into the surrounding jungle. From there they made their way here to the province capital of Phuoc Le, not to the Vietcong village of Binh Ba. About 9 a.m., after most Vietcong had apparently also left the hamlet, South Vietnamese planes and artillery shelled a section of Suoi Nghe.

"From the military standpoint, it was a very small battle," says a hamlet leader. Civilian casualties weren't high since the Vietcong didn't indiscriminately shoot civilians and since South Vietnamese firepower was used only after most of the civilians had managed to flee.

Politically, however, the events had some significance. The people, who say they had been told Suoi Nghe was "100% secure" when they first arrived south to resettle, are again being told it is "100% secure" and that they should return to the hamlet. But the people don't believe it.

Several days after they had fled the fighting at Suoi Nghe the people were loaded on army trucks and driven back toward—but not to—the hamlet. The army drivers halted their trucks about half way (near the intersection with a road called Nguyen Van Thieu Street) and claimed it was too dangerous to drive further. The people were told to walk the rest of the way.

The people refused, and so they were trucked back to this schoolyard camp in Phuoc Le. Local GVN officials then issued formal directives ordering the people to return to Suoi Nghe by June 22. The people did not go. Instead they petitioned GVN and American officials to be permitted to remain in Phuoc Le until a greater degree of security was provided at Suoi Nghe. On June 23, say the people, the GVN failed to deliver the weekly allotment of refugee food staples—rice and salt—to the schoolyard camp. They say they were told assistance would only be given them at Suoi Nghe. Still, as of two days ago, the great majority of the people were refusing to return and re-resettle at the resettlement hamlet.

NOT FATALISTIC FLOTSAM

The continuing resistance of these people runs counter to the common—and perhaps generally valid—view of Vietnamese refugees as docile sufferers, fatalistic flotsam of the war. The people of Suoi Nghe may have been satisfied with Suoi Nghe as a resettlement site. But they don't want to return to Suoi Nghe now.

"We have moved seven times, and each time we lose everything. We want security, to make a living, to be left alone," says a middle-aged refugee standing in the schoolyard camp. "If it is 100% secure, why did we have to flee Suoi Nghe? If it is 100% secure why would the trucks not drive us there?"

"We wouldn't have come south if we had known the situation here," interjects another man.

"The government wants to show that South Vietnam is pacified so they want us to return to Suoi Nghe. But it must be secure," says a leader of the group. He wants the GVN to blast, burn or bulldoze the jungled areas around Suoi Nghe, to force out the Vietcong and to render what is now virgin land cultivatable. "Then we will return and protect the hamlet ourselves," he says.

THE MOST PRECIOUS COMMODITY

The Suoi Nghe refugees have many other complaints about the gap between GVN promises and performance: Some say they weren't given a 1,000 piaster (about $2.50) family bonus for moving south to resettle; others say they haven't received a daily 20 piaster (about five cents) refugee cash allowance. The leader says that even those refugees who settled in Suoi Nghe in January never got their promised three hectares of riceland. "Then we were promised half a hectare, but we didn't get that either," he says. (They did, however, get small plots for vegetable gardens.)

Some complaints are bitter, others seem to be stated with the resignation of people who, having been refugees a half dozen times before, have seen a host of promises unfulfilled. Indeed, with over 800,000 refugees to care for in a time of military crisis, the GVN may perhaps be excused for a good many failings.

It can even be said to speak well for GVN society that these people are willing and able to voice complaints.

In any case, the crisis of confidence among these people has far less to do with rice plots or piasters than with personal security, which has always been the most precious refugee commodity in Vietnam.

[From the Washington Post, June 27, 1972]

SOUTH VIETNAMESE REFUGEES FLEE SHOWCASE HAMLET

(By Laurence Stern)

PHUOCLE, June 26.—South Vietnam's pioneer refugee relocation hamlet has been abandoned by most of its intended inhabitants. They say they are afraid to go back.

The story of the hamlet of Suoinghe (pronounced Sweeneeay) could have major repercussions for the ambitious and controversial government plan to resettle as many as several thousand refugees from the northern war zone of South Vietnam to areas in the south, where it was thought they would be more secure and economically self-sufficient.

Suoinghe's settlers are afraid to go back because they say the government has not been able to secure either the hamlet or even the few miles of road leading into it. The road was named Nguyen Van Thieu Street in honor of the president of South Vietnam.

Nine nights ago, a North Vietnamese raiding party first infiltrated the hamlet without a shot being fired and then dispersed the population, killing several regional soldiers and refugees. The Communist assault was followed by helicopter and Skyraider air strikes according to witnesses of the incident.

Both before and after the attack, provincial officials gave assurances to the refugees that conditions in the hamlet were "100 per cent secure." The officials also threatened to cut off refugee rice allotments if they don't go back.

But the majority of Suoinghe inhabitants, fugitives from embattled Quangtri Province 450 miles to the north, refuse to budge from their squalid and crowded quarters in this provincial capital of Phuocle, a 90-minute drive from Saigon.

Despite the threat of a food cut-off, less than a third of the hamlet's 4,000 population has returned.

"Two days ago the government put us on trucks and told us Suoinghe was safe and secure," one of the refugees said. "But they drove us only two thirds of the way and would not dare take us into the hamlet. They told us to walk the rest of the way through the jungle. We refused and they took us back here."

The anxieties of the refugees were reinforced by official warnings to three visiting American correspondents yesterday not to attempt driving into Suoinghe because of the danger of snipers or ambush along Highway 2. Aside from Highway 15, the main road between Saigon and the beach resort of Vungtau, and a few tributary side roads, there is no Phuoctuy Province road network on which it is deemed wise to travel.

Since the 1968 Tet offensive, many of the refugees brought here for the showcase hamlet experiment have been uprooted seven times. Four years ago the war forced them from the countryside along the Demilitarized Zone to the populated district towns of Camlo and Giolinh in Quangtri Province.

And since the start of the new offensive last April, they fled successively to Quangtri City, Hue, Danang, then were flown south to Phuocle, transported to Suoinghe and finally driven back to Phuocle on June 17 by local North Vietnamese forces.

"Each time their belongings get fewer and fewer. Each time they lose property and loved ones," said a refugee leader.

There are now about 4,000 refugees from the north in the Suoinghe pioneer group. They have been joined by some 23,000 native residents of Phuoctuy Province whose villages have been attacked by elements of three North Vietnamese units that have moved into the province since the beginning of the year.

The North Vietnamese conquest of Quangtri Province produced a southward tide of some 250,000 refugees—nearly a third of the total number of South Vietnamese who have been uprooted by the renewal of heavy fighting since the offensive began on April 1.

About 200,000 are crowded into the congested port city of Danang and some 14,000 are seeking refuge in Hue, where provincial authorities have cut off government relief supplies in an effort to force them southward to Danang or to overcrowded or insecure sites in Phuoctuy and neighboring Longkhanh provinces.

The government had hoped that the refugees in Danang and Hue would be attracted southward into new hamlets, of which Suoinghe was to be a prototype, as it were, away from the war zone and abundant in fertile land. The government's effort is called the "Develop-Virgin-Island-and-Construct-Hamlet" program.

"The government doesn't want the refugees in Danang to hear about what happened in Suoinghe," said one of the refugee leaders. "It wants everyone to think that Suoinghe is pacified and everyone is returning."

He continued:

"The purpose of the Vietcong was not to kill the soldiers so much as to chase the people out. The hamlet was a political, not a military target of the VC. Now that the people realize they are the target they are not eager to return."

This spokesman, who was among the last to leave Suoinghe after the attack, asked that his name not be used for fear that he would no longer be permitted to represent his fellow refugees in their dealings with the government.

The attack on Suoinghe began shortly before midnight on June 16. A group of about 100 North Vietnamese soliders who slipped into the resettlement ordered the inhabitants to leave for a Communist-controlled area to the north, the region of Binhba.

One witness said the Communist raiding party told them:

"If you remain here, you will be killed by both sides fighting each other. You are living in the houses of the enemy, the GVN (South Vietnam Government). You must leave the enemy's houses and come with us into our secure territory."

The invaders, according to the villagers, did not touch the rice or personal belongings of the villagers.

"The Vietcong tried to discourage us from running back to Phuocle," one refugee said. "They said we could run to Phuocle, but where would we run when they attacked Phuocle. We could run to Saigon, but they said where would we run when they attacked Saigon."

During the night, the Communist forces abducted 20 soldiers and eight youths from Suoinghe and took them to Binhba, their secure zone.

Nearly two hours after the raiding party entered Suoinghe, a government helicopter began circling the hamlet and firing down into the confusion. The villagers, government soldiers and the Communist invaders began streaming out into the jungle in a large mass.

A refugee spokesman, who wants the government to bomb the Communist jungle positions and pacify the area around Suoinghe, said, "The realities of the situation here seem to be more as the Vietcong state them than as the government does. But it is difficult for me to explain this to the province chief."

Spokesmen for the refugees complain that the government has failed to keep promises made to them when they agreed to embark on the long trip southward as grudging volunteers in the hamlet-construction program.

"We were promised agricultural implements, material to build houses and land—three hectares of land (about seven acres). We were promised 1,000 piasters when we got on the plane. But all we're getting is a half kilo (about a pound) of rice a day and salt. And we are in danger of losing that," one of the refugees said.

The majority of the Quang-tri refugees are willing to develop the hamlet of Suoinghe if the government secures the surrounding area, a prospect in which they do not presently exhibit great confidence.

However, one group of 40 families taking shelter in the grandstand of Phuocle's soccer field have said they will not go to Suoinghe under any circumstances. The government, they say, has cut off their rice supply.

"We were told the situation was peaceful here. But as soon as we arrived the people came running from Suoinghe. And then the people of Binhba came running after they were attacked."

One official said the government is considering three ways of dealing with the group: give each family 1,500 piasters (about $3.20) and let them try to settle in Saigon, simply order them off the road and government grounds, or let them occupy a tract of land along Highway 15 that a Buddhist group has volunteered.

The refugees want to be permitted to settle on the Buddhist tract and are asking for government aid to be resumed until they get started. They are now living on the remnants of their rice and salt allotment.

In the shelter of the grandstand, a young mother and an elderly relative sought to catch the attention of visitors. Each held up one of a pair of infant boy twins.

"Their father was a policeman in Quangtri, and we don't know where he is," the older women explained. "With twins we have a problem, one baby can get enough milk from his mother. But she does not have enough milk for two babies. We do not receive any milk. Can you please help us?"

QUESTIONS ON MILITARY PROCUREMENT

Mr. TUNNEY. Mr. President, I have reviewed the report by the Committee on Armed Services and commend them for a very fine job covering an exhausting subject.

I believe, however, that several important questions remain to be answered with regard to its contents.

Apparently, others in this body share my view, as statements have been made and several amendments have been proposed with regard to the matters that I shall raise in these remarks.

Regardless of the outcome of those amendments and even of the bill itself, however, I believe that, for the soundness of the procurement process, these questions must be aired and I hope answered in the near future.

Although I recognize that the hearings run into many volumes, the condensation of such voluminous material into a 177-page report is bound to raise questions. Although the report appears to be a fine and informative synopsis of the hearings, several questions have been raised in my mind which need to be clarified before I can reach an educated conclusion.

I. F–14 PROCUREMENT

The first question pertains to F–14 procurement. That procurement presents what appears to be a very difficult problem. DOD directive 5000.1 suggested a method of procurement different from that which is popularly referred to as "Total Package Procurement." By the method of TPP, in general, a contract was signed with a contractor under which the contractor was given performance specifications by the Government and the contractor would design and produce the end item within those specifications. The first item was a "baseline" item but several could be, and were, in various phases of production before the baseline was established. For this reason, DOD directive 5000.1 suggested that where possible systems should not be procured using the total package procurement concept.

The purpose of total package procurement was to make the contractor responsible for the "total package." It was envisioned that the huge cost overruns under the cost-type contracts popular in the 1950's would disappear.

Unfortunately, this dream was not realized. The C–5A, the TFX—F–111—and others stand as grim reminders of the unworkability of total package procurement. The result was DOD directive 5000.1 and the concept of "fly before you buy," which requires that an acceptable prototype be constructed and accepted before commencing a production schedule. But a limbo has been created that is more like damnation. Although the Government will no longer procure under the concept of TPP, the contractors who have executed contracts under that concept are treated as being stuck. This is where Grumman finds itself. It is stuck with a contractual method which the Government has forsaken. The question which presents itself to me is whether this is fair.

In justice, there is another side of the coin. There is a great deal of evidence that contractors bidding under the TPP concept "bought in," that is, they intentionally bid prices under what they knew to be their break points in order to get the contract. They based their risky practice on the theory that they would "get well" by changes under the changes clause in the contract. This greatly contributed to the huge overruns we saw on C–5A and F–111. Clearly, this type of practice is unacceptable and contractors engaged in such practice should not be helped out of their self-created dilemma by funding their overruns, through an increase in the contract price.

The committee has recommended language to the bill which obligates funds "not to exceed $570,100,000" for "not less than 48 aircraft." I understand that Grumman has indicated that if they are forced to perform this next increment of the contract, it would result in their bankruptcy. I am deeply troubled by this impasse. Unfortunately, I can offer no quick solution to the problem. But it must be faced rather than avoided. The question arises, whether we are, by this language, going to force a major corporation into bankruptcy with the resultant loss of many thousands of jobs? On the other hand, are we again to come to the rescue of a contractor who has dug its own grave by intentionally underbidding? My own solution to this problem lies in the philosophy behind the rejection of total package procurement. If we are convinced that it is an inefficient and poor method of procurement, we should not require contractors to suffer death as a result of their entering the bidding process.

It appears that the committee has concluded that Grumman is more at fault than the method of procurement. If this is so, I endorse the restrictive language contained in the report.

II. F-14B ENGINES

The Navy and the Air Force contract directly with Pratt & Whitney for the engines for its F-14 and F-15 aircraft. The Navy, according to the report, had a production option for F-14 engines which it did not exercise. The report then continues:

> This broke contract options that covered both the Navy and the Air Force. Consequently, the Air Force option for 59 engines at $1 million each increased to $1.7 million each when the Air Force negotiated the price with Pratt-Whitney this year.

I do not understand why the Navy's failure to procure caused the Air Force price to increase 70 percent. I assume, as the report implies, that Pratt & Whitney submitted the cost and pricing data required by Public Law 87-653. However, I would like it to be clear in my own mind that the contractor is not taking advantage of the opportunity to renegotiate price to make an exhorbitant profit. I am reluctant to approve funds for such a drastic price increase. In conjunction with this, I find it difficult to comprehend the fluctuations in price for the F-14 engines from $943,500 in 1971 to $901,584 in 1972 to a billing price of $950,000 in 1973. The report indicates that Pratt & Whitney testified that this price could be reduced. Why did they, then, set forth a price higher than necessary? Does this not indicate a major flaw in the efficiency of our procurement process? How can the 1973 "billing price" be justified, even if it is a negotiating price? How many man-hours does it take to negotiate what should be a routine renewal down to a realistic level?

III. ABM

I note that the committee recommends denial of the funds for the Washington, D.C., ABM site "without prejudice." While I am pleased to see that the committee has deleted the ABM funds, I do not understand why that had to be done "without prejudice." I do not understand why we should have an ABM site around Washington, D.C. When Congress approved the ABM sites, Washington, D.C., was not one of the sites approved. Now the SALT treaty approves sites for Moscow and Washington so we are apparently considering the construction of one for Washington. Why should the Soviet Union tell us where to build our ABM sites? If we did not need one last year or the year before, why do we need one now? I do not think that we should build a site around Washington just because the treaty allows us to do so. I will oppose any such expenditure of funds until I am convinced that it is in the national interest and not merely the expenditure of funds for the sake of spending.

IV. CVN CARRIER AND TRIDENT SUBMARINE PROGRAM

The CVN-70 nuclear-powered aircraft carrier is estimated to cost $951 million with an appropriation for fiscal year 1973 in the amount of $299 million. I think this falls squarely in the category of items for which we must ask ourselves the question, "Is this really needed?"

Just what will this carrier give us that we do not already have? The F-14 can fly off our present carriers. We already have more carriers than our present projections call for. Since they are adequate for our present and planned equipment, why should we spend almost $1 billion for a new carrier,

The chart on page 27 of the report implies life cycle cost advantages. Has a study been made of this? If so, I believe that its results should be studied with some care. It seems to me that the life cycle savings would have to be tremendous to justify a billion dollar investment. I feel that this carrier is not a strategic necessity and that procurement of it would be fiscally irresponsible.

As a result of these questions, I supported the amendment offered last week by my distinguished colleague from Ohio (Mr. SAXBE). I believe that its defeat leaves these questions unanswered.

I should add that I have had strong reservations also about the $504 million authorized for the accelerated development of the Trident missile submarine program. While I believe that the case was well made for the missile system, I do not believe that the need for the accelerated schedule was illustrated. Accordingly, I supported the amendment of my distinguished colleague from Texas (Mr. BENTSEN) which would have retained the funds for the missile development but would have slashed the $504 million authorization for the accelerated Trident schedule.

CONCLUSION

We all share the view that a strong and viable defense is absolutely essential to the security of our Nation. We all are deeply concerned with the strength and security of the country. At the same time it is important, if that security is to be maintained over a long period, to obtain it at an acceptable cost. It is imperative that we maximize the output of the dollars that we spend on defense. There is no reason that the United States must spend more than our hardware is worth. It will be important for me, as a strong supporter of an effective and sufficient national security policy, to receive answers to the questions that I have raised.

EXPLANATION OF A VOTE

Mr. COOPER. Mr. President, I have voted "no" on the Miller amendment for the same reason I voted "no" on the Brooke amendment, because it adds an additional condition precedent which vitiates the so-called "end of the war" amendment. I much prefer President Nixon's policy—as he can negotiate and can end the war—to these conditional amendments which raise hopes among the people which cannot be fulfilled.

Mr. STENNIS. Mr. President, before this bill is finally approved, I would like to say a few words about it. I think the Senate has done a good job. I think we have fashioned a good procurement plan for fiscal 1973.

The bill authorizes a $20.5 billion, $2.7 billion less than the administration's requests as finally amended. About $12.1 billion is authorized for procurement, and $8.4 billion for research and development.

We have approved modest cuts in the Defense Department's plan—both for weapons and manpower—but I am confident that we have approved a strong bill, one which is at the same time a sensible bill.

I want to thank the Senators who participated in this debate on all sides. I want to thank the members of the Armed Services Committee for their help and, especially, I thank Senator SMITH, the ranking minority member, and Senators MCINTYRE and CANNON, chairmen, respectively, of our Subcommittees on Research and Development and Tactical Air.

Mr. President, I fully described the contents of this bill in my opening remarks in the CONGRESSIONAL RECORD, volume 118, part 19, page 25035. The bill as it stands, is generally as I described it at that time. A few amendments have been added, but the committee-approved provisions are otherwise intact.

I expect the bill will go quickly to conference with the House.

I am pleased that the Senate has gone along with the Armed Services Committee's recommendation of $906.4 million to authorize the accelerated development of the Trident submarine. I think that was a prudent action to take in the context of the SALT agreements which come up for debate tomorrow.

I think the Senate also acted very wisely in finally authorizing $299 million for long leadtime procurement on the fourth nuclear-powered carrier. We can now look to the time when we will have two nuclear carriers operating in the Atlantic and two in the Pacific.

Both these matters were debated here, extensively and well. I think we can take pride in the fact that, while we have disposed of this bill rather quickly—in 8 days of debate—we have nevertheless given careful consideration to the fundamental questions involved.

In that connection, I want to thank the Senator from West Virginia, Senator BYRD, for his cooperation in arranging agreements by unanimous consent. That has unquestionably helped us to move the bill along.

In the opening remarks, to which I have referred, Mr. President, I noted very carefully that much of the authority provided in this bill is unrelated to the historic SALT agreements reached at the Moscow summit. It is vitally important that all Senators understand that this annual procurement bill would be needed, with or without the SALT talks.

At the same time, Mr. President, I would like to state my firm belief that this bill provides a military force with which we can safely consider the recently negotiated SALT agreements. I believe it provides a state of readiness in which we can confidently enter further SALT negotiations.

Passage of this bill will, I believe, clear the way for approval of the SALT agreements and, very possibly, speed their consideration here.

Our Armed Services Committee has conducted a thorough review of the military implications of the SALT agreements. Our hearings, in my view, justify support, both for the ABM treaty and for the interim agreement on offensive weapons as a start toward limitation on strategic arms.

I know, of course, that approval of these agreements involves a risk. I also know, Mr. President, that consideration and approval of this annual procurement bill always involves something of a risk as we look ahead 3 to 5 years—and more—to determine what will be needed for our security.

That is the key to this business of military budgets, Mr. President, looking ahead to the situation which will prevail when authorizations finally are turned into military hardware.

As a beginning, I believe that we can approve both the ABM treaty and the 5-year offensive weapons agreement.

However, as I look ahead, I am quite sure that the United States must actively—and even aggressively—strengthen weapon programs allowed under the present agreements and advance our weapons technology. That is how I see this procurement bill.

As I said earlier in this debate, our committee has not yet approved—and may well not approve—all the programs said by the Secretary of Defense to be connected in some way with approval of the SALT agreements. We have, however, recommended a good, strong bill, one which will minimize risks under the present SALT agreements and strengthen our hand for SALT negotiations to come.

In this broader context, then, this bill opens the way for the SALT agreements. I trust the Senate will now approve it.

Having approved it, I think we can move confidently, tomorrow, to consideration of the SALT agreements—the treaty and the 5-year agreement on offensive arms. We can rather securely look to the SALT II negotiations later this year.

Mr. President, as the debate closes on this bill, I would like to complement our committee staff which has worked very hard and efficiently on this bill throughout this entire session.

I complement and praise all of the staff who worked on the bill.

T. Edward Braswell, the chief counsel, who has the overall staff responsibility for the bill and the other staff members who had special responsibilities for special areas of the bill. Mr. Don Lynch, Mr. Hyman Fine, Mr. James Worsley, Mr. Larry Garcia, Mr. George Foster, Mr. Charles Connelly, Mr. Charles Cromwell, Mr. Edward Kenny, Mr. Ben Gilleas, and Mrs. Fran Funk and staff aide.

The **PRESIDING OFFICER.** The Senator from Pennsylvania is recognized.

Mr. **SCOTT.** Mr. President, I rise to ask the distinguished majority leader, after the yea and nay vote on passage, will there be any other votes, and also, what will be the order of business for tomorrow?

Mr. **MANSFIELD.** Mr. President, there will be no votes after the vote on passage of the bill. It is the intention of the joint leadership at that time to ask that the interim agreement be made the pending business temporarily. It will then be laid aside so that the Senate can then turn to the consideration of the no-fault insurance bill, Calendar No. 852, S. 945.

Under the announcements made by the joint leadership, tomorrow the order of business will be that the Senate will be in executive session to consider the Nixon-Brezhnev treaty, to be followed by the interim agreement entered into between the two countries and reported by the Committee on Foreign Relations.

It is anticipated that on Friday we will take up the no-fault insurance bill.

I think the Senate should be on notice that the so-called gun bill may also be taken up on this weekend, and at this time the possibility of a Saturday session is good.

Mr. **SCOTT.** Finally, do I correctly understand that it is the expectation of the majority leader that we may have votes on the Nixon-Brezhnev treaty and the interim agreement this week?

Mr. **MANSFIELD.** Yes.

Mr. **ALLOTT.** Mr. President, will the Senator yield?

Mr. **MANSFIELD.** I yield.

Mr. **ALLOTT.** I could not hear the question and the answer.

Is it the anticipation of the majority leader that we will have votes on both the SALT agreement and the interim treaty tomorrow?

Mr. **MANSFIELD.** We will do our best, but it may have to go over until Friday.

Mr. **ALLOTT.** If the vote does not occur tomorrow, it will occur on Friday?

Mr. **MANSFIELD.** That is what the joint leadership anticipates.

Mr. **ALLOTT.** I thank the Senator.

ENROLLED BILLS SIGNED

The following enrolled bills were signed today by the Vice President:

S. 916. An Act to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations;

S. 2227. An act to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library;

S. 2684. An act to amend section 509 of the Merchant Marine Act, 1936, as amended;

S. 3463. An act to amend section 906, of title 44, United States Code, to provide copies of the daily and semimonthly Congressional Record to libraries of certain United States courts;

H.R. 5721. An act pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon;

H.R. 11350. An act to increase the limit on dues for United States membership in the International Criminal Police Organizations;

H.R. 14108. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes; and

H.R. 15635. An act to assist elementary and secondary schools, community agencies, and other public and nonprofit private agencies to prevent juvenile delinquency, and for other purposes.

COMMITTEE ASSIGNMENT

The **PRESIDING OFFICER** (Mr. ROTH). The Chair, on behalf of the Vice President, pursuant to the provisions of Senate Resolution 281, 90th Congress, as amended and supplemented, appoints the Senator from Minnesota (Mr. HUMPHREY) to the Select Committee on Nutrition and Human Needs, vice the Senator from Louisiana Mr. Ellender, deceased.

MILITARY PROCUREMENT AUTHORIZATIONS, 1973

The Senate continued with the consideration of the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at a certain installation in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The **PRESIDING OFFICER.** The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant clerk called the roll.

Mr. **ROBERT C. BYRD.** I announce that the Senator from Georgia (Mr. GAMBRELL) is necessarily absent.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "yea."

Mr. **GRIFFIN.** I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The result was announced—yeas 92, nays 5, as follows:

[No. 341 Leg.]

YEAS—92

Aiken
Allen
Allott
Anderson
Baker
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Brooke
Buckley
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dominick
Eagleton
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Hollings
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford

Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—5

Dole
Fulbright
Gravel
Hughes
Mansfield

NOT VOTING—2

Gambrell
Mundt

So the bill (H.R. 15495) was passed.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I have certain unanimous-consent requests to make regarding technical matters.

I ask unanimous consent that the Secretary of the Senate may be permitted to make technical corrections in the bill that may be required as a result of the Senate floor amendments, such as the renumbering of the sections, and so forth.

The PRESIDING OFFICER (Mr. Humphrey). Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I ask unanimous consent that the bill, H.R. 15495, be printed with all the Senate amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I move that the Senate insist upon its amendment to H.R. 15495, request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Humphrey) appointed Mr. Stennis, Mr. Symington, Mr. Jackson, Mr. Cannon, Mr. McIntyre, Mrs. Smith, Mr. Thurmond, Mr. Tower, and Mr. Dominick conferees on the part of the Senate.

Mr. STENNIS. I thank the Chair.

Mrs. SMITH. Mr. President, I gave very serious consideration to offering an amendment against the long leadtime item for the DD–963 destroyers. I did because the Litton record and performance on the DD–963 contract awarded to it by the Department of the Navy is nothing less than a shocking scandal.

In the first place, Litton's phony bid of more than $270 million below the bid of the Bath Iron Works is now clearly just exactly what I called it at the time—nothing less than a buy-in just as in the case of the C–5A debacle. For ultimately the Navy will pay Litton for its incompetence, failure, and actual lack of good faith, much more than the $270 million it bid below the Bath Iron Works in order to get the award.

But even more shocking than the scandalous failure of Litton thus far is the arrogance of Litton with respect to its failure. In effect, it has defied the Navy with an attitude that the Navy cannot do anything about the situation since Litton is the only company with the contract and cancellation costs would be so high. I have seen no semblance of either an effort or an intention of Litton to try to meet its serious obligation.

And equally shocking is the Navy's tolerance of this scandalous situation. In fact, the present image of the Navy in this scandalous matter is that of standing helpless and subservient before an arrogant Litton.

What shocks me most about the Navy is that it seems more concerned about accommodating Litton than in getting the desperately needed DD–963 destroyers into the fleet. Ironically, it appears that the Navy is giving Litton priority in consideration over the Navy's own fleet. What a serious disservice to our Nation, the American people, and the men who man our U.S. fleet.

That is why I am opposed to the long leadtime item for the DD–963's in this bill for it is simply nothing less than a financial accommodation to Litton and, in effect, a reward to Litton for not only its scandalous failure of performance thus far but an indication of a policy of continued tolerance of that scandalous failure.

But I am realistic enough to recognize that an amendment to knock out this provision designed basically to accommodate Litton in its sorry performance would be defeated on the claim that such would be against the best interest of the Navy. And I know that such a legislative defeat would be seized upon by Litton with the claim that it was a Senate vote of confidence in Litton.

I have tried to be more than understanding of the situation of the chairman of the committee in this matter for I am sure that he is greatly embarrassed by Litton's failure in his own home State. When the House Armed Services Committee announced that it would make a sweeping and thorough investigation of the Litton situation earlier this year, I was pleased not only because there should be such an investigation but also because it obviated the necessity of the chairman of our committee to have his committee investigate the Litton situation in his own backyard in Mississippi.

Inasmuch as the House Armed Services Committee approved the long leadtime as applied to subcontracts and it plans no further report in the near future on its inquiry into the matter, I think the time has come to give priority to the interest of our national security and the U.S. Fleet over Litton. Accordingly, I have today written the chairman of the Senate Armed Services Committee and requested that the committee initiate a full-scale investigation of Litton immediately.

TRIBUTE TO SENATOR STENNIS AND OTHER SENATORS

Mr. MANSFIELD. Mr. President, the hour is late, yet I do wish to extend the gratitude of the entire Senate once again to the distinguished Senator from Mississippi (Mr. Stennis). As the chairman of the Committee on Armed Services he steered the procurement bill through with the same degree of diligence and skill that has marked his long years of public service in this institution. He is to be commended again. His persuasive advocacy, tireless devotion and strong presentation was absolutely vital to this measure. I believe all Senators would agree and would join me in this tribute. We are deeply grateful.

The Senate is grateful as well for the splendid cooperation of the distinguished Senator from Maine (Mrs. Smith), the ranking minority member of the committee and to all those who joined the discussion both in committee and on the floor. To be singled out, among other Senators, were the efforts of the Senator from California (Mr. Cranston), and those of Senators Brooke, Cannon, Bentsen, and Cooper. Their contributions, as always, were constructive and most welcome.

The same may be said for the participation of the distinguished Senator from Ohio (Mr. Saxbe), the distinguished Senator from California (Mr. Tunney) and the many other Senators who joined to provide a discussion of the highest order.

But once again I wish to express special thanks to John Stennis. His was an enormous task; one which we all recognize and one for which he may be justly proud.

Finally, to the Senate as a whole goes the gratitude of the leadership for the cooperation which made possible the disposition of this measure in the most efficient manner possible.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON CONDITIONAL ENTRY OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, reporting, pursuant to law, on conditional entry of certain aliens from various countries, as of June 30, 1972; to the Committee on the Judiciary.

REPORT OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

A letter from the Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report of the National Society of the Daughters of the American Revolution, for the year ended March 1, 1971 (with an accompanying report); to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILLIAMS, from the Committee on Banking, Housing and Urban Affairs:

S. 3876. An original bill to amend the Securities Exchange Act of 1934 to provide for the regulation of clearing agencies and transfer agents, to create a National Commission on Uniform Securities Laws, and for other purposes (Rept. No. 92–1009).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. BOGGS (for himself and Mr. Javits):

S. 3871. A bill to amend the Federal Aviation Act of 1958 in order to provide a more effective program to prevent aircraft hijacking, and for other purposes. Referred to the Committee on Commerce.

By Mr. JAVITS (for himself, Mr. Boggs, Mr. Brooke, Mr. Case, Mr. Cooper, Mr. Cranston, Mr. Fong, Mr. Harris, Mr. Hatfield, Mr. Hughes, Mr. Kennedy, Mr. Magnuson, Mr. Mondale, Mr. Muskie, Mr. Roth, Mr. Stafford, and Mr. Tunney):

S. 3872. A bill to provide for the use of certain funds to promote scholarly, cultural and artistic activities between Japan and the United States, and for other purposes. Referred to the Committee on Foreign Relations.

By Mr. McINTYRE (for himself, Mr. Bible, Mr. Nelson, Mr. Burdick, and Mr. Sparkman):

S. 3873. A bill to amend the Occupational Safety and Health Act of 1970 to improve the administration of that Act with respect to small businesses. Referred to the Committee on Labor and Public Welfare.

By Mr. CRANSTON (for himself and Mr. Tunney):

S. 3874. A bill to establish the California Desert National Conservation Area, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. HRUSKA (by request):

S. 3875. A bill to amend Section 215, title 18, United States Code, Receipt of Commissions or Gifts for Procuring Loans, to expand the institutions covered; to encompass indirect payments to bank officials; to make violations of the Section a felony; and to specifically include offerors and givers of the proscribed payments; and for other related purposes. Referred to the Committee on the Judiciary.

By Mr. WILLIAMS, from the Committee on Banking, Housing and Urban Affairs:

S. 3876. A bill to amend the Securities Exchange Act of 1934 to provide for the regulation of clearing agencies and transfer agents, to create a National Commission on Uniform Securities Laws, and for other purposes. Ordered to be placed on the calendar.

By Mr. BELLMON:

S. 3877. A bill to prohibit the impoundment of funds from the Highway Trust Fund which have been apportioned and appropriated. Referred to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOGGS (for himself and Mr. Javits):

S. 3871. A bill to amend the Federal Aviation Act of 1958 in order to provide a more effective program to prevent aircraft hijacking, and for other purposes. Referred to the Committee on Commerce.

PREVENTION OF AIRCRAFT HIJACKING

Mr. BOGGS. Mr. President, Monday, in Detroit, five persons boarded a commercial airliner bound for Miami. They took with them three children and apparently several handguns.

While the plane was over Florida, they took command of it. When it landed in Miami they demanded—and received—$1 million in ransom before they released the 87 other passengers. They then took the airplane and the crew on to Algeria, via a refueling stop in Boston.

Fortunately, there were no injuries or deaths in this incident, but the ransom reportedly is the highest ever paid in one of these tragic and potentially disastrous occurrences.

Mr. President, I need not remind my colleagues that this incident, in all likelihood, would not have occurred had not those five persons been able to carry weapons onto that airplane.

The fact that those guns were carried onto that airplane and that this incident happened at all underscores the need for the legislation I am now introducing.

The subject of airplane hijacking, with its attendant high risks of wholesale loss of life, is one that has been of great concern to me for some time, as I know it has to each of my colleagues. I have been studying the problem and trying to determine what should be the best solution to it.

I do not pretend to have all the answers, but I do believe that a completely different emphasis on enforcement should be made. The prevention of skyjacking should be treated as a law enforcement problem and should be the responsibility of the one Federal agency with the greatest expertise in this area—the Justice Department.

The legislation I am introducing today, I believe, would provide maximum protection for commercial airline passengers against the threat of aircraft hijacking. The ineffectiveness of current antihijacking programs and the resulting inevitability of greater and greater injury and loss of life have created a crisis situation. It calls for strong, swift action.

Mr. President, the Federal Aviation Administration has had the responsibility for dealing with this threat. It has been a frustrating challenge, one that does not lend itself to easy remedies. The fact remains that in nearly 4 years of trial and error, the FAA has not come up with effective antihijacking measures.

The number of hijackings has, in fact, increased. Monday's incident was the 31st this year, one more than in all of 1971. Most disturbing of all is the rising incidence of injuries and deaths associated with hijacking attempts—five deaths have occurred this year.

Mr. President, I submit that this is an intolerable situation. It is clear to me that a new approach is warranted. The solution, in my opinion lies in keeping firearms off the planes, in keeping the potential hijacker from boarding a plane with a deadly weapon. I propose that we do this in two ways: First, turn the responsibilty over to the Justice Department, as I mentioned before; and second, provide it with weapons-detection devices of the walk-through magnetometer type.

This legislation would transfer this responsibility to a new Office of Aviation Security within the Department of Justice. It would authorize necessary increases in the ranks of the U.S. marshals, who would have direct responsibility for the screening. There would be detection devices and qualified U.S. marshals to operate them at every commercial airport in the United States. This would have the effect of providing the very best available screening program for every passenger boarding a commercial airplane, whether it be a U.S. airline or one from another country.

Visual screening on the basis of a hijacker profile would continue, of course, in conjunction with the new system.

The walk-through weapons-detection systems have been tried and offer the best technology available for keeping firearms off airplanes. In addition, it does not inconvenience passengers or require time-consuming baggage searches. This legislation would provide for the Federal Government to bear the cost of purchasing, installing, and operating the detectors.

Mr. President, there has been an effort to curtail aircraft hijacking through use of "sky marshals." These, undoubtedly, are dedicated men and women, and I know the program was well intended. However, it simply has not worked totally effectively. A thorough screening of passengers on the ground under the supervision of trained law enforcement officers would provide much better results, I believe, and so this legislation would terminate the sky marshal program.

In addition, this legislation would strengthen Federal antihijacking statutes in a number of significant respects. It would, for example, increase the maximum penalty for carrying an unauthorized weapon aboard an aircraft. It would also provide both civil and criminal penalties for hijacking threats, because they are not now subject to prosecution under Federal law.

Finally, this bill would give the President of the United States the authority to suspend air commerce between the United States and foreign countries which refuse to extradite persons accused of air piracy. These provisions reflect the gravity of the crime of air piracy and they will add to our ability to bring it to an end.

Mr. President, in view of the critical nature of the problem to which this legislation addresses itself, involving as it does the safety of millions of air passengers, I urge that hearings be held on these proposals as soon as possible and that the Congress move swiftly to enact them.

Mr. President, I ask unanimous consent that a copy of the bill and relative articles from yesterday's Washington Post and Evening Star be printed in the Record.

There being no objection, the bill and articles were ordered to be printed in the Record, as follows:

S. 3871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title VI of the Federal Aviation Act of 1958 is amended by inserting at the end thereof a new section as follows:

"WEAPONS DETECTION PROGRAM UNDER ATTORNEY GENERAL

"Authority

"Sec. 613. (a) In order to prevent aircraft piracy the Attorney General of the United States shall, not later than sixty days after the date of enactment of this section, prescribe regulations requiring that all passengers in regularly scheduled air transportation, and their carry-on baggage, be screened by weapons detecting devices before boarding the aircraft for such transportation.

"Furnishing of Equipment and Operators

"(b)(1) The Attorney General shall furnish airports (A) with devices necessary for the purpose of subsection (a), and (B) with United States marshals and deputy marshals employed by the Attorney General to operate such devices.

"(2) In any case where an airport has acquired one or more devices which are adequate for the purpose of this section. The Attorney General shall reimburse such airport for the amount expended for such devices.

"Transfer of Authority

"(c) Such authority under the provisions of this Act as is determined by the Director of the Office of Management and Budget to be necessary for the purpose of this section is transferred to the Attorney General.

"Consultation

"(d) The Attorney General shall consult with the Secretary and the Administrator in carrying out the provisions of this section.

"Authorization

"(e) There is authorized to be appropriated $20,000,000 for the fiscal year ending June 30, 1973, and $17,000,000 for the fiscal year ending June 30, 1974, and for the succeeding fiscal year, and thereafter such amounts as are necessary, for carrying out the provisions of this section."

(b) The table of contents of the Federal Aviation Act of 1958 is amended by inserting at the end of the material relating to title VI the following:

"Sec. 613. Weapons Detection Program Under Attorney General.
"(a) Authority.
"(b) Furnishing of Equipment and Operators.
"(c) Transfer of Authority.
"(d) Consultation.
"(e) Authorization."

(c) The Attorney General of the United States shall establish within the Department of Justice an Office of Aviation Security through which he shall administer the provisions of section 613 of the Federal Aviation Act of 1958.

Sec. 2. (a) Section 901 of the Federal Aviation Act of 1958 (49 U.S.C. 1471) is amended by adding at the end thereof the following new subsection:

"Threats or False Information

"(c) Whoever imparts or conveys or causes to be imparted or conveyed any threat, or false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by subsection (i), (j), (k), or (l) of section 902 of this title, shall be subject to a civil penalty of not more than $1,000 which shall be recoverable in a civil action brought in the name of the United States.".

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading.

"Sec. 901. Civil penalties."

is amended by adding at the end thereof the following:

"Threats or false information".

Sec. 3. Section 902(1) of the Federal Aviation Act of 1958 (49 U.S.C. 14721 is amended by striking out "$1,000" and "one year" and inserting in lieu thereof "$5,000" and "five years", respectively.

Sec. 4. (a) Section 902(m) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(m)) is amended to read as follows:

"False Information and Threats

"(m) Whoever willfully and maliciously, or with reckless disregard for the safety of human life, imparts or conveys or causes to be imparted or conveyed a threat, or false information, knowing the information to be false, concerning an attempt or alleged attempted being made or to be made, to do any act which would be a crime prohibited by subsection (i), (j), (k), or (l) of this section, shall be fined not more than $5,000 or imprisoned not more than five years, or both."

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which
appears under the heading
"Sec. 902. Criminal penalties."
is amended by striking out—
"(m) False information."
and inserting in lieu thereof—
"(m) False information and threats.".

Sec. 5. The second sentence of section 903(b)(1) of the Federal Aviation Act of 1958 (49 U.S.C. 1473(b)(1)) is amended by striking out "Such" and inserting in lieu thereof "Except with respect to civil penalties under section 901(c) of this title, such".

Sec. 6. Subsections (a) and (b) of section 35 of title 18, United States Code, are each amended by striking out "false information" and inserting in lieu thereof "a threat, or false information".

Sec. 7. Section 1395 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) A proceeding to recover a penalty under section 35 of title 18, United States Code, or under section 901(c) of the Federal Aviation Act of 1958, may be brought in the judicial district where the defendant resides or the district where the false information or threat was imparted or conveyed or attempted to be imparted or conveyed. In any such proceeding process against any defendant may be served in the district where the defendant is found with the same force and effect as if the process had been served within the district in which such proceeding is brought.".

Sec. 8. The President is authorized to terminate the rights of air carriers of the United States to land in any country and the rights of air carriers of such country to land in the United States if such country refuses to extradite to the United States any person accused by the United States of committing or attempting to commit aircraft piracy, as defined in section 902(i) of the Federal Aviation Act of 1958.

Sec. 9. The Administrator of the Federal Aviation Administration shall terminate the program of placing Federal employees aboard aircraft to protect against aircraft piracy.

[From the Washingon Post, Aug. 1, 1972]

HIJACKERS GET $1 MILLION FOR ALGERIA FLIGHT

Boston, July 31.—Five hijackers accompanied by children commandeered a Delta Air Lines jet with 101 persons aboard in Florida today, collected a record $1 million in ransom and then headed for Algeria after a refueling stop in Boston.

The hijackers, three men and two women, were identified as Detroit residents who lived together in an East Side home for the past year and often talked to neighbors of going to Algeria. A sign, "Fly Delta's Big Jet," decorated one wall of the home.

The other Delta passengers were released in Miami after Delta collected the $1 million—largest ever paid in the 18 U.S. ransom hijackings—and delivered it to the hijackers.

FBI agents in Boston said they learned that the Algerian government would refuse to permit the plane to land but it was not known if the hijackers knew it. In a previous hijacking, Algeria permitted the plane to land but returned the money taken by the hijackers. The FBI in Detroit identified the Delta hijackers as Melvin and Jean McNair, Larry Burgess, Joyce Tillerson and Harry Singleton. Agents said the McNair's child and the Tillerson woman's daughter, Kenya, accompanied them. Passengers getting off the hijacked plane and Delta officials in Miami said there were three children with the hijackers.

Officials said the 3,300-mile trans-atlantic flight would take between eight and 10 hours. An international navigator went aboard the DC–8, four engine jet in Boston.

The Delta crew was comprised of four men and three women.

Although at least eight sharpshooters—four from the FBI and four from the Massachusetts state police—were stationed at strategic points around Logan International Airport in Boston, no shot was fired.

Some law enforcement officials had changed into airline workman's uniforms in hopes of deceiving the hijackers. But the hijackers ordered all persons who approached the jet to wear only swimming trunks.

The jet, originally a Detroit-to-Miami, nonstop flight, arrived in Boston at 6:53 p.m. It had left Miami at 4:18 p.m.

When the international navigator boarded the plane in Boston he brought with him additional maps and charts. And, on orders from the hijackers, he also took along a supply of food.

Delta said they pumped aboard 13,800 gallons of fuel, about two truck loads, for the flight to North Africa.

The worker who refueled the plane wore swim trunks, as ordered.

None of the hijackers nor crewmen left the plane at any time.

Delta guaranteed the hijackers passage to Algeria and pleaded with the FBI *and other* law enforcement officials not to interfere.

Earlier in Miami, two FBI agents, dressed in swimming trunks, brought out the $1 million in $50 and $100 bills in a suitcase and tied it to a rope dangling out of the plane. The hijackers hoisted it aboard.

Detroit attorney Samuel Gardner, one of the passengers, said all the hijackers were black. The women, he said, wore Afro-style hairdos, slacks and blouses, the men suits. The children, he said, appeared to be five or six years old.

"The whole thing happened with considerable calm," said Gardner. "There was no threat of violence at any time and I did not see a weapon, although two of the men had their hands inside their coats."

Delta said the men were armed with handguns—but it also said it had received no explicit threats from the hijackers.

"There were no threats to any of the passengers and they were polite as possible," said George Coppal of Detroit. Coppal said he didn't know the plane had been hijacked until it landed at Miami.

The hijackers took over the plane about 12:45 p.m. over Orlando.

The FBI, which took over the case when the plane landed in Miami, tried to negotiate with the hijackers but to no avail. As the plane sat in a remote corner of Miami International Airport, its engines running and its lights flashing in the hot sunlight, a hijacker talked by radio to the FBI.

The FBI wanted the hijackers to take half the money, let the passengers go free, and then get the other $500,000.

"No, no, no," said the voice from the plane. "Hey, look here, man, I'm not jiving. It will be done like I want it done. It will not be done the way you want it."

A few minutes later, a white airline truck rolled up to the plane with two agents in swimming trunks—an order from the hijackers to prevent armed men from getting near them. One of the agents got out, walked to the front of the plane, looked up at the cockpit and then went back to the truck.

He reappeared with a small blue suitcase which he tied to a rope thrown from the cockpit window.

The truck then backed up to the plane, attached a boarding ramp and the 86 other passengers began filing out.

[From the Washington Post, Aug. 1, 1972]

HIJACKERS GET $1 MILLION, FLY TO ALGERIA

ALGIERS.—Five hijackers who "believe that money destroys people" exchanged 87 passengers for a record $1 million ransom, then forced the crew of a Delta Air Lines jet to fly them and their children to Algeria today.

The plane, Flight 841, carried 101 passengers when it was commandeered during a Detroit-to-Miami flight. It landed in Algeria at 3:19 a.m. But Algerian officials indicated they may refuse a request for asylum. Such a refusal would be rare.

One Algerian source said: "Algeria has given and will always give asylum to a refugee or a political opponent, but it is also evident that a gangster who demands money through threats does not belong to this category of men persecuted for political activities."

Edward Keller, economic officer for the U.S. diplomatic mission in Algeirs, said he believed the Algerian government would return the $1 million.

"It would be the logical step," he said. "After all, it is stolen money."

When a plane was last hijacked to Algeria, a favorite haven of American radicals, the Algerian government returned the $500,000 ransom but refused a U.S. request to extradite the hijackers.

The DC8, four-engine jet was seized by the three men and two women—who had two children with them—as it approached Orlando, Fla.

When it landed at Miami, two FBI agents dressed only in swimming trunks at the hijackers' orders brought a small suitcase containing the ransom in $100 and $50 bills.

At a remote edge of a runway, one of the agents tied the suitcase to a rope dangling from the plane, and the hijackers hoisted it aboard.

Only then did the hijackers let the passengers get off. They had brusquely rejected an FBI suggestion that they take half the money, release the passengers, then get the other half.

Soon afterward, the hijackers, the children and the four-man, three-woman crew took off for Boston.

There, while FBI agents and police sharpshooters kept their distance, a worker in swimming trunks pumped 13,800 gallons of fuel into the plane for the 3,300-mile flight to Algeria, where Black Panther Eldridge Cleaver and other American radicals have been granted political asylum.

The Associated Press today released a Boston Globe report of a discussion between an unidentified black FBI agent and a hijacker during the refueling.

TRANSCRIPT OBTAINED

The Globe said a transcript was obtained through sources at Logan International Airport:

FBI: Are the passengers in the cockpit with you?

Flight Crew: That's affirmative.

FBI: Request permission to talk to the passengers.

Flight Crew: OK, stand by.

FBI: Yeah; look man, I'm a black American and I, uh, know what your problems are. I live in the ghetto just like you do. I know it's rough, but are you really sure you're doing the right thing? Did you really consider the kids that you have on there with you?

You know the last hijacking we had to Algeria, when they got there they took all the money away. They don't have a cent, man. You think you're in trouble here, you'll be nothing there.

I'm a special agent with the FBI and we aren't going to interfere with you at all, but I felt it important that I should at least tell you what you're getting yourself into. Right now your troubles are minor. Are you really sure this is what you want to do?

Hijacker: We don't agree with that.

BELIEVED MONEY DESTROYS

The FBI in Detroit identified the hijackers as: Melvin and Jean McNair, Larry Burgess, Joyce Tillerson and Harry Singleton. The McNair's child and the Tillerson woman's daughter Kenya were also on the plane.

All of them had been living in a bare, one-story house on Detroit's east side for about a year, neighbors said.

Jim Moss, who lived next door, said the hijackers "were very strange people, but very intelligent. . . . They weren't prejudiced. They believed that money destroys people."

"FLY DELTA'S BIG JET"

In the living room of the hijackers' communal home, posters adorned the walls, including one which said: "Fly Delta's Big Jet."

A black mound of dirt symbolizing a grave was in the middle of the living room floor. On top of the dirt sat a small white, rubber doll stabbed through the middle with a red-handled knife.

A headstone at one end of the mound bore a Bible opened to chapter three of Isaiah—a chapter which speaks of destruction and corruption.

Mr. BOGGS. Mr. President, I yield the remainder of my time to the distinguished Senator from New York (Mr. JAVITS).

Mr. JAVITS. I am very grateful to the Senator from Delaware. If the Senator will permit me, I should like to be a cosponsor of his legislation.

Mr. BOGGS. I thank the Senator.

Mr. JAVITS. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

By Mr. JAVITS (for himself, Mr. BOGGS, Mr. BROOKE, Mr. CASE, Mr. COOPER, Mr. CRANSTON, Mr. FONG, Mr. HARRIS, Mr. HATFIELD, Mr. HUGHES, Mr. KENNEDY, Mr. MAGNUSON, Mr. MONDALE, Mr. MUSKIE, Mr. RIBICOFF, Mr. ROTH, Mr. STAFFORD, and Mr. TUNNEY):

S. 3872. A bill to provide for the use of certain funds to promote scholarly, cultural and artistic activities between Japan and the United States, and for other purposes. Referred to the Committee on Foreign Relations.

JAPANESE-AMERICAN FRIENDSHIP ACT OF 1972

Mr. JAVITS. Mr. President, a relationship that 27 years ago was one of total war and complete distrust and enmity between the United States and Japan has been transformed—through intelligent diplomacy, mutual self-interest and reciprocal respect—into a balanced cooperative friendship that is unprecedented in East-West relations. The most significant symbol of this new United States-Japan relationship is the Okinawa Reversion Agreement, approved by the Senate on November 10, 1971, by a vote of 84 to 6. This agreement is clearly an example of cooperation, mutual respect, understanding, and trust between equals, and I regard in a similar vein the jointly announced meeting between Japanese Prime Minister Kakuei Tanaka and President Nixon to be held on Hawaii later this summer. It is this relationship that I believe we must perpetuate. It grows out of experiences of the past 20 years and is the foundation for plans and aspirations of the next 20 years in Asia.

Today, I introduce for myself and Senators BOGGS, BROOKE, CASE, COOPER, CRANSTON, FONG, HARRIS, HATFIELD, HUGHES, KENNEDY, MAGNUSON, MONDALE, MUSKIE, RIBICOFF, ROTH, STAFFORD, and TUNNEY, the Japanese-American Friendship Act of 1972, to set aside 10 percent of the payments to be received from Japan in connection with the reversion of Okinawa for the purpose of establishing a fund to promote scholarly educational and cultural interchange between the United States and Japan. The total payments scheduled to be received is $320 million over a 5-year period. This bill authorizes the appropriation of $32 million, out of the $100 million already received under the Okinawa Reversion Agreement.

An identical bill is being introduced in the House today by a distinguished member of the House Committee on Education and Labor, Representative MARVIN L. ESCH of Michigan.

The Japanese-American Friendship Act Fund can, in my judgment, make a significant, tangible, and lasting contribution to friendship and cooperation between our two countries and thus make an important contribution to world peace and prosperity.

There is an important historical precedent for this kind of use of funds. The funds which were payable to the United States by the Government of China under the Boxer Indemnity Fund were set aside for educational purposes. While the circumstances of payment in this case are very different, the object in mind respecting the use of the funds receivable is analogous—to strengthen the bonds of friendship and understanding with a great nation of Asia.

The "Japanese Miracle" is one of the major developments of the last half of the 20th century. But relatively little is known and understood in detail about the remarkable Japanese society which has achieved such progress. The Japanese language is probably the least known in the United States of any of the world's great languages. Japanese art and literature are treasures which remain to be more fully explored by American scholars and by the American public.

The Okinawa Reversion Agreement

provides that the Japanese Government make a payment of $320-million to the United States over a period of 5 years as repayment for the cost to the United States for public utilities and other facilities on the island and now turned over to Japanese administration plus some costs in connection with relocation of American facilities and employment of indigenous labor. The Japanese-American Friendship Act appropriates to the President 10 percent of this amount to establish a Japanese-American Friendship Trust Fund. These funds will draw interest at the average rate of Federal obligation of the past 2 years. This interest and no more than 5 percent of the principal will be available annually for the purposes of the act. Disbursements would be used for the following purposes:

First, support for studies, including language studies, in institutions of higher education in Japan and the United States, designed to foster mutual understanding between Japan and the United States;

Second, support for major collections of Japanese books and libraries at American colleges and universities located throughout the United States;

Third, support for programs in the arts in association with institutions of higher education in Japan and the United States;

Fourth, support for fellowships and scholarships at the undergraduate, graduate, and faculty levels in accord with the purposes of this act;

Fifth, support for visiting professors and lecturers at colleges and universities in Japan and the United States, and

Sixth, support for other United States-Japanese exchanges consistent with the purposes of this act.

To administer these wideranging functions, the act establishes a Japanese-American Friendship Commission composed of the Secretary of State and the Secretary of Health, Education, and Welfare, and six public members appointed by the President. The public members would be selected from persons who are: First, conversant in Japanese-American relations, or second, generally recognized experts in the field of education, the arts and humanities, or third representative of the general public. The Chairman of the National Endowment for the Humanities and the National Endowment for the Arts would serve as ex officio, nonvoting member. In addition to administering the programs under this act the Commission is empowered to receive gifts and donations which would either be expended upon receipt or added to the principal of the trust fund.

This legislation is most timely, and the need for it is clear. Japanese society has advanced to the degree as to make possible and necessary an equal relationship between our two nations. This fact in conjuctio with our most friendly relations with the Japanese over the past two decades, provides a unique opportunity that to date has not been realized.

Japanese studies are available in only 4 percent of all American colleges and universities, have an unfortunately low priority, and have suffered considerably thereby. Foundations are withdrawing their support for the most part, because their aid was never intended to be permanent but to get programs off the ground so that the U.S. Government could then step in with financial aid when the programs have proved their worth. However, Federal assistance has not been forthcoming on a scale requisite to fulfill minimum needs. In fact, budgetary constraints have required that programs in this area, such as title VI of the National Defense Education Act—providing for language studies—be cut down by as much as 60 percent in 1971. And there has been no major effort to revitalize these programs more recently. The overall result has been a net decline in programs and exchanges of all types with Japan at a time when Japan's status in the world necessitates much greater communication and mutual understanding.

Relations between Japan and the United States have reached a psychological watershed of great importance. The style of relationship forged during the postwar occupation, which characterized Japan as a younger brother needing tutelage, has long since been rendered obsolete and has been superseded in government-to-government relations and has been replaced, most appropriately, by a true partnership. Japan has emerged as the second strongest economic power in the free world. This is a new reality which must be accommodated, especially in our nonofficial relationships and perceptions as well.

The United States may well be in a mood of retrenchment and diversion to domestic troubles, in the wake of our tragic experience in Vietnam. Sensitivities in both Washington and Tokyo are thus perhaps more exposed to irritation than at any time in the past 20 years. Tact and hardheadedness are required in equal measure, if there is to be the kind of creative United States-Japan partnership which, in concert with other multinational efforts could inaugurate an era of unprecedented growth, prosperity and mutual understanding and communication.

Friction over achieving fair voluntary restraints on Japanese exports of manmade textiles and steel, the misunderstandings in Japan resulting from the President's Peking trip, and the new orientation in United States-China relations have been disturbing signs for those who appreciate the vital importance of mutual understanding and communication between the United States and Japan.

It is clear that on both sides significant gaps in communication remain, and old shibboleths persist in many minds. However, Japan's rise as a world economic power—and its evolving political maturity—emphasize the vital need for promoting reciprocal public understanding and interests. Many of the hopes and plans for peace and stability in Asia rest upon the premise of continued close United States-Japan cooperation.

President Nixon and former Japanese Prime Minister Sato underscored this need in their joint statement of January 7, 1972, at San Clemente, in stating that both sides:

> Would cooperate closely with each other in all areas such as the political, cultural, economic, scientific, and technological fields to achieve the common goals of maintaining and promoting peace and prosperity of the world and the well-being of their countrymen. They also agreed that steps be taken to increase cultural exchanges and in this regard the President welcomed the explanation given on the contemplated establishment of a Japanese cultural exchange program.

The above mentioned Japan Fund is now being formed by the Japanese Foreign Ministry to finance expanded cultural and educational exchange programs between Japan and the United States and Southeast Asia. By the Japanese fiscal year 1974, this trust fund will amount to $32 million.

There is a real need for a similar comprehensive effort on the part of the United States to promote and expand our general public understanding on a scale commensurate with Japan's status in the world and sufficient to fulfill our mutual gaps in understanding and communication with Japan.

The provisions of the Agreement with Japan concerning the Ryukyu Islands and the Daito Islands—signed June 17, 1971 and approved by the Senate on November 10, 1971—which by themselves are evidence of a close collaboration between friends of mutual good will and common purpose, provides an excellent opportunity for even closer and more mutually beneficial cooperation and understanding between our two nations. And in my judgment, the Japanese-American Friendship Act of 1972 will make good use of that opportunity.

So, Mr. President, we act at a fortuitous time. I hope very much that the bill will have rather quick action on the part of Senate committees, the Senate, and the House.

I ask unanimous consent that the text of the Japanese-American Friendship Act of 1972 be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3872

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Japanese-American Friendship Act of 1972."

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds that—

(1) the evolution of the relationship between Japan and the United States from wartime bitterness to peacetime friendship and partnership is one of the most significan developments of the postwar period;

(2) the Agreement on the Reversion of Okinawa is a major achievement and symbol of the new relationship between the United States and Japan; and

(3) the continuation of close United States-Japan friendship and cooperation will make a vital contribution to the prospects for peace, prosperity and security in Asia.

(b) It is therefore the purpose of this Act to provide for the use of part of the sums to be paid by Japan to the United States in connection with the reversion of Okinawa to Japanese administration in order to enhance public understanding and support of the close friendship and mutuality of interests between our two nations.

ESTABLISHMENT AND MANAGEMENT OF THE FUND

SEC. 3. (a) There is established in the Treasury of the United States a trust fund to be known as the "Japanese-American Trust Fund." The Fund shall consist of—

(1) amounts transferred to it under Section 4;

(2) any other amounts received by the Fund by way of gifts and donations; and

(3) interest and proceeds credited to it under Subsection (b) of this section.

(b) It shall be the duty of the Secretary of the Treasury (hereafter referred to as the Secretary) to invest such portion of the Fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States issued during the preceding two years then forming part of the Public Debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

(c) Any obligation acquired by the Fund (except special obligations issued exclusively to the Fund) may be sold by the Secretary at the market price, and such special obligations may be redeemed at par plus accrued interests.

(d) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(e) The Secretary shall pay out all income of the Fund each fiscal year and up to 5 percent of the principal for the purposes specified in this Act pursuant to the direction of the Japanese-American Friendship Commission created by Section 6 of this Act.

SEC. 4. Ten percent of the funds paid to the United States pursuant to the Agreement between Japan and the United States of America concerning the Ryukyu Islands and the Daito Islands, signed at Tokyo and Washington, June 19, 1971 is hereby authorized to be appropriated to the Fund established under this Act.

EXPENDITURES FROM THE FUND

SEC. 5. (a) Amounts in the Fund shall be used for the promotion of scholarly, cultural, and artistic activities between Japan and the United States, including—

(1) support for studies, including language studies, in institutions of higher education in Japan and the United States, designed to foster mutual understanding between Japan and the United States;

(2) support for major collections of Japanese books and libraries at American colleges and universities located throughout the United States;

(3) support for programs in the arts in association with institutions of higher education in Japan and the United States;

(4) support for fellowships and scholarships at the undergraduate, graduate, and faculty levels in accord with the purposes of this Act;

(5) support for visiting professors and lecturers at colleges and universities in Japan and the United States; and

(6) support for other United States-Japanese exchanges consistent with the purposes of this Act.

(b) Amounts in the Fund may also be used to pay administrative expenses of the Japanese-American Friendship Commission as directed by that Commission.

ESTABLISHMENT OF THE JAPANESE-AMERICAN FRIENDSHIP COMMISSION

SEC. 6. (a) There is established an agency to be known as the Japanese-American Friendship Commission. The Commission shall be composed of—

(1) the Secretary of State;

(2) the Secretary of Health, Education, and Welfare;

(3) six members appointed by the President from among individuals who are (A) conversant with Japanese-American relations, (B) expert in the field of education, the arts, or the humanities, or (C) representative of the general public;

(4) the Chairman of the National Endowment for the Arts, who shall have no vote; and

(5) the Chairman of the National Endowment for the Humanities, who shall have no vote.

(b) The term of office of each member of the Commission appointed under Subsection (a)(3) of this section shall be 3 years, except that (1) the members first taking office shall serve as designated by the President, two for terms of three years, two for terms of two years, and two for terms of one year, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed.

(c) Members of the Commission who are not regular full-time employees of the United States shall, while serving on business of the Commission, be entitled to receive compensation at rates fixed by the President, but not exceeding $150 per day including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in government service employed intermittently.

(d) The President shall appoint the Chairman of the Commission. A majority of the members of the Commission shall constitute a quorum. The Commission shall meet at least twice in each year.

FUNCTIONS OF THE COMMISSION

SEC. 7. The Commission is authorized to—

(1) develop and carry out programs for the promotion of scholarly, cultural and artistic activities by Japan and the United States consistent with the provisions of Section 5 (a);

(2) make grants to carry out such programs; and

(3) submit to the President and to the Congress an annual report of its activities under this Act together with such recommendations as the Commission determines appropriate.

ADMINISTRATIVE PROVISIONS

SEC. 8. (a) In order to carry out its functions under this Act, the Commission is authorized to—

(1) prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(2) receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of this Act; and to use, sell, or otherwise dispose of such property (including transfer to the Fund) for the purpose of carrying out the purposes of this Act;

(3) in the discretion of the Commission, receive (and use, sell, or otherwise dispose of in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to the Commission with a condition or restriction, including a condition that the Commission use other funds of the Commission for the purposes of the gift;

(4) direct the Secretary to make expenditure of the income of the Fund and up to 5 percent of the principal for the purposes of this Act, including the payment of Commission expenses if needed;

(5) appoint an executive director, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, who shall be compensated at the rate provided for a GS–18 of the General Schedule of such title;

(6) appoint and fix the compensation of such additional personnel as may be necessary to carry out the provisions of this Act;

(7) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $150 per diem;

(8) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(9) enter into contracts, grants or other arrangements, or modifications thereof to carry out the provisions of this Act, or any other provisions of law relating to competitive bidding; and

(10) make advances, progress, and other payments which the Board deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529).

Mr. RIBICOFF. I am pleased to join as a cosponsor of the Japanese-American Friendship Act of 1972. Despite the focus of attention on Peking and Moscow, it is important to stress how important good relations with Japan will continue to be. Japan with its dynamic economy and expending technology is truly a great power with which we must come to terms on a variety of political, economic, and military issues.

As one concerned about our growing trade and balance-of-payments deficits, I welcome reports that some progress has been made in the recent negotiations with Japan to reduce our current trade imbalance of $3.7 billion. Surely more must and will be done along these lines. But the key to greater cooperation between our two countries in all areas continues to be the creation of a climate of mutual trust and understanding. Unfortunately we have been doing too little to create such a climate, and to close the very significant cultural and language gaps that now exist between our two nations.

The Japanese-American Friendship Act being introduced today can make a vital contribution to broader and deeper understanding between the United States and Japan. It is particularly appropriate that the vehicle to provide the funds for this new program is the Okinawa Reversion Agreement. This agreement is symbolic of the end of a past era of misunderstanding and hostility. We are proposing that 10 percent of the funds paid to the U.S. Government by the Government of Japan be set aside as a trust fund to promote friendship and education and cultural exchanges between the two countries.

The need for improved communication and expanded contracts cannot be emphasized too strongly. The Japanese Ambassador to the United States, H. E. Nobuhiko Ushiba, has put his finger squarely on the problem when he described the language and communication gap as being "immense". Earlier this year before the Commonwealth Club in San Francisco, Ambassador Ushiba perceptively and brilliantly outlined the awesome dimensions of this communications problem as follows:

> But for the majority of both our people, the cultural gulf, the language hurdle, and the gap in communications is still immense. The danger of this is that the possibilities for misinterpretation, misunderstanding and misreading of Japan by Americans are very great, only somewhat less serious in Japan as regards the United States. A growing number of U.S. historians attribute many of the fateful steps which led to World War II not only to *misreading* of political temper on both sides of the Pacific, but even to some disastrous examples of *mistranslations* of important U.S. notes to Japan and vice versa. And recently, in the occasionally bitter dispute over textiles, the Japanese could not understand why the United States was so adamant about restricting our textile shipments, which amounted in 1970 to only 1.3 per cent of U.S. domestic consumption in dollars. On the other hand, many Americans could not understand why the Japanese were so stubborn and irritated about the whole affair. Though this dispute was finally resolved, it was done at a considerable cost to our mutual goodwill, primarily as a result of mutual lack of comprehension. This same difficulty exists between many countries, of course. Even in two contiguous countries such as France and Spain, with very similar cultures and languages, there is an old saying that "truth on one side of the Pyrenees becomes untruth on the other." How much more difficult it is for us Americans and Japanese!
>
> In the future, therefore, it becomes even more important that we be particularly aware of the problems and dangers which this communications gap can pose, and that we make adequate allowances for it, I might observe, at this point, that the flow of news and information from the United States to Japan is far greater than the flow from Japan to the U.S. Our papers, which have enormous readership, are full of news about the United States. I have frequnetly had the experience of reading news stories of interesting American economic developments in Tokyo papers which I could not find in American papers, even though this news often originated from U.S. wire services. In addition to these wire services, Japanese papers also receive information from a large Japanese press corps in the United States, including about 70 in Washington and New York alone. On the other hand, the flow of news from Japan to the U.S. is much scantier, and also labors under the limitation that very few American correspondents in Tokyo have sufficient command of Japanese to function professionally without an interpreter, which makes their job considerably more cumbersome and difficult than it would otherwise be. Still another revealing index of the comparative flow of information and ideas is the fact that some 2000 English-language titles are translated into Japanese each year, while only about 20 Japanese books are translated into English. Moreover, most educated Japanese read English, some with greater facility, others with more difficulty. *On the other hand, only a handful of Americans can read Japanese.*
>
> On our side, we Japanese ourselves have to make a major effort to help narrow this gap of communications and understanding. But I believe it is fair and timely to suggest that Americans also can and should make a considerably greater effort on their own, Japan is important enough in its own right, and particularly important as an economic and political partner to the United States, to justify far greater efforts than in the past for Americans to learn more about Japan, its language, culture and institutions.

Given the seriousness of the language problem and the need for immediate improvement in this area, I would hope that one of the prime recipients of assistance under this act would be the Inter-University Center for Japanese Language Studies in Tokyo.

This center is an invaluable advanced language training facility for American students operated by a consortium of 11 American universities. Unfortunately, this highly successful educational institution has been operating on the brink of bankruptcy. It now receives significant support from the Japanese Foreign Ministry. It certainly deserves greater official American support. According to information provided by its extremely able and dedicated director, Dr. Kenneth Butler, and corroborated by those with firsthand knowledge of the center's activities, it is the only existing institution which provides coordinated intensive advanced Japanese language instruction for American university students. The center has a proven record of training American specialists to a fully competent level in both spoken and written Japanese. Center graduates are currently active in a variety of areas of academic, business, and governmental relations with Japan.

The center was established in 1963 using a grant from the Ford Foundation. In addition, the Carnegie Corporation and the U.S. Office of Education have provided some limited financial support. American universities have provided approximately $600,000 in fellowship support for center students.

During the past 2 years, however, funds have been secured on a patchwork basis to keep the center in operation through 1972–1973. But its prospects beyond 1973 are such that unless it is able to obtain Federal help the center program will have to be closed down. This would be a major setback in the progress made in recent years in training American Japanese specialists and would go against the express purposes of the proposal being introduced today.

I would hope that when this legislation is enacted the needs of this center will be given the highest priority by the newly appointed Japanese-American Friendship Commission.

I urge all Senators who recognize the importance of close cooperation between the United States and Japan to see that this bill becomes law. I also hope that the administration will give this legislation its blessings and support.

I ask unanimous consent that part IV of the final report of the third Japanese-American Assembly, entitled "Recommendations for Better Communication", be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

IV. Recommendations for Better Communication

On the basis of these discussions, we offer the following recommendations for action, not necessarily in the order of their importance:

1. *The Media.* The Assembly would like to see the press in each country improve its coverage of the other. Specifically, the American coverage of Japan should be deeper and more interpretive, while Japanese coverage of the United States should be more balanced and should take into account the diversity of American society.

In addition, American correspondents in Japan and Japanese correspondents in the United States should have equal and reciprocal access to all official press conferences. To attain deeper understanding of the Japanese scene, American media organizations should encourage their correspondents to learn the Japanese language and afford them the opportunity to do so.

2. *Governmental Relations.* The two governments should improve existing machinery for consultation on political, economic, and social issues.

The annual bilateral conferences of Japanese and U.S. government officials could be made more productive through a greater investment in continuing staff work. More frequent meetings of middle-level officials are also required.

3. *Education and Exchange Programs.* There are several institutes which specialize in advanced foreign language training and are of great importance for maintaining effective communication between the two countries. The programs at the Inter-University Language Center in Tokyo and at International Christian University are examples of the important endeavors in this area.

However, it is regrettable that language training institutions are not receiving sufficient financial support. We therefore urge the Japanese government and Japanese business to join with American sources to expand their support for language teaching and scholarly translation.

The establishment of the Japan Foundation represents a major and potentially significant initiative by the Japanese government to improve mutual understanding. In light of this new endeavor, we are confident the Japanese government will make every effort to recruit the best possible talent from both public and private sectors to plan and administer the Foundation's programs.

On the American side, the Executive and Legislative branches should support the restoration of the Fulbright-Hays and National Defense Education Act area studies programs to their former levels as well as funding the International Education Act. Special consideration should be given to expanding and strengthening these programs in regard to Japan.

Only government can provide the large financial resources necessary for the expansion of American university training in Japanese studies. We believe the U.S. government should make a greater financial commitment than at present; the Japanese government should enter actively into the support of this field. We also believe greater efforts should be made to "internationalize" the makeup of Japanese universities as well as to improve their American studies departments. A commitment by both governments to support such programs is of the utmost importance. The business community in both countries also has a special responsibility for supporting programs of exchange, publication and the like. We feel that Japanese business in particular should make a major effort in this area and that American business and foundations should continue and expand their activities in support of a variety of programs. We particularly want to emphasize the need for exchange programs to give representation to people of all ages and from all regions of our countries. We also urge expanded programs of translation of Japanese scholarship into English.

4. *Cooperation*. We commend an increased level of academic and public cooperation in areas in which we face joint and immediate social problems. Fruitful beginnings could be made in the fields of urban studies and pollution control, health and welfare programs and the study of domestic political processes. We also recommend joint U.S.-Japanese or multinational undertakings in the developing world as one way of increasing the flow of capital and technical assistance.

By Mr. McINTYRE (for himself, Mr. BIBLE, Mr. NELSON, Mr. BURDICK, and Mr. SPARKMAN):

S. 3873. A bill to amend the Occupational Safety and Health Act of 1970 to improve the administration of that Act with respect to small businesses. Referred to the Committee on Labor and Public Welfare.

Mr. McINTYRE. Mr. President, on behalf of Senators BIBLE, NELSON, BURDICK, SPARKMAN, and myself, I am introducing today a bill to amend the Occupational Safety and Health Act which would establish in the Department of Labor a small business procedure to assist small businessmen in complying with the regulations issued under that act.

In the past several years, I have held a number of hearings on the Senate Select Committee on Small Business and on the Small Business Subcommittee of the Senate Banking, Housing, and Urban Affairs Committee, of which I am chairman, regarding the effect that various pieces of legislation have on the competitive position of the small business segment of our economy.

It happens that very often in passing well intentioned legislation to remedy a specific problem area that small businessmen are unintentionally injured and put at a competitive disadvantage. Certainly, in passing the Occupational Safety and Health Act, there was no intent by Congress to unintentionally injure small business, and the purpose of my bill is to make sure that this does not happen.

Mr. President, 14,000 deaths a year and over 2 million serious injuries to workers in this country make not only a strong, but absolute, case that occupational health and safety regulations are essential. This is why I voted for the Occupational Safety and Health Act.

But problems have developed with the administration of this law. Congress has experienced this problem many times before. Well-meaning legislation embodying essential public interest goals often causes reactions which are totally unintended. The enforcement of OSHA regulations have created in some cases insurmountable problems in a crucial area of our business community—the small business sector.

When Congress established the Small Business Administration in 1953 as a permanent agency, it specifically recognized the small businessman's contribution to the free enterprise system and also recognized his precarious state vis-a-vis big business. The Occupational Safety and Health Act also made recognition of the unique status of the small businessman in providing for SBA loans to meet OSHA requirements. The problem, however, is simply not the availability of loan funds, though that is extremely important. The crucial problem, as I see it, is the recognition or lack of it—whichever the case may be—by OSHA officials that there are extreme differences between a vertically integrated conglomerate corporation and a small businessman.

While OSHA regulations may create some problems for large businesses, which I am sure they do, these corporations have the financial resources and the managerial ability to provide in plants and on worksites safety engineers whose sole function is to assure compliance with health and safety requirements. The small businessman, however, is not nearly so fortunate.

The cost of obtaining such assistance and the expertise to make practical application of health and safety technology is quite often far beyond the reach of the small businessman.

While we, in Congress, and in the executive branch have expressed alarmed concern with the state of our economy and have time and again passed legislation aimed at strengthening the American economic system, it seems that too often these measures have little or no impact on the small business sector.

A work survey by the Research Institute of America on the first quarter of 1971 clearly illustrates this point. Earnings of manufacturers with assets in excess of $1 billion increased their earnings by 18.8 percent while during the same period manufacturers with assets of less than $1 million suffered a 40.4-percent decrease in profits. This is a devastating statistic.

Congress must recognize that small businessmen in this country must overcome almost insurmountable problems to remain competitive with big business. And we must make sure that our actions do not unintentionally result in driving thousands of small businesses to the brink of bankruptcy and disaster. This, I am afraid, may be the unintentioned result of the operation of OSHA if we are not careful.

Amendments have been offered to the Occupational Safety and Health Act calling for numerical exemptions to the enforcement provisions of this legislation. The House Select Committee on Small Business held hearings in June of this year on the impact of this law on small business and the overwhelming testimony given by small business representatives to that committee was that what was needed was not an exemption from the act but assistance in complying with it. It should also be noted that the Senate Labor and Public Welfare Committee is presently holding hearings on the impact of OSHA on small business.

The Department of Labor in testifying before the House Small Business Committee stated that numerous mistakes have already been made in applying health and safety standards. But what may be statistics to the Department of Labor is cold reality to a businessman who finds himself unable to continue his business because the regulation as promulgated by OSHA was impossible for him to comply with.

Discussions I have had with numerous small businessmen have indicated that substantive changes in the OSHA are needed. Small businessmen have told me that they find the regulations issued by OSHA extremely complex and technical in nature and that procedures should be developed to simplify the requirements in a way that small businessmen not having access to technical expertise know what is required of them.

Another complaint often made is that the small businessman in attempts to comply with OSHA requirements can receive no assurances that the safety equipment he purchases conforms to OSHA regulations. This indicates to me that possibly the Secretary of Labor could provide certification as to what equipment or action would meet his agency's health and safety requirements.

My bill would establish a specific small business program which would, first, require that regulations be simplified and technical assistance offered in meeting regulations; second, require the Secretary to provide certification as to what equipment or action will meet OSHA requirements; third, require regulations be applied on an industry-by-industry basis and small business exceptions to individual regulations be granted where appropriate; fourth, maintain close surveillance of effects of regulations on competition to assure that small businessmen are not unintentionally injured economically because of regulation; fifth, require the Secretary to certify that regulations can actually be complied with and a finding must be made that the regulations will have a positive effect on the health and safety of employees so that needless regulations are not issued; sixth, provide a small business recordkeeping procedure to cut down on required paperwork and eliminate needless redtape; seventh, distinguish between different types of business activities such as light and heavy construction; and eighth, provide small business with one onsite inspection without mandatory penalty.

The important thing is to examine the operation of the Occupational Safety and Health Act to assure that regulations and requirements issued by the Department of Labor do not unintentionally adversely affect competition and cause unneeded economic injury to the small business sector of our economy. This, in my opinion, can be done with my bill without providing specific exemptions based solely on the number of workers.

Mr. President, I request unanimous consent that this bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3873

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the heading of section 28 of the Occupational

Safety and Health Act of 1970 is amended to read as follows:

"PROVISIONS AFFECTING SMALL BUSINESS"

(b) Section 28 (a) of such Act is amended by inserting "(1)" immediately after the subsection designation, by striking out "(1)" and inserting in lieu thereof "(A)" and by striking out "(2)" and inserting in lieu thereof "(B)".

(c) Subsections (b), (c), and (d) of section 28 of such Act are redesignated as paragraphs (2), (3), and (4), respectively.

Sec. 2. Section 28 of the Occupational Safety and Health Act of 1970, as amended by this Act, is further amended by inserting at the end thereof the following:

"(b) The Secretary shall, with respect to the applicability of standards established under section 6 of this Act, to small business concerns, consider—

"(1) the distinction between large and small business concerns;

"(2) the applicability of each such standard on an industry by industry basis;

"(3) where feasible and appropriate on the basis of the type of activity in each such industry, exceptions for small business concerns.

"(c) The Secretary shall provide or establish—

"(1) a detailed description of the equipment required or action needed to be taken by a small business concern to comply with the requirements of each applicable standard;

"(2) simplified requirements for small business concerns designed to eliminate unnecessary and duplicative record keeping and reporting.

"(d) Notwithstanding any other provision of this Act, no standard shall be applicable with respect to any small business concern until the Secretary certifies that that standard can reasonably be complied with by the small business concerns to which it applies and that the standard will constitute an improvement of the occupational safety and health of the employees of the small business concerns to which that standard applies.

"(e) Small business concerns shall be given upon request one on-site inspection, and notwithstanding provisions of section 9 and 10 of this Act, the Secretary shall establish procedures for such inspection and no citation shall be issued or penalty assessed against a small business for violation of any standards based on such inspection. The provisions of this subsection shall not apply with respect to the application of the provisions of section 13 to any small business concern.

"(f) The Secretary shall maintain a continuing review of the operation of this Act to assure that small business concerns are not unintentionally injured economically in a manner having an adverse effect on competition as a direct result of standards established under section 6, and shall provide annually a report thereon to the Select Committees on Small Business of the Senate and House of Representatives.

"(g) The Secretary is authorized to prescribe such rules and regulations as are necessary to carry out the provisions of subsections (b), (c), (d), and (e) of this section.

"(h) For the purpose of subsections (b), (c), (d), and (e) of this section, the term 'small business concern' means any such concern as defined pursuant to section 3 of the Small Business Act."

Mr. BIBLE. Mr. President, I am delighted to join the distinguished Senator from New Hampshire (Mr. McINTYRE) as a cosponsor of his bill to amend the Occupatoal Safety and Health Act of 1970 by injecting some "small business consciousness" into that law.

No Member of Congress or small businessman can really oppose the principle that safety should be pursued by smaller companies as well a larger ones. Certainly, Those of us who voted to provide for those health-safety criteria back in 1970 had that in mind. But I do not believe we wanted that law to become an unwieldly administrative maze for the country's small businesses to try to understand and conscientiously comply. For example, should a small construction company hiring a few men to build a single-story house be required to comply with the same set of regulations as a large company hiring many hundreds of men to build a multistoried skyscraper. Certainly, such would seem to place an unequal burden on small homebuilders.

Unfortunately, the OSHA program presently requires an "equal but inequitable" result and there is increasing recognition that the law should be changed not to provide less safety for working men and women, but changed to make its compliance regulations more understandable and workable.

The Senate Labor and Public Welfare Committee and the House Small Business Committee are just concluding inquiries into the question of OSHA's operation. These hearings have revealed what appears to be additional weaknesses of this legislation and its administration. One shortcoming that disturbs me is that spectacle of a small businessman, in a desire to comply with the law, inviting an inspector to his plant for advice, only to have violations and fines levied against him. I do not believe the Congress really intended to penalize good-faith efforts of compliance of this sort.

Mr. President, the bill offered by the Senator from New Hampshire is a moderate attempt to bring about sensible compliance. Those of us interested in this subject do not propose broad or blanket exemptions of businesses, because a man or woman can be seriously injured in a small machine shop as well as in a large one. Working men and women have every right to work in safe surroundings.

This bill does not propose postponement of compliance or tying up in redtape the proper application of the act. On the contrary, it seeks to simplify recordkeeping for small businessmen. Today, recordkeeping demanded by Government agencies, Federal, State, and local, of businesses generally, and small businesses particularly, is a real anathema. Earlier this year at a roundtable discussion session with representatives of small business trade organizations representing many millions of businesses, we were told that the single biggest problem the American businessman has today to stay in business is the flood of Government paperwork imposed upon him. And the Senator from New Hampshire deserves great credit and commendation as chairman of the Government Regulation Subcommittee, Select Committee on Small Business, for his current inquiry into this area, and for his comparable leadership as chairman of the legislative Small Business Subcommittee, Banking Housing, and Urban Affairs Committee, in holding hearings and offering legislation to promote the best interests of small businesses nationwide in their efforts to adjust standards imposed by Federal laws dealing with environmental, consumer, health and safety standards.

It has been my pleasure as chairman of the Small Business Committee to assist in this effort as other members of our committee have done. Our approach, which we have consistently pursued since 1968 in advocating help for small businessmen, is to make it reasonable for the small businessmen to comply with these new standards and help him legislatively, if necessary, to do so.

Therefore, the bill offered today asks for statutory authority to allow commonsense and sensitivity to small business plants, shops and other locales to be made a part of the administration of OSHA. I hope the Senate will give early and serious consideration to this bill.

By Mr. CRANSTON (for himself and Mr. TUNNEY):

S. 3874. A bill to establish the California Desert National Conservation Area, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. CRANSTON. Mr. President, I introduce for appropriate reference a bill to establish the California Desert National Conservation Area. I am delighted that my colleague from California (Mr. TUNNEY) joins me as cosponsor of this bill.

The California desert is one of our Nation's most priceless and irreplaceable natural resources—one of the last remaining wide open spaces in the United States where man can stretch himself out physically and spiritually from horizon to horizon. Its 16 million acres, of which 12 million are managed by the Bureau of Land Management, spread from the Sierra Nevada and Death Valley south 240 miles to the Mexican border and from the San Bernardino and San Jacinto Mountain ranges east to the Colorado River and adjacent watersheds.

This vast desert is not flat and barren sand—rather it is a land of tremendous ecological diversity and rich in historical, scenic, archeological, environmental, biological, cultural, scientific, and educational resources. Physically, the California desert ranges from snowcapped mountains to plateaus basins, dry lakebeds, rivers, and washes. The desert has more than 700 species of flowering plants, of which 217 are found nowhere else in the world. It contains rare and endangered species of wildlife and fishes such as the bighorn sheep and the desert pupfish that are unique to the California desert. The California desert is a total complex ecosystem.

The fact that the California desert lies so near the rapidly growing major population centers of southern California makes it an important recreational and educational resource. The California desert is literally within minutes of 10 million people. Yet it is precisely this unique proximity to 10 million people which calls for the special protections which my bill would provide. Without protections, the recreational and educational resources will be short lived.

From 1968 to 1971, the use of the California desert by the American public doubled. Today the desert is receiving 7.5 million visitor days of use annually, and this figure is expected to reach 50 million by the year 2000.

The California desert is so big, so vast, that it seems that there would be space for everyone and every activity. In fact, its resources are limited. Moreover, the desert's total ecosystem is extremely fragile, easily scarred and slowly healed. Today uncontrolled off-road vehicle use, improper grazing practices, careless mining operations, unplanned construction and roadbuilding, and the pressures of growing recreational use are altering and destroying the fragile ecology of the California desert.

If we are to preserve the unique and irreplaceable resources of the California desert, man's activities will have to be limited to those which do not disturb the natural setting, destroy the scenic beauty, or upset the fragile ecology of the California desert. It is not too late to save this beautiful area. But we must make decisions now to determine how we will use these lands and resources so that they will remain intact, not only for us, but also for future generations. If we fail to seize this opportunity and let present patterns of haphazard development and unwise recreational use continue, we may desecrate and irreversibly destroy the open space values of the California desert.

The legislation I am introducing today will require the formulation of a California desert plan to provide for the immediate and future preservation and administration of the California desert. It will create the California Desert National Conservation Area.

In addition my bill will grant the BLM some new authorities for the enhancement and protection of the California desert. The bill gives the Secretary the authority to acquire, through purchases or exchange, additional lands for the more economic and efficient management of the California desert. The bill also provides for greater BLM control over surface mining activities on the California desert. Finally the bill authorizes the Secretary to contract with local law enforcement agencies to develop a program for the expeditious enforcement of rules and regulations necessary for the protection and management of the California desert.

Another important aspect of my bill is that it provides for public input into the process of developing the California desert plan. The bill requires the Secretary to establish and take into consideration the recommendations of an advisory commission on the desert. This commission is to be comprised of representatives of not only the Federal agencies owning or administering lands in the desert, but also State and local governmental units, residents of the desert, environmentalists, and those who use the desert for study and recreation. In addition when the Secretary proposes a change in a rule or regulation regarding the California desert, my bill requires that public hearings be held.

Mr. President I ask unanimous consent that the text of the bill be printed at this point in the RECORD, and, Mr. President, I ask unanimous consent that the text of an excellent article on the desert, "Forgotten Wilderness," from the August 1972 issue of Environmental Quality be printed in the RECORD at this point.

There being no objection, the bill and article were ordered to be printed in the RECORD, as follows:

S. 3874

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress finds that—

(1) the California desert contains historical, scenic, archeological, environmental, biological, cultural, scientific, and educational resources that are unique and irreplaceable;

(2) many of these resources are immediately threatened, including certain rare and endangered species of wildlife, plants, and fishes that are unique to the California desert, whose habitats are being altered or destroyed by man's growing influence in the desert;

(3) the desert environment is a total ecosystem that is extremely fragile, easily scarred and slowly healed;

(4) the desert environment is seriously threatened by air pollution, indiscriminate off-road vehicle use, improper grazing, careless mining operations, unplanned development and construction, poor land use, and the pressures of growing recreational use;

(5) the interrelationship of man and his desert environment is poorly understood;

(6) the proximity of the lands of the California desert to the rapidly growing population centers of Southern California makes the California desert at once a unique recreational and educational resource and a resource in need of special protections;

(7) in order to study the interrelationship of man and his desert environment and to preserve the unique and irreplaceable resources of the California desert, man's activities must be limited to those which do not disturb the natural setting, destroy the scenic beauty, or upset the fragile ecology of the California desert; and

(8) in order to maintain environmental quality and ecological diversity and to control resource use, immediate steps must be taken to develop a comprehensive plan for the preservation of the desert environment and for the utilization of the desert's renewable resources within a framework of management which relys on the principles of multiple use and the maintenance of environmental quality.

(b) It is the purpose of this Act to provide for the immediate and future protection and administration of such public lands in the California desert within the framework of a program of multiple use and the maintenance of environmental quality.

SEC. 2. For the purposes of this Act—

(1) the term "Secretary" means the Secretary of the Interior;

(2) the term "multiple use" means—

(A) the management of all of the resources of the desert so that they are utilized by the public in the balanced combination that best meets the needs of the American people now and in future generations;

(B) the most judicious use of the land, within areas large enough to provide sufficient latitude for periodic adjustment in use, for the purpose of protecting and developing some or all of the resources;

(C) the use of some land and resources for recreational purposes;

(D) the harmonious and coordinated management of such resources and uses without impairing the productivity or environment of the land; and

(E) the consideration of the relative value and ecological relationships of such resources and uses, but not necessarily the consideration of the greatest relative economic value of such resources and uses;

(3) the term "resources" means all of the various historical, scenic, archeological, environmental, biological, cultural, scientific, and educational resources of the desert;

(4) the term "public lands" means any and all land owned by the United States (other than Indian lands, and lands comprising a National Park) without regard to how the United States acquired ownership of the land and without regard to the agency having responsibility management thereof;

(5) the term "California desert" means all lands and waters generally located within the State of California east of the Sierra Nevadas, east of the San Bernardino Mountains, and east of the San Jacinto Mountains south to the Mexican border, and including adjacent watersheds without regard to the State or States in which such watersheds are located;

SEC. 3. (a) There is hereby established the California Desert Advisory Commission. The Commission shall consist of a representative from each Federal agency having jurisdiction or control over lands within the California Desert, representatives of State and local governmental units (including law enforcement agencies), representatives of the academic community having expertise in this field, representatives of residents of the California Desert (including American Indians), environmentalists, and representatives of groups which make use of the California Desert and its resources for purposes of recreation, study, or business.

(b) Appointments to the Commission shall be made by the Secretary. Such appointments shall be made in accordance with the provisions of subsection (a) of this section and shall be made within the sixty day period following the date of the enactment of this Act. In making such appointments, the Secretary shall assure that the members of the Commission will reflect the points of view of the different races, ethnic groups, sexes, and ages of persons.

(c) The Secretary, within ninety days following the date of the enactment of this Act, shall call the first meeting of the Advisory Commission. The Chairman of the Commission shall be elected by the members thereof. The Chairman is authorized to employ and fix the compensation of such employees as he determines necessary to enable the Commission to carry out its functions under this Act, and to reimburse the members for expenses incurred by them in carrying out their duties under this Act.

(d) It shall be the function of the Advisory Commission to advise the Secretary with respect to the preparation of the long-range program and plan for the management, use, and protection of the California desert.

(e) The Commission shall terminate upon the expiration of sixty days following the date of the submission to the Congress of the plan required under section 5 of this Act.

SEC. 4. In order to carry out the purposes of this Act, there is established the California Desert National Conservation Area (hereinafter referred to as the "Conservation Area"). The Secretary shall publish a map of this area in the Federal Register. Each map shall be on file and available for public inspection in the Office of Information, Bureau of Land Management, Department of the Interior. The Secretary may revise the boundaries of the Conservation Area from time to time by publication in the Federal Register of the revised drawing or other boundary description.

SEC. 5. (a) The Secretary shall be responsible for the preparation of a long-range program for the management, use and protection of the Conservation Area.

(b) Such program shall include a plan, to be completed and reported to Congress, by June 30, 1978, for the future management, use, and protection of the conservation area. Such plan shall take into account the principles of multiple use, the maintenance of environmental quality of the area, and the possibility of selective acquisition and disposal of public lands in order to better carry out the purposes of this Act. In the preparation of such plan, the Secretary shall take into consideration the proposals of the Advisory Commission established by section 3 of this Act, and proposals of other Federal agencies and the State of California (or any political subdivision thereof) including recommendations from studies that have already been completed or are currently being prepared. In no event shall any such plan become effective until after the expiration of the sixty day period following the date of its submission to the Congress.

(c) During the period beginning on the date of enactment of this Act, and ending at the time of implementation of the long-range plan the Secretary shall execute an interim program to manage and protect the conservation area resources now in danger of destruction, to provide for the public use of the area in an orderly and reasonable manner such as through the development of campgrounds and visitor centers, and to provide for a uniformed ranger protection and maintenance operation.

(d) During the interim period beginning on the enactment of this Act, and continuing after the final program has been completed, the Secretary shall be authorized to contract with State and local government units in developing advanced programs for law enforcement. The Secretary is instructed to use his existing authorities to contract for research work in connection with the development of the plan, as he deems desirable.

(e) Annually the Secretary shall report to Congress on the progress of the planning, implementation of and progress on recommendations previously made, and on all activities under subsections (a) through (d) of this section.

Sec. 6. (a) The Secretary may acquire by purchase, exchange, or otherwise, such lands or interests therein as he deems necessary to provide access to the facilities of the Conservation Area, or to facilitate efficient and beneficial management of such area. Any lands or interests in lands within the Conservation Area acquired pursuant to this section, shall, upon acceptance of title, become public lands, and shall become a part of such Area, subject to all the laws and regulations applicable thereto.

In carrying out his authority to enter into exchanges as provided in this Act, in no case shall the Secretary utilize lands with respect to which there was an outstanding withdrawal order in effect on August 2, 1972.

(b) (1) Notwithstanding any other provision of law, in exercising the exchange authority granted by subsection (a) of this section, the Secretary may accept title to any non-Federal property or interests therein, and in exchange therefor he may convey to the grantor of such property or interest any public lands or interests therein under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the lands so exchanged shall be approximately equal, but if they are not approximately equal the difference in value shall be equalized by the payment of money to the grantor or to the Secretary, as the case may be.

(2) Either party to an exchange under this Act may reserve minerals, easements, or rights of use, either for its own benefit, for the benefit of third parties, or for the benefit of the general public. Any such reservation, whether in lands conveyed to or by the United States, shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary by the Secretary. When minerals are reserved in a conveyance by the United States, any person who prospects for or acquires the right to mine and remove the reserved mineral deposits shall be liable to the surface owners according to their respective interests for any actual damage to the surface or to the improvements thereon resulting from prospecting, entering, or mining operations; and such person shall, prior to entering, either obtain the surface owner's written consent, or file with the Secretary a good and sufficient bond or undertaking to the United States in an amount acceptable to the Secretary for the use and benefit of the surface owner to secure payment of such damages as may be determined in an action brought on the bond or undertaking in a court of competent jurisdiction.

Sec. 7. The Secretary shall administer the Conservation Area pursuant to the provisions of this Act, and any other authority available to him for management of the public lands.

Sec. 8. The Secretary shall issue such regulations as he deems necessary to carry out the provisions of this Act. Notice of proposed rulemaking shall be furnished to the President of the Senate and the Speaker of the House of Representatives and published in th Federal Register and in at least one newspaper of general circulation in the area affected by the proposed rule. The notice shall include as a minimum: (1) a statement of the time, place, and nature of public rulemaking proceedings; (2) reference to the authority under which the rule is proposed; (3) either the terms or substance of the proposed rule or description of the subjects and issues involved including in either event the projected impact of the proposed rule on users, potential users, and the general public; and (4) the time, date, and place of public hearings to be held. The notice required by this section shall include provision by the agency for anyone interested to participate in the rulemaking, within not less than thirty days or more than ninety days thereafter, through submission of written data, views, or arguments with or without opportunity to present the same orally in any manner; and after consideration of all relevant matter presented, the agency shall incorporate in any rules adopted a concise general statement of their basis and purpose. Public hearings shall be held on any proposed rule that will have a significant impact on the administration and use of the Conservation Area.

Sec. 9. Subject to valid existing rights, nothing in this Act shall affect the applicability of the United States mining laws on the public lands within the Conservation Area, except that all mining carried out within such area after the effective date of this Act shall be subject to such reasonable regulations as the Secretary may prescribe to effectuate the purposes of this Act. Such regulations shall provide for such measures as may be reasonable to protect the scenic, scientific, and environmental values of the Conservation Area against undue impairment, and to assure against pollution of the air, soil, and water within the Conservation Area.

Sec. 10. There is authorized to be appropriated not to exceed $28,600,000 for the purposes of this Act, such amount to remain available until expended.

Forgotten Wilderness

(By Michael Tennesen)

The Los Angeles sun rises bright red through the layer of smog that envelops the city. Three bearded young males wait for their driver to show. Their destination: Death Valley. But the driver has overslept and the rest wait angrily, knowing their late start means crossing the desert in the hot sun.

A family of five from Ohio checks out of their motel in Las Vegas. They are on their way to Lake Tahoe. The children grow restless in anticipation of the long drive. They have grown to dislike their first taste of the desert heat.

Four dune buggies cruise down the highway towards the outskirts of Phoenix. Five hard days of work trail behind the drivers. Two days of release in the open desert wait ahead. The cars pick up speed.

The drive from all three cities is similar. Approaching the city limits the houses and motels begin to spread out. Urban sprawl edges out onto the desert floor. Further out, the bill boards stack up behind each other; tin cans rust and accumulate by the sides of the road; tire marks begin to criss cross through the desert vegetation.

The sun's rays attack the ground, checked only by high thin clouds with little moisture. Dry, hot, an area where the rainfall does not equal the potential evaporation. This is the desert.

The great North American Desert encompasses over 500,000 sq. miles stretching across the southwestern sector of the United States and on into northern Mexico. Its principal location is in the States of California, Nevada, Arizona, New Mexico and southern Utah.

Millions of years ago this whole area lay at the bottom of a vast ocean. The earth was still cooling from its fiery beginning and huge tides thundered across the primal crust eroding it into sands and heavy sediments, laying the new materials down on our western shores thousands of feet thick. But slowly the land began to rise and the seas rolled back.

Rain clouds from the Pacific Ocean then blew inland and all was lush and green. But through the millions of years the Sierra Nevada began to rise. Each upward thrust of the new mountain range further blocked the path of the rain clouds, selfishly spending the moisture on the Sierra's western slope. The land to the east grew drier and drier. The deserts were born.

Life began to diminish. That which remained had to adapt to the dry heat and lack of moisture. Plants in today's desert have learned to space themselves out, so thoroughly absorbing the moisture around them that no other can grow near. Mesquite trees throw root systems up to 175 feet under the ground. Animals learn to live nocturnally hunting at night and sleeping while the hot sun burns and dehydrates.

For some the adjustment is not yet complete. Years ago a flock of several hundred robins was scouring the Mojave desert for water during a particularly virulent hot spell. The birds found water but, too exhausted to drink, died at the edge of a lake. Life is not guaranteed in the desert.

Geology, not nature, is here the ruling king. Grasslands and forests do not shelter the secrets of the earth. Rains do not erode the evidences of past geological eras. Large salt flats lie still where ancient lakes once swelled. The planet's crust breaks open to expose the many colored layers of its strata. Mountains rise barren into the desert heat, and alluvial fans spread their muddy fingers out onto the flat desert floor.

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A lone car speeds down a black-top highway through the Nevada desert. Its passengers restless, the driver pulls over and turns off the engine. Silence, foreign to a city dweller, startles the passengers. The shapes, the colors, the textures of the desert finally break down mental barriers and bombard the visual senses.

Man was here 50,000 years ago wandering through the vast landscape in search of food. The stone tools he left behind are the oldest recorded evidence of man on the North American continent.

Later the Shoshone Indian continued the struggle for survival. In the summer he climbed the desert mountains to pick and eat the seeds, pinon nuts, and fruits that grew high on the mountain. In winter he came back down to ambush the ducks that alighted in the salt streams from their southern migrations and to chase the mice, packrats, and other small inhabitants of the dunes.

When the pioneers first ventured across this country they avoided the deserts. The few who wandered south into the country of the blistering sands brought back tales of thirst, starvation, and death.

Only a fever of gold and silver could lead the white man into the desert. Silver was discovered in the Panamint Mountains near Death Valley. Claims were staked and mining towns grew up. Mines were dug, profits were made and lost, but then finally the whole thing died.

Chemicals was the next treasure to come out of the desert. Borax mines were set up in the salt flats of ancient dried lakes from the Sierras to the Rocky Mountains. Huge wagons with rear wheels 7 feet high were built weighing 3 tons and carrying 7. Hitched together in pairs, the wagons were hauled out of the desert by teams of 20 mules.

But the real desert boom did not start until the 1940's when the United States got involved in World War II. The Armed Services, looking for areas to train its men, turned to the desert. Long considered a wasteland, the government decided not to break tradition and so treated the deserts accordingly. Troops and tanks were sent out to tear up the countryside. Firing ranges were set up and round after round of cannon fire, rockets, and bombs were thrown into the desert wilderness.

In 1945, America introduced the atomic age with the first nuclear explosion in the desert near Los Alamos, New Mexico. In 1950, the Atomic Energy Commission established its Nevada test site, and in January of 1951 set off the first of hundreds of nuclear explosions that would rock and scar the desert again and again.

From the military bases and the borax mines grew towns and cities, and desert resorts grew up around those cities. Tourists flocked to Nevada to gamble. Recreation and retirement centers flourished in Arizona. The space age grew up in New Mexico.

Then in the late 50's and 60's the real estate industry got into the act. The desert was the last source of undeveloped land left in America. Dry heat, clean air, and low humidity was the selling point.

The deserts were no longer the victor over man. His technology had advanced. Today he escapes the heat by turning on the air-conditioning. Water is stored behind dams thrown up across deep canyons which the power companies sell to the public as conservation, mentioning nothing of the beautiful river valleys sacrificed in the process.

Our government has fostered a feeling that you can do what you like in the desert and not worry. But this is a lie.

The desert is delicate. The wind is the principal erosion factor, and it effectively moves only the soft sands of the dunes. But the majority of the desert soils are made up of harder, rocky, clay-like substances. They do not change rapidly. The tank tracks of General Patton's desert maneuvers are still today imprinted on the desert floor.

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Outside of Phoenix four dune buggies pull off the road. A few roads and trails for off-road vehicles exist in the area, but the drivers have been over them too much and are tired of the scenery. Besides, no one's ever seen anybody patrolling the desert around here anyway. And who will care that much if they run over a few sage brush.

Desert vegetation is no where near as indestructible as some would like to believe. The shrubs and cactus of the desert are hardy only in the sense that they manage to survive under such adverse conditions. They do not tolerate abuse. They do not recover rapidly from damage as do plants in wetter climates.

Tests conducted at the experimental range in Southern Utah prove this point. Under the most careful growing conditions, damaged plants have taken from 25 to 35 years to improve from poor condition to good.

The federal government is the principal owner of the southwest's deserts, and the Bureau of Land Management is its controlling agency. The B.L.M. has in reecnt years attempted to restrain the current plague of dune buggies and trail bikes from ruining our deserts.

"There is hardly an acre of desert property these days that doesn't have the tracks of some dune buggy or motorcycle on it. We simply don't have enough man power," says one B.L.M. official.

The B.L.M. in California is able to field only 1 man per million acres—not enough to do the job. The National Park Service is able to keep Death Valley natural despite ½ million visitors a year. But then the Park Service is allowed the proper amount of men and money. The Bureau of Land Management needs this latitude if our deserts are not to turn into one vast slum.

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Out of Death Valley travels a car on its way back to Los Angeles. The heat does not seem to bother the passengers so much. They have gone into the desert and shared its experience. Their vision is more attuned to its shapes and colors, to the barren mountains which rise up to intensify the beauty of the horizon, to the textures of the sands, rocks, and plants around them. But as the car nears Barstow the scene changes. The desert become more noticeably scarred.

Last year a cross country motorcycle race was run from Barstow to Las Vegas, with 2,600 participants and many more thousands of spectators—a small example of the treatment we are giving our desert wildernesses.

Approaching the city, jackrabbit houses begin to multiply. In the early 1950's the B.L.M. auctioned off thousands of desert acres to raise property tax revenue. The new owners met the residency requirements by putting up little shacks that are seldom used and constitute nothing but an eye sore.

Through Barstow on to Los Angeles, billboards begin to pop up out of the sand. Beer cans lie rusting in the desert sun. Rubbish accumulates. We do not allow this kind of treatment in our forests. Why then in our deserts?

Los Angeles is near. Unplanned housing points the way. Urban sprawl is everywhere.

Years ago you could drill a well not too deep and be rewarded with all the ground water you needed. But the water table has lowered and lowered and lowered some more. A well these days is a major expense. But man can always throw up another dam, destroy another river valley. Too bad the plants and animals can't do the same. Wildlife has decreased in some parts of the desert as much as 50% in just the last ten years.

The development of our deserts has been so far unplanned and uncontrolled. The general public still has the idea that the desert is expendable or indestructible. These ideas must be changed. The B.L.M. must be given the manpower and the authority to inform the public and regulate the uses of our deserts. The development of our deserts must be carefully planned and controlled.

And before the last of this great wilderness is gone, we must set aside large sections of desert to be made into state and national parks.

The sun sets on the horizon. The intricate shapes and textures of the desert are accentuated by the low angle light. It has taken millions of years to form this vast sculpture. In a very short time man has altered its appearance more rapidly than all the forces of nature before him. But the desert stands calm and quiet. Man is on a suicide race, and the land will surely outlast this destructible animal. Then through millions of years the land will heal again. The fossils of yet another age of life will be laid down in her soil.

Mr. TUNNEY. Mr. President, today I am most pleased to announce, in conjunction with my able colleague ALAN CRANSTON, my cosponsorship of a bill to create the California Desert Conservation Area. This much needed legislation provides for a plan for the preservation and wise use of the inspiring and neglected California desert. This area is one of the Golden State's great natural and recreational resources, and the legislation introduced here today will assure that these natural and recreational resources will be available for future generations to use and enjoy.

The California desert is a land of strong contrasts; serrated mountain blocks rise from level desert valleys, searing heat subsides near spring-fed groves of native palms, and seemingly barren plains support some of the plant and animal world's most interesting adaptations. The immensity and climatic harshness of the desert has delayed acceptance and appreciation of its values by the American public. Until recently, most Americans viewed the desert as a great void which was best ignored: a wall of heat and drought through which one had to travel in order to get somewhere worth while. However, with the growth of southern California and the continuing pressures for more recreational areas, the desert has been discovered.

Desert ecosystems have a slim margin of safety. They must withstand great climatic stresses and recovery is extremely slow when this margin of safety is exceeded. The desert, with its extraordinarily fragile ecosystems, is now threatened by increased recreational use, particularly by off-road vehicles, and must be administered with extreme care.

The Bureau of Land Management has jurisdiction over approximately 12 million acres in the California desert, but to say that they "administer" this acreage overstates the case. The BLM has few field personnel to control use of these 12 million acres. These men have no police power for arrest or enforcement and the nearest law enforcement officer is sometimes 50 miles away. Obviously the U.S. Congress must provide an organic act for the Bureau of Land Management which includes this necessary enforcement authority for BLM personnel and I urge my fellow Senators to soon take affirmative action on a bill to enact an organic act for the Bureau of Land Management. The bill we have introduced here today provides that the Secretary of Interior can contract with State and local law enforcement authorities for enforcement for the life of the bill.

Yet authority is the smallest part of BLM's needs. They must have an adequate plan and staff if we are to provide for the future of the California desert. The flora and fauna of the Imperial Sand Hills are endangered by indiscriminate dune buggy activity. Uncontrolled motorcycle use has scarred Redrock Canyon, archeological and paleontological sites have been vandalized in the Yuma Desert, and persons are carrying away portions of the Trons Pinnacles. The BLM has begun to inventory the resources and values of the California desert and conservation organizations, such as the Sierra Club, have supplemented the work of the BLM with excellent studies which provide a needed independent viewpoint.

The Secretary of the Interior recently set aside approximately 2.7 million acres of the California desert as recreational lands but the surface has barely been scratched. Where are the prime wildlife habitats, where are the potential mineral resources, where should roads and utility lines go if we must have them, what areas can stand the abuse of off-road vehicle use, where are the wilderness and primitive areas that should be preserved, where should campgrounds be placed to be of maximum service, yet minimum impact? The answers to these and numerous other questions are still not clear and many crucial questions remain unframed. But the legislation which is being introduced here will provide a mechanism by which we can ask the right questions and provide answers which are in the public interest.

The bill before you will establish the California Desert National Conservation Area to protect the irreplaceable natural and historic resources of this region and maintain the environmental quality of the California desert for all users; establish a commission with the necessary expertise to advise the Secretary of the Interior with respect to preparation of a long-range plan for management, use, and protection of the California desert; mandates a plan by June 30, 1978, for the future management, use, and protection of the conservation area; and provides for the moneys necessary to do the job.

And I would like to stress one most important fact—now is the time to give the American people a much greater voice in determining the direction which the Bureau of Land Management takes in the management of the California desert. In fact, it is time that all land management decisions made by administering agencies of the U.S. Government began to express the collective wisdom of the American people within the framework of conservation and wise use. During the past decade Americans have awoke and become much more aware of and concerned with environmental quality and protection. We have come to a realization that much of the natural glory that once was America has been needlessly lost, and we are groping toward a land ethic which will provide for protection and intelligent use of that which remains. The old cozy relationships between the resource extractive industries and the custodians of our American public domain lands must be replaced by relationships of cooperation, mutual respect and trust between the administrators of our Federal lands and the American public.

The California Desert National Conservation Area legislation will provide the means for beneficial cooperation between the public interested in the use and integrity of the California desert and the Bureau of Land Management. I urge that the Senate Interior Committee treat this bill as a priority and hold hearings as soon as practicable so this most urgent matter can be brought before the full Senate for affirmative action.

By Mr. HRUSKA (by request):

S. 3875. A bill to amend section 215, title 18, United States Code, Receipt of Commissions or Gifts for Procuring Loans, to expand the institutions covered; to encompass indirect payments to bank officials; to make violation of the section a felony; and to specifically include offerors and givers of the proscribed payments; and for other related purposes. Referred to the Committee on the Judiciary.

Mr. HRUSKA. Mr. President, today I introduce a bill at the request of the Department of Justice which would amend section 215 of title 18 of the United States Code dealing with the receipt of commissions or gifts for procuring loans. By amending section 215, the proposal would incorporate the present provisions of section 216, which would be repealed.

Section 215 presently prohibits any officer, director, employee, agent, or attorney of a Federal intermediate credit bank, a National Agricultural Credit Corporation, or any bank the deposits of which are insured by the FDIC from receiving or agreeing to receive any thing of value for the purpose of procuring a loan from the bank or corporation. Violations are punishable by a fine of $5,000 or 1-year imprisonment, or both.

Section 216 deals with similar matters, but has a different scope. It prohibits any officer, director, attorney, or employee of a Federal land bank or land bank association, a joint-stock land bank organized or acting under authority of any law of the United States, or any small business investment company from receiving, directly or indirectly, any fee or gift in connection with any transaction of the bank or association.

The same punishment is provided for violations of this section. Section 216 further prohibits anyone from causing any of the aforementioned banks or associations to charge or receive any fee or commission on pain, again, of a $5,000 fine or 1-year imprisonment, or both.

The Department of Justice believes that these two statutes are obsolete and inadequate; they do not cover all of the institutions or individuals that should be included, nor do they prohibit all of the activities that should be illegal. In addition, the present penalty structure has proved ineffective to prevent violations.

The proposed legislation would make several major changes in the existing law. First, certain institutions would be added to the list of those covered by the statute, such as federally insured savings and loan associations or credit unions, member banks of the Federal Home Loan Bank System, and certain institutions governed by the Farm Credit Administration. The Department has reported that cases have arisen involving these institutions which otherwise would have been appropriate for prosecution.

The legislation would also include bank holding companies and savings and loan holding companies. The employees of a holding company are in a position to influence personnel of the held institution and, therefore, should not be insulated from criminal liability.

Additionally, section 215 would be amended to include those institutions now covered in section 216. This will provide useful uniformity by combining all appropriate banking and financial institutions into one statute.

The bill would also expand the types of bank transactions that are covered. Receiving a gift in connection with any bank transaction would be prohibited. This would conform with the coverage of section 216.

Another significant change would be the revision of the penalty structure. Violations would be made a felony and would carry a penalty of $5,000, or three times the amount of the thing of value which had been offered or received, or 5 years in prison, or both. In cases where the thing of value did not exceed $100, the violation would be a misdemeanor.

Finally, those individuals who make the offer or payment in connection with a banking transaction would be included in the statute. These people are often the instigators, and there is no reason why they should not be covered.

The Department of Justice believes that this legislation would be a significant improvement over the present laws, especially in light of the infiltration of organized crime into legitimate banking activities. I, therefore, commend this bill to my colleagues' attention.

Mr. President, I ask unanimous consent that at the conclusion of my remarks, there be printed in the Record the text of the bill, the transmittal letter from the Attorney General, and a section-by-section analysis of the measure.

There being no objection, the bill and material were ordered to be printed in the Record, as follows:

S. 3875

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 215, title 18, United States Code, be amended to read:

"(a) Whoever, being an officer, director, employee, agent, or attorney of any financial institution, bank holding company, or savings and loan holding company, except as provided by law, directly or indirectly, asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value, for himself or for any other person or entity, other than such financial institution, from any person or entity for or in connection with any transaction or business of such financial institution; or

"(b) Whoever, except as provided by law, directly or indirectly, gives, offers, or promises any thing of value to any officer, director, employee, agent, or attorney of any financial institution, bank holding company, or savings and loan holding company, or offers or promises any such officer, director, employee, agent, or attorney to give anything of value to any person or entity, other than such financial institution, for or in connection with any transaction or business of such financial institution—

Shall be fined not more than $5,000 or three times the value of anything offered, asked given, received, or agreed to be given or received, whichever is greater, or imprisoned not more than five years, or both; but if the value of anything offered, asked, given received, or agreed to be given or received does not exceed $100, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(c) As used in this section the term 'financial institution' means (1) any bank the deposits of which are insured by the Federal Deposit Insurance Corporation; (2) any member, as defined in section 2 of the Federal Home Loan Bank Act, as amended, of the Federal home loan bank system, and any Federal home loan bank; (3) any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation; (4) any credit union the accounts of which are insured by the Administrator of the National Credit Union Administration under the Federal Credit Union Act of 1934, as amended; (5) any Federal land bank, Federal land bank association, Federal intermediate credit bank, production credit association, bank for cooperatives; and (6) any small business investment company.

"As used in this section the term 'bank holding company or savings and loan holding company' means any person, corporation, partnership, business trust, association, or similar organization which controls a financial institution in such a manner as to be a bank holding company or a savings and loan holding company under the Bank Holding Company Act of 1956 or the National Housing Act.

"(d) This section shall not apply to the payment by a financial institution of the usual salary or director's fee paid to an officer, director, employee, agent, or attorney thereof, or to a reasonable fee paid by such financial institution to such officer, director, employee, agent, or attorney for services rendered to such financial institution."

SEC. 2. Section 216 of title 18 is repealed.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., August 2, 1972.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal to amend Chapter 11, Title 18, United States Code, to enhance the integrity and security of federally financed or insured financial institutions.

At the present time, the law governing the receipt of commissions or gifts for procuring loans is inadequate, unduly complex, and obsolete. This proposal would improve our ability to maintain the integrity of federally financed or insured financial institutions by expanding the institutions covered and the type of activity prohibited, and by revising the penalty structure to more appropriately reflect the seriousness of the offense covered.

This proposal would effect seven major changes in existing law.

First, federally insured savings and loan associations, federally insured credit unions, member banks of the Federal Home Loan Bank System and certain banking institutions governed by the Farm Credit Administration would be added to the list of institutions covered by Section 215. It is desirable to include these institutions within the coverage of Section 215 because several situations factually appropriate for prosecution under Section 215 have arisen involving these institutions.

Second, the proposal would repeal Section 216 and incorporate into Section 215 those institutions now covered by Section 216. Worthwhile uniformity will be achieved by inserting within one statute all banking institutions which are organized, insured or regulated by the various federal agencies.

Third, the proposal would extend coverage to bank holding companies, and savings and loan holding companies. The additional coverage is warranted because holding company personnel are in a position to directly influence the operations of the held concern and, therefore, to manipulate its operations for their own purposes.

Fourth, the proposal would delete from the list of institutions covered by present Sections 215 and 216 National Agricultural Credit Corporations and joint stock land banks, neither of which are now in existence.

Fifth, the proposal would amend Section 215 by adopting the language of the bribery laws covering Federal officials in defining the solicitation and receipt of payment. The kinds of bank transactions covered would also be expanded to include any transaction or business. This would be in accord with the present coverage of Section 216.

Sixth, violation of Section 215 would be made a felony, except for minor cases involving less than $100. Losses to the bank from bad loans and other transactions resulting from a bank official's activities proscribed by Section 215 can be as great as from his embezzlement, and the bank official's motive in receiving remuneration in connection with the performance of his duties can be as morally corrupt as in his making a false entry in the bank's records with the intent to injure or defraud the bank. Consequently, there is no reason to apply lesser sanctions against such activities. Moreover, an increase in the penalty is necessary in order to deal effectively with the problems created by the infiltration of organized crime into the banking business.

Finally, the proposal would incorporate into Section 215 a prohibition against the offer or payment of a thing of value in connection with a banking transaction. The offeror-payer is often the moving party in existing violations of Section 215, especially in cases involving organized crime. The proposal would eliminate the necessity of charging these persons as aiders and abettors and/or co-conspirators.

The need for enactment of this proposal is underscored by the difficulties in maintaining prosecutions under the present Section 215, the ineffectiveness of the punishment for its violation, and the inappropriateness of having to bring many prosecutions in this area under 18 U.S.C. 656 or 1005. Moreover, increasing involvement of organized crime in legitimate business activities, and especially in the field of banking, demonstrates the need for this amendment.

I urge the early consideration and adoption of this proposed legislation.

The Office of Management and Budget has advised that there is no objection to the submission of this proposal from the standpoint of the Administration's program.

Sincerely,
RICHARD G. KLEINDIENST,
Attorney General.

SECTION-BY-SECTION ANALYSIS

SECTION 1

(a) This subsection makes liable any officer, director, employee, agent or attorney of any covered institution who, directly or indirectly, seeks, exacts, accepts, receives or agrees to receive from any person or entity, any thing of value for himself or any other person or entity, other than the financial institution with which he is connected, in connection with any business or transaction of the institution. The language is taken from the Federal bribery statute, 18 U.S.C. § 201, and like that statute, covers both the direct and indirect seeking and receiving of payments by the employee of the financial institution. It also covers payments to third parties pursuant to an agreement between the giver and the employee other than those payments provided by law or those to the financial institution itself. Any payments "for or in connection with any transaction or business" or the financial institution are encompassed. This expands present law, which is limited to certain specific transactions. The intent of the Section is that the business of financial institutions which are regulated, organized or insured by the Federal Government should be conducted at arm's length.

(b) This subsection parallels subsection (a) in that it directly makes liable the giver or offeror of the proscribed payments to the financial institution employee. It is intended to correct a weakness in the present law which fails to directly provide sanction against the giver or offeror.

The penalty for violations of subsections (a) and (b) is a fine of not more than $5,000 or three times the value of the thing asked, offered, received, given or agreed to be received or given, or imprisonment of not more than five years, or both, if the value of the thing exceeds $100. However, if the value of the thing does not exceed $100, the proposal calls for a fine of not more than $1,000 or imprisonment of not more than one year, or both. Present law in this area provides for a misdemeanor penalty. This proposal makes violations a felony, except in minor cases. The upgrading of penalty reflects the belief that losses to the financial institution can be as great from these offenses as from embezzlement, and that the degree of moral turpitude is often as great. Moreover, the increased penalty is necessary to effectively deal with the infiltration of organized criminal elements into the banking business.

(c) This subsection defines the terms "financial institution", "bank holding company" and "savings and loan holding company." 'Financial institution" is broken into six categories. The first includes all banks the deposits of which are insured by the Federal Deposit Insurance Corporation. This includes all national banks, 12 U.S.C. § 222, all banks in the Federal Reserve System, 12 U.S.C. § 1814(b), and all state banks insured by the Corporation.

The secondary category is composed of any member of the Federal Home Loan Bank System, 12 U.S.C. § 1422(4), and any Federal Home Loan Bank. Members of the System can include building and loan associations, savings and loan associations, cooperative banks, homestead associations, savings banks and insurance companies which satisfy the statutory criteria of 12 U.S.C. § 1424(a).

The third category includes institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. The Corporation must insure the accounts of all Federal savings and loan associations established pursuant to 12 U.S.C. § 1464, and it may insure the accounts of building and loan, savings and loan, and homestead associations and cooperative banks chartered or organized under the laws of any state, territory or district of the United States. 12 U.S.C. § 1726(a).

The fourth category is comprised of institutions the accounts of which are insured by the Administrator of the National Credit Union Administration. The Administrator must insure the accounts of all Federal credit unions established under 12 U.S.C. § 1751, et. seq., and he may insure the accounts of credit unions organized and operating under the laws of any state, territory or district of the United States. 12 U.S.C. § 1781(a).

The fifth category is composed of financial institutions organized or regulated by the Farm Credit Administration. Federal land banks are established and regulated by the Farm Credit Administration. 12 U.S.C. § 672, et seq. Federal land bank associations are chartered by the Farm Credit Administration, 12 M.S.C. § 719, as are Federal Intermediate credit banks. 12 U.S.C. § 1021. Production credit associations are organized and chartered by the Farm Credit Administration, 12 U.S.C. § 1131(d), and banks for cooperatives are established by the same Administration. 12 U.S.C. § 1134.

The last category includes small business investment companies. Small business investment companies are licensed by the Small Business Administration, 15 U.S.C. § 681(c), and operate pursuant to the provisions of Subchapter III, Title 15, United States Code.

Necessarily, there exists some overlapping between the categories; a savings and loan association can be both a subscriber to the stock of a Federal Home Loan Bank and have its accounts insured by the Federal Savings and Loan Insurance Corporation. However, overlap does not occur in all instances and broad provisions are necessary. The coverage is coextensive with that contained in 18 U.S.C. § 2113, the Federal bank robbery statute, and 18 U.S.C. § 1014, which proscribes the making of false statements in order to influence the action of various Federal agencies.

The terms "bank holding company" and "savings and loan holding company" are defined to include any person or entity which controls a financial institution in such a manner as to be a bank holding company or savings and loan holding company under the Bank Holding Company Act of 1956 or the National Housing Act, codified in 12 U.S.C. § 1841, et. seq., and 12 U.S.C. § 1730, respectively.

SECTION 2

This Section repeals Section 216. The provisions of Section 216 are incorporated into proposed Section 215.

By Mr. BELLMON:

S. 3877. A bill to prohibit the impoundment of funds from the highway trust fund which have been apportioned and appropriated. Referred to the Committee on Finance.

Mr. BELLMON. Mr. President, today, I am introducing legislation which will rectify a serious executive encroachment upon legislative power and prevent the executive branch of Government from frustrating the legislative purpose of the Interstate Highway Act.

It is the intent of my bill to prohibit action by any officer or employee of any department, agency, or instrumentality of the executive branch which would result in the impoundment or withholding from obligation of money from the highway trust fund.

Mr. President, the need for such an enactment is quite clear. Let me illustrate. In 1956, Congress passed the Interstate Highway Act and created the highway tax fund wherein Congress earmarked revenue from certain taxes to go directly into a trust fund which was then to be apportioned to the various States. This system worked extremely well and progress was rapidly being made toward an orderly development of the Interstate Highway System when in 1966 the executive branch began a course of action contrary to the legislative purpose of this act by impounding a large portion of the Highway Trust Fund—thereby limiting Federal aid program expenditures to less than congressional authorizations. For example, according to statistics released by the Department of Transportation on June 30, 1972, at the end of fiscal year 1972, approximately $6.2 billion in impounded highway construction authority had been accumulated. Although on July 1, 1972, the OMB released $4.4 billion of these impounded funds, this amount is far less than the congressional authorization of $5.625 billion for fiscal year 1972. This action represents a significant 20-percent reduction of authorized activity.

There is no question that such action will have an adverse impact on the States resulting in construction postponement of vital segments of the Interstate Highway System. It is imperative that legislation be enacted now to prevent this practice of withholding millions of dollars of highway user funds until it suits the whim of the executive branch. This device is not new with this administration, since it was used previously. It is time to bring it to an end.

Mr. President, it is impossible to know why the executive has made it a practice to impound these highway construction funds. Undoubtedly they consider their reasons to be sound. Nevertheless, such action is contrary to the letter and the spirit of the law. The Congress created the fund to build an Interstate Highway System. The Congress did not create this to stabilize the economy, or to provide an urban mass transit system or anything else. Congress specifically intended that the moneys be used in an orderly manner and that they be apportioned to the States as received from the Treasury from certain earmarked taxes on the sale of such items as motor fuels, trucks, trailers, tires, parts, and accessories and lubricating oils.

In my view, there is no justifiable reason for the impoundment or withholding of these funds. It is a mystery to me why, with the intent of Congress clearly spelled out in title 23 and a further declaration of the "sense of Congress" no funds should be impounded or withheld from obligation, the executive branch continues to hold this vital program hostage. I do know that the funds have been withheld and that this policy is having a devastating effect upon the completion of our Interstate Highway System. For example, from 1956, when interstate construction began, through 1970, the highway construction cost rose by 41 percent. With the continuing upward trend of the cost of highway construction, it is to our economic advantage to complete the Interstate System as quickly as is feasible. Delay will only mean that additional outlays must eventually be made.

In addition to the increasing cost of highway construction, completion of our National Interstate System is imperative if we are to reduce the slaughter which is presently taking place on our Nation's highways. More than 55,000 persons lost their lives on our country's roads last year. Delay in construction only means that more lives will be lost on our highways and will only postpone the day when our citizens have a safe system of interstate roads.

Mr. President, the legal justification for the impoundment of these funds is based on an opinion rendered by the Attorney General of the United States, in 1967, which states:

> There is nothing in Title 23 of the United States Code which imposes upon the Executive Branch the duty to approve all qualifying projects for which apportioned funds are available.

The bill I have introduced will impose such a duty. It will finally set the record straight as to what Congress actually wants done in the completion of a system which will adequately meet the needs of local and interstate commerce and national and civil defense.

The concern felt by the States regarding this program was expressed in a policy position adopted by the National Governor's Conference at its 64th annual meeting, June 4–7, 1972, in Houston, Tex.

In the section dealing with highways, the Governors stated:

> The management of the Federal Highway Trust Fund during fiscal year 1972 continues to exemplify the problems which have persisted since 1967 by severely hampering the capital planning and programming capability of the States. If we are to attain and retain any stability in constructing the nation's highway system, efforts must be made to eliminate the up and down obligational authority of the highway program. The continued practice of using the Highway Trust Fund as a stop-gap effort to adjust the economy must be ended.

Let the Senate act promptly to cause the Highway Trust Fund to be used as intended. Let the Senate act to end "stop-and-go" highway financing which causes serious periodic unemployment for thousands of construction workers and which by intermittent funding has greatly increased the cost of highway building.

Mr. President, as a relatively new Member of the Senate, I am appalled at the practice followed by the executive branch in using the power of the purse to thwart the will of Congress. The result is to remove from Congress any concept of fiscal responsibility and assume this role in the White House. This role must be shared jointly by the executive and the legislative branches. The Senate has, on several occasions, expressed the sense of this body that this practice be stopped. Up to now the executive branch has ignored the will of the Senate and continues to impound the funds. I believe it is time that the Senate acted in such a way as to stop this practice and to make certain that the highway construction program proceeds in an orderly manner.

Mr. President, this bill is essentially the same as the amendment which I offered to the legislation raising the debt ceiling which the Senate recently passed. At that time many members joined in a colloquy expressing their opposition to the administration's practice of impounding Highway Trust Funds. Following the colloquy, I withdrew the amendment to the previous legislation with the understanding that it would be redrafted and introduced for consideration by the appropriate committee of the Senate. The debt ceiling limit legislation expires before the end of this year and will need to be considered by the Senate again before adjournment. I wish to serve notice, again, that if this matter has not been acted upon, prior to the consideration of the debt ceiling legislation, that the amendment will again be offered and brought to a record vote.

Mr. President, my bill is very short and, therefore, I ask unanimous consent that it be printed in full following my statement.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3877

Be it enacted by the Senate and House of Representatives of the United States of America in Congress, That no part of any sums authorized to be apportioned by the provisions of section 104 of title 23, United States Code, which have been appropriated by Congress for expenditure shall be impounded or withheld from obligation, for the purposes and projects as provided in that title, by an officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2898

At the request of Mr. HARTKE, the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2898, a bill to provide tutors for home-bound handicapped students.

S. 3773

At the request of Mr. STAFFORD, the Senator from Illinois (Mr. PERCY) was added as a cosponsor of S. 3773, the Open Government Act.

SENATE JOINT RESOLUTION 244

At the request of Mr. RIBICOFF, the Senator from Florida (Mr. CHILES) was added as a cosponsor of Senate Joint Resolution 244, calling for new efforts to protect international travelers from acts of violence and international piracy.

SENATE CONCURRENT RESOLUTION 90—SUBMISSION OF A CONCURRENT RESOLUTION COMMEMORATING THE 200TH ANNIVERSARY OF DICKINSON COLLEGE

(Referred to the Committee on the Judiciary.)

Mr. SCHWEIKER. Mr. President, on behalf of myself and the distinguished senior Senator from Pennsylvania (Mr. SCOTT), I introduce a Senate concurrent resolution commemorating the 200th anniversary of Dickinson College and ask that it be appropriately referred.

During the academic year beginning in September 1972 and concluding May 1973, Dickinson College of Carlisle, Pa., will observe her 200th anniversary.

Dickinson College has planned a year of celebration which will emphasize the past heritage of this last college founded in the colonial period and projected her opportunities for service in the decades ahead.

The 1773 founding date of Dickinson College is based on the school's earliest legal document, a patent issued by Thomas and Richard Penn. The actual beginning, however, occurred in 1759, in the educational function of the two rival Presbyterian pastors in the new frontier village of Carlisle—a little cluster of log and stone houses around a fort of the French and Indian War. In 1769, with the churches united, the school was formally organized with trustees. It was this school which the Penns assured a future place in American life with the patent in 1773.

Throughout the early years of struggle for national independence, the school was both nourished by and nurtured patriots who determined the future course of this free Nation. Included among the nine trustees named in the 1773 patent were two generals and two colonels in the War for Independence; a member of the Pennsylvania Committee of Safety 1775–76; and another who signed the Declaration of Independence, was a member of the Constitutional Convention of 1787 and was a Justice of the Supreme Court by appointment of President George Washington. These men, and other patriots were joined by Dr. Benjamin Rush and Governor John Dickinson as trustees when the school was renamed Dickinson College in 1783. The eminent Dr. Rush was among those who believed that the long War for Independence was only "the first act of the great drama." Dickinson College older than the Republic, was a commitment to the idea of a continuing American Revolution. He envisioned a national education system, publicly and privately supported in which Dickinson College would be "a source of light and knowledge to the western parts of the United States."

Central Pennsylvania is no longer regarded as "the western parts of the United States" but the vision of Dr. Rush has been fulfilled. For over 200 years the school which began so humbly has provided leadership as well as "light and knowledge" to the Nation. Among her alumni are distinguished men of State, medicine, church, law, business, and the arts. She is the only educational institution in America to have had the distinction of alumni serving concurrently as President of the United States and Chief Justice of the Supreme Court.

In her bicentennial celebrations, Dickinson College will be emphasizing the intellectual and spiritual meaning of educational excellence and the future of a pioneering college and people who never cease to be "on the way." This will be done with deep awareness of the goodly heritage in a nation born in adversity, maturing through struggle, and moving toward new and exciting tomorrows. Looking toward the national bicentennial in 1976, these themes and resources in an institution actually older than our Nation might well serve as lessons for all Americans.

Mr. President, in view of the distinguished history of Dickinson College, I believe it is entirely appropriate for the Congress to take cognizance of the 200th anniversary observance of Dickinson College. The resolution I have introduced today on behalf of Senator SCOTT and myself expresses the recognition of the Congress of the United States of the contribution which Dickinson College has made to educational excellence, and its appreciation of the leadership role which many distinguished alumni of Dickinson have played in the life and affairs of this Nation.

I am pleased to say that Congressman GEORGE A. GOODLING is today introducing an identical resolution in the House of Representatives.

Mr. President, I ask unanimous consent that the full text of the resolution be printed in the RECORD at this point.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION 90

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States extends its greetings and congratulations to Dickinson College, Carlisle, Pennsylvania, on the occasion of the observance and celebration by that institution of its two-hundredth anniversary, and expresses its recognition of the contribution which Dickinson College has made to educational excellence, and its appreciation of the leadership role which many distinguished alumni of Dickinson have played in the life and affairs of this Nation.

INCREASE IN VOCATIONAL REHABILITATION ALLOWANCES FOR VETERANS—AMENDMENTS

AMENDMENTS NOS. 1388 AND 1389

(Ordered to be printed and to lie on the table.)

Mr. MATHIAS submitted two amendments intended to be proposed by him to the bill (S. 2161) to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the vocational rehabilitation subsistences allowances, and the special training allowances paid to eligible veterans and persons under such chapters.

DISASTER RELIEF—AMENDMENT

AMENDMENT NO. 1390

(Ordered to be printed and to lie on the table.)

Mr. TAFT (for himself, Mr. CRANSTON, Mr. PACKWOOD, and Mr. ROTH, submitted an amendment intended to be proposed by them jointly to the bill (H.R. 15692) to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans.

AIRPORT DEVELOPMENT ACCELERATION ACT—AMENDMENT

AMENDMENT NO. 1391

(Ordered to be printed and to lie on the table.)

Mr. SCHWEIKER. Mr. President, I submit for printing an amendment to S. 3755, the Airport Development Acceleration Act. This amendment is identical to S. 3815, the Airline Passenger Screening Act, which I introduced on July 20, 1972.

The recent $1 million ransom hijacking of a Delta Airlines DC–8 jet to Algeria has caused the Federal Aviation Administration to declare the hijacking situation an "emergency."

The announcement yesterday by the Federal Aviation Administration of emergency procedures for physical search of all passengers who fit a "security profile" of hijacker characteristics is a step in the right direction, but does not go far enough. Congress must require mandatory electronic screening of each and every passenger. We can no longer sit back and allow the rash of air piracy to continue.

This amendment would mandate the Administrator of the Federal Aviation Administration to promulgate regulations requiring the airports and air carriers of this country to screen every passenger by an electronic screening device before he boards a commercial aircraft.

Electronic screening is a simple, reliable method that allows all passengers to be electronically searched for weapons without inconvenience of delay while walking through the aircraft boarding gate. This electronic device gives us the ability to eliminate the great majority of all hijackings by screening all passengers on all flights before they board their planes. Mandatory electronic screening will enable us to detect hijackers carrying weapons aboard aircraft whose characteristics do not fit the "security profile" currently in use. Let us end air hijacking once and for all.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 1240

At the request of Mr. Gravel, the Senator from New Jersey (Mr. Williams) was added as a cosponsor of Amendment No. 1240 intended to be proposed to the bill (S. 3410) to revise the special pay structure relating to members of the uniformed services, and for other purposes.

AMENDMENT NO. 1382

At the request of Mr. Taft, the Senator from Oregon (Mr. Packwood) was added as a consponsor to Amendment No. 1382 intended to be proposed to the bill (H.R. 15692) to amend the Small Business Administration disaster loans.

ADDITIONAL STATEMENTS

HANDGUN CONTROL

Mr. STEVENSON. Mr. President, on June 28, Mayor Richard Daley, of Chicago, testified before a House Judiciary subcommittee hearing on the subject of gun control. The mayor took a strong position in favor of the stand of the U.S. Conference of Mayors, which earlier in the month of June had urged national legislation against the manufacture, importation, sale, and private possession of handguns except for use by law enforcement and military personnel and sportsmens' clubs. Said Mayor Daley:

> As far as I'm concerned, the only purpose of a handgun in unauthorized hands is to kill.

On July 6 the Chicago Tribune, in an editorial, seconded Mayor Daley's call to bar certain arms. It argued that—

> The handgun must be taken out of circulation even if it takes a sweeping federal law to do it.

And the Tribune was quick to take on the gun lobby. Noting that "the gun lobby is ever ready to characterize a politician who supports gun control as some sort of radical or subversive," the Tribune went on to state that—

> Mayor Daley is no radical and no subversive. He is not soft on law and order. He speaks as he does because he realizes that guns are a major cause of lawlessness and crime.

Indeed, in his testimony Mayor Daley noted the part the handgun has played in Chicago's violent crime story. For example, the mayor noted that in 1965 there were a total of 8,080 armed robberies in Chicago, of which 48 percent were committed with handguns. In 1971, however, there were 16,000 armed robberies, of which 71 percent were committed with handguns. The mayor calculated that this works out to an armed robbery increase of a shocking 92 percent, but an even more astounding increase of 192 percent in the number of armed robberies committed with the use of handguns.

The mayor's testimony relates in blunt terms the cold truth that the crime gun is the handgun. And the final sentence in the Tribune editorial distills the main lesson of the mayor's testimony:

> If our congressmen are the 'law and order' men they profess to be, they will heed Mr. Daley's warning and move quickly to respond to his plea.

Mr. President, let us learn that lesson and act quickly to curb handgun violence.

I ask unanimous consent that Mayor Daley's June 28 testimony, followed by the July 6 Chicago Tribune editorial supporting the mayor, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Testimony By Richard J. Daley, Mayor of Chicago

I thank the House Judiciary Subcommittee for this opportunity to testify on behalf of the U.S. Conference of Mayors in support of its gun resolution and House Bill 2334 restricting the availability of handguns. I know that there are a number of bills pending before this Committee with similar objectives. Certainly I will support any bill which has as its goal the control of handguns.

I strongly support the position of the U.S. Conference of Mayors which urges national legislation against the manufacture, importation, sale and private possession of handguns except for the use by law enforcement personnel, military and sportsmen clubs. As far as I'm concerned the only purpose of a handgun in unauthorized hands is to kill.

I do not feel that it is necessary to present to this committee a long recitation of the violence done by handguns. These statistics have filled the journals of committees for at least the past ten years. Perhaps instead of statistics we should have as witnesses the victims of the handguns . . . the mother of the ten-year-old boy killed by a playmate's experiment with a gun . . . the young husband slain in a moment of anger by a neighbor . . . the woman shot in what should have remained a petty dispute.

Nationally, ten thousand persons are murdered yearly by handguns, shotguns and rifles.

I would like to cite some Chicago statistics to indicate how gun misuse relates directly to younger people. For example in Chicago there was a 613 percent increase in the number of offenders under 21 years of age using firearms to commit homicides in 1965, thirty-eight youthful offenders were arrested in fire-arm homicides, and in 1970, this number had risen to 271.

During the same period the number of youthful victims in firearm homicides increased from 30 in 1965 to 153 in 1970.

Statistically during this period 45 percent of all homicides involved the use of handguns. In addition 13 percent of the homicides were committed by other firearms.

One of the most serious offenses in our society is armed robbery and here the statistics are frightening. In 1965 there was a total of 8,080 armed robberies in Chicago in which 48 percent were committed with handguns. In 1971, there were 16,000 armed robberies, of which 71 percent were committed with handguns. During this period the number of armed robberies increased 98 percent and the number of armed robberies committed with the use of handguns increased 192 percent.

In Chicago we have had a gun registration ordinance in effect since 1968. We have registered more than 470-thousand guns. We also have removed from circulation more than 34,500 guns. Of these 30-thousand guns were unregistered.

Our registration ordinance has had limited success because it is apparent that people can walk over the city limit line to the suburbs and acquire a gun.

The state of Illinois does not require the registration of guns but does require the licensing of gun owners. It is obvious from these conflicting standards and from the easy accessibility of guns that local legislation is not the answer to the gun problem. National legislation is required to deal with the subject.

I believe that legislation is essential. We must establish specific responsibility for the gun by the owner. He must be held accountable for the gun as well as for any transfer in ownership and for reporting immediately the loss or theft of the gun.

In face of all the evidence and data that has been presented concerning the death-dealing capabilities of the handgun—why is it that Congress doesn't pass a strong gun control bill?

There are three basic reasons. There is the influence and the lobbying pressure of the National Rifle Association. There is no doubt about the organization being financed by gun manufacturers and dealers in addition to the revenue from membership dues.

The handgun industry is a multi-million dollar business. Perhaps we can reduce the senseless killing and violence if we take the profits out of the gun business.

For example, manufacturers could be required to assume some of the burden of paying for the funeral expenses, the hospital fees, the losses suffered by the victims of violence with handguns.

Obviously this suggestion of imposing a financial penalty on the manufacturer and dealer in guns is no substitute for a strong gun control bill.

Then there is the argument by the NRA that guns don't kill, people do. The answer is that if you removed the gun from the person, the gun couldn't be used. Then there is the argument that people still could kill with knives and other objects. But the gun is a peculiar weapon in that it can be fired from a distance. It can be fired repeatedly, it can be discharged accidentally and kill others than the intended victim.

Another argument of the NRA is that only the law abiding will register their guns or turn them in and the guns will remain in the hands of criminals and others who shouldn't have them. Realistically we should adopt the resolution of the U.S. conference of mayors which would take the guns away from every private person, but in the absence of such legislation, there should be the severest penalty for the person committing a crime with a gun or possessing an unregistered gun.

Another proposal by the Conference of Mayors calls for every effort to be made to educate the American public of the dangers and appalling realities resulting from the private possession of handguns. There is no reason why television shouldn't be obligated to carry commercial warning of the dangers of handguns and the need to control them. This would be fitting since so much of T.V. entertainment is devoted to violence.

Let me summarize briefly. The handgun makes no positive contribution to our society. It kills—whether by accident or on purpose.

The law-abiding private citizen may fear that he is the only one to be regulated and that the criminal will have the advantage, even though the evidence is overwhelming that guns are dangerous to possess even by honest law-abiding people. I don't believe that so many people would feel as though they had to have a firearm if they knew the criminal would have great difficulty obtaining them.

I think it is time we face up to reality. We must pass effective legislation to control the use of handguns.

The people of this country have been bombarded with propaganda that there is a strong public opinion against gun control legislation. Nearly every poll has shown that this is not true. The majority of people want gun control—want to end the violence in our country—and are looking to the Congress to achieve that goal.

DALEY ON HANDGUNS

Mayor Daley has urged Congress to pass a total ban on the possession of handguns by individuals.

We are opposed to unnecessary federal laws which usurp the power of the states. We support the Constitution and its provision for the right to bear arms. We agree that a large part of the gun problem is caused by criminals and not by law-abiding gun owners. But Mayor Daley is right. The handgun must be taken out of circulation even if it takes a sweeping federal law to do it.

We have cited our reasons before. More than 20,000 Americans a year are killed by guns, half of them the victims of murder. Most of these guns are handguns. An increasing number of these fatalities result not from crimes but from domestic quarrels. Guns kept for household defense have killed children and other family members in accidents more often than they have killed housebreakers. The law-abiding gun owner has become the single largest supplier of handguns to criminals because of the enormous number of guns which are stolen from homes.

There are many more reasons, but all of the reasons were distilled by Mr. Daley into one sentence: "As far as I am concerned, the only purpose of a handgun in unauthorized hands is to kill."

The gun lobby is ever ready to characterize a politician who supports gun control as some sort of radical or subversive. But Mayor Daley is no radical and no subversive. He is not soft on law and order. He speaks as he does because he realizes that guns are a major cause of lawlessness and crime. If our congressmen are the "law and order" men they profess to be, they will heed Mr. Daley's warning and move quickly to respond to his plea.

TACTICAL AIR SUPPORT FORCES

Mr. GOLDWATER. Mr. President, today I should like to address the Senate once again on the question of our continued support and funding of multiple tactical air forces.

As those of you know who have heard me on this subject before, I believe it would be unwise to authorize further funding for any separate Army close support helicopter gunship weapon system. I believe such action would in effect constitute an endorsement of wasteful duplication of existing and planned Air Force close support capabilities. I also question the proposed increase in the Marine Harrier purchase, but for different reasons.

Mr. President, ever since World War II the Army has sought to regain control of its own close air support weapon systems. You will recall that it was General Eisenhower who first centralized air operations under theaterwide control. That occurred in north Africa after defeats by the Germans who could concentrate their available air power in such a way as to overwhelm the U.S. aircraft then assigned to individual Army units.

Nothing has transpired since, either in Korea or Vietnam, to suggest that the same situation would not reoccur if we were to engage an enemy with a valid theater air capability. On the contrary, the higher cost of today's tactical aircraft, and the resulting reductions in the quantity we can afford to buy, argues for "economy of force" through the flexibility achieved by centralizing the control of these very costly weapon systems in any theater of war.

Mr. President, I have carefully examined all the arguments that have been put forth in support of building a separate Army close support helicopter gunship system around vehicles such as the Cheyenne. The arguments that seem to me to have the most merits are related either to the Vietnam scenario—where we fought a land war in Asia with an enemy that possessed no tactical aircraft of consequence and few if any sophisticated antiaircraft missile systems along the front lines—or they are directly related to the present state of the art in the development of helicopter versus VSTOL fighter weapon systems. In other words, the arguments that are about to sway today's decision are "time-tied" and will in the most part not be valid tomorrow.

Let me explain:

It is argued that rotary wing aircraft can operate and survive in a modern battlefield environment. But I for one seriously question this. Our close support operations in Vietnam have not on the whole been against sophisticated, advanced antiaircraft weapons. Where these have been encountered, helicopter losses have been far too high to justify their cost or contribution. Even if they have a role in a Vietnam type war, is there anyone who really believes that we will allow this country to become involved in another long, drawnout, conventional, controlled, land war of attrition?

To buy costly weapons which are useful only in the type of warfare today, is to repeat the mistake of wasting money on weapons made for trench warfare in the 1920's and 1930's. Only then we were talking about thousands of dollars of the taxpayers' money—not millions.

Mr. President, one of the biggest problems facing this country at the present time is how to pay for inadequate defense in light of the high costs of new weapons, of today's manpower, and of the competing domestic demands for available funds.

In this environment, when we are admittedly losing our strategic missile and air superiority and our naval superiority I cannot understand how this Senate can blithely sit here and permit millions to be spent on a duplication of tactical air capabilities.

This is a luxury we cannot afford, particularly when one of the weapon systems it proposes to buy, the helicopter gunship, is so limited in its range, payload, and delivery system sophistication that it is tied both organizationally and performancewise to a single task—that of close Army support. In addition to that, it may, or may not, be able to survive to perform—along with all other manned aircraft—in a future battlefield situation.

At least the flexibility inherent in the fixed wing, AX type systems—and their theaterwide assignment—will allow us to divert these to secondary tasks such as interdiction, if we find that they cannot survive cost effectively over the front lines. Their centralized assignment, and greater range, should also permit some reduction in the quantities required to help offset their unit costs.

Such savings in numbers cannot be realized, however, through short-range copter systems that are dispersed among Army and Marine land units.

But, Mr. President, even if we are willing temporarily to fill the admitted gap in firepower delivery systems between Army missiles and guns on the one hand, and theater tactical air systems of the fixed wing variety on the other hand with an offensive helicopter gunship, and even if cost was no consideration, I would oppose diluting the Key West assignment for manned close air support responsibility to the Air Force. I would oppose diluting this by assignment of the helicopter gunship development and operation role to the Army, on the grounds that this will not settle, but instead greatly exasperate, future interservice rivalry and lead to wasteful duplication.

Mr. President, if we approve Army procurement and use of the Cheyenne we are setting a precedent on the basis of a transitory weapon system availability and performance condition. All the valid arguments for the helicopter gunship that I can see stem from its vertical takeoff capability, hence freedom from fixed bases and runways. For this we pay a heavy price in performance, both in speed and in payload—a price which the aeronautical development world has tried to eliminate through the development of effective VSTOL systems. The Harrier has severe payload limitations in the vertical takeoff mode, but it approaches fixed wing performance for survivability and firepower systems when airborne.

Does anyone believe that once given the close support task, with helicopter gunships, the Army will not seek to improve this capability with VSTOL fighters when and if these prove to be superior and more cost effective? If and when this occurs, the same VSTOL will be able to undertake theaterwide support missions and interdictions. Then we will have even more duplication of all the Air Force roles and aircraft systems.

Conversely, I believe that the Air Force will eventually buy some VSTOL aircraft for its tactical air forces—particularly if the Marine tests with the Harrier prove these to be attractive, or when technology offers a better American-built system. When this happens, they will be able to show that these can do the helicopter gunship job better and cheaper. We will then have to decide whether to take the job away from the Army or the VSTOL's away from the Air Force.

Mr. President, even since World War II, Congress has been concerned about costly and wasteful interservice rivalries. Administration after administration has tried to draw lines of responsibility between the services so as to preclude these. One such was the clear-cut "chop" line between responsibility for manned offensive air delivery systems established at Key West and reiterated in several Department of Defense directives since, between the Army and Air Force. The advent of the helicopter and the subsequent Johnson-McConnell agreement on these has already started to erode this "chop" line. If we now put congressional blessings on an Army offensive manned air support systems such as the Cheyenne just because it is a helicopter and not a fixed wing aircraft we will certainly set the stage for a whole series of interservice battles over all aspects of theater air operations in the 1970's. Is this what we really want to do?

Mr. President, I am concerned over the implications of the continued procurement of Harriers by the Marine Corps. I am ashamed that this country under the McNamara administration failed to build its own VSTOL system. If the Navy and Marine Corps arguments as to the worth of the Harrier system are valid—and I believe they are—then obviously the past administration failed to perceive the importance of VSTOL to our security in the 1970's and we had better start doing something to catch up.

If we agree to this additional Harrier procurement, it should be with the clear understanding that it is not merely to satisfy the Marine Corps desire to have an equal amount of each type of tactical air to assign to each of its divisions but rather to conduct thorough and extensive tests of the VSTOL weapon system for the benefit of the entire Defense Department. Having lost our technological lead in this area we might in this way save time and gain experience with the British system while catching up with the development of one of our own.

From the point of view of economy, while VSTOL aircraft are expensive, I would remind my colleagues that these systems offer one eventual prospect for effective and continued air operations at sea without having to build more big, costly, and vulnerable carriers. I suspect we shall soon be seeing the Russians operating high performance VSTOL aircraft off of their small modern and efficient helicopter carriers, and again we will have nothing comparable in the same time frame.

In summary, I am convinced that approval of the Cheyenne at this time, with the implied approval of the associated change in close support missions, will set in motion a whole new cycle of interservice rivalry.

The Cheyenne is at best a costly stop gap between VSTOL and the AX fighter type systems.

The quantities that would be required to be effective, in light of the performance of the helicopter gunship, and of the concepts for its employment, will call for spending far in excess of the improvements they will provide. There is serious doubt in my mind that we will ever fight another war in our time in which the helicopter gunship could be effective.

If the helicopter gunship cannot survive, or is not required for the types of conflicts we may become engaged in in the future, its inherent limitations permit few if any alternate uses as compared to either the AX or VSTOL systems.

For all the above reasons, I believe we should cancel the appropriation for the Cheyenne. If such gunships are required, in the judgment of the Secretary of Defense and the Army, or further tests are indicated to before deciding on these and their operational assignment, then I suggest a limited procurement of the far less expensive King Cobra, or similar system, to be more appropriate at this time.

Mr. THURMOND. Mr. President, the question of the Senate Armed Services Committee's position on the Army attack helicopter program should be fully understood.

Money in the bill for the Cheyenne helicopter program was struck out by a 9-to-7 vote. However, at least three of the Senators who voted against the Cheyenne program favor some type of attack helicopter. Two of these Senators, Mr. Tower of Texas, and Mr. Hughes of Iowa, made this position clear in additional views printed in the Close Air Support Subcommittee report. Both of these Senators took a strong position for an Army attack helicopter although their committee vote would indicate they had reservations on the Cheyenne as the aircraft for that role.

Thus, it appears clear the Senate committee wishes to reserve final judgment on this matter until after the Army completes the three-aircraft evaluation directed by the committee. This evaluation is weighing the relative merits of three attack helicopter candidates—the King Cobra, the Black Hawk, and the Cheyenne.

Finally, Mr. President, I would like to state that I feel the Record today should reflect both views concerning the attack helicopter issue. For that reason I request unanimous consent that the findings and recommendations of the Special Senate Subcommittee on Close Air Support and my individual views on this subject be printed in the Record at this point in my remarks.

There being no objection, the findings were ordered to be printed in the Record, as follows:

Senate Close Air Support—Subcommittee Findings and Recommendations

After reviewing the testimony and other available information, the subcommittee does not believe that there is any basic or fundamental problem or deficiency with close air support as it exists and is practiced at this time. Close air support given to the soldier on the battlefield has been excellent in past conflicts, and the services have done the best possible, regardless of the color of the uniform, with the equipment they had available. The subcommittee does believe, however, that programs to improve close air support should be pursued. The subcommittee offers the following comments and recommendations on various aspects of close air support.

The present command and control system used by the Air Force-Army and by the Marines and Navy appears to function well and to serve the needs of all echelons of command. The system results in timely allocation of close support missions, and better responsiveness must result from more improvements in aircraft characteristics rather than in the command and control system. Undoubtedly improvements can and will be made in the equipments used in command and control and in the detailed procedures used, but the concept and operation appears basically sound.

The subcommittee believes that the Department of Defense should redefine and assign the roles and missions of close air support. As the report makes clear, in the twenty-four years since the Key West agreement of 1948, a series of interservice agreements and the evolution of helicopter technology have left the original definition and assignment ambiguous and unclear. As a result, an interservice rivalry has been generated which is counterproductive to what should be the goal of both services—to provide the best possible close air support, both quantitatively for the "customer", the soldier on the ground.

The A–X program is well worthy of the prototyping approach to a new *development*. The subcommittee believes that a thorough operational test and evaluation of the A–X prototypes should be made so that the using command can provide recommendations on the relative suitability of the A–X for the close air support and interdiction missions. The subcommittee also recommends that this evaluation include a fly-off with the existing close air support aircraft, the A–7D and the A–4M, so that recommendations can result for the future balance in the force structure of these aircraft. The subcommittee recommends that additional A–7Ds should be procured to keep the production line open in the interim period *until this* fly-off can be made and this force structure question resolved.[1]

There does not appear to the subcommittee to be a valid issue of duplication between the Harrier and the A–X fixed wing aircraft. The subcommittee sees the Harrier program as primarily an experiment to evaluate the operational utility of V/STOL fixed wing aircraft. The Harrier's range and payload are so limited under VTOL operating conditions that the Harrier could not be justified for this mode of operation alone. Large procurements of VTOL attack aircraft will have to await improvements to the state of the art to permit better operational capability. The Harrier program does offer the chance to obtain true operational experience with VTOL squadrons. In view of the emphasis being placed on future VTOL aircraft in the Navy, with its air-capable ship concept, as well as in the Marines for close support attack aircraft, the subcommittee recommends that the Harriers procured be used to evaluate these concepts of operation. The subcommittee believes, however, that the 60 Harrier aircraft already ordered through Fiscal Year 1972 will be sufficient for this purpose and recommends that no additional Harriers be purchased.

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[1] Senator Symington does not concur with this recommendation for procurement of additional A–7Ds.

Assuming that questions regarding helicopter vulnerability are resolved successfully, the subcommittee believes that there is a valid requirement for a more capable attack helicopter.

Individual Views of Senator Strom Thurmond

In my judgment, the Report of the Close Air Support Subcommittee is sound and is firmly based upon the testimony before the subcommittee during the hearings.

However, because of my deep interest in this subject I am filing these individual views as a means of emphasizing my belief that the Army needs an advanced helicopter gunship and that such a weapon system is complementary to, and not duplicative of, fixed-wing air support.

I believe that the body of this report on close air support does an excellent job of laying a foundation from which present controversy over close air support can be understood. Where the report falls short, in my opinion, is that the findings and recommendations that were reached do not address the issues as directly as might be desired.

In my view, the primary mission of fixed-wing close air support for the Army has traditionally rested with the Air Force and this role is adequately defined in current memoranda and policy. Because of the heavy emphasis accorded air power, the old Army Air Corps separated from the Army in the 1940's, forming a separate service, today's U.S. Air Force. Since the 1940's, time and technology have developed so that the Air Force has emphasized the additional role of extremely long range strategic nuclear bombardment with bombers and intercontinental missiles and the needs of air superiority.

In the hearings the Army supported the fixed-wing close air support role remaining with the Air Force but argued persuasively for the continuation of the helicopter gunships as an integral part of the ground commander's fire and maneuver team. After all, Close Air Support is not an independent mission but stems from the firepower requirements of the man on the ground.

The real question should not be whether or not the helicopter gunship infringes on an service's mission but rather should be, does it save lives among the vulnerable ground forces by performing a job which fixed-wing planes cannot perform?

The issue as to whether or not this country could afford four tactical Air Force planes was injected into the hearings early in the testimony. This "four Air Force question" points to the tactical aircraft squadrons presently centered in the Air Force but also contemplated by a large Navy tactical air structure, the smaller division-wing team structure in the Marines, and the helicopter gunship aviation element distributed throughout the Army.

The Navy's tactical aircraft arm developed as a result of the aircraft carrier. This concept is sound and has served the nation well since the start of World War II. The size of the Navy's tactical fighter complement has been driven by the number of aircraft carriers. This element of our defense structure may be more critical to our security in years ahead as we reduce foreign commitments and thus surrender our overseas air bases.

The Marine tactical aircraft program developed because of the special amphibious mission assigned to them. The Marines, although supported a great deal by Navy tactical air elements, have always demanded and received integrated close air support in the form of a division-wing team. Such close air support has been supplied by fixed-wing aircraft in the past decade. However, technological advances of recent years have resulted in the integration of vertical and short take-off and landing aircraft like the Harrier and Cobra helicopter gunships into the Marine air-ground team.

The Army's large helicopter aviation element is a recent development resulting from advancements of helicopter technology in the 1950s and 1960s. As the report makes clear, the growth of this aviation element took place in the mid-1960s following the Defense Department's encouragement that Army battlefield mobility be enhanced by the helicopter. As the report further shows, the attack versions of the helicopter evolved naturally from the combat experience of the Vietnam War. The Defense Department and the Congress would be remiss if they did not capitalize on this experience to improve our nation's defense capability.

The key charge raised is that fixed-wing airplanes and attack helicopters duplicate each other. A reading of the report makes it perfectly clear that this is not so. Duplication is a false issue. Close air support is simply an element of the total firepower involved in the land battle, the part of the war that involves the efforts of the ground soldier to occupy and hold ground. The report makes clear that all of the multiple elements of firepower that support the infantrymen in the land battle "duplicate" each other in the sense that they are all used to support him in the battle. Machinegun fire duplicates rifle fire and mortars duplicate artillery fire, but each weapon is different and has its useful and unique application.

Should we eliminate any of the elements of firepower that support the infantryman, since in a way they all "duplicate" one another? To propose to do so would be absurd. Firepower helps the ground soldier win wars; it also saves lives in the attainment of that objective. While the firepower of a weapon may duplicate that of another weapon system when it hits the target, the type of ordnance hitting the target and the means through which it is delivered are often different. The fixed-wing fighter and the helicopter are dissimilar types of aircraft, use entirely different ordnance and deliver it in entirely different types of attack. The fixed-wing aircraft delivers heavy ordnance and makes strafing passes with fixed cannons or rockets. It must approach its target at a high altitude, dive at the target and then pull away. All this time it is exposed to enemy radar and fire. However, the helicopter is not restricted to straight-in attacks over the enemy, and can fire weapons at targets off line-of-flight. It approaches the battle area with caution and precision, using cover of trees and hills, popping up and darting about.

Initially, the Army developed the helicopter gunship to protect its other helicopters. In moving troops by helicopter it was necessary to have some aircraft which could accompany the transport helicopter at the same same speed and provide sustained and suppressive fire in the landing zone to protect the troops while they dismounted and took cover. In carrying out this role, the Army learned that the helicopter gunship had other capabilities which fixed wing aircraft could not offer. These included providing its own target acquisition and highly accurate, close-in offensive and defensive fires to the front, sides and rear, while operating at night and during adverse weather. The attack helicopter moves nimbly about the battlefield in the environment of the ground soldier; it flies; it hovers; it pops up; it darts away. It is an aerial platform for the ground commander. It is manned by infantrymen, cavalrymen, and artillerymen who understand the land battle and who participate on a daily basis as an integral element of Army combat units. It has a place in the spectrum of land battle firepower which cannot be duplicated either by ground weapons or fixed-wing aircraft.

The Subcommittee report did give approval to the attack helicopter concept with these words: "Assuming that questions regarding helicopter vulnerability are resolved successfully, the Subcommittee believes that there is a valid requirement for a more capable attack helicopter."

The question of survivability, frequently used against the helicopter gunship, is being addressed in current Army tests. To date these tests are reaffirming previous favorable findings. Armor plating will make them less susceptible to enemy fire and crash survivable rubber fuel tanks will reduce personnel casualties when a helicopter goes down. In Vietnam approximately half of all downed helicopters were recovered and returned to service. Concurrently, new tactics and techniques are being developed to further enhance survivability.

The question of tactics and employment impacts greatly on the survivability question. Presently the Army plans to use the helicopter in conjunction with its ground forces in overwatching fire roles, attacking enemy penetrations, committing the reserves exploiting the ground attack and other battlefield situations. Up to 20 advanced attack helicopters are planned per Army division where they will be employed to increase the division firepower and pressure on the enemy, thereby improving the survivability of the ground soldier.

Specifically, I agree that the report should recommend a rewriting of the roles and missions directives. The Air Force assignment to provide fixed-wing close air support for the Army should be reaffirmed. The Army function to operate attack helicopters should be formally established in Department of Defense directives by assigning this mission directly to the Army. This is in consonance with the 1966 agreement between the Chiefs of Staff of the Army and Air Force wherein the Chief of Staff of the Air Force agreed "to relinquish all claims for helicopter and follow on rotary wing aircraft which are designed and operated for . . . fire support." Irrespective of this agreement, the issue of firing weapons from advanced attack helicopters and the semantics involved are still detracting from service harmony and what should be the goal of both services: to maximize the firepower support for the soldier on the ground. These mission assignments should have the strong support of the Secretary of Defense and the Secretaries of the Services.

I further believe that the testimony before the Subcommittee made clear that an advanced attack helicopter is required because the technology is in hand to make significant advances over the capabilities of the current attack helicopter. Just as the technology which produced intercontinental ballistic missiles has complemented strategic bomber aircraft, helicopter gunship developments have complemented the means to deliver firepower for the foot soldier. It is here on the ground where the battles are won and lost and where the bulk of casualties are taken. It is also here on the ground that too few technological achievements of the past three decades have been made.

The Army considers the advanced attack helicopter as its Number One priority program. The Army, as the benefactor of air support, certainly must have its views carefully considered. Army leaders and the average soldier are sold on the helicopter gunship as a technological breakthrough which can make their job easier.

In conclusion, I believe that the Army should be assigned the advanced helicopter gunship responsibility and the role of fixed-wing close air support should be reaffirmed for the Air Force. Fixed-wing air support is critical to the battlefield, as the Army will readily admit, but the day-to-day dirty work left to the ground soldier can be reduced significantly by an advanced attack helicopter. It is not an either/or situation between these two fire support systems. Each is inherently different not only in appearance but in capability. If these two machines duplicate at all, it would be in areas which make up only about 10% of the capability of each—and that in itself may be a tactical advantage in the press of combat.

An early definition by the Defense Department of the role of the advanced attack helicopter gunship as an Army mission would go far towards ending the current and unproductive rivalry between the Air Force and Army on this issue.

NURSE PRACTITIONERS: FILLING A NEED

Mr. CHURCH. Mr. President, no health care system can be effective without the necessary manpower to deliver services. But, in my view, too little attention has been given to creative ways of developing new types of health manpower and making the best use of what we now have.

Nurse practitioners are a partial answer to this problem. They are providing valuable services. They are filling a need.

My own State of Idaho provides excellent examples of what nurse practitioners can do. The story of their contributions in Idaho has been effectively described in a recent article in the American Journal of Nursing. Mr. President, I ask unanimous consent that this article—entitled, "The Cambridge-Council Concept or Two Nurse Practitioners Make Good"—be printed at the close of my remarks.

As chairman of the Special Committee on Aging, I am especially interested in how health care for the elderly might be improved through the expanded use of nurse practitioners. It seems to me that they offer much promise in this regard.

But it has been brought to my attention that restrictive medicare regulations are now limiting the capacity of nurse practitioners to perform in the most effective fashion. For this reason, I have written the Secretary of Health, Education, and Welfare requesting that he consider changes in these medicare regulations so that the full potential of nurse practitioners may be realized as they try to serve our elderly. Mr. President, I ask unanimous consent that the text of my letter to Secretary Richardson also be printed at the end of my statement.

One of the outstanding pioneers in developing the concept of nurse practitioners in Idaho was Dr. John A. Edwards. He was a coauthor of the article I am requesting to have printed in the Record. It was also his letter to me that supplied the ideas that I have brought to Secretary Richardson's attention.

The State of Idaho and the cause of nurse practitioners suffered a major loss a few days ago with the untimely passing of Dr. Edwards. I mourn his death, and I share in the grief felt by all who knew him and were helped by him.

The memory of Dr. Edwards' work in promoting nurse practitioners, I firmly believe, should inspire further efforts in this important area. And, I intend to do all within my power to contribute to this vital endeavor.

There being no objection, the items were ordered to be printed in the Record, as follows:

The Cambridge-Council Concept or Two Nurse Practitioners Make Good

The hand-lettered sign on the door reads, "Office hours 9–5 Mon.-Fri." and the waiting room in the former pool hall is starting to fill when Nurse Practitioner Kay Ortman begins to see her patients. This now usual and accepted occurrence in Cambridge, a rural farming community of 383 persons in west central Idaho, would not have been conceivable or even probable in any Idaho town a year earlier.

A winding, hilly 22 miles away, in not-much-larger Council, Nurse Practitioner Jane Curtis begins to screen patients coming to that clinic. In contrast to her Cambridge colleague, she has close at hand the physicians with whom both work. Still, she will refer only some of the patients to them. Others she will deal with by herself.

These two specially trained nurse practitioners represent major changes in how health care is given in the Cambridge-Council area. They are the essential elements in a project sponsored by the Mountain States Regional Medical Program.

THE NEED

The State of Idaho encompasses some 83,000 square miles of ruggedly beautiful terrain with a population of 698,000 people clustered in small urban-rural centers along the rivers and valleys of the state. As in most of the nation, most of its health professionals—approximately 90 percent—tend to locate in urban areas. Many small communities and 5 counties have no resident physicians at all.

Two family practice physicians who live in Council (pop. 900), serve a total population of 6,000 dispersed over a 100-mile radius including Cambridge. During twenty-four years of practice, the senior physician lost five colleagues to the conveniences of urban practice and living. There are few physicians willing to take on the 24-hour day, 365 day-per-year responsibility faced by the rural practitioner. The last resident physician in Cambridge died five years ago. Efforts to replace him were futile despite the community's activities to raise funds for a new clinic facility, as a special attraction. Increasingly, it became apparent that new ways of extending medical services would be the solution to the area's health care problems. The Mountain States RMP set out to demonstrate how, through the use of nurse practitioners.

One of the first steps was a "town meeting" of physicians and nurses from the area, including the nurses on the 20-bed Council hospital staff, and others concerned with the program. Although there were some reservations about the scope and outcome of such a nurse-practitioner project, the group expressed a willingness to permit a well-controlled one to take place.

Stanford University Medical Center, in cooperation with Area III of the California RMP, was launching a special program to prepare nurse practitioners for just such needs, and agreed to accept two Idaho nurses in its first class of five. The two Council physicians agreed to employ the nurses and to help with their continued education after they completed the course, and the project director of the Stanford program proceeded to select the two nurses.

The Stanford program was ideal—short enough (four months) to make it possible for the nurses to be away, and flexible in its prerequisites. The two nurses who entered the program are of varying backgrounds. Jane Curtis is a graduate of a 3-year hospital school of nursing with 20 years' experience, including four years as director of nursing service at the Council Hospital. Kay Ortman is a fairly recent graduate of a baccalaureate program with experience as a staff nurse in a 500-bed urban hospital, as well as nine months at the community hospital in Council. When the project began, she was counseling in a satellite mental health center in Cambridge.

Their training program, which started October 1, 1970, was intensive and concentrated for the first three months with clinical experience at the Stanford Medical Center and nearby clinics. The fourth month was spent working in rural clinics, in California, with family physicians. Content and experience were greared primarily to acquiring additional skills ordinarily perceived as medical with the assumption that the nursing background provided a sound basis on which to build. These included taking and recording histories; giving complete physical examinations (including neurologic and pelvic with Pap smears); suturing minor lacerations not involving tendons or nerves; managing chronic disease problems; managing geriatric patients; treating common infections or self-limiting illnesses; performing and interpreting laboratory screening tests, such as C.B.C. and differential, Hgb., urinalysis, sed. rates; normal deliveries; giving well-child care; and giving routine prenatal and postnatal care.

A three-month, six-month and one-year evaluation by the project director in the home setting would be an integral portion of the program. No tuition was required. Travel and living expenses were paid by Mountain States Regional Medical Program.

PREPARING THE COMMUNITY

Sustained involvement and information sharing not only among local participants but among all health professionals and agencies throughout the state have been vital. From the beginning, there has been an exchange of information and ideas among members of the nursing licensing board, the state nurses association, and appropriate committees of the state medical association. The program was explained in detail to the Joint Liason Committee of the Idaho Medical Association-Idaho Nurses Association which has representation from all state areas.

The Idaho Nurses' Association surveyed all nurses in the state (3,153) shortly after the program was instituted to inform them and get their reactions. The Idaho Medical Association sent a similar survey to all physicians (525). Of the respondents, 82 percent of the nurses and 68 percent of the physicians indicated that they saw the nurse practitioner role as valid. Thirty-three percent of the nurses indicated they would be interested in pursuing such a role; 32 percent of the physicians said they would be interested in employing such a person in their own practice. There was some, but not a marked, difference between the two groups as to what functions should be performed.

Midway in the first four months, while the nurses were at Stanford, a meeting was held with representatives from the medical and nursing associations and licensing boards, the Board of Pharmacy, the hospital association, the dental association, schools of nursing in the state, and the Regional Medical Program. A progress report was given by the director of the Stanford program and the senior Council physician.

The numerous speaking tours in various areas of the state—Boise, Twin Falls, Lewiston and McCall—by the two nurses and one of the physicians have been an effective means of providing a forum for discussion, lessening those reservations and resistance that may-exist.

PRACTICING IN COUNCIL

Although the training period was essentially the same for both practitioners each has developed a unique position on the health care team in her respective community. In Council, Ms. Curtis initially worked in a side-by-side supervised practice with the two physicians in the clinic and in the hospital, developing competencies rapidly.

The day begins for her by making morning hospital rounds with the physician if he is there when she updates progress records. Ms. Curtis makes rounds for the physician if he is unavailable. At the clinic, she screens patients, referring to the physician those beyond her level of competency. She sees many children, treats upper respiratory ailments and ear, nose and throat problems, and gives immunizations.

An important activity for her is patient education. The patient may be too bewildered or disoriented to really absorb the physician's instructions. The nurse takes the time to have the patient tell in his own words how he understands instructions. Often patients discuss with her problems with which they hesitate to trouble the busy physician.

An increasing number of women request that the nurse practitioner do their pelvic exams and Pap smears, stating that they dislike to take up the physician's valuable time when "nothing is wrong with me." The mother in labor seems comforted to see a familiar face—the same one she saw during her prenatal care. With the physician present, the nurse has delivered 23 babies in ten months—a healthy record for a town of 900!

Having had extensive experience as a surgical nurse, as well as the training at Stanford, this nurse practitioner has sufficient background to function also as a first surgical assistant. Her other activities include making house calls to shut-ins and invalids, and managing emergency room problems.

Every third night she takes call. After evaluating the patient's status she may take care of the problem herself, such as suturing a minor laceration, or ordering essential lab work. If the problem requires medical consultation, treatment may be authorized by the physician via phone or may require his presence. By-laws approved by the hospital Board of Trustees enable the nurse practitioner to admit patients, initiate lab work and x-rays and provide emergency treatment.

The physician and nurse practitioner discuss diagnosis and proposed treatment of patients. Other members of the clinic staff include a lab technician, a receptionist, and an office nurse. An intercom telephone between the clinic and the hospital, which is one mile away, keeps the staff in touch with the progress of acute hospital patients.

For Ms. Curtis, adjusting to the increased responsiblities took some time. Previous patterns engendered in basic education and 20 years of experience in the traditional nursing role made for some discomfort in working as a close associate of the physician. Learning to give orders rather than just take them requires time. She found that the most difficult part of mastering the new role was staying in that role.

PRACTICING IN CAMBRIDGE

The nurse practitioner in the Cambridge clinic must function without the daily on-site presence of a physician. A receptionist is the only other full-time staff person at the clinic although the services of a local licensed practical nurse are available on occasion. The clinic is situated in a burned-out building which was purchased and renovated into a modern clinic facility with funds raised entirely by the community and with labor donated by local townspeople. In addition to the usual examining rooms, laboratory, and reception areas, space is provided for a dentist and optometrist who make weekly visits.

Each of the physicians travels to the clinic one afternoon a week to see patients with the practitioner. Three days a week patients are seen only by her. She has the options of taking care of the problem without any medical assistance, calling the physician for consultation, sending the patient to Council for further diagnostic work-up, sending him to the physician immediately, or rescheduling a visit on the day a physician will be there.

As with the practitioner in Council, Ms. Ortman takes histories and gives complete physical examinations, routine prenatal and postnatal care, emergency treatment, and immunizations. She makes frequent house calls to homebound patients, particularly to geriatric patients.

A typical day for the Cambridge practioner may include treating a 43-year-old man with chronic otitis media; administering intramuscular antibiotics after ascertaining an intolerance for the oral drug: consulting by phone with the physician on adjusting medications for a patient with Parkinson's disease; removing sutures from a 5-year-old child who had a cardiac catheterization in Seattle; performing a pelvic exam on a woman with chronic pelvic inflammatory disease; seeing a patient for thyroid regulation; removing foreign bodies from the surface of eyes; referring a patient with a suspected fracture from a logging-mill accident for diagnostic x-rays; performing routine physical examinations on pre-school children, high-school athletes, and bus-drivers.

Because the economy is largely agricultural or forestry-connected, the incidence of allergy with sinus problems is high, necessitating desensitization injections. Ms. Ortman estimates that she herself can handle 90 percent of all upper respiratory tract infections.

She finds that she has the time to give supportive therapy to the large number of women presenting menopausal symptoms and reciving hormonal treatment, and, in well-child care, to discuss development and nutrition, and to offer anticipatory guidance and reassurance to parents. She is often able to determine changes in cardiac status, making appropriate changes in therapy. Patients with acute illness, with positive lab findings, are generally referred to the physician either by phone consultation or a visit. Referrals to specialists may be made after consultation by phone with the Council physician, if a problem is acute.

A lab technician is not available in the clinic so that the nurse must perform her own laboratory procedures. Feeling a need for additional training in this area, Ms. Ortman spent extra time perfecting her techniques with the hospital lab technician in Council.

Because the nurse is the only immediate medical resource, she may be called anytime—nights as well as weekends. Three quarters of these problems can be handled over the phone.

Many people in Cambridge are seeking medical attention for their problems much earlier since the nurse practitioner is in the community, and they do not have to travel miles for medical assistance. More than ever, patients present themselves before a problem becomes a crisis and it is possible to emphasize the value of preventive medicine. One 86-year-old woman came to the Cambridge Clinic shortly after it opened, complaining of shoulder pain she associated with a fall some six months earlier. Unwilling to travel the 22 miles to Council, the woman suffered until she could seek the services of the new nurse practitioner. She ordered an x-ray, confirming the diagnosis of an anterior dislocation of the shoulder, and gave much needed relief to a gratified patient.

The community is very proud of the Cambridge clinic and its acceptance is excellent. During June of 1971, the second month of full operation of the clinic, 352 visits were recorded; in October, 302. In the first five and one-half months' experience, there are records on 437 families even though the population of Cambridge is less than 400. Cambridge Clinic draws from the surrounding communities of Hell's Canyon, Brownlee, Indian Valley, and Midvale. In that same period, the nurse estimates that physician consultation or referral was required on an average of 19 percent of the patients seen in a given week. Most patients have learned that the practitioner's judgment can be trusted and they feel comfortable with her.

COMMON POLICIES AND CONCERNS

Both clinics have converted to problem-oriented records, permitting better communication with the physician and allowing a much broader approach to the patient. All records are reviewed by a physician. Prescriptions written by the nurse practitioners are countersigned by a physician when he is at the clinic.

The nurses are on a fixed salary. All billings are handled through each clinic's office, and there is no differentiation in charges for services performed by the nurse practitioner. In addition to malpractice insurance carried by the nurses themselves, the physicians pay a minimal fee for additional insurance to cover the nurse practitioners.

Health professionals have become increasingly concerned about the legality of having delegated to nurses more and more functions ordinarily understood to be within the practice of medicine. The advent of the nurse practitioner caused further concern in Idaho. Therefore, a physician (co-author of this article) and a nurse legislator had introduced into the 1971 Idaho legislature a bill to amend the Idaho Nurse Practice Act, which passed in February. This permits the professional nurse to perform acts "of medical diagnosis or prescription of therapeutic or corrective measures . . . as may be authorized by rules and regulations jointly promulgated by the Idaho state board of medicine and the Idaho board of nursing which shall be implemented by the Idaho board of nursing." This liberal and progessive law allows the nurse practitioner to function effectively without the constraints which might result in other legislation licensing physician's assistants or by the use of rigid definitions in the medical or nursing practice acts.

Continuing education is as vital to the nurse practitioner as to any other health professional. The regular contact with the physician provides a constant teacher-student relationship with considerable give and take. Both are stimulated to do further study. All of the medical consultants to the community, including the Idaho Department of Health teams, the University of Oregon Medical School Circuit Riders, and the Southwest Idaho Medical Society, have helped to teach the nurse practitioners how to handle problem cases.

There is a need for such education on a formal basis. Idaho has no medical school, and, to date, no training for the nurse practitioner exists in the state, although two schools of nursing are exploring the development of such programs.

AN EXCITING FUTURE

What is the future of the program? Physicians in the project view it with increasing enthusiasm as experience grows. Their morale is improved, with more freedom to carry out community activities and spend more time with their families without throwing additional strain on their medical associates. In addition, physician time is released for those problems requiring a high level of medical skill. With this kind of doubling of the health care team, more patients can be cared for without further increasing the physicians' loads.

The nurse practitioners have found more professional satisfaction than in any previous experience and feel they are making a unique contribution as part of the health team with a special emphasis on "care" to the patient. They realize that they are completing their first year of such practice under the watchful eyes of the entire state. Other rural communities with similar manpower problems are interested in instituting this concept into their own areas.

Certainly, because of this project, health care is more available and more accessible to a greater number of Idahoans in this segment of the state. And the project seems to have proved already that if the problem of medical manpower shortage is to be solved, the use of nurses in such expanded roles is one important solution.

JULY 10, 1972.

Hon. ELLIOT L. RICHARDSON,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: Nurse practitioners are, as you know. serving a very useful function in many parts of our Nation. Their capacity to perform in the most effective fashion is, however, limited by current Medicare regulations. For this reason, I am writing to request your consideration of needed changes in those regulations.

Under existing Medicare regulations, as described to me in a recent letter from an Idaho constituent, nurse practitioner services are not reimbursable under Medicare unless a physician is physically present and taking active part in the case of the patient.

This regulation sems unfair and unwise to me because it is not always feasible for a physician to be present, and yet valuable and needed services by the nurse practitioner can still be rendered in his absence. Let me offer two examples from my State of Idaho to illustrate the advantages in utilizing nurse practitioners and the difficulties caused by the current Medicare regulations.

The small town of Cambridge, Idaho, has no resident physician but does have one full-time nurse practitioner at its Medical Clinic. Many of the individuals this nurse practitioner sees are Medicare patients. One day a week a physician from a town twenty-five miles from Cambridge visits its Medical Clinic and reviews the patient's charts. Moreover, this physician is in regular communication with the Cambridge nurse practitioner by phone. The doctor also reviews most of her decisions at the time they are made or from the charts at the time of his weekly visit.

A second example from Idaho concerns residents of nursing homes. Reports indicate that it is almost impossible to obtain house calls for those in nursing homes or to have any meaningful physician follow-up of any kind. Nurse practitioners are filling this vacuum.

Clearly, these two examples point to the essential work being done by nurse practitioners in Idaho and the barriers to their effective performance caused by the Medicare regulations. Certainly these regulations must be having a similar undesirable result in many other parts of the country.

It seems ironic to me that the Department of Health, Education, and Welfare would encourage the development of nurse practitioners, while also curtailing their usefulness through restrictive Medicare regulations.

May I suggest the following as a proposed solution to the difficulties resulting from existing Medicare regulations in the area of nurse practitioners. Would it not be wise to do away with the current restrictive regulations and provide for Medicare reimbursement for the services of nurse practitioners who are acting in accordance with their respective State medical practices acts?

I will appreciate very much your careful consideration of this important matter, and I hope that you will be receptive to a modification of the Medicare regulations in the manner I have suggested.

Sincerely,

FRANK CHURCH,
Chairman.

THE POSITIVE STORY OF AGRICULTURE

Mr. CURTIS. Mr. President, for more than a year now I have been contacting executives of some of the Nation's top companies that do business with farmers to urge that they join in a nationwide effort to tell the positive story of agriculture to American people, particularly those living in the urban and suburban areas.

I have participated in a number of meetings which a group of these executives have held with representatives of various farm commodity organizations.

The effort is beginning to pay dividends in terms of better public understanding.

An example of this is an advertisement published in the July 31 issue of Time magazine, now on newsstands throughout the country.

The advertisement was placed and paid for by Pioneer Hi-Bred International, Inc., of Des Moines, Iowa. The text of the message tells an important story that every American should know about agriculture. I ask unanimous consent to place the text of the advertisement in the RECORD.

Mr. President, the Scottsbluff Star-Herald on Saturday, July 29, 1972, had an excellent editorial commenting upon this Pioneer seed corn ad. I ask unanimous consent that following the text of the advertisement, the editorial be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THESE AMERICANS HAVE HELD THE LINE ON PRICES SINCE 1950

There's a lot of talk about prices these days. And how to beat inflation. Unfortunately, there aren't any easy answers. But there are some effective inflation-fighters in this country. They haven't had a major price increase in the goods they sell for a generation. Who? The sometimes forgotten farmers in America.

Check the facts:

1950:	
Corn (bushel)	$1.52
Wheat (bushel)	2.00
Beef (100 lbs.)	29.35
Hogs (100 lbs)	18.00
1971:	
Corn (bushel)	1.08
Wheat (bushel)	1.31
Beef (100 lbs.)	33.12
Hogs (100 lbs.)	17.50

Average yearly price from U.S. Department of Agriculture.

Take a look at the prices farmers received for a bushel of corn or wheat in 1950. Twenty-one years later, in 1971, prices were substantially *lower*. In 1950, farmers sold beef cattle for $29.35 per hundredweight. Twenty-one years later, the price had inched up *less than 1% a year*. Prices received for hogs decreased. Maybe you'll agree the best inflation fighters in the country work on America's farms.

CHEAPER THAN DIRT

Here's a real eye-opener. Next time you're at the supermarket, price a 5-pound bag of flour, a 5-pound bag of corn meal and a 5-poung bag of potting soil. You'll find it's no exaggeration to say our farmers sell their products cheaper than dirt.

THE HIGH COST OF WINNING

All the while our farmers have been doing business at prices substantially out of the 1950's, the cost of the goods and services they buy are straight out of the 1970's. How can they survive buying high and selling low? The sad fact is many don't. In the last two decades, nearly half our farmers have left the land for already crowded cities because ends couldn't be met.

NOW YOU KNOW

Statistics say the American farmer is the most efficient worker in the world. Each farmer provides food for forty-five people. Compared to 20 in 1950. He is one of the very few of us who literally makes something where nothing was before. That could be why, in spite of the built-in risk of trying to beat Mother Nature year in and year out, you'll hear them all say, "I'm proud to be a farmer."

Now, you may ask why the folks at Pioneer are telling you all this. In 1972, nearly half of all the corn growers in this country planted our hybrid seed. Over the years, we've gotten to know a whole lot of farmers . . . so we decided we ought to speak up with the facts. Our friends on farms all over the country deserve it.

[From Scottsbluff Star-Herald, July 29, 1972]

CORNY IDEA?

A Pioneer seed corn ad in Time Magazine? Sure enough, on page 61 of the current issue, just past the book review section, is a full page ad by the seed company.

Only the ad isn't trying to sell corn. It's trying to sell the idea that farmers are the best inflation fighters in the United States. And it does a pretty creditable job of achieving this end.

Beneath a drawing of an aerial view of a typical American farm, the seed corn firm notes that "There is a lot of talk about prices these days. And how to beat inflation. Unfortunately, there aren't any easy answers. But there are some effective inflation-fighters in this country. They haven't had a major price increase in the goods they sell for a generation. Who? The sometimes forgotten farmers of America."

The facts, as presented by the advertisement, are well known to farmers and agribusinessmen, but they may be new to the largely urban-dwelling readers of Time. An accompanying graph compares some 1950 prices with 1971 prices, for example: In 1950 corn was $1.52 per bushel compared to $1.08 in 1971, wheat was $2.00 compared to $1.31 in 1971, beef per hundredweight was $29.35 compared to $33.12 and hogs $18.00 compared to $17.50 in 1971. Of course, prices have fluctuated somewhat since 1971 but the story remains essentially the same—farmers are not sharing in the economic gains of the country.

Pioneer has a nice little analogy about food and dirt, too. "Here's a real eye-opener. Next time you're at the supermarket, price a 5-pound bag of flour, a 5-pound bag of corn meal and a 5-pound bag of potting soil. You'll find it's no exaggeration to say our farmers sell their products cheaper than dirt."

The company also points out that each farmer is feeding 45 people today compared to only 20 back in 1950, a fact which should be of especial interest to the city folks who rail against food price increases while they demand more pay for less work.

All things considered, the Pioneer people have presented the farmers side of the story concisely and with great effect, and they have done it in a branch of the media which circulates in areas where this story needs to be told.

SIXTY-EIGHT CITIES PROVIDE REDUCED TRANSIT FARES FOR SENIORS

Mr. CHURCH. Mr. President, for most Americans, it is a routine matter to visit friends, shop for groceries, or go to the doctor.

However, these tasks can become formidable obstacles for older Americans struggling on limited, fixed incomes.

Today transportation is a very serious problem for millions of persons 65 or older. In fact, it represents the third largest expenditure in the Bureau of Labor Statistics' intermediate budget for a retired couple—after expenses for housing and food.

During the past few years several transit systems throughout the United States have reduced bus fares for seniors.

One of the most recent additions to this growing list is Miami, Fla. Beginning on October 1, elderly persons riding the buses in Dade County will be entitled to a 50-percent reduction in their fares.

As chairman of the Committee on Aging, I am pleased to report that a recent working paper, prepared for the committee by Dr. Manolo J. Reyes, helped to make the case for reduced transportation rates in Miami.

In his report entitled "Elderly Cubans in Exile," Dr. Reyes presented powerful arguments for fare reductions not only for aged minority groups, but for all older Americans.

Reduced fares now enable many older Americans—who formerly lived in solitary confinement in their homes—to participate more fully in society. This increased mobility can, of course, help counteract isolation and loneliness. Equally important, it can also enable the elderly to obtain the services which they so desperately need.

Approximately 68 cities, as of January 1972, provided reduced fares on public transportation for older Americans.

Mr. President, because I now receive many inquiries about municipalities granting fare reductions for seniors, I ask unanimous consent that a listing of these communities be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TRANSIT SYSTEMS WITH SENIOR CITIZENS FARES

(As of Jan. 1, 1972)

Fresno Transit, Fresno, California.
Gardena Municipal Bus Lines, Gardena, California.
Long Beach Public Transportation, Long Beach, California.
So. Cal. Rapid Transit District, Los Angeles, California.
Montebello Municipal Bus Lines, Montebello, California.
City of Oceanside Transpn. System, Oceanside, California.
Oxnard Transit, Oxnard, California.
Sacramento Transit Authority, Sacramento, California.
Ventura City Transit, San Buenaventure, California.
San Diego Transit Corp., San Diego, California.
San Francisco Municipal Railway, San Francisco, California.
Santa Barbara Metropolitan Transit District, Santa Barbara, California.
Torrance Transit System, Torrance, California.
Pueblo Transportation Company, Pueblo, Colorado.
The Connecticut Company, Hartford, New Haven, Stamford, Connecticut.
City & County of Honolulu, Honolulu, Hawaii.
Chicago Transit Authority, Chicago, Illinois.
Springfield Mass Transit District, Springfield, Illinois.
Fort Wayne Public Transportation Corp., Fort Wayne, Indiana.
Municipal-Coach, Michigan City, Indiana.
South Bend P. T. C., South Bend, Indiana.
Terre Haute Transportation Utility, Terre Haute, Indiana.
Sioux City Transit, Sioux City, Iowa.
Trombly Motor Coach Service, Andover, Maine.
Dept. of Streets Rwys., Detroit, Michigan.
Grand Rapids Transit Authority, Grand Rapids, Michigan.
Municipal Transit, Greenfield, Mass.
Marinel Transportation, Inc., Chelmsford, Mass.
Union Street Rwy. Co., New Bedford, Mass.
Twin Cities Area Metropolitan Transit Comm., St. Paul, Mpls., Minn.
Albuquerque Transit, Albuquerque, New Mexico.
Asheville Transit Authority, Asheville, N. Carolina.
Statesville Motor Coach Co., Statesville, N. Carolina.
Las Vegas Transit System, Las Vegas, Nevada.
Broome Transit System, Binghamton, New York.
Ithaca Community Transit, Ithaca, N.Y.
Jamaica Buses, Inc., Jamaica, N.Y.
N.Y.C. Transit Authority, New York, N.Y.
Regional Transit Service Inc., Rochester, N.Y.
Lane Transit Dist., Eugene, Oregon.
Mt. Ashland Stage Lines, Melford, Oregon.
Tri-Met, Portland, Oregon.
City of Salem, Salem, Oregon.
Garfield Heights Coach Line, Inc., Bedford, Ohio.
Cincinnati Transit, Inc., Cincinnati, Ohio.
Cleveland Transit System, Cleveland, Ohio.
Euclid Muni. Transit System, Euclid, Ohio.
Maple Heights Transit System, Maple Heights, Ohio.
Toledo Area Regional Transit Authority, Toledo, Ohio.
Mahonine Valley Regional Mass Transit Auth., Youngstown, Ohio.
Port Authority of Allegheny County, Pittsburgh, Penna.
Transportation & Motor Buses for Public Use Authority, Altoona, Penna.
R. I. Public Transit Authority, Providence, R. I.
Sioux Transit, Inc., Sioux Falls, S. Dakota.
Dallas Transit System, Dallas, Texas.
D. C. Transit System, Inc., Washington, D. C.
Dept. of Transpn. City of Seattle, Seattle, Washington.
Tacoma Transit System, Tacoma, Wash.
Yakima City Lines, Yakima, Washington.
Massachusetts Bay Transportation Auth., Boston, Mass.
AC Transit, Oakland, Calif.
Erie Metropolitan Transit Auth., Erie, Penn.
Metropolitan Transit, Inc., Dearborn, Michigan.
Saginaw Transit Co., Saginaw, Mich.
Southeastern Penna. Transpn. Auth., Phila., Penna.
Iowa Regional Transit Authority, Des Moines, Iowa.
Regional Transit Authority, Cedar Rapids, Iowa.
Davenport City Lines, Inc., Davenport, Iowa.

COMMENTS ON REPRESENTATIVE ASPIN'S PRESS RELEASE

Mr. GOLDWATER. Mr. President, on July 31, 1972, Representative ASPIN issued a press release which assailed the DOD cost estimates for the B–1 program. As noted below, the press release contained a number of inaccuracies and unfounded assertions which invalidate Congressman ASPIN's arguments.

COST OF THE B–1 BOMBER

Representative ASPIN asserted that certain officials "have estimated that the B–1 costs are underestimated by at least $3.6 billion" based upon a projected "cost of $60 million per plane as opposed to the official Air Force estimate of $45 million"—yet in fact the current official DOD and Air Force estimates are $45.5 million per aircraft based upon total program costs including R.D.T. & E.; and $35.2 million per aircraft based solely upon procurement costs. These costs include an OSD-approved average inflation factor through the production phase of the program. These approved figures are reported quarterly to the Congress in the B–1 selected acquisition report.

It is recognized that credible cost estimates will be one of the dominant factors involved in obtaining final approval for B–1 production. Accordingly, the Air Force is proceeding with a carefully structured development program designed to eliminate the hazard of cost increases associated with some earlier aircraft development programs.

In this regard, the B–1 system management approach has been focused on the maintenance of cost stability. The system program director is prepared to make the performance/schedule tradeoffs needed to maintain cost stability. No single characteristic will be allowed to drive the cost.

Not all cost growth, however, is the result of poor estimates and/or inadequate management control. Other factors also contribute, for example: First, economic inflation in excess of the amount estimated; second, program changes dictated by funding restriction; third, changes beyond the scope of current development dictated by new threat assessments, and fourth, changes in requirements. Any changes in cost resulting from these factors are identified and reported to Congress in the quarterly selected acquisition reports—SAR.

The Air Force is confident that the B–1 engineering development program, as presently planned and being conducted will provide sufficient data on the soundness of the design, the predictability of performance, and the credibility of costs, to permit an informed and logical decision on production. The development program, itself, will be pursued on a prudent basis. The development schedule is conservative and no decision on production is contemplated before acquisition of the planned actual flight experience on the aircraft. The current Air Force estimate for the B–1 program, assuming production is approved by Congress, is approximately $11 billion—as contained in the SAR. This figure is in "then year" dollars, which includes a factor to account for the effect of inflation on the cost.

WEIGHT OF THE AVIONICS PACKAGE

Representative Aspin asserted that the Air Force assumes "that the B-1 will contain only 3,800 pounds of electronic equipment"—whereas in fact the current Air Force estimate for the weight of the avionics suit is about 5,000 to 6,000 pounds. Moreover, the estimate of the weight of the B-1 avionics suit will be further refined as the avionics development program proceeds, and the precise weight of the production package will be known upon completion of the avionics development program.

COST OF THE AVIONICS SUIT

Apparently using 3,800 pounds as the base weight of the avionics suit, Representative Aspin stated that "each pound of additional electronic equipment is expected to cost an additional $1,000 for each plane"—whereas the total estimated cost of the avionics suit has remained constant for over 2 years even as the weight estimate has been further refined to the current estimate; and the cost-per-pound of the avionics suit is expected to be much less than the $1,400 incremental figure cited by Representative Aspin.

The official cost estimate for the complete avionics suit is, and has been since December 1970. $4.83 million per aircraft. This estimate is in "then year" dollars. that is, it includes an allowance for inflation, and is based upon Air Force-validated contractor inputs plus the known costs of off-the-shelf equipment.

In this connection, it is important to recall major objectives of the B-1 avionics development program, approved by the Secretary of the Air Force in August 1971. These objectives include making maximum use of available off-the-shelf avionics equipment—whenever adequate to do the job—remaining within the programed B-1 funds, and providing an adequate development base to allow a B-1 system production decision to be made on a timely basis. Inherent in these objectives is the concept of minimum risk and complexity, which is an important consideration in terms of the management and control of program costs.

Currently, it is expected that the cost-per-pound of the avionics suit will be less than $1,000 per pound. Again, this figure considers the Air Force-validated contractor inputs, known costs of off-the-shelf equipment, and current estimates of the weight of the avionics package.

Also of importance is the fact that official Air Force cost estimating procedures, used to predict costs before hard development data are available, independently indicate that the cost per pound for a mixed avionics package—such as that to be carried by the B-1—would be less than $1,000 per pound.

MAXIMUM AVIONICS WEIGHT CAPABILITY

Representative Aspin's allegations are premised in part upon the implication that the Air Force plans to add more avionics equipment to the B-1, up to its maximum limit of about 10,000 pounds—but the fact of the matter is that the Air Force has no intention to build and deliver the B-1 with 10,000 pounds of avionics.

It is true that the maximum possible weight of avionics which the B-1 could carry is about 10,000 pounds. The exact figure is 10,450 pounds. This capacity was used to size the aircraft, and was deliberately established at this high level as a matter of prudence. Specifically, space, weight, power, and cooling capacity are being engineered to preserve options for growth should future mission demands so warrant. But again, there are no plans to deliver the B-1 loaded to the maximum capacity.

In this regard, there is historical evidence which illustrates that it would be highly imprudent not to design the B-1 with excess capacity for avionics. Specifically, one reason the B-58 bomber was retired from the force long before its useful aerodynamic life was exhausted was that it was incapable of accepting, in a cost-effective manner, improved avionics needed to counter an increasing Soviet air defense threat. On the other hand, a principal factor which has contributed to the long useful operational life of the B-52 has been the ability of that aircraft to accommodate improved avionics in phase with threat developments.

The essential characteristics of a new bomber—including its maximum avionics weight capacity—are dictated by potential threat developments over the extended period of time—several decades—represented by the development lead time of a new bomber plus the long expected useful life of the bomber. It would be extremely unwise to design a new bomber—which will be operational beyond the year 2000—without the capacity for future growth if needed. However, this does not mean that the B-1 will be delivered with 10,450 pounds of electronics. Indeed, the Air Force has no intentions or plans to deliver the B-1 with other than the avionics package currently being developed—and, as noted earlier—the weight of that package is estimated at about 5000–6000 pounds.

SUMMARY

In summary, the estimates noted by Representative Aspin are in error. The cost of the B-1 program is not "underestimated by at least $3.6 billion" as Mr. Aspin claimed was estimated by "officials of the Office of Systems Analysis in the Pentagon"; the cost of the aircraft is not projected at $60 million by any officials within DOD; his estimate for the weight of the B-1 avionics package is clearly in error; the estimate he provides for the cost-per-avionics-pound is in error; and his understanding of the meaning of the 10,450 pound avionics capacity of the B-1 apparently is faulty. Singly and in combination, these deficiencies underscore the invalid nature of Representative Aspin's press release and his position concerning the B-1 program.

THE NEW ARMS MERCHANTS

Mr. CHURCH. Mr. President, during this year's debate on the military assistance bill, the Senate has formulated several significant policy decisions limiting U.S. involvement in the transfer of conventional weapons to various governments. I sponsored one of these, an amendment banning American-financed arms to the nations of South Asia.

In June, the Christian Science Monitor ran a six-part series on global arms sales and transactions. This timely and thorough study showed the pervasiveness of the international arms traffic; it showed that the United States is the world's largest and most active arms merchant; it showed the folly of arming governments that have yet to solve more pressing national problems for their peoples' welfare. Right now, $200 billion is being spent worldwide on armaments, and in 1980, if nations continue to spend 7 to 9 percent of their output on arms, the yearly cost will be $350 billion.

The Monitor series concluded with a number of proposals that could help stem the flow of armaments among nations. These included curbs on the use of surplus hardware, standardization of licensing requirements for arms sales, more rigid safeguards on the reselling of arms sales, more rigid safeguards on the reselling of arms to third parties, curbs on promotional efforts of armament makers and governments, and the encouragement of nations to seek out nonweapons commodities for redressing trade imbalances. Important, too, is a closer watch on arms traffic, so that the public is alerted to the dimensions, waste, and tragedy such traffic traces in the world.

The two largest suppliers of arms—the United States and the Soviet Union—need to discuss and negotiate limiting the flow of arms to smaller, often rival, nations. As the Christian Science Monitor wisely and realistically editorialized:

> It would be folly indeed for the world's powers to congratulate themselves on controlling the nuclear demon, which is causing no actual destruction, while ignoring the grim daily havoc caused by conventional arms or surplus weapons.

I commend the Monitor for running this whole series and ask unanimous consent that the article entitled "The New Arms Merchants," written by John K. Cooley, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The New Arms Merchants

TRACKING DOWN MEN AND NATIONS THAT FUEL WORLD'S BRUSH-FIRE WARS

(By John K. Cooley)

In Washington a committee of senators listens glumly as a U.S. Defense Department spokesman explains why the American taxpayer must provide $225 million for the Cambodian armed forces in the current year.

Thousands of miles away, aboard the Neuklong ferry between South Vietnam and Cambodia, an eyewitness reports: "New U.S. arms issued to South Vietnam are constantly being peddled on the black market.

"Many are bought and sold on the ferryboat. These include tents, guns, C rations. One Cambodian lieutenant bought, probably to resell for his own profit, enough M-79 rocket grenade launchers to equip a whole platoon."

On the other side of the world in Amman, Jordan, a U.S. embassy official tells a visitor: "The Jordan military gets a slice of everything that comes into this country. Where its funds come from is just a bookkeeping measure." All U.S. aid to Jordan this year is worth about $120 million.

In Berne, Switzerland, a private arms trader negotiates a fat contract to sell hundreds of surplus North Atlantic Treaty Organization (NATO) tanks to a West African country whose people still suffer from malnutrition.

A few miles away, an arms buyer for the Irish Republican Army (IRA) discusses with an agent for the Czechoslovak firm of Omnipol a deal to replenish the IRA's arsenal of rifles and submachine guns in Belfast. The funds he pays were collected in the United States through an office in the Bronx, New York.

In these and countless other ways, the sale, loan, and gifts of weapons and other implements of war have become big business—and even bigger politics.

So big, in fact, that the worldwide trade in arms—in all its aspects from the smuggled crate of revolvers crossing a Latin American frontier to the transfer of the latest sophisticated Phantom or MIG jet combat plane to an American or Soviet client state—has become the weightiest and most important tool of international power and diplomacy.

Some of the findings recently reached by an independent body of experts in a study for the United Nations Secretary-General boggle the imagination: While 10 years ago the world was spending $120 billion annually on arms and warfare ($150 billion at 1970 price levels), the figure reached and almost certainly passed $200 billion after 1970.

The prospect, says the United Nations report on "Economic and Social Consequences of the Arms Race and of Military Expenditures," is that even if annual military expenditures do not claim more than their present 7 to 9 percent of world output, "they could well reach the level of $300 to $350 billion [at 1970 prices] by 1980, with a total outlay for the current decade of about $2,650 billion. . . ." This, of course, at the expense of education, public health, economic growth, environmental controls, and other matters vital to the welfare of the world.

This ballooning growth of arms costs has come about during a decade when there were no major wars between big powers.

PRIVATE DEALERS FEW

More, it happened even as the United States and the Soviet Union were starting to make progress in limiting strategic weapons, and as most major powers agreed to halt the spread of nuclear arms and to ban the terrible weapons of chemical and bacteriological warfare, and the use of the sea beds for war.

Gone are the days of the "honest" private dealers like Basil Zaharoff, whose influence upon governments and policies before and during World War I were immense.

The private arms peddlers and brokers, once called "merchants of death" but with access to presidents and kings, are probably fewer in number and certainly less influential now. A few, like Samuel Cummings of Interarms, have probably amassed fortunes.

But all available research now shows that not more than a tiny fraction—less than 5 percent—of the world's arms business is in the hands of such individuals.

Instead, governments and the giant armaments, aerospace, and electronics industries of the "military-industrial complex"—depending sometimes wholly on government orders—have long eclipsed the private traders.

Hence, private dealers now concentrate on the flourishing trade in sporting weapons and handguns and "sporterized" surplus military weapons. This is a specialty of big British gun importers and merchants.

The private merchants also operate in surplus and "scrap" weapons. These have helped keep many conflicts, such as recent ones in Nigeria and Central America, going strong.

AID STATISTICS CHALLENGED

In reply to recent questions asked by the United Nations about arms and development aid programs, many governments provided confident figures or statements indicating that arms aid was on the back burner.

But as Dr. Gunnar Myrdal, the Swedish scholar who heads the Stockholm International Peace Research Institute (SIPRI) and who has devoted much of his career to studying the developing world, points out, "The statistics on aid and financial assistance is grossly juggled and falsified, giving the appearance that [non-military] aid and assistance from the developed to the underdeveloped countries is much bigger than it really is."

For the last 25 years, all the wars have been fought not in the industrialized regions of the West or Communist East, but in the developing countries of Africa, Asia, and Latin America. As SIPRI says in its 910-page study published last November and entitled, "The Arms Trade With the Third World" (soon to appear in an abbreviated and updated form), four nations are responsible for over 90 percent of all exports of arms to 91 developing countries.

These supplying nations are the United States, which alone "accounts for over a third of the world's total weapons," the Soviet Union, Britain, and France in that order.

After them, as arms exporters, follow Italy, West Germany, Czechoslovakia, Belgium, the Netherlands, Israel, Sweden, Switzerland, Austria, and Australia.

A third group of nations is fast coming into the picture. All have enough domestic arms-manufacturing capacity to become big exporters within the next decade: Argentina, Brazil, East Germany, Egypt, India, Indonesia, Japan, North Korea, Norway, Poland, Portugal, South Africa, Turkey, and Yugoslavia.

A fourth category of countries with little or no capacity of their own also exists. These will shortly export or already do export the surplus arms they once imported: South Vietnam is one of these.

And some nations in the second group of major exporters, who were once wholly dependent on big powers for their arms supplies, are now selling new systems and their own refinements of old systems back to the big powers. For example, according to an analyst at the Institute for Strategic Studies (ISS) in London:

"The Israelis have begun selling their military electronics to the United States [their biggest and main supplier], including code and communications systems." The Israelis are manufacturing and exporting multipurpose aircraft and have begun to make, with a view to export, a new SKS submachine gun which is to replace the famous Uzzi, already sold to a number of Asian African, and European states.

As worldwide weapons technology grows, so do licensing, coproduction, and cooperation agreements.

The newest trend is for countries of the developing world to make arms for each other: India has tried to help Egypt manufacture military jet engines; and a Pakistani shipyard in Karachi beat out British, West German, and Japanese firms in getting a contract to build new light warships for Saudi Arabia and Abu Dhabi.

PROFITABLE FOR MANY FIRMS

The farming-out of U.S. defense and procurement contracts has spread around the world, just as Soviet-licensed manufacturers have proliferated in East-bloc countries and such Third World countries as India.

Many a West European firm, especially in Belgium, West Germany, Italy, Denmark, and neutral Austria, has been banking on a further prolongation of the Vietnam war. They fear that U.S. military procurement in Europe will end with peace in Southeast Asia.

Elizabeth Pond, correspondent for The Christian Science Monitor, reports from Tokyo that Japan is still bound by its no-war Constitution and by laws making it illegal to export "combat weapons" to countries at war, Communist countries, or "unfriendly" ones. But as in Europe, U.S. "special procurement" for the war in Southeast Asia has helped Japanese defense and defense-connected industries recover from the effects of the Axis defeat in World War II.

Another by-product of the world's arms-transfer bonanza is the movement of experts and weapons know-how across international frontiers. As SIPRI staff analyst Jozef Goldblat puts it, "No practical way exists to halt the flow of weapons knowledge, like any other knowledge" from one country to another.

Efforts to halt the transplanting of arms talent have ranged from the often-ineffective controls on information of the U.S. Battle Act of 1951 to terrorism, used by the Israeli secret service to dissuade German rocket and missile experts from working in Egypt in the early 1960's.

Nevertheless, U.S.-trained Chinese nuclear scientists as well as Soviet-trained ones (before the Sino-Soviet break of 1960) have helped build nuclear weapons systems in China; German aerospace experts have pioneered in the United States and French programs; British scientists and technicians helped develop Australia's military rocketry; Canadians helped India gain fairly advanced nuclear know-how.

Trans-national weapons technology can cross-fertilize itself, too. French experts helped provide Israel with rockets, missile systems, and nuclear weapons capability. But Israeli research and development has aided the French aircraft and weapons industries, and Israel now exports the "Gabriel" missile which France's Marcel Dassault helped develop.

A side political effect of the arms boom has been the reinforcement in power of military governments the world over. Greece, Taiwan, Iran, Pakistan, and several Latin American countries are examples of areas where the military, supplied by the United States, has reinforced its political power and sometimes exercised dictatorships.

In the Soviet bloc, military men in the Warsaw Pact countries have become dependent on Moscow for the power they hold through continued flow of Russian arms. In non-bloc countries like Egypt, which depend on Soviet weaponry, the relations between the military and the Soviets have become a key determinant of the country's policies.

From the UN, SIPRI, and ISS reports, and many interviews with those involved in the arms trade in a dozen countries, these disturbing facts emerge:

Along with military expenditures, standing armies, too, are growing and have reached about 50 million around the world. Many have been given or sold weapons of unimaginably lethal power.

Nearly all of this increase in military manpower during the past decade has been in developing countries, which can least afford to divert their labor forces from the arts of peace. And these same countries are spending at twice the rate of the world average for guns; proportionately far more than for bread, schools, or houses.

As the 1970's move onward, if progress continues in controlling the U.S.-Soviet strategic arms race, the world may well begin to wonder whether it is not time to look soberly at the possibility of devising some new system of conventional-arms world controls—before the arms business so engulfs the world's resources that it becomes utterly impossible for economic development to keep pace with population growth.

Before turning to the issue of control, arms export motives and policies of the main exporters and the private traders must be squarely faced and understood. The next four articles in this series will attempt this.

UNITED STATES CALLED NO. 1 SELLER OF WAR MATÉRIEL

(By John K. Cooley)

From Washington, an intricate U.S. Government bureaucracy, working with the American defense industry, pumps an ever-growing stream of arms to friends of the U.S. throughout the world.

"The United States," says the Stockholm International Peace Research Institute (SIPRI), which documents its assertion in detail, "is the largest supplier of military equipment in the world, accounting for nearly half the world's total trade in weapons."

The Institute for Strategic Studies (ISS) in London says that 70 percent of U.S. arms exports are handled directly by the U.S. Government. Private U.S. industry negotiates the rest, subject to government approval.

Once an arms deal is cleared, the Phantom jets, battle tanks, missiles, or electronic systems concerned move into the "pipeline." This favorite jargon term is used by the network of over 10,000 military and civilian staffers in U.S. Military Assistance Groups and service attache offices in American embassies around the world.

In addition, technical representatives ("techreps") of the major U.S. defense industries—like Lockheed Aircraft Corporation, General Electric, General Dynamics, and McDonnell Douglas Corporation—work in the important world capitals, pushing sales, arranging details, and managing supporting aid and maintenance.

From 1950 until this year, U.S. military aid, sales, and all forms of arms exports together may be estimated at the astronomical figure of some $70 billion.

UN REQUEST HONORED

The United States, replying to a United Nations request, sent worldwide for data on military exports during the past decade, said that less than 5 percent of all U.S. defense production, and over half of all arms exports, went to the industrial countries of Europe and the Far East—the rest to developing countries, especially Israel, which in this year's administration requests alone gets $500 million out of a world total of $700 million in sales on favorable credit terms.

Before the U.S. took over from France in 1967–68 the role of Israel's main arms supplier, it sent relatively few arms to the countries directly involved in the Arab-Israel conflict. Most went to the "forward defense areas" in the struggle with communism.

Thus, between 1950 and 1968, main recipients of U.S. military assistance (not including sales) were France, $4.1 billion; Turkey, $2.6 billion; South Korea, $2.5 billion; Taiwan, $2.4 billion; Belgium, $1.2 billion; Italy, $1.2 billion; and Britain, $1 billion.

Another $9.7 billion (aside from Vietnam war requirements) was divided up among other nations of East and Southeast Asia. Latin America got $687 million. And $218 million went to Africa, more than half of which went to Ethiopia—chiefly because of the presence of the U.S. communications intelligence base at Kagnew in Eritrea (where the U.S., with Israel and West Germany, heavily supports the counter-insurgency drive of Emperor Haile Selassie's army against the Arab-backed Eritrean nationalist guerrillas).

Since 1968, sales to Iran, which long ago ceased receiving large amounts of aid, have been skyrocketing over the $1 billion mark each year and are still rising.

Washington began to change its earlier arms giveaway policies to an aggressive sales program in 1961, when Robert S. McNamara became Secretary of Defense.

SALES HEAVILY PROMOTED

Until 1969, the Pentagon's famous supersalesman was Henry Kuss. He developed a reputation for aggressive sales techniques and imaginative promotion of U.S. arms sales abroad. The Christian Science Monitor's State Department correspondent, Lucia Mouat, reports that today Mr. Kuss is in business for himself in Arlington, Va.

When practical, says a government official, the U.S. prefers government-to-government sales out of its own inventories, with the Defense Department taking the item "off the shelf" or sometimes adding it to the next Army, Navy, or Air Force order and then shipping it to the government concerned when the goods arrive.

This is said generally to be cheaper than commercial channels for the buying government. U.S. quality-control procedures, if the recipient lacks expertise, may go with the hardware. This enables the Pentagon to keep closer watch on where the hardware goes and how it is used.

However, as George Thayer noted in his book "The War Business," a big private dealer or a broker for a government may, if refused a license by the State Department, go to the Central Intelligence Agency (CIA), the U.S. Agency for International Development (AID) or another agency to try to find a way to circumvent embargoes and controls. Both the CIA and AID back counterinsurgency and security operations of various kinds.

Often the dealer is advantaged in such situations by being a combat veteran with good military and overseas connections, and, as Mr. Thayer says, "knows the shop talk." This definitely helps.

HUGE STAFFS INVOLVED

Washington officials close to the arms exports programs maintain that Mr. Thayer's 1969 estimate of 500,000 government employees involved in the arms trade is too high. Nevertheless, they admit that a number of other agencies besides State and Defense do come into the arms-export picture.

One is the Treasury Department, where credit is involved. AID, though less often than formerly, says one official, is consulted "on the total political, military, and economic picture of a country if credit or even cash is involved. It doesn't make sense to have AID saddle a receipient country with development loans and then expect that country also to meet heavy payments for arms."

"The meshing of all these factors," says the same official, "is very difficult, even as a strictly academic exercise. We try to do it as much as we can and as delicately as we can, advising them that perhaps they're going to have to come to grips with priorities. But there's a limit to how far you can push this. Countries dont like the 'big brother' approach." But AID is moving away from this advisory role.

Last year, the Pentagon sales responsibility was placed in the new Defense Security Assistance Agency (DSAA) under a deputy assistant secretary of defense for sales and military assistance. The DSAA director has been Lt. Gen. George M. Seignious II, now replaced by Vice Admiral Raymond E. Peet, with direct access to Defense Secretary Melvin Laird.

Directing sales negotiations under Admiral Peet is David Alne, who has been concerned with U.S. arms exports since 1964. His office—one of the best known in the Pentagon to foreign arms recipients—is Room 4-B 659. From a very large operation under Mr. Kuss, the office is down now to a staff of 13 professionals, including Mr. Alne and six secretarial employees.

Three other Defense Department Agencies which sometimes enter the export picture are the Advanced Research Projects Agency; the Defense Industry Security Clearance Review Office under William Scanlon, which checks security clearances for industrial workers on classified equipment; and a Defense Contract Audit Agency headed by William Petty.

DIAC HANDLES LIAISON

More important is the Defense Industry Advsiory Council, headed by Assistant Secretary of Defense Barry Shillito. Its job is to handle liaison between the sales staff and U.S. armaments firms, as well as major U.S. banks financing arms transactions.

The State Department is far more active in arms exports than it used to be, especially its Office of Military Assistance and Sales, located in the Bureau of Politico-Military Affairs, headed by Ronald I. Spiers.

Within the same bureau is a further bewildering array of offices all concerned with arms transfers: International Security Operations; International Security Policy and Planning; Military Assistance Sales, headed by Christian Chapman; Atomic Energy and Aerospace, headed by John Sipes; Disarmament; Communist Political-Military Affairs; and a Security Assistance Planning and Analysis Staff.

The State Department also has an Arms Control and Disarmament Agency and a Defense Supply Agency. This latter outfit handles mainly procurement for the U.S. armed forces, but it might also be an occasional source for sales abroad of such commonplace defense items as rifle cartridges.

In general, the State Department role is to review the policy implications of an arms transfer. Its munitions control office handles the licensing of approved sales of items on the State Department's munitions list.

TRADE ADVANTAGE SOUGHT

The Department of Commerce does what it can to promote U.S. arms sales abroad because they help the U.S. balance of payments. Sometimes, too, U.S. arms sales to client or friendly states can indirectly stimulate U.S. weapons research and development, and even the sales of defense-connected products from those same states back to the U.S.

The example of Israel is instructive. Since 1967, it has generally bought $300 to $400 million more in U.S. military equipment than the roughly $500 million yearly now granted in U.S. credits. But Israel has nearly a billion dollar annual income from U.S. tax-free "charity" grants and from bond sales to work with in addition to the $500 million military credits.

In January, 1972, U.S. sources disclosed licensing agreements enabling Israel to build its own JA–79 jet engines for the Phantom, and assistance in building a steering mechanism for the Super-Mirage. This is a plane Israel is building, based partly on plans sold to Israeli intelligence agents in Switzerland by Alfred Frauenknecht, a Swiss engineer imprisoned after conviction for espionage on Israel's behalf.

In 1970, Israel's own arms exports, from the Uzzi submachine gun to the Gabriel missile, earned over $70 million. The U.S. Federal Aviation Administration has certified Israel's all-purpose Arava aircraft, and 36 of the planes were exported during the first three months of 1972.

The U.S. Defense Department has been evaluating a patent of Etan Harlew, an Israeli engineer, for RAGE (Radiation Amplification for Gamma Emissions), a gamma-ray weapon which, Mr. Harlew told a New York Times reporter is "primarily a commando weapon to be carried into the heart of enemy territory by small, highly-trained units."

ISRAEL HAS OWN EXPERTS

Tadiran, an Israeli communications system, is one of those already purchased by the U.S. Analysts of the Institute for Strategic Studies in London say Israel has already begun to sell both communications and code systems to the U.S. The Tadiran company, according to its director, Dr. Abraham Harel, has manufactured and marketed "equipment under license from leading American companies."

Since the 1967 war, big U.S. defense firms such as Sylvania, Westinghouse, Zenith, and Laurence Rockefeller Associates have begun operations in or with Israel. North American Rockwell has invested heavily in Israeli avionics.

However, steady Israeli purchases of McDonnell Douglas Phantom jets or Raytheon's Hawk missiles (also sold to some Arab countries, including Saudi Arabia and Jordan) take place outside Israel's domestic economy. To the extent that they are bought with credits and not tax-free gifts, the U.S. taxpayer is supporting them—like so much other U.S. military aid abroad.

Since 1967, when loud calls for reform of arms export programs were heard in congressional committee rooms, there have been changes and restrictions.

But opposition to the size and often seemingly uncontrolled and uncontrollable scope of the U.S. military aid program is growing at home. Like the Vietnam war, it is a political issue among the many which are likely to pursue President Nixon into his next administration, if he is reelected. Abroad, it will continue to be the largest and most dramatic symbol of American power, both used and abused.

EUROPEANS MEAN BUSINESS WHEN THEY PEDDLE ARMS

(By John K. Cooley)

LONDON.—Over the past two decades, West Europe's prosperity has brought with it a tremendous upswing in the manufacture and export of arms.

Today, the needs of the North Atlantic Treaty Organization (NATO), the burgeoning licensing agreements granted by U.S. firms in Europe, and big trans-national ventures in co-production like the joint British-German-Italian jet fighter-bomber, place West European producers third—behind the United States and the Soviet Union—as exporters of arms.

Lester Suffield, head of defense sales at the British Ministry of Defense, says, "We do business with friends and relations, NATO and other countries that are good friends of ours."

Officials in France's Délégation Ministerielle pour l'Armement (DMA), the French Defense Ministry organism responsible for French arms manufactures and sales, and those in West Germany's Foreign Ministry would say much the same thing.

POLICY DIFFERENCES

So would their counterparts in Belgium, the Netherlands, Italy, Sweden, Switzerland, and Austria, though the last three non-NATO neutrals would have some important reservations.

But even among the NATO group, there are important differences in arms-export policies and in the philosophies behind them. Britain, the third biggest single arms supplier in the world, and France—close behind or overtaking Britain—have supplied opposite sides in some conflicts, such as the Nigerian civil war.

France, selling for frankly commercial reasons, places political considerations almost out of sight in some areas. It combines both commercial and political motives in other areas, like the Middle East. But it demands strict licensing and end-use guarantees.

Britain leaves far more loopholes for transfers to third parties, yet often ranks politics only a bit behind commercial advantage.

Sweden and Switzerland, jealous of their traditional neutrality and stung in some recent cases where their arms reached African and Mideast conflict areas, now say they refuse to send arms anyplace where war rages, or might even threaten.

West Germany, after getting burned in its relations with the Arabs through big arms transfers to Israel in 1965, and with black African states because of earlier help to Portugal, has gotten out of the arms-aid business almost entirely, leaving the West European field to Britain and France.

World War II left Britain second only to the United States as a weapons exporter. But its withdrawal from its overseas empire, the turning of its markets to other suppliers, and the drop in productivity of its defense industries drastically cut British weapons exports until the Labour government consciously began encouraging them in 1965.

BRITONS MIXED FEELINGS

Many Britons had ambiguous feelings about the resulting boost to Britain's ailing balance of payments. The feeling was expressed by Henry Stanhope in the Times of London in March, 1971: "It isn't as though the British are reluctant to sell arms, but they would really prefer to sell butter."

As Britain joins the European Economic Community, it steps up both its own national arms sales and its co-production ventures on the Continent.

British Government arms-sales projections for 1971 were (at early 1971 exchange rates) about $2.7 billion for the United States, as compared with Russia's $2.04 billion and Britain's $648 million, of which $139 million should have been earned by the Defense Ministry and the rest by private British industry.

Britain's breaking of its embargo on another old customer, South Africa, is still resisted widely in Britain on moral-political grounds, though one British arms executive asks: "Why should my plants be out of work when French and Italian firms are now getting those fat South African contracts?"

Mr. Suffield, who was director of Britain's Leyland Motors Corporation before taking over the defense sales post in 1969, takes no stand on the tricky South African issue—the Pretoria regime periodically reminds London that it could deny Britain strategic naval base rights at Simonstown, if it wanted to. But Mr. Suffield observes: "The Conservatives are more inclined to sell South Africa "defensive" arms than Labour was."

Despite the embargo, British-licensed goods—like the Rolls-Royce Bristol-Viper engine for the Atlas Impala jet trainer and light-strike aircraft, built in South Africa under Italian license, plus spare parts for British Canberra, Buccaneer, and Shackleton military and naval aircraft—flow to Pretoria anyway.

In the Middle East, the Libyan army coup in 1969 knocked out a big British air-defense system sale. The British Aircraft Corporation canceled the deal when Libyan payments stopped.

Libya then bought at least 120 French Mirage jets. These included the advanced combat Mirage V, denied Israel under an embargo imposed by the late President Charles de Gaulle. Mirage deliveries to Libya are spaced over the next few years.

Britain defends its arms-export program as commercially advantageous. In two typical recent years, 1968 and 1969, British arms exports—mainly sales, but including some aid on easy credit terms—totaled $400 million out of total foreign exchange earnings of $6.2 billion, reports the Stockholm International Peace Research Institute (SIPRI).

But, adds SIPRI, "there is no inherent reason why arms should be preferable to other sorts of goods in increasing exports." Many executives of Britain's ailing automotive industries and its reviving aerospace plants would disagree.

France follows closely behind Britain in arms exports and may pass it this year, especially if the still-expanding aerospace firm of Marcel Dassault, merged with Bréguet, places some major jet contracts it is now angling for in Europe and Latin America.

Dassault's latest coup was an announcement May 22 that a consortium of Dassault, Lockheed Services Corporation, and Aristotle Onassis' Olympic Airways would build a giant aerospace support complex in Greece. Called the Hellenic Aerospace Industry, Inc., it is to provide maintenance, repair, and equipment for both military and commercial aircraft and guided missiles. The site is Tanagra air base, 38 miles north of Athens.

French arms sales dropped a bit from a record $1.46 billion in 1970 (the year of the Libyan Mirage deal) when they were 8 percent of all French exports, to $1.4 billion in 1971 (at May, 1972, exchange rates; the real drop may have been greater but hidden by monetary devaluation factors). Of the 1971 sales, $1.04 billion or 73 percent were combat aircraft, helicopter, and missile sales, the French Defense Ministry says.

Ground warfare hardware was 21 percent of the total, electronics 5 percent, and naval armaments 1 percent.

VIGOROUS SALES CAMPAIGN

Both President Georges Pompidou's government and the biggest private firms, like Dassault-Bréguet, Aérospatiale, and Engins-Matra, employ vigorous overseas sales campaigns to keep their 270,000 workers busy (another million French workers, estimates one French industrialist, are working in defense-connected industries).

French analysts like to stress the greater productivity of their aerospace industry over that of Britain: While the big British aircraft and missile merchants last year did only $800 million in business to France's $1.04 billion, the U.K. plants employed twice as many people.

"France makes more political limitations than any other kind. We sell no more anti-guerrilla arms to areas of guerrilla warfare [a reference, apparently, to South Africa and the Portuguese colonies, where there have been French sales in the past]. No arms go to front-line combat zones like the Middle East or southeast Asia [though French weapons were sold in 1968–69 to Iraq, a minor Arab belligerent in the 1967 Arab-Israel war, and to Cambodia in the past].

"The anti-guerrilla ban was imposed after the Biafra war. French-speaking black African countries have priority. But we are not selling supersonic jets in Africa, partly because they are simply too expensive and the states there cannot afford them [an argument the U.S. also applied against shipping supersonic jets to Latin America, until Britain and France got into the market].

"In our actual arms contracts, there are no political clauses. We have no policy of military aid, except in certain African countries. The essence of our policy is that we sell to independent countries who want to have the means to defend themselves."

In practice, France has often stepped in where others either feared to tread, or were no longer welcome. It has been South Africa's main heavy-arms supplier since the British arms embargo took effect in 1966. It sold Mirages and submarines to Pakistan and other equipment to India, when the U.S. embargoed both countries in their 1965 war.

ARMS TO ATHENS

France recently lost a bid to persuade Greece's military rulers to buy Mirages instead of U.S. Phantoms, before announcement of the aerospace maintenance complex near Athens. But all the time that Washington maintained a half-hearted political embargo in Greece—from April, 1967, until late 1970—France was selling heavy equipment to Greece anyway, as was West Germany.

West Germany's return to preeminence in arms manufacture and participation in export after World War II is a familiar story, too long to retell here. However, the U.S., through heavy West German arms procurement from the U.S., has both limited this growth and increased the rate at which surplus Bundeswehr war material has been thrown onto the world market.

Until the mid-1960's, Bonn exported arms especially to NATO countries, like France, Turkey, and Portugal. But scandals erupted over German arms and aircraft being used for Portuguese counterinsurgency action in Africa.

In 1965 came the sales coup of U.S. arms merchant Samuel Cummings of Interarms in peddling, at a huge profit, 74 surplus Luftwaffe F–86 Sabre jets to Venezuela.

Germany grew far more cautious: Afterward, West German major weapons exports to "third world" countries dropped from $111.5 million in 1966 to a mere $600,000 in 1969 (at 1968 prices), reports SIPRI.

Under West Germany's law of 1961, export license decisions are decided by Bonn's National Security Council, composed of the Federal Chancellor and the Foreign and Defense Ministers, and some top military brass. Since a Cabinet decision of Feb. 24, 1971, Bonn cannot sell arms to "areas of tension," determined by analysts in several ministries of the federal government.

EXPORT PRESSURE

West Germany's defense budget is 11 percent higher than last year, but the amount allotted to research and development is 3.7 percent less.

"As the gap between needs and income grows," admits a Foreign Ministry official, "pressure is, of course, generated for more exports."

Another Bonn official hints darkly that, just as the U.S. Central Intelligence Agency (CIA) has its own favorite arms programs that escape normal governmental controls (like those in Laos and Thailand), the West German federal intelligence service (Bundesnachrichtendienst, or BND in Bonn parlance) may not act in too orthodox a fashion either. "Arms intended for Indonesia," he recalls cryptically, "ended up in Biafra. We could do nothing about that."

Both Sweden and Switzerland, Europe's main arms-manufacturing neutrals, try hard to restrict arms exports to areas where no conflict situation exists.

"We're ready to sell arms to anyone who is able to prove he doesn't need them," as Jan Pravits, a counselor of the Swedish Defense Ministry in Stockholm, puts it. Both countries try to make all their own arms at home and not depend on foreign sources.

(Sweden makes a highly competitive combat jet aircraft, the Viggen or Lightning, and exports a few. But Switzerland has found Mirage III manufactured at home under license insufficient and is now on the verge of buying either Mirage "Milans" or U.S. Corsairs.)

Both countries have highly advanced arms industries. Both are stepping up trade and exchange of defense know-how with a third European neutral, Austria. Products like the Viggen and Switzerland's Oerlikon Artillery are much sought after, especially in the "third world," where, despite embargoes to combat zones, Egypt has been able to buy Oerlikon antiaircraft guns at least as recently as late 1968.

Sweden, like other governments, is wary of requests from possible "buyers," which may be intelligence operations (prying for defense secrets) or blackmail attempts. As a signer of the nuclear nonproliferation treaty and a monitor of violations of the nuclear test-ban accords, Sweden is also very careful about export of its own huge uranium ore deposits.

Like Sweden's industries, Switzerland's more numerous and widely scattered defense industries also manufacture precision civilian goods like watches. This helps reduce some of the pressures in Switzerland to export. A group of Social Democrat and Communist Swiss parliamentarians is trying to force a popular referendum on a law banning all Swiss arms exports, especially artillery, missiles, and Switzerland's own Pilatus observation and liaison aircraft.

ILLEGAL EXPORTS

The subject has been hypersensitive since November, 1968. Then, a Zurich court meted out several prison sentences after it was discovered that the Buerhle-Oerlikon works had exported at least $20 million worth of its fine artillery to South Africa, Nigeria, Egypt, and Israel—using forged end-use certificates showing that the hardware was going to Iran, France, and Indonesia.

Besides Oerlikon, three Swiss firms—Zurich's Contraves A.G., which specializes in missiles and guidance systems, and Hispano-Suiza (artillery and fire-control systems among other items), and Schweizerische Industriegsellschaft Neuhausen—accounted together in four typical recent years for about 80 percent of Swiss arms export.

In addition, there are five federal government arms plants. Together with the private firms named, they employ about 15,000 Swiss. Further, Oerlikon produces about two-thirds of its total output outside Switzerland. Many thousands of other Swiss workers earn their living in defense-connected jobs.

"Make no mistake," say Dr. Ernst Moergerli of the Swiss Federal Military Department, "the Federal Council [Switzerland's supreme governing body] has always interpreted the export laws as strictly as possible. It will continue to do so, even if our economy might benefit from more liberalism."

The Communist World: Guns, Butter—Influence

(By John K. Cooley)

One evening in 1954, the late President Gamal Abdel Nasser of Egypt sat down to dinner wih two of his leading advisers, one of whom is still alive today and advising President Anwar al-Sadat.

Two other dinner guests that night were U.S. Army colonels. Their mission was to seek a basis for U.S.-Egyptian agreement on providing about $20 million in U.S. arms for Egyptian internal security. In return, U.S. Secretary of State John Foster Dulles and Britain hoped Egypt would join an anti-Soviet Middle East security pact.

After dinner, Mr. Nasser told them: Your enemy is Russia. Ours is Israel. In this region we know of only two enemies: the Israelis, with whom we are still technically a war, and the British, who occupy Arab territory. The Arabs don't know anything about the Russians. It is foolish to try to stir them up to a fear of Soviet invasion."

A year later, President Nasser had been refused Western arms (except for a brace of .38 Colt revolvers sent as a gift from President Eisenhower). So he closed the big Soviet arms deal that was to change the history of the world, despite last-minute attempts by the U.S. State Department to dissuade him.

WESTERN SPHERE NO LONGER

As Rober Stephens, diplomatic editor of the London Observer, writes in his recent "Nasser, A Political Biography":

"The Soviet arms deal did not bring the Cold War into the Middle East: It was already there. . . . But the arms deal ensured that henceforward the Middle East could no longer be regarded as a purely Western sphere of influence. The West could no longer hope simply to seal off the Arab world from Soviet penetration.

"Russia had re-established herself as a Middle East power after an absence of nearly 40 years. She had secured a a cheap price a valuable political foothold in the most imporant Arab country whose influence also extended into Africa."

Today, a generation later, it is the Israelis who occupy Arab territory, not the British. There is still no peace in the Middle East. And the Arabs, especially the Egyptians, know very much more about the Russians than they did at the time of Mr. Nasser's dinner party.

There are somewhere between 10,000 and 20,000 Soviet military and civilian personnel in Egypt. Five years after the 1967 Arab-Israel war, Cairo is the pivotal point of Soviet presence.

The Egyptian case, like that of India, which emulated Egypt in signing a 15-year friendship treaty with Moscow and used massive Soviet arms deliveries to defeat Pakistan last December, is classic. Through a more-or-less carefully planned policy of exporting $7 billion or more arms to date to countries spurned by the West, or to anti-colonial states, or simply to nations important to Soviet policy objectives (often the three are combined), Russia and its junior ally Czechoslovakia have in less than 20 years fashioned a global network of influence, prestige, and power.

It was no accident that both President Nixon and the Soviet leaders regarded their agreements signed in May on strategic-arms limitations as crucial. Moscow, in its two-front contest with the United States and its Communist rival, China, has made arms the most crucial instrument of its policy. It is the second-largest arms exporter in the world, after the United States.

1955 A CRUCIAL YEAR

The year of the Egyptian-Soviet arms deal, 1955, was a key one in this Soviet program of winning friends and influence through arms exports. Before that, as the Soviet arms relationship with Egypt, Syria, Yemen, and the Algerian revolutionaries developed in the Arab world (which was still resentful of the fact that Moscow, through Czechoslovakia, had armed the Israelis for their first successful war with the Arabs in 1948), Moscow also began to supply the "nonaligned" nations of the "third world" in Asia, mainly India and Indonesia.

This strengthened resistance of those countries to Western-sponsored security pacts like SEATO and CENTO. Then, in 1950, 20,000 Soviet military advisers entered China, controlling and reporting on the Chinese armed forces.

In 1959 came the Sino-Soviet break. According to the Chinese, the Soviets tore up the 1957 Sino-Soviet defense technology agreement and refused to provide China with a nuclear bomb, which China was soon to build itself.

A new factor entered the world power equation. In today's three-way game between Russia, China, and the United States, arms exports are still the major pieces moved on the chessboard of the world—though they are often coordinated with capital-aid projects like steel mills and dams which sometimes mean butter as well as guns for the recipients.

The year 1960 saw the beginning of Soviet arms shipments to the revolutionary Cuba of Fidel Castro, culminating in the Soviet backdown in the Cuban poker game of missiles in 1962. During this same period, Soviet arms aid also began to flow to North Vietnam, which, with North Korea, India, and Egypt, remains a main recipient today.

Soviet arms supplies to Cuba did drop sharply after 1963, and as the Stockholm International Peace Research Institute (SIPRI) observes, "It was only Cuba's dependence on sugar exports to the Soviet Union which prevented Cuba from breaking off relations completely. Cuba had no practical alternative to the Soviet Union as an arms supplier and trading partner: China has not been in a position to replace the U.S.S.R. as a purchaser of sugar from Cuba."

PAKISTAN CLOSED PESHAWAR

Just as the Soviets broke through what they viewed as Western encirclement in the Middle East from 1955 on, so the Communist arms merchants in Moscow and Prague improved relations with Afghanistan, Burma, and, more casually, Pakistan.

After the Indo-Pakistan war in 1965 and the peace agreement sponsored by the Russians at Tashkent in 1966, Pakistan agreed to end the U.S. base facilities at Peshawar from which U.S. espionage flights had taken off over the Soviet Union.

After the period of the 1956 Suez war, a high point of Soviet prestige in the third world and the start of rapid French and British decline in the Middle East, the Soviet military hardware helped establish good relations with Indonesia.

In other cases, as in Iran in 1966 and '68, Soviet aid deliveries had the effect of stimulating a reluctant United States to sell more of its own arms, for fear Moscow would become the main supplier.

In Africa, Soviet success was uneven. China competes strongly in East Africa and is winning itself a favored place with the huge Tan-Zam strategic railway project. This will ship Zambian copper ore to the East African coast without needing to pass through Portuguese-controlled territory. It will also be a boon to southern Africa liberation movements, supplied with arms by the Soviets and China. (FRELIMO, the largest guerrilla group operating in Mozambique, gets supplies from both.)

Soviet arms to the Sudan have not won permanent influence for Moscow there. Since a Communist coup failed last July. Sudanese President Jafaar al-Nimeiry's military government has cut many of its ties with Moscow.

Though the Soviets were and still are Algeria's main arms supplier, it is U.S. oil technology that seems to be most helping Algeria toward economic independence away from its old petroleum and gas markets with France, the former colonial power. If the deal is finally approved by the Federal Power Commission in Washington, Algeria is to stake its entire future economic development on huge natural-gas sales to the United States over the next 25 years.

HOW MUCH NORTH VIET CLOUT?

Whenever a country abandoned an earlier anti-Western stance, such as Indonesia in 1965 and Ghana in 1966, Soviet arms supplies generally stopped and Soviet influence waned. In North Vietnam, one of the biggest question marks for Western analysts has always been, and still remains, how much influence Russian and Chinese arms suppliers win in Hanoi for their governments.

The typical Soviet arms deal is financed by a Soviet loan, repayable at 2.5 percent interest over 6 to 12 years (in contrast to much longer-term, interest-free Chinese loans to some areas.) However, barter and compensation agreements sometimes permit, or require, an arms recipient to pay partly or wholly in merchandise, such as Egyptian cotton or manufactured goods.

A study prepared for the Institute of Strategic Studies (ISS) in London estimates the present annual level of Russian arms sales at about $600 million.

Moscow, like its ally Prague earlier, has lately turned to aggressive salesmanship to compete with the Western merchants on their own ground. The Soviets are developing a lively export business in sporting weapons, handled by their firm of Raznoexport. Aviaexport does business on a purely commercial basis in civil aircraft with all the world by mail, phone, telex, and personal contacts.

All military exports are left to the Soviet Defense Ministry, where authority to conclude arms deals is evidently delegated only from the highest rungs of the Soviet power ladder. Soviet arms and Russian government arms salesmen and experts dominate completely East Europe's COMECON economic system, even as U.S. arms used to do in West Europe before its arms industries received new leases on life in the 1960's.

IRE OVER NIGERIAN SALES

Soviet teams selling Ilyushin airliners, which like their Western counterparts can be and are used for military cargo, have roamed much of the world: Last year in Latin America alone they visited Chile, Uruguay, Argentina, and Brazil without winning any orders, reports Monitor Latin-America correspondent James Nelson Goodsell. Russian civil and military aircraft are competitive in Africa, though the captive markets of East Europe remain the best.

Despite centralized controls, Moscow like the West has experienced slips and occasionally left loopholes for unwanted transfers to third parties. In big recipient countries like Egypt and India, Soviet military men generally keep the more sophisticated gear, like air-defense systems, under tight supervision. However, there are reports that Russian arms were resold by Egypt to Nigeria during the civil war there. This was done in secret, and there was considerable Soviet anger.

Some Russians arms aid seems to buy base rights—"facilities" is the word Egypt, Syria, and Iraq prefer. But not always. At the time of the Cuban missile crisis, Guinea, though an important Soviet arms recipient since cut off by France in 1958, refused a Soviet request for airbase facilities at Conakry.

The Soviet fleet buildup in the Mediterranean and the Indian Ocean has increased Moscow's desire for naval as well as air facilities. These can be provided by the influx of Russian technicians into ports like Alexandria in Egypt, Latkia in Syria, and the Bay of Bengal port of Visakhapatnam in India.

FRICTION WITH CLIENTS

Though Western analysts may exaggerate Soviet friction with arms clients—Western media, apparently wrongly, reported recently that a Romanian general had been shot for opposing Soviet military mentors—the friction is often there.

Since July, 1970, there have been persistent reports of Egyptian pilots returning home from the U.S.S.R. without completing their training: Language barriers, weather, and the general quality of life in the Soviet Union, report many Arabs, Africans, and others, are not always conducive to learning.

As Moscow cautiously sidles toward better relations with Israel, there is growing Arab concern about the military know-how that some of the new Russian Jewish immigrants are bringing into Israel. On Jan 17, Cairo Radio repeated the Soviet claim that permission to emigrate was withheld by the Soviets from specialists and technicians.

Nonetheless, the Russian Jewish immigrants have included a war hero, a leading physicist, and some other men with military backgrounds.

Since the Egyptian arms deal of 1955, for which it was the intermediary, Czechoslovakia has been neatly combining commercial acumen with Communist-bloc politics. It is one of the world's major suppliers, ranking perhaps sixth, behind France; and nearly all Prague's arms transfers are straight business deals for profit.

The big Czech arms trading company is Omnipol, with offices at 11 Washington Square in Prague. Two Omnipol sales executives deal constantly with the outside world. Omnipol operates another main office in Vienna. Many deals with Western customers and those from the third world, according to Samuel Cummings of Interarms, the West's biggest private arms dealer, are concluded by Omnipol representatives in Vienna, Prague, and London.

Omnipol is a state firm subordinate to the Czech Foreign Trade (not Defense) Ministry. Some of its bigger coups have been sale of arms to both the federal Nigerian government and the Biafran regime of Lt. Col. C. Odumegwu Ojukwu during the Nigerian civil war; business with both the Ethiopian Government and the Eritrean revolutionaries fighting it; and the Kurds of northern Iraq as well as the Baghdad government they were fighting fiercely against until March, 1970.

IRA GUERRILLAS BUYING

One of Omnipol's latest customers has been the Irish Republican Army provisional faction, fighting an urban guerrilla campaign against the British Army in Northern Ireland. However, the Czech Government denied responsibility when a big IRA-bound Omnipol shipment was intercepted by Dutch police at Amsterdam's Schipol airport last October.

According to Mr. Cummings of Interarms, who buys extensively from Omnipol himself, "Some governments we work with have standardized on Czech light weapons. Even when they are no longer oriented toward the East bloc, they still like those weapons. Often they prefer to buy them from us rather than going directly to the Czech Government."

Bulgaria's state arms-trading firm, Texim, specializes in shipping light and heavy arms to buyers in the Middle East and Africa. One day in 1968, dock workers at Beirut's busy port pulled a wrong lever and a big crane unloading a Texim consignment from a Bulgarian freighter dropped a cluster of crates from a height of several yards.

The crates were marked "sewing machines," but when they broke open, hundreds of rifles, revolvers, machine guns, and many thousand rounds of ammunition spilled out on the dock. The cargo and ship were impounded for a time. No one came forward to claim the hardware: It remains one of thousands of unsolved mysteries of Beirut's thriving arms traffic.

China has won and kept influence in the Arab world through its consistent arms support for the Palestinian guerrillas, even at the low ebb of their fortunes in 1971, when the Syrian Army seized and held shipments of tanks, artillery, and other heavy weapons from China transshipped through Algeria.

Sudanese President Nimeiry recently disclosed to a Beirut magazine that the Sudan had secretly been taking delivery of Chinese-made MIG jets and other heavy arms since an agreement he reached with Chairman Mao in 1970. These included a complete tank bridge and eight MIG-17 fighter aircraft, "more suitable to Sudan's needs" than Soviet hardware it had received earlier, General Nimeiry said.

The Sudanese Army's chief of staff expressed admiration for the Chinese delivery of "a complete set of spare parts with every tank and aircraft, unlike the Russians, who used spare parts as a tool to pressure us and sold the parts at several times the price of the weapons themselves."

The ISS reported on May 1 that China had begun to produce twin-engined Mach 2 jet aircraft—better than the Shenyang MIG-19's sent to North Vietnam, later to Pakistan, and this year to Tanzania as well—and a nuclear-propelled attack submarine.

In terms of influence, if only as a nuisance to the Soviets or a boost to otherwise friendless guerrilla movements, Peking has usually gotten maximum returns for minimum outlays from its small-arms exports.

According to SIPRI figures, Chinese exports to third-world countries have amounted to only 2.2 percent of the world total. They have gone mainly to North Korea and North Vietnam, which account for more than 90 percent of major Chinese weapons exports. Aircraft, artillery, and ammunition to Pakistan in its wars of 1965 and '71 and afterward, and a few aircraft to Cambodia in 1964, account for most of the rest.

CULTURAL REVOLUTION BUSTLE

However, small arms, training, and infrastructure assistance have gone to a much larger number of countries and guerrilla movements that have served Chinese policy aims from time to time. The most active period was from the escalation of the Vietnam war in 1965 until 1968—interestingly, the precise period when the "cultural revolution" in China brought most Chinese foreign aid and diplomacy to a halt.

The only country ever to get large numbers of Chinese military fighting volunteers (as distinguished from instructors and advisers) was North Korea. A force of 300,000 called the People's Volunteers were sent in the Korean War in 1950 to fight the South Korean and U.S.-UN forces.

Peking has never hidden its preference, in giving arms aid, for agrarian-type peasant movements such as the Naga rebels in India or the Kwilu guerrillas in the Congo. However, it does prefer larger and more established guerrilla groups, even if they are not especially leftist, to smaller radical splinter ones.

Nor has Peking balked at giving military or economic aid to nonsocialists or even to monarchs like Prince Sihanouk of Cambdoia when it suited a Chinese strategic purpose.

Nonetheless, Chinese military aid, outside of North Korea and North Vietnam, has been doled out sparingly. The late Chinese Foreign Minister Chen Yi gave the reasons in an interview in 1963 to the Australian film producer John Dixon:

"The question of world revolution is one for the countries concerned," said Mr. Chen. "If countries are not ripe for revolution, then China can't do anything about it. However, China will support revolutions against imperialism and oppression. . . . But, it must be noted: Chinese troops will not cross our borders to advance revolutions."

Whatever lies ahead for the world, it appears in 1972 that neither Moscow nor Peking intends to send more than arms to their friends. But equally, each intends to continue squeezing the maximum political value out of the arms it does send.

[From the Christian Science Monitor, June 23, 1972]

PRIVATE ARMS DEALERS, LEGAL—AND ILLEGAL

(By John K. Cooley)

London.—Last month's Soviet-American strategic arms limitation (SALT) treaty is viewed by many people and governments as a giant stride toward disarmament.

It has not, however, bothered the private arms traders. Quite the contrary.

Samuel Cummings, the 44-year-old American who heads Interarms—by far the world's largest private buyer and seller of arms—points out: "We don't worry about the SALT agreement because it will have no effect whatsoever on the movement of conventional arms, the arms we deal in.

"If anything, I would venture a modest prediction that it will cause an increase in conventional arms movement in the world, not only by private firms and producers, but also by governments.

"The inevitable result of denying or limiting strategic arms, the balance-of-power arms, is a greater movement of the conventional types.

"Anyhow, our business isn't controlled by us. It's controlled by the big powers who give the licensing.

"And we are merely, in my view, a reflection for better or for worse of the times in which we live. . . . The whole arms business . . . is essentially based on human folly and as such is self-perpetuating. It increases in direct proportion to human folly as the world's population increases.

"LICENSED ARMS DEALER

"It's a sad commentary, and I don't make it in any hypocritical sense but strictly in a brutally realistic and, from our side, commercial sense."

Mr. Cummings spoke in a telephone interview from his residence in Monaco. From there, he controls International Armaments Corporation in the U.S., with main offices and warehouses in Alexandria, Va., and a staff of about 40; and Interarms U.K. in Britain, with a staff of 100, and warehouses in Manchester and Acton outside London.

Mr. Cummings, who comes from Philadelphia, began his present career after his World War II Army service by buying up captured German helmets and reselling them at a profit. Since 1953 he has been registered with the U.S. Government as a licensed arms dealer.

Essentially, Interarms' work is to buy up surplus military arms and resell them, either as sport weapons—after "sporterizing" or converting them—or to other governments. The sale to other governments has included everything from surplus uniforms to heavy tanks and jet combat planes. It is shrouded in secrecy because, says Mr. Cummings, "our clients prefer not to have publicity, and governments keep the figures classified anyway."

TURNOVER TOP SECRET

Mr. Cummings says Interarms' turnover is "top secret' too, but adds that "while we have been aiming for $100 million yearly, it is still in eight figures only, not nine."

Mr. Cummings has taken legal proceedings against some who called him a "trafficker." That, "by European definition," he says, "is someone who does not pay any attention to the law . . . We are buyers and sellers under American and British Government licenses; we have only those depots physically in England and America, and every transaction is made only with the proper official approval by all governments concerned."

Clients of Interarms are found on every continent. Its Middle East business is so sensitive that even the names of its Mideast agents are kept secret.

Under the U.S. Gun Control Act of 1968, Interarms and other traders cannot import even "sporterized" ex-military guns into the United States. This has vastly helped U.S. gun manufacturers. Before 1968, Interarms, says Mr. Cummings, sold more big-bore rifles (of 30-30 or hunting caliber) than all U.S. makers put together.

ARMS "SPORTERIZED"

Elsewhere in the world, Interarms buys as much surplus as it can and sends it to England, where it is "sporterized." This usually consists of shortening the stock, or of eliminating a bayonet lug and putting on a target sight. The converted guns are then sold throughout the British Commonwealth.

France prefers not to work with private dealers, though Interarms' Paris representative, Jacques Perles, does make a few transactions. "France," says Mr. Cummings, "prefers to push new production almost exclusively as an industry base for themselves. They're not so much interested in surplus."

Back in 1965, Interarms' West German representative bought no less than 74 surplus West German Air Force F-86 Sabre Jets and resold them at a huge profit to Venezuela. Similar deals for Sabres, ostensibly for Iran but which ended up in Pakistan, caused major outcries in Bonn.

As a result of this, and of gunrunning by others to Biafra, last December's strict new legislation virtually ended private West German sales, even surplus.

On May 23, 1961, the late Drew Pearson charged Interarms was owned and financed by the U.S. Central Intelligence Agency (CIA). George Thayer said in his 1969 book, "The War Business," that Interarms located and imported foreign weapons for the CIA and other U.S. Government agencies that need them for intelligence and other purposes. But this was written before the 1968 U.S. control laws took effect.

As for the allegation of a CIA connection, Mr. Cummings now says: "It won't be believed, but I can only tell the truth. As I said when Mr. Pearson was still alive, it's just absolute nonsense."

Mr. Cummings says he has refused transactions only when he had reason to believe they would harm the United States. Like his main competitor, Parker-Hale, Ltd., of Birmingham, England (which is nevertheless far, far behind Interarms, says Mr. Cummings), he cannot sell to Soviet or Chinese bloc countries because of U.S. and British Government restrictions. But both firms do buy large amounts in the East, especially from Omnipol of Czechoslovakia.

A HYPOTHETICAL CASE

"We can sell only where government licenses permit . . . but if I could be told tomorrow in Washington that the Russians now need a new series of American weapons and we have no objection to your selling them now, then I would sell, if I could."

China's arms exports have been soley through the Chinese Defense Ministry. Neither Interarms nor any other private trader appear to have worked with them as yet. However, Mr. Cummings recalls that Interarms bought in Indonesia some American arms that the Chinese had captured in Korea from the United States during the Korean war. China had sold them to the Indonesians, who in turn resold them to Interarms.

Some runners-up in the private trade include Cogswell & Harrison, with a retail sales outlet in Piccadilly, London. In the past they have had sales agreements with Belgium's big Fabrique Nationale and Vickers. Like Cummings, they have bought surplus from the Crown Agents, the government outlet. At Bexleyheath, south of London, is the firm of Intor, Ltd., run by Maj. William Leslie who specializes in supplying Arab rulers of the Persian Gulf emirates.

Though Samuel Cummings appears virtually without important competitors in the United States, a few Canadians compete with him on their home ground. International Firearms of Montreal, according to George Thayer, had U.S. subsidiaries in Vermont, had the firm of Federal Arms in Florida, and outbid Interarms on some pre-1968 Latin American imports, causing a shakeup in Interarms' management. Levy Bros. in Toronto specializes in military vehicles now, but has dealt in several other weapons lines in the past.

Most picturesque of the private international traders is "Colonel" Hubert Fauntleroy Julian, an ex-pilot known as the "Black Eagle of Harlem." His life has been one long thriller novel since his birth in Trinidad in 1898.

REBELS RULED OUT

It has included trying to build and train an airforce in Ethiopia, then crashing a royal plane two days before Emperor Haile Selassie's coronation; challenging Adolph Hitler's air force commander, Hermann Goering to a dogfight in 1940, and acting as roving "ambassador at large" for the late Moise Tshombe of the Congo.

Mr. Julian, who talks breezily and sports a monocle, operates a U.S.-registered arms supply firm called Black Eagle International Associates. He describes it as "a small company worth only $15 million."

He visited Beirut on business recently and told a reporter of the Beirut Daily Ctar, "The best markets are in aLtin America, and, after that, Africa. But we don't sell arms to any rebels, revolutionaries, or guerrilas . . . because it would cook my license with the U.S. authorities. The profit is relatively small, and besides I think it is immoral. The weapons we sell are used only for defense."

As a black man himself, does he sell weapons to "black power" partisans in the United States? No, because this would be "asinine and senseless . . . Black Eagle International never sells domestically. We only export . . . (Besides) those black people think they have power but are talking a lot of nonsense."

Mr. Julian says Sidney Poiter will soon star in a film about him. Although he is reputed to have been a millionaire since the age of 60, he says, "It's disgraceful to think that munitions dealers can be millionaires. When you think of all those unheralded scientists working to curse disease, earning a pittance, it's disgrace. It's a crime that we spend so much money on arms."

GUNRUNNING'S MURKY REALM

If one moves out of the domain of the licensed traders and into the murky realm of what is usually called gunrunning—evasion of license controls—one finds it flourishing throughout the world.

On Sept. 24, 1971, Irish Republican Army (IRA) arms buyer David O'Connell (he prefers the Irish spelling, Daithi O Connail), left Dublin in the company of Maria McGuire, a multilingual former English literature student at University College Dublin.

Mr. O'Connell had orders from the IRA Provisional Council to locate and purchase, with about a quarter million dollars, new stocks or arms for the IRA's guerrilla operations in Northern Ireland. In July he had already visited a few of the better-known licensed dealers and also a few of the fly-by-night brokers. Apparently, Czechoslovakia's Omnipol looked like the best prospect.

"For the benefit of a new philosophy of Ireland," he later told a Times of London reporter, "the Irish people will do business across any boundary and any ideology. The money for his shopping trip, he added, had been raised in Ireland and America "by every method, short of robbing banks."

RAIDS INCREASING

An official British Government report, however, mentions multiplying raids on banks, post offices, and jewelry shops in both southern and northern Ireland: "The greater part of the proceeds do eventually get into IRA hands . . . a small amount compared with the financial support from foreign countries."

The main "foreign country" is the U.S., and the principal group raising money last year was the Irish Northern Aid Committee with its main office at the Bronx, N.Y., and claiming 80 branches in the U.S. and about 80,000 members. Another group, the National Association for Irish Freedom, held a rally in New York City early this year at which its backers openly asked for "arms for the IRA."

During his shopping tour, Mr. O'Connell said he usually paid 25 percent of the price in cash as down payment and balance on delivery.

"Operation Patriot," as the IRA called it, became an involved deal. It depended on a DC–6 cargo plane owned by a charter firm in Miami. The plane had ferried supplies to Biafra during the Nigerian civil war. Its call sign was Charlie Tango Kilo, and its registered owner was an American, Chalmers Goodlin.

PLANES REGISTERED

Mr. Goodlin registered several planes in Ireland during the Biafra operation. And arms dealers believe that all or none of O'Connell's purchases may have been ordered originally for Biafra in Prague and never delivered.

On Oct. 16, 1971, Charlie Tango Kilo picked up the IRA arms consignment in Prague and flew to Schipol airport, Amsterdam. The cargo was consigned to a "Mr. Goodman" who apparently never existed, care of an Amsterdam hotel.

When the plane landed, heavily armed Dutch police, tipped off by British intelligence who had almost certainly penetrated the gunrunning network somewhere, were waiting. They detained everyone abroad and unloaded four tons of automatic weapons, rocket launchers, rockets, hand grenades, and ammunition, all brand new.

FRACTION OF TRADE

One of the passengers was "U.S. businessman" Ernest Koenig, who spoke better German than English, and who had helped Biafra—selling in four West German Air Force surplus DC–3's from an American aircraft broker. He told the Dutch police he believed the cargo was to have been transshipped "elsewhere" on a Belgian Sabena flight.

Gunrunning like this represents only a fraction of the perhaps $200 million annual private trade in arms, and only, of course, an infinitesimal fraction of the multi-billion-dollar arms trade carried on by the big governments. But it is a major headache for governments just the same. And in the case of some wars, like that in Biafra, it has played a definite role in keeping the bloodshed high and the war longer than it might have been otherwise.

According to Swiss and other European police sources, major centers of the European gunrunning trade are Berne, Zurich, Hamburg, Munich, and Milan. Shipments not caught by customs (West German customs is especially severe in checking) leave the ports of Hamburg, Antwerp, Marseilles, Barcelona, Rotterdam, Genoa, and Naples. As often as not they end up in Beirut, Jedda, or Dar es Salaam under a variety of bills of lading, such as "engine parts" or "pumps."

Many guns are run from the U.S. to Mexico: A secondhand rifle selling for $20 in the United States may fetch $150 south of the border. A Munich gun dealer showed this reporter a Saarland pistol selling for $25 about which he said, "You can get $125 for this in Turkey.

A big difficulty in catching gunrunners is they are often protected or covered by government agencies using them for clandestine operations. The American CIA; France's espionage service, the SDECE; mercenary organizations winked at the British Government in places like Yemen; West Germany's intelligence service, the BND; to say nothing of the Soviet KGB are only a few of those accused of using gunrunners or running guns themselves.

In 1965–66, a U.S. firm, Aero Associates, acquired 10 surplus B–26 bombers and contracted to fly them to Portugal for use in crushing the Angolan nationalist rebellion. A pilot named John Richard Hawke delivered one plane to the Azores, but then flew one too low over the White House security zone in Washington and was arrested in Miami.

AIR DROPS VIA CIA

A Buffalo, N.Y., court acquitted Mr. Hawke and all his associates of violating the Export Control and Neutrality Act, even though they had been breaking it, according to the case brought on behalf of the State Department; the CIA was covering the flight.

Between 1949 and 1961, the CIA, using the charter firm Air America still operating today in Southeast Asia, contrived to make massive air drops to Chinese Nationalist forces then operating in Thailand and Laos.

The CIA had done the same thing in mainland China in the early 1950's: two CIA men captured by the Communist Chinese were given long prison sentences, though the U.S. Government protested their innocence and called them "civilian employees of the Department of the Army" at the time.

One of them was released during preliminaries for President Nixon's Peking trip this year, while the other, reports the Monitor's Hong Kong correspondent Henry S. Hayward, is apparently still in a Chinese jail.

PATHAN GUNRUNNERS

Human ingenuity knows no bounds when it comes to the smuggling of arms, like narcotics.

A nitroglycerine explosive called "Nobel's Explosive 1449," used in recent IRA bombs, was exported from England to an Irish Republic quarry just a few miles south of the Ulster border. Imports of guns, ammunition, and explosives move into Ulster hidden in trucks, double trunks of cars, false door panels, various nooks and crannies in Dublin-Belfast trains, and small boats.

Up in the northern mountains of Pakistan, the haughty Pathan tribesmen have been gunrunners from time immemorial. Today, Pakistan President Zulfikar Ali Bhutto worries about new variations on an old tradition: the home manufacture of guns. These go to partisans of several tribes and to political groups that want to break away from Pakistan and found a new Pathan state.

There are persistent but uncheckable reports in Beirut of a group of Syrian and Lebanese traders in Abidjan, capital of the Ivory Coast, who buy surplus NATO arms from Europe and transship them to Arab states of the Middle East.

Late last year, radical Army officers in Bolivia charged that top political figures were with Israel.

Judging by the past and present, the weapons merchants and their trade has become inseparable, as Samuel Cummings says, from "human folly." But easing the effects of that folly is the concern of those who seek ways to control the trade in conventional arms.

[From the Chrisian Science Monitor, June 24, 1972]

Why Not Lock Up Both Arms Monsters?

(By John K. Cooley)

Stockholm.—In their May 26 strategic-arms-limitation treaty, President Nixon and the Soviet leaders took a giant step toward defusing their science-fiction arsenals of lethal nuclear missiles.

Another menace remains in the world: the far more ancient monster of conventional armaments. Its teeth have grown to the point where they take a $200 billion bite of the world's resources each year.

When he designated the 1970's as a Disarmament Decade, former UN Secretary-General U Thant pointed out that "the world becomes less secure with every generation of new sophisticated weapons."

However, as countless people in Asia, Africa, North and South America, and Europe learned to their grief again this year, the older and less-sophisticated arms are also expensive, as well as deadly.

The first real attempt to limit conventional arms in modern times was the Brussels Act of 1890. Seventeen nations, including the United States, agreed to embargo arms and the slave trade in northern Africa. Both trades, however, continued to flourish there.

LEAGUE TRIED AND FAILED

After World War I, the League of Nations tried to regulate the arms trade, especially that controlled by the well-publicized private "merchants of death." The league failed at the Geneva Convention of 1925 and again at the Disarmament Conference of 1933.

Since World War II, with most of the trade out of private hands and in those of governments, the efforts continued. But they never captured the world's imagination and support again.

Despite endless discussions and debate of disarmament inside and outside the United Nations bodies, "the regulation of the arms trade has never again been a major subject of international discussion," say the Stockholm International Peace Research Institute (SIPRI).

In most countries, disarmament has made dull reading. Most people were simply not interested—except, perhaps, in defeated Japan and Germany, where arms and disarmament were matters of crucial personal concern to millions.

PUBLICITY WAS URGED

Two non-producers of arms, Malta in 1965 and Denmark in 1967–68, proposed draft UN resolutions to give maximum publicity to arms transfers as a first step toward control. So did the Swedish and British delegates to the UN's Conference of the Committee on Disarmament (CCD) in Geneva in 1970.

The big powers were not entirely unfavorable. However, each time such proposals were made, the smaller arms-producing nations and many others that get their military hardware exclusively from these big powers objected, saying such measures would discriminate against them.

Another kind of approach has been to try to limit conventional arms in certain geographical regions, especially the Middle East. In the 1950's, the United States, Britain, and France attempted to protect their own Mideast military alliance by excluding arms other than their own. The Soviets unsuccessfully pressed for a complete refusal by all sources to deliver arms to Mideast countries.

After the 1967 Arab-Israeli war, U.S. President Johnson offered to publicize and limit U.S. shipments to the Mideast. Moscow said it was not opposed, but could only agree after Israel withdrew from conquered Arab land. There the matter remains.

EFFORTS IN LATIN AMERICA

Latin American, the only major populated area where a nuclear-free zone has been created by treaty, has also seen its share of recent regional conventional-arms-limitation efforts.

The U.S. in 1967 unsuccessfully tried to exclude missiles, supersonic aircraft, warships heavier than destroyers, and tanks over 30 tons from Latin America. The Inter-American Committee on the Alliance for Progress, now virtually extinct, agreed that a country's military expenditure should be considered when deciding how much foreign aid that country should get.

Apart from the U.S. "bonfires for bombers" proposal to destroy existing stocks of certain weapons (to start with U.S. B–47 and Soviet TU–16 bombers), there have been a few other types of public and private international efforts. Reduction of troop levels in Europe by NATO and by the Warsaw Pact, and current moves by Mediterranean states to get the U.S. and Soviet fleets out of the Mediterranean, are examples.

QUOTA SYSTEM PROPOSED

This year, U.S. delegates in Geneva proposed a regional quota system. Arms-buying nations would work out limits to amounts and types of arms they would buy. This would put the burden on purchasers, not in the big suppliers in Washington, Moscow, London, and Paris.

U.S. officials say that with minor exceptions, none of the smaller nations in the regions concerned—the Mideast, Latin America, South Asia, Africa, or Southeast Asia—is interested. Again, the small states argue, this would put a discriminatory burden on buyers and leave the supplier unrestrained.

The big powers now face the need to try a fresh approach to limiting conventional arms. In this, they can count on important help from Stockholm's SIPRI. It has already furnished, on demand and on an impartial basis, special studies and consultants for the SALT talks in Helsinki and for the CCD work in Geneva.

SIPRI's headquarters, on Stockholm's busy Sveawagen Boulevard, is the scene of dedicated effort by a brilliant international group—people from the West bloc, the East bloc, and the uncommitted nations—which is showing important results. SIPRI was set up in 1966, after Swedish Prime Minister Tage Erlander proposed in 1964 a peace research institute as a way to commemorate Sweden's 150 years of unbroken peace.

MYRDAL STRESSES POLITICS

Financed with an incredibly modest budget of $600,000 yearly provided by the Swedish Parliament, but wholly independent of the Swedish Government, SIPRI's work so far in the field of disarmament and arms regulation is unique in the world.

SIPRI's governing board chairman is Prof. Gunnar Myrdal, the famed international economist, who believes that political problems are more important causes of "third world" conflicts than economic ones. His wife, Alva Myrdal, as Sweden's Disarmament Minister, has made the rich Swedish experience in the field of arms control available to the conferees at Geneva and in the Helsinki SALT talks.

The eight-man SIPRI governing board includes other scholars and scientists from Czechoslovakia, Yugoslavia, England, the Netherlands, and Norway. Britain's Dr. Frank Barnaby is director for the current year.

A 24-member scientific council includes prominent scholars, statesmen, and international civil servants, such as Dr. Raoul Prebisch of Argentina, Mrs. Myrdal, Soviet Academician M. D. Millionschikov, and Prof Kenneth Boulding of the University of Colorado in the United States.

PERMANENT RESEARCH PUSHED

Half of a staff of 35 is engaged in permanent research. SIPRI has published 12 books and many smaller studies on subjects from chemical and biological warfare to "The Arms Trade With the Third World."

"We really are international and not Swedish in outlook," says assistant director Sven Hirdman. "At various times the staff has included a Fiji social scientist, an Egyptian, and an Indian."

"We recruit staff," adds administrative assistant Gustav Almenberg, "according to the projects required. Specialized knowledge, as well as international balance, is our aim."

SIPRI's new Yearbook of World Armaments and Disarmament, 1971–72, published this month, contains a long institute research report on the nuclear test ban, analyzing the technical, military, and political issues involved in any comprehensive test-ban treaty, as well as detailed data on the state of conventional and nuclear arms in the world. It analyzes, too, among other things, moves to exclude foreign warships from areas like the Mediterranean.

DATA SOURCES LISTED

Like SIPRI, the London Institute of Strategic Studies (ISS) believes the secrecy wraps must be removed from the world arms trade if the monster is ever to be locked up. On the conventional trade, "the human repercussions are still too great for it to be the exclusive preserve of government machines cocooned in secrecy," concludes an ISS publication by John Stanley and Maurice Pearton, "The International Trade in Arms."

The annual ISS publications, "Strategic Survey" and "The Military Balance," a magazine called Survival, and special defense and disarmament studies in the Adelphi Papers series are, with the SIPRI publications, the main published sources of impartial arms information available in the world today.

A goal of total conventional disarmament, sending the monster up for life, would still seem today, as it did to the League of Nations in 1933 or to the UN's founders in 1945, the "impossible dream"—to be pursued only by the Don Quixotes and Sancho Panzas of international politics.

A DECADE'S PROGRESS

However, the world has made progress on arms control in the past decade. Not the least examples are bans on nuclear testing in the atmosphere (though not observed by China and France); the nuclear nonproliferation treaty (not signed or ratified, however, by such countries acquiring nuclear weapons know-how as Israel or India); a ban on biological weapons signed by most major nations this year; and last year's prohibition of weapons of mass destruction from the world's seabeds.

Research and interviews in the main European countries concerned with the arms trade, and data supplied by Monitor staffers on other continents, suggest there are a series of minimum first steps the arms producers and arms users could take immediately. These steps could provide some bases for a new approach, at Geneva or elsewhere, toward international control of conventional arms.

First of all, a serious international look is needed at the disposal of surplus. The hardware of the last two decades is being superseded by ever-deadlier new weapons.

Vast stocks of surplus tanks, aircraft, artillery, and equipment of all descriptions, despite present licensing systems, find their way to those who want to kill other people—especially in local wars and insurgencies in Africa, Asia, and Latin America.

GOVERNMENT RESPONSIBILITY

Governments could accept direct responsibility for control, as the West German Government has already done, in disposing of their surplus. If governments need the expertise of private traders, they could be hired as brokers to make controlled sales of material not destroyed.

If major surplus exporters like the U.S., the Soviet Union, and Britain standardized their unilateral control measures, it should not be too difficult to arrive at a system of international surplus control.

Second, the major arms-exporting governments could standardize, through unilateral measures and mutual agreement, their licensing requirements. As this survey has shown, requirements for end-use certificates and guarantees against resale and third-party transfers differ vastly from country to country.

A standard licensing code and an international end-use certificate protected by financial and security guarantees could be proposed in the United Nations and adopted by the governments concerned.

This reporter asked officials of the British, French, West German, Swedish, and Swiss Defense Ministries if they could conceive adopting such an international certificate. All but Britain (which paradoxically insists on them for surplus, but not for government sales of new arms) agreed that they could.

Such a system would safeguard people of poorer countries from receiving arms they don't need and can't afford. Their neighbors and the suppliers would be protected from unauthorized deals that increase the personal power of military rulers and the profit of gun-runners at the expense of peace.

Third, some arms transfers would be discouraged by requiring partners in a co-production venture to follow the same policy on where their joint product goes. One example of possible concern is contained in recent reports that Arab states are currently trying to get either England or France, separately, to sell the Anglo-French Jaguar combat jet which they will not sell together.

Another example is concern of Egypt and other African nations that sophisticated weapons systems, produced under U.S. license or as co-ventures in Israel, are resold by Israel to their enemies, such as the white-supremacy governments in southern Africa.

Fourth, there should be careful examination in the UN bodies, the CCD in Geneva, or elsewhere, of private arms promotion, advertising, and sales campaigns by the big armaments makers, especially in small countries, and how they might best be checked and regulated.

SMALL COUNTRIES GAIN CLOUT

Smaller countries like South Vietnam are rapidly gaining dangerous influence over the policies of big powers by getting involved in arms promotion and in the trade itself.

Fifth, attention might be given, at the highest level, to the so-called "offset accords." Under these, "host" countries like West Germany help pay costs of stationing U.S., British, or French troops by buying U.S., British, or French arms (the latter in French-speaking African states). Roughly the same kind of process is apparently promoted by the Soviets in East European states where Soviet combat forces are stationed, and in Egypt and India, where there are Russian air-defense troops, instructors and advisers.

The UN or other supranational groups, as well as the U.S. Congress and national parliaments, could urgently seek ways to pay such costs by selling the "host" countries civilian goods instead of arms.

Sixth, ways could be sought to clamp down on hidden arms exports that are not reported to national legislatures. Though U.S. Senate committee hearings in 1967 and the ensuing Foreign Military Sales Act of 1968 closed some of the loopholes in the U.S., many remain—for example, in the disposal of surplus from the various wars the U.S. is now fighting, directly or by proxy, in Southeast Asia.

Seventh, more hard research, of the type recently done by the Swedish Defense Ministry, might yield more understanding of how "defensive" weapons such as antiaircraft missiles can be prevented from becoming "offensive."

Eighth, great international improvement is required in systems of reporting arms deals and analyzing statistics. SIPRI is working on this now. It has discovered serious falsification and underestimates in some big-power statistics.

Secrecy and the juggling of figures obscure, in some areas (such as Japanese arms production and exports, the U.S. effort in Laos and Thailand, and the Soviet involvement in Egypt), the true extent and nature of these commitments.

NEW ACCENT ON THE HARM

Ninth, another long, hard look might be taken at the possibility of giving maximum world publicity to the harmful effects of the arms race. People in all countries need to be told more about its damage to all phases of human advancement: education, social welfare, living standards (through the $200 billion eaten up each year), the environment, and the political and moral climate generated by militarism and the military spirit.

Tenth, at the national level, there is need for continued, searching attention to what military exports go where, and why. This is connected, of course, with the questions of reporting and publicity. Obviously this is easier in the open societies of the West than in the Soviet Union, East Europe, or China.

Even there, however, there are signs that military aid policies are questioned by some citizens, especially when the economic burden of continuing them becomes overburdening: One of the reasons Nikita S. Khrushchev was fired from the Soviet premiership in 1964 was his unauthorized commitment of aid to Egypt.

In any case there is need for constant scrutiny of military exports everywhere, East and West.

SATELLITE SYSTEMS NOTED

In remarks at the July, 1971, Salzburg International Seminar, Professor Myrdal observed how the two superpowers, assisted by some of the smaller states, "have used their aid to build up systems of what in fact are satellite underdeveloped countries. They have encouraged them to use their scarce resources on procurement of armaments, and have also given weapons as military aid.

"Even the many underdeveloped countries, who want and profess non-alliance and neutrality in the great conflicts between blocs of developed countries, have mostly become heavily dependent on aid of both types. . . .

"While the superpowers cannot dare to go to war with each other—and while also the other developed countries feel compelling reasons not to break the peace—it is apparently deemed less dangerous to permit, or even to spur, wars in the underdeveloped world."

In this century, especially since World War II, governments in all the world's continents, but especially the biggest governments, have tried to buy influence with arms. But the price is more than the world's people are able to pay.

Now, in the Disarmament Decade, is really the time to put the arms monster away for good.

THE MAFIA AND MEAT PRICES

Mr. CURTIS. Mr. President, we hear a great deal of talk about the price of meat. First of all, we should determine what the facts are. The first important fact I should like to call to the attention of the Senate is, as my colleague from Nebraska (Mr. HRUSKA) has so aptly said, farmers do not sell meat; they sell cattle.

Second important fact that we should remember is that cattle just barely reached—this year—the price that they were bringing 20 years ago. We should think about that.

More facts have been called to our attention in an article entitled "How the Mafia Drives Up Meat Prices," written by Ralph D. Wennblom, and published in Farm Journal for August 1972. I believe Senators should read it. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

How the Mafia Drives Up Meat Prices

(By Ralph D. Wennblom)

(To pay tribute for labor peace in the world's biggest meat market, New York stores are forced to charge shoppers an extra $1 million a week for meat. And you get blamed for it.)

Certain members of Congress from New York have clamored the loudest for price controls on meat. Meanwhile, back in Manhattan, the forces of organized crime systematically add on at least $1 million a week to the meat bills of 18 million consumers in the Greater New York area.

This is important because the New York market is the country's biggest, and bellwether for wholesale meat prices.

These racketeers probably make more profit on meat between the unloading dock and the store counter than you normally do from feeding the animals for several months.

That such a situation was allowed to develop, much less persist, is a disgrace. Congress needs to face the problem head-on and do whatever is needed to clean it up. *Fast.*

Unfortunately, the key people in the syndicates of organized crime are hard to nail in court. No one in the meat business is senseless enough to face up to the mobsters on their own, and precious few people have the courage to cooperate with law enforcement officials. It's simpler and safer to cooperate with the crooks. Fears of reprisal against your business, your family and your life are very real.

People were reluctant to talk with me as I gathered information for this article. "These people are gangsters," said one source. "I look the other way when they're around, and you writers damn well better too, or you'll make a splash all right—in the river with a chunk of concrete tied to your ankle."

But I talked with enough informed people to convince me that organized crime has infiltrated certain labor unions and the meat business in New York City. "No one is exempt, there isn't a store that gets around all of their schemes for extorting payments for labor peace, bribes, kickbacks," said one informant who knows the New York meat market well. "Everybody pays off somewhere along the line sooner or later, and they would all love to get out from under it."

From an out-of-town meat packer: "We can't get our meat into New York City under our own label."

From a supermarket chain: "We simply gave up trying to operate—closed out our New York City stores."

Other cities are also involved. An authority on supermarket operations told me that "there are areas in this country where you pay a premium for meat. For what reason, I wouldn't want to say. But there are many metropolitan cities involved with this. And it reeks—just reeks with rottenness. I've known the premuim to be as much as 3¢ a pound on a wholesale carcass, which is a wad of money when you're talking about hundreds of thousands of pounds a week."

Law enforcement officials agree that the problem is not confined to New York. "If organized crime's take here is as big as our information indicates, the possibility is great that they're also operating in other cities," says William Aronwald, Special Attorney with the Joint N.Y. Strike Force on Organized Crime.

Ownership of legitimate businesses by organized crime, which they then run in an illegitimate way, is part of a trend. "They especially like the meat business because it lends itself to concealing large earnings from gambling and loansharking," says one Federal source.

For more than a year, a secret grand jury has been holding hearings in New York City to determine whether certain people engaged in the meat brokerage business, and corrupt union leaders, are fronts for organized crime.

The nature of the investigation came to light a few weeks ago when the office of Manhattan District Attorney Frank Hogan had to tip its hand and invoke a court order to bring a balky witness, Herbert Newman, back from Florida to testify about conversation overheard by the District Attorney through court-authorized wiretaps.

Newman's testimony, as well as all proceedings of the Grand Jury, are secret. Both Alfred J. Scotti, the gusty Chief Assistant District Attorney in charge of the Rackets Bureau, and Assistant District Attorney Franklyn H. Snithow, who are in charge of the investigation, refuse to comment on the case. Except to say that they don't call the groups the Mafia "because we don't want to get involved in a controversy over nomenclature."

But there's no doubt that they believe there's collusion between organized crime and the meat business. The order asking for Newman's return specifically stated that their investigation seeks to determine "whether there exists a conspiracy unlawfully requiring representatives of certain supermarkets to make payments of money to certain labor union officials and to certain individuals fronting for organized criminal elements."

"Whether representatives of the supermarkets were required to pay inflated prices in order to obtain labor peace;

"Whether certain officials of certain supermarkets have accepted unlawfully payments of money from Herbert Newman, Moe Steinman, Sol Steinman and others for having caused the said supermarkets to purchase meat from wholesale suppliers at inflated prices."

Newman is the retired president of Trans World Fabricators, a meat wholesaling firm.

In an article on the links between organized crime and the meat industry, the New York Times for May 9, 1972, reported: "One of the leading credit-clearing houses for the food industry, Market Services, Inc., lists Sol Steinman as its vice president. A source there described him as the brother of Moe Steinman, who is the director of labor relations for Daitch Shopwell." (Daitch Shopwell is a chain of supermarkets in the New York area, whose sales run more than $150 million a year.)

Continued the Times: "Moe Steinman was a key witness at the State Commission of Investigation's 1969 hearings into the infiltration of organized crime into legitimate business. He admitted during the hearings that he had a close social relationship with John Dioguardi, who is known as Johnny Dio and is described by law-enforcement officials as a captain in the crime-syndicate family operated by the late Thomas Luchese." (Dio is now in jail for the fraudulent bankruptcy of a meat company.)

Because meat packers operate on such thin margins, slaughtering usually doesn't appeal to the racketeers. They prefer to take over when the dressed meat arrives at the unloading dock. Without the mob's permission, your meat probably won't be unloaded. Or 10 carcasses somehow get "lost" enroute to the buyer's cooler. Whatever "tribute" you pay to get it unloaded promptly without pilferage is shared by the racketeers and corrupt union leaders.

Once in the wholesaler's cooler, the meat becomes fair game for everyone up the line except the consumer who can do nothing except pick up the tab for the financial shenanigans and blame farmers for high meat prices.

"Costs are so inflated along the way," I was told, "that a New York supermarket can't afford to use meats as 'specials' as many supermarkets do."

Exactly how much more meat costs in New York City than it should is impossible to prove. But every shakedown is passed along, and the retailer ends up charging for all of them. If you assume that 18 million people in the Greater New York area buy 50 million pounds of meat a week, 2 cents a pound to organized crime amounts to $1 million a week; 3 cents, $1½ million.

Here are average retail prices for U.S. Choice cuts from the U.S. Department of Labor's Bureau of Labor Statistics for April 1972:

	New York per pound	Chicago per pound
Round steak	$1.77	$1.16
Sirloin	1.56	1.36
Porterhouse	1.81	1.64
Rump roast	1.63	1.20
Rib roast	1.19	1.28
Chuck roast	.86	.81
Hamburger	.97	.75
Pork chops	1.37	1.00
Loin roast	.92	.79

With beef, about a third of the carcass goes over the counter as hamburger. By marking up its hamburger, a supermarket is able to keep sirloin and porterhouse prices more nearly in line. Freight from Chicago is 2c to 3c a pound, according to *Supermarket News.*

To raise the money to pay the syndicate and corrupt labor leaders, some companies exchange invoices among themselves to indicate purchases of meat from each other when, in fact, no meat changes hands.

Or, a company pads a real purchase to accumulate the surplus cash needed for the extortion payment or bribe.

In other instances, the syndicate manipulates the market and forces the buyer to pay more than the "going price" for meat, part of which they may kick back to the buyer.

Whatever the approach, once a buyer "cooperates" with the mobsters, he soon finds himself in over his head and settling on the racketeers' terms.

Unless stores meet those terms, they can find themselves in trouble with three unions: meat cutters, teamsters and retail clerks. "The meat industry can't attack the meat unions because unless the industry is successful, it will work out very badly for them," says Nicholas Scoppetta, Special Assistant U.S. Attorney who successfully prosecuted three officers of Local 174 of the Amalgamated Meat Cutters and Butchers Workmen's Union for extortion in 1969. "In that trial, the people who had been victimized by the union didn't parade down and say 'let me tell you about this problem.' We had to dig it out. All of them testified only after being compelled by subpoena."

Scoppetta saves his sharpest scorn for businessmen who "find it profitable to deal with the elite criminal element."

Racket-buster Scotti puts it more bluntly. "Our efforts would be substantially aided by the cooperation of organized labor and the meat industry," he says. "It is most regrettable that greed causes the industry to be blinded by expediency. They don't really care because they know that the cost can be passed onto the helpless consumer."

Scotti saves his strongest wrath for corrupt unions. "One New York local has been dominated by underworld characters for more than 30 years," he said in a court proceeding. "The racketeers use it as an instrument of extortion—to shake down meat dealers, supermarkets, chain stores, even other unions."

Scotti says flatly that unless unions devote themselves exclusively to the welfare of their members, and the meat industry concentrates on protecting the integrity of its business, "both will become helpless captives of organized crime." Maybe they already have.

CAPT. EUGENE VAUGHN, SCOTTSDALE, ARIZ., HONORED FOR THWARTING ATTEMPTED AIRLINE HIJACKING

Mr. FANNIN. Mr. President, the hijacking of airliners by criminals and political radicals has reached epidemic proportions. Records reveal that there have been more than 150 hijackings since the first such incident occurred in 1930. All but 12 of the crimes have occurred in the last 5 years. Twenty-seven hijackings occurred the first 6 months of this year. The most recent incident was July 31 when a DC8 jet was commandeered over Florida by a hijacking gang. A demand for $1 million was met and the plane was ordered flown to Algeria.

Legislation has failed as a deterrent to hijacking. Law enforcement agencies and the airlines themselves admit to being less than pleased with the results of their efforts. The Phoenix Gazette reported last week that the sky marshal program started 21 months ago has cost the taxpayers $44 million. The newspaper added that the air marshals have not yet captured their first hijacker.

There is no easy solution to the growing problem of air piracy, but I invite the attention of this body to the courage displayed by Capt. Eugene Vaughn of Scottsdale, Ariz., in thwarting a hijacking attempt on the Pan American Airlines 747 he commanded.

Captain Vaughn has been widely praised for the heroism he displayed on July 3 when he refused to fly his giant aircraft with 136 passengers and a crew of 17 to Hanoi.

At the risk of his life, Captain Vaughn landed his aircraft at Saigon and then fought with a young Vietnamese who slashed at him with a knife. The would-be hijacker claimed to have a bomb in his possession.

The Arizona press quoted Captain Vaughn as saying:

> I decided immediately that I wasn't about to fly those passengers to Hanoi and let them be held prisoners in order for the North Vietnamese to use them as pawns in possible negotiations for settling the war. I decided right then it was going to be his life or mine.

In the subsequent struggle, Captain Vaughn held the Vietnamese citizen and a retired police officer, W. H. Mills of Richmond, Calif., fatally shot the hijacker.

Today in Washington, D.C., Captain Vaughn is to receive the Man of the Year Award from the National Aviation Club.

This is the fourth time in the last 3 days that Captain Vaughn has been honored for his courage and heroism. Yesterday he received the President's Award from Pan American Airlines as well as an award for valor from the Military Order of World Wars.

As he departed from Phoenix on Monday with his wife, Allene, and their 13-year-old daughter Janet, Captain Vaughn received an award from the Fraternal Order of Police, Phoenix Lodge No. 2.

Mr. President, all Arizona is proud that Captain Vaughn is a citizen of our State. On behalf of my fellow Arizonans I extend congratulations to him on the honors he has received.

CHEATING THE POOR HOMEBUYER

Mr. HARTKE. Mr. President, I find it deplorable that "the most farsighted, most comprehensive, most massive housing program in American history" has become the most publicized scandal of the day. The 1968 Housing Act which directed the Federal Housing Authority—FHA—to do business in the inner city has become the plaything of speculators, mortgage companies, inspectors, appraisers, and attorneys whose combined fraud may cost the FHA as much as $200 million.

The 1968 act coupled with the old 221 (d)(2) program was supposed to bring housing to thousands of persons in low-income, less-than-standard areas. The FHA was to accomplish this by replacing the test it had always applied before insuring suburban mortgages with a new criteria which would allow less-than-standard houses and apartments to be eligible for mortgage insurance backed by a special risk fund.

Instead of providing housing for the poor, the program set up an open field for speculators. A new market was opened in which speculators bought homes and made only surface repairs on them. After receiving inflated FHA appraisals of the property, these houses were sold to low-income families for exorbitant prices. Mortgage companies had no worry over extending mortgages because they could always collect their unpaid bills from the Government.

The result of this inadequately regulated program is that thousands of persons have been left with heavy mortgages on disintegrating homes. It is estimated that HUD now holds title to 44,540 decaying houses which the Department bought up when mortgages were foreclosed. Many people have just packed up and left their dream homes leaving whole neighborhoods of deserted, dilapidated property.

A Brooklyn grand jury in March indicted 40 individuals and 10 corporations on 500 counts resulting from this bilking of the public. Among those indicted were seven FHA employees. To date, five Justice Department task forces, five grand juries, and four congressional subcommittees have investigated this latest swindling technique. The Subcommittee on Antitrust and Monopoly has for weeks been conducting hearings into housing fraud in New York. Evidence presented to this committee points to practices within the FHA which favor mortgage companies over banks, and general irresponsibility within the FHA.

The public has a right to expect Government agencies to be well-run, and their programs competently administered.

Mr. President, this situation was explained in a recent article in the National Observer. I ask unanimous consent that the article be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Observer, June 24, 1972]

HOUSING MESS

(By Diane K. Shah)

George W. Romney's house, sprawling gracefully in understated ($150,000) elegance atop a landscaped hill, is a showplace even on East Valley Road in the veddy exclusive Detroit suburb of Bloomfield Hills.

Romney's 44,540 other houses are mostly headaches.

These houses, which Romney would like to unload, were bought up by the Department of Housing and Urban Development (HUD) when mortgages were foreclosed. Many are like the tired-looking frame house at 2593 Drexel in a black neighborhood, 15 miles and several social strata downwind from Bloomfield Hills.

In Detroit alone Romney, as Secretary of HUD, owns 7,074 houses, making him the city's most titled—and most reluctant—landlord. What's more, in the last 3½ years Romney has picked up 5,000 houses in Philadelphia, more than 3,000 in New York City, and probably 1,500 in St. Louis.

It adds up to a national housing mess, if not a national housing scandal.

DREAMS BECOME DEBACLES

To date, four congressional subcommittees, five grand juries, five Justice Department task forces, and dozens of FBI agents have been investigating how HUD has come into so much property. Hearings continue this week before Sen. Philip A. Hart's antitrust and monopoly subcommittee.

Unlike the Bloomfield Hills estate, a glittering monument to Romney's personal financial success, the other houses are crumbling memorials to HUD and Federal Housing Administration (FHA) programs gone awry. The programs were intended to make it easier for low- and moderate-income Americans to buy houses. But through HUD and FHA administrative bungling and—so Federal indictments charge—occasional swindling, coupled with the fraud perpetrated by a supporting cast of villains, the dream of homeownership for many dwindled into debacle.

Thousands of persons have been saddled with hefty mortgage payments on disintegrating, FHA-approved houses. Thousands more have simply packed up and vanished leaving their rotten lemons to decay entire neighborhoods and Romney to pay off the mortgages.

CAST OF VILLAINS GROWS

Observes Ralph Nader: "In some other countries with different tradition, the equivalent of Secretary George Romney would have resigned in disgrace after those indictments were handed down and after the evidence indicate fraud on such a widespread scale."

As investigations unfold, the cast of villains swells and the plot grows more complex. Already under indictment are speculators, real-estate brokers, mortgage companies, inspectors, appraisers, attorneys, and Dun & Bradstreet, the nation's largest collector and dispenser of credit information, which is accused of supplying FHA with false credit reports. And whether through complicity, neglect, or naivete, banks, secondary money markets, and title companies are being scrutinized for their roles in what investigators are calling the nation's most outrageous scandal.

There's no telling how serious the housing mess is. Aside from the houses HUD now owns, indications are that double or triple that number are going into default. In Detroit alone, the General Accounting Office estimates, 23,000 houses are in default, owners having skipped from one to three payments. If all are foreclosed—and HUD predicts at least 6,559 will be by year's end—it could cost FHA $200,000,000. FHA has already shelled out $24,000,000 in New York City; the U.S. attorney's office in Brooklyn says the total may reach $200,000,000.

SOCIAL WEB DISINTEGRATING

Though both HUD and FHA officials avow that new administrative controls should cut losses, none can tell how soon. At any rate, FHA Commissioner Eugene Gulledge notes, "It hasn't cost the taxpayer a cent" because of FHA's well-endowed insurance funds.

Mere numbers, of course, do not tell the story. Abandonment is already rampant in many cities, and FHA foreclosures only exacerbate the problem. Cores of a half-dozen cities, like so many mini-Dresdens, are rapidly decomposing into garbage-strewn ghost towns, ripe for crime and vandalism. Entire neighborhoods, such as north Philadelphia, Detroit's lower east side, Chicago's Woodlawn area, and the Brownsville-East New York sections of Brooklyn, are all but uninhabitable.

Concedes Romney: "Vast central-city areas are experiencing such serious blight that the whole human social web that makes living possible is breaking down into a veritable jungle."

"BETTER TAKE IT NOW"

Predictably, housing experts are trying to analyze what has gone wrong and what to do about it. Their solutions range from closing loopholes in existing programs to throwing out all housing programs and starting over again. Either way nobody sounds optimistic. Meanwhile, the situation worsens.

The scandal works like this: Speculators flood a racially changing neighborhood and coax or frighten white homeowners into selling cheaply. They then apply cosmetic repairs to the houses and secure—often with a bribe—an inflated FHA appraisal of the property. Next they sell to low-income, minority families who are led to believe they are moving into paradise.

"He showed us the place with a flashlight," recalls Nathan Wilkins of the Philadelphia speculator who sold him a house. "It was night and he said the electricity was shut off. He said it was a good house, that it had just been remodeled. He said somebody else wanted to buy it and we better take it now."

PLOT AND SUBPLOT

After moving in, Wilkins found the roof leaking, the upstairs basin emptying into the dining room, and paper peeling from the walls. Records show the speculator paid $1,750 for the house, which the FHA subsequently appraised at $9,000, the price Wilkins paid. The speculator bought 85 similar houses for a total of $222,000 and sold them for $603,000—an average markup of 172 per cent.

Selling a lemon is but the main story. A subplot, turned up by New York Secretary of State John P. Lomenzo's office two years ago, runs like this:

In April 1969 Mrs. Ortrud Kapraki, a Brooklyn real estate broker, allegedly sold a house to Enrique Perez for $22,000. To make sure the FHA would insure a mortgage, Mrs. Kapraki submitted with the mortgage application a 1968 income-tax return that identified Perez as the owner of an auto shop. The return, prepared by accountant A. E. Abad, showed that Perez grossed $15,286 that year repairing cars.

Perez in fact had earned only $6,224. He owned no auto shop. He never repaired cars. Furthermore, the signature on the fraudulent tax return was not Perez's and he had never met Abad. Nevertheless FHA approved the mortgage. Mrs. Kapraki has since been indicted.

EVERYONE CHEATS THE BUYER

Other subplots involve mortgage companies offering short-term loans to speculators who then buy houses and bring in more mortgage business; mortgage companies charging the seller too many "points" and keeping the excess or splitting it with the speculator; mortgage companies selling bad paper to the Federal National Mortgage Association (Fannie Mae) and to banks; title companies overlooking obvious irregularities at closings to insure that the deal goes through; and everybody—mortgagees, speculators, lawyers, and title insurers—collecting his gratuity.

"Everybody is in bed with everyone else, indiscreetly cheating on the poor home buyer," one investigator sighs.

Conceivably such fraud has been speculator sport since 1967, when the FHA first agreed to do business in the inner city. But not until Congress passed the 1968 Housing Act did the fraud become the pastime of so many. Proclaimed by President Johnson as "the most far-sighted, most comprehensive, most massive housing program in all the American history," the 1968 act did in fact provide houses for thousands of persons—and free lunch for hordes of crooks and indigestion for FHA.

The act coupled the old 221(d)(2) program, which permitted FHA to insure "less-than-standard" houses, with a new special-risk fund to back mortgages in "less-than-standard areas." It created the 235 subsidized program, under which FHA insures mortgages up to $24,000 and HUD pays, at most, all but 1 per cent of the interest. And it created the 236 subsidized program, which works the same way for apartments.

To speculators the act meant wide new markets to exploit with on-the-spot payoffs from mortgage companies, which could always collect unpaid bills from Uncle Sam. To a reluctant FHA the programs meant trading the "economic soundness" test it had always applied to insuring suburban mortgages for one of "acceptable risk." To Romney it meant becoming godfather to another Administration's ill-conceived baby.

FHA EMPLOYEES INDICTED

Romney didn't like it. "The programs were enacted without having been adequately tested to determine whether they could work well, whether they would even work at all, or whether they were structured in such a way as to invite abuse," he complained.

Though Romney now contends he "began to realize there were some problems" in May 1969, he insists he didn't recognize the full scope of the scandal until a year later. Nevertheless, not until a barrage of grand jury indictments began capturing bigger headlines than Romney's record number of housing starts did he publicly confess that perhaps he hadn't been keeping his house in order.

Among the 10 corporations and 40 individuals named in a 500-count indictment by a Brooklyn grand jury in March were seven FHA employes, among them appraisers and one underwriter. A Philadelphia grand jury later indicted 46 persons, among them the former head of the Philadelphia insuring office of FHA, Thomas Gallagher, Jr., who is accused of taking $73,000 in bribes from a building contractor. (Romney had asked the Philadelphia office in the spring of 1970 if there had been any problems with FHA programs. He was told everything was fine. A high FHA official says this completely misled Romney as to the extent of the scandal.)

Johnson's Congress may have enacted the housing legislation, but these were Romney's boys. Not surprisingly, lack of qualified personnel comprises a large chunk of Romney's apologia.

ROMNEY WANTS FIRING POWER

On the day of J. Edgar Hoover's burial, Romney, testifying before Rep. John S. Monagan's House Subcommittee on Legal and Monetary Affairs, noted: "Hoover refused to accept the job as FBI director unless he could hire and fire people like a corporation executive, without regard to civil-service qualifications or seniority. HUD's problems could be alleviated if I could do that too." But he also admitted, "While the staffing situation has unquestionably contributed to our problems, it is also obvious that the administration of housing programs, particularly in some cities, has been imprudent, negligent, and in some cases plainly corrupt."

Only two months earlier Romney had found out just how lax (his word) HUD and FHA administration had been. That was when he read for the first time the audit reports he had commissioned in early 1971 on the 235 and 236 programs. Among other things, the audit turned up 362 alleged violations of the 235 program involving falsification of applications and fraudulent certifications of repairs, plus 27 alleged violations of the 236 program involving fraudulent applications.

AUDITS TELL SAD TALE

The audit found that FHA appraisers, pressured by higher-ups to carry out Congress' mandate to approve as many houses as possible for the poor, were producing four appraisals a day; too many, said the auditors. Some made only "windshield" appraisals of houses as they drove by. Others accepted deficient houses with an attitude that, "This is good enough because it's better than what these people had before." Sometimes FHA called upon "fee" appraisers, local real estate people who often had conflicting interests. And FHA field reviews, intended to turn up irregularities, were not being performed often enough, if at all.

More bad news came in the 236 audit.

The 236 program was designed to attract co-operative, nonprofit, or limited-dividend corporations to building apartments for the poor. They were baited with generous tax shelters, an annual return of 6 per cent on the initial investment, plus other incentive fees. With HUD paying most of the mortgage interest, down to 1 per cent, the owners could charge below normal rents.

Generally they charged more. Because HUD wasn't overseeing the projects as it should, inconvenient locations were chosen, driving away tenants. Architectural fees were unduly high. Excess construction costs were allowed. Mortgage amounts were inflated. Unnecessary interest-subsidy payments were made. Operating costs were underestimated (to win quick HUD approval). Therefore rents were high. Another serious flaw: With tax shelters designed to offer the best benefits within a 10-year period, there was little incentive for long-term ownership and sound management.

Romney acted. He ordered the FHA in Philadelphia and Detroit to stop using fee appraisers and to tighten up appraisal procedures of their own staffs. He demanded that all appraisers file personal finance statements to weed out any who might have conflicting real-estate interests. He requested more careful screening of applicants' credit history. He implemented a computerized "early warning" system in Detroit to detect immediate defaults and coaxed FHA employes to counsel strapped families and seek forbearance from mortgage companies. He set up counseling programs for prospective home buyers. He ordered strict checking of housing values in speculator-dominated areas. And when finished he proclaimed eagerly, if not prematurely, "As is presently applied, this has ended speculator profiteering."

The Senate apparently didn't think so. Its version of the 1972 Housing Act prohibits kickbacks by lawyers, title companies, insurance companies, and others in closing costs on all FHA-insured houses. Minor alterations were also made in housing programs to curtail speculator activity in inner cities.

TOLL GATES COSTLY

Some housing experts say that's not good enough. Rep. Wright Patman, whose House Banking and Currency Committee turned up the first evidence of fraud two years ago, never liked the subsidy programs and still doesn't. "There's a litle bit for the land speculators, the builder, the lender, the closing attorney, the title company, the insurance company, and on down the line," the Texas Democrat complains. "By the time the project reaches the end of the line it is so top heavy that you can't be sure just who did get the subsidy."

Patman's remedy: A direct lending program to homeowners through a National Development Bank. The bank, he says, "could handle much of this financing without the costly procedure of financial toll gates."

Like Patman, many housing experts favor yet more Federal involvement. Says Samuel Kaplan, development director at the New York City Educational Construction Fund: "We can't leave it to private interests any more. They have abused the system, raped our landscape. We can't leave it to local politicians who have been dictated to by greed either."

In a radical departure from current thinking, Kaplan suggests that private developers should be required to meet Federal guidelines as to number, of low-income units schools, community services, etc. What the developer leaves out, the Government would subsidize and own. Additionally, private owners would be subject to strict profit margins and rent control.

Taking a softer though similar line, Simeon Golar, New York City Housing Authority chairman, suggests giving Washington power to override local zoning laws and other red tape that have impeded housing programs. "If municipalities fail to live up to their responsibility," Golar says, "HUD should have the power to move in and do the job."

"UPSIDE-DOWN FEDERALISM"

Bucking more Federal control, Congressman Thomas L. Ashley, an Ohio Democrat, favors a block-grant system under which local housing officials could spend lump-sum Federal money as they see fit. This, he says, would reverse the "upside-down federalism" where Washington makes the picayune decisions on mortgage and income limits, and the private sector decides the fundamental questions of where to put the housing—and in fact whether to put it up at all.

Other solutions call for guaranteed minimum incomes and direct housing allowances.

Nobody, however, pretends to have the perfect solution. Romney asserts that no housing programs alone are going to salve inner-city housing problems anyway. "We need to find cures for other social conditions first," he notes, "chiefly poverty, crime, drug addiction, lagging education, poor health-care facilities, inadequate public services, soaring taxes, and unemployment.

On an equally gloomy note, Joseph P. Fried writes in his book *Housing Crisis U.S.A.* that, "The vision of an America acting to provide a decent home and a suitable living environment for all its citizens seems as realistic as the hope of a palace-studded Camelot suddenly arising out of the squalor and decay of Brownsville in Brooklyn."

COVERAGE OF MUNICIPAL EMPLOYEES IN FAIR LABOR STANDARDS ACT

Mr. TAFT. Mr. President, the amendments to the Fair Labor Standards Act, as passed by the Senate, have not yet been submitted to the conference with the House. One of the differences relates to extending coverage to municipal employees. When the matter was on the Senate floor, I attempted to exclude such coverage and to explain some of the difficulties which would result to municipal budgets in connection with it.

This position has since been further documented by correspondence which I have received from various cities in Ohio showing the devastating affect on municipal budgets likely to result from passage of this legislation.

For the benefit of the Senate and conferees, I ask that these letters be printed in the CONGRESSIONAL RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

BRATENAHL VILLAGE,
Cleveland, Ohio, July 28, 1972.

HON. ROBERT A. TAFT,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TAFT: I would appreciate your reviewing Senate Bill 1861, which extends coverage of the Fair Labor Standards Act to municipal employees, which also includes all summer time help.

It would be appreciated by the citizens of Bratenahl, as well as the Council and myself, if you would delete from this proposed legislation that portion which applies to municipal employees including police and firemen. To include municipal employees, police and firemen under this proposed act would be catastrophic financially as far as this community is concerned. As you well know, almost every village and city in the

State of Ohio is in dire need of financial assistance, and to have this additional burden placed upon the Village and other communities in this State would be a disaster at this time.

It would be deeply appreciated if you would find it possible to delete the municipal employees, police and firemen from being covered under this proposed act.

I wish to thank you on behalf of the citizens of Bratenahl Village, the Council and myself for any assistance which you might be able to give in this matter.

Sincerely,

WILLIAM A. KLEIN,
Mayor.

CITY OF CAMBRIDGE, *July 27, 1972.*

Re: Minimum Wage Bill S–1861
Senator ROBERT H. TAFT, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TAFT: This bill, as passed by the Senate, will work a *very expensive hardship* on our City budget. (The increase in Fire Department salaries alone would be some $40,000.00 per year.)

If you wish, I can supply you with the specific facts of how this bill would affect the wages of part-time help, clerks, police and fire men.

Therefore, we believe that the House version which excludes municipal employees should be supported.

Thank you for your attention to this letter.

Sincerely,

ROBERT P. SCOTT,
Mayor.

OFFICE OF THE MAYOR,
East Palestine, Ohio, July 27, 1972.

Hon. ROBERT TAFT,
The Senate,
Washington, D.C.

DEAR SIR: We are very much opposed to the Minimum Wage Bill S. 1861 passed by the U.S. Senate as it would create a serious fiscal problem for the city.

It is our policy to employ college students during the summer months, but the passage of this bill would also prevent this, thus creating a hardship for them.

We strongly urge you to support the House version, excluding municipal employees.

Respectfully yours,

JAMES H. LYNCH,
Mayor.

CITY OF LAKEWOOD, OHIO,
July 28, 1972.

Hon. ROBERT TAFT, Jr.,
U.S. Senate,
Washington, D.C.

DEAR BOB: I was shocked to learn that the Senate has approved S. 1861 which would eventually require municipalities to pay all municipal employees time and a half over 40 hours, including members of the safety forces. I feel particularly strong about the inadvisability of paying firemen time and a half over 40 hours, since their present work week of 56 hours includes 16 hours of time devoted to sleep and many hours devoted to free time.

In addition, the 56 hour week requires them to work two 24 hour periods every six days, giving them four full days for outside employment. This is one of the emoluments of being a fireman which has made the job to popular and which, for instance, has given us at this time an eligible list of over 70 men waiting for the next vacancy in the Division of Fire.

Of paramount importance is the fact that Congress should not dictate to the cities rules and regulations concerning wages and salaries unless Congress is also willing to provide the necessary funds which we do not possess. I urge you to support the House version of this bill which excludes municipal employees so that we may continue to meet our obligations without deficit financing.

Sincerely,

ROBERT M. LAWTHER.
CITY OF NORTH OLMSTED,

CITY OF OAKWOOD,
Dayton, Ohio, July 28, 1972.

Senator ROBERT TAFT, Jr.,
Dixie Terminal Building,
Cincinnati, Ohio.

SIR: I am writing to you regarding Senate Bill No. 1861 which extends the coverage of the Fair Labor Standards Act to municipal employees. We wish to urge your support of the House version of this bill which will exclude municipalities from the coverage of the bill. Perhaps it has not been brought to your attention, but many cities have firemen who work twenty-four hours on and forty-eight hours off duty. This generally works out to be a fifty-six hour work week.

This mutually beneficial arrangement has allowed firemen to hold extra jobs while being paid a good wage. In our case, that wage is $5.04 per hour. This bill would, in our case, mandate sixteen hours a week additional hours at time and a half. This would require us to either lay off firemen or reduce services in other areas. We feel that this is a most inequitable requirement given the fact that our men now make over $11,000 a year on straight time.

We urgently ask that you support the version which would exempt municipal employees.

Very truly yours,

J. D. FOELL,
City Manager.

JULY 28, 1972.

Hon. ROBERT TAFT,
Senate Office Building,
Washington, D.C.

DEAR SIR: The City of North Olmsted is greatly concerned by Bill S–1861. S–1861 as passed by the U.S. Senate would create a serious fiscal impact on North Olmsted. We cannot afford to pay time and a half for overtime hours worked by our Municipal employees.

An estimate of additional costs for time and a half for our City would be $137,000 on $2,300,000 annual payroll. This would increase our labor cost automatically 6%. We do not have the money without drastic cuts in service.

Our North Olmsted Bus line alone, which is one of the few relatively stable Bus lines in the country operating out of the fare box, because of S–1861 would have to pay $58,000 of time and a half for overtime. We may as well close the doors on the Bus line.

Please support the House version of a minimum wage Bill which excludes municipal employees.

Very truly yours,

RALPH E. CHRISTMAN, *Mayor.*

CITY OF PIQUA,
Piqua, Ohio, July 27, 1972.

Subject: Minimum wage bill.
Hon. ROBERT TAFT, Jr.,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN TAFT: We are writing concerning Senate Bill 1861 which has been before the Senate the past few weeks. We do ask that you give careful study to the House version of this bill which calls for a $2.00 minimum and excludes municipal employees. Our main concern in the Senate Bill 1861 is with the provision covering firemen which would gradually cut their hours from 56 to 40 hours and anything over 40 hours would be at time and one-half. This would present a very difficult situation for the municipal governments in the way of financing the overtime pay. At the present time, our firemen are on 24 hours and off 48 hours on a regular base salary. Under Senate Bill 1861 it would necessitate hiring extra firemen to make up for the reduction of the hours served per week.

We appreciate any attention that you can give to the House version of this bill which would exclude municipal employees.

Very truly yours,

ROBERT B. MAY,
Acting City Manager.

CITY OF ROCKY RIVER,
Rocky River, Ohio, July 27, 1972.

Subject: Minimum Wage Bill passed by U.S. Senate.
U.S. Senator ROBERT TAFT, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SIR: I am writing to urge you to do everything in your power to eliminate the Municipal employees from coverage under this Bill, and to support the House version which excludes Municipal employees.

In my City's particular case, we are already paying time and half to all of our employees who put in more than 40 hours per week, with the exception of our Fire Department which we pay time and a half over 54 hours per week. At least 24 hours of this 54 is spent sleeping and since we pay them far in excess of this minimum wage that this Bill provides for, the only result of this Bill would be confusion to this Department. We would either have to reduce their hourly rate or reduce the safety force itself.

Since the Senate Bill as it now reads also includes summertime or student help, this Bill will probably result in no students being hired. I can't believe any City would pay $2.20 per hour for a towel boy at one of the swimming pools. In one instance the Federal Government promotes summer jobs, and in the other instance by the passage of this Senate Bill 1861, makes it difficult if not impossible to implement a summer program.

I would suggest further that the sponsors of this Senate bill allow the Municipalities to be heard before they make a mistake that I believe will be damaging to all Municipalities.

Very truly yours,

EARL MARTIN,
Mayor.

CITY OF TOLEDO, OHIO, *July 27, 1972.*

Hon. ROBERT A. TAFT,
U.S. Senator,
Washington, D.C.

HONORABLE SENATOR TAFT: Recently the United States Senate approved Senate Bill 1861, which raised the minimum wage to $2.20 an hour and extended coverage of the Fair Labor Standards Act to all Municipal employees. While we have no quarrel with the amount of the minimum wage of $2.20 an hour, for it has no real impact upon us of any really serious consequence, we are concerned about the provisions of the bill which mandates time and a half for hours worked in excess of 40 hours per week. Apparently the only exception in the Senate Bill to the overtime provision would be police and firemen who would be covered by a special provision defining the overtime ceiling as hours worked over 48 hours per week in 1972. Time and one-half would be required for hours worked in excess of 48 hours per week in 1972. The ceiling would be gradually reduced over a five (5) year period down to 40 hours per week. This provision in the Senate Bill would immediately affect all Municipalities with full time firemen, most of whom are already working in excess of 48 hours per week.

The House version of the Minimum Wage Bill excluded Municipal employees from the coverage under the Fair Labor Standards Act. We understand the bill now must go to a conference committee to work out the difference between the two bills.

We wish to point out that if the Senate version of the Bill becomes the law, it would have a disastrous financial impact upon our City. Our Finance people tell us it could cost the City of Toledo between $500,000 and $600,000 per year in overtime payments just to firemen who work a 52-hour week. Frankly, we are having a difficult time in balancing the budget with present sources of revenue. We have just provided our employees with a 2% increase in pay effective July 1, 1972, with an additional 2% to be granted July 1, 1973. This pay raise was provided with the knowledge that there is no additional room in our budget for any further pay increases or benefits. The news that we may be faced with overtime pay for firemen under the Senate version of the Minimum Wage Bill comes as a shock to us for we have no way of paying it.

I am sure you will be hearing from other communities in Ohio in much the same vein as this letter. The Senate Bill is a real threat to our financial stability, such as it is, and anything you can do to insist upon exemption of Municipal employees from the provisions of the Bill will be greatly appreciated by the City of Toledo.

Thank you very much for your consideration.

Yours very truly,
JOHN J. BURKHART,
Chief Counsel.

CITY OF TROY,
Troy, Ohio, July 27, 1972.

Hon. ROBERT TAFT, Jr.,
U.S. Senate,
Washington, D.C.

SIR: The City of Troy is vitally opposed to Senate bill 1861; a bill raising the minimum wage to $2.20 an hour and extending coverage of the Fair Labor Standards Act to municipal employees, including summertime help. The bill calls for overtime to be paid to city employees beyond 40 hours with policemen and firemen being held to a ceiling of 48 hours per week beginning in 1972. Policemen and firemen are to also go to a 40 hour week over a five year period.

The City of Troy already pays overtime to policemen and firemen if called to extra duty beyond the current schedule. Policemen are scheduled for a 40 hour week at present. However, firemen work 56 hours per week; a system of 24 hours on and 48 hours off. To reduce their working hours to 48 hours per week would require the City of Troy to hire six additional firemen, an increase of 22% to the present force. To reduce their hours to 40 hours per week would require the City of Troy to hire 12 additional firemen, an increase of 50% to the present force, to accomplish the same level of service currently established. A first class fireman now receives $9,875.00 plus fringe benefits in the amount of $2,142.00, or the equivalent of $12,017.00. Because of the one day on—two days off schedule, most hold at least one additional job on a regular basis.

Summertime helpers are hired for the parks, golf course and swimming pool. To maintain the same level of services, approximately 20 additional employees would be required in this category.

This all adds up to a sum in excess of $200,000 per year for our City, with no improvement in services to the people. The only way this sum can be made up would be to increase taxation or to reduce the already minimal services being provided our citizens.

City employees in the State of Ohio are already protected by State Civil Service Regulations and, in most cases, by the American Federation of State, County and Municipal Employees Union (AFL–CIO), the International Association of Fire Fighters or the F.O.P. With such double and triple protection, municipal employees are certainly not overworked or underpaid or treated unfairly in any respect. Their living standards are equal to or better than their counterparts in business and industry.

It is, therefore, urged that you oppose Senate bill 1861, but favor the House version of the bill which excludes municipal employees from coverage under the Fair Labor Standards Act.

Sincerely,
MARLEN E. REBER,
Director of Public Service and Safety.

CITY OF ZANESVILLE, *July 27, 1972.*

Hon. ROBERT TAFT, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TAFT: Last week the Senate approved S. 1861, a bill raising the minimum wage to $2.20 per hour and extending coverage of the Fair Labor Standards Act to municipal employees.

It is not my view that all aspects of the bill are uncalled for, but merely that the all encompassing solution to a problem creates more problems than it solves since it does not take into consideration the unique nature of municipal corporations. With respect to various aspects of the bill the following is presented for your consideration.

1. Whether the proposed minimum wage rate is $2.00 or $2.20 per hour is of no great significance to regular 40 hour per week employees. If applied to college students hired during the summer the situation is that we will not hire them under any condition. In the case of the Neighborhood Youth Corp program, the problem gets a little more difficult in view of the 80% federal funding, but even here we will take a long look if the minimum rate starts to make other employees disgruntled. Everyone has a pecking order.

2. The overtime factor payment for over 40 hours means that our municipal unions will not have to enter collective bargaining on this point—if it's in the bill they win without negotiating. The worst feature is the payment of overtime to firemen. This municipal group of employees is unique in more than one way. In Zanesville an initiative petition filed by firemen mandates 24 hours on duty—48 hours off duty—or what averages out to a 56 hour week. In 11½ years I have never heard of a fireman who wants this to be changed. Only a fool would try to put them on a 5–8 hour days schedule because they would move heaven and earth before permitting this to happen. When the payment for overtime (over 40 hours) goes into effect for firemen they walk into a 14% wage increase, since Council cannot change the initiative ordinance.

3. The total effect of this bill will be to increase Zanesville's payroll cost some $120,000 annually. If revenue sharing becomes a reality and Zanesville receives the $360,000 now estimated as its share, the proposed bill will immediately wipe out 33⅓% without improving public service.

In view of the difference in the House and Senate version of this bill there will be a need for the bill to go to a conference committee. Therefore I am asking that you consider this data and request the conference committee to recognize the serious problems already facing municipal corporations, much less compound the problems.

Sincerely yours,
SAMUEL GREY,
City Manager.

P.S.—Your consideration will be appreciated.

COSTS ANTICIPATED DUE TO PROPOSED MINIMUM WAGE LAW AND EXTENSION OF THE FAIR LABOR STANDARDS ACT

Fire Department costs for time and a half after forty-eight hours:

8 hours a week times 52 weeks a year equals 416 hours a year per employee; times 45 employees equals 18,720 hours of overtime; times $2.939 average hourly wage rate equals $55,018.08 cost at straight time; times 50 cents equals $27,509.04 cost of time and a half after 48 hours.

Fire Department costs for time and a half after forty hours:

16 hours a week times 52 weeks a year equals 832 hours a year per employee; times 45 employees equals 37,440 hours a year; times $2.939 average hourly wage rate equals $110,036.16 cost at straight time; times 50 cents equals $55,018.08 cost of time and a half over 40 hours.

Fire Department overtime:

60 hours pay divided by 56 hours work equals 1.0714 or a 7.14 percent increase in pay for time and a half over 48 hours.

64 hours pay divided by 56 hours work equals 1.1429 or a 14.29 percent increase in pay for time and a half over 40 hours.

Overtime all city employees:

$82,987, 1971 cost at straight time, times 1.02, adjustment for 51 weeks, equals $84,647; times 1.055 equals $89,302, 1972 costs at straight time, times 1.5 equals $133,953, 1972 costs at time and a half.

$133,953, 1972 costs time and a half, minus $89,302, 1972 costs straight time, equals $44,651. 1972 additional cost of time and a half.

Cost of $2.20 minimum wage for the recreation department:

$2.20 minimum wage divided by $1.43 present lowest recreation wage, equals $1.5385, raising the lowest wage from $1.43 to $2.20 is a 53.85 percent pay increase.

Assuming a proportional increase for all temporary recreation department employees:

$37,650, 1972 costs at present wages, times $1.5385, equals $57,925, 1972 costs with $2.20 minimum wage.

$57,925, 1972 costs with $2.20 minimum wage, minus $37,650, 1972 costs at present wages, equals $20,275, 1972 additional costs due to $2.20 minimum wage.

FOREIGN TRADE AND INVESTMENT ACT OF 1972

Mr. HARTKE. Mr. President, from the start of the current debate of foreign trade and investment, the Washington Post has expressed reservations about my own Foreign Trade and Investment Act of 1972.

In a recent editorial, the Post finally recognized that the level of unemployment is a matter of first importance in the politics of every industrialized country. For the average workingman, the Congress and the executive branch of the Government are the court of last resort in any effort to achieve economic justice.

The Hartke-Burke bill has recognized this from the start. And with an eye to preserving American jobs, Hartke-Burke has set about to refashion our foreign trade policies.

Mr. President, I ask unanimous consent that the Washington Post editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON TRADE, A SURPLUS OF BOMBAST

Although Mr. Connally has left the Treasury, some of his more unfortunate rhetoric continues to echo through American foreign policy. While Henry Kearns is hardly a primary figure in the administration, he is, after all, president of the Export-Import Bank and it can only generate hostility and suspicion when he threatens Europeans over trade policy.

In a recent speech in Rome, Mr. Kearns assured an audience of businessmen that "unless the United States achieves a sizeable surplus of exports over imports, our ability to maintain our heavy world commitments will be weakened." If we cannot get a surplus by raising imports, he further suggested, we can get it by restricting imports and embarking on a trade war. This language is a throwback to Mr. Connally's campaign of last autumn, when he was pretending that the American balance of payments is made up only of trade and aid. In fact, foreign aid, military costs and the current trade deficit are only a part of the balance of payments. There are also the enormous movements of capital and profits back and forth across our borders. The Europeans know the figures, and they know that Mr. Kearns knows the figures. They take the view that they did their bit for the American balance last December, when they agreed to the devaluation of the dollar. To return to the Connally theme now can only amplify European doubts about American intentions regarding the Atlantic alliance.

To finance American commitments abroad, the need for a trade surplus is in fact highly questionable. American investments abroad are now returning profits at an annual rate of nearly $8 billion a year. If we can achieve a trade balance of zero, with exports equal to imports, it is quite reasonable to hope that this flow of profits can balance military costs and the outward movement of public and private capital.

The essential reason for the sensitivity of exports and the trade balance is not foreign commitments. It is employment at home. The level of unemployment is a matter of the first importance in the politics of every industrialized country. More exports mean more jobs, and that is why all of the rich countries are now competing to achieve and maintain trade surpluses. Our trading partners tend to see our pressure for a trade surplus as an attempt to export our unemployment, and that is why threats like Mr. Kearns have an inflammatory effect in capitals where we need cooperation.

The proper course for the United States is to proceed toward the world negotiations on trade and monetary reform that we promised last December. Unfortunately, as the Kearns speech suggests, we are not making much progress toward serious and realistic discussions.

B'NAI B'RITH YOUTH ORGANIZATION WORKS FOR RATIFICATION OF GENOCIDE TREATY

Mr. PROXMIRE. Mr. President, occasionally I hear the following remark:

> No one really cares about the Genocide Convention.

Recently I received a gratifying letter which contradicts this remark and verifies that genocide is a topic of concern for some individuals. I would like to quote part of my letter from Mr. Richard Bernstein of the B'nai B'rith Youth Organization.

> The B'Nai B'rith Youth Organization, like its adult sponsoring organization, has taken a long and strong stand for the treaty's ratification. How may we help? In three weeks we will be holding our annual International Convention and would like to consider this issue in our social/political action workshops.

I commend the members of the B'nai B'rith Youth Organization for their willingness to devote their time and resources to this issue and I value their support. I think that the support of an organization which concerns itself with human rights reflects the worth of the Genocide Convention.

I have encouraged the members of this organization to express their views to their Senators. I have explained that this would be the best course of action since ratification lies in the hands of the Senate.

I ask the Senate to listen to the pleas of the B'nai B'rith Youth Organization. I call upon the Senate to ratify the Genocide Convention without further delay.

THE ORDER OF AHEPA

Mr. MOSS. Mr. President, the Order of Ahepa was founded 50 years and 1 week ago today, on July 26, 1922. Its purpose is a most worthy one—to foster the best ideals of man's moral character and to translate these ideals into acts.

For half a century AHEPA has provided an opportunity for men of outstanding moral character to contribute much comfort, aid, and cultural and educational stimulus to their country and to the world. Indeed, their nine objectives are intensely reminiscent of those truths which Jefferson and our other Founding Fathers held to be self-evident. These nine objectives are:

First. To promote and encourage loyalty to the United States.

Second. To instruct members in the tenets and fundamental principles of government and in recognition and respect of the inalienable rights of mankind.

Third. To instill in members a due appreciation of the privileges of citizenship.

Fourth. To encourage its members always to be profoundly interested and actively participating in political, civil, social, and commercial fields of human endeavor.

Fifth. To pledge its membership to do its utmost to stamp out any and all political corruption. To arouse its members to the fact that tyranny is a menace to the life, property, prosperity, honor, and integrity of every nation.

Sixth. To promote a better and more comprehensive understanding of the attributes and ideals of Hellenism and Hellenic culture.

Seventh. To promote good fellowship and to endow its members with the perfection of the moral sense.

Eighth. To endow its members with a spirit of altruism, common understanding, mutual benevolence, and helpfulness.

Ninth. To champion the cause of education and to maintain new channels for facilitating the dissemination of culture and learning.

This organization, which has a membership of 28,000, has matched its words with deeds. It has raised tremendous sums of money to provide educational, cultural, and medical services to hundreds of thousands, and relief assistance to other thousands who were victims of hurricanes, floods, and earthquakes in this hemisphere and elsewhere.

The Order of Ahepa is a nonpartisan, nonsectarian organization which has 430 local chapters in 49 States, Canada, and Australia. I might add, I am proud that Utah has three local chapters, in Salt Lake City, in Ogden, and in Price.

It is a pleasure to honor this fine organization on this, the occasion of its golden anniversary.

LOWERING THE AGE BARRIERS FOR SERVICE IN CONGRESS

Mr. BAYH. Mr. President, several months ago I introduced Senate Joint Resolution 170 on the floor of the Senate. The joint resolution proposes a constitutional amendment to lower the age of eligibility for the Senate and House of Representatives by 3 years, the same reduction as was accomplished last year in the voting age by the passage and ratification of the 26th amendment. I introduced Senate Joint Resolution 170 because I firmly believe that these younger people are mature enough and well-educated enough so serve in Congress. They have earned the right to serve by their participation in all aspects of today's society—from paying taxes and the draft to responsible political and community activity. And perhaps most important, they have something constructive to offer by serving in Congress—courage and energy, creativeness, and idealism—attributes always in short supply anywhere in our society.

In order to give every Member of this body an opportunity to evaluate the arguments in favor of this amendment, I ask unanimous consent that two recent editorials on this subject be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Boston Record-American]

YOUTH COMES OF AGE

Not long ago, the idea of cutting three years off the age eligibility for the Congress and the U.S. Senate would have been shocking. Not any more. The emergence of youthful voting power at this week's elections outdated that kind of thinking.

So, the proposed constitutional amendment filed jointly by Rep. Robert F. Drinan (D–Mass.) and Sen. Birch Bayh (D–Ind.) caused hardly a ripple of objection. It was generally accepted as further recognition of the role youth must play in the nation's future—and soon.

When one stops to think of it, it is quite logical as an extension of the voting rights granted to youth by the 26th Amendment. This is again becoming a youthful country, as it was at its origin. The average age of the American citizen is only 27.

Teenagers, by the thousands, cast their first ballots this week in state and local elections. A surprising number of youthful candidates won important elective office.

In Boston, 22-year-old Lawrence S. DiCara, a recent Harvard graduate, was one. He was elected to the Boston City Council. So was Henry F. Fitzgerald, Jr., 21, in Everett. In Pawtucket, R.I., an 18-year-old Brown freshman, Maureen Massiwer, became the youngest office holder in Rhode Island history when she was elected to the school committee.

And in the little Indiana town of Ayrshire, population 243, Jody Smith, 19, was chosen mayor. In East Lansing, Mich., home of Michigan State University, 75 percent of the students voted and elected candidates to the City Council. In Boulder, Col., University of Colorado students formed a solid voting bloc of 8000 and elected a slate of five liberal Council candidates. And so it went across the country.

It is highly unlikely, as Rep. Drinan concedes, that many candidates for Congressional office would soon be elected at the age of 22 or to the Senate at 27 if the amendment were adopted. That is true now, when the minimum ages are 25 for the House and 30 for the Senate.

But many of this youth generation are mature beyond their years. They need only the opportunity to produce takers to the challenge. The constitutional right to serve in Washington—to have both a voice and a vote in Congress—would provide both the opportunity and the challenge.

[From the Washington Daily News]

YOUNG CONGRESSMEN

The most attractive argument put forth by Sen. Birch Bayh, D-Ind., and Rep. Robert F. Drinan, D-Mass., for lowering the age requirement for congressmen is that this would rekindle faith among America's youngsters in our system of government.

They have proposed a constitutional amendment that would correspond to the last amendment to the Constitution—the 26th, which lowers the voting age from 21 to 18.

Thus, their proposed amendment would lower by three years the eligible age for election to the House from 25 to 22 and to the Senate from 30 to 27.

Not unexpectedly, they publicly foresee considerable support for their proposal within Congress and report optimism that three-fourths of the States would adopt it as readily as they adopted the 26th amendment.

Perhaps so. Perhaps not. The argument that an 18-year-old today has the right to translate his private opinion into a vote for an elected representative of his choice has almost transparent merit.

But it's a long leap to assume that a youngster only four years his senior is likely to be seasoned enough to make law for all the people. Admittedly, the relationship between age and intellectual maturity always has been chancy. Our Republic has seen its share of senescent teen-agers in high places. But, as a rule of thumb, experience in the difficult worlds of law or commerce or industry—or even theology, as Father Drinan knows—has proved an invaluable background for the burdensome task of trying to shape just law. And, over the years, the people generally have reflected a preference that some such experience be a prerequisite for congressional service.

Thus, even if the Bayh-Drinan amendment should prevail, the electorate would have to be convinced that the 22-year-old aspirant to a House seat, or the 27-year-old aspirant to the Senate was an exceptional young person indeed. As well he or she might be.

And if passage of the Bayh-Drinan amendment made youngsters feel greater trust in government, it would be a good thing—particularly since we are becoming a progressively younger population.

But as a practical matter it's unlikely it would much change either the preference of the electorate for seasoned candidates or, therefore, the complexion of the Congress.

FDA BAN ON USE OF DES

Mr. RIBICOFF. Mr. President, today, the FDA announced that it was banning the use of DES in animal feeds as of January 1, 1973, but would continue to allow implantation of DES in food animals under currently existing regulations.

This response comes after overwhelming evidence was presented to the FDA that DES is a cancer-causing substance and that existing methods for preventing the presence of DES residues in our meat supply are totally inadequate. The FDA action is—at best—a minimal response. It is inadequate in at least two ways.

First, if DES is dangerous enough to ban because it causes cancer, it is certainly dangerous enough to ban right now. There is absolutely no reason why the American people should be subjected to 4 more months worth of potentially dangerous food supplies. This action is all too reminiscent of the FDA's weak efforts to ban lead-based Christmas tree tinsel in 1971, when the agency decided to tolerate one more dangerous Christmas for the children of America before banning the hazardous product.

Second, the use of DES even as an implant is too dangerous, and ought to be discontinued. It is argued that no residues of DES have been detected from such implants, but adequate scientific studies have not been done to be sure that no residues could still be present. Until we are absolutely sure that no residues will continue to exist, DES implants ought to be suspended.

I ask unanimous consent that Nicholas Wade's article on DES and the FDA that appeared in Science magazine of July 28, 1972, be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DES: A CASE STUDY OF REGULATORY ABDICATION

(By Nicholas Wade)

A restaurant worker in New York was so fond of chicken that he had for his supper each night the necks left over from the birds consumed by the patrons. At that time, in the 1950's, the poultry industry was producing a particularly tender-meated chicken called a caponette, whose soft flesh was the result not of castration, as in the capon, but of the implantation of a pellet of diethylstilbestrol, or DES. The DES, a synthetic chemical that mimics the action of the natural female sex hormones, was implanted in the young chickens' necks. On his diet of caponettes' necks, the New York restaurant worker attained immortality as a medical textbook example of gynecomastia—the growth of female-sized breasts on a man. Last year DES itself made medical history in what the *New England Journal of Medicine* described as a "unique situation in human oncology." A hitherto extremely rare kind of vaginal cancer was noticed in eight young women admitted to a Massachusetts hospital. Their only point in common was that some 20 years previously they had all, as fetuses, been exposed to DES (in one case to a related chemical) when their mothers were treated with it to prevent a threatened abortion.

DES is a chemical of bizarre and far-reaching properties, chief of which is that it is a spectacularly dangerous carcinogen. Some 22 countries have taken steps to ensure they do without DES in their food supply. The hormone is a regular ingredient of the American diet because the federal government permits its use as an additive in cattle feed. Fed to some 75 percent of the 30 million cattle slaughtered each year, DES makes the animals fatten faster and on less grain, thereby saving cattlemen some $90 million yearly. In the past 9 months, the chemical has enjoyed a crescendo of notoriety—culminating in hearings last week before Senator Kennedy's health subcommittee—because residues of DES in possibly cancer-causing quantities continue to this day to appear in beef.

The attempts of the Food and Drug Administration (FDA) and the Department of Agriculture (USDA) to protect the consumer from DES form an illuminating case study of the use of scientific information in regulatory decision-making. The DES case also illustrates the gulf between the present law and rational policy, as well as the basic and as yet unresolved dilemma of food protection: Is there a "no effect" level at which a carcinogen can safely be allowed in food?

The history of the attempt to control DES is a record that includes negligence, deception, and suppression by the USDA and prevarication by the FDA, DES was first approved for use in cattle in 1954, with the condition that it be withdrawn from feed 48 hours before slaughter so that none would remain in the meat. Under the law, the FDA was supposed to recommend a method for detecting DES in meat, and the USDA was to inspect meat. For 11 years, until 1965, neither agency bothered to check meat for DES on a regular basis. This abdication was in spite of the clearest warning signals. For example, in 1959 the National Cancer Institute advised that "it would seem the better part of reason to exclude this known potent carcinogen from our diet and to eliminate such food additive practices as have been shown to lead to any detectable residues . . . in our food."

The methods available in 1959 were good enough to pick up DES residues in poultry but not in sheep or cattle. The Delaney anticancer law of 1958 says unambiguously that no known carcinogen shall be allowed in food, so the FDA had no option but to prohibit the use of the hormone in poultry. It was clearly only a matter of time before detection methods improved sufficiently to pick up DES residues in beef and mutton. The FDA was not hurrying, however, and in 1962 someone persuaded Congress to emasculate the Delaney law as it affected DES. The new clause, a piece of fine-print chicanery known as Section 512 (d) (a) (17) of the Food, Drug, and Cosmetic Act, said that it is okay to feed carcinogens to meat animals, as long as no residue is left in the meat when the chemical is used according to label directions that are "reasonably certain to be followed in practice." In other words, if you find DES in meat, that's the fault of the farmer for disobeying the "reasonable" regulations. So don't ban DES, jail the farmer.

The loophole didn't face any test until 1965, the first year the USDA started to check beef regularly for DES. Even then, the USDA's anxiety about DES remained less than extreme, as is illustrated by the case of John N. S. White, a former USDA meat inspector in Los Angeles. Noticing that cows fed particularly heavy doses of DES developed anatomical abnormalities, White prepared a scientific article suggesting that DES should be more strictly controlled. He was told not to publish it. When he persisted he received the following encouragement in a letter from a USDA personnel officer:

"I have before me a file disclosing that you acted contrary to supervisory instructions by offering for publication an article entitled 'The Effect of Feeding Stilbestrol to Beef Cattle' . . . You are hereby reprimanded for failure to follow supervisory instructions and conduct causing embarrassment to the Department. You are also warned that a repetition of this type of offense could result in severe disciplinary action and very possibly removal."

White eventually got his article published, by the expedient of quitting the USDA.

When the USDA did start looking for DES residues in meat, it used an analytical method capable of detecting DES down to levels of 10 parts per billion (ppb). Only the year before, in 1964, DES had been shown to cause tumors in mice when fed at a level of 6.5 ppb, and the "no effect" level, if any, had not been discovered, then or since.

Hence even meat shown to be clear of DES by the USDA's method could still contain dangerous quantities of DES. Little wonder that a senior USDA chemist described the method as a "regulatory control chemist's nightmare."

It was the nightmare, nonetheless, which allowed the DES issue to slumber on for 7 years more. Maybe because of the coarseness of the detection method, the USDA did not bother to test more than a perfunctory number of samples each year, even though DES turned up in a suggestive quantity. In 1966, the USDA found DES in 1.1 percent of 1023 samples. Since some 30 million cattle are slaughtered each year, 1023 is not too healthy a sample from which to draw statistically valid conclusions. A reasonable step to ensure that DES was not contaminating the public's beef might have been to increase the sample size. Yet in 1967 the USDA tested only 495 samples, 2.6 percent of which contained DES. In 1968 545 samples were taken, in 1969 505, and in 1970 only 192.

The USDA's sampling program showed every appearance of dwindling to the vanishing point in a few more years. For 1971, however, the USDA actually increased its sample size to 6000, yet by some strange circumstance found DES residues in none. That, at least, is what USDA Assistant Secretary Richard Lyng told Senator William Proxmire (D-Wis.) on 31 August. The truth was that DES had been detected in ten animals, in quantities up to 37 parts per billion, but a lower official had ordered these results to be suppressed. The explanation proffered when this became known was that the residues were not to be reported until confirmed by a second method of analysis. No second method was available, so the results had not been reported. In his letter of apology to Senator Proxmire, Lyng called the episode an "inexcusable error" and a "gross malpractice."

In a critique of the DES case, Harrison Welford, of Ralph Nader's Center for the Study of Responsive Law, concludes that up until April 1971, some 17 years after DES was first approved for use in cattle "neither the USDA nor the FDA could make a serious estimate of how much DES was getting into the nation's beef. This result is an object lesson in the ways bureaucracy can silently evade the consumer protection mandates of Congress," Welford says.[*]

The cases of vaginal cancer discovered in April 1971 suggested that the silent evasion policy had nearly outrun its usefulness. When the USDA admitted in October that it had, after all, been finding DES in beef, the FDA had a crisis on its hands. For a start, the Natural Resources Defense Council filed a suit requiring the FDA to ban DES. The residues of DES being found in beef were confined to the liver and averaged typically 2 ppb—the lower limit of the new detection technique. This concentration of DES amounts to about 0.3 microgram for a 150-gram serving of liver, a quantity that represents an appreciable addition to a woman's own natural supply of estrogen. Whether or not regular exposure to such quantities of DES represents a cancer hazard no one knows, but witnesses from the National Cancer Institute and elsewhere have advised that it would be prudent to avoid such exposure.

The FDA's response to the crisis last October was not to ban DES, but to lengthen from 2 to 7 days the mandatory period between the withdrawal of DES from a cow's feed and the time of the animal's slaughter. The continuing presence of DES residues in beef could have been either because it took longer than 2 days for DES to be cleared from an animal's system or because some cattlemen were breaking the law by neglecting to withdraw DES before slaughter. Which explanation had the FDA acted on? If the latter, a cattleman who neglected to withdraw DES had just the same chance of being caught—about 1 in 5000—whether the withdrawal period was 2 days or 7. Did the FDA then have scientific evidence to indicate that the 2-day withdrawal period was insufficient? Apparently not.

In a hearing on 11 November before Congressman L. H. Fountain's (D—NC.) subcommittee on intergovernmental relations, the commissioner of the FDA, Charles C. Edwards, explained that "sound scientific data" supported the belief that DES is cleared from an animal's system within 2 days. This may have been belief at the top of the FDA hierarchy; at humbler levels there was doubt if even the new 7 day period was long enough for DES to be cleared. According to a position paper drafted on 8 February 1972 by A. J. Kowalk and R. L. Gillespie, scientists in the FDA's Division of Toxicology, a single experiment formed "practically the only evidence to support a 7-day withdrawal period." This study is "weak scientific justification," Kowalk and Gillespie said, because only one animal was used, only a single dose of DES was fed, and half the drug could not be accounted for. And far from justifying a 7-day withdrawal period, the data even from this experiment could be interpreted to indicate that residues of DES will remain in the animal for longer than 7 days.

The practical value of the FDA's 7-day withdrawal period was no less contentious than its scientific basis. Roy Hertz, of Rockefeller University, an adviser to the FDA at the time that DES was banned from use in poultry, opined to the Fountain subcommittee last October that the new 7-day withdrawal period would be even harder to enforce than the 2-day period. He categorized the FDA's new procedures as "unfeasible and impractical and ill-advised" because they would increase rather than reduce the hazards of exposure to DES. The only justification for using DES in cattle would be under threat of famine, Hertz said.

"We are absolutely convinced that, if we do have and enforce sound controls, DES can be used safely and effectively," Edwards proclaimed. But it was Hertz's predictions that were correct. DES, which appeared in 0.5 percent of the samples tested in 1971, is at present being found in 2 percent (admittedly the USDA's testing procedure has also grown more sensitive over the same period). In the week ending on 24 June, DES was found in an astounding 10 percent of all samples tested. As for the threat of famine, under which the saving of grain by use of DES might make some sense, the present wheat surpluses are the highest in a decade, even though farmers were paid $1 billion this year not to grow wheat.

At the hearings before Fountain's subcommittee on 11 November and 13 December, the FDA's basic game plan was to rely on Section 512(d)(1)(H) the specially created loophole for DES. To objections that, legalisms aside, a potent carcinogen was nevertheless getting into people's food, the FDA's response was, first, that DES is no more carcinogenic than the natural estrogens and, second, that a carcinogen ingested in small enough doses can reasonably be regarded as safe. When it was pointed out that Congress had passed the Delaney clause specifically to protect the public against this kind of judgment, the FDA scuttled back into its Section 512(d)(1)(H) bolthole. And when asked what would happen if the new regulations failed to prevent DES from turning up in food, Edwards stated categorically that he would have no choice but to ban DES immediately.

Although the FDA is supposed to be protecting the consumer against the manufacturer no less than vice versa, FDA witnesses at the Fountain hearings seemed to be grasping at any straw to defend DES, even the assertion that to ban DES would create more animal excrement, leading to the eutrophication of lakes and streams. A less absurd bulwark of the FDA's defense is the contention that, for any carcinogen, there exists a dose sufficiently low that, for all practical purposes, it is safe. On this issue a diversity of voices is heard. On the one hand, two committees of independent experts have advised that, once a substance is agreed to be a true carcinogen, then none, or for all practical purposes none, of it shall be allowed in food.[†]

HOW LITTLE IS ENOUGH?

On the other hand, the Food Protection Committee of the National Academy of Sciences (NAS) states in a 1969 report that under certain conditions people of sound toxicological judgment can ascertain "toxicologically insignificant" levels of a chemical. Any claim by the NAS food protection committee to be an independent, unbiased, and representative body of experts must be weighed against the fact that it is supported by grants from the food, chemical, and packaging industries, and five of the nine scientists who prepared the 1969 report were employed by food or chemical companies.

Which side did the FDA favor, Fountain asked during the DES hearings. "We cannot with confidence determine what a practical safe level would be of a carcinogen," the FDA said in written response. "However. . . we must be pragmatic." The FDA "accepts and endorses the Delaney clause." On the other hand, "arbitrarily to ban foods that contain miniscule amounts of known (cancer-) inducing factors would lead to chaos and an inordinate waste of vitally needed food." Who could doubt just where the FDA stood on this vital issue?

"If we find the new program is not going to work," FDA commissioner Edwards told Fountain last December, ". . . we will take immediate steps to ban this particular drug from the animal food supply." Five months later, when DES residues had not decreased but quadrupled, it was time for the FDA to deliver on its promise. On 16 June, Edwards announced that he would hold a public hearing in order for the FDA to "make absolutely certain it has all the facts." The only legal mechanism for holding a hearing is for the FDA to propose to withdraw the drug, as has been done. But formalities apart, it appears that even now the FDA has not decided to ban DES. "We have not yet concluded that withdrawal of approval for DES is the appropriate course of action," Edwards said in his 16 June announcement.

The FDA's decision to hold hearings on DES did not please everyone. Fountain dismissed it as "merely a tactic for delaying the regulatory action which the law requires." And the new head of the National Cancer Institute, Frank J. Rauscher, courageously took public exception to the policy of his fellow bureaucrats. Anything that adds to man's carcinogenic burden should be eliminated if possible, Rauscher told Morton Mintz of the Washington Post, and it would be "prudent" to eliminate DES pending the outcome of the FDA's public hearing.

Why has the FDA invested so much credit in the defense of a mediocre and probably unwinnable cause? Cynics have observed that the Administration has been visibly concerned about the rising price of meat in an election year, and the banning of DES would cause a small but perceptible rise—3.85 cents per pound—in the price of beef. The circumstance that the FDA's present course of action will probably not lead to a decision on DES until shortly after 7 November does not in itself invalidate this explanation. Another consideration the FDA may have in mind is that if they cannot hold the line with DES, which has a legal loophole tailored for it, a lot of other chemicals may fall domino-like into the jaws of the Delaney clause: "DES will not be the only substance to generate these kinds of issues," Edwards complained darkly to Kennedy's subcommittee. More important, perhaps, the defense of the carcinogenic food additives is a self-sustaining activity, from which the FDA can withdraw only at the price of admitting that the critics were right all along.

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[*] II. Welford, *Sowing the Wind* (Grossman, New York, in press).

[†] The two committees are the Ad Hoc Committee on the Evaluation of Low Levels of Environmental Chemical Carcinogens, which reported to the surgeon general on 22 April 1970, and the Panel on Carcinogenesis of the FDA Advisory Committee on Protocols for Safety Evaluation, which reported in December 1969. The former committee, chaired by Umberto Saffiotti of the National Cancer Institute, said zero carcinogens should be allowed in food; the latter committee, chaired by Norton Nelson of the New York University Medical Center, opted for "levels which are the practical equivalent of zero."

ARMY'S REQUIREMENT FOR ADVANCED ATTACK HELICOPTER

Mr. HUGHES. Mr. President, close air support is not a single mission to be performed exclusively by a single service or a single category of aircraft. The Army uses helicopters in the performance of its primary role of conducting sustained land combat. In the environment of the ground soldier the attack helicopter performs its firepower function in much the same manner as artillery, tanks, machineguns, and mortars. It is a logical part of the ground forces and fits naturally into the Army organization and command system.

The armed helicopter has been utilized in the close air support role in the Republic of Vietnam for almost 10 years with outstanding results. With the current attack helicopter, the Cobra, the Army has flown over 1 million combat hours in Vietnam with a loss rate per flying hour and per sortie less than the losses of jet fighters in South Vietnam.

The recent North Vietnamese offensive into the Republic of Vietnam has vividly illustrated the Army's rationale for employing the attack helicopter. The North Vietnamese Army deliberately chose the time for these attacks so that a cover of poor weather would lessen the U.S. capability to provide effective close air support. With ceilings at 1,000 feet and below fixed wing close air support was severely curtailed or prohibited. However, Army helicopters continued to operate regularly in support of the ground troops engaged in combat in spite of reduced numbers and a very limited antitank capability.

At An Loc on April 12, 1972, Army attack helicopters met the initial onslaught of enemy tanks into the city. Utilizing aerial rockets and automatic weapons, the attack helicopters killed the first tanks to enter the city. The remaining tanks and ground troops withdrew and did not reappear in strength for about a month.

In a single day at Kontum, two TOW equipped helicopters destroyed 10 of 12 enemy tanks and tracked vehicles and were credited with saving the city. These helicopters have killed a total of 24 tanks and 23 pieces of enemy materiel during the recent North Vietnamese offensive.

The Army has traded-off ground vehicles, equipment and units in order to accommodate the attack helicopter into its structure. It has determined the deficiencies of current attack helicopters and has supported the development of an advanced attack helicopter as a means of increasing Army combat capabilities. It is prepared to integrate an advanced attack helicopter into the force structure within its decreasing strength ceilings.

The Army needs a full time, around the clock, aerial weapon system. The means to fill this need are at hand. As we reduce the Army we must be mindful to provide a smaller Army with modern technology that will give the Nation the maximum effectiveness for its defense dollar.

TOM GONZALES RESIGNS

Mr. MONTOYA. Mr. President, over the weekend, Thomas L. Gonzales terminated his employment in the U.S. Senate as head page for the majority, an assignment he had held for the past year. It is indeed a pleasure for me to congratulate Tom for a job well done during the past 4 years that he has served the Senate.

"T.G." as he is known by his fellow pages, exemplified mature judgment, integrity, and dedication in the discharge of his duties and in the fulfillment of his responsibilities to his peers and superiors.

Notwithstanding the demanding and challenging task he so ably fulfilled in the Senate, Tom, an honor roll student at the Capitol Page School, found time to serve as president of the student council and was editor in chief of this year's yearbook, "The Congressional."

In my opinion, Tom's excellent employment record in the Senate and his outstanding academic achievements thus far should serve as an inspiration and a motivating force to other young people.

Tom is now in Mexico City, where he is serving as an intern in a law firm for the balance of the summer. In September he will enroll as a freshman at Amherst College, and I know that Senators join me in wishing him continued success.

Former Head Page Tom Gonzales has often said that ample opportunities exist in the United States for young people who are not afraid of working and meeting challenges head-on. Tom should know. He was born in Monterrey, Nuevo Leon, Mexico.

OREGON VOLUNTEER TUTOR PROGRAM TO HELP CHILDREN LEARN TO READ

Mr. HATFIELD. Mr. President, the ability to read is essential to every American.

Yet, according to a survey by Louis R. Harris Associates, conducted for the National Reading Center of Washington, D.C., 21 million of our fellow citizens are functionally illiterate throughout this Nation today.

They cannot live full and productive lives. They are unable to read well enough to make out a job application, or to learn enough to advance to a better job. They cannot fill out an application for a driver's license, or a loan form at a bank. To them, a newspaper is a comic strip, and a book does not exist.

Most of us in this Chamber, Mr. President, are relatively unaware of this situation and its implications; indeed, throughout the Nation Americans simply take it as a matter of fact that every citizen can read.

In my State of Oregon, I am glad to report, there is a realization of the reading problem and a new program of citizen action to deal with it.

Oregon citizen-volunteers are now dedicating themselves to the proposition that every child in our State has the right-to-read.

Where teachers are too few or overburdened, and money is limited or unavailable, citizen volunteers are readying themselves to step in as tutors to help primary-grade youngsters get a good foundation in reading instruction.

They are determined that today's child will not become tomorrow's illiterate adult.

Recently, in Portland, Oreg., 135 citizen volunteers came from throughout our State to attend a 2-day reading tutor-training workshop, sponsored by our State board of education and the National Reading Center.

These volunteers represented 43 Oregon school districts and 12 intermediate education districts, in 23 of our counties.

And there were representatives from organizations which are actively helping and sponsoring this tutor-training project.

These volunteers have now returned to their home communities throughout our State. They are prepared to rain other volunteers to become reading-tutors in their neighborhood schools and, under the guidance of the classroom teacher, help our youngsters in the primary grades to get a good grasp of reading skills.

Mr. President, the National Reading Center makes no charge for the training and materials of these workshops, and the program to help children with reading is now active in 21 States and five metropolitan areas.

I take this opportunity to commend the Oregon Board of Education, the National Reading Center, and especially the citizen volunteers and organizations participating in this right-to-read effort.

To my fellow-citizens of Oregon who wish to volunteer their good help in this new endeavor, I suggest they contact Miss Ninette Florence, specialist in reading education, Oregon Board of Education, Salem 97310, or call (503) 378-3569.

Mr. President, I ask unanimous consent that at this point in my remarks the RECORD include an article on Oregon's reading tutor-training program from the Salem Statesman newspaper, and a list of Oregon's representation at the recent reading tutor-training workshop held in Portland:

First. Salem Statesman article

Second. List of Oregon participating organizations at the workshop.

There being no objection, the items

were ordered to be printed in the RECORD, as follows:

OREGON VOLUNTEER TUTOR PROGRAM TO HELP CHILDREN LEARN TO READ

VOLUNTEERS SOUGHT TO HELP PROBLEM READERS

Wanted: Volunteers to help stamp out illiteracy.

Ninette Florence, State Department of Education reading specialist, is looking for volunteers to undergo training to help teachers with children who have reading problems.

Oregon has an estimated 16,000 adults who cannot read in any language, including nearly 8,000 persons 25 years and older who have no formal schooling at all.

A national Right to Read program is under way to upgrade reading skills of all Americans. Its goals are to help illiterate adults to read and to prevent youngsters from becoming illiterate adults.

A major thrust of the program in Oregon is at problem readers in the primary grades.

In a two-day workshop in Portland Thursday and Friday reading specialists plan to train 150 volunteers who will then train others to tutor elementary children in reading.

Volunteer tutors will receive 16 to 20 hours of training, including working experiences with children.

OREGON REPRESENTATION AT PORTLAND READING TUTOR-TRAINING WORKSHOP

SCHOOL DISTRICTS

Banks, Burns, Central, Central Point, Columbia District No. 13, Condon, Corbett, Dallas, David Douglas, Eugene, Falls City, Fern Ridge, Fort Rock, Grants Pass.

Gresham, Hermiston, Hood River, Klamath County, Lakeview, Lincoln County, Lowell, Medford, Mulino, Neah-Kah-Nie, Newberg, North Clackamas, North Marion, Oakland.

Pendleton, Phoenix, Pilot Rock, Portland, St. Helens, Salem, Sandy, Seaside, South Umpqua, Sweet Home, Tillamook, Weston, Winston-Dillard, Woodburn, Yoncalla.

Plus: (Vanconuver, Wash.; Edmonton, Alberta, Canada).

INTERMEDIATE EDUCATION DISTRICTS

Clatsop, Columbia, Gilliam-Wheeler, Harney, Lake, Lane, Marion, Polk, Tillamook, Umatilla, Union, Washington.

COUNTIES

Benton, Clackamas, Clatsop, Columbia, Douglas, Gilliam, Harney, Hood River, Jackson, Josephine, Klamath, Lake.

Lane, Lincoln, Linn, Marion, Multnomah, Polk, Umatilla, Union, Washington, Wheeler, Yamhill.

VOLUNTEER ORGANIZATIONS

Oregon Board of Education; Chapman School Volunteers; Harney County Coordinated Child Care and Indian Tutoring Program; Oregon Literacy; Vocational Rehabilitation; Neighborhood Youth Corps.

Volunteers in Portland; Metro Youth Commission; Parent Teachers Association; Retired Teachers Association; Russian Community Group; Washington County Community Action.

OREGON COMPANY FIGHTS NOISE POLLUTION

Mr. HATFIELD. Mr. President, recently the efforts of a company in southern Oregon to combat noise pollution were noted in a fine editorial in the Daily Tidings, the newsaper of Ashland, Oreg.

The Parsons Pine Co. has announced steps it plans to take to alleviate noise pollution caused, ironically, by efforts taken by the company to cut its air pollution.

Parsons Pine Co. demonstrates that it recognizes the harmful effects of noise pollution, and has announced voluntary steps to solve the problem.

As my colleagues are aware, combating noise pollution has been a long interest of mine, and I am a sponsor of a Senate bill and some strengthening amendments as well. I have spoken many times, both here in the Senate Chamber, and at various seminars and convocations relating to noise pollution. As one who is committed to working to solve noise pollution problems, I take pride in noting the response of an Oregon company in solving this problem.

Mr. President, I ask unanimous consent that the editorial from the July 12, 1972 issue of the Daily Tidings be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EFFORT TO STOP NOISE IS TO COMPANY'S CREDIT

From the frying pan into the fire.

Apply the phrase, if you will, to Parsons Pine Products in Ashland.

The wood products firm, one of the few pillars of Ashland's economic base, used to have a problem with sawdust. The dust was escaping from the plant and was settling on the neighborhood.

To solve that problem in the interest of less air pollution, and to help increase production, the firm recently installed new machinery.

If turns out that in order to solve one problem the company ran into another in the form of noise pollution. The new machinery is so noisy that neighbors are objecting and that employes of the firm can't even make themselves understood when they try to talk to each other in the yard.

The company's location in the middle of what amounts to a residential neighborhood makes it particularly susceptible to problems of this sort. Dust settling ouside a plant located out in the sticks wouldn't be too much of a problem. Neither would noise be bothersome to neighbors if there were no neighbors.

Its location plans special restrictions of an environmental sort on the Parsons plant. Besides being concerned with environmental rules governing all such plants, Parsons also has an obligation to be as good a neighbor as is possible under the circumstances.

The company recognizes its special responsibility in this regard. It took steps to take care of the dust problem as best it could. Now the firm is taking steps to reduce the newly created noise pollution as well.

The company said it would experiment with coating the noise-creating machinery to cut down on the volume of sound. And if that doesn't work, a company spokesman said, the firm will enclose the machinery with a noise-absorbing housing.

These steps will require a certain amount of cash outlay, spending that is not directly related to the company's output or its profit. The fact that the firm is trying everything it can to eliminate the noise problem speaks well of its citizenship and concern for its neighbors.

ADDRESS BY OHIO STATE REPRESENTATIVE CHESTER T. CRUZE TO NORTHERN HAMILTON COUNTY BUSINESSMEN'S CLUB

Mr. TAFT. Mr. President, recently Ohio State Representative Chester T. Cruze made an interesting address on taxes to the Northern Hamilton County Business Men's Club. I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE TAX OF TAXES—COMPLIANCE COSTS AVERAGE ABOUT 20.7 PERCENT OF TAX PAID

There is increasing concern among the nation's legislators and businessmen that the tax drain imposed upon business profits is excessive to the point of harming the future growth of the economy. Concurrently, there has developed an awareness that the true impact of the tax drain goes beyond the tax payment and includes the cost of compliance with the income tax law. In legislating the revenue statutes, the Legislature has seen fit to charge every taxpayer with the responsibility of assessing, collecting, and paying his own tax. In the case of a small or medium size corporate or business enterprise, the costs of meeting this charge may increase the effective rate of taxation by an appreciable amount.

Most people forget that in addition to the additional costs of paying the tax, there is an unestimable and hidden cost to the Ohio income tax that all must pay—that tremendous amount of time, aggravation, and planning it took in the filing of the tax forms. In most instances a small Hamilton County businessman will file 31 tax reports per year, 49 supplemental forms, write out 72 checks and file 12 withholding social security statements for a total of 164 manuscripts per year, according to a small businessman who compiled such a report (See attached exhibit). Most of these must have the assistance of a professional tax lawyer or accountant and all require additional bookkeeping costs. In fact, recent studies by the National Tax Journal show that the compliance costs are about 20.7% of the tax paid. The Wall Street Journal of June 5, 1972, reported that one company's compliance costs were even greater than the tax paid.

Included in the total cost of tax compliance are fees paid to attorneys, accountants and tax consultants, as well as subscription to tax services and other sources of tax information.

The cost of complying with tax regulations is not borne entirely by the accounting or tax departments or those employees directly connected with tax matters. Almost every department in the company must keep some record or make some report which is needed for tax purposes. Because of this, some companies indicate that it is impossible to accurately estimate the cost of complying with tax regulations.

Managements of business concerns should be conscious of the compliance cost generated in attempting to minimize the annual tax bill. The decision to adopt any tax alternative should not be made without first comparing the compliance costs of all available alternatives along with other considerations. As new tax legislation is enacted, enterprise management should evaluate the cost of complying with such legislation before deciding to support or oppose its adoption.

How does the tax on corporate or business income compare with other possible methods of taxation in terms of compliance cost? Legislators investigating alternative methods of taxation should consider compliance cost effects to get the true impact of any new tax.

Compliance costs of the new income tax are best illustrated by payroll deductions. Payroll deductions place the corporation or business in the role of an agent-collector of government revenues, while the tax on corporate or business income, embodying the self-assessment feature, is levied in accordance with the statutes and regulations which dictate how taxable income will be determined.

In most cases, the compliance costs are difficult to measure, and the study is an inexact science. If the cost of compliance were defined as the cost that would never have been incurred had there never been an income tax law, the costs would have been treated in quite a different way. How many fewer square feet would there be in the building?

Would the accounting system or accounting principles and procedures be different from those existing today? In what ways would the accounting system and procedure be different? What would be the cost effect? In the small firm, would there be any accounting system at all, beyond a cash book? The answers to these questions would be so conjectural as to render the results of an investigation meaningless, but one gets the general idea.

In terms of high compliance costs, state and local taxes are considered by most experts to be more bothersome than federal taxes.

In the August, 1959, issue of Business Record, one business executive reported the following:

"While the work and cost involved in the preparation, filing, and contesting of our federal income taxes remain relatively stable, in recent years the time and expense devoted to state and local taxes have increased substantially, and, from a survey of proposed and enacted legislation and recent court decisions, it appears that the cost of compliance in the latter field will continue to become more burdensome to interstate business."

Another reported that:

"It is extremely difficult to assess our cost of keeping records and of preparing and filing all federal, state, and local tax returns. As requested, individual personnel in all the various departments devote some of their efforts to consulting with our tax department staff and we do not feel it worth while to keep specific records to assess these costs on either a time or a dollar basis. We also confer with outside counsel on the various taxing problem. However, fees paid to tax attorneys and public accountants are generally billed on a lump sum basis for their over-all work during the course of the year."

Of course, compliance costs are not limited to corporation or business entities.

In a study by John H. Wicks, on "Taxpayer Compliance Costs from Personal Income Taxation," it was shown that compliance costs on individuals could run as high as 32.1% as a percentage of tax liability.

The problem is now new, however. Complaints regarding the high costs of collecting taxes are as old as taxes themselves. Indeed the early literature of public finance consists largely of such complaints. So important were the early wastes and abuses connected with tax collections that in 1776, when Adam Smith formulated his famous four maxims of taxation, he included, as one of the four, this proposition: "Every tax ought to be so contrived as both to take out and keep out of the pockets of the people as little as possible, over and above what it brings into the public treasury of the state." In framing this maxim Adam Smith had in mind not merely the cost to the public treasury of administering the tax. He considered other costs as well, including the private costs of tax compliance. Thus he explained:

"A tax may either take out or keep out of the pockets of the people a great deal more than it brings in to the public treasury. . . . By subjecting the people to the frequent visits and the odious examination of the taxgatherers, it may expose them to much unnecessary trouble, vexation, and oppression; and though vexation is not, strictly speaking, expense, it is certainly equivalent to the expense at which every man would be willing to redeem himself from it."

The designers of the Ohio Income Tax did not heed this advice. And so Ohioans pay an additional $270 million per biennium on the tax on taxes; not to mention the $15 to $20 million in increased government administrative costs.

In addition, we must have special journals, subsidiary ledgers and employee pay forms; also, a great deal of manpower is required to make the bookkeeping entries, fill in forms and write checks. Even more time consuming is the time required to find errors and balance books. Sometimes the correction of an error and finding the cause will take from one hour to two days.

REQUIRED AND PROPOSED TAX REPORTS TO FILE FOR AN UNINCORPORATED RETAILER WITH 5 EMPLOYEES

Type	Number of tax reports	Number of supplemental forms (monthly reports)	Number of checks	Number of employee withholding statements	Total
Cincinnati income:					
Employee	1	12	12	(1)	25
Business	1		1		2
Estimated	4		4		8
Ohio income:					
Employee	1	12	12	6	31
Business	1		1		2
Estimated	4		4		8
Ohio sales tax	2	12	12		26
U.S. unemployment	1		1		2
Ohio unemployment	4		4		8
Ohio vorkmen's compensation	2		2		4
Ohio personal property	1	1	2		4
U.S. withholding and social security	4	12	12	6	34
U.S. income tax	1		1		2
U.S. income tax, estimated	4		4		8
Total	31	49	72	12	164

[1] Unknown.

MOBILE HOMES AND WINDSTORMS

Mr. BROCK. Mr. President, mobile homes have been the object of considerable discussion in the past months. In almost every newspaper in the country photographs of the damage reaped by Hurricane Agnes have depicted scenes of destroyed and damaged mobile homes. In Florida alone reports by the Office of Emergency Preparedness revealed that over 500 mobile homes sustained extensive damage during the tempest. In fact, an official of the Office of Civil Defense stated that mobile homes were the No. 1 factor associated with loss of life in wind-related disasters.

Much of the reported damage could have been minimized had these homes been equipped with proper tiedowns. All too few communities presently require such devices. Tiedowns are exactly what the name implies: An anchorage system securing the home to its site by means of frame ties and straps which ideally should extend over the shell and under the skin of the unit. Over-the-coach ties would cost only $150 and will withstand winds up to 130 m.p.h. Without them mobile homes are the most vulnerable form of dwelling to the ravages of wind damage resulting from hurricanes, tornadoes, and severe thunderstorms. A mobile home which is not adequately secured can be blown completely off its foundation, leaving only the frame.

Mr. President, as the principal sponsor of the National Mobile Home Safety Standards Act of 1972, S. 3604, I believe that a tiedown regulation along the lines of that developed by the Office of Civil Defense should be implemented to prevent unnecessary human suffering and property loss. I would expect that such regulation would result from passage of my legislation.

The place of mobile homes in American housing was first assured during World War II when the lack of building activity caused the Government to purchase 38,000 22-foot trailer houses used to temporarily house Government personnel. Today, the total absence of single-family housing under $15,000 has caused a tremendous growth in the demand for mobile homes as permanent residences. Yet, mobile homes are still used in special cases for temporary housing.

In 1969 several thousand mobile homes were purchased by the Department of Housing and Urban Development for emergency housing in the aftermath of Hurricane Camille.

Now, as the eastern half of the United States rebuilds the damage wrought by Hurricane Agnes, mobile homes will again play a role in providing temporary housing for storm victims. More than 22,000 applications have been received by HUD for emergency housing.

To meet this demand, HUD Secretary George Romney requested that mobile home manufacturers delay promised deliveries to provide units for over 10,000 sites now being prepared by the Army Corps of Engineers in storm-ravaged areas of New York and Pennsylvania.

Mr. Romney estimates that these sites will be ready within 3 weeks.

Mr. President, there are literally thousands of persons who desperately need relief housing, and mobile homes are only one phase of providing this relief. All available housing sources are being pressed to relieve the situation—private rentals, vacant Federal housing, repaired existing homes, travel trailers, as well as mobile homes. But of all of these, mobile homes are proving to be the most versatile and efficient form of temporary housing.

Clearly mobile homes are closely associated with windstorms both in terms of their proneness to damage and the role they have played in temporary quartering for disaster victims. Mobile home safety regulations are needed—needed to prevent the useless injuries and losses presently sustained by owners subjected to an incident of accident and injury for higher than in the conventional site built, single level home.

Insurance rates on mobile home reflect the higher probability of damage over a conventional home. Last year, the cost of insurance on a $6,000 mobile home equalled coverage for a $40,000 conventional home.

Mr. President, I believe that adequate safety standards will in the long run reduce the overall cost of owning a mobile home and thereby make this unique form of dwelling an even more attractive mode of housing available to the American people.

IN TRIBUTE TO SENATOR ELLENDER

Mr. GRAVEL. Mr. President, I wish to add my voice to the chorus of voices paying tribute to our late distinguished President pro tempore, Allen Ellender. He was a great southern gentleman of charm and wisdom, and I personally learned a great deal from him.

As a freshman Senator there is, of course, a lot to learn, and Allen Ellender was a generous and patient teacher in this regard. Like my colleagues in this body, I will miss him very much. So will the country at large to which he had given such outstanding and sustained public service.

And on a narrower canvas Senator Ellender was a friend of Alaska. The many and diverse needs that the creation of a new State entails were sympathetically listened to and often favorably entertained in the crucial matter of appropriating public funds to meet those needs. Alaska and its citizenry owe much to Allen Ellender, and I know they join me in expressing gratitude for his service and a profound loss at his passing.

NO-FAULT INSURANCE

Mr. CURTIS. Mr. President, I find it very difficult to accept the premise which is inherent in S. 945 that the several States cannot resolve the matter of auto accident reparations reform themselves. As a matter of fact, I feel very strongly that the States are in far better position than Congress to determine the need of their own citizenry in this regard—they are closer to their people, know better what will be most helpful to them and are better equipped to develop a system meeting their needs.

I think it would be most hazardous and unwise for Congress to thrust upon the States legislation having such far-reaching effect as to subject every motorist, every accident victim, the insurance industry, the State regulatory system and the judicial system to a host of uncertainties. Nor would it be sound policy to abort the reform programs already enacted in a number of States before they are given ample opportunity for determination of how they will work.

We must keep in mind that there has been action on no-fault at the State level. Even though the Department of Transportation's study was not completed and reported to Congress until March of 1971, in the middle of the normal State legislative sessions, three States, Delaware, Florida and Illinois, last year enacted modified no-fault systems and one, Oregon, adopted a mandatory first party coverage system without alteration of the tort system. This year, an off year for most State legislatures, of the States which did meet, each considered this problem seriously and two States, Connecticut and New Jersey, in fact enacted modified no-fault systems, two others, Maryland and Virginia enacted mandatory or mandatory offer first party coverage systems, and one, South Dakota, enacted an elective first party coverage system similar to a program which has been in effect in Minnesota since January 1 of 1970. Massachusetts, as you know, had previously enacted a modified no-fault law in 1970 which took effect January 1, 1971. Many States, moreover, have studies underway this year calculated to produce enactment of no-fault legislation next year—no sooner than could be anticipated under S. 945—and it is my firm belief that, if the States are left alone, there will be a substantial enactment of such legislation by the States. I think that there is a sincere effort now being demonstrated by the States to resolve this issue at the State level and that congressional intervention, accordingly, is unnecessary.

Aside from that, I have some strong feelings also which produce reservations on my part as to the propriety of S. 945 and the glowing accounts of insurance premium rate reductions promised by its proponents.

There are, I believe, serious legal deficiencies in S. 945 which bear on its constitutionality under the eighth, 10th, and 14th amendments to the U.S. Constitution. I ask these questions:

Can Congress, in view of the 10th amendment to the Constitution, overthrow the basic tort law of a State as exemplified by that State's adoption of the common law or civil law, subsequent statutory enactments and the judicial decisions rendered by the courts of the State?

Can Congress deny jurisdiction of the Federal Courts to enforce the Federal rights which would be created under S. 945, except diversity of citizen cases?

Can Congress impose standards for regulation of attorneys' fees in cases before State courts?

Can Federal insurance requirements alter basic State contract law causes of action?

Can Congress contravene State workmen's compensation laws, including cases of workers not in interstate commerce?

Can Congress require the executive branch of State government to interpret and enforce Federal laws?

Can Congress delegate to the States optional authority to interpret, make regulations for, and enforce a Federal law?

Can a Federal law grant insurers an ambiguous and broad right to reimbursement for benefits paid?

Can Congress, in accord with section 107 of S. 945, impose an excessive fine prohibited by the 8th amendment to the U.S. Constitution?

Can a Federal act impose a penalty which may be enforced through State courts only?

Can Congress contravene State laws governing the legal rate of interest on contracts?

Can Congress contravene State laws regarding assignment of contractual claims or benefits?

S. 945 says that Congress can do all these things. I am, frankly not so sure that it can and that is why I recommend that the bill should be referred to the Judiciary Committee for its determination on the vital issue of constitutionality before it is voted on on the floor of this Senate.

I question propriety also for the effect that S. 945 would have on the many small but well-run insurance companies operating in our country today. The requirements of S. 945 for uniform policy provisions, rate classifications, and territories will, I believe, put the auto insurance business in a competitive straitjacket which will eventually lead to no competition at all. The burial of competition plus the heavy exposures to loss which are produced by S. 945 must inevitably lead to a heavy concentration of economic power in giant insurance corporations since the smaller companies will be either forced to merge or to go out of the automobile insurance business entirely. This is hardly striking a blow for the free enterprise system and certainly is not in the best interests of the people of this country.

I question propriety, moreover, for the inequities which S. 945 would produce in treatment of vehicle damage and the shifting of accident costs. S. 945 relieves negligent drivers of liability for damage they inflict on other vehicles, unless parked. Thus, a vehicle owner would have to pay for damages to his car out of his own pocket or purchase collision insurance either of which he may not be able to afford. The negligent person is not accountable and this produces yet another inequity which sees accident costs being charged against the insurance records of people who suffer losses rather than against those who caused the losses as is presently the case. The net effect is that the major cost burdens of auto insurance will shift onto the shoulders of private passenger vehicle owners since most of the injuries of truck-car accidents are suffered by car occupants.

Finally, I am not convinced that S. 945 will produce auto insurance premium rate reductions.

The matter of determining reform of

the auto accident reparations system should, at this time, be left to determination by the States on the basis of the needs of their own citizenry. If the Senate is disposed, however, to enactment of Federal legislation in this regard, I again recommend that any such legislation should be referred to the Judiciary Committee for determination of constitutional issues which may be involved.

CONCLUSION OF MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

MESSAGE FROM THE HOUSE ORDERED HELD AT DESK

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that a message from the House of Representatives on the bill (H.R. 15474) to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia be held temporarily at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIEF OF ALBERT G. FELLER AND FLORA FELLER

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 247.

The PRESIDING OFFICER (Mr. Humphrey) laid before the Senate the amendment of the House of Representatives to the bill (S. 247) for the relief of Albert G. Feller and Flora Feller which was, on page 2, line 2, strike out "in excess of 20 per centum".

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate concur in the amendment of the House of Representatives to the Senate bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR HARRY F. BYRD, JR., TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the two leaders have been recognized under the standing order, the distinguished senior Senator from Virginia (Mr. Harry F. Byrd, Jr.) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow following the remarks of the distinguished senior Senator from Virginia (Mr. Harry F. Byrd, Jr.), there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERIM AGREEMENT BETWEEN THE UNITED STATES AND THE UNION OF SOVIET SOCIALIST REPUBLICS

Mr. ROBERT C. BYRD. Mr. President, I aks unanimous consent, for the purpose of making it the unfinished business tomorrow, that the Senate proceed now to the consideration of Calendar Order No. 929, S. J. Res. 241, the so-called interim agreement.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The assistant legislative clerk read as follows:

> Calendar Order No. 629 (S. J. Res. 241) a joint resolution authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

The Senate proceeded to consider the joint resolution.

NATIONAL NO-FAULT MOTOR VEHICLE INSURANCE ACT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent—for the purpose only of establishing it as a second track item at a future date—that the pending business (S.J. Res. 241) be temporarily laid aside and remain in a temporarily laid-aside status until the close of business today, and that the Senate proceed to the consideration of Calendar Order No. 852 (S. 945), the so-called no-fault insurance bill with no opening statements thereon today.

The PRESIDING OFFICER. The clerk will report the bill.

The assistant legislative clerk read as follows:

> Calendar No. 852 (S. 945) a bill to regulate interstate commerce and to provide for the general welfare by requiring certain insurance as a condition precedent to using the public streets, roads, and highways in order to have an efficient system of motor vehicle insurance which will be uniform among the States, which will guarantee the continued availability of such insurance, and the presentation of meaningful price information, and which will provide sufficient, fair, and prompt payment for rehabilitation and losses due to injury and death arising out of the operation and use of motor vehicles within the channels of interstate commerce, and otherwise affecting such commerce.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce with an amendment in the nature of a substitute.

INTERIM AGREEMENT BETWEEN THE UNITED STATES AND THE UNION OF SOVIET SOCIALISTIC REPUBLICS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate now return to the consideration of what will tomorrow become the unfinished business, Senate Joint Resolution 241.

The PRESIDING OFFICER. Without objection, it is so ordered.

TREATY ON LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS

Mr. ROBERT C. BYRD. Mr. President, as in executive session, I propound a unanimous-consent request as follows, having been authorized by the distinguished majority leader to do so after conferring with the distinguished Republican leader and various other Senators on both sides of the aisle:

Ordered that during the consideration of the SALT treaty (Ex. L. (92d Cong., 2d sess.)) debate thereon be limited to 8 hours, including the time for debate on the adoption of the resolution of ratification, to be equally divided between and controlled by the distinguished manager of the treaty, the Senator from Alabama (Mr. Sparkman), and the distinguished ranking minority member of the Committee on Foreign Relations, the Senator from Vermont (Mr. Aiken); that the time under their control may be yielded to any Senator on any other question in relation to the treaty; provided that time on any reservation or understanding be limited to 2 hours, the time to be equally divided between and controlled by the mover of such reservation or understanding, and the distinguished manager of the treaty, the Senator from Alabama (Mr. Sparkman); provided further that time on any amendment to a reservation or understanding be limited to 30 minutes to be equally divided between the mover of such and the manager of the treaty, the Senator from Alabama (Mr. Sparkman), except in any instance in which the manager of the treaty supports such amendment, in which instance the time in opposition thereto be under the control of the mover of the reservation or understanding.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR EXECUTIVE SESSION TOMORROW TO CONSIDER SALT TREATY

Mr. ROBERT C. BYRD. Mr. President. I ask unanimous consent that on tomorrow, immediately following the conclusion of routine morning business, the Senate go into executive session and proceed to the consideration of the SALT treaty, Executive L, 92d Congress, second session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR SENATE TO RETURN TO LEGISLATIVE BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that it be in order tomorrow, at any time prior to a final vote on the adoption of the resolution of ratification, for the distinguished majority leader or his designee to return to the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. HUMPHREY). Pursuant to Senate Concurrent Resolution 63 of the 92d Congress, and on behalf of the Vice President, the Chair appoints the Senator from Nevada (Mr. CANNON) to the Joint Committee to make arrangements for the inauguration of the President-elect and the Vice President-elect, to the same rank and in lieu of the Senator from North Carolina (Mr. JORDAN), resigned.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10 o'clock a.m. After the two leaders have been recognized under the standing order, the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.) will be recognized for not to exceed 15 minutes, following which there will be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements limited therein to 3 minutes, at the conclusion of which the Senate will go into executive session and proceed to the consideration of the SALT Treaty, Executive L, 92d Congress, second session, on which there is a time limitation with respect to debate on the treaty, debate on the adoption of the resolution of ratification, consideration of any reservation, understanding, or amendment to any reservation or understanding. It is not anticipated that the Senate will reach a final vote on the treaty tomorrow. The final vote on the treaty will occur on Friday. However, there may be votes on reservations and/or understandings, or amendments to reservations and/or understandings tomorrow. There also may be votes on the interim agreement or any other business which the majority leader might wish to call up before the Senate concludes its business tomorrow.

ADJOURNMENT TO 10 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and at 8:24 p.m. the Senate adjourned until tomorrow, Thursday, August 3, 1972, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate August 2, 1972:

RAILROAD RETIREMENT BOARD

James L. Cowen, of Illinois, to be a Member of the Railroad Retirement Board for the remainder of the term expiring August 28, 1972, vice Howard William Habermeyer, resigned.

NATIONAL SCIENCE BOARD

The following-named persons to be members of the National Science Board, National Science Foundation, for terms expiring May 10, 1978:

Wesley G. Campbell, of California, vice Thomas F. Jones, Jr., term expired.

T. Marshall Hahn, Jr., of Virginia, vice Charles F. Jones, term expired.

Anna J. Harrison, of Massachusetts, vice Horton Guyford Stever, term expired.

Hubert Heffner, of California, vice Athelstan F. Spilhaus, term expired.

William H. Meckling, of New York, vice Emanuel R. Piore, termed expired.

William A. Nierenberg, of California, vice Richard H. Sullivan, term expired.

Russell D. O'Neal, of Michigan, vice Robert S. Morison, term expired.

Joseph M. Reynolds, of Louisiana; reappointment.

U.S. AIR FORCE

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

To be general

Gen. Jack G. Merrell, [redacted] FR (major general, Regular Air Force) U.S. Air Force.

The following officer to be assigned to a position of importance and responsibility requiring the rank of general, under the provisions of section 8066, title 10, United States Code:

Lt. Gen. George B. Simler, [redacted] FR (major general, Regular Air Force) U.S. Air Force.

U.S. ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Alexander Day Surles, Jr., [redacted] Army of the United States (major general, U.S. Army).

U.S. MARINE CORPS

The following named officers of the Marine Corps for temporary appointment to the grade of major general:

Samuel Jaskilka
Edward S. Fris
Thomas H. Miller, Jr.
Robert H. Barrow
Herbert L. Beckington

The following named officers of the Marine Corps for temporary appointment to the grade of brigadier general:

Clarence H. Schmid
Edward A. Wilcox
William L. Smith
Arthur J. Poillon
Kenneth McLennan
Joseph Koler, Jr.
George R. Brier

CONFIRMATIONS

Executive nominations confirmed by the Senate August 2, 1972:

ATOMIC ENERGY COMMISSION

Dixy Lee Ray, of Washington, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1977.

U.S. DISTRICT COURT

Marshall A. Neill, of Washington, to be a U.S. district judge for the Eastern District of Washington.

HOUSE OF REPRESENTATIVES—*Wednesday, August 2, 1972*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Your faith should not stand in the wisdom of men, but in the power of God.—I Corinthians 2: 5.

O Thou who hast made Thyself known as one who is always ready and able to renew our strength and to restore our souls, grant unto us a realization of Thy presence as we wait upon Thee in prayer and as we prepare ourselves for the work of this day.

May our faith in the power of righteousness, the strength of justice, and the influence of good will never be dimmed by doubt nor destroyed by despair as we seek to solve the pressing problems of these trying times.

Guide Thou our President, direct our Speaker, and lead our representatives as they endeavor to preserve and to promote those principles which make for national unity and world peace.

Humbly and heartily do we pray in the spirit of Christ. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14108) entitled "An act to authorize appropriations for activities of the National Science Foundation, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 916. An act to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1217. An act to declare that certain federally owned lands within the White Earth Reservation shall be held by the United States in trust for the Minnesota Chippewa Tribe, and for other purposes; and

S. 3726. An act to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
August 2, 1972.

Hon. CARL ALBERT,
The Speaker, House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 4:50 p.m. on Tuesday, August 1, 1972, said to contain a Message from the President transmitting the 1971 Annual Report on the administration of the Radiation Control for Health and Safety Act of 1968.

With kind regards, I remain,

Most sincerely,
W. PAT JENNINGS, *Clerk,*
House of Representatives.

1971 ANNUAL REPORT ON THE ADMINISTRATION OF THE RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–334)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

I transmit herewith the 1971 Annual Report on the administration of the Radiation Control for Health and Safety Act of 1968 (Public Law 90–602), as prepared by the Secretary of Health, Education, and Welfare.

RICHARD NIXON.

THE WHITE HOUSE, *August 1, 1972.*

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 15690 AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill (H.R. 15690) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

CONFERENCE REPORT ON H.R. 6957, SAWTOOTH NATIONAL RECREATION AREA

Mr. ASPINALL submitted the following conference report and statement on the bill (H.R. 6957) to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 92–1276)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6957) to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill, and agree to the same with an amendment, as follows: In lieu of the matter inserted by the Senate amendment, insert the following:

That (a) in order to assure the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreational values associated therewith, the Sawtooth National Recreation Area is hereby established.

(b) The Sawtooth National Recreation Area (hereafter referred to as the "recreation area"), including the Sawtooth Wilderness Area (hereafter referred to as the "wilderness area"), shall comprise the lands generally depicted on the map entitled "Sawtooth National Recreation Area" dated June, 1972, which shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture (hereafter referred to as the "Secretary") shall, as soon as practicable after the date of enactment of this Act, publish a detailed description and map showing the boundaries of the recreation area in the Federal Register.

SEC. 2. (a) The Secretary shall administer the recreation area in accordance with the laws, rules and regulations applicable to the national forests in such manner as will best provide (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, natural, historic, pastoral, wildlife, and other values, contributing to and available for public recreation and enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) the management, utilization, and disposal of natural resources on federally owned lands such as timber, grazing, and mineral resources insofar as their utilization will not substantially impair the purposes for which the recreation area is established.

(b) The lands designated as the Sawtooth Wilderness Area, which supersedes the Sawtooth Primitive Area, shall be administered in accordance with the provisions of this Act and the provisions of the Wilderness Act (78 Stat. 890), whichever is more restrictive, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 3. (a) Except as provided in section 4, the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, bequest, or otherwise any lands, or lesser interests therein, including mineral interests and scenic easements, which he determines are needed for the purposes of this Act: *Provided,* That acquisitions of lands or interests therein for access to and utilization of public property, and for recreation and other facilities, shall not exceed five per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.

As used in this Act the term "scenic easement" means the right to control the use of land in order to protect the esthetic values for the purposes of this Act, but shall not preclude the continuation of any use exercised by the owner as of the date of this Act.

(b) In exercising this authority to acquire lands, the Secretary shall give prompt and careful consideration to any offer made by an individual owning any land, or interest in land, within the boundaries described in subsection 1(b) of this Act. In considering such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) The Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to accomplish the objectives of this Act.

(d) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property, or interests therein, located within the recreation area and, notwithstanding any other provision of law, he may convey in exchange therefor any federally owned property within the State of Idaho which he classifies as suitable for exchange and which is under his administrative jurisdiction. The values of the properties so exchanged shall be approximately equal or, if they are not approximately equal, they shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. In the exercise of his exchange authority, the Secretary may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(e) Nothing in this Act shall be construed as limiting the authority of the Secretary to acquire mineral interests in lands within the recreation area, with or without the consent of the owner. Upon acquisition of any such interest, the lands and/or minerals covered by such interest are by this Act withdrawn from entry or appropriation under the United States mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(f) Any land or interest in land owned by the State of Idaho or any of its political subdivisions may be acquired only by donation or exchange.

(g) Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act. Lands acquired by the Secretary or transferred to his administrative jurisdiction within the recreation area shall become parts of the recreation area and of the national forest within or adjacent to which they are located.

(h) Except as otherwise provided, the Secretary shall have the authority to use condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

Sec. 4. (a) The Secretary shall make and publish regulations setting standards for the use, subdivision, and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the recreation area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary. All regulations adopted under this section shall be promulgated in conformity with the provisions of the Administrative Procedure Act. The United States District Court for the District of Idaho shall have jurisdiction to review any regulations established pursuant to the first sentence of this subsection, upon a complaint filed within six months after the effective date of such regulations, by any affected landowner in an action for a declaratory judgment.

(b) After publication of such regulations, no privately owned lands shall be acquired by the Secretary by condemnation unless he determines, in his judgment, that such lands are being used, or are in imminent danger of being used, in a manner incompatible with the regulations established pursuant to this section or unless such lands are determined to be necessary for access or development, in which case such acquisitions shall be subject to the 5 per centum limitation established in subsection 3(a) of this Act.

Sec. 5. The Secretary shall, as soon as practicable after the enactment of this Act, review the undeveloped and unimproved portion or portions of the recreation area as to suitability or nonsuitability for preservation as a part of the National Wilderness Preservation System. In conducting his review, the Secretary shall comply with the provisions of subsection 3(d) of the Wilderness Act of September 3, 1964 (78 Stat. 892), relating to public notice, public hearings, and review by State and other agencies, and shall advise the Senate and House of Representatives of his recommendations with respect to the designation as wilderness of the area or areas reviewed.

Sec. 6. The Secretary may cooperate with other Federal agencies, with State and local public agencies, and with private individuals and agencies in the development and operation of facilities and services in the area in furtherance of the purposes of this Act, including, but not limited to, the restoration and maintenance of the historic setting and background of the frontier ranch-type town of Stanley.

Sec. 7. Nothing in this Act shall diminish, enlarge, or modify any right of the State of Idaho, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the recreation area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

Sec. 8. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the State of Idaho, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

Sec. 9. The jurisdiction of the State and the United States over waters of any stream included in the recreation area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time of enactment of this Act shall entitle the owner thereof to just compensation.

Nothing in this Act shall construe an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

Sec. 10. Subject to valid existing rights, all Federal lands located in the recreation area are hereby withdrawn from all forms of location, entry, and patent under the mining laws of the United States.

Sec. 11. The Congress hereby recognizes and declares the need to take action to regulate the use of, and protect the surface values of, the Federal lands in the recreation area, and directs that rules and regulations necessary to carry out this section shall be promulgated and issued by the Secretary of Agriculture after consultation with the Secretary of the Interior. Such regulations shall include, when deemed necessary, provisions for control of the use of motorized and mechanical equipment for transportation over, or alteration of, the surface of such Federal land in connection with any authorized activities on such land, including but not limited to mineral prospecting, exploration, or development operations.

Sec. 12. Patents shall not hereafter be issued for locations and claims heretofore made in the recreation area under the mining laws of the United States.

Sec. 13. There are authorized to be appropriated for the purposes of this Act not more than $19,802,000 for the acquisition of lands and interests in lands and not more than $26,241,000 for development. Money appropriated from the land and water conservation fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area.

Sec. 14. (a) The Secretary of the Interior, in consultation with appropriate Federal, State, and local agencies, shall make a comprehensive analysis of the natural, economic, and cultural values of the recreation area and the adjacent Pioneer Mountains for the purpose of evaluating the potentiality of establishing therein a national park or other unit of the national park system. He shall submit a report of the results of the analysis along with his recommendations to the Congress by December 31, 1974.

(b) His report shall show that in making the aforesaid recommendations he took into consideration, among other things—

(1) the feasible alternative uses of the land and the long- and short-term effect of such alternative uses upon, but not limited to, the following—

(A) the State and local economy,

(B) the natural and cultural environment,

(C) the management and use of water resources,

(D) the management of grazing, timber, mineral, and other commercial activities,

(E) the management of fish and wildlife resources,

(F) the continued occupancy of existing homesites, campsites, commercial and public recreation enterprises, and other privately owned properties and the future development of the same,

(G) the interrelation between recreation areas, wilderness areas and park lands, and

(2) the establishment of a national park in the mountain peaks and upland areas together with such portions of the national recreation area as may be necessary and appropriate for the proper administration and public use of and access to such park lands, leaving the valleys and low-lying lands available for multiple-use purposes.

(c) Any recommendation for the establishment of a unit of the national park system shall be accompanied by (1) a master plan for the development and administration of such unit, indicating proposed boundaries, access or other roads, visitor facilities, and proposed management concepts applicable to such unit; (2) a statement of the estimated Federal cost for acquisition, development, and operation of such unit; and (3) proposed legislation for establishment of such park administrative unit.

(d) There are authorized to be appropriated not more than $50,000 to carry out the provisions of this section.

Sec. 15. If any provision of this Act is declared to be invalid, such declaration shall not affect the validity of any other provision hereof.

And the Senate agree to the same.

Wayne N. Aspinall,
Roy A. Taylor,
Morris K. Udall,
J. Skubitz,
James A. McClure,
Managers on the Part of the House.

Alan Bible,
Frank Church,
Frank E. Moss,
Clifford P. Hansen,
Len B. Jordan,
Managers on the Part of the Senate.

Joint Statement of the Committee of Conference

The managers on the part of the House and the Senate at the Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6957) to establish the Sawtooth National Recreation Area in the State of Idaho submit this joint statement in explanation of the effect of the language agreed upon by the managers and recommended in the accompanying Conference Report.

The language agreed upon by the managers is the language of the House bill with various changes. There were numerous points of difference between the House version and the Senate amendment which were the subject of discussion and action by the Committee of Conference. These differences and the disposition of them are as follows:

(1) Both the House and Senate versions of the bill provided for the establishment of a national recreation area and for a wilderness area. Under the terms of the House language, the two units were separate and distinct; whereas, the Senate amendment incorporated the wilderness area into the recreation area. Although the size of the two areas was substantially the same, there were some boundary differences. In addition, the House bill stated that one of the purposes of the legislation is to preserve natural values among other things, but the Senate amendment did not include this statement. In resolving these differences, the Conference Committee recommends the statement of purpose approved by the House and that the boundaries for the wilderness area ap-

proved by the House be accepted, but that the wilderness area be included within the exterior boundaries of the recreation area, as provided by the Senate. To accomplish this objective, the Conference Committee revised the language of the legislation and provided that a new map should depict the boundaries agreed upon.

(2) The lands involved in the legislation approved by both Bodies are to be administered by the Secretary of Agriculture; however, the precise terms of the two bills were not identical. In accepting the House language, the Conference Committee noted that the area is to be administered in accordance with the laws, rules and regulations applicable to national forests insofar as the federally owned lands are concerned. The intent of this provision is to incorporate into the legislation the basic grant of authority available to the Secretary which supplements the powers available to him under this Act.

The use of privately owned lands, over which the Secretary has acquired no interest would, of course, not be affected by this provision of the recommended legislation.

With respect to the wilderness area, the Conference Committee modified the House language to provide for the administration of the wilderness area in accordance with the basic provisions of the Wilderness Act and with the provisions of this Act, whichever are more restrictive. It should be recognized that it is not the intent of the provisions of this Act to modify the provisions of the Wilderness Act as it generally applies to other areas and the action recommended in this particular instance should not be considered as a precedent for indirectly altering that Act in any manner.

(3) Another important distinction between the two measures involved the land acquisition authority of the Secretary. Under the terms of the House-approved bill, the Secretary was given the usual authority to acquire such lands, or interests in lands, as he deemed necessary for the purposes of the Act, but it limited his authority to acquire lands for access to public property or for the development of recreation facilities to no more than 5 percent of all private property within the recreation area. In addition the House version authorized the Secretary to promulgate regulations establishing standards for the use and development of privately owned lands within the recreation area and provided that he could condemn such lands only if the owner failed to use them in a manner conforming to the established standards. Under the latter provision, acquisitions were to be subject to the 5 percent limitation only if they were to be used by the Secretary for access or recreational development purposes.

The comparable provisions of the Senate amendment provided that the Secretary could acquire such lands as he deemed necessary and it specifically authorized the acquisition of mineral interests. It also authorized the Secretary to establish, by regulation, standards for the use of privately held lands. Under the terms of the Senate language, these standards could be reviewed by the Federal District Court for Idaho upon complaint of any affected landowner bringing an action for a declaratory judgment. When the standards were duly promulgated, the Secretary could acquire only scenic easements covering non-conforming properties. He would also have been authorized to purchase access easements, lands needed for recreation and administrative facilities, and "preexisting nonresidential uses" which were incompatible with the recreation area, but his authority in this respect was to be limited to the acquisition of not more than 5 percent of the privately owned lands within the recreation area. Also, the Senate amendment contained a provision under which the landowner could require the Federal Government to purchase his property if he desired to sell.

In resolving the differences, the Conference Committee recommends a modified version of the House language to specifically provide that the authority to acquire lands and lesser interests includes the authority to acquire mineral interests and it recommends the deletion of the Senate provision requiring the Government to purchase when the owner desires to sell. With respect to the establishment of standards of use for privately owned lands the Conference Committee recommends approval of the House language, but adds the provision in the Senate amendment which grants jurisdiction to the Federal District Court for Idaho to review the regulations in an action for a declaratory judgment. Under the terms of the language agreed upon by the Conference Committee, such an action could be brought only by a landowner holding title to lands within the recreation area which would be affected by such regulations. To be a timely action, such complaint must be filed in court within six months after the effective date of the regulations. This is not, however, a limitation upon any existing rights of access to the Federal Courts.

Lands used in a manner conforming to the established standards would not be subject to the condemnation authority of the Secretary as long as they are not threatened with an adverse use, unless they are deemed necessary for access or development of administrative or public facilities (in which case they could be acquired by condemnation subject to a maximum limitation totaling no more than 5 percent of the private holdings within the recreation area). It is anticipated that a large percentage of the landholdings will continue to be used for ranching purposes and that the standards will allow such uses to continue indefinitely so that these lands would remain in private ownership, but lands which are presently being used for purposes which impair the natural, scenic, or recreational values—or which the Secretary finds are threatened with uses which will impair such values—may be acquired by negotiation, if possible, or by condemnation, if necessary. In cases where the Secretary negotiates a purchase of land, the Conference Committee included the House language which permits him to utilize condemnation in order to secure a clear title.

(4) On the subject of hunting and fishing, the Senate amendment provided that the authority of the State of Idaho should not be affected by the terms of the legislation. The House language recognized that Federal landownership carries with it all of the usual elements of ownership and provided broader authority for regulation of activities on the land for management of the resources—including fish and game management. The Conference Committee recognizes the necessity to provide for the public safety, administration, and public use and enjoyment of the recreation area, and it recommends the adoption of the House language, modified by an amendment. The language recommended allows the Secretary to prohibit hunting or fishing at times or places for these reasons, but it leaves basic fish and game management to the State of Idaho. Management of the habitat, however, within the recreation area, will remain the responsibility of the Federal Government under this Act.

(5) The bill approved by the House withdrew all Federal lands within the recreation area (but not within the wilderness area) from all forms of entry, location, and patent under the mining laws for a period of five years. During this period, and for six months thereafter, under the House bill, any person holding a valid claim would have been excused from performing the annual assessment work required by law if he filed a notice of intention to retain his claim each year. Another House provision prohibited the issuance of patents on existing or future claims, but indicated that a claimholder could continue to prospect, mine or develop his claim in conformity with the rules and regulations applicable to the area involved.

The Senate amendment included provisions withdrawing all Federal lands from entry and location under the mining laws, but that withdrawal was permanent. Patenting of claims was also foreclosed by the legislation which it approved, but the amendment was silent on the question of excusing the claimholder from doing the required annual assessment work.

The Conference Committee agreed that all presently federally owned lands, as well as all lands which might be acquired within the recreation area, should be withdrawn from future entry, location and patent and it recommends approval of the provision prohibiting the issuance of patents on existing claims. While the Conference Committee recommendation does not include the House language which specified that claimholders could continue to prospect, mine, or develop any valid claims, that exclusion is not intended to deprive any person of any rights which he might have with respect to a valid claim under the present mining laws. The House provision excusing claimholders from doing their required annual assessment work, however, was not recommended by the Committee.

(6) Both bills contained nearly identical provisions authorizing the regulation of motorized and mechanical equipment used for transportation across, or alteration of, the surface of Federal lands. The House bill provided that such regulations should be jointly issued by the Secretary of Agriculture and the Secretary of the Interior, but the Senate version placed his responsibility exclusively in the Secretary of Agriculture. The Conference Committee recommends that the legislation provide that such regulations should be issued by the Secretary of Agriculture after consultation with the Secretary of the Interior. This provision is designed to meet the special circumstances in this area and should not be considered as a precedent for present or future wilderness areas.

(7) The Conference Committee recommends the adoption of the House language which limits the amount authorized to be appropriated for land acquisition ($19,802,000) and for development ($26,241,000) rather than combining these monies into a lump sum authorization ($45,000,000) as was done in the Senate amendment.

(8) Finally, the House language directing that alternative uses of the resources of the area included in the House bill be analyzed and that a specific park proposal be developed was expanded by the Senate amendment to include the Pioneer range. In addition, the Senate language provided that the study should be completed and transmitted, with the Secretary's recommendations, to the Congress no later than December 31, 1974—one year later than provided by the House. The Conference Committee recommends the approval of the Senate language on this issue.

Wayne N. Aspinall,
Roy A. Taylor,
Morris K. Udall,
J. Skubitz,
James A. McClure,
Managers on the Part of the House.

Alan Bible,
Frank Church,
Frank E. Moss,
Clifford P. Hansen,
Len B. Jordan,
Managers on the Part of the Senate.

SPECIAL DISASTER RECOVERY MEASURES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–333)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

Tropical Storm Agnes caused the most widespread destruction and devastation of any natural disaster in the history of the United States. On July 17, 1972, I sent to the Congress a proposal authorizing special disaster recovery measures which would aid victims of Agnes and also of the flood in Rapid City, South Dakota during June 1972.

As I stated in my transmittal message, the need for prompt enactment of these aid proposals, aimed at short and long-term recovery, is extreme and urgent. I asked the Congress then to consider and enact them within seven days. Sixteen days have passed without final Congressional action on the Disaster Recovery Act of 1972. I again urge the Congress to act immediately, because the victims of these disasters desperately need the help these measures would provide. And they need it now.

Today, I am transmitting an amendment which would make private, non-profit educational institutions eligible for disaster relief grants under the Act. I urge that the Congress consider and enact promptly this amendment, which would authorize reconstruction relief for these institutions comparable to the disaster reconstruction relief already available to public educational institutions.

The Office of Emergency Preparedness estimates that property loss and damage at private non-profit educational institutions in the storm-affected areas has exceeded $19 million. Many of these institutions have undergone damage so extensive that they would be unable to rebuild facilities or reopen without extraordinary assistance. For example, at one alone, Wilkes College in Wilkes-Barre, Pennsylvania, which is not a large or wealthy institution, the storm caused havoc and destruction estimated at several millions of dollars.

The proposal I am transmitting today would provide financial assistance to restore, reconstruct or replace disaster-damaged education facilities, supplies and equipment used primarily for non-sectarian educational purposes. I believe this temporary authority is required if we are to meet our public responsibilities equitably and in a just manner.

Again, I cannot stress too strongly that it is essential that the Congress immediately enact the pending disaster relief legislation I have proposed. It is imperative that this massive recovery program begin at once. Millions of Americans—individual homeowners, farmers and city dwellers, small businessmen—are struggling to rebuild their lives in the wake of these natural disasters. They need their Government's help. And they need it now.

RICHARD NIXON.

THE WHITE HOUSE, *August 2, 1972.*

PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, due to the death of my mother and related responsibilities at home, I missed several rollcalls. Had I been present, I would have voted "yea" on rollcalls Nos. 273, 275, 276, 281, 283, 285, and 286.

IMPROVING CONGRESSIONAL PERFORMANCE

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, I believe it to be a continuing responsibility of Congress to so manage its affairs as to merit public confidence. Every Member realizes, or should, that confidence is undermined by patent infirmity, unnecessary secrecy, and nondisclosure of matters that involve demonstrable conflict of interest.

Accordingly, I am today introducing legislation designed to meet minimum requirements and standards in the following respects:

First, to require annual physical examination of all Members of Congress which shall be a public record. Those who do not want their condition known have an easy solution—do not be a candidate for public office.

Second, to require disclosure of any financial interest held directly, indirectly, or equitably, in any asset subject to Government regulation or control, when such interest exceeds $25,000 in fair market value, on a continuing basis, and as a matter of public record.

Third, to encourage voluntary retirement of Members who have attained their 70th birthday, and by constitutional amendment to make mandatory the retirement of Members after their 75th birthday.

Obviously, the lateness of the date renders enactment of such legislation unlikely in the remainder of the present session. However, I urge adoption of these proposals as a matter of genuine urgency in the interest of improving congressional reputation and performance.

The text of these proposals will be included in the appendix of today's RECORD.

CONFERENCE REPORT ON H.R. 15418, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1973

Mrs. HANSEN of Washington. Mr. Speaker, I call up the conference report on the bill (H.R. 15418) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 26, 1972.)

The SPEAKER. The gentlewoman from Washington is recognized.

Mrs. HANSEN of Washington. Mr. Speaker, the conference amount of the bill H.R. 15418, making appropriations for the Department of the Interior and related agencies for fiscal year 1973, is $2,548,935,300 for new obligational authority.

The amount agreed to in conference is over the House figure by $19,377,100; under the Senate figure by $1,987,500; and is over the amount available in fiscal year 1972 by $112,276,265.

There were 39 amendments involving 151 items to be settled in conference. I believe the conference report we are presenting today represents a reasonable compromise of the difference between the two Houses. I would like to point out that Senate action on the bill reduced items in the House version of the bill by $17,755,500. The conference restored $14,951,500 of these reductions. Of course, these restorations increase the amount of the bill as compared to the Senate allowance.

The conference amount for new obligational authority exceeds the 1973 budget estimate by $21,781,300. However, if we take into consideration reductions which were made in appropriations to liquidate contract authority—$14,806,000—the excess over the budget estimate is $6,975,300. The conference amount includes $5,000,000 for cooperative forest fire control as authorized in Public Law 92–288 enacted May 5, 1972, for which no budget estimate was received. Many House Members urged the conferees to support funding of this program. The conference amount also includes $1,500,000 for the John F. Kennedy Center for the Performing Arts. This item was included in the President's budget estimate as a request that would be submitted at a later date. However, because of the timing of the authorization an official budget request was not received prior to our action on the bill.

If Members wish a detailed summary of individual items, I will be glad to respond to those questions, however.

Some of the principal activities for which the conference amount exceeds the budget estimate include $10,046,000 for the Bureau of Indian Affairs; $7,068,000 for Indian health activities; $4,792,000 for the Bureau of Mines; and $28,314,900 for the Forest Service.

Mr. Speaker, before concluding my remarks on the conference report, I would like to express my appreciation to the very distinguished chairman of the Senate Subcommittee on Interior and Related Agencies Appropriations, Senator ALAN BIBLE. Our committee has always found it to be a distinct pleasure to work with him. His understanding of problems is tremendous and he is most knowledgeable in all fields pertaining to the items funded in this bill.

Mr. Speaker, I recommend adoption of the conference report by the House, and I include at this point pertinent tables relating to the funds provided in the conference report:

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, FISCAL YEAR 1973 (H.R. 15418)

Agency and item	New budget (obligational) authority appropriated, 1972	Budget estimates of new (obligational) authority, 1973	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1973	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE I—DEPARTMENT OF THE INTERIOR								
PUBLIC LAND MANAGEMENT								
Bureau of Land Management								
Management of lands and resources	$88, 654, 000	$84, 057, 000	$77, 980, 000	$78, 065, 000	$78, 065, 000	—$5, 992, 000	+$85, 000	
Construction and maintenance	4, 827, 000	7, 965, 000	7, 965, 000	7, 965, 000	7, 965, 000			
Public lands development roads and trails (appropriation to liquidate contract authority)	(3, 200, 000)	(3, 265, 000)	(3, 265, 000)	(3, 265, 000)	(3, 265, 000)			
Oregon and California grant lands (indefinite, appropriation of receipts)	19, 000, 000	16, 700, 000	16, 700, 000	16, 700, 000	16, 700, 000			
Range improvements (indefinite, appropriation of receipts)	2, 523, 000	3, 059, 000	2, 800, 000	2, 800, 000	2, 800, 000	—259, 000		
Total, Bureau of Land Management	115, 004, 000	111, 781, 000	105, 445, 000	105, 530, 000	105, 530, 000	—6, 251, 000	+85, 000	
Bureau of Indian Affairs								
Education and welfare services	273, 094, 000	296, 627, 000	297, 468, 000	301, 206, 000	299, 556, 000	+2, 929, 000	+2, 088, 000	—$1, 650, 000
Education and welfare services (appropriation to liquidate contract authority)	(693, 000)	(1, 500, 000)	(1, 500, 000)	(1, 500, 000)	(1, 500, 000)			
Resources management	75, 764, 000	83, 734, 000	84, 316, 000	82, 645, 000	83, 141, 000	—593, 000	—1, 175, 000	+496, 000
Construction	43, 715, 500	48, 092, 000	55, 384, 000	55, 575, 000	55, 960, 000	+7, 868, 000	+576, 000	+385, 000
Road construction (appropriation to liquidate contract authority)	(33, 600, 000)	(45, 539, 000)	(45, 539, 000)	(45, 539, 000)	(45, 539, 000)			
Alaska native fund	12, 500, 000	50, 000, 000	50, 000, 000	50, 000, 000	50, 000, 000			
General administrative expenses	6, 161, 000	6, 358, 000	6, 200, 000	6, 200, 000	6, 200, 000	−158, 000		
Tribal funds (definite)	3, 000, 000	3, 000, 000	3, 000, 000	3, 000, 000	3, 000, 000			
Tribal funds (indefinite)	13, 173, 000	13, 505, 000	13, 505, 000	13, 505, 000	13, 505, 000			
Total, Bureau of Indian Affairs	427, 407, 500	501, 316, 000	509, 873, 000	512, 131, 000	511, 362, 000	+10, 046, 000	+1, 489, 000	−769, 000
Bureau of Outdoor Recreation								
Salaries and expenses	3, 949, 000	4, 203, 000	4, 150, 000	4, 150, 000	4, 150, 000	−53, 000		
Land and Water Conservation Fund								
Appropriation of receipts (indefinite)	361, 500, 000	300, 000, 000	300, 000, 000	300, 000, 000	300, 000, 000			
TERRITORIAL AFFAIRS								
Administration of territories	21, 699, 000	22, 375, 000	22, 375, 000	22, 375, 000	22, 375, 000			
Permanent appropriation (special fund)	(367, 000)	(469, 000)	(469, 000)	(469, 000)	(469, 000)			
Transferred from other accounts (special fund)	(458, 360)	(470, 000)	(470, 000)	(470, 000)	(470, 000)			
Trust Territory of the Pacific Islands	59, 980, 000	60, 000, 000	60, 000, 000	60, 000, 000	60, 000, 000			
Micronesian claims fund	5, 000, 000							
Total, Territorial Affairs	86, 679, 000	82, 375, 000	82, 375, 000	82, 375, 000	82, 375, 000			
Total, Public Land Management	994, 539, 500	999, 675, 000	1, 001, 843, 000	1, 004, 186, 000	1, 003, 417, 000	+3, 742, 000	+1, 574, 000	−769, 000
MINERAL RESOURCES								
Geological Survey								
Surveys, investigations, and research	131, 050, 000	150, 800, 000	150, 000, 000	151, 200, 000	150, 450, 000	−350, 000	+450, 000	−750, 000
Bureau of Mines								
Conservation and development of mineral resources	49, 858, 000	55, 291, 000	58, 491, 000	57, 891, 000	60, 091, 000	+4, 800, 000	+1, 600, 000	+2, 200, 000
Health and safety	81, 851, 000	95, 374, 000	95, 374, 000	95, 374, 000	95, 374, 000			
General administrative expenses	2, 013, 000	2, 008, 000	2, 000, 000	2, 000, 000	2, 000, 000	−8, 000		
Helium fund (authorization to spend from public debt receipts)	45, 300, 000							
Total, Bureau of Mines	179, 022, 000	152, 673, 000	155, 865, 000	155, 265, 000	157, 465, 000	+4, 792, 000	+1, 600, 000	+2, 200, 000
Office of Coal Research								
Salaries and expenses	30, 650, 000	45, 330, 000	42, 330, 000	46, 990, 000	43, 490, 000	−1, 840, 000	+1, 160, 000	−3, 500, 000
Office of Oil and Gas								
Salaries and expenses	1, 570, 000	1, 558, 000	1, 558, 000	1, 558, 000	1, 558, 000			
Total, Mineral Resources	342, 292, 000	350, 361, 000	349, 753, 000	355, 013, 000	352, 963, 000	+2, 602, 000	+3, 210, 000	−2, 050, 000
FISH AND WILDLIFE AND PARKS								
Bureau of Sport Fisheries and Wildlife								
Management and investigations of resources	66, 883, 000	74, 552, 000	73, 529, 500	73, 477, 000	73, 489, 500	−1, 062, 500	−40, 000	+12, 500
Construction	7, 226, 000	6, 258, 000				−6, 258, 000		
Migratory bird conservation account (definite, repayable advance)	7, 500, 000	7, 100, 000	7, 100, 000	7, 100, 000	7, 100, 000			
Anadromous and Great Lakes fisheries conservation	2, 332, 000	2, 333, 000	2, 333, 000	2, 333, 000	2, 333, 000			
General administrative expenses	2, 240, 000	2, 332, 000	2, 250, 000	2, 250, 000	2, 250, 000	−82, 000		
Total, Bureau of Sport Fisheries and Wildlife	86, 181, 000	92, 575, 000	85, 212, 500	85, 160, 000	85, 172, 500	−7, 402, 500	−40, 000	+12, 500
National Park Service								
Management and protection	71, 756, 000	89, 937, 000	88, 671, 000	89, 385, 000	89, 421, 000	—516, 000	+750, 000	+36, 000
Maintenance and rehabilitation of physical facilities	57, 557, 000	73, 198, 000	73, 312, 000	73, 362, 000	73, 312, 000	+114, 000		—50, 000
Construction	75, 752, 000	42, 233, 000	41, 711, 000	43, 026, 000	42, 701, 000	+468, 000	+990, 000	—325, 000
Parkway and road construction (appropriation to liquidate contract authority)	(24, 188, 000)	(20, 222, 000)	(5, 766, 000)	(13, 416, 000)	(5, 416, 000)	(—14, 806, 000)	(—350, 000)	(—8, 000, 000)

Footnotes at end of table.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, FISCAL YEAR 1973 (H.R. 15418)—Continued

Agency and item (1)	New budget (obligational) authority appropriated, 1972 (2)	Budget estimates of new (obligational) authority, 1973 (3)	Allowances			Conference allowance compared with—		
			House (4)	Senate (5)	Conference (6)	Budget estimates of new (obligational) authority, 1973 (7)	House allowance (8)	Senate allowance (9)
National Park Service—Continued								
Preservation of historic properties	$8,369,000	$10,124,000	$11,624,000	$11,559,000	$11,559,000	+$1,435,000	—$65,000	
General administrative expenses	4,052,000	4,175,000	4,140,000	4,140,000	4,140,000	—35,000		
Total, National Park Service	217,486,000	219,667,000	219,458,000	221,472,000	221,133,000	+1,466,000	+1,675,000	—$339,000
Total, Fish and Wildlife and Parks	303,667,000	312,242,000	304,670,500	306,632,000	306,305,500	—5,936,500	+1,635,000	—326,500
OFFICE OF SALINE WATER								
Saline water conversion	27,025,000	27,021,000	26,871,000	26,871,000	26,871,000	—150,000		
OFFICE OF WATER RESOURCES RESEARCH								
Salaries and expenses	14,290,000	14,304,000	16,344,000	16,344,000	16,344,000	+2,040,000		
OFFICE OF THE SOLICITOR								
Salaries and expenses	6,967,000	7,031,000	7,000,000	7,000,000	7,000,000	−31,000		
OFFICE OF THE SECRETARY								
Salaries and expenses	[1] 10,948,900	16,412,000	15,419,000	15,470,100	15,295,100	−1,116,900	−123,900	−175,000
Departmental operations	[2] 3,746,100	4,066,000	4,066,000	4,066,000	4,066,000			
Salaries and expenses (special foreign currency program)	500,000	1,000,000	750,000	500,000	500,000	−500,000	−250,000	
Total, Office of the Secretary	15,195,000	21,478,000	20,235,000	20,036,100	19,861,100	−1,616,900	−373,900	−175,000
Total, new budget (obligational) authority, Department of the Interior	1,703,975,500	1,732,112,000	1,726,716,500	1,736,082,100	1,732,761,600	+649,600	+6,045,100	−3,320,500
Consisting of—								
Appropriations	1,658,675,500	1,732,112,000	1,726,716,500	1,736,082,100	1,732,761,600	+649,600	+6,045,100	−3,320,500
Definite appropriations	(1,262,479,500)	(1,398,848,000)	(1,393,711,500)	(1,403,077,100)	(1,399,756,600)	(+908,600)	(+6,045,100)	(−3,320,500)
Indefinite appropriations	(396,196,000)	(333,264,000)	(333,005,000)	(333,005,000)	(333,005,000)	(−259,000)		
Authorization to spend from public debt receipts	45,300,000							
Memoranda—								
Appropriations to liquidate contract authority	(61,681,000)	(70,526,000)	(56,070,000)	(63,720,000)	(55,720,000)	(−14,806,000)	(−350,000)	(−8,000,000)
Total, new budget (obligational) authority and appropriations to liquidate contract authority	(1,765,656,500)	(1,802,638,000)	(1,782,786,500)	(1,799,802,100)	(1,788,481,600)	(−14,156,400)	(+5,695,100)	(−11,320,500)
TITLE II—RELATED AGENCIES								
DEPARTMENT OF AGRICULTURE								
Forest Service								
Forest protection and utilization:								
Forest land management	297,095,300	246,749,000	257,872,000	252,899,000	255,604,000	+8,855,000	−2,268,000	+2,705,000
Forest research	54,587,000	57,278,000	59,268,000	60,833,000	61,143,000	+3,865,000	+1,875,000	+310,000
State and private forestry cooperation	27,759,000	27,760,000	27,760,000	37,760,000	32,760,000	+5,000,000	+5,000,000	−5,000,000
Total, forest protection and utilization	379,441,300	331,787,000	344,900,000	351,492,000	349,507,000	+17,720,000	+4,607,000	−1,985,000
Construction and land acquisition	35,703,200	37,980,000	43,953,900	44,203,900	48,581,900	+10,601,900	+4,628,000	+4,378,000
Youth conservation corps	3,500,000	3,500,000	3,500,000	3,500,000	3,500,000			
Forest roads and trails (approoriation to liquidate contract authority)	(148,740,000)	(158,840,000)	(158,840,000)	(158,840,000)	(158,840,000)			
Acquisition of lands for national forests:								
Special acts (special fund, indefinite)	80,000	80,000	80,000	80,000	80,000			
Acquisition of lands to complete land exchanges	26,035							
Cooperative range improvements (special fund, indefinite)	700,000	700,000	700,000	700,000	700,000			
Assistance to States for tree planting	1,028,000	1,027,000	1,020,000	1,020,000	1,020,000	−7,000		
Total, new budget (obligational) authority, Forest Service	420,478,535	375,074,000	394,153,900	400,995,900	403,388,900	+28,314,900	+9,235,000	+2,393,000
COMMISSION OF FINE ARTS								
Salaries and expenses	124,000	135,000	135,000	135,000	135,000			
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE								
Health Services and Mental Health Administration								
Indian health services	155,333,000	166,540,000	169,787,000	173,398,000	172,748,000	+6,208,000	+2,961,000	−650,000
Indian health facilities	30,442,000	43,689,000	44,099,000	44,549,000	44,549,000	+860,000	+450,000	
Total, Health Services and Mental Health Administration	185,775,000	210,229,000	213,886,000	217,947,000	217,297,000	+7,068,000	+3,411,000	−650,000
INDIAN CLAIMS COMMISSION								
Salaries and expenses	1,045,000	1,090,000	1,090,000	1,075,000	1,075,000	−15,000	−15,000	
NATIONAL CAPITAL PLANNING COMMISSION								
Salaries and expenses	1,300,000	1,428,000	1,425,000	1,425,000	1,425,000	−3,000		

Footnotes at end of table.

Agency and item	New budget (obligational) authority appropriated, 1972	Budget estimates of new (obligational) authority, 1973	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1973	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES								
Salaries and Expenses								
Endowment for the arts	$26,250,000	$35,500,000	$34,900,000	$34,500,000	$34,700,000	−$800,000	−$200,000	+$200,000
Endowment for the humanities	24,500,000	35,500,000	34,500,000	34,500,000	34,500,000	−1,000,000		
Administrative expenses	3,536,000	5,314,000	5,314,000	5,314,000	5,314,000			
Subtotal, salaries and expenses	54,286,000	76,314,000	74,714,000	74,314,000	74,514,000	−1,800,000	−200,000	+200,000
Matching Grants								
Endowment for the arts	3,500,000	3,500,000	3,500,000	3,500,000	3,500,000			
Endowment for the humanities	3,500,000	3,500,000	3,500,000	3,500,000	3,500,000			
Subtotal, matching grants	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000			
Total, National Foundation on the Arts and the Humanities	61,286,000	83,314,000	81,714,000	81,314,000	81,514,000	−1,800,000	−200,000	+200,000
SMITHSONIAN INSTITUTION								
Salaries and expenses	44,701,000	54,683,000	51,682,000	52,243,000	51,633,000	−3,050,000	−49,000	−610,000
Museum programs and related research (special foreign currency program)	3,500,000	6,000,000	4,000,000	3,500,000	3,500,000	−2,500,000	−500,000	
Science information exchange	1,600,000	1,650,000	1,600,000	1,600,000	1,600,000	−50,000		
Construction and improvements, National Zoological Park	200,000	675,000	675,000	675,000	675,000			
Restoration and renovation of buildings	550,000	5,409,000	5,064,000	5,014,000	5,014,000	−395,000	−50,000	
Construction	1,900,000	40,275,000	13,000,000	13,000,000	13,000,000	−27,275,000		
Construction (new contract authority)			27,000,000	27,000,000	27,000,000	+27,000,000		
Construction (appropriation to liquidate contract authority)	(3,697,000)							
Salaries and expenses, National Gallery of Art	4,841,000	5,420,000	5,420,000	5,420,000	5,420,000			
Salaries and expenses, Woodrow Wilson International Center for Scholars	695,000	841,000	800,000	800,000	800,000	−41,000		
Operation and maintenance, John F. Kennedy Center for the Performing Arts				1,500,000	1,500,000	+1,500,000	+1,500,000	
Total, Smithsonian Institution	57,987,000	114,953,000	109,241,000	110,752,000	110,142,000	−4,811,000	+901,000	−610,000
HISTORICAL AND MEMORIAL COMMISSIONS								
Franklin Delano Roosevelt Memorial Commission	37,000	38,000	38,000	38,000	38,000			
NATIONAL PARKS CENTENNIAL COMMISSION								
Salaries and expenses	250,000							
American Revolution Bicentennial Commission								
Salaries and expenses	3,834,000	6,814,000				−6,814,000		
NATIONAL COUNCIL ON INDIAN OPPORTUNITY								
Salaries and expenses	275,000	300,000	290,000	290,000	290,000	−10,000		
FEDERAL METAL AND NONMETALLIC MINE SAFETY BOARD OF REVIEW								
Salaries and expenses	167,000	167,000	160,000	160,000	160,000	−7,000		
JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA								
Salaries and expenses	125,000	1,500,000	708,800	708,800	708,800	−791,200		
Total, new budget (obligational) authority related agencies	732,683,535	795,042,000	802,841,700	814,840,700	816,173,700	+21,131,700	+13,332,000	+1,333,000
Consisting of—								
Appropriations	732,683,535	795,042,000	775,841,700	787,840,700	789,173,700	−5,868,300	+13,332,000	+1,333,000
Definite appropriations	(731,903,535)	(794,262,000)	(775,061,700)	(787,060,700)	(788,393,700)	(−5,868,300)	(+13,332,000)	(+1,333,000)
Indefinite appropriations	(780,000)	(780,000)	(780,000)	(780,000)	(780,000)			
New contract authority			27,000,000	27,000,000	27,000,000	+27,000,000		
Memoranda—								
Appropriations to liquidate contract authority	(152,437,000)	(158,840,000)	(158,840,000)	(158,840,000)	(158,840,000)			
Total, new budget (obligational) authority and appropriations to liquidate contract authority	(885,120,535)	(953,882,000)	(961,681,700)	(973,680,700)	(975,013,700)	(+21,131,700)	(+13,332,000)	(+1,333,000)
RECAPITULATION								
Grand total, new budget (obligational) authority, all titles	2,436,659,035	[3] 2,527,154,000	2,529,558,200	2,550,922,800	2,548,935,300	+21,781,300	+19,377,100	−1,987,500
Consisting of—								
Appropriations	2,391,359,035	2,527,154,000	2,502,558,200	2,523,922,800	2,521,935,300	−5,218,700	+19,377,100	−1,987,500
Definite appropriations	(1,994,383,035)	(2,193,110,000)	(2,168,773,200)	(2,190,137,800)	(2,188,150,300)	(−4,959,700)	(+19,377,100)	(−1,987,500)
Indefinite appropriations	(396,976,000)	(334,044,000)	(333,785,000)	(333,785,000)	(333,785,000)	(−259,000)		
New contract authority			27,000,000	27,000,000	27,000,000	+27,000,000		
Authorization to spend from public debt receipts	45,300,000							
Memoranda—								
Appropriations to liquidate contract authority	(214,118,000)	(229,366,000)	(214,910,000)	(222,560,000)	(214,560,000)	(−14,806,000)	(−350,000)	(−8,000,000)
Grand total, new budget (obligational) authority and appropriations to liquidate contract authority	(2,650,777,035)	(2,756,520,000)	(2,744,468,200)	(2,773,482,800)	(2,763,495,300)	(+6,975,300)	(+19,027,100)	(−9,987,500)

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[1] In addition, $3,746,100 reappropriated to "Departmental Operations" (Public Law 92-184).

[2] Reappropriated from "Office of the Secretary, Salaries and expenses" (Public Law 92-184).

[3] Includes budget estimates contained in H. Doc. 92-267 and H. Doc. 92-275.

Mr. GROSS. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentlewoman for yielding.

Do I understand there is $6,814,000 in this bill for the American Revolution Bicentennial?

Mrs. HANSEN of Washington. No; there is no money in this bill for the American Revolution Bicentennial Commission. The authorization has not been enacted. Only yesterday Senator HRUSKA held hearings in the Senate in connection with the authorization bill.

Mr. GROSS. But there is $1.5 million for the so-called cultural center?

Mrs. HANSEN of Washington. There is $1.5 million in the bill for the maintenance portion of the center's expenses which are due to the 8,000 to 10,000 tourists who visit the center per day. I would recommend to the gentleman from Iowa the hearings our subcommittee held on this item. The subcommittee held complete and full hearings on the problems of funding, and heard the testimony of Roger Stevens, chairman, board of trustees, and his staff. Practically all of the committee members were present that day and asked questions. The gentleman will find extensive detail in the hearings.

I may say to the gentleman that a great number of people each year go through the Kennedy Center not to enjoy the performing arts but to see this memorial to our very beloved late President John Kennedy.

Mr. GROSS. If the gentlewoman will yield further, I have had the opportunity to read most of the hearings. I compliment the subcommittee for holding the hearings, but I would say to the gentlewoman that, after reading the hearings, it seems to me it is pretty hard to justify even $1.5 million as an expenditure of Federal funds upon this cultural center in view of the fact that representations were made to the House of Representatives on more than one occasion that there would not be continuing cost to the Federal Government for any part of the maintenance and operation. Although I commend the committee for holding the hearings, and for the testimony that was adduced, I am still completely unconvinced that we ought to continue these expenditures.

Can the gentlewoman give the House any assurance that this is the end of contributions on the part of the Federal Government for this cultural center?

Mrs. HANSEN of Washington. There is a difference between an operating theater and a memorial theater. In an operating theater the doors open perhaps a half hour before curtain time or time for admission for the performance.

The heat and the air conditioning and the ushers and so forth are limited to that period. This is not true with a memorial that becomes a visitors' center. Additional cost is incurred because visitors use the center to pay their homage to our late President. As a result the center has had to be open about 15 hours a day. This makes the difference. This funding was authorized in a bill before this House on April 19, 1972. The legislation passed the House overwhelmingly. Now it is necessary to provide the funds.

There will be an annual budget request from the National Park Service for funds to take care of those expenses of the center which are directly attributable to the visitors who are there visiting the memorial rather than attending the theater performances.

Mr. SCHERLE. Mr. Speaker, will the gentlewoman yield for a question?

Mrs. HANSEN of Washington. I yield to the gentleman from Iowa.

Mr. SCHERLE. I appreciate the gentlewoman from Washington yielding.

I wonder if the gentlewoman can tell me what authority Mr. Stevens had to authorize the floating of the "funny money" in excess of almost a quarter million dollars.

Mrs. HANSEN of Washington. Does the gentleman mean the nonnegotiable notes? I believe he will find a full explanation of it in our hearings.

Mr. SCHERLE. Would the gentlewoman like to explain briefly exactly what his authority was?

Mrs. HANSEN of Washington. I will read from the hearings. I want to be very exact on the matter of the nonnegotiable notes. When one discusses this phase of financing, we must be extremely careful.

Mr. SCHERLE. Apparently he was not.

Mrs. HANSEN of Washington. I brought the subject up in the hearings and Mr. Becker responded:

> Madam Chairman, to respond both to the question you have raised as well as in part to the prior question you raised, the John F. Kennedy Center Act establishes a Board of Trustees. The act is relatively unique in Federal Government. It's comparable to the act which established the Board of Trustees of the National Gallery of Art. Under the act, section 5(a) gives to the Board of Trustees the authority to administer its trust funds. In addition, section 5(c) establishes that the actions of the Board of Trustees are not subject to review by any officer or agency other than a court of law.
>
> At first blush, it would appear that the power of the Board of Trustees is beyond anyone's control. But in fact such is not the case, for section 6(b) establishes that the Board shall have all of the usual powers and obligations of a trustee in respect of all trust funds administered by it.
>
> The Board of Trustees at the present time, as Mr. Stevens has previously indicated, is faced with a substantial number of outstanding obligations with respect to the construction of the Kennedy Center.
>
> Looking at section 6(b) of the Kennedy Center Act, the Board of Trustees has the power to take such actions as would be prudent under trust law to administer the John F. Kennedy Center.
>
> Faced with a situation where there are outstanding obligations, the Board of Trustees must make provisions to meet those obligations. In order to do so in this particular instance, the Board of Trustees have issued—in, I believe, a very few cases to date, although negotiations are underway with respect to other creditors—a few nonnegotiable promissory notes. The notes, in effect, defer the requirement to make immediate payment on outstanding construction obligations.

I then asked:

> What interest do they bear?

Mr. Becker answered:

> The interest that was established and that is being uniformly given is 6 percent. The creditors generally felt that they would like to see more interest. The Board of Trustees felt that they did have to make some provisions for interest in light of the fact that the outstanding obligations would continue to be unpaid for some period of time.

I asked:

> What is the term of the notes?

Mr. Becker answered:

> The terms of the notes have been 1 year from the date of issue.

Mr. Yates then asked:

> Are your securities guaranteed by the Federal Government?

Mr. Stevens replied:

> No, sir.

Mr. Yates then said:

> I notice a list of them in the justifications.

Mr. Stevens replied:

> I might add on the notes, Madam Chairman, that from a company's point of view, until GSA has approved any claim or contract amount outstanding, we haven't issued any notes. We haven't actually issued many.
>
> We haven't been passing them out yet until we are sure we have some legal opinions. It is much better for a company to have on its books, even if it's nonnegotiable, a note instead of just a claim. Particularly some of the smaller companies find if they have a note, it improves their financial statements. That is one of the reason they have been willing to take them, because, as Mr. Becker says, it defers the immediacy of an obligation.

Mr. SCHERLE. If the gentlewoman will yield, what happens if those nonnegotiable notes become defaulted? Will the Congress then pick up the tab?

Mrs. HANSEN of Washington. No. I would not think so. Congress does not fund projects or items unless there is specific authorization, as you are well aware. Appropriations have already been made for the full amount authorized for construction of the center.

Mr. SCHERLE. If the gentlewoman will yield further, those people holding the paper made these funds available on the assumption that they were dealing with the Federal Government. That is my understanding of the discussion that went on concerning these notes.

Mrs. HANSEN of Washington. No; not necessarily. If I may say so, some of the construction costs are currently in the category of discussion as to whether they constitute a legal and valid claim or not.

Mr. SCHERLE. One more question, if the gentlewoman will yield. I understand from reading the paper last evening that there were still additional costs on the Kennedy Cultural Center that will come up in additional legislation in an appropriation bill in the future based on the so-called installment plan form of payment. Is that right?

Mrs. HANSEN of Washington. May I say to the gentleman that the entire future of further requests in any other categories must first go to authorizing committees of Congress. This matter is not before the Appropriations Committee and it is not an item for discussion in connection with this conference report.

Mr. SCHERLE. I recognize that, but

the point I am trying to make is simply this: This Kennedy Cultural Center, which was not supposed to cost the taxpayers of this country one single penny is now on the verge of costing them $70 million with no end in sight. If I am wrong, I will stand corrected.

Mrs. HANSEN of Washington. I think the gentleman should read the hearings. Twenty-three million dollars was appropriated for construction and a like amount was raised by private contribution. They do have the authority to issue the revenue bonds for the garage and these repayments are still——

Mr. SCHERLE. I cannot necessarily agree with those figures, because it seems to me——

Mrs. HANSEN of Washington. I suggest the gentleman read the hearings completely.

Mr. SCHERLE. All right.

Mrs. HANSEN of Washington. The hearing record is very complete. The entire matter of the contributions and the reasons why the cost escalated are fully set forth in the 48 pages of the printed hearing.

Mr. SCHERLE. I can assure the gentlewoman that I certainly will read the hearings. But what constantly bothers me is every time this appropriation bill comes up there is an additional amount for the Kennedy Cultural Center. I am sure the taxpayers of this country feel they have donated enough money at this point, and we would like to see it finished once and for all and paying for itself on a pay-as-you-go basis, if necessary, and not coming back here year after year after year and assessing the taxpayers for additional amounts of money when they have stated dozens of times that it will not cost them one more penny.

Mrs. HANSEN of Washington. I would like to say one thing. The money that we are appropriating today is that which is occasioned by the demands of the taxpayers. These 8,000 to 10,000 people per day passing through the Kennedy Center come not as supporters of the arts or people attending the theater. These are people from across this Nation who go to the Kennedy Center to look at the bust of the late President Kennedy; the bust of the late President Eisenhower; to see the international exhibits; and to see this memorial which belongs to the people of the United States.

Mr. BOGGS. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I would like to commend the gentlewoman from Washington and the other members of the conference committee on this conference report. This conference report involves several billions of dollars for important projects all over this country. I know what a difficult task it is to put these projects together.

The only matter that seems to bring about any criticism at all is the matter raised by the gentleman from Iowa (Mr. SCHERLE) concerning the Kennedy Center.

I might point out that it is my recollection—and the gentlewoman from Washington can correct me if I am in error—that when we passed the Kennedy Center Act we gave the trustees of the Kennedy Center the authority to issue certain obligations and as far as I know they have a perfect legal right to do so. I do not believe the gentlewoman from Washington ought to be criticized for whatever they may have done in that regard. I am told that they have been very circumspect, and I am also told that the theatrical operations of the Kennedy Center are successful and self-sustaining. Is that correct?

Mrs. HANSEN of Washington. That is correct.

Mr. BOGGS. And that the only subsidy involved in this conference report involves the memorial aspect of the center, where people go to see some of the historic things of value to our people in the history of our country. Is that correct?

Mrs. HANSEN of Washington. That is correct.

Mr. BOGGS. Mr. Speaker, I commend the gentlewoman from Washington (Mrs. HANSEN) and the gentleman from Pennsylvania (Mr. McDADE) as well, for this conference report.

Mr. McDADE. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Speaker, I wish to state that I rise in support of the conference report, and would like the record to be clear from the standpoint of those of us on this side of the aisle who attended the conference and participated in its deliberations, that I believe the gentlewoman from Washington (Mrs. HANSEN) did an outstanding job. Certainly no one should in any way, shape, manner or form impute to her any actions that may have been controversial that were conducted by the Board of Trustees of the Kennedy Center.

The gentlewoman from Washington has done an outstanding job, and I hope that we adopt this conference report expeditiously.

Mrs. HANSEN of Washington. Mr. Speaker, I wish to thank the gentleman from Pennsylvania (Mr. McDADE) and to add that I appreciate the gentleman's understanding and work that the gentleman has given to these problems relating to the Department of the Interior and related agencies appropriations bill.

Mr. RONCALIO. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the distinguished gentleman from Wyoming.

Mr. RONCALIO. Mr. Speaker, I thank the gentlewoman for yielding, and may I say to my colleagues who have expressed concern regarding the Kennedy Center for the Performing Arts, and to the Board of Trustees who handle that Center, that I have served on this committee, and that I have attended its meetings, and that I have read virtually every bit of material relevant to it, and I say that I consider it an honor to serve on that Board, having been appointed to it by the Speaker.

Let me say that the Board has been working diligently to eliminate these problems we are concerned about, and we hope and pray that the time will soon come when we can no longer have to ask the Congress for additional money to continue the maintenance of this memorial to our late President Kennedy.

It would seem to me that when you consider that thousands of American citizens come to the Kennedy Memorial Center every day, just as they do to the other memorials to our past Presidents, such as the Lincoln Memorial and the Jefferson Memorial that have been erected in the memory of our former Presidents, that I think it is only fitting and proper that we do contribute to their maintenance, and each year we do provide funds to the Park Service to maintain these national memorials, and I think it is only right and equitable that we do so for the Kennedy Memorial Center.

As I say, I do hope that we can look forward to the day when the Board of Trustees will no longer have to come before the Congress with requests for additional funds.

May I say to my distinguished colleagues who are concerned about this that if they will come to me I believe that I can answer all of their questions, and I would only hope that they would come to the next meeting when the matter will be discussed in full.

Mr. ABOUREZK. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman.

Mr. ABOUREZK. I would like a point of clarification on the report. On page 5 where you discuss the East Charles Mix School District in Wagner, S. Dak., you state in the report that the language will be changed when it has been shown that the local school authorities have incurred bonded indebtedness for the construction of local schools to the "fullest possible extent."

The clarification that I would like is this, does this mean "to the fullest extent" as stated by law or did you intend it to mean to the best of their ability?

Mrs. HANSEN of Washington. To the best of their ability.

We had a long discussion of this problem in the conference, and I may say for the benefit of the gentleman, there are many schools confronted with a rather complex situation where there might be four schools subject to the bonding ability of an entire school district. The conference language does not of necessity demand that one school should be given all the bonded indebtedness. Therefore, we use the words "to the fullest possible extent, in accordance with applicable State law and have otherwise levied maximum school taxes."

Mr. ABOUREZK. If the gentlewoman will yield briefly at this point, can I give you a concrete example of the East Charles Mix School Board situation and state that as an example their maximum bonded indebtedness by law is $1.5 million. Yet the school board has made a judgment that they can only pass a $900,000 bond issue. Would that satisfy your requirements under the language of the report?

Mrs. HANSEN of Washington. My conception is that if the school board states in a resolution that they are placing this as their fullest capacity and that they are using the maximum of the funds available to them from local revenue and State sources that this would satisfy the language of the report, on the qualifications that are set forth.

Mr. ABOUREZK. And the same is true with the mill levy requirements—if the school board can levy 5 mills of local property tax for building capital outlay, and they have done that, that is acceptable?

Mrs. HANSEN of Washington. I would assume that these would meet all the legal requirements of the language here.

Mr. ABOUREZK. I thank the gentlewoman.

Mr. CONTE. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I am happy to yield to the distinguished gentleman from Massachusetts.

Mr. CONTE. I want to take this opportunity to congratulate the gentlewoman from Washington and the ranking Republican member, the gentleman from Pennsylvania (Mr. McDade) and the other members for the very excellent job they have done in bringing to the floor of the House a good and sound conference report, and what I like to think is an all-American bill that comes before the Congress.

I also want to take this opportunity, because the gentlewoman was just as fair and equitable, not only to me, but to all of the congressional delegation from New England when she said here on the floor of the House when we debated the bill that if the Senate would put in $125,000 for the planning and land acquisition for a salmon hatchery in the White River area of Vermont, she would go along with it, and this she did.

We in New England are very, very grateful to her for that. This is only the beginning of bringing that great fish, the Atlantic salmon, back to the Connecticut River, and we thank her from the bottom of our hearts.

Mrs. HANSEN of Washington. I thank the distinguished gentleman from Massachusetts.

Mr. BROTZMAN. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman.

Mr. BROTZMAN. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I would like to add my congratulations to the gentlewoman and to the managers both on the majority and on the minority side of the House for this conference report.

I am particularly grateful that you retained funding for the National Park Service plans for the reconstruction of Bent's Old Fort in Colorado which will be good news to the people of Colorado and certainly to the people of the West.

Mr. WYATT. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from Oregon.

Mr. WYATT. Mr. Speaker, I would like to add my commendation to the chairman and to our ranking member. Because I had very few conflicts in my subcommittees, I was able to sit through nearly all of the hearings on the bill. I think this subcommittee, as much as any committee that I have ever served on, actually performed a real legislative service in looking over the administration's budget requests very carefully and screening and examining them in detail and then working our will in connection with reductions and eliminations and additions as we in a legislative body felt were required and justified based upon the hearings.

I think they were excellent hearings. They were presided over with great ability and I would congratulate the gentlewoman and the ranking Republican member, the gentleman from Pennsylvania (Mr. McDade).

I would like to say this one thing in regard to the Kennedy Center. During our hearings on that, I was dismayed to see the amount of money that we have put in there over the years. However, we do recognize that the basic character has been changed to that of a memorial—at least a portion, a substantial portion, of the building is now a memorial.

I would like to point out to Members of the House that the formula upon which the administration request for this additional money for operation and maintenance is based is subject to some alteration and adjustment in the future. The formula is based upon the total number of hours that the center is now open; upon the 7-day week; and these figures may have to be adjusted to accord with the facts as we get a little more experience. That is the only thing I would like to say.

Mr. McDADE. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Speaker, as I understand this conference report it is $112,276,000 more than was expended for the same general purposes a year ago. It is $21,781,300 over the budget and it is $19,377,100 above the figure of the House bill.

Now, with respect to the Cultural Center, reading from the hearing before the House Subcommittee on Appropriations for the Interior Department on July 20, this year, it is stated that in a joint session of the House and Senate Committees on Public Works of the 88th Congress, first session, December 12 and 16, 1963, the following interchange took place between Representative Cramer and Mr. Roger L. Stevens:

> Representative Cramer. Will this legislation obligate the government in any way for maintenance and operation in the future?
>
> Mr. Stevens. No, sir. We feel that in their income from rentals we will have enough money for proper maintenance and even going so far as depreciation of equipment.

Now, who was saying what to whom in those days gone by about the Federal Government participation in the Cultural Center?

Mr. McDADE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Pennsylvania.

Mr. McDADE. The gentleman raises, of course, an important and interesting point, and I think the answer to it lies in the date. If you notice, the date is 1963. That was before the late President Kennedy was assassinated; it was before this was declared by Congress unanimously to be a memorial to the President. I would simply say to the gentleman from Iowa that what has happened since that time is that the Congress—and I voted for it—has declared it to be a national monument.

The influx of tourists has come about and we have a different situation than we had back in 1963 when President Eisenhower and others requested and sponsored this legislation requesting such a center.

Mr. GROSS. Yes, and because it became a memorial to former President Kennedy only compounds the felony of the statement that it was not going to cost the taxpayers any money. Under the emotions of the time the promoters went out and raised money from private sources; several million dollars as contributions to a project which we were assured would not cost the taxpayers of this country a single dollar for maintenance and operation.

Now the taxpayers are in it clear up to their ears and this will put them into it ever deeper and deeper.

Mr. McDADE. I do not know how the gentleman voted on the question of what to do after the President was assassinated, but I do know that there was a change in the basic reason and the basic existence of this building after the assassination of President Kennedy in 1964. We have made an effort, and I must say that the distinguished and able gentleman from Oregon, Mr. Wyatt, played an important part in laying before the Congress all the facts in order that we could see the exact transition that occurred with respect to this building and why they are now faced with a tourist influx to visit a monument which rivals those who visit the Washington Monument and the Lincoln Memorial.

Mr. GROSS. I am sure there are all kinds of excuses for what is now taking place. The promoters of this Cultural Center have dredged up all kinds of excuses for failure to live up to their promises.

The fact remains that we were told again that this would cost the taxpayers nothing for maintenance and operation. It has already cost the taxpayers $50 million or $56 million for construction.

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. GRAY. I thank my friend for yielding.

Mr. Speaker, I would like to elaborate if I may for just a moment on what the gentleman from Pennsylvania said. We have a completely different set of circumstances now.

Mr. GROSS. There is always a different set of circumstances when it comes to bilking the taxpayers.

Now the gentleman may go ahead.

Mr. GRAY. If the gentleman from Iowa will allow me, I will explain. Mr. Stevens was talking about maintenance of a center for the performing arts which starts at approximately 8 p.m. in the evening. As a national monument to President Kennedy the center is now receiving 12,000 to 14,000 persons from all over the world during the daylight hours every day. The Kennedy Center is now second only to the Capitol in daily visitation. These funds are being spent to accommodate the taxpayers.

Mr. McDADE. Mr. Speaker, the conference report on H.R. 15418 presented to the House today is a product of many months of hard work on the part of your committee. Like all committee reports, it represents the product of much compromise with the other body. However, it is a good bill, and one which I believe deserves the support of every Member of this House.

The bill contains an increase in new obligational authority of $19,377,100 above the amounts found in the House version of the bill, and $1,987,500 below the Senate version. The total new obligational authority found in this bill is $21,781,300 above the budget request. However, this is offset in part by reductions of $14,806,000 in appropriations to liquidate contract authority. This leaves an excess above the budget estimate of $6,975,300.

I am sure the Members of this House are as well aware as the committee that budgetary decisions this year have been most difficult. As one of the conferees who met to resolve the differences in the House and Senate bills, I want to assure my colleagues that all programs in the conference report were given careful scrutiny. In each case, the available resources of the Government were measured against the needs of the people and programs served by this bill. While the end product of our deliberations exceeds the original bill, the Members will note that we did not add funds helter-skelter. We added some and subtracted some with the result that several programs were, in fact, trimmed below the budget levels originally approved by the House.

The sum of $11.5 million will go to the Forest Service for forest fire control research, construction, and land acquisition. Included is $5 million more in Clarke-McNary funds for forest fire control programs with the States. This is a result of congressional action on H.R. 8817 signed into law subsequent to our budget hearings. The Clarke-McNary program has always enjoyed wide support in the Congress and with the growing problems and expenses accompanying forest fire prevention and control this seems to be a very responsible increase indeed.

The sum of $5 million more will be committeed to our Indian health and education programs. Our Indian health programs have achieved dramatic success but so much more needs to be done. Other funds will expedite construction on badly needed schools, improved school facilities, additional scholarships, and irrigation projects for our Indian people.

The sum of $2.8 million in research funds will expedite energy research within the Bureau of Mines and the Office of Coal Research. These funds will be used to accelerate vital research on our energy needs in such areas as geothermal research, MHD power generation and the development of new low sulfur oil.

In addition, money in this bill will stimulate highly successful research on the critical problem of filling deep mine voids. As a representative of people who are plagued by the ravages of mine subsidence, I know the importance of this research.

The sum of $1.5 million is also provided for the operation and maintenance of the Kennedy Center. This item while a part of the President's original budget request was not included in the House version of the bill because authorizing legislation had failed to clear the Congress.

In short, Mr. Speaker, the bill we are considering today increases and strengthens our commitments to our natural resources, development of our energy resources, and most important our human needs. I urge its adoption by the House.

Mr. ROYBAL. Mr. Speaker, I rise in support of H.R. 15418 and would like to urge its immediate passage.

This bill contains three provisions which will substantially aid the Indian population in the State of California. First, it corrects an inequity in the way that Johnson-O'Malley Funds are apportioned. Prior to this time the Bureau of Indian Affairs distributed Johnson-O'Malley Funds to school districts with large blocks of tax-free Indian land. This bill changes the method of distribution of funds to coincide with the original interest of Congress when it passed the bill in 1934. The intent of the original bill was to aid the urban and off-the-reservation Indians as well. In the case of California, for instance, more than two-thirds of the State's Indians live in urbanized areas.

Second, the bill provides funds to create decent housing for California's rural Indians. Off-reservation Indians have especially difficult housing problems because they are ineligible to own housing authorities under HUD housing programs. Therefore, this funding is essential.

The bill also provides funds to expand health services provided by the California Rural Indian Health Board to the rural Indians in California.

This bill represents a beginning at rectifying a longstanding injustice done to urban Indians and will increase the quality of social services offered to rural Indians. I recommend its passage to all my colleagues.

Mr. McDADE. Mr. Speaker, I have no further requests for time.

Mrs. HANSEN of Washington. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SCHERLE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 378, nays 9, not voting 45, as follows:

[Roll No. 292]

YEAS—378

Abbitt
Abernethy
Abourezk
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Ashley
Aspin
Aspinall
Badillo
Baker
Baring
Barrett
Begich
Belcher
Bell
Bennett
Bergland
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Camp
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Collins, Ill.
Collins, Tex.
Colmer
Conable
Conover
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Culver
Curlin
Daniel, Va.
Danielson
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Devine
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Drinan
Dulski
Duncan
du Pont
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Jacobs
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kyl
Kyros
Landrum
Latta
Leggett
Lennon
Lent
Link
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McCollister
McCormack
McCulloch
McDade
McEwen
McFall
McKay
McKevitt
Macdonald, Mass.
Mahon
Mailliard
Mallary
Mann
Martin
Mathias, Calif.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Michel
Mikva
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nichols
Nix
Obey
O'Hara
O'Konski
O'Neill
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Powell
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rangel
Rees
Reuss
Rhodes
Riegle
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio

Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Ruppe
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Scheuer
Schwengel
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—9

Clawson, Del
Dickinson
Gross
Hall
Jonas
Landgrebe
Mathis, Ga.
Schmitz
Schneebeli

NOT VOTING—45

Anderson, Tenn.
Blanton
Brasco
Broomfield
Broyhill, Va.
Caffery
Clay
Daniels, N.J.
Davis, Ga.
Davis, S.C.
Derwinski
Dowdy
Flynt
Ford, Gerald R.
Fulton
Gallagher
Hagan
Hays
Hébert
Hutchinson
Ichord
Jarman
Jones, Tenn.
Kuykendall
Long, La.
McClure
McDonald, Mich.
McKinney
McMillan
Madden
Miller, Calif.
Minshall
Nedzi
Nelsen
Rarick
Reid
Roberts
Rooney, N.Y.
Runnels
Ryan
Scott
Springer
Stokes
Stuckey
Wilson, Charles H.

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Broomfield.

Mr. Rooney of New York with Mr. Gerald R. Ford.

Mr. Fulton with Mr. Derwinski.

Mr. Brasco with Mr. Hutchinson.

Mr. Charles H. Wilson with Mr. McKinney.

Mr. Blanton with Mr. Kuykendall.

Mr. Nedzi with Mr. McDonald of Michigan.

Mr. Reid with Mr. Nelsen.

Mr. Ryan with Mr. Clay.

Mr. Flynt with Mr. Broyhill of Virginia.

Mr. Daniels of New Jersey with Mr. Springer.

Mr. Hays with Mr. Minshall.

Mr. Stokes with Mr. Anderson of Tennessee.

Mr. Davis of South Carolina with Mr. McClure.

Mr. Davis of Georgia with Mr. Scott.

Mr. Jarman wth Mr. Rarick.

Mr. Roberts with Mr. Gallagher.

Mr. Runnels with Mr. Hagan.

Mr. Madden with Mr. Long of Louisiana.

Mr. Stuckey with Mr. Caffery.

Mr. Jones of Tennessee with Mr. Ichord.

Mr. Miller of California with Mr. McMillan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 4: On page 6, line 9, strike "$55,384,000" and insert in lieu thereof "$55,575,000."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. Hansen of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 4 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$55,960,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: On page 7, line 7, insert the following: "that not to exceed $450,000 shall be for assistance to the Rocky Boy School District, Rocky Boy Indian Reservation, Montana;".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. Hansen of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 7, line 11, insert the following: "that not to exceed $465,000 shall be for assistance to the Dunseith, North Dakota, Public School District No. 1;".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. Hansen of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: On page 8, line 2, insert the following: *Provided*, That there shall be advanced from the Alaska Native Fund upon request of the board of directors of any Regional Corporation established pursuant to section 7 of said Act, $500,000 for any one Regional Corporation, which shall be reduced by any amount advanced to such Regional Corporation prior to July 1, 1972, and an additional $1,000,000 to be available for distribution by the Secretary among the Corporations, which the Secretary of the Interior shall determine to be necessary for the organization of such Regional Corporation and the Village Corporations within such region, and to identify land for such Corporations pursuant to said Act, and to repay loans and other obligations incurred prior to May 27, 1972 for such purposes: *Provided further*, That such advances shall not be subject to the provisions of section 7(j) of said Act, but shall be charged to and accounted for by such Regional and Village Corporations in computing the distributions pursuant to section 7(j) required after the first regular receipt of moneys from the Alaska Native Fund under section 6 of said Act: *Provided further*, That no part of the money so advanced shall be used for the organization of a Village Corporation that had less than twenty-five Native residents living within such village according to the 1970 census."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Hansen of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: On page 17, line 8, strike "$58,491,000" and insert "$57,891,000."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. Hansen of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$60,091,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: On page 21, line 14, strike "88,671,000" and insert "89,385,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. Hansen of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$89,421,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 19: On page 22, line 12, insert: "*Provided*, That $90,000 representing the National Park Service share for planning a modern sewage system and treatment plant, in cooperation with the towns of Harpers Ferry and Bolivar, West Virginia, to service said towns and Harpers Ferry National Historical Park shall not be available until such time as agreement relating to the procedures and funding for design, construction, and operation of the facility is consummated among the concerned agencies".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. Hansen of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 19 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: On page 23, line 7, strike out "$5,766,000" and insert "$13,416,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$5,416,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: On page 25, line 19, strike "$15,419,000" and insert "$15,470,100".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$15,295,100".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: On page 29, line 12, strike "$59,268,000" and insert "$60,833,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$61,143,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: On page 30, line 1, strike "$43,953,900" and insert "$44,203,900".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 28 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$48,581,900".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: On page 38, line 1, strike "$51,682,000" and insert "$52,243,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$51,633,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 40, line 23, insert:

"JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

"For expenses necessary for operating and maintaining the non-performing arts functions of the John F. Kennedy Center for the Performing Arts, $1,500,000, to be available for obligations incurred in fiscal year 1972."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

CONFERENCE REPORT ON H.R. 15417, DEPARTMENTS OF LABOR, HEW, AND RELATED AGENCIES APPROPRIATIONS, 1973

Mr. FLOOD submitted the following conference report and statement on the bill (H.R. 15417) making appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies, for the fiscal year ending June 30, 1973, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 92-1280)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15417) "making appropriations for the Departments of Labor and Health, Education and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 20, 25, 30, 39, 43, 45, 49, 56, 59, 60, 61, 63, 65, 71, 73 and 77.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 8, 9, 10, 11, 12, 13, 15, 17, 22, 23, 26, 44, 50, 62, 67, 69, 72, 74 and 75, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$49,139,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$72,207,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$783,323,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$489,573,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$320,000,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$49,795,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "and digestive diseases, $173,190,000."; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$136,403,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$122,048,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$192,302,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$142,257,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$41,137,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$31,374,000", and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "$78,244,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,200,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$846,428,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$140,000,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$28,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$28,818,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,580,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,542,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$162,359,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"LIBRARY RESOURCES

"For carrying out, to the extent not otherwise provided, titles I ($62,000,000), II, and III ($7,500,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); title II ($100,000,000) of the Elementary and Secondary Education Act; title III–A ($50,000,000) of the National Defense Education Act of 1958; and title VI ($12,500,000) of the Higher Education Act; $247,000,000, of which $15,000,000, to remain available through June 30, 1974, shall be for grants for public library construction under title II of the Library Services and Construction Act."

And the Senate agree to the same.

Amendment numbered 57: That the House receded from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$238,315,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 19, 21, 24, 51, 52, 54, 64, 66, 68, 70 and 76.

Daniel J. Flood,
William H. Natcher,
Neal Smith,
W. R. Hull, Jr.,
Bob Casey,
Edward J. Patten,
George H. Mahon,
Garner E. Shriver,
Silvio O. Conte,
Managers on the Part of the House.

Warren G. Magnuson,
John C. Stennis,
Alan Bible,
Robert C. Byrd,
William Proxmire,
Joseph M. Montoya,
Ernest F. Hollings,
Norris Cotton,
Clifford P. Case,
Hiram L. Fong,
J. Caleb Boggs,
Edward W. Brooke,
Ted Stevens,
Milton R. Young,
Managers on the Part of the Senate.

Joint Explanatory Statement of the Committee of Conference

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15417) making appropriations for the Departments of Labor and Health, Education, and Welfare and related agencies for the fiscal year ending June 30, 1973, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF LABOR

Manpower Administration

Amendment No. 1: Inserts legal citations as proposed by the Senate.

Amendment No. 2: Appropriates $719,554,000 for "Manpower training services" as proposed by the Senate instead of $758,554,000 as proposed by the House.

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that funds appropriated for expenses of the Private Sector On The Job Training and the Special Targeting programs contained in the appropriation for "Manpower training services" shall not be subject to the apportionment of benefits provisions of section 301 of the Manpower Development and Training Act. This or very similar language has been proposed in the budget for each of the last several years. While the managers on the part of both the House and the Senate recognize the desirability of such language, they also recognize that it is undesirable to have this type of legislation in an appropriation bill year after year and are quite definitely inclined to deny any future requests of this nature. If this is really as necessary for efficient operation of these programs as the Department indicates, it should be made a part of the basic authorizing legislation.

Amendments Nos. 4 and 5: Authorize the use of $800,300,000 from the Employment Security Administration account in the Unemployment Trust Fund for "Limitation on grants to States for unemployment insurance and employment services" as proposed by the Senate instead of $820,300,000 as proposed by the House; and provide that $24,000,000 of the total amount authorized shall be available only for certain contingencies as proposed by the Senate instead of $44,000,000 as proposed by the House.

Employment Standards Administration

Amendment No. 6: Appropriates $49,139,000 for "Salaries and expenses" instead of $48,889,000 as proposed by the House and $49,889,000 as proposed by the Senate.

Occupational Safety and Health Administration

Amendment No. 7: Appropriates $72,207,000 for "Salaries and expenses" instead of $69,207,000 as proposed by the House and $80,000,000 as proposed by the Senate.

Amendments Nos. 8 and 9: Provide that none of the funds appropriated by this Act shall be expended to pay the salaries of any employees of the Federal Government who inspect firms employing 15 persons or less as proposed by the Senate instead of 25 persons or less as proposed by the House.

Bureau of Labor Statistics

Amendments Nos. 10 and 11: Appropriate $45,240,000 for "Salaries and expenses" as proposed by the Senate instead of $44,784,000 as proposed by the House; and provide that $10,216,000 shall be for expenses of revising the Consumer Price Index as proposed by the Senate instead of $9,760,000 as proposed by the House.

Departmental Management

Amendments Nos. 12 and 13: Appropriate $24,196,000 for "Salaries and expenses" as proposed by the Senate instead of $24,156,000 as proposed by the House; and provide that $890,000 shall be available for the President's Committee on Employment of the Handicapped as proposed by the Senate instead of $850,000 as proposed by the House.

Amendment No. 14: Appropriates $100,000 for "Special foreign currency program" as proposed by the House instead of $309,000 as proposed by the Senate.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Services and Mental Health Administration

Amendments Nos. 15, 16, and 17: Appropriate $783,323,000 for "Mental health" instead of $743,823,000 as proposed by the House and $851,525,000 as proposed by the Senate; insert a legal citation and provide that $75,000,000 shall remain available until June 30, 1974, for grants pursuant to parts A, C, and D of the Community Mental Health Centers Act as proposed by the Senate instead of $181,491,000 as proposed by the House. The managers on the part of both the House and the Senate are agreed that the earmarking in the Senate report should be used as a guideline in allocating the increase over the amount proposed by the House for the appropriation "Mental health."

Amendment No. 18: Appropriates $489,573,000 for "Health services planning and development" instead of $462,073,000 as proposed by the House and $510,573,000 as proposed by the Senate. The managers on the part of both the House and the Senate are agreed that the amount in excess of the House bill includes $1,000,000 for health services research and development; $14,500,000 for Regional Medical Programs of which $2,000,000 shall be for renal disease, and $4,500,000 for the construction of a children's regional health service center in the northwestern part of the United States; and $12,000,000 to complete an experimental hospital which is now under construction at Children's Hospital Medical Center, Washington, D.C.

The managers on the part of both the House and the Senate are agreed that of the total amount provided for Regional Medical Programs, funds will be so allocated as to provide for end-stage renal disease programs in all sections of the nation.

Amendment No. 19: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will have the effect of appropriating $798,046,000 for "Health services delivery" instead of $751,295,000 as proposed by the House and $844,797,000 as proposed by the Senate. The managers on the part of the Senate will move to agree to the amendment of the House to the amendment of the Senate. The managers on the part of both the House and the Senate are agreed that the earmarking in the Senate report should be used as a guideline in allocating the increase over the amount proposed by the House.

Amendment No. 20: Deletes language proposed by the Senate.

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which will insert a legal citation relating to "Preventive health services."

Amendments 22 and 23: Adjust legal citations pertaining to "Preventive health services" as proposed by the Senate.

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will have the effect of appropriating $209,372,000 for "Preventive health services" instead of $159,872,000 as proposed by the House and $223,872,000 as proposed by the Senate. The managers on the part of the Senate will move to agree to the amendment of the House to the amendment of the Senate. The managers on the part of both the House and the Senate are agreed that the amount by which the appropriation exceeds the House bill shall be allocated as follows: $10,000,000 for control of infectious diseases of which $4,000,000 shall be for control of tuberculosis, $3,000,000 shall be for control of venereal diseases, and $3,000,000 shall be for immunization programs; $2,500,000 to initiate a comprehensive communicable disease health education program; $2,000,000 for the lead-based paint poisoning prevention program project grants; and $35,000,000 for occupational health activities.

Amendment No. 25: Deletes language proposed by the Senate.

National Institutes of Health

The bill includes a total of $1,793,683,000 for the research institutes and divisions of the National Institutes of Health. These appropriations are covered by Amendments Nos. 26 through 39. This compares with the 1972 appropriation of $1,476,334,000, the budget estimate for 1973 of $1,580,198,000, the House bill of $1,722,983,000, and the Senate bill of $1,899,733,000. The managers on the part of both the House and the Senate are agreed that the Department should follow earmarkings included in the report of the Senate Committee on Appropriations as guidelines for the allocation of the increase over the amount proposed by the House. However, the managers are also agreed that $5,000,000 of the increase for "National Heart and Lung Institute" shall be for pediatric pulmonary centers, and that $500,000 of the amount provided for "Research resources" will be allocated to the Primate Colony Research Center at Holloman Air Force Base, New Mexico.

Amendments Nos. 26 and 27: Appropriates $320,000,000 for "National Heart and Lung Institute" instead of $300,000,000 as proposed by the House and $350,000,000 as proposed by the Senate; and insert a legal citation proposed by the Senate.

Amendment No. 28: Appropriates $49,795,000 for "National Institute of Dental Research" instead of $46,991,000 as proposed by the House and $54,000,000 as proposed by the Senate.

Amendment No. 29: Appropriates $173,190,000 for "National Institute of Arthritis, Metabolism, and Digestive Diseases" instead of $167,316,000 as proposed by the House and $182,000,000 as proposed by the Senate.

Amendment No. 30: Strikes language proposed by the Senate to earmark not to exceed $320,000 of the appropriation for "National Institute of Arthritis, Metabolism, and Digestive Diseases for 20 additional positions. The managers on the part of both the House and the Senate are agreed that funds included in the bill should be available for a proportionate increase in positions.

Amendment No. 31: Appropriates $136,403,000 for "National Institute of Neurological Diseases and Stroke" instead of $130,672,000 as proposed by the House and $145,000,000 as proposed by the Senate.

Amendment No. 32: Appropriates $122,048,000 for "National Institute of Allergy and Infectious Diseases" instead of $113,414,000 as proposed by the House and $135,000,000 as proposed by the Senate.

Amendment No. 33: Appropriates $192,302,000 for "National Institute of General Medical Sciences" instead of $183,171,000 as proposed by the House and $206,000,000 as proposed by the Senate.

Amendment No. 34: Appropriates $142,257,000 for "National Institute of Child Health and Human Development" instead of $130,429,000 as proposed by the House and $160,000,000 as proposed by the Senate.

Amendment No. 35: Appropriates $41,137,000 for "National Eye Institute" instead of $38,562,000 as proposed by the House and $45,000,000 as proposed by the Senate.

Amendment No. 36: Appropriates $31,374,000 for "National Institute of Environmental Health Sciences" instead of $30,956,000 as proposed by the House and $32,000,000 as proposed by the Senate.

Amendment No. 37: Appropriates $78,244,000 for "Research resources" instead of $75,073,000 as proposed by the House and $83,000,000 as proposed by the Senate.

Amendment No. 38: Appropriates $5,200,000 for "John E. Fogarty International Center for Advanced Study in the Health Sciences" instead of $4,666,000 as proposed by the House and $6,000,000 as proposed by the Senate.

Amendment No. 39: Strikes language proposed by the Senate to provide that not to exceed $80,000 of the funds appropriated for "John E. Fogarty International Center for Advanced Study in the Health Sciences" shall be available for additional positions. The managers on the part of both the House and the Senate are agreed that not to exceed $32,000 shall be available for this purpose.

Amendments Nos. 40, 41, 42, 43, 44, and 45: Appropriate $846,428,000 for "Health manpower" instead of $738,628,000 as proposed by the House and $927,178,000 as proposed by the Senate; provide that $140,000,000, including $28,000,000 for dental teaching facilities, shall be available for grants for construction of facilities under part B of title VII instead of $100,000,000, including $20,000,000 for dental teaching facilities, as proposed by the House and $180,000,000, including $30,000,000 for dental teaching facilities, as proposed by the Senate; provide that $30,000,000 shall be available for grants for construction of facilities under part A of title VIII as proposed by the Senate instead of $20,000,000 as proposed by the House; delete provision that $2,000,000 shall be for grants for construction of facilities under part G of title VII proposed by the Senate; and delete legal citation to part G of title VII proposed by the Senate. The following table sets forth in detail the conference agreement and other pertinent statistics:

Activity	1972 comparable appropriation	1973 budget estimate	House allowance	Senate allowance	Conference agreement
1. Medical, dental, and related heatlh professions:					
(a) Institutional support:					
(1) Capitation grants	$155,200,000	$165,900,000	$165,900,000	$190,000,000	$177,950,000
(2) Education initiatives	20,000,000	20,000,000	42,000,000	42,000,000	42,000,000
(3) Other institutional support	80,280,000	76,300,000	89,700,000	100,000,000	100,000,000
Subtotal	255,480,000	262,200,000	297,600,000	332,000,000	319,950,000
(b) Student assistance:					
(1) Direct loans	30,000,000	36,000,000	36,000,000	36,000,000	36,000,000
(2) Scholarships	15,500,000	15,500,000	15,500,000	27,000,000	[1] 17,500,000
(3) Traineeships	6,100,000	6,000,000	17,000,000	17,000,000	17,000,000
Subtotal	51,600,000	57,500,000	68,500,000	80,000,000	70,500,000
(c) Construction:					
(1) Grants	139,985,000		100,000,000	180,000,000	140,000,000
(2) Interest subsidies	800,000	1,000,000	1,000,000	1,000,000	1,000,000
Subtotal	140,785,000	1,000,000	101,000,000	181,000,000	141,000,000
(d) Computer technology	3,000,000	3,000,000	6,000,000	6,000,000	6,000,000
(e) Educational grants and contracts and direct operations	7,071,000	7,881,000	9,481,000	9,481,000	9,481,000
Subtotal	457,936,000	331,581,000	482,581,000	608,481,000	546,931,000
2. Dental health:					
(a) Educational grants and contracts	5,909,000	6,409,000	7,409,000	7,409,000	7,409,000
(b) Direct operations	5,950,000	6,570,000	7,570,000	7,570,000	7,570,000
Subtotal	11,859,000	12,979,000	14,979,000	14,979,000	14,979,000

Footnotes at end of table.

Activity	1972 comparable appropriation	1973 budget estimate	House allowance	Senate allowance	Conference agreement
3. Nursing: Institutional support	60,500,000	56,500,000	75,500,000	99,500,000	87,500,000
(b) Student assistance:					
(1) Direct loans	21,000,000	21,000,000	24,000,000	24,000,000	24,000,000
(2) Scholarships	19,500,000	19,500,000	21,500,000	30,000,000	30,000,000
(3) Traineeships	11,470,000	11,500,000	12,500,000	15,000,000	15,000,000
Subtotal	51,970,000	52,000,000	58,000,000	69,000,000	69,000,000
(c) Construction:					
(1) Grants	19,000,000		20,000,000	30,000,000	30,000,000
(2) Interest subsidies	200,000	1,000,000	1,000,000	1,000,000	1,000,000
Subtotal	19,200,000	1,000,000	21,000,000	31,000,000	31,000,000
(d) Educational grants and contracts and direct operations	12,729,000	13,434,000	13,934,000	13,934,000	13,934,000
Subtotal	144,399,000	122,934,000	168,434,000	213,434,000	201,434,000
4. Public health:					
(a) Institutional support	10,026,000	11,940,000	12,000,000	14,000,000	13,000,000
(b) Traineeships	8,400,000	9,000,000	9,600,000	11,000,000	10,300,000
(c) Direct operations	573,000	631,000	1,031,000	1,031,000	1,031,000
Subtotal	18,999,000	21,571,000	22,631,000	26,031,000	24,331,000
5. Allied health:					
(a) Institutional support	10,000,000	14,000,000	16,000,000	20,000,000	20,000,000
(b) Traineeships	3,710,000	3,710,000	3,750,000	6,000,000	6,000,000
(c) Educational grants and contracts and direct operations	16,910,000	17,955,000	18,955,000	23,955,000	21,455,000
(d) Scholarships				1,000,000	
(e) Construction				2,000,000	
Subtotal	30,620,000	35,665,000	38,705,000	52,955,000	47,455,000
6. Program direction and manpower analysis	9,749,000	8,898,000	11,298,000	11,298,000	11,298,000
Total	673,562,000	533,628,000	738,628,000	927,178,000	846,428,000

[1] Includes $2,000,000 for the physician shortage area scholarship program.

The managers on the part of both the House and the Senate are agreed that the deletion of $2,000,000 for construction of allied health facilities, proposed by the Senate, is without prejudice and with the recognition of the importance of allied health personnel to the total national health care needs. However, this would start a new program of great potential cost and the managers agreed that further and more detailed study of the program should be made in the near future.

Amendment No. 46: Appropriates $28,818,000 for "National Library of Medicine" instead of $28,568,000 as proposed by the House and $29,068,000 as proposed by the Senate.

Amendment No. 47: Appropriates $12,580,000 for "Buildings and facilities" instead of $8,500,000 as proposed by the House and $33,480,000 as proposed by the Senate. The increase over the amount proposed by the House is for planning a new wing to the clinical center to provide facilities for examining and treating ambulatory research patients. The facilities would be designed to meet the needs of the Cancer Institute, Heart and Lung Institute, Eye Institute, and to a lesser degree, the other institutes.

Amendment Nos. 48 and 49: Appropriate $12,542,000 for "Office of the Director" instead of $12,042,000 as proposed by the House and $13,042,000 as proposed by the Senate; and delete language proposed by the Senate which would provide that $1,000,000 of this appropriation shall be advanced to the National Institutes of Health management fund. The managers on the part of both the House and the Senate are agreed that the Director shall use existing legislative authority to transfer $500,000 of this appropriation to the National Institutes of Health management fund.

Office of Education

Amendment No. 50: Deletes paragraph appropriating funds for elementary and secondary education, school assistance in federally affected areas, education for the handicapped, vocational and adult education, and library resources, as proposed by the Senate. Separate appropriations for these purposes are contained in Amendments Nos. 51, 52, 53, 54, and 55.

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede from disagreement to the Senate amendment and agree to the same with an amendment which will appropriate $2,034,393,000 for "Elementary and secondary education" as proposed by the House instead of $2,036,393,000 proposed by the Senate, and will earmark $53,000,000 for title V, parts A and C of the Elementary and Secondary Education Act, as proposed by the House instead of $55,000,000 proposed by the Senate. The conferees are agreed that $43,000,000 is to be allocated for part A, and $10,000,000 for part C. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 52: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede from disagreement to the Senate amendment and agree to the same with an amendment which will appropriate $681,405,000 for "School assistance in Federally affected areas" instead of $671,405,000 proposed by the House and $749,955,000 proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The language and amounts agreed upon for maintenance and operation of schools under P.L. 874 will provide for 100 percent of entitlement for "A" children in school districts where they are 25 percent or more of total enrollment, 90 percent of entitlement for all other "A" children, 77 percent of entitlement for "B" children, and $10,000,000 for "C" children. Also included is $35,910,000 for construction of school facilities under P.L. 815. The conferees will expect that such funds as are necessary will be used for urgently needed facilities at Holloman Air Force Base, New Mexico.

Amendment No. 53: Appropriates $162,359,000 for "Education for the handicapped" instead of $143,609,000 proposed by the House and $181,859,000 proposed by the Senate. The increase over the amount proposed by the House includes $15,000,000 for State grant programs, $1,750,000 for programs for children with specific learning disabilities, and $2,000,000 for teacher training.

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede from disagreement to the Senate amendment and agree to the same with an amendment which will appropriate $659,162,000 for "Vocational and adult education" instead of $643,460,000 proposed by the House and $674,768,000 proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The increase over the amount proposed by the House includes $95,000 for the National Advisory Council, $5,000,000 for cooperative education, $607,000 for State advisory councils, $4,000,000 for innovation, $1,000,000 for curriculum development, and $5,000,000 for research.

Amendment No. 55: Appropriates $247,000,000 for "Library resources" instead of $184,500,000 proposed by the House and $274,500,000 proposed by the Senate, and deletes language inserted by the Senate providing that funds for the purposes of title III-A of the National Defense Education Act of 1958 and title VI of the Higher Education Act shall be available only upon the enactment into law of the Education Amendments of 1972. This legislation has now been enacted. The increase over the amount proposed by the House consists of $50,000,000 for equipment and minor remodeling under title III-A of the National Defense Education Act and $12,500,000 for undergraduate instructional equipment under title VI of the Higher Education Act.

Amendment No. 56: Deletes language proposed by the Senate amending legal citation.

Amendment No. 57: Appropriates $238,315,000 for "Educational renewal" instead of $219,190,000 proposed by the House and $259,240,000 proposed by the Senate. The increase over the amount proposed by the House includes $15,000,000 for bilingual education, $2,000,000 for educational broadcasting facilities, $1,500,000 for drug abuse education, and $625,000 for adult education special projects.

Amendment No. 58: Earmarks $15,000,000 for educational broadcasting facilities instead of $13,000,000 proposed by the House and $25,000,000 proposed by the Senate.

Amendment No. 59: Deletes language proposed by the Senate providing that funds contained herein in excess of current authorization shall be available only upon enactment into law of authorizing legislation. The appropriation proposed by the Senate exceeded current authorizations. The lower amount agreed upon in conference does not.

Amendment No. 60: Appropriates $3,000,000 for "Educational activities overseas (special foreign currency program)" as proposed by the House instead of $5,000,000 proposed by the Senate.

Amendment No. 61: Appropriates $68,360,000 for "Salaries and expenses" as proposed by the House instead of $69,360,000 proposed by the Senate.

Social and Rehabilitation Service

Amendment No. 62: Appropriates $13,344,704,000 for "Grants to States for public assistance" as proposed by the Senate instead of $13,369,704,000 proposed by the House.

Amendment No. 63: Deletes language proposed by the Senate which provided that payments to States for services under titles I, IV (part A), X, XIV, and XVI of the Social Security Act should not exceed $2,500,000,000. The House bill contained no such language.

The Conference Committee recommended bill does not include a limitation on social services expenditures, but the conferees agreed with the basic premises of the Senate amendment: (1) to insure fiscal control over a program which is presently increasing at an alarming rate and (2) to insure that funds are disbursed prudently and effectively. The Congress approved in the fiscal year 1972, Second Supplemental Appropriation Bill, a substantial increase in manpower for the Social and Rehabilitation Service. These additional auditors would allow for a nation-wide management initiative which is intended to save over $400,000,000 in Federal funds without a curtailment of benefits and useful services to eligible recipients. As the result of the information and experience gained by this auditing effort, the conferees expect the Department of Health, Education, and Welfare to submit to both the House and Senate Appropriations Committees no later than the commencement of the second quarter of fiscal year 1973, a comprehensive plan for a system of fiscal restraint and programmatic accountability in social services programs.

Such a program is expected to include a system of allotments of social services funds among States with proper consideration to population, per capita income, welfare consolidation, and past experience in social services program delivery. It is anticipated that such a plan could become effective no later than January 1, 1973. If language in a subsequent appropriation bill is necessary, the House and Senate Appropriations Committees will reconsider the propriety of such limitation.

A limitation in Federal participation in social services expenditures at this time would have the effect of imposing undue hardships on those States which have made plans to receive the amounts to which they are entitled.

The absence of the limitation and Congressional concern for fairness to States will not, however, take precedence over the necessity for both the Administration and the Congress working with the States to devise effective means of exerting fiscal control over social services programs.

Amendment No. 64: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment, which appropriates $455,133,000 for "Work incentives." The House did not consider this appropriation.

Amendment No. 65: Deletes appropriation of $20,000,000 for "Grants for construction and staffing of rehabilitation facilities" proposed by the Senate. Appropriations for this purpose will be considered in a supplemental appropriation bill when legislative authorization has been enacted.

Amendment No. 66: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede from disagreement to the Senate amendment and agree to the same with an amendment which will appropriate $51,250,000 for "Grants for the developmentally disabled" instead of $102,825,000 proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The House did not consider this appropriation. The amount agreed to includes $32,500,000 for State grants under part C of the Developmental Disabilities Services and Facilities Construction Act, $5,000,000 for initial staffing of community facilities under part D of the Act, $9,250,000 for operation of university-affiliated facilities under part B of the Act, and $4,500,000 for hospital improvement projects under sections 301 and 303 of the Public Health Service Act.

Consideration of appropriations for rehabilitation service projects will be deferred pending enactment of legislation extending the authorizations in the Vocational Rehabilitation Act.

Socal Security Administration

Amendment No. 67: Inserts language amending legal citation as proposed by the Senate.

Amendment No. 68: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $1,526,500,000 for "Special benefits for disabled coal miners" instead of $557-788,000 proposed by the House.

Special Institutions

Amendment No. 69: Appropriates $15,082,000 for "Gallaudet College" as proposed by the Senate instead of $14,446,000 proposed by the House.

General provisions

Amendment No. 70: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts language providing that funds appropriated to the American Printing House for the Blind, Howard University, the National Technical Institute for the Deaf, the Model Secondary School for the Deaf, and Gallaudet College shall be awarded to the institutions in the form of lump-sum grants.

Amendment No. 71: Deletes language proposed by the Senate which would have permitted the Secretary of Health, Education, and Welfare to transfer funds among appropriations.

TITLE III—RELATED AGENCIES

Cabinet Committee on Opportunities for Spanish-Speaking People

Amendment No. 72: Appropriates $1,000,000 for "Salaries and expenses" as proposed by the Senate instead of $1,260,000 proposed by the House.

National Commission on Marihuana and Drug Abuse

Amendment No. 73: Appropriates $1,440,000 for "Salaries and expenses" as proposed by the House instead of $1,140,000 proposed by the Senate.

U.S. Soldiers' Home

Amendment No. 74: Appropriates $12,591,000 for "Operation and maintenance" as proposed by the Senate instead of $11,596,000 proposed by the House.

Amendment No. 75: Appropriates $2,114,000 for "Capital outlay" as proposed by the Senate instead of $244,000 proposed by the House.

Corporation for Public Broadcasting

Amendment No. 76: Reported in technical disagreement. The managers on the part of the House will move to recede from disagreement to the Senate amendment and concur in the same with an amendment which will appropriate $45,000,000 for "Payment to the Corporation for Public Broadcasting" instead of $65,000,000 proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

TITLE IV—GENERAL PROVISIONS

Amendment No. 77: Deletes appropriation of $200,000,000 for disaster relief proposed by the Senate.

Conference total—With comparisons

The total new budget (obligational) authority for the fiscal year 1973 recommended by the Committee of Conference, with comparisons to the fiscal year 1972 amount, the 1973 budget estimate, and the House and Senate bills follows:

New budget (obligational) authority, fiscal year 1972	$27,403,058,000
Budget estimates of new (obligational) authority, fiscal year 1973 (including $1,449,310,000 not considered by the House)	28,776,633,500
House bill, fiscal year 1973	28,603,179,500
Senate bill, fiscal year 1973	31,354,930,500
Conference agreement	30,538,919,500
Conference agreement compared with—	
New budget (obligational) authority, fiscal year 1972	+3,135,861,500
Budget estimates of new (obligational) authority (as amended) fiscal year 1973	+1,762,286,000
House bill, fiscal year 1973	+1,935,740,000
Senate bill, fiscal year 1973	−816,011,000

DANIEL J. FLOOD,
WILLIAM H. NATCHER,
NEAL SMITH,
W. R. HULL, Jr.,
BOB CASEY,
EDWARD J. PATTEN,
GEORGE H. MAHON,
GARNER E. SHRIVER,
SILVIO O. CONTE,
Managers on the Part of the House.

WARREN G. MAGNUSON,
JOHN C. STENNIS,
ALAN BIBLE,
ROBERT C. BYRD,
WILLIAM PROXMIRE,
JOSEPH M. MONTOYA,
ERNEST F. HOLLINGS,
NORRIS COTTON,
CLIFFORD P. CASE,
HIRAM L. FONG,
J. CALEB BOGGS,
EDWARD W. BROOKE,
TED STEVENS,
MILTON R. YOUNG,
Managers on the Part of the Senate.

REREFERENCE OF S. 2987, H.R. 12172, AND H.R. 12199

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from the further consideration of the bills (S. 2987, H.R. 12172, H.R. 12199) to authorize the Secretary of the Treasury to make grants to Eisenhower College, Seneca Falls, N.Y., out of the proceeds of the sale of minted proof dollar coins bearing the likeness of the late President of the United States, Dwight D. Eisenhower, and that those bills be rereferred to the Committee on Banking and Currency.

The SPEAKER. Is there objection to

the request of the gentleman from Texas?

There was no objection.

PERSONAL EXPLANATION

Mr. HAYS. Mr. Speaker, on the rollcall on the conference report that was just had (H.R. 15418) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes, I was present but was called to the phone and missed my name. Had I answered, I would have voted "yea."

PERMISSION TO PRINT ADDITIONAL VIEWS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the additional views of the gentleman from California (Mr. Rees) be printed as a supplemental part of the report on the bill H.R. 15989.

Mr. Speaker, Mr. Rees' additional views were submitted on time, but were apparently mislaid in transit and thus were omitted from the material filed for the report. Permitting the filing of a supplemental report will correct this unfortunate omission and make the views of Mr. Rees available to the Members of the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT ON H.R. 14108, NATIONAL SCIENCE FOUNDATION AUTHORIZATION

Mr. CABELL. Mr. Speaker, I ask unanimous consent for immediate consideration of the conference report on the bill (H.R. 14108) to authorize appropriations for activities of the National Science Foundation, and for other purposes, and that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 31, 1972.)

Mr. CABELL (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CABELL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I trust the gentleman from Texas is going to give us at least a brief explanation of what this conference report involves.

Mr. CABELL. That is correct, and that is the intention of the managers on the bill. I am very happy to accede to the request of the gentleman from Iowa for an explanation, and upon the completion of that, I will be glad to answer any pertinent questions concerning the conference report before us today.

Mr. GROSS. I thank the gentleman.

Mr. CABELL. Mr. Speaker, the conference report before us today authorizes appropriations for the National Science Foundation for fiscal year 1973. The managers on the part of the House have brought back a report which reconciles the differences in the authorization levels for the various budget categories, program ceilings, and other matters which were in disagreement between the House and Senate versions.

Mr. Speaker, the conference report reconciles those differences between H.R. 14108 as passed by the House and amended by the Senate. The authorization level agreed upon by the conferees totals $696,900,000, plus $7 million in excess foreign currencies. This compromise figure splits the difference between the House approved level of $673,800,000, plus $7 million in excess foreign currencies, and the Senate figure of $720 million, plus $7 million in excess foreign currencies.

We had dropped to complete action on this legislation much earlier in the year. It was reported from the Committee on Science and Astronautics on April 11, and passed the House of Representatives on April 25. However, the other body delayed passage of the bill, as amended, until June 26, and they were not available for a conference on the disagreeing votes of the two bodies until last week. In its action, the Senate struck all after the enacting clause and substituted new language.

I believe the conference report which we are considering today is a fair compromise between the House and the Senate version. As far as the difference in the total authorization figure is concerned, this was split right down the middle. Disagreements on other aspects of the bill were worked out on a case by case basis.

The budget of the National Science Foundation is broken down into 13 categories. In addition to these 13 categories there is a $7 million item for activities supported with excess foreign currencies. There was no disagreement on the foreign currencies item, and it is reported at the level which was requested by the administration, $7 million.

The following table sumarizes the conference actions on the NSF budget for fiscal year 1973:

NATIONAL SCIENCE FOUNDATION 1973—BUDGET CATEGORIES

	Actual fiscal year 1971	Estimate fiscal year 1972	NSF request fiscal year 1973	H.R. 14108 approved by—		
				House	Senate	Conference
1. Scientific research project support	$180, 369, 112	$246, 600, 000	$274, 600, 000	$270, 600, 000	275, 300, 000	275, 300, 000
2. National and special research programs	49, 856, 551	85, 600, 000	[1] (109, 300, 000) 109, 100, 000	106, 900, 000	112, 500, 000	108, 600, 000
3. National research centers	37, 174, 506	40, 400, 000	42, 300, 000	42, 300, 000	42, 300, 000	42, 300, 000
4. Computing activities in education and research	15, 042, 905	21, 000, 000	20, 500, 000	19, 500, 000	20, 500, 000	19, 500, 000
5. Science information activities	10, 694, 898	9, 800, 000	9, 500, 000	9, 500, 000	9, 500, 000	9, 500, 000
6. International cooperative scientific activities	2, 179, 996	4, 000, 000	4, 700, 000	4, 700, 000	4, 700, 000	4, 700, 000
7. Research applied to national needs	33, 955, 291	55, 930, 742	[1] (78, 775, 000) 80, 000, 000	80, 000, 000	96, 500, 000	87, 500, 000
8. Intergovernmental science program	800, 000	1, 000, 000	1, 000, 000	1, 200, 000	3, 200, 000	1, 700, 000
9. Institutional improvement for science	34, 392, 183	21, 000, 000	7, 000, 000	18, 000, 000	22, 000, 000	18, 500, 000
10. Graduate student support	30, 494, 681	20, 000, 000	9, 200, 000	20, 000, 000	25, 000, 000	21, 200, 000
11. Science education improvement	68, 316, 550	66, 100, 000	58, 800, 000	71, 800, 000	76, 000, 000	76, 000, 000
12. Planning and policy studies	3, 219, 556	2, 700, 000	2, 500, 000	2, 500, 000	3, 200, 000	2, 800, 000
13. Program development and management	21, 768, 818	24, 136, 665	[1] (29, 243, 000) 26, 800, 000	26, 800, 000	29, 300, 000	29, 300, 000
Total	494, 408, 290	598, 267, 397	[1] (647, 418, 000) 646, 000, 000	673, 800, 000	720, 000, 000	696, 900, 000

[1] Revised request presented to Senate.

The largest single category in the NSF budget is scientific research project support. For these programs which undergird the basic research strength of our Nation, the foundation requested $274.6 million. The House cut this figure by $4 million, whereas the Senate authorized $275.3 million. The House concurred in the higher Senate figure in order to help assure an adequate level of support for basic science in our universities and other scientific institutions during the coming year.

The foundation requested $109.3 million, as amended, for those activities funded under national and special research programs. They consist of major research efforts related to specific geographic areas, or are of such a large magnitude that extensive coordination and planning is essential to insure program effectiveness. This budget category includes the experimental R. & D. incentives program and the national R. & D. assessment program, which were reduced by a total of $2.2 million by the House. The Senate figure, on the other hand, was $112.5 million. The conferees approved a compromise of $108.6 million, $3.9 million below the Senate figure and $700,000 below the revised administration request.

The five national research centers meet

an established national need for specialized facilities, equipment, staffing, and operational support in certain areas of science. The NSF request of $42.3 million for this category was approved without change.

The House reduced the NSF request for computing activities in education and research from $20.5 million to $19.5 million. In conference the Senate receded and accepted the lower House figure.

The administration requested $9.5 million for science information activities and $4.7 million for international cooperative scientific activities. These requests were approved without change.

The budget category research applied to national needs (RANN) has the objective of focusing U.S. scientific and technical expertise on selected problems of national importance, such as the energy crisis. The objective of programs supported by RANN is to bring theoretical and experimental knowledge to bear in solving practical problems. The foundation requested $80 million for fiscal year 1973, which was approved by the House. A revised request of $78.775 million made to the Senate was increased by that body to $96.5 million. The conferees compromised at the level of $87.5 million.

The intergovernmental science program, designed to assist State and local governments through more widespread application of science and technology, was funded at a level of $1 million last year. The same level of support was requested for fiscal 1973. The House increased this by $200,000 and the Senate added $2,200,000. The conferees agreed to the sum of $1.7 million, $500,000 above the House figure and $1.5 million below the Senate figure.

The budget category institutional improvement for science provides funds for flexible use by colleges and universities, with the objective of improving their science education and research programs. The Foundation request for $7 million for fiscal year 1973 was increased to $18 million by the House and to $22 million by the Senate. The conferees agreed on $18.5 million.

The NSF requested $9.2 million for graduate student support. This was increased to $20 million by the House and to $25 million by the Senate. A compromise of $21.2 million was worked out in conference.

The programs within the science education improvement budget category are designed to increase the effectiveness of science education at all academic levels, from the elementary school through postgraduate work. The Foundation requested $58.8 million for these activities, and this total was increased to $71.8 million by the House and to $76 million by the Senate. The managers on the part of the House agreed to the Senate figure.

The planning and policy studies category has the objective of providing a factual basis for improving policies utilizing science. An administration request of $2.5 million was agreed to by the House, while the Senate increased the figure to $3.2 million. The conferees agreed on $2.8 million for this category.

The program development and management category contains the funds for administering the NSF program. The House approved the Foundation's request of $26.8 million, while the Senate approved their revised request for $29.3 million. The difference in these figures is due to Federal salary increases which occurred after the Foundation's original request, as well as the need for greater management capability in administering the more complex applied research programs in RANN. The conferees agreed that the higher Senate figure more accurately reflected the management capability needs of the Foundation.

The bill as passed by the House puts floors under three budget categories: institutional improvement for science, graduate student support, and science education improvement. These three categories have historically been of great interest to Congress which has spoken strongly in the past about the necessity of adequately funding programs such as these which help assure the high quality scientific potential necessary for our Nation in the years to come. The floors for these programs in the bill as passed by the House were the same as the totals specified for these budget categories in the House bill. The conferees accepted minimum funding levels for these categories of $13 million for institutional improvement for science, $16.5 million for graduate student support, and $74 million for science education and improvement.

As passed by the Senate, the bill H.R. 14108 contained floors under three programs: $6 million for oceanographic ship construction/conversion; $26 million for energy research and technology; and $10 million for earthquake engineering. Minimum obligation levels were agreed to by the conferees in the amounts of $4.5 million for oceanographic ship construction/conversion; $19.5 million for energy research and technology; and $8 million for earthquake engineering.

The transfer provision, section 6 of the bill, differs from the House version in that it provides that transfers can take place between budget categories after 45 calendar days when Congress is in adjournment sine die. The bill as passed by the House originally provided that these transfers could take place only after 30 legislative days had elapsed without specific congressional approval.

The Senate provision which would have established a Division of Energy Research and Technology in the NSF was deleted in conference. This deletion was made in the interest of retaining administrative flexibility for the Foundation, as the NSF Amendments Act of 1968 emphasized.

Mr. Speaker, there are also some minor technical changes and renumbering of some sections, as noted in the joint explanatory statement of the committee of conference. It is my feeling and that of the fellow managers on the part of the House that the compromise worked out is reasonable and fair to both sides. I commend it to my colleagues.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CABELL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

Do I understand from the reading of the conference report that the conference report is some $40 million more than the House originally authorized?

Mr. CABELL. I should like to reply to the gentleman from Iowa that it is slightly under $50 million above the administration's budget. However, it is only $23.1 million above the authorization of the House, and an equal amount below the Senate authorization.

Mr. GROSS. It is nearly $50 million above the budget?

Mr. CABELL. That is correct.

Mr. GROSS. I thank the gentleman for yielding. I am opposed to the conference report.

Mr. CABELL. Mr. Speaker, I yield to the distinguished gentleman from California (Mr. Bell).

Mr. BELL. Mr. Speaker, I would like to compliment Mr. Earle Cabell of the Committee on Science and Astronautics on his fine statement. I would also like to congratulate my colleagues who participated in the authorization hearings and in the conference proceedings for their very commendable performance.

The committee of conference agreement provides a fiscal year 1973 NSF authorization of $697 million plus $7 million of foreign currency. This amount is an increase of only $24 million over the original House authorization of $680 million.

The House conferees have carefully reviewed the final conference authorization and while a significant number of changes were made in order to reach an accord, the modifications distinctly contribute to a further strengthening of the fiscal year 1973 NSF program. In particular, the committee of conference gave further emphasis to NSF's activities in basic research, applied research, and science education.

Among the major budget increases agreed to by the conferees was a $5 million addition to the scientific research projects support program. The work of the Foundation in this area provides strong support for fundamental research in the biological, physical, environmental, and social science areas, as well as in a number of engineering fields. This work is carried out by individual researchers or small groups of investigators with the average grant being less than $50,000. The program has the purpose of insuring a strong base of competence in fundamental research in addition to providing new knowledge and understanding applicable to our national needs.

Another major program category which was increased by the conference report was the NSF program of research applied to national needs. In recent years, the Foundation has expanded its research efforts into selected applied research areas which are relevant to the Nation's most pressing problems. This work is designed to supplement high priority mission-oriented Federal research which is generally too broad in scope or too fundamental in substance to fall within the mandate or resources of a particular mission agency. The two research areas within this NSF program which were increased are energy research and earthquake engineering.

The NSF energy effort will be designed to complement, and provide greater coherence to, the energy R.&D. being pursued by many Federal and private industrial organizations throughout the country. I personally look forward to NSF becoming more heavily involved in our present energy dilemma. This Nation is faced with an enormous increase in energy demand that is being complicated by factors as diverse as exhausted fuel supplies, balance of payments, cost of living, environmental preservation, and general quality of life. The implications as well as dimensions of the energy problem require a sharp and immediate focusing of our resources in this critical area.

The second area within RANN which was increased over the original House authorization is earthquake engineering. This work will provide research support to develop economical and feasible design and construction methods for earthquake resistant structures so as to reduce the hazards to life and property from earthquake motions. The NSF program in earthquake engineering is unique in that it is the only program of its kind aimed at discovering practical engineering methods to alleviate the destructive forces caused by earthquakes.

A final three categories of NSF programs which were modified by the committee of conferences pertain generally to science education. The increases to which the House conferees agreed were felt necessary to halt the recent decline in Federal support of science education programs and assure the Nation both a strong academic science program and an adequate supply of scientific talent through the coming years.

There is no question but that the efforts of the National Science Foundation under its science education programs play a very valuable role in providing highly trained scientific manpower and in upgrading the level of academic science programs throughout the country. Furthermore, no other Federal agency supports programs with the same objectives as this NSF work.

Mr. Speaker, the conference report as adopted by the House and Senate conferees outlines a sound program and one which deserves our complete support. The House committee has dedicated much effort in arriving at the final recommended budget for the coming year. I wish to compliment the conferees of the House on the capable job they have done and encourage my colleagues to offer this bill their fullest support.

Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. Mosher).

Mr. MOSHER. Mr. Speaker, as one of the House conferees, I signed the National Science Foundation Authorization Conference Report, as did all the conference committee members, and I urge that the House agree to the report.

I compliment our chairman, George Miller, on his able job in guiding us to a satisfactory compromise position. The chairman was faced with a difficult task in that 10 of the 13 major NSF budget categories were in conflict.

The committee of conference agreement will authorize a fiscal year 1973 NSF authorization of $704 million, including $7 million of foreign currency. This figure is only 3 percent above the original House authorization and exactly midway between the House figure of $680 million and the Senate figure of $727 million.

While the House conferees had sought to minimize any increase in the NSF budget above the House approved figure, I feel that the budget areas to which dollars were added are extremely worthwhile and merit our full support. The programs which were increased include science education as well as both basic and applied research.

I personally welcome the emphasis given by the conference report to select areas within the science education and basic research categories. These programs involve a wide spectrum of scientific and engineering fields, including mathematics, physical sciences, social sciences, engineering, materials research, environmental sciences, and biological and medical science. These research and educational activities will be carried out in all 50 of the States.

I feel that the conference report provides a budget program improved and strengthened over that originally submitted by NSF. Budget increases are being recommended but these are supported by convincing evidence. In fact, I think the committee of conference has shown sound fiscal restraint.

However, Mr. Speaker, I must express my very real personal disappointment at the action taken by both the House and Senate Appropriations Committees, as they reduced the NSF budget substantially below the administration request.

The original fiscal year 1973 NSF budget submittal of $653 million was severely cut by both Appropriations Committees to $628 million. In fact, the basic budget appropriated for this year holds the NSF funding at a figure identical to that of last year with the net result a reduction in the NSF program level from fiscal year 1972 to fiscal year 1973.

I am disappointed because I feel this appropriation cutback undermines a number of programs of crucial importance to the future of this Nation. Paradoxically, it would appear that we are setting out to reduce our scientific and technological capability at the very time our need for this knowledge and these skills is accelerating. Most assuredly, we will be ill-prepared in combating the problems of pollution, urban congestion, mass transportation, and energy production by continually decreasing this Nation's support for science education and research.

Therefore, I fully support this Authorization conference report as it seeks to maintain this Nation's strength in science and technology.

Mr. BELL. Mr. Speaker, I have no further requests for time.

Mr. CABELL. Mr. Speaker, I have no further requests for time, and I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COASTAL ZONE MANAGEMENT

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1063 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1063

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14146) to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zone, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Merchant Marine and Fisheries now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 14146, the Committee on Merchant Marine and Fisheries shall be discharged from the further consideration of the bill S. 3507, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 14146 as passed by the House.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. Martin) pending which I yield myself such time as I may consume.

Mr. Speaker, I know of no present controversy on this rule. Initially the matter was held up in the Committee on Rules because there was a controversy or conflict between the committee bringing this bill to the floor, the Committee on Merchant Marine and Fisheries, and the Committee on Interior and Insular Affairs. Since the conflict began, it has somehow been reconciled and objection to the granting of a rule on this particular matter was withdrawn by the chairman of that committee, and to the best of my knowledge, there is no controversy over the resolution.

The SPEAKER. The Chair recognizes the gentleman from Nebraska (Mr. Martin).

Mr. MARTIN. Mr. Speaker, the pending resolution, House Resolution 1063 provides for an open rule with 1 hour of debate on the bill H.R. 14146, coastal zone management bill.

This came out of the Committee on Merchant Marine and Fisheries unanimously, and as the gentleman from Missouri has explained, there are no further objection from the chairman of the Committee on Interior and Insular Affairs to the consideration of this bill.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. LENNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14146) to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zone, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14146, with Mr. LANDRUM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina (Mr. LENNON) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. MOSHER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. LENNON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and members of the Committee: I rise at this time to urge the support of this committee for H.R. 14146, the coastal zone management bill, because I am convinced that it is imperative to implement such a program now before this Nation witnesses the tragic and wanton destruction of an irreplacable natural resource, our estuaries, our wetlands, and our shorelines.

My interest, and I believe that interest is shared by a majority of the Members of this body, my concern for this precious and rapidly dwindling resource stems from the deep-seated personal conviction as well as from personal involvement over a period of at least 7 years during which I have worked with many other colleagues in the House to come to grips with the critical problems of the coastal zone, hopefully to produce meaningful legislation to cope with these problems.

Mr. Chairman, H.R. 14146 is the end product of these number of years of effort. Basically and fundamentally, it is designed to manage and in that management to insure the protection of the resources of the Nation's vital shoreline and estuarine areas. This bill authorizes funds during an initial 3-year program to develop the compatible State programs for the responsible conservation, development and utilization of the Nation's coastal zones.

I want to emphasize, Mr. Chairman, that this legislation is truly national in scope. In addition to States bordering the Nation's coast, it will also provide for the active participation by the Great Lakes States, or a total of 30 States out of the 50 and four possessions or territories who are fundamentally concerned and involved and will participate.

I want to emphasize, Mr. Chairman, that we are talking today about the most dynamic and growing area of our Nation. Approximately, today, 75 percent of the Nation's population lives within the zone that we are discussing which encompasses approximately 100,000 statute miles of interior and exterior shoreline.

On the actual shoreline itself, approximately 65 million of the Nation's population are living and working, and there, industrial and recreational activities are placing unprecedented pressure upon these coastal areas.

As the population increases, these pressures will mount and become intolerable; unless rapid action—such as envisioned in this bill—is taken, these pressures will also become destructive, because competition for use of the remaining land areas in coastal zones will also increase; industrial and economic interests are already headed on a collision course with environmental interests, and the States will be caught in the middle, with no rational plan and no capability to cope with the situation.

Actually, the States are already experiencing these tremendous pressures—and those who live in a coastal State know what I am addressing myself to. Entire stretches of once beautiful shoreline have been engulfed and covered with concrete to meet the demands of ever-expanding metropolitan areas; the proximity of water and a stable labor source has lured more heavy industry to the shorelines; marine terminals and dredging for harbor channels have added to the destruction; and, ironically, the people who work for these industries—with more affluence and more leisure time than ever before—are descending upon the shores and beaches, the rivers and bays in a great and hungry quest for relaxation and recreation, and they find it in swimming, and fishing, and boating.

And yet, the very industries that provide these people with their new wealth and leisure are polluting the rivers and bays and gobbling up the last remaining, unspoiled areas that should be preserved for recreational and esthetic uses—such as wildlife refuges. The wildlife and the fish, which breed and spawn in these coastal areas are also being decimated by the encroachments and relentless demands of our industrially oriented society.

It is just part of human nature and we understand it. This legislation has a rational, fair, even-balanced approach. That is the reason we bring it here today.

What is the answer? How can these opposing interests of conservation and recreation on one hand and industry and urbanization on the other both be satisfied? It is a perplexing question. We think we have certainly the first giant step of the right answer in this legislation. Is it possible to maintain our high economic standards through more industrial development and continued urban expansion—and at the same time, conserve our precious and beautiful natural resources for future generations of Americans to enjoy? That is the real question and we must face it today.

Mr. Chairman, I feel that a delicate but practical balance can be achieved. I believe it is possible to find a rational middle ground, where the forces of industry and ecology can live and work together, and I believe the solution to this dilemma can be found in H.R. 14146, the coastal zone management bill. I want to make it crystal clear that I do not claim—nor do I believe—that this legislation is the panacea to the manifold problems I have touched upon in my remarks here today. But I do sincerely believe this legislation can be the foundation—the touchstone, if you will—to a more sensible, happier, healthier America of tomorrow; it may represent nothing more than the opening wedge, but it is an intelligent approach to an extremely complex problem, and I am convinced that it will provide an emergency bastion in our fight to defend and preserve our vital coastal zones from increased pollution and eventual destruction.

Mr. Chairman, I think the $145 million called for in this legislation is a small price to pay to preserve and properly utilize these invaluable areas. The first installment of these funds would be made available in grants to the States, on a matching-fund basis, to encourage them to initiate the planning phase of the program, which would be developed in the first 3 years.

All programs—I repeat, all programs would require the approval of the Secretary of Commerce, who would have the responsibility for this program, and the national program would be administered, appropriately, by the National Oceanic and Atmospheric Administration.

I digress from my prepared remarks to say that this House, this Congress, brought the National Oceanic and Atmospheric Administration into being by a vote of this House in 1970, by about 99 to 1 or less.

Even though the matter was considered by the Committee on Government Operations, some Members introduced a resolution to kill the so-called Reorganization Plan No. 4, but the Committee on Government Operations after hearings brought a favorable report to this body, and this body overwhelmingly, almost unanimously, on a rollcall vote, adopted it.

All other Federal agenices which would be involved or affected by proposed programs would also actively participate in the approval process.

No existing laws would be amended by the coastal zone management legislation, and Federal agencies would be required to conform—to the maximum extent practicable—with the programs submitted by the individual States; additionally, I call attention to the fact that the States would be required to consider the views and concerns of the local governments and agencies, and all these concerned entities would be encouraged to participate in the development and implementation of State programs.

Mr. Chairman, I must also reiterate the sense of urgency which I expressed in my opening remarks today. I can not impress upon my colleagues too strongly the urgent need to take action now, today, and pass this legislation. It is already very late in the game, and we have waited too long to take the offensive. We dare not listen to those dissenting voices who—after all these years of procrastination and study and indecision—now tell us that we should wait a bit longer.

I must warn my colleagues, Mr. Chairman, that nothing better than H.R. 14146 is in the works. The basic concepts embodied in the legislation we are considering today was first conceived almost a decade ago, 10 years ago, when the problems and possible programs relating to the coastal zones were considered by the Marine Science Council and the Marine Science Commission, created by the Marine Resources and Development Act of 1966. Now we are in 1972. Detailed studies and recommendations followed, and a number of subsequent Federal studies examined the coastal zone problem in depth, recommended rapid action and warned of the ever-increasing threat to the continued healthy existence of these vital areas. The now-famous 1969 Stratton Report of the Marine Science Commission, known as "Our Nation and the Sea" made pertinent recommendations which resulted in legislation being introduced in both houses of the Congress.

On the House side, our Subcommittee on Oceanography sponsored a Coastal Zone Management Conference in October 1969. I do not recall another time when a committee of the Congress has ever sponsored a national conference. That is usually done by an executive branch of the Government.

We brought together in Washington people from all of the coastal States of the Union, from Puerto Rico, from the Virgin Islands, and from Samoa, people sent here by the respective governors who were knowledgeable about this problem. Seven panels were created. And from this came this legislation.

Our Subcommittee on Oceanography also held 8 full days of hearings on coastal zone problems in 1971, when a total of 24 witnesses representing every possible area of interest and expertise testified, and departmental reports were received from nine departments and agencies. Our Subcommittee on Oceanography also held 3 long and full days of executive sessions. The bill we are considering today is the final product of that long and extensive inquiry into the problem of coastal zones.

The legislation reflects the concepts and recommendations of the best minds in the business, not Members of Congress but governors, conservation experts, and agencies at every level I am speaking of. I do not think the bill could be much improved even if we might take another decade, and I hope we will not.

Mr. Chairman, the States of our great Nation cannot save their coastal areas without help. We know that. We may as well face up to it. They need Federal aid and they need the vote of every Member of this House here today in support of this vital legislation.

I hope the Members here today respond to the urgent message contained in the legislation and not in what I have said and overwhelmingly vote for its passage here today so that the Record will indicate that this vote is a vote for the preservation of our country's economic and environmental health, because it is now abundantly clear that one cannot survive without the other.

Mr. Chairman, let me close my remarks by making this brief comment. You say that this has been under consideration over a number of years and why have we not been here before. Well, I am one of those people who believe that before you bring a bill to the floor of this House that involves the States, 30 States, if you please, in this Nation of ours, you ought to attempt to obtain the consensus of those people who would be affected, involved, and concerned, and participate in the meaningful implementation of this legislation. That is why, even though we got a consensus of the Governors and their departments of conservation and development and their respective marine science councils from all of those States, the thought occurred to me that this matter ought to be presented to the National Governors' Conference and not just the Southern or Eastern or Western Governors' Conference.

They went into this matter and passed a resolution supporting this bill. Then someone suggested to me, "well, how would the legislatures of the States of the Union react to this kind of legislation; will they understand it and will they participate in this program?" What did we do? We said "At your next national legislative conference involving the legislatures of the 50 States of the Union get into this thing and give us your views." We have the consensus by resolution of 50 legislatures of the States plus the 50 Governors of the 50 States. We also have your County Commissioners Association and your National League of Municipalities, because they are involved. We wanted to discuss it with them and get their reactions and get them out of the committee room and go to their respective conferences to resolve any differences they have.

So we are here now saying, my friends, that this legislation we present to you today is one of the few pieces of legislation I have been privileged to participate in which has the united support of all of the participants who will be involved in it; that is, the Governors of the States, the legislators, the county commissioners, and the members of the town and city councils.

What else can we do? We can give our support to this legislation today enthusiastically, which I believe is in the total national interest or else I would not be in the well of this House today saying what I have.

Thank you, Mr. Chairman.

Mr. MOSHER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I enthusiastically support H.R. 14146.

Our bill will establish a national policy and develop a national program for the management, beneficial use, protection and development of the land and water resources of the Nation's coastal zones, including the Great Lakes area; and the evidence is completely convincing that this national policy and program development is crucially needed, is in fact long past due.

I strongly associate myself with the remarks of the gentleman from North Carolina (Mr. Lennon) the distinguished chairman of our Oceanography Subcommittee, with whom I have had the privilege of working closely for several years in the preparation of this bill and other important legislation concerning the oceans.

Mr. Chairman, I want to digress a moment to recognize that we in the Congress in the future will sorely miss Al Lennon's wise, effective leadership in matters of marine policy. It is a very sad fact that he will not run for reelection this year. I already have a profound feeling of personal loss that he will not be here in the 93d Congress. All of us on the Merchant Marine Committee will especially feel this loss. He has accomplished here a very solid, creative record of great importance to our nation, in addition to very effectively, conscientiously representing the interests of his own district. Al Lennon is greatly respected by all of us as a truly distinguished legislator's legislator. I say again, Al, we are going to miss you very, very much.

Also, Mr. Chairman, as I said on an earlier occasion, all of us are also going to miss the loss of the gentleman from Washington (Mr. Pelly) in much the same way as I have just mentioned the loss of the gentleman from North Carolina (Mr. Lennon). Our committee is going to be seriously handicapped by the loss of these two gentlemen.

Mr. Chairman, Congressman Lennon has just explained the many ramifications of this complex legislation. Since the days that both he and I were priviledged to serve on the Stratton commission during the early part of the 91st Congress, he has worked diligently for the enactment of this legislation which is of such vital importance to the continued well-being of our economically and environmentally important coastal zones. To a great degree, his tireless energy and dedication to the problems of the coastal zone over these many years has proved fruitful by the consideration, and hopefully, ultimate passage of this vital piece of legislation which we are considering today.

The coast of the United States, certainly including the so-called fourth coast, the Great Lakes, is in many respects the Nation's most valuable geographic feature. There are some 99,600 miles of American shoreline, and 30 million people turn annually to those shoreline areas for swimming, boating and other recreational purposes; 40 million are projected by 1975. Sport fishing attracts 11 million people now and the number should increase to 16 million by

1975. By 1975, park and recreation areas in the coastal zone will be visited by twice as many people as now, and the number is expected to increase wayfold by the year 2000.

But, of course, recreation is only one of our many important uses of the coastal zone. Extremely important are the many commercial uses, including the many forms of commercial fishing, and these are rapidly expanding.

All of us should be aware that a huge proportion of our American population is crowding into the coastal zones.

So, Mr. Chairman, it is no wonder that the uses of valuable coastal areas have generated issues of intense national, State, and local interest.

Navigational military uses of the coasts and waters offshore are direct Federal responsibilities; economic development, recreation, and conservation interests are shared by the Federal Government and the States.

Rapidly intensifying commercial uses of coastal areas has outrun the capabilities of local governments to plan their orderly development and to resolve conflicts on a larger state and regional basis. The division of responsibilities among several levels of government is today unclear and knowledge and procedures for formulating sound management and utilization decisions are lacking.

Thirty-one of our States border on the coastal zone and contain 75 percent of the total national population. Pressures of population and economic development threaten to overwhelm the balanced and best use of the invaluable and irreplaceable coastal resources in natural, economic, and esthetic terms.

To resolve these pressures—an administrative and legal framework must be developed to promote balance and harmony among coastal zone activities based on scientific, economic, and social considerations. This is what the legislation before the House today will do.

The concepts, objectives, and framework of the bill had received the strong and vocal support of the Coastal States Organization, the National Governor's Conference, National Legislative Conference, innumerable individual State governments, conservation organizations, and other public interest groups.

Basically, the bill vests regulatory authority for the coastal zone management program on the Federal level in the National Oceanic and Atmospheric Administration—NOAA—located in the Department of Commerce; and on a State level, in the State agency designated by each State's Governor.

The coastal zone, and thus the ultimate parameters of the legislative impact, is closely defined. Within this "zone" the Secretary of Commerce is authorized to make annual grants to the applying States for financial assistance in actual development of a comprehensive coastal zone management program and plan for the first 2 years after enactment. Then, during the next 2 years, the Secretary may provide additional assistance to the States in actual administration of the plan subsequently developed.

Other provisions of the bill provide appropriate requirements for public hearings, review of approved State programs by the Secretary of Commerce, recordkeeping procedures, establishment of an Advisory Committee, annual report to Congress, authority for the Secretary of Commerce to promulgate rules and regulations, and the following authorization levels:

Section 305 planning grants—$15 million for fiscal years 1973, 1974, and 1975.

Section 306 administrative grants—$50 million for fiscal years 1974 and 1975.

Section 313 estuarine sanctuaries—$6 million for fiscal years 1973, 1974, and 1975.

Total authorization level through 1975 is $172 million. Administration cost to the Federal Government is estimated to be $3 million per year.

Mr. Chairman, there curerntly exists a myriad of overlapping and, at times, conflicting Federal, State, and local laws applicable to the coastal zone area. Section 307 avoids potential duplication of these and future legislative programs by requiring very close and continuing interagency coordination and cooperation among Federal agencies and between Federal and State agencies.

This "coastal zone management" legislation is complementary to other Federal programs and serves as a "coordinating" mechanism rather than one of "duplication." Specifically, section 307 states that the measure does not diminish Federal or State jurisdiction, responsibility, or rights under other programs and does not supersede, modify, or repeal existing Federal law.

The legislation further recognizes that appropriate land/water research areas are needed for scientific uses in key areas of the coastal zone as an aid in developing an appropriate State management plan and has provided, in section 312, for Federal financial assistance to coastal States for up to 50 percent of the cost of acquisition, development and operation of "estuarine sanctuaries" for purposes of research.

In addition, the measure provides for a Federal management program in the contiguous zone of the United States to insure that both Federal action in this zone, and State action within their jurisdictional limits offshore are coordinated and compatible with each other.

Mr. Chairman, this legislation is timely, comprehensive, balanced in scope and application. It will insure that future uses which we as a nation and a people desire to make of our valuable coastal zone, are done in a logical, orderly, and coordinated manner at all levels of Federal, State, and local government.

I urge an overwhelming vote for its approval.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. MOSHER. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Chairman, I thank the gentleman for yielding, and I join the distinguished gentleman from Ohio (Mr. MOSHER) in paying tribute to the great contribution made during his service in the House of Representatives by the gentleman from North Carolina (Mr. LENNON), as a member of the Committee on Merchant Marine and Fisheries, and especially as chairman of the Subcommittee on Oceanography.

All of us who serve with ALTON LENNON recognize his great interest in marine science, and as such, of course, he is one of the chief architects of the legislation which established the National Oceanographic and Atmospheric Agency. Similarly, as the chief sponsor of this bill, H.R. 14146, to protect and develop the land and water resources of the Nation's coastal areas, the gentleman from North Carolina (Mr. LENNON) again establishes himself as an author and architect of landmark conservation legislation.

Congressman LENNON, Mr. Chairman, will be greatly missed, but his legislative record and achievements assure that he will be remembered and honored by all those who in the future recognize the importance of oceanography, and the value of our land and water resources.

Mr. Chairman, I thank the gentleman for yielding.

Mr. LENNON. Mr. Chairman, I yield such time as he may consume to our distinguished chairman of the full Committee on Merchant Marine and Fisheries, the gentleman from Maryland (Mr. GARMATZ).

Mr. GARMATZ. Mr. Chairman, the Nation's vital shorelines and estuarine areas—the wetlands, woodlands, and wildlife habitats which are so valuable and irreplaceable—are facing constant and ever-growing absorption and destruction due to the demands of our modern society. H.R. 14146 is designed to protect and preserve these invaluable areas, and I feel that every member of the House has a responsibility to vote for passage of this important legislation.

I want to make it clear that, although I support the concepts of conservation, I am also acutely aware of the ever-growing needs of our dynamic industries; these industries need water and land—they need areas for more urban development; they need room for factory sites and other industrial expansion. All of these are compelling and legitimate needs, and I am convinced they must be fulfilled if our Nation is to remain economically healthy.

Despite the fact that industrial and environmental interests appear on a collision course; despite the fact that these two opposing forces must compete for the same valuable coastal zones, I am convinced that these two competing interests can learn to live together harmoniously. Indeed, unless they learn to do just this, future generations of Americans will be sentenced to an unthinkable hell where chaos will rule, and where industry and environment will both strangle in a quagmire of inadequate and decimated land resources, solely because proper planning for utilization of those resources was not carried out by this, our present generation of Americans.

Mr. Chairman, as President Truman so often said, "The buck stops here." This Congress and this generation must make hard decisions and take prompt action now—not next week or next month or next year, but right now—today, by this 92d Congress.

The legislation being considered by this Congress today is appropriately entitled the coastal zone management bill. It represents the first essential step toward discharging our responsibility, because it would authorize funding for an initial, 3-year program to lay down guidelines and to help the individual States develop intelligent, planned programs for the future conservation, development, and utilization of the Nation's coastal zones.

Mr. Chairman, I would like to reiterate that this bill is not just environmental oriented legislation. As chairman of the House Committee on Merchant Marine and Fisheries, I have always had a special concern for the American Merchant Marine and the maritime industry and I think everyone in this Chamber is well aware of my desire to see this industry grow and prosper. The maritime industry is also extremely important to the State of Maryland. As a matter of fact, the port of Baltimore, and its related maritime industries represent Maryland's largest economic asset. And yet, unless the State of Maryland begins now to make intelligent plans and decisions for the future, in 10 or 20 years from now, the port of Baltimore may find itself incapable of competing with other east coast ports.

The legislation before us today will eventually set up the machinery and provide the funds to help States like Maryland make intelligent and rational long-range plans for things such as port facilities which will be big enough and accessible enough to attract the huge superships which will dominate the commerce of tomorrow.

And while the State of Maryland plans for its ports of tomorrow—together with the channel dredging and other harbor installations that will be needed, it will also be forced to respond to pressure for more industrial sites, for more powerplants and for more living space for its ever-expanding population. Let us not forget that, while it is planning for all this, it must simultaneously plan to provide additional recreational space so that this increasing population can still enjoy the pleasures of the ever-shrinking coastal zones. In my State of Maryland, the Chesapeake Bay is also a primary economic asset—from the standpoint of commercial fishing as well as sports fishing and recreation oriented activities. Obviously, the State of Maryland must conserve and protect what is probably the biggest water playground on the east coast; and at the same time, it must also provide some of the waterfront space of that playground to industries which will be essential to the future economic health of the State.

Mr. Chairman, I have attempted to outline, in microcosm, the problems which are facing all the coastal States. Although these problems are mammoth, they are not insuperable. But these problems will never be resolved unless the States are provided the Federal aid which is embodied in H.R. 14146.

H.R. 14146 is good legislation. It was not rammed through our committee hastily; conversely, it was given serious and prolonged consideration, through 8 days of hearings and 3 days of executive sessions under the auspices of our Subcommittee on Oceanography. My distinguished colleagues, Congressman Alton Lennon, the chairman of the Oceanography Subcommittee; and Congressman Charles A. Mosher, the ranking minority member of the subcommittee, devoted much of their time and effort to the development of the legislation we have before us today, and I hope my colleagues in the House will reward their efforts by supporting it.

As a Marylander, I want to preserve and maintain the Chesapeake Bay—the greatest estuarine area in the world—for the enjoyment of future Marylanders; and I want to maintain the health and vitality of the port of Baltimore. As an American, I want to protect and utilize the countless resources of thousands of miles of coastal beaches, wetlands, and invaluable estuary areas—before they are forever destroyed by a haphazard, piecemeal approach, and by a few generations of Americans too greedy and in too much of a hurry to see or care about the needs of the future.

Mr. Chairman, the buck stops here. The need to act is clear, and I am confident that the record will show that the 92d Congress did care about the future. I urge every Member of the House to vote for passage of this important legislation.

Mr. MOSHER. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. Forsythe).

Mr. FORSYTHE. Mr. Chairman, I thank the gentleman for yielding.

I rise in strong support of H.R. 14146. I think this is a very important bill for this Nation. As was pointed out by our distinguished chairman of the subcommittee and the distinguished chairman of the full committee, life itself starts in these coastal waters, and if we are to preserve these coastal areas and the environment needed by so many of our citizens this legislation must be passed.

New Jersey has attempted with a wetlands bill to move into this area and provide protection, but it needs the help of this type of Federal support to insure management of these coastal zones so as to protect them for the future enjoyment of our citizens.

Mr. MOSHER. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware (Mr. du Pont).

Mr. du PONT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I commend my colleague from North Carolina (Mr. Lennon) chairman of the Merchant Marine Subcommittee on Oceanography for all his efforts to see that a sound coastal zone management bill was brought before the Congress before the end of the session. I think that we all recognize that after years of indiscriminate development and exploitation of our coastal areas, the Congress must immediately encourage each coastal State to develop a plan for orderly use and development of our coastal resources, consistent with long-range social, economic, and environmental goals.

While many States are only now coming to realize the irreparable damage which has been done to their coastal ecosystems by uncontrolled and uninformed development, I am proud that Delaware was one of the first States to take an inventory of their coastal and estuarine resources and formulate viable and effective coastal zoning policy. Delaware with a coastline of only 120 miles, lies below a river valley containing over 7 million people and a concentration of major industrial firms. As a result of these pressures, the Delaware coast has been subjected to the pressures of people looking for recreation, for industries looking for place to expand. In addition, the shoreline is constantly being threatened by the less obvious forces of industrial and human waste from upstream.

Fortunately, the coastal zone policy pioneered by Governor Peterson and the State legislature has already begun to take effect and stem haphazard growth of the past. Projects which in years past which would have been approved without hesitation and which probably would have caused irreparable a despoliation of the local environment are now being given careful long-range consideration.

I am hopeful that other coastal States will be able to follow the lead set by Governor Peterson and the State of Delaware. I am pleased that the coastal zone bill now being considered by the Congress has set rational useage of our precious shorelines as a national priority. I think the provisions of the bill allow the maximum amount of incentives by providing generous assistance while at the same time avoiding undue Federal interference with the State's priorities. This will insure that each coastal State will have a sound scientific basis upon which to draw their plans, while at the same time having the flexibility to determine their own State's priorities in shoreline use.

I am hopeful that the coastal zoning concept will prove as successful in other States as it has in Delaware, and I urge my colleagues to support this bill and encourage the type of farsighted planning displayed by my State.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. Goodling).

Mr. GOODLING. Mr. Chairman, I, too, want to associate myself with the remarks of Mr. Mosher, the gentleman from Ohio, and Mr. Pelly, the gentleman from Washington.

Alton Lennon and I became friends when I first came to Congress.

As a member of the subcommittee he chairs, I have always found him eminently fair, will to listen to dissenting views, fair in all his dealings.

I join with my two colleagues who have stated he will not only be missed by the Merchant Marine and Fisheries Committee, but by the entire House.

I wish him well as he retires from the Congress.

Mr. Chairman, I rise to associate myself with the comments and views of my colleagues on the Committee on Merchant Marine and Fisheries and to strongly urge passage of H.R. 14146.

The significance of the legislation under consideration by this body lies neither in its approach nor in its organization, but, rather, in the recognition of an overwhelming national need.

The coastal zone of these United States is, indeed, a national treasure, and the bill before us today, H.R. 14146, recognizes both its permanence and the emphasis which must be given to preserve it. We are now wisely viewing the coastal zone portion of land as deserving separate consideration in that it gives up its resources for our gain, often replenishes those resources, and provides a life style for a disproportionately large number of our people while asking little in return. But we have begun to ask too much of our coastal zone. We ask it to assimilate our waterborne wastes from deep within the interior part of our country including municipal, industrial, and agricultural refuse. We ask the coastal zone to accept an overburden of recreational activities which lead to haphazard and uncontrolled development for economic gain with associated social loss in the form of widespread destruction of valuable wildlife habitat. We ask it to assimilate larger and larger populations with attendant urban problems without regard for a carrying population enabling us to maintain a balance between man and nature.

Enactment of this comprehensive legislation will enable our States, already deeply involved in coastal zone management through commitment of State funds, resources, personnel, to develop a sound, logical, and rational basis for coordination of competing uses of our coastal zone areas and to insure that this valuable natural resource is preserved, protected, developed, and utilized to the benefit of both man and nature.

Mr. LENNON. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi (Mr. GRIFFIN).

Mr. GRIFFIN. Mr. Chairman, I rise in support of H.R. 14146, the Coastal Zone Management Act of 1972. Coming from a State that is on our gulf coast line and as a cosponsor of this bill, I am vitally concerned about the protection and development of our coastal areas.

Our Nation's coastal zone shoreline consists of approximately 100,000 statute miles. Residing within the States bordering that shoreline is almost 75 percent of our population. Further evidence of the great importance of this area is the $300 million annual worth of commercial fish landings. Nearly $100 billion worth of imports and exports cross paths here. Several billion dollars are spent annually for recreation.

The popularity of our coastal zones for recreation, industry, and housing development has created serious problems in achieving orderly economic growth. The attractiveness of our coastal areas to live and play will not continue if the present situation is to remain unchecked. The development and growth of these areas has unfortunately contributed to the pollution and deterioration of our coastal waters. As these pressures for growth and development run rampant we become increasingly in danger of destruction of the living resources of the coastal waters.

It is indeed a hard choice we must make. But, if we are able to provide adequate protection of our coastal zone's natural environment as well as to arrange for the optimum utilization of its resources—we must act now.

The Coastal Zone Management Act is a call to action to confront this serious situation. The proposed legislation, H.R. 14146, is designed to encourage coastal States to move forward more rapidly in the development of a coordinated and cohesive coastal zone management program. This program of cooperation between the Federal, State, and local governments would significantly aid in the development of land and water use programs for the coastal areas.

In accomplishing the purpose of this bill, the Federal Government would provide funding to aid the States in the development of their programs and later the administration of them.

The bill establishes a grant program to the States to allow contributions, sharing up to two-thirds of a State's costs in their management plan programs. Each State affected would be able to share equally in this program as only a maximum of 15 percent of the total amount appropriated can be spent in any one State.

Only those programs that are progressing satisfactory will be allowed to receive funding for a second grant. The legislation will be administered by the National Oceanic and Atmospheric Administration. NOAA will serve as the focal point in the Federal Government for coastal zone coordination and for the funding of approved State programs.

This legislation, I believe, represents a great step forward in recognizing the tremendous importance of the orderly development and protection of our coastal areas. It recognizes that various local interests must be drawn into State management programs. Throughout the bill provisions are made for broad coordination to insure the best possible approach to the problem.

I believe this is a workable program for the solution of a serious program that might continue to menace us in even greater proportions in the future. I welcome this legislation to meet the challenge and I welcome this opportunity to support it.

Mr. Chairman, I urge the approval of H.R. 14146.

Mr. LENNON. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I thank the gentleman for yielding.

I rise in strong support of H.R. 14146.

Mr. Chairman, it is past time that we establish a national policy and develop a program to assist States in the effective management, protection, and development of the coastal zones. I am particularly glad to see the management program grants authorized so that the States might present plans to manage these zones, and if the development grants are approved then the possibility follows that the administrative and estuaries sanctuary grants would be provided.

Texas has done a great deal of work in the planning for our coastal zones. Legislative and advisory committees are at work now, and I think our State will be in position to take advantage of some of these grants if this bill is passed. I commend the Merchant Marine and Fisheries Committee for the advancement of this measure because we have no more important work ahead than the preservation of our coastal zones, bays, and estuaries.

Because of its coastline expanse, Texas faces the problems that face the industrialized urban coastal States, the undeveloped coastal States, the forested lowlands, the interior farm States, and the mountain States. The coastal zone of Texas is rich in natural, recreational, commercial, industrial, and esthetic resources. Competing demands on the resources of the coastal zone are increasing. Population growth and economic development have resulted in the loss of living marine resources, wildlife, and the nutrient-rich wetlands, and have caused permanent and adverse changes to ecological systems.

The Texas coastal zone includes 1,800 miles of bay and gulf shorelines and 2,100 square miles of shallow bays and estuaries, adjacent to 18,000 square miles of coastal lands. Within the coastal zone are more than 135 distinct environments ranging from those relatively stable to those delicately balanced. There is a wide ranging climate. The Texas coastal zone is a dynamic natural system with a spectrum of active geological, physical, biological, and chemical processes. Shoreline erosion and accretion operate to alter continually the boundary between land and water. Hurricanes strike the Texas coast with almost any impact, flooding more than 3,200 square miles of coastal lowlands in the past decade. Active and potentially active faults abound. Land surface subsidence occurs locally.

Concentrated in this zone of dynamic natural systems and abundant natural resources are nearly one-third of the State's population and nearly one-third of its total industry. Traffic on extensive artificially constructed intracoastal waterways and channels supports major port cities with a large volume of imports and exports. The State is the owner of more than 15 percent of the coastal zone, as well as the 3-league offshore extension—10.35 miles. The State's 15 percent includes the bays and estuaries. The other 85 percent is privately owned.

The anticipated future growth of population and industry in Texas coastal zones will have a significant effect on the natural resources of these areas of the State, and will also result in greater potential environmental pollution. Thus, the State of Texas must develop and maintain a coordinated plan for the judicial use and protection of its coastal air, water, and land resources.

A multidisciplinary research team at the University of Texas was formed at the request of the Governor's office, acting in concert with Interagency Council on Natural Resources in the Environment. It was charged with enumerating the various uses of coastal resources, as well as the effects of those uses. The long-range goal of that initial charge is the development of operational guidelines for effective management of the Texas coastal zone.

The continuing growth of the population of Texas, expanding urban development, industrial and economic growth, fragmented and uncoordinated planning, development of hazardous areas such as flood plains, and inadequate waste disposal planning, have contributed to a number of specific, pressing problems of environmental quality of regional and local concern throughout Texas. Scientific solutions and knowledgeable planning must be built on a sound scientific base. For example, the development of patterns of land use planning, management and development that are based on sound environmental, economic, and social values must be preceded by research. The University of Texas has been conducting such functional research for years. Four years ago, the bureau of economic geology, the State geological survey in Texas, began the preparation of an inventory of the State's land and natural resources. This work began an inventory of environmental, geological, and physical conditions that determine the capability of the land to sustain various uses in harmony with the environment. This inventory has served as the basis upon which other researchers have determined population densities and trends, and made economic projections. The environmental health engineering investigators have used this data to project the needs of sewage treatment facilities, including the pollution dangers of inadequate facilities. Potential environmentally safe areas for solid waste disposal are readily determined from the basic data accumulated.

This work has been completed on 20,000 square miles and is currently under way on an additional 30,000 square miles. This research has shown that the utilization of the multidiscipline team approach in environmental research is essential.

Research is also in progress at the University of Texas in an attempt to find solutions for the many and varied problems that are created by the need to use natural resources and maintain environmental quality. A detailed environmentally oriented study of surface mining in Texas was undertaken at the University of Texas last year. This study is in cooperation with the Texas General Land Office.

Mr. Chairman, these are only examples of the tremendous contributions the University of Texas is making toward the further development of coastal zones and I think this university will be recognized as one of the major leaders in this field.

Probably the greatest single problem related to coastal zone management is acquiring sufficient knowledge upon which to base policy decisions. I believe the University of Texas Marine Science Institute at Port Aransas and the planned laboratory in Galveston will put Texas in a leading position to take the multifaceted approaches required for proper use and management of our coastal zones.

As early as 1935, Dr. E. J. Lund of UT, founder of the institute, recognized the importance to Texas of natural resources of the gulf, the uniqueness of the Texas marine environment, and the need for public education and research on that environment. Today, under the leadership of its director, Dr. Carl Oppenheimer, and his assistant, Peter Perceval, the institute's staff of faculty and students is pursuing with great competence and vigor the two objectives of the institute: First, to encourage educational activities in the coastal environment; and second, to do both basic and applied research that will allow sensible use and management of the coastal environment.

The work of this institute will, I believe, effectively lay the foundation of knowledge necessary to put Texas in the forefront of those States which will give great emphasis to the proper care and use of their coastal areas.

It is my hope that this committee may be able to visit these facilities later to see the tremendous work we have underway for the development of the Texas coastal zone.

Mr. LENNON. Mr. Chairman, I yield 3 minutes to my distinguished colleague from Colorado (Mr. Aspinall).

Mr. ASPINALL. Mr. Chairman, I, too, wish to join in the tribute to our colleague and friend, Al Lennon. His approach to legislative matters has always been constructive. His cooperation with all his colleagues has been of the highest order.

I personally wish to thank him for his understanding of the position in which I find myself on this particular legislation. I am most happy he has been willing to overlook the delay I apparently caused him in bringing the legislation to the floor of the House.

I should like also to pay my tribute to our colleague from Washington, Tom Pelly, for his effective contributions throughout the years.

I am most happy that the bill has finally come to the floor. I am only sorry I am unable to support it in its present form.

I want it distinctly understood that what I have to say is not prompted by an endeavor on my part to maintain a committee jurisdictional position.

Mr. Chairman, although I agree with the objective of H.R. 14146, I am unable to support it. It may appear to some that since I come from a landlocked State I am not interested in the coastal zone or the estuaries, but this is not true. A great deal of my committee work has been given to this particular part of our national welfare.

My purpose today is to state very briefly why I cannot support H.R. 14146.

This is legislation whose time has come but it addresses itself to only part of the problem. It involves a piecemeal approach to land use planning, and if it is enacted it will be more difficult to pass comprehensive legislation to take care of the entire problem. Should this bill and the national land use planning legislation both become law the result will be a duplicative and wasteful approach to a problem we all recognize as serious and demanding attention.

I regret that it has not been feasible to report the land use planning legislation developed by the Committee on Interior and Insular Affairs for House debate prior to our consideration today of H.R. 14146. H.R. 7211, identified as the "National Land Policy, Planning, and Management Act of 1972" is a comprehensive land use planning bill, covering all of the lands in the United States, including those lying in coastal zones. It provides for one planning program administered by one Federal agency—the Department of the Interior, which should have this responsibility.

In summary, the passage of H.R. 14146 does not seem to be a wise course of action because—

It is a piecemeal approach to land use planning and may imperil the comprehensive land use planning program;

It gives the responsibility for land use planning to the wrong department. It should be placed in the Department of the Interior. The need for planning the management of the coastal zone includes a need to regulate the development of mineral resources which is already a function of the Secretary of the Interior;

It provides grants for planning and regulating land use in the coastal zones that are equal to the amount contemplated for planning and regulating land use throughout the Nation;

Its State grant program would require the States to set up duplicate planning programs—one for the coastal zones and one for the State generally; and

It would lead to wasteful and inefficient Federal administration—administration by the Secretary of Commerce for the coastal zones and administration by the Secretary of the Interior for the whole State—after comprehensive legislation is enacted. The two systems are incompatible and competitive.

For these reasons, I question the advisability of enactment of this legislation today.

Mr. MOSHER. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. Keith).

Mr. KEITH. I thank the gentleman for yielding me this time.

Mr. Chairman, 5 years ago, the bill before us today could not have existed, for it is only in the fairly recent past that we have come to recognize the coastal zone for what it is—a closely interrelated ecological entity. Different agencies and different levels of Government each regulated, or failed to regulate, their own little place of the coastal zone and its resources, with little coordination and little understanding of the interconnections they were dealing with.

Today, though, we know better. We know that filling in an estuarine marsh in one place may affect the fisherman's catch miles away; a chemical factory at one location can affect the quality of recreational beaches somewhere else; a marina built at point A could wipe out a productive shellfish bed at point B.

We know this—and we know that at the present time, the coordination and cooperation between governmental bodies at the State and local level is entirely inadequate to the situation.

This is the main purpose of this bill—to encourage, through Federal aid and assistance, the kind of coordination and planning, at the State level, that will be necessary if the vast resources of the coastal zone are to be used most appropriately.

Such coordination can also be of help

in another way. One of the biggest problems facing the nuclear power industry, for example, is the bureaucratic maze they must go through to get approval for their plants, which are very often located in the coastal zone. Certainly the task would be much easier and faster if the State and local regulations were coordinated. Both the environment and the need for power could be better served than they are by today's diffusion of responsibility.

This bill does not address itself to the overall question of land use management—in fact, it specifically is restricted to the coastal zone. Some have urged that this bill be held until a comprehensive land use measure could be passed that would include the coastal zone as well.

To wait, however, seems to me to be a mistake. The coastal zone is in great danger of overdevelopment, and while the same kind of problems face us with respect to the land, they are not so immediate. The coastal zone, too, is a much more manageable undertaking, and may indeed serve as a valuable precedent and example for later land use management legislation.

The bill before us today is the result of lengthy hearings, many meetings, and inputs from a great variety of experts and concerned citizens. It is a well-thought-out measure that, if enacted, will be of great benefit to the cause of saving our Nation's immensely valuable coastal zone resources. It is an important and timely start to finding a solution to a very pressing problem, and I urge its adoption.

Mr. MOSHER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. Kyl).

Mr. KYL. Mr. Chairman, the gentleman from Colorado has put this matter in proper context.

I would first like to straighten out one matter which was suggested by the subcommittee chairman when he spoke, but I think he unintentionally left a misunderstanding. He said that the committee had contacted and worked with the National League of Cities and United States Conference of Mayors on this matter and thereby gave the impression that they were approving the legislation which is before us. I would, therefore, like to read into the Record at this point a letter dated August 2, 1972, from the National League of Cities and the United States Conference of Mayors. It is addressed to me, and it reads as follows:

National League of Cities,
U.S. Conference of Mayors,
August 2, 1972.

Hon. John Kyl,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Kyl: The National League of Cities and the United States Conference of Mayors are deeply concerned that approval of H.R. 14146, the "Coastal Zone Management Act of 1972", would cause irreparable harm to cities' ability to engage in effective and comprehensive land use planning and management. H.R. 14146 would fragment local planning by establishing a coastal zone management program separate and distinct from cities' land use programs. A broad national growth policy to define national goals and then a national land use policy to guide state and local implementation is needed, not further fragmentation of local planning by isolating coastal zones for separate and distinct management. The problems associated with our coastal zones can be adequately dealt with through a comprehensive land use policy. Broad land use controls would be granted to the Department of Commerce, which has little experience in land use planning, and could lead to serious administrative difficulties with the land use management responsibilities of the Departments of Interior and Housing and Urban Development, particularly if H.R. 7211, National Land Use Policy Act, is adopted.

Cities would have only a minimal involvement in land use decisions that affect vital concerns of every city. The National League of Cities and the U.S. Conference of Mayors have proposed numerous ways which, if adopted, would have provided criteria and procedures to assure adequate protections for local governments and coordination with other local planning and implementation programs, while at the same time protecting our coastal resources. H.R. 14146 does not provide those protections. Undeniably, the protection and the development of our coastal zones is necessary, but we feel that this can best be achieved by those closest to the problem, rather than those most removed. We respectfully urge that H.R. 14146 not be adopted at this time.

Sincerely,
Allen E. Pritchard, Jr.,
Executive Vice President, National League of Cities.
John J. Gunther,
Executive Director, U.S. Conference of Mayors.

Mr. MOSHER. Mr. Chairman, will the gentleman yield briefly?

Mr. KYL. Why, of course.

Mr. MOSHER. I think it is important for the Record to state that when this organization representing the mayors testified before our committee it is true they objected to the bill and urged that this authority be placed in HUD. I feel confident that the Members of this House of Representatives would recognize that the coastal zone management function should not be placed in HUD, but that was their argument at the time they came before our committee.

Mr. KYL. May I tell the gentleman that this letter is dated August 2, 1972, from the National League of Cities and the U.S. Conference of Mayors and says nothing about granting authority to HUD but calls for a national land use planning program in lieu of that being suggested here, and it is dated, as I say, August 2, 1972.

However, the gentleman's comment is interesting because it gets right to the point of this matter.

Here we have a bill in land use management—land and water management—and it is proposed here that this authority for the management be given to the Secretary of Commerce. If we were to follow this kind of fragmentation in land use planning, then I suppose we would have a separate department governing land use in the mountainous areas and one for the public areas and one for the private areas and one for the country under that department and one for the city under HUD.

There are a whole lot of problems in even defining this matter, for how far back from the beach does the authority of the Department of Commerce go in this matter? What is the seashore? We will get into a situation ultimately where we have a national organization and the Department of the Interior administering the national land use policy.

If we did adopt this bill we would be consolidating, Mr. Chairman, under the Department of Commerce not only those cities and rural areas but the Department of Commerce would have authority up to a certain boundary line, perhaps a street, and then the Department of the Interior and the National Land Use Agency would have the authority beyond that point.

This bill is a good bill if it were included as a part of the national land use plan.

Mr. Chairman, it is my intention when we get to the amending stage to offer an amendment which would put this activity not in the Department of Commerce, but in the Department of the Interior.

A report is now ready on a bill which has come from the Committee on Interior and Insular Affairs of the House which places the primary responsibility for national land use management in an agency in the Department of the Interior with a very much better developed and coordinated effort among the various departments of the Government than we find in this proposal which is before us today.

I think the only sensible way to act is in a unified fashion so that we can have national goals, and so that we can have a national program so that the local governments, the county governments and the State governments will not have to be running to six or seven different departments of the Government to get their attention.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MOSHER. Mr. Chairman, I yield 1 additional minute to the gentleman from Iowa (Mr. Kyl) inasmuch as I consumed 1 minute of the gentleman's time.

Mr. KYL. Mr. Chairman, I thank the gentleman.

Mr. Chairman, there is even in the bill itself which is before us today a contradiction which I think would render this program rather useless, and that is in section 307 on interagency coordination and cooperation.

In paragraph (b) it says:

"(b) The Secretary shall not approve the management program submitted by a State pursuant to section 306 unless the views of Federal agencies principally affected by such program have been adequately considered. In case of serious disagreement between any Federal agency and the State in the development of the program the Secretary, in cooperation with the Executive Office of the President, shall seek to mediate the differences.

These amendments which I will offer have been proposed by the administration. That does not make it a political matter because I believe that any administration would ask for the same amendments because no administration wants the fragmentation which is called for under the bill which is before us, Mr. Chairman.

Mr. MOSHER. Mr. Chairman, I yield 4 minutes to the gentleman from Washington (Mr. Pelly).

Mr. PELLY. Mr. Chairman, I would

like to first say with regard to what the gentleman from Iowa (Mr. KYL) said, that our committee considered that viewpoint, and we saw nothing inconsistent in this bill with the eventual overall land and water planning for conservation.

Mr. Chairman, I rise to voice my support for passage and enactment of H.R. 14146, coastal zone management legislation. I completely concur in the previous remarks of the distinguished chairman of the Subcommittee on Oceanography (Mr. LENNON) and the subcommittee's ranking minority member (Mr. MOSHER). Both of these gentlemen have worked on this fine piece of legislation going back as far as 1969 when the subcommittee first held a symposium on this issue and when both were privileged to serve on the Stratton Commission which further identified the coastal zone problems and the need for legislative solution. Their combined efforts have resulted in a measure which is equitable, strongly supported by a host of organizations, States, and Members of Congress, and which identifies and provides for solutions to the immediate and long-range planning and administration needs of this valuable natural resource—the Nation's coastlands and related waters.

The demand for coastal zone uses has and will continue to rise. Conflicting and competing use demands for this area will necessarily increase in terms of greater pressure for industrial sites, powerplants, housing, shipping facilities, harbors, wilderness areas, and recreational needs. Hodgepodge and willy-nilly development, in the absence of a sound area management plan, will further perpetuate and increase the damage which we, as a nation, have done to our coastal areas in the past as evidenced by continued increases in the level of air pollution, water pollution, urban sprawl and blight, and total destruction of our valuable estuarine areas, spawning and food sources for practically every species which lives in the oceans and coastal waters.

The importance of enactment of national legislation on the coastal zone becomes readily apparent if you look at the tremendous amount of executive and legislative attention that has been paid to coastal zone problems on a State level. The State of Hawaii has a strong coastal zone act, as does the State of Delaware. Florida, Texas, California, Maine, New Hampshire, Oregon, Virginia, and Missouri are all in various stages of either enactment of their version of coastal zone management or establishment of administrative control mechanisms. My own State of Washington recently, in the last legislature, enacted "coastal zone" legislation. In fact, I am not aware of a single coastal State in this country which has not addressed itself to the complexities of coastal zone management in one form or another.

Yet, individual States are unable to solve the many complexities of coastal zone problems, which cross political and geographical boundaries, on their own initiative. There must be a total Federal, State, and local statutory framework within which each State can function in close coordination with all levels of our governmental structure. Failure to pass and enact the legislation pending before us now will continue to perpetuate the "limbo" status which this country has been in, in regard to a wise management and utilization of coastal zone resources, for some time.

This Nation can ill afford to "continue to wait to begin to commence" in solving coastal zone resource utilization problems. I urge the passage and enactment of H.R. 14146 which will insure that past mistakes in management are rectified, that present utilizations are well thought out and planned, and that future plans, programs, and projects all complement each other, on a Federal, State, and local level, by becoming integral parts of an overall management and administration plan.

Mr. MOSHER. Mr. Chairman, I have no further requests for time on this side, and I yield the balance of the time remaining on this side to the gentleman from North Carolina (Mr. LENNON).

Mr. LENNON. Mr. Chairman, I thank the distinguished gentleman from Ohio.

Mr. Chairman, I yield to the distinguished gentleman from California (Mr. ANDERSON) such time as he may consume.

Mr. ANDERSON of California. Mr. Chairman, I rise in support of the bill H.R. 14146, the Coastal Zone Management Act, and in so doing, I wish to commend the distinguished chairman of our subcommittee for the tremendous amount of input and great deal of time and effort on this bill.

H.R. 14146, is a bill to encourage the various coastal States to develop plans and programs to manage our coastal areas in the public interest. I think it is a very good bill.

It is estimated that about 53 percent of our Nation's population is concentrated within 50 miles of the coastline and the Great Lakes. Predictions of population trends suggest that by the year 2000 this same area will be inhabited by 80 percent of the national population.

Large industrial complexes are lured to the coastal areas by available land, labor, and water.

Housing developments have covered the landscape in what were once remote areas. In California alone, landfills have destroyed 75 percent of the coastal marshes.

Hard choices must be made between protecting the environment and developing the coastal areas. If those choices are going to be rational, we must encourage the States and localities to devise plans which will both protect the environment and allow controlled uses within the coastal zone.

The bill before us today, H.R. 14146, which I coauthored, would authorize the Secretary of Commerce to make grants to the coastal States to develop management programs.

Under the bill a State must:

First, specify the zone boundaries;

Second, establish permissible activities within the zone area;

Third, designate particularly critical areas;

Fourth, issue guidelines on the priority of uses, and

Fifth, describe the State's method of implementing the plan.

In addition, the Secretary of Commerce is authorized to pay the State up to 66 percent of the cost of the administration of the State program.

Mr. Chairman, of particular interest to me is a subsection, which I authored, designed to protect State-established coastal sanctuaries, such as exists off California, from federally authorized development.

The State of California in 1955 created five marine sanctuaries to protect the beaches from oil spills. In 1963, two more sanctuaries were created.

These State-established sanctuaries, which extend from the coastline seaward to 3 miles, account for nearly a fourth of the entire California coast.

However, the Federal Government has jurisdiction outside the State area, from 3 miles to 12 miles at sea. All too often, the Federal Government has allowed development and drilling to the detriment of the State program.

A case in point is Santa Barbara where California established a marine sanctuary banning the drilling of oil in the area under State authority.

Yet, outside the sanctuary—in the federally controlled area—the Federal Government authorized drilling which resulted in the January 1969 blowout. This dramatically illustrated the point that oil spills do not respect legal jurisdictional lines.

In order to protect the desires of the citizens of the coastal States who wish to establish marine sanctuaries, I offered a provision which "requires that the Secretary of Commerce shall, to the maximum extent practicable, apply the coastal zone program to waters immediately adjacent to the coastal waters of a State, which the State has designated for specific preservation purposes." The Merchant Marine and Fisheries Committee approved this provision.

Our Federal policy must be in support of State laws; for without conformity, State laws may be useless.

Our coasts are both a State and National treasure, and must be protected from unwise, ill-planned usage. The bill before us today would be a giant step toward the establishment of a rational policy to meet present demands and also to protect future needs.

Mr. LENNON. Mr. Chairman, I yield to the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Chairman, I take this time, first of all, to commend the gentleman from North Carolina (Mr. LENNON) for his leadership on this bill. I certainly hope he might be considered by the President as one who might be in line to head up the Coastal Zone Management Advisory Committee. I know of no other person in the Congress who has worked so diligently and so long on this issue.

I would like to ask the gentleman what assurance he can provide that the members of the Coastal Zone Management Advisory Committee will not be entirely dominated by those people who own property or riparian rights or who have a beneficial interest and beneficial rights along the coastal land?

What assurance can the gentleman provide that this Advisory Committee which has a great deal to do about policy will not be dominated by those who have property rights rather than those who are interested solely in the public interest?

Mr. LENNON. I can say to my friend that that particular query or question was not developed in the hearings related to the Advisory Committee.

It gives a National Advisory Committee to the Secretary. It would not be of an advisory capacity if on the State, county, or municipal level.

I can only express the hope—and I am sure the majority of the Members of this House do—that this committee of 10 will be constituted primarily in substantial majority of people who are interested primarily not only in keeping what we have, but in reclaiming that which has been damaged in the past.

However, if you say that anyone owning property or having a fee simple interest in property, who is living in the coastal zone, you are immediately going to knock out over 66 million people who live in the coastal zone areas that we have defined.

I would say to you I will write a letter, assuming that this legislation becomes law—I will immediately write a letter to the Secretary in which I will express my strong view that the majority of those members of the Advisory Committee ought to be people who do not have a land interest.

I can think of a man who may have a fishing shack somewhere on one of your lakeshores. He could not be a member. Or some man who might have a cottage, a small cottage along the 100,000 miles of beachland in this country—he could not be on this committee. We have to have a balance, and we will do what we can to get that. I assure you I have the same feelings you do about it.

Mr. VANIK. I thank the gentleman.

Mr. LENNON. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. DOWNING), a member of the subcommittee and one of the prime sponsors of this bill.

Mr. DOWNING. Mr. Chairman, I rise in full and enthusiastic support of this legislation. It is probably one of the most important ecological bills that has or will come to us during this session of Congress.

Our coastal zones are deteriorating badly and rapidly and I think it is a proper obligation of the Federal Government to assist those States in halting this decay.

If this bill becomes the law of the land, as I hope it will, most of the credit must belong to the distinguished gentleman from North Carolina (Mr. ALTON LENNON) who has worked long and hard to bring this into being. This is not his only monument of achievement; he has many others which will inure to the benefit of the country he loves so well.

Of course, the same holds true for our dear friend, the Honorable TOM PELLY, of Washington, who has contributed so much to this legislation.

Mr. Chairman, if there has been some reservation expressed on the part of the cities of the United States, certainly that does not apply so far as the States themselves are concerned.

I would like to bring to your attention the specific positions of three organizations which represent different aspects of the State governmental structure. The first of these is the National Governors' Conference. That organization, which represents the Governors of all the States, was represented at the subcommittee hearings by Gov. Jimmy Carter of Georgia, who spoke in support of the legislation.

Consistent with Governor Carter's testimony, a report of the Committee on Natural Resources and Environmental Management at the 63d annual meeting of the National Governors' Conference, in September 1971, stated:

> . . . for two successive years the National Governors' Conference has adopted a strong policy position relating to coastal zone policy, planning and management. Underscored has been the need for a balanced approach for conservation and development through appropriate administrative and legal devices . . . the Committee considers (this need) of even greater significance in 1971 than . . . in the previous two years.

The Conference itself subsequently reaffirmed its policy position on coastal zone planning. In effect, it endorsed the legislation before the subcommittee and urged its immediate enactment.

Consistent with his testimony is the following excerpt from the final report of the intergovernmental relations committee of the National Legislative Conference, dated August 1970:

> The need for coastal zone management legislation derives from the inestimable importance of the estuarine and coastal environment to the nation's economy, environmental health and quality of life. . . .
>
> While Federal and local government involvement is essential to any effective coastal management program, States must assume primary responsibility for assuring that the public interest is served in the multiple use of the land and waters of the coastal zone.

In summarizing, the committee recommended that Federal coastal zone management legislation should be flexible, nonpreemptive, and adequately funded on a two-thirds Federal, one-third State basis.

The third organizational group to which I would like to refer is the Coastal States Organization, which is composed of the representatives of the Governors of the several coastal States, all of which will be directly affected by the bill. Representing that organization, Dr. William J. Hargis, Jr., chairman of the Virginia Institute of Marine Science, strongly urged the enactment of coastal zone legislation.

I hope that my colleagues will overwhelmingly support this bill.

Mr. HARRINGTON. Mr. Chairman, I rise today in support of the coastal zone management bill, which would take a vital first step toward a program of rational planning to preserve and protect our coastal areas.

It is clear that the current state of these areas dictates immediate action. The coastal areas, crowded with more than half of the Nation's population, experience the squeeze between conflicting demands for use with great intensity. The fragile ecological chain, with its complex string of interconnections between plant, animal, and human life there, is being irrevocably damaged. The crush of population growth further increases the pressure on the finite resources of the coastal areas. We have taken from the coastal zones in a helter-skelter pattern of development, without serious thought to the long-range consequences of our actions. The affluent society grows, and the coastal zone suffers.

As with any areas of environmental concern, solutions do not come easily. Sitting here in Congress, we cannot merely reach for simple answers. We cannot deal with one aspect of the environmental system without examining all of its parts. It would be irresponsible and unproductive for us to impose the proper course for handling our coastal zones.

The value of this bill is that it recognizes this reality, and places basic management in the hands of State and local authorities most familiar with the needs of their areas. Armed with the assistance of scientific, environmental, economic, and social advisers, these officials can develop the most feasible local plan for managing coastal lands and waters.

Without abandoning our responsibility to set national goals and expectations for policy in this area, the bill accomplishes this delegation of authority essential to sound management practice.

However, it is not without some reservation that I vote for this measure. I recognize that it provides grants and guidelines for planning State management programs, and does not provide comprehensive coastal area protection. Thus, I vote for the coastal zone management bill with the hope that it does not become just another trumpeted planning bill without subsequent substantive action. It is essential for Congress to follow through on its commitment to national coastal area policy while maintaining State authority over local policy formulation. We cannot allow this bill to join those other high-sounding Federal programs we have abandoned in midstream. We must fight the remainder of this environmental battle.

Nevertheless, the policy statement in this bill is clear: programs must "give full consideration to ecological, cultural, historic, and esthetic values as well as to needs for economic development." In other words, social and ecological concerns will be weighed in the balance sheet of coastal zone development. We are now paying the costs of disregarding these factors in past cost-benefit analyses, creating what is generally recognized as an environmental crisis. By acknowledging the importance of these environmental factors, this bill achieves the balance essential to the continuation of human life on this fragile and threatened planet.

Another critical concern when dealing with features of our environment is the need for regional planning. Coastal waters flow freely across State boundaries, affecting many jurisdictions. The principle of compatible land uses applies to the entire stretch of coastal land, irrespective of legally created dividing lines. Clearly the answer is coordination between various jurisdictions in the planning of coastal zone management. This bill embodies that ideal in a national policy to encourage cooperative regional and joint action. Although these provisions might not provide the strongest means to overcome jurisdictional difficulties, it is a forthright and workable recognition that this problem must be met before rational policies on coastal zone use can be set forth.

The concept of estuarine sanctuaries is an essential one, to preserve and restore selected coastal areas as natural laboratories to study processes which we still do not fully comprehend. In some cases, man's forceful entry into the coastal zone ecology has irretrievably disrupted the natural situation. But we must arrest this process before we have lost all natural coastal areas, and with them a valuable source of scientific knowledge about life there. Coastal estuaries are among the most productive areas on this planet. They are critical areas for the breeding of many species of commercially important fish, for example. As our "spaceship Earth" faces its finite resource capability, we must gather the knowledge necessary in the biologically active estuaries so that we can deal with future life needs.

The bill goes further in the creation of such sanctuaries, but not far enough. It requiries procedures in state plans for the designation of preserves and restored areas for ecological and recreation uses. Steps must be taken to further encourage such preserves, and I urge the administrators of this bill—if it is finally approved—to make such actions a central part of any coastal zone management operation.

In short, I support this bill because it recognizes that rational planning of natural resources has come of age. More than that, it has become a basic requirement of survival at a stage of history where uncontrolled growth is now confronting a limited capacity for expansion. Recent studies have sounded the warning that mankind—and especially Americans with our technologically advanced society—must begin to examine the value of development without regard for environmental preservation. To maximize the use of our common natural heritage for all citizens, some restraints must be placed on the onward rush of development oftentimes blindly disguised as "progress." These restraints should come in the form of rational resource analysis, and allocation to various compatible uses with regard to the basic needs of human existence.

The protection of our coastal zones does not mean that we are merely saving fish and ocean plant life; the future of human life is at stake. Just as laissez-faire capitalism became a threat to human development and was discarded, so too must we begin to shake off the constraints of a system which dictates that commercial development is our only priority. In the crucial area of coastal zones, which require immediate attention lest they be lost forever, we can take this step toward a planned approach to resource allocation. If we do not, future generations will be forced to pay, and pay dearly, for our lack of concern and understanding.

Mr. KYROS. Mr. Chairman, as a representative from a coastal State vitally affected by this legislation, I gladly rise in support of H.R. 14146, the Coastal Zone Management Act, which I also cosponsored.

Maine's coastline is justly famous for its beauty, and is certainly one of the State's most valuable resources and economic assets. Maine has recently suffered one of its worst oil spills ever, and this tragic accident, dumping over 100,000 gallons of oil on our lovely shores, only reenforced the urgency to act now to protect and preserve our irreplaceable national coastlines and Great Lakes areas. With Maine's 4,052 miles of shoreline, we will be one of the many States directly benefiting from the long-range planning found in this act. However, all Americans will profit from the national policy established in this legislation, creating management programs to protect and wisely develop the water resources and adjacent lands of our country.

It is almost a truism to state that our population is most heavily concentrated near waterways and bodies of water, thereby placing the most intense pressures on these areas through industrial, recreational, and housing uses. This trend will continue in the future, making it imperative that special guidelines and programs be established now by the affected States, with the assistance of the Federal Government, to insure that our shorelines and Great Lakes areas are used in the most effective way possible. This means to protect, preserve, and restore the beauty of our coasts, in addition to insuring their most efficient use by all sectors of our economy.

This act also covers two areas often neglected by other legislation: Estuarines and marshlands. These valuable sanctuaries for nurseries and spawning grounds must be protected to insure adequate marine resources for the future, because it is estimated that 70 percent of the commercial fishing in the United States is done in coastal waters. This industry has already suffered greatly in recent years, a fact well known in Maine and the rest of New England, due to pollution and contamination in breeding waters.

Our national coastline totals more than 88,000 miles, and we must enact this legislation—which was passed by the Senate without a dissenting vote—to insure that all future generations of Americans will be able to enjoy this most valued national resource.

Mr. STEELE. Mr. Chairman, I wish to express my support of the coastal zone management bill. This environment legislation encourages States to meet the urgent problems of their coastal areas. The Federal Government offers funds to cover 66⅔ percent of the States' expenses and establishes guiding criteria for those States electing to conserve, regulate, plan, and develop coastal regions. The initiative and authority to contend with the web of demands upon the coastal zone remain with the States.

About 75 percent of the American people today reside in the 30 States bordering the oceans and the Great Lakes. Increasingly, we turn to the border waters for our recreation needs. Our commercial fishermen concentrate 70 percent of their efforts in coastal waters. Our industrial plants, oil wells, powerplants, and shipping increasingly utilize our coastal lands and waters.

Yet today we lack the technical information crucial to successful coastal management decisions. We know little about the impact of man's activities or of natural processes on the ecology of the coastal area. The coastal zone management bill's general principles, and especially its estuarine sanctuaries provision, will support the kind of scientific studies necessary to wisely plan and protect the Nation's coastal regions.

Our immediate need for imaginative State research and management programs is clear if we are to successfully conserve and optimally utilize this invaluable resource.

Mr. VANIK. Mr. Chairman, I would like to commend the Committee on Merchant Marine and Fisheries for the fine work on this bill. Because I represent a district with a long coastal zone on Lake Erie, I am well aware of the need for a Coastal Zone Management Act as the one under discussion.

I am particularly happy to note that the committee has included flood control and shoreline erosion prevention as items which it expects to see included in the comprehensive State programs which must be approved prior to the allocation of Federal funds. Certainly no bill whose purpose is to protect, preserve, develop, and, where possible, to restore or enhance the resources of the coastal zone would be complete without addressing the problem of shoreline erosion prevention, a problem which endangers the very existence of much of the present coastal zone. In this sense, the improved coastal zone management which will result from the enactment of this bill will be an important first step in the fight against shortline erosion; but, it will only be a first step.

What really is needed is a comprehensive national program for the prevention of the shoreline erosion of both public and private lands where the benefit-cost ratio justifies such protection. Because of the high percentage of shoreline property which is held in private hands, a program which only attempts to protect public lands, such as the one currently administered by the Army Corps of Engineers, simply is not sufficient. For example, in the Great Lakes region, 150 miles of the 216 miles of critically eroding shoreline are held in private hands and are not, therefore, eligible for Federal funds for shoreline erosion prevention.

In the Lake County area of my own district, the problem of shoreline erosion on private land, and the helplessness of the private landowner, was tragically brought to light when four houses tumbled into the lake as a result of the crashing waves and high water levels caused by tropic storm Agnes. In this area of high bluffs composed of soft glacial till and clay, the shoreline has been eroding at a fantastic pace, in some spots as much as 30 feet per year, and, therefore, the occurrence of some type of a catastrophe was simply inevitable. But, because the residents of this area did not have the financial resources to undertake an effective shoreline erosion prevention program, they had no choice but to live with the constant fear of losing their homes in an unpredictable and life-threatening manner. This is an intolerable situation, and I believe it ought not to be allowed to persist.

In sum, Mr. Chairman, the inclusion of shoreline erosion prevention plans in coastal zone management programs will hopefully do much to make both State and Federal officials more aware of the existence of this important problem. But, to bring shoreline erosion really under control, far more must be done for both our public and our private coastal shorelines. If much more is not done, we must anticipate the loss of not only many more houses, and the tax revenue from those houses, but also the loss of streets and public utilities. Surely, the time to act on this problem is now.

Mr. LEGGETT. Mr. Chairman, our continental coastal areas are remarkable for their beauty, for their economic importance, and for the degree to which we have neglected them.

Our coastal areas include 100,000 miles of shoreline on which 65 million Americans live. Our coasts are crossed by almost $100 billion worth of exports and imports annually.

The development of our coastal areas has been literally without planning. The result has been severe and steadily worsening air and water pollution. We have major and growing conflicts between the interests of industry, power, housing, shipping, recreation, and conservation.

We cannot please everybody, but we can try to make the most reasonable and satisfactory compromises between the various interests. We can only do this with an intelligent, coordinated management program, which at present we do not have.

The purpose of this bill is to provide Federal support for States to establish such a program. In future years we will wonder how we ever did without it.

Mr. LENNON. Mr. Chairman, I would like to express my deep appreciation for the very gracious remarks made by my colleagues. Had the compliments which have been suggested come a little earlier, I might have reconsidered the decision I made last November.

Mr. Chairman, we have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will read the amendment in the nature of a substitute printed in the bill as an original bill for the purpose of amendment under the 5-minute rule.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes", approved June 17, 1966 (80 Stat. 203) as amended (33 U.S.C. 1101–1124), is further amended by adding at the end thereof the following new title:

"TITLE III—MANAGEMENT OF THE COASTAL ZONE

"SHORT TITLE

"SEC. 301. This title may be cited as the 'Coastal Zone Management Act of 1972'.

"CONGRESSIONAL FINDINGS

"SEC. 302. The Congress finds that—

"(a) There is a national interest in the effective management, beneficial use, protection, and development of the coastal zone;

"(b) The coastal zone is rich in a variety of natural, commercial, recreational, industrial, and esthetic resources of immediate and potential value to the present and future well-being of the Nation;

"(c) The increasing and competing demands upon the lands and waters of our coastal zone occasioned by population growth and economic development, including requirements for industry, commerce, residential development, recreation, extraction of mineral resources and fossil fuel, transportation and navigation, waste disposal, and harvesting of fish, shellfish, and other living marine resources, have resulted in the loss of living marine resources, wildlife, nutrient-rich areas, permanent and adverse changes to ecological systems, decreasing open space for public use, and shoreline erosion;

"(d) The coastal zone, and the fish, shellfish, other living marine resources, and wildlife therein, are ecologically fragile and consequently extremely vulnerable to destruction by man's alterations;

"(e) Important ecological, cultural, historic, and esthetic values in the coastal zone which are essential to the well-being of all citizens are being irretrievably damaged or lost;

"(f) Special natural and scenic characteristics are being damaged by ill-planned development that threatens these values;

"(g) In light of competing demands and the urgent need to protect and to give high priority to natural systems in the coastal zone, present state and local institutional arrangements for planning and regulating land and water uses in such areas are inadequate; and

"(h) The key to more effective protection and use of the land and water resources of the coastal zone is to encourage the states to exercise their full authority over the lands and waters in the coastal zone by assisting the states, in cooperation with Federal and local governments and other vitally affected interests, in developing land and water use programs for the coastal zone, including unified policies, criteria, standards, methods, and processes for dealing with land and water use decisions of more than local significance.

"DECLARATION OF POLICY

"SEC. 303. The Congress declares that it is the national policy (a) to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations, (b) to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone giving full consideration to ecological, cultural, historic, and esthetic values as well as to needs for economic development, (c) for all Federal agencies engaged in programs affecting the coastal zone to cooperate and participate with state and local governments and regional agencies in effectuating the purposes of this title, and (d) to encourage the participation of the public, of Federal, state, and local governments and of regional agencies in the development of coastal zone management programs. With respect to implementation of such management programs, it is the national policy to encourage cooperation among the various state and regional agencies including establishment of interstate and regional agreements, cooperative procedures, and joint action particularly regarding environmental problems.

"DEFINITIONS

"SEC. 304. For the purposes of this title—

"(a) 'Coastal zone' means the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal states, and includes transitional and intertidal areas, salt marshes, wetlands, and beaches. The zone extends, in Great Lakes waters, to the international boundary between the United States and Canada and, in other areas, seaward to the outer limit of the United States territorial sea. The zone extends inland from the shorelines only to the extent necessary to control those shorelands, the uses of which have a direct impact on the coastal waters.

"(b) 'Coastal waters' means (1) in the Great Lakes area, the waters within the territorial jurisdiction of the United States consisting of the Great Lakes, their connecting waters, harbors, roadsteads, and estuary-type areas such as bays, shallows, and marshes and (2) in other areas, those waters, adjacent to the shorelines, which contain a measurable quantity or percentage of sea water, including, but not limited to, sounds, bays, lagoons, bayous, ponds, and estuaries.

"(c) 'Coastal state' means a state of the United States in, or bordering on, Atlantic, Pacific, or Arctic Ocean, the Great Lakes. For the purposes of this title, the term includes Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"(d) 'Estuary' means that part of a river or stream or other body of water having unimpaired connection with the open sea, where the sea water is measurably diluted with fresh water derived from land drainage. The term includes estuary-type areas of the Great Lakes.

"(e) 'Estuarine sanctuary' means a research area which may include any part or all of an estuary, adjoining transitional areas, and adjacent uplands, constituting to the extent feasible a natural unit, set aside to provide scientists and students the opportunity to examine over a period of time the ecological relationships within the area.

"(f) 'Secretary' means the Secretary of Commerce.

"MANAGEMENT PROGRAM DEVELOPMENT GRANTS

"SEC. 305. (a) The Secretary is authorized to make annual grants to any coastal state for the purpose of assisting in the development of a management program for the land and water resources of its coastal zone.

"(b) Such management program shall include:

"(2) an identification of the boundaries of the portions of the coastal state subject to the management program;

"(2) a definition of what shall constitute permissible land and water uses;

"(3) an inventory and designation of areas of particular concern;

"(4) an identification of the means by which the state proposes to exert control over land and waters uses, including a listing of relevant constitutional provisions, legislative enactments, regulations, and judicial decisions;

"(5) broad guidelines on priority of uses in particular areas, including specifically those uses of lowest priority;

"(6) a description of the organizational structure proposed to implement the management program, including the responsibilities and interrelationships of local areawide, state, regional, and interstate agencies in the management process.

"(c) The grants shall not exceed 66⅔ per centum of the costs of the program in any one year. Federal funds received from other sources shall not be used to match the grants. In order to qualify for grants under this subsection, the state must reasonably demonstrate to the satisfaction of the Secretary that such grants will be used to develop a management program consistent with the requirements set forth in section 306 of this title. Successive grants may be made annually for a period not to exceed two years; *Provided*, That no second grant shall be made under this subsection unless the Secretary finds that the state is satisfactorily developing such management program.

"(d) Upon completion of the development of the state's management program, the state shall submit such program to the Secretary for review and approval pursuant to the provisions of section 306 of this title, or such other action as he deems necessary. On final approval of such program by the Secretary, the state's eligibility for further grants under this section shall terminate, and the state shall be eligible for grants under section 306 of this title.

"(e) Grants under this section shall be allocated to the states based on rules and regulations promulgated by the Secretary: *Provided, however*, That no management program development grant under this section shall be made in excess of 15 per centum of the total amount appropriated to carry out the purposes of this section.

"(f) Grants or portions thereof not obligated by a state during the fiscal year for which they were first authorized to be obligated by the state, or during the fiscal year immediately following, shall revert to the Secretary, and shall be added by him to the funds available for grants under this section.

"(g) With the approval of the Secretary, the state may allocate to a local government, to an areawide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, to a regional agency, or to an interstate agency, a portion of the grant under this section, for the purpose of carrying out the provisions of this section.

"(h) The authority to make grants under this section shall expire on June 30, 1975.

"ADMINISTRATIVE GRANTS

"SEC. 306. (a) The Secretary is authorized to make annual grants to any coastal state for not more than 66⅔ per centum of the costs of administering the state's management program, if he approves such program in accordance with subsection (c) hereof. Federal funds received from other sources shall not be used to pay the state's share of costs.

"(b) Such grants shall be allocated to the states with approved programs based on rules and regulations promulgated by the Secretary, which shall take into account the extent and nature of the shoreline and area covered by the plan, population of the area, and other relevant factors: *Provided, however*, That no annual administrative grant under this section shall be made in excess of 15 per centum of the total amount appropriated to carry out the purposes of this section.

"(c) Prior to granting approval of a management program submitted by a coastal state, the Secretary shall find that:

"(1) The state has developed and adopted a management program for its coastal zone in accordance with rules and regulations promulgated by the Secretary, after notice, and with the opportunity of full participation by relevant Federal agencies, state agencies, local governments, regional organizations, port authorities, and other interested parties, public and private, which is adequate to carry out the purposes of this title and is consistent with the policy declared in section 303 of this title.

"(2) The state has:

"(A) coordinated its program with local, areawide, and interstate plans applicable to areas within the coastal zone existing on January 1 of the year in which the state's management program is submitted to the Secretary, which plans have been developed by a local government, an areawide agency designated pursuant to regulations established under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, a regional agency, or an interstate agency; and

"(B) establish an effective mechanism for continuing consultation and coordination between the management agency designated pursuant to paragraph (5) of this subsection and with local governments, interstate agencies, and areawide agencies within the coastal zone to assure the full participation of such local governments and agencies in carrying out the purposes of this title.

"(3) The state has held public hearings in the development of the management program.

"(4) The management program and any changes thereto have been reviewed and approved by the Governor.

"(5) The Governor of the state has designated a single agency to receive and administer the grants for implementing the management program required under paragraph (1) of this subsection.

"(6) The state is organized to implement the management program required under paragraph (1) of this subsection.

"(7) The state has the authorities necessary to implement the program, including the authority required under subsection (d) of this section.

"(8) The management program provides for adequate consideration of the national interest involved in the siting of facilities necessary to meet requirements which are other than local in nature.

"(9) The management program makes provision for procedures whereby specific areas may be designated for the purpose of preserving or restoring them for their conservation, recreational, ecological, or esthetic values.

"(d) Prior to granting approval of the management program, the Secretary shall find that the state, acting through its chosen agency or agencies, including local governments, areawide agencies designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, regional agencies, or interstate agencies, has authority for the management of the coastal zone in accordance with the management program. Such authority shall include power—

"(1) to administer land and water use regulations, control development in order to insure compliance with the management program, and to resolve conflicts among competing uses; and

"(2) to acquire fee simple and less than fee simple interests in lands, waters, and other property through condemnation or other means when necessary to achieve conformance with the management program.

"(e) Prior to granting approval, the Secretary shall also find that the program provides:

"(1) for any one or a combination of the following general techniques for control of land and water uses:

"(A) State establishment of criteria and standards for local implementation, subject to administrative review and enforcement of compliance;

"(B) Direct state land and water use planning and regulation; or

"(C) State administrative review for consistency with the management program of all development plans, projects, or land and water use regulations, including exceptions and variances thereto, proposed by any state or local authority or private developer, with power to approve or disapprove after public notice and an opportunity for hearings.

"(2) for a method of assuring that local land and water use regulations within the coastal zone do not unreasonably restrict or exclude land and water uses of regional benefit.

"(f) With the approval of the Secretary, a state may allocate to a local government, an areawide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, a regional agency, or an interstate agency, a portion of the grant under this section for the purpose of carrying out the provisions of this section: *Provided*, That such allocation shall not relieve the state of the responsibility for insuring that any funds so allocated are applied in furtherance of such state's approved management program.

"(g) The state shall be authorized to amend the management program. The modification shall be in accordance with the procedures required under subsection (c) of this section. Any amendment or modification of the program must be approved by the Secretary before additional administrative grants are to be made to the state under the program as amended.

"(h) At the discretion of the state and with the approval of the Secretary, a management program may be developed and adopted in segments so that immediate attention may be devoted to those areas of the coastal zone which most urgently need management programs: *Provided*, That the state adequately allows for the ultimate coordination of the various segments of the management program into a single unified program and that the unified program will be completed as soon as is reasonably practicable.

"INTERAGENCY COORDINATION AND COOPERATION

"SEC. 307. (a) In carrying out his functions and responsibilities under this title, the Secretary shall consult with, cooperate with, and, to the maximum extent practicable, coordinate his activities with other interested Federal agencies.

"(b) The Secretary shall not approve the management program submitted by a state pursuant to section 306 unless the views of Federal agencies principally affected by such program have been adequately considered. In case of serious disagreement between any Federal agency and the state in the development of the program the Secretary, in cooperation with the Executive Office of the President, shall seek to mediate the differences.

"(c)(1) Each Federal agency conducting or supporting activities in the coastal zone shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state management programs.

"(2) Any Federal agency which shall undertake any development project in the coastal zone of a state shall insure that the project is, to the maximum extent practicable, consistent with approved state management programs.

"(3) After final approval by the Secretary of a state's management program, any applicant for a required Federal license or permit to conduct an activity affecting land or water uses in the coastal zone of that state shall provide in the application to the licensing or permitting agency a certification that the proposed activity complies with the state's approved program and that such activity will be conducted in a manner consistent with the program. At the same time, the applicant shall furnish to the state or its designated agency a copy of the certification, with all necessary information and data. Each coastal state shall establish procedures for public notice in the case of all such certification and, to the extent it deems appropriate, procedures for public hearings in connection therewith. At the earliest practicable time, the state or its designated agency shall notify the Federal agency concerned that the state concurs with or objects to the applicant's certification. If the state or its designated agency fails to furnish the required notification within six months after receipt of its copy of the applicant's certification, the state's concurrence with the certification shall be conclusively presumed. No license or permit shall be granted by the Federal agency until the state or its designated agency has concurred with the applicant's certification or until, by the state's failure to act, the concurrence is conclusively presumed, unless the Secretary, on his own initiative or upon appeal by the applicant, finds, after providing a reasonable opportunity for detailed comments from the Federal agency involved and from the state, that the activity is consistent with the objectives of this title or is otherwise necessary in the interest of national security.

"(d) State and local governments submitting applications for Federal assistance under other Federal programs affecting the coastal zone shall indicate the views of the appropriate state or local agency as to the relationship of such activities to the approved management program for the coastal zone. Such applications shall be submitted and coordinated in accordance with the provisions of title IV of the Intergovernmental Coordination Act of 1968 (82 Stat. 1098). Federal agencies shall not approve proposed projects that are inconsistent with a coastal state's management program, except upon a finding by the Secretary that such project is consistent with the purposes of this title or necessary in the interest of national security.

"(e) Nothing in this section shall be construed—

"(1) to diminish either Federal or state jurisdiction, responsibility, or rights in the field of planning, development, or control of water resources and navigable waters; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more states or of two or more states and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

"(2) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board, and the United States operating entity or entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico.

"SEC. 308. All public hearings required under this title must be announced at least thirty days prior to the hearing date. At the time of the announcement, all agency materials pertinent to the hearings, including documents, studies, and other data, must be made available to the public for review and study. As similar materials are subsequently developed, they shall be made available to the public as they become available to the agency.

"REVIEW OF PERFORMANCE

"SEC. 309. (a) The Secretary shall conduct a continuing review of the management programs of the coastal states and of the performance of each state.

"(b) The Secretary shall have the authority to terminate any financial assistance extended under section 306 and to withdraw any unexpended portion of such assistance if (1) he determines that the state is failing to adhere to and is not justified in deviating from the program approved by the Secretary; and (2) the state has been given notice of proposed termination and withdrawal and an opportunity to present evidence of adherence or justification for altering its program.

"RECORDS

"SEC. 310. (a) Each recipient of a grant under this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, the total cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this title.

"ADVISORY COMMITTEE

"SEC. 311. (a) The Secretary is authorized and directed to establish a Coastal Zone Management Advisory Committee to advise, consult with, and make recommendations to the Secretary on matters of policy concerning the coastal zone. Such committee shall be composed of not more than ten persons designated by the Secretary and shall perform such functions and operate in such a manner as the Secretary may direct. The Secretary shall insure that the committee membership as a group possesses a broad range of experience and knowledge relating to problems involving management, use, conservation, protection, and development of coastal zone resources.

"(b) Members of said advisory committee who are not regular full-time employees of the United States, while serving on the business of the committee, including traveltime may receive compensation at rates not exceeding $100 per diem; and while so serving away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

"ESTUARINE SANCTUARIES

"SEC. 312. (a) The Secretary, in accordance with rules and regulations promulgated by him, is authorized to make available to a coastal State grants of up to 50 per centum of the costs of acquisition, development, and operation of estuarine sanctuaries for the purpose of creating natural field laboratories to gather data and make studies of the natural and human processes occurring within the estuaries of the coastal zone. The Federal share of the cost for each such sanctuary shall not exceed $2,000,000. No Federal funds received pursuant to section 305 or section 306 shall be used for the purpose of this section.

"(b) When an estuarine sanctuary is established by a coastal State, for the purpose envisioned in subsection (a), whether or not Federal funds have been made available for a part of the costs of acquisition, development, and operation, the Secretary, at the request of the State concerned, and after consultation with interested Federal departments and agencies and other interested parties, may extend the established estuarine sanctuary seaward beyond the coastal zone, to the extent necessary to effectuate the purposes for which the estuarine sanctuary was established.

"(c) The Secretary shall issue necessary and reasonable regulations related to any such estuarine sanctuary extension to assure that the development and operation thereof is coordinated with the development and operation of the estuarine sanctuary of which it forms an extension.

"MANAGEMENT PROGRAM FOR THE CONTIGUOUS ZONE OF THE UNITED STATES

"SEC. 313. (a) The Secretary shall develop, in coordination with the Secretary of the Interior, and after appropriate consultation with the Secretary of Defense, the Secretary of Transportation, and other interested parties, Federal and non-Federal, governmental and nongovernmental, a program for the management of the area outside the coastal zone and within twelve miles of the baseline from which the breadth of the territorial sea is measured. The program shall be developed for the benefit of industry, commerce, recreation, conservation, transportation, navigation, and the public interest in the protection of the environment and shall include, but not be limited to, provisions for the development, conservation, and utilization of fish and other living marine resources, mineral resources, and fossil fuels, the development of aquaculture, the promotion of recreational opportunities, and the coordination of research.

"(b) To the extent that any part of the management program developed pursuant to this section shall apply to any high seas area, the subjacent seabed and subsoil of which lies within the seaward boundary of a coastal state, as that boundary is defined in section 2 of title I of the Act of May 22, 1953 (67 Stat. 29), the program shall be coordinated with the coastal state involved.

"(c) The Secretary shall, to the maximum extent practicable, apply the program developed pursuant to this section *to waters* which are adjacent to specific areas in the coastal zone which have been designated by the states for the purpose of preserving or restoring such areas for their conservation, recreational, ecological, or esthetic values.

"ANNUAL REPORT

"SEC. 314. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress not later than November 1 of each year a report on the administration of this title for the preceding Federal fiscal year. The report shall include but not be restricted to (1) an identification of the state programs approved pursuant to this title during the preceding Federal fiscal year and a description of those programs; (2) a listing of the states participating in the provisions of this title and a description of the status of each state's program and its accomplishments during the preceding Federal fiscal year; (3) an itemization of the allotment of funds to the various coastal states and a breakdown of the major projects and areas on which these funds were expended; (4) an identification of any state programs which have been reviewed and disapproved or with respect to which grants have been terminated under this title, and a statement of the reasons for such action; (5) a listing of all activities and projects which, pursuant to the provisions of subsection (c) or subsection (d) of section 307, are not consistent with an applicable approved state management program; (6) a summary of the regulations issued by the Secretary or in effect during the preceding Federal fiscal year; (7) a summary of a coordinated national strategy and program for the Nation's coastal zone including identification and discussion of Federal, regional, state, and local responsibilities and functions therein; (8) a summary of outstanding problems arising in the administration of this title in order of priority; and (9) such other information as may be appropriate.

"(b) The report required by subsection (a) shall contain such recommendations for additional legislation as the Secretary deems necessary to achieve the objectives of this title and enhance its effective operation.

"RULES AND REGULATIONS

"SEC. 315. The Secretary shall develop and promulgate, pursuant to section 553 of title 5, United States Code, after notice and opportunity for full participation by relevant Federal agencies, state agencies, local governments, regional organizations, port authorities, and other interested parties, both public and private, such rules and regulations as may be necessary to carry out the provisions of this title.

"PENALTIES

"SEC. 316. (a) Whoever violates any regulation which implements the provisions of section 312(c) or section 313(a) of this title shall be liable to a civil penalty of not more than $10,000 for each such violation, to be assessed by the Secretary. Each day of a continuing violation shall constitute a separate violation.

"(b) No penalty shall be assessed under this section until the person charged shall have been given notice and an opportunity to be heard. For good cause shown, the Secretary may remit or mitigate any such penalty. Upon failure of the offending party to pay the penalty, as assessed or, when mitigated, as mitigated, the Attorney General, at the request of the Secretary, shall commence action in the appropriate district court of the United States to collect such penalty and to seek other relief as may be appropriate.

"(c) A vessel used in the violation of any regulation which implements the provisions of section 312(c) or section 313(a) of this title shall be liable in rem for any civil penalty assessed for such violation and may be proceeded against in any district court of the United States having jurisdiction thereof.

"(d) The district courts of the United States shall have jurisdiction to restrain violations of the regulations issued pursuant to this title. Actions shall be brought by the Attorney General in the name of the United States, either on his own initiative or at the request of the Secretary.

"APPROPRIATIONS

"SEC. 317. (a) There are authorized to be appropriated—

"(1) the sum of $15,000,000 for fiscal year 1973 and for each of the two succeeding fiscal years for grants under section 305 to remain available until expended;

"(2) the sum of $50,000,000 for fiscal year 1974 and for fiscal year 1975 for grants under section 306 to remain available until expended; and

"(3) the sum of $6,000,000 for fiscal year 1973 and for each of the two succeeding fiscal years for grants under section 312, to remain available until expended.

"(b) There are also authorized to be appropriated such sums, not to exceed $3,000,000, for fiscal year 1973 and for each of the two succeeding fiscal years, as may be necessary for administrative expenses incident to the administration of this title.

Mr. LENNON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KYL: On page 34, line 16, delete "Commerce" and substitute therefor "the Interior."

Mr. KYL. Mr. Chairman, this is a land water management bill which the chairman says involves management of land on which we have 66 million people living. It is a land use management bill.

The Department of the Interior has been designated to administer the National Land Use Policy Act of 1972, which is proposed in H.R. 4332, which has cleared the Committee on Interior and Insular Affairs, and it is so designated because of its expertise in and its statutory responsibility for natural resource management. For the same reasons that Interior is the Federal agency best able to administer a program of assistance for comprehensive statewide land use planning, it is the department best able to assist with land use planning in the coastal zone. Interior bureaus with coastal zone competence include the National Park Service, the Bureau of Sport Fisheries and Wildlife, the Geological Survey, the Bureau of Outdoor Recreation, and the Bureau of Land Management.

If coastal zone management is to be a meaningful first step toward comprehensive statewide land-use planning, the program authorized by H.R. 14146 should be structured to anticipate integrated administration by a single department whose capabilities are adequate to achieve this objective. If the Department of Commerce were to administer a program of assistance for coastal zone planning, and the Department of the Interior a program for the balance of each State, the resulting duplication or arbitrary division of effort would hinder the States' adoption and implementation of a truly comprehensive land-use policy.

Adoption of this amendment would in no way affect the continued availability to States of the expertise in marine affairs which is unique to the National Oceanographic and Atmospheric Administration.

We can almost reduce this matter to an absurdity. If Commerce is going to administer coastal zones, then why should not the Agriculture Department administer rural areas and the HUD the city planning, and so on ad infinitum. This matter belongs in the Interior Department and not in the Commerce Department.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, I wish to state to my colleagues, the gentleman from Iowa and my colleagues of the committee, that if this amendment could be approved by the committee, it would remove a great deal of my objection to the bill as it now is for the simple reason that I do not like to see fractionated administrative operations and procedures. This would put the matter of the administration of the public lands—and these are part of the public lands and also related to private land uses—in one Department and there would not be this difficulty of duplication.

I support my colleague's amendment.

Mr. KYL. I would ask the gentleman from Colorado, in this offshore area which is included by some coordinated effort in this bill, in spite of the protestations that there is no setting aside of other law, do we not come into conflict with laws on the books with respect to mining use in that Outer Continental area?

Mr. ASPINALL. My colleague's position is entirely logical. Of course two jurisdictions are involved, the Department of the Interior and the other is under the agency administering the Intercontinental Shelf legislation. This is one of the deficiencies in this legislation. I think if we could put it in the one Department we would remove a great many of the difficulties I see lying ahead.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, is it the gentleman's feeling in offering this amendment that the Department of the Interior would be somewhat more vigilant in protecting the public interest than possibly the Commerce Department?

Mr. KYL. No. My argument is simply this. In the first place we are going to have national land-use planning calling for statewide comprehensive land-use plans.

Under any such bill I am absolutely confident that the burden for administration will be a land-use planning agency within the Department of the Interior, because it is now that Department which is in charge of land-use planning.

As a matter of fact, under the land and water conservation fund each State has to have a comprehensive outdoor recreation plan already under the Interior Department.

So far as the one-third of the Nation under public lands is concerned, the Interior Department has complete jurisdiction.

There is no way of taking the Interior Department out of this picture. Because it is so deeply involved, because it has expertise, because it has departments involved in land-use planning now, it is the logical place to put this.

My argument is that we should not fragment the effort, frustrate the States and frustrate the local governments by having them go to six or seven departments to get the word as to what they must do on land-use planning.

Mr. LONG of Maryland. The gentleman's reasoning sounds persuasive to me. I support his amendment.

Mr. LENNON. Mr. Chairman, I rise in opposition to the amendment.

I believe this is typical, once again. We anticipated this.

I should like to make it crystal clear that the gentleman who was just in the well was not reflecting the administration downtown on Pennsylvania Avenue. If the gentleman wishes to respond to that, will he please document it and read the letter from the person downtown in which it is requested, in spite of the fact that the White House, with the wholehearted concurrence of this body as well as the other body, created NOAA, the National Oceanic and Atmospheric Agency, where this function would be.

Does the gentleman wish to respond that he has a letter in his possession from the White House in which they say they are requesting this legislative authority be transferred to the Department of the Interior?

Mr. KYL. I will say to the gentleman, to be absolutely accurate and frank, that these amendments which I offer at this time were prepared by the administration on a sheet which came to me from the administration. They are called administration amendments.

Mr. LENNON. Meaning the Department of the Interior?

Mr. KYL. No, sir; that is not my understanding at all.

Mr. LENNON. Well, it is my understanding, sir, because I have in my possession a letter signed by the General Counsel of the Department of Commerce, which I received today at 12 o'clock noon, in which they definitively and objectively spoke for the administration. They made one suggested "period, close of quote" which I will in turn offer as an amendment.

If I may, I should like to return to what I have to say in regard to the gentleman's amendment, the proposal to change from the Secretary of Commerce to the Secretary of the Interior.

We should keep in mind, gentlemen, that NOAA, the National Oceanic and Atmospheric Agency, is in the Department of Commerce. We put it there by our votes in 1970. I believe there were about 12 votes, out of 400, against it.

This proposal to change from the Secretary of Commerce to the Secretary of the Interior the responsibility for the coordination of coastal zone management is not a new proposal. It has been raised over and over again, ever since the gentleman did what he did at the request of the administration. Each time it has been raised, it has been rejected. There is no more justification today than existed on the previous occasions.

Human nature is the same all over the world. "Let us take everything we put in NOAA out and hand it back to the Department of the Interior." That is human nature. Everybody wants to grow like Topsy.

The Secretary of the Interior was proposed as the lead agency for coastal zone management by some people in the Interior Department way back in 1969.

The Commission report—I am talking about the Stratton Commission report—after careful consideration, based upon the objective viewpoints of nongovernmental personnel, recommended a coastal zone management program to be administered by the independent agency of NOAA, the National Oceanic and Atmospheric Agency.

Now, the President, with your concurrence, decided that it would not make it a national agency but, rather, put it in the Department of Commerce. Nevertheless, it does exist in major part now by virtue of Reorganization Plan No. 4 of 1970. The next time the Department of the Interior's responsibility was suggested was in connection with the administration proposal in 1969 for a coastal management bill in the guise of an amendment to the Water Pollution Control Act.

Yes, the Department of the Interior suggested it then, and in that case the Department of the Interior lead position was based on the fact that it contained the Federal Water Quality Administration and therefore they ought to have this.

When the Subcommittee on Oceanography convened in 1969 they brought people here from 30-odd States to develop these problems and the then Under Secretary of the Interior stated that his Department was well qualified to administer such program by virtue of the fact that the Department of the Interior contained the Federal Water Quality Administration and the Bureau of Commercial Fisheries.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. LENNON was allowed to proceed for 2 additional minutes.)

Mr. LENNON. That was true at that point in time, but Reorganization Plan No. 4, recommended by the President and concurred in by this Congress, removed the Bureau of Commercial Fisheries from the Department of the Interior and put it in NOAA.

Mr. KYL. Will my respected friend yield?

Mr. LENNON. Of course, if I have the time.

Mr. KYL. Of course, this NOAA is designed for scientific purposes. The gentleman a moment ago in an earlier speech referred to the fact that 66 million people live in this area that is going to be managed. That is hardly a matter for ocean scientists to determine, I would suggest to the gentleman. That is a land management proposition and not a matter of ocean science.

Mr. LENNON. Let me respond by saying this is a coastal zone management bill. It is an ocean-oriented and not land-oriented bill. That is the difference.

One other point has been brought out. A complete land use management program for this country this year or next year is necessary, and it is your suggestion that we put it in the Department of the Interior until such time as we take up the whole thing.

I urge the Committee to vote this amendment down.

Mr. MOSHER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do strongly oppose the amendment.

I would like to remind the House that just 2 years ago President Nixon by Executive order but then with the compliance of the House by almost unanimous action created the—National Oceanic and Atmospheric Administration—NOAA—and for the express purpose of focusing its attention on the marine environment. I assert that the coastal zones are a vital part of that environment.

By the way I beg to differ with the gentleman from Iowa when he just referred to NOAA as essentially a scientific agency. It is in part a scientific agency, but it goes well beyond that in management authority in many areas.

Mr. KYL. Would the gentleman yield?

Mr. MOSHER. Yes. I yield.

Mr. KYL. A moment ago he said that because this ocean area was different the management ought to be in the hands of of an oceanographic agency. We have a forestry department in the National Government and we have national land-use planning. Does the gentleman think we ought to have those national forests planned under the Forest Service and outside any national land-use planning?

Mr. MOSHER. I think that the gentleman should understand that in writing this legislation the committee fully recognized that ultimately the Congress will probably approve overall land management legislation, and we very consciously adopted this legislation to that ultimate effect.

I do not think that this legislation in any way conflicts with the probability that in the future there will be legislation for overall land-use management.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. MOSHER. I will yield to the gentleman from Iowa in just one moment, but first let me complete with this statement.

I think it is a practical fact of life that in this 92d Congress there is strong probability against any overall Land Management Act. I think that the problems that the States and the local governments are struggling with in the coastal zone are so essential and so necessary now that until the time that the Congress gets to overall land management legislation, maybe sometime in the next year or two, that this legislation fills a very necessary gap.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. MOSHER. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, I would like to clarify the inference made by the gentleman. Is the gentleman suggesting that when we have a national land-use management plan that then this jurisdiction should be changed to the agency that has the overall authority?

Mr. MOSHER. Of course, that is up to the Congress to decide. Eventually we might have a Department of National Resources, as has been recommended by the President, and I would assume that NOAA would be definitely a part of that overall natural resources arrangement.

But I believe it is at this point very logical to place this in NOAA.

NOAA, through its National Marine Fisheries Service, is now responsible for the exploration, conservation, and development of marine resources so vitally dependent upon coastal waters. Its network of coastal laboratories represents a unique national capability in marine ecological knowledge.

NOAA, under the sea-grant program, promotes the scientific and technical capabilities on which the States must draw.

NOAA, through its National Ocean Survey, is the central agency responsible for mapping and charting the coastal waters for boundary determinations.

NOAA, through the National Weather Service, provides all essential forecasts and warnings of ocean and weather condition.

NOAA carries out most of the Government-supported research and development in coastal zone waters within their laboratories and sea-grant institutions.

In addition to that, NOAA, as associated in the Department of Commerce, is closely associated with the Maritime Administration, which already is in the Department of Commerce. And NOAA is allied with the Economic Development Administration, which is in the Department of Commerce already, and which is vital to the coastal zone concept.

In addition to that, NOAA, as assosay that in no way would this bill change or diminish the present responsibilities, authority or role of the Department of the Interior.

Mr. Chairman and Members of the House, I believe that this amendment should be defeated.

Mr. RUPPE. Mr. Chairman, will the gentleman yield?

Mr. MOSHER. I yield to the gentleman from Michigan.

Mr. RUPPE. Mr. Chairman, today as we consider the coastal zone management bill, I believe that we should keep in mind another piece of potential legislation, the national land-use planning bill, which has been ordered reported by the Interior and Insular Affairs Committee. As a member of both the Interior Committee and the Merchant Marine Committee which reported the coastal zone management bill, I would like to point out the important relationship between these two bills.

The coastal zone management bill we are considering today is intended to be a first step toward a comprehensive, statewide program of land-use planning, designed to protect our coastal zones in particular. The Department of Commerce would be designated to provide for management and protection of the coastal zones and the adjacent shorelands and transitional areas.

The national land-use planning bill also provides for land use planning of these areas, but on a larger scale and with the responsibility assigned to the Department of the Interior.

I hope that in voting on this measure today my colleagues will take into consideration the need to coordinate the activities that will be the result of this bill and those of the land-use planning bill, if passed. If both of these measures are to be meaningful in their stated goals of protection, regulation, and preservation of our land resources, they must not be entangled in a maze of waste, duplicity, and interagency dispute.

If we hope for a truly comprehensive land use policy in this country, we must not handicap it with unnecessary duplication or arbitrary division of effort which might hinder the States' adoption of land use plans.

It is my considered opinion that the administration proposal has merit and I urge my colleagues to support the amendment offered by Mr. KYL.

Mr. ASPINALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take very much time, but I do wish to ask my friend, the gentleman from North Carolina (Mr. LENNON) a couple of questions.

As I understand the way the bill is now drawn, the administration would be under the Secretary of the Department of Commerce because NOAA is part of the Department of Commerce; is that correct?

Mr. LENNON. Yes, NOAA is part of the Department of Commerce.

Mr. ASPINALL. Then I notice also in the report that the only reference that we have to the Department of Commerce, as far as the reports are concerned, was a question apparently that was sent to the Department of Commerce to provide an estimate of the costs involved in this legislation. The Department of Commerce has taken no other position on this legislation, but the report is still full of reports from the Department of the Interior, a representative of which Department apparently appeared before the committee as it made its case, and that the Department of Interior must have some jurisdiction or other, and now asks for this amendment.

What is the reason that we do not have a report from the Department of Commerce as such?

Mr. LENNON. I consider that a report, which is signed—I believe you will find it, I think you said, on page 63 of the report?

Mr. ASPINALL. It is on page 53 of the report.

Mr. LENNON. On page 53 of the report where the Department of Commerce was asked to estimate the administrative costs on an annual basis, and they broke it down into scientists, engineers, planners, programers, and so forth.

Mr. ASPINALL. My colleague is correct. But there is nothing in the report to show that the Department of Commerce has taken any position other than to answer the committee's question.

Mr. LENNON. Yes. They have never raised a question that they were going to have the administrative responsibility. If they did, they would have responded and given us the figures. I think that is an indication. It is just in recent weeks that the thought developed that this ought to be transferred from NOAA to the Department of the Interior. Hopefully, they believe that the total land use management bill would come out.

Mr. ASPINALL. Let me ask my colleague one simple question.

Why did you not have the Department of the Interior give you a report and appear before the committee unless it has jurisdiction?

Mr. LENNON. I think the distinguished gentleman knows that we always circularize all the potential and even slightly affected agencies and ask them for their comments. Is that not true with your committee?

Mr. ASPINALL. The gentleman is absolutely correct.

But the parent department having jurisdiction over this matter as the bill is now written has not stated in the report its position on the legislation.

Mr. LENNON. The Department of Commerce has not?

Witnesses testified, sir. We do not have here the volumes of testimony, but they testified—they did not write—they testified.

Mr. ASPINALL. My colleague knows that we can read the report but cannot read all the hearings.

Mr. LENNON. I realize that.

Mr. ASPINALL. This report is silent on this particular matter.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. KYL. In answer to the question propounded by the subcommittee chairman, a moment ago, in a couple of minutes I will have in his hands an official letter from the Council on Environmental Quality which reads:

> In response to your request, I am pleased to advise that the administration and the Council on Environmental Quality strongly recommend that the coastal zone program anticipated by H.R. 14146 be administered by the Department of the Interior.

Mr. ASPINALL. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KYL).

The question was taken; and on a division (demanded by Mr. LENNON) there were—ayes 46, noes 24.

TELLER VOTE WITH CLERKS

Mr. LENNON. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. LENNON. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. KYL, LENNON, MOSHER, and ASPINALL.

The Committee divided, and the tellers reported that there were—ayes 261, noes 112, not voting 59, as follows:

[Roll No. 293]

[Recorded Teller Vote]

AYES—261

Abernethy
Abourezk
Abzug
Adams
Addabbo
Alexander
Anderson, Ill.
Andrews, N. Dak.
Archer
Arends
Ashbrook
Ashley
Aspin
Aspinall
Badillo
Baker
Baring
Begich
Belcher
Bell
Bergland
Biaggi
Biester
Bingham
Blackburn
Boggs
Boland
Bolling
Bow
Brademas
Bray
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Burton
Cabell
Camp
Carey, N.Y.
Carlson
Carter
Cederberg
Chamberlain
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Tex.
Colmer
Conable
Conover
Conte
Conyers
Coughlin
Crane
Culver
Curlin
Danielson
Delaney
Dellenback
Dellums
Denholm
Dennis
Devine
Dickinson
Drinan
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evans, Colo.
Fascell
Findley
Fish
Fisher
Foley
Ford, William D.
Fraser
Frelinghuysen
Frenzel
Frey
Fuqua
Goldwater
Gonzalez
Grasso
Gross
Gubser
Gude
Haley
Hall
Hammerschmidt
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hawkins
Heckler, Mass.
Heinz
Hicks, Mass.
Hicks, Wash.
Hillis
Horton
Hosmer
Howard
Hull
Hunt
Ichord
Jacobs
Johnson, Pa.
Jonas
Jones, Ala.
Karth
Kastenmeier
Kazen
Keating
Kemp
King
Kluczynski
Koch
Kyl
Landrum
Latta
Link
Lloyd
Long, Md.
Lujan
McClory
McCollister
McCormack

McDade
McEwen
McKay
McKevitt
McKinney
Macdonald, Mass.
Madden
Mahon
Mallary
Martin
Mathias, Calif.
Matsunaga
Mayne
Meeds
Melcher
Mikva
Miller, Ohio
Mills, Md.
Montgomery
Moss
Myers
Natcher
Nelsen
Obey
O'Hara
O'Konski
Passman
Patman
Patten
Perkins
Pettis
Peyser
Pirnie
Poage
Powell
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Reuss
Riegle
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Roncalio
Rosenthal
Roush
Rousselot
Roybal
Runnels
Ruppe
Sandman
Saylor
Scherle
Scheuer
Schmitz
Schneebeli
Schwengel
Sebelius
Seiberling
Shoup
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Spence
Staggers
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Symington
Talcott
Taylor
Terry
Thompson, Ga.
Thomson, Wis.
Thone
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalley
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NOES—112

Abbitt
Anderson, Calif.
Andrews, Ala.
Annunzio
Barrett
Bennett
Betts
Bevill
Blatnik
Burke, Mass.
Byrne, Pa.
Byron
Carney
Casey, Tex.
Celler
Chappell
Clark
Collins, Ill.
Corman
Cotter
Daniel, Va.
de la Garza
Dent
Dingell
Donohue
Dorn
Dow
Downing
du Pont
Edwards, Calif.
Eilberg
Evins, Tenn.
Flood
Flowers
Forsythe
Fountain
Garmatz
Gaydos
Giaimo
Gibbons
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Halpern
Hamilton
Hanley
Hanna
Hathaway
Hays
Hechler, W. Va.
Helstoski
Henderson
Hogan
Hungate
Johnson, Calif.
Jones, N.C.
Keith
Kyros
Lennon
Lent
McCloskey
McFall
Mailliard
Mann
Mathis, Ga.
Mazzoli
Metcalfe
Minish
Mitchell
Mizell
Mollohan
Monagan
Moorhead
Morgan
Mosher
Murphy, Ill.
Nichols
Nix
O'Neill
Pelly
Pepper
Pickle
Pike
Podell
Poff
Preyer, N.C.
Price, Ill.
Rangel
Rogers
Rooney, Pa.
Rostenkowski
Roy
Ruth
St Germain
Sarbanes
Satterfield
Scott
Shipley
Smith, N.Y.
Snyder
Stanton, J. William
Stanton, James V.
Steed
Steele
Sullivan
Teague, Calif.
Tiernan
Whalen

NOT VOTING—59

Anderson, Tenn.
Blanton
Brasco
Brooks
Broomfield
Broyhill, Va.
Byrnes, Wis.
Caffery
Clay
Daniels, N.J.
Davis, Ga.
Davis, S.C.
Davis, Wis.
Derwinski
Diggs
Dowdy
Flynt
Ford, Gerald R.
Fulton
Galifianakis
Gallagher
Gettys
Hagan
Hébert
Holifield
Hutchinson
Jarman
Jones, Tenn.
Kee
Kuykendall
Landgrebe
Leggett
Long, La.
McClure
McCulloch
McDonald, Mich.
McMillan
Michel
Miller, Calif.
Mills, Ark.
Mink
Minshall
Murphy, N.Y.
Nedzi
Rarick
Rees
Reid
Rhodes
Roberts
Rooney, N.Y.
Ryan
Sisk
Springer
Stephens
Stokes
Stuckey
Teague, Tex.
Thompson, N.J.
Wiggins

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KYL: On page 42, line 25 through page 45, line 6—delete the second sentence of subsection 304(b), and revise subsections (c) and (d) to read as follows:

"(c) Federal projects and activities significantly affecting land use within the coastal zone and estuaries shall be consistent with coastal zone management programs funded under section 306 of this Act except in cases of overriding national interest. Program coverage and procedures provided for in regulations issued pursuant to section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and title IV of the Intergovernmental Cooperation Act of 1968 shall be applied in determining whether Federal projects and activities are consistent with coastal zone management programs funded under section 306 of this Act.

"(d) After December 31, 1974, or the date the Secretary approves a grant under section 306, whichever is earlier, Federal agencies submitting statements required by section 102(2)(C) of the National Environmental Policy Act shall include a detailed statement by the responsible official on the relationship of proposed actions to any applicable State land use program which has been found eligible for a grant pursuant to section 306 of this Act."

Mr. DINGELL. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes in support of his amendment.

Mr. KYL. Mr. Chairman, the proposed language in this amendment is language which was worked out very carefully over a long period of time in the national land use policy proposal. The language is intended here to assure that the same requirements of consistency are applicable to the coastal zone as elsewhere within a State which has adopted a comprehensive land use plan. I point out a number of States already have developed comprehensive plans. It is my feeling that the language of this bill ought to be consistent with the language and the purpose which the State has and which the Federal Government has in calling for comprehensive plans.

This language would accomplish exactly the same results as section 307 in that the Federal activities within the coastal zone are consistent with a State's management program, but it does not establish, as does the bill under consideration this afternoon a cumbersome certification procedure in addition to all of the other procedures which are established by law.

Mr. LENNON. Will the gentleman yield?

Mr. KYL. Certainly I yield.

Mr. LENNON. I ask the gentleman to a little more definitively identify his amendment. It says—I have difficulty in finding it, but it says page 42, line 25, through page 45, line 6. It would strike out the beginning of line 25 on page 42 and continue through line 6 on page 45.

Mr. KYL. It would eliminate, I would say to the gentleman from North Carolina, that section dealing with the certification program in the gentleman's bill.

Mr. LENNON. Mr. Chairman, I think the gentleman from Iowa has the wrong section referred to in his amendment, because that section is not the one.

If the gentleman refers to section 304(b), it is not within either one of those several pages in which the section is referred to, certainly not in that range. We have reserved a point of order, Mr. Chairman, on the amendment.

Mr. KYL. Mr. Chairman, I would like to point out to the gentleman from North Carolina what we are amending is the language that says that:

> Each Federal agency conducting or supporting activities in the coastal zone shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state management programs.

Mr. LENNON. Mr. Chairman, would the gentleman from Iowa object to having the Clerk identify the amendment, and relate it to the page?

Mr. Chairman, I ask unanimous consent that the amendment be reread. The amendment which the gentleman from Iowa is offering refers to section 304(b), and is not found in any of the pages that the gentleman has identified that he would strike in the bill. I do not know about in the committee report, but in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina that the Clerk reread the amendment?

There was no objection.

The Clerk reread the amendment.

POINT OF ORDER

Mr. DINGELL. Mr. Chairman, I think in order to facilitate the business of the House, it would be appropriate for me to insist on my point of order, and if the Chair will recognize me at this time, I will give the reasons for the point of order being made.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I believe a reading of the point of order makes it plain that the amendment offered referred to legislation and to statutes not presently before the House and not under the jurisdiction of the committee having the legislation before the House, and, also, not referred to elsewhere in the statute.

As a matter of fact, the jurisdiction over the legislation referred to in the amendment is found in other committees such as the Committee on Banking and Currency.

Mr. Chairman, I would point out further that the amendment refers to the Demonstration Cities and Metropolitan Development Act which refers to matters entirely different than the coastal zone, and, also, the Intergovernmental Cooperation Act, which again is an act which treats of other matters.

In subparagraph (d) of the amendment which is the paragraph following that which I have just been discussing, it refers to the National Environmental Policy Act, section 1022(c), which again is not before the House at this time and which treats matters entirely different than those which are before us with regard to the management of coastal zones. Even though the provisions of section 1022(c) referred to in the amendment would be applied to major actions which would have a significant impact on human environment.

Therefore, I make the point of order at this time that the amendment is not germane to the legislation before us, and it goes beyond and is different in scope and purpose from the legislation before us, and, therefore, should be ruled against by the chair.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Chairman, it is the opinion of the gentleman from Iowa that the Chairman is capable of rendering his decision without this gentleman's assistance.

The CHAIRMAN. The Chair is prepared to rule.

The Chair has read the committee amendment which this amendment proposes to amend.

On page 41, at lines 16 and 17, the committee amendment amends the Demonstration Cities and Metropolitan Development Act of 1966, and on page 43, line 5, paragraph (C)(1) it speaks of each Federal agency conducting or supporting activities in the Coastal Zone.

And on page 43, line 10, paragraph (2), it speaks also of any Federal agency which shall undertake any development project in the coastal zone.

Therefore, the Chair finds that the committee amendment is very broad and already covers matter proposed in the amendment of the gentleman from Iowa (Mr. KYL). The Chair overrules the point of order and holds that the amendment is germane.

Mr. DINGELL. Mr. Chairman, I would like to be heard further to bring to the attention of the Chair matters which the Chair has not treated as to this particular point, and I would remind the chairman I have pointed to two acts referred to by the Chair in his ruling.

The CHAIRMAN. The Chair has already made his decision on the point of order and has ruled that the amendment is germane.

Mr. DINGELL. I think the Chair has not observed that I made a point of order dealing with the second paragraph.

The CHAIRMAN. Does the gentleman from Michigan wish to strike out the last word and speak on the amendment?

Mr. DINGELL. No, I simply want a ruling on the point of order that treats all parts of the point of order.

The CHAIRMAN. The Chair has ruled on the point of order and has ruled the amendment is germane.

If the gentleman from Michigan desires to strike out the last word and speak in opposition to the amendment, the Chair will recognize the gentleman. Otherwise the Chair will not recognize the gentleman further.

Mr. LENNON. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I think those who have read the language of the National Land Use Policy Act that has been pending in the Committee on Interior and Insular Affairs recognize that there is little likelihood, and I think our distinguished chairman of that committee, the gentleman from Colorado (Mr. ASPINALL) will tell you frankly that there is little likelihood that that bill will come out during this calendar year.

But what we have done here—this amendment takes the language that is used in the bill that is pending in the committee and that has not been reported out of a committee and brings it here and offers it as a substitute for language that was considered in a committee for 28 legislative days' hearings.

With a consensus of 100 percent of the subcommittee and the full committee, I just frankly do not believe that we ought to anticipate what may happen sometime in the future. I can say frankly that it is an administration amendment, if you please, and this committee was given today at 12:10 information that suggested that they adjust the cost on an annual basis from what was originally in our bill to meet the possibility that sometime in the future we may have actual land use legislation. We were prepared to do this, and this was the administration's position; not the position of the Department of the Interior or the Department of Commerce. It is approved by the Office of Management and Budget, but unfortunately a majority of the Members reacted, I am told now, and I am going to repeat it, that there was a lobbying campaign and some of the Members from some of the coastal States—I shall not call their names—told me that the American Petroleum Institute started to work today just before noon, so here we are and so the world goes around.

But I do suggest there is no purpose in adopting this particular amendment.

Mr. GARMATZ. Mr. Chairman, I would like to ask the gentleman from Iowa, Is this so-called administration amendment from the administration, the Nixon administration?

Mr. KYL. It is.

Mr. GARMATZ. It is?

Mr. KYL. Yes.

Mr. GARMATZ. Signed by whom? Who suggested this amendment?

Mr. KYL. I have, as I noted a moment ago, a letter from the Council on Environmental Quality.

Mr. GARMATZ. That was the other amendment from Rogers Morton, Secretary of the Interior. Whose amendment is this?

Mr. KYL. This amendment has the concurrence of the Council on Environmental Quality.

Mr. GARMATZ. Is that the administration? Is that the Nixon administration you are speaking about or just one branch of the administration?

Mr. KYL. I think the gentleman understands the Council on Environmental Quality——

Mr. GARMATZ. I understand the difference between one part of the administration and the administration itself; yes. Are you speaking about the Republican administration as a whole or just one department of the administration? Are you speaking about Rogers Morton, Secretary of the Interior? Is that the administration?

Mr. KYL. A few moments ago——

Mr. GARMATZ. If the gentleman does not wish to answer the question, I will yield back the balance of my time.

Mr. KYL. I would be happy to answer the question.

Mr. LENNON. Mr. Chairman, I urge the rejection of the amendment.

Mr. ASPINALL. Mr. Chairman, I move to strike the necessary number of words.

I want the gentleman from Iowa to have the opportunity of answering the question of the gentleman from Maryland (Mr. GARMATZ).

Mr. KYL. I thank the gentleman for his courtesy. A few moments ago I read into the record a letter and promised the gentleman that I would have a formal copy of the letter, a letter from the Council on Environmental Quality on behalf of the Council and the administration in support of these amendments. They sent these to me not before noon today but on yesterday.

They also reflect the attitudes of the Department of the Interior. This is from the Council on Environmental Quality on behalf of the administration, period. Will the gentleman yield further?

Mr. ASPINALL. I shall be glad to yield further to the gentleman from Iowa.

Mr. KYL. I would ask my much respected and beloved friend who is the chairman of the subcommittee if he would not want to reflect a moment more on his statement that whatever is being done here this afternoon is being done because someone from the National Petroleum Institute got to Members today about noon. I wish to state for the record that no one who is associated with the National Petroleum Institute or any other commercial group in the country has contacted me regarding this piece of legislation, today, or any day in the past.

Mr. ASPINALL. The chairman of the Committee on Interior and Insular Affairs, wishes to say that he has not been contacted in this respect on any such matter. He will also state that no one, except a few members on the Interior and Insular Affairs Committee, has seen the language of the amended bill and its report. The report on H.R. 7211 is not out as yet. I have not seen the amendment which is now being offered.

I have listened to the argument. I think it comes nearly in line with the language to take care of the matter which the Committee on Merchant Marine and Fisheries desires to take care of in this bill.

I will say that I have never found my friend from Iowa in any position where he would mislead anybody whether he was for or against a matter, and the language is undoubtedly language he received from those in charge of the administrative departments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KYL).

The question was taken; and on a division (demanded by Mr. KYL) there were—ayes 43, noes 72.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. CLARK

Mr. CLARK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLARK: On page 50, lines 10 and 11, after the word "Secretary"

> delete the following words: "shall, to the maximum extent practicable," and insert in lieu thereof the word "may".

Mr. CLARK. Mr. Chairman, the purpose of this amendment is to make it permissive rather than mandatory for Federal sanctuaries to be established adjacent to areas set aside by State designations. Without this revision, vast resources of the Outer Continental Shelf could be locked automatically without having had congressional or administrative review.

The amendment would also make this subsection consistent with the provisions of title III of H.R. 9727, already passed by the House, which gives the Secretary permissive—not mandatory—authority. "Shall" means mandatory and "may" means permissive.

Mr. ANDERSON of California. Mr. Chairman, I rise in opposition to this amendment which would weaken the provision in the bill designed to protect State-established coastal sanctuaries from federally authorized development.

Coastal States, such as California, have established marine sanctuaries in areas under their jurisdiction. The purpose of these State laws is to protect the scenic beauty, and the beaches, from commercial exploitation which could ruin the environment.

However, the Federal Government—which has jurisdiction outside the 3-mile limit—has all too often allowed development, to the detriment of State programs.

A perfect example is the case in Santa Barbara, Calif., where the California Legislature in 1955, created a marine sanctuary, and thus, closed the area to petroleum drilling.

Some 10 years later, the Federal Government issued leases for petroleum exploration immediately seaward of the State sanctuary.

Then in 1969, a blowout on one of the Federal leases in the Santa Barbara channel resulted in widespread oil pollution of the State sanctuary dramatically illustrating that oil spills do not respect legal jurisdictional lines.

In short, the bill, as reported by the committee, encourages the Secretary to apply Federal programs in a manner consistent with State programs.

If the State wants economic development, then the Secretary would be encouraged to consider this factor.

If the State wants to preserve certain recreational or scenic areas, then the Secretary would be encouraged—not required—to consider the States wishes.

Mr. Chairman, the Merchant Marine and Fisheries Committee recognizes that our coastal areas are national resources and, thus, the Federal Government must share the responsibility for protecting them. We must recognize that State legislation—standing alone—is, in this case—no more than half a remedy.

I, thus, urge my colleagues to stand with the committee, and defeat this amendment.

Mr. LENNON. Mr. Chairman, I move to strike the last word.

For the benefit of the Members of the Committee of the Whole, I believe we should indicate that the language as reported from the Oceanography Subcommittee to the full Committee on Merchant Marine and Fisheries read as follows:

> The Secretary shall apply the program developed pursuant to this section—

and so forth. When the language went to the full committee, it was the consensus of the full committee that the word "shall" should be modified in this manner:

> The Secretary shall, to the maximum extent practicable, apply the program—

I believe the members of the Committee of the Whole are entitled to that explanation. The language was modified.

In my mind, there is some question as to whether or not the "Secretary may apply" is as strong as or a little less strong than the "Secretary shall apply, to the maximum extent practicable,".

I indicated to my friend here I would have no basic objection to the acceptance of his amendment as a Member, but at that time I had not been advised that the gentleman from California and one or two other Members opposed the amendment. So my position will be to stay with the original position of the full committee.

Mr. TEAGUE of California. Mr. Chairman, I move to strike the requisite number of words.

I compliment the gentleman from California (Mr. ANDERSON) on the statement he made. I associate myself with that statement.

Inasmuch as Santa Barbara is in my district, I can say we have a continuing pollution problem in that district.

I am delighted to hear the chairman of the subcommittee, the gentleman from North Carolina, state that he, too, will stick with the committee in opposing the amendment, as I do.

I urge that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CLARK).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CLARK. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. KYL: On page 48, line 7, through page 49, line 8, delete section 312 and renumber subsequent subsections accordingly.

Mr. KYL. Mr. Chairman, this bill before us is primarily a land and water management bill. An authorization for the establishment of estuarine sanctuaries as natural field laboratories purchased in part with Federal funds is not appropriate to the objectives of this legislation, that is, the adoption by coastal States of a viable land use policy.

At the present time, under existing statute, the Secretary of the Interior is empowered by the so-called Estuary Protection Act, 16 U.S.C. 1221 and following, to participate in cost sharing and in the management, administration, and development of estuarine areas and is directed to encourage the acquisition of these estuarine areas with Federal funds made available to States under categorical grant programs administered by the Department.

In other words, we already have essentially the kind of thing which is proposed in this bill.

In addition to that, the Secretary of the Interior has, pursuant to existing authority now on the books, already acquired estuarine areas for administration as units of the national park and national wildlife refuge systems.

In addition to the Interior programs, we have also NOAA provisions and National Science Foundation programs.

Under existing authority the Department of the Interior has done extensive work in this matter in such legislation as that establishing the Cape Cod seashore, Cape Hatteras, the Gulf Islands, Point Reyes, and those points off the Virgin Islands area.

This is appropriate language for the bill that is before us and *duplicates* programs that already exist. Therefore I urge the adoption of this amendment.

Mr. LENNON. Mr. Chairman, I rise in opposition to the amendment.

This is not a duplication of existing law. There was a consensus of the witnesses who testified over a number of days of hearings and over a long period of time for the estuarine program. I shall not delay the matter longer but simply say that those who were involved for weeks, months, and years in the recommendations of the Stratton Commission report, which you gentlemen brought into being, made this one of their prime recommendations. We found no conflict at all on the matter, and I think we ought to simply turn down the requested amendment offered so graciously by the gentleman from Iowa.

Mr. DINGELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the bill before you has been reported unanimously by the Committee on Merchant Marine and Fisheries and has been carefully studied for a long time. It has the support of all the members of the committee.

I recognize the concern of my friend from Iowa. I think he is proper in having an interest in the matter before us. I think he is equally right in expressing the views I am sure he properly feels.

The fact of the matter is, Mr. Chairman, that not only did the gentleman from North Carolina (Mr. LENNON) and his subcommittee but also the *subcommittee* I have the honor of chairing go into the matter of the need for the preservation of areas of this kind through Federal-State cooperative effort. In each instance we came to the conclusion that this kind of preservation is urgently needed. It would be fair to say to the Members of the House, I think, that this is a good proposal. It is not duplicated elsewhere.

The matter has been carefully studied over a number of years both by Mr. LENNON's Subcommittee on Oceanography and my Subcommittee on Fisheries and Wildlife Conservation. In each instance we came to the conclusion that the proposal for areas of this kind is urgently needed.

If we are to have a Federal-State cooperative program—and this proposal does authorize it—then it is inherent and necessary that there should be some Federal funds put into it.

The level of funding is modest. The goal to be achieved is great. The need is equally great, and the benefits to be derived are immense.

For that reason I hope the amendment offered by my good friend from Iowa will be rejected.

Mr. MOSHER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from Iowa (Mr. Kyl).

I think the gentleman from Iowa is mistaken when he suggests that the Department of the Interior already has this authority to do entirely what this section would provide for, and which he is trying to delete from the bill.

I would like to call the attention of the House to a statement made by the National Wildlife Federation before our committee in their strong support for this provision which the gentleman from Iowa (Mr. Kyl) would seek to delete.

The National Wildlife Federation says that this provision "for the establishment of estuarine sanctuaries for the purposes of creating natural field laboratories to be used in further ecological studies is viewed by the National Wildlife Federation as a wise move and one that should help insure a continued high quality coastal and estuarine environment for future generations."

I would believe that the marine science world would not agree with our friend, the gentleman from Iowa, that this authority, under the Estuary Protection Act, in the Department of the Interior, is adequate. And now that we already have transferred the authority of this legislation to the Department of the Interior I would think that the Department of the Interior would welcome this new. additional authority.

Mr. KYL. Mr. Chairman, would the gentleman yield?

Mr. MOSHER. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, I would ask if the gentleman from Ohio is familiar with 16 U.S.C. 1221, which is the empowering of the Department of the Interior to purchase, administer and develop estuarine areas, the act known as the Estuary Protection Act?

Mr. MOSHER. Mr. Chairman, it is my impression that the act just quoted by the gentleman from Iowa does not contain any specific authorization at all for the acquisition of estuarine sanctuaries.

Mr. DINGELL. Mr. Chairman, will the gentleman from Ohio yield?

Mr. MOSHER. I yield to the gentleman from Michigan (Mr. Dingell).

Mr. DINGELL. Mr. Chairman, I might say that it was my subcommittee that reported that bill to the House, and the purposes and the functions of the legislation now before us is different from the legislation referred to by the gentleman from Iowa, and additionally the legislation sets up field laboratories. In addition to that, the Department of the Interior, although it has had some authority in this area, has never chosen to act, and it is for this reason the Committee in its wisdom, and frustration with the failure of the Department of the Interior, in choosing to direct it through this legislation to take some action.

Mr. MOSHER. I thank the gentleman from Michigan for his statement, and I believe that it reinforces my point that the Department of the Interior has never in the past chosen to accomplish the purposes of this legislation, it needs this new direction and incentive.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. (Kyl).

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the next to the last word.

Mr. Chairman, very little has been said this afternoon about the financing provisions of this bill. As I understand, the bill authorizes the expenditure of $172 million.

I note that present on the floor is the distinguished gentleman from Texas (Mr. Mahon) who has seen fit, on occasion, to warn the House of authorizations that call for the expenditure of substantial amounts of public money. This is another one, if I am correct, in that it authorizes the expenditure of $172 million.

I would like to ask the distinguished chairman of the subcommittee, the gentleman from North Carolina (Mr. Lennon), if the provision is still in the bill which would provide Federal guarantees of obligations issued by coastal States for land acquisition, water development, and so forth?

Mr. LENNON. No such provision is in the bill.

I would appreciate the gentleman reading specifically what he is referring to.

Mr. GROSS. Is the provision still in the bill to authorize Federal guarantees of obligations issued by coastal States for land acquisition, water development, and so on and so forth? Is that provision still in the bill?

Mr. LENNON. That is not in the bill.

Mr. GROSS. That has been removed?

Mr. LENNON. That has been removed.

Mr. GROSS. Therefore, the bill would not result in Federal guarantees of tax-exempt obligations?

Mr. LENNON. I think the answer I gave to your first question should assure you on the second question. The answer is again "No."

Mr. GROSS. The answer is "No?"

Mr. LENNON. That is right.

Mr. GROSS. I might ask the gentleman where it is proposed to get the $172 million for the financing of this latest antipollution bill?

Mr. LENNON. I can ask the gentleman where the Nation expects to get the money to finance the national land-use management program that the gentleman so exuberantly supported the philosophy of.

Mr. GROSS. I am not acquainted with the national land-use bill and therefore I do not know whether I would support it.

This bill also provides for the creation of another advisory committee. They are coming at about the rate of one a day although we have already some 3,000 advisory boards, commissions, councils, and committees.

Must this bill be accompanied with still another advisory committee?

Mr. LENNON. This bill relates to an advisory committee.

And also the provisions that you had yesterday advising the committee every time you create any spectrum of a medical faculty practice society agreeing to a special advisory committee.

But in this instance I do not agree with you that we should not bring into being the top expertise in this area to advise the Secretary of the Interior—not that the Under Secretary of the Interior under a no vote—rather than the Secretary of Commerce.

I cannot agree with that at all.

Mr. GROSS. I have read the report rather carefully, but nowhere do I find a letter or statement of any kind from the Office of Management and Budget concerning this proposed expenditure. Therefore it appears to be completely unbudgeted.

Is there a statement in the report?

Mr. LENNON. There is not.

I would expect today to offer an amendment related to authorization in the bill which has been approved by the Office of Management and the Bureau of the Budget.

Then I want to say to my friend the only thing that this administration has approved—not the transfer of this—as this House voted to do on the recommendation of some of its Members—the administration has appealed to our committee based upon the fiscal affairs of this Nation, both for fiscal 1973 and the potential for 1974 to cut back the figures that we had.

I shall offer an amendment for that purpose. That is all that the administration stated to me in writing that they were interested in—and not a transfer as you voted, to turn it back to the Department of the Interior despite what you heard on the floor.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Kyl: page 53, lines 14–24, delete subparagraphs (a) (1), (2), and (3), and substitute therefor:

"(1) the sum of $6,000,000 in each of fiscal years 1973 and 1974, and the sum of $4,000,000 in fiscal year 1975 for grants under section 305, to remain available until expended; and

"(2) the sum of $18,000,000 in each of fiscal years 1974 and 1975 for grants under section 306, to remain available until expended."

Mr. KYL. Mr. Chairman, these sums represent approximately 60 percent of the amounts recommended for the development and implementation of statewide land-use plans under the National Land Use Policy Act of 1972, reflecting the ratio of coastal States to all States. They are sound figures, based on careful study of anticipated needs and the States' ability to make effective use of such assistance.

They reflect the ratio to start for those Coastal States. They are sound figures, I believe, based on these studies of anticipated needs and the States ability to make effective use of that assistance.

SUBSTITUTE AMENDMENT OFFERED BY MR. LENNON FOR THE AMENDMENT OFFERED BY MR. KYL

Mr. LENNON. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Iowa (Mr. KYL).

The Clerk read as follows:

Substitute amendment offered by Mr. LENNON for the amendment offered by Mr. KYL:

On page 53, line 14, through line 5, revise paragraphs (1), (2), (3) of section 317a, to read as follows:

"(1) the sum of $6,000,000 for fiscal year 1973 and fiscal year 1974 and $4,000,000 for fiscal year 1975 for grants under section 305 to remain available until expended;

"(2) the sum of $18,000,000 for fiscal year 1974 and for fiscal year 1975 for grants under section 306 to remain available until expended; and

"(3) the sum of $6,000,000 for fiscal year 1973 for grants under to section 312 remain available until expended."

Mr. LENNON. Mr. Chairman, with reference to the language used by the Clerk in reading the substitute, and I quote: "On page 53, line 14, through line 5."

I ask unanimous consent that the "5" be changed to "24".

The CHAIRMAN. The Clerk will report the amendment as requested in the unanimous-consent request.

The Clerk read as follows:

On page 53, line 14, through line 24, revise paragraphs (1), (2), and (3) of Section 317(a) to read as follows:

"(1) the sum of $6,000,000 for fiscal year 1973 and fiscal year 1974 and $4,00,000 for fiscal year 1975 for grants under section 305 to remain available until expended;

"(2) the sum of $18,000,000 for fiscal year 1974 and for fiscal year 1975 for grants under section 306 to remain available until expended; and

"(3) the sum of $6,000,000 for fiscal year 1973 for grants under section 312 to remain available until expended."

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. GROSS. Mr. Chairman, reserving the right to object, what are the changes in the dollar amounts?

Mr. LENNON. Mr. Chairman, if the gentleman will yield, I intended, if the gentleman will permit me, to address myself to it.

Mr. GROSS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the amendment is modified as requested.

There was no objection.

Mr. LENNON. I yield to the gentleman from Iowa for a question.

Mr. KYL. As I understand it, the substitute simply restores the money for the grant program which would have been eliminated by my amendment, is that correct?

Mr. LENNON. That is in substance what it does, but I would like to state that I have had quite a bit to say today about the administration position on this bill, and this is the only position that the administration has taken. I am not talking about agencies or departments or bureaus, but the administration, and this is after consultation through the Office of Management and Budget. I appreciate the fiscal situation we find ourselves in now after we have already entered into fiscal year 1973, and what happened in fiscal 1972 and the potential deficit for fiscal year 1973. We discussed this matter, and I read:

The Administration proposes that the appropriation authorization be limited to $6 million in fiscal year 1973; $24 million in fiscal year 1974; $22 million in fiscal year 1975. These figures are based on pending grants of $6 million for fiscal year 1973 and fiscal year 1974, and $4 million for fiscal year 1975 and $18 million for fiscal year 1974 and fiscal year 1975 for administrative grants.

This constitutes the total authorization for the 3 years, and so I am told, technically they are ball park figures of $67 million; considerably less than one-half of what the authorization was.

Mr. KYL. Will the gentleman yield?

Mr. LENNON. I will yield to the gentleman from Iowa.

Mr. KYL. My purpose for asking the previous question and taking the time now is to tell the gentleman that I support his substitute amendment.

Mr. LENNON. Let me tell you why the administration offered this. I want to explain something else. I read on:

These figures represent a percentage of the proposed Administration amendment to the pending National Land Use Bill, which would limit the appropriations.

The Administration believes this percentage is justified since the land use bill to be applied to all States in the land use zone would be as applied roughly . . . and so forth.

Now, these figures are relating I will say to my other good friend, the gentleman from Iowa, to the potential we may have possibly for the next year on the national land use bill.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from North Carolina (Mr. LENNON) for the amendment offered by the gentleman from Iowa (Mr. KYL).

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KYL), as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. LENNON

Mr. LENNON. Mr. Chairman, I offer an amendment which is a technical amendment.

The Clerk read as follows:

Amendment offered by Mr. LENNON:

On page 34, line 23, delete "(2)" and insert in lieu thereof "(1)".

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. LENNON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GONZALEZ

Mr. GONZALEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ: Page 52, after line 8, insert new section 315(a):

"Nothing contained in this act shall be construed as prohibiting any citizen free and unlimited access to the public beaches and beach lines in all coastal areas."

Mr. GONZALEZ. Mr. Chairman, this amendment is very plain and to the point. It just makes sure that nothing in the act could be construed to prohibit or prevent or limit a citizen's access to the public beaches. We are living in a day and time in which our coastal areas and beaches are limited. They are very definitely constricted. I think it is a very paramount issue affecting the well being of the overwhelming and preponderant majority of the citizens of our country. I think one freedom we ought to maintain unencumbered is the freedom of the enjoyment of our public beaches. All this amendment says is that nothing in this act shall be construed as impeding that fundamental freedom.

Mr. Chairman, I ask for approval of this amendment.

Mr. LENNON. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from North Carolina.

Mr. LENNON. Mr. Chairman, will the gentleman define for us the legal definition of "public beaches" for the benefit of those of us who are trying to relate this to this bill?

Mr. GONZALEZ. My interpretation of the phrase "public beaches" would be those areas along our beach line or coastal areas which are accessible and have been traditionally and legally accessible to the public.

Mr. LENNON. In other words, where they have conveyed to the municipalities, say, from the residential line to the low waterline for public use, such as we have in so many places.

Again, please, will my friend define "beach line," what he has in mind about beach lines and coastal areas?

Mr. GONZALEZ. That is in my opinion just a refinement or further definition of public beaches and public beach lines to make sure we are talking about the coastal areas and access to those beach lines existing along the coastal areas.

Mr. LENNON. It has been suggested to me that this is perhaps not the appropriate type of legislation for this bill. I have no personal objection to it, myself, since the gentleman defines, as he has, public beaches and beach lines.

I thank the gentleman for yielding.

Mr. MOSHER. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Ohio.

Mr. MOSHER. Undoubtedly the gentleman in the well has good intentions, but it seems to me his amendment as now worded would open up all sorts of horrendous possibilities which might completely work against the purposes of the act, our purpose to responsibly protect the coastal zone areas.

When it is said, "free and unlimited," though I am no attorney, it appears that almost abolishes Federal/State/local criminal laws or safety regulations.

To mention a few possibilities:

What about trespass legislation, and zoning laws? How about the question of the Interior Department levying certain reasonable fees, as it does in national parks? What about the regulation of automobiles, traffic, and access?

It seems to me this is a terrific can of worms; and, speaking of a can of worms, what regulations would we have about fishermen as opposed to bathers on these beaches?

Mr. GONZALEZ. In the context of the act itself, it has nothing to do with police or regulatory authority, or duly constituted political subdivisions that do exist along the coastal areas, and the gentleman's fear there would be based on an unreasonable interpretation of that phrase.

As I look upon it, the activities that would be called for are sanctioned by the bill itself we are considering. My amendment would simply mean that no present citizen right of access which is unlimited in the legal sense of his ability to get to the beach shall be considered as impaired by anything obtained in this law. I do not see any contradiction there.

We are not talking about inherent powers such as the police power and other inherent power in a political subdivision legally constituted to govern along the coastal line.

Mr. DELLENBACK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is with reluctance I rise to oppose the amendment, because I believe there is not any question that the goal for which the gentleman from Texas is reaching is one that has much desirable about it.

I believe the points made by the gentleman from Ohio are really fundamental. We should just look at the proposed language, which says, "Nothing contained in the act shall be construed as prohibiting any citizen free and unlimited access to the public beaches" and so on. It raises frightening possibilities.

It raises very serious questions as to the validity of any reasonable restrictive laws imposed in the sense of criminal penalties.

The matter of trespass has been touched upon. We may get into a situation where there is a public beach and the duly constituted authorities feel they must restrict entrance to some degree, or there may be an instance they feel they must charge fees for a part of the use. This amendment might prohibit even such valid and proper restrictions. It goes on and on and on, under the language involved in this amendment.

I am sure, under the haste of putting this together, there have been words put in here that would not stand careful scrutiny. I believe we would be creating a monster that would fly right in the face of proper and careful planning, which is the purpose of this legislation.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. I am glad to yield to the gentleman from Illinois.

Mr. COLLIER. I would certainly agree with my colleague in the well. We must consider the implications of the proposed amendment, well-meaning as it might be. They are far-reaching, too far-reaching to be handled on the basis of having the amendment adopted here today.

I would hope that with proper deliberation at the proper time the committee could consider this approach and do it in the proper way, rather than on the basis it is presented here.

Mr. DELLENBACK. I appreciate the comments of my colleague, and I am glad to yield now to my colleague from New Jersey.

Mr. PATTEN. I thank the gentleman for yielding.

May I say that we have no authority under the Constitution to pass this amendment. Atlantic City, and the gentleman's beaches in New York, such as Coney Island and so on, and the rights to real estate therein, are under State laws and not under the U.S. Constitution. I think this bill would violate those interpretations.

There is no such thing as a free beach. If Members have ever had the responsibility of regulating a million people at Coney Island, they understand that there is no such thing as a free beach. We have to pay a lot of money in order to bring those people to the beaches.

Mr. DELLENBACK. I apperciate the comments of the gentleman, and now I am happy to yield to my colleague and friend from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I merely make two points.

You may very well be negating the possibility of wanting to preserve an area by this amendment.

The other thing is I think the essential objectives of this legislation are to get the States and the political subdivisions into the planning process so far as the coastal management is concerned.

Mr. DELLENBACK. I thank the gentleman, and I now yield to the gentleman from New York.

Mr. GROVER. I think the gentleman's objection is well founded.

There is one fault in the amendment of the gentleman from Texas, and that is it points to public beaches and complete access to public beach lands.

You must remember that a great deal of our public beach lands were not designed for recreational use. A good deal of it along the Atlantic coast is used for purposes of waterfowl and bird sanctuaries, nature study laboratories, and wet lands. This would open up the wet lands to use.

Mr. DELLENBACK. The point the gentleman makes is very well taken. The motives are exceptional. The amendment is bad.

I urge, ladies and gentlemen, that we defeat this amendment today and let the matter be considered at the proper time by the proper committee at a later date.

Mr. HANNA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the point that Mr. GONZALEZ tried to make is very well worth our consideration, and the points made in objection to the present language are very well taken. I would suggest to Mr. GONZALEZ that his objective can be reached and I think all of the objections can be overcome by rewording the amendment as follows:

> Nothing contained in this Act shall be construed as changing any citizen's access and enjoyment of the public beaches and beachlands in all coastal areas as now by law exists.

I think what the gentleman wanted to be sure of is that this legislation did not in any way supersede existing law which created certain rights of enjoyment to the great and yet very limited resource of public beaches.

I think the points being made against the language are valid, but I think the point being sought by the gentleman from Texas, if I understood the thrust of his remarks correctly, is also valid.

He wanted to be sure in passing this law at this point in time and context we were not superseding existing rights that by State law exist for State citizens all over this country.

Mr. GONZALEZ. Will the gentleman yield?

Mr. HANNA. I am glad to yield to the gentleman.

Mr. GONZALEZ. If my distinguished friend will yield for just one moment, I want to thank my good friend from California. I do not quibble with the refined language that the gentleman offers. I will accept it, if it is in order, because it certainly refines my intention.

I can certainly assure this body there is no desire or even the least scintilla of an intention to intrude on the freedom of religion, the freedom of expression, or any of the other traditional American freedoms except to pinpoint that the freedom that a citizen now has of access to the public beaches will not in any way be impaired by any provision contained in this act, and that is all.

That is all. So I will be delighted to accept the suggestion.

Mr. HANNA. I think the language suggested, and I believe the gentleman from Texas will agree with me, is simply to make the point which is fairly simple. No one here wants the amendment offered by the gentleman from Texas (Mr. GONZALEZ) to change existing law. And the gentleman from Texas I am sure will agree with me in the suggestion that this particular act does not change existing law relative to the present rights of citizens to enjoy public beaches. I do not think there is any quarrel in this body with that.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Texas.

Mr. WHITE. Mr. Chairman, may I ask the gentleman if the gentleman is offering this as a substitute to the amendment offered by the gentleman from Texas (Mr. GONZALEZ)?

Mr. HANNA. Yes; that is correct.

Mr. WHITE. Then, in order to make legislative history, this then would not prevent other legislative and competent legal authorities from changing the law in the future; your amendment merely goes to this particular bill?

Mr. HANNA. That is right. Nothing in this bill shall in any way be construed to interfere with the existing rights of citizens to enjoy public beaches. I think we can all be in agreement on that, and I believe that the gentleman from Texas has captured the purpose of the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

Mr. WHITE. I thank the gentleman.

Mr. HANNA. Might I say that I am offering this as a substitute to the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

AMENDMENT OFFERED BY MR. HANNA AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. GONZALEZ

Mr. HANNA. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

The Clerk read as follows:

Amendment offered by Mr. HANNA as a substitute for the amendment offered by Mr. GONZALEZ:

Page 52, after line 8, insert a new Section 315(a).

Nothing contained in this act shall be construed as changing any citizen's access and enjoyment of the public beaches and beach lines in all coastal areas as now by law exist.

Mr. HANNA. Mr. Chairman, I think that the issue is joined. I think all of the Members who have been interested enough to be listening understand what the point is here. There are those who have reacted to the amendment offered by the gentleman from Texas (Mr. GONZALEZ) feeling that he might be changing the relationship that now exists under law. The gentleman from Texas (Mr. GONZALEZ) wanted to be sure that this bill we are now passing will not interfere with existing law, and I think that this language along with the colloquy that has taken place make it abundantly clear that all this language asks for is that this act shall not be construed to interfere with existing rights of citizens to use public beaches.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, does the gentleman think that his language is essential in view of the language which appears on page 45 of the bill:

Nothing in this section shall be construed—

"(1) to diminish either Federal or state jurisdiction, responsibility, or rights in the field of planning, development, or control of water resources and navigable waters; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more states or of two or more states and the Federal Government;

Or (2) nothing in this section shall be construed—"as superseding, modifying or repealing existing laws applicable to the various Federal agencies:"

Mr. HANNA. I think that in a very large sense what I have said could be interpreted as being in the first part the gentleman referred to. It certainly is different from the language of the second part the gentleman is talking about, because as I read the language the gentleman read I am sure that refers only to Federal agencies, and what we are talking about here is the possibility which often comes up when we pass legislation of a Federal nature that it is taken as preempting certain State laws.

I think that it does not harm anything to be abundantly clear that we are not intending that this legislation will preempt State laws.

Mr. DELLENBACK. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I will make this very brief, and I will not take the full time.

The amendment, again, is well intentioned, but it is either absolutely worthless and adds nothing whatsoever to it, or it is actually harmful for the same reason alluded to by several speakers before, and I would urge that this problem be handled by the proper committee at the proper time and that we defeat the substitute amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from California (Mr. HANNA) to the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

The question was taken and on a division (demanded by Mr. DELLENBACK) there were ayes 66, noes 59.

So the substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. GONZALEZ) as amended.

The question was taken; and on a division (demanded by Mr. GONZALEZ) there were—ayes 56, noes 89.

TELLER VOTE WITH CLERKS

Mr. GONZALEZ. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. GONZALEZ. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. GONZALEZ, MOSHER, DELLENBACK, and HANNA.

The Committee divided, and the tellers reported that there were—ayes 190, noes 191, not voting 51, as follows:

[Roll No. 294]

[Recorded Teller Vote]

AYES—190

Abourezk
Abzug
Adams
Addabbo
Anderson, Calif.
Anderson, Ill.
Annunzio
Archer
Ashley
Aspin
Aspinall
Badillo
Baring
Barrett
Bell
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brinkley
Brooks
Broyhill, N.C.
Buchanan
Burke, Mass.
Burton
Cabell
Carney
Casey, Tex.
Celler
Chisholm
Cleveland
Collins, Ill.
Conte
Conyers
Corman
Coughlin
Culver
Curlin
Danielson
de la Garza
Dellums
Dent
Diggs
Donohue
Dow
Drinan
du Pont
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Evans, Colo.
Fascell
Findley
Fish
Fisher
Flowers
Foley
Fraser
Fuqua
Gaydos
Giaimo
Gibbons
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Harrington
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Hicks, Mass.
Hicks, Wash.
Holifield
Howard
Ichord
Jacobs
Kastenmeier
Kazen
Keating
Kee
Kemp
Koch
Kyros
Link
Lujan
McClory
McCormack
McDade
McKay
Macdonald, Mass.
Mann
Mathias, Calif.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mikva
Miller, Ohio
Minish
Mink
Mitchell
Mollohan
Moorhead
Morgan
Moss
Murphy, N.Y.
Nichols
Nix
Obey
O'Hara
O'Konski
O'Neill
Patman
Perkins
Pickle
Pike
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Quie
Randall
Rangel
Rees
Reuss
Riegle
Rodino
Roe
Rogers
Roncalio
Rooney, Pa.
Rosenthal
Roush
Rousselot
Roy
Roybal
St Germain
Sarbanes
Scheuer
Seiberling
Shipley
Slack
Smith, Iowa
Staggers
Stratton
Sullivan
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thone
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Whalen
White
Wilson, Charles H.
Wolff
Wright
Wyatt
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki

NOES—191

Abbitt
Alexander
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Baker
Begich
Belcher
Betts
Blackburn
Bow
Bray
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Byron
Camp
Carey, N.Y.
Carlson
Carter
Cederberg
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Collier
Collins, Tex.
Colmer
Conable
Conover
Cotter
Crane
Daniel, Va.
Delaney
Dellenback
Denholm
Dennis
Devine
Dickinson
Dingell
Dorn
Downing
Dulski
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Flood
Forsythe
Fountain
Frelinghuysen
Frenzel
Galifianakis
Garmatz
Gettys
Goldwater
Goodling
Grasso
Griffin
Gross
Grover
Gubser
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Hays
Henderson
Hogan
Horton
Hosmer
Hull
Hungate
Hunt
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Keith
King
Kluczynski
Kyl
Landgrebe
Landrum
Leggett
Lennon
Lent
Lloyd
Long, Md.
McCloskey
McCollister
McCulloch
McEwen
McFall
McKevitt
McKinney
Madden
Mahon
Mailliard
Mallary
Martin
Mathis, Ga.
Mayne
Michel
Mills, Ark.
Mills, Md.
Mizell
Monagan
Montgomery
Mosher
Murphy, Ill.
Natcher
Nelsen
Passman
Patten
Pelly
Pettis
Peyser
Pirnie
Poage
Podell
Poff
Powell
Price, Tex.
Quillen
Robinson, Va.
Robison, N.Y.
Rostenkowski
Runnels
Ruth
Sandman
Satterfield
Saylor
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shoup
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Spence
Springer
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Symington
Talcott
Taylor
Terry
Thomson, Wis.
Veysey
Waggonner
Wampler
Ware
Whalley
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Zion
Zwach

NOT VOTING—51

Abernethy
Anderson, Tenn.
Blanton
Brasco
Broomfield
Byrnes, Wis.
Caffery
Chamberlain
Clay
Daniels, N.J.
Davis, Ga.
Davis, S.C.
Davis, Wis.
Derwinski
Dowdy
Evins, Tenn.
Flynt
Ford, Gerald R.
Ford, William D.
Frey
Fulton
Gallagher
Hagan
Hansen, Wash.
Hébert
Hillis
Hutchinson
Jarman
Jones, Tenn.
Kuykendall
Latta
Long, La.
McClure
McDonald, Mich.
McMillan
Miller, Calif.
Minshall
Myers
Nedzi
Pepper
Railsback
Rarick
Reid
Rhodes
Roberts
Rooney, N.Y.
Ruppe
Ryan
Stokes
Stuckey
Teague, Tex.

So the amendment, as amended, was rejected.

The **CHAIRMAN**. Are there any further amendments to be proposed? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment, in the nature of a substitute, as amended, was agreed to.

The **CHAIRMAN**. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. LANDRUM, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration, the bill (H.R. 14146) to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zone, and for other purposes, pursuant to House Resolution 1063, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The **SPEAKER**. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The **SPEAKER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER**. The question is on the passage of the bill.

Mr. **GROSS**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 376, nays 6, not voting 50, as follows:

[Roll No. 295]

YEAS—376

Abbitt
Abourezk
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashley
Aspin
Aspinall
Badillo
Baker
Baring
Barrett
Begich
Belcher
Bell
Bennett
Bergland
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Boggs
Boland
Bolling
Bow
Brademas
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Camp
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Celler
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Ill.
Collins, Tex.
Colmer
Conable
Conover
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Culver
Curlin
Daniel, Va.
Danielson
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Devine
Dickinson
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Drinan
Dulski
Duncan
du Pont
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kyl
Kyros
Landrum
Latta
Leggett
Lennon
Lent
Link
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McCollister
McCormack
McCulloch
McDade
McEwen
McFall
McKay
McKevitt
McKinney
Macdonald, Mass.
Madden
Mahon
Mailliard
Mallary
Mann
Martin
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Metcalfe
Michel
Mikva
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nelsen
Nichols
Nix
Obey
O'Hara
O'Konski
O'Neill
Passman
Patman
Patten
Pelly
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Powell
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rangel
Rees
Reuss
Rhodes
Riegle
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Runnels
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—6

Ashbrook
Burleson, Tex.
Gross
Hall
Roncalio
Schmitz

NOT VOTING—50

Abernethy
Anderson, Tenn.
Blanton
Blatnik
Brasco
Broomfield
Caffery
Chamberlain
Clay
Daniels, N.J.
Davis, Ga.
Davis, S.C.
Derwinski
Dowdy
Evins, Tenn.
Flynt
Ford, Gerald R.
Ford, William D.
Fulton
Gallagher
Hagan
Hansen, Wash.
Hébert
Hillis
Hutchinson
Jarman
Jones, Tenn.
Kuykendall
Landgrebe
Long, La.
McClure
McDonald, Mich.
McMillan
Melcher
Miller, Calif.
Minshall
Myers
Nedzi
Pepper
Pryor, Ark.
Rarick
Reid
Roberts
Rooney, N.Y.
Ruppe
Ryan
Stokes
Stuckey
Teague, Tex.
Ullman

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Gerald R. Ford.
Mr. Rooney of New York with Mr. Broomfield.
Mr. Roberts with Mr. Chamberlain.
Mr. Blatnik with Mr. Derwinski.
Mr. Brasco with Mr. Myers.
Mr. Teague of Texas with Mr. Hutchinson.
Mrs. Hansen of Washington with Mr. Minshall.
Mr. Fulton with Mr. Hillis.
Mr. Blanton with Mr. Davis of Georgia.
Mr. Anderson of Tennessee with Mr. Miller of California.
Mr. Jones of Tennessee with Mr. Landgrebe.
Mr. Nedzi with Mr. Ruppe.
Mr. Evins of Tennessee with Mr. Kuykendall.
Mr. Pepper with Mr. McClure.
Mr. Flynt with Mr. Long of Louisiana.
Mr. William D. Ford with Mr. McDonald of Michigan.
Mr. Reid with Mr. Pryor of Arkansas.
Mr. Daniels of New Jersey with Mr. Dowdy.
Mr. Gallagher with Mr. Clay.
Mr. Melcher with Mr. Ullman.
Mr. Stokes with Mr. Ryan.
Mr. Davis of South Carolina with Mr. Hagan.
Mr. Stuckey with Mr. Jarman.
Mr. Abernethy with Mr. Rarick.

The result of the vote was announced as above received.

A motion to reconsider was laid on the table.

The **SPEAKER**. Pursuant to the provisions of House Resolution 1063, the Committee on Merchant Marine and Fisheries is discharged from the further consideration of the bill (S. 3507) To establish a national policy and develop a national policy for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones, and for other purposes.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. LENNON

Mr. **LENNON**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LENNON moves to strike out all after the enacting clause of S. 3507 and to insert in lieu thereof the provisions of H.R. 14146, as passed, as follows:

That the Act entitled "An Act to provide for a comprehensive, long-range, and coordinated national program in marine science, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering and Resources, and for other purposes", approved June 17, 1966 (80 Stat. 203), as amended (33 U.S.C. 1101–1124), is further amended by adding at the end thereof the following new title:

"TITLE III—MANAGEMENT OF THE COASTAL ZONE

"SHORT TITLE

"SEC. 301. This title may be cited as the 'Coastal Zone Management Act of 1972'.

"CONGRESSIONAL FINDINGS

"SEC. 302. The Congress finds that—

"(a) There is a national interest in the effective management, beneficial use, protection and development of the coastal zone;

"(b) The coastal zone is rich in a variety of natural, commercial, recreational, industrial, and esthetic resources of immediate and potential value to the present and future well-being of the Nation;

"(c) The increasing and competing demands upon the lands and waters of our coastal zone occasioned by population growth and economic development, including requirements for industry, commerce, residential development, recreation, extraction of mineral resources and fossil fuels, transportation and navigation, waste disposal, and harvesting of fish, shellfish, and other living marine resources, have resulted in the loss of living marine resources, wildlife, nutrient-rich areas, permanent and adverse changes to ecological systems, decreasing open space for public use, and shoreline erosion;

"(d) The coastal zone, and the fish, shellfish, other living marine resources, and wildlife therein, are ecologically fragile and consequently extremely vulnerable to destruction by man's alterations;

"(e) Important ecological, cultural, historic, and esthetic values in the coastal zone which are essential to the well-being of all citizens are being irretrievably damaged or lost;

"(f) Special natural and scenic characteristics are being damaged by ill-planned development that threatens these values;

"(g) In light of competing demands and the urgent need to protect and give high priority to natural systems in the coastal zone, present state and local institutional arrangements for planning and regulating land and water uses in such areas are inadequate; and

"(h) The key to more effective protection and use of the land and water resources of the coastal zone is to encourage the states to exercise their full authority over the lands and waters in the coastal zone by assisting the states, in cooperation with Federal and local governments and other vitally affected interests, in developing land and water use programs for the coastal zone, including unified policies, criteria, standards, methods, and processes for dealing with land and water use decisions of more than local significance.

"DECLARATION OF POLICY

"SEC. 303. The Congress declares that it is the national policy (a) to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations, (b) to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone giving full consideration to ecological, cultural, historic, and esthetic values as well as to needs for economic development, (c) for all Federal agencies engaged in programs affecting the coastal zone to cooperate and participate with state and local governments and regional agencies in effectuating the purposes of this title, and (d) to encourage the participation of the public, of Federal, state, and local governments and of regional agencies in the development of coastal zone management programs. With respect to implementation of such management programs, it is the national policy to encourage cooperation among the various state and regional agencies including establishment of interstate and regional agreements, cooperative procedures, and joint action particularly regarding environmental problems.

"DEFINITIONS

"SEC. 304. For the purposes of this title—

"(a) 'Coastal zone' means the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal states, and includes transitional and intertidal areas, salt marshes, wetlands, and beaches. The zone extends, in Great Lakes waters, to the international boundary between the United States and Canada and, in other areas, seaward to the outer limit of the United States territorial sea. The zone extends inland from the shorelines only to the extent necessary to control those shorelands, the uses of which have a direct impact on the coastal waters.

"(b) 'Coastal waters' mean (1) in the Great Lakes area, the waters within the territorial jurisdiction of the United States consisting of the Great Lakes, their connecting waters, harbors, roadsteads, and estuary-type areas such as bays, shallows, and marshes and (2) in other areas, those waters, adjacent to the shorelines, which contain a measurable quantity or percentage of sea water, including, but not limited to, sounds, bays, lagoons, bayous, ponds, and estuaries.

"(C) 'Coastal state' means a state of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes. For the purposes of this title, the term includes Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"(d) 'Estuary' means that part of a river or stream or other body of water having unimpaired connection with the open sea, where the sea water is measurably diluted with fresh water derived from land drainage. The term includes estuary-type areas of the Great Lakes.

"(e) 'Estuarine sanctuary' means a research area which may include any part or all of an estuary, adjoining transitional areas, and adjacent uplands, constituting to the extent feasible a natural unit, set aside to provide scientists and students the opportunity to examine over a period of time the ecological relationships within the area.

"(f) 'Secretary' means the Secretary of the Interior.

"MANAGEMENT PROGRAM DEVELOPMENT GRANTS

"SEC. 305. (a) The Secretary is authorized to make annual grants to any coastal state for the purpose of assisting in the development of a management program for the land and water resources of its coastal zone.

"(b) Such management program shall include:

"(1) an identification of the boundaries of the portions of the coastal state subject to the management program;

"(2) a definition of what shall constitute permissible land and water uses;

"(3) an inventory and designation of areas of particular concern;

"(4) an identification of the means by which the state proposes to exert control over land and water uses, including a listing of relevant constitutional provisions, legislative enactments, regulations, and judicial decisions;

"(5) broad guidelines on priority of uses in particular areas, including specifically those uses of lowest priority;

"(6) a description of the organizational structure proposed to implement the management program, including the responsibilities and interrelationship of local areawide, state, regional, and interstate agencies in the management process.

"(c) The grants shall not exceed 66⅔ per centum of the costs of the program in any one year. Federal funds received from other sources shall not be used to match the grants. In order to quality for grants under this subsection, the state must reasonably demonstrate to the satisfaction of the Secretary that such grants will be used to develop a mangement program consistent with the requirements set forth in section 306 of this title. Successive grants may be made annually for a period not to exceed two years: *Provided,* That no second grant shall be made under this subsection unless the Secretary finds that the state is satisfactorily developing such management program.

"(d) Upon completion of the development of the state's management program, the state shall submit such program to the Secretary for review and approval pursuant to the provisions of section 306 of this title, or such other action as he deems necessary. On final approval of such program by the Secretary, the state's eligiblity for further grants under this section shall terminate, and the state shall be eligible for grants under section 306 of this title.

"(e) Grants under this section shall be allocated to the states based on rules and regulations promulgated by the Secretary: *Provided, however,* That no management program development grant under this section shall be made in excess of 15 per centum of the total amount appropriated to carry out the purposes of this section.

"(f) Grants or portions thereof not obligated by a state during the fiscal year for which they were first authorized to be obligated by the state, or during the fiscal year immediately following, shall revert to the Secretary, and shall be added by him to the funds available for grants under this section.

"(g) With the approval of the Secretary, the state may allocate to a local government, to an areawide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, to a regional agency, or to an interstate agency, a portion of the grant under this section, for the purpose of carrying out the provisions of this section.

"(h) The authority to make grants under this section shall expire on June 30, 1975.

"ADMINISTRATIVE GRANTS

"SEC. 306. (a) The Secretary is authorized to make annual grants to any coastal state for not more than 66⅔ per centum of the costs of administering the state's management program, if he approves such program in accordance with subsection (c) hereof. Federal funds received from other sources shall not be used to pay the state's share of costs.

"(b) Such grants shall be allocated to the states with approved programs based on rules and regulations promulgated by the Secretary, which shall take into account the extent and nature of the shoreline and area covered by the plan, population of the area, and other relevant factors: *Provided, however,* That no annual administrative grant under this section shall be made in excess of 15 per centum of the total amount appropriated to carry out the purposes of this section.

"(c) Prior to granting approval of a management program submitted by a coastal state, the Secretary shall find that:

"(1) The state has developed and adopted a management program for its coastal zone in accordance with rules and regulations promulgated by the Secretary, after notice, and with the opportunity of full participation by relevant Federal agencies, state agencies, local governments, regional organizations, port authorities, and other interested parties, public and private, which is adequate to carry out the purposes of this title and is consistent with the policy declared in section 303 of this title.

"(2) The state has:

"(A) coordinated its program with local, areawide, and interstate plans applicable to areas within the coastal zone existing on January 1 of the year in which the state's management program is submitted to the Secretary, which plans have been developed by a local government, an areawide agency designated pursuant to regulations established under section 204 of the Demonstration Cities and Metropolitan Development

Act of 1966, a regional agency, or an interstate agency; and

"(B) established an effective mechanism for continuing consultation and coordination between the management agency designated pursuant to paragraph (5) of this subsection and with local governments, interstate agencies, and areawide agencies within the coastal zone to assure the full participation of such local governments and agencies in carrying out the purposes of this title.

"(3) The state has held public hearings in the development of the management program.

"(4) The management program and any changes thereto have been reviewed and approved by the Governor.

"(5) The Governor of the state has designated a single agency to receive and administer the grants for implementing the management program required under paragraph (1) of this subsection.

"(6) The state is organized to implement the management program required under paragraph (1) of this subsection.

"(7) The state has the authorities necessary to implement the program, including the authority required under subsection (d) of this section.

"(8) The management program provides for adequate consideration of the national interest involved in the siting of facilities necessary to meet requirements which are other than local in nature.

"(9) The management program makes provision for procedures whereby specific areas may be designated for the purpose of preserving or restoring them for their conservation, recreational, ecological, or esthetic values.

"(d) Prior to granting approval of the management program, the Secretary shall find that the state, acting through its chosen agency or agencies, including local governments, areawide agencies designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, regional agencies, or interstate agencies, has authority for the management of the coastal zone in accordance with the management program. Such authority shall include power—

"(1) to administer land and water use regulations, control development in order to insure compliance with the management program, and to resolve conflicts among competing uses; and

"(2) to acquire fee simple and less than fee simple interests in lands, waters, and other property through condemnation or other means when necessary to achieve conformance with the management program.

"(e) Prior to granting approval, the Secretary shall also find that the program provides:

"(1) for any one or a combination of the following general techniques for control of land and water uses:

"(A) State establishment of criteria and standards for local implementation, subject to administrative review and enforcement of compliance;

"(B) Direct state land and water use planning and regulation; or

"(C) State administrative review for consistency with the management program of all development plans, projects, or land and water use regulations, including exceptions and variances thereto, proposed by any state or local authority or private developer, with power to approve or disapprove after public notice and an opportunity for hearings.

"(2) for a method of assuring that local land and water use regulations within the coastal zone do not unreasonably restrict or exclude land and water uses of regional benefit.

"(f) With the approval of the Secretary, a state may allocate to a local government, an areawide agency designated under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, a regional agency, or an interstate agency, a portion of the grant under this section for the purpose of carrying out the provisions of this section: *Provided*, That such allocation shall not relieve the state of the responsibility for insuring that any funds so allocated are applied in furtherance of such state's approved management program.

"(g) The state shall be authorized to amend the management program. The modification shall be in accordance with the procedures required under subsection (c) of this section. Any amendment or modification of the program must be approved by the Secretary before additional administrative grants are to be made to the state under the program as amended.

"(h) At the discretion of the state and with the approval of the Secretary, a management program may be developed and adopted in segments so that immediate attention may be devoted to those areas of the coastal zone which most urgently need management programs: *Provided*, That the state adequately allows for the ultimate coordination of the various segments of the management program into a single unified program and that the unified program will be completed as soon as is reasonably practicable.

"INTERAGENCY COORDINATION AND COOPERATION

"SEC. 307. (a) In carrying out his functions and responsibilities under this title, the Secretary shall consult with, cooperate with, and, to the maximum extent practicable, coordinate his activities with other interested Federal agencies.

"(b) The Secretary shall not approve the management program submitted by a state pursuant to section 306 unless the views of Federal agencies principally affected by such program have been adequately considered. In case of serious disagreement between any Federal agency and the state in the development of the program the Secretary, in cooperation with the Executive Office of the President, shall seek to mediate the differences.

"(c)(1) Each Federal agency conducting or supporting activities in the coastal zone shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state management programs.

"(2) Any Federal agency which shall undertake any development project in the coastal zone of a state shall insure that the project is, to the maximum extent practicable, consistent with approved state management programs.

"(3) After final approval by the Secretary of a State's management program, any applicant for a required Federal license or permit to conduct an activity affecting land or water uses in the coastal zone of that State shall provide in the application to the licensing or permitting agency a certification that the proposed activity complies with the State's approved program and that such activity will be conducted in a manner consistent with the program. At the same time, the applicant shall furnish to the State or its designated agency a copy of the certification, with all necessary information and data. Each coastal State shall establish procedures for public notice in the case of all such certification and, to the extent it deems appropriate, procedures for public hearings in connection therewith. At the earliest practicable time, the State or its designated agency shall notify the Federal agency concerned that the State concurs with or objects to the applicant's certification. If the State or its designated agency fails to furnish the required notification within six months after receipt of its copy of the applicant's certification, the State's concurrence with the certification shall be conclusively presumed. No license or permit shall be granted by the Federal agency until the State or its designated agency has concurred with the applicant's certification or until, by the State's failure to act, the concurrence is conclusively presumed, unless the Secretary, on his own initiative or upon appeal by the applicant, finds, after providing a reasonable opportunity for detailed comments from the Federal agency involved and from the State, that the activity is consistent with the objectives of this title or is otherwise necessary in the interest of national security.

"(d) State and local governments submitting applications for Federal assistance under other Federal programs affecting the coastal zone shall indicate the views of the appropriate State or local agency as to the relationship of such activities to the approved management program for the coastal zone. Such applications shall be submitted and coordinated in accordance with the provisions of title IV of the Intergovernmental Coordination Act of 1968 (82 Stat. 1098). Federal agencies shall not approve proposed projects that are inconsistent with a coastal State's management program; except upon a finding by the Secretary that such project is consistent with the purposes of this title or necessary in the interest of national security.

"(e) Nothing in this section shall be construed—

"(1) to diminish either Federal or state jurisdiction, responsibility, or rights in the field of planning, development, or control of water resources and navigable waters; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more states or of two or more states and the Federal Governemnt; nor to limit the authority of Congress to authorize and fund projects;

(2) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board, and the United States operating entity or entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico.

"PUBLIC HEARINGS

"SEC. 308. All public hearings required under this title must be announced at least thirty days prior to the hearing date. At the time of the announcement, all agency materials pertinent to the hearings, *including* documents, studies, and other data, must be made available to the public for review and study. As similar materials are subsequently developed, they shall be made available to the public as they become available to the agency.

"REVIEW OF PERFORMANCE

SEC. 309. (a) The Secretary shall conduct a continuing review of the management programs of the coastal states and of the performance of each state.

"(b) The Secretary shall have the authority to terminate any financial assistance extended under section 306 and to withdraw any unexpended portion of such assistance if (1) he determines that the state is failing to adhere to and is not justified in deviating from the program approved by the Secretary; and (2) the state has been given notice of proposed termination and withdrawal and an opportunity to present evidence of adherence or justification for altering its program.

"RECORDS

"SEC. 310. (a) Each recipient of a grant under this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, the total cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this title.

"ADVISORY COMMITTEE

"SEC. 311. (a) The Secretary is authorized and directed to establish a Coastal Zone Management Advisory Committee to advise, consult with, and make recommendations to the Secretary on matters of policy concerning the coastal zone. Such committee shall be composed of not more than ten persons designated by the Secretary and shall perform such functions and operate in such a manner as the Secretary may direct. The Secretary shall insure that the committee membership as a group possesses a broad range of experience and knowledge relating to problems involving management, use, conservation, protection, and development of coastal zone resources.

"(b) Members of said advisory committee who are not regular full-time employees of the United States, while serving on the business of the committee, including traveltime, may receive compensation at rates not exceeding $100 per diem; and while so serving away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

"ESTUARINE SANCTUARIES

"SEC. 312. (a) The Secretary, in accordance with rules and regulations promuglated by him, is authorized to make available to a coastal state grants of up to 50 per centum of the costs of acquisition, development, and operation of estuarine sanctuaries for the purpose of creating natural field laboratories to gather data and make studies of the natural and human processes occurring within the estuaries of the coastal zone. The Federal share of the cost for each such sanctuary shall not exceed $2,000,000. No Federal funds received pursuant to section 305 or section 306 shall be used for the purpose of this section.

"(b) When an estuarine sanctuary is established by a coastal state, for the purpose envisioned in subsection (a), whether or not Federal funds have been made available for a part of the costs of acquisition, development, and operation, the Secretary, at the request of the state concerned, and after consultation with interested Federal departments and agencies and other interested parties, may extend the established estuarine sanctuary seaward beyond the coastal zone, to the extent necessary to effectuate the purposes for which the estuarine sanctuary was established.

"(c) The Secretary shall issue necessary and reasonable regulations related to any such estuarine sanctuary extension to assure that the development and operation thereof is coordinated with the development and operation of the estuarine sanctuary of which it forms an extension.

"MANAGEMENT PROGRAM FOR THE CONTIGUOUS ZONE OF THE UNITED STATES

"SEC. 313. (a) The Secretary shall develop, in coordination with the Secretary of the Interior, and after appropriate consultation with the Secretary of Defense, the Secretary of Transportation, and other interested parties, Federal and non-Federal, governmental and nongovernmental, a program for the management of the area outside the coastal zone and within twelve miles of the baseline from which the breadth of the territorial sea is measured. The program shall be developed for the benefit of industry, commerce, recreation, conservation, transportation, navigation, and the public interest in the protection of the environment and shall include, but not be limited to, provisions for the development, conservation, and utilization of fish and other living marine resources, mineral resources, and fossil fuels, the development of aquaculture, the promotion of recreational opportunities, and the coordination of research.

"(b) To the extent that any part of the management program developed pursuant to this section shall apply to any high seas area, the subjacent seabed and subsoil of which lies within the seaward boundary of a coastal state, as that boundary is defined in section 2 of tile I of the Act of May 22, 1953 (67 Stat. 29), the program shall be coordinated with the coastal state involved.

"(c) The Secretary shall, to the maximum extent practicable, apply the program developed pursuant to this section to waters which are adjacent to specific areas in the coastal zone which have been designated by restoring such areas for their conservation, recreational, ecological, or esthetic values.

"ANNUAL REPORT

"SEC. 314. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress not later than November 1 of each year a report on the administration of this title for the preceeding Federal fiscal year. The report shall include but not be restricted to (1) an identification of the state programs approved pursuant to this title during the preceding Federal fiscal year and a description of those programs; (2) a listing of the states participating in the provisions of this title and a description of the status of each state's program and its accomplishments during the preceding Federal fiscal year; (3) an itemization of the allotment of funds to the various coastal states and a breakdown of the major projects and areas on which these funds were expended; (4) an identification of any state programs which have been previewed and disapproved or with respect to which grants have been terminated under this title, and a statement of the reasons for such action; (5) a listing of all activities and projects which, pursuant to the provisions of subsection (c) or subsection (d) of section 307, are not consistent with an applicable approved state management program; (6) a summary of the regulations issued by the Secretary or in effect during the preceding Federal fiscal year; (7) a summary of a coordinated national strategy and program for the Nation's coastal zone including identification and discussion of Federal, regional, state, and local responsibilities and functions therein; (8) a summary of outstanding problems arising in the administration of this title in order of priority; and (9) such other information as may be appropriate.

"(b) The report required by subsection (a) shall contain such recommendations for additional legislation as the Secretary deems necessary to achieve the objectives of this title and enhance its effective operation.

"RULES AND REGULATIONS

"SEC. 315. The Secretary shall develop and promulgate, pursuant to section 553 of title 5, United States Code, after notice and opportunity for full participation by relevant Federal agencies, state agencies, local governments, regional organizations, port authorities, and other interested parties, both public and private, such rules and regulations as may be necessary to carry out the provisions of this title.

"PENALTIES

"SEC. 316. (a) Whoever violates any regulation which implements the provisions of section 312(c) or section 313(a) of this title shall be liable to a civil penalty of not more than $10,000 for each such violation, to be assessed by the Secretary. Each day of a continuing violation shall constitute a separate violation.

"(b) No penalty shall be assessed under this section until the person charged shall have been given notice and an opportunity to be heard. For good cause shown, the Secretary may remit or mitigate any such penalty. Upon failure of the offending party to pay the penalty, as assessed or, when mitigated, as mitigated, the Attorney General, at the request of the Secretary, shall commence action in the appropriate district court of the United States to collect such penalty and to seek other relief as may be appropriate.

"(c) A vessel used in the violation of any regulation which implements the provisions of section 312(c) or section 313(a) of this title shall be liable in rem for any civil penalty assessed for such violation and may be proceeded against in any district court of the United States having jurisdiction thereof.

"(d) The district courts of the United States shall have jurisdiction to restrain violations of the regulations issued pursuant to this title. Actions shall be brought by the Attorney General in the name of the United States, either on his own initiative or at the request of the Secretary.

"APPROPRIATIONS

"SEC. 317. (a) There are authorized to be appropriated—

"(1) the sum of $6,000,000 for fiscal year 1973 and fiscal year 1974 and $4,000,000 for fiscal year 1975 for grants under section 305 to remain available until expended;

"(2) the sum of $18,000,000 for fiscal year 1974 and for fiscal year 1975 for grants under section 306 to remain available until expended; and

"(3) the sum of $6,000,000 for fiscal year 1973 for grants under section 312 to remain available until expended."

"(b) There are also authorized to be appropriated such sums, not to exceed $3,000,000, for fiscal year 1973 and for each of the two succeeding fiscal years, as may be necessary for administrative expenses incident to the administration of this title.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 14146) was laid on the table.

GENERAL LEAVE

Mr. LENNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ELECTION TO COMMITTEE

Mr. BOGGS. Mr. Speaker, I offer a privileged resolution (H. Res. 1074) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1074

Resolved, That Brock Adams, of Washington, be, and he is hereby, elected a member of the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTRODUCTION OF PUBLIC AND PRIVATE EDUCATION ASSISTANCE ACT OF 1972

(Mr. CAREY of New York asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CAREY of New York. Mr. Speaker, for myself, and Chairman WILBUR MILLS, and Mrs. GRIFFITHS, Mr. ROSTENKOWSKI, and Mr. KARTH, I am pleased to introduce today the Public and Private Education Assistance Act of 1972.

It is my hope that this legislation will become a bipartisan effort to relieve the great financial crisis we face in both public and nonpublic education.

As a coauthor of the ESEA Act in 1965, when I served on the Education and Labor Committee, I have worked strenuously for the improvement of our educational system.

Something more is now needed to preserve our traditional pluralism and diversity in education. Court decisions have recently challenged the basic pattern of local financing of public education. These decisions have held that this pattern of financing is constitutionally impermissible when it results in differences in the amount of funds spent statewide on the education of public school students.

Hence it would now seem appropriate that Federal funds be made available to assist States in equalizing the educational opportunities of public school students.

Mr. Speaker, in the case of private schools, our data indicate that many private schools are experiencing increasing operating costs. These costs must be passed along to parents, many of whom can no longer afford them. This trend, if continued, could mean the end of our tradition of the right of parents to control the education of their children.

Since private school parents already support education through the payment of taxes and also relieve public schools of the expense of educating their children, a strong case can be made for some governmental assistance to the children of these parents.

Mr. Speaker, our legislation will help to preserve the pluralism of educational alternatives in our society by:

First. Making Federal payments to States to assist in the equalization of educational opportunities of students in public elementary and secondary schools; and

Second. Redressing inequitable distribution of resources for elementary and secondary education among States and among local education agencies within States; and

Third. Granting a maximum $200 tax credit with respect to each child maintained in a private elementary or secondary school.

Mr. Speaker, I include a summary of the Public and Private Education Assistance Act of 1972 at this point in the RECORD. Texts of the bill will be available in my office for those Members wishing them.

I hope that this legislation will become the basis for a major effort of the seventies in education, similar to what was accomplished through the ESEA Act in the sixties.

THE PUBLIC AND PRIVATE EDUCATION ASSISTANCE ACT OF 1972

In 1970, there were 43.5 million students in public elementary and high schools, and 5.1 million students in private elementary and high schools.[1]

Recently, public attention has been directed at the financial problems of both public and private schools. In the case of public schools, court decisions have challenged the basic pattern of local financing of public education. These decisions have held that this pattern of financing is constitutionally impermissible when it results in differences in the amount of funds spent Statewide on the education of public school students. Without passing on the constitutional correctness of these decisions, the effect sought to be achieved by them is desirable and it would seem appropriate that Federal funds be made available to assist States in equalizing the educational opportunities of public school students.

In the case of private schools, data indicate that while many private schools are experiencing increasing operating costs, there has also been a decline in student enrollment in such schools. In many cases, the increased costs must be passed along to parents. Since these parents are already supporting public education through the payment of taxes and are also relieving public schools of the expense of educating their children, a strong case can be made for Governmental assistance to these parents.

It is, therefore, proposed that legislation be enacted which would contain the following two basic provisions: (1) Federal payments to States to assist in the equalization of educational opportunities of students in public elementary and secondary schools; and (2) $200 tax credit with respect to each child maintained in a private elementary or secondary school.

The Federal payments to States would not exceed $2.25 billion and would average approximately $50 per public school student. The tax credit for private school education would result in a revenue loss of approximately $584 million. The total cost of the proposed legislation would therefore not exceed $2.834 billion.

The assistance payment to States for the equalization of educational opportunities would be structured to provide a Federal matching payment for State expenditures made for the purpose of equalizing elementary and secondary school educational opportunities. Under this approach minimum Federal standards would be established for determining which State payments are made for the prescribed purpose. The Federal matching payments would then be based on the amount of qualifying State payments. Thus, for example, the Federal Government could pay a State 50¢ for each $1 spent by the State for the qualified purpose. For this purpose, the amount of the Federal payments would not be included in determining the amount of State payments qualifying for Federal matching. Additionally, the Federal payments would have to be spent by the States in the same program which qualifies the States for matching payments.

In order to prevent a disproportionate benefit from accruing to those States which have a unitary method of financing education (e.g., where the State totally finances public education by paying an equal amount per pupil to all schools within the State), the Federal matching payments could be limited to those State payments which do not exceed 10 percent of the total non-Federal funds spent in the State for public elementary and secondary education. The total amount of State and local funds spent for public elementary and secondary education is approximately $45 billion for 1971–1972. Ten percent of this figure would be $4.5 billion, and accordingly Federal matching payments of 50¢ for each qualified $1 of State spending could not exceed $2.25 billion.

In future years, when State and local expenditures may exceed $45 billion, the $2.25 billion limit on Federal assistance for this program could be maintained by reducing the matching payment from 50 percent of the State payment. A general maintenance of effort provision should be included to assure that States do not reduce their educational expenditures.

The key feature of this proposal is the formula for determining whether a State educational expenditure program qualifies for Federal matching payments. Two basic standards will be provided. The first standard will apply where a significant portion of public school financing is raised locally. This standard is designed to assure that the State payment program will serve to reduce the impact on school financing of differentials in the capacity of different areas within a State to raise funds. It will be based on the following computations. First, the total State and local expenditures for public elementary and secondary education (excluding the amount to be distributed under the qualified equalization program) is divided by the number of public school students in the State. This yields the average per student expenditure. Second, the total State and local education expenditures is divided by the assessed value of all assessable real estate in the State[2] to determine the property tax rate necessary to yield the required expenditures.

The foregoing computations are designed to determine the average State-wide education expense per student and the average State-wide property tax rate necessary to pay the total expense. Once these figures are computed, they must be applied on a district-by-district basis to determine the allocation of State equalization funds. First, the number of elementary and secondary public school students in each school district in the State is multiplied by the average State per student expenditure to obtain the hypothetical expenditure for each district (as if it were making expenditures at the State average). Second, the State-wide property tax rate necessary to support public education is multiplied by the assessed valuation of property within each school district. The resulting product represents the hypothetical property tax that would be raised by the district if it imposed a property tax at the average State rate necessary to finance public education. This product is subtracted from the hypothetical educational expenditure for the district. The sum is then to be reduced by the State contribution to the district for education (other than contributions under the qualified equalization program). The final figure obtained (if it is greater than 0) represents the gap between the district's presumed ability to raise education revenue and its need for such revenue. If, with respect to a district, there is no gap, no State equalization program payments may be made to that district. State payments to districts with a gap must be allocated among them proportionally. Thus, if the total of positive figures for districts in the State is $1 billion and District X has a positive figure of $100 million, 10 percent of the State qualified equalization program payments must go to District X.

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[1] During the same period, there were 2.3 million students in public kindergartens and .4 million students in private kindergartens.

[2] It is, of course, necessary for this purpose that the assessed value of all real estate within the State bear an equal ratio to fair market value.

It can be appreciated that the standard described above has no ready application to a State in which the bulk of financing for public education comes from the State government itself, and not, as is the more common pattern, from local revenue-raising bodies. Since a strong case can be made for the efficacy of State-wide financing of public education,[3] the proposed legislation will qualify a State program under a separate standard than the one based on the revenue raising abilities of localities. Under this second standard, a State program will qualify if it is supplying at least 90 percent of the non-Federal fundng of public education within each school district in the State. In other words, the localities will be limited to supplementing State funds by 10 percent of the State funds supplied. The funds supplied by the State to each school district may either be: (1) an equal amount per student; or (2) differential amounts per student if the Secretary of Health, Education and Welfare determines that the differentials are consistent with a program of equalizing educational opportunities of public school students with in the State.

These formulas are not intended to be the only ones which a State may use if it is to have a qualified equalization program. The Secretary of Health, Education and Welfare will have authority to approve other plans so long as they are at least as effective in equalizing educational opportunities as the plan described above.

The $200 tax credit will only be available with respect to instruction in a private school which satisfies State requirements for elementary or secondary education, and only if the private school qualifies for exemption from tax under section 501(c)(3) of the Internal Revenue Code. The credit will be fully refundable, and accordingly will be paid to an individual whose tax liability for the year is less than the credit to be made available.

UNEMPLOYMENT IN THE EIGHTH CONGRESSIONAL DISTRICT OF MICHIGAN

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. HARVEY) is recognized for 30 minutes.

Mr. HARVEY. Mr. Speaker, statistics can oftentimes be dull; even meaningless. They can even be interpreted a dozen different ways. But the percentages that I have listed below are not mystifying, nor are they dull or meaningless:

[In percent]

Sanilac County (estimated)	18.5
Huron County (June preliminary)	21.3
Saginaw County (June preliminary)	7.5
Bay County (June preliminary)	14.4
Tuscola County (June preliminary)	14.9
Lapeer County (estimated)	7.5
Arenac County (May final)	14.1

These are disturbing, persistent percentages which have and continue to capture my utmost attention, concern, and effort. They are unemployment rates for our Michigan Eighth Congressional District.

It is incongruous that as unemployment on a national scale declined to 5.5 percent, the lowest rate since September 1970, Michigan's unemployment increased to 9.8 percent, even though there are now more jobs in the American economy than ever before. The number of employed people reached 31,400,000 in May 1972, up 2.3 million from May 1971. This new figure is an alltime high in U.S. economic history and a strong indication of the confidence investors and businessmen have in the economy's vitality.

Yet, in Michigan, particularly our Eighth Congressional District, unemployment, despite millions of dollars, despite special programs, and despite a full commitment by local, State, and Federal governments, remains constantly unacceptable.

We are mindful, of course, that the figures above include thousands of high school and college students who entered the job market in June. We recognize, too, that conversion from a wartime to a peacetime economy has had a tremendous impact. We remember that 2,700,000 GI's and employees of defense-related industries have been released into the civilian labor force. It is significant that if these people in the military and defense-related industries were still employed, the unemployment rate in the United States economy at present would be under 3 percent.

The Michigan Employment Security Commission also tells us that Michigan continues to lose plants and jobs, which are closing down and moving to more lenient tax climates. There is no estimate of the "loss" of industries which bypass Michigan in both new plant developments and expansion moves.

But perhaps one of the principal causes of our unemployment problems rests simply on the fact that America's labor pool has been growing larger and faster than ever before. In May 1971 the size of the civilian labor force reached a level of over 84 million—seasonally adjusted—an increase of nearly 7 million since 1967.

From 1947 to 1970, the labor force rose at an average annual rate of just under 1.5 percent; but during the more recent period, 1970–72, the yearly growth rate has been 2.1 percent.

Whatever the reasons, whatever the causes, the unemployment problem deserves a renewed, concerted effort by Congress to bring about a solution.

In the past, I have supported what I considered "necessity legislation" to alleviate the unemployment problem nagging our country and weighing down our efforts for a sound, solid economy.

I have continually and consistently endorsed progressive manpower training proposals. I well recall back in 1961 writing to then Secretary of Labor Arthur Goldberg calling for the establishment of a "Clearing House of Skills." This was a unique suggestion at the time which would have provided information directing the unemployed to other areas where employment of their trade skills was in demand.

I strongly supported the extension of the Manpower Development and Training Act 4 years ago, and in 1969 endorsed the employment security amendment which, unfortunately, was not passed by the Senate.

Only last year, I cosponsored and voted for the Public Works Acceleration Act amendments which was later vetoed by the President in lieu of his Emergency Employment Act of 1971. Most recently, I voted to extend the Emergency Unemployment Compensation Act when the House considered it in June.

In recent days, I lent my fullest backing to the Emergency Community Facilities and Public Investment Act of 1972, a $5 billion measure to help communities finance and construct basic public works and facilities. It was estimated that the measure would have created 1 million jobs. But, it was narrowly defeated in the final House vote.

There were some encouraging developments in recent weeks, with the approval late in July of the rural development bill which I cosponsored. Under this bill, cities with a population of 10,000 or less, will be eligible for loans and grants for water supply projects, sewer and sewer ing and rescue equipment, and develop- treatment plant construction, firefight- ment of industrial parks. This legislation could have an immensely fine impact in most of our Eighth Congressional District.

But, while there are some encouraging signs of betterment, I remain convinced that this Congress has an even greater role of responsibility to provide comprehensive employment opportunities and security for every potential American worker.

Because I do not believe that Congress has yet fulfilled its obligation in this regard, I have now introduced legislation to stimulate job opportunities and also provide better pension protection to existing workers.

The first of these legislative proposals, H.R. 15829, is entitled the Comprehensive Manpower Act. It is a far-reaching measure to combat unemployment by providing every American who is seeking work to find it. In addition, the education and training programs in this bill will combat future periods of potentially high unemployment by insuring that all persons will qualify for employment at levels consistent with their highest potentials and capabilities.

My second proposal—H.R. 15830—is the Pension Protection Act. This bill protects workers covered by private pension plans by establishing a Federal insurance program. The program would guard against employee benefit loss and require vesting of employee rights after a reasonable period of employment.

In my judgment, such as legislative effort, one that will provide job opportunities, employment training and pension protection, will benefit all Americans, and it will ease economic uncertainty for millions of American families.

I cannot emphasize too strongly my conviction that this Congress needs to develop effective and comprehensive manpower training programs that will reduce unemployment. The Congress can no longer sit by while so many Americans are unemployed. We must act now, and we must act in a way that will provide proper solutions. If we do not agree with administration proposals in this area, we must provide our own. We cannot simply pass legislation that will provide jobs without futures. We must provide local communities with the funds necessary to attack unemployment at the local level. These funds are necessary not only for training the unemployed, but for upgrading the skills of the underemployed.

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[3] The President's Commission on School Finance, Schools, People and Money, XII (1972).

Before a deeper and more detailed explanation of the Comprehensive Manpower Act legislation, which has attracted solid congressional support and which by my cosponsorship I believe is the best solution, let us review what has taken place in the past.

In recent years, congressional action to combat unemployment can be divided into three basic categories: Unemployment compensation legislation, public service employment legislation, and manpower legislation. At the present time, the first of these categories, unemployment compensation, merely provides the unemployed with funds for subsistence living. Workers now receive up to 52 weeks of unemployment compensation, and while this program provides the unemployed with the basic human necessities of food and shelter, it cannot and does not attack the root of the unemployment problem. Unemployment compensation programs do not provide job training, and because they do not, they cure only the symptoms, not the disease.

The second basic category of congressional action—public service employment legislation—is often no better at solving the problem of chronic unemployment than is unemployment compensation. Too often, public service jobs are make-work projects. While they provide work and limited incomes for the unemployed worker for the duration of their authorization, these job programs do nothing to train the worker or provide him with the needed skills to be economically independent in the future. Although I have supported public service employment in the past, I have preferred those legislative proposals that attempt to provide transitional employment and job training, rather than those that only offer temporary jobs.

Federal manpower programs, finally, are aimed at eliminating unemployment by training workers for positions in the public and private sectors. These programs are, by far, the best of the existing Federal programs. They are currently scattered throughout the executive departments, with most of them concentrated in the Department of Labor. There are, however, programs under the direction of the Departments of Health, Education, and Welfare and Commerce as well. In April of this year, for example, the Labor Department was using more than 93 percent of its budget on manpower training programs that reached more than 663,000 Americans. This training was being conducted in eight major programs and it represented a 40-percent increase over 1971.

One of the first of these major manpower programs was initiated in 1962 when the Congress passed the Manpower Development and Training Act. This legislation, which has been renewed twice, provides on-the-job training and classroom instruction for unemployed individuals who want to gain skills, and for the underemployed who want to upgrade their employment situation. The MDTA provides three basic types of programs: Jobs in the business sector—JOBS; jobs optional programs—JOP; and on-the-job training—OJT; and in my home State of Michigan, for example, they have major contracts with the United Auto Workers, as well as with some of the large auto manufacturers.

By far, the most massive manpower training program currently authorized by Congress is the public employment program instituted by the Emergency Employment Act of 1971. This program has already authorized more than 1 billion dollars for transitional public service employment at the State and local level, and it is making a concerted effort to serve unemployed Vietnam veterans. Other manpower programs include the work incentive program—WIN—which offers job training for employable welfare recipients in order to permit them to become economically independent, the Job Corps, and various Neighborhood Youth Corps programs, all of which are designed to train our Nation's youth and provide them with the skills necessary to become productive members of society.

One of the most important recent advances in manpower training has been the development and widespread use of computerized job banks. A concept that I have been advocating for many years, this program requires that all employers doing business with the Federal Government list their job openings with their State employment service. In this way, jobseekers learn quickly what openings are available in their localities. There are now more than 100 job banks in operation in all 50 States, and experimentation is underway to link these statewide systems into a national network. To strengthen the system, the Government is asking that firms employing more than 500 individuals voluntarily participate in the computerized job banks in an effort to provide as many jobs as possible. Michigan now has three operating banks, one of which, I am pleased to report, is serving the city of Saginaw in our Eighth District.

The Department of HEW has several manpower programs, all more limited in scope and more specialized than the Department of Labor's programs. In my Eighth Congressional District, for example, HEW sponsors two courses in practical nursing in Saginaw and two courses in mechanics and engine repair in Bay City.

Despite all of these efforts of the Congress and the administration to establish effective measures to combat unemployment, the statistics indicate that the existing programs are not producing the necessary results.

I believe existing and past Federal programs have failed because they are designed to produce results on a national level. These national goals, however, do not necessarily suit the needs of every county and community all of the time. Consequently, funding is often provided for programs that are of little or no use, while potentially advantageous programs that would serve the needs of the individual community often remain unfunded. In other words, the manpower service needs of States and local communities are best understood, administered and rectified by local officials. So long as State and local governments can and are provided the resources, I firmly believe that they can provide the best solutions to our manpower training needs.

After careful study, I have concluded that manpower programs would best be served by the revenue-sharing approach. The Comprehensive Manpower Act that I have cosponsored is based on the revenue-sharing concept that will provide local subdivisions with the necessary resources to permit them to attack their manpower problems effectively and immediately. First, it decentralizes the manpower systems, thereby permitting State and local officials to make the decisions that will best serve their needs. Second, it decategorizes the manpower systems and in doing so eliminates Federal requirements for programs that might not be of use to a given community. In essence, it provides the local political subdivision with flexibility to initiate their own mix of programs. And finally, it consolidates multiple funding authorizations for manpower activities and thereby eliminates some of the waste that has characterized present programs.

This comprehensive manpower proposal provides for phased decentralization. This approach is a compromise between the Nixon administration's manpower revenue sharing and Congressman DOMINICK DANIELS' Employment and Manpower Act of 1972. Under "phased decentralization" the bill provides that "prime sponsors"—political subdivisions with a population of 100,000 or more—may receive financial assistance at first only if they submit a comprehensive manpower plan and if they meet several other conditions, including the "appropriate utilization" of Federal, State, and local services, which are defined as State employment services, and State vocation rehabilitation and vocational education agencies.

Having submitted an approved plan, a prime sponsor may then embark on a comprehensive planning process. After this process has been undertaken for 1 year and has operated for 1 year under the supervision of the Secretary of Labor, the prime sponsor will become eligible for financial assistance without having to file additional plans with the Secretary for approval. Thus, decentralization occurs in steps, with the local communities developing their own capabilities, while the Federal Government maintains some measure of control.

The funds available under this bill are to be apportioned among the States and "prime sponsors" in an equitable manner. The only factors that are to influence this allocation formula are the manpower allocation in the preceding year, the nonagricultural labor force, the proportion of unemployed and the proportion of the population between the ages of 16 to 24. With these four requirements, the bill guarantees that the money will be given to those areas that need it the most.

H.R. 18529 also provides for transitional employment. It requires that special emphasis be placed on training for jobs not funded by the program. As a result, the bill will not trap the unemployed into "dead-end" public service jobs and thereby necessitate a permanent public employment program. People will be trained to move into permanent positions and the skills learned will provide them with economic independence.

During periods of increased unemployment, the Comprehensive Manpower Act provides for increases in the authorizations for this transitional employment. If, for example, the unemployment rate for 3 consecutive months, the authorization is to increase by 15 percent. The increases are determined by a sliding scale, with a maximum authorization increase of 60 percent, in the event unemployment exceeds 6 percent.

Recognizing that certain categorical manpower programs can be beneficial if administered correctly, H.R. 15829 provides special funds for youth, Indian, bilingual, migrant, and older worker manpower programs. In addition, the Secretary of Labor is permitted to provide up to 90 percent of the training costs to public and private employers to promote the upgrading of employees.

Finally, the bill creates a National Institute for Manpower Policy in the Executive Office of the President. This Institute will formulate recommendations for a coherent national manpower policy and evaluate the existing Federal programs, making the necessary adjustments when appropriate.

The Comprehensive Manpower Act authorizes $16 billion over a 4-year period. For fiscal year 1973, the total is $2.5 billion; for fiscal year 1974, $4 billion; for fiscal year 1975, $4.5 billion, and for fiscal year 1976, $5 billion. The bill also stipulates that 75 percent of the authorized funds are to be used for the transitional employment and revenue-sharing titles and at least $300 million is to be used for the categorical manpower services.

The Comprehensive Manpower Act was initially introduced by Congressmen MARVIN ESCH of Michigan, and WILLIAM STEIGER of Wisconsin. Unfortunately, after 22 days of hearings earlier this year, the subcommittee of the House Committee on Education and Labor considering this vital legislation, has yet to hold substantive executive sessions so that the full committee could take action. It is my hope that present "roadblocks" can be removed and the legislative process resumed.

The second part of my comprehensive employment security package provides protection for private pension plans. A major concern of many of our citizens is financial security in their senior years. To that end, many employers have established private pension plans for their employees. My Pension Protection Act will protect these plans to the benefit of the employees and employers alike and will assure pension security for the future.

Since the early 1950's, private pension plans have been growing rapidly. In 1950, 10 million employees were covered by such plans; now 30 million Americans participate in private pension plans, and estimates point to an increase of 12 million by 1980. Assets of these plans now total more than $130 billion. With so many people having such a large stake in these programs, I believe that it is time to provide governmental protection for private pension plans. Just as we insure bank depositors against bank failures, so too should we protect participants in private pension plans, which are beginning to play such an important role in the financial security of our older citizens.

H.R. 15830 is aimed at all private pension plans qualifying for favorable tax treatment under section 401 of the Internal Revenue Code. Although it specifically excludes Government operated pension plans, those covering self-employed persons and plans covering less than 15 employees, H.R. 15830 would place 90 percent of all private pension plans under its protection.

The Pension Protection Act would accomplish three main goals. First, it would create a 10-year vesting standard for private pension plans in operation for more than 10 years. Vesting is defined as the right of an employee to share in a pension fund and especially the right to recover his share, including the contributions his employer has made on his behalf, in the event of termination of employment prior to normal retirement. It is important, therefore, that adequate protection be given to vesting.

Under this provision, a certain amount of flexibility is provided. Plans in operation less than 10 years can meet a 15-year vesting standard. Those plans that are at least 10 years old have 5 years to meet the vesting standard and the Secretary of the Treasury has the authority to waive these requirements if they would impose unreasonable burdens on the employer. In addition, this bill sets eligibility requirements for participation in these plans and eliminates the concept of continuous service that is sometimes considered necessary to collect pension benefits.

The second feature of this bill, and perhaps the most important, is that it provides complete employee protection in the event of plan terminations. The bill requires that all employers remain responsible for deficiencies in pension funds. In the event of business failure or financial difficulty, employers would be protected through voluntary participation in a pension benefit insurance corporation. Finally, if a pension plan is terminated voluntarily, the employer would be held responsible for the full amount of the unfunded vested liabilities.

The third important aspect of H.R. 15830 is that it creates the Pension Benefit Insurance Corporation, a Government-owned corporation in the Treasury Department. The sole responsibility of PBIC would be to administer the pension insurance program described above.

In conclusion, Mr. Speaker, I urge the appropriate committees to consider the two elements of my employment security package. The Comprehensive Manpower Act will serve to train the unemployed and underemployed for productive jobs, and the Pension Protection Act assures pension security for those citizens eligible for private pension plans. Both proposals, Mr. Speaker, will provide millions of our citizens with the economic security that has come to be expected as part of the American dream.

EMPLOYER SUPPORT OF THE GUARD AND RESERVES

The SPEAKER. Under a previous order of the House, the gentleman from Idaho (Mr. HANSEN) is recognized for 15 minutes.

Mr. HANSEN of Idaho. Mr. Speaker, recently the President of the United States established a special national committee to encourage employer support of the National Guard and the Reserve Forces of this Nation, and I rise to applaud that action and to express my personal approval of the President's appointment of the distinguished retired chairman of the board of General Motors, Mr. James M. Roche, as national chairman of this new committee.

By personal participation over the years, many of us in this Chamber are well aware that the National Guard and Reserves have enjoyed great cooperation and understanding from most employers in this country during past decades, and the patriotic accommodation of those companies to the special needs of the citizen-soldiers, sailors, marines, airmen, and coastguardsmen in their employ is recognized and appreciated.

But recent indications point to an increasing reluctance on the part of some employers to make the necessary allowances for the training dates of the guardsmen and reservists on their payrolls, and there have even been reports from several parts of the country of direct and indirect promotion discrimination and other company pressures upon our part-time military personnel to get out or stay out of the Reserve Forces.

Mr. Speaker, this is a situation that must be corrected. We all understand that competition is becoming more difficult for business every year, and that it is particularly hard for a small employer to arrange military training leaves of absence for his key people every year, but if it is thoroughly explained to every American businessman how important our Guard and Reserve Forces are to the security of the Nation and to his own future as a free and independent executive, I am convinced that we will get the full support and assistance that we need from these good citizens.

Also, if it is emphasized that the Guard and Reserve are the biggest bargain we have in national defense, today supplying almost 30 percent of our military strength for less than 5 percent of the defense budget, I know that the point will get across and we will have almost 100 percent employer cooperation with our guardsmen and reservists. After all, nobody wants to pay higher taxes to support a huge standing army, when it only takes a little cooperation to do the same job for less money with a combination of reserve and Active Forces.

That is why I am so pleased at the action of the President and the Secretary of Defense in creating this new "National Committee for Employer Support of the Guard and Reserve," Mr. Speaker, and so gratified that this important activity has been placed in the hands of such an outstanding citizen as Mr. Roche.

Most of us recall the significant announcement 2 years ago by the Secretary of Defense, Mr. Laird, that in any future emergency buildup of the Army, Navy, Air Force, and Marines, the initial and primary augmentation will be from the National Guard and the Reserve components, not the draft. This represented a welcome change and a very proper return to the concept of the citizen-soldier, the Minuteman at Lexington and Concord, the volunteer forces of the Guard and Reserve that have taken up arms to defend this Nation in every war in our history.

And so today the 1 million members of the Guard and Reserve, in their units and mobilization assignments, have become an even more vital part of the national security system and are being relied upon more heavily than at any time in history of our country—relied upon as nearly one-third of the "total force" of regulars and reservists responsibile for deterring aggression and defending the United States at home and abroad.

Mr. Speaker, I believe the President and the Secretary of Defense are on the right track in their efforts to provide a balanced, economical mix of full-time and part-time military forces for the defense of this country. I believe they are right in placing our reliance on the Guard and Reserve rather than the draft if a quick buildup of our Armed Forces ever becomes necessary again. And I believe they are so right to try to achieve an all-volunteer force, both regular and reserve, and do away with the draft except in time of absolute need.

But this broad concept of national defense will not work if we are not able to keep our Guard and Reserve up to strength as a result of job pressures back at the plant or office. If our Reserve Forces become undermanned as a result of this employer resistance, they will be incapable of performing their mission and the defense posture of this Nation will be undermined.

The serious complications which may ensue from a lack of support has been recognized at the White House and in all our Reserve Forces, and now, I am happy to say, the right action has been taken to correct the situation at the source, among the employers, executives, supervisors and foremen in every factory, office building and place of employment in the Nation. This new committee will carry an important message to every person who hires guardsmen or reservists—a message asking his understanding and cooperation, a message stressing the important role his reservist-employees are playing in the national defense, and how this historic militia method holds down the cost of security to him as a taxpayer.

This is a key program which must succeed or defense will cost us billions more. If we are unable as a result of employer resistance to provide the Guard and Reserve manpower we need in our total force, we must obviously provide full-time soldiers at six times the cost. Certainly we will not allow our available strength to fall below the safety zone, so full-time troops are the only alternative if our part-time backup forces become undermanned.

I am convinced that our American employers will cooperate wholeheartedly in this matter, once they understand its importance. I am sure, Mr. Speaker, that just as they have done throughout our history, American businessmen will make the adjustments and accommodations necessary to the schedules of their workers who belong to the Guard and Reserve, and will support these volunteer defenders just as they support their local police and firefighters.

Through the Guard and Reserve, the American businessman has always been a partner in the national defense, and I am convinced that this partnership will soon be renewed and revitalized as this new committee conducts its program. It is my personal opinion, Mr. Speaker, that the slippage in support for the Guard and Reserve among our employers has not been as a result of a drop in patriotism, but has been caused only by a buildup of business pressures and competitive demands over the past decade. When these Americans are reminded of the vital position of the Guard and Reserve in the forces that defend them, I am sure they will respond positively as they have always done in the past.

I encourage employers throughout this great land to establish and adhere to personnel practices that will encourage employee participation in the Guard and Reserve, by assuring sufficient time off for military training annually in addition to normal vacation time; to pay the difference in earnings to the employee-guardsman/reservist between his civilian income and his military pay during those training periods; to assure that no employee is penalized in job security, promotions or work schedules because of Guard or Reserve affiliation; and to recognize those employees who are a part of this 20th century citizen-military force for their extra contribution to the protection of their Nation, their communities, their neighbors, and their families.

These fine men and women who help defend America and our sacred principles are to be saluted for their unselfish dedication, and they deserve every encouragement we can give them.

AGE DISCRIMINATION IN EMPLOYMENT ACT

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. ESCH) is recognized for 5 minutes.

Mr. ESCH. Mr. Speaker, I am introducing today a bill to extend the Age Discrimination in Employment Act of 1967—ADEA—to State and local government employees.

This bill is based upon language suggested by the administration, and transmitted by Secretary of Labor Hodgson to Congress on July 18. I am pleased that 10 of my colleagues on the Education and Labor Committee have cosponsored this legislation with me: ALPHONZO BELL, JOHN DELLENBACK, EDWIN D. ESHLEMAN, WILLIAM A. STEIGER, ORVAL HANSEN, EDWIN B. FORSYTHE, VICTOR V. VEYSEY, JACK F. KEMP, and CLIFFARD CARLSON.

Last March, in his message to Congress on older Americans, the President proposed that the ADEA be amended to accomplish this purpose. As he pointed out then, government at all levels is expanding its work force at a rate that makes public service one of the fastest growing areas of employment in the country today. It is incongruous that we now prohibit private employers from discriminating in hiring and employment practices against people between the ages of 40 and 65, but fail to protect employers in State and local governments against this form of discrimination. Congress recently amended title VII of the Civil Rights Act of 1964 to extend that act to State and local governments. I think it is appropriate that we now extend this parallel antidiscrimination legislation in a similar manner.

The bill I am introducing would redefine the term "employer" to include agencies of States and political subdivisions of States. This would have the effect of extending the coverage of the act to State and local government employees. The term "employee" would be redefined to make it clear that elected officials, political appointees and their staffs would not be subject to the act.

The present limitation in the act, that it does not apply to employers with less than 25 employees, would not apply to State and local government units. It would be administratively impractical, as well as simply unfair to many State government employees, to try to apply such a limitation.

Mr. Speaker, I urge the early consideration and speedy passage of this bill to protect the rights of thousands of American workers.

ARTHUR W. FELDMAN RETIRES

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. VEYSEY) is recognized for 5 minutes.

Mr. VEYSEY. Mr. Speaker, on July 29, after 30 distinguished and devoted years in the service of his country, Mr. Arthur W. Feldman retired at his last post, the American Consulate in Mexicali, Mexico.

Because the twin cities of Calexico and Mexicali form the major gateway between our sister Republic of Mexico and the United States through my congressional district, I take particular pride in calling Mr. Feldman's accomplishments to my colleagues' attention. He will be sorely missed.

Consul Feldman began his career in 1942 as an Immigration Inspector with the Department of Justice. Two years later he transferred to the Department of State and was posted to Alexandria, Egypt. Thereafter he served in Cuba, Brazil, Uruguay, and Mexico, with one tour in the Department as an intelligence research specialist and later as the Costa Rican Desk Officer. In 1964 he was put in charge of the Consulate at Mexicali, from which he retired last week.

During the past 7 years, Consul Feldman has gained the esteem, affection, and admiration of citizens on both sides of the border. We shall all be saddened at his loss and that of his wife, Lily, but we wish them both many, many years of happiness in their retirement.

The **SPEAKER**. Under a previous order of the House, the gentleman from Illinois (Mr. Anderson) is recognized for 10 minutes.

Mr. **ANDERSON** of Illinois. Mr. Speaker, I am most gratified to note that my distinguished colleague, the gentleman from Pennsylvania (Mr. Dent) has taken the time to read my remarks in the Record last Thursday regarding the adverse effects of a minimum wage on minority groups.

I am somewhat saddened, however, to be forced to the conclusion that his perusal thereof was apparently so cursory that he missed the entire point of the discussion.

In his statement in yesterday's Record, Mr. Dent starts out by turning around the entire thesis of the study I summarized, saying:

> It makes the case that only through the imposition of a subminimum wage for teenagers can you bring about the substitution of teenagers for adult workers.

In the first place, neither I nor anyone I know advocates the substitution of teenagers for adult workers; nor have I heard anyone advocate the imposition of a "subminimum wage" on anybody. Second, the actual point of the study, as I emphasized last Thursday, was that the imposition of an artificially high legal minimum wage severely limits the employment opportunities for marginal workers, particularly teenagers who have not yet had the opportunity to develop their work skills. It is the artificially imposed legal minimum wage which prevents the employment of workers who might otherwise be profitably employed to the greater benefit of all.

There is absolutely no evidence in the study to support Mr. Dent's contention that a "youth differential" would lead to the substitution of teenage workers for adults who would otherwise be employed.

The study did not examine or attribute to the minimum wage any effects on aggregate employment. Total employment is determined by monetary and fiscal policy. The minimum wage has the effect of cutting off minority groups and the young from the benefits of economic and employment growth.

The gentleman continues by noting that one finding of the study was that minimum wages contribute to increased stability of employment for adults. I am glad to see that he accepts this conclusion without qualification, because this implies his acceptance of the other part of the same conclusion which he did not mention, to wit, that this increase in stability is concentrated among white, male adults, and that the cost of this increased stability is borne not by employers but by teenagers, particularly black teenagers. The unemployment rates for male and female black teenagers are 23.1 and 37 percent respectively. These compare with a rate of 3.8 percent for white male adults. A very substantial portion of the difference is attributable to the presence of the minimum wage. I too am in favor of employment stability for white male adults, but I do not believe in preferential treatment for this group over black teenagers.

Mr. Speaker, the economy is presently in the process of recovering from a recession and simultaneously attempting to assimilate into the labor force an unprecedented number of young inexperienced workers, the product of the postwar "baby boom." We could not pick a worse time to construct additional impediments to the entrance of such workers. The adverse effects of so doing would be manifold and extensive.

First, there is the loss to the economy of the potential productive power of those who would be denied employment. Second, there is the increased cost to the taxpayers resulting from the growth of the welfare rolls. Third, there is the restriction of opportunities for the young to acquire the training and experience which would make them more employable and more productive in the future. And last, but by no means least, there is the perpetuation of the ethic of despair resulting from the destruction of confidence and the loss of ambition on the part of those young workers who find themselves trapped in a situation wherein they cannot get a job because they lack skills and experience, and they cannot acquire these skills and experience because they cannot get a job. It is well recognized that this vicious circle is one of the primary causes of disenchantment on the part of the young and minority groups with "the system" or "the establishment."

Mr. Speaker, let us not exacerbate this situation. I implore that the House conferees be instructed to bear these issues in mind and to insist on the House version of the minimum wage bill, rather than accede to the grossly irresponsible measure which has emerged from the Senate.

THE FEDERAL EXPERIMENT ON SYPHILITIC VICTIMS

The **SPEAKER**. Under a previous order of the House, the gentleman from Illinois (Mr. Metcalfe) is recognized for 10 minutes.

Mr. **METCALFE**. Mr. Speaker, I have already spoken on the floor of the House of Representatives and inserted in the Record, two articles pertaining to the Federal experiment on syphilitic victims which began in Tuskegee, Ala., some 40 years ago.

I feel that this experiment has raised so many serious questions—such as how such an experiment was ever allowed to take place from the beginning and why it was not discontinued after penicillin was found to be a cure for syphilis. Even more serious, is the question of what is being done now for those men and their families who have suffered through this whole ordeal. Because these questions have not been answered and because I feel that the American public must know the answers to these questions in order that this type of human sacrifice will never, even happen again, I am inserting in the Record the third article on this subject which appeared in Monday's Washington Post and an editorial which appeared in that paper on the same day.

I feel very strongly that we must seek out the answers to these and other questions regarding this experiment and that we must be assured that this will never happen again.

MEDICAL EXPERIMENTS

From the news accounts, Charlie Pollard, a 66-year-old black farmer in Notasulga, Ala., appears to be an easy-going man. No doubt he is, but it is still a wonder. In 1932, Mr. Pollard became part of a Public Health Service study on the effects of untreated syphilis, and the trouble is for 40 years he has gone untreated even though a possible cure—penicillin—has been available for 25 years. Of the 600 black men in Alabama in the study 200 were allowed to suffer the disease untreated; seven died as a direct result of syphilis.

Medical experiments on human beings are ethically sound if the guinea pigs are fully informed of the facts and dangers. The Alabama study is a repugnant revelation and the only comfort is the assurances of current PHS officials that such an experiment would not be tolerated today. There is always a lofty goal in the research work of medicine but too often in the past it has been the bodies of the poor—prisoners are popular, too—on whom the unlofty testing is done.

According to a spokesman for the Senate Health Subcommittee, the style of the Alabama study has been seen before. Three years ago in San Antonio, some 400 Mexican-American women were part of a federally-funded experiment studying the effect of birth control pills. One part of the group received real pills, another received pills that were untested for safety and a final part was given placebos, or fake pills. The women were not told the pills were different. The study ended when, among other findings, the Food and Drug Administration ruled the experimental pills were unfit for human use. Six women taking the fake pills became pregnant.

It is futile to waste outrage on such practices, if only because they are in the past and cannot be changed now. It is more crucial to ensure—with absoluteness—that they are outlawed in the future. Although no federal legislation on medical experimentation exists, Sen. Edward M. Kennedy may hold hearings shortly to see if it is needed. The Alabama and San Antonio experiments appear to be isolated cases; yet, if legislation for a national policy is needed to ensure that even the rare occurrence does not happen, it would be worthwhile.

SYPHILIS EXPERIMENT PROBED: EXPERTS ARGUE OVER POSSIBLE REPETITION

(By Victor Cohn)

The case of the "Four Hundred Black Alabamians With Syphilis," it might be called.

It is a new medical mystery in several aspects. A chiller in its effect on any reader. And perhaps a murder story, by some allegations—allegations hotly denied by doctors who were involved.

The 400, as disclosed by the Associated Press Tuesday, were men from their 20s through their 70s assembled in 1932 in the U.S. county with the highest rate of syphilis, a disease for which there was then no good treatment.

The 400 received no treatment as any part of a Public Health Service study—still continuing today, with 78 survivors—of what happens to men with untreated latent or inactive, yet possibly smouldering spyhilis.

This fact is not so surprising for the 1930s. For German Paul Ehrlich's "Salvarsan" or "606," though he won a Nobel prize and was immortalized by Edward G. Robinson in an effusive 1940 movie called "Dr. Ehrlich's Magic Bullet," in fact may have harmed as many persons as it cured.

What surprised readers last week—and members of Congress, and even government health officials who had never heard of this study—was that none of the men was given the new wonder drug, penicillin, after it became available in the mid-1940s.

These are the bare bones of the story.

They alone were enough to make Sen. James Allen (D.-Ala.) call the study "callous" and Sen. William Proxmire (D-Wis.) call it "a moral and ethical nightmare." They prompted Rep. Ralph H. Metcalfe (D.-Ill.), member of the Black Caucus, to brand the project "one of the most frightening forms of genocide practiced upon minorities in this country."

They were also enough to make Assistant Secretary of Health, Education, and Welfare Dr. Merlin K. DuVal say after preliminary inquiry, "I was shocked and horrified. . . . I am today launching a full investigation."

But what really happened? And why?

Also, in the question of Rep. Metcalfe, "How many more of these human sacrifices are being made elsewhere in this country?"

"I can say with certainty that such a study could not be launched today, said DuVal, assistant secretary for health and scientific affairs.

"It does happen today," said Dr. Jon Katz, a New Haven psychiatrist, adjunct professor of law at Yale University and author of the new 1,159-page book, "Experimentation With Human Beings," published by the Russell Sage Foundation. "Man's inhumanity against man" is pervasive, states Katz's book, and the medical world is not immune.

But the so-called "Tuskegee Project"—Tuskegee is the seat of Macon County, Ala.—was humane by all its intention in the 1930s. This is something of its story, based on Washington Post and Associated Press interviews.

Syphilis in 1932 was a baffling medical problem. There were indeed "treatments;" usually injection with heavy metals like mercury and bismuth, followed by arsenicals. The "magic bullet" was an arsenic compound.

All helped kill the syphilis organisms. But the treatments had to be continued weekly for many months. The compounds were poisonous, and some patients died.

"The treatment was horrible," said Dr. Donald Printz, today assistant VD chief at Atlanta's Federal Center for Disease Control. "Weighing the effects of the disease against the effects of the treatment was a constant battle."

Doctors habitually asked, "Is the cure worse then the illness?" but did not really know.

A study was certainly needed to seek the answer, especially for that great bulk of syphilitics known as latent cases—people who harbor the germ, respond as "positive" to a blood test, but are showing no symptoms.

Most doctors attacked all syphilis, active or latent, with the dangerous poisons, although a famous 1890-to-1930 Oslo study—a group of patients left untreated for 40 years—had shown that 60 per cent never displayed further symptoms.

Very few latents ever got treatment, however, or were seen by a doctor for any reason in the pretty, rolling cattle and cotton country of Macon County, Alabama.

What better place, thought the Federal doctors, to follow a group of untreated latents and compare their fates with an age-matched group of nonsyphilitic men?

Four hundred latents, then, were sought out by blood tests, and another 200 men as the healthy controls. All were examined yearly.

Anyone with any active illness, syphilis or otherwise, was apparently told to go to a doctor or hospital for treatment. But a figure on the number really cared for will probably have to await DuVal's investigation.

In the early days, at least, there was no check to see if any had been treated, a key early participant, Dr. John R. Heller, told the AP last week.

Treatment was not the study's purpose or responsibility, he explained. "Naturally you'd rather have the study population untreated, but there was no covert attempt to keep these people untreated."

He insisted, too. "There was nothing in the experiment that was unethical or unscientific."

Heller, now 67, was then a young Public Health Service officer. One superior was Dr. Raymond A. Vonderlehr, who almost certainly would have had the approval of the famous, longtime surgeon general, Dr. Thomas Parran. VD was one of Parran's prime concerns.

Parran is dead. Vonderlehr at 75 still lives in Atlanta but is frail and ill. He went on to become a director of the important "CDC," then called the "Center for Communicable Disease."

Talented, well-known Rod Heller became chief of the Public Health Service's VD division from 1943 to 1948, and later director of the National Cancer Institute in Bethesda. Reviewing the anti-cancer battle, Time put him on its July 27, 1959 cover, calling him "a near ideal choice" as a leader, a "diplomat" who could keep peace among "backbiting" scientists.

Although all the patients in the Alabama study were black, Heller adds, "There was absolutely no racial overtone, and this was not an attempt to exploit the Negroes."

They were certainly what scientists call a homogeneous population, and they were concentrated in this area where they could easily be reached.

Also, said Heller: "We told them what they had."

However, "we didn't tell them we were looking for syphilis," said Dr. J. W. Williams, a Tuskegee physician who worked on the project as an intern in the 1930s. "I don't think they would have known what it was."

"They told me I had the bad blood," testifies 66-year-old Charlie Pollard, a young man of 26 when he was enrolled. "Bad blood" was a common phrase for venereal disease. It is still in use today in more than one part of the country.

The project has issued at least 13 valuable reports. A 1952 study, said Printz, showed that the life expectancy of the Tuskegee untreated had been reduced by only 4.17 years, compared with a 7.1-year decrease among treated syphilitics.

"We followed these people very carefully. They were not left to die," said Dr. Sidney Olansky of Emory University Medical School, who joined the project in 1950. "They got excellent medical care, better than the average person in that area. I resent very much this business that we took a bunch of poor people and let them die."

At least seven of the 400 have died of syphilis, however, and some might have lived longer, agreed Dr. Printz and his chief, Dr. J. D. Millar.

For in 1943 penicillin first became available in small amounts. By the mid or late 1940s it was in good supply.

There was for a time sincere medical debate over its value in syphilis, especially late syphilis. Penicillin also sometimes produces its own adverse reactions.

"We did not know enough. We would not have been comfortable about treating this group with penicillin until the mid-1950s," Olansky maintained.

By then was it too late to treat any of these men? "I would think so; he said, "If I had a 50-year-old latent walk into my office right now with no complications, I probably would not give him penicillin."

Printz disagreed. True, he said. "At that time the average man in the study had had the disease at least 20 years. But that was the critical juncture when some could have been helped. I can't tell you how many."

Printz said doctors today would almost universally give penicillin to a latent patient in his 50s who caught the disease two decades before. There is still hope, he maintained, of preventing the late heart and nervous system damage which often makes a patient's last years unbearable.

In 1969, a group was finally convened at Atlanta to review this study in "both its medical and moral aspects," Printz reported. At that late date, the main conclusion was to try to see that the men were given good care by their local doctors for the rest of their lives.

Some of the survivors have themselves engaged a civil rights lawyer in hope of getting compensation.

DuVal, Printz and Olansky—though of different views on the handling of the Alabama 400—agreed that this experiment would never be repeated today.

Most of the nation's medical research is funded by the National Institutes of Health. Its present guidelines, states director Dr. Robert Marston, emphasize a grantee's "basic responsibilities for safeguarding the subjects' rights." They say "an appropriate institutional committee" must insure that all rights are protected, that any risks to an individual "are outweighed by the potential benefits to him or by the importance of the knowledge to be gained, and that informed consent is to be obtained."

OIL LEAK ON ALASKA'S NORTH SLOPE

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. Aspin) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, recently I learned of an oil leak on Alaska's North Slope which bodes ill for the future safety of the trans-Alaska oil pipeline.

I have written to Secretary of Interior Rogers C. B. Morton about this matter. A copy of my letter to the Secretary follows along with two excellent investigative articles which appeared recently in the weekly publication, the Tundra Times:

July 29, 1972.

Mr. Rogers C. B. Morton,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

Dear Mr. Secretary: It has come to my attention that there have been two recent oil leaks at the Happy Valley camp, in the Alyeska-owned pipeline construction camp located on Alaska's north slope, which may have caused environmental damage to the Sagavanirktok River (commonly known as the Sag River), specifically to the arctic char and grayling fish in the river.

I have been informed that one of the Happy Valley leaks has persisted since December 1970 and still persists. Yet no one knows the precise size of the leaks or the amount of damage that has been inflicted to the Sag River. When this leak was reported in December 1970, I am told, the EPA and Coast Guard failed to provide an inspector to investigate the leak. Moreover, I understand that a second, separate leak occurred in June 1972 but was not reported, as required by law, to the Environmental Protection Agency and the Coast Guard until July 12 by the Alyeska Pipeline Company.

Frankly, I find it incredible that an oil leak going on for more than 8 months has been kept quiet for so long. Even more incredible is the fact that it has still not been corrected. After all, if the Interior Department can't correct a relatively minor spill in one of Alyeska's camp sites before construction has even begun on the Alaska Pipeline, how is it going to prevent much larger, potentially catastrophic spills from occurring?

I certainly hope that the Interior Department has thoroughly looked, is looking or will look into these leaks at the Happy Valley camp and will issue a complete report on the causes of the leaks, the environmental damage resulting from the leaks, what has been done to correct the leaks and what action is being taken to prevent similar leaks in the future.

I look forward to hearing from you on this matter in the near future.

Sincerely,

LES ASPIN,
Member of Congress.

[From the Tundra Times, July 12, 1972]

MINI-LEAK ON NORTH SLOPE

ALYESKA AND BLM SAY MINIMAL LEAK OCCURRED

(By Jacqueline Glasgow)

Since the discovery of oil on the North Slope, Alaskans have been confronted with two emotions: excitement at the possibilities for development, wealth and employment for the state, and secondly, concern for the preservation of the natural wild beauty and abundant game resources. That the one could be achieved without the cost of the other has been the aim of major efforts from many directions.

A big bugaboo has been the possibility of an oil leak causing extensive damage to the natural environment, a leak either along the pipeline route or at the coastal loading docks.

Various forms of legislation have been sought to cover the eventualities anticipated, scientific studies have been conducted by environmentalist, conservationist, state, federal, and Native interest groups, and by the major oil companies themselves.

The question has been—What would happen if? What would happen if there is a spill?

Last weekend, the Tundra Times uncovered a story of a mini-leak on the Slope. The leakage, according to the Bureau of Land Management and Alyeska officials was "minimal", it is a small story about a small happening. Nevertheless, the significance of the measures taken or not taken, and the attitudes of those ramifications are meaningful in a larger and more critical sense.

The leakage occurred at the Happy Valley Camp, an Alyeska owned pipeline construction camp located on the North Slope about 10 miles downriver from Interior Airways Sag 1 Airport. Adjoining the camp is a fair-sized creek which flows into the Sagavanirktok River which flows north and empties ultimately into Prudhoe Bay.

Various fuels necessary for operation of the camp are stored in rubberized fabric storage "bladders." There is diesel fuel for heavy duty machinery, for heating and stove oil, jet fuel for helicopters and aircraft, and regular aviation gas.

The fuel is brought in by Hercules cargo planes and pumped into the collapsible bladders, which are easily transported and put on site.

An injunction sought by environmentalist and other interests just prior to completion of camps required that sheets of visquene be laid down to line the pit in which the bladders are laid and that earthen dikes be erected around the fields to contain the fuel in the event of a leakage.

A man who spent a month in the Happy Valley camp (from June 6 to July 1) came to the Tundra Times with photographs and a quart container of liquid which he claimed to have taken on the site at a small catch basin near the creek into which oil was draining down from the soil.

Shortly after his arrival at Happy Valley, he noticed darkened soil and seepage below the bladder field. He walked down, put his finger in a small puddle, then a paper towel, which he lit. It flared and burned.

Later he commented to the manager of the camp: "Looks like you have a bad leak in your bladder field."

The camp manager said no, that the leak was just residual oil from filling the tanks which had seeped out after the ground had thawed.

Later, the man reported observing an employee at the camp, assigned to go down to the catch basin two and sometimes three times a day to burn off the oil that accumulated on the surface.

He concluded that there had to be a major leakage to occasion that amount of activity and his curiosity led him to further investigate the amount of oil in the pond and the rate of flow out of the soil, which he estimated by filling a quart container in 15 seconds (or a gallon a minute), and by dropping cracker crumbs on the surface.

He reported that there were apparently two catch basins, an earlier one which appeared to not be in use at the present time and which had been eroded by the stream, and the present one where the burning took place every day.

What alarmed him was that the second basin had a three inch pipe protruding under the water from it which he felt was directly letting oil flow into the stream and polluting it.

When the Bureau of Land Management was contacted by Tundra Times they admitted that there had been a spill, that it occurred about last August or September, not from a bladder but from an underground pipe.

They said that permission had been given to burn off the residue in the manner which was being used. However, upon looking at the photographs, they were unable to give an explanation for the pipe extending into the water.

Alyeska was then contacted and also confirmed the leakage, adding that there had been an even more recent leak within the last four to five weeks. They said corrective measures had been taken, the leak has been located, repaired, and reported.

Dave Nelson, an engineer with the firm, said the spill was about 100 gallons of Arctic Diesel fuel, a clear, water-white product. He said that about a year ago, they detected fuel but he believed the present seepage was from a new leak.

The engineer in charge of Happy Valley was at the camp site on the day Alyeska was questioned and would give details when he could be reached.

Another spokesman for Alyeska said the amount of the spill was not great, but added, "No spills are really justified."

He said that Alyeska was concerned and that their own environmentalist, Dale Brandor., was on the site investigating the situation with the engineer.

He referred Tundra Times to Max Brewer, in charge of the state of Alaska's Environment Protection agency and to George Van Whye of the Fish and Game Dept. for statistics on whether there had been any damage to fish in the stream and the Sag River.

The Sag River is a transportation route for Arctic char on their way to spawn and is also a grayling stream. Tundra Times will report the effect on fish as soon as statistics are available from those agencies, but indications, according to Alyeska, are that there has been no damage whatsoever.

Dave Nelson, Alyeska engineer, had a theory that the pipe evident in the photograph was placed in the catch basin deliberately to act as an oil separator.

"Oil," he said, "will rise to the top of water. If the pipe is strategically placed, it will function to draw off the water at the bottom, and facilitate the burning process."

He advised that any conclusions be withheld until the engineer at the site be consulted.

When asked if the arrangements were not crudely constructed and dangerously close to the stream where a flood condition could wash out the entire basin, he reiterated that the total amount of the spill was not significant and that even if 100 gallons were allowed to flow into the stream all at once, it would dissipate rapidly and cause no appreciable damage.

He discussed an incident at another camp where a bear had entered the bladder field and clawed three of the storage bladders. In that case he said, the soil of the pit was "impervious" and the fuel had been contained in the pit until they had pumped it into an empty bladder and flown in an extra tank within a matter of hours.

He was, however, critical of the use of visquene to line the fields. He reported that the first winter after installation, it was mostly gone, not having held up in sub-zero weather.

"It just doesn't work," he said.

They are looking for another material with which to replace it, but so far nothing had been found. In spite of the drawbacks, he still felt the rubberized fabric bladders were the best solution to the fuel storage problem.

A Fairbanks representative for the Friends of the Earth, Jim Kowalski, is not as certain that the bladders offer the safest solution. His organization plans to investigate overall effects of the recent spillage.

Alyeska has volunteered a plane to take Tundra Times to the site to investigate conditions first-hand. A Bureau of Land Management engineer will accompany the flight and confirm that no environmental regulations have been violated. A final report will appear in next week's Tundra Times.

The question is one of balance, of development and industry on the one hand and of protection and ecology on the other. Perhaps at no other time or place in the entire world has industry been so cautiously watched and had so many requirements placed upon it.

The man who first reported the Happy Valley leak to the press chose Tundra Times, he said, "because I felt the Natives had the first stake in the environment. They have lived off the land for so long."

"But," he added, "it also concerns all Americans. There are people in the lower 48 who have never seen virgin country. This is one of the last places left."

The preservation of that virgin country, he felt, would long outlast the oil boom.

Balance is a requirement put upon man, just as it is put upon Nature. In the next few years to come, Alaskans will put to test their own resources for achieving a measure of balance between development and protection of the land.

HAPPY VALLEY SEEPAGE OOZES

MELTING TUNDRA RELEASES OIL LEAK FROM PAST SPILL

(By Jacqueline Glasgow)

HAPPY VALLEY CAMP.—Whether the amount of oil that entered a tributary stream of the Sagavanirktok River by the Alyeska Happy Valley construction camp during a period from December, 1970 to July 1972 was of a magnitude to damage the delicate Arctic tundra and the stocks of Arctic Char and grayling fish that abound in those waters was still not solved after a visit to the site of the spill on July 12.

Flying north over the Brooks Range to investigate the reported leak on the North Slope, BLM engineer Ed Waszkiewicz pointed out the vastness of the space over which the plane was flying, relating it to the relative smallness of the area set aside for the pipeline route.

"Putting the pipeline in proportion," he said, "is like taking a shoestring in the Chena Building (a modest three story building in Fairbanks) and laying it from end to end."

Tim Wallis, vice-president of the Tanana Chiefs, agreed that "It's a good analogy. But it doesn't go far enough. If the shoestring was made out of some kind of acid and it began to eat into the material around it, the floor and so on, until eventually it spread out into the structure and the Chena Building collapsed, that's more like what you're talking about."

No one was able to give a figure as to the exact amount of the leakages or for that matter, as to the number of actual leaks. The original accident seems to have occurred within a utility building housing the camp's generator in December of 1970. A report from Alyeska's engineer on the site described the accident.

"In December 1970, a 2'' fuel line cracked inside the utility building. Oil escaped both inside and outside the building. How much was not known but conservative estimate is 200 gallons. The oil soaked gravel fill was excavated and wasted 100′ uphill from the creek."

"This waste area," says the August, 1971 report, "and the original oil soaked leak area is the apparent source of fuel oil showing up in the creek (in 1971). New fuel line installed after the break. No present leaks in evidence."

The problem was persistent. As the ground warmed up with the summer thaw in 1971, oil continued to drain out of the surrounding soil. To Alyeska's embarrassment, a film on the nearby creek was first noticed by some visiting Congressmen.

A corrective measure was designed: "A floating boom, consisting of three 4'' x 4'' x 6′ long timbers connected by 4'' wide metal strips, attached along the upstream edge, was strung across the creek about 200 feet downstream from where the oil was entering.

"Several collection cans were attached to the floating boom. Each can had a wick installed to absorb the oil. Oil was also skimmed off the top of the water as it piled up behind the floating boom."

The amount was apparently decreased or stopped. Later in the month, a film was again noticed, and a ditch was dug parallel to the creek to collect oil draining out of the gravel pad.

Harvey Yoshihara, fisheries biologist for the Fish and Game Dept., Division of Sport Fish, said his department made a rough estimate of the amount of oil flowing into the stream based on visual calculation.

They estimated that from one to two gallons per day flowed into the creek last year in August. Whether or not this rate of flow was continual, he could not say. When the temperatures dropped to sub-zero, the ground froze and retained the oil.

When it warmed up again in 1972, the same old problem was there. The log boom used in 1971 was utilized again for a short time and new measures were taken to get rid of it.

Two small catch ponds were excavated right at the creek edge, pipes inserted to drain water from the bottom, and the oil burned off the top. Fires were burned two and sometimes three times a day during June.

Some time early in June, it was suspected that the amount of oil must be coming from a new leak rather than the old problem. The leak was located in a fuel line leading from the bladder field to an upper storage tank, in a buried section of the line.

The line was sealed off immediately and a new one installed above ground, with a portion remaining buried.

Neither BLM nor the federal Environmental Protection Agency had any records of this June 1972 leak being reported as a new leak. BLM considered that the problem was covered as existing before.

Alyeska has a responsibility to report to EPA and the Coast Guard any oil spills wherever navigable waters are involved. Earlier reports were made to both agencies in 1971, but neither sent a representative to review the amount of damage.

The corrective means were approved by BLM's Duane Ferdinand.

BLM explained: "Any professional should be able to make a judgment. You may consult with others but the decision is ultimately yours. It's like a doctor. If you called in ten doctors, you might get ten different opinions, but if you respect his opinion, you go with it."

There is no fail-safe method of cleaning up an oil spill. Ray Morris, oil pollution expert for the Environmental Protection Agency, said, "If you've ever walked into a situation where there's been any sizeable spill, you take one look at it and you have a helpless feeling."

"Once they get away from you, it's a real problem. If you can contain it at the time of spill, if you can anticipate accidents, you have a better chance at corrective measures."

On pollution in general, Morris said, "Once you've got people in an area, you get a stove, you get fuel, you've got a problem."

This was the concern of the North Slope Eskimos from the beginning of the pipeline proposal. John Lear, writing in the Saturday Review in 1970, had said: "Mistakes were bound to happen. They would have to be suffered charitably in the faith that their recurrence would be prevented or at least minimized by ongoing research."

In the Happy Valley incident, it would not seem that there has been any "research."

No scientist took definitive samples of the amount and rate of flow of the oil seepage into the creek.

No one tested the soil contamination around the bladder field. The darkened area was described as being due to natural Arctic vegetation decomposition, yet a handful of it smells strongly of fuel oil.

On Earth Day, 1970, Eben Hopson of Barrow spoke on the subject of the pipeline.

"We must remember that the route north of the Brooks Range is almost 200 miles. The Fish and Game Department of the State of Alaska has officially described that most of that route will be along the Sagavanirktok River 'for many miles'."

"Then the Fish and Game Department says: 'Six additional rivers crossed or closely approached by the pipeline north of the Brooks Range contain important stocks of sports fish, principally Arctic Char and Grayling'."

Harvey Yoshihara, fisheries biologist, did not feel the Happy Valley leakage was a major problem. However, he added, "There's an accumulation factor. We don't know where the oil is being collected, if it is continuing to leak."

"If it's being flushed out," he said, "no problem. If it settles in a pool, on the gravel bottom of a pool, it could cause problems. Any type of spill is going to be a problem. Everything has to be in relative terms."

"I personally feel that Alyeska had done a fairly good job. They're taking action on it."

The spill could have been much more damaging, said Yoshihara if it had occurred at a time when the fish were migrating. Fish and Game does not have abundant figures on the fish population in the stream. Alyeska also has a fish crew and Yoshihara said there was a very free exchange of data between their people and the state's.

In general, there has been very little exploration in the Sag drainage.

"If we are able to get the natural population now, when the road does come through, we'll know what our base was."

He described the stream beside the camp as a rearing stream for Arctic Char and grayling. At times, Fish and Game may advise construction crews to postpone or forestall construction activity that might be damaging to the fish.

Fish and Game was quoted on Earth Day, 1970, as saying, "Predicting the impact of this pipeline on the sport fish resources of waters crossed by it requires much more than educated guesses."

Educated guesses by on-site engineers evaluated the oil leakage at Happy Valley as minimal, although it is a continuing problem that has persisted for well over a year.

During that time, oil has been infiltrating the creek and no one knows where the oil has gone or what the cumulative effect will be.

If there have been as many as three accidents (number three, the dropping of a helicopter fuel tank) at one campsite alone, what is the total of small accidents in all the camps along the route?

A BLM official said, "Oil seeping into the Sag River really isn't much. If you had a tanker leak in Prudhoe Bay, that would be major and the Coast Guard and the EPA people would be there."

The Alaska Native has fought every inch of the way to protect his land from damage. Is it to be protected only when the damage is major, and not when it is minor?

Waszkiewicz described the number of government agencies involved in one way or another with the pipeline activity as a "multiheaded monster like you can't believe."

It is curious and more than a little disturbing that of all those heads, only one BLM engineer investigated the magnitude of the damage at Happy Valley.

If for no other reason, it might have offered positive proof to the public and more especially, to the Alaskan Native, that it was indeed a Mini-Leak, and that reasonable and orderly procedures were followed, resulting in a total, fast, and efficient clean-up.

In August of 1971, Duane Ferdinand wrote a summary of his evaluation of the problem at Happy Valley:

"The cut-off trench below the waste area had only limited success in stopping the subsurface flow of oil to the creek. This flow would be very difficult to stop and I would not recommend that an attempt be made to do so. Containment of the oil in the creek is a feasible and practical way to minimize this problem."

This series on the Happy Valley situation began with the question: What would happen if? What would happen if there is a major oil spill?

The "limited success" of the Happy Valley clean-up is an awesome indicator of the difficulties anticipated in future major oil spills.

U.S. SOVEREIGNTY OVER CANAL ZONE AND PANAMA CANAL—NOT NEGOTIABLE

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, in a statement to this body on "U.S. Sovereignty Over Canal Zone—Latest Attack" in the Congressional Record of July 20, 1972, I quoted an exchange of letters with the Secretary of the Army and commented at some length thereon in protest against allowing the Government of Panama to establish Panamanian electoral districts in the U.S.-owned Panama Canal territory.

The Secretary of the Army replied promptly by making the following significant statements:

First, that the responsibilities of the Canal Zone Government within the zone will not change as a result of the Panamanian decree;

Second, that Panamanian citizens residing in the zone may vote, as in the past, in places outside U.S. jurisdiction;

Third, that the Department of State has sent a diplomatic note to Panama asserting that the U.S. Government does not accept the Panamanian action as one to assert its authority in the canal territory contrary to existing treaty provisions; and

Fourth, that the Secretary of the Army has sent a copy of my July 6, 1972 letter to the Department of State.

Though the indicated letter of the Secretary of the Army does help to clarify some of the interpretations placed upon the Panamanian decree, it is not conclusive. The Ministry of Foreign Relations of Panama, in an official bulletin on May 24, 1972, published its determination in the current treaty negotiations to "insist on unrestricted exercise of its jurisdiction over its entire territory"—Carta de Panama No. 53—May 24, 1972, Information Bulletin, Ministry of Foreign Relations.

Mr. Speaker, in the light of numerous public statements by leaders of the Panama Revolutionary Government, could there be anything more definite as to Panamanian objectives than this declaration? The decree of the Panama Government establishing electoral districts in the Canal territory is interpreted in Panama as an exercise of its sovereignty regardless of what our State Department may say, and such action should not be recognized.

The Canal Zone and Panama Canal are territory and property under the sovereign control of the United States. The zone was acquired for canal purposes by the United States by purchase of the grant in perpetuity from Panama and obtaining title to all privately owned land and property in the zone by purchase from individual owners. Together the zone and canal form a part of the coastline of the United States and as such sovereignty over them is not negotiable.

The Panamanian Government has no more right to establish electoral districts for its citizens in the U.S. canal territory than the United States has to do so in Panama for our citizens there, or France in the Louisiana Purchase territory. As to the blind attitude of our highest officials on this weighty matter over a period of many years, I ask: Why is it that they have allowed themselves to be brainwashed by Panamanian demagogues?

Mr. Speaker, why is it that some President of the United States has not publicly asserted that our rights, powers, and authority over the Canal Zone and Panama Canal are held in trusteeship for civilization, that they are nonnegotiable, and that they will be held in perpetuity?

In order that the Congress be informed as to the July 26, 1972, letter of the Secretary of the Army, I quote it as part of my remarks:

Department of the Army,
Washington, D.C.

Hon. Daniel J. Flood,
House of Representatives,
Washington, D.C.

Dear Mr. Flood. This is in reply to your recent letter expressing your concern over the recent Panamanian action regarding electoral districts for the Canal Zone.

The position taken by our Government in this matter was reached after careful consideration of all aspects of the Panamanian decree establishing the electoral districts. The responsibilities of the Canal Zone Government within the Zone will not change as a result of the Panamanian decree. We do not plan to allow voting to occur in the Canal Zone. Those Panamanian citizens who reside in the Zone and who desire to participate in this election may vote, as in the past, at places outside the jurisdiction of the United States. The diplomatic note presented to Panama, and mentioned by Deputy Under Secretary Koren in his 22 June letter to you, made it clear that we do not accept this action of the Panamanian Government as one to assert authority in the Canal Zone contrary to international agreements in force between our two nations. We also informed the Panamanians that we would endeavor to avoid misinterpretation of the decree on the part of interested persons and authorities in the United States and that we expected them to do likewise in Panama.

I appreciate receiving your views on this matter. In order that the Department of State is aware of your thoughts on this recent Panamanian action, I have taken the liberty of providing the Department a copy of your recent letter.

Sincerely,

Robert F. Froehlke,
Secretary of the Army.

THE VOLPE PLAN AND ITS EFFECT IN LARGE-AREA STATES—ANALYSIS OF THE 1972 HIGHWAY NEEDS REPORT

The SPEAKER. Under a previous order of the House, the gentleman from Wyoming (Mr. Roncalio) is recognized for 15 minutes.

Mr. RONCALIO. Mr. Speaker, recently the Secretary of Transportation presented the 1972 National Highway Needs Report [1] to the Committee on Public Works, U.S. House of Representatives. The report recommends a major reclassification of authorization categories within the highway trust fund for fiscal years 1974 through 1979. The intent of this realinement is to: First, provide increased resources to deal with the problems of transportation in our major metropolitan areas; second, provide increased flexibility to State and local governments to decide their transportation priorities by abolishing narrow categorical grant problems; and third, provide an assured pattern of program growth by funding both highway and mass transit projects from the highway trust fund.[2]

The ultimate effect of this administrative proposal is to deny Wyoming of much needed Federal aid for the completion of the State's vital Interstate System. In addition Wyoming would be discriminated against in the appropriation of Federal funds for further development of the State's highway system on both urban and rural levels.

W. G. Lucas, superintendent and chief engineer of the Wyoming Highway Department states in "The Future of Wyoming Highway Systems" that Wyoming requires $194.1 million to complete its Interstate Highway System by 1975.[3] Wyoming interstate apportionments for fiscal year 1972 were $28,224,000. A similar amount was appropriated from the highway trust fund for fiscal year 1973. However, DOT's needs report would offer Wyoming only $17,479,000 for fiscal year 1974 and 1975.[4]

The administrative report considers a 1975 completion date unrealistic. "With anticipated delays resulting from controversy over some urban interstate locations and new statutory requirements, it is likely that the presently designated interstate system will not be completed until 1980." [5]

It is at best dubious that Wyoming's interstate system will be totally constructed by 1980. Mr. Lucas' costing estimate is well above the cumulative recommended appropriations for fiscal year 1973 through fiscal year 1979. The 1972 needs report estimates an amount of only $16,975,000 for each fiscal year from 1976 through 1979. Note that similar estimates within the needs report for fiscal year 1974 and fiscal year 1975 were more than 4 percent above the adjusted figure now cited by DOT.[6] Even without adjusting the 1976–79 figures the total Federal allotments from the present until mid-1980 is $159.3 million. Reducing Mr. Lucas' estimate by 10 percent to correct the total sum required for completion to correspond with the Federal Government's matching commitment the estimated appropriations would still fall $15.4 million below that amount needed for final termination of the interstate system by 1980.

In light of the 1972 highway needs report it becomes obvious that the administration does not recommend sufficient funding to complete the interstate system within the too often prolonged termination date. If inflation and anti-inflationary measures are taken into account it is possible that the State will not witness final construction of its interstate system until the mid-1980's. Further investigation, however, reveals even greater inequities which Wyoming would suffer if the administrative program becomes public law.

The difference between fiscal appropriations from the highway trust fund

Footnotes at end of article.

for fiscal year 1973 to fiscal year 1974 is $794 million for interstate systems on a national level or a decrease of 19.5 percent. Over the same 1-year period Wyoming's allocations would be reduced by $10.745 million or 37 percent, almost twice the proportionate budgetary cut which the Nation as a whole would undergo. The better interests of Wyoming have been neglected in the present Federal Highway Administration's Needs Report in regard to Federal financing of the Interstate System.

Wyoming is also adversely affected in the other pertinent proposals of the 1972 report which would reallocate the remaining highway trust fund—excluding those amounts for the interstate system and safety, research, and development—into three categories: The single urban fund, the rural Federal aid system, and the rural general transportation fund. No one can deny that urban transportation is in a decrepit state of affairs. Poor logistical planning by large metropolitan areas have produced urban transportation systems which fail to serve the needs of their populations. Automotive pollution is at a critical level with city atmospheres cloaked in shrouds of smog. Daily morning and evening rush hours tell a sad tale about the plight of metropolitan highways, however, Secretary Volpe's recommendations add little equity or logic to the situation.

The 1972 Highway Needs Report, the Volpe plan, would place $1 billion in the new single urban fund for fiscal year 1974. This would increase to $1.85 billion for fiscal year 1975 and $2.25 billion for fiscal year 1976 through fiscal year 1979. Note that 79 percent of the single urban fund in fiscal year 1974 may be accounted for by that year's proposed cut back in interstate highway appropriations. Single urban fund allocations are earmarked solely for those metropolitan areas of 50,000 population or more which are given the characteristically sterile label of standard metropolitan statistical area—SMSA.

The funds would be distributed as follows: First, 40 percent would be allocated to the SMSA's of the Nation according to population; second, 40 percent would be apportioned to the States directly according to SMSA population with no State receiving less than one-third of 1 percent of the total appropriation; and third, 20 percent would be reserved for discretionary use by the Secretary for urban mass transportation projects.[7]

Except for the token one-third of 1 percent under section (2), Wyoming would receive no assistance from the single urban fund—SUF—as no State urban area qualifies as an SMSA. The fact that almost four-fifths of the SUF may be accounted for by cutbacks in the interstate allocations "rubs salt on the open wound" caused by blanket budgetary proposals. In an appearance before the House Subcommittee on Roads, Committee on Public Works, of which I am a member, Mr. John Scott, master of the National Grange made a strong point when he said:

> The National Grange opposes the financing of Urban Transit from taxes on highway users. It is not fair to tax rural and small town people to help solve the problems of big city Mass Transit.

Not only will Wyoming fail to reap any meaningful benefit from the SUF, it would also have to carry its share of the fiscal burden brought on by such a program.

If the SUF would significantly promote the national welfare then it would be within the democratic spirit of Wyoming to support the program. But those purporting the SUF would endeavor to advance transportation systems which are fast becoming obsolete. The Volpe plan not only suggests but recommends further expansion of intra-urban highway systems. This would logically result in greater auto congestion of our cities accompanied with the noxious gasses of vehicular pollution.

Admittedly the SUF would be open to modes of transportation other than paved surface for low passenger automobiles. But this is not enough. The necessity for mass transportation of large numbers of people within single mobile units is now a reality. The Nation can no longer rely on highways as their primary means of intra-urban transportation. To expand metropolitan highway systems much further will result in communities surrounded by concrete, steel, asphalt, and poisonous atmospheres. Metropolitan areas will be void of aesthetic and healthy environments which will have a deleterious effect on their populations.

The rural general transportation fund and the rural Federal aid system are the last facets of the Volpe plan to be considered. These would comprise the bulk of Wyoming noninterstate funds for fiscal year 1974—excluding $583,000 for planning of all systems—if the 1972 highway needs report is passed by Congress. The report provides that no State will receive a smaller Federal noninterstate appropriation for fiscal year 1974 or fiscal year 1975 than that awarded in fiscal year 1973. Noninterstate revenue from the highway trust fund for Wyoming in fiscal year 1973 was $11,102,260 and in fiscal year 1974 under the Volpe plan would be $11,685,000 an increase of $582,740 or plus 5.2 percent.[8] This is well below the proportionate increase in noninterstate funds taken from a national perspective.

Total noninterstate appropriations from the highway trust fund equal $1.425 billion in fiscal year 1973 and would be $1.8 billion in fiscal year 1974 excluding for both years the Secretary's discretionary fund and those moneys reserved for research and development.[9]

Thus the comparative national appropriation would increase by $375 million or 27.7 percent,[10] five times the relative increase for Wyoming. The general reason for this discrepancy may be attributed to the recommended establishment of the SUF.

Wyoming would receive $9,992,000 from the rural Federal aid system—RFAS—for fiscal year 1974.[11] The apportionment formula for the RFAS in the needs report is: First, one-third in accordance with the square root of State land area; second, one-third in accordance with total State population, and third, one-third in accordance with State highway system mileage.[12] Use of these funds unlike the SUF are narrowly restricted under the Volpe plan. At least 60 percent but not more than 90 percent must be spent on the select portion of the highway system of each State. Select pertains only to arterioles. The remaining 10 to 40 percent must go toward construction of the supplemental portion of the system which consists of major collectors. The matching formula for the RFAS is 70 to 30 Federal to State.

The amount of $1,110,000 would be available for Wyoming from the rural general transportation system fund—RGTF—in fiscal year 1974.[13] This revenue would be apportioned in accordance with the non-SMSA population which in Wyoming's case is the entire State. The RGTF appropriation would supposedly compensate for the inability of the RFAS to assist rural counties which rely on minor collector and rural roads. Note that the revenue for the RFAS dwarfs that of the RGTF by an uneven ratio of 10 to 1.

There has been some speculation that the RGTF will include the funds which Wyoming now receives for programs entirely funded by the Federal Government, such as forest highways and Federal land projects.[14] The potential shortcoming of such a proposal lies in the fact that the RGTF matching formula is the same as that for the RFAS: 70 percent Federal versus 30 percent State. While the Department of Transportation dismisses the possibility of this happening, the mere suggestion adds to the ominous results which could occur if the Volpe plan passes Congress.

The 1972 highway needs report offers a battery of statistics to support the administration's proposals for redirecting the priorities which the national highway trust fund must serve. It is all too obvious that Wyoming would suffer under such an inequitable program. In Wyoming the development of the resources of agricultural, industrial, and recreational nature are dependent to a great extent on highway transportation.[15]

The Wyoming highway system is already in dire need of increased Federal aid. Yet the 1972 needs report indicates that Wyoming would receive .58 percent of national highway appropriations for fiscal year 1974, .51 percent for fiscal year 1975 and .48 percent for fiscal year's 1976 through 1979 [16] if the Volpe plan becomes a reality.

The United States is at the doorstep of a new era. National sentiment demands a regeneration of laws for future highway development for equitable guidelines which must be adopted to insure that each State, each citizen receives a fair share in this dynamic resurgence. Attention must be directed in a responsible manner to all Americans by all Americans to realize the goals we have set before us.

FOOTNOTES

[1] House Document 92-266 part 1 and 2.

[2] House Document 92-266 part 1, page VII.

[3] The Future of Wyoming Highway Systems, page III.

[4] Mr. Kruser, Federal Highway Administration, Department of Transportation.

[5] House Document 92-266, part 1, page 36.

[6] $18,194,000 was estimated while the present figure cited is $17,479,000.

[7] House Document 92-266 part 1, page IX.

[8] Mr. Kruser.

[9] Ibid.

[10] Ibid.

[11] Ibid.

[12] House Document 92-266, part 1, page 45.

[13] Mr. Kruser.

[14] Thermopolis Independent Record, July 6, 1972, page 2.

[15] The Future of Wyoming Highway Systems.

[16] House Document 92-266, part 2, page VII-54.

STATISTICAL ANALYSIS[1]

	Amount
National authorizations under the 1972 highway needs report for fiscal year 1974 (in millions):	
Interstate	$3,250
Single urban fund	1,000
Rural Federal aid system	800
Rural G. transportation system	200
Safety and other	400
Total	5,650
National highway (fiscal year 1973)	[2] 5,469,000,000
Trust fund (fiscal year 1974)	[2] 5,050,000,000
Difference (−7.7 percent)	419,000,000
Wyoming highway (fiscal year 1973)	39,326,260
Trust fund (fiscal year 1974)	29,164,000
Difference (−25.8 percent)	10,162,260
Breakdown of Wyoming Highway Trust Fund for fiscal year 1974:	
Interstate	17,479,000
RFAS	9,992,000
RGTF	1,110,000
Highway planning	583,000
Total	29,164,000
National interstate appropriations:	
Fiscal year 1973	4,044,000,000
Fiscal year 1974	3,250,000,000
Difference (−19.5 percent)	794,000,000
Wyoming interstate appropriations:	
Fiscal year 1973	28,224,000
Fiscal year 1974	17,479,000
Difference (−37 percent)	10,745,000
National noninterstate appropriations for fiscal year 1973:	
Highway trust fund	[2] 5,469,000,000
Interstate appropriations	4,004,000,000
Noninterstate appropriations	1,425,000,000
National noninterstate appropriations, fiscal year 1974:	
Highway trust fund	[2] 5,050,000,000
Interstate appropriations	3,250,000,000
Noninterstate appropriations	1,800,000,000
Difference between noninterstate appropriations fiscal year 1973 to fiscal year 1974, national:	
Fiscal year 1973	1,425,000,000
Fiscal year 1974	1,800,000,000
Difference (+27.7 percent)	375,000,000
Wyoming noninterstate appropriations, fiscal year 1973:	
Highway trust fund	39,326,260
Interstate appropriations	28,224,000
Noninterstate appropriations	11,102,260
Wyoming noninterstate appropriations, fiscal year 1974:	
Highway trust fund	29,164,000
Interstate appropriations	17,479,000
Noninterstate appropriations	11,685,000
Difference noninterstate appropriations, fiscal year 1973 to fiscal year 1974, Wyoming:	
Fiscal year 1973	11,102,260
Fiscal year 1974	11,685,000
Difference (+5.2 percent)	582,740

[1] All fiscal year 1974 figures are those estimates from the 1972 highway needs report.

[2] Excludes $200,000,000 reserved for Secretary and $400 for safety and other.

Note: Wyoming's proportionate share of highway trust fund as forecast by the 1972 highway needs report: Fiscal year 1974, 0.58 percent; fiscal year 1975, 0.51 percent; fiscal year 1976 to fiscal year 1979, 0.48 percent.

MENTAL HEALTH

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 5 minutes.

Mr. HARRINGTON. Mr. Speaker, today I am introducing a bill that would provide all Americans with adequate mental health care. This bill is entitled, the Mental Health Act of 1972. The bill is designed to end the discrimination in health benefits between mental health care and other forms of health care. I testified in November before the Ways and Means Committee on the necessity of equal coverage for mental illness under national health insurance and stated at that time that I would introduce legislation toward that end.

Ten percent of all Americans will eventually suffer from some form of mental illness that will require psychotherapeutic treatment. This means that more than 20 million Americans are directly affected by mental health problems. This figure does not even approach the number of Americans who will have a parent, a child, or a friend affected by mental illness. The fact is that the majority of Americans have direct contact with mental illness.

The majority of those suffering from mental illness are the poor. Those with the least education and the lowest incomes have the highest rates of admission to State and county mental hospitals and to outpatient psychiatric services. Within this group, older citizens have the highest rate of mental illness. But last year more than 150,000 children came to the community mental health centers for assistance, yet only 10 percent of these could be helped.

There is, Mr. Speaker, a mental health crisis in this country, and there is a stigma attached to anyone who receives mental health treatment. The events of the past week concerning Senater EAGLETON have brought this issue to the forefront. I am concerned that these events will have a detrimental effect on those Americans who are contemplating psychiatric assistance. Many may now be ashamed or fearful of asking for the needed treatment. The roots of this discrimination lie in the consciousness of the American people. We too often take a medieval approach to mental illness as an incurable or untreatable affliction. Too many see mental illness as something frightening, incomprehensible, and debilitating.

The truth is that mental illness is a valid form of illness and should be treated as such. People do not plan to have pneumonia, nor do they plan to have a mental breakdown. Yet, in each case, people do take steps to have themselves treated. There should be no distinction. To condemn a person to a lifetime of shame is cruel and senseless, especially when a person chooses the right course.

Until this country fully recognizes the validity of mental illness—until we can accept mental illness as we do physical illness, many Americans will fail to obtain the treatment they need. We in Congress have the opportunity to do the right thing—and the enlightened thing—by passing legislation recognizing the legitimacy of mental illness and providing sufficient financing for all citizens to get the help they want. The Federal Government can lead the fight to eradicate the mark of shame from this illness and we should begin now.

The best approach to any disease is preventive. One purpose of the bill is to give to all Americans a right to obtain adequate preventive care at a price they can afford.

ANALYSIS OF BILL

Title I includes full payment of:

First, psychiatric hospital care which will include all care to an individual in a qualified psychiatric hospital. This care will be limited to a 90-day period except when the individual's physician requests an additional 30 days subject to the approval of the utilization review board. Further extensions may be granted by the utilization review board but not less often than every 30 days.

Second, psychotherapeutic care which will include visits made by an individual to a psychotherapist for mental health treatment which is of an active preventive, diagnostic, therapeutic, or rehabilitative nature during any benefit period. Payment for these visits shall not exceed 20 unless the physician to whom the visits are being made is participating in a group health program approved by the Secretary.

Third, prescription drugs which will include drugs and biologicals for which a physician's prescription is necessary.

Fourth, psychotherapeutic home care which will include all home visits made to an individual in a qualified institution therapist or by qualified staff members of a mental health clinic or comprehensive mental health center approved by the Secretary of Health, Education, and Welfare.

Fifth, day mental hospital care which will include all care and services provided to an individual in a qualified institution which is primarily engaged in furnishing psychotherapeutic treatment during the daytime hours but does not provide the patients with 24-hour accommodations. This is subject to the same 90-day restriction as in psychiatric hospital care.

Sixth, night mental hospital care which will include all care and services provided to an individual in a qualified institution which is primarily engaged in furnishing psychotherapeutic treatment, sleeping accommodations, and related care and services during the nighttime hours to individuals who work during the day. This is subject to the same 90-day restriction as in psychiatric hospital care.

Seventh, 25 percent of the costs of half-way house care which includes the care provided by those institutions which furnish a transitional residence to those patients who have been released from psychiatric care at the recommendation of their physician and at the approval of the utilization review board. Also included is care for those patients who will need long-term living arrangements, who require permanent substitution for hospitalization, and who can be maintained in the community with continuing supporting help.

Eighth, community mental health care center services which include all care in a facility meeting the requirements of the Community Mental Health Act and is making available to a substantial proportion of the residents a comprehensible program of mental health care.

These services will be available to all Americans regardless of their ability to pay and without copayment or deductibles or coinsurance. All mental health care will be made available to all Americans without direct cost.

To maintain the quality of care, title I of the bill sets strict qualification standards for the providers. These include maintenance of adequate clinical records, accreditation by the Joint Commission on Accreditation of Hospitals, bylaws that will prevent discrimination on any grounds unrelated to professional qualifications, every patient under a physician's care and the ratio of physician to patient not exceed 40 to 1, 24-hour nursing service with a registered nurse on duty at all times and the ratio of nurses during the daytime hours never exceeding 10 to 1 and 25 to 1 during the nighttime hours, and the ratio of LPN's to RN's never exceeding 5 to 1, and most importantly, a utilization review board consisting of not more than eight persons. The composition of the board shall include three members of the general public, one physician, one psychotherapist, one paraprofessional, and two additional members appointed from among other persons in these categories with not more than two members of the board being members of the hospital staff.

The program would be administered by the Secretary of Health, Education, and Welfare, with the advice of a Committee on Mental Health which shall be appointed by the Secretary. The Committee will consist of five psychiatrists, five hospital administrators, five former mental patients, five members of the general public and the Secretary, who will act as chairman. Terms of office of the Committee members and any conditions of service will be determined by the Secretary.

Also included in the bill under title I will be a full and complete study over the next 5 years of the costs of providing mental health insurance in order to determine the feasibility of expanding the program. This study would be conducted by the Secretary of Health, Education, and Welfare.

Also under title I, there would be created a Federal mental health trust fund. The fund will result from the mental health taxes that are discussed under title II of this proposal. The mental health trust fund will be administered by a board of trustees of the trust fund. It will be composed by the Secretaries of Health, Education, and Welfare, Treasury, and Labor.

The effective date of the program will be the first day of the first calendar month which begins 6 months after the date of the enactment of this act.

TITLE II

Title II of the bill provides the funding mechanism of the bill through a mental health tax. In this way it would be supplemental to the Kennedy-Griffiths proposal. However, this tax and this program can be instituted without previous national health insurance program.

The mental health tax will be imposed on the income of every individual at a rate equal to 0.16 percent of the wages received by him during the calendar year which exceed the sum of $6,500, plus one-half of the amount by which the regular contribution base for such year exceeds $9,000.

There will be imposed on the employer an excise tax, with respect to having individuals in his employ equal to 0.52 percent of the wages paid by him during any calendar year.

For individuals who are self-employed there will be a tax equal to 0.38 percent of the self-employment income for such taxable year as the income exceeds the sum of $6,500, plus one-half the amount by which the regular contribution base for such year exceeds $9,000.

There would also be a tax on unearned income equal to 0.16 percent of the amount of such mental health unearned income for such taxable year that exceeds $400.

Mr. Speaker, there is a new trend in the Nation away from institutionalization and toward continued care and treatment of the mentally ill. The number of inpatients in State and county mental hospitals as of June 1970 was 338,592. This represented a drop of 35,192 patients, or a 9.5-percent decline during the year. Thus for the 15th consecutive year, the population of the institutions has declined; 1970 was the first year that the number of releases from mental hospitals exceeded admissions.

But we are just beginning the fight against mental illness. It should be of the highest priority to effectively treat those who suffer from mental illness.

A nation is only as strong as its physical and mental well-being.

Mr. Speaker, this is the most comprehensive proposal on mental health and care of the mentally ill ever to be introduced in this body. The scope and the methods of treatments covered by this program will effectively fight mental illness in this country. It is time that the Congress recognizes its role in the area of mental health and take appropriate steps.

EDUCATION FOR ALL HANDICAPPED CHILDREN ACT

The SPEAKER. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, on June 28, I introduced, for myself and 13 other Members of the House, H.R. 15727, the Education for all Handicapped Children Act, a measure aimed at providing special educational services to all handicapped children, including the mentally retarded and emotionally disturbed.

At that time, Mr. Speaker, I observed that only 40 percent of the approximately 7 million handicapped children in America receive the special educational services they need, and that fully 1 million of them are totally excluded from public schooling.

The bill which I introduced would provide Federal grants to help State governments pay at least 75 percent of the excess cost involved in educating a handicapped child.

Mr. Speaker, handicapped children, of all kinds, have for too long been forgotten children of our education system.

And now, I am afraid, the results of our neglect are returning to haunt us.

Here in the Capital City yesterday, a Federal judge concluded that all handicapped children have a constitutional right to a public education and ordered the District of Columbia to offer all such children educational facilities within 30 days.

I ask unanimous consent, Mr. Speaker, to insert in the RECORD the Washington Post story describing the kinds of discrimination practiced against handicapped children in Washington, D.C., and the basis of the decision of U.S. District Court Judge Joseph C. Waddy:

JUDGE ORDERS SCHOOLING OF HANDICAPPED CHILDREN

(By Jim Mann)

A federal judge here declared yesterday that handicapped and emotionally disturbed children have a constitutional right to a public education and ordered the District of Columbia to offer all such children educational facilities within 30 days.

In a sweepng opinion, U.S. District Court Judge Joseph C. Waddy also directed the District school system to establish elaborate hearing procedures under which no pupil could be placed in a special education program or be suspended from school for more than two days without a public hearing.

The judge also ordered the District to come up with a written, comprehensive plan for providing special education facilities and identifying those chldren who need them within 45 days. He threatened to appoint a special master for the school system if his order is not carried out. The 30-day deadline applies to children already known to the system.

The ruling by Wadding comes after a year of litigation and controversy regarding the admitted failure of the District to provide a public education for handicapped, disturbed and retarded children.

According to a 1971 report by the D.C. school system to the Department of Health, Education and Welfare, an estimated 13,340 handicapped children were being deprived of adequate care for the 1971–72 school year.

School authorities have been unable to say how many handicapped or disturbed children have been completely deprived of any education here. The estimates range from a few hundred to several thousand.

Waddy's opinion may also have some national impact. It is the first court decision in the nation stating explicitly that handicapped children have a constitutional right to a public education, according to Stanley Herr, the attorney who represented the children in the case.

During the past year of litigation, the District and the school board had generally conceded that there was an obligation to provide public education for the handicapped, but said they faced a number of obstacles in providing such education.

Waddy said yesterday that none of those obstacles mattered.

For example, the objection was raised that it is impossible to provide special education for the handicapped unless Congress appropriates millions of dollars for that purpose.

But Waddy said yesterday, "The inadequacies of the District of Columbia public school system, whether occasioned by insufficient funding or administrative inefficiency, certainly cannot be permitted to bear more heavily on the 'exceptional' or handicapped child than on the normal child."

The judge also cited what he said was a "lack of communication" among the D.C. school board, School Supt. Hugh J. Scott and his staff, and the D.C. government in developing special education programs. For the future, he clearly placed responsibility for carrying out his orders with the school board.

A spokesman for the corporation counsel's office which represented the District in the court case, said he would have no comment on Waddy's opinion. Scott could not be reached for comment.

Waddy devoted a considerable portion of his ruling to the creation of public hearing procedures within the school system.

The school system, the judge said, "shall not suspend a child from the public schools for disciplinary reasons for any period in excess of two days without affording him a hearing . . . and without providing for his education during the period of any such suspension."

That provision came in response to a claim that emotionally disturbed children, or children thought to be disturbed, were being denied a public education through disciplinary suspensions.

In addition, Waddy wrote, any children thought by school officials or their parents or guardians to be in need of special education "shall neither be placed in, transferred from or to, nor denied placement in such a program unless (the school system) shall have first notified their parents or guardians of such proposed placement, transfer or denial; the reasons therefor; and of the right to a hearing before a hearing officer if there is an objection."

In such public hearing, the children or their guardians have the right to have legal counsel present and to have a tape recording made of the hearing, Waddy said.

In addition, the parents of school children were given access to all school records and tests for purposes of these public hearings.

Waddy did not say how the hearing officer would be appointed, but said he "shall be an employee of the District of Columbia, but shall not be an officer, employee or agent of the public school system."

The judge based his assertion that handicapped children have a constitutional right to public education on the Fifth Amendment guarantees to due process of law. He cited several other famous educational decisions as precedents, including the 1954 Supreme Court decision outlawing segregated schools and the 1967 decision by Judge J. Skelly Wright outlawing the so-called track system here.

The case was brought on behalf of handicapped children by the National Law Office of the National Legal Aid and Defender Association, with attorneys Herr, Julian Tepper and Pat Wald handling the case.

Mr. Speaker, I also draw attention to pages 9495–9501 of the March 22, 1972, CONGRESSIONAL RECORD.

On that date, the distinguished Senator from Minnesota, the Honorable HUBERT H. HUMPHREY, inserted a remarkable series of articles from the Washington Evening Star written by John Mathews. I believe that this series, entitled "The Expendables," does an excellent job of describing the problems faced by children and families as well as State and local governmental units as they have attempted to meet the needs of handicapped children.

Mr. Speaker, Senator HUMPHREY also inserted on March 22, 1972, editorial comments from the Washington Post and WRC–TV which give us further insight into the problems we face in this area.

Mr. Speaker, I believe this information underlines the urgent need for Congress to act to help alleviate the distress which handicapped children and their families are experiencing.

Passage of the Education for All Handicapped Children Act would mean a genuine stride forward in meeting that objective.

HON. FERNAND J. ST GERMAIN INTRODUCES LEGISLATION TO LOWER THE SOCIAL SECURITY RETIREMENT AGE TO 62

The SPEAKER. Under a previous order of the House, the gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 5 minutes.

Mr. ST GERMAIN. Mr. Speaker, in each session of the Congress since 1968, I have introduced legislation to allow women to retire at age 62 with full social security benefits. I favored a similar provision for men but thought that would follow enactment of the bill for women.

Now that both the Senate and House have approved the Equal Rights Amendment, however, I feel legislation in this area must give equal treatment to both men and women.

Consequently I am introducing legislation today which would allow both men and women to retire at age 62 on full social security benefits with complete medicare coverage. The provisions of this bill apply to anyone who reaches the age of 62 and has paid into the social security fund for at least 30 years or 120 quarters. Although men and women can retire under the present law at age 62, they receive permanently reduced benefit payments amounting to 80 percent of the benefits they would be eligible for if they waited until age 65 to retire. My bill would give them 100 percent.

Moreover, those who retire under the present law at age 62 cannot get medicare coverage until they reach age 65. The legislation I am introducing extends medicare coverage to individuals retiring at 62.

Early retirement would be completely voluntary, but it would be available for anyone eligible who desired it. There are, of course, many older Americans who are eager to continue working, even past the age of 65. The widespread discrimination against these workers with their skills and vast experience is senseless and must end. On the other hand, at age 62, most men and many women have been working for well over 30 years, and if they wish to retire should be able to do so.

Too few people realize that many countries, both rich and poor, have a lower retirement age than the United States. For example, a man can retire on a pension at age 60 in France, Italy, the U.S.S.R. and Argentina, to name just a few. In India it is 55. Altogether over 65 countries have a lower retirement age for their social security programs than the United States; and these countries have lower income levels than we do.

Lowering the retirement age to 62 would help the young as well as the old. If workers retire earlier, more job opportunities will open up for people just starting on their careers, and it is among these people that unemployment is the highest.

Mr. Speaker, in closing I would like to express my hope that the Congress will recognize the need to lower the retirement age and will take action on my proposal.

FEDERAL EMPLOYEES SHOULD BE FIRST-CLASS CITIZENS PROTECTED BY THE FIRST AMENDMENT

The SPEAKER. Under a previous order of the House, the gentleman from Montana (Mr. MELCHER) is recognized for 5 minutes.

Mr. MELCHER. Mr. Speaker, a three-judge Federal panel on Monday took a step which, hopefully, will lead to taking the political shackles off some 2.7 million Federal employees.

To this I say: "Well done."

There is no valid reason for a person to be deprived of the basic right to engage in partisan political activity just because he or she happens to work for the Government.

This 33-year-old law—the Hatch Act—actually has made second-class citizens out of this segment of our society. They deserve freedom to take affirmative action in the Nation's political process.

I hope, Mr. Speaker, that the Supreme Court does not delay in reviewing the ruling made this week by U.S. District Judge Gerhard A. Gesell.

And, I also hope that the Supreme Court agrees with the 2-to-1 decision written by Judge Gesell which found the High Court's 1947 action upholding the constitutionality of the Hatch Act was "outmoded by passage of time" and later decisions involving first amendment rights.

Judge Gesell, in his majority opinion, wrote:

> Ours is not a form of government that will prosper if citizens, particularly federal government servants, must live by the mottos "Better be safe than sorry" and "Don't stick your neck out."

This ruling found the Hatch Act, passed in 1939, was too broad and in violation of Federal employee's first amendment rights.

However, it does not touch the part of the Hatch Act which applies equally to State and local employees who work in federally funded programs because they were not represented in the lawsuit. They were brought under the umbrella of the act in 1940. It also does not touch provisions designed to protect employees from coercion.

It is my understanding, Mr. Speaker, that the Civil Service Commission plans to continue its enforcement of the Hatch Act pending action by the Supreme Court.

This country has functioned since its beginning on a partisan political concept and we cannot sensibly forbid such a large segment of the population from playing an active role.

Democrats as well as Republicans should join in their praise of the court ruling. With all of the liberation movements underway in the Nation, now hopefully we are reaching out to free these millions of employees who are hobbled by existing provisions of the Hatch Act.

EXPORT OF COWHIDES

The SPEAKER. Under a previous order of the House, the gentleman from Oklahoma (Mr. EDMONDSON) is recognized for 5 minutes.

Mr. EDMONDSON. Mr. Speaker, I have taken this time to protest, once again, the shortsighted and unfair action recently taken by the Secretary of Commerce to limit exports of cowhides.

Notwithstanding the fact that less than 5 percent of the cost of a pair of men's oxford shoes goes to pay for the rawhide used, the Secretary has stated as a reason for his action the administration's desire to hold down the price of shoes.

While his action has already resulted in some cut in hide prices, there is no evidence of any reduction in the price of shoes.

It is almost certain that the experience of this administration will prove to be the same as the experience of the last administration with this experiment: Hide prices will go down while shoe prices will continue to go up—to the enrichment of the shoe manufacturers and the definite disadvantage of the cattlemen of America.

The Secretary of Commerce, in short, will be favoring the shoe business at the expense of the agricultural producer—and literally taking it out of the hides of our farm and ranch people.

As was pointed out by my colleague in the other body, Senator BELLMON:

> It is totally inconsistent for our Government to complain about low farm parity and on the other hand to take action that tends to keep the price from rising to a fair level.

Is there any contention that cattle prices are above parity? I have seen no evidence to that effect. On the contrary, while cattle prices are relatively better than prices on other farm products, the latest figures I have seen place them well below 100 percent of parity—at 93 percent.

The action taken by the Secretary of Commerce is sure to have a depressing effect on that price level, and on the net income of the farmer.

Having appealed to the Secretary of Commerce and to the President to remove this unfair limitation on exports, and having received no sign of favorable response from either, I now appeal to my colleagues to take action legislatively to right this wrong against the agricultural producer.

There are no export controls, to my knowledge, on any other nonstrategic item produced for export.

There should be none on hides.

Let us take action, by law, to end this unfair treatment of American citizens who are in the business of raising cattle.

The cattlemen of America have asked for no special favors from our Government. They are among the most independent and productive of our citizens, and their contribution to the American economy and the well-being of every family is a significant one.

The least they are entitled to is fair treatment by the Government. If the Secretary of Commerce will not act to correct this injustice against them, the Congress should act to limit the powers of the Secretary.

JANE FONDA'S DASTARDLY ACTS AGAINST THE UNITED STATES

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, public attention has once again been focused on the left-wing attacks of Jane Fonda upon the U.S. Government. During her recent visit to Hanoi, her un-American efforts to influence U.S. troops in South Vietnam to defect to the North can only be described as shameful.

We in this country possess a precious privilege in our ability to criticize governmental actions, and this privilege properly exercised can be of immeasurable value. However, overt appeals to U.S. fighting men calling for desertion of their country is a treacherous abuse of free speech which cannot be tolerated.

This great Nation was built upon the citizen's willingness to sacrifice and endure; each generation has done it and herein lies the hope for enduring peace. Peace is our common aim. Miss Fonda's destructive and contemptuous dogma is scorned by her fellow countrymen.

The Maj. Gen. Charles T. Menoher, Post 155, Veterans of Foreign Wars, of Johnstown, Pa., has passed a resolution. It is the conviction of these veterans that appropriate action be initiated to bring about an investigation and condemnation of Jane Fonda's visit to North Vietnam.

RESOLUTION

Whereas, The attempts of Jane Fonda to influence our fighting men toward traitorism and desertion cannot go unchallenged;

Whereas, This person is a peddler of communist sympathy, propaganda and influence is a disgrace to herself and more importantly to her country; and

Whereas, The activities of Jane Fonda have leaned heavily towards Communism and its teachings and diametrically opposed to what this country stands for, leave her right to American citizenship open to serious question; now, therefore, be it

Resolved, that Major General Charles T. Menoher Post 155, Veterans of Foreign Wars advocates that the showing of movies and television shows in which Jane Fonda appears be banned from exposure in this country and that she be investigated by the proper authorities to determine whether or not she should be prosecuted, and if such prosecution be pursued and if found guilty, she should be denied the right of American citizenship and declare her person non grata.

JAMES W. BOTHWELL,
Commander.
BERNARD J. KESSLER,
Adjutant.

SECRETARY OF THE INTERIOR SPEAKS AT GROUNDBREAKING CEREMONIES

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, with the groundbreaking of the Homer City coal gasification plant on Thursday, July 27, 1972, I realized the fulfillment of a dream. This project will catapult Indiana County, an area I am proud to represent, into the role of "Energy Junction, U.S.A."

This event marked the beginning of a long-sought project that will benefit the coal industry, the gas industry, their workers, my district, and the Nation; its contributions will become increasingly important as the demand for energy grows. This is the beginning of a governmental effort to head off the fuel calamity which faces our country.

I was honored to be joined at the gasification groundbreaking by the Hon. Rogers C. B. Morton, Secretary of the Interior, whose remarks on this momentous occasion warrant the attention of my colleagues.

REMARKS OF HON. ROGERS C. B. MORTON, SECRETARY OF THE INTERIOR, AT COAL GASIFICATION PLANT GROUNDBREAKING, HOMER CITY, PA., JULY 27, 1972

I am very pleased to be here with Congressman Saylor for the groundbreaking of this coal gasification pilot plant. This facility is an important milestone in President Nixon's Clean Energy Program. Its location in the great State of Pennsylvania is especially appropriate, not only because of your abundant reserves of coal but because the Nation's energy boom began here . . . when in 1859 the first oil well in this country was drilled at Titusville.

Our energy problems are much more complex now than they were in 1859. Today, we are using energy at such a tremendous rate that the adequacy and security of future supplies is doubtful. Today, energy consumption pollutes our air. Today, despite many advances, the production of energy damages the enironment and potentially threatens the health and safety of many of its workers.

These problems are beyond the scope of any one company or even a single state. The inevitable result of this situation has been a larger role for the Federal Government. Today, its role is essential. The very future of our way of life depends on a plentiful supply of energy, which we can no longer take for granted. Recognizing this, President Nixon sent a landmark message to Congress on June 4 of last year. His Clean Energy Message set forth a far-sighted program to meet the coming energy problems.

The President proposed these actions:

Completion of a demonstration fast breeder nuclear reactor by 1980

Support for research projects in fusion power, magneto-hydrodynamic power cycles and underground electric transmission

Acceleration of oil and gas lease sales on the Outer Continental Shelf

Development of geothermal steam and oil shale energy sources

A permit system to facilitate long range planning and siting of power plants and transmission lines with adequate consideration of environmental problems. This permit system would avoid the time-consuming delays we now experience because environmental objections are not being raised until construction has begun.

Efforts to conserve energy consumption, including revised FHA standards for home insulation.

An incentive charge to reduce sulfur oxide emissions and support further research.

And last, an expanded program to convert coal into clean, gaseous fuel.

On the subject of coal gasification, the President's Clean Energy Message specifically proposed that Government and industry accelerate the construction of pilot plants to develop the technology for building a large scale commercially feasible plant. Shortly after the President's Message the Department of the Interior and the American Gas Association concluded a formal agreement for implementing the President's program.

This plant is one of the first steps in the implementation of that agreement. The American Gas Association is providing one third of the $19 million estimated construction cost and one-third of the operating funds which will convert 120 tons of coal a day into several million cubic feet of pipeline quality gas. The gas will be as environmentally clean as the supplies of natural gas it will augment.

Among those who deserve special recognition for the fruition of this project is your own Congressman, John P. Saylor. As ranking minority member of the House Interior Committee, he has given us invaluable assistance again and again in the planning of Interior's programs. His untiring efforts on behalf of this project have been most helpful. Working with representatives of the Indiana County Development Corporation, he was responsible for the acquisition of this site. And, speaking of this site, we must recognize the generosity and civic spirit of the Indiana County Development Corporation which donated this land to the government. Gentlemen, we thank you for your gift.

As our Nation's most abundant resource, coal is a logical source of clean energy fuel for the future, to substitute for other sources of energy which are dwindling, and to provide the additional amounts of energy we need to continue the progress we have made in restoring the environment and improving the quality of life in America. We know we can produce gas from coal. However, we have yet to produce it at a cost which is economically feasible.

The objective of this plant, and others which will follow it, is to develop the technology to reach that objective. I am sure that we will. And in so doing, we will, in the concluding words of President Nixon's Energy Message "continue to know the blessings of both a high-energy civilization and a beautiful and healthy environment."

PRICE AND WAGE CONTROLS ARE WORKING

(Mr. GERALD R. FORD was granted permission to extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD. Mr. Speaker, of late there has been speculation as to when price and wage controls would end. I submit that such speculation is premature. It will take some time before our control objectives are fully realized.

However, let me emphasize that our price and wage controls are working despite the fact they are limited in nature and that enforcement does not require a huge bureaucracy.

I say they are working because the facts show that the rate of inflation has greatly slackened during the nearly 12 months that controls have been in effect.

We have experienced a decline of about 30 percent in the rate of increase in consumer prices when we compare the control period with the period in 1971 before the freeze. The rate of increase of consumer prices has declined from 4.7 percent to 2.2 percent from the second quarter of 1971 to the second quarter of 1972. At the same time we have seen a rapid rise in production, employment and productivity. I believe price and wage controls contributed to that marked improvement in the economy.

Most importantly, real spendable weekly wages began to rise in 1971, and the rate of rise has quickened over the past four quarters. For the average production worker in the private nonfarm economy, the increase over a year ago is 4.1 percent. That compares with an average annual increase of 1.3 percent from 1960 to 1968.

Mr. Speaker, the administration's system of price and wage controls is working—and as a result the financial well-being of the American working man is much improved.

MIDDLE EAST COOLING?

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, Anwar el-Sadat, Egyptian President, unceremoniously dismissed about 20,000 Soviets from Egypt, ostensibly in retaliation for the Russian failure to provide him with new offensive weapons.

Although not widely publicized, this move might suggest a "cooling" of the Middle East crisis. Whatever reason is attached, I am confident President Nixon's May visit to Moscow and his hard negotiations with the Soviet officials played an important part in the new posture.

The Soviets' refusal now to provide new offensive weapons to Egypt is welcome news in the great State of Israel, and perhaps a ray of sunshine through the clouds of distrust and unrest that have prevailed for so long.

This does not mean differences have been resolved, however, a relaxation of tensions can result, and the President understandably will continue his great work, seeking at least a generation of peace.

WYOMING VALLEY STRUGGLES TO RECOVER FROM DEVASTATING FLOOD

(Mr. FLOOD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FLOOD. Mr. Speaker, as the Members of Congress and the Nation know, Hurricane Agnes struck with devastating force and destruction the eastern part of the United States and really smashed with unbelievable fury the Wyoming Valley in my congressional district in Pennsylvania.

After the initial impact of such a disaster subsides, the tendency for those not directly affected is to dismiss it from their minds. This is a natural human characteristic and I so state the case without rancor or criticism.

I, therefore, was most appreciative to see this past Sunday, July 30, 1972, two front page articles on the recovery efforts now being made in the Wyoming Valley. They were most timely and serve a most worthwhile and humanitarian purpose—detailed reminders of the difficult task that lies ahead.

I thank the New York Times and particularly Homer Bigart for his excellent and penetrating article as well as The Washington Post and Douglas Watson for their fine contribution to the cause.

The aforementioned articles follow:

[From the New York Times, July 30, 1972]

WILKES-BARRE DAZED A MONTH AFTER FLOOD

(By Homer Bigart)

WILKES-BARRE, July 29.—The Wyoming Valley, engulfed by flood waters June 23–24 when the Tropical Storm Agnes swelled the Susquehanna River to record heights, remains prostrate after the most disastrous flood in the nation's history.

More than a month after sirens sounded up and down the valley and 60,000 persons fled to the hills, thousands remain homeless. Some 1,200 persons, mostly elderly, still sleep in hot and steamy schools and churches. The Red Cross continues to feed thousands. Only a handful of business places are open. Until early this week every restaurant and hot dog stand in downtown Wilkes-Barre remained shut.

Property damage is estimated at between half a billion and three-quarters of a billion dollars. There is a growing fear that without massive Federal grants the valley will not recover.

"THIS IS THE WORST"

The statistics are numbing. Drownings were few, thanks to adequate warning, but the destruction of factories, homes, possessions, jobs, the hopes and dreams of a lifetime is unparalleled.

"This is the worst I've ever seen," said Francis X. Tobin, the President's Coordinator for the Office of Emergency Preparedness. "People usually rate the severity of a disaster by the number of lives lost. Here only six persons died. But the loss of property was worse than any previous disaster, greater than the Corpus Christi hurricane of 1970 and greater than the San Fernando Valley earthquake of 1971."

Today, the hub of the business district, the Public Square, is surrounded mainly by vacant storefronts. There are a few signs of reviving activity. A newly reopened store advertises a "disaster sale." Around the corner, the Boston Store, the town's biggest department store, has opened its upper floors, but the main floor and the basement stay closed.

Everywhere teams of youths are cleaning the gray slime out of cellars and ground floors. No one in this valley will ever forget the stench. The stale smell pours from every sidewalk grate, from the open doors of the big churches on Franklin Street, from the open windows of mansions on River Street. The marble lobbies of the banks on West Market have been purged but the banks' elevator cages hold the reek.

DUST CLOUDS RISE

Clouds of dust from the river's silt rise from the streets. Every day fresh piles of discarded furniture, appliances and mementos line the curbs as housekeepers lose hope of restoring possessions that have been rotted and warped by the flood.

In South Wilkes-Barre and in Kingston, houses torn from their foundations remain abandoned in streets and fields, one of them impaled on a telephone pole. On Charles Street in Wilkes-Barre, two houses lie flattened and two others repose in a crater cut from beneath them when the river broke through a dike nearby on Riverside Drive.

The tragic impact of the disaster is seen on the faces of the survivors. John Novak's eyes reflect horror as he recalls what he saw when a dike broke at Forty Fort Cemetery on the west bank four miles above Wilkes-Barre.

The cemetery contained more than 6,000 bodies. It had been receiving the dead since the last decade of the 18th Century. Elinor Wylie, the poet, was buried there in the Hoyt family plot near the tomb of her grandfather, Henry Morton Hoyt, a former Governor of Pennsylvania.

John Novak has been caretaker since 1927. His father tended the cemetery before him, and his son works there now. He watched from the gate house as the murky water engulfed the lowest headstones. Suddenly a wide section of the pilings the Army Corps of Engineers built after the 1936 flood was undermined. The floodwaters coursed beneath the pilings with a hydraulic force that tossed gravestones about like match boxes. Three granite mausoleums weighing tons were shattered. Big trees were uprooted. Coffins and vaults were spewed from the ground.

"I saw a wave eight to 10 feet high come across the flats, and on it coffins bobbed like surfboards," Mr. Novak said.

He stared transfixed, he recalled, until the borough siren gave seven blasts, the signal to evacuate the town.

According to Harry B. Schooley Jr., vice president of the United Penn Bank of Wilkes-Barre, who is president of the Forty Fort cemetery, more than 2,000 cadavers were swept out by the flood. As of yesterday, exactly 1,000 had been recovered. They have been reinterred in Memorial Shrine Cemetery in Franklin Township eight miles from Forty Fort. The military police still bar visitors from the Forty Fort graveyard. Elinor Wylie's grave was not disturbed.

CULTURAL RESOURCES HURT

The cultural resources of the valley were dealt a crippling blow. Wilkes-Barre's two colleges, Wilkes and King's were * * * Seminary, a preparatory school across the river in Kingston.

At Wilkes College the damage exceeded $10-million, according to the president, Dr. Francis J. Michelini. The heaviest loss was to the college library, where 53,000 volumes were destroyed, and to the Dorothy Dickson Darte Music Hall.

"We had scrimped and saved to buy two Steinway concert grands at $12,000 each, and a new $10,000 organ," Dr. Michelini said. "The pianos collapsed and are a total loss. We hope the organ can be salvaged."

Another heartbreak came, he said, when after weeks of work by students who volunteered to scrape the mud from dormitory walls, it was discovered that the plaster smelled of mildew and had lost its resistance to fire. The plaster will have to be replaced, so all the student labor was lost.

Dr. Michelini was attending a conference in Harrisburg on June 23 when his wife called at 7 a.m. to report that she and their three daughters had been evacuated from their River Street home. He raced back to Wilkes-Barre in time to move the college records to the second floor of the administration building.

There was only about a foot of water in the library basement at 2 p.m., he recalled, and although the city was already under a state of "extreme emergency," the dikes, except at Forty Fort, seemed to be holding. In late afternoon the river appeared to be receding.

"Oh, boy, we're home free," Dr. Michelini told his staff, but the exultation was short-lived. That night the river began to rise rapidly again, reaching a record crest of 40.6 feet at 6:15 a.m. Saturday.

By daybreak, all of the 58 Wilkes College buildings were flooded with the single exception of the one housing the visiting team's locker rooms. The bleachers went downstream 70 yards but will be restored in time for the football home opener with Lycoming Sept. 30.

King's College, run by the Holy Cross Fathers, counts its loss at $2.5 million to $3 million.

"The library is the nerve center of the college," said the college president, the Rev. Lane Kilburn, "and it is gone. We need outright grants to replace the collections with microfilm."

King's also lost equipment for its chemistry department including a $25,000 Nuclear Magnetic Resonance Spectro Photometer.

Osterhout Free Library, the largest public library in the valley, lost 85,000 books including its reference and circulating library and almost all of its periodicals. Elizabeth Hesser, the librarian, said estimates of damage ranged from $850,000 to $900,000.

Nearly 11,000 of those affected by the flood are 65 years old and over. Some 200 of the elderly are still sleeping in classrooms and halls of G. A. R. High School, the only one of three Wilkes-Barre high schools untouched by the flood. Many of them subsist on welfare and Social Security checks.

They sit idle and morose in the central hallway. The Red Cross has tried to keep them happy by showing them movies at night and bingo games are planned. But there is an air of hopelessness. Many of these elderly will never return to their old neighborhoods because their dwellings are damaged beyond repair.

Dr. Edward M. Whalen, staff psychiatrist for the Wilkes-Barre Mental Health Center, said the community was beginning to sense the full impact of the tragedy after an initial period of numbing shock for some and for most a grim but engrossing battle for survival.

He had been quoted as saying that the valley faced "a depressing, frustrating, almost hard hit, and so was Wyoming suicidal period." No increase was reported in suicides or suicide threats, he said, but he added, "We are anticipating a great increase in demand for services.

There has been surprisingly little rancor in the valley. Some anger was expressed over slowness by the Department of Housing and Urban Development in providing mobile homes: There were 9,400 applicants for the 4,000 trailers on order.

Henry Greenwald, a lawyer, said he had heard complaints that the warning of a record flood crest came too late. Had the warning been given a few hours earlier, factories could have saved millions of dollars in inventories and householders could have moved more belongings to upper floors. As it was, people went to bed on the night of June 22 confident that the floodwaters would not surpass the 1936 mark of 34 feet and that the dikes, built to contain a 38-foot crest, would hold.

Joseph F. Collis, managing editor of The Wikes-Barre Times Leader, said: "I heard that radio stations in New Jersey and Connecticut were predicting a flood peak of 30 to 40 feet for this valley at the same time that the Pennsylvania forecasting service was predicting only 27 feet. When I left the office at 10 P.M. I figured I'd just get a little water in the cellar."

"The flood forecasting service was either wrong or tardy or both," Mr. Collis said.

Despite the enormity of the disaster, storefronts in Wilkes-Barre are plastered with cheering signs: "The Valley With A Heart. Coming Back Better Than Ever."

"It'll be a year or a year and a half," predicted Brig. Gen. Mitchell Jenkins, a retired Army officer who is a lawyer, "but the valley will come back."

Legislation pending in Congress would raise from $2,500 to $5,000 the amount of Small Business Administration loans to be "forgiven" for flood victims and would reduce interest rates on amounts over $5,000 from 5⅛ percent to 1 percent.

But almost everyone in the valley, including many of the bankers and business leaders feel this is woefully inadequate. They say most flood victims would go hopelessly in debt trying to finance new homes and refinance businesses.

Some propose Federal legislation that would treat flood losses as insured fire losses and that the insurance be made retroactive for the victims of Tropical Storm Agnes.

[From the Washington Post, July 30, 1972]

HOPE, BITTERNESS VIE IN FLOOD WAKE

(By Douglas Watson)

WILKES-BARRE, PA., July 29.—The flooding caused by tropical storm Agnes is history for most Americans, but in northeastern Pennsylvania's Wyoming Valley, it's still a muddy, dusty reality that keeps thousands homeless.

While the record flood waters receded more than a month ago, the havoc they wrought has left the people here fighting an uphill battle to put their lives and city back together.

The streets here are still littered with piles of rubble that make much of the city appear to be under a bombing siege. Bitter anxiety grows for many of the homeless.

"I've got to house 35,000 people in this valley," says Francis X. Tobin, the man in charge of the U.S. Office of Emergency Preparedness' operation here.

Tobin, a veteran crisis commander who went in to help after Hurricane Camille devastated the Gulf Coast in 1969 and after the San Fernando earthquake shook California in 1971, says he has never seen such great need as here.

Pennsylvania suffered far more destruction from the June flooding than any of the five other states declared disaster areas. For example, $287.3 million of an estimated $407.6 million in total road damage was in Pennsylvania.

After 70 per cent of this state's losses occurred here in the narrow Wyoming Valley, where everyone of the 225,000 residents has been in some way seriously affected by the once raging Susquehanna River that now flows quietly again within its banks.

Morale-boosting signs reading "Rebuild We Will!" and "The Valley With a Heart Coming Back Better Than Ever" are posted throughout the flood-stricken region. Many battered homes display American flags as a "thumbs-up" gesture.

But officials and residents agree that, despite the positive symbols, for many flood victims these are the darkest days.

"They're now in what I call the third stage. The first stage was a few days of excitement at the time of the flood. The second was a period of gung-ho hopefulness and brotherly love. Now, they're in a depressed stage, feeling the full impact of the long road ahead," says John Haller, chief of the Small Business Administration offices here.

Several people died here in the flood, some 800 bodies have been recovered in the Wilkes-Barre area. These and hundreds more still undiscovered corpses were washed away from a cemetery by the swollen river.

One family returned home to find a skeleton on the front porch. A man cleaning the mud out of his basement struck a skull. "They're finding them all over," said one woman.

Many people here now bitterly see the few deaths as a mixed blessing that has caused most of the country to forget about Wilkes-Barre. "If there had been wholesale deaths, we would have gotten enough help to rebuild this place by now," says a local broadcaster.

A lot is being done, but it pales beside what the flood did. The flood:

Inflicted heavy damage or totally destroyed 15,493 homes in Luzerne County alone, while doing less serious damage to 5,493 more homes, according to a Red Cross survey. In Kingston, across the river from Wilkes-Barre, only 20 of 6,000 homes were untouched by high water.

Eliminated, at least temporarily, 30,000—a fifth—of the region's jobs, cutting off regular income for thousands of families who desperately need it. Wilkes-Barre's entire central business district was under eight to 10 feet of water, and 112 industrial plants and hundreds of other businesses were in the flood zone that covered 29 per cent of the city.

Left the Red Cross still serving 19,000 meals a day at 25 schools and field kitchens, down from 28,000 meals a day just after the flood. Many families continue to have no place or means to cook. A federal official said 80,236 families have received food stamps.

Kept the U.S. Army Corps of Engineers and other volunteers steadily hauling away more than 125,000 tons of debris a day from the Wilkes-Barre area for the first 2½ weeks following the flood.

"There's a sadness throughout the valley," said the Rev. Alan Hipkiss of Memorial Congregational Church in Edwardsville, across the river from Wilkes-Barre. The church had housed 50 refugees. Of the 300 families in its congregation, 58 were left homeless.

An Englishman who lived through the German bombing of London in World War II, Mr. Hipkiss said that in the Wyoming Valley the flood produced "human nobility you don't find under normal conditions."

But Mr. Hipkiss was only one of several people who warned that frustration with officialdom is now producing an opposite reaction in many homeless, embittered people that could lead to individual, if not organized violence.

One woman waiting at HUD's headquarters here twiches abnormally. Another with a young child in a torso-wrapping cast screams, "We have no place to go tonight, you bastards."

National Guard Cpl. Jim Gillespie says he and other soldiers who served two-week tours in the Wilkes-Barre area were struck by how strangely silent and irrational some flood victims seemed.

Asked whether some flood victims are asking too much, OEP's Tobin says: "They aren't being unreasonable. These people have suffered a great deal. They are tired and frustrated and they can't always see progress."

Tom Edwards stands in the HUD headquarters as he has every day recently and says, "A trailer was OK'd for us two weeks ago but we still can't get it. Everybody you ask tells you to see somebody else. To me, this is ridiculous. It's so unorganized for an organization of this type."

Edwards, his four children, wife, and mother-in-law have been living in their flood-damaged house in Kingston, for a while without sewage service or electricity.

Recently Edwards, an offset printer, and some neighbors blocked their street with debris in an unsuccessful attempt to attract publicity about their plight.

"All my kids have been sick. I've got to get my family out of there. I'm at the point where I'm getting frantic," he says.

Housing is a disaster area's biggest need, officials and victims agree. An official at the emergency command post, housed on the top two floors of a college dormitory, said 12,000 families in the valley have applied for housing and 9,000 have so far been approved for it.

However, by Wednesday, HUD reported that only 903 families had been housed. "Yesterday we placed 57 families. We've got to do a lot better than that, at least 100 families a day," says Walter Pearsons, deputy director of HUD's Eastern Pennsylvania relief operation.

Of the 903 families housed, 545 were in small travel trailers that are being used for the first time in a large-scale disaster housing effort, and 122 were put in larger mobile homes.

There is concern here already that people won't be adequately housed for Pennsylvania's rugged winter, where the first freezing temperatures come in mid-October. But Tobin insists, "We'll have everybody housed here within three months."

Mrs. Joseph Fedorchak, a grandmother, stops shoveling fallen plaster to look sadly around at the home where she had lived for 24 years. "This was all remodeled just nine months ago," she says.

Now, after the flood waters crested 2 feet above the bathtub upstairs, all that is left is a dirty shell. All the furniture is gone. All the doors are warped and won't close properly.

"It was landscaped beautiful," say Mrs. Fedorchak as she stares at a backyard without a single blade of grass.

The day before a long-awaited trailer arrives, Mrs. Fedorchak says "tired is not the word" for how she feels. "You do not know if you're coming or going. We're just in shock."

By far the angriest and most frequent complaints about government aid, or the lack of it, are aimed at HUD. "There's confusion everywhere. They don't know what they're doing," says Mr. Hipkiss after a futile attempt to ascertain who was in charge at HUD's Wilkes-Barre headquarters in the Mackin Elementary School.

During peak period when crowds of homeless applicants swarm to the school seeking a trailer or other housing, confusion reigns. A reported who asked to speak to a supervisor was told by a half dozen employees that they didn't know who their superior was.

Ed Warwick, one of the many recently hired HUD employees, insists, "A lot of people are jumping the gun. There's a lot of exaggeration. We're on a positive course." But Pearson, in HUD's Scranton office, says "We can't even get them (HUD's Wilkes-Barre office) on the phone."

The homeless residents charge favoritism and complain of unclear criteria in distributing the trailers. They point to the fact that a local judge was one of the first to get a new trailer. "There may have been inequities at first, but rest assured there are none now," says Warwick.

The Jackson Street School in Edwardsville has been home to more than 50 flood victims for the past five weeks. Men, women and children sleep together on cots in the classrooms, and eat Red Cross-supplied meals in the school hall.

A visitor there is greeted by a deluge of complaint from the homeless. "Dearest God, don't they have no system?" says one woman. A young immigrant who has to send his family back to Holland, says, "I want no recreation, I want a mobile home."

"If you're not here when they call you on the phone, someone else will get the mobile home," another woman warns. One of the few quiet ones is Martha Posniak, 81, who for the past week has been sleeping on a cot like the others.

Many of the refugees are wearing clothes given them. Men and women take turns every other night taking showers. Two MPs are on hand each night for guard duty. Georgia Smith, a school nurse from Cherry Hill, N.J., is also there as a volunteer aide.

Medical facilities were especially hard hit by the flood. Two of the area's key hospitals were put out of operation and still aren't ready for the evacuated patients to return.

Tobin says 167 of 300 doctors in the Wyoming Valley lost their clinics and 50 of 57 pharmacies were knocked out by high water.

Navy Corpsman Dennis Kuftic, who has been serving at a clinic 12 hours a day, says, "The people are beat, there are no two ways about it."

Kuftic has been seeing 150 people a day, most frequently for punctures from nails that litter their yards, and for sore throats and bug bites.

"What they're really looking for is someone to care about them," says Kuftic.

Dr. Richard Shoemaker of the Luzerene County Medical Society says Wilkes-Barre is "probably the most frustrated city in the United States" and one result is likely to be a long-term upsurge in chronic illnesses.

There have been four suicides in the past three weeks, which is more than usual for this heavily Catholic area, but much less than many officials feared.

"Who would ever think such a thing could happen? But what can you do? It's life," says Herman Goldberg to a stranger sitting across from him in the motel restaurant.

The Goldbergs left their second-floor apartment in Southwest Wilkes-Barre, the city's hardest-hit section, at 5 a.m. June 23 when warning sirens awoke them. They only took a few pairs of shoes and some pants. Everything else was ruined by the water that reached within five inches of the roof.

The motel has been Goldberg's home since the flood, but now the retired shoe factory worker, a Wilkes-Barre resident for 22 years, is about to leave with his wife for Atlanta, Ga., where their nephew has found them an apartment.

The 164-room motel where the Goldbergs have been staying hasn't had an empty room since the flood, being filled almost entirely by displaced persons and emergency workers. Though many of the guests are now good friends, they aren't really enjoying their stay.

"I can't sleep nights. I get up at 4 and 5 a.m. How do I know what it's going to be like in Georgia?" asks Goldberg.

When the north branch of the Susquehanna, usually only several hundred feet wide, broke through and rose over the levees in the Wilkes-Barre area, the rampaging water spread out a mile and a half wide.

Flood stage at Wilkes-Barre is 22 feet. The notorious 1936 flood reached 33 feet. The levee at Wilkes-Barre was 37 feet, but the June flood reached more than 40 feet. Seldom has the difference between two numbers made such a difference to people.

One-third of Wilkes-Barre's residents lived in flooded sections, including the most prosperous neighborhood that bordered the river. The city's low-income Model Cities area was untouched, but another section of old homes whose residents had just completed an ambitious code-enforcement program of upgrading their homes, was heavily damaged.

The flood knocked out electricity service to 9,277 city homes. Leo Corbett, city public works director, says 3,441 of these homes have had service restored.

Sewage facilities were unavailable in 35 per cent of the city, but now only 18 per cent of the homes' toilets are unuseable. Water service was unaffected, Corbett says.

Only 12 of the 50 stores and offices on Public Square, the heart of the city, are open. Two of the city's three department stores are still closed; the third displays a sign reading, "Our second, third and fourth floors are open."

A visitor is likely to see such unusual sights as telephone repairmen using women's hair dryers to dry out telephone circuits, or a bank teller using an iron to take the wrinkles out of financial records.

Carl W. Naessig Jr. lives in one trailer with his family and has his insurance office in another, having lost both his former home and office to the Susquehanna.

Based on the claims his firm has received, Naessig estimates that 1,500 automobiles in the Wyoming Valley were destroyed by the flood. He says lately there has been an upsurge in claims filed because of apparent looting and pilferage. He also says that to his knowledge, only two people in the entire valley had flood insurance.

It's easier for Naessig to assist others with their problems than to think of his own. "I cried so hard for an hour and a half when I saw my home (after the flood), that I couldn't see what I was doing," he recalls. "When you have to throw out the kids' toys, it hurts."

There are allegations of waste, looting, carelessness. Joseph O'Connell, an aide to Gov. Milton J. Shapp, says some local officials tried to get priority housing for friends. He also says a private airport owner refused to permit emergency crews to use an empty hangar. The state obtained a court order closing his field, and it's now being used for a trailer park.

Some National Guardsmen say many local people whose homes were undamaged collected food earmarked for flood victims. "Some have boasted they have enough food in their basements to last three years," says Mr. Hipkiss.

Part of the problem was that those whose need was greatest often had no working radios, television sets or autos, and so often were the last to learn of available aid or to be able to get it.

Several soldiers say they know of truck loads of food that were allowed to spoil in the first days after the flood, though officials deny this. Some Guardsmen are said to have salvaged television sets and other appliances from abandoned homes.

Greater efforts are being made now to insure that those using the free rooms, free food services and other free disaster aid are in fact, flood victims.

And the residents, despite the suffering they have experienced in the past month, are settling down for the long haul, aiming the time when the flood for them, perhaps will become just another memory.

Says a local journalist: "A lot of these people are just not going to give up."

SAMIZDAT AND DISSENT IN THE U.S.S.R.

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I should like to call to the attention of my colleagues one of the most remarkable books on the Soviet Union that I have ever read. It is titled "Uncensored Russia—Protest and Dissent in the Soviet Union." Edited and translated by Peter Reddaway, it is a compilation of the dissenting publications of the increasingly active proponents of the regime in that country.

Circulated in the form of Samizdat, these publications amaze one by the completeness and extent of their information. Their purpose is to make effective the verbal guarantees of the Soviet Constitution and the extent to which they have succeeded in compelling the authorities to conform to civilized norms is remarkable. It is startling to read the actual transcript of an interrogation by police officers with complete questions and answers and it is heartening to discover the manner in which the secret police can now be compelled to obtain warrants for searches and be required to limit the scope of the property taken in such searches. Also remarkable is the speed with which the Samizdat circulate and the extent of their circulation within this broad country. Many of the pictures are remarkable and show incidents or conditions little known to the West, such as the breaking up of the Tatar Festival in 1968, the marching of prisoners at Oryol, the presence of Titov at the window of a psychiatric hospital in which he was confined and the presence of General Grigorenko at the protest outside the Czech Embassy in 1968.

The elements of change, of sensitivity, of increasing legality, of continuing persecution, of nationalistic ferment and of substantial opposition to the regime contain significant implications for the future. Everyone interested in the U.S.S.R. should read this fascinating and significant book.

THE LATE HONORABLE ALLEN J. ELLENDER

(Mr. MAHON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MAHON. Mr. Speaker, I was greatly shocked at the passing on Thursday last of Senator Allen Ellender, the distinguished, able, and incomparable chairman of the Senate Committee on Appropriations.

It has been my great privilege to work with Senator Ellender over the years, and especially so during his chairmanship of the Senate committee. He performed magnificently in moving the important appropriations business with skill and dispatch in the Senate. A man of boundless energy and enthusiasm, his unrelenting drive and determination to move bills along and to do an orderly job of handling the public business was outstanding.

I have lost a great personal friend—a man whom I admired tremendously—and I want to pay tribute to the memory of this great American and to express sympathy to his loved ones left behind.

Senator Ellender loved his country, he loved his colleagues, he loved his family, he loved life. He wrought well. And he will be greatly missed.

WASHINGTON POST DEBATES ITSELF OVER POLLUTION CONTROL

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, as we all know, competition is lessening among Washington newspapers and the city is now down to two dailies.

Apparently in an effort to make up for the lack of competition—and diversity of editorial comment—the Washington Post has adopted a policy of debating itself. At least this policy is evident insofar as the question of pollution control is concerned.

On Tuesday, July 25, the Washington Post castigated the Democratic leadership for promoting a bill which would have moved $5 billion into the pipeline for local communities in desperate need of water and sewer facilities. The Post editorial described the bill as unnecessary.

But 3 days later—on July 28—the Post came out strong for pollution control and suggested that the administration—which it had supported in Tuesday's editorial—was not doing enough to push the pollution control bills in the Congress. To support its new position, the Post picked up verbatim many of the arguments which we had pursued during the floor debate in support of the $5 billion water and sewer package—the legislation which the Post so bitterly opposed in Tuesday's editorial.

Mr. Speaker, I want to place in the RECORD copies of these two editorials: First, the Post propollution editorial of Tuesday, July 25, with the title "One Victory for Sobriety in the House," and second, the Post antipollution editorial of July 28, with the title, "Pollution in a Political Season."

Mr. Speaker, I also want to place in the RECORD a copy of a letter I sent to the Washington Post in answer to their editorial against pollution control.

The items follow:

ONE VICTORY FOR SOBRIETY IN THE HOUSE

Last week the House of Representatives, in a flash of good sense, voted down a bill to pump $5 billion into community water and sewer projects this year. While the decision of the House is heartening, the message for beleaguered taxpayers is somewhat ominous—first, because this unnecessary bill was considered seriously by the House at all, and second, because the margin of decision on the crucial amendment was a slim three votes.

The bill, with the beguiling title of "The Emergency Community Facilities and Public Investment Act of 1972," was devised by Chairman Wright Patman and the House Banking and Currency Committee, aided and abetted by the House Democratic leadership. The gist of the bill was simple: it authorized the Secretary of Housing and Urban Development to commit up to $5 billion for water and sewer projects in communities with substantial unemployment. This largesse, supporters of the measure claimed with appropriate earnestness, would at one swoop save the environment, put people back to work, give cities and towns essential public works, and lift financial burdens from the budgets of those struggling little towns.

Aside from the detail that HUD's backlog of pending water and sewer grant requests is only about $2 billion, the major objection to the bill was that it seemed slightly redundant, since the House had already passed several other measures to meet the same needs—including the $18-billion, three-year water pollution control package now in conference, and the $29.5-billion revenue-sharing bill now in the Senate, Rep. George H. Mahon, Appropriations Committee chairman, and other procedural purists were also troubled because the bill had received only one short day of hearings, without any administration witnesses, and because the proposed $5 billion in building blocks was totally unbudgeted. Representative Patman's team seemed to consider these aspects mere technicalities.

After a typical House debate between the champions of generosity, mostly Democrats, and the watchdogs of the treasury, mostly Republicans, the House reached a rather surprising result: the treasury won. By a teller vote of 197 to 194, an amendment was added providing that grants could not be made in any year when the projected federal deficit exceeds $20 billion. That amendment, Representative Patman conceded, ensured that the program "would never be used," and indeed the House ended the day by killing the entire proposition, 206 to 189.

Reassuring as the ultimate outcome was, the episode shows that the silly season has opened once again on the Hill. Wildly inflationary and simplistic bills such as this, which would never reach the floor so quickly in March, are likely to pop up on the calendars of both houses quite frequently between now and adjournment. Those 197 members of the House should be commended for recognizing that the Patman ploy served no legitimate "emergency" at all. But as sessions lengthen, tempers shorten and partisan games increase, the cause of sobriety in government may be hard put to maintain its majority.

Pollution in a Political Season

For years New York City and the Passaic Valley Sewerage Commission, which serves Newark and 27 other New Jersey communities, have been pouring almost two billion gallons of toxic wastes into New York harbor every day. Last week the Environmental Protection Agency gave those jurisdictions 180 days to submit plans for adequate sewage treatment, and the Justice Department filed suit under the Refuse Act of 1899 to make them accept responsibility for either halting or treating the streams of industrial wastes being funneled through the region's sewer systems by private firms.

While such prodding of the New York area's sewer agencies may be well-deserved, however, only the most credulous will believe that these initiatives alone can restore purity to the dismal waters at the feet of the Statue of Liberty. The sheer volume of filth involved is discouraging: the 350 million gallons of sewage which New York City pours raw into the Hudson every day is about as much as is treated in the entire Washington area, and the outdated Newark plant alone spews out some 8,000 pounds of toxic metals daily, spawned by over 700 separate industrial plants. The laws which the administration invoked are self-evidently too weak to cope with such complex pollution. Among other things, the 180-day-order approach is riddled with delays, and court decisions have rendered the Refuse Act almost unworkable. Finally, any real cleanup program for the harbor must cost billions, including many millions in federal aid—and, as champions of Washington's stalled Blue Plains project know, not a penny in federal funds is available.

Despite these circumstances, it would be wrong to charge, as Mayor Lindsay has, that the New York actions are simply politically inspired. The present water quality laws, however deficient, should be used. The important question is whether the administration is prepared to push Congress to finish up its work on the new legislation needed to clean up New York harbor, the Potomac and the nation's many other endangered waterways.

From all accounts, the water quality bills need rescuing. With billions of dollars in public and private investment and the profit margins of many companies hinging on the final wording of every clause—not to mention the future of pollution control—the Senate and House conferees have met at least 23 times without reaching accord. The dominant outside forces are not propelling them toward compromise. Some environmental groups, originally enthusiastic about the Senate bill, have grown cynical about the entire process, while some influential industries, though ostensibly backing the House approach, would prefer no bill at all this year.

The situation is further complicated by certain ambiguities in the administration's attitude. President Nixon did recently list water quality legislation as among the 20 environmental bills he hopes "to have the opportunity to sign," and EPA Administrator Ruckelshaus has been earnestly urging action on several bills. Yet White House lobbyists do not give pollution control the same priority as, for instance, revenue-sharing or anti-busing legislation. And environmentalists remember all too well the go-slow, "wait-a-minute" speeches which used to be standard fare for former Commerce Secretary Maurice Stans, who is now a top Republican campaign fund-raiser.

As Congress struggles toward adjournment, the comprehensive water quality bills should not be allowed to founder either on the rocks of rigid principles or of election-year politics. Although we regard the Senate bill as the stronger and more desirable on many points, even the House bill is generally superior to present law, and both would provide the funds and regulatory framework needed to come to grips with such stubborn problems as those of the New York and Washington areas. We hope that the administration will press for results as vigorously on Capitol Hill as in New York, and that the two Public Works Committees will redouble their efforts to shape an acceptable compromise.

JULY 26, 1972.

THE EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: Your editorial in Tuesday's edition, "One Victory For Sobriety In The House," misses not a single Republican cliche against the expenditure of Federal funds for water and sewer facilities.

Your editorial and the Republican's election year charges notwithstanding, the overriding and fully-documented fact is that there is a tremendous need by thousands of communities across the land for these types of facilities. The Washington Post—for reasons best known to its editors—has never bothered to cover any of the hearings and discussions which have taken place about this issue over the past several years and this undoubtedly accounts for the mass of misinformation which appears in your editorial.

Few items have received more attention in the Committee than the effort to provide funds for these facilities and, despite the silence of the news pages of the Washington Post, there has been a running battle between the Congress and the Administration on this issue. In 1970, the President vetoed an appropriations bill which had, among other things, substantially increased the funds for water and sewer plants. This placed the nation even further behind in its efforts against pollution and this year, the President has impounded $500 million of funds appropriated and earmarked by the Congress for these purposes.

The $5 billion bill, which your editorial criticizes, was drafted in an attempt to break this impasse with the Administration and to provide help for local communities. The editorial talks about a $2 billion backlog of applications at H.U.D. despite the fact that the hearing record—fully available to the Washington Post—contained 929 pages of applications involving $12 billion of water and sewer plants across the nation. In addition, it is a well-known fact that the Administration's opposition to this program has discouraged many local communities from filing applications and has forced the withdrawal of other requests. So the real need is much greater than is documented even in the Committee's hearing record.

The National League of Cities estimates that a total of $33 billion to $37 billion will be needed for sewage treatment facilities alone in cities throughout the nation during the period 1971–1976. This projection does not include the needs of 30 thousand rural communities presently without water systems and the more than 40 thousand without basic sewer facilities.

This tremendous backlog of needs is completely ignored in the Republicans' charges—ably parroted by the Washington Post—that other programs can take care of the problem. The Post refers to the water pollution control package now in conference and ignores the fact that the Chairman of the House Public Works Committee, which originated that bill, stated that the $5 billion bill of the Banking and Currency Committee was an essential and complementary adjunct to the Public Works package. In addition, the National Association of Counties made the same point in a letter which became part of the record on this bill and I quote from the letter written by Bernard F. Hillenbrand, executive director of the Association:

"Additionally the House has recently passed a strong and far reaching water pollution control bill authorizing $18 billion for the construction of badly needed sewage treatment facilities. But this legislative action will have no value unless funds are provided for the other parts of the system—the basic sewer lines. Thus, the need for increased funding, as is proposed in H.R. 13853, is evident."

The Washington Post also ignores the fact that the Banking and Currency Committee's bill provided for the first time the authority for 100% grants for local communities for the construction of these facilities. This is not duplicated in other legislation. This is a necessary addition to the pollution abatement effort because many local communities, particularly smaller towns, have exhausted their base and they have no means of raising funds to pay for these expensive, but essential, health facilities. Grants may be unpopular but I will argue that the health of the nation should have priority in these considerations.

The editorial describes the bill as "wildly inflationary" and expresses deep concern about the expenditure involved in such a program. The Post does not document how the construction of water and sewer facilities would be inflationary, but the delays—which have been promoted by the philosophy enunciated in the editorial—are the very reason that this nation is facing great costs in cleaning up its streams and providing necessary community facilities in all areas of the nation. The procrastination and short-sightedness—which was so evident in the Republican vote against the bill—is raising the cost, not to mention the hazards. It is absurd to think that the nation will be able to ignore these problems much longer or be able to escape the heavy expenditures needed to correct years of neglect.

Spending for community facilities is no more nor less inflationary than funding for other projects. It is more correctly a matter of priority and an overwhelming majority of the Democrats felt that the construction of much-needed water treatment plants had a higher priority than many other items budgeted by the Nixon Administration.

Ironically, the day before the bill was debated on the Floor, the Environmental Protection Agency had filed lawsuits against New York and New Jersey communities because of the pollution of the New York harbor and the tributaries leading into that body of water. On the one hand, we had the Administration filing lawsuits and on the other hand fighting hard to withhold funds which might help these communities solve their pollution problems. It is also ironic that the Washington Post editorializes against funds for local communities when so many problems associated with inadequate water and sewer facilities are being debated in communities well within the circulation range of the newspaper.

The Post dismisses the employment aspects which would have been a side benefit from the construction of needed community facilities. Not only would the construction of these facilities provide between 500 thousand and one million jobs—when the program was fully utilized—but it also would allow many small towns to construct the water and sewer plants necessary to attract and retain industry. The Post has often supported the need for rural development, but now it opposes a bill which would provide funds for the Number One development need of these smaller towns.

The Washington Post describes this as "the silly season" on Capitol Hill and I fully agree when the Republican leadership and a great metropolitan newspaper can be so flippant about needs which are so thoroughly documented over and over again.

We may honestly disagree about the definition of the term "emergency," but I will argue—strenuously—that it is an emergency of the first order when hundreds of communities continue to pour millions of gallons of raw sewage into streams and when there are millions of people who want to work, but do not have jobs.

Sincerely,

WRIGHT PATMAN,
Chairman.

ADDRESS BY PAUL E. BRAGDON, PRESIDENT, REED COLLEGE

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, I would like to share with my colleagues a courageous speech by the president of one of the colleges in my congressional district. The speaker is Paul Bragdon, president of Reed College. The occasion—his inauguration as president—should have been a happy one for him. But events proved otherwise. The scheduled speaker understandably declined to subject himself to the jeers, taunts, and insults which some in the college community promised to deliver, they having decided before the fact that his words were unacceptable. Consequently President Bragdon himself took the podium and delivered a magnificent defense of freedom of speech.

As Jefferson said long ago:

> Eternal vigilance is the price of liberty.

Yet it is astonishing that, as our Nation approaches its 200th anniversary, we still find the guarantees in the Bill of Rights the subject of attack over and over again. Each generation seems to have to learn anew the true meaning of freedom of speech, for each generation breeds—unaccountably—passionate devotees of the "closed mind." Few things demonstrate more clearly the essential affinity between the far left and the far right than their mutual dedication to only hearing one side of an issue. The thought-control they impose on themselves is, of course, their business. But it becomes our business when they presume to tell the rest of us whom we can or cannot hear, whose ideas we may or may not consider.

It is particularly distressing to find these zealots of intellectual tyranny operating successfully on college and university campuses. Here above all, at our centers of learning, the freedom to think, to inquire, to discover, to hear, and to decide one's own mind, should be cherished. Understanding this thoroughly, President Bragdon gallantly and eloquently defended intellectual freedom. I am proud to share his remarks with you:

ADDRESS BY PAUL E. BRAGDON

Today is, of course, supposed to be a happy occasion. An occasion when the Reed community—Faculty, students, staff, alumni and trustees—come together with the larger community. An occasion when we mark the best in our past, and affirm a determination to maintain and strengthen the College in the midst of the "new depression" affecting all colleges and universities. And, an occasion, too, when a new President, whose job description calls for an infinite capacity to listen, listen, listen—to faculty, to students, to alumni, to trustees, to *vox populi* and, of course, to wife and children—at last has the opportunity to talk and to savor a momentary intoxication with the sound of his own voice.

Regrettably anticipation of the occasion has been clouded by an anxiety which has continued to hover over us today. As it has elsewhere over the past several years, tension has supplanted exhilaration and precaution has replaced reflection. The cause? A small number, who correctly conclude that our guest, Mr. Moynihan, is not a "revolutionary" and does not subscribe to their particular orthodoxy on the causes and cures of significant social problems, demanded that the invitation by the College be withdrawn, or that Inauguration be cancelled—all in the context of what a concerned student described as "a veiled threat." Yet another small number, properly concerned about a major problem in society, claimed the right to this platform here, now, this afternoon to speak on its cause to this audience. It's of no consequence, apparently, that the audience is assembled under different auspices for a different purpose and program—or that the subject concerning them probably commands more column inches in newspapers and magazines, more hours on television news, "talk" and public affairs programs and more book titles than almost any current public issues! Because of the combination of demands this occasion, in addition to its other aspects, now serves as a renewed reminder, if one were needed, of the vulnerability of the academic community and of the fragility of the structure supporting free inquiry and the free discussion and exchange of ideas. Last April the Faculty of this College adopted a statement:

"The affairs of the College are conducted under constitutional government. The campus is an area of the freest exchange and open discussion of ideas. The use of force or threat of force is intolerable in such a community."

The validity of that statement, or recodification, has been put to the test.

Last September I expressed a hope to the Faculty:

"I hope that the latter-day McCarthyism on the American campus—the assault of the late '60's on academic freedom and civil liberties corresponding to the attack from without of the early '50's—is on the wane. Hopefully, the academic community (particularly faculties and students) is ready to stand together in resisting attempted invasions. Absent community sentiment and determination, no President, whether a resistor, as I would hope to be, or a trimmer of sails, can successfully withstand assaults of the order of the recent past. Let us hope, then, that faculties and students everywhere have learned that the remedy for great social and national problem is not to be found in attacking the vulnerable and generally benevolent institution close at hand. And let us hope, too, that we have created and will continue to create effective, responsive mechanisms for the consideration and resolution of our own problems on campus."

The legitimacy of the basis of my hope has been challenged.

At the center of this test of principle and challenge to the basis of hope—abstractions both—there's a human being, of course. Mr. Moynihan—not an abstraction at all. To meet my responsibility to our guest I was obliged to advise him of the late curtain rising on "poor theatre" here. Thereafter, the hours were filled with anxiety that Mr. Moynihan, in view of a recent agonizing experience elsewhere, would see wisdom in remaining home, and no reason to cross the country to run the risk of embarrassment, harassment and attempted intimidation. As I lay awake at night, I even imagined the text of a telegram dispatched from Cambridge:

"Regret that Reed College, which has offered its platform to a wide variety of guest speakers with diverse backgrounds, experience and points of view and has a long and unbroken tradition of not denying the platform to any guest, has at last met a test the community cannot pass. I refer, of course, to the unwillingness to receive and hear an American of Irish descent from humble but honest circumstances. I hope that your liberal policies will one day be extended to include me. Cheers,

"PAT MOYNIHAN."

Fantasy was quickly followed by hard fact—a real telegram from Cambridge signed by the real Pat Moynihan expressing his "disappointment and discouragement" that some were using his appearance "to threaten to spoil" my Inauguration. And the wire went on to say:

"I must tell you under the circumstances I cannot come. I have had only one such encounter and do not want to disrupt my peace of mind now that I am returned to scholarly pursuits."

Mr. Moynihan quickly reconsidered when apprised of the strong sentiments of the Reed community that Inauguration proceed as planned. He was sympathetic. too, to the determination of a new President that the first public occasion of his Administration not be marked by an abdication of the principles of free speech and free discussion and exchange of ideas.

I mention Mr. Moynihan's temporary withdrawal for just one reason: to illustrate what I fear has been a fearful price paid for the campus disruptions of the past several years. Speakers have been hounded, harassed, intimidated, sometimes assaulted and sometimes denied a platform, yes, but that is but a small part of the price paid. The more significant toll lies in the invitations not extended for fear of the consequences, and in the invitations rejected out of a justifiable fear of embarrassment, harassment and intimidation. If we want the "freest exchange and open discussion of ideas"—if we want speakers at all other than the bland and boring or those who bear testimony to the majority, or aggressive minority, sentiment of the moment—then we must make the campus once again a congenial place to visit, for not everyone must come to us and some who are not obliged to come have views and opinions not commonly heard within the academic community. Today we in the audience can be pleased that we did not pay a price here for earlier transgressions elsewhere.

Now, in upholding the value of free speech, free inquiry, free expression and free teaching, implicit support is being given to a concept of a college or a university. The vision is of a provider of a liberal education and a protector of knowledge, speculation and criticism. The opportunity is presented to distance oneself, if one wishes, from the world or immediate crises. Encouragement is given to individuality, warts and all. The concern is with the heritage of culture and science. And there's an appreciation of the public and private support of scholars to pursue research and teaching, in freedom, with little constraint or interference.

Obvious? Obvious. But yet this concept is compatible with just one of the two dominant, but often commingled, strains in activism on campus in the past several years. Those who've been concerned with such issues as faculty-student relations, the impact of research and government grants on teaching, the relevance of curriculum, free political actviity on campus, the parental role of the college and university, the involvement of colleges with the state, and the excrescences on the academic process—those thus concerned may be primarily interested in changing institutions still devoted to their original purposes of teaching and research. The other strain of activism in its strongest and purest form has nothing to do with educational reform, but would convert the college or university to partisanship as an engine for revolution. Neutrality is a bogus boast, and claims of objectivity pious fraud. Therefore enlist the institution in the cause of radical social change. What's lost in joining the crusaders' ranks, of course, are the distinctive features of colleges and universities—the commitment to free inquiry, free discussion and free teaching, characteristics which would seem to have merit whatever the general state of society and public policy. Gone, too, of course, is the basis of the claim for broad societal support.

If our society loses institutions commited to free inquiry, free expression and free teaching it loses an irreplaceable resource of inestimable value. Do we want our colleges and universities to go the way of the German universities in the '20's and '30's, or the way of universities in some other totalitarian countries? At home, haven't we had enough recent evidence of the consequences of following foreign and domestic policies dictated by orthodoxies or habits of mind without reference to fresh evidence and fresh views? And, besides, who are the Elect claiming infallibility who dare substitute their views for a variety of opinions, ideas and points of view from a large number of admittedly fallible men and women?

Returning to Reed and Mr. Moynihan, my own biggest disappointment is not with the small number with "demands"—although I do remain perplexed at the profession of compassion for far away humanity combined with inhumanity to the very human human beings close at hand. The greater disappointment is with the larger number of students of good will and progressive cast who accepted labels without examining content. If the Reed experience stands for anything, it is for a spirit of skeptical inquiry, applied ruthlessly even to one's own premises and cherished beliefs. And I'm rather disappointed in the students who go beyond concern and interest in social problems to an insistence that a particular description and prescription be applied. Many of our greatest contemporary problems appear to have been created or compounded by the very linkage of concern with particular description and prescription converted to doctrine and orthodoxy. The Reed experience should develop the capacity to make distinctions, establish relationships, weigh alternatives and their likely consequences—and to ask the question: Will what I'm doing or proposing help or hurt the cause I'm ostensibly supporting?

But, on the whole, I'm pleased, pleased with the general recognition in the community of the issues involved and pleased with the determination to put our principles into practice. Taking advantage of this opportunity to talk, my subject was to have been "Beyond Buttons, Bumper Stickers and Bombast," or "Good Intentions Are not Enough." Perhaps after a further apprenticeship in listening, someone will give me another opportunity to give that talk!

HIGHER EDUCATION LEGISLATION FALLS SHORT

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, at the time I voted against acceptance of the conference report on the higher education legislation, I stated that many high expectations would not be met by the legislation—that in too many instances, it did not offer substance, but false promises—that our institutions and our students would be sadly advised to chart their education course on the basis of its provisions. The events of recent weeks, since the legislation was signed into law, have not served to alter my thinking.

The student assistance provisions offer an excellent case in point. Proponents of the bill claimed that every college student would be "entitled" to $1,400 per year in Federal aid under the new basic grant program. The truth, of course, was, and is, that the $1,400 would be less the expected family contribution—a contribution determined by the Office of Education—and no grant could exceed 50 percent of the student's costs. More importantly, no funds can be appropriated for the new basic grant program until a minimum of $653,493,000 is appropriated for existing programs—$237,400,000 in college work-study, $286,000,000 in national defense loans, and $130,093,000 in the existing educational opportunity grant program.

Furthermore, it is estimated that for fiscal year 1973 we will be expending $1,328,124,000 in veterans' education benefits—and this estimate does not reflect the recent increase in those benefits—an additional $65,719,700 in education benefits for war orphans and widows, and $537 million in undergraduate student benefits under the Social Security Act. With the Federal budget billions of dollars out of balance, it hardly seemed reasonable to expect that the additional $1 billion that it is anticipated would be necessary to fully fund BOG's would be forthcoming for student financial aid—it seemed readily apparent that students and their parents would find this new grant program an empty promise.

Recently I received a letter from Secretary Richardson in which he concedes this promise will not soon be a reality. He states in part:

> The most significant portion of PL 92-318, as far as millions of students are concerned, is that which authorizes Basic Educational Opportunity Grants. . . . I should like to share with you our current thinking on this matter . . . we will be unable to begin operation of the Basic Grant program before the 1973-1974 academic year.

His letter in its entirety reads as follows:

The Secretary of Health,
Education, and Welfare,
Washington, D.C., July 14, 1972.

Hon. Edith Green,
Chairman, Special Subcommittee on Education, House of Representatives, Washington, D.C.

Dear Mrs. Green: Since the President signed the Education Amendments of 1972 into public law on June 23, we have been examining all the provisions of the measure in terms of a possible timetable for implementation of each.

The most significant portion of P.L. 92-318, as far as millions of students are concerned, is that which authorizes Basic Educational Opportunity Grants. Your office has undoubtedly already received numerous requests for information concerning this program. In order to aid you in your responses, I should like to share with you our current thinking on this matter.

Section 411(a)(3)(A)(i) of the Higher Education Act of 1965, as amended, requires that the Commissioner of Education publish in the Federal Register a schedule of expected family contributions for the succeeding academic year not later than February 1. Thus, in order to operate the program this fall we would have to have published the schedule five months ago.

Besides publishing the schedule in the Federal Register, the Commissioner is also required to submit it to both houses of Congress. The Congress then has until May 1 to approve or disapprove the schedule.

In addition to the family contribution schedule, the Office of Education will, of course, be faced with an extremely difficult task of establishing new administrative procedures, putting a payment mechanism into place, educating financial aid officers, and conducting a public information effort before the Basic Grant program can begin operation.

Because of the magnitude of these tasks, as well as the fact that P.L. 92-318 was enacted too late in the year to allow us to meet the statutory requirement that the family contribution schedule be published by February 1, we will be unable to begin operation of the Basic Grant program before the 1973-1974 academic year.

During the 1972-1973 academic year, students will continue to receive assistance under the Supplemental Grant, College-Work Study, and Direct Student Loan (formerly NDEA) programs. Institutions have already been notified of their 1972-1973 funds from these programs.

I trust that you will understand the necessity for this decision on our part and that this explanation will aid you in your responses to constituent inquiries.

Sincerely,
Elliot L. Richardson,
Secretary.

Another area of deep concern to me was the false promise of general institutional assistance to our hard-pressed institutions of higher education. Throughout the extensive hearings that were conducted on the higher education legislation, numerous college presidents and other educators testified as to the severe financial crisis facing many of our colleges and universities. The recent studies of higher education have offered dramatic documentation of the truth of that testimony. Proponents of the conference bill put out press releases that $1 billion would be provided annually to higher education institutions. There are few, however, so naive as to anticipate more than a token appropriation for the program.

In truth, 45 percent of the formula cannot be funded at all unless the new basic grant program is funded at at least 50 percent of its full funding level. As we have already noted that no basic educational opportunity grants will be awarded this next school year, it follows that that portion of the institutional aid formula will not be operable. In any event, the requirement of prior funding of the basic grant program, makes the prospects for funding of most of the institutional assistance portion exceedingly remote in the foreseeable future.

The sad fact remains that the only direct unrestricted general institutional aid would go to graduate schools. This at a time when 100 large graduate universities—less than 5 percent of the total higher education institutions—are already receiving approximately 69 percent of all Federal funds for higher education. Because of the complicated formula and limited dollars, the 4-year colleges that educate millions of our youth will receive little if any direct assistance under this legislation.

At the time the bill was debated on the House floor, and the desegregation and busing provisions were added, I stated I was opposed to those additions as needlessly cumbersome to the bill itself. But having made those additions, I felt Members owed it to themselves and the public to be honest about their implications. I stated that as the provisions came out of conference committee, they offered only the illusion of relief from busing—that the many school districts operating under court orders to conduct extensive and many times oppressively expensive busing programs, would find little relief in the provisions despite assurance from proponents of the bill that relief was there. The simple fact that the Education and Labor Committee is now in the midst of heated debate on new or additional antibusing legislation offers irrefutable proof of the uselessness of those previous provisions. The higher education bill offered little more than rhetoric and $100 million for the controversial metropolitan school district.

POW RESOLUTION COSPONSORED BY 93 HOUSE MEMBERS

(Mr. VAN DEERLIN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, last week I was joined by 40 of our colleagues in introducing House Concurrent Resolution 653 and House Concurrent Resolution 654, identical resolutions for insisting that all U.S. prisoners of war be identified and released as part of any settlement of the war in Indochina.

This afternoon I am reintroducing the resolution, with 52 additional cosponsors, drawn as before from both sides of the aisle, all sections of the Nation, and every shade of opinion on the propriety of the war itself.

Signatories so far include 55 Democrats and 38 Republicans, from a total of 33 States. With this kind of support, it is my hope that we can bring about positive action on the resolution even as this Congress enters its waning days.

Listings of the original cosponsors may be found on pages 25857 and 25859 of the Record for last Thursday, July 27.

Those sponsoring the resolution being offered today include:

Joseph P. Addabbo, Glenn M. Anderson, Bill Archer, Walter S. Baring, Bob Bergland, Edward P. Boland, Clarence J. Brown, James T. Broyhill, John Buchanan, Frank M. Clark, Del Clawson, John Dellenback, John D. Dingell, Jack Edwards, Edwin D. Eshleman, Don Fuqua, Charles H. Griffin, James R. Grover, Jr., Seymour Halpern, and John Paul Hammerschmidt.

Also, James Harvey, William J. Keating, Jack F. Kemp, Alton Lennon, Robert McClory, William M. McCulloch, Ray J. Madden, Robert H. Michel, Parren J. Mitchell, John M. Murphy, Richardson Preyer, Melvin Price, Robert Price, Fernand St Germain, Paul S. Sarbanes, James H. Scheuer, Roy A. Taylor, Charles M. Teague, Jerome R. Waldie, Lester L. Wolff, James J. Delaney, and James W. Symington.

Also, James F. Hastings, Teno Roncalio, John P. Saylor, Richard G. Shoup, Garner E. Shriver, Joe Skubitz, Floyd Spence, Larry Winn., Jr., H. John Heinz III, and Robert H. Mollohan.

In the interest of precision, I have made some changes in the preamble portion of the resolution as introduced last week. For example, the figure of "339" as the total number of Americans identified as POW's by the North Vietnamese has been revised upward to "398" in the resolution we are offering today, in line with the facts as they are presently understood.

Other changes are essentially semantic and intended only for clarification. The basic thrust of the original resolution, a demand for first an accounting of the missing and second for return of all the prisoners has in no way been altered or compromised.

The text of the resolution, as revised, follows:

Concurrent Resolution

Expressing the sense of the Congress with respect to the accounting and return of all American prisoners in Southeast Asia

Whereas of the nearly one thousand eight hundred American servicemen and civilians known to be prisoners of war and missing in North Vietnam, South Vietnam, and Laos, only three hundred and ninety-eight have been publicly acknowledged at one time or another by the North Vietnamese as having been captured in North Vietnam, and no list of U.S. prisoners held by the National Liberation Front or Pathet Lao has been received by the United States Government; and

Whereas the Geneva Convention Relative to the Treatment of Prisoners of War, which the North Vietnamese signed in 1957, mandates the publishing of a complete list of prisoners captured and the neutral inspection of detention camps to verify such list: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should use every means at his disposal to secure the most accurate and fullest possible accounting of the American personnel missing throughout North Vietnam, South Vietnam, and Laos.

Sec. 2. It is further the sense of the Congress that any agreement with regard to ending the present conflict in Southeast Asia would be incomplete and inadequate without tangible assurance of the identification and return of all American prisoners.

THE AMERICAN REVOLUTION BICENTENNIAL

(Mr. ASHBROOK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ASHBROOK. Mr. Speaker, a recent article in the Reader's Digest by Robert O'Brien outlines in brief the extent of preparations now underway to celebrate this Nation's bicentennial. Although still 4 years away, the commemoration of our 200th anniversary has been under discussion for several years and promises to reach a climax with festivities possibly unmatched anywhere in the world. The decentralization of the program to allow activities in various parts of the country would seem to enhance the participation and awareness of this event on the part of a greater number of citizens.

For a preview of the vast planning which will eventually culminate in the commemoration of this historic event, I insert at this point the article, "Ring Out, Liberty Bell," by Robert O'Brien as it appeared in the Reader's Digest.

Ring Out, Liberty Bell

(By Robert O'Brien)

Thousands of Americans are already involved in planning what may be the biggest, best and most festive party the world has ever seen: this nation's Bicentennial.

Ever since the Continental Congress adopted the Declaration of Independence that fateful July 4, 1776, we Americans have celebrated Independence Day as the official birthday of the United States of America.

Forty-niners, hell-bent for the California gold fields, halted their covered wagons beside the overland trails to commemorate the Fourth. Ships at sea broke out their flags and blasted salutes. In cities and villages across the nation, bands played, rockets burst in mid-air and orators thrilled cheering throngs with tales of the sharpshooting patriots of Lexington and Concord, King's Mountain and Cowpens. In pageant and recitation, schoolchildren kept alive legends and folklore of America's past.

For most of the country, it was a one-day, Yankee Doodle jamboree—a time when Americans kicked up their heels, sang, shot off cannon and, when it was all over, said a heartfelt prayer of gratitude for what those men in Philadelphia had had the bold, soaring spirit to say and do on that day so long ago.

This kind of naive, exuberant Fourth of July has slipped somewhat out of style in recent years. For all our incredible growth since 1776, for all the blessings and the richness of our priceless heritage, we seldom any longer seem to thrill to the memory and meaning of that historic Fourth on which it all began. The bugles are muted. The old magic is subdued.

But these days, this year, something exciting stirs the air—a distant tune of glory, faint and far-off, but growing louder as the months roll on. It seems to sing of a renewed national awareness of the American Revolution—not as a battle cry and bayonet charge but as an immortal idea, embodied in the Declaration of Independence; the idea that men were born to govern themselves.

SWEET LAND OF LIBERTY

What quickens this awareness is the approaching American Revolution Bicentennial of July 4, 1976—the 200th Anniversary of the proclamation of that idea, America's gift to the world, and of the proud, bloody, agonizing struggle for liberty that followed.

Though this anniversary is still four years away, thousands of Americans are already deeply involved in planning not only a Bicentennial Day, but a Bicentennial Year and Era as well. They are keying the observances to a theme that looks both backward and forward: "A Past to Remember—a Future to Mold." And to bring this theme to life, to expand it from a one-day event to a vital and vivid national experience, President Richard Nixon has called upon all Americans, everywhere, to come together—to unite in an exciting and soul-stirring cause of peace, to ring up the curtain on the nation's third century with the promise of a better, healthier, happier life for all.

"We must put our minds to it, we must put our hearts to it," the President has said. "America is 50 states. America is big cities, small cities and small towns. It is all the homes and all the hopes of 208 million people. That is why we want this celebration to be national. It must go directly to the people, and derive its strength from the people."

Invoking "that splendid spirit" which thrilled and inspired the freedom-hungry peoples of the world 200 years ago, the President has urged us to seize the Bicentennial as an opportunity to forge a new Spirit of '76. "We want people all over this land to sense the greatness of this moment, to participate in it and help us all discover what that great spirit is."

OF THEE WE SING

Thus the master plan for the Bicentennial calls upon all of us, and all our states and communities, to participate in three interrelated programs. The first—Heritage '76—is an on-going commemoration of great moments and lasting legacies from the nation's past. A second program—Festival USA—encourages us to travel, to discover America for ourselves, and to open our hearts and homes to people of other lands. The third, and most important—Horizons '76—challenges us, in the President's words, "to dedicated effort for the fulfillment of national goals yet to be attained." This is a call for action to improve the quality of American life, cleaner skies and waters, renewed cities, equal opportunities and equal education for all, better health and health care for all, black and white alike, young and old alike.

Preparations began in 1966, when Congress established an American Revolution Bicentennial Commission (ARBC) of 37 members; four U.S. Senators, four Representatives, 12 *ex officio* members, most of whom would be Cabinet Secretaries, and 17 "public" members—leading historians, educators, businessmen, etc.—appointed by the President.

Four years later, the ARBC delivered to President Nixon a 44-page report outlining a positive, imaginative plan for the Bicentennial, and on July 3, 1971, the President formally proclaimed the opening of the Bicentennial Era. It will extend past the Bicentennial Year 1976 to 1983, the 200th anniversary of the Peace of Paris, which formally ended the war with Britain.

The Bicentennial cause has been gathering momentum ever since. In a move to tap high-level assistance in its planning, the ARBC, recently increased to 50 members, has created nine advisory panels. They comprise more than 120 national leaders in the arts, advertising and public relations, transportation and communications, as well as representative spokesmen for youth, ethnic relations and other key groups.

All 50 states, the District of Columbia and many cities and counties, as well as Puerto Rico, the Virgin Islands, Guam and American Samoa, have active Bicentennial commissions formulating programs with administrative and financial help from the ARBC. And, to date, 94 national organizations, encompassing 125 million Americans, are on record with plans for full-scale Bicentennial participation.

PEOPLE'S PRIDE

For all this directed activity, the Bicentennial still belongs, first of all, to the people. The ARBC's basic guideline. Don't impose a Bicentennial upon the nation; instead, encourage one—help Americans express their feelings about their country in ways that seem appropriate to them. The Commission urges all citizens to climb aboard any of its three major programs—to join now in a neighborhood, community, state or national project already under way, or to start one of their own. Bicentennial projects suggested by the general public to the Commission have increased from 15 in 1970 to upward of 1200 in mid-1972. They range from the building of a mini-park by third-graders in Riceville, Iowa to historical TV programs to be beamed by satellite around the world. (If you wish to forward a Bicentennial idea to the Commission, put it in a brief note to the ARBC, P.O. Box 1976, Washington, D.C. 20276.)

What kinds of ideas is the ARBC looking for? Almost any kind, so long as your proposal reflects what your country means to you, and has enduring value for your community or state, or for the nation at large. Says David J. Mahoney, ARBC chairman (and president and chairman of the board of Norton Simon Inc.): "Yes, we'll have commemorative medals, and parades, and fireworks, and historical pageants. But if we do our jobs well, that sort of activity will constitute less than one percent of our Bicentennial commemoration."

LET FREEDOM RING

Already, across the nation, specific programs are well past the planning stage. Denver, Colo., is preparing to host the 1976 Winter Olympics as a major international event of the Bicentennial Year. Iowa is planning a World Food Exposition at Des Moines, to develop and spread technology that will help underdeveloped countries feed their hungry millions. Dallas, Texas, is deep into a Bicentennial "Goals for Dallas" program, whose objectives range from inner-city rebuilding and more active police involvement in neighborhood affairs to construction of the huge Dallas-Fort Worth Regional Airport. Niagara Falls, N.Y., has won designation as an official Bicentennial City for its far-sighted program to rebuild and revitalize its 85-acre Rainbow Center in "reaffirmation of the Spirit of '76." Permanent Center buildings will include a Hall of Four Freedoms convention center, a Center for Environmental Studies, a Museum of Black History and Culture.

Washington, D.C., expecting some 40 million visitors in 1976, is pushing ahead with a new Metro subway system and its own urban-renewal program—to make the nation's capital an example of inspiring excellence for other American cities. New York is drafting extensive improvements to the historic South Street Seaport along its East River waterfront (and has invited to New York harbor in July 1976 a fleet of 35 square-riggers from all over the world). Meanwhile, two cities, steeped in history, are seeking financial backing for even more ambitious Bicentennial projects: Boston, for its proposed $100-million urban restoration and rehabilitation plan; Philadelphia, for either a $780-million world's fair—doubtful of approval at this writing—or for some suitable alternate commemoration. And Miami is proceeding with plans to develop its 1700-acre Interama tract on Biscayne Bay. Included are a second campus for Florida International University and an inter-American trade and cultural center.

For its part, the ARBC, its advisory panels and staff have advanced as an official program a multi-level attack on sickle-cell anemia by the National Medical Association, composed of 6000 black physicians. They are about to launch Bicentennial essay and poster contests in the nation's schools, and to commission official Bicentennial works ranging from a seven-volume history of the Revolutionary Era to an all-American opera.

In its most exciting and appealing move to date, the ARBC has endorsed a bold, $1.2-billion concept calling for construction of 50 permanent State Bicentennial Parks, ranging from 100 to 500 acres in area. The parks would be built on surplus federal land in each state at a cost of about $22 million apiece, to be paid by the federal government. (The parks would be operated by the states during and after the Bicentennial.) Landscaping and architecture would reflect each state's heritage and culture. If feasibility studies now in progress lead to final Commission and Congressional approval, procurement of park sites will begin in September. Chairman Mahoney sums up the potential of the parks: "A lasting residual to each state—a 200th-anniversary gift of a cultural, recreational and educational center for all 208 million citizens of these United States."

NEW SPIRIT OF '76

Our burgeoning Bicentennial efforts would have pleased John Adams. On July 3, 1776, he wrote to his wife, Abigail: "I am well aware of the toil, and blood, and treasure, that it will cost us to maintain this declaration, and support and defend these States. Yet, through all the gloom, I can see rays of ravishing light and glory. I can see that the end is worth more than all the means, and that posterity will triumph in that day's transaction."

Today we are that posterity, approaching the 200th anniversary of that day of deliverance. Whether the toil, and blood, and treasure, have all been worthwhile—this, now, in these Bicentennial years, is in our hands.

Perhaps before the Bicentennial is over, it will help us draw inspiration from the words and deeds of the men who made it possible. Perhaps it will unite us in achievement, so that our future will be worthy of the best of our past. Perhaps it will help us move forward together in a new Spirit of '76 toward the mountaintop of a more perfect union.

NAPCO'S OUTRAGEOUS SETTLEMENT

(Mr. GROSS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GROSS. Mr. Speaker, 5 years ago I called attention to the corrupt activities of certain officials of Napco Industries, Inc., a Minneapolis company that had bilked the Agency for International Development out of almost $4 million.

Napco accomplished this by pawning off a broken down automobile gear manufacturing plant on a subsidiary plant in India and getting the foreign aiders to pay for the transfer with the public's money.

As a result of this, the Justice Department in 1969 filed suit against Napco, charging it with deceit, false claims, and breach of contract. It asked that the company be made to repay the AID loan and to pay double damages to the Government—or a minimum of $4.6 million.

I have just learned, Mr. Speaker, that the Government on Friday will announce it has settled this suit for a mere $3 million which—thanks to preposterous ruling by the Internal Revenue Service—will be deductible from Napco's taxable income.

In other words, Mr. Speaker, those who plotted to swindle the United States will be—in effect—rewarded by the Government for their efforts.

Napco—as was clearly established—had powerful politicial friends in Washington at the time it was deceiving the Government. If an ordinary citizen had done what the officials of Napco did, you can bet your bottom dollar he would not be let off the hook with a tax deductible fine.

I appeal to Attorney General Kleindienst to stop this outrageous settlement while he still has the chance.

CONFERENCE REPORT ON H.R. 15690, AGRICULTURE - ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

Mr. WHITTEN submitted the following conference report on the bill (H.R. 15690) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes:

Conference Report (H. Rept. No. 92–1283)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15690) "making appropriations for the Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1973, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 9, 10, 11, 14, 15, 28, 29, 33, 34, 37, 38, and 44.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 19, 20, 23, 25, 26, 27, 39, 43, and 47, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$188,036,600"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,578,900"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,460,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$289,304,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,444,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$91,438,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$120,858,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$182,168,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,834,200"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$17,829,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,055,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,805,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$400,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,750,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$160,069,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,622,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$133,549,500"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,075,500"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$365,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 30, 31, 35, 36, and 48.

Jamie L. Whitten,
William H. Natcher,
W. R. Hull, Jr.,
Frank E. Evans,
George Mahon,
Mark Andrews,
Robert H. Michel,
Bill Scherle,
Managers on the Part of the House.
Gale W. McGee,
John C. Stennis,
William Proxmire,
Robert C. Byrd,
Herman E. Talmadge,
Roman L. Hruska,
Milton R. Young,
Hiram L. Fong,
Manager on the Part of the Senate.

Joint Explanatory Statement of the Committee of Conference

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15690) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—AGRICULTURAL PROGRAMS

Department of Agriculture

Office of the Secretary

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $11,112,000 for the Office of the Secretary as proposed by the House to which language has been added to make clear that $3,464,000 shall be available for the Office of Information. This amendment is in lieu of $10,312,000 including $2,464,000 for the Office of Information as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Office of Management Services

Amendment No. 2: Appropriates $4,147,000 as proposed by the Senate instead of $4,110,000 as proposed by the House.

Agricultural Research Service

Amendment No. 3: Appropriates $188,036,600 instead of $181,922,000 as proposed by the House and $201,018,400 as proposed by the Senate. The following lists the changes from the House Bill agreed to by the Conferees:

Research on peanut insect control	+$100,000
Research on non-lethal methods of predator control	+375,000
Research on alternatives to field burning of grass seed straw	+23,100

Soybean production research	+168,000
Research on mosaic resistant and cold tolerant sugarcane	+125,000
Research on smut disease, serious in Hawaii and to the sugar industry	+200,000
Research on saline seepage in Northern Plains Soil and Water Research Center, Sidney, Mont	+40,000
Research on estrogens at Southern Illinois University	+100,000
Establishing Tropical Agriculture and Training Centers	+500,000
Planning Northeastern Appalachian Region Fruit Crop Laboratory	+200,000
Planning—Plum Island facilities	+250,000
Construction, Beckley, W. Va., soil and water conservation	+700,000
North Central Soil and Water Conservation Research Laboratory, Morris, Minn. (staffing)	+100,000
Columbia Plateau Conservation Research Center, Pendleton, Oreg. (staffing)	+58,200
Richard B. Russell Laboratory, Athens, Ga. (staffing)	+1,200,000
Grain Marketing Research Center, Manhattan, Kans. (staffing)	+400,000
Human Nutrition Laboratory, Grand Forks, N. Dak. (staffing)	+450,000
Meat Animal Research Center, Clay Center, Nebr. (staffing)	+1,125,300
Net Change over House Bill	+6,114,600

In connection with the added emphasis on non-lethal methods of predator control, the Conferees agree that there should be a complete review of the present executive decisions which prohibit dealing with predators in their sanctuaries on Federal lands.

The Conferees further agree that where laboratories have been built but unused that these laboratories should be staffed as rapidly as essential work becomes available; however, such work should not be taken from other laboratories.

Research on wild rice shall be conducted within available funds.

Amendment No. 4: Provides $11,578,900 for marketing research instead of $11,178,900 as proposed by the House and $11,968,700 as proposed by the Senate.

Amendment No. 5: Provides $3,460,000 for planning and construction of new research facilities instead of $2,310,000 proposed by the House and $10,705,000 proposed by the Senate. In addition to construction of facilities at Akron, Colorado; Temple, Texas; and the Plum Island Animal Disease Laboratory, the Conferees recommend funds for planning the Northeastern Appalachian Region Fruit Crop Laboratory and for additional facilities at the Plum Island Animal Disease Laboratory. Construction funds have also been included for the soil and water conservation research facility at Beckley, West Virginia.

Amendment No. 6: Appropriates $10,000,000 for agricultural research with foreign currencies as proposed by the House instead of $20,000,000 as proposed by the Senate.

Animal and Plant Health Inspection Service

Amendment No. 7: Appropriates $289,304,000 for the Animal and Plant Health Inspection Service instead of $287,404,000 as proposed by the House and $295,454,000 as proposed by the Senate. This total includes a total of $4,453,200 for veterinary biologics program; $5,603,700 for the hog cholera eradication program; $9,794,600 for screwworm eradication; and $160,877,000 for meat and poultry inspection. The bill also includes an additional $300,000 for a continued Salmonella program, an additional $1,400,000 for the tuberculosis indemnity program and an additional $500,000 for the gypsy moth control program.

Cooperative State Research Service

Amendment No. 8: Provides $6,444,000 for cooperative forestry research instead of $6,944,000 as proposed by the Senate and $4,944,000 as proposed by the House.

Amendments Nos. 9 and 10: Provide $15,400,000 for research by contract and grant as proposed by the House instead of $15,600,000 as proposed by the Senate. This total includes $400,000 for research on soybeans.

Amendment No. 11: Deletes the item of $2,000,000 for facility construction as proposed by the Senate.

Amendment No. 12: Adjusts the total appropriation for the Cooperative State Research Service to $91,438,000 instead of $89,938,000 proposed by the House and $94,138,000 proposed by the Senate.

Extension Service

Amendment No. 13: Provides $120,858,000 for payments for cooperative agricultural extension work instead of $118,358,000 proposed by the House and $123,358,000 proposed by the Senate.

Amendment No. 14: Provides $2,000,000 for rural development work proposed by the House instead of $5,000,000 proposed by the Senate.

Amendment No. 15: Deletes $500,000 for special cotton cost cutting education as proposed by the Senate.

Amendment No. 16: Appropriates a total of $182,168,000 for Extension payments instead of $179,668,000 as proposed by the House and $185,168,000 as proposed by the Senate.

Agricultural economics

Statistical Reporting Service

Amendment No. 17: Appropriates $22,834,200 for the Statistical Reporting Service instead of $22,800,000 proposed by the House and $22,936,000 proposed by the Senate. This total includes $598,100 for improved data collection and dissemination and $50,000 for floriculture statistics.

Economic Research Services

Amendment No. 18: Appropriates $17,829,000 for the Economic Research Service instead of $17,086,000 as proposed by the House and $18,572,000 proposed by the Senate. This amount provides an additional $200,000 for rural development research; $200,000 for research on foreign economic conditions; not more than $275,000 on the economics of predator control; and $68,000 for paycosts.

Marketing Services

Agricultural Marketing Service

Amendment No. 19: Appropriates $34,210,000 for marketing services as proposed by the Senate instead of $34,174,000 proposed by the House.

Amendment No. 20: Appropriates $2,500,000 for payments to States and possessions under the Agricultural Marketing Act as proposed by the Senate instead of $1,750,000 proposed by the House.

Farmer Cooperative Service

Amendment No. 21: Appropriates $2,055,000 for the Farmer Cooperative Service instead of $1,955,000 proposed by the House and $2,155,000 proposed by the Senate.

International Programs

Foreign Agricultural Service

Amendment No. 22: Appropriates $25,805,000 for the Foreign Agricultural Service instead of $25,536,000 as proposed by the House and $26,074,000 proposed by the Senate.

Commodity Programs

Commodity Credit Corporation

Amendment No. 23: Appropriates $4,057,952,000 for the full reimbursement of the Commodity Credit Corporation as proposed by the Senate instead of $3,832,952,000 as proposed by the House. The Conferees agree that the addition of this amount should in no way curtail the other activities of the Department of Agriculture.

TITLE II—RURAL DEVELOPMENT PROGRAMS

Department of Agriculture

Rural Development Service

Amendment No. 24: Appropriates $400,000 for the Rural Development Service instead of $250,000 as proposed by the House and $500,000 proposed by the Senate.

Resource Conservation and Development

Amendment No. 25: Appropriates $26,600,000 for Resource Conservation and Development projects as proposed by the Senate instead of $20,867,000 proposed by the House.

Rural Electrification Administration

Amendment No. 26: Provides a total loan authorization for rural electrification of $595,000,000 as proposed by the Senate instead of $545,000,000 as proposed by the House. The House recedes on this amendment in the expectation that the funds made available in the House bill shall be used and that the additional $50,000,000 will be made available when needed.

Amendment No. 27: Provides a rural telephone loan authorization of $145,000,000 proposed by the Senate instead of $125,000,000 as proposed by the House. The House recedes on this amendment with the expectation that these funds shall be used.

Farmers Home Administration

Amendments Nos. 28 and 29: Provide a farm ownership loan authorization of $350,000,000 as proposed by the House instead of $450,000,000 as proposed by the Senate.

Amendments Nos. 30 and 31: Reported in technical disagreement. The managers on the part of the House will offer motions to make available a total of $150,000,000 for grants for basic water and sewer facilities instead of $200,000,000 as proposed by the Senate and $100,000,000 as proposed by the House, and the managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The amendment makes the addition subject to further authorization. The Conferees agree with the House Report stating that the Department should set up not less than 20 percent of the funds to strengthen existing systems to assure that they are expanding to take in unserved customers and to improve service in their designated service area. The Conferees further agree that where full area coverage is not presently feasible a program of individual or small group loans shall be stressed with a view to full coverage in the future.

Amendment No. 32: Appropriates $3,750,000 for farm labor housing grants instead of $2.500.000 proposed by the House and $7,000,000 proposed by the Senate. The Conferees agree that FHA should make a study of this program to determine whether landowners are using this program to provide housing for their own labor.

Amendment No. 33: Appropriates $112,743,000 for salaries and expenses as proposed by the House instead of $117,743,000 proposed by the Senate. The Conferees agree that in view of increasing volumes of loans, guarantees, and problems coming from this big agency, a critical need for additional personnel for administration of the growing responsibilities of the Farmers Home Administration is necessary and such personnel should be allowed as an addition to any ceiling or limitation currently or hereafter imposed on the Department of Agriculture.

TITLE III—ENVIRONMENTAL PROGRAMS

Environmental Protection Agency

Amendment Nos. 34, 35, 36, 37, and 38: These amendments involve all funds in the bill for the Environmental Protection Agency except grants for construction of waste treatment works and overseas research.

The House total for the various activities involved was $497,014,000.

The Senate total was $491,514,000.

The total agreed upon by the Conferees is $467,014,000, which is $30,000,000 below the House and $24,500,000 below the Senate.

With respect to the $30,000,000 below the House total, the House bill included that amount for transfer to the Rural Environmental Assistance Program (REAP) of the Department of Agriculture. The House managers have agreed that in the announcement of the 1973 REAP program of the Department of Agriculture not more than $30,000,000 shall be identified for the new pollution abatement practices and such amount as is used shall be paid from funds available to the Environmental Protection Agency. The remainder of the $225,500,000 program announcement shall be for the practices, including all those available under the 1970 program. Therefore, the House managers yielded to the Senate on this position for this year.

With respect to the $24,500,000 below the Senate total, the conference agreement omits funds added by the Senate, as follows: (1) $7,500,000 for section 104 of the Clean Air Act; (2) $15,000,000 for section 208 of the Resource Recovery Act; and (3) $2,000,000 for facilities. With respect to the latter item, $1,000,000 was for repair and improvement projects which had been deleted by the House and $1,000,000 was for construction of a laboratory at Manchester, Washington. However, the House report on the 1972 appropriation bill directed that "no further construction be undertaken without a full and thorough review of existing research efforts and their locations with a view toward consolidation of the diverse programs so recently acquired. . . ." This review has not yet been submitted to the House and Senate Committees, even though it was requested well over a year ago. Therefore, since the study is still underway, the Conferees agree to defer action on this item at this time. However, funds previously appropriated for the construction of this laboratory shall remain available until the completion of this study and shall not be diverted to other purposes.

Aside from the question of funding levels and objects, these amendments also involve the appropriation structure for the EPA. The House, in order to provide better congressional visibility and control, separated the Agency's single lump-sum operational appropriation into four separate appropriations. The Senate disagreed; struck out the four appropriations; and substituted a single lump-sum appropriation similar to last year's.

The Conferees have agreed to the separated structure of the House bill, but with the addition of limited authority—7 percent—to transfer between the four appropriations.

As to Amendments Nos. 35 and 36, relating to Research and Development and Abatement and Control, respectively, the House bill contained provisions limiting the availability of the two appropriations to amounts authorized by law for fiscal year 1973. Legislation authorizing portions of each of these two appropriations is still pending in conference (S. 2770, Federal Water Pollution Control Act Amendments). In order to avoid complete stoppage of Agency operations on July 1, these provisions were suspended by a special provision in the continuing resolution, pending finalization of the legislative authorizations. In view of the uncertainties of the moment and to avoid possible stoppage of all operations of the Agency in the near future, the Conferees have agreed that this suspension must be continued pending further development, and have accordingly agreed to modify the two contingency provisions referred to. This can be done by hitching the effective date of the provisos to the revised terminal date of the continuing resolution (which will, undoubtedly, be extended beyond its present expiration date of August 18).

To effectuate these conference agreements, the amendments would be disposed of as follows:

Amendment No. 34: Appropriates $41,960,400 for agency and regional management as proposed by the House.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment, the effect of which will be to restore the House appropriations of $182,723,700 for research and development and $2,500,000 for advisory committees, and modifying the contingent availability provision as discussed above. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment, the effect of which will be (1) to restore the House appropriation of $208,935,700 for abatement and control and $2,000,000 for advisory committees; (2) to delete the $30,000,000 proposed by the House for transfer to the REAP program in the Department of Agriculture; (3) to modify the contingent availability proviso as discussed above; and (4) to insert the agreed upon 7 percent transfer authority discussed above. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 37: Appropriates $28,894,200 for enforcement activities as proposed by the House.

Amendment No. 38: Strikes out the separate lump-sum appropriation of $491,514,000 which the Senate had proposed for Agency operations, research, and facilities.

Department of Commerce

National Industrial Pollution Control Council

Amendment No. 39: Provides $323,000 as proposed by the Senate instead of $310,000 proposed by the House.

Department of Agriculture

Soil Conservation Service

Amendment No. 40: Appropriates $160,069,000 for conservation operations instead of $155,069,000 proposed by the House and $165,069,000 proposed by the Senate. This increase over the House bill includes $1,000,000 to install automatic telemetry systems for measurement of snow and prediction of run-off.

Amendment No. 41: Appropriates $7,622,000 for watershed planning instead of $7,122,000 proposed by the House and $8,122,000 proposed by the Senate.

Amendment No. 42: Appropriates $133,549,500 for watershed and flood prevention instead of $132,099,000 as proposed by the House and $135,000,000 proposed by the Senate.

Amendment No. 43: Makes a technical change proposed by the Senate.

Amendment No. 44: Appropriates $18,113,500 proposed by the House for the Great Plains Program instead of $20,000,000 proposed by the Senate.

TITLE IV—CONSUMER PROGRAMS

Office of Consumer Affairs

Amendment No. 45: Appropriates $1,075,500 for salaries and expenses instead of $1,033,000 as proposed by the House and $1,118,000 as proposed by the Senate. The Conferees are concerned about the apparent lack of adequate fiscal controls in the Office of Consumer Affairs and will expect closer supervision and full disclosure in the future.

National Commission on Consumer Finance

Amendment No. 46: Appropriates $365,000 to complete the work of the National Commission on Consumer Finance instead of $320,000 as proposed by the House and $413,000 as proposed by the Senate. The Conferees agreed that this is the final amount which will be appropriated for this purpose.

Department of Agriculture

Food and Nutrition Service

Amendment No. 47: Appropriates $97,123,000 for the special milk program as proposed by the Senate instead of $92,123,000 as proposed by the House.

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $2,500,000,000 for the Food Stamp Program as proposed by the Senate instead of $2,341,146,000 as proposed by the House. Language has been added to place the $158,854,000 added by the Senate in reserve pending determination of need. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1973 recommended by the Committee of Conference, with comparisons to the fiscal year 1972 total, the 1973 budget estimate total, and the House and Senate bills follows:

New budget (obligational) authority, fiscal year 1972	$13, 965, 498, 427
Budget estimates of new (obligational) authority, fiscal year 1973	12, 952, 190, 400
House bill, fiscal year 1973	12, 897, 010, 900
Senate bill, fiscal year 1973	13, 561, 055, 800
Conference agreement	13, 434, 032, 700
Conference agreement compared with—	
New budget (obligational) authority, fiscal year 1972	−531, 465, 727
Budget estimates of new (obligational) authority (as amended), fiscal year 1973	+481, 842, 300
House bill, fiscal year 1973	+537, 021, 800
Senate bill, fiscal year 1973	−127, 023, 100

The Conferees agree that any additional expenditures which result from new obligational authority authorized in this bill should be in addition to any outlay limitation currently or hereafter imposed on the Department of Agriculture and under no conditions should reduce current levels of expenditures for authorized programs.

JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
W. R. HULL, JR.,
FRANK E. EVANS,
GEORGE MAHON,
MARK ANDREWS,
ROBERT H. MICHEL,
BILL SCHERLE,
Managers on the Part of the House.

GALE W. MCGEE,
JOHN STENNIS,
WILLIAM PROXMIRE,
ROBERT C. BYRD,
HERMAN E. TALMADGE,
ROMAN L. HRUSKA,
MILTON R. YOUNG,
HIRAM L. FONG,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Brasco (at the request of Mr. Carey of New York), for August 2, on account of death in family.

Mrs. Hansen of Washington, for August 3, on account of official business in district.

Mr. Pepper (at the request of Mr. Rogers) after 4:30 today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Edmondson, for 5 minutes, today, to revise and extend his remarks and include extraneous material.

(The following Members (at the request of Mr. Terry) to revise and extend their remarks and include extraneous matter:)

Mr. Harvey, for 30 minutes, today.

Mr. Hansen of Idaho, for 15 minutes, today.

Mr. Esch, for 5 minutes, today.

Mr. Veysey, for 5 minutes, today.

Mr. Anderson of Illinois, for 10 minutes, today.

(The following Members (at the request of Mr. Mazzoli) to revise and extend their remarks and include extraneous) material:)

Mr. Metcalfe, for 10 minutes, today.

Mr. Gonzalez, for 5 minutes, today.

Mr. Aspin, for 5 minutes, today.

Mr. Flood, for 10 minutes, today.

Mr. Roncalio, for 15 minutes, today.

Mr. Harrington, for 5 minutes, today.

Mr. Brademas, for 5 minutes, today.

Mr. St Germain, for 5 minutes, today.

Mr. Melcher, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Flood, notwithstanding an estimated 2¾ pages of the Congressional Record, and an estimated cost of $467.50.

Mr. Mizell, notwithstanding the fact that it exceeds 2 pages of the Record, and the cost thereof is estimated by the Public Printer to be $850.

(The following Members (at the request of Mr. Terry) and to include extraneous matter:)

Mr. Conable.

Mr. Gerald R. Ford.

Mr. Wyman in two instances.

Mr. Broyhill of North Carolina.

Mr. Spence.

Mr. Young of Florida in five instances.

Mr. Thone.

Mr. Steiger of Wisconsin.

Mr. Ruppe.

Mr. Veysey.

Mr. Duncan.

Mr. Whitehurst.

Mr. McCloskey.

Mr. Brotzman.

Mr. Springer.

Mr. Schwengel.

Mr. Ashbrook in three instances.

Mr. Brown of Michigan.

Mr. Gude in two instances.

Mr. Zwach.

Mr. Schmitz in five instances.

Mr. Snyder.

(The following Members (at the request of Mr. Mazzoli) and to include extraneous material:)

Mr. Galifianakis.

Mr. Long of Maryland.

Mr. Purcell.

Mr. Fisher in two instances.

Mr. Rarick in three instances.

Mr. Gonzalez in three instances.

Mr. Pucinski in four instances.

Mr. de la Garza in 10 instances.

Mr. Macdonald of Massachusetts in three instances.

Mr. Podell.

Mr. Bingham in two instances.

Mr. Stubblefield.

Mr. Barrett.

Mr. Roe in three instances.

Mr. Wolff.

Mr. Thompson of New Jersey.

Mr. Fuqua.

Mr. Ryan in three instances.

Mr. Waldie in two instances.

Mr. Reuss.

Mr. Van Deerlin.

Mr. Harrington in two instances.

Mr. Reid.

Mr. Teague of Texas in six instances.

Mr. Edwards of California.

Mr. Corman in five instances.

Mr. Edmondson in three instances.

Mr. Leggett in three instances.

Mrs. Sullivan in two instances.

Mr. Fountain in three instances.

Mr. McFall in two instances.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1217. An act to declare that certain federally owned lands within the White Earth Reservation shall be held by the United States in trust for the Minnesota Chippewa Tribe, and for other purposes; to the Committee on Interior and Insular Affairs.

S.J. Res. 193. Joint Resolution to redesignate the area in the State of Florida known as Cape Kennedy as Cape Canaveral; to the Committee on Science and Astronautics.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5721. An act pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon;

H.R. 11350. An act to increase the limit on dues for United States membership in the International Criminal Police Organization.

H.R. 14108. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes; and

H.R. 15635. An act to assist elementary and secondary schools, community agencies, and other public and nonprofit private agencies to prevent juvenile delinquency and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 916. An act to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations;

S. 2227. An act to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library;

S. 2684. An act to amend section 509 of the Merchant Marine Act, 1936, as amended; and

S. 3463. An act to amend section 906, of title 44, United States Code, to provide copies of the daily and semimonthly Congressional Record to libraries of certain United States courts.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on August 1, 1972, present to the President, for his approval bills of the House of the following titles:

H.R. 1682. An act to provide for deferment of construction charges payable by Westlands Water District attributable to lands of the Naval Air Station, Lemoore, Calif., included in said district, and for other purposes; and

H.R. 13435. An act to increase the authorization for appropriation for continuing work in the Upper Colorado River Basin by the Secretary of the Interior.

ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to: accordingly (at 5 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Thursday, August 3, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2205. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to amend titles 10, 18, and 37, United States Code, to revise the laws pertaining to conflicts of interest and related matters as they apply to members of the uniformed services, and for other purposes; to the Committee on Armed Services.

2206. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2207. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2208. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the order suspending deportation in the case of Yankel Benjamin Turansky, pursuant to section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

Received From the Comptroller General

2209. A letter from the Comptroller General of the United States, transmitting a report on the need for improved coordination of federally assisted student aid programs in institutions of higher education, administered by the Office of Education, Department of Health, Education, and Welfare; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee of conference. Conference report on H.R. 6957. (Rept. No. 92–1276). Ordered to be printed.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 9128. A bill to confer exclusive jurisdiction on the Federal Maritime Commission over certain movements of merchandise by barge in foreign commerce; with an amendment (Rept. No. 92–1277). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 10486. A bill to make the basic pay of the master chief petty officer of the Coast Guard comparable to the basic pay of the senior enlisted advisers of the other Armed Forces, and for other purposes; with amendments (Rept. No. 92–1278). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 14847. A bill to amend the Airport and Airway Development Act of 1970 to increase from 50 to 75 percent the U.S. share of allowable project costs payable under such act; to amend the Federal Aviation Act of 1958 to prohibit State taxation of the carriage of persons in air transportation; and for other purposes; with amendments (Rept. No. 92–1279). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLOOD: Committee of conference. Conference report on H.R. 15417. (Rept. No. 92–1280). Ordered to be printed.

Mr. POAGE: Committee on Agriculture. H.R. 13514. A bill to enable wheat producers, processors, and end-product manufacturers of wheat foods to work together to establish, finance, and administer a coordinated program of research, education, and promotion to maintain and expand markets for wheat and wheat products for use as human foods within the United States with amendments (Rept. No. 92–1281). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 2374. A bill to amend title 18 of the United States Code to permit the mailing of lottery tickets and related matter, the broadcasting or televising of lottery information, and the transportation and advertising of lottery tickets in interstate commerce, but only where the lottery is conducted by a State agency; with amendments (Rept. No. 92–1282). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee of conference. Conference report on H.R. 15690 (Rept. No. 92–1283). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CAREY of New York (for himself and Mr. Mills of Arkansas):

H.R. 16141. A bill to provide payments to States for public elementary and secondary education and to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. ABOUREZK:

H.R. 16142. A bill to amend the Export Administration Act of 1969 to require approval of the Secretary of Agriculture with respect to controls on agricultural commodities, and for other purposes; to the Committee on Banking and Currency.

By Mr. BEGICH:

H.R. 16143. A bill to amend the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. BENNETT:

H.R. 16144. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. BROTZMAN (for himself, Mr. Symington, Mr. Hechler of West Virginia, and Mr. Roe):

H.R. 16145. A bill to establish an Environmental Quality Corps; to the Committee on Education and Labor.

By Mr. CAREY of New York (for himself, Mrs. Griffiths, Mr. Rosenkowski, Mr. Karth, Mr. Halpern, Mr. Podell, and Mr. Rooney of Pennsylvania):

H.R. 16146. A bill to provide payments to States for public elementary and secondary education and to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 16147. A bill to provide Federal support to enable the Cooperative Extension Service to carry on a national voluntary educational and self-help program for the elderly; to the Committee on Education and Labor.

By Mr. CARTER (for himself and Mr. Nelsen):

H.R. 16148. A bill to direct the Secretary of Health, Education, and Welfare to make requests for appropriations for programs respecting a specific disease or category of diseases on the basis of the relative mortality and morbidity rates of the disease or category of diseases and its relative impact on the health of persons in the United States and on the economy; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H.R. 16149. A bill to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE (for himself and Mr. Boland):

H.R. 16150. A bill to enable consumers to protect themselves against arbitrary, erroneous, and malicious credit information; to the Committee on Banking and Currency.

By Mr. DOW:

H.R. 16151. A bill to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH:

H.R. 16152. A bill to provide for the use of certain funds to promote scholarly, cultural, and artistic activities between Japan and the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ESCH (for himself, Mr. Bell, Dellenback, Mr. Eshleman, Mr. Steiger of Wisconsin, Mr. Hansen of Idaho, Mr. Forsythe, Mr. Veysey, Mr. Kemp, and Mr. Carlson):

H.R. 16153. A bill to amend the Age Discrimination in Employment Act of 1967 to extend the act to State and local governments; to the Committee on Education and Labor.

By Mr. HARRINGTON:

H.R. 16154. A bill to provide adequate mental health care and psychiatric care to all Americans; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 16155. A bill to provide for a study and investigation to assess the extent of the damage done to the environment of South Vietnam, Laos, and Cambodia as the result of the operations of the Armed Forces of the United States in such countries, and to consider plans for effectively rectifying such damage; to the Committee on Foreign Affairs.

By Mr. HILLIS:

H.R. 16156. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of disability and death pension; to the Committee on Veterans' Affairs.

By Mr. KEMP:

H.R. 16157. A bill to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972; to the Committee on Interstate and Foreign Commerce.

By Mr. KING:

H.R. 16158. A bill to amend title III of the act of March 3, 1933, commonly referred to as the Buy American Act, with respect to determining when the cost of certain articles, materials, or supplies is unreasonable, and for other purposes; to the Committee on Public Works.

By Mr. MACDONALD of Massachusetts:

H.R. 16159. A bill to authorize appropriations for the fiscal year 1973 for the Corporation for Public Broadcasting and for making grants for construction of noncommercial educational television or radio broadcasting facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIS of Georgia:

H.R. 16160. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York:

H.R. 16161. A bill to amend chapter 34 of title 38 of the United States Code to provide for the payment of tuition costs in the case of certain eligible veterans directly to the educational institutions concerned; to provide for overall increases in education benefits under such chapter; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MURPHY of New York (for himself, Mr. Bell, Mr. Stokes, Mr. Mitchell, Mr. Stratton, Mr. Hillis, and Mr. Hastings):

H.R. 16162. A bill to provide for the humane care, treatment, habilitation and protection of the mentally retarded in residential facilities through the establishment of strict quality operation and control standards and the support of the implementation of such standards by Federal assistance, to establish State plans which require a survey of need for assistance to residential facilities to enable them to be in compliance with such standards, seek to minimize inappropriate admissions to residential facilities and develop strategies which stimulate the development of regional and community programs for the mentally retarded which include the integration of such residential facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PURCELL:

H.R. 16163. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise cer-

tain requirements for approval of new animal drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. REID:

H.R. 16164. A bill to insure international cooperation in the prosecution or extradition to the United States of persons alleged to have committed aircraft piracy against the laws of the United States or international law; to the Commitee on Interstate and Foreign Commerce.

By Mr. ROBISON of New York (for himself, Mr. McEwen, Mr. Conable, Mr. Smith of New York, Mr. Hastings, Mr. Fish, Mr. Horton, Mr. Terry, Mr. Dulski, Mr. Hanley, and Mr. King):

H.R. 16165. A bill to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972; to the Committee on Interstate and Foreign Commerce.

By Mr. ROE:

H.R. 16166. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. ROGERS:

H.R. 16167. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. ST GERMAIN:

H.R. 16168. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in the amount of any old-age insurance benefit to which an individual is entitled if such individual has 120 quarters of coverage, and to provide that an individual with 120 quarters of coverage may become entitled to medicare benefits at age 62; to the Committee on Ways and Means.

By Mr. SCHERLE (for himself, Mr. Poage, Mr. Steiger of Arizona, Mr. Thone, and Mr. Mayne):

H.R. 16169. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise certain requirements for approval of new animal drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK (for himself and Mr. Mathias of California):

H.R. 16170. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the East Side division; initial phase of the Cosumnes River division; the Allen Camp unit, Pit River division; and the peripheral canal, Delta divisions; Central Valley project, California; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H.R. 16171. A bill to designate certain lands in San Luis Obispo County as the "Lopez Canyon Wilderness"; to the Committee on Interior and Insular Affairs.

By Mr. WHALLEY:

H.R. 16172. A bill to amend the Higher Education Act of 1965; to the Committee on Education and Labor.

H.R. 16173. A bill to provide additional relief to victims of major disasters, to provide for early designation of major disaster areas, and for other purposes; to the Committee on Public Works.

By Mr. WYMAN:

H.R. 16174. A bill to provide for the reporting by Members of the Senate and House of Representatives of individual assests subject to Government control or regulation, in excess of $25,000 in fair market value; to the Joint Committee on Standards of Official Conduct.

H.R. 16175. A bill to provide reduced retirement benefits for Members of Congress who remain in office after attaining 70 years of age; to the Committee on Post Office and Civil Service.

By Mr. ZWACH:

H.R. 16176. A bill to amend the Railroad Retirement Act of 1937 to provide a temporary 20 percent increase in annuities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDABBO (for himself, Mrs. Abzug, Mr. Biaggi, Mr. Bingham, Mr. Brasco, Mr. Halpern, Mr. Lent, Mr. Murphy of New York, Mr. Rangel, Mr. Rosenthal, Mr. Scheuer, and Mr. Wolff):

H. Con. Res. 657. Concurrent resolution requesting the President to proclaim September 24, 1972, as "National Recognition of Jamaica Bay Day"; to the Committee on the Judiciary.

By Mr. DOW:

H. Con. Res. 658. Concurrent resolution expressing the sense of the Congress with respect to international aircraft piracy; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H. Con. Res. 659. Concurrent resolution calling on the President to seek an international agreement prohibiting environmental warfare; to the Committee on Foreign Affairs.

By Mr. KEMP:

H. Con. Res. 660. Concurrent resolution designating October 6 of each year as "German-American Day"; to the Committee on the Judiciary.

By Mr. SYMINGTON (for himself, Mr. Frey, and Mr. Zablocki):

H. Con. Res. 661. Concurrent resolution expressing the sense of the Congress with respect to the cooperative agreements on science and technology, medical science and public health, the environment, and space which were recently entered into in Moscow by the United States and the Soviet Union; to the Committee on Foreign Affairs.

By Mr. VAN DEERLIN (for himself, Mr. Addabbo, Mr. Anderson of California, Mr. Archer, Mr. Baring, Mr. Bergland, Mr. Boland, Mr. Brown of Ohio, Mr. Broyhill of North Carolina, Mr. Buchanan, Mr. Clark, Mr. Del Clawson, Mr. Dellenback, Mr. Dingell, Mr. Edwards of Alabama, Mr. Eshleman, Mr. Fuqua, Mr. Griffin, Mr. Grover, Mr. Halpern, Mr. Hammerschmidt, Mr. Harvey, Mr. Keating, Mr. Kemp, and Mr. Lennon):

H. Con. Res. 662. Concurrent resolution expressing the sense of the Congress with respect to the accounting and return of all American prisoners in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. VAN DEERLIN (for himself, Mr. McClory, Mr. McCulloch, Mr. Madden, Mr. Michel, Mr. Mitchell, Mr. Murphy of New York, Mr. Preyer of North Carolina, Mr. Price of Illinois, Mr. Price of Texas, Mr. St Germain, Mr. Sarbanes, Mr. Scheuer, Mr. Taylor, Mr. Teague of California, Mr. Waldie, Mr. Wolff, Mr. Delaney, and Mr. Symington):

H. Con. Res. 663. Concurrent resolution expressing the sense of the Congress with respect to the accounting and return of all American prisoners in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. VAN DEERLIN (for himself, Mr. Hastings, Mr. Heinz, Mr. Mollohan, Mr. Roncalio, Mr. Saylor, Mr. Shoup, Mr. Shriver, Mr. Skubitz, Mr. Spence, and Mr. Winn):

H. Con. Res. 664. Concurrent resolution expressing the sense of the Congress with respect to the accounting and return of all American prisoners in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. WOLFF (for himself, Mr. Abourezk, Mrs. Abzug, Mr. Addabbo, Mr. Alexander, Mrs. Andrews of Alabama, Mr. Aspinall, Mr. Barrett, Mr. Begich, Mr. Bergland, Mr. Bevill, Mr. Biaggi, Mr. Blanton, Mr. Brasco, Mr. Bray, Mr. Buchanan, Mr. Burke of Massachusetts, Mr. Carney, Mr. Carter, Mr. Chappell, Mr. Collins of Texas, Mr. Collins of Illinois, Mr. Daniels of New Jersey, and Mr. Danielson):

H. Con. Res. 665. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Annunzio, Mr. Archer, Mr. Baring, Mr. Bennett, Mr. Blackburn, Mr. Boland, Mr. Brademas, Mr. Brinkley, Mr. Brown of Michigan, Mr. Casey of Texas, Mr. Celler, Mrs. Chisholm, Mr. Cleveland, Mr. Collier, Mr. Cotter, Mr. Daniel of Virginia, Mr. Donohue, Mr. Dorn, Mr. Dow, Mr. Drinan, Mr. Dulski, Mr. Duncan, and Mr. Evans of Colorado):

H. Con. Res. 666. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Delaney, Mr. Denholm, Mr. Derwinski, Mr. Downing, Mr. Eilberg, Mr. Fountain, Mr. Fulton, Mr. Galifianakis, Mr. Gaydos, Mr. Gettys, Mrs. Green of Oregon, Mr. Griffin, Mr. Gross, Mrs. Grasso, Mr. Hammerschmidt, Mr. Hanley, Mrs. Hansen of Washington, Mr. Hawkins, Mr. Helstoski, Mr. Henderson, Mrs. Hicks of Massachusetts, Mr. Howard, Mr. Hunt, and Mr. Ichord):

H. Con. Res. 667. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Fascell, Mr. Fish, Mr. Flynt, Mr. Forsythe, Mr. Frenzel, Mr. Fuqua, Mr. Garmatz, Mr. Goldwater, Mr. Hamilton, Mr. Hechler of West Virginia, Mr. Hogan, Mr. Hollifield Mr. Long of Maryland, Mr. McCormack, Mr. McKinney, Mr. Mann, Mr. Melcher, Mr. Metcalfe, Mr. O'Hara, Mr. Pickle, Mr. Rangel, Mr. Price of Illinois, Mr. Pryor of Arkansas, and Mr. Riegle):

H. Con. Res. 668. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Jarman, Mr. Johnson of Pennsylvania, Mr. Jones of North Carolina, Mr. Kazen, Mr. Kemp, Mr. Koch, Mr. Kyl, Mr. Kyros, Mr. Lent, Mr. Madden, Mr. Mann, Mr. Mathis of Georgia, Mr. Mazzoli, Mr. Mikva, Mr. Minish, Mrs. Mink, Mr. Mitchell, Mr. Mizell, Mr. Monagan, Mr. Montgomery, Mr. Murphy of New York, Mr. Murphy of Illinois, Mr. Myers, and Mr. Nedzi):

H. Con. Res. 669. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Nix, Mr. Passman, Mr. Davis of Georgia, Mr. Patten, Mr. Pepper, Mr. Podell, Mr. Pucinski, Mr. Randall, Mr. Reid, Mr. Roe, Mr. Roncalio, Mr. Rosenthal, Mr. Roush, Mr. Runnels, Mr. Satterfield, Mr. Scheuer, Mr. Scherle, Mr. James V. Stanton, Mr. Steed, Mr. Stokes, Mr. Stratton, Mr. Stuckey, Mrs. Sullivan, and Mr. Teague of Texas):

H. Con. Res. 670. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Sarbanes, Mr. Scott, Mr. Sikes, Mr. Sisk, Mr. Slack, Mr. Snyder, Mr. Taylor, Mr. Terry, Mr. Tiernan, Mr. Thomson of Wisconsin, Mr.

Udall, Mr. Vander Jagt, Mr. Veysey, Mr. Charles H. Wilson, Mr. Winn, Mr. Wyman, Mr. Yatron, Mr. Vanik, Mr. Waggonner, Mr. Yates, and Mr. Zablocki):

H. Con. Res. 671. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. FISH:

H. J. Res. 1269. Joint resolution authorizing the President to proclaim a "Vietnam Veterans Day," after the United States has concluded its participation in hostilities in Southeast Asia; to the Committee on the Judiciary.

By Mr. ROYBAL:

H. J. Res. 1270. Joint resolution authorizing the President to proclaim September 8 of each year as "National Cancer Day"; to the Committee on the Judiciary.

By Mr. WYMAN:

H.J. Res. 1271. Joint resolution providing for annual health examinations for Members of Congress and publication of the results thereof, and for other purposes; to the Committee on Rules.

H.J. Res. 1272. Joint resolution proposing an amendment to the Constitution of the United States to provide an age limit for Senators and Representatives; to the Committee on the Judiciary.

By Mr. BROTZMAN (for himself, Mr. Bell, Mr. Del Clawson, Mr. Conover, Mr. Curlin, Mr. Fraser, Mr. Hungate, Mr. Landgrebe, Mr. Mitchell, Mr. Riegle, and Mr. Wolff):

H. Res. 1075. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

By Mr. COLMER:

H. Res. 1076. Resolution providing for the consideration of the bill (H.R. 13916) to impose a moratorium on new and additional student transportation; to the Committee on Rules.

By Mr. HELSTOSKI:

H. Res. 1077. Resolution expressing the sense of the House that the U.S. Government should seek the agreement of other governments to a proposed treaty prohibiting the use of any environmental or geophysical modification activity as a weapon of war, or the carrying out of any research or experimentation with respect thereto; to the Committee on Foreign Affairs.

By Mr. McCLOSKEY:

H. Res. 1078. Resolution directing the Secretary of Defense to furnish to the House certain information respecting U.S. operations in North Vietnam; to the Committee on Armed Services.

H. Res. 1079. Resolution directing the Secretary of Defense to furnish to the House certain information respecting U.S. operations in North Vietnam; to the Committee on Armed Services.

By Mr. ROYBAL:

H. Res. 1080. Resolution to create a Select Committee on Aging; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H.R. 16177. A bill for the relief of Evangelia Maniedake; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 16178. A bill for the relief of Edna Eda Aluag; to the Committee on the Judiciary.

By Mr. RODINO (by request):

H.R. 16179. A bill for the relief of certain former employees of the Securities and Exchange Commission; to the Committee on the Judiciary.

By Mr. GOODLING:

H. Con. Res. 672. Concurrent resolution commemorating the 200th anniversary of Dickinson College; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

264. By the SPEAKER: Petition of Stanley Gaines, et al., Dallas, Tex., relative to a report of the Office of Economic Opportunity on the Dallas County Community Action Committee, Inc.; to the Committee on Education and Labor.

265. Also, petition of the Board of Supervisors, Tuolumne County, Calif., relative to the service of Congressman Harold T. "Bizz" Johnson; to the Committee on House Administration.

266. Also, petition of Ralph Boryszewski, Rochester, N.Y., relative to Federal grand juries; to the Committee on the Judiciary.

267. Also, petition of S. J. Oppong, Accra, Ghana, relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

NEW ENGLAND ECONOMY

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. HARRINGTON. Mr. Speaker, the following is part II of a four-part series done by the Associated Press on the problems of the New England economy.

This segment deals with New England's declining industries. Among these are the leather, textile, and fishing industries.

Yet, these industries remain vitally important to the region's economy, employing thousands of workers. Special attention must be paid to the particular problems confronting New England's oldest industries.

I commend the following article to the attention of my fellow Members:

[From the Salem (Mass.) Evening News, July 25, 1972]

Declining Industries Symbolize Area's Manufacturing Problems

(By Daniel Q. Haney)

Boston.—In the eyes of the businessman, New England's economy is shadowed by creaking old leather and textile mills whose layoffs eat up new jobs created by bright, expanding industries.

Although textiles and leather are not the region's only declining industries, they symbolize the problems of manufacturing in New England.

Since 1940, manufacturing in New England has been virtually stagnant, while nationally it has grown about 70 per cent. There were 1.3 million New England manufacturing workers in 1940, and now there are 1.4 million.

During that time, according to the Federal Reserve Bank, employment growth in New England has been maintained by the service industries—the insurance companies, universities, hospitals, consulting firms and other businesses that export assistance and knowledge, not gadgets.

Over the past decade, the number of New England jobs in leather and textiles has slid from 228,600 to 165,500. Plant closings are not uncommon; a Webster, Mass., shoe plant employing 300 will close in six weeks.

For much of the heavy industry that once thrived here, New England's location now makes it unappealing.

"The problem," according to Frederick Glantz, a Federal Reserve Bank economist, "is that New England is stuck way the hell up in the northeastern corner of the country, while the nation's center of population is moving westward." When the population was concentrated along the East Coast, shipping costs were minimal. Now, moving bulky, heavy merchandise to far-away customers makes up a big part of the item's final price.

New England has few natural resources, and it costs to bring raw materials in. High fuel prices, another product of the location, make it expensive to keep a plant running. And, compared to the South and foreign countries, labor costs here are high.

The evolution of New England's economy, spurred by the growing locational worries, has been interrupted twice over the past 40 years by military spending.

As the leather and textile industries began to weaken following the depression in the 1930s, World War II produced a demand for their products and halted the slip.

When that effect wore off in the 1950s, many textile mills moved to other areas or folded, and the leather industry—mainly shoes—began to feel the bite of foreign competition.

Again, the military stepped in and provided a new industry, the high technology firms that settled mostly in the two most populous states, Massachusetts and Connecticut.

Their primary customer was the government—Sophisticated weapons for the Pentagon and space ships for the National Aeronautics and Space Administration.

However, with a federal economy drive, a general economic downturn and shifting government values, defense and space spending have slowed, and New England and its high technology industries have suffered.

Other industries are also having their problems, among them fishing and farming.

A decade ago 21 companies lined Boston fish pier to process 115 million pounds of fish a year; now there are 14 companies which handle about 32 million pounds of fish a year. Heavy rains in Massachusetts and Connecticut this year have left dairy and tobacco farmers expecting their worst year in a long while.

Besides its location and reliance on defense spending, New England faces the problem of having a mature economy.

In a mature economy, says James Howell, chief economist at the First National Bank of Boston, "there is no inherent growth momentum. Economic vitality can be maintained only by carefully nurturing the industrial base."

Instead of that, some businessmen complain of a hostile business climate in New England.

"The result of our government process in this state," complains Richard D. Hill, president of the First National Bank of Boston, "has been to deeply divide the two essential partners, the owners and managers of capital and those who possess the skills to do the work.

"Unless we are prepared to junk our private enterprise system for some as yet undiscovered superior system," Hill says, "it is clearly counterproductive to drive a wedge through the heart of the industrial partnership. Profits are not the antithesis of labor well-being."

Albert J. Kelley, dean of Boston College's School of Management, says complaints about the business climate amount to "a matter of confidence."

"Some businessmen feel that the high cost of doing business, such as new pollution control laws and rising taxes, are squeezing them pretty hard," Kelley said in an interview.

"They are uncertain about their future here. They say, "We don't know how hard we're going to be socked by increased costs of doing business."

"On top of this," Kelley said, "are thrown increases in welfare."

In Massachusetts, nearly half of the state's $2.2 billion budget goes toward welfare. In Connecticut welfare takes 28 per cent of the budget and in the northern New England states about 15 per cent.

AMERICAN SYSTEM OF COMMERCIAL BROADCASTING

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Wednesday, August 2, 1972

Mr. BEALL. Mr. President, increasingly the American system of commercial broadcasting is becoming a focal point for a controversy which, I am sure, will have far-reaching consequences on the field of communications in our Nation. I refer to the growing discussion surrounding the issue of counteradvertising, which raises the question as to whether broadcasters should be compelled to provide a free forum for attacks on broadcast advertising.

One of those best able to discuss the broadcaster's view on this matter is Dr. Frank Stanton, vice chairman of the Columbia Broadcasting Systems, Inc. Recently, Dr. Stanton addressed the general conference of CBS television network affiliates with respect to the issues raised by "counter-advertising."

I ask unanimous consent that Dr. Stanton's remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF FRANK STANTON

As we meet here today in this marvelous world of make-believe against the backdrop of the real world's threatening geopolitical problems, I suggest, if we can, that we set aside those momentous considerations and focus for the moment on an issue which goes to the very heart of the American system of commercial broadcasting. The subject is one that is fast becoming a political controversy of the first order. And as the debate intensifies, it is clear that what is at stake is the viability of broadcasting and hence our capacity to serve the public.

The issue is "counter advertising" and the central question is this: Should broadcasters be compelled to provide a free platform for attacks on broadcast advertising?

A peculiar coalition of the "New Populist" movement on the one hand and high-placed Washington officials on the other is becoming increasingly vocal in the affirmative. That any of these strange bedfellows comprehend the mischief they are concocting is uncertain. But as we all know, ignorance of the facts has frequently triggered bureaucratic decisions whose results have been far more damaging to society than the conditions they were supposed to remedy.

I would like to address the ramifications of the counter advertising dilemma quite specifically, and particularly the implications for the public in misguided Federal actions.

Under the Federal Communications Commission's Fairness Doctrine, broadcasters who present coverage of significant controversial issues are required to seek out and present contrasting viewpoints. Until five years ago it had never been supposed that Fairness Doctrine obligations would be called into play by the presentation of ordinary product advertisements.

In 1967, however, the FCC held that the advertisements for a single product—cigarettes—presented a unique case because the Congress of the United States had specifically found the normal use of cigarettes to be hazardous. The Commission ordered licensees to make free announcement time available for messages that cigarette smoking was dangerous to health. The FCC, when its order was appealed to the courts, stated its belief that "instances of the extension of the ruling to other products would be 'rare,' if indeed they ever occurred." The U.S. Court of Appeals for the District of Columbia in turn emphasized that its "cautious approval of this particular decision does not license the Commission to scan the air waves for offensive material with no more discriminating a lens than the 'public interest' or even 'the public health.' "

Less than two years later, the same Court held that a station which continued to carry ordinary department store advertisements while a union-promoted boycott of the store was in progress, was implicitly expressing a viewpoint against the boycott.

And hence, said the Court, it was a controversial issue, as to which the opposing viewpoint should have been presented. Again, in the fall of 1971, the same Court held that commercials for high-powered cars and leaded gasoline implicitly expressed a viewpoint which, in the light of the supposed polluting effects of these products, put them in the same category as ads urging the purchase of cigarettes.

In both cases the court overruled the Federal Communications Commission, which sought to confine counter advertising to the one product it viewed as unique—cigarettes. It was in the climate that the FCC initiated a wide-ranging inquiry into all aspects of the Fairness Doctrine, including the appropriate treatment, under the Fairness Doctrine, of commercial advertisements.

This was the situation into which the Federal Trade Commission stepped, on January 6 of this year; when it filed with the FCC a statement in behalf of counter advertising to do things the FTC's own regulatory tools, it said, could not do. The FTC's petition stated that counter advertising would be appropriate to deal with ads that explicitly raised a controversial issue; ads that stress broad themes implicitly raising such issues; ads making claims based on disputed scientific information; and ads that are silent about negative aspects of the advertised product.

Having thus described the four categories, the FTC conceded that the last of them was all inclusive: "This list of examples could go on indefinitely," the FTC noted, "for the existence of undisclosed negative aspects or trade-offs of one sort or another, is inherent in all commercial products and, thus, in all advertising."

The concrete examples set forth by the FTC give a clear idea of the range of counter advertisements that it contemplates: "For example, in response to advertising for small automobiles, emphasizing the factor of low cost and economy, the public could be informed of the views of some people that such cars are considerably less safe than larger cars. On the other hand, ads for big cars, emphasizing the factors of safety and comfort, could be answered by counter ads concerning the greater pollution arguably generated by such cars. In response to advertising for some foods, emphasizing various nutritional values and benefits, the public might be informed of the views of some people that consumption of some other food may be a superior source of the same nutritional values and benefits. In response to advertising for whole life insurance, emphasizing the factor of being a sound 'investment,' the public could be informed of the views of some people that whole life insurance is an unwise expenditure. In response to advertising for some drug products, emphasizing efficacy in curing various ailments, the public could be informed of the views of some people that competing drug products with equivalent efficacy are available in the market at substantially lower prices."

The debate, clearly, could be endless. But would such debate between advertisers and counter advertisers serve the public interest?

No one who listens to radio or views television news and public affairs broadcasts is unaware of the vigorous discussion which is taking place as to the impact of various advertised products upon the environment and upon the public health and well being. It is because the debate is taking place there that the public has become concerned about such issues. But the question deserves to be asked whether the FTC's sweeping proposal would result in debate that was more meaningful and informative.

Turning to the basics of marketing, paid advertising is usually brief, it is costly and its purpose is to sell products or services. In the normal 30- or 60-second announcement the advertiser cannot effectively present both the competitive virtues of his product and a defense against any later objections to its social desirability that may be raised. Further, what an advertiser can say about the merits of his product is not given the full protection of the First Amendment but, rather, is limited by the vigorous truth-telling standards of the Federal Trade Commission Act.

The individuals and groups who would counter advertise would engage in these debates without any such restrictions. They need not pay for their time; they have no selling obligations; and they would not be restricted by the FTC in what they could say. The result would not be a debate, but what Dr. Clay T. Whitehead, Director of the Office of Telecommunications Policy, has called "a verbal stoning in the public square." Most of the organizations and groups which would counter advertise would not be financially responsible for the damage they might cause to the advertiser's enterprise and to his employees should their charges be false or irresponsible. Nor is it likely that the First Amendment would be held by the courts to permit the imposition of liability on them even if they were financially responsible.

Harmful as this unequal debate would be to advertisers generally, its detriment would be even greater to advertisers of new products and services. It would be especially harmful to products and services that promise some degree of environmental improvement. New products and services always provoke scepticism and for this reason advertising plays a critical role in efforts to obtain public acceptance. But claims of environmental improvement (which so often, in the nature of things, is improvement step by step in successive increments) could, like a lightning rod, attract the fierce attacks of impatient counter advertisers, dissatisfied with the nature or the pace of the improvement or that it did not deal with "the real problem." The net result would be to discourage advertisements about product improvement related to environmental matters, since advertisers would be loath to purchase time which became an invitation to be attacked.

And what would counter advertising do to radio and television?

Recognizing its possible impact, the FTC has attempted to suggest that counter advertising could be limited. In this it is following in the dubious footsteps of the FCC, which once thought it could be confined to a single product. But bitter experience points in the opposite direction.

Almost every advertised product is susceptible to challenge, not from one, but from many different points of view. It has been observed that a 30- or 60-second commercial message featuring a new automobile being driven along a scenic highway could be challenged on the ground that the advertisement favors large cars over small ones, promotes expenditures on roads at the expense of other public facilities, encourages consumption of scarce resources, contributes to pollution of air and water, represents a less desirable expenditure than the consumer might otherwise make, or fails to disclose safety hazards or other allegedly undesirable features of the automobile. One group may demand access on behalf of small cars, another on the pollution issue, and another on behalf of the highway resource allocation issue.

Advertisers of products and services subjected to counter commercials would flee the broadcast media and make their expenditures in media which would not expose them to the same hazards. The case history of the only product yet subjected to counter advertising—cigarettes—offers dramatic support for the proposition that this is what would take place. The cigarette manufacturers, faced with counter advertising, aggressively supported legislation to prohibit cigarette advertising on television and radio in preference to exposing their product to increasing attack on the air.

Whatever dubious merit that might be assigned to counter advertising is dissipated and made into a destructive force when the mandate is applied exclusively to radio and television. It would be only a matter of time before there would be a substantial exodus of advertisers from broadcasting to print—just as in the case of cigarettes—only this transfer would be voluntary. And understandably, for who would blame the advertiser for wanting to avoid counter advertising.

But assume for the sake of discussion that today's advertisers would maintain their current schedules, and consider what would happen if counter advertising claims were limited to six product categories only—cereals, automobiles, gasoline and oil, drugs and detergents—which in 1970 accounted for about one-fourth of all television network sales. If replies had been presented in the form of free announcements occupying time otherwise sold, and if only one such counter advertisement had been presented for every five commercials—the same ratio the FCC applied to cigarettes—the 1970 loss to the three networks would have been about $68 million, or $18 million more than the combined pre-tax profits of the three networks. If counter advertising claims, on the same one-to-five ratio, were allowed with respect to all product categories, the loss to the three networks would have been about $220 million.

Those are network figures. But in no sense would individual stations be spared. Even by using a more lenient one-to-ten ratio, if counter advertising claims had been allowed in 1970 with respect to all product categories on all television stations, the loss in non-network time sales would have been approximately $130 million. This represents almost one-third of all television stations' 1970 pre-tax profits.

In the face of these threats to the viability of commercial broadcasting, it is particularly pertinent to consider what such losses—either through the exodus of advertisers or the economic penalties of counter commercials—could mean for the very goal that is the asserted justification for counter advertising, the goal of informing the public.

This year broadcasters are spending millions of dollars to bring to the public the events, the issues and the personalities of a Presidential election year, from the primaries through the conventions and the campaign to the climactic counting of the ballots on Election Night. The financial resources that make this kind of public service possible come from advertising. This is the touchstone of our free competitive television service.

At stake here is a critical principle. If this country is to enjoy a full broadcast service that is not dependent upon government subsidies or subscription payments by each viewer or listener, the support of responsible advertisers marketing acceptable goods and services is the only practicable means of funding that free service.

With all its faults, with all its imperfections, the American system of television avoids the twin evils of government subsidy and control on the one hand, and direct public subscription on the other. Advertising is the foundation of a free press. Remove this source of support and the whole structure falls. It's as simple as that—and as threatening.

In this election year there will be many issues upon which the major political parties will be called to take an unequivocal stand. None is more important than a free broadcast press. It is an issue which affects every member of your audience. It threatens radio and television as vital instruments of informed self government. And so I urge you to take the initiative in persuading the writers, the builders of the party platforms, to incorporate planks that repudiate in straightforward language the whole counter-productive concept of counter advertising. And I urge broadcasters to take the fight against this concept elsewhere—to your elected representatives in Washingon, for example, where ultimately the issue must be resolved.

AHEPA CELEBRATES GOLDEN ANNIVERSARY

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. McFALL. Mr. Speaker, the golden age of Greece, that unique period when pure democracy was as much a practice as an ideal, was the fountainhead for much of what free people everywhere hold precious.

We look back to classical times and the heritage of the Grecian city states of the Mediterranean as the foundation for our literature, architecture, the arts, and most importantly freedom.

As long as free people exist, they will always treasure the Hellenic heritage, uniquely as their own.

The American Hellenic Educational Progressive Association, has dedicated itself in the best tradition of the Golden Age, making contributions for the betterment of all people.

This organization, of which I am proud to be an honorary member is observing its golden anniversary this year.

The Order of Ahepa was founded on July 26 1922, in Atlanta, Ga., and is composed of men of outstanding character and good will, who are citizens, or who have declared their intention to become citizens.

From its founding, the Order of Ahepa has grown into a network of 430 local chapters, which are providing fellowship and community service in 49 States, Canada, and Australia.

The strong heritage that fraternity and service is not limited to the male adult members of the family, but includes all of the family is reflected in the founding of satellite organizations by the Order of Ahepa members. These include: The Daughters of Penelope, senior women's auxiliary; the Sons of Pericles, the junior young men's auxiliary; and the Maids of Athena, junior young women's auxiliary.

The Order of Ahepa is guided by a nine-point list of high objectives, but Mr. Speaker, these ideals are made even more meaningful when the record of accomplishment of the order is recalled.

During its 50 years of existence, the Order of Ahepa has founded or provided financial contributions to many worthy endeavors on national and international levels, such as disaster relief projects, schools, hospitals, and memorials. During World War II, the Order of Ahepa sold $500 million in bonds as an official issuing agency of the U.S. Treasury.

On this their golden anniversary I take pride in wishing the members of the Order of Ahepa continued growth, progress, and success in building upon a remarkable record or accomplishment, fellowship, and service to humanity.

THE PERIPHERAL CANAL: THE CALIFORNIA MAJORITY VIEW

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. HOSMER. Mr. Speaker, in order that the record may be kept straight with respect to the proposed Peripheral Canal unit of the California State water project, I am including at this point the remarks of Mr. William P. Moses, a member of the California Water Commission.

Mr. Moses' remarks are particularly appropriate because in addition to his association with the water commission, he is a resident of Contra Costa County.

While many official and unofficial spokesmen from that county decry the Peripheral Canal as an attempted southern California rape of the delta region, Mr. Moses clearly points out the source of the problem.

Excerpts from his cogent remarks follow:

THE PERIPHERAL CANAL MINORITY VIEW, CONTRA COSTA STYLE*

(By William P. Moses)

These remarks have been entitled, "The Peripheral Canal Minority View, Contra Costa Style." You can read that two ways.

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*Presented before the Water Problems Section of the Commonwealth Club, San Francisco, California, July 13, 1972.

The official position of the Contra Costa County Water Agency is certainly a minority position, statewide. My position, however, is in the minority in Contra Costa County, and that's the understatement of the year.

Unfortunately, years of emotional brainwashing have had their impact on the unsuspecting public, and any politician who has the temerity to even hint that he would consider any position but the traditional Contra Costa anti-State Water Project, anti-Peripheral Canal, as a matter of fact, anti-everything-position, is asking for early retirement, like at the next election.

Having no political ambitions, I shall then go on my uninhibited way, but not merrily or happily, unfortunately.

I am convinced that the people of my county have been and are presently the victims of a scandalous fraud. Let me share some thoughts with you, and then draw your own conclusions.

Events of recent days, witness the Isleton flood, have spot-lighted an almost ludicrous situation. The Contra Costa County Water District is now delivering the worst water ever delivered by any water district in California. Who says so? None other than John DeVito, General Manager of that very District. Why? Because the District's pumps are sucking up salt water at Rock Slough, despite the fact that the federal and state pumps at Byron and Tracy were stopped completely, and despite the fact that there were massive additional releases of water from upstream dams, including Shasta and Oroville.

I cannot resist pointing out that a certain congressman demanded the cessation of the pumping 3 or 4 days after those wearers of the black hats—the Feds and the Department of Water Resources people—had already voluntarily done so.

It is only because the other entity charged with providing water to the rest of my county, the East Bay Municipal Utility District, came to the rescue with millions of gallons of pure Mokelumme River water, that the people and industries of the eastern side of Contra Costa County have been saved from a disaster of rather serious proportions.

Why is this ludicrous? Well, because while East Bay Municipal Utility District and Contra Costa Water District do their job of providing water to Contra Costa County, the Contra Costa Water Agency, said congressman, and an aspiring politician or two striving for Sacramento, stand in the wings yelling, "Down with the Peripheral Canal."

The sad part of it is that the general public has been misled to the point that despite the fact that there is no Peripheral Canal—and that they almost didn't have water fit to drink coming out of the faucets—I'll give you odds that if a poll were taken, the vote would be overwhelmingly against the Peripheral Canal and to continue the traditional fight against sending water to Los Angeles.

In December of 1971, and again in May of 1972, I asked a number of questions of the Board of Supervisors of my county, who sit as the Contra Costa County Water Agency. They are good men, well intentioned, but gravely misled I am afraid, by their political instincts, and more to the point, by a publicity-conscious, flack-happy staff who has led them down the primrose path. A staff that works 24 hours a day grinding out publicity releases, opposing every positive program, attacking the motives of anyone who dares to disagree, and a staff that has never come up with one suggestion of a positive nature as a possible solution to the problem.

This is the same staff and congressman that say, "Don't worry. When the state and federal pumps start sucking up salt, we got 'em."

Well, I say that's fraud. The present situation proves it. Long before this happens, the district pumps at Rock Slough are out of business, and the eastern half of Contra Costa County is in trouble as it was last month until at least partially rescued by East Bay Municipal Utility District.

I say it's time for the people of Contra Costa County to wake up and say to the Agency, the congressman and the staff, "What goes here? What is your solution to the problem? How much water have you brought to the County? What water rights do you own? Whom are you really protecting? Is it the people of Contra Costa, or a few large landowners, all except one of whom reside outside the County?"

It's time to insist on an answer to the question, "If the Peripheral Canal isn't the answer, what is?"

It's time to say, "The pumps are there. The water is going south. How do you suggest we protect the Delta?" It's time to say, "The water quality criteria has been established by Decision 1379 of the Water Resources Control Board. Why do you delay the early implementation of these environment standards?"

It's time for them to stand up and explain what they are going to do to stop the damage to the Delta which is occurring right now, and there is no Peripheral Canal.

The chairman of that very Agency invited the people, by way of a press release, to come up to the Delta on Mother's Day because there was an extremely low tide then and they could see first hand the damage being done to the Delta today, yesterday and tomorrow. Somehow, we are led to believe that by stopping the Peripheral Canal this damage will stop, cease or go away.

When the explorers first moved up the Sacramento River, the Delta was a swamp. Contrary to the popular notion, the Delta is not a God-given creation of nature. Man has built the levees, reclaimed the land, and built flood control projects to protect the levees and the land. More than half of the Delta lies below sea level, like those islands which were flooded just last month—on the first day of summer in a dry year.

A recent article in a local newspaper told us that the land is subsiding at the rate of some 3 inches per year. Obviously, as the land goes down, the levees get higher. Obviously, this creates a strain on these levees that is creating a serious problem to prevent exactly what happened at Isleton last month.

I wonder what the Agency is doing about this. Are they suggesting legislation or other controls, or what? I am willing to give odds that they will say, "Stop the Peripheral Canal, and it will go away."

I used the term, "ludicrous," and I suggest to you that it's exactly that, because we have the following facts.

East Bay Municipal Utility District and Contra Costa Water District have water rights and are delivering water to Contra Costa County. Each is planning for the future: East Bay Municipal Utility District, with its American River Project which has had some difficulties lately, and the Contra Costa Water District, which is attempting to produce new water or re-useable water by participating in a pilot project in conjunction with the Central Sanitary District of the County with financial help from the state and federal governments. Each of these districts is fighting desperately to deliver good water to the people of Contra Costa County in its respective district by cooperating with the federal and state people.

On the other hand, Contra Costa Water Agency, with no water rights by its own admission, is opposing at every step of the way any proposed solution, and even worse, making no positive suggestions to solve the dilemma.

Some people charge that Contra Costa wants the extra flows through the Delta to flush out our own pollution. I asked them to comment on this in view of the fact that the Kaiser Report found that waste discharges from Contra Costa County exceeded that of any of the 12 counties in the Bay and Delta Areas.

I asked them to explain the cease and desist order issued by the San Francisco Bay Regional Water Quality Control Board against Sanitary District Number 7–A operated by the Contra Costa County Water Agency which had been polluting Honker Bay since 1951 and as far as I know is still polluting the Bay right at this moment.

One question I asked really bothered me. The County issued a new brochure entitled, "A Disaster in the Making." Now, this brochure was issued after Decision 1379 which was rendered on July 28, 1971, and in the brochure they claimed a victory. But in their illustration, they showed the intrusion of sea water under the water quality standards advocated by the November 19, 1965 Memorandum of Understanding. Obviously, the Decision 1379, with the new water criteria requirements, abrogated the latter Memorandum which was then no longer applicable.

I consider this illistration the worst kind of fraud on the public, and a deliberate attempt to mislead them.

I suggested that the county was in a peculiar position in supporting Decision 1379, including spending money appearing in court in support of the decision, at the same time damning—if you'll pardon the expression—the Peripheral Canal, when the decision itself called for a trans-Delta facility.

One, Kerry Mulligan, former Chairman of the State Water Resources Control Board said, and I quote.

"You notice I keep saying 'trans-Delta facility', and that's what we said in our decision. What the decision says in my opinion, if we read between the lines, is just what I just said, it won't work. We cannot maintain the environment of the Delta. We cannot protect water quality and still meet the contractual obligations of the projects without a peripheral canal."

I find it inconceivable that a county can spend, by their own admission, almost $300,000 in attorneys fees to win a victory, and then fail to support an integral part of the machanics to insure the victory.

Regarding the law suit now on file in Sacramento on Decision 1379, the fraud is compounded, in my judgment, to a point where it can only be termed ridiculous and beyond the realm of comprehension. Why do I say that? Contra Costa County filed a counter claim, cross-complaint, call it what you want, bringing in the United States Government, to wit, the Department of Interior, Bureau of Reclamation.

Now, it doesn't take a knowledgeable person to know that when you sue the Federal Government, they are not about to let the state courts decide the matter. This will end up in the federal courts. I submit that by filing such a cross-complaint, Contra Costa is precipitating a legal battle that will make the famous Colorado River Case minute by comparison, both in time and in costs.

Some people far more qualified than I have warned against opening this Pandora's Box—the late, United States Senator Clair Engle, and the late, State Senator George Miller, to name two. They each termed such a proceeding as a "Legal Frankenstein."

I submit that we had a marvelous opportunity to find out whether our southern friends really mean it when they say they don't want to ruin the Delta. Here we had extended hearings before a knowledgeable board, and a decision had been reached which would give the protectors of the Delta assurance that water would only be exported when there was no damage to the Delta environment.

Why not put that legislation before the representatives from the south and make them "put up or shut up?" Support the legislation or prove what Contra Costa County is saying, that the south wants to rape the Delta by their refusal to vote for writing into law these standards determined by a knowledgeable body charged with this duty by the legislature itself. But no, the Agency, by some devious reason which escapes me, opposes such legislation.

I eagerly await the explanation of how you can claim a victory, spend money defending it in court, delay the imposition of water quality standards by filing a cross-complaint, and finally, object to the writing of these very same standards into law as a further protection to the environment of the Delta.

One further matter that bothers me. You may or may not know that in 1959, which was even before the state pumps were in existence, Contra Costa went through the same problem that they just experienced in the last month. The Bureau, for reasons of its own, cut the releases of water from Shasta Dam. As a result, the Water District had serious salinity problems. Now, that was 13 years ago, and I suggest to you that there has been sufficient time to introduce legislation in Congress to protect the District from this type of action. Nothing, and I repeat, nothing, has been done.

ANALYSIS OF REGIONAL DEVELOPMENT ACT OF 1972

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. MIZELL. Mr. Speaker, last week I introduced legislation to establish a national development program designed to effect a better balance of economic and population growth throughout the Nation.

My bill calls for the establishment of a National Development Agency to coordinate and direct the work of a system of multi-State regional commissions, which in turn would be responsible for carrying out locally initiated development projects.

These projects, as I noted on Thursday when introducing the bill, would be concentrated in the areas of transportation, industrial growth, manpower training, education and health delivery services, housing construction, environmental protection and comprehensive planning.

My introductory statement of last Thursday provided only a cursory explanation of the basic purposes and structure of my proposal. At this time, for the benefit of my colleagues who have already expressed a great deal of interest in the measure and for those who may desire more detailed information, I would like to insert in the RECORD a section-by-section analysis of the bill, an estimated State-by-State distribution of funds authorized under the bill, and the complete text of the legislation itself:

SECTION-BY-SECTION ANALYSIS OF "REGIONAL ECONOMIC DEVELOPMENT ACT OF 1972"

TITLE I.—NATIONAL DEVELOPMENT AGENCY AND REGIONAL DEVELOPMENT COMMISSIONS

Sec. 101(a). Establishes a National Development Agency in the executive branch which will be composed of the cochairman of the development commissions established under this legislation and an Administrator for National Development appointed by the President.

Sec. 101(b). Requires that decisions of the National Development Agency be approved by the Federal administrator and a majority of the commission cochairman.

Sec. 101(c). The purpose of the agency is to promote the purposes of the act and develop goals and general policy.

Sec. 101(d). The agency may make recommendations to the President, the Congress, the Governors, and appropriate local officials on ways to expend federal, state and local funds so as to further promote regional economic development.

Sec. 102(a). A development commission may be formed by the agreement of the governors of contiguous or otherwise closely related States. The National Administrator may disapprove a commission if he feels it is inconsistent with the purposes of this act.

Sec. 102(b). A regional commission will be composed of a Federal cochairman appointed by the administrator, and one member from each State in the commission. A State cochairman will be selected from among the State members.

Sec. 102(c). Decisions of a commission shall require the affirmative vote of the federal cochairman and of a majority of the State members (exclusive of members representing States delinquent under Sec. 105(a). The Federal cochairman shall consult with federal departments and agencies having an interest in the subject matter.

Sec. 103. Regional commissions created under Title V of the Public Works and Economic Development Act of 1965 will continue to operate until they are absorbed by commissions created under this legislation.

Sec. 104. The commissions are to:

1. Stimulate development through public works construction
2. Provide comprehensive planning for the region
3. Conduct an inventory and analysis of needs and sponsor demonstration projects.
4. Review Federal, State, local, and private programs to evaluate their effectiveness.
5. Work for interstate cooperation
6. Encourage the formation of development districts and their use as vehicles for local planning
7. Encourage private investment in industrial, commercial and recreational projects
8. Coordinate programs in the region
9. Promote the consideration of regional problems and solutions.

Sec. 105 (a). All the administrative expenses of a commission for the first two fiscal years of its existence will be paid for by the Federal government. Thereafter, the States will pay 50% of the expenses, except for the Federal cochairman and his staff, who will be paid by the Federal government. Any State which does not pay its share of the commission costs will not be eligible to vote or receive the benefits of commission membership.

Sec. 105(b). A maximum of 2.5% of the funds authorized in Title V will be available to administer this section.

Sec. 106. Authorizes the regional commissions to make regulations, hire personnel, and enter contracts.

Sec. 107. Authorizes the commissions to hold hearings and gather information.

Sec. 108. Prohibits members and employees of the commissions from engaging in activities which would create a conflict of interest.

TITLE II.—GENERAL PUBLIC WORKS DEVELOPMENT GRANTS

Sec. 201(a)(1-4). Development commissions, subject to approval of the National Development Agency, are authorized to make four types of grants: 1) grants for public works construction; 2) supplementary grants to allow areas to participate in other grant-in-aid programs; 3) grants for the operation of projects constructed under Title I; and 4) demonstration grants.

Sec. 201(b). Except where otherwise provided, no grant in the section may be more than 50% of the project cost.

Sec. 201(c). Supplementary grants may be used in place of other Federal funds in a grant-in-aid project, or as an additional Federal contribution over and above the maximum permitted Federal contribution. The total Federal contribution in these cases is not permitted to be over 80% of the project cost.

Sec. 201(d). Grants for operating a facility may be 100% for the first two years the facility is operating, 75% for the next three years. No operation grants will be made after the first five years of a facilities operation.

Sec. 201(e). Demonstration grants may be up to 100% of project costs.

Sec. 201(f). At least 10, but not more than 20% of the grants in this section must be spent in areas meeting one of the following four conditions:

1. a large concentration of low-income persons
2. rural areas having a substantial outmigration
3. substantial unemployment
4. an actual or threatened abrupt rise of unemployment due to the closing or curtailment of a major source of employment.

Sec. 201(g). Grants made under the act will come from funds appropriated for the act.

Sec. 201(h). Federal grant-in-aid projects receiving funds under this section must meet the Federal grant program requirements. Grants in this section cannot be substituted for funds which would otherwise be available under Federal grant-in-aid programs.

Sec. 201(i). Projects will be carried out where possible by Federal, State or local governments.

Sec. 201(j). Grants may be made to State and local governments, development districts, or non-profit organizations.

Sec. 202. The submission of an application for a grant must go through the State member of the regional commission and must be approved by the development district where the grant is to be used.

Sec. 203. A project cannot be implemented without the approval of the regional commission. It must meet health, housing and other criteria. After July 1, 1974, the regional commissions are required to set up environmental, pollution and economic guidelines which a project would have to meet before it was approved. This approval would then be taken as proof the project satisfies the National Environmental Policy Act of 1969.

Sec. 204. In allocating grants, the regional commissions need to consider a project's effects on income, employment and public facilities, as well as its benefits in relation to its costs.

TITLE III.—SPECIAL RURAL DEVELOPMENT GRANTS

Sec. 301. Development districts are authorized to make grants of up to 100% for projects consistent with the rural economic development plans of the State or development district.

Sec. 302. Development commissions may make grants to local organizations or governments to permit them to meet matching grant requirements for Federal assistance programs.

Sec. 303. Defines the types of groups and organizations which may apply for the special rural development grants.

Sec. 304. The projects funded under Title III must be for rural areas. It is the responsibility of the development commissions to see that the rural development funds are used for the benefits of rural areas.

TITLE IV.—MISCELLANEOUS PROVISIONS

Sec. 401. State expenditures must be maintained at a level which is the average of the two years prior to the passage of the act in order to be eligible for assistance under the legislation. The section describes how this average is to be computed.

Sec. 402. The consent of a State is required in order to receive benefits under the act.

Sec. 403. Assistance provided under the act cannot be used to relocate business establishments, finance the cost of capita goods, provide working capital, or finance the cost of facilities used to generate, transmit, or distribute electric power or gas.

Sec. 404. Title III, IV, V, VI and VII of the Public Works and Economic Development Act are repealed, except as provided in this legislation, and the remaining functions of the Economic Development Administration are transferred to the National Development Agency. The section defines the terms development district, standard metropoitan statistical area, rural area, rural per capita income, fiscal year, personal income and governor.

TITLE V.—AUTHORIZATIONS OF APPROPRIATIONS AND ALLOCATIONS

Sec. 501(a). Authorizes for Title I and II, $2 billion for fiscal year 1974, $2.5 billion for fiscal year 1975, and $3 billion for fiscal year 1976. Not more than 10% of the funds can be used for the pubic works development grants called for in Sec. 201(a)(3).

Sec. 501(b). Allocates Title I and II funds among the regional commissions.

Sec. 502(a). Authorizes $1 billion for Title III for fiscal year 1974.

Sec. 502(b). Allocates the funds for Title III among the States.

H.R. 16092

A bill to establish a national development program through public works, including a special component for the development of rural America, and to consolidate under the program so established certain existing development programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Regional Development Act of 1972".

STATEMENT OF PURPOSE

Sec. 2. It is the purpose of this Act to effect a better balance of economic and population growth between urban and rural areas of the Nation by promoting through locally initiated and regionally coordinated projects, the development of improved transportation systems, industrial development manpower training, educational and health delivery services, housing construction, environmental protection, and comprehensive planning, in those areas where such public services and employment opportunities do not exist or are presently insufficient.

TITLE I—NATIONAL DEVELOPMENT AGENCY AND REGIONAL DEVELOPMENT COMMISSIONS

Sec. 101. (a) There is established the National Development Agency (hereinafter referred to as the "Agency") which shall be an independent agency in the executive branch of the Federal Government. The Agency shall consist of each State's cochairman of the Development Commissions established under this Act and an Administrator for National Development (hereinafter referred to as the "Administrator"), and may appoint such staff at such salaries as are necessary to carry out the duties of the Agency. The Administrator shall be appointed by the President by and with the advice and consent of the Senate, and shall be compensated as provided for level II of the Executive Schedule under section 5313 of title 5 of the United States Code.

(b) Each decision of the Agency shall be made with the concurrence of the Administrator and a majority of the States' cochairmen.

(c) It is the purpose of the Agency to provide a set of national economic development goals, and aid their implementation through projects described in section 203(a) and funded by development commission. The Agency shall coordinate the work of these commissions and shall focus on the problems of economic development, both rural and urban, and shall conduct research into the extent of and possible solution to these problems.

(d) The Agency may, from time to time, make recommendations to the President and the Congress, and to the Governors and appropriate local officials, with respect to the expenditure of funds by Federal, State, and local departments and agencies in the region in the fields of natural resources, agriculture, education, training, health, and welfare, and other fields related to the purposes of this Act.

Sec. 102. (a) Upon the joint notification to the President and Congress by the Governor of each of any number of contiguous or otherwise closely related States that such States have determined in accordance with their respective legal procedures to form a Development Commission for the purposes of this Act, a development region shall be recognized as established with respect to such States designated as such region in such notification, unless the Administrator determines that such region would be inconsistent with the purposes of this Act. It is the policy of the United States that such Development Commissions be established for all areas of the United States.

(b) Each such Commission shall be composed of one Federal member (hereinafter referred to as the "Federal Cochairman") appointed by the Administrator, and one member from each State in the region. Each State member may be the Governor, his designee, or such other person as may be provided for by the law of the State which he represents. The State members of the Commission shall elect a State cochairman from among their number. The Federal Cochairman shall be compensated by the Federal Government at the level provided for GS–18 under section 5332 of title 5 of the United States Code, and he may appoint such staff and at such salaries as will enable him effectively to carry out his reponsibilities under this Act. Each State member shall be compensated by the State which he represents at the rate established by the law of such State.

(c) Except as provided in section 106, decisions by a Commission shall require the affirmative vote of the Federal Cochairman and of a majority of the State members (exclusive of members representing States delinquent under section 106). In matters coming before a Commission, the Federal Cochairman shall, to the extent practicable, consult with the Federal departments and agencies having an interest in the subject matter.

Sec. 103. Regional Commissions established under title V of the Public Works and Economic Development Act of 1965 shall continue in operation as Development Commissions established under this Act until the States comprising such Region Commissions are included in Development Commissions established under this Act. Authorizations and appropriations for such title V commissions shall remain available for expenditures in affected areas until expended.

Sec. 104. In carrying out the purposes of this Act, each Commission shall—

(1) foster comprehensive programs implementing a policy for public works development which, through the management and control of physical development, will provide necessary public services, stimulate and channel physical and economic growth, optimize economic opportunities and choices for individuals, support sound land use, and protect and enhance the environment;

(2) develop, on a continuing basis, comprehensive and coordinated plans and programs and establish policies for the development of projects to receive assistance under this Act, giving due consideration to other Federal, State, and local planning in the region;

(3) conduct and sponsor investigations, research, and studies, including an inventory and analysis of the human and physical resources of the region, and, in cooperation with Federal, State, and local agencies, sponsor demonstration projects designed to foster development;

(4) review and study in cooperation with the agencies involved, Federal, State, and local public and private programs, and, where appropriate, recommend modifications or additions which will increase their effectiveness in the region;

(5) formulate and recommend, where appropriate, interstate compacts and other forms of interstate cooperation, and work with State and local agencies in developing appropriate model legislation;

(6) encourage the formation of development districts and their use as a primary vehicle for local planning and coordination of project requests;

(7) encourage private investment in industrial, commercial, and recreational projects;

(8) serve as a focal point and coordinating unit for programs in the region; and

(9) provide a forum for consideration of problems of the region and proposed solutions and establish and utilize, as appropriate, citizens and special advisory councils and public conferences.

Sec. 105. (a) For the period ending on June 30 of the second full Federal fiscal year following the date of establishment of a Commission, the administrative expenses of such Commission shall be paid by the Federal Government. Thereafter, such expenses shall be paid 50 per centum by the States in the region except that the expenses of the Federal Cochairman and his staff shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the State members of the Commission. No assistance authorized by this Act shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State member of a Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.

(b) Not to exceed 2.5 per centum of the funds authorized under title V of this Act shall be available to carry out this section.

Sec. 106. To carry out its duties under this title, each Commission is authorized to—

(1) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of its business and the performance of its functions;

(2) appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the Commission to carry out its functions, except that such compensation of any individual on the staff shall not exceed the maximum scheduled rate for grade GS–16 under section 5332 of title 5 of the United States Code. No member, officer, or employee of the Commission, other than the Federal Cochairman of the Commission, his staff, and Federal employees detailed to the Commission under paragraph (3) shall be deemed a Federal employee for any purpose;

(3) request the head of any Federal department or agency (who is hereby so authorized) to detail to temporary duty with a Commission such personnel within his administrative jurisdiction as the Commission may need for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status;

(4) arrange for the services of personnel from any State or local government or any subdivision or agency thereof, or any intergovernmental agency;

(5) make arrangements, including contracts, with any participating State govern-

ment for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for, or continue in, another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel. The Civil Service Commission of the United States is authorized to contract with the Commission for continued coverage of Commission employees, who at date of Commission employment are Federal employees, in the retirement program and other employee benefit programs of the Federal Government;

(6) accept, use, and dispose of gifts or donations of services or property, real, personal, or mixed, tangible or intangible;

(7) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation; and

(8) take such other actions and incur such other expenses as may be necessary or appropriate.

SEC. 107. In order to obtain information to carry out its duties, each Commission shall—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable, a Cochairman of the Commission, or any member of the Commission designated by the Commission for the purpose, being hereby authorized to administer oaths when it is determined by the Commission that testimony shall be taken or evidence received under oath;

(2) arrange for the head of any Federal, State, or local department or agency (who is hereby so authorized to the extent not otherwise prohibited by law) to furnish to the Commission such information as may be available to or procurable by such department or agency; and

(3) keep accurate and complete records of its doings and transactions which shall be made available for public inspection, and for the purpose of audit and examination by the Comptroller General or his duly authorized representatives.

SEC. 103. (a) Except as permitted by subsection (b) hereof, no State member and no officer or employee of any Commission nor any State cochairman in his capacity as member of the Agency shall participate personally and substantially as member, officer, or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization (other than a State or political subdivision thereof) in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest. Any person who shall violate the provisions of this subsection shall be fined not more than $10,000, or imprisoned not more than two years, or both.

(b) Subsection (a) hereof shall not apply if the State Cochairmen, member, officer, or employee first advises the Commission and the Agency of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by the Commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commission may expect from such State member, officer, or employee.

(c) No State member shall receive any salary, or any contribution to or supplementation of salary for his services on the Commission or the Agency from any source other than his State. No person detailed to serve a Commission under authority of paragraph (4) of section 107 shall receive any salary or any contribution to or supplementation of salary for his services on the Commission from any source other than the State, local, or intergovernmental department or agency from which he was detailed or from the Commission. Any person who shall violate the provisions of this subsection shall be fined not more than $5,000, or imprisoned not more than one year, or both.

(d) Notwithstanding any other subsection of this section, the Federal Cochairman of a Commission, his staff, and any Federal officers or employees detailed to duty with it pursuant to paragraph (3) of section 107 and all officers and employees, except the States Cochairmen, of the Agency shall not be subject to any such subsection but shall remain subject to sections 202 through 209 of title 18, United States Code.

(e) A Commission or the Agency may, in its discretion, declare void and rescind any contract, loan, or grant of or by the Commission in relation to which it finds that there has been a violation of subsection (a) or (c) of this section, or any of the provisions of sections 202 through 209, title 18, United States Code.

TITLE II—GENERAL PUBLIC WORKS DEVELOPMENT GRANTS

SEC. 201. (a) Each Development Commission is authorized, subject to the approval of the Agency—

(1) to make direct public works development grants for the acquisition or development of land and improvements for public works, public service, or development facilities, including open space, and the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such works or facilities, including related machinery and equipment;

(2) to make supplementary public works development grants in order to enable eligible grantees to take maximum advantage of all existing or future Federal grant-in-aid programs assisting in the construction or equipment of facilities or the acquisition of land and grants under paragraph (1) of this subsection;

(3) to make public works development grants for the operation of projects assisted under paragraphs (1) or (2) of this subsection, including the provision of community or outreach services; and

(4) to make grants for demonstrations of the value of adequate facilities and services to the development of regions, including the acquisition of land and the construction of facilities incident thereto.

(b) Except as provided in subsections (c), (d), (e), (f), and (g) of this section, no grant under this section shall exceed 50 per centum of the cost of such project.

(c) (1) Supplementary development grants may be made for all or any portion of the basic Federal contribution to projects under Federal grant-in-aid programs, or for the purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. The Federal portion of project costs shall not exceed the percentage of project costs established by the Commission, and shall in no event exceed 80 per centum thereof.

(2) Supplementary grants shall be made by the Development Commission in accordance with such regulations as it shall prescribe, by increasing the amounts of direct grants authorized under this section or by the payment of funds appropriated under this Act to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of the applicable Federal programs. Any findings, report, certification, or documentation required to be submitted to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of any Federal grant-in-aid program shall be accepted by the Federal Cochairman with respect to a supplementary grant for any project under such program.

(d) Grants for operation of any project (including initial operating funds and deficits, comprising among other things the cost of attracting, training, and retaining qualified personnel) may be made for up to 100 per centum of the costs thereof for the two-year period beginning, for each component facility or service assisted under any such operating grant, on the first day that such facility or service is in operation as a part of the project. For the next three years of operation, such grants shall not exceed 75 per centum of such costs. No grant for operation of any project shall be made unless the facility is not operated for profit. No grants for operation of any project shall be made after five years following the commencement of the initial grant for operation of the project. No such grants shall be made unless the Development Commission is satisfied that the operation of the project will be conducted under efficient management practices designed to obviate operating deficits.

(e) Demonstration grants may be made for up to 100 per centum of the costs of any project. The Federal contribution may be provided entirely from funds authorized under this section, or in combination with funds provided under other Federal programs.

(f) (1) Notwithstanding section 203 or 204 of this Act, not less than 10 per centum nor more than 20 per centum of the funds appropriated to carry out this section for any fiscal year shall be available to provide grants under this section for any community or neighborhood (defined without regard to political or other subdivisions or boundaries) which the applicable State and Commission determine have one of the following conditions:

(a) a large concentration of low-income persons;

(b) rural areas having a substantial outmigration;

(c) substantial unemployment; or

(d) an actual or threatened abrupt rise of unemployment due to the closing or curtailment of a major source of employment;

if the State and Commission find that the project for which a grant is requested will fulfill a pressing need of the neighborhood or community in which it is, or will be located, and will provide immediate useful work to unemployed and underemployed persons in that community or neighborhood.

(2) Grants under this subsection may be made for up to 100 per centum of the cost of a project in the case of a grant to any State or political subdivision thereof which the Development Commission determines has exhausted its effective taxing and borrowing capacity.

(g) Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law. Funds appropriated to carry out this Act shall be available without regard to any limitations on authorizations for appropriation in any other Act.

(h) In the case of any project for which all or any portion of the basic Federal contribution to the project under a Federal grant-in-aid program is proposed to be made under this section, no such grant shall be made until the responsible Federal official administering such grant-in-aid Act certifies that such project meets the applicable requirements of such grant-in-aid Act and could be approved for Federal contribution under such Act if funds were available under such Act for such project. Funds may be provided for projects in a State under this section only if the Commission determines that the level of Federal and State financial assistance under Acts other than this Act, for the same type of programs or projects in the State will not diminish in order to substitute funds authorized by this title.

(i) To the maximum extent possible, projects assisted under this Act shall be carried out through departments, agencies, or instrumentalities of the Federal Government or of State or local governments.

(j) Grants under this title may be made to any State or political subdivision thereof, private or public nonprofit organization, or development district.

SEC. 202. (a) An application for a grant or other assistance under this title shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by the State member as meeting the requirements of the planning process established under this title and as eligible for assistance under this title shall be approved for assistance.

(b) No grant shall be made under this title unless the project for which assistance is intended by such grant is approved by the appropriate development district as consistent with its development plan.

SEC. 203. (a) No project authorized under this title shall be implemented until the Commission has approved such project and has determined that it meets the requirements of the planning process established under title I and has significant potential for development to further such purposes as income improvement; provision of decent, safe, and sanitary housing; health care; child care; services to the aged; air and water quality protection and enhancement; job opportunity and employment; availability of trained labor force, including vocational education; improved education opportunity; transportation services; recreational opportunity; effective land utilization; balance industrial, commercial, and residential use; resource conservation; and cultural and community improvement.

(b) (1) Not later than July 1, 1974, each Development Commission, after consultation with the Environmental Protection Agency and appropriate Federal and State officials, shall promulgate guidelines designed to assure that possible adverse economic, social, and environmental effects relating to any proposed project have been fully considered in developing such project. No project shall be approved unless the Commission determines that the project is in accordance with the guidelines, taking into consideration the need for development, the cost of eliminating or minimizing such adverse effects, and the following:

(A) air, noise, and water pollution;

(B) destruction or disruption of man-made and natural resources, esthetic values, community cohesion, and the availability of public facilities and services;

(C) any irreversible and irretrievable commitments of resources which would be involved in the proposed project;

(D) adverse employment effects and tax and property value losses;

(E) injurious displacement of people, businesses, and farms; and

(F) disruption of desirable community and regional growth.

Such guidelines shall apply to all projects approved by the State after the issuance of such guidelines.

(2) Any project for which a grant is made under paragraphs (a) (1), (a) (3), and (a) (4) of section 201 of this Act after the promulgation of such guidelines which has been approved by the State and the Development Commission as complying with such guidelines shall be deemed to have satisfied the requirements of section 102(2) (C) of the National Environmental Policy Act of 1969 (83 Stat. 852).

SEC. 204. Each Development Commission in allocating funds appropriated under this title shall consider:

(1) the potential for increasing the income levels of families within the region;

(2) the potential for reducing the rates of unemployment within the region;

(3) the relative needs for public works, facilities, and services of areas within such region; and

(4) the value of any class of projects in relation to other classes of projects which may be in competition for the same funds in realizing the purposes of this Act.

TITLE III—SPECIAL RURAL DEVELOPMENT GRANTS

SEC. 301. Each Development Commission is authorized, subject to the approval of the Agency, to make special grants to any entity within a State which is eligible to make an application under section 303 of this title for assistance under this title, in order to fund up to 100 per centum of the cost of projects which are consistent with the rural economic development plans of that State and of the development district, by or with the approval of which application for such grants was made.

SEC. 302. Each Development Commission is authorized to make special grants to any entity with a State which is eligible to make an application under section 303 of this title for assistance under this title in order to enable such entity to take maximum advantage of all Federal grant-in-aid programs for which it is eligible, but for which, because of its economic situation, it cannot supply the required matching share or local contribution, whether or not such programs are created on, before, or after the date of the enactment of this Act, and the funds so granted shall be used as such required matching share or local contribution and considered as such by the department, agency, or other instrumentality of the Federal Government administering the Federal grant-in-aid program involved.

SEC. 303. Entities which may make an application for assistance under title II of this grant shall be eligible to make an application for assistance under this title if—

(1) they are located in a development district which is composed of counties or similar political subdivisions each one of which has either a population density of less than one hundred persons per square mile or is not included in a standard metropolitan statistical area as defined in section 405 of this Act; or

(2) they are located in a development district which is certified to the Commission by the State member as being of a distinctly rural, and not urban or suburban character.

SEC. 304. It shall be the responsibility of each Development Commission to see that all projects funded under this title are for the benefit of rural, as distinguished from urban or suburban, areas, whether or not such projects are geographically centered in such rural areas.

SEC. 305. The method of application for assistance under this title and procedures in handling such applications and the implementation of such assistance shall be those provided in title I with respect to assistance under that title, except as specifically modified by the provisions of this title.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. No State and no political subdivision of any State shall be eligible to receive assistance under this Act unless the aggregate expenditures of State funds, exclusive of Federal funds, for the benefit of the area within the State eligible for such assistance are maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this Act. In computing the average level of expenditure for its last two fiscal years, a State's past expenditure for participation in the National System of Interstate and Defense Highways shall not be included. The Commission may substitute a lesser requirement when it finds that a substantial population decrease in the portion of a State eligible for assistance under this Act would not justify a State expenditure equal to the average level of the last two years or when it finds that a State's average level of expenditure, within an individual program, has been disproportionate to the present need for that portion of the State which is eligible for assistance under this Act.

SEC. 402. Nothing contained in this Act shall be interpreted as requiring any State to engage in or accept any program under titles II and III without its consent.

SEC. 403. No financial assistance shall be authorized under this Act to be used (1) in relocating any establishment or establishments from one area to another; (2) to finance the cost of industrial plants, commercial facilities, machinery, working capital, or other industrial facilities or to enable plant subcontractors to undertake work theretofore performed in another area by other subcontractors or contractors; (3) to finance the cost of facilities for the generation, transmission, or distribution of electric energy; or (4) to finance the cost of facilities for the production, transmission, or distribution of gas (natural, manufactured, or mixed).

SEC. 404. (a) The functions conferred on the Secretary of Commerce under the Public Works and Economic Development Act of 1965 are transferred to the Agency.

(b) Titles III, IV, V, VI, and VII of the Public Works and Economic Development Act of 1965 are repealed except as provided in section 103 of this Act.

(c) Paragraph (120) of section 5316 of title 5 of the United States Code (relating to the salary of the Administrator of Economic Development) is repealed, and section 5313 of such title is amended by adding a new paragraph, as follows:

"(21) Administrator for National Development."

SEC. 405. As used in this Act, the term—

(1) "development district" means an entity composed of counties or similar political subdivisions having a charter or authority that includes the economic development of counties within such entity and such entity is one of the following:

(A) a nonprofit incorporated body organized or chartered under the laws of the State in which it is located;

(B) a nonprofit agency or instrumentality of a State or local government; or

(C) a nonprofit association or combination of such bodies, agencies, and instrumentalities.

(2) "standard metropolitan statistical area" is used as that term is used and defined by the Office of Management and Budget.

(3) "rural population" means the total resident population, as defined and used by the United States Bureau of the Census, of any county or similar political subdivision which either has a population density of less than one hundred persons per square mile or is not included within a standard metropolitan statistical area.

(4) "rural per capita income" means the average personal income of the rural population of a State.

(5) "fiscal year" means the fiscal year of the Government of the United States.

(6) "personal income" is used as that term is used and defined by the Office of Business

Economics of the Department of Commerce; and

(7) "Governor" means the chief executive authority of each State.

TITLE V

AUTHORIZATIONS OF APPROPRIATIONS AND ALLOCATIONS

SEC. 501. (a) There is authorized to be appropriated to the Agency for the Development Commissions to remain available until expended for the purpose of carrying out titles I and II of this Act not to exceed $2,000,000,000 for the fiscal year ending June 30, 1974; $2,500,000,000 for the fiscal year ending June 30, 1975; and $3,000,000,000 for the fiscal year ending June 30, 1976, of which not to exceed 10 per centum of the funds appropriated shall be available for the purposes of carrying out section 201(a)(3).

(b) The Agency shall promptly apportion to the Commissions the sums appropriated under this section for any fiscal year, as follows:

(1) 10 per centum of such sums in the ratio that the land area of each Development Commission bears to the land area of the United States;

(2) 10 per centum of such funds in the ratio that the quotient obtained by dividing the general revenues of the States of each Development Commission by the total personal income of the States of each Development Commission bears to the sums of such quotients for all the States;

(3) 40 per centum of such sums in the ratio that the population of each Development Commission bears to the population of all the United States; and

(4) 40 per centum of such sums in the ratio that the quotient obtained by dividing the per capita income of the United States by the per capita income of each Development Commission bears to the sum of such quotients for all the States.

SEC. 502. (a) There is authorized to be appropriated to the Agency for the Development Commissions to remain available until expended for the purpose of carrying out title III of this Act not to exceed $1,000,000,000 for the fiscal year ending June 30, 1974, and such sums thereafter as may be necessary.

(b) The Agency shall promptly apportion to the Commissions the sum of the shares of the States in each such Commission, the sums appropriated under this section for any fiscal year, and the share of each State shall be used by the Commission only with respect to projects and programs in such State. Each State's share shall be—

(1) an equal portion of 1 per centum of the amount appropriated for such fiscal year; plus

(2) a portion of the remaining amount appropriated computed as follows:

(A) Each State shall be entitled to receive an amount equal to 50 per centum of such remainder multiplied by a fraction the numerator of which is the rural population of such State at the most recent point in time for which appropriate statistics are available and the denominator of which is the sum of the rural populations of all States at the same point in time;

(B) each State shall be entitled to receive an amount equal to 25 per centum of such remainder multiplied by a fraction the numerator of which is the average of per capita incomes of all the States at the most recent point in time for which appropriate statistics are available less the rural per capita income of such State at the same point in time, such difference to be multiplied by the rural population of such State at the same point in time, and the denominator of which is the sum of such positive differences for each State multiplied by that State's rural population; except that, if the rural per capita income of a State is greater than the average of per capita incomes of all States, the differences stated above shall be considered zero; and

(C) each State shall be entitled to receive an amount equal to 25 per centum of such remainder multiplied by a fraction the numerator of which is the percentage change in population of all the States less the percentage change in rural population of such State, such difference to be multiplied by the rural population of such State during the most recent and appropriate time period of which statistics are available, and the denominator of which is the sum of such positive differences for each State multiplied by that State's rural population; except that, if the percentage rate of change of rural population of a State during such period is greater than the percentage rate of change of the populations of all States during the same period, the differences stated above shall be considered zero.

State-by-State authorization under title II.—Estimated amounts

(In millions of dollars)

Alabama	$38.8
Alaska	49.2
Arizona	32.6
Arkansas	33.4
California	102.8
Colorado	32.6
Connecticut	26.2
Delaware	18.6
District of Columbia	15.6
Florida	48.2
Georgia	40.8
Hawaii	19.6
Idaho	28.2
Illinois	61.2
Indiana	39.8
Iowa	32.6
Kansas	31.2
Kentucky	36.0
Louisiana	38.6
Maine	25.8
Maryland	32.0
Massachusetts	38.6
Michigan	54.8
Minnesota	37.8
Mississippi	36.4
Missouri	39.8
Montana	30.8
Nebraska	28.4
Nevada	23.8
New Hampshire	21.4
New Jersey	43.4
New Mexico	33.0
New York	89.2
North Carolina	42.8
North Dakota	29.6
Ohio	60.2
Oklahoma	34.0
Oregon	32.0
Pennsylvania	65.2
Rhode Island	20.8
South Carolina	33.4
South Dakota	28.2
Tennessee	38.4
Texas	76.8
Utah	29.6
Vermont	21.6
Virginia	38.6
Washington	34.6
West Virginia	30.2
Wisconsin	39.0
Wyoming	27.8
Puerto Rico	55.6
Total	2,000.0

ESTIMATED STATE-BY-STATE AUTHORIZATION UNDER TITLE III (RURAL DEVELOPMENT FUND)

[In millions of dollars]

	1 percent equally divided among States (sec. 502(b)(1))	Rural population element—50 percent of remainder (sec. 502(b)(2)(A))	Change in rural population element—25 percent of remainder (sec. 502(b)(2)(C))	Total, cols. 1, 2, 3 (secs. 502(b)(1) and 502(b)(2)(A) and (C))
Alabama	0.2	13.2	8.1	21.5
Alaska	.2	1.4	.2	1.8
Arizona	.2	3.4	.5	4.1
Arkansas	.2	8.9	6.4	15.5
California	.2	16.7	18.0	34.9
Colorado	.2	4.4	1.7	6.3
Connecticut	.2	6.3		6.5
Delaware	.2	1.4	.7	2.3
District of Columbia				
Florida	.2	12.0	5.0	17.3
Georgia	.2	16.7	6.4	23.3
Hawaii	.2	1.2	1.2	2.6
Idaho	.2	3.0	2.3	5.5
Illinois	.2	17.3	10.6	28.1
Indiana	.2	16.7	5.9	22.8
Iowa	.2	11.1	8.4	19.7
Kansas	.2	7.0	6.3	13.5
Kentucky	.2	14.1	11.8	26.1
Louisiana	.2	11.3	4.4	15.9
Maine	.2	4.5	1.7	6.4
Maryland	.2	8.4	1.6	10.2
Massachusetts	.2	8.1	2.9	11.2
Michigan	.2	21.3	1.6	23.1
Minnesota	.2	11.7	6.4	18.3
Mississippi	.2	11.3	9.7	21.2
Missouri	.2	12.9	8.0	21.1
Montana	.2	3.0	1.9	5.1
Nebraska	0.2	5.2	4.9	10.3
Nevada	.2	.8	.1	1.1
New Hampshire	.2	3.0		3.2
New Jersey	.2	7.3		7.5
New Mexico	.2	2.8	2.0	5.0
New York	.2	24.2	5.4	29.8
North Carolina	.2	25.7	11.5	37.4
North Dakota	.2	3.2	3.5	6.9
Ohio	.2	24.1	10.6	34.9
Oklahoma	.2	7.5	5.2	12.9
Oregon	.2	6.3	2.5	9.0
Pennsylvania	.2	30.9	10.3	41.4
Rhode Island	.2	1.1	.3	1.6
South Carolina	.2	12.5	7.8	20.5
South Dakota	.2	3.4	3.1	6.7
Tennessee	.2	14.8	10.2	25.2
Texas	.2	20.9	14.4	35.5
Utah	.2	1.9	1.5	3.6
Vermont	.2	2.8		3.0
Virginia	.2	15.7	6.3	22.2
Washington	.2	8.6	3.5	12.3
West Virginia	.2	9.8	7.6	17.6
Wisconsin	.2	13.9	4.2	18.3
Wyoming	.2	1.2	1.0	2.4
Total	10.0	495.0	247.5	752.5

Source: Congressional Research Service table, June 22, 1972.

Note: Distribution of additional $247,500,000 subject to final compilation of rural per-capita income based on 1970 census.

WHO IS DESTROYING OUR ARMED FORCES? (II)

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. SCHMITZ. Mr. Speaker, recently I explained how it has become the official policy of our Government and of the military services not to inform our fighting men about the nature of their Communist enemy, but instead to make increasing use in military educational programs of writers who do not regard communism as an enemy. The U.S. Army contemporary reading list reflects this trend.

Along with George Ball, described in the preceding newsletter, the names of A. Doak Barnett and Harlan Cleveland appear on this list. Barnett totally opposed any bombing of Hanoi or Haiphong, and is a long-time advocate of the recognition of Red China and the surrender of the Nationalist-held offshore islands of Quemoy and Matsu to the Communist regime in Peking. Cleveland, author of "The Obligation of Power" which appears on the Army reading list, has a long record of hostility to the military and affinity for security risks. "The Ordeal of Otto Otepka"—505 pages of documented exposure of Communist and pro-Communist influence in our Government—gives his background. While at Princeton, Cleveland was president of the campus Antiwar Society and fought bitterly against the ROTC program. His Antiwar Society won the praise of Champion of Youth, official organ of the Young Communist League. He was brought into the Kennedy administration as Assistant Secretary of State for International Affairs on a security waiver signed by Dean Rusk. Otepka states that Cleveland not only tried to have one identified security risk hired, but when that failed actually asked:

> What are the chances of getting Alger Hiss back into the government?

After recovering from the shock, Otepka replied:

> He [Hiss] was convicted of perjury, which is a felony, in a case involving the national security.

As a Marine Corps Reserve officer and formerly, while on active duty, an instructor in an anticommunism course at El Toro Marine Corps Air Station Leadership School, I had hoped that the Marines at least were not following the Army's bad example in the kind of reading they were recommending to their men. When I taught this course at El Toro, the writings of J. Edgar Hoover and several well-known anti-Communist authors, along with material from the House Un-American Activities Committee and the Senate Internal Security Subcommittee, were regularly used to help the leathernecks know their enemy.

What I actually found was appalling. On February 1, 1972, what is now the 1st Marine Division—the very same division that turned the tide of World War II in the Pacific at Guadalcanal, that fought the Communists to a standstill at the Pusan perimeter in Korea and in the magnificent retreat from the Chosin Reservoir smashed an entire Chinese army corps whose commander thought he had closed a trap around them, that held Khesanh in Vietnam against the worst Hanoi could do—launched a new educational program outlined in a standard operating procedure for human affairs. The reading list attached to that official document would be incredible to me if I had not seen it with my own eyes.

Here are just a few of the authors it recommends to young marines of one of the greatest fighting divisions in the history of our country or any other: Herbert Aptheker, member of the Central Committee of the U.S. Communist Party and a party member since at least 1939; Sally Belfrage, who attended the Communist Youth Festival in Moscow in 1957, and is the daughter of Cedric Henning Belfrage, alias George Oakden, who was deported from the United States for Communist activities; Stanley Steiner, member of the U.S. Communist Party for at least 20 years under the name of Mike Newberry; W. E. B. DuBois, writer and historian who joined the Communist Party in 1961 and died in Ghana—and also his wife, Shirley Graham; Lorraine Hansberry, member of the Communist Party at the time of her death; and finally Eldridge Cleaver and Bobby Seale, well-known Black Panther leaders.

There are even more writers of this kind on the list, but space precludes extending it. According to this document—pages 4–5—reading their works will help attain the objective of "through education, insuring more constructive relationships among marines and with people outside the Marine Corps."

Many have recognized that if we had an educational program for our fighting men and the rest of our people clearly showing the real nature of aggressive international communism, there would be such a clamor to defeat communism that the leaders of our Nation could not halt a drive for victory. But the truth is being kept from our men who are actually fighting or may well have to fight this enemy, while they are being directly exposed to his propaganda in our own military education programs such as that of the 1st Marine Division at Camp Pendleton. As a result, we are sending men into battle intellectually disarmed. A Chinese Communist document captured in Korea stated that American soldiers could be easily manipulated because most of them had not been taught enough about their own country's history and the foundations of its way of life. Now we have the unique distinction of finding our military learning history from the standpoint of identified Communists.

INTRODUCING BILL RELATED TO AIRCRAFT PIRACY

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. REID. Mr. Speaker, I am introducing today a bill to reduce airplane skyjacking—a form of violent crime which has increased in recent years to an intolerable amount.

My bill would close all American airports to any international airline operating in any country that refuses to prosecute or extradite accused skyjackers. In effect, it would isolate any nation, such as Algeria, which refused to cooperate in efforts to curb airline piracy.

Increasing numbers of skyjacking incidents demand tough legislation. There have already been 28 skyjacking attempts and four deaths in just over one-half of this year, which is an increase of 100 percent over 1971, when during the entire year there were 27 attempts and four deaths. Further, ransom losses have increased 650 percent since 1971.

Although I fully support The Hague and Montreal Conventions aimed at winning international agreements on the handling of skyjackers, I fear that these efforts cannot be effective until all nations join. At this time, I doubt that diplomatic efforts alone will win the cooperation of certain recalcitrant nations, and I therefore urge the passage of this legislation.

This bill is absolutely consistent with the recommendations of the Air Line Pilots Association. It is similar, though not identical to legislation introduced by Senator Magnuson and recently ordered reported by the Senate Commerce Committee.

IN DEFENSE OF FOOD PRICES

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. ZWACH. Mr. Speaker, we all know that over-the-counter food prices have been going up over the years, and we do a lot of talking and complaining about it, but we seldom stop to think that wage increases have far outstripped food price rises.

I recently read an article by Sylvia Porter, newspaper syndicate economic columnist, on this subject, which, with your permission, I would like to insert into the Congressional Record so that my colleagues, and other Record readers who may have missed it, may benefit from her exposition:

In Defense of Food Prices

(By Sylvia Porter)

Q. Are you old enough to remember what a loaf of bread cost a half century ago?

A. About a dime.

Q. Can you recall what a pound of steak cost 50 years or so ago?

A. Less than 40 cents.

Q. What about a quart of milk?

A. About 15 cents—delivered, of course—in 1919, when the Bureau of Labor Statistics started publishing consumer prices for its basic food "marketbasket."

Since 1919 the average price of bread and of milk has more than doubled; the average price of round steak has nearly quadrupled.

And the latest cost of living statistics hardly give cause to cheer about food prices.

But wait! We must look behind these figures for a far more real-life perspective:

While the total cost of the BLS's basic marketbasket of a dozen food items has risen 81 percent since 1919—an average of only 1.53 percent a year, by the way—the prices of two items, eggs and magarine, actually have declined. And there are times even these days when by shopping sales you can beat the 1919 prices for at least three more items—bacon, cheese and canned tomatoes.

In the same span, the average hourly wages of factory workers have soared 661 percent—about eight times as fast as the rise in our food costs.

In 1919 the factory worker earned an average of $4.70 for a 10-hour day of work; in 1972, this worker earns an average of $28.75 for an eight-hour day.

What this all adds up to is the crucial point that today you are spending an average of only 15.6 cents of your after-tax income $1 for food.

This is a record low in this country, comparing with 20 cents in 1960, and not equaled by any other major nation.

In Greece and Italy the share going for food is about 37 cents; in the United Kingdom it's 24 cents; in Bulgaria it's 54 cents; in Ghana it's 60 cents.

What's more this is the proportion of take-home pay spent for food at home and in restaurants.

If you count only home eating, an even smaller percentage of your paycheck goes for food.

Here is a table showing the changes in food prices vs. hourly wages since 1919:

[In cents unless otherwise indicated]

Item	1919	April 1972
Milk, qt., del	15.5	34.4
Eggs, doz	62.8	50.0
Oranges, doz	53.2	88.2
Potatoes, lb	3.8	8.3
Tomatoes, No. 303 can	16.2	22.6
Margarine, lb	41.3	33.3
Bread, wht., lb	10.0	24.7
Rd. steak, lb	38.9	$1.47
Pork chops, lb	42.3	$1.17
Sl. bacon, lb	55.4	92.5
Butter, lb	67.8	87.4
Cheese, lb	42.6	$1.08
Total	$4.50	$8.13
Wages, 1 hr	.472	$3.59

Here is a rundown on the amounts of other items you can now buy with one hour of work—vs. 1919:

Item	1919	April 1972
Round steak, lb	1.2	2.6
Pork chops, lb	1.1	3.2
Sl. bacon, lb	.9	4.1
Butter, lb	.7	4.3
Cheese, lb	1.1	3.5
Potatoes, lb	12.4	45.4
Margarine, lb	1.1	11.3
Eggs, fresh, doz	.8	7.5
Oranges, doz	.9	4.3
Tomatoes, No. 303 can	2.9	16.7

TRENT WILLIAMS

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. DUNCAN. Mr. Speaker, Trent Williams, of New Tazewell, Tenn., has successfully combined our free enterprise system with individual initiative in order to gain a college education. The story of this young Tennessean's quest for a college degree is another shining example of how the youth of Tennessee stand out as the finest in the Nation.

The parents of Trent Williams and the educators at Lincoln Memorial University in Harrogate, Tenn., are to be congratulated for developing outstanding young Americans such as Trent Williams.

The following is an excerpt from the Lincoln News which I would like to share with my fellow Members of Congress.

The excerpt follows:

TRENT WILLIAMS

Blackberries did it! Well, they went a long way toward helping to get the job done. Trent Williams, a fine farm lad from New Tazewell, Tennessee, believes so. The chemistry major graduates from Lincoln Memorial in August, 1972. Much credit goes to *blackberries*, too. Blackberries are wild and prolific in the beautiful, rugged mountains and valleys in Claiborne County, Tennessee. Thorny briars, verdant thickets, tall green grasses, tantalizing ticks and chiggers, copperheads and rattlesnakes, pricked hands and arms—none of these toppled young Trent. For Trent Williams was determined to earn money for a college education at Lincoln Memorial. Pickin' and peddlin'. Blackberries, that is. Up before daylight. Trudging and trekking through thickets and thorns. To the berry patches. With buckets and baskets, cans and containers. (A different, unique type of high adventure!). The picking began at crack-of-dawn and continued till high noon. The journey by faithful 'ol farm truck miles and miles away to Knoxville, Tennessee. House to house, street to street peddlin' blackberries. A "yes" here, a "no" there—"thank you ma'm" until all were sold. Home again by 11 at night. Next day, same cycle until the crop of blackberries were depleted, year after year. Gallons and gallons of blackberries. Money earned and saved for a college education. President Lincoln split rails, read by flickering firelight, performed varied tasks. And learned. Trent Williams picked and peddled blackberries. He's grateful for blackberries. The dignity and rewards of hard work—how does one measure them? I know one young lad with a mighty big measuring stick. Proud, too! Some view the handwriting on the wall and do little but criticize the penmanship; Trent read the writing, built a better "blackberry" mousetrap; succeeded.

IN MEMORIAM TO THE CHAMPION OF DISABLED AMERICAN VETERANS, THE HONORABLE JOHN W. BILL

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. ROE. Mr. Speaker, my congressional district, our State of New Jersey, and the Nation recently lost our most distinguished DAV'er—the Honorable John W. Bill—who provided a lifetime of outstanding public service to the men who served our country in battle since World War I and was especially dedicated to, and championed the noble cause of disabled American veterans and their families, constantly seeking legislative and administrative processes to assure them of our country's appreciation for their service and personal sacrifice.

Comdr. John Bill went to his eternal reward June 9, 1972 and we extend our heartfelt sympathy to his wife Helen and daughter Joann.

Mr. Speaker, Commander Bill was indeed a most admirable and compassionate man who gave readily and willingly of himself in all of his life's endeavors in pursuit of a better life for all mankind. The quality of his leadership and the richness of his wisdom are now lastingly etched in the creed and purpose of the Disabled American Veterans.

May I present to you and our colleagues the farewell message to John Bill which was forwarded to me by the Honorable Lloyd Marsh, commander of Passaic Chapter No. 1 of the Disabled American Veterans and appeared in the June 15, 1972, issue of the prestigious newspaper in our congressional district, the Passaic Citizen.

A MAN TO REMEMBER

John W. Bill, one of the most beloved men in New Jersey, cast a giant shadow over his time and beyond it, because his life was a service to others.

Veterans and friends attended services Monday night for the 75-year-old organizer of the Disabled American Veterans in New Jersey, who died Friday in Toms River.

Mr. Bill, a native-born Passaic man, was the retired National Service Officer of Newark regional office, DAV. Back in 1921, several years after World War 1, he met with 12 disabled veterans in the old municipal building on Howe Ave. He had just returned from Cincinnati, Ohio, after taking part in organizing and founding the National Disabled American Veterans Association.

The birth of the DAV in New Jersey started with Passaic Chapter 1 and was properly headed by Mr. Bill as its first commander.

Under the dedicated guidance and leadership of John Bill, the chapter moved ahead. Now it has a membership of 450.

In 1922 he became the first state DAV Commander. In this capacity, he was instrumental in establishing the national service organization, which is now recognized as one of the finest and most successful service departments in the nation.

After more than half a century of devotion and service to the DAV, Mr. Bill retired three years ago as the National Service Officer. But he stayed active in DAV affairs. At the time of his death, he was chairman of the state DAV Legislation and Civil Service Committee.

The officials and members of National State and Chapters of the DAV who met Monday night to take part in memorial services for John Bill at the Kedz Funeral Home in Toms River, are an indication of the high esteem in which he was held.

People, whether veterans or non-veterans, responded on a personal basis to John Bill. He was instantly likeable to vast numbers of people.

And it was this personal quality, as much as his good ideas and his energetic follow-through, that made it possible for him to achieve so much on behalf of the Disabled American Veterans he served for half a century.

The Disabled American Veterans are in his debt for the many benefits he, working with other leaders around the nation, was able to get on the books. Countless thousands of veterans' families are much better off today because of what he has done, especially in the early days when everything was new and untried and there were no guidelines for veterans leaders to follow.

Now, thanks to John Bill, there are guidelines, so that those who follow have clear paths toward worthwhile objectives that aid the Disabled Veterans. Those same guidelines are used, in principle, by leaders in other veteran organizations. One may say with truth that all veterans and their families today enjoy better lives because of what John Bill stood for and because of what he did.

Mr. Speaker, I ask my colleagues to join with me in silent prayer to the memory of John Bill. May his family soon find abiding comfort in the faith that God has given them and in the knowledge that Commander Bill is now under His eternal care. May he rest in peace.

THE JOB OF PUBLIC SAFETY OFFICER IS HAZARDOUS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. BIAGGI. Mr. Speaker, the job of the public safety officer in this country is a very hazardous one indeed. Having been a police officer in New York for 23 years, I am well aware of the dangers which these men face every day. I have, therefore, introduced legislation which would grant to police officers, firemen, correction officers, auxiliary police, and volunteer firemen, a $50,000 death benefit to their beneficiaries in the event they are killed in the line of duty. Second, my bill would provide for a $50,000 gratuity to police officers, auxiliary police, and volunteer firemen who are totally disabled as a result of injuries received in the line of duty. A proportionately reduced amount would be awarded these officers in the event they suffer a partial disability which arises from injuries received in the line of duty.

That is the substance of the bill, but let us take a look at the substance of the problem.

In testimony before the House Judiciary Committee virtually every witness, including myself, pointed to the shocking statistics concerning this problem. In 1969, for example, a total of 35,202 policemen were stabbed, beaten, shot by a firearm, or otherwise assaulted while performing their duties. Moreover, 126 local, county, and State law-enforcement officers were killed as a result of felonious criminal action last year.

In addition, 115 professional firemen died in the line of duty and 38,583 firefighters were injured. The same situation exists for the auxiliary police, volunteer firemen, and correction officers.

While these statistics point out the extent of the problem numerically, they do not explain the suffering and the heartbreak sustained by the families of these men. They do not explain the financial difficulties which follow these tragedies. This is the problem which my bill is designed to correct. It is quite easy to bestow awards on these grief-stricken widows and children, but it would be far better to express our appreciation in more practical terms—by enacting legislation which would provide for their financial security.

Mr. Speaker, when I reintroduced my bill on June 29, 1972, I expanded the coverage of its provisions to include not only full-time policemen and firemen, but also to correction officers, auxiliary police, and volunteer firemen who have been the victims of violent acts.

In our large cities across the country, there are numerous units that are becoming a necessary addition to our overworked police officers and firemen. These are the men who make up the auxiliary police and fire forces. In today's hostile world, these men are called upon to face the same dangers encountered by our regular police and fire forces and they too can become victims of the same dastardly acts. Perhaps because of voluntary service—performed without compensation—their cause is even more deserving. In addition my bill also covers correction officers. The uprising at Attica last September where 11 guards were killed, is an example of the necessity of including these men under the provisions of this bill.

Mr. Speaker, last year more than 120 families of police officers alone suffered personal agonies aand financial hardships caused by an assassin's bullet or knife. While we all hope for the sake of the country that this figure is reduced radically in the coming years, preliminary statistics appear to dim our hopes in this regard.

I urge the Judiciary Committee to report out this legislation and give my colleagues a chance to vote on this measure. The police officers, firemen, correction officers, auxiliary police, and volunteer firemen of this Nation and their families deserve a program such as I have described. They have done a terrific job of protecting the public and this is the least that we can do in return.

NATIONAL INCONVENIENCED SPORTSMEN'S ASSOCIATION

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. JACOBS. Mr. Speaker, the President's Council on Physical Fitness and Sports is supporting a most worthy new organization named the "National Inconvenienced Sportsmen's Association." The word "inconvenienced" includes amputees, blind, deaf and neurologically damaged.

Traditionally programs of assistance "handicapped" Americans are oriented toward medical aid, formal education, counseling and financial assistance. Although numerous national organizations exist to support the "inconvenienced," little is being done to provide frequent sports participation opportunities. Sports participation has provided many people the psychological vehicle to return from the point of traumatic depression to healthy productive citizenry. The opportunity for thousands of needy Americans, be they amputees, blind, deaf or neurologically damaged, to have an equal chance is everyone's responsibility.

I have introduced H.R. 15453, to incorporate in the District of Columbia, the National Inconvenienced Sportsmen's Association. Because this legislation has been classified, under parliamentary procedure, as private rather than public, it is not possible for other Members to cosponsor. However, the following Members have asked to be listed as endorsing this bill: Mr. BLANTON, Mr. FRASER, Mr. GUDE, Mr. LINK, Mr. MIKVA and Mr. SHOUP.

The Subcommittee on Judiciary of the District of Columbia Committee has scheduled a hearing for Tuesday, August 8 at 10:30 a.m. in the committee room.

IMPROVING CONGRESSIONAL PERFORMANCE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. WYMAN. Mr. Speaker, I believe it to be a continuing responsibility of Congress to avoid unnecessary secrecy, patent infirmity or nondisclosure of personal financial interests that involve demonstrable conflict of interest. Accordingly, I am today introducing four bills to meet minimum requirements in these categories in the following respects:

First. To require annual physical examination of all Members of Congress, which shall be a public record.

Second. To require disclosure of any financial interest in excess of $25,000 in any property subject to government regulation and control, on a continuing basis and as a matter of public record.

Third. To encourage voluntary retirement of Members who have attained their 70th birthday, and by constitutional amendment to make mandatory the retirement of Members after their 75th birthday by making individuals of that age ineligible for election or appointment.

The matter of physical condition should be a public record. Those who do not want their physical condition known have an easy solution—do not be a candidate for public office. It is a part of the job and a part of responsibility to constituents to keep them advised concerning the actual physical condition of those who seek election as Members of Congress. The President's condition is an open book, as it rightly should be. The same should apply to lesser elected officials who ask public endorsement to make the policy and programs of our Government.

Hopefully, the committee to which this legislation is assigned will see fit to add a similar requirement for nonincumbent candidates for the Senate and House applicable in general elections if not in primaries.

I urge adoption of these proposals as a matter of genuine urgency in the interests of improving congressional reputation and performance.

The text of the separate bills is as follows:

H.J. RES. 1271

Joint resolution providing for annual health examinations for Members of Congress and publication of the results thereof, and for other purposes

Whereas, the problem of physical and mental qualification for high public office is a recurring one and of profound public importance; and,

Whereas, in addition to educational and professional qualifications, the public is entitled to assess the physical and mental qualifications of those holding high public office; and,

Whereas, it is in the public interest that no person who is in serious ill health, from whatever cause, shall or should, hold high public office whether by appointment or election, Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the attending physician at the United States Capitol shall conduct annual physical examinations of each Member of Congress and shall keep a detailed record of the results thereof. He shall make available for public inspection at reasonable times in his office the records of all such examinations. The attending physician shall inform each Member of Congress as to the time and place at which such physical examinations are scheduled to be given to him. Any such Member who refuses or fails to take such examination at the time and place specified shall automatically forfeit his then existing committee assignment or assignments and shall be ineligible for any further committee assignments until he has taken such examination. If any Member of Congress does not take such annual physical examination, the attending physician shall duly record this fact and make information to that effect available for public inspection in the same manner as the information regarding the physical examinations. As used in this Act, the term "Member of Congress" means a Representative, Delegate or Resident Commissioner in the House of Representatives and a United States Senator.

H.R. 16174

A bill to provide for the reporting by Members of the Senate and House of Representatives of individual assets in property subject to Government regulation or control in excess of $25,000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) at the beginning of each Congress beginning on or after January 3, 1973—

(1) each Member of, and Delegate to, or Resident Commissioner in, the House of Representatives shall file with the Clerk of the House; and

(2) each United States Senator shall file with the Secretary of the Senate; a report listing each of his individual holdings of property or any interest therein of fair market value in excess of $25,000.00 which is subject to federal control or regulation, appropriately itemized and identified, owned or controlled by him alone, or by him jointly with another, or by his wife or lineal descendants, including any such asset held in a trust of which he or his family is beneficiary. Should any subsequent qualifying asset acquisition occur, he shall report such acquisition within ten days after the occurrence thereof, to the Clerk of the House or Secretary of the Senate, as the case may be.

(b) The Clerk of the House of Representatives and the Secretary of the Senate jointly shall prescribe regulations to carry out the provisions of this Act.

(c) The Clerk of the House and the Secretary of the Senate shall make available all information filed in their respective offices under this Act for public inspection at reasonable times in those offices.

SEC. 2. (a) Any person who knowingly and willfully files false information under this Act shall be fined not more than $50,000.

(b) Any person who fails to comply with the filing requirement under this Act by the date prescribed by the first section of this Act shall be fined, for each day of noncompliance, in an amount equal to one day's pay from the United States.

H.R. 16175

A bill to provide reduced retirement benefits for Members of Congress who remain in office after attaining seventy years of age

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8339 of title 5, United States Code, is amended by adding at the end thereof the following subsection:

"(n) Notwithstanding any other provision of this section, the annuity of a Member (other than the Vice President) retiring after January 3, 1975 under the first sentence of section 8336(f) of this title, is reduced by 10 percent of the full annuity to which the Member otherwise is entitled under such sentence for each full year by which the age of the Member at the time of retirement exceeds 70 years.".

(b) Section 8341 of title 5, United States Code, is amended by adding at the end thereof the following subsection:

"(h) The annuity of a surviving spouse, widow, widower, or child authorized by this section is computed without regard to section 8339(n) of this title.".

H.J. RES. 1272

Joint resolution proposing an amendment to the Constitution of the United States to provide an age limit for Senators and Representatives

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"ARTICLE —

"SECTION 1. After the ratification of this article, no person who has attained the age of seventy-five years shall be eligible for election or appointment to the office of Senator or Representative."

PROBLEMS OF INDEPENDENT OIL PRODUCER

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. PURCELL. Mr. Speaker, recently I received word from an independent oil producer in my north Texas district relating cost comparisons between running his business today and running it just after World War II. I would like to share it with the House, and therefore request permission to insert it in the RECORD.

Today the leaders of America seem to ignore the contributions of the oil industry and its kingpin—the independent. Carrying the Nation through two World Wars, numerous national emergencies, and fueling the most rapid technological advance of mankind's history, the oil industry has now become the convenient target of some politicians and a variety of self-styled reformists. Government policy appears more and more to be to abandon the entire oil industry, and the small independent operator along with it.

I urge every Member of Congress to study these figures which Mr. Houtchens has sent me. They tell a straight story.

ELECTRA, TEXAS,
July 20, 9172.

Hon. GRAHAM PURCELL,
House of Representatives, House Office Building, Washington, D.C.

DEAR MR. PURCELL: I, as an independent oil man of the past seventeen years, would like to express my personal concern for the Independent Operator.

When I first began in this business pipe line companies were buying oil for $3.15 per barrel and workover rigs were approximately $10.00 per hour and roustabout labor was running about $1.60 per hour. Today oil is selling for $3.55 per barrel, workover rigs approximately $17.50 per hour and labor about $2.75 per hour.

Add to this the fact that the oil is depleting at a very fast rate and it won't be too much longer till the Independent Producer is to the point where it will be hard for him to recover.

If the pipe line companies would realize our situation and give a price increase we could once again operate more profitable.

I think all America should be made aware of the situation and your interest and help in this problem will be appreciated.

Sincerely yours,
D. D. HOUTCHENS.

WASHINGTON HOCKEY TEAM?

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. HOGAN. Mr. Speaker, I have become increasingly aware of the thirst of the citizens of the Washington, D.C., area for professional sports. They want a team, their own team, and they want it soon.

Sports fans were recently overjoyed to learn that the National Hockey League had awarded a franchise to Metropolitan Washington. Mr. Speaker, I am grateful that so many of our colleagues in the House signed my petition to the National Hockey League urging that they award this area a franchise. This victory was coupled with the agreement to bring the Baltimore Bullets to Metropolitan Washington.

Now the question is: Where will they play? Mr. Speaker, I have fought on many fronts to have the arena built in Largo, Md., and in a recent editorial, WWDC agrees with my position that the Largo site is the only feasible place for the new arena. Mr. Speaker, I insert that editorial into the RECORD.

The editorial follows:

WASHINGTON HOCKEY TEAM

Broadcast of this editorial by Larry Matthews, News Director of WWDC on June 9, 1972. We welcome comments at 587–0347.

Welcome to the National Hockey League. Washington is back on the road to major league sports. The NHL has granted us a franchise for the season beginning in 1974, and it looks as though the NBA Baltimore Bullets will be coming down the parkway at the same time.

The last pro basketball team we had died for lack of a decent place to play. If that sort of situation is to be prevented this time around somebody had better get to work on some kind of sports arena right away . . . a place we can live with a long time, a place convenient enough for everyone, a place with enough room to park.

We think that place is in suburban Maryland, not in downtown Washington where small businessmen will be hustled out of their neighborhoods. If Congress wants to build a convention center downtown, fine. We'll put our sports money on a private developer who doesn't have to squirm through years of Congressional haggling to get something done. Our hockey and basketball teams will be ready in two years; we doubt that Congress could even get the preliminary planning for an arena out of the way by then.

Thank you for your interest.

SECRETARY LAIRD ANNOUNCES DRAFT WILL END BY JUNE 30, 1973

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, when Melvin R. Laird began his tenure as Secretary of Defense, he promised an all-out effort to achieve the President's goal of ending the draft. While the critics scoffed, Mel Laird persisted in pushing through the most significant package of personnel reforms ever witnessed by the Armed Forces.

The skeptics, however, consistently noted the unwillingness of Defense Department spokesmen to firmly commit the administration to a definite date for terminating compulsory military service. But on July 31, 1972, Secretary Laird put all such doubts to rest:

> We are going to make the transition so that on June 30 of next year we will be in a volunteer situation . . .
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> * * * * *
>
> Those that do serve should be adequately compensated on a fair and equitable basis and those labor costs should show up in the Defense budget and we should stop using conscript labor to use and meet the national security requirements of our country.

Mr. Speaker, the action of the Secretary in setting a specific time frame for the expiration of conscription is indeed a momentous occasion. While there is much that I should like to say at this point in time, I merely wish to offer a simple "Congratulations Mr. Secretary on a job well done," and commend his speech to your attention:

SECRETARY OF DEFENSE MELVIN R. LAIRD ADDRESSES ROTC SUMMER TRAINING AT INDIANTOWN GAP MILITARY RESERVATION, PA., JULY 31, 1972

Secretary Laird: Thank you very much. I appreciate this opportunity to visit with the ROTC Cadets that are here at Indiantown Gap. I've had the opportunity to be here before as Member of Congress some six years ago when there was some talk about changing over this particular training spot and making some changes. After that trip it was agreed that we would keep this facility open for a period of time and the Executive Branch yielded to Congressional pressure at that particular time. I was part of that Congressional pressure.

I'm here today to try to dramatize as best as I can, the importance of the ROTC program as we begin another school year. We have a waiting list of universities and colleges that are interested in taking this program on and we are doing, I believe, very well in maintaining our enrollment. Next year, I hope that there's some women here at this training program as far as your Army is concerned, because we have equal and fair treatment for all individuals as far as the Services are concerned. We're moving in the direction of moving up the Army, as the Air Force has already done, to ROTC training for women as well as men.

I'm from a political background, as all of you know. I was for nine terms in the Congress of the United States, the House of Representatives, and then have served as Secretary of Defense these past 3½ years. There's one thing that's a great asset. Don't let anybody mislead you about that. Military service is one of the first things a Democrat or a Republican lists as one of their qualifications to go forward in public life. When people are looking for a job or a job opportunity after they get out of college or after they finish their other training pursuit, whether it be in vocational education or high school technical programs, one of the first things that you'll see on any job application, one of the things is looked at by employers and personnel managers all over this country, is the fact that a young person has had some of the military training, some of the discipline that goes along with military training, and so I think that's one of the things we should be talking about.

We're changing in teh Department of Defense for the first time since 1939. Since 1939, as all of you know, the manpower requirement as far as the Department of Defense is concerned has been made up of conscript labor, where young people did not have a choice. Each time there was a manpower problem in the Department of Defense, be it in the Army, Navy, the Air Force, the Marine Corps, all the personnel officers had to do was just look to Selective Service and say, well, we can fill those requirements by putting a little more pressure on as far as Selective Service is concerned.

The military was not adequately paid or adequately compensated as compared with other segments of our society. Since 1939 that manpower problem has been taken care of that way. We are making the change and we are going to make the transition so that on June 30 of next year we will be in a volunteer situation, and we're moving in that direction as you know. When I became Secretary of Defense, 300,000 young people were taken into military service through the Selective Service and many more were draft-motivated. We reduced that to 200,000 the first year; then 100,000; and 50,000 this year; and we will go to zero by June 30. We've done that by making some of the incentives available to young men and to young women, and we've put almost the entire peace dividend as we've changed from war and wound down the war in Southeast Asia; as we've removed over 500,000 men, we've taken this savings that has come about there and put them almost entirely into manpower. So that all you have to do is look at the manpower costs in 1965, when we were spending $21 billion in this manpower area, but we've done it because we believe that one out of ten, under a volunteer service, which we will reach next year, one out of ten young men and women that are needed for military service should be compensated just as other people in our society are compensated for the kind of jobs that they're doing.

Their job is just as important as other professional jobs are in our society, because the national security requirements which are the requirements that we have to maintain the foreign policy objectives of our country, to meet the obligations of our four multilateral and four bilateral treaty arrangements which have been confirmed and approved under our Constitutional process by the United States Senate, those obligations have to be met, they have to be met by young men and women who are willing to serve in our military services. But everyone isn't going to be required to serve, but those that do serve should be adequately compensated on a fair and equitable basis and those labor costs should show up in the Defense budget and we should stop using conscript labor to use and meet the national security requirements of our country.

So you go back, and some of you will be going back to your college campuses, I hope that you will discuss with your fellow students the importance of adequately financing in the Defense budget the manpower costs; adequately compensating those young men and women who've given us this foreign policy tool that is so important. It's absolutely essential, I think, that we not take any back seat from anyone in stressing the importance of truly reflecting our labor costs for manpower in the DoD budget, and not using other means of taxing our young people to perform this important labor which is so necessary to the safety and security of our people.

I've talked too long. I just wanted to express to you my appreciation as Secretary of Defense for the contribution all of you are making, and to hope that you will never take a back seat in looking upon your mission, your training, with pride, because I know I'm proud to be associated with you, and the important work which we have in restoring peace and maintaining peace for the years to come.

Thank you.

COMMITTEE ON ENVIRONMENT URGENTLY NEEDED

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. BROTZMAN. Mr. Speaker, I am today introducing a House resolution to establish a standing Committee on the Environment. Joining me are 10 of my colleagues, bringing to 215 the number of Congressmen now sponsoring this important proposal.

I cannot overemphasize the urgency of the House's establishing a standing Committee on the Environment this year so that it will be possible for it to be operational at the outset of the 93d Congress in January. The record of the current Congress is dramatic proof of the need for important environmental legislation to go to one standing committee for disposal. As was noted last week by the Administrator of the Environmental Protection Agency, 14 pieces of major environmental legislation have been pending since February 1971. A similar experience occurred in the 91st Congress.

As the chief sponsor of the resolution to create a standing Committee on the Environment, I do not mean to minimize the fine environmental legislation which has passed after having first been considered by the existing committees of the House. The point is, however, that we can do better, and we owe it to the American people to do better. The one act of consolidating environmental jurisdiction in one standing committee of the House could be the one act which enables the Congress to move to the forefront of the fight for a quality environment.

At the present time, committee after committee has jurisdiction over various environmental proposals. This fragmentation has taken its toll in the past and will do so even more in the future as additional environmental legislation is proposed. In both the 91st and 92d Congresses, the House and Senate each passed proposals for the creation of a Joint Committee on the Environment. In neither instance, however, have conferees agreed on a resolution of differences between the House and Senate approaches. During the debate on the joint committee proposal, I pointed out that such a step would be useful in sorting out the maze of environmental legislation, but that what was truly needed was a standing committee with legislative authority. To date, of course, we have neither the standing committee nor the joint committee.

There is still time, Mr. Speaker, for the House to act on the standing committee proposal this year. Today, I have been joined by 100 of the 215 sponsors of the standing committee in requesting the Rules Committee, by way of a letter to its chairman, the distinguished gentleman from Mississippi (Mr. COLMER), to hold hearings on this matter.

The important proposals on air pollution, water pollution, solid waste disposal, herbicide and pesticide problems, and the energy crisis tend to be interrelated. They should be considered within the confines of one standing committee which is able to sort through the proliferating number of environmental bills in a timely and workmanlike fashion.

New standing committees are rarely established. But, times do change, and what might have once seemed like a sensible, all-encompassing committee structure now finds itself unable to respond to the concerns of the American public for legislation to maintain and improve the quality of our environment in a rational and coherent manner.

The Environmental Protection Agency was assembled from 15 subagencies in the executive branch because we in the Congress recognized the inability of the earlier alignment to be responsive to the just concerns of the American people. The Congress should effect a similar restructuring. I again urge, Mr. Speaker, that this be undertaken before the start of the 93d Congress.

RESULTS OF POLL PRESENTED

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. BROYHILL of North Carolina. Mr. Speaker, it is my pleasure to present the results from my 10th annual public opinion poll of my constituents in the 10th District of North Carolina. This survey was distributed to all households in the district, and I was very pleased at the response which I received. A total of 12,426 persons responded to the poll.

The poll consisted of 18 questions which covered a broad range of issues before the Congress and the American people. I asked both husband and wife to indicate their views, as I know that there is often a difference of opinion within families.

The question which elicited the strongest response concerned compulsory busing of schoolchildren to achieve racial balance. Ninety-five percent of those responding to the poll opposed compulsory busing. This issue is, obviously, a very serious one to the people of the 10th District.

Of almost equal concern was the question regarding the removal of Congressmen and Senators from office for excessive unauthorized absences. My constituents are concerned with the high rate of absenteeism among some Members of the House and Senate, and feel that the business of the Nation is sometimes neglected.

I was interested to note that the question on which the greatest difference of opinion between men and women was expressed was that regarding amnesty for draft evaders. Twenty-three percent of the men favored amnesty, while among women this figure rose to 32 percent.

There were two questions on which the respondents to the poll were nearly evenly divided. One concerned barring the sale of handguns which are unsuitable for lawful sporting purposes, with 50 percent of men and 54 percent of women favoring such a ban on handgun sales. On the question of continued U.S. air support for South Vietnam after U.S. ground troops have been withdrawn, 52 percent of men and 46 percent of women favored such support.

The detailed results of the poll follows:

[In percent]

	His		Hers	
	Yes	No	Yes	No
1. Do you favor compulsory busing of children in order to achieve racial balance?	4.6	95.4	4.7	95.3
2. Do you favor continued wage and price controls in order to combat inflation?	84.8	15.2	84.9	15.1
3. Do you favor income tax credit for part of the cost of higher education?	61.5	38.5	62.2	37.8
4. Do you favor the automatic adjustment of social security benefits and taxes to cost-of-living increases?	76.6	23.4	84.0	16.0
5. Should the United States extend diplomatic recognition to the People's Republic of China?	73.2	26.8	70.9	29.1
6. Would you favor amnesty for those who have left the country to evade the draft, with the requirement that they participate in some alternative service such as VISTA, Public Health Service, or a Veterans' Administration hospital?	23.3	76.7	32.0	68.0
7. Do you favor Federal legislation that would require compulsory arbitration to end strikes which affect the national eonomy?	89.2	10.8	90.1	9.9
8. Do you favor a program of "no fault" automobile insurance through which damage and injury claims would be paid without regard to the party at fault?	71.9	28.1	68.4	31.6
9. Do you favor increased Federal financing for the establishment of day care centers for working mothers?	31.8	68.2	37.6	62.4
10. Would you favor new Federal legislation to implement safety standardsfor potentially hazardous products?	86.2	13.8	89.2	10.8
11. Would you favor strong antipollution standards even though they may cause some industrial plants to shut down?	72.9	27.1	74.1	25.9
12. Should Congressmen and Senators be removed from office for excessive unauthorized absences?	95.0	5.0	95.2	4.8
13. Should the possession and use of marihuana by adults be legalized?	11.3	88.7	9.6	90.4
14. Should the Congress establish minimum standards for private pension plans?	54.6	45.4	54.9	45.1
15. Do you favor legislation defining the powers of the Congress and the President to commit U.S. military forces abroad?	67.8	32.2	69.7	30.3
16. Do you favor increased Federal funds for the development of rural areas, including public facilities, housing and job opportunities?	43.7	56.3	45.3	54.7
17. Do you favor continued U.S. air support for South Vietnam after U.S. ground troops have been withdrawn?	52.0	48.0	46.4	53.6
18. Do you favor Federal legislation barring the sale of handguns which are unsuitable for lawful sporting purposes?	50.4	49.6	54.5	45.5

HONORS FOR 1ST MARINE DIVISION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. LONG of Maryland. Mr. Speaker, I want to pay tribute to the Maryland Chapter of the First Marine Division Association, Inc., as it prepares to celebrate the 30th anniversary of the initial landing of the 1st Marine Division on Guadalcanal, August 7, 1942.

Many of the members of the Maryland chapter landed at Guadalcanal, where a powerful Japanese air base was then located. These Marines fought one of the most bloody Pacific campaigns, in which the Allies overpowered the Japanese and secured our position in the South Pacific.

The First Marine Division Association, Inc., was presented by the mayor of Baltimore with a 50-star ceremonial flag on December 10, 1971. Since that day, the flag has been on a "sentimental journey" to the South Pacific. It has flown in Australia, Guadalcanal, the British Solomon Islands Protectorate, and Suva, Fiji Islands. On Monday, August 7, the flag will be flown for the first time within the continental United States at Fort McHenry, the birthplace of "The Star-Spangled Banner." Subsequently, the flag will continue its journey to areas where the 1st Marine Division has fought to preserve freedom and dignity for all.

I am proud to participate in this ceremony honoring the landing and our flag. As an old friend and admirer of the Marines, I also want to honor the First Marine Division Association members who fought in World War II, thus helping to win our right to fly our flag and to continue our system of democratic government which the flag symbolizes.

The First Marine Division Association will hold its annual reunion in Baltimore, for the first time, in 1973. I should like to honor the men who are donating their time and efforts to organize the 30th anniversary celebration and the 1973 reunion.

BALTIMORE REUNION COMMITTEE OF FIRST MARINE DIVISION ASSOCIATION, INC.

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REFLECTIONS ON COMMUNICATION AND AUTISTIC CHILDREN

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. HARRINGTON. Mr. Speaker, an educator from Chicago, Barbara Seizmore, once said:

> Give me a child who can speak, and I can teach him how to read.

Unfortunately, there are many children in our country who are unable to speak, who are unable to communicate. They are autistic children, born with a complex illness which we have only recently begun to seriously study and treat.

I have inserted in the RECORD several articles on autistic children in past months. Today, I would like to call attention to a study which appeared in the January-March issue of the Journal of Autism and Childhood Schizophrenia about autistic children and communication.

The article, "Reflections on Communication and Autistic Children" by Mildred Creak, follows:

REFLECTIONS ON COMMUNICATION AND AUTISTIC CHILDREN

(By Mildred Creak [1])

All observers agree that a major defect shown by autistic children is their inability to communicate. Communication[2] is often lacking even in children who eventually show improvement and develop an adequate use of speech. I shall stress this to indicate that while many remain mute or use an idiosyncratic form of speech, it is not so much the words but "relatedness" and the outgoing social initiative and response that are so noticeably absent.

Kanner (1944) used the expression "extreme autistic aloneness which, wherever possible, disregards, ignores, shuts out anything that comes to the child from outside." This emphasis on a defensive reaction toward incoming stimulation was often interpreted as implying a negative response, a thrust away; this has perhaps delayed attempts to explain the phenomenon in terms of the inner and personal meaning (if any) to the child, of normal social contact. Bender (1960) emphasized this point in relation to therapy by saying that "the therapeutic approach should strive to help the struggling and terror-stricken personality to tolerate the malignancy of a disorder which disturbs all of its inner experiences." In an earlier paper, Potter (1933) considered that speech "through incoherence and diminution, sometimes to the extent of mutism," was important as evidence of disturbed thinking.

We are thus faced with the basic problem: Do we speak because we think, as is usually assumed, or do we think because we speak? The situation, of course, is not as simple nor as unified as that, and cannot be answered as a single alternative. Nevertheless, we are coming to see more and more clearly that the full experience of human communication is something not limited to the use of correct words.

We are well familiar with the barrier to communication caused by cerebral damage. When this occurs before or during birth, it may entirely prevent speech function from developing. The extent to which it prevents a cruder form of communication depends on many factors, ranging from the level of undamaged potential for intellectual development to the achievement of the complex neuro-muscular control required in the act of speaking or writing words. Easier to understand is the block caused by deafness when the input of verbal stimuli has to find a new way, whether by means of a hearing aid, lip-reading or sign language. The surprising thing is to discover how relatively easy communication can become when an intelligent, but "deaf-and-dumb" person is all intent on receiving the message. Even this desire had to be forcibly awakened in Helen Keller when she was first taken on by Miss Sullivan. We must continue to wonder how many potential Helen Kellers we may have missed by not forcing the door open soon enough.

Perhaps this crudely simple resume of the present trend of thinking about autism and communication may be enough to remind us of the enormous gap between the behavior of nerve cells within the brain and the accumulation of understanding, of storage, and of consequent thoughts and ideas which form the essence of adult human communication. This point was vividly focused for me in a chance reading from the writings of Isaac Penington (1616–1679):

"And the end of words is to bring men to the knowledge of things beyond what words can utter. So learn of the Lord to make a right use of the scriptures. . . ."

That remark by one of the early Quakers may be understood in its context which had nothing to do with noncommunicating children. But if we think about Penington's sentence it may help us to put words, language and communication in a proper perspective in the maze of human functioning.

It will be recalled that the second of the nine points,[3] perhaps the one most often criticized and questioned, attempted to put into words the autistic child's lack of self-identity. The expression used was "apparent unawareness of his own personal identity to a degree inappropriate to his age." In a paper dealing with the theory of parent-infant relationship, Winnicott (1960) used a similar context to illustrate how warm and interested maternal care permitted dependence while leading on to independence (perhaps involvement is a better word than dependence):

"The ego support of the maternal care enables the infant to live and develop in spite of his being not yet able to control, or to feel responsible for what is good and bad in the environment . . . a phase in which the infant depends on maternal care that is based on maternal empathy rather than on understanding of what is or could be verbally expressed . . . the infant ego eventually becomes free of the mother's ego support, so that the infant achieves mental detachment from the mother, that is differentiation into a separate personal self."

This suggests that the establishment of a sense of personal identity derives from close warm care which permits the growth of this small human plant to the point of emergence into a relatively independent and personal life of its own. It is perhaps not without significance that this individuation occurs before, but leads on to the stage of verbal expression, very simple at first but all the time increasing in range and complexity.

Turning again to the nine points, the definition of point (1) went to some pains to link Mahler's (Mahler, Furer, & Settledge, 1959) concept of the autistic child's symbiosis with the mother figure (an attachment which is seen to owe nothing to communication) with what Kanner calls "autistic aloneness," and to place both in the category of imparied emotional relationships. Clinging is not a warmly felt awareness of a protecting person, and the aloneness is not shown as a graduation to independence. Nor is it the positive outgoing protest and hostility shown by the normal infant when from time to time his loving figure prevents him from doing something potentially detrimental that he wants. It is the lack of any accompanying personal involvement, dare we say communication, which seems again so characteristic of the autistic child.

Turning for further guidance to a strictly neurological basis related to the act of self-awareness, I came across a paragraph in a Wayneflete lecture by John Carew Eccles (1952) which seemed to suggest a possible link:[4]

"Another word that needs comment is 'self.' It will be used to connote a unity that derives from a linking by memory of conscious states that are experienced at widely different times . . . spread over a lifetime. Thus, in order that a 'self' may exist, there must be some continuity of mental experiences and, particularly, continuity bridging the gaps of unconsciousness. . . .[5] On the other hand, mental experiences restricted to the so-called 'specious present' exist without such continuity of memory linkage. In a brief interval of time, we have a multitude of transient mental experiences *that are not linked together* (Eccles' italics) and vanish past all recall in a few seconds. Perhaps such mental experiences are all that animals

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Footnotes at end of article.

and very young children have, all their learning processes being subconscious and strictly speaking unremembered, ***hence they would lack a self*** (my italics) as defined above."

These widely differing quotations may seem to have little to do with the problem of communication manifested by the young autistic child, but they may go some way to bring together certain clinical aspects with which we are familiar. Were it the case that a basic fault lay in the capacity to record experiences and thus to build up meaningful concepts, we could begin to see the inner life of an autistic child as a series of interruptions, all unrelated, without meaning and therefore disturbing. Each unrecorded pattern is erased as soon as it happens. You could think of it as nothing leads to anything, or even that anything leads to nothing.

These speculations began as a result of a visit paid to me by an adult autistic boy and his two parents:

"He is now approaching the age of 20 and was 5 when I first saw him. The boy has never been without speech but tended to be repetitive at an early age, learning and repeating rhymes and songs rather than conversing. He lives at home, has no social life but earns a living with routine machine-tool work. Skilled when he has learned what to do, the boy shows no initiative. He makes no friends and his chief interests are the underground railway, which he knows like the back of his hand, and also traction engines. It is difficult not to feel bored at a certain empty unresponsiveness in his very restricted conversation."

We decided to take photographs in the garden, particularly one of all three standing beside a plant they admired. He persistently stood too far off to come into the picture until finally I said: "Stand in here, between mother and father." He seemed puzzled and annoyed and walked away so that we had to do without that one. This ordinary incident prompted me to think: I came to the conclusion that his irritation resulted from my incomprehensible request. I had, after all, asked him to "stand in," to "stand here," and to "stand between." How could he possibly do all three? Nor had he any idea of *why* a photograph requires grouping, distance, and focusing. Put that way with no linkages and no resultant visual concept of what I could mean, it was indeed an incomprehensible, and therefore disturbing request. So he moved away from it, but in an entirely different manner from some one registering impatience, boredom, or simply lack of interest. Nor did he question, or seek an explanation. In other words, communication failed.

At this point, I should like to refer to a recent conference held in London on February 26, 1972. Rather a small seminar than a conference, it was entitled Communication in Psychotic Children. The group, small enough to encourage a frank dialogue, comprised participants with extensive clinical experience in diagnosing, caring for, and attempting to treat psychotic children.[6] The gathering provided an opportunity for an open and challenging exchange of ideas, also allowing us to take a look at the new frontiers in research.

The subject was communication or lack of it. It was pointed out that autistic children not only fail to communicate, but also fail to receive our attempts to communicate with them. This may be so at a simple level:

"A small boy (able to speak in a limited way), clutching his pants, asked his teacher: 'May he go toilet,' to which she replied 'Yes' and again 'Yes, certainly' with no result. Not until she said 'You may go toilet' was he able to accept, and took himself off with evident relief. Surely here was a comparable situation to the failure to respond to 'stand in here. . . .'?"

This focused attention on how meaningful concepts are built up in the developing child, with a word of warning about the complexity (in terms of neurological communication) of the systems that are involved. Language is clearly not built up from a series of anatomical centers—*the* speech center, *the* hearing center—being damaged or delayed in the developmental pattern, but a complex fault in building up a communication system with a meaningful part to play in that individual's life. How and when is such information stored and recorded, so that it becomes meaningfully linked with subsequent happenings? One has the impression that the autistic child is bombarded with a welter of meaningless stimulation, speech fails to communicate, and inevitably attention is not gained or is positively rejected.

At the present time, sophisticated EEG work (Hutt, Hutt, Lee, & Ounsted, 1965) sought to explain this, or at least link it with EEG evidence suggesting a state of over-arousal. This research had led to consideration of the role of the reticular activating system, but it was clear that to regard this as an answer was totally inadequate. The Hutts and their associates believed there might be both a defensive under-arousal, and an over-arousal which flooded the receptive system resulting in widespread and extending inhibition, thus preventing learning and memory. The experience, as well as trauma, could also prove useless as an act of communication. They referred both to possibly connected biochemical faults and to certain ways in which the EEGs of autistic children resemble those of infants. Much of this work is being reviewed and revised in view of changing concepts. Nevertheless, a sound clinical approach can only be made by the accumulation and sifting of such evidence. Do we really know how normal children learn to think? We know they do so, sometimes eagerly, often in a confused or tentative way, and it is rare in the normal child to have this happen without a verbal clue from time to time. Indeed, if the more recent approaches to the problem of early autistic patterns (as shown in children before speech has begun) have taken a definite and lasting direction in the last 5 years, it is to support the view that the basic handicap is built in, and that much of the resulting emotional distortion (which indeed can be infectious to the family as a whole) is secondary.

This concept was expressed in an unusual way by one of the speakers at the aforementioned seminar who likened human speech to "a sort of human preening, to get yourself accepted." This is a great deal less frivolous than it sounds. Thinking back over many years' work with autistic children reminds me that in their intense loneliness (a point always made by Kanner) they appeared not only to have nothing to communicate, and nothing to communicate with, but also seemed to have no urge or direction toward acquiring these elemental human attributes.

Following two papers which emphasized that no positive help can be given without some to-and-fro communication between therapist and patient, Lawrence Bartak gave a more detailed account of autistic behavior in relation to communication.[7] A number of views leading back to the entire concept of the role of communication in human life were expressed. For the autistic child, the degree of understanding as to what is expected of him will be reflected in the degree of autistic withdrawal and disturbance that he shows. When, as so frequently, he fails to understand the demand, he may show more disturbance. If he can understand, there is often a decrease in such behavior and he will go ahead to do what is asked of him. This implies that much of the time the autistic child is neither simply unwilling nor involved but wholly at a loss. So his confusion overflows into increased autistic behavior.

The language faults often show "impaired ability to comprehend components of phrase structure" (as in the garden story); this will also impede the children's understanding of anything complex in the speech of those trying to communicate with them. Bartak suggested that one might go further than this and question whether the autistic child can regard speech as more than yet another noise impingeing on his consciousness. The child may indeed be unaware of communication as a normal human exercise. While methods that aim at introducing speech and language may actually succeed, they obviously must be actively linked to an understanding of the meaning of the imparted instruction to "hear" and "understand."

This brought me back to where I began, namely a deeper awareness of the autistic child's built-in difficulties. It is as if the echoes and the inward associations of things said fail to attach themselves to any growing awareness of the personal and social relatedness we all develop towards the world in which we grow up. In this situation, such children create for themselves an emptiness so that those of us who love them, or seek to care for them or improve their lot, will find ourselves nearly as lost as our patients. There the story might end were it not for the massive investigation and research into this difficult area of abnormal development patterns in early childhood. Would it be too bold an assumption to suggest that the nature of communication, what it means to the human being, and how it gets established in each individual, is possibly the key note to the whole?

FOOTNOTES

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[1] Requests for reprints should be sent to Dr. Mildred Creak, 36 Brookswood Lane, Welwyn Garden City, Herts, England.

[2] The word *communication* is used here in its widest sense, implying not only speech, but also an emotional response and demand for attention, linked with some degree of receptive awareness of stimuli.

[3] Reference to the descriptive statements of the British Working Party (Creak et al., 1961) headed by the author (Ed.).

[4] Again having nothing to do with autistic children, the Wayneflete lectures were focused speculations suggesting a neurophysiological basis of the mind.

[5] To illustrate this point, Eccles instances sleep, concussion and convulsions.

[6] Significantly, the opening remarks stressed that the variously-used terms "early childhood autism," "schizophrenic syndrom," and "psychotic child" cover a clinical area which cannot be precisely defined.

[7] See also Rutter, Bartak, and Newman (1971).

EROSION AND SEDIMENTATION IN TRIBUTARY STREAMS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. SCHWENGEL. Mr. Speaker, virtually all of our water supply—4.75 billion acre-feet for the coterminous United States in the average year—arrives as precipitation upon the land. When rains fall and water flows over the land, the running water is completely indiscriminate; it will pick up and move anything in its path and it will silt wherever it may flow.

This is how erosion and sedimentation are caused, and this is the reason why an estimated 4 billion tons of topsoil annually are washed from our Nation's land into the waterways, where the silt and chemicals become the worst polluter of all. Erosion and sedimentation problems are naturally aggravated in the spring, when rains are heaviest and combine with winter thaws to produce extensive flooding.

Though the most spectacular damage occurs in the downstream areas where problems reach their greatest magnitude, 56 percent of the total damage caused by floodwater and related erosion occurs in the upstream tributary areas of our Nation's watersheds. This same damage constitutes between 75 and 85 percent of all floodwater damages to agricultural concerns. The term "flood" is not synonymous with some specific rate of flow. What may be a flood at one section of the stream may be well-contained flow at another section. Flooding will result from a reduction in channel capacity because of any of a number of physical conditions, such as reduction in gradient, barriers to flow, meander or changes in direction, an undefined channel, or the siltation of a channel.

Flooding might be induced at one section through the upstream channel characteristics that tend to speed up flow. The removal of some barrier by force of the flow, or magnification of the hydraulics of a reach through scouring, for example, may speed up flows to the extent that subsequent sections downstream cannot carry them. Thus the flooded section may shift over a period of years from one place to another along a stream bed that is not stable.

Estimates prepared by the S.C.S. in 1952 indicated that the annual losses to agriculture from flooding were then about $557 million. Losses themselves are of several kinds: damage to crops and pastures; land damage from floodplain scour, streambank erosion, and gully trenching; damage to farm buildings, fences, roads, stored crops, and livestock; and indirect losses such as delays in field work and disruptions in the marketing of farm products.

While the floodwaters themselves can cause more noticeable damage, the erosion and siltation of streambanks is by no means dependent upon floodwaters, and is more continuous, and in some cases, even harder to control. A recent study by the U.S. Army Corps of Engineers shows that approximately 549,000 miles, or 8 percent of the Nation's 7 million miles of streambank, are being damaged in some degree. Of the damaged streambank areas, possibly 148,000 miles are already in need of extensive remedial measures. Damages resulting from erosion alone in these reaches are estimated to total some $90 million annually, half from sediment damage, a third from land losses, and the remainder from other types of damages. Sediment produced by erosion is deposited downstream where it damages productive floodplain land, clogs streams and channels, harms fish and wildlife habitat, covers streets and roadways, damages buildings in cities and towns, and fills rivers and harbors. This sediment must come from the streambank, and the loss of land to erosion represents a serious problem. The Virginia Tidal Riverbank Erosion Survey, covering 951 miles of riverbanks, showed 221 miles of riverbank with an average recession rate of at least 1.85 feet per year.

It has been estimated that up to 84 percent of sediment damages could be reduced by the installation of proper protective and maintenance measures. Many of these measures needed for stabilization of watershed lands, however, are too complex for landowners to install, or the benefits will be so long deferred that it is unreasonable to expect that very many landowners will do the needed jobs without assistance. Basic soil conservation practices through simple vegetative and mechanical measures can help in controlling the problem of streambank erosion. Practices such as contour tillage, stripcropping, and minor structural measures such as gully plugs help to reduce the amount of water that runs off the land and over the streambanks into the stream. However, major improvements in streambank erosion control require extensive outlays of time and resources.

As a general rule, streambank protection requires frequent and expensive maintenance, and involves all the elements of planning, design, and supervision of a major flood control structure. Occassionally a meandering or braided stream may form a new channel, bypassing existing bank protection or stabilization structures. The nature of bank protection often requires that a single project may cover many miles and may pass through several political boundaries. When such projects are turned over to local interests, construction and maintenance costs may be more than they can bear.

The present watershed program, under Public Law 566, has failed to provide the resources and the direction needed in our efforts to control flooding and erosion on the tributaries of major rivers. In some cases, Federal moneys have been spent in planning and construction, and the local agencies have failed to keep up adequate maintenance programs. In other cases, local agencies have developed comprehensive and imaginative plans, only to be stymied by delay and indecision by the Federal Government.

I have introduced a bill, H.R. 15596, which would authorize the Secretary of Agriculture to make direct, binding agreements with people involved in all levels of the watershed program—from local landowners up through other Federal agencies. These agreements, as vehicles for utilizing local imagination and energy as well as the resources provided in the bill, should insure that everyone involved in each project has a clear understanding of what measures will be taken. In order to guarantee that the agreements will produce positive results, my bill provides that the Secretary must require the local agencies to bear at least 25 percent of the construction costs, acquire the needed land rights, make arrangements for defraying operating costs, and bear proportionate costs of engineering and administrative services.

This bill provides the means for making resources available where they are needed, and it includes guarantees that each program will be completed as planned. The flooding and erosion of our Nation's streambanks will not wait for the present program to produce results, and the problems become more serious as time passes. I sincerely hope that my bill will be passed so that we can begin to attack the problems of siltation and pollution in our Nation's waterways.

THE POLICE LEGAL UNIT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. TEAGUE of Texas. Mr. Speaker, the August 1972 edition of the FBI Law Enforcement Bulletin which was just sent to me by my good friend, L. Patrick Gray III, Acting Director of the FBI, contained an article entitled the "Police Legal Unit" written by the Director of the Dallas, Tex., Criminal Justice Interface Division of the local police department. Under leave to extend my remarks, I wish to include this article.

The article follows:

THE POLICE LEGAL UNIT

(By Edwin D. Heath, Jr.)

The need for police legal units has been clearly demonstrated during the past few years. With the advent of the so-called "criminal law revolution," police administrators have more than ever been required to formulate policy in areas where legislative or judicial direction is new, nonexistent, unclear, or in need of administrative implementation. Further, the complexity of the police enforcement function in the criminal justice system requires a higher degree of legal knowledge and direct legal advice than ever before.

The American Bar Association, in "Standards Relating to the Urban Police Function," has stated:

"Given the nature of the police function, police administrators should be provided with in-house police legal advisors who have the personal orientation and expertise necessary to equip them to play a major role in the planning and in the development and continued assessment of operating policies and training programs."

The requirement for newer, law-related training programs pertinent to changes in the criminal law and judicial trends deserves a significant role in police training today. The police administrator must clearly understand that his agency is only a part of the criminal justice system. While it can certainly be described as the first line, it cannot operate in a vacuum, without proper legal direction and training and development of new plans and programs for the future. The police legal adviser and his unit can provide this necessary assistance and expertise.

HISTORY OF THE POLICE LEGAL UNIT

The first police legal unit, known as the "Law Library," was established by the New York City Police Department in 1907. This unit was under the supervision of an attorney who was a member of the police force.

The Texas Department of Public Safety had a legal officer known as the "chief clerk" as early as 1935, and the Indiana State Police established a legal unit in 1941, as a part of what was then their training division. Other police agencies developed legal units in various forms; but as late as 1967 there were only approximately 14 units in the entire United States, and six of these were staffed with part-time employees. The Federal Bureau of Investigation appointed a legal officer about 1945, established a legal research unit in its Training Division in 1961, and gave this unit separate status in 1971 as the Office of Legal Counsel, under the supervision of an Assistant Director of the FBI.

It was not until 1967 that the issue of the police legal unit was clearly raised by the President's Commission on Law Enforcement and the Administration of Justice. Both "The Challenge of Crime in a Free Society" and "Task Force Report: The Police" articulated the positive need to provide police administrators with in-house police legal advisers.

Following the reports of the President's Commission, the Law Enforcement Assistance Administration (LEAA) of the U.S. Department of Justice began a Federal program to fund new police legal units. Since 1969 the number of police legal units has grown from approximately 20 to more than 80 local units, with over 120 full- and part-time licensed attorneys. Two-year funding is still available through the LEAA for local police agencies with 75 or more sworn personnel.

In addition to programs funded by the LEAA, the Northwestern University School of Law began a 2-year training program for police legal advisers in 1964. Originally designed to provide a combined course of on-the-job training and classroom study leading to a master of laws degree, this program was re-funded in 1968 by the Ford Foundation for a period of 3 years. The curriculum was shortened to 6 months and the requirements for a master's degree deleted in an effort to devote more time to on-the-job training during the school year. While this program was small in scope, it provided the necessary impetus for establishment of police legal units on a local basis.

In 1971 the program for training police legal advisers was transferred from Northwestern University to the International Association of Chiefs of Police (IACP), where a police legal center was established to serve as a clearinghouse for training and information. Short courses offering legal adviser-type training are currently available annually from the Northwestern University Traffic Institute, the IACP, and the FBI.

While the police legal advisers have held an annual conference since 1966, the IACP formally established a legal officers section in 1972 and made these meetings a part of the annual IACP Conference.

THE DALLAS LEGAL UNIT

The Dallas Police Department established its first legal unit on January 6, 1970. The unit was named the legal liaison division and staffed by two directors of police—both licensed attorneys, sworn law enforcement officers, and graduates of the FBI National Academy—and one stenographer.

The legal liaison division was established for the following purposes:

To provide consultive legal services to the chief of police, the assistant chiefs of police, supervisory officers, and other personnel of the Dallas Police Department.

To provide liaison services between the Dallas Police Department and the offices of the city attorney, district attorney, and Federal prosecuting agencies.

To provide liaison with the Dallas Bar Association and the State Bar of Texas on legal matters affecting police operation.

To assist the department director of training in preparation of material on legal subjects.

To assist in the development of departmental policy, general and special orders, and rules and regulations affecting procedures of the department.

To assist in legal proceedings affecting departmental personnel, as requested by the city attorney and/or the district attorney, and when specifically directed by the chief of police.

To assist on special projects and programs established by the chief of police.

The Dallas Police Department, with the active participation of the legal liaison division, formally established a legislative program for the 1971 regular session of the Texas Legislature. Some of the feature points of this program included requests for authorization of a State wiretap bill similar to the Federal provision, changes in the search warrant law and Texas confession law, a provision for denial of bail to recidivist offenders, and a provision to tighten the statutes on receiving and concealing stolen property. While this program was to a large extent unsuccessful, it had a tremendous impact upon both the public and some members of the Texas Legislature. Although many police agencies seem reluctant to speak for the needs of law enforcement in the legislative field, the Dallas Police Department will continue to assert the need for improved legislation to aid law enforcement in the administration of criminal justice.

Other activities of the legal liaison division have included consultation with investigative personnel on complex legal issues arising in involved criminal investigations. Limited assistance is provided to uniformed personnel, particularly in those cases involving special enforcement or civil disturbance issues.

The division is regularly involved in police education, including training of new recruits and inservice training. Departmental training material on the laws of arrest has been revised by the division, and the material on laws of search and seizure is currently being revised. A legal bulletin has been established, with the objective of keeping departmental personnel advised of current judicial changes affecting police activity.

LIAISON WITH OTHER AGENCIES

One of the most important functions of the police legal unit, in addition to its liaison with other criminal justice agencies, such as the city attorney, the district attorney or county prosecutor, the courts, the Federal attorney, and local bar groups, is communication with police-community relations units. The Dallas legal unit has heavily involved itself in learning of community relations programs and accomplishments.

One of the most promising programs of the Dallas Police Department is the community effort known as "Operation: Get Involved!" The purpose of this progam is to establish citizen committees on each police "beat." These committees meet at least once a month with the local beat officer to discuss the crime situation and other police-related problems of the individual areas, as well as the city as a whole. This group of interested citizens has provided tremendous support to departmental programs through interest in legislation, improved police service, and understanding city government goals. This program has greatly enhanced community relations in Dallas.

FUTURE PLANS

On March 28, 1972, with a departmental reorganization, the name of the Dallas Legal liaison Division was changed to Criminal Justice Interface Division. While the primary duties remain the same, the purpose of the reorganization, as it affected the legal unit, was to provide for expansion of legal services within the department and to interface the efforts of the department with other agencies of the criminal justice system. Funding for this expanded program will be carried out under an impact grant of the LEAA received in 1972.

Plans are still in the developmental stage; however, the future will see an increase in the number of attorneys assigned to the Criminal Justice Interface Division for the purpose of providing direct legal assistance to officers on the street from arrest through prosecution. Results of arrests will be systematically reviewed in order to determine if any deficiency exists in police practice and in the subsequent handling of each case by prosecutors, the courts, and the corrections process. Attention will be specifically directed toward improved case preparation and improved procedures involving recidivists, organized crime, crimes of violence, and offenders on probation and/or parole. Adminisistrative policies and procedures will be reviewed relative to criminal justice problems; and additional training will be emphasized at patrol and investigative levels, as well as at the levels of supervisory and command officers. A program will also be implemented to train legal technicians who will work directly with uniformed and other field officers on routine legal matters.

By providing liaison and direct support to all segments of the criminal justice system, the Dallas Police Department will be better able to analyze its own practices, policies, and enforcement efforts. Cooperation has always been the lifeblood of effective law enforcement. The Criminal Justice Interface Division of the Dallas police is enhancing this proven concept with the legal expertise so necessary to the complexities of modern law enforcement.

FARM PRICES PEAK IN JULY

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. SPRINGER. Mr. Speaker, with cattle and hog levels helping to push July along, this was the second record month in a row for farm prices. Compared with a year ago, farm prices were 13 percent higher than July 1971. This is extremely good news for farmers generally. I attach herewith an article titled, "Farm Prices Rise to Peak in Month" in the August 1 issue of the New York Times. I am sure all my colleagues will be glad to read it:

FARM PRICES RISE TO PEAK IN MONTH

WASHINGTON, July 31.—Further increases for cattle and hogs helped send farm prices in July to a record for the second consecutive month, the Agriculture Department reported today.

The July index for raw farm products was up 1.5 per cent, the department said. In June the index also rose 1.5 per cent to break a record set in February, 1951.

Compared with a year ago, farm prices in July were 13 per cent higher.

Officials said higher prices for hogs, cattle, potatoes, eggs, milk and onions contributed to most of the increase.

Lower prices were reported for cotton, peaches, lettuce, grapefruit, hay, tomatoes, and oranges.

Administration price curbs do not apply to raw products sold by farmers, and middlemen can pass added costs on to consumers.

The July index was reported at 323 per cent of a 1910–14 base used to measure farm prices. In June, the index rose to 317 per cent, exceeding the former high of 313 set during the Korean War more than 20 years ago.

HOG LEVELS RISE

Meanwhile, farm expenses in July rose 1 per cent and averaged 6 per cent more than a year earlier, the Crop Reporting Board said. The expense index also rose 1 per cent in June.

Cattle averaged $34.60 per 100 pounds of live weight at mid-July—a record compared with $34.20 in June, the former record, and with $28.50 a year earlier.

Hogs averaged $27.50 per 100 pounds, equaling the high set in February, 1970. In June, hogs averaged $25.40 and a year earlier they averaged $19.00.

A comparison of farm-product prices and costs, expressed as a parity ratio based on the 1910–14 formula, was 75 per cent in July, compared with 73 in June and 69 a year earlier.

Under the parity guideline, prices farmers receive and pay out are theoretically in harmony when the 1910–14 ratio is 100 per cent.

A more recent measure, using 1967 as a base, showed the ratio at 100 per cent in July, compared with 99 in June and 93 a year earlier.

Prices farmers received in July averaged 127 per cent of the 1967 base, and expenses 127 per cent, compared with 125 and 126 in June.

RED CHINA'S NEW OPIUM WAR

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. FISHER. Mr. Speaker, now that the Peking regime has gained entrance to the United Nations, and trade with that Communist stronghold is being considered, let us not lose sight of the fact that Red China ranks today as probably the world's leading producer and pusher of narcotics.

Under leave to extend my remarks I will include an article written by Eric Brodin which appeared in the Mainichi Daily News, Japan, on July 23, 1972. It will be noted that Mr. Brodin raises the question of whether the United Nation's newest member can reconcile membership of such an organization with its growing, production, and export, of narcotic drugs destined for markets where they will do most harm?

The article follows:

China's New Opium War: Large Areas Devoted to Opium Production

(By Eric Brodin)

Geneva (FWF).—Communist China was not a member of the United Nations when the U.N. Commission on Narcotic Drugs held its 24th meeting here in September and October last year. Had it been, there is good reason to believe that the Chinese would have boycotted the meeting. The reason is obvious. China is today one of the world's largest producers and exporters of opium and heroin, and this has come about as a result of a deliberate policy.

Peking leaders have reason to recall how, at one time, the "white devils" from the Western world imposed the opium habit on the Chinese. Chairman Mao Tse-tung remembered this in 1928 when he was instructing his first cadres, the members of which had just fled from Hunan Province to the Chingkanshan mountain area in Kiangsi Province. He ordered them to get busy and plant the poppy for large-scale opium production. Full-scale planting of the poppy was achieved by 1935. The civil war between the Nationalists and the Communists, plus the Japanese occupation, hampered the production plans. By October 1949, however, the Communist leaders gave secret instructions to all provinces to pay particular attention to opium production—for future export. Since 1958 this activity has been an important feature of the crops produced on state-operated farms. But the export of opium had begun by 1950.

Proof of this was revealed at last year's Geneva meeting when the British delegation to the U.N. Commission produced a letter, dated October 1950, in which 500 tons of opium were offered for sale—"on generous terms"—to the Hong Kong division of Imperial Chemical Industries (ICI). The British delegation affirmed that this offer had been rejected. The opium in question was described as having a morphine content of between eight and 11 per cent and came from the Jehol area of China.

China's production and export of opium has been growing since 1952. From about that time it appears that the Chinese Communists have been using their drug exports as a political weapon. Perhaps the most direct confirmation of this policy was received by the late President Nasser, of Egypt, during a conversation he had with Chinese Premier Chou En-lai at a meeting on June 23, 1965. (This conversation was recalled by Nasser's close friend and editor of Cairo's Al Ahram newspaper, Mohammed Hassanein Heykal, in an article published by London's Sunday Telegraph on October 24, 1971.)

Heykal wrote that the Chinese Premier had been discussing the United States military presence in Vietnam with Nasser. Far from expressing unhappiness about the soldiers being there, Chou expressed the hope that even more American servicemen would be sent to the war zone. "Some of them are trying opium and we are helping them," Nasser was told, according to Heykal. "We are planting the best kind of opium especially for the American soldiers in Vietnam," the Chinese leader had added.

DEMORALIZATION PLAN

These fateful words have been reflected in newspaper headlines around the world—headlines such as "U.S. soldiers use of drugs growing in Vietnam," "Drugged soldier shoots comrade," and so on. Although the number of U.S. servicemen in Vietnam has been drastically reduced, the Chinese leaders have today succeeded in their goal—"to demoralize them . . . because the effect this demoralization is going to have on the United States will be far greater than anyone realizes," as Chou En-lai told President Nasser back in 1965.

It is understood that in its current program, China has designated 179 counties as important areas for poppy-growing. Some 60 state-operated farms are devoted to the crop, 318 communes cultivate it, while 72 manufacturing plants attend to the refining of the drugs. Export figures vary with demand and the need for foreign currency. But annual production levels have increased from about 2,000 tons in 1952 to more than 10,000 today. At the moment there are some 5,830,000 acres of land under cultivation.

According to a report in the Manila Evening News of May 29, 1971, China uses four main outlet areas for its trafficking. They are Shanghai, Macao, parts of South-East Asia plus Korea and Japan.

The seriousness of this international trafficking of dangerous drugs was emphasized at a meeting of the International Criminal Police Association, in September of last year, when members were told that the estimated total value of drugs annually exported from China amounted to a staggering 800 million U.S. dollars.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mothers asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

DES: A CASE STUDY OF REGULATORY ABDICATION

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. FOUNTAIN. Mr. Speaker, I want to bring to the attention of my colleagues a very timely and revealing journal article on the regulation of the cancer-promoting drug, diethylstilbestrol—DES—which is widely used as a feed additive to stimulate weight gain in cattle and sheep. The article, written by Nicholas Wade, is entitled "DES: A Case Study of Regulatory Abdication," and appears in the July 28, 1972, issue of Science, the official publication of the American Association for the Advancement of Science.

Mr. Speaker, on June 20, 1972, I called attention on the House floor to the extraordinary action announced 4 days earlier by FDA Commissioner Edwards in connection with DES. The Commissioner had announced that FDA would shortly publish a proposal in the Federal Register to withdraw approval of the new drug application for the use of DES in animal feed, but stated that FDA does not have sufficient information to act in this matter and is proposing the order to ban DES only as a means of accumulating additional information at a public hearing.

As I had informed the House, this is a curious approach to law enforcement. Either FDA has the necessary evidence to ban DES as a feed additive, in which case the agency has the responsibility to take forthright action, or else it is not justified in beginning a formal revocation procedure of this kind before obtaining such information. Congress has given FDA ample resources to develop the necessary evidence prior to taking regulatory action.

It is an indisputable fact that DES has been shown to cause cancer in numerous species of animals and was associated early last year with a form of cancer in young women. It is also well established that DES residues have been found for some time, and continue to be found increasingly, in the livers of cattle and sheep which have been fed mixes containing DES.

It is the FDA Commissioner's responsibility to enforce the law on the basis of the evidence as it relates to the carcinogenecity of DES and the existence of residues. These are the only relevant regulatory issues. I believe FDA now has the evidence upon which to make a decision in this matter.

Mr. Speaker, this is a most serious matter. The American people, acting through Congress, have declared total war on that most dreaded enemy—cancer. Congress and the President have joined forces to make available whatever resources can be spent effectively for the conquest of cancer. One of the major targets in this fight is the identification of chemical carcinogens and their removal from our food supply and our environment. It has been conclusively demonstrated that DES is a powerful chemical that is carcinogenic. There is incontestible evidence that it has been found and continues to be found increasingly in the livers of animals fed this drug.

The Science article follows:

DES: A Case Study of Regulatory Abdication

(By Nicholas Wade)

A restaurant worker in New York was so fond of chicken that he had for his supper each night the necks left over from the birds consumed by the patrons. At that time, in the 1950's, the poultry industry was producing a particularly tender-meated chicken called a caponette, whose soft flesh was the result not of castration, as in the capon, but of the implantation of a pellet of diethylstilbestrol, or DES. The DES, a synthetic chemical that mimics the action of the natural female sex hormones, was implanted in the young chickens' necks. On his diet of caponettes' necks, the New York restaurant worker attained immortality as a medical textbook example of gynecomastia—the growth of female-sized breasts on a man. Last year DES itself made medical history in what the *New England Journal of Medicine* described as a "unique situation in human oncology." A hitherto extremely rare kind of vaginal cancer was noticed in eight young women admitted to a Massachusetts hospital. Their only point in common was that some 20 years previously they had all, as fetuses, been exposed to DES (in one case to a related chemical) when their mothers were treated with it to prevent a threatened abortion.

DES is a chemical of bizarre and far-reaching properties, chief of which is that it is a spectacularly dangerous carcinogen. Some 22 countries have taken steps to ensure they do without DES in their food supply. The hormone is a regular ingredient of the American diet because the federal government permits its use as an additive in cattle feed. Fed so some 75 percent of the 30 million cattle slaughtered each year, DES makes the animals fatten faster and on less grain, thereby saving cattlemen some $90 million yearly. In the past 9 months, the chemical has enjoyed a crescendo of notoriety—culminating in hearings last week before Senator Kennedy's health subcommittee—because residues of DES in possibly cancer-causing quantities continue to this day to appear in beef.

The attempts of the Food and Drug Administration (FDA) and the Department of Agriculture (USDA) to protect the consumer from DES form an illuminating case study of the use of scientific information in regulatory decision-making. The DES case also illustrates the gulf between the present law and rational policy, as well as the basic and as yet unresolved dilemma of food protection: Is there a "no effect" level at which a carcinogen can safely be allowed in food?

The history of the attempt to control DES is a record that includes negligence, deception, and suppression by the USDA and prevarication by the FDA. DES was first approved for use in cattle in 1954, with the condition that it be withdrawn from feed 48 hours before slaughter so that none would remain in the meat. Under the law, the FDA was supposed to recommend a method for detecting DES in meat, and the USDA was to inspect meat. For 11 years, until 1965, neither agency bothered to check meat for DES on a regular basis. This abdication was in spite of the clearest warning signals. For example, in 1959 the National Cancer Institute advised that "it would seem the better part of reason to exclude this known potent carcinogen from our diet and to eliminate such food additive practices as have been shown to lead to any detectable residues . . . in our food."

The methods available in 1959 were good enough to pick up DES residues in poultry but not in sheep or cattle. The Delaney anticancer law of 1958 says unambiguously that no known carcinogen shall be allowed in food, so the FDA had no option but to prohibit the use of the hormone in poultry. It was clearly only a matter of time before detection methods improved sufficiently to pick up DES residues in beef and mutton. The FDA was not hurrying, however, and in 1962 someone persuaded Congress to emasculate the Delaney law as it affected DES. The new clause, a piece of fine-print chicanery known as Section 512(d)(1)(H) of the Food, Drug, and Cosmetic Act, said that it is okay to feed carcinogens to meat animals, as long as no residue is left in the meat when the chemical is used according to label directions that are "reasonably certain to be followed in practice." In other words, if you find DES in meat, that's the fault of the farmer for "disobeying" the "reasonable" regulations. So don't ban DES, jail the farmer.

The loophole didn't face any test until 1965, the first year the USDA started to check beef regularly for DES. Even then, the USDA's anxiety about DES remained less than extreme, as is illustrated by the case of John N. S. White, a former USDA meat inspector in Los Angeles. Noticing that cows fed particularly heavy doses of DES developed anatomical abnormalities, White prepared a scientific article suggesting that DES should be more strictly controlled. He was told not to publish it. When he persisted he received the following encouragement in a letter from a USDA personnel officer:

"I have before me a file disclosing that you acted contrary to supervisory instructions by offering for publication an article entitled 'The Effect of Feeding Stilbestrol to Beef Cattle.' . . . You are hereby reprimanded for failure to follow supervisory instructions and conduct causing embarrassment to the Department. You are also warned that a repetition of this type of offense could result in severe disciplinary action and very possibly removal."

White eventually got his article published, by the expedient of quitting the USDA.

When the USDA did start looking for DES residues in meat, it used an analytical method capable of detecting DES down to levels of 10 parts per billion (ppb). Only the year before, in 1964, DES had been shown to cause tumors in mice when fed at a level of 6.5 ppb, and the "no effect" level, if any, had not been discovered, then or since. Hence even meat shown to be clear of DES by the USDA's method could still contain dangerous quantities of DES. Little wonder that a senior USDA chemist described the method as a "regulatory control chemist's nightmare."

It was the nightmare, nonetheless, which allowed the DES issue to slumber on for 7 years more. Maybe because of the coarseness of the detection method, the USDA did not bother to test more than a perfunctory number of samples each year, even though DES turned up in a suggestive quantity. In 1966, the USDA found DES in 1.1 percent of 1023 samples. Since some 30 million cattle are slaughtered each year, 1023 is not too healthy a sample from which to draw statistically valid conclusions. A reasonable step to ensure that DES was not contaminating the public's beef might have been to increase the sample size. Yet in 1967 the USDA tested only 495 samples, 2.6 percent of which contained DES. In 1968 545 samples were taken, in 1969 505, and in 1970 only 192.

The USDA's sampling program showed every appearance of dwindling to the vanishing point in a few more years. For 1971, however, the USDA actually increased its sample size to 6000, yet by some strange circumstance found DES residues in none. That, at least, is what USDA Assistant Secretary Richard Lyng told Senator William Proxmire (D-Wis.) on 31 August. The truth was that DES had been detected in ten animals, in quantities up to 37 parts per billion (ppb), but a lower official had ordered these results to be suppressed. The explanation proffered when this became known was that the residues were not to be reported until confirmed by a second method of analysis. No second method was available, so the results had not been reported. In his letter of apology to Senator Proxmire, Lyng called the episode an "inexcusable error" and a "gross malpractice."

In a critique of the DES case, Harrison Welford, of Ralph Nader's Center for the Study of Responsive Law, concludes that up until April 1971, some 17 years after DES was first approved for use in cattle, "neither the USDA nor the FDA could make a serious estimate of how much DES was getting into the nation's beef. This result is an object lesson in the ways bureaucracy can silently evade the consumer protection mandates of Congress," Welford says.*

The cases of vaginal cancer discovered in April 1971 suggested that the silent evasion policy had nearly outrun its usefulness. When the USDA admitted in October that it had, after all, been finding DES in beef, the FDA had a crisis on its hands. For a start, the Natural Resources Defense Council filed a suit requiring the FDA to ban DES. The residues of DES being found in beef were confined to the liver and averaged typically 2 ppb—the lower limit of the new detection technique. This concentration of DES amounts to about 0.3 microgram for a 150-gram serving of liver, a quantity that represents an appreciable addition to a woman's own natural supply of estrogen. Whether or not regular exposure to such quantities of DES represents a cancer hazard no one knows, but witnesses from the National Cancer Institute and elsewhere have advised that it would be prudent to avoid such exposure.

The FDA's response to the crisis last October was not to ban DES, but to lengthen from 2 to 7 days, the mandatory period between the withdrawal of DES from a cow's feed and the time of the animal's slaughter. The continuing presence of DES residues in beef could have been either because it took longer than 2 days for DES to be cleared from an animal's system or because some cattlemen were breaking the law by neglecting to withdraw DES before slaughter. Which explanation had the FDA acted on? If the latter, a cattleman who neglected to withdraw DES had just the same chance of being caught—about 1 in 5000—whether the withdrawal period was 2 days or 7. Did the FDA then have scientific evidence to indicate that the 2-day withdrawal period was insufficient? Apparently not. In a hearing on 11 November before Congressman L. H. Fountain's (D–N.C.) subcommittee on intergovernmental relations, the commissioner of the FDA, Charles C. Edwards, explained that "sound scientific data" supported the belief that DES is cleared from an animal's system within 2 days. This may have been belief at the top of the FDA hierarchy; at humbler levels there was doubt if even the new 7 day period was long enough for DES to be cleared. According to a position paper drafted on 8 February 1972 by A. J. Kowalk and R. L. Gillespie, scientists in the FDA's Division of Toxicology, a single experiment formed "practically the only evidence to support a 7-day withdrawal period." This study is "weak scientific justification," Kowalk and Gillespie said, because only one animal was used, only a single dose of DES was fed, and half the drug could not be accounted for. And far from justifying a 7-

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* H. Welford, *Sowing the Wind* (Grossman, New York, in press).

day withdrawal period, the data even from this experiment could be interpreted to indictate that residues of DES will remain in the animal for longer than 7 days.

The practical value of the FDA's 7-day withdrawal period was no less contentious than its scientific basis. Roy Hertz, of Rockefeller University, an adviser to the FDA at the time that DES was banned from use in poultry, opined to the Fountain subcommittee last October that the new 7-day withdrawal period would be even harder to enforce than the 2-day period. He categorized the FDA's new procedures as "unfeasible and impractical and ill-advised" because they would increase rather than reduce the hazards of exposure to DES. The only justification for using DES in cattle would be under threat of famine, Hertz said.

"We are absolutely convinced that, if we do have and enforce sound controls, DES can be used safely and effectively," Edwards proclaimed. But it was Hertz's predictions that were correct, DES, which appeared in 0.5 percent of the samples tested in 1971, is at present being found in 2 percent (admittedly the USDA's testing procedure has also grown more sensitive over the same period). In the week ending on 24 June, DES was found in an outstanding 10 percent of all samples tested. As for the threat of famine, under which the saving of grain by use of DES might make some sense, the present wheat surpluses are the highest in a decade, even though farmers were paid $1 billion this year not to grow wheat.

At the hearings before Fountain's subcommittee on 11 November and 13 December, the FDA's basic game plan was to rely on Section 512 (d) (1) (H) the specially created loophole for DES. To objections that, legalisms aside, a potent carcinogen was nevertheless getting into people's food, the FDA's response was, first, that DES is no more carcinogenic than the natural estrogens and, second, that a carcinogen ingested in small enough doses can reasonably be regarded as safe. When it was pointed out that Congress had passed the Delaney clause specifically to protect the public against this kind of judgment, the FDA scuttled back into its Section 512 (d) (1) (H) bolthole. And when asked what would happen if the new regulations failed to prevent DES from turning up in food, Edwards stated categorically that he would have no choice but to ban DES immediately.

Although the FDA is supposed to be protecting the consumer against the manufacturer no less than vice versa, FDA witnesses at the Fountain hearings seemed to be grasping at any straw to defend DES, even the assertion that to ban DES would create more animal excrement, leading to the eutrophication of lakes and streams. A less absurd bulwark of the FDA's defense is the contention that, for any carcinogen, there exists a dose sufficiently low that, for all practical purposes, it is safe. On this issue a diversity of voices is heard. On the one hand, two committees of independent experts have advised that, once a substance is agreed to be a true carcinogen, then none, or for all practical purposes none, of it shall be allowed in food.†

HOW LITTLE IS ENOUGH?

On the other hand, the Food Protection Committee of the National Academy of Sciences (NAS) states in a 1969 report that under certain conditions people of sound toxicological judgment can ascertain "toxicologically insignificant" levels of a chemical. Any claim by the NAS food protection committee to be an independent, unbiased, and representative body of experts must be weighed against the fact that it is supported by grants from the food, chemical, and packaging industries, and five of the nine scientists who prepared the 1969 report were employed by food or chemical companies.

Which side did the FDA favor, Fountain asked during the DES hearings. "We cannot, with confidence determine what a practical safe level would be of a carcinogen," the FDA said in written response. "However . . . we must be pragmatic." The FDA "accepts and endorses the Delaney clause." On the other hand, "arbitrarily to ban foods that contain miniscule amounts of known [cancer-]inducing factors would lead to chaos and an inordinate waste of vitally needed food." Who could doubt just where the FDA stood on this vital issue?

"If we find the new program is not going to work," FDA commissioner Edwards told Fountain last December, ". . . we will take immediate steps to ban this particular drug from the animal food supply." Five months later, when DES residues had not increased but quadrupled, it was time for the FDA to deliver on its promise. On 16 June, Edwards announced that he would hold a public hearing in order for the FDA to "make absolutely certain it has all the facts." The only legal mechanism for holding a hearing is for the FDA to propose to withdraw the drug, as has been done. But formalities apart, it appears that even now the FDA has not decided to ban DES. "We have not yet concluded that withdrawal of approval for DES is the appropriate course of action," Edwards said in his 16 June announcement.

The FDA's decision to hold hearings on DES did not please everyone. Fountain dismissed it as "merely a tactic for delaying the regulatory action which the law requires." And the new head of the National Cancer Institute, Frank J. Rauscher, courageously took public exception to the policy of his fellow bureaucrat. Anything that adds to man's carcinogenic burden should be eliminated if possible, Rauscher told Morton Mintz of the Washington *Post*, and it would be "prudent" to eliminate DES pending the outcome of the FDA's public hearing.

Why has the FDA invested so much credit in the defense of a mediocre and probably unwinnable cause? Cynics have observed that the Administration has been visibly concerned about the rising price of meat in an election year, and the banning of DES would cause a small but perceptible rise—3.85 cents per pound—in the price of beef. The circumstance that the FDA's present course of action will probably not lead to a decision on DES until shortly after 7 November does not in itself invalidate this explanation. Another consideration the FDA may have in mind is that if they cannot hold the line with DES, which has a legal loophole tailored for it, a lot of other chemicals may fall domino-like into the jaws of the Delaney clause: "Des will not be the only substance to generate these kinds of issues," Edwards complained darkly to Kennedy's subcommittee. More important, perhaps, the defense of the carcinogenic food additive is a self-sustaining activity, from which the FDA can withdraw only at the price of admitting that the critics were right all along.

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† The two committees are the Ad Hoc Committee on the Evaluation of Low Levels of Environmental Chemical Carcinogens, which reported to the surgeon general on 22 April 1970, and the Panel on Carcinogenesis of the FDA Advisory Committee on Protocols for Safety Evaluation, which reported in December 1969. The former committee, chaired by Umberto Saffiotti of the National Cancer Institute, said zero carcinogens should be allowed in food; the latter committee, chaired by Norton Nelson of the New York University Medical Center, opted for "levels which are the practical equivalent of zero."

THE WILLOWS DAILY JOURNAL'S UNCOMMON EDITORIAL POLICY

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. LEGGETT. Mr. Speaker, recently there occurred an interesting exchange between Editor Edwin F. Davis and Lyon Evans, both of the Daily Journal of Willows, Calif.

On July 19 Editor Davis wrote an editorial accusing Senator McGOVERN of winning the Democratic nomination by a power play at the Democratic Convention. On July 24 Lyon Evans responded on the same editorial page to the Davis editorial. What is noteworthy about this exchange is not the substance of the columns, although both articles are examples of excellent argumentative discourse. The importance of these two articles lies in their publication on the same editorial page of the same newspaper.

In a day and age of media conglomerates and monolithic editorial policies it is heartening to see a small town newspaper with the courage to openly display its staff disagreements.

In recent years we have seen a dramatic decrease in the number of daily newspapers. New York can now only boast of two daily newspapers; Washington has also recently been reduced to two dailies. In San Francisco the two major newspapers are owned by the same company. As if this media conglomeration is not disturbing enough, too often papers refuse to publish alternative points of view on their editorial page. Minority views are usually expressed infrequently, and even then, they are seldom granted prime editorial space.

My congratulations to the editors of the Willows Daily Journal. Their enlightened editorial policies should serve as an example to the larger, more influential metropolitan newspapers of the country.

At this point in the RECORD I insert the column by Lyon Evans, entitled "McGovern Win No 'Power Play'," from the July 24, 1972 Willows Daily Journal. Unfortunately, a filing oversight prevents the insertion of the editorial by Publisher Edwin Davis.

The article follows:

McGOVERN WIN NO "POWER PLAY"

(By Lyon Evans)

In an editorial published on this page July 19, editor Edwin F. Davis accused Sen. George McGovern of "winning" the Democratic nomination by a "power play" at the Democratic convention.

"Having . . . declared himself publicly as "winner or spoiler," Mr. Davis wrote, "Senator McGovern followed up his threat with sheer intimidation (at the convention) to ensure himself of favorable rulings from the chair."

In the belief that "there is nothing so powerful as the truth," I should like to correct the distortions contained in this statement, set the record straight regarding the McGovern nomination, and, in the process, help restore the Daily Journal to the path of enlightened journalism to which it usually aspires.

Briefly, Mr. Davis contended that McGovern won the nomination by "capturing" the convention in Miami Beach, allegedly by making use of "back-room politics."

In fact, McGovern did not "win" the nomination at the convention at all, let alone by back-room deals. Rather, he won the nomination by openly taking on his fellow candidates in open primaries, and in open party caucuses and conventions in non-primary states, and by openly defeating them—decisively.

The measure of his victory is that McGovern won 10 of the 23 primary elections—including the last six in a row; and both New York and California. By the time the convention opened, McGovern was within 100 votes of the nomination. His nearest competitor, Hubert Humphrey, trailed McGovern by more than 1,000 delegates, and had been decisively beaten in the California primary—which Humphrey himself had termed the nomination's "Super Bowl."

Of the other candidates, Muskie and Lindsay had been early casualties of the primary process; Jackson, Chisholm, Mills et al. had never gotten off the ground; and Wallace, though picking up a lot of primary votes, had not entered enough primaries or contested for delegates in enough non-primary states to have any serious chance of winning the nomination.

When one adds to this the fact that no candidate in history had ever entered the convention only 100 votes short of the nomination and then failed to get it, and that McGovern on the eve of the convention was leading Humphrey by seven points in the opinion polls, it becomes clear that: (1) McGovern had earned the nomination; and (2) only by an illegitimate power-play could it in fact be denied him: a power-play, because only a power-play could prevent 100 of the more than 500 uncommitted delegates from coming over to the McGovern camp; and illegitimate, because such a power-play would be in clear violation of the spirit of the new reform rules of the party—rules which McGovern himself had helped to draft.

In view of all this, McGovern's assertion in a Life Magazine interview that he would "repudiate the whole process" were he to be denied the nomination by "a bunch of old established politicians" who ganged up on him in "an illegitimate power-play", was not only just; it also served to put the old, established politicians on notice that he would not take such a power-play lying down.

It is this statement that Mr. Davis seized upon in his editorial to support his contention that McGovern had "declared himself publicly as a winner or spoiler"—as if to suggest that McGovern's charge of a possible power-play against him by old-established politicians was without justification, and merely a ploy.

However, as Mr. Davis and everyone else knows perfectly well, such a power-play did in fact occur, and in exactly the manner that McGovern had forecast. That is to say, the losers in the California primary ganged up on the winner—McGovern—and attempted to deny him 151 of his 271 fairly-won delegates, which in effect constituted changing the rules after the game had been played.

Mr. Davis, unfortunately, did not see fit to make mention of this crucial fact in his editorial. Instead, glossing over the particulars of the California challenge, he went on to charge the McGovern forces with engaging in "sheer intimidation" and "browbeating" of convention Chairman Lawrence O'Brien, in an attempt to secure favorable rulings on the floor regarding that challenge.

Rightly describing O'Brien as "beleaguered," Mr. Davis nevertheless made a further omission of important information, by making it appear that only the McGovern forces had put pressure on O'Brien to rule their way on the challenge.

Actually—and again, as everybody well knows—the dispute over the rulings of the chair had been initiated not by the McGovern forces, but by the same bunch of old established politicians who had ganged up on him in the California challenge in the first place. And, naturally, they were urging O'Brien to rule the other way.

By using language such as "intimidation" and "browbeat," Mr. Davis made it appear that there was something improper about the way the McGovern forces wanted O'Brien to rule—which, in fact, was the way he did rule. On closer inspection, however, it appears that O'Brien ruled justly and fairly.

Hence the implication by Mr. Davis that O'Brien ruled as he did "because of" the alleged McGovern "browbeating" is without foundation. On the contrary, it would seem on the face of it that O'Brien ruled as he did because it was right.

Consider the specifics of the two rulings. In the first, O'Brien decided that 120 delegates from California would be allowed to vote on the California challenge, while the 151 remaining delegates would be excluded from the voting.

Mr. Davis, in his editorial, suggested that this ruling was unfair because it seated the McGovern delegates but excluded those of "his opponents." But in point of fact, the anti-McGovern forces never wanted the entire delegation to be seated. What they wanted was to exclude the entire delegation, on the ground that under the rules of the convention, a delegation shall not be permitted to vote on its own challenge.

But as O'Brien rightly pointed out, only 151 of the 271 California delegates were being challenged. The remaining 120, which were pledged to McGovern, would retain their seats no matter which way the challenge was settled. Hence to exclude these 120 legally elected and certified delegates would have the effect, as Mr. Davis quoted the McGovern forces as arguing, of "cheating" them of their votes, by a "parliamentary ruling." And commendably, O'Brien refused to do this.

The second ruling, which Mr. Davis implied was extracted from O'Brien by McGovern "browbeating," is even more decisive in its rightness. Here, O'Brien turned down a request by the anti-McGovern forces that a "majority" for purposes of voting on the uncertified 151 California delegates had the California challenge be set at one more than half the entire convention—that is to say, 1509 votes.

But, as O'Brien pointed out, excluding the effect of reducing by that number the size of the convention. Therefore, he ruled, with full parliamentary precedent to back him up, that a majority vote for purposes of certifying the disputed delegates would be set at one more than half the number of actual certified delegates, excluding the 151—that is to say, 1359.

Such an action is precisely what any elected or appointed body takes when vacancies occur in its membership. Thus, after two Supreme Court Justices died last year, and the seats remained vacant, the working majority of the smaller Court was reduced from five to four. The Justices understood, as does every legally-constituted body, that there is nothing sacred about a fixed majority "number." What IS sacred is the principal of a majority as "one more than half"—half the certified membership—and that is the principal that O'Brien upheld in his ruling, and which the anti-McGovern forces sought to undermine in their unsuccessful attempt to pull off an illegitimate power play by securing an unfair ruling from the chair.

It may be true, as Mr. Davis states, that the McGovern forces urged O'Brien to rule on the side of justice "for the sake of party unity." But this merely reaffirmed in private what McGovern had already stated publicly: that the candidate would "repudiate the entire process" were he to be denied the nomination by "an illegitimate power play." And had O'Brien ruled in favor of the anti-McGovern forces, he would have been participating in, and sustaining, that power play.

In sum, it would appear that if one separates the hyperbole and innuendo from the cold facts in Mr. Davis's editorial, we are left not with a McGovern group that "browbeat" and "intimidated" the convention chairman into making favorable rulings, but rather with a convention chairman who chose to rule on the issues in a way that was fair and just.

Since, therefore, charges of "intimidation" and "browbeating" have not been proved, and since the McGovern forces have not been shown to have done anything illegitimate, the allegation that the McGovern forces engaged in a "power-play" has not been substantiated. And not having proved that a McGovern "power-play" took place, Mr. Davis is thus speaking in excess of the facts in asserting that such a power-play "won" the nomination for McGovern.

On the contrary, as I have shown, Sen. McGovern in fact was the victim, not the perpetrator, of a "power-play", by those who wished to deny him what he had legitimately and openly won—the nomination of his party. Fortunately, the members of the convention, who had been openly selected under the reform rules drafted by McGovern himself, repudiated this illegitimate power-play by a gang of old, established politicians, and instead upheld the rule of law and the spirit of party reform.

Mr. Davis was indeed correct when he described the convention as "a significant departure from former national political conventions," with its "full representation in party affairs," of "grass-roots citizens, young men, young women, blacks and other groups."

Unfortunately, he did not grasp the implications of his own statements. For how could such a convention, in marked contrast to previous conventions dominated by a gang of old, established politicians, have successfully perpetrated a power play, or even sought to do so, or allowed one to take place? Clearly, Mr. Davis has been caught in the snares of his own illogic.

There is no doubt but that in the coming weeks and months, the editor of the Daily Journal will have more to say on the Presidential campaign. I can only hope that his future efforts will be more illuminating and coherent than the first one.

AHEPA 50TH ANNIVERSARY SALUTED

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. EDMONDSON. Mr. Speaker, the American Hellenic Educational Progressive Association, the Order of Ahepa, is celebrating its golden anniversary during 1972, and I would like to add my commendation for 50 years of civic and public contribution by this organization.

Founded July 26, 1922, these four organizations within the AHEPA family—the Order of Ahepa, the Daughters of Penelope, the Sons of Pericles, and Maids of Athena—have provided help on many occasions and in many fields. Scholarships; relief to victims of natural disasters; children orphaned by war; museum, hospital, and library assistance;

U.S. war bond sales; and memorial construction are only a few of the causes undertaken by AHEPA in our country and abroad.

Countless individuals, communities, and charities owe a debt of gratitude to the Order of Ahepa, and it is a pleasure to congratulate the members on a half century of achievement. May we have the benefit of another century of their participation in worldwide causes.

CUBBERLEY SENIOR HIGH SCHOOL SUPPORTS MEDICAL CARE FOR WAR-INJURED VIETNAMESE CHILDREN

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. WALDIE. Mr. Speaker, on my office wall I have hung a photograph of a child. He is no ordinary child. He is not a son, nephew, or godchild, but he commands my attention every day and I think of him very often.

He is a child I met while in Vietnam last year. He is a bright, charming child, but, Mr. Speaker, he will find it difficult to join with his friends at play, for his body bears the ugly scars of terrible injury—injury caused by American phosphate bombs.

Mr. Speaker, he is but one of thousands of innocents in Vietnam who bear such scars. Many more bear scars in their minds, not their bodies.

Who, Mr. Speaker, can repay these people, so many of them children, when their bodies and minds are forever imperfect?

There is one group of Americans who have given this question great thought. These Americans are making an effort to relieve the suffering of the children of Vietnam. And, Mr. Speaker, these Americans are young people themselves.

I was greatly impressed by a recent letter from Coach Bob Peters, of Cubberley Senior High School, Palo Alto, Calif., who told me of the efforts of students and faculty at that school to assist the young people of Vietnam.

I would like at this time, Mr. Speaker, to draw attention to the efforts of these students and the cause for which they are working.

I include in the RECORD Coach Peter's letter to me, a statement made to the community, and another statement made at a ceremony marking his own symbolic contribution to this effort:

ELLWOOD P. CUBBERLEY
SENIOR HIGH SCHOOL,
Palo Alto, Calif., July 5, 1972.

Congressman JEROME R. WALDIE,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WALDIE: We, at Cubberley High School, are presently engaged in a most unique undertaking—*a positive expression of an attitude against war* in the form of a "Gift" to Children's Medical Relief International, an organization which specializes in the rehabilitation of disabled Vietnamese war children (both North and South). We are tired of self-defeating, destructive kinds of protest which serve only to antagonize and alienate the very people who are in a position to do something about that which we are so deeply concerned. We are only hoping that our "Gift" will bring vivid realization to all the world the fact that innocent children are maimed and disfigured from the indiscriminate consequences of war. Political beliefs regarding whether or not we should be in Vietnam are not of a major concern in relation to this "protest", for it is only war itself and the unutterable consequences of it that we are challenging.

We strongly believe in the premise that *all* must work together for peace and not fight amongst themselves in the name of it. Ninety-five percent of the nation's high school and college population have been publicly misrepresented by less than five percent who throw "rocks at cops and bricks through windows", hypocritically, in the name of peace.

We are calling our movement "A Gift of Hope, Love and Life."

Enclosed you will find information about our campaign which we hope you will take the time to read. We are asking for your public support of our most unusual endeavor which we hope will reach national proportions.

Thank you for any consideration you may give our idea.

Very respectfully,
COACH BOB PETERS,
Representative, Students of Cubberley High school.

CUBBERLEY AMPHITHEATER, CEREMONIAL CUTTING OF THE HAIR, MAY 25, 1972

I gladly and with pride give my locks and my beard for this most worthy of causes "A Gift of Hope, Love and Life" to the supremely innocent, disabled Vietnamese war children (both North and South). By making our Gift to CMRI we bring to the vivid realization of all the world the fact that children are being maimed, disfigured and killed as a result of the indiscriminate consequences of war. Ours is, for the first time in the history of the world, a positive expression of an attitude against war. We are tired of the throwing of rocks at cops and bricks through windows all in the name of peace when these self-defeating kinds of protests serve only to effectively alienate and antagonize the very people who are in a position to do something about that which we are so deeply concerned.

We offer the proceeds from May 15 on from the hair and beard vote and we offer the proceeds from car washes, carnival booths, a dance to be held on June 9 and other fund raising projects to CMRI, an organization which specializes in the rehabilitation of disabled, Vietnamese war children. We ask that the High School Student Bodies of America join us in this positive expression of our attitude against war by participating in a new high school movement which will be called Phase II a Gift of Hope, Love and Life by the donation of senior class gifts or proceeds from other fund raising projects if their senior class gifts have already been committed.

The impact from such a single direction of Gifts will have a resounding effect by the bringing to light of certain horrible, agonizing truths. The amount of time we have remaining for the beginning of such a movement is very inconvenient, but so is war and the consequences of it. How can we or anyone else turn our backs on mangled children? People must work together for peace and not fight amongst themselves in the name of it.

COACH BOB PETERS,
Cubberley High School.

A LIFT FOR HUMANITY

Our students and community are continuing to support the positive attitude of our youth in regard to our high school movement—"A Gift of Hope, Love and Life"—a positive expression of an attitude against war by donating funds to Children's Medical Relief International an organization which specializes in the rehabilitation of disabled Vietnamese war children (both North and South).

Our next fund raising activity is a Power Lifting contest to be held on Saturday, August 19, at 11:00 a.m. in the Cubberley High School Boys' Gym. We are looking for sponsors for each boy who participates and are asking those sponsors to donate a minimum of one cent for each pound that our boys legally lift (of course sponsors can pay more but it is only fair to inform you that lifters will be totaling from 600 to 1400 pounds for the three lifts—Bench Press, Squat and Dead Lift.)

Our kids are really working hard on positive, constructive ways of expressing themselves against war in general and we would like to continue encouraging them to do just that. If you are interested in being a sponsor, please send your name and address to Coach Bob Peters, Cubberley High School, 4000 Middlefield Rd., Palo Alto, California.

For information about Children's Medical Relief International write:

Claudine Fischer, Children's Medical Relief International, 228 E. 48th, New York, N.Y. 10017.

Political beliefs related to whether or not we should be in Vietnam are not of a major concern in this form of "protest" for it is only war itself and the unutterable consequences of it that we are challenging. Please join us in our most unique, positive and constructive form of expressing an attitude against all war.

Respectfully,
COACH BOB PETERS,
Representative, Cubberley Senior High School Students.

(P.S.—Anyone can lift in the exhibition division, so get a sponsor and give "humanity a lift".)

THE 50TH ANNIVERSARY OF THE ORDER OF AHEPA

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. McCOLLISTER. Mr. Speaker, I am pleased to join my colleagues today in congratulating the American Hellenic Educational Progressive Association on its golden anniversary. Since the founding of the Order of Ahepa in Atlanta, Ga., in 1922, the organization has devoted itself to numerous educational pursuits, relief for disaster victims, and various charitable causes.

Its 430 chapters include four in Nebraska and can be found in 49 States, Canada, and Australia. Those in my State are located in Omaha, Lincoln, Grand Island, and Bridgeport.

Among the noteworthy projects of the organization in the field of education are the scholarship awards program, the donation of books to schools and libraries, and summer study programs in Greece.

Citizenship is an important part of the AHEPA program and chapters provide help to those who are in the process of becoming citizens.

Greeks throughout the world can be proud of the contributions of AHEPA. I am happy to pay tribute to such outstanding achievement and to wish the Order of Ahepa many more years of success.

AN UNNECESSARY DEATH

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. MIKVA. Mr. Speaker, it was not a quirk of fate that accounted for the death of Roy Mullendore, age 13. He would be alive today if there were more effective gun control laws. Any society that allows handguns in private homes, must be willing to pay the price. That price is nearly 10,000 unnecessary deaths a year. Perhaps it is worth it to the man who values his handgun more than human life. But to the parents of Roy Mullendore, the death of their son was far too costly.

Roy was extremely well informed about guns. He had taken a National Rifle Association hunter safety course and was familiar with all types of firearms. Perhaps because of the safety training, Roy's father would not allow guns in his home. Unfortunately, their neighbor was not as sensible and kept firearms in his home. One afternoon last week his son was playing with a supposedly unloaded weapon and accidently shot Roy Mullendore—a death that would not have occurred if the weapon had not been there.

As long as handguns are as prevalent in our society as they are today, there will continue to be innumerable gun accidents."

The story of Roy Mullendore's death appeared in the Evening Star on June 27, 1972. The article follows:

HE KNEW ALL ABOUT GUNS

Roy Neil Mullendore, 13, knew all about guns, so it was a doubly terrible quirk of fate when a friend pointed an "empty" .45 automatic at him and pulled the trigger.

The gun was loaded and Mullendore is dead of a head wound at the hands of a 13-year-old playmate who didn't know much about guns.

Roy Mullendore lived in the 9900 block of Portsmouth Road, and he was visiting a friend's home. Somehow, at about noon, there was the gun, which belonged to the friend's father, there were the boys, both 13, and then the explosion, the silence, the ambulance to Prince William Hospital without hope.

His father, Thomas Mullendore, said of his son's death last night that it was "purely accidental." He said Roy had taken a National Rifle Association hunter safety course in June, while the family was visiting Ethiopia.

Roy knew how to handle automatics. He was familiar with other types of revolvers, the father said. "He was familiar with all types of firearms; he has fired a .22 caliber pistol and rifle on ranges."

But perhaps because of the safety training, Mullendore, a communications specialist, would allow no guns in his home.

"I don't own a firearm and I have not let my children own even a BB gun," the father said yesterday. "Anyone that has a firearm in his house is . . . well, I just don't know."

"It was an accident," the father of the other boy said.

"I don't want to talk about it. The kids were just fooling around like kids do."

Police placed no charges against the youth; the neighbors were understanding yesterday, talking of the dead boy's popularity.

A little girl remembered Roy Mullendore lent her a face mask at the neighborhood pool; a classmate at Marsteller Junior High wept to tell of the two going fishing. "Roy was a pretty good guy," the fishing companion said.

Roy was born in San Jose, Costa Rica. He was a Boy Scout and high school student of distinction, a swimmer and competitor at track.

He collected poems, and his favorite poet was the Canadian balladeer Robert W. Service. The boy's favorite work, his father said, was Service's best known, "The Shooting of Dan McGrew."

Yesterday he came home from summer school at Stonewall Jackson High School where he had been taking a typing course.

His father, taking his day off at home, saw him briefly. Roy ate a light lunch and left.

It was the police who come to the house after the accident who told Mullendore he would never see Roy alive.

HEROIN ADDICTION: THE WAR BROUGHT HOME

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. EDWARDS of California. Mr. Speaker, there are many reasons why the United States must end the war in Vietnam and many unanswered questions regarding why the war continues. Increasingly our attention is drawn to a reason, and a question, that have become paramount—the infection of our society through the Southeast Asian heroin traffic and the failure of the U.S. Government to use its power over Asian allies to stop their complicity in the drug traffic. An editorial which recently appeared in the Washington Post describes a report by Government agencies, including the CIA, which have recently investigated the involvement of officials of the Governments of Thailand and South Vietnam in the narcotics traffic. This connection between heroin smuggling and the very highest governmental levels of our Asian allies has been well documented and long known. The destruction of the lives of young soldiers who became addicted in Vietnam is, unfortunately, becoming a human tragedy equally well documented and known. The question is, when are we going to stop the war and end this source of heroin addiction?

The article follows:

HEROIN AND THE WAR

Alfred McCoy, a Yale graduate student who interviewed 250 people, charges that the Central Intelligence Agency has known of Thai and South Vietnamese official involvement in heroin traffic, has covered up their involvement and has participated in aspects of the traffic itself. The CIA has publicly denied these charges, in the process even persuading Mr. McCoy's publisher, Harper & Row, to let it review his book manuscript before publication. But now there comes an internal government report—done by the CIA and other agencies—on the difficulties of controlling the narcotics trade in Southeast Asia. The report states:

"The most basic problem, and the one that unfortunately appears least likely of any early solution, is the corruption, collusion, and indifference at some places in some governments, particularly Thailand and South Vietnam, that precludes more effective suppression of traffic by the governments on whose territory it takes place."

That is to say, a private report by agencies including the CIA confirms the thrust of charges which the CIA publicly denies. The White House contends the report, completed in February, is "out of date."

Now, we are aware that the Nixon administration has worked with great vigor and much effectiveness to curb the international narcotics trade. The fact remains that the largest supplies of the filthiest poison of them all apparently come from or through Thailand and South Vietnam, if one is to take the CIA's private word—as against its public word—on the matter. Nor should it stretch any reasonable man's credulity to understand that the United States has had to accept certain limitations on its efforts to get those governments to stop drug dealing because it has wanted to ensure their cooperation in the war against North Vietnam. In the final human analysis there is simply no place in the pursuit of honor and a just peace in Southeast Asia for an all-out honest effort to control traffic in heroin. This is the infinitely tragic fact flowing from continued American involvement in the war.

Would heroin addiction among Americans have swollen to its current dimensions and would the amount of heroin reaching the United States from South Vietnam and Thailand have reached its current levels if the war—and power politics—had not gotten in the way of effective American pressure upon the governments in Saigon and Bangkok? If President Nixon needs any further reason to make good his pledge to end the war, this is almost reason enough by itself for what it says about the character of regimes this country has gotten into the habit of supporting—lavishly and indiscriminately—in the name of our "national security" and world peace."

DEDICATES NEW CHURCH BUILDING

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. GAYDOS. Mr. Speaker, recently the Free Magyar Reformed Church of McKeesport, Pa., dedicated a new building which stands as a testimonial to the deep and abiding religious faith of its congregation and its pastor, the Reverend Barnabas Roczey.

I was privileged to participate in the dedication which climaxed a 12-year building program on the part of these faithful members of the church and their many friends. It was an occasion which attracted ranking officials of the Reformed Church and other dignitaries. Among them were: the Reverend Dr. Laszlo Berzeviczy; Mr. Paul St. Miklossy of the Hungarian Reformed Federation of America; the Reverend Louis Nagy; the Right Reverend Dezso Abraham, who is a bishop of the Hungarian Reformed

Church in America; Mr. Elmer Charles, national president of the William Penn Fraternal Association; Judge Albert Fiok and the Reverend Zoltan Kovacs, principal speakers for the evening; and Pastor Roczey.

The decision of the Free Magyar Reformed Church to build a new house of worship was made back in 1960. The step was the purchase of property on the outskirts of the city of McKeesport, where it was decided to construct a new sanctuary, Sunday school classrooms, a fellowship hall and a parsonage. Ten years later, the congregation authorized the church council to proceed with the drawing of preliminary plans. Within 6 months this was accomplished and the church began making rapid progress in its building campaign. Ground for the new structure was broken in May 1971; the cornerstone was dedicated a year later, and on Sunday, July 23, the congregation of the Free Magyar Reformed Church gave to the city of McKeesport a new edifice constructed for the worship and the service of God.

Mr. Speaker, each and every person who contributed to the success of this noble undertaking deserves public recognition. While I cannot commend them personally, I can call to the attention of my colleagues those who played major roles in bringing this project to its completion. It is with great pride and pleasure, therefore, that I insert into the RECORD the names of those who served on the church council and on the church building committee. The list is as follows:

CHURCH COUNCIL

Rev. Barnabas Roczey, Pastor.
Mr. John Kontz, Chief Elder.
Mr. Steve T. Balogh, Vice Chief Elder.
Mr. Andrew Toth, Vice Chief Elder.
Mr. Albert Bertok, Secretary.
Mr. Robert Jordanhazy, Treasurer.
Mr. John Canelle, Assistant Treasurer.

BUILDING COMMITTEE

Rev. Roczey.
Mr. William Arokhaty.
Mr. Gabor Balogh.
Mr. Steve Balogh.
Mr. Albert Bertok.
Mr. John Canelle.
Mr. Andrew Fedor.
Mr. William Jardanhazy.
Mr. Robert Jordanhazy.
Mr. John Kontz.
Mr. Andrew Makatura.
Mr. Joseph Martin.
Mr. William Orris, Sr.

ELDERS

Mr. Gabor Balogh.
Mr. James Balogh.
Mr. Dennis Caiarelle.
Mr. Zoltan Fazekas.
Mr. Steve Jordan.
Mr. Robert Jacklitch.
Mr. William Jardanhazy.
Mr. Andrew Makatura.
Mr. Joseph Martin.
Mr. Alex Meszar.
Mr. William Orris, Jr.
Mr. Lawrence Papp.
Mr. Arthur Pogyor.
Mr. John Ritzo.
Mr. Andrew Sotak.
Mr. Joseph Szarka.
Mr. Albert Toth.
Mr. John Varga.

FORMATION OF THE REPUBLICAN PARTY "UNDER THE OAKS" IN JACKSON, MICH.

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. BROWN of Michigan. Mr. Speaker, on July 8, the Republicans of Michigan celebrated the dedication of Michigan's 257th historical marker, but more importantly we celebrated the dedication of the historical marker commemorating the formation of the Republican Party "Under the Oaks" in the fair city of Jackson, Mich.

Although there were many notables in attendance, we were especially pleased to have as our special guest and speaker our highly respected and esteemed Governor, William G. Milliken, who delivered some very appropriate and cogent remarks. Since what he had to say has application far beyond the boundaries of Michigan and outside the Republican Party, I thought his words would be of interest to my colleagues and so I herewith make them available to my friends in the House.

REMARKS BY GOV. WILLIAM G. MILLIKEN

Ladies and Gentlemen:

It is a great pleasure for me as Governor, as a Republican, and as a citizen of this state to be here with all of you this morning for the dedication of Michigan's 257th historical marker. Most people when asked to describe Michigan's contributions to America, would cite our tremendous industrial heritage and its contributions to American technology and business growth. Since 1896, when the first automobile appeared in Detroit, Michigan has been a leader in this nation in the production of automobiles and other mechanized equipment, and during World War II, Michigan was known as the "Arsenal of Democracy," providing the bulk of U.S. military equipment for American combat efforts overseas.

What many fail to realize, however, is the fact that Michigan has played a highly important role in this nation's developing political maturity and growth from the time of its admittance to the Union in 1837.

There are few places in Michigan where a plot of ground can be found that is a more significant American historical footnote than where we stand today, for it was on this land, then known simply as "Morgan's Forty," that on July 6, 1854, more than 3,000 people gathered with the intention of ridding America of the most serious blight on the face of our nation—the continuing existence of the institution of slavery. The scene that day must have been truly inspiring. Whigs, Free Soilers, and persons from all walks of life gathered together with one purpose in mind. These were strong and concerned men, young and old, with an abiding belief in the potential of this nation, a pervasive confidence in the dignity and integrity of every individual, and a deep personal commitment to righting the wrongs apparent in this country.

Among those attending that convention were five men who later became United States Senators, fourteen future members of Congress, three distinguished jurists, many circuit judges, three foreign ministers, and a host of men who were destined to play important roles in state government in Michigan. As a matter of fact, during 22 of the next 28 years following the convention, the gubernatorial chair of Michigan was occupied by men who were present at that convention. The resolutions they adopted were strong and to the point, opposing slavery in any form and recognizing the need for unity among all freedom-loving Americans in the fight for freedom for all people. The Jackson Democrat, in an editorial, carried the following account of the convention:

"We never saw in any deliberative body so strong a desire for harmony manifested. Every member of the convention seemed to have come there resolved upon conciliation and tranquil action. There was scarcely a dissenting voice from the action resolved upon."

Those words serve to give us a picture of the kind of a gathering it was on that July day in 1854.

In that convention were sown the seeds of the Emancipation Proclamation issued by Republican President Abraham Lincoln eight years later and the seeds of a struggle that would ultimately serve to preserve the Union and leave America as a land where, finally, all men would be free.

I believe that each of us in Twentieth Century United States can learn an important lesson from the events that took place here 118 years ago. The national self-confidence and spirit demonstrated at that first Republican convention are symbolic of our greatest assets in the past and our greatest hopes for the future. But if we are honest with ourselves, we must admit that this optimism is not shared by all Americans and that the voices of doubt and despair have become louder today than ever before.

However, we cannot really blame all our continuing problems on the government because in America, we, the people, are the government. Over the last two decades, we have had many opportunities to change our governments, but the problems remain.

In large measure, we as Americans have failed in recent years to enlist the widespread public support for the reforms that are so desperately needed. People have known for years about the failure of our prison system to rehabilitate criminals, about the existence of racism, and about the desperate financial plight of our schools. But simply being informed is not enough. Once people are informed, they must act. And that is where we as a nation have failed.

A willingness to accept failure has never been counted among the American traits of character. Confronted with danger from within or without, we have always responded with imagination, courage, and great vigor. But in the last few years, many people seem to have taken on a kind of cynical resignation that is clearly alien to the spirit of our national heritage—a heritage perhaps best demonstrated by that convention in Jackson more than 100 years ago.

Where people once dreamed impossible dreams about the future of this country and the quality of life that could prevail here, all too many now seem content to accept poverty and hate and strife as the American way of life.

No, the greatest threat to America today is not the threat of external invasion or even of internal revolution. The greatest danger we as a nation face is our own indifference and our own apathy—the spreading conviction that nothing matters beyond our own personal pleasures; the belief that if it works for me, it is good, regardless of the principles it may violate or the effect it may have on other people.

How can we change these things?

Our nation's most urgent need is to once again find the kind of spirit that brought those 3,000 men to this grove of oaks in 1854; to prove to ourselves that the System can work and that we as individuals have the power to make it work; and to realize that freedom and democracy cannot exist in a society of indifference.

We are, after all, free men. We recognize our problems. We have the world's most highly developed technology and the world's greatest wealth. And, above all, we are free. Little stands between us and the solutions to our problems except our own confusion, our inertia, and our fear of failure.

We, as a people, need to revive our belief in the duty we have and the capacity we have to help. And we need to make idealism respectable again in this country that was born in idealism.

May this dedication ceremony serve in helping all of us to rekindle the flame of freedom that burned so brightly here in the summer of 1854; help us to renew our belief in our institutions, our belief in our children, and, above all, our belief in ourselves.

THE MEANING OF CITIZENSHIP

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. SPENCE. Mr. Speaker, while Congress was in recess recently, an editorial of especial interest and profound significance appeared in a weekly newspaper of my district.

The Journal of West Columbia, S.C., printed as its lead editorial the winning essay in a contest sponsored by the West Columbia-Cayce Junior Women's Club. The author, Miss Jenny Sexton of West Columbia, chose as her topic, "The Meaning of Citizenship," and her thoughts are indeed inspiring.

I prefer to believe that the young people of this country are not as represented to us everyday—people who force themselves into the limelight by their outrageous actions and absurd demands. Rather, it is my conviction that there are numerous Jenny Sextons throughout this country who also understand the true meaning of citizenship—young people who realize that along with the privileges of being an American come responsibilities, and a duty to help preserve America's greatness.

Mr. Speaker, I am proud to stand here and claim Jenny Sexton as a constituent; and because I know my colleagues will experience the same encouragement and optimism I did when reading her words, I include the editorial at this point in the Record:

Citizenship

Citizenship means full membership in a country. I am proud to say that I am a member of this country, the United States of America. My country grants me certain rights, and as I am an American, the government demands certain duties from me.

As I see the many privileges that the United States offers, I become thoughtful and realize how lucky I actually am. Staying well informed on local and world affairs makes me see that these "privileges" are not the only thing that I have to think about. Being an American forces me to cope with the problems of inflation, unemployment, the removal of our men out of Vietnam, pollution of our environment, and a long list of other woes. I can help to eliminate some of these troubles by writing to my elected representatives and expressing my ideas. These signs of interest in our nation's problems show that our country and its citizens are not really separate.

To keep this country a good place in which to live, I must fulfill the complex duties of my citizenship. I must learn to be courteous, unselfish, and friendly, and in addition to these character qualities I must be able to get along well with others so that I can accept responsibilities for future betterment of my community and country. Being an American means that I should be sincere and dependable so that I might become productive and render a worthwhile service to my fellow man. I must, as an American, accept these responsibilities and obey the laws of my nation.

America is a radiant symbol which is made up of freedom, justice, and peace. This symbol can be changed from good to bad by her citizens. I translate this symbol into a way of life, of liberty, and of the pursuit of happiness. May I always be proud to say that I am a citizen of the United States of America, for it is my faith and my beliefs that keep this spirit of liberty in America alive.

PRESIDENTIAL PRIMARY REFORM

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. THONE. Mr. Speaker, a concise and helpful summary of various proposals for reform of presidential primaries has been prepared for me by Linda Walker.

Linda Walker, who served as an intern in my Washington office for 6 weeks, will be a senior this fall at the University of Nebraska at Lincoln. She is the daughter of Mr. and Mrs. Cecil Walker of Lincoln. Linda's mother, Carol, has been one of the most enthusiastic and effective workers in the Lancaster County and Nebraska Republican organizations.

Because Linda Walker's qualitative analysis may be helpful to all those interested in improving the means by which we choose our candidates for President and Vice President, I ask that this summary be printed in the Record.

The summary follows:

Presidential Primary Reform

The general argument in the field of primary reform is concerned with whether we should retain the current system of preferential primaries by states, or change to a national primary. There are variations of both sides, with some strong arguments for each, and it would seem that a combination of the two would be most ideal. Both editorialists and men in government have offered proposals for change in varying degrees, and it will now be up to Congress to decide on a course of action.

The advantages of the current primary system are apparent. They got people to think about which candidate is best, to discuss the issues, and then to choose for themselves who will be nominated. The disadvantages are equally obvious. Money has too much power; and a relative minority of voters determine the choice for the rest. The selection of delegates to the national conventions is unfair and confusing at best. About one-third of the states select delegates by direct vote, and the rest are chosen by party organizations. There is no guarantee that delegates will proportionately represent strength of individual candidates, and the candidates' time is spent electing delegates instead of discussing the issues.

The origin of the preferential primary was to indicate major candidates for the presidency in each party. But this was before the days of the public opinion poll or the widespread communications made possible by the news media. It is sometimes doubtful whether or not it is serving a useful purpose. When compared with the national primary proposal, however, there are some features inherent in the current system that should not be discarded.

The present nominating system has produced outstanding candidates with significantly differing points of view. It provides room for dissent within the parties that would not be possible in a sudden death national primary. The present combination of state primaries and party conventions, along with balloting in national conventions, provides the flexibility needed to sort out choices among multiple candidacies, and arrive at the most favored candidate.

The national parties would be adversely affected by a national primary. The national party is a loose confederation of state and local organizations whose main function is to recruit, select and elect candidates to public office. Establishment of a national primary, conducted by the federal government, would undermine these organizations, limiting their participation in the nominating choice which is related in many ways to the selection of candidates for lesser offices. Also in relation to parties, the voter likes to think his vote will count more if he registers to vote on the "winning side", the party in power.

The relatively equal strength that balances the two parties now could be seriously undermined if the party in power were to gain a lot of voters in primary registrations.

In the proposals for a national primary there are also desirable qualities. The main crusade is that people must democratically choose their nominees as well as their President. The critics of the current system are correct in saying that the convention procedures and the ways that delegates are chosen constitute cumbersome, uncertain machinery. With the national primary, there is less chance of political manipulation; and the rank and file voters feel closer to a system that is not confusing. And of course, it would be less of a carnival—the preferential primary focusing attention on certain states and money-backed "man who can win". It is also said that a national primary would control campaign expenditures, but the cost for two nationwide elections, and perhaps a third in cases of a run-off, would be prohibitive for any but the very wealthy candidate.

The range of recommendations for change made by editorialists is all-encompassing. Some do not want any open primaries; they say the party leaders should do the nominating. Others maintain that we cannot discard the contact with real people, the chance for a dark horse candidate, and the power of the states to formulate their election laws that our present system offers. Many favor the national primary, even though the selection process would be geared to big money, front-runner, or media candidates. There are those who would like to streamline our current system by passing a federal election law to consolidate the disparity of varying state elections—to eliminate the worst aspects such as the winner-take-all-the-delegates law, and cross-over voting. In addition, there is a proposal that would select a limited number of dates that the primaries can be held on, let them be known in advance, and have the federal government reimburse the participating states for the cost of the primary.

The members of Congress have mainly concentrated on the preferential and national primaries for their proposals. The highlights of the legislation include:

1. Only three possible dates for preferential primary (H.R. 13945, Udall).

2. All delegate selection not more than 30 days before party convention (H.R. 13985).

3. Direct vote for President, no conventions (H.R. 13995, H. Res. 1135, S. Res. 97); direct vote for President and Vice-President (H. Res. 1125).

4. All Presidential primaries to be held on first Tuesday in May (H.R. 14085).

5. Direct vote in primary and general elections (S. Res. 214).

6. Direct vote national primary (VP chosen by party) (S. Res. 215, Mansfield-Aiken).

7. Regional primaries (S. 3566, Packwood).

8. Primary to be held first Tuesday in July, with no advertising until three weeks before (S. 3655, Eagleton).

In my opinion, the best of these proposals is the Packwood bill. It combines the good qualities of both types of primaries, without drastically changing the system. It would provide primary sequence and still retain the convention to choose the most favored and toughest candidate to beat. It requires a uniformity of election laws to eliminate the inequalities found in state laws, while the states still control the election. For reference, the following is a summary of the bill—S. 3566 Presidential Regional Primaries Act.

Primaries: all states included.

Five regional primaries held each presidential election year.

First held on second Tuesday in March, and rest on four subsequent second Tuesdays.

Order determined by lot, 70 days before each primary except last.

Generally recognized candidate (primarily recognized by media).

Determined by majority of commission.

Others on ballot by notifying commission with:

1. Petition signed by 1% of registered voters in that region (not more than 25% from one state).

2. Paying filing fee of $10,000 (which is returned if 5% of vote gained).

Candidate's list—tentative 70 days before, final 30 days before.

Off list if affidavit filed to that effect.

Officials of each state conduct elections.

No cross voting—only vote for candidate of that voter's party.

Convention delegates—5% or more of votes cast entitles candidate to appoint his own delegates equal to the percentage of votes cast for him.

Under 5% can do nothing; percentage that he received is apportioned to all other successful candidates.

Commission appoints delegates if candidates will not attend convention balloting.

Delegates held until after 2 ballots or less than 20% reached on a ballot or released by candidate.

Majority of votes is nominee.

VP is chosen by convention in accordance with convention rules.

Commission—

"Federal Primary Elections Commission," bipartisan, 5 members, not more than 3 of the same party appointed by President, Senate consent; 5-year terms, with only one appointment per year—main duties—to reimburse state for costs of primary, etc., as mentioned above.

This plan seems to cover the best points of all the suggestions, with only one exception that I can think of. I feel that the law should give the states the option to hold a primary, but require those that do to conduct their primaries on one of the dates specified by federal law.

The following are analyses of the other main proposals that have some amount of support.

H.R. 1394—UDALL PLAN

This retains a 50% winner-take-all provision which would permit a candidate to gain momentum with a series of victories and would reduce the chances of a deadlocked convention. At the same time it preserves proportional representation in states where the votes were split. It would force each candidate to compete seriously for fractions of the delegation in every state, and it could encourage a proliferation of minor candidates who could not win any delegates themselves, but would hope to prevent an enemy from gaining a majority.

S. 3655—EAGLETON PLAN

It is difficult for any candidate to reach primary states without the media. A little known or under-financed candidate can't compete with other candidates in only three weeks.

FINCH PLAN

Summary—There are a limited number of dates known in advance, and not all states are required to have the primary. Expenses are paid by government; a commission is chosen to assign dates; there can be no more than six primaries on one date, and there must be a representative cross-section on each date. A candidate enters his own name; and the delegates are awarded on a congressional district basis, with a plurality getting all votes in the district.

Analysis—A candidate must enter primaries selectively, and the candidates with broad-based following in any one state could win all the delegates. The plan is less likely than the Packwood or Udall plans to result in a dead-locked convention. The mixture of nominating systems is confusing at best, with some states under the federal system, some under their own rules, and some under the caucus and convention system. When the candidates only enter the primaries of their choice, the resulting ballots could be different in each state, and as a result only a few voters, if any, would have the opportunity to choose among all aspiring nominees.

All of these proposals were introduced into the 92nd Congress, except the administration-backed Finch plan. There is virtually no chance of any reform in this Congress; the sponsors of these bills have said that they introduced their plans early for discussion and possible legislation. There are fears of inertia even then, because in areas such as this, there is a tendency to want to get things done when it's too late.

AHEPA SALUTED

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. FUQUA. Mr. Speaker, it has been my privilege to have as close friends many members of AHEPA.

It is this personal knowledge of their good work that causes me to rise today to pay tribute, as well as sound a note of sincere admiration and appreciation, as this great organization celebrates its golden anniversary.

The American Hellenic Educational Progressive Association was founded July 26, 1922, in Atlanta, Ga. From that small beginning its works have become legend across the length and breadth of this land.

Whether fighting for education, for freedom and self-respect for all Americans of all origins, whether displaying benevolence and generosity to the victims of disaster, AHEPA has been instrumental in the promotion of good citizenship throughout the length of its domain.

During the past half-century, AHEPA has grown to an organization of over 50,000 in 430 local chapters.

The goals, accomplishments, and the fine members of this organization deserve the tributes we pay them on this anniversary—and more.

Certainly America has been enriched because of what they have done.

SENATOR ALLEN J. ELLENDER

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. BARRETT. Mr. Speaker, today the Nation bids farewell to a distinguished American, Senator Allen J. Ellender, President pro tempore of the Senate and chairman of the Senate Appropriations Committee. Senator Ellender's outstanding contributions to this country are too numerous to begin to detail. Rarely have we seen a man so totally dedicated to his work and responsibilities as a Member of Congress.

Senator Ellender was for many years chairman of the Senate Agricuture and Forestry Committee. In this position, his contributions to rural America were perhaps greater than any other single individual in the immediate past. As chairman of the Senate Appropriations Committee, the purse strings of this country were literally in his hands.

Senator Ellender's public career stretches back almost 55 years. He had already established a distinguished career in State government before coming to the Senate in 1936. As majority leader in the Louisiana State House of Representatives and protege of the late Huey Long, Senator Ellender was a driving force of domestic and social reform during the great depression. Succeeding to the seat of Senator Long in 1936, Senator Ellender served without interruption until his death last week. Everyone knows Senator Ellender's distinguished contributions to this country as chairman of the Agriculture and Forestry Committee and the Appropriations Committee, but few are aware of his great contributions to our Federal housing programs. He was the architect, along with Senator Wagner of New York and Senator Taft of Ohio, of the Housing Act of 1949. If it was not for his interest and support, the coalition that put together this important landmark in Federal domestic legislation, I believe that it would never have gotten through the Congress at that time. Senator Ellender may have been classified as a conservative, but when it came to helping people, he was indeed a generous public servant.

Mr. Speaker, I would like to have included in the RECORD the award that Senator Ellender received along with me in March at the National Housing Conference regarding his contributions to our Federal housing programs:

IN RECOGNITION OF SENATOR ALLEN J. ELLENDER

The National Housing Conference honors Senator Allen J. Ellender of Louisiana for his 35 years of dedicated service in the United States Senate and for his long-term unswerving support for the cause of decent housing for all Americans.

In 1945, Senator Ellender joined with the late Senator Robert Wagner and the late Senator Robert Taft in sponsoring the Wagner-Ellender-Taft Bill. After many vicissitudes this pioneering legislation emerged as the Housing Act of 1949, still the magna carta of the movement for good housing and community development and notable for its first enunciation of the national goal of a decent home in a suitable living environment for every American family.

During the ensuing years, Senator Ellender has maintained his support for this goal. In his present role as President pro tempore of the United States Senate and Chairman of the Senate Committee on Appropriations, Senator Ellender will be a powerful voice in support of our objectives.

The National Housing Conference applauds his distinguished career and looks forward to his continued leadership.

By Resolution of the Membership of The National Housing Conference, Washington, D.C., March 5, 1972.

THE NEW BARBARIANS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. CRANE. Mr. Speaker, in recent years there have been renewed attacks upon the Nation's campuses of traditional ideas of academic freedom.

New left philosopher Herbert Marcuse, for example, states in his essay, "A Critique of Pure Tolerance," that people who are confused about politics really do not know how to use freedom of speech correctly; they turn it into "an instrument for absolving servitude," so that "that which is radically evil now appears as good." Having established this premise, Marcuse recommends "withdrawal of toleration of speech and assembly from groups which promote aggressive policies—by his definition, of course—armament, chauvinism—or which oppose the extension of public services." For him, the correct political attitude is one of "intolerance against movements from the right and toleration of movements from the left."

The practical result of this philosophy has been the storming of university podiums by radical students who have prevented the free speech of all with whom they have disagreed. Those who have been victimized in this way and who have been denied their free speech have included Cabinet members, Members of Congress, newspaper editors, and visiting diplomats.

Charles Susskind, a professor of electrical engineering at Berkeley, and a man who lived through the period of the Nazi takeover in Germany, remarked that—

> I don't know why they think of themselves as the New Left. Their methods look to me much more like those of the Nazi students whom I saw in the 1930s, harassing deans, hounding professors and their families, making public disturbances and interfering with lectures, until only professors sympathetic with the Nazi cause remained.

The Nation's university faculties and administrations have failed to speak out in clear and forceful terms in behalf of academic freedom and in behalf of quality education.

Discussing this unfortunate state of affairs, William V. Shannon, a member of the editorial board of the New York Times, wrote that—

> More students are attending college and more money is being spent on higher education by their parents and by society than ever before. But there is great danger that much of this investment of time and money is being squandered because many college faculties and college administrations are intellectually irresponsible and incompetent.

Discussing the decline in standards and values Mr. Shannon points out that—

> In countless colleges, the retreat from responsibility is far advanced. Required courses are abolished. The teaching of the traditional curriculum in the arts and sciences is abandoned, in whole or in part. Written examinations and formal grades disappear. Students, including freshmen, are invited to "design your own courses."

Mr. Shannon concludes that—

> The responsibility lies with the administration and the faculty. The intellectual devitalization which has ruined many good high schools across the country is now rapidly spreading into colleges. The result can only be a swelling tide of New Barbarians, armed with college degrees and glib phrases but ignorant. If many parents are uneasy, they have good reason.

I wish to share Mr. Shannon's article, which appeared in the New York Times of July 2, 1972, with my colleagues, and insert it in the RECORD at this time:

THE NEW BARBARIANS

(By William V. Shannon)

SAN ANTONIO, TEX.—More students are attending college and more money is being spent on higher education by their parents and by society than ever before. But there is great danger that much of this investment of time and money is being squandered because many college faculties and college administrations are intellectually irresponsible and incompetent.

In countless colleges, the retreat from responsibility is far advanced. Required courses are abolished. The teaching of the traditional curriculum in the arts and sciences is abandoned, in whole or in part. Written examinations and formal grades disappear. Students, including freshmen, are invited to "design your own courses." Even when students begin to concentrate in some field of study, they may find that what used to be regarded as a major has lost its coherence and they are instead encouraged to slosh about in that primordial ooze known as "interdisciplinary studies."

Yet there is no mystery about what a college-educated person should know. It is not necessary to agree entirely with Robert M. Hutchins and the advocates of the "Great Books" to recognize that there are books every college graduate ought to have read and ideas he ought to be familiar with. An educated person should have studied literature, physical science, mathematics, history, philosophy, religion, music, art and the social sciences and know at least one foreign language.

Since there is not time in four years to learn everything that is worth knowing about all these important subjects, college should be a period of intense hard work, rigorous, concentrated and at times exhausting. Intellectual opportunities lost then may never be regained. The books not read, the ideas not mastered, the specific knowledge not acquired may never become part of one's intellectual endowment.

It is true, of course, that education is a lifelong enterprise. One can take a college course at 50 as well as at 20. But as most people sadly discover, the pressures of career and family life can block all but the strongest drives for intellectual self-improvement. It is a lot easier to learn Russian or study Kant or thread one's way through the labyrinthian passages of Proust and Joyce when one has no competing distractions. Moreover, the sooner one acquires knowledge, the longer one has to enjoy it.

If all this is as self-evident as it surely seems, why then are so many colleges in flight from their intellectual responsibility?

Unfortunately, education attracts an abnormal share of mediocre persons with little exact knowledge or useful talent. Men and women who cannot teach physics or Greek or history, who cannot heal a sick child or build a bridge or write a poem, such persons too often find a living in the intellectual wasteland of educational theory and educational administration. The one thing they can do is verbalize and generate a smog of memoranda.

Sooner or later, they wear down and override serious teachers and scholars who get bored with long committee meetings and circular arguments about the trivial, the abstract and the incomprehensible. Developing a protective mask of cynicism, serious men retire to their academic specialties, leaving the curriculum to the blighting touch of the so-called innovators.

There is rarely anything genuinely new in these "reforms." Charles W. Eliot abolished required courses and introduced the free elective system at Harvard nearly a century ago. After two generations of experimentation, most serious educators recognized that this smorgasbord or cafeteria approach to curriculum planning scarcely assured young people of the broad general education they need. Harvard and other colleges turned back 30 years ago to more coherent theories of general education. But the enemies of intellectual seriousness are once more going strong and with none of the restraints such as grades, written examinations, departmental majors and intellectual traditions which prevailed in President Eliot's day.

Many, though not all, students are delighted. Most young Americans are extraordinarily verbal. Instead of written examinations, they would naturally prefer to be judged on the quality of their class participation. They rarely know what is in their own intellectual best interest for the whole of their lives. They would much rather talk about homosexuality or the new wave in film making or the urban crisis than study irregular French verbs or calculus or the Treaty of Utrecht. There is nothing wrong with discussing sexual mores or movies or the urban crisis, but that is what students have bull sessions for and why they read newspapers and magazines. It is not why they go to college.

The responsibility lies with the administration and the faculty. The intellectual devitalization which has ruined many good high schools across the country is now spreading rapidly into the colleges. The result can only be a swelling tribe of New Barbarians, armed with college degrees and glib phrases but ignorant. If many parents are uneasy, they have good reason.

TEN YEARS LATER, DES IS FINALLY WITHDRAWN FROM ANIMAL FEEDS

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mrs. SULLIVAN. Mr. Speaker, it will be 10 years of September 27 since the House debated the safety of diethylstilbestrol in meat animal feeds and decided to permit this cancer-causing growth hormone to be used as long as no residues of DES showed up in meat intended for human consumption. Today, the Commissioner of Food and Drugs announced that new methods of detecting the presence of this material "cast serious doubt on our ability to set rules for the use of DES in animal feeds that will insure against residues remaining in animal livers at time of slaughter." He has therefore ordered an end to the use of this additive as a growth stimulant in animal feeds. All production of DES for use in feeds must be stopped immediately, and the existing stocks of DES for feed may not be used after January 1, 1973.

That means that for many months after January 1, 1973, we will continue to be eating the meat of animals which have been fed DES, knowing that the meat probably contains residues of this cancer-causing ingredient. Even though there is no evidence as yet that such residues actually cause cancer in humans, just as there has been no evidence as yet that the cyclamates cause cancer in humans, cancer scientists have maintained for years that there is no such thing as a safe level of tolerance of a cancer-causing agent in food. At the very least, consumers should be wary of eating the livers of animals fed with DES, for so far that is the only part of the animal in which the residues have been discovered.

As happened with the cyclamates, I sincerely hope that the committees of the House and Senate which have jurisdiction over this matter will promptly look into the reasoning by which the Commissioner, Dr. Charles C. Edwards, proposes to permit continued feeding of DES to meat animals until January 1.

DO WE NOW COMPENSATE THE MEAT INDUSTRY FOR ITS LOSSES?

And the House Members who voted for the recent bill to compensate the food industry for its losses from the ban on the use of cyclamates might well begin to ponder whether that bill sets a precedent for paying for all of the losses on DES. As I said in the House when the rule on the cyclamates compensation bill was being debated last month, the DES issue would probably come to a head very quickly. Now that day has suddenly arrived.

But it is about 10 years late in coming.

Under the Delaney clause which I cosponsored with Congressman JAMES J. DELANEY of New York as a provision of the Food Additives Act of 1958, no ingredient can be used in food if it can cause cancer in man or in animals. This was the provision which forced the removal of the cyclamates from the food market once scientific evidence established that the cyclamates caused cancer in test animals. But until 1962, there was a "grandfather's" clause in the Food, Drug, and Cosmetic Act which permitted the continued use of any "new drug" which had once been cleared for safety by the Food and Drug Administration until such time as the Government could prove it was dangerous. The 1962 Kefauver-Harris Act eliminated that provision for drugs generally, but not as regards the use of DES in animal feeds.

As far as DES was concerned, the 1962 act provided that it could continue to be used in animal feeds unless residues turned up in the meat of animals fed with this growth stimulant. In recent years, such evidence began to accumulate, and FDA recently ordered that animals fed with DES must be withdrawn from feed containing the drug at least 7 days, instead of the previous 2 days, before slaughter. Dr. Edwards' announcement today reveals that even after a 7-day withdrawal, animals fed with DES show residues of the additive in their livers.

AMENDMENT IN 1962 TO DEAL WITH DES DANGER

At the time we debated the Kefauver-Harris Act, on September 27, 1962, I offered an amendment to strike out of the bill the special provisions it contained exempting DES from the Delaney clause. This would have forced the cessation of the use of DES yeas ago, because there is no dispute over its cancer-causing properties. My amendment was rejected after repeated assurances from opponents of the amendment that the consumer would not be harmed by this exemption because of the added language in the bill requiring its prohibition the moment residues showed up in the meat.

That moment, as I said, has now arrived—10 years later.

It is not a question of any scientific evidence being adduced of the danger of DES. The only thing new is the detection methods which now enable our scientists to discover what they could not establish before—that is, that the residue does exist in beef livers even after the animal has been withdrawn from DES feed for at least a week before slaughter.

Mr. Speaker, under unanimous consent, I submit for inclusion in the RECORD the text of the press release of the Food and Drug Administration in the matter of DES, as follows:

DIETHYLSTILBESTROL (DES)

The Food and Drug Administration today ordered an end to the use of diethylstilbestrol (DES) as a growth stimulant in animal feeds.

Charles C. Edwards, M.D., Commissioner of Food and Drugs, said: "New scientific data developed by the U.S. Department of Agriculture and received by my office on July 28, 1972, casts serious doubt on our ability to set rules for the use of DES in animal feed that will insure against residues remaining in animal livers at time of slaughter. The Delaney amendment of the Food, Drug, and Cosmetic Act explicitly forbids any such residues. Since regulatory requirements of the law cannot be met we have no choice but to discontinue approval for use of the chemical in animal feed."

Effective immediately, all production of DES for use in feeds must be stopped.

Dr. Edwards emphasized that the withdrawal order is an administrative action dictated by strict provisions of law which govern the use of products, such as DES, which have been shown to induce cancer in test animals. Dr. Edwards pointed out that levels found in livers of animals were far lower than those used in tests, and that today's action was not based on any known hazard to human health. DES has been used in the feed of cattle and sheep for nearly two decades, without a single known instance of human harm.

"Therefore," said the Commissioner, "in order to avoid an abrupt disruption in the production of the Nation's meat supply, the FDA will permit existing stocks of DES for feed to be used until January 1, 1973.

"This will permit an orderly phase-out and will provide the animal feeding industry an opportunity to switch to implants or to other methods of meat production," said Dr. Edwards.

Today's order makes final a preliminary proposal published for public comment on June 21. Under the law this proposal gave manufacturers 30 days to submit legal objections and to request a formal hearing.

Such objections and requests were received from 15 of the 25 holders of new animal drug approvals for the products.

In denying those requests, Dr. Edwards reiterated that the final withdrawal decision is predicated on new scientific evidence developed by the USDA's Agricultural Research Service and reported to him on Friday, July 28. This new study used an extremely sensitive radioactive tracer technique and showed that detectable residues could occur in cattle livers, even after withdrawal for seven days in conformance with current regulations. Prior to this experiment, all available tests had shown no measurable traces of DES in animal livers 48 hours after withdrawal.

On this basis, Dr. Edwards said: "We can only conclude that the animal feeding and pharmaceutical industries are unable at this time to suggest restrictions that are reasonably certain to be followed in practice and will at the same time eliminate all possibility of detectable residues. A hearing, therefore, would serve no useful purpose."

Use of DES as implants will continue to be allowed, pending results of tests now underway by the USDA and scheduled to be completed in the next several weeks. To this point USDA has never detected a residue when implants were used as the sole source of DES. Implants have been shown to be approximately as effective as DES in feed, even though used at a dosage level at least 30 times lower than that used in feed.

Further decisions on DES implants, including the possible need for a hearing, will await the results of these tests.

MANDATORY JAIL SENTENCES FOR NONADDICT DRUG PUSHERS

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. CONABLE. Mr. Speaker, during the past 4 months a number of individuals and organizations in the Rochester area have endorsed a proposal I cosponsored providing for mandatory jail sentences for nonaddict drug pushers and providing Federal judges with additional discretion in deciding whether or not to release these nonaddict pushers on bail.

My constituents feel, as I do, that there is a different degree of culpability involved between a professional pusher and his addict counterpart and that the law should reflect this difference between the two. Professional pushers are often involved with organized crime and, according to the Department of Justice, may have jumped bond and continue to supply American addicts from foreign bases.

This course of action has been endorsed by the Monroe County legislature; the council of the city of Rochester; Monroe County District Attorney Jack B. Lazarus; five Rotary Clubs; the Girl Scouts of Rochester and Genesee County; the Church of the Holy Spirit, Penfield, N.Y.; and over 1,200 interested individuals. These endorsements indicate the strong desire at the grassroots for tougher action against drug pushers. I hope every Member of Congress will review this proposal and aid the effort to secure its favorable consideration by Congress.

AN ALL-VOLUNTEER ARMY

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. GERALD R. FORD. Mr. Speaker, I count it as one of the most noteworthy accomplishments of the Congress and the Nixon administration that we are moving steadily toward our goal of an all-volunteer army. In that connection, Defense Secretary Laird has reported on the progress we are making toward achieving that goal. His report appeared in the July 28, 1972, edition of the Alexandria Gazette in the place usually reserved for a column written by Andrew Tully. I am sure my colleagues are interested in Secretary Laird's report. I, therefore, include it in the Record at this point.

The article follows:

[From the Alexandria, Va., Gazette, July 28, 1972]

A PLAN TO REACH THE GOAL

(By Melvin R. Laird, Secretary of Defense)

At this time next year, the military draft will be a relic of history.

The Department of Defense is highly confident that we will meet the President's goal of ending the draft by the target date of July 1, 1973. It is however, a complex and difficult job. It will not be easy to fill the ranks with volunteers.

In earlier days, when our country had all-volunteer military forces, the average strength of all of the military services was less than 300,000. That was in the 1920s and 1930s when military technology was simpler, and the need for high skill levels was limited.

Thus, as we gear ourselves for the final year's push to meet the President's goal of a volunteer force of 2,320,000 men and women, we are facing problems of both quantity and quality. The Administration has presented Congress a program to achieve the goal, strongly believing that it will require a combination of improved pay, beter housing, better educational and career opportunities, and a general improvement in the military "life style" to allow us to eliminate the draft and its inequities.

At this point, less than a year from the date of "zero draft," it is worthwhile to review our progress toward reaching this goal.

First, it is important to realize that the draft has been reduced greatly in the past three-and-a-half years. In 1968, some 299,000 young Americans were drafted into the military services. In 1969, that number slipped to 289,000, and in 1970—the first full year of our Vietnamization program—to 163,000. As troop withdrawals from Vietnam continued and the Administration reduced U.S. presence elsewhere in the world, only 98,000 were drafted in 1971. The quota for 1972 is down to 50,000.

As the numbers of men needed have fallen, our efforts to attract volunteers have risen. It is difficult to say which of the many approaches has been most successful, but the number of true volunteers—those not motivated by pressure of being drafted—has increased notably since the military pay raises went into effect in Nov. 1971.

An increase in recruiting has undoubtedly also contributed to raising the number and quality of true volunteers and attracting substantial numbers of draft-motivated volunteers.

New enlistment options are helping. These include guarantees of special schooling for those who qualify, broader selection of overseas assignments, more choice of unit assignments and wider selection of job skills. The services are continually extending these options.

Since the initial announcement of the all-volunteer goal, we have been improving the attractiveness of military life. Overcoming many of these problem areas, however, is not an easy or inexpensive matter. Progress has been steady.

With all of this effort, we are pleased to find that we are attracting true volunteers at a higher rate than this time last year. With concentration on quality manpower, the services today are filling, largely with volunteers, their needs for personnel capable of meeting school and on-the-job training goals for technical jobs.

Our figures indicate that our efforts have increased the number of true volunteers by a significant 31 per cent in the comparative periods of July 1970 through May 1971, and July 1971 through May 1972. Still, there must be an additional 20 per cent improvement in the level of true volunteers for the services. We hope that increased recruiting and new bonus programs will make this happen.

So, as we count down toward the July 1, 1973 goal we can show progress and an understanding that much work must still be done. Our confidence of reaching the goal is based on the belief that the time has come to end one of the last democratic aspects of this country's governmental processes—the military draft.

GOLDEN ANNIVERSARY OF THE ORDER OF AHEPA

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. RUPPE. Mr. Speaker, I am pleased to recognize the golden anniversary of the Order of Ahepa, the American Hellenic Educational Progressive Association, founded July 26, 1922, in Atlanta, Ga.

This order, with 430 local chapters in 49 States, Canada, and Australia has promoted warm fellowship, good citizenship, and strong support for the democratic ideals that blossomed in the Hellenic culture. Furthermore, AHEPA has extended a generous and helpful hand in supporting educational, charitable, and civic improvement projects around the United States and the world.

During World War II, the Order of Ahepa sold some $500 million in U.S. war bonds as an official issuing agency of the U.S. Treasury. In times of natural disasters—whether it has been a Florida hurricane, a Mississippi flood, or a Corinth earthquake—AHEPA has helped to bring relief to the human victims of these catastrophies. The list of AHEPA service is also long in the fields of cancer research, scholarships to worthy students, and aid to war orphans.

For all of these contributions to democratic government and to the betterment of societies throughout the world, the Order of Ahepa deserves our thanks and congratulations. May this distinguished organization continue to prosper as it begins its second 50 years of fellowship and service.

REASONABLE INTERNATIONAL AIR FARES FOR ALL

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. PODELL. Mr. Speaker, together with other Members of this House, I have long believed that U.S. scheduled airlines should be imaginative and farsighted in fulfilling the never ending requirement for low-cost, safe and convenient passenger service.

It is in accord with this concept and desire for high standards of service and lower international fares that I bring to the attention of the Members of this House an extremely interesting article on international aviation. The article, "Fill Scheduled Flights With Charters" appeared in the New York Times of Sunday, July 16, 1972. It is written by Mr. Willis Player, a senior vice president of Pan Am, who is well known to many Members of this body.

Mr. Player has a long and varied experience with commercial aviation matters. He is recognized as an expert in commercial aviation problems.

His article is the most understandable one I have yet read as to the basic economics of international passenger service in the jet age.

Probably the most significant part of the article is that in which Mr. Player points out the many advantages, from the standpoint of the traveling public, in the "part charter" concept. Simply, this calls for following the very logical procedure of including charter passengers in designated portions of scheduled international aircraft. Not only would this mark an additional forward step in more versatile utilization of scheduled aircraft, but it would also mean a high standard of service at a lower fare for air passengers and, very importantly, it would provide a method for the fuller utilization of the huge capacities of today's magnificent—and extremely expensive—747 aircraft.

Because of its pertinence to the international aviation issues confronting our

U.S.-flag carriers, I recommend this article to the attention of the House.

Mr. Speaker, under leave to extend my remarks, I include the article by Mr. Willis Player of Pan American World Airways, from the New York Times, July 16, 1972:

Fill Scheduled Flights With Charters

(By Willis Player)

For 2.9 cents a mile—if you buy the right fare—most of the North Atlantic scheduled airlines will package you in an envelope of pressurized air, feed you, show you a motion picture and hurl you across the ocean at 550 miles an hour in a $25-million flying machine.

Even if you buy the best seat in the house, you can't pay more than 12.5 cents a mile for the ride—somewhat less than the 17.5 cents a mile I pay for my two-mile ride to work on the subway.

That's why there are so many air travelers across the North Atlantic: 8.9 million in 1971, probably 10.8 mililon in 1972. It sounds like a success story, doesn't it?

It is, in a way, when you move all those people all those miles at those high speeds for those low fares and in an airplane that costs all that money.

There is one trouble: The North Atlantic scheduled air lines are losing money.

If they go on losing money, or not making much, somebody is going to have to pay higher fares, or somebody is going to have to pay a subsidy. Since both those horrid alternatives are politically obnoxious, the question is, can you figure out a better way to run the North Atlantic air system?

The answer is yes—maybe.

But if the answer is to be yes for certain instead of merely yes maybe, governments and customers and airline managements must all make themselves see an economic flaw they have so long taken for granted that it is almost invisible: The scheduled North Atlantic air system is operated on the basis that it will pay all its expenses through the use, in round numbers, of half of its capacity.

Translation: Those who use the half of the capacity that is used to pay for the production of all the capacity.

Second translation: The system is supposed to be profitable while flying half empty.

It is half-emptiness of the scheduled flights that nurtured charter flights. For a charter flight can wait until it is full; or it can go only where there are full loads wanting to go; whereas a scheduled flight must go, full or empty, when it has said it will go, day in and day out, and to destinations that are unpopular as well as to destinations that are popular.

A charter flight, being full or almost so, can cover all its expenses and offer a lower per-passenger fare than the scheduled flight that must cover all of its expenses through the use of half of its capacity.

A caveat here: A total analysis of factors determining the relative profitability of scheduled and charter services would be longer and more complex than that short paragraph. But it does identify the basic distinction.

So the scheduled and supplemental airlines rely on growing numbers of full-charter flights. Meanwhile, the essential scheduled services go along paying for all their expenses—or trying to—through half-empty flights.

Once upon a time it was thought, and in some quarters still is thought, that scheduled service is not doing its job properly unless it produces a lot of empty seats. The United States theory was and is that a scheduled air service that operates year-round close to 100 percent full is failing in its obligations to the public because it is depriving too many persons of the forever availability that is supposed to be part of the essence of scheduled service. (As to how close is too close, please consult another author.)

But simple arithmetic says that at a 50 per cent load factor a 747 has more empty seats than there are total seats in a 707; that the most economical use of an air transport system is to fill the seats already being flown, and that the least economical is to fly a "scheduled" 747 half full and a chartered 707 all full when all those passengers could fit on a 747.

So if we were to start over again to create a North Atlantic scheduled air system, would we really create one designed to operate at half capacity? Or would we conclude that a system designed to use only half of its capacity is neither logical nor sensible nor economic. What to do?

A first step is to ask what the new technology permits us to do. The new technology in this context means widebodied jet. On the North Atlantic, wide-bodied jet means Boeing 747. And the 747 means that we now have an airplane big enough to offer scheduled and charter service on the same flight.

A pause while we listen to the screams of the traditionalists.

A second pause while we reply that we are not being revolutionary, just evolutionary.

And now, let's invent the new system.

Today's 747 usually is fitted out to carry about 360 passengers. It has a first-class compartment and three economy-class compartments. It can be fitted out to carry perhaps 500 passengers and, as demand grows, most of them probably will be.

Meanwhile, let's take a 747 and give a first-class compartment to carry 40 passengers. Then give it 220 seats in economy class. That's a total of 260 scheduled service seats, far more than a big 707 can offer. But the 747 is a really big plane, so now, let's give it 100 seats for charter passengers, or a total of 360 seats.

There is nothing sacred about those numbers, either the totals or the allocations. They could and would vary with routes, seasons and airlines.

We then say to the scheduled passenger and shippers: More seats and cargo capacity than were ever before available to you on a scheduled 707 or DC–8 are now available to you on each 747 flight. But we can charge you a little less than otherwise would be necessary because of the revenues contributed by the charter groups.

We say to the charter groups: Because you pay long in advance, and because you guarantee long in advance either to make the trip or to pay a money penalty, you are enabling us to get more use out of our airplane, and in return for that consideration we give you a low per-passenger charter rate.

What's wrong with the idea? It's new; it's not yet tested; and it's unorthodox—but, of course, today's unorthodoxy is sometimes tomorrow's orthodoxy.

What's right with the idea? It gives the customers the services they want. It does so while supporting instead of eroding the essential scheduled services.

And it exploits the flexibility of the 747, the most efficient and most economical long-range airliner yet built.

ENVIRONMENTAL TECHNOLOGY IN DEVELOPING AND DEVELOPED COUNTRIES

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. McCLOSKEY. Mr. Speaker, one of the great questions before us is whether or not we will proceed to the tertiary treatment of water throughout the United States and the recycling and reuse of such water, at least in part, for human consumption. The initial test of this concept and the actual use for drinking water purposes of recycled sewage water, is presently occurring in Windhoek, South Africa. The Windhoek plant has been studied by one of California's most eminent engineers in this field, Mr. Frank P. Sebastian of Menlo Park, who a few weeks ago presented a paper on that subject at Stockholm, Sweden, sponsored by the National Wildlife Federation of the United States, under the auspices of the Swedish-United Nations Association. A summary of that paper follows:

Environmental Technology in Developing and Developed Countries

(By Frank P. Sebastian, Jr.)

I am going to describe to you today some advanced waste treatment developments on four continents concerning which I will synthesize a picture to demonstrate the following benefits from advanced technology:

1. Preserve wildlife.
2. Save money.
3. Enhance quality of life.
4. Avoid economic dislocation.

Specifically, I am addressing myself to the question: can advanced environmental technology contribute to improvement of the growth process of developing and developed nations? Even more specifically, can the developing countries avoid the errors of the developed nations which are now on the threshold of a very significant investment in corrective programs? My answer is yes! In particular, I submit that certain advanced technologies will yield the benefits I have shown here.

EXAMPLES OF ADVANCED WASTE TREATMENT

I will begin with some examples of advanced waste treatment technology and will show location, type, quality and use. In the land of the first heart transplant, Windhoek, South West Africa, is the leading wastewater treatment installation in the world with direct reuse. Windhoek had a conventional sewage treatment plant to which was added algae lagoons and physical chemical treatment. The product meets the United Nations World Health Organization standards and is used for tap water, supplying one-fourth of the tap water for this community of some 45,000. My son Alex tried it and liked it. At South Lake Tahoe, physical chemical treatment was added to a conventional biological plant, and that product also meets the United Nations World Health Organization standards and is equivalent to United States Public Health Service tap water. This water has been used to form Indian Creek Reservoir, a trout lake which is also used for swimming and for grazing areas. Colorado Springs is one of the most recent advanced waste treatment plants in the U.S., again a conventional plant to which physical chemical treatment was added. The parts per million of oxygen-demanding substances and suspended solids are low enough that the water, some two million gallons a day, from this treatment plant is sold to the local public utility for industrial cooling water makeup. The Rye Meads treatment plant in the U.K. has an extended conventional biological treatment plant. It has two standards: 10 parts per million of oxygen-demanding substances and suspended solids in the wet season, and only half that amount in the dry season. The effluent flows into the River Lee which supplies about 19 percent of the tap water for metropolitan London, commencing ten miles downstream.

With a quote from Chairman Mao, I should like to talk about the newest member of the

United Nations, the People's Republic of China:

"We must break away from convention and adopt as many advanced techniques as possible in order to build our country into a powerful modern socialist state in not too long a historical period."

China has identified itself as a member of the Developing Nations group. As such, it has announced that it is launching an all-out attack on three wastes: "gas, liquid and slag". During my visit last month to the Chinese Export Commodities Fair at Canton, I had an opportunity to discuss the advanced wastewater treatment facility installed at the Peking General Petro-Chemical Works. Two of my San Francisco associates have brought first hand reports of this plant to me and I was able to discuss it further in Canton.

The Peking General Petro-Chemical plant is part of the newly realized self-sufficiency in oil and oil products in China. Construction started in 1968 and now eleven of thirteen planned refinery units are on stream, and four of 22 planned sets of petro-chemical installations have gone into operation. Following the general government policy announced by Premier Chou En-lai to incorporate waste elimination in new industrial projects, the wastewater from this complex is passed through an eight-stage chemical physical biological treatment process. (The process includes sulfur removal, oil separation, pressure flotation, aeration and sand filters.) Fish and ducks are raised in the repurified water and are able to develop and lay eggs normally. Finally, the product water is sent to neighboring communes for irrigation of paddy fields.

Kirin Chemical Works is another example of environmental concern and leadership in China. An animated model of the Kirin Chemical Works was used at the Canton Trade Fair to further illustrate concern for environmental pollution and reclamation of wastes. To date, the chemical company there has treated 23 kinds of waste residue amounting to over 280,000 tons; 34 kinds of waste liquid, eight kinds of waste gas, and has recovered some 25 chemicals including benzene, para nitro toluene, hexanol and dilute hydrochloric acid, totaling more than 34,000 tons. Wastewater containing 200 ppm of phenol from coke processing is reduced by biochemical treatment to the 5–10 ppm range. The plant wastewater flows into the Tunhua River. Recently, fish life near the plant is reported to have improved.

But what about the sludges that are collected from advanced waste treatment plants? I feel it is particularly appropriate to comment on this because the report of the U.S. Secretary of State's Subcommittee on Human Settlements termed this as one of the "most perplexing and ironic of modern problems". But here too technology is far ahead of conventional awareness. Let me use the heavily U.S. government funded Lake Tahoe plant as an example. All the sludge removed, some 3 lbs. of wet sludge per family of four per day, is converted into a sterile ash in multiple chamber furnaces principally utilizing the fuel value of the sludge to destroy itself.

Highly efficient air cleansing equipment scrubs the air clean with less impact per family of four on the environmental air than driving an automobile equipped with U.S. 1972 control equipment only 500 yards and consuming only about 4 oz. of gasoline.

A task force study of the Tahoe and other modern incineration installations has been conducted recently by the U.S. Environmental Protection Agency with the conclusion that these new incineration methods are environmentally viable and preferable to ocean dumping.

A further benefit is that pesticides removed from the water are decomposed and rendered harmless in the thermal processing; and in Tokyo and Nagoya, Japan, the ash material is being sold and used as a quasi-fertilizer with:

	Percent
Nitrogen	0.2
Phosphate	6.0
Potash	1.0

At Tahoe and other similar physical chemical process plants, most of the exhaust gases from the combustion processes are captured for their carbon dioxide value and recycled in the process.

So the sludges are not a "perplexing and ironic" problem at all, but rather turn out to be a valuable resource.

Windhoek and Tahoe prove over several years of operation that there can no longer be any doubt about the availability of proven technology to produce drinking water from sewage. This technology has special significance for wildlife propagation because not only are the drinking water tolerances equal to or tighter than those for some wildlife—fresh-water fish for example—but pesticides and certain trace elements can be removed along with organics, suspended solids and major inorganic ions in the advanced processes.

In this regard, it is startling to discover that in industrialized countries the major source of pesticide discharges into the oceans is not always rivers, as one might expect, but possibly from combined municipal and industrial sewage outfalls. California, with an area of 159,000 square miles and a population of 20 million, is larger than many nations. This state is one of the largest agricultural producers in the world. Yet all the rivers draining this enormous area of farmland discharge only about 50 pounds of pesticide per day into the ocean, while the sewage of the Southern California urban area alone was found to discharge about 525 pounds of pesticide per day: a ratio of 10 to 1. But the proper processing of sewage can eliminate the major proportion of pesticides that presently find their way to menace life in the seas.

COSTS

But what about the costs of all this? Fortunately, it costs far less than most anyone imagines.

The Tahoe Water Treatment facility I talked about earlier costs about $10.00 per capita per year—total operating and capital amortization costs. If the cost of sewers is added, the cost on a similar basis is $14.00 per capita, yielding a total of $24.00 per capita per year for drinking water quality. However, septic tanks, which are frequently considered a *first* stage sewage treatment systems, cost $35.00 per capita per year in the U.S.—a startling fact, I'm sure.

Another way of looking at the costs in a developed country is shown by this comparison:

In cents per person per day	
Primary secondary treatment	3
Drinking water projection	7
Tahoe *actual* tertiary*	3
Telephone	22
Electricity	26

Source: *Envirotech Corporation; all others, U.S. Department of Interior.

BENEFITS

What truly is a surprise is that on a national accounts basis pollution abatement doesn't cost—but actually saves. I have already commented on the costs and potential benefits from the reusable effluent water, but let me touch for a moment on the third area: that is, deriving savings from the elimination of damage caused by pollution. The information in this area is far more sketchy but from a national and world point of view this is an important area and must be brought into the equation to determine whether environmental control costs or pays. These facts are just emerging in the U.S. and are not generally recognized. However, England was the first country to take stringent action on a national pollution problem and reap the national benefits.

Let me shift the subject to air pollution and draw on the message from President Nixon to the Congress to illustrate:

"In London in December 1952 an air pollution episode lasted five days and was associated with 4,000 excess deaths. During the episode 1,100 patients per day, or 48 percent above normal, were admitted to the hospitals of London."

Damages were established at $700 million per year.

The postscript that I would like to add is that four years later stringent air pollution control legislation was passed in England, but it was not until fourteen years later that tangible benefits were broadly reported. Sunshine increased over 50 percent in London in December, infamous London fogs disappeared, and rare birds—the snow bunting, the hoopoe and the great northern diver—have reappeared, and house martins have returned to nest near Primrose Hill after an 80-year absence. Though no estimate is available, substantial savings can be expected in reduction of the $700 million of annual damages from air pollution. The national cost was $1 billion over ten years.

With regard to the U.S., there are numerous isolated reports of external costs from air and water pollution. The National Wildlife Federation, drawing on recent reports of the Council for Environmental Quality and the Environmental Protection Agency, was the first to bring together for the U.S. the savings to be realized as well as the costs for both air and water pollution. (*National Wildlife Magazine*, Feb.-March, 1972). These economics are given below:

BENEFITS OF AIR POLLUTION CLEANUP

	Annual amounts	
	All United States (in billions)	Per family
1972 damages	$16.1	$268
Cleanup savings	10.7	178
Cleanup costs	3.9	65
Net savings	6.8	113

BENEFITS OF WATER POLLUTION CLEANUP

1972 damages	12.8	213
Cleanup savings	11.5	192
Cleanup costs	6.3	105
Net savings	5.2	87

Thus, with regard to the question, "Is it possible for the developing nations of the world to incorporate environmental concern into development processes without retarding economic growth?", my answer is "yes". In both the air and water pollution sectors there are compensating revenues that can be offset against costs. Frequently, water development is also a limitation on economic development of a nation or region, and thus water pollution elimination and water reuse *may* go hand in hand with economic development. The development of the water reclamation plant can be part of the long range water planning; it may remove a limit to economic growth.

Thus, a particular opportunity lies with the developing countries at the beginning to strike the total profit and loss sheet of environmental control, including the cost to improve the water or environmental quality and benefits from reusable water, plus other savings that are very seldom perceived—the savings from elimination of damage.

In summary, the benefits for *developing* and *developed* nations from available water pollution technology are:

1. Preserve wildlife;
2. Save money;
3. Promote economic growth
4. Avoid economic dislocations of catch-up investment cost, now facing developing nations.

NEW WAYS TO PAY FOR LEGAL SERVICES

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. THOMPSON of New Jersey. Mr. Speaker, last week a talented writer on the staff of the Evening Star and Daily News compiled a series of articles on new ways to pay for legal services. It is difficult for most middle-income Americans to obtain suitable legal services. They may have difficulty finding a suitable lawyer; and they surely will have difficulty paying the fee. Now many Americans are finding that they can overcome some of the difficulties by organizing client groups. First, the client organization can help each member find a competent lawyer to handle his specific legal problem. Second, the organization can serve as an insuror, protecting each member against unusually large expenses by spreading the cost among all members.

Mr. Speaker, I have a continuing legislative interest in making legal services more available to the average American. I introduced a bill recently which would encourage unions and employers to establish programs to help pay legal expenses. In addition, I intend to introduce soon a bill designed to make it easier for all Americans to obtain suitable counsel.

Miriam Ottenberg's excellent articles provide a valuable insight into new developments in this area, and I commend them to the attention of my colleagues.

Mr. Speaker, I include the articles to be printed in the RECORD at this point:

GROUP PLAN—LAWYER 50 CENTS A MONTH

(By Miriam Ottenberg)

A big chain store billed a Chicago woman $200 more than she owed. When she protested the overcharge, a credit clerk advised her to pay up because it would cost more than that to get a lawyer.

But a lawyer got the overcharge off her bill, the store apologized profusely and it cost her 50 cents a month for the legal help.

A Columbus, Ohio, man had his new car only three weeks when a faulty water pump caused the engine to burn up. He wanted a new car for the $6,500 he'd invested but the dealer offered only to repair the engine and said, in effect, "So sue me." A lawyer got him a new car without suing and it didn't cost him a thing.

Both the Chicago woman and the Columbus man and there are thousands more like them—belong to group legal service plans.

For their monthly dues or membership fees, they get free or low-cost consultation with lawyers in consumer cases such as these. If they have to go to court for a divorce, a bankruptcy or, in most plans, to defend a criminal case or a variety of civil matters, their payments into the plan cover them, too.

Or they know in advance exactly what they will be charged and usually this fee is far less than normal.

What people in these plans are paying for is a form of legal insurance, a way of getting advance protection against unexpected legal costs. It's like group medical insurance. They are spreading the risk to the whole group so the cost to the individual is reduced.

It's only within the past year and especially in the last six months that group legal or prepaid legal insurance plans have caught public attention. Some estimate that between 2,000 and 4,000 plans are now operating—but no one knows for sure how many and only a few states require registration. Most of these plans deal with job-related problems. Few cover the broad range of legal headaches.

The broad plans are still experimental and limited by roadblocks of laws or regulations that must be changed before they can go full speed ahead. Since there is no actuarial data on how often any one needs, uses or should see a lawyer, most commercial insurance companies have stayed out of the new legal insurance field.

FILED IN TWO STATES

Only one so far, the Stonewall Insurance Co. headquartered in Birmingham, Ala., has filed its proposed group legal insurance policies with insurance commissioners in two states. Both the Alabama and Minnesota insurance commissioners have approved the forms.

A company spokesman said Stonewall will file with the Maryland insurance commissioner because a union group and a credit union have expressed interest. He said he wouldn't know how much this insurance would cost until he looks at the groups, but that he's gotten much of the actuarial data he needs from Germany, which has had group legal plans for 25 years.

So far no commercial insurance company is actually writing group legal policies. It's being done variously by unions for their membership, nonprofit consumer groups and a few law firms which have banded together to offer free legal advice to groups in exchange for assurance that they will use these firms for their court business. There was even one company selling legal insurance from door to door, until it was stopped.

The American Bar Association has a pilot program of prepaid legal insurance operating in Shreveport, La., with a Laborers Union local, and hopes to get another started in Los Angeles with the police and firemen's protective league there.

BLUE CROSS, MAYBE

The New Jersey Bar Association is negotiating with the state's Blue Cross to expand its health services to cover legal services. California is also talking about a statewide plan to provide prepaid legal insurance.

Other state bar associations, some of which (like Virginia) fought the concept of group legal services through the Supreme Court, now are being urged by the American Bar Association leadership to investigate prepaid legal insurance as one way to make legal services available to more people.

Like the doctors of a few decades ago, the organized lawyers disagree on whether these plans represent a threat or a bonanza. But most state bars are now studying the possibilities and others are expected to be taking a look by year's end.

Union and consumer groups aren't waiting. Some are setting up group legal plans for their memberships, hiring lawyers to handle members' legal problems or tying up with law firms usually staffed by young lawyers.

POSTAL NEGOTIATIONS

Others negotiating to get group legal plans are teachers' associations, police, fire and other city employee associations, cooperatives, student groups, credit unions and others.

The rank and file of postal workers, more than 600,000 strong, proposed legal services during their first negotiations with the U.S. Postal Service, and a joint employe benefits committee is now studying it along with other fringe benefit demands.

What all these groups are looking for is a means of getting the legal help they need at prices they can afford to pay.

Some of their members often are not even sure that what they need is a lawyer. They just know they've been gypped or that the contract they signed doesn't seem to mean what they thought it meant. Or they need a lawyer in a hurry and don't know where to get one.

Some are separated from their spouses but can't afford a divorce. They know they should make a will but keep putting it off because they don't know a lawyer. They don't know how much a lawyer would charge but they're afraid it's more than they could pay. The less educated hesitate to try to bridge the cultural gap between them and the lawyer with the clipped accent and paneled office. More often than not, they don't go near a lawyer, until the damage is done and then they can't be helped or it's more costly than if they had sought legal advice in the first place.

These are the situations and attitudes that lawyers, union officials and consumer leaders have turned up as they investigate the need for some form of group legal services.

THE FORGOTTEN CLIENTS

The people they want to help are now being labeled "the forgotten clients". They're the people of moderate means whose incomes range from $5,000 to $15,000 for the family unit. About 28 million families fall in this category. They're not in the rich 10 percent of the population, the well-to-do who know when they need a lawyer and can afford a good one.

Nor are they in the poor 20 percent, people making less than $5,000 whose legal needs may be taken care of by OEO's Neighborhood Legal Services or Legal Aid Societies or public defenders.

Like the medically indigent of yesteryear, they are the legally indigent—not poor enough for free legal aid, not rich enough to pay the lawyer's bill. If the expense was unexpected, it can be catastrophic.

Many of these moderate income people neither like nor trust lawyers. Even the president-elect of the American Bar Association, Robert W. Meserve, concludes that the lawyer is generally regarded by the public as a necessary civil rather than as a helping hand" with a "far from winsome public image."

ASK ANYBODY

Although they could go to their bar association's lawyer referral service for an attorney specializing in the service they need, they're more likely to look in the yellow pages or ask a friend or relative or even the friendly neighborhood bartender to suggest a lawyer.

All this uncertainly, hesitancy and confusion comes at a time when the "increased complexities of life and the law seem to make legal representation a necessity," says Jules Bernstein, associate counsel of the Laborers' Union in Washington and one of the prime movers for legal service programs.

Bernstein is convinced that the programs can provide high quality legal services at moderate cost for the "forgotten client."

Could you get into a group legal program here tomorrow?

No, not yet in the Washington area, but the Prepaid Legal Services Committee of the D.C. Bar Association's Young Lawyers Section has been studying the group plans and is about to write a report explaining to the membership what the plans are all about.

Committee Chairman Kenneth Allen visualizes adapting the prepaid legal insurance plans to the legal needs of District residents and hopefully finding some interested groups for which a plan could be tailored.

Lawyers who have been dragging their feet about prepaid legal insurance, he said, are talking from lack of knowledge and don't recognize the flexibility of the plans.

PREPAID LEGAL AID PLAN PAYS OFF

(By Miriam Ottenberg)

For the first time, the consumers of legal services—the clients of the lawyers—are getting organized.

Seeking ways to get high quality legal services at moderate cost are the "forgotten clients"—the moderate-income families who shun lawyers until they're sued or accused. For they, the lawyer is usually on the other side.

On the theory that providing effective representation for moderate-income families is "too important to be left entirely to the legal profession," consumer, urban, rural and union groups will convene here Friday and Saturday.

What they will be exploring are new developments in a new field—group legal service plans or prepaid legal insurance programs.

Although group legal plans are sprouting all over the country, only a few offer comprehensive legal services and stress "preventive law"—the seeking of legal advice early enough to avoid trouble.

A Star canvass of the few broad plans indicated:

People in those plans tend to go to a lawyer earlier than before the pre-paid program started. Some even show a contract to a lawyer before they sign it.

Con-men and "fast-buck artists" steer clear of people who they know have a lawyer behind them to protect their rights.

Couples who had separated as much as 10 years earlier but couldn't afford a divorce now go ahead and get divorced.

Lower-income workers in the plans reported they do not get pushed around by merchants and police as much as in the old days before they had access to a lawyer.

Gloomy predictions that people with access to lawyers would flood the courts with "nuisance suits" have not proved accurate.

This was attributed to the fact that some plans require members to pay a $10 to $25 fee to file suit, to the members' reluctance to go near a lawyer when they don't have to and, finally, to the duty of attorneys not to file suits lacking merit. One plan official said it was not making "legal hypochondriacs."

Only one of these plans offers a wide-open choice of lawyers or an "open panel." That's the type favored by the bar associations, mainly because it spreads the work and preserves the independence of the lawyers. It is similar to most Blue Cross medical plans.

QUALITY CONTROL

The other plans surveyed are all various forms of "closed panel" where the attorney is hired by the group to take care of the legal problems of members or a law firm is retained to represent the members.

The "closed panel" is preferred by most union and consumer spokesmen on the ground that costs can be better controlled and the quality of service would be uniformly good.

The merits of the two methods of seeking legal help undoubtedly will be debated at the upcoming consumer conference.

Helen Ewing Nelson, president of the Consumer Federation of America and one of the moving parties in the conference, has said the "open panels" of Blue Cross, where people go to their own doctors, has driven medical costs higher than ever before. She said she understood Blue Cross was moving toward "limited panels."

The one "open panel" plan now operating is in Shreveport, La., where the 600 members of Laborers Local No. 229 pay two cents per working hour to insure legal help for themselves and their family. Since this is the American Bar Association's experimental project to see how these plans work, another seven cents an hour is paid by the American Bar Foundation and the Ford Foundation.

The money goes to the Shreveport Legal Services Corp., set up to administer the fund and to pay the lawyers to whom the union members go with their legal problems.

The plan pays all costs incurred for legal advice and consultation up to $25 a visit or $100 a year.

DOMESTIC RELATIONS

After the member pays the first $10 charged, he can get up to $250 of legal services a year for such office work as negotiating a contract, drafting a will or researching a claim.

After paying the first $25 charged, the member who files suit could receive $325 worth of legal services or more in court costs and $150 in out-of-pocket expenses.

When he's a defendant, the plan pays 100 percent of the costs up to the limits set elsewhere in the plan and thereafter 80 percent of the next $1,000 of the costs. The member, however, has to pay the other 20 percent before any payments are made under this "major legal expense benefit."

Some legal services are excluded from the plan. In domestic relations cases, where members of the family are in conflict, only the insured member gets this service.

Also excluded are legal fees and expenses in connection with business ventures, cases in which a contingent fee is usually charged and cases involving the trust fund or the union. Disputes involving coverage under the plan go to mandatory arbitration.

Attorneys close to the Shreveport plan report that union members' negative attitude toward legal help gradually is being broken down. Twice as many are going to lawyers for help on legal matters although they still seek advice only rarely.

The number who choose a lawyer on the basis of what friends and relatives tell them has gone down sharply. Now they choose a lawyer on the basis of his community reputation and what they hear from union officials and co-workers.

These attorneys call the plan successful in its first 18 months of operation but they acknowledged that these union members aren't typical of the moderate income group for whom prepaid legal insurance is really designed because members of this laborers local are close to the poverty line and greatly mistrust lawyers.

"TIME AND DOLLARS"

In contrast, during the four months that Laborers' Local 423 in Columbus, Ohio, has had a legal service plan in operation, about 10 percent of the 2,500 members have used it.

As of July 6, a total of 129 criminal cases—mostly serious traffic offenses—were defended and 95 civil matters were handled.

Members went to lawyers to draft wills, to adopt children, to settle estates, to go through personal bankruptcy, to defend collection claims, to get advice on buying and financing a home.

Victor Smedstad, director of the union's legal service and one of the two widely experienced lawyers hired by the union to take care of members' legal problems, said many of the members had been to private attorneys earlier and gotten unsatisfactory service.

"Generally," he said, "lawyers have to consider cases in terms of time and dollars. So the members may get a brush-off. Since we are on salary, the money—while still important—is not the prime consideration that it is for lawyers in private practice.

By vote of the membership, 10 cents an hour of their union dues goes to the union's general fund to support the legal services program. All the services are free to members.

There is no limit on legal advice and consultation because the plan stresses "preventive law", seeking an attorney before making decisions. Members are entitled to 80 hours of legal representation and five matters in a calendar year, not counting the free representation offered in workmen's compensation and unemployment compensation cases.

Up to $500 in bail or collateral is provided but if it is forfeited the member has to reimburse the plan. The member pays the first $15 if he brings suit and pays his own traffic fines.

50 CENTS A MONTH

A less comprehensive plan, because of less financing, was launched by the Chicago Joint Board of Amalgamated Clothing Workers last April to provide legal service to some 8,000 union members in the Chicago area. Although the plan is voluntary, more than 6,000 signed up to have 50 cents a month taken from their pay to support the plan.

To keep costs down, the plan does not take criminal cases or contested domestic relations matters or cases that require jury trials.

Members start by seeing a social worker to determine if the problem can be straightened out without a lawyer. The next step is consultation with a firm of young lawyers hired by the union.

In the plan's four months of operation, 188 people visited the social worker with their problem and 113 of them went on to see the plan's lawyers. Their problems varied from garnishments to home buying, from wills to credit disputes.

"WILL HELP MILLIONS"

On the basis of success so far, Mrs. Joyce Miller, director of social services for the Chicago Joint Board of the clothing workers, concluded that group legal plans "will help millions of Americans to have access to the law they don't have without this kind of program".

Typical of consumer organizations now offering legal services to members is Consumers' Group Legal Services, Inc. of the Berkeley, Calif., Cooperative. The plan has been in operation since last October and has attracted more than 700 members of the Co-op who pay $25 a year for this added service.

The plan offers two consultants a year with a full-time staff attorney, access to a panel of attorneys whose schedule of fees is less than the prevailing rate and participation in the program's continuing education and preventive law sessions.

IRS, HILL OBSTACLES BLOCK GROUP LEGAL AID PLAN

(By Miriam Ottenberg)

Two major obstacles—one on Capitol Hill, the other at the Internal Revenue Service—are blocking the spread of group legal insurance plans.

Proponents of the various plans to make legal help available at low cost by spreading the risk over a large base had hoped it could be handled like group health or prepaid health insurance plans.

It hasn't worked out that way—at least not yet.

Employer contributions to labor-management trust funds established to defray the costs of medical services are specifically permitted under the Taft-Hartley Act. Employer contributions to help pay costs of legal service are not similarly permitted and, under court decisions, what is not specifically permitted under the Act is unlawful.

OPPOSITION

So two New Jersey Democrats—Sen. Harrison A. Williams Jr., and Rep. Frank Thompson Jr.—have introduced a short bill "to permit employer contributions to trust funds established for the purpose of defraying the costs of legal services."

They expected the measure to sail through Congress but spokesmen for the National Association of Manufacturers and other employer groups, particularly in the construction industry, contended that such a fund would increase the cost of doing business—a cost that would be passed on to the public.

The management spokesmen also contended that legal services had no real connection witht the employment relationship and might make it possible for union members to sue their employers with funds contributed by the employer himself.

"CONFLICT OF INTEREST"

Their arguments were refuted by F. William McAlpin, chairman of the American Bar Association's Special Committee on Prepaid Legal Services.

McAlpin, who "wholeheartedly endorsed" the Thompson bill at House Education and Labor subcommittee hearings in late April, denied that legal services had nothing to do with the employment relationship. He cited a defense plan which had its own legal aid department for its employes.

In one year, he reported, this plant legal aid department helped 3,461 employes and saved an estimated 15,364 work hours which might have been lost as workers pursued outside legal matters.

As for suing employers, he said the legal insurance and group legal plans he knew specifically excluded suits against the employer as a "conflict of interest."

McAlpin pointed out that National Health Insurance is on the way and when it comes the unions will be looking for other fringe benefits with which to use the money that now goes into Blue Cross and other health plans.

"If the employers think the money is going back to them, they're not being very realistic," he said. "What unions bargain for is not a specific benefit but so many cents an hour for fringe benefits. If the employer is going to have to pay 5 or 10 cents an hour for fringe benefits anyhow, why oppose use of the money for legal services that may keep employes from being garnished or evicted?"

Both legal and union officials said flatly that failure of this one-paragraph bill to pass would curb any widespread movement of group legal plans and prepaid legal insurance to unions since low and moderate income workers could not carry the cost of the legal fund without an assist from management.

One possible method has been suggested, however. Instead of joint mangement-labor trustees to administer a legal services fund, which is now forbidden, employers and employes could contribute to a fund administered by neutral trustees having no tie to either management or labor. Some union lawyers are considering that.

The other roadblock is at Internal Revenue, where a section of the code declares health, accident and other employe benefit plans to be exempt from federal taxation.

The IRS has never said what those other benefit plans are.

Back in 1968, IRS published proposed regulations defining "other benefits" but the AFL–CIO complained that the definition was too narrow and didn't include legal service plans as well as several existing fringe benefits which would be denied tax-exempt status.

The proposed regulations were rewritten but have never been published. An IRS spokesman blamed the delay on the Tax Reform Act which, he said, took the time away from other drafting chores.

The regulations have now been put together, he said, and are before the new assistant secretary of the Treasury for approval before they are published. He said there would be substantial changes made in other benefits.

Both the American Bar Association and the AFL–CIO are reportedly trying to resolve the IRS hold-up.

Meanwhile, in New Jersey, where ABA is working with the state bar on a state-wide legal insurance plan using Blue Cross in a new role, one of the attorneys working on the plan said he couldn't market it until the IRS and Taft-Hartley questions are resolved.

We're trying to establish a model for the country," said Emanuel Honig, who is shaping the New Jersey plan, but we can't get enough groups without unions and we can't get them until they know that employer contributions to a legal insurance fund are permissible and tax exempt."

What these roadblocks add up to is that the courts have moved faster than Congress or IRS.

In the latest of a series of court decisions knocking down state bar attacks on group legal service plans, the Supreme Court ruled last year that "collective activity undertaken to obtain meaningful access to the courts is a fundamental right within the protection of the First Amendment."

Once the court had finally made it clear that a group could provide legal services for its members as it has provided medical services in the past, union groups, consumer groups, rural groups, and others started exploring the possibilities. And that's when the roadblocks appeared.

EXCEPTIONAL CHILDREN'S FOUNDATION OF LOS ANGELES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. WALDIE. Mr. Speaker, the Exceptional Children's Foundation of Los Angeles, through its charitable work, is deserving of the highest esteem and gratitude. This fine group of people have dedicated themselves to the difficult task of improving the sad, indeed, often tragic, condition of mentally retarded children.

Recently, in their efforts to find ways to help adjust retarded children to social life, and perhaps more importantly, to help society adjust to the presence of, and responsibility to the mentally disabled, they have proposed two projects. One, the infant stimulation program, is designed to determine the best methods of raising retarded children through new educational approaches involving increased parental participation; the second, the citizen advocacy program, is to organize concerned citizens to attract public and governmental attention to the plight of the mentally retarded with the goal of protecting their rights and establishing new programs.

After careful study, and because of my knowledge of the fine past performance of the Exceptional Children's Foundation, I wholeheartedly support these programs. Application is currently before the Office of Child Development for funds for these two worthy projects. The combined total requested is $97,300—but this by no means represents their total value. Over 200 children will directly benefit from these programs. Many, many more, however, will benefit from the active interest, methods developed, and still more will benefit from the new educational methods developed, protection, and support of the citizens advocacy program.

I urge all my colleagues to join with me in support of these efforts.

DR. EDWARD W. MILL AND A NEW SOUTHEAST ASIA POLICY

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. LEGGETT. Mr. Speaker, concerned as all Americans are with the problems which plague Southeast Asia, few ever take the necessary time or thought to develop a concrete plan of possible action which would help to alleviate the perplexities of the existing situation. Dr. Edward W. Mill, chairman of the Chevalier Program in Diplomacy and World Affairs at Occidental College, has taken the time and thought upon many occasions to contribute to our understanding of the Southeast Asian dilemma. He has also suggested various programs which might allow the United States to assist in the peaceful development of this region.

Recently, Dr. Mill published an article entitled "Southeast Asia: Trends and Portents in the 1970's." In it he concerns himself with some of the problems faced by the countries which make up Southeast Asia. Also in this document, Dr. Mill presents a 10-point program, the elements of which should be considered as possibilities for future U.S. policy and action. The 10 points of this program are designed to assist the Southeast Asian nations, without our becoming involved militarily, in the full development of their individual growth as well as to promote regional cooperation.

One of the most difficult questions faced by the United States at the moment is what will be the course of future diplomatic relations between the United States and the Republic of China on Taiwan. Dr. Mill provides us with what he feels is one possible path to pursue with his proposal to create a Council on United States-Taiwan Relations. This would be a council composed of an equal number of members from each nation, serving without compensation, to further aid the economic, cultural, and educational relations between the aforementioned countries. The benefits of the success of such a program would be twofold: First, to further the friendship already enjoyed by the Republic of China and the United States, and second, to demonstrate that mutual cooperation between countries in a nonpolitical and nonmilitaristic manner can provide profits for both parties. The possibiilty of achieving such success should be cause alone for serious consideration of Dr. Mill's proposal.

At this time I include in the RECORD portions of Dr. Mill's article, "Southeast Asia: Trends and Portents in the 1970's"

and his proposal to create the council on United States-Republic of China Relations:

SOUTHEAST ASIA: TRENDS AND PORTENTS FOR THE 1970's

(By Edward W. Mill)

I. THE BROAD SWEEP OF AFFAIRS IN 1972

Since the end of World War II, Southeast Asia has been a region of marked change both politically and economically. But it is doubtful that any of the changes that have taken place in the past quarter of a century will have been greater than those which may take place in the decade ahead. Both old and new forces at work in the region are likely to produce a Southeast Asia—with the possible exception of the Indochinese states—which may be more politically alert and independent and more economically astute and hopeful. To say this is not to suggest that there will not be difficult problems ahead. In the extreme, some of the countries of the region could even fall apart or come under the domination of more powerful neighbors. But acknowledging all the existing and possible future problems, there are still reasons for believing that Southeast Asia could make substantial strides ahead in this decade.

Southeast Asia, of course, operates in the larger context of all of Asia and the world. What it does, or does not do, must be related to the larger world community about it. The main powers, such as the People's Republic of China, Japan, the United States, the Soviet Union, and India, all have a stake in what happens in this region. Their interests both diverge and coincide, depending on the circumstances and the countries involved. For some months now, all of them have been reviewing and reconsidering their future relationships in the area. In no case is this more true than in the instance of the United States. But none of the big powers can write their own prescription for the future. The countries of Southeast Asia of today insist on being masters of their own destinies. They seek, are even eager, for cooperation with others, but not at the price of domination, whatever the source may be.

XI. CAN SOUTHEAST ASIA UNITE?

One of the most hopeful trends in Southeast Asia in the post-war period has been the growth of regional cooperation. The nations of the region have sought to band together in various cultural, economic, and political organizations. One regional grouping, SEATO, has provided some military cooperation.

A major weakness of this cooperation has been its spotty and varied membership. Where countries like the Philippines and Thailand early pushed for regional cooperation, Indonesia and Malaysia stood to the side, with Sukarno often berating such efforts. With the coming to power of the Suharto group in 1965, Indonesia switched course drastically and began to join with its neighbors in efforts toward meaningful cooperation. The formation of the Association of Southeast Asian States (ASEAN) in 1967, with Indonesia and Malaysia both joining in the founding, provided a significant enlargement of cooperation in the region. This trend is continuing in numerous forms in Southeast Asia.

No account of the progress in regional cooperation can fail to acknowledge that much of the activity is as yet in its infancy and that there is often a large premium on rhetoric and too little on action. Any really significant association may be several decades away. However, this is a time of great readjustment and new thinking in Southeast Asia, and some bold, new proposals for wider, all-embracing cooperation may be timely. Perhaps Indonesia may sense the opportunity and provide the leadership Southeast Asia needs.

A PROPOSED 10-POINT PROGRAM

Throughout these pages, references have been made to United States interests and activities in Southeast Asia. In concluding this article, an effort will be made to summarize some of the points discussed above as well as to suggest some others of possible importance. This will be done through the framework of a possible ten-point program of policy and action for the United States in this region. The list will be far from all-inclusive, but it may provide some core thoughts for consideration and discussion. Herewith, the program:

(1) In the wake of the Vietnam conflict, to adhere to the basic Nixon Doctrine concept of non-involvement in the military affairs of Southeast Asia, while maintaining our treaty commitments in the region, particularly to Thailand and the Philippines.

(2) Continue and expand our program of economic and technical assistance to Southeast Asia. Such assistance is only a fraction of the costs of military involvement.

The specific Mekong River Project, involving Thailand, Vietnam, Cambodia (Khmer Republic), and Laos, should be given major American help.

(3) Encourage Indonesia, with its great potential, to play an increasingly active role of leadership in Southeast Asia.

(4) Continue to make efforts to improve United States relations with China and the Soviet Union while being under no illusion that these efforts are going to be rewarded with great results in the near future.

(5) Work closely with Japan in fostering economic ties in the region, in a manner acceptable to the states therein.

(6) Encourage greater participation by the United Nations, and its specialized agencies, in the economic and social affairs of the region.

(7) Encourage the greater spread of education, through programs of bilateral and multilateral assistance. Much emphasis should be placed on vocational education, and education at the elementary and secondary levels.

(8) Expand the programs of student and faculty exchange with the United States.

(9) Encourage the expansion of American private investment in Southeast Asia, this investment to be a thoughtful one, with personnel attuned to the national feelings, sensitivities, and culture of the people, and willing to develop some language competence. Continued national safeguards should be sought for American business.

(10) Propose for consideration the formation of a Federation of Southeast Asia, having political, economic, and social powers beyond any existing arrangement in the region, the goal for consummation of the idea being 1980, or sooner.

Such is a possible ten-point program. Obviously, each such point is susceptible of a more expanded treatment. But they may provide some guidelines for assessing the future of Southeast Asia and for the role that the United States may play in that future.

Today's Southeast Asia clearly has serious problems. Tomorrow's Southeast Asia will also have its difficulties. But new tides are running in the region, and the opportunities for political and economic and social development are great. Hopefully, the United States will choose to join with Southeast Asia in a positive way to help chart a successful future for the region.

THE COUNCIL ON UNITED STATES-REPUBLIC OF CHINA (TAIWAN) RELATIONS—A PROPOSAL

For almost a quarter of a century, the Republic of China on Taiwan, and its offshore islands of Kinmen (Quemoy) and Matsu, have maintained an independent existence. Despite the severe tensions and hostile relationship with nearby mainland China, the Republic has steadily gained in strength, particularly in the economic field. Today in Asia, it ranks only after Japan in its standard of living. In its fifteen million people, it has a resource rich in talent, experience, and determination.

In the world community, the Republic of China has had to learn to live with both defeat and triumph. In October 1971, the Republic was unseated from its place in the United Nations by mainland China. This was a severe blow, but in the months since that time Taipei has shown a remarkable resiliency. It has aggressively sought to strengthen its bi-lateral relationships with individual nations and to continue to participate in various regional organizations in Asia such as the Asian Development Bank and the Asian and Pacific Council (ASPAC). Its viability as an independent nation continues.

For the United States, the maintenance of the freedom and the development of the Republic of China have been important ingredients of its Asian policy. On February 9, 1955, the Senate of the United States approved a Mutual Security Treaty between the two countries. The economic relations of the two countries have also prospered. Most significant has been the determination of the Chinese to help themselves. In 1964, U.S. economic aid to the Republic ceased, making it a rather different case from that of many other countries still dependent on U.S. aid. In these and other ways, the relations of the two nations have become and are still close.

New relationships are obviously emerging in Asia these days, none of which is perhaps more spectacular than the efforts by the United States and the People's Republic of China to ameliorate old hostilities. In this situation, the exact nature of the future relationship between mainland China and Taiwan becomes unclear. But, acknowledging these important developments, and, in general, supporting the President's approaches to mainland China, it is the considered judgment of the proponents of this idea that ways and means should be sought to strengthen the independent Republic of China (Taiwan). One of the main means of achieving this, the authors feel, would be through the creation of a Council on United States-Taiwan Relations, composed equally of members from the United States and Taiwan. Some tentative thoughts on the nature, goals, means, financing, and administrative direction of the Council follow:

I. NATURE OF THE COUNCIL

The Council would be composed of an equal number of members from each country, perhaps twenty from each. For the United States, it is suggested that the membership be constituted as follows: 5 members from the House of Representatives; 2 from the Senate; 7 business leaders; and 6 from the academic, legal, and other professions. Presumably, the Chinese group would be formed in somewhat the same manner. All persons considered for membership should be persons of significant experience and knowledge of Asia. They would serve without compensation.

II. GOALS

The three main goals of the Council would be:

(1) To maintain and expand trade and other economic relationships.

(2) To encourage the educational progress of Taiwan.

(3) To stimulate a greater cultural awareness and appreciation between the two peoples. Support would be given to programs of cultural and educational exchange, and where possible, to the initiation of new programs.

In indirect ways, the Council might be of assistance in helping to encourage the development of new and more effective governmental institutions. To some extent, the approach of the Council should be along multi-disciplinary lines, with professional insights from both U.S. and Chinese members contributing to an over-all picture of the problems and opportunities of Taiwan.

III. MEANS OF ACHIEVING THE GOALS

(1) The convening at least twice a year, once in January and once in June, at one time in Washington and the next time in Taipei, of the full Council, to deliberate on the goals and policies of the organization and to formulate statements for public consumption.

(2) The establishment of an Executive Committee, composed of five members in each of the two countries, to act as an interim decision-making unit, subject to the general policy-making guidelines of the Council.

(3) The calling of conferences and the holding of forums on subjects of interest in the Chinese-American relationship, the participants to include both members of the Council and professionals and businessmen not members of the Council. Consideration should be given to holding a *Annual Conference on Taiwan*.

(4) The publication of statements on contemporary aspects of Chinese-American relations, designed to help mold an intelligent and balanced public opinion, and to influence the deliberations and activities of the appropriate Congressional committees and subcommittees, and such executive agencies as the Department of State and the U.S. Information Agency.

(5) The publication of scholarly monographs on Taiwan by academicians and other writers.

(6) The establishment of contacts and associations with various universities and colleges as well as with various business organizations and professonal groups, all designed to promote closer cooperation and understanding between Taiwan and the United States.

IV. FINANCING THE COUNCIL AND ITS WORK

No government financial support, either from the Government of the United States or that of the Republic of China, is contemplated. Funding will be sought from foundations and other private groups. Initial inquiries of a few foundations provide some grounds for optimism.

It is also contemplated that the Council will be incorporated as a non-profit corporation.

VI. ADMINISTRATIVE DIRECTION

In order for the Council to function effectively, it will be essential to have an Executive Secretary in each country, who will carry on his duties subject to the wishes of the Executive Committee (see previous mention in Part III, Section 2). He should be assisted by a secretary. These positions initially might be part-time but conceivably could become full-time positions as time goes along. A small office should be established, presumably in Washington. The Executive Secretary should be a person of high competence in the Asian field who subscribes wholeheartedly to the goals of the Council.

In sum, through the medium of an active Council on United States-Taiwan Relations, an important step can be taken to preserve and expand on our economic, cultural, and educational relations in East Asia. With malice toward none, we can, in our way, seek to expand on the frontiers of freedom in a way mutually beneficial to both the Republic of China and the United States of America.

TELEPHONE PRIVACY—XXX

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. ASPIN. Mr. Speaker, I reintroduced the telephone privacy bill on May 10, 1972, with a total of 48 cosponsors.

This bill would give individuals the right to indicate to the telephone company if they do not wish to be commercially solicited over the telephone. Commercial firms wanting to solicit business over the phone would then be required to obtain from the phone company a list of customers who opted for the commercial prohibition. The FCC would also be given the option of requiring the phone company, instead of supplying a list, to put an asterisk by the name of those individuals in the phone book who have chosen to invoke the commercial solicitation ban.

Those not covered by the legislation would be charities and other nonprofit groups, political candidates or organizations, and option polltakers. Also not covered would be debt collection agencies or any other individual or companies with whom the individual has an existing contract or debt.

I have received an enormous amount of correspondence on this legislation from all over the country. Today, I am placing a 28th sampling of these letters into the RECORD, since they describe far more vividly than I possibly could, the need for this legislation.

These letters follow—the names have been omitted:

MENDOTA, ILL., *July 16, 1972*.

Representative LES ASPIN,
House Office Building,
Washington, D.C.

DEAR SIR: I applaud your efforts in introducing the bill, HR-14884, in an effort to protect the privacy of a subscriber's telephone.

As soon as I detect the nature of a call that solicits business, I cut them off by stating that I do not accept such calls—but I already stopped whatever I was doing in order to answer a nusiance call. It is characteristic of such calls that they frequently come at meal time when most people are at home. It is also the time that I want such calls the least!

I have long contended that a service for which we pay should be ours to enjoy; and I urge the passage of this bill.

Yours truly,

——— ———.

VILLA PARK, ILL., *July 18, 1972*.

DEAR SIR: I'm interested in seeing Bill H.R. 14884 passed. Nuisance phone calls can be mighty annoying.

——— ———.

NAPERVILLE, ILL., *July 16, 1972*.

Hon. LES ASPIN,
House Office Building,
Washington, D.C.

DEAR SIRS: May I join the list of supporters urging the passage of your bill, H.R. 14884, concerning telephone solicitors?

These annoying telephone calls come with such frequency that they are indeed one of the greatest nuisances a homeowner experiences. It is indeed a shame that so many people secure unlisted telephone numbers for that reason alone. Unlisted numbers cause a great deal of inconvenience to the holder but the privacy and the lack of interruption and inconvenience is well worth it.

Best wishes for the passage of your bill.

Sincerely,

——— ———.

DOWNERS GROVE, ILL., *July 17, 1972*.

U.S. Representative LES ASPIN,
House Office Building,
Washington, D.C.

DEAR SIR: It has come to my attention that you and Rep. Harley Staggers are sponsoring a bill, H.R. 14884. I am very much in agreement with this bill and would like to see it passed.

It is such an invasion of privacy to be constantly interrupted by telephone salesmen.

Yours very truly,

——— ———.

CHICAGO, ILL., *July 14, 1972*.

Hon. LES ASPIN,
Washington, D.C.

DEAR SIR: Please do all in your power to put H.R. 14884 on the books. This bill refers to phone solicitation. Hardly a day passes without at least one call from some potential swindler who wants to sell real estate, home improvements, landscaping, furniture, etc., etc. I am retired and alone a good part of the day and have a hobby which necessitates spending much time in the basement of my home. When these unwanted calls come I must dash up the stairs to answer the phone. Calls from these usually "fly by night" operators are an infringement on my civil rights. Another source of irritation is the huge amount of "junk mail" the costs of which must be born, in part, by first class mailers such as myself.

Yours truly,

——— ———.

CRYSTAL LAKE, ILL., *July 17, 1972*.

DEAR REPRESENTATIVE ASPIN: My thanks to you for introducing bill HR-14884.

We moved to Crystal Lake, Illinois just two months ago and in that short time have received countless calls from solicitors. Calls to buy carpets, land, *magazines*; to join clubs and churches, and many asking for donations. Most of the calls come at the busiest times of the day for us; usually just as we sit down for supper. These calls are a nuisance and as invasion of privacy.

I was so happy to read that someone was working on this problem. You have the support of this family and I'm sure many others, for I can't imagine anyone enjoying these phone calls.

Thank you.

——— ———.

INADEQUATE PUBLIC BROADCASTING BILL BETTER THAN NONE

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. MACDONALD of Massachusetts. Mr. Speaker, it is with easily restrained enthusiasm that I rise to support a bill designed to breathe some life, if only a little, into noncommercial, educational broadcasting, for the next year.

This bill is short and simple; it calls for Federal funding, in fiscal year 1973, in the amount of $45 million, for the Corporation for Public Broadcasting. It also calls for a badly needed increase in the appropriations for technical facilities at the local stations that broadcast television and radio programs on educational channels, from current levels in the $15 million range, to $25 million.

This is a far cry from the bipartisan bill that passed this House in June and then was passed by the Senate in identical form. That bill called for 2-year funding instead of 1, at a substantially higher level; it called for representation on the CPB Board by station representatives, and it called for other safeguards to insure that public broadcasting would have a fair chance to fulfill the mission this Congress assigned to it when we passed the Public Broadcasting Act of 1967.

However, as you know, the President vetoed that bill just before the July 4th recess, and we are reduced to getting this modest—and incidentally inadequate—funding for public broadcasting for the coming year, or getting no bill at all.

It is not my desire to take up the valuable time of the House by rehashing the arguments that occupied so much of our time and energy during long hours in my subcommittee, in the full Interstate and Foreign Commerce Committee, and on the floor of the House.

Needless to say, I have not retreated from the position that I held then. Stated in its simplest fashion, I believe that the people to whom we have entrusted public broadcasting over the past 5 years have done a good job in upgrading it from a group of weak, disjointed stations with virtually no audience to a viable medium that offered the American public a choice in their viewing and listening.

That progress, which was proceeding in a sturdy, healthy way until this roadblock in the form of a presidential veto was thrown up requires some assurance of operating funds for the years ahead. Since 1967, the Congress has been assured by successive administrations that a plan for long-range funding of public broadcasting would be forthcoming. This type of funding is not only needed so that important programs which require 2 or 3 years lead-time can be undertaken; it is urgently needed if we are to achieve the kind of insulation from governmental pressure that the original act envisaged, encouraged and legally prevented.

If we needed an illustration of how that pressure can be applied in order to reduce public broadcasting to a frightened, unsure, bland medium, we have only to look at the record of the last 8 months. The Director of the White House's Office of Telecommunications Policy was sent on a speaking tour to warn public television people against the use of national programing, particularly in the area of public affairs. I repeat "public affairs" not news, because everyone understands that public television broadcasting news has no ambitions to compete with Cronkite or Chancellor or Howard K. Smith, but serious examination of the issues facing this country, using the essential tool of national television that commercial TV cannot use, which is prime time exposure. Public television has done a good job along this line, despite the dire predictions of those to whom the very mention of certain so-called liberal commentators' names was like waving red flags or the ringing of bells in front of Pavlovian-type trained bulls. For the most part, public affairs presentations have been fair and balanced; and where they may have failed to present some particular point of view with the weight some critics want, it was not for the lack of their trying to do so.

I will continue to oppose, as strenuously as I know how, the naked pressure that the Office of Telecommunications Policy puts on public television by implicit or direct threats, promises or divisive tactics. I resent their attempts to weaken public broadcasting by false labels like "localism" when they know that we all want the local voices of noncommercial, educational broadcasting to be strong. We must also face up to the reality that they can only be strong if they can also present compelling national programs on their schedules that local personnel want to be aired but lack the funds to produce.

Just as we will be watching the Office of Telecommunications Policy to make sure that they do not step further out of line by trying to tell public television what they should or should not put on the air, we will be watching with equal diligence the performance of the Corporation for Public Broadcasting, the Public Broadcasting Service and the local stations. None of these entities are created or licensed to serve a partisan political purpose, either. Their use of public funds for public purposes will be scrutinized by the Congress, which is our responsibility. I know well we exercise that responsibility responsibly, meaning that I hope we do not try to intimidate creative people who need encouragement instead of threats if they are going to give us superior television and radio programs which are the reason for their existence. Therefore I am still waiting for the Office of Telecommunications Policy to make good on its many promises to submit a plan for long-range financing to the Congress by the end of this calendar year. And I challenge the public broadcasters to give us more programs of the caliber of Sesame Street and Masterpiece Theater, so we can finally convince the doubters that we are capable of making room in our outstanding, free broadcasting system for educational, cultural and public affairs programing that will keep television stimulating instead of boring, involved instead of escapist, and truly educational instead of time wasting and enervating.

With all these reservations, I still urge you to pass this bill, which will at least provide public broadcasting enough money to keep up with inflation, as well as letting them get on with the job of producing, and exhibiting superior television fare.

WOLFF'S NEWSLETTER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. WOLFF. Mr. Speaker, periodically I send a report to my constituents to inform them of my activities here in Washington as their representative. At this point in the RECORD I include the text of my most recent newsletter:

NEWSLETTER

DEAR FRIEND AND CONSTITUENT: Confronted with runaway costs and staggering budget deficits, NY State has had to curtail services and programs, NYC is near bankruptcy and Nassau County must opt to either cut services or raise taxes. This is the typical dilemma today in our cities and suburbs across the nation.

Rising welfare costs, widespread inflation and unemployment, the war, demands for increased services and, yes, waste and padded payrolls, all contribute to the rising cost of government—and, adding to the acute problem is the narrow tax base upon which our communities must determine their local revenues.

One answer is to cut out excess spending; another is to effect welfare reform that will see to the needs of the indigent and dependent children but not to those who do not want to work. I believe the federal government should assume all welfare costs—this is a federal problem, not one to be borne by the cities and suburbs. The welfare problem, as it exists now, is created by these states and communities which, by failing to take care of their own, precipitate the influx of welfare cases to us.

Until such time as the federal government does assume full welfare responsibility, an alternative has been effected to secure federal aid for localities. The Administration advanced a Revenue Sharing plan whereby each community would receive federal funds based on population. This plan, however, did not take into consideration community needs or already existing local tax burdens.

Therefore, late in 1971, Rep. Hugh Carey and I introduced our Revenue Sharing bill, HR8762, that was to become the backbone of the Fiscal Assistance Act of 1972, as introduced by Rep. Wilbur Mills, Chairman of the House Ways and Means Committee. This bill, passed by the House and awaiting Senate action, appropriates nearly $30 billion over a 5-year period to state and local governments and stipulates distribution according to population, degree of urbanization, community need, local tax revenues and per capita income. (Table shows sample distribution of funds).

I am proud to be an original sponsor of this landmark "tax reform" bill, for it is my sincere opinion that this type of Revenue sharing will work. I am satisfied that, under its provisions, our states and localities will be afforded the long awaited "no strings attached" opportunity to meet individual community needs, without depending to a greater extent on already outmoded property and sales taxes.

While Revenue Sharing is certainly not the total answer to the tax dollar ills that today beset our states and communities, it *is* a new beginning.

Sincerely,

LESTER L. WOLFF,
Member of Congress.

THE $$ FLOW*

State of New York	$317,000,000
City of New York	158,800,000
Nassau County	16,600,000
North Hempstead	1,000,000
Village of Mineola	200,000
Great Neck Estates	21,000

* Estimated amounts.

ENVIRONMENT

As part of my ongoing efforts to upgrade our environment, I am working closely with the Environmental Action Coalition to expand its Trash is Cash recycling program in Queens. Recycling, as you know, is a major solution to our mounting waste disposal crisis and I am gratified to have been able to help secure the $32,000 federal grant (HEW) that funds your EAC.

Concerned non-profit community groups and school organizations are being asked to participate by seeking out new sites and volunteers for the collection and processing of materials. EAC provides supplies. Currently, discarded glass, newspapers, aluminum and all steel cans may be brought to any of the following community collection centers:

Glen Oaks—Garage Reclamation Center,

70-45 260th St., glass, cans, Saturdays, 10 a.m. to 2 p.m.

Fresh Meadows—Environmental Project 1, 67-10 192nd St., cans, glass, paper, Saturdays, 10 a.m. to 2 p.m.

Flushing—Francis Lewis High School, 58-20 Utopia Pkwy, newspapers, Thursdays, noon to 4 p.m.

Flushing—St. Melvin's School, 154-24 26th Ave., aluminum cans, Saturdays, 10 a. m. to 2 p.m.

Flushing—First United Methodist Church, 149th St. and Roosevelt Ave., glass, aluminum cans, papers, second Saturday of each month, 9 a.m. to noon.

AID TO EDUCATION

Today, as never before, the middle income family bears the brunt of the great economic crisis facing our higher education institutions. While the deserving needy are granted scholarships and the wealthy provide for themselves, it is the middle income family that often is without the resources to finance their children's college education.

The newly enacted Higher Education Bill, which I supported as I have all other aid-to-education legislation since I was first elected to the Congress in 1964, will provide long overdue assistance to our colleges and universities. It is the aim of this bill to enable these institutions to cope with rising program costs without placing further burden on the middle income family.

SOCIAL SECURITY

Social Security payment checks this month will reflect the 20 percent across-the-board increase recently approved by the Congress to help our millions of older Americans meet today's higher cost-of-living expenses.

The increase means the average monthly retirement benefit for an individual will rise to approximately $168 and the average retirement benefit for a married couple will go up from $223 to approximately $267. Those persons who receive maximum benefits also will receive the 20 percent increase.

The economic position of the aging has long been of primary concern to me for I know full well that inflation affects the purchasing power of those living on fixed incomes more adversely than it does any other income group. This new Social Security increase, which I strongly supported and voted for, was initiated as a measure of assistance to offset the rising costs of essential items—rent, nutritional food and medical care.

NEW VET HOSPITAL FACILITY GAINS IMPETUS

As the downstate NY member of the Subcommittee on Hospitals of the House Committee on Veterans' Affairs, I have been concerned for some time with the glaring lack of adequate medical care facilities for veterans in the counties of Nassau and Queens. A new hospital is needed—and attempts have made stops at Fort Totten in Bayside where for our nation's former and returning servicemen.

Recently, at my request, my colleagues on the Subcommittee, joined me in a tour of the metropolitan area's VA facilities and met with our local veterans organizations to determine how and where increased services could be implemented.

On our official tour we visited the Bronx and Brooklyn VA hospitals where we spoke at-length with patients and personnel about the conditions in these facilities. We also made stops at Fort Totten in Bayside where we discussed the possibility of adding veterans nursing care facilities at St. Alban's Naval Hospital.

As the result, the Subcommittee is taking steps to pursue the establishment of a new facility to serve the Queens and Nassau area. While there is no doubt that VA services here must be increased, the Congressional committee can only recommend and authorize new construction; by law, it is up to the Administration to approve appropriations.

I have recommended to the Subcommittee that the 300-400 bed excess now at St. Alban's be turned over to the VA, on a contract basis, for use in the care of Queens and Nassau veterans. I anticipate early action on this proposal.

A BILL OF RIGHTS FOR POLICEMEN

As co-sponsor of the Law Enforcement Officers Act, an innovative "Bill of Rights" for policemen, I have urged the Congress to give prompt approval of this legislation to afford police officers the same rights and privileges as other citizens.

For example, in certain areas policemen, if arrested, may be jailed and denied their right to immediate legal counsel. Obviously, this second-class treatment of our law enforcement officers is an injustice and must be corrected. If we are to expect the right protection from our policemen, they are entitled to the same rights and considerations as the rest of society.

THE TENANT

A great deal has been said about the need to reform our entire system of taxation to equalize the burden among persons at all income levels and to eliminate discriminatory features. Homewoners already are afforded some consideration, yet little emphasis has been placed on one glaring inequity in the present system of property taxation—that of the tenant who is not permitted to take any tax deduction for his rent, even though it includes a proportion of the property tax passed on as rent by the landlord.

I introduced legislation in the House of Representatives this past month to remedy this unfair situation. My bill, HR 15378, would amend the Internal Revenue Code of 1954 to allow a flat deduction of 25 percent of rent on federal income tax returns for persons who rent their principal residence. It is my hope that the Congress will act swiftly on this legislation to ease the tax burden of the tenant.

CRIME

Crime continues to plague our communities at unprecedented levels. While efforts are being maximized to stem the incidence of unlawful acts, little has been done to aid the innocent victims of crime—the people who really have to pay.

Since government has been unable, or unwilling, to afford its citizenry adequate protection against the criminal, Rep. Claude Pepper and I have introduced legislation to provide a tax deduction, up to $300 annually, to cover the cost of installing crime prevention equipment, including locks, burglar alarms and other warning devices. Thus, added incentive would be given the apartment dweller, homeowner and businessman who cannot afford these methods of crime prevention to better protect himself and his family.

Additionally, this bill, HR 14805, would provide tax relief for theft losses and related medical expenses by permitting the aggrieved individual to deduct from his federal income tax the amount of the loss and all expenses incurred for injury sustained in the commission of a crime.

My concern with crime is not new. I am the co-sponsor of legislation which created the House Select Committee on Crime and I supported the enactment of the Safe Street Act of 1968. I am now equally hopeful that my proposal to aid the victims of crime will meet with similar Congressional action and approval.

THE DISABLED

There are 22 million disabled persons in our country, who, as members of the tax paying public, pay their share to help subsidize our public transportation systems. However, because of barriers, such as the lack of ramps for wheelchairs, public transportation is rendered virtually useless for the disabled who are forced to rely on special vehicles to travel to work and engage in other essential daily activities.

To overcome this unjust obstacle confronting the disabled, I have introduced legislation, HR 15255, which will permit the disabled and the handicapped to deduct from their federal income tax the annual cost of such necessary transportation. I believe it is high time that the problems and needs of our disabled be given their just priority in our tax system.

NEWS BULLETIN OF THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. WHITEHURST. Mr. Speaker, I am inserting in the RECORD the July 31, 1972, edition of the news bulletin of the American Revolution Bicentennial Commission I take this action to help my colleagues be informed of developments across the country leading to the commemoration of the Nation's 200th anniversary in 1976. The bulletin is compiled and written by the staff of the ARBC communications committee of which I am vice chairman. The bulletin follows:

BICENTENNIAL BULLETIN OF THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION

The ARBC will testify at Senate Hearings, August 1 and 2, before the Senate Judiciary Subcommittee on Federal Charters, Holidays and Celebrations, chaired by Senator Roman Hruska (Nebraska).

The ARBC Executive Committee on July 24th took favorable action on a Maritime Bicentennial proposal presented by Federal Maritime Commission Chairman Helen Delich Bentley. The concept would employ ships, either displays in themselves or containing exhibits by a variety of sponsors, that would circulate among a nationwide network of special exhibition piers prepared by participating port cities so that each city would have a continually changing array of ships on display throughout the program period. The supportive resolution passed by the ARBC encouraged the Federal Maritime Commission to develop a feasibility study and an action plan for the Maritime Bicentennial.

The ARBC announced on Friday, July 28th, that a contract has been awarded to the management consulting firm of Booz-Allen and Hamilton, Inc., to explore the feasibility of the Bicentennial parks concept initially proposed earlier this year.

Dr. Frank Angel, ARBC Commission member and President of New Mexico Highlands University, told newsmen in Las Vegas that although he is the only New Mexican on the Commission, he does not represent the state as such. Rather, he represents all Spanish-speaking Americans.

Vicky Nash has been named the new State Director for the Nevada ARBC. At a recent meeting in Carson City, Chairman Fred Gale said, The Bicentennial was designed to make Americans aware of where we've come from, where we are, and where we're going."

At a recent annual meeting, the American Legion's National Executive Committee authorized the expenditure of up to $125,000 from previously appropriated funds for the creation of a statue of Gen. John Pershing. The Statue would be placed in a memorial setting in Washington, D.C., as part of the Legion's participation in the Bicentennial.

"United States of America Bicentennial FOCUS 1976," published by the Daughters of the American Revolution is an excellent guidebook for Bicentennial planning. It is an invaluable tool for historical societies, schools, organizations and local Bicentennial commissions. The booklet contains suggestions for commemorative activities and projects, Bicentennial programs, study units and reference materials. Copies of FOCUS–1976 may be secured from the Corresponding Secretary General, NSDAR Administration Building, 1776 D Street, N.W., Washington, D.C. 20006. Price per copy: $1.00 per copy. Make checks payable to the Treasurer General.

Princeton University will publish a biographical dictionary in 1976. The volume will detail Princeton graduates' contributions to American life in the 30 years prior to the Revolutionary War and will cover the lives of more than the 900 men who attended the University from 1747–1776.

Gov. Kenneth M. Curtis has named a 12-man panel to the Maine State ARBC to serve with the seven members of the state Commission. One of the first tasks of the Commission will be to canvas the State and determine what interests there are in designing local Bicentennial events.

A six-cent postal card in honor of John Hanson, a Maryland delegate to the Continental Congress, will be issued by the Postal Service at Baltimore September 1 as part of commemoration of the Bicentennial of the American Revolution. Hanson was the first delegate elected to head the Congress and is sometimes considered the first President. However, provision for an executive of the Nation was not made until the Constitution was ratified. Therefore, historians recognized George Washington as the first President of the United States.

The Dallas City Opera is seeking funds for the commissioning of a new opera from a distinguished American composer for the Bicentennial.

In Nebraska, a state Bicentennial Commission is getting underway. A nominating committee for selecting commission officers will meet July 28th. Marvin F. Kivett, Director, Nebraska Historical Society, has stated that $5,000 in state funding is available to supplement the $45,000 federal grant for the coming year to get the Nebraska program going.

Restoration of a north Florida mission, a Seminole Indian village in the Keys, and Tampa's Fort Foster, a base for American soldiers who fought the Seminoles, are planned by the Florida Bicentennial Commission to celebrate Florida's participation in the Nation's 200th anniversary in 1976.

President Nixon's Bicentennial Coordination Center for the District of Columbia has started a year-long Bicentennial Transit Study to be completed in July, 1973. Using funds included in an April, 1972, federal grant of $3.1 million to the Metropolitan Washington Council of Governments, the study will identify metropolitan area transit requirements for the Bicentennial years and make recommendations for their permanent implementation. The Bicentennial Coordination Center, Metropolitan Council of Governments and Washington Metropolitan Area Transit Authority (Metro) share responsibility for the effort. (Originally, the Bulletin reported that the District of Columbia government made this announcement, when in fact it was the Coordination Center.)

IN MEMORY OF FRED S. ROYSTER OF HENDERSON, N.C.

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. FOUNTAIN. Mr. Speaker, on June 3 of this year, North Carolina and the Nation lost much, in the passing of Mr. Fred S. Royster of Henderson, N.C., a distinguished citizen of towering stature.

Mr. Royster, with whom I had served in the North Carolina State Senate, one who I was proud to call friend, was rightly known as "Mr. Tobacco" because of his countless contributions to the tobacco industry.

He was an articulate, wise, and respected spokesman for tobacco, a commodity of prime importance to America since the first colonists landed on the shores of the new world.

Recently, the Bright Belt Warehouse Association, in convention assembled at Nags Head, N.C., unanimously adopted a resolution in memory of Mr. Royster. I think it is most appropriate that this resolution become a part of the permanent record of the Congress as another kind of memorial to the many public services of Mr. Royster.

The text of the resolution is as follows:

RESOLUTION IN MEMORY OF FRED S. ROYSTER

Whereas, on the third day of June 1972, God the Father of Mankind, in the exercise of his Almighty Power and of his Unsearchable Wisdom, took from us our respected and beloved leader, Fred S. Royster;

Now therefore be it resolved: That we deem it right and proper for us, for our own satisfaction and for the record and for the future uplift of our successor generations, to express the sorrow which we feel at this loss and the appraisal which we make of his career.

Fred S. Royster was a man on whom had been bestowed many talents, notably quickness of mind, a capacity to reason logically, a wisdom to arrive at sound conclusions, a courage to declare such conclusions and to stand by them, a genial and warming personality, and a lucidity of speech which was convincing and moving and which at times reached superb oratorical heights.

Those talents made Fred Royster exceedingly effective.

But Fred Royster was more than merely an effective man. He was a great man.

And what made him *great* was his complete dedication to the cause of the successful operation and defense of the Federal Agricultural Program of tobacco acreage control and price support.

Fred Royster was born and raised on a tobacco farm in Vance County, of which he was a part owner at the time of his death.

As a teenager he worked in the tobacco fields and barns and so helped in the support of his farming family.

As a mature man he was a producer of flue-cured tobacco for the remainder of his life.

In his early maturity he became an operator of a warehouse for the sale of tobacco at auction in Henderson, North Carolina.

In June 1945 he became a leading organizer of this tobacco auction warehouse trade association, the Bright Belt Warehouse Association. It embraced in its original membership practically all of the auction warehousemen selling flue-cured bright tobacco in Virginia, North Carolina, South Carolina, Georgia and Florida. For the next 27 years until the date of his death, that Warehouse Association continued to represent the great majority of those warehousemen.

For those 27 years Fred Royster, first as President and later as Managing Director, led this Association to its accomplishments. Those accomplishments are a matter of history.

Fred Royster passionately believed that the tobacco program, acreage control and price support, not only was of great benefit to farmers but also to the State and to the Nation.

He clearly saw that to achieve success, there should be made the utmost effort toward harmonious cooperative action by the 5 groups, the farmers, the warehousemen, the buyers, the Stabilization Corporation, and the Department of Agriculture of the United States of America. To secure such joint action was his first burning objective.

Throughout the 27 years of the operation of Bright Belt Warehouse Association, he made strenuous and outstanding efforts to establish and continually improve an operation that would confer the maximum benefit upon the farmers and impose the minimum burden upon the Government. The record of the past 27 years vividly portrays the success of those efforts.

But the Royster activity to meld the auction warehouse operation into a smooth unitary operation was only a part of his notable activities. His dedication covered the whole field of the tobacco programs, its operation and its defense.

As a founder and as a member of Tobacco Growers' Information Committee, he fought the battle against unfair attacks on tobacco.

As President and Chairman of the Board of the Tobacco Tax Council, he fought the fight against the discriminatory taxes on tobacco, against making tobacco the whipping boy of tax hungry legislative bodies.

As a participant in those organizations and as a farmer and as a citizen Fred Royster was alert, vocal and active in the defense of the tobacco support program and its retention.

Fred Royster was a firm believer in the *good* of tobacco and in the justification for a producer of tobacco to be proud of his accomplishments.

He insisted in meetings of warehousemen, in public gatherings, in state legislative assemblies and in the Halls of Congress, that in this world of human tension the enjoyment and relaxation to be gained through the moderate smoking of tobacco by the many outweighs the danger which might be threatened to the few who foolishly and willfully engage in excessive smoking. Among the Members of Congress he was called "the poet laureate of tobacco".

Fred S. Royster was the passionate, tireless, effective and *totally dedicated* spokesman for the farmers who grow tobacco.

That dedication made him great indeed.

Such greatness left its mark on all with whom he came into contact.

We will nourish his memory and pass it on to our successors.

Resolved further, that this Resolution be spread on the minutes of this Association, that a copy be sent to each of our members, that a copy be sent to the family of Fred S. Royster, that a copy be sent to the several tobacco organizations of which he was a member and with which he worked, and that a copy be furnished to the press.

(Adopted unanimously at the 28th Annual Convention of Bright Belt Warehouse Association, Inc. at Nags Head, North Carolina, on the evening of the 21st day of June 1972.)

THE SMALL BUSINESS COMMUNITY

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. STUBBLEFIELD. Mr. Speaker, the National Committee for Small Business Tax Reform, a committee of the National Small Business Association, has been waging a battle to help the small business sector of our country survive.

In the committee's efforts toward achieving meaningful tax reform for small business, it has enlisted the aid of 170 Members of this body who have either introduced, cosponsored, or supported tax reform for small business. Moreover, 28 Members of the U.S. Senate have so acted during this Congress.

I am proud to say that I, too, have sponsored legislation which will assist in preserving a competitive place in our free enterprise system for the small businessman. Mr. Speaker, many have discussed the underprivileged of this country during numerous hours of committee and floor time. However, small businessmen are in numbers alone the largest group of underprivileged in the United States who have suffered a neglect which appears to be almost by design.

Who are they, these second-class citizens? By our own official record they are—

Ten out of every 20 firms in the United States; American small business—11 million of them. They employ almost 50 percent of the private work force. Ninety-seven percent of them have less than 100 employees. Small businessmen, their employees, and their families equal 50 percent—one-half of our total population. They have had no favorable tax legislation since 1958.

Who are they? They are the ones who cannot accumulate capital, cannot adequately expand, have been plagued by concentration in industry after industry, have seen their profits decline over 50 percent in less than 20 years. These are the underprivileged and second-class citizens who have had no tax equalization or legislation in 14 years.

Because of the treatment small businessmen have received, profits for manufacturing corporations with assets under $1 million declined 44.8 percent between 1969 and 1970, and there was an additional decline of 3.9 percent between 1970 and 1971. Yet, manufacturing corporations with assets over $1 billion declined only 7.2 percent between 1969 and 1970, then increased 14.3 percent between 1970 and 1971.

The small business community has been further relegated to a second-class position by virtue of consolidation, amalgamation, and power. Witness: The 500 largest corporations account for 66 percent of all industrial sales, 75 percent of all industrial profits, 75 percent of all industrial employment, yet, over 189,000 small industrial firms account for less than 2 percent of industrial sales.

The small business community is the sole remaining factor that can put the United States back on its economic feet. Given proper tax treatment, small businesses can expand, reduce welfare rolls, and convert tax takers to taxpayers by increasing employment. I hope my remarks have helped to illustrate the need for consideration of the small business tax simplification and reform legislation. It will wipe out a particularly bad kind of discrimination in America.

GUN LEGISLATION

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. SCHMITZ. Mr. Speaker, once again the advocates of restricting the law-abiding American citizen's right to keep and bear arms are pushing hard for legislation to accomplish their goal. I have presented testimony on this important issue to the Judiciary Committee which has been considering this legislation, which will be included in the committee's hearing record. My testimony to the committee includes a statement by the National Association to Keep and Bear Arms which has gathered 1.5 million signatures nationwide on petitions for repeal of the 1968 Gun Control Act and in opposition to new gun control legislation. I urge your careful attention to this material, which follows:

STATEMENT OF REPRESENTATIVE JOHN G. SCHMITZ TO THE COMMITTEE ON THE JUDICIARY ON GUN LEGISLATION

Mr. Chairman and Members of the Committee, I would like to recall to your minds as forcibly as possible a saying you have heard many times, but whose impact may have been dulled through repetition to the point that you do not fully appreciate the strength of the argument it states.

It is this: When guns are outlawed, only outlaws will have guns.

Some slogans obscure the truth, while others clarify it. The familiar, punchy statement just quoted is an excellent example of a slogan that clarifies and points up a vitally important fact.

It should be obvious that a man intending to commit a crime with a gun is not likely to be deterred from doing so because it is also a crime to have a gun. He may be deterred if there is a much stiffer penalty upon conviction of a crime committed with a gun, and a reasonable prospect of his apprehension, conviction and the infliction of this stiffer penalty upon him. But he is not much more likely to worry about laws against illegal possession of a firearm in this situation than about accumulating parking tickets.

Nor will gun control laws prevent such a criminal from obtaining the weapon needed for his crime. If a gun is essential, he will obtain it outside the law; if not, he will use some other weapon, perhaps more bloody, but just as final.

His law-abiding victim, on the other hand, will be disarmed.

Our first line of defense against crime is our local police, just as our first line of defense against enemy attack are our national armed forces. But first lines of defense become much stronger and more effective when backed up by adequate reserves. Citizens capable of and willing to defend themselves are the reserves in the fight against crime. They make the task of the police easier and that of the criminal harder. Such citizens also give pause to foreign aggressors or homegrown would-be tyrants who might seek to deprive us of our liberties by force.

Yet the agitation for the forcible disarming of law-abiding American citizens never ceases, despite the explicit guarantee in the Constitution of their right to keep and bear arms. (Much is made of the fact that this provision of the Bill of Rights is introduced by a clause referring to militia. We are told that because we have no organized body today called a militia, this guarantee of our rights no longer applies. But a militia in essence simply consists of law-abiding citizens, still living at home, who are prepared to defend their country when necessary by force of arms. It does not always have to be established in organized units, but may remain a potential reserve available in time of crisis—*if* the right to keep and bear arms has been preserved.)

To take just one example of the kind of bill now before you, H.R. 8828 introduced by your Chairman would (1) require the registration of all firearms; (2) require the purchasers of firearms and ammunition to be licensed; (3) outlaw the possession of handguns by private individuals, with only a few execptions; (4) reinstate the record-keeping requirements on rifle and shotgun ammunition sales first imposed by the regrettable, hysteria-induced Gun Control Act of 1968 and wisely removed by Congress last year; (5) require the States to enact gunowner licensing laws or lose the revenue they receive from the Federal excise tax on sales of firearms and ammunition, which is now applied to State fish and game programs.

As the California Rifle and Pistol Association well said in its July 1971 newsletter, this bill, if enacted into law, would "accomplish about all that the gun abolitionists have hoped for except the outlawing of rifles and shotguns which will come later."

Such legislation must be unwaveringly resisted. The very last think we need, in a country so deeply threatened from both within and without as the United States is today, is to disarm its law-abiding citizens, leaving them helpless before any degenerate or destroyer who can get past our first lines of defense.

Now let's look at some very revealing statistics. Crimes committed with firearms have not been increasing relative to our population. For example, in 1930 (when very few gun controls existed in law) the national homicide rate with firearms was 5.7 per 100,000, while by 1968 the rate was 3.5 per 100,000—despite the fact that, as gun control advocates have been loudly proclaiming, there has been a substantial increase in the number of firearms in the United States.

States with tough anti-gun laws have not succeeded in taking guns out of the hands of criminals and in fact the statistics show that states which have enacted restrictive gun laws have experienced an increase in homicide rates. In New York, for example, where gun laws are very strict and private ownership of firearms has long been for all intents and purposes totally banned in New York City, the overall homicide rate has been steadily increasing, from 3.7 per 100,000 in 1960 to 6.5 per 100,000 in 1968. The homicide rate in New York City is now nearly two and one-half times the national average.

The National Association to Keep and Bear Arms, headquartered in Medford, Oregon, with chapters all over the country, has gathered no less than 1.5 *million* signatures from residents of all 50 of our States on petitions for repeal of the 1968 Gun Control Act and in opposition to new gun control legislation. They inform me that nearly everyone asked to sign these petitions did so. Following a very fine statement prepared by the National Association to Keep and Bear Arms for presentation to this committee, which I am happy to have the opportunity of bringing before you:

"Today we have more restrictive firearms regulations than ever before in the history of the United States; and today there are more crimes of violence (more in actual number, and more in proportion to the total population) than ever before. This is not coincidental; it is inevitable. Criminal violence against law-abiding citizens will always increase as citzens are reistricted in their right to defend themselves. A free man must have the unrestricted right to own and use personal firearms in defense of his family, his home and his own person against any marauder. If a man loses his right to free, lawful use of personal firearms, he loses his identity as a free agent in a civilized country. He becomes totally dependent upon centralized police authority for protection of his life, liberty and property.

"Former President John F. Kennedy said: "By calling attention to 'a well-regulated militia,' the security of the nation, and the right of each citizen to keep and bear arms, our founding fathers recognized the essential civilian nature of our country. Although it is extremely unlikely that the fears of political tyranny which gave rise to the Second Amendment will ever be a major danger to our nation, the amendment still remains an important declaration of our basic civilian-military relationships, in which every citizen must be ready to participate in the defense of his country. For that reason, I believe the Second Amendment will always be important."

"One interested group that will applaud H.R. 8828, or any other restrictive gun bill, if it becomes law, is the growing numbers of criminals who enjoy a special status in this land: they are excluded from such laws because they already operate outside the law. No doubt they are very enthusiastic about H.R. 8828 and similar bills.

"To those who seek firearms prohibition or any other type of firearms legislation, we must assert that the right of the people to keep and bear arms is still, indeed, the law of the land. Those who hold legislative responsibility must not subvert the law, for the law then becomes corrupt and of no force or effect except to bring about chaos. If the people are no longer to be trusted with the right to keep and bear arms, then the law should be changed by Constitutional amendment and not circumvented by devious means."

A BOOTSTRAPS PROGRAM FOR SMALL AEROSPACE SUBCONTRACTORS

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. HOSMER. Mr. Speaker, I am pleased to call the attention of our colleagues to an innovative program being cosponsored by the National Association of Aerospace Subcontractors and the California State University, Long Beach.

The program is called Project Sales-Gap and it is designed to help bring the academic resources and talents of the university into phase with those of the 5,600 small, high-technology firms in California specializing in aerospace products.

As this body is no doubt aware, the cutbacks in the aerospace industry have hurt many businesses, not only in California, the heart of the U.S. aerospace industry, but elsewhere across the Nation. This has been particularly true of the 22,000 small business in the country that subcontract on various aerospace programs.

To counter this trend and help these businesses expand their product base, the NAAS and California State University, Long Beach, have launched Project Sales-Gap. Their goal is to give these firms the diversity necessary to stay alive and continue their contributions to the Nation's economy and goals.

For several months now, I have been working with the officers of the NAAS in trying to identify sources of support for this program, which I consider to be not only worthwhile but vital to the continued health of the California economy.

While much ado is made of the plight of the aerospace giants—the prime contractors—I feel that the smaller, more vulnerable small businesses are too often overlooked.

So that the Congress can be aware of the efforts being made in California to develop this "bootstrap" program for small, aerospace subcontractors, I include in the RECORD at this point an article on the program from the Southern California Industrial News of July 17, 1972:

COOPERATIVE PROGRAM AIMS AT SMALL SUBCONTRACTOR RESCUE

A cooperative program to enlarge the business base of small, high-technology aerospace subcontractor into new markets while improving their usefulness to present aerospace customers, will be undertaken jointly by the California State University—Long Beach, and members of the National Association of Aerospace Subcontractors (NAAS).

The pact is said to be the first in the nation to enlist academic resources in the battle for survival of the small aerospace businesses.

Dr. Arthur Prell, dean, school of business administration of Cal State, said that substantial improvement in the business prospects of the subcontractors, now greatly depressed as a result of the decline in aerospace activities, was anticipated through Project "Sales-Gap."

Dr. Prell said that he is eager to have his faculty and students assist in solution of the business problems of the small high-technology firms.

"Most business schools and faculty have little interaction with the real world of industry problems," he said. "The business curricula of a university must reflect more of a businessman's attitude towards business problems," he said. In Dr. Prell's view, programs like Project "Sales-Gap", will speed these changes and help the university apply its combination of academic strength and student and faculty involvement in business problems that are part of the nationtal interest.

David B. Mulgrew, Jr., president of NAAS, welcomed the help of the university in the solution of survival problems of the small aerospace subcontractors.

"The 5,200 small high-technology aerospace subcontractors of Southern California are operating at 45 per cent of capacity. They are exiting from business at rates approaching 2 per cent per month, as their usual aerospace markets decline. These represent an average of 60–80 per cent of our members' business," said Mulgrew.

At this exit rate, the reservoir of small aerospace subcontractors could be depleted within five years, he forecast.

Mulgrew pointed out that the small firms lack vision, staff, finances, entree to new markets and capabilities in forecasting and planning, to carry them over the long haul.

"Without help, the small high-technology subcontractor will not identify new opportunities, nor attempt growth in new areas. He will increasingly fail. If this vital national resource does not survive, the nation will lose the small firms contribution to higher productivity and advanced technology," said Mulgrew.

The aerospace industry is becoming increasingly concerned over the plight of its small subcontractors.

Mulgrew pointed to the recent statement of William P. Gwinn, chairman of the board of United Aircraft Corporation, demonstrating fears by the prime manufacturers over the contraction of their subcontracting base. Said Gwinn, in Washington, May 16:

" 'We in the industry are becoming increasingly alarmed at the erosion of the valuable national resource represented by the small, highly skilled, specialized subcontractors serving us. A continued shrinkage of the subcontracting base is a grave threat to the country. It not only results in joblessness and a weakening of the economy, but it impairs the ability of the aerospace industry to respond in a defense emergency.

A base of reliable vendors, laboriously built up during prosperous years is not easily or quickly rebuilt if it is allowed to disintegrate.' "

Mulgrew said the 4800 small aerospace subcontractors in Los Angeles County, and the 400 in Orange County were 24 per cent of the nation's total of such firms. They employ 195,000 workers and support an additional 300,000 jobs. The group contributes $8.1 billion to the state gross product and generates state and federal tax income $2.25 billion yearly.

Mulgrew said that Project "Sales-Gap" would not emphasize make-work or modern day WPA techniques. Instead, technical advances and higher productivity of project participants would be spurred.

Forty NAAS member-firms will participate in the 12-month-long Phase One program to get underway July 15 at Cal State, with an all-day orientation workshop.

Procedures and results of the Project "Sales-Gap" program will be communicated throughout the aerospace industry through the members of NAAS' Industry Advisory Board, said Mulgrew.

THE HATCH ACT

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. BIAGGI. Mr. Speaker, the Federal judiciary has spoken. The constitutionality of the punitive Hatch Act has finally been called into question. Without waiting for further appeals, this Congress should act to repeal the Hatch Act and restore to millions of Americans their rights to participate in our political process.

This law was developed with good intentions. At a time when politics was vicious and partisans went to every extreme to gain victory, protection for the small numbers of Government workers was needed. In recent years, however, the Federal Government and those bureaucracies of the States and localities—which have similar provisions—brought millions of voters into their fold. At the same time, politics has mellowed and been controlled sufficiently to prevent the abuses so flagrant when the Hatch Act was first enacted.

This Congress has been regrettably unwilling to take up the issue of reform of the Hatch Act. I and several of my colleagues have introduced legislation to repeal these provisions. It is clear that those people whom the act was intended to protect are now most anxious to be free of its burdens. The National Association of Letter Carriers, which represents some 200,000 postal employees, must be lauded for its efforts in the recent court case. The association has acted where Congress has failed to do so.

Our entire system is dependent on good people getting involved in political dialog, running for office, working for the candidates of their choice and, in general, exercising their citizenship without restriction.

The Hatch Act and similar State and local laws have politically emasculated over 12 million Government workers. These are among the best educated and qualified people in the country. Yet they are not available to help elect responsible men and women to public office; their services are barred at the risk of losing their jobs.

With the Civil Rights and Voting Rights Acts of the 1960's and the recent constitutional amendment giving 18-, 19-, and 20-year-olds the right to vote, I see no reason to continue to refuse Government workers the right to participate in the political process. While they have the right to vote, they should also have the right to express their personal beliefs without interference, a right which is basic to the functioning of the American system. They should have that right restored to them in this Congress, in this election year. I hope, Mr. Speaker, that my colleagues will join me in seeking such reform.

HOUSE OF REPRESENTATIVES—*Thursday, August 3, 1972*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The eternal God is thy refuge and underneath are the everlasting arms.—Deuteronomy 33: 27.

O God, our Father, we humbly beseech Thee to purify our minds of all negative thoughts and with positive thinking prepare our souls to worship Thee in spirit and in truth. Set our affections on things above this moment and all the day long and give us grace to receive Thy word into honest and good hearts.

Guide us as we give ourselves to the service of our country. Grant that with faith and fortitude we may minister to all our people, particularly to the needy. May we continue to work to release the captives and to set at liberty those who are oppressed.

Make us sensible of our union with one another as Thy children that we may strive wisely to order all things according to Thy will.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 489. An act to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Modoc Point unit of the Klamath Indian irrigation project, Oregon.

The message also announced that the Senate had passed with amendment in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 15495. An act to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15495) entitled "An act to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mr. CANNON, Mr. MCINTYRE, Mrs. SMITH, Mr. THURMOND, Mr. TOWER, and Mr. DOMINICK to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 247 An act for the relief of Albert G. Feller and Flora Feller.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6957) entitled "An act to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2969. An act to declare title to certain Federal lands in the State of Oregon to be in the United States in trust for the use and benefit of the Confederated Tribes of the Warm Springs Reservation of Oregon; and

S. 3157. An act to promote maximum Indian participation in the government of the Indian people by providing for the full participation of Indian tribes in certain programs and services conducted by the Federal Government for Indians and by encouraging the development of the human resources of the Indian people, and for other purposes.

The message also announced that the Vice President, pursuant to Senate Concurrent Resolution 63, 92d Congress, appointed Mr. CANNON to the joint committee to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect on the 20th day of January 1973 in lieu of Mr. JORDAN of North Carolina, resigned.

APPOINTMENT OF CONFEREES ON H.R. 15495, MILITARY PROCUREMENT AUTHORIZATION, 1973

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? The Chair hears none, and appoints the following conferees: Messrs. HÉBERT, PRICE of Illinois, FISHER, BENNETT, BYRNE of Pennsylvania, STRATTON, ARENDS, O'KONSKI, BRAY, BOB WILSON, and GUBSER.

PRESIDENT'S DECREE TO LIMIT EXPORTS OF NONSTRATEGIC MATERIALS

(Mr. SMITH of Iowa asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SMITH of Iowa. Mr. Speaker, I was shocked beyond belief this morning to find that on yesterday, the President of the United States issued an Executive Order or decree No. 11677 vesting in himself authority to limit exports of nonstrategic materials and imposing a fine of up to $10,000 upon those who violate his own decree. In this case, the President is acting as a legislator establishing a law, he is the Executive enforcing the law, and he acts as the judge to determine who violated the law.

The administration has limited exports of hides under a law which expired Tuesday night. The Commerce Department estimates that the production of cattle hides this year will be more than double the domestic demand. Article 1, section 9 of the U.S. Constitution forbids export taxes even under a law passed by Congress. A limitation on exports of a material like hides, the supply of which exceeds our demand by more than 100 percent, is even more severe than a tax. Yet, the President is by decree doing what is even questionable that the Congress can do by law.

I know the President is a busy man and I want to believe that he did not realize the consequences of this action. It is a far reaching violation of our concept of government and I hope President Nixon will immediately call to task those who laid his order before him and I hope the Congress will look into this matter quickly and before government by decree in the United States goes any further, if that is possible. This, in my opinion, is the most outrageous extensions of Executive power that I have ever seen and I think it is a matter which rates top attention both by the Congress and by individuals who are interested in preserving individual rights in this country.

"DEMOCRACY" IN SOUTH VIETNAM

(Mr. DOW asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. DOW. Mr. Speaker, CBS News reported yesterday that South Vietnam's President Thieu will issue a decree late this week requiring every publisher in South Vietnam to deposit nearly half a million dollars in the state-owned bank for the privilege of continuing to print a newspaper. In addition, each newspaper will need to pay up to $150,000 deposit on its printing facilities, according to the report.

My office called the State Department this morning and the South Vietnamese desk confirmed that such a move is under consideration by the South Vietnamese Government, although they felt the amount of the deposit would not be as high as indicated in the report. Whatever the amount, it is clear to me that this move is intended to intimidate, harass, and destroy the operation of the press in South Vietnam. If President Thieu's machinations during the recent election were not enough to convince people that "democracy" is an unknown word in South Vietnam, then perhaps this blatant attempt to destroy the press of Vietnam will convince them.

PENNSYLVANIA RAILROAD'S VOLUNTARY RELIEF DEPARTMENT SHOULD BE INVESTIGATED BY CONGRESSIONAL COMMITTEE

(Mr. LONG of Maryland asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. LONG of Maryland. Mr. Speaker, I rise to report one of the most shocking gyps that I have encountered in my 10 years in Congress.

For 50 years one of my constituents, a former Pennsylvania Railroad employee, made payments averaging $3.08 monthly to the Pennsylvania Railroad Voluntary Relief Department—altogether $1,542—for a $1,250 life insurance policy. On July 20, he received a letter informing him that, effective immediately, neither he nor his daughters would receive any benefits, and giving as the reason "the serious financial situation" of the voluntary relief department and of the Penn Central. They will not refund his $1,542. He is 72. He has no other insurance. He is among about 500 people being cut off from the death benefits, to save about $100,000.

Penn Central is a company with assets of many billions of dollars. A few years ago financial adventurers took over the company—paid themselves salaries of up to $225,000 a year, squandered company reserves, and invested pension funds in enterprises owned by their chief financial officer, his relatives and friends—and ran the company into bankruptcy. Eighteen months ago Congress gave Penn Central a $100 million loan guarantee—which a Congressman aptly described as a "hand-wringing operation"—one which I am glad to say I voted against.

I am asking for a congressional investigation into the gypping of 500 old people. Five questions should be asked:

First. Why did the trustees in the bankruptcy, including Willard Wirtz, approve this heartless act?

Second. Why were these insurance funds not kept actuarially sound so that they would not be dragged down by the bankruptcy?

Third. Why were pension funds allowed to be invested by the chief financial officer in enterprises controlled by his family, his relatives, and his friends?

Fourth. Why should Congress not withhold further Federal subsidies to the Penn Central Railroad until justice is done for these 500 old people?

Fifth. Why was this cancellation announced in such a barbaric manner? Monthly payments were still being collected from Mr. Miller, my constituent, just days before the letter was sent out announcing his death benefits would be cut off—not even a refund of his $3.75.

PRINTING AS A HOUSE DOCUMENT JOINT REPORT TO THE HOUSE OF REPRESENTATIVES BY THE MAJORITY AND MINORITY LEADERS ON THEIR RECENT MISSION TO THE PEOPLE'S REPUBLIC OF CHINA

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-1284) on the resolution (H. Res. 1070), providing for printing as a House document the joint report to the House of Representatives by the majority and minority leaders on their recent mission to the People's Republic of China, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1070

Resolved, That there be printed as a House document the joint report to the House of Representatives by Majority Leader Hale Boggs and Minority Leader Gerald R. Fords on their mission to the People's Republic of China from June 23, 1972, to July 7, 1972, entitled "Impressions of the New China".

AMENDMENT OFFERED BY MR. BRADEMAS

Mr. BRADEMAS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BRADEMAS: Page 1, line 3, after "R.", strike "Fords" and insert "Ford".

The amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING AND BINDING OF REVISED EDITION OF SENATE PROCEDURE

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-1285) on the Senate joint resolution (S.J. Res. 254) to authorize the printing and binding of a revised edition of Senate procedure and providing the same shall be subject to copyright by the author, and ask for immediate consideration of the Senate joint resolution.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 254

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be printed and bound for the use of the Senate one thousand five hundred copies of a revised edition of Senate Procedure (originally prepared by Charles L. Watkins and Floyd M. Riddick), to be prepared by Floyd M. Riddick, Parliamentarian of the United States Senate, to be printed under the supervision of the author and to be distributed to the Members of the Senate.

SEC. 2. That notwithstanding any provision of the copyright laws and regulations with respect to publications in the public domain, such revised edition of Senate Procedure shall be subject to copyright by the author thereof.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIXTH ANNUAL REPORT OF THE NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. N. 92–335)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

The Sixth Annual Report of the National Advisory Council on Extension and Continuing Education is submitted herewith. The Council is authorized by Public Law 89–329.

I congratulate the Council on its comprehensive study of the Federal role in community service, extension and continuing education for adults through the resources of colleges and universities. The study points up the need for increased coordination of the support the Federal government lends to these efforts.

Several of the Council's proposals are receiving thorough consideration by the Department of Health, Education, and Welfare, including those relating to improved coordination of Federal assistance to extension, community service, and continuing education programs.

The Council also recommends that additional funds be provided for the program authorized by Title I of the Higher Education Act of 1965. I continue to hold as a basic principle that greater emphasis should be placed on broad funding approaches for Federal grant-in-aid programs, and that narrow categorical grant programs such as Title I should be relied on less as a means of channeling Federal funds to individual institutions.

RICHARD NIXON.

THE WHITE HOUSE, *August 3, 1972.*

CONFERENCE REPORT ON H.R. 15093, HUD-SPACE-SCIENCE-VETERANS APPROPRIATIONS, 1973

Mr. BOLAND. Mr. Speaker, I call up the conference report on the bill (H.R. 15093) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 27, 1972.)

Mr. BOLAND. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we bring back to the House a conference report on the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices, appropriation bill for 1973. This is a big bill. It is a good bill. It is a most important bill serving the needs of our Nation.

The total amount in this conference report is $20,125,951,000.

The House passed this bill on May 23, 1972, with a total of $19,718,490,000 in new obligational authority.

The Senate passed the bill on June 14, 1972, providing $20,583,370,000.

A total, therefore, of $864,880,000 was added in the other body.

Mr. Speaker, the bill is the result of some large compromises and the conference report sets forth those compromises. The conference report is $457,419,000 below the total approved by the Senate, $407,461,000 above the total originally approved by the House and $132,232,000 below the budget estimates.

Authorizing legislation for 1973 for the National Science Foundation and for part of the programs of the Department of Housing and Urban Development has not been enacted.

Mr. Speaker, the conference report on the National Science Foundation authorizing legislation was adopted by the House yesterday and is on its way to the President. The conference report presently before you is within that authorization. However, there are three National Science Foundation items reported in technical disagreement since the authorization has not yet become law.

The Senate has passed the 1972 Housing Act but no housing legislation has yet been reported to the House. As a result, there are five HUD items reported in technical disagreement as follows:

Item	Currently authorized	Conference action
Contract authority:		
Homeownership assistance	$55,000,000	$170,000,000
Rental housing assistance	25,000,000	175,000,000
College housing	2,700,000	5,000,000
New budget authority:		
Comprehensive planning grants	19,002,000	100,000,000
Grants for neighborhood facilities	36,000,000	40,000,000

The conference report recommends that the funds be provided to the Department to carry on these needed programs without further delay. None of the amounts proposed for these programs in 1973 are in excess of the funds provided for 1972.

The committee of conference has included the House language incident to the fourth district Federal home loan bank move, from Greensboro, N.C., to Atlanta, Ga., but added language to allow the member associations in the fourth district to conduct a plebescite permitting the move if they so desire. This item is reported in technical disagreement for separate consideration of the House.

Only one agency in the bill exceeds the budget estimate for new obligational authority and that agency is the Veterans' Administration.

The bill now provides $11,903,322,000 for the Veterans' Administration. This is an increase of $80,424,000 over the budget request to insure an adequate level of medical care for our veterans.

The total of new obligational authority included in this conference report for the Department of Housing and Urban Development is $4,034,065,000 and the additional contract authorization is $398 million.

A total of $3,407,650,000 is included for the National Aeronautics and Space Administration; $626 million for the National Science Foundation; $34,173,000 for the Federal Communications Commission; $29,761,000 for the Securities and Exchange Commission; $83,500,000 for Selective Service, and $7,480,000 for the other agencies in the bill.

This is a big bill. We feel that the House conferees brought back a reasonable compromise. A total of $457,419,000 was cut from the Senate bill. We have held the line. The bill before you today is $132,232,000 below the budget estimate. In our opinion not a single program in any agency will be hurt by the conference action, in fact many programs have been enhanced.

At this point in the RECORD I will insert a table showing the action taken on the bill, and the comparisons with 1972, the budget request for 1973, and actions of the House and Senate.

Mr. Speaker, I recommend adoption of the conference report.

The table referred to follows:

COMPARATIVE STATEMENT OF THE NEW BUDGET (OBLIGATIONAL) AUTHORITY, HUD—SPACE—SCIENCE—VETERANS APPROPRIATION BILL, 1973 (H.R. 15093)

[Note: All amounts are in the form of appropriations unless otherwise indicated]

						Conference action compared with—			
Agency and item (1)	New budget (obligational) authority fiscal year 1972 (*) (2)	Budget estimates of new budget (obligational) authority fiscal year 1973 (3)	New budget (obligational) authority recommended in House bill (4)	New budget (obligational) authority recommended in Senate bill (5)	Conference action (6)	New budget (obligational) authority, fiscal year 1972 (7)	Budget estimates of new budget (obligational) authority, fiscal year 1973 (8)	House bill (9)	Senate bil (10)
TITLE I									
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT									
Housing Production and Mortgage Credit									
Federal Housing Administration									
Rent supplement program:									
Increased limitation for annual contract authorization	($55,000,000)	($48,000,000)	($48,000,000)	($48,000,000)	($48,000,000)	(−$7,000)			
(Cumulative annual contract authorization)	(232,000,000)	(280,000,000)	(280,000,000)	(280,000,000)	(280,000,000)	(+48,000,000)			
Homeownership and rental housing assistance:									
Homeownership assistance, increased limitation for annual contract authorization	(170,000,000)	(170,000,000)	(55,000,000)	(170,000,000)	(170,000,000)			(+$115,000,000)	
(Cumulative annual contract authorization)	(495,000,000)	(665,000,000)	(550,000,000)	(665,000,000)	(665,000,000)	(+170,000,000)		(+115,000,000)	
Rental housing assistance, increased limitation for annual contract authorization	(200,000,000)	(150,000,000)	(25,000,000)	(200,000,000)	(175,000,000)	(−25,000,000)	(+$25,000,000)	(+150,000,000)	(−$25,000,000)
(Cumulative annual contract authorization)	(525,000,000)	(675,000,000)	(550,000,000)	(725,000,000)	(700,000,000)	(+175,000,000)	(+25,000,000)	(+150,000,000)	(−25,000,000)
Nonprofit sponsor assistance [low- and moderate income sponsor fund]	4,000,000	1,000,000	1,000,000	1,000,000	1,000,000	−3,000,000			
Counseling services	3,250,000					−3,250,000			
College housing:									
Increased limitation for annual contract authorization	(9,300,000)	(7,000,000)	(2,700,000)	(7,000,000)	(5,000,000)	(−4,300,000)	(−2,000,000)	(+2,300,000)	(−2,000,000)
(Cumulative limitation for annual contract authorization)	(35,600,000)	(42,600,000)	(38,300,000)	(42,600,000)	(40,600,000)	(+5,000,000)	(−2,000,000)	(+2,300,000)	(−2,000,000)
Special-risk insurance fund		195,000,000		35,000,000			−195,000,000		−35,000,000
Salaries and expenses, housing production and mortgage credit programs	17,000,000	[1] 15,748,000	15,748,000	15,748,000	15,748,000	−1,252,000			
Government National Mortgage Association									
Payment of participation sales insufficiencies	19,543,000	19,496,000	19,496,000	19,496,000	19,496,000	−47,000			
Special assistance functions fund		119,369,000		100,000,000			−119,369,000		−100,000,000
Total, Housing Production and Mortgage Credit	43,793,000	350,613,000	36,244,000	171,244,000	36,244,000	−7,549,000	−314,369,000		−135,000,000
Housing Management									
Housing payments	1,373,800,000	1,878,000,000	1,800,000,000	1,800,000,000	1,800,000,000	+426,200,000	−78,000,000		
Salaries and expenses, housing management programs	16,500,000	[2] 17,621,000	17,621,000	21,621,000	21,000,000	+4,500,000	+3,379,000	+3,379,000	−621,000
Total, Housing Management	1,390,300,000	1,895,621,000	1,817,621,000	1,821,621,000	1,821,000,000	+430,700,000	−74,621,000	+3,379,000	−621,000
Community Planning and Management									
Comprehensive planning grants	100,000,000	100,000,000	19,002,000	100,000,000	100,000,000			+80,998,000	
Community development training and urban fellowship programs	3,500,000	3,500,000	3,500,000	3,500,000	3,500,000				
New community assistance grants	10,000,000	5,000,000	5,000,000	10,000,000	7,500,000	−2,500,000	+2,500,000	+2,500,000	−2,500,000
Salaries and expenses, community planning and management programs	7,468,000	[3] 1,0134,000	10,134,000	10,134,000	10,134,000	+2,666,000			
Total, Community Planning and Management	120,968,000	118,634,000	37,636,000	123,634,000	121,134,000	+166,000	+2,500,000	+83,498,000	−2,500,000
Community Development									
Model cities programs	150,000,000	515,000,000	500,000,000	515,000,000	500,000,000	+350,000,000	−15,000,000		−15,000,000
Urban renewal programs	1,250,000,000	[30] 1,000,000,000	1,000,000,000	1,450,000,000	1,200,000,000	−50,000,000	+200,000,00	+200,000,000	−250,000,000
Rehabilitation loan fund	90,000,000	(30)	50,000,000	90,000,000	70,000,000	−20,000,000	+70,000,000	+20,000,000	−20,000,000
Grants for neighborhood facilities	40,000,000	40,000,000	36,000,000	40,000,000	40,000,000			+4,000,000	
Open space land programs	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000				
Salaries and expenses, community development programs	22,750,000	[4] 20,059,000	20,059,000	25,159,000	25,159,000	+2,409,000	+5,100,000	+5,100,000	
Total, Community Development	1,652,750,000	1,675,059,000	1,706,059,000	2,220,159,000	1,935,159,000	+282,409,000	+260,100,000	+229,100,000	−285,000,000
Federal Insurance Administration									
Flood insurance	6,000,000	[5] 10,038,000	10,000,000	10,000,000	10,000,000	+4,000,000	−38,000		
Research and Technology									
Research and technology	45,000,000	[6] 60,170,000	46,000,000	60,000,000	53,000,000	+ 8,000,000	−7,170,000	+7,000,000	−7,000,000
Fair Housing and Equal Opportunity									
Fair housing and equal opportunity	8,250,000	[7] 9,489,000	9,489,000	9,489,000	9,489,000	+1,239,000			

Footnotes at end of table.

						Conference action compared with—			
Agency and item	New budget (obligational) authority, fiscal year 1972 (*)	Budget estimates of new budget (obligational) authority, fiscal year 1973	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	Conference action	New budget (obligational) authority, fiscal year 1972	Budget estimates of new budget (obligational) authority, fiscal year 1973	House bill	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TITLE I—Continued									
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—Continued									
Departmental Management									
General departmental management	$6,312,000	[8] $5,673,000	$5,529,000	$5,529,000	$5,529,000	−$783,000	−$144,000		
Salaries and expenses, office of general counsel	3,000,000	[9] 3,044,000	3,044,000	3,044,000	3,044,000	+44,000			
Administration and staff services	16,096,000	[10] 16,475,000	16,475,000	16,475,000	16,475,000	+379,000			
Regional management and services	23,000,000	[11] 22,991,000	22,991,000	22,991,000	22,991,000	−9,000			
Total, Departmental management	48,408,000	48,183,000	48,039,000	48,039,000	48,039,000	−369,000	−144,000		
Total, Department of Housing and Urban Development, Title I	3,315,469,000	4,167,807,000	3,711,088,000	4,464,186,000	4,034,065,000	+718,596,000	−133,742,000	+$322,977,000	−$430,121,000
TITLE II									
SPACE, SCIENCE, VETERANS, AND CERTAIN OTHER INDEPENDENT AGENCIES									
Executive Office of the President									
National Aeronautics and Space Council									
Salaries and expenses	500,000	[12] 480,000	480,000	480,000	480,000	−20,000			
Office of Science and Technology									
Salaries and expenses	2,300,000	[13] 2,188,000	2,100,000	2,100,000	2,100,000	−200,000	−88,000		
Total, Executive Office of the President	2,800,000	2,668,000	2,580,000	2,580,000	2,580,000	−220,000	−88,000		
Commission on Population Growth and the American Future									
Salaries and expenses	650,000					−650,000			
Federal Communications Commission									
Salaries and expenses	31,969,000	[14] 34,173,000	34,173,000	34,173,000	34,173,000	+2,204,000			
National Aeronautics and Space Administration									
Research and development	2,522,700,000	2,600,900,000	2,550,000,000	2,624,900,000	2,600,900,000	+78,200,000		+50,900,000	−24,000,000
Construction of facilities	52,700,000	77,300,000	69,760,000	77,300,000	77,300,000	+24,600,000		+7,540,000	
Research and program management	734,722,000	[15] 729,450,000	729,450,000	729,450,000	729,450,000	−5,272,000			
Total, National Aeronautics and Space Administration	3,310,122,000	3,407,650,000	3,349,210,000	3,431,650,000	3,407,650,000	+97,528,000		+58,440,000	−24,000,000
National Science Foundation									
Salaries and expenses	619,000,000	[16] 647,418,000	619,000,000	619,000,000	619,000,000		−28,418,000		
Scientific activities (special foreign currency program)	3,000,000	7,000,000	7,000,000	7,000,000	7,000,000	+4,000,000			
Total, National Science Foundation	622,000,000	654,418,000	626,000,000	626,000,000	626,000,000	+4,000,000	−28,418,000		
Renegotiation Board									
Salaries and expenses	4,786,000	[17] 4,908,000	4,900,000	4,900,000	4,900,000	+114,000	−8,000		
Securities and Exchange Commission									
Salaries and expenses	26,817,000	[18] 29,761,000	29,761,000	29,761,000	29,761,000	+2,944,000			
Selective Service System									
Salaries and expenses	82,235,000	[19] 83,900,000	83,500,000	83,500,000	83,500,000	+1,265,000	−400,000		
Veterans Administration									
Compensation and pensions	6,248,000,000	6,448,000,000	6,448,000,000	6,448,000,000	6,448,000,000	+200,000,000			
Readjustment benefits	1,888,700,000	2,224,400,000	2,224,400,000	2,224,400,000	2,224,400,000	+335,700,000			
Veterans insurance and indemnities	6,500,000	4,400,000	4,400,000	4,400,000	4,400,000	−2,100,000			
Medical care	2,307,700,000	[20] 2,551,573,000	2,606,153,000	2,606,153,000	2,606,153,000	+298,453,000	+54,580,000		
Medical and prosthetic research	68,707,000	[21] 76,818,000	76,818,000	76,818,000	76,818,000	+8,111,000			
Medical administration and miscellaneous operating expenses	20,252,000	[22] 28,237,000	28,237,000	29,237,000	28,737,000	+8,485,000	+500,000	+500,000	−500,000
General operating expenses	286,450,000	[23] 320,821,000	320,821,000	320,821,000	320,821,000	+34,371,000			
Construction of hospital and domiciliary facilities	93,418,000	[24] 155,449,000				−93,418,000	−155,449,000		
Construction, major projects			107,118,000	125,993,000	125,993,000	+125,993,000	+125,993,000	+18,875,000	
Construction, minor projects			48,331,000	57,798,000	55,000,000	+55,000,000	+55,000,000	+6,669,000	−2,798,000
Grants for construction of State extended care facilities	8,000,000	6,000,000	6,000,000	6,000,000	6,000,000	−2,000,000			
Grants to the Republic of the Philippines	2,100,000	2,000,000	2,000,000	2,000,000	2,000,000	−100,000			

Footnotes at end of table.

COMPARATIVE STATEMENT OF THE NEW BUDGET (OBLIGATIONAL) AUTHORITY, HUD—SPACE—SCIENCE—VETERANS APPROPRIATION BILL, 1973 (H.R. 15093)—Continued

[Note: All amounts are in the form of appropriations unless otherwise indicated]

						Conference action compared with—			
Agency and item (1)	New budget (obligational) authority, fiscal year 1972 (*) (2)	Budget estimates of new budget (obligational) authority, fiscal year 1973 (3)	New budget (obligational) authority recommended in House bill (4)	New budget (obligational) authority recommended in Senate bill (5)	Conference action (6)	New budget (obligational) authority, fiscal year 1972 (7)	Budget estimates of new budget (obligational) authority, fiscal year 1973 (8)	House bill (9)	Senate bill (10)
TITLE II—Continued									
SPACE, SCIENCE, VETERANS, AND CERTAIN OTHER INDEPENDENT AGENCIES—Con.									
Payment of participation sales insufficiencies	$5,929,000	$5,200,000	$5,000,000	$5,000,000	$5,000,000	−$929,000	−$200,000		
Loan guaranty revolving fund (limitation on obligations)	(350,000,000)	(375,000,000)	(375,000,000)	(375,000,000)	(375,000,000)	(+25,000,000)			
Total, Veterans Administration	10,935,756,000	11,822,898,000	11,877,278,000	11,906,620,000	11,903,322,000	+967,566,000	+80,424,000	+$26,044,000	−$3,298,000
Total, Space, Science, Veterans, and certain other independent agencies, Title II	15,017,135,000	16,040,376,000	16,007,402,000	16,119,184,000	16,091,886,000	+1,074,751,000	+51,510,000	+84,484,000	−27,298,000
TITLE III									
CORPORATIONS									
Department of Housing and Urban Development:									
Federal Housing Administration:									
Administrative expenses	(16,135,000)	[25] (16,598,000)	(16,598,000)	(16,598,000)	(16,598,000)	(+463,000)			
Nonadministrative expenses	(151,764,000)	[26] (163,586,000)	(163,586,000)	(170,586,000)	(170,586,000)	(+18,822,000)	(+7,000,000)	(+7,000,000)	
Government National Mortgage Association	(6,600,000)	(6,000,000)	(6,000,000)	(6,000,000)	(6,000,000)	(−600,000)			
Federal Home Loan Bank Board:									
Interest adjustment payments	62,500,000	50,000,000				−62,500,000	−50,000,000		
Administrative expenses	(8,300,500)	[27] (9,106,000)	(8,700,000)	(9,106,000)	(8,900,000)	(+599,500)	(−206,000)	(+200,000)	(−206,000)
Nonadministrative expenses	(17,274,000)	[28] (17,923,000)	(17,923,000)	(17,923,000)	(17,923,000)	(+649,000)			
Federal Savings and Loan Insurance Corporation	(509,000)	[29] (649,000)	(514,000)	(649,000)	(550,000)	(+41,000)	(−99,000)	(+36,000)	(−99,000)
Total, new budget (obligational) authority, Title III	62,500,000	50,000,000				−62,500,000	−50,000,000		
Total, administrative and nonadministrative expenses, Title III	(200,582,500)	(213,862,000)	(213,321,000)	(220,862,000)	(220,557,000)	(+19,974,500)	(+6,695,000)	(+7,236,000)	(−305,000)
Total, all titles, new budget (obligational) authority	18,395,104,000	20,258,183,000	19,718,490,000	20,583,370,000	20,125,951,000	+1,730,847,000	−132,232,000	+407,461,000	−457,419,000

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*Includes all supplementals.

[1] $748,000.

[2] $821,000.

[3] $484,000.

[4] $929,000.

[5] $38,000.

[6] $170,000.

[7] $389,000.

[8] $218,000.

[9] $144,000.

[10] $655,000.

[11] $691,000.

[12] $15,000.

[13] $32,000.

[14] $1,373,000.

[15] $28,650,000.

[16] $1,418,000.

[17] $242,000.

[18] $1,361,000.

[19] $3,900,000.

[20] $79,729,000.

[21] $2,760,000.

[22] $945,000.

[23] $13,500,000.

[24] $449,000.

[25] $748,000.

[26] $7,455,000.

[27] $331,000.

[28] $688,000.

[29] $24,000.

[30] Excludes $450,000,000 for Urban Renewal and $40,000,000 for the Rehabilitation Loan Fund, for a total of $490,000,000, which is the amount proposed if special revenue sharing is enacted and included in Senate Report.

Note: The footnotes 1 to 29 include pay cost increases contained in H. Doc. 92-267.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I will be delighted to yield to my friend from Iowa.

Mr. GROSS. I commend the committee for standing off the other body with respect to this bill. In other words, and as the gentleman has said, it is $457,419,000 below the Senate figure. However, on the other side of that coin, it is $407,461,000 above the House bill, nearly a half billion dollars, and it is $1,730,847,000 above spending for the same general purposes last year. I do not see how in the world this Government can continue to increase spending year after year and expect to have anything but more inflation and further deterioration of the dollar. I thank the gentleman for yielding to me.

Mr. BOLAND. I appreciate the gentleman's remarks, he makes a good point.

The problem is that the Senate added $864,880,000 to the House bill. As an example, the other body wanted an additional $450 million for the urban renewal programs, but we came back with only $200 million above the House bill. Then there is about $85 million in new obligational authority for other HUD programs that was not included in the House bill because it is not authorized, as I pointed out earlier. The Senate also added funds for the construction of Veterans' Administration medical facilities throughout the country and the conference report provides some $25.5 million above the House bill for this item. These are examples of why the bill is above the House bill.

Mr. JONAS. Will the gentleman yield?

Mr. BOLAND. I am glad to yield to the gentleman from North Carolina.

Mr. JONAS. It should be emphasized to the gentleman from Iowa, and others who are interested in this report, that we brought a bill out of our committee to the House which held the HUD items to the amounts authorized or lower.

The other body proceeded to add funds for many programs. We are bringing those items back in technical disagreement, because the funds are not authorized. We will have a separate vote on those. However, those items and others, as the gentleman from Massachusetts mentioned, account for the fact that the bill is above the amount that the House passed.

Mr. BOLAND. I appreciate the gentleman from North Carolina's remarks.

We have nine items in technical disagreement, three in the National Science Foundation, five in the Department of Housing and Urban Development, and one with respect to the movement of the Federal Home Loan Bank Board from Greensboro, N.C., to Atlanta, Ga. We will offer separate motions on those nine items.

Mr. JONAS. Mr. Speaker, I will take only a minute or two. The gentleman from Massachusetts, who was the chairman of the conference and the chairman of the House managers, has explained the changes in the conference report in comparison with items in the bill when it left the House. I think the significant thing about this report is that, notwithstanding the fact that the other body increased our bill by $864,880,000, we bring back a conference report that is still $132,232,000 below the budget. It is necessary in a conference to have a meeting of the minds. For example, the Senate added $450,000,000, as the gentleman from Massachusetts has already stated, to the urban renewal program. It was $1,250,000,000 last year. We had to make some kind of an adjustment with the conferees representing the other body, and we got a better than 50 percent break there, because the add-on in the conference report for this program is only $200,000,000 instead of the $450,000,000 added in the other body. As the gentleman from Massachusetts has already said, this conference report is $457,419,000 below the bill the other body passed. However, it is $407,461,000 above the bill that the House passed.

The reasons for that have been explained by the distinguished gentleman from Massachusetts (Mr. BOLAND) and I have added to that explanation.

Mr. Speaker, I think this is a good conference report. I think we have gotten a very good settlement with the other body. I urge the adoption of the conference report.

Mr. TALCOTT. Mr. Speaker, the gentleman from Massachusetts (Mr. BOLAND) and the gentleman from North Carolina (Mr. JONAS) have clearly and expertly explained the conference report on HUD, space, science, and veterans. I do not intend to reiterate except that I believe it is worth the emphasis to remind this House and the U.S. taxpayer that this bill will appropriate less than the budget request. The unusualness desires attention, if not applause.

The departments and agencies involved are just as essential to our National Government and society as any other department or agency. Their needs are just as urgent. The citizen is just as entitled to superior service from these agencies as from any other; but the taxpayer's dollar must be equally considered. The general condition of our economy must be a factor when any appropriation bill is considered. The rate of inflation must be recognized as a problem to be reckoned with as we consider every item of Federal spending. I believe our committee has considered these many and various factors. I believe the House conferees loyally and carefully considered both the House and Senate appropriation bills and succeeded in defending the position of the House, the special services for the American tax user, and the plight of the already overburdened taxpayer.

I believe we have provided sufficient funds for our housing and urban development needs. We Americans enjoy the best housing in the world. Our cities, in most respects, are the envy of many persons who now reside in foreign lands and in many of our own rural areas. Nevertheless we must continue the great progress we are making in housing and urban development.

Already our space exploration, research, testing, and development efforts are incomparable. The ancillary benefits we continue to receive are of enormous importance to our existance and progress on earth. If our lunar exploration did nothing else than permit us to look back on our planet from distant space and observe just how small and fragile our planet really is we could probably justify our space research, testing, and development projects. Of course, we have seen and accomplished much more.

Our space program is maturing. We have changed from a very expensive crash program which enhanced our national and scientific prestige to a paced program where we receive a much greater practical value for our tax dollar and where the innumerable earth applications and benefits are known and enjoyed by more persons.

The Veterans' Administration receives an overall increase over the budget request. The Veterans' Administration is required to serve a growing number of veterans in various fields, especially for medical programs. This Nation has an incomparable record of treatment of its veterans and their dependents. This appropriation, for veterans' programs is again the highest in history.

Our National Government's interest in science continues to increase. Many universities, even some which once prided themselves upon being private and independent, are now almost totally dependent upon Federal subsidies for survival. These subsidies take many forms, direct and indirect, grants and loans, subsidies for students, institutions, facilities, equipment, projects, parking, laboratories, research grants, dormitories. The total cost is not easily computable. It is our judgment that these subsidies are necessary investments in the ascertainment of true and basic knowledge as well as necessary for practical technological progress.

Figures, many of which are confusing and too many of which are gross estimates, are contained in the bill and the conference report and our committee hearings. I shall not repeat them now.

Several admonitions are warranted. Housing subsidies are accelerating. Housing programs are popular. They are designed to supply one of our most basic needs—shelter. It is a human desire to want to improve one's shelter and one's home for one's family and community.

Housing programs also provide jobs—good jobs—in many places, and jobs now. Few people will fault any housing program now. But several cautionary signals should be sent out.

We must demand just as much value for our housing dollar as we demand for any other tax expenditure. We cannot tolerate waste, mismanagement, or shoddy practices. HUD is alert to many of these problems and I believe this budget will provide better administration.

The future costs of only five Federal housing programs will exceed $100 billion. This is an enormous mortgage for future generations to pay. This huge future obligation, like any other mortgage, deprives future citizens of their options. Future generations may develop different techniques, materials, and systems. They may accept different priorities. They may have different ideas and plans for tax revenues. It will be to little avail, however, because first of all they must pay off the mortgages which we are incurring today.

So I say we should consider not only today's tax user, but today's taxpayer and also tomorrow's citizens and taxpayers.

With this admonition, I can urge the adoption of the conference report.

Mr. McDADE. Mr. Speaker, I must rise at this time to acknowledge a deep debt of gratitude to my colleagues here in the House and in the Senate for their acceptance of the language I requested to be included in this committee report, directing the Department of Housing and Urban Development to administratively expedite and process the seven-State Agnes flood area urban renewal applications, and to develop a supplemental budget request to replenish the funds necessary to provide for both the ongoing and emergency programs.

The significance of this language could not be overemphasized. It gives HUD the opportunity to continue its regular program of urban renewal through the $1.2 billion in the conference bill, while it mandates HUD to move with the utmost expedition to assist in the rehabilitation of the seven-State area which endured such devastation. Most significantly, it gives HUD the opportunity to replenish its funding to carry on both of these programs simultaneously, through a supplemental budget request.

In the urban areas where the flood caused the most havoc, it is estimated that the rehabilitation program in only the field of housing will cast hundreds of millions of dollars. This is work that is vital if these urban areas are to be preserved, rebuilt and given that renewal which will permit them to find new growth and development in the future.

I know the people in the Agnes flood area will share my gratitude that at this challenging moment, the Congress gave the leaders in their home communities the opportunity and the mechanism whereby they might begin to rebuild. It is a most commendable direction in this legislative report.

Mr. BOLAND. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: On page 2, line 23, strike out "$55,000,000" and insert "$170,000,000".

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 3, line 1, strike "$25,000,000" and insert "$200,000,000".

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 2 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$175,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 4: Page 3, line 16, strike out "$2,700,000" and insert "$7,000,000."

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 4 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$5,000,000".

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 6, line 5, strike out "$19,002,000" and insert "$100,000,000,".

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Senate amendment No. 16: On page 8, line 16, strike out "$36,000,000" and insert "$40,000,000,".

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein.

The motion was agreed to.

The SPEAKER. The clerk will report the next amendment in disagreement.

The clerk read as follows:

Senate amendment No. 27: Page 16, line 13, strike "$28,600,000" and insert "$29,243,000".

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$28,900,000".

The motion was agreed to.

The SPEAKER. The clerk will report the next amendment in disagreement.

The clerk read as follows:

Senate amendment No. 32: On page 17, line 19, insert: ", and $21,000,000 of the amount heretofore appropriated in fiscal year 1972 and allocated for Science Education Support ($16,000,000) and Institutional Improvement for Science ($5,000,000),".

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 32 and concur therein.

The motion was agreed to.

The SPEAKER. The clerk will report the next amendment in disagreement.

The clerk read as follows:

Senate amendment No. 34: On page 18, line 8, insert ", to remain available until expended:".

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert: ", to remain available until June 30, 1974".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 41: Page 29, line 12, strike out all after "$17,923,000" down to and including "location" in line 19.

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Boland moves that the House recede from its disagreement to the amendment of the Senate numbered 41 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: ": *Provided further*, That none of the funds made available for administrative or nonadministrative expenses of the Federal Home Loan Bank Board in this Act shall be used to finance the relocation of all or any part of the Federal Home Loan Bank from Greensboro, North Carolina, nor for the supervision, direction or operation of any district bank for the fourth district other than at such location, unless such relocation is approved by a plebiscite of the member associations of the fourth district."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to and to include tables, charts, and other extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the committee have until midnight tonight to file a certain privileged report.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 15989, INTERNATIONAL ECONOMIC POLICY ACT OF 1972

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1071 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1071

Resolved, That upon the adoption of this resolution it shall be in order to move, clause 7 of rule XIII to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15989) to establish a Council on International Economic Policy, to extend the Export Administration Act of 1969, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. Martin), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1071 provides an open rule with 1 hour of debate for consideration of H.R. 15989, the International Economic Policy Act of 1972. The bill shall be read for amendment by titles instead of by sections and, because the report does not include the full explanation of the costs involved, points of order are waived for failure to comply with the provisions of clause 7 of rule XIII.

The purpose of H.R. 15989 is to establish a Council on International Economic Policy and to extend the Export Administration Act of 1969 to June 30, 1974.

The council would be chaired by the President and composed of relevant Cabinet-level and executive office officials, supported by a staff. This would establish a mechanism to provide for coordination of domestic and international economic policy and of the components of international economic policy.

The Export Administration Act of 1969 authorizes the President to regulate exports to the extent necessary to protect the domestic economy from excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand. Expiration date of the authority was August 1, and this legislation would extend it to June 30, 1974.

An appropriation in the amount of $1.4 million is authorized for fiscal year 1973 for the purpose of carrying out the provisions of this legislation.

Mr. Speaker, I urge the adoption of the rule.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Indiana has explained, House Resolution 1071 provides for an open rule with 1 hour of debate on H.R. 15989, the International Economic Policy Act of 1972.

The gentleman from Indiana has adequately explained both title I and title II of the bill. In addition, however, I would like to call attention to an amendment which the gentleman from Texas (Mr. GONZALEZ) expects to offer on the floor to remove from control of the Board the right to control exports of cattle hides. This is a very vital matter to those of us who represent the cattle industry in the United States.

I hope that Mr. GONZALEZ' amendment is adopted on the floor later on this afternoon.

Mr. Speaker, I reserve the balance of my time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken and the Speaker announced that the ayes appeared to have it.

Mr. THOMPSON of Georgia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 372, nays 3, not voting 57, as follows:

[Roll No. 296]

YEAS—372

Abbitt
Abernethy
Abourezk
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashley
Aspin
Aspinall
Badillo
Baring
Barrett
Begich
Belcher
Bell
Bennett
Bergland
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Byron
Cabell
Camp
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Celler
Chappell
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Ill.
Collins, Tex.
Colmer
Conover
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Culver
Curlin
Daniel, Va.
Daniels, N.J.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Devine
Diggs
Donohue
Dorn
Dow
Downing
Dulski
Duncan
du Pont
Dwyer
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Fuqua
Galifianakis
Garmatz
Gaydos
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Grasso
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lennon
Lent
Link
Long, Md.
Lujan
McClory
McCloskey
McCollister
McCulloch
McDade
McEwen
McFall
McKay
McKevitt
McKinney
Macdonald, Mass.
Madden
Mahon
Mailliard
Mallary
Mann
Martin
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Michel
Miller, Ohio
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall
Mitchell
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nelsen
Nichols
Nix
Obey
O'Hara
O'Konski
O'Neill
Passman
Patman
Patten
Perkins
Pettis
Peyser
Pike
Pirnie
Poage
Podell
Poff
Powell
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Railsback
Randall
Rangel
Rees
Reid
Reuss
Rhodes
Riegle
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Runnels
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—3

Ashbrook
Gross
Hall

NOT VOTING—57

Anderson, Tenn.
Baker
Biaggi
Blanton
Broomfield
Byrnes, Wis.
Caffery
Chamberlain
Clark
Clay
Conable
Danielson
Davis, Ga.
Davis, S.C.
Derwinski
Dickinson
Dingell
Dowdy
Drinan
Edmondson
Flynt
Fulton
Gallagher
Gettys
Gray
Hagan
Hansen, Wash.
Hébert
Hutchinson
Jarman
Jones, Tenn.
Kuykendall
Lloyd
Long, La.
McClure
McCormack
McDonald, Mich.
McMillan
Mikva
Miller, Calif.
Myers
Nedzi
Pelly
Pepper
Pickle
Pryor, Ark.
Quillen
Rarick
Roberts
Rooney, N.Y.
Ruppe
Ryan
Schmitz
Slack
Stokes
Stubblefield
Teague, Tex.

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Myers.

Mr. Rooney of New York with Mr. Broomfield.

Mr. Blanton with Mr. Pelly.

Mr. Teague of Texas with Mr. Byrnes of Wisconsin.

Mr. Clark with Mr. Conable.

Mr. Davis of South Carolina with Mr. McClure.

Mr. Mikva with Mr. Derwinski.

Mr. Dingell with Mr. McDonald of Michigan.

Mr. Fulton with Mr. Chamberlain.

Mr. Gettys with Mr. Dickinson.

Mr. Roberts with Mr. Hutchinson.

Mr. Pickle with Mr. Lloyd.

Mr. Nedzi with Mr. Ruppe.

Mrs. Hansen of Washington with Mr. Quillen.

Mr. Anderson of Tennessee with Mr. Baker.

Mr. Slack with Mr. Schmitz.

Mr. Biaggi with Mr. Long of Louisiana.

Mr. Jones of Tennessee with Mr. Kuykendall.

Mr. Davis of Georgia with Mr. Gallagher.

Mr. Flynt with Mr. Pryor of Arkansas.

Mr. Stokes with Mr. Ryan.

Mr. Clay with Mr. McCormack.

Mr. Gray with Mr. Rarick.

Mr. Jarman with Mr. Hagan.

Mr. Stubblefield with Mr. Drinan.

Mr. Caffery with Mr. Edmondson.

Mr. Miller of California with Mr. Pepper.

Mr. Danielson with Mr. McMillan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LETTUCE BOYCOTT

(Mr. TALCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, our colleague the gentleman from Michigan (Mr. DIGGS) has circulated the Members of the House with a "Dear Colleague" letter asking each of us to join him in signing a letter to urge the executive departments to boycott California lettuce.

This exercise is regrettable.

Any boycott of lettuce hurts the farmworker most of any segment of agriculture or security.

If lettuce is not sold the farmers cannot operate and the lettuce worker has no job. If lettuce is not harvested many workers are injured—the harvester, the cultivator, the packager, the hauler, the salesman, the refrigerator, the grocer, the consumer.

Boycotts of lettuce increase the price to the consumer.

Lettuce is a nutritious food—essential to most diets.

A boycott of California lettuce could damage the union members. At least 70 percent of all lettuce being harvested today is produced by all union labor. A boycott can only hurt the union lettuce workers.

Specifically the Congress, the executive department, and Members of the Congress should not involve themselves in a jurisdictional dispute between two unions. The Teamsters Union has contracts with most farmers in my district. The Teamsters have represented farm fieldworkers and lettuce-shed workers for more than 10 years—long before the UFW or UFWOC was ever organized.

Teamsters union members earn more money and enjoy better working conditions than UFW or UFWOC members.

May I suggest that you "Boycott grass and pot—and eat lettuce."

Lettuce is good for you. The lettuce worker needs work.

PROTECTION OF FINANCING RECORDS

(Mr. ST GERMAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ST GERMAIN. Mr. Speaker, today I have introduced a bill which will protect the privacy of the financial records of American citizens.

My bill would prohibit any financial institution from disclosing the bank records of any customer unless the customer first gives his approval or unless a court, upon a proper showing, issues an order requiring the disclosure.

Concern has been registered throughout the country over recent Treasury regulations which have been promulgated in connection with the Bank Secrecy Act. These regulations have required for the first time that banks keep extensive records relating to individual bank accounts, such as the microfilming of checks and the recording of deposits and withdrawals are now required.

When Congress enacted the Bank Secrecy Act it did so for the purpose of requiring the keeping of records which would be particularly helpful in fighting organized crime, tax evasion, and the use of foreign bank accounts for illegal purposes. These objectives are still laudable. However, there is a world of difference between the requirement that records be kept and the potential for making those same records available on an indiscriminate basis. Congress never intended that these records would be made available to law enforcement or other personnel without adequate safeguards.

Consequently, Congress required in the Bank Secrecy Act that the Department of the Treasury issue appropriate regulations for the administration of the legislation. It was assumed that those regulations would necessarily provide the kinds of safeguards which are necessary in the case of such an extensive recordkeeping requirement.

To my surprise and the surprise of others, the Treasury, after taking almost 2 years to issue its final regulations, failed to provide for the protection of individual bank records against unreasonable searches and seizures.

My legislation will remedy this problem and will return to individual bank records the kind of protection against unwarranted disclosure and invasion of privacy that is guaranteed by the Constitution.

INTERNATIONAL ECONOMIC POLICY ACT OF 1972

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15989) to establish a Council on International Economic Policy, to extend the Export Administration Act of 1969, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15989, with Mr. DENT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. PATMAN) will be recognized for 30 minutes, and the gentleman from New Jersey (Mr. WIDNALL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, by a vote of 23 "yeas," two "nays" and one "present" your Committee on Banking and Currency reported H.R. 15989. I shall attempt to cover the main highlights of this legislation and the Honorable THOMAS LUDLOW ASHLEY, the esteemed and most able chairman of the International Trade Subcommittee of the Committee on Banking and Currency, will, in detail, discuss the specifics of the bill.

Mr. Chairman, in brief, the bill, H.R. 15989, contains two titles. The first would establish a Council on International Economic Policy chaired by the President and composed of relevant Cabinet-level and Executive office officials, supported by a staff. Title II would extend the Export Administration Act of 1969 to June 30, 1974.

Title I stems from the fact that there are a great many activities undertaken by numerous Federal departments and agencies which, overall, constitute the international economic policy of the United States and which have remained insufficiently coordinated to the detriment of the national interest and welfare of the people of this country. The title would establish a mechanism which can provide for close coordination of domestic and international economic policy and of the several components of international economic policy.

Many policies which have been pursued until now have been based largely on realities which existed immediately following World War II, and these policies have sometimes reflected lags between changing realities and perception of these changes.

This is a luxury that can no longer be afforded. Many policies which have been pursued have been conflicting and have been rendered ineffective in terms of our national economic interest. An immediate need, therefore, is to support a mechanism which can foster a stronger American economy insofar as it is affected by the realities of the world marketplace.

Title II would extend to June 30, 1974, the authority granted to the President under the Export Administration Act of 1969, which is absolutely essential legislation and which expires August 1, 1972. The 1969 act authorizes the President to regulate exports to the extent necessary to: protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand; further significantly the foreign policy of the United States and fulfill its international responsibilities; and exercise the necessary vigilance over exports from the standpoint of their significance to the national security of the United States.

In my opinion we should give the administration the authority it seeks both with respect to the Council on International Economic Policy and extension of the Export Administration Act. However, to assure continued scrutiny over the work of the proposed council by the authorizing committee, we are not suggesting—as did the administration initially—that the council receive an open-ended authorization. Rather, the bill before us would authorize funding of the council only for fiscal year 1973. In this way, any necessary changes or considerations that have to be given to the way in which the council operates will, in the very near future, be before this body again.

Mr. Chairman, I reserve the balance of my time and I yield 10 minutes to the gentleman from Ohio (Mr. ASHLEY).

Mr. ASHLEY. Mr. Chairman, I thank the gentleman for yielding.

I believe the distinguished chairman of the Committee on Banking and Currency has explained the purpose of this bill quite well. As he said, there are two titles with quite different purposes.

Title I would provide for a Council on International Economic Policy. The purpose of this Council, which is supported wholeheartedly by the administration as well as by Democratic members of the Committee on Banking and Currency, is to seek to bring about a more orderly development of our international economic policies.

What we are talking about here is trade and our balance of payments, which clearly are in the most dangerous kind of disequilibrium. We are talking about the investments of American businessmen abroad and their security, and the income repatriated from those investments.

These are some of the components of the international economic policy of the United States.

From the past, if we know one thing it is that the various departments and agencies of the Government with respect to international economic policy have gone their separate directions. There has been a sad and severe lack of coordination, so that we, as a Nation, in this area could speak with one voice.

Eighteen months ago the administration established the Council on International Economic Policy. This currently is an in-house operation. The Council does not have statutory authority. The President agrees that it should. In part he says this because he understands that in an important presidentially appointed council a partnership between the executive branch and the Congress is essential if we are going to have a forceful and successful international economic policy.

The only way that this kind of a partnership can be brought about is through the institution of a congressionally established council in the Office of the White House. That is what this legislation in its title I seeks to accomplish.

Title II, as I say, has a quite different purpose. This would merely extend the Export Administration Act of 1969 from the expiration date, which has been passed by some 2 or 3 days, to June 30 of 1974.

These, in essence, Mr. Chairman, are the purposes of the two titles of the legislation before us. If there are any questions which suggest themselves to Members I shall be happy to respond.

Because Members in recent days, recent weeks, and months, have expressed concern over the proliferation of advisory bodies, agencies, and councils, let me say this: I share that concern. This Council is not a new council. This is not a duplication of effort. This Council as provided for in title I simply gives a statutory basis to an existing Council, a Council that was established by the President some 18 months ago and which has been functioning under the very effective leadership first of Peter Peterson and now his successors.

With respect to the fears of those who very understandably and appropriately have raised the question of the proliferation of advisory bodies, councils, and the like, let me just say that——

Mr. HANNA. Will the gentleman yield?

Mr. ASHLEY. Yes, I will yield to the gentleman.

Mr. HANNA. Can we be assured that in the thrust of the gentleman's subcommittee's work—and I applaud it—that what we are seeking here is to move from the narrow constructions that have laid over all of this export out of the rather narrow-minded military concepts of what our security is, which has done violence to our position in the international trade economics area to the point where we have originated technology and highly technical products which are now being applied to these very trading partners in the East by people who are supposed to be our friends and allies?

Mr. ASHLEY. Yes. The gentleman is raising a question about the administration of the Export Administration Act.

Mr. HANNA. Yes.

Mr. ASHLEY. I can assure the gentleman that a staff member has been working continually in an oversight function to make certain that the very situation the gentleman describes is being remedied and that the commodities that properly should be subject to control are controlled, but those that should not be are decontrolled. That is exactly what is taking place at this time.

Mr. HANNA. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. I call attention to the fact that there are some 3,000 advisory boards, committees, councils—you name them, we have them—commissions and so on and so forth, in this Government. What would be the harm in abolishing one just once in a while? We created about three in the last 2 or 3 days. Why not abolish one once in a while?

Mr. ASHLEY. Today?

Mr. GROSS. There would be no better time than today.

Mr. ASHLEY. Yes, there is a better time, because were we to abolish the council, which is not an advisory board the gentleman knows, there would be great difficulty. Let me say this: We do not really have the authority to abolish the President's in-house Council which he established 18 months ago. If we want to deny him his request that that Council be given a statutory basis, of course, we can do that, but we cannot eliminate the President's Council on International Economic Affairs.

Mr. GROSS. If the gentleman will join with me, with his considerable ability, we can try to shut off money for the President's Council and a host of others through the process of the Committee on Appropriations. We can start cutting down on the White House if we think it is has too many advisory councils and commissions.

Mr. ASHLEY. I have acknowledged it to the gentleman, but what I am saying is there are times when the legitimate interest of the United States can best be served by having a council such as that in effect now, and it is proposed to be given statutory authority. The gentleman would certainly not disagree that the better development of our entire export effort is of real consequence to the Nation. Of course it is, and the gentleman knows that.

Mr. GROSS. I question their views on some of the things that have been going on. Especially do I question the logic of putting the lid on the exportation of cattle hides. I thought exports were important to this country. Does not the gentleman find some question in his mind about the importance of this legislation?

Mr. ASHLEY. About how important the exportation of hides is?

Mr. GROSS. How important exports are when the lid is clamped on the export of cattle hides.

Mr. ASHLEY. Well, there are times I would say to the gentleman when we have competing interests. Certainly the export of hides is important to a segment of American enterprise.

But I would say this, the competing interests would be the people who wear shoes, who want to buy those shoes at reasonable prices. What we find is that the heavy demand for hides that has presented itself in the last 18 months has forced the price of hides to double. This drives up the domestic cost of shoes and other leather products.

The question is a simple one: Do we want to exercise authority we have given the President in the Export Administration Act? Will we support the President when he exercises authority to keep down inflation to prevent the excessive foreign demand from driving U.S. prices up? Will we support him in this kind of a short-supply situation? Where do the competing interests lie? It is a judgmental decision that has to be reached.

Mr. GROSS. I really thought the original question was the importance of exports.

Mr. ASHLEY. Exports are important.

Mr. GROSS. You can hardly shut down on exports and justify a council whose principal business should be the promotion of export.

Mr. ASHLEY. The gentleman from Iowa is really going somewhat too far in what he is suggesting. You either support exports either way or you do not support them, because in the sophisticated economy we are in today some controls are necessary under certain situations.

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Iowa.

Mr. CULVER. Mr. Chairman, I wish to thank the gentleman for yielding, and also, at the outset of the remarks that I have to make on this legislation, to express my appreciation, as chairman of the House Subcommittee on Foreign

Economic Policy of the Committee on Foreign Affairs, for the cooperation that the gentleman and his staff have given us during our joint consideration of matters of importance in this legislation.

I would like at this time to address myself to title I of this bill before us, that provision in the bill that would purport to establish statutorily a Council on International Economic Policy for the executive branch of our Government.

We began in the House Committee on Foreign Affairs a year ago in the Subcommittee on Foreign Economic Policy a review of a whole series of matters in the foreign economic policy field. Following completion of those set of hearings it became apparent to those of us who were working closely in this field that the most critical need before the U.S. Government at the present time in the whole area of foreign policy relationships is this question and this issue of the adequacy of our organizational structure for the conduct of foreign economic policy.

As a result of that finding, and as a result of those hearings, we have made recommendations, and the full committee of the House Committee on Foreign Affairs at the present time is in the process, and has been for several months, of going into careful detail into this whole issue of the administrative and organizational structure within the executive branch of Government for the conduct of foreign economic policy.

Now, it is true, as the gentleman from Ohio (Mr. ASHLEY) has said, that at the present time we have operating within the White House the so-called Council on International Economic Policy. This has been set up 18 months ago as the result of an Executive action which the President felt was an appropriate mechanism in order for him then and now, in accordance with the style of his particular Presidency, to better coordinate and rationalize the conduct of American foreign economic policy, a very serious and real problem. And I wish to commend the administration for recognizing it as such, but I wish to emphasize that I think to act on this legislation at this time—by this Congress—would be premature.

I say that with the highest possible regard for Mr. Peterson who, I feel, is a man of enormous ability and who has performed in his capacity as executive director of this council during the past 18 months with a remarkable degree of competence.

I say that with the fullest possible commendation for the administration for recognizing the increased importance of foreign economic policy compared to the security and political preoccupation of foreign policy considerations in the postwar period.

But I think that what we come to is the question—what is the best method and mechanism for bringing about this admirable objective of coordination and harmonious direction of foreign economic policy.

I would submit to the committee at this time that the Committee on Foreign Affairs is in the process of completing a set of hearings over a 6-month period into this process and by the conclusion of this Congress that information and those findings and those recommendations will be available to the appropriate committees of the Congress.

There is nothing that would prevent the President from extending by Executive authority once again the opportunity to have a council of this description, which incidentally only met three times in the past year and which, of course, we are now being called upon to establish statutorily at a cost of $1,400,000 with some 30 employees.

It seems to me it is important to await those recommendations and make a judgment as to whether or not that is the appropriate method and approach and organizational structure to bring about the desired control and policy direction that we seek.

Mr. ASHLEY. If the gentleman will yield——

Mr. CULVER. Yes; I yield to the gentleman.

Mr. ASHLEY. Do I understand that the gentleman is supportive of the purpose of this legislation, but he thinks there should be further time for deliberations of a committee on foreign affairs which has, if not secondary jurisdiction, at least a legitimate interest in this subject matter, so we might be able to act next year? That, I understand, was the thrust of the gentleman's discussion.

Now why—I am trying to figure out—why would you suggest that we legislate next year after the completion of hearings before the gentleman's subcommittee, when out of the Committee on Foreign Affairs came legislation that was acted upon by this House establishing a commission to study the conduct of foreign policy, the structures, the procedures, that the gentleman referred to—a commission which pursuant to legislation does not report back until 1974? Why would you suggest that we wait until next year—legislate next year—when the commission proposed by the gentleman will not be reporting to the Congress and make its findings available until the year after that? Why not wait until 1974 or 1976 or sometime in the future?

Mr. CULVER. If I may reply to the gentleman.

Mr. ASHLEY. Please.

Mr. CULVER. I am not at all persuaded that following the completion of these hearings that our committee would be in a position to recommend that any legislation is needed whatsoever to establish yet another statutory organization within the executive branch of Government, and in this instance within the White House, at a time when we are witnessing a proliferation of many bureaucracies already and we are ignoring necessary reforms within the great, major departments of our Government and finding it necessary to duplicate these policy services within the White House.

Mr. ASHLEY. Do you not agree——

Mr. CULVER. I have not completed my answer, if you wish to hear it, I will answer—I do not yield to the gentleman at this time.

Mr. ASHLEY. I beg to remind the gentleman that it is my time in which you are speaking.

Mr. CULVER. I had the understanding that I had been granted 10 minutes.

Mr. ASHLEY. On the contrary, I yielded to the gentleman and I would put this question to him at this time.

Does the gentleman agree that one of the purposes to be achieved by a Council on International Policy is to develop a partnership arrangement between the executive branch and the Congress? Would the gentleman agree with that?

Mr. CULVER. Let me state——

Mr. ASHLEY. Because if he does—how can he state that he is not quite sure whether a statutorily established council is necessary. The only way you can get this kind of partnership is through the kind of council that is being proposed here.

Mr. CULVER. If the gentleman will yield for me to answer him—

First of all, the method and the means by which any President of the United States personally elects and determines to afford him the best sort of arrangement to bring about a rationalization of policy within the many departments of the executive branch of Government for the conduct of American foreign economic policy is clearly one of personal choice and design.

If you will review, as our committee has been doing, the series of presidencies in the entire post war period ,you will find that each and every President decided for himself at a given moment in time as to the particular approach either within the National Security Council, for example, or through Executive order, the establishment of a new Council on International Economic Policy, which best suited his Presidential style.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CULVER. Will the gentleman yield to me additional time?

Mr. ASHLEY. The gentleman from Iowa has already consumed a great deal of time, and there are only 5 minutes remaining on this side. We have requests for time on the part of all the committee members, so I would say that if the gentleman will finish up in 30 seconds, I will yield the gentleman such time.

In order to prevent the logic of the proposed legislation, I am inserting at this point in the RECORD an explanation of H.R. 15989. Title I is designed to provide for the closer coordination of domestic and international economic policy and of the several components of international economic policy. The proposed Council would provide for a clear tolevel focus for the full range of international economic policy, including trade, investment, balance of payments and finance as a coherent whole. The Council would investigate problems concerning the coordination, implementation and long-range development of international economic policy and would make appropriate findings and recommendations toward its more rational and orderly development.

I believe I should point out, too, that this coordinating mechanism in the nature of a Council is designed explicitly to provide for strengthening our competitiveness in world trade, achieving equilibrium in our balance of payments, protecting and improving our earnings on foreign investments, and increasing the employment and real income of our workers and consumers on the basis of international economic activity. H.R. 15989 succinctly lays out such objectives which the administration had not made explicit with respect to the Council established by memorandium.

In addition to stating the purposes of a statutory established Council in section 102, the bill designates its membership in section 104, and its duties in section 105. Section 103 would create the Council in the Executive Office of the President. Section 106 would require an annual international economic report from the President to the Congress, in which he would be required to identify significant current and foreseeable trends and developments, and a program for carrying out the policy declared in section 102, together with such recommendations for legislation as he may deem necessary or desirable.

Section 107 would establish a Council staff and specify duties of its Executive Director. Section 108 would authorize appropriations for fiscal 1973 in the amount of $1.4 million.

The main points I would want to leave with you are these: It is common knowledge that we have had many policies affecting our international economic activities and interest which are conflicting and at cross-purposes. The Council is a promising mechanism for resolution of these conflicts. Its principal shortcoming, however, has been the absence of any significant relationship between its activity and the Congress.

As we all know, it is Congress which has the constitutionally established power to regulate the foreign commerce of the United States. And as the President's own Commission on Trade and Investment recommended in July 1971, "Good working relationships between the administration and the Congress are essential. It is important that the intent or position of the administration on international economic policy legislation be clearly communicated to the Congress." The proposed annual international Economic Report, together with the requirement provided in section 105 (b) that it shall be the duty of each member of the Council other than the President to testify before committees of the Congress on the report would meet that shortcoming. The endorsement by the administration of these provisions promises the forging of more effective partnership between Congress and the executive in the formation and implementation of international economic policy.

Title II, as Chairman PATMAN indicated, would extend the Export Administration Act of 1969 to June 30, 1974. In connection with this extension, the committee has indicated views, based on testimony received, in its report with respect to the implementation of existing law.

Mr. Chairman, prompt enactment of H.R. 15989 is urgently required.

Mr. HANNA. Mr. Chairman, the United States is the world leader in science and technology. Thanks to private industry we have developed a science and technology base which is one of the most important assets we have as a nation. At the same time, the U.S. trade deficit has set new records this year and unemployment is at an unacceptable level. In my home State of California, highly trained and skilled workers in science and technology are without jobs. I, therefore, am opposed to our Government's bureaucratic restrictions on trade which makes it possible for the Japanese, Germans, British, French, Italians, and others to sell products based on U.S.-originated technology to the Soviet Union and other Eastern European countries, while denying this opportunity to American industry. I do not believe that Americans should be subjected any longer to such archaic and self-defeating excessive export controls. Our export control program must be reshaped, consistent with U.S. national security, to free U.S. business from these unnecessary bureaucratic restrictions.

A start was made in correcting this situation with the enactment of the Export Administration Act of 1969. However, little progress has been made by the executive branch in implementing and administering the clear intent of Congress. Relaxations have been made, but only in areas of low technology where there is practically no foreign demand. The real interest on the part of the Eastern Europeans is in products of U.S. high technology. Leading businessmen have reported that the Russians, Poles, Czechs, and other Eastern Europeans would prefer to deal with U.S. industry rather than with Japan and Western Europe. The United States is the recognized origin and source of most of the technology in which the Eastern European countries have an interest at this time. The leaders and enterprises in those countries do not want to settle for dealing with middlemen. There are other and important historical reasons why the United States is preferred as a trade partner by the Soviet Union.

However, the United States has only an infinitesimal portion of the high technology market in Eastern Europe. U.S. export controls are in large part responsible for this paradox.

The United States has unilateral export controls over 461 classifications of goods and technology. The multilateral CoCom controls over another 495 classifications of goods and technology. Most, if not all, of the products covered by the U.S. unilateral controls can be obtained by the Eastern Europeans from other sources. Many of the products and much of the technology controlled under CoCom which cannot be exported by American businessmen can also be obtained from other sources, including from our CoCom partners themselves.

The whole procedural encumbrance of U.S. controls, on which is superimposed delays and uncertainties, makes it impossible for Eastern Europeans to do business with us. The Japanese and Germans have no such unilaternal restrictions and therefore they are relatively free to do business wherever they can.

The CoCom controls constitute yet another significant discrimination against Americans. It is now becoming clear that the effect of the CoCom controls is much more severe upon the American businessman than upon businessmen in Western Europe and Japan. This results from differences in interpretation of the CoCom list and from differences in the manner in which these controls are enforced. Many examples of this can be given. I will furnish the House with some typical recent cases. A Japanese company has concluded a 5-year licensing agreement with Bulgaria covering all the technology and equipment required to produce ferrite cores. This is a $5 million contract. Another Japanese company has agreed to supply to the Russians American-made semiconductor testing equipment, which the U.S. manufacturer of the product is barred by the U.S. Government from supplying to the Russians. To add insult to injury, the price to be paid by the Russians to the Japanese is considerably higher than the price paid by the Japanese to the United States for the same product. A French company has licensed a Polish enterprise to build silicon transistors and diodes using planar technology, invented and developed in the United States. This is a multimillion-dollar project. Under this arrangement, the Poles produce at the rate of approximately 15 million devices per year. I think my colleagues must get the point by now.

Our export controls cover all kinds of goods and technology. Those charged with administering our export control system are required to examine vast areas of highly complicated technical products and technology. Delays have been caused and unnecessary restrictions retained because Government officials have based decisions on insufficient or irrelevant information. In order to move quickly to remove all unnecessary export control restrictions, a new level of technical and commercial expertise must be introduced into the administration of United States export controls. This expertise is available in U.S. industry and should not be lost in the shuffle. U.S. industry is willing and able to assist in performing this task, and should be enlisted to do so.

The market for American products in Eastern Europe staggers the imagination. The Eastern Europeans want to trade directly with the United States. Our businessmen must be allowed to participate openly and fully in this market, restricted only as necessary to protect our national security.

The committee report makes it unmistakably clear that the intent of the Congress now, as it was in 1969, is to free American business from unnecessary, out-moded, and bureaucratic restrictions in trade with Eastern Europe.

I submit to the Members of the House that, for too long, critical decisions concerning our foreign trade posture have been dominated by military minds and narrowly defined military concepts of national security. The time is long overdue when we should realize that national security involves economic as well as military dimensions. If our economy is to share in appropriate proportions in the growing pattern of world trade, we must adopt a more balanced and realistic view of our true, overall security.

Mr. CULVER. I thank the gentleman for yielding the additional time.

I am not at all persuaded, nor do I think the Congress will be, that it is necessary to enact legislation to establish such a council at this point in time or indeed at any point in time. It is perfectly feasible to conduct foreign economic policy without the enactment of this legislation.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the International Economic Policy Act of 1972, H.R. 15989, contains two titles. The first would establish a Council on International Economic Policy chaired by the President. Title II would extend the Export Administration Act of 1969 to June 30, 1974.

Title I would provide statutory authority for establishment of a Council on International Economic Policy to continue the work now being done by such a Council which was established by Executive order in January 1971. The Council would provide a coordinating focus for the full range of international economic policies including trade, investment, balance of payments, and finance as a coherent whole. It would provide consistency between domestic and foreign economic policy. It would further provide for close coordination of international economic policy with other basic foreign policy components. It would seek to strengthen the U.S. competitive position in world trade. The Council would investigate problems with respect to the coordination, implementation, and long-range development of international economic policy, and make appropriate findings and recommendations to the President for the purpose of assisting in the development of a rational and orderly international economic policy for the United States.

The Council on International Economic Policy would be created in the Executive Office of the President. Certain members of the Cabinet and other executive branch officials would become statutory members of the Council. The act provides that the President shall be Chairman of the Council.

The President would be required to transmit to Congress an annual report on the international economic policy position of the United States which would include a description of international economic policy and significant current and foreseeable trends and developments, a review of the international economic program of the Federal Government and of domestic and foreign economic conditions affecting our balance of payments, and the effect of these programs on the international trade, investment, financial and monetary position of the United States, together with such recommendations as are deemed necessary to achieve the purposes and policy objectives set forth in section 102 of the act.

The act further provides for a staff, headed by an Executive Director, to support the work of the Council. The staff is expected to number approximately 30 persons. For the purposes of carrying on this work an appropriation authorization for fiscal year 1973 is provided in the amount of $1.4 million.

Title II would extend to June 30, 1974 authority granted to the President under the Export Administration Act of 1969. This act authorizes the President to regulate exports to the extent necessary to first, protect the domestic economy from excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand, second, further significantly the foreign policy of the United States and fulfill its international responsibilities, and third, exercise the necessary vigilance over exports from the standpoint of their significance to the national security of the United States. That act expired last Monday. It is, therefore, imperative that the Congress act promptly in passing this bill and thus restore to the President the needed and desirable authority provided by the Export Administration Act.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield for a question?

Mr. WIDNALL. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Can the gentleman tell me where in this bill does this proposed Council have any responsibility to show some concern for restoring the jobs of 900,000 Americans who lost their jobs last year because of foreign imports? This bill seems to be designed to protect American investors abroad. Section (F) says: "protecting and improving the earnings of foreign investments."

But what about American investments? What about trying to keep jobs going in this country for those who are finding competition from foreign imports? Where in this bill is that concern spelled out in this act?

Mr. WIDNALL. The President has the authority to act.

Mr. PUCINSKI. All I am asking is, where in the duties of this Council do the proponents of this legislation show some concern for the American businessman who is trying to stay afloat and keep his plants going and keep jobs going in the face of foreign competition? This Council will set a policy, an international economic policy. On page 2 of this bill there are spelled out on lines 12 down through line 4 on page 3 all the duties of this Council. Show me where one of these duties calls for this Counci to show some concern for the American worker and the American investor in America.

Mr. WIDNALL. Will the gentleman look then at page 3, under (G) where it says: "achieving freedom of movement of people, goods, capital, information, and technology on a reciprocal and worldwide basis."

Mr. PUCINSKI. Precisely. That part locks the United States into a multinationalism policy. If we ever want to see the influence of this country disappear, we should adopt that section.

Mr. WIDNALL. I want to continue reading.

Then under (H) it says: "increasing the employment and real income of workers and consumers on the basis of international economic activity."

Mr. PUCINSKI. Precisely again. Where does that language show any concern for the American workmen? George Meany said last year 900,000 American jobs were exported out of this country by our trade policies. All I ask the gentleman who wants us to support this bill is: Where is the concern for the American worker in this bill? If the gentleman can show that to me, I will be happy to support the bill.

Mr. WIDNALL. I think the gentleman has been in Congress long enough to know that in our export trade and import trade too there are jobs for American workers, and a fine number of jobs—thousands and thousands of jobs. Perhaps the gentleman wants to just erect a wall around the United States, a tariff wall or a quota wall.

Mr. PUCINSKI. No. All I am asking is for the gentleman to show me those provisions.

The gentleman is right, we have been in this Congress a long time and we have seen the electronic industry go dead, we have seen the glass industry go dead, we have seen the shoe industry go dead, and the automobile industry is suffering, and the steel industry is suffering.

I am not suggesting we place a wall around America but I am asking the gentleman where in this Council do we give any hope that this Council is going to develop policies which are going to give American workers displaced by imports some hope of finding new jobs.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. I thank the gentleman for yielding. Mr. Chairman, in answer to the gentleman from Illinois, let me say that George Meany is just plain wrong. Has the gentleman studied any recent reports? There is one in particular—and I cannot give the gentleman the source now but I will give him later a copy of it—which reports on a study of multinational corporations and their effect on employment in this country and it shows the multinational corporations have contributed to employment in this country in a way which is not prejudicial to domestic industries.

It may be popular, but erroneous to look at any import which comes into this country from a multinational operation and conclude that the item would have been produced at home were it not manufactured abroad by a multinational firm. What has happened is that in labor intense industries we have simply become uncompetitive. If we did not have the multinational operations working in the labor intense industries, as a practical matter, this Nation would not be getting at least some of the benefit of that production, of that employment, of that trade. It all would have been exported, not by virtue of the export of finance but by virtue of the noncompetitiveness of American labor in these industries and no part of the products involved in that trade would be made in America by American employees.

Mr. PUCINSKI. If the gentleman wants to support multinationalism and international conglomerates, that is his business, but I am sure his constituents as well as my constituents suffer from that kind of competition, and I am not going to follow the gentleman in that regard.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. The gentleman is totally misquoting me when he says that I am in favor of exporting jobs or in favor of multinational corporations that do.

Mr. PUCINSKI. The gentleman made the statement.

Mr. BROWN of Michigan. No. I did not.

Mr. PUCINSKI. The gentleman supports international conglomerates.

Mr. BROWN of Michigan. What the gentleman is saying is that by recognizing the benefit derived from multinational coprorations, I axiomatically prejudice domestic jobs. Rather, I say that multinational operations of American firms are helping jobs in America. And when George Meany and the gentleman from Illinois say that every operation of a multinational firm results in an absolute loss of jobs in America, they are just wrong.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Ohio (Mr. ASHLEY).

Mr. ASHLEY. As chairman of the Subcommittee on International Trade, I simply want to assure the gentleman that in our deliberations with respect to the Council and its duties there was established in the legislation the responsibility to be concerned about jobs in the United States. This is in subparagraph (H) on page 3, referred to a moment ago. It is also on page 5 of the bill, in the top six lines. It is in the report.

Mr. PUCINSKI. Would the gentleman accept an amendment there?

Mr. ASHLEY. Just a moment.

Mr. PUCINSKI. Would the gentleman accept the words "American workers"?

Mr. ASHLEY. Mr. Chairman, I would also draw attention to the report that was authored by Peter Peterson when he was Executive Director of the Council on International Economic Policy, entitled "The U.S. in a Changing World Economy."

Again, one could not read a page of that report and not be convinced its thrust was the protection of American jobs, the expansion of economic opportunity in the United States for workers and employers alike.

The implication which the gentleman from Illinois insists upon, that this somehow is an anti-labor type of legislation, is absolutely contrary to the facts.

I thank the gentleman from New Jersey for yielding.

Mr. WIDNALL. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. J. WILLIAM STANTON).

Mr. J. WILLIAM STANTON. Mr. Chairman and members of the committee, I rise in support of H.R. 15989. I take this couple of minutes to refer to the colloquy held a while ago between the gentleman from Iowa (Mr. CULVER) and the gentleman from Ohio (Mr. ASHLEY).

I would say to the gentleman from Iowa (Mr. CULVER) and the members of his committee, that the gentleman from Ohio (Mr. ASHLEY) was very fair before the committee in pointing out the relationship he has had with the committee and his desire to work with the members in the future.

I am sure the gentleman realizes the administration wants this legislation. It is open for review at the end of a year. I would not want the gentleman to think for a moment that the gentleman from Ohio (Mr. ASHLEY) has not taken that into consideration in his willingness to cooperate.

This is not a case of a jurisdictional dispute at all.

I would simply add, that the gentleman from Ohio and the other members of the committee, while I am not on that subcommittee, there is a full willingness to work with the Members in any way on the results of their findings.

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. J. WILLIAM STANTON. I yield to the gentleman from Iowa.

Mr. CULVER. I certainly welcome this opportunity to make clear, if I failed to do so at the time of my initial remarks, that I commend the chairman of the subcommittee (Mr. ASHLEY) for what I characterize as a complete cooperation in this area.

However, as the gentleman knows, cooperation does not necessarily mean agreement. I do have the fullest respect for the degree of cooperation I have received from your subcommittee chairman. I might add quite honestly I do not think there was comparable cooperation in every case as far as your full committee's interest was concerned in working together with the full Committee on Foreign Affairs. However, I do not think that that spirit characterized relationships between the two subcommittee chairmen.

Mr. J. WILLIAM STANTON. I thank the gentleman very much.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield to me?

Mr. J. WILLIAM STANTON. I yield to the gentleman from New York.

Mr. PIRNIE. I thank the gentleman for yielding. I am sure there is not anyone in this House who is not mindful of the problem of foreign competition. We do recognize that we do impose on the industry of this country the standards that we set here which carry certain burdens. Therefore, there are elements which prevent competition as long as the American standards of living, health, safety, and other factors are included. I assume it would not be the intention of this council to ignore the fact so that there would be a balanced inquiry into the factors affecting our trade and so that we would not trade a long-term loss for a short-term gain.

Mr. J. WILLIAM STANTON. I thank the gentleman for his contribution, and I wholeheartedly say that I certainly do agree with him. That is my understanding of this legislation, too.

Mr. Chairman, yesterday the Senate passed S. 3726, a bill similar to the one which we are now considering which extends the Export Administration Act, as well as authorizing the Council on International Economic Policy. The bill on the Senate side was considered by two committees—the Banking, Housing and Urban Affairs Committee and the Senate Foreign Relations Committee. It was first reported out of the Banking Committee and then Mr. FULBRIGHT, chairman of the Foreign Relations Committee, secured unanimous consent to have it referred to the Senate Foreign Relations Committee for a period of 30 days. The Foreign Relations Committee then made certain amendments in the portion of the bill authorizing the Council on International Economic Policy which were agreed to by the Senate last night.

In reading over the record of yesterday's proceedings in the Senate, I find that Mr. FULBRIGHT, on page 20266, has attempted to develop the legislative history of the bill as passed by the Senate—a legislative history concerning the Foreign Relations Committee consideration of this bill. Section 208.A of S. 3726—a Foreign Relations Committee Amendment—stipulates that the Executive Director of the Council, who is an assistant to the President, should keep the Banking Committee, Finance and Ways and Means Committees, the Joint Economic Committee and the Foreign Relations and Foreign Affairs Committees "fully and currently informed" regarding the activities of the council.

Now, the words "fully and currently informed" are words of art which are rather difficult to ascertain and mean different things to different people. I would, however, like to quote from Mr. FULBRIGHT's statement on the floor last night. He said:

> Now I trust that the legislative history makes it absolutely clear that the committee amendment is designed to insure that the Executive Director will testify upon request in the regular way before the congressional committees named in section 208(a) of the bill. It is also my belief that this history precludes any possible attempt by the administration to place our relationship with the Council's Executive Director on a basis resembling in any way our past relations—or lack of them—with Mr. Kissinger.

I suggest, Mr. Chairman, that Senator FULBRIGHT's words are directly opposite to what the consensus was when this legislation was considered in public hearing before the Foreign Relations Committee, a session, I might add, where Mr. FULBRIGHT was absent. At that time, Mr. Frank Carlucci, Assistant Director, OMB, was testifying on the council bill and he was questioned by both Senator PERCY and SCOTT, among others, as to what kind of relationship should exist between the Executive Director of the council and the Congress, if the Senate committee and the Senate itself did not require confirmation of the Executive

Director. Senator PERCY commented that Mr. Kissinger "had actually been very helpful in giving us his thoughts and his feelings about the course of foreign policy" and indicated that presently what the Senate committee wanted was the same kind of relationship with the Executive Director so as to permit consultation, et cetera.

> I wonder if that is the same sort of thing that would be possible with Mr. Flanigan?

Senator PERCY replied:

> That is what I'm leading up to.

Mr. Carlucci, on behalf of the administration, replied:

> I have discussed this with Mr. Flanigan and he has indicated that he would operate in very much the same way.

Senator PERCY further commented by saying:

> That is a very important point, I would feel very remiss in not insisting upon confirmation if I had the feeling that Mr. Flanigan, whose position of influence and power I would be the last to underestimate, would be immune from us and if he would follow at least the same course that Dr. Kissinger has followed with the appropriate members of the Senate who have responsibility.

I submit, Mr. Chairman, that this is substantially different from what Mr. FULBRIGHT said last night. The administration during the hearings indicated a willingness to "meet informally" as Dr. Kissinger was doing but would not agree to allow the Executive Director to testify. I did not want to let the opportunity go by without calling Mr. FULBRIGHT's views into question.

It is diametrically contrary to what the administration conveyed in the Foreign Relations Committee and contrary to the consensus to the Senators attending the hearing.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Chairman, I appreciate the gentleman from New Jersey yielding the time to me. Those of you who have read the committee report are aware of the fact that I voted present rather than voting either yea or nay on the passage of the bill out of the committee. I took the position because frankly I still remain somewhat unconvinced that this council is absolutely necessary. I know the purpose. We need to strengthen our international trade position and balance of payments, but the whole purpose of the Council is based on a fallacy: It is believed we can somehow divide or separate our domestic economic policies from our international policies. Nothing can be further from the truth. They are inextricably intertwined

The present Council is operating under the White House's movement of personnel from other agencies. Let us look at some of the domestic economic policies we have instituted in recent months. Right now we are in the process of increasing the minimum wage. What will be the inevitable result of it? It will increase the prices of American goods sold aboard. Has the present Council made any noise, have we heard any messages from Olympus that perhaps this policy may be unwise from the standpoint of furthering our international trade position and strengthening our competitive position abroad? No, we have heard nothing from the present organization. They are remaining completely silent.

We are all aware of the great budgeting deficiencies we are running in general. We are all aware of the excessive spending we are allowing and the inevitable resulting inflation which, in turn, will again weaken our international trade position.

Again, have we heard any message from the trade council that is supposed to advise this Congress, saying, "No, for Heaven's sakes, do not follow these policies, because you are going to weaken our internataional trade position"?

No, there is complete silence from the agency which seeks permanency from which we shall be advised.

I say that the present personnel who are on loan from various agencies, have not given us any leadership at all with regard to our domestic or our international trade policy.

I recognize that we need to strengthen our international trade position, but I suggest that this council, this setting up of a new bureaucratic structure with its predictable request for ever and ever greater spending, and with its self-perpetuating arguments, is not the answer.

Let me suggest as an alternative one thing that would be very proper, and far more controllable from the standpoint of the Congress, would be to strengthen the staff of the Joint Economic Committee, and not only the Joint Economic Committee, but the Council of Economic Advisers. No one has suggested that the Council of Economic Advisers is limited in its scope to making recommendations to the President relative to our domestic economic policy. In fact, there is already a chapter in the annual report of the Council of Economic Advisers which addresses itself to the question of international trade and balance-of-payments problems.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BLACKBURN. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, as a former senior staff member of the Council of Economic Advisers I want to tell the gentleman that I could not agree with him more. I have been baffled as to why there should be any need for this economic council in view of the purpose and functions of the Council of Economic Advisers.

This council would create further confusion and overlapping of jurisdiction.

Mr. BLACKBURN. Mr. Chairman, I deeply appreciate the statement of the gentleman from Maryland. With his experience in having served on the Council of Economic Advisers in a staff capacity, I believe that the gentleman's remarks should be given even far greater authority than any remarks I could make before this committee this afternoon.

I would state to the Members that when this proposal was before the subcommittee I asked a spokesman for the administration, "How many councils have we got like this in this town now? Does anybody really know?" He said, "Well, there used to be over 800, but now we have been able to cut them down to 650, I think, or thereabouts."

That gives me very little comfort, actually, because we are proposing to authorize about $1.4 million for this particular council. If we have 650 other councils now in existence and we are authorizing $1.4 million for this Council—and I suggest to you that the history of such bureaucratic organizations, being what they are, that this Council will come back and ask for $3 million next year. After all, they have got to have a bigger staff, and they will need more space, and they have got to be able to travel, because they have got to find out what is going on all over the world, and they will have to get out and view the world with their own eyes. I suggest to you that they will be asking for $3 million next year, and after that it will be even greater. But if we would just assume that this Council would be limited to an expenditure of $1.4 million, then if the same expenditure exists for other existing councils we are talking about a $1 billion expenditure just to maintain the councils that now exist.

The CHAIRMAN pro tempore (Mr. GIBBONS). The time of the gentleman has expired.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. REES).

Mr. REES. Mr. Chairman, the Banking and Currency Committee considered an amendment I introduced to the export control title of the bill which would declare it to be the policy of the United States to use export controls to oppose the denial by any country of the rights of its Jewish and other citizens to free emigration and the free exercise of religion."

While the amendment was aimed at preventing the persecution of Soviet Jews, it appears that the feeling of the committee was that the amendment's latitude was broader than this specific case and could complicate and adversely affect our trading relations with many other nations. Although the committee was sympathetic to the plight of the Soviet Jews, it felt that the amendment in question might not be the best approach to the resolution of the problem at this time.

While I still support the spirit of the Rees amendment I would like to point out that in recent action Congress has expressed its concern over the situation in the Soviet Union in regard to its Jewish minority. On April 17, 1972, the House passed by a vote of 360 to 2, House Concurrent Resoltuion 471, declaring it to be the sense of Congress "that the President of the United States of America shall take immediate and determined steps to: First, call upon the Soviet Government to permit the free expression of ideas and exercise of religion by all its citizens in accordance with the Soviet Constitution; and second, utilize formal and informal contacts with Soviet officials in an effort to secure an end to discrimination against religious minorities; and third, request of the Soviet Government that it permit its citizens the right to emigrate from the Soviet Union to the countries of their choice as affirmed by the United Nations Declaration of Human Rights; and fourth, raise in the General Assembly of the United Nations the issue of the Soviet Union's transgression of the Declaration of Human Rights, particularly against Soviet Jews and other minorities."

In the Export Administration Act, section 3(2)(B), it is declared that the "policy of the United States is to use export controls to the extent necessary to further significantly the foreign policy of the United States and to fulfill its international responsibilities." House Concurrent Resolution 471 is a clear congressional declaration of purpose and, in light of the policy declaration in the Export Administration Act that export controls be used to further U.S. foreign policy, I urge that the administration, in enforcing the Export Administration Act, will heed the strong congressional declaration in regard to discrimination against Soviet Jews.

It is my hope that the U.S. trade negotiators now dealing with the Soviet Union will keep in mind our Government's expressed concern for Soviet Jews; I hope that the question of Soviet Jews will be raised in these trade negotiations, with the understanding that the resolution of the problem will improve relations between our countries and help remove existing obstacles in our trade policies.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, I strongly support H.R. 15989, the International Economic Policy Act which also extends for 2 years the Export Administration Act.

The findings of the act in section 102 of title I accurately state the need for coordination in the many programs and agencies which collectively constitute the international economic policy of the United States.

The act attempts to provide a coordination and a focus for our international economic policy by the creation of a Council of International Economic Policy. The Cabinet-level officials who constitute the Council are the people whose responsibilities include various, sometimes uncoordinated, sometimes competitive, aspects of international economic policy.

The act also provides that its council will coordinate with the Domestic Council in an effort to establish consistency between domestic and foreign economic policy.

This act is no guarantee that our international policies will suddenly become perfectly coordinated, perfectly effective, and exactly correct. It will, however, provide a better organizational structure for improvement in coordination, in effectiveness, and in correctness in our foreign economic policy.

Title II of the act merely extends the Export Administration Act for 2 years. The committee wisely voted down an amendment to write into this extension the rules for a particular export commodity. Many members of the committee, including myself, question the wisdom of the establishment of a restrictive quota on that commodity, but they realized that the policy of each, or any commodity should not be written into this act. If the amendment is raised here—or if a similar one is moved—it should be defeated as inappropriate just as the committee determined.

In addition, Mr. Chairman, the committee report contains language which I feel is just as important as the language of the bill with respect to our lists of commodities for trade with the Eastern bloc of nations. The subcommittee found, and the committee concurred in those findings, that both the multilateral list—COCOM—and the unilateral list either are not reviewed or are not changed on a regular basis. The language of the committee report directs appropriate officials to confer with appropriate people in industry to see that these lists are brought up to date to provide for the maximum trade consistent with our security.

In view of the alarming deficit in both balance of trade and balance of payments, it is much to our advantage to review the list to find items which can be traded without jeopardizing our security. I hope that the Council on International Economic Policy will see that the lists are thoroughly scrutinized and that we find every way possible to expand trade opportunities consistent with national security.

This bill has been attacked as unnecessary by the gentleman from Iowa (Mr. CULVER), and as destructive to American jobs by the gentleman from Illinois (Mr. PUCINSKI).

It exists now and is operative. But we need the Council. This bill merely makes the Council statutory and makes it report regularly to the Congress. The gentlemen from Georgia (Mr. BLACKBURN) complained that that we are not paying attention to domestic policy. H.R. 15989, however, does provide specifically that CIEP will make both domestic and international recommendations, and seek coordination between domestic and international policy.

Mr. MAYNE. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman.

Mr. MAYNE. Mr. Chairman, the commodity to which the gentleman is referring is undoubtedly cattle hides. Would the gentleman agree with me that when the Secretary of Commerce on July 15 took his ill-advised action of ordering a partial embargo on exports of cattle hides that he was working at direct cross purposes with the established policy of this country to increase our exports?

Mr. FRENZEL. I do.

Mr. MAYNE. When we consider Secretary Peterson's order against the background of how our cattle hide export trade was built up in this country by our cattle industry at great expense after domestic shoe manufacturers had largely abandoned the use of domestic hides, does it not become obvious that his embargo is an outrageous and unjustified discrimination against the cattle producers of America?

Mr. FRENZEL. I believe it was an unwise decision.

Mr. MAYNE. Does the gentleman recall how a few years ago the shoe manufacturers of this country spurned the use of domestic cattle hides and indicated they were going to shift entirely to synthetics; and this knocked the bottom out of the cattle hide market and hides became practically worthless in this country? Does he remember how this abandoning of domestic hides by the shoe industry, caused great hardship among the Nation's cattlemen by seriously depressing the price of cattle? And does he recall how to meet this crisis the American cattle industry launched a campaign at great expense and effort to develop this foreign market in hides? The cattle industry went to potential foreign customers and said "If you will buy our hides we will furnish your needs." But now that this effort has succeeded and we have a flourishing export trade in hides; at great benefit to this country's balance of trade, it appears that success is to be penalized. By limiting hide exports on July 15, Secretary Peterson has told our foreign customers he will not let them participate in any increase of hide production in this country. And this from a Secretary who is supposed to be interested in developing our foreign trade. How in the world can he expect to persuade the Russians or the Poles or any one else to buy our products as he has been trying to do for the last 2½ weeks when he has just broken faith with our foreign hide customers? Does the gentleman agree with me that we cannot expect foreign countries to start doing business with us when they have just seen Secretary Peterson putting a lid on the hide trade as soon as it became mutually profitable?

Mr. FRENZEL. I thank the gentleman for his comments. I am not an expert in the field of hide exports. I do agree that the policy was unwise.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman.

Mr. PATMAN. Mr. Chairman, there was a mistake made on the keeping of the time. The timekeeper, when I yielded to Mr. ASHLEY 10 minutes, did not get it, but the reporter got it. The reporter shows that I yielded to Mr. ASHLEY 10 minutes. Now, that extra 10 minutes was on our side. Are we to be given credit for that period?

The CHAIRMAN pro tempore (Mr. GIBBONS). The time has been consumed. If the gentleman had an objection, it should have been raised at that time.

Mr. PATMAN. Well, it is not all used yet.

The CHAIRMAN pro tempore. The gentleman from Texas has 5 minutes remaining.

Mr. PATMAN. Mr. Chairman, I would like for the minority to use some of its time.

Mr. WIDNALL. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. ROUSSELOT).

PARLIAMENTARY INQUIRY

Mr. COLLIER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. COLLIER. What is the total time left in the light of the time at which the debate began?

The CHAIRMAN pro tempore. The gentleman has been yielded 4 minutes, and that will use up all the time of the gentleman from New Jersey (Mr. Widnall).

Mr. COLLIER. Mr. Chairman, I mean the total time of the debate.

The CHAIRMAN pro tempore. The gentleman from Texas has 5 minutes remaining.

Mr. ROUSSELOT. I thank my ranking Member for granting me the time.

Mr. Chairman, I rise in general opposition to title I of this bill, because I think it is unnecessary and definitely not needed at this time. As the gentleman from Georgia has already very eloquently stated, I do not believe those who are advocating making this a separate new council have made an adequate case at this time. Further, I believe that the Foreign Affairs Committee, which has been deeply engaged in a long investigation of this whole subject, should also be heard from before we set up one more advisory council.

Now, let me note at the beginning that I very much favor title II of this bill, so I do not want the implication made that, because I oppose title I, that I want to stop everything in export administration. That is not the case. I believe that title II of this bill is being used as a captive to hurry through an expansion of Federal bureaucracy that is totally unnecessary.

I concur in the views expressed by Congressman Blackburn and have joined him in them. As we have jointly stated Congress does have a responsibility to seek out the most effective and economic means of developing and implementing a well coordinated foreign trade policy. What disturbs me is the feeling that we have relied too heavily on the recommendations of the executive branch for achieving this admittedly worthwhile objective and devoted too little effort to the consideraion to effective alternatives.

Let me note that I wholeheartedly support the President's objectives of restructuring the executive branch to make it more responsive to the Nation's needs and the public demands. And especially to reduce its size. However, I think it is self evident that we who constitute the Congress have sufficient exposure to the functions, and malfunctions, of the executive branch that we can and should offer constructive suggestions where we feel we can improve on his recommendations.

It is in this spirit that I urge serious consideration of the recommendations to place the responsibilities spelled out in section 105 of H.R. 15989 with the Council of Economic Advisers instead of creating a new Council on International Economic Policy. There is absolutely no doubt that our domestic economic policies and our international economic policies are interdependent and interrelated. They cannot be separated. If proof of this is needed just let me call your attention to the fact that the Council of Economic Advisers is already deeply involved with considerations of the relationships between the two.

For example the annual report of the Council of Economic Advisers submitted in January of this year contains five chapters, the fifth being entitled "The United States and the World Economy." I list below the subheadings within that chapter:

> Chapter 5. The United States and The World Economy:
> The Recognition of Disequilibrium.
> Reactions to the U.S. Deficit.
> August 15.
> Balance of Payments Analysis:
> Balance on Goods, Services, and Remittances.
> Cyclically Adjusted Balances.
> The Capital Accounts.
> Balance on Current Account and Long-Term Capital.
> The Size of the Required Correction.
> Developments After August 15:
> Alternative Routes to Realignment.
> Realignment Through Floating.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Georgia.

Mr. BLACKBURN. I wonder if the gentleman finds anything inconsistent in the fact that in an act which would supposedly improve the balance-of-trade position that in the same legislation we are extending authority under which the Secretary of Commerce has decreased the availability of goods for trade, namely, hides. Does the gentleman find anything inconsistent in that approach?

Do you find anything inconsistent in that approach?

Mr. ROUSSELOT. Yes. And I know the gentleman from Texas (Mr. Gonzalez) and the gentleman from Iowa (Mr. Kyl) and others intend to speak on this important issue. I think this is a clear example of the contradictions which have already existed.

In addition to that, the Secretary of Commerce, who formerly served as Executive Director of this function, is already carrying out many of these activities on his own as Secretary of Commerce.

Mr. PATMAN. Mr. Chairman I yield 2½ minutes to the gentleman from Texas (Mr. Gonzalez).

Mr. GONZALEZ. Mr. Chairman, I thank the distinguished chairman for yielding 2 minutes to me.

I rise only to take this opportunity to announce to the membership that at the proper time I intend to offer an amendment, and I am doing so at the request of an overwhelming number of Members within and without the committee on both sides of the aisle, with respect to a very critical matter that affects a large scale segment of our cattle and hide industry.

With respect to the first title I do have this much to say, that the simple extension of this legislation, which is due to expire, has been used as a vehicle to carry us through the provisions setting up the particular Commission and so on. So I think it is important for us to concentrate on the significance and the meaning of the extension of this act. That is what my amendment will deal with, with respect to a very important action that has been taken even though the disastrous results of 1966 are known, when the President took similar action only to rescind it within a few days. This time it seems congressional action will be required to bring justice. This I think is a most important matter. I do hope my colleagues will be here to consider and evaluate my amendment at the appropriate time.

Mr. PATMAN. Mr. Chairman, I yield the balance of the time, 3½ minutes to the gentleman from Ohio (Mr. Ashley).

Mr. ASHLEY. Mr. Chairman, let me conclude the debate if I may by suggesting the question is not whether we should have a Council on International Economic Policy. That question has been answered. That question has been answered by President Nixon. Despite all the fine ideas and alternatives that have been suggested by the gentleman from Georgia and the gentleman from California and others with respect to the kind of mechanism that can best advance the United States in its export posture, the fact remains that the President of the United States has established within the office of the White House a Council on International Economic Policy.

The President has gone further. He has said to the Congress:

> I prefer to have this Council—that is in being, that is going to continue in being if the legislation is voted down—I would prefer to have this Council have statutory authority. Will you please develop legislation toward this end.

The Subcommittee on International Trade responded. So I stand here somewhat amused by the fact that I am being beset by members of the President's own party, when all the subcommittee which I chair has done is to respond in a way we think is a responsible way to a legitimate request of the President of the United States.

It was a legitimate request in an extremely complex and important area, an area where the welfare of each American is involved. I say that because there can be no question that the conduct of our international economic policy does affect the lives of every worker, of every American.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. I thank the gentleman for yielding.

I support what the gentleman has said entirely. I wish to assure him that although there may be some Members of the President's own party who do not concur in title I of this bill, most of the Members of his party concur.

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Iowa.

Mr. CULVER. Would the gentleman

agree if this particular President desires this particular mechanism for the effective conduct of American foreign economic policy and its harmonization he certainly is continually at liberty to do that by Executive order, as he did 18 months ago?

Mr. ASHLEY. Yes.

Mr. CULVER. And it is not necessary to enact the statutory authority?

Mr. ASHLEY. I would have to agree with the gentleman on that. I believe one of the reasons why the President wants this legislation, and we have responded, is that only through this kind of mechanism can there be any kind of solid partnership between the Congress and the White House in the formulation and implementation of trade policy and foreign economic policy generally. Either we want that kind of partnership which we do not have at the present time or we do not want it.

We should adopt the legislation before us.

Mr. PODELL. Mr. Chairman, as we consider an extension of the Export Administration Act, it seems appropriate to take note of the new and developing trade relationship between the United States and the U.S.S.R. I think we should be realistic about the rationale for entering into this broadened phase of economic exchange between our two countries. Our primary motive for initiating into expanded trade with the Soviet Union was not due to the economic benefits that would be derived from such trade. It will be several years before exports to the Soviet Union will comprise more than a small percentage of the annual total. Conversely, there is very little we wish to purchase from the Soviet Union—almost nothing in the area of consumer goods. In 1971, exports to the Soviet Union were almost three times the amount of imports. The Soviet Union, on the other hand, stands to benefit substantially from increased trade with the United States. Our technology and consumer goods are greatly needed to advance the development of industry and to improve the standard of living for Soviet citizens.

It is clear, then, that expanded trade with the Soviet Union would provide no significant economic advantage to the United States. The only meaningful gain to the United States would be in terms of reducing world tensions and improving international relations. In short, we would reap a foreign policy benefit which would advance our position and stability in the world community.

In recognizing that increased trade with the U.S.S.R. is a foreign policy tool, we must look further to place this relationship in the context of our overall international responsibilities.

Historically, the United States has taken the position that the defense of basic human rights of individuals was our primary obligation in the world community. Certainly, this tradition must be extended to our relations with the Soviet Union. It is in this area we must raise serious questions about the proper nature of our altered position vis-a-vis the U.S.S.R.

Many citizens of the U.S.S.R., including Jews and other minorities, are denied basic human freedoms because they belong to a particular ethnic or religious group. Frequently, such people are subject to harassment, arrest, quotas, military call-up, imprisonment, and in some cases, even confinement in mental institutions as a result of their beliefs. These acts are not the result of caprice on the part of individuals or regional prejudices, but deliberate policies of the government of the Soviet Union.

Moreover, the Soviet Jews in particular have had their freedom of emigration abrogated.

In the last several years there has been a reawakening of ethnic and religious identity among Soviet Jews. The fading of the horrors of the Stalin years and the Israeli victory in the 6-day war imparted new awareness and fresh courage into an ancient people.

First a few, and then by the hundreds, they applied for exit visas. In most cases they sought to be reunited with their people in Israel. Soviet authorities reacted harshly with arrests and prison sentences.

Despite the almost certain loss of livelihood, harrassment, and danger of imprisonment the number of applicants for exit continued to increase. Finally, in the face of such determination and the pressure of public opinion, Soviet authorities opened the door a crack. In 1971, approximately 15,000 Soviet Jews were allowed to emigrate. This year, if the current rate of departure is continued, it is estimated that about 30,000 Jews will leave the Soviet Union.

I would like to caution you, however, about miscontruing the previous statistics concerning emigration of Soviet Jews. In many ways the situation for Jews in the Soviet Union is more serious than before President Nixon's recent trip.

In spite of the very real risks involved, somewhere between 250,000 and 300,000 Jews have officially sought to leave the Soviet Union. It is estimated that by the end of the year the number will be much higher. At the present rate of emigration it will take a minimum of 10 years for the number of persons who have already applied to get out. Keep in mind that most people are fired from their jobs as soon as they begin the application process. Soviet authorities have been granting exit visas without regard to the order of application. Granting of exit visas is heavily weighted against persons from cities such as Moscow or Kiev and persons who have a high level of education or technical training. Scientists, in particular, have been singled out for repressive treatment. On the other hand, less skilled people from Georgia receive visas with ease.

In recent weeks there has been an increase in the number of arrests and trials involving Jews thoughout the Soviet Union including Moscow, Riga, Kiev, Odessa, Kharkov, Sverdlovsk, and Rostov-on-Don.

Many Jews have had their telephone service cut off to prevent communication with friends and relatives in the U.S. and Canada. The Jews of Sverdlovsk who have applied to go to Israel are under virtual siege and are prohibited from making phone calls even within the Soviet Union or to leave the city.

One Sverdlovsk Jew, Vladimir Markman, a 34-year-old engineer is facing a possible 8 years in prison for allegedly "making false statements against the Soviet Union" and "being absent as a witness for the prosecution." His wife was also arrested after going on a hunger strike in attempt to get competent legal counsel for her husband. Six lawyers have come forward to take the case, but have been enjoined from doing so by the Soviet Association of Jurists.

To aggravate matters, there are signs that the Markman case may be used as an excuse to indict some Jewish scientists in Moscow on a conspiracy charge, including Vladimir Slepak, Victor Polsky, and Vladimir Presten. It is believed that trying these people in Sverdlovsk, a city closed to press and tourists, would avoid the glare of publicity which would surely result from a Moscow trial.

Given the serious situation prevalent in the Soviet Union at this time, it would be reckless of this Congress not to take a firm stand on behalf of Jews and other oppressed minorities in that country.

We would expect that the question of Soviet Jews would be raised firmly in trade negotiations with the understanding that the resolution of this issue will improve relations between our countries and remove an obstacle to expanded trade and commercial relations.

If, however, no improvement in the situation is apparent in the near future, it will be necessary to impose restrictions on export trade to the U.S.S.R. There is precedent for this in the actions of the Congress in the cases of Rhodesia and South Africa. If there is no significant increase in emigration in the next year, I will personally introduce a measure limiting trade with the Soviet Union.

Mr. SKUBITZ. Mr. Chairman, once again I am compelled to protest the foolish and wasteful appropriations policy followed in this Congress—this Christmas tree policy of comingling questionable appropriations with essential and necessary funding bills that we all support. It is like hanging garish tinsel on a handsome tree.

I refer, of course, to the conference report now before us, labeled the Housing and Urban Development appropriations bill, H.R. 15093. As I pointed out on this floor on May 24, the bill was not primarily for housing and related problems. Nor was it for NASA even though $3.5 billion each for HUD and NASA was tucked away in the measure for these two agencies.

The point is that more than half of the House-approved total of $19.7 billion was for the Veterans' Administration and veterans' benefits and hospitals. Why could we not have a Veterans' Administration appropriation bill that can readily stand on its own feet, so to speak? Does anyone doubt why the essential and popular veterans funding was placed in the bill?

But some $3.5 billion for HUD, at best a somewhat disputatious program, was tossed in. And presumably because no better place to hide it could be found, another $3.5 billion for NASA was added to the measure. If these programs have so much support, why not permit us to deal with them separately and on their own?

I said in May and I repeat now, Mr. Chairman, that this is a shameful practice that adds further to this much discussed credibility gap in Government. Members of Congress should not be placed in the position, through parliamentary practice, of having to swallow appropriations of which they disapprove in order to support those they favor.

Now we have the bill back from the other body, further swollen in funds, as we have come to expect. It left us carrying $19.7 billion; the other body increased it by some $864 million; and the conferees masterfully cut the gratuity in half so that the measure stands before us increased by a mere $407 million. Of course, many in Government regard a half-billion dollars as peanuts in today's handling of taxpayers moneys. I do not.

A part of that increase, some $5½ million, adds to the $3.5 billion we have already given this most favored of agencies and its projects—NASA and further exploration of space. Rockets to deep space, taking pictures of Venus and Mars and even far-off Jupiter—these are the projects that appear to be more urgent than feeding the hungry and taking care of the aged.

Simply for the record, I desire to reiterate that I will vote against the conference report to register my opposition to this method of appropriating funds. I am for all necessary funds for the Veterans' Administration. All of us know that we shall not shun our duty to meet the Nation's obligation to our veterans no more than we can shun the responsibility to appropriate funds to pay the interest on the national debt.

If this conference report shall fail of enactment—which I doubt—we shall have before us a bill appropriating moneys for the veterans, which I for one shall proudly support.

Mr. YATES. Mr. Chairman, together with the gentleman from California (Mr. REES), I have filed a bill which "declares it to be the policy of the United States to use export controls to oppose the denial by any country of the rights of its Jewish and other citizens to free immigration and the free exercise of religion."

At first glance this would appear to some to be a most drastic approach toward conveying to the Soviet Union this country's displeasure with the illegal and often inhuman treatment by the Soviet Union of its citizens of Jewish faith.

I would point out to those having this viewpoint that the Soviet Union has been made aware of this Nation's attitude by protests filed by the Department of State in diplomatic channels and more importantly, by passage by this House of a resolution on April 17, 1972 urging the President to call upon the Soviet Union to allow the free expression of ideas and the free exercise of religion; second, to use our diplomatic contacts with the Soviet Union to seek to persuade that nation to end discrimination against religious minorities; third, request the Soviet Union to permit its citizens to emigrate to another country if they wish to do so; and fourth, to raise the issue of the breach by the Soviet Union of its treaty obligations under the U.N. Declaration of Human Rights in the United Nations.

It is hoped that President Nixon discussed the matter seriously on the occasion of his recent trip to the Soviet Union. If he did so, the efforts of that intervention have not been made public, and the fact remains that the response of the Soviet Union to the entreaties, to the protests, to the formal resolution of the Congress, to the request of the President have been minimal. Immigration from the Soviet Union to Israel or to other countries has increased but not nearly enough to give any expectation or hope that the conditions of discrimination against its Jewish citizens have been changed. Today Jews who seek to leave Russia are still harassed and mistreated, they are fired from their jobs, some are committed to mental institutions, some are drafted into the army, others have been jailed. Every obstacle to their leaving continues to be placed in their way, including the requirement that each person pay the equivalent of $1,000 in order to obtain an exit visa.

In April 1972, the American Representative in the U.N. Economic and Social Council, Commission on Human Rights said:

> Freedom of movement traditionally has been highly cherished as a human right comparable in value to freedom of conscience and expression. Enjoyment of this right enables the individual freely to choose the society most congenial to his ideals and to pursue his political beliefs or seek economic rewards in harmony with his particular aspirations.

Mr. Chairman, the representative's eloquent statement might well have included as an additional motivating cause the desire to practice religion freely. This is the dominant and fervent goal of the Jews of the Soviet Union who want to emigrate to Israel. The fact is that they cannot worship freely in the Soviet Union today.

The American representative also said in his speech:

> It is heartening to note that there has been a substantial modification of restrictions on emigration of Soviet Jews and that an increasing number of those desiring to move to other countries have been permitted to do so in the past months. This is a positive trend which should be encouraged and continued. We would urge that remaining restrictions on emigration and travel be eased so that all Soviet citizens who wish to exercise their right to freedom of movement may be permitted to do so.

Mr. Chairman, it is in support of the hope of the American representative that I would urge the adoption of the Rees bill, to encourage the Soviet Union to move in the direction of freedom of emigration. The bill is not inflexible. It maintains the right and the discretion in the President by giving him the authority "when the national interest warrants unrestricted exports to a foreign country" to permit such unrestricted exports. He may use other methods of persuasion to effectuate the purpose of the bill.

There is precedent, Mr. Chairman, for taking action through trade channels to protect the rights of minorities. In 1832 a trade treaty between tne United States and czarist Russia guaranteed the right of individuals from one country to enter and conduct business in the other "with the same security and protection as natives of the country." Shortly thereafter the czarist government entered upon a practice of vicious discrimination against its Jewish citizens, a policy which it carried over to Americans of Jewish faith who tried to do business under the Treaty of 1832. Over the years thereafter, protest after protest was made by the Department of State through diplomatic channels and by Jewish leaders in the United States. Almost a century passed without any inclination on the part of the Russian Government to change its policy. As a result, a determined effort to abrogate the Treaty of 1832 was undertaken. When the House of Representatives on December 13, 1911, passed the Sulzer Joint Resolution by a vote of 300 to 1, President Taft, without waiting for Senate approval, instructed Secretary of State Knox to notify Russia that the treaty had been rescinded. Essentially it was a victory for equal justice for American citizens, but it was much more. It showed the Russian Government and the world that the United States was determined to make clear that religious persecution and discrimination was abhorrent to Americans of all faiths.

That great principle still prevails in this Nation. The Congress has gone on record to protest discrimination of Soviet Jews and the breach by the Soviet Government of its written international commitments guaranteeing freedom of emigration. Why should not trade agreements between the Soviet Union and the United States seek to achieve this Nation's ideals and principles? I believe they should.

The CHAIRMAN pro tempore. (Mr. GIBBONS). All time has expired.

Pursuant to the rule, the Clerk will now read the bill by title.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—INTERNATIONAL ECONOMIC POLICY ACT

SHORT TITLE

SEC. 101. This title may be cited as the "International Economic Policy Act of 1972".

FINDINGS AND PURPOSE

SEC. 102. The Congress finds that there are many activities undertaken by various departments, agencies, and instrumentalities of the Federal Government which, in the aggregate, constitute the domestic and international economic policy of the United States. The Congress further finds that the objectives of the United States with respect to a sound and purposeful international economic policy can be better accomplished through the closer coordination of (A) domestic and foreign economic activity, and (B) in particular, that economic behavior which, taken together, constitutes United

States international economic policy. It is therefore the purpose of this Act to establish a Council on International Economic Policy which will provide for—

(A) a clear top level focus for the full range of international economic policies including trade, investment, balance of payments, and finance as a coherent whole;

(B) consistency between domestic and foreign economic policy;

(C) close coordination of international economic policy with other basic foreign policy components;

(D) strengthening the United States competitive position in world trade;

(E) achieving equilibrium in international payment accounts of the United States;

(F) protecting and improving the earnings of foreign investments;

(G) achieving freedom of movement of people, goods, capital, information, and technology on a reciprocal and worldwide basis; and

(H) increasing the employment and real income of workers and consumers on the basis of international economic activity.

It is the further purpose of Congress to provide the Council with the opportunity to (A) investigate problems with respect to the coordination, implementation, and long-range development of international economic policy, and (B) make appropriate findings and recommendations for the purpose of assisting in the development of a rational and orderly international economic policy for the United States.

CREATION OF COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SEC. 103. There is created in the Executive Office of the President a Council on International Economic Policy (hereinafter referred to in this title as the "Council").

MEMBERSHIP

SEC. 104. The Council shall be composed of the following members and such additional members as the President may designate:

(1) The President.

(2) The Secretary of State.

(3) The Secretary of the Treasury.

(4) The Secretary of Agriculture.

(5) The Secretary of Commerce.

(6) The Secretary of Labor.

(7) The Director of the Office of Management and Budget.

(8) The Chairman of the Council of Economic Advisers.

(9) The Special Representative for Trade Negotiations.

(10) The Secretary of Defense.

The President shall be the Chairman of the Council and shall preside over the meetings of the Council; in his absence he may designate a member of the Council to preside in his place.

DUTIES OF THE COUNCIL

SEC. 105. (a) Subject to the direction of the President, and in addition to performing such other functions as he may direct, it shall be the duty of the Council to—

(1) assist and advise the President in the preparation of the International Economic Report;

(2) review the activites and the policies of the United States Government which indirectly or directly relate to international economics and, for the purpose of making recommendations to the President in connection therewith, consider with some degree of specificity the substance and scope of the international economic policy of the United States, which consideration shall include examination of the economic activities of (A) the various agencies, departments, and instrumentalities of the Federal Government, (B) the several States, and (C) private industry;

(3) consider policies and programs for coordinating the activities of all the departments and agencies of the United States with one another for the purpose of accomplishing a more consistent international economic policy, and make recommendations to the President in connection therewith;

(4) continually assess the progress and effectiveness of Federal efforts to carry out a consistent international economic policy; and

(5) make recommendations to the President for domestic and foreign programs which will promote a more consistent international economic policy on the part of the United States, the several States and private industry. Recommendations under this paragraph shall include, but shall not be limited to, policy proposals relating to monetary mechanisms, foreign investment, trade, the balance of payments, foreign aid, taxes, international tourism and transportation, and international treaties ad agreements relating to all such matters. In addition to other appropriate objectives, such policy proposals should be developed with a view toward fulfilling the purposes set forth in section 102.

(b) It shall be the duty of each member of the Council enumerated in section 104 other than the President to testify before committees of the Congress on the annual International Economic Report and on reports supplementary to the International Economic Report.

REPORT

SEC. 106. (a) The President shall transmit to Congress within sixty days after the beginning of each regular session (commencing with the year 1973) a report on the international economic position of the United States (hereinafter called the International Economic Report which shall include—

(1) information and statistics describing characteristics of international economic activity and identifying significant current and foreseeable trends and developments;

(2) a review of the international economic program of the Federal Government and a review of domestic and foreign economic conditions and other significant matters affecting the balance of international payments of the United States and of their effect on the international trade, investment, financial, and monetary position of the United States; and

(3) a program for carrying out the policy declared in section 102, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports supplementary to the International Economic Report, each of which may include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the purposes and policy objectives set forth in section 102.

EXECUTIVE DIRECTOR AND STAFF OF THE COUNCIL

SEC. 107. (a) The staff of the Council shall be headed by an Executive Director who shall be appointed by the President, and he shall be compensated at the rate now or hereafter provided for level II of the Executive Schedule (5 U.S.C. 5313). It shall be the duty of the Executive Director on a full-time basis to——

(1) direct the activities of the Council staff,

(2) develop the agenda and supporting materials for Council meetings and review all matters before the Council,

(3) establish a work program (including topics and the selection of individuals to carry out particular assignments.

(b) (1) With the approval of the Council, the Executive Director may appoint and fix the compensation of such staff as he deems necessary.

(2) Section 5315 of title, United States Code, is amended by adding at the end thereof the following:

"(97) Deputy Director, Council on International Economic Policy.".

(3) Section 5316 of title 5, United States Code, is amended by adding at the end thereof the following:

"(132) Assistant Directors, Council on International Economic Policy(2),".

(c) With the approval of the Council, the Executive Director may procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate now or hereafter provided for GS–18.

(d) Upon request of the Executive Director, the head of any Federal agency is authorized to detail, on reimbursable basis, any of its personnel to the Council to assist it in carrying out its duties under this Act.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 108. For the purpose of carrying out the provisions of this title, there is authorized to be appropriated for fiscal year 1973 the amount of $1,400,000.

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, reserving the right to object, I remind the gentleman that the rule provides, does it not, for the bill to be read by title?

Mr. PATMAN. That is correct.

Mr. GROSS. Why adopt the rule for the bill to be read by title, if it is not read?

Mr. PATMAN. Just to save time, to give Members more time to talk.

Mr. GROSS. Did the gentleman ask for this rule?

Mr. PATMAN. We agreed to it and wanted it; yes.

Mr. GROSS. Then why does the gentleman want to set aside the reading of the bill for now?

Mr. PATMAN. That is all right. The Members have the bill and can read it now.

Mr. GROSS. I did not vote for the rule; therefore, I object to dispensing with the reading of the bill.

The CHAIRMAN pro tempore. Objection is heard.

The Clerk will read.

The Clerk proceeded to read title I.

Mr. HANNA (during the reading). Mr. Chairman, I would move that we consider this title read and open to amendment at any point.

The CHAIRMAN pro tempore (Mr. GIBBONS). The motion is not in order.

Mr. HANNA. Then I will ask unanimous consent that this title be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. GROSS. Mr. Chairman, reserving the right to object, if the gentleman voted against the rule, I might—did the gentleman from California vote against the adoption of the rule?

Mr. HANNA. I do not believe we went through any rollcall on voting for the rule.

Mr. GROSS. Oh, yes, we did.

Mr. HANNA. Then I voted for the rule.

Mr. GROSS. Mr. Chairman, I object.

The Clerk concluded the reading of the title.

AMENDMENT OFFERED BY MR. CULVER

Mr. CULVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CULVER: On page 1, after line 7, insert the following:

"EXPIRATION DATE

"SEC. 102. The provisions of this title shall expire on June 30, 1973, unless extended by legislation enacted by the Congress."

And redesignate the following section accordingly.

Mr. CULVER. Mr. Chairman, I believe this amendment is self explanatory. It would provide for the existence of the council by statutory action for a period of 1 year and would limit its statutory life to that period.

This is an amendment which was adopted earlier this week in the Senate version of this legislation and would place the House bill in conformity with that version.

Mr. Chairman, as I said earlier during the general debate, in my judgment it would be extremely unwise for the Congress to enact this legislation today. I say that in no way to suggest a criticism of the appropriate importance and emphasis placed by this administration on the critical question of how we can most effectively coordinate and harmonize the conduct of American foreign economic policy. It is desperately needed and it is currently in a state of disarray.

Mr. Chairman, I offer this amendment because, in my judgment, to do this without qualification for an indefinite life span would be unwise and unwarranted based on the state of congressional understanding of the most appropriate mechanism by which the executive branch of Government can carry out this important responsibility.

Now I have indicated earlier that we are holding hearings in the House Committee on Foreign Affairs. These are indeed exhaustive hearings on the subject. The witnesses to date have been extremely conflicting in their recommendations—those of both administrations in recent years, both Republicans and Democrats—and reasonable men have very important and real and fundamentally sound differences of judgment as to how we best approach this subject.

It seems to me, this president, as any president, should be afforded the opportunity to conduct his foreign economic policy in a way that is compatible with the best interests of the Nation as he perceives them to be. This is what this President, in fact, has done, as have his predecessors in the past.

But, Mr. Chairman and Members of the Committee, he has every opportunity now to continue such an approach through executive authority. It is not necessary to bind the hands of some subsequent President whoever he may be, regardless of party, with yet one more institutionalized mini-bureaucracy in the White House.

It seems to me, recent history is all too clear when this begins to occur, the problem of accountability and accessibility and responsiveness of the executive branch of the Government to the Congress to bring about this objective of an effective working partnership as the gentleman from Ohio (Mr. ASHLEY) suggested, is absolutely impossible. Hiding in the White House basement, under the cloak of executive privilege, is not the most effective way, I respectfully submit, to bring about the meeting of minds between the legislative branch of our Government on the one hand and the executive branch of Government on the other hand.

I think it is very unwise for us to establish one more bureaucracy at a cost of $1,400,000 a year, in the first year—and to put 29 more people on the White House payroll in the White House, cloaked in executive privilege and unaccountable to the appropriate committees of the Congress, and then to say in the same breath that we have worked out a mechanism to insure close cooperation between the executive and legislative branches of Government in the conduct of our foreign economic policy.

My friends, that is just a contradiction in terms. It seems to me, at a minimum, if we are going to be so unwise as to enact this legislation today, then clearly it would be not only in the interest of Congress in fulfilling its responsibilities to monitor and to perform its appropriate congressional oversight role to do this in a way that would afford us a 1-year test trial period and also a year to bring to bear on the performance of this Council which, incidentally, only met three times last year during the whole year, to see whether or not this is, in fact, the way we wish to proceed or whether or not this Congress can meet its responsibilities to come forward and to suggest to the executive branch—to suggest to the institutional organization of the executive structure a more appropriate method.

I urge the support of this amendment and its passage.

The CHAIRMAN. pro tempore. The time of the gentleman from Iowa has expired.

(By unanimous consent (at the request of Mr. HALL) Mr. CULVER was allowed to proceed for 1 additional minute.)

Mr. HALL. I appreciate the gentleman's yielding to me.

I would like to ask one question. The gentleman has argued well from his point of view. I am advised with the lapse, as of 2 days ago, of the executive authority for this council; namely, August 1 that foreign economic policy is being handled under the Trading With the Enemy Act.

I wonder if the gentleman would enlarge upon that and explain any dangers therein, if that is so.

Mr. CULVER. I shall be delighted to respond. We are considering in this present legislation two distinct and entirely separate matters, and as suggested properly by Mr. ROUSSELOT, I believe it is highly irregular and improper and without any rational justification. In fact, we have on the one hand the problem of the continuation of the Export Control Act, which, of course, is an entirely separate matter and whose life has expired as of the first of August, so it is necessary that this Congress should act with a certain degree of urgency and haste in the continuation of the Export Control Act authority.

Separately and totally independent of this measure is this recommendation before the House this afternoon to create by statutory authority a body that has existed for the past 18 months within the executive branch of the Government called the Council for International Economic Policy. Now, the administration has come forward and made this request and I am only suggesting, frankly, that we should await the action of the House Foreign Affairs Committee to complete its hearings and to make a judgment as to whether or not in fact this is the soundest way to approach it, and it is in no way to prejudice the very important work that this administration has done and the outstanding and able direction that it has received under Mr. Peterson.

The CHAIRMAN pro tempore. The time of the gentleman from Iowa has again expired.

(By unanimous consent (at the request of Mr. SMITH of Iowa) Mr. CULVER was allowed to proceed for 1 additional minute.)

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I just want to point out to the gentleman that under an Executive order issued yesterday afternoon, an Executive order which I have here, No. 11677, the President actually extended the provisions of the Export Control Act by Executive order. I question whether he can legally do this, but he did it, so even that will be continued without the passage of this law.

Mr. HALL. Mr. Chairman, will the gentleman yield for one additional question?

Mr. CULVER. Yes, I yield to the gentleman from Missouri.

Mr. HALL. My question is simply this: If there is this urgency for title II or for executive extension, why has not either the Committee on Foreign Affairs or the Committee on Banking and Currency come up with the answer before July 24, when this bill is dated as having being introduced?

The CHAIRMAN pro tempore. The time of the gentleman from Iowa has again expired.

Mr. FRENZEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. This amendment would give the statute a year's limitation. It is unnecessary and will only serve to undercut the work which we hope that this council will do. It is unnecessary because the bill contains only a year's authorization for funds anyway. They will have to come back to this Congress actually in much less than a year for new authorization. At that time we will have an opportunity to review the operations of the council to see whether or not it has fulfilled the objectives of this particular piece of legislation.

What this amendment will do is to keep the council and its staff more concerned with its own legislative status rather than working on the many important and substantive problems for which this council is being established.

Let us look at the time element. The amendment proposes that the legislation expire in June. However, if we were to authorize the council now, the organization will not get its operating funds until the final supplemental bill is passed when we adjourn.

I do not know how many crystal-ball gazers know when we are going to adjourn, but I would presume that that council could not be working for more than 8 months before it would be canceled under this amendment. Legislative action that finds reason for creating an organization so unconvincing that it offers assurance of only 8 or 9 months of life is bound to have a negative impact on the organization's effectiveness. In truth, the gentleman who has offered the amendment has indicated that he opposes the council, and this is one way to ruin it.

It certainly will make it difficult, if not impossible, to attract into this council highly qualified people.

The Council and its staff are going to need all of the highest quality talent they can get to deal effectively with such problems as international monetary reform, expansion of our exports, and a host of other very critical problems. I strongly suggest that this is a completely inadequate period—this 8 months—which, if imposed will hamper the operations of the counsel. Worse, it will undercut what the legislation tries to accomplish; namely, to give a visible permanent structure to the organization of the President's Office that will deal in a coordinated manner with international economic policy issues.

I think it is far more desirable to reject the amendment and to reexamine the Council at the authorization stage, when it comes up for fiscal year 1974 funds.

I should point out, Mr. Chairman, that every Member here is concerned that Congress not lose its constitutional responsibilities and that it have an appropriate input in policymaking. I believe legislative establishment of the Council gives Congress a better position to be informed and to review the operations of this Council.

Remember, the Council is operating, it is doing its coordinating job, but in this bill we give the President this statutory organization. We force him to report to us on international economic policy. The report will include recommendations for carrying out the objectives of the legislation. In addition, each member of the CIEP is required by this legislation to testify before the committees of this Congress.

Mr. Chairman, it seems obvious that to limit this bill by amendment to make it a 1-year restriction—which actually is an 8-month restriction—will absolutely hamper that which we are trying to develop.

Mr. J. WILLIAM STANTON. Will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from Ohio.

Mr. J. WILLIAM STANTON. Mr. Chairman, I appreciate the gentleman yielding.

As the committee knows, I think this will be the first time in history when we have a date of termination before we have a date of effectiveness. I am sure the author of the amendment does not realize he has set a date of termination of 1 year hence when we do not have in this legislation any time for effectiveness. I think the gentleman is a little premature in proposing a date for termination before we have a date for effectiveness.

To that I will add, when the committee realizes they have to wait for the funds if the Council is established in this bill.

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from Iowa.

Mr. CULVER. Mr. Chairman, I certainly do not wish my remarks to be construed as being in opposition to the existence of the Council on International Economic Policy, either by Executive order or indeed by legislative action. The critical question here is whether we in Congress are really in a position at this point in time to make that kind of judgment or in fact to make that kind of decision.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the author of the amendment that is being considered, the gentleman from Iowa, has just protested he is not really against a Council on International Economic Policy, but certainly in the last hour the gentleman has indicated his vehement opposition to the legislation that is before us today, and in fact his amendment says that he will put a gun at the head of the President by way of saying that this Council, if it does come into existence, is going to expire a year from now.

The fact is, as has been pointed out, that the Subcommittee on International Trade did insist on 1-year funding. That is the most effective way of establishing congressional review of the activities of the Council that there can possibly be. We do not say the authority runs out. We just say the funding authority runs out, and there is a considerable difference. As I say, we insisted on this just as we insisted on the annual report from the Council to the Congress, just as we insisted on the availability of the members of the Council to appear before the appropriate committees of the Congress to respond to questions and inquiries with respect to the activities of the Council.

So I say that the amendment of the gentleman from Iowa serves no useful purpose whatsoever. He says that we should wait until further recommendations are developed either out of a subcommittee of the Committee on Foreign Affairs or pursuant to legislation establishing a commission to study the organizational restructuring of our foreign policy establishment, that will report back in 1974.

The idea that we ought to emasculate the Council while awaiting the results of the study which Congress authorized in title 6 of the Foreign Relations Authorizations Act—a study which will not be completed until 1974—is, when we look at it, very unsound. This matter can be studied interminably, but in the meantime, many things are happening on the international economic front—things that simply are not going to await completion of all the studies that can possibly determine what is the ultimate, all-perfect organizational structure for dealing with international economic matters. I personally find no fault with the concept of the Council and its organization as set forth in H.R. 15989. I think it is probably just about as good a mechanism as anyone is likely to devise. However, if further studies do come up with a better mechanism or, if experience shows us that we would like to alter the Council in any way, then we will certainly be free to do so.

The next 2 years are going to be very important to the United States in managing its international economic affairs and, even in the minds of those who may not feel that this is the ultimate method of handling these matters, certainly there can be no doubt that the Council organization is far superior to the situation before its inception—a situation with no specified organization to concern itself with coordination of the broad range of international economic issues.

In the 18 months since its inception the Council organization and its staff have been involved with a broad range of top level problems.

For example, its first accomplishment—and a very important one—was simply to bring to the attention of the President, the Congress, and the American public, the growing economic interdependence of the nations of the world and the new position of the United States in that world. The briefings given us by Mr. Peterson, when he was the first Executive Director of the Council, and the material developed by him and by the Council and its staff and published under the title "The U.S. in the Changing World Economy" has been, I believe, extremely valuable. In fact, I think we may find that the document wherein the United States recognized, for the first time, the new importance of international economic issues and began to formulate a national strategy to deal with these issues—and the need for a strategy with which we deal with the facts of international economic interdependence and competition.

The Council has, in the last 18 months, been intimately involved in the formulation and execution of our international economic policy. It has been in on the trade negotiations with the U.S.S.R. from the very beginning—from development of the concept that we ought to work toward an expansion of our trade with the U.S.S.R., through the conduct of the studies of the issue, then through development of the strategy to be employed, and now it is a key unit in effectively coordinating the tactics of the various agencies in the actual conduct of the negotiations.

Trade with the U.S.S.R. is, of course, only one of many issues in which the Council has been involved. There have been similar efforts involving Canada, the People's Republic of China, and other governments and a great deal of CIEP managed work on other matters including export expansion, foreign investment, and other matters. More remains to be done.

In deciding on this issue, I think it would be useful to ask ourselves this question: "Given the benefit of hindsight, and with full knowledge of the events of the past 18 months, knowing the record of the Council and its accomplishments, would we prefer that the President had not created it?" I think the answer to that question is a definite and emphatic "No."

The President needs a White House level mechanism to assist him in these matters and it is in the interest of Congress and the American people that this mechanism be determinate, specific, and publicly defined.

I further believe that the provision in this authorization bill which requires the Council to provide us an annual report will require the Council to continue and expand the kind of long-range investigation and thinking that was begun with the development and publication of "The United States in the Changing World Economy" and that this report will do much to keep the Congress and the public better informed in an area of our affairs that has been too long neglected. With nothing more than an 11-month life, the Council will be hobbled in its operations and unable to reach its full potential. For its staff, the Council will have to continue to rely exclusively on personnel borrowed from other governmental agencies—it will be unable to obtain permanent personnel or consultants from the private sector—it will lack the recognition, stature, and sense of permanence that even a limited 2-year statutory life would provide.

Mr. Chairman, this does not propose the creation of some vast new bureaucracy that will develop a constituency insuring its unlimited tenure. Rather, it provides only the recognition and authorization of a very small, but very important organization for a very short, but very important period—a period during which the President, whoever he may be, will need the very best advice and assistance he can get in the international economic field.

I am confident that I speak for all of my colleagues in the Committee on Banking and Currency when I say that we all fully realize that the Committee on Foreign Affairs certainly has a shared interest in certain of the purposes set forth in title I of H.R. 15989—specifically that which speaks of the close coordination of international economic policy with other basic foreign policy components. We all realize that the bilateral aid program certainly is an important factor in our international economic policy considerations, and we acknowledge the longstanding oversight of the Committee on Foreign Affairs with respect to the manner in which the policies formulated here are implemented in our diplomatic posts overseas.

The Committee on Ways and Means, too, certainly has its own range of responsibilities with respect to the formulation of international economic policy, as we all know.

On the other hand, the Committee on Banking and Currency has had a longstanding responsibility for stabilization of the domestic economy, including policies affecting prices and wages; for development of a strong program of export credit; for the control of exports of goods and technology for reasons of national security and domestic economic welfare, as well as for foreign policy considerations; for the value of the currency; for the international flow of capital including foreign direct investment; and for the funding and oversight of multilateral lending institutions in which the United States participates. Therefore the committee certainly has a central interest in those purposes which go to the question of consistency between domestic and foreign economic policy; strengthening the United States competitive position in world trade; achieving equilibrium in international payment accounts of the United States; protecting and improving the earnings of foreign investments; achieving freedom of movement of people, goods, capital, information, and technology on a reciprocal and worldwide basis; and increasing the employment and real income of workers and consumers on the basis of international economic activity.

These longstanding responsibilities and concerns of the Committee on Banking and Currency compel me to urge you, my colleague, that we neither delay nor frustrate the work to achieve an orderly and rational international economic policy. The amendment should be defeated.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the distinguished gentleman from Michigan.

Mr. GERALD R. FORD. I wish to commend the gentleman from Ohio. I was privileged, along with many Members of this body, to hear his remarks earlier in the general debate. I believe he made a very persuasive argument for the committee bill.

Let me make one or two personal observations.

If my recollection is correct, when we established the National Security Council by statute we did not limit it to a short period of time. The Congress at that time realized that if we were going to have an effective National Security Council it had to have a reasonable period of time for existence to justify the job that it was given.

If my recollection is correct, when we established the Domestic Council by the reorganization process we did not limit its existence to a very short span of time. We realized that if that group were to do its job effectively it had to have time to organize and to effectuate what it thought would be a responsible domestic policy.

Now, this proposal is the third leg of a policy of an important table internationally and domestically for the United States. It seems to me to start out with an abbreviated period of time to justify its existence would be a wrong approach.

I sincerely hope that this amendment will be defeated. I say strongly to my Republican friends, I know from personal conversations the President considers this a matter of highest priority.

The testimony of the now Secretary of Commerce was very persuasive. I believe he has respect and admiration on both sides of the aisle for the job he previously held and the job he is trying to do now as Secretary of Commerce.

I hope and trust that the arguments advanced by the gentleman from Ohio will be persuasive for the defeat of this amendment.

Mr. ASHLEY. I appreciate very much the remarks of the distinguished gentleman from Michigan.

I would conclude by saying that all of us on both sides of the aisle are deeply concerned about the state of our trade and our trade policy. What we want is a better mechanism for the effectuation of trade policy. We do not want to undercut the effort that is being made to bring about a more coherent, rational, orderly development and implementation of international economic policy.

Let us please defeat this amendment, because only by doing so do we give the essential authority to the President to act in a way that is rational and intelligent.

Mr. HANNA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the subcommittee serving with the gentleman from Ohio I have supported this legislation, particularly because I believe it is very important that we develop the kind of expertise needed to take care of our interests in the economic interfaces around the world that match those of the people with whom we must compete. I must say, our record on the track in not too good.

Let me also take this time to point out a couple of other very important things, which this situation we are now hearing points out to me.

First of all, I believe it is incumbent upon us to have more joint hearings on matters on which there is a possibility of overlapping jurisdiction.

I say that because I point out to you gentlemen in the House one of the ways to create a vacuum in our power is for us to become embroiled with each other and leave everything to the Executive to fill in that power vacuum which we have left. This kind of action does precisely that. The other thing it points out is certainly this House has been derelect in the extreme, as I said before, in sending out task forces who have an oversight on what is going on in this Government after we have enacted legislation. We need to concern ourselves about implementation. Unless our committees are prepared to use much of the manpower and the talent and the energies of some of the younger members who have the time and who have the interest and who have the energy to get out and get into the task force job that will bring into the House new expertise which we do not have at present, we will not be able to compete with the Executive in the manner that I have heard it expressed on the floor or in the well of the House. So I say let us take some lessons from what we have here engendered in a discussion between the two different committees. Let us take note of the fact that we are not doing the thorough kind of job that will allow us to stand up and compete in the power equalization which was anticipated by the men who drew up our Constitution. They spoke of separate but equal branches. We are separate but our status as an equal is highly eroded by our own neglect.

I yield to the gentleman from Ohio, a member of the committee.

Mr. J. WILLIAM STANTON. I thank the gentleman for yielding. All I wanted to add is I wondered if the gentleman would not agree with me that what we are asking for here is statutory authority.

It just seems to me to make sense that with the recommendations coming along from the Committee on Foreign Affairs and I wonder if it is not better to have some vehicle to work with in the recommendations that come out, and then we can change it in order to fit their recommendations.

Mr. HANNA. I agree with the gentleman, but I do not think it will do a particle of good if we do not follow up on this legislation. The partnership in which one partner turns over its money and goods and tools to the other partner, and then says, come and see me a year from today. And report on what is going on. That is not the way to work a partnership. You had better be able to look over the shoulder of your partner and see what he is doing, or else you will be out of business. That is unhappily where our partnerships with the executive branch always end.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield for a question?

Mr. HANNA. I think my time has passed, and I have made the point I wanted to make. I hope it will sink in for every Member sitting on the floor of the House.

Mr. BROWN of Michigan. Mr. Chairman, I rise in opposition to the amendment.

My colleagues in the House, I think we ought to examine carefully what we are doing here today in the bill itself and what this amendment proposes to do. We are now in the first days of August, and it is the intent, I am sure, to have this legislation become retroactive to July 31, so as to pick up where the present expiration of the Export Administration Act fell off. The council, if you give it a 1-year's existence, will, therefore, not have 1 year's existence, but will have less than 1 year's existence. We would be giving statutory authority and statutory recognition to a council which in only a few months, in effect, would self-destruct absent further affirmative action by the Congress. I think that any examination of such a provision would by anyone outside of the Congress appear to be irresponsible on the part of the Congress. Since the funding of the council, which is really the guts, if I may call it such, of the legislation, expires in a year, why is it necessary that we, in effect, call for the deathknell of the council even before it is created?

The proponent of this amendment, the gentleman from Iowa (Mr. CULVER) has mentioned to you that there is a 2-year study being done on the Foreign Assistance Act. It seems to me that it would be totally consistent and logical for the gentleman from Iowa to at least have called for a 2-year life of the council and a 2-year authorization of the council if he in any way wishes to point to the study that he has described as a basis for support of his amendment.

I do not believe the gentleman from Iowa will be willing to accept a 2-year authorization of the council.

The third point I would make, and to suggest to all of you that it gives you ample reason for opposing this amendment, is that in effect the Senate has given the council a 1-year life by its language, and that will be before the conference, and if there is some justification and if the conferees in their wisdom think there would be justification for a 1-year life of the council, it is already available.

I oppose this amendment for the reasons I have stated. I think that each of the Members should oppose this amendment if, for not my reasons, your own reasons which are obvious.

Mr. FRENZEL. Mr. Chairman, would the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Chairman, I would ask the gentleman from Michigan if it is not true that the title itself furnishes us a good example of what happens if we extend something for a short period of time. Here is a bill over which there is no controversy, no debate, no jurisdictional squabbles, and still it has already expired, despite our best intentions. What would you think would happen to the council where there is controversy? It seems to me that within the bill itself we have a wonderful example of what would happen if we were to adopt this amendment.

Mr. BROWN of Michigan. I think the gentleman is absolutely right; not only do we put a gun at the head of the present administration, but by a 1-year life of this council we put a gun at the head of the Congress because it would be up to us and the Congress to either let it expire by default in 11 months, or to reenact legislation which, if we pass this legislation today, we have considered to be good legislation and necessary legislation.

Mr. Chairman, I have too much respect for my colleagues in the House to think that they would accept this amendment.

Mr. MONAGAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, my support of the amendment offered by the gentleman from Iowa (Mr. CULVER) is not based exclusively on the merits of the particular commission that we are referring to because I think that there is much to be said for the fact that the Executive does need advice in this very vital field of international trade at the present time. In fact, I question the desirability of the title I. But I am particularly sensitive to the proliferation of the advisory commissions that has taken place in our Government over the last few years.

As the gentleman from Iowa (Mr. GROSS) said a short time ago, the Government Operations Subcommittee, which I have the honor of chairing, has found that there are something like 3,000 of these commissions in existence, and that they spend between $75 and $100 million a year, and that there are thousands of people drawing salaries and payments, because of their activities.

That, of course, does not mean to say that on occasion a new commission should not be set up, but it does mean that we should examine very carefully any proposal to set up as substantial a group as the one proposed here, which would have 27 or 30 people employed by it, and would spend $1.4 million a year.

There has been discussion of the term of this council, and it has been said that this bill provides only a year's term at the present time. I suggest that that is not true. If the proponents of the legislation had wanted to do so they could have placed a specified termination date in the legislation.

They could have said that this council should terminate a specified time after its date. But that was not done. In fact, this is a permanent council under the words of this bill even though it would be necessary, to come back for a financing at a later time. And we all know how many similar units with permanent authorization regularly receive continuing financing as a matter of course. The authorization is the significant part.

Now I do want to refer to several other items related to the specific setup of this council that I think should be mentioned.

First of all, there is an existing council in the executive branch at the present time. Even though this amendment were adopted—or even, the legislation not approved—the existing executive branch commission could continue. I should point out that there it is subject to the regulations of the Office of Management and Budget which have recently been put into effect which control the continuation of commissions of this very type.

But speaking generally, what about the effectiveness of a commission which is comprised, as this commission is, of members of the executive branch at the very highest level—the President, the Secretary of State, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, and so forth? Clearly, with this composition, this council is not going to be manned by the individuals who are named. Studies that our subcommittee made and set out in our report show that some of these people, such as the Secretary of Agriculture, for example, are members of 40 different advisory committees and truly the addition to his duties of sitting on one more, as important as this one would be, will reduce the capacity of these top level people to attend meetings of this council and to make contributions to it.

Therefore, it will be a body that will be continued on the basis of third level executives and will not have the effectiveness or significance which it purports to have. So I say, there is no reason why we should not put a term to this council and why we should not reserve to ourselves in the executive branch, in view of the history of other advisory committees in that branch—the difficulty of terminating them, we should at least put a specific term to this council.

Therefore, Mr. Chairman, I support the amendment offered by the gentleman from Iowa.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened to the discussion on this pending amendment with mixed emotions.

Quite obviously, we have discussed this bill for as long as we have in part, because there is a difference of opinion between two committees. There is a question of some overlap of jurisdiction, and a sensitivity on the part of members of the Committee on Foreign Affairs, because of the fact that this proposal comes out of the Committee on Banking and Currency.

I suppose that I should come down solidly on the side of the Committee on Foreign Affairs, since I serve on that committee. Yet, I have doubts about the wisdom of the pending amendment. It does not attack the wisdom of giving statutory authority to a council already established by Executive order. It simply seeks to give it an extremely short life—a move which might well destroy its effectiveness.

It may be that a good case could be made for no legislative action now on a Council on International Economic Policy. It does seem to me, however, that if we recognize that there is a need, that we should establish this council on a permanent basis and not on what would obviously be a very temporary basis. What point is there to giving such a brief statutory life to this council? The fact that the Committee on Foreign Affairs, and in particular one of its able subcommittees, has been deeply interested in this whole subject should not deter us from acting today one way or another on a particular proposition.

I happen to serve not only as a member of the Committee on Foreign Affairs but also as chairman of a committee of Republicans in the House interested in international economic matters. In both capacities I have a strong feeling that one of the problems this country has had is the lack of a sufficient focus of responsibility and attention within the executive branch in this whole complicated area of our economic policy.

I feel strongly that the President was right in taking by Executive action responsibility for setting up a council under his direction. I only regret that there does not appear to be more of a meeting of minds among members of the interested legislative committees as to the appropriative legislative action to be taken, or if indeed any action should be taken.

It is because of the real need that I feel it entirely appropriate that Congress recognize the advisability of providing a clear focal point within the Government for matters of considerable substance. We know that foreign economic policy is going to remain an important element of our overall foreign policy for a great many years. We know there is need for an articulation of reasonable positions with respect to our own policy, and with respect to our relations with other nations.

I think it is foolish for us on the Foreign Affairs Committee—and I say this with all due respect to those who have argued to this effect—to suggest that a commission, if it is ever established, authorized to look into the overall problems of foreign policy of this country, will give this particular problem which we are now discussing meaningful attention within a reasonable time span. Surely this is an inadequate argument for voting down legislative authority for this council.

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I will be glad to yield to the gentleman from Iowa.

Mr. CULVER. I appreciate the gentleman yielding.

I think it is important at this point in the debate to clarify what has been a general misunderstanding that has continued throughout the period of the general debate and during the amendment procedure. That is the distinction between the current set of hearings of the full Foreign Affairs Committee and its Subcommittee on Foreign Economic Policy which have been continuing for several months on this very subject of the adequacy of the organizational structure of the executive branch to conduct foreign economic policy.

Now, that constitutes a separate and independent congressional inquiry. Now, distinguished from that, references have been made to the report of a study which will be required to be available publicly in January of 1974, which examines the entire subject of American foreign policy. This report, of course, is an entirely distinct and separate matter. Further, I believe, contrary to the suggestion made by the gentleman from Ohio (Mr. J. William Stanton) that what we are doing here is not a very simple thing. What we are doing here is making a congressional judgment that this is the appropriate and best method to organize the executive branch for this purpose. To set up statutorily within the White House at a cost of $1.4 million per year, an entirely new mechanism. I do not think we are in possession of that wisdom at the present time. Hopefully we will have the necessary body of understanding to make a proper judgment on this question at an appropriate time in the future.

The CHAIRMAN pro tempore. The time of the gentleman from New Jersey has expired.

Mr. DENT. Mr. Chairman, I move to strike the necessary number of words.

As a more-than-ordinarily interested Member of this body in this particular subject and related subjects, I am wondering how many Members of this Congress actually believe that if you create this council, it will have any authority that is not given to it in actual practice by the Secretary of State?

Does anybody here believe that these provisos A, B, C, D, E, F, G, and H are going to be within the province of this council to make the determination? Does anyone believe that the State Department is going to allow this council to act independently in a matter of anything dealing in foreign affairs, economic or otherwise? How can this particular council deal with the question of a resolution passed by the U.N. dealing with the embargo of chrome which means life and death to the tool steel industry, the greatest economic feature in the process of tool steel in the United States? How could this council deal with it?

Does anyone in this room believe this is anything but another setup creating dozens more of jobs? Does anyone think Mr. Kissinger is going to allow whoever becomes head of this council to say or do anything until Mr. Kissinger is back from his little secret trips? Does anyone think this council will have anything to say about the secret arrangements made for $3.2 billion worth of American productive machinery to be sent to Russia to be paid for in a period of 5 to 20 years with the production from those factories? Does anyone think this council, created to spend additional millions of dollars will have anything to say when we trade off hides of cattle for shoes coming into the United States? Does anyone think this commission will do anything under the sun to bring back to the United States any of the glassworkers' jobs which have been going down the drain since this has been in existence?

Are we to fool ourselves into believing that what we are doing here is anything more than creating a little wee bit of a diversion from the serious matter we are facing today—the greatest unemployment per thousand persons ever visited upon any nation on the face of the earth? Do we honestly believe what we are doing is going to help this Nation—and I refer Members to page 3, paragraph (H):

> Increasing the employment and the real income of workers and consumers on the basis of international economic activity.

Have any of the Members ever gone into a foreign country and checked into the matter and methods they operate under when it comes to this particular type of activity? No nation on the face of the earth allows one item to come into its borders at a price less than the parity of their cost. Are any Members trying to tell me—and I have devoted the last 15 years of my life to this study—this is going to do anything but put a smokescreen over the fact that we have failed?

Are we saying now that through all these years we have not had a full top-level, clear line on economic policy? I heard words similar to this when we passed the reciprocal trade agreement, the so-called Kennedy round bill. That is the instrument which is more responsible for economic conditions in this Nation today than any other instrument forged by man.

This is a nation that was built upon

jobs and job opportunities. The only reason, it is said, for going ahead with this legislation is to open up opportunities for exports, but is that not what the Kennedy bill was going to do? Was not that the whole course of the Kennedy bill? We were going to create job opportunities.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. DENT was allowed to proceed for 3 additional minutes.)

Mr. DENT. What have we done? Let me name to the Members what we have done. Let me tell you what has happened. Oh, yes, we have more job opportunities in some areas. Let me give some facts and figures the Members ought to know. Up until last year this Government deliberately hid the truth from the American people on the balance of payments. I was hooted at and laughed at on this floor when I said we have had a negative balance of payments since 1960. I have it publicly documented we have lost over $11 billion since 1960. Right now, today, we owe foreign countries $63 billion or $67 billion, whereas just 10 or 11 years ago they owed us $27 billion.

Is that what we are talking about in giving us opportunities to export? What are we exporting?

By the exportation of hides we destroy the shoe industry in America. By the exportation of wheat and feed grains, we destroy the meat industry in America.

Are we trying to kid ourselves in this day of our lives, in this federation, when we are sitting here talking about things that belong in the past? All these dreams belong in the past and soon our history will belong in the past. Rome fell, because it could not recognize and would not recognize the tottering of the columns that held it up.

We do not recognize that what we are doing is undermining them every day by digging deeper.

Export control.

The only thing that ought to be done in this world is to recognize that nations have to work internally for the happiness and welfare of their people.

Are we to fool ourselves, the men and women of this great Congress of the United States, the so-called protectors of the welfare of our people, that we are going to have a better future for our people by importing more Datsuns, more shoes from Italy and France, and all of our portable radios? Do we really and sincerely believe that this piece of red herring is going to save this Nation from its inevitable doom, torn apart from the inside?

Nothing will ever satisfy the people of this Nation, and especially the youth, who are now venting their little bit of spleen on issues they cannot quite grasp. When they enter this labor market in the next 2 years, 5½ or 7 million unemployed youth between the ages of 18 and 30, they will know what to do.

I see the darkening horizon in the future, with greater distrust than we have, greater despair than we have, and greater tears of anguish on the part of mothers and fathers who cannot do anything about the youth that roam the streets unemployed, frustrated, and afraid of the future.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if I understood the gentleman correctly, he stated that this Council would be under the Secretary of State.

Mr. DENT. Yes; I said it would be realistically and practically under the Secretary of State.

Mr. PATMAN. All right.

Mr. DENT. Because every agency we have created dealing with foreign trade has eventually come under the complete control of the Secretary of State.

Mr. PATMAN. The gentleman has answered me. I wanted to make sure I was quoting him correctly.

The law is very plain on this point. The duties of the Council are set forth in section 105. Subsection (a) states:

> Subject to the direction of the President, and in addition to performing such other functions as he may direct, it shall be the duty of the Council to—

Then the bill goes ahead and outlines the various things they should do, being very specific about it.

On page 6 it is stated:

> It shall be the duty of each member of the Council enumerated in section 104 other than the President to testify before committees of the Congress on the annual International Economic Report and on reports supplementary to the International Economic Report.

Then it goes ahead and outlines that the President shall make a report to the Congress every year.

The members of this Council will be required to testify before the committees of the Congress on their reports.

It is certainly misleading to say that it is under the Secretary of State, when the President is the head of the Council. He is the head of it, and he has control of it and all its duties.

By the way, Mr. Chairman, we have debated this one amendment for a long time. I feel we should close debate on this amendment in a certain length of time. I believe there is only one Member on each side who wants recognition.

Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close 10 minutes after I get through with my remarks.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. PUCINSKI. Mr. Chairman, reserving the right to object, I would not have any objection if I can be assured I will have ample opportunity to ask the distinguished chairman if section (C) of section 102, which says:

> Close coordination of international economic policy with other basic foreign policy components—

Does not put the Secretary of State right in the driver's seat on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Now, then, here is what the council does. It must be responsible to the President and the Congress. You could not make it more specific than that. Section 105 provides that the council is under the direction of the President.

Paragraph (b) of section 105 provides it is the duty of every member to testify before Congress. Could you have any more control over the council than that?

Mr. CULVER. Will the gentleman yield?

Mr. PATMAN. No, I cannot yield right now.

Mr. CULVER. The gentleman asked a question, and I thought I could answer it.

Mr. PATMAN. I am sorry. You can get your own time. Section 106 requires the council each year to report to the Congress. That is full and complete. The President appoints them. The President is the head of it, and they cannot do anything that amounts to anything unless the President says he wants it. I do not see that you could have a better setup than that under the control of the President of the United States and under the supervision, the supervision of the Congress of the United States.

Mr. CULVER. Will the gentleman yield?

Mr. PATMAN. No, I do not yield. So I suggest that the minority party is right in this. I am always glad to support the minority party and our President when he is right, and I think he is right. He is working in the interests of the country. He has appealed to the Congress to pass this bill like it is, and I suggest it ought to be done that way.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Thank you, Mr. Chairman.

Mr. Chairman, the distinguished chairman of the committee, the gentleman from Texas, in response to a question asked by the gentleman from Pennsylvania (Mr. DENT) as to whether in reality the Secretary of State would control and dominate this Council, gave us a long answer about all of the presumed safeguards that are in this legislation to assure that that will not happen. He talks about the fact that among other things this Council has to file an annual report with the Congress. I wish we could have a dollar for every page of reports filed in this Congress every year. We could pay off part of the national debt with it. The gentleman knows that such reports have little meaning, but the real guts of this bill and the real answer to the question proposed by the gentleman from Pennsylvania (Mr. DENT) about the Secretary of State's authority is found in paragraph (c) of section 102, where the bill provides close coordination on international economic policy with other basic foreign policy components.

The Secretary of State sets the foreign policy components. It is true that Mr. Kissinger works very closely with the President, and he has some other ideas, but historically and basically, the Secretary of State is the one who sets foreign policy components. The gentleman from Pennsylvania is absolutely correct in saying that if you pass this legislation, you are going to say to the American people, with regard to their jobs, their economic survival, and the economic survival of this country that such survival must be tied to American foreign policy as set by the Secretary and that our financial progress must be closely coordinated with foreign policy as determined by the Secretary of State.

(By unanimous consent, Mr. YATES and Mr. DENT yielded their time to Mr. CULVER.)

The CHAIRMAN pro tempore. The gentleman from Iowa (Mr. CULVER) is recognized.

Mr. CULVER. Mr. Chairman and members of the Committee, I welcome this opportunity to, I hope, conclude this debate, which I realize has gone on much too long.

I am particularly anxious to refer to the statement by the Chairman with regard to the nature and relationship under this legislation between the executive branch of our Government on the one hand and the legislative branch of the Government on the other. As the gentleman from Texas knows, at the present time it is proposed that this Council be headed by the executive director, Mr. Flanagan, and under this legislation——

Mr. ASHLEY. Mr. Chairman, if the gentleman will yield, it is headed by the President.

Mr. CULVER. At the present time the executive director of this Council is Mr. Flanagan, and the President is the Chairman of the Council.

I might also say that in the past year, Mr. Chairman, or, rather, over a period of 18 months, this Council that is in existence by executive authority met exactly three times—three times.

Let us examine more closely the nature of its accountability and the accessability by Congress to the proceedings and the deliberations of this Council. What is being proposed here is the establishment, make no mistake about it whatsover, but what is being proposed here is the establishment within the bureaucracy of the White House, within the bureaucracy of the executive office building of this government, one more bureaucracy with an open-ended staff and authorization, and that is coming down the road.

And I will tell you one more thing about it. It is going to be headed by a director for whom executive privilege is going to be invoked. What does that mean? Well, we have certainly had ample opportunity in recent years in the Congress to know exactly what it means in terms of the conduct of American foreign policy in the case of Mr. Kissinger. It means that the chief architect of the American foreign policy is not available for constitutional consultation with the legislative branch of our government at all.

Oh, he might consent to an occasional breakfast at a place of his choosing where appropriate committees of the Congress can come to, and get the word. But that is not what our Founding Fathers had in mind when they talked about a separation of powers. That is not what our Founding Fathers had in mind when they talked about a constructive, positive partnership between the legislative and the executive branches of our Government.

Now you say, "Well, they will come before the Congress." Well, I am going to offer another amendment in a few minutes not to provide that the various council members, the Secretary of Agriculture, the Secretary of Labor, the Secretary of Commerce, Defense, and so forth, come before the Congress. Of course they will. But I will tell you who I want to see. I want to see the director of this council. I want to see the executive director of this council before the Congress, and accountable to the representatives of the people.

We are not creating here a nice, personal arm of the President of the United States. We are creating an institutional mechanism which is an integral part of the policy formulation of American foreign economic policy. And we are changing the Constitution that gives the absolute authority and responsibility to the Congress, the legislative branch of the Government, the right to participate in that formulation. This is creating a council with a director who cannot appear. It does not do any good to see the Secretary of Agriculture about this council that never meets anyway. What kind of fools are we? We cannot see that director, and he is not required under that checklist that was read to come before even the committee of the gentleman from Texas. Sure, he gives an annual report. I will bet you cannot wait to read it.

But that is not the same thing as being able to monitor and to perform and to meet our basic responsibilities and congressional oversight.

I am going to have a series of amendments which I hope will help to insure that in this legislation.

Finally, Mr. Chairman, we are going to have before us this afternoon once again this issue of executive privilege. Is this an appropriate privilege that is appropriately reserved to properly and understandably protect the confidentiality of any President on the one hand and his personal staff on the other? Or is it somehow to be construed in an unconstitutional way as blanket authority that if you happen to punch a clock in the Executive Office Building of the U.S. Government that somehow the Congress cannot touch you?

I think that has got to stop. I think that if we today unwittingly abdicate once again our primary constitutional congressional responsibility and authority, ladies and gentlemen of this Committee, we have nobody to blame but ourselves. I think today we are making a grave mistake because we do not know what we are doing in enacting this legislation. We are going to regret it—building this monstrosity of a mini-bureaucracy in the White House—and then we say, "They never listen to us." Why should they? If you are foolish enough to give them exactly what they want and then never effectively call them to accountability once you have done it.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. WHALEN).

Mr. WHALEN. Mr. Chairman, what should we, as Members of the legislative branch, be concerned about in terms of international economic policy? It seems to me, we should strive to attain two objectives.

First, we should seek to have coordination of international economic policy within the executive branch of government so that the administration will speak with one voice.

Second, we should seek to achieve some kind of mechanism whereby in the consideration of international issues equal weight be given to all concerns—security, political as well as economic.

I suggest that evidence which has been presented before the International Economic Policy Subcommittee, of which I am a member, has indicated that CIEP has failed to accomplish this thus far.

As a matter of fact, as has been pointed out, this council has met on only three occasions. Of course, this might be premature criticism in view of the short life span of this commission. But, certainly, we have also a body of evidence which has been presented to our subcommittee which indicates that no mechanism created by the Congress can accomplish the two objectives which I have cited.

The gentleman from Ohio (Mr. ASHLEY) pointed out that the question before us is not whether or not there should be a Council on International Economic Policy—this already is in existence.

Really, then, the question is whether it should become a permanent part of our law books. I think the evidence to this point, as I previously indicated, suggests it should not be. What this amendment will do then is to give CIEP a year of life on the statute books. It will give us another year to accumulate additional evidence and then next year at this time we will have an opportunity to make a more meaningful review. At that time we then can determine whether or not we wish to continue the existence of this body in our law books.

Therefore, I urge the support of this amendment.

The CHAIRMAN pro tempore. All time has expired on the pending amendment.

The question is on the amendment offered by the gentleman from Iowa (Mr. CULVER).

TELLER VOTE WITH CLERKS

Mr. PATMAN. Mr. Chairman. I demand tellers.

Tellers were ordered.

Mr. PATMAN. Mr. Chairman. I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman pro tempore appointed as tellers Messrs. CULVER, FRENZEL, ASHLEY, and J. WILLIAM STANTON.

The Committee divided, and the tellers reported that there were—ayes 192, noes 174, not voting 66, as follows:

[Roll No. 297]

[Recorded Teller Vote]

AYES—192

Abbitt
Abernethy
Abourezk
Abzug
Adams
Addabbo
Anderson, Calif.
Andrews, Ala.
Annunzio
Ashbrook
Aspin
Aspinall
Badillo
Baring
Begich
Bennett
Bergland
Betts
Biaggi
Blackburn
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Buchanan
Burke, Fla.
Burke, Mass.

Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Cabell
Carey, N.Y.
Carney
Casey, Tex.
Chisholm
Collins, Ill.
Conyers
Corman
Cotter
Crane
Culver
Daniels, N.J.
Danielson
de la Garza
Delaney
Dellums
Denholm
Dennis
Dent
Diggs
Donohue
Dow
Downing
Drinan
Dulski
du Pont
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Fascell
Flood
Flynt
Ford, William D.
Fountain
Fraser
Galifianakis
Gaydos
Giaimo
Gibbons
Grasso
Green, Oreg.
Green, Pa.
Griffiths
Gross
Hall
Hamilton
Harrington
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Holifield
Howard
Hull
Hungate
Ichord
Jacobs
Johnson, Calif.
Kastenmeier
Kazen
Kluczynski
Koch
Kyros
Landgrebe
Leggett
Lennon
Long, Md.
Lujan
McCloskey
McCulloch
McFall
McKay
Macdonald, Mass.
Madden
Mann
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mikva
Miller, Ohio
Mink
Mitchell
Mollohan
Monagan
Montgomery
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Nichols
Nix
Obey
O'Hara
Passman
Pettis
Pike
Poage
Podell
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Randall
Rangel
Reid
Riegle
Rodino
Roe
Rogers
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rousselot
Roybal
Runnels
Sarbanes
Satterfield
Scherle
Scheuer
Seiberling
Shipley
Sikes
Sisk
Smith, Iowa
Snyder
Stanton, James V.
Steed
Steele
Steiger, Ariz.
Stuckey
Symington
Thompson, Ga.
Thompson, N.J.
Udall
Ullman
Van Deerlin
Vanik
Veysey
Vigorito
Waldie
Whalen
White
Wilson, Charles H.
Wolff
Wylie
Yates
Yatron
Zablocki

NOES—174

Alexander
Anderson, Ill.
Andrews, N. Dak.
Archer
Arends
Ashley
Barrett
Bell
Biester
Bow
Brasco
Bray
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Byron
Camp
Carlson
Carter
Cederberg
Celler
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Tex.
Colmer
Conover
Conte
Coughlin
Curlin
Daniel, Va.
Davis, Wis.
Dellenback
Devine
Dorn
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Eshleman
Evins, Tenn.
Findley
Fish
Fisher
Flowers
Foley
Ford, Gerald R.
Forsythe
Frelinghuysen
Frenzel
Frey
Fuqua
Goldwater
Gonzalez
Goodling
Griffin
Grover
Gubser
Gude
Haley
Halpern
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harsha
Harvey
Hastings
Heckler, Mass.
Heinz
Hillis
Hogan
Horton
Hosmer
Hunt
Johnson, Pa.
Jones, Ala.
Karth
Keating
Kemp
King
Kyl
Latta
Lent
McClory
McCollister
McCormack
McDade
McEwen
McKevitt
McKinney
Mahon
Mailliard
Mallary
Martin
Mathias, Calif.
Mayne
Michel
Mills, Ark.
Mills, Md.
Minish
Minshall
Mizell
Moorhead
Mosher
Natcher
Nelsen
O'Konski
Patman
Patten
Perkins
Peyser
Pirnie
Poff
Price, Tex.
Quie
Railsback
Rees
Reuss
Rhodes
Robinson, Va.
Robison, N.Y.
Roy
Ruth
St Germain
Sandman
Saylor
Schneebeli
Schwengel
Scott
Sebelius
Shoup
Shriver
Skubitz
Smith, N.Y.
Spence
Springer
Staggers
Stanton, J. William
Steiger, Wis.
Stephens
Stratton
Sullivan
Talcott
Taylor
Teague, Calif.
Terry
Thomson, Wis.
Thone
Vander Jagt
Waggonner
Wampler
Ware
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wright
Wyatt
Wydler
Wyman
Young, Fla.
Young, Tex.
Zion
Zwach

NOT VOTING—66

Anderson, Tenn.
Baker
Belcher
Bevill
Bingham
Blanton
Broomfield
Byrnes, Wis.
Caffery
Chamberlain
Clark
Clay
Conable
Davis, Ga.
Davis, S.C.
Derwinski
Dickinson
Dingell
Dowdy
Edmondson
Esch
Fulton
Gallagher
Garmatz
Gettys
Gray
Hagan
Hansen, Wash.
Hays
Hébert
Hutchinson
Jarman
Jonas
Jones, N.C.
Jones, Tenn.
Kee
Keith
Kuykendall
Landrum
Link
Lloyd
Long, La.
McClure
McDonald, Mich.
McMillan
Miller, Calif.
Myers
Nedzi
O'Neill
Pelly
Pepper
Pickle
Quillen
Rarick
Roberts
Rooney, N.Y.
Ruppe
Ryan
Schmitz
Slack
Smith, Calif.
Stokes
Stubblefield
Teague, Tex.
Tiernan
Whalley

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. BLACKBURN

Mr. BLACKBURN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Blackburn: Page 8, line 24, section 108 is amended by adding after the first sentence the following new sentence: "No part of the funds herein authorized may be used for provision of chauffeur driven automobiles."

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. CULVER. Does the gentleman yield for a point of inquiry?

Mr. BLACKBURN. I am happy to yield.

Mr. CULVER. I would like to question the Chair. I have two amendments pending at the desk also for page 7. Are we taking this in regular order?

The CHAIRMAN. We are taking it in the order of the first person who is a member of the committee who is standing is recognized.

Mr. CULVER. Thank you very much.

Mr. BLACKBURN. Mr. Chairman, I see no reason for this amendment to take a great deal of time. We are all aware that one of the more important symbols of status in Washington is a chauffeured limousine. In fact, it has been estimated that if we could eliminate all of the chauffeurs and limousines provided Government officials in Washington, we might save between $3 and $4 million a year.

Mr. PATMAN. Will the gentleman yield?

Mr. BLACKBURN. I am happy to yield to the gentleman.

Mr. PATMAN. Those on our side of the aisle are willing to accept the amendment.

Mr. BLACKBURN. I am delighted to receive your support.

Mr. PATMAN. If they accept it on the other side, we have it made.

Mr. BLACKBURN. I think it is a very commendable action on the part of the chairman of the committee. I see no great enthusiasm for expenditures on the conservative side of the aisle. I would like to hear some response.

Mr. WIDNALL. You mean the moderate side. We accept it on our side.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Georgia (Mr. Blackburn).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PUCINSKI

Mr. PUCINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Pucinski: Page 3, line 5, insert after the word "of" the word "U.S." and after the word "and" insert the word "U.S."

Mr. PUCINSKI. Mr. Chairman, earlier today when we were in general debate, I asked what in this legislation or what language or what provisions there were in this legislation that would give some hope that the hundreds of thousands of American workers who are out of jobs because of foreign competition would be helped, and pointed out that George Meany had pointed out last year alone we lost 900,000 jobs through foreign competition. We have always been talking about foreign competition in terms of dollars. What we should be doing is watching the man-working hours displaced by foreign competition. The amendment I am offering would merely add the word "U.S." to the word "workers" so there will be no questions that this council will be charged with protecting U.S. workers job.

Mr. PATMAN. Will the gentleman yield?

Mr. PUCINSKI. No, I will not yield.

Mr. PATMAN. We are willing to accept your amendment.

Mr. PUCINSKI. I just want to explain it so that we know what we are doing here. This amendment merely provides for a guarantee that concern will be shown to U.S. workers in protecting their jobs. I am pleased that the gentleman is accepting the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Illinois (Mr. Pucinski).

The question was taken; and on a division—demanded by Mr. Pucinski—there were—ayes 19, noes 26.

Mr. PUCINSKI. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. CULVER

Mr. CULVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Culver: Page 7, in line 25, strike out the period and insert in lieu thereof ", and".

Page 7, after line 25, add the following new paragraph:

"(4) keep the Committee on Banking, Housing and Urban Affairs of the Senate, the Committee on Banking and Currency of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Finance of the Senate, the Committee on Ways and

Means of the House of Representatives, and the Joint Economic Committee fully and currently informed regarding the activities of the Council."

The CHAIRMAN. The gentleman from Iowa (Mr. CULVER) is recognized for 5 minutes in support of his amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. CULVER. Mr. Chairman, I yield to the gentleman from Texas, the chairman of the committee.

Mr. PATMAN. Mr. Chairman, we have discussed this amendment, and I think it is a good amendment, and we are willing to accept it.

Mr. CULVER. I thank the gentleman very much for accepting the amendment.

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. J. WILLIAM STANTON. Mr. Chairman, I move to strike the last word.

Mr. CULVER. Mr. Chairman, if the gentleman from Ohio is rising in opposition to the amendment, then I would like to be permitted to explain the amendment.

Mr. J. WILLIAM STANTON. Mr. Chairman, I do not know whether I am opposed to the amendment or not. I had difficulty hearing the Clerk read the amendment.

The CHAIRMAN. The gentleman from Iowa (Mr. CULVER) is recognized for 5 minutes in support of his amendment.

Mr. CULVER. Mr. Chairman, I might explain that this amendment would simply require that the Executive Director of the newly established Council on International Economic Policy, if in fact the House were to establish it when it votes today, would be required in addition to the duties cited by the chairman of the full committee, to appear before the Committee on Banking, Housing and Urban Affairs of the Senate, the Committee on Banking and Currency of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Ways and Means of the House of Representatives, and the Joint Economic Committees, to keep these committees currently and fully informed regarding the activities of the Council. The purpose of this amendment is once again to make it possible to have a greater degree of accessibility and accountability with the appropriate committees of the Congress on the policy formulation making within the newly established Council.

I might finally point out that this particular amendment was adopted overwhelmingly in the Senate upon recommendation of the Senate Foreign Relations Committee earlier this week.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman.

Mr. ROUSSELOT. In other words, the purpose and intent of this amendment is to make sure that the two committees of this Congress concerned with this legislation in both Houses would have full access to the executive director and all information which is part of our constitutional responsibility.

Mr. CULVER. That is correct.

Mr. ROUSSELOT. I compliment the gentleman. I think it is an excellent amendment and, as a member of the committee, I support it.

Mr. CULVER. It also includes the House Committee on Ways and Means and the Senate Finance Committee of the Senate.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. CULVER. I yield to the gentleman.

Mr. ASHLEY. The language of the amendment does not seem to conform with the explanation of the gentleman from Iowa.

In your leading sentence, you said that this would require the presence of the executive director before the appropriate committees of the Congress to keep them informed.

But that is not what the amendment says at all. All that amendment says that it is the duty of the executive director to keep the Committee on Banking and Currency, and so forth, and other committees fully and currently informed regarding the activities of the Council.

Now the language suggests that he could do this without having to appear directly and that the question of executive privilege is in issue.

So I just wonder what is meant—whether it is the language of the amendment or the explanation of the amendment?

Mr. CULVER. What is clearly intended is hopefully the explanation of the amendment. By that I mean I do have one final additional amendment which would provide for Senate confirmation of the executive director. Hopefully, in that way, to avoid executive privilege invocation.

But if that amendment were to fail, the language, I hope, of the present amendment before us would be clear and the legislative history, I think, should show at a minimum that the thrust of this amendment is to avoid the Kissinger problem that we have experienced in connection with the National Security Council.

The exact method by which the executive director elects to keep the appropriate committees of Congress informed may enjoy some flexibility.

But I think at the minimum, it should be perfectly clear here, in the legislative history that our intent is to insure the accessibility and access by appropriate committees to the executive director whom we are establishing as a head of and an integral part of this foreign economic policy process.

Mr. J. WILLIAM STANTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, whether or not we want this legislation the Committee will soon decide.

I simply take this time to point out to the Members, and I thank the gentleman from Iowa, because in his explanation as I understand it, it is different—and I agree with the gentleman from Ohio in what it says—his intent to skirt executive privilege brings into this debate personalities and names like Kissinger. I hate to see that because I do not know if the gentleman from Iowa is telegraphing to me that he thinks they are going to be around a lot longer than even I think they are going to be around. In the bill, in section 106, we clearly state the President shall transmit to the Congress within 60 days, and we have already limited the legislation by a previous vote to 1 year—and if it is the purpose of the gentleman's amendment to usurp executive privilege I think it is wrong.

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. J. WILLIAM STANTON. I yield to the gentleman.

Mr. CULVER. When the Senate adopted this particular legislation earlier in the week, there was a colloquy and a rather extensive one on this issue which, of course, is one of the most sensitive and properly so between the legislative branch on the one hand and the executive branch on the other.

The way they resolved that earlier in the week was to let the legislative history show—and I will quote——

Mr. J. WILLIAM STANTON. This is my time, I will say to the gentleman.

Let me tell the House and the Committee of the Whole, I stated legislative history earlier that would challenge the conversation of FULBRIGHT in the other body on this subject. The gentleman has one more amendment to make on this subject of the executive director, confirmation of the Senate, coming along here. He already got a 1-year extension.

I say to the Members of the Committee. Certainly, on our side, if these amendments carry, then certainly I would not see any sense in supporting the whole title because I just do not think it would be good legislation.

The President first of all has to report to us within 60 days of the start of a new Congress. We have already limited the scope of this bill to less than 1 year, and I think by accepting the amendment would be going too far.

Mr. CULVER. I think my own legislative history on that particular amendment and the other which I will offer, which should be taken in tandem, should show that it is designed to insure that the Executive Director will be available to testify upon request before the congressional committees enumerated in the amendment. It is my belief that this history precludes the administration placing our relationship with the Council's Executive Director on the basis of anything resembling the problem we experienced in the foreign policy area with the Director of the National Security Council.

Mr. J. WILLIAM STANTON. I did not have the time to read it, but certainly in my remarks earlier I repudiated the legislative history which was made in the other body.

Mr. CULVER. Mr. Chairman, will the gentleman yield further? Does the gentleman really have any difficulty as a Member of Congress in requiring the Director of this newly created Council that you are advocating, who really is not a personal staff member of the President—we are talking about the establishment of a new bureaucracy within the White House—to help conduct the American foreign economic policy? It defies my understanding as to how the Congress can make appropriate input into that process unless we have access to that individual who is most critically involved. All this will do at a minimum is to require him to make an appearance upon request by committees in the area of finance and foreign affairs and other committees having proper jurisdiction. That is all it is intended to accomplish.

Mr. BROWN of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman in the House, let us put the amendment offered by the gentleman from Iowa in proper perspective. The committee bill as it was reported from the Banking and Currency Committee, was a good bill, but it is being harmed by the action taken and pending on the floor of the House.

The Committee on Banking and Currency may not have the best reputation for voting out good legislation acceptable to the House on all occasions. However, I think that on this occasion it has done so, which some may say is the exception rather than the rule. This is a good bill. With respect to the pending amendment let us examine what the bill before us requires, and I quote from page 6:

> It shall be the duty of each member of the Council enumerated in section 104 other than the President to testify before committees of the Congress on the annual International Economic Report and on reports supplementary to the International Economic Report.

If you will read the bill and see what has to be included in the report, you will find that anything that a committee of the House or committee of the other body wishes to know about economic policy can be provided by the actual members of the council. Keeping the Congress and the public informed of the activities of the Council of International Economic Policy is the duty of the President and members of the Council, not the Executive Director.

The Executive Director is a staff assistant to the President and serves in an advisory capacity. He does not make policy and should be responsible only to the President.

Moreover, the accountable policy officers on the council, the agency heads, are providing, will provide and are required to provide under the bill the necessary information to committees of the House or of the Senate. If there is some specific element of information a committee needs in performance of its legislative oversight functions, we believe it is appropriate for the committee to obtain through conventional means such as written letters, the subject of communications from the appropriate officers of the government, and this means members of the council. It does not mean the Executive Director.

It is rare that the Congress goes down below to some staff level and picks out a person and says, "This person must testify, must report fully and currently to certain committees of the Congress."

It is not the usual statutory language. I think the reason for the amendment was stated by the gentleman from Iowa earlier when he said, "We want to get to this guy." This is the whole purpose of it. In fact, the whole opposition to this legislation and the amendments which are being adopted stems more from a jurisdictional conflict between the Foreign Affairs Committee and the Committee on Banking and Currency than anything else.

We are here washing a lot of old linen which has no application to the legislation before us.

The amendment should be defeated. I trust it will be defeated.

Mr. GONZALEZ. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Texas.

Mr. GONZALEZ. Mr. Chairman, I rise for the purpose of asking the gentleman about the statements he made in the initial part of his talk about legislation which emanated from the Banking and Currency Committee. What does the gentleman mean by those remarks? We both belong to this committee. What are the bills he feels have not been worthy of the dignity or name of the Banking and Currency Committee? Does not this violate the rules of the House, Mr. Chairman? Should not his words be taken down?

The CHAIRMAN. Is the gentleman stating that as a parliamentary inquiry or just as a rhetorical question?

Mr. GONZALEZ. It could be interpreted in a Pickwickian sense as an inquiry.

The CHAIRMAN. Under those circumstances the Chair is as confused as some of the other gentlemen are.

Mr. GONZALEZ. I do feel perhaps an apology is in order. It reflects on us as members of the Banking and Currency Committee, because although we differ as to the worth of the legislation I do not think we should pass words on the worth of the committee in handling some of the most important legislation which has been dealt with in this House, which has been produced by the Committee on Banking and Currency.

Mr. BROWN of Michigan. If I may respond to the gentleman, I believe, if I recall what I said in my earlier remarks, I only said that the Committee on Banking and Currency has had some trouble with legislation on the floor of this House.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Iowa (Mr. CULVER).

The amendment was agreed to.

Mr. BROWN of Michigan. Mr. Chairman, I demand tellers.

The CHAIRMAN pro tempore. The gentleman was not on his feet in time.

AMENDMENT OFFERED BY MR. CULVER

Mr. CULVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CULVER: Page 7, on line 15, add the following after "dent,": "by and with the advice and consent of the Senate,".

Mr. CULVER. Mr. Chairman, I think the amendment is very clear on its face and needs no elaboration. It simply requires that the Executive Director be approved by and with the advice of the Senate. It also is an effort to dovetail with the earlier amendment as to increased accessibility and accountability to the legislative branch.

Mr. Chairman, I yield back the balance of my time.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it bewilders me why the House should fight the battles of the other body. We know this legislation has been acted upon in the other body. The other body did not insist upon Senate confirmation.

The gentleman from Iowa (Mr. CULVER) says this will dovetail with his previous amendment in assuring accountability on the part of the Council to the Congress. As the author of the legislation which is before us, let me say I was the one who insisted, as did the subcommittee and finally the full committee, upon complete and total accountability of the Council on International Economic Policy to the Congress. We achieved this accountability, at least to our satisfaction, by requiring an annual report, and I must say the administration did not suggest that at the outset. We insisted on the annual report to the Congress. We insisted that there be available for testimony to the appropriate committees of the Congress the members on the Council.

I invite attention to the membership, which I now refer to: The President, the Secretary of State, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Secretary of Defense, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and the Special Representative for Trade Negotiations.

We require by law that these men present themselves to the appropriate committees of the Congress to testify on the annual report. What greater accountability could we possibly ask for?

One must wonder if the issue with respect to Senate confirmation is not in fact an effort to hamstring the Council as it has been set up by the President, in which he has appointed a counselor that does enjoy executive privilege, and has appointed that counselor to a second position, that of Executive Director of the Council staff.

What we are saying, we in the Congress, perhaps is, "No, you cannot do that." Why would we say that? Is it to embarrass the President? If we do this, we are being less than good legislators. Let us look through the form and get to the substance. We want accountability, not embarrassment.

Let us vote down this amendment.

Mr. J. WILLIAM STANTON. Mr. Chairman, I rise in opposition to the amendment.

I merely wish to point out to the House once again that this legislation has passed the other body. They did not insist on confirmation by the Senate, so I do not see why this body should insist on it.

I hope the amendment will be defeated.

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to this amendment because it does not improve this bill. It is my intention to vote against this legislation, if we fail to knock out title I before the final vote.

The statement was made to us a little while ago that this is just a simple little bill to give the President some powers he already is using by Executive order and to finalize an agency already in operation, and which has been in operation for some time. Do not be deceived. This is no "simple little bill."

Another statement was made by the gentleman from Ohio that Mr. Peterson wrote a nice, big report on how well we are doing in international commerce. I have no personal quarrel with Mr. Peterson, who is probably the best Secretary of Commerce we have had in this country. But do not lose sight of the fact that until recently, he was president of a corporation that has big plants in Taiwan, Formosa, and West Germany. This bill would only help these international conglomerates along.

In response to what the gentleman said about this being a simple little bill, let me call your attention to page 2, line 9, which states:

> It is the purpose of this Act to establish a Council on International Economic Policy which will provide for—

And then it lists all of these things from (A) to (H). Mind you, this bill gives the Council specific powers to overhaul our entire international economic policy. This is no simple bill.

I tried to offer an amendment which would at least have assured the American workers and American businessmen they would not be strangled out of business. Even though the Committee accepted the amendment, those of you under such complete domination of the international conglomerates and multinationalists, chose to reject the amendment. By your action you helped doom this bill. I'm sure the entire title I will be rejected at the proper time.

Thousands of small businessmen in this country are going out of business because of competition from foreign imports. Thousands upon thousands of American jobs are being destroyed in this country because of foreign imports.

Earlier in the discussion the gentleman from Ohio tried to assure the House that there is in this bill a concern for the American workers. He cited page 3, paragraph (H):

> Increasing the employment and real income of workers and consumers on the basis of international economic activity.

He said this was the paragraph that imposed upon this Council the mandate to be concerned about American workers.

All I wanted to do was to add the words "U.S. workers" so that there would be no question that at least somewhere in this bill there was some concern for the American worker who was being driven out of his job, driven out of his pension plan, and driven out of all his security.

That is why today 78 percent of the American people in this country have to rely on social security as their sole source of income, because the companies for which they worked for many years, in the hope that they would get a pension, have been wiped out by international conglomerates and multinationalism.

Members can look at this bill to see what is being set up. This is not a simple little bill to set up and formalize by legislative act what the President has been doing now for some time.

This bill mandates to this new Council on International and Economic Policy broad powers, powers that are making America totally dependent on international conglomerates and bringing about a further erosion of American job opportunities. I tell you this: I am amazed at the powers that the international conglomerates have in this country. I tell you there will be no comfort for the millions of Americans who have been driven out of work by this legislation. I will tell you this: It is a good deal later than most of you think. Yes, you have a fine little bill here, and you have put up a lot of little international platitudes which even you do not know what they mean. When the gentleman from Pennsylvania (Mr. Dent) asked will the Secretary of State dominate this Council, the answer was "No, no, it cannot happen." Well, look at paragraph (c) of this bill. It calls for close coordination in international economic policy "with other basic foreign policy components."

The gentleman from Pennsylvania (Mr. Dent) was dead right when he told this House this bill will set back American economic policy. This bill will decide whether or not this country shall continue to maintain a standard of living to which the American people have been striving for so many years. Who is going to decide our standard of living? The State Department and the Secretary of State. So I say to you, to all of you who are tempted to vote for this bill, just remember this: You are putting a greater noose and a greater stranglehold on thousands of American workers who are today losing their jobs because of foreign competition. I am not at all impressed with the speakers here today who say that international trade creates new jobs. In my own city we have seen the electronic industry die, the shoe industry die, the textile industry die, and the glass industry die, simply because of legislation like this. I do not intend to sit idly by and watch my constituents' jobs destroyed. I shall oppose this bill with all my vigor.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words. I am encouraged in a somewhat painful manner at the belated concern that some of my colleagues expressed here today. It is apropos because this is about the 10th anniversary of the enactment of the 1962 so-called Trade Expansion Act. There were some of us at that time who were concerned about the abdication of the constitutional responsibilities of the Congress in virtually handing over the executive branch of Government at that time a blank check which subsequently was reflected in an unfavorable balance of payments in the GATT agreements in which the United States came out second best. So I am encouraged, as I said originally, in the concern expressed on the floor today.

There were some of us here today, particularly my distinguished colleague from Pennsylvania (Mr. Dent) who at that time and consistently has recognized the problem in the actions taken by the Congress itself in exporting American jobs.

Mr. Chairman, I would hope that this concern would persist in the light of the tragic misjudgment of the majority of the Members of this House in the past.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I rise in support of the Culver amendment. I might say that it seems to me the committee would have been well advised to have the gentleman from Iowa (Mr. Culver), sit in with them on this legislation, because he has rewritten this bill for them on the floor up to now. I think he has made a distinct improvement. I think his amendment now would further improve it. I do not see anything wrong with having a man who is going to make these broad decisions confirmed by the U.S. Senate. I just do not see anything wrong with it. I know something about what has happened to these kinds of things.

I know what happened under the Reciprocal Trade Agreement Act. I say to you that I favor the principle of reciprocity, but the kind of people we have had negotiating for the United States in the past 25 years have not been advocates of reciprocity, they have been advocates of giving everything away and getting nothing in return. You know, they go to these cocktail parties and they are trying to be nice guys and advocates of the country where they are negotiating.

When I came down here from my district I had about 20 potteries and several glass factories. Now we have three potteries and one glass factory left—and they are on the brink of extermination.

You know, nobody paid any attention in those days to the pottery industry because it was concentrated in a relatively small area. But now that it is hurting automobiles, shoes, steel, aluminum, chrome—you name it—ferroalloys, there is a lot of concern.

And what are these negotiators trying to do? Well, if you read their propaganda they are trying to make this Nation into a nation of peasants and agricultural production and service, at the expense of the greatest industrial machine in the world—service and agriculture, that is what they stress.

I say to the Members that the more safeguards we can put into this legislation, minus not having any at all, the better.

I do not see anything wrong, as I said in the beginning, and I cannot see how anybody, including my distinguished colleague from Toledo, could object to having the Senate confirm the man who is going to have these broad powers.

And if you want to know the truth about it, we have too many people downtown who are making policy now who are faceless men, men who no one up here ever knows, and who have a contempt for the Congress, and who will tell you so if you pin them down on it.

I think this would be very wholesome

to have the Senate confirm this man. I wish we had a lot more people who had to be confirmed—not only by the Senate, but the House. Therefore I urge the adoption of the amendment.

Mr. Chairman, let me say, while I am still on my feet, that we have people on some of these subcommittees who have a contempt for the Congress, who are working right for the Congress and who think they know more than the Congress does, and who write these little gimmicks into these bills, and sometimes the Members are unaware of what is going on.

I might add that we had a meeting on that this morning in the Committee on House Administration, and we hope to take some corrective action on that situation and perhaps we will take it on the downtown situation as well.

Mr. DENT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Iowa, but I just want to say a word or two to the Congress.

The reception given to the gentleman from Illinois when he got through speaking—and of course it has been my lot over the years to have heard the same thunderous response in the negative. But we are not the only men who have been laughed at in public legislative bodies of the world since the beginning of time. Even the Romans laughed in the senate chamber when the roof was crumbling in around them.

The gentleman from Illinois has not always been a follower of the same principles that I have in the matter of international trade, but when it starts to hurt and the shoe starts to pinch, and the workers around you come to see you and ask for any kind of help you can give them to get them any kind of a job, you may start thinking a little more.

The gentleman from Ohio who preceded me said something about becoming a nation of peasants. We are becoming even worse than that. There is no work for the peasants to do. I will wager that in this House of Representatives there is not one person who has kept score of the job opportunities in this Nation for the past 10 years.

In the past 10 years, employment in Government has increased 155 percent. Employment in industry has increased 9 percent. Yet, the total employment in the country has only increased 37 percent.

For those of you who like to juggle with figures—play a little with that, will you—and then tell me—where did it come from? We have more people than we have ever had. We can produce more goods than we ever could. We have more consumption than we have ever had. So where is the problem? The problem is that we are trying to milk an economy from a two-legged stool. You cannot do that. Anybody who has ever been on a farm knows that you have to have a three-legged stool. That was invented and conceived because the floor in the barn was never level.

It had ups and downs. So a three-legged stool will always find a balance and the economic ebb and flow of demand, production and consumption has always been an uneven flow.

So in our own bungling and stumbling way, before we reformed so much, we discovered a formula. A formula that made us the greatest Nation on the face of the earth. What was it—it was the formula of the three-legged stool—production, distribution and consumption.

Recently, if you have been reading the chamber of commerce statements of its president and the statements of the head of the Corn Products International and the statements by the vice president of the Fifth National Bank of the city of Chicago in which each and every one of those great American leaders in industry and banking have said plainly that this Nation should admit that it has become apparently more certain that this Nation will leave the manufacturing business.

We are going to live on banking and services. If that can be done—then why is it that when I was 8 years old, I left the coal town? Everybody had to leave it. Why? Because they were not digging coal. The people were still there. They needed the services of the community that they had been using for years. But why could they not live in that community? The services were there to be rendered. The people were there to use them. But, we died. How many agricultural towns in your farm areas have died in the last 20 years? The people are still there.

Please—do not laugh at someone who tries to tell you what you ought to know.

Mr. JOHNSON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the amendment.

I do not believe the position of Executive Director of the Council on International Economic Policy is one which should require Senate confirmation.

The Council on International Economic Policy is essentially a staff unit—I repeat a staff unit—in the Executive Office of the President. It provides him a mechanism for better organizing the President's staff work to provide a systematic review of policy options to help him make decisions in the area of international economic policy. Once policy has been determined by the President, its administration is the responsibility of the departments and agencies whose heads compose the Council.

The Executive Director of the Council must insure that the work of the Council and the work of the Council's staff meet the needs of the President, with whom he must have a close personal advisory relationship. The Executive Director should be the President's man, should be responsible only to him, and should serve only the needs of the President and the Council. To require Senate confirmation would alter this relationship. The Congress has long recognized situations involving the need for closer relationships between the President and his staff officers and has not required Senate confirmation in such cases.

Although he must insure a thorough analysis of policy alternatives and present these alternatives to the President, the Executive Director does not make policy. Neither does the Council's staff make policy. On the other hand, the Council members, who are heads of departments and agencies, do make policy and administer it under the President's direction. The Congress can and should hold the policymaking and administering heads of the departments and agencies in the Council membership accountable for policies. They are responsible for managing agencies and programs on a day-to-day basis and are in direct contact with, and providing services to, the American public.

If we require that this position of Executive Director of the Council on International Economic Policy must be confirmed, then we are legislating a change in relationships between the President and his staff people. I do not believe it is desirable to begin requiring confirmation of key White House advisors. The Senate has passed a bill authorizing CIEP without requiring confirmation of the Executive Director by the Senate. If the Senate does not want Senate confirmation, I see no reason why the House should legislate it.

We desperately need a well organized, structural, visible means of providing advice to the President on international economic policy issues in the critical period immediately ahead and the Executive Director of this Council should not be subject to Senate confirmation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. CULVER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WYLIE

Mr. WYLIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WYLIE: On page 1, strike out line 3 and all that follows thereafter through page 8, line 24, and on page 9, strike out lines 1 and 2 and strike out "Sec. 201. Section" on line 3, and insert in lieu thereof "That section".

Mr. WYLIE. Mr. Chairman and Members of the Committee, this is a very simple amendment. It would strike all of title I.

Title I is bad legislation.

Now I had this amendment at the desk before the bill was rewritten by the three Culver amendments.

I want to strike title I because I think it is unneeded legislation. I was one of two who voted against it in the Committee on Banking and Currency because I think the time has come when we must call a halt to the continual addition of advisory programs and bureaucratic duplications that add unnecessary expenditures to a budget already showing a large deficit.

Now the 1-year amendment improves title I but it does not go far enough. As I say, the whole title should be stricken.

I will concede that there may be a need for the Council, and that is why it was established. It is significant to note that it has, in fact, been functioning for a year and a half and funded out of moneys already available to the executive branch for such purposes. Why, then, is the authorization and authority contained in title I even needed? Why not let well enough alone so that the council can continue to function in its present manner at the pleasure of the executive branch? What is the need for such a Council? What is the need to make this Council statutory and put it in the permanent laws? If we want to make it statutory, since foreign and domestic economics are so closely associated, why not allow the Council of Economic Advisers, which is already authorized by law, to function on matters of international economic policy and coordinate all aspects of domestic and international trade policy?

The Secretary of Commerce is already a member of the Council on International Economic Policy. He has at his disposal several councils to advise him in the field of international economic trade. There is yet a National Export Expansion Council which advises him on policy matters. There is an Assistant Secretary for Domestic and International Business who oversees the Bureau of International Commerce which regulates export assistance programs.

There is the Office of Foreign Direct Investment Controls which handles investment aspects of American international trade.

Finally, there is an Assistant Secretary for Economic Affairs who administers the foreign trade data-gathering activities of the Census Bureau.

With these entities already established by law, why do we need another statutory agency to advise the President on international economic policy? Foreign trade matters are already being handled and funded under statutory authority at the Cabinet level, and administratively in the White House.

Title I is unnecessary legislation whose only result will be the imposition of another $1.4 million to the Federal deficit and the creation of one more self-perpetuating statutory bureaucracy. I think the House should strike title I of this bill.

Mr. EVANS of Colorado. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and Members, I rise in support of this amendment. I just have a few remarks. I would like to touch on one of the reasons why I oppose title I. We are looking for a great deal from this Council that is going to advise the President and going to assist our foreign affairs, our foreign economic affairs. On page 3 of the bill, section 104, the legislation sets out the membership. The membership is principally the Cabinet of the President of the United States.

We are asking the Cabinet of the President of the United States to undertake the great responsibility, and I suggest the reason that they have only met three times in the last 18 months—that is the information I get—is that these gentlemen are rather busy people.

I though I would bring to your attention just some of the responsibilities that these members of the Cabinet are already being asked to do in addition to what this bill would ask of them.

One or more of them serve on the following: Delaware River Basin Commission, a President's Commission for Fire Prevention and Control, the National Council of Equal Opportunity, the Low Emission Vehicle Certification Board, the Woodrow Wilson Institute Center for Scholars, the J.F.K. Center for the Performing Arts, the Water Resources Council, the Inter-Government Relations Panel, the American Red Cross, the Foreign Trade Zones Board, the Smithsonian Institution, the National Armed Forces Museum Advisory Board, the National Gallery of Art.

If that were not enough, since President Nixon came into office, 116 major advisory bodies have been created, 54 by the Congress of the United States, and 62 by the President. Now, seven of these are Cabinet-level task forces and they include the following—These members are going to have to spread their time on these matters: economic policy, task force on oil import control, voluntary action on school desegregation, on international narcotics control, on schoolbusing, and opportunities for Spanish-speaking people.

Now, members of the Committee, I think everyone here agrees that something should be done, but I seriously question if the right people have been chosen to give the advice that is required in this legislation. I do not think they could possibly have the time to give themselves to this in addition to their other vast responsibilities. For this reason I rise in support of the amendment.

Mr. BROWN of Michigan. Mr. Chairman, I rise in support of the amendment.

At the outset I wish to commend the chairman of the subcommittee, the gentleman from Ohio, for the many hours that he put into this legislation as originally presented to the House. I think that as the bill came to the House it was good legislation. As it now stands, as amended, I think it is bad legislation. I therefore intend to support this amendment to strike all of title I. Whether Members were in support of the legislation in the first place or were opposed to it, Members should now support this amendment to strike title I.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from California.

Mr. MAILLIARD. Mr. Chairman, I want to join the gentleman from Michigan. I was prepared to somewhat reluctantly support the bill as it was brought from the committee, but here we are rewriting it on the floor of this House. I think it really is premature, because while the gentleman from Iowa, whose amendments have been accepted, has spent a great deal of time and effort in this field, he would be the first to agree that the Committee on Foreign Affairs is not yet ready to make the kind of decision we are being asked to make here today. So it seems to me in its present form it would be far better if we simply drop this title out of the bill and go ahead and extend the law that expired a few days ago.

Mr. WYMAN. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment offered by the gentleman from Ohio.

Mr. Chairman, I just want to observe that the Federal Government already has too many existing boards, commissions, agencies, and advisory groups. There is no need at this critical financial time in our history to authorize the expenditure of $1.5 million on another one that in its membership already has the authority under its separate departmental authorities to function with the pay and personnel in-house—if the President so wishes.

Mr. Chairman, I urge adoption of the amendment offered by the gentleman from Ohio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. WYLIE).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That section 14 of the Export Administration Act of 1969 is amended by striking out "August 1, 1972" and inserting in lieu thereof "June 30, 1974".

AMENDMENT OFFERED BY MR. GONZALEZ

Mr. GONZALEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ:

At page 9, after line 5, add the following:

SEC. 202. Section 4(e) of such Act is amended to read as follows:

"(e) The authority conferred by this section shall not be exercised with respect to any agricultural commodity, including fats and oils or animal hides or skins, without the approval of the Secretary of Agriculture. The Secretary of Agriculture shall not approve the exercise of such authority with respect to any such commodity during any period for which the supply of such commodity is determined by him to be in excess of the requirements of the domestic economy, except to the extent the President determines that such exercise of authority is required to effectuate the policies set forth in clause (B) or (C) of paragraph (2) of section 3 of this Act."

Any rule, regulation, proclamation, or order issued after July 1, 1972, under section 4 of the Export Administration Act of 1969, exercising any authority conferred by such section with respect to any agricultural commodity, including fats and oils or animal hides or skins, shall cease to be effective upon the date of enactment of this act.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield? We do not have a copy of this amendment.

Mr. GONZALEZ. I have several copies. I was under the impression that copies had been circulated in good number yesterday and today, so I am sorry to hear the gentleman did not have one. I thought we had laid several copies on the table. I offer this amendment for myself, Mr. PURCELL, Mr. SMITH of Iowa and others.

In any event, Mr. Chairman, this is an identical amendment to the same act which the other body passed by a substantial vote the day before yesterday. I am really accommodating a great number of my colleagues on both sides of the aisle.

It seems ironic that we should have spent quite a bit of time talking about the need to stimulate exports and trade when the recent action that necessitates this amendment was trying to curtail markets for one of the most traditional exporters in the history of our country.

This similar action, which we are trying to remedy now, was attempted in 1966 by the then President, unsuccessfully with calamitous results.

The argument was used then, as it is this time, that unless this is done the price of shoes will go up. This is patently and on its face a fallacious, wrong argument.

I have nothing but sympathy for the shoe industry, for the tanning industry, for the steel industry, for all of the industries complaining about the competition from imports. But this is simply the wrong remedy for this malady. That is all there is to it.

There are no two ways about it. The price of one hide, for instance, covers enough material to take care of the manufacture of 20 pairs of shoes. The average cost of the hide utilized in a pair of men's shoes doesn't even amount to 50 cents.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Georgia.

Mr. BLACKBURN. I appreciate the gentleman's yielding.

As the gentleman knows, I supported his motion in the committee. It is one which I believe this committee should support. I believe it is in the best interest of the country that we encourage the export of goods from this country, and this amendment will serve that purpose.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Illinois.

Mr. FINDLEY. I want to express my support for the amendment.

Mr. GONZALEZ. Mr. Chairman, I wish to say that I attempted to introduce a similar amendment, but not the same, in the House committee, on the request of a tremendous number of Members in and out of the committee on both sides of the aisle. One Member in particular was from the Committee on Agriculture, Mr. GRAHAM PURCELL, who originally had contacted me concerning this matter.

I do want to express the fact that this is in pursuance of requests I have had from many of my colleagues.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Texas.

Mr. PRICE of Texas. I thank the gentleman from Texas for yielding.

I want to say that I certainly do support the gentleman's efforts and his amendment. Coming from one of the largest livestock producing areas in the country, I know this is vital to the economy. It just makes commonsense that if we put an embargo on these hides it would simply mean that the producer would get less for his animals.

I want to compliment the gentleman for his efforts, and I hope the Members of the House will support his amendment.

Mr. GONZALEZ. I thank the gentleman from Texas.

Mr. SEBELIUS. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Kansas.

Mr. SEBELIUS. Mr. Chairman, I call upon my colleagues to support the amendment to H.R. 15989 offered by my distinguished colleague from Texas, Representative HENRY GONZALEZ. This amendment would rescind current hide export quotas and would require the Secretary of Commerce to obtain approval of the Secretary of Agriculture before exercising authority to limit future exports of agriculture commodities.

As a result of the July 15 announcement to impose export controls on cattle hides, domestic hide markets have been disrupted, creating hardship on processors who depend on hide sales. These processors depend on hide sales to hold down the cost of beef in the supermarket and to return a fair price to the producer.

As a result, consumers will help pay for any reduction in the price of hides in the form of higher food costs. I full well realize that the intent of this export quota was to make our domestic leather and shoe prices competitive. I sympathize with this goal, but since July 15, leather and shoe prices have not reflected the reduced price of hides.

In fact, world hide prices have followed the U.S. price since the announcement and foreign shoe manufacturers will continue to undercut our domestic shoe industry with cheap labor. In effect, we have cut off the cattleman's nose in order to save our face. The cattleman has been denied equity in the marketplace and the domestic shoe industry has not received relief.

In addition, the July 15 quota announcement has had an undesirable effect on our domestic economy. Reduced exports increase our balance-of-paymets deficit and jeopardize foreign markets for future export sales and expansion. The balance-of-payments deficit for the fiscal year ending June 30 was $5.1 billion, the largest in history.

We are on the verge of improving this situation through negotiation and new trade agreements and it seems to me this is not time to initiate export quotas that are both ineffective and at the expense of other segments of our economy.

This amendment would stabilize domestic cattle prices, would not adversely affect consumer costs and would help reduce our balance-of-payments deficit. I urge my colleagues to support the Gonzalez amendment.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I want to make one point, and then I will be glad to yield to the gentleman. This is an important point and I may forget it.

The price of a hide a year and a half or 2 years ago was at the same level, and was at that level for several years, as it was during the depression years, yet, just to make the point, the price of a pair of shoes did not decrease; in fact, it increased. There is no correlation between this action taken by order of the Department of Commerce and the cost of a pair of shoes.

I want to make that plain.

Mr. DENT. Will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Pennsylvania.

Mr. DENT. I do not want to take up any of your time. I will get some of my own, but I want to draw attention to the question of the price of the hide itself. It is exactly as you said. It does not add much to a pair of shoes, but what you must remember is that just not too long ago, we had 1,485 tanneries in the State of Pennsylvania. Now we have 14. So the price of tanned hide has gone so high that just the price of the hide itself puts us in a position where we have done exactly what the gentleman from Ohio said not too long ago; namely, we have made it impractical to use it. I do not want to oppose the farm bill and the hide growers, but this is a very serious thing we have done, Mr. GONZALEZ. We have destroyed the ability of this American industry to meet the costs in the marketplace on account of this cost.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, at the request of Mr. MAHON, Mr. GONZALEZ was allowed to proceed for 3 additional minutes.)

Mr. MAHON. Will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the distinguished gentleman.

Mr. MAHON. I want to commend the gentleman from Texas for offering this amendment. I had the opportunity to explore this situation, and I think he is correct. I hope and believe the House will adopt the amendment. I want to be registered as in strong support of the gentleman's amendment.

Mr. ABOUREZK. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the gentleman from South Dakota.

Mr. ABOUREZK. Mr. Chairman, I am very pleased to support the amendment to the Export Administration Act legislation offered by the Honorable HENRY GONZALEZ which would rescind any export controls affecting agricultural products which were imposed after July 1, 1972. This amendment would also prohibit the Secretary of Commerce from imposing any future export controls on agricultural commodities without the approval of the Secretary of Agriculture.

I think that this is a sound amendment. The interest of the Secretary of Commerce in promoting industry is often in ironic conflict with the interest of what is really our No. 1 industry—agriculture. This was certainly the case in the recent decision to put export controls on cattlehides. It is important that the Secretary of Agriculture, the spokesman for the agricultural industry, have an opportunity to participate in matters such as this that are so important to farmers and ranchers.

The decision to impose cattlehide export controls appeared to be nothing more than another step in a conscientious effort of the administration to drive down live cattle prices. The cattleman who sees these export controls imposed on top of the recent decision to remove beef import quotas can draw no other conclusion. It is not fair that American agriculture should continue to be asked to bear the brunt of the battle against inflation. The fact is that most agricultural prices have not increased above the level they were 20 years ago. Now when beef prices are starting up, it appears that the administration is going to do everything it can to push them back down.

It is a further irony that this effort to impose export regulations on cattlehides probably will not work. A similar order was imposed in 1966 and at that time the price of shoes went up and the price of cattle went down. This again points out that the order imposed by the Secretary of Commerce on July 15 is detrimental to the farmers and ranchers of this country but are not necessarily beneficial to anyone.

As a further wrinkle, this order calls for a complicated system of rationing implemented through the issuing of tickets for exports. According to some testimony that has been offered, this is nothing more than an invitation to the creation of a black market in export tickets.

We have then a situation in which one industry is set against another and in which the spokesman for one of these industries is excluded from the decision-making process. That simply is not fair.

Further, we have a situation in which the ranchers and farmers of America are being asked to sacrifice in the interest of helping America's economy despite the fact that our farmers are still receiving only 75 percent of the income received by nonfarm workers. Again, that is not fair. Rural America is already one of the most economically depressed areas of our economy. Lowering agricultural prices will only drive even more people off the land and thus add to the burden of our cities.

Finally, we have a situation in which a complicated control mechanism is established which probably will not work and is an open invitation to cheating.

None of this is necessary. This amendment would rescind the order of July 15 and assure that the Secretary of Agriculture participates in future decisions of this sort. It is important that the farmers and ranchers of America have a voice in a matter that is of such great importance to them.

Mr. MONTGOMERY. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the gentleman.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman for yielding. I also rise in support of this amendment. I have had the opportunity to study the amendment, it is a good amendment and should be adopted. Why pick on one group, the hide industry, and create hardships by Executive order. This amendment will, if adopted, eliminate this unfairness to the cattle hide group.

Mr. GONZALEZ. Mr. Chairman, one of the most knowledgeable and distinguished gentlemen who has aided in this amendment is the distinguished gentleman from Iowa. I do not know whether he will seek time on his own, but I want to say one thing in terminating this by way of reply to the distinguished gentleman from Pennsylvania; namely, the fact that there are a lesser number of tanneries is not related to this at all, because the price of hides over the course of the years until a year and a half ago, was at a depression level of 10 to 10½ cents. The fact appears that there have been other corollary factors that entered into it, the same as in textiles where synthetics entered into the picture, and they have been more of a factor than this. The fact that we refused to permit the exports of hides when the experts themselves tell us that we have twice the production that we need for domestic consumption is simply not in keeping with justice or common sense.

Mr. ZWACH. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the gentleman.

Mr. ZWACH. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the Gonzalez amendment. The imposition of embargoes on the export of hides is unwise, unworkable, and grossly unfair. There is no shortage of hides in our country. In fact, we have about 11 percent more cattle on feed and coming to market this year over last year. These hides are available first to the American users of hides. There is no shortage.

Producers of hides are secondly the victim of inflation, not the cause of inflation. The amount of rawhide in a pair of shoes is less than 5 percent of the cost of the shoes and even at the present price of hides less than 80 cents a pair of shoes. To blame the prices of shoes on the price of hides is ridiculous. This amendment will correct a gross injustice to the cattle producers of this country.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I am delighted to yield to the gentleman from Texas.

Mr. PRICE of Texas. Does your amendment do the same as the language in the other body?

Mr. GONZALEZ. Yes. It is identical language as that offered in the Senate amendment by Senator CURTIS.

Mr. PRICE of Texas. I thank the gentleman.

Mr. SMITH of Iowa. Mr. Chairman, I rise in support of the amendment.

I want to add a few facts concerning this amendment and the order which causes the amendment to be offered. I have been working with the gentleman from Texas for the past few weeks on legislation to kill the hide order and I think there are good reasons why it should be killed. I am aware that friends of farm producers do not alone have the votes to pass bills beneficial to agriculture, but I believe theer are good reasons Members with nonfarm constituencies should vote for this amendment and that a yea vote would be in the interest of consumers generally.

The No. 1 thing to remember is this: In the case of cattle hides, we produce in this country more than twice as many as are consumed in this country—more than twice as many as we use.

Under these circumstances the world market sets the price of hides. It cannot be any other way. We are not talking of a product which is in short supply in this country—it is in excess supply.

Foreign buyers are paying cash for hides, not credit. They are paying cash. They are paying what the American tanner pays plus the cost of transportation and the cost of dealing with an exporter.

A cattle hide weighs about 60 pounds on an average and at present prices is bringing about $17. It will make about 20 pairs of men's shoes and something like 40 pairs of women's and children's shoes.

The pressure for a limitation on hide exports is for the purpose of setting the price in the United States at the depressed level that existed when American shoe manufacturers were using Corfam and other plastics for high-priced shoes. When the price of hides dropped drastically in 1966, the price of shoes did not drop. The reduction in the cost of the raw hide which they hope to obtain could be only a few cents per pair of shoes.

The net result is that they are attempting, in a clumsy way, to provide raw products to American shoe manufacturers at less than the world price. In other words, they do not want the free enterprise system to set the prices of hides.

While the difference in the cost of the raw hide in a pair of shoes would be only about 10 or 12 cents, establishing a lower price for hides would very likely result in a higher retail price for meat. When the packer receives less for the hide, he must secure more for the dressed meat. It has been estimated that the difference could well be from 1 to 3 cents per pound that would be necessary to offset the reduction in the price of hides. In other words consumers would pay not only more by reducing the competition from imported shoes, but they would also pay more for meat. In other words, the consumer would get stuck twice unless this amendment is passed.

If the packer pays less for an animal he must either pay more for the meat or less for the cattle and most economists say that based on the 1966 experience some of both would result.

The restrictions we are complaining about upon U.S. exports are coming at a time when this country is experiencing a deficit in its balance of trade and needs foreign markets. The reduction in foreign trade would be with friendly countries who have been depending upon us for hides and this would come at the very time that the President is trying to sell to countries behind the Iron Curtain.

The controls issued by the President do not make any distinction between superior and inferior hides. American shoe manufacturers use top hides. Therefore the particular order involved does not really guarantee American shoe manufacturers what they want to do anyway, because a foreign purchaser can buy all the top hides they want to as long as they reduce their purchases of inferior hides by a like number. We do not have an adequate market for inferior hides in the United States. Some of these hides are from dead animals and if this market is cut off, it would not even pay to remove the hide from the dead animal and bury the animal and therefore more water pollution problems and air pollution problems would result.

The export control order on hides was announced without notice to all interested parties to comment and after many persons had gained the impression that the Commerce Department would not impose controls on hides.

The ticket system that has been developed gives rights to those who have been exporting in accordance with last year's business and thus eliminates the element of competition and the ability of new competitive producers of marketed products to move into the market. It would be a bureaucratic mess to administer and certainly lead to scandals. This amendment would kill the order and prevent that from happening.

The control program was imposed in 1966 on hides and by general agreement it was a fiasco. It ended when an amendment authored by myself was attached to the appropriations bill for the Commerce Department and killed the order. That order reduced the U.S. foreign market for hides and also resulted in American businessmen receiving less money for the hides they sold overseas and thus reduced dollar earnings.

The Commerce Department made no inventory of the foreign supply before putting the current order into effect and thus claim they have no idea who the speculators are who have been hoarding these hides in foreign positions and will make a bonanza as a result of this order.

Article 1, section 9 of the U.S. Constitution forbids export taxes on exports. It was put into the Constitution, because the colonists had been mistreated in exporting agricultural products and put in a noncompetitive position with another country. A quota on hides is more severe than a tax on exports and would be an even greater grievance by agricultural producers than was suffered by the colonists.

The order we seek to kill also violates article 11 of the GATT agreement prohibiting quantitative export restrictions. At a time when we are trying to promote agreements to expand foreign trade, we are violating our agreements under this order.

Continuance of this order would result in more plastic manufacturers in Europe and Japan and permanently cause a loss of markets for our inferior hides with people with whom we are on friendly relations and have enjoyed mutually beneficial trading agreements. This hide order we seek to eliminate is contrary to the export policies stated in this very bill. The bill itself states that it is the policy of the United States to strengthen "the U.S. competition in world trade," and to achieve "equilibrium in international payment accounts of the United States." If we are serious about the provisions of the bill then we must kill the hide order, because they are inconsistent with the provisions of the bill, just as it is inconsistent to promote trade with Russia and China and at the same time taking action to reduce trade with our friends.

I urge a vote for this amendment. I preferred an amendment I had drafted which would kill the order and prohibit another one being developed on hides. I had worked with the gentlemen from Texas on that amendment, but the concensus among the supporters of this effort to kill the hide order is that we should have an amendment identical to the Senate amendment even though it is not as satisfactory. Therefore, I request a yea vote on this amendment.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. EVANS of Colorado. Mr. Chairman, I want to express my appreciation to the gentleman from Texas (Mr. GONZALEZ) and to the gentleman from Iowa (Mr. SMITH) for their support of this amendment.

I am wholeheartedly in favor of the amendment.

I would much have preferred an amendment to totally remove agricultural products from executive export control authority but the pending amendment has my support.

Hardly anyone can today question that problems are besetting agriculture. We have an Executive order limiting export of hides, ostensibly to benefit the consumer who buys shoes. This is little short of incredulous. The hide or leather used in shoes contributes from 2 to 3 percent of the total cost of shoes. This means that in a $20 pair of shoes, there is about 40 or 50 cents worth of leather, in fact, a relatively insignificant amount.

Once again, the farmers and ranchers take it on the chin in the name of saving consumers money. It would be exceptionally fine if just once the administration would depart from its course of compounding problems for the farmers and ranchers.

It is evident this would not happen. Perhaps by spreading authority of the executive branch on this subject we can gain some safeguards for agriculture. We can at least make known our dissent from this order on hides and slow down any repetition of this inequity.

I support the amendment offered by Mr. GONZALEZ.

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. DRINAN. Mr. Chairman, I rise in strong opposition to this amendment to H.R. 15989 which would prevent the Secretary of Commerce from effectively dealing with the grave threat that unchecked cattle hide exports present to the American shoe manufacturing and cattle hide tanning industries. Mr. Speaker, this amendment would severely restrict the Secretary of Commerce from exercising the export controls he is authorized to make under the provisions of the Export Administration Act of 1969—even though the crisis caused by abnormally high cattle hide exports is exactly the sort of situation which the Export Administration Act was designed to prevent.

If we are to protect our already hard-pressed domestic shoe industry from the demonstrated ravages of unlimited cattle hide exports, this amendment must be defeated. If the Export Administration Act is to have any meaning it is vital that we not circumvent the root purpose of the controls authorized to be made by the Secretary of Commerce.

The present crisis in cattlehide exports began in August of 1971, when Argentina, which in 1970 had exported 7.5 million hides, imposed an embargo on its domestic production which limited its exports to no more than 1.3 million hides for 1972. As a result of this unfortunate development, foreign demand for cattlehides turned to the United States, causing a drastic and unprecedented increase in U.S. exports. This increase of foreign purchases was reflected in the fact that U.S. cattlehide prices, which for a 17-year period between 1953 and 1970 had remained relatively stable at a cost of 14 cents per pound, rose to a price of 29.75 cents per pound on July 14, 1972. In fact, it has been estimated that, as a result of the severe domestic shortage of cattlehide and the ensuing spiral of cattlehide costs, the price of shoes made in the United States will rise between $1 and $4 per pair, depending on size and construction.

This price increase, which is essentially beyond the control of the shoe-manufacturing industry, would be of little benefit either to consumers or to the domestic shoe industry. It is a well-known fact that the domestic shoe industry has been increasingly threatened by foreign imports. In 1960 the volume of imported shoes was only 5 percent of domestic shoe production. By January 1972, according to the Department of Commerce, the volume imported shoes had risen to two-thirds of domestic shoe production.

It is no secret that New England has been particularly affected by the imports invasion. Massachusetts has suffered the greatest loss. In 1967, there were 189 shoe factories in my State. Now there are 122. In the past 5 years then, 67 shoe factories closed their doors, and 11,500 workers lost their jobs.

The unlimited export of cattlehides, which this amendment would allow, could well mean the destruction of the New England shoe industry. Since the implementation of the Argentina quota in 1971, shoe hide prices have risen nearly 100 percent, and it would be a cruel joke at best if now, when at last the Secretary of Commerce has taken steps to protect the domestic industry by curbing the flow of cattlehides overseas, Congress were to open the floodgates again. It is already difficult enough for American shoe manufacturers to remain competitive against foreign factories which, due to the devalued dollar and lower wage levels, have advantages in production costs and which can also in fact purchase U.S. hides at lower prices than they can be purchased here.

On July 15, Secretary of Commerce Peterson at last acted to stabilize the cattlehide export situation. It should be noted that he did so reluctantly, and only after heavy pressure from a number of Congressmen, including myself.

The impact of the Commerce Department's proposed export limitations, if they are allowed to take full effect this

September, will not be damaging to the cattlehide industry. In fact, the ceiling on exports is set at the record-high level of 1971. Moreover, the structure of the ticket system being used is such that the benefits apply directly to the cattlehide producers and the consumer—not to the exporters who serve as middlemen.

According to the terms of the Export Administration Act of 1969, three criteria must be satisfied before export limitations can be enacted. These criteria are: serious price inflation, abnormal foreign demand, and domestic supply shortage. It is abundantly clear on the facts that the present cattlehide situation meets all of these prerequisites. Because of the increased foreign demand caused by the closing of the Argentine supply, domestic supply of cattlehide has fallen, in one estimate, to a level of only 60 percent of that required. And, with the supply of cattlehide so low, and the domestic demand so great, it is only natural that the domestic price of cattlehide should be in an inflationary spiral.

The action of the Secretary of Commerce in applying controls to cattlehide exports was fully justified, and was in fact absolutely necessary. I believe that these controls should be allowed to take effect. The passage of this amendment would endanger the Nation's shoe and tanning industry, and raise the immediate prospect of thousands of newly unemployed workers. I urge my colleagues to reject this amendment.

Mr. MAYNE. Mr. Chairman, I rise in strong support of the Gonzalez amendment. The established policy of this Government is to increase our exports to nations abroad. Heaven knows, we ought to be doing something about increasing them, in view of the kind of unfavorable balance of trade recent figures show are plaguing this country.

Now a Secretary of Commerce also should be interested in increasing our foreign trade and presumably that is what Mr. Peterson has been trying to do for the last 2½ weeks over in Moscow and Warsaw. But by his action on July 15, he acted at direct cross purposes with the established policy of this country as determined by this Congress—because he worked to reduce our foreign trade by placing a limit on our hide exports. By supporting this amendment, we can see to it that neither the Secretary of Commerce nor any other Government official cuts back or places a lid on our exports of hides or any other agricultural commodity. I do not wish to mislead or be inaccurate. The order of July 15 does not cut back, but it does place a limit on our hide exports at last year's level.

I object also to the manner in which this embargo so damaging to the livestock producers of America was put into effect. The Secretary announced this action late one Saturday afternoon, at a time when many Members of Congress were away from Washington, and without advance warning or notification. The Members of the Congress had no opportunity to object—and the Secretary almost immediately left town and has been unavailable to Members of Congress ever since.

I certainly tried to talk with him. I tried unsuccessfully to get him on the telephone Monday, first at the Commerce Department and then at the Western White House. I was able to voice my strong protest that day to Under Secretary of Commerce James T. Lynn, the number two man in the Department.

But Secretary of Commerce Peterson had absented himself from Washington. He went first to San Clemente and then he left immediately for Moscow and Warsaw where he has been ever since. I say to you that it was grossly unfair and unreasonable for him to tell our foreign hide customers who have been developed at great cost and expense by the cattle industry of this country that they can no longer participate in the normal growth of hide production in this country.

Let us bear in mind how we got this hide export trade going in the first place—and why. It had to be developed by our cattle industry when the shoe manufacturers in this country turned their backs on our livestock producers a few years ago and said, "We are not interested in buying your hides any more. We are shifting to synthetics."

And when they did so the bottom dropped out of the domestic hide market. Hides became virtually worthless in the State of Iowa and all the other cattle-producing areas of this country. This contributed to a serious decline in cattle prices inflicting real hardship on our cattle producers.

In order to meet this emergency situation resulting from the drying up of the domestic market for hides, the cattle industry of this country launched an energetic campaign to build up an alternative market overseas at great effort and expense. This effort has now succeeded and we have a flourishing export market for hides which greatly reduces our trade deficit. But the shoe manufacturers and the Secretary of Commerce would now penalize that success and take its fruits away from the cattle producers of America.

Now, I say that we should not permit that to happen. Why should the shoe manufacturers be guaranteed a preferred market for hides which they do not deserve? It is not the cost of hides which is making the price of shoes go up in this country. Why the cost of all the hide that goes into a $35 or $40 pair of men's shoes is about 50 cents; perhaps 75 cents. The shoe manufacturers are trying to make the cattle producers, the cattle industry the scapegoats in this situation. I say that everyone who is interested in fairplay will want to vote not to give them that preferred market. The Secretary of Commerce should not have power to earmark the increase in our hide production for the exclusive use of American shoe manufacturers. I say, let us pass this amendment and remove such fetters from American trade abroad. Let us continue to go forward building up our sales to foreign countries and reduce this alarming deficit in our foreign trade balance.

Mr. SCHERLE. Mr. Chairman, will the gentleman yield?

Mr. MAYNE. I yield to my colleague from Iowa.

Mr. SCHERLE. Mr. Chairman, I rise in support of this legislation. I commend my colleague for the excellent statements which he has made.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. MAYNE. I yield to the gentleman from California.

Mr. CORMAN. I will state as a cattle raiser I will vote for the hides if you will vote for the hamburgers.

Mr. MAYNE. That decision has already been made. The import quotas on foreign meat have been completely lifted for the balance of this year. You can import hamburger meat to your heart's content for the rest of this year. I urge all my colleagues to vote "aye" on the Gonzalez amendment.

Mr. ASHLEY. Mr. Chairman, I move to strike the requisite number of words.

(Mr. THONE (at the request of Mr. MAYNE) was granted permission to extend his remarks at this point in the RECORD.)

Mr. THONE. Mr. Chairman, imposing a quota on exports of cattle hides is an absurdity. This action by the U.S. Department of Commerce is inconsistent with the intent of Congress and with the stated aims of the administration.

This action was inconsistent with the intent of Congress in passing and extending the Export Administration Act. It is an uncontested fact that the production of cattle hides exceeds domestic requirements. The intent of Congress in this regard was to set quotas only in cases where materials were in short supply for our national needs. The administration is trying to defend the setting of quotas on the technicality that a determination had not been made by the Secretary of Agriculture that cattle hides were being produced in quantity exceeding domestic requirements.

The quota on exports of cattle hides is inconsistent with the stated policy, and the unquestioned need, to expand U.S. exports and improve our balance of payments.

The quota on exports of cattle hides sistent with the administration's stated objective of keeping prices down on consumer goods, including shoe prices.

The quota on cattle hides is inconsistent with the stated goal of both the Congress and the administration of raising farm incomes to equitable levels.

The cattle industry of my home State of Nebraska has taken two serious blows in recent weeks. They were told to face unrestricted competition from meat producers around the world. This action was said to be in the interest of the consumers. Now, they are being told that they must not be allowed to find the best price in the world for their cattle hides. This action can only be said to be in the interest of a few companies that manufacture shoes.

Congress must take action to correct the administration's inconsistency and its absurd action.

Mr. ASHLEY. Mr. Chairman, this amendment goes much further than simply to the matter of hides. It goes to the protection and insulation of all agricultural products. If that is what we want to do, and I sense that it may be the will of the House to do that, then, of course, the amendment will be accepted.

I would simply direct your attention to the fact that what this amendment does is to dilute the basic authority of the Export Administration Act of 1969 which reads in part as follows:

> (2) It is the policy of the United States to use export controls (A) to the extent necessary to protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand, (B) to the extent necessary to further significantly the foreign policy of the United States and to fulfill its international responsibilities, and (C) to the extent necessary to exercise the necessary vigilance over exports from the standpoint of their significance to the national security of the United States.

There are three reasons, three basic justifications, for the imposition of export controls: Short supply, foreign policy, and national security. Now, what this amendment says is, "Wait a minute, that is going too far." Regarding export controls, the amendment says, "Yes, we will allow the export control of agricultural products for purposes of national security or foreign policy, but not from the standpoint, unlike any other product in our society, for the purpose of short supply, rampant inflation, heavy foreign demand." Not just hides, but all agricultural products are to be insulated.

If we want to do this for agricultural products, why not for timber? Why not for mineral resources? Why not for automobiles and all the rest? That is the question that we have to answer.

Hides are one thing, that is bad enough, but this amendment goes beyond hides and provides this kind of insulation for all agricultural products.

Because the controls on cattle hides are controversial and may not be fully understood by all concerned, I would like to explain the basis on which the Secretary of Commerce decided to establish this control program, and how it operates.

First, let us consider the events which preceded this decision. During the period 1953–70 and well into 1971, composite cattle hide prices had ranged around 14 cents per pound. However, during the latter part of 1971, those prices began an upward spiral reaching a level of 27–29 cents per pound during May and June of this year and actually averaging 29.75 cents on July 14, the day before the Commerce Department took action. This kind of increase, passed through to the retail level, can be expected to bring an increase of about $2.80 for a pair of men's oxfords.

Needless to say, this upward trend caused considerable concern to the domestic users of cattle hides, such as the tanners and the shoe manufacturers, who claimed that these price increases were due to the abnormal foreign demand for U.S. cattle hides.

The Department determined not to take any action until after it had had an opportunity to collect the necessary data, to study and evaluate them, and then to determine whether controls were warranted under the short supply criteria of the act. These criteria are, as many of you already know "to protect the domestic economy from the excessive drain of materials and reduce the serious inflationary impact of abnormal foreign demand."

Department officials met with industry representatives but found they did not agree as to the causes of the rise in cattle hide prices and future prospects in that market. Hence, Commerce undertook its own extensive study. The Bureau of the Census surveyed the domestic industries involved to determine the supply and demand factors at work in the cattlehide markets. Mandatory questionnaires were sent throughout industry and responses were carefully studied and tabulated. Inquiries were made through our commercial posts abroad. The Department specifically inquired into the situation prevailing in Argentina and Brazil which had been principal suppliers of cattlehides in the world market but which had recently halted all hide exports. Simultaneously, at the request of the Price Commission, the Internal Revenue Service audited meat packers to determine whether they had followed the cost pass-through rules in setting their hide prices.

The Department's evaluation of the data it had collected enabled it to reach its decision. First, it was demonstrated that the embargoes imposed by Argentina and Brazil have resulted in a transfer of the world demand normally satisfied by their cattlehide supplies to demand for U.S. cattle hides. Moreover, it appears that these embargoes are not to be lifted soon enough to provide relief for U.S. industries. Both Argentina and Brazil appear determined to develop their own tannery and shoe industries and their controls on hide exports can therefore be expected to continue for some time in the future.

Beyond the drain of U.S. hides caused by Argentina and Brazil's action, I would note that an increase in world demand for shoes as a result of rising standards of living has contributed to the increasing exports of cattle hides from the United States.

Second, the Department of Commerce found a projected increase in domestic demand for cattle hides, mainly due to projected increases in domestic shoe production. This represents a most encouraging turnaround for our domestic shoe industry, whose production has been declining for several years. It also represents a turnaround in domestic hide consumption, which has declined in recent years but is projected to increase in 1972.

Against this picture of growing foreign and domestic demand, projected domestic supply based on estimated cattle slaughter showed an increase which was inadequate to meet the overall demand. Also, domestic user's inventories of hide and leather, an important facet of their supplies, were seriously depleted.

When the data on supply and demand were put together, a picture of serious shortage emerged. Demands were up, supplies down, and a shortfall of supplies was projected to be over 1,500,000 hides.

Thus, the conditions for controls were found to be present—serious price inflation, abnormal foreign demand, and domestic supply shortage. These facts provided the basis for Secretary Peterson's decision to introduce controls on hide exports.

The remaining issue then was how best to implement a program of controls so as to assure an adequate domestic supply and curb the inflationary pressures while minimizing the disruptive effect which controls could have on some segments of industry. First, he chose an export-quota level which is reasonable and not too restrictive. Unlike the action taken in 1966, the present quota levels do not force a sharp rollback in export levels, but rather hold exports at the 1971 level, which was a record high. Thus, domestic hide producers need not fear that their export markets will be damaged, and no glut of hide supplies is likely to occur.

Next the Department has devised a method of controls which will guide the economic benefits to American consumers and the farmers and ranchers—the cattle producers. This is how the program works.

A ticket system of controls will begin operation on September 1. Commerce will establish quotas for cattle-hide exports for 3-month periods. Then, their Office of Export Control—OEC—will issue cattle hide export tickets for the number of cattle hides equal to the quota for each period.

Importantly, they will issue the tickets not to the exporters but to the cattle hide producers, principally packers. The tickets will be freely transferable. Since exporters can export hides only under validated export licenses, and since the exporters must present cattle hide export tickets in order to obtain these licenses, exporters will have to acquire tickets from the cattle-hide producers.

Then, the Price Commission will require that the revenue from the sale of cattle hide tickets must be treated as revenue received from the animal. Another Price Commission rule operates to limit the profit margins of the packers to a maximum level. Taken together, these rules should require the packers to pass on the revenues of the sales of cattle hide tickets to domestic consumers in the form of low hide prices or to the farmer and rancher in the form of higher prices for their cattle.

To sum up, there are two major differences between the control progam which Secretary Peterson announced on July 15 and the cattle hide program introduced by Commerce in 1966. First, there is the degree of control. In 1966 quotas were stringently set so as to seriously roll back exports and apply to certain categories of hide pieces for which there is no domestic demand. This caused unnecessary hardship to the U.S. producers, the U.S. exporters and to the foreign buyers. The quotas set this year for the transition period and the first 3 months of the ticket system require no cutback from the historic high level of exports set in 1971. Second, there is the benefit to the rancher and the consumer through the ticket system. Whereas the program in 1966 allowed exporters to maximize their profits on the basis of the increases in world prices caused by our limitation on exports, the program this year insures, through the ticket system, that this benefit should reach ranchers and the American consumer.

In conclusion, the necessity for the cattle hide export controls has been adequately demonstrated and the program appears reasonably designed to solve the problem on the fairest terms for all segments of the industry concerned. To terminate this program before it has had an opportunity to be shown to work seems to me unfair. Accordingly, I urge that this amendment be defeated and the extension of the Export Administration Act as provided by H.R. 15989 be passed without any further delay.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Chairman, after long months of struggle, meetings, speeches, letter writing to urge the Department of Commerce to recognize the cattle hide supply problem that has been wreaking havoc with the footwear and tanning industries, on July 15, that Department finally offered some element of relief in the way of export controls on hides. Now we are being asked to adopt amendments to H.R. 15989, Council on International Economic Policy—Export Administration Extension Act, that would weaken or nullify this July 15 order. To obtain even this action of the Secretary of Commerce which in so many ways was more an admission that severe material supply problems exist in the footwear industry, rather than a real effort at providing relief—witness the fact that hide costs are at an alltime high and also the fact that the export levels for hides will be set at last year's levels which to use Secretary Peterson's own words "are very high by any standard."

Hardly any New England State is without an important stake in the footwear and tanning industry—particularly with the critical unemployment problems we already face. I, therefore, urge you to defeat these crippling amendments which would include the Secretary of Agriculture in any decisionmaking capacity on the hide situation and thereby seal off export controls on scarce materials as an avenue of relief. The Secretary of Agriculture has demonstrated that he is the spokesman of the farm bloc, including the cattlemen and hide industry. It is interesting to note that when Secretary Butz assumed office, one of the first speeches he delivered promised the agricultural sector that there would be fewer Government controls, not more forthcoming. This is the same man who fought including food prices under price controls in the current economic stabilization program.

In short, the Commerce Department has already studied to death the hide supply problem. I see no reason for including another agency in the decisionmaking process. It is imperative that we beat back any amendments along the lines adopted by the other body yesterday—any amendment to require the Secretary of Commerce to obtain approval of the Secretary of Agriculture before exercising authority to limit exports on agricultural commodities, including animal hides and skins, would in effect tie the hands of the Commerce Department. The domestic footwear and tanning industry and workers need this relief measure if they are to continue operation.

I ask at this point that the text of several of the petitions, letters and remarks I have delivered over the past several months on this subject be printed in the RECORD.

Mr. Chairman, it is not my intention to take too much time and I hope we can avoid a teller vote and also a rollcall vote later on this matter.

After months of struggle and many speeches and much letter writing to make the Department of Commerce recognize the price of cattle and hide problem that has been wreaking havoc in the tanning industry, on July 15 the Department finally offered some relief in the way of export control of hides. But all they did was restrict the hides to the 1971 level—which is the highest level of exports in the history of this Nation. In 1971 the cattle producers of this country enjoyed the greatest amount of profits ever in the history of this country.

What do the cattle people want? They want egg in their beer. We can go into the meat markets of this Nation and find the consumers are having the life gouged out of them. The average working family in this country cannot afford to buy meat, and yet the cattle people want to get the high prices for meat from the domestic market—and high prices for hides from domestic tanneries.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. ASHLEY, and by unanimous consent, Mr. BURKE of Massachusetts was allowed to proceed for 5 additional minutes.)

Mr. BURKE of Massachusetts. Mr. Chairman, I do not want to impose here on the time of the House but we have high unemployment in this country. Billions of dollars are being paid out on welfare in order to pay these fat cat cattle barons. Billions of dollars. The welfare bill in Massachusetts alone this year is $1 billion. When I first went into the legislature the total budget for the State government was only $60 million.

We have passed legislation this year asking for the extension of unemployment compensation benefits. How much do we have to do to subsidize cattle barons? All we are asking for is a little bit of fair play and a little bit of compassion on the part of these fat cat cattle barons who are reaping the harvest at the expense of all the American people by gouging them with high prices and then depriving the footwear people and the leather people of this country of the hides.

One cannot buy an American-made baseball glove today in any store of this country, and yet here we have these cattle people crying the blues. Why, they are loaded down to the gunwales with money and profits and they want more profits. They are asking this Congress to put through this amendment, and all it does is restrict the control of exports to a very light degree.

In 1971, there occurred the greatest year the cattle producers of this country ever had, and they are asking 70 percent of the American people to pay the bill, to pay the bill for the fat cats, to pay the bill for the special interests.

Yes, one can stand up here and wail about the high cost of welfare, but it is the fat cat cattle barons among those who are the cause for creating welfare costs in this country, also contributing to high unemployment.

Mr. KYL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the gentleman who just left the well answered a number of questions for himself. I would remind those Members who might be swayed by this type of eloquence that it is an undeniable fact that the average worker of America today has to work fewer hours to supply his family with food than at any other time in the history of this Nation, and the food which that family now gets is of higher quality than it has ever been before in our history.

I will ask a question rhetorically, so that I need not yield for an answer, but I just wonder if this American shoemaker would buy domestic leather of the same quality if he had to pay a higher price for it than he would have to pay for imported leather. There is no more selfishness on one side of this proposition than there is on the other.

To the gentleman from Ohio I will say that it is the agricultural trade which gives us our balance, if there is a balance in international trade.

To answer the gentleman's question further, I would say that the products we export from our agricultural production are annually renewable resources, which makes them a great deal different from those minerals, et cetera, of which the gentleman was speaking. In fact, the agricultural export situation is about the only bright spot for the United States in this day.

For those who have no provincial interest, I wish to remind the Members of a couple of basic facts.

Under the export control program on hides, which has been adopted, we have a situation which cannot be administered. The basis for that program is totally unworkable and complicated involving a system of tickets which are given for export. Somehow the benefit of those tickets is supposed to be passed on to the consumer or to the shoemaker or to the cattle producer. No one knows how. One cannot find out an answer from anyone as to how this shall be done. If there is a packer also in the leather business, I think one might assume where the benefit will go.

Finally I should like to make this point again for those who are not provincially involved in this argument. There are some who would have us believe that the foreign buyers get some kind of a bonanza by buying American hides. That is absolutely not true, because they must pay a premium for those hides and add the cost of transportation on top of that.

This is still the most fundamental factor. The leather users have told the beef people of the West, "We do not want your hides; we cannot use your hides." So those people went out to the world markets and, in selling the hides to those markets, produced dollars for the American balance of trade, for the benefit of everyone.

The present program which the Commerce Department has adopted is unworkable. This amendment offers a solution. I would strongly urge, on the basis of logic and reason, that this amendment be adopted.

Mr. STEIGER of Arizona. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I want to thank the gentleman for injecting reason and rationality into the discussion at this time. I must confess that I was personally carried away on the tide of rhetoric of the gentleman from Massachusetts. I found myself also despising those "fat cat" cattlemen who have had it so good all these years, and feeling despair for the shoe manufacturers and for their thousands of employees who are suffering.

Mr. KYL. May I say to the gentleman that one reason why we have a short supply of beef today, and therefore a relatively higher price, although it is not out of line, is the fact that the beef producers for so long suffered from such a low price that many of them went out of business. Production dropped. Demand rose. That is the reason for the present price situation.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from California.

Mr. TEAGUE of California. It should also be pointed out for persons who might not realize it that cattle production is not a part of the farm subsidy program.

Mr. KYL. They get no subsidies.

Mr. TEAGUE of California. They get no subsidies.

Mr. KYL. That is correct.

Mr. PURCELL. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, just a few weeks ago the Secretary of Commerce exercised authority provided him by the bill we now have under consideration and issued an order restricting the export of cattle hides from this country. The amendment offered by Mr. GONZALES, like the one which passed the Senate by a vote of 52 to 35, would bridle the authority upon which Secretary Peterson relied for his order. I consider myself a cosponsor of the amendment and urge its passage.

Export controls of any kind over hides or any other product are very strong measures to take. Export controls are big guns which are usually saved for periods during which the national security is endangered by a domestic shortage of some commodity or during which severe inflation or threats of drastic increases in domestic unemployment would be a direct result of continuing exports. We just do not have those circumstances today—either of them—with regard to cattle hides. Secretary Peterson's restriction on cattle hide exports was an expedient and dangerous decision which should be rescinded.

The decision represents yet another in what has become an incredible string of Government attacks—yes, attacks—upon the American cattle producer. Recently, the President announced with considerable fanfare that he was lifting the quotas on meat imports into the United States for the rest of the year. The American consumer, it was to be inferred, would directly benefit from boosting the supply of beef on the grocery shelf thus driving down the price of that favorite steak. But the American consumer stands to lose just as much as the cattleman from this action, the meat import action, and yesterday's FDA announcement concerning cattle feed additives such as DES.

The beef carcass is often sold for less than the price paid for the feeder animal on the hoof: therefore, the importance of the value of byproducts to the packing industry cannot be overstated. Byproduct value determines whether the packer will post a profit or loss figure for the individual transaction under study. Government actions affecting the export or import of cattle hides are, therefore, of direct concern to the packing industry.

As important as any nonedible byproduct of the packing operation, hides are a subject of world commerce. Actions to block or limit their export, with the resultant lowering of domestic value of the hide, will have the effect of increasing meat prices at retail. Higher meat prices are inevitable because the sum total of the packing operation must continue to provide some return to the industry in order for it to continue to maintain its production of beef carcasses.

But the administration has now blocked the export of domestic cattle hides because someone has convinced them of the political mileage to be made. Capitalizing upon an easy and emotional trick of blaming the ever-rising cost of shoes and leather goods on the price of rawhides, the Secretary of Commerce has joined in further dampening the incentive for domestic cattlemen to meet the demands of their countrymen. The administration has triggered a backfire upon its own supposed meat import objectives—lower meat prices.

Today a cattle hide is worth about $17. Out of one hide can be made 20 pair of men's shoes or 40 pair of women's shoes: so the price of the leather in a shoe represents on an average only about 3 percent of the total $25 or $30 price tag.

If the administration's action could drive hide prices down to as much as half their peak price—the price of leather in a $30 pair of shoes would drop from 90 to 45 cents. Does anyone in this Chamber really have the courage to stand up right now and promise the American consumer that he or she can look forward to paying 15 or 20 or 30 cents less for a pair of $30 shoes in the future?

If anyone feels the urge, I caution you first to remember what happened in 1966. At that time the administration was besieged by tanners and shoe manufacturers to lock the doors on hide exports. Do not do it for us, they said—do it for the consumer. By the end of the summer of 1966 the prices of men's shoes had risen 8.4 percent while women's shoe prices rose 7 percent. In August 1966, one major shoe manufacturer reported it expected a 15-percent increase in sales and earnings for the rest of the year.

Throughout 1966 cattlehide prices plunged, as they were supposed to. As a result, the cattlemen paid for the shoeman's profit and the consumer was ignored.

Secretary Peterson's decision, then, represents just another episode in what continues to look more and more like genuine fraud perpetrated upon the consumer at the expense of the livestock producer. The approval of this amendment will indicate that Congress is fed up with a trend of the Federal Government singling out the producer to mollify hidden but noisy corners of the world of middlemen.

There are strong reasons to put this authority in check once and for all.

If we are serious about wanting lower meat prices, then it is utterly ridiculous to threaten the meatpacking industry. To ask for low meat prices and even lower hide prices is to have your cake and eat it too. Those Members who ask for both, and this administration which is trying to convince the consumer he is getting both, are behaving irresponsibly and at the expense of the public.

If we are serious about wanting lower production costs for shoes, then why try to resurrect the same masked threats of 1966? Why not attack some of the real problems? Let the tanners move to the Panhandle of Texas. Freight costs represent a lot higher percentage of the retail shoe price tag than do hide costs. If they will set up next door to a packing house in northwest Texas—I will guarantee that hide prices five times what they are right now would not hurt them.

The producer has been kicked too many times. The consumer has been told too many lies. This amendment should be passed in the interests of helping both—for once.

Mr. BURKE of Massachusetts. Will the gentleman yield to me to allow me to correct something?

Mr. PURCELL. I will if it is for a correction.

Mr. BURKE of Massachusetts. I did not mean to say "fatcat cattlemen." I mean to say "fatcat cattle barons."

Mr. PURCELL. That does tend to clear it up. If you have any fatcat cattle barons, I do not know where they are. I will say in 1966 when the same people prevailed on the same people, I guess, if the Republicans had no more sense than to keep the ones that the Democrats had who are doing this sort of thing, they put an embargo on hides.

Mr. ALBERT. Will the gentleman yield?

Mr. PURCELL. I yield to the distinguished Speaker.

Mr. ALBERT. Mr. Chairman, I wish to associate myself with the remarks of the distinguished gentleman and commend him on the amount of work he has done on this subject.

His district borders mine. We have common problems and our people are concerned over the order of the Secretary of Commerce. I join him and many others in protesting the absurd order of the Secretary of Commerce to restrict the export of cattlehides from the United States. This action is illogical and unfair to thousands upon thousands of cattlemen throughout the Nation including many who live in Oklahoma and in my district.

Many of my constituents have told me of their concern about the action of the Department of Commerce in imposing export controls on cattlehides. This action will cost cattlemen and farmers millions of dollars by closing a large part of their market.

The President of the Oklahoma Cattlemen's Association, Mr. Creede Speake, who lives in my district, has expressed these concerns in a letter to Secretary of Commerce Peter G. Peterson which I include at this point in the Record:

Oklahoma City Okla.,
July 17, 1972.

Hon. Peter G. Peterson,
Secretary, U.S. Department of Commerce,
Washington, D.C.

Dear Mr. Peterson: Those of us in the cattle industry are disappointed by your recent action to restrict the export of cattle hides from the United States.

The Commerce Department did the same thing in 1966 to do nothing but lower the value of cattle hides. Cattlemen lost millions of dollars throughout the country and shoe prices went up 25 per cent despite the restrictions.

This action is illogical and unfair to the thousands of small cattlemen throughout Oklahoma. Our average operator in Oklahoma has only 27 cows, which at maximum production would still place him well below the poverty level set by the Federal Government.

Cattle producers have never asked for, or received, Federal subsidies to produce beef. We have had to adjust our operations for maximum efficiency. This is the first time in 20 years that prices for cattle and their by-products have approached a level of profit comparable to other segments of the U.S. economy.

With the export restrictions you have initiated, millions of dollars will be squeezed from the small cattle producers in favor of the large leather processors in this country. Consumers and cattlemen alike will suffer the ill effects of this move and we urge you to reconsider a decision which had been made six years ago with disastrous effects.

Respectfully,
Creede Speake, Jr.,
President,
Oklahoma Cattlemen's Association.

County cattlemen's associations throughout Oklahoma, including the Love County Cattlemen's Association, have communicated to me their strong support of Mr. Speake's position.

I strongly support the amendment and urge its adoption.

Mr. PURCELL. I thank the distinguished Speaker, and I now yield to the distinguished chairman of my committee, the gentleman from Texas (Mr. Poage).

Mr. POAGE. I want to thank the gentleman from Texas for the fine statement he has made and the fine work he has been doing for the last several days in trying to put a stop to this iniquitous and unnecessary order that was issued. He has done a good job, and I congratulate him.

Mr. PURCELL. Mr. Chairman, I yield to the gentleman from Texas (Mr. Kazen).

Mr. KAZEN. Mr. Chairman, I am delighted to associate myself with the remarks of the gentleman in the well.

Mr. Chairman, I want to clarify the issue of whether the Government shall control the export of cattle hides by focusing attention on the essential effect of such controls. I believe the question is broader than the argument that if hides are not exported, the price of leather will decline and shoes will be cheaper. I suggest that my fellow Members ought to examine the effect of such controls on the price of meat.

In my south Texas district, ranching is an important industry. The raising of cattle is, like other businesses, essential to the economy. I want to remind fellow Members, who may not be acquainted with the cattle business, that the production of meat is only one factor in the work of the rancher. When he sells an animal to a packer, other factors enter into the price which the packer is willing to pay. One of the most important factors is the value of the cattle hides.

As far as meat prices are concerned, some of us have different explanations for the high retail costs. This is not the time to renew the discussion of whether blame is to be assessed and who is to bear the blame. We can all agree, I believe, that if meat were more abundant, the consumer would pay less in the market.

But I want to stress again that the marketable meat on a carcass is only one factor in what the packer will pay the rancher or the feedlot operator. The packer calculates, too, what the byproducts will bring, and the cattle hides are important factors. I say that controlling the sale of hides, however helpful it may be to the shoe industry, is harmful to the American housewife and will contribute to a higher cost of living.

I further believe that in contemplating controls on exports, we ought to remember that we have a major deficit in our balance of trade. As my colleagues know, that figure represents an overwhelming segment of our dollars being spent overseas as compared to the sales of our products to other nations. In cattle hides, we have a situation where the foreign demand gives us some opportunity to whittle away at the deficit in our balance of trade, with resulting benefits to our national economy.

Here, as in the price of meat, I urge that consideration be given to the national interest and to determination of the greatest good for the greatest number. On that basis, I urge that we reject the controls.

Mr. CLEVELAND. Mr. Chairman. I rise in opposition to the amendment. Just about a year ago President Nixon moved decisively to bring inflation under control by declaring, first a wage and price freeze, and then a system of wage and price controls. For too many years our economy had been running out of control. This month there is mounting evidence that these strong economic policies are working. Inflation is indeed slowing. Employment is rapidly increasing. Virtually all economic indicators are increasingly favorable.

It is ironic that at the very time this good news is upon us, we should be faced with this effort by a special interest to sabotage these efforts. Just as it is incumbent upon Congress to exercise fiscal restraint, so too is it imperative that we resist the efforts of some to undermine economic stability in order to protect special interests.

The price of cattle hides has doubled within a year. This increase was not only fueling the fires of inflation, but it was also causing direct damage to what is left of the domestic shoe industry. Coming as I do from New Hampshire, I am particularly concerned by this situation. Because of my concern over this serious situation, I wrote Secretary of Commerce Peterson in April, to urge strong action to control exports. I was heartened that after months of study, he took the decisive step of imposing controls.

As the senior Senator from New Hampshire (Mr. Cotton) has said, for us to pass this amendment requiring the concurrence of the Secretary of Agriculture in continuing these controls would be akin to us asking a fox guard a chicken coop.

Mr. Chairman, I would like to commend the efforts of my colleague from New Hampshire (Mr. Wyman) and those of Congressman Burke of Massachusetts. I would also like to be associated with the remarks of the two Senators from New Hampshire when this amendment was before the Senate. Those remarks can be found in the Record of August 1, 1972.

I yield to the gentlewoman from Massachusetts (Mrs. Heckler).

Mrs. HECKLER of Massachusetts. Mr. Chairman, I, too, rise in opposition to this amendment. I feel the subject has been adequately covered by our great spokesman from Massachusetts (Mr. Burke) whose leadership in this field has been so well documented and goes back many, many years. In fact, we call him our cattle hides leader.

But seriously, Mr. Chairman, I am opposed to this amendment for the simple reason that it would do violence to the American consumer who would be forced to pay a higher price for his shoes and to the American worker, particularly in the hard-hit New England area, who would be seriously affected.

Neither the consumer nor the worker, Mr. Chairman, can afford any further hardships. It seems to me that we in the Congress have an obligation to come to their relief as often as possible. This is one way. Let us take it.

I urge defeat of this amendment.

Mr. CLEVELAND. Mr. Chairman, I yield to the gentlewoman from Massachusetts, another great admirer of the distinguished gentleman from Massachusetts (Mr. Burke) who wishes to extol his oratory. I yield to Mrs. Hicks.

Mrs. HICKS of Massachusetts. Mr. Chairman, I rise in opposition to the amendment, and I certainly want to commend the great speaker, our colleague from Massachusetts (Mr. Burke) and associate myself with his remarks.

Mr. Chairman, I rise to oppose the amendment to H.R. 15989, which would include the Secretary of Agriculture in the decisionmaking process of limiting exports on hides.

Recently, at a meeting of some 400 leather goods manufacturers from New England with Government officials in Faneuil Hall, Boston, a warning was issued that the New England shoe and leather industries faced extinction, due to the skyrocketing prices of leather, caused by increasing foreign demands for American hides. Higher prices and shorter supplies result in higher leather prices, higher leather products, principally leather shoes.

After the meeting in Faneuil Hall, the Secretary of Commerce, recognizing the plight gave some help to the situation in controlling the export of hides. This amendment will cripple and may even nullify the action by the Secretary of Commerce.

I urge my colleagues to oppose the amendment.

Mr. CLEVELAND. Mr. Chairman, I yield to the gentleman from Maine (Mr. KYROS).

Mr. KYROS. Mr. Chairman, I rise in opposition to the proposed amendment which would restrict the broad authority contained in the Export Administration Act, enabling the President and the Secetary of Commerce to handle pressing domestic shortages, free of the binding restrictions favoring special interest groups.

This amendment is precipitated by the recent action taken by the Secretary of Commerce to impose a system of export tickets on July 15, after many months of pleading and urging by the representatives of the shoe industry. It cannot be said that the Department of Commerce acted hastily in this matter, since the Bureau of the Census initiated an exhaustive, detailed study for 3 months before the export limitations were finally announced. The ticket system is not scheduled to begin until September 1, and today the House of Representatives is being asked to overrule the Secretary's carefully researched action before the ruling is even implemented. I hasten to add that Secretary Peterson took this action very reluctantly, and only after the data gathered showed that some export control was absolutely necessary. The Export Administration Act authorizes the Secretary to act only:

> To protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand.

Secretary Peterson stated that:

> Price inflation alone does not justify controls. The statutory standards require foreign demand as well as serious price inflation.

Abnormal foreign demand was the direct cause for an increase in the price of hides, rising over 100 percent in just a few months. Due to an embargo placed on the exports of hides by the Argentine Government, the United States had become the sole major exporter of cattle hides. Foreign demand had shifted almost exclusively to the United States, and foreign buyers were enjoying a great advantage at the expense of domestic purchasers because of the recent currency reevaluation. It was under these conditions, with no sign of relief in the future, that the Secretary of Commerce finally imposed the export ticket system. Secretary Peterson selected the method of these tickets so that the savings would have to be passed directly to the consumers.

Hides are the main material used in producing leather, and also the major expense in the construction of shoes, excluding labor costs. Therefore, it is not surprising to learn that shoe prices may increase by $1 to $4 despite the export ceiling restrictions. After all, the price of hides had doubled in a few months, and the action on July 15 came too late for fall shoes.

As a Representative from a State where the shoe industry is the largest single employer, I am well aware of the hardships facing our domestic shoe industry without adding more problems beyond its control. Argentina is not the only country placing an embargo on the export of cattlehides. Other major sources of cattlehides have also recently closed their supply of hides to the world market, namely Brazil, India, and Uruguay. Thus, the mild action taken by the Secretary of Commerce was essential to preserve the domestic shoe industry from folding completely.

In Maine alone, we lost more than 8,000 jobs in the leather footwear industry in a matter of 4 years. In a State without even a million inhabitants, this drastic loss of employment resulted in a jobless rate of well over 8 percent, persisting to this present time. In just 1 year, 13 shoe firms employing 3,000 people have closed. These numbers and figures do not describe the misery and sadness caused in thousands of families, where the head of household, often past middle-age, was unable to find other job opportunities.

As a sponsor of legislation urging the President to impose some temporary export control on cattlehides, I ask the House not to negate the responsible and necessary action taken by the Commerce Secretary.

Mr. CLEVELAND. Mr. Chairman, I yield to the gentleman from Massachusetts (Mr. DONOHUE).

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the great majority of my colleagues will join in resoundingly rejecting this proposed amendment to eliminate the provision in this bill that is designed to prevent the exportation of hides from the United States during this period of substantial economic recession in our country.

All the objective, authoritative evidence that has been revealed in this discussion very clearly shows that the accelerated exportation of hides from the United States over the last several months, because of the decline of hide exportation in Argentina, has left the American leather and shoe industries throughout the country and particularly in my own State and regional area, with less than 50 percent of the needed supply and the record further shows that hide prices have increased by 80 percent since the wage-price freeze was imposed.

Mr. Chairman, it is obvious that prevention of and restriction upon the increasing exportation of hides from the United States is desperately required in order to reduce drastically inflated prices of shoes for the American consumer, to stop any further devastation of the already crippled shoe industry due to a lack of hides and encourage the stabilization of hide prices in the world market.

In simple summary, Mr. Chairman, undeniable statistics prove that the problem of soaring prices in leather and shoes is a critical one for the American consumer, that the lack of sufficient hides is having an increasingly deteriorating effect upon our domestic leather and shoe industries and tanning companies and that our general unemployment situation with the additional threatened unemployment of greater numbers of workers in the shoe and leather industries throughout the country and the Massachusetts and New England area is a continuing economic calamity.

The objectives of the hide exportation prevention provision in this bill are clearly to save our domestic shoe and leather industries from complete destruction through no negligence of their own, to reasonably preserve employment opportunities for innumerable workers who otherwise and inevitably would have to turn to public assistance and to keep the prices of shoes and leather products within the range of the average American family's income.

Mr. Chairman, I submit that these objectives are of priority concern to and impact upon the national interest and they can only be realized and attained by the rejection of this pending amendment so I therefore and again urge my colleagues to overwhelmingly defeat it.

Mr. CLEVELAND. Mr. Chairman, I yield to the gentleman from Texas (Mr. PRICE).

Mr. PRICE of Texas. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

The imposition of export controls on cattle hides was, in my opinion, a mistake. Cattlemen the Nation over will suffer from this action.

I recognize, of course, the basic reasoning that went through the minds of the officials of the Commerce Department and the Cost of Living Council who bear the responsibility for inflation control. Their rationale was that if the quantity of cattle hides that are to be exported can be controlled, then the prices at which domestic shoe manufacturers acquire these hides will be reduced. That is fine theory but just does not work out in practice.

The exports of hides are up only slightly this year compared with the first 6 months of 1971. The latest figures indicate that this increase amounted to only 2 percent. At the same time, the demand for cattle hides has dropped along with declining shoe production.

Of course, shoe prices have been going up, just as the case has been with a number of other prices. But trying to tie the shoe price rise to cattle hides is something that just cannot be justified. For example: The value of the leather in a cattle hide accounts for 75 cents to $1.50 in a pair of shoes that may cost anywhere from $20 to $40.

The imposition of the control system on such a small part of the shoe price structure will, it seems to me, be doomed to failure from the very beginning.

Another point that I would like to make is that the system imposed by the Commerce Department, while possibly preferable to the quota system they tried in 1966 under the Johnson administration, seems to me to be most unwieldy and probably unworkable. The creation of a "certificate" plan is more a tribute to the mental agility of the bureaucrats in the Commerce Department than it is to any effectiveness in actually meeting the inflation problem.

What I fear is that the price to the cattle producer is going to be reduced while the price to the consumer is going to either stay the same or go up.

Mr. Chairman, I do not know why agriculture should always be put in the back seat of economic policy. Wage settlements call for increased wages. Housing, clothing, entertainment, and a host of other costs—including taxes—keep going up the point where farm people find themselves in a very uncomfortable cost-price crunch.

Cattle prices and hide prices are not too high. These prices are fair to consumers and I therefore hope the committee will approve the amendment offered by my colleague from Texas.

Mr. CLEVELAND. Mr. Chairman, I yield to the gentleman from California (Mr. Don H. Clausen).

Mr. DON. H. CLAUSEN. Mr. Chairman, I rise in support of the amendment to remove the President's authority to control the exports of cattlehides. I am of the opinion that this subject must be further studied on a more comprehensive basis since there appears to be a great gap between the cattlemen on the one hand, and the wholesale and retail consumer of leather goods on the other.

Recently the Department of Commerce placed controls on the export of cattlehides. However, this is not a total ban in that exports will be kept at the present level. The problem we now face is that if the price of hides is reduced by creating an artificial surplus, we can expect a sharp increase in the price of meat which has a far greater inflationary impact than the slight rise in leather goods.

Even though the price of hides has doubled in recent months, the impact on the leather goods retail market will only amount to $.50 per pair of shoes. Leather goods have been one of our most stable consumer items.

America's cattlemen now have a unique opportunity to catch up with the past and it is truly unfortunate that so many people have such short memories for those who have provided Americans with an abundance of food. Studies show that the meatpackers make their profit from the sale of byproducts such as hides. If the value of that byproduct becomes depressed, they will have to decrease their price to the farmer who would, in turn, reduce production and create a shortage of meat; or lower their production, thus raising meat prices. Either way, the consumer will lose.

In short, Mr. Chairman, it is my deep concern and sincere hope that the Congress will take into account the overall picture. Should we have unrealistically cheap leather goods or unrealistically high meat prices? I believe that we must look closer at this problem and I urge my colleagues to vote in support of this amendment.

Mr. ST GERMAIN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, this is one of those unfortunate situations we occasionally find ourselves in. I certainly can well appreciate and understand the position of the proponents. By the same token I hope that they can be just as sympathetic to the position of the opponents because those of us who come from other sections of the country other than the producer sections have been beleaguered not only by the manufacturers, not only by the tanners. You must add to them the parents of the children who call us, our constituents, and say "Why does the price of shoes keep going up?" And then you get the retailers calling you and sending you their invoices, which on a monthly basis indicate a constant and steady increase in the price of shoes to them that they have to pass on to their customers.

Then you must understand that we too have to react.

One thing that puzzles me is the fact that we come up with this type of amendment which in reality does not belong in this legislation, rather than taking the proper course of action for the proponents, and that is to demand a meeting with the Secretary of Commerce. He will be back shortly. But while he is away there should be someone here who represents him whom you can speak to, or, if what you have argued is correct—that the plan is unworkable, then say "Give us a workable plan."

I do not think the Secretary of Commerce is out to gouge the producers. If you can demonstrate to the Secretary of Commerce that you have a legitimate argument he will listen. I am sure he will. However, Mr. Chairman, I feel that in all justice the amendment does not belong in this legislation. This is not the manner in which to deal with this. You should sit down with the Secretary of Commerce, iron the differences out there. Otherwise, the next thing we know, the Export Administration Act will be completely and totally meaningless.

As the gentleman from Ohio said, this would be step No. 1 and where do we go from here?

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I think the gentleman from Rhode Island is making a very, very significant and important point here. As was pointed out by the distinguished gentleman from Ohio, this goes far beyond the question of hides, or of putting a quota on hides, or stopping the exportation of hides. But, in a case of this kind, I guess it makes a difference as to whose hide is being gored.

Mr. Chairman, I presume that many of the speeches that have been made here in the last three-quarters of an hour today will be made many times between now and November.

Mr. Chairman, I oppose the amendment offered by my distinguished colleague from Texas (Mr. Gonzaelz).

The amendment—it would divest the executive branch overnight of its authority to control cattlehide exports, leaving it all but powerless in the face of a dizzying upward spiral in cattlehide prices worldwide—might be a lethal blow to the American shoe industry.

That may sound like fiery rhetoric, Mr. Speaker, or like melodramatic exaggeration. But it is not: controls on cattlehide exports may mean survival itself for a broad swath of the U.S. shoe industry and for the jobs of its workers.

Beleaguered for the past several years—indeed, for the most of the past decade—the shoe industry is now operating on a profit margin so slender it threatens to vanish within months.

Foreign shoe manufacturers, enjoying access to cheap labor and to government subsidies undreamed of here in the United States, are taking up a larger and larger share of our marketplace each year.

Shoe plants throughout the country have already shut down, throwing hundreds of thousands of men and women out of work.

The Bates Shoe Co. in Webster, Mass., a town within my congressional district, is just one of many 1972 casualties I could cite here: The company, once thriving, closed on July 19, idling 300 workers.

What remains of the U.S. shoe industry, still gamely competing with its foreign adversaries, now faces a new threat: The price of cattlehides—the raw material for shoes—is moving beyond the reach of most American firms.

From the early 1950's through 1971, cattlehide prices remained remarkably stable at about 14 cents a pound. Toward the end of last year, however, the first signs of a disquieting new trend appeared. Prices began moving upward—slowly at first, then meteorically. By the spring of this year, the price had more than doubled to 29 cents a pound. And by July 14—the eve of the Commerce Department's decision to restrain exports—the price had approached a wholly unforeseen 30 cents a pound.

Congressman Wilbur Mills, chairman of the Ways and Means Committee, foresaw the alarming dimensions of this problem early this year.

Speaking March 2 on the House floor, Mr. Mills made a convincing case for the export controls that the Commerce Department established 4 months later:

> I am greatly concerned that the export loophole inviting foreign speculative exploitation of the American hide market is at one and the same time inflating our costs and deflating our employment.

"Stagflation" is more than a theory so

far as the inflation of American hide costs and the deflation of the American shoe and leather industry are concerned. It is a costly fact.

U.S. hide prices have roughly doubled in the past year. Export demand has bid them up. The jump in hide exports is matched by a corresponding jump in shoe imports, which have been running close to half of U.S. shoe production—as against a mere 5 percent in 1960. According to the Department of Commerce, imports scared to no less than two-thirds of U.S. shoe production in January.

This ratio of import to a basic American product is insupportable. It calls for prompt and incisive action by the President—just as soon as he is able to focus again on domestic and economic affairs.

In the case of the distress suffered by America's import-sensitive textile and steel industries, presidential relief actions were prompted when the ratio of imports to production hit the sore nerve represented by 10 percent.

The policy implications of this spectacle are even more disturbing than the actual toll taken by hide cost inflation and shoe industry shrinkage.

No other power of standing in the world today freely invites its competitors to strip it of its proprietary raw materials, while inviting them at the same time to flood its markets with lower-cost products fabricated from these same proprietary raw materials. I do not believe that America is still so rich or so naive that she can afford or agree to remain so improvident.

The increase in cattle hide prices stems largely from the embargo that Argentina and Brazil have established on their hide exports.

These two countries—once the world's most opulent sources of cattlehides—are now husbanding this resource, convinced they must develop their own tanning and shoe industries.

As a direct result, Mr. Chairman, the foreign demand for U.S. cattlehides has reached proportions no one could have envisioned a decade ago—sharply dimishing the supplies available here, on one hand, and sharply increasing their price, on the other.

It is plain, Mr. Chairman, that export controls are necessary to keep prices at least remotely within reason.

The Commerce Department's control system will prove evenhandedly fair to everyone engaged in cattlehide sales—to ranchers and packers, tanners and shoe manufacturers, exporters and consumers.

Unlike the export controls undertaken in 1966, the new program calls for no dramatic cutback in cattlehides shipped overseas.

Instead, the Commerce Department controls will hold exports steady at the 1971 level—a record high in itself.

Other safeguards—these the principal responsibility of the Office of Export Control and the Price Commission—will prevent any kind of profiteering or freebooting in the sale of export tickets for cattlehides.

Indeed, any windfalls stemming from the inflated price of hides will be passed along to the rancher, the ultimate source of the product, and to the consumer, the ultimate user.

In sum, Mr. Chairman, the control system will help rescue the foundering shoe industry without damaging the economic interests of ranchers or exporters.

Again, I urge the defeat of this amendment.

Mr. BROOKS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

The sudden action by the Secretary of Commerce in the middle of July restricting the export of cattle hides from this country has resulted in severe hardship not only for the ranchers and farmers, but also to the shipping industry and related activities. It could ultimately mean the loss of hundreds of jobs and thousands of dollars in our Nation's ports.

In my own district, the impact of this order is being felt in a most cruel and unexpected way. One company alone had planned to ship some 320,000 hides from the port of Galveston this year. A chartered vessel is expected to reach Galveston on August 15 to load 160,000 of these hides. It is estimated that the port of Galveston, the longshoremen in Galveston, and peripheral maritime industries will lose as much as a quarter of a million dollars, if the 320,000 hides are not shipped. More than half of that $250,000 is dependent upon the 160,000-hide shipment scheduled for August. It is estimated that some 350 employees will be directly affected by these shipments.

Mr. Chairman, contracts for these shipments had been signed prior to the issuance of the Secretary's order. Twenty-six thousand hides are on hand; the chartered vessel is expected to depart Germany for Galveston momentarily; the shippers have committed themselves on the remaining hides and stand to lose millions of dollars if the August shipment is not allowed. This particular company is in the unusual position of not having been in business last year and, therefore, has no scale by which to measure a hardship quota for August. It is my understanding that the Department of Commerce has agreed to permit the shipment of only the 26,000 hides now on the dock or in railcars on the way to Galveston.

Mr. Chairman, I do not believe that Congress intended this act to be administered in such a way as to abruptly and without warning completely close the door on a type of business activity which has been routinely engaged in throughout our economic history. This is not an emergency situation, though it may require some attention. I do not believe it would be asking too much to require that the Department of Commerce and the Department of Agriculture and anyone else with responsibilities in this area devise a more reasonable solution. Congress never intended for this act to be used to benefit one segment of the domestic economy by the destruction of another segment.

The effect which the Secretary's order would have on our balance of trade is also of considerable concern to me. Along with many of my colleagues, I am not convinced that the domestic hide situation is in such serious condition as to require the severe action that has been taken. The injurious side effects may be far more damaging to both our domestic and our foreign economy.

The amendment offered by Mr. GONZALEZ, identical to that accepted by the Senate on Tuesday, offers a reasonable solution to this ill-advised action.

Mr. WYMAN. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I like to think that the minds of those who are not completely captive to provincial considerations in this great body are still open.

We have heard a lot of talk today, and some of it represents legitimate district concerns. But what should not be overlooked is the fact that the Department of Commerce did not pull the order that has been issued out of thin air. It did so only after extensive and protracted investigation. There may not have been formal hearings in a technical sense, but the reason for the order was that the prices of hides were going out of sight. There is nothing involved here today that says that the constituents of the gentleman from Galveston or any other area will not have their hides sold.

What is at stake here, ladies and gentlemen, are hundreds of thousands of jobs in a country in which exists a certain measure of price controls affecting the shoe industry for example, but which do not affect and do not control foreign purchases. The net results—dollars not being patriotic—is products that can be sold to foreign bidders at higher prices are going abroad to the great detriment of American industry and in particular the shoe industry, which is operating at a profit margin very close to zero.

If this action is taken today, whether it involves 50 cents per pair of shoes or 75 cents per pair of shoes or a dollar, it means that thousands of people are going to be forced out of their jobs. It means there are going to be additional welfare problems, and an additional segment of this economy which is going to present terrific problems for us next year in the field of tax reform.

Two years ago this House passed orderly marketing legislation. But the other body killed it.

The concern here today is the need to reserve to American industry a certain segment of America purchasing power in the American economy for the protection of American jobs.

That is what the export order of the Department of Commerce is all about. It is what we should have in this country to protect our workers.

It seems to me that it is the responsibility of the Congress of the United States to protect the jobs of the American working men and women. I do not think the proposal of the gentleman from Texas, which is now before the House, does this at all. I am not going to talk about fat cats or the like. What is at stake is the overriding interest in America of many, many people who are rightly more concerned about the defeat of what is now before this House than they are with its passage.

I urge my colleagues to resoundingly defeat the proposal of the gentleman from Texas.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

Mr. CONTE. Mr. Chairman, I compliment the gentleman from New Hampshire for his fine remarks and I associate myself with his remarks.

Mr. Chairman, I rise in opposition to the amendment. New England consumers and businessmen are already afflicted with a number of artifically high prices. The passage of this amendment would only add an additional cross for them to bear.

To conteract catastrophic increases in cattle hide prices resulting from a decline in Argentine and Brazil exports, the Department of Commerce last month, quite properly, slapped controls on domestic exports. Before these controls were imposed, purchasing countries almost uniformly turned to the United States as a sources for cattle hides to fill the gap left by the actions of Argentina and Brazil. As a result, the export of hides from the United States in the first half of this year left the American leather and shoe industries with less than 50 percent of the supply that was needed. Hide prices consequently increased 80 percent since the wage-price freeze was imposed. This situation had ill-effects on not only American, but also Western European leather industries.

The action taken by the administration was designed to avoid further economic chaos. If we remove the authority for the administration to control the export of cattle hides, we are inviting a return of that economic chaos. A vote for this amendment is a vote for an inflationary rise in shoe prices for the American consumer. A vote for this amendment is a vote for further devastation to the shoe industry already crippled because of a lack of supply.

Price stabilization is one of the major goals of the phase II economic program—a program that we have overwhelmingly endorsed in this body. I urge my colleagues in the House not to strike a fatal blow to domestic shoe manufacturers and tanning companies. Do not deny the American consumer his right to have the shoe and leather products he needs at a price he can afford.

Vote down this amendment.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that debate on this amendment, and all amendments thereto, now close.

Mr. ZWACH and Mr. HUNGATE objected.

The CHAIRMAN pro tempore. Objection is heard.

MOTION OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Chairman, I move that debate on this amendment, and all amendments thereto, do now close.

The CHAIRMAN pro tempore. The question is on the motion offered by the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, we will get unanimous consent for all Members to revise and extend their remarks after we go back into the House.

The CHAIRMAN pro tempore. The question is on the motion offered by the gentleman from Texas.

Mr. DENT. Mr. Chairman, I was on my feet seeking recognition three or four times during the debate and did not receive it. I do not believe that the motion is in order.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate close in 10 minutes.

The CHAIRMAN pro tempore. Will the gentleman from Texas please restate his motion?

Mr. PATMAN. I move that this amendment and all amendments thereto be voted on within 10 minutes.

PARLIAMENTARY INQUIRY

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. GERALD R. FORD. Did the gentleman from Texas indicate that his motion involved this amendment and all amendments to the bill?

Mr. PATMAN. And to the bill.

The CHAIRMAN pro tempore. That is not the way the Chair understood it. Does the gentleman wish to amend his motion?

Mr. PATMAN. Yes, Mr. Chairman, I do.

The CHAIRMAN pro tempore. Will the gentleman restate his motion?

Mr. PATMAN. Yes, sir; that we vote on this bill and all amendments thereto within 10 minutes.

The CHAIRMAN pro tempore. As the Chair understands the motion, the gentleman from Texas moves that all debate on this bill cease in 10 minutes.

Mr. PATMAN. That is correct.

PARLIAMENTARY INQUIRY

Mr. YATES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. YATES. Does that mean that all Members will be precluded from offering amendments after the expiration of the 10 minutes?

The CHAIRMAN pro tempore. No; the Members just have 10 minutes in which to complete the debate.

Mr. YATES. I thank the Chairman.

The CHAIRMAN pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. PATMAN).

The motion was agreed to.

The CHAIRMAN pro tempore. The Chair will recognize each of the Members standing for approximately 1 minute.

The Chair would like to recognize those who wish to speak in favor of the Gonzalez amendment or against the Gonzalez amendment first. So, if those Members whose names I just read will seek recognition, we will debate the Gonzalez amendment first.

The Chair recognizes the gentleman from North Dakota (Mr. ANDREWS).

Mr. ANDREWS of North Dakota. Mr. Chairman, I appreciate being recognized. I would like to correct some of the misconceptions which have been going on. The gentleman who just spoke said that hide prices have gone out of sight. That is ridiculous. They are selling for no more today than they were 20 years ago, and to blame hide prices for the increase in shoe prices over the last 20 years is idiotic.

Second, I have got awfully big feet, but hides are 43 cents per pound and I do not have more than a dollar's worth of rawhide in my shoes, no matter how you add it up, so the statement by the shoe industry that the price of shoes is going up $5, because of the increased cost of hides is pure buncombe.

Let us be frank about it. An administration official under this adminstration can make a darn fool error, which is what the Secretary of Commerce did just as well as an administration official in the last administration could, which is what the Secretary of Commerce under the Democratic administration did in 1966. A darn fool error still remains a darn fool error, and we ought to correct it on the floor of the House.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, our cattle farmers are now getting the same price for their product as was received a quarter century ago. Since then the farmers' production costs and cost of living have increased many, many fold.

The President was wrong in seeking to freeze the income of cattle farmers while his costs continue to spiral. We now must undo the inequitable action of the President. I am confident my colleagues will join me in supporting this important amendment. It is essential for the best interests of our farmers and the Nation as well.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Chairman, in listening to the debate it just occurred to me after commenting that when you export hides, you export a product that has been manufactured into shoes and it takes jobs to manufacture shoes. Therefore, with reference to the exportation of jobs, I wish the gentleman from Pennsylvania (Mr. DENT) had been as eloquent in his argument against this amendment as he had been in support of the earlier amendments.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. Mr. Chairman, I rise in support of the Gonzalez amendment. I am not a member of the Banking and Currency Committee, the Foreign Affairs Committee, the Agriculture Committee or the Ways and Means Committee, therefore as the saying goes, I approach this subject with all the confidence of an ignorant man. However, I do not believe I am alone in that condition. I have heard from many constituents vitally concerned with this problem, and who do understand it.

In previous years, I believe in 1966, a similar policy was adopted against American hide exports. The action was effective in lowering hide and cattle prices. Later when Executive Department officials considered the cattle and hide market sufficiently depressed, they nullified this restriction.

The prices had risen because foreign countries, specifically Japan, had been purchasing hides for leather for their shoe industry. After we restricted these exports and depressed prices, the Japanese went to plastics and synthetics. For shoes so that when restrictions were removed, hide prices remained depressed. The Japanese continued to manufacture and export shoes to this country but our policy had succeeeded in making sure no American was allowed to sell hides to that industry.

It did not require 20/20 hindsight to see how foolish that policy was. It's hard to believe the administration would seek to reinvoke a policy already proven unworkable, ineffective, damaging to American balance of trade, balance of payments, depressing farm income and I hope all of those who have noticed how much lower shoe prices have gotten in the last 6 years will write me a letter. The consumer was not benefited, nor did it provide relief from the unfair pressures exerted on our domestic industry by foreign imports.

We are told hide prices have risen. At the same time, we are told they have reached the levels of 20 years ago. Who in the world is willing to work for what he got 20 years ago? If farmers are doing well, why are they leaving the farms in droves to add to the housing, job and school problems faced by our cities?

I urge you to support the Gonzalez amendment.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, this is one of the funniest situations. The cattlemen are right. The shoe people are right. The tanners are right. The whole situation is that what we have been doing is wrong. We are living with a concept of trade that has long gone by the board. We are shipping a raw product that is essential to our own welfare. Sure, the shoe industry chased off naugahyde and other synthetics. Yes, it is $1 a pair for each pair of shoes made of naugahyde, and with 8 million hides that amounts to $160 million for 400 million pairs of shoes.

We talk about balance of payments. There are 35 percent of our shoemakers in the State of Pennsylvania, the largest shoemaking State of the Nation, who are out of work.

Why? It is not the price of hides. It is the price of tanning, which goes to $6 an hour. By the time the hide goes into the shoes the shoemaker is paying for the high price of tanning. That amounts to only 60 cents a day in the tanneries in Japan in the factories I visited.

Let us get down to the basics. We have forgotten one thing. We have forgotten a basic thing. Now forget the balance of payments and forget the international economic policy and think about one thing and the farmers will not have to worry. What we have to think about is the balance of jobs, the opportunity for employment.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from South Dakota (Mr. DENHOLM).

Mr. DENHOLM. Mr. Chairman, I rise in support of the amendment and I associate myself with my distinguished colleague who has spoken in support of the amendment.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Chairman, I would like to emphasize two things. In the first place this is a nonpartisan amendment. This is the Curtis amendment which was adopted in the Senate word for word. This is not a Democrat amendment or a Republican amendment. It is a nonpartisan amendment.

It is suggested somehow or other if we were to keep these hides, that we are not going to use in the United States, it will produce some increase in employment. We are not going to produce any more shoes because we keep these hides here. We have twice as many hides as we need to produce the shoes we are going to produce in the United States. We are not going to create any more jobs by refusing to sell these hides.

It is simply a fact that we have something on hand for which we can get some foreign money, and we are told now, "Just do not sell it. Just store it." At whose expense? I do not think it is fair to say that the producers of those hides must find that 10 percent of the value of the cattle in the United States is now unsalable.

Mr. ULLMAN. Mr. Chairman, I would like to add my voice today in support of the amendment of the gentleman from Texas.

This amendment would require that the Secretary of Commerce obtain prior approval from the Secretary of Agriculture before exercising authority to limit exports on agricultural commodities, including animal hides and skins. The amendment also stipulates, most logically, that the Secretary of Agriculture cannot give prior approval to export limitations when the supply of such items exceeds the domestic requirements.

In plain language, Mr. Chairman, all this amendment really does is require that the Secretary of Commerce do his homework before ordering a limitation on agricultural commodity exports. It requires him to go to the Department of Agriculture—the experts—and obtain from those experts the information necessary to exercise reasonable judgment on limiting agricultural exports.

On July 15, the Secretary of Commerce issued an order restricting, controlling, and regulating the export of cattle hides from this country. In my judgment, and in the judgment of many others, it seems the Secretary of Commerce issued this order without doing his homework.

I can see in no way how the Secretary's order can possibly make a useful contribution toward containing inflation, or reducing the price of beef at the retail level, or reducing the retail price of domestic shoes.

I can certainly sympathize with the problem of tanners and shoe manufacturers who find they are repeatedly undersold in the U.S. market by foreign manufacturers. But their problem, as we have studied it in the Ways and Means Committee, is not with the cost of raw materials but with the cost of labor and with productivity. In fact, the cost of raw materials for shoe manufacturers is one of the least important factors affecting price.

At today's prices a cattle hide generally sells for around $17. Men with detailed knowledge of the shoe industry tell us that each hide contains enough leather for 20 pairs of men's shoes or 40 pairs of women's and children's shoes. Based on a price of $24 per pair, simple arithmetic shows that the leather in a pair of men's shoes represents about 3½ percent of the retail price. It is obvious, then, that reducing the price of hide will have no significant effect on the retail price of a pair of shoes.

Consequently, I fail to see how reducing domestic leather prices somewhat, and raising export prices somewhat, will produce a marked change in the real factor involved here—the cost of labor. In effect, what the Government has tried to do is force down the cattlemen's price for leather to offset the shoe manufacturers' cost of labor.

A simple check with the Department of Agriculture would have shown the Secretary of Commerce what the real situation is. That is why I support this amendment, and why I think it should be made retroactive to July 1.

I do not want to mitigate the problems facing tanners and shoe manufacturers. I know there is a strong foreign demand for hides, and I know how strongly the U.S. shoe market has been undercut by foreign competition.

However, attempting to limit export of domestic hides will not solve the problem. It only thrusts another needless problem on cattle producers who have already seen restrictions on foreign beef eliminated at the very time they are preparing in feed lots throughout the country a large supply of beef to meet domestic demand. Both of these actions, in turn, have come just as our cattle growers are beginning to show the first honest return on their work and investment in years.

I do not want to see the beef cattle industry in Oregon, or in the Nation, made a whipping boy because we continue to apply simple solutions to complex problems. The real problem lies in establishing a broad policy on foreign trade, in keeping this country competitive in terms of productivity, and in terms of firm agreements on international monetary arrangements. Until we are willing to face these decisions, no amount of bandaid solutions such as limiting hide exports will have any real effect.

Mr. SCHERLE. Mr. Chairman, in the latest of a series of moves designed indirectly to reduce the revenues of livestock producers and processors, the administration has given a "hiding" to the hide export market. Earlier the White House revoked meat import quotas and directed the Defense Department to cut back its purchases of meat. Both of these actions aimed to relieve demand pressures on the domestic meat supply and—the administration hoped—to stabilize meat prices for the consumer. The most recent target of governmental market meddling is the export of hides. As in the case of meat prices, increased worldwide demand has caused a strong upsurge in the hide market, affording producers and processors a good return for their products for the first time in many years.

The official rationale for limiting exports to the 1971 level is to aid the consumer by lowering the price of shoes and other leather goods. By the time a pair of shoes reaches a retail outlet, however, the raw material accounts for only 5 percent of the final prices. Therefore a reduction in the cost of hides would not substantially affect shoe prices for the consumer. In fact, the chief beneficiary of this move will be the domestic leather products industry, hard pressed by the rising cost of labor and squeezed by foreign competition.

Because of this ruling, Iowa—the Nation's largest exporter of hides—close to $20 million worth last year—stands to lose about a million dollars in overseas sales. At a time when the economy is lagging and our balance of trade is suffering an unprecedented deficit, it is senseless to penalize the most productive sector of the economy by limiting exports and curtailing needed revenues from abroad. If the administration really wants to help the consumer, it should reduce import duties on foreign shoes. But this is an election year, and White House advisers do not want to alienate the powerful unions which control domestic industries. So once again the producers of raw materials are asked to bear the burden of curbing inflation to benefit other, less efficient sectors of the economy.

It is a dangerous balancing act. Farm income has finally improved in recent months from its disastrous levels of previous years, but if the Government continues to issue edicts that nibble away at the hard-won gains of the agribusiness industries, the administration may find it has more than the unions to worry about in November.

Mr. LLOYD. Mr. Chairman, the Department of Commerce announced on July 15 of this year that export controls were being imposed on cattle hides to cut down the inflationary pressures on the prices of shoes and other leather goods. Secretary Peterson said the decision was made due to the rapid increase in hide prices over the past few months and a developing worldwide shortage of hides.

Everybody supports necessary efforts to protect the American consumer from large increases in the price of leather goods. The question is whether the imposition of export controls will significantly reduce the price the consumer pays for these goods or simply hurt the American livestock producer and hide buyer and distributor.

There is also lack of agreement on whether or not there is or will actually be a shortage of hides. The Commerce Department has estimated that the domestic supply will increase this year, but that the domestic demand for hides will almost entirely equal this increased supply. The Department of Agriculture, on the other hand, estimates that there will be an increase of nearly 1.4 million hides this year, far in excess of increased domestic demand. Instead of a shortage export controls could lead to a surplus of hides developing that could wreak havoc with the hide market and seriously depress cattle prices.

It also seems folly to tie this imposition of controls onto rising shoe prices. It has been estimated that in connection with men's footwear the price of the hide itself involves between 3 and 5 percent of the total cost of the shoe. If we take a pair of $25 men's shoes as an example and assume that quotas reduce hide prices by 50 percent the most that a consumer could expect to save on these shoes would be between 40 to 65 cents.

Back in 1966 the Commerce Department also put export controls on hides and while the price dropped disastrously to the livestock farmer, shoe prices actually increased.

It would appear, therefore, that there is actually no shortage of hides imminent and that even if export controls were successful in reducing hide prices, the benefit to the American consumer would be minimal.

At the same time the effect upon the livestock industry and those who rely largely upon the export of hides, as do many smaller producers in the West, could be disastrous.

Throughout the western part of the country, beef slaughterers, hide dealers, and hide exporters depend on foreign countries, particularly those in the Far East as a market for their product. These producers have worked hard to develop this market, because large eastern tanneries and shoe manufacturers are not in the market for the type of hides available in the West. Nothing can hurt the continuing growth of our agricultural exports more than a reputation for unreliability in making products available and continuing export controls could contribute to such an unfortunate reputation developing.

Mr. SKUBITZ. Mr. Chairman, I rise in support of the amendment.

The arguments advanced in opposition to the amendment are just as erroneous—just as fallacious as those advanced some time ago—when an effort was made by the chainstore operators to prove that the increased price of beef was due to the price of cattle on the hoof. Well, that one fell of its own weight when it was shown that the price of beef on the hoof was exactly the same as it had been 20 years hence. This is true of the price of hides also. The prices of hides are the same today as they were 20 years ago.

If the price of shoes are higher—then look to the increased cost of labor—increased costs of transportation—increased middle man's profits—do not blame the cattlemen.

Mr. HARRINGTON. Mr. Chairman, I rise to strongly protest the amendment being offered by the gentleman from Texas (Mr. GONZALEZ). I feel that this amendment which is aimed at just hide exports will not only be extremely detrimental to the region I represent, but is detrimental to the entire United States.

Recently, the Commerce Department, acting under authority granted in the Export Administration Act, placed export controls on hides. This action was necessary because it was found that excessive foreign demand for American hides was seriously threatening the existence of the domestic leather and shoe industry.

The price of hides has increased more than 100 percent during the last year. This has not only severely undermined the leather industry, but has affected the entire Nation by greatly increasing the price of shoes—a price increase that affects the poor far greater than the general populace. Without export controls the price of an average pair of women's boots could increase almost $5 a pair. A pair of men's shoes will be boosted $2.24 a pair.

But aside from the economic hardship that terminating hide controls will cause to the leather industry and the general public, taking away from the President the power to place export controls on these items will seriously undermine the power of the President to deal with foreign countries.

The present crisis in hides was not brought about by normal market activity, but by the unilateral decisions of Argentina and Brazil to embargo their cattle hide exports. If the President can not respond to these kinds of measures, the viability of all American industries are potentially endangered.

This amendment is narrow in scope and clearly represents a special interest. If the gentlemen from Texas had an ideological problem with the export quota problem, he should revise his amendment to cover all industries. It is simply not fair to single out cattle hides as the only product for which the President cannot exercise his authority to impose export controls.

Mr. MELCHER. Mr. Chairman, the cattle hide embargo instituted by Secretary of Commerce Peterson is a disservice to both consumers and producers in this country. It is economic nonsense that upsets sensible business practices and could be the opening, because of a devious coupon system, for outright black marketeering harking back to the Price Administration days during and immediately following World War II.

Since the announcement of the hide embargo, live cattle prices have dropped, but it does not result in lower retail meat prices for consumers. The meatpacker, when faced with lower prices for the hide, naturally has to stick on a higher price for the carcass resulting in proportionately higher meat prices in the stores. That is when the economic nonsense occurs, as the squeeze applied to the meatpacker does an injustice to the producer because he gets lower prices for the live animals, and the housewife in her meat purchases for the family is not helped either.

Of course the reasoning, faulty as it is, behind the hide embargo was to protect the shoe industry from what they call high priced hides. The fact is that hide prices are slightly lower than they averaged 21 years ago during 1951. In addition, the actual amount of hide involved in a pair of leather shoes only represents a few pounds of raw cattle hide which is selling for 27 cents a pound for packer steer hides. It is extremely difficult to relate the cost of the raw materials at that price to justify the retail prices of shoes. In fact it is phony. The administration has made a grave error in instituting an embargo for they are insulting the intelligence of the American public by attempting to mislead us into believing there is any justification whatsoever for their embargo action.

The House must rectify this error by repealing the authority for the embargo and when we do so, we shall be acting in a positive manner for the best interest of all the people giving consumers and producers of meat animals fair treatment.

Mr. CULVER. Mr. Chairman, I rise in support of the amendment to lift the ban on exports of cattle hides.

I would like to express my deep concern over the administration's recent decision to control the export of hides. This export control has several negative effects.

First, it sets an unfortunate precedent undercutting our efforts further to remove international trade barriers. If the United States sets up trade restrictions then it is reasonable to assume that other countries will take comparable actions and be more resistant to the reduction of their discriminatory trade practices.

Second, there is not any clear demonstration that this is an effective tool of inflationary control. Hides do not constitute the primary cause of price increases, and this export restriction is at best a marginal stopgap measure wholly disproportionate to the injuries suffered by our agricultural economy. It is unfortunate that the administration has yielded to certain special interest pressures in embarking on this course.

Last, the fundamental importance of agricultural export markets to the Nation's balance of payments, as well as to economies of our agricultural States, makes it essential that the United States actively promote the removal rather than the addition of new barriers to agricultural trade.

In short, limiting the amount of hide exports seems to be neither defensible on its merits, nor will it achieve its declared objectives. Therefore, I urge adoption of this amendment.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Texas (Mr. PATMAN) to close the debate.

Mr. PATMAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

Mr. Chairman, I ask for a vote.

Mr. GROSS. Mr. Chairman, there is no need to repeat the arguments made by my colleagues from Iowa and others in behalf of this amendment which is necessitated by the high-handed action of certain administration officials in putting drastic restrictions on the exports of cattle hides.

If cattle prices were low and hides cheap—as they have been altogether too many times through the years—there would be no outcry from those who represent the leather processing industry. There would be no derisive references to the "fat cat cattlemen."

The facts are that the leather used in a pair of shoes is a mere fraction of the cost regardless of the price of hides. Labor costs and inflation are pricing American made shoes out of the market.

As a matter of fair play and as a matter of serving notice on the bureaucrats they cannot make fish of some American producers and fowl of others, this amendment should and I believe will be approved by a decisive margin.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

The question was taken; and on a division (demanded by Mr. BURKE of Massachusetts) there were—ayes 87, noes 65.

TELLER VOTE WITH CLERKS

Mr. BURKE of Massachusetts. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. BURKE of Massachusetts. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman pro tempore appointed as tellers: Messrs. GONZALEZ, DENT, J. WILLIAM STANTON, and BLACKBURN.

The Committee divided, and the tellers reported that there were—ayes 177, noes 158, answered "present" 2, not voting 96, as follows:

[Roll No. 298]

[Recorded Teller Vote]

AYES—177

Abourezk
Adams
Albert
Andrews, Ala.
Andrews, N. Dak.
Archer
Arends
Ashbrook
Aspinall
Baring
Belcher
Bennett
Bergland
Betts
Blackburn
Blatnik
Boggs
Bolling
Bray
Brinkley
Brooks
Brotzman
Brown, Ohio
Broyhill, Va.
Buchanan
Burleson, Tex.
Burlison, Mo.
Burton
Cabell
Camp
Carlson
Casey, Tex.
Cederberg
Chappell
Clausen, Don H.
Clawson, Del
Collins, Tex.
Colmer
Corman
Crane
Culver
Curlin
Davis, Wis.
de la Garza
Dellenback
Denholm
Dorn
Duncan
du Pont
Eckhardt
Edwards, Ala.
Erlenborn
Evans, Colo.
Fascell
Findley
Fisher
Flynt
Foley
Fountain
Frey
Fuqua
Galifianakis
Gibbons
Gonzalez
Gray
Green, Oreg.
Griffin
Gross
Gubser
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Heinz
Henderson
Hicks, Wash.
Hillis
Hogan
Hull
Hungate
Ichord
Jacobs
Johnson, Calif.
Jones, Ala.
Kazen
King
Kyl
Landgrebe
Latta
Long, Md.
McClory
McCollister
McEwen
McFall
McKay
McKevitt
Mahon
Mallary
Mathis, Ga.
Matsunaga
Mayne
Meeds
Melcher
Michel
Mikva
Mills, Md.
Mollohan
Montgomery
Murphy, N.Y.
Nichols
O'Hara
Passman
Patman
Pettis
Poage
Powell
Preyer, N.C.
Price, Tex.
Purcell
Quie
Railsback
Randall
Reid
Rhodes
Robinson, Va.
Roncalio
Roush
Rousselot
Roy
Roybal
Runnels
Ruth
Sandman
Satterfield
Scherle
Schwengel
Scott
Sebelius
Shipley
Shoup
Shriver
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Snyder
Spence
Springer
Steed
Steiger, Ariz.
Stuckey
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Ullman
Van Deerlin
Vander Jagt
Veysey
Waggonner
Ware
Whalen
Whalley
White
Whitten
Widnall
Wiggins
Winn
Wright
Yates
Young, Tex.
Zion
Zwach

NOES—158

Abzug
Addabbo
Alexander
Anderson, Calif.
Annunzio
Ashley
Aspin
Badillo
Barrett
Begich
Biaggi
Biester
Boland
Bow
Brademas
Brasco
Brown, Mich.
Broyhill, N.C.
Burke, Fla.
Burke, Mass.
Carey, N.Y.
Carney
Carter
Celler
Chisholm
Clancy
Clark
Cleveland
Collier
Collins, Ill.
Conover
Conte
Cotter
Coughlin
Daniel, Va.
Daniels, N.J.
Dellums
Dent
Devine
Diggs
Donohue
Dow
Downing
Drinan
Dulski
Dwyer
Edwards, Calif.
Eilberg
Evins, Tenn.
Fish
Flood
Ford, Gerald R.
Forsythe
Frelinghuysen
Frenzel
Garmatz
Gaydos
Giaimo
Goodling
Grasso
Green, Pa.
Griffiths
Grover
Gude
Hamilton
Hanley
Harrington
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks, Mass.
Holifield
Horton
Hosmer
Howard
Hunt
Johnson, Pa.
Jones, N.C.
Karth
Kastenmeier
Keating
Kemp
Kluczynski
Koch
Kyros
Lent
McCloskey
McCulloch
McDade
McKinney
Macdonald, Mass.
Madden
Mailliard
Mann
Mazzoli
Metcalfe
Miller, Ohio
Mills, Ark.
Minish
Mink
Mitchell
Mizell
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Natcher
Obey
O'Konski
O'Neill
Patten
Perkins
Pike
Pirnie
Podell
Price, Ill.
Pucinski
Rangel
Rees
Reuss
Riegle
Robison, N.Y.
Rodino
Roe
Rosenthal
Rostenkowski
St Germain
Sarbanes
Saylor
Scheuer
Schneebeli
Seiberling
Smith, N.Y.
Staggers
Stanton, J. William
Stanton, James V.
Steele
Steiger, Wis.
Stratton
Sullivan
Symington
Tiernan
Vanik
Vigorito
Waldie
Whitehurst
Williams
Wolff
Wydler
Wylie
Wyman
Yatron
Young, Fla.

ANSWERED "PRESENT"—2

Byron
Hays

NOT VOTING—96

Abbitt
Abernethy
Anderson, Ill.
Anderson, Tenn.
Baker
Bell
Bevill
Bingham
Blanton
Broomfield
Byrne, Pa.
Byrnes, Wis.
Caffery
Chamberlain
Clay
Conable
Conyers
Danielson
Davis, Ga.
Davis, S.C.
Delaney
Dennis
Derwinski
Dickinson
Dingell
Dowdy
Edmondson
Esch
Eshleman
Flowers
Ford, William D.
Fraser
Fulton
Gallagher
Gettys
Goldwater
Hagan
Halpern
Hanna
Hansen, Wash.
Hébert
Hutchinson
Jarman
Jonas
Jones, Tenn.
Kee
Keith
Kuykendall
Landrum
Leggett
Lennon
Link
Lloyd
Long, La.
Lujan
McClure
McCormack
McDonald, Mich.
McMillan
Martin
Mathias, Calif.
Miller, Calif.
Minshall
Monagan
Myers
Nedzi
Nelsen
Nix
Pelly
Pepper
Peyser
Pickle
Poff
Pryor, Ark.
Quillen
Rarick
Roberts
Rogers
Rooney, N.Y.
Rooney, Pa.
Ruppe
Ryan
Schmitz
Sikes
Slack
Stephens
Stokes
Stubblefield
Teague, Tex.
Terry

Thone
Wampler
Wilson, Bob
Wilson, Charles H.
Wyatt
Zablocki

Mr. BYRON. Mr. Chairman, I would like to vote "present."

The CHAIRMAN. The gentleman will be recorded as voting "present."

Mr. HAYS. Mr. Chairman, I would like to be recorded as voting "present" because I am in the cattle business and any way that I voted could be construed as a vote in my own personal interest.

The CHAIRMAN. The gentleman will be recorded as voting "present."

PERSONAL EXPLANATION

Mr. MONAGAN. Mr. Chairman, I did not actually vote, but I would like to be recorded as being opposed to the amendment.

The CHAIRMAN. The gentleman's statement will appear in the record.

So the amendment was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GIBBONS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 15989) to establish a Council on International Economic Policy, to extend the Export Administration Act of 1969, and for other purposes, pursuant to House Resolution 1071, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. ASHLEY. Mr. Speaker, I demand a separate vote on the so-called Wylie amendment.

The SPEAKER. Is a separate vote demanded on the other amendment? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: On page 1, strike out line 3 and all that follows thereafter through page 8, line 24, and on Page 9, strike out lines 1 and 2 and strike out "Sec. 201. Section" on line 3, and insert in lieu thereof "That section".

The SPEAKER. The question is on the amendment.

Mr. ASHLEY. Mr. Speaker, I demand tellers.

PARLIAMENTARY INQUIRY

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Speaker, the committee bill in title I was amended in several instances during consideration of the bill in Committee of the Whole. Subsequent to that the Wylie amendment was approved which struck title I from the bill.

If the Wylie amendment at this point is defeated, will we return to title I, as it was in the committee bill, or as it was at the time it was voted on?

The SPEAKER. As it was in the original committee bill.

Mr. PATMAN. As amended.

The SPEAKER. The Chair will state, not as it was amended; as it was in the original bill.

Mr. ASHLEY. Mr. Speaker, with that explanation I will withdraw my request for tellers.

The SPEAKER. The question is on the amendment on which a separate vote has been demanded.

The amendment was agreed to.

PARLIAMENTARY INQUIRY

Mr. PUCINSKI. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PUCINSKI. Mr. Speaker, in view of the vote on the Wylie amendment, if this bill is approved by the House does that mean the conferees can conceivably restore title I because of the action by the other body?

The SPEAKER. The Chair will state that the Chair is not in a position to answer that question at this point as to what action the other body will take.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. CONTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CONTE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Two hundred sixty-eight Members are present, a quorum.

So the bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair recognizes the gentleman from Texas (Mr. PATMAN).

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3726), to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill as follows:

S. 3726

An act to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO THE EXPORT ADMINISTRATION ACT OF 1969

SEC. 101. This title may be cited as the "Equal Export Opportunity Act".

SEC. 102. Section 2(3) of the Export Administration Act of 1969 is amended by inserting before the period at the end thereof a comma and the following: "particularly when export restrictions applied by the United States are more extensive than export restrictions imposed by countries with which the United States has defense treaty commitments".

SEC. 103. Section 3 of the Export Administration Act of 1969 is amended by adding at the end thereof the following:

"(6) It is the policy of the United States that the desirability of subjecting, or continuing to subject, particular articles, materials, or supplies, including technical data or other information, to United States export controls should be subjected to review by and consultation with representatives of appropriate United States Government agencies and qualified experts from private industry."

SEC. 104. (a) Section 4(b) of the Export Administration Act of 1969 is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding at the end thereof the following new paragraphs:

"(2) The Secretary of Commerce, in cooperation with appropriate United States Government departments and agencies and the appropriate technical advisory committees established under section 5(c), shall undertake an investigation to determine which articles, materials, and supplies, including technical data and other information, should no longer be subject to export controls because of their significance to the national security of the United States. Notwithstanding the provisions of paragraph (1), the President shall remove unilateral export controls on the export from the United States of articles, materials, or supplies, including technical data or other information, which he determines are available without restriction from sources outside the United States in significant quantities and comparable in quality to those produced in the United States, except that any such control may remain in effect if the President determines that adequate evidence has been presented to him demonstrating that the absence of such a control would prove detrimental to the national security of the United States. The nature of such evidence shall be included in the special report required by paragraph (4).

"(3) In conducting the investigation referred to in paragraph (2) and in taking the action required under such paragraph, the Secretary of Commerce shall give priority to those controls which apply to articles, materials, and supplies, including technical data and other information, for which there are significant potential export markets.

"(4) Not later than nine months after the date of enactment of the Equal Export Opportunity Act, the Secretary of Commerce shall submit to the President and to the Congress a special report of actions taken under paragraphs (2) and (3). Such report shall contain—

"(A) a list of any articles, materials, and supplies, including technical data and other information, which are subject under this Act to export controls greater than those imposed by nations with which the United States has defense treaty commitments, and the reasons for such greater controls; and

"(B) a list of any procedures applicable to export licensing in the United States which may be or are claimed to be more burdensome than similar procedures utilized in nations with which the United States has defense treaty commitments, and the reasons for retaining such procedures in their present form.".

(b)(1) Section 4(e) of such Act is amended to read as follows:

"(e) The authority conferred by this section shall not be exercised with respect to any agricultural commodity, including fats and oils or animal hides or skins, without the approval of the Secretary of Agriculture. The Secretary of Agriculture shall not approve the exercise of such authority with respect to any such commodity during any period for which the supply of such commodity is determined by him to be in excess of the requirements of the domestic economy, except to the extent the President determines that such exercise of authority is required to effectuate the policies set forth in clause (B) or (C) of paragraph (2) of section 3 of this Act."

(2) Any rule, regulation, proclamation, or order issued after July 1, 1972, under section 4 of the Export Administration Act of 1969, exercising any authority conferred by such section with respect to any agricultural commodity, including fats and oils or animal hides or skins, shall cease to be effective upon the date of enactment of this Act.

SEC. 105. Section 5 of the Export Administration Act of 1969 is amended by adding at the end thereof the following:

"(c) (1) Upon written request by representatives of a substantial segment of any industry which produces articles, materials and supplies, including technical data and other information, which are subject to export controls or are being considered for such controls because of their significance to the national security of the United States, the Secretary of Commerce shall appoint a technical advisory committee for any grouping of such articles, materials, and supplies, including technical data and other information, which he determines is difficult to evaluate because of questions concerning technical matters, worldwide availability and actual utilization of production and technology, or licensing procedures. Each such committee shall consist of representatives of United States industry and government. No person serving on any such committee who is representative of industry shall serve on such committee for more than two consecutive years.

"(2) It shall be the duty and function of the technical advisory committees established under paragraph (1) to advise and assist the Secretary of Commerce and any other department, agency, or official of the Government of the United States to which the President has delegated power, authority, and discretion under section 4(d) with respect to actions designed to carry out the policy set forth in section 3 of this Act. Such committees shall be consulted with respect to questions involving technical matters, worldwide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to any articles, materials, or supplies, including technical data or other information, and including those whose export is subject to multilateral controls undertaken with nations with which the United States has defense treaty commitments, for which the committees have expertise. Such committees shall also be consulted and kept fully informed of progress with respect to the investigation required by section 4(b) (2) of this Act. Nothing in this subsection shall prevent the Secretary from consulting, at any time, with any person representing industry or the general public regardless of whether such person is a member of a technical advisory committee. Members of the public shall be given a reasonable opportunity, pursuant to regulations prescribed by the Secretary of Commerce, to present evidence to such committees.

"(3) Any member of any such committee who is not an officer or employee of the United States shall be entitled to receive compensation at not to exceed the daily rate prescribed for GS–18 of the General Schedule under section 5332 of title 5, United States Code, during such time as he is engaged in the performance of his duties as a member. Each member may be reimbursed for travel, subsistence, and other necessary expenses incurred in connection with his duties as a member.

"(4) Each such committee shall elect a chairman, and shall meet at least every three months at the call of the Chairman, unless the Chairman determines, in consultation with the other members of the committee, that such a meeting is not necessary to achieve the purposes of this Act. Each such committee shall be terminated after a period of two years, unless extended by the Secretary for additional periods of two years. The Secretary shall consult each such committee with regard to such termination or extension of that committee."

SEC. 106. Section 14 of the Export Administration Act of 1969 is amended by striking out "August 1, 1972" and inserting in lieu thereof "June 30, 1974".

SEC. 107. Nothing in this title shall be construed to require the release or publication of information which is classified pursuant to Executive order or to affect the confidentiality safeguards provided in section 7(c) of the Export Administration Act of 1969.

SEC. 108. The provisions of this title take effect as of the close of July 31, 1972.

TITLE II—COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SHORT TITLE

SEC. 201. This title may be cited as the "International Economic Policy Act of 1972".

STATEMENT OF PURPOSES

SEC. 202. It is the purpose of this title to provide for closer Federal interagency coordination in the development of a more rational and orderly international economic policy for the United States.

FINDINGS AND POLICY

SEC. 203. The Congress finds that there are many activities undertaken by various departments, agencies, and instrumentalities of the Federal Government which, in the aggregate, constitute the domestic and international economic policy of the United States. The Congress further finds that the objectives of the United States with respect to a sound and purposeful international economic policy can be better accomplished through the closer coordination of (1) domestic and foreign economic activity, and (2) in particular, that economic behavior which, taken together, constitutes United States international economic policy. Therefore this Act establishes a Council on International Economic Policy which will provide for—

(A) a clear top level focus for the full range of international economic issues; deal with international economic policies including trade, investment, balance of payments, and finance as a coherent whole;

(B) consistency between domestic and foreign economic policy; and

(C) close coordination with basic foreign policy objectives.

The Congress intends that the Council shall be provided with the opportunity to (i) investigate problems with respect to the coordination, implementation, and long-range development of international economic policy, and (ii) make appropriate findings and recommendations for the purpose of assisting in the development of a rational and orderly international economic policy for the United States.

CREATION OF COUNCIL ON INTERNATIONAL ECONOMIC POLICY

SEC. 204. There is created in the Executive Office of the President a Council on International Economic Policy (hereinafter referred to in this title as the "Council").

MEMBERSHIP

SEC. 205. The Council shall be composed of the following members and such additional members as the President may designate:

(1) The President.

(2) The Secretary of State.

(3) The Secretary of the Treasury.

(4) The Secretary of Defense.

(5) The Secretary of Agriculture.

(6) The Secretary of Commerce.

(7) The Secretary of Labor.

(8) The Director of the Office of Management and Budget.

(9) The Chairman of the Council of Economic Advisers.

(10) The Special Representative for Trade Negotiations.

The President shall be the Chairman of the Council and shall preside over the meetings of the Council; in his absence he may designate a member of the Council to preside in his place.

DUTIES OF THE COUNCIL

SEC. 206. Subject to the direction of the President, and in addition to performing such other functions as he may direct, it shall be the duty of the Council to—

(1) assist and advise the President in the preparation of the International Economic Report required under section 207;

(2) review the activities and the policies of the United States Government which indirectly or directly relate to international economics and, for the purpose of making recommendations to the President in connection therewith, consider with some degree of specificity the substance and scope of the international economic policy of the United States, which consideration shall include examination of the economic activities of (A) the various agencies, departments, and instrumentalities of the Federal Government, (B) the several States, and (C) private industry. Such review of policies shall include but not be limited to the impact of the Canadian Automobile Amendment and roll of any trading partner with which we have a substantial trade deficit;

(3) collect, analyze, and evaluate authoritative information, current and prospective, concerning international economic matters. Such evaluations shall include but not be limited to the impact of international trade on the level, stability, and financial rewards for domestic labor and the impact of the transnational corporation on international trade flows;

(4) consider policies and programs for coordinating the activities of all the departments and agencies of the United States with one another for the purpose of accomplishing a more consistent international economic policy, and make recommendations to the President in connection therewith;

(5) continually assess the progress and effectiveness of Federal efforts to carry out a consistent international economic policy; and

(6) make recommendations to the President for domestic and foreign programs which will promote a more consistent international economic policy on the part of the United States and private industry. Recommendations under this paragraph shall include, but shall not be limited to, policy proposals relating to monetary mechanisms, foreign investment, trade, the balance of payments, foreign aid, taxes, international tourism and aviation, and international treaties and agreements relating to all such matters. In addition to other appropriate objectives, such policy proposals should be developed with a view toward—

(A) strengthening the United States competitive position in world trade;

(B) achieving equilibrium in international payment accounts of the United States;

(C) increasing exports of goods and services;

(D) protecting and improving the earnings of foreign investments consonant with the concepts of tax equity and the need for domestic investment;

(E) achieving freedom of movement of people, goods, capital, information, and technology on a reciprocal and worldwide basis;

(F) increasing the real employment and income of workers and consumers on the basis of international economic activity; and

(G) preserving the existing diversified industrial base of the United States.

REPORT

Sec. 207. (a) The President shall transmit to the Congress an annual report on the international economic position of the United States. Such report (hereinafter referred to as the "International Economic Report") shall be submitted not later than sixty days after the beginning of each regular session of the Congress, and shall include—

(1) information and statistics describing characteristics of international economic activity and identifying significant current and foreseeable trends and developments;

(2) a review of the international economic program of the Federal Government and a review of domestic and foreign economic conditions and other significant matters affecting the balance of international payments of the United States and of their effect on the international trade, investment, financial, and monetary position of the United States;

(3) a review of the impact of international voluntary standards, the foreign investments of U.S. based transitional firms, and the level of foreign wage rates on the level, stability, and financial reward for domestic employment; and

(4) a program for carrying out the policy objectives of this title, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports supplementary to the International Economic Report, each of which may include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the purposes and policy objectives set forth in this title.

EXECUTIVE DIRECTOR AND STAFF OF THE COUNCIL

Sec. 208. (a) The staff of the Council shall be headed by an Executive Director who shall be an assistant to the President and direct the Council staff. He shall keep the Committee on Banking, Housing and Urban Affairs of the Senate, the Committee on Banking and Currency of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and the Joint Economic Committee fully and currently informed regarding the activities of the Council.

(b) (1) With the approval of the Council, the Executive Director may appoint and fix the compensation of such staff personnel as he deems necessary. Except as provided in paragraph (2), the staff of the Council shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(2) With the approval of the Council, the Executive Director may appoint and fix the compensation of one officer at a rate of basic compensation not to exceed the rate provided for level IV of the Federal Executive Salary Schedule, and appoint and fix the compensation of two officers at rates of basic compensation not to exceed the rate provided for level V of the Federal Executive Salary Schedule.

(c) With the approval of the Council, the Executive Director may procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for GS–18.

(d) Upon request of the Executive Director, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to the Council to assist it in carrying out its duties under this title.

Sec. 309. The provisions of this title II shall expire on June 30, 1973, unless extended by legislation enacted by the Congress.

AUTHORIZATION FOR APPROPRIATIONS

Sec. 210. For the purpose of carrying out the provisions of this title, there are authorized to be appropriated not to exceed $1,400,000 for fiscal year 1973.

MOTION OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Patman moves to strike all after the enacting clause of S. 3726 and insert in lieu thereof the provisions of H.R. 15989 as passed, as follows:

That section 14 of the Export Administration Act of 1969 is amended by striking out "August 1, 1972" and inserting in lieu thereof "June 30, 1974".

Sec. 2. Section 4(e) of such Act is amended to read as follows:

"(e) The authority conferred by this section shall not be exercised with respect to any agricultural commodity, including fats and oils or animal hides or skins, without the approval of the Secretary of Agriculture. The Secretary of Agriculture shall not approve the exercise of such authority with respect to any such commodity during any period for which the supply of such commodity is determined by him to be in excess of the requirements of the domestic economy, except to the extent the President determines that such exercise of authority is required to effectuate the policies set forth in clause (B) or (C) of paragraph (2) of section 3 of this Act."

Any rule, regulation, proclamation, or order issued after July 1, 1972, under section 4 of the Export Administration Act of 1969, exercising any authority conferred by such section with respect to any agricultural commodity, including fats and oils or animal hides or skins, shall cease to be effective upon the date of enactment of this act.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To extend the export administration act of 1969, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 15989) was laid on the table.

APPOINTMENT OF CONFEREES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the House insist on its amendments to the bill (S. 3726) to extend and amend the Export Administration Act of 1969, to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. Patman and Barrett, Mrs. Sullivan, Messrs. Reuss, Ashley, St Germain, Widnall, Johnson of Pennsylvania, Blackburn, and Brown of Michigan.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include relevant extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3284) entitled "An act to increase the authorization for appropriation for completing work in the Missouri River Basin by the Secretary of the Interior."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15093) entitled "An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes."

The message also announced that the Senate agrees to House amendments to Senate amendments numbered 2, 4, 27, 34, and 41 to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15418) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes."

The message also announced that the Senate agrees to House amendments to Senate amendments numbered 4, 12, 15, 21, 23, 26, 28, and 35 to the foregoing bill.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13089) entitled "An act to provide for acceleration of programs for the planting of trees on national forest lands in need of reforestation, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Talmadge, Mr. Eastland, Mr. Jordan of North Carolina, Mr. Miller, and Mr. Aiken to be the conferees on the part of the Senate.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of the week, if any, and the schedule for next week.

Mr. BOGGS. Will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, in reply to the gentleman from Michigan, we have completed the program for this week and it is my intention to ask to go over to next week.

The program for next week is as follows:

Monday is Consent Calendar day and there are 24 suspensions. I shall not read all 24 of them but I include them at this point for printing in the Record:

H.R. 12101, Supreme Court widows annuities;

H.R. 15883, protection of foreign officials;

S. 3645, Radio Free Europe authorization;

S. 1819, uniform relocation assistance;

H.R. 11357, National Labor Relations Act amendment;

H.R. 15376, Service Contract Act amendments;

S. 3824, Corporation for Public Broadcasting construction authorization;

H.R. 15927, railroad retirement temporary increase;

H.R. 14847, air passenger fees;

H.R. 9128, jurisdiction over barges in foreign commerce;

H.R. 13825, legal actions on behalf of Indians;

H.R. 1553, Fossil Butte, Wyo., National Monument;

H.R. 6618, Gunboat *Cairo* restoration;

H.R. 9594, Grant-Kohrs Ranch, Montana, National Historic Site;

H.R. 13201, John D. Rockefeller, Jr. Memorial Parkway;

H.R. 12114, Warm Springs Reservation of Oregon;

S. 1943, rabbit meat inspection;

H.R. 15922, Railroad Retirement Act administration;

H.R. 10486, master chief petty officer;

H.R. 13697, Coast Guard flag officers;

H.R. 14891, Coast Guard reservists;

H.R. 12383, mailing of drugs for analysis;

S. 2956, war powers; and

S. 596, International agreements; transmittal to the Congress within 60 days.

Mr. Speaker, I might say we had hoped to get unanimous consent to consider these suspensions in 2 days, but we were not able to do so. I think it is probably not possible for us to do so. I think it is not possible for us to do them all on Monday.

The gentleman from Michigan (Mr. Gerald R. Ford) has the remainder of the schedule.

Mr. GERALD R. FORD. Mr. Speaker, it is my understanding that there are four or five primaries on Tuesday. If we look at the schedule that is outlined, there inevitably will be several votes on Tuesday. Is there any possibility of having general debate on, for example, the Foreign Assistance Act of 1972 and move those other matters down to Wednesday and the balance of the week?

Mr. BOGGS. Will the gentleman indicate the States having primaries?

Mr. GERALD R. FORD. I am familiar with one, Michigan. I am told there are primaries in Missouri, Georgia, and South Carolina, and I understand one other.

Mr. BOGGS. I believe the gentleman's request is a reasonable one. I would be perfectly happy to make that arrangement. I have not had an opportunity to talk to Chairman Morgan, as to whether he would be available for Tuesday, but subject to the approval of Chairman Morgan and the ranking Republican member of that committee I would be happy to make that switch.

Mr. DULSKI. Mr. Speaker, if the gentleman will yield, I can appreciate the concern of the minority leader, but that request was made when we had a primary in New York, and there are other primaries I missed votes on.

Mr. GERALD R. FORD. Let me say that I do not have any primary problem, but I know two of our Members in Michigan have a head-to-head confrontation.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the majority leader.

Mr. BOGGS. The gentleman from New York is undoubtedly correct. We have had situations this year when it was impossible not to have a vote on a given primary day, but in most cases we have sought to accommodate Members.

The primary means that both Democrats and Republicans in these States will be involved. If there are four primaries, or five primaries, and if it meets with the approval of the chairman of the Committee on Foreign Affairs, Mr. Morgan, I will be happy to make that arrangement. I believe it is a reasonable request.

Mr. GERALD R. FORD. I am deeply grateful to the majority leader. So far as I am concerned, we can play it quite flexibly until we find out. I am sure Members will accommodate one another.

Mr. BOGGS. As soon as we can we will try to get it resolved. I would hope to have some information with respect to that matter shortly, and I will make a further announcement as soon as I can.

ADJOURNMENT OVER TO MONDAY, AUGUST 7, 1972

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that business scheduled for Calendar Wednesday on Wednesday next be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

GENERAL LEAVE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous matter during debate on my amendment to H.R. 15989, today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE PROGRAM FOR TUESDAY, AUGUST 8, 1972

(Mr. BOGGS asked and was given permission to address the House for 1 minute.)

Mr. BOGGS. Mr. Speaker, I have been able to work out the arrangement previously discussed, so that the remainder of the program will be:

Tuesday:

H.R. 16029, Foreign Assistance Act of 1972, open rule, 3 hours of debate; general debate only; and

H.R. 13694, American Revolution Bicentennial Commission, open rule, 1 hour of debate; general debate only.

Wednesday and balance of week:

H.R. 15417, Labor-HEW appropriations, fiscal year 1973, conference report;

H.R. 12350, Economic Opportunity Act amendments, conference report;

H.R. 16029, Foreign Assistance Act of 1972, conclude consideration;

H.R. 15690, agriculture-environmental and consumer protection appropriations, fiscal year 1973, conference report;

H.R. 13694, American Revolution Bicentennial Commission, conclude consideration, and

H.R. 15003, consumer product safety, subject to a rule being granted.

Conference reports may be brought up at any time. Any further program will be announced later.

Mr. GERALD R. FORD. Mr. Speaker, let me say that I am deeply grateful for the cooperation of the gentleman from Louisiana.

Mr. BOGGS. I am pleased to be able to cooperate.

RAMIREZ WON'T TESTIFY ON SPANISH-SPEAKING EDUCATION

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of California. Mr. Speaker, I am distressed to announce that Mr. Henry Ramirez, Chairman of the Cabinet Committee on Opportunities for the Spanish Speaking, has declined for the second time to appear before the Civil Rights Oversight Subcommittee. In a letter to the Judiciary Committee, Mr. Ramirez said that he had been notified by the White House that other matters required his priority attention and that he could not appear to testify on the educational problems of the Spanish speaking. Mr. Ramirez was originally invited by the Honorable Emanuel Celler to testify on June 8, 1972, before the subcommittee. The reports of the U.S. Commission on Civil Rights on the education of the Spanish speaking were scheduled for discussion at those hearings. Mr. Ramirez had been chief of the Mexican-American studies division of the Office of Civil Rights program and policy at the time the Commission prepared those reports and seemed eminently qualified to testify before the subcommittee. Yet, on May 31, without explanation, Mr. Ramirez declined the chairman's invitation, and was unwilling to suggest any alternative dates.

The invitation was reissued for hearings at a later date on the same important topic and Mr. Ramirez finally accepted. Then, at the request of the White House and less than 24 hours before he was scheduled to appear, Mr. Ramirez notified the committee that he would not attend.

As a Mexican-American educator, as Director of the Civil Rights Commission's reports, and as Chairman of the Cabinet Committee on Opportunities for the Spanish Speaking, Mr. Ramirez would seem a preeminent witness on the educational problems of the Spanish speaking. It would seem, too, that these problems would deserve Mr. Ramirez's foremost attention. I am at a loss, therefore, to understand why White House scheduling requires Mr. Ramirez to cancel his appearance before the subcommittee.

The Civil Rights Oversight Subcommittee is charged with monitoring the effectiveness of the Federal Government in implementing all of the important civil rights legislation which originated in the Judiciary Committee. As the Civil Rights Commission reports indicated, Mexican-American children are being denied the opportunity of equal education in the Southwest. Our subcommittee's hearings were aimed, not only at exposing problems, but also at exploring solutions to those problems. In the Cabinet Committee's own words, Committee functions are to advise Federal departments and agencies in their programs related to the Spanish-speaking populace of the country. The Civil Rights Oversight Subcommittee and the Cabinet Committee on Opportunities for the Spanish Speaking should be working together in their probe into the education of Spanish-speaking children.

The Senate Committee on Appropriations recommended a $260,000 cut from the House allowance and budget request for the Cabinet Committee. In its report on appropriations for HEW and related agencies, the committee said that it feels that the Cabinet Committee's performance has not been effective and that it is not making sufficient progress to warrant the increase requested for additional personnel. I would hope that scheduling requirements by the White House would not further hamper Mr. Ramirez and the Cabinet Committee in their efforts to try to affect policy changes which touch the lives of this country's 12 million Spanish-speaking persons.

INDIANA DUNES NATIONAL LAKESHORE

(Mr. ROUSH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROUSH. Mr. Speaker, I am today reintroducing a bill to increase the authorization ceiling contained in the original bill, Public Law 89–761, establishing the Indiana Dunes National Lakeshore. I introduced this bill first on July 24 when I received specific information from the Department of the Interior as to the amount of funds that would be necessary to complete purchase of the lands already authorized. The amount the Department of the Interior informed me that would be needed is $4,636,500, and the authorization ceiling is to be raised by that amount. This is the essence of the bill introduced today. I am reintroducing this bill in order to include as cosponsors other members of the Indiana delegation who wish to add their names to this legislative proposal.

The House Interior Committee in 1966, in a favorable report on the authorizing legislation commented as follows:

> Of all outdoor recreation "environments" the shoreline has an unusually strong appeal for Americans. As ORRRC [the Outdoor Recreation Resources Review Commission] noted in its study on shoreline needs, this popularity is no accident because there are such a wide variety of both active and passive pleasures available. Swimming, boating, water skiing, fishing, hiking, beachcombing, sunbathing, picnicking, camping, sightseeing, or just plain relaxing are all common pursuits, not to mention the enjoyment derived from nature study, photography, painting and sketching.
>
> Located at the Southern end of Lake Michigan—less than 50 miles from the Chicago-Gary industrial complex—the proposed Indiana Dunes National Lakeshore fits the nation need like a glove. . . . Nowhere in the Great Lakes is there a greater need for shoreline recreation areas.

We have waited long enough in the middle west, Mr. Speaker, for the fulfillment of the congressional promise issued in the passage of the act establishing the Indiana Dunes National Lakeshore 6 years ago.

Moreover, the President has encouraged the idea of parks to the people—

> Merely acquiring land for open space and recreation is not enough. We must bring parks to where the people are so that everyone has access to nearby recreational areas. . . . Only if we set aside and develop such recreation areas now can we ensure that they will be available for future generations.

There is no place in the United States where the need for a park in an urban area is greater than in this industrial complex in the Midwest. It is estimated that by 1980 there will be more than 11 million people within a 100-mile radius of the national lakeshore, within easy access of this potentially valuable recreational area and by that time or possibly sooner, annual visitation to the proposed lakeshore is expected to reach several million.

This bill today would authorize increasing the authorization ceiling so that the remaining 15 percent of land can be acquired by the National Park Service.

BUDGET BUSTING—THE SENATE PASTIME

(Mr. WYLIE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. WYLIE. Mr. Speaker, I think it is time that we as Representatives of the people of the United States began to face our responsibility for the ever-increasing pace of Federal spending. Each year this rampant pace increases in speed—making it more difficult for individuals and the Government itself to bail out of the merry-go-round of fiscal spending.

The House has made an effort to maintain some basis of sane policy and fiscal responsibility. But, I admonish the Senate for its role in the foreboding fiscal future and even more I wish to focus attention on its dismal showing in the past. The duty of the Senate is to become more aware of the source of Federal funds—to deal judicially with the funds at hand and not to treat the budget as a nothing document. One would think that the Senate's favorite pastime is to see how much it can defy budget restraints.

It is interesting to note in the recent edition of the legislative checklist of appropriation bills published by the Library of Congress that in almost every instance the Senate exceeded every House-passed measure appropriating funds for fiscal year 1972. In total, the difference in amounts passed by each Chamber places the Senate far out in front by $13,106,368,078.

Thus far in the authorizations for fiscal year 1973, the Upper Chamber is once again exceeding the House by $343,472,200. The Senate obviously has no concern or appreciation for the limits of Federal funding originating in the taxpayer's pocket.

I urge my colleague in this Chamber to be the Janus or Cerebus of the Treasury and to be ever watchful of Federal spending—to restrain the Senate from dipping into the empty Treasury vault and to put an end to its budget busting; to force the Senate to accept the responsibility with which the peoples of their various States entrusted them, that is, to protect their taxes for essential means. Let us put an end to the building of a huge debt skyscraper and reduce the spending to a moderate level.

This week three conference reports were presented to the House for appropriations for fiscal year 1973. In almost each case the other body increased the amount above the House and above the budget. In these three bills the total difference alone is $1,751,124,600.

REPRESENTATIVE WIGGINS INTRODUCES BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT WITH REFERENCE TO VISAS SUBMITTED BY FOREIGN NATIONALS

(Mr. WIGGINS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. WIGGINS. Mr. Speaker, I am today introducing a bill to amend the Immigration and Nationality Act with respect to the approval of visa applications submitted by foreign nationals. The purpose of my bill is to moderate the bureaucratic arrogance displayed by some consular officials overseas not only to foreign nationals seeking to visit our country, but also to their friends or relatives in this country, including Members of Congress who may seek to lend a helping hand in their behalf.

Under the present law, a foreign citizen who is otherwise eligible for a visa must establish to the satisfaction of the consular official that he intends to visit this country only temporarily and does not seek to become an immigrant. The burden is on the alien, under the law, to establish his nonimmigrant status as the result of a statutory presumption found in section 1184(b), title 8 United States Code.

This is a salutory provision of the law, if it is administered reasonably. But, as we all know, when absolute discretion is vested in a government official, the opportunity for arrogance and arbitrary decisionmaking is ever present. Under normal procedures, an American citizen has recourse to the courts to redress arbitrary and capricious actions by his Government. A foreign citizen, outside of the United States but seeking to enter, has no such protection and must depend entirely upon the good judgment, or the whim, of the American official with whom he must deal. Arbitrary action does not harm only the foreign national, in many cases. American friends and relatives may also be frustrated, and without a remedy, when a consular official acts arbitrarily with respect to a foreigner's visa application.

My bill, introduced today, does not alter the statutory presumption of immigrant status on an otherwise qualified foreign applicant for a visa. It deals only with the manner of overcoming that presumption when an American citizen is aggrieved by the decision of a consular officer that the foreign applicant is to be denied a visa because he is presumed to be an immigrant.

Under the bill, upon the written request of a citizen of the United States, the consular official is required to submit a written statement describing the evidence upon which his determination was made, the reasons for his determination, and a description of the evidence needed to overcome the presumption that the alien is an immigrant. Thereafter, under the bill, the alien applicant may submit additional evidence and the consular official must review his prior determination of immigrant status on the basis of the new evidence and submit to the U.S. citizen making the request a written statement containing the basis for his final decision.

Frankly, Mr. Speaker, this modest bill is prompted by my inability to obtain satisfactory answers from the Department of State concerning the denial of a visa application of great interest to a constituent of mine when there was abundant and uncontroverted evidence that the alien seeking a visa intended only to visit friends for a temporary period. My repeated requests to the consular office resulted only in the cryptic reply that the applicant failed to overcome the presumption of immigrant status. If such cavalier treatment is accorded to a Member of Congress there can be little doubt that other American citizens have had similar experiences at the hands of consular officials.

It is believed that my bill will help to introduce a degree of reasonableness into a statutory procedure which breeds arbitrary action. I urge the members of the Judiciary Committee to give prompt consideration to the bill.

THE NATIONAL DISASTER IN HOUSING BASIC POLICY STATEMENT

(Mr. MITCHELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MITCHELL. Mr. Speaker, this body will soon consider the Housing and Urban Development Act of 1972. Black Americans experience daily the impact of a disastrous housing situation. Each day, we suffer from exploitation, exclusionary practices, and overcrowding. black Americans, whether they rent or purchase their homes, pay a black tax, that extra profit which is possible only because of the apartheid practices in housing in this Nation.

At its 63d annual convention, the National Association for the Advancement of Colored People adopted the following housing policy statements and resolutions. I hope that my colleagues will give careful consideration to these as we debate the Housing and Urban Development Act of 1972:

The National Disaster in Housing—Basic Policy Statement

Central city, core area, inner-city, the ghetto—whatever the name the meaning is clear, black people, poor people, the disadvantaged, those sections of towns and cities to which most members of minority groups are restricted. Today the nation must deal with one of the most crucial and difficult issues affecting racial minorities . . . "Where Shall They Live?"

Never before in our history have so many had to confront problems so immense and so basic. The disastrous state of housing, the intolerable conditions in the slums of our nation, and the rapidly increasing rate of residential racial segregation can no longer be ignored.

Nearly all metropolitan areas in the nation are experiencing the disintegration and deterioration of its cities—the chief underlying cause of which is racism. The mass flight of middle-class whites to the suburbs, the increasing concentration of the poor and the black in poverty-stricken areas, the rapid movement of industry and jobs away from those most in need, are all manifestations of the pervasive racial prejudice and discrimination which influence our daily lives and our future. The vicious practice of both subtle and blatant racism has contributed directly to the mounting costs of public services in the face of declining revenues. Inadequate legislation and appropriations supported by the absence of moral leadership, all the way from the local level to the White House, add impetus to the current dilemma.

With half the nation's blacks contained in just fifty urban centers where the incidence of housing abandonment, defaults and foreclosures is rising at an alarming rate, whole neighborhoods are becoming showcases of social pathology and physical decay. The Administration and the Congress is pondering the question of whether to pull out its funds and programs from central city areas. The NAACP cannot and will not remain silent while the politicians, the money managers and the power-brokers play russian-roulette with the fate and rights of black Americans.

None of the government's present housing programs come to grips with the worsening problem of our cities. Larger subsidies than ever before were provided not to families, but to lenders and the industry. This approach to solving our problems has not worked. Government criteria for funding subsidized housing specify where housing cannot be built but fail to assure sites in areas it will approve. To 94% of all blacks outside the South who now live in urban areas and the one out of four occupying dilapidated or substandard housing, the shortage of good housing at an affordable price is acute and desperate.

Further, the Nixon Administration is hopelessly entangled in shocking scandals, ineptness, dishonesty and a waste of public funds—mostly at the expense of the powerless poor and racial minorities. We stand at the cross roads of a collapse and disaster in housing. Drastic and immediate measures are necessary to avoid the devastating and inevitable consequences of civil disorders, alienation and further polarization of race and class.

We believe it is time now for massive reform and a major reassessment of federal housing policies and programs. We call for emergency interim action by the Administration to restore trust and performance in government, and to assure free and equal access to an adequate supply of standard housing for the poor and all racial minorities.

NAACP units in all areas of the country are called upon to initiate new and continuing actions to achieve the objectives set forth in these and previous resolutions.

RESOLUTION NO. 1—DECLARATION OF DISASTER AREAS

We deplore the recent utterances by the Secretary of HUD that the Nixon Administration has run out of answers and solutions to the problems of central city areas and is contemplating the withdrawal of community development funds from some twenty cities, whose conditions they consider unsolvable.

We therefore call upon the Nixon Administration to immediately declare all such cities as "disaster areas" and to release emergency funds to these areas without delay. We call upon the Congress to pass necessary legislation to give the government authority in such disaster areas to rebuild and refurbish such areas without regard to state and local restrictions. We predicate such action upon the full involvement of local area residents in the planning, redevelopment, ownership and management of the facilities provided. Further, all redevelopment should be carried out in a manner that is fair and equitable to all concerned and to attract the broadest social, economic and racial mix, consistent with civil rights laws and national housing goals.

RESOLUTION NO. 2—GOVERNMENT RESPONSIBILITY

The NAACP contends that the Nixon Administration must assume a major responsibility for: 1) the increasing abandonment of housing, 2) the continued decline of inner-city areas, 3) the growing rate of mortgage defaults and foreclosures, 4) the red-lining practices of entire neighborhoods by lenders and insurers operating under federal regulations, and 5) the failure to use its authority and/or to request adequate funds to counsel lower-income families on a scale commensurate with the problem.

Such problems have been accelerated by a number of factors within the housing agency itself, including the constant reorganizing of HUD; lack of proper training of its staff; issuance of a rash of new regulations with vastly-increased responsibilities while cutting-back personnel; and failure of its management to curb maladministration, inefficiency and insensitivity by its officials.

We call for immediate and positive emergency actions by all federal housing agencies to clean its own house, to end the flagrant dishonesty of its officials and those it deals with, to suspend or disbar speculators, fast-buck operators and others who use government programs to exploit and victimize minorities and the poor.

Further, we demand prompt and equitable relief for the victims of faulty appraisals, shoddy construction and unscrupulous practices. Confidence and integrity in government must be restored. Local counselling must be provided any low-income family through direct grants to cities and private organizations in areas where the problem is most acute—whether it be for the purchase or rental of housing, subsidized or unsubsidized, federally assisted or unassisted. Finally we insist that there be full compliance with and increased monitoring of the enforcement of all civil rights and equal opportunity statutes and regulations.

RESOLUTION NO. 3—SCATTERED-SITE HOUSING

The NAACP reaffirms its long-standing policies in support of the principles of scattered-site housing as a means to break-down artificial barriers erected by local governments and neighborhood activities to restrict racial minorities and the poor to slum ghettos. We are opposed to forced segregation under whatever guise of camouflage it may appear.

We believe that housing compounds for the poor, located in poverty areas, help perpetuate the cycle of unemployment and underemployment, poor education, inadequate public services and recreation, the lack of community pride, and reduces the level of control among its residents.

Open housing in all areas is essential if minorities are to be able to live where the job opportunities are, rather than having to commute great distances at much sacrifice from deteriorating inner-city neighborhoods.

RESOLUTION NO. 4—METROPOLITAN-WIDE APPROACHES

Central city problems must be met and dealt with on a metropolitan-wide scale if lasting solutions are to be realized. We believe that new structures must be created and empowered to plan, develop and finance large-scale improvements on an area-wide basis, and in a manner to affirmatively expand housing opportunities with due consideration to the human needs, racial considerations, and economic well-being of the entire region.

Such structures may take the shape of metropolitan housing and development authorities, city-county government consolidations or other forms. Appropriate authority must be vested in them to secure performance. Branches must assure that political representation of blacks is not diminished but instead is increased in the process.

We call for adequate funds for the acquisition and write-down of land in suitable locations that will expand economic and racial integration in housing. Categorical grants should be provided to supplement local budgets for schools, water and sewage systems, recreation, health and social services required for new or rehabilitated housing in both urban centers and outlying growth and development areas.

The NAACP supports the concepts embodied in emerging fair-share housing plans for allocations for units of housing for low and moderate income persons throughout the planning area. However, such plans must be carefully reviewed by Branches to assure the actual expansion of housing for minorities on a non-discriminatory basis will result and that they will not serve to further restrict mobility or rights. Whenever possible fair-share plans ought to contain a mechanism for overriding exclusionary restrictions cloaked under the guise of suburban home rule.

Without the ability to achieve performance, fair-share housing plans, like many local fair housing laws, are ineffective and, in the long-run harmful to the best interests of minorities.

RESOLUTION NO. 5—FEDERAL PROJECT SELECTION CRITERIA

New HUD regulations, the Project Selection Criteria, to implement the President's housing policies and to comply with recent court decisions, went into effect February 7, 1972. We believe these regulations are not accomplishing the purposes as set forth in its objectives. During the brief existence, it has pitted black against black, inner-city against suburb, and government against people—all vying for scarce allocations of subsidy funds.

The Association opposes the Project Selection Criteria in its present form and believes it will serve to further divide people by race and class. We call for scrapping the present criteria and substituting rules oriented more to the achievement of decent housing and suitable environments in all neighborhoods without placing undue burden upon racial minorities and the poor who are disproportionately limited in where they may live. Housing options, rather than being expanded, have been drastically reduced by the present criteria.

Municipalities who do not wish to provide housing for low-income families remain free to deny such housing while continuing to receive federal funds for other purposes. Urban centers in desperate need of new housing presently receive a lower priority for subsidy funds.

The NAACP believes that a metropolitan-wide plan providing for the balanced distribution of subsidized housing based upon need, job locations, neighborhood diversity and environmental betterment should be established for each urban area. Projects located so as to fulfill approved plans should receive funding priority. Communities failing to accept or provide such housing ought not to receive any form of HUD assistance including unsubsidized housing approval.

Because of the growing conflicts resulting from these regulations we call upon the Association to take emergency action to obtain immediate revision of these criteria.

RESOLUTION NO. 6—HOUSING MAINTENANCE ALLOWANCES

Programs which subsidize housing projects have had limited success. Subsidized housing programs should be revised to emphasize aid to families. We believe a full-scale national program, federally funded and directed, must be instituted to provide a housing maintenance allowance to all families with a proven need. A policy of subsidizing the family rather than the housing, will enable minorities and other families earning below the median income, to vastly expand their choice of housing and locations, thus eliminating forced concentration of the poor in certain neighborhoods.

Housing allowances should encourage landlords to maintain their properties as families will be free to move to other housing. Nearly twice the number of families now being assisted could be helped with the same amount of funds presently expended for housing subsidies. We recommend strong standards be adopted to assure the adequate pre- and post-occupancy counselling of all families, to assure that minimum housing standards are maintained, and to assure the preservation of confidentiality as to improve human dignity and respect of the individual. Further, we insist upon the strict enforcement of non-discriminatory statutes to assure free choice in housing and better quality of life.

RESOLUTION NO. 7—PROPORTIONAL REPRESENTATION IN DECISIONMAKING

The present deplorable state of housing for low-and-moderate families in general, and for black people in particular, has been reached largely without the meaningful involvement of those for whom improvements are intended. The belief held most minorities and supported by an examination of the wide-spread failures in housing and community development projects, clearly indicates that those who occupy decisionmaking positions in such programs do not possess adequate knowledge, understanding, motivation, and experience to effectively represent the interest of classes of people whose needs must be met.

All too often the causes of failure in urban renewal, housing for the poor, and similar development programs is falsely or unfairly attributed to the residents of an area or the housing occupants. In certain instances, this is true because the people have had no real voice in determining matters affecting their environment. In most cases of breakdown or failure it has been a lack of awareness or understanding of the values, the life-style and realistic needs of the poor and disadvantaged minorities. Paternalism, and in many cases, outright prejudice and discrimination motivate decisionmakers.

It is apparent to the NAACP that minorities are inadequately represented on the boards, commissions and other appointive bodies having control of housing programs.

We believe that equitable representation can and must be achieved as a prerequisite for success in improving conditions in the areas where blacks live and for the good of the community at-large.

The NAACP therefore calls for action at the federal, state and local level to assure the appointment of community selected persons on local housing authorities, urban renewal agencies, planning bodies, transportation authorities, and the like. The minority community must have a full voice in the selection process to assure the protection and promotion of their interests.

Further, such representation should constitute, as a minimum, the approximate number of minorities in proportion to their percentage of the total population in the metropolitan area or municipality.

Where federal or other public funds are involved we demand proportional representation on the administering agency and in their supporting staff. If, after a reasonable period for achieving these goals, efforts are unsuccessful, we call for the immediate withholding or termination of all public funds to that municipality or metropolitan agency.

In view of the enormous impact for change this resolution may have in decision-making process, both nationally and locally, it is hereby resolved and directed that all units of NAACP survey their community and take such direct action as may become necessary, including public protest and demonstrations, to achieve the purposes of this resolution.

ECONOMIC EMPOWERMENT THROUGH HOUSING DEVELOPMENT—BASIC POLICY STATEMENT

Black may be beautiful but that's not enough today. Without green power, fair housing promises became hollow and distant. Without residential mobility, access to economic opportunities will continue to be unequal.

The Housing Industry in 1971 represented expenditures of nearly $30 billion. It is reliably estimated that Blacks share in less than two percent of the total. The production of housing exceeded 2 million units in 1971, the highest amount since 1951. Of this amount, nearly 500,000 units received direct federal financial assistance. Nationally black income in 1970 came to 61% of white income.

Today, the construction of housing presents the easiest and fastest way for minorities to advance into the economic mainstream of our nation, yet we continue to see the production of housing and related facilities, to be occupied or used mainly by blacks, become a source of profits and other economic gains insuring almost exclusively to the benefit of the white majority community.

We believe that it is time for new and creative federal programs to be instituted to help minorities achieve parity of income with the white majority. Equal economic opportunity in housing shares equally in our concern and preoccupation with equal housing opportunity.

RESOLUTION NO. 8

Ample precedent exists for the special allocation of housing funds to special interests to further national goals and objectives. HUD's Operation Breakthrough program, designed to advance industrialized housing technology, marketing aggregation systems, and overcoming building and zoning code restrictions, received in fiscal year 1972, subsidy funds to construct 25,000 housing units, all of which served to benefit private producers of housing.

The Department of Defense enjoys set-aside funds to provide lower-cost housing for servicemen. Approved model cities and urban renewal programs across the country receive earmarked funds to produce housing. State-created housing agencies also operate their program with allocated funds.

The NAACP believes it necessary in order to correct the effects of past racial discrimination. Equal consideration should be given to minority groups to advance them into the economic mainstream, to reduce unemployment, and to create skilled manpower, all in the interest of meeting the nation's housing needs.

We therefore call upon the Department of Housing and Urban Development to immediately inaugurate a National Minority Set-Aside Program of not less than 25,000 housing units a year over the next three years. Such a program can provide, under existing legislative authority and funds now available, technical and bonding assistance to contractors and management, and contract services to other housing professionals. Special grants should be authorized in support of this program to provide entry-level and advanced training of minorities in order for them to become proficient and experienced in developing and managing successful housing projects. We believe a program of this nature will not only serve the national interests of this country, but will also create urgently needed opportunities for minorities where none now exist. Further, the related economic benefits it will generate in low-income areas will contribute immeasurably to the general economic advancement and social well-being of entire communities.

RESOLUTION NO. 9—COMPENSATORY TRAINING PROGRAMS

In furtherance of national government policies to pursue programs that help to correct the effects of past discrimination, the NAACP calls for a commitment to action by the adoption of a nation-wide program to provide compensatory training for racial minorities through 1) fellowships for college-level training leading to degrees in housing-related professions, 2) Paraprofessional training aimed at high-school graduates not attending college, for careers in housing as technicians as semi-professional occupations, and 3) On-the-Job Training in housing, planning, development, production, and management fields for persons not completing high school and adults seeking different careers with upward mobility.

We believe further that special grants should be made available to financially-pressed minority-operated colleges and universities. These funds will serve to further these objectives while also helping to preserve valued educational institutions which are uniquely equipped to carry out such programs.

Supporting funds are also called for to institutionalize this program as a means to advance the skills required in order for minorities to compete more equally with majority Americans. These additional funds should be used to provide for 1) stipends during training, 2) research and development programs, 3) grants to minority-owned businesses to enable them to compete more effectively, and 4) contracts with major institutions developers and builders, to absorb the additional costs of training and participation in the program.

We urge full consideration of this resolution by the Department of Housing and Urban Development, other federal agencies and the Congress.

RESOLUTION NO. 10—STATE HOUSING AGENCIES

We further demand that where Federal funds such as HUD 236 funds are used to supplement private agencies such as Mass. Housing Finance Agency, that these agencies demand of private developers seeking these funds that these private developers contract the services of minority contractors in the construction and development of all housing projects in urban renewal areas and throughout the State where Federal funds are disbursed for the development of housing and other projects, whether they be State, Federal or locally sponsored, and,

We further demand that such agencies provide technical assistance to minority contractors in becoming private housing developers and provide waivers of bonding for minority contractors.

CHAIRMAN WRIGHT PATMAN CELEBRATES BIRTHDAY ON AUGUST 6

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, August 6 is the 79th birthday of the distinguished chairman of the House Banking and Currency Committee, Honorable WRIGHT PATMAN. On this occasion I congratulate him and extend my best wishes to him and his wife Pauline.

WRIGHT PATMAN continues to be the indefatigable champion of what is fair. Not what is fair only to some of the people or to a few bankers, but what is fair to all of the people, no matter what their station in life happens to be. The special interest and the financial manipulators must first face WRIGHT PATMAN before they attempt to assault the integrity of the dirt farmer or the salaried worker.

Money can create problems, but can also be made to solve problems. For four and one-half decades, WRIGHT PATMAN has been applying his dynamic brilliance to solutions of the problems which money can cause the individual in a modern industrial society. As a member of the Banking and Currency Committee, I can personally testify to the dedication with which Mr. PATMAN has served the interests of all the people of our country.

WRIGHT PATMAN has long been a critic of the Federal Reserve System. He has suggested stronger congressional control over the Federal Reserve Board. The House of Representatives, since the beginning of the Republic, has taken pride in the fact that it is most representative of the people and their interests. Chairman PATMAN has been ever vigilant in the interest of preserving the power of the legislative branch against the encroachments of the increasingly powerful executive branch.

WRIGHT PATMAN's struggles against usury have now become legendary. He is a man who realizes that credit abuses are often responsible for high crime rates and civil disorders in our cities and he is continuing the fight to stop these credit abuses.

In an age of ever-increasing mechanization and depersonalization of our society, we all have felt the need for a more human and individual approach to the problems which we face. WRIGHT PATMAN has been fighting the anonymity of conglomerates for many years. He believes that small businesses must be protected from monopolies. He has protected the rights of veterans. He was instrumental in the passage of the Truth-in-Lending Act, the Federal Credit Union Act, and the model cities program, as well as the Bank Reform Act and welfare reform proposals.

It has been an inspirational experience for me to serve with this farsighted and humane man. WRIGHT PATMAN has served, grown with, and guided this country in a most remarkable way. Once again, I welcome the opportunity to wish WRIGHT PATMAN, on the occasion of his 79th birthday, continued good health and many more years of service in the interests of our great Nation.

JOHN G. SCHMITZ

(Mr. HUNGATE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HUNGATE. Mr. Speaker, the late Adlai Stevenson, in moderating a political meeting, once concluded:

> May the best man win . . . although it never happened in my case.

There are those of us in the House who believe that may have happened to several of our colleagues this year.

One man with whom you do not have to agree in order to respect and admire is JOHN SCHMITZ.

The following article by Lou Cannon, in the Washington Post, seems a good profile of a man who never lacks the courage to tell the emperor when he has no clothes on. It pays tribute to his sense of humor and, surely, the American public will not hold that against him in the long run. The people can take a joke. In fact, they have elected several.

The article follows:

ORANGE COUNTY'S JOHN SCHMITZ: A SENSE OF HUMOR BETRAYED HIM

(By Lou Cannon)

The name of John G. Schmitz is not exactly a household word outside of Orange County, California, which Schmitz has represented in the House of Representatives these past two years. But American politics may never be the same if the American Party makes good on its promise and nominates Schmitz for President at its convention in Louisville this week.

Schmitz, a onetime junior college instructor, gained some brief national attention in

1964 when he became the first avowed member of the John Birch Society to take a seat in the California Legislature. Reporters, intrigued by the phenomenon, asked him why he had joined the society and Schmitz startled them all by replying: "I had to do something to get the middle-of-the-road vote in Orange County."

That was only the beginning. In the months that followed, Schmitz relentlessly assaulted the still-popular notion that True Believers, particularly of the Right, are bereft of a sense of humor. He voted "no" so often that some of his constituents took to asking him what he was accomplishing in Sacramento. "I've come pretty far in life for a Catholic Bircher with a mustache," Schmitz began his reply. When California Gov. Ronald Reagan proposed a big budget reduction with a fanfare of publicity and then withdrew it, Schmitz accused him of being an "Indian-taker." When fellow conservatives unbraided Schmitz for voting against a Neanderthal bill that would have encouraged sterilization of welfare mothers, Schmitz told one of them: "You've got to remember that beneath this conservative exterior beats a Catholic heart."

He was the most conservative member of the State Senate, and, as time passed, he began to be an effective one. He seemed to realize that his fundamental beliefs on noninvolvement by the state in almost all human behavior except military defense was made more palatable by a willingness to see himself as others saw him. He never forgave Governor Reagan for becoming a fiscal pragmatist in office and Reagan, in turn, had little use for Schmitz after the unfortunate slur of his "Indian-taker" remarks, especially after Schmitz promoted an anti-Reagan conservative tract entitled, "Here's the Rest of Him." But Schmitz was essentially correct in his description of Reagan's budgetary tactics. The governor had announced big paper cuts that made him a national hero among conservatives and then restored them when the spotlight was elsewhere.

Reagan, in fact, was pleased to see Schmitz head off to Congress, although his fellow legislators had grown fond of him and missed Schmitz after he was gone. Predictably, he found Washington a strange place where the Constitution seemed to be frequently quoted and rarely invoked. Schmitz responded in the only ways he knew how, first by compiling a right-wing voting record that put almost every other conservative congressman to shame and secondly, with a kind of reverent irreverence that few of his colleagues seemed to understand. On one of his first appearances on the Washington cocktail circuit, Schmitz abruptly looked up from his shrimp toward the chandeliers of the Senate caucus room and observed that he was "standing on hallowed ground—this is where Sen. Joe McCarthy held his hearings." Another time, at a conservative meeting where Schmitz knew few of the guests, he walked up to a man dressed in brown suit and tan shirt and said, "I didn't know we were supposed to come in uniform."

One night, at a reception celebrating William F. Buckley's switch to public television, Schmitz asked this reporter to introduce him to Buckley, a mistake that was promptly committed. Schmitz, who looked with suspicion upon Buckley because of the columnist's opposition to John Birch Society policies, said that he had always wanted to meet the brother of Patricia Bozell. But there were bright spots for Schmitz, even in Washington. He hailed the appointment of Melvin Laird as Secretary of Defense but strengthened the blow by observing that his own first candidate had been Bismarck.

Despite all this, Congress was somehow less congenial to the Schmitz temperament than the Legislature had been. His apocalyptic newsletters on the Soviet and Chinese menaces, on the doubtful excursions of Henry Kissinger and on the evils of birth control somehow seemed to fall on deaf ears.

But in the end it was his sense of humor that betrayed him. When President Nixon went to China, Schmitz remarked that he didn't mind the President's going but was worried that he might come back. This was too much for a majority of Schmitz's constituents, many of whom pride themselves on the fact that Orange County is the home of President Nixon's San Clemente residence. At the June primary this year, Republican voters narrowly denied Schmitz renomination to Congress.

Schmitz, who believes that a new political alignment is in the offing along ideological lines, seems almost happy to be rejected. "I refused to walk lock-step and insisted on abiding by my campaign promises," he says. "I understand what happened. It's much more pleasant to believe that your congressman is wrong than to believe that your President is. . . . But the President is not abiding by *his* promises. When the Democrats do what he does they call it deficit spending, but we call it the full employment budget."

A sense of humor is a risky business in politics, as Adlai Stevenson and varieties of lesser men have learned to their dismay. Americans want politicians to take their politics seriously and this in turn is usually confused by politicians with taking themselves more seriously than anyone can bear. Schmitz takes himself seriously enough, but he shows some respect for the language, and the world illuminated by his humor is more complicated and interesting than the one described in his ideology. You do not have to like what Schmitz stands for to cherish the hope that he will remain an engaged member of the political system he cherishes. As the bumperstrips for his first congressional campaign maintained; "When You're Out of Schmitz, You're Out of Gear."

ANOTHER HORRENDOUS LOOPHOLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 10 minutes.

Mr. SCHWENGEL. Mr. Speaker, because of my interest in highway safety I have been following the various proposals made to help overcome the problems in the auto insurance area. I am vitally interested in finding solutions which would be fair and accomplish the objective of helping the consumer.

Nevertheless, one thing is clear, S. 945, the so-called no-fault insurance bill is not adequate or an honest answer to the problem. It has become clear that it has a horrendous loophole. There is unanimous agreement among insurance experts, those who favor and oppose the bill, that it will give the trucking industry a $1.5 billion bonanza in reduced insurance premiums for their vehicles.

Under S. 945 trucks would no longer have to pay for injuries or damage they cause to others or their property. Therefore, property damage liability is almost totally eliminated and the cost of bodily injury liability is substantially reduced. Commercial vehicle premiums, now at $3.7 billion, would be reduced to $2.2 billion, a savings of $1.5 billion.

For instance, under the bill, if a car, waiting at a stoplight is rear-ended by a truck, the truck is not required to pay for the disproportionate damage which normally results from such an accident. The truck only has to pay for the injuries suffered by its own driver and for the damages, usually small, to the truck itself. The owner of the car would have no recourse against the truckowner and would have to buy insurance to pay for the injuries to the passengers of his own vehicle and for the repair or replacement of his demolished car.

This bill gives the trucking industry one other benefit by stipulating that their insurance would only have to cover injuries not otherwise covered by workmen's compensation.

What is incredible to me is that the trucking interests evidently were able to ward off any attempts to modify S. 945. A proposal was made to shift the loss over the first $5,000 to the person responsible for the accident. This modest proposal, which still would save the premium, was acceptable.

This type of arrogance is typical. Already, trucks do not pay their fair share of the gasoline tax, their record for violating safety regulations is notorious, their lack of progress in making their vehicles more safe is well known. Yet now they are pushing for a loophole that would mean a $1.5 billion windfall for them.

While authorities differ on what S. 945 will mean for the average car owners, it is clear that there will be little or no savings on car insurance premiums. In fact, for many car owners it is certain that substantial increases will be forthcoming, particularly in rural areas.

It is clear to me that action on S. 945 should be postponed. Certainly, the bill does nothing for the average consumer while the big trucking interests will reap the harvest.

OCCUPATION OF CZECHOSLOVAKIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 3 minutes.

Mr. GERALD R. FORD. Mr. Speaker, August 21 of this year will mark the fourth anniversary of a heinous event, an event that shocked the world, the Soviet-led invasion and occupation of Czechoslovakia.

To again grasp the full hideousness of what transpired on August 21, 1968, we must let our minds drift back to the period just before the invasion.

Of what were the Czechs and Slovaks guilty? Summed up most simply, they were guilty of trying to humanize socialism.

This is the crime for which they were punished. This was the crime for which they were stretched on the rack of Communist tyranny, Soviet oppression. And they have writhed on that rack for 4 years now.

It is time all the world demanded that the Soviet Union end its occupation of peace-loving Czechoslovakia. There should now be a universal demand that the Soviet yoke be lifted from the neck of this defenseless freedom-loving country.

We are all agreed that the Soviet-led invasion of Czechoslovakia was brutal and unjustified.

We are all agreed that the invasion and the present Soviet occupation are in direct violation of the principles of international law and the rights of a sovereign nation.

And the Soviet Union continues to violate the sovereignty of a member state of the United Nations and the principle of self-determination of peoples.

Let us all raise the cry that Soviet troops must be withdrawn from Czechoslovakia. No good man should sleep easily until the last Russian soldier departs from Czechoslovakia's soil.

JANE FONDA IN HANOI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. Edwards) is recognized for 5 imnutes.

Mr. EDWARDS of Alabama. Mr. Speaker, actress Jane Fonda may receive academy awards for her acting ability, but she deserves a bad review for her recent political performance in Hanoi.

Miss Fonda has charged, without documented proof, that American pilots are purposely bombing dikes in North Vietnam. An action which, she says, will result in death for thousands of North Vietnamese civilians.

What Miss Fonda and all the other Jane Fondas of the world are ignoring are the horrifying atrosities being committed by the North Vietnamese on the innocent people of South Vietnam.

How many times have you heard that 3,537 South Vietnam civilians were killed in the South during 1971 by North Vietnamese acts of terror? This figure does not include the countless thousands of others who died from military acts.

During 1971, an average of 318 South Vietnamese civilians were assassinated per month and another 624 were wounded or injured seriously as the result of Northern terrorism on the South.

In May of this year, 441 South Vietnamese civilians were assassinated and 957 were injured by the Vietcong.

The conscience of the United States has been pricked by an alleged American-committed atrocity at Mylai, and by the civilian casualties caused by the U.S. bombing of North Vietnam.

Little or no attention, and certainly no equivalent reporting, has been given to similar Vietcong or North Vietnamese atrocities which have occurred on a scale that makes Mylai almost insignificant in comparison.

At the time Hanoi complained of six civilian casualties as a result of the first American raid on the North, which followed the North's invasion of the South, the North was firing 122-mm. rockets indiscriminately into Saigon and Pnompenh, killing more than 10 times this number.

The North's Russian 180-mm. guns have pounded Anloc and Quangtri to rubble. They will do the same to other Southern villages and cities, if they get within range, without any consideration whatsoever for the civilian population.

Most people have heard of the massacres at Hue in 1968 where the Vietcong and North Vietnamese, after Hue's capture, executed 5,700 people—as assessed from the mass graves found afterwards—but who knows that in captured documents they gloated over these figures and complained that they had not killed enough?

The numerous massacres of women and children and the unnecessary acts of atrocities on the Southern civilian population are beyond calculation.

It has been estimated by those who have followed the war that as many as 1 million civilians, out of the South's 18 million population, will be murdered if the North ever conquers the South.

The ranks of those seemingly eager to act as agents for North Vietnam's current propaganda offensive were joined after Jane Fonda's trip by former Attorney General Ramsey Clark who flew to Hanoi from Moscow with a group of far left-wingers from the Stockholm-based "International Commission of Inquiry into U.S. Crimes in Indochina."

I am sick of those in our country who spend all of their time weeping for the civilians of North Vietnam without scrutinizing the enemy.

Certainly we are concerned with all civilians, but let us take a look at all sides before appealing to the conscience of the Nation.

UNEMPLOYMENT COMPENSATION EXTENSION BILLS

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Mrs. Abzug) is recognized for 10 minutes.

Mrs. ABZUG. Mr. Speaker, I wish to note at this time my sponsorship of two bills to expand the scope of the unemployment compensation programs established under Public Laws 91-373 and 92-224.

The Federal-State Extended Unemployment Compensation Act of 1970—contained in Public Law 91-373—establishes an unemployment program paid for half by the Federal Government and half by the State. There are two requirements which must be met before a given State may participate in this program: First, the State must have an unemployment rate in excess of 4 percent; second, its unemployment rate must be 20 percent higher than the average for the 2 previous years. While there may be some acceptable rationale for the former requirement, I can see no reason for the latter, and my bill being introduced today would permit any State to enact legislation excusing it from meeting that requirement. It makes no sense to keep a State and its unemployed workers from participating in a program such as this just because their already high-unemployment rate has not become 20 percent higher over a 1- or 2-year period. The mere fact of a high-unemployment rate should be sufficient to render a State eligible for this kind of assistance, and my bill would so provide.

The program established under Public Law 92-224, while similar, is entirely paid for by the Federal Government and takes effect only where the State's unemployment rate is in excess of 6.5 percent. This is also an unreasonable requirement, and my bill, H.R. 16069, would reduce this percentage to 5.75 percent.

Our working men and women are the backbone of America, and if national economic conditions prevent them from finding work, the Nation must provide for them.

RETIREMENT OF HOLLIS R. WILLIAMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. Mills) is recognized for 10 minutes.

Mr. MILLS of Arkansas. Mr. Speaker, Mr. Hollis R. Williams, Deputy Administrator for Watersheds, Soil Conservation Service, retired on June 30, 1972, after almost 38 years of Federal service. My illustrious colleague, the Honorable W. R. Poage, placed a statement in recognition of his service in the Congressional Record of June 29, 1972. I have had the privilege of knowing Mr. Williams for over 40 years and wish to supplement Mr. Poage's statement.

Mr. Williams was born in Mayflower, Ark., on June 13, 1910. He attended both Arkansas State and Hendrix Colleges in Conway, Ark., and was awarded a B.S. degree in physical and biological sciences in 1932. Mr. Williams began his career with the Soil Conservation Service at Conway, Ark., in 1934. He was transferred to the regional office at Fort Worth, Tex., in 1936, and was made Chief, Administrative Services Division in 1942. During this period, he earned a law degree from North Texas School of Law. After an excellent performance in this assignment, he was made State conservationist for Arkansas in 1946. At this time, he was the youngest person to be named to this responsible position.

In 1957, Mr. Williams was transferred to the Washington office to serve as the field representative of the Administrator for the Southeastern States. In 1959, he was designated as Deputy Administrator for Watersheds. During the 13 years he served in this capacity, the watershed program of the Department of Agriculture became of age. The scale of the program increased from 1,148 applications and 180 watersheds approved for operations as of June 30, 1959, to 2,935 applications, 1,662 authorized for planning, and 1,060 watershed projects approved for operations as of June 30, 1972. These projects cover 227 million acres.

In addition to the increased scale, the watershed program increased in scope. From a program oriented to flood prevention, drainage, and irrigation, it has grown to include recreation, fish and wildlife enhancement, municipal and industrial water supply, and water quality management as purposes. This program now is one which truly provides for rural community development. It not only protects and preserves some of our most valuable resources, but also provides a means of stimulating the local economies, increasing personal incomes, and improving the quality of life in rural communities.

But Mr. Williams' accomplishments have not been limited to the watershed program. He has been active in advancing the total soil and water conservation movement through local self-governing conservation districts, served as adviser to the National Watershed Congress, and made invaluable contributions to the Water Resources Council. He was a charter member of the Council of Representatives of this organization.

Mr. Williams was always highly responsive to requests for services from the Members of Congress. His responses were always adequate and helpful. We will miss him, a highly dedicated public servant.

We wish for him and his lovely wife Virginia much happiness in his retirement.

NIXON'S PANAMA POLICY INVITES SERIOUS TROUBLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD), is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, as all Members of the Congress who have followed Isthmian Canal policy matters know, the Department of State, without the authorization of the Congress and hence in direct violation of article IV, section 3, clause 2 of the U.S. Constitution, is now engaged in negotiations with the Panamanian Government for a new Panama Canal treaty or treaties that would surrender U.S. sovereignty over the U.S.-owned Canal Zone territory to Panama. Because the Panama Canal is one of the vital crossroads of the world absolutely essential for interoceanic commerce and Hemispheric defense, this is a matter of prime importance.

In furtherance of the Department of State objectives, Ambassador David H. Ward, recently appointed as Assistant Chief Negotiator for the United States, on May 12, 1972, addressed the Pan American Council of Chicago on the subject of "A Modern Treaty for the Panama Canal."

The first section of his address is historical and with few exceptions acceptable. The second section on the "Broad Principles for Hemispheric Relations" summarizes announced current U.S. policy objectives as regards Latin America about which there are wide differences of opinion among the well informed. The third section on "Panamanian Aspirations and U.S. Interests" calls for an "orderly and deliberate" transition from U.S. sovereignty over the Canal Zone to Panamanian and at the same time for the retention by the United States of responsibility for the operation and defense of the Canal. This is a self-contradictory policy position because the protective frame of the Canal Zone is indispensable for both operations and defense. A fourth section on "Future Increases in Facilities" urges construction of a canal at sea level or the major modernization of the existing canal but leaves out important angles in the problem.

These aspects include the fact that the major modernization of the existing canal according to the well-known Terminal Lake-Third Lock Plan as covered in pending legislation does not require a new treaty with Panama, that the extravagant sea-level proposal would require a new treaty with Panama and purchase of a right of way that would have to be added to the costs of construction, and that it dismisses the ecological dangers of a sea-level canal which is strongly opposed by conservation and scientific groups. In fact, it accepts the view of the 1970 Anderson sea-level panel that the biological risks are "acceptable." Most of the conclusions in the address are plain absurdities or completely fallacious.

Fortunately, there are in our country writers with the background of experience and ability to challenge such self-serving State Department propaganda as that expressed by Ambassador Ward. Among them are Maj. Gen. Thomas A. Lane, a distinguished engineer and author with Canal Zone experience in the U.S. Army. In a recent article he calls for the reassertion by a President of the United States that our sovereign powers over the Panama Canal are held in trusteeship for the world and that they will be held in perpetuity as defined in the 1903 Treaty.

In order that the Congress and the Nation may be informed as to what is transpiring with respect to the Panama Canal, I quote General Lane's article and Ambassodor Ward's address as parts of my remarks:

[From Human Events, August 5, 1972]

NIXON'S PANAMA POLICY INVITES SERIOUS TROUBLE

(By Thomas A. Lane)

Ambassador David H. Ward is special representative of the United States for Panama Canal treaty negotiations. In an address to the Pan American Council at Chicago, he explained the premises of his present work. His misconceptions about the United States interest in the Panama Canal Zone are cause for concern.

In 1903, in preparation for building the Panama Canal, the United States received from Panama, by treaty and in perpetuity, all rights and powers in a 10-mile-wide Canal Zone which it would posses if it were sovereign. Ambassador Ward said that these powers were conveyed, "because of various problems including those concerning health and sanitation."

His comment was misleading. The United States actually exercised powers over health and sanitation *outside* the Canal Zone. It had taken sovereign powers in the Canal Zone not for health and sanitation but because these powers were essential to the future operation of the canal.

In building an interoceanic canal, the United States was venturing a very great commitment of the wealth of its people. It was also taking trusteeship for a new waterway to serve not merely the United States but the world. It undertook to provide security for the canal and to hold it open to world commerce on reasonable terms. That is why it was necessary to have powers of sovereignty in the Canal Zone.

When in 1923 the Panama ambassador in Washington raised the question of sovereignty, Secretary of State Charles Evans Hughes, later a distinguished chief justice of the Supreme Court, said, "Our country would never recede from the position it had taken. . . . This government could not and would not enter into any discussion affecting its full right to deal with the Canal Zone and to the entire exclusion of any sovereign right or authority on the part of Panama."

Through succeeding years, American Presidents have undermined that once staunch stand. At first, adjustments were made to increase annual payments to Panama and to surrender rights outside the Canal Zone. In recent decades, token compromises of sovereignty such as flying the flag of Panama in the Canal Zone have been made. The effect of these concessions has been to put a premium on anti-Yankee politics in the Republic of Panama and to intensify agitation for the retrocession to Panama of U.S. sovereign powers in the Canal Zone.

The logical consequence of this diplomacy was the rioting of January 1964, when Panamanian mobs attacked Canal Zone installations. Thereafter, President Johnson's representatives, led by former Secretary of Treasury Robert Anderson, negotiated three treaties which would relinquish U.S. sovereign powers in the Canal Zone and create a bi-national management for canal operations. Panama failed to ratify the treaties, so they were never submitted to the U.S. Congress for consideration.

The Nixon Administration started a new series of negotiations with Panama. As in other areas of vital U.S. interest, it simply continued the Johnson policy. Robert Anderson is still the chief negotiator.

At Chicago, Ambassador Ward outlined a program to cede zone territory to Panama and ultimately to terminate U.S. sovereign powers in the Canal Zone. Each President asks not what sound policy requires but what he must give to placate Panamanian politicians for the remainder of his administration.

The powers of sovereignty were taken in 1903 not for transient considerations but for enduring requirements of security which are more compelling today than they were in 1903. Without these powers, the United States could no more hold Panama than the British and French could hold Suez.

Every act of an American President which suggests that these powers could be surrendered encourages the Communist cadres in Panama to launch new assaults against the American presence in the Canal Zone.

We need today the reassertion by an American President that our powers of sovereignty in the Canal Zone are held in trusteeship for the world and that they will be held in perpetuity. He should call upon Panama to honor the partnership defined in the treaty of 1903.

Ambassador Ward tells us that President Nixon is barking up the wrong tree.

[From the Department of State Bulletin, June 12, 1972]

A MODERN TREATY FOR THE PANAMA CANAL

(*Address by Ambassador David H. Ward*[1])

The story of the Panama Canal is well known to Americans, and it is one in which we rightly take considerable pride. The canal enabled ships to reduce the length of their voyages, sometimes by as much as 8,000 miles, thereby appealing to our liking for efficiency. Patriots were equally pleased by the construction episode. We conquered the jungle and the mosquito, where the French company had lost a fortune and 22,000 lives.

The canal enterprise was, and remains, unique. While it affords us special benefits, it likewise presents special problems of a political nature. These problems must be addressed constructively if a sound relationship with Panama is to continue and if we wish to keep alive the possibility of building a new canal in Panama in later years. We would be unwise, and do not wish, to ignore legitimate nationalist aspirations in Latin America. For these reasons we are negotiating a new treaty with Panama.

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[1] Made before the Pan American Council at Chicago, Ill., on May 12 (press release 115). Ambassador Ward is Special Representative of the United States for Panama Canal Treaty Negotiations.

Any discussion of the problems we face today must begin, but by no means end, with a discussion of the convention of 1903. This treaty, although amended and reaffirmed in 1936 and 1955, governs the U.S. presence in Panama much as it did when the canal opened in 1914.

The treaty is 69 years old, and no one need be reminded of the great changes in the world generally, and in Latin America in particular, that have taken place since that time. In 1903, because of various problems including those concerning health and sanitation, it was judged necessary for the United States to hold a 10-mile-wide zone under its control for construction and operation of the canal. Accordingly, the 1903 treaty provides that the United States can exercise all rights and powers in the Canal Zone it would possess if it were the sovereign and can exercise these rights in perpetuity. The treaty thus stops short of an explicit grant of sovereignty to the United States.

The builders of the canal set out to create a community with the necessary government services and utilities in which the large labor force could live and work in good health and good order. This task was accomplished as part of the process of building the canal, and that community exists today. At present, we have the necessary stores, housing, power and water facilities, courts, police, post offices, schools, hospitals, and the like, all under U.S. ownership.

The Canal Zone is thus in many ways independent of Panama and outside of its legal control. This fact has caused friction with Panama. The physical aspects of the zone have also been a cause of difficulty. The zone bisects Panama, adjoins Panama's two largest cities, Panama City and Colón, and occupies land that Panama would like to use for urban expansion. The two deepwater ports of Panama are in the zone, and travelers from western Panama must pass through the zone to reach Panama City, which they are of course free to do.

Panama is paid an annual annuity of about $2 million for the canal and received indirectly, through U.S. purchases and payment of wages to Panamanians, about $167 million in 1971. This is about 65 percent of Panama's total foreign exchange earnings and the basis for about 35 percent of its gross national product. The direct payment is considered inadequate by Panama on the ground, among others, that tolls, which have never been raised, could be increased to finance a much greater payment.

Canal Zone operations today are under the overall supervision of the Secretary of the Army. A major general in the Army Corps of Engineers serves in the zones in a civilian capacity as Governor of the zone and President of the Canal Company. He is responsible for the governmental functions in the zone, the operation of the canal, the management of the housing and commercial services provided for the employees of the company, and the like. A U.S. court and a U.S. attorney also operate in the zone.

About 12,000 Panamanians and 4,000 Americans work for the canal operation. Approximately 7,500 Panamanians and 40,000 Americans live in the zone, and residence therein is limited to U.S. Government personnel and their families. About 13,000 of the Americans are military personnel stationed in the zone, and they and their families share the schools and hospitals run by the Canal Company.

This is the present situation. Panama believes it to be outdated and is pressing for the right to govern the zone, for an end to the provision whereby the U.S. rights continue in perpetuity, for full ownership of a good part of the lands in the zone, for a greatly increased annuity, and for certain limitations on U.S. military rights. Panama is not, however, seeking the right to operate the canal.

These matters have been under discussion for some years, and in 1967 negotiators of the United States and Panama reached agreement upon three draft treaties to replace the 1903 treaty. These treaties were never ratified by Panama and were consequently never submitted to the U.S. Senate.

In 1971 negotiations resumed, and since the 1967 draft treaties were formally rejected by Panama, a new basis for agreement is being sought.

BROAD PRINCIPLES FOR HEMISPHERE RELATIONS

Before reviewing the approach which the United States is taking to some of the specific problems presented by the negotiations, it is worth noting that the Panama Canal, although in many respects unique, is not an isolated foreign policy problem. Instead the U.S. approach to the negotiations springs from broader principles which we apply to Panama generally and to our other relations in the inter-American system and in the world.

President Nixon, in this year's foreign policy report to Congress, recognized that although our relations within the hemisphere have a special durability, it is time to lay the basis for a more mature political relationship.[2] He stated: "Henceforth a sense of hemisphere-wide community (can) be sustained only on a new, more realistic basis." His report also observes that the problems in our Latin American relationships are basically political and that the hemisphere is composed of nations increasingly assertive of their individual identities and less amenable to U.S. tutelage than in the past. Hence our policy is to eschew efforts to dominate and instead seek a mature partnership with Latin American nations, recognizing the limits on our ability to solve every problem that arises in the hemisphere. This policy is exemplified by four major themes laid down by the President. These find expression in our policy concerning the Panama Canal enterprise and Panama generally, and are as follows:

First, a wider sharing of ideas and responsibility in hemispheric collaboration.

Second, a mature U.S. response to political diversity and nationalism.

Third, a practical and concrete U.S. contribution to economic and social development.

Fourth, a humanitarian concern for the quality of life in the hemisphere.

These broad principles of course require sharpening in the specific case. In particular, a careful assessment of our national interest in the canal must be a primary guide to the course of action to be followed. Traffic passing through the canal continues to increase, and the U.S. portion of this traffic has been rising in absolute terms and as a percentage of the total. In 1970, 14 percent of total U.S. oceanborne trade passed through the canal, as compared with 10 percent in 1950. The canal is also of considerable military significance and is used by all but our largest naval ships and for logistical purposes. Our most important national interest in the canal enterprise is thus to insure that the canal remains available for our commercial and naval shipping.

PANAMANIAN ASPIRATIONS AND U.S. INTERESTS

With these general and specific concerns in mind, the President has determined that a great deal can be done to meet legitimate Panamanian aspirations without jeopardy to our national interest in the canal.

Referring again to the four themes of our Latin American policy, the first theme—a wider sharing of responsibility—is exemplified by the agreement of the United States to the assumption by Panama of greater and greater responsibility for the civil government of the Canal Zone. Supporting services such as grocery stores and restaurants would be operated in the zone by Panamanian entrepreneurs, and Panama would make use of zone lands in ways consistent with U.S. responsibility for operation and defense of the canal. Panama would also play a greater role in defense of the canal.

The second point—a mature response to nationalism—is also met by the proposed changes just mentioned and by our agreement to set a date in the next century when Panama would have an option to terminate the treaty if a satisfactory new arrangement could not then be negotiated. This will end the perpetuity provision, which has been a substantial cause of dispute over the years. Treaty provisions to insure the continued right of the United States to make use of the canal would of course survive any such termination.

The third theme—a concrete contribution to economic and social development—is exemplified by our willingness to turn over to Panama substantial zone land and port facilities which are no longer needed for operation or defense of the canal, to open up certain retained lands to Panamanian development, and to raise the level of compensation to Panama by a substantial amount.

The fourth point—a concern for the quality of life in the hemisphere—is served by almost all of the changes that we have proposed to make and by the new relationship which will result from a new treaty.

The United States has, as does Panama, certain affirmative requirements of its own in the new relationship, and these spring generally from the national interest in the canal mentioned earlier. It is our position that a U.S. Government agency will continue the functions necessary to the actual operation of the canal and the conduct of governmental activities that will eventually be assumed by the Government of Panama. Tolls would remain under the control of Congress. The transition from a U.S. government in the zone to one that is generally Panamanian should be an orderly and deliberate one, and rights necessary to an effective operation of the canal will be needed. The United States must also retain the right to defend the canal. This will require the continued maintenance of military forces in the vicinity of the canal. Finally, we seek a definitive option either to expand the existing canal by the construction of a new and larger lane of locks or to build a sea-level canal in Panama. Further explanation of this latter point is appropriate.

FUTURE INCREASES IN FACILITIES

In 1970 the Presidential Commission headed by former Treasury Secretary Robert Anderson, who has since 1964 also been the chief negotiator in Panama treaty matters, concluded that the best site for a sea-level canal in Central America was about 10 miles west of the present canal. This site is outside the present Canal Zone, and new treaty rights would be required. The Commission recommended that a decision on the $3 billion canal be made at a date sometime in the future when the existing canal begins to show signs of becoming overburdened. The canal would have an initial capacity of 34,000 transits per year and could be expanded to accommodate in excess of 100,000 transits. This compares with the current annual usage of 14,000 transits and with the maximum capacity for the present canal of 26,000 transits. The Commission recognized that the great cost of the canal might make full amortization of its expense impossible but concluded that it had considerable political and military advantages.

There has been much discussion of danger to the ecology from a sea-level canal. The Commission concluded that the risk of adverse ecological consequences appeared to be acceptable but stated that long-term studies were needed and that tentative provisions should be made for a freshwater barrier in the midsection of the sea-level canal.

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[2] The complete text of President Nixon's foreign policy report to the Congress on Feb. 9 appears in the Bulletin of Mar. 13, 1972; the section entitled "Latin America" begins on p. 358.

Another possibility is expansion of the existing canal by the addition of a third lane of larger locks. It appears unlikely, however, that this need to expand capacity will become pressing until around the end of this century.

There is some concern on the part of the Government of Panama that construction of a sea-level canal would create serious economic dislocations—a long period of inflation during construction, followed by a drastic decline in employment and business activity in general when construction terminates and lock canal jobs are eliminated in the changeover to the sea-level canal.

An exhaustive study of the potential economic impact of a sea-level canal by the Stanford Research Institute in 1969 concluded that this problem of adjustment is one of manageable proportions. Over the long run a sea-level canal would attract more traffic than the existing canal, and the phasedown in employment would thereby be lessened. The institute concluded that after the adjustment period the growth of Panama's economy would continue at a higher level than would be true had the sea-level canal never been built. The sea-level canal would thus be a new and expanded facility to replace a lock canal that will eventually become obsolete. When it is considered that more than a third of Panama's gross national product flows from canal operations it is readily apparent why the creation of a new canal, with greater capacity, will be a tremendous long-term benefit to Panama.

Our approach to our treaty relationship with Panama thus reflects the constructive and forthcoming attitude that the United States has taken toward Panama in other matters. Panama has long been one of the highest per capita recipients of U.S. development assistance in the hemisphere, and this assistance, together with benefits from Canal Zone goods and services, has helped sustain a record of economic growth over the past decade that is one of the highest in Latin America. Congress has recently increased Panama's sugar quota and has provided $90 million in loans and grants for the construction of the Pan American Highway through the Darien Gap.

Both through our treaty policy and in these other programs the United States has sought to foster a relationship in which the processes of change and national development can take place in an atmosphere of mutual respect and cooperation. We seek a mature and reasonable partnership with Panama which will endure for the benefit of both parties and world commerce. We recognize Panama's aspirations to play a greater role in canal affairs and to assume responsibility for the government of the Canal Zone. At the same time we seek full recognition by Panama of the national interest of the United States in the reliable, safe, and efficient operation of the Panama Canal.

INTRODUCTION OF GSA EXCESS PROPERTY AND SUPPLY SERVICES BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 10 minutes.

Mr. HARRINGTON. Mr. Speaker, I rise to introduce, along with Congressman O'KONSKI and Congressman FRASER, two bills which will clarify the status of GSA's excess property program, and its program to allow authorized Federal grantees to utilize Federal supply sources commonly known as the grantee program. Similar legislation is being introduced in the Senate by Senator MONDALE.

These two programs, which were initiated in 1967, allow Federal grantees—vocational schools, colleges, and universities, antipoverty agencies, law enforcement agencies, community action agencies, and others—to utilize excess property and GSA supply sources in order to carry out the purposes of their grants. There is only one reason why these programs were started—to save the taxpayer money by stretching the purchasing power of the Federal tax dollars given these grantees to their fullest possible extent.

Although the two programs—the excess property program and the grantee program—share a common goal of saving the taxpayers money, they are in no way interrelated. They are distinct and independent programs administered by the General Services Administration.

However, on May 16, the Office of Management and Budget ordered the GSA to amend its regulations to completely terminate both programs. These amendments were published by the GSA in the Federal Register of June 1, with a provision for a 30-day comment period. Because of the large number of comments received by GSA, the comment period was extended for another 30-day period.

Yet, despite the fact that comments on the regulation changes were still being received, the Department of Health, Education, and Welfare unilaterally terminated its excess property program for its grantees on July 14.

In order to clarify and rectify the confusing situation that has arisen concerning the excess property and grantee programs, I am today introducing two separate pieces of legislation.

The first piece of legislation concerns only the excess property program. This program allows an executive agency to provide to its grantees equipment and material no longer needed by the agency. An amendment to the OEO bill offered by Senator MONDALE authorizing a continuation of the excess property program passed the Senate, but was rejected by the Conference Committee because of a germaneness problem. The legislation I am introducing today will authorize executive agencies to make excess property available to grantees, if the agency determines in writing that the property will expand the ability of the grantee to carry out the purpose for which the grant was made, and result in a reduction in the cost to the Government of the grant. Furthermore, the Administrator of GSA will be required to prescribe regulations governing the operation of the excess property program.

At this point, I include in the RECORD the text of the bill:

H.R. 16186

A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for the use of excess property by certain grantees

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Federal Property And Administrative Services Act of 1949, as amended (40 U.S.C. 483), is amended by adding at the end thereof the following new subsection:

"(i) Each executive agency shall furnish excess property to any grantee under a program established by law and for which funds are appropriated by the Congress if the head of that executive agency determines that the use of excess property by that grantee will (1) expand the ability of that grantee to carry out the purpose for which the grant was made, (2) result in a reduction in the cost to the Government of the grant, or (3) result in an enhancement in the product or benefit from the grant. Any determination under the preceding sentence shall be reduced to writing and furnished to the grantee involved. The Administrator shall prescribe regulations governing the use, maintenance, consumption, and redelivery to Government custody of excess property furnished to grantees under this subsection."

Mr. Speaker, I would like to point out also that the wholesale business groups who oppose GSA supply source program, do not oppose the continuation of the excess property program.

The second piece of legislation we are introducing today deals with the GSA supply source program—or the grantee program. Since there has been a great deal of confusion over exactly what the GSA grantee program is I ask unanimous consent to include in the RECORD the text of a GSA Fact Sheet on the grantee programs and a newspaper article written by Ralph Nader on the efforts being made to terminate it:

FACT SHEET: FEDERAL GRANTEE USE OF SUPPLY SOURCE

I. THE POLICY

To maximize the impact of Federal grant dollars, grantees of Federal agencies are permitted to utilize GSA supply sources when a granting Federal agency authorizes the grantee's use of the Federal supply system in furthering the purpose of a specific Federal grant.

The use of GSA supply sources is optional on the part of the grantor agency, the grantee and the contractor. The grantor agency decides whether or not to authorize the use of GSA supply sources by its grantees. Even when authorized, grantees are generally not required to use GSA supply sources. They are free to contract with the private sector to obtain the supplies and services needed. If the private sector can provide better delivery times, better maintenance schedules or better service overall, grantees can and should take these factors into consideration when selecting a source of supply.

Grantees may generally order items directly from a Federal Supply Schedule contractor or through the GSA depot system. However, the Schedule contractor may have a wholesaler/distributor/dealer network set up to handle the types of small volume orders which a grantee normally would place and which the contractor would prefer that the grantee use. The contractor can include in his contract with the Government a requirement that any Federal purchaser must order through or use this network. Regardless of whether such a term is included in his contract, a Federal Supply Schedule contractor may refuse to fill direct orders from grantees. In such a case, the grantee could purchase directly from the distributor.

Many other services are available to grantees through GSA including use of excess Federal property when it is requested by the grantor agency. This grantor agency in turn makes this property available to its grantees for use during and in support of a grant. Generally, the Federal Government retains title and the grantor Federal agency is accountable for the property.

As the agencies administering the grants could purchase supplies and materials from

GSA sources and then give them to the grantees (whether this policy existed or not), permitting the grantees to deal directly with GSA sources saves time and eliminates the agencies as middle men.

II. BACKGROUND

This policy was begun in 1967 in response to the President's call for cost reduction in Government. At that time GSA issued GSA Bulletin FPMR A–17 which authorized Federal agencies to use GSA supply sources in fulfillment of Grant Programs. The policy is currently outlined in Part 101–33 of the FPMR, issued in 1971.

Cost reimbursement contractors have been permitted to use GSA supply sources as a means of reducing Federal expenditures since 1949. Subcontractors of these contractors have been permitted to use GSA supply sources since the General Accounting Office suggested it in 1964.

The Office of Economic Opportunity authorized its grantees to use GSA supply sources in 1965. When certain of the OEO funded anti-poverty programs were transferred to the Department of Health, Education, and Welfare and the Department of Labor, these departments authorized their grantees to use GSA sources.

III. RESTRICTIONS AND CONTROLS

The mere fact that an institution is the recipient of a Federal grant does not entitle it to unrestricted use of the GSA supply system. The use of the system is limited to Federal grantees furthering the purposes of a specific Federal grant.

GSA has established controls which prohibit grantee use of GSA supply sources unless GSA is in receipt of a specific, current authorization from the Federal grantor agency. These controls also prevent the use of GSA supply sources after the termination or expiration of a grant. Federal grantor agencies have the responsibility to control and restrict the authorized grantee to purchasing only items to be used to further the purposes of the specific grant. Grantees are subject to audits and financial guidance by the grantor agency.

IV. RELATIONSHIP TO INTERGOVERNMENTAL COOPERATION ACT OF 1968

In implementing this policy GSA does not rely on the terms of the Intergovernmental Cooperation Act of 1968 (Public Law 90–577), which permits the exchange of certain information and services between and among Federal and state and local governments. The grantee policy existed before, and is basically unchanged since the enactment of the Intergovernmental Cooperation Act of 1968. In 1969 it was determined that this act did not permit state and local governments to purchase through the GSA supply system. The grantee policy is not a means for circumventing this determination. State and local governments and institutions are prohibited from purchasing through GSA supply sources unless they hold a Federal cost reimbursement contract or are Federal grantees authorized to use those sources in furtherance of a specific Federal grant.

V. SALES TO GRANTEES

During FY 1971, sales to grantees from GSA sources other than Federal Supply Schedules (depot sales, etc.) amounted to approximately $5 million out of the total of $717 million for all agencies. Total agency sales from the Schedules (excluding automatic data processing equipment) for FY 1971 approximated $721 million. (Since the present reporting system of Schedule sales provides only the total dollar volume and does not break it down by ordering activity, we are unable to estimate the Schedule sales to grantees.)

VI. GSA CONCERN FOR SMALL BUSINESS

The GSA grantee policy is in no way intended to establish competition with private industry. It is limited solely to Federal grantees performing Federal programs. GSA, by law, is required to insure that a fair share of its procurements go to small business concerns. GSA uses set-aside procedures so that small businesses are often accorded exclusive rights to compete for contracts. When total GSA procurements are reduced by the purchases of motor vehicles from large businesses and major construction and public utility procurements, 58.6 percent of the balance is procured from firms classified as small business.

Furthermore, regarding GSA's multiple-award Federal Supply Schedule contracts, the General Accounting Office reported in 1969 on the effects of GSA's discount policies on small businesses relative to contracts for scientific instruments, electronic equipment and laboratory equipment. Their report stated that, overall, small businesses were not being hurt and substantial savings to the Government were being achieved by this method of negotiation.

VII. SAVINGS TO THE GOVERNMENT

A primary mission of GSA is to contract for common-use items for the Government by the most economical and efficient methods possible. In fulfilling this mission, GSA contracts at discounts from commercial prices which normally cannot be matched by individual agencies buying alone. As grantees have access to these GSA sources of supply, they and their grantor agencies benefit from the economies and efficiences of these contracts. The grantees not only realize the benefits of GSA pricing, but also avoid the expense and administrative difficulty in locating potential contractors, soliciting bids, making awards, executing contracts and performing the other necessary procurement functions which could reduce their capability and resources with which to perform the grant function.

VIII. PENDING ACTIONS AND STUDIES

1. The Commission on Government Procurement has included at least a limited review of the grantee program as one of its study topics. The Commission's report is due to the Congress in late 1972.

2. We have recently reiterated GSA policy to each of the Federal grantor agencies and requested each to (a) reemphasize to its grantees that their right to purchase from GSA supply sources is restricted to furthering the purposes of a specific grant, (b) furnish GSA with copies of their current control regulations, (c) be prepared to investigate any complaints of abuse of the policy, and (d) furnish GSA with cost-comparison data showing representative procurement savings from a sampling of their grantees.

3. The Office of Management and Budget, in coordination with Federal departments and the General Accounting Office, is considering uniform property management and financial controls for Federal grant programs.

4. A suit has been filed by 18 various Trade Associations challenging the legality of this policy. GSA will be represented in the litigation by the Department of Justice and is not in a position to offer comments on the merits of the suit.

General Services Administration, May 2, 1972.

[From the Washington Star, July 16, 1972]

NADER ARTICLE

GSA GRANT PLAN THREATENED

Should schools, colleges, hospitals and other recipients of federal grants be allowed to purchase or use needed equipment from the federal government's property supplies, or should they be required to buy these items on the market at much higher prices?

This is the question that has pitted the Nixon administration and a power coalition of wholesalers and distributors, with annual sales of $300 billion, against an unorganized group of federal grant recipients in the educational, health, research and local governmental fields.

It all started in 1967 when the Johnson administration initiated a policy permitting the General Services Administration, the government's buying agent, to open its supply sources in fulfillment of grant programs. Also, GSA excess property could be borrowed by these recipients, under the 1967 regulation. The idea was to stretch the federal grant dollar. Professor Fairfax Leary claims it is saving the taxpayers about $400 million a year.

There are other advantages to the GSA policy, which the White House has now demanded be revoked. For example, a southern city's department of education says the policy saves on inventory tie-ups and paperwork and permits quicker purchases at about 25 percent savings. Another state department of education notes, not only savings of almost 44 percent, but more realistic, competitive bids from private suppliers.

Rigged bids, collusion, and outright monopolies have long been associated with state and local government procurement practices. Private hospitals and other research and educational institutions which have to purchase diagnostic, therapeutic and scientific instruments have had similar experiences.

The comparatively tiny GSA regular and surplus supply outlet helps keep corporate price gougers less greedy and a little more competitive.

Items purchased by federal grantees from GSA surplus are not frivolous; they include office supplies, school laboratory items, cleaning materials and other essentials. From spark plugs to garbage cans some purchase prices have been as much as 50 to 65 percent lower.

The National Association of Wholesalers, and its allied trade groups, have been lobbying strenuously for the past five years to overturn government attempts to devise government procurement policies that save taxpayers' money. In 1969 they succeeded, also through the White House, in blocking GSA from coordinating purchases with state and local governments. GSA buys directly from the manufacturers. Most state and local governments buy from wholesalers, paying over $6 billion a year in markups and commissions. This inefficient procurement pattern often benefits campaign contributors and corrupts state and local politics.

So powerful was the lobbying effort of the NAW coalition on Congress and the White House that the GSA dropped its plan in 1969, just as it is now about to implement a White House directive to close its doors to federal grant recipients. In recent weeks, some of these recipients, such as junior colleges, are mounting a protest from all over the nation. They are demanding a public hearing so that all the facts can be considered openly and not in closed-door exchanges between budget director Caspar Weinberger and trade association representatives.

Financially hard-pressed local governments and vocational schools want to state their case and show how they have been able to purchase or use needed equipment that they otherwise could not have afforded. Their chief supporter in Congress has been Sen. Walter Mondale, D–Minn.

Weinberger likes to talk about economy in government, but he practices waste and distorts the GSA program with misleading alarums about minor abuses. Instead of seeing that abuses are stopped, he wants to throw out the entire program. In election year, a booming $300 billion wholesale and distribution lobby is obviously worth more to the White House than a paltry $400 million saving to the taxpayer and better equipped schools and hospitals.

Mr. Speaker, critics of the grantee program have claimed that abuses of the program have occurred. The phrase turning the country into one "big PX," is often used. While, undoubtedly, some abuses of the program have occurred, as they do with almost all programs, cutting all grantees off from supply sources is neither a proper or a just solution.

The grantees have almost all prepared their fiscal year 1973 budget requests to reflect the savings to which they thought they were entitled. If the grantee program is terminated, the grantees will be forced to decrease the amount of service they were to provide to their communities, and instead pay the money earmarked for that purpose to a small group of wholesale distributors.

The legislation being prepared today will allow presently authorized grantees to continue to use GSA supply sources until October 1, 1973. It will also allow new grantees to receive authorization to utilize GSA supply sources if they meet a set of rigid criteria governing entrance into the program.

Finally, the General Accounting Office is directed to prepare a report to Congress on the procurement program. The GAO will determine whether or not the Government will save money by the continuation of the grantee program, and will also investigate the impact of the program on small businesses and other business interests. This report must be submitted to Congress by July 1, 1973.

I include the text of the bill in the RECORD at this point:

H.R. 16185

A bill to require a study of the practices, policies, and procedures of all Government agencies relating to the availability of certain goods and services through Federal supply and service sources, to amend the Federal Property and Administrative Services Act of 1949 to permit certain grantees and contractors of Government agencies to procure certain goods and services through Federal supply and service sources, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General shall conduct a study of all practices, policies, and procedures of Federal executive agencies relating to the use of Federal supply and service sources, as defined in section 201(f)(3) of the Federal Property and Administrative Services Act of 1949, by prime grantees and price cost reimbursement contractors of those agencies. Not later than July 1, 1973, the Comptroller General shall transmit to the Congress a report setting forth, for each agency—

(1) the total cost to the agency of making such supply and service sources available to such grantees and contractors;

(2) comprehensive statistical measure of any adverse competitive effects caused by the availability of such sources to small business concerns or to any other significant segment of the business community; and

(3) the reduction in cost to such grantees or contractors resulting from the availability of such sources.

SEC. 2. Section 201 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481) is amended by adding at the end thereof the following new subsection:

"(f)(1) Notwithstanding any other provision of law, during the period beginning on the date of enactment of this subsection and ending on October 1, 1973, each executive agency shall, except as provided in paragraph (2), authorize prime grantees and prime cost reimbursement contractors of that agency to use Federal supply and service sources if the head of the executive agency involved determines that—

"(A) the use of such source is in the best interest of the Government;

"(B) such use would lower the cost of purchased items to the grantee or contractor; and

"(C) supplies or services sought are suitable for the purpose of grant or contract.

Any determination by an agency head made under this subsection shall be in writing and shall be furnished to the grantee or contractor.

"(2) Any prime grantee or prime cost reimbursement contractor who was lawfully using Federal supply and service sources on July 1, 1972, shall be eligible to continue such use during the period specified in paragraph (1) without regard to the determinations required by an agency head under such paragraph. Such eligibility shall terminate on October 1, 1973.

"(3) For the purposes of this subsection, the term 'Federal supply and service sources' includes Government vehicles and related Government services, and the Federal Telecommunications System."

Mr. Speaker, I believe my bill is a reasonable means of protecting the rights of Federal grantees without indefinitely extending the program. However, I have every confidence that the GAO study will prove that the grantee program is a valuable and money-saving program, both from the perspective of the grantees and the communities they serve, and the Federal Government and the taxpayers who support it.

MASSIVE TAXPAYERS' REVOLT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. GALIFIANAKIS) is recognized for 10 minutes.

Mr. GALIFIANAKIS. Mr. Speaker, it is hardly surprising that we are witnessing a massive taxpayers' revolt in the United States today. For years concerned citizens have voiced their opposition to a tax system they perceived as unfair and inequitable. As recently as 1969, Congress attempted to alleviate some of these injustices. But it was not long before we in Congress heard the public's reaction to these measures. The American people told us then, and their cries across the land are telling us now, we did not do enough, we must go farther.

The American people are raising legitimate questions about the inequities in our present system of taxation. They are asking the right questions, but unfortunately no one knows the right answers. Tax reform is a complex and difficult issue. There are many instances where enacted provisions were designed to do one thing and ended up doing precisely the opposite. When President Nixon proposed the job development credit, he stated that—

> It would provide the strongest short-term incentive in our history to invest in new machinery and equipment that will create new jobs.

Yet a recent study of this provision has shown that after a 2½-year period, unemployment will be reduced by only 0.3 percent, while its long-term effect will be to increase the gross national product by a sizable 0.6 percent. It is an extremely difficult task to predict accurately how a specific tax measure will affect the economy.

Right now before the Congress are a multitude of proposals dealing with just this area. And yet if each of these proposals are examined closely, it is apparent that practically every bill approaches tax reform from a different perspective. The whole range of possible action is covered. At one end of the spectrum there is the call for the termination of all tax preferences, and on the other end, there are those who favor action that would amend, revise or repeal only individual provisions that they have determined to be unsatisfactory. The effect of all these various proposals has been to confuse the Congress, not enlighten it.

The bill which I am now offering for your consideration is designed to end this confusion. This bill asks Congress to establish a commission, composed of members from the executive branch, the Senate and the House of Representatives, as well as equal participation by private citizens selected by these respective bodies. This commission would be required to make specific recommendations for each section of the Internal Revenue Code. Such recommendations would expressly state whether a particular provision should be continued as is, modified in a specific respect, or repealed outright. This commission would be empowered to hold hearings across the country, examining this issue with businessmen and academicians, and all Americans who want their voices heard. This commission would be required to submit its findings to the Congress no later than December 31, 1973.

To act responsibly, Congress must have a thorough understanding of the problems. Since 1969 the most extensive study made was released last month by the Joint Economic Committee. And this study only dealt with seven provisions. One might imagine that such a report would have reached clear cut conclusions. This was not the case. The chairman of that committee, offered the following comment upon the release of the study:

> While these studies were conducted by highly competent professional economists, there is no unanimous opinion within the economic community. I hope these studies will stimulate debate and public discussion on this important subject of tax reform.

A well balanced panel such as I've suggested would provide this badly needed public forum, as well as a fresh new perspective in this area.

It is my opinion that this approach is the best means for insuring our people that the steps we do take, are the steps we should take.

BLACK DEATH AT BLACKSVILLE

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, Thomas N. Bethell, the author of "Coal Patrol," has produced another fine piece of reporting in connection with the fire at Blacksville No. 1 Mine in West Virginia which resulted in the deaths of nine coal miners. The article follows:

REPORT FROM BLACKSVILLE NO. 1

BLACKSVILLE, W. VA., Sunday, July 23, 1972.—Fire burns 650 feet below, and on the surface, under the broiling sun, you can see the thick dark smoke rushing upward through the exhaust fan. A few yards away, one of the fourteen rescue crews at the scene goes slowly down into the mine aboard an elevator, making last-minute adjustments to back-pack breathing gear and helmet lights.

The crew that has just come out is quiet and grim; the men are realists; they don't believe that the nine miners trapped underground could possibly be alive. The rescuers will go on looking as long as possible, but the fire is running out of control and the mine atmosphere is lethal with carbon monoxide. The miners underground were equipped with W-65 self-rescuers—breathing gear capable of sustaining them for sixty minutes in carbon monoxide concentrations of two per cent. The percentage is much higher than that, according to the rescue crewmen; and the fire has been burning for eighteen hours . . .

In the parking lot the weary rescue crewmen stand in the heat and dust and spit on the ground, trying to clear their lungs; they aren't saying much; there isn't all that much to say; it has all been said before. This isn't just another mine disaster, it's a *Consol* disaster, and it's not unexpected; at least that's what these men tell you. These particular men don't work for Consolidation Coal Company, but they know Consol by reputation, as everybody does in northern West Virginia: Consol is king around here and has never been hesitant about letting people know it. You work in Consol's mines and live in Consol's towns and shop in Consol's stores and vote for Consol's candidates. And when you mine coal for Consol you feel the pressure all the time. "They want that coal coming out of there," says Ron Statler, who works at the Blacksville No. 1 mine, "and they don't want you slowing things down. Not for any reason."

Blacksville No. 1 is a new mine, planned as something of a showcase of modern technology. Development began in the summer of 1968, and the first train loaded with coal left the mine in late March 1969, headed for East Coast power plants. That first summer of production, the mine employed 150 men. Development of a twin mine, Blacksville No. 2, was launched, and Consol officials projected full development of both mines by early 1973. At that time, both mines would employ about 500 men apiece, producing some 3,000,000 tons a year apiece, ranking them among the 15 or 20 biggest mines in the U.S.

But plans fell behind schedule. By this summer Blacksville No. 1 was producing 4600 tons per day, for an annual rate of 900,000 tons: only about a third of the way toward full production. The workforce, however, was up to 330 (302 underground, 18 surface workers), or more than three-fifths of the total force projected for 1973. The result: low productivity—a relatively large workforce producing relatively little coal.

There were various reasons. Blacksville No. 1 is a longwall mine. Longwall mining, although used extensively in Europe, is new to the U.S. and Consol's miners had trouble adapting to it. Company engineers were also unfamiliar with the system. And, to a great extent, the workforce was composed of very young, very inexperienced miners. At considerable trouble Consol could have shifted a few veterans from other nearby mines to Blacksville No. 1 to provide leadership for the new recruits. But the company hadn't made a habit of doing that in the past, and didn't do it at Blacksville. So the great majority of men working at this new, difficult mine were green. For example, one of the foremen, Justin Beach, was only 23, and his only experience was at the Blacksville operation.

Why so many young men at Blacksville? Again, various reasons. In the ceaseless cycle of economic upturns and downplunges that characterizes the coal industry, companies have never offered a steady training program and the labor supply fluctuates wildly. Consol might have had to recruit older men if the national employment picture were brighter, but these days a young West Virginian is hard pressed to find work at the usual places—the factories and assembly lines of Detroit, Cleveland, Chicago. The typical Blacksville miner fought in Vietnam, came home, went job-hunting, came up empty-handed. But the mines were there, and you could make maybe $40 a day under the current union contract. These days you don't find that kind of money anywhere else in West Virginia; if you could, Consol would have a rugged time trying to coax men into its mines. The miners at Blacksville went underground mostly with no intention of spending the rest of their lives digging coal. They hope to make a small pile of money and find a better job before their luck runs out and the law of averages catches up and they get badly hurt; or killed.

IN 4 YEARS, 165 DEAD

The law of averages catches up with Consol miners with brutal regularity and frequency. It caught 78 of them at Farmington in 1968 in a single massive blast. In all, 97 Consol miners died on the job that year. In 1969, with no major disaster, 21 Consol miners died. The figure was 17 the next year. It dropped to 9 in 1971, the best year Consol had had since 1962. But in 1972 the picture was bleak before the year was even half over; by June 30, 12 Consol miners had been killed. Federal mine inspectors in West Virginia were sending reports to Bureau of Mines headquarters in Washington, showing with startling clarity the seriousness of the safety problem at Consol's mines: in the first 6 months of 1972, they had found thousands of violations of the 1969 Federal Coal Mine Health & Safety Act, and in 104 cases had judged those violations serious enough to warrant ordering all the men out of the mines until the violations were corrected. Teams of inspectors investigated each fatal accident. Their conclusions followed a pattern that hasn't changed in the past decade: in more than 90 per cent of the fatalities, the blame lay with management. A senior Bureau official, asking not to be identified, says that Consol's corporate attitude has not improved perceptibly since the Farmington disaster. "They are," he says, "the same arrogant bastards as always, and they would rather spend their money wheeling and dealing in Washington than cleaning up their mines."

You hear the same thing, in different words, at Blacksville. Ron Statler, who runs a continuous-mining machine at Blacksville No. 1 and serves as president of Union Local 1588 at the mine, is talking with Harry Patrick, reform candidate for UMW international secretary-treasurer. Patrick, who works a few miles away at Bethlehem Steel's Barrackville mine, is explaining some of the safety precautions used at Barrackville to prevent mine fires. Barrackville, as both men know, has a reputation as one of the safest mines in the country, partly because Patrick and the other miners there are single-mindedly tough about walking out over safety violations. Statler is near despair. He runs a tough local, but with Consol nothing seems to work. "I swear," he says to Patrick, "I swear that everything Bethlehem does, these sons of bitches do just the opposite."

The mine fire started at about 8 p.m. on July 22. It was on a weekend shift—Saturday—and no coal was being mined, according to the company. There were 40 men in the mine. Several of them were moving a huge continuous-mining machine from one section to another. Somehow the machine made contact with an energized overhead trolley wire. Sparks flew wildly in the dark passageway. Coal dust, hydraulic fluid, and accumulated grease on the machine began burning. One of the men reportedly tried to disconnect the power at a nearby circuit-breaker, but the breaker failed to function. Some minutes later, men working elsewhere noticed the smoke rolling past them as it was sucked through the mine's ventilation system. They phoned in to the mine dispatcher. The stories conflict at this point. In some versions, they were told not to worry, that everything was under control. In other versions, they were told to stay where they were and await further instructions. There weren't any further instructions. The communications system went dead, presumably because the spreading fire burned it out. Nobody heard from the missing miners again.

It was more than two hours after the fire broke out before anybody from Consol notified the Bureau of Mines. By that time people in the town of Blacksville were already hearing rumors that something was wrong in the mine, and an editor a few miles away in Morgantown was asking one of his reporters to find out what was going on. The reporter couldn't get anyone at the company to tell him. The confusion continued into the night. It grew worse as West Virginia officialdom got into the act. Dispatched by Governor Arch Moore, press officer Norman Yost told reporters that the fire was under control, and everyone was safe.

After the Buffalo Creek flood in February, it was Yost who told reporters that some 30 to 35 people who had been presumed dead had miraculously found shelter in a cave and had been discovered there, shivering and hungry but unharmed, two days later when rescuers reached their refuge. The story turned out to be completely without foundation. At Blacksville, Yost's report on the fire and the miners turned out the same way.

The West Virginia state mining law, revised exactly twelve months ago, is explicit on the subject of how to move machinery. Section 22-2-6 spells it out: ". . . When equipment is being transported or trammed, no person shall be permitted to be in by the equipment in the ventilating split that is passing over the equipment." Even though that language wouldn't mean much to a layman, Ron Statler and many of the other men in Local 1588 know the statute by heart, practically word for word. In a coal mine, air is sucked through the otherwise draftless corridors by powerful fans. To be "inby" a machine means, basically, to be downwind of it. If the machine catches fire, anyone inby it will be caught by the smoke, the fumes, and—most lethally—the odorless carbon monoxide that replaces oxygen in a blaze. Continuous mining machines are huge affairs; they take up almost all the available airspace in a mine passageway. There were 9 men inby the mining machine when it caught fire. The passageway was blocked; the air around them quickly fouled. They had no escape. Thirty-one men outby the machine—upwind of it, in other words—managed to get out of the mine.

David Smith, the chief of a rescue crew from a nearby Eastern Gas & Fuel Company mine, was irate about the fire when he talked to Harry Patrick and UMW presidential candidate Arnold Miller about it on Sunday afternoon. He, too, knows the state law by heart. He and his buddies have fought Eastern's management over the same issue and have tried to get help from United Mine Workers headquarters in Washington. There's been no response. On Sunday afternoon, UMW District 31 president Leonard Pnakovich showed up at Blacksville to confer with mine officials. The Eastern rescue crewmen ignored him and went out of their way to talk with Miller and Patrick. Pnakovich is an appointee of UMW president Tony Boyle; Miller and Patrick, along with Mike Trbovich, are running to unseat Boyle in the upcoming court-ordered UMW election. "We want you to win," Smith told Miller. He waved his arm angrily in the direction of the dirty brown smoke pouring out of the exhaust fan. "There's not a damn thing going to be done about situations like this until we get somebody in there who's not afraid to tell these damn companies where they get off."

There were rumors that Boyle might be coming to the mine by helicopter. The miners talking with Miller and Patrick said they wished he would. But they didn't think it was likely. Local 1588, said Statler, is solidly against Boyle. "We haven't forgotten Farmington," Statler said. It was while 78 men were still trapped underground in Consol's Farmington mine that Boyle arrived and told reporters that Consol was "safety-minded" and "cooperative." "Like to see him come flying in here and say that today," Statler said. "He wouldn't get out alive." But no helicopter appeared bearing Boyle, and from his office in Washington, no statements were issued.

KEEP THE PRESS OUT

Halfway up the access road to the mine there is a cluster of state police cars. One trooper says they are there at the instructions of Governor Moore, another that they are there at the request of Consolidation Coal Company. Either explanation is possible; Moore had his troopers close off access to Buffalo Creek after the disastrous February flood, and Consol learned after its 1968 disaster at Farmington that it is bad for public relations to let reporters get too close to a mine. Now the company has gone so far as to prepare a manual for its public relations men to use during awkward moments. The watchword: keep the press out. At Blacksville, the manual is being followed. By pure luck, two reporters elude the blockade. We poke around briefly in the sweltering heat of the mine office, where the rescue operations are being directed. There is a constant coming and going of sweaty, weary men. Federal officials are asking for information on the mine's ventilation system. By now, late on Sunday afternoon, there's no sign that anyone is holding out much hope. And it's obvious why the press is excluded: they would, of course, get underfoot, but beyond that, there would be image problems. Without actually seeing the mine office, your mind's eye forms the impression of a military command post, functioning with the precision of drill teams.

It's not like that. The scene seems surprisingly disorganized and casual and aimless. Near a Coke cooler, two state troopers, fatbellied and perspiring, are telling each other jokes. Rescue crewmen are slumped, exhausted, at a table. It is all sweat and grime except for John Corcoran, the president of Consol, who has somehow escaped the heat and the dust. His lightly-striped shirt is unsoiled; the cuffs aren't even rolled up; his pin-stripe pants are still holding their press; there is a fine shine on his shoes. He walks out of the building accompanied by an aide and heads across a parking lot. Coming in the other direction are half a dozen women—relatives of the men trapped in the mine. They are keeping a vigil in another mine building provided by the company—a place where, as it happens, the press cannot get at them. The women cross the lot and stand in the dust talking to John Corcoran for a few moments, maybe a minute. He continues on his way, talking to his aide again. The women continue on their way, more slowly. They are bareheaded in the broiling sun, two of them staring ahead at nothing, another looking down at the ground, hardly moving. She is very pale; not quite crying.

Later we drive slowly away from the mine in Ron Statler's car, past the gumchewing trooper who leans down to stare into the car suspiciously as we go by. Arnold Miller and Harry Patrick are fuming. They have been briefed by Bureau of Mines officials and have talked at length with men from the rescue crews and they know that the 9 missing miners will not be rescued unless there is a Grade A miracle, and they are both veteran miners who don't like to rely too much on miracles. They know the fire could have been avoided—the overhead trolley wire should have been de-energized before the mining machine was towed underneath it; circuit-breakers ought to have tripped out automatically, in any case, when the contact was made between machine and wire. But the breakers didn't trip and both Miller and Patrick are sure they know why: because somebody had wired around them. It's all too common in mines—the current's always getting overloaded, and when a circuit-breaker trips long minutes are lost re-setting them and reducing the power load. What bothers Miller and Patrick most is not that companies do this kind of thing; they expect as much. It's that the UMW bosses in Washington won't do anything about it. Nobody wants to be called strike-happy, but Miller and Patrick both know that if they were running the union there would be a day of mourning all across the coalfields—a mass walking-out, a hundred thousand men staying home, the precious coal staying underground. "If they want the coal, they can come and dig it themselves." That's the kind of gauntlet John L. Lewis used to delight in flinging down at the feet of the coal operators. A reporter in the back seat thinks of John Corcoran trudging underground in his pin-stripe suit, with a pick and a shovel, and wishes he would live to see the day.

"IMMINENT DANGER" . . . 19 TIMES

The big rich coal seams of northern West Virginia are full of a silent, odorless peril called methane, a gas formed—like coal—by the decomposition of organic matter. It never posed a threat to anyone for millions of years because it is harmless unless mixed with air, and there was no air in the coal seams until men began digging mines. During the past half-century, however, methane explosions have accounted for a high percentage of the more than 100,000 miners who have been killed in mine accidents. Finally in 1969 with the passage of the new federal coal law, it became mandatory for the Bureau of Mines to spot-check at least once every five working days all mines in which more than a million cubic feet of methane is liberated per day.

Consol's Blacksville No. 1 is one of the most gassy mines in the country, as it happens, so it has seen its share of inspections since 1969. Checking electrical equipment, ventilation, coal-dust control, cable-splices, sloppy maintenance and everything else that might contribute to an explosion (with certain concentrations of methane, all it takes is the smallest spark), the federal inspectors have cited the mine for violations of law no less than 485 times.

Up to the day of the fire, inspectors had visited Blacksville No. 1 129 times. On 19 occasions they had ordered the men out of the mine after discovering violations serious enough to create an "imminent danger," in the language of the law. The men in Local 1588 have mixed feelings about the inspectors (some of them, the men say, are too cozy with the mine management) but generally they are glad to have them around; they act as a brake on the production-happy people who run Consol.

Inspectors were in the mine as recently as July 20, two days before the fire broke out. They ran a spot check in one working section—not the same section in which the men were to be trapped—and wrote up a violation notice for "excessive accumulations of loose coarse coal, oil, and grease on and around the controls and traction motor of the continuous mining machine."

"I think it's fair to say that's a common problem at Consol mines," an inspector would comment later. "I think it's an indication that they just don't pay enough attention to your basic maintenance. Any kind of down-time on a machine cuts into your production, you see. Well, it's taking a risk to let that stuff build up on a machine. It's dangerous, it can flash up fast and burn like holy hell and you won't be able to get near it for the heat. So we cite them for it, but they go right on doing it."

Alan Cole, a Bureau of Mines information officer, says that Blacksville No. 1 had been cited for accumulations of flammable materials 24 times—an indication that mine management did indeed tend to ignore the citations. Maybe it was because of a sense of security. For all the safety violations, the mine had a good record, by industry standards, in lost-time injuries. There had been only one fatal accident—in 1969—and in 1971 the mine had an accident frequency rate of 5.8 per million man-hours, which was far superior to the industry average of 41.6. Some of the men at Local 1588 say that's because they wouldn't let themselves get pushed into taking obvious risks.

But in any event risks were there, and the inspectors kept running across them. On July 20, for example, the mine was cited not only for unacceptable dust and oil accumulation but for other hazards as well: a methane monitor was not functioning, and a circuit-breaker on a continuous-miner wouldn't de-energize the power when it was placed in the "off" position—indicating, most probably, that it had been tampered with. Without having seen the inspection report, Arnold Miller and Harry Patrick would later conclude, on their own, that the same thing had contributed to the fatal fire.

Only weeks from now, after the post-disaster investigation has been completed, will anyone be able to say with certainty whether that conclusion is correct. Meanwhile, however, a search through available federal records turns up a staggering account of endlessly repeated violations—seemingly an invitation to disaster. In April, for example, checking the sections where the disaster would later occur, inspectors docked Consol for improperly grounded electrical equipment, inadequate ventilation, and excessive dust. Other reports show citations for similar offenses and for others: three locomotives operating without brakes, an emergency escapeway not being maintained, a fire extinguisher missing from a personnel carrier, dust building up around conveyor belts, a shuttle-car power cable making contact with a high-voltage line, excessive accumulations of oil on the continuous-miner in section A-3 (where the disaster occurred). In January an inspector pulled all the men out of the mine after discovering dangerous dust levels in A-3 and other sections. Other inspectors at other times chided Consol for not installing fire hoses. Over and over the company was cited for inadequate ventilation. The list goes on; the file at the Bureau of Mines is as thick as half a dozen Sunday papers.

INITIATIVE AND ECONOMIC ACHIEVEMENT

But you are going to have to produce more than a foot-thick file before Howard Hardesty will be impressed. He is just plain bored with this kind of thing. "Those who hammer away at the business community," he says, "are for the most part a negative lot. They reject, and they rebuke, and they reproach, and they frequently view with alarm, but hardly ever do they come up with anything constructive."

Howard Hardesty is happy with a term he has coined for the critics of the coal industry. "If you accept 'entrepreneur' as the generic term for 'businessman,' perhaps we can refer to these single-minded, persistent, and totally myopic critics of businessmen as *antipreneurs.*" Antipreneurs, he says, are "active today as never before . . . they are changing some basic attitudes in this country. They are converting the United States of America from a nation that once respected initiative and economic achievement . . . to a nation that imputes to its businessmen the most venal motives and most despicable conduct." Howard Hardesty, for one, has no patience with such people.

Understandably, because he himself is filled with respect for initiative and economic achievement, having built a highly successful career on them. He was just another lawyer once, practicing in Fairmont, not far from Blacksville, moving easily in the political swim of northern West Virginia, but not much noticed elsewhere. Then, in 1961, he was appointed state tax commissioner, serving in the administration of Governor W. W. Barron. During his 18 months in office, he set up a revised system of property appraisal. The most valuable property in West Virginia is coal and the largest owner of coal is Consolidation Coal Company. When Mr. Hardesty left office, he went directly to work for Consol as its general counsel. He moved up rapidly, becoming a vice president in 1965, executive vice president in 1966.

That was the year when Consol merged with Continental Oil Company to create the largest oil-coal combine in the United States, and Howard Hardesty was one of the key people in negotiations. The merger called upon all his skills as a tax expert, since it was important to negotiate a sale in which taxes on Consol's $446.1 million in assets could be minimized. The sale went through, resulting in what then Senator Albert Gore would later call "one of the greatest tax dodges in history."

Howard Hardesty was the only Consol executive who went directly into the upper echelons of Continental Oil, becoming senior vice president in 1968, with responsibility for "government relations and public affairs." Continental's government relations, as he happily discovered, are conducted at a pretty rarefied level. Leonard McCollum, the company's long-time chairman, has been a leading member of what is probably Washington's most influential lobby—the American Petroleum Institute—but on a personal level he is also a warm admirer of President Nixon and in 1968 he collaborated closely with Republican Party chairman Rogers C. B. Morton to raise many millions of dollars in contributions from friendly oilmen. Morton is now the Secretary of Interior, directly in charge of the Bureau of Mines; no one, of course, would accuse anybody of influence-peddling, but just in case there was any doubt about Mr. McCollum's continuing loyalties, he put together a party in Texas last winter and raised $5 million for the President's 1972 campaign in a single evening. That may have been an example of the kind of "initiative and economic achievement" that Howard Hardesty understandably admires; it certainly ought to make "government relations" easier.

There are, however, other sources of strength to fall back on, just in case. Continental's president, John McLean, is co-chairman of the National Petroleum Council, the quasi-official body that determines, among other things, national policies on matters relating to oil—and, since oil companies are also coal and uranium and gas companies, policies related to the entire subject of energy. The other co-chairman is Hollis M. Dole, Assistant Secretary of the Interior for Mineral Resources. The Bureau of Mines is part of his division. When Mr. Dole's immediate predecessors left government service, they went directly into the oil industry; Mr. Dole will not discuss reports that he is headed there too, should Mr. Nixon be defeated in November. But he cannot be unaware of the financial incentives involved. John McLean, for example, is paid more money than President Nixon, and Howard Hardesty is paid almost as much. It isn't unreasonable for Mr. Dole to be looking ahead to a day when he can double his salary . . . but that probably has nothing to do with his persistent silence as one disaster after another afflicts the mineral industries.

"Government relations" operate at many levels. Down a rung from Hollis Dole is Elburt Osborn, the director of the Bureau of Mines—again, a Presidential appointee whose future depends in part on the election this November. There have been reports that Dr. Osborn is on close terms with Consolidation president John Corcoran (who doesn't make as much as President Nixon, but, at $150,000 makes more than four times as much as Dr. Osborn, at $36,000). They have been seen, for example, dining out together in Washington, accompanied by other influential coal-industry men. After persistent questioning, the information office of the Bureau of Mines will relay only the information that Dr. Osborn has met Mr. Corcoran and other coal men "a few times." "Although they were dinner meetings, they were not social affairs," the Bureau says, adding that Dr. Osborn was interested in hearing about industry's problems in complying with the federal coal law—a subject that presumably could have been discussed just as well in his office. "Some of the meetings were held at the Metropolitan Club in Washington," the Bureau says, and "one meeting was hosted at the Cosmos Club."

Perhaps nothing of this smacks of favoritism. But, for the record, it might be noted that Dr. Osborn has never invited Ron Statler to the Cosmos Club. Or Arnold Miller; or Harry Patrick; or Mike Trbovich.

Pointing out this kind of thing marks you as an "antipreneur" in Howard Hardesty's world. Most reporters today, he says, are "products of a very liberally-oriented undergraduate school" and are "totally inexperienced in business affairs." "It's our job," he told the American Mining Congress a few months ago, "to give them a true insight into what goes on." Not long after that speech was delivered, a reporter in West Virginia, Jim Haught, unearthed a fascinating insight into what goes on. Poking around in the business affairs of Howard Hardesty's former employer, ex-Governor Barron (who has since gone to jail, for bribing the foreman of a jury which was considering evidence about several dummy corporations that Barron created), Haught discovered that in 1968 Barron had secretly worked for the election of the current Governor, Arch Moore—even though Barron is a Democrat and Moore is a Republican who had often denounced Barron. It appears now that by helping Moore, Barron hoped for immunity from prosecution. In any event, during the campaign he approached former Governor Cecil Underwood, who is a Republican but an old foe of Moore's and who had withheld his endorsement. According to Haught, Barron promised Underwood a lucrative industry job if he would support Moore. Underwood inquired further and found that the job was with Consolidation Coal. The man making it available—as Underwood confirmed when Haught asked him—was Howard Hardesty. Underwood didn't take the job, but that's not really the point. Moore is now the Governor of West Virginia, Hardesty is the second-ranking executive in the most powerful company operating in West Virginia, and when you contemplate the failure of West Virginia to cope with the fact of death and injury in its mines—well, you would like not to be an antipreneur, but sometimes it gets very, very hard.

Finally, on Monday afternoon methane ignites in the mine and there is an explosion; then a second explosion. The rescue crews are ordered out and John Corcoran goes to tell the press that the mine will be sealed shut, with its 9 victims still inside. "We dare not continue," he says, and there is no one to argue the point. It is by now much too late to save anyone in Blacksville No. 1.

THE CONSOL WATCHDOG

There is a reason for unsafe coal mines. It is not "inherent danger," "an act of God," or "the miner's fault." It is that some companies do not care enough to spend the money or energy to make their mines safe. Safety, health and environmental protection are a matter of attitude; and this corporation's attitude . . . is to "get out the coal at all costs." The costs are high: death, injury, disease, destruction.

The angry words are written about Consolidation Coal Company. The author of them, a young lawyer named J. Davitt McAteer, has been single-mindedly pursuing Consol's management for more than two years, running a one-man campaign for corporate responsibility. McAteer was in West Virginia University Law School when Consol's No. 9 mine blew up a few miles away from his home, killing 78 miners. Safety wasn't just an abstract issue. Friends that he grew up with went into the mines; Consol miners came to trade at his father's store; he knew some of the men who died in the No. 9 blast.

In 1970 he produced a mammoth 679-page report, "Coal Mine Health and Safety in West Virginia"—the first attempt to piece together a comprehensive look at the industry and its steely grip on the most impoverished state in Appalachia. Now he works as a consultant to Ralph Nader at Nader's Center for Study of Responsive Law in Washington. This spring he startled Consol officials by showing up at the company's annual meeting armed with a "counter-annual report" documenting the side of the coal industry that stockholders don't hear about. The report is full of statistics backing up his charge that Consol's record is part of "a national scandal." Scattered through it, too, are abrupt insights into what's wrong—for example, this young miner talking about Consol's "training program": "I was assigned to work with this old guy. The first day it was dark, dusty and noisy. He told me a couple of things but I couldn't hear him. The next day he was sick, so I took the job." McAteer points out that Consol doesn't even have a safety manual for its foremen "but contents itself with posting flyers—'Work Safely' for example—on bulletin boards around the mines." He asked a miner about the company's safety meetings: "Oh, we don't have safety meetings. We just talk about what went on over the weekend."

Over this past weekend, what went on was disaster. McAteer drove out from Washington, talked with miners, went back to brief Nader and decide what, if anything, he could do about Consol that he hadn't already tried to do before. Copies of his report, meanwhile, are still available to anyone who wants to read a warning that was issued well in advance—or who wants to help Consol's one-man watchdog committee. The address: J. Davitt McAteer, P.O. Box 19052, Washington, D.C., 20036.

WIDOWS' FUND

At Coal Patrol's press time on July 26 there was no list available yet of the widows, children, and other dependents of the victims at Blacksville No. 1, but the members of UMW Local 1588 had met a few hours previously and agreed to begin immediately to set up a fund for the survivors. They were acutely aware that funds set up after other mine disasters have too often been controlled by local politicians, banks, attorneys and others with close connections to the coal industry; this time, they promise, there are to be no "administrative expenses" mysterious or otherwise, and all money collected will go to the families of the victims. They ask that contributions be sent by check or money order only—no cash. The address: Widow's Fund—Blacksville No. 1, UMW Local 1588, P.O. Box 16, Blacksville, W. Va., 26521.

LEAVES OF ABSENCE

By unanimous consent, leaves of absence was granted as follows:

Mr. PELLY (at the request of Mr. GERALD R. FORD), on account of official business.

Mr. BAKER (at the request of Mr. ARENDS), for today, on account of the funeral of a friend, Mr. A. C. Pinckley, Sr.

Mr. PEPPER (at the request of Mr. O'NEILL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HASTINGS) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. SCHWENGEL, for 10 minutes, today.

Mr. GERALD R. FORD, for 3 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

(The following Members (at the request of Mr. MCKAY) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

Mrs. ABZUG, for 10 minutes, today.

Mr. MILLS of Arkansas, for 10 minutes, today.

Mr. FLOOD, for 10 minutes, today.

Mr. HARRINGTON, for 10 minutes, today.

Mr. GALIFIANAKIS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HANNA, to extend his remarks following those of Mr. ASHLEY, today, in the Committee of the Whole.

Mr. PODELL, immediately prior to the consideration of the amendment offered by Mr. CULVER.

Mr. HECHLER of West Virginia and to include extraneous matter, notwithstanding the fact that it exceeds two and one-half pages of the CONGRESSIONAL RECORD, and is estimated by the Public Printer to cost $565.

Mr. GROSS on H.R. 15989 immediately preceding the vote on the Gonzalez amendment.

Mr. ALBERT to include extraneous matter in the remarks he made during debate today.

(The following Members (at the request of Mr. HASTINGS) and to include extraneous matter:)

Mr. ARENDS.

Mr. CARTER in five instances.

Mr. GROVER.

Mr. ZION in two instances.

Mr. VEYSEY in two instances.

Mr. HOSMER in four instances.

Mr. SHRIVER.

Mr. SCHERLE.

Mr. WYMAN in two instances.

Mr. ROBISON of New York.

Mr. STEIGER of Arizona.

Mr. LENT in five instances.

Mr. FINDLEY.

Mr. CRANE in five instances.

Mr. BRAY in three instances.

Mr. BAKER.

Mr. BURKE of Florida.

Mr. FRELINGHUYSEN.

(The following Members (at the request of Mr. MCKAY) and to include extraneous material:)

Mr. GRIFFIN in two instances.

Mr. ASPIN in 10 instances.

Mr. JOHNSON of California.

Mr. Anderson of California in three instances.

Mr. PUCINSKI in 10 instances.

Mr. HARRINGTON.

Mr. PREYER of North Carolina.

Mr. ROYBAL in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. HANNA.

Mr. ICHORD.

Mr. GALIFIANAKIS.

Mr. DANIELS of New Jersey.

Mr. SYMINGTON.

Mr. WALDIE in two instances.

Mr. CASEY of Texas.

Mr. PEPPER in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3157. An act to promote maximum Indian participation in the government of the Indian people by providing for the full participation of Indian tribes in certain programs and services conducted by the Federal Government for Indians and by encouraging the development of the human resources of the Indian people, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 489. An act to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Modoc Point unit of the Klamath Indian irrigation project, Oregon;

H.R. 9936. An act to amend the Federal Food, Drug, and Cosmetic Act to provide for a current listing of each drug manufactured, prepared, propagated, compounded, or processed by a registrant under that Act, and for other purposes;

H.R. 15093. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes; and

H.R. 15418. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 247. An act for the relief of Albert G. Feller and Flora Feller; and

S. 3284. An act to increase the authorization for appropriation for completing work in the Missouri River Basin by the Secretary of the Interior.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On August 2, 1972:

H.R. 6745. An act to amend section 122 of title 28 of the United States Code to transfer certain counties of the central division of the judicial district of South Dakota; and

H.R. 12979. An act to amend title 28, United States Code, to authorize the recall of retired commissioners of the U.S. Court of Claims for temporary assignments.

On August 3, 1972:

H.R. 5721. An act pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon;

H.R. 11350. An act to increase the limit on dues for U.S. membership in the International Criminal Police Organization;

H.R. 14108. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes; and

H.R. 15635. An act to assist elementary and secondary schools, community agencies, and other public and nonprofit private agencies to prevent juvenile delinquency, and for other purposes.

ADJOURNMENT

Mr. McKAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until Monday, August 7, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2210. A letter from the Secretary of Health, Education, and Welfare, transmitting a report covering the 6 months ending June 30, 1972, on personal property donated to public health and educational institutions and civil defense organizatons under section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and on real property disposed of to such institutions under section 203(k) of the act, pursuant to section 203(o) of the act; to the Committee on Government Operations.

2211. A letter from the Secretary of Transportation, transmitting the 1972 national transportation report; to the Committee on Interstate and Foreign Commerce.

2212. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Tariff Act of 1930 to grant additional arrest authority to officers of the Customs Service; to the Committee on Ways and Means.

2213. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Tariff Act of 1930 to provide an exemption from the restrictions of the trademark laws, and for other purposes; to the Committee on Ways and Means.

2214. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to permit charges for certain services; to the Committee on Ways and Means.

2215. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to modernize the procedures for licensing and disciplining customs brokers, and for other purposes; to the Committee on Ways and Means.

2218. A letter from the Assistant Secretary of the Interior, transmitting a report on the reclassification of lands in the Willwood Irrigation District, Shoshone project, Wyoming; to the Commitee on Interior and Insular Affairs.

Received From the Comptroller General

2216. A letter from the Comptroller General of the United States, transmitting a report that more needs to be done to assure that physicians' services—paid for by medicare and medicaid—are necessary; to the Committee on Government Operations.

2217. A letter from the Comptroller General of the United States, transmitting a report on the need for improvements in the management system to assess performance of Agency for International Development-financed projects in India; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 15989. A bill to establish a Council on International Economic Policy, to extend the Export Administration Act of 1969, and for other purposes (Rept. No. 92–1260—pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADEMAS: Committee on House Administration. House Resolution 1070. Resolution providing for printing as a House document the joint report to the House of Representatives by the majority and minority leaders on their recent mission to the People's Republic of China (Rept. No. 92–1284). Ordered to be printed.

Mr. BRADEMAS: Committee on House Administration. Senate Joint Resolution 254. Joint resolution to authorize the printing and binding of a revised edition of Senate Procedure and providing the same shall be subject to copyright by the author (Rept. No. 92–1285). Ordered to be printed.

Mr. DULSKI: Committee on Post Office and Civil Service. Report on improved manpower management in the Federal Government (Rept. No. 92–1286). Referred to the Committee of the Whole House on the State of the Union.

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 12383. A bill to amend chapter 30 of title 39, United States Code, to permit a person, in complete anonymity, to send substances in the mails which they suspect are drugs to Government officials for analysis, and for other purposes; with an amendment (Rept. No. 92–1287). Referred to the Committee of the Whole House on the State of the Union.

Mr. CHARLES H. WILSON: Committee on Post Office and Civil Service. H.R. 14153. A bill to amend title 13, United States Code, to assure confidentiality of information furnished in response to questionnaires, inquiries, and other requests of the Bureau of the Census, to provide for a mid-decade sample survey of population, and for other purposes (Rept. No. 92–1288) Referred to the Committee of the Whole House on the State of the Union.

Mr. WALDIE: Committee on Post Office and Civil Service. H.R. 11563. A bill to amend chapter 87 of title 5, United States Code, to waive employee deductions for Federal employees' group life insurance purposes during a period of erroneous removal or suspension (Rept. No. 92–1289). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALDIE: Committee on Post Office and Civil Service. H.R. 15659. A bill to extend civil service Federal employees group life insurance and Federal employees health benefits coverage to U.S. nationals employed by the Federal Government (Rept. No. 92–1290). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALDIE: Committee on Post Office and Civil Service. S. 1031. An act to credit certain service rendered by District of Columbia substitute teachers for purposes of civil service retirement (Rept. No. 92–1291). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. S. 3824. An act to authorize appropriations for the fiscal year 1973 for the Corporation for Public Broadcasting and for making grants for construction of noncommercial educational television or radio broadcasting facilities; with an amendment (Rept. No. 92–1292). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. House Joint Resolution 1225. Joint resolution to provide for the termination of hostilities in Indochina, subject to the release of all American prisoners of war and the safe withdrawal of the remaining U.S. forces from Indochina, and for other purposes; with an amendment (Rept. No. 92–1293). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 1081. A resolution providing for the consideration of H.R. 13694. A bill to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended (Rept. No. 92–1294). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1082. A resolution providing for the consideration of H.R. 16029. A bill to amend the Foreign Assistance Act of 1961, and for other purposes (Rept. No. 92–1295). Referred to the House Calendar.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 11158. A bill to amend section 931 of the Internal Revenue Code of 1954, as amended; with amendments (Rept. No. 92–1300). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. S. 596. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Congress within 60 days after the execution thereof (Rept. No. 92–1301). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. S. 2956. An act to make rules governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress; with amendments (Rept. No. 92–1302). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 15577. A bill to give the consent of Congress to the construction of certain international bridges, and for other purposes (Rept. N. 92–1303). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 15462. A bill to remove certain limitations on annual operation and maintenance expenditures applicable to the U.S. section of the International Boundary and Water Commission, United States and Mexico, and for other purposes (Rept. No. 92–1304). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 15461. A bill to facilitate compliance with the treaty between the United States of America and the United Mexican States, signed November 23, 1970, and for other purposes (Rept. No. 92–1305). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RODINO: Committee on the Judiciary. H.R. 1777. A bill for the relief of Anka Kosanovic (Rept. No. 92–1296). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 3899. A bill for the relief of Maria Camilla Giuliani Niro (Rept. No. 92–1297). Referred to the Committee of the Whole House.

Mr. FLOWERS: Committee on the Judiciary. H.R. 5324. A bill for the relief of Rosita E. Hodas; with an amendment (Rept. No. 92–1298). Referred to the Committee of the Whole House.

Mr. HOGAN: Committee on the Judiciary. H.R. 5923. A bill for the relief of Mrs. Nguyen Thi Le Fintland and Susan Fintland; with an amendment (Rept. No. 92–1299). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG:

H.R. 16180. A bill to amend section 203(e) (2) of the Federal-State Extended Unemployment Compensation Act of 1970 to permit the States to suspend the application of the 120-percent requirement for purposes of determining whether there has been a State "off" indicator; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 16181. A bill to amend title 5, United States Code, to include as military service for purposes of civil service retirement all service in the National Guard; to the Committee on Post Office and Civil Services.

By Mr. DENHOLM:

H.R. 16182. A bill to amend section 8(b) of the Soil Conservation and Domestic Allotment Act to extend the eligibility of county committee members to succeed themselves; to the Committee on Agriculture.

By Mr. Dent (for himself, Mr. Gaydos, and Mr. Flood):

H.R. 16183. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for amounts paid as wages for domestic service if such service is covered by the Federal minimum wage law; to the Committee on Ways and Means.

By Mr. GALIFIANAKIS:

H.R. 16184. A bill to establish a Commission on Tax Reform; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself, Mr Fraser, and Mr. O'Konski):

H.R. 16185. A bill to require a study of the practices, policies, and procedures of all Government agencies relating to the availability of certain goods and services through Federal supply and service sources, to amend the Federal Property and Administrative Services Act of 1949 to permit certain grantees and contractors of Government agencies to procure certain goods and services through Federal supply and service sources, and for other purposes; to the Committee on Government Operations.

H.R. 16186. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for the use of excess property by certain grantees; to the Committee on Government Operations.

By Mr. PREYER of North Carolina:

H.R. 16187. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. RODINO (for himself, Mr. Celler, Mr. Eilberg, Mr. Flowers, Mr. Seiberling, Mr. Dennis, Mr. Mayne, Mr. Hogan, and Mr. McKevitt):

H.R. 16188. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. ROUSH (for himself, Mr. Madden, Mr. Jacobs, Mr. Brademas, and Mr. Hamilton):

H.R. 16189. A bill to amend the act entitled "An act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes," approved November 5, 1966; to the Committee on Interior and Insular Affairs.

By Mr. ST GERMAIN (for himself and Mr. Koch):

H.R. 16190. A bill to amend Public Law 91–508 to limit the disclosure of bank records by financial institutions, and for other purposes; to the Committee on Banking and Currency.

By Mr. STAGGERS:

H.R. 16191. A bill to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended, to implement the Convention for the Suppression of Unlawful Seizure of Aircraft; to amend title XI of such act to authorize the President to suspend air service to any foreign nation which he determines is encouraging aircraft hijacking by acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft; and to authorize the Secretary of Transportation to suspend the operating authority of foreign air carriers under certain circumstances; to the Committee on Interstate and Foreign Commerce.

By Mr. WIGGINS:

H.R. 16192. A bill to permit an interested U.S. citizen to request a consular or immigration officer to review the presumed immigrant status determined for an alien by such officer; to the Committee on the Judiciary.

By Mr. ZWACH:

H.R. 16193. A bill to amend the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

By Mr. DANIELSON:

H.R. 16194. A bill to encourage and support the dissemination of news, opinion, scientific, cultural, and educational matter through the mails; to the Committee on Post Office and Civil Service.

By Mr. DELLUMS:

H.R. 16195. A bill to enforce the constitutional right of females to terminate pregnancies that they do not wish to continue; to the Committee on the Judiciary.

H.R. 16196. A bill to protect confidential sources of the news media; to the Committee on the Judiciary.

H.R. 16197. A bill to encourage and support the dissemination of news, opinion, scientific, cultural, and educational matter through the mails; to the Committee on Post Office and Civil Service.

By Mr. DENHOLM:

H.R. 16198. A bill to establish an executive department to be known as the Department of Education, and for other purposes; to the Committee on Government Operations.

By Mr. GRAY:

H.R. 16199. A bill to amend the Public Buildings Act of 1959, as amended, to provide for the construction of a civic center in the District of Columbia, and for other purposes; to the Committee on Public Works.

By Mr. KOCH:

H.R. 16200. A bill to provide for more equitable coverage under the emergency unemployment compensation program; to the Committee on Ways and Means.

By Mr. MATSUNAGA (for himself, Mr. Teague of Texas, Mr. Udall, Mr. Rhodes, Mr. Steiger of Arizona, Mr. Anderson of Illinois, Mr. Byrne of Pennsylvania, Mr. Aspin, Mr. Hunt, Mr. Charles H. Wilson, Mr. Nichols, Mr. Gubser, Mr. Whitehurst, Mr. Price of Illinois, Mr. Fisher, Mr. Stratton, Mr. Pike, Mr. Leggett, Mr. Pirnie, Mr. Young of Florida, Mr. Annunzio, Mr. Bennett, Mrs. Hansen of Washington, Mr. Casey of Texas, and Mr. Burton):

H.R. 16201. A bill to authorize the Secretary of the Navy to construct and provide shoreside facilities for the education and convenience of visitors to the U.S. Ship *Arizona* Memorial at Pearl Harbor and to transfer responsibility for their operation and maintenance to the National Park Service; to the Committee on Armed Services.

By Mr. PERKINS (for himself and Mr. Pucinski):

H.R. 16202. A bill to authorize payments to State educational agencies for elementary and secondary education; to the Committee on Education and Labor.

By Mr. ROE:

H.R. 16203. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit rescue squads to obtain surplus property; to the Committee on Government operations.

By Mr. SYMINGTON:

H.R. 16204. A bill to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON of Georgia:

H.R. 16205. A bill to provide a limit on Federal Government expenditures and net lending; to the Committee on Government Operations.

By Mr. FISH:

H.R. 16206. A bill to amend title 38 of the United States Code to prevent loss of veteran compensation and pension benefits as a result of increases in social security benefit payments under Public Law 92-336; to the Committee on Veterans' Affairs.

By Mr. EILBERG:

H.J. Res. 1273. Joint resolution authorizing the President to proclaim September 8 of each year as "National Cancer Day"; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H. Con. Res. 673. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Smith of Iowa, Mr. J. William Stanton, Mr. Diggs, Mr. Dellums, and Mr. Wylie):

H. Con. Res. 674. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Rousselot, Mr. Wydler, Mr. Broyhill of North Carolina, Mr. Keith, Mr. Robison of New York, Mr. Spence, Mr. Stubblefield, Mr. McFall, Mr. Halpern, Mr. Rodino, Mr. Nichols, Mr. Dent, Mr. Harrington, Mr. Hathaway, Mr. Roy, Mr. Flood, Mr. Kee, Mr. Gray, Mr. Dickinson, Mr. Burke of Florida, Mr. Thompson of Georgia, Mr. Haley, Mr. Steele, and Mr. O'Neill):

H. Con. Res. 675. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 16207. A bill for the relief of Albert Fleischhaker; to the Committee on the Judiciary.

H.R. 16208. A bill for the relief of Richard B. Bradley; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 16209. A bill for the relief of Winstone L. Rackerby; to the Committee on the Judiciary.

SENATE—*Thursday, August 3, 1972*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. Eastland).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, Creator and Lord of Life, who hast made the heart of man a temple for Thy spirit, in this quiet pause open our hearts that we may be receptive to the divine entrance. May there come upon us the hush of solemn thoughts, a new awareness of Thy presence, a more fervent love of Thy ways, a more resolute determination to do Thy will. May the busy pace of daily duty never deprive us of the knowledge of Thy constant grace and goodness and Thy guiding light.

Preserve us from all that is base or mean or unworthy. May integrity of character and fidelity to high trusts be the cardinal and crowning glory of our lives. Nourished by Thy spirit and filled with Thy grace may we be good workmen for Thee, for this Nation, and for the world. And when evening comes breathe through the things that are seen the peace of the unseen and eternal.

We pray in the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, August 2, 1972, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, the Committee on Finance, the Committee on Agriculture and Forestry, the Armed Services Committee, the Committee on Aeronautical and Space Sciences, and the Committee on Foreign Relations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. SCOTT. Mr. President, I yield back my time.

The PRESIDENT pro tempore. Under the previous order, the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.) is now recognized for not to exceed 15 minutes.

THE SALT AGREEMENTS

Mr. HARRY F. BYRD, JR. Mr. President, the Senate Armed Services Committee, of which I am a member, has concluded hearings concerning President Nixon's two agreements with the Soviet Union for the limitation of strategic nuclear weapons.

On July 20, the Senate Foreign Relations Committee completed deliberations on these same agreements and approved them without a dissenting vote.

Two separate documents were submitted to Congress by the President: a permanent treaty governing defensive—ABM—systems; and an interim agreement, governing offensive weapons.

The ABM Treaty restricts the Soviet Union and the United States to two defensive networks each. One would shield a major offensive weapons site, and a second would be placed near each country's capital.

The Senate will vote tomorrow on this treaty dealing with defensive weapons. A two-thirds vote is needed for approval.

In the case of the second agreement, a 5-year limitation on offensive weapons, a majority vote in each House of Congress is required.

This interim agreement covers only numbers of offensive missiles to be deployed by each country.

The United States will be restricted to 1,054 land-based missiles, while Russia will be permitted 1,618; the United States would be restricted to 41 Polaris-Poseidon submarines with 16 missiles each, while Russia would be permitted 62 Y-class submarines with 16 missiles each.

The agreement does not prevent modernization of missiles, nor does it limit numbers of warheads.

The signing of these two agreements in Moscow occasioned a considerable expression of optimism in the United States about the prospects for peace and an end, or a major reduction, of the arms race.

This was only natural, given the course of our history since the beginning of World War II.

The people of the United States have been praying for peace, fighting for peace, working for peace, and yearning for peace continually for over 30 years.

In May, when it was announced that President Nixon had signed strategic arms limitation agreements in Moscow, many optimists foresaw a stabilized world, with mutual trust and respect between the superpowers.

Many of these optimists felt that with these agreements, defense expenditures could immediately be reduced.

More than anything else, I want a world of peace; I also want to reduce governmental expenditures. But, my recollection of the Russian track record in world affairs made me skeptical of the first, and my many years of experience in the Government made me skeptical of the second.

As a result of this skepticism, I listened intently to the witnesses who appeared before our committee, and questioned them on the effect of the two separate documents submitted to the Congress by the President.

By the time the final testimony was completed, I had reached two conclusions: First, that these agreements are not as significant as some commentators and officials would have us believe; and second, they will not result in reduced military spending.

The agreements would be truly significant if we could be sure that they would lead the way to a more stable world, but we cannot be sure this will be the result. We can hope that the SALT agreements herald world peace, but hoping for peace is hardly new.

As regards savings in defense expenditures, the agreements will not of themselves result in a reduction in military spending. In fact, in some areas there will be increases in the defense budget.

For example, some of the defensive configurations being considered under the two-site ABM Treaty proposal will cost more than the four-site one planned before the agreement.

Incidentally, it should be noted that Russia gets the better of the bargain, in terms of protection, from the two-site ABM agreement. The system already installed around Moscow provides protection for Soviet missiles in that region, whereas a network of ABM's around Washington, even if approved, would not provide any defense for U.S. offensive missiles.

In addition to the ABM increase, other accelerations of weapons development have been linked to the SALT agreements.

One is the ULMS-Trident submarine and underwater-launched missile system, for which the 1973 budget request is $906.4 million. The program cost for 10 of these systems is now estimated at $13.5 billion.

Another is the B–1 bomber. Requested funds for this plane for fiscal 1973 are $444.5 million. A fleet of 244 B–1's would cost $11.1 billion.

The comments of President Nixon concerning the Moscow agreements, at his June 22 news conference, indicated that he feels approval of rapid development for new weapons systems is essential to preserve national security under the SALT pacts. The President said:

> The Secretary of Defense has a responsibility, as I have a responsibility, to recommend to the Congress action that will adequately protect the security of the United States. Moving on that responsibility, he has indicated that if the SALT agreement is approved, and then if the Congress rejects the programs for offensive weapons not controlled by the SALT agreement, that this would seriously jeopardize the security of the United States. On that point he is correct.

But then the President added these words:

> The arms limitation agreements should be approved on their merits. I would not have signed those agreements unless I had believed that, standing alone, they were in the interest of the United States.

His statements are, in my view, somewhat ambiguous. But I think it is clear that the President feels new offensive weapons are necessary if we are to maintain our security under the Moscow agreements.

It is important to bear in mind that many weapon systems are not covered by the Moscow agreements.

President Nixon, in his press conference, stressed that Mr. Brezhnev had told him unequivocally that in areas not controlled by the agreement on offensive weapons, the Russians will go ahead with their programs.

What are the areas not covered by the agreements?

The agreements do not limit land mobile ICBM's—which Russia has and we do not—surface ship-based missiles, land and sea-based cruise missiles, air-launched missiles, nor land-based ballistic missiles with less than strategic ranges—about 3,000 nautical miles. This last category includes intermediate range ballistic missiles—IRBM's—medium range ballistic missiles—MRBM's—and short range tactical ballistic missiles—SRBM's.

These facts underscore the point that we are not dealing with a budgetary issue—that is, an issue of savings on defense dollars—in considering the arms limitation agreements.

The real question before the Congress is whether these agreements are consistent with national security and strength.

I am not persuaded by arguments that military strength has brought about U.S. involvement in conflicts.

I am persuaded that the opposite is true, and that U.S. efforts to keep major conflict from happening over the past quarter century have been successful in direct proportion to that strength.

I am persuaded that a strong America is indispensable to peace and freedom.

If security and strength are the real questions, what is the position of the members of the Joint Chiefs of Staff, who have the responsibility for military preparedness?

Adm. Elmo R. Zumwalt, Jr., Chief of Naval Operations, testified before the Senate Armed Services Committee as follows:

> I believe that the deterrent capability of the strategic forces will not be impaired by the agreement so long as we vigorously press forward with necessary programs which are permitted under its terms.

Gen. Bruce Palmer, Jr., Acting Chief of Staff of the U.S. Army testified:

> Although the ABM Treaty has indeed limited our SAFEGUARD deployment, we must bear in mind that an unconstrained Soviet Union could have significantly increased its launchers in five years. Thus, viewed in this light, we believe that overall, we gain by the agreements.

Gen. John D. Ryan, Chief of Staff of the U.S. Air Force, when testifying stated:

> . . . the Strategic Arms Limitations Agreements can give us a reasonable strategic posture if we take a few prudent steps to assure that we maintain our technological lead, make qualitative improvements in our strategic forces and maintain effective surveillance, warning and command and control capabilities.

The Chairman of the Joint Chiefs, Adm. Thomas Moorer, testified in like vein.

I noted earlier, as have many others, that under the agreements the Soviet Union will have superiority in sheer numbers of weapons.

But testimony also indicates that what the United States lacks in quantity, it makes up in quality. Its missiles are more sophisticated and probably more accurate than those of the Soviet Union.

In terms of the number of warheads that each missile can carry, the United States is ahead of the Soviet Union. This does not take into account new Russian development not covered by the agreements, but rather the present status.

On balance, our military experts are convinced that the U.S. combined strategic forces, under these agreements, would remain strong enough and diverse enough to withstand any preemptive first strike from Russia and to retaliate with a force capable of destroying most of the Soviet Union's population and industrial base.

This being the case, the agreements do not seem to compromise national security.

These new arms limitations may or may not represent a step toward a more peaceful and stable world. But because they appear not to weaken our national security, and because they also apply brakes to apparent Soviet ability and willingness to continue increasing their already formidable strategic power, I shall support the SALT agreements.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Lt. Gen. W. P. Leber, Systems Manager for the Safeguard ABM project, in which he cites the cost of the two-site ABM proposal as compared to the four-site proposal previously planned.

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
Arlington, Va., June 21, 1972.

Hon. HARRY F. BYRD, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: The Secretary of the Army has asked me to reply to your inquiry concerning SAFEGUARD cost estimates.

As you stated in your letter, the SAFEGUARD 4-site cost estimated in February 1972 was $8.0 billion. This is still the estimate for a 4-site deployment, but the $8.0 billion was then, as it is now, stated as a DOD acquisition cost; i.e., the RDTE, procurement and construction cost through completion of the last site. This DOD acquisition cost does not include the operating accounts, OMA and MPA, which would bring the total DOD direct cost to $8.9 billion.

In your letter, you asked for a justification of the difference between the 4-site cost estimate of $8.0 billion and an $8.5 billion cost estimate for a 2-site deployment (Grand Forks plus NCA). On 13 June 1972, in testimony before the Defense Subcommittee of the Senate Appropriations Committee, Secretary Laird estimated that the total DOD direct costs, including OMA and MPA, of the Grand Forks site plus the least costly of the NCA deployments under consideration, would be $8.7 billion. The DOD acquisition cost of this deployment would be $7.7 billion. Hence, the $8.0 billion 4-site acquisition cost estimate should be compared to the $7.7 billion acquisition estimate for two sites, not to the $8.7 billion total 2-site cost. Conversely, the $8.7 billion estimated total cost for the two sites can be compared to an estimated $8.9 billiion total cost for four sites. Either way, the current preliminary estimate for this particular 2-site deployment is slightly less, rather than somewhat greater, than the corresponding estimate for 4 sites. However, I must emphasize that there are a variety of NCA configurations under consideration and, if one of the more costly options is finally selected, the 2-site costs could in fact, exceed the estimated 4-site costs.

There are a number of reasons why even the least costly Grand Forks plus NCA deployment estimate closely approaches estimated 4-site costs. First, as you mention, our 2-site estimate reflects in construction and hardware costs, the lost effort expended for the 4-site deployment but not needed for the 2-site deployment. This includes contract termination costs as well as site restoration costs. Second, schedule differences also come into play. While one would ordinarily believe a 2-site deployment would be completed considerably earlier than a 4-site deployment, in this case the opposite is true because of the relatively late decision to change to NCA in favor of the MINUTEMAN defense sites that were scheduled for earlier completion. The stretch-out of the program adds significantly to the 2-site costs. Third, because the threat to NCA varies considerably from that to the MINUTEMAN sites, particularly as it affects system software, significant additional development and testing is required. Last, this same consideration dictates increases in hardware requirements for an NCA deployment, for data processing equipment, for example, thus further increasing the cost. Taken collectively, the reasons cited above account for an increase of approximately $1.5 billion in DOD acquisition costs for the least costly Grand Forks plus NCA deployment as compared to a 2-site deployment consisting of Grand Forks plus Malmstrom.

I hope this information is of value to you.

Sincerely,

W. P. LEBER.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business not to exceed 15 minutes with statements made therein limited to 3 minutes.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1973—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on H.R. 15418, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. GRAVEL). The report will be stated by title.

The assistant legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15418) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of July 26, 1972, at pp. 25474–25475.)

Mr. BIBLE. Mr. President, as this bill passed the Senate it provided for appropriations totaling $2,773,482,800 in new obligational authority and appropriations to liquidate contract authority for the agencies and bureaus of the Department of the Interior, exclusive of the Bureau of Reclamation and the power marketing activities, and for various related agencies, including the U.S. Forest Service and the Indian Health Service, Department of Health, Education, and Welfare.

The conference committee bill provides appropriations totaling $2,763,495,300 for the programs and activities of these agencies. This total is over the budget estimates of $2,756,520,000 by $6,975,300; over the House bill of $2,744,468,200 by $19,027,100; and under the Senate bill of $2,773,482,800 by $9,987,500. The bill as passed by the Senate was greater than the House bill by $29,014,600. However, the Senate considered a budget estimate amounting to $6,814,000 which was not considered by the House. If this estimate is disregarded, the bill as it passed the Senate was $22,200,000 over the House bill.

I ask unanimous consent to have included in the RECORD at the conclusion of my remarks a tabulation setting out the appropriation for fiscal year 1972. the fiscal year 1973 budget estimate, the House allowance, the Senate allowance, and the conference allowance for each appropriation in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BIBLE. Mr. President, the major changes from the Senate bill are a decrease of $769,000 for the Bureau of Indian Affairs—however, the conference figure is $1,489,000 over the House allowance and $10,046,000 over the budget estimate; a reduction of $750,000 in the amount allowed for the Geological Survey; an increase of $2,200,000 for the Bureau of Mines; a decrease of $3,500,000 for the Office of Coal Research; a reduction of $339,000 for the National Park Service; an increase of $2,393,000 for the Forest Service; a reduction of $650,000 for the Indian Health Service; and an increase of $200,000 for the National Foundation on the Arts and the Humanities. The amount for the National Foundation is almost 40-percent larger than the appropriation for last year. Although there is a $610,000 reduction below the Senate amount for the Smithsonian Institution, the appropriation for the John F. Kennedy Center for the Performing Arts, which is included in this appropriation, is not affected.

Again, this year, the House and Senate conferees worked in a friendly and conscientious manner intent only in agreeing on a compromise bill that would provide as adequately as possible for needs which can be met through this particular legislation. Both the Senate and House positions were fairly maintained and joined together to succeed in this effort.

The chairman of the House conferees exhibited her usual charming cooperation which contributed greatly to the conference. I also want to give my special thanks to the Senate conferees, particularly to the Senator from Alaska who served for the first time as the ranking minority member of this subcommittee.

EXHIBIT 1

Agency and item	New budget (obligational) authority appropriated, 1972	Budget estimates of new (obligational) authority, 1973	Allowances			Conference allowance compared with		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1973	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE I—DEPARTMENT OF THE INTERIOR								
PUBLIC LAND MANAGEMENT								
Bureau of Land Management								
Management of lands and resources	$88, 654, 000	$84, 057, 000	$77, 980, 000	$78, 065, 000	$78, 065, 000	−$5, 992, 000	+$85, 000	
Construction and maintenance	4, 827, 000	7, 965, 000	7, 965, 000	7, 965, 000	7, 965, 000			
Public lands development roadas and trails (appropriation to liquidate contract authority)	(3, 200, 000)	(3, 265, 000)	(3, 265, 000)	(3, 265, 000)	(3, 265, 000)			
Oregon and California grant lands (indefinite, appropriation of receipts)	19, 000, 000	16, 700, 000	16, 700, 000	16, 700, 000	16, 700, 000			
Range improvements (indefinite, appropriation of receipts)	2, 523, 000	3, 059, 000	2, 800, 000	2, 800, 000	2, 800, 000	−259, 000		
Total, Bureau of Land Management	115, 004, 000	111, 781, 000	105, 445, 000	105, 530, 000	105, 530, 000	−6, 251, 000	+85, 000	
Bureau of Indian Affairs								
Education and welfare services	273, 094, 000	296, 627, 000	297, 468, 000	301, 206, 000	299, 556, 000	+2, 929, 000	+2, 088, 000	−$1, 650, 000
Education and welfare services (appropriation to liquidate contract authority)	(693, 000)	(1, 500, 000)	(1, 500, 000)	(1, 500, 000)	(1, 500, 000)			
Resources management	75, 764, 000	83, 734, 000	84, 316, 000	82, 645, 000	83, 141, 000	−593, 000	−1, 175, 000	+496, 000
Construction	43, 715, 500	48, 092, 000	55, 384, 000	55, 575, 000	55, 960, 000	+7, 868, 000	+576, 000	+385, 000
Road construction (appropriation to liquidate contract authority)	(33, 600, 000)	(45, 539, 000)	(45, 539, 000)	(45, 539, 000)	(45, 539, 000)			
Alaska native fund	12, 500, 000	50, 000, 000	50, 000, 000	50, 000, 000	50, 000, 000			
General administrative expenses	6, 161, 000	6, 358, 000	6, 200, 000	6, 200, 000	6, 200, 000	−158, 000		
Tribal funds (definite)	3, 000, 000	3, 000, 000	3, 000, 000	3, 000, 000	3, 000, 000			
Tribal funds (indefinite)	13, 173, 000	13, 505, 000	13, 505, 000	13, 505, 000	13, 505, 000			
Total, Bureau of Indian Affairs	427, 407, 500	501, 316, 000	509, 873, 000	512, 131, 000	511, 362, 000	−10, 046, 000	+1, 489, 000	−769, 000
Bureau of Outdoor Recreation								
Salaries and expenses	$3, 949, 000	$4, 203, 000	$4, 150, 000	$4, 150, 000	$4, 150, 000	−$53, 000		
Land and Water Conservation Fund								
Appropriation of receipts (indefinite)	361, 500, 000	300, 000, 000	300, 000, 000	300, 000, 000	300, 000, 000			
Territorial Affairs								
Administration of territories	21, 699, 000	22, 375, 000	22, 375, 000	22, 375, 000	22, 375, 000			
Permanent appropriation (special fund)	(367, 000)	(469, 000)	(469, 000)	(469, 000)	(469, 000)			
Transferred from other accounts (special fund)	(458, 360)	(470, 000)	(470, 000)	(470, 000)	(470, 000)			
Trust Territory of the Pacific Islands	59, 980, 000	60, 000, 000	60, 000, 000	60, 000, 000	60, 000, 000			
Micronesian claims fund	5, 000, 000							
Total, Territorial Affairs	86, 679, 000	82, 375, 000	82, 375, 000	82, 375, 000	82, 375, 000			
Total, Public Land Management	994, 539, 500	999, 675, 000	1, 001, 843, 000	1, 004, 186, 000	1, 003, 417, 000	+$3, 742, 000	+$1, 574, 000	−$769, 000
MINERAL RESOURCES								
Geological Survey								
Surveys, investigations, and research	131, 050, 000	150, 800, 000	150, 000, 000	151, 200, 000	150, 450, 000	−350, 000	+450, 000	−750, 000
Bureau of Mines								
Conservation and development of mineral resources	49, 858, 000	55, 291, 000	58, 491, 000	57, 891, 000	60, 091, 000	+4, 800, 000	+1, 600, 000	+2, 200, 000
Health and safety	81, 851, 000	95, 374, 000	95, 374, 000	95, 374, 000	95, 374, 000			
General administrative expenses	2, 013, 000	2, 008, 000	2, 000, 000	2, 000, 000	2, 000, 000	−8, 000		
Helium fund (borrowing authority)	45, 300, 000							
Total, Bureau of Mines	179, 022, 000	152, 673, 000	155, 865, 000	155, 265, 000	157, 465, 000	+4, 792, 000	+1, 600, 000	+2, 200, 000
Office of Coal Research								
Salaries and expenses	30, 650, 000	45, 330, 000	42, 330, 000	46, 990, 000	43, 490, 000	−1, 840, 000	+1, 160, 000	−3, 500, 000

EXHIBIT 1—Continued

Agency and item	New budget (obligational) authority appropriated, 1972	Budget estimates of new (obligational) authority, 1973	Allowances			Conference allowance compared with		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1973	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE I—DEPARTMENT OF THE INTERIOR—Con.								
Mineral Resources								
Office of Oil and Gas								
Salaries and expenses	$1,570,000	$1,558,000	$1,558,000	$1,558,000	$1,558,000			
Total, Mineral Resources	342,292,000	350,361,000	349,753,000	355,013,000	352,963,000	+$2,602,000	+$3,210,000	-$2,050,000
FISH AND WILDLIFE AND PARKS								
Bureau of Sport Fisheries and Wildlife								
Management and investigations of resources	66,883,000	74,552,000	73,529,500	73,477,000	73,489,500	—1,062,500	—40,000	+12,500
Construction	7,226,000	6,258,000				—6,258,000		
Migratory bird conservation account (definite, repayable advance)	7,500,000	7,100,000	7,100,000	7,100,000	7,100,000			
Anadromous and Great Lakes fisheries conservation	2,332,000	2,333,000	2,333,000	2,333,000	2,333,000			
General administrative expenses	2,240,000	2,332,000	2,250,000	2,250,000	2,250,000	—82,000		
Total, Bureau of Sport Fisheries and Wildlife	86,181,000	92,575,000	85,212,500	85,160,000	85,172,500	—7,402,500	—40,000	+12,500
National Park Service								
Management and protection	71,756,000	89,937,000	88,671,000	89,385,000	89,421,000	—516,000	+750,000	+36,000
Maintenance and rehabilitation of physical facilities	57,557,000	73,198,000	73,312,000	73,362,000	73,312,000	+114,000		—50,000
Construction	75,752,000	42,233,000	41,711,000	43,026,000	42,701,000	+468,000	+990,000	—325,500
Parkway and road construction (appropriation to liquidate contract authority)	(24,188,000)	(20,222,000)	(5,766,000)	(13,416,000)	(5,416,000)	(—14,806,000)	(—350,000)	(—8,000,000)
Preservation of historic properties	8,369,000	10,124,000	11,624,000	11,559,000	11,559,000	+1,435,000	—65,000	
General administrative expenses	4,052,000	4,175,000	4,140,000	4,140,000	4,140,000	—35,000		
Total, National Park Service	217,486,000	219,667,000	219,458,000	221,472,000	221,133,000	+1,466,000	+1,675,000	—339,000
Total, Fish and Wildlife and Parks	303,667,000	312,242,000	304,670,500	306.632,000	306,305,500	—5,936,500	+1,635,000	—326,500
OFFICE OF SALINE WATER								
Saline water conversion	27,025,000	27,021,000	26,871,000	26,871,000	26,871,000	-150,000		
OFFICE OF WATER RESOURCES RESEARCH								
Salaries and expenses	14,290,000	14,304,000	16,344,000	16,344,000	16,344,000	+2,040,000		
OFFICE OF THE SOLICITOR								
Salaries and expenses	6,967,000	7,031,000	7,000,000	7,000,000	7,000,000	-31,000		
OFFICE OF THE SECRETARY								
Salaries and expenses	10,948,900	16,412,000	15,419,000	15,470,100	15,295,100	-1,116,900	-123,900	-175,000
Departmental operations	3,746,100	4,066,000	4,066,000	4,066,000	4,066,000			
Salaries and expenses (special foreign currency program)	500,000	1,000,000	750,000	500,000	500,000	-500,000	-250,000	
Total, Office of the Secretary	15,195,000	21,478,000	20,235,000	20,036,100	19,861,100	-1,616,900	-373,900	-175,000
Total, new budget (obligational) authority, Department of the Interior	1,703,975,500	1,732,112,000	1,726,716,500	1,736,082,100	1,732,761,600	+649,600	+6,045,100	-3,320,500
Consisting of—								
Appropriations	1,703,975,500	1,732,112,000	1,726,716,500	1,736,082,100	1,732,761,600	+649,600	+6,045,100	-3,320,500
Definite appropriations	(1,262,479,500)	(1,398,848,000)	(1,393,711,500)	(1,403,077,100)	(1,399,756,600)	(+908,600)	(+6,045,100)	(-3,320,500)
Indefinite appropriations	(396,196,000)	(333,264,000)	(333,005,000)	(333,005,000)	(333,005,000)	(-259,000)		
Authorization to spend from public debt receipts	(45,300,000)							
Memoranda—								
Appropriations to liquidate contract authority	(61,681,000)	(70,526,000)	(56,070,000)	(63,720,000)	(55,720,000)	(-14,806,000)	(-350,000)	(-8,000,000)
Total, new budget (obligational) authority and appropriations to liquidate contract authority	(1,765,656,500)	(1,802,638,000)	(1,782,786,500)	(1,799,802,100)	(1,788,481,600)	(-14,156,400)	(+5,695,100)	(-11,320,500)
TITLE II—RELATED AGENCIES								
DEPARTMENT OF AGRICULTURE								
Forest Service								
Forest protection and utilization:								
Forest land management	297,095,300	246,749,000	257,872,000	252,899,000	255,604,000	+8,855,000	-2,268,000	+2,705,000
Forest research	54,587,000	57,278,000	59,268,000	60,833,000	61,143,000	+3,865,000	+1,875,000	+310,000
State and private forestry cooperation	27,759,000	27,760,000	27,760,000	37,760,000	32,760,000	+5,000,000	+5,000,000	-5,000,000
Total, forest protection and utilization	379,441,300	331,787,000	344,900,000	351,492,000	349,507,000	+17,720,000	+4,607,000	-1,985,000
Construction and land acquisition	35,703,200	37,980,000	43,953,900	44,203,900	48,581,900	+10,601,900	+4,628,000	+4,378,000
Youth conservation corps	3,500,000	3,500,000	3,500,000	3,500,000	3,500,000			
Forest roads and trails (appropriation to liquidate contract authority)	(148,740,000)	(158,840,000)	(158,840,000)	(158,840,000)	(158,840,000)			
Acquisition of lands for national forests:								
Special acts (special fund, indefinite)	80,000	80,000	80,000	80,000	80,000			
Acquisition of lands to complete land exchanges	26,035							
Cooperative range improvements (special fund, indefinite)	700,000	700,000	700,000	700,000	700,000			
Assistance to States for tree planting	1,028,000	1,027,000	1,020,000	1,020,000	1,020,000	-7,000		
Total, new budget (obligational) authority, Forest Service	420,478,535	375,074,000	394,153,900	400,995,900	403,388,900	+28,314,900	+9,235,000	+2,393,000

Agency and item	New budget (obligational) authority appropriated, 1972	Budget estimates of new (obligational) authority, 1973	Allowances			Conference allowance compared with		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1973	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE II—RELATED AGENCIES—Continued								
COMMISSION OF FINE ARTS								
Salaries and expenses	$124,000	$135,000	$135,000	$135,000	$135,000			
DEPARTMENT OF HEALTH, EDUCATION AND WELFARE								
HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION								
Indian health services	155,333,000	166,540,000	169,787,000	173,398,000	172,748,000	+$6,208,000	+$2,961,000	−$650,000
Indian health facilities	30,442,000	43,689,000	44,099,000	44,549,000	44,549,000	+860,000	+450,000	
Total, Health Services and Mental Health Administration	185,775,000	210,229,000	213,886,000	217,947,000	217,297,000	+7,068,000	+3,411,000	−650,000
INDIAN CLAIMS COMMISSION								
Salaries and expenses	1,045,000	1,090,000	1,090,000	1,075,000	1,075,000	−15,000	−15,000	
NATIONAL CAPITAL PLANNING COMMISSION								
Salaries and expenses	1,300,000	1,428,000	1,425,000	1,425,000	1,425,000	−3,000		
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES								
Salaries and Expenses								
Endowment for the arts	26,250,000	35,500,000	34,900,000	34,500,000	34,700,000	−800,000	−200,000	+200,000
Endowment for the humanities	24,500,000	35,500,000	34,500,000	34,500,000	34,500,000	−1,000,000		
Administrative expenses	3,536,000	5,314,000	5,314,000	5,314,000	5,314,000			
Subtotal, salaries and expenses	54,286,000	76,314,000	74,417,000	74,314,000	74,514,000	−1,800,000	−200,000	+200,000
Matching Grants								
Endowment for the arts	3,500,000	3,500,000	3,500,000	3,500,000	3,500,000			
Endowment for the humanities	3,500,000	3,500,000	3,500,000	3,500,000	3,500,000			
Subtotal, matching grants	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000			
Total, National Foundation on the Arts and the Humanities	61,286,000	83,314,000	81,714,000	81,314,000	81,514,000	−1,800,000	−200,000	+200,000
SMITHSONIAN INSTITUTION								
Salaries and expenses	44,701,000	54,683,000	51,682,000	52,243,000	51,633,000	−3,050,000	−49,000	−610,000
Museum programs and related research (special foreign currency program)	3,500,000	6,000,000	4,000,000	3,500,000	3,500,000	−2,500,000	−500,000	
Science information exchange	1,600,000	1,650,000	1,600,000	1,600,000	1,600,000	−50,000		
Construction and improvements, National Zoological Park	200,000	675,000	675,000	675,000	675,000			
Restoration and renovation of buildings	550,000	5,409,000	5,064,000	5,014,000	5,014,000	−395,000	−50,000	
Construction	1,900,000	40,275,000	13,000,000	13,000,000	13,000,000	−27,275,000		
Construction (new contract authority)			27,000,000	27,000,000	27,000,000	+27,000,000		
Construction (appropriation to liqjidate contract authority)	(3,697,000)							
Salaries and expenses, National Gallery of Art	4,841,000	5,420,000	5,420,000	5,420,000	5,420,000			
Salaries and expenses, Woodrow Wilson International Center for Scholars	695,000	841,000	800,000	800,000	800,000	−41,000		
Operation and maintenance, John F. Kennedy Center for the Performing Arts				1,500,000	1,500,000	+1,500,000	+1,500,000	
Total, Smithsonian Institution	57,987,000	114,953,000	109,241,000	110,752,000	110,142,000	−4,811,000	+901,000	−610,000
HISTORICAL AND MEMORIAL COMMISSIONS								
Franklin Delano Roosevelt Memorial Commission	37,000	38,000	38,000	38,000	38,000			
NATIONAL PARKS CENTENNIAL COMMISSION								
Salaries and expenses	250,000							
American Revolution Bicentennial Commission								
Salaries and expenses	3,834,000	6,814,000				−6,814,000		
NATIONAL COUNCIL ON INDIAN OPPORTUNITY								
Salaries and expenses	275,000	300,000	290,000	290,000	290,000	−10,000		
FEDERAL METAL AND NONMETALIC MINE SAFETY BOARD OF REVIEW								
Salaries and expenses	167,000	167,000	160,000	160,000	160,000	−7,000		
JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA								
Salaries and expenses	125,000	1,500,000	708,800	708,800	708,800	−791,200		
Total, new budget (obligational) authority, related agencies	732,683,535	795,042,000	802,841,700	814,840,700	816,173,700	+21,131,700	+13,332,000	+1,333,000
Consisting of—								
Appropriations	732,683,535	795,042,000	775,841,700	787,840,700	789,173,700	−5,868,300	+13,332,000	+1,333,000
Definite appropriations	(731,903,535)	(794,362,000)	(775,061,700)	(787,060,700)	(788,393,700)	(−5,868,300)	(+13,332,000)	(+1,333,000)
Indefinite appropriations	(780,000)	(780,000)	(780,000)	(780,000)	(780,000)			
New contract authority			27,000,000	27,000,000	27,000,000	+27,000,000		

EXHIBIT 1—Continued

			Allowances			Conference allowance compared with		
Agency and item (1)	New budget (obligational) authority appropriated, 1972 (2)	Budget estimates of new (obligational) authority, 1973 (3)	House (4)	Senate (5)	Conference (6)	Budget estimates of new (obligational) authority, 1973 (7)	House allowance (8)	Senate allowance (9)
TITLE II—RELATED AGENCIES—Continued								
JOINT FEDERAL-STATE LAND USE PLANNING								
Memoranda—								
Appropriations to liquidate contract authority	($152, 437, 000)	($158, 840, 000)	($158, 840, 000)	($158, 840, 000)	($158, 840, 000)			
Total, new budget (obligational) authority and appropriations to liquidate contract authority	(885, 120, 535)	(953, 882, 000)	(961, 681, 700)	(973, 680, 700)	(975, 013, 700)	(+$21, 131, 700)	(+$13, 332, 000)	(+$1, 333, 000)
Recapitulation								
Grand total, new budget (obligational) authority, all titles	2, 436, 659, 035	2, 527, 154, 000	2, 529, 558, 200	2, 550, 922, 800	2, 548, 935, 300	+21, 781, 300	+19, 377, 100	—1, 987, 500
Consisting of—								
Appropriations	2, 436, 659, 035	2, 527, 154, 000	2, 502, 558, 200	2, 523, 922, 800	2, 521, 935, 300	—5, 218, 700	+19, 377, 100	—1, 987, 500
Definite appropriations	(1, 994, 383, 035)	(2, 193, 110, 000)	(2, 168, 773, 200)	(2, 190, 137, 800)	(2, 188, 150, 300)	(—4, 959, 700)	(+19, 377, 100)	(—1, 987, 500)
Indefinite appropriations	(396, 976, 000)	(334, 044, 000)	(333, 785, 000)	(333, 785, 000)	(333, 785, 000)	(—259, 000)		
New contract authority			27, 000, 000	27, 000, 000	27, 000, 000	+27, 000, 000		
Authorization to spend from public debt receipts	45, 300, 000							
Memoranda—								
Appropriations to liquidate contract authority	(214, 118, 000)	(229, 366, 000)	(214, 910, 000)	(222, 560, 000)	(214, 560, 000)	(—14, 806, 000)	(—350, 000)	(—8, 000, 000)
Grand total, new budget (obligational) authority and appropriations to liquidate contract authority	(2, 650, 777, 035)	(2, 756, 520, 000)	(2, 744, 468, 200)	(2, 773, 482, 800)	(2, 763, 495, 300)	(+6, 975, 300)	(+19, 027, 100)	(—9, 987, 500)

Mr. STEVENS. Mr. President, I express my gratitude to the chairman of the subcommittee for his consideration and for the assistance he has given me in connection with this bill. It is the first time I have served with him on this bill as it has passed through the Senate. He has been wise in his counsel and generous in his consideration not only of the subject matter as a whole but in particular with respect to the items we sought for the State of Alaska. I am most pleased with the cooperation I have had and the assistance I have had from the Senator from Nevada.

Mr. President, I also would like to again thank the most distinguished Paul Eaton, who has assisted me in this regard, and who is now going out to his own pursuits after so many years in the service of the Interior Appropriations Subcommittee. I am grateful to him also for the education I have received this year.

Mr. BIBLE. Mr. President, I thank the Senator from Alaska for the views he has expressed. I also wish to echo one further sentiment, and that is appreciation for the great guidance, counsel, and help that have come from Paul R. Eaton, who is leaving us after 33 years of service on the Hill, first serving with Senator Hayden and then with the Committee on Appropriations. He will be terribly hard to replace. He has done a great job. We wish him well in the future.

Mr. President, I move that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

BENT'S OLD FORT

Mr. ALLOTT. Mr. President, in reviewing the conference report making appropriations for the Department of the Interior, I am particularly pleased to note that the conference accepted the Senate position on appropriating $50,000 to commence reconstruction of Bent's Old Fort National Historic Site in Colorado. The national historic site, 7 miles east of La Junta, Colo., was authorized by an act of Congress in 1960. Its purpose is to commemorate the historic role played by Bent's Old Fort in the opening of the West.

After some 12 years of being authorized, very little, if any work has been done to reconstruct this important historic site. In appropriating the funds included in this bill today, Congress is putting in motion a development schedule which calls for completion of the reconstruction by 1976. This is particularly important in that that year is not only the national bicentennial, but is also the Colorado State centennial.

The development schedule as contemplated now by the National Park Service calls for a 4-year program. In order to meet this completion date, Congress must appropriate the $50,000 we are approving today; $300,000 in both the second and third years; and the remaining portion in the fourth year. I am pleased to see that we are taking the first step in reaching this goal by approving the funds today.

The PRESIDING OFFICER. The clerk will state the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 7, 9, 10, 19, and 39 to the aforesaid bill, and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 4 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$55,960,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 12 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$60,091,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 15 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$89,421,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 21 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$5,416,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 23 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$15,295,100".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 26 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$61,143,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 28 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$48,581,900".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 35 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$51,633,000".

The PRESIDING OFFICER. The House recedes and concurs with House amendments to Senate amendments Nos. 4, 12, 15, 21, 23, 26, 28, and 35.

Mr. BIBLE. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate Numbered 4, 12, 15, 21, 23, 26, 28, and 35.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

QUORUM CALL

Mr. CANNON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR SCHWEIKER TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, following the remarks of the able Senator from Florida (Mr. CHILES), the able Senator from Pennsylvania (Mr. SCHWEIKER) be recognized for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business be extended for not to exceed 10 minutes, with statements limited therein to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCREASED VOCATIONAL ALLOWANCES TO VETERANS—UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, with respect to S. 2161, to increase vocational rehabilitation and educational assistance allowances, at such time as that bill is called up and made the pending business before the Senate, I ask unanimous consent that there be a time limitation on the bill of 10 minutes, to be equally divided between the manager of the bill (Mr. HARTKE) and the distinguished Republican leader or his designee; that time on an amendment by Mr. MATHIAS be limited to 20 minutes, to be equally divided between the able Senator from Maryland (Mr. MATHIAS) and the able Senator from Indiana (Mr. HARTKE); that time on any other amendment, debatable motion, or appeal be limited to 10 minutes, to be equally divided between the mover of such and Mr. HARTKE, except in any instances in which Mr. HARTKE may favor such, in which case time in opposition thereto be under the control of the Republican leader or his designee.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

TREATY ON LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS—UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, as in executive session, I ask unanimous consent that the time which was to be under the control of the distinguished Senator from Alabama (Mr. SPARKMAN), in accordance with the agreement of yesterday, be under the control of the distinguished Senator from Arkansas (Mr. FULBRIGHT).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, as in executive session, I ask unanimous consent that, with respect to any debatable motions or appeals, there be a time limitation, and division of time with respect thereto, in conformity with the agreement entered on yesterday with respect to amendments to reservations or understandings.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME LIMITATION AGREEMENT ON S. 1729

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as S. 1729, the Freight Car bill, is called up and made the pending business, there be a one half-hour limitation on the bill, the time to be equally divided between and controlled by the distinguished Senator from Washington (Mr. MAGNUSON), the manager of the bill, and the distinguished Senator from New Hampshire (Mr. COTTON); provided, that time on any amendment, debatable motion, on appeal be limited to 20 minutes, to be equally divided between and controlled by the mover of such and the manager of the bill, except in any instance in which the manager of the bill supports such, in which case the time in opposition thereto be under the control of the distinguished majority leader or his designee.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Proposed Amendment of Titles 10, 18, and 37, United States Code

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to amend titles 10, 18, and 37, United States Code, to revise the laws pertaining to conflicts of interest and related matters as they apply to members of the uniformed services, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for the period July 1971-May 1972 (with accompanying report); to the Committee on Banking, Housing and Urban Affairs.

Proposed Ratification of Certain Payments

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to ratify certain payments made by the United States under the Federal Airport Act, as amended (with an accompanying paper); to the Committee on Commerce.

Proposed Amendment of Internal Revenue Code of 1954

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to permit charges for certain services (with an accompanying paper); to the Committee on Finance.

Proposed Amendment of Tariff Act of 1930

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Tariff Act of 1930 to grant additional arrest authority to officers of the Customs Service (with an accompanying paper); to the Committee on Finance.

Proposed Amendment of Tariff Act of 1930

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Tariff Act of 1930 to provide an exemption from the restrictions of the trade-mark laws, and for other purposes (with an accompanying paper); to the Committee on Finance.

Proposed Modernization of Certain Procedures for Licensing

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to modernize the procedures for licensing and disciplining customs brokers, and for other purposes (with an accompanying paper); to the Committee on Finance.

Report on Personal Property Donated to Public Health and Educational Institutions

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal property donated to public health and educational institutions and civil defense organizations, for the fiscal year ended June 30, 1972 (with an accompanying report); to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "More Needs to be Done to Assure that Physicians' Services—Paid for by Medicare and Medicaid—Are Necessary", Department of Health, Education, and Welfare, dated August 2, 1972 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Need for Improved Coordination of Federally Assisted Student Aid Programs in Institutions of Higher Education", Office of Education, Department of Health, Education, and Welfare, dated

August 2, 1972 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Need for Improvements in the Management System to Assess Performance of AID-Financed Projects in India", Agency for International Development, Department of State, dated August 3, 1972 (with an accompanying report); to the Committee on Government Operations.

Proposed Amendment of Section 215, Title 18, United States Code

A letter from the Attorney General, transmitting a draft of proposed legislation to amend Section 215, Title 18, United States Code, Receipt of Commissions or Gifts for Procuring Loans, to expand the institutions covered; to encompass indirect payments to bank officials; to make violation of the Section a felony; and to specifically include offerors and givers of the proscribed payments; and for other related purposes (with accompanying papers); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, copies of orders suspending deportation of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classification for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports according third preference and sixth preference classification to certain aliens (with accompanying papers); to the Committee on the Judiciary.

National Transportation Report

A letter from the Secretary of Transportation, transmitting, pursuant to law, the 1972 National Transportation Report (with an accompanying report); to the Committee on Public Works.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 3, 1972, he presented to the President of the United States the following enrolled bills:

S. 916. An act to include firefighters with the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations;

S. 2227. An act to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depositary library;

S. 2684. An act to amend section 509 of the Merchant Marine Act, 1936, as amended; and

S. 3463. An act to amend section 906 of title 44, United States Code, to provide copies of the daily and semimonthly Congressional Record to libraries of certain United States courts.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SYMINGTON, from the Committee on Armed Services, with an amendment:

H.R. 15641. An act to authorize certain construction at military installations, and for other purposes (Rept. No. 92–1010.)

By Mr. ROBERT C. BYRD (for Mr. Hartke) from the Committee on Commerce:

S. 3879. An original bill to amend title 23, United States Code, sections 101 and 120 (Rept. No. 92–1011). Referred to the Committee on Public Works.

Mr. ROBERT C. BYRD. Mr. President, on behalf of the distinguished Senator from Indiana (Mr. Hartke), from the Committee on Commerce, I report an original bill on rail-highway grade crossing safety.

I ask unanimous consent that the bill be referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

Mr. THURMOND. Mr. President, as in executive session, from the Committee on Armed Services I report favorably the nomination of Vice Adm. Maurice F. Weisner to the Vice Chief of Naval Operations and his appointment to grade of admiral while serving. I also report favorably the nominations of 103 flag and general officers in the Army, Navy, Marine Corps, and Air Force.

The PRESIDING OFFICER. The reports will be received and the nominations will be placed on the Executive Calendar.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Rear Adm. William T. Rapp, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Brig. Gen. Herbert Eric Wolff, Army of the United States (colonel U.S. Army), and sundry other officers, for temporary appointment in the Army of the United States;

Brig. Gen. John Kirk Singlaub, Army of the United States (colonel U.S. Army), and sundry other officers, for appointment in the Regular Army of the United States;

Rear Adm. William J. Moran, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Brig. Gen. Robert Frank Cocklin, and sundry other U.S. Army Reserve officers, for promotion as Reserve commissioned officers of the Army;

Col. Joseph Earle Brown, Jr., and sundry other Army National Guard of the United States officers, for promotion as Reserve commissioned officers of the Army;

Lt. Gen. William K. Jones, U.S. Marine Corps, when retired, to be placed on the retired list in the grade of lieutenant general;

Maj. Gen. Louis H. Wilson, Jr., U.S. Marine Corps, for commands and other duties determined by the President, for appointment to the grade of lieutenant general while so serving;

Brig. Gen. O'Neil James Daigle, Jr., and sundry other Army National Guard officers, for appointment as Reserve commissioned officers of the Army;

Rear Adm. Frank H. Price, Jr., U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Lt. Gen. Marvin L. McNickle (major general, Regular Air Force) U.S. Air Force, to be placed on the retired list in the grade of lieutenant general.

Maj. Gen. William G. Moore, Jr. (major general, Regular Air Force) U.S. Air Force, to be assigned to a position of importance and responsibility designated by the President, for appointment to lieutenant general while so serving;

Vice Adm. Maurice F. Weisner, U.S. Navy, for appointment as Vice Chief of Naval Operations;

Vice Adm. Maurice F. Weisner, U.S. Navy, for commands and other duties of great importance and responsibility determined by the President, for appointment to the grade of admiral while so serving; and

Rear Adm. William D. Houser, U.S. Navy, for commands and other duties determined by the President for appointment to the grade of vice admiral while so serving.

Mr. THURMOND. Mr. President, in addition, I report favorably 423 nominations in the Army, 271 in the Marine Corps and 1,430 in the Air Force all in the grade of colonel or below. Since these names have already appeared in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Donald L. Abbitt, and sundry other Marine Corps officers for promotion in the Marine Corps;

Capt. Jack T. Kline, U.S. Marine Corps, for appointment in the grade of major;

Katherine E. Hamlin, and sundry other officers, for promotion in the Air Force Reserve;

Charles L. Humphrey, and sundry other persons, for appointment in the Regular Army of the United States;

Carroll N. Anderson, and sundry other Air National Guard of the United States officers, for promotion in the Reserve of the Air Force;

Bruce L. Livingston, and sundry other persons, for appointment in the Regular Army of the United States; and

Francis W. Ahearn, and sundry other persons, for appointment in the Regular Air Force;

CHANGE OF REFERENCE—S. 3756

Mr. HRUSKA. Mr. President, last month, this Senator introduced a private relief bill, S. 3756, designed to correct a situation relating to the retirement eligibility of the four photographers employed by the Republican and Democratic Senate Policy Committees.

At the time of the introduction it had been expected that the bill would be referred to the Senate Committee on the Judiciary. Rather the bill was sent to the Senate Post Office and Civil Service Committee.

In checking with the chairman, Mr. McGee, and the ranking minority member, Mr. Fong, of the Post Office and Civil Service Committee, as well as the chairman of the Judiciary Committee, Mr. Eastland, it was agreed that this bill should be considered by the Judiciary Committee.

Therefore, I ask unanimous consent that the Post Office and Civil Service Committee be discharged from its consideration of S. 3756 and that the bill be referred to the Committee on the Judiciary.

The PRESIDING OFFICER (Mr.

HUMPHREY). Without objection, it is so ordered.

Mr. McGEE. Mr. President, I want to emphasize that the Committee on Post Office and Civil Service reached the conclusion that this was not properly within its jurisdiction. I have urged that it be rereferred to the Committee on the Judiciary. We certainly support the request of the Senator from Nebraska.

Mr. HRUSKA. I thank the distinguished Senator from Wyoming.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. BENNETT:

S. 3878. A bill to amend chapter 34 of title 38, United States Code, to consider as active duty service, for certain purposes and under certain circumstances, the initial period of active duty for training served by a veteran pursuant to section 511(d) of title 10, United States Code. Referred to the Committee on Veterans' Affairs.

By Mr. ROBERT C. BYRD (for Mr. HARTKE) from the Committee on Commerce:

S. 3879. An original bill to amend title 23, United States Code, sections 101 and 120. Referred to the Committee on Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT:

S. 3878. A bill to amend chapter 34 of title 38, United States Code, to consider as active duty service, for certain purposes and under certain circumstances, the initial period of active duty for training served by a veteran pursuant to section 511(d) of title 10, United States Code. Referred to the Committee on Veterans' Affairs.

GI BENEFITS TO RESERVISTS FOR INITIAL ACTIVE DUTY TRAINING

Mr. BENNETT. Mr. President, today I am introducing a bill to amend chapter 34 of title 38, United States Code, to consider as active duty service, for certain purposes and under certain circumstances, the initial period of active duty for training served by a veteran pursuant to section 511(d) of title 10, United States Code.

At this time, any serviceman, regardless of the branch of service or type of enlistment, must receive a minimum of 120 days of initial training before he can be sent to a hostile country. Servicemen in all branches who are drafted or enlisted are entitled to receive GI benefits for this training period, but reservists are prohibited from receiving any credit for this same training period, even though the skills taught are exactly the same.

The bill I have introduced would permit the counting, for GI benefit purposes, of initial active duty training by a reservist, where the reservist is subsequently called to active duty. This would erase the inequity which exists that allows one soldier to receive GI benefits for his initial active duty training, but not another soldier, because he is classified as a reservist. Both men receive the same training and both men participate in the same activities when called to active duty. Both men should receive the same benefits.

ADDITIONAL COSPONSORS OF BILLS

S. 32

At the request of Mr. KENNEDY, the Senator from Georgia (Mr. GAMBRELL) and the Senator from Kansas (Mr. PEARSON) were added as cosponsors of S. 32, the Conversion Research, Education, and Assistance Act.

S. 3771

At the request of Mr. GRIFFIN (for Mr. BROOKE) the Senator from Alaska (Mr. STEVENS) and the Senator from Maine (Mr. MUSKIE) were added as cosponsors of S. 3771, to provide compensation to U.S. commercial fishing vessel owners for damages incurred by them as a result of an action of a vessel operated by a foreign government or citizen of a foreign government.

S. 2161

At the request of Mr. HARTKE, the Senator from Alaska (Mr. GRAVEL) and the Senator from Minnesota (Mr. HUMPHREY) were added as cosponsors of S. 2161, a bill to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the vocational rehabilitation subsistence allowances the educational assistance allowances, and the special training allowances paid to eligible veterans and persons under such chapters.

SENATE CONCURRENT RESOLUTION 91—SUBMISSION OF A CONCURRENT RESOLUTION DESIGNATING OCTOBER AS NATIONAL GOSPEL-RESCUE MISSION MONTH

(Referred to the Committee on the Judiciary.)

Mr. SCOTT submitted the following concurrent resolution:

S. CON. RES. 91

Whereas in October 1872, Jerry McAuley in the city of New York opened the Water Street Mission as a haven for alcoholics and transient men, being the first religious institution to open its doors every night of the year to the homeless, and the above mission still serves the needy under the name Jerry McAuley Water Street Mission, and

Whereas the spirit and work of Jerry McAuley spread the length and breadth of North America, and to many parts of the world with Gospel-Rescue Missions springing up to meet the physical, spiritual, and material needs of thousands of persons in most cities over fifty thousand in population, and

Whereas three hundred and fifty Gospel-Rescue Missions in the United States of America, members of the International Union of Gospel Missions, served millions of meals to the hungry, housed over two million individuals, distributed over two and one-half million items of clothing last year, as well as offered a variety of youth services, alcoholic treatment programs, family care and services, parole placements, adoption counseling, and so forth, to the people of America, and have now for one hundred years shown willingness to serve mankind, and

Whereas Gospel-Rescue Missions have become a place of new beginning for thousands of individuals including many renowned leaders, and

Whereas the International Union of Gospel Missions will be celebrating October 1972 as its one hundredth anniversary and will be holding special programs in conjunction with a mission on October 7, 1972, and will be gathered in the city of New York on October 13 through 15, 1972, to join the McAuley Water Street Mission to celebrate one hundred years of preaching to and reaching the least, the last, and the lost: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation recognizing 1972 as the one hundredth anniversary of the Gospel-Rescue Mission movement and designating October as "National Gospel-Rescue Mission Month", and calling upon the people of the United States of America to observe such month with appropriate ceremonies and activities.

SENATE RESOLUTION 340—ORIGINAL RESOLUTION REPORTED AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

(Referred to the Committee on Rules and Administration.)

Mr. STENNIS, from the Committee on Armed Services, reported the following resolution:

S. RES. 340

Resolved, That the Committee on Armed Services is authorized to expend from the contingent fund of the Senate, during the 92d Congress, $15,000 in addition to the amount, and for the same purposes specified in section 134(a) of the Legislative Reorganization Act of 1946, and Senate Resolution 252, 92d Congress, agreed to March 6, 1972.

SENATE RESOLUTION 341—SUBMISSION OF A RESOLUTION TO ESTABLISH A SPECIAL COMMITTEE ON THE TERMINATION OF THE NATIONAL EMERGENCY

(Referred to the Committee on Foreign Relations.)

Mr. MATHIAS submitted the following resolution:

S. RES. 341

Whereas the existence of the state of national emergency proclaimed by the President on December 16, 1950, is directly related to the conduct of United States foreign policy and our national security: Now, therefore, be it

Resolved, That (a) there is hereby established a special committee of the Senate to be known as the Special Committee on the Termination of the National Emergency (hereinafter referred to as the "special committee").

(b) The special committee shall be composed of eight Members of the Senate equally divided between the majority and minority parties to be appointed by the President of the Senate, four of whom shall be members of the Committee on Foreign Relations.

(c) The special committee shall select a chairman and vice chairman from among its members. A majority of the members of the special committee shall constitute a quorum thereof for the transaction of business, except that the special committee may fix a lesser number as a quorum for the purpose of taking testimony. Vacancies in the membership of the special committee shall not affect the authority of the remaining members to execute the functions of the special committee.

SEC. 2. It shall be the function of the special committee to conduct a study and investigation with respect to the matter of terminating the national emergency proclaimed by the President of the United States on December 16, 1950, and announced in Presidential Proclamation Numbered 2914, dated the same date. In carrying out such study and investigation the special committee shall—

(1) consult and confer with the President and his advisers;

(2) consider the problems which may arise as the result of terminating such national emergency; and

(3) consider what administrative or legislative actions might be necessary or desirable as the result of terminating such national emergency, including consideration of the desirability and consequences of terminating special legislative powers that were conferred on the President and other officers, boards, and commissions as the result of the President proclaiming a national emergency.

SEC. 3. For the purposes of this resolution the special committee is authorized from date of agreement to this resolution through January 2, 1973, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, (3) to hold hearings, (4) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (5) to require, by subpena or otherwise the attendance of witnesses and the production of correspondence, books, papers, and documents, (6) to take depositions and other testimony, (7) to procure the service of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, as amended, and (8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 4. The expenses of the special committee under this resolution shall not exceed $100,000, of which amount not to exceed $15,000 shall be available for the procurement of the services of individual consultants, or organizations thereof as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended.

SEC. 5. The special committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 2, 1973.

SEC. 6. Expenses of the special committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the special committee.

SEC. 7. Senate Resolution 304, 92d Congress, agreed to June 23, 1972, is repealed.

DISASTER RELIEF—AMENDMENTS

AMENDMENT NO. 1392

(Ordered to be printed and to lie on the table.)

Mr. BUCKLEY (for himself, Mr. JAVITS, and Mr. SCOTT) submitted an amendment intended to be proposed by them jointly to the bill (H.R. 15692) to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans.

AMENDMENT NO. 1393

Mr. SCOTT. Mr. President, I am today submitting an amendment to H.R. 15692, a bill which amends the Small Business Act to reduce the interest rate on SBA disaster loans. This amendment is being offered pursuant to President Nixon's message to Congress yesterday urging flood relief funds for private nonprofit educational institutions.

During my tour of the flood ravaged areas of Pennsylvania, I was particularly struck by the magnitude of the damage sustained by some of our educational facilities. As the President pointed out in his message, Wilkes College in Wilkes-Barre sustained several million dollars in damages alone. The private facilities, those less reliant on direct public assistance, are having the hardest time, and they need the help now.

Under present law, public educational institutions are eligible for grant and loan assistance, but private facilities are only eligible for loans. The need is great enough, and the public interest and welfare is great enough, to warrant grants-in-aid as well.

The adoption of my amendment will mean the expenditure of at least $19 million in the flood stricken areas. I join the President in urging the swift adoption of this amendment and the whole package of disaster relief legislation which he has submitted to the Congress.

Mr. President, I ask unanimous consent that the text of the amendment and certain supplementary material be printed in the RECORD at this point.

There being no objection, the amendment and material were ordered to be printed in the RECORD, as follows:

At the end of the Act, add the following new section:

"SEC. 4(a) The Congress hereby finds and declares that there has been substantial damage to educational institutions as a result of Hurricane and Tropical Storm Agnes; that disaster relief for public educational institutions is adequately covered by legislation heretofore enacted; that nonprofit private educational institutions are not provided disaster relief benefits comparable to those provided to public educational institutions; that nonprofit private educational institutions have a secular educational mission; that students attending nonprofit private educational institutions that have been damaged, or destroyed will have to be provided for in public institutions if the former institutions are not restored; and, that these facts compel enactment of special measures designed to provide nonprofit private educational institutions which were victims of this catastrophe with disaster relief benefits comparable to those provided for public educational institutions.

"(b) To the extent such loss or damage or destruction is not compensated for by insurance or otherwise, the President may make grants to nonprofit private educational institutions in areas declared a major disaster by the President for the repair, restoration, reconstruction, or replacement of educational facilities, supplies, or equipment which have been lost, damaged, or destroyed as a result of Hurricane and Tropical Storm Agnes if such facilities, supplies, or equipment were owned on the date of such loss, damage, or destruction by an organization exempt from taxation under section 501 (c), (d), or (e) of the Internal Revenue Code of 1954 and the facilities, supplies or equipment were being used to carry out the exempt purposes of such organization; except that no grant may be made under this section for the repair, restoration, reconstruction, or replacement of any facility for which disaster relief assistance would not be authorized under Public Law 81-815, title VII of the Higher Educational Act of 1965, or the Disaster Relief Act of 1970 if such facility were a public facility.

"(c) The amount of a grant made under this section shall not—

"(1) exceed 100 per centum of the cost of:

(A) repairing, restoring, reconstructing, or replacing any facility on the basis of the design of such facility as it existed immediately prior to such disaster and in conformity with applicable codes, specifications, and standards; or

(B) repairing, restoring, or replacing equipment or supplies;

as they existed immediately prior to such disaster;

"(2) in the case of any facility which was under construction when so damaged or destroyed, exceed 50 per centum of the cost of restoring such facility substantially to its condition prior to such disaster, and of completing construction not performed prior to such disaster to the extent that the cost of completing construction is increased over the original construction cost due to changed conditions resulting from such disaster;

"(3) be used to pay any part of the cost of facilities, supplies, or equipment which are to be used primarily for sectarian purposes; and

"(4) be used to restore or rebuild any facility used or to be used primarily for religious worship; replace, restore, or repair any equipment or supplies used or to be used primarily for religious instruction, or restore or rebuild any facility or furnish any equipment or supplies which are used or to be used primarily in connection with any part of the program of a school or department of divinity.

"(d) For the purposes of this section,

"(1) the term educational institution means any elementary school (as defined by section 801(c) of the Elementary and Secondary Education Act of 1965), any secondary school (as defined by Section 801(h) of the Elementary and Secondary Education Act of 1965), and, any institution of higher education (as defined by section 1201 (a) of the Higher Education Act of 1965); and

"(2) the term school or department of divinity means a school or department of divinity as defined by section 1201 of the Higher Education Act of 1965.

"(e) Funds appropriated to the President in the appropriation "Disaster Relief" are hereby made available for carrying out the purposes of this section."

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., August 2, 1972.

Hon. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SCOTT: Today the President has issued a statement describing the destruction suffered by the private nonprofit educational institutions during hurricane and tropical storm Agnes. In that statement he stated his intention to send legislation to respond to the needs of those educational institutions in the devastated communities.

I am enclosing an amendment to the SBA legislation now before the Senate (H.R. 15692) which would carry out the President's intention with respect to private nonprofit schools This amendment should be offered in behalf of the Administration.

I submit this to the Senate because the House has already acted on H.R. 15692. I believe this approach to the Senate at this stage of the legislative process is the fastest way to provide the necessary legal authority to assist the victims of hurricane Agnes in their recovery efforts.

Sincerely,

FRANK C. CARLUCCI,
Deputy Director.

To the Congress of the United States:

Tropical Storm Agnes caused the most widespread destruction and devastation of any natural disaster in the history of the United States. On July 17, 1972, I sent to the Congress a proposal authorizing special disaster recovery measures which would aid victims of Agnes and also of the flood in Rapid City, South Dakota during June 1972.

As I stated in my transmittal message, the need for prompt enactment of these aid proposals, aimed at short and long-term recovery, is extreme and urgent. I asked the Congress then to consider and enact them within seven days. Sixteen days have passed without final Congressional action on the Disaster Recovery Act of 1972. I again urge the Congress to act immediately, because the victims of these disasters desperately need the help these measures would provide. And they need it now.

Today, I am transmitting an amendment which would make private, non-profit educational institutions eligible for disaster relief grants under the Act. I urge that the Congress consider and enact promptly this amendment, which would authorize reconstruction relief for these institutions comparable to the disaster reconstruction relief already available to public educational institutions.

The Office of Emergency Preparedness estimates that property loss and damage at private non-profit educational institutions in the storm affected areas has exceeded $19 million. Many of these institutions have undergone damage so extensive that they would be unable to rebuild facilities or reopen without extraordinary assistance. For example, at one alone, Wilkes College in Wilkes-Barre, Pennsylvania, which is not a large or wealthy institution, the storm caused havoc and destruction estimated at several millions of dollars.

The proposal I am transmitting today would provide financial assistance to restore, reconstruct or replace disaster-damaged education facilities, supplies and equipment used primarily for nonsectarian educational purposes. I believe this temporary authority is required if we are to meet our public responsibilities equitably and in a just manner.

Again, I cannot stress too strongly that it is essential that the Congress immediately enact the pending disaster relief legislation I have proposed. It is imperative that this massive recovery program begin at once. Millions of Americans—individual homeowners, farmers and city dwellers, small businessmen—are struggling to rebuild their lives in the wake of these natural disasters. They need their Government's help. And they need it now.

RICHARD NIXON.

THE WHITE HOUSE, *August 2, 1972.*

AMENDMENT TO PROVIDE DISASTER RELIEF ASSISTANCE TO PRIVATE NONPROFIT EDUCATIONAL INSTITUTIONS

I. PRIOR PRESIDENTIAL INITIATIVES

On July 12, 1972, the President announced that he would submit to the Congress when it reconvened, requests for new appropriations and authorizations of $1.77 billion to fund the Federal effort to recover from the devastation of Tropical Storm Agnes.

In the same message to the Congress, the President announced that he would also submit new legislation, the Disaster Recovery Act of 1972, which would make Small Business Administration and Farmers Home Administration loans to individuals and businessmen in the affected areas available at lower interest rates and with increased forgiveness of a portion of the sums borrowed. The foregoing legislative initiatives were submitted on the first day Congress reconvened for its present session on July 17, 1972. On July 18, 1972, an amendment was submitted to the Disaster Recovery Act which would extend its provisions to individuals affected by the flood in Rapid City, South Dakota, as well as victims of Tropical Storm Agnes.

II. NONPROFIT PRIVATE EDUCATIONAL INSTITUTIONS AMENDMENT

The amendment proposed today would provide disaster relief for non-profit private institutions of elementary, secondary, and higher education in disaster areas damaged by Tropical Storm Agnes and by the South Dakota flood in June 1972. A number of those institutions were damaged so severely that they will not be able to recover without extraordinary relief. While these institutions are eligible for loans under existing legislation or the Disaster Recovery Act of 1972, this assistance will be inadequate in many cases.

Federal aid to public schools under existing law is through assistance provided directly to local school districts: to finance normal operation of elementary and secondary schools; to repair damaged facilities; to replace or repair equipment; and to provide temporary school facilities. This assistance has top priority for funding and amounts required have first claim on available appropriations. Public institutions of higher education are also eligible for grants for the cost of construction and equipment incident to restoration or replacement of damaged facilities. These programs are administered by the Office of Education in the Department of Health, Education and Welfare. Current estimates of Federal disaster assistance to public educational institutions as a result of Tropical Storm Agnes are between $50 and $60 million in over 100 school districts.

Administration officials who have inspected the devastated area at the President's direction have reported that continued operation of both public and non-profit private schools is essential to reconstruction of the devastated area.

The proposed amendment would provide grants for the rebuilding, repair, or replacement of facilities, equipment, and supplies used for primarily non-sectarian purposes which were lost, damaged, or destroyed by the storms. The relief to be provided would be limited to restoration of facilities as they were before the disaster. It is intended to provide reconstruction benefits for non-profit private educational instiutions comparable to the disaster relief now available to public educational institutions.

Preliminary estimates indicate that in the affected area, at least thirty-five non-profit private schools, with a total enrollment of over 17,000 students, were affected by the floods. Total damages to these institutions are estimated at approximately $19,000,000. The most critical area, the Wyoming Valley area of Pennsylvania suffered most of these damages. Wilkes College and Kings College sustained major damage. Public institutions were badly damaged also so that the ability of public facilities to absorb the large numbers of children attending private facilities is substantially lessened.

[From the Washington Post, Aug. 3, 1972]

PRIVATE SCHOOL DISASTER AID IS ASKED

(By Elsie Carper)

President Nixon sent an urgent appeal to Congress yesterday to extend disaster relief to private schools and colleges damaged by tropical storm Agnes and the Rapid City, N.D., flood.

The Office of Emergency Preparedness said it was the first time that emergency relief had been requested for private educational institutions.

Preliminary estimates show that about 40 private, non-profit schools and colleges sustained damage in excess of $19 million and "would not be reopened without extraordinary assistance," the President said.

Frank Carlucci, deputy director of the Office of Management and Budget, told a White House press briefing that about 27 of the schools are "church-related" Roman Catholic schools.

In the special message to Congress, Mr. Nixon emphasized that the funds would be used to restore, reconstruct or replace disaster-damaged education facilities, supplies and equipment used primarily for nonsectarian educational purposes.

Carlucci said the Justice Department has determined that no constitutional problem exists "as long as we are talking about a short-term emergency aid which fulfills a public need and is used primarily for nonsectarian purposes."

The aid could be financed, he said, without an increase in previously sought disaster funds totalling $475 million.

The President cited as an exemple of institutions needing assistance the non-sectarian Wilkes College in Wilkes-Barre, Pa. Describing the college as neither large nor wealthy, Mr. Nixon said that the storm "caused havoc and destruction estimated at several millions of dollars."

The proposed disaster relief is comparable with what is already available to public educational institutions, estimated at between $50 million and $60 million, the White House reported.

Mr. Nixon coupled his request for the private school assistance with a plea for Congress to act immediately on legislation sent earlier this month authorizing special disaster relief.

AMENDMENT NO. 1396

(Ordered to be printed and to lie on the table.)

Mr. SCHWEIKER submitted an amendment intended to be proposed by him to the bill (H.R. 15692), supra.

FEDERAL REVENUE SHARING—AMENDMENTS

AMENDMENTS NOS. 1394 AND 1395

(Ordered to be printed and referred to the Committee on Finance.)

Mr. STEVENSON. Mr. President, I am today submitting two amendments I intend to propose to H.R. 14370, the revenue-sharing legislation.

I ask unanimous consent that a description of the amendments be printed in the RECORD at this point.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

AREAWIDE PROJECTS

H.R. 14370 provides that a state may require local governments to spend up to 10 percent of their revenue sharing entitlement for areawide projects "involving high priority expenditures in two or more contiguous counties in such state." The state must provide matching funds. According to the Ways and Means Committee Report, "the funds involved may be spent directly by the localities or by some agency (statewide, areawide, or by county agency) as the state may direct."

The Banking, Housing, and Urban Affairs Committee, on which I serve, has consistently attempted to encourage areawide planning and cooperative projects. And I can only applaud the intent of H.R. 14370 in this regard.

However, the legislation provides for areawide projects only where localities in two counties are involved. This provision would effectively prevent areawide city-suburb projects in large metropolitan areas consisting mostly of one county encompassing both city and suburbs. My amendment would provide for areawide projects if two or more contiguous units of local government are involved, even if they are in the same county.

DISTRICT OF COLUMBIA COMMUTER TAX

This amendment would eliminate the provision in H.R. 14370 which in effect would prevent the District of Columbia from levying a "commuter tax." The District would lose $1 in revenue sharing funds for every $1 raised by a commuter tax.

I cannot find the remotest justification for this provision. According to an April, 1970 report by the Advisory Commisison on Intergovernmental Relations, the vast majority of local governments which levy municipal income taxes also levy "commuter taxes"—that is, they extend their tax to non-residents earning income in the city. Cities levying commuter taxes include New York, Philadelphia, Detroit, Wilmington, Cincinnati, Louisville, Kansas City, Baltimore, and a host of other cities including many with small populations. The legislation would not penalize these cities for their choice of tax systems, and I cannot conceive of any sound reason for treating the District of Columbia differently. To do so would once again force second class citizenship upon the residents of the District of Columbia.

GUN CONTROL ACT—AMENDMENT

AMENDMENT NO. 1397

(Ordered to be printed and to lie on the table.)

Mr. STEVENSON submitted an amendment intended to be proposed by him to the bill (S. 2507) to amend the Gun Control Act of 1968.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 1357

At the request of Mr. Metcalf, the Senator from Oregon (Mr. Packwood), the Senator from Alaska (Mr. Stevens), and the Senator from Minnesota (Mr. Mondale) were added as cosponsors of amendment No. 1357 intended to be proposed to the bill (H.R. 14370) to provide payments to localities for high-priority expenditures, to encourage the States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes.

ANNOUNCEMENT OF HEARINGS ON S. 3762, MIGRANT HEALTH

Mr. KENNEDY. Mr. President, I would like to announce that the Senate Health Subcommittee, which I chair, will hold joint hearings with the Senate Subcommittee on Migratory Labor on S. 3762, a bill to extend the program for health services for domestic agricultural migrant workers in room 4200, New Senate Office Building.

ADDITIONAL STATEMENTS

ENVIRONMENTAL HARMONY AT JONATHAN

Mr. MONDALE. Mr. President, I invite the attention of the Senate to an excellent article regarding ecologically minded farming operations at Jonathan, Minn., and published recently in the Minneapolis Tribune.

The article, written by George Peterson, describes the ecological plan being implemented on the McKnight Angus Farm adjoining the new town of Jonathan. The plan includes farming techniques of the type recommended by the Soil Conservation Service. The plan emphasizes environmental preservation by utilizing rotation pastures, methods for barnyard pollution control, and soil protection practices like those used on many farms in Minnesota. A big wildlife marsh and tree planting are also part of the program.

But beyond the aspects of the plan specifically designed to minimize agricultural pollution, an even larger environmental concept is being tested at Jonathan. The McKnight Angus Farm is also designed to demonstrate that long range environmental harmony may depend upon promoting balanced communities with mixed agricultural and nonagricultural components.

The article notes that the district conservationist for Jonathan, Mr. Don Berg, believes that the standard conservation procedures designed for agriculture can be used with slight modification for urban development areas. After looking for himself, author George Peterson remarks:

> Those guidelines have worked very well at Jonathan where dwellings spring up in the midst of enhanced natural features.

People who work in large metropolitan centers too often cannot find natural areas within a short distance of their homes and especially their jobs. This is not the case in Jonathan, where farming will continue to play an essential part in the overall community scheme.

I think the work of Henry McKnight and the McKnight Angus Farm in piloting the Jonathan environmental plan deserves both attention and recognition by the Congress.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Farm on the Prairie

(By George Peterson)

Some day I'm going to get me a broad-brimmed Stetson and a pair of cowboy boots and pose as a knowledgeable cattleman. That's the garb of Dave Canning, but he doesn't have to pretend about his erudition in livestock lore. Henry McKnight calls him one of the world's outstanding authorities on Black Angus.

We met in the cool of the morning at Henry's farm adjoining the new town of Jonathan and hiked the lush pastures to meet a couple of hundred cows and their calves. Canning and Frank Hausam, the farm's Yorkshire-bred herdsman and manager, talked of the fine points of individual animals, though they looked pretty much alike to me. All beauties.

Canning, president of Colossal Cattle Co., raises Angus and feeds out 40,000 head of beef annually in the sand hills of western Nebraska. He has other ranches in Canada, New Zealand and Indonesia. Recently he sold 500 sons (artificial insemination) of his prize bull, Colossal, at one sale for an average price of more than $1,000.

He started life on a farm near Ada, Minn. During the Depression of the 1930s he decided the place couldn't earn a living for both himself and a brother so he headed east to become field man for the Virginia Angus Association at $50 a month. He promoted the breed, and the breed promoted him to wealth and influence.

McKnight, who yearns to develop the finest commercial Angus operation anywhere, cooperates with his old friend Canning on programs to test the progeny power of bulls. This involves interbreeding but no crossbreeding. To these fellows the pure Angus is ruler of the animal kingdom.

On our farm we turn the bull loose with a bunch of cows and let nature take its course. Canning relies on artificial insemination (AI), a more bothersome procedure. So does McKnight with about half his cows. Canning, of course, carefully registers his calves. Henry, with a setup aimed at the slaughter market, doesn't bother.

But Hausam knows the breeding of every critter in his care. He takes a look at each of them daily, no matter how far into the pasture they may have wandered. He was worried because some calves had come down with scours, curse of the cattle business. Canning told him it happened in the best of herds.

As a matter of fact, I visited the McKnight Angus Farm primarily to check on the ecological plan put into effect there rather than to envy Henry his sleek kine.

At Jonathan and in his farming operations he stressed environmental preservation from the start. He has been an enthusiastic cooperator with the Carver County Soil and Water Conservation District. Don Berg, district conservationist, drew up the plan, which includes half a dozen rotation pastures, a big wildlife marsh, waterway improvement, tree planting, barnyard pollution control, and all the usual soil-protection practices.

Bering pointed out that the standard conservation procedures designed for agriculture can be used, with slight modification, for urban development areas. Those guidelines have served very well at Jonathan, where dwellings spring up in the midst of enhanced natural features.

Despite his ambitious plans for an eventual five villages at Jonathan, McKnight promises that farming will continue indefinitely as part of the over-all scheme. Even with the most efficient Angus establishment, pastures on $1,500-an-acre land seem uneconomical. But the buffer a wellrun farm provides for Jonathan should be worth a lot. And obviously Henry doesn't have to squeeze nickels the way we do at our farm.

More than almost anyone I know, Henry McKnight realizes the seriousness of environmental deterioration, which in turn threatens the very existence of mankind. And he is doing his part to correct the situation.

He has a simple but effective precept for making the world more livable: "Everybody must do his bit to fight pollution, and keep doing it."

CONTRIBUTIONS OF THE ORDER OF AHEPA

Mr. COOK. Mr. President, on July 26, 1922, the Order of Ahepa was founded in Atlanta, Ga. This month the order is celebrating its golden anniversary.

The Order of Ahepa, which is composed of United States and Canadian citizens of Greek descent, has made many contributions to the betterment of American life. It has contributed financially to many worthy causes during the last 50 years. These include:

Relief of Florida hurricane victims.

Relief of Mississippi flood victims.

Relief of Corinth earthquake victims.

For the war orphans of Greece.

Relief of Dodecanese earthquake victims.

For the fatherless children of refugees, through the Near East Relief.

For the Hellenic Museum.

National scholarships to worthy students.

For the theological seminaries at Brookline and Pomfret.

Ahepa Franklin D. Roosevelt Memorial at Hyde Park.

Ypsilanti and Dilboy Memorials.

Sons of Pericles Memorial to the American Philhellenes of 1821, at Missolonghi, Greece.

Relief of Turkish earthquake victims.

For the Patriarchate of Jerusalem.

For the Patriachate of Constantinople.

Ecuadorean relief.

Kansas City flood relief.

Greek war relief.

Ahepa hospitals in Athens and Thessaloniki, and seven health centers in Greece.

Ahepa Agricultural College in Greece.

Ionian Islands earthquake relief.

Ahepa Preventorium in Volos.

Penelopian Shelter Home in Athens.

Ahepa Hall for Boys at St. Basil's Academy.

The Ahepa School at St. Basil's Academy, Garrison, N.Y.

Sale of $500 million in U.S. War Bonds during World War II as an official issuing agency of the U.S. Treasury.

Truman Library.

Dr. George Papanicolaou Cancer Research Institute at Miami.

The Ahepa Truman Memorial, Athens, Greece.

The New Smyrna Beach, Fla., monument commemorating the first landing of Hellenes in the New World in the year 1768.

The Ahepa educational journey to Greece student program.

I congratulate the fraternity for its worthy endeavors. We have two fine chapters in Kentucky, and I ask unanimous consent that the names of the officers of these chapters be printed in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

Kentucky: Local Chapter Officers

Emmanuel G. Pappas, President, Louisville.
John Regas, Vice President, Louisville.
William Georgantas, Secretary, Louisville.
Arthur C. Commick, Treasurer, Louisville.
Nicholas C. Anggelis, President, Lexington.
Alvin B. Trigg, Vice President, Lexington.
Nicholas J. Pitanis, Secretary, Lexington.
Oakley Mullins, Treasurer, Lexington.

AN OVERSUPPLY OF SURGEONS

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Record a superb article from last week's Washington Star-Daily News by Judith Randal concerning this Nation's oversupply of surgeons. The United States is in the midst of a profound health care crisis which is in no small measure attributable to the difficulties regarding an adequate supply and geographical distribution of all types of health manpower. Miss Randal's article offers excellent insights into this vexing aspect of the health care crisis, and I commend it to my colleagues in the Senate.

There being no objection, the article was ordered to be printed in the Record, as follows:

Too Many Surgeons Spoil the Care

(By Judith Randal)

When Herbert S. Denenberg, Pennsylvania insurance commissioner, announced not long ago that he had prepared a "Shopper's Guide to Surgery," the language was somewhat razzmatazz, and some experts said that 2 million unnecessary operations a year—his estimate—overstated the case.

Nevertheless, Denenberg is essentially correct in his analysis. When one looks below the surface of many of the short-comings of health care, it quickly becomes evident that the dominance of surgery over the rest of the profession is a key weakness of our current system.

Consider, for example, the conventional wisdom that the availability of 50,000 more doctors would moderate costs and put care within everyone's reach.

Would it? When one recognizes that the present oversupply of surgeons has fueled the scarcity of supporting specialists like anesthesiologists, pathologists and diagnostic radiologists, it immediately becomes apparent that a sheer increase in the number of M.D.'s might have an opposite effect.

Indeed, surgeons and the specialists who work with them occupy the top rungs of the medical income ladder, so that failure to limit their number has discouraged young doctors from choosing other forms of practice and acted as a disincentive for controlling costs all across the board.

Thus, if we simply set training more doctors as the objective, without at the same time finding some way to slack off the percentage of them who become surgeons, we will not have solved anything.

Hospitals, too, need to be examined in this light. Originally conceived as places to sequester the contagions of the dying poor from the general public, their change in role can be traced in large measure to the advent of modern surgery and all that went with it.

With that change, surgeons gained more power than other physicians in laying down hospital policies. Although this trend has been somewhat moderated recently, it still, by and large, prevails.

What happened at a large hospital in New York City is a case in point. It had some money at its disposal, derived from the sale of property, which it had planned to use to develop a physical rehabilitation facility.

So powerful were the surgeons on the staff, however, that they persuaded the board to build an open-heart surgery suite instead—despite the fact that the community was short on rehabilitation services and already had more open-heart units than the metropolitan population warranted.

It is not only the highly specialized types of surgery that are subject to such pressures to the detriment of other community health needs. Just as serious and far more prevalent is the unnecessary performance of procedures like tonsillectomies, hemorrhoidectomies, hysterectomies and all bladder removals.

Besides the inevitable discomfort and expense, each of these operations poses a definite, if slight, risk of complications from the anesthesia and a potential additional requirement for blood, intensive care and nursing, all of which are expensive and in short supply.

Parkinson's law applies. While a certain number of these operations are desirable and to be expected, a turning point is reached when it becomes evident that the determining factor is less the health of individuals than the supply of surgeons and hospital facilities.

As Denenberg observes in advising patients to see their family doctors before seeking out a surgeon and then to get an independent, unbiased opinion before submitting to an operation: "There is a tendency of surgeons to do their thing—surgery."

The pre-eminence of the surgeon also has adversely affected the effectiveness of health insurance. Health insurance began as a hedge against the costs of surgery, and some policies to this day provide coverage only for operations.

But even those that offer broader protection are heavily loaded in favor of conditions that require hospitalization. In most of these cases, surgical procedures are involved whose necessity is never questioned when reimbursement is made

Since hospitalization is the most expensive form of health care, it follows that the costs of insurance continue to rise.

At bottom, it is a question of the suitability of care.

As long as there is a mismatch between the kind of care that people need and what the medical profession offers, and as long as payment mechanisms support the discrepancies, no amount of money will make quality health services available to all or even to the reasonably affluent.

A NEW COMMUNITY IN ILLINOIS: PARK FOREST SOUTH

Mr. PERCY. Mr. President, I invite the attention of Senators to an article entitled "'Main Street' Revived in Midwest New Town: Park Forest South Rises from the Illinois Cornfield," published in the July issue of the Journal of Housing.

I am pleased that the journal of the National Association of Housing and Redevelopment Officials has taken note of this outstanding example of a modern planned city which is rapidly taking shape in my home State.

Already some 4,000 middle-income families live in this new community, which was originally conceived by Nathan and Lewis Manilow, the developers of the Chicago suburb of Park Forest, and is now in effect a venture in which a private developer, Lewis Manilow, has joined with private industry—the Illinois Central Railroad and the United States Gypsum Co.—and the public—the Department of Housing and Urban Development—to create, over the next 15 to 20 years, a total living environment for 100,000 people from all economic classes.

Park Forest South will have industry. It will have its own commercial, educational, and recreational facilities. It will have a modern mass transportation system. It will be linked with downtown Chicago via an express passenger train service. Development will take place in a planned, coordinated, and orderly manner.

The State of Illinois has shown its faith in the Park Forest South concept by locating one of two new universities, Governors State University, in the heart of the community.

Park Forest South is an exciting new venture in urban development. It stands as an example of what can be accomplished through enlightened public-private cooperation. Its success to date renews our hopes of putting a stop to endless suburban sprawl and at the same time providing decent housing in a decent environment for all our citizens.

I congratulate Jack Bryan, major feature writer of the Journal of Housing, for his fine article about Park Forest South.

I ask unanimous consent that that article and an accompanying article on Governors State University entitled "New Town University Tests New Methods," be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

"Main Street" Revived in Midwest New Town: Park Forest South Rises From the Illinois Cornfields

(By Jack Bryan)

In a 14-square-mile section of gently rolling farmland 40 miles south of downtown Chicago, a new kind of crop is coming up this year. In place of wheat, corn, and alfalfa, the land is sprouting with townhouses, apartments, roads, industrial buildings—and people.

Bulldozers instead of farm tractors are plowing the earth, preparing it for new construction, and in the middle of a vast, otherwise untouched field is a huge, nearly completed, quonset-style structure of fiberglass. This structure—an ice rink—is the initial building in the town center of the new community of Park Forest South.

Although pastoral open spaces still stretch peacefully to the horizon, this broad, semi-wooded area of some 9000 acres is the site where, according to development plans, the modern planned city of Park Forest South, with a population of 100,000 or more, is to be built over the next 15 to 20 years.

Park Forest South is already well along in its initial development stages: 4000 people, all very active and involved in community affairs, occupy new apartments and homes; new industrial plants are in operation; and a brand new university is operating full blast.

Park Forest South—even in its early stages—is a vital, going, and growing town. town.

The town today: Initial development of the town, since groundbreaking late in 1969, has produced the following results:

1—The population has grown from 1000 to 4000; middle-income families of all age groups from the metropolitan area have bought or rented homes as fast as they were built;

2—A unique new state university (see page 289) has launched a revolutionary approach to higher education in urban areas and has just completed its first full year in temporary quarters provided by the developer;

3—A total of 1400 new units of housing, from apartments to single-family houses, have been completed and another 600 units are under construction;

4—In the 1200-acre area planned for industrial development, 250 acres have been bought or optioned by nine firms, three of which have their new plants completed and in operation;

5—A modern $800,000 open-classroom elementary school has been built and has been in operation for one school term;

6—Development and initial construction has begun on the town center and buildings are in construction on the 800-acre site of the campus of the new university;

7—A temporary convenience shopping center has been provided in modernized existing buildings, with grocery store, restaurant, beauty shop, lounge, drug store, and other shops, to augment major shopping facilities 20 minutes away in the town of Park Forest;

8—Most of all, the town has become a living community, with a high degree of citizen participation and activities, both in community affairs and in town government.

A developer's development: Park Forest South has a number of advantages going for it. One of the most important is that it has been conceived and is being carried out by a development firm that has already successfully completed one model suburban community, Park Forest, which lies just north of the present development. This is the firm of the Manilow family—the late Nathan Manilow, leading Chicago builder and developer, and his son, Lewis Manilow, president of New Communities Enterprises, which is developing Park Forest South. Since the death of Nathan Manilow last November, the responsibility for directing the new enterprise rests with the son.

The first of the Manilow ventures into community building was Park Forest. This new town was developed in the late 1940s and early 1950s by Nathan Manilow, in collaboration with Philip M. Klutznick, commissioner of the Public Housing Administration from 1944 to 1946, who returned to Chicago from Washington following his PHA service with the conviction that the government-built Greenbelt town idea was one that private developers could and should carry out. Park Forest resulted and is now a successful community of 33,000 people, with a major regional commercial center, and, most important of all, a model of open space suburban living not only for Chicago but for the nation.

In 1966, as the concept of complete new communities gained greater national attention, Nathan and Lewis Manilow, with their experience with Park Forest behind them, decided to undertake an even more ambitious venture in the undeveloped area immediately to the south of that community. Most of Chicago's earlier growth has been to the north and west, but with new highway systems, the area south of Chicago, as Park Forest demonstrated, was becoming a demand suburban market.

Some 225 houses had been built about 1960 in a section south of Park Forest, but in spite of attempts by three developers, the homes were left without the promised municipal services and commercial facilities and the development went bankrupt. The residents of that development—Wood Hill—more than welcomed the Manilow plan to bring community development into the area and, in 1967, joined with the developers to incorporate the new village of Park Forest South, with a master plan and appropriate zoning and building ordinances to carry out the initial comprehensive plan for the proposed new community. New Community Enterprises was formed, headed by Lewis Manilow, to acquire land and carry out the development.

Two partners join: One of the most important advantages of the development site is its strategic location for transportation to the surrounding area. The Illinois Central Railroad main line to Chicago transects the area. An interstate and other main highway flank the area, linking it to a network of north, east, and west freeways, as well as to the central city. The developers felt this was important to integrate the life and economy of the new town into the rest of the metropolitan area.

Illinois Central itself became interested in the potential of the new town and, in 1968, through its subsidiary, the Mid-American Community Improvement Corporation, became a partner in the enterprise, with a 25 percent interest. This partnership brought two advantages: (1) a new source of development capital and (2) IC's agreement to extend its commuter line service to Park Forest South, bringing the town's residents within 45 minutes express rail time of downtown Chicago.

The following year, one of the nation's largest building materials firms, the United States Gypsum Urban Development Company, also acquired a 25 percent interest, further expanding the source of development capital.

The final clincher to development financing came in 1970 when HUD approved a guarantee of 30 million dollars in capital financing for the new community under the urban growth and new community development legislation (Title VII of the Housing and Urban Development Act of 1970).

In some respects, Park Forest South is an extension and amplification of the predecessor community, Park Forest. It is predominantly planned as a middle-income town in a growing area of blue-collar and middle-income families and is culturally and economically linked with the surrounding metropolitan area.

In other ways, Park Forest South goes far beyond the earlier Park Forest concept. It will have three times the population and more than three times the acreage. Instead of being planned as an outlying satellite community, Park Forest South is to be developed as a largely self-contained city, with its own industrial, commercial, educational, and recreational base.

Park Forest South will also have a broader income mix in its population, with 12 to 15 percent of its housing planned for low-income families and elderly.

The town plan: Park Forest South is bringing Main Street back to the midwest. A three-mile linear "Main Drag", as it has been named, will be the east-west spine of the development plan, with a jog to the north in the center around the new university campus. The name applies to an elongated downtown, institutional, and civic center strip, with only access ways from the vehicular streets that adjoin it. The "town center", with the major commercial, recreational, and municipal development, is being built on the east leg of "Main Drag", with the university and a medical-health complex in the center. Later, a smaller residential area with a subcenter will be built on the upper west leg of the spine.

The town plan, now taking shape, provides for the major residential development to be concentrated in the southeast and south central section, and the 1200-acre industrial park is being developed in the southwest, between the IC tracks and the parallel Interstate 57. Nearly all the northeast section, reaching through and beyond the center of the area, is woodland, with ravines, open glades, streams, and a small wooded lake; it is to be preserved in its present state, so that the community will retain much of its natural character. In addition, greenways and recreational open space will be threaded throughout the developed sections.

The basic town plan was developed by Arcop Associates of Montreal and Carl Gardner & Associates of Chicago. Instead of dispersed local subcenters radiating from a central core, as is typical of some new community plans, the central linear concept was adopted for two reasons: (1) it will provide a concentrated center for commercial, recreational, and municipal facilities and create an action-oriented focus for community life and activity and (2) it will permit a more efficent basis for internal mass transit and mobility.

The initial phase of the town center now being built on the east leg of "Main Drag" will have 143,000 square feet of commercial space—later to be expanded to 190,000 square feet—in a covered mall. The primary market of this "downtown" will be the community itself, since Park Forest to the north already has a major regional shopping center. Parking areas and an internal transit roadway will flank the buildings. This section will later be expanded to provide an additional 162,000 square feet, principally for offices and municipal services.

The commercial center will be divided in half by a north-south greenway, leading from an entrance building on the south to two cylindrical-roofed fiberglass structures on the north; one, the ice rink already built, and the other for indoor tennis. At the south entrance will be a community exhibit building and information center, which will also house the developer's offices and a planned community cable-TV communication system.

Bordering this center greenway will be an outdoor sculpture gallery, financed in part by a $60,000 grant from the National Endowment for the Arts. Developer Lewis Manilow, also well-known for his art collection, has offered to contribute a monumental construction-type sculpture entitled "Yes," by Mark DiSuvero, for the gallery.

"That is," says Manilow, "if the people like it and want it. I'm going to impose my aesthetic tastes on the community."

Housing and open space: The town plan calls for construction of 35,000 housing units, most of them to be built in the southeastern segment. Seventy percent of the units are to be multi-family—mediumrise and lowrise apartments and condominiums. The other 30 percent will be single-family homes and townhouses.

About 1500 units have been or are being built and the rate of construction is increasing. Those built to date are for the middle-income market, with sales prices ranging from $19,000 for a one-bedroom condominium to more than $40,000 for a three-bedroom house. Rentals in garden and midrise apartments range from $190 to $280 a month for one to three bedrooms.

Under its commitment to HUD, from 12 to 15 percent of the total units—about 4500—will be subsidized housing for low-income families dispersed throughout the residential areas. Mr. Manilow expects to have the low-income housing construction under way before the end of the year.

Some of the new housing is being planned for higher-income levels as well. To date, nearly all of the housing has been built by the corporation for the middle-income market; this year, however, private builders are participating in housing development, bringing a wider variety of styles and design, including more expensive housing in prime locations. One of these is a special add-on section of the development area in the southeast, where an 18-hole golf course is soon to be created.

With a planned density of only a little more than 10 persons per acre, the community will have extensive open space areas. In addition to the greenways and recreational parks are the wooded Pine Lake section near the center of the area and nearly 500 acres in Thorn Creek Woods, which blankets a large part of the northeast section.

Preservation of the Thorn Creek Woods section is to be aided by a 70 percent open-space commitment to the town from HUD. The developer has contributed 140 acres of this land to the town to meet its share.

Thorn Creek Woods, however, goes far beyond the new community development area, extending northwards to join Cook County Forest, one of the nation's farsighted, historic forest preserves in an urban area. Mr. Manilow would like to see the entire woods protected and preserved and plans are underway between the developer, Park Forest to the north, the County of Will, and the state for combined acquisition and protection, with federal assistance both from HUD and the Department of the Interior.

The Thorn Creek Woods question, however, has also become a thorny controversy with some conservationists who criticize the developer for taking fringe sections of the area for community development, despite the fact that the development is designed to conserve the major wooded area. Mr. Manilow feels those critics fail to see the forest for the trees and show scant concern about pressures for destructive commercial development of the woods along the highway to the north.

Town and people: Rapid physical progress in the development of Park Forest South is matched by the formation of the human community, which has simultaneously been taking shape.

To date, it is a community of middle-income people, who have jobs or businesses in the surrounding area. The Park Forest South population is made up of persons of all ages, both black and white. A substantial number of elderly families have moved into the town, which they selected as a pleasant place for their less active years. Most of the residents, however, are middle-age families with children and very young couples. Black residents make up over 10 percent of the population.

The new citizenry is both vocal and active. Its involvement in community affairs and in town government resembles that of an established community; activities include a volunteer fire department, Little League teams with nearly 200 boys taking part, community festivals, welcoming parties, a drama club, a League of Women Voters chapter, a citizen-supported library, and school and recreation groups. The weekly newspaper, *Southwords*, has no trouble filling its pages with local goings-on.

But even more, the citizens are actively concerned in their town government and give readily of their time to carrying on its work. The town government is housed in a Victorian farmhouse on the main road, where parked cars have replaced cows in the barnyard, pending new quarters that are to be built in the town center. Six trustees, elected for staggered terms, serve without compensation as the governing body. Mrs. Joanne Vermilye, a young woman with 10 years professional training and experience in municipal management, administers the town's affairs.

The town's paid staff consists of eight employees—four times the number two years ago. It operates through a dozen or more citizen committees that deal with zoning; planning; streets; housing; services; schools; and similar key matters.

To meet citizen demands for democratic participation, an open discussion session on community matters is held every Saturday for explanations and debate. Monday evening meetings of the trustees are open to citizens—and this often results in some unanticipated items being added to the agenda.

Elections are hard fought, usually coming out with about a 52 to 48 decision and no one, one resident says, can predict which way the vote will go. In last year's annual election, 83 percent of the voters turned out and a similar participation is expected on July 22, when two vacancies for the board of trustees are to be filled. Two "political" groups have taken shape: (1) the "involved citizens", mostly older residents, who thus far have been in control, and (2) the "independents", speaking mostly for newcomers and dissenters. One "involved citizen" leader voiced the hope that one or two "independents" be elected, on the theory that "if they get some responsibility maybe they won't be so critical."

A recent issue that stirred up plenty of argument in the community was a proposal to change the town's name. Many residents feel that the town should have a name that carries its own identity and should not seem to be a "shadow" of another town, as one citizen put it. But getting the people to agree on an alternative name is something else. From more than a hundred alternative suggestions, a sizable group proposed that the new name be "Nathan, Illinois", in tribute to the founder and creator of the new community, the late Nathan Manilow. But at a citizens' meeting in June, this proposal brought considerable disagreement, both from those who thought other names should be considered and from those who felt the name should be expressive of the community, rather than in honor of the developer.

The result was no decision by the trustees, with none likely until after the July 22 election of the new trustees, if then. So it's still Park Forest South—for now.

While the town has plenty of local problems, one that it hasn't had is a race problem. More than 100 black families have bought or rented homes, dispersed through the community; they have encountered no white resistance.

Town and developer: All this community democracy poses problems for the developer. Although the overall plan and zoning were included in the town's incorporation, numerous actions, such as permits; street plans; locations; utilities, must run the gamut of review by the town trustees. Differences between developer and town are common, but thus far have not been serious. They usually have to do with such things as street widths; location of facilities; and services. These matters are worked out through constant consultation between developer, trustees, and the citizen committees. A small group, Mrs. Vermilye says, seems to oppose everything, but most of the people strongly support the new community concept, although they often have their individual views on specific questions.

Lewis Manilow, however, foresees a future day when the townspeople really decide to take over.

"We lived through this in Park Forest," he once said. "They love us now. But we're the only target in town. Sooner or later someone is going to say, 'Come on, let's throw the rascals out.' We will have to risk it. We really don't have much choice."

But the town is not likely to turn on the developer any time soon, since the entire development is being built virtually at his expense, including the basic infrastructure and the public areas and facilities. The developer has financed such improvements as a new school; the conversion of a big barn and farm area into a teenage center; and has improved the existing Pine Lake wooded area as a family recreation center and stocked the lake with fish. Large tracts of land for public and institutional use are being donated. In time the developer hopes that these investments will pay off in the values that the new community creates.

The town, moreover, has little current tax base or bond authority of its own and its principal revenues come from permit and other fees, primarily paid by the developer as the town builds, since most of the property tax revenues at present go to the school district.

The school problem, in fact, is a particularly vexing one. The community is part of the Crete-Monee school district, largest in the state and predominantly rural. The voters of the district are not inclined to approve large bond issues needed for a new city that never before existed.

To get the school system started, New Community Enterprises, under an agreement with the school district, has itself built an elementary school at a cost of $800,000 and is leasing it to the district to operate. More schools are needed, however, including a junior and senior high school, and the town hopes to persuade the state to create a new smaller school district that will be more responsive to the community's needs.

The new elementary school, Hickory School, which opened in January and has just completed its first semester, is an airy, colorful, well lighted one-story structure, designed on the open classroom plan. This plan is something of a reversion to the one-room schoolhouse of old, since related classes are grouped in one vast open room the size of a gymnasium, while teams of teachers rotate between the class areas, giving group and individual instruction.

Churches, except for one existing church, are yet to be built. An interfaith council was established early and has arranged Catholic, Protestant, and Jewish services in the new school building, with communitywide services held on special occasions. The town library, housed in an attractive former sales office, already has over 10,000 volumes and a program of children's activities.

Industry moves in: One of the most encouraging responses to the new community's future is that of industry. On the southeast lies a vast tract for the Governors Gateway Industrial Park, with excellent rail and highway connections in the midst of a large blue-collar labor market.

Response to the site's advantages has already resulted in an expansion of the land area from its original 800 to 1200 acres, zoned for light and medium industry. Nine firms have bought or optioned land in the park, and three of these have now completed new plants and are in operation, the latest and largest being Wilson Pharmaceutical, a subsidiary of American Can Company. More recently, the firm of Johnson & Johnson bought 75 acres for a 400,000 square foot plant that will employ 300 people in the manufacture of disposable diapers. An additional 80 acres has been optioned for future growth, making Johnson & Johnson the largest of the industrial developers to date.

This industrial development is important not only for employment and tax revenues, but, in the view of Jack Shaffer, president of the development firm's Gateway Industrial Development Company, as a means of attracting professional and experienced citizens to help give the town a high quality of local leadership. To assure that such development will be an asset to the community, A. A. Epstein and Sons of Chicago has been engaged as the developer's engineering consultants on design and planning of industrial and institutional development, such as the university campus, and on pollution control and waste water treatment.

Only about 25 percent of the industrial land will be roofed over; the rest will be landscaped for parking and open space. New Community Enterprises owns its own sewer and water system and is providing tertiary sewage treatment and separate sewerage and storm run-off systems. The industries themselves, Mr. Shaffer says, are equally interested in installing the latest anti-pollution facilities.

What lies ahead: Although Park Forest South is well rooted, much that has started and more that will soon be under way is just taking physical shape. But plans for the coming year call for striking visible changes: (1) plans are near completion for a medical and health center, to include a hospital, paramedical training, and community health services that will be built on a 40-acre site north of the university; (2) the IC express commuter service to downtown Chicago is scheduled to begin this fall; (3) development will start on the 18-hole golf course in an adjoining southeast segment, which will be a residential-recreational area; (4) an internal mass transit system is being developed, with Barton-Aschman Associates, who also have helped plan the "Main Drag", as traffic consultants. The system, probably by bus, will connect all parts of "Main Drag" and the major areas of the community. A resident will be able to park his car in one of the parking areas along "Main Drag", and go to any part of the community, or to Chicago, by rapid transit.

With completion of the entrance building to the town center, a communitywide cable-TV system will be installed, similar to that planned for the town of Jonathan in Minnesota (see Journal No. 3, page 125). Being developed by Cor-Plex International, the system will provide a local TV information-entertainment-education system for residents and town officials.

With the opening of the university campus and the commercial and recreational facilities in the town center and with an increasing rate of homebuilding and rapidly growing population, the physical anatomy of the city-to-be should become dramatically evident within another year.

New Town University Tests New Methods

When the Manilows conceived their plan for Park Forest South, they agreed that one essential for a successful urban community is a strong institutional base. They wanted, in particular, to develop an institution of higher education as part of the town.

Fortuitously, as plans for the new community were being formulated, the state was seeking a site for a new type of university in Illinois. The excellent rail and freeway connections of the proposed community and the readiness of New Community Enterprises to make land available made Park Forest South an ideal location. The state accordingly, in 1969, approved the site for one of two new universities, to be experimental outposts in higher education, based on extensive studies conducted by the Illinois Board of Higher Education; 20 million dollars was approved for the phase one construction of the university campus.

In order to get the new university in operation without delay, New Community Enterprises built a large industrial structure in its industrial park to serve as temporary quarters for the university. Governors State University, as the new institution is named, in tribute to all of the state's governors, has just completed its first full year and expects to move into its new campus, now under construction in the heart of the community, by the fall of 1973.

Governors State University offers courses only at the junior, senior, and graduate level; it is designed to afford advanced education to the large numbers of students who now go to junior colleges. There are, at present, 20 junior colleges, with a total enrollment of more than 50,000 students, within a 30-mile radius of Park Forest South.

Anyone with a junior college degree or its equivalent with a C average can enter. Admission is on a first-come basis, not on a relative grade-level yardstick. Tuition for the full year is now $440 per year for state residents and triple that amount for out-of-staters.

Once in, no one can flunk out of this college. He may not get anywhere, but he can keep trying. There are no grades or set academic requirements. Instead, the students work out "learning modules" with their faculty advisers, based on interdisciplinary studies related to their educational goals. Failures are used for counseling, but are not recorded. Accomplishments, based on the learning goals, determine whether the student gets credit toward his degree. The university is entirely a commuter institution. The excellent transit connections make this possible.

Instead of semesters, the school year consists of six two-month "sessions" and students can attend continuously throughout the year or come in for one or two sessions and return later.

The university is now operating through four college units, each complete in its educational offerings, with a limit of 1500 students in each college. New college units will be opened when this number is exceeded.

The university will not have specialty schools, such as medicine or law, but its four colleges are designated as schools for (1) business and public service; (2) cultural studies; (3) environmental and applied science; and (4) human learning, approximating the conventional areas of commerce, liberal arts, science, and education.

During the first full year, enrollment has been about 700 and will increase in the coming year to 1250. With the opening of the new campus in the fall of 1973, enrollment is estimated at 3000. In another five years, it is expected to level off between 10,000 and 13,000 students.

The university is specifically mandated to provide advanced education for those of lower income. Twenty-five percent of its initial enrollment is black. As evidence of the deferred backlog of demand for higher education, the average age of the students is 28 and two-thirds of them are married. This level is expected to decline in the future.

All of the faculty, now numbering about 80, are "professors"—there are no academic rank distinctions, although 70 percent of them currently have Ph.D. degrees. All faculty, moreover, including the president, William E. Engbretson, are required to do some teaching, to keep them responsive to the students they are supposed to be educating.

The university has been launched for a five-year experimental period, after which the results will be reviewed and modifications made as experience dictates.

One aspect of this new educational approach offers prospect of dividends for the urban community beyond that of most such institutions. Except for those who have already had substantial outside work experience, all students, as part of their learning programs, will be expected to spend a certain amount of time off-campus in applied outside activity, which may be outside jobs or may be activity in connection with their home communities in helping to meet the needs of the people in an urban society; the faculty is also expected to contribute to the urban community it serves. The new town of Park Forest South is thus intended to be not only a place to live—but also a place to learn.

TRIBUTE TO SENATOR ALLEN J. ELLENDER

Mr. MOSS. Mr. President, in the death of Senator Allen J. Ellender the Senate has lost its senior member in age and in length of service and experience. The depth of that loss is immeasurable.

A fine American is gone. A good and genial friend is with us no more. A hard-working, skilled, and dedicated colleague has left us, and we now have only the memory of his warm and generous nature, and the legacy of his vast accomplishments for his State and his Nation.

We can be thankful that his health and his stamina and his energy held up through his almost 82 years of life, and that he was ill for only a few hours before his death. He died in the middle of a good fight—and I know he would be proud of the fact that he fought to the very end.

Senator Ellender came to Washington when the New Deal was at its height, and he saw and participated in the economic and social reforms which turned America's feet down a new path. He leaves us now in a new time of great turmoil and change. What a rich experience he has had—the span of his political life has coincided with a span of great developments in his Nation's life.

Probably he will be most widely remembered for his impact on American agriculture. As chairman of the Committee on Agriculture and Forestry for 18 years, and as a ranking and influential member for many more, he has left his mark on almost every major piece of legislation in this field since the thirties. Rural electrification, agriculture price supports, soil conservation, water resource development—he contributed to all of them. He was the originator of the school lunch program, which has nourished a whole generation of schoolchildren—an innovative idea which was resisted by some when it was first proposed.

His most recent legislative accomplishment was as chairman of the powerful Senate Committee on Appropriations, where he speeded up its unwieldy machinery to bring to passage in the Senate all but three of the 13 appropriation bills by the middle of July—a record in recent years.

A man who had to see what was happening in the world for himself, he went to every corner of the globe, asking questions, probing into the management of our foreign aid, and the implementation of our foreign policy, and brought back extensive film and commentary for us all to see.

We shall miss him, our wise, gifted, tough-minded, and resolute colleague from Louisiana. My sympathy goes to his son and his seven grandchildren. They can be very proud of him—a strong man who has passed from the American scene.

EIGHTY-MEMBER DELAWARE BAND MAKES CONCERT TOUR OF EUROPE

Mr. ROTH. Mr. President, recently a group of young men and women from my home State of Delaware returned from a 3-week concert tour of Europe, where their achievements and performance would serve as a worthy example to young musicians in Delaware and elsewhere.

The 80-member band, with members ranging in age from 11 to 18, left the United States in late June for a seven-country tour that included Greece, Yugoslavia, France, and the Soviet Union. Wherever they went, the members were treated graciously and cordially. In Athens, Istanbul, and Paris, they were greeted personally by the mayors, while in Paris, a component of the symphony, the 18-member jazz band, competed in the International Jazz Festival against two college bands and won "le Grand Prix" as well as three of the five individual awards. Victory was sweetened by an unprecedented invitation for the jazz band to perform at one of the four Paris squares set aside for the midnight celebration of Bastille Day; it was the first time such an honor had been extended to a foreign band.

Delawareans are justifiably proud of the accomplishments of these young men and women. I ask unanimous consent that a recent newspaper article describing their trip be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOURING MUSICIANS RECALL THEIR STRAINS

(By Lloyd Teitsworth)

Victory in Paris was the big thing!

It will long be remembered by the 80 young musicians comprising the American Youth Junior Symphony and Studio Band, mostly from the Wilmington area, who went on the Black Sea Tour.

But also long remembered will be the little things—the waiting for planes and buses, the strange-sounding food, the friendliness of strangers in foreign lands, the inevitably lost or misplaced items.

The student musicians visited seven countries, including three under Communist rule. Concerts were presented in Athens, Istanbul, Paris and aboard the M.V. Romanza, the cruise ship of Greek registry that was their home for two weeks through July 15.

The final week they stayed in Paris, the scene of the Eiffel Tower Jazz Festival and of a resounding victory for the Studio Band under the direction of Hal Schiff, supervisor of music for the Alfred I. du Pont School District.

Ranging in age from 11 to 18, the youngsters roamed each port with confidence and consuming curiosity. The complexities of customs, money exchange and a new language every morning failed to dampen their spirit.

The Metro Subway System in Paris, unnerving to most visitors, was duck soup to these Americans. In two days they were using it like it was Concord Pike.

An international program, put together by Miss Audrey Murphy, and played by the Junior Symphonic group, paid tribute to the host nations in their own musical language. Featured piano soloist, Jim Trueblood of Hockessin, was warmly applauded after his shipboard presentation of Beethoven's "Seven Variations on God Save the King"—moving a group of English ladies to tears. The Marseillaise and the Greek National Anthem were played in their respective countries.

The Studio (or Jazz) Band's final performance as part of the tour was a competition sponsored by Performing Arts Abroad (an American organization) and the Selmer Corporation, a French manufacturer of musical instruments. The judges awarded the Grand Prix to the local group along with prizes for individual performance to Steve Koontz, trombone; Don Schiff, bass; and Bruce McCoy, flugelhorn.

In an unprecedented move, the American Youth Studio Band was asked to play at one of the four squares in Paris set aside to kick off the midnight celebration of Bastille Day. No other foreign band has ever enjoyed such an honor. The music was a little foreign at first to the French revellers, but as soon as the students started the "oldie," "In The Mood," the link was completed. Everyone joined in the fun.

When 80 youngsters, many away from home for the first time, are exposed to drastically different ways of life, the most menorable of situations can arise.

In spite of the travel brochures, the initial discomfort involves endless waiting at bus, air and rail depots. The AYSC group waited seven hours in Friendship Airport for the initial trans-Atlantic flight to begin. That was the first of a dozen major hold-ups.

Local laws and formalities affected some, notably Schiff, who strayed from his guide in Russia, and was instantly nabbed by the police who spoke no English. Frantic waving of his one-day visa got through to the authorities, and Schiff was shepherded back to the group. Hal's Russian vocabulary consists of "da" and "nyet", but he is not sure which means what.

Budgeting spending money in countries where exotic wares are offered in an unending array of shops becomes a problem. The $100 U.S. Customs allowance loomed very large in the minds of a few during the final hours of the trip. One student who had overspent his $100 limit was so broke at the end of the tour that he had to have his family meet him at Customs in Baltimore to pay his excess duty charge.

Baggage transfer was frequently frightening. A bag or trombone case set outside the hotel room door was spirited away to appear at the last moment beside the train or ship—the intervening hours being ones of some trepidation. Only one suitcase—that of Steve Sashihara of Surrey Park, a trumpeter with the symphonic group, was lost, and at last report was still missing.

A brand new baritone sax, just purchased during the Paris stay, was left forlornly on the field at Le Bourget Airport, due to lack of space on the airplane. Jim Andersen, owner of the instrument, was assured that it would show up somewhere on the East Coast in the near future.

Local travel, particularly along the canals in Venice, was confusing. A wrong choice of waterbus wiped out Jim Trueblood's tour of St. Mark's Square. He joined the group later, unabashed. He had his own personal tour of the Grand Canal.

In spite of many warnings to hang on to the passport for dear life, one student lost his in Paris. It wasn't brought to light until the last day, which was Bastille Day. The American Embassy was contacted and stood ready to process a new passport, but the worst part was finding a place to get instant passport photos. The job was miraculously accomplished and Bob Bunnell of Oak Lane Manor the student, Schiff and Glen Sanner, a chaperone, showed up at the airport about 10 minutes before the flight left for home.

GOV. GEORGE WALLACE OF ALABAMA

Mr. SPARKMAN. Mr. President, recently Dr. Raymond Coward of Arlington, Tex., wrote a fine editorial for the Fort Worth Star-Telegram regarding Governor Wallace, of Alabama. I think his letter makes a great deal of sense. Accordingly, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Fort Worth (Tex.) Star-Telegram, May 24, 1972]

WALLACE HAS LEVERAGE

(By Dr. Ray Coward)

George C. Wallace is probably the most underrated man on the national political scene today. He came from humble surroundings and as a boy he worked on a farm in Alabama. Through self-discipline, hard work and perseverance he graduated from the University of Alabama Law School and became a lawyer and then a judge. Later, as state senator, he sponsored legislation setting up trade schools in the state to train the uneducated and underprivileged in order that they might develop skills and obtain employment.

Here is a man of great dedication to the things in which he believes; he is a religious person; a teetotaler (when he became governor he ordered that no alcoholic beverages be served at the Mansion for any state functions); a man of self-discipline, who works hard, has an abundance of energy, and one who is a tireless campaigner. He loves people; communicates with them well; and they sense it and respond in kind. They look upon him as a man of principle.

If his health permits, he probably will go to the Democratic National Convention, possibly in a wheel chair, with a large bloc of delegates pledged to him, including 75 of the 81 delegates from Florida, and from other states. While lying in the hospital, the returns from the primaries in both Michigan and Maryland rewarded the governor with sizable victories over his opponents.

If not nominated for President, he may well be sought after by the nominee as a running mate for the vice presidency. The governor will certainly have a strong voice in writing the party platform and in the other proceedings at the convention. As a practical matter, no Democratic nominee for President has any substantial chance to win in 1972 without the support of Governor Wallace.

It is evident that there exists in our society elements composed of anarchists, radicals and just plain thugs who would destroy our nation from within if allowed to do so. Freedom of speech, one of our most cherished rights, is protected by the First Amendment to our Constitution. It permits dissent, but not through violent or illegal means.

Even those who disagree with Governor Wallace's views should defend his right to freedom of expression. He speaks for millions of Americans. The strength of our democracy lies in the freedom of expression. Those who would silence another because they do not agree with him endanger their own freedom. We should be aware that where freedom ends, tyranny begins.

THE MOST EVIL FORCE OF ALL—IGNORANCE

Mr. BROCK. Mr. President, the Nashville Banner for July 22, 1972, contains an article, written by Grady Gallant, which points out that those who attempt to halt technological development are asking for enslavement by the most evil force of all—ignorance.

It is incumbent upon all of us to further technology rather than to fear it.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"COME HOME, AMERICA"—WAR AGAINST TECHNOLOGY

(By Grady Gallant)

Dr. Edward Teller, the famed atomic scientist, has expressed the view that the United States is losing its preeminence in industry and is rapidly losing its strength to defend the free world because of the idea today that technology is somehow "evil," plus the lack of interest in many young persons in "progress."

The danger of the idea that the United States can somehow close out a world linked by instantaneous communication and high-speed transportation should be as self evident as the pressing need for rapid progress in technology should be.

This is not the world of 32 years ago, when Americans generally believed that they could decide whether Hitler or Tojo were worthy of consideration or not.

That attitude was shattered on Dec. 7, 1941 at Pearl Harbor. Since then, much has happened: The Atomic Age began, the space Age began, Computer Technology began, and the industrialization of the Orient began in earnest.

Yet, along comes Sen. George McGovern, a candidate for the Presidency on the Democratic ticket, who expresses the traditional midwest isolationism as a bright, new policy which will swaddle America from the ills of the world and bring "peace in our time," as the unfortunate Neville Chamberlain put it.

The "Come Home, America" slogan is typical midwestern, for they never wanted to leave.

McGovern speaks of drastic cuts in the military, rapidly withdrawing troops homeward without consideration of international consequences, and an economically destructive welfare plan which even he does not understand and will not allow some of his advisors to explain to him.

A nation cannot cut military resources on and off like a water tap. It requires years to build a submarine, for example. Modern weapons systems require deeply complex scientific research, tedious planning, extensive military training over many years.

Landing techniques used by the Marines to defeat the Japanese were conceived and tested in the 1930's—and when war came they were, even then, vastly improved in the following months.

Compared to modern weapons, the weapons of those days were as simple as bows and arrows.

Poverty is not eliminated by subsidizing it. It will not go away by providing everyone with minimal subsistence. Poverty is eliminated by training people for useful work by which they can earn a living wage. In this way, the economy is improved, rather than diminished by increasing taxation which reduces the general standard of living.

Schemes which rest on a foundation of heavy taxation impoverish the population—they do not make the economy healthy or expand it. Such schemes enslave the people in a snare of restrictions; they rob the wage earner before he sees his money. He is prerobbed and kept in reduced circumstances, because he finds it impossible to earn enough to make his life better, happier or more productive of the finer things.

In addition, the poor are robbed, also. They are "kept people" and chained to semi-starvation, without incentive, without hope.

The person who fears expanding knowledge because such knowledge may be dangerous is of the same mentality as those who opposed teaching reading and writing to the masses.

Knowledge cannot increase too fast. There cannot be too much of it. Those who fear it, because new knowledge may undermine their power, require them to change their beliefs, or even to learn something new.

Those who attempt to halt technological development in a world of technology are asking for enslavement—whether it be by a foreign power, or by the most evil force of all—ignorance.

THE INVISIBLE MINORITY—ADDRESS BY SENATOR MONTOYA

Mr. TUNNEY. Mr. President, the following remarks on the "Invisible Minority: The Spanish-Speaking People in the United States," were directed by the Senator from New Mexico (Mr. MONTOYA) to representatives of the American GI Forum who held their annual convention in Washington from July 26 through July 29.

The 40,000 veterans and their families who make up the American G.I. Forum are dedicated to the proposition that justice and equitable participation in America can be gained by the Spanish speaking through peaceful action and lawful procedures.

I think that Senator MONTOYA's comments are noteworthy in that they encourage the diverse Spanish-speak-groups to unite and make use of their potential political power to make a hitherto unresponsive Government heedful of their needs.

I ask unanimous consent that they be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE INVISIBLE MINORITY

Of the scores of invitations I have received thus far this year to speak to auspicious gatherings such as yours today, I particularly enjoyed receiving this one. And further, I was delighted that I could accept it because YOU, sitting out there, are members of a great organization, the American G.I. Forum.

You are no "Johnnies-come-lately" to the civil rights scene. For almost a quarter of a century, through your words, through your actions, through your growth into an active, vital national organization of some 40,000 concerned individuals, you have opened the doors, the ears, and the consciences of many in the majority as to what is going on in the Spanish-speaking minority.

"Minority . . . minority" . . . an interesting word. What comes into focus when you see or hear "minority?" Think for a minute. I'll tell you what I see, and I see it now as I look out at you in front of me. I see the strength of your faces reflecting your heritage and the pride we have in it. What is so manifest to me, however, is not evident to the majority of this nation's citizens nor to our federal government.

We are the "invisible minority." While the black man has made the crying needs of his Ghetto children part of the nation's known history and collective conscious, we remain unseen. When the word "minority" is mentioned, the public mind sees black. And why not? Among minority groups are they not the largest? The front runners in the civil rights crusade? . . . The first to reap the fruits from seeds of minority unity planted across the country? But what dictionary defines "minority" as "black?"

All minorities have attended the same school on uncivil rights; sat through the same classes in unfair housing, unequal employment, and unfulfilled citizenship. But apparently some students have graduated from this school of real life faster than others. The diploma goes not to those with apathy, but those with determination—determination to prepare themselves to qualify; determination to prepare others to recognize them as people, not stereotypes; determination to go to the head of the class and join the American mainstream of opportunity and equality.

This the black have learned. But, how about us, the members of the second largest minority? Have we learned our lesson? Or, are we standing in apathy and paying the price of apathy—invisibility. We are invisible in middle and upper level GS positions, invisible in the officers' corps, invisible in the councils that make decisions on national priorities.

We are hidden. While a dozen agencies on the other side of Pennsylvania Avenue congratulate themselves on black gains, we are lumped statistically with half a dozen other minority groups. We are the "also rans."

Why are we the "also rans," when the Spanish surnamed comprise almost 7% of the population? Are we, like our national advertiser, only "second best?" I doubt it. But, unlike that same advertiser, I also doubt that we can say that "We try harder."

Our efforts are fragmented. Today a hundred, tomorrow a thousand interest groups. One becomes dizzy from trying to sort out the "Association of" from the "National Coalition of" and the "Council of."

And so in fragmented disorder we remain impotent; given hand-me-down programs; counted but not taken into account; seen with hindsight but not insight; asked but not listened to; a single brown face in a sea of black and white.

Look at the Department of Labor Manpower Programs. These programs were designed and are administered by Anglos and blacks for the people they understand, Anglos and blacks. Twelve weeks of training and a hardhat will not make a skilled worker if he never understood what the instructor was saying. Our people need training, but we also need the tools of language and cultural preparation to succeed in an Anglo environment.

What chance do we have when many manpower training programs require an eighth grade education, when 20% of us have not completed the fifth grade? What chance does the monolingual Spanish speaker have when administrators choose trainees whose success is assured so that the record will look good?

And the record does not look good. A Labor report on Spanish participation in manpower training program was so embarrassing that the Department waited ten months to make it public. And to compound the insult, statistical data on the Spanish speaking was lumped in with the Anglos.

Yes, statistically, too, we are the invisible, undercounted minority. The 1970 Census upon which so many political and funding decisions will be made in the next decade grossly slighted us. Pressed to conduct a resurvey of the Chicano population in Santa Clara County, California, the Bureau of the Census found that a 16% error had been made. Will a new census be taken and will it be made available to government agencies? Or will it be slid under the rug and ignored while thousands of undercounted Spanish-speakers receive less than is their due in government programs.

We have been studied too much. We want action, not words and further delay. What we need are people in federal agencies who know what is in our minds, who know what it feels like to misunderstand the teacher, who know that chile has protein, who know what our family ties mean to us. And we cannot have that as long as minority programs are run by Anglos and Blacks.

Is it any wonder that almost 22% of the Health Service and Mental Health Administration employees are black and only 1.5% are Spanish surnamed when 24 of the 28 professionals in the Minority Employment Office are black and 1 is Mexican American?

Is it any wonder that there are 70 black cadets at the Coast Guard Academy while only six are Spanish surnamed?

Is it any wonder that the Coast Guard has or will have so few of our sons as officers when you consider that they had no Chicano recruiters for such programs, nor, from 1970–1972, did their other minority recruiters visit any of the colleges serving the Spanish speaking population? I doubt that we are equally as underrepresented among the seamen recruits.

And what assistance can we expect from the Office of Minority Business Enterprise when 131 of its staff is black and only 24 are Spanish surnamed?

Who is going to identify our needs if we are invisible within the government? Who is our ombudsman? Those who find themselves in minority program offices have no chance. They are outnumbered.

So what do we do? How do we gain visibility? To end these wrongs we must call for parity in federal employment and programs. Parity in Washington, parity at the regional level and parity in training. And most importantly, parity reflecting our needs. If a man must have language classes to compete for jobs with blacks and Anglos, those classes are part of the parity concept and must be had despite the added costs.

Agencies with programs affecting minority groups must set up separate centers to deal with the special and differing problems of the black and the Spanish-speaking. It is impossible to expect a single minority center to effectively serve two masters. Both minorities have legitimate needs. But as long as we are housed together, our story will be one of competition. While we have our sameness, we also have our differences. In terms of visibility, and in terms of numbers, we will lose when paired as the Odd Couple.

Our fragmentation is reflected by the fragmentation of federal programs for the Spanish speaking. Hand in hand with the need to set up specific centers for the Spanish speaking, is the need for this government to establish a national policy and plan of action related to our needs and problems.

So that the nation, the media and the government may hear our demands, we must shout as one. Let us not be divided by our special interests, let us not be divided by our egos, let us not be divided by the Administration. We are not fooled by the appointment of a few big names to semi-high posts. Let us compare the accomplishments of the Cabinet Committee with the promises at its inception.

Last fall we came together for the first time to speak with one voice. It was not easy. We learned that one shout did not make us visible. The national press did not raise its head. Even here in Washington, note was taken of the sensational while none was taken of the real work which was done.

Our diversity and our egos threatened to shatter our efforts at the Coalition Conference. We said "unite" and then looked around. We espoused unity and then walked out separate doors. We were different. We had come from all over the Hemisphere. We had been shaped by diverse environments and the non-Spanish-speaking people with whom we had rubbed shoulders.

And yet, we are all we have got. Let us recognize and cherish our diversity. But let us unite. For there is more in our common heritage that unites us and much more in our present situation which demands that we unite or fail and fade from sight.

I look at you, representatives of the 40,000 members of the American G.I. Forum, and see men and women from all walks of life, from all sections of the country, and I see that we can work together using non-violent and lawful methods. Let us look to you as an example.

Let us, too, look to Cesar Chavez. Here is a man whose nobility in the face of provocation has enobled us all. Here is a man and a movement who have shown that success can be gained through non-violent action.

Peaceful pressure and quiet lobbying bore fruit at the Democratic National Convention, as millions of Americans were made aware of the lettuce boycott. If an eastern state, far from the centers of Chicano population can declare itself in favor of the boycott, can we not make the whole nation aware of our needs?

"Visibility" need not be won by violence. "United We Stand, United in Violence We Fall." Let us not allow our youth to die in the streets. Let us not sow suspicion and fear among our fellow citizens. Those who are violent cast an ugly shadow upon those who struggle peacefully. We must take the initiative now, before discontent and frustrated aspirations erupt. Let us unite now in peaceful, constructive efforts.

We have a responsibility to work within the democratic process to encourage our youth toward accepting greater responsibility in citizenship and preparing themselves for the future. Check your school curriculum, check the teachers' performance, check whether your children are learning and demonstrating responsiveness to the challenges they face, check whether they are being encouraged properly by their home environment.

Constructive efforts go beyond our role in schools—look also to the political process. Meaningful political participation must be based upon the desire to acknowledge equality and be ready to reciprocate in kind.

Militancy for the sake of exhibitionism is not the ingredient of progress, but rather its enemy. Appeal to reason and constructive persuasion are the means of igniting understanding within America's conscience and are the only avenues that will enable us to reach our desired goals.

Had I suggested two years ago that the tools for peacefully attaining visibility and action were at hand, you would have scoffed. But there is a new light and a new maturity in this country and within ourselves which will enable us to seize the openness" of today and use it to our advantage.

"We can be the politicians." Today's politicians need not be remote, two-dimensional images. They can be you and me working in our precincts, participating in party caucuses and deciding who shall represent us. We saw it several weeks ago in Miami. If you were not there, it is because you failed to stand up to the challenge.

And we can vote. Not as if we were robots programmed to vote for one party or the other, not by pushing the lever and letting the party do the thinking for us, but by choosing and asking one basic question. "What has this man done for me, for my family, my neighbors and my people?" Did he do what he pledged, or did he court me at the polls and then slam the door in my face on the day of his inauguration. If he did, withold your vote.

We have the power to swing the presidential election in four states: California, Texas, Illinois and New Mexico. You the members of the American G.I. Forum, together with LULAC and the Mexican American Bar Association have shown us that we can control the destiny of 101 electoral votes. As black turnout at the polls have increased since 1960, Spanish-surnamed turnout decreased. Let us reverse this tragic trend. Your vote and our collective votes are power.

And so we ask, "How can I tell if this guy or this issue is helping me or my people? I don't have the time to read the Congressional Record." And that is where you, the members of the American G.I. Forum who collaborated so well with LULAC can provide a service to all Spanish speakers. Create a political arm of your organization, coordinate your efforts with LULAC and other groups, hire some Chicano experts to objectively rate the candidates and issues pro and con in light of our needs. Publish that information, let it out to your members.

Monitor the political process and speak in one voice to your administration, to your congressman. Tell me, tell the nation what you think. Send me one letter representing the interests of 40,000 people and I will hold that letter up high in Congress and say, "This is what my people think, I support them."

Let us turn to our courts. They are no longer the refuge of the elite. When federal programs do not respond to your needs, when those in power maim and misuse federal laws, band together. File a class action suit. The voice of one may be drowned, the voice of many united in legal action will get results. It is being done now. Utilize the legal aid societies in your locality.

Turn again to our courts when your schools are unresponsive. The Civil Rights Act of 1964 does not just apply to racial minorities. It is just as much a violation of the law to deny equal opportunity to a child because of his language or heritage as it is to segregate him by race. If your school does not have bilingual-bicultural education, if your child is placed in a class for the mentally retarded because a test is biased against his culture, if you are not being informed in

Spanish of what is going on in the school, you can take your school to court.

Remember, too, that money is power. That some businessman is waiting for that dollar in your pocket, he is depending on it. If you are unfairly treated, if the employees do not reflect the ethnic composition of the local population, you can deny him your dollar. If you tell your friend, he will be denied two dollars.

We Spanish-speaking members of Congress cannot be our watchdog alone. We, you and I and all of our 15 million brothers must unite in common cause. Only then will we attain "visibility" and action. Let us bid "Adios" to the "invisible minority."

Thank you.

NATIONAL CONFERENCE OF CHINESE AMERICAN CITIZENS ALLIANCE AND THE INAUGURATION OF ITS WASHINGTON LODGE

Mr. FONG. Mr. President, the Chinese American Citizens Alliance—CACA— is an outstanding organization of U.S. born and naturalized American citizens of Chinese descent. For over 70 years it has rendered valuable service as a civic organization for the well-being and advancement of Chinese Americans. Nonpartisan in its policy and outlook, the CACA has made the promotion of better citizenship among Chinese Americans as one of its important activities. It has an exemplary record of community projects in the field of education, welfare, housing, and civic improvements.

On July 8, 1972, the CACA held a national planning conference in Washington, D.C. Over 200 Chinese American leaders participated in discussions of such questions as the importance of community involvement, social problems of Chinatowns, immigration and naturalization laws, and sources of economic development. Under the able direction of Grand President Albert Gee, of Houston; Past President Wilbur K. Woo, of Los Angeles; and Judge Harry W. Low, of San Francisco; the conference had free exchange of views and reached fruitful conclusions on many of the problems.

On the succeeding day, a banquet was held at the Statler Hilton Hotel to inaugurate the Washington lodge, whose first president is a member of my staff, T. L. Tsui. Over 300 members and friends, including many officials of the Government, attended the dinner. President Nixon and Vice President AGNEW sent messages of greetings. Several Senators and Congressmen were either present or sent messages. Mrs. Anna Chennault, vice president of the Flying Tiger Line, Inc., and cochairwoman of the National Republic Heritage Groups Council, delivered an inspiring address.

I am pleased to note the accomplishments of the CACA during its 70-year history, and I am delighted that the CACA has extended its activities to Washington by opening a new lodge here. I wish to take this occasion to extend my hearty congratulations to the officers of the grand lodge and of the Washington lodge and to wish them every success.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of the officers of the grand lodge and Washington lodge of the CACA and the complete text of Mrs. Anna Chennault's address.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

GRAND LODGE, GRAND OFFICERS 1971–73

Grand President, Albert Gee.
Grand Vice President, Nowland C. Hong.
Grand Secretary, Harold Y. G. Fong.
Grand Assistant Secretary, Henry W. Fong.
Grand Treasurer, George H. Louie.
Grand Auditor, Lenard Louie.
Grand Auditor, Harvey Wong.
Grand Marshal, Howard H. Wong.
Grand Sentinel, Tom O. Wong.

GRAND EXECUTIVE

Thomas A. Wong, Samuel E. Yee, Frank Chin, Paul J. K. Hu, Park M. Louie, Hellmann Yee, George Leong Suey, Harry W. Low, William R. Choye, and William Jack Chow.

PAST GRAND PRESIDENTS

S. K. Lai, Y. C. Hong, Francis H. Louie, George Chew, and Wilbur K. Woo.

GRAND REPRESENTATIVES

Fred Huie, San Francisco Lodge.
George W. Tom, Los Angeles Lodge.
Bruce Quan, Oakland Lodge.
Edward G. Tom, Chicago Lodge.
Norman Locke, Portland Lodge.
York Gin, Salinas Lodge.
Johnnie Gor, Houston Lodge.
Sing Gun Ng, San Antonio Lodge.
Li Lee Louie, Albuquerque Lodge.
John Lee, New York Lodge.
Henry C. Wu, Sunnyvale Lodge.
Harry P. Lee, Washington, D.C. Lodge.

WASHINGTON, D.C. LODGE 1972 OFFICERS

Tawen Ling Tsui, President.
King S. Der, Vice President.
Jan Wah, Secretary.
Chung Ming Wong, Assistant Secretary.
Raymond D. E. Lee, Treasurer.
George G. Lee, Financial Secretary.
Kwong Ming Eng, Auditor.
George Cheung, Auditor.
Franklin D. Fong, Marshall.
Victor Wong, Sentinel.
Tai Leong Huie, Collector.
Harry P. Lee, Grand Representative.
Bill Yee, Advisor.

ASSOCIATES

Art Ping Lee, K. L. Lee, Walter Woo, Raymond Lee, G. N. Lee, D. P. Moy, K. M. Wu, William Lee, William C. Lee, and Hamilton H. Moy.

THE END IS THE BEGINNING

(Address by Mrs. Anna Chennault)

We meet this week in the Nation's Capital at a time for both triumphant recollection and re-dedication for the Chinese-American Citizens Alliance. It is fitting that our Convention be held in Washington, D.C., because this has been the site where many of the hopes and aspirations of other American minorities have realized dreams through the act of Congressional legislation and high level assistance. However, the Chinese-American's dreams and hopes seem far away from the horizon. It has been a lonely journey for all of us and I am sure each one of us who come from different parts of the United States share the frustrations and disappointments. Therefore, we particularly want to pay tribute to the unsung men and women who diligently and positively overcome the prejudice and problems placed before them with dignity, compassion, dedication and hard work. However, at the same time as Chinese-Americans, we must now seek to involve responsible people to build upon the solid base of membership and leadership to meet the ever-changing social environment we live in today. We salute and applaud our dedicated Chinese-Americans.

Every Chinese-American organization needs change, but more importantly than ever before, we need unity. For we are the minority of the minorities—and we can't afford the luxury of division.

In the 70's we are no longer content to sit back and let others arrange our affairs. The news media in America directs its image with white and black, or black and white and assumes that everyone will accept this image without challenge. But this is unacceptable, it is out-dated. To accept this without challenge is to accept defeat. It would be unfair to this great land of opportunity and certainly unfair to the thousands of American-Chinese who call this land their home.

The modern Chinese-American certainly will not be satisfied serving chop suey and egg rolls in restaurants and they are tired of taking care of other people's laundry. Today, the Chinese-Americans wants social justice not social charity. They want equal opportunity not second class citizenship. They have been patient, industrious and law-abiding. They have fought and died for their country in four wars. They have earned their right to first-class citizenship. And yet, in many cases are not considered a first-class citizen. Furthermore the Chinese-American wants better opportunities to serve his country. These talented people with their rich culture could increase their contributions once their ability is recognized and channels are provided.

The old system must end—and a new era be born. In the past, we had suffered from lack of direction, collective leadership. Perhaps it is time for us to review and update our commitment.

Where do we begin? The way to begin is through the political, economical, social and moral avenues. We must not be afraid to be involved. Yesterday is already too late.

Certainly, the events of the past year and the most recent chapter in tihs Asian drama are conclusive proof that Asia's rapid transformation and its pace of change is greater and faster than in any other part of the world. For this reason, and this reason alone, we as Chinese-Americans can do much to bring about some workable solutions between the two worlds—the West and the East. What a waste that many knowledgeable, highly educated and well-trained Asian-Americans have not been approached to deal with our many problems in Asia.

We are disappointed in both the Democratic and Republican Parties. They have totally ignored the Chinese-American's contributions and achievements. Not one Chinese-American has been given any appointment of significance in this Administration. The so-called experts dealing with Asian Affairs in all government departments have been white or black. It has been a real disappointment to the Chinese-Americans and certainly a great loss to this nation for the Federal Government having failed to utilize these great assets in top-level, policy setting and decision-making positions. Some have recommended that there be established in the Executive Office of the President, a Cabinet-level Office of Asian-American Affairs, to deal with the problems experienced by the Orientals in this country.

We must encourage more competent Chinese-Americans to enter government and policies on every level. We must agree that successful involvement is not through violence or protest to satisfy the minority few, but by positive action which benefit the majority many.

This evening we gather here to exchange

information and to talk about our common interests. Let us not be too critical of some of our failures or our disappointments and at the same time, not be overconfident of our accomplishments and our successes. We expect and encourage new direction and welcome new members with new ideas and we certainly shall not run away from new responsibilities.

We have moved a long way—and we have a long way to go. However, I believe with energetic maturity and more political wisdom we can make this new beginning and exciting challenge. Let us combine our strength and our efforts to build a new era.

We are proud to be Americans and we want to make certain that America is proud of us.

DISTRICT OF COLUMBIA POLICEMAN AND FIREMAN'S PAY BILL

Mr. KENNEDY. Mr. President, I wish to express my support for H.R. 15580, a bill which provides for a pay increase for two groups of indispensible public servants in the Nation's Capital—policemen and firemen.

Adequate compensation for the services these public servants render to our Capital City cannot be measured in salary alone. For, these are the employees who constantly jeopardize their personal safety and well being to combat lawlessness, to protect against the ravages of fire, and to rescue citizens during emergencies. But it is fitting that provisions of this bill, increase the starting salary for policemen and firemen to $10,000 per year. For, this is a tangible way to compensate these men and women for their services on a level that indicates how highly we value their usefulness as vital members of the public service corps of our Capital City.

I am pleased to see that the Committee on the District of Columbia has taken the bold initiative to prepare this legislation for action by the Senate. Under the direction of the distinguished chairman, the committee deserves full praise for its efforts to help resolve the problem of adequately compensating some of the most critical employees in our Capital City community.

It is my hope that this legislation will not only guarantee adequacy in pay for the guardians of safety in the Nation's capital—but, I look forward to this measure as an expression of the commitment to properly compensate all of Washington's essential public employees. Specifically, I would hope that by guaranteeing $10,000 annual starting salary to a freshman policeman—we can produce parity in the salaries offered to the teachers of the public schools in this city.

If the salary schedule for policemen and firemen approved by this Congress is any measure of their worth to the community, then I believe that this is a precedent that must lead to adequacy in pay for teachers, who also contribute a tremendously valuable service to our capital cities.

An adequate education is the surest guarantee that we will have a strong and safe community.

If we must pay $10,000 to attract and retain top quality firefighters and crimestoppers—then surely we must pay at least that much to attract and retain top quality educators for the children in our schools.

Critics of conditions in Washington, D.C., continually emphasize that law and order will swiftly cure the decay and disorder that those same critics have helped to sustain.

Yet, it is inescapable that $10,000 for a rookie policeman reflects the misdirected concerns of those who have forced the starting teachers' salary to remain at only $7,800 per year.

Mr. President, I want Washington's policemen and firemen to receive the full measure of the salaries authorized in H.R. 15580. I believe these employees fully deserve that salary. But I am equally concerned about the need to properly compensate the enormously essential cadre of public school teachers in a manner that reflects our understanding of their community contribution.

I do not believe it is just or equitable to maintain a grossly disparate gap of $2,200 in the salaries for these valuable public employees.

For that reason I am pleased to take this opportunity to call upon Congress to take immediate steps to bring the teachers' salary at least in line with that paid to policemen and firemen.

IMPACT OF CAMPAIGN EXPENDITURES ACT

Mr. HANSEN. Mr. President, during the last several years, we have heard praise for the "new politics" and many disparaging words for the "old politics." One of the occasions when these catch phrases drew attention was during the consideration of the Campaign Expenditures Act. It was constantly implied that those who opposed the bill's provisions and who attempted to amend them were somehow connected with the old order and wanted to hide their campaign activities from the people or had plenty of money for campaigning.

This week I received a letter from the owner of a small Wyoming radio station which reveals the impact, and I believe a somewhat unexpected impact which this act is having. Mr. Grover D. Allen of KYCN radio in Wheatland, Wyo., wrote to all political candidates informing them that he will provide each candidate with a specific amount of free time on his radio station. He has decided to sell no time to political candidates due to recordkeeping, filings, and other redtape required as a result of the act. He notes that his station operates with a total complement of 4½ people, including the owners, 16 hours per day, 6 days per week, and 14 hours on Sunday.

Mr. President, I ask unanimous consent that the letter from Mr. Grover D. Allen addressed to all political candidates in Wyoming be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

To all political candidates:

Federal agencies, aided by decisions of the courts, and the unthinking action of some Senators and Representatives have made a nightmare out of the operation of a small broadcast station.

This station operates with a total compliment of 4½ people, including the owners, 16 hours per day, 6 days per week, and 14 hours on Sundays for the convenience and necessity of most everyone but the people who have their life savings invested in it.

In order to avoid the time-consuming entanglement with further record keeping, filings, and other red tape that go with the setting up of a Paid Political Schedule under new regulations, this Station has elected to give free time to all candidates in the upcoming 1972 Primary and General Elections.

Each candidate . . . be he, she, or it running for a City, County, State, or National Office, will be allotted the following times . . . first in the primary election . . . then again in the General Election. No additional time will be sold, so please don't ask.

The candidates choice of: 25, 30-second announcements (or); 20, 60-second announcements (or); and 9, 5-minute programs.

In addition each candidate will be offered 1, 15-minute program for a drop-in interview and 1, 30-minute program which we would like to see used for a telephone question-and-answer program with our listeners.

The candidate has the option of refusing the Question-and-Answer program but, it seems to me, any candidate who is genuinely interested in what the voting public really wants should have no hesitancy in appearing for such a program.

To further insure an element of fairness, no more than 3 announcements, nor more than 2 programs will be run in any one day, so plan your schedule accordingly. Also no Political Announcements will be run on election day, nor will any new copy be accepted within the last 48 hours prior to midnight before the day of the election.

Each candidate will be responsible for seeing to it that proper copy, either typewritten in legible form for airing, or pre-recorded is put in the Station's hands 24 hours prior to start time. Free campaign counseling or copy writing by the Station does not come as a part of this package. It's "your baby".

Station will make announcer available for doing Station interview and for the half hour question-and-answer period. Appointment to be made 48 hours in advance.

It is my sincere hope that providing free time will enable candidates with some dedication to God and County to be elected to the office which they seek without becoming indebted to special interest groups, bent on wrecking our country and all it stands for.

If I sound like a crabby, cranky old man you're right. Everything is free but our free enterprise system and its so wrapped in red tape its strangling to death. God bless America for what it was . . . not what it is today.

Sincerely,

Grover D. Allen,
Owner.

PROHIBITION OF IMPOUNDMENT OF HIGHWAY TRUST FUNDS

Mr. METCALF. Mr. President, I wish to extend my appreciation to the Senator from Oklahoma (Mr. Bellmon) for introducing S. 3877, a bill to prohibit the impoundment of funds from the highway trust funds which have been apportioned and appropriated. I hope the Committee on Finance can expedite handling of the bill so we may take early action upon it. I was prepared to support the Senator from Oklahoma when he offered an amendment to the debt ceiling legislation to achieve the same purpose. I will support his bill when it is reported to the Senate, and if need be, I will support his amendment when the debt ceiling legislation is again under consideration. However, I fervently hope we may be able to act upon his bill long before the debt ceiling legislation is again before us.

My concern for early action is extensive unemployment in Montana as a direct consequence of Federal actions.

During the last 2 years, the highway construction program in Montana has been reduced about 35 percent. The immediate consequences of that employment reduction by the Office of Management and Budget were not immediately felt because simultaneously, additional employment was being created through construction of the ABM system.

However, this year both events came together to create an employment crisis in Montana. The steady reduction in the highway construction program is now painfully apparent in Montana because of the ABM construction cancellation, a result of the administration's SALT agreements with the Soviet Union.

Mr. President, in both of these situations, unemployment in Montana has been a direct consequence of Federal programs. When the orders to cease construction of the ABM system in Montana were received, over 1,000 workers were dumped into the labor market with only 1 day's severance pay. Those 1,000-plus workers were directly involved in construction of the ABM system, while at least another 1,000 indirectly involved lost their jobs in the wake of cancellation of ABM construction.

Employment statistics for one county alone tell the consequence. In May, Liberty County's unemployment rate was less than 4 percent; 1 month later the unemployment rate was 9 percent. That increase in unemployment has been similarly felt throughout the State of Montana.

Many efforts have been made to alleviate that unemployment crisis. One of the efforts undertaken is the result of superb cooperation by the Montana Highway Department and its very able director, Mr. H. J. Anderson. Working closely with the congressional delegation and the Governor's office, the Montana Highway Department has identified highway construction projects for letting this fiscal year which would entail the release of $21.7 million in Federal funds within the five-county area most directly affected by cancellation of ABM construction. Some of these projects were scheduled for 1976, but have been advanced to generate employment now for the hundreds of workers displaced by Federal action. It has done so with a considerable investment of manpower and time. In addition, the Montana Highway Department has advanced two projects within the affected area for a special letting this month and will fund those with available funds.

It is incumbent upon the Federal Government to take action to alleviate the unemployment crisis in Montana generated by Federal actions. The Office of Management and Budget has over $48 million impounded which has been apportioned and appropriated for Montana. Senator MANSFIELD, Congressman MELCHER, and I have asked for the release of $33.7 million, which we have been advised the State could match for immediate use this fiscal year.

The Office of Economic Adjustment in the Department of Defense has suggested the immediate release of $8.5 million for projects within the five-county area which can be let during the rest of the calendar year, with further reference to the release, after the first of next year, of an additional $13.2 million, for projects which can be let during the first half of calendar year 1973.

The apparent justification cited by the administration for impounding highway construction funds is that such impoundment serves as a curb to inflation. Regardless of the figure asked for release to Montana, that release could not be construed as inflationary. The ABM construction program would have entailed the expenditure of $210 million in Montana during the next 3 years. The immediate release of an additional $8.5 million for Montana would still leave our highway construction program with less funding than available during the fiscal year. Even the release of the entire $21.7 million for the five-county area would leave Montana's total highway construction program less than it was 2 fiscal years ago. Indeed, the release of the $33.7 million the congressional delegation has asked would leave the highway construction program roughly at the level of 2 years ago. The release of the entire $96 million alloted to Montana for highway construction is less than the total which would have been spent on the ABM construction and the highway construction programs as proposed by the Office of Management and Budget.

In view of these circumstances—an unemployment crisis generated by Federal action and the fact that the release of additional highway construction funds to Montana is noninflationary—I do not understand why the Office of Management and Budget hesitates to grant the request of the Montana congressional delegation.

If Senator BELLMON's bill were law today, many hundreds of Montanans would be engaged in productive work, work that is needed for the national interest. It clearly has been the congressional intent that these highway trust funds be committed and used. The failure of this administration to use funds duly apportioned and appropriated has caused economic chaos in Montana and elsewhere. The speedy passage of Senator BELLMON's bill will greatly reduce that economic chaos.

VIKTORS VIKSNINS OF CHICAGO

Mr. PERCY. Mr. President, I invite the attention of the Senate to the remarkable career of Viktors Viksnins, of Chicago. Just last May, Mr. Viksnins was elected to an unprecedented 20th term as president of the Chicago Latvian Association. Moreover he is executive chairman of both the Captive Nations Committee and the Captive Nations Friends Committee in Chicago.

Mr. Viksnins was born in Riga, Latvia, in 1923. At the end of the Second World War, Latvia was again occupied by Soviet troops, and Mr. Viksnins decided to leave his homeland. After walking hundreds of miles to the American lines and after 5 years in various displaced persons camps, Mr. Viksnins was finally able to come to the United States to start a new life in freedom.

Since his arrival in this country, Mr. Viksnins has dedicated his life to helping the people of all the captive nations. He has been honored for his leadership by many organizations, and he has received the Captive Nations-Eisenhower Proclamation Medal, joining the ranks of other distinguished Americans such as President Nixon and Vice President AGNEW Chicago and Illinois are proud of him.

SENATOR WALTER F. MONDALE, OF MINNESOTA

Mr. NELSON. Mr. President, since he entered the Senate 8 years ago, Minnesota's senior Senator, Hon. WALTER F. MONDALE, has won the high esteem of his colleagues for the dedication and imagination with which he has served the people of his State and the Nation. For this reason, I was delighted to see his record of service proclaimed recently in an excellent article by Alan L. Otten, and published in the Wall Street Journal.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 25, 1972]

WALTER F. WHO?

(By Alan L. Otten)

WASHINGTON.—Two political paradoxes make Walter F. Mondale of Minnesota an unusually intriguing Senator this year.

—At a time when many liberals are finding it expedient to duck for cover, he remains outspokenly liberal—a leader, for instance, in the fight against legislative curbs on school busing—and yet is commonly rated a shoo-in for re-election this fall.

—Virtually unknown to the general public, he is so highly regarded by knowledgeable Democratic professionals that his name figures high on many lists of possible presidential nominees if there's a deadlock at the convention in July. And while a presidential nomination for 44-year-old Fritz Mondale this year must be reckoned the longest of long shots, odds are he'll figure more prominently in presidential speculation in future years.

"He's good-looking, articulate, liberal without being abrasive,'" says a party activist. "He'd be the perfect candidate this year if only he weren't so far-out on busing, and didn't have to run for re-election."

Of his liberal credentials there can be no doubt. The son of a small-town Methodist minister, he says concern about poverty and inequality was drilled into him "over breakfast, lunch and dinner, and weekends to boot." Active from high-school days on in Minnesota's liberal, programmatic Democratic-Farmer Labor Party, he was named state attorney general at 32 by then Gov. Orville Freeman, and quickly built a reputation as a staunch fighter for consumer protection.

He was appointed to the Senate to replace Hubert Humphrey in 1964, and quickly zeroed in on urban and civil rights causes: open housing, legal services for the poor, conditions of migratory labor, hunger and malnutrition, Indian welfare. It was his child care bill—providing health, education, nutrition and other broad federal help for pre-schoolers—that President Nixon vetoed last year.

Along with most other liberal Democrats he strongly advocates lower military and space spending; he has led the fight, thus far very unsuccessfully, to block the space shuttle, even though one contractor, Honeywell, is a major Minnesota employer. With Sen. Mike Gravel of Alaska, he's sponsoring a move to cut off all Vietnam war funds within a month.

And as chairman of a special committee to study "equal educational opportunity," he has sought to build a record for far greater federal spending on education and for continued firm support of wider school integration. "It's much more complicated than I expected," he admits. "But I think we can now make a powerful case that a number of things are not being done, or done only halfheartedly, that offer great hope and promise." As examples, he cites pre-school programs, voluntary busing experiments, bilingual education, educational TV, metropolitan parks.

With so liberal a record, Mr. Mondale should be in at least a little re-election trouble, yet both Democrats and Republicans agree he's as close to being a cinch as any incumbent running this year. Well-known Minnesota Republicans ducked taking him on, and the party has just nominated a little-known minister, Rev. Philip Hansen, who'll have to fight a poorly financed, underdog campaign. "Why waste money trying to beat Fritz?" a GOP leader asks.

Minnesotans offer various explanations for this apparent anomaly: The state is more liberal than most, and traditionally gives its legislators considerable leeway; with a small black population, busing is not, except in the Twin Cities area, remotely the heated issue it is in many other large states.

But much of the answer clearly lies in Mr. Mondale himself. Though he often seems a trifle Boy-Scoutish on the surface, he is, in fact, a very tough and shrewd politician. He works extra-hard at keeping in touch with the folks back home—even in non-election years, for instance, he's back touring the state 20 to 25 weekends a year. He spends considerable time, too, on legislation of direct concern to the home-folks; trying to block railroad plans to abandon service, for example, or raise farm price supports, or expand federal efforts to combat Great Lakes pollution.

Fritz Mondale's strongest plus, however, may be the general air intelligence, solidity and fairness he projects. When unemployed scientists and engineers in Minneapolis criticized his space shuttle stand, he went back and met with them, listened to their arguments, gave his own. "They still don't love him, but maybe they at least respect his sincerity," an aide argues.

Concedes a Republican Congressman: "Voters seem to care less about his views on particular issue than the fact that he seems to them to be open-minded and honest and decent." Mr. Mondale himself agrees this may be crucial; "people are starved for the truth from politicians," he says.

The Mondale-for-President talk has a certain superficial logic. If there should indeed be a convention deadlock and Ted Kennedy still says no, why not a personable, telegenic Senator able to attract considerable center and liberal support? He has been a long-time associate of Mr. Humphrey and a close friend of Sen. Edmund Muskie, and his record certainly should make him more than acceptable to the issue-oriented McGovernites.

(Perhaps because of his leadership on school integration and other matters, liberals seem ready to forgive him for having long supported the Vietnam war. Though Mr. Mondale claims he began having doubts early in 1968 and argued for a dovish position within the Humphrey campaign organization that spring and summer, it wasn't until September, after the convention, that he publicly urged an end to the bombing. "The worst mistake of my entire career was to remain silent so long against the war," he now declares. "Some people in Minnesota still haven't forgiven me, and I can't say I blame them.")

Mr. Mondale pooh-poohs the dark-horse idea as far-fetched "Washington talk." Not only is it politically unrealistic, he believes, but "I don't have the stomach for a presidential race. I watched Hubert up close, and I don't like the way something like that tears you apart. I like some privacy, I like to see my family once in a while."

Anyhow, he says, "I love the job I have," and its potential for achieving the "decent society" he talks about. "There's a lot of power around here in Congress that's not being exercised for liberal ends," he declares. "Southerners and other conservatives don't let themselves get diverted, and it's time some of us liberals stayed around and tried to master and use the system, too."

NEW YORK TIMES CALLS FOR FEDERAL ACTION ON WORKMEN'S COMPENSATION

Mr. JAVITS. Mr. President, earlier this week I commented on the report of the National Commission on State Workmen's Compensation Laws. I am pleased to note that the New York Times today editorially endorses the need for Federal action to implement the substantive recommendations of the Commission. As the Times editorial states:

> It will be an outrage if, at this late stage, pressure to keep hands off still frustrates action on the sound reforms the Commission proposes.

The editorial further suggests that ultimately workmen's compensation should be "integrated" with other programs providing income maintenance for workers such as welfare, social security disability, and unemployment insurance. I do deem this to mean federalization of workmen's compensation; and ultimately that may be a desirable objective. But, as the Times editorial suggests, until we are ready to undertake that task, we ought promptly to get about the business of getting a floor under State workmen's compensation laws. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Paying for Job Injuries

For nearly a half-century critics have been finding the same things wrong with the crazyquilt of state workmen's compensation laws: They are inadequate and inequitable. That conclusion has just been reached all over again by a national commission appointed by President Nixon under the provisions of the Federal Occupational Safety and Health Act of 1970.

The important distinction this time is that the commisison proposes that Congress set 1975 as a time limit for action by the states to meet Federal standards designed to guarantee that workers would be more fully protected against loss of wages and other costs resulting from industrial accidents and disabilities. The commission stops short of recommending an outright Federal takeover of the whole compensation system, but its call for national yardsticks reflects more courage than either the White House or Congress has shown in the fact of past pressure from lobbyists for state governments and industrial interests.

It will be an outrage if, at this late stage, pressure to keep hands off still frustrates action on the sound reforms the commission proposes. What would be even better would be comprehensive Congressional action to integrate workmen's compensation into an over-all system of income maintenance for workers and for those in need of public assistance.

There is little sense to treating sickness pay, pay for industrial accidents, disability payments under Social Security, minimum wage, unemployment insurance and welfare reform as if they were watertight compartments unrelated to a general governmental approach to the problems of what a family requires to live or even what constitutes an equitable tax system. But until Washington is ready to face up to that larger assignment it ought to insist on a floor under state workmen's compensation systems in line with the commission's report.

THE GENOCIDE CONVENTION: TOO IDEALISTIC?

Mr. PROXMIRE. Mr. President, day after day I rise to implore the Senate to ratify the United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

Critics might call those of us who call for approval of the Genocide Treaty idealists for believing that the Genocide Convention is necessary to prevent the destruction of a national ethnic, racial, or religious group. I would like to answer them by quoting the words of the late President Woodrow Wilson:

> Sometimes people call me an idealist. Well, that is the way I know I am an American. America is the only idealistic nation in the world.

Since 1776 Americans have created ideals and striven to fulfill them. We can attribute the success of our country to the ideals which we have established for ourselves.

Idealism pervades our most cherished documents. Is not the Declaration of Independence the paragon of idealism? And yet opponents of the Genocide Convention argue that the convention is too idealistic.

How idealistic is the Genocide Convention? The Genocide Convention puts the lofty principles embodied in the Declaration of Independence into the framework of international law.

The Genocide Convention is a constructive attempt to diminish the threat of genocide. It is designed to prevent the destruction of a national, ethnic, racial, or religious group by defining genocide, outlawing it, and establishing procedures for trying and punishing it.

The Senate cannot reject the Genocide Treaty on the grounds that it is too idealistic for idealism is a characteristic of any treaty. Therefore, I ask the Senate to reconsider the idealistic nature of the Genocide Treaty and ratify it without further delay.

FINANCIAL STATEMENT OF SENATOR MOSS

Mr. MOSS. Mr. President, it has long been my conviction that Members of Congress should make public disclosure of their income and assets. I have made such disclosure a number of times in the past, and I do so again today.

The statement I file this year shows an increase in the equity of my homes both in Washington and in Salt Lake City, and also some equity in a home in Holladay, Utah. I have acquired an equity in a building lot in Stansbury, a new housing development west of Salt Lake City, and have increased my savings. But, on the whole, my holdings vary little from those I made public in the past.

I should mention that I have lecture fees of about $5,000 a year, and approximately $300 in royalties from my book entitled "The Water Crisis" and from stock dividends. These are my only earnings outside of my senatorial salary.

My assets are so modest that some Members of the Senate may wonder why I make this information public. I do so because I feel that all public officials owe it to their constituents to report to them at regular intervals their full income and assets.

I recognize that the Senate has adopted a disclosure-of-assets rule, and I follow this rule faithfully. However, as we all know, that "disclosure" is not made public, but is merely filed away somewhere in a sealed envelope. How can constituents hope to know about the income and economic assets of the men they send to Congress if such information is held in an envelope by an appointed custodian? I favor full public disclosure by every Member of the legislative branch of our Government. We demand disclosure of Executive appointees. Why should Members of Congress have any more privileged position?

Because I believe in public disclosure, I ask unanimous consent that my financial statement be printed in the Record. I should add that my wife has no separate income or earnings, so this statement applies to both of us.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Financial statement of Senator Moss
June 30, 1972

[All amounts approximate]

ASSETS	
Equity:	
Home in Washington	$40,845
Home in Salt Lake City	14,060
Home in Holladay	7,000
Lot in Salt Lake City (unimproved)	8,000
Lot in Holladay (unimproved)	750
Equity: Lot in Stansbury (unimproved)	825
Average checking account	1,000
Savings account	2,440
Utah Employees Credit Union	395
1971 Dodge Dart	2,570
Personal note	7,000
5 shares Standard Oil of California	297
One share A.T. & T.	42
Life insurance: Cash value	16,850
Total	102,074
LIABILITIES	
Mortgage:	
Home in Washington	5,155
Home in Salt Lake City	17,027
Home in Holladay	27,016
Lot at Stansbury	6,176
Personal note	11,050
Loan on insurance policy	1,014
Total	67,438

NEW HORIZONS FOR HELIUM

Mr. DOLE. Mr. President, helium is one of the most useful and intriguing of America's natural resources. Most of us know it best as the gas in circus balloons and blimps; but to industry and science it is a highly valuable and versatile substance with many properties which are unique among the elements. These unique properties—many of them known but little applied to industrial technology—hold great promise for the future well-being of our Nation's economy, environment and standard of living.

I believe it is highly important that we be aware of helium's present and potential value because it is a scarce material which, for all practical purposes, has but one source in nature. While it is the chief component of the sun and takes its name from the Greek word for sun, it is found in commercially recoverable quantities on earth only within certain natural gas deposits. And if the helium in these natural gas fields is not separated before the gas is used, the helium is lost into the atmosphere and can never be recaptured or replaced.

The Federal Government, through the Department of the Interior, sponsors a helium conservation program whereby helium is separated from natural gas and stored for future use. However, a proposal for discontinuation of the helium conservation program is presently under consideration.

To my view, termination of this program would be unwise and shortsighted. Helium's untapped qualities and unharnessed characteristics give it the potential for becoming perhaps one of the most important substances of the next century—perhaps even more important than uranium and other fissionable materials.

A short but enlightening article on one aspect of helium's promising future was published in the July 10, 1972, issue of Commerce Today. I believe it would make worthwhile reading for anyone who is concerned with the question of the helium program or who is interested in the likely course of technology and science in the coming decades. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Cryogenic Program To Develop Industry

A Federal program to develop competitive new industry through the application of supercold cryogenic technology as a superconductor is expected to be undertaken under the leadership of the Commerce Department in the near future.

The President's FY 73 budget contains a request for $1 million for the first year's program planning and definition phase of an eventual $40 million program to help the electrical industry find better and cheaper means of generating electricity. The National Bureau of Standards will manage the program for the Commerce Department.

A Cryoelectronics Section was established within the Cryogenics Division of the National Bureau of Standards at its Boulder, Colo., laboratories in 1969 representing the fruition of a half-century of fundamental explorations in this field at the Bureau of Standards.

Specifically, this program, in cooperation with industry, recognized research institutes, the Atomic Energy Commission, and the National Science Foundation, would prove the feasibility of making a multi-million watt electrical generator and motor system which takes advantage of superconductors.

GREATER EFFICIENCY

Such an electrical generator is expected to operate with greater efficiency than present generators. A one percent increase in efficiency would mean that 20 million tons of coal per year could be saved. It would also mean a $4 million reduction in capital investment per generator.

Principal advantage, however, promises to be a marked reduction in weight and size which would permit the construction, assembly and practical operation of much larger capacity motors and generators than heretofore possible. Not only economies of scale would be achieved, perhaps a 15 to 20 percent reduction in the cost per kilowatt capacity, but also economies in use of materials.

Intent of the government's program would be to use Federal seed money in industry to stimulate industrial investment in applying this relatively new advanced technology in the well-established electric industry. Commerce Secretary Peterson, in his FY 1973 budget request to the Congress, supports a National Bureau of Standards proposal to promote and catalyze an industrial program for development of the next generation of multi-megawatt electric generators and motors.

A task force is to be formed by Commerce of representatives of the National Aeronautics and Space Administration, the Atomic Energy Commission and the Departments of Defense, Transportation and Interior to coordinate the planning action. Similar steps are planned among the industrial, university and professional communities to assure an effective approach on a national scale.

The phenomenon of superconductivity is described by Bascom W. Birmingham, Deputy Director of the Institute for Basic Standards of Commerce's National Bureau of Standards, "as the absence of electrical resistance in certain materials that are maintained below a characteristic temperature, electrical current, and magnetic field."

Cryogenics has long been under experimental development. But in recent years, industry throughout the world has been paying more attention to its possibilities. General Electric and Westinghouse have been two industrial leaders in this country experimenting with cryogenics as a means of employing its superconductivity characteristics in electric power generation.

Studies conducted at General Electric Research and Development Center at Schenectady, N.Y., indicate that electric utilities could realize a savings of several million dollars a year with the development of superconductive generators, transformers and transmission lines, while, at the same time, providing the expanding urban centers of the nation with all the electrical power needed.

A three-year, $1.05 million General Electric research project financed by the Edison Electric Institute, Tennessee Valley Authority, and the American Public Power Association, under the operation of the Electric Research Council, has been investigating the technical and economic feasibility of cryogenic underground cable.

Westinghouse Research Laboratories at Pittsburgh has built and is presently testing the world's largest superconducting turbogenerator which operates at —452 degrees F. Tests have been run to 5 million-volt-amperes (MVA) at 3,600 RPM. The company expects that this type of generator will be the answer for central city generators to meet the heavy electrical demands of the future.

Such utilization of cryogenics could:

Contribute toward solving the national energy crisis;

Develop radically new equipment and new products for export;

Stimulate industrial growth and perhaps whole new industries;

Utilize existing U.S. expertise and maintain technical leadership; and

Employ highly trained technical personnel.

Through its atomic energy and space program, this country leads the world in the basic scientific research that underlies cryogenic technology and in feasibility studies of various technological applications. In the development of actual prototype hardware, however, the U.S. faces the danger of being out-distanced by its principal economic competitors. The Japanese government is totally funding a three million watt generator for the electrolysis of copper. The British government has already built a 3,250 HP motor. The French government is providing two-thirds of the support for various superconducting motors and transmission lines. The German government is providing 50 percent of the support of a program to build a superconducting transmission line.

Total U.S. government effort for superconductivity this year is estimated at about $10 million, almost none of which is directed toward commercial applications.

LARGE BLOCKS

A Brookhaven National Laboratory study recently completed for the National Science Foundation on problems to be solved in applying the phenomenon of superconductivity to the design of systems for moving very large blocks of electrical power underground, foresees an indication of the growth in demand for electric power in the next two decades requiring underground transmission circuits to rise from the present average level of several hundred megawatts to about 2,000 MW. If interties between regional networks, for example, between TVA and the adjacent American Electric Power System, are placed underground, then capacities of more than 7,000 MW will be needed before the end of the century. By comparison, the present load of New York City is 10,000 MW.

While capable of carrying large amounts of power, superconducting cables cannot compete economically at lower power levels because of the fixed cost of refrigerators and dewars. At levels that are about the ceiling for conventional technologies, the costs become comparable. As this power level rises, the cost of each megawatt transmitted per mile drops dramatically. If superconducting cables become fairly common, a whole new industry will have to be established to produce the miles of vacuum-insulated containers to carry the cable.

Costs of such cable are considerably higher than overhead power lines of comparable power capability located in the open countryside. Near urban areas, however, the rapidly rising cost of right-of-way greatly reduces the differential. Thus, it is expected that superconducting cables will be used first in the large urban and metropolitan areas where the nation's energy crisis is most severe.

Environmental pressures against the use of overhead lines near well-traveled highways and in areas of scenic beauty are rising. Conventional cables have technical limitations of 10 to 30-mile links underground, thus making them incapable of supplanting the vast networks of existing overhead lines, even if the money were available. Superconducting cables could go a long way toward removing this barrier.

CHET HUNTLEY ON TAXES, THE ECONOMY, AND SOCIAL PROGRAMS

Mr. ALLEN. Mr. President, the rapid upward spiral in the cost of government, is bringing an increasing clamor for a thorough review of and adjustment in our national priorities.

The steepest rise in cost of government is in social service programs, many of which are being pushed with little or no regard to benefits derived or costs incurred.

Chet Huntley, the well-known, former television newscaster, presents a short radio program for American Airlines in which he discusses various issues. In his commentary for the week of July 31, 1972, Mr. Huntley addressed himself to the failure of Federal social programs, both in benefits arrived at and in costs. I commend Mr. Huntley's remarks to the reading of all, and I ask unanimous consent that a transcript of them be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Chet Huntley on Various Issues

This is Chet Huntley. There are only a little more than 90 days of this political struggle to go. Some might say to abide. While now and then the debate has touched upon some of our fundamental dilemmas, all of us can be assured that the candidates and the parties and the groups are NOT going to discuss the vital problem.

Where are we going to get the money to do the things promised, to do the things demanded, and to do the things already committed?

I have just read with interest . . . and with despair . . . the recently-published report of the Brookings Institution. In essence it repeats what Gov. Nelson Rockefeller said not long ago: "We are trying to help people, but are running out of money at all levels of government."

The Brookings study says that if the federal government should undertake not a single new program of any sort during the next two years, and if the economy should recover to one hundred per cent full employment, the federal budget would still be 17 billion dollars in the red. And the Brookings study adds that even if the additional 17 billion dollars were made available, probably by printing more dollar bills, the government still would not know how to spend it to cure or alleviate our social ills. Indeed, the study says that some of the past spending did more harm than good.

A glance at the apportionment of the federal budget tells us graphically how little choice we really have. About 70 per cent of the total budget goes for social programs which we initiated in the past: medicare, welfare, veterans benefits, aid to education, national health and so on. The remaining 30 per cent of the federal budget includes the giant defense spending and the temptation is almost uncontrollable to dig into that to pay for the other programs now proposed.

It is somewhat popular these days to sneer at the "New Frontier" and "The Great Society" of the '60's. Perhaps they are incredibly valuable. Despite the waste, they may have proved to us, at last, that federal social programs do not bring results. But in spite of that, much of the current political debate hinges on *how* we shall organize new federally-financed social undertakings. There have been suggestions that these programs can be financed by "closing tax loopholes" and "soak the rich" tax laws. That has had the sound of demagoguery, for a simple exercise in division demonstrates that if the entire gross national product were divided equally among the population it would produce only about 5 thousand dollars per person.

Looking back over the past 30 years or so, we may wonder whether both domestically and internationally we indulged in a program of reckless expansionism. In the same way we thought we might make Vietnam "safe for democracy," we talked of eliminating poverty at home. Both are noble concepts. But we are face to face with the question whether we can pay the bills for these projects. The debate this season would be more rewarding if it posed the question whether ending of poverty should be a fruit of the economy, rather than asking the economy to adjust to a program of ending poverty.

WAR VICTIMS IN VIETNAM

Mr. KENNEDY. Mr. President, little more than a month ago, I reported to the Senate on the rising number of war victims in South Vietnam, and discussed the growing concern in many quarters over the impact of our shelling and bombing on the civilian population of North Vietnam. I wish to comment briefly on these issues again, today, especially in reporting to Senators the latest compilation of statistics on war victims in South Vietnam.

On June 29, as chairman of the Judiciary Subcommittee on Refugees, I reported that the flow of new refugees and civilian casualties was continuing at an alarming rate in South Vietnam. By official count, the numbers of new refugees, in government—held territory since April 1, stood at some 814,000—and the number was increasing at a rate of nearly 3,000 per day. Unofficial estimates put the number of new refugees at well over 1,000,000.

Based on known hospital admissions, official estimates for civilian casualties put the number at nearly 8,700 for April and nearly 5,900 for May—for a total of some 14,600. A June 10 cable from Ambassador Bunker to the Department of State emphasized, however, that these figures were incomplete; for they did not include hospital admissions in areas such as Quang Tri and Kontum where heavy fighting was underway. The Bunker cable also said, that civilian casualties would be a "formidable challenge" for many months to come, and that the developing human tragedy in South Vietnam would probably exceed what occurred during and after the Tet experience in 1968.

I pointed out on June 29, that the full extent of civilian casualties could not be measured by hospital admissions alone—even if all the hospitals were reporting their admissions. For the record is clear that the bulk of civilian casualties never see a hospital. They are treated elsewhere, not treated at all, or they die.

And so, on June 29, I released the subcommittee's estimates on civilian casualties during April and May, which put the number at nearly 80,000—including as many as 25,000 deaths. The subcommittee's comparable figure for the Tet experience in February and March of 1968 was some 62,000 civilian casualties—including about 20,000 deaths.

The television and radio and press remind us every hour of the day that the intensity of the war continues. The bombing goes on. The shelling goes on. The violence spreads—from both sides. There are more military casualties. There are more prisoners of war—more missing in action. More civilians are injured or die. More children are maimed or orphaned. More refugees flee devastated villages and towns.

And despite what our military planners are claiming about victories on the battlefield—despite what they are claiming about having the other side on the run—and despite the President's new promises for peace—the fact remains that a war continues in Southeast Asia. The fact remains that the human cost of continuing this war to the people of Indochina is appalling, and our rising contribution to this cost should outrage the conscience of all Americans.

Since my report of June 29, the number of new refugees—by official count—has increased by more than 50,000—from some 814,000 to more than 866,000. Again, by official count, this is a daily average for the last few weeks of nearly 2,000. The Subcommittee on Refugees now estimates that the cumulative total of refugees since 1965, approaches nearly 8,000,000 men, women, and children—nearly one-half of South Vietnam's population.

Inevitably, the number of civilian casualties has also increased. In fact, Mr. President, the high numbers previously reported for April and May have continued. Based on known hospital admissions, the preliminary official estimate for June is 5,874. As a recent cable from Ambassador Bunker notes, however, this figure does not include civilian casualties treated in Quang Tri, Binh Long, Long An, and Phuoc Long Provinces—where the heaviest fighting has occurred. How many bodies lie in the rubble of Quang Tri City, An Loc and other devastated areas, is unknown. But accounts from all sources, including those within our Government, tell a very grim story of death—and more death.

Based on known hospital admissions, and estimates in all other categories, the Subcommittee on Refugees estimates that another 30,000 or more civilian casualties probably occurred in June—including as many as 10,000 deaths.

Since April 1, the subcommitte now estimates that more than 100,000 civilians have become casualties—including as many as 35,000 deaths. The cumulative total of civilian war casualties in South Vietnam since 1965 now stands at nearly 1,300,000 men, women, and children—including up to 400,000 deaths.

Mr. President, the comments I am making today sound a familiar theme. For they are only the latest chapter in the seemingly endless story of human suffering in South Vietnam. This latest chapter dramatically underscores again, that the war continues—not only in the Northern Provinces of South Vietnam just below the demilitarized zone—but all over the country. In fact nearly half of the reported civilian casualties are occurring in the delta below Saigon—an area the administration claims to have pacified long ago. And so the administration's peace slogans of the past have become the policy failures of the present. Vietnamization was not a plan for bringing peace, but a plan for continuing war.

Although the focus of human suffering in Indochina is currently in South Vietnam, the number of war victims is also rising in neighboring Laos and Cambodia. And for anyone to suggest that our bombing and shelling of North Vietnam is having little impact on civilians—on the creation of war victims—defies understanding and commonsense. Based in part on the pattern of death and destruction which our military practices have brought to other areas of Indochina, there can be little doubt that civilians have been caught in the crunch of the airwar. It is naive of the administration to suggest they can cover up the suffering and death of civilians in North Vietnam. Sooner or later the full truth will come out—as it did after the spokesmen for the administration denied that the forced relocation of villagers was among our military practices, that villages in Laos were being bombed, that a serious refugee problem existed in Cambodia, that bombing was an important cause in creating war victims throughout Indochina.

It is easy for the President to blame all the civilian suffering in Indochina on the other side—as he did again in his press conference just a week ago. But commonsense alone tells us that we are also part of the bloodbath. So does the record of our involvement in Indochina.

Mr. President, the people of this country are tired of the war. They are tired of hearing the stale arguments for the war and against it. They are tired of seeing our men withdraw from Vietnam, only to have others show up in Thailand or on the decks of our gunboats at sea or in the cockpits of our bombers. They are tired of hearing again and again the promises of peace met with plans for more war.

But most of all they are tired of seeing the pictures of refugees and maimed children flash across the television screen and the pages of our papers. And they ask today more than ever before how much longer will our country be part of the bloodbath in Indochina?

In the end, the answer to this question lies in the hands of the President. The Senate's vote yesterday on ending the war is a mandate to our national leadership from the people of America.

Mr. President, I ask unanimous consent to have printed in the RECORD a chart summarizing civilian casualties in South Vietnam.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

VIETNAMESE CIVILIAN WAR-RELATED CASUALTIES, 1965-72

Year	Official USAID hospital admissions	Subcommittee casualty estimates	Subcommittee estimates of death
1965	[1] 50,000	100,000	25,000
1966	[1] 50,000	150,000	50,000
1967	48,734	175,000	60,000
1968	84,492	300,000	100,000
1969	67,767	200,000	60,000
1970	50,882	125,000	30,000
1971	39,395	100,000	25,000
Total	391,300	1,150,000	350,000
1972 (6 month)	[1] 30,000	150,000	50,000
Total	421,300	1,300,000	400,000

[1] Estimate.

COSTS OF 45 SELECTED MAJOR WEAPONS SYSTEMS INCREASED BY $36.5 BILLION

Mr. PROXMIRE. Mr. President, the costs of 45 selected major weapons systems have increased by $36.5 billion over the original planning estimates for those weapons.

This is the largest accumulative overrun reported so far.

Last November I reported a $35.2 billion cost overrun on the same 45 programs. The November figures were based on data compiled by the Department of Defense as of June 30, 1971. The figures I am making available today are based on data compiled by the Department of Defense as of March 31, 1972.

In the 9 months separating the two sets of figures, the costs of the same 45 programs increased by $1.3 billion.

Despite the countless congressional investigations, reports, exposes, and blue ribbon panel studies, the message that billions of dollars are being lost through mismanagement and waste in military procurement has either gotten lost or been ignored.

The picture would have looked even worse except for the fact that seven of the 45 weapons programs were removed from the Pentagon's reporting system and figures for these programs can no longer be updated. Most of the programs in this category were dropped from the reporting system because they were either canceled or completed. Three are among the most mismanaged in recent years. They are the main battle tank, which was canceled after a dismal performance; the Gamma Goat, which received a scathing report from the House Armed Services Committee just a few days ago; and the FB–111, a program whose technical performance is as poor as its cost record.

Several other factors tend to understate the size of the cost overrun problem. Among these is the fact that the data supplied by the Pentagon is often seriously outdated and is sometimes inaccurate.

The Pentagon shows a cost overrun of $222.1 million on the F–14 aircraft program. The Navy has distorted the F–14 picture by supplying a current estimate of $5.3 billion to complete the program when in fact the Navy estimates that it will cost $6.5 billion to complete the program. Instead of a $222.1 million cost overrun, the Pentagon ought to be reporting a $1.5 billion cost overrun.

In the case of the LHA ship program, the Navy reports that it will cost $970 million to complete when, in fact, the Navy now estimates that it will cost $1.4 billion to complete. The LHA cost overrun has been understated by approximately $471 million.

The Air Force has managed to minimize the F–15 aircraft cost overrun by changing the cost base. The original planning estimate for this program was $5.1 billion, as shown in Development Concept Paper No. 19, dated September 28, 1968. But the Air Force now reports a planning estimate of $6 billion, thereby shrinking the difference between the planning estimate and what it will cost to finish the program. Instead of a $1.8 billion cost overrun in this program, there is really an overrun of $2.7 billion.

The omissions in the Pentagon's reporting system in these three programs alone understate the cumulative cost overrun by $2.6 billion.

Other programs showing extremely large increases include Safeguard ABM, $2.1 billion; the B–1 bomber, $2.2 billion; the C5–A aircraft, $1.8 billion; the F–111, aircraft, $4.9 billion; and the SRAM missile, $1 billion.

Another shortcoming in the Pentagon's reporting system is the practice of omitting the costs of large subsystems and associated costs of major weapons. The Safeguard ABM report, for example, ignores the costs of warheads, family housing construction and operation, missile test range support, hospitalization, training, and other Armywide support activities. The most recent estimate of these costs was in excess of $1 billion, and that estimate was made in 1970. The Army has refused to revise this figure.

A March 1972 GAO report on Safeguard strongly suggests that the Army is concealing the full costs of the program. The Army would not make available to GAO documentation showing the basis and source of its planning estimate for Safeguard. GAO concluded that the Safeguard estimate did not contain the provisions for certain known or anticipated costs and were significantly lower than estimates prepared by the weapon system contractor. In my experience, when the military estimate of the cost of a program is lower than the contractor's estimate for that program, the contractor almost always turns out to be right.

In the case of the DD–963 destroyer, all signs point to another large cost increase on top of the already large overrun that has been acknowledged. The DD–963 is supposed to be built in the same shipyard as the LHA and the delays on the LHA have already had a detrimental impact on the DD–963, although the Navy has so far refused to admit it.

Finally, the cumulative nature of the data on costs often obscures the reasons for the overruns. Admittedly, some overruns are excusable. When the cost of a weapon rises because more weapons are being purchased than was originally planned, the rise may be justified if the decision to buy more weapons was a wise one and was not concealed from Congress at the time the planning estimate was made. Changes in a weapon as it undergoes development and production may also increase costs, and this increase may be warranted. There are other factors, such as general economic inflation, which affect the costs of weapons.

In stating the overruns for the 45 selected weapons in this report, I have taken into account as much of the dollar costs of the quantity changes as is possible. Where the quantity to be purchased was increased, I have revised the planning estimate upward by the appropriate amount in order to arrive at the net overrun. Where the quantity was reduced, I have revised the planning estimates downwards.

Too often the causes of cost overruns are gross mismanagement on the part of the Pentagon and inefficiency on the part of the defense contractors. Most of the cost overruns I have studied fall into this category. Unnecessary cost overruns have contributed to general inflation.

Another problem is the intentional underestimate of the cost of a weapon program. A relatively low price tag combined with the rest of the Pentagon's sales pitch has succeeded in winning support for weapons which may otherwise have not been approved by Congress. A number of major weapons fall into this category.

The Pentagon has obviously been unable to cope with the cost overrun problem. The situation seems to me to be growing worse instead of improving. In addition, Congress and the public are still not being told the truth about cost overruns on major weapons.

I request unanimous consent to have printed in the RECORD a report of the costs of 45 selected weapons systems provided to me at my request by the General Accounting Office.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL OF
THE UNITED STATES,
Washington, D.C., July 24, 1972.

The Honorable WILLIAM PROXMIRE,
Chairman, Subcommittee on Priorities and Economy in Government, Joint Economic Committee, Congress of the United States.

DEAR MR. CHAIRMAN: Enclosed is the updated summary of estimated cost data, on the status of 45 selected major weapon systems. Since our last report to you 7 of the 45 systems have been dropped from the Selected Acquisition Reporting System.

Attachments I and II presents the estimated cost data for 38 major weapon systems as presented in the March 31, 1972, Selected Acquisition Reports (SARs) as released by the Department of Defense. Attachment III presents the estimated cost data on the 7 major weapon systems at the time they were dropped from Selected Acqusition Reporting. We have made no audit or verification of the reported data.

Sincerely yours,
ELMER B. STAATS,
Comptroller General of the United States.

ATTACHMENT I

COMPARISON OF THE ESTIMATED COST DATA AS OF MAR. 31, 1972, WITH THE ESTIMATED COST DATA OF JUNE 30, 1971, FOR 38 WEAPON SYSTEMS

[Dollars in millions]

Number of systems	Planning estimate	Development estimate	Cost change		Current estimate
			Quantity	Other	
Army (8)	$10,892.7	$11,701.9	$1,234.6	$3,130.8	$16,067.3
Navy (20)	29,731.3	37,490.6	(576.2)	5,280.6	42,195.0
Air Force (10)	33,273.6	41,082.1	(3,762.5)	9,859.8	47,179.4
Total (38) as of Mar. 31, 1972	73,897.6	90,274.6	(3,104.1)	18,271.2	105,441.7
Total (38) as of June 30, 1971	73,897.6	89,083.5	(5,871.8)	18,124.6	101,336.3
Difference between June 30, 1971, and Mar. 31, 1972	0	1,191.1	2,767.7	146.6	4,105.4

Note: The amounts indicated above for current estimate show a net increase of $4,105,400,000 as compared to the similar total as of June 30, 1971. This net increase consists of an increase of $3,324,800,000 for the Army, a decrease of $301,300,000 for the Navy ($68,600,000 related to Navy actions and $232,700,000 due to elimination of the Air Force portion of Sparrow E from SAR), and an increase of $1,081,900,000 for the Air Force.

The systems accounting for the major changes are as follows:

ARMY

Safeguard: Increase—$1,791.0 million.

This increase includes $856 million for adding a fourth site to the program, $417 million due to stretchout of equipment readiness date of the third site, $225 million support change primarily for adding a Safeguard Missile Integrated Reliability Test (SMIRT) Plan, and $199 million for incorporation of OSD projected price indices.

SAM–D: Increase—$1,318.7 million.

This increase is due to $49 million for additional testing equipment, $54 million for anti-missile/nuclear option, $91 million for management reserve, $600 million for reconfiguration and quantity change, and $530 million for revised estimate and economic escalation.

TOW: Decrease—$62.7 million.

This decrease is attributable to $25 million for a reduction in quantity to reflect current inventory objectives and a $39 million decrease due to revising cost estimates based on existing multi-year missile contracts and changes in support requirements. These decreases were offset by about $1 million increase for economic escalation.

Dragon: Increase—$214.8 million.

This increase is attributable to $101 million quantity change as a result of a revision in combat and training consumption rates and forces to be equipped, $67 million due to change in learning curve computations, labor rates, overhead rates and estimating error, $12 million for stretchout of procurement, $24 million to update future economic escalation, and $11 million for support costs.

Cheyenne: Increase—$38.2 million.

This increase is primarily a result of the request for fiscal year 1973 funds for the fabrication of an additional prototype utilizing parts and tools available from the original production program, and for the renovation of two existing development prototypes.

NAVY

SSN–688: Increase—$250.2 million.

This increase is primarily due to an increase in the quantity of ships at a cost of about $182 million and $69 million for update of escalation.

Poseidon: Decrease—$303.6 million.

This decrease is primarily due to net reductions associated with lower negotiated missile and other equipment costs of about $245 million, and a decrease in the estimated cost for escalation of $14 million.

Mark 48: Decrease—$306.0 million.

The current SAR reflects the Mark 48 Mod 1 torpedo program for which a production contract was awarded in July 1971. The decrease shown above is primarily attributed to the elimination of $281 million in costs related to the Mark 48 Mod 0/2 programs which have been cancelled.

AIR FORCE

F–15: Increase—$493.0 million.

This increase reflects a $26 million increase in development program based on contractor cost data submitted for renegotiation of engine contract after deletion of engines for F–14B aircraft, $2 million for added program scope requirements for missile test hardware and a decrease of $4 million for deletion of test center service funding. In addition, the air vehicle price increased $412 million based on contractor data submitted for renegotiation of engine contract after deletion of F–14B aircraft which was offset by a decrease of $8 million for refinement of previous estimates. Initial spares estimates increased $94 million due to deletion of engines for the F–14B aircraft which was offset by $44 million as a result of computing spare engines on a modular support concept.

F–111: Increase $326.7 million.

This increase is attributable to $293 million for an increase in quantity of aircraft to be procured and $33 million for initial spares cost increase.

Minuteman II: Increase—$161.8 million.

This increase is primarily due to force modernization costs.

Minuteman III: Increase—$128.8 million.

This increase is primarily due to force modernization costs.

ATTACHMENT II

SCHEDULE OF PROGRAM COST DATA APPEARING ON THE MAR., 31, 1972 SARS

[In millions of dollars]

System	Planning estimate	Development estimate	Cost change: Quantity	Cost change: Other	Current estimate
Army (8):					
Cheyenne[1]	125.9	125.9	15.4	189.9	331.2
Safeguard[2]	4,185.0	4,185.0	1,686.0	2,104.0	7,975.0
Dragon	382.2	404.2	(131.9)	212.8	485.1
Sam-D[3]	4,916.8	5,240.5			5,240.5
Lance	586.7	652.9	5.9	115.4	774.2
Tow	410.4	727.3	(307.4)	232.0	651.9
M–60A2	162.1	205.6	(45.3)	243.2	403.5
Tacfire	123.6	160.5	11.9	33.5	205.9
Total	10,892.7	11,701.9	1,234.6	3,130.8	16,067.3
Navy (20):					
SSN–688	1,658.0	5,747.5	1,084.0	243.6	7,075.1
DLGN–38[4]	769.2	820.4			820.4
S–3A	1,763.8	2,891.1		260.7	3,151.8
F–14	6,166.0	6,166.0	(1,116.5)	222.1	5,271.6
EA–6B	689.7	817.7	(50.8)	452.3	1,219.2
P–3C	1,294.2	1,294.2	949.0	46.3	2,289.5
A–7E	1,465.6	1,465.6	(70.5)	755.3	2,150.4
Vast 247	241.1	312.0	(180.7)	312.3	443.6
Phoenix	370.8	536.4	185.5	529.5	1,251.4
Condor	356.3	441.0	(146.0)	85.5	380.5
Poseidon[2]	4,568.7	4,568.7	(243.6)	425.9	4,751.0
Sparrow E[5]	1,215.8	740.7	(529.7)	120.6	331.6
Sparrow F[6]	151.5	707.7	28.0	490.6	1,226.3
Mark 48[7]	720.5	1,753.8	(4.3)	183.5	1,933.0
LHA	1,380.3	1,380.3	(480.6)	70.3	970.0
CVAN–68/69	946.5	1,063.2		253.0	1,316.2
DE–1052	1,285.1	1,259.7		170.9	1,430.6
SSN–637[2]	2,515.8	2,515.8		428.2	2,944.0
DD–963	1,784.4	2,581.2		173.3	2,754.5
Aegis	388.0	427.6		56.7	484.3
Total	29,731.3	37,490.6	(576.2)	5,280.6	42,195.0
Air Force (10):					
B–1	8,954.5	11,218.8	(33.8)	(72.4)	11,112.6
F–15	6,039.1	7,355.2		446.5	7,810.7
C–5A	3,423.0	3,413.2	(710.3)	1,823.5	4,526.4
F–111	4,686.6	5,505.5	(2,628.0)	4,117.1	6,994.6
A–7D	1,379.1	1,379.1	(282.6)	252.2	1,348.7
AWACS	2,656.7	2,661.6		(.3)	2,661.3
Maverick	257.9	383.4	(82.1	84.0	385.3
SRAM	167.1	236.6	125.6	969.7	1,331.9
Minuteman II	3,014.1	4,254.9	4.0	647.5	4,906.4
Minuteman III	2,695.5	4,673.8	(155.3)	1,592.0	6,110.5
Total	33,273.6	41,082.1	(3,762.5)	9,859.8	47,179.4

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[1] The Cheyenne costs represent research and development costs only. These estimates do not include termination costs related to the cancelled production contract.

[2] For the programs where the SAR's have shown only a development or a planning estimate, we have made both estimates the same to prevent distortion between the totals of these columns.

[3] The development estimate of $4,031,000,000 formerly reported, dated March 1967, was changed to $5,240,500,000 in March 1972 to reflect the entry into engineering development.

[4] Although no development estimate was shown on the June 30, 1971, SAR, our last report included the same cost for the planning and development estimates in order to prevent distortion between the totals of these 2 estimates. With the award of the production contract, the Navy established a development estimate in the Dec. 31, 1971, SAR and is reflected in this schedule

[5] Cost estimates for the Air Force portion of this program were deleted from the SAR in December 1971.

[6] Cost estimates include Air Force estimates for its portion of the Sparrow F program.

[7] The development estimate was revised based on the award of the production contract in July 1971.

ATTACHMENT III

WEAPON SYSTEMS REMOVED FROM THE SAR

[Dollar amounts in millions]

System	Planning estimate	Development estimate	Cost change: Quantity	Cost change: Other	Current estimate	Date of final SAR
MBT–70[1]	$2,126.5	$2,100.9	($602.4)	$721.2	$2,219.7	Sept. 30, 1971
Gama goat[2]	69.1	163.9	(5.5)	22.7	181.1	June 30, 1971
SQS–23[2]	157.1	170.5	(82.7)	94.6	182.4	Do.
SSN–685[2]	100.8	151.7		26.2	177.9	Do.
DLG Conv.[2]	698.8	698.8		307.8	1,006.6	Do.
Amtrac[3]	324.4	328.5	(126.9)	.4	202.0	Do.
FB–111[3]	1,781.5	1,781.5	(1,043.3)	546.6	1,284.8	Sept. 30, 1971
Total	5,258.2	5,395.8	(1,860.8)	1,719.5	5,254.5	

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[1] Dropped from the SAR because program was canceled.

[2] Dropped from the SAR because production was completed or substantially completed, or the program costs are below the revised OSD thresholds.

[3] Dropped from the SAR because visibility required by the SAR is no longer necessary and an internal monthly status report will be substituted in its place.

JIM PEARSON: A LEADER IN THE SENATE

Mr. BROOKE. Mr. President, I was delighted to learn that the distinguished senior Senator from Kansas, Mr. Pearson, has handily won the Republican primary in Kansas and will lead the Kansas Republican ticket in the fall. I have only the deepest personal and professional respect for this able Senator from our Nation's heartland. In his own quiet, steady way, Jim Pearson is a moving force in this body.

Senator Pearson is known in this Chamber and throughout the Nation as a man who votes according to his conscience rather than by the advice of pollsters and pundits.

Mr. President, I am especially aware of the role Senator Pearson has played in the great movement to bring equality in the laws and dignity to the lives of racial and ethnic minorities in our Nation. Jim Pearson has been in the forefront of the struggle for civil rights throughout his Senate career. Time after time, Senator Pearson has provided a critical vote needed to secure passage of bills to end discrimination and promote equality of opportunity for all Americans.

His Senate career has spanned the period of greatest legislative action on civil rights since the Civil War. He voted for the historic Civil Rights Act of 1964 and has opposed attempts to weaken its substance. He was there when we needed his vote to insure that all persons in this Nation would have the right to vote. Jim Pearson's support helped pass equal employment opportunity legislation—and much more.

Mr. President, our struggle for civil rights is not yet ended. Black people, Indians, Spanish-speaking Americans, and other minority peoples have not yet achieved true equality in our Nation. For those legislative struggles yet to come and for constructive legislation in all fields, we need Jim Pearson's persistent support to make the American dream a reality for all of our people.

FAULTY APPROACH TO NO-FAULT

Mr. FANNIN. Mr. President, we are told that the concept of no-fault insurance is an idea whose time has come.

This may be, and certainly I do not oppose the concept.

It is my belief, however, that S. 945 is the wrong approach to implement the concept of no-fault insurance.

I oppose the bill for these reasons:

First. This is a total no-fault concept which is unproven and even untested;

Second. This bill does not allow sufficient latitude for State governments to adjust the program to meet the different local conditions reflected in different parts of the Nation;

Third. It most likely will bring increases in insurance premiums across the Nation and especially in the more sparsely populated States such as Arizona;

Fourth. Motorists with good traffic records could be penalized while those with poor records would benefit.

Mr. President, what we are proposing is the imposition of a national program which will turn our philosophy of auto insurance a full 180 degrees. In most States motorists have been required to carry insurance to pay for any damage caused by their negligence. The no-fault approach dictates that each person buy insurance to protect himself, that the negligent motorist is no longer responsible for the damage, pain, and suffering he causes others—at least no longer responsible to the victims except in extreme cases.

UNTESTED CONCEPT

Now let me elaborate on what I mean by saying this is an untested plan. It is true that several States have enacted no-fault legislation in the last few years. But these all have been limited no-fault programs, not the total no-fault concept we are discussing here today. And, I must point out that the programs in the States which have no-fault systems have not yet been in operation long enough to give us concrete evidence as to how well they are operating.

Time and again in the past decade Congress has enacted programs based on high idealism without any experience as to how they will work out. These programs frequently have been disastrous.

If an idea appears to be good, we should not be afraid of testing it before trying to impose it on the entire Nation.

When we finally decide to impose a new concept or policy on our 50 States, I do not see why we cannot provide for an orderly transition rather than acting with undue haste.

And I do not see why we cannot allow States to have reasonable and meaningful options.

INSUFFICIENT LATITUDE

Sometimes I wish that we had this Capitol on wheels and could move it around from State to State during our sessions. Then all Members of Congress would learn that there are indeed great differences in the geography and living conditions in our States, and within our States

The bill we are considering, S. 945, will abrogate every existing motor vehicle State insurance program. It will impose Federal standards that will allow the States no flexibility in determining the program or benefits most appropriate for their various situations.

Any no-fault legislation should give consideration to the fact that there are considerable variations in average incomes, medical costs and facilities, and basic motor vehicle programs in the States.

INCREASED COST

No-fault insurance has been sold to the public as a concept which will lower the cost of insurance and make it easier to collect on claims.

It is obvious to me that, under the program we are considering in the Senate, the cost of insurance to Arizona motorists will jump significantly. One estimate, by Charles C. Hewitt, actuary of the Allstate Insurance Co., is that the insurance premiums for Arizonans would go up an estimated 35.8 percent as a result of the no-fault program we are discussing.

Rates would rise very little for the highly urbanized States, but would soar in the more rural and the sparsely settled States.

Indications are that there would be some advantages in the densely populated States such as those along the eastern seaboard, but why should the rest of the Nation be penalized in the process?

It has been pointed out that the bill would limit safe driver discounts, thus penalizing the middle-income, middle-aged, average driver. At the same time, drivers who have been considered high risks could benefit.

The new basis for rating policyholders will become the likelihood of their being involved in an accident rather than the likelihood of their causing an accident.

This, I believe, will work to the detriment of the average man.

Mr. President, this is one of those bills—we have had so many of them in recent years—which promises so much but which can deliver so little.

No one can say exactly what effects it will have, and that is perhaps the most powerful argument against it. The chance of its complicating the lives of our citizens is every bit as great as the chance that it will simplify things.

It will limit rather than expand the amount of legitimate damages that most victims of auto accidents can collect. It is very possible that this legislation will not reduce legal redtape as advertised by its proponents.

This bill is an unwise attempt to implement a reasonably sound idea. After all, we have had no-fault insurance for many years in the form of medical payment, collision, and comprehensive coverages.

This concept can be and should be expanded through prudent pilot programs.

To impose it upon the Nation in one fell swoop is irresponsible and foolhardy. We in Congress owe it to our constituents to do more than close our eyes and hope for the best.

FEDERAL EMPLOYEES WIN ANOTHER COURT CASE

Mr. MOSS. Mr. President, the Nation's Federal employees have won yet another court battle in their fight for full protection of the laws.

On Tuesday, August 1, the U.S. district court directed a major health insurance company to pay thousands of Federal workers benefits which had previously been denied them. The court ruled that the insurance company could no longer avoid claims by simply reinterpreting contracts after they had been duly negotiated.

This decision was the second time this week that a Federal court has enforced a Government employee measure now before Congress.

On Monday, July 31, the U.S. District Court in the District of Columbia ruled that Federal workers can no longer be refused participation in political activities simply because they are employed by the Government. A central provision in the Hatch Act was ruled in violation of the first amendment to the Constitution. While the matter must still be decided in a higher court, the ramifications of Monday's decision could go well beyond reforms which have been contemplated before the Committee on Post Office and Civil Service.

On Tuesday, the district court ruled that Federal employees had a just claim to benefits being denied them by their insurance carriers. Recently the Senate approved a measure which I had introduced giving the Civil Service Commission authority to overrule an insurance company when the Commission believes the employee to have a just claim—even if the carrier interprets the contract otherwise.

Just as the earlier Hatch Act decision, Tuesday's action offers real hope to Federal employees that their longstanding complaints will be soon resolved.

Since many of my constituents have expressed concern over the dispute involving Federal employee health benefits, I ask unanimous consent that yesterday's Washington Star article, which gives a review of this issue, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Federal Union Wins Case on Hospitalization

(By John Cramer)

Federal employes have won a monumental victory in their fight to bring under control the costs of their government-sponsored group health insurance.

It came yesterday by way of a court settlement approved by U.S. District Judge Charles R. Richey in a suit brought by the National Association of Internal Revenue Employes.

In effect, it directed Blue Cross-Blue Shield to pay thousands of federal workers insurance benefits previously denied them by a cost-cutting order Blue Cross headquarters issued to member groups in mid-1971.

NONPAYMENT ORDER

This order directed non-payment of claims arising from the diagnostic services performed in-hospital which could have been done on an outpatient basis.

Blue Cross described it as mere stricter enforcement of the fine print of the contract.

But it was issued without notice to employes—or even to the Civil Service Commission, which negotiated the contract, and came to light through hearings conducted by Rep. Jerome Waldie, D-Calif.

The result was that thousands of employes found themselves facing large hospital bills they thought were covered by insurance.

It was shortly before the Waldie hearings that national Blue Cross officials sought to justify a 34.1 percent rise in premiums for Blue Cross subscribers by projecting a $146 million deficit by the end of 1972. In letters sent to all senators and representatives, Blue Cross vice president Joseph E. Harvey said losses during 1970 and 1971 totaled about $68 million.

"MILLIONS" IN BENEFITS

During those years, Harvey maintained, "federal employes have been using . . . benefits more often and in greater degree than was anticipated. (They) have received millions of dollars more in benefits than they have paid for."

Four months later, Blue Cross announced that there had been an error in computing past deficits. Losses through 1971 had been only $16 million.

In the meantime, the Price Commission had reduced Blue Cross' premium request from the original 34.1 percent to 22 percent.

The NAIRE suit was directed at Blue Cross, from which it sought $350,000 damages on behalf of Internal Revenue employes, and at the Civil Service Commission, which it charged with "negligence" for failing to inform employes of the benefit cutback.

The court-approved settlement, however, applies to all of the 1.6 million federal workers insured by Blue Cross. It was jointly worked out by NAIRE, the Blue Cross, and CSC.

By its terms:

Blue Cross agrees to pay all 1971–72 costs, subject only to a $100 deductible for employes hospitalized for diagnostic services which could have been performed outside a hospital. Under the cutback order, they paid for the diagnostic services, but not for the hospitalization.

CSC agrees to publicize to the employes the fact that the payments are available.

And employes whose claims for payment have been denied are given until Dec. 31, 1973, to file or refile them.

NAIRE estimated employes could win as much as $10 million in previously denied claims. A CSC official said the figure would be "much, much lower—but we don't underestimate the importance of the settlement to individual employes."

But let's not quibble about the dollars. Perhaps NAIRE over-estimated them. Perhaps CSC strained to minimize them. The important thing is that both Blue Cross and CSC, in agreeing to the settlement, publicly admitted error. Tighter management of insurance costs is on the way.

FOR THE LOVE OF POLITICS

Mr. CHURCH. Mr. President, one of the nicest things that has happened to me and my wife, Bethine, since we have come to Washington is getting acquainted with Frank and Holly Mankiewicz. It is a friendship that we have coveted and thoroughly enjoyed.

In the Washington Post of July 27, Myra MacPherson has written an unusually fine profile of Frank Mankiewicz, whose importance as a capital figure in the McGovern campaign for the President warrants its inclusion in the Record.

I ask unanimous consent that the article, entitled "For the Love of Politics," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

For the Love of Politics

(By Myra MacPherson)

Frank Mankiewicz and the man he is trying to get elected President are as dissimilar in style as their dissimilar childhoods might have foretold.

There was George McGovern, the son of a preacher, growing up in a South Dakota town that reminds him of the aimless small town-ness of "The Last Picture Show." And there was Mankiewicz, two years younger, growing up in Hollywood—the son of Herman Mankiewicz, the acerbic observer of the human scene who gave us "Citizen Kane" and the Marx Brothers' "Duck Soup."

While McGovern was sneaking off to his clandestine "flicks," and maybe an ice cream soda, Frank Mankiewicz knew mansions with swimming pools and saw his parents partying with people like Ben Hecht, Dorothy Parker, the Marx Brothers, Orson Welles and William Randolph Hearst.

Herman Mankiewicz—Hecht once called him the Central Park West Voltaire—was one of the leaders among the New York expatriate wits in the '20s and '30s who hated Hollywood, the town that made them rich. He left his son a legacy of wit, a dislike of Hollywood and a love of politics that drew Frank Mankiewicz to Washington, Robert Kennedy and ultimately—because of Kennedy—to McGovern.

Mankiewicz talks reluctantly and sparingly of his Hollywood youth. "My father convinced me Hollywood was not a real world. I don't remember a single dinner table conversation that involved his work. It was usually politics," said Mankiewicz the other day, wolfing down an egg salad sandwich and answering phone calls in his cramped office. "My father was a frustrated political columnist."

A heavy drinker and gambler, the elder Mankiewicz had an irreverence that rankled movie moguls. Once, being punished, he was told to write a Rin Tin Tin script. In Mankiewicz's version a house is on fire and the dog is carrying a baby *into* the flames. Mankiewicz may have been the originator of that famous caustic one-liner, when he said of Orson Welles (who claimed credit for the Kane script when it won an academy award), "There but for the grace of God, goes God."

Frank grew up in an atmosphere of urbanity and overachievement as well as one of strong family love, fostered by his Jewish mother. (His father, the son of a Jewish immigrant who became a professor, was an atheist.)

Frank's mother, now widowed, has on her mantle the Citizen Kane Oscar and the latest "Who's Who in America" marked at her sons' listings (Frank's brother Don wrote TV pilots for "Marcus Welby" and "Ironsides" as well as a novel).

Although Herman's fame was declining when he hit 40, his son Frank was not even nationally known until he was 44—four years ago. As Robert Kennedy's aide, he carried the news to the press, his face creased in sorrow, that Kennedy was dead.

Before that, Mankiewicz ran unsuccessfully for the California legislature, was a newspaperman, a Beverly Hills lawyer, a director of the Peace Corps in Peru, and Robert Kennedy's press secretary from 1966.

Mankiewicz uses his wit to hide his deep feelings and as a foil—successfully evading questions by the press, who clearly enjoy the humor, if not the lack of substantive information.

The other day he ducked a question about Philadelphia Mayor Frank L. Rizzo backing a Republican with the same crack he made about former Treasury Secretary John Connally—"his defection to the Republicans raised the intellectual level of both parties."

This week, he used characteristic understatement when McGovern's running mate, Sen. Thomas F. Eagleton, disclosed he had been hospitalized, under psychiatric care on three occasions.

While others were saying it was a disaster, Mankiewicz was saying, "It is not a plus."

Stung by a report in the paper that young McGovern aides wished Mankiewicz's power diluted because he had become "too Machiavellian," he nevertheless cracked, "As I recall, he ran a couple of successful campaigns. It's worth it all now, if three centuries from now, they're saying somebody's too 'Mankiewiczian.'"

Mankiewicz is complex enough to have been called a variety of adjectives besides Machiavellian—cool, pragmatic, brilliant, arrogant, vain, charming, testy, condescending, aloof, petty.

There are those who praise him as a political maneuverer and others who feel that he, and other aides, are not as sharp as they should be in some instances. Some critics say Mankiewicz and other staff members made a disastrous goof in not checking out Eagleton, but Mankiewicz takes the position that they did all they could; that they checked out the only rumors they had heard—that Eagleton had a drinking problem. Mankiewicz said they were false.

Often considered "cold blooded" about politics, Mankiewicz felt McGovern's only chance in 1968, according to the book "McGovern" by Robert Anson, was to "provoke Humphrey into commiting a fatal gaffe, namely disowning the Johnson war policy." If that happened, Mankiewicz thought, "the ego of Lyndon Johnson would be so wounded that he would 'pull the rug out from under Hubert.'"

It was also Mankiewicz who suggested in 1968 that Sen. Abraham Ribicoff—who nominated McGovern that year and this year, too—throw away his cliches and "say something about what's going on in the streets."

Ribicoff brought the convention—and Mayor Richard Daley of Chicago—to a roar when he took that advice and said, "With George McGovern, we wouldn't have Gestapo tactics in the streets of Chicago."

When Mankiewicz is preoccupied, he brushes past friends without saying hello. Holly, his wife of 20 years, recalls "When I met him I didn't like him. I admired him but I thought he was Mr. Know It All. I knew he was very, very smart, but I didn't think he knew much about humility."

In addition to his wit, his wife found "great warmth," although she says he still thinks he's sometimes "vain." "He sure as hell can make me mad, but he never bores me," she says.

His rather homely face, with the deep circles under the eyes, the split in the front teeth, the jut-jawed smile, lights up with warmth when he wants to be charming. You can see the one-liners forming, as the eyes start to laugh before his face does.

As McGovern's national political director, Mankiewicz travels with him. He gives the candidate the benefit of his judgment—but not, as he did with Kennedy— his urbane one-liners. One aide said Mankiewicz tried that once and that it bombed because of McGovern's aw shucks delivery.

"His delivery with my words would be impossible," said Mankiewicz. "He's so genuine, so straight—just what the country wants," said Mankiewicz, who once kidded McGovern that the way to change his mild mannered image was to "get a rumor spread that someone at a cocktail party made a remark that you didn't like, and you gave him a quick karate chop that broke his arm."

While he avoids any introspective philosophizing about politics or why he's in it—"I've always just loved it"—Mankiewicz says, like other old Kennedy hands, he's working for the one man he thought could do the things Kennedy wanted done. Mankiewicz urged him to take over and run in 1968, only days after Kennedy was killed. He left a political column, a TV show and considerable money to go with McGovern last July, a time when his friends were laughing at McGovern's chances.

Mankiewicz can look injured and innocent when it is suggested that McGovern waffles on issues—"very little, very little"—or that Mankiewicz himself has told a political lie or two.

"He lied like hell about Bobby's condition when he was shot," said one newspaper friend of Mankiewicz, "but that was something he had to do."

Others thought Wednesday that Mankiewicz was fudging when he said that neither he nor McGovern knew the exact medical diagnosis of Eagleton's problem.

On the South Carolina credentials vote, Mankiewicz says McGovern aides "didn't sabotage the women. All we did was counter the tactical moves of Humphrey's 50 or so people who voted for it."

But Holly, who has an ingenuous quality of candor quite absent in most politician's wives, said, "I don't think Frank handled that very delicately. Instead of denying the tactics on television, I asked him, why didn't you just say 'we had to do it'? Frank said, 'Jesus Christ, we can't tell the women that. They're so damn mad—that would only make them madder.'" Although she says her husband has "fewer standard male notions about women than any man I ever met," she adds, "he's *not* a woman."

Holly says he's all for women's lib, but joked when the movement first started, "My god, this is tremendous—you get to go to work and I get to cry."

This year has been tough on the family. Although Josh, 16, sometimes travels with his father, Ben, 5, is too young to understand why his father is not home more often.

Holly has been a secretary to the constant phone calls—"I wouldn't mind, if they just gave me time to brush my teeth." She stopped waiting dinners for her husband, "when I found out I was hollering at him every night."

When Mankiewicz has time to relax, he reads, often re-reading old favorites like Orwell and James Joyce. A baseball freak, Mankiewicz uses his photographic memory ("it's been invaluable in my life") to stump friends with sports trivia: "In 1945, what major league pitcher had the name of his home town on his jersey? Bill Voiselle—number 96—came from Ninety Six, South Carolina."

As a boy, he dreamed of being a baseball player—"all my fantasies use to involve being a baseball player—the ones that didn't involve girls."

Mankiewicz says that he wants to write a "good book" about Washington, and that he "might go back to practicing law. I've got eight years to think about that," he says, adding with a confident grin, "I assume McGovern will be President eight years."

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time for morning business having expired, morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed the bill (S. 3507) to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT OF NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. Williams) laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

The Sixth Annual Report of the National Advisory Council on Extension and Continuing Education is submitted herewith. The Council is authorized by Public Law 89–329.

I congratulate the Council on its comprehensive study of the Federal role in community service, extension and continuing education for adults through the resources of colleges and universities. The study points up the need for increased coordination of the support the Federal government lends to these efforts.

Several of the Council's proposals are receiving thorough consideration by the Department of Health, Education, and Welfare, including those relating to improved coordination of Federal assistance to extension, community service, and continuing education programs.

The Council also recommends that additional funds be provided for the program authorized by Title I of the Higher Education Act of 1965. I continue to hold as a basic principle that greater emphasis should be placed on broad funding approaches for Federal grant-in-aid programs, and that narrow categorical grant programs such as Title I should be relied on less as a means of channeling Federal funds to individual institutions.

Richard Nixon.

The White House, *August 3, 1972.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. Williams) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session to proceed to the consideration of the ABM Treaty.

TREATY ON LIMITATION OF ANTIBALLISTIC-MISSILE SYSTEMS, EXECUTIVE L, 92D CONGRESS, SECOND SESSION

The Senate, as in Committee of the Whole, proceeded to consider Executive L, 92d Congress, second session, the treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems, which was read the second time as follows:

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTIBALLISTIC MISSILE SYSTEMS

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Proceeding from the premise that nuclear war would have devastating consequences for all mankind,

Considering that effective measures to limit anti-ballistic missile systems would be a substantial factor in curbing the race in strategic offensive arms and would lead to a decrease in the risk of outbreak of war involving nuclear weapons,

Proceeding from the premise that the limitation of anti-ballistic missile systems, as well as certain agreed measures with respect to the limitation of strategic offensive arms, would contribute to the creation of more favorable conditions for further negotiations on limiting strategic arms,

Mindful of their obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to take effective measures toward reductions in strategic arms, nuclear disarmament, and general and complete disarmament,

Desiring to contribute to the relaxation of international tension and the strengthening of trust between States,

Have agreed as follows:

ARTICLE I

1. Each Party undertakes to limit anti-ballistic missile (ABM) systems and to adopt other measures in accordance with the provisions of this Treaty.

2. Each Party undertakes not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense, and not to deploy ABM systems for defense of an individual region except as provided for in Article III of this Treaty.

ARTICLE II

1. For the purposes of this Treaty an ABM system is a system to counter strategic ballistic missiles or their elements in flight trajectory, currently consisting of:

(*a*) ABM interceptor missiles, which are interceptor missiles constructed and deployed for an ABM role, or of a type tested in an ABM mode;

(*b*) ABM launchers, which are launchers constructed and deployed for launching ABM interceptor missiles; and

(*c*) ABM radars, which are radars, constructed and deployed for an ABM role, or of a type tested in an ABM mode.

2. The ABM system components listed in paragraph 1 of this Article include those which are:

(*a*) operational;

(*b*) under construction;

(*c*) undergoing testing;

(*d*) undergoing overhaul, repair or conversion; or

(*e*) mothballed.

ARTICLE III

Each Party undertakes not to deploy ABM systems or their components except that:

(*a*) within one ABM system deployment area having a radius of one hundred and fifty kilometers and centered on the Party's national capital, a Party may deploy: (1) no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites, and (2) ABM radars within no more than six ABM radar complexes, the area of each complex being circular and have a diameter of no more than three kilometers; and

(*b*) within one ABM system deployment area having a radius of one hundred and fifty kilometers and containing ICBM silo launchers, a Party may deploy: (1) no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites, (2) two large phased-array ABM radars comparable in potential to corresponding ABM radars operational or under construction on the date of signature of the Treaty in an ABM system deployment area containing ICBM silo launchers, and (3) no more than eighteen ABM radars each having a potential less than the potential of the smaller of the above-mentioned two large phased-array ABM radars.

ARTICLE IV

The limitations provided for in Article III shall not apply to ABM systems or their components used for development or testing, and located within current or additionally agreed test ranges. Each Party may have no more than a total of fifteen ABM launchers at test ranges.

ARTICLE V

1. Each Party undertakes not to develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based.

2. Each Party undertakes not to develop, test, or deploy ABM launchers for launching more than one ABM interceptor missile at a time from each launcher, nor to modify deployed launchers to provide them with such a capability, nor to develop, test, or deploy automatic or semi-automatic or other similar systems for rapid reload of ABM launchers.

ARTICLE VI

To enhance assurance of the effectiveness of the limitations on ABM systems and their components provided by this Treaty, each Party undertakes:

(*a*) not to give missiles, launchers, or radars, other than ABM interceptor missiles, ABM launchers, or ABM radars, capabilities to counter strategic ballistic missiles or their elements in flight trajectory, and not to test them in an ABM mode; and

(*b*) not to deploy in the future radars for early warning of strategic ballistic missile attack except at locations along the periphery of its national territory and oriented outward.

ARTICLE VII

Subject to the provisions of this Treaty, modernization and replacement of ABM systems or their components may be carried out.

ARTICLE VIII

ABM systems or their components in excess of the numbers or outside the areas specified in this Treaty, as well as ABM systems or their components prohibited by this Treaty, shall be destroyed or dismantled under agreed procedures within the shortest possible agreed period of time.

ARTICLE IX

To assure the viability and effectiveness of this Treaty, each Party undertakes not to transfer to other States, and not to deploy outside its national territory, ABM systems or their components limited by this Treaty.

ARTICLE X

Each Party undertakes not to assume any international obligations which would conflict with this Treaty.

ARTICLE XI

The Parties undertake to continue active negotiations for limitations on strategic offensive arms.

ARTICLE XII

1. For the purpose of providing assurance of compliance with the provisions of this Treaty, each Party shall use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law.

2. Each Party undertakes not to interfere with the national technical means of verification of the other Party operating in accordance with paragraph 1 of this Article.

3. Each Party undertakes not to use deliberate concealment measures which impede verification by national technical means of compliance with the provisions of this Treaty. This obligation shall not require changes in current construction, assembly, conversion, or overhaul practices.

ARTICLE XIII

1. To promote the objectives and implementation of the provisions of this Treaty, the Parties shall establish promptly a Standing Consultative Commission, within the framework of which they will:

(*a*) consider questions concerning compliance with the obligations assumed and related situations which may be considered ambiguous;

(*b*) provide on a voluntary basis such information as either Party considers necessary to assure confidence in compliance with the obligations assumed;

(*c*) consider questions involving unintended interference with national technical means of verification;

(*d*) consider possible changes in the strategic situation which have a bearing on the provisions of this Treaty;

(*e*) agree upon procedures and dates for destruction or dismantling of ABM systems or their components in cases provided for by the provisions of this Treaty;

(*f*) consider, as appropriate, possible proposals for further increasing the viability of this Treaty, including proposals for amendments in accordance with the provisions of this Treaty;

(*g*) consider, as appropriate, proposals for further measures aimed at limiting strategic arms.

2. The Parties through consultation shall establish, and may amend as appropriate, Regulations for the Standing Consultative Commission governing procedures, composition and other relevant matters.

ARTICLE XIV

1. Each Party may propose amendments to this Treaty. Agreed amendments shall enter into force in accordance with the procedures governing the entry into force of this Treaty.

2. Five years after entry into force of this Treaty, and at five year intervals thereafter, the Parties shall together conduct a review of this Treaty.

ARTICLE XV

1. This Treaty shall be of unlimited duration.

2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to the other Party six months prior to withdrawal from the Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests.

ARTICLE XVI

1. This Treaty shall be subject to ratification in accordance with the constitutional procedures of each Party. The Treaty shall enter into force on the day of the exchange of instruments of ratification.

2. This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations.

DONE at Moscow on May 26, 1972, in two copies each in the English and Russian languages, both texts being equally authentic.

For the United States of America:
RICHARD NIXON,
President of the United States of America.
For the Union of Soviet Socialist Republics:
L. I. BREZHNEV,
General Secretary of the Central Committee of the CPSU.

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, debate on this treaty will be limited to 8 hours, to be equally divided between and controlled by the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from Vermont (Mr. AIKEN); time on reservations and understandings to be limited to 2 hours, to be equally divided between and controlled by the mover and the Senator from Arkansas (Mr. FULBRIGHT), with debate on any amendment thereto to be limited to 30 minutes, to be equally divided between and controlled by the mover and the Senator from Arkansas (Mr. FULBRIGHT).

Who yields time?

Mr. FULBRIGHT. Mr. President, I yield myself 15 minutes.

Before I proceed to make my prepared presentation of this matter, I wish to call the attention of the Senate to a new development that was reported in the morning newspapers. I was very surprised indeed to read, on the front page of the New York Times this morning, an article by Mr. William Beecher which raised some serious questions about the attitude of the administration with regard to this treaty and the interim agreement. For the RECORD, I should like to read a part of it, just as a taking off place for a few comments.

The headline and the subject line are as follows:

SENATORS SEEK TO BOLSTER U.S. ARMS-PACT POSITION

RESOLUTION CONTAINS RESERVATIONS ABOUT ACCORDS WITH SOVIET INTENDED TO HELP STAND IN FUTURE NEGOTIATIONS

The article reads:

A group of Democratic and Republican senators, with Administration support, plans to introduce a resolution containing a number of reservations about the accords with the Soviet Union on offensive and defensive missiles.

Well-placed sources in the Pentagon, State Department and Congress say that the Administration agreed to lobby for the reservations—to be introduced as a resolution during the floor debate on the accords tomorrow or Friday—in hopes that they will strengthen its hand in the second round of talks on arms limitation expected this year or early next year.

The sources said that the Senate move was being lead by Senator Henry M. Jackson, Democrat of Washington, who has raised persistent questions about some of the terms of the accords.

Co-sponsors include Senator Hugh Scott of Pennsylvania, the Senate minority leader, and Senator Gordon L. Allott of Colorado, chairman of the Republican Policy Committee in the Senate.

The reservations, according to Congressional and Administration sources, would do the following things:

I ask unanimous consent that the remainder of the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATORS SEEK TO BOLSTER U.S. ARMS-PACT POSITION

RESOLUTION CONTAINS RESERVATIONS ABOUT ACCORDS WITH SOVIET INTENDED TO HELP STAND IN FUTURE NEGOTIATIONS

(By William Beecher)

WASHINGTON, Aug. 2.—A group of Democratic and Republican senators with Administration support, plans to introduce a resolution containing a number of reservations about the accords with the Soviet Union on offensive and defensive missiles.

Well-placed sources in the Pentagon, State Department and Congress say that the Administration agreed to lobby for the reservations—to be introduced as a resolution during the floor debate on the accords tomorrow or Friday—in hopes that they will strengthen its hand in the second round of talks on arms limitation expected this year or early next year.

The sources said that the Senate move was being led by Senator Henry M. Jackson, Democrat of Washington, who has raised persistent questions about some of the terms of the accords.

Co-sponsors include Senator Hugh Scott of Pennsylvania, the Senate minority leader, and Senator Gordon L. Allott of Colorado, chairman of the Republican Policy Committee in the Senate.

The reservations, according to Congressional and Administration sources, would do the following things:

Warn the Soviet Union not to take advantage of the period of negotiations for a comprehensive treaty covering missiles and bombers to deploy improved weapons that could threaten American land-based forces. The resolution makes clear that Congress would regard such action as dangerous enough to call for abrogation of the interim agreement and for American countermoves.

Urge the Administration to insist in the forthcoming talks on offensive weapons that the forces of each side be roughly equal. This is a reaction to the fact that of the two accords already reached and now before the Senate, one, a five-year agreement on offensive weapons, permits the Russians to have about 50 per cent more land-based missiles and 30 per cent more missile submarines. The other agreements, a treaty on defensive weapons, permits each side to deploy 200 interceptor missiles.

Explaining why the Administration is prepared to back such reservations, one senior official declared: "I would see them as reinforcing our negotiating position in the next round."

APPROVAL IN COMMITTEE

The Jackson resolution, Congressional sources said, will be taken up along with a resolution introduced by Senator J. W. Fulbright of Arkansas, chairman of the Foreign Relations Committee. The committee unanimously approved his resolution, simply stating "approval" of the executive agreement without any reservations.

The interim agreement on offensive missiles requires a simple majority vote in each House of Congress. Passage of the antimissile treaty, by contrast, requires a two-thirds majority in the Senate, but does not require House action.

Supporters of the Jackson resolution, both in Congress and in the Administration, predicted easy passage. They say, however, that the reservations are advisory, and do not modify the substance of the negotiated agreement.

Administration officials pointed out that the Russians had informed President Nixon, as well as members of the American negotiating team, that they intended to pursue weapons movements not specifically prohibited by the accords.

LAND MISSILES AT SCENE

One point of concern relates to what the Russians may do about their very large land-based missiles. They are permitted to expand by 15 per cent the size of their silos for the very large SS-9 missiles. Some of these missiles carry three warheads of five megatons each. A megaton is equivalent in force to one million tons of TNT.

The Russians have built, but not yet tested, an advanced version of the SS-9 that intelligence sources say is large enough to carry 20 warheads of half a megaton to one megaton each.

The interim agreement would not forbid the Soviet Union to test such a multiple-warhead missile and place as many as 313 in existing silos, Pentagon sources note. Potentially, that would give the Russians more than 6,000 warheads in this one intercontinental ballistic missile system, which would be considered a major threat to America's 1,000 Minuteman missiles.

WARNING TO SOVIET

"One of the Senate reservations would put Moscow on notice that such a program, while not specifically forbidden, would be taken by the Congress as an aggressive act requiring some kind of response on our part," one defense official said. "It would also warn that the Congress will be watching for any moves of such a nature very closely."

The official said that four 1963 Senate reservations about the ban on most nuclear weapons tests are regarded by the Nixon Administration as valuable both in keeping up America's underground-test program and in inhibiting the Soviet Union from any temptation to cheat. This is so, he said, because the reservations also call for standby preparations to resume atmospheric testing should the Soviet Union suddenly do so.

In a statement accompanying the accords on limiting strategic arms, the United States said that the purpose of future negotiations should be to "constrain and reduce" threats to America's retaliatory forces. Should a comprehensive agreement on offensive weapons not be negotiated in five years, the statement warned, this "would constitute a basis for withdrawal" of the anti-ballistic-missile treaty.

MESSAGE REINFORCED

Administration officials say the Senate reservation on this point of jeopardizing the American ability to retaliate reinforces that warning, both by adding the Senate's voice to it, and by implicitly applying the warning to Soviet actions during the five years, not just at the end of the period.

The recommendation to the President to seek a treaty of more nearly balanced offensive forces, according to State and Defense Department officials, should improve the Administration's bargaining position because it raises doubt whether the Senate would ratify a treaty calling for anything less.

Some Administration planners are hoping for a phased mutual reduction of offensive forces, with permission for each nation to

> place more of its retaliatory missiles at sea. There they would be less vulnerable to surprise attack than would fixed land-based ICBM's and bombers.
>
> Testifying on the arms accords today before the House Foreign Affairs Committee, Secretary of Defense Melvin R. Laird complained that President Nixon's proposed $250-billion ceiling on Federal spending would be unfair if it was applied only to defense and foreign aid spending. He said he "was not consulted" on the ceiling.
>
> But Representative Frank T. Bow, Republican of Ohio, who introduced the bill setting the ceiling, said that defense and foreign aid would not be discriminated against under the measure since the President, not Congress, would decide what to cut.

Mr. FULBRIGHT. Mr. President, I wish to make two or three observations.

In the first place, the Committee on Foreign Relations had no notice of any reservations or understandings which the administration desires. The committee acted unanimously, including the minority leader (Mr. SCOTT) and all the Republican members unanimously, to report both the treaty and the interim agreement, without encumbering reservations or understandings of any kind.

It was my understanding at the time that this was in accord with the desires of the administration. I have been very pleased, up until this point, at least, with both the accords on the ABM in the form of the treaty, and the interim agreement. I favored them, and I was very pleased to support them.

This news article, if it is true, does raise some very serious questions in my mind as to the sincerity of the administration. I again say—if the article is true.

A member of the committee staff did call Mr. Abshire, the Assistant Secretary of State for Congressional Relations, who stated that he did have a copy of the proposal—I believe that is how he referred to it—in this article which Mr. Jackson is considering submitting, together with others.

It raises a very serious question in my mind as to my own position, having publicly committed myself in support of the agreement. I approve of both agreements—the ABM Treaty and the interim agreement. If the administration is supporting a move to qualify either—this article says by reservations or by understandings; it does not really matter much to me—I feel very much embarrassed to take the lead and to resist these new proposals—if they have administration support.

I anticipated that the Senator from Washington (Mr. JACKSON) would complain about the agreements, as he already has, and perhaps offer reservations; but I certainly did not anticipate that the administration would back a move to attach understandings or reservations to an agreement which, it seems to me, is a very hopeful one.

The thrust of the article is that we will, in effect, threaten the Soviet Union if they take advantage of the period of negotiations to increase their weaponry. It says:

> Take advantage of the period of negotiations for a comprehensive treaty covering missiles and bombers to deploy improved weapons that could threaten American land-based forces.

This body voted in the last week for an enormous increase of funds for such weapons as the Trident and the B–1 and a variety of other more modern and more effective weapons.

I joined some of my colleagues in opposing those proposals, because I think those actions cast some doubt upon the good faith of our own Government in wishing to control the arms race. However, that decision has been made. But for us now, in the face of having ourselves taken the steps of authorizing the appropriations of enormous sums of money, running into the billions, to criticize or threaten the Russians that if they do likewise, we shall take measures that possibly will call for the abrogation of the interim agreements, and so forth, is a most inconsistent and, it seems to me, irrational procedure.

A more appropriate reservation would be that we would resist any inclination to increase our weapons if they would. In other words, an understanding of mutual restraint carried out by our actually restraining our own proliferation of these modern weapons, in my view, would be very much in accord, but to threaten them that we would do as they have done would be most inappropriate.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. A few minutes ago, I read the article to which the Senator from Arkansas, the chairman of the committee, is referring; and I want to say now that I learned a long time ago not to believe everything I read in the newspapers or heard on the air or saw on television.

The story may be accurate. I do not know. But I do know that no one has said anything to me about reservations or anything else which would weaken the treaty we are to act upon soon.

I expect that the United States will give its own understanding to the meaning of the treaty, because that is always done. I do not say that no reservations are advisable, because I do not know what they may be. I only hope that, following the approval of the treaties which we soon will be considering, the officials of the two countries—Russia and the United States—will again get together and see what can be done toward extending the area of peace, if we should call it that, and to see what can be done toward establishing still further peaceful understandings between the two countries. But as of now, I have heard nothing whatsoever about this.

Mr. FULBRIGHT. I appreciate what the Senator from Vermont has said. He is the ranking Republican member of the Committee on Foreign Relations and is the senior Republican member of this body. He says he knows nothing about this and he raises doubts about it, and I am reassured about that.

I hope the article is not correct. I would be even more startled if they were doing this and did not inform the Senator from Vermont, because I think he has had the same view I have had. Both of us support this agreement; and it would seem most peculiar if, behind our backs, they would undertake to attach understandings to this, without notifying either of us about this kind of procedure—particularly if the administration should do it. If Mr. JACKSON should do it as an individual Senator, without being a member of the committee, he is at liberty to do anything he wishes. There is no reason why he should consult either the Senator from Vermont or me.

But I must say that if the article is true, it raises, for me, rather embarrassing consequences. If it is not true—and I hope it is not—we, of course, will proceed in the regular way.

I agree with the Senator that there is some form of understanding and that each government, usually unilaterally, states it. Already, in some subsidiary statements in Moscow, each side has made unilateral statements as to what it understood, particularly about the interim agreement, and that is perfectly normal.

Mr. AIKEN. The highest officials in Government were not bashful about conveying to me their ideas relating to the various amendments we voted upon yesterday. I believe that I would have at least some inkling of any plans to carry out what is referred to in the article that the Senator from Arkansas has read. I do not think they are bashful.

I might say that there are different schools of thought, even in the Senate, where we are not always of one mind, and that the story the Senator is referring to apparently emanated from members of a different committee.

Mr. FULBRIGHT. Of course, I agree with the Senator. I was not at all taken aback by the fact that Senator JACKSON anticipated offering or was going to offer criticisms or reservations or anything else. The only part of the article that bothers me and concerns me is that this is with the administration's support. I hope that part of this story is not true.

Mr. AIKEN. I would like to add that for the last 7 years at least, we have been conducting a face-saving war in Southeast Asia; and the same instinct which prompts nations to conduct face-saving wars also trickles down through to individuals, whether they be officials of government or individuals among the public. I tried to point out yesterday that the business of face saving is tremendously important. We all indulge in it from time to time.

I do not take this article as a serious threat to improving our relations with Russia.

Mr. FULBRIGHT. I am glad to have that statement of the Senator from Vermont. I sincerely hope that his guess about the authenticity of the article in that respect proves to be true.

In the course of today or tomorrow, the gentleman mentioned and the Members of this body mentioned in the article will say whatever they have in mind.

Well, Mr. President, with those preliminary comments, I wish to proceed to discuss the treaty on the limitation of the ABM systems and interim agreement and associated protocol.

I bring before the Senate today, with the unanimous approval of the Foreign Relations Committee, the treaty and agreement signed by the President in Moscow on May 26, 1972, that unanimously recommends the Senate give its advice and consent to the treaty on the ABM systems and its approval to Senate Joint Resolution No. 241 authorizing the President to approve the interim agreement between the United States and the Soviet Union on the limitation of strategic offensive arms.

The treaty and the agreement are hopeful first steps in bringing some measure of restraint and control to what has been called the mad momentum of the nuclear arms race.

I wish, of course, that we had taken this first step years ago. I wish, for example, that the administration had taken the advice of those Members of the Senate who recommended against the initial deployment of the ABM systems. In retrospect, that advice was sound and would have saved our constituents and taxpayers many billions of dollars.

Mr. CRANSTON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. CRANSTON. I thank the chairman for his great leadership on important matters relating to our foreign policy and our national security.

The PRESIDING OFFICER (Mr. Bayh). The 15 minutes of the Senator from Arkansas have expired.

Mr. FULBRIGHT. Mr. President, I yield myself 10 additional minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 10 additional minutes.

Mr. CRANSTON. I was as baffled as was the Senator this morning by the New York Times story, which indicated a totally different approach by the administration. I have just now received a memorandum explaining the amendment to Senate Joint Resolution 241 which was discussed this morning in the New York Times. There is indeed a reservation to be offered to the pending measure with the principal cosponsors being Senator Jackson and Senator Scott. I am informed by their staff representatives that it has the support of the administration, their spokesmen say that the New York Times story is substantially accurate. So the situation is exactly as the Senator described it to be after reading the New York Times this morning. I have here a copy of the amendment to be proposed together with the explanatory statement.

Mr. AIKEN. Mr. President, may I add this is the first I knew that the New York Times is an official spokesman for the administration. I know that Russia has its Tass, and I believe that North Vietnam has its paper, but I did not know that the President has an official newspaper. It may be. I do not say it is not true. But, if it is true that the New York Times has become the official newspaper for the White House, then that certainly means that times are changing.

Mr. CRANSTON. I think the general attitude of the New York Times toward many erroneous policies pursued by the administration indicates plainly that the New York Times is not a mouthpiece for this administration. The New York Times has succeeded in learning more about what is happening both inside the administration and on the Senate floor than members of the committee handling this legislation know.

Mr. FULBRIGHT. More than the chairman of the Foreign Relations Committee, certainly.

Mr. CRANSTON. Right.

Mr. FULBRIGHT. Perhaps this is one of their gambits to embarrass the Foreign Relations Committee, to show how powerful Mr. Jackson and the Armed Services Committee are. They have shown it all week. I do not know what the motive is or why they concealed—or failed to alert the Senator from Vermont, at least, if no one else.

The Senator from Pennsylvania, after all, is a member of the Foreign Relations Committee. He offered no such resolutions, as I recall, in committee. He voted for the one that came out. I had no idea he harbored any desire to change the thrust of either of these agreements.

I am quite at a loss to know why they should do this. I was taken aback when, immediately after the agreements were announced, the Secretary of Defense made a statement demanding these enormous increases in our own armaments. It struck me then that his demand for increased armaments raised a serious question about the intentions of the United States. Did we really mean what the agreements said? This is the same question of credibility that has plagued our Government for several years—and domestically for that matter, besides on foreign policy. I thought that was a very poorly timed statement.

Now, if I understand correctly what these reservations do, they raise a further question. Only last night we voted, against my approval and that of the Senator from California, that we would go ahead on a very large nuclear weapons system on an accelerated basis. And now these reservations say to the Russians, "If you do anything during this period, we are going to take serious measures." This kind of action would raise questions about either our sanity or our sincerity. Take it either way you like.

Mr. CRANSTON. Let me say that I have the gravest concern about the fact that we are locked in by a unanimous-consent agreement to vote tomorrow on final passage of these treaties. All at once we have this surprise, this bombshell, thrown into the midst of our deliberations.

We should at once consider whether it will be possible to change that unanimous-consent agreement, which I know will be very difficult to do. But to vote responsibly, we have to come to grips with this vitally important measure which is so important to the peace of the world. The Jackson amendment has so many ramifications that we should take adequate time to consider this new stance taken by the administration. The committee, which is responsible for the SALT agreements, should have time to consider the matter. To me, free and unlimited debate is a basic principle of the Senate. I came into the Senate favoring a restriction on permission to talk at great length. But as the Senator from Arkansas knows, I have come around to his view. I have witnessed what happens when a Senator does not have full time to consider matters coming before the Senate.

I urge that the distinguished chairman seek to get an agreement for more time, so that we can consider this matter intelligently, wisely, and carefully.

Mr. FULBRIGHT. I think the Senator has a good point because in agreeing to the very short period of time for discussion, I had not the slightest idea that the administration would support any change of this kind or any addition of a reservation of any kind to the treaty. I did anticipate that Senator Jackson would, but I do not think that Senator Jackson, without administration support, would get anywhere. It did not bother me any, because his posture of continuing the cold war and enhancing our military strength on all occasions is so well known that there is nothing new to be said about that. But for the administration to support a reservation to the treaty or similar language on the interim agreement is a different matter.

Mr. CRANSTON. The administration is doing this. There is no question about it.

Mr. FULBRIGHT. Why does the Senator say there is no question about it?

Mr. CRANSTON. Because I checked with the staff representatives about the proposed amendment and I was told it is substantially correct. I received a copy of the proposed reservation of which Senator Scott is the principal cosponsor. I specifically asked the question, "Is the administration supporting this?" And the answer was "Yes."

Mr. FULBRIGHT. It seems to me that the Senator has a good case, that we should consider it. I will certainly talk to the whip about the time element because I did not anticipate anything like this.

Mr. AIKEN. Mr. President, we took testimony from the administration on this matter before, in the Foreign Relations Committee, and I do not recall any of them expressing any displeasure over the treaty whenever they appeared before the Committee on Foreign Relations. I think that is what we have to go on. The administration was solidly in back of these treaties.

Mr. FULBRIGHT. I was certainly under that impression. As I say, I am puzzled about the story. But when the Senator from California says he checked with the staff of the minority leader and he affirms that it is true, it raises, as I say, very great and difficult questions because I have been very glad to support this treaty. I think it is a step in the right direction. I have no reservation about its being in our interest.

Mr. CRANSTON. Mr. President, I would like to make one correction. It was not a member of the staff of the minority leader. It was a member of the staff of the subcommittee that has been working on this matter, Mr. Charles Horner.

I now hand to the Senator from Arkansas the document setting forth the text of the reservation. It indicates that it will be sponsored by the Senator from Washington (Mr. JACKSON) and the Senator from Pennsylvania (Mr. SCOTT).

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be taken from either side, so that I might have a chance to read this document.

The PRESIDING OFFICER (Mr. BAYH). Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I yield to the Senator from California.

Mr. CRANSTON. Mr. President, upon an examination of the unanimous-consent agreement and the documents that I have handed to the distinguished chairman of the committee, it is apparent that the reservation as presently planned is something to be attached to the interim agreement on offensive weapons and not the pending treaty which is the matter before the Senate. Therefore, we do have time to consider this matter. And we are not bound or locked in by an inability to obtain adequate time in which to consider this new matter.

Mr. FULBRIGHT. I am glad the Senator made that point. For the record, I had agreed privately with the majority whip, the Senator from West Virginia (Mr. ROBERT C. BYRD), to an 8-hour limitation on both the treaty and the agreement. He had asked and obtained unanimous consent for the limitation on the treaty last night. I was under the impression until now that it had been made on the agreement as well, but that is not the case.

Therefore, I would like to give notice that I would like to reconsider and discuss further with the majority whip the question of a unanimous-consent agreement for time on the interim agreement in light of this new development with regard to the understandings or reservations to be proposed by the minority leader and the Senator from Washington (Mr. JACKSON).

As I said, I do support the treaty.

Mr. President, the treaty and agreement now before us do not solve the problem of nuclear arms control. They are no more than a modest beginning. But to reject them would be tantamount to saying that we do not want to control the arms race but to permit it to control us. For an unrestrained, constantly accelerating arms race—with its increasingly large costs, its effect on our relations with the Soviet Union and its increasing relative importance in terms of our own military power—would surely have that effect.

The Committee on Foreign Relations is satisfied that the treaty and interim agreement enhance our Nation's security and do not endanger it. Some of us believe, in fact, that there is too much room for further weapons development and deployment.

The interim agreement does not prevent further qualitative increases in nuclear weapons systems. If we regard this as an invitation to take every action not specifically prohibited and build costly weapons we do not need, the Soviets will surely follow our example and we will be off on another cycle of challenge and response, spending billions in a mindless search for the security that will be ever further away.

The committee is also satisfied, on the basis of testimony by Mr. Helms, the Director of Central Intelligence, that the available means of verification are now good enough so that we can be certain that there can be no undetected Soviet violation of the treaty or interim agreement. As a final report, of course, if there is a violation both the treaty and agreement include provision for withdrawal 6 months after notice if either nation determines that "extraordinary events related to the subject matter of the treaty have jeopardized its supreme interest."

The Members of the Senate are undoubtedly aware of the provisions of the treaty and interim agreement.

The Members of the Senate are undoubtedly aware of the provisions of the treaty and interim agreement. I will review them only briefly in order to provide a point of reference for our discussion here today.

First. The treaty prohibits the United States or the Soviet Union from deploying a national ABM system or the base for such a system. It permits the Soviet Union to have two ABM complexes—an ABM complex east of the Urals and a second system around Moscow. The United States is also permitted to have two ABM complexes—one at Grand Forks, N. Dak., which is partially deployed, and another around Washington, which we may build if we wish, but we are not required to build it under the treaty.

I might interpolate that the treaty states that these two complexes may not be closer than 1,300 kilometers; in other words, they would have to be separated. But there is no requirement that we build one around Washington and I sincerely hope we do not. I thought there was considerable sentiment in the Congress against the waste of further money on such a questionable weapons system.

Second. Under the treaty neither party may deploy more than 100 ABM launchers or more than 100 ABM interceptor missiles at either of the two complexes. All of the components for any single complex must be within a radius of 150 kilometers. In addition, there are limits placed on the locations of the two large and 18 smaller ABM radars allowed within each complex.

Third. Each side is prohibited by the treaty from developing, testing, or deploying ABM systems based at sea, in the air, or in space, or mobile ABM launchers, ABM interceptor missiles with multiple warheads, or ABM launchers with a so-called reload capability.

Fourth. The treaty permits modernization and replacement within the present technology but does not permit the deployment of a system or component capable of substituting for ABM interceptor missiles, launchers, or radars.

Fifth. The Interim Offensive Agreement and the associated protocol freeze construction of additional fixed land-based ICBM launchers and place specific limits upon the deployment of submarine launched ballistic missiles.

Sixth. Under the terms of the agreement, the total number of fixed, land-based ICBM launchers and SLBM launchers will be kept at about the present level. The Soviet Union is to have no more modern heavy ICBM's than the 313 currently considered operational or under construction. Ceilings are placed on the number of modern submarine launchers on each side. Submarine missile fleet expansion is possible only by trading in ICBM launchers of older types or launchers on older ballistic missile submarines. The agreement prohibits either party from converting launchers for light or older heavy ICBM's into land-based launchers for modern heavy ICBM's.

These provisions have been criticized or questioned in several respects.

If I may digress for just a moment while the majority leader is here, just before the Senator came into the Chamber I referred to the article in the New York Times of today about a proposal backed by the administration to attach reservations to the interim agreement. I wish to give notice, because the Senator from West Virginia is temporarily not in the Chamber, that I would like to reconsider my agreement about a limitation of time on the interim agreement in view of this new development which I did not anticipate because no such reservations or understandings were offered to the committee. Just a moment ago the Senator from Vermont said he had no notice of administration backing of any such reservation.

We thought that the Senator from Washington might have a reservation of his own, but I was quite taken by surprise that the administration has apparently joined in backing reservations to the agreement. I was under the impression that they supported what the commitee had done.

So at least I would like to have the opportunity to reconsider the limitation of time on the interim agreement before it is actually made. I thought it had been made but it has not been made.

Mr. MANSFIELD. That is correct. That is what I was going to say. We do have a time limitation on the Nixon-Brezhnev treaty, as in executive session.

Mr. FULBRIGHT. That is right.

Mr. MANSFIELD. We have no time limitation on the interim agreement. I want to assure the chairman of the committee, the Senator from Arkansas (Mr. FULBRIGHT), and the distinguished Senator from Vermont (Mr. AIKEN), the ranking Republican member of the committee, that their wishes will be kept in mind and no agreement will be made without their approval.

Mr. FULBRIGHT. I thank the Senator. I would not want to be overlooked because I had told the majority whip I would agree, but I did not anticipate this development.

Mr. MANSFIELD. That is the interim agreement.

Mr. FULBRIGHT. The interim agreement.

Mr. President, it has been charged that the Soviet lead in strategic missiles on both land and sea is too much for us to tolerate. I would point out, however, that the United States is ahead of the Soviet Union in multiple warheads and bombers by well over 2 to 1 and is expected to maintain that lead during the next 5 years, during which the agreement is to be in effect. The Soviet Union leads in gross megatonnage. We lead in the number of warheads. In the opinion of most experts, the arsenals of both sides are roughly equal.

I might add one other element was overlooked, and that is our forward bases for submarines we have in Rota, Spain, and in the Pacific give us also a great advantage in enabling our nuclear submarines to remain on station with much less effort and much less time. It is an advantage which cannot be measured by numbers but it is significant.

It has also been charged that our deterrent may be in danger—despite the generally accepted invulnerability of the United States submarine-based missile force—if the Soviet Union makes certain improvements in its forces. During the committee's hearings, several witnesses were asked whether the United States would have an effective second strike capability if its bomber and missile forces were destroyed. All witnesses agreed that we would.

Mr. President, the treaty and agreement now before the Senate represent a modest beginning in moving from an era of confrontation to one of negotiation with respect to the most powerful weapons mankind has ever devised.

I trust that we will give our advice and consent to this modest beginning and, in doing so, encourage even more significant measures to control strategic arms. I would hope that the executive branch would consider a strong vote in the Senate on the treaty and agreement before us today as a measure of encouragement to reach even more significant agreements in the next phase of the strategic arms limitation talks.

Mr. President, I have had the staff of the Committee on Foreign Relations prepare a comparison of the strategic forces of the United States and the Union of Soviet Socialist Republics, of the strategic weapons under the agreement, and as they potentially would have been without the agreement. I ask unanimous consent that the chart be inserted in the RECORD as a part of my remarks.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

COMPARISON OF STRATEGIC FORCES OF UNITED STATES AND UNION OF SOVIET SOCIALIST REPUBLICS[1]

	1972, operational or under construction		1977		
			United States, programed/SALT limit	U.S.S.R.	
	United States	U.S.S.R.		Potential without SALT	Under SALT
Forces limited by agreements:					
ICBM's	1,054	1,618	1,054/1,000	2,250	1,410
SLMB's	656	[2] 650–740	656/710	1,050	950
Total offensive launchers	1,710	2,268–2,358	1,710	3,300	2,360
Strategic systems not limited by the agreement:					
Heavy bombers	457	140	448	130	130
Total offensive forces	2,167	2,408–2,498	2,158	3,430	2,490

	1972, operational or under construction		1977		
			United States, programed/SALT limit	U.S.S.R.	
	United States	U.S.S.R.		Potential without SALT	Under SALT
Independent warheads (operational):					
Missile	3,428	1,970	5,890	[3] 6,500	[3] 3,700
Heavy bomber	2,460	250	3,800	250	250
Total warheads	5,888	2,220	9,690	6,750	3,950
ABM interceptors (operational)	0	64	302/200	1,000	200

[1] In compilations, it is useful to compare equivalent megatonnage—a measure of the destruction capacity of an arsenal in light of various components and weapons sizes. The committee has not yet succeeded in obtaining from the executive branch unclassified numerical comparisons. The Defense Department informs the committee, however, that, in terms of equivalent megatonnage, the Soviet Union has "about the same as" the United States now. The situation in 1977 is expected to be similar.

[2] The smaller number reflects the U.S. estimate of the minimum number of launchers on integral submarine hulls under construction on May 26, 1972. From the Soviet viewpoint, more submarine hulls for SLBM's could be considered as "under construction" because major subsystems are being built for hulls not yet being assembled on integral units. The number 740 was negotiated as a firm baseline which circumvents the difficulty in defining the construction process.

[3] Soviets do not yet have MIRV's. Soviet warhead totals for 1977 represent rough estimates of possible totals. Potential Soviet missile warhead total based on reasonable assumptions of intensive effort by Soviets. SALT Soviet missile warhead total represents our best judgment of what Soviets might do under SALT. Assumption of all-out MIRV conversion effort by Soviets could add 1,500 to 1,900 more warheads to Soviet SALT total by 1977 but only at expense of placing many heavy missile forces under conversion and hence out of operation during some of period of agreement. This is considered highly unlikely. Moreover, the United States could also increase force loadings on programed delivery systems in face of such maximum effort.

Note: All comparisons and projections in the chart were provided by the executive branch.

Mr. FULBRIGHT. Mr. President, there are a few other comments I would like to make in anticipation of the possible reservations that are mentioned in the article to which I have already referred. These are statements taken from the testimony of Rear Adm. Gene La Rocque, who retired a couple of months ago from the Navy. He is now executive director of the Center for Defense Information, and is doing a very fine job in supplying information to the Congress and to the public about our defense posture and about matters which take so much of the resources of our country. Here are some of his comparisons of the relative naval strengths of the United States and the Soviet Union:

1. U.S. Navy has 602,000 officers and men; Soviets have 475,000.

2. U.S. has 212,000 marines; Soviets have 15,000.

3. U.S. has 6,000 operational naval air craft; Soviets have 500.

4. U.S. has a SOSUS detection system; Soviets have none.

5. U.S. has 246 major surface combatants; the Soviets have 222.

6. U.S. has 4 nuclear powered surface ships, is building 7 more; Soviets have none.

7. U.S. has 14 attack carriers with 90–95 aircraft on each and nuclear weapons; the Soviets have none.

8. U.S. has 2 ASW carriers; the Soviets have none.

9. U.S. has 7 amphibious assault carriers and is building 5 more up to 35,000 tons; the Soviets have 2 helicopter carriers of 15,000 tons. (*Moskva* and *Leningrad*.)

10. U.S. has 9 cruisers; Soviets have 25. Eight U.S. cruisers are missile ships and one is nuclear powered. Four Soviet cruisers are pre-World War II and 14 Soviet cruisers have no missiles. New Soviet cruisers are smaller, about 6,000 tons, than many new U.S. destroyers. The Soviets are building 3 new cruisers and refitting 3 others.

DESTROYERS

U.S. has 65 missile equipped Destroyers; Soviets 40.

U.S. has 2 nuclear powered Destroyers and is building 5 more; Soviets have 0.

U.S. has 105 non-missile Destroyers; the Soviets 155.

U.S. is building 16 large (7,000 ton) Spruance Class Destroyers; Soviets are building a new class of Destroyers and 2 are operational.

SUBMARINES

U.S. has 138 submarines; Soviets have 343.

Soviets have 90 less subs today than 10 years ago and the number is declining yearly. Of the 343 Soviet subs 190 are old diesel attack subs, 65 are nuclear attack subs of which 40 have cruise missiles. Soviets also have 28 older diesel attack subs with cruise missiles.

U.S. has 56 nuclear attack subs, and 41 diesel attack subs. U.S. is currently building 21 nuclear attack subs. U.S. subs are faster, quieter, and better operated.

STRATEGIC SUBMARINES

U.S. has 41 Polaris/Poseidon subs with missile ranges up to 2,800 miles. The 31 Poseidon subs will carry 16 missiles each with in-

> dependently targeted nuclear weapons. The 10 Polaris have 3 separate nuclear weapons in each of the 16 missiles aboard each sub. Total nuclear weapon in U.S. sub force alone by 1976 will be almost 5,000. U.S. has 3 advanced operating bases in Scotland, Spain, and Guam.

So far as I know, the Soviets have no comparable operating bases outside their own territory.

> Soviets have 25 Yankee class subs and 17 under construction for a total of 42 subs.

These are strategic subs.

> Maximum range of Soviet missile is 1,200 miles and they do not have multiple weapons. Older Soviet subs carry only 3 missiles and have much shorter missile range. Soviets operate from their own bases and hence have less subs deployed.

Strategic submarines are, and I think it is generally admitted today, the most significant of the strategic weapons, the most invulnerable. I believe there is fairly general agreement among the experts, and I am not sure but among Senators, that the submarines are the most potent of the nuclear weapon systems.

In light of the information I have just supplied how it can be argued that the agreement we have made puts the United States in an inferior position is beyond my comprehension.

Mr. President, how much time have I used?

The PRESIDING OFFICER. The Senator has approximately 192 minutes remaining.

Mr. FULBRIGHT. Mr. President, I yield the floor and suggest the absence of a quorum. I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the treaty will be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification, which the clerk will read for the information of the Senate.

The legislative clerk read as follows:

> *Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic-Missile Systems (ABM Treaty), signed in Moscow on May 26, 1972 (Ex. L, 92-2).

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum, asking unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield me 5 minutes?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Mr. President, we are considering one of the most important treaties, the Nixon-Brezhnev treaty, to come before this body in a good many years. There seems to be little or no interest, so far as I can see, on the part of the membership to discuss the pending business. I would hope that those who are interested in this treaty, regardless of whether they are for or against it, would come to the floor and make their views known.

The treaty has been on the Executive Calendar since July 21; and if my calculations are correct, that is almost 3 weeks. The Senate is aware that we have a very heavy schedule and that, as a result of a meeting yesterday between the leaders of both Houses and the chairmen and ranking Republican members of the Appropriation Committees of both Houses, it was agreed informally that, if at all possible, we would try to conclude our business by September 30.

It is most difficult to understand why a treaty of this significance, this importance, a treaty between the two so-called super powers which well could be the first step on a long journey toward a degree of disarmament, is arousing so little interest and is causing so little debate at this time. Frankly, Mr. President, it does not speak well for the Senate.

We have the distinguished Chairman of the Committee, the Senator from Arkansas (Mr. FULBRIGHT), and the distinguished ranking Republican member of the committee, the dean of the Republicans in this body, the Senator from Vermont (Mr. AIKEN), on the floor, ready to go. I know of no reservations or understandings which will be offered, except what I read about in the newspaper. The leadership has no knowledge at its disposal of any which will be offered to this bill.

The leadership was misled yesterday into agreeing that the vote on the Nixon-Brezhnev treaty would go over until tomorrow because of certain factors which were brought to our attention—factors which I learned just lately have not come to pass.

I would point out to the Senate that this is one of the major items on the President's list of "must" legislation. I would point out that the President, pending approval by two-thirds of the Senate of the Nixon-Brezhnev agreement and approval by both Houses of the interim agreement, had stated on a number of occasions that he hoped to enter phase 2 of the disarmament negotiations which have been going on between the Soviet Union and the United States for the past 2 years, next month—September.

Frankly, the leadership finds itself in a box. But, so far as I am concerned and I speak not as a Democrat but as a Senator, any proposal made by any President of the United States is at least entitled to the courtesy of consideration by this body. The Senate should not find itself in the situation which confronts it at this time in the consideration of this most vital treaty.

I do not intend, in view of the fact that no one is ready to say anything, to call a recess. We will just have to stand here, twiddling our thumbs, and wait for the expiration of the time limitation, unless those who wish to offer amendments or understandings, or those who wished to speak on this most important treaty, will come to the floor and undertake the responsibilities which are theirs and which are the Senate's collectively.

Mr. FULBRIGHT. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. If I have the time.

Mr. FULBRIGHT. I yield the Senator the time he needs.

Would it be out of order if we could consider at least that we yield back the unused time and have a vote? I have said all I wish to say, and unless there is someone who wishes to engage in debate, we could yield back. I do not wish to say this unilaterally, but the Senator from Vermont (Mr. AIKEN), I understood, a few minutes ago, had no desire to say anything further, and I wondered whether we could not shorten this up. I know of no opposition to it. I have heard of no one who intends to vote against it. Therefore, I see no reason to waste these 2 days unless there is some overriding reason. So I wondered whether we could not get the leadership out of its box by unanimous consent.

Mr. MANSFIELD. The commitment has been made. The commitment will have to be honored, unless those who indicated they were going to offer amendments, understandings, or reservations, if there are any, or those who have indicated they intend to speak on the Nixon-Brezhnev treaty, would be willing to accommodate themselves to a situation which I certainly did not anticipate; but, unless that can be done, we will have to go through the agony of wasting time until we are through.

Mr. PELL. Mr. President, I support the suggestion of the Senator from Arkansas (Mr. FULBRIGHT). I think that, in general, we all are for this treaty, particularly those of us on the Foreign Relations Committee. We had good hearings on it. We studied it. We support it. I am wondering whether it would be out of order, therefore, for the leadership on both sides of the aisle to make inquiry of those to whom commitments were given, if they would bear with a shortening of the time.

Many of us would like to vote on it right now, in a very few minutes, or hours. I would strongly hope that the Members to whom the commitments were given could be queried as to whether they would be willing to bear with a unanimous-consent request to shorten the time, or to yield back the balance of their time.

Mr. JACKSON. Mr. President, I will be prepared to speak at about 2 o'clock. I, like all other Senators, assumed that others would be speaking now. I will be prepared to speak at 2 o'clock, if that will help the majority leader.

Mr. MANSFIELD. Make it a quarter after 12. We have nothing to do now.

Mr. JACKSON. I assumed that members of the Foreign Relations Committee that handled the treaty would want to have someone carrying the load besides just the chairman and that they would want to speak on the treaty. That is normal procedure here. I am making my contribution by making my speech and my remarks. I think it is not out of line to say that I would be prepared by that time, 2 o'clock.

Mr. MANSFIELD. Would the Senator consider the possibility of making his remarks at about the hour of 1:30, rather than 2 o'clock?

Mr. JACKSON. I shall try to make every effort to make it by 1:30.

Mr. MANSFIELD. I thank the Senator.

Mr. JAVITS. Mr. President, I agree with the Senator from Rhode Island (Mr. Pell). I am for the treaty and the agreement. I believe that they should be voted on promptly, but if some elucidation is desired by members of the committee, I would be prepared to speak at 1 o'clock. I had not expected that we would need any fill-ins of this kind.

Mr. MANSFIELD. We do not really need any fill-ins because this is a most serious business. As I have indicated, it is probably the most important treaty to come before this body in many decades. I know of no one on the Foreign Relations Committee who indicated he wanted to speak on this subject. Evidently, by their unanimous vote in committee, they had made their judgment.

So, could I inquire of the other side, of the distinguished ranking Republican member of the Committee on Foreign Relations, whether he knows of anyone who wants to offer any amendments, understandings, or reservations, or whatnots?

Mr. AIKEN. No one on this side of the aisle or the other side of the aisle, either, has so intimated to me. I note the announcement has been made that there would not be any votes until tomorrow. In view of that, I would suggest that we announce the final vote for 12:15 tomorrow—a.m. 12:15 a.m.—not p.m.

Mr. MANSFIELD. A.M.? And let Members of the Senate be so advised? Well, I will see what can be done about this commitment.

Mr. AIKEN. I have had no word from anyone on this side of the aisle that they had any desire to speak on the treaty, or to offer any reservations, or any understandings, or anything else.

Mr. MANSFIELD. Fine.

Mr. AIKEN. I might also add, as I have already stated this morning, that every word of testimony from the administration, the executive branch of the Government, has been in favor of the treaty.

Mr. ALLOTT. Mr. President, I have some remarks prepared which I do not intend to give verbally but to have printed in the Record on the treaty and the interim agreement. If it would be of any assistance, I would be very happy to proceed at this time. If I give the entire matter, it would probably take as much as 2 hours.

Mr. MANSFIELD. I would not want Senators just to talk for the purpose of filling up space and taking up time.

Mr. ALLOTT. I assure the distinguished majority leader that the effort that has gone into this has taken weeks.

Mr. MANSFIELD. The Senator has indicated, if I heard him correctly, that it was his intention——

Mr. ALLOTT. To insert the matter in the Record. I do not enjoy speaking to an empty Chamber, either.

Mr. MANSFIELD. I understand.

Mr. COOK. Mr. President, my understanding is that the Senator from New York (Mr. Buckley) will be here at 1 p.m. I have no idea how much time he will take.

Mr. MANSFIELD. If he is here at 1 o'clock, that will preclude the possibility of the Senator from Washington (Mr. Jackson) talking at that time, or coming in at 1:30. But he could follow Senator Buckley and that would keep the cadence going.

If I understood the Senator from New York (Mr. Javits) correctly, he will speak on the bill at the present time; is that correct?

Mr. JAVITS. At 1 p.m.

Mr. MANSFIELD. At 1 p.m.

Mr. ALLOTT. Would the Senator from Vermont be willing to yield me 1 hour at this time?

Mr. AIKEN. Mr. President, I yield 1 hour to the Senator from Colorado.

Mr. JAVITS. Mr. President, I would like to have 20 minutes after the Senator from Colorado has finished.

Mr. AIKEN. Mr. President, I yield 20 minutes to the Senator from New York after the Senator from Colorado has finished.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 1 hour.

Mr. ALLOTT. Mr. President, I join with the vast majority of Americans in commending the President for his bold diplomatic initiatives in the last year. He has demonstrated resourcefulness in coping with the changing strategic conditions. This resourcefulness has produced the ABM Treaty and the interim agreement, which we are considering.

I intend to support both the treaty and the agreement. I am cosponsoring an amendment to Senate Joint Resolution 241, the resolution of congressional support for the Interim Agreement on Offensive Weapons, along with the distinguished minority leader and the distinguished Senator from Washington (Mr. Jackson).

This language addresses three matters.

First, it endorses the objective of equality in the limits to be negotiated in the second phase of SALT. It urges general application of the principle of equality that underlies the ABM Treaty.

Second, the amendment stipulates that any Soviet action or deployment endangering the strategic deterrent forces of the United States would be contrary to our supreme national interests.

Third, the amendment expresses the view of Congress that pending a more comprehensive and permanent agreement, and in order to facilitate achieving such an agreement, the United States should maintain a sound national program of research and development and modernization relevant to a prudent strategic posture. This language is not directed at any specific procurement item.

The language of this amendment constitutes a constructive exercise of congressional responsibility in helping set basic policy for this Nation. This is certainly an appropriate moment for Congress to express itself.

The world remains dangerous and we have just begun the complicated process of controlling strategic weapons. No one believes that the results of the first phase of SALT are perfect. Everyone looks upon these as first steps toward more comprehensive and more satisfactory agreements. Thus today I want to examine where we stand, and what concerns I have about our current situation. I am primarily concerned about two things: First, the strategic imbalance that determined our bargaining positions; and second, a seeming incoherence in the argument currently being advanced to explain the agreements and guide our defense policies in the future.

It is especially important that we be clear about what the agreements involve, how we got to the position that produced the agreements, and where we go from here. In the following remarks I shall use the term "strategic weapons" to mean offensive missiles capable of delivering nuclear warheads at intercontinental distances, and defensive missiles capable of intercepting and destroying such offensive missiles in flight.

CRITERIA FOR JUDGING ARMS AGREEMENTS

Every American supports the principle of arms control. Everyone hopes that someday the world will achieve real arms reductions. Our minimal goal should be arms agreements that satisfy these three criteria.

They should not be destabilizing in the sense that they leave either side with political-strategic options that might encourage dangerous behavior in a crisis.

They should not be destabilizing in the sense that they fuel arms races in the areas not covered by agreements.

They should not increase the net cost of national defense, unless they contribute dramatically to the stability of the strategic balance.

With these criteria in mind, let us be very clear about what these agreements do and what they do not do.

These agreements do not "freeze" the arms race, at least not in any meaning of the word "freeze" that I find intelligible.

On the contrary, stated with regard to U.S. security, these agreements could seem to mandate an arms race. That is what some persons are saying. Granted, this would be a slightly "hedged in" arms race. But there is plenty of room between the hedges for a colossally expensive race.

ARE THESE DISARMAMENT AGREEMENTS?

These agreements are not disarmament agreements. They do not require the dismantling of any operational weapons system, not even the small and obsolete Soviet SS–7's and SS–8's. The only dismantling they require is by us—the partially completed Montana ABM site—which leaves us with a useless remnant of an ABM system.

DO THESE AGREEMENTS GUARANTEE BUDGETARY SAVINGS?

These agreements do not promise budgetary savings. Indeed, some persons in the administration argue that the agreements are unacceptable unless accompanied by several accelerated—and expensive—defense programs. Granted, at other times other persons in the administration seem to argue another doctrine. But however that may be, the unadorned truth is that strategic forces—those affected by the agreements—involve only $8.8 billion, or about 9 percent of the fiscal year 1973 defense budget, so the agreements could not be expected to bring about great savings. It is not clear whether they will actually provoke great spending.

This is a crucial question because these agreements may have the effect of limiting competition in the least expensive weapons categories and focusing competition on the most expensive weapons categories.

THE INTERIM AGREEMENT

There are three crucial facts about the Interim Agreement.

First. In those areas in which the Soviet Union is superior, the agreement guarantees the existing superiority. They have more ICBM's. They have bigger ICBM's—SS-9's. They plan to replace some large ICBM's with their new extra-large ICBM, what I shall call the SS-9-plus. We have nothing comparable to either the SS-9 or SS-9-plus. The agreement commits us to accepting the Soviet Union's numerical superiority in these categories. And nothing in the agreement stands in the way of Soviet plans to upgrade from the large—SS-9—to the extra-large—SS-9-plus—missiles.

Second. As regards the most important area in which we enjoy superiority—multiple warheads—the agreement does nothing to prevent the Soviet Union from surpassing us. There is no reason to doubt that the Soviet Union can master MIRV technology soon. And there is no reason to doubt that the Soviet Union intends to master and implement that technology. Indeed, why else did the Soviet Union adamantly refuse to include in the agreement a limitation on multiple warheads or multiply independently targeted warheads, either one.

The crucial point is this. Because of our current temporary advantage in multiple warhead technology we have a superior number of deliverable warheads. But the agreement does nothing to prevent or discourage the Soviet Union from surpassing us.

Third. With regard to the other area in which we now are superior—the number of submarine-based missiles—the agreement includes a puzzling provision which permits the Soviet Union to not only surpass us in numbers of Yankee-class nuclear submarines, but to achieve a superiority of about a third. The fact that the Soviet Union insisted on this provision is convincing evidence that they intend to exercise the right it confers.

MIRV'S AND THE MATTER OF "MERE NUMBERS"

There are those who say that one should not have anxieties about "mere numbers." They say that "numbers do not matter." To me, this is irresponsible. Obviously if the Soviet Union had 1,618 ICBM's and we had, say 500, those numbers would matter very much. I must say that during the Cuban missile crisis numbers did matter very much. It is surpassingly odd for these agreements to be praised by persons who say that "numbers do not matter." These agreements are all about numbers. Thus either numbers matter, or these agreements do not.

The most that anyone can argue reasonably is that these numbers—the deficiencies we are stuck with—are not intolerable. What one hears most frequently is the suggestion that these numbers are not intolerable because they are more tolerable than the numbers that would have confronted us at any point in the foreseeable future. It is said that the agreements are good if only because they have brought the Soviet strategic weapons momentum to a screeching halt. There is no sense in which this is true. There is one sense in which it is certainly false, and another sense in which it is probably false.

It is certainly false in light of the certainty that the Soviet Union will deploy MIRV's and upgrade its land and sea-based missile capabilities. It is probably false in the sense that it implies—and, frankly, those who make this argument do not merely imply this—they assert it—that, in the absence of these agreements, the Soviet Union would have pushed ahead rapidly with the deployment of large numbers of new large ICBM's. This conclusion is not self-evidently true. There is a paucity of evidence to support it—unless one accepts as "evidence" a simple extrapolation into the indefinite future of Soviet behavior in the recent past, particularly during the 30 months of the SALT negotiations. Actually an extrapolation from the last 12 months would lead one to conclude that prior to these agreements, the Soviet Union had begun at least a "slowdown" of ICBM deployment. Of course, any extrapolation has the charm of simplicity—and a corresponding implausibility.

The truth is less comforting than the extrapolation. The truth has nothing to do with the suppositious halting of hypothetical Soviet deployments. The truth is that the Soviet Union has very little reason to add more large ICBM sites to their current lopsided advantage in ICBM sites. That would not make military sense. What would make sense would be for them now to concentrate their efforts on improving the capabilities of their greatest missiles. Now is the logical time for them to concentrate particularly on completing their perfection of a MIRV capability, and retrofitting that capability in their current sites.

The Interim Agreement does not impede this. On the contrary, the agreement and the treaty taken together are an incentive to do this. Now I personally do not think the Soviet Union needs any incentive to do this; the logic of their strategic situation dictates that they do this. That is why I am so skeptical of the argument that, lacking the agreements, they would have plunged ahead with rapid new ICBM site construction. Thus I do not think the agreements can be blamed for focusing the Soviet Union's energies on technological refinements.

The agreements cannot be praised for halting what was coming to a halt, nor blamed for encouraging what needs no encouragement; that is, the rapid Soviet development and deploying of MIRV's.

When will the Soviet Union be ready to MIRV? Secretary of Defense Melvin Laird's estimate is MIRV flight tests in 6 to 9 months. Our chief negotiator in Moscow, Dr. Kissinger, also believes that the Soviet Union will have a MIRV capability very soon. Consider two statements from one of his Moscow press conferences:

> Q. What is the prospect of their developing a MIRV?
>
> Dr. KISSINGER. You would have to assume that anything we can do, they can do, with perhaps some time.
>
> Q. How many years?
>
> Dr. KISSINGER. I don't want to speculate on it, but I think it is reasonable to assume that they will develop a MIRV during the freeze period.
>
> Q. Dr. Kissinger, on the MIRV, aren't we really, by deploying MIRV's ourselves so rapidly, kind of forcing them or encouraging them into the MIRV business?
>
> Dr. KISSINGER. This is a debate that has been going on for the entire postwar period, namely, whether our technological change compels the Soviet technological change, or whether the two technological changes are not occurring somewhat in parallel, and on the whole, the Soviet Union will do what it is technologically capable of doing.
>
> You remember the debate about the hydrogen bomb in the early 1950's in which one argument against the hydrogen bomb was that if we developed it, the Soviet Union would be forced into following suit. As matters developed, we exploded our bomb 6 months before the Soviet Union did, making it obvious that we did not lead them but that they were pursuing a parallel evolution.
>
> I think it safe to say that the Soviet Union has been engaged in the first step toward MIRV at a time when we have not yet deployed MIRV, and I would not, therefore, accept the proposition.

Our original estimates were that the Soviet Union would be ready 3 years ago. Thus the Soviet Union is already late. How much later they will be, we do not know. It seems safe to assume that they will be MIRVed within the 5-year time frame of this agreement. The Soviet Union repeatedly has demonstrated an ability to develop the technology it needs for military purposes. In fact, it has repeatedly demonstrated the discomfiting capacity for developing these things sooner than we had expected. Clearly it would be folly to take comfort from the assumption that our monopoly of MIRV's will be long-lived. These agreements shape the arms competition in such a way as to virtually guarantee that our lead in MIRV's—our only remaining lead—will soon evaporate.

And remember this: when our monopoly ends, we will not be left with anything remotely approximating parity. The Soviet Union will have more and bigger missiles to MIRV. Then the picture will be complete: the Soviet Union will enjoy superiority in every category of strategic weapons covered by these agreements—assuming the United States does not deploy an ABM system around Washington.

THE QUESTION OF DELIVERABLE WARHEADS

At the present time the United States enjoys an advantage in the number of warheads it has deployed, an advantage that derives from our mastery of MIRV technology. One hears much about the relative importance of warhead numbers versus megatonnage, a sterile debate that generally fails to relate either numbers or megatonnage to strategic objectives.

The fact is that both numbers and size of warheads, along with a third factor, accuracy, are important. Accuracy is perhaps most important of all. A small number of small warheads accurately delivered may confer a much greater military advantage than a great number of large but inaccurately delivered warheads.

What concerns American defense planners is that the total megatonnage of the Soviet missile forces is several times our own, and we must anticipate the time when the Soviet Union's "carrying capacity" will be MIRVed extensively. When this happens there will not only be a great increase in the number of Soviet warheads, but they will retain warheads sufficiently large so as to enable missiles lacking great precision to nevertheless have a considerable capacity to destroy hardened military targets such as Minuteman silos. At present the United States has approximately twice the number of warheads the Soviets have, roughly 5,000 to 2,500 for them. Our numbers are increasing rapidly as we deploy MIRVed missiles on our submarines and slowly as we MIRV part of the Minuteman force. We will eventually have something approaching 10,000 warheads on land- and sea-based missiles. Many of these 10,000 compare in yield with the earliest atomic weapons, in the low kiloton range.

By contrast, the Soviets could in their SS–9 silos alone—some 313 of them—deploy some 6,000 warheads, each of which would be many times larger than the U.S. equivalent. If they were to incorporate our present technology in their future submarine force their 62 Y-class boats could carry more than 10,000 warheads. This would still leave their 1,100 other missiles for MIRVing. While speculation on exact totals is idle, it seems reasonable to arrive at a Soviet figure on the order of 35,000 to 40,000 plus—many of them larger than ours, and therefore lethal even if delivered with less accuracy.

ABM AND THE U.S. TRIAD

For two decades the security of the United States has rested on our triad of long-range bombers, land-based ICBM's, and missile-firing submarines. How does this triad stand in light of the lapse in our defense effort over the last decade, and in light of the Moscow agreements that were—it is claimed—dictated by that lapse? In the event of a determined Soviet first strike today our triad probably would be able to provide an acceptable retaliatory capacity. Whether it will in 1977—the time frame of the agreement—is another matter.

Of course, if the Soviet Union launches missiles at the United States, an American President could give the order to retaliate immediately. That is, he can give the order to "empty the silos" as soon as our warning systems confirm the approach of offensive missiles. This is one way to cope with the guaranteed vulnerability of our virtually undefended land-based missiles. But, then, this is exactly the sort of dilemma no President should face, and I underscore these words very strongly. Indeed, President Nixon defended—wisely, in my judgment—the ABM system, and the principle of defending some offensive missiles, precisely on the ground that such defense would insure that no President would find himself in a position where his only option would be to "empty the silos" in response to accident-prone electronic warnings.

Now I, for one, do not expect this to happen. But the fact that such a scenario is plausible makes it important. This is so because in some future confrontation—over Cuba or Berlin or the Middle East—an American President will understand our vulnerability and the Soviet leaders will know that the American President understands it. So when the showdown occurs, the American President will be the man facing the most grim and restricting options. It is wise to remember that at the time of the Cuban missile crisis the United States enjoyed an approximately 6 to 1 strategic superiority. It is certain that that superiority was crucial in successful resolution of that crisis.

THE ABM TREATY

In terms of "throwweight"—and this is a word of art—the warhead tonnage that can be delivered intercontinental distances—the Soviet advantage today is between 4-to-1 and 5-to-1. This is not intolerable until the Soviet Union MIRV's its missiles. Until then the Soviet Union's monster missiles are not as ominous as the numbers might make them appear. This is so because it does not make much military sense to hurl a 25- or 50-megaton warhead. Such warheads are useful as "terror" weapons: they can devastate cities. But much smaller weapons also can do that. And a 25- to 50-megaton warhead, with the kind of accuracy the Soviet Union will soon have, would be an inefficient way to destroy a "hardened" ICBM site. And that is the rub and the point of this whole matter. The giant Soviet missiles make no military sense—unless and until they are MIRVed.

Thus, the fact that the Soviet Union has invested so heavily in these huge missiles is convincing proof that it looks forward to achieving a sophisticated MIRV capability. When it does, it will have an awesome strategic advantage. I am wary of citing figures of these sensitive matters. Of course the exact figures are, and must be, classified. But on the basis of authoritative published sources, one can arrive at a reasonably clear picture of the growing Soviet threat. The SS–9 possibly can throw 6 MIRV's in excess of 1 megaton apiece. It is estimated that the SS–9–plus can deliver upward of 20 MIRV's in excess of half a megaton apiece. In contrast, one of our Minutemen can deliver only three MIRV's with a combined total of about 1 megaton. Clearly the SS–9 and the SS–9–plus when MIRVed, and made as accurate as our missiles are now, will be devastatingly effective at killing "hardened" but undefended ICBM silos. Given that fact, it should be clear why I have doubts about the wisdom of abandoning the defense of our land-based offensive capability.

Does the treaty commit us to abandoning that defense? It does not do this explicitly and officially. But that will be the effect of the treaty. This is so for three reasons.

First, the treaty does not permit an effective defense of even a single ICBM field. The 100 interceptors will not suffice to protect the Grand Forks complex from even a relatively modest effort to knock it out. And defense of a single ICBM field would not constitute a useful missile defense plan.

Second, support for even ongoing research and development on defensive systems will be hard to get from Congress. Support in Congress for missile defense has been consistent, but it also has been consistently shallow and fragile. In my judgment, it is going to be very difficult to get support for research and development in weapons systems that are illegal. I assume this fact was considered before the Moscow summit. We will not be able to avoid facing this fact in the years ahead.

Third, the proposed treaty fairly radiates the principle that it is a positive good to have undefended missiles.

This administration has only recently been converted to that principle. Just 4 months ago, in his most recent posture statement, Secretary Laird said this:

> With significant qualitative improvements in Soviet ICBM's even without increases in the number of Soviet ICBM's, the postulated threat to Minuteman in the last half of the 1970s could grow to a level beyond the capabilities of the four-site Safeguard defense of Minuteman.

Clearly Secretary Laird, at the time of this statement, had not been convinced that missile defense is dispensible.

Until very recently the official doctrine of the administration was that missile defense is stabilizing and cost-effective. The doctrine recognized that missile defense enables either party to offset—with relative ease and relatively small expense—any increased offensive missile deployments by the other party, and because missile defense as distinct from population defense diminished the possibility of a first strike capability. I believe that doctrine was wise. But evidently the new official doctrine that the United States should rest its deterrent on the assumption that the survival of our land-based force is unnecessary to our security, and that the "guaranteed vulnerability" of that force is not destabilizing.

The goal is "strategic sufficiency." The question is, sufficient for what? Today's answer is: sufficient to guarantee our ability to receive a first strike from the Soviet Union and still be able to inflict hideous carnage on the Soviet civilian population. In short, today's doctrine is a version of that which Secretary of Defense Robert S. McNamara enunciated, more than a decade ago—the doctrine of "mutual assured destruction"—MAD. This is, perhaps, perversely appropriate in light of the fact that the main thrust of the argument for the agreements is that because of policies initiated in the McNamara years, we had no choice but to accept these treaties and the MAD doctrine.

I do not think that MAD is a stabilizing strategy. I do not think this is a strategy which allows the President more than one option in a nuclear confrontation. This, in turn, would then involve acceptance of a doctrine that is morally deplorable and politically unconvincing—the doctrine that the United States should base its deterrent on its willingness to slaughter vast numbers of unprotected Soviet civilians.

Given the fact that we have clearly accepted the early 1960s MAD doctrine, I was startled to read the following exchange in one of Dr. Kissinger's Moscow press conferences:

> Dr. Kissinger, Ambassador Smith raised the point of this being the first time where each side has acknowledged or deliberately allowed itself to remain vulnerable to attack by the other side and talked about psychological and political ramifications.
>
> I wonder if you could address yourself to that?
>
> Dr. KISSINGER. Well, to the extent that neither side is a territorial defense, it is, of course, vulnerable, and to the extent that neither side can destroy the retaliatory force of its opponent enough to prevent a counterattack on its population, it remains vulnerable.
>
> The implications of this are what they have always been over the last 5 years, because both sides are now vulnerable to each other and, therefore, the simplistic notion of the early 1960's which measured deterrent by the amount of civilian carnage that could be inflicted by one side on the other were always wrong; hence, to consider the mass use of nuclear weapons in terms of the destruction of civilian populations, one faces a political impossibility, not to speak of a moral impossibility.

I agree with this. I have agreed for several years. I have supported the policies designed to support another, more prudent and palatable doctrine. But I think the doctrine I supported—that involving the defense of missiles—has been scrapped. It has been replaced by a doctrine which has one merit: it is consistent with the capability that exists vis-a-vis the Soviet Union in the aftermath of the bargains struck in Moscow.

WHERE WE STAND TODAY

The treaty will prevent us from giving meaningful protection to any of our land-based missiles. The Interim Agreement will prevent us from "going to sea" with significant numbers of additional missiles. We can improve the quality of our sea-based missile systems by purchasing Trident. In addition, we can upgrade the bomber component of our triad by purchasing the B–1 system. But Congress may be increasingly balky until the administration gets its signals straight concerning the usefulness of a "qualitative edge" over our rivals, and concerning what we have to fear from any "qualitative edge" our rivals might have over us.

ABOUT DISMANTLINGS

Some persons are pleased about the fact that, under the terms of the Interim Agreement, the Soviet Union is almost certainly going to dismantle its SS–7's and SS–8's. These persons say that this is an historic breakthrough because, for the first time, a weapons system is actually being reduced. But this pleasure is mistaken, for two reasons:

First. The agreement does not force the Soviet Union to dismantle anything. It allows them to ride bicycles for Rolls Royces. That is, it allows the Soviet Union to "trade in" its most obsolete and vulnerable missiles—the SS–7's and SS–8's—on a 1-for-1 basis—for its most modern—as yet unbuilt—submarine launchers.

Second. What our negotiators "won" for us is the right to deploy an ABM system around Washington. Yet Congress already has expressed its unwillingness to do this, and our negotiators were told—repeatedly—that it is very, very unlikely that Congress will ever approve such a system. What our negotiators gave in return for this nonachievement was, at the very least, the Malmstrom ABM site in Montana. That is, having won on paper an ABM system which cannot—and should not—be won in Congress, our negotiators gave up an ABM system which Congress had approved and into which millions of dollars have been invested and which makes good tactical sense.

I do not think that a system of 100 interceptors is a useful instrument for defending a "soft" target. For that reason I intend to vote against deployment of an ABM system around Washington. I see no point in going to the great expense of deploying such a system when the net effect will be—to oversimplify a little, but only a little—to allow the 101st enemy reentry vehicle to do what the first reentry vehicle would have done in the absence of the system.

In addition, I have doubts about the usefulness of further funding for the Grand Forks "hardsite" ABM system. I have doubts about the wisdom of trying to use 100 interceptors to defend an ICBM complex against a Soviet threat of many thousands of warheads. I know that the Grand Forks site is over 80 percent completed. I know it will have some military use until Soviet missiles are MIRVed. And I know that some persons think it might make some sense to complete this site because it would provide us with a research and development base, and operational experience. This might be useful if, in the future, we find that the Soviet buildup requires us to abrogate the treaty and expand our missile defense. Perhaps I will be persuaded that the Grand Forks site has something substantial to contribute to national security under the prevailing philosophy. But I will need to be persuaded.

There are those who argue that an ABM is an either/or issue. Either one favors defending an entire nation—population and missiles—or one favors defending nothing. Or, alternatively, one is for no defense of offensive missiles, or one is for the total defense of all such missiles. This is not accurate. I have never been a supporter of a "thick" ABM defense suitable for protecting our population. I think it is at least doubtful that "soft" targets like cities can be defended against ICBMs, and I am certain that the cost of trying to do so in this expansive country would be prohibitive. I have been a supporter of an ABM system for the protection of a suitable portion of our land-based deterrent. I have supported this for reasons of morality and strategy, as outlined in the scenarios, and for reasons of economy that I shall come to in a moment.

SPEAKING OF EXPENSES

All strategic weapons are expensive. These agreements do not eliminate the need for such weapons. What these agreements do is freeze competition in the least expensive kinds of arms and encourage—or mandate—according to some spokesmen—increased competition in much more expensive kinds of arms.

For example, ICBM sites are expensive. But they are also relatively cheap. In addition, they are frozen. What is unlimited, and much more expensive, is a weapon such as the B–1 bomber system. There are those who say that we cannot live with these agreements if we have to live without the B–1. I take that to mean that we need to increase our offensive capability. But it would be much cheaper to increase it with additional Minutemen. In addition, one can effectively increase one's offensive capability by guaranteeing the survivability of existing offensive missiles.

Thus, it is unfortunate that we cannot increase our offensive capability by using additional Minutemen or ABM's—or a mixture of both.

On June 20, Secretary Laird told the Senate Armed Services Committee that if Congress did not push ahead with new offensive programs, he would advocate deploying ABM's at 12 sites. I do not know whether 12 sites would be necessary. But I do know there is a strong case that more ABM sites might be preferable—politically and economically—to the kinds of arms programs which Secretary Laird says are dictated by the agreements.

I shall be very interested to see how pending defense programs fare among those who have been quickest and most vocal in giving enthusiastic—indeed, almost unreserved—support for these agreements. The agreements have been praised unstintingly—on television, on the Senate floor, wherever two or three are gathered together—by certain Senators who are not the most likely candidates for heroic duty in fighting for those additional defense programs which Secretary Laird, for one, says must be passed along with the agreements.

MATTERS ON WHICH SOME LIGHT SHOULD BE SHED

I do not want to rehearse the missile numbers here. They are well known. Or, to be precise, the number of American weapons is well known because we gave the Soviet Union that number. We gave the Soviet negotiators the number of Soviet missiles. They never confirmed those numbers.

Of course, neither I nor anyone else can say for sure how many "heavy" missiles the Soviet Union can have. Our negotiators did not manage to extract a definition of a "heavy" missile from the Soviet negotiators. This failure makes it hard to understand the meaning of article II of the Interim Agreement:

> The Parties undertake not to convert land-based launchers for light ICBM's, or for ICBM's of older types deployed prior to 1964, into land-based launchers for heavy ICBM's of types deployed after that time.

In addition, I share the "regret" that our negotiators expressed on May 26 concerning the unwillingness of the Soviet negotiators to define terms. I only hope that we all shall not come to regret our decision to give way at the last minute and sign the agreements without knowing quite what they mean. This decision might be considered evidence of an unseemly haste to get ink on parchment. Of course, the Soviet stubbornness might have resulted from a Soviet conviction that we were excessively anxious to sign the agreements at the Summit.

This is only a speculation. But the Soviet stubbornness, and the success it brought, is a fact. Now it is up to us to figure out why the Soviet Union was so adamant about not defining a "heavy" missile.

BERTHING SUBMARINES

So I will not tarry over definitions which our negotiators did not tarry over. Rather, I will note yet another area mentioned by the U.S. negotiators in another somewhat plaintive unilateral statement accompanying the interim agreement. I refer to item "C" from May 20:

> I wish to emphasize the importance that the United States attaches to the provisions of article V, including in particular their application to fitting out or berthing submarines.

What our negotiators were unhappy about was the Soviet Union's refusal to commit itself to facilitating verification concerning construction or modification of submarines. This raises questions about three things: Why we thought this was important, why the Soviet Union refused to comply, and why we yielded.

I confess that this episode suggests something alarming. The Soviet Union has not told us how many land-based launchers it has. The Soviet Union insists that we be content with our estimates of Soviet numbers. To check for the construction or modification of silos we can use satellites to sweep the entire Eurasian land mass of the Soviet Union. Obviously there is room for error. There have been intelligence errors in the past. Cloud cover can cause information problems. There is less room for error regarding the construction or modification of submarines. These operations can only be performed in a few well-known facilities. Therefore it is unfortunate that the Soviet Union did not satisfy our negotiators with regard to covered submarine berths. I cannot but wonder why the Soviet Union is reluctant to guarantee easy satellite verification of actions regarding submarines.

LAND-MISSILE ICBM LAUNCHERS

I also wonder about another episode on the busy day of May 20. On that day we made another unilateral statement, this one concerning land-mobile ICBM launchers. I cannot but wonder about four matters: Why we thought it important to limit such launchers, why the Soviet Union refused, why we yielded, and why we expect to do better in this regard during SALT phase II.

G-CLASS SUBMARINES

Under the terms of the Interim Agreement the Soviets have been permitted to retain the 22 diesel powered submarines known as G-class in addition to the 62 Yankee-class boats provided under the protocol to the same agreement. Moreover, a careful reading of the text discloses—and Ambassador Smith recently confirmed before the Armed Services Committee—that the Soviets are free to deploy additional submarines of this type in any number they might wish. The G-class submarines, while diesel powered, carry nuclear missiles at ranges of several hundred miles. I confess that I am puzzled as to why the agreement permits the additional Soviet deployment of such new boats. Surely we could have held them to no more than their present number. I am not reassured by Ambassador Smith's implied view that these boats are not useful enough for the Soviet Union to want to produce more of them. The obvious question occurs: Why did the Soviets press for the freedom to deploy them if they do not intend to do so? And if we were not pressed on this point, why did we agree?

SILO IMPROVEMENT

The agreement provides that in the course of modernizing the missile forces the parties are free to improve their missile silos. There is a stipulation, however, that in so doing they must not "increase significantly" the internal size of the silos. This prohibition was included in order to prevent the Soviets from retaining the freedom to increase still further the throw-weight of their forces by deploying larger missiles as "modernized" replacement for smaller ones.

The term "significantly increased" remained undefined, so the negotiators got together and prepared an exchange of comments in which it was agreed that the term would mean that the "dimensions"—not the size, but the dimensions—of the silos would not be increased by more than 15 percent. These words are very important in this whole matter, the terms "significantly increased" and "dimensions."

Unfortunately, this leaves open the question of whether the Soviets, under this definition, could increase the depth and the diameter of their silos by 15 percent, making a total volume increase in the neighborhood of 50 percent. The issue is not a trivial one. A 50-percent increase would enable the Soviets to double their throw-weight, thus extending their current 4- or 5-to-1 advantage into a potentially much greater one. Thus such an increase unquestionably would be "significant." As would be, for that matter, the increase in SS–11 payloads with solid fuel boosters, an increase permitted within the terms of this agreement.

These matters illustrate the kind of things that suffer when negotiations are carried out under pressing deadlines. These matters illustrate the kind of things about which our negotiators can be especially attentive in the second phase of SALT.

KISSINGER, LAIRD, AND THE "QUALITATIVE EDGE"

I want to outline what appears to be a puzzling aspect of the defense doctrines which have their advocates in the Government.

I am puzzled by some of Dr. Kissinger's statements about the bargains struck in Moscow.

Item: Dr. Kissinger said in Kiev that:

> We wanted to see whether, as major powers, we could take account of the fact that we are living in a period which has some of the characteristics of traditional diplomacy in the sense that you are getting more states that are being active but with one important difference; in traditional diplomacy the aim was to, through an accumulation of small advantages, to gain qualitative edge over other countries. In the nuclear age, the most dangerous thing to aim for is a qualitative edge over your major rivals.

Comment: This is puzzling in light of the fact that other officials are arguing, with increasing desperation, that the agreements, far from ending the arms race, actually commit us to a strenuous and expensive effort to make the most of our tenuous and dwindling qualitative edge in strategic technology.

Item: At Dr. Kissinger's Kiev news conference this exchange occurred:

> Q. Dr. Kissinger, another one of the arguments that is made with regard to the strategic arms agreement is that it may have the effect of directing, or redirecting rather, the arms construction effort. What reason is there to think this can be controlled?
>
> Dr. Kissinger. This agreement, if it is not followed on by other negotiations, will, over a period of time, permit a qualitative race or a race in the weapons systems which are not frozen by the agreement.

Comment: Again, what are we to make of those who are arguing that these agreements do not just permit a qualitative race, but they require it until SALT Phase I somehow improves our position? I cannot but wonder if those persons are satisfied that there is congressional support for such a race. I wonder if our negotiators carried a realistic assessment of congressional support into the negotiating room.

Item: Dr. Kissinger has said that—

> We attempted to conclude the SALT negotiations because we do believe that to put the central armaments of both sides for the first time under agreed restraint is an event that transcends in importance the technical significance of the individual restrictions that were placed on various weapons systems.

Comment: If any form of restraint on strategic arms is so transcendently important, then obviously we need not trouble ourselves about the details. But is this correct? I think not. The logic of Dr. Kissinger's statement is puzzling because it seems to suggest that it is theoretically impossible for either side to lose from such agreements. But that is wrong in theory and, alas, obviously wrong in fact. What Dr. Kissinger dismisses as "the technical significance of the individual restrictions" are the very stuff of which these agreements are made. If these technical matters do not matter, then neither do the agreements.

Dr. Kissinger's statement—about the transcendent importance of agreements as agreements; about the inadvisability of a qualitative arms race; about how dangerous it is to have a "qualitative edge" in strategic weapons—are puzzling in their own right. They are especially mystifying when placed next to the recent statements by the Secretary of Defense.

On June 6 Secretary Laird declared that he could not support these agreements if Congress refused to support the administration's new proposed funding levels for Trident and the B-1 bomber. He repeated this many times. But Dr. Kissinger, in the statements just cited, used an argument that removes the urgency from the Trident and B-1 programs. According to my deciphering of Dr. Kissinger's philosophy of the SALT agreements, Trident and the B-1 may be only marginally important, and may be "a most dangerous thing to aim for." That is, they will only promote what Dr. Kissinger says are irrelevant to, or inimical to the diplomacy of the new era that is adawning.

Perhaps I am misconstruing what Dr. Kissinger has said. Perhaps I am reading too much into what Secretary Laird has said. Perhaps there is a synthesizing principle that makes all their statements compatible. I hope so. But pending the revelation of that principle I remain suspicious that there is a trace of confusion in the air. This is not confusion about niggling details—that is some confusion about those. Rather, the confusion concerns basic thinking about what we should depend upon to guarantee our national security."

If, as Dr. Kissinger says, "marginal additions of power cannot be decisive," then we cannot blame people for being skeptical about the notion that we should spend vast sums for weapons improvements. If our programs are not necessary, then it is important that we not squander resources on them. If they are necessary, the people will support them. The people have a fine record of rejecting incoherent arguments for questionable programs. They also have a fine record of shouldering unpleasant but necessary burdens. It is up to the Government to convince the people that it has a coherent defense policy.

HOW DID WE GET HERE?

At his June 15 White House briefing Dr. Kissinger described the situation confronting the administration in 1969:

> Perhaps most important for the United States, our undisputed strategic predominance was declining just at a time when there was rising domestic resistance to military programs, and impatience for redistribution of resources from national defense to social demands.

This is a correct assessment of the situation in 1969. Perhaps it is meant to suggest that we negotiated from a position of weakness. But if that is so, it is not at all clear that it had to be so.

This administration has received all the major defense programs it has insisted upon. The American people do not enjoy buying military hardware. But they have never proved unwilling to do whatever is necesary to provide for their security—if the political leaders have explained the problems to the people. If our SALT negotiators had to bargain from a position of weakness, then it is possible that we chose the wrong time to negotiate, or chose to negotiate the wrong conditions. The American people have never chosen to be in a position of weakness.

The problem is not that the American people refused difficult requests. The problem is that the political leadership—primarily in the 1960's—failed to ask the American people to do the necessary things. Obviously a dictatorship like the Soviet Union can extract whatever efforts it wants from its subjects. Our democracy must rely on leadership and persuasion. One lesson of this is that we in the Senate must take a more active attentive interest in the formulation of national security planning. The time to begin is now, and the way to begin is with a judicious selection of language in the resolution we pass to approve the interim agreement.

CONCLUSION

Today I have concentrated on enumerating some of the concerns I have about the agreements. The immediate need is for clear thoughts forcefully expressed. Thomas Hobbes, who earned an unfortunate reputation because he thought clearly and spoke forcefully about unpleasant things, said something we should all bear in mind. "Covenants without the sword are but words." This is especially true regarding covenants that concern swords. Unless we are strong, the covenants we are debating will not be obeyed, and there will be no subsequent covenants. Unless we are strong these agreements will be what James Madison called "parchment barriers."

But there seems to be some confusion as to what shall constitute strength for America. We are assured that numbers are not the key. We are told that a qualitative edge is not the key. The cumulative logic of these assurances is that the Soviet Union could have a lead in all these categories, and we still would be sufficiently strong. This is a novel theory of sufficiency and one on which I am an agnostic.

I hope we in the Senate can help dispel the confusion that surrounds these issues, and can do so before our negotiators carry that confusion into the second phase of SALT.

For that reason, Mr. President, after working for several weeks on this matter, I have joined the Senator from Washington (Mr. Jackson) in the introduction of a resolution by way of amendment to the committee resolution, to define certain of our aims and goals with respect to the interim agreement and what we expect of our negotiators. Perhaps it will tell the Russians, also, what Congress expects. It is an excellent example and an excellent opportunity for Congress to exercise that part of foreign policy about which many have been wailing for so long.

I sincerely hope and pray that it will pass. I believe that it will.

The resolution I am cosponsoring, to express congressional approval of the results of SALT phase I, will provide constructive guidance for the future.

Mr. President, there are many matters in this speech of mine which many people will find provocative. Many who are overwhelmed at the moment with a sense of euphoria will not like it. Yet these items which I have discussed have been brought about and studied and discussed and rediscussed over every bit of the period since May 20, 1972.

While I shall vote for both the treaty and the interim agreement, I thought it was necessary that someone speak out, loudly and clearly, and try to explain in a rather simple way some of the principles and some of the issues involved in this very serious business.

Mr. TALMADGE. Mr. President, will the Senator from Colorado be kind enough to yield me 1 minute on a privileged matter?

Mr. ALLOTT. I do have 1 minute left to me, which I will be very glad to yield to my good friend from Georgia.

Mr. TALMADGE. I thank the Senator from Colorado.

Mr. BUCKLEY. Mr. President——

The PRESIDING OFFICER (Mr. Tunney). The Chair, as in legislative session, lays before the Senate——

Mr. JAVITS. Mr. President, reserving the right to object, and I do not expect to object, what is this? Has it cleared this side?

Mr. TALMADGE. Yes. I would request a conference with the House of Representatives on the bill that passed the Senate unanimously relating to the planting of trees on public forest grounds.

Mr. JAVITS. I thank the Senator. I have no objection.

ACCELERATION OF PROGRAMS FOR THE PLANTING OF TREES

Mr. TALMADGE. Mr. President, as in legislative session, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 13089.

The PRESIDING OFFICER (Mr. Tunney), as in legislative session, laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 13089) to provide for acceleration of programs for the planting of trees on national forest lands in need of reforestation and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TALMADGE. I move that the Senate insist upon its amendments and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Talmadge, Mr. Eastland, Mr. Jordan of North Carolina, Mr. Miller, and Mr. Aiken conferees on the part of the Senate.

TREATY ON LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS

Mr. JAVITS obtained the floor.

Mr. BUCKLEY. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, I have only 20 minutes. I yield 3 minutes to my colleague.

Mr. BUCKLEY. Mr. President, I very much appreciate the courtesy of my senior colleague.

Mr. President, I send to the desk an understanding to be appended to the resolution of ratification now under consideration.

The PRESIDING OFFICER. The clerk will report the understanding.

The legislative clerk read as follows:

> At the end of the resolution of ratification, add the following: "It is the understanding of the Senate, which understanding inheres in its advice and consent to the ratification of the treaty, that a failure of the Union of Soviet Socialist Republics and the United States to reach an agreement prior to July 1, 1977, providing for a more complete strategic offensive arms limitation agreement assuring parity between the two countries in their respective strategic forces, will be considered by the United States to constitute an extraordinary event related to the subject matter of the treaty which jeopardizes the supreme interests of the United States within the meaning of Article XV of the treaty."

Mr. BUCKLEY. Mr. President, Secretary of State Rogers' letter to the President transmitting the treaty an interim agreement contains the following statement of the official U.S. position with reference to these accords:

> In this connection, the United States has stressed the unique relationship between limitations on offensive and defensive strategic arms. This interrelationship lends extraordinary importance to the undertaking in Article XI "to continue active negotiations for limitations on strategic offensive arms."
>
> The special importance we attach to this relationship was reflected in the following formal statement relating to Article XI, which was made by the Head of the United States Delegation on May 9, 1972:
>
> The US Delegation has stressed the importance the US Government attaches to achieving agreement on more complete limitations on strategic offensive arms, following agreement on an ABM Treaty and on an Interim Agreement on certain measures with respect to the limitation of strategic offensive arms. The US Delegation believes that an objective of the follow-on negotiations should be to constrain and reduce on a long-term basis threats to the survivability of our respective strategic retaliatory forces. The USSR Delegation has also indicated that the objectives of SALT would remain unfulfilled without the achievement of an agreement providing for more complete limitations on strategic offensive arms. Both sides recognize that the initial agreements would be steps toward the achievement of more complete limitations on strategic arms. If an agreement providing for more complete strategic offensive arms limitations were not achieved within five years, US supreme interests could be jeopardized. Should that occur, it would constitute a basis for withdrawal from the ABM Treaty. The US does not wish to see such a situation occur, nor do we believe that the USSR does. It is because we wish to prevent such a situation that we emphasize the importance the US Government attaches to achievement of more complete limitations on strategic offensive arms. The US Executive will inform the Congress, in connection with Congressional consideration of the ABM Treaty and the Interim Agreement, of this statement of the US position.

Mr. President, in brief, the purpose of my understanding is to incorporate in the resolution of ratification this statement of the U.S. position.

Mr. President, I will now yield the floor to my senior colleague. I express my appreciation for his courtesy in allowing me to proceed. And if I may, I will return to the argument in support of the understanding following his remarks.

Mr. JAVITS. Mr. President, in view of the fact that the Senator has called up his understanding and he has 2 hours under the unanimous consent agreement, would the Senator mind charging the time to himself?

Mr. BUCKLEY. That is agreeable.

The PRESIDING OFFICER. The senior Senator from New York is recognized for 20 minutes.

Mr. JAVITS. Mr. President, the SALT treaty and interim agreement with the Soviet Union properly are regarded as historic. The chairman of the Foreign Relations Committee and the ranking minority member have already, I am sure, explained the individual provisions. However, Mr. President, what is happening now in the understanding and the amendment which are being introduced—one by the Senator from New York (Mr. Buckley) and the other, of which we have already had notice, from the Senator from Washington (Mr. Jackson) and the Senator from Colorado (Mr. Allott), impinge on very critical points by Dr. Kissinger, speaking for the President, in the congressional briefing at the White House on June 15, 1972.

Dr. Kissinger said at that time:

> Thus the deepest question we ask is not whether we can trust the Soviets, but whether we can trust ourselves. Some have expressed concern about the agreements not because they object to their terms, but because they are afraid of the euphoria that these agreements might produce.
>
> But surely we cannot be asked to maintain unavoidable tension just to carry out programs which our national survival should dictate in any event. We must not develop a national psychology by which we can act only on the basis of what we are against and not on what we are for.

Mr. President, it strikes me that is exactly what may be happening in respect of these highly desirable agreements which are pending before the Senate. In the amendment and the "understanding," we are immediately summoning up our fears and having no faith in our strengths. Already, before the agreements have been ratified, we would have begun to notify the Soviet Union that we do not trust them or ourselves.

This is hardly a framework in which to approve agreements which are so portentous for the future. I would be gravely concerned, if I felt that way myself, about voting for their approval. From what Dr. Kissinger has told us, and from what the Secretary of State and others have said before the Foreign Relations Committee, I am convinced these are excellent agreements very much in the interests of our national security.

I do not base my approval of the treaty and the agreements upon "trust" in the benign motives of the Soviet Union. No one is asked to do that. What I do base it on is Dr. Kissinger's assurance that there is every likelihood that the agreements will be complied with because it is in the interests of the U.S.S.R. to do so. And that is the only faith of which I speak. So, referring specifically to the interim agreement, we must take the agreement for what it is and as it is.

To that extent, it seems to me, we must assume—because this is in relation to a treaty which the Soviet Union made with us—that the agreement will be complied with. We cannot at one and the same time approve the agreement and plan to act on the theory that the agreement will be breached. We also ought not to approve the agreement in such a way which says that we really distrust the agreement, or do not think it is a good agreement which safeguards our national security. I have serious problems with Senator Jackson's amendment in this very regard.

If the agreement in itself, in compliance with its terms, sucks us in so deeply that we are seriously disadvantaged, we should not approve it. I believe that it does no such thing. The President and Dr. Kissinger have assured us it does no such thing.

On the basis of what I see as the psychology that is now being introduced in these amendments and understandings, I hope that the Senate will be very wary. I think we should know whether there has been a change in the President's position as put forth by Dr. Kissinger because that position seems different from the one in the amendment being proposed.

The treaty and the agreement symbolize a new concept of the relationship respecting nuclear armaments between the Soviets and ourselves. And that concept is a succession to two others which preceded it.

One was the concept of superiority. That pertained for a very long time; indeed, into the early 1960's. Then came the concept of parity. Now we have the more sophisticated concept of sufficiency, of President Nixon himself. Mr. President, "second to none" which is what the administration believes in essentially means sufficiency, and that is essentially what we have before us.

It is essential for the treaty and the agreement to meet the test. This is not going to remain static, because both parties have the right to improve and to modernize the existing weaponry in the offensive and defensive fields at one and the same time that the agreements are in effect. Indeed, we have the possibility of greatly expanding the capability of our offensive weapons through the MIRV technology; that is, adding to the number of effective warheads in each individual missile, as the freeze is on the number of individual missile launchers.

This is a critically important point because rather than being considered a disadvantage this is considered one of the great advantages by the United States under the agreement because, as again Dr. Kissinger explains:

> The current arms race compounds numbers by technology. The Soviet Union has

> proved that it can best compete in sheer numbers. This is the area which is limited by the agreement.
>
> Thus the agreement confines the competition with the Soviets to the area of technology. And, heretofore, we have had a significant advantage.

There is no reason whatever why we should approve the agreement if we fear we are deficient, and that is what these amendments suggest in the future outlook respecting technology. I do not think we are facing such a future. All evidence suggests we are not. It seems a very reasonable risk we are taking with the great likelihood that the advantage is very materially with us, in terms of competition under the term of the agreement.

This question of unilateral declaration which is now coming to the floor, proposed by the Senator from New York (Mr. Buckley) and which is going to be proposed by the Senator from Washington (Mr. Jackson) and the Senator from Colorado (Mr. Allott), is very important because the agreement contemplates, or at least the framework in which the agreement was made allows for unilateral declarations. Indeed, the agreement is accompanied by two things: One, agreed interpretations and common understandings with respect to certain technical matters. For example, what is the significant increase in the size of Silos, which is to mean not more than 10 to 15 percent. It is also accompanied by a unilateral declaration on the part of the United States, and that relates to the fact that we would consider the "introduction of land mobile ICBM's would be inconsistent with the agreement."

Therefore, unilateral declarations, which may be adopted by the Senate and which the administration would be compelled to adopt in the event Senate ratification of the treaty with those unilateral declarations were accepted are likely to be treated as part of the agreement's meaning and perhaps binding because there is precedent for it. Therefore, they become important not only in terms of the future, to wit, as Senator Buckley's understanding seeks to do, to commit us to a situation 5 years hence, but in terms of the present it would represent a declaration by the United States which could conceivably induce the Soviet Union to say, "You did not mean it when you signed, you have now changed the agreement, so we are backing out of the agreement."

So the stakes are very large. I hope very much that in rejecting what is sought to be accomplished by the understanding the Senate will bear that in mind.

The agreements may, in fact, be invalidated by adopting one of these amendments, understandings, reservations, whatever the authors may choose to call them.

In that regard I think we need to go back to the basis on which these agreements were negotiated. I revert to what I consider to be the basic doctrine which led us to undertake these agreements. It is incorporated in an address which former Secretary of Defense Robert McNamara delivered on September 18, 1967, before the United Press editors and publishers in San Francisco. This represented a highly expert analysis of our situation. The Secretary said at that time that both we and the Soviets had far exceeded the nuclear needs of a second strike capability; that is, the ability to survive a first strike, and yet have a completely credible and reliable assured destruction deterrent in terms of the second strike.

Secretary McNamara attributed this situation—having far in excess of what either side needed—to the fact we could read their intentions and they could not read our intentions. He went back to 1961 and pointed out that, although at that time the Soviets had a relatively small nuclear weapons arsenal, the Soviet Union had gained a theoretical capability, he called it, of building up that arsenal to a much larger size.

The United States undertook materially to expand its nuclear defensive capability in order to meet, not the reality of a Soviet position of offensive capability, but the worst possible hypothesis, what was the largest they could theoretically build.

He pointed out that the need for a treaty was very great and he said:

> We both have strategic nuclear arsenals greatly in excess of a credible assured destruction capability. These arsenals have reached that point of excess in each case for precisely the same reason: we each have reacted to the other's build-up with very conservative calculations. We have, that is, each built a greater arsenal than either of us needed for a second-strike capability, simply because we each wanted to be able to cope with the "worst plausible case."
>
> But since we now each possess a deterrent in excess of our individual needs, both of our nations would benefit from a properly safe-guarded agreement first to limit, and later to reduce, both our offensive and defensive strategic nuclear forces.

These observations and views, therefore, lead me to the following conclusion: I appreciate the fact that my colleagues who have concerns as to the agreement and the treaty, knowing or seeing that it is to be overwhelmingly approved, may have decided to vote for it, too. Certainly, this, to my mind, is one of the most magnificent and most historic achievements toward seeking peace instead of war in which this Nation has been engaged. But they have determined that, in order to subserve their viewpoint, amendments, understandings, or unilateral declarations need to be attached. Those, as I have seen them, would only serve notice on the Soviet Union that we do not believe the agreement will be complied with or that the agreement is not agreeable to us in its own terms. Nothing else is served by these amendments and understandings.

Therefore, I hope the administration will be scrupulously careful in examining the proposed amendment and understanding that so they do not negate what the administration is asking us to do.

I also, as the chairman of the committee is now here, would like to suggest to him that it might well be in order to convene our committee so that we may have a look at what is here proposed and may take a position on it as a committee. It seems to me that the greatest vigilance must now be exercised in view of the origin of where this agreement and this treaty came from, and the reasons for them, to see that they are not, at one and the same time, overridden in the mere act of ratification, as this could happen, and I see the beginnings of that in what is proposed.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. Is the Senator referring to the proposal by the junior Senator from New York (Mr. Buckley), or the proposal by the Senator from Washington (Mr. Jackson), or both?

Mr. JAVITS. The junior Senator from New York (Mr. Buckley) has already made his proposal, so that is already the pending business. The proposal of the Senator from Washington (Mr. Jackson) I have just received. I am looking it over very carefully. I have concern over it. So I made the suggestion which I did only to have my chairman give consideration to whether it might not be useful to consider what may be proposed as a committee, rather than just individual views of Senators.

Mr. FULBRIGHT. I think the Senator's point is well taken. I share his concern about adopting, as the Senator says, either a reservation, interpretation or understanding without the most thorough consideration, because it does raise doubts about our intentions with respect to the treaty. These treaties are not self-enforcing, as the Senator has well said. They depend upon the good faith of the parties to them. If we do anything to arouse suspicion on the part of the other party to the agreement that may raise the question of deceiving or of not wanting to live up to the terms, of course the distrust will be mutual and destroy respect for the agreement.

I have no objection to acceding to the Senator's suggestion if he and other Senators feel there is anything to be achieved by it. I am available to do it.

Mr. JAVITS. I thank the Senator. I believe the discussion this afternoon, in which we will have the full explanation of the Senator from Washington's position, might help us in that regard.

Mr. President, my time has expired. I notice the Senator from Washington (Mr. Jackson) is here, and I am prepared to yield the floor.

For the information of my colleagues, in their absence, the junior Senator from New York (Mr. Buckley) called up an understanding which was read at the desk. That creates a somewhat different time situation in that 2 hours are now available for the purpose of considering that understanding, and that is the pending question, as I understand.

The PRESIDING OFFICER. It is the pending question. Who yields time?

Mr. FULBRIGHT. Mr. President, a parliamentary question on the time situation. Are the 2 hours attributable to the understanding offered by the junior Senator from New York (Mr. Buckley) now running?

The PRESIDING OFFICER. The junior Senator from New York has used 4 minutes of his 2 hours, or the 1 hour that was allocated to him. Four minutes of the 1 hour were used by the junior Senator from New York. The time that has been used by the senior Senator from New York was on the treaty itself.

Mr. FULBRIGHT. Was that under the time of the Senator from Vermont?

The PRESIDING OFFICER. The Senator from Vermont.

Mr. FULBRIGHT. Actually, the Senator from Vermont and I are both for the treaty, and the allocation of time is not a case of one Senator being for and the other against.

I suggest, in view of the fact that I used considerable time, that we yield 20 minutes to the Senator from Washington (Mr. JACKSON). Ten minutes from each side would be the fair way to do that.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Washington.

Mr. JACKSON. Mr. President, the Senate has before it two historic agreements between the United States and the Soviet Union. The treaty and the interim agreement contain the most extensive measures to which we have ever subscribed limiting American freedom to determine the nature of our own strategic nuclear defenses. The real question before us is whether, and to what extent, these arrangements support and advance the basic objective of our strategic posture: to deter war and to minimize damage should deterrence fail.

The President has said that he does not desire automatic approval of these agreements by the Congress—that he expects us to give them thorough review and full consideration. On these agreements, Mr. President, it is my deep belief that the Senate must indeed give the advice without which our consent becomes mere acquiescence. It is my purpose, therefore, in the remarks I shall make today, to offer for the consideration of the Senate an amendment to the authorizing resolution on the interim agreement that would bring into full partnership with the administration a Senate determined to meet its constitutional responsibility and to play its rightful role in advising on the arrangements now before us.

Many Senators will recall that I have reserved my judgment on the wisdom of giving unqualified consent and approval to the ABM treaty and interim offensive agreement. Those of my colleagues who have followed the discussion of SALT these recent weeks doubtless know that I have been critical of these early agreements. This concern was perhaps best reflected in my efforts, in the Armed Services Committee, to probe into the terms, the explanations, and the implications both of the agreements themselves and the future strategic balance under them.

In the several days of hearings we have now completed in the Committee on Armed Services I was able to question our negotiators, the Secretary of Defense, representatives of the Department of Defense, the Chairman and individual members of the Joint Chiefs of Staff, and outside experts. These extensive hearings were the culmination of nearly 3 years of hearings within the Subcommittee on the Strategic Arms Limitation Talks that I am privileged to chair. I was able, Mr. President, to ask literally hundreds of questions of the various witnesses to come before the committee.

Several things emerged from this effort, not least of all some important clarification by administration spokesmen of various provisions of the agreements. Some of these provisions had been interpreted in several different ways depending on the witness commenting upon them. I believe the hearings were helpful both in clarifying the obligations we have undertaken and in understanding the implications for our future security of the many limitations to which we and the Soviets have agreed. I am pleased that several officials within the administration have expressed satisfaction at the opportunity to put the issues in SALT before the American people and to sharpen our own official understanding of some of the more complicated provisions of the agreements.

Many Senators will recall the early confusion that surrounded the first announcements of the agreements. The New York Times was not alone in incorrectly reporting the terms of the agreements; it was joined, as late as several days after the signing, by Members of the Senate. I hope that as we begin our consideration of the agreements the terms of them are at last firmly in mind.

By way of summary, Mr. President, let me state again the conclusion to which my examination of the terms of the agreements led me:

> Simply put, the agreement gives the Soviets more of everything: more light ICBM's, more heavy ICBM's, more submarine launched missiles, more submarines, more payload, even more ABM radars. In no area covered by the agreement is the United States permitted to maintain parity with the Soviet Union.

I shall not rehearse the numbers here. Suffice it to say that the Soviet advantage in offensive weapons covered by the interim agreement is on the order of 50 percent.

THE OBJECTIVE OF EQUAL LIMITS IN SALT II

In the treaty covering anti-ballistic-missile defenses we and the Soviets have clearly established the principle of equal limits on both countries. Both we and they are permitted two ABM sites, one at our respective national capitals and one located so as to defend strategic offensive weapons. Both countries have accepted limits on the numbers of radars that they may deploy and the number of interceptor missiles. Even though our defense requirements differed from those of the Soviets and even though our ABM program had a momentum that the Soviet program lacked, we and they have undertaken to live by identical limitations. The one minor exception involves some additional early radars on the Soviet side.

It is my view, Mr. President, that the principle of equality reflected in the ABM treaty ought properly to be applied to a future treaty on offensive systems as well. I am confident that the Senate of the United States would not wish to see this country undertake, in an international treaty having the force and weight of the Constitution itself, ceilings on U.S. defenses that are greatly inferior to the levels permitted for the Soviet Union. We cannot, in approving the interim agreement, proclaim that the law of the land is to accept in an eventual treaty major areas of Soviet numerical superiority. The Soviet Union must understand that the numerical advantages conceded to them in the interim agreement are not permissible except as a transitory stage to equal balances.

During these last weeks I have listened to administration spokesmen justify the wide numerical advantage granted to the Soviets in the interim agreement on the grounds that it is offset by our superior technology. It is no doubt true that U.S. weapons technology is currently superior to that of the Soviet Union in a great many areas. It is particularly true with respect to MIRV technology. I am persuaded after careful review of this argument that we are moving into a period of rapidly changing technology in which the advantage we presently enjoy by virtue of our greater technical sophistication will be narrowed as the Soviets move to close this gap. There was virtual unanimity among the witnesses to come before the Armed Services Committee that the Soviets are close to developing a proper MIRV capability. The consensus, in fact, was that they might demonstrate such a capability "at any moment." No one in or out of Government, so far as I am aware, has seriously suggested that the Soviets will fail to develop such a capability within the 5-year duration of the interim agreement. It is, therefore, with a view to the future when the Soviets are able to exploit their vastly greater payload capability by dividing it into many more efficient MIRV warheads that we must concern ourselves with a restoration of parity. My resolution would simply express the view of the Congress in insisting upon equal limitations in any future treaty negotiated in a period when improving Soviet technology will invalidate the basis for interim Soviet numerical superiority.

There is, Mr. President, a further reason for insisting now upon equality in a future treaty covering offensive weapons. It will draw clear lines for Soviet negotiators, removing any incentive to prolong the forthcoming negotiations while they try to continue building offensive weapons in the hope that they will be rewarded by higher agreed limits—a reward, in effect, for having accelerated the arms race. If we leave this door open we may offer an irresistible temptation to international instability. We have no plans to press weapons developments for such purposes, and a clear congressional declaration in support of equal limitations could well serve to discourage others from doing so.

I would simply point out that, during the 3 years we were negotiating in Helsinki, Vienna, and Moscow, the total number of Soviet ICBM's went from well below our 1,054 to over 1,600, well above it. And I would further point out that the interim agreement reflects the number of Soviet weapons operational or under construction on May 26, 1972, the date on which the agreement was signed in Moscow.

THE SURVIVABILITY OF THE U.S. STRATEGIC DETERRENT

A central purpose of the SALT accords is to slow the momentum of the vigorous Soviet deployment program that persisted throughout the talks and is permitted to continue even under the terms of the agreements. We hope that we shall have succeeded in at least slowing the rate at which Soviet strategic weapons are being deployed against us. Since the extent of the slowdown, if any, depends more on Soviet unilateral decisions than on any limits imposed by the agreements themselves, we shall not know for some time at what rate the Soviet offensive capability will continue to grow. Clearly, there are some rates of growth that would be of great concern to us, just as there are others that might serve to reassure us that the agreements are being adhered to in spirit as well as in letter. For if anything has emerged from my study of these agreements, it is the unmistakable conclusion that there is much the Soviets can do within them to bring about a shift in the strategic balance that could have far-reaching adverse consequences for the United States.

I referred earlier to the likelihood that the Soviets would develop a MIRV capability sometime in the near future. If they were to aggressively pursue a silo-killing MIRV program for their force of SS–9 type heavy missiles they could, within the lifetime of the interim agreement, develop the capability to destroy virtually all of our land-based missile force. If they were to press ahead at full steam with permitted increases to their submarine fleet, the Soviets could, within the 5 years, develop a capability to destroy a very high percentage of our bomber force. It is potential developments of this nature that concern us; and it is in response to this potential that I would hope to see a declaration of congressional sentiment.

All that my amendment proposes to say on this subject, Mr. President, is that Soviet deployment programs that have the effect of endangering the survival of our strategic deterrent—programs such as those referred to above which are permitted within the letter of the SALT accords—are contrary to our supreme national interests. This declaration must be understood in conjunction with the provision in the agreement that permits either side to withdraw in the event that its supreme national interests are threatened.

The objective, in all of this, is to develop a stable strategic relationship with the Soviet Union. It is not self-evident, as some maintain, that the clear ability to engage in a massive, highly destructive attack against cities by itself provides stability against all possible forms of conflict between the two superpowers. Nor is it correct—indeed, there is no evidence—that the Soviet Union has obviously embraced such a notion of strategic stability. It would therefore be greatly troubling if the Soviet Union maximized its capabilities to develop its offensive forces, within the terms of the interim agreement, since this would strongly suggest that its objectives went well beyond that required merely to deter attacks against its own cities. We would have to draw the conclusion that its purposes went beyond and in the direction of threatening the stability of the political and military environment which currently exists.

In addressing itself to the question of Soviet actions which might endanger the strategic deterrent forces of the United States, whether or not such actions were within the terms of the interim agreement, Congress is reinforcing the strongly held position of the executive branch. For example, Ambassador Smith informed the Soviet representative that it was essential for the follow-on negotiations to constrain and reduce the threats to the survivability of the strategic retaliatory forces of both sides. If an agreement accomplishing this objective were not reached within 5 years, the Soviet Union was informed that U.S. supreme interests could be jeopardized and under such circumstances would constitute a basis of withdrawal from the ABM treaty. I am confident that Congress fully supports this position. I am disturbed by the report of the President which suggests that Mr. Brezhnev has indicated an intent to press forward with the maximum range of programs permitted by the ABM treaty and interim offensive arrangement. While we would expect both nations to take reasonable measures to provide for what they view as legitimate security needs, Congress should go on record that it would consider the endangering of the survivability of U.S. strategic forces totally unacceptable and would fully support the President in actions designed to preclude this from occurring.

RESEARCH, DEVELOPMENT AND MODERNIZATION

I know that my colleagues in both parties have supported and will continue to support those essential programs of research and development and force modernization necessary to enable the United States to maintain a prudent strategic posture. Our resolution merely articulates this commitment in the context of the continuing SALT deliberations. It is not our intention to bind anyone to any particular procurement item in advance. I have always believed that procurement decisions must be taken on their merit on a case by case basis. Clearly language of the sort proposed here does not, in itself, suggest any particular level of procurement either generally or with respect to specific programs. All that is suggested in the resolution is that we ought not to assume that the interim agreement obviates the need for what we have been doing and will continue to do as part of a necessary effort to provide for a sound strategic posture.

Mr. President, I look forward, as the debate continues, to the opportunity to bring to the Senate as full a discussion as possible of the agreements and their relation to our strategic posture. I shall have more to say in elaboration as the debate proceeds. For now, I urge my colleagues to join this effort to make the views of Congress an integral part of our national policy on arms control.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator from Arkansas yield me 3 minutes to comment on the Senator from Washington's address?

Mr. FULBRIGHT. Yes, I yield 3 minutes to the Senator but I want to make a short comment, too.

Mr. HARRY F. BYRD, JR. I will delay my comments until the Senator from Arkansas has completed his.

Mr. FULBRIGHT. I thank the Senator. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER (Mr. TUNNEY). The Senator from Arkansas is recognized for 3 minutes.

Mr. FULBRIGHT. Mr. President, I am glad that the Senator from Washington has made the initial statement of his position. I only want to make a few brief comments.

These matters were examined not only in the Armed Services Committee, to which the Senator refers, but also in the Committee on Foreign Relations. I think, as of the moment, the calculations of the staff, with the information obtained from the executive department, clearly show that there is reasonable parity today between the United States and the U.S.S.R.

I put these figures in the RECORD this morning. I shall not put them in the RECORD again except to say on that in the case of the offensive launchers, for example, the figures have been well publicized, we have a total of 1,710 against the Russians' 2,268 to 2,358, which takes into consideration what the Senator just mentioned.

Heavy bombers, we have 457 against 140. On missiles, independent warheads operational, we have a total of warheads including, of course, our MIRV's 5,888 to 2,220, not that that controverts altogether the Senator's point.

What he has not taken into consideration at the present time, which was taken into consideration in the negotiations but may not be covered specifically by the agreement, are our forward bases for our nuclear submarines, of which we have three and the Russians have none.

The United States has forward bases for our airplanes, which give the capability of delivery by airplanes from Europe to Soviet country—to the heartland of Russia itself. I think that in the negotiations, as of the present, all of these were taken into consideration, even though some of them were, at our request, of course, not covered by the agreement itself. For example, the agreement does not deal with heavy bombers because negotiations were restricted to the area on which the negotiators thought they could get agreement.

I do not agree that there is not reasonable parity in total capacity for mutual destruction. That, together with the agreement on the ABM's which, in effect, adopts the principle that we accept the principle we have no effective defense against intercontinental missiles, makes for a stable situation, as one would expect between two great countries.

So I must submit that what the Senator is assuming is that between now and 5 years hence, we will stand still and the Russians will do everything possible, as he says, to maximize the opportunities permitted them under the agreement.

I think that assumption is a questionable assumption.

Mr. JACKSON. Mr. President, first of all, I want to thank the Senator for yielding me this time. We are talking about what is permitted under the 5-year agreement. We agreed to parity on the ABM's, that each side is to have two sites under this agreement, and that is what I am talking about. In the interim agreement the Soviets are permitted to have 50 percent more in numbers of strategic weapons and this is corroborated by all witnesses we heard.

Mr. FULBRIGHT. I understand that, but——

Mr. JACKSON. And under the interim agreement the Soviets are permitted to have four times the throw-weight. The Senator's position, as I understand it, is that we have to take into consideration the bombers and the forward bases. Well, let us mention one thing that is brought up constantly—Secretary McNamara brought it up several years ago—that we have a little over 7,000 warheads in Europe. That is a classic comment. But warheads without delivery systems are not truly strategic weapons.

We have a limited number of airbases in Europe capable of delivering atomic weapons. The Soviets have over 600 IRBM's and MRBM's that can hit every one of those bases—just with missiles—and with a lot of missiles left over. We do not have a single IRBM or MRBM in Europe.

So when we talk about what we have in the forward areas, I would point out that they are all covered by Soviet missiles plus the Soviet fighter bomber forces in central Europe. Of course, here again, we are talking about NATO and NATO defenses and we are talking about the Mediterranean.

So I want merely to observe that when one gets into the numbers racket with nuclear weapons, he can fall into the dangerous fallacy of assuming that all warheads in a stockpile are capable of being delivered.

What we are really addressing ourselves to here is the question of having a stable relationship with survivable forces on each side. That is what we are talking about. I do not follow the basic logic or reasoning on the part of those who say that we cannot have parity in strategic arms with the Soviets.

That is what I am suggesting, that we be in a position to stand for and argue for parity with the Soviets in SALT phase II.

We agreed on parity on the ABM. So all I am saying is that we should settle for parity in offensive arms, too. I remember Secretaries of Defense coming before Congress and before the Senate for confirmation both Republican and Democratic, all arguing for superiority.

Now under the interim agreement, we found ourselves not even settling for parity but for subparity. I am willing to go along on the interim agreement, even though it gives them an interim advantage in numbers and throw-weight, provided it is our declared purpose in SALT phase II talks, to get parity in the offensive strategic arms area. That is what my amendment is all about—to get the parity in offensive arms that we obtain in connection with the ABM treaty.

Mr. FULBRIGHT. Mr. President, I can only reiterate that the information we obtained from the Defense Department was in terms of what they call equivalent megatonnage, the Soviet Union has about the same as the United States.

Much has been made—and the Senator has done this before in talking about the SS–9's—of the fact that this country deliberately made the decision not to put our nuclear capacity into these big weapons. We chose the smaller weapons. I think it was a wise decision.

Mr. JACKSON. Mr. President, if the Senator will yield, I was involved in that decision.

Mr. FULBRIGHT. But the SS–9 has become a kind of scare weapon. It frightens everyone. I am glad that the Senator would agree. However, I cannot understand why the Senator makes so much of the SS–9's, because it is comparable to weapons that we could have made but we chose not to. We chose instead to make a sufficient number of smaller ones.

Mr. JACKSON. Mr. President, for what possible purpose would a nation deploy a missile with a 25-megaton payload capability if it was not for some sort of counterforce?

Mr. FULBRIGHT. It may be that they were not as wise as we were. We could have made that decision.

I have seen them make 25-ton trucks years ago which were not efficient at all, but it was just to show that they could do it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 3 additional minutes.

Mr. FULBRIGHT. Mr. President, I would not undertake to analyze the psychology that causes people to do more vigorous things than do other people.

In the testimony we had—not only from the Defense Department, but also from some of the others—the Defense Department thinks that every year is about the right time to scare us in order to get their appropriations. However, the CIA, Mr. Helms, and others who testified do not agree that this is the more efficient way and that we should not be so concerned about their SS–9's when we have more than enough Minuteman's which are deliverable and, may I say, are more accurate.

Sometimes Americans, including the Senator from Washington, brag about our superior technology. At other times they have a different view and they talk about the Russians outdoing us all the time—that they were widening the gap.

Mr. JACKSON. I never said they had technological superiority.

Mr. FULBRIGHT. The Senator said they were widening the gap. I suppose he meant that they would take over in superior technology in the next 5 years. I do not know why the Senator would say that.

Mr. JACKSON. Mr. President, let us be accurate. I made it very clear in my statement. What I said was that currently we have superior technology. What I mean is that in the period ahead, while we are now ahead technologically, suppose that in MIRVing they can move in and equal us in a short time. In fact, I said that they could test MIRV's at any moment. These are facts corroborated by testimony before the Armed Services Committee.

Mr. FULBRIGHT. There is no testimony that they have tested it. I suppose that they could if they are foolish enough to go through all of these exotic weapons systems. I do not believe that they will if they have any confidence that we will live up to the agreement.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, I think the whole thing concerns the question of whether we can induce in each other some degree of confidence that the other side means what it says when it signs agreements like this.

Mr. President, I do not wish to take time to play the numbers game.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 3 additional minutes.

Mr. FULBRIGHT. Mr. President, I said the same thing. The Secretary of Defense came back immediately, almost within hours, and said that we have got to have the new and very sophisticated weapons such as Trident and the B–1 and all of the things that we have been voting on recently.

All I think it does is to create a suspicion in the minds of the military leaders of Russia and they doubt our sincerity. And now we doubt their sincerity when they say they are going to do what we have already been doing in this Congress. It is the old problem of tit for tat, and each time we raise the suspicions that the others will do the same.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, that is all I object to about it.

Mr. JACKSON. All I am asking is what is wrong with parity so that we have the same number of land-based ICBM's and sea-based missiles? As the Senator knows, under the interim agreement the Soviets are permitted 62 Y-class submarines to our 44——

Mr. FULBRIGHT. But with respect to the numbers, as I have already said, we do not disagree on them.

Mr. JACKSON. What about the Soviet throw-weight advantage confirmed in the interim agreement?

Mr. FULBRIGHT. Mr. President, on the throw-weights, when they are concentrated, I have not talked about big versus small ones. I would prefer more of the smaller ones.

Mr. JACKSON. Mr. President, I would say to the Senator, we do not have more of the smaller ones, because when we agree on the interim agreement—we have fewer delivery systems. All I am saying is what is wrong with an agreement which would give us parity?

Mr. FULBRIGHT. The Senator is assuming the very question at issue. And that is what is parity. There is more to parity than numbers. There is more to parity than the big SS-9's. For example, one must consider our forward bases for submarines. We have had testimony to the effect that having those forward bases enables us to keep fewer submarines on base than otherwise.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, I yield myself 2 minutes so that I might yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, when we were briefed in the White House on these two agreements we were told by Mr. Kissinger—and this is not classified—that in order to supplement the agreements we were making, we would have to continue with the Trident and the B-1—and there was a third one which I cannot remember just now, but it will come to me as I go along.

Mr. JACKSON. It was to improve research and development and certain communications.

Mr. PASTORE. The Senator is correct. The argument at that time was that unless we so continued we would be at a disadvantage at the end of 5 years. We gathered that if we did do it, we would not be at a disadvantage, that we would be at parity.

My question concerns this. We have already authorized and funded in the Senate the nuclear aircraft carrier. We have already funded the Trident. And we are talking very seriously about the money for research and development. In line with our action, how does this shape up with the reservation the Senator is talking about?

Mr. JACKSON. Let me try to answer as directly as I can.

Mr. PASTORE. In other words, we say that we want parity. The Russians say that they want parity. Who is going to decide what parity is? They keep going and we keep going, and where do we reach parity?

Mr. JACKSON. Simply stated, all witnesses before our committee—the Secretary of Defense, Ambassador Smith, and all of the administration witnesses—said that they do not want the interim agreement as the final agreement.

The Senator recalls the argument that Dr. Kissinger made. He talked about momentum. He said that the accords were to slow down the Soviet offensive momentum. Frankly, as far as that argument is concerned, I think the Soviets would have as many submarines and as many land-based missiles whether they signed the interim agreement or not. I will not get further into the point.

The main point I want to make now is that the administration witnesses all made it very clear that this is an interim agreement and that we are not going into SALT II with the idea that the terms of this interim arrangement will be the final treaty, such as we have with the ABM.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 1 additional minute.

Mr. PASTORE. Is the Senator actually saying that we have allowed ourselves to engage in an agreement whereby the way is open for the Russians to proceed in such a fashion that even if we do improve Trident and even if we do develop the B-1 and even if we do appropriate money for the research and development, we will still be at a disadvantage at the end of 5 years?

Mr. JACKSON. The Senator is correct.

Mr. PASTORE. Why did we make the agreement?

Mr. JACKSON. I would not have made the agreement. I am pointing out that Mr. Brezhnev has made it very clear that he is going to exercise all of his rights under this interim agreement.

That means that the Soviets, of course, end up with a superior number of delivery systems, strategically speaking, and I do not need to run through the specific systems now. This is the key question that disturbs me as much as anything—the survivability of our strategic deterrent under this agreement. That is what we are talking about. I want to see a survivable deterrent on both sides.

Mr. PASTORE. So it all comes back to this: The Senator from Washington has serious doubts about this particular agreement.

Mr. JACKSON. I do not have serious doubts and I can support it if we proceed as we go into SALT II on the basis that we are going to ask for parity on strategic arms.

Mr. PASTORE. Would we not be fools if we did not?

Mr. JACKSON. Of course. That is what my amendment says. That is what my proposal involves—parity.

Mr. PASTORE. I do not object to that. It goes without saying we do not have to make an hour's speech to be sure we have to have parity.

Mr. JACKSON. That is what I am arguing about.

Mr. PASTORE. That is what I am arguing about.

Mr. JACKSON. Then, we are in agreement.

Mr. HARRY F. BYRD, JR. Mr. President, the Senator from Washington has made a major contribution to the debate on the Moscow agreements. I am even more impressed with the thorough and penetrating questions which he put to the many witnesses who testified on the treaty and the interim agreement before the Committee on Armed Services.

The Senator from Washington today suggests a new point in connection with the Moscow agreements. I will read one part of his sentence. He said:

> Congress should go on record that it would consider the endangering of the survivability of U.S. strategic forces totally unacceptable and would fully support the President in actions designed to preclude this from occurring.

That seems to me to be eminently sound. I agree with the Senator from Rhode Island, as well as the Senator from Washington, that in SALT II the negotiators at SALT II should seek parity. I would hope that would be the paramount part of their negotiations.

Mr. President, I plan to support the treaty when it comes to a vote in the Senate tomorrow. I can support the interim agreement as an interim agreement.

I am concerned with what happens at SALT II, and I think the Senator from Washington (Mr. JACKSON) has placed his finger precisely on the key point.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator yield to me for 1 additional minute?

Mr. FULBRIGHT. I yield.

Mr. HARRY F. BYRD, JR. Mr. President, I think the Senator placed his finger on the key point when he said we must insist upon parity in SALT II and also—

> Congress should go on record that it would consider the endangering of the survivability of U.S. strategic forces totally unacceptable and would fully support the President in actions designed to preclude this from occurring.

ORDER OF BUSINESS

Mr. PASTORE. Mr. President, will the Senator yield to me for 15 minutes for a conference report?

Mr. FULBRIGHT. Mr. President, I yield 15 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum for 2 minutes.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 254) to authorize the printing and binding of a revised edition of "Senate Procedure" and providing the same shall be subject to copyright by the author.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 247. An act for the relief of Albert G. Feller and Flora Feller;

H.R. 489. An act to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Modoc Point unit of the Klamath Indian irrigation project, Oregon; and

H.R. 9936. An act to amend the Federal Food, Drug, and Cosmetic Act to provide for a current listing of each drug manufactured, prepared, propagated, compounded, or processed by a registrant under that act, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15093) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes; that the House receded from its disagreement to the amendments of the Senate Nos. 1, 9, 16, and 32 to the bill and concurred therein; and that the House receded from its disagreement to the amendments of the Senate Nos. 2, 4, 27, 34, and 41 to the bill and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

HUD, SPACE, SCIENCE, AND VETERANS' APPROPRIATIONS, 1973—CONFERENCE REPORT

Mr. PASTORE. Mr. President, as in legislative session, I submit a report of the committee of conference on H.R. 15093, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. BROCK). The report will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15093) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commission, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of July 27, 1972, at pages 25816–25817.)

Mr. PASTORE. Mr. President, the pending measure contains new obligational authority of $20,125,951,000. This amount is $132,232,000 below the budget estimate, $407,461,000 above the amount recommended by the House, and $457,419,000 below the sum contained in the Senate bill. While it may appear on the face that the Senate conferees lost more than they gained in the conference, I will give an explanation indicating that this is not the case.

For title I of the bill, containing the items for the Department of Housing and Urban Development, a total of $4,034,065,000 has been provided, which is $718,596,000 more than the sum appropriated last year and $133,742,000 under the budget estimate. The reduction below the budget estimate can be primarily attributed to two line items contained in the title; namely, the special risk insurance fund, which carried a budget estimate of $195,000,000, and the special assistance functions fund, which carried a budget estimate of $119,369,000. For these two items, the conferees recommended no appropriation of new obligational authority at this time. However, the conferees have invited the Department of Housing and Urban Development to submit estimates to cover the losses of these two funds when such losses have been actually determined.

In other words, we took it out because there was no actual determination of the exact amount required, and we are perfectly willing to provide that money when that determination is made.

Since the reduction from the budget estimates for these two items amount to $314,369,000, and the total reductions in budget estimates for the Department of Housing and Urban Development—as indicated earlier—amount to $133,742,000, it is evident that for all other items of the Department of Housing and Urban Development the pending measure provides a sum that is approximately $181,000,000 above the budget estimate. In this connection, the committee on conference agreed to a figure of $1,200,000,000 for urban renewal funds, which is $200,000,000 above the budget estimate and the amount recommended by the House.

I want to say, for the benefit of the Senator from New York, who was very much interested in this, we went over the budget estimate with reference to the section 235 program. In conference we came out with an amount $115,000,000 over the House figure, so we came out very well.

Mr. JAVITS. Mr. President, I may say that the absolute key to enhanced housing in the core cities is this provision. I am pleased. I congratulate the Senator, because this is as close to his heart, I know, as it is to mine.

Mr. PASTORE. I thought that was a fine accomplishment.

Mr. JAVITS. I thank the Senator.

Mr. PASTORE. For comprehensive planning grants, a total of $100,000,000 has been provided, as compared with the House allowance of $19,002,000.

For the homeownership program, more commonly known as the section 235 program, a total of $170,000,000 is recommended, as compared with the House allowance of only $55,000,000.

For the section 236 program, the rental housing assistance program, a total of $175,000,000 is recommended, compared with the House allowance of only $25,000,000.

Moving to the other titles of the bill, the committee of conference recommends a total of $3,407,650,000 for the National Aeronautics and Space Administration. This is the precise amount of the budget estimate and $58,440,000 above the House bill. The committee of conference has also provided for the earmarking of $24,000,000 of the research and development funds appropriated to NASA for research in the fields of noise abatement and aviation safety.

For the National Science Foundation, a sum of $626,000,000 is recommended for fiscal year 1973, and a total of $30,500,000 which was specifically earmarked for particular programs in fiscal years 1971 and 1972 has been made available for general purposes in fiscal year 1973. Thus, the National Science Foundation will have in excess of $656,000,000 to fund its programs in the current fiscal year.

For the Veterans' Administration, the committee on conference recommends an appropriation of $11,903,322,000. This amount is $80,424,000 more than the sum made available in fiscal year 1972, $26,044,000 greater than the allowance of the House, and $3,298,000 under the Senate bill. The entire amount recommended by the Senate for construction of major projects has been accepted by the committee on conference. Minor reductions of the amounts in the Senate bill were agreed to by the conferees in the appropriation "Medical Administration and Miscellaneous Operating Expenses" in the amount of $500,000, and in the line item "Construction, Minor Projects" in the amount of $2,798,000.

In addition to the money amounts involved in the bill, there were some language provisions to be considered by the committee on conference. In particular, the House had incorporated a proviso which prohibited the move of the Fourth District Bank of the Federal Home Loan Bank Board System from Greensboro to Atlanta. The committee on conference reached a compromise and modified this proviso to make the move possible if a plebiscite of the member institutions in the fourth district approve such a move.

That is generally considered a good compromise and a solution of a thorny problem that has been with us for years.

Mr. President, I believe that this covers most of the matters in the pending measure, and I am now ready to answer any questions that Senators may have concerning any of the particular items. At the proper time I shall move the approval of the conference report.

I yield now to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I do not think there is much to add to the report which the distinguished chairman of the committee has given. Frankly, I thought that in the areas in which we had a special interest, particularly in the field of housing, we came out very well in the report this year, as well as in the field of the National Science Foundation. I am happy to see it come out this way, and I congratulate the chairman on his work.

Mr. PASTORE. Mr. President, I move the adoption of the conference report.

The report was agreed to.

The PRESIDING OFFICER. The clerk will state the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 2, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert: "$175,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 4, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert: "$5,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 27, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert: "$28,900,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 34, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert: ", to remain available until June 30, 1974".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 41, to the aforesaid bill, and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: ": *Provided further,* That none of the funds made available for administrative or nonadministrative expenses of the Federal Home Loan Bank Board in this Act shall be used to finance the relocation of all or any part of the Federal Home Loan Bank from Greensboro, North Carolina, nor for the supervision, direction or operation of any district bank for the fourth district other than at such location, unless such relocation is approved by a plebiscite of the member associations of the fourth district".

Mr. PASTORE. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments numbered 2, 4, 27, 34, and 41.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent that the conference table which was included by the House, when it acted today on the pending report on the Department of Housing and Urban Development, Space, Science, Veterans appropriations bill, be incorporated in the Record by reference. This table gives the complete results of the conference in tabular form, and shows a comparison of the conference action with new budget authority made available in fiscal year 1972, the budget estimates for fiscal year 1973, the House bill, and the Senate bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. ALLOTT. Mr. President, the distinguished Senator from Arkansas had agreed to yield to me 2 minutes on a privileged matter, a conference report.

Mr. PASTORE. As in legislative session?

Mr. ALLOTT. As in legislative session.

FURTHER MISSOURI RIVER BASIN AUTHORIZATION — CONFERENCE REPORT

Mr. ALLOTT. Mr. President, as in legislative session, I submit a report of the committee of conference on S. 3284, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated by title.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3284) to increase the authorization for appropriations for completing the work on the Missouri River Basin by the Secretary of the Interior, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the Congressional Record of July 24, 1972, at p. 24864.)

Mr. ALLOTT. Mr. President, in view of the fact that the House of Representatives, which acted first on the conference report, has previously printed the report, together with the joint statement of the conference committee, I ask unanimous consent that the printing of this report as a separate document by the Senate be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, there were two points of difference between the Senate version and the House amendment which were the subject of discussion and action by the committee of conference.

With respect to the first difference, the committee of conference accepted the Senate version which authorizes $114,000,000 to be appropriated for completing work in the Missouri River Basin, rather than the House language which would have authorized $94,000,000 with which to continue such work for a period of 5 years. The second difference between the House and Senate versions consisted of language appearing in the House version to emphasize that the Garrison Diversion Unit, which has separately authorized appropriations authority, shall not participate in the funds authorized to be appropriated by this legislation. The committee on conference accepted the House language.

The conferees have reached what I consider to be a reasonable compromise on the differences between the two versions and, therefore, Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. ALLOTT. I thank the Senator from Arkansas for yielding, and also the distinguished Senator from New York for bearing with me.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Hébert, Mr. Price of Illinois, Mr. Fisher, Mr. Bennett, Mr. Byrne of Pennsylvania, Mr. Stratton, Mr. Arends, Mr. O'Konski, Mr. Bray, Mr. Bob Wilson, and Mr. Gubser were appointed managers on the part of the House at the conference.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I am authorized by the distinguished majority leader, after consultation with the Republican leader and interested Senators on both sides of the aisle, to ask unanimous consent that the final vote on adoption of the resolution of ratification occur no later than 6 p.m. today.

Mr. JAVITS. Mr. President, reserving the right to object, I do not quite get what the Senator means by the ratification of the resolution.

Mr. ROBERT C. BYRD. That is, in the common language around here, to vote on the treaty.

Mr. JAVITS. To vote on the treaty rather than on the agreement?

Mr. ROBERT C. BYRD. The vote will be on adoption of the resolution of ratification.

Mr. JAVITS. That is the treaty and the agreement?

Mr. ROBERT C. BYRD. It is the treaty—not the interim agreement.

Mr. JAVITS. What are we going to do about voting on Senator Buckley's understanding? That relates to the treaty.

Mr. ROBERT C. BYRD. Ample time will remain under the agreement for a 2-hour limitation of debate on any reservation or understanding.

Mr. JAVITS. The trouble with that is that, having fixed a time for voting on the treaty and leaving the time for voting on Senator Buckley's understanding indeterminate, leaves Senators at a little bit of a disadvantage, does not the Senator think?

Mr. ROBERT C. BYRD. Not at all. I think the Senator's inquiry is quite pertinent, but the leadership on both sides of the aisle has put out information on the hotlines that we may vote on this treaty today. Whip notices had earlier carried the information, in accordance with yesterday's understanding, that we would not vote on the treaty until tomorrow. By virtue of that fact, the leadership on both sides of the aisle thought that extra precautions should be taken to insure that Senators not be caught unaware. But such information has been put out on the hotline; no objection has been returned, and the announcement has met with favorable reaction on both sides of the aisle.

Mr. JAVITS. I am persuaded, Mr. President.

Mr. ROBERT C. BYRD. I thank the Senator.

The PRESIDING OFFICER (Mr. Brock). Without objection, it is so ordered.

TREATY ON LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS

Mr. BUCKLEY. Mr. President, Secretary of State Rogers' letter to the President transmitting the ABM treaty and interim agreement contains the following statement of the official U.S. position with respect to these accords:

> "(T)he United States has stressed the unique relationship between limitations on offensive and defensive strategic arms. This interrelationship lends extraordinary importance to the undertaking in article XI 'to continue active negotiations for limitations on strategic offensive arms.'
>
> "The special importance we attach to this relationship was reflected in the following formal statement relating to article XI, which was made by the head of the United States delegation on May 9, 1972:
>
> " 'The U.S. delegation has stressed the importance the U.S. Government attaches to achieving agreement on more complete limitations on strategic offensive arms, following agreement on the ABM treaty and on the interim agreement on certain measures with respect to the limitation of strategic offensive arms . . . If an agreement providing for more complete strategic offensive arms limitations were not achieved within five years, U.S. supreme interests could be jeopardized. Should that occur, it would constitute a basis for withdrawal from the ABM treaty . . . The U.S. executive will inform the Congress, in connection with congressional consideration of the ABM treaty and the interim agreement, of this statement of the U.S. position."

I believe that it is most important that the resolution of ratification of the ABM treaty incorporate and emphasize this position. It is with this end in mind that I have proposed that an "understanding" be appended to the resolution of ratification. It states the understanding of the Senate that failure of the United States and the Union of the Soviet Socialist Republics to negotiate a satisfactory SALT II agreement prior to the expiration of the interim agreement is grounds for withdrawal under the "extraordinary event" clause of the ABM treaty. As such it is in harmony with the statement of Ambassador Gerald Smith as quoted by Secretary of State Rogers in his letter of transmittal to the President.

The inclusion of such an understanding will have two very important effects:

First, it will emphasize to the American public that the ratification of the ABM treaty in and of itself provides no reason for general euphoria. Important first steps have been taken toward the achievement of limitations on strategic arms. Whether we will achieve more complete limitations on the nuclear armaments of the superpowers will depend entirely on whether a satisfactory SALT II agreement can be negotiated prior to the expiration of the interim agreement.

Second, the adoption of an explicit "understanding" will place the Senate firmly behind the administration's position and will strengthen the bargaining hand at SALT II—which begins in October. It will make known to the Russians our understanding of the urgent need for the timely negotiation of an effective successor to the interim agreement. We must also keep in mind that a new administration will be in power 5 years hence. Should the situation then warrant withdrawal, the new President will then be in a better position to explain the necessary action to the Senate if my proposed understanding is adopted at this time.

Mr. President, the addition of such an understanding would demonstrate the Senate's acceptance of not only the letter but the spirit of the treaty as it is understood by the President and his chief advisers. It will effectively and dramatically underscore the Senate's acceptance of the principle of ongoing negotiations in the interest of international peace and security. Finally, it will serve as a constant reminder to the rulers of the Soviet Union that the United States of America has undertaken the commitments of the ABM treaty not as ends in themselves but as first steps on a long and difficult road to a significant reduction of the risk that a nuclear war might break out. Nothing could jeopardize peace more than a miscalculation on the part of the Soviet Union that since we have agreed to an ABM treaty we consider the matter of arms limitation closed.

Mr. President, this is a matter, I think, of critical importance. We must understand that however hopeful we are, however urgently we wish that there be success in the negotiation of a satisfactory successor agreement or a SALT II agreement in which we will find essential parity established between the two countries, taking into consideration their overall strategic forces, there is a possibility that we will find ourselves coming to the end of the life of the interim agreement having failed to reach an agreement on a SALT II treaty. In such a case we will have a dangerous and desperate situation facing the United States of America.

I therefore feel that in the discharge of its responsibility to advise as well as consent, it is incumbent upon the Senate of the United States not just to rely on the Executive's statement of our policy with respect to our insistence on the negotiation of the successor agreement, but that we take this opportunity to restate our concurrence with the policy that is reported in that statement which I quoted from Ambassador Smith.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. BUCKLEY. I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I want to compliment the able Senator from New York, first of all, for his keen interest in this whole subject relating to the treaty and to the interim agreement. He has taken it upon himself to attend the meetings and the hearings that we held. He has evidenced a keen interest in every aspect of the problem, and I especially want to commend him for his approach to the problem involved here, which is, as I understand it, that there is obviously a direct relationship between the terms of a defensive accord—in this instance, the antiballistic missile system—and the provisions of an agreement that we reach in relation to offensive systems. Is that correct?

Mr. BUCKLEY. That is entirely correct.

Mr. JACKSON. And that the kinds of limitations we accept in an ABM agreement must be related to the balancing limitations in the accord we agree to on offensive systems. In short, the ABM and offensive accords are tied together, and it is the Senator's concern that this be fully understood. His proposed language or reservation relates directly to that kind of requirement which he feels is essential.

Mr. BUCKLEY. I should like to correct the Senator from Washington. It is not a reservation, but merely an understanding. In other words, it does not impose any qualitative or other change or modification on the resolution itself.

Mr. JACKSON. In sum, it would not require any further consultation with the two countries involved.

Mr. BUCKLEY. That is correct. It merely reiterates the formal position delivered by our representative to the Russian representatives during the course of the negotiations in Moscow.

I thank the Senator for his kind remarks.

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND. Mr. President, will the Senator from New York yield 10 minutes to the Senator from South Carolina?

Mr. BUCKLEY. I yield.

Mr. THURMOND. Mr. President, the treaty on the limitation of antiballistic missile systems, which we now have before us, is part of a package. The parliamentary situation, of course, differs from that of the interim agreement on limitation of strategic offensive arms. The treaty is of indefinite duration, and the Senate participates by virtue of its constitutional duty to advise and consent in the ratification process. The interim agreement is of 5 years' duration and obtains its force and effectiveness from its status as an executive agreement. The resolution endorsing the interim agreement, which will be taken up in due course, merely provides the Congress with an opportunity of expressing its opinion on the matter, and does not attach itself formally to the instrument of the agreement.

I take note of this distinction because the two items are, nevertheless, strategically interrelated. The ABM treaty is meaningful only in the context of the interim agreement. The ABM treaty is not an achievement in itself. Its primary effects on our security are negative. The hearings before the Senate Armed Services Committee established clearly that approval of the treaty can only be considered responsible if it is considered on balance with the interim agreement. To put it simply, the ABM treaty is what we had to give up to achieve the overall package.

Precisely what is it we are giving up under this treaty? Let us look at the technical side first.

Under the treaty we are not permitted to deploy a nationwide ABM defense or a base for such a defense.

Instead of the 12-site system which the Secretary of Defense proposed as the minimum which would be adequate for our offensive missiles, we are permitted to deploy only one site for our missiles, and one site for our national command center. We will not be getting the kind of protection that we envisioned when Safeguard was proposed in 1969. At best, the one site will serve mainly to keep our ABM technology in a state of readiness.

Under the treaty, we are not permitted to give ABM capability to non-ABM systems, that is to say, for example, to present air defense systems.

Under the treaty, we also give up the right to deploy any land-based ABM systems of a new type, should they be developed. At the same time we undertake "not to develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based."

This simple recital of the main points of the treaty also overlooks the fact that present ABM deployment in the United States and the U.S.S.R. is not symmetrical. We have one site 90 percent complete, and it is 1,400 miles from Washington. The Soviets have deployed their system at Moscow, where it would protect the national heartland, the basic industrial system, the national command center, and possibly as many as 300 ICBM's, if covertly tied in with appropriate radars. They have the option to build another system only 800 miles from Moscow.

If we sum up what this treaty does in strategic terms, the problem is even more complex.

It effectively prevents us from ever having the means to protect our population from a Soviet first strike. While Safeguard was not intended to protect our population, the option of deploying a system to do so is given up.

It also prevents us from developing new kinds of systems to protect our population. The most promising type appears to be the laser type, based on entirely new principles. Yet we forgo forever the ability to protect our people.

Moreover, the rationale behind our strategy of realistic deterrence is that enough of our nuclear striking force will survive a first strike to enable us to retaliate with unacceptable levels of damage. The Safeguard ABM was intended to protect this retaliatory force. Without the ABM, the power to retaliate is reduced to those Polaris subs and B-1's which chance to escape a first strike. In short, giving up the ABM raises doubts about the viability of our basic strategy.

At the same time that the ABM treaty takes away our basic missile defense system, the interim agreement allows the Soviet Union, with qualitative improvements, to build a strategic striking force conceivably four times greater than ours, because of the Soviet advantage in "throw-weight" or payload capacity.

Nor can we overlook the fact that at the same time that the ABM treaty is taking away our ICBM silo defenses, the Secretary of Defense has indicated that the Soviets already have the potential for a counterforce strategy aimed at those very silos. We have no such counterforce weapons.

Mr. President, I intend to go into the ICBM problem in greater detail during the debate on the interim agreement. It is my judgment that, on balance, the ABM treaty should be approved despite the drawbacks. I cite the negative side so that we do not enter into this treaty in a state of euphoria.

Yet it seems to me that the amendment offered by the Senator from New York is very much to the point. If it turns out that the strategic balance is considerably different in 5 years than we presently envision, our supreme interests will be jeopardized. SALT I is but a first step. If we fail to negotiate a SALT II agreement that gives us parity, then our supreme interests are also jeopardized.

I think we should put the Soviets on notice that the Senate supports the use of the withdrawal clause in those circumstances. This is indeed the position of the administration. It is the position stated by Ambassador Smith, and reiterated by the Secretary of State. At the same time, it will be useful to have this position reiterated in the legislative history of the ratification.

This is simply an understanding of the Senate. It does not change the terms of the treaty as understood by the Soviets. I urge support of the understanding.

Mr. President, in closing, I want to congratulate the distinguished and able Senator from New York (Mr. BUCKLEY) for presenting this understanding. I feel that he had exercised vision and wisdom in doing so. I am pleased to join him as a cosponsor and to support strongly the understanding.

Mr. President, the Senator from New York has been a Senator here only for a reasonable time—a short while—but during his service here he has proved to be a man not only of character and integrity but also a man of sound judgment and wisdom. I commend him for his actions in this instance.

Mr. BUCKLEY. Mr. President, I want to say how deeply grateful I am for the personal references made by the distinguished Senator from South Carolina (Mr. THURMOND), a man of enormous distinction. I certainly am happy that he has associated himself as a cosponsor with this understanding.

Mr. President, I yield myself 5 minutes to pose one or two questions to the distinguished chairman of the committee.

I should like to ask him whether he would agree that the principles reflected in the understanding in fact represent the stated U.S. position as defined by our official representatives at the Moscow negotiations.

Mr. FULBRIGHT. I think that the statement carried on page XIII of Senate Executive L, message of the President of the United States—the Senator will see it at the bottom of the statement—in many respects is identical in significance with what the Senator's understanding is.

The one thing I do not like about the Senator's understanding is the implication that the treaty we are considering does not have parity and that, together with the interim agreement, there is no parity nor is it its objective. I have disagreed with the Senator from Washington (Mr. JACKSON) on that about the question of parity.

This concept, of course, does not lend itself to any precise measurement, because we all agree, including the Senator from Washington, that numbers alone are not the only constituency for parity. There are other things, such as quality, and such things as we have already mentioned in preceding colloquy.

So I would say this to the Senator, that his understanding is similar to the understanding as expressed on page XIII by the head of the delegation, in the statement he made on May 9, that this is an interim agreement, and that we look forward to further and more complete limitations on strategic offensive arms, and so forth.

I do not think, however, that that statement, nor the Government and the administration's position, is that this interim agreement is not based on parity. That is parity in the sense that each has a capacity for, we will say, mutual destruction. It does mean that is precisely the same number and exactly the same kind of weapon. But I think the broad idea of parity is the only reasonable one to be applied here.

Mr. BUCKLEY. It was not my intention in the understanding to obtain any implication as to the present state of affairs but rather to look at the state of affairs as they would stand beyond 1977. It seems to me that the administration has reported to Congress, and Secretary Laird has maintained that, as of this moment, we do have parity if one takes into consideration the weapons covered in the interim agreement as well as those existing outside its scope. I would not want to get into an argument about that now. But there would also be expressed concern that, over the course of the next 5 years, the Soviets could be developing their technology which, beyond 5 years from now, could create a serious disbalance as between our forces.

My understanding is that the objective of SALT phase II is to go beyond weapons which are covered specifically by the interim agreement——

Mr. FULBRIGHT. That is right.

Mr. BUCKLEY. In order to take over the entire balance. So my reference is to the overall objective, that there be permanent parity, but obviously on a vastly scaled-down basis.

Mr. FULBRIGHT. I agree. I think that is what is implicit in the statement of the delegation. That is my argument. I think there is parity, because of the varying conditions I mentioned in the overall capacity of each for mutual destruction. The greatest significance of the ABM treaty itself is to give further parity in this sense, that it acknowledges the incapacity to defend against the intercontinental weapon and, in effect, agrees with the President that they will not try to defend the country, because these two little sites are of minimal significance.

It is not a real defense that also contributes very substantially—even more than substantially—to the concept of parity because, as many witnesses, specifically people like Mr. Panofsky and some of the other better informed experts in this field, have pointed out time and time again, one submarine with our Poseidon weapon, and so forth, has 150 weapons equivalent to the one which destroyed Nagasaki, a capacity for destruction so great that when one gets above the idea of complete destruction, we have parity, even though the other side may have 10 times that. We have enough to destroy.

In that broad sense of parity, I do not think anyone disagrees with the Senator from New York. My only objection to putting it into this kind of understanding is that it is subject to different interpretations. It does raise certain implications. First, that the present agreement does not have parity, or that the administratiton has, in some way, been negligent about parity, or that we have not recognized it. It raises questions and fuzzes up the agreement.

It is not the objective of the Senator from New York that I disagree with. I would hope that the Senator would not insist on this. He has made a case. I think we all understand that that is the objective, presently and in the future, of this or any other government, that we remain parity. I do not know whether that is the better word. The President once used the word "sufficiency." Is that good?

Mr. BUCKLEY. I prefer the word "parity" to "sufficiency."

Mr. FULBRIGHT. I do not really know what it should be. I think that both have been tested by the majority of our people and certainly by the administration.

Mr. BUCKLEY. May I pose another question to the distinguished chairman? Would my understanding be correct that, given the chairman's recognition of the validity of the U.S. position made by Ambassador Smith as cited by Secretary of State Rogers, and given the fact of debate leading up to ratification of the treaty, taking into consideration all the statements of U.S. policy, the necessary effect of the ratification would be to incorporate that statement of Ambassador Smith?

Mr. FULBRIGHT. In other words, the legislative history of the agreement would be considered to be what we intend by this. That is true, yes, just as it would be of an act. I think it is much better that way, because while the Senator and I may understand the significance of this, many people in the world do not understand the intricacies and the complexities of our system. They do not know the difference between an understanding and a reservation. This is what I am always afraid of in this kind of treaty. It is much safer just to make the legislative history as clear as we can, but not to meddle with or to change—unless there is an overriding necessity—the language of the agreement itself as drafted.

For that reason, I would agree with the Senator, as far as the concept he is seeking to express here is concerned, that we intend to continue assuring parity. What I do not like about that is that there is an implication that we do not have it now. And there is some indication that the Government has been delinquent.

Mr. President, I really reject that as a fact. The fact is that we are going to maintain our strength in an adequate way, whether one calls it adequate or sufficiency. No one quarrels with that. However, I think it would be unwise to put it in a formal way in what one might call a reservation or an understanding. I hope that the Senator would give it consideration.

Mr. BUCKLEY. Mr. President, I thank the chairman.

Mr. President, I want to clarify the RECORD and to state that it is not my intention, as the author of this language, to create any inferences as to the present situation, but merely to recognize that my understanding is the substance of what Ambassador Smith was saying. And that is our reason for proceeding with the negotiations.

The purpose was to establish a limitation in the agreement in which there is an essential equality in the overall strategic clout.

Mr. FULBRIGHT. Mr. President, I do not think there is any doubt about that. I think that the action of the Senate in the last few days in voting for all the major weapons—although I thought it was beyond the necessity for parity—can assure the Senator as to whether we are going to keep up parity. I am a little apprehensive, because we go as far as we are and are accelerating such weapons as the Trident and going forward with further aircraft carriers in view of the fact that the Russians have none. I am afraid that we are creating an impression that we are creating excessive superiority and are not sincere in our desire to control the arms race.

This is a matter of degree. We have already voted for these weapons. How anyone could believe that we are not on the way to maintaining, if not increasing parity, I do not know. I do not know how one could avoid that.

Mr. BUCKLEY. Mr. President, if I might formalize my own statement, I gather it is the position of the distinguished chairman that our objective is to achieve an agreement which will assure mutual survival and mutual destructive power with the weapons systems.

Mr. FULBRIGHT. I think we have.

Mr. BUCKLEY. I am talking about the long terms.

Mr. FULBRIGHT. Yes. I believe that.

Mr. BUCKLEY. And that that is the U.S. position.

Mr. FULBRIGHT. Yes.

Mr. BUCKLEY. I thank the chairman. Under the circumstances, I will be glad to withdraw my understanding.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, I yield to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I am glad that the Senator has withdrawn his understanding. I congratulate the Senator on that. I think that the Senator has served a very honorable purpose in making clear his attention that he is looking toward performance, rather than numbers or even the technology of each number, but simply the overall performance and capability.

I am pleased that the Senator did what he did. What worries me about it is that it tends to make the treaty a 5-year treaty which would foreclose our option. We may desire at the end of that period or near the end of that period that we do not want to do it in that way. I think that we would in a sense be committing ourselves.

Mr. BUCKLEY. Mr. President, what I have said, in effect, is that the Senate agrees with the policy expressed by Ambassador Smith as reported by Secretary Rogers to the President, that should we fail to negotiate a successor agreement which would establish this equality, whatever terms are used to express it, the President would then be authorized under article XV of the declaration to state that we had come to the extraordinary event which enables us to proceed.

Mr. JAVITS. I understand perfectly. And as I say, I am very pleased that the Senator made the points he has and has gotten the explanations he has and is allowing us to go forward with the treaty without this understanding.

Mr. FULBRIGHT. Mr. President, I want to join in thanking the junior Senator from New York for his action in precipitating and provoking this discussion which I think is excellent.

Mr. BUCKLEY. Mr. President, I thank the chairman and my distinguished senior colleague for participating in the discussion.

Mr. President, I yield back the remainder of my time and withdraw the understanding.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum for a moment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUCKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUCKLEY. Mr. President, I believe that the Chair perhaps did not hear what I said. I said that I was yielding back the remainder of my time and that I do not intend to move forward on the presentation of my understanding.

The PRESIDING OFFICER. The understanding is withdrawn.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum temporarily.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. I yield 10 minutes to the Senator from Indiana.

Mr. HARTKE. Mr. President, I intend to vote for ratification of the SALT agreements now before us, but not without serious reservations as to what they portend in the way of a go-ahead for a qualitatively escalated arms race.

Supporters and opponents alike of the agreements reached in Moscow concur on this one point—that they provide positive encouragement for both parties to proceed as intensively as possible on development of a wide range of offensive weapons. Far from sparing either side from the crushing financial burden of the arms race, the agreements only add to that burden. Far from reducing the terrors of a rampant weapons technology, they only place a higher premium on a more murderous technology.

This is not, Mr. President, a mere unproved inference on my part. Both Secretary of Defense Laird and Chairman of the Joint Chiefs of Staff Admiral Moorer have made clear their intention of pressing for every kind of arms development not expressly prohibited by the agreements—and they will do so on the grounds that SALT makes such development even more desirable than before. More than that, Admiral Moorer is quoted as saying that unless the administration and Congress approve the Pentagon's modernization program, the Defense Department might have to withdraw its acceptance of the arms control program we are here considering.

That kind of statement, Mr. President, comes very close to the kind of genteel military blackmail to which we once thought our political system was immune. The fact that Admiral Moorer still occupies his high office—and, indeed, without even a reproach from the Commander in Chief of the Nation's Armed Forces—is chilling testimony to how far we have gone along the road to a drastic alteration in our internal balance of power.

My principal concern today, however, is to relate what I see as the basic shortcomings of the SALT agreements to the far more basic and destructive shortcomings of our entire foreign policy posture since 1945. For let us make no mistake about it—for more than a quarter of a century now we have imprisoned ourselves in a tiger cage of our own devising, the tiger cage of militant, imperial anticommunism. Korea, Vietnam, and an intolerably wasteful arms race are only the measurable consequences of that folly. Immeasurable—and immeasurably more important—are the consequences we now must live with in the way of a nation divided, its spirit sapped, its self-confidence eroded, its world image tarnished beyond recognition, its constitutional system endangered, its finances in disarray, its priorities disordered, its youth in revolt, its very purpose called into question.

We have pursued, I say, on a bipartisan basis, the course of militant, imperial anticommunism for 27 long years. We have done this on the self-deluding basis that first the Soviet Union, then the People's Republic of China were waiting for only the slightest sign of weakness on our part to set forth on the conquest of the world. But we now know—or should know—that the militancy we envisioned in our Communist adversaries was primarily reflexive—a quest for security against what they perceived as America's thrust toward world domination. As I had occasion to note several years ago in criticizing our Vietnam policy, "escalation breeds escalation." And that is exactly what has happened during the entire generation since World War II: Our own escalations of anti-Communist activity at home and throughout the world only produced counterescalation on the part of the Russians and Chinese.

That, surely, is the genesis and rationale of the arms race. Unless we understand that, we shall make only fitful progress toward the great goal of nuclear disarmament. So long as we continue to believe that the Russians and Chinese are only just now setting aside their plans for world conquest—and doing so as the result of our own implacable determination—measured by our willingness to commit additional billions to new weapons systems—will appear to be the only guarantee against a resurgence of Communist imperialism.

If, on the contrary, we recognize that responsible Soviet and Chinese leaders have never conceived of military conquest as a viable means for reaching their national goals, then we shall be able at last to reach a clear understanding of our own legitimate security needs, and act accordingly. And just as it is true that escalation breeds escalation, so also deescalation breeds deescalation. No one who has given any thoughtful attention to the domestic problems of the Soviet Union and People's Republic of China can possibly doubt that they are at least as eager as we are to escape from the treadmill of a ruinous, unproductive arms race.

What I am suggesting is that we put aside our preoccupation with bilateral arms control negotiations designed to keep ourselves in lockstep with the Soviets. Instead, let us embark on a program of unilateral arms reductions geared to our own legitimate security needs and invite our adversaries to follow suit on the same basis.

There are two great advantages to this approach.

First, it will permit us to achieve the greatest possible savings, in the quickest possible time, consistent with our security.

Second, it will provide the clearest possible proof to the Soviet and Chinese leaders that this Nation, while maintaining an invulnerable deterrent for our own security, has absolutely no designs against theirs.

The fact is, for all their lip-service to the idea of deterrence, leaders on both sides of the Iron Curtain have never reached a truly profound understanding of what it means. They still regard an invulnerable deterrent as a platform upon which to build rather than as a fully adequate shelter behind which to pursue legitimate national interests. Let me put the matter plainly: so long as we possess a second-strike capability powerful enough to destroy any nation that may threaten our vital interests, plus a conventional force strong enough and flexible enough to meet the nonnuclear needs of a great power which has no imperial ambitions—so long as our defense forces meet those two requirements, the size of any other nation's arsenal is irrelevant to us. And a corollary to that proposition is that any nation which accumulates armaments in excess of those requirements is weakening itself through misallocation of resources.

This is certainly true of the United States—as we now know from bitter experience. It is ever more true of the Soviet Union and China, nations far poorer than we. And their leaders, we may be sure, are not blind to that fact. What impels them—especially the Russians—to press ahead with the appalling waste of an arms race is what they conceive to be the need to keep up with us.

That being the case, why have the SALT talks not been more productive? Why are we faced here today with a proposed treaty which, for all its limited virtues, only encourages a larger weapons budget?

The answer goes back to the nature of bilateral arms reduction negotiations carried on in the still toxic atmosphere of the cold war. And nothing symbolizes more clearly the futility of the SALT approach than the so-called "bargaining chip" argument with which the Congress has been so often beguiled.

It is obvious, surely, that predominant effort on both sides is to put one over on the other party, to concede little while demanding much. No doubt this is standard operating procedure for any normal negotiation, whether for a labor contract or an international trade dispute. But I submit, Mr. President, that it is wholly inappropriate to a negotiation aimed at preserving the very existence of civilization.

The idea behind the bargaining chip approach—and no one in the administration disputes this—is that we must pour billions of dollars into weapons systems the only need for which is to give our negotiators something to bargain away at the SALT talks. The late C. Wright Mills had a phrase for this kind of thinking: He called it crackpot realism. I am afraid that phrase describes all too well the majority of our foreign policy and military initiatives during the past quarter century. But it takes on added meaning today at a time when American public opinion is so overwhelmingly in favor of reconciliation among the superpowers.

The alternative I propose today—the alternative of unilateral arms reduction on our part geared to our own carefully calculated security needs—would at last break us out of this prison of our making in which we have so long been incarcerated. Whether or not the Soviets and Chinese would choose to follow our lead—and I am fully confident they would—we at least would be able to get out from under the intolerable burden of an arms race that has held us in its grip, like a wasting disease, for more than a generation. The resources, both material and spiritual, which ending the arms race would release would offer us nothing less than a national rebirth, and restore us, at long last, to our ancient place as beacon of hope to mankind.

That is the sort of challenge we must set ourselves, Mr. President. It is the only challenge that is worthy of our heritage, and the only challenge appropriate to our birthright.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, will the distinguished Senator from Arkansas yield me 2 minutes?

Mr. FULBRIGHT. I yield to the Senator from West Virginia.

MILITARY CONSTRUCTION AUTHORIZATIONS, 1973—TIME LIMITATION AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, as in legislative session, I ask unanimous consent that at such time as H.R. 15641, the military construction authorization bill, is called up and made the pending business of the Senate, there be a time limitation thereon of 1 hour, with the time to be equally divided between, and controlled by, the distignuished manager of the bill, the Senator from Missouri (Mr. SYMINGTON) and the distinguished senior Senator from Texas (Mr. TOWER); that time on any amendment thereto be limited to one-half hour, to be equally divided between the mover of such and the manager of the bill; that the time on any amendment to an amendment, debatable motion, or appeal be limited to 20 minutes, to be equally divided between the mover of such and the manager of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF THE ROLLING STOCK UTILIZATION AND FINANCING ACT OF 1972 TOMORROW AND FOR THE UNFINISHED BUSINESS TO BE TEMPORARILY LAID ASIDE

Mr. ROBERT C. BYRD. Mr. President, as in legislative session, I ask unanimous consent that on tomorrow, at the conclusion of the orders for the recognition of various Senators, the Senate proceed to the consideration of the Rolling Stock Utilization and Financing Act of 1972, and that the unfinished business, Senate Joint Resolution 241, the interim agreement, be temporarily laid aside and remain in a temporarily laid-aside status until the conclusion of action on that bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF THE MILITARY CONSTRUCTION AUTHORIZATION BILL TOMORROW, AND FOR THE UNFINISHED BUSINESS TO BE TEMPORARILY LAID ASIDE

Mr. ROBERT C. BYRD. Mr. President, as in legislative session, I ask unanimous consent that upon the completion of the action on the Rolling Stock Utilization and Financing Act of 1972 on tomorrow, the Senate proceed to the consideration of H.R. 15641, the military construction authorization bill; that the unfinished business, Senate Joint Resolution 241, be temporarily laid aside and remain in a temporarily laid-aside status until the conclusion of action on the military construction authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

TREATY ON LIMITATION OF ANTIBALLISTIC MISSILE SYSTEMS

Mr. BUCKLEY. Mr. President, will the Senator yield me 15 minutes?

Mr. FULBRIGHT. I yield.

THE ABM TREATY: IS IT WISE? IS IT MORAL?

Mr. BUCKLEY. Mr. President, the distinguished English statesman and man of letters, John Morley once wrote:

> Those who would treat politics and morality apart will never understand the one or the other.

Morley's aphorism has never been more relevant than in the matter now before the Senate.

The treaty on limitations of anti-ballistic missiles is, of course, primarily concerned with strategic policy in an age of nuclear weapons. But I am convinced that the political and moral problems surrounding the treaty will be seen by history as having been the fundamental issues in question. I pause here to state that I am not using politics in the sense of narrow, partisan interests, but in that broader, more profound sense of dealing with the conduct and affairs of the Government or State. The political question concerning the treaty is, therefore, not of party politics but of statecraft. Is the treaty indeed in the long-range political interest of the United States? This is a question that is at the heart of the matter. But no answer can be arrived at concerning the political realities unless we also consider the moral problems, for there are basic and fundamental questions of morality involved here.

I will say at the outset that I will vote against ratification of the ABM treaty for the reason that I have strong misgivings as to both the prudence and the ultimate morality of denying ourselves for all time—or denying the Russians, for that matter—the right to protect our civilian populations from nuclear devastation. I am not suggesting that we have fully effective technical means to do so at the present time, but I challenge the morality of precluding the possibility of developing at some future date new approaches to antiballistic missile defenses which could offer protection to substantial numbers of our people. I question, in short, the basic doctrine on which the SALT accords have been constructed; a doctrine which requires us to dismantle our defenses before agreement is reached on dismantling the weapons of mass destruction.

The immediate objectives of the treaty, of course, is to limit antiballistic missile systems to nominal levels, where each side agrees to defend its national capital and one strategic missile site with not more than 100 antiballistic missile interceptors per site, I would argue that this agreement is defective on its face.

The ABM treaty seeks to perpetuate the policy which has dominated American strategic thinking for too many years. It is a policy which has been preoccupied with theories such as "assured destruction" or a contemporary variant of assured destruction known as strategic sufficiency. It has been a cardinal objective of these theories that U.S. security is best maintained by establishing a system whereby active defense is severely constrained on the theory that strategic stability will be assured by the mutual vulnerability of the citizens of both the United States and the Soviet Union.

Thus the agreement goes so far as to prohibit the development, test or deployment of sea, air or space based ballistic missile defense systems. This clause, in article V of the ABM treaty, would have the effect, for example, of prohibiting the development and testing of a laser type system based in space which could at least in principle provide an extremely reliable and effective system of defenses against ballistic missiles. The technological possibility has been formally exluded by this agreement.

There is no law of nature that makes impossible the creation of defense systems that would make the prevailing theories obsolete. Why then should we by treaty deny ourselves the kind of development that could possibly create a reliable technique for the defense of tens of millions of civilians against ballistic missile attack? Why should we not at least be in a position to deploy such a system with the least possible delay in the event that we should find it necessary to terminate the agreement under the conditions allowed in article XV?

There are other defects inherent in the treaty. For example, it is technically possible for the Russians to "net" or tie in their Moscow ABM defense system into the system which they are allowed for the defense of a strategic missile site. For some unknown reason, the Soviet Union may deploy its site for the protection of an ICBM base as close as 800 miles from Moscow, while the United States may not deploy one closer than 1,400 miles from Washington. These relative proximities would enable the Soviet Union, with appropriate radar and data processing equipment, to have the more effective type of radar coverage for its two ABM systems which comes from the capability to tie them together electronically. This disparity in the effect of the ABM treaty on the United States and Russia becomes even more significant when it is considered that the disposition of the Moscow defense system would permit them to defend about 350 of their ICBM's of the equivalent of about two U.S. ICBM bases.

There are also two problems which have to do with the capability of our existing surveillance system to detect violations of the treaty by the Soviet Union.

The treaty contains language which prohibits the deployment of a "rapid reload capability" for ABM missiles. But the nature of the Soviet ABM missile launcher makes it relatively simple for the Soviet Union to covertly develop for later deployment, a rapid reload capability.

There must be a more realistic means of insuring compliance with the rapid reload prohibition of the treaty that is possible with satellite surveillance. Otherwise, it would be a rather simple matter to develop the necessary mechanical devices and to store them in warehouses from which they could be deployed at launch sites in a matter of days.

The other possibility relates to the upgrading of existing or new antiaircraft systems to an ABM role. There are those who believe, for example, that the existing SA-5 missiles, with their effective altitude of 100,000 feet, could be given an ABM capability and connected with the necessary radar installations without detection.

These are important problems. Yet, in the final analysis they are problems of technology. The basic problem, as I have stated, is not technological, but moral: Is it morally responsible for the United States of America to enter into an agreement whose theoretical foundation rests upon the acceptance of the assured destruction of tens of millions of human beings?

The answer is "No."

The American people have not established the Department of Defense to act as an instrument for assuring their vulnerability to nuclear attack. Nevertheless, it is a necessary consequence of the ABM treaty that the Senate is asked to ratify that the Department of Defense will continue to remain an instrumentality for insuring the exposure of American citizens.

An important objective—perhaps the most important—of arms control is to mitigate the consequences of war, should war occur. The ABM treaty seeks to institutionalize an expedient posture, the posture known as "mutual assured destruction" a phrase which yields an acronym which is quite descriptive of the policy, mad, quite literally mad. The ABM treaty institutionalizes the notion that the United States and the Soviet Union will share the reciprocal capability to destroy each other's civilian populations should deterrence fail.

Since the development of intercontinental ballistic missiles, the problem of devising an effective or partially effective defense against ballistic missiles has been exceedingly difficult. As a consequence, when there was not an alternative to providing for the active defense of civilian populations, it could be deemed an unpleasant necessity that each side maintain a "mad" posture. To consider this a desirable theory of national defense for all time is more than simply unwise, it is intrinsically wrong.

Suppose, in spite of our most heroic efforts to deter nuclear war, a major nuclear war should in fact occur.

Maintaining a mad posture is a means of insuring for the rest of history if, indeed, such a concept as history could survive, that the consequences of the failure of deterrence would almost certainly be unlimited catastrophe. While technology and politics may for a time, leave us with no alternative, we should seek ways out of the posture rather than to institutionalize it permanently. However, the ABM treaty does in fact serve to permanently institutionalize this posture.

I am reminded of a grim and, in these circumstances ironic line from Longfellow:

> Whom the gods would destroy they first make mad.

It would seem that we are in the process of guaranteeing the second part, at least, of that equation.

It seems to me fundamentally wrong that the United States should commit itself to a policy which deliberately creates a system in which millions of civilians would necessarily be exterminated should deterrence fail. No work of man is that reliable.

It would be the height of folly to deprive our people of the protection against intentional or accidental ballistic missile attack not merely from the Soviet Union but from any other country that might achieve the ability to lob a nuclear missile or two in our direction. The ABM treaty would confer on any such country the status of a superpower by giving it the power to blackmail the United States because of the absence of any significant level of ballistic missile defense for its population centers. To perpeutate by treaty, a system of defense that forever denies us the possibility to defend American citizens against nuclear attack is an abdication of a first duty of Government and is unecceptable.

Mr. President, our ultimate goal, always, should be the gradual reduction of offensive nuclear armament in a prudent and rational manner. But until the day comes when we can say with honesty that defense against attack is no longer needed, we must not, forever, by solemn treaty, turn our back on the means by which we could defend tens of millions of Americans.

I share with all Americans the desire for a peaceful and secure world in which nuclear blackmail and nuclear war are no longer international threats. But in all conscience I cannot support a treaty that enforces on the American people as a permanent policy a doctrine which precludes the defense of our people from the possibility of mass destruction.

Mr. BELLMON. Mr. President, while I have serious misgivings about certain features of the pending strategic arms limitation agreements, I believe this is an essential though small step in a long journey for peace. Therefore, I shall vote for ratification.

Mr. President, my concern primarily is centered on the terms of the agreement which allows the emplacement of an antiballistic missile system around Moscow and Washington. This system is to be deployed for the avowed purpose of protecting the centers of government of the two nations. In my opinion such an arrangement removes one of the greatest deterrents to war which the world has ever known, namely the certain knowledge in the minds of governmental leaders that if they blunder or deliberately lead their nations into a nuclear war they can expect to immediately and personally suffer for their stupidity.

Throughout history, rulers of nations have generally been in the position of sending the young men of their nations into the battlefields while the leaders of government have remained a safe distance away from the fray and avoid personal suffering or danger to their immediate families and friends.

Mr. President, the coming of the nuclear age has changed all this. With the development of nuclear warheads and a dependable delivery system, the seats of governments and leaders of governments immediately became primary targets. This knowledge has not been lost on those who have the authority to start wars.

The development of an antiballistic missile system to protect the national capitals of the two superpowers can conceivably create the illusion that the leaders of one of the two governments can launch a nuclear first strike and survive the retaliatory counteraction.

Mr. President, I am unable to determine why our negotiators allowed this provision to remain in the agreement the Senate is considering today. It is my hope that subsequent negotiations will bring about its elimination. Further it is my intention as a Member of the Senate to work and vote against funding of an ABM system for our Nation's capital. I do not feel it is in the Nation's interest or in the interest of world peace for the Government of this country to enjoy protection against a nuclear holocaust when this protection cannot conceivably be provided for the bulk of our citizens. In my opinion it should not be provided for the select few whose responsibility it is to prevent the outbreak of a nuclear war. Until and unless protection can be provided for the bulk of our population the politicians should take the same risk as others.

Mr. President, the treaties which we are today considering represent a small but significant beginning. Their evolvement is a singular achievement of our age. The success of the negotiations which made them possible is a great tribute to the informed and dedicated members of our negotiating team. Further, it is a singular tribute to the courage and skill of President Nixon, whose conduct of foreign affairs and whose personal dedication to peace has made this day and this event possible.

Mr. President, I am pleased to support this first significant step in what I consider to be a vitally and desperately needed journey toward international understandings which can ultimately lead to lasting peace on this planet.

Mr. PEARSON. Mr. President, the Senate has before it the first formal agreements to limit the deployment of nuclear weapons between the world's two largest industrial nations.

The treaty on antiballistic-missile systems is accompanied by a 5-year interim agreement on offensive strategic weapons. Both were successfully negotiated at SALT and signed at Moscow, and both give expression to a desire shared by the people of many nations for a more stable world and eventual control of the nuclear arms race.

These two agreements come to the Senate under favorable circumstances.

Together with the SALT documents, the President returned from Moscow having identified a spectrum of areas for cooperation between the United States and the Soviet Union. On several of these—health, environment, technical exchange, and joint space flight—agreements were signed and further agreements are anticipated.

Negotiations on a comprehensive trade pact of considerable economic interest to both parties continue through the vehicle of a joint trade commission. They are expected to reach a conclusion this fall.

Also, the Moscow summit was accompanied in time by the ratification of treaties between the Federal Republic of Germany, on the one hand, and Poland and the Soviet Union on the other. This action opened the way for full implementation of the Four Power agreement on Berlin and is a step toward more normal relationships between East and West in Europe.

In spite of continued armed conflict in Southeast Asia, an atmosphere of positive negotiation was achieved at Moscow. This is a tribute to the diplomatic skill of the President, and it signals a strong desire on the part of the Soviet Union to prevent the conflict in Indochina from undermining world stability.

Taken together, these conditions provide a mutual restraint favorable to sound negotiation. And in fact the intent of both sides to avoid conflict which could endanger world peace was spelled out in a joint statement of principles, which also provides a means of measuring the promise against the performance of future Soviet actions.

As we seek to weigh the pros and cons of these SALT agreements, we should be reminded that fundamental differences in philosophy remain strong between the United States and the Soviet Union.

We should remain aware that it is the capability of each side to destroy the other—and not any newly discovered trust—which impels the two nations toward mutual arms control arrangements. This SALT treaty is not a treaty of friendship, but a treaty of survival.

SALT itself was possible because both sides accepted the principle of mutal vulnerability. From there, deliberate steps to slow the nuclear arms race and protect against nuclear proliferation have been taken.

In 1963, the successful treaty banning atmospheric nuclear tests was signed and ratified by the Senate. In 1970, the Nuclear Non-Proliferation treaty was also ratified by this body.

Each step has resulted from hard bargaining and a strong American negotiating posture. In the case of the present SALT agreements, I would hasten to emphasize that they, too, reflect the great industrial and technological capacity of our Nation, and not any weakness or exhaustion over our international responsibilities.

In all candor, I believe we must attribute this first fruit of SALT to the determination of the President to proceed with limited antimissile deployment in this country 2 years ago. And I am glad his judgment proved to be correct.

Now we are faced with two new questions: Should the United States accelerate weapons programs outside the scope of these SALT agreements? Or should we seek to exercise restraint as the best way to preserve favorable conditions for future arms negotiations?

It is my view that we should approach this question with an open mind and from a balanced perspective. We should recall, for instance, that the failure of the Baruch plan offered by the United States in 1946 can be attributed to the fact that we bargained from too much relative strength during that period. We should recall that, with the ABM treaty operative, one of the prime stimulants to new offensive weapons development is removed. We should recognize the interim nature of the 5-year agreement on offensive weapons, and remember that its compliance depends not only on maintaining allowed numbers of launch vehicles but also, in the words of our Ambassador at SALT, "the achievement of an agreement providing for more complete strategic offensive arms limitations within 5 years."

There would seem to be no compelling reason why the treaty and agreement should be linked with other weapons programs. Both sides would lose in a game of catch-up. Each side now has the capacity to destroy the other. With ABM's curbed, national means of verification recognized, and the principle of mutual vulnerability firmly established, how many more offensive weapons of mass destruction do we need?

It is my conviction that an overzealous response on either side in terms of new weapons programs could trigger an untimely and unwanted new cycle of arms deployment. Continuation of strategic weapons already underway should not alarm us into a new action or reaction cycle of the arms race. Nor should we risk the favorable conditions which have been achieved by indulging unnecessary "hedging." The SALT agreements should be weighed on their merits and for their contribution to our national security. Requests by the administration for authority to proceed with weapons such as the B-1 bomber and the Trident long range underwater launching platform, should be weighed on the same basis.

THE TREATY

The heart of the SALT agreements is the treaty on anti-ballistic-missile systems. I would mention two reasons for its importance. First, by effectively halting a new defensive missile arms race, this treaty contributes significantly to preserving the stability of the present nuclear balance. In this sense, it builds directly on the atmospheric test ban and the Non-Proliferation treaty.

Second, the ABM treaty requires under the Constitution the advice and consent of the Senate to its ratification. It was in the U.S. Senate where questions about the reliability and effectiveness of ABM's were first raised before the American people, and it is appropriate that the Senate should now become the forum for public analysis and debate on this successfully negotiated treaty.

The treaty limits ABM's on a basis of parity and in its detail also prohibits mobile and multiple warhead ABM's, as well as testing of new launchers in an ABM mode and the deployment of radars which could serve an ABM system. The treaty does not compel either party to build the two allowed ABM sites.

The terms of the treaty and their observance will be monitored by national forms of verification—satellite and other high altitude air surveillance—and both sides have agreed not to interfere with these operations. These sources of information are the same ones on which our present deterrence system rests. They have been adequate in the past and they should improve in the future.

THE OFFENSIVE AGREEMENT

The 5-year interim agreement limiting offensive strategic missile deployment proceeds from recognition on both sides that significant arms control measures in this area must begin with restrictions on the numbers of launchers. In evaluating these numbers as they apply to land-based and sea-based systems, we should recall that agreement came only after the Soviets dropped their insistence on including in the negotiations the large number of nuclear delivery vehicles stationed by the United States in Europe and allied countries.

It was this concession—together with agreement in principle to concentrate on defensive weapons systems—which gave the SALT talks a shot in the arm. It allowed both governments to concentrate on matters where agreement was possible. As a result we have a treaty and an agreement after 2½ years of regular and diligent negotiation undisturbed by major incident between the two parties.

Now, in weighing the value of this offensive missile agreement, it is important to remember what it does not include, as well as what it does. Our decisive lead in strategic bomber forces was not affected. Nor was the more than two-fold advantage which this country holds in the number of deliverable warheads, provided by our MIRV. In addition, the lead in research, development and testing of these MIRV weapons gives the United States and advantage in weapons technology which the Soviets have not achieved.

All these advantages, of course, are elements in a system of overkill. Hopefully, their weight is not so great as to upset the rough parity established by the Moscow agreements. But they are great enough to leave concepts alleging the strategic inferiority of the United States without foundation.

Opponents of SALT emphasize the Soviet advantage in land-based missiles, and in the number of missile submarines allowed. In response, the President and his Secretaries of State and Defense have all made the point that without this agreement, these forces of the Soviet Union would very likely have been greater. Supporters of the agreement also make the point that it places no limit whatsoever on any present U.S. offensive missile deployment program.

The question is also raised: Can we trust the Russians? The response here is that the agreements depend not on mutual trust but on mutual self-interest. We are not seeking to put our fate in the hands of the Soviets, but to place a limit on the cyclic nuclear arms race which could destroy us both. There is no disarmament involved, only open and verifiable restrictions on weapons which may be deployed in the future.

Some opponents assert the United States must always remain superior to its adversaries. In response, those who support the treaty reply that the security of the United States is enhanced by the establishment of a nuclear parity between the United States and the Soviet Union.

As President Nixon said in his message submitting these two documents to the Senate:

> Together the two agreements provide for a more stable strategic balance in the next several years than would be possible if strategic arms competition continued unchecked. This benefits not only the United States and the Soviet Union, but all the nations of the world.

Superiority in an unstable world headed toward nuclear chaos is a false security. I think the compelling point in all this was stated in the interpretations done at Helsinki by Ambassador Girard Smith:

> Both sides recognize that the initial agreements would be steps toward the achievement of more complete limitations on strategic arms. If an agreement providing more complete strategic offensive arms limitations were not achieved within five years, U.S. supreme interests could be jeopardized.

This statement was reported to Congress without reference to a Soviet reply. It clearly states a policy on the part of the United States. It says to the Senate and to the American people—and to the Russians as well—that we are entering into these agreements without illusions about our ability to divine or trust Soviet intentions.

Nor do we have illusions that the development of strategic nuclear weapons systems by other industrial nations has been impeded by this bilateral agreement. However, we can take some encouragement in the fact that the delivery of antiballistic missile systems to third nations is prohibited by the treaty. And insofar as parity between the two superpowers will relax tensions and reduce anxiety, it will serve to retard the proliferation of danger in the nuclear age.

Mr. President, these agreements could hardly be more defendable from the American point of view. There may be debates over technical points that military planners themselves will be asked to resolve. The charge of the Senate, however, is to evaluate the bones and muscles of the documents, and then give our estimate of the policy decisions on which they rest.

I believe the Senate will accept a policy which seeks to avoid confrontation with the Soviet Union. I believe the Senate will accept a policy which involves regular consultation with our allies at every stage. I believe the Senate will accept a policy which applies our 20th century weapons technology to control of the costly nuclear arms race.

I would suggest the Senate has before it an extraordinary opportunity to lay the groundwork for a positive approach to this first agreed limit upon an ongoing phase of the arms race, and to subsequent negotiations. I would suggest the people of the United States are looking to the Senate for guidance. And I would urge strongly that the Senate respond favorably to the request of the President for advice and consent to the ratification of this treaty and approval of the agreement accompanying it.

We are again at a turning point. The myths and concepts of the past recede. There is a certain awakening to a new and more complex world abroad. There is a renewed desire for common decency among men and women at home. Let us not indulge euphorics. Rather, let us proceed with carefully measured steps to change our world, if we can, into a more peaceful one. As Thomas Jefferson, who set down principles we would fight to protect, admonished:

> We might as well require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under a regimen of their barbarous ancestors.

I believe in approving these agreements the Senate will mature and strengthen the principles of our democracy. And it will mature and strengthen the prospect that a more stable and peaceful world can emerge from the cold ashes of war.

Mr. PERCY. Mr. President, the arms control agreements negotiated by President Nixon constitute a welcome step toward effective control over strategic nuclear weapons. While the arms race is far from being ended, the SALT accords are a clear recognition by the two great superpowers that it is in their mutual interest to place restraints on the arms race.

The ABM treaty is a joint admission that no physical defense is possible against any determined nuclear attack. Under its terms, both the nuclear superpowers accept the proposition that the only real security against nuclear holocaust depends on the certainty that any attacker would himself be destroyed by a retaliatory second strike.

The Interim Agreement on the Limitation of Strategic Offensive Arms is the first real measure of control over offensive nuclear systems and is the basis for moving toward a more comprehensive restriction on offensive nuclear weapons. Still, its immediate utility as a real arms control measure depends upon its full acceptance in spirit and in letter by both countries.

Support for these historic agreements should not be conditional upon the hasty adoption of crash programs in those offensive weapons areas which the agreements do not cover. Such programs carry with them the danger of increasing strategic nuclear instability.

Even if the ABM treaty were the only accomplishment of the President's historic Moscow visit, this in itself would still constitute a major accomplishment in controlling the nuclear arms race, with its inordinate expense and incalculable risks.

The Interim Offensive Arms Agreement, if it actually does lead to a real and lasting limitation of offensive weapons, will be a most desirable complement to the ABM treaty. However, if the agreement is used as an argument for accelerated construction and deployment of new offensive systems, it will only cancel the accomplishments of both treaties and thus do incalculable harm to the cause of genuine arms control. The Senate Foreign Relations Committee conducted extensive and searching hearings on both treaties but focused particular attention on the complex provisions of the interim agreement. As I weighed the evidence presented to the committee, I became convinced that the interim agreement does represent both a real step forward in arms limitation and provides for the maintenance of a strong national security posture by our own country. Let me elaborate for a moment as to why I reached this decision.

The ceilings put on ICBM's and SLBM's do give a mathematical edge to the Soviets in both land-based and sea-based missiles. While the Soviet Union is permitted more missile launchers, they have no practical military advantage, since the United States has a commanding lead in strategic bombers and deliverable warheads. I understand that we have 7,000 warheads of all kinds positioned in Europe alone. Since there is no real hope of an ABM defense of populations or weapons systems, the limits in the agreement only emphasize a mutual position of military redundancy.

The specter of a first-strike strategy of a potential opponent has long haunted nuclear arms control discussions and conditioned our own nuclear posture. Unless analyzed carefully, this specter could lead one to false and dangerous conclusions about the insignificant statistical edge the interim agreement gives the U.S.S.R. in missile launchers. As our committee hearings fully brought out, whether an adversary has a first-strike policy or not, the critical factor in nuclear strategy is the number of warheads that would survive an all-out first strike. In our case the number would be sufficient to totally devastate the attacker's society. For example, even if the Soviet Union, by striking first, could destroy all of our ICBM's and all our bombers, and even if the attack could catch and destroy most of our submarines in port, 10 surviving Poseidon submarines could fire 1,600 warheads at the Soviet Union. We would run out of targets before we ran out of warheads. In thus assuring an awesome and total retaliatory capability, the ABM treaty only makes continuation of the missile numbers game a mindless exercise, and the interim agreement is, when all is said and done, a welcome exercise in reality.

It must be emphasized that the interim agreement is also of real value in assuring the survival of our land-based missile deterrent for the indefinite future. It limits the Soviets to no more than 313 large missiles of SS–9 size or greater, missiles of the kind that we do not ourselves have deployed or even plan to deploy. Without the agreement this number would only be substantially increased in 5 years. However, since the Soviets have not even begun the testing of a true MIRV technology, any Soviet counterforce strike would still leave enough

Minutemen to obliterate the Soviet Union, even without resort to our vastly more efficient and advanced submarine-launched missiles and our nuclear bombers. Our immense technological advantage in MIRV, missile accuracy, and submarine performance only lengthens the leadtime during which, if we are really serious about nuclear arms control, we can safely afford to exercise restraint and seek reciprocal action from the Soviet Union.

The 3 years at the bargaining table which produced these first steps to lasting and comprehensive limitations on offensive weapons resulted from each side's recognition of the other's nuclear potential. The agreements, we must assume, were in part designed to avoid the costs of converting that potential into weapons which would then be countered and their advantage thus canceled.

As President Nixon has suggested, the SALT agreements should and will be considered by Congress on their considerable merits. Decisions on new nuclear weapons systems not now forbidden by the agreements must be made separately and important emphasis must be placed on examining their arms control implications.

We all hope that the major accomplishment of the agreements signed at Moscow is to assure time for bringing about a policy of sensible, mutual self-restraint that in turn can bring an end to the nuclear arms race.

I firmly believe that the agreements reached at Moscow advance the world toward nuclear sanity. I therefore support both agreements.

Mr. FONG. Mr. President, I rise to express my strong support for the recently negotiated Strategic Arms Limitation Agreement and to commend President Nixon for an unprecedented accomplishment—a breakthrough that could result in the greatest single step toward world peace since the end of World War II.

The arms control agreement is without doubt one of the most important diplomatic achievements of the 20th century—and it could end up as one of the most significant and meaningful accords of all time in man's quest for lasting peace. The world is now on a new path that can lead—if all follow through and keep their word—to a new structure for enduring peace with national security for all nations, not just for the two superpowers.

Mr. President, to fully comprehend and appreciate the magnitude of the Moscow accords, it is necessary for us to first view the context in which the strategic arms situation existed when President Nixon took office 3½ years ago. At that time, the Soviet Union:

Was deploying about 250 ICBM's each year, including large modern missiles—SS–9's—which were particularly threatening to our Minuteman ICBM's.

Was deploying eight additional modern nuclear submarines per year, each with 16 strategic ballistic missiles.

Was improving the expanding ABM defense of Moscow and pursuing R. & D. on new ABM systems.

On the other hand, the United States:

Had no ongoing programs for deploying additional numbers of missiles, either ICBM's or submarine-based.

Was undertaking the following critical qualitative improvements in its strategic weaponry, none of which is prohibited by the agreements:

MIRV, which gives each U.S. missile many times the target capabilities of a Soviet missile.

Trident, a long-range submarine missile system under development but not available until the end of the decade.

B–1, a new strategic bomber under development.

An improved ABM defense of Minuteman.

Mr. President, after careful and intensive review of the strategic balance between the United States and Russia, President Nixon and his advisors realized the great importance of breaking the momentum of Soviet offensive deployments. They concluded that unless the accelerated rate of deployment of strategic nuclear weapons by the Soviet Union was stopped, the growth of Soviet weapons deployment, and the inevitable qualitative improvement thereof, would force the United States to deploy additional offsetting weapons. Such an occurrence would either intensify the arms race at staggering costs or force the United States into a crippling strategic disadvantage. Since neither alternative is acceptable, I wholeheartedly endorse and support the Arms Control Agreement with the Soviet Union, which the President was able to obtain after 3½ years of careful preparation and intense negotiations.

TREATY ON LIMITATION OF ANTI-BALLISTIC-MISSILE SYSTEMS

The principal provisions of the ABM treaty may be summarized as follows:

First. Limits each side to one ABM site for the defense of its respective capital and one site each for the defense of an ICBM field.

Second. Limits each side to a total of 200 ABM interceptors, 100 at each site.

Third. Limits the number and the size of ABM radars at each site.

Fourth. Allows research and development on ABM systems to continue, but not the deployment of exotic or so-called future systems.

AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS

In addition to the ABM treaty, an Agreement on the Limitation of Strategic Offensive Weapons was negotiated between the representatives of the Soviet Union and the United States. This interim agreement on offensive weapons provides for the following:

First. Limits the number of ICBM's to those under construction or deployment as of July 1, 1972. This will amount to about 1,618 ICBM's for the Soviet Union and 1,054 for the United States. In addition, although the Soviet Union will field about 300 large SS–9's, they will be prohibited from converting other ICBM silos to accommodate the large SS–9 types.

Second. Limits the construction of submarine launched ballistic missiles—SLBM's—on all nuclear submarines at the current levels. The further construction of SLBM's on either side can only be accomplished by the dismantling of an equal number of older land-based ICBM's or older submarine launchers.

Third. Provides that the interim agreement will run for 5 years and that both sides are committed to negotiating a more permanent and comprehensive agreement.

NATIONAL INTEREST

Mr. President, after carefully studying the individual provisions of the Moscow agreements, I have come to the conclusion that acceptance of them is clearly in our national interest since they will put the United States in a strong position to protect our security even if we do not achieve followup SALT agreements. The essence of the offensive agreement, in terms of our national interest, is that it keeps Soviet offensive missiles down to about the present level for the next 5 years. Without the SALT Agreement, the Soviet Union could have deployed up to 1,000 more strategic missiles.

Although some older ICBM's and SLBM's can be traded for newer SLBM's during the 5-year period, the agreement accomplishes a prime U.S. objective—to halt the production momentum of the Soviet offensive missile programs, especially their large SS–9 missiles. Besides stopping the Soviets from increasing the numerical missile gap, the agreement allows the United States more time to develop the quality of its new offensive weapons, that is, Trident submarine, B–1 bombers, and MIRV missiles, which are not limited by the agreement.

Mr. President, some critics have charged that the SALT treaty and agreements place the United States in a position of military inferiority and that they threaten the security of our country. Although there are many honest and divergent opinions and analyses about the end result of the recently concluded SALT negotiations, I firmly believe that the SALT agreements enhance the security of the United States and insure that the Soviets do not attain some military advantage over us. What they do is foreclose the dynamic Soviet deployment of huge numbers of additional weapons, without limiting developmental progress of our new strategic systems.

Without the agreement, the Soviets could have completed an extensive ABM defense which could challenge our retaliatory capacity.

Also, it is no secret that the United States had no plans to make additional ICBM deployments, while the Soviets had been digging new silos at the rate of about 250 per year for the past 5 years.

In the submarine-launched ballistic missile field, the United States is accelerating the development of the Trident submarine, but it will not be ready for deployment until 1978. In contrast, the Russians have been producing new missile submarines at a rate of eight per year and could have had 80 or more missile-launching subs by 1977. Thus, had there been no agreement to limit these offensive systems, the Soviets could have achieved a numerical lead in the very near future.

Finally, the agreement does not cover

such key areas as manned bombers—B-1's—multiple independently targetable warheads—MIRV's—and the qualitative and technical aspect of our forces—areas in which the United States has a clear advantage and many ongoing programs.

When reviewing and weighing the assets and liabilities of the SALT agreements, we must keep in mind that President Nixon makes no claim that the agreements end for all time our concern over the potential growth of Soviet strategic capabilities. He has succeeded in blocking off only one aspect—the growth in numbers of strategic systems. As a result of his tireless efforts in this endeavor, our country now has time to negotiate more complete agreements and to continue with our current strategic programs which will help insure that further negotiations bear fruit.

AGREEMENT FOR A MORE STABLE WORLD ORDER

Mr. President, most attention and commentaries have been focused, understandably, on the SALT agreements to limit stategic nuclear weapons. However, let us not forget that there were other agreements reached that are very significant as well—both in themselves and in their total addition to a wide dimension of tangible results from the historic Moscow summit.

All together, the series of agreements—covering mutual future efforts in space, trade, the environment, health, medicine, science, and techology—add up to a greater and deeper commitment by each side to work for a more stable and improved world order. There can be little doubt that with these valuable agreements, the Soviet Union—as well as the United States—has a greater vested interest in the continuation of peaceful and productive relations between the superpowers.

The package of associated agreements, which contains many potential benefits to both countries, broadens and enlarges the scope and depth of the new arrangement between two historical antagonists. The agreements place a lot of pressure on both sides to take a second look at any provocation that, in the absence of the new wide range of mutual ventures, might lead to a break-off of the new ties of cooperation. In other words, the whole span of agreements means that the two nations will be loath to break up or jeopardize their relationship because of some secondary disagreements.

It is much like the familiar position that President Nixon faces in his dealings with the Congress. Whenever Congress attaches something he opposes to a major piece of legislation that he has been pushing, he is very reluctant to veto the entire package despite the undesirability of one of its smaller sections.

In studying and analyzing the SALT agreements which represent the first real step away from the nuclear arms race, we would be remiss if we did not learn some general lessons from the successful negotiations.

In the first place, the agreements would not have been possible had not the United States, in the face of some domestic opposition, maintained a military position of strength over the recent years. I am firmly convinced that no weak military power could have persuaded the Soviet Union that it should voluntarily interrupt its quickening nuclear arms development program.

Equally important, we should know now that no further progress in major arms reduction can be achieved unless the United States continues to maintain its military strength. If we are going to negotiate, obviously, we must have something with which to negotiate.

A third vital lesson which should flow from these developments is that our true security demands that we get something in return when we reduce our basic military strength—that it would be foolish, reckless, and irresponsible to cut back our own forces unilaterally, without regard to what our adversaries are doing in terms of providing for their national defense.

ROAD TO PEACE

Mr. President, now that President Nixon's planning, vision, and hard work have put the two nuclear giants on the road to peace, a gathering momentum toward a worldwide truce and global reduction in tensions seems bound to develop.

In the years to come, historians will look back on the developments of 1972 as a historic starting point—the time when the superpowers turned from the mutual burdens and dangers of the nuclear arms race and headed toward the rewards which flow from nations working together on "projects of peace" in an "environment of peace."

I am reminded of the words of another American President whose greatest hope, like President Nixon's, was the establishment of a structure which would promote world peace. I am, of course, referring to Woodrow Wilson.

In 1917, President Wilson spoke to the Senate about the kind of peace he hoped to encourage and foster:

> It must be a peace without victory. . . . Victory would mean a peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be accepted in humiliation, under duress, at an intolerable sacrifice, and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently, but only as upon quicksand. Only a peace between equals can last; only a peace, the very principle of which is equality, and a common participation in a common benefit.

Obviously, there is a real difference between the circumstances of 1917 and today. In 1917, America was involved in a world war. Today, we are engaged in a cold war—a confrontation between the superpowers—which, although indirect, has proven to be very costly.

In this generation of the cold war, President Nixon has made great progress in beginning an era of negotiations instead of confrontations. First, China. Then, the Soviet Union. While the talks with the People's Republic of China will make a significant contribution to peace in the more distant future, the productive results of the Moscow talks will be felt soon.

In Moscow, the Soviet Union and the United States reached an agreement on the things they share in common—realizing and acknowledging that people can believe different things and live differently with mutual progress and economic development. How true this seems today as compared to 1917.

Today, lurking not far behind the scourge of war is a holocaust not just for one nation, but for all of mankind. There can be no victors. There can be no vanquished. There can only be the dead.

Mr. President, clearly, the hope of Woodrow Wilson—the hope of peace—is a little closer today than it has ever been since the end of World War II. We are, without doubt, at a pivotal point in world history; we have a historic opportunity to promote our own interests while promoting the interest of all mankind.

I firmly believe that the American people and the Congress of the United States will stand solidly behind President Nixon and support his bold efforts to bring peace to a world that is starved for it. The President has worked long and hard to wind down the war in Vietnam, to build stable relationships with the world's leading powers, and to promote economic progress and stability at home and abroad.

President Nixon deserves not only our strong support, but our profound gratitude for creating the climate for a generation of peace.

Mr. HUGHES. Mr. President, yesterday the Senate voted to end one war. Today we have the opportunity to vote to prevent a future and undoubtedly far more devastating war. By approving the pending treaty on the limitation of antiballistic missile systems, we can end our mad and elusive search for some new device that gives us only a false sense of security and settle instead on what has so rightly been called a delicate balance of terror.

Perhaps international understanding and harmony are still too limited to permit far-reaching disarmament agreements. But at least we can take these steps toward arms limitation and arms control, which are, in effect, preemptive disarmament.

I shall vote for this treaty, although I am troubled by some of its provisions. I deeply regret, Mr. President, that this treaty permits any ABM deployment at all. For 3 years, I have fought programs to build such a system in the United States, for I firmly believed that it was unnecessary, unworkable, and enormously costly.

The fact that we now face the uncertainties of MIRV development can be traced directly to our unfortunate decision to proceed with an ABM. MIRV would not have been necessary if both sides had not built ABM's.

Although both nuclear superpowers have built and tested ABM systems, many of us are convinced that those weapons will perform as promised in actual combat situations. Let us hope that we never have such a test.

Observers of our negotiating positions at SALT have said that we probably could have concluded an agreement forbidding all ABM's several billion dollars ago, if the United States had not been so insistent on linking this treaty with additional limitations on offensive arms.

Instead, we have already spent $5 billion on our ABM, with another half billion approved for this year. If we proceed with construction of the authorized site here in Washington, the cost will be an additional $2 to $4 billion according to official estimates, and perhaps double those figures according to the distinguished senior Senator from Missouri (Mr. SYMINGTON).

Regrettable as this waste has been, at least now we have a chance by this treaty to turn off the tap.

One of the arguments frequently raise against this treaty is that it condemns our people and our strategic forces to a position of vulnerability. If that is true, it is true for both the Soviet Union and the United States, for we both have renounced national and even regional area defense. Long ago, the Congress decided that it would be impossible to give adequate protection to our civilian population through an ABM system.

Even if we build an ABM site in Washington, and even if we had assurance that all 100 launchers would destroy an incoming missile, all an attacking enemy would have to do is to target one additional missile to overwhelm the system.

The whole logic of deterrence is that neither side would risk an attack when it knew that the enemy could retaliate with enough force to do unacceptable damage.

There should be no doubt, Mr. President, that we have—and shall continue to have for the foreseeable future—that capability to destroy any enemy many times over.

As the distinguished chairman of the Armed Services Committee said several weeks ago, 50 Minuteman missiles could destroy nearly half of Soviet industry. Ten B–52 bombers—about 2 percent of our bomber force—could destroy about 40 percent of Soviet industry.

And just one of our Poseidon subs—whose invulnerability is not in question—could destroy about one-quarter of Soviet industry. The numbers of civilian casualties associated with each of these retaliations are terrirfying.

We have indeed a balance of terror, but it was a stable balance until man devised the ABM and the MIRV's to combat it.

Some Members of the Senate have raised doubts or questions about possible violations by the Soviet Union—that they might develop and conceal additional launchers which could be reloaded rapidly into ABM systems or that Soviet SAM's might be upgraded to work in an ABM mode.

If we fear this about the Russians, we know that they fear the same about us. Some of the justifications for our SAM–D, for instance, carry hints that it also might be upgraded if SALT fails.

The only way out of this spiral of mistrust is to establish a basic foundation of trust. That we have tried to do in this treaty and the interim agreement. If we deviate from this now, especially by encumbering these agreements with contradictory reservations or understandings, we shall pollute the spirit of SALT with dangerous clouds of suspicion.

We are not asking our people to take the Russians on faith, for we have adequate national technical means to verify compliance with these agreements. Even if these means are not 100-percent accurate, we have been assured that the margin of error is well within our margin of survival.

But if this trust is to be allowed to grow and to produce further understandings and limitations, both sides have to mean what they said and fully comply with the letter and the spirit of these agreements. The Soviet Union should be on notice that we will examine their actions closely to be sure that they are living up to these accords. Likewise, I trust that the Congress of the United States will study the proposed programs of our Government to be sure that we also remain in compliance with these agreements.

Surely it is time for us to move in this direction. When the world is spending more than six times as much on military research as on medical research and when 6.5 percent of the hungry world's gross national product goes for armaments, we must call a truce to this terror.

This treaty is another advance toward that day when we can turn our swords into plowshares.

Mr. TOWER. Mr. President, I support both the Strategic Arms Limitation Treaty and the Executive agreement. I do so confident that the United States will be able to maintain a parity with the Soviets—that we have not bargained ourselves into a position of irrevocable inferiority.

I must admit that I had grave reservations about the treaty and agreement when I began to study them. I was concerned by the apparent inequity in the number of intercontinental ballistic missiles allowed the Soviets and the United States. I was puzzled that the agreement allowed the Soviets to surpass us in missile-carrying submarines. I was apprehensive that the lack of limitations on qualitative improvements would allow the Soviets to MIRV their SS–9 and thus pose a serious threat to the survivability of our Minuteman strike force.

Subsequently, the Armed Services Committee held extensive hearings on the military implications of SALT. We received testimony from expert witnesses and questioned them in detail. Mr. President, I am fully satisfied that the SALT treaty and agreement should be approved and I lend my support to that end.

In approving the treaty and agreement, however, we must not lose sight of one basic truth. We have not and must not accept less than parity with the Soviet Union. The current euphoria over the initial success of SALT must not deaden us to the realities of the strategic nuclear balance. This treaty and agreement are simply the first step on a path that, I hope, will eventually lead to a reduction in nuclear armament. This treaty and agreement are not the final solution. We dare not abandon that elementary principle that has enabled us to make this first step—the principle of negotiating from a position of strength. To do this just when we begin to see some possibility of real arms limitation, and possibly reduction, would have the effect of fueling a one-sided arms race, an effort by the Soviets to achieve the kind of overwhelming strategic posture that could result in nuclear intimidation to which America would be forced to acquiesce.

I cannot accept that, the American people will not accept that, and the Congress must not accept it. Two recent votes on the military procurement bill encourage me to believe that the majority of Senators agree that, in order to maintain parity against Soviet improvements that are allowed by the treaty and agreement, we must continue to improve our forces. The B–1 bomber will urgently be needed as a replacement for our aging B–52. Our MIRV program will insure survival of additional reentry vehicles without posing a destabilizing threat to Soviet forces. The Trident submarine will provide a follow-on to early Polaris submarines in the 1978 time frame.

If there is one lesson to be learned from the strategic arms limitation negotiations, it is that to negotiate successfully, we must do so from strength. Where we had an on-going successful program, Safeguard, we ended up with a numerically balanced agreement. But where the Soviets had greater strength, and ongoing programs, we were forced to accept less than numerical equality. While our qualitative advantage balances this out, and while future improvements, such as Trident and MIRV, promise to retain that balance, we should remember that to negotiate successfully with the Soviets on further limitations and reductions, we must do so from strength. Continued approval of qualitative improvements and modernization of forces will give us that strength.

Mr. BENNETT. Mr. President, today we have the occasion to participate in the historic consideration of the treaty between the United States and the U.S.S.R. on limitation of ABM systems.

These agreements represent the product of a major effort of the administration to bring about an era of mutually agreed restraint and arm limitation between these two nuclear powers.

The President had consistently maintained that our defenses shall remain second to none. Our entering into this agreement shall in no way limit our present or future ability to defend ourselves.

The ABM treaty limits the deployment of antiballistic missile systems to two designated areas. The Interim Agreement limits the overall level of strategic offensive missile forces. Together the two agreements provide for a more stable strategic balance in the next several years than would be possible if strategic arms competition continued unchecked. The United States and the Soviet Union will both gain from this but the greatest benefit will be to the people of all nations.

I am confident that these agreements are but a first step in checking the arms race. I emphasize first and not final; they do not close off all avenues of strategic competition. The success of these negotiations was the maintenance of strong strategic posture and it is now equally essential that we carry forward a sound strategic modernization program to maintain our security and to ensure that more permanent and comprehensive arms limitation agreements can be reached.

The President has assured us that the terms of the ABM treaty and interim agreement will permit the United States to take the steps we deem necessary to maintain a strategic posture which protects our vital interests and guarantees our continued security. We are not unilaterally sacrificing American strength.

Aside from our national security, these agreements present an opportunity for a new and more constructive relationship between our two countries, unlike the hostility and confrontation of decades past, but this time characterized by negotiated settlement of differences.

These accords provide us with tangible evidence that we need not live forever in the shadow of nuclear war. We have the assurance of renewed hope that we can work together to build a lasting peace.

I am pleased with these agreements. The President needs our support as he continues to do everything possible to see that we have a more secure and peaceful world in which our security is fully protected.

Mr. CHILES. Mr. President, I am voting to approve the SALT treaty. However, I believe it is important that I point out my deep reservations concerning this agreement.

I believe this treaty addresses questions vital to this Nation and demands a careful weighing of two desirable ends: First, to maintain U.S. security through continued ability of nuclear attack; and second, the reduction, through all possible means, of the present level of international tensions, tensions partly fed through the continuing buildup of nuclear weapons.

But I had hoped that this treaty would represent a realistic assessment by both parties that continued proliferation does not enhance either's security and am distressed to think that we have been outtraded. I understand we wanted badly to get an arms agreement, but I believe we have moved tremendously from what our first positions were. While this is only the first phase of the agreement, I think we have given up more than we should have.

It now appears that the SALT treaty is going to be ratified with little or no opposition, but I feel it puts us in a precarious position for future arms talks. My consideration of the agreements and my reservations concerning them lead me to joining with Senator JACKSON, Senator SCOTT and others in cosponsoring an amendment to Senate Joint Resolution 241 authorizing the President to sign the interim agreement on offensive weapons concluded in Moscow.

This amendment makes clear the feeling of the Congress that the people of the United States sincerely desire a stable limitation and balance of strategic arms to maintain peace and deter aggression. However, the Congress would consider any action by the Soviet Union which would have the effect of endangering our strategic deterrent forces to be contrary to the supreme national interests of the United States. The amendment is necessary, I feel, as an expression of the view of the Congress with respect to the present treaty and agreements and our position on further agreements in SALT II.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the pending business be very temporarily laid aside, and that the Senate resume the consideration of legislative business.

The motion was agreed to and the Senate resumed the consideration of legislative business.

VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1972

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 937, S. 2161.

The **PRESIDING OFFICER** (Mr. BROCK). The bill will be stated by title.

The assistant legislative clerk read as follows:

S. 2161, to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the vocational rehabilitation subsistences allowances, the educational assistance allowances, and the special training allowances paid to eligible veterans and persons under such chapters.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Vietnam Era Veterans' Readjustment Assistance Act of 1972".

TITLE I—VOCATIONAL REHABILITATION AND EDUCATIONAL ASSISTANCE RATE ADJUSTMENTS

SEC. 101. Chapter 31 of title 38, United States Code, is amended as follows:

(1) by adding at the end of subsection 1502 a new subsection as follows:

"(d) Veterans pursuing a program of vocational rehabilitation training under the provisions of this chapter shall also be eligible, where feasible, for participation in the work-study/outreach program provided by section 1687 of this title and for advance subsistence allowance payments as provided by section 1780 of this title."

(2) by amending section 1504(b) to read as follows:

"(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

"Column I	Column II	Column III	Column IV	Column V
Type of training	No dependents.	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$200	$247	$289	$21
Three-quartertime	150	185	217	16
Half-time	100	124	145	11
Farm cooperative, apprentice, or other on-job training:				
Full-time	166	213	255	21";

and

(3) by deleting in section 1507 "$100" and inserting in lieu thereof "$200".

SEC. 102. Chapter 34 of title 38, United States Code, is amended as follows:

(1) by deleting in the last sentence of section 1677(b) "$175" and inserting in lieu thereof "$250",

(2) by amending the table contained in paragraph (1) of section 1682(a) to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full-time	$250	$297	$339	$21
Three-quarter-time	188	223	254	16
Half-time	125	149	170	11
Cooperative	201	236	268	16";

(3) by deleting in section 1682(b) "$175" and inserting in lieu thereof "$250"; and

(4) by deleting in section 1696(b) "$175" and inserting in lieu thereof "$250".

SEC. 103. Chapter 35 of title 38, United States Code, is amended as follows:

(1) by amending section 1732(a)(1) to read as follows:

"(a)(1) The educational assistance allowance on behalf of an eligible person who is pursuing a program of education consisting of institutional courses shall be computed at the rate of (A) $250 per month if pursued on a full-time basis, (B) $188 per month if pursued on a three-quarter-time basis, and (C) $125 per month if pursued on a half-time basis.";

(2) by deleting in section 1732(a)(2) "$175" and inserting in lieu thereof "250";

(3) by deleting in section 1732(b) "$141" and inserting in lieu thereof "$201"; and

(4) by amending section 1742(a) to read as follows:

"(a) While the eligible person is enrolled in and pursuing a full-time course of special restorative training, the parent or guardian shall be entitled to receive on his behalf a special training allowance computed at the basic rate of $250 per month. If the charges for tuition and fees applicable to any such course are more than $79 per calendar month, the basic monthly allowance may be increased by the amount that such charges exceed $79 a month, upon election by the parent or guardian of the eligible person to have such person's period of entitlement reduced by one day for each $8.50 that the special training allowance paid exceeds the basic monthly allowance."

TITLE II—ADVANCE PAYMENT OF EDUCATIONAL ASSISTANCE OR SUBSISTENCE ALLOWANCES; WORK-STUDY/OUTREACH PROGRAM

SEC. 201. Subchapter II of chapter 36 of title 38, United States Code, is amended by inserting immediately before section 1781 the following new section:

"§ 1780. Payment of educational assistance or subsistence allowances

"Period for Which Payment May Be Made

"(a) Payment of educational assistance or subsistence allowances to eligible veterans or eligible persons pursuing a program of education or training, other than a program by correspondence or a program of flight training, in an educational institution under chapter 31, 34, or 35 of this title shall be paid as provided in this section and, as applicable, in section 1504, 1682, 1691 or 1732 of this title. Such payments shall be paid only for the period of such veterans' or persons' enrollment, but no amount shall be paid—

"(1) to any eligible veteran or eligible person enrolled in a course which leads to a standard college degree for any period when such veteran or person is not pursuing his course in accordance with the regularly established policies and regulations of the educational institution and the requirements of this chapter or of chapter 34 or 35 of this title; or

"(2) to any eligible veteran or eligible person enrolled in a course which does not lead to a standard college degree (excluding programs of apprenticeship and programs of other on-job training authorized by section 1787 of this title) for any day of absence in excess of thirty days in a twelve-month period, not counting as absences weekends or legal holidays established by Federal or State law (or in the case of the Republic of the Philippines, Philippine law) during which the institution is not regularly in session.

"Correspondence Training Certifications

"(b) No educational assistance allowance shall be paid to an eligible veteran or eligible person enrolled in and pursuing a program of education exclusively by correspondence until the Administrator shall have received—

"(1) from the eligible veteran or eligible person a certificate as to the number of lessons actually completed by the veteran or person and serviced by the educational institution, and

"(2) from the training establishment a certification or an endorsement on the veteran's or person's certificate, as to the number of lessons completed by the veteran or person and serviced by the institution.

"Apprenticeship and Other On-Job Training

"(c) No training assistance allowance shall be paid to an eligible veteran or eligible person enrolled in and pursuing a program of apprenticeship or other on-job training until the Administrator shall have received—

"(1) from such veteran or person a certification as to his actual attendance during such period; and

"(2) from the training establishment a certification, or an endorsement on the veteran's or person's certificate, that such veteran or person was enrolled in and pursuing a program of apprenticeship or other on-job training during such period.

"Advance Payment of Initial Educational Assistance or Subsistence Allowance

"(d) (1) The educational assistance or subsistence allowance advance payment provided for in this subsection is based upon a finding by the Congress that eligible veterans and eligible persons need additional funds at the beginning of a school term to meet the expenses of books, travel, deposits, and payment for living quarters, the initial installment of tuition, and the other special expenses which are concentrated at the beginning of a school term.

"(2) Subject to the provisions of this subsection, and under regulations which the Administrator shall prescribe, an eligible veteran or eligible person shall be paid an educational assistance allowance or subsistence allowance, as appropriate, advance payment. Such advance payment shall be made in an amount equivalent to the allowance for the month or fraction thereof in which pursuit of the program will commence, plus the allowance for the succeeding month. In the case of a serviceman on active duty, who is pursuing a program of education (other than under subchapter VI of chapter 34), the advance payment shall be in a lump sum based upon the amount payable for the entire quarter, semester, or term, as applicable. In no event shall an advance payment be made under this subsection to a veteran or person intending to pursue a program of education on less than a half-time basis. The application for advance payment, to be made on a form prescribed by the Administrator, shall—

"(A) in the case of an initial enrollment of a veteran or person in an educational institution, contain information showing that the veteran or person (i) is eligible for educational benefits, (ii) has been accepted by the institution, and (iii) has notified the institution of his intention to attend that institution; and

"(B) in the case of a reenrollment of a veteran or person, contain information showing that the veteran or person (i) is eligible to continue his program of education or training and (ii) intends to reenroll in the same institution,

and, in either case, shall also state the number of semester or clock-hours to be pursued by such veteran or person.

"(3) Subject to the provisions of this subsection, and under regulations which the Administrator shall prescribe, a person eligible for education or training under the provisions of subchapter VI of chapter 34 of this title shall be entitled to a lump-sum educational assistance allowance advance payment. Such advance payment shall in no event be made earlier than thirty days prior to the date on which pursuit of the person's program of education or training is to commence. The application for the advance payment, to be made on a form prescribed by the Administrator, shall, in addition to the information prescribed in paragraph (2) (A), specify—

"(A) that the program to be pursued has been approved;

"(B) the anticipated cost and the number of Carnegie, clock, or semester hours to be pursued; and

"(C) where the program to be pursued is other than a high school credit course, the need of the person to pursue the course or courses to be taken.

"(4) For purposes of the Administrator's determination whether any veteran or person is eligible for an advance payment under this section, the information submitted by the institution shall establish his eligibility unless there is evidence in his file in the processing office establishing that he is not eligible for such advance payment.

"(5) The advance payment authorized by paragraph (2) and (3) of this subsection shall, in the case of an eligible veteran or eligible person, be (A) drawn in favor of the veteran or person; (B) mailed to the educational institution listed on the application form for temporary care and delivery to the veteran or person by such institution; and (C) delivered to the veteran or person upon his registration at such institution, but in no event shall such delivery be made earlier than thirty days before the program of education is to commence.

"(6) Upon delivery of the advance payment pursuant to paragraph (5) of this subsection, the institution shall submit to the Administrator a certification of such delivery. If such delivery is not effected within thirty days after commencement of the program of education in question, such institution shall return such payment to the Administrator forthwith.

"Prepayment of Subsequent Educational Assistance of Subsistence Allowance

"(c) Except as provided in subsection (g) of this section, subsequent payments of educational assistance or subsistence allowance to an eligible veteran or eligible person shall be prepaid each month, subject to such reports and proof of enrollment in and satisfactory pursuit of such programs as the Administrator may require. The Administrator may withhold the final payment for a period of enrollment until such proof is received and the amount of the final payment appropriately adjusted.

"Recovery of Erroneous Payments

"(f) If an eligible veteran or eligible person fails to enroll in or pursue a course for which an educational assistance or subsistence allowance advance payment is made, the amount of such payment and any amount of subsequent payments which, in whole or in part, are due to erroneous information required to be furnished under subsection (d) (2) and (3) of this section, shall become an overpayment and shall constitute a liability of such veteran or person to the United States and may be recovered, unless waived pursuant to section 3102 of this title, from any benefit otherwise due him under any law administered by the Veterans' Administration or may be recovered in the same manner as any other debt due the United States.

"Payments for Less Than Half-Time Training

"(g) Payment of educational assistance allowance in the case of any eligible veteran or eligible person pursuing a program of education on less than a half-time basis (except as provided by subsection (d) (3) of this section) shall be made in an amount computed for the entire quarter, semester, or term during the month immediately following the month in which certification is received from the educational institution that such veteran or person has enrolled in and is pursuing a program at such institution. Such lump sum payment shall be computed at the rate provided in section 1682(b) or 1732 (a) (2) of this title, as applicable.

"Determination of Enrollment, Pursuit, and Attendance

"(h) The Administrator may, pursuant to regulations which he shall prescribe, determine enrollment in, pursuit of, and attendance at, any program of education or training or course by an eligible veteran or eligible person for any period for which he receives an educational assistance or subsistence allowance under this chapter for pursuing such program or course."

SEC. 202. Section 1681 of title 38, United States Code, is amended to read as follows:

"§ 1681. Educational assistance allowance

"General

"(a) The Administrator shall, in accordance with the applicable provisions of this section and section 1780 of this title, pay to each eligible veteran who is pursuing a program of education under this chapter an educational assistance allowance to meet, in part, the expenses of his subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

"Institutional Training

"(b) The educational assistance allowance of an eligible veteran pursuing a program of education, other than a program by correspondence or a program of flight training, at an educational institution shall be paid as provided in section 1780 of this title.

"Flight Training

"(c) No educational assistance allowance for any month shall be paid to an eligible veteran who is pursuing a program of education consisting exclusively of flight training until the Administrator shall have received a certification from the eligible veteran and the institution as to actual flight training received by, and the cost thereof to, the veteran during that month."

SEC. 203. Subchapter IV of chapter 34 of title 38, United States Code, is amended by deleting section 1687 in its entirety and inserting in lieu thereof the following:

"§ 1687. Work-study/outreach additional educational assistance allowance; advances to eligible veterans

"(a) Notwithstanding any other provision of law, the Administrator shall pay a work-study/outreach additional educational assistance allowance (hereafter referred to as 'work-study/outreach allowance') to any veteran pursuing on a full-time basis a program of education under this chapter or a course of vocational rehabilitation under chapter 31 of this title, and who enters into an agreement with the Administrator to perform services under the work-study/outreach program established by this section. Such allowance shall be paid in advance in the amount of $300 in return for such veteran's agreement to perform services, aggregating one hundred and twenty hours during a semester or other applicable enrollment period, required in connection with (1) the outreach services program under subchapter IV of chapter 3 of this title, (2) the preparation and processing of necessary papers and other documents at educational institutions or training establishments or regional offices or facilities of the Veterans' Administration, (3) the provision of hospital and domiciliary care and medical treatment under chapter 17 of this title, or (4) any other activity of the Veterans' Administration as the Administrator shall determine appropriate. Advances of lesser amounts may be made in return for agreements to perform services for periods of less than one hundred and twenty hours, the amount of such advance to bear the same ratio to the number of hours of work agreed to be performed as $300 bears to one hundred and twenty hours. The Administrator may enter into a work-study/outreach agreement with a veteran who has satisfactorily pursued his courses during at least one enrollment period for the performance of services during a period between enrollments if such veteran certifies his intention to continue the pursuit of the program during the next enrollment period.

"(b) If an eligible veteran, after having received in advance a work-study/outreach allowance under subsection (a) of this section, fails to fulfill his work obligation under the agreement for any reason, the amount due (based upon the pro rata portion of the work obligation which the veteran did not complete), as computed by the Administrator, shall be considered an overpayment and shall become due and payable at the end of the enrollment period or at such time prior thereto when the Administrator determines that such obligation will not be completed prior to the end of the enrollment period. Any such amount due may be recovered from any benefit otherwise due the veteran under any law administered by the Veterans' Administration or shall, unless waived pursuant to section 3102 of this title, constitute a liability of such veteran to the United States and be recovered in the same manner as any other debt due the United States.

"(c) In order to carry out the purposes of this section and to determine the number of veterans whose services the Veterans' Administration can effectively utilize and the types of services that such veterans may be required to perform, the Administrator shall, at least once each year, conduct a survey to determine the numbers of veteran-students whose services under the work-study/outreach program can effectively be utilized during an enrollment period in each geographic area where Veterans' Administration activities are conducted. Based upon the results of such survey, the Administrator shall allocate to each Veterans' Administration regional office the number of agreements under subsection (a) of this section which the head of that office shall attempt to make during such enrollment period or periods prior to the next such survey. Each regional office shall further allocate to each educational institution, at which eligible veterans are enrolled pursuant to this chapter, within its area the number of such potential agreements based upon the ratio of the number of veterans enrolled in such institution to the total number of veterans enrolled in all such institutions in the regional area, except that, to the maximum extent feasible, 20 per centum of the allocated number of agreements shall be reserved for special allocation to those institutions with a substantially higher proportion of needy veteran-students than generally prevails at other institutions within such area. If the total number of agreements allocated to any institution cannot be filled by such institution, the number of such unmade potential agreements shall be reallocated to such other institution or institutions in the regional office area as the Administrator shall determine in accordance with regulations he shall prescribe.

"(d)(1) The Administrator shall, to the maximum extent feasible, enter into agreements with educational institutions under which such institutions will recommend, within the number of allocated agreements, which particular veteran-students enrolled in such institutions should be offered work-study/outreach agreements under this section.

"(2) The determination of which eligible veteran-students shall be offered work-study/outreach agreements shall be made in accordance with regulations prescribed by the Administrator. Such regulations shall include, but not be limited to, the following criteria—

"(A) the need of the veteran to augment his educational assistance or subsistence allowance;

"(B) the availability to the veteran of transportation to the place where his services are to be performed;

"(C) the motivation of the veteran;

"(D) in the case of a veteran who is a member of a minority group, the disadvantages incurred by members of such group; and

"(E) in the case of a disabled veteran pursuing a course of vocational rehabilitation under chapter 31 of this title, the compatibility of the work assignment to the veteran's physical condition.

"(e) No work-study/outreach agreement shall be entered into under this section which would—

"(1) result in the displacement of any employed person or impair any existing contract for services, or

"(2) involve the construction, operation, or maintenance of so much of any facility as is used or is to be used for sectarian instruction or as a place for religious worship.

"(f) While performing the services authorized by this section or section 1688 of this title, veteran-students shall be deemed employees of the United States for the purposes of the benefits of chapter 81 of title 5 but not for the purposes of laws administered by the Civil Service Commission."

"§ 1688. Veteran-student employment

"(a) Notwithstanding any other provision of law, in order to supplement the program established by section 1687 of this title, the Administrator is authorized to utilize on an intermittent basis the services of veteran-students who are pursuing full-time programs of education or training under chapters 31 and 34 of this title. Such veteran-students may be utilized to perform such services for the Veterans' Administration at such times and places as the Administrator deems advisable.

"(b) Veteran-students utilized under the authority of subsection (a) of this section shall be paid an hourly rate equivalent to the minimum rate for a grade in the General Schedule contained in section 5332 of title 5, determined by the Administrator to be appropriate for the services rendered. Such grade determination may, at the Administrator's discretion, be based upon, but shall not be subject to, position classification standards issued by the Civil Service Commission pursuant to section 5105 of title 5."

TITLE III—EDUCATIONAL ASSISTANCE PROGRAM ADJUSTMENTS

SEC. 301. Subsection (b) of section 1502 of title 38, United States Code, is amended by striking out "34 or 35" and inserting in lieu thereof "34, 35, or 36".

SEC. 302. Section 1671 of title 38, United States Code, is amended to read as follows:

"Any eligible veteran, or any person on active duty (after consultation with the appropriate service education officer), who desires to initiate a program of education under this chapter shall submit an application to the Administrator which shall be in such form, and contain such information, as the Administrator shall prescribe. The Administrator shall approve such application unless he finds that such veterans or person is not eligible for or entitled to the educational assistance applied for, or that his program of education fails to meet any of the requirements of this chapter, or that he is already qualified. The Administrator shall notify the veteran or person of the approval or disapproval of his application."

SEC. 303. Section 1682 of title 38, United States Code, is amended by striking out subsections (c) and (d) inserting in lieu thereof the following:

"(c)(1) An eligible veteran who is enrolled in a 'farm cooperative' training program which provides for institutional and on-farm training and which has been approved by the appropriate State approving agency in accordance with the provisions of paragraph (2) of this subsection shall be eligible to receive an educational assistance allowance as follows: $201 per month, if he has no dependents; $236 per month if he has one dependent; $268 per month, if he has two dependents; and $16 per month, for each dependent in excess of two.

"(2) The State approving agency may approve a farm cooperative training course when it satisfies the following requirements:

"(A) The course combines organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational institution, with supervised work experience on a farm or other agricultural establishment; and the course provides for not less than one hundred hours of individual instruction per year, at least fifty hours of which shall be on a farm or other agricultural establishment (with at least two visits by the instructor to such farm or establishment each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products.

"(B) The course is developed with due consideration to the size and character of the farm or other agricultural establishment on which the eligible veteran will receive his supervised work experience and to the need of such eligible veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farming management, and the keeping of farm and home accounts.

"(C) The farm or other agricultural establishment on which the veteran is to receive his supervised work experience shall be of a size and character which will permit instruction in all aspects of the management of the farm or other agricultural establishment of the type for which the eligible veteran is being trained, and will provide the eligible veteran an opportunity to apply the major portion of the farm practices taught in the group instruction part of the course.

"(D) Provision shall be made for certification by the institution and the veteran that the training offered does not repeat or duplicate training previously received by the veteran.

"(E) The institutional on-farm training meets such other fair and reasonable standards as may be established by the State approving agency."

Sec. 304. Chapter 34 of title 38, United States Code, is amended by striking out section 1684 in its entirety and inserting in lieu thereof the following:

"§ 1684. Apprenticeship or other on-job training; correspondence courses

"Any eligible veteran may pursue a program of apprenticeship or other on-job training or a program of education exclusively by correspondence and be paid an educational assistance allowance or training assistance allowance, as applicable, under the provisions of section 1787 or 1786 of this title."

Sec. 305. Section 1691 of title 38, United States Code, is amended by—

(1) inserting in clause (2) of subsection (a) after "educational institution" the following: "or training establishment"; and

(2) amending subsection (b) to read as follows:

"(b) The Administrator shall pay to an eligible veteran pursuing a course or courses or program pursuant to subsection (a) of this section, an educational assistance allowance as provided in sections 1681 and 1682 (a) or (b) or 1732(a) of this title."

Sec. 306. Section 1692 of title 38, United States Code, is amended by—

(1) striking out "marked" wherever it appears; and

(2) inserting a comma in subsection (b) immediately after "month" and by inserting immediately after "nine months," in such subsection, the following: "or until a maximum of $450 is utilized,".

Sec. 307. Subsection (a) of section 1695 of title 38, United States Code, is amended by inserting "(including courses needed to obtain high school equivalency certificate)" after "education or training".

Sec. 308. Section 1696 of title 38, United States Code, is amended by—

(1) striking out "diploma, or" and inserting in lieu thereof "diploma or needed to obtain an equivalency certificate, or" in subsection (a); and

(2) inserting at the end of subsection (b) the following sentence: "Where it is determined that there is no same program, the Administrator shall establish appropriate rates for tuition and fees designed to allow reimbursement for reasonable costs for the education or training institution."

Sec. 309. Subchapter VI of chapter 34 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1697A. Coordination with and participation by Department of Defense

"(a) The Administrator shall designate an appropriate official of the Veterans' Administration who shall cooperate with and assist the Secretary of Defense and the official he designates as administratively responsible for such matters, in carrying out functions and duties of the Department of Defense under the PREP program authorized by this subchapter. It shall be the duty of such official to assist the Secretary of Defense in all matters entailing cooperation or coordination between the Department of Defense and the Veterans' Administration in providing training facilities and released time from duty necessary to carry out the purposes of the program.

"(b) Educational institutions and training establishments administered by or under contract to the Department of Defense providing education and training to persons serving on active duty with the Armed Forces shall, in accordance with regulations jointly prescribed by the Administrator and the Secretary of Defense, be approved for the enrollment of eligible persons only at such time as the Secretary submits to the Committees on Veterans' Affairs of the Senate and House of Representatives a report containing such Department's plan for implementation of the program established under this subchapter, and periodically thereafter submits progress reports with respect to the implementation of such plan, which plan shall include provision for—

"(1) each Secretary concerned to undertake an information and outreach program designed to advise, counsel, and encourage each eligible person within each branch of the Armed Forces with respect to enrollment in a program under this subchapter, with particular emphasis upon programs under section 1691(a)(2) and 1696(a)(2) of this title, and in all other programs for which such person, prior to or following discharge or release from active duty, may be eligible under chapters 31 and 34 of this title.

"(2) each Secretary concerned to undertake, in coordination with representatives of the Veterans' Administration, to arrange and carry out meetings with each approved educational institution located in the vicinity of an Armed Forces installation (or, in the case of installations overseas, which have the capacity to carry out such programs at such overseas installations) to encourage the establishment of a program by such institution under this subchapter and subchapter V of this chapter in connection with persons stationed at such installation, with particular emphasis upon programs under section 1691(a)(2) and 1696(a)(2) of this title;

"(3) The release from duty assignment of any such eligible person for at least one-half of the hours required for such person to enroll in a full-time program of education or training under this subchapter during his military service, unless the Secretary concerned shall determine that such release of time is inconsistent with the interests of the national defense; and

"(4) establishment of an Inter-Service and Agency Coordinating Committee, under the co-chairmanship of an Assistant Secretary of Defense and the Chief Benefits Director of the Veterans' Administration, to promote and coordinate the establishment and conduct of programs under this subchapter and other provisions of this title and the implementation of the plan submitted pursuant to this section."

Sec. 310. Subsection (a) of section 1701 of title 38, United States Code, is amended as follows:

(1) by amending paragraph (6) to read as follows:

"(6) The term 'educational institution' means any public or private secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or any other institution if it furnishes education at the secondary school level or above."; and

(2) by adding at the end thereof the following new paragraph:

"(9) For the purposes of this chapter and chapter 36 of this title, the term 'training establishment' means any establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprenticeship committee, or the Bureau of Apprenticeship and Training established pursuant to chapter 4C of title 29, or any agency of the Federal Government authorized to supervise such training."

Sec. 311. Section 1720 of title 38, United States Code, is amended by inserting after the first sentence in subsection (a) thereof a new sentence as follows: "Such counseling shall not be required where the eligible person has been accepted for, or is pursuing, courses which lead to a standard college degree, at an approved institution."

Sec. 312. Section 1723 of title 38, United States Code, is amended by—

(1) amending subsection (c) to read as follows:

"(c) The Administrator shall not approve the enrollment of an eligible person in any course of institutional on-farm training, any course to be pursued by correspondence (except as provided in section 1786 of this title), open circuit television (except as herein provided), or a radio, or any course to be pursued at an educational institution not located in a State or in the Republic of the Philippines (except as herein provided). The Administrator may approve the enrollment of an eligible person in a course, to be pursued in residence, leading to a standard college degree which includes, as an integral part thereof, subjects offered through the medium of open circuit televised instruction, if the major portion of the course requires conventional classroom or laboratory attendance. The Administrator may approve the enrollment at an educational institution which is not located in a State or in the Republic of the Philippines if such program is pursued at an approved educational institution of higher learning. The Administrator in his discretion may deny or discontinue the educational assistance under this chapter or any eligible person in a foreign educational institution if he finds that such enrollment is not in the best interest of the eligible person or the Government"; and

(2) inserting "(except as provided in section 1733 of this title)" after "regular secondary school education" in subsection (d).

Sec. 313. Section 1731 of title 38, United States Code, is amended by—

(1) inserting in subsection (a) immediately after the word "shall" a comma and the following: "in accordance with the provisions of section 1780 of this title,";

(2) striking out subsections (b), (c), and (e) in their entirety; and

(3) redesignating subsection (d) as subsection (b).

Sec. 314. Sections 1733 and 1734 of title 38, United States Code, are amended to read as follows:

"§ 1733. Special assistance for the educationally disadvantaged

"(a) Any eligible wife or widow shall, without charge to any entitlement she may have under section 1711 of this title, be entitled to the benefits provided an eligible veteran under section 1691 (if pursued in a State) of this title.

"(b) Any eligible person shall, without charge to any entitlement he may have under section 1711 of this title, be entitled to the benefits provided an eligible veteran under section 1692 of this title.

"§ 1734. Apprenticeship or other on-job training; correspondence courses

"(a) Any eligible person shall be entitled to pursue, in a State, a program of apprenticeship or other on-job training and be paid a training assistance allowance as provided in section 1787 of this title.

"(b) Any eligible wife or widow shall be entitled to pursue a program of education exclusively by correspondence and be paid an educational assistance allowance as provided in section 1786 of this title."

SEC. 315. Section 1777 of title 38, United States Code, is amended by inserting "or person" after "veteran" each place it appears.

SEC. 316. Section 1784 of title 38, United States Code, is amended by—

(1) striking out "34 or 35" and inserting in lieu thereof "34, 35, or 36" and in the first sentence of subsection (b);

(2) inserting "or eligible persons" after "veterans" in the second sentence of subsection (b); and

(3) striking out "enrolled under chapter 34 of this title, plus the number of eligible persons enrolled under chapter 35 of this title" and inserting in lieu thereof "or eligible persons enrolled under chapters 34, 35, and 36 of this title, or $4 in the case of those eligible veterans and eligible persons whose educational assistance checks are directed in care of each institution for temporary custody and delivery and are delivered at the time of registration as provided under section 1780 (d)(5) of this title" in subsection (b).

SEC. 317. Subchapter II of chapter 36 of title 38, United States Code, is amended by—

(1) striking out sections 1786 and 1787 and inserting in lieu thereof the following:

"§ 1786. Correspondence courses

"(a)(1) Each eligible veteran (as defined in section 1652(a) (1) and (2) of this title) and each eligible wife or widow (as defined in section 1701(a)(1) (B), (C), or (D) of this title, who enters into an enrollment agreement to pursue a program of education exclusively by correspondence shall be paid an educational assistance allowance computed at the established charge which the institution requires nonveterans to pay for the course or courses pursued by the eligible veteran or person. The term 'established charge' as used herein means the charge for the course or courses determined on the basis of the lowest extended time payment plan offered by the institution and approved by the appropriate State approving agency or the actual cost to the veteran or person, whichever is the lesser. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the veteran or wife or widow and serviced by the institution.

"(2) The period of entitlement of any veteran or wife or widow who is pursuing any program of education exclusively by correspondence shall be charged with one month for each $250 which is paid to the veteran or wife or widow as an educational assistance allowance for such course.

"(b) The enrollment agreement shall fully disclose the obligation of both the institution and the veteran or wife or widow and shall prominently display the provisions for affirmance, termination, refund, and the conditions under which payment of the allowance is made by the Administrator to the veteran or wife or widow. A copy of the enrollment agreement shall be furnished to each such veteran or wife or widow at the time such veteran or wife or widow signs such agreement. No such agreement shall be effective unless such veteran or wife or widow shall, after the expiration of ten days after the enrollment agreement is signed, have signed and submitted to the Administrator a written statement, with a signed copy to the institution, specifically affirming the enrollment agreement. In the event the veteran or wife or widow at any time notifies the institution of his intention not to affirm the agreement in accordance with the preceding sentence, the institution, without imposing any penalty or charging any fee shall promptly make a full refund of all amounts paid.

"(c) In the event a veteran or wife or widow elects to terminate his enrollment under an affirmed enrollment agreement, the institution (other than one subject to the provisions of section 1776 of this title) may charge the veteran or person a registration or similar fee not in excess of $75. Where the veteran or wife or widow elects to terminate the agreement after completion of one of or more but less than 10 per centum of the total number of lessons comprising the course, the institution may retain either such registration or similar fee, or 10 per centum of the tuition for the course. Where the veteran or wife or widow elects to terminate the agreement after completion of 10 per centum but less than 65 per centum of the lessons comprising the course, the institution may retain an additional 10 per centum of the course tuition for each additional one-tenth of the lessons completed, or such registration or similar fee. If 65 per centum or more of the lessons are completed, no refund of tuition is required.

"§ 1787. Apprenticeship or other on-job training

"(a) An eligible veteran (as defined in section 1651(a) (1) of this title) or an eligible person (as defined in section 1701(a) of this title) shall be paid a training assistance allowance as prescribed by subsection (b) of this section while pursuing a full-time—

"(1) program of apprenticeship approved by a State approving agency as meeting the standards of apprenticeship published by the Secretary of Labor pursuant to section 50a of title 29, or

"(2) program of other on-job training approved under provisions of section 1777 of this title, subject to the conditions and limitations of chapters 34 and 35 with respect to educational assistance.

"(b)(1) The monthly training assistance allowance of an eligible veteran pursuing a program described under subsection (a) shall be as follows:

"Column I Periods of training	Column II No dependents	Column III One dependent	Column IV Two dependents	Column V More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
First 6 months	$160	$179	$196	$8.
Second 6 months	120	139	156	8.
Third 6 months	80	99	116	8.
Fourth and any succeeding 6-month periods	40	61	78	8.

"(2) The monthly training assistance allowance of an eligible person pursuing a program described under subsection (a) shall be (A) $160 during the first six-month period, (B) $120 during the second six-month period, (C) $80 during the third six-month period, and (D) $40 during the fourth and any succeeding six-month period.

"(3) In any month in which an eligible veteran or person pursuing a program of apprenticeship or a program of other on-job training fails to complete one hundred and twenty hours of training in such month, the monthly training assistance allowance set forth in subsection (b) (1) or (2) of this section, as applicable, shall be reduced proportionately in the proportion that the number of hours worked bears to one hundred and twenty hours rounded off to the nearest eight hours.

"(c) For the purpose of this chapter, the terms 'program of apprenticeship' and 'program of other on-job training' shall have the same meaning as 'program of education'; and the term 'training assistance allowance' shall have the same meaning as 'educational assistance allowance' as set forth in chapters 34 and 35 of this title."; and

(2) redesignating sections 1788, 1789, 1790, and 1791 as sections 1792, 1793, 1794, and 1795, respectively, and inserting after section 1787 the following new sections:

"§ 1788. Measurement of courses

"(a) For the purposes of this chapter and chapters 34 and 35 of this title—

"(1) an institutional trade or technical course offered on a clock-hour basis below the college level involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of thirty hours per week of attendance is required with no more than two and one-half hours of rest periods per week allowed;

"(2) an institutional course offered on a clock-hour basis below the college level in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net of instruction (which may include customary intervals not to exceed ten minutes between hours of instruction) is required. Notwithstanding the provisions of this clause, in the case of an institution offering undergraduate courses leading to a standard college degree which are measured on a quarter- or semester-hour basis and technical courses which are measured on a clock-hour basis, any of such technical courses as determined by the educational institution shall be measured on a quarter- or semester-hour basis, as appropriate, for the purpose of computing the educational assistance allowance payable under chapter 34, 35, or 36 of this title if the Administrator determines that the basic characteristics of such technical courses, including the extent to which out-of-class preparation is required, are substantially similar to the characteristics of quarter- or semester-hour courses offered by such institution;

"(3) an academic high school course requiring sixteen units for a full course shall be considered a full-time course when (A) a minimum of four units per year is required or (B) an individual is pursuing a program of education leading to an accredited high school diploma at a rate which, if continued, would result in receipt of such a diploma in four ordinary school years. For the purpose of subclause (A) of this clause, a unit is defined to be not less than one hundred and twenty sixty-minute hours or their equivalent of study in any subject in one academic year;

"(4) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof (including such hours for which no credit is granted but which are required to be taken to correct an educational deficiency and which the educational institution considers to be quarter or semester hours for other administrative purposes), for which credit is granted toward a standard college degree, is required, except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course;

"(5) a program of apprenticeship or a program of other on-job training shall be considered a full-time program when the eligible veteran or person is required to work the number of hours constituting the standard workweek of the training establishment, but a workweek of less than thirty hours shall not be considered to constitute full-time training unless a lesser number of hours has been established as the standard workweek for the particular establishment through bona fide collective bargaining; and

"(6) an institutional course offered as part of a program of education below the college level under section 1691(a)(2) or 1696(a)(2) of this title shall be considered a full-time course on the basis of measurement criteria provided in clause (2), (3), or (4) as determined by the educational institution.

"(b) The Administrator shall define part-time training in the case of the types of courses referred to in subsection (a), and shall define full-time and part-time training in the case of all other types of courses pursued under this chapter or chapter 34 or 35 of this title.

"§ 1789. Period of operation for approval

"(a) The Administrator shall not approve the enrollment of an eligible veteran or eligible person in any course offered by an educational institution when such course has been in operation for less than two years.

"(b) Subsection (a) shall not apply to—

"(1) any course to be pursued in a public or other tax-supported educational institution;

"(2) any course which is offered by an educational institution which has been in operation for more than two years, if such course is similar in character to the instruction previously given by such institution;

"(3) any course which has been offered by an institution for a period of more than two years, notwithstanding the institution has moved to another location within the same general locality, or has made a complete move with substantially the same faculty, curricula, and students, without a change in ownership;

"(4) any course which is offered by a nonprofit educational institution of college level and which is recognized for credit toward a standard college degree; or

"(5) any course offered by a proprietary nonprofit educational institution which qualifies to carry out an approved program of education under the provisions of subchapter V or VI of chapter 34 of this title (including those courses offered at other than the institution's principal location) if the institution offering such course has been in operation for more than two years.

"§ 1790. Overcharges by educational institutions; discontinuance of allowances; examination of records; false or misleading statements

"Overcharges by Educational Institutions

"(a) If the Administrator finds that an educational institution has—

"(1) charged or received from any eligible veteran or eligible person pursuing a program of education under this chapter or chapter 34 or 35 of this title any amount for any course in excess of the charges for tuition and fees which such institution requires similarly circumstanced nonveterans not receiving assistance under such chapters who are enrolled in the same course to pay, or

"(2) instituted, after the effective date of section 1780 of this title, a policy or practice with respect to the payment of tuition, fees, or other charges in the case of eligible veterans and the Administrator finds that the effect of such policy or practice substantially denies to veterans the benefits of the advance and prepayment allowances under such section,

he may disapprove such educational institution for the enrollment of any eligible veteran or eligible person not already enrolled therein under this chapter or chapter 31, 34, or 35, of this title.

"Discontinuance of Allowances

"(b) The Administrator may discontinue the educational assistance allowance of any eligible veteran or eligible person if he finds that the program of education or any course in which the veteran or person is enrolled fails to meet any of the requirements of this chapter or chapter 34 or 35 of this title, or if he finds that the educational institution offering such program or course has violated any provision of this chapter or chapter 34 or 35, or fails to meet any of the requirements of such chapters.

"Examination of Records

"(c) The records and accounts of educational institutions pertaining to eligible veterans or eligible persons who received educational assistance under this chapter or chapter 31, 34, or 35 of this title shall be available for examination by duly authorized representatives of the Government.

"False or Misleading Statements

"(d) Whenever the Administrator finds that an educational institution has willfully submitted a false or misleading claim, or that a veteran or person, with the complicity of an educational institution, has submitted such a claim, he shall make a complete report of the facts of the case to the appropriate State approving agency and, where deemed advisable, to the Attorney General of the United States for appropriate action.

"§ 1791. Change of program

"(a) Except as provided in subsections (b) and (c) of this section, each eligible veteran and child eligible person (with the concurrence of such eligible person's parents or guardian) may make not more than one change of program of education, but an eligible veteran or eligible person whose program has been interrupted or discontinued due to his own misconduct, his own neglect, or his own lack of application shall not be entitled to any such change.

"(b) The Administrator may approve one additional change (or an initial change in the case of a veteran or person not eligible to make a change under subsection (a)) in program if he finds that—

"(1) the program of education which the eligible veteran or eligible person proposes to pursue is suitable to his aptitudes, interests, and abilities; and

"(2) in any instance where the eligible veteran or eligible person has interrupted, or failed to progress in, his program due to his own misconduct, his own neglect, or his own lack of application, there exists a reasonable likelihood with respect to the program which the eligible veteran or eligible person proposes to pursue that there will not be a recurrence of such an interruption or failure to progress.

"(c) The Administrator may also approve additional changes in program if he finds such changes are necessitated by circumstances beyond the control of the eligible veteran or eligible person.

"(d) As used in this section the term 'change of program of education' shall not be deemed to include a change from the pursuit of one program to pursuit of another where the first program is prerequisite to, or generally required for, entrance into pursuit of the second."

TITLE IV—MISCELLANEOUS AND TECHNICAL AMENDMENTS TO THE VETERANS' AND WAR ORPHANS' AND WIDOWS' EDUCATIONAL ASSISTANCE PROGRAMS

Sec. 401. Chapter 34 of title 38, United States Code, is amended by—

(1) inserting after "this chapter" in subsection (a) of section 1661; "or chapter 36";

(2) deleting "31 or 35" and inserting "31, 34, or 36" in subsection (d) of section 1673;

(3) striking out all after "certification" down to the period and inserting in lieu thereof "as required by section 1681(c) of this title" in the second sentence of section 1677(b);

(4) striking out "1683" and inserting in lieu thereof "1787" in subsection 1682(a)(1);

(5) striking out the last sentence of section 1682(b);

(6) striking out sections 1672, 1675, 1683, and 1685 in their entirety; and

(7) redesignating section 1686 as section 1683.

Sec. 402. Chapter 35 of title 38, United States Code, is amended by—

(1) deleting "1737" and inserting "1736" in section 1712(a)(2);

(2) striking out sections 1722, 1725, and 1736 in their entirety;

(3) redesignating section 1737 as section 1736; and

(4) striking out "1737" and inserting "1736" in section 1735.

Sec. 403. Chapter 36 of title 38, United States Code, is amended by—

(1) striking out "1686" and inserting "1683" in section 1770(b);

(2) inserting "this chapter and" after "purposes of" in section 1771(a);

(3) inserting "this chapter and" before "chapters 34 and 35" each place it appears in section 1772;

(4) striking out "1737" and inserting in lieu thereof "1736" in section 1772(a);

(5) striking out "1683(a)(1)" and inserting in lieu thereof "1787(a)(1)" in section 1772(c);

(6) inserting "this chapter and" before "chapters 34 and 35" in subsection (a) of section 1773;

(7) inserting "this chapter and" before "chapters 34 and 35" the first time it appears in section 1774(a);

(8) striking out "or special training allowance granted under chapter 34 or 35" and inserting in lieu thereof "granted under chapter 34, 35, or 36" in section 1781;

"chapter 34 or 35" in section 1782;

(9) inserting "this chapter or" before "chapter 34 or 35" in section 1872;

(10) inserting "this chapter or" before "chapter 34 or 35" in section 1785;

(11) inserting "this chapter or" before "chapter 34 or 35" in section 1793 (as redesignated by section 317(2) of this Act); and

(12) striking out "Chapters 31, 34, and 35" and inserting in lieu thereof "chapters 31, 34, 35, and 36" in section 1795 (as redesignated by section 317(2) of this Act).

Sec. 404. (a) The table of sections at the beginning of chapter 34 of title 38, United States Code, is amended by—

(1) striking out:

"1672. Change of program."

and

"1675. Period of operation for approval.";

(2) striking out:

"SUBCHAPTER IV—PAYMENTS TO ELIGIBLE VETERANS

"1681. Educational assistance allowance.
"1682. Computation of educational assistance allowances.
"1683. Apprenticeship or other on-job training.
"1684. Measurement of courses.
"1685. Overcharges by educational institutions.
"1686. Approval of courses.
"1687. Discontinuance of allowances."

and inserting in lieu thereof the following:

"SUBCHAPTER IV—PAYMENTS TO ELIGIBLE VETERANS: WORK-STUDY/OUTREACH PROGRAM

"1681. Educational assistance allowance.
"1682. Computation of educational assistance allowances.
"1683. Approval of courses.
"1684. Apprenticeship or other on-job training; correspondence courses.

"WORK-STUDY/OUTREACH PROGRAM

"1687. Work-study/outreach additional educational assistance allowance; advances to eligible veterans.
"1688. Veteran-student employment.";

and

(3) adding at the end thereof the following:

"1697A. Coordination with and participation of Department of Defense.".

(b) The subchapter heading above section 1681 of such title is amended to read as follows:

"Subchapter IV—Payments to Eligible Veterans; Work-study/Outreach Program"

SEC. 405. The table of sections at the beginning of chapter 35 of title 38, United States Code, is amended by—

(1) striking out:

"1722. Change of program."

and

"1725. Period of operation for approval.";

(2) striking out:

"1733. Measurement of courses.
"1734. Overcharges by educational institutions.
"1735. Approval of courses.
"1736. Discontinuance of allowances.
"1737. Specialized vocational training courses."

and inserting in lieu thereof:

"1733. Special assistance for the educationally disadvantaged.
"1734. Apprenticeship or other on-job training, correspondence courses.
"1735. Approval of courses.
"1736. Specialized vocational training courses."

SEC. 406. The table of sections at the beginning of chapter 36 of title 38, United States Code, is amended by—

(1) inserting:

"1780. Payment of educational and subsistence allowances."

immediately above

"1781. Limitations on educational assistance.";

and

(2) striking out:

"1786. Examination of records.
"1787. False or misleading statements.
"1788. Advisory committee.
"1789. Institutions listed by Attorney General.
"1790. Use of other Federal agencies.
"1791. Limitation on period of assistance under two or more programs."

and inserting in lieu thereof:

"1786. Correspondence courses.
"1787. Apprenticeship or other on-job training.
"1788. Measurement of courses.
"1789. Period of operation for approval.
"1790. Overcharges by educational institutions; discontinuance of allowances; examination of records; false or misleading statements.
"1791. Change of program.
"1792. Advisory committee.
"1793. Institutions listed by Attorney General.
"1794. Use of other Federal agencies.
"1795. Limitation on period of assistance under two or more programs.".

SEC. 407. Section 101 of title 38, United States Code, is amended by striking out the last sentence of paragraph (4) and inserting in lieu thereof the following sentences: "A person with respect to whom an interlocutory decree of adoption has been issued by an appropriate adoption authority shall be recognized thereafter as a legally adopted child, unless and until that decree is rescinded, if the child remains in the custody of the adopting parent or parents during the interlocutory period. A person who has been placed for adoption under an agreement entered into by the adopting parent or parents with any agency authorized under law to so act shall be recognized thereafter as a legally adopted child, unless and until such agreement is terminated, if the child remains in the custody of the adopting parent or parents during the period of placement for adoption under such agreement."

SEC. 408. Section 102 of title 38, United States Code, is amended as follows:

(1) Subsection (b) thereof is amended to read as follows:

"(b) For the purposes of this title, (1) the term 'wife' includes the husband of any female veteran; and (2) the term 'widow' includes the widower of any female veteran."; and

(2) The heading of such section is amended to read as follows:

"§ 102. Dependent parents; husbands".

SEC. 409. The table of sections at the beginning of chapter 1 of title 38, United States Code, is amended by striking out:

"102. Dependent parents and dependent husbands."

and inserting in lieu thereof:

"102. Dependent parents; husbands.".

SEC. 410. (a) The first sentence of section 240 of title 38, United States Code, is amended by inserting "and encourage" after "aid".

(b) Section 241 of such title is amended by striking out "give priority to so advising" and inserting in lieu thereof "insure that contact, in person or by telephone, is made with" in clause (1).

SEC. 411. Subsection (b) of section 1774 of title 38, United States Code, is amended to read as follows:

"(b) The allowance for administrative expenses incurred pursuant to subsection (a) of this section shall be paid in accordance with the following formula:

Total salary cost reimbursable under this section	Allowable for administrative expense
$5,000 or less	$500.
Over $5,000 but not exceeding $10,000	$900.
Over $10,000 but not exceeding $35,000	$900 for the first $10,000 plus $800 for each additional $5,000 or fraction thereof.
Over $35,000 but not exceeding $40,000	$5,250.
Over $40,000 but not exceeding $75,000	$5,250 for the first $40,000 plus $700 for each additional $5,000 or fraction thereof.
Over $75,000 but not exceeding $80,000	$10,450.
Over $80,000	$10,450 for the first $80,000 plus $600 for each additional $5,000 or fraction thereof."

SEC. 412. The Administrator, in consultation with the advisory committee formed pursuant to section 1792 of this title (as redesignated by section 317(2) of this Act), shall provide for the conduct of an independent study of the operation of the post-Korean conflict program of educational assistance currently carried out under chapters 31, 34, 35, and 36 of this title in comparison with similar programs of educational assistance that were available to veterans of World War II and of the Korean conflict from the point of view of administration; veteran participation; safeguards against abuse; and adequacy of benefit level, scope of programs, and information and outreach efforts to meet the various education and training needs of eligible veterans. The results of such study, together with such recommendations as are warranted to improve the present program, shall be transmitted to the President and the Congress within nine months after the date of enactment of this Act.

TITLE V—VETERANS' EDUCATION LOAN PROGRAM

SEC. 501. Chapter 34 of title 38, United States Code, is amended by adding at the end thereof the following new subchapter:

"SUBCHAPTER VII—LOANS TO ELIGIBLE VETERANS

"§ 1698. Eligibility for loans; amount and conditions of loans; interest rate on loans

"(a) Each eligible veteran shall be entitled to a loan under this subchapter in an amount determined under, and subject to the conditions specified in, subsection (b)(1) of this section if the veteran satisfies the requirements set forth in subsection (c) of this section.

"(b)(1) Subject to paragraph (3) of this subsection, the amount of the loan to which an eligible veteran shall be entitled under this subchapter for any academic year shall be equal to the amount needed by such veteran to pursue a course of study at the institution at which he is enrolled, as determined under paragraph (2) of this subsection.

"(2)(A) The amount needed by a veteran to pursue a course of study at an institution for any academic year shall be determined by subtracting (i) the total amount of financial resources (as defined in subparagraph (B) of this paragraph) available to the veteran which may be reasonably expected to be expended by him for educational purposes in any year from (ii) the actual cost of attendance (as defined in subparagraph (C) of this paragraph) at the institution in which he is enrolled.

"(B) The term 'total amount of financial resources' with respect to any veteran for any year means the total of the following:

"(i) The annual adjusted effective income of the veteran less Federal income tax paid or payable by such veteran with respect to such income.

"(ii) The amount of cash assets of the veteran.

"(iii) The amount of financial assistance received by the veteran under the provisions of title IV of the Higher Education Act of 1965.

"(iv) Educational assistance received by the veteran under this chapter other than under this subchapter.

"(v) Financial assistance received by the veteran under any scholarship or grant program other than those specified in clauses (iii) and (iv).

"(C) The term 'actual cost of attendance' means, subject to regulations prescribed by the Administrator, the actual per-student charges for tuition, fees, room and board (or expenses related to reasonable commuting), books, and an allowance for such other expenses as the Administrator determines by regulation to be reasonably related to attendance at the institution at which the student is enrolled.

"(3) The aggregate of the amounts any veteran may borrow under this subchapter may not exceed $175 multiplied by the number of months such veteran is entitled to receive educational assistance under section 1661 of this title, but not in excess of $1,575 in any one regular academic year.

"(c) An eligible veteran shall be entitled to a loan under this subchapter if he—

"(1) is in attendance at an approved institution on at least a half-time basis;

"(2) has sought and is unable to obtain a loan, in the full amount needed by such veteran, as determined under subsection (b) of this section, under a student loan program insured pursuant to the provisions of part B of title IV of the Higher Education Act of 1965; and

"(3) enters into an agreement with the Administrator meeting the requirements of subsection (d) of this section.

"(d) Any agreement between the Administrator and a veteran under this subchapter—

"(1) shall include a note or other written obligation which provides for repayment to the Administrator of the principal amount of, and payment of interest on, the loan in installments over a period beginning nine months after the date on which the borrower ceases to be at least a half-time student and ending ten years and nine months after such date;

"(2) shall include provision for acceleration of repayment of all or any part of the loan, without penalty, at the option of the borrower;

"(3) shall provide that the loan shall bear interest, on the unpaid balance of the loan, at a rate prescribed by the Administrator, with the concurrence of the Secretary of the Treasury, but at a rate not less than the rate paid by the Secretary on Treasury notes and obligations held by the Fund at the time the loan agreement is made, except that no interest shall accrue prior to the beginning date of repayment; and

"(4) shall provide that the loan shall be made without security and without endorsement.

"(e) If a veteran who has received a loan under this section dies or becomes permanently and totally disabled, then the Administrator shall discharge the veteran's liability on such loan by repaying the amount owed on such loan.

"§ 1699. Sources of funds; insurance

"(a) Loans made by the Administrator under this subchapter shall be made from funds available under subsection (b) of this section for such purpose, and repayment shall be guaranteed as provided in subsection (c) of this section.

"(b)(1) Any funds in the national service life insurance fund continued under section 720 (in this subchapter referred to as the 'Fund') shall be available to the Administrator for making loans under section 1698 of this title. The Administrator shall set aside out of such fund such amounts, not in excess of limitations in appropriations Acts, as may be necessary to enable him to make all the loans to which veterans are entitled under section 1698 of this title.

"(2) Any funds set aside under parargaph (1) of this subsection shall be considered as investments of the Fund and while so set aside shall bear interest at a rate determined by the Secretary of the Treasury but at a rate not less than the rate paid by the Secretary on other Treasury notes and obligations held by the Fund at the time such funds are set aside.

"(c) The Administrator shall guarantee repayment to the national service life insurance fund of any amounts set aside under subsection (b) of this section for loans under section 1698 of this title and of any interest accrued thereon. In order to discharge his responsibility under any such guarantee, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury but at a rate not less than the rate paid by the Secretary of the Treasury on other Treasury notes and obligations held by the Fund at the time the loan agreement is made. The Secretary of the Treasury is authorized and directed to purchase such notes and other obligations.

"(d) There are authorized to be appropriated to the Administrator such sums as may be necessary to enable him to repay to the Fund any amounts set aside under subsection (b) of this section together with any interest accrued thereon. Any funds paid to the Administrator pursuant to an agreement made under section 1698(d) of this title shall be deemed to have been appropriated pursuant to this subsection.

"(e) A fee shall be collected from each veteran obtaining a loan made under this section for the purpose of insuring against defaults on loans made under this subchapter, and no loan shall be made under this section until the fee payable with respect to such loan has been collected and remitted to the Administrator. The amount of the fee shall be established from time to time by the Administrator, but shall in no event exceed one-half of 1 per centum of the total loan amount. The amount of the fee may be included in the loan to the veteran and paid from the proceeds thereof. The Administrator shall deposit all fees collected hereunder in the Fund, and amounts so deposited shall be available to the Administrator to discharge his obligations under subsection (c) of this section."

SEC. 502. The table of sections at the beginning of chapter 34 of title 38, United States Code, is amended by adding at the end thereof:

"SUBCHAPTER VII—LOANS TO ELIGIBLE VETERANS

"Sec.
"1698. Eligibility for loans; amount and conditions; interest rate on loans.
"1699. Source of funds; insurance."

TITLE VI—VETERANS' EMPLOYMENT ASSISTANCE AND PREFERENCE

SEC. 601. This title may be cited as the "Veterans' Employment and Readjustment Act of 1972".

SEC. 602. (a) Chapter 41 of title 38, United States Code, is amended to read as follows:

"Chapter 41.—JOB COUNSELING, TRAINING, AND PLACEMENT SERVICE FOR VETERANS

"Sec.
"2001. Definitions.
"2002. Purpose.
"2003. Assignment of veterans' employment representative.
"2004. Employees of local offices.
"2005. Cooperation of Federal agencies.
"2006. Estimate of funds for administration; authorization of appropriations.
"2007. Administrative controls; annual report.
"2008. Cooperation and coordination with the Veterans' Administration.

"§ 2001. Definitions

"For the purposes of this chapter—

"(1) The term 'eligible veteran' means a person who served in the active military, naval or air service and who was discharged or released therefrom with other than a dishonorable discharge.

"(2) The term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, and may include, to the extent determined necessary and feasible, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"§ 2002. Purpose.

"The Congress declares as its intent and purpose that there shall be an effective (1) job and job training counseling service program, (2) employment placement service program, and (3) job training placement service program for eligible veterans. To carry out effectively such intent and purpose, policies shall be promulgated and administered so as to provide such veterans the maximum of employment and training opportunities.

"§ 2003. Assignment of veterans' employment representative

"The Secretary of Labor shall assign to each State a veterans' employment representative, and such assistant veterans' employment representatives as he shall determine, based on the data collected pursuant to section 2007 of this title, to be necessary to assist the veterans' employment representative to carrry out effectively in that State the purposes of this chapter. Each veterans' employment representative and assistant veterans' employment representative shall be an eligible veteran who at the time of appointment shall have been a bona fide resident of the State for at least two years and who shall be appointed in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and general schedule pay rates. Each such veterans' employment representative and assistant veterans' employment representative shall be attached to the staff of the public employment service in the State to which they have been assigned. They shall be administratively responsible to the Secretary of Labor for the execution of the Secretary's veterans' counseling and placement policies through the public employment service and in cooperation with manpower and training programs administered by the Secretary in the State. In cooperation with the public employment service staff and the staffs of each such other program in the State, the veterans' employment representative and his assistants shall—

"(1) be functionally responsible for the supervision of the registration of eligible veterans in local employment offices for suitable types of employment and training and for counseling and placement of eligible veterans in employment and job training programs;

"(2) engage in job development and job advancement activities for eligible veterans, including maximum coordination with appropriate officials of the Veterans' Administration in that agency's carrying out of its responsibilities under subchapter IV of chapter 3 of this title and in the conduct of job fairs, job marts, and other special programs to match eligible veterans with appropriate job and job training opportunities;

"(3) assist in securing and maintaining current information as to the various types of available employment and training opportunities, including maximum use of electronic data processing and telecommunications systems and the matching of an eligible veteran's particular qualifications with an available job or on-job training or apprenticeship opportunity which is commensurate with those qualifications;

"(4) promote the interest of employers and labor unions in employing eligible veterans and in conducting on-job training and apprenticeship programs for such veterans;

"(5) maintain regular contact with employers, labor unions, training programs and veterans' organizations with a view to keeping them advised of eligible veterans available for employment and training and to keeping eligible veterans advised of opportunities for employment and training; and

"(6) assist in every possible way in improving working conditions and the advancement of employment of eligible veterans.

"§ 2004. Employees of local offices

"Except as may be determined by the Secretary of Labor based on a demonstrated lack of need for such services, there shall be assigned by the administrative head of the employment service in each State one or more employees, preferably eligible veterans, on the staffs of local employment service offices, whose services shall be fully devoted to discharging the duties prescribed for the veterans' employment representative and his assistants.

"§ 2005. Cooperation of Federal agencies

"All Federal agencies shall furnish the Secretary of Labor such records, statistics, or information as he may deem necessary or appropriate in administering the provisions of this chapter, and shall otherwise cooperate with the Secretary in providing continuous employment and training opportunities for eligible veterans.

"§ 2006. Estimate of funds for administration; authorization of appropriations

"(a) The Secretary of Labor shall estimate the funds necessary for the proper and efficient administration of this chapter. Such estimated sums shall include the annual amounts necessary for salaries, rents, printing and binding, travel, and communications. Sums thus estimated shall be included as a special item in the annual budget for the Department of Labor.

"(b) There are authorized to be appropriated such sums as may be necessary for the proper and efficient administration of this chapter.

"(c) In the event that the regular appropriations Act making appropriations for administrative expenses for the Department of Labor with respect to any fiscal year does not specify an amount for the purposes specified in subsection (b) of this section for that fiscal year, then of the amounts appropriated in such Act there shall be available only for the purposes specified in subsection (b) of this section such amount as was set forth in the budget estimate submitted pursuant to subsection (a) of this section.

"(d) Any funds made available pursuant to subsections (b) and (c) of this section shall not be available for any purpose other than those specified in such subsections, except with the approval of the Secretary of Labor based on a demonstrated lack of need for such funds for such purposes.

"§ 2007. Administrative controls; annual report

"(a) The Secretary of Labor shall establish administrative controls for the following purposes:

"(1) To insure that each eligible veteran, especially those veterans who have been recently discharged or released from active duty, who requests assistance under this chapter shall promptly be placed in a satisfactory job or job training opportunity or receive some other specific form of assistance designed to enhance his employment prospects substantially, such as individual job development or employment counseling services.

"(2) To determine whether or not the employment service agencies in each State have committed the necessary staff to insure that the provisions of this chapter are carried out; and to arrange for necessary corrective action where staff resources have been determined by the Secretary of Labor to be inadequate.

"(b) The Secretary of Labor shall report annually to the Congress on the success of the Department of Labor and its affiliated State employment service agencies in carrying out the provisions of this chapter. The report shall include, by State, the number of recently discharged or released eligible veterans, veterans with service-connected disabilities, and other eligible veterans who requested assistance through the public employment service and, of these, the number placed in suitable employment or job training opportunities or who were otherwise assisted, with separate reference to occupational training under appropriate Federal law. The report shall also include any determination by the Secretary under section 2004 or 2006 of this title and a statement of the reasons for such determination.

"§ 2008. Cooperation and coordination with the Veterans' Administration

"In carrying out his responsibilities under this chapter, the Secretary of Labor shall from time to time consult with the Administrator and keep him fully advised of activities carried out and all data gathered pursuant to this chapter to insure maximum cooperation and coordination between the Department of Labor and the Veterans' Administration."

(b) The table of chapters at the beginning of title 38, United States Code, and the table of chapters at the beginning of part III of such title are each amended by striking out

"41. Job Counseling and Employment Placement Service for Veterans_ 2001"

and inserting

"41. Job Counseling, Training, and Placement Services for Veterans __________________________ 2001"

SEC. 603. (a) Part III of title 38, United States Code, is amended by adding at the end thereof a new chapter as follows:

"Chapter 42.—EMPLOYMENT OF DISABLED AND VIETNAM ERA VETERANS

"Sec.
"2011. Definitions.
"2012. Action plan for employment of disabled and Vietnam era veterans.
"2013. Veterans' employment preference under Federal contracts.
"2014. Eligibility requirements for veterans under certain Federal manpower training programs.

"§ 2011. Definitions

"As used in this chapter—

"(1) The term 'disabled veterans' means a person entitled to disability compensation under laws administered by the Veterans' Administration for a disability rated at 30 per centum or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in line of duty.

"(2) The term 'veteran of the Vietnam era' means a person (A) who (i) served on active duty for a period of more than 180 days, any part of which occurred during the Vietnam era, and was discharged or released therefrom with other than a dishonorable discharge, or (ii) was discharged or released from active duty for a service-connected disability if any part of such active duty was performed during the Vietnam era, and (B) who was so discharged or released within the 48 months preceding his application for employment covered under this chapter.

"(3) The term 'department and agency' means any department or agency of the Federal Government or any federally owned corporation.

"§ 2012. Action plan for employment of disabled and Vietnam era veterans

"(a) The Administrator, in consultation with the Secretary of Labor and the Civil Service Commission, shall establish an affirmative action plan providing for the preferential employment of disabled veterans and veterans of the Vietnam era by every department and agency. Such action plan shall be promulgated within 90 days after the date of enactment of this section and shall be published in the Federal Register.

"(b) Each department and agency shall be responsible for implementing the action plan promulgated under subsection (a) of this section and shall, within 60 days after the promulgation of such plan, issue such rules and regulations, adopt such procedures and policies, and make such exemptions and exceptions as may be consistent with law and necessary or appropriate to effectuate such action plan. Each department and agency shall consult with the Administrator in order to achieve such consistency and uniformity as may be feasible.

"(c) Each department and agency shall submit a report to the President each year on or before March 31 indicating the extent to which the action plan referred to in subsection (a) of this section has been implemented by such department or agency during the immediately preceding calendar year. The President shall submit a report to the Congress each year on or before May 1 indicating the extent to which such action plan has been successful during such calendar year and including statistics showing the extent to which each department and agency has complied with such action plan during the preceding calendar year.

"§ 2013. Veterans' employment preference under Federal contracts

"(a) Any contract entered into by any department or agency for the procurement of personal property and nonpersonal services (including construction) for the United States, shall contain a provision requiring that, in employing persons to carry out such contract, the party contracting with the United States shall give a preference to disabled veterans and to veterans of the Vietnam era. The provisions of this section shall apply to any subcontract entered into by a prime contractor in carrying out any contract for the procurement of personal property and non-personal services (including construction) for the United States. A contractor or subcontractor shall be required to give an employment preference to a veteran under this section for any job only if the veteran otherwise meets the qualifications for such job. The President shall implement the provisions of this section by promulgating regulations within 60 days after the date of enactment of this section.

"(b) If any disabled veteran or veteran of the Vietnam era believes any contractor has failed or refuses to comply with the provisions of his contract with the United States, relating to granting employment preferences to veterans, such veteran may file a complaint with the Veterans' Employment Service of the Department of Labor. Such complaint shall be promptly referred by such service to the Office of Federal Contract Compliance of that Department. That office shall promptly investigate such complaint and shall take such action thereon as the facts and circumstances warrant consistent with the terms of such contract and the laws and regulations applicable thereto.

"§ 2014. Eligibility requirements for veterans under certain Federal manpower training programs

"Any (1) amounts received as pay or allowances by any person while serving on active duty, (2) period of time during which such person served on such active duty, and (3) amounts received under chapters 11, 13, 31, 34, 35, and 36 of this title by a veteran (as defined in section 101(2) of this title) who served on active duty for a period of more than 180 days or was discharged or released from active duty for a service-connected disability, and any amounts received by an eligible person under chapters 13 and 35 of such title, shall be disregarded in determining the need or qualifications of participants in any public service employment program, any emergency employment program, any job training program assisted under the Economic Opportunity Act of 1964, any manpower training program assisted under the Manpower Development and Training Act of 1962, or any other manpower training (or related) program financed in whole or in part with Federal funds."

(b) The table of chapters at the beginning of title 38, United States Code, and the table of chapters at the beginning of part III of such title are each amended by adding at the end thereof a new item as follows:

"42. Employment of Disabled and Vietnam Era Veterans.................. 2011".

TITLE VII—EFFECTIVE DATES

SEC. 701. (a) Titles II and V of this Act shall become effective on the first day of the second calendar month following the month in which enacted.

(b) The provisions of section 602 shall become effective 90 days after the date of enactment of this Act.

SEC. 702. The provisions of section 1786 of title 38, United States Code (as added by section 317 of this Act) which apply to correspondence course training shall, in the case of any eligible wife or widow, become effective upon the first enrollment of veteran or person which occurs on or after the first day of the second calendar month following the month in which this Act is enacted.

SEC. 703. The provisions of the second sentence of clause (2) of subsection (a) of section 1788 of title 38, United States Code (as added by section 317 of this Act) shall, in the case of any eligible veteran or eligible person, become effective upon the first enrollment or such re-enrollment of veteran or person which occurs after the date of the enactment of this Act.

The PRESIDING OFFICER. The Chair would inform the Senate there is a 10-minute limitation on this bill.

Mr. HARTKE. Mr. President, I rise to speak in support of the provisions of my bill, S. 2161, the proposed Vietnam-Era Readjustment Assistance Act of 1972, as I reported it from the Committee on Veterans' Affairs on Wednesday, July 26. I have asked the leadership that rather than take up S. 2161 we take up instead the House-passed companion measure—H.R. 12828—and that the provisions of S. 2161 as reported be inserted in lieu of the text of the House bill. I thank the leadership for their cooperation in clearing this bill for action so swiftly.

I am grateful that S. 2161 is cosponsored by the ranking minority member of the Committee on Veterans' Affairs, the Senator from South Carolina (Mr. THURMOND) together with the entire membership of the committee, including the Senator from California (Mr. CRANSTON), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Georgia (Mr. TALMADGE), the Senator from Iowa (Mr. HUGHES), the Senator from Wyoming (Mr. HANSEN), the Senator from Vermont (Mr. STAFFORD), and the Senator from Ohio (Mr. SAXBE).

This unanimous cosponsorship together with the strong bipartisan action of the members of the committee in approving this bill indicates, I believe, the degree of conviction held by each of us as to what must be provided for our returning veterans. It is a conviction which I believe is shared by every Member of Congress with the country as a whole. Members of our committee often have diverse viewpoints concerning what our military or foreign policies should be, but there has been little disagreement concerning the necessity of our Nation discharging its obligations toward those who were called upon to serve their country.

The challenge to our Government was well stated by President Roosevelt in the midst of World War II when in a message to Congress he said:

> Vocational and educational opportunities for veterans should be at the widest range . . . lack of money should not prevent any veteran of this war from equipping himself for useful employment for which his aptitudes and willingness qualify him. The money invested in this training and schooling program will reap rich dividends in the higher productivity, more intelligent leadership and greater productivity, more intelligent leadership and greater happiness. . . . We have taught our youth how to wage war; we must also teach them how to have useful and happy lives in freedom and justice and decency.

Those words were spoken almost 30 years ago, but they are just as true today as they were then. If there has been a difference it is in the response of our Government to the challenge posed by those words then and now. Following World War II, we embarked upon what is perhaps the most important social experiment in the American history of education with the GI bill of rights. Under this bill, 7,800,000 veterans received training which included college level schools, below college level on-the-job training and institutional on-the-farm training. Over 1,400,000 were given on-the-job training. Seventy thousand participated in on-farm training and over 2.2 million went to college. By the time the World War II GI bill ended, America had been given over 450,000 engineers, 180,000 doctors, dentists, and nurses, 360,000 teachers, 150,000 scientists, 107,000 lawyers, 243,000 accountants, 36,000 ministers, 280,000 metalworkers, 138,000 electricians, 83,000 policemen and firemen, 700,000 businessmen, and over 17,000 writers and journalists. Finally it should be mentioned that I received training under the GI bill as did 20 of my colleagues in the Senate and 65 Members of the House of Representatives.

The total cost of this program was expensive—over $14.5 billion. But it was a blue chip investment: Our Government has received back in additional tax dollars at least $3 and perhaps as many as $6 for each dollar spent on GI bill training.

But does today's program provide the same opportunity that was available to veterans following World War II? The committee is convinced that it does not. The present monthly allotment of $175 per month for a Vietnam-era veteran without dependents does not equal in inflation adjusted dollars the GI bill entitlement of his World War II counterpart. At that time the veterans were eligible for benefits of up to $1,175 an academic year. Adjusting for increases in the cost of living since 1948 this equals $2,250 in today's dollars. By contrast, the single veteran today receives only $1,575 a school year—$175 for 9 months.

Thus, to encourage greater participation in GI bill training; to provide a more adequate level of benefits to meet today's educational costs; and finally, to provide true parity of benefits with the World War II GI bill the basic rate for a single veteran in my bill S. 2161 has been increased almost 43 percent from $175 a month to $250. A married veteran's rate is increased from $205 to $297 a month. A married veteran with a child will now receive $339 up from the present $230, with an additional $21 authorized for each dependent in excess of two.

COST OF VA EDUCATIONAL PROGRAM

The cost of my bill, S. 2161, as with the cost of the World War II GI bill does not come cheap, but then the cost of the war which created these veterans is more expensive. We must also remember that the question that we face today is not: "Can we afford to do it," but rather "Can we afford not to do it."

The World War II and Korean conflict GI bills totaled $19 billion. The current VA educational program through April 1972 has already cost $5.3 billion. The first year additional direct benefits cost provided for in S. 2161 is $843.4 million; over the span of 5 years the total additional cost will be approximately $3.9 billion. When added to the sums presently authorized we can expect in the next 5 years to invest over $13 billion of VA educational payments in the future of our country. And it is a prudent investment for as Benjamin Franklin noted over 200 years ago:

> Investment in knowledge always pays the best interest.

At this point in the RECORD, Mr. President, I would like to insert a table showing the direct benefit costs of the GI bill for each of the next 5 years.

There being no objection the table was printed in the RECORD, as follows:

DIRECT BENEFITS COST OF GI BILL[1]

[In millions]

	Without increase	S. 2161	With $250 base
Fiscal year—			
1973	$2,123.8	$843.4	$2,967.2
1974	2,097.1	847.4	2,944.5
1975	1,894.6	741.5	2,636.1
1976	1,668.0	724.3	2,392.3
1977	1,475.7	656.2	2,131.9
5-year total	9,259.2	3,812.8	13,072.0

[1] Includes chs. 31, 34, and 35.

GENERAL SUMMARY OF THE PROVISIONS OF S. 2161

Mr. President, there are seven titles to S. 2161, the product of intensive work and discussion by members of the Committee on Veterans' Affairs. Briefly summarized they are as follows:

TITLE I

Title I of the committee substitute provides for major increases in the basic rates for educational assistance to achieve parity with the World War II GI Bill entitlement level. Adjusting for increases in cost-of-living since 1948—plus an allowance of 3.5 percent for anticipated continuing inflationary increases—the basic rate for a single veteran has been increased approximately 43 percent from $175 to $250 a month. The vocational rehabilitation subsistence allowance under chapter 31 and the educational assistance allowances under chapters 34 and 35 have all been increased consistent with this approach. Additional allowances for dependents have also been increased.

TITLE II

Title II provides for an advance payment of the GI bill educational assistance allowance to eligible veterans and persons at the start of the school term and prepayment of the allowance on the first of each month thereafter. Under existing law there is an inevitable delay in the veteran's receipt of his allowance at the onset of the school year. This provision will give an initial advance payment for the first full or partial month plus the allowance for the next full month. The initial check payable to the veteran will be mailed directly to the school to be picked up by the veteran upon his registration.

This title also establishes a new student-veterans' workstudy/outreach program whereby participating needy GI bill trainees would receive a $300 advance workstudy allowance for performing various services in Veterans' Administration programs, particularly in outreach activities to encourage increased participation in the GI benefit programs. The program will enable a veteran to receive additional funds early in the semester when such funds are most urgently needed and at the same time contribute to the GI bill program through vital outreach efforts and increased efficiency and speed in certificate and claim processing.

TITLE III

Title III amends title 38 as follows:

First. Extend the option of different types of training programs available to veterans under chapter 34 to participants under chapter 35. The title would extend to wives and widows the right to pursue correspondence courses and to wives, widows, and children eligibility for apprenticeship and other on-job training programs, which are currently available to the veteran. In addition the title would also provide authority for eligible educationally disadvantaged wives and widows to pursue secondary level training and receive tutorial assistance without charge to their basic entitlement. This authority is presently available to educationally disadvantaged veterans and servicemen.

Second. Combines basic provisions relating to the payment of allowances and the general administration of the GI bill program now contained in chapter 34, "Veterans' Educational Assistance," and chapter 35, "War Orphans and Widows' Educational Assistance," and enacts them in chapter 36, "Administration of Educational Benefits," as applicable to both chapters 34 and 35. A section-by-section citation of changes made in title 38 by this bill is contained in the appendix to this report.

Third. Make several adjustments to the PREP—predischarge education program—for active duty servicemen in order to make the program more effective. Payment of educational allowances for courses needed to achieve a high school equivalency certificate—GED—as well as high school degrees would be authorized, and participation in PREP and college preparatory programs facilitated especially for private nonprofit schools. It also provides for coordination with and participation by the Department of Defense in PREP programs.

Fourth. Amends the farm cooperative training program to increase participation by increasing the rates payable, reducing the high number of classroom hours, and expanding on-farm instruction.

Fifth. Makes amendments in the program relating to veteran—persons also made eligible—participation in correspondence courses to provide for a mandatory 10-day "cooling-off" period with return of the veterans full payment if he does not affirm any contract. In addition, in order to qualify for VA payments, correspondence schools will now be required to maintain a refund policy, based upon the percentage of the course completed, for those veterans who terminate their courses. The benefits payable under the correspondence training program would be increased by providing that a veteran's or person's entitlement would be charged with 1 month for each $250 paid to him as an educational assistance allowance instead of the current $175 figure.

Sixth. The rates for on-job and apprenticeship trainees are also increased substantially by approximately 48 percent, as recommended by the VA, from $108 to $160.

Seventh. Provides for prior consultation with the appropriate service education officer by any active duty serviceman intending to pursue a program of education under title 38.

Eighth. Authorizes eligible persons training under chapter 35 to pursue programs of education at institutions of higher learning outside of the United States, as is presently authorized for veterans training under chapter 34.

Ninth. Makes certain clarifying and liberalizing amendments with respect to measurement of courses including high school, trade or technical, adult evening high school, noncredit deficiency, and prep and college preparatory courses.

Tenth. Increases the amount of reporting fee paid to educational institutions by the VA for each veteran whose initial advance payment allowance check is processed and delivered by that school.

Eleventh. Amends the so-called 2-year rule authorizing enrollment of veterans in courses where the school has made a complete move to a new location outside the general locality of its former site where it is determined the school has substantially retained the same faculty, curriculums, and students without a change in ownership.

Twelfth. Authorizes the Administrator to approve additional changes of program which he finds are necessitated by circumstances beyond the control of the veteran or eligible person.

TITLE IV

Title IV amends title 38 as follows:

First. Provides for equality of treatment for veterans and their spouses regardless of sex by deleting certain criteria which currently restrict the eligibility of a husband or widower of a female veteran for certain benefits under title 38.

Second. Expands the definition of the term "child" to permit the payment of dependency allowances in certain circumstances prior to the issuance of a final decree of adoption.

Third. Amends the Veterans' Administration outreach services program to provide for greater contact in person or by telephone with educationally disadvantaged veterans to encourage the use of GI educational benefits.

Fourth. Increases the allowance payable by the Administrator for administrative expenses incurred by State and local approving agencies in administering educational benefits under title 38.

Fifth. Provides for an independent study to be conducted of the educational assistance programs under title 38, comparing them with previous programs in effect following World War II and the Korean conflict. The report with findings and recommendations shall be made to the President and Congress within 9 months following enactment.

TITLE V

Title V provides for supplementary assistance to veterans in the form of entitlement to direct loan from the Veterans' Administration of up to $1,575 a year to cover educational costs not provided for in title 38 or other Federal loan or grant programs.

TITLE VI

Title VI amends title 38 as follows:

First. Adds a fully rewritten chapter 41 to title 38 which sets forth the basic veterans' employment and manpower responsibilities of the Department of Labor, as administered through the Veterans' Employment Service.

Second. Provides for affirmative action plans for the hiring by Federal departments and agencies of service-connected disabled and Vietnam-era veterans.

Third. Provides for employment preference to be given to service-connected disabled veterans and Vietnam-era veterans in all Government contracts and subcontracts if the veteran otherwise meets all of the qualifiactions for the job involved.

Fourth. Facilitates entry of disadvantaged veterans into existing Federal manpower training programs by disregarding the pay and allowance received by a veteran and the time spent while in the service or payment received under title 38.

TITLE VII

Title VII makes most of the provisions effective upon the first day of the second calendar month following the month in which it is enacted. Rate increases become effective upon enactment.

EXCERPTS FROM THE COMMITTEE REPORT

Mr. President, the provisions of S. 2161 which I have previously summarized are described more fully in the committee report, and I ask unanimous consent that appropriate excerpts from that report be printed in the RECORD at this point.

There being no objection, the material was ordered printed in the RECORD as follows:

BACKGROUND AND DISCUSSION

Participation rates

The Committee hearings were directed at reviewing the existing GI Education Program and seeking ways to improve it. Currently, 1.1 million veterans are in training together with 82,000 servicemen, 5,400 wives and widows and 36,000 sons and daughters. Since June 1, 1966, some 3.2 million veterans of a total of 8.9 million eligible veterans have entered training and received benefits in the amount of $5.3 billion. Subsequent to the passage of increased benefits by Congress in 1970 participation rates have increased to 40.0 percent but are still not equal to the total World War II rate of 50 percent.

Even if one compares, as the Veterans' Administration urges, the first 71 months of the World War II program with the results of today's program so far (June 1966 to April 1972) the World War II participation rate is more than 20 percent higher than the current GI bill (44.9 percent vs. 35.9 percent).

Moreover, participation by the educationally disadvantaged, a major concern of the Committee and a principal objective of the Veterans' Administration Outreach Program is not encouraging. Of the 5.6 million Vietnam era veterans, 915,000 were discharged with less than a high school degree or its equivalency as shown in the following table:

TABLE 1.—ESTIMATED NUMBER OF POST-KOREAN CONFLICT VETERANS SEPARATED FROM THE ARMED FORCES WHO HAD COMPLETED LESS THAN A HIGH SCHOOL EDUCATION

[Numbers in thousands]

		With honorable discharge and 6 months or more of active duty service		
			Did not complete high school	
Fiscal year of separation	Total separations	Total	Percent of total separations	Number
1955 (February–June 1955)	4			
1956	26	10	19.2	5
1957	186	161	32.8	61
1958	449	390	29.4	132
1959	446	387	26.7	119
1960	463	418	24.8	115
1961	419	362	26.0	109
1963	430	395	22.8	98
1963	513	474	24.4	125
1964	547	496	22.5	123
1965:				
July 1964	41	37	22.0	9
August 1964–June 1965	496	455	22.2	110
1966	550	505	16.9	93
1967	576	502	18.2	105
1968	788	698	16.0	126
1969	972	871	14.4	140
1970	1,043	929	13.9	145
1971	995	867	11.3	112
1972	870	761	9.7	84
Post-Korean conflict	9,814	8,727	18.5	1,811
Vietnam era	6,290	5,597	14.5	915

Source: Veterans' Administration.

Yet only 17.4 percent of these educationally disadvantaged veterans have used VA educational benefits; 10.7 percent, have used the free entitlement for special benefits for educationally disadvantaged under subchapters V and VI of chapter 34.

But even these figures fail to reflect the gravity of these distressingly low rates of participation by those who most need GI bill educational training. The President's Committee on the Vietnam Veteran reported that test results show that 30 percent of high school graduates in the Armed Forces score as poorly or worse than the average score of those who had not completed high school. Using this figure the Committee estimates an additional 1.4 million veterans are eligible for these special assistance benefits. When these figures are added in with non-high school graduates plus 1.4 million—the participation rate in these programs is 4.2 percent of the total eligible.

Preliminary data also indicates that the Administration has not reached its Fiscal Year 1972 Veterans' Program goal for increased veteran enrollment in the GI Bill program. In addition, in a letter this past May concerning his Veterans' Program which he regards as the "highest priority in Federal Manpower and Training programs," the President stated that "efforts should also be made to increase veteran participation in GI Bill training. . . ."

The Committee is convinced that substantial increases in the present rates are necessary as a prerequisite to achieving significantly greater participation. An important indicia of the inadequacy of current rates is revealed in a survey commissioned by the Veterans' Administration entitled "A Study of the Problems Facing Vietnam Era Veterans and Their Readjustment to Civilian Life." This comprehensive survey, which was conducted by Lou Harris & Associates in August 1971, disclosed that, while Vietnam Era veterans rated educational benefits as the most important service provided by the Veterans' Administration, over 59 percent of them have never even applied for these benefits. Of even greater importance was the finding that over 53 percent of these veterans would "certainly apply" if benefits were increased while an additional 30 percent indicated they "might apply."

Educational costs

Currently, a single veteran receives an educational assistance allowance of $1,575 an academic year ($175 per month for nine months) to cover all school and subsistence costs. The Office of Education, Department of Health, Education, and Welfare, in its publication, "Higher Education Basic Student Charges" figures an estimated average for tuition, room and board in 1973–74 school year at $1,428 for public schools and $3,107 for non-public schools. Public two-year schools charges average $1,168 while their private counterparts were at $2,636, according to the same study.

The following table shows estimated average charges in current dollars for full-time independent resident degree students in institutions of higher education by institutional type and control in the United States for the period 1960–61 to 1972–73:

TABLE 2.—ESTIMATED AVERAGE CHARGES (CURRENT DOLLARS) PER FULL-TIME UNDERGRADUATE RESIDENT DEGREE-CREDIT STUDENT IN INSTITUTIONS OF HIGHER EDUCATION, BY INSTITUTIONAL TYPE AND CONTROL: UNITED STATES, 1960–61 TO 1972–73

[Charges are for the academic year and in current unadjusted dollars]

	Total tuition, board, and room				Tuition and required fees			
Year and control	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year
1960–61:								
Public	$850	$919	$765	$576	$211	$252	$171	$81
Nonpublic	1,602	1,806	1,503	1,124	857	1,001	785	490
1961–62:								
Public	869	947	788	599	218	265	182	88
Nonpublic	1,666	1,882	1,570	1,198	906	1,059	838	537
1962–63:								
Public	901	986	814	615	222	268	192	97
Nonpublic	1,724	2.022	1,608	1,271	944	1,149	869	600
1963–64:								
Public	926	1,026	846	630	234	281	215	97
Nonpublic	1,815	2,105	1,700	1,313	1,012	1,216	935	642
1964–65:								
Public	950	1,051	867	638	243	298	224	99
Nonpublic	1,907	2,202	1,810	1,455	1,088	1,297	1,023	702
1965–66:								
Public	983	1,106	903	671	258	327	240	109
Nonpublic	2,004	2,317	1,898	1,559	1,154	1,369	1,086	769
1966–67:								
Public	1,026	1,171	947	710	275	360	259	121
Nonpublic	2,124	2,456	2,007	1,679	1,233	1,456	1,162	845
1967–68:								
Public	1,063	1,199	997	790	283	366	268	144
Nonpublic	2,204	2,544	2,104	1,763	1,297	1,534	1,238	893
1968–69:								
Public	1,117	1,245	1,063	883	295	377	281	170
Nonpublic	2,321	2,673	2,237	1,876	1,383	1,638	1,335	956
1969–70:								
Public	1,197	1,342	1,145	956	320	413	309	187
Nonpublic	2,518	2,903	2,434	2,065	1,516	1,794	1,470	1,065

TABLE 2.—ESTIMATED AVERAGE CHARGES (CURRENT DOLLARS) PER FULL-TIME UNDERGRADUATE RESIDENT DEGREE-CREDIT STUDENT IN INSTITUTIONS OF HIGHER EDUCATION, BY INSTITUTIONAL TYPE AND CONTROL: UNITED STATES, 1960-61 TO 1972-73—Continued

[Charges are for the academic year and in current unadjusted dollars]

Year and control	Total tuition, board, and room				Tuition and required fees			
	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year
1970–71:								
Public	1,273	1,435	1,224	1,028	344	448	337	206
Nonpublic	2,712	3,129	2,625	2,251	1,649	1,950	1,605	1,174
1971–72:[1]								
Public	1,349	1,527	1,305	1,098	367	483	365	224
Nonpublic	2,906	3,354	2,820	2,441	1,781	2,105	1,740	1,285
1972–73:[1]								
Public	1,428	1,621	1,390	1,168	392	520	394	242
Nonpublic	3,107	3,586	3,022	2,636	1,919	2,266	1,881	1,401

[1] Projected.

Note: Data are for 50 States and the District of Columbia for all years.

Sources: U.S. Department of Health, Education, and Welfare, Office of Education publications: (1) "Higher Education Basic Student Charges," 1961–62 through 1964–65, 1966–67, and 1968–69; and (2) "Opening (fall) Enrollment in Higher Education," 1961 through 1964, 1966, and 1968.

But these data are only for fixed charges to the veteran. A more meaningful figure may be found in the estimates supplied by the National Center for Educational Statistics of the Office of Education in their estimates for "total costs" of attending college which includes tuition, board, room, and all other charges incurred by the student in college. For the school year 1970–71, such total charges for a student attending public schools were estimated at $2,726 while a student enrolled in a private school had total charges of $4,573.

Educational costs continue to spiral at a rate significantly higher than the rise in the general cost-of-living. The National Association of State Universities and Land Grant Colleges reports that median student charges for 1971–72 increased by 8.8 percent over the preceding year. The American Association of State Colleges and Universities reported increases of 8.3 percent for the same period.

Even without reference to soaring school costs, it is obvious that current GI rates do not meet even general consumption level budgets. While a full-time student-veteran with no dependents receives $175 a month, the Bureau of Labor Statistics estimates that a "lower" consumption budget for a single person under 35 years of age is $170 a month and $252 for a "moderate" budget. Over 40 percent of all veterans in training are married; almost 23 percent of all veterans are parents as well. Yet, a married full-time veteran without children currently receives $205 monthly compared with BLS lower and moderate consumption budget levels of $238 and $352, respectively. Finally, for a family of four, a lower consumption budget is $351 a month and $518 for a moderate budget. By contrast, a veteran with three dependents receives $243 under the current GI bill.

Comparison of the amount by which the basic educational assistance allowance rate is increased for each dependent (hereinafter called veteran dependency allowances) with amounts paid under Aid to Families with Dependent Children (AFDC) and Unemployment Compensation benefits is also useful. While a full-time married student-veteran currently receives $25 for the first and $13 for each additional child, the current U.S. average monthly payment per recipient under AFDC is $52. Moreover, the current average Unemployment Compensation payment for a child is $56. In short, the present GI bill is, as General Westmoreland recently noted, "inadequate to support a student-veteran and his family."

It was against this background that the Committee attempted to fashion a bill which would more fully accomplish Congressional intent set forth in section 1651 which states:

"The Congress of the United States hereby declares that the education program created by this chapter is for the purpose of (1) enhancing and making more attractive service in the Armed Forces of the United States, (2) extending the benefits of a higher education to qualified and deserving young persons *who might not otherwise be able to afford such an education*, (3) providing vocational readjustment and restoring lost educational opportunities to those servicemen and women whose careers have been interrupted or impeded by reason of active duty after January 31, 1955, and (4) *aiding such persons in attaining the vocational and educational status which they might normally have aspired to and obtained* had they not served their country. (Emphasis added.)"

Consideration of direct tuition payments

In its deliberations, the Committee gave consideration to the interest expressed by Members of Congress and witnesses who appeared before it to urge a return to an educational system similar to that in effect following World War II. A full-time student-veteran with no dependents entering school in 1948 was entitled to up to $500 a year for tuition, fees and books together with a monthly subsistence allowance of $75. Higher allowances were authorized for veterans with dependents.

The tuition allowance at that time was sufficient to cover charges by most public and private institutions of higher learning in the United States. Over 7,800,000 men trained under the bill at a cost of $14.5 billion.

At the same time, the Committee gave consideration to the deep convictions held by distinguished Members of the House-Committee on Veterans' Affairs. The Committee report (92–887) to the House passed bill, H.R. 12828, declares that the World War II GI Bill "encouraged major abuses and became an administrative nightmare." In 1952, a special Congressional investigating committee said:

"In view of the waste, abuse, and inefficiency which occurred during the World War II program, it would be grossly unfair to veterans of the Korean conflict, and to the Nation as a whole, to extend the present program without corrective action. Veterans of the Korean conflict are no less entitled to readjustment benefits than veterans of World War II; however, a new group of veterans should not be exposed to the exploitation which has plagued the World War II program. A sound educational readjustment program, unhampered by blind adherence to the past, taking full advantage of the experience gained during the last 7 years, should be devised, employing adequate safeguards against abuse to the end that veterans of the present conflict would be entitled to a period of education and training consistent with that period which they may have lost because of service during a period of hostilities. The scholarship allowance should be sufficient to maintain a veteran-student under reasonable and normal circumstances in a reliable educational institution with customary charges for nonveteran students used as a guide."

The result of the investigation was, of course, the abandonment of a separate tuition payment system in favor of a monthly allowance paid directly to the veteran which was to cover both education and subsistence costs.

The Veterans' Administration testifying before the Committee earlier this year in opposition to enactment of a tuition payment program stated that it: "would complete a cycle which would again give rise to the same abuses as falsification of a veteran's progress and attendance records, and collusion between school officials and veterans in falsely obtaining educational assistance allowances."

While the Senate Committee is not convinced that a workable tuition payment system which is equitable, free of substantial abuse, and administratively simple could not be developed, it believes that additional study to produce such a system is needed, particularly in view of the strong opinions held by senior Members of Congress and the extremely strong opposition of the administration.

PARITY WITH WORLD WAR II ENTITLEMENT LEVELS

Apart from the method of payment, the Committee does believe, however, that the level of entitlement for today's veteran should be no less than for his World War II counterpart. The Carnegie Commission on Higher Education has formally recommended that: "Federal legislation should be amended to provide for benefits fully comparable to those following World War II in relation to prevailing wage levels, tuition and fees and the cost-of-living." And a "very substantial increase in GI benefits" was called for by participants in the Veterans' Administration National Task Force on Education of the Vietnam Era veteran which was convened subsequent to the Administration's submission of legislative recommendations to Congress (but whose full report has never been published).

Taking the foregoing factors into consideration, the Committee decided to retain the current method of payment of an educational assistance check directly to the veteran or eligible person in training, but to increase the rates payable substantially to achieve parity with veteran entitlement under the World War II GI Bill (and to provide a method of advance payment discussed below, to place the first check in the veteran's hands when he registers at his institution). To achieve this parity the Committee converted the World War II GI Bill to a monthly rate and then increased that amount by 185 percent to reflect the increase in the cost-of-living from 1948 to April 1972. The Committee also added an additional 3.5 percent to provide a cushion for anticipated inflationary increases during the coming school year. The result for a full-time veteran without dependents is an increase of approximately 43 percent from the present rate of $175 to $250 a month, the rate proposed in the committee substitute. An additional $47 is provided for the first dependent; $42 for the second; and $21 for each additional dependent in excess of two.

Dependency allowance

These dependency allowances were basically those included in S. 2161 as introduced, with a correction of five percent for the inflation during the time since introduction, and were derived by averaging the level of dependency support under Unemployment Compensation, AFDC, and the adjusted World War II rate. The Committee substitute applies this basic dependency allowance rate to the other GI Bill programs—vocational rehabilitation, apprenticeship or OJT, and farm cooperative—with corrections for the nature of the subsistence to be provided under the particular program. Other improvements in calculating the rates in the Committee substitute are an adjustment to make the rate for half-and three-quarter-time training exactly that proportion of the basic full-time rate and to make each rate schedule consistent in form and method of increasing the allowance for each dependent in excess of two.

A comparison of the World War II program with existing rates, the Administration's recommendations, the House-passed bill, and the S. 2161, Committee substitute is shown in the following table:

TABLE 3.—*Comparison of World War II GI bill with present law and proposals*

[Veteran without dependents]

	School year
Tuition: up to $500	$500
Subsistence: $75×9	675
Total	1,175

2. World War II GI bill adjusted to 1972 dollars:

(*a*) U.S. Department of Labor Consumer Price Index:

$$1967=100$$
$$1948=66.9$$
$$\text{April } 1972=124.3$$
$$\frac{124.3}{66.9}=1.85$$
$$1{,}175\times1.85=2{,}174$$

(*b*) Allowance for future inflationary increase:

3.5 percent×2,174=7676.00	2,174
	76
	2,250

3. Current law, $175 per month	1,575
4. Administration recommendation, $190 per month	1,710
5. H.R. 12828, $200 per month	1,800
6. S. 2161, $250 per month	2,250

Education loans

The Committee is also aware that while the cost-of-living has increased 185 percent since 1948, the cost of education in many schools, particularly non-public institutions has increased from 300 to 500 percent during the same period. For veterans wishing to attend those higher cost institutions, the Committee believes that they should have access to direct loans from the Veterans' Administration for the excess to supplement their own resources as needed to meet those costs not covered by VA benefits or other Federal grants or loans. Loans in the amount of up to $1,575 per academic year are thus authorized under the Committee substitute.

Advance payment

The present VA educational payment system, also presents problems which cause financial and emotional hardship for the student-veteran and his family. Under the present system a veteran must obtain a certificate of eligibility from the Veterans' Administration by submitting an application. After receipt of his certificate of eligibility the veteran must present it to his college which verifies his attendance at the institution. Upon receipt of this certification, the VA is then authorized to issue an educational assistance allowance to the veteran.

The system often breaks down, however, because of heavy work loads at schools at the beginning of the fall term and at the Veterans' Administration regional offices which must process large numbers of entitlement certifications in the space of a few weeks. As a result, a veteran entering school in September may expect payment not to arrive before mid or late October, or in some cases November or even later. The Committee intends the advance payment system provided for in Title II of the Committee substitute to correct this situation by providing for an advance payment which will be waiting for the veteran at the school upon his registration there.

Work-Study Outreach Program

Due to the lower participation rate under the current GI bill, particularly among educationally disadvantaged veterans, the Committee also believes it imperative that there be a more effective outreach program than presently exists. This can be accomplished in large part by student-veterans hired under the Work-Study Outreach program provided for by Title II of the Committee substitute. Testimony has indicated, and VA profiles of the Vietnam era veteran confirm, that the most effective outreach worker is one with whom the potential trainee can identify most immediately and fully. Veterans who are themselves pursuing an education offer such ready identification.

Furthermore, the Committee questions whether it is economically productive to use GS–12's and 13's as contact officers to "pound the pavement" when young student-veterans (at $2.50 per hour) may carry out these functions, probably with a higher incidence of success, and at far lower cost.

Employment Assistance

Finally, the Committee also recognizes that another significant factor in the readjustment problem faced by the returning veteran is the continuing high unemployment rate. For the past two years this rate has been significantly higher for veterans than for comparable nonveterans. In Fiscal Year 1972, the unemployment rate for veterans age 20–29 ranged from 7.2 to 9.8 percent while the rate for nonveterans in the same age group fluctuated from 6.5 to 8.0 percent. For younger veterans age 20–24 the unemployment rate is even higher, sometimes reaching 20 percent or greater if that young veteran happens to be of a minority group.

Despite some recent improvements, statistics for the second quarter of 1972 for veterans age 20–24 indicate an unemployment rate of 10.9 percent or over 11 percent higher than the nonveteran rate of 9.5 percent as shown in the following table:

TABLE 4.—EMPLOYMENT STATUS OF MALE VIETNAM-ERA VETERANS AND NONVETERANS 20 TO 29 YEARS OLD, QUARTERLY AVERAGES

Employment status	Seasonally adjusted				
	2d 1972	1st 1972	4th 1971	3d 1971	2d 1971
VETERANS[1]					
Total, 20 to 29 years old:					
Civilian noninstitutional population	(2)	(2)	(2)	(2)	(2)
Civilian labor force	4,180	4,076	3,951	3,814	3,632
Employed	3,848	3,743	3,623	3,463	3,302
Unemployed	332	332	328	351	330
Unemployment rate	8.0	8.2	8.3	9.2	9.1
20 to 24 years:					
Civilian noninstitutional population	(2)	(2)	(2)	(2)	(2)
Civilian labor force	1,792	1,801	1,783	1,768	1,719
Employed	1,596	1,596	1,579	1,551	1,490
Unemployed	196	206	204	217	229
Unemployment rate	10.9	11.4	11.4	12.3	13.3
25 to 29 years:					
Civilian noninstitutional population	(2)	(2)	(2)	(2)	(2)
Civilian labor force	2,388	2,274	2,168	2,046	1,912
Employed	2,251	2,148	2,044	1,912	1,811
Unemployed	136	127	124	134	101
Unemployment rate	5.7	5.6	5.7	6.5	5.3

Employment status	Seasonally adjusted				
	2d 1972	1st 1972	4th 1971	3d 1971	2d 1971
NONVETERANS					
Total, 20 to 29 years old:					
Civilian noninstitutional population	(2)	(2)	(2)	(2)	(2)
Civilian labor force	8,586	8,435	8,371	8,136	8,076
Employed	7,978	7,816	7,727	7,544	7,502
Unemployed	608	619	644	592	574
Unemployment rate	7.1	7.3	7.7	7.3	7.1
20 to 24 years:					
Civilian noninstitutional population	(2)	(2)	(2)	(2)	(2)
Civilian labor force	4,842	4,753	4,610	4,448	4,421
Employed	4,404	4,293	4,162	4,028	4,004
Unemployed	437	460	448	420	417
Unemployment rate	9.0	9.7	9.7	9.4	9.4
25 to 29 years:					
Civilian noninstitutional population	(2)	(2)	(2)	(2)	(2)
Civilian labor force	3,745	3,682	3,762	3,687	3,654
Employed	3,574	3,523	3,566	3,516	3,497
Unemployed	171	159	196	171	157
Unemployment rate	4.6	4.3	5.2	4.6	4.3

[1] Vietnam-era veterans are those who served after Aug. 4, 1964; they are all classified as war veterans. About 80 percent of the Vietnam-era veterans of all ages are 20 to 29 years old. Post-Korean peacetime veterans 20 to 29 years old are not included in this table.

[2] Not applicable.

Note: Data are subject to sampling variability which may be relatively large in cases where numbers are small. Therefore, differences between numbers or percents based on them may not be significant. Becuase of rounding, sums of individual items may not equal totals. Rates are based on unrounded numbers.

Source: Bureau of Labor Statistics, Department of Labor.

The unemployment rates may be even higher when all veterans out of work are included rather than those just "actively seeking employment" according to the Bureau of Labor Statistics definition which does not include those who desire work but are discouraged by current conditions for actively seeking it. The survey conducted by Lou Harris & Associates for the Veterans' Administration this past August, for example, found that 15 percent of all Vietnam era veterans interviewed were unemployed at the time of the interview. Unemployment for non-high school graduates ranged upward to 30 percent.

Of the currently unemployed who were interviewed by the Harris survey over 64 percent had never collected any unemployment compensation. For those employed, the Harris survey revealed that the Government seems to have been of little assistance. Less than 13 percent obtained their jobs through the State Public Employment Services, and less than 1 percent obtained their jobs through Job Marts/Job Fairs. Seventy-four percent of all veterans were never even contacted by the local public employment office after discharge. Of those that were contacted, only about half were referred to a job. The Harris report concluded that only about 4 percent of the returning Vietnam era veterans were materially helped in terms of getting an employment offer by the local public employment office.

The Committee is aware of efforts made this past year to improve this situation but remains convinced that far more needs to be done. The provisions of Title V are aimed at improving the effectiveness of the Government's employment efforts to help Vietnam-era and service-connected disabled veterans. A 48-percent increase in on-job training rates is also intended to improve the veteran employment situation.

Section-by Section Analysis and Explanation of S. 2161 Committee Substitute

TITLE I—VOCATIONAL REHABILITATION AND EDUCATIONAL ASSISTANCE RATE ADJUSTMENTS

Section 101

Clause (*1*). Amends section 1502 to provide that where feasible chapter 31 trainees shall be eligible for participation in the work-study/outreach program authorized in new section 1687 and for advance subsistence allowance payments provided for in new section 1780, discussed in subsequent section.

Clause (*2*). Amends section 1504(*b*) by increasing the monthly subsistence allowance rates for veterans trainees pursuing chapter 31 vocational rehabilitation training courses. Currently, about 21,000 veterans are enrolled in such training. The rate for a single veteran pursuing full-time institutional training would be increased from $135 to $200 per month. The full-time rate for a veteran with one dependent would be increased to $247 a month; two dependents to $289 a month; with $21 added for each dependent in excess of two. Three-quarter and half-time rates are adjusted to provide for the same proportion as the amount of training taken. Comparable increases are provided for those trainees pursuing from cooperative, apprentice or other on-job training.

Clause (*3*). Amends section 1507 to increase from $100 to $200 the amount of non-interest-bearing loan advance which may be made by the Administrator to trainees.

Approximately 33,000 veterans will be affected under this section the first fiscal year at an additional cost of $19.9 million.

Section 102

Clause (*1*). Amends section 1677 to increase the monthly entitlement charge for flight training courses from $175 to $250 per month.

Clause (*2*). Amends the table contained in paragraph (1) of section 1682(a) to increase the monthly educational assistance rate for some 1,256,000 veterans and servicemen currently pursuing programs under chapter 34. The full-time institutional rate would for a veteran with no dependents, be increased from $175 to $250 per month. The rate for a veteran with one dependent would increase to $297; with two dependents $339; and $21 would be added for each dependent in excess of two. Three-quarter time and half-time training rates are adjusted to provide for the same proportion as the amount of training taken, and the rates for cooperative training, which consists of institutional courses in alternate phases of training in a business or industrial establishment, are also increased.

Clause (*3*). Amends section 1682(b) to increase to $250 the base figure for calculating the rates for educational pursuits by servicemen on active duty and for those pursuing less than half-time courses.

Clause (*4*). Amends section 1696(b) to increase the maximum educational assistance allowance for persons pursuing PREP courses from $175 to $250 per month.

For the first full fiscal year 1,326,000 veterans and servicemen will be affected under this section at an additional cost of $731.2 million.

Section 103

Clause (*1*). Amends section 1732(a)(1) to increase the rate of educational assistance allowance payable to children, widows, and wives pursuing educational programs under chapter 35. Approximately 5,500 wives and widows and 36,000 sons and daughters are presently receiving benefits under this chapter. The educational assistance allowance for these eligible persons pursuing full-time institutional courses is increased from $175 to $250 per month. Three-quarter time rate is increased to $188 with the half-time rate now set at $125 per month.

Clause (*2*). Amends section 1732(a)(2) to increase monthly educational assistance allowance rates payable in the case of eligible persons pursuing programs of education on a less than half-time basis.

Clause (*3*). Amends section 1732(b) to increase the monthly educational assistance allowance rate payable in the case of eligible persons pursuing cooperative education courses.

Clause (*4*). Amends section 1742(a) to increase the special restorative training assistance allowance to those children who are in need of special restorative training consistent with other increases in this title.

Sixty-one thousand wives, widows and children would receive additional benefits under this section in the first year of $33.8 million.

TITLE II—ADVANCE PAYMENT OF EDUCATIONAL ASSISTANCE OR SUBSISTENCE ALLOWANCES AND WORK-STUDY/OUTREACH PROGRAM

Section 201

This section would create a new section 1780 in subchapter II of chapter 36 to provide, in part, first, for a consolidation of certain common provisions of law applicable to the payment of educational assistance or subsistence allowances currently in force (or made applicable by the Committee substitute in chapters 31, 34, and 35 and second, to authorize a new advance payment and pre-payment system for educational assistance or subsistence allowance as follows:

§ 1780. Payment of educational assistance or subsistence allowances

Subsections (*a*), (*b*), (*c*), (*g*), *and* (*h*). Are technical in nature and restate common provisions now found in chapters 34 and 35 (or made applicable by the Committee substitute) which provide for the period for which payment of educational assistance or subsistence allowances may be made and the certifications required for regular educational programs, correspondence training, apprenticeship, and other on-job training.

Subsection (*d*). Provides for an advance payment of initial educational assistance or subsistence allowance based upon the express finding by Congress that eligible veterans and persons need additional funds at the beginning of the school term to meet the necessary expenses of books, travel, deposits and payments for living quarters as well as the initial installment of tuition which are concentrated at the start of the school year. An eligible veteran or person would be entitled (if intending to pursue a program of education on a half-time or better basis) to an advance payment in an amount equivalent to the allowance for the first month or fraction thereof plus the educational assistance allowance (or subsistence allowance in the case of chapter 31) for the succeeding month. For example, if a veteran has a September 10 school registration date he would be entitled at the date he registers to a check for the remaining 20 days of September plus the full allowance for the month of October in advance.

Under the present system, he would be eligible for the partial month of September only after the end of that month and under optimum conditions would not receive his first check before mid or late October. Under the Committee substitute, in the event of an initial enrollment of a veteran or person in an educational institution, the application for advance payment to be made on a form prescribed by the Administrator shall contain information showing that the veteran or person is eligible for educational benefits, has been accepted and has notified the institution of his intentions to attend that school. An advance payment is also authorized in the case of re-enrollment if the applicant indicates his eligibility to continue his program of education and his intention to re-enroll. In each instance, the application form shall also state the number of semester or clock-hours to be pursued by the eligible veteran or person.

Under the Predischarge Education Program (PREP) authorized in subchapter VI of chapter 34, an advance lump-sum payment based on the amount payable for the entire quarter, semester or term would be made. Applications for advance PREP payments shall contain additional information that the PREP program to be pursued has been approved as well as specify the anticipated cost and number or Carnegie, clock, or semester hours to be pursued. In the event that such program is other than a high school credit course the application shall certify the need of the person to pursue the course or courses to be taken. Information submitted by an eligible institution shall for the purposes of the Administrator's determination establish a veteran's or person's eligibility unless the Veterans' Administration has evidence clearly establishing that such person is not eligible for advance payment.

Any advance payment approved by the Administrator shall be drawn in favor of the veteran or person and mailed to the educational institution listed on the application form for temporary care and delivery to the individual upon his registration. No delivery, however, may be made earlier than 30 days prior to the date when the recipient's program of education is to commence. The institution shall submit certification of delivery of any advance payment or promptly return any check to the Administrator if delivery is not effected within thirty days following the commencement of the program of education for which payment is to be made.

Subsection (*e*). Provides that following the initial educational assistance or subsistence allowance advance payment, the eligible veteran or person would be entitled to receive directly subsequent payments in advance for each month thereafter. Administrative controls over the program are provided by permitting the Administrator to withhold the final payment of an enrollment period until proof of satisfactory pursuit has been submitted or to adjust appropriately the final payment.

Subsection (*f*). Authorize the Administrator to recover advance payments in cases where the eligible veteran or person fails to pursue the course for which advance payment was made. Such advance may be recovered from any other benefit otherwise due such individual under any law administered by the Veterans' Administration. Otherwise, such overpayment shall constitute a liability of such individual and may be recovered in the same manner as any other debt due the United States.

This section is based upon the advance payment and prepayment provisions in S. 740 and those contained in S. 3657 as passed by the Senate in the 91st Congress (Report No. 91–1231).

Section 202

This section makes technical amendments to section 1681 to reflect the transfer of certain provisions under existing law to new section 1780 created by section 201 of the Committee substitute, *supra*.

Section 203

§ 1687. Work-study/Outreach additional educational assistance allowance; advances to eligible veterans

Subsection (*a*). This section requires an advance payment of up to $300 additional educational assistance allowance to veterans pursuing on a full-time basis any vocational rehabilitation or educational program under chapters 31 or 34 when such veterans enter into a work-study/outreach agreement with the Administrator. Under this agreement, the veteran during an enrollment period undertakes to perform 120 hours of needed services for the Veterans' Administration in connection with: (1) the Outreach Services program under section 241 of this title (particularly performing peer-group direct contact work with eligible veterans); (2) preparation and processing of necessary papers and other documents at schools or VA Regional offices; (3) provision of medical treatment in Veterans' Administration facilities; or (4) any other activity of the Veterans' Administration which the Administrator deems appropriate.

To the maximum extent feasible, the Committee intends that most students be employed in outreach activities. Advances of less than $300 are permissible for proportionately fewer hours to be worked. Agreements for services during vacations between periods of enrollments are also permitted if the veteran has completed one enrollment period and certifies his intention to continue during the next.

Subsection (*b*). Authorizes and directs the Administrator to collect (or deduct from subsequent VA benefits) pro rata amounts of the $300 work-study/outreach allowance if he determines that the veteran has not completed or will not complete his work obligation by the end of the applicable enrollment period.

Subsection (*c*). Directs the Administrator to conduct a survey (at least annually) in each geographical area of the country to determine the numbers of veteran-students whose services can be effectively utilized there, in the work-study/outreach program, during an enrollment period. Based on the survey results, he shall allocate to each Veterans' Administration Regional Office (VARO) the number of potential agreements which the VARO Director shall attempt to make during the applicable period.

Each VARO is then charged with further allocating to each school in its area, at which GI Bill trainees are enrolled, a pro rata number of potential agreements based on the total number of veterans enrolled in all such schools in that area. To the maximum extent feasible, however, 20 percent of an area's allotted numbers of agreements are to be reserved for special allocation to those schools with disproportionately high numbers of needy veteran students. If the number of allotted agreements cannot be filled by a particular school, the number of unmade potential agreements are to be reallocated to such other schools as the Administrator determines under program regulations.

Subsection (*d*). Provides for procedures and criteria for determining which veteran-students shall be offered a work-study agreement. To the maximum extent feasible, the Administrator shall contract with the schools who shall make recommendations as to which of their student-veterans should be offered the allotted number of agreements. While final determination would be made by the VARO Director in accordance with the regulations prescribed by the Administrator, the Committee intends that the recommendations by the school be given great weight.

The regulations to be prescribed by the Administrator in determining which eligible veteran-students shall be offered work-study/outreach agreements shall include the following criteria: (1) the veterans' needs to augment his allowance; (2) the availability of the veteran to transportation to the work site; (3) the veteran's motivation; (4) the particular disadvantages of the veterans who are minority group members; and (5) the physical condition of chapter 31 vocational rehabilitation trainees.

Subsection (*e*). Prohibits any work-study/outreach agreement which would result in displacement of employed workers, impair existing contracts for services, or involve the construction, operation or maintenance of so much of any facility that is used for sectarian instruction or is a place of religious worship.

Subsection (*f*). Provides that while performing services under the work-study/outreach program, and the veteran-student program is new section 1688, described below, such veteran-students shall be deemed to be employees of the United States for the purposes of benefits of chapter 81 of title 5 but not for purposes of laws administered by the Civil Service Commission. This subsection exempts work-study/outreach veterans from strictures of Federal employment laws and regulations; however, as persons performing services for Federal Government such veterans would be covered by the Federal Employee Compensation Act for injuries or death occurring while in the performance of such services.

The Committee estimates that 102,000 veterans would be hired under the work-study/outreach program at a first-year cost of $35.1 million.

§ 1688. Veteran-student employment

Subsection (*a*). In addition to the work-study/outreach program previously described, sets forth new language which would give the Administrator authority to employ, as intermittent employees, veteran-students enrolled in full-time programs of education or training under chapters 31 and 34. This would broaden current Veterans's Administration authority to hire and utilize the services of veteran-students at such times and places as the Administrator deems advisable.

Subsection (*b*). Authorizes the Administrator to pay the going rate for job classification for the work which would be performed. According to the Veterans' Administration, this would mean a minimum rate of $2.48 per hour and an estimated average payment of between $2.80 and $3.15 per hour. The Veterans' Administration testifying in support of its request for authority to hire student-veterans said that the student-veterans would be employed to do work in "contact" or veterans assistance program activities in which they would inform veterans of VA benefits and provide assistance in applying for them. They would also be hired to assist the Veterans' Administration during peak work periods in January, September, October, and December.

The General Operating Expense (GOE) account from which payments would be made contains funds for "overtime" in Fiscal Year 1973 of approximately $1 million. The VA budget for the current fiscal year indicates funds for approximately 300 man-years of such temporary veteran student employment predicated on the assumption that most veterans would not work more than 100 hours. According to VA estimates, this would support 5,000 to 6,000 veterans for the first fiscal year.

TITLE III—EDUCATIONAL ASSISTANCE PROGRAM ADJUSTMENTS

Section 301

This section amends section 1502(b) in chapter 31 to reflect the consolidation and shift of certain provisions to chapter 36.

Section 302

This section amends section 1671 to provide for consultation with the appropriate service education officer by any active duty serviceman who intends to initiate a program of education authorized under title 38. Presently 65,000 servicemen or approximately 80 percent of all active duty personnel under chapter 34 are enrolled in correspondence courses. Representatives of the U.S. General Accounting Office testified before the Committee concerning extremely low completion rates by veterans and servicemen who enroll in correspondence courses often with little attention given to their objectives, aptitude, or the suitability of the course to obtain express objectives. By requiring consultation, the Committee intends that the information and assistance that will be provided by the service education officer will offer the serviceman a better basis for selecting the education programs having the greatest potential for fulfillment of his educational and vocational objectives. Consistent with the recommendations of a recent GAO report to Congress (B–114859, March 22, 1972) the Committee intends that the Department of Defense should provide servicemen with information about correspondence programs, such as the percentage of course completion by veterans and servicemen by individual subjects.

The Veterans' Administration has agreed with suggestions by the Comptroller General to compile periodically and distribute to its personnel responsible for assisting veterans data on the number of veterans who enroll in each correspondence course subject and the number of veterans who do or do not complete each course subject. The Veterans' Administration should cooperate closely with the Department of Defense in furnishing this information to service education officers. Finally, consultation with service education officers will enable servicemen to become familiar with the full range of educational opportunities available under title 38. Where appropriate, the Committee desires maximum encouragement to servicemen to enroll in PREP programs. Particularly remedial, refresher, deficiency or college preparatory courses.

Section 303

Subsection (*a*). Makes technical changes by repealing present subsection (c) of 1682. The provisions of the subsection are now found in new section 1786 as provided for by section 317 of the Committee substitute.

Subsection (*b*). Redesignates section 1682 (d) as 1682(c) and further amends the farm cooperative program by lessening the total hour requirement for intensive classroom farm training and replacing it with a more individualized and practical on-farm assistance program similar to that in effect during the Korean conflict GI bill program. The present program contains a 528 clock-hour requirement which is divided into a 12-hour per week, 44-week pre-scheduled year of classroom instruction. This heavy classroom hour requirement has been criticized by the National Farmers Union, among others on the ground that it is difficult for young veteran farmers with long workdays to participate in a program that requires extensive travel time plus 12 hours of classroom instruction a week.

The participation rates under this program would appear to substantiate this objection. Currently, less than two-tenths of 1 percent of GI bill trainees under the post-Korean conflict program have enrolled in farm cooperative programs as compared with World War II and Korean conflict respective participation rates of 3.6 and 1.6 percent. During a 7-month period from September 1952 to July 1958 over 89,545 veterans enrolled in on the farm instruction under the Korean conflict bill. By contrast, only 8,624 veterans enrolled in agricultural training under the current GI bill during a comparable 66 month period from January 1966 to November 1971. The Committee substitute reduces the number of hours so that the course combines organized course instruction of at least 200 hours a year (and at least 8 hours each month) at an educational institution, with supervised work experience on a farm or other agricultural establishment. Such a course would provide for individual instruction of not less than 100 hours per year of which at least one-half shall be on a farm or other agricultural establishment.

Under this program heavy emphasis is placed on the practical aspects of farm management, recordkeeping and financing together with instruction in producing, marketing, and farm mechanics. This training must meet such other fair and reasonable standards as the state approving agency may set including the provision that the institution may not duplicate or repeat prior training which a veteran has received. The rate payable has also been increased consistent with general increases provided for by this bill.

The rate for a single veteran, for example, will be increased from $141 to $201 a month. No three-quarter or half-time rates are provided because under the reduced instructional hours required there should be no need for such part-time participation. That the shift in emphasis from classroom instruction to individualized on-farm instruction will be beneficial to the farmer has the support of a number of educators. It would also appear to be supported by a study conducted by the United States Office of Education entitled "An Economic Study of the Investment Effects of Education in Agriculture" (1968). Finally, a survey by the National Farmers Union of 12 agricultural states indicated the adoption of a farm cooperative program contemplated by this section would result in over 20,000 veteran enrollments in the program the first year. The value of the small family farm is well known. The Committee believes that adoption of this program would encourage young veterans to remain as small family farmers. Surveys taken of Korean Conflict Farm Program Trainees indicate that a vast majority of those who have received training continue to be actively engaged in farming.

The additional first year cost entailed by this section is estimated at $29.1 million.

Section 304

This section deletes present section 1684, the provisions of which are in new section 1788 with certain modifications and replaces it with a new section 1684 to provide that eligible veterans under chapter 34 may pursue programs of apprenticeship or other on-job training or programs of education exclusively by correspondence in accordance with new sections 1785 and 1786 in chapter 36 as added by the Committee substitute.

Section 305

Clause (1).—Amends section 1691, which authorizes elementary and secondary education and preparatory educational assistance for the educationally disadvantaged, by adding the term "training establishment" as an institution for admission to which an eligible veteran or person under chapter 35 may need to pursue a refresher course, deficiency course or other preparatory or special assistance to qualify for admission. This corrects an oversight at the time of enactment of this provision in 1970 in Pub. Law 91–219.

At the same time, the Committee does not wish to imply any disagreement with the original intention underlying this program as expressed at the time of enactment: that is, to assist veterans, whose performance—past or present—indicates a danger of failure, to bring their academic achievement up to the level of their class norm.

Section 306

Section 1692 authorizes individual tutorial assistance of up to $50 a month for a maximum of nine months for a veteran who has a "marked deficiency" in required subjects if such assistance is necessary for the veteran to successfully complete the program. The Committee has been extremely disappointed with the low usage of this program. During the two years of the program's existence, only 11,626 veterans have made use of tutorial benefits under section 1692, averaging less than three months of assistance per participant. The Committee believes that this is due in large part, first, to the lack of knowledge about the existence of this program; and second, to the mistaken impression that the veteran must be faced with the spectre of imminent failure before he may qualify for such assistance. The Committee substitute eliminates the adjective "marked" to emphasize that a student does not have to be actually failing in order to qualify for tutorial assistance. The Committee notes that a school may make certification of the need for tutorial assistance on the basis of placement or other tests or previous performance in certain types of courses. For example, the Committee is of the view that any veteran who previously received training under the Special Assistance For the Educationally Disadvantaged Program (section 1691) or PREP may need this type of additional assistance at the beginning of the course to help them successfully complete it and should automatically be considered eligible for section 1692 benefits.

The schools may also certify as to the need for tutorial assistance after the course has begun and the academic progress of the student shows that the additional assistance is required for him to successfully complete the course.

Clause (2).—Revises present subsection (b) of section 1691 so as to include reference to payment of an educational assistance allowance to wives and widows enrolled under chapter 35 in a State (made eligible in new section 1732(a)), as well as eligible veterans, and to eliminate the limitation, which the Committee believes is no longer justified in view of the impressive gains in the quality of adult evening high school courses, to half-time for the allowance rates payable for adult evening high school. The Committee wishes to express its strongest intention that the tutorial assistance program and the conditions upon which such help is authorized should be far more widely publicized on a systematic basis by the Veterans' Administration (and the Office of Education, where appropriate) to both veterans and educational institutions.

Section 1692 is also amended to clarify that a veteran may receive assistance for a period in excess of nine months provided he does not exceed a maximum of $450 (9x$50), so that a veteran will not lose a full month's eligibility of $50 merely by taking one hour of tutoring during such month, as under present VA regulation. Rather, the Committee intends that this provision be construed in a way to give the veteran every benefit of the doubt—both in terms of basic eligibility and in terms of the duration and amount of his allowance entitlement.

Section 307

This section amends section 1695(a) to make celar the purpose of the PREP Program to include courses needed by servicemen to obtain a high school equivalency certificate prior to their discharge or release from active duty from the Armed Forces. (See discussion in following section.)

Section 308

Clause (1).—Consistent with the amended purpose of the preceding section, amends section 1696(a) to make clear authority to pay an educational assistance allowance to servicemen where they pursue courses needed by them to successfully pass the GED examination and receive a high school equivalency certificate. Current law specifically mentions only high school diploma courses, the objective of the PREP program. Veterans pursuing a program for the educationally disadvantaged under subchapter V of chapter 34 of title 38 are specifically authorized to pursue courses needed to obtain an equivalency certificate. This section would remove the ambiguity and provide expressly full equalization of benefits available to disadvantaged veterans and servicemen.

Clause (2). Amends section 1696(b) to provide the Administrator the authority to set rates for tuition and fees where schools have similar, but not identical, remedial programs for the educationally disadvantaged. This confirms the interpretations of the VA on this score so that less intensive, less costly remedial programs offered by the school which are similar but less comprehensive than the PREP program will not serve to limit the amount of fees and tuition that the school is permitted to charge for the PREP course. As at present, such charge under PREP may not exceed $250 ($175 presently) per month for a full-time course.

Because of increased participation in PREP anticipated by the changes made by this section an additional first year cost of $24 million is estimated.

Section 309

This section adds a new section 1697A to provide for coordination with and participation by the Department of Defense in educational programs authorized under chapter 34.

Educators, directly involved with the establishment of PREP programs, testified before the Committee that there appeared to be little real effort by the Department of Defense to encourage local base commanders to adopt and promote PREP programs for eligible servicemen. At present, there are an estimated 350,000 servicemen who are non-high school graduates. According to information supplied by the Department of Defense, there are an additional 200,000 active duty personnel who could benefit from remedial education programs offered under PREP. According to available statistics, however, only about 37,000 or 6.7 percent of those men will participate in PREP programs this year. In November 1971, Dr. George C. S. Benson, then Deputy Assistant Secretary of Defense (Education), in response to the question of why there was such a low utilization of PREP said: "Frequently it is because the base education officer will not give up his small patronage of GED staff". Acknowledging that there is "no real joint planning of education training efforts in the services", Deputy Assistant Secretary Benson continued by stating that "the real truth of the matter is that the Department of Defense and the Military departments have not yet thoroughly thought through the extent of their commitment to education. Our instructions are still too broad and perhaps too vague." Section 1697A of the Committee substitute is intended to serve as a catalyst for this commitment as well as to provide better focus and direction to PREP and other title 38 programs.

§ 1697A. Coordination with and participation by the Department of Defense

Subsection (a). Provides that the Administrator shall designate an appropriate official to coordinate with and assist a counterpart official who has been similarly designated by the Secretary of Defense as administratively responsible for carrying out DOD functions and duties under the PREP program.

Subsection (*b*). Provides that any educational institution or training establishment providing education and training to active duty personnel under chapter 34 shall be approved for enrollment of eligible persons (in accordance with appropriate regulations jointly prescribed by VA and DOD) only at such time as the Department of Defense submits to the Committees on Veterans' Affairs of the Senate and House of Representatives its plan for implementation of a program to more effectively utilize and encourage the use of title 38 benefits by active duty personnel together with periodic progress reports as to its actual implementation. This plan shall include provisions for:

"(1) an information and outreach program by each Secretary concerned to advise, counsel and encourage eligible servicemen to make full use of benefits available to them under chapters 31 and 34 of title 38, with particular emphasis on deficiency, remedial or refresher courses required for or training program in an approved educational institution or training establishment, as authorized under sections 1691(a)(2) and 1696(a)(2). Particular emphasis should be directed toward those about to be released from the service so that they are fully informed and encouraged to participate in the educational benefits authorized under title 38. The Department's plan should make provision for furnishing information to veterans concerning those educational institutions which have programs for veterans who have academic deficiencies;

"(2) joint VA-DOD meetings with appropriate educational institutions to encourage the establishment of programs for eligible servicemen with particular emphasis on the remedial programs previously mentioned;

"(3) release of time from duty assignment equivalent to at least one-half the required hours for an authorized program unless the Secretary concerned determines that such release would be inconsistent with the interests of national defense; and

"(4) the establishment of an Inter-Service and Agency Coordinating Committee, under the co-chairmanship of an Assistant Secretary of Defense and the Chief Benefits Director of the Veterans' Administration, to further promote and coordinate establishment and conduct of programs under subchapters V and VI of chapter 34 and other provisions of title 38."

Section 310

This section adds two amendments to section 1701(a).

Clause (*1*). Amends paragraph (6) to include correspondence schools within the definition of an educational institution to reflect amendments made to chapter 36 by the Committee substitute which permits wives and widows to pursue home-study courses.

Clause (*2*). Adds a new paragraph (9) to section 1701(a) to include the term "training establishment" in the definitions currently applicable to chapter 35. Under current law, wives, widows and children are entitled to other educational benefits but are not eligible to pursue apprenticeship or other on-job training programs. This new paragraph reflects amendments made by the Committee substitute which would extend such training opportunities to them. College education may not be suited for everyone. Offering chapter 35 eligible persons the opportunity to pursue on-job and apprenticeship programs would afford those desiring post-high school training another way of entering an occupation.

The Veterans' Administration estimates that in the first full fiscal year about 2,300 persons eligible under chapter 35 would enroll in correspondence courses and an additional 4,500 in on-job training programs.

Section 311

Section 1720 is amended to eliminate mandatory counseling for certain children training under the provisions of chapter 35. This section currently provides that the Administrator shall arrange for counseling of all children entering training under chapter 35 to assist the parent or guardian and the child in selecting an educational or vocational objective. Under the chapter 35 program, the government acts as a substitute parent standing in the place of the deceased or disabled parent in providing financial assistance to enable the child to pursue his education. The responsibility imposed by law calls for the furnishing of this counseling assistance to help the child in making a reasonable choice of educational objective. There are, however, many cases where the child is already enrolled at or is attending a college and it can be assumed that in those cases a reasonable choice has been made and a suitable objective chosen. In this event, mandatory counseling is an obvious duplication. It should be emphasized that while the mandatory requirement would be removed any further counseling or guidance the child might need would still be available through the school or the Veterans' Administration, if requested.

It is estimated that enactment of this section would result in savings in the program of approximately $1.0 million per year over the next five years.

Section 312

Clause (*1*).—Amends section 1723 to remove the current prohibition against eligible persons training under chapter 35 attending institutions of higher learning in foreign countries. No similar prohibition exists as to veterans' training under chapter 34, and the committee is unaware of any reason to maintain this distinction. This amendment provides, as does section 1676 in chapter 34, that the Administrator in his discretion (in accordance with published regulations) may deny or discontinue the educational assistance allowance for any person enrolled in a foreign educational institution if he finds that such enrollment is not in the best interest of the person or the government.

Clause (*2*).—Makes technical amendments in subsection (b) of section 1723 to reflect changes made by section 314 of the Committee substitute authorizing subchapter V benefits (Special Assistance for the Educationally Disadvantaged) eligible wives or widows under chapter 35 studying in a State.

The Veterans' Administration estimates an additional first year cost of $2.7 million.

Section 313

This section makes technical amendments to section 1731, which reflect other changes made by the Committee substitute to amend, consolidate, and shift certain provisions of this section to new section 1780 of chapter 36.

Section 314

This section deletes present section 1733, the provisions of which are included new section 1790(a), and replaces it with a new section 1733 authorizing eligible wives and widows to pursue secondary level training without charge to their basic entitlement under section 1691 of chapter 34. Eligible persons under chapter 35 would also be authorized for certain eligible veterans under section 1692. Authorization of special assistance for educationally disadvantaged wives and widows is a logical extension of benefits presently available to disadvantaged veterans and servicemen. Due to the disability or death of their veteran husbands, wives and widows are required to assume the responsibility for support of themselves and their families. By authorizing them to pursue secondary level training without loss or their regular entitlement, with access to tutoring where needed, they will be given an opportunity to obtain the necessary training required for entrance into higher education.

First year additional cost attributable to this new section are estimated at $3.3 million.

Section 315

This section deletes present section 1734, the provisions of which are included in new section 1790(a), and replaces it with a new section 1733 authorizing apprenticeship or other on-job training for all eligible persons under chapter 35 and, in the case of wives or widows training under this chapter, eligibility to pursue a program of education exclusively by correspondence. This new authority is discussed further under section 318 of this act.

This section makes technical amendments to section 1777 by adding the term "person" after "veteran" to reflect the new eligibility (as authorized by the Committee substitute) of wives, widows and children training under chapter 35 to pursue apprenticeship or other on-job training.

Section 316

Clause (*1*). Makes technical amendments in section 1784 to reflect the transfer and consolidation of certain provisions under existing law to chapter 36.

Clause (*2*). Amends section 1784(b) is amended to increase the amount of the reporting fee paid to educational institutions by the Veterans' Administration to $4 (from the present $3) for each veteran whose educational assistance allowance check is processed and delivered by an institution under the advanced payment provisions authorized by Title II of the Committee substitute.

The Veterans' Administration estimates an additional first year cost of $1.5 million.

Section 317

Clause (*1*). Deletes present 1786, the provisions of which are included in new section 1790(c) and adds a new section 1786, including provisions now contained in sections 1682(c), and adding a number of changes regarding correspondence training, which were occasioned by the recent rapid growth in enrollment in home study courses, together with considerable testimony before the Committee. During the current GI bill, over 675,000 veterans or about 21 percent of all trainees have enrolled in correspondence courses for which Veterans' Administration benefits totalling $237 million have been paid. During the past year, enrollment in these courses increased 37.8 percent as compared with a 13.7 percent increase in college enrollment. The Committee was thus extremely concerned when it was revealed in testimony by representatives of the General Accounting Office that a survey conducted by them indicated that 75 percent of all veterans did not complete their correspondence courses. The following table indicates the competition rates by course subject of the surveyed veterans:

TABLE 5.—CORRESPONDENCE COURSES: VETERAN COMPLETION RATES BY COURSE SUBJECT

Subject	Did complete		Did not complete	
	Number	Percent	Number	Percent
Commercial art	200	4	4, 800	96
Accounting	800	7	10, 700	93
Drafting	500	7	6, 800	93
Electronic technician training	2, 500	9	25, 400	91
Electronic operation	300	9	2, 900	91
Secondary courses, high school completion and college preparation	700	10	6, 000	90
Engineering technician training	2, 200	12	15, 500	88
Performing arts	600	15	3, 400	85
Radio and television broadcasting	800	21	3, 000	79
Computer technician training (below college level)	1, 900	22	6, 800	78
Electronic mechanic and repairman training	3, 500	24	10, 800	76
Auto mechanics and repair	1, 000	26	2, 800	74
Other business and commerce	2, 300	27	6, 300	73
Electrical trades	2, 600	30	6, 100	70
Air conditioning and refrigeration	1, 500	31	3, 400	69
Mechanical courses	1, 400	37	2, 400	63
Protective services	1, 700	44	2, 200	56
Salesmanship	2, 300	56	1, 800	44
Real estate and insurance	12, 500	64	7, 000	36
Hotel and motel training	2, 990	64	1, 600	36
Total	42, 200	25	129, 700	75

The Committee understands that the 75 percent discontinuance rate in the above table does not necessarily indicate for all such veterans or servicemen surveyed either their dissatisfaction with the course or that they did not achieve a vocational objective.

Testimony also revealed that many veterans were being persuaded to enroll in correspondence courses with little attention given to their objectives or aptitude or the suitability of the course to obtain their express objectives. The General Accounting Office study, for example, found that 22 percent of the veterans they surveyed had been unable to understand the course materials. Almost 75 percent indicated that prior to enrollment they had not been advised by the schools of educational or experience pre-conditions for the course. When asked whether their course selection would have been different if they had known of the rates of completion for the courses, 57 percent said they would have considered a different form of education. The Veterans' Administration in response to committee inquiries supplied information to the Committee that they had received numerous complaints concerning "various questionable sales techniques or false claims" including: (1) the claim that a course would prepare the student for a vocational objective when it was not proven to do so; (2) the course was fully paid for by the Veterans' Administration; (3) the course was "approved" or "accredited" by the Veterans' Administration; (4) use of the Veterans' Administration seal as part of approved literature; (5) "aptitude" tests given and accepted by the school were insufficient because the veteran could not understand the lesson material; (6) the course will do more than it can deliver; (7) excessive claims as to attention given to grading of lessons by "name" personnel not actually part of the school operation; (8) blind ads which read like help wanted ads but are sales ads; and (9) the veteran was induced to sign an application for a loan when he was told by a salesman that he was signing an application to the school for Veterans' Administration benefits.

Similar information was disclosed in hearings conducted by the Federal Trade Commission during the past two years. Because of the foregoing, the Committee believes that the veteran should have a sufficient period of time to consider his aptitude and objectives and to consult with appropriate persons (including Veterans' Administration advisors) prior to financially obligating himself. Such a decision is an important one which is often difficult to make on short notice in the presence of an energetic and enthusiastic salesman.

Bell & Howell Schools, which presently have more than 60,000 active students stated in testimony submitted to the Committee that: "There should be a 10 to 15 day cooling off period after enrollment, during which the student can cancel his enrollment contract without penalty for any reason." Representatives from Advanced Schools Incorporated, which expects to enroll 70,000 veterans in its courses this year, testified: "We feel that the cooling off period should be 15 days and there should be no provision for retention of a service charge." Many consumer laws specify a three-day period for cancellation without obligation. A new cancellation policy recently adopted by the National Home Study Council also provides for a three-day cancellation period. After deliberation, the Committee has decided to require full disclosure of the provisions and a 10-day "cooling off period" in which the veteran may decide after adequate reflection and without penalty or fee, whether he in fact still desires to pursue that course of study.

A second major concern of the Committee occasioned by the low completion rate of veterans is the applicable refund policy for those who terminate or cancel their studies. With respect to *non*-accredited correspondence schools, title 38 provides that they shall not be approved for VA payments unless approved by a state approving agency. Section 1776(c)(13) in turn provides that the state agency shall not approve a non-accredited school unless it maintains a pro rata refund policy based on the amount of the course completed.

State approving agencies also approve courses offered by an educational institution when it has been accredited and approved by a nationally recognized accrediting agency or association. The National Home Study Council (NHSC) has been approved by the Office of Education, Department of Health, Education and Welfare, as the accrediting agency for correspondence schools. No Veterans' Administration pro rata refund policy is in effect for such accredited schools which are bound only by applicable state law or the minimum standards prescribed by the NHSC. That policy presently provides that if the student cancels his enrollment the school may charge the student either (1) the pro rata charge for the lessons completed or (2) a fixed percentage for the course—computed on the basis of an arbitrary number of days that elapsed from enrollment to notification of discontinuance—plus a fixed charge of $50. An example of the second method of "time expiration" for a course having a tuition of $625 is shown in the following table:

TABLE 6.—NATIONAL HOME STUDY COUNCIL REFUND POLICY (CURRENT)

Number of days elapsed since date of enrollment	Charge for course	Cost to student
0 to 3	10 percent, not to exceed $50	$50
4 to 30	15 percent plus $50	144
31 to 60	20 percent plus $50	175
61 to 90	25 percent plus $50	206
91 to 180	50 percent plus $50	363
Over 180	100 percent	625

This has often meant that a veteran has been obligated for the full amount even if he has completed only 1 percent of the course. Subsequent to hearings by the Subcommittee concerning these problems, the NHSC adopted a new policy effective October 1, 1972, which provides that following the expiration of a three-day cooling off period and prior to the time the school receives the first lesson from the student, it is entitled to a registration fee of not more than 10 percent of the tuition or $50, whichever is the lesser, upon cancellation by the veteran. After receipt of the first lesson, and upon cancellation by the veteran, the new NHSC policy provides that the school shall be entitled to a tuition charge that shall not exceed the following: (1) during the first quarter of the course, the registration fee plus 25 percent of the tuition; (2) during the second quarter of the course the registration fee plus 50 percent of the tuition; (3) if the student completes more than half of the total course, the full tuition. The application of this new refund policy is shown in the following table for a course costing $625:

TABLE 7.—*National Home Study Council refund policy (effective Oct. 1, 1972) for a course costing $625*

Percentage of course completed:	*Cost to student*
0	$50.00
1 to 10	206.28
10 to 24	206.28
25 to 35	367.50
36 to 49	367.50
50 to 100	625.00

The Veterans' Administration in proposals submitted to Congress recommended amendments which would have required any correspondence school in order to qualify as an eligible institution to maintain a pro rata refund policy premised upon the number of lessons completed plus a maximum registration or similar fee of $50. The Federal Trade Commission on May 2, 1972, issued a Proposed FTC statement of Enforcement Policy which also called for a pro rata refund policy.

The NHSC and several correspondence schools have argued vigorously that a strict pro rata refund policy is unfair to those schools which invest substantial money and effort in producing good "quality" courses. They claim they will not be able to adequately recover the cost of their investment if such a strict pro rata policy is adopted and that consequently the quality of the courses will be adversely affected.

The Committee has attempted to weigh the competing factors to arrive at a policy which is fair and would adequately protect both the interests of the veteran and those accredited schools providing quality home study instruction. The refund policy provided in subsection (c) of the new section 1786 is a compromise between a strict pro rata policy and the policy recently adopted by the NHSC (effective October 1, 1972). It provides for a refund based on lesson completion in increments of 10 percent of the total number of lessons with no refund due the veteran if 65 percent of the course or greater is completed.

An example of the proposed refund policy contemplated by the Committee substitute is shown in the following table:

TABLE 8.—*Correspondence school refund policy required by Sec. 1786(c) for a course costing $625*

Percentage of course completed	*Cost to student*
0 to 10	$75.00
10 to 20	125.00
20 to 30	187.00
30 to 40	250.00
40 to 50	312.50
50 to 60	375.00
60 to 65	437.50
65 to 100	625.00

In this connection, the General Accounting Office has supplied information to the Committee of a sample survey showing the percentage of lessons completed by veterans when they discontinued their enrollment in an accredited correspondence course:

TABLE 9.—*Percentage of lessons completed by veterans who discontinued accredited correspondence courses*

Percentage of lessons	*Percent of total*
0 to 10	30.8
11 to 20	18.8
21 to 30	17.7
31 to 40	12.3
41 to 50	8.5
51 to 60	3.1
61 to 65	3.1
Subtotal	94.3
66 to 70	1.2
71 to 80	1.5
81 to 90	1.5
91 to 100	1.5
Subtotal	5.7
Total	100.0

An analysis of new section 1786 as added by this section follows:

§ 1786. Correspondence courses

Subsection (a). Basically restates existing law concerning the educational assistance allowance permitted for a program of education pursued exclusively by correspondence. The law is amended first, to reflect the new eligibility of wives and widows as defined in section 1701 of chapter 35; and, second, to amend the entitlement charge to provide that the period of entitlement of any veteran or person pursuing education by correspondence shall be reduced by one month for each $250 (currently $175) paid to the veteran or person for such course.

Subsection (b). Provides that each eligible veteran person shall be furnished with a fully completed copy of the enrollment agreement at the time it is signed, containing a clear and conspicuous explanation, prominently displayed, of the provisions for affirmance, termination, and refund and the conditions under which payments of allowance are made by the Administrator to an eligible veteran or person. According to the General Accounting Office survey, about 31 percent of the veterans who did not complete their courses had not been aware that the Veterans' Administration's reimbursement would not cover all of the costs if they did not complete their courses. In the event an eligible veteran or person elects to terminate an affirmed agreement, the Committee believes there should be clear instructions as to the form and means of notice the buyer should use in order to terminate, together with the name and address of the seller to which the notice should be sent or delivered. Subsection (b) further provides that no enrollment agreement shall be effective unless the veteran or person shall after the expiration of 10 days following signing of the enrollment agreement have signed and submitted to the Administrator a written statement (with a signed copy to the institution) specifically affirming the agreement. The institution shall make a prompt refund of all amounts paid without imposing any penalty or fee in the event the buyer at any time notifies the institution of his intention not to affirm the agreement as provided above—which is tantamount to notification of a cancellation. In such event, the school would be entitled to return of any materials already provided the veteran or person.

Subsection (c). Provides that in the event an eligible person or veteran elects to terminate an affirmed enrollment agreement with an accredited correspondence school, the institution may charge a veteran or person a registration or similar fee not in excess of $75 where termination is made prior to the completion of 10 percent of the total number of lessons. The institution may retain either the registration fee or 10 percent of the tuition for the course. For each additional one-tenth of the lessons completed, the school may retain an additional 10 percent of the cost of the course or the registration fee. Once such veteran or person has completed 65 percent of the course the veteran is entitled to no refund.

New eligibility for wives and widows to pursue education by correspondence will result in additional first year costs of $0.6 million.

Clause (2). Deletes present section 1787, the provisions of which are contained in new section 1790(d), and adds a new section 1787, incorporating the present provisions of section 1683 with conforming changes to reflect new chapter 35 trainee eligibility.

§ 1787. Apprenticeship or other on-job training

Subsection (a). Restates existing law, now contained in section 1683, concerning entitlement to a training assistance allowance for those pursuing programs of apprenticeship or other on-job training programs. The law is amended to reflect new eligibility of chapter 35 individuals as defined in section 1701.

Subsection (b). The monthly training assistance allowance of an eligible veteran or person pursuing a program described under subsection (a) has been increased approximately 48 percent in line with recommendations made by the Veterans' Administration. The monthly rate for the first six months for a trainee with no dependents would be increased from $108 to $160. The rate is increased to $178 for a trainee with one dependent and to $197 for a trainee with two or more dependents. An additional $8 is allowed for each additional dependent. Testifying before the Subcommittee in support of their proposal for OJT rate increases representatives of the Veterans' Administration explained: "In order to obtain veterans to fill these new training positions which are opening an added inducement was felt necessary to bring veterans into OJT. The proposed rate of $160 is felt to be sufficient inducement to further increase the number of veterans entering this important growing program.' The Veterans' Administration anticipates an additional 50,000 trainees under this program in the first full fiscal year if the increased rates were adopted. The additional first year cost is included in the amount shown for title I of this act.

Subsection (c). Restates existing law in section 1683(c) and reflects new eligibility for chapter 35 persons.

Clause (3). Deletes present section 1788, the provisions of which are contained in new section 1792, and replaces it with a new section 1788, consolidating the provisions of present sections 1684 and 1733, with substantive changes explained below:

§ 1788. Measurement of courses

This section is a consolidation of existing law in chapter 34 (section 1684) and chapter 35 (section 1733) which is further amended to incorporate Committee amendments and the recommendations (in part) by the Veterans' Administration concerning the measurement of trade or technical courses.

Subsection (a), Clause (1).—Restates existing law concerning the measurement of institutional, trade, or technical school courses below the college level in which shop practice is an integral part.

Clause (2).—Restates existing law concerning the measurement of institutional courses below the college level in which classroom instruction predominates but adds an additional provision. Under current law in sections 1684(a)(2) and 1733(a)(2) such courses are measured on a clock-hour basis with a minimum of 25 hours weekly to qualify for full-time attendance. Junior and community colleges currently offer both professional courses as part of the degree program as well as technical courses which generally may lead to certification for a trade or technical license. College courses are measured on a credit or semester hour basis under present sections 1684(a)(4) and 1733(a)(3). (Under a conversion formula, equivalent semester hours are determined where a course is offered on a quarterly, trimester of other time basis.) The technical courses are measured on a clock-hour basis. There has been considerable dissatisfaction among veterans attending courses at the same school but who are paid under these differing criteria. The Veterans' Administration notes that these two types of courses are given in a school meeting the same high educational standards established by the Accrediting Association for the area, and further that "the standards established for these courses at these college level institutions generally ensure quality training is being offered equivalent to college level courses which are measured on a credit hour basis."

Accordingly, the Committee has adopted language in 1788(a)(2) which would permit the school to have the technical courses which meet their high standards for college level work measured on a semester-hour basis if the Administrator determines that the basic characteristics of such course, including the extent to which out-of-class preparation is required, are substantially similar to the characteristics of semester-hour courses offered by that institution.

Clause (3).—Restates existing law regarding measurement of an academic high school course—16 Carnegie units shall be considered a full-time course when a minimum of four units per year is required—and adds an alternative measurement provision that an individual pursuing a program of education leading to an accredited high school diploma at a rate which if continued would result in the receipt of such diploma in four ordinary school years shall also be considered to be pursuing a full-time high school course. The present definition of a unit—not less than 120 sixty-minute hours or their equivalent of study in any subject in any one academic year—is restated. It is to be understood that where a high school program meets the requirements of the first sentence of clause (3) of this subsection—i.e., sixteen units being necessary for a high school diploma—such units do not have to meet the criteria for a unit of measurement under the second sentence of this clause. It should be further noted that where a high school program is offered which does not meet the requirements of either the first or second sentence of clause (3) of this subsection such course will be measured on a clock-hour basis with 25 clock-hours per week constituting full-time.

Clauses (4) and (5).—Restate existing law with regard to the measurement of institutional undergraduate courses offered by a college or university and programs of apprenticeship or on-job training, respectively. In addition, the parenthetical phrase regarding non-credit deficiency courses, in present sections 1684(a)(4) and 1733(a)(3) is rewritten to make clear that any such non-credit course shall be measured on a quarter- or semester-hour basis as determined by the institution in question (and not converted to clock hours, as is present VA practice, which often significantly reduces the allowance of the most needy and disadvantaged veterans.

New clause (6).—Provides that an institutional course offered as part of a program of education below the college level under section 1691(a)(2) or 1696(a)(2) of chapter 34 shall be considered a full-time course and be measured generally on the basis of measurement criteria provided in clauses (2), (3), or (4) of this subsection at the option of the educational institution concerned. The Committee intends this change from the present clock-hour measurement system now applied to prep and college preparatory programs to provide significant new incentives to institutions to initiate or expand such programs.

Subsection (b).—Restates existing law in present subsections (b) of sections 1684 and 1733.

Clause (3).—Also deletes present section 1789, the provisions of which are contained in new section 1793, and replaces it with a new section 1789, consolidating sections 1675 and 1725 with substantive changes explained below:

§ 1789. Period of operation for approval

This section consolidates in chapter 36 existing law in chapter 34 (section 1675) and chapter 35 (section 1725) and further amends it by adding to clause (3) of subsection (b) of this section new language in the so-called "two-year rule" authorizing enrollment of veterans in courses where the school has made a complete move to a new location outside the general locality of its former site, where it is determined that the school has substantially retained the same faculty, curricula, and students, without a change in ownership.

Under current law, the Administrator may not approve the enrollment of veterans in any course offered by an educational institution where such course has been in operation for less than two years. Clause (3) of subsection (b) of present sections 1675 and 1725 presently states that where a course has been offered for more than two years, veterans may be enrolled in such a course even though the school has moved to another location within the general locality. By regulation (VAR 14251(D)) the term "same general locality" has been defined to mean a move to a new location within normal commuting distance of the original location. This regulation also states that in such case the faculty, student body, and curricula must remain essentially the same.

Established schools may find it neecssary to relocate, as additional facilities are required to meet demands caused by increases in the number of students, such as the need for library space and the need for additional classroom space. The application of VAR 14251(D) with reference to a move within the "same general locality" may have a different application where the school is in the city rather than in a rural area.

Under the proposed change, the determination would be made based upon the individual factors found in each case. Primary importance would be placed on such factors as: (1) retention of faculty; (2) no change in ownership; (3) substantially the same student body; and (4) the same curriculum. This will protect loss of accreditation for schools which find it necessary to move while still protecting against so-called, "fly-by-night" schools.

A new clause (5) is also added to subsection (b) to provide that the two-year rule shall not apply to any course offered by a proprietary non-profit educational institution which qualifies to carry out an approved program of education under subchapter V (Special Assistance for the Educationally Disadvantaged) or VI (PREP) where the institution offering such courses has itself been in operation for more than two years. This clause would also be applicable to those offered at other than the institution's principal location to allow, for example, the offering of a PREP program by a community college on a military base.

The Committee intends by this new clause to permit the participation of qualified non-profit private colleges which are presently barred because they are not public institutions and thus cannot set up new subchapter V or VI courses.

It is estimated that enactment of this section would not result in any additional cost.

Clause (3). Also deletes present section 1790, the provisions of which are contained in new section 1794, and replaces it with a new section 1790, incorporating provisions of sections 1685, 1687, 1734, 1736, 1786 and 1787, and other provisions of chapters 34 and 35, with one change as follows:

§ 1790. Overcharges by educational institutions; discontinuance of allowances; examination of records; false or misleading statements

This section, which is administrative in nature, generally restates in new section 1790 existing law in chapters 34, 35, and 36 and adds one new provision in clause (2) of subsection (a) providing for the Administrator to discontinue approval of any educational institution which he finds has altered policy or practice regarding payment of tuition or fees so as to substantially deny to veterans the benefits of the advance payment program provided for in new section 1780 in title II of the Committee substitute.

Clause (3).—Also deletes present section 1791, the provisions of which are contained in new section 1795, and replaces it with a new section 1791, which consolidates the provisions of sections 1672 and 1722, with one substantive change explained below:

§ 1791. Change of program

This section consolidates in chapter 36 existing law in chapter 34 (section 1672) and chapter 35 (section 1722) and adds a new subsection (c) which provides that the Administrator may also approve additional changes of program which he finds are necessitated by circumstances beyond the control of the veteran or eligible person.

TITLE IV—MISCELLANEOUS AND TECHNICAL AMENDMENTS TO THE VETERANS AND WAR ORPHANS' AND WIDOWS' EDUCATIONAL ASSISTANCE PROGRAMS

Section 401

This section is technical in nature and amends or strikes out several sections in chapter 34 or reflect other changes made by the Committee substitute, previously discussed, which amend, consolidate and transfer certain provisions to chapter 36.

Section 402

This section is technical in nature and amends or strikes out several sections in chapter 35 to reflect other changes made by the Committee substitute, previously discussed, which amend, consolidate and transfer certain provisions to chapter 36.

Section 403

This section is technical in nature and amends numerous sections in chapter 36 to reflect changes made by the Committee substitute, previously discussed, which amend, consolidate and transfer certain provisions to this chapter.

Section 404

This section amends the table of sections at the beginning of chapter 34 to include new sections added by the Committee substitute.

Section 405

This section amends the table of sections at the beginning of chapter 35 consistent with amendments made by the Committee substitute.

Section 406

This section amends the table of sections at the beginning of chapter 36 to reflect the addition of new sections and the renumbering of existing sections, as amended by the Committee substitute.

Section 407

This section amends for the purposes of title 38 the definition of the term "child". For purposes of all VA benefits under title 38, it is presently defined to mean either an unmarried person who is a legitimate child, a child legally adopted before the age of 18 years, a stepchild who is a member of the veteran's household or was a member of the veteran's household at the time of the veteran's death, or an illegitimate child. In Public Law 91-262, the term "legally adopted child" was liberalized to include not only a child adopted pursuant to a final decree of adoption but also a child adopted pursuant to an unrescinded interlocutory decree of adoption while remaining in the custody of the adopting parent or parents during the interlocutory period. The Committee has become aware of the laws in several states, however, which provide instead for an "adoptive placement agreement" in which the adopting parents agree with an appropriate state agency to assume the full financial responsibility for the support and maintenance of the child who has been placed in their care and custody by that agency. No temporary or interlocutory decree of adoption is made in such cases, and the only judicial document authorized under those state laws (in California and Minnesota, for example) is a final adoption decree issued by a court of competent jurisdiction at the time the adoption is made final. The Veterans' Administration has interpreted the 1970 amendments to the law to mean that such parents are not eligible for additional benefits for the child placed in their custody although in every other respect their situation is identical to those parents who have custody of children pursuant to interlocutory decrees. The amendment made by this section is intended to eliminate this artificial distinction. It would recognize that any child placed for adoption under an agreement entered into by the adopting parent or parents with any agency authorized under law to so act, shall be recognized thereafter as a legally adopted child unless and until the agreement is terminated and so long as the child remains in the custody of the adopting parent or parents during the period of placement for adoption under the agreement.

Section 408

This section amends subsection 102(b) to provide for equality of treatment for veterans and their spouse regardless of sex by deleting certain criteria which currently restrict the eligibility of a husband or widower of a female veteran for certain benefits administered under title 38. With respect to increased benefits payable to a veteran because of a dependent, section 102(b) currently requires that in order to qualify the husband of a female must be incapable of self-maintenance and permanently incapable of self-support due to mental or physical disability. There is no similar requirement for married male veterans, however, who are entitled to additional educational benefits while they are in school without regard to the earning capacity of their wives. This existing discrimination may account in part for the fact that the overall participation rate of female veterans is only 25 percent as compared to 40. percent for male veterans. Similarly, section 102(b) provides that in order for a widower to have the same status as a widow with respect to survivor benefits the widower must be incapable of self-maintenance and permanently incapable of self-support due to mental or physical disability at the time of the veteran's death. Finally, section 1801(a)(2) provides that the widow of a qualified veteran is eligible for loan guarantee or direct loan benefits which the Veterans' Administration administers if the veteran died of a service-connected disability. In contrast, a widower of a female veteran would be similarly eligible only if he was incapable of self-maintenance and permanently incapable of self-support as previously mentioned.

The American Civil Liberties Union testified before the Subcommittee as to its conclusion that the existing law was unconstitutional as an "arbitrary distinction based solely on sex." The Veterans' Administration while not concurring in this view does favor the change contemplated by this section on the "principle that Veterans' Administration benefits are designed to cushion family living standards for the loss of, or lessened income stemming from the veteran's disability, school attendance, or death. . . ." This is accomplished by including in the definition of the term "wife" the "husband of any female veteran" and in the term "widow" the "widower of any female veterans." While not included in the Committee amendment the Committee intends that in the next technical revision of title 38 the terms "spouse" or "surviving spouse" be substituted where appropriate, for the terms "wife" or widow.

An additional first year cost of $2 million is estimated if this section is enacted.

Section 409

This section amends the table of sections at the beginning of chapter 1 of title 38 to reflect the amendments made by the preceding section.

Section 410

This section makes two amendments to the Veterans' Outreach Service Program in subchapter IV of chapter 1.

Subsection (a). Clarifies in section 340 Congressional intention to provide that the purpose of the Outreach service program is to *encourage* the use of available Veterans' Administration benefits and services as well as provide assistance in aiding veteran application for such benefits.

Subsection (b). Amends section 241 to provide that contact in person or by telephone will be made by the Veterans' Administration with those veterans who do not have a high school education or its equivalent at the time of their discharge or release from active duty. At present, they receive a computer generated letter following release and, under a new program just announced, a six-month follow-up letter.

A prominent recurring theme throughout the hearings of the Subcommittee on Readjustment, Education, and Employment this year was stated by witness after witness testifying both as to the inadequacy of the present outreach program and the need to make direct personal contact with disadvantaged veterans to encourage the use of VA benefits. The computer letter sent by the Veterans' Administration is often ignored along with the raft of other mail directed to the recently discharged veteran urging him to buy insurance, a new car, or whatever (the names and addresses of all recently discharged veterans are currently available for purchase from commercial companies). Often, the young veteran is unable to recognize the value of Veterans' Administration benefits or to relate them meaningfully to his own life. He is frequently distrustful of authority and in many instances finds it difficult to relate to others not of his peer group.

The Veterans' Administration has also recognized there are a number of characteristics that make today's veteran different from his predecessor. A profile based on an extensive survey made in late 1970 of Veterans' Administration health care facilities by the

Department of Medicine and Surgery listed among these characteristics the following:

Expectation that authority will *not* be responsive to his intense need to be treated as an individual.

Uncertainty and lack of optimism about life, with the resultant absence of direction of goals.

An intense positive identification with his own age group.

The Committee thus intends that veterans, especially the educationally disadvantaged, be sought out where they live and that the maximum extent feasible, personal contact be made by those of his peer group to encourage use of GI benefits. The National Adjutant of the National Congress of Puerto Rican Veterans testified, for example, that there are approximately 500,000 Puerto Rican veterans but that in New York City he knows of only one Veterans' Administration counselor who is a Puerto Rican.

Substantial increases in outreach contacts should, of course, be accomplished by student veterans hired under the Workstudy/Outreach Program authorized by title II of this act. The Committee is also aware that the Emergency Employment Act (under which one-third of those hired are to be Vietnam-Era veterans) permits programs for veteran outreach activities. The OEO funded Veterans' Educational and Training Action Committee Program of the National League of Cities and the U.S. Conference of Mayors is also active in attempting to promote effective outreach efforts by local government and community action agencies in demonstration projects in 13 cities. Efforts are also carried out as well by various programs of the National Urban League and the joint American Legion/American Association of Junior Colleges outreach efforts.

The Committee believes that the Veterans' Administration should take positive steps to coordinate these activities with their own outreach efforts. To meet the objective of the outreach program, and the amendments made by the Committee substitute, the Veterans' Administration should also make use of its general authority under section 213 to contract for outreach services from outside agencies and groups. The Committee notes that the Federal Government has spent millions of dollars developing the capacity of local agencies to service their community, particularly community action and model cities agencies and believes these agencies can be far more effectively utilized.

In addition, private non-profit organizations as well as city, county, and state offices have major service abilities which have yet to be focused fully on the needs of Vietnam-era veterans. Contracting for these services would help achieve the objective of peer group community-based outreach efforts. In addition, to ensure that the veterans, employers and educational institutions are contacted in a systematic and nonduplicative fashion the Veterans' Administration should require those contractors engaged in outreach efforts to participate in coordinating councils. In this connection, the Committee notes that the President in calling for additional governmental efforts to achieve increased veteran participation in GI Bill training this past May stated that he was "particularly hopeful that participation in GI Bill programs can be increased through specific outreach into urban and rural areas, fully informing veterans of available education and other benefits." He noted that these efforts for increased partcipation "lend themselves well to both state and local participation, and to plans for coalition among VA, Labor, OEO, HEW, HUD, and other public and private agencies and institutions."

SECTION 411

This section would increase the allowance payable by the Administrator for administrative expenses incurred by state and local agencies in administering educational benefits under chapters 34 and 35 of title 38. For sometime, the Administrator has been authorized under section 1774(a) to pay state and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies in rendering necessary services for evaluating and supervising educational institutions offering courses of education to veterans and other eligible persons under title 38. In 1968, Congress amended this section to provide for an allowance for a fair share of the administrative expenses of a state agency as well. The amount payable, which is found in a formula in subsection (b), is determined by the size of the contract between the Veterans' Administration and the state for the amount of salary authorized by section 1774(a).

Representatives of the National Association of State Approving Agencies testified that their experience under this section indicated that the formula was inadequate to meet the administrative costs attributable to section 1774. A survey by the Association of State Approving Agencies this year found that the administrative allowance currently paid by the Veterans' Administration covered only 48 percent of the actual cost of administering the program.

The Committee is quite concerned that the state agencies take a more active and aggressive role than they have in the past in protecting the ever growing number of veterans who are enrolling in schools which advertise themselves as "approved for VA benefits." Under the Committee substitute—doubling the amounts payable under subsection (b). Lack of sufficient funds should no longer be provided as an excuse for ineffective action. The Committee intends to closely monitor the performance of the state agencies in the coming year.

First year additional costs occasioned by this section are estimated at $600,000.

Section 412

This section directs the Administration to contract for an independent study of educational assistance programs under title 38 after consulting with the advisory committee as formed under chapter 36 (presently section 1788 redesignated as section 1972 by the Committee substitute). The Committee also intends that the Veterans' Administration invigorate the presently moribund advisory committee as well as carry forward the reexamination of education programs begun by the Veterans' Administration Task Force on Education which was convened subsequent to the most recent Administration education proposals to Congress.

The study required by this section should compare existing programs with those in effect following World War II and the Korean conflict. In view of the considerable interest in a World War II type direct tuition payment program expressed by many witnesses appearing before the Committee, as well as the concern evidenced by senior Members of Congress, the study should address itself to the question of whether a separate tuition payment is etiher feasible or desirable. The report (including findings and recommendations) of the study is to be made to the President and Congress within nine months of enactment of this act shall consider a number of factors including problems in administration, veteran participation, safeguards against abuse, adequacy of benefit levels, scope of programs, and information outreach efforts to meet the various educational and training needs of eligible veterans. It is estimated that the study would cost approximately $400,000.

TITLE V—VETERANS' EDUCATION LOAN PROGRAM

Section 501

For those veterans choosing to attend certain higher cost institutions additional sums even beyond the rate increases provided for in title I of the Committee substitute will be required. To the extent that the additional costs are beyond the financial resources available to the veteran (including existing Federal loan programs), direct loans from the Veterans' Administration up to $1,575 an academic year are provided for. These direct insured loans which are to be from funds made available from the National Service Life Insurance Trust Fund are to be repaid within 10 years following a starting date nine months following the period when the student ceases to be an active student. The Administrator shall pay the Fund any interest accruing on the loan prior to the veteran-student's repayment date. The Veterans' Administration estimates that about 20 percent of all eligible veterans in college-level institutions and 30 percent of those in resident schools below college level would receive loans under this title. These estimates take into consideration that veterans must first seek to obtain a loan under the Higher Education Act which was recently amended to create a Student Loan Marketing Association to provide a secondary loan market in student loans which, hopefully, will release additional private capital for such loans. During the first year, it is estimated that 203,000 veterans will receive loans in the amount of $212.9 million. First year interest and administrative costs chargeable to the Veterans' Administration are estimated at $15.8 million. Sections 1688 and 1699 authorizing the program are described below:

§ 1698. Eligibility for loans; amount and conditions of loans; interest rate on loans

Subsection (a). Provides for educational loans to eligible veterans (as defined in section 1652(a) (1) and (2) of chapter 34) in such amounts and under such conditions as are specified in subsections (b) and (c) of new section 1698.

Subsection (b). Establishes an entitlement to a loan in the amount of $175 multiplied by the total number of months during which the needy veteran is entitled to receive educational assistance under section 1661. A veteran would be entitled to educational loans of up to a maximum of $6,300 (based on a full 36 months entitlement), provided however, that no loan shall be made in excess of $1,575 in any one regular academic year. The precise amount of the educational loan would be determined by subtracting the total amount of financial resources available to the veteran in any one year from the actual cost of attendance at school. A veteran's "financial resources" is defined as the total amount of his: (1) annual adjustment effective income less federal income tax paid or payable; (2) cash assets; (3) financial assistance received under Title IV of the Higher Education Act of 1965, as amended; (4) regular chapter 34 VA educational payments; and (5) any other financial assistance received under a scholarship or grant program. "Actual cost of attendance," is defined (subject to regulations prescribed by the Administrator) to include actual per-student charges for tuition, fees, room and board, plus expenses related to reasonable commuting, books and such other expenses as the Administrator determines are reasonably related to the attendance at the institution.

Subsection (c). Provides that an eligible veteran is entitled to a loan subject to the requirements of subsection (d) of the new section if he is attending school on a half-time or greater basis and has sought unsuccessfully to obtain a loan under the student loan program authorized by Title IV of the Higher Education Act of 1965 in the full amount he needs, as measured under subsection (b). If he had received less than such full amount under Higher Education Act or other loans, he would be entitled to a loan under this section in the amount of the difference, up to $1,575 for academic year based on his remaining GI bill entitlement.

Subsection (d). Provides that the principal amount of the loan and interest thereon shall be repaid in installments within ten years beginning at a period nine months after the veteran ceases to be a student on a half-time or greater basis. No interest shall accrue prior to the beginning date of repayment. The interest rate on the loan shall be prescribed jointly by the Administrator and the Secretary of Treasury. In this connection, the Committee notes that current interest rates on loans made under Title IV of the Higher Education Act of 1965 (which any recipient under this subchapter must have first sought to obtain) is seven percent. That rate is an appropriate benchmark in the determination of the interest rate to be charged under this subchapter. In no event, however, shall the rate be less than that paid by the Secretary of Treasury on Treasury notes and other obligations held by the National Service Life Insurance (NSLI) Fund.

Subsection (e). Directs the Administrator to discharge the loan obligation of any veteran who dies or becomes permanently and totally disabled by repaying the amount of his loan together with interest to the NSLI Fund.

§ 1699. Sources of funds; insurance

Subsection (a). Provides that the loan made under this subchapter shall be made from funds available under subsection (b) of new section 1699 and that the Administrator shall guarantee repayment as provided for in subsection (c) of this new section.

Subsection (b). Authorizes the Administrator to set aside from the NSLI Fund (Fund) such sums (but not in excess of limitations in Appropriations acts) as are necessary to make loans under this subchapter. Any funds which are set aside shall be considered as investments of the Fund and shall bear interest at a rate not less than is paid by the Secretary of the Treasury on the Treasury notes and other obligations held by the Fund at each point in time in which the funds are set aside for loans. Currently, there is in excess of $7 billion in the Fund returning a current interest yield of 4.6 percent. In view of current interest rates prevailing on education loans, the Committee anticipates that funds made available under this subchapter will return a higher rate than is presently being earned by the Fund. Thus, the amount paid back to the Administrator and treated as appropriations by virtue of subsection (c) of this section will eventually replenish and indeed exceed the amounts the Administrator pays to the Fund on the amounts he sets aside.

Subsection (c). Provides that the Administrator shall guarantee repayment of principal and interest to the Fund of any amount set aside for loans. Pursuant to this section the Administrator may issue notes or other obligations to the Secretary of the Treasury subject to such terms and conditions as the latter may specify, to gear a rate of interest no less than other Treasury investments of the Fund, and the Secretary is directed to purchase such notes and obligations issued by the Administrator.

Subsection (d). Authorizes the appropriation of such unnecessary sums as are required by the Administrator to repay accrued interest or to discharge responsibilities occasioned by death or disability under section 1699(f) and treats any amounts paid back to the Administrator under loan agreements as such appropriations. Thus, after several years' operation no further appropriations at all will be necessary to continue the program at a sizable level.

Subsection (e). Provides for the collection of a fee for insurance against loan default by the Administrator (not to exceed one-half of 1 percent of the face amount of the loan) from each veteran obtaining a loan under this subchapter. This provision is similar in purpose to a provision in the Higher Education Act and is modeled on a provision, repealed in P.L. 91-506, former section 1818(d), formerly in the Veterans Guaranteed Loan Program in chapter 37.

Section 502

This section amends the table of sections at the beginning of Chapter 34 to reflect new subchapter VII, added by the previous section, authorizing loans to eligible veterans.

TITLE VI—VETERANS' EMPLOYMENT ASSISTANCE AND PREFERENCE

Section 601

This section provides that this title may be cited as the "Veterans Employment and Readjustment Act of 1972."

Section 602

This section rewrites chapter 41 of title 38, dealing with job counseling, training and placement service for veterans, in a way virtually identical to S. 3867, passed by the Congress and vetoed by the President in December, 1971, and reintroduced in S. 2091 in this Congress.

§ 2001. Definitions

This section defines the term "eligible veteran" to mean a person who served in the Active military, naval, or air service who was discharged or released therefrom with other than a dishonorable discharge. The term "state" is defined to include the District of Columbia, the Commonwealth of Puerto Rico, and such American territories as the Administrator may determine necessary and feasible.

§ 2002. Purpose

This section amends the statement of Congressional intention to state that in addition to effective job counseling and placement programs there shall be effective efforts in counseling and placement in job *training* programs as well.

§ 2003. Assignment of veterans' employment representative

This section essentially restates existing law concerning the functions and assignment by the Secretary of Labor of Veteran Employment Representatives (VER's) to each of the states to aid in veteran employment. Amendments to this section authorize and require the assignment of such additional assistant VER's as the Secretary determined necessary based on data collected pursuant to section 2007, *infra*. In addition to the present functions of VER's, they shall be responsible for appropriate counseling and placement of veterans in job training programs as well as employment opportunities. They shall engage in job development and advancement for eligible veterans with maximum coordination with the outreach activities of the Veterans' Administration carried on under subchapter IV of chapter 3 outreach services). The appropriate matching of veterans with the jobs or job training opportunities by maximum use of electronic data processing and telecommunication systems is mandated. Finally, amendments to this section provide for VER's to maintain appropriate contact and coordination with labor unions and veterans' organizations in addition to employers to advise them of eligible veterans available for employment and training.

§ 2004. Employees of local office

Under the present law, most local employment offices have one or more persons (preferably veterans) who are assigned by the administrative head of the State Employment Service to discharge primarily the duties prescribed for veterans under this chapter. This section would amend the law further to provide that except as may be determined by the Secretary of Labor (based upon a demonstrated lack of need for such services) such local office employees so designated shall direct their services on a full-time basis to discharging the duties prescribed for the VER and his assistants. Hearings by the Subcommittee last fall revealed that local employees so designed generally devoted only a minimum of time to veteran employment problems. In addition to the higher unemployment rate that exists for non-veterans, information from the Employment Service Automated Reporting System (ESARS) last fall revealed that veterans were receiving less job placement, orientation, counseling and testing than non-veterans at employment offices. While the situation has improved somewhat this year, enough remains to be done in the Committee's opinion to warrant this section. The most current data for Fiscal 1972 indicates that only 13 percent of all Vietnam era veteran applicants at local employment offices received counseling interviews. Just 27 percent of all those veteran applicants were placed in any sort of regular non-agricultural job (defined as one of three days duration), according to that same data.

§ 2005. Cooperation of Federal agencies

This section in effect restates existing section 2004, directing federal agencies to furnish to the Secretary of Labor such records, statistics, and information as he may find necessary or appropriate in administering chapter 41, adding "training" as well as employment opportunities and making minor continuing changes.

§ 2006. Estimate of funds for administration; authorization of appropriations

Subsection (a). Restates existing law in section 2005, which requires that the Secretary of Labor estimate the funds necessary for proper and efficient administration of chapter 41. Such sums shall be included as a special item in the annual budget of the Department of Labor.

Subsection (b). Authorizes the appropriation of such sums as may be necessary for the administration of this chapter.

Subsection (c). Provides in the event the regular appropriation act for the Department of Labor does not specify an amount for proper and efficient administration of chapter 41 as prescribed by the preceding subsection, then of the amounts appropriated a sum equal to the budget estimate submitted by the Secretary of Labor pursuant to section (a) shall be available for those purposes only.

Subsection (d). Provides that such appropriations as are made available by this section shall be used only for chapter 41 purposes unless approved otherwise by the Secretary of Labor based upon a demonstrated lack of need of these funds for such purposes.

§ 2007. Administrative controls; annual reports

Subsection (a). Mandates the Secretary of Labor to establish sufficient administrative controls to ensure, first, that each eligible veteran applicant (particularly those who have been recently discharged) receive prompt employment assistance in finding a job or training opportunity; and, second, that state agencies are committing necessary staff and resources to accomplish the purposes of this chapter. The Secretary is directed to take corrective action when he finds state agencies have committed inadequate resources. Committee hearings last fall indicated the need for this section because of insufficient monitoring by the Department of Labor of veteran employment efforts by state agencies and the reluctance of the Department to employ available provisions under the Wagner-Peyser Act to ensure compliance.

Subsection (b). Provides for an annual report to Congress by the Secretary of Labor of detailed information on the efforts and achievements of the Department and the affiliated state agencies in carrying out the provisions of chapter 41 and on any determinations made under new section 2004 or 2006.

§ 2008. Cooperation and coordination with the Veterans' Administration

This section provides for consultation by the Secretary of Labor with the Administrator with respect to all activities carried out and data gathered pursuant to this chapter. The section also makes technical amendments in the table of sections to reflect the changes made in the revised chapter 41.

SECTION 604

This section adds a new chapter 42 at the end of part 3 of title 38 entitled, "Employment of Disabled and Vietnam Era Veterans", which (1) directs an action plan for each Federal agency for the employment of such veterans; (2) establishes employment preference under Federal contracts and subcontracts for them; and (3) liberalizes the eligibility requirements for participation by veterans in certain Federal manpower training programs. The new sections are as described below:

§ 2011. Definitions

The term "disabled veteran" is defined to mean any veteran with a disability rated at 30 percent or more who is entitled to receive VA disability compensation or who was discharged or released from the service for a line-of-duty disability. The term "Veteran of the Vietnam Era" means any veteran who served on active duty during the Vietnam era for more than 180 days and was released therefrom without a dishonorable discharge, or was released from active duty because of a service-connected disability and was discharged within the 48 months preceding his seeking such a job. The terms "department" and "agency" refers to any department or agency of the Federal Government or any Federally-owned corporation.

§ 2012. Action plan for employment of disabled and Vietnam era veterans

Subsection (a). Provides that the Administrator, in connection with the Secretary of Labor and the Civil Service Commission, shall within 90 days of enactment establish an affirmative action plan for every Federal department and agency for the preferential employment of disabled veterans and veterans of the Vietnam era.

Subsection (b). Provides that sixty days thereafter each Federal department or agency (after consultation with the Administrator) shall issue such necessary rules and regulations to effectuate the action plan.

Subsection (c). Provides that on or before March 31 of each year, each agency shall submit to the President a report indicating action taken under the plan. The President in turn shall submit a detailed statistical report to Congress on or before May 1 indicating the extent to which the action plan has been successful during the preceding calendar year, together with statistics showing the extent to which each department and agency has complied with the action plan.

§ 2013. Veterans' employment preference under Federal contracts

Subsection (a). Provides that any contract entered into by a Federal department or agency shall contain a provision that those contracting with the United States (including subcontractors to provide personal property or non-personal services) shall give employment preference to otherwise qualified eligible veterans. The President shall implement the provisions of this section within 60 days after enactment.

Subsection (b). Provides that veterans who believe any contractor has failed or refused to comply with the provisions of this section may file a complaint with the Veterans' Employment Service of the Department of Labor which shall promptly refer it to the Office of Federal Contract Compliance for appropriate action.

This section is a logical extension of the President's Executive Order No. 11598 issued on June 16, 1971, which established the national policy that federal agencies, prime contractors, and first tier subcontractors engaged in the performance of federal contracts shall list all job openings (with few exceptions) with the Public Employment Service.

Under this policy as developed, qualified veterans would then be referred first to fill such openings. Unfortunately, the experience under this Executive Order since its issuance has not been encouraging. The Department of Commerce estimates that 2.9 million jobs in private industry resulted from government purchases of goods and services in 1971. The President in a letter dated May 5, 1972, to James D. Hodgson, Secretary of Labor, said that "based on Executive Order 11598 there should be a sizeable increase in the number of jobs listed with the local public employment offices and available to returning veterans." Yet, the most current ESARS data indicates that the total number of nonagricultural jobs listed by all employers with the Employment Service in Fiscal Year 1972 have increased by only 283,000 or 6.6 percent over the previous year. This section, then, is intended to achieve more effectively the intent of the President's Executive Order.

§ 2014. Eligibility requirements for veterans under certain Federal manpower training programs

This section alters current eligibility requirements for veterans to provide for increased enrollment in any job training program assisted under the Economic Opportunity Act of 1964 or the Manpower Development and Training Act of 1962. This section provides that any amount received as pay or allowances while serving in the Armed Forces or any sums received under title 38 or any period of active duty service shall be disregarded in determining the need or qualification of participants in these programs or any other manpower training (or related program) funded in whole or part with Federal funds. Preliminary data for Fiscal Year 1972 indicates that only about 74 percent of the Administration's goal of placing 186,000 veterans in manpower administration programs will be reached. Apparently an even smaller percentage of the Department of Health, Education, and Welfare's work-training program goal of 9,000 will be met. This section is consistent with recent Manpower Administration Order number 3–72, issued March 21, 1972, and a recent emergency employment act directive by the Department of Labor establishing absolute preference for enrollment of Vietnam era veterans in MDTA manpower training and EEA programs. It is also consistent with the President's May 5 letter to Secretary Hodgson in which he stated "priority modifications which are necessary to ensure adequate enrollment of returning veterans in MDTA and HEW education programs should be made without delay."

TITLE VII—EFFECTIVE DATES

SECTION 701

This section provides that the advance pay and workstudy/outreach provisions contained in Title II and the veterans' loan provisions contained in Title V shall become effective on the first day of the second calendar month following the month in which enacted. The provisions of section 602 shall become effective 90 days following enactment.

SECTION 702

This section provides that the provisions of section 1786 (as added by section 317 of the Committee substitute) relating to correspondence course training shall become effective in the case of each individual veteran or person upon the first enrollment of an eligible veteran or person which occurs on or after the first day of the second calendar month following the month in which enacted.

Section 703

This section provides that the revisions in the law concerning the counting of vocational training in certain institutions contained in section 1788(a)(2) (as added by section 317 of the Committee substitute) shall in the case of each individual veteran or person become effective when a person affected by such change either first enrolls or at the time of his subsequent re-enrollment occurring after enactment.

COST ESTIMATES PURSUANT TO SECTION 252 OF THE LEGISLATIVE REORGANIZATION ACT OF 1970

In accordance with section 252(a) of the Legislative Reorganization Act of 1970 (Public Law 91–510, 91st Congress), the Committee, based upon information supplied by the Veterans' Administration, estimates that the expenditures for the first full year to be $855.3 million, increasing slightly in the second year and thereafter decreasing to a fifth year cost of $670.8 million. The five year total cost is $3.813 billion.

An estimated 1,326,000 individuals would be benefited by rate increases in the first fiscal year, decreasing gradually to 910,000 in the fifth year. The following table shows the number affected in the additional costs for chapters 31, 34, and 35.

TABLE 10.—S. 2161, COMMITTEE SUBSTITUTE, ADDITIONAL COST OF DIRECT BENEFITS DUE TO INCREASED ALLOWANCES—BASIC INSTITUTIONAL RATE $250

[Dollars in millions

	All chapters		Ch. 31 (vocational rehabilitation)		Ch. 34 (veterans' educational assistance		Ch. 35 (wives, widows, and children)	
	Individuals	Direct benefits cost	Individuals	Direct benefits cost	Individuals	Direct benefits cost	Individuals	Direct benefits cost
Fiscal year—								
1973	1,326,000	$731.2	33,000	$19.9	1,232,000	$677.5	61,000	$33.8
1974	1,283,000	705.5	34,000	20.5	1,186,000	650.5	63,000	34.5
1975	1,077,000	592.8	35,000	21.0	979,000	536.9	63,000	34.9
1976	1,037,000	573.4	36,000	21.6	939,000	517.5	62,000	34.3
1977	910,000	505.5	37,000	22.0	812,000	449.9	61,000	33.6
5-year total		3,108.4		105.0		2,832.2		171.1

The number of veterans receiving loans together with the administrative and interest costs for the next five years is shown in the following table:

TABLE 11.—ESTIMATE OF COST FOR EDUCATIONAL LOANS AS PROPOSED BY S. 2161, COMMITTEE SUBSTITUTE, 92D CONGRESS

[Millions of dollars]

Fiscal year	Veterans receiving loans (in thousands)	Total value of loans outstanding	Interest costs	Administrative costs	Total costs
1973	203.2	212.9	12.8	3.0	15.8
1974	228.1	418.2	25.1	4.2	29.3
1975	187.4	544.3	32.7	5.4	38.1
1976	180.1	633.3	38.0	6.3	44.3
1977	152.5	686.2	41.2	6.8	48.0
Total			149.8	25.7	175.5

Estimates for each of the next five years of the total cost of the S. 2161, Committee substitute, by direct benefit and administrative costs are shown in the following table:

TABLE 12.—ESTIMATED COST, S. 2161, COMMITTEE SUBSTITUTE

[Dollar amounts in millions]

	Section No.	Fiscal year—					
		1973	1974	1975	1976	1977	5-year total
DIRECT BENEFITS							
Rate increase	101, 102, 103, 303, 317	$731.2	$705.5	$592.8	$573.4	$505.5	$3,108.4
Workstudy	203	30.6	30.6	30.6	30.6	30.6	153.0
Farm training	303	29.1	44.9	44.9	42.8	40.6	202.3
GED under PREP	307	24.0	24.0	24.0	24.0	24.0	120.0
Foreign training, Ch. 35	312	2.7	3.0	3.1	3.3	3.3	15.4
Free entitlement, Ch. 35	314	3.2	3.7	3.5	2.7	2.5	15.6
Tutorial assistant, Ch. 35	314	.1	.1	.1	.1	.1	.5
Correspondence, Ch. 35	314, 317	.6	.7	.9	.9	1.0	4.1
OJT, Ch. 35	314, 317	7.1	7.9	7.2	6.9	6.0	35.1
Female veterans	408	2.0	1.9	1.7	1.6	1.4	8.6
Educational loans	501	12.8	25.1	32.7	38.0	41.2	149.8
Total, direct benefits cost		843.4	847.4	741.5	724.3	656.2	3,812.8
ADMINISTRATIVE COST							
Work-study	203	4.5	4.5	4.5	4.5	4.5	22.5
Reduce counseling, Ch. 35	311	−1.0	−1.0	−1.0	−1.0	−1.0	−5.0
Check delivery fee	316	1.5	1.4	1.3	1.1	1.0	6.3
Personal contact, Outreach	410	3.0	2.8	2.7	2.5	2.4	13.4
State approving agencies	411	.6	.6	.6	.7	.8	3.3
Comparative study	412	.2	.2				.4
Educational loans	501	3.0	4.2	5.4	6.3	6.8	25.7
Miscellaneous	309, 603	.1	.1	.1	.1	.1	.5
Total, administrative cost		11.9	12.8	13.6	14.2	14.6	67.1
Total cost		855.3	860.2	755.1	738.5	670.8	3,879.9

TABULATION OF VOTES CAST IN COMMITTEE

Pursuant to section 133(b) of the Legislative Reorganization Act of 1946, as amended, there were no tabulations of votes to report; the committee unanimously ordered the bill with an amendment in the nature of a substitute and a title amendment reported favorably.

PREP

Mr. HARTKE. Mr. President, a number of amendments are also made to the predischarge education program—PREP—authorized under subchapter VI of chapter 34 to strengthen the program and encourage greater participation. Under S. 2161 PREP would be authorized for courses needed to obtain an equivalency certificate as well as high school degrees as now authorized. Advance lump-sum payment would be authorized for PREP under title II of this act and the monthly allowance payable has also been increased from $175 a month to $250 a month. In addition, section 1696 (b) has been amended to provide the Administrator the authority to set rates for tuition and fees where schools have similar but not identical remedial programs for educationally disadvantaged. This confirms the interpretations of the VA that less intensive, less costly remedial programs offered by a school which are similar but less comprehensive than the PREP will not serve to limit the amount of fees and tuition that the school is permitted to charge for a PREP course.

Technical amendments are also made in the present clock hour measurement system now applied to PREP and college preparatory programs to provide significant new incentives to institutions to initiate or expand such programs. The law is also amended to permit participation of qualified nonprofit private colleges in subchapters V and VI courses. I ask unanimous consent to include in the RECORD at this point a status report on special programs authorized under subchapters V and VI received by the Committee from the Veterans' Administration on February 25, 1972.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

VETERANS' ADMINISTRATION, OFFICE OF THE ADMINISTRATOR OF VETERANS' AFFAIRS,
Washington, D.C. February 25, 1972.

Hon. VANCE HARTKE,
Chairman, Committee on Veterans' Affairs, U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: As promised I am replying to your inquiry requesting a status report on the special programs authorized by subchapters V and VI, chapter 34, title 38, U.S. Code.

The Department of Defense has advised us that they do not have a list of all the military bases participating in PREP. I am sure that they would be pleased to gather this information upon your direct request for it.

Even if a list of participating military bases were available, it would not present a complete picture of PREP participation by the individual servicemen. In addition to actually offering PREP on military bases, schools may also offer courses under PREP at their regular locations. Since many servicemen might pursue these courses during off-duty hours, their participation and the schools' participation might not be reflected in Department of Defense statistics when the military bases are not directly involved in the program.

We also do not have a list of all the educational institutions offering courses under the provisions of PREP. Any refresher, remedial, deficiency, or high school course pursued by a serviceman would be under PREP. Virtually all colleges and high schools offering approved courses may participate in PREP by simply enrolling a serviceman in such a course.

I have attached copies of our reports with the available statistics on participation rates under subchapters V and VI, chapter 34, title 38, U.S. Code. Attachment A reports the participation rates by State during fiscal year 1971 and reports cumulative participation rates by State through June 30, 1971. The cumulative portion of the report begins with October 1, 1967, the effective date of Public Law 90–77. This law amended chapter 34, title 38, U.S. Code to provide free entitlement for the same types of courses now covered by subchapters V and VI, chapter 34, title 38, U.S. Code. The participation rates for veterans would be under section 1691, title 38, U.S. Code while the participation rates for servicemen would be under PREP, section 1695, title 38, U.S. Code.

Attachment B reports the participation rates under the free entitlement programs by month from June, 1971. Reliable monthly figures are not available for the period prior to June, 1971. As on Attachment A, veterans' participation rates would be under section 1691, title 38, U.S. Code, and servicemen's participation rates would be under section 1695, title 38, U.S. Code. These monthly figures are not available by individual State because only a yearly report by State is produced and it is produced at the end of the fiscal year.

The cumulative report of participation through December, 1971, is not a total of the cumulative report through June, 1971, plus the monthly participation since then. Each monthly figure indicates participation during that month. This figure includes those who have had free entitlement in other months and who are currently enrolled during the report month. The cumulative report, therefore, indicates the total individuals who have received free entitlement not the total months of free entitlement granted.

Attachments C through N report the monthly participation rates in the tutorial assistance program from July, 1970, through June, 1971. Since there was only one participant between March 26 and June 30, 1970, there are no reports for this period. Attachments O and P report the quarterly participation rates for the quarters ending on September 30, 1971, and December 31, 1971, respectively. We no longer compile the tutorial assistance report on a monthly basis.

We will be pleased to provide you with copies of the reports on the participation rates under these programs on quarterly basis. We will also furnish the annual report on free entitlement participation rates when it is available.

The Veterans Administration's responsibilities for implementing the special programs in subchapters V and VI, chapter 34, title 38, U.S. Code have fallen into three main areas. These three areas are:

1. Preparation, publication, and dissemination of basic information and instructions pertaining to the programs.

2. Providing information and technical assistance directly to interested schools and organizations.

3. Course approvals for PREP programs offered overseas.

While three separate areas of responsibility can be identified, there is a certain amount of overlapping among them.

Shortly after Public Law 91–219 was enacted, our implementing instructions and regulations were published. These were distributed to all our offices, the State approving agencies, and the United States Armed Forces Institute. Our offices in turn distributed this material to all educational institutions offering any course approved for veterans' training while the United States Armed Forces Institute distributed the material to the base education officers throughout the world. These instructions and regulations advised the schools and the military's base education officers of the new programs made available by the law.

After these basic publications were completed, our information pamphlets were revised to include descriptions of the special programs. We also published individual pamphlets on the PREP and tutorial assistance programs. These pamphlets have been made available to the military, schools, and other organizations for distribution to interested veterans and servicemen.

Our publications are, of course, subject to constant review to keep them current. Additionally, new publications are prepared as the need arises. Last summer we published a guide concerning PREP and programs for the educationally disadvantaged veteran. Our experience since the enactment of Public Law 91–219 showed a need for a publication to answer many commonly asked questions. The guide is very comprehensive and has been widely distributed in the same way that the initial instructions and regulations were.

No matter how carefully phrased, however, the printed word is not a substitute for personal action. Our personnel both in Washington and in our regional offices have always been available to provide technical assistance and advice to schools and other organizations concerned with these programs. We have met individually with schools and have actively participated in group meetings and regional conferences. In addition to discussing the technical requirements of the law, we explain the programs and their operations as they will affect both the schools and the students.

Courses under PREP, as with all other courses, must be approved for training. Section 1771, title 38, U.S. Code has delegated the authority for approving courses for veterans' training, including courses under PREP, to the State approving agency appointed by the governor of the State where the school offering the program is located. As soon as a school shows any interest in PREP, we refer them to the State approving agency. Although any refresher, remedial, deficiency, or high school course approved for discharged veterans would be available to servicemen under PREP, a supplemental approval covering the cost of required books and supplies is required for the servicemen to realize their full benefits under PREP. A separate approval would also be required for any new course or program developed for offering under PREP.

We also refer schools to the State approving agencies for assistance in developing programs under PREP. The approving agencies are generally branches or divisions of the State departments of education. One of the functions of the approving agencies when they review a course for approval is the evaluation of its quality and content. Because of their relationships with both the VA and their own departments of education, the State approving agencies are ideally suited to assist in developing programs that have a quality content and are approvable for veterans' training. For this reason and because section 1782, title 38, U.S. Code prohibits the VA from interfering in the operations of a State approving agency, we do not involve ourselves in curriculum development.

In some situations, including PREP programs offered overseas, the VA is responsible for the approval of courses. PREP courses overseas must be offered by an Overseas Dependents School or by a school operating under contract with the Department of Defense. We have continually cooperated with the Department of Defense in developing these programs. This cooperation has included active participation in meetings and conferences to help familiarize Department of Defense personnel with PREP and the other VA education programs. We have also assisted with the preparation of Department of Defense directive materials on our programs. These materials have been distributed to all military bases to aid them in counseling servicemen and in developing PREP programs.

As a result of this cooperation, our regulations were changed shortly after the enactment of Public Law 91–219 to provide for the approval of PREP courses offered overseas. This was required because foreign training is generally restricted to institutions of higher learning. We also changed our regulation that required a course to be offered for a two year period at any new location before a serviceman could enroll under PREP. PREP courses offered overseas by schools under contract with the Department of Defense are deemed to have met the two year rule when the same or similar course has been offered for two years at the school's main campus.

Recently we adjusted our regulation on certifications of need for remedial, refresher, and deficiency courses to allow the service education officers to certify to the need for courses in basic English language skills and mathematics. The previous regulation was a carry-over from the changes required by Public Law 90–77 which authorized refresher, remedial, and deficiency courses for veterans without a charge to their entitlement. At that time, of course, there was no need to include certifications by service education officers. The change was made after consultation with the Department of Defense, and they have already issued their directive setting forth the guidelines to be followed by the service education officers in exercising their new authority. We provided technical assistance to the Department of Defense in their preparation of these guidelines.

Our contacts with the Department of Defense have mainly been with the education branches of the different service departments because the Department of Defense is controlling PREP, both in the United States and overseas, through these branches. The education branches have been charged with developing participation in PREP. With overseas PREP they actually control the program through the Overseas Dependents School System or through their contract with the school offering the program. Where there has been a need for PREP programs, they have been established.

The question of curriculum development has been left to the Department of Defense. Since PREP is being controlled by the education branches of the service departments, they are in the best position to evaluate the needs of the servicemen and to develop programs that will be both attractive and useful to them. In any case, section 1782, title 38, U.S. Code prohibits us from interfering in the operations of any school.

In addition to the Overseas Dependents Schools, there is one school currently operating a PREP program overseas. The school is Big Bend Community College of Moses Lake, Washington. It is operating at five locations in Germany with over 500 servicemen enrolled. The school is operating under contract with the Department of the Army and is expected to serve as a model for expansion of this part of the program. The Department of Defense has already referred other interested schools to us for the technical information they need in order to structure an approvable PREP program. We expect to receive additional inquiries about and approval requests for programs offered under contract with the Department of Defense in the near future.

When PREP was initially established, a serviceman was required to submit three separate forms in order to have payment released. With the Department of Defense directly involved in PREP, however, we realized that no purpose was being served by having the same signatures on a series of different forms. We have, therefore, combined these forms into one, incorporating the information from the previous three forms. This has allowed for a much more orderly administration of the program for everyone from the individual serviceman to our own personnel.

We provided a kind of package processing for overseas PREP enrollments that met with very good success in the limited area of overseas enrollments. We are, therefore, in the process of advising all our offices that the benefit of this package processing should be offered to all schools providing PREP programs.

Although we are not in a position to require any school to offer training under PREP, we have provided any assistance within our area of responsibility that has been requested of us. We will continue to provide this assistance whenever it is needed. Our regulations and procedures have been adjusted to make PREP more attractive to both the servicemen and the schools. The regulations and procedures are subject to a continuing review, and we are prepared to make future changes as the need arises.

Similar information has been furnished to Senator Alan Cranston.

Sincerely,

DONALD E. JOHNSON,
Administrator.

ATTACHMENT A

FREE ENTITLEMENT DURING FISCAL YEAR 1971 AND CUMULATIVE THROUGH JUNE 30, 1971, BY LOCATION OF FACILITY

State	During fiscal year 1971			Cumulative through June 30, 1971		
	Total	Veterans	Servicemen	Total	Veterans	Servicemen
United States, total	39,216	35,107	4,109	64,917	60,619	4,298
Alabama	485	484	1	822	821	1
Alaska	19	19		49	49	
Arizona	102	102		226	226	
Arkansas	171	171		272	272	
California	8,976	6,370	2,606	12,612	9,843	2,769
Colorado	780	750	30	968	938	30
Connecticut	319	319		638	637	1
Delaware	54	54		91	91	
District of Columbia	506	505	1	867	866	1
Florida	2,143	2,142	1	3,614	3,613	1
Georgia	1,175	1,093	82	1,760	1,677	83
Hawaii	155	48	107	180	72	108
Idaho	134	126	8	273	265	8
Illinois	998	925	73	1,661	1,587	74
Indiana	450	449	1	839	838	1
Iowa	144	144		292	292	
Kansas	117	117		232	232	
Kentucky	238	238		408	408	
Louisiana	196	196		345	345	
Maine	230	229	1	304	303	1
Maryland	879	800	79	1,427	1,347	80
Massachusetts	787	783	4	1,677	1,671	6
Michigan	1,452	1,446	6	2,325	2,319	6
Minnesota	210	210		424	424	
Mississippi	68	68		139	138	1
Missouri	337	337		558	557	1
Montana	92	92		193	192	1
Nebraska	111	108	−3	195	192	3
Nevada	76	74	2	212	210	2
New Hampshire	53	53		116	115	1
New Jersey	794	794		1,761	1,758	2
New Mexico	188	172	16	343	327	16
New York	2,467	2,241	226	4,907	4,679	228
North Carolina	1,512	1,512		2,271	2,270	1
North Dakota	26	26		39	39	
Ohio	1,521	1,520	1	3,269	3,266	3
Oklahoma	188	182	6	344	338	6
Oregon	776	776		1,269	1,269	
Pennsylvania	1,648	1,646	2	3,224	3,219	5
Rhode Island	155	131	24	277	252	25
South Carolina	1,256	1,205	51	1,679	1,627	52
South Dakota	22	22		42	42	
Tennessee	471	470	1	894	893	1
Texas	1,459	1,455	4	2,726	2,721	5
Utah	306	306		535	534	1
Vermont	64	64		111	111	
Virginia	1,218	1,158	60	1,941	1,881	60
Washington	1,592	1,529	63	2,403	2,339	64
West Virginia	162	162		258	258	
Wisconsin	627	627		1,097	1,097	
Wyoming	17	15	2	41	39	2
U.S. possessions	642	642		1,119	1,119	
Foreign	648		648	648		648

ATTACHMENT B

FREE ENTITLEMENT

	Veterans			Servicemen		
	Total	IHL	BCL	Total	IHL	BCL
June 1971	8,468	833	7,635	294	87	207
July	9,861	1,838	8,023	277	79	198
August	7,548	386	7,162	381	124	257
September	10,445	2,799	7,646	165	32	133
October	20,403	8,866	11,537	666	117	549
November	25,710	11,737	13,973	711	152	559
December	25,697	11,075	14,622	499	92	407
Cumulative December 1971	71,096	23,242	47,854	8,562	1,238	7,324

EDUCATION IN THE MILITARY

Mr. HARTKE. Mr. President, the committee has been quite concerned that the Department of Defense can make greater efforts to effectively utilize and encourage the use of title 38 benefits by active duty personnel. Educators directly involved with the establishment of PREP programs testified before the committee that there appeared to be little real effort by the Department of Defense to encourage local base commanders to adopt and promote PREP programs for eligible servicemen. This view is apparently shared by those within the Department of Defense closely involved with education in the military. Last November in a speech to the Armed Forces education section at the AEA conference Dr. George C. S. Benson, then Deputy Assistant Secretary of Defense—Education—expressed some of the problems that confront the Department of Defense. I ask unanimous consent that his speech reprinted in the June issue of Adult Leadership be inserted in the RECORD at this point.

There being no objection the article was ordered to be printed in the RECORD as follows:

EDUCATION IN THE MILITARY—SOME CRITICAL COMMENTS

(By George C. S. Benson)

At first sight our military education program looks very good. I suppose it is one of the largest, if not the largest, adult education program in the United States. Forty thousand high school dropouts a year moved to high school equivalency is certainly a worthy accomplishment. The Army reports that 45% of its non-commissioned officers received high school equivalency in the service. Two hundred thirty thousand college courses a year is something to be proud of. We don't know how many degrees are awarded to service men each year, but it is probably in the five thousand range. USAFI's hundred thousand course registration is something to be proud of. And all this is done for less than fifty million dollars—not much over five percent of the budget of the university of the state in which we are conducting our discussions. Uncle Sam seems fortunate in his military education program.

I could also point to signs that our program is moving forward. There are real stirrings of interest in education in the Defense Department. The Air Force is using some of its Project Volunteer money to hire 500 additional educational counsellors. The Commandant of the Marines has announced a desire to use some duty time to help enlisted Marines attain a high school equivalency. Admiral Zumwalt has issued a "Zgram" on completion of high school programs. General Westmoreland has announced that the Army staff is currently exploring a more systematic approach to soldier education. The staff is thinking of several possibilities:

That each soldier who is not a high school graduate should receive high school instruction on duty time.

That soldiers who are high school graduates should have an opportunity to pursue vocational and liberal education on duty time.

That a centrally coordinated program will provide for a logical educational progression over the period of the soldier's service.

The new program, passed by the last Congress, called PREP, is developing slowly in the Armed Forces. But it is developing and the Veterans' Administration has been cooperative in changing rules and asking for legal changes to make PREP more workable.

The above remarks are an outline of what I might have told you last year had I been at the Atlanta conference. This year, however, I am going to add some very important limitations on our programs, limitations which I will state bluntly, and which we can discuss forthrightly.

LIMITATIONS ON OUR PROGRAM

Statistics are unusually inadequate in this business, but our record on high school equivalencies seems to me to be quite deficient. We probably had 40,000 men secure high school equivalencies at the most frequently accepted level of equivalency (35 and 45) last year. A fine record, except that we probably discharged from the services several times as many men who needed that high school equivalency and had not secured it. Courses were not available, or time was not available, or, all too frequently, the young man's attention was not sufficiently called to the availability of high school equivalency programs, or their potential importance to him. The percentage of those needing high school equivalency who got it was highest in the Army, but only 25%.

Figures on last summer's non-draft volunteers indicate that the volunteer armed forces of the future will include a higher percentage of non-high school graduates. It may drop to fifty or sixty percent graduates in the Army and Marines, sixty or seventy percent in the Navy and Air Force. If these high school non-grads are to become proficient service men, they must receive high school equivalencies fairly early in their military service. If they are not to be added to the unemployed Vietnam veterans, they need high school equivalency. We need a vast improvement of our efforts in this field.

In this connection, the administration of PREP comes in. Congress has authorized VA to assume the actual teaching costs of most high school equivalency work in the armed forces. But the armed forces are making little use of this gift. There may be 10,000 men a year taking PREP programs. The figure is surely not more and may be less. Why this failure to use PREP? Frequently it is because the base education officer will not give up his small patronage of GED staff. It is true that there are complications in Veterans' Administration operations. But VA is doing more to lick these than the armed forces are doing to take advantage of the PREP program.

Another part of our program seems to me to be highly vulnerable. Our college education is mostly for officers. One service in an important theatre reported that five percent of its eligibles are taking undergraduate work, but thirty-five percent of the eligibles are taking graduate work. In this service, the proportion of high school graduates is very high. So the figures really mean that the enlisted men are not taking college courses, but the officers are. "To him that hath shall be given," is the important truth in this situation.

Other figures confirm this unhappy result. In fiscal 1971, course registrations in Army and Air Force were 16.5% of the total number of officers. The corresponding figure for enlisted men was 8%, although both services averaged over 4/5 high school graduates. Of the non-college graduates, in both services courses taken by officers were 75% of their strength and courses taken by enlisted men made up only 10% of their enrollment.

We do not have complete figures on Navy and Marine Corps, but if we add their tuition assistance and PACE enrollments to the Army and Air Force figures, we find that courses taken were 62.9% of non-college graduate officers and 8% of non-college graduate enlisted men. Quite a contrast.

It is true that officers without college degrees are under more pressure to study than are enlisted men. But it is also clear that we just are not tapping the interest of enlisted men with our present college programs. The liberal arts—University of Maryland type program—is just not enough. I share the feeling of gratitude to Maryland which all of us have. But I also share the feeling of Maryland's fine chancellor, who tells me that we should be supplementing his program with a big battery of junior college occupational programs.

Why have we let these college programs drag so badly for so long? Some of the fault lies with us staff people and with commanding officers who have failed to recognize that the education program was failing to reach the man who needed it most—the enlisted man. Some of the fault lies with the colleges which have not always adapted their programs to the needs of the enlisted men. But some of it also lies with the education officer who has not sized up his job adequately or effectively.

EFFORTS TO CURE PROBLEMS

Fortunately, some of the colleges are now showing us a way out of our problem. In many parts of the country, technical schools, community colleges and some state colleges have developed occupational courses which apparently mean more than liberal arts courses to certain kinds of students. You know the list better than I do. Such fields as law enforcement, computer technology, environmental sciences, health services, and business management come to mind. Unfortunately, many of these fields require special teaching equipment. Some of this we must acquire, or borrow from other offices on the base.

Another major criticism of our education programs is that they are not adequately related to military training. There is every reason why education and training should be interrelated. Commanders will give more support to an educational program if it helps secure the military proficiency which they must have in their troops. Education is aided by training, and training frequently requires education. There should be one education and training record to help counsellors advise a man on how to move himself ahead.

In fact, as we know, there are some relationships. Many base education officers do what they can to help a man fit himself for his military occupational specialty. Education courses are sometimes selected to help the service men in a particular area who have specialties which require or are helped by particular educational background.

Overall, however, so far as I know, there is no real joint planning of education and training efforts in any of the services. A good deal is lost by both education and training as a result of this lack of joint planning.

Once again, a variety of offices and people are responsible for this lack of coordination. In the Army, individual training is usually a responsibility of the branch of service which does not have the responsibility for education. In the Air Force, training is somewhat more coordinated by Extension Course Institute but, again, education comes under different staff agencies. I am not fully aware of the interrelationships in Navy and Marines but I know they are not always close.

It would take a brilliant organization analyst to propose a reorganization which would bring education and training closer together. Some day this may occur. It already has in the British Army. In the meantime, there is a clear responsibility on all of us in the military education field to be helpful to military training in any way we can.

As we review our record of inadequate achievement, we naturally ask ourselves the question—who is to blame. Many of you, quite reasonably, feel that you have not had command support. Many commanders, quite reasonably, feel that their mission in education has not been made clear and that they are supporting education to the extent they should.

The real truth of the matter is that the Department of Defense and the Military Departments have not yet thoroughly thought through the extent of their commitment to education. Our instructions are still too broad and perhaps too vague. Under these instructions, an occasional combination of a highly sympathetic C.O. and an aggressive base education officer do a wonderful job. A number of education officers do good jobs with reasonably friendly C.O.s. And in some cases, unfriendly C.O.s and ineffective education officers accomplish little. We on the education side must do our best to make these teams as effective as we can. We must be salesmen as well as educators. We must persuade our commanding officers to give us command support.

The development of education in our armed forces has been gradual. The real start came in World War II; we have largely solidified our gains. There never has been much outside pressure. No study commissions or Congressional committees, even no military study committees, have recommended comprehensive programs. Instead, forward-looking commanders have aided the program, more in some services than in others.

I remind you of the recent outburst of service interest mentioned earlier. It may well be that, urged on by the needs of volunteer armed forces, education will take a real step forward in the next biennium, and that we will regain the position of being among the best educating, as well as best educated armed forces in the world.

All of you are to be commended for your excellent performance in jobs which are sometimes quite difficult.

Mr. HARTKE. Mr. President, for these reasons the committee has added a new section 1697(a) to provide for coordination with and participation by the Department of Defense. This section is intended to provide better focus and direction to PREP and other title 38 programs available for active duty service personnel. The section provides for the submission of a plan by the Department of Defense which shall include provisions for an information outreach program by each Secretary concerned to advise, counsel, and encourage eligible servicemen to make full use of benefits available to them and to provide for joint Veterans' Administration—Department of Defense meetings with appropriate educational institutions to encourage the establishment of programs for eligible servicemen with particular emphasis on remedial programs previously mentioned. One indicator of the need for this section for greater coordination and participation by the Department of Defense is the fact that as late as March of this year the Department of Defense did not have a list of all military bases participating in PREP. Subsequently, the Department of Defense did submit the following list:

ARMY, PREP LOCATIONS BY GEOGRAPHIC AREAS

GERMANY

1. Camp H. D. Smith, Baumholder.
2. Bad Kreuznach Post, Bad Kreuznach.
3. Coleman Barracks, Mannheim.
4. U.S. Army Stockade, Mannheim.
5. Sullivan Barracks, Mannheim.
6. Anderson Barracks, Dexheim.
7. Army Air Field, Finthen.
8. McCully Barracks, Waeckernheim.
9. Lee Barracks, Mainz.
10. Neubraecke Post, Neubruecke.
11. Flak Kaserne, Stuttgart.
12. Krabbenloch Kaserne, Stuttgart.
13. Ludendorff Kaserne, Stuttgart.
14. Kapaun Barracks, Vogelweh (Kaiserslautern).
15. Kleber Kaserne, Kaiserslautern.
16. Gerszewski Barracks, Karlsruhe.
17. Rheinland Kaserne, Karlsruhe.
18. Smiley Barracks, Karlsruhe.
19. Neureut Kaserne, Karlsruhe.
20. Army Depot, Germersheim.
21. Patten Barracks, Heidelberg.
22. Tompkins Barracks, Schwetzingen.
23. Bremerhaven Post, Bremerhaven.
24. Ayers Kaserne, Kirchgoens.
25. Camp Pieri, Wiesebaden.
26. Ernst Ludwig Kaserne, Darmstadt.
27. Cambrai-Fritsch Kaserne, Darmstadt.
28. Kelly Barracks, Darmstadt.
29. Fliegerhorst Kaserne, Hanau.

30. Hutier Kaserne, Hanau.
31. Pioneer Kaserne, Hanau.
32. Coleman Kaserne, Gelahausen.
33. Annex A, Frankfurt.
34. Drake-Edwards Kaserne, Frankfurt.
35. McNair Kaserne, Frankfurt.
36. Sheridan Kaserne, Augsburg.
37. Reese Kaserne, Augsburg.
38. Ray Barracks, Friedberg.
39. Rivers Barracks, Giessen.
40. US Army Depot, Giessen.

U.S. ARMY PACIFIC

1. Fort Schafter, Hawaii.
2. Schofield Barracks, Hawaii.
3. Seoul, Korea.
4. Taegu, Korea.
5. Pusan, Korea.
6. Camp Hovey, Korea.
7. Sukiran, Okinawa.

CONARC

1. Fort Meade.
2. Fort Holibird.
3. Fort Belvoir.
4. Fort Myer.
5. Fort Dix.
6. Fort Eustis
7. Fort Lee.
8. Fort Devans.
9. Fort Monmouth.
10. Aberdeen Proving Ground.
11. Valley Forge.
12. Walter Reed.
13. Fort Benjamin Harrison.
14. Fort Bragg.
15. Fort Benning.
16. Fort Campbell.
17. Fort Gordon.
18. Fort Stewart.
19. Fort Hood.
20. Fort Leonard Wood.
21. Fort Wolters.
22. Fort Jackson.
23. Fort McPherson.
24. Fort Sheridan.
25. Presidio of San Francisco.
26. Red Stone Arsenal.
27. Fort Lewis.
28. McCord Air Force Base.
29. Leatherman General Hospital.
30. Fitzsimons General Hospital.
31. Five missile sights in the Washington and Baltimore area.

U.S. ARMY SOUTHERN COMMAND

1. Fort Kobe.
2. Fort Davis.
3. Fort Clayton.

GEOGRAPHIC LOCATIONS NAVY PREP PARTICIPATION

CONUS

NAS, Lakehurst, New Jersey.
NAVDIST, Washington, D.C.
CBC, Davisville, Rhode Island.
NAVBASE, Newport, Rhode Island.
NAS, Quonset Point, Rhode Island.
NAVSHIPYARD, Portsmouth, New Hampshire.
NAS, Brunswick, Maine.
SUBBASE, New London, Connecticut.
NTC, Bainbridge, Maryland.
NAVSHIPYARD, Portsmouth, Virginia.
PHIBBASE, Little Creek, Virginia.
NAVBASE, Norfolk, Virginia.
NAS, Norfolk, Virginia.
NAS, Oceana, Virginia.
WPNSSTA, Yorktown, Virginia.
NAS, Jacksonville, Florida.
NAS, Saufley Field, Florida.
NAS, Whiting Field, Florida.
NAS, Pensacola, Florida.
NAS, Corpus Christi, Texas.
NAS, Chase Field, Texas.
NAS, Kingsville, Texas.
NAS, Lemoore, California.
NAS, Pt. Mugu, California.
NAVSTA, Long Beach, California.
NAVBASE, San Diego, California.
NAS, Miramar, California.
NAB, Coronado, California.
NAS, Imperial Beach, California.
CBC, Port Hueneme, California.
NAVSHIPYARD, San Francisco, California.
NAVSTA, San Francisco, California.
NAS, Moffett Field, California.
NAVWPNSTA, Concord, California.
NAS, Whidbey Island, Washington.
NAVTORPSTA, Keyport, Washington.
NAVSHIPYARD, Bremerton, Washington.
POMFPAC, Silverdale, Washington.
NSA, Seattle, Washington.

PACIFIC AREA

NAVBASE, Subic Bay, Philippines.
NAS, Cubi Point, Philippines.
NAF, Atsugi, Japan.
MCAS, Iwakuni, Japan.
COMFLEACTS, Sasebo, Japan.
COMFLEACTS, Yokosuka, Japan.
NAVSTA, Pearl Harbor, Hawaii.
NAVSTA, Midway Island.

ATLANTIC AREA

NAVSTA, Roosevelt Roads, Puerto Rico.

NAVY PREP AFLOAT

USS Norton Sound.
USS Sacramento.
USS Badger.
USS Alamo.
USS Long Beach.
USS Juneau.
USS Pt. Defiance.
USS Piedmont.
USS Cayuga.
USS Okinawa.
USS Manitowoc.
USS Manatee.
USS Kitty Hawk.
USS Kyes.
USS Ogden.
USS Brooke.
USS Hull.
USS Buckley.
USS Parks.
USS San Bernardino.
USS Hancock.
USS Lockwood.
USS Jouett.
USS Dixie.
USS Hamner.
USS Coral Sea.
USS Constellation.
USS Prairie.
USS Vancouver.
USS Shields.
USS Thomaston.
USS Providence.
USS Dubuque.
USS Fox.
USS King.
USS Eldorado.
USS Ajax.
USS Fresno.
USS Durham.
USS Bauer.
USS Jason.
USS Frederick.
USS Marvin Shields.
USS Orleck.
USS Rupertus.
USS Shelton.
USS Wilson.
USS Bryce Canyon.
USS Observation Island.
USS Bausell.
USS Entemedor.
USS Barry.
USS J. K. Taussig.
USS Puget Sound.
USS Dealey.
USS Wm. R. Rush.
USS Cecil.
USS Farragut.
USS Mississinewa.
USS Glover.
USS Grand Canyon.
USS Davis.
USS Dewey.
USS McCloy.
USS Severn.
USS Voge.
USS Talbot.
USS E. McConnell.
USS Stickell.
USS O'Hare.
USS L. Y. Spear.
USS Lawrence.
USS Forrestal.
USS Hawkins.
USS Leahy.
USS Charleston.
USS Ranger.
USS Trigger.
USS Enterprise.
USS Oriskany.
USS Pigeon.

PROGRAMS ACTIVE IN FEBRUARY AND ADDED IN MARCH 1972

Locations

Conus

Hanscom Field, MA, AF Systems Command, off-base.

Offutt AFB, NE, Strategic Air Command, off-base.

Vandenberg AFB, CA, Strategic Air Command, on-base.

K. I. Sawyer AFB, MI, Strategic Air Command, on and off-base.

Pease AFB, NH., Strategic Air Command, on-base.

Wurtsmith AFB, MI, Strategic Air Command, on-base.

Davis-Monthan AFB, AZ, Strategic Air Command, on-base.

Fairchild AFB, WA., Strategic Air Command, on-base.

Grand Forks AFB, ND., Strategic Air Command, on-base.

Malmstrom AFB, MT, Strategic Air Command, off-base.

Holloman AFB, NM, Tactical Air Command, on-base.

Langley AFB, VA, Tactical Air Command, on-base.

Mountain Home AFB, ID, Tactical Air Command, on-base.

Nellis AFB, NV, Tactical Air Command, on-base (March start).

Andrews AFB, MD, Hq Command, on-base.

Hamilton AFB, CA, Aerospace Defense Command, on-base.

Ent AFB, CO, Aerospace Defense Command, off-base.

McGuire AFB, NJ, Military Airlift Command, on and off-base.

McChord AFB, WA, Military Airlift Command, on and off-base.

Scott AFB, IL, Military Airlift Command, on-base.

Lowry AFB, CO, Air Training Command, on-base.

Sheppard AFB, TX, Air Training Command, off-base.

Robins AFB, GA, AF Logistics Command, on and off-base.

Hill AFB, UT, AF Logistics Command, off-base.

Pacific Area

Kadena AB, Okinawa, Pacific Air Force, off-base (Kubasaki HS).

European Area

Rhein Main AB, Germany, U.S. Air Forces, Europe, on-base (March start).

PROGRAMS PLANNED FOR START IN APRIL 1972

Conus

Kincheloe AFB, MI, Strategic Air Command, on-base.

Forbes AFB, KS, Tactical Air Command, on and off-base.

Bolling AFB, DC, Hq Command, on-base.

European Area

Ramstein AB, Germany, U.S. Air Forces, Europe, on-base.

Alconbury RAF, UK, U.S. Air Forces, Europe, on-base.

Wiesbaden AB, Germany, U.S. Air Forces, Europe, on-base.

Zweibrucken AB, Germany, U.S. Air Forces, Europe, on-base.

MARINE CORPS PREP PARTICIPITION

GEOGRAPHIC LOCATIONS

MCB Camp Pendleton, Calif.
MCB 29 Palms, Calif.
MCSC Barstow, Calif.
MCRD San Diego, Calif.
MCAS El Toro, Calif.
MCB Camp Lejeune, North Carolina.
MCAS Iwakuni, Japan.
MCB Camp S. D. Butler, Okinawa.
MB Philippines.

The committee intends that the amendments to the PREP program previously mentioned and section 1697(a) will enable the wider expansion of PREP programs at bases other than those listed above.

FARM TRAINING

Section 306 of the committee bill amends the farm cooperative program by lessening the total hour requirements for classroom farm training from 528 to 200 hours and replacing it with a more individualized and practical on farm assistance program. This change in the existing program which represents a reactivation of the on farm training as provided under World War II and the Korean conflict veterans education program was made by the committee to overcome a major impediment that has kept veterans who are farmers from availing themselves of agricultural training under the GI bill.

There is little question that the requirement that farmers spend 528 hours annually in the classroom and not satisfy any of their instructional requirements on their farm has prevented farmers from participating in the program. Only 8,624 veterans have enrolled in agricultural training under the current GI bill from January 1966 through April 1972 a period during which no on farm instruction was authorized for credit under the law. In contrast, a total of 690,000 veterans enrolled in on farm instruction under the World War II GI bill and another 95,000 enrolled in the Korean conflict GI bill.

The fact that the high classroom attendance requirement has placed farm training under the GI bill out of the reach of most otherwise eligible farm veterans is tragic, for this instruction is increasingly essential if young farmers are to remain in farming. Today's farmer cannot survive without modern management skills and technological know-how.

At the same time it is increasingly apparent that we must do whatever we can to maintain family farmers on the land with a viable farm enterprise rather than stand by indifferently and watch the drift of rural people into overcrowded urban centers. On-farm training can be conducted with no dilution of educational quality provided it is adequately supervised and monitored.

The State of Minnesota's general adult vocational agricultural farm business management program which includes on-farm training has been in operation for 10 years and is an example of the sort of program contemplated by the amendments proposed in this act. Investigative studies of the World War II and Korean conflict on-farm training programs have shown that such training has been notably successful in general, although it has been subject to some abuses.

A general study of the Korean conflict on-farm training program conducted by the Minnesota State Department of Education in 1959 surveyed some 2,286 Korean veterans enrolled for 2 years during 1954 to 1956. This study showed that "there are many veterans who would not have gone on to become established in farming if an institutional on-farm training program had not been available."

The report showed substantial gains in capital, assets, and net worth of farmer veterans who participated in this program. I am convinced that adequate monitoring of on-farm training programs can be accomplished to eliminate substantial abuse should this program be adopted.

I ask unanimous consent that communications received from the president of the National Farmers' Union, the Indiana Farmers Union and the National Farmers Organization, urging support for adoption of these provisions be inserted in the RECORD at this point.

There being no objection the letters were ordered to be printed in the RECORD, as follows:

NATIONAL FARMERS UNION,
Washington, D.C., June 26, 1972.
Hon. VANCE HARTKE,
Chairman, Committee on Veterans Affairs, Subcommittee on Readjustment, Education, and Employment, Old Senate Office Building, Washington, D.C.

DEAR VANCE: I was very pleased that your Veterans' Affairs Subcommittee last Friday approved 1972 amendments to the G.I. Bill, with provisions for reduction of the annual classroom hours under the Cooperative Farm Training Program from 528 to 200. This reduction in classroom hours, I am convinced, will, if enacted into final law, provide for greater participation for farmers who are veterans under the G.I. Bill without significantly decreasing the educational quality of the Cooperative Farm Training Program.

Allow me to commend you for your leadership on the Subcommittee in making this important change in the Bill. I hope that you will be able to report the bill out of your full Committee soon, so that it can move to the floor of the Senate.

You can be sure that National Farmers Union will continue fully to support your efforts in securing the reduction in classroom hours when the bill goes to the floor of the Senate, and subsequently, when it goes to conference with the House.

Best regards,

TONY T. DECHANT.

INDIANA FARMERS UNION,
July 28, 1972.
Hon. VANCE HARTKE,
Chairman, Committee on Veterans' Affairs, Subcommittee on Readjustment, Education, and Employment, Old Senate Office Building, Washington, D.C.

DEAR SENATOR HARTKE: I want to commend you for your leadership on the Subcommittee and in amending the G.I. Bill with provisions for reduction of the annual classroom hours under the Cooperative Farm Training Program from 528 to 200. I am convinced this reduction in classroom hours will provide for greater participation of farmer-veterans under the G.I. Bill without decreasing the educational quality of this training program.

I want to assure you that I will do everything I can to support your efforts in securing the reduction in classroom hours when this goes to conference with the House.

Best regards,

HAROLD W. WRIGHT,
President.

NATIONAL FARMERS ORGANIZATION,
Corning, Iowa, June 22, 1972.
Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARTKE: The National Farmers Organization takes this opportunity to express briefly certain viewpoints relating to legislation now under consideration in the Veterans Affairs Subcommittee on Readjustment, Education and Employment.

Our concern centers on the requirement for 528 hours per year of prescheduled classroom instruction as it applies to farm veterans. Although the current classroom hours requirement may not be solely responsible for the decline in the use of this program by present-day veterans, as compared to the record following World War II, we are convinced that it is a major contributor to this decline.

As you know, the young veterans who are most apt to benefit from training of this type are also the ones with time-consuming responsibilities in their farming activities. The current high cost of inputs in the average farm operation makes it mandatory that an operator of a small or moderately large farm unit perform most of his own labor and run the farm with great care and diligence.

Various studies of the effectiveness of training under the G.I. bill have concluded that actual on-the-job instruction may be equal to or more effective than classroom work. Our observations in the farm communities and the opinions of many of our members confirm the viewpoint that training in methods of modern day farm management and related topics can be best carried out on a one-to-one basis, with the instructor working with the young farm operator in terms of his own problems.

Furthermore, this arrangement is solidly based on established principles of learning theory. Indeed, it is the current trend in most of the vocational and industrial arts to combine classroom instruction with on-the-job training at both the senior high and college levels.

We are aware of the fact that another farm organization has recommended reduction of the 528 hour classroom minimum to 200 hours, supplemented by 328 hours of individualized instruction to be carried out on the farm under actual working conditions. We support this proposal. We would also be amenable to a 50-50 division of the requirement time, following the precedent of early training programs, if your committee believes this to be the only way to gain ready acceptance of a change by the Senate and members of the House. This compromise would still be a substantial improvement over the provisions now in effect.

Sincerely,

CHARLES L. FRAZIER,
Director, Washington Staff.

TUTORIAL ASSISTANCE

Mr. HARTKE. In section 306 the committee has also made amendments in the current tutorial assistance program authorized under section 1692. This section authorizes individual tutorial assistance of up to $50 a month for a maximum of 9 months for a veteran who has a "marked deficiency" in required subjects if such assistance is necessary for the veteran to successfully complete the program.

The committee substitute eliminates the adjective "marked" to emphasize that a student does not need to be actually failing in order to qualify for tutorial assistance. This section is also amended to clarify that a veteran may receive assistance for a period in excess of 9 months provided he does not exceed a maximum of $450—9 times $50—so that a veteran will not lose a full month's eligibility of $50 merely by taking 1 hour of tutoring during such month as under present VA regulation.

The committee has been quite disappointed as to the relatively few veterans who have made use of tutorial benefits under section 1692. Most have averaged under 3 months of assistance per participant. Breakdown by reporting station with the period ending March 31, 1972 from the program's inception is shown in the following table:

REPORT FOR QUARTER ENDING—MAR. 31, 1972, 2524-12

Station name	Station No.	Tutorial assistance—Ch. 34						
		Individuals paid		Payment months		Dollars paid		Payment months for which a maximum rate of $50 per month was paid to date
		This quarter	To date	This quarter	To date	This quarter	To date	
Item		1A	1B	2A	2B	3A	3B	4A
Grand total		3,044	8,590	5,559	17,383	227,819	690,796	7,292
Area No. 1—total		363	846	829	1,851	33,758	76,410	943
Conn.: Hartford	308	20	47	42	134	1,646	5,701	70
Del.: Wilmington	360	6	11	11	35	340	1,398	17
District of Columbia: VBO	372	16	47	40	119	1,456	4,646	37
Maine: Togus	402	8	18	15	55	698	2,221	25
Maryland: Baltimore	313	7	20	30	47	915	1,494	6
Massachusetts: Boston	301	43	109	92	268	3,875	11,318	151
New Hampshire: Manchester	373	7	10	1	49	289	597	4
New Jersey: Newark	309	51	109	95	206	4,073	8,206	84
New York:								
Buffalo	307	94	126	256	311	10,598	12,712	159
New York	306	51	79	130	195	5,219	7,829	89
Pennsylvania: Pittsburgh	311	25	79	44	210	1,897	9,116	133
Rhode Island: Providence	304	8	21	20	31	618	879	7
Vermont: White River	405	1	4	3	6	85	195	7
West Virginia: Huntington	315	26	175	50	230	1,999	10,098	154
Area No. 2—Total		1,004	3,328	1,649	5,689	69,187	205,915	2,486
Alabama: Montgomery	322	44	163	96	291	4,036	10,889	60
Arkansas: Little Rock	350	154	672	199	882	9,194	40,420	615
Florida: St. Petersburg	317	82	315	264	754	11,622	32,553	410
Georgia: Atlanta	316	85	322	192	533	8,382	22,375	247
Kentucky: Louisville	327	22	66	26	142	914	5,217	49
Louisiana: New Orleans	321	161	470	161	570	7,160	24,584	331
Mississippi: Jackson	423	7	12	20	43	600	6,234	11
North Carolina: Winston-Salem	318	53	128	100	365	4,441	15,176	163
Puerto Rico: San Juan	455	NG						
South Carolina: Columbia	319	69	146	121	309	5,060	11,942	145
Tennessee: Nashville	320	87	368	136	612	5,021	19,414	168
Texas:								
Houston	362	35	130	52	284	1,863	10,400	90
Waco	349	180	487	231	784	9,030	27,304	149
Virginia: Roanoke	314	25	49	51	120	1,885	4,249	45
Area No. 3—Total		779	2,121	1,417	5,169	57,218	203,745	1,893
Illinois: Chicago	328	42	301	71	589	2,885	22,772	178
Indiana: Indianapolis	326	41	65	86	181	3,439	7,387	77
Iowa: Des Moines	433	19	68	38	197	1,548	7,418	81
Kansas: Wichita	452	54	117	81	261	2,830	9,016	85
Michigan: Detroit	329	73	161	176	389	3,015	14,309	151
Minnesota: St. Paul	335	18	57	42	159	1,975	1,009	61
Missouri:								
St. Louis RO	331	105	308	155	726	7,647	28,725	83
St. Louis RPC	376							
Nebraska: Lincoln	334	13	28	37	71	1,377	2,503	20
North Dakota: Fargo	437	35	73	66	187	2,931	7,564	72
Ohio: Cleveland	325	32	65	60	169	2,148	6,356	63
Oklahoma: Muskogee	351	188	518	295	1,507	12,249	63,842	805
Pennsylvania: Philadelphia	310	43	117	79	251	3,111	7,393	98
South Dakota: Sioux Falls	438	17	26	39	102	1,102	4,455	711
Wisconsin: Milwaukee	330	99	217	159	380	6,299	13,616	138
Area No. 4—Total		898	2,295	1,664	4,674	67,656	184,726	2,070
Alaska: Juneau	363	0	1	0	2	0	23	0
Arizona: Phoenix	345	35	56	80	142	3,048	5,535	21
California: Los Angeles	344	231	479	462	1,174	19,912	48,992	643
San Francisco	343	177	592	351	1,028	14,822	43,997	568
Colorado: Denver	339	75	187	134	468	5,544	18,365	318
Hawaii: Honolulu	359	5	13	19	43	870	1,764	20
Idaho: Boise	447	58	172	65	216	2,650	4,450	124
Montana: Fort Harrison	436	30	78	56	194	1,990	6,062	18
Nevada: Reno	454	11	29	17	43	677	1,648	13
New Mexico: Albuquerque	340	9	42	27	110	794	3,770	34
Oregon: Portland	348	110	254	188	551	6,498	18,169	120
Philippines: Manila	358							
Utah: Salt Lake City	341	26	76	41	107	1,406	3,305	35
Washington: Seattle	346	99	266	168	421	6,779	15,855	154
Wyoming: Cheyenne	442	32	54	56	178	263	781	119

Mr. HARTKE. The amendments previously discussed are intended to spur greater usage in the program. But more important than any changes made in the law by this bill is the need for a change in attitude on the part of the Government to more fully publicize the program's existence to colleges and veterans to provide administrative regulations which make it possible to obtain tutorial assistance with a minimum of redtape. A letter to the editor of the New York Times published on June 1, 1972 from Assistant Dean Joseph Mulholland of Fordham University speaks eloquently to this issue. I ask unanimous consent that the letter be inserted in the RECORD at this point.

There being no objection the letter was ordered to be printed, as follows:

VIETNAM VETERANS' EDUCATIONAL BENEFITS

To the Editor:

I have thought for weeks about your April 13 editorial calling the community's attention to the shamefully low educational benefits given to Vietnam veterans. It is excellent so far as it goes, but it does not go far enough.

The Vietnamese war is a national disgrace. Its chief victims are the people of North and South Vietnam. Its secondary victims are the young men, especially the young enlisted men who have fought there as members of the United States armed services. The disproportionate majority of the deprived and disadvantaged, both black and white, who have fought in Indochina receive stingy handouts; they deserve, as you imply, generous benefits.

They also deserve the right kind of generosity. We have seen members of the poor and lower middle class to fight this war. These men, most of whom, by definition, attended inferior schools, need extra help if they are to do college level work. Before victimizing them by sending them to fight an evil war, we victimize them with an inferior education in basic skills. They need more help than the average student.

Yet the bureaucratic maze through which they, and college administrators like myself, must travel in order to obtain funds for tutoring is all but impenetrable. That is just one instance. There are many. At times, I have found myself muttering, to adapt Kurt Vonnegut's words, "And so it goes."

Let me assure you that I know whereof I speak. Fordham's Excel Program has set out to recruit veterans, precisely because we feel that a liberal education is one small way in which we can make up for the injury done to those who fought a war invented (as Jimmy Breslin has pointed out) in Harvard, not in the corridors of John Adams High School.

Men who come into Excel receive inadequate payment and the payment is often delayed for months. (Some of our students are still waiting for their first check after applying for benefits in February.)

Supplemental payments for tutoring are difficult to come by. There is no serious sense in which I can say that veterans are being encouraged by the Government to make use of the benefits they have earned at the risk of their lives in a bad cause.

Is this an accident? I would like to think so. But I don't. Instinctively, our bureaucracy (with the complicity, I must admit, of many academics) is saving the taxpayers' money by surrounding educational benefits with a fog of difficulties that only the more sophisticated (read, middle class) know how to penetrate.

JOSEPH MULHOLLAND.

New York, May 2, 1972.

OUTREACH

Mr. HARTKE. Throughout the course of our hearings we were struck by statements made by Vietnam-era veterans as to the need for personal contact if veterans are to use their GI bill opportunities. Letters from the veterans in magazines, news stories, and interviews are replete with examples of men who are not responding to traditional methods of approach. A recent article in the Washington Post illustrates the feelings of those veterans in the use of Vietnam-era veterans as counselors to assist their fellow veterans. These men have been through the war.

Many of them were drafted or felt compelled to enlist because they were from lower income families which did not have the means to provide them with a college deferment or with special occupational deferments such as that of a teacher. These men feel that they have been taken advantage of by the system, a thought which might well occur to me if I were drafted under those circumstances. Because of their attitudes they do not and will not respond once they have returned home to that system when it approaches them once again in the traditional manner.

Vietnam veterans, according to Dennis Baker, Veterans' Outreach Coordinator from Montgomery County, throw away VA pamphlets and forms without reading them. What is needed from the Veterans' Administration is more personalized contact as described in the following article for which I ask unanimous consent to be inserted in the RECORD at this point.

There being no objection the article appears as follows:

EX-OFFICER HELPS VETERANS SURVIVE IN CIVILIAN WORLD

(By Doug Brown)

"Where do I go?" "What do I do?"

These are usually the first questions asked by the typical Vietnam-era veteran when he returns to the civilian world, according to Dennis S. Baker.

Baker knows because he is Out-Reach Veterans Coordinator for Montgomery County, where since November of last year he has been answering veterans' questions about jobs and education.

He also knows because he served as an Army officer until June, 1971, and spent almost half a year looking for a job, until he was hired through the federally financed Montgomery County Public Employment Program.

Sitting in his small office on the Rockland campus of Montgomery College, Baker said "one of the first things he tries to do is establish his credibility with veterans, who are often distrustful of the "establishment oriented." He makes it clear he is not an employee of the Veterans Administration, because, he said, many veterans have a negative attitude toward it.

Veterans don't like to deal with Veterans Administration bureaucrats who have been doing the same thing for 10 to 15 years, said Baker. He said these VA counselors don't know how to deal with the particular problems of the Vietnam-era veteran, and the veteran is inundated with VA pamphlets and forms, which he simply throws away without reading, even though they might have some information that would be useful to him.

He said today's veterans are frustrated with the VA because the programs that worked for World War II and Korean veterans will not work today. Baker said the VA does not "speak the language" and "the VA can't do things the way they're doing it." He believes instead in the "outreach concept."

This, said Baker, means going out where the veteran is and talking with him, whether it is a bar or the Montgomery College cafeteria. He said that some veterans resist his first efforts because their military experience has turned them against all contacts with organizations. But he added that most who do this return to see him in about three or four months, after they have encountered a series of frustrations and found the transition back to civilian life more difficult than they had anticipated.

Those veterans that Baker doesn't seek out see him at his office—either through appointment or by just dropping by. Counseling is tailored for the particular needs of each veteran, and many sessions last for an hour or more. Baker's approach is strictly realistic. He makes no promises he can't fulfill.

Baker said some employees will no longer deal with agencies which have traditionally aided the veteran because these agencies are so slow in telling veterans of openings that the jobs are filled by the time veterans apply.

According to Baker, a sizable number of veterans leave the military with bitterness and frustration. Citing his own experience, he said his career was "like 3 years in a vacuum" because he had lost three years out of his life. Baker said he had worked for one year before entering the military and this was all the work experience credit employers had given him, despite his three years as an Army officer. "They give you a pat on the back and tell you it was great you served your country and that's it," said Baker.

Baker said that the military is a traumatic experience for most enlisted men. Then, he said, after leaving the service, they come back and see their friends have two years of college education or job experience. "There are some awful angry people around," Baker said.

Serving as a job, school, and drug counselor is all part of Baker's job, and he estimates he has contacted over 1,000 veterans by mail, phone, or personal interviews.

No one knows exactly how many Vietnam-era veterans there are in Montgomery County. Each month Baker receives a computer printout from the Veterans Administration with the names and addresses of veterans returning to Montgomery County. He estimates the number at between 100 and 150 a month, although the number for March was 243, the last month for which figures are available.

Job fairs, counseling, and seminars have been set up for veterans. Baker has spoken to civic groups, and sometimes, he said, these produced an immediate payoff. After he spoke at the Bethesda Rotary Club, five businessmen came up to him and said they had jobs for veterans. One businessman had 10 openings.

Baker said he is going to ask the Montgomery County Council to expand the Out-Reach program. He would like to see eight veterans hired on a part-time basis to counsel other veterans, about the same number working in Prince George's "Out-Reach" program.

Mr. HARTKE. The Veterans' Administration also must respond more quickly to new methods of outreach than it has in the past. After almost 2 years of discussion and suggestions by Members of Congress that it use mobile vans in outreach work, the VA now has two vans operating in southern Texas on a "pilot" basis. The committee also strongly recommends that the Veterans' Administration make use of its general authority under section 213 of title 38 to contract for outreach services from outside agencies and groups, and further, to coordinate these efforts.

The Seattle Veterans' Committee whose director, Joseph Garcia, testified before our committee offers an excellent example of the sort of coordinated community outreach effort which could serve as a model for other areas of the United States.

Finally, Mr. President, I believe the challenge posed by the Cietnam era veteran together with their tremendous potential that he represents for our country is revealed in a recent article by Tony Jones entitled "The Invisible Army." I ask unanimous consent that it be inserted in the RECORD at this point. There being no objection the article appears as follows:

[From Harper's magazine, August, 1972

THE INVISIBLE ARMY

(By Tony Jones)

I wonder how many Harper's readers have spent more than twenty-five hours, say, talking with a veteran about his experiences in Vietnam. The figure is arbitrary, simply an attempt to create a sense of scale for a curious and unsettling phenomenon: there comes a point, after many hours of talk with veterans, when you become aware that they carry with them two sets of pictures, two sets of perceptions about the war and their experiences in it. One set—for public consumption, as it were, like snapshots in a wallet—is relatively neat, coherent, emotionless; it is comprised of answers meant to turn away further questions, or at the very least confine them to a predictable course. Only gradually, and with trust, does the second set of views emerge; they are far less ordered, more contradictory, charged with more emotion. They invariably contain elements of pain, anger, and despair, and they arise from some deep inner space accompanied by a sense of great vulnerability.

The most comfortable—and most dangerous—myth about Vietnam veterans is that they have not been deeply affected by their service in the war. They have. But as a society, we've done practically nothing to discover the dimensions of their change or to survey its contours. Instead, we comfort ourselves with the thought that men have always gone off to war, that they've always had readjustment problems on their return, and that eventually they always manage successfully to rejoin the society.

Veterans thus become merely another aspect of business-as-usual. We seem to be saying to them, "This war is essentially an aberrational occurrence, a momentary warping of reality to those of you who served in it, no doubt, but something to be put behind you, forgotten at the first opportunity." We greet returning veterans with the expressionless mechanical face of normal bureaucratic procedure and busy ourselves, as we have throughout the war, with everyday affairs. The individual veteran is left to thread his way alone through crowds of strangers, as if the unconcern itself, like a spell, would work forgetfulness.

To the degree that we deal at all with the special situation of veterans, it's with the surgical gloves of statistical analysis. We know there will be eight million Vietnam-era veterans returning to the society; we know or can predict the percentages that will be unemployed, that will have drug problems, that will be in need of physical rehabilitation, that will visit state employment offices, that will go back to school, that will spend the rest of their lives in hospitals, that will apply for GI Bill benefits. But of the men themselves—what they think, hope, expect, need, fear—we know practically nothing.

Such a depersonalized view of the veteran depends in some degree on the persistence of class distinction. The war has hardly ever done more than lap at the edge of the middle class, and in that sense it has been an outsider's war, carried out primarily by the professionals, the blacks, the poor, the uneducated, the mavericks of all sorts. So there has never been any clear or general understanding of why a man might be in that distant place, living a time out of time. The easiest explanation was that the stupid got drafted and the patriotic enlisted. The implicit assumption was that in some way each individual had written his own contract with the war, was getting back a tangible reward—

as a black, to escape the ghetto; as a misfit, to break out of the strictures of education or production; as a romantic, to fulfill some personal heroic image; as a patriot, to act on beliefs deeply held.

Put in its broadest terms, class distinction has simply amounted to an unquestioned acceptance of difference, a dim sense that those who were engaged in the war were different in some manner from those who weren't engaged in it. Nor did the middle class ever quite abandon the conviction that a man had a *choice* about being there, even if that meant only that he had failed to exercise a choice not to be there.

There must also be an element of fear. Why else would we so single-mindedly concentrate on the pathologies of veterans—unemployment, drug addiction, crime, alienation—while persistently refusing to look toward the positive potential, individually and collectively, that they represent? We assert, with varying degrees of righteousness, that the veterans "problem" is a social or economic or political problem, forgetting that above all it is a human question. And somewhere in that missed connection lurks a Roman nightmare, a terror at the idea of a class of legionnaires who are owed more than they have been paid and who, if they speak in unison, will extract their price from the society in a painful reckoning.

As a result, we resist providing veterans with special dispensations of any sort. We require them to stand in the same lines, deal with the same forms, trudge the same paths as anyone else. They can go back to school, but no requirements will be waived and no credit will be given for the experience they have gained. They can apply for jobs, but they are told they have to take their chances with everyone else and that suggestions like job-splitting (one full-time job held by two veterans, each working part time) really aren't very practical since they cause extra paperwork. They can join the American Legion or Veterans of Foreign Wars, but they have to be prepared to wear their hair short and overlook the differences between their own war and Korea or World War II

Nowhere does the veteran see reflected his own view of himself: a person with special resources to offer, but also with special needs to be met. The society fixes him with a blind eye, and he retreats from that blank gaze, learning to say what is expected rather than what he really feels.

The society's message to the veteran is clear: "We require invisibility of you."

All told, we have done a remarkable job of keeping Vietnam at a comfortable psychic distance. The media war is not the real war—no matter how many miles of film we see or yards of print we read or journeys of conversation we take. We've performed the miraculous feat vouch-safed to modern man: we've abstracted the war to the point where, like a communion wafer, it has been squeezed almost dry of any connection to flesh-and-blood reality.

The veteran, practically between breaths, has to exchange the reality for the image. In the span of seventy-two hours, he is flown out of Vietnam, mustered out of the Army, and finds himself back on his doorstep, all the dissonances amplified by the enormous efficiency of the process. Bewilderment is hard to hold at bay, especially when he finds that the war that dominated his existence so recently has only a tiny purchase on the national consciousness.

Then, to one degree or another, each veteran must navigate a hall of mirrors where image chases reality chases image chases reality. It starts from the point that most veterans never believed that Vietnam was "real" life. For GIs in Vietnam, the United States was "the world," as if in acknowledgment of the fact that life really happened back here. Despite the interminable debates, the constant argument, the war was never invested with enough meaning, never occupied enough of our everyday thoughts, for the men engaged in it to think it meant anything important—good or bad—or would change the way the world ran. More than anything else, the war represented an exile for them. The important things were going on back home, and to the extent that they felt connected at all they tended to visualize themselves at the terminus of an isolated tentacle of purpose, separated from the organism as a whole.

But from the perspective of "the world," they quickly learn, the war resembles a puppet show. What they see on television and read in the newspapers bears little correspondence to what they saw, felt, heard when they were in Vietnam. Their political and moral views of the war, to the degree that they hold them, are infinitely more complicated than those that structure the national debate; while we have moved toward the blacks and whites of polarization, their views are drawn with all the subtle and ambiguous shades provided by personal experience. Because of their distrust of slogans and simplifications, only a tiny percentage of the veterans have enlisted in political or ideological campaigns (and what impact they will have as a group on Election Day no one can pretend to predict). The result, paradoxically, is that Vietnam frequently becomes a fuller reality for the veteran *after* he returns home.

The veteran's dilemma, then, is simply which reality to trust. And until he can resolve the conflict in his own way and to his own satisfaction, until he can sort out and order the images and realities, he floats in a vacant uncertainty. When a veteran says—as most do—"I need to get my head together," it is this relativity problem with which he is wrestling.

The continued inability of the society and the veteran to reach each other and to establish bridges for reintegration will be an incredibly costly failure. Already it has been estimated that the cost of normal veterans benefits will exceed the direct cost of the war. Even such a huge figure seems insignificant next to the loss in wasted potential; very simply, the veterans constitute a unique resource.

The conventional wisdom holds that because this has been a bad war, those involved in it could hardly have salvaged anything of value from the experience. On the contrary, the evidence seems to be that Vietnam was an intense and productive, if sometimes horrifying, educational experience for a great many veterans. Like all wars, it functioned as a crucible for maturity; but this war—different in circumstance, nature, and outcome from any other in American history—had special lessons.

For one thing, an indeterminate number of veterans learned forms of self-reliance that this society has few techniques for breeding. Not self-reliance in the physical sense so much as the intellectual: understanding the critical importance of, and having the capacity for, individual judgment. None of the truly hard questions was dealt with in Army manuals, or provided for by Army procedures. Yet despite the lack of a coherent institutional framework, or even an understandable set of explanations, many men succeeded in developing their own existential solutions.

Vietnam was a constant procession of contradictory images, and practically everyone's experience encompassed both the logical and absurd, the banal and heroic, the human and inhuman. Sanity depended either on being able to ignore the contradictions or on being able to fit them into some larger pattern, a larger frame of reference. How do you balance hours of terror against days of boredom? Danger against comfort? Destructive force against the reciprocal risk?

Such problems unquestionably immobilized some men, left them wanderers in a trackless forest where any action is indistinguishable from any other. But other men fashioned their own answers, but not necessarily elegant or sophisticated, but serviceable. And if their individual codes got in the way of discipline, and occasionally resulted in disobeyed orders or impromptu mutinies, they were also life jackets in a sea of strange situations.

For a society rushing pell-mell into an uncharted future, that form of resilience and self-sufficiency is of inestimable value.

A second distinctive resource of veterans is their fund of practical experience in how to make institutional structures serve individual needs. Many veterans would be ideal candidates for positions as "change agents," that newly developing breed whose stock in trade is the ability to restore vitality to fossilized bureaucratic structures or, failing that, to find ways to bypass them.

In Vietnam the soldier's primary image of America is that of a machine. The intricate military apparatus transports him, feeds him, clothes him, cares for him, orders him around. Power is measured by the number of machine parts under one's command. War is waged predominantly by machine.

The soldier's challenge is to attempt to bend or control the machine at whatever points it has the most direct influence over his life. Manipulating its hidden levers brings freedom of movement, choice assignments, luxuries, promotions, and in general makes life more amenable. To a greater degree than previous wars, Vietnam taught many men how to make the bureaucratic, hierarchical machine serve their own purposes. Lacking the conviction that their daily lives and activities were measured against high ideals being served, at the least these men learned techniques that would cross circuits in their favor; at most, they learned how to make the machinery grind to a full halt by throwing their bodies somewhere in the gears, at times so skillfully they could later escape uninjured.

If the veterans' mechanical image of America is granted, then a sense of individuality rests on the confidence that the machine can be influenced, possibly manipulated, to meet important and immediate individual needs. While the machine as a whole may be incomprehensible, an absurd level of order away, there is still hope so long as the local segment of it responds to logic and in effect can be "managed." If this knowledge is left to serve only selfish aims, it will fuel the growing phenomenon of individual guerrilla warfare against social institutions, otherwise known as ripping off the corporate society. Yet harnessed to a sense of social purpose, this capacity among veterans could be put to valuable use. In simple practical terms, among several million veterans there are a great number accustomed to working for change, skilled at finding their way through bureaucratic mazes, and unintimidated by officialdom. In a variety of milieus, they could help assure that our institutional structures remain flexible and responsive to changing needs.

A balanced human view of Vietnam veterans demands weighing their strengths along with their disabilities. One of the first documents to treat the veteran with this respect and seriousness is an informal 125-page report called "Wasted Men," prepared by the Veterans World Project at Southern Illinois University.

"Wasted Men" was put together by sixty-odd Illinois veterans as a summation of a self-study project that began in the summer of 1971. A large part of its significance stems from the evidence it offers that veterans are willing to work hard to understand the situation in which they find themselves. They are doing their homework, and the value of the report is not only in the objective data it provides but in the subjective process it illuminates. The actual report is based on the participating veterans' own experiences supplemented by information gleaned from interviews and questionnaire responses from about 700 other veterans, 100 employers, and numerous local, state, and federal officials working with veterans. While the report is unpretentious, even self-critical of its limitations, it represents one of the first serious attempts to examine the encounter between the returning veteran and the society.

The idea for the project came from Peter Gillingham, a forty-one-year-old veteran of Korea and former foundation official who was concerned about the small percentage of Vietnam-era veterans using the GI Bill to continue their educations (roughly 20 per cent, compared to 50 per cent following World War II). After talking with veterans, he came to the conclusion that education was failing them by refusing to grant opportunities—and academic credit—for veterans to explore the questions and issues that most concerned them: the evidence was overwhelming that by and large the educational establishment found nothing special about veterans and was unprepared to bend any rules or procedures for their benefit. As a result, the veterans who equated their return to the United States with being locked in a closed room were simply unwilling to voluntarily confine themselves further in one of its closets. Of those who did return to school, a disproportionately high number dropped out within the first year.

Moved by the potential waste of human resources he saw in the situation, Gillingham set out to find ways that veterans could be encouraged, in an academic setting, to define their own needs and design their own programs. He then proposed, and persuaded SIU to accept, an internship program whereby a group of local veterans could study the difficulties that faced them and their peers. The concept was intentionally fluid, and the first ground rule was that the participating veterans would be free to take the project in whatever directions they felt would be most fruitful.

Once the project itself got under way, the energies released by the veterans dwarfed even the outsized energies Gillingham had exhibited in carrying the idea through its initial stages. By all reports, the project was an extraordinarily intense experience for those involved—by turns emotional and analytical, cathartic and exploratory, threatening and reassuring, and, overall, contradictory enough to inspire confidence that it was dealing with the real situations of real people.

"Wasted Men," as a consequence, speaks in many voices. Black veterans argue with white, passionate personal statements overlap collective analyses, statistical evidence is interleaved with intuitive judgments. Similarly, the report treats a huge range of concerns. One moment there is a nuts-and-bolts discussion of the way State Employment Service forms fail to provide ways for the job-seeking veteran to communicate the full range of his service-related experience and skills. The next moment veterans' wives are discussing the marital and sexual problems that flow out of the tensions of readjusting to American society. Later, the report wrestles with the philosophical issue of how the destructive force he is capable of delivering affects a combat soldier's self-perception. The intent of such an improvised orchestration, no doubt, is to increase the likelihood of striking a chord that will bring response. Ultimately. "Wasted Men" provides poignant testimony of the veterans uncertainty about how best to catch the ear of the society, how to make us hear what they have trouble even finding words to say.

In its jumble of insights and personal vignettes, the report contains strong evidence in support of the following conclusions:

> The problems of transition and return result in a full-fledged "Vietnam-veteran syndrome" that appears to be of far greater magnitude than was true of previous wars.
>
> The most difficult aspect of readjustment for the contemporary veteran is making the transition into a civilian economy. By the report's reckoning, the national Jobs for Veterans and Job Fair programs have been dismal failures, providing little more than unfulfilled promises.
>
> Veterans seeking further education face severe hardship, not only because GI Bill stipends are so modest and restrictions have been added to the original legislation but because they have different attitudes toward higher education than did their counterparts of World War II.
>
> There is an appalling lack of vigorous or imaginative national leadership dealing with the veterans' situation. Administrative tangles, overlapping responsibilities and jurisdictions, bureaucratic inertia, and lack of contact with Vietnam-era veterans have conspired to prohibit new programs or new ways of thinking about veterans.
>
> The black veteran suffers from special difficulties in reintegrating with the society, frequently as a result of unjust "bad paper" (less than honorable) discharges.

The mistrust of the present methods for dealing with veterans is based on the report's conviction that the panoply of current programs is largely ineffective in acknowledging or responding to what Vietnam-era veterans feel are their primary needs. In the report's words:

"It is essential to make the people aware that the civilian federal-state agency system for veterans is now operating so badly, yet is so well-entrenched and self-sufficient without any reference to or concern for its constituency of Vietnam generation veterans, that it is at least as serious as the now well-recognized 'welfare mess,' and probably worse . . . The treatment most veterans are now getting from these agencies tends to strengthen and solidify the worst possible negative stereotypes about the whole system, about our government and indeed our whole society."

A reading of the report leaves little doubt that a thoroughgoing shake-up of the present bureaucracies, accompanied by a sudden infusion of Vietnam-era veterans in all levels of the Veterans Administration and of the State Employment Services, would noticeably improve the veterans' lot. But the challenge is larger: in the report's view, we need new structures that provide veterans with the freedom to exercise their own initiatives. The dim outlines of a blueprint for such change can be found in the report itself. But its primary value is as a window on the process by which such change should take place—in a symbiotic relationship with the veterans who will be affected by it—rather than as a polished set of recommendations.

Throughout "Wasted Men" there are hints of the anger that exists among veterans. While the tone of the report is civilized and even respectful, there are subtle warnings of a rage that could escape its bounds, of a storm being bred of innumerable individual frustrations. In its closing line, "Let us hope we do not reap the whirlwind," the report expresses an unstated theme: if the immense energies of several million veterans are denied productive outlet or engagement, then we must be prepared to accept the consequences. If that has an apocalyptic ring, its intent is simply to be honest about a very basic matter: the veterans have brought the war back home. It exists in their heads and in their lives, and we as a society cannot long avoid dealing with that fact.

SUPPORT FOR S. 2161

Mr. HARTKE. Mr. President, I am most gratified for the support shown for my bill by veterans' organizations and others who urge quick action and ratification of its provisions. I ask unanimous consent the communications from the National Association of Collegiate Veterans, the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans and the AFL–CIO concerning S. 2161 be inserted in the Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

National Association of Collegiate Veterans,
Washington, D.C. July 31, 1972.

Hon. Vance Hartke,
Chairman, Committee on Veterans' Affairs,
Washington, D.C.

Dear Senator Hartke: We appreciate the efforts by your Committee in reporting out the Veterans' Readjustment Act of 1972 (S. 2161, as amended). The Bill is, by far, the most comprehensive legislation offered, and is a clear effort toward meeting today's veterans' needs.

We strongly emphasize that delay in the passage of S. 2161, as amended, and any delaying actions by the Conference Committee in revising any part of this Bill, will gravely affect millions of Vietnam era veterans.

Sincerely yours,

James M. Mayer,
President.

Veterans of Foreign Wars
of the United States,
Washington, D.C., July 31, 1972.

Hon. Vance Hartke,
Chairman, Committee on Veterans' Affairs,
Washington, D.C.

My Dear Mr. Chairman: This is in reference to S. 2161, the GI rate increase bill, scheduled for consideration and vote by the full Senate this week.

S. 2161 proposes to increase the GI Bill rates by 43%. For a single veteran in full-time training, this would be an increase from the present $175 to $250 a month. Comparable increases are provided for veterans in less than full-time training and other education and training programs administered by the Veterans Administration. The proposed 43% increase substantially carries out a long-held Veterans of Foreign Wars position that the levels of assistance provided Vietnam veterans should be comparable to the levels of assistance provided veterans of previous wars. For this reason, the Veterans of Foreign Wars supports the increases provided for in S. 2161.

There are many other provisions in S. 2161, which is a very comprehensive bill. The Veterans of Foreign Wars has indicated its strong support for proposals which will help the returning Vietnam veteran. This bill is tailored to meet many of the problems of the returning Vietnam veteran, with some of the provisions addressing themselves to the problems of a number of veterans who are having extreme difficulty making a successful transition because of handicaps and other problems derived from the Vietnam war.

The immediate passage of S. 2161 is most urgent. The fall term of most institutions of higher learning will begin this September. Millions of veterans are watching this legislation very closely because the increased rates will be so important in their decision to either commence a training or education course or to continue in one.

The Veterans of Foreign Wars, therefore, supports this legislation and recommends its favorable consideration and approval by the Senate.

With kind personal regards, I am

Sincerely,

Francis W. Stover,
Director, National Legislative Service.

National Legislative Commission,
The American Legion,
Washington, D.C., July 28, 1972.

Hon. Vance Hartke,
Chairman,
Senate Committee on Veterans Affairs,
Washington, D.C.:

The American Legion is grateful to you and your Committee on Veterans Affairs for recommendating a substantial rate increase in veterans educational assistance as provided in S. 2161 which was reported this week.

Vietnam veterans need this rate increase now. Early enactment will make it possible for many of them to pursue their education this fall.

The American Legion hopes, therefore, that S. 2161 will be scheduled for early Senate action so that differences with the House can be resolved without further delay.

John H. Geiger,
National Commander.

Disabled American Veterans,
Washington, D.C., July 28, 1972.

Hon. Vance Hartke,
Chairman,
Senate Committee on Veterans' Affairs,
Washington, D.C.

Dear Chairman Hartke: The DAV commends you and the Senate Committee on Veterans' Affairs for your dedicated efforts to improve and expand the existing programs of educational benefits for America's veterans and their survivors.

We strongly support the many innovative features and the substantial rate increases contained in S. 2161, as recently reported by your Committee. On behalf of the nearly 400,000 members of the Disabled American Veterans, I therefore, urge early and favorable consideration of this important legislation by the United States Senate.

Sincerely yours,

Charles L. Huber,
National Director of Legislation.

American Federation of Labor
and Congress of Industrial
Organizations,
Washington, D.C., August 3, 1972.

Hon. Vance Hartke,
Chairman, Committee on Veterans' Affairs,
Washington, D.C.

Dear Mr. Chairman: As you are well aware the AFL–CIO has long been concerned with the problems of the American war veteran especially in the areas of employment opportunity and educational assistance. In May of this year the AFL–CIO Executive Council unanimously adopted a resolution calling for, among other things, an increase in G.I. bill educational benefits comparable with post-World War II benefit levels, a veterans' preference tuition loan program and strengthening of accrediting controls and refund procedures for certain types of correspondence and vocational training schools. More recently the AFL–CIO testified before the Senate Veterans Affairs committee as to our specific proposals and recommendations in these and other related areas.

In this context, Mr. Chairman, we feel that S. 2161, entitled "The Viet Nam Era Veterans Readjustment Assistance Act of 1972," introduced by yourself and other members of the committee and reported out by the Veterans Affairs committee on July 26th, will, through its many innovative provisions, solve a number of critical problems which currently plague the Viet Nam era veteran. The over 40% increase in educational benefits will not only encourage more veterans to seek a college education but in doing so partially alleviate the seriously high unemployment rate among returning veterans. Concurrently the monthly advance payment of educational benefits, work study, veterans outreach recruitment programs and low interest tuition loan provisions in the bill will attract even more veterans into degree programs as well as assist the prospective student veteran while he is in pursuit of his college degree. The increase in apprenticeship and on-the-job training benefits and equalization of widow and dependent benefits will allow for greater flexibility in program selection for those seeking educational or occupational improvement training in other than college degree programs. Additionally the strengthening of provisions in the current law as they relate to the advertising, refund and cancellation practices of correspondence and vocational training schools will eliminate a number of practices which have taken cruel advantage of many unwary veterans.

In summary, Mr. Chairman, we in organized labor feel that S. 2161 adds many new dimensions to a program too long overlooked, eroded by inflation and hamstrung by outdated practices. We owe a great debt of gratitude to the Viet Nam veteran and S. 2161 represents a partial fulfillment of that debt. For these and other reasons which I have detailed above, the AFL–CIO fully supports S 2161 and urges quick Senate approval of this important legislation.

Sincerely,

Andrew J. Biemiller,
Director, Department of Legislation.

Mr. HARTKE. Mr. President, I particularly want to commend the efforts and contribution of the senior Senator from California (Mr. Cranston). Senator Crandon's outstanding performance this year as chairman of the Subcommittee on Health and Hospitals is well known by all of those who have watched the legislation which has been reported from that subcommittee. But he has been equally helpful as a member of the Subcommittee on Readjustment, Education, and Employment. Drawing on his experience as chairman of the Veterans' Affairs Subcommittee of the Committee on Labor and Public Welfare for 2 years prior to the formulation of the full Committee on Veterans' Affairs he has been in a unique position to offer constructive suggestions and amendments to the education legislation pending before this committee.

The provisions for advance payment, workstudy/outreach, and amendments to the PREP program, for example, carry forward and are developments of earlier legislation sponsored by Senator Cranston in the Labor and Public Welfare Committee. The efforts of Senator Cranston and members of his staff to help produce the best legislation possible for veterans are greatly appreciated by each member of the Committee on Veterans' Affairs.

Mr. President, I have a technical amendment to S. 2161 which the committee overlooked at the time the bill was ordered reported. I move the Senate adopt the following amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the Record.

The text of the amendment is as follows:

On page 74, line 1, insert "AND SAVINGS PROVISIONS" immediately after "DATES".

On page 74, after line 20, add the following new section:

Sec. 704. (a) Notwithstanding the provisions of section 1712(b) of title 38, United States Code, a wife or widow (1) eligible to pursue a program of education exclusively by correspondence by virtue of the provisions of section 1786 of such title (as added by section 317 of the Act) or (2) entitled to receive the benefits of subsection (a) of section 1733 of this title (as added by section 314 of this Act), shall have eight years from the date of the enactment of this Act in which to complete such a program of education or receive such benefits.

(b) Notwithstanding the provisions of section 1712(a) or 1712(b) of title 38, United States Code, an eligible person, as defined in section 1701(a)(1) of such title, who is entitled to pursue a program of apprenticeship or other on-job training by virtue of the provisions of section 1787 of such title (as added by section 317 of this Act) shall have eight years from the date of the enactment of this Act in which to complete such a program of training, except that an eligible person defined in section 1701(a)(1)(A) of such title may not be afforded educational assistance beyond his thirty-first birthday.

Mr. HARTKE. This amendment provides for a "savings" provision for eligible persons training under chapter 35. Under this provision such persons would have a full period of eligibility for programs of education exclusively by correspondence, apprenticeship, and other on-job training which are made available to them for the first time by this act. This amendment is consistent with previous Veterans' Administration acts. The Veterans' Administration estimates that this will have a minimal cost impact.

I urge adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana.

The amendment was agreed to.

Mr. CRANSTON. Mr. President, will the Senator from Indiana yield?

Mr. HARTKE. I am delighted to yield to the Senator from California.

Mr. CRANSTON. Mr. President, I am delighted to join with the distinguished chairman of the Senate Veterans' Affairs Committee (Mr. Hartke) in urging the adoption of S. 2161, the proposed Vietnam Era Veterans Readjustment Assistance Act of 1972. I am particularly pleased that so many of my distinguished colleagues have joined Senator Hartke and myself in cosponsoring this vital legislation.

Senator Hartke and I introduced S. 2161, as originally formulated, on June 28, 1971. After subsequent extensive hearings on the readjustment and employment needs of returning Vietnam era veterans and on the adequacy of the existing GI bill, the full committee unanimously approved S. 2161, with a committee substitute amendment which Senator Hartke and I proposed on June 29, 1972.

SUMMARY OF COMMITTEE SUBSTITUTE

The purpose of S. 2161, when introduced, was to provide a more realistic educational assistance allowance to veterans and their dependents. However, since that time it has become clear that more comprehensive legislation, to include the expansion and improvement of many existing GI bill programs in addition to increases in the level of educational assistance, is urgently needed in order to give the Vietnam era veteran the readjustment assistance that he so eminently deserves. Hence, S. 2161, as reported, has incorporated a number of important features of other veterans' readjustment assistance legislation which I authored and which was pending before the committee—namely S. 740 and

S. 2091—and certain administration proposals.

The purpose of this bill as introduced therefore, has been substantially expanded. It includes increasing the vocational rehabilitation subsistence allowance, educational assistance alowance, and the training assistance allowance payable to veterans and eligible persons under chapter 34 and 35 of title 38. Other features include:

Providing for advance payment of the educational assistance or subsistence allowances;

Establishing a work study/outreach program;

Improving and expanding the special programs for educationally disadvantaged veterans and servicemen;

Extending eligibility to certain wives and widows and veterans' dependents—in some instances—for tutorial assistance and participation in correspondence, apprenticeship, and other on-job training, and high school and elementary education programs;

Improving the farm cooperative training program by reducing the number of in-class hours and expanding on-farm instruction;

Establishing a veterans education loan program;

Promoting the employment of veterans by improving and expanding the provisions governing the operation of the Veterans' Employment Service and by providing an employment preference for certain Vietnam era and service-connected disabled veterans in Federal contracts and subcontracts; and

Improving the measurement of high school courses in the case of night adult evening courses and programs for which the Carnegie measurement produces inequitable results and further clarifying the definition of a "child" during a preadoption decree period of custody by the adoptive parents.

GI BILL ALLOWANCE RATES

The increases in the educational assistance and subsistence allowances provided for GI bill trainees are the most important features of this bill. The basic rate for single veterans (and servicemen), without dependents, who are pursuing full time institutional training or flight training is increased from the present $175 to $250 per month. Corresponding increases are made for less than full-time trainees and for veterans with dependents.

The basic monthly subsistence allowance for disabled veteran trainees who are pursuing vocational rehabilitation full time is increased from the present $135 to $200 a month; the basic rate for full-time farm cooperative training is increased from the present $141 to $201.

Mr. President, the present GI bill is not providing adequate readjustment assistance to the approximately 5.6 million Vietnam era veterans in the Nation. In enacting the post-Korean conflict GI bill, the declared purpose of Congress—as set forth in section 1651 of title 38, United States Code was, in part: "extending the benefits of a higher education to qualified and deserving young persons who might not otherwise be able to afford such an education." And: "providing vocational readjustment and restoring lost educational opportunities to those servicemen and women whose careers have been interrupted or impeded by reason of active duty." At present, congressional intent is being frustrated because the present GI bill educational assistance allowances are grossly insufficient. Even with the improvements we made 2 years ago in Public Law 91-219, the existing programs still do not adequately respond to the educational needs of today's veteran.

The neglect of the Vietnam era veteran is particularly shocking, Mr. President, because, in contrast to World War II when all classes of Americans served equally in the Armed Forces, the Vietnam conflict has drawn heavily upon the educationally and socially disadvantaged young men who lacked either the funds or the preparation to continue their education.

This neglect is clearly reflected in the history of Vietnam era GI bill participation rates, which without question have borne a direct relationship to the rate of the allowance in effect at a given time. Under the World War II GI bill, which in virtually every case paid the full educational costs incurred by veterans, the ultimate participation rate among eligible veterans was 50 percent. The comprehensive nature of the World War II GI bill insured that no veteran who desired to further his education or training would be denied that opportunity because of a lack of funds.

Unfortunately, the same cannot be said for Vietnam era veterans. In 1966, the rate of the educational assistance allowance was only $100; in 1967, it was raised slightly to $130. At this meager level of assistance, only 20.7 percent of the eligible Vietnam era veterans took advantage of GI bill benefits between 1966 and 1969.

In 1970, in Public Law 92-219, for which I had the privilege to serve as Senate floor manager, the basic educational assistance allowance was increased, effective February 1, 1970, to $175, and the veteran participation rate immediately rose to 30 percent within a year. It has now increased to about 40 percent. But this encouraging increase is not good enough. Large numbers of Vietnam era veterans who want to go to school simply cannot afford to do so. Many who start school are eventually forced to drop out because of inadequate funds, and many more who are persistent enough to complete GI bill training are forced to endure unnecessary financial hardship in the process.

The fact is that further education is far more of a necessity in the job market today than it was after World War II or the Korean conflict. And, moreover, the Vietnam era veterans most in need of furthering their education or training are those taking the least advantage of their GI bill entitlements.

A recent survey, "A Study of the Problems Facing Vietnam Era Veterans and Their Readjustment to Civilian Life," which was commissioned by the VA and conducted by Louis Harris & Associates, provided concrete evidence that substantial increases in the present allowance rates are a prerequisite to achieving greater Vietnam era veteran participation in the GI bill, a participation at least comparable to that under the World War II GI bill—and I am not one who believes a 50-percent rate is an adequate goal, given the importance of higher education today. This comprehensive survey found that of the approximately 60 percent of all Vietnam era veterans who have never applied for educational benefits, more than half of these veterans certainly would apply if benefits were increased, and another third might apply.

In opposing a substantial increase in the allowance rate, the VA has argued that the allowance has been increased by 75 percent in the last 6 years. The logic of this argument escapes me. The inadequacy of the present $175 rate of assistance as well as the paltry $15 increase proposed by the administration is certainly not made any more acceptable or justifiable because the GI bill of several years earlier was even more inadequate.

The figure the administration supports—an 8-percent increase to $190 for the full-time student veteran with no dependents—is exactly the figure approved by the Senate almost 3 years ago as part of the bill which became Public Law 91-219. I do not believe our struggling returning veterans can wait 3 more years for the administration to come around to our way of thinking on the increase included in the committee substitute.

Mr. President, who would argue that the Vietnam era veteran should not, at long last, receive a rate of assistance under the present GI bill which is comparable to the level of assistance under the World War II GI bill? Certainly, the war he has participated in is no less real; his sacrifice—largely unappreciated at home—has been no less painful; his readjustment problems—as an unheralded and often unwanted veteran—are hardly less great.

I find the reluctance of the administration and the Office of Management and Budget to help the Vietnam era veteran particularly hard to understand in view of the unquestioned soundness of the GI bill as a Federal investment. It is estimated that the cost of the World War II GI bill would ultimately be repaid as much as eight times by the college-educated veteran in the form of additional income taxes paid over and above what the individual veteran would have paid if he had received only a high school education. Can we not expect a similar return on a comparable investment in the Vietnam veteran?

Senator HARTKE and I, and the full Senate Veterans' Affairs Committee, have given very careful consideration both to the amount of increased assistance necessary to make benefits available under the present GI bill comparable to the level of assistance provided by the World War II GI bill—a comparability which I believe constitutes a moral imperative for the Nation—and also to the type of system under which increased benefits could best be paid.

THE WORLD WAR II DIRECT TUITION PAYMENT SYSTEM

As is well-known, a comprehensive investigation of the direct tuition payment system of the World War II GI bill indicated that this program had resulted in a considerable waste, abuse, and inefficiency. The special congressional committee conducting the investigation determined that although veterans "of the Korean conflict are no less entitled to readjustment benefits than veterans of World War II," the interests of veterans and the Nation would be best served if readjustment benefits were paid in the form of a fixed assistance allowance to the individual veteran.

In favorably reporting the House-passed Veterans Education and Training Amendments of 1972, H.R. 12828, the House Veterans' Affairs Committee, led by its distinguished chairman and my good friend, Congressman OLIN E. TEAGUE, gave careful consideration to bills which would have reestablished a program of separate payment to schools for tuition, fees, and other education costs. The House committee concluded that such a change in the existing system of payment of GI bill benefits would renew the same very serious problems that plagued the World War II GI bill.

While I am not convinced at this time that a workable and equitable direct tuition payment system could not be worked out in the future—particularly in view of the greatly improved and highly sophisticated accounting, regulatory, and administrative techniques and practices which have been developed since World War II—I am certain that, without further study, there is no chance that both Houses of the Congress would pass and that the President would sign legislation providing for direct tuition payment in addition to a subsistence allowance. S. 2161 provides for the conduct of such a study which might well confirm the advisability of returning to the World War II system.

But, Mr. President, time is terribly short. We must act quickly in the Senate, and take into account the deeply held views of the House committee and its distinguished chairman, if we are to be successful in enacting a new GI bill for this school year. We owe such responsible action to the hundreds of thousands of veterans who will be attending schools and colleges this fall and who desperately need our help. The consideration of a direct tuition payment program clearly would not serve this purpose. What it would do is to postpone or even entirely frustrate achieving an increase—let alone one of adequate magnitude—for this coming school year. Of that, I am as certain as I can be. And it would be irresponsible, in my judgment, for us to let that happen.

Therefore, Senator HARTKE and I, as well as the full Senate Veterans' Affairs Committee and my other distinguished colleagues who have joined us as cosponsors of S. 2161, have concluded that the appropriate alternative to direct tuition payment is to increase the present GI bill educational assistance allowance rate to the reasonable and practical rate of $250 per month for a full-time student-veteran with no dependents. Such an increase is justified because: First, $250 provides comparability with the level of assistance provided to World War II veterans; second, the cost of both private and public education is sky-rocketing; and, third, the everyday cost of living continues an ever-increasing inflationary spiral.

Under the World War II GI bill, veterans received a tuition payment of up to $500 in addition to a $75 subsistence allowance each month of the school year for a total maximum educational benefit of $1,175 per school year. Between April 1948 and April of this year, there has been an 187-percent increase in the cost of living.

Therefore, the initial computation to provide comparability consists of multiplying $1,175—the maximum educational benefit received by single World War II veterans pursuing full-time training—by 1.87, to compensate for the increase in the cost of living to date. Thus, the World War II GI bill provided the veteran with $2,174 in 1972 dollars.

In addition, the committee believed it wise to make allowance for the continuing inflation which will decrease the dollar value of the increased benefit in the coming year. Therefore, $2,174 is multiplied by 3.5 percent; the resulting $76 is then added to $2,174, to arrive at the total educational allowance of $2,250—$250 per month—for 9 months for the school year, the rate which the S. 2161 committee substitute would establish for a veteran, without dependents, who is pursuing full-time training.

The crucial point is, Mr. President, that although the system of payment would be different, such an allowance would give the Vietnam era veteran the same "hard" amount of educational assistance as the World War II veteran could have received.

Even a cursory examination of the cost of a higher education today provides indisputable evidence that the present 9-month allowance of $1,575 is inadequate, and that, in fact, the proposed $2,250 figure is not only not excessive, but actually rather modest. As I have mentioned, the World War II program gave the veteran a subsistence allowance in addition to the direct tuition payment, which in most cases covered the complete cost of his education—including books—and living expenses.

Although the House committee report stresses that the post-World War II educational assistance allowance was meant to meet a veteran's educational costs "in part," unless the benefit covers a very substantial part not only of tuition costs but of a veteran's total educational expenses, the declared congressional purpose of "extending the benefits of a higher education to young persons who might not otherwise be able to afford such an education" will continue to be frustrated.

And it is noteworthy that the comprehensive congressional study of 1952 which concluded that the direct tuition payment system should be abandoned also emphasized the following basic tenet of the GI bill program which has remained unchanged to this day:

> The scholarship allowance should be sufficient to maintain a veteran student under reasonable and normal circumstances in a reliable educational institution with customary charges for nonveteran students used as a guide.

Since World War II, the cost of education in most schools has increased 300 to 500 percent, far faster than the increase in the average cost of living. The Office of Education estimates that in the coming school year the cost of tuition, room, and board at the average public institution of higher learning will be $1,428; at the average private institution, the figure will be $3,107.

But these figures do not accurately reflect the actual "customary charges" which are necessary "to maintain a veteran student under reasonable and normal circumstances in a reliable educational institution"—to quote the House 1952 study report. The Federal Office of Education estimates that the average total cost that a student must bear today for one school year is $2,726 at a public college and $4,573 at a private institution of higher learning. Clearly, then, an increase from $1,575 to $2,250 in the amount of yearly educational assistance allowance will continue to be only an assistance allowance, meeting "in part" the cost of a veteran's education. I believe that as the result of such an increase to $250 per month, the cost of an education will cease to be the insurmountable obstacle that it is to so many Vietnam era veterans today.

It is important also to note that besides being unacceptable to many in Congress, and strongly opposed by the administration, the proposal to establish a direct tuition payment system of 75 percent of tuition and fees, up to, for example, $1,000, in addition to the present $175 per month allowance rate would also actually provide a lesser benefit for many veterans than a monthly educational assistance allowance of $250. Whereas a fixed allowance permits each veteran to utilize the GI bill according to his individual circumstances and educational needs, a system of direct tuition payment discriminates against veterans attending low-cost or no-cost junior colleges—fully 40 percent of all GI bill trainees today—and many 4-year public colleges and universities. These veterans would receive less under such a program than the programs we propose in the S. 2161 committee substitute—far less when the work-study allowance and veterans education loan possibilities are figured in.

DEPENDENCY ALLOWANCE RATES

In addition to the rising cost of living and education, a very substantial increase is necessary not only in the rate of assistance provided to the single veteran, but also in the benefits provided to the approximately 40 percent of Vietnam era veterans who have at least one dependent. The Bureau of Labor Statistics estimates that a "lower" consumption budget for a married couple is $238 per month, while a moderate consumption level is $352. Under the present GI bill, a married veteran receives only $205, substantially below even a "lower" consumption level—just for subsistence. BLS figures indicate that lower and moderate consumption rates for a family of four are, respectively $351 and $518. Under the present GI bill, a veteran full-time student with three dependents receives a total of $243.

I wish particularly, Mr. President, to call to the attention of Senators, the rate for the dependency allowance increases included in the committee substitute. All the GI bill program allowances are for the first time built on a single scale—derived by averaging the level of dependency support under unemployment compensation, AFDC, and the adjusted World War II rate—$47 for the first dependent; $42 for the second; and $21 for each additional dependent in excess of two.

The S. 2161 committee substitute would realistically augment the allowance increase on behalf of the dependents of a veteran receiving full-time educational assistance benefits as follows: one dependent, $297; two dependents, $339; plus $21 added to the $339 for each additional dependent. S. 2161 provides for similar increases in the allowances paid to veterans and dependents engaged in other types of GI bill training and also, as I proposed, makes all part-time rates directly proportional to the percentage of training time; for example, the half-time rate would be $125 per month for the veteran—with no dependents—studying on a half-time basis.

IMPROVEMENTS IN SPECIAL GI BILL PROGRAMS FOR THE EDUCATIONALLY DISADVANTAGED

Even more distressing than the low-participation rate for the general Vietnam era veteran population is the fact, pointed out earlier, that the utilization of benefits is in inverse proportion to the degree of individual need for readjustment assistance. Almost 80 percent of all Vietnam era veterans have a high school diploma or less upon discharge. Studies by the American Association of Junior Colleges, which has provided much important leadership in improving and providing readjustment programs and benefits to the returning Vietnam era veteran, indicate that as many as 50 percent of these veterans require further education or training to compete realistically in the employment market. And yet veterans who face the least readjustment problems, those who have had preservice college, are more than three times more likely to utilize GI bill benefits than those veterans who have only preservice high school.

Only 17.4 percent of the nearly 1 million veterans who do not have even a high school diploma have pursued further training under the present GI bill. The fact is that the Vietnam era veterans who most desperately need readjustment assistance—those who are educationally and economically disadvantaged—are the least likely to get it under the present GI bill.

NEW PROGRAMS IN 1970

Increases in financial benefits alone are not enough to reach out to many of these veterans. Educationally and economically disadvantaged veterans need remedial and refresher programs and other educational assistance and counseling which are specially tailored to their needs and educational deficiencies. It was to help meet this special need that in 1970, in cooperation with Chairman TEAGUE, I authored several new programs which were included in Public Law 91–219, to help these veterans. Following is a brief review of these programs:

One. PREP: A new subchapter V—sections 1695 through 1697—was added to chapter 34 of title 38 to help men still in the service, by enabling them to complete their high school education or to undertake deficiency, remedial, refresher, or preparatory work in order to continue their education. PREP, the "predischarge education program," was conceived as a way to help tens of thousands, perhaps hundreds of thousands, of young servicemen to continue their education while in service, and to begin planning for their futures, without charge to their GI bill entitlement.

Two. Tutorial assistance: Section 1692 was added to title 38 to help veteran GI bill trainees enrolled in college but having academic difficulties, by permitting them to receive up to $50 a month for up to 9 months for tutorial assistance in their courses.

Third. Remedial-refresher courses. A new chapter VI—section 1691—was added to chapter 34 of title 38—amending previous law—to permit veterans to complete high school—or grammar school—and necessary refresher, deficiency or preparatory courses needed to prepare for a postsecondary program. Under this provision, veterans receive their GI bill educational assistance allowances while enrolled in such programs, but these allowances, as with PREP, are not charged against their GI bill entitlement. Thus, after completing this secondary-level or remedial work, these veterans generally still have a full 36 months of GI bill benefits to draw upon.

Fourth. A much greater emphasis on veterans outreach. A new subchapter IV was added to chapter 1 of title 38 to assure that the Veterans' Administration would expand and improve its programs for veterans outreach, so that all returning servicemen, and especially the disadvantaged, would be fully informed of all benefits available to them. The last sentence of the new section 240(a) declared:

> The Congress further declares that the outreach services authorized by this subchapter is for the purpose of charging the Veterans' Administration with the *affirmative duty* of seeking out eligible veterans and eligible dependents and providing them with such services.

INADEQUATE IMPLEMENTATION OF NEW PROGRAM

Mr. President, I am deeply disappointed that only a handful of the hundreds of thousands of veterans who could have so greatly benefited from these new programs have actually participated in them. The establishment of these programs in colleges and universities, has been greatly handicapped by lethargy, delays, and inexcusable footdragging, and, in some cases, out-right resistance, by the VA and the Defense Department. For example, in the 2 years since enactment, only 3,954 veterans have utilized tutorial assistance benefits.

The Defense Department, the individual armed services, and the individual military base commanders have never taken steps to make PREP available to large numbers of servicemen. The complete failure of individual base commanders to publicize PREP, to establish and promote PREP programs, or to encourage their men to participate has been particularly frustrating. I wish to stress that PREP cannot succeed without the active cooperation of the individual base commander. That this cooperation has not been forthcoming in any uniform sense is not really surprising in view of the fact that no official in either the Department of Defense or the Veterans' Administration has ever been given the specific responsibility to implement and oversee PREP. The establishment of PREP programs has also been hindered by excessively restrictive and cumbersome VA and DOD regulations.

Where small PREP programs have been established often with great difficulty, many bases have refused to allow release time from duty. The VA requires that a PREP program be in session 25 clock hours a week to be considered full time. Most bases have apparently not been willing to release more than a handful of servicemen for 25 hours a week for education or even to permit them perhaps 12 hours—the remaining 13 hours to come from their own off-duty time. Where PREP has been successful, it has often been because servicemen, after a full day's work, have been willing to spend from 2 to 5 hours a night, 5 nights a week, in class. These men have shown their desire for further education by this commitment of time; unfortunately, many times their dedication has not been matched by that of the military base commanders.

Minority group servicemen—black, chicano, Puerto Rican, American Indian, and others—are often in special need of educational help. But there has been no concerted effort by DOD to help these men upgrade themselves through PREP, which is designed to serve them as well as the hundreds of thousands of educationally disadvantaged white GI's.

PREP has also represented a way to help very large numbers of men overseas, in Europe and parts of Asia, to continue their education. Many of these men have a considerable amount of spare time, and could use it profitably to upgrade themselves. Only recently, however, have the services begun to move to create meaningful PREP programs in Europe; there has apparently been little of this kind of special help for men stationed in Asia and the Pacific.

In the case of servicemen, a great opportunity has been permanently lost for the very large numbers who have left the service or will leave it in the next few months. These men needed PREP; they lost this chance—for counseling, guidance, and placement as well as course work. There is nothing which can be done now, through PREP, to help them.

DEPARTMENTS IN EXISTING PROGRAMS

In order that the potentially great benefit of the PREP program will not continue to be wasted, the S. 2161 committee substitute includes the following clarifying changes and improvements in PREP:

First. Authorization is provided for proprietary nonprofit educational institutions to offer PREP programs for servicemen—and also remedial and refresher program for educationally disadvantaged veterans—as long as the school has been in existence for 2 years by eliminating the requirement as applied to PREP programs at nonpublic colleges that the course in question must have been in operation for 2 years or be offered at a nonprofit accredited college for credit. This requirement has the effect of eliminating the typical noncredit PREP programs at private nonprofit accredited colleges. Under the Committee substitution this requirement continues to apply to other GI bill programs.

Second. Existing law is also amended in the committee substitute to make clear that the PREP program can include courses needed to obtain an equivalency or GED certificate. At present, veterans may receive GI bill benefits while enrolled in equivalency or GED programs. But the VA has construed present section 1696 as not permitting servicemen to do so. The armed services are already helping very large numbers of men to obtain equivalency certificates each year; this legislative change will allow many more servicemen to use PREP to advance their education in a more appropriate way than formal secondary school courses.

Third. The committee substitute also provides for the lump-sum prepayment of the total anticipated PREP costs—either the established tuition and charges for nonservicemen in an identical program, or reasonable charges where there is no identical programs—a legislative gloss made explicit—or $250, whichever is the least. Particularly in the cases of institutions offering PREP programs overseas, very serious problems have resulted from the greatly delayed or even the nonpayment of tuition costs. For example, Big Bend Community College, from Moses Lake, Wash., which offers PREP in Europe, is threatened with the loss of $45,000 and perhaps much more. The committee expects that the new lump-sum advance payment will overcome the great difficulties being experienced by Big Bend in its servicemen enrollees not receiving PREP checks before they terminate in the program. In order to insure the effectiveness of the new system in the overseas context, maximum cooperation by and coordination between DOD and VA with the PREP institution will be necessary, and every effort must be made to expedite and advance the date of enrollment processing and the transmittal of appropriate papers to VA in the United States in order to lead to timely mailing and receipt of checks.

Toward this end, the committee believes the VA should give the most serious consideration to assignment of a DVB expert to the overseas area to assure the most expeditious and accurate processing and transmittal.

Fourth. Increased cooperation within the Department of Defense as well as closer coordination with the VA is also called for by the committee substitute. The Administrator of the VA is required to designate an appropriate official who shall cooperate with and assist officials designated by the Secretary of Defense as administratively responsible for carrying out DOD functions and duties with regard to PREP.

Fifth. Moreover, in order for Defense Department overseas schools to be eligible to participate in PREP or any other title 38 program, the committee substitute requires the Department of Defense to submit to both the House and Senate Committee on Veterans' Affairs a detailed plan for greatly expanded implementation of PREP, including provisions for each Secretary concerned to advise, counsel, and encourage eligible servicemen regarding the educational benefits available to them, especially the special remedial programs designed for the educationally disadvantaged. The plan would also include provision for the release of participating servicemen for at least one-half of the hours required for PREP, unless such release would be inconsistent with the interests of national defense. The establishment of an interservice and interagency coordinating committee is another condition established, this committee to be under the cochairmanship of the Assistant Secretary of Defense and the Chief Benefits Director of the VA with the task of promoting and coordinating all VA educational assistance programs, as well as implementing the plan mentioned above. One element of cooperation which the committee deems particularly important is for base commanders to be urged to assist in and encourage the earliest possible registration of PREP enrollees both in the United States and abroad so that the new advance lump-sum payment can arrive in time for the PREP institution to receive its charges from the serviceman as early as possible and at least prior to his completion of the program.

Sixth. A significant boost for PREP and college preparatory programs should be provided by the provision in the committee substitute to permit reduction of the 25-clock hours that are presently required for fulltime PREP participation. Educational authorities concerned with educationally disadvantaged young adults believe that such students should not be kept in class 25 hours a week, but rather should be assisted in developing habits of self-directed study. The present rule has occasioned numerous complaints from servicemen as well as PREP institutions. Under the change a precollege PREP program—or remedial or refresher program for veterans—would be considered full time if the program included a minimum of four Carnegie units per year—or, under a general change in measurement of high school courses, if the program, pursued full time for 4 years, would lead to a high school diploma—or if the school measured the program itself on a semester-hour basis in which case generally only 12 hours of classes would be needed. In any case, the form of measurement used would be left up to the school.

Seventh. Consultation between active duty servicemen who desired VA educational assistance and the appropriate education service officer—ESO—would also be required under the committee substitute. Such consultation would be particularly useful in helping servicemen choose the course of training best suited to his aptitude, educational needs, and his vocational goals. I am convinced, as are the other members of the Senate Veterans' Affairs Committee, that maximum encouragement should be given to servicemen to enroll in PREP programs, where appropriate.

At this point, I believe it is important to point out that while education service officers have an extremely important role to play in the successful training of servicemen, unfortunately very little is known in the Congress about ESO's or their work. Thus, I intend to followup with the Defense Department, requesting information in the following areas: The total number of ESO's; their educational backgrounds; their previous experience; and whether they have backgrounds in teaching or educational administration? How many of them are minority group members; how many have had special training in working with minorities or the disadvantaged? It is difficult enough for professionally trained educators with years of school experience to work effectively with many minority group and disadvantaged students today. It may be far more difficult for a man to do so who has been away from his own college education for many years, and has not had the advantage of recent refresher or advanced work in a graduate school. Thus, we should determine how many education service officers are trained in counseling and guidance, and how many can meet the minimum requirements which a high school guidance counselor, for example, must meet in most States.

I hope the Defense Department will compile that information and make it available to the Congress and the public. Certainly, we need to know at least this much before we provide a statutory veto for the ESO over servicemen's GI bill participation during service, as the administration proposed.

A more professionalized and better supported off-duty education program is essential to help both the large number of men now being separated and the many who will remain in the service for shorter or longer tours of duty. The Nation and the military will be the better for it if most servicemen are advanced at least through the high school equivalency or GED—general educational development, comparable to a high school diploma—and if many are given the incentive and the ability to take advantage of the opportunity for further education, either in service or later.

Therefore, Mr. President, I believe there is a great need for an evaluation by outside experts of all DOD off-duty education programs. Such a study would be a valuable one to be undertaken by the Carnegie Commission on Higher Education, for example. In addition, I am hopeful that, in the near future, the Senate Veterans' Affairs Committee will be able to conduct such an indepth review in order to help the individual services to upgrade their members' skills and to help a far greater number of servicemen advance themselves under the GI bill, both while in the service and following discharge. Such a study would be a valuable part of planning for an all-volunteer Armed Forces, a concept I strongly support and one to which a strong in-service education program, especially for the educationally disadvantaged, is vitally important.

Eighth. As in the case of the PREP program, I have been deeply concerned by the underutilization of tutorial benefits under the special program I authored in 1970. This has primarily been the result of the VA's failure to adequately inform both veterans and educational institutions about this program. Another adverse factor has been the restrictive regulations the VA has established which require a veteran to be actually failing a subject before he is eligible for tutorial assistance. The intent of Congress was that the veteran be eligible for assistance if his performance was below the norm of his class and certainly well before he was caught in actual course failure. Any veteran who participated in remedial PREP or college preparatory program should be able to utilize his section 1692 tutorial benefits as part of a planned college program, rather than awaiting the development of serious academic difficulties. Therefore, the S. 2161 committee substitute would permit a veteran to use tutorial benefits to remedy a "deficiency" rather than a "marked deficiency," as is presently the case. The negligible utilization of this program to date demands that the eligibility requirements be made more realistic in this way. At the same time, there is no intention for these benefits to be used to upgrade adequate academic performance: from a "C" to a "B," for example.

ADVANCE PAYMENT OF GI BILL ALLOWANCES

Mr. President, one of the most unnecessary sources of hardship for veterans in training under the GI bill has been the chronic delays in the payment of educational assistance benefits. Complaints from veterans who do not receive their first educational assistance allowance checks on time constitute a major share of the casework that my office handles. The delays of 3, 4, or 6 months or longer, in the payment of the educational assistance allowance place an impossible burden on veterans, particularly disadvantaged veterans who are struggling to stay in school. In early January of this year, for example, I received lists from schools in California with the names of 206 veterans who had not yet received their first check for the school year beginning in the fall of 1971. This is an absolutely intolerable situation.

To help ease this hardship, I first introduced in 1970 S. 3657, legislation which would have provided for advance payment of the educational assistance allowance, to put money in the hands of the veteran when he needs it most, at the start of the school year. Unfortunately, this vital legislation, which passed the Senate in September of 1970, died at the end of the 91st Congress when the House took no action.

I am particularly pleased that provisions for advance payment, similar to those which were in my original bill, have also been included in the S. 2161 committee substitute with modifications and improvements I proposed. An advance payment provision, endorsed by the administration, is also in House-passed bill, H.R. 12828, and I believe we can work out our differences with the House on this matter quite readily.

Under the advance payment provisions in the S. 2161 committee substitute, an eligible veteran would be entitled to the advance payment of assistance benefits for the first month, or fraction thereof, of attendance, and for the succeeding month as well. Thereafter payments would be made for the succeeding month rather than as at present, after each month. Application for advance payment made to the Administrator would include evidence of eligibility, as well as of acceptance and intention to enroll or return for further study at the institution involved. Upon receiving such application, the Administrator would be authorized to mail to the institution a check made payable to the veteran for delivery to the veteran-student upon registration. In this way, the veteran, rather than often having to wait months to receive a check from the VA, should have initial capital to cover the cost of books and supplies, and living expenses for himself and his family.

As with S. 3657, a provision is included providing for disapproval of a school for GI bill study if it alters its payment policies for veterans in anticipation of getting more tuition or fees paid at an earlier date under the advance payment system. The committee intends for the advance payment to be of principal benefit to the veteran student, not the institution, although it may benefit incidentally by getting tuition paid earlier as the allowance prepayment provisions in the bill take effect following the advance initial payment.

WORK-STUDY/OUTREACH PROGRAM

In addition to the advance payment provisions included in S. 3657 as passed by the Senate in 1970, the committee substitute includes another feature from that bill, a work-study program, which, with minor modification made to place primary emphasis on outreach activities, is designed to be of particular assstance to disadvantaged veterans. The Administrator is authorized to contract for the services of GI bill veteran-students on the basis of financial need to work in VA regional offices or medical facilities, or on campuses performing outreach/contact work or other duties for the VA for up to 120 hours per year. For these services, the veteran would receive, in advance, a work-study educational assistance allowance of $300. In utilizing the services of veterans employed under this program, particular emphasis would be placed on outreach efforts to recruit other veterans to make use of their GI bill entitlements.

Unfortunately, to date, the VA outreach effort has been considerably less than an overwhelming success. Many young veterans, particularly minority group and educationally disadvantaged young veterans, consistently tell me and my staff that they do not trust the VA or feel comfortable looking to this large governmental bureaucracy for help with their readjustment problems. This is largely because the VA outreach effort is primarily handled by older men and is largely confined to regional offices in major cities which are often geographically inaccessible to many veterans. Not nearly enough has been done to counsel individual veterans in a sympathetic and empathetic way to which they can relate personally.

The enactment of this provision would go a long way toward solving that problem. It would accomplish twin purposes of particular importance to educationally and economically disadvantaged veterans: First, the work-study/outreach program would provide an important additional source of funds to needy veterans; and second, the program would utilize their rapport with, and understanding of, similarly circumstanced veterans for carrying out effective outreach programs.

The need for this type of program is clear. A provision in the recent Education Amendments Act of 1972 (Public Law 92–318) provides for a new veterans work-study program in the Office of Education. I believe such a program should be run by the VA and should stress outreach as its primary work product. The need for such a major GI bill outreach/work-study program is being met in small part today by the use of split job under the Emergency Employment Act for GI bill trainees to engage in outreach activities. This effective program—promoted primarily by the U.S. Conference of Mayors/National League of Cities—is too small now and does not necessarily have the permanence that such a statutory program as is included in S. 2161 would provide. The EEA split jobs concept has performed valuable service nevertheless; and if we are unable to convince the House to adopt our work-study/outreach program, the EEA effort should certainly be substantially expanded. Indeed, my public service employment bill (S. 3311) which should be considered in mark-up soon by the Employment, Manpower, and Poverty Subcommittee of the Labor and Public Welfare Committee, would provide specific statutory recognition for and thereby stress this split job/veterans outreach purpose for public service employment.

The committee substitute would also amend the present provisions governing the outreach program to require the VA not only to seek out eligible veterans but also to encourage them to make use of the benefits available to them, and to attempt to contact educationally disadvantaged veterans in a personal manner rather than by letter, as is presently the case for most such veterans.

VETERANS EDUCATION LOAN PROGRAM

As the Office of Education estimated total costs of going to school today make clear, even the proposed increase in the educational assistance allowance to $250 will still not permit large numbers of economically disadvantaged veterans to participate in GI bill training. Therefore, in order to remove any reasonable possibility that lack of funds will continue to be an insuperable obstacle to postservice training of poorer veterans or veterans wishing to attend more costly institutions, the committee substitute would create a veterans' education direct loan program. This program would entitle eligible veterans to borrow up to an additional $175 per month, or a maximum of $1,575 per school year, from the VA.

The exact amount which a veteran could be loaned would be based on the difference between the amount of financial resources available to him or his education, and the actual cost of attendance at the institution in which he is enrolled. Also, to be eligible, a veteran would have to be in attendance on a more than a half-time basis in college under the GI bill and to have unsuccessfully attempted to obtain a guaranteed loan under the Higher Education Act of 1965. The amount of his loan entitlement in any academic year would be $175—up to 9 months per academic year—for each remaining month of GI bill entitlement.

Funds for the loans would be available from funds set aside from the national service life insurance fund and bearing interest back to the fund at a rate no less than the interest rate equal to that paid at the given point in time by the Secretary of the Treasury upon NSLI investments in U.S. Treasury notes and bonds. In this way, the funds of NSLI would not in any way be depleted by the loan program.

The veteran borrower would be obliged to make no interest or principal payments until after he finishes school and then would be liable for no interest prior to beginning such repayments. His interest rate on repayments to the Administration would be set by the Administrator, with the concurrence of the Secretary of the Treasury, at prevailing education loan rates—currently 7 percent under Higher Education Act insured loans.

The fact that the VA estimates that almost 1 million veterans based on their need would take advantage of the new loan program in the next 5 years is telling testimony to the need for such a new program.

VETERANS EMPLOYMENT ASSISTANCE AND PREFERENCE IN HIRING

Unfortunately, Mr. President, the social and individual cost of the failure of the Vietnam era GI bill to date is reflected in the distressing unemployment statistics of today's young veteran. The Bureau of Labor Statistics—whose figures often seem to represent a minimum rather than a maximum—estimated the unemployment rate for all veterans aged 20 to 29 at 10.1 percent as of January 1972. Although later figures show some improvement since then, such figures generally always include a bit of sophistry on the part of the administration. We must try to comprehend fine distinctions between seasonally adjusted figures, and seasonally unadjusted figures, as well as try to understand why BLS figures do not reflect those veterans who have given up looking for a job because of months or even years of frustration and disappointment. Frequently, these veterans are caught up in a vicious cycle of not having enough education to get a decent job, but not being able to afford schooling under the GI bill to improve their employment prospects.

Clearly, the BLS figures I have cited do not give an accurate picture of the jobless rate for young veterans, aged 20 to 24, who have far greater difficulty finding jobs than do older veterans. The Louis Harris study of Vietnam era veterans' readjustment problems, which I cited earlier, found that the total unemployment rate of Vietnam era veterans, when we stop juggling figures, is at least 15 percent, and runs as high as 31 percent for veterans without a high school diploma. In cities such as New York, or Los Angeles, 40 percent might well be a more accurate figure.

Whatever the figures, the unemployment rate of the Vietnam era veteran is significantly greater than that of his nonveteran counterpart in the same age group. This is clearly illustrated by a table found on page 37 of the committee report (No. 92-988). Whatever the figures, every season is a difficult one for the veteran who is unemployed, who cannot support himself or his family adequately, and cannot afford to better himself through further training.

Clearly, the efforts to date of the VA and the Department of Labor to find jobs and create employment opportunities for the Vietnam era veteran have not done enough.

To help the returning veteran find employment, I introduced with Senator HARTKE S. 2091, the proposed "Veterans Employment and Readjustment Act of 1971," during the first session of this Congress. The basic features of S. 2091 have been incorporated into title VI of the legislation under consideration today in order to make this bill truly a comprehensive veterans readjustment assistance act.

The provisions included in the S. 2161 committee substitute would add a fully rewritten chapter 41 to title 38 of the United States Code, requiring that at least one employee in each local State employment service be assigned full time to discharge the duties prescribed by the bill for a veterans' employment representative; strengthening and expanding the present Veterans Employment Service within the Department of Labor; mandating the development of jobs and the responsibility for counseling veterans with respect to and referring them to appropriate training and manpower programs as well as directly to job openings; requiring the establishment of appropriate administrative controls to insure that each eligible veteran who requests assistance is promptly placed in a satisfactory job or job training opportunity; providing for closer cooperation and coordination between the Secretary of Labor and the VA; and requiring a line item in the budget for operation of the Veterans Employment Service and an allocation of Department of Labor appropriations in that amount.

The committee substitute also mandates an affirmative action plan for the employment of certain service-connected disabled and Vietnam era veterans by Federal department and agencies and establishes an employment preference under Federal contracts for such veterans.

This provision is a logical extension of the President's Executive Order No. 11598 issued on June 16, 1971, which established the national policy that Federal agencies, prime contractors, and first tier subcontractors engaged in the performance of Federal contracts shall list all job openings—with few exceptions—with the Public Employment Service.

Under the policy as developed, qualified veterans would then be referred first to fill such openings. Unfortunately, the experience under this Executive order since its issuance has not been encouraging. The Department of Commerce estimates that 2.9 million jobs in private industry resulted from government purchases of goods and services in 1971. The President in a letter dated May 5, 1972, to James D. Hodgson, Secretary of Labor, said that—

> Based on Executive Order 11598 there should be a sizeable increase in the number of jobs listed with the local public employment offices and available to returning veterans.

Yet, the most current ESARS data indicates that the total number of nonagricultural jobs listed by all employers with the employment service in fiscal year 1972 have increased by only 283,000 or 6.6 percent over the previous year. This provision, then, is intended to achieve more effectively the intent of the President's Executive order.

MISCELLANEOUS ADJUSTMENTS IN GI BILL PROVISIONS

Mr. President, in regard to adjustments in existing educational assistance programs, this legislation includes three provisions which would solve problems that have been particularly troublesome in California.

MEASUREMENT OF ADULT EVENING SECONDARY SCHOOL COURSES

At present, full-time educational assistance payments are authorized for veterans attending full-time secondary school during the day but not in the evening. The result is that veterans who, for example, work day shifts and attend adult evening secondary schools are discriminated against. The committee substitute would remove the arbitrary prohibition against paying night students, regardless of the amount of courses they take, in excess of the half-time rate for such study.

MEASUREMENT OF HIGH SCHOOL COURSES DEVIATING FROM THE CARNEGIE UNIT MEASUREMENT

In 1970, in Public Law 91-219, we enacted a new definition for measuring high school courses—the so-called Carnegie unit, of which 16 are generally considered, and so section 1684(a)(3) of title 38 provides, to constitute completion of an approved secondary education program. However, in California, in Los Angeles County, for example, I am informed, this method of measurement means that even though a veteran completing high school in 4 years and getting his degree, might not qualify for a full-time allowance in any one of his years of study. I am delighted that the provision I proposed to remedy this has been added as an amendment in the new measurement section—1788(a) (3) (B)—included in the committee substitute.

DEFINITION OF "CHILD" EXPANDED TO INCLUDE ADOPTIVE CHILD IN CUSTODY BEFORE ADOPTION

Also raising a problem in California as well as Minnesota and other States has been a number of veterans with adopted children who have sought to have these children recognized by the VA for the purpose of increased educational assistance allowances. The procedure for adoption in California is frequently effected for all practical purposes through an administrative agreement between the agency involved and the adopting parents. This procedure conforms with the California administrative code which considers the child to be the responsibility of the parents following such an adoption agreement prior to an adoption decree.

In cases of adoption, the VA generally makes a determination of what constitutes final legal adoption according to the governing law of the State involved. Unfortunately, in California adoption of a child is not now considered "legal" for VA purposes until a court grants an interlocutory decree, which is not the procedure generally followed in California, or a final decree. Thus, in California, following the initial administrative agreement, the parents assumed full financial responsibility for the child, but the VA does not recognize the child as "adopted" for the purposes of VA benefits during this period of time. Therefore, the S. 2161 committee substitute liberalizes the existing definition to make parents in such cases, when proceeding in accordance with State adoption law, eligible to receive additional educational assistance allowances and other title 38 benefits, based upon dependency, beginning when they assume responsibility for the child.

CONCLUSION

Mr. President, in closing I can think of no better way to cite a case in support of the various programs provided for in this multifaceted S. 2161 committee substitute than to reference an administration document. On June 23, 1972, Mr. Joseph P. Cosand, Deputy Commissioner for Higher Education, Office of Education, Department of Health, Education, and Welfare, sent a letter to all university, college, and junior college presidents in the United States calling upon them to make a major effort to improve the GI bill participation in their colleges and universities, particularly the enrollment of educationally disadvantaged veterans.

Mr. President, I ask unanimous consent that the text of Mr. Cosand's letter be printed in the RECORD at this point.

There being no objection, the letter ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D.C., June 23, 1972.

DEAR PRESIDENT: As a result of the winding down of the Vietnam war, an increasing number of servicemen are being returned to civilian life in need of jobs and education. Servicemen are being released at the rate of 80,000 persons a month and as veterans a significant number of these men are finding that employment opportunities are unavailable. In addition to unemployment rates which have exceeded 10 percent for Vietnam era veterans, we find that less than half of the Vietnam era veterans are taking advantage of educational benefits. Only 13 percent of those veterans with only high school completion to their credit are going on to college.

The purpose of this letter is to encourage colleges, universities, and other postsecondary institutions to make every reasonable effort to accommodate the large numbers of veterans who will be in need of education or job training to enable them to begin or to continue useful careers. Many schools and colleges have set aside admission requirements in accepting veterans as well as establishing special services and remedial programs to enable them to participate in programs either in degree or non-degree status.

The Office of Education is cooperating with other Federal agencies in an effort to reach as many servicemen as possible in encouraging them to accept education as an option for preparation for a career. In addition, we are working actively with the American Association of Junior Colleges to improve the outreach capability of these schools to accommodate returning servicemen. It is evident that a significant counseling activity must be made available to enable veterans to determine the education program which is most suited to their needs. I wish to ask each of you to take an institutional responsibility for extending this counseling service in your community.

One example of an effective way to reach veterans is through the use of work-study slots of employing Vietnam era veterans as counselors with the special responsibility of recruiting additional veterans for the school or college. Evidently Vietnam era veterans respond more readily to other veterans performing as recruiters or counselors. Other recruiting techniques include the use of lists of recently discharged servicemen which are available locally from veterans organizations.

A number of schools and colleges have found ways to open their doors to veterans and to provide special programs of academic preparation to facilitate the adjustment of marginally qualified veterans to an education or training program. I urge you to accept this kind of accommodation as a kind of special responsibility to the serviceman/veteran.

One measure that is being adopted by the Office of Education during the current year as a result of special funds appropriated by Congress is to establish specially designed Upward Bound projects which will serve Vietnam era veterans as a special client group. We are hopeful that this model effort will enable many institutions to find ways to reach and serve the Vietnam era veteran. Congress has also relaxed the eligibility of veterans for the National Defense Student loans as well as discount their veterans educational benefits in determining the newly authorized basic opportunity grants. The Education Amendments of 1972 also authorize grants to institutions which enroll large numbers of veterans to encourage these institutions to increase the numbers of veterans enrolled.

Now pending before the Congress are amendments to the G.I. bill which will increase substantially the monthly amounts paid to veterans who are pursuing educational programs.

The purpose of this letter is to enlist your cooperation in what must be a national effort to reach and serve the significant number of young men and women who have served their country well and who are deserving of our best efforts to provide an education which is suited to their special needs. I ask for your cooperation and I encourage your response in such ways as may be appropriate.

Please feel free to call upon this Office for additional information or service, and we will welcome your suggestions for ways to initiate educational opportunities for all Vietnam era veterans.

Sincerely,

JOSEPH P. COSAND,
Deputy Commissioner for Higher Education.

Mr. CRANSTON. Finally, Mr. President, I wish to express my personal appreciation to Mr. John Kirby, Assistant General Counsel, Veterans' Administration, and Mr. Robert Dysland of the VA General Counsel's Office, as well as Mr. Hugh Evans of our legislative counsel's office, for their outstanding technical assistance in the preparation of the committee bill. In addition, I am indebted to the chief counsel of the Committee on Veterans' Affairs, Mr. Guy McMichael, for his informed and sympathetic advice and assistance regarding the preparation of the committee substitute proposed by Senator HARTKE and myself. Mr. McMichael's cooperation with me and my staff counsel, Jon Steinberg, was indispensable to moving this bill and in every way facilitating our contribution to the committee bill.

Mr. President, I urge an overwhelming vote of support by the Senate for this absolutely vital measure to make this GI bill a truly fitting vehicle to assist our returning veterans in readjusting to and assuming a productive role in our society.

Mr. TALMADGE. Mr. President, will the Senator from Indiana yield?

Mr. HARTKE. I am happy to yield to the distinguished Senator from Georgia who is a member of the Veterans' Affairs Committee and who has had a long and very distinguished record in this field.

Mr. TALMADGE. Mr. President, I want to compliment my distinguished chairman for the leadership he has demonstrated in bringing forth this bill. It is a thoroughly bipartisan bill, cosponsored by every member of the Committee on Veterans' Affairs regardless of political party. It was unanimously reported by the Committee on Veterans' Affairs. It will bring many long-needed changes in trying to provide adequate educational opportunity for those who have served their country in the uniform of the United States.

I urge that the Senate pass the bill, and I hope that they will do so by a unanimous vote.

Mr. HARTKE. Mr. President, I pay special tribute not only to the Democratic members of the Veterans' Affairs Committee, but also to the Republican members of the committee as well. Ours has been a thoroughly bipartisan committee.

Mr. THURMOND. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from South Carolina has 5 minutes on the bill.

Mr. THURMOND. Mr. President, I commend the distinguished leadership of the Senator from Indiana (Mr. HARTKE), the chairman of the Veterans' Affairs Committee, for his comprehension of the needs of the veterans along the lines on which this legislation was based. It is a pleasure for me as a ranking minority member of the Veterans' Affairs Committee of the Senate to join with him in sponsoring this legislation. And, as has been brought out, every member of the committee, Democrat and Republican, have joined in cosponsoring the measure.

Mr. President, today we are considering one of the more important pieces of legislation to come before Congress this year—S. 1261. This bill will increase the vocational rehabilitation subsistances, the educational assistance allowances, and the special training allowances which are paid to eligible veterans under the GI bill.

The concept of the present GI bill was formulated following World War II when the United States enacted the original GI bill which enabled millions of former servicemen to receive educational assistance upon their release from service. These men, who otherwise would never have received more than a high school education, found it possible to attend schools of higher learning. Thus, they were able to prepare themselves for transition from military service to civilian employment.

Mr. President, this program has proven to be so successful that it has been continued since its inception. This success is found not only in the benefits which these men have received, but also in increased economic benefits to our nation as a whole.

The Vietnam GI bill which was passed in 1966, was designed to permit the disadvantaged, who usually suffer the most in war time, to achieve upward social mobility and a higher standard of living.

Vietnam era veterans are encountering a situation very different from the World War II and the Korean war veteran. These men are returning to society in such large numbers that they are finding jobs scarce. Further, they are educationally unprepared to compete favorably in the job market.

The cost of living has jumped a great deal since the last GI bill increase. The Vietnam era veteran is unable to achieve an adequate education under a system which has not compensated for neither the cost-of-living increase nor the soaring cost of education. We who provided so well for the World War II veteran cannot, in good conscience, do less for our present veterans.

The Veterans' Affairs Committee and its staff have worked long and hard to provide a bill which meets the needs of these veterans and is also realistic.

Mr. President, many of the inequities which these veterans face will be corrected by the adjustments contained in S. 2161. For these reasons, I am pleased to coauthor this bill and urge my colleagues to respond to the plight of the Vietnam era veteran by passing this essential piece of legislation.

Mr. President, I thank the distinguished Senator from Indiana.

The PRESIDING OFFICER. Do the Senators yield back their time on the amendment?

Mr. THURMOND. Mr. President, I would be pleased to yield back my time.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, would the Senator yield to me briefly?

Mr. THURMOND. Mr. President, I am pleased to yield to the distinguished Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MATHIAS. Mr. President, I call up my amendment No. 1389.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. MATHIAS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD.

The amendment is as follows:

On page 26, line 8, strike out "section 1684 in its" and insert in lieu thereof "sections 1684 and 1685 in their".

On page 26, line 17, strike out the quotation marks.

On page 26, between lines 17 and 18, insert the following:

"§ 1685. Tuition assistance allowances for institutional training

"(a) In the case of an eligible veteran not on active duty who is pursuing a program of education at an approved educational institution on a half-time or more basis, the Administrator shall pay directly to the educational institution on behalf of such eligible veteran the customary cost of tuition, and such laboratory, library, health, infirmary, or other similar fees as are customarily charged, and shall pay for books, supplies, equipment, and other necessary expenses, excluding board, lodging, other living expenses, and travel, which similarly circumstanced nonveterans enrolled in the same courses are required to pay.

"(b) In no event shall the payment authorized by subsection (a) of this section exceed $1,000 for an ordinary school year. If the educational institution has no customary cost of tuition, a fair and reasonable rate of payment for tuition, fees, or other charges for such course or courses shall be determined by the Administrator.

"(c) In the event a veteran fails to complete his program of education after a tuition assistance allowance has been paid to the educational institution on his behalf, the Administrator shall, pursuant to such regulations as he may prescribe, require a pro rata refund of the tuition assistance allowance based upon the uncompleted portion of the school year for which the allowance was paid.

"(d) Any veteran who elects to receive a loan under subchapter VII of this chapter shall not be eligible for the tuition assistance allowance provided under this section."

On page 48, lines 10 and 11, strike out "1683, and 1685" and insert in lieu thereof "and 1683".

On page 50, line 8, immediately below "1684. Apprenticeship or other on-job training; correspondence courses." insert the following:

"1685. Tuition assistance allowances for institutional training.".

On page 58, after line 23, add the following:

"(f) Any veteran who elects to receive a loan under this subchapter shall not be eligible for the tuition assistance allowance provided under section 1685 of this title."

Mr. MATHIAS. Mr. President, over a year ago I introduced the Vietnam Veterans Act of 1971 to provide up to $1,000 a year to eligible veterans for tuition, fees, books, and supplies as well as allot them a $175 per month subsistence allowance.

In March I testified before the Senate Veterans' Affairs Committee in support of my bill and have since that time inserted into the RECORD statements and articles related to the urgent need to improve educational benefits for our veterans. These have included the testimony of the Military Order of the Purple Heart, the American Association of Independent Colleges, an article by columnist David Lawrence, and an article from Time magazine in reference to the convention of the National Association of Collegiate Veterans advocating a $1,000 direct tuition payment.

I am pleased to see that the Senate Veterans' Affairs Committee has reported a veterans educational bill and with the 43 percent increase in the monthly allowance from the current $175 per month to a figure of $250 per month. I am also pleased with the provision in the bill providing up to $1,575 per academic year for veterans to finance their education. However, I am not at all pleased with the fact that the committee bill omits entirely the concept of a direct tuition payment directly to the educational institution for tuition, books, and supplies. I do not feel that the loan provision will give our veterans, especially those who go to less expensive public and State schools, the financial help they need to pursue their education.

Much of the concern over the direct tuition program was based on the abuses of the original World War II program. My first amendment, which is similar to the provision in my original bill, S. 2163, for which there were 20 cosponsors, would insert the $1,000 tuition figure into this bill thereby allowing the veteran to have the tuition payment sent to his school by the Veterans' Administration. A veteran who chose to apply for the loan provision in the bill would not be eligible for the direct tuition payment. Perhaps it can be said that all veterans would select the direct tuition payment rather than the loan—perhaps so. If this is the case, then we should discuss eliminating the loan next year and strengthening the direct tuition grant program.

I do not wish at this time to give the tuition payment as the only alternative to the veteran. First, because of much discussion and question as to whether or not the House would accept the tuition payment. Second, our veterans should have such an option. They have given their time, energy, and often parts of their bodies and minds to the war effort in Vietnam. We should at least give them something in return which they do not have to repay. Therefore, I offer this amendment to give our veterans a greater chance in life to obtain the benefits which they so deserve.

Veterans need at least a $1,000 direct tuition payment. The increased cost of education shows that current tuition costs are rising at an ever increasing rate. In my state of Maryland alone, at Johns Hopkins University, the cost for tuition, fees, and books for the upcoming school year alone is $3,000. Three thousand dollars for an education in 1 academic year. In 4 years this will amount to over $12,000. At the University of Maryland, a public school, costs will be nearly $800 this year and for 4 years it will be over $2,400. I realize that the Veterans' Affairs Committee bill provides for a 43 percent increase in the monthly allotment. However, living costs are also rising.

Statistics from the U.S. Office of Education indicate that by 1975, costs for tuition and fees in private universities in the Nation will average $2,265 and $518 at public universities—and this is just an average. I have already indicated that figures for a public and private school in Maryland already exceed these figures this year. Therefore, the need for a direct tuition allowance to schools for veterans is clearly needed at this time. Any further delay just further pushes our veterans into a financial quagmire. It is for this reason that I offer my first amendment.

Mr. President, at this time I ask unanimous consent that certain supporting tabulations and statistics from the U.S. Office of Education regarding tuition costs and fees in public and private institutions of higher education be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 43.—ESTIMATED AVERAGE CHARGES (1970-71 DOLLARS) PER FULL TIME UNDERGRADUATE RESIDENT DEGREE-CREDIT STUDENT IN INSTITUTIONS OF HIGHER EDUCATION, BY INSTITUTIONAL TYPE AND CONTROL: UNITED STATES, 1960-61 TO 1980-81

[Charges are for the academic year and in constant 1970-71 dollars; U.S. Office of Education figures]

Year and control	Total tuition, board, and room				Tuition and required fees				Board (7-day basis)				Dormitory rooms			
	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
1960-61:[1]																
Public	$1,134	$1,227	$1,020	$769	$281	$336	$228	$108	$552	$573	$544	$470	$291	$318	$248	$191
Nonpublic	2,137	2,410	2,006	1,500	1,143	1,336	1,048	654	627	662	617	558	367	412	341	288
1961-62:[2]																
Public	1,148	1,251	1,040	791	288	350	240	116	559	572	540	470	301	329	260	205
Nonpublic	2,200	2,486	2,074	1,582	1,197	1,399	1,107	709	623	660	613	564	380	427	354	309
1962-63:[2]																
Public	1,177	1,287	1,063	803	290	350	259	127	568	595	526	471	319	342	286	205
Nonpublic	2,250	2,640	2,099	1,659	1,232	1,500	1,134	783	620	662	603	557	398	478	362	319
1963-64:[2]																
Public	1,192	1,320	1,090	811	301	362	277	125	560	602	514	465	331	356	299	281
Nonpublic	2,336	2,709	2,187	1,690	1,302	1,565	1,208	826	627	664	611	550	407	480	373	314
1964-65:[2]																
Public	1,207	1,336	1,102	811	309	379	285	126	554	587	511	459	344	370	306	226
Nonpublic	2,424	2,798	2,300	1,849	1,383	1,648	1,300	892	620	654	609	590	421	496	391	367
1965-66:[3]																
Public	1,223	1,375	1,123	834	321	407	299	136	552	589	507	456	350	379	317	242
Nonpublic	2,493	2,882	2,361	1,938	1,435	1,703	1,351	956	615	658	600	589	443	521	410	393
1966-67:[2]																
Public	1,238	1,412	1,142	857	332	434	312	146	551	591	503	454	355	387	327	257
Nonpublic	2,561	2,963	2,421	2,026	1,487	1,757	1,402	1,019	610	661	591	588	464	545	428	419
1967-68:[3]																
Public	1,240	1,400	1,164	922	330	427	313	168	545	579	510	470	365	394	341	284
Nonpublic	2,573	2,970	2,456	2,058	1,514	1,791	1,445	1,042	602	649	585	589	457	530	426	427
1968-69:[2]																
Public	1,244	1,387	1,184	984	329	420	313	189	540	567	517	485	375	400	354	310
Nonpublic	2,585	2,977	2,491	2,089	1,540	1,824	1,487	1,065	595	637	579	589	450	516	425	435
1969-70:																
Public	1,258	1,411	1,204	1,006	336	434	325	197	537	566	513	485	385	411	366	324
Nonpublic	2,648	3,053	2,559	2,171	1,594	1,887	1,546	1,120	591	635	575	595	463	531	438	456
1970-71:																
Public	1,273	1,435	1,224	1,038	344	448	337	206	534	566	508	484	395	421	379	338
Nonpublic	2,712	3,129	2,625	2,251	1,649	1,950	1,605	1,174	588	633	570	600	475	546	450	477
PROJECTED[4]																
1971-72:																
Public	1,290	1,460	1,248	1,050	351	462	349	214	534	566	508	484	405	432	391	352
Nonpublic	2,779	3,207	2,697	2,334	1,703	2,013	1,664	1,229	588	633	570	606	488	561	463	499
1972-73:																
Public	1,309	1,484	1,273	1,071	359	476	361	222	534	566	508	484	416	442	404	365
Nonpublic	2,846	3,285	2,768	2,414	1,758	2,076	1,723	1,283	588	633	570	611	500	576	475	520
1973-74:																
Public	1,326	1,509	1,297	1,094	366	490	373	231	534	566	508	484	426	453	416	379
Nonpublic	2,913	3,363	2,840	2,496	1,812	2,139	1,782	1,338	588	633	570	617	513	591	488	541
1974-75:																
Public	1,344	1,534	1,321	1,116	374	504	385	239	534	566	508	484	436	464	428	393
Nonpublic	2,981	3,441	2,911	2,576	1,867	2,202	1,841	1,392	588	633	570	622	526	606	500	562
1975-76:																
Public	1,361	1,558	1,346	1,138	381	518	397	247	534	566	508	484	446	474	441	407
Nonpublic	3,047	3,519	2,983	2,658	1,921	2,265	1,900	1,447	588	633	570	628	538	621	513	583
1976-77:																
Public	1,379	1,583	1,370	1,161	389	532	409	256	534	566	508	484	456	485	453	421
Nonpublic	3,114	3,597	3,054	2,740	1,975	2,328	1,959	1,501	588	633	570	634	551	636	525	605
1977-78:																
Public	1,396	1,607	1,394	1,183	396	546	421	264	534	566	508	484	466	495	465	435
Nonpublic	3,181	3,674	3,126	2,821	2,030	2,390	2,018	1,556	588	633	570	639	563	651	538	626
1978-79:																
Public	1,414	1,632	1,419	1,206	404	560	433	273	534	566	508	484	476	506	478	449
Nonpublic	3,248	3,752	3,198	2,902	2,084	2,453	2,077	1,610	588	633	570	645	576	666	551	647
1979-80:																
Public	1,431	1,657	1,443	1,228	411	574	445	281	534	566	508	484	486	517	490	463
Nonpublic	3,316	3,830	3,269	2,983	2,139	2,516	2,136	1,665	588	633	570	650	589	681	563	668
1980-81:																
Public	1,450	1,681	1,468	1,249	419	588	457	289	534	566	508	484	497	527	503	476
Nonpublic	3,382	3,908	3,341	3,065	2,193	2,579	2,195	1,720	588	633	570	656	601	696	576	689

[1] Estimated.

Represents charges weighted by numbers of full-time degree-credit students, 1961-62 through 1964-65; weighted by full-time resident students for 1966-67; and by full-time undergraduate degree-credit students for 1968-69. These charges, shown in table 44 in current dollars, were converted to 1970-71 constant dollars by application of the Consumer Price Index. See constant dollar index, appendix B, table 6.

[3] Interpolated.

[4] The projection of basic student charges is based on the assumption that these charges will continue to increase through 1980-81 as they did during the base years of 1961-62 through 1964-65, 1966-67, and 1968-69 in constant dollars. Decreases in charges for board during the base period are not projected and are frozen at the 1970-71 level. The base year data for board charges, in current unadjusted dollars, did now increase for all types of institutions, both publicly and privately controlled, but not enough to offset the application of the Consumer Price Index for the computation of constant 1970-71 dollars. For further methodological details, see appendix A table 5.

Note: Data are for 50 States and the District of Columbia for all years.

Sources: U.S. Department of Health, Education, and Welfare, Office of Education publications: (1) "Higher Education on Basic Student Charges," 1961-62 through 1964-65, 1966-67, and 1968-69; and (2) "Opening (Fall) Enrollment in Higher Education," 1961 through 1964, 1966, and 1968.

TABLE 44.—ESTIMATED AVERAGE CHARGES (CURRENT DOLLARS) PER FULL-TIME UNDERGRADUATE RESIDENT DEGREE-CREDIT STUDENT IN INSTITUTIONS OF HIGHER EDUCATION, BY INSTITUTIONAL TYPE AND CONTROL: UNITED STATES, 1960-61 TO 1972-73

[Charges are for the academic year and in current unadjusted dollars]

Year and control	Total tuition, board, and room				Tuition and required fees				Board (7-day basis)				Dormitory rooms			
	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17
1960-61:[1]																
Public	$850	$919	$765	$576	$211	$252	$171	$81	$421	$429	$408	$352	$218	$238	$186	$143
Nonpublic	1,602	1,806	1,503	1,124	857	1,001	785	490	470	496	462	418	275	309	256	216
1961-62:																
Public	869	947	788	599	218	265	182	88	423	433	409	356	228	249	197	155
Nonpublic	1,666	1,882	1,570	1,198	906	1,059	838	537	472	500	464	427	288	323	268	234
1962-63:																
Public	901	986	814	615	222	268	192	97	435	456	403	361	244	262	219	157
Nonpublic	1,724	2,022	1,608	1,271	944	1,149	869	600	475	507	462	427	305	366	277	244
1963-64:																
Public	926	1,026	846	630	234	281	215	97	435	468	399	361	257	277	232	172
Nonpublic	1,815	2,105	1,700	1,313	1,012	1,216	935	642	487	516	475	427	316	373	290	244
1964-65:																
Public	950	1,051	867	638	243	298	224	99	436	462	402	361	271	291	241	178
Nonpublic	1,907	2,202	1,810	1,455	1,088	1,297	1,023	702	488	515	479	464	331	390	308	289
1965-66:[1]																
Public	983	1,106	903	671	258	327	240	109	444	474	408	367	281	305	255	195
Nonpublic	2,004	2,317	1,898	1,559	1,154	1,369	1,086	769	494	529	482	474	356	419	330	316
1966-67:																
Public	1,026	1,171	947	710	275	360	259	121	457	490	417	376	294	321	271	213
Nonpublic	2,124	2,456	2,007	1,679	1,233	1,456	1,162	845	506	548	490	487	385	452	355	347
1967-68:[1]																
Public	1,063	1,199	997	790	283	366	268	144	467	496	437	403	313	337	292	243
Nonpublic	2,204	2,544	2,104	1,763	1,297	1,534	1,238	893	516	556	501	504	391	454	365	366
1968-69:																
Public	1,117	1,245	1,063	883	295	377	281	170	485	509	464	435	337	359	318	278
Nonpublic	2,321	2,673	2,237	1,876	1,383	1,638	1,335	956	534	572	520	529	405	463	382	391
1969-70:[1]																
Public	1,197	1,342	1,145	956	320	413	309	187	511	538	488	461	366	391	348	308
Nonpublic	2,518	2,903	2,434	2,065	1,516	1,794	1,470	1,065	562	604	547	566	440	505	417	434
1970-71:[1]																
Public	1,273	1,435	1,224	1,028	344	448	337	206	534	566	508	484	395	421	379	338
Nonpublic	2,712	3,129	2,625	2,251	1,649	1,950	1,605	1,174	588	633	570	600	475	546	450	477
PROJECTED																
1971-72:[1]																
Public	1,349	1,527	1,305	1,098	367	483	365	224	558	592	531	506	424	452	409	368
Nonpublic	2,906	3,354	2,820	2,441	1,781	2,105	1,740	1,285	615	662	596	634	510	587	484	522
1972-73:[1]																
Public	1,428	1,621	1,390	1,168	392	520	394	242	582	618	555	528	454	483	441	398
Nonpublic	3,107	3,586	3,022	2,636	1,919	2,266	1,881	1,401	642	691	622	667	546	629	519	568

[1] Data for 1960-61, 1965-66, 1967-68 and for 1969-70 through 1972-73 estimated by applying the Consumer Price Index to the data in table 43. See constant dollar index, appendix B, table 6. For further methodological details, see appendix A, table 5.

Source: U.S. Department of Health, Education, and Welfare, Office of Education publications: (1) "Higher Education Basic Student Charges," 1961-62 through 1964-65, 1966-67, and 1968-69; and (2) "Opening (fall) Enrollment in Higher Education," 1961 through 1964, 1966, and 1968.

Note: Data are for 50 States and the District of Columbia for all years.

Mr. MATHIAS. Mr. President, I salute the distinguished Senator from Indiana and the distinguished Senator from South Carolina who have both provided great leadership in the area of making some realistic adjustment to veterans' benefits, one which is very long overdue.

By pure coincidence, I had spent part of today with two young men who are Navy veterans of the war in Vietnam. They have been fighting that tough, bitter, uncertain, riverine war which has gone on throughout the Mekong Delta. They are now back in this country safe and in good spirits and in sound body. That is the big thing. However, they are wondering what they are going to do with their lives. They have new visions and new ideas. Their old moorings have in some measure come adrift and they face many difficult personal questions.

This is not unique in world history. This happens whenever we have the tragedy of a generation at war. But in my generation things were easier. In my generation I think that we had less general confusion. And we had certainly a better deal for the veterans who fought in World War II.

I came back from World War II with about 3½ years of service credit. I was entitled to GI benefits under which I went to law school where my tuition was paid, books were provided, and a subsistence payment was available. It was a realistic way to get an education. It was a way to get an education on one's own without a further drain on the family or other resources. It was a way to readjust and catch up from the time that had been spent in the military service. Millions of American veterans took advantage of it. It was one of the best investments the American people ever made.

One of the features of that was the direct payment of tuition, and that is what is provided for in amendment No. 1389. It is a direct payment, as was provided in the World War II GI bill of rights.

I know there have been objections to this program and I know there were abuses of it after World War II, and I know that Congress in the exercise of its oversight responsibility has turned the spotlight of publicity on those abuses, and I am inclined to believe they would not happen again.

Great credit in this area is due to the chairman of the Committee on Veterans' Affairs in the other body, Representative TEAGUE of Texas, who has made it one of his areas of major concern over the years. I have consulted with him and I have been assisted by him in many, many instances. He has been a real stalwart friend of veterans. I believe with the experience we have had we can run a direct tuition program without the problems that existed in the confusion at the end of World War II, and I think the veterans deserve it.

I would like to ask the chairman of the committee just a few questions because they might highlight some of the differences between the program and the bill, which is vastly different than the existing program. I wonder if the chairman would explain to the Senate the loan provisions of the bill because while I believe they have a potential of help to veterans going to college, it is going to be tough for many veterans, because of bureaucracy and redtape and the various justifications, to get loans, and the loans would benefit students in expensive colleges more than those at inexpensive colleges.

Would the Senator explain what is meant by the loan provision?

Mr. HARTKE. The Senator from Maryland knows I am not completely unsympathetic to what he is trying to do. I wish to point out that there was a substantial increase here to bring the benefits under this bill back to the same basic financial level as those that existed in World War II. Title V of the bill would in addition authorize loans from the VA of up to $1,575 an academic year.

Mr. MATHIAS. If the veteran is able to enjoy the full potential of the bill, the loan provisions, and all the rest.

Mr. HARTKE. Let me say this. The benefits to the veteran under this bill at the present time are equivalent to the benefits of World War II without the loan provision. This is an additional benefit in order to deal with the situation which the Senator from Maryland has pointed out.

As most of us know who attended State schools at the end of World War II, there was a limit on the amount of GI bill assistance at that time. But taking that amount which was up to $500, for tuition and textbooks together with a living allowance and translating those items into present inflation-adjusted dollars, you come up with $250 a month for a single veteran at the present time. What we have done here is to try to adjust the benefits to establish true parity with World War II entitlement levels.

I might point out that the House provisions only come up to $200 a month, while the administration only recommended $190 a month. In addition we have instructed the Veterans' Administration to conduct an independent study and report back to Congress in 9 months as to what is feasible and desirable without any prejudice to the existing or past programs. Unless we move in this fashion now we run into large difficulties in getting a GI bill effective before September in which veterans can make plans for the fall term.

Mr. STAFFORD. Mr. President, will the Senator yield?

Mr. MATHIAS. I am happy to yield to the Senator from Vermont. First, I wish to ask the Presiding Officer how much time is left under the unanimous-consent agreement.

The PRESIDING OFFICER. Approximately 1 minute.

Mr. HARTKE. Mr. President, I yield time from my side.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. STAFFORD. Mr. President, I commend the chairman for his work on the bill, and also the ranking Republican member, the Senator from South Carolina (Mr. THURMOND). It is a good bill. I want to indicate that I am sympathetic to what the distinguished Senator from Maryland has been saying and what he proposes in his amendment.

It was my request in the Committee on Veterans' Affairs to include in section 412, which is the section providing for a study of the whole question of the adequacy of the provisions, for the benefit of post-Vietnam veterans. I think that study will be very helpful to the committee and the Senate as a whole in working on this matter in the future.

Mr. President, I thank the Senator from Indiana for yielding time.

Mr. MATHIAS. Mr. President, I hear what the distinguished Senator from Vermont is saying. I have discussed this section with the distinguished Senator from South Carolina (Mr. THURMOND), and the Senator from Indiana and I have had many discussions over a long period of time.

Mr. HARTKE. Yes, that is correct.

Mr. MATHIAS. If this amendment were not pushed to a decision today would the committee, in the Senator's judgment, be willing to consider this whole area when the new Congress meets?

Mr. HARTKE. I would be glad to do that. In fact, I would do it without the insistence of the distinguished Senator from Maryland. But since the Senator has raised the question at this time I can give full assurance we will go into this in the next Congress. We have talked about directing the Veterans' Administration to shorten the time for the study. They expressed some apprehension about completing it in 9 months, but I think they can do this as the Senator from Maryland suggested.

I can give the Senator from Maryland the assurance that we will push the Veterans' Administration to complete the study, and further that the staff and the committee will continue to go into this matter in depth and hold hearings on this matter.

Mr. MATHIAS. On that assurance, I withdraw amendment No. 1389 at this time.

The PRESIDING OFFICER. The amendment is withdrawn.

AMENDMENT NO. 1388

Mr. MATHIAS. Mr. President, I call up amendment No. 1388.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MATHIAS. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 39, line 15, strike out the word "and" following the semicolon.

On page 47, line 17, insert a semicolon and the word "and" immediately after the quotation marks.

On page 47, between 17 and 18, insert the following:

"(3) Section 1792 of title 38, United States Code (as redesignated by section 317(a) of this Act, is amended by inserting between the first and second sentences of such section the following: 'The Committee shall also include veterans representative of the World War II era, Korean conflict era, post-Korean conflict era, and the Vietnam era.'."

On page 55, line 3, strike out the word "nine" and insert in lieu thereof the word "six".

Mr. MATHIAS. Mr. President, amendment No. 1388 is a very simple amendment. The amendment is in two parts. First, it would provide that the advisory committee under the newly designated section 1972 of the bill include veterans' representative of the World War II, Korean conflict, post Korean conflict and Vietnam eras. This advisory committee, which has the responsibility for advising the Administrator on various programs for veterans, must become more active. Our veterans must have a major role to play in its deliberations and recommendations. At present, the committee consists mainly of educators and representatives of labor and the Federal Government—no veterans are represented. My amendment would give our veterans the role on this committee that they should have.

By having veterans from each major era of educational assistance programs, the committee will have a good representation of all age groups of veterans. Therefore, the Vietnam era veteran will have the opportunity to discuss programs with the Korean conflict and World War II era veteran so that both will be able to reach conclusions on program benefits with the experience and knowledge of the other veterans to consider. I urge the Administrator to utilize this committee as much as possible in the planning and programing of benefits under this act.

The second part of my amendment would reduce from 9 to 6 months the time required for the completion of the independent study provided for in the bill of various educational assistance programs. Because of the allegations of abuses in the World War II program in the direct tuition payment program, I feel that it is important that the Congress receive the results of the study as soon as possible.

Much of the criticism of my bill to provide a $1,000 direct tuition payment for our veterans paid directly to the educational institution was based on the fact that there were many abuses in the former World War II program of direct tuition payment.

Therefore, I am hopeful that the study, with the input and consultation of the Advisory Committee and its veteran members, will fully explore the direct tuition payment-subsistence form of educational assistance program. I believe that with all of the discussion which has already occurred on this subject, that the study should be able to be completed within the 6-month period.

Furthermore, I am also hopeful that the study will be as objective as possible with no built-in biases against the direct tuition program such as does exist in some sectors of the Federal Government and the Congress. Our veterans need an objective unbiased study of the merits of the direct tuition payment program and I believe that this independent study will provide the means through which the merits of such a program can be realized.

I reluctantly withdrew my last amendment. We are at the beginning of August and these veterans have to go to college in 30 days. If we get into a parliamentary wrangle here they will not get there. On the same basis, if we get this passed in the form the committee reported it and it takes 9 months for the study, that is too long, but if they reduced it to 6 months we could have the benefit of that and perhaps make further improvements in the program before college begins next year.

Mr. HARTKE. Mr. President, the committee is prepared to accept the amendment. With respect to the reduction from 9 months to 6 months, I agree that we want to confront the issue of direct tuition payments as soon as possible.

We will proceed immediately with the hearings at such time as the independent report is completed, so that we will be able to have the hearings and the report commissioned by the Veterans' Administration before us, hopefully by the first of March.

I am prepared to accept the amendment.

Mr. MATHIAS. Mr. President, I move adoption of the amendment.

Mr. HARTKE. Mr. President, I yield back my time.

Mr. MATHIAS. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment having been yielded back, the question is on agreeing to the amendment.

The amendment was agreed to.

Mr. THURMOND. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Tennessee (Mr. BROCK) be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. Mr. President, I send to the desk an amendment, and ask unanimous consent that its reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE's amendment is as follows:

On page 10, delete all on line 3 through line 12 and substitute the following in lieu thereof:

"(2) to any eligible veteran or eligible person enrolled in a course which does not lead to a standard college degree (excluding programs of apprenticeship and programs of other on-job training authorized by section 1787 of this title) for any days of absence in excess of thirty days in a twelve-month period, exempting from being counted as absences—

"(A) weekends or legal holidays established by Federal or State law (or in the case of the Republic of the Philippines, Philippine law) during which the institution is regularly not in session;

"(B) days when instruction is unavailable to the veteran by reason of prescheduled vacations or teacher meetings; or

"(C) days when instruction is unavailable to the veteran by reason of emergencies caused by weather or other natural conditions; except that for purposes of computing such exemption pursuant to clause (B),

"(i) for any institution covered by this subsection which enrolled eligible veterans during the 1971–1972 school year, no number of days greater than the number of days during which instruction was unavailable to students enrolled in such institution during the 1971–1972 school year shall be allowed; and

"(ii) for any institution covered by this subsection which did not enroll eligible veterans during the 1971–1972 school year, no number of days greater than the average number of days during which instruction was unavailable to students enrolled in all institutions covered by this subsection which enrolled eligible veterans during the 1971–1972 school year in the State in which such institution is located shall be allowed; or".

Mr. MONDALE. Mr. President, this amendment, which I hope the distinguished floor manager might accept, is designed to deal with a very minor, but I think important, problem of treatment accorded veterans who are attending vocational schools rather than institutions of higher education.

There are thousands of such veterans attending vocational and other non-college degree programs, and they, of course, depend for their livelihood on educational assistance allowance payments from the Veterans' Administration. At the present time, however, many of these veterans are suffering from reductions in the size of their benefit checks because of circumstances beyond their control.

There is little doubt that veterans attending noncollege degree programs must meet standards stricter than those for college degree programs in order to receive their educational assistance checks. Limited to a set number of days allowable for absence, these vocational school vets find their payments diminished because of a snowstorm, a scheduled vacation, or other causes totally beyond their control. Veterans attending college courses, on the other hand, need meet no such attendance requirement.

The entire area of educational benefits for veterans attending vocational schools urgently needs reexamination. There have been in the past abuses in some segments of the private vocational school industry. These should not be forgotten, but they should also not allow us to fail to take remedial action where needed to free vocational school veterans from unduly burdensome requirements originally enacted many years ago.

A comprehensive reexamination of the vocational school problem will require time, however. In the interim, veterans attending vocational schools should not continue to lose vitally needed dollars because of unrealistic requirements.

The amendment which I have proposed would amend the present statute to broaden the categories of absence for which a veteran attending vocational school would not be penalized. Prescheduled vacations, teacher meetings, and weather emergencies will no longer be cause for reduction in benefits, which many of us believe are inadequate to begin with. At the same time, this amendment provides safeguards to insure that the veteran attending vocational school will receive the instructional year which is his due.

Our primary task must be to raise veterans' benefits to levels which allow those who have sacrificed for our Nation to live decently. We must also, however, insure that the benefits legislated are not arbitrarily reduced because of factors over which the veteran has no control. This amendment will greatly aid in pursuance of this latter, and important, goal.

I would hope the distinguished floor manager would accept the amendment. What it does is apply to veterans attending vocational schools equitable standards in determining eligibility for full payment, so that these veterans are not penalized for vacation time or for absences from classes over which they have no control.

Mr. HARTKE. Mr. President, let me say to my distinguished friend from Minnesota, I would be more disposed to accept this amendment except that it is a very technical amendment, concerning a matter which we have had under consideration in our committee. It would affect for profit schools rather than nonprofit schools. I wish to point out that there is already a period of 30 days' "off" time available to these individuals without reduction in VA payments.

I can assure my good friend that we will be willing to take this complicated matter up early next year. We have not received reports from the Veterans Administration as to the overall effect of the amendment or their position on it. We do not have any information at the moment which would make it possible for us to be in a position to accept such an amendment with full knowledge of its effect.

Mr. MONDALE. We have received any number of complaints that vocational school students are being treated differently from student veterans attending colleges. I do not see any basis for that distinction.

I would be glad to modify my amendment to exclude private, for-profit vocational schools, so that it would apply only to public vocational schools and schools which were of a nonprofit character, if that is important. I do not particularly like to make that distinction, because there are many fine for-profit vocational schools, but I would be willing to do that if I thought it would make the amendment more acceptable to the distinguished floor manager.

Mr. HARTKE. Let me point out that this matter is not quite as easily determined as might be implied from the statement by the Senator from Minnesota. Very simply, we have had numerous people trying to come up with a satisfactory arrangement to deal with the variety of programs which are offered by vocational schools. By their very nature, they often do not follow the routines that colleges follow.

Mr. MONDALE. Well, I attended college. Which routine did the Senator from Indiana follow?

Mr. HARTKE. The routine of my school. For example, the term of school was definitely set, as was the number of classes one could omit attendance upon without being expelled and there was considerable amount of out-of-class homework or preparation.

Mr. MONDALE. This is what amounts to class legislation. A man cannot afford to go to college. He has to go to vocational school. Then he is checked closely on the time put in, and he gets benefits deducted accordingly. But if one goes to college, no one pays such close attention.

Mr. HARTKE. Let me point out that there is a distinction of a major nature. The structure is generally entirely different in a vocational school. I am heartily in favor of vocational schools. There are plenty of provisions in this bill which benefit the vocational schools.

I wish the Senator would withdraw his amendment and permit us to have hearings in the next Congress. Then he can have a separate bill, if what he says is true, and we can have it passed early next year.

Mr. MONDALE. What I say is true. It is such a modest proposal that I would hope, with the deleting of the for-profit vocational schools, the floor manager might accept the amendment, and that he might have time to consult with the Veterans' Administration by the time the bill gets to conference.

I shall not press it if the floor manager of the bill feels strongly about it, but I would dislike to let another school year go by.

Mr. HARTKE. Let me assure the Senator from Minnesota that if I felt that at this moment there was sufficient evidence on which we could make a valid judgment on which we could take this amendment to conference, I would do so. I honestly do not feel we can at this time.

Let me say that the whole complaint of the vocational schools is not without some complications. That is not true in general with academic colleges, because they have more standardized approaches and the methods of instruction and attendance requirements are entirely different.

I would hope the Senator from Minnesota could rest on my assurance that we will have early hearings on this subject in the first part of the next Congress, following which we would be willing to proceed on the matter if at that time the Senator from Minnesota feels that would be the wisest course to follow.

Mr. MONDALE. With that understanding, I withdraw my amendment. I regret doing so, because, as I say, the amendment has been before the committee for a number of weeks. In any event, I realize that the floor manager does feel strongly about it, and, Mr. President, I withdraw my amendment.

Mr. HARTKE. I thank my colleague for doing so.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HARTKE. Mr. President, do I have 5 minutes remaining? I yield 5 minutes to the Senator from Michigan (Mr. GRIFFIN).

Mr. GRIFFIN. Mr. President, I know the value of the GI bill. Following my service in World War II, I was able to complete my prelaw college training and then go through law school because of the GI bill.

I congratulate the chairman of the committee (Mr. HARTKE), the ranking minority member (Mr. THURMOND), and all the members of the committee for reporting this legislation. It addresses itself to some inequities that we have been hearing about from our constituents. Of course, the most important improvement is the adjustment in the level of benefits. But I want to focus also on another section of this bill which is of particular interest to me. I refer to title II, which includes a section providing for the advance payment of initial educational benefits.

I had introduced legislation and presented testimony to the committee urging that something be done about the delays and redtape experienced by too many veterans in receiving their first check after enrolling in a college or university. In many cases, a veteran is married and has children. But after being accepted in college he finds that he has to wait for 3 or 4 months or longer before he receives a check. In many instances, this represents a severe hardship.

The legislation I introduced, like the section included in this bill, would establish a procedure for advance payment to a veteran once he is admitted to college. I am glad the committee has incorporated this concept into the bill now before us so that a veteran who is accepted and admitted to college will find a check waiting for him when he arrives on campus to enroll.

I ask unanimous consent that there be printed in the RECORD a portion of the committee's report relating to the advance payment procedure together with a statement which I presented to the committee on this subject and an editorial.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

TITLE II—ADVANCE PAYMENT OF EDUCATIONAL ASSISTANCE OR SUBSISTENCE ALLOWANCES AND WORK-STUDY/OUTREACH PROGRAM

SECTION 201

This section would create a new section 1780 in subchapter II of chapter 36 to provide, in part, first, for a consolidation of certain common provisions of law applicable to the payment of educational assistance or subsistence allowances currently in force (or made applicable by the Committee substitute in chapters 31, 34, and 35 and second, to authorize a new advance payment and prepayment system for educational assistance or subsistence allowance as follows:

§ 1780. Payment of educational assistance or subsistence allowances

Subsection (a), (b), (c), (g), and (h). Are technical in nature and restate common provisions now found in chapters 34 and 35 (or made applicable by the Committee substitute) which provide for the period for which payment of educational assistance or subsistence allowances may be made and the certifications required for regular educational programs, correspondence training, apprenticeship, and other on-job training.

Subsection (d). Provides for an advance payment of initial educational assistance or subsistence allowance based upon the express finding by Congress that eligible veterans and persons need additional funds at the beginning of the school term to meet the necessary expenses of books, travel, deposits and payments for living quarters as well as the initial installment of tuition which are concentrated at the start of the school year. An eligible veteran or person would be entitled (if intending to pursue a program of education on a half-time or better basis) to an advance payment in an amount equivalent to the allowance for the first month or fraction thereof plus the educational assistance allowance (or subsistence allowance in the case of chapter 31) for the succeeding month. For example, if a veteran has a September 10 school registration date he would be entitled at the date he registers to a check for the remaining 20 days of September plus the full allowance for the month of October in advance.

Under the present system, he would be eligible for the partial month of September only after the end of that month and under optimum conditions would not receive his first check before mid or late October. Under the Committee substitute, in the event of an initial enrollment of a veteran or person in an educational institution, the application for advance payment to be made on a form prescribed by the Administrator shall contain information showing that the veteran or person is eligible for educational benefits, has been accepted and has notified the institution of his intentions to attend that school. An advance payment is also authorized in the case of re-enrollment if the applicant indicates his eligibility to continue his program of education and his intention to reenroll. In each instance, the application form shall also state the number of semester or clock-hours to be pursued by the eligible veteran or person.

Under the Predischarge Education Program (PREP) authorized in subchapter VI of chapter 34, an advance lump-sum payment based on the amount payable for the entire quarter, semester or term would be made. Applications for advance PREP payments shall contain additional information that the PREP program to be pursued has been approved as well as specify the anticipated cost and number or Carnegie, clock, or semester hours to be pursued. In the event that such program is other than a high school credit course the application shall certify the need of the person to pursue the course or courses to be taken. Information submitted by an eligible institution shall for the purposes of the Administrator's determination establish a veteran's or person's eligibility unless the Veterans' Administration has evidence clearly establishing that such person is not eligible for advance payment.

Any advance payment approved by the Administrator shall be drawn in favor of the veteran or person and mailed to the educational institution listed on the application form for temporary care and delivery to the individual upon his registration. No delivery, however, may be made earlier than 30 days prior to the date when the recipient's program of education is to commence. The institution shall submit certification of delivery of any advance payment or promptly return any check to the Administrator if delivery is not effected within thirty days following the commencement of the program of education for which payment is to be made.

Subsection (e). Provides that following the initial educational assistance or subsistence allowance advance payment, the eligible veteran or person would be entitled to receive directly subsequent payments in advance for each month thereafter. Administrative controls over the program are provided by permitting the Administrator to withhold the final payment of an enrollment period until proof of satisfactory pursuit has been submitted or to adjust appropriately the final payment.

Subsection (f). Authorizes the Administrator to recover advance payments in cases where the eligible veteran or person fails to pursue the course for which advance payment was made. Such advance may be recovered from any other benefit otherwise due such individual under any law administered by the Veterans' Administration. Otherwise, such overpayment shall constitute a liability of such individual and may be recovered in the same manner as any other debt due the United States.

This section is based upon the advance payment and prepayment provisions in S. 740 and those contained in S. 3657 as passed by the Senate in the 91st Congress (Report No. 91-1231).

STATEMENT BY SENATOR ROBERT P. GRIFFIN

MARCH 24, 1972.

Mr. Chairman, thank you for the opportunity to submit this statement concerning S. 2063, which would authorize the Administrator of Veterans Affairs to make advance educational assistance payments to veterans accepted for enrollment at colleges and universities.

I am sure this committee is acutely aware of, and sensitive to, the manifest problems facing our returning veterans.

As these young people begin to put their lives back together they are entitled to the maximum guarantee that their government will actually provide the benefits to which they are entitled.

Mr. Chairman, nearly half of the mail we receive in our office from veterans concerns problems these young people encounter in securing their educational assistance benefits.

Under my bill veterans accepted for admission under the G.I. Bill would be guaranteed advance payments of their checks from the VA.

At present, a veteran usually faces delays of two or three months before his papers are processed and he finally receives his initial assistance check.

This situation works a particular hardship on the young veteran who has dependents, and knowledge about such delays operates to discourage some veterans who might otherwise seek a college education.

One young man who served with honor and distinction in Vietnam with the U.S. Marines wrote me, in part:

"Upon receiving an Honorable Discharge I immediately began attending school; first Detroit Institute of Technology and now Wayne State University. While attending WSU I have not received any G.I. Bill educational benefits which goes back to September. I have called, inquired, pleaded, but as yet no one has been able to give any concrete reason for the delay of benefits. All necessary forms and paperwork on my part have been completed. The VA had previously informed me that I would be wasting my time seeking outside help because nothing would or could hurry their processing. After waiting five months I decided it was time to take some action."

This young man has a wife and son. Fortunately my office was able to expedite matters and the situation is now corrected.

Another young man wrote:

". . . . I started attending Highland Park night school Sept. 20, 1971. I didn't receive the September payment until December 8, 1971. Now I've still not received my October, nor my November payment. If the check isn't here by tomorrow I won't receive my December payment until January or later. I've been behind on my bills since I've started school."

This letter was written in January of this year.

Another young man attending college had to lean on his parents for aid until the VA started coming through with his checks. He wrote:

". . . . had I not come from a financially able family, my schooling would have been terminated. My parents, besides financing my education since August, have lost all interest that would have accumulated on their savings.

. . . . I feel it would be very appropriate to consider an examination of present law concerning this very important transition from military service to school, and to propose and enact measures that would better serve those that make this transition."

A letter received at my office on September 29, 1971 read, in part:

"I have been attending Oakland Community College for several months now in hopes of rejoining society and making something of myself. But unless you or someone else does not shake some sense of responsibility into the VA I don't know how much I can continue my schooling. For over a month now, the VA has owed me almost $350 for educational benefits for the summer semester which ended 17 August. Having to wait until the end of any given fiscal period for reimbursement from the VA is bad enough, but I have since had to scrape together my own funds for the autumn semester tuition, which is a phenomenal feat with a $50 a week job and a wife to support."

This same young man concluded his letter with this note of frustration:

"I am sick and disgusted sir, and beseech your help. Do we, or do we not, take care of our own?"

Mr. Chairman, I am sure the members of this distinguished committee agree with me that we should take care of our own.

Passage of this piece of legislation would help to demonstrate that commitment.

Thank you.

[From the (Michigan) Times Herald, Mar. 29, 1972]

VETS HAVE EARNED A BREAK

Sen. Robert Griffin (R-Mich.) has taken up the cause of American veterans whose plans for additional education are being frustrated by bureaucratic delay. He appealed to the Senate Committee on Veterans' Affairs last week for support in his bill, S. 2063, which would guarantee cash for veteran-students when it is needed.

Somebody, certainly, should take up their cause. They have earned consideration the hard way.

The Senator cited examples of veterans who have appealed to him for help when months have gone by after their applications for assistance under the G.I. Bill had been accepted. Qualified veterans, who had complied with all the requirements, were enrolled in acceptable educational programs on the strength of promised assistance. Then they watched bills pile up as benefits failed to come.

Everyone is familiar with delay. It seems a built-in characteristic of our form of government. Most times it does no great harm. But returning veterans may have had little opportunity to compensate for the time lag in restructuring their lives. College sessions begin on fixed dates; living costs do not take a holiday while governmental agencies follow their slow procedures.

What Senator Griffin is proposing is not an additional cost to the Veterans Administration. It would simply make available sooner the money already promised. There would be time for the routine paperwork when students are already busy at classwork.

It seems little enough accommodation in response to the honorable service they have given.

Mr. HARTKE. Mr. President, I commend the Senator from Michigan for his leadership in this field, and thank him for his remarks today.

I point out that there is an old story I used to hear from one of my Bible teachers. Talking about money, he said:

> You cannot take your money with you, but you can give it to the church and have it waiting for you when you get to heaven.

That is sort of like what this section provides: You cannot take it with you, but you can have it waiting for you at the door when you enroll. That is what we have, in effect provided.

Mr. GRIFFIN. I thank the Senator.

Mr. KENNEDY. Mr. President, I am pleased to offer my support for S. 2161. This bill was expertly designed by the Veterans' Affairs Committee to respond to the educational demands of the 6 million Vietnam era veterans. Though we have received loud and vigorous lip service from the administration about the importance of meeting the needs of the men and women who served during this war—it is clear that the Veterans' Affairs Committee, has produced the only package of assistance that can realistically deliver the benefits these valiant people deserve. I am particularly gratified that the committee's considerable foresight has generated the initiative to provide the Senate with a legislative proposal that offers the members of our Armed Forces, this chance to gain the educational benefits they missed because of their military service.

Not only will this bill guarantee educational opportunities to those whose education was interrupted by military duty—but this measure, more importantly assures that educational opportunities are guaranteed to people from disadvantaged backgrounds whose horizons and aspirations have been broadened in the service. With the passage of this bill, the Senate will insure provisions of educational adequacy that were included in similar bills I introduced in 1969 and 1970. Approximately 1 million veterans returned home during each of those years. But the benefits available to them were shamefully low. At that time, just as we are trying to do now, legislative proposals sought to make education more attractive to veterans with academic deficiencies, and to encourage colleges and other educational institutions to admit veterans and to develop special programs for them.

Since World War II, the United States has attempted to recognize its obligation to those young men and women who have spent a portion of their lives in the military service. Perhaps, because World War II was widely supported by the American public, a broad range of benefits were readily and easily authorized for those who served. But the participants in the Vietnam war suffer the misfortune of serving in an unprecedentedly unpopular conflict.

Moreover, because of the way the military draft has operated, the manpower machinery has scandalized our national commitment to insure equity to all those who were drafted. Thus, the draft system has been structured and administered to exempt from fighting, and most, particularly from dying, those with the power and affluence to stay out of service. And so it is, that the ravages of this war have been borne principally by the poor, and the disadvantaged. If a civilian failed to have the money, the scheme or the desire to avoid military service, that person was bound off to war to face all its dangers. For those who survived, the system nominally offers certain rewards and benefits. But in fact, the benefits have been grossly unequal to those offered to the veterans of our other modern wars.

World War II veterans' educational allowances covered all tuition charges regardless of how much they might have been. In addition each veteran in school at that time was eligible for a $75 monthly living allowance—with subsidies for any dependents. Korean war veterans received $990 a year; and the 1966 version of the Korean GI bill provided only $900 a year for a veteran to buy whatever education that amount would purchase in a 4-year period. Current benefits provide $175 a month for full-time students. But, any veteran who has tried to buy an education, pay rent, and buy food with that allowance, can vividly describe how woefully inadequate are the benefits under our existing law.

Moreover, it is incomprehensible to the veterans themselves that the system which sent them to war in the first place should deny them the extensive benefits that have traditionally been insured for other veterans of our country's battles.

No matter what views one holds concerning this current war, it is undeniable that through their service on active duty these men and women deserve the admiration and respect of a grateful country. They have earned also the right to our attention and assistance on their return. That is why I support the provisions of S. 2161. This bill begins to provide fundamental education assistance for Vietnam veterans.

This bill has been expertly engineered to address the realistic demands of purchasing an education in the face of continuing inflationary increases. By raising educational assistance benefits from $175 to $250 a month for a single veteran this bill approaches a level of parity with the benefits that World War II veterans received.

Ironically, today's pitifully low allowance discourages the veteran who is in the greatest need—the veteran who has a family to support. Yet, the experience of the benefit system after World War II shows that educational assistance is a boon to the establishment of an enlightened middle class that cherishes the comforts and joys of a wholesome family life.

Our veterans of the war in Vietnam deserve the attention of this Nation because they represent a resource which society can utilize to the best advantage of all concerned. America's veterans have acquired wisdom and judgment though because they were thrust into circumstances that demanded responsibility in critical situations. They are citizens who have demonstrated discipline and ability. Returning veterans, therefore, have more than earned their place as constructive and valuable citizens. We must properly respond to their service by giving them a chance to channel their talents in a productive way. Since life for a returning veteran is uniquely difficult under most circumstances—special attention should go toward providing assistance to the veteran who wants to return to school. I am pleased, therefore to see that S. 2161 authorizes advance payment of tuition costs at the start of the school year.

Members of the National Association of Collegiate Veterans know that the existing law creates an inevitable delay between the time a veteran receives his allowance and the start of the school year. Many veterans must borrow money to keep themselves eligible to receive their delayed payments. Other veterans simply avoid the effort of seeking schooling because of this needless barrier. I am hopeful that with the enactment of this bill, the Veterans' Administration will launch a vigorous campaign to inform eligible veterans that they need not worry about the first check. Under this bill, the veteran can mail the first check directly to the school in time for the veteran to complete his registration.

Additionally, under the provisions of this bill eligible veterans are authorized to receive loans up to $1,500 that will aid them in meeting the high costs of schooling, along with the demand of basic living requirements.

Mr. President, in summary, I believe it is important that the Senate approve this measure because it includes so many features that will guarantee substantial advances toward adequacy of education benefits for veterans of the Vietnam era. Some other major features this bill authorizes include increased benefits for vocational rehabilitation subsistence allowances; and a new student-veterans work-study outreach program. And I know that other details of the legislation address the many specific education requirements that must be guaranteed to achieve adequacy for those who have served their country so well. This bill was carefully constructed on the basis of testimony from 65 witnesses during 5 days of committee hearings. Educational assistance for veterans has broad ranging interest as evidenced by the 16 bills that were submitted for committee action. The distinguished chairman of the Committee on Veterans' Affairs, along with the members of that committee worked skillfully to fashion a measure that admirably responds to the requirements of returning veterans. S. 2161 emerged therefore as a substitute measure, incorporating the most meaningful and fundamental provisions required for a serious response to the educational concerns of returning veterans.

Congress has established program for our veterans in many areas—training, employment, medical and hospital benefits, pension—and in education. All of these are important, and perhaps none of these is more important than education. Americans have long recognized the value of education for all citizens. Today we in the Senate have an opportunity to show the Nation that we are committed to the guarantee of quality education to our veterans as a continuing obligation.

I am happy to give my full support to this measure by voting for the passage of S. 2161.

Mr. TUNNEY. Mr. President, I welcome the fact that the Senate is finally moving in this very important area. The Vietnam Era Veterans' Readjustment Assistance Act of 1972 is an extremely urgent legislative priority.

It is vitally important that this bill be enacted promptly. It will affect over a million persons—and it will vest them with important opportunities which should be available immediately.

As soon as this bill is enacted into law its benefits will become available. Accordingly, I believe that it is imperative for my colleagues in the Senate and in the House and for the President to expedite the prompt passage of this bill.

No technical detail should be allowed to delay the implementation of this legislation. The provisions of this law are more important than any possible technical modification could be.

It is apparent, Mr. President, that my distinguished senior colleague has been instrumental in the development and expedition of this legislation. I believe that the full measure of this participation and leadership should be recognized by this body. We all owe him an enormous debt of thanks for an important job well and thoroughly done.

In light of the effort which has been put into this bill as well as the significant positive impact that it will have on the lives of over a million persons, it is imperative that this body pass this bill today.

Mr. HANSEN. Mr. President, one of the most successful programs ever established by the Congress is the Vocational Rehabilitation and Educational Assistance Act; the so-called GI bill. All veterans are grateful for it. The Nation as a whole has profited by it.

Yet the benefits under this act have never kept pace with the costs of education in our Nation's schools.

Too, the returning veteran who seeks assistance today feels he is or has been a victim of circumstance; he performed faithfully in an unpopular war; he returned to civilian life and applied for benefits which were less than equal to those provided for the World War II or Korean veteran.

The Committee on Veterans' Affairs and staff have worked long and arduously to perfect a bill which will alleviate these inequities, and it is felt that the bill now before the Senate will do just that.

This bill would provide benefit increases in all rates in chapters 31, 34 and 35 of title 38, United States Code, to achieve parity with the total dollar entitlement available under the World War II GI bill.

Although there may be some differences in philosophy between this and other bills which have been submitted, it is felt that this one satisfies the greatest majority of needs for today's veterans, and I wish to congratulate the chairman and the staff for their endeavors.

Mr. TOWER. Mr. President, I am pleased today to express my full support for S. 2161, the Veterans' Education and Training Assistance Act of 1972, of which I am a cosponsor.

The institution of a program of educational benefits for our Nation's veterans was a fine moment in our history. These benefits are more than a nation's expression of its gratitude for the sacrifices of the men who fought to defend our liberty and freedom, they are a declaration of our sense of moral obligation. In our increasingly complex and technical society, education has become an essential component of successful job placement and career mobility. It is only just that our veterans have the opportunity to obtain the necessary education, which they have forgone while serving their country, so that they can successfully enter the civilian work force. Furthermore, it is in our national interest that these men and women have every opportunity to continue contributing to the welfare of our country.

Since we initiated the program of educational benefits, we have constantly sought ways to make the program applicable to the needs of the veteran. The program has grown to include benefits to veterans who participate in farm cooperative, apprenticeship, and on-the-job training programs. Furthermore, we have instituted a program entitled PREP, which is designed to assist veterans in need of additional preparation in order to enter and successfully pursue a course of higher education.

In spite of these efforts, the percentage of veterans taking advantage of these benefits has substantially decreased. Following World War II, some 50 percent of those eligible used their benefits; following the Korean war, approximately 42 percent of those eligible used their benefits, and during the first years of the Vietnam conflict, only a disappointing

20.7 percent participated in the program. In view of the ever-increasing level of educational attainment in our Nation with the resultant competitive advantage of trained people in the labor market, in view of the shockingly high unemployment rates for the Vietnam era veteran, and in view of the increasing scope of education benefits which have been provided to the veteran, we must ask ourselves why so few Vietnam era veterans have taken advantage of their benefits.

I feel that part of the answer lies in the spiraling costs of higher education and the rapid rise in the cost of living. This prohibits many veterans from seeking further education. The financial assistance that we have offered the veteran has simply not kept pace with increasing costs. The average cost of a college education in 1952 was $968. The monthly allowance available to the Korean veteran was $110. Although the average yearly cost for college tuition, books and fees is now about $1,940, the assistance offered a veteran pursuing a full-time course of study at an institution of higher education is now only $175. The correlation between the level of support and the percent of participation has been aptly demonstrated. Public Law 91–219, which provided the most recent increase in benefits, became effective as of February 1, 1970. During the following 12 months, the number of individuals participating increased by 33 percent.

The program of education assistance was never designed to pay the entire cost of the veterans' education. However, I feel that we should bring the level of benefits in line with those we offered to the veterans of the Korean conflict. Because the benefits we presently offer are insufficient, many veterans cannot afford to obtain further education. Instead, they are attempting to enter an already saturated job market. Our Nation must renew its efforts to meet its obligation to assist the Vietnam veteran in successfully readjusting to civilian life after completing his service in our Armed Forces.

I believe that the Veterans' Education and Training Assistance Act of 1972 is an enlightened piece of legislation which will do much to fulfill obligations to our veterans as well as further the interests of our nation. I urge my colleagues to approve this important measure.

Mr. BEALL. Mr. President, I support S. 2161, designed to increase the vocational rehabilitation subsistence allowance, the educational assistance allowance, and the special training allowance paid to eligible veterans.

This is an action of urgent necessity to the thousands of former servicemen who have found that the benefits of veteran educational support could not measure up to the spiraling costs of today's schooling.

As a member of the Subcommittee on Education, I have long been concerned with the ability of Americans to obtain quality education at a reasonable cost. This objective is especially pressing when it concerns those who have sacrificed so much in the service of their country. But today's Vietnam era veterans have found that the benefits of legislation formulated after World War II have not kept pace with the rising expenses of modern training and education. They have found, too late, that Federal support falls far short of the actual costs, and often either must live at a subsistence level or seek extracurricular employment, thus taking valuable time away from their studies.

This bill is a great step in the rectification of this situation.

S. 2161 attacks the problem of veterans benefits on several fronts. First, it increases the basic rates in order to achieve a cost-of-living parity with the World War II program, bringing 1972 benefits in line with 1972 costs. Under S. 2161, for instance, rates for a single man would be increased from $175 to $250 a month—a 43 percent raise.

Second, the legislation would eliminate serious difficulties some veterans face as they begin the program, by authorizing an advance payment system whereby the veteran's check would be waiting for the student at the time of entrance. This would prevent the often tragic consequences of a veteran who must wait for significant periods of time after beginning school in order to receive his first payment. This is a hardship that must be alleviated.

Third, the bill also provides for a work-study/outreach program where a veteran can earn $300 for performing needed services for the Veterans' Administration. This is a forward-looking proposal, and I urge its inclusion in this legislation.

In addition, several provisions of title IV of S. 2161 improve the technical aspects of the present program in a number of ways. These sections provide that benefits between male and female veterans are to be equal; mandates increased outreach efforts by the Veterans' Administration; increases allowances to State approving agencies; and calls for an independent study to be conducted of present and past VA educational benefits payment systems, with a report to Congress due in 9 months after enactment.

The bill also provides for direct insured education loans to veterans of up to $1,575 a year, in order to make up the remaining difference between the money available to a veteran and the cost of any training or schooling.

Finally, title VI of the bill recognizes the extraordinary difficulties the Vietnam era veteran is facing in obtaining employment by seeking to make more effective the current laws dealing with veteran unemployment assistance. It requires an affirmative action plan by Federal agencies for the hiring of Vietnam era veterans and disabled veterans; provides for preference by Federal contractors to such veterans who are otherwise qualified for the job; and eases eligibility requirements for entrance into Federal manpower training programs by Vietnam era veterans.

Mr. President, this is a much needed piece of legislation. It affirms in no uncertain terms the commitment that this Nation must have to its veterans, particularly those of the last decade. It tells these men and women that they have not been forgotten, and that we in the Government recognize their problems and are dedicated to their solution. I, therefore, urge the overwhelming passage of this measure.

Mr. WILLIAMS. Mr. President, I add my unqualified support to S. 2161, the Vietnam Era Veterans' Readjustment Act of 1972. Early last summer, I joined Senators HARTKE, CRANSTON, and THURMOND as the original sponsors of this bill. At that time, we were vitally concerned with developing legislation which would resolve or at least greatly assist the resolution of the extensive problems facing our veterans who have served during the unprecedented difficulties of the Vietnam era. I am pleased that we are considering such a bill today.

Although many of us here in the Senate have served our country during a war, we experienced a much different public sentiment when we returned from those battles. Few of us can appreciate the horror of the war in Vietnam as do so many of our young veterans.

Furthermore, the various problems which a veteran confronts today when he leaves the military service often seem insurmountable to him. For example, in June, the unemployment rate for Vietnam era veterans was 7.2 percent as opposed to 4.0 percent for all men over 20 years old, and for a veteran in the 20–40 year age group, the unemployment rate was 9.9 percent.

These unemployment statistics reflect the tightness of the job market today and the need for improved training and educational experience for people seeking work. Far too often, I hear from concerned young veterans who factually state that their "combat infantry badge" or "purple heart" has not prepared them for any acceptable jobs.

Combined with the burden of being undertrained in a scarce job market which demands increasing specialization, the veteran must contend with the lingering suspicion that he is a drug addict or has revelled in committing atrocities.

Today we are talking about men who have given at least 2 years of their lives at a time when they could have initiated a career. Too frequently during those years, they were sloshing through rice paddies or jungles trying to survive on a day-to-day basis.

Now these men have returned home, to the world, and they are overwhelmed by the cold, detached reception they receive both on a personal and institutional level. Certainly there is no comparison between the return of veterans today and that of veterans following earlier wars.

A man who spent a year in mortal fear of his life returns to a country which regards the war he fought as a stupid blunder not worth tax dollars, let alone a life, and which treats him suspiciously without much consideration for the terror and anguish he experienced during his tour in Vietnam.

I am sure that veterans are eager to reinvolve themselves in the routine of civilian life as soon as possible. Many hope to return to school to improve their credentials for finding employment. However, they are confronted with the serious problem of receiving too little government help to pay for their education—especially when they compare the benefits they are eligible for under current programs to those received by veterans of World War II.

A Harris poll conducted last summer indicated that nearly 60 percent of the young veterans believed that they could not live comfortably on the present GI bill benefits and 53 percent of the veterans who did not return to school said that they would do so if they received more adequate assistance from the Veterans' Administration.

In 1948, a veteran of World War II received $500 per year for 4 years to defray the costs of tuition, books, and other fees. In addition, a single veteran was paid $65 per month for living allowance. At that time, $1,085 per year for living and school was an adequate amount which encouraged veterans to return to school and continue or begin to pursue a better education.

Regrettably, this is not the case today. The Vietnam era veteran is entitled to a living allowance of $175 for a 9-month school year. This amount represents a $510 increase in benefits over a 24-year period during which the cost of living rose about 87 percent. In other words, to receive an amount comparable to what the World War II veteran received under the GI bill, today's veteran would need to receive about $2,030. However, this increase does not fully take into account the substantial increases in tuition and general education costs. A very pertinent example is the tuition increases taking effect at New Jersey State colleges and universities this fall.

I believe that S. 2161 as reported to the Senate confronts the deficiencies of the present GI education bill and provides adequate assistance to veterans who are seeking an education today.

The major provisions of this bill are:

First, an increase in the monthly education assistance allowance to $250 from $175;

Second, advance payment of the monthly assistance allowance at the start of the school term and on the first of each month thereafter;

Third, establishment of a work-study/outreach program in the Veterans' Administration;

Fourth, the payment of VA loans up to $1,575 per year for educational costs not provided by other Federal loan or grant programs; and

Fifth, substantial employment assistance directed at the Vietnam era veterans.

I think this bill indicates the Senate Veterans' Affairs Committee's great thoughtfulness and sensitivity to solving these problems. In addition, the extensive hearing record demonstrates the depth of commitment which the committee has given this matter.

I commend Senators HARTKE, CRANSTON, and THURMOND for their dedication and significant work on this bill. Furthermore, I think we should note that once again the committee has developed legislation which corrects serious oversights and inadequacies in veterans' programs and establishes more responsive programs which will vitally assist American veterans.

Again, I am compelled to express my pleasure in being associated with these distinguished Senators as one of the original cosponsors of S. 2161.

SENATOR RANDOLPH ACTIVELY SUPPORTS VIETNAM VETERANS' AID

Mr. RANDOLPH. Mr. President, it is a privilege to join my colleagues on the Committee on Veterans' Affairs in presenting to the Senate the Vietnam Era Veterans' Readjustment Assistance Act of 1972. Our committee has approved a comprehensive veterans education and training measure, which includes substantial and needed increases in monthly payments. We have worked diligently and thoroughly in the development of this measure. As a member of the committee it was my responsibility to participate in this vital endeavor. I honestly believe it is landmark legislation, based on the concept of achieving a rate level of educational assistance to place current aid on a parity with the World War II GI bill. I commend our able chairman, the Senator from Indiana (Mr. HARTKE) for his constructive leadership in bringing this measure through committee to the Senate floor.

This important legislation will provide expanded financial assistance and new programs to aid eligible veterans in securing education and training and vocational rehabilitation. The improvements contained in this new measure are urgently needed by our Vietnam era veterans. I am confident that it will enable a larger number of veterans, particularly those with families, to participate under the GI bill.

Our chairman has detailed the provisions of S. 2161. However, I comment very briefly on some of the major improvements and new programs contained in the legislation.

First, Mr. President, there is the deserved and urgently needed increase in the monthly educational assistance rates for veterans pursuing full-time, three-quarter time, and half-time institutional educational courses. The rates for cooperative training would also be increased. The single veteran without dependents who is pursuing a full-time institutional course would be increased from the current $175 monthly rate to $250 a month.

Additionally, there is a raise in the monthly subsistence allowance rates for veteran trainees in vocational rehabilitation training courses. The rate for a single veteran without dependents who is pursuing full-time institutional training would be increased from $135 a month to $200 a month. Comparable increases are provided for those trainees pursuing part-time training, for those pursuing institutional, on-the-farm, apprentice, or other on-the-job training full time.

The bill provides for the following payment increases—

From $10 to $200 the amount of a loan which may be made to trainees.

Rate of educational assistance allowance payable to children, widows, and wives pursuing educational programs. The rate increases apply to full-time, three-quarter time, and half-time training. The full-time rate would be increased from $175 to $250 per month.

Further, Mr. President, S. 2161 creates a new work-study/outreach program which would enable GI bill postsecondary trainees with a financial need to perform 120 hours of services needed by the VA—on campuses or at VA regional offices or medical facilities—under which a veteran would become entitled to receive, in advance, a work-study educational assistance allowance of $300. Particular emphasis under this program would be placed on outreach recruitment of other veterans to make use of GI bill entitlement.

It authorizes individual tutorial assistance for a veteran who has a "marked deficiency" in required subjects if such assistance is necessary for the veteran to successfully complete the program and entitles an eligible veteran to an additional $175 a month in loan entitlement for each month of eligibility or up to $1,575 per school year, based on the veteran's financial resources and the actual cost of attendance at the institution.

Other provisions of S. 2161 include improved job counseling, training, and placement service for veterans; a requirement for affirmative action plan for hiring of veterans by Federal Government; a requirement for employment preference under Federal contracts; and changes in eligibility requirements for veterans to allow for increased participation in certain manpower training programs.

Mr. HARTKE. Mr. President, I yield back the remainder of my time.

Mr. THURMOND. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the committee amendment in the nature of a substitute as amended.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 2161) was ordered to be engrossed for a third reading, and was read the third time.

Mr. HARTKE. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 12828, and that the Senate proceed immediately to the consideration of that bill.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

> An Act (H.R. 12828) to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and persons; to provide for advance educational assistance payments to certain veterans; to make improvements in the educational assistance programs; and for other purposes.

The PRESIDING OFFICER. Is there objection to the requests of the Senator from Indiana? Without objection the committee is discharged from further consideration of the bill and the Senate will proceed to its consideration.

Mr. HARTKE. I move that H.R. 12828 be amended by striking out all after the enacting clause and inserting in lieu thereof the text of S. 2161, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Indiana.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. HARTKE. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. BROCK). The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Georgia (Mr. GAMBRELL), and the Senator from Oklahoma (Mr. HARRIS) are necessarily absent.

I further announce that the Senator from New Mexico (Mr. MONTOYA) is absent on official business.

I further announce that, if present and voting, the Senator from Mississippi (Mr. EASTLAND), the Senator from Georgia (Mr. GAMBRELL), and the Senator from New Mexico (Mr. MONTOYA) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Illinois (Mr. PERCY) and the Senator from Tennessee (Mr. BAKER) would each vote "yea."

The result was announced—yeas 89, nays 0, as follows:

[No. 342 Leg.]

YEAS—89

Aiken
Allen
Allott
Anderson
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Brooke
Buckley
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Dominick
Ervin
Fannin
Fong
Fulbright
Gravel
Griffin
Gurney
Hansen
Hart
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—0

NOT VOTING—10

Baker
Chiles
Eagleton
Eastland
Gambrell
Goldwater
Harris
Montoya
Mundt
Percy

So the bill (H.R. 12828) was passed.

The title was amended, so as to read:

"A bill to amend title 38, United States Code, to increase the vocational rehabilitation subsistence allowance, educational assistance allowances, and the special training allowances paid to eligible veterans and persons under chapters 31, 34, and 35 of such title; to provide for advance payment of educational assistance or subsistence allowances and establish a Work-Study/Outreach Program; to improve and expand the special programs for educationally disadvantaged veterans and servicemen under chapter 34 of such title; to extend eligibility to wives and widows of certain veterans for tutorial assistance and participation in correspondence, apprenticeship and other on-job training, and high school and elementary education programs to extend eligibility to the dependents of certain veterans for tutorial assistance and participation in apprenticeship and other on-job training programs; to improve the farm cooperative training program by reducing the number of in-class hours and expanding on-farm instruction; to establish a veterans education loan program for veterans eligible for benefits under chapter 34 of such title; to promote the employment of veterans by improving and expanding the provisions governing the operation of the Veterans Employment Service and by providing an employment preference for certain Vietnam era or disabled veterans under Federal contracts and subcontracts; to consolidate certain provisions in chapters 34 and 35 of such title into chapter 36 of such title; and for other purposes."

Mr. HARTKE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. THURMOND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARTKE. Mr. President, I ask unanimous consent that S. 2161 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION—TREATY ON LIMITATION OF ANTIBALLISTIC MISSILE SYSTEMS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to executive session to consider Executive L (92d Congress, second session), the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Antiballistic Missile Systems.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I yield 10 minutes to the Senator from Massachusetts (Mr. KENNEDY).

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 10 minutes.

Mr. KENNEDY. Mr. President, I rise to speak in favor of the Senate acting to advise and consent to the Strategic Arms Limitation Treaty now before us, and the executive agreement limiting offensive weapons for a 5-year interim period.

When this matter was before the Senate Foreign Relations Committee, I testified in their behalf and I emphasized three points, as I shall today. First, the U.S. strategy of deterrence and the support that these agreements lend to that strategy. Second, the incredible overkill power that is contained within our current strategic stockpile and the effect of SALT to protect the invulnerability of that nuclear stockpile. Third, I stressed the mixed potential of these agreements either for promoting further arms control or for being used by defense ministries in Washington and Moscow to obtain every gold-plated weapons system that is not clearly prohibited by the treaty.

Today, it would appear that the third point has largely been decided. This administration has successfully forced through the Congress a $20 billion military procurement bill that contained the B-1 bomber, the Trident, the SAM-D, another nuclear aircraft carrier and a series of lesser new systems. This policy apparently indicates its acceptance of the view that the agreements should be read as a businessman reads the tax laws, as a series of loopholes in which to ram through every new weapons system that weapons planners can develop.

The restraint called for by the President when he returned from Moscow apparently remains an empty and little-heeded piece of advice by the Department of Defense. For not only has the Defense Department been permitted to push forward on systems originally justified by the absence of an arms limitation agreement, but they have specifically proposed more than $100 million additional for SALT add-on systems as well as a Washington-based ABM system.

The SALT treaty—which clearly is the landmark achievement of this administration—has been badly tarnished by the use placed on it by the administration. Instead of setting the Nation firmly on the path toward deescalating the nuclear arms race, President Nixon, by permitting the Defense Department to call the shots, has thoughtlessly placed greater nuclear destructive capacity into the hands of man.

I would urge the President to recall the words of Dr. Kissinger who expressed the underlying potential of these treaties when he stated:

> . . . The stakes were larger than the simple technical issues; . . . What was at stake was a major step toward international stability, confidence among nations, and a turn in the pattern of post-war relationships.

By giving in to the Pentagon, the President is risking this potential for a changed relationship between the two most powerful nations in the world. It is a risk not worth taking.

Instead, I would urge the President to commit this Nation to firmly pursue treaty limitations on offensive weapons systems in SALT II including a halt to the qualitative arms race.

And as a first step in that direction, I would urge the President to do what he has refused to do thus far, and that is to commit this Nation to negotiate a nuclear test ban treaty covering underground testing. A moratorium announced by the President to remain in effect so long as the Russians abstain from testing and immediate negotiations to make that ban permanent, would be a step applauded by leaders throughout the world. I have introduced and other Senators have also, resolutions urging the President to take this action.

I urge him now to show leadership in this matter by announcing a U.S. temporary suspension and his intention to offer a new negotiating initiative at Geneva to secure a permanent test ban treaty.

This would be a major step toward placing a ceiling on the qualitative arms race.

And it would be in keeping with our overall strategy of deterrence. For the basic policy that has guided this Nation in determining strategic force requirements has been deterrence, the ability of our offensive strategic forces to not only survive an effectively launched surprise attack but to do so in a manner that assures a response of such devastating power that an opponent could not rationally decide to launch a first strike.

The ABM treaty not only prohibits nationwide antiballistic missile system but outlaws as well the upgrading of air defense systems to an ABM role. In addition, the treaty prohibits the development, testing, and deployment of sea-based, air-based, space-based, or mobile land-based ABM systems.

The only exceptions are made for a National Capital site and for the protection of a single ICBM site.

I would emphasize that this treaty does not require either nation to go forward and build those sites and I would argue that there is absolutely no justification for going forward with a Washington-based ABM.

It would be an expensive and unfortunate decision to convert the option contained in the treaty into an obligation. For any scenario one could put forward, the National Capital area ABM represents no answer.

In a massive attack, its 100 interceptors could be overwhelmed without difficulty. The statement by Admiral Moorer that "a very small part" of the U.S. force could overwhelm the Moscow ABM system, holds for the National Capital system equally well. A small part of the Soviet weaponry could overwhelm the proposed Washington ABM.

The NCA also would be of almost no value in a limited attack by a third country since the rest of the Nation would be vulnerable. Also, it is a matter of extreme improbability for an accidental launch to head for Washington.

I have cited these provisions of the treaty because they represent a commitment by both the United States and the Soviet Union not to defend their territories from nuclear attack, a commitment essential to the concept of deterrence and an assurance that our existing strategic forces would retain their overkill capacity against the Soviet Union even after a first strike.

Thus, the treaty not only affirms the intention of both nations to stem the arms race but also reaffirms the strategic doctrine of mutual deterrence as a guarantee against the use of the weapons of massive destruction which we both possess.

The current strategic position of the United States seen in light of SALT and the Executive Agreement limiting offensive weapons should not be forgotten.

Our nuclear stockpile includes: 1,054 ICBM's, 656 ballistic missiles on our Polaris-Poseidon fleet, and 457 long-range bombers. That triad has the capacity today to send 5,700 nuclear warheads against Soviet targets, warheads which range from three times to several hundred times the power of the atomic device which destroyed Hiroshima.

These figures do not include the 7,000 tactical nuclear weapons based in Europe, a substantial number of which could be delivered on targets in the Soviet Union.

And what it is critically important for us to note. These numbers do not reflect estimates or forces dependent on any future development or deployment. They are developed. They are deployed. They are available today.

And so any discussion of the strategic posture of this Nation must begin with our invulnerable deterrent today and its enhancement by the ABM ban contained in the treaty now before us.

The long accepted level of destruction—25 percent of population and 50 percent of industry—could be achieved by destroying 100 of the Soviet Union's largest cities. And this could be accomplished by two on-station Polaris-Poseidon submarines.

The missiles from a single Poseidon submarine could destroy one-quarter of the Soviet Union's industry, not to mention a substantial percentage of the Soviet Union's population.

Fifty Minuteman III missiles could destroy nearly half of the Soviet industry and 10 B–52 bombers, approximately 2 percent of our strategic bomber force, could destroy nearly 40 percent of Soviet industry.

With our nuclear deterrent made more vulnerable by this treaty, with the clear result of its approval being a reaffirmation of mutual deterrence and with the potential for this treaty to be used as the first step toward more comprehensive strategic limitations, I strongly urge the Senate to advise and consent to this treaty.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. Mr. President, I yield 8 minutes to the distinguished Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 8 minutes.

Mr. McINTYRE. Mr. President, I rise to speak for ratification of the treaty limiting development of antiballistic missile systems.

I do so because I firmly believe this treaty is in the best interests of national security and world peace.

To underscore how strongly I feel about this, Mr. President, let me report that just last week I made a public appeal to the people of New Hampshire to give their united support to both of the agreements negotiated by President Nixon with the Soviet Union.

I did this for three reasons.

First, because I believe these agreements will lead to greater national security and enhance the prospects of lasting peace.

Second, because I believe the issue is far above party or personal political considerations.

Third, because strident voices in my State were impugning the President's dedication to our best interests while sowing irresponsible seeds of distrust about the arms limitation agreements themselves.

In that appeal, Mr. President, I said that the agreements must be viewed in the overall, that to weigh the ABM treaty separately from the Interim Agreement limiting offensive missiles would distort perspective and do a disservice to both.

So in appealing to the people of my State to support both, I said the compelling reasons were these:

They would slow down the arms race and move us toward a more peaceful world.

The key to curbing the arms race was the recognition by both sides of the inevitability and the necessity of mutual vulnerability, and thus the agreement to limit ABM deployment to no more than two sites with a maximum of 100 defensive missiles each.

This means that both sides finally recognize that no amount of money, no stroke of technological genius, no total application of national resources could ever assure either side of the capability to destroy the other without in turn being destroyed itself.

They are a shrewd bargain that enhances national security.

By freezing ballistic missile submarines at the present level, the Soviets will lose their submarine building momentum. And by freezing SS–9 missiles at the present level, the Soviets are locked into a low-level status with this blockbuster weapon.

And by excluding the bombers in our Strategic Air Command from the limits on strategic weapons, we retain our unique advantage in this weaponry.

Now some have objected to President Nixon's agreement to freeze the Soviet's lead in the number of missiles at 2,350 long-range missiles on land and sea for them and 1,710 for us. And some might complain that the President locked us into a Soviet 3-to-1 lead in "throw weight" or megatonnage in comparable missile capacity.

But the key to our security, as the President well knows, is our three to one lead in warheads, a staggering advantage in the practical give and take of strategic forces.

And because our technology is so advanced, we are also able to continue to retool our missiles with multiple warheads, so-called MIRV's, and we are, therefore, sure to maintain a remarkable advantage in deliverable warheads no matter what contingency might occur during the 5-year course of this agreement. The Soviets simply have not tested any comparable multiple warhead capacity.

Because these agreements do not depend on good faith but are as foolproof as our own ingenious technology can make them.

Our satellite intelligence gathering will tell us whether or not the Soviets are living up to the agreements. From what I have learned as a member of the Armed Services Committee, we can, independently and reliably, tell whether the Soviets are honoring the agreed limits on ABM's, their SS-9 supermissiles, and their nuclear missile submarines.

Finally, Mr. President, I told the people of my State that united support of these historic agreements can symbolize our capacity to join together once again in a cause of profound importance to each and every one of us—and to those who are yet unborn.

Mr. President, I have my political differences with Mr. Nixon, and everyone in my State knows it.

But I believe the President served his countrymen well in Moscow, and I believe the agreements he negotiated there deserve the united support of the American people and the united support of the U.S. Senate.

So I shall begin by voting today to ratify the ABM treaty.

Mr. FULBRIGHT. Mr. President, I yield 10 minutes to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 10 minutes.

Mr. MATHIAS. Mr. President, I want to express my support for the arms control agreements signed by the President in Moscow and for the ABM treaty and the interim agreement on offensive weapons are certainly among the greatest steps toward world peace during the past 25 years, and are concrete evidence that President Nixon's effort to build a new framework for lasting peace is succeeding.

The strategic arms limitations talks were characterized by President Nixon prior to their commencement in 1969 as "one of the most momentous negotiations ever entrusted to any American delegation." The arms control agreements are the culmination of 3½ years of delicate and complex negotiations and are the result of intensive preparation and involvement of President Nixon, his Cabinet members, and key advisers.

The talks opened in Helsinki in November 1969. The initial round was exploratory in nature and was of value in developing the necessary mutual understanding of concepts and principles, which guided the substantive negotiations.

Mr. President, I think it is of importance for the Senate that we know a little about the mechanics by which this agreement was reached because it is reassuring to the Senate to appreciate the painstaking nature of the work that went into the negotiations.

Six subsequent rounds of the negotiations ensued. The seventh round of SALT, which I had the privilege to visit, was held in Helsinki, Finland and concluded on May 26, 1972, with the signature of the historic strategic arms limitation agreements in Moscow.

I left Helsinki greatly impressed with the calibre of our delegation to SALT most ably led by Ambassador Gerard Smith, Director of the Arms Control and Disarmament Agency. I was extremely impressed with the work that was being done. Ambassador Smith, I think, deserves special credit and special notice because throughout his entire career, he has been active in arms control and disarmament affairs.

From 1961 through February 1969, he was a member of the Board of Consultants, Policy Planning Council, Department of State. As Assistant Secretary of State for Policy Planning, 1957–61, Mr. Smith was credited by President Kennedy with having made the original proposal for the Washington-Moscow "hot line"—one of the first steps taken in the field of practical arms control measures. He also played a major role in the shaping of President Eisenhower's 1958 long-term peace proposals to the United Nations for a permanent United Nations Force and regional arms control, and he originated the concept of nuclear test restraint agreed upon at the Bermuda Heads of Governments Meeting in 1957.

Other members of the delegation at Helsinki included Ambassador Philip J. Farley, Alternate U.S. Representative for the Strategic Arms Limitation Talks and Deputy Director of the U.S. Arms Control and Disarmament Agency and who, prior to his present assignment was Deputy Assistant Secretary of State for Politico-Military Affairs; Ambassador J. Graham Parsons, Deputy Chairman of the SALT delegation recently retired after a long and distinguished career as U.S. Ambassador to Laos and Sweden and Deputy Commandant of the Industrial College of the Armed Forces; Former Deputy Secretary of Defense Paul Nitze, currently chairman of the advisory council, Johns Hopkins University School of Advanced International Studies and former Secretary of the Navy; Harold Brown, president of Caltech and former Secretary of the Air Force; Lt. Gen. Royal B. Allison, currently assistant to the chairman of the Joint Chiefs of Staff for Strategic Arms Negotiations; Raymond L. Garthoff, Executive Secretary of the SALT delegation and Deputy Director of the Bureau of Politico-Military Affairs, Deparment of State. These individuals unquestionably comprise one of the finest negotiating teams this country has ever put together, and they have done an outstanding job.

The ambitious and thorough groundwork laid at SALT culminated in the Moscow summit, an international conference which will, I believe, go down in history as one of the most important turning points of our foreign policy. The series of agreements reached at the summit, plus the new understanding the negotiating fostered among officials of both nations at all levels, together represent the first real and broadbased breakthrough in the dangerous policies of confrontation and competition that have existed between the United States and the Soviet Union since the end of World War II. The concrete agreements for mutual cooperation toward controlling the proliferation of nuclear weapons contrast vividly with the quick-fading "atmospheric" results of previous summits, and could indicate that the world has taken the first step toward a new era of realistic peace in the interest of mutual national security.

One of the hallmarks of Ambassador Smith's modesty and humility with regard to this accomplishment is his constant underscoring of the fact that while this is an essential first step, it is only a first step. I think we all understand how much more needs to be done before the world can be assured of the realization of a lasting peace. Both sides still possess the nuclear capability to destroy each other and third nations several times over. Both are involved in dangerous world conflicts in Indochina, the Middle East and elsewhere.

No one can, nor should proclaim the end of war, or the coming of permanent peace as a result of SALT, rather we should view the SALT agreements as but a first step down that road. It is a bold step. Consequently, of course, the step involves some risks—of noncompliance by the other side, of unwarranted complacency by Americans, of misunderstanding by third parties of our strong and continuing commitment to world peace. These risks are real, but after careful study, I sincerely believe that the risks we take are outweighed by the benefits we obtain under the agreements.

The comprehensive agreement on antiballistic missile systems is a long term commitment in treaty form. Under this treaty, both parties make a commitment not to build a nationwide ABM defense. This is a general undertaking of the greatest significance; through it, both great nuclear powers have recognized, and in effect agreed to maintain, mutual deterrence. Article III of the ABM treaty limits each party to only two ABM sites. There is no doubt that the possibility of nuclear war has been dramatically reduced by this treaty, and through it and the associated interim agreement on strategic offensive arms, the action-reaction cycle driving the arms race has been broken.

The interim agreement freezes at approximately current levels the aggregate number of intercontinental ballistic missile launchers and submarine-launched ballistic missile launchers operational and under construction on each side for 5 years. It has been adopted in contemplation of the negotiation of more complete controls on strategic offensive armaments in a second phase of the negotiations expected to begin soon. We all hope that this agreement will be replaced will before expiration by a comprehensive treaty limiting strategic offensive weapons.

It is also hoped that the United States can make real progress not only in curbing quantitative proliferation of nuclear weapons, but in limiting their qualitative development as well. Senator HART and I, along with 15 of our distinguished colleagues, have introduced a resolution to assure Senate support of Presidential initiatives toward reopening the question of a comprehensive nuclear test ban treaty.

An agreement banning nuclear tests has long been a goal of U.S. arms control policy, and a comprehensive test ban has been an item on the agenda at the Geneva Conference of the Committee on Disarmament since 1963 when the Senate ratified the limited test ban treaty. Such an agreement would certainly be a fitting follow-on to the arms control pacts we are considering here today.

The Moscow summit also produced some other very significant agreements, both in themselves, and in their total addition of a wide dimension of tangible results from this historic meeting. All together the series of agreements—covering mutual future efforts in space, trade, the environment, health, medicine, science, and technology—add up to a greater, deeper commitment by each side to a more stable world order. With these valuable pacts, the Soviet Union, as well as the United States, has a more vested interest in the continuation of peaceful relations. They assure that both sides will be forced to take a second look at any provocation that might lead to a breakoff of the new relationships.

In 1969, President Nixon ordered a comprehensive review of the posture of nuclear weapons strategy and strength throughout the world. His goal was to bring a halt to the arms race. The careful and thorough step-by-step planning of the President resulted in the first giant step toward that goal. His efforts indeed have moved us away from nuclear catastrophe, and one step closer to world peace.

In the years to come, the world is going to look back on developments in the year 1972 as a historic starting point—the time when the world turned from the mutual burdens and dangers of the arms race and turned to the bountiful rewards which flow from dynamic nations working together on the projects of peace.

Mr. AIKEN. Mr. President, I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I know the Senate is very familiar with the details of the treaty on the limitation of antiballistic missile systems. All of us have become acquainted with anti-ballistic-missile systems through the debates of the past several years. We have been educated by great scientists and have done our own study.

I believe that the treaty and the agreement limiting offensive nuclear systems represent one of the most important and significant accomplishments in history for the security of our Nation and the world. The greatest commendation should be given to President Nixon for his steady and constant purpose in reaching agreement with the Soviet Union. It is a work for the United States and the people of the world.

I think also that we should remember always the faithful and difficult work of Ambassador Gerard Smith, General Allison of the U.S. Air Force, the Honorable Paul Nitze, Dr. Harold Brown, and Ambassador Graham Parsons, who were the negotiating team of the United States.

I had the opportunity to be in Vienna on two occasions and in Helsinki while the negotiations with the Soviet Union were in progress. My visits and talks with Ambassador Smith and his colleagues enabled me to know something of the difficult problems which had to be resolved if agreement was to be reached. Steadily throughout 3 years, they settled many difficult technical points and points of greatest substance which led to the treaty and agreement.

Now we have come to a vote on the treaty.

I have studied but I have not been concerned with the arguments that have been made against this treaty and the agreement on offensive nuclear weapons. I am confident that our security is protected. I believe that we are voting for a treaty as a step which can lead on to further controls, limitations, and reductions of nuclear weapons and systems. It is a measure which offers hope for the people of our country, the Soviet Union, and the people of the world, that we will not bring upon ourselves a nuclear disaster—a disaster which would blot out millions of lives, and civilization as we now know it.

Mr. AIKEN. Mr. President, I yield 10 minutes to the Senator from Alabama (Mr. ALLEN).

Mr. ALLEN. I thank the Senator from Vermont for yielding time to me for discussing this important issue.

Mr. President, I compliment President Nixon on his initiatives in pursuit of world peace and his efforts to effect agreements with the Soviet Union to limit the nuclear arms race. I am sympathetic with all efforts to end the scourge of warfare and killing people as a means of settling disputes between nations. I hopefully look forward to the day when all of mankind may face the future with complete confidence that all nations have forever renounced war as an instrument to effect international policies.

The search for world peace is ongoing, and the search must not cease. Yet, history records a dreary catalog of hopes and expectations expressed in treaties and international agreements which have been dashed upon the hard rocks of reality. We need review no more than the past half century to see the terrible consequences of idealistic efforts to achieve world peace which have ended in dismal and tragic failures reflected in four major wars.

I mention this background merely to indicate that sincere convictions and motives and the best imaginable plans for world peace as may be conceived by the best minds of our Nation are not guarantees of world peace. The best minds and most competent negotiators are susceptible to errors of human judgment—all human judgments are fallible. My point is that there is ample justification for doubts and there is reason to question the wisdom of the proposed treaty and interim agreement.

Mr. President, I do not want to belabor this point, but it is worth considering that over the past several years, competent leaders of our Nation have advocated a policy of nuclear superiority as an essential element of our security and that of Western Europe and the free world. National policies based on nuclear superiority have undergone a rapid change to policies, first, consistent with nuclear parity, next, nuclear sufficiency, and now nuclear inferiority. Surely, somewhere along the line some judgments have been in error. By and large, Congress has acquiesced in each shift in policy. So, while I am reasonably sure that a vast majority of Senators will vote for ratification of the treaty and for approval of the interim agreement this fact alone is not proof of infallibility of the judgment; and the junior Senator from Alabama may well be a minority of one in his judgment on this matter.

Mr. President, the proposed treaty and agreement are without parallel in history. I approach a decision on the merits with a profound sense of awareness that the judgment of the Senate on these issues may rank among the most important the Senate has ever undertaken. I do not want to overdramatize, but I am sincerely convinced that the decision reached here today, and the ensuing votes in the days ahead, will represent a turning point in history with consequences affecting future generations time on end, and I would be less than true to myself if I did not voice my convictions concerning the ultimate wisdom of ratification of the treaty and approval of the interim agreement.

Mr. President, I shall vote against ratification of the proposed treaty and against approval of the interim agreement. The reasons for my decision are simple and straightforward.

With respect to the treaty, I cannot review the past record of Russia's indifference to treaty obligations with any degree of confidence. A study by the Senate Internal Security Subcommittee of the Judiciary Committee, covering almost 1,000 treaties and agreements which the Russians have entered into with the United States and other countries in the past 50 years, shows that the Communist record is filled with deceit, treachery, and broken promises. A more recent tabulation of Russia's agreements with the United States reveals a failure to adhere to 24 of the past 52 agreements. There is no convincing evidence to indicate that the Soviet Union will adhere to this proposed treaty beyond the time such treaty promotes the interest and security of the Soviet Union.

The treaty to limit future development and deployment of defensive systems against nuclear attack which is provided, of course, by the treaty, is premised on several propositions. The first is that each side has a sufficiency of offensive nuclear weapons to provide maximum assured destruction and thus a realistic deterrent against attack; further, that an adequate defense against a nuclear attack is neither possible nor desirable because an effective defense against nuclear attack would jeopardize the deterrent of the other side.

Mr. President, I question the premise and inferences and the assumptions drawn from it. First, to contend that a freeze on defensive weapons against nuclear attack is a necessary condition to ultimate nuclear disarmament contradicts the assumption that it is impossible to develop an adequate defense against nuclear attack.

Furthermore, a freeze on development and deployment of defensive weapons against nuclear attack serves to voluntarily submit civilian populations as hostages under the threat of nuclear annihilation as the essential element of deterrence. There is reason to believe that the United States has the scientific and technological capability of providing adequate defense against nuclear attack, and I consider it immoral and an invitation to nuclear blackmail not to develop defenses against nuclear attack.

Furthermore, I question the assumption that the United States has a sufficiency of nuclear arms to assure maximum destruction of the Soviet Union under all circumstances. If it is true that the United States possesses the sophisticated devices to detect nuclear deployment by the Soviet Union, it would seem reasonable to assume that both the United States and the Soviet Union have the technological capability of detecting the location of the submarine components of our deterrent forces. Our land-based deterrent sites are well-known—all one has to do is read the magazines and newspapers as to where they are—and the superior megatonnage of the Soviets warheads is such as to reasonably anticipate neutralization of most of our land-based deterrent weapons. It is inconceivable that existing modern land-to-air defensive missiles could not seriously impair our airborne deterrent.

In short, the treaty, freezing continued development and deployment of defensive systems against nuclear attacks, seems to me to vest in the Soviet Union the potential for a preemptive first strike. My judgment in this regard is reinforced by consideration of the vast land area of the Soviet Union which lends itself to population and industrial dispersal. There is room to question whether or not the United States does in fact possess the nuclear capacity to inflict the same degree of destruction on the Soviet Union as might be inflicted upon us, should it be determined that a preemptive strike against the United States offers a reasonable chance of success.

But, it will be said, a treaty limiting nuclear defense capabilities is the essential to an agreement to limit offensive nuclear weapons. Mr. President, I suggest that this contention puts the cart before the horse. Logic would seem to dictate that we should first negotiate a treaty designed to limite offensive weapons before undertaking a treaty to limit defensive weapons. For example, in banning the use of poison gas in warfare, we did not first ban research and development, and manufacture of gas masks and antidotes. In banning bacteriological warfare, we did not first preclude research and development into possible defenses against its use. Were we to consider naval disarmament, we would not first agree to strip our ships of defensive weapons. Were we to consider disarmament of our air forces, we would not first ban the use of antiaircraft weapons and radar detection devices.

In considering the possible approaches to nuclear disarmament, I cannot understand why, if the Soviet Union and the United States have a nuclear capability for offensive overkill, they would not first willingly undertake to limit further development and deployment of offensive weapons. Only then would it seem logical to seek agreement to limit defensive weapons and then only to the point that assured protection of civilian populations. For these reasons, I cannot vote to ratify the treaty limiting our nuclear defensive potential as is sought by the treaty under consideration.

The PRESIDING OFFICER (Mr. BURDICK). The Senator's time has expired.

Mr. ALLEN. I ask for 2 additional minutes.

Mr. AIKEN. I yield the Senator 2 more minutes.

Mr. ALLEN. Mr. President, turning now to the interim agreement, I shall vote against it. As previously stated, there is no convincing evidence to cause me to believe that the Soviet Union will adhere to the agreement beyond the point where breaking the agreement would serve the strategic advantage of the Soviet Union. Second, I cannot accept the proposition that the strategic interest of the United States is served by voluntarily agreeing to freeze the United States for any period of time into a position of nuclear inferiority in relation to the Soviet Union.

I will leave for others the technical arguments with respect to the relative effectiveness of the separate weapons systems and the fine-spun arguments with respect to quantitative and qualitative superiority which supposedly balance out one advantage against another. I rely only on a conclusion freely expressed in the Soviet Union and largely conceded in the United States, that our Nation has accepted a status of nuclear inferiority to the Soviet Union during the period of the interim agreement. Such a status of inferiority is inconsistent with the first purpose of our Government, which is to provide for the defense of our Nation.

Mr. President, I cannot in good conscience vote for any treaty or vote approval of any agreement which I believe to be contrary to the best interest of the United States. It is my solemn judgment that the proposed treaty and the interim agreement will not serve the best interest of the United States nor the best interests of the nations of the free world who have so heavily relied upon our nuclear umbrella as an element of security of those nations.

Mr. President, in voting against the treaty and agreement, I do not reject the efforts of the President to reach agreements with the Soviet Union to promote cooperation in solving environmental problems and cooperation in the areas of health, science and technology, education and culture, and space exploration and related matters outlined in the Nixon-Brezhnev declaration which accompanied the proposed treaty and agreements.

Mr. President, I have given unfailing support to all efforts to promote the strength and to preserve the honor of our country in our dealings with foreign nations, but I cannot support efforts which I believe will result in the weakening of our country in comparison with the Soviet Union.

Mr. FULBRIGHT. Mr. President, I yield 10 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, in the midst of what we all know to be a political campaign year, it is often difficult to make a statement which may not be interpreted by some people as being highly partisan. At the risk of being misinterpreted, it is my purpose today to challenge the skeptics of the ABM treaty, the treaty limiting the antiballistic missile system, and the agreement known as the interim agreement on offensive weapons. It is my purpose today to challenge the skeptics by giving what I intend to be not only a bipartisan speech, but a speech which I hope is worthy of the U.S. Senate in the exercise of its responsibilities as a partner with the President of the United States in the ratification of treaties and agreements. Therefore, I rise in support of the arms control agreements, concluded between the United States and the Soviet Union on May 27 of this year.

If I had been asked what I would like for my birthday present—since my birthday is on May 27—nothing would have pleased me more than to be assured that the United States of America and the Union of Soviet Socialist Republics could come to some basic agreement relating to the arms race, either to stabilize it or to reduce it.

Therefore, I commend the President and the leaders of the Soviet Union for entering into these agreements, recognizing full well their limitations, but also recognizing their potential contribution in slowing down the arms race. As in most instances, their true worth will depend upon interpretation and strict application by the signatory powers.

Mr. President, arms control or disarmament is a long, tedious, and difficult process. I think it should be recognized that nations and leaders of nations do not enter into these negotiations without the most careful and prudent consideration. I believe we have to understand that the leaders of the Soviet Union would not sign any agreement that they thought would in any way affect adversely the defense of their country and its people. I would hope that we would also believe that the leaders of our country, the President and his advisers, those who were a part of the negotiating team for the so-called SALT talks, would not enter into an agreement nor sign any treaty which they believed would adversely affect the security and the safety of this Republic and the people of these United States.

Therefore, I wish to state again that the achievement of an arms control agreement represents the epitome of statesmanship, and really represents a tremendous accomplishment on the part of our Government and its leaders.

I have long been interested in the subject of arms control. It has been a part of my life's work, and I have studied it, not as a starry-eyed idealist, but as a pragmatic realist.

I believe I understand the meaning of power and its application. I have never deceived myself, nor have I tried to deceive anyone else, about the power of the Soviet Union and the willingness of its leaders to use that power; nor am I today going to say anything that will indicate that I am unaware of the record of the Soviet Union with respect to its foreign and military policies. Having said that, however, I would also suggest that the leaders of the Soviet Union recognize the power of the United States—and that power is immense and awesome.

I participated in the preparatory stages of what we now call the SALT talks. The early stages started in the mid-1960's. In fact, on the occasion of the Soviet invasion of Czechoslovakia, in August 1968, this Government was then about ready to enter into discussions with the Soviet Union on arms control.

The former President, Mr. Johnson, the former Secretary of State, Mr. Rusk, and others had laid the groundwork for those discussions. As the Vice President of the United States, I served as a member of the Committee of Principles, as it was termed, to discuss the early stages and early preparations for these arms control talks.

So I am familiar with the background of this important work, and I know that Ambassador Smith, who was the head of our negotiating team in the SALT talks, has performed a most valuable and worthy service for our country. I would like to have my remarks interpreted as commendation to Ambassador Smith and those who worked with him.

From President Nixon's own statements, those of several Government spokesmen, and from the articles which have been appearing in the Soviet press, I am encouraged that the ABM treaty and the interim agreement will go a long way in securing the principle of arms control and reductions as an essential stabilizing factor in international relations and the rejection of the heretofore accepted rule that the continual building of national armaments is the only way to enhance national security.

I would remind Senators that everything is relative, that as we lift the level of our armaments, so does the Soviet Union, and vice versa. What we ultimately do is not increase the area of safety but raise the level of danger. What is more important is the balance. What is more important is the degree of equality or parity which you can have so that you can be assured of your own security.

Dr. Kissinger made this point very effectively when he said in his briefing to Members of Congress:

> Each of us (The United States and the Soviet Union) has thus come into possession of power singlehandedly capable of exterminating the human race. Paradoxically, this very fact, and the global interests of both sides, create a certain commonality of outlook, a sort of interdependence for survival between the two of us.
>
> With modern weapons, a potentially decisive advantage required a change of such magnitude that the mere effort to obtain it can produce disaster. The simple tit-for-tat reaction to each other's programs of a decade ago is in danger of being overtaken by a more or less simultaneous and continuous process of technological advance, which opens more and more temptations for seeking decisive advantage.

History is full of paradoxes, some more constructive than others. I can remember very well past crucial debates on landmark treaties and legislation in the field of arms control when it was difficult to convince Senators of the futility of the arms race and of the urgency for our Government to take an initiative with the Soviet Union, as well as other nuclear and nonnuclear countries. I can vividly recall the reluctance of the Soviet Union to enter into any substantive arms control agreements which might have locked it into a position of inferiority vis-a-vis the United States. And I have most vivid memories of the history of the arms race in general where actions on one side provoked reactions on the other, leading to an endless nuclear arms spiral.

The latest Moscow agreements give me cause for hope that this syndrome is on its way out, but I am not naive enough to assume that a positive trend has yet been fully established or that the gears will not be shifted back. These treaties stabilize the arms race, more than they actually reduce it. This fact has been noted over and over again by the President, Dr. Kissinger, and many others. It is incorporated in the preamble of the ABM treaty where it is stated that it is the declared intention of both the United States and the Soviet Union "to achieve at the earliest possible date the cessation of the nuclear arms race and to take effective measures toward reductions in strategic arms, nuclear disarmament, and general and complete disarmament.

We have not yet achieved this kind of cessation, but the Senate's ratification of the treaty and the approval by both Houses of Congress of the interim agreement would now provide a stabilization of our mutual deterrent capability. It could enhance the possibilities of moving beyond the concept of armaments development as an expression of national defense or security. It could be conducive to reaching agreements, both in SALT II, and in other diplomatic forums which would actually halt the arms race once and for all and move on to real disarmament.

Because I see great potential for these agreements, I urge that the Congress act promptly to approve them.

Admittedly, the ABM treaty and the interim agreement do not resolve all the questions. In fact the interim agreement's ambiguities will only attain clarification in its implementation and in its final translation into a more complete longer term agreement. The fact remains, however, that both the agreement and the treaty are steps in the right direction and should be considered as such.

The ABM treaty is by far the most important in that it accepts the principle of the renunciation of first strike as a purposeful, rational strategy and solidifies the mutual deterrent capabilities which now exist for the United States and the Soviet Union.

Implicitly, it offers both countries an even better opportunity to negotiate offensive armaments limitations as the need for offensive weapons is reduced over time. That is why I consider the interim agreement an acceptable complement to the ABM treaty, if the emphasis is laid where it belongs—on future arms control.

Dr. Kissinger and the President have told us that one reason for the successful conclusion of these latest agreements was the rough military balance which has been attained between the United States and the Soviet Union. Admiral Moorer and Secretary Laird have noted our technological superiority in weaponry and the quantitative superiority in launchers and throw weight which the Soviet Union has now achieved. Experts outside government have discussed this question at great length and while they may differ on the specifics, the overall picture of a rough balance between the United States and the Soviet Union is generally accepted. An example comparative analysis of the strategic positions of the United States and the Soviet Union is offered in the latest issue of the Defense Monitor, a publication of the recently formed Center for Defense Information. Mr. President, I ask unanimous consent that all the tables of the July 1972 issue be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE I.—UNITED STATES, 1972—ESTIMATED STRATEGIC FORCE LEVELS OF THE UNITED STATES AT THE TIME OF THE SALT AGREEMENT, MAY 1972

Type and launch vehicle	Number	Missiles/bombs per launch vehicle	Missile bomb total	War-heads per missile bomb	Deliver-able war-head total
ICBM:					
Light:					
Minuteman I	[1] 320	1	320	1.0	320
Minuteman II	[1] 500	1	500	1.0	500
Minuteman III	[1] 180	1	180	[2] 2.5	450
Older, Heavy: Titan II	[1] 54	1	54	1.0	54
Modern, Heavy: None	0		0		0
Subtotal	[1] 1,054		[1] 1,054		1,324
SLBM:					
Polaris (A-3)	[1] 21	16	336	[3] 1.0	336
Poseidon	[1] 10	16	160	10.0	1,600
Polaris under conversion to Poseidon	[1] 10	16	160	10.0	
Subtotal	[1] 41		[1] 656		[4] 1,936
Strategic Bombers:					
B-52	[5] 400	[6] 6	2,400	1.0	2,400
FB-111	[7] 66	2	132	1.0	132
Subtotal	466		2,532		2,532
Total	1,561		4,242		[8] 5,792

[1] DOD figures.

[2] A total of 3 warheads per missile is possible. A multiple of 2.5 is used as an average to take into account substitution of penetration aids for some warheads.

[3] Though the Polaris A-3 has 3 warheads, they are not separately targetable.

[4] Not including those under conversion.

[5] 400 is the unit equipped (UE) figure. It does not include planes in training and testing programs. It does include about 150 planes now assigned to conventional bombing missions in Southeast Asia.

[6] This figure includes 2 Hound-Dog air-to-surface missiles (ASM's) and 4 nuclear gravity bombs.

[7] 66 is the UE figure. The total number of FB-111's is 72. The additional units are in training and testing programs.

[8] DOD lists 5,700 as the U.S. warhead total.

TABLE II.—U.S.S.R., 1972—ESTIMATED STRATEGIC FORCE LEVELS OF THE SOVIET UNION AT THE TIME OF THE SALT AGREEMENT, MAY 1972

Type and launch vehicle	Number	Missiles/bombs per launch vehicle	Missile and deliverable warhead total
ICBM:			
Light:			
SS-13	60	1	60
SS-11	970	1	970
New ICBM's (silos under construction)	66	(1)	(1)
Older-heavy: SS-7 and 8	[2] 210	1	210
Modern-heavy:			
SS-9	288	1	288
New ICBM's (silos under construction)	25	(1)	(1)
Subtotal	[2] 1,618		1,528
SLBM:			
Y class	[3] 25	16	400
Y's and Stretch Y class (under construction)	[3] 17	[4] 14	238
H class	[2] 10	3	30
Subtotal	[5] 52		[5] 668
Bombers:			
TU-95 Bear (Kangaroo ASM)	[6] 66	1	66
TU-95 Bear (bombs)	[6] 34	[7] 4	136
M-4 Bison	[8] 40	[7] 2	80
Subtotal	140		282
Total	1,810		[9] 2,478

[1] Unknown.

[2] Kissinger press conference in Moscow, May 26 and 27, 1972.

[3] Laird's fiscal year 1973 posture statement.

[4] Average. The new Stretch Y class has 12 missile launchers versus 16 for the Y class and may carry a longer-range (3,400 nautical miles) SS-N-8 SLBM. Since it is not known how many of each type submarine is under construction an average of 14 missiles per submarine is used in this chart. See Kissinger's Moscow press conference, May 26 and 27, 1972. Missiles on Y class submarines have 1,300 to 1,500 mile range.

[5] These figures do not include the 22 Soviet G-class diesel-powered submarines, each with 3 650-mile missiles. The SALT agreements only mention modern submarines. These 650-mile missiles are the same as those carried by the nuclear-powered H class, but were considered similar in nature to U.S. forward deployed forces in Europe and the Mediterranean Sea. The G class submarines were excluded from SALT negotions. See Kissinger's Moscow press conference, May 26 and 27, 1972.

[6] This number is based on estimates that about ⅘ of the 100 TU-95 Bears carry a single Kangaroo air-to-surface missile (ASM). The remaining ⅕ carry gravity bombs.

[7] This is an estimated bomb load and is based on the Bear and Bison lift capacity as related to the U.S. B-52.

[8] About 90 M-4 Bisons exist of which 50 serve as tankers.

[9] DOD figures give 2,500 as the Soviet warhead total.

TABLE III.—UNITED STATES, 1977—ESTIMATED COMPOSITION OF U.S. STRATEGIC FORCES BY THE EXPIRATION OF THE SALT AGREEMENT IN 1977. TABLE SHOWS ONLY THOSE PROGRAMS APPROVED BY CONGRESS AND DOES NOT INCLUDE THE TRIDENT SUBMARINE OR THE B-1 BOMBER PROGRAMS

Type and launch vehicle	Number	Missiles/bombs per launch vehicle	Missile/bomb total	War-heads per missile/bomb	Deliver-able war-head total
ICBM:					
Minuteman II	[1] 450	1	450	1.0	450
Minuteman III	550	1	550	[2] 2.5	1,375
Titan II	[1] 54	1	54	1.0	54
Subtotal	1,054		1,054		1,879
SLBM:					
Polaris (A-3)	[3] 10	16	160	[4] 1.0	160
Poseidon	[3] 31	16	496	10.0	4,960
Subtotal	41		656		5,120
Bombers:					
B-52G and H (Hound-Dog missiles and bombs)	[5] 163	6	978	1.0	978
B-52G and H (SRAM)	[6] 92	20	1,840	1.0	1,840
FB-111	66	6	396	1.0	396
Subtotal	321		3,214		3,214
Total	1,416		4,924		[7] 10,213

[1] DOD figures from Laird's Annual Defense Department Report for fiscal year 1973, pp. 67-72.

[2] A total of 3 warheads per missile is possible. A multiple of 2.5 is used as an average to take nto account substitution of penetration aids for some warheads.

[3] DOD figures from Admiral Moorer's U.S. Military Posture for fiscal year 1973, p. 10.

[4] Though the Polaris A-3 has 3 warheads, they are not separately targetable.

[5] This figure represents those B-52 G's and H's not currently scheduled for conversion to carry the short range attack missile (SRAM). See Laird, op. cit., p. 71.

[6] Laird, op. cit., p. 71.

[7] A figure of 14,082 was used by the Center for Defense Information in an earlier issue of the Defense Monitor entitled "ULMS: Too Much Too Soon." The present figure of 10,213 is a revised Center estimate adjusting for decoys and assuming only 92 bombers equipped with SRAM instead of 255.

TABLE IV.—U.S.S.R., 1977—ESTIMATED COMPOSITION OF SOVIET STRATEGIC FORCES BY THE EXPIRATION OF THE SALT AGREEMENT IN 1977. TABLE ASSUMES ONLY A LIMITED MIRV CAPABILITY BY THAT TIME

Type and launch vehicle	Number	Missiles/bombs per launch vehicle	Missile/bomb total	War-heads per missile/bomb	Deliver-able war-head total
ICBM:					
SS-13	60	1	60	1	60
SS-11	970	1	970	1	970
New ICBM's	66	1	66	1	66
SS-9 and larger	[1] 313	1	313	[2] 3	939
Mobile ICBM's [3]	(4)		(4)		(4)
Subtotal	[5] 1,408		1,408		2,035
SLBM:					
Y-class	[6] 34	16	544	1	544
Stretch Y-class	[7] 28	2	336	[8] 3	1,008
Subtotal	62		[9] 880		1,552
Bombers:					
TU-95 Bear (Kangaroo ASM)	66	1	66	1	66
TU-95 Bear (bombs)	34	4	136	1	136
M-4 Bison	40	2	80	1	80
Backfire [10] (under development)	(4)		(4)		(4)
Subtotal	140		282		282
Total	1,610		2,570		[11] 3,869

[1] This figure includes the current 25 Modern-Heavy ICBM silos under construction.

[2] This assumes at least a 3-warhead (MRV/MIRV) capability deployed in all SS9 and larger missiles.

[3] Mobile ICBM's are not covered by the present SALT agreements.

[4] Unknown.

[5] This assumes that the Older-Heavy SS-7's and 8's will be replaced by additional SLBM's as provided for by the SALT agreements.

[6] This figure is obtained by assuming half (or 9) of the 17 missile submarines presently under construction are Y-class, and this is added to the 25 presently operational.

[7] This figure is obtained by assuming that all the remaining allowed submarines, including the replacement of the 10 H-class submarines, will be of the newer stretch Y-class presently under construction.

[8] It is not known if the new SS-N-8 SLBM has a multiple warhead capability. It is assumed here that it is a logical possibility that they will develop a MRV/MIRV capability on this weapon.

[9] This SLBM total could be increased by 66 more missiles if the Soviets convert those older missiles on the 22 diesel-powered G-class submarines to the newer and longer range SS-N-6 or SS-N-8 SLBM.

[10] This new bomber is under development but it is not known whether it is designed for use against the U.S. homeland or for use in Europe and Asia.

[11] Accurate longer-range projections of Soviet warhead development are very difficult to achieve. Assuming 20 warheads on each of Russia's 313 heavy ICBM's, 10 warheads on each missile of the new stretch Y-class for the SS-N-8 SLBM, and 3 warheads each for the other ICBM's and SLBM's, one could project a Soviet warhead total of over 14,000 at some date beyond 1977.

TABLE V.—UNITED STATES, 1980'S—THIS TABLE SHOWS A POSSIBLE HIGHER U.S. FORCE LEVEL IN THE 1980'S ASSUMING TRIDENT, THE B-1 AND CONVERSION OF ALL MINUTEMEN TO MIRV INSTEAD OF 550 NOW PLANNED

Type and launch vehicle	Number	Missiles/bombs per launch vehicle	Missile/bomb total	Warheads per missile/bomb	Deliverable warhead total
ICBM: Minuteman III	1,000	1	1,000	[1] 2.5	2,500
Subtotal	[2] 1,000		1,000		2,500
SLBM:					
Poseidon	[3] 29	16	464	10.0	4,640
Trident	10	24	240	12.0	2,880
New strategic cruise missile [4]	([5])		([5])		([5])
Subtotal	39		[6] 704		7,520
Bombers:					
FB-111 (SRAM)	66	6	396	1.0	396
B-1 (SRAM)	241	24	5,784	1.0	5,784
Subtotal	307		6,180		6,180
Total	1,346		7,884		16,200

[1] A total of 3 warheads per missile is possible. A multiple of 2.5 is used as an average to take into account substitution of penetration aids for some warheads.

[2] This figure assumes the replacement of 54 Titan II ICBM's by additional SLBM's, and converting the Minuteman II's to III's.

[3] Under the SALT accords, the United States is allowed 44 submarines. But it is also limited to 710 SLBM launch tubes. In order to build the number of Tridents shown, with 24 missiles each, the United States would have to deactivate 10 Polaris submarines, cancel conversion of 2 more Polaris submarines to Poseidon and deactivate them also. The SLBM total would then be 704 as shown.

[4] The number of new strategic cruise missiles planned and new submarines required to launch them is unknown.

[5] Unknown.

[6] A total of 710 is allowed by the SALT agreements.

Mr. HUMPHREY. If the projections in the Monitor are correct, the United States is still decidedly in an advantageous position. If Admiral Moorer's testimony is more accurate, there is a virtual identical balance in our two arsenals, projected over the 5-year period during which these agreements are intended to remain in force. Whichever evaluation one accepts, they both substantiate the proposition that the United States has a sufficient nuclear arsenal to meet the demands of nuclear warfare and diplomacy. Certainly we should strive to retain this position of sufficiency which is in fact what we are told the agreements are designed to do. But we must also be coldly realistic about Soviet capabilities and behavior. Now that we are in a position of approximate military equality, we must assume that the Soviet Union would find any attempt of the United States to regain its former position of nuclear superiority as completely unacceptable. Not only would the Russians find such an attempt unacceptable, but, based on their reactions in the past and their present capabilities, they would strive to catch up and, perhaps, even surpass the United States. Hence, the arms race.

Finally, in approving these agreements, both the Governments of the United States and the Soviet Union should be reminded that the Congress views these agreements as a serious effort to create the proper climate for halting the arms race. It would, therefore, consider it incumbent upon the two countries to exercise comparable self-restraint in other areas of weapons development which are indirectly related to the agreements. In its approval, the Congress implicitly would also be expressing its support for the continuation of SALT talks to cover such questions as qualitative controls and further armaments reductions and its support for other arms control and disarmament agreements.

The commitment for further armaments limitations and reductions is written in both agreements. It should be written indelibly in all our minds and actions. Then the interim agreement on strategic offensive weapons will not be interpreted by either side as a carte blanche for a new kind of arms race. Instead, it will be an obligation to be solidified and expanded in treaty form.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Unanimous consent is required.

Mr. FULBRIGHT. I ask unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, I wish to speak on behalf of Senate ratification of the Strategic Arms Limitation Treaty—or SALT, as it is more commonly known.

This agreement is a great breakthrough in the relations between the United States and the Soviet Union. We have been waiting since World War II for the tension to ease sufficiently for us to enter into negotiations with the Soviets. The SALT agreement, therefore, represents tangible evidence that both sides have moved into an era of negotiation and both sides now have an important investment in cooperation.

Although the SALT agreement is a significant step forward, it is only a small beginning. We should not delude ourselves into believing this agreement serves as a panacea to the numerous hurdles which remain to be overcome in the relations between the United States and the U.S.S.R.—the world's two superpowers. Far more important will be phase II of the SALT negotiations and that is ahead of us. Phase II will require even harder bargaining on the part of both sides than the phase I negotiations.

With this in mind, let us not forget that the history of our relations with the Soviet Union is replete with instances of respect for strength in bargaining and an unwillingness to negotiate when signs of weakness become apparent.

Therefore, while it is important that we ratify the SALT agreement, we must couple this step with an awareness that we got where we are today because we maintained a balance of capabilities with the Russians. The SALT agreement has put a limitation on the nuclear capabilities of the United States and the U.S.S.R. Basically, we are acknowledging a balance of terror in a world which remains bipolar in structure. The SALT agreement means that the key factor of this bipolar structure of the traditional balance of power—nuclear capability—has been frozen. Yet, the bipolar structure remains.

Therefore, if we are to even consider taking steps toward disarmament or deescalation of capabilities, we must insure that we preserve our position of strength. It would be foolish of us to be carried away in euphoria by this agreement. We cannot permit an erosion of our bargaining position with the Soviets. The incentive to negotiate on the part of the Soviets would rapidly deteriorate if they approached bargaining with all the chips on their side of the table. Such an imbalance of strength could only result in preventing future negotiations to be carried on.

Mr. President, what I am saying is that we should not allow ourselves the delusion of overexpectation with the ratification of this agreement. We must be realistic regarding its limitations. This is a significant first step in a long chain of steps to come in the future which is within the realm of possibility only if we preserve our position of strength.

Mr. MUSKIE. Mr. President, I will vote for the treaty on the limitation of antiballistic missile systems. This treaty which limits both ourselves and the Soviet Union to two ABM sites each with no more than 100 interceptors, is potentially the most important arms control measure in recent years. The significance of this treaty is that both sides have recognized that they will remain vulnerable to retaliation in a nuclear exchange, and this, in turn, greatly diminishes the prospect that either side might ever seriously consider launching nuclear war. The limit on ABM's provides the foundation for nuclear stability.

I said on the day the SALT agreements were signed that these first steps symbolize our ability to construct a world which will be safe for ourselves and future generations. But if the SALT agreements are to be more than symbolic, they must produce greater stability in the arms race and they must provide immediate benefits to the American taxpayer in reduced defense expenditures. In President

Nixon's own words, they must check "the wasteful and dangerous spiral of nuclear arms."

I had hoped that the ABM treaty would mean that both sides would suspend development of various offensive strategic systems. Many of these systems, such as MIRV, were originally designed to penetrate a large ABM defense. Now that ABM has been limited to low levels, the rationale for pushing ahead with new strategic initiatives has largely disappeared.

The SALT agreements are a sound beginning. But to make them work in the long run, both sides must implement them in a spirit of achieving mutual benefit through mutual restraint.

It is ironic and bitterly disappointing that the Senate should now take up the SALT agreements in the wake of a military procurement bill that continues the momentum of our offensive strategic weapons buildup. Too often in the past, arms control agreements have simply accelerated the arms race in areas not covered by the formal agreement. It appears that we may be following the same pattern today.

Nevertheless, I am supporting the ABM treaty in the hope that its potential benefits will eventually be realized. I will continue to oppose any efforts to accelerate strategic weapons programs that are not necessary for our security. It is the American taxpayer who must bear the burden of irresponsible defense spending.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. I yield back the remainder of my time.

Mr. AIKEN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the ratification of the treaty between the United States of America and the Union of Soviet Socialist Republics on the limitation of anti-ballistic-missile systems? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the distinguished Senators from Mississippi (Mr. EASTLAND) and New Mexico (Mr. MONTOYA). If they were present and voting, they would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), and the Senator from Georgia (Mr. GAMBRELL) are necessarily absent.

I further announce that the Senator from New Mexico (Mr. MONTOYA) is absent on official business.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

On this vote, the Senator from Tennessee (Mr. BAKER) and the Senator from Illinois (Mr. PERCY) are paired with the Senator from Arizona (Mr. GOLDWATER). If present and voting, the Senator from Tennessee and the Senator from Illinois would each vote "yea," and the Senator from Arizona would vote "nay."

The yeas and nays resulted—yeas 88, nays 2, as follows:

[No. 343 Ex.]

YEAS—88

Aiken
Allott
Anderson
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Boggs
Brock
Brooke
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Dominick
Ervin
Fannin
Fong
Fulbright
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Hollings
Hruska
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stafford
Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—2

Allen
Buckley

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mansfield, against.

NOT VOTING—8

Baker
Eagleton
Eastland
Gambrell
Goldwater
Montoya
Mundt
Percy

The PRESIDING OFFICER (Mr. BURDICK). On this vote the yeas are 88 and the nays 2. Two-thirds of Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. FULBRIGHT. Mr. President, I move that the President be immediately notified of the action of the Senate in agreeing to the resolution of ratification.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to.

Mr. GRIFFIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HART). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BURDICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BURDICK. Mr. President, I move that the Senate return to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Dakota.

The motion was agreed to.

ESTABLISHMENT OF A COMMISSION ON REVISION OF THE JUDICIAL CIRCUITS OF THE UNITED STATES

Mr. BURDICK. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 7378.

The PRESIDING OFFICER (Mr. HART) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 7378) to establish a Commission on Revision of the Judicial Circuits of the United States, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BURDICK. I move that the Senate insist upon its amendments and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. BURDICK, and Mr. HRUSKA conferees on the part of the Senate.

QUORUM CALL

Mr. BURDICK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, may we have order and will the Chair please clear the well?

The PRESIDING OFFICER. The Senate will please be in order.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

S. 3284. An act to increase the authorization for appropriation for completing work in the Missouri River Basin by the Secretary of the Interior;

H.R. 15093. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes; and

H.R. 15418. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes.

INTERIM AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS

Mr. ROBERT C. BYRD. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER (Mr. HART). The Chair lays before the Senate the unfinished business which the clerk will report.

The assistant legislative clerk read as follows:

Calendar Order No. 929 (S.J. Res. 241), a joint resolution authorizing the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics.

The Senate resumed the consideration of the joint resolution.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO 8:45 A.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 8:45 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS SCHWEIKER, TUNNEY, McGOVERN, HARRIS, KENNEDY, AND CHILES TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after the two leaders have been recognized under the standing order tomorrow, the following Senators be recognized in the order stated and for not to exceed the time stated: Mr. SCHWEIKER, 10 minutes; Mr. TUNNEY, 15 minutes; Mr. McGOVERN, 15 minutes; Mr. HARRIS, 15 minutes; Mr. KENNEDY, 15 minutes; and Mr. CHILES, 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, at the conclusion of the orders for the recognition of Senators tomorrow the Senate will then proceed to the consideration of the freight car bill. That order already has been entered. Following that, the military construction authorization bill will come up.

Upon disposition of the military construction authorization bill, H.R. 15641——

Mr. TOWER. Mr. President, if the Senator will yield, has that already been agreed to?

Mr. ROBERT C. BYRD. Yes.

Mr. TOWER. That will follow the freight car bill?

Mr. ROBERT C. BYRD. Yes.

Mr. TOWER. What is the time on the freight car bill?

Mr. ROBERT C. BYRD. The time on the freight car bill, as I remember, is 30 minutes on the bill and 20 minutes on any amendment.

The PRESIDING OFFICER. Thirty minutes on the bill and 20 minutes on amendments.

Mr. TOWER. I thank the distinguished acting majority leader.

Mr. ROBERT C. BYRD. On the military construction bill, 1 hour on the bill and one half-hour on any amendment.

I ask the Chair if that is correct. The order was entered earlier today, and I am speaking from memory. Thirty minutes on amendments in the first degree, and 20 minutes on amendments in the second degree.

The PRESIDING OFFICER. The Senator is correct.

UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon disposition of the military construction authorization bill (H.R. 15641) tomorrow, the Senate proceed to the consideration of H.R. 15692, the disaster relief bill, and that the unfinished business, the interim agreement resolution, be temporarily laid aside and remain in a temporarily laid aside status until disposition of H.R. 15692, or until the close of business tomorrow, whichever is earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that during the consideration of H.R. 15692, debate on the bill—in other words, the committee amendment in the nature of a substitute—be limited to 2 hours, the time to be equally divided between the distinguished Senator from New Hampshire (Mr. McINTYRE) and the distinguished Senator from Texas (Mr. TOWER); that time on any amendment to the committee amendment in the nature of a substitute, be limited to 1 hour, the time to be equally divided between the mover of such amendment and the distinguished manager of the bill, Mr. McINTYRE; provided, that time on any amendment to an amendment—or amendment in second degree—debatable motion, or appeal be limited to 30 minutes, to be equally divided between the mover of such and the manager of the bill, except in any instance in which the manager of the bill may favor such, in which instance time in opposition thereto, in the case of an amendment to an amendment or amendment in the second degree thereto, be under the control of the author of the amendment in the first degree; provided further, that time on any amendment to an amendment proposed to be offered by the distinguished Senator from Georgia (Mr. TALMADGE) embodying the language of S. 3840, be limited to 1 hour, the time to be equally divided between and controlled by the mover of such amendment and the distinguished Senator from Georgia (Mr. TALMADGE).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 8:45 a.m.

After the two leaders have been recognized, the following Senators will be recognized, in the order stated, for not to exceed the times mentioned: Mr. SCHWEIKER, 10 minutes; Mr. TUNNEY, 15 minutes; Mr. ROBERT C. BYRD, 15 minutes; Mr. HARRIS, 15 minutes; Mr. KENNEDY, 15 minutes; and Mr. CHILES, 15 minutes.

The Senate then will proceed to the consideration of S. 1729, the freight car bill, on which there is a time agreement. There will be yea-and-nay votes thereon.

Upon the disposition of that bill, the Senate will proceed to the consideration of H.R. 15641, the military construction authorization bill, on which there is a time limitation. There may be yea-and-nay votes on that bill.

Upon the disposition of the military construction authorization bill, the Senate will proceed to the consideration of H.R. 15692, the disaster relief bill, on which there is a time limitation. There will be yea-and-nay votes on amendments thereto and on the passage of the bill.

The Senate is quite likely to be in session until a reasonably late hour tomorrow, because several amendments are anticipated to the disaster relief bill. But there will be no session on Saturday. The Senate has been holding lengthy daily sessions and has been able to accomplish a considerable amount of work and will be able to accomplish the work set out for it tomorrow, thus enabling the Senate, at the close of business tomorrow, to go over until Monday.

ADJOURNMENT UNTIL 8:45 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 8:45 a.m. tomorrow.

The motion was agreed to; and at 6:53 p.m. the Senate adjourned until tomorrow, Friday, August 4, 1972, at 8:45 a.m.

NOMINATIONS

Executive nominations received by the Senate August 3, 1972:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Sidney P. Marland, Jr., of New York, to be Assistant Secretary for Education in the Department of Health, Education, and Welfare (new position.)

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the National Oceanic and Atmospheric Administration:

To be captains

Kelly E. Taggart
Lavon L. Posey

To be commanders

Leonard E. Pickens
Leland L. Reinke
Christian Andreasen
Carl N. Davis
Joseph W. Dropp
Walter F. Forster II

To be lieutenant commanders

John C. Albright
Hugh B. Milburn
Richard T. LeRoy
John C. Veselenak

To be lieutenants

John D. Busman
Dean R. Seidel
William G. Pichel
Lester B. Smith, Jr.
Dale M. Hodges
Ronald L. Crozier

To be lieutenants

Roger J. DeVivo
Stephen M. Dunn
Carl F. Peters
Donald A. Drake
Gregory L. Miller
Lewis A. Lapine
Robert M. Dixon
John L. Robbins
Nicholas A. Prahl
William T. Turnbull
Thomas E. Brown
Jerry S. Crowley
Larry J. Oliver
Gregory R. Bass
Peter S. Hudes
Carl A. Pearson
Leslie R. Lemon
Russell C. Arnold
Richard A. Schiro

To be lieutenants, junior grade

John M. Barnhill
Gerald W. Stanley

To be ensigns

Harold B. Arnold
Curtis M. Belden
Willis C. Blasingame
Gary J. Decker
Thomas E. DeFoor
Bruce M. Douglass
Richard P. Floyd
Neil P. Gloier
Kurt R. Groepler
Roger G. Hendershot
Timothy A. Kessenich
Alan D. Kissam
Dan E. Tracy
William A. Wert

U.S. ARMY

The following-named officer for temporary appointment in the Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

MEDICAL CORPS

To be major general

Brig. Gen. George Joseph Hayes, [redacted] Army of the United States (colonel, Medical Corps, U.S. Army).

U.S. NAVY

Adm. John S. McCain, Jr., U.S. Navy, for appointment to the grade of admiral, when retired, pursuant to the provisions of title 18 United States Code, section 5233.

EXTENSIONS OF REMARKS

REFORMS IN THE NATIONALIST CHINESE GOVERNMENT

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1972

Mr. LEGGETT. Mr. Speaker, rarely do we have the occasion to see the words and promises of a governmental official quickly put into action. However, Chiang Ching-kuo, who was recently appointed Premier of the Nationalist Chinese Government, has afforded us just this opportunity. He has set out from the beginning to work against corruption and inefficiency in the Taiwan Government, at all levels, and to work toward establishing more native Taiwanese in governmental positions.

Governments, at all levels and in all parts of the world, have constantly been faced with corruption and inefficiency in their ranks. All too often these evils are disdained and denounced but, on the other hand, left to remain in existence.

Chiang Ching-kuo, shortly after his appointment, officially put forth 10 rules of conduct, for civil servants at every level, aimed at abolishing the practice of exploiting the fringe benefits of civil service. The Premier has shown that these rules are to be more than just a token attempt but are to be actively enforced. There have been 200 cases in which violations have been reported. The public has applauded the move, but public officials have been distressed by the fact that enforcement has become a reality, not just a mere promise.

Chiang Ching-kuo has also attempted to break another long-established practice of mainland Chinese holding the large majority of Government positions. For too long the Taiwanese have not had access to the controls necessary to directing their own country. With some of the recent appointments by the Premier, headway is being made in achieving this goal of a national government run by the people of the nation itself.

The results of Chiang Ching-kuo's reforms will undoubtedly aid Taiwan in its ever-continuing progress toward maturity. Many other countries should benefit from Taiwan's efforts to rid itself of its internal corruption and inefficiency and to establish a government run by its own people. These so far successful attempts of the Nationalist Chinese are a good indication that just because a practice is well entrenched does not mean that it must remain as a permanent fixture; change is always a possibility that should not be denied the opportunity to become reality.

At this point I submit an article from the July 31 issue of Newsweek entitled "Taiwan: "The Ten Commandments"":

[From Newsweek Magazine, July 31, 1972]

TAIWAN—"THE TEN COMMANDMENTS"

Once he was written off as "the generalissimo's No. 1 son." But in the more than two decades since Chiang Kai-shek led his defeated Nationalist army to the island of Taiwan, Chiang Ching-kuo has developed into a political force in his own right. In one high-level job after another, the chunky, chubby-faced off-spring of President Chiang's first marriage has won a reputation for being honest, innovative and, above all, tough. Two months ago, his father named the 62-year-old "C.C.K.," as he is commonly known, Premier of the Nationalist government and since then he has launched a vigorous drive against corruption and inefficiency. "C.C.K. has started a pocket-sized cultural revolution," said one Taiwanese last week, "and he really means business."

That the new Premier planned to shake things up became evident when, soon after taking office, he issued a list of ten rules of conduct for all civil servants. The rules, which were quickly dubbed the "Ten Commandments," prohibit a wide range of heretofore common activities such as foreign junkets, official banquets, gift-taking and padded expense accounts. But the commandment that drew most attention was one that barred government officials of all ranks from patronizing "nightclubs, dance halls, bars and girlie restaurants."

The commandments, though immensely popular with the public, caused dismay in Taiwan's officialdom—especially since C.C.K. made it plain that they would be rigorously enforced. Last week, one high-ranking official was sacked because he violated a commandment by giving an overly lavish party for his son's wedding. And since the rules went into effect, the Taiwan police have staged regular raids on nightspots, checking the identification of every customer. So far, some 200 government officials have been arrested or reported to their superiors for being in violation of the new code of ethics.

SUGGESTIONS

To the further consternation of many bureaucrats, C.C.K. has also made it plain that he means to go beyond the Ten Commandments. He has already broken the near-monopoly that mainland Chinese have had on important posts by naming native Taiwanese to high positions in the central and provincial governments. The Premier has also appointed Chang Feng-hsu, a Taiwanese, mayor of Taipei and last week he sent Chiang a letter containing nine suggestions for running the city. These included fighting the capital's notorious air pollution, wiping out illicit gambling dens and even improving policemen's manners. Interestingly, Chiang Ching-kuo's nine points for Taipei were grouped under the heading "To Render Service to the People," a motto surprisingly close to Communist China's slogan, "To Serve the People."

With his reform program, C.C.K. undoubtedly has enhanced his popularity and strengthened his role as *tai tzu*—crown prince and heir apparent—to his 84-year-old father. But diplomats in Taipei are convinced that the Premier is not merely courting personal gain. A fanatic Communist during his student days in the Soviet Union, C.C.K. is generally given credit for being a genuine if sometimes iron-fisted reformer. "He believes in it, all right," said one Western ambassador last week. "But he also knows that the world has been impressed with reports that mainland China appears to be entirely free of corruption. C.C.K. would like to emphasize that this is one area where Taiwan can be like the other China."

RURAL DEVELOPMENT PROGRAMS NEEDED NOW

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Thursday, August 3, 1972

Mr. METCALF. Mr. President, I am delighted we will have the opportunity to send the Rural Development Act of 1972 to the White House prior to adjournment for the Republican National Convention.

It is imperative that the programs authorized in the rural development bill become operative at the earliest possible moment. Two weeks ago Washington was shrouded in an appalling cloud of pollution, caused by thousands and tens of thousands of automobiles pouring in and out of the surburbs. The eastern seaboard was similarly affected and in many places was much worse than here in Washington. In the Rural Development Act, we have candidly recognized that we have pursued disastrous policies resulting in population concentrations that predictably would lead to a crisis such as we experienced

Polls have shown that as many as 40 percent of our young people wish to live in rural areas. Mr. President, they want to live where there is a clean air and water. It is incumbent upon us to make opportunities available in rural areas to effect a redistribution of our population. The Rural Development Act of 1972 may not be the whole cure for our maldistributed population, but it is a step in the right direction. If it can achieve even a small redistribution, it will be well worth the cost.

Two weeks ago Washington was shrouded in a pollution alert; unless we reverse the population inflow into Washington and the rest of the eastern seaboard areas, we will worsen our pollution problems.

Mr. President, if the Rural Development Act of 1972 were law today, we could already be working for attractions of life in rural areas that go beyond clean air. As the distinguished Senator from Minnesota, the chairman of the Senate Rural Development Subcommittee (Mr. HUMPHREY) has observed, we must present our people the freedom to choose their place of residence. The Rural Development Act of 1972 will do that.

The lack of trained medical personnel in my State of Montana has attracted the interest of Mr. Dennis Curran, a reporter for the Lee Newspapers in Montana. In an article, Mr. Curran has identified the problem. He describes the reverse side of the summertime health crisis that threatens this city where we have hospitals, doctors and poisons in our air. I ask unanimous consent that Mr. Curran's article be printed in the RECORD at the conclusion of my remarks. Mr. Curran's article may be read as descriptions of opportunities. In Montana, we offer doctors, dentists, nurses, and other medical personnel opportunities to escape this poisonous air. Any medical personnel who are interested are invited to call my office where they will be given every assistance in relocating to Montana.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOCTOR DISTRIBUTION POOR IN MONTANA

(By Dennis E. Curran)

Roundup—Sometimes a phone call can really be a matter of life and death.

When Dr. David R. Davis' phone rang one night about two months ago, he half expected another complaint about a cold or maybe a fracture.

But the caller was a Roundup neighbor, whose 5-year-old daughter was dying from an epileptic seizure.

Within minutes Dr. Davis was assisting the girl. At 3 a.m. her condition worsened, and he called for help from his partner, Dr. K. A. I. Cassimally. Together they saved her.

"An experience like that makes it all worthwhile," Dr. Davis said last week as he ate lunch in his Roundup home. "It surely makes up for all the years of midnight phone calls."

Today, that 5-year-old is alive because of the prompt actions of two country doctors. But in some other parts of Montana, she might not have been so lucky.

Montana may not have a statewide shortage of physicians, but it definitely has a maldistribution.

"I don't believe there's a total physician shortage in the state," says Dr. John Pfaff of Great Falls, president of the Montana Medical Association. "However, there is a distribution problem. There are small communities which are unable to support a physician."

According to the latest statistics from the State Department of Health and Environmental Sciences, Montana had, as of April, 788 practicing physicians for its 700,000 residents—one doctor for every 881 persons.

That ratio is higher than the national ratio of one doctor to about 700 persons, and it's an improvement over recent years. However, the statewide statistics can be misleading.

Many of those 788 doctors—at least a third—are specialists who treat only certain illnesses.

And many of those 788 are concentrated in the cities, leaving rural areas, especially eastern Montana, with a shortage.

"The cities are pretty well off until you get down to 5,000 population," says Dr. John Anderson, executive officer of the state department of health. "Anything less than 5,000, if it isn't in the mountains, you have a shortage."

Yellowstone, Cascade and Missoula counties make up about a third of the state's population and have almost half the doctors. Add Lewis and Clark, Silver Bow, Gallatin and Flathead counties, and you have slightly over half the state's population and almost three-fourths of the doctors. All have doctor-patient ratios below the state average.

In fact, from a doctor's standpoint, cities like Missoula and Kalispell are regarded as having too many doctors, though L. R. Hegland executive secretary of the state medical association, notes the doctors there aren't complaining.

"From a consumer's standpoint, you can't have too many physicians," says Dr. Anderson.

By contrast, the ratios in rural areas, especially east of the Continental Divide, often exceed one doctor for 2,000 persons. The highest ratios are in Choteau County (1 doctor to 3,236 people) and among Big Horn County's non-Indian population (1 to 6,140).

Of the 29 counties currently designated as "shortage areas" by the health department, 23 are in central or eastern Montana. Three counties—Petroleum, Prairie and Golden Valley—do not have doctors at all. Nine counties have only one doctor.

Why do small towns, especially in the eastern two-thirds of the state, have problems attracting and keeping doctors? Dr. Anderson suggests several reasons:

Most obvious, many communities are simply too small to support a physician. Ryegate, for example, is a county seat, but its 261 residents can't support a fulltime physician any more than they could support a large department store or a major league baseball team. Other communities are too large for one doctor but not large enough for two.

Specialization. While the trend may be back to general practitioners, so many doctors are specialists who require larger populations for their practices. A specialist in rare bone diseases, for example, might go years without a case in many small towns.

Medical facilities. Doctors are reluctant to locate in areas without hospitals, and many fear, perhaps unfairly, that small town hospitals are unsophisticated and that small town practitioners cannot keep abreast of advancing medical knowledge.

Hard work. Small town doctoring is a 24-hour-a-day task, and the country doctor often cannot afford to take vacations or weekends off.

Dislike of small towns. "Wives generally are the biggest problem," says Dr. Anderson.

Jordan is a good example of some of the problems. For 47 years, Dr. B. C. Farrand has cared for the citizens of Jordan. But now at age 74, Dr. Farrand proclaims that he's "practically retired" and laments that he might be Jordan's last doctor.

"I doubt they'll be able to get anyone," he said last week. "It's hard to get anyone in these small towns.

"The younger fellows don't want to come out to a place like this. "It's a 24-hour job, and it's hard to get away," he said. He's stayed, he said, because he likes the people and feels needed.

Roundup, which has had great difficulties in attracting and keeping doctors, had a more unique problem.

Four years ago, the town's medical clinic was blown up. A year and a half later, the town's second doctor, a well respected and talented young man, found a dynamite fuse in his car and abruptly left town.

Dr. Davis, a husky Nebraskan in his late 40s, continued on, but the caseload was too high. Roundup, a community of 2,100 nestled among the Musselshell River in Montana's cow and coal country, needed another doctor.

When traditional recuiting efforts through medical journals failed, the community tried a more dramatic approach. With the help of Consolidation Coal Co., which plans to mine in the nearby Butte Mountains, Roundup launched a national campaign which included an ad in Time Magazine.

The campaign brought Dr. Cassimally, an East Indian educated in London, to Montana's cowboy country, and Roundup residents relaxed.

But Roundup is still looking for a third doctor, and Dr. Davis has asked the county commissioners for community help in expanding the clinic and hospital.

"We have a real potential here because of the coal, and that's one of the reasons I'd like to get three doctors and the extra hospital beds," he said. "We could handle three men here now without any influx. There are 5,000 people (in the Musselshell area) and we're just barely tapping that."

Roundup's two doctors have a good practice. Davis drives a Buick, flies his own plane and, when he can get away, relaxes at his cabin on the Boulder River.

But it's hard work. On some days they see as many as 80–90 patients, not including the nighttime emergencies.

"We generally look them over pretty thoroughly, because there's something wrong or they wouldn't be here," he said of his patients, many of them ranchers or their families.

DANIELS CALLS FOR ACTION TO MEET ENERGY CRISIS IN NORTHEAST UNITED STATES

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. DANIELS of New Jersey. Mr. Speaker, television station WOR–TV recently broadcast an editorial dealing with the energy crisis, a problem of great eminence and significance in the New York metropolitan area. The thrust of WOR's editorial was that consumers should reduce usage during so-called peak hours.

Mr. Speaker, the citizens of Hudson County, N.J., pay very high prices for electrical service and while they realize that under emergency services, they may have to curtail their use of electric power WOR–TV's suggestion seems to ignore many of the real problems in this area.

In response to WOR's view, Eileen Hoats, legislative representative for the New York Consumer presented several useful alternatives. Eileen Hoats says:

> The consumer is certainly paying the price for electricity—he is entitled to get his money's worth.

No one can disagree with this contention and I certainly would support vigorously legislation to achieve this end. I think all Members ought to read this brief editorial which was broadcast on June 29, 30, and July 1, 2, 3, 4, 1972.

The editorial follows:

USE OF APPLIANCES

(In a recent editorial WOR–TV urged residents of the Metropolitan Area to limit power use in their homes. Here, with another point of view is Eileen Hoats, Legislative Representative for the New York Consumer Assembly.)

While energy prices are increasing, there is a serious question whether New York will have sufficient energy to meet consumers requirements. "Brown-outs" or voltage reductions have become frequent, particularly during the summer.

The New York Consumer Assembly believes that while decreasing appliance usage will certainly lessen the power load, it is only a superficial and temporary approach to the real problem of conservation of energy.

To protect the consumer and his right to abundant, reliable and reasonably priced energy, we urge:

The development of public power facilities to serve as "yardsticks" of the performance of the power industry, with due regard for environmental concerns.

Increasing measures to make more natural gas available for the production of electricity.

Elimination of the oil import quota program, which has cost American consumers five million dollars a year, and seriously restricted competition in the oil industry.

Regulation of monopolies in the utility field, specifically by passing legislation requiring all utility companies holding a monopoly of both natural gas and electric generating and transmission to divest themselves of one or the other affiliate.

The consumer is certainly paying the price for electricity—he is entitled to get his money's worth. WOR–TV's suggestion that consumers reduce their use of utilities in the peak hours does not begin to approach the problem.

JANE'S FIGHTING SHIPS

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. CARTER. Mr. Speaker, "Jane's Fighting Ships" has been the world's leading authority on relative strengths of the navies of the world. Over the years it has included classes of ships, methods of propulsion, armaments carried, speeds, sizes, and even draughts. It is with much dismay that I read the article of the United Press International in the July 27 Washington Post.

The United States of America has been fortunate in having the services of a truly great admiral, Hyman Rickover, as the primary mover in the development of nuclear-powered submarines. Although he is the outstanding naval authority in his field in the entire world, he has not received his fourth star, which I submit, Mr. Speaker, is long overdue. Further, I submit that more research and development funds should be placed at the disposal of Admiral Rickover in order that our submarine fleet may continue to be first in the world. Second place does not pay off. The defense of the United States of America is paramount in the minds of the vast majority of Americans.

I submit the article in reference to "Jane's Fighting Ships" for the perusal of the Members:

JANE'S SAYS SOVIETS DOMINATE OCEANS WITH SUBMARINES

LONDON, July 27.—The Soviet Navy is expanding to every ocean and "can snap its fingers at all the maritime countries," the authoritiative Jane's Fighting Ships said today.

Russia has more submarines than the United States, or any other country, can possibly construct now, and is reported to be building the first of a fleet of aircraft carriers to match those of the U.S. Navy, Jane's said.

In a foreword to the 1972–73 edition, Jane's editor Raymond Blackman, said:

"It is a sobering thought that no other country in the world in this day and age of sophistication and inflation can possibly build as many submarines as the Soviet Navy has at the present time.

"The Soviet Navy's attitude to the older naval powers seems to be: anything you can do we can do better. In short, the Soviet Navy has given the victory sign to the world."

The British Royal Navy, which once ruled the waves, has "fallen below the safety level," Blackman said.

Jane's listed the total U.S. submarine force at 98 nuclear submarines, including 41 ballistic missile-carrying vessels, and 35 conventional submarines.

It estimated the Soviet submarine force at 95 nuclear-powered vessels and 313 conventionally powered vessels.

In surface vessels the United States has 17 aircraft carriers in service and 9 under construction, 8 missile cruisers, 30 missile frigates, 29 missile destroyers, 104 other destroyers and 69 escorts.

Jane's estimated Soviet surface ships at 2 helicopter carriers, 12 guided-missile cruisers, 15 gun cruisers, 35 guided-missile destroyers, 66 gun destroyers, 130 frigates and 258 escorts.

Jane's said there have been "many and varied" reports that the Soviet Union is building at least one aircraft carrier and that up to eight others are planned.

It said estimates of the size of the first Soviet aircraft carrier range from 30,000 to 40,000 tons and it may be nuclear powered. It said intelligence photographs show another vessel under construction in the Black Sea port of Nikolaiev, which could be a second aircraft carrier.

The U.S. Polaris-Poseidon fleet of submarines carriers 656 nuclear missiles, Jane's said. But it said that by the mid-1970s the United States will have about 5,120 offensive nuclear warheads carried by Polaris and Poseidon submarines, or about two-thirds of its total strategic offensive missile weapon force.

It gave no estimate of the number of Soviet submarine-borne missiles.

THE ENERGY CRISIS

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. ZION. Mr. Speaker, if we are to continue to enjoy our unparalleled standard of living in this country, indeed if we are to survive as an economic entity in the world, we must greatly increase our supply of clean energy.

On this subject, I would like to submit some suggestions from Mr. John Barrett, executive vice president of the Indiana Chamber of Commerce. In his letter to me he shows a unique sympathy and understanding of the problem.

INDIANA STATE
CHAMBER OF COMMERCE,
Indianapolis, Ind., July 27, 1972.

Hon. ROGER H. ZION,
U.S. Representative,
Washington, D.C.

DEAR ROGER. I appreciate your recent letter commenting on the natural gas supply situation in Indiana. I also want to thank you for sending us the report of the Republican Task Force on Fuels and Energy. It is good to see that you are well aware of the seriousness of the situation and are concerned about it.

On the basis of our layman's information, the situation appears to be complex. Clearly, there has to be a balance between environmental and energy requirements. Most people in business and industry fully recognize this and are well aware that for too long we neglected the environmental side of the equation. But we now seem in danger of tilting too far in the other direction—at least in some instances—and the current energy shortage is, in part, a product of this overreaction. Of course, there are important economic issues involved too.

From what I have learned in talking with people in the oil and gas industry, long term they are relatively optimistic. After 1990 they see nuclear energy becoming a bigger factor with the development of the fast breeder reaction, and they visualize solutions to present technical environmental and economic problems of synthetic fuels (oil and gas from coal, shale oil, tar sands, etc.). Geothermal and solar energy will be in the picture then, too, and fusion is the possibility after the year 2000.

The problem, as they see it is the intervening fifteen to twenty years while these new energy sources are in the developmental stage. From now to 1985 or 1990 we are going to have to rely pretty much on conventional sources of energy—primarily oil and natural gas—and the level of exploration for oil and gas has fallen off sharply due to economic and environmental factors. Reserves of both fuels have declined alarmingly as a consequence. As a nation we are simply using up more than we are finding. We are getting rapidly to the point where we will have to rely increasingly on importation of both oil and gas from unstable foreign sources—with the likelihood that prices will go up steeply and with the risk that supplies could be cut off at any point. I think you will agree that we would be wise not to get ourselves into that position if we can possibly avoid it.

The problem can be solved and within the framework of private enterprise, but it is going to require public understanding and governmental policy based on the realities of the situation. Among the things that need to be considered in the judgment of experts in whom I have confidence are the following:

1. More realistic pricing of natural gas. For nearly twenty years the price has been held unrealistically low, which has stimulated demand while decreasing supply. Imported gas will be priced two or three times higher than what we are paying for domestic gas.

2. More frequent and bigger offshore lease sales by the Interior Department, along with strict environmental precautions by government and industry. The application of the national environmental policy act to this situation may require some revision. The Interior Department estimates that as much as 40% of the nation's undiscovered gas reserves lie offshore and at present the opportunity to search for it is being held up in many promising areas.

3. Stable tax policies affecting the extractive industries. Vast amounts of capital are going to be needed to finance exploration and development—as much as $150 billion over the next ten years. This is more than twice what was spent in the 1960's. To attract investment funds of that magnitude will be almost impossible if investors are fearful that they will be penalized from a tax standpoint.

4. Expedite construction of the pipelines to bring Alaskan oil and gas to the lower 48 states. The oil pipeline work is held up in the courts at present and the gas line through Canada is going to take many years to build, but until there is some assurance of a way to get the oil and gas to market, exploration for new reserves on the northern slope of Alaska and in northern Canada will be stymied.

5. A recognition that the cost of energy will have to rise. Energy has been considerably underpriced in relation to other elements of the economy since World War II. Higher energy prices are going to come and this should have the dual beneficial effect of stimulating supply and reducing the needless consumption of energy for frivolous and non-essential purposes. Overall energy demand will continue to rise, but can be moderated to some extent by more realistic prices.

6. Coordination of energy policies. We understand that study is being given to this by the Senate Interior Committee. I don't think government dictation is the answer; as I indicated earlier, I think the job can be done by private enterprise, but there does seem to be a real need for assessing the impact on energy supplies of various governmental policies in such areas as taxation, environment, regulation, etc., and developing overall recommendations for the government and public to consider based on that assessment.

I appreciate your interest in this whole question and also the opportunity to develop some of these matters in more detail with you.

Cordially yours,

JOHN V. BARNETT,
Executive Vice President.

COMMENTS ON SCIENCE ARTICLE CONCERNING UNPRESSURIZED PWR FUEL

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. HOSMER. Mr. Speaker, the July 28 issue of Science contains a two-page article, beginning on page 330, entitled, "Nuclear Safety: Damaged Fuel Ignites a New Debate in AEC" by Robert Gillette. The knowledge that this article would be coming out prompted the Commission to issue a press release last Friday.

Here are a few comments concerning the article:

There is no debate within the AEC on this topic. What has occurred is pretty well understood and there may be slight differences of opinion within the regulatory staff concerning the contributions of the various factors involved (degree of densification, lack of internal pressure, ratchetting due to abrupt changes in reactor power, etc.). The article implies that this is a full blown debate akin to the interim criteria for emergency core cooling systems. This simply is not true.

Mr. Gillette makes an unfortunate choice of words in the early part of the article where he characterizes the damage to the fuel as "incredible". The word incredible has a very special connotation in the nuclear safety business. Based on whether one considers things credible or incredible, one analyzes the accidents against which he either must or need not provide protection. An example of an incredible occurrence is the sudden rupture of the reactor pressure vessel. In the safety review program, this is assumed by all to be an incredible event and the consequences of such an accident are not analyzed.

Gillette quotes one AEC source as saying "the choice was either to let the plant run or *shut down the industry.*" He misinterpreted the situation. That statement does not take into account the fact that the pressurized water reactor fuel manufacturers some time ago went to pressurized fuel and only the old plants are involved with respect to the specific problem which forms the basis for the article. These plants are GINNA, Point Beach 1, H. B. Robinson, and Indian Point 2. The remark suggests that all reactors are PWR's. The boiling water reactor fuel may have problems of its own, but densification, pellet slippage, and collapse are not amongst them.

The article does not make clear the real situation which is that by continued operation with the unpressurized PWR fuel there may be increased risk of cladding defects which could release fission products to the primary system, but this is principally an operational problem and as such does not pose significant risk to the health and safety of the public.

FIRE—A NEGLECTED SOCIAL PROBLEM FACING THIS NATION

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1972

Mr. STEELE. Mr. Speaker, on February 17 of this year I introduced a series of nine bills which address themselves to our country's grave fire problem. This legislation would expand the Federal Government's fire research and development programs, and most importantly, channel urgently needed Federal funds to local paid and volunteer fire departments for training and educational programs and vital equipment many departments can not now afford.

At the same time that the threat of fire has greatly increased, the public generally has been led to believe that we work and live in safe modern structures and that our society is doing all it can to reduce the toll of fire. But it is a fact, that today, we live in a combustible society. New synthetic fabrics that are wrinkleproof, fadeproof, and almost as combustible as a book of matches, are worn daily by all of us. We furnish our homes and offices with highly flammable synthetic materials that may emit deadly fumes when burned.

Additionally, the transportation of hazardous materials is increasing at an alarming rate. The Office of Hazardous Materials of the Department of Transportation has predicted a 55-percent increase in such hauls over the next 10 years. In April of 1962 a tragic transportation accident occurred at the Van Tassel Leather Co. in Norwich, Conn. The disaster left four Norwich firefighters dead and six other individuals hospitalized with serious injuries. If a 24-hour fire information clearinghouse was available to respond to on the scene questions from those firefighters, and a uniform placarding system had existed, then this tragedy might have been prevented.

In our combustible environment more than 12,000 men, women, and children died by fire in each of the last 6 consecutive years, and hundreds of thousands each year have been burned. This tragic death rate is twice as great as Canada's, four times that of the United Kingdom, and six-and-a-half times that of Japan. Besides the toll in human lives there was an estimated $2,845 billion in property losses recorded. In the State of Connecticut, fire took the lives of 65 individuals and resulted in $12,063,092 in property damage during 1971.

Deeply concerned with the public's welfare and safety, and protecting us from the hazardous and combustible environment in which we all work and live, are approximately 23,000 volunteer and paid fire departments manned by an estimated 2,175,000 firefighters. One such firefighter who aptly described the profession of firefighting as the toughest, dirtiest, and most hazardous occupation in the country, is Mr. Dennis Smith.

During my extensive investigation of the complex and interrelated questions of our country's fire problem, I had an opportunity to spend a night with engine company No. 82 and accompany the bold-spirited men of the South Bronx on 17 of their fire runs. That night the realities and ugliness of fire were indelibly impressed on me. I saw firsthand the work of an arsonist, a woman became homeless, and her baby and the fireman who saved the baby hospitalized for burns. In his new book, "Report From Engine Company 82," Mr. Smith describes incidents similar to what I saw that night. Reader's Digest has reprinted this frightening account of being a South Bronx firefighter in its July issue. I would like to bring to my colleagues attention excerpts from this condensed version of "Report from Engine Company 82."

The Congress of the United States must be cognizant of the hidden perils of fire; then, hopefully we will acknowledge the problems by passing legislation that will substantially curtail the fire problem and reduce the great number of needless deaths and the maiming of unsuspecting men, women, and children.

The article follows:

EXCERPTS FROM "REPORT FROM ENGINE COMPANY 82"

My name is Dennis Smith, and I'm a New York City fireman—one of "New York's bravest." That's what the editorial writers call us. I'm part of Engine Company 82. The firehouse I work out of is on Intervale Avenue and 169th Street in an area called the South Bronx. Along with Harlem and Bedford-Stuyvesant, it is one of the three biggest ghettos in the city.

Around the corner from the firehouse is the 41st Precinct House. It is the busiest police station in the city. There are more homicides per square mile in this precinct than anywhere else in the United States—also more drug traffic and more prostitution.

A NIGHT'S WORK

It's 2:30 a.m. We're spraying 250 gallons of water a minute at a fire, and it seems like the wind is driving each cold drop back into our faces. We've been here over an hour. The fire is still burning freely. If we could go inside the building and get close to the heat—but the chief says it is too dangerous. The roof might collapse at any moment.

Icicles have formed on the protective rim of my leather helmet, and they break off as I move to reinforce my grip on the fighting hose. "Do you want a blow on the line, Dennis?" Benny Carroll yells.

"Yeah Benny, you take it a while," I say, and he grabs the hose.

. . . I can't find a warm hallway; they are all cold. I return to the building directly across from the fire. Several firemen from other companies have had the same idea as I, and are there in the lobby. They walk back and forth or jump up and down. It is too cold to sit on the floor and relax.

"Bad night, Dennis, bad night!" says a man from Squad 2 as he takes off his rubber coat. Like all of our coats, it is frozen, and stands by itself against the wall.

I can't help thinking that in another place, another city perhaps, where fires are uncommon and exciting, apartments up and down the street would be opened, and residents would be serving coffee and biscuits, and offering the warmth of their homes to the firemen and victims of the fire. But we are in New York City, where neighbors sometimes don't even bother to find out each other's names.

I rest a while and return to the fire.

. . . I have my head down now, and the nozzle is directed at the ceiling. I don't have to look up. I know the fire is cooling because the smoke is banking down.

. . . In the street, we hear that Bill Kelsey has a nasty burn on his leg. "Anybody else hurt?" someone asks.

"Yeah, a guy from Engine 50 fell through the floor—a guy named Roberti, or Roberto, something like that."

It's all very impersonal. When a guy gets hurt at a fire, it's easier to remember the injury than the man's name. A guy got burned, he fell through the roof, he got cut by falling glass, a wall fell on him, he was overcome by heat or smoke. These injuries can't be prevented, not as long as the best way to put out a fire is to get close to it.

It's almost 5:30 a.m. as the truck backs into the firehouse. I am just changing into a dry pair of pants when the alarm bells come in again. "Damn it, give me a break," I think as I slide down the pole from the second floor to the apparatus floor. . . .

MALICIOUS FALSE ALARM

There are 13,350 firemen in New York City, and last year 8600 of them were injured in the line of duty. Annually, an average of eight are killed. Last year the total was seven.

I had a friend named Mike Carr, an upstanding kind of guy.

. . . Then one day a nine-year-old boy reached up and pulled an alarm-box handle. Kids do this a lot in the South Bronx. His friends giggled, and they all ran up the street to watch the fire engines come.

. . . Mike pulled himself up on the sidestep of the apparatus. The heavy wheels turned up Intervale Avenue, the officer's foot pressing hard on the siren. At Freeman Street the apparatus turned right, and Mike lost his grip. He spun from the sidestep like a top.

Marty Hannon and Juan Moran jumped off the apparatus even before it came to a screeching stop. There was blood all over. They could see that Mike had stopped breathing. Marty cleared some of the blood away with a handkerchief and began mouth-to-mouth resuscitation. He told me that all he remembers of those agonizing minutes was the battalion chief's voice blaring over the radio: "Transmit 1092 Box 2787. Malicious false alarm."

. . . What do you do with a nine-year-old boy who has pulled a false alarm that has resulted in a death. In this case the boy was turned over to the social services for guidance care. I understand the sad conditions in which this child has been forced to live, but I have lost sympathy with the cry that poverty caused the crime, not the boy. Anyone found guilty of pulling a malicious false alarm should be sent to jail for a year or, if under 16, to a reform school. But in the nine years I have been a fireman, I have seen only one man jailed, and I have responded to thousands of alarms that proved to be maliciously false. In fact, in New York last year, firemen answered 104,690 false alarms—an average of 287 daily, or one every 12 minutes.

It is not just firemen who are victimized by this. Often while firemen are answering a false alarm at one end of their district, a serious fire breaks out at the other end. Time is the most important factor in fighting fires. A minute or two can mean life or death. In New York City fires last year, 292 people died. You can be sure that some of those deaths could have been avoided if firemen had not been answering a false alarm minutes before . . .

TO BE A FIREMAN

I was 21 when I filled in the blanks on the fireman's application form. . . . After I passed the civil-service exam for firemen, I was investigated thoroughly, and my moral character ascertained. In the course of his work a firefighter goes into banks, jewelry stores and people's homes; an applicant with a criminal record is not considered for obvious reasons. I took strenuous physical and medical examinations. Flat feet, missing fingers, less than 20/20 vision or less than perfect hearing, an even slightly imperfect cardiagram were all automatic disqualifiers.

. . . I was ecstatic that I would soon be a part of the gongs, clangs and siren howls. I would play to the cheers of excited hordes, climbing ladders, pulling hose and saving children—always saving children—from the waltz of the hot-masked devil.

Now, so many years later, the romantic visions have faded. I have climbed too many ladders and crawled down too many grimy hallways to feel that my profession is at all glamorous. I have watched friends die, and I have carried death in my hands. There is no excitement in that, no glamor. . . .

THE REAL VICTIMS

Many of the fires in the South Bronx have a strange twist to them. Like the one on Intervale Avenue near Kelly Street.

We can smell the smoke as the pumper turns down Intervale, and hands automatically start pulling boot tops to thighs, clipping coatrings closed, pulling on gloves. The pumper stops, and we're about to stretch the hose when there is an anguished scream from inside the building. A boy is running out of the doorway, his shirt and hair aflame.

. . . There are four apartments on the floor, and three of the doors are open; the occupants of these apartments have fled. The fourth door is locked. The chief arrives and rushes into the adjoining apartment. He starts kicking through the wall with all his strength. The smoke rushes out the hole, darkening the apartment. Knipps and I are coughing, and have to lie on our bellies as we wait for the water to surge through the hose. Two other men start to work on the locked door with the point of a Halligan tool.

The hole in the wall is widened, and Captain Frimes enters. He crawls on the floor toward the front door, swinging his arms before him as if swimming the breaststroke. His hand is stopped by the bulk of a body, lying on the floor. It's a big frame, and Captain Frimes struggles to drag it toward the hole in the wall. He passes the body out to another fireman, who carries it to the street. It is a boy, 16 or 17, a strapping black youth. He is still breathing, but barely. The fireman knows that he has to get some oxygen into him if he is to live, and begins mouth-to-mouth resuscitation.

. . . The fire darkens quickly, and the smoke banks to the floor. There is no escape from it. Willy Boyle moves up, breathing easily in his mask. He is going to relieve Knipps on the line, but he trips in the middle of the room. He feels around, and his hands sink into another body. "I got a victim here!" he yells through the mouthpiece of the mask. Benny Carroll joins him quickly, and they carry the body out and lay it on the sidewalk, next to the boy.

This turns out to be a teen-ager, too, and his clothes are like charred bits of paper sticking to his skin. He is badly burned, and the flesh on the parts of his face has opened so that it looks as if there are pink patches woven into his black skin. Boyle turns away and vomits as Benny plugs the facepiece connection into the regulator of the resuscitator. He holds the mouthpiece tightly with both hands to ensure a good seal. Boyle places one hand over the other on the boy's chest. And he pumps like a heart—60 times a minute. "He's as dead as a board," Boyle says.

"Yeah," Benny says. "But we have to try."

* * * "That's somethin', isn't it?" Vinny Royce says, grimacing in disgust and dejection. "These kids were probably torching the place, and it lit up on them." He means they were arsonists. "I know it sounds lousy to say, but if it happened more often, people would learn, and we wouldn't have so many torch jobs."

* * * We're in the firehouse kitchen again. The men haven't bothered to wash up, and they sit before their steaming cups of coffee, with smoke- and mucus-stained faces. They are talking about the ironic justice of the fire, although they don't call it ironic justice but "tough s---."

None of us wants to see anyone killed, but there is a kind of "It's either you or me" feeling now.

* * * Some days later, we hear what the marshals have learned: the landlord wanted the building vacant, so he hired some guy to torch the place. The guy then hired three kids to light it up, and when they were in there spreading the gasoline, the place caught fire. The police are looking for the guy now. The two kids in the hospital aren't going to make it. * * *

THE VALUE OF LIFE

* * * I am sponging the gravy from the plate with a piece of bread when the bells interrupt. "Westchester Avenue and Fox Street," the house watchman yells.

Box 2555. We were just there. "I bet it's that abandoned building again," Benny Carroll says. As we approach, we see that he is right.

The people of Fox Street have left the midday heat of their apartments and have gathered in the middle of the street to watch the fire. The mood is festive. The people cheer and shout as they make room for the pumper. Why can't the city tear these buildings down, I wonder, as we approach the same building we did earlier—the same abandoned tenement with its heap of rotting garbage in the hall. Whoever lit the place up this time didn't feel like climbing the stairs to the fourth floor, because the fire is jumping out all the windows on the second.

* * * Much of the water we used has found its way down the stairs, and the cooled garbage in the hall doesn't smell nearly as bad as we return to the street. The police are on the scene now, and are trying to control the crowd. But there are too many people—and only three cops. Ladder 31's rig is covered with kids, but we are used to that. The truck is a mobile jungle-gym set in a parkless neighborhood.

Vinny Royce is on the sidewalk across from the abandoned building. He has put his gloves on the fender of a parked car and is getting ready to repack the hose. We are all hot and sweaty, but Vinny has just helped Bill Valenzio uncouple the 4½-inch connection from the hydrant, and he appears to be sapped of strength. Suddenly, as Vinny is removing his heavy rubber coat, a garbage can, hurled from a rooftop, hits the ground next to him with a deadly thump. It doesn't miss him by more than 12 inches. Vinny moves quickly to the security of a doorway. The people in the street scatter, and the kids jump off the truck and run down the block. The street is a valley, canyoned by six-story tenements from end to end; all our eyes turn toward the roofs.

Benny Carroll screams, "Look out!" and runs to join Vinny huddled in a doorway. A volley of two-inch iron balls hits the street, one shattering the windshield of Ladder 48's rig. Cops run into the buildings. They soon return. Whoever was on the roof has disappeared.

. . . Benny and Vinny come into the bunkroom. They wash, change their shirts and lie on beds on either side of me. We talk some about what has happened. We all agree that it is difficult to make any sense out of it. Benny says it could be organized guerrilla warfare; Vinny says it is just part of the lawless times; I say it could be both of those, but that it is also due to a sad loss of respect for human life. The people on Fox Street may feel they have good reason to hate us, but that's not the issue. I hated plenty of people when I was a kid, but I never thought of killing them. . . .

"BURN, BABY, BURN!"

It is still the same day. There is now a serious fire at Brook Avenue and 138th Street, and shortly the call comes in for "all hands." That means it is a bad fire, but not yet worthy of a second alarm. It is not our assignment, so we stay put.

. . . A second alarm is sounded for 138th Street—and then a third. There are so many bells coming over the system that I stop counting them.

Bill Kelsey is on house watch, and suddenly yells, "Get out 82 and 712. Boston and Seabury."

It is probably a false alarm, I say to myself. But, as we approach, a young boy runs down Seabury, turning occasionally to make sure we are following. There is a large crowd gathered in front of the Diaz Bodega.

I am the first to reach the spot, and I see a guy in a crimson-stained yellow shirt lying in a mess of thick blood spread over the sidewalk. I hear the faceless voices of the crowd saying in broken English, "Someone tried to off 'im, man. Who the man cut 'im? We gonna get 'im." It seems strange to hear the blacks' dialect spoken with a Spanish accent.

The man is lying on his side with his head on his forearm. He is about 35 years old. His eyes are open, and he seems to sense our presence. We can see now where it hurts. His right ear has been slashed and is swinging freely by its lobe. John Nixon opens the first-aid box, hands me a sterile sponge. I pick up the ear and place it where I think it belongs. I hold the sponge in place as John wraps a bandage under the chin and around the head.

. . . In the firehouse again, I take an ice tray from the refrigerator. The creases have fallen out of my clean shirt, and there are large sweat stains at the armpits. I put the ice in a cup, and pour the soda in after it. It fizzes to the top, and as I'm waiting for it to recede, the bells come in again. I have to leave the soda once more. Box 2555—for the third time today. Kelsey is screaming with all the power in his lungs: "Westchester Avenue and Fox Street. *Again!* Westchester Avenue and Fox Street. The Bronx is burning. Get out 82 and 712. I bet the bastards set it up again. Get out."

. . . "You know," Benny says to me as he pulls his boots up, "Kelsey is right. The Bronx is burning up, and the sad thing about it is that no one knows it. This is an insane day for fires, but you won't read anything about it in the papers tomorrow, and you won't see anything about it on TV tonight. That's the real sad thing. Nobody knows about it."

The crowd in the street makes room for us to pass. There is fire playing out of the windows of the first, second and third floors, and we can feel the intense heat as we pull in front of the building. A small crowd of teen-agers is gathered across from the burning tenement singing, "Burn, baby, burn! Burn, baby, burn!"

THE SUBJECT OF KIDS

. . . The subject of kids is usually a sad one for us, but my little talk with Cynthia makes me feel light and happy. I realize that there must be many children like her in the South Bronx, and she represents the future as I want to see it. Unfortunately, though, we don't get to see many Cynthias. We see kids in filthy clothes playing in filthy alleyways. Kids who jeer at us and throw things at us. We have been into their homes. We have seen the holes in their walls, the rats in their halls and the roaches scrambling over their bedsheets. It is not difficult to understand why kids are a problem to us in the South Bronx. It simply cannot be expected that Cynthias will be nurtured in these environs. But at least they exist.

. . . As I stood shaving at the bathroom sink this morning, my wife came and stood by the door. I was shirtless, and after watching me for a short while she put her hand on the long scar on the back of my neck—one of the reminders of the Fox Street fire. "That's an ugly scar, Dennis," she said. "Do you think it will ever go away?"

I smiled at her reflection in the mirror, and replied, "I doubt it, but a shirt collar hides it, so what does it matter?"

. . . At that moment I felt one of the rewards of my occupation. My wife was communicating to me that she understood the nature of my job. She was fearful of the future, yet she acknowledged the importance, the value, of fighting fires. I was so moved that all I could think to say was "I love you." It was enough.

"SHE NEVER HAD A CHANCE"

. . . I have grown to love the men I work with as much as any man can love another. We have been through a lot together, from being huddled on a floor, flames jumping in front and behind, and unsure if we would be able to fight our way out, to consoling each other in hospital emergency wards, to drinking hard in North Bronx bars, to picnicking with our families by a calm upstate lake. Between us there is a mutual admiration and concern that can be found only among men whose very lives depend on each other's quick, competent and courageous actions. It is a good feeling, this dependency—a proud feeling.

The harsh clang of the bells makes me jump, and I listen for the count.

"82 and 31, get out. 1280 Kelly Street."

. . . The fifth floor is enveloped in smoke, and I can barely see ahead of me. Billy O'Mann and Charlie McCarty are working on the door of the burning apartment, but it is secured inside with a long steel bar stretched from one side to the other like the gate of Fort Apache. The smoke is brutal, and Billy-O has a coughing fit between ax swings. Charlie pulls on the Halligan with all his strength, as Billy-O hammers with the head of the ax. Finally, the door begins to move. Still coughing and choking, Charlie puts his shoulder to it, and it swings inward.

Charlie and Billy-O dive to the floor, for the fire lunges out to the hall. Willy Boyle has the nozzle. "Let's go," Lieutenant Welch says.

. . . Meanwhile, Jerry Herbert enters from a front window.

. . . His hand gropes in front of him until at last he feels the soft give of a woman's body. There is a baby by her side. Jerry picks the child up and hurries on his knees toward the window. As he nears it, he sees Richie Rittman enter and yells to him. Rittman takes the baby in his arms and climbs out of the apartment. Jerry knows that he is in trouble, for the fire is coming at him fast. He grabs the woman under the arms and pulls her to the window, keeping his head as low as he can. As he lifts her out to the fire escape, he hears the front door give way, and at that moment the room lights up completely in fire.

. . . We reach the front room, and as I lift my leg to get a stronger stance, the floor gives way and my leg goes down, caught between the smoldering boards of the floor.

Lieutenant Welch sees what has happened and calls Royce up to the nozzle.

Knipps helps pull me up, and I start to move out, but the way is blocked by the men of Ladder 31. They are kneeling around a small body. It's the baby. I go to a window and rip open my facepiece to get some air. The taste is horrible as my stomach empties.

Billy-O is sitting on the vestibule steps, waiting for the ambulance. The baby that Ladder 31 found is wrapped in a bedspread and lies like a little bundle in his arms.

I come down the steps and ask him, "What is it?"

"It's a little girl," he says. "She never had a chance."

"Did you give her mouth-to-mouth?" I ask.

"We couldn't. She was roasted so bad, the skin was burnt completely off her face. The poor little thing. She never had a chance."

I don't say anything further, nor does Billy. I look at his eyes. They are almost fully closed, but I can see they are wet and tearing—the light reflects from the watered surfaces, and they sparkle. I wish my wife, my mother, everyone who has ever asked me why I do what I do, could see the humanity, the sympathy, the sadness of these eyes, because in them is the reason I continue to be a firefighter.

A NONPARTISAN YOUTH ADVISORY COUNCIL IN MISSOURI

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. SYMINGTON. Mr. Speaker, today I wish to share with my colleagues an illustration of the valuable input young persons attending high school can furnish to their Representative in Congress.

Last fall I formed a nonpartisan Youth Advisory Council to open what I hoped would be a direct line of communication with the young people of my district. With the help of high school principals, I selected student representatives from each of 35 high schools in the district.

During the council's first year of operation, now completed, its members demonstrated not only enthusiasm and devotion, but also the capacity for careful observation and study followed by responsible action.

The council could have been merely an instrument to woo the 18-year-old vote, in which case it would not have been a channel for honest communication. Such an arrangement was avoided from the start; as a result the council made significant civic contributions.

The council set solid challenges for itself and met them with solid determination. Many of its accomplishments have already had substantial impact. Others are only beginning to show what will surely be continuing effects.

Activities of the council were concerned with matters of interest particular to St. Louis County and the Second District of Missouri, relating to the issues of environmental quality, health, justice, and voter registration.

Moving beyond what it believed to be "environmental faddishness," the Committee on Environment pursued serious environmental concerns. During Earth Week, the committee organized an ecology workshop for high school students in cooperation with the University of Missouri at St. Louis. The workshop assembled public officials and leaders of the serious environmental movement to meet with students and plan individual and organizational action.

The Committee on Drug Abuse and Health confronted a persistent problem with pragmatic political action. After tours of the State hospital for the mentally retarded, the State mental hospital, and several drug treatment centers, the committee wrote to members of the Missouri General Assembly urging legislation to assist the mentally retarded. Its efforts contributed to the passage of two bills: one to appropriate emergency funds to hire additional staff for the State school, and the other to establish a diagnostic treatment center for the mentally retarded in St. Louis County.

Amid public furor over rising juvenile crime and conditions at the Missouri Training School for Boys, the Committee on Justice studied the Missouri juvenile justice system and prepared a report calling for great change. The committee recommended to the Governor the creation of a Missouri Department of Youth Services, which would coordinate existing State efforts in the prevention and treatment of juvenile delinquency, provide numerous noninstitutional treatment options for committed youth, and assure ongoing citizen participation and review.

Through its Voter Registration Committee, the council sought to encourage direct student involvement by voting. In cooperation with election officials, the committee conducted voter registration drives in all second district high schools—5,072 young voters were registered for the November election. According to the election board, this was the most successful registration program in St. Louis County.

The interest and involvement of individual members of the Youth Advisory Council have been sought and enlisted by other groups. Douglas Phillips, chairman of the Committee on Justice, and Mathew Librach, chairman of the Committee on Voter Registration, were recently appointed by Governor Warren E. Hearnes as the youngest members of the Governor's Committee for Children and Youth. Steven Hundley, chairman of the Committee on Environment, and Nancy LaBelle, of the same committee, served as members of the board of directors of the St. Louis Coalition for the Environment. Council representatives attended numerous conferences on the local, State, and national level.

Upon completion of the council's first year of operation, the representatives themselves chose students to serve in the coming school year and continue the spirit and effort of its projects.

I am sure my colleagues would join me in expressing appreciation to each person who has given so much: Timothy Brady, Kathy Brindley, George Carver, Gwen Clegg, David Coombs, Carol Dependahl, Betsy Eldredge, John Fox, Alan Goodman, Marquita Hernden, Steven Hundley, Brad Korbesmeyer, Ed Kunst, Nancy LaBelle, Chris Laumand, Steve Leach, Mathew Librach, Marc McCarty, Donna Meyer, Sheldon Mirowitz, Helen Nahm, Douglas Phillips, Charles Ruzika, Debby Sansone, Craig Smith, Cissy Tiernan, Ed Tumminia, Carlene Unverferth, Dona Warmann, Carla Weber.

TENNESSEE ENJOYS ONE OF ITS GREATEST YEARS FROM AN ECONOMIC STANDPOINT UNDER GOV. WINFIELD DUNN

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. BAKER. Mr. Speaker, the news out of Tennessee these days is very good. Under the leadership of Governor Winfield Dunn, the "Volunteer State" has enjoyed one of its greatest years of economic progress.

Governor Dunn recently reported to the people of Tennessee on the state of our economy for fiscal year 1971–72. The report is replete with advances which have been made in revenue collection, nonfarm employment, take-home wages and average annual income.

It is a privilege for me to call such a glowing report to the attention of my colleagues. I ask that Governor Dunn's statement just as he made it at a press conference on July 28, 1972, appear at this point in the Record. The statement follows:

Statement of Gov. Winfield Dunn

It is with great pleasure that I today announce that Tennessee in fiscal 1971–72, which ended June 30, experienced one of its greatest years from an economic viewpoint.

As the result of a booming economy and the most efficient tax collectiton agency in the state's history, Tennessee realized during the last fiscal year revenue of $24,631,000 more than was estimated at the beginning of the year.

The overcollections by fund are:

General fund, $18,729,000.

Highway fund, $2,566,000.

Local governments, $2,863,000.

Trust fund, $394,000.

Sinking fund, $79,000.

By law, a total of $12,902,000 of the $24,631,000 is already dedicated. The highway fund must be used to cancel bonds; the local government overcollections must go back to local governments; the trust fund goes into the retirement system for officers of the judiciary and the sinking fund must be used on debt service.

In addition, $5,000,000 of the total overcollection must, under the appropriations bill, be used to cancel computer notes.

Another $2,000,000 is being placed in a reserve fund to meet potential obligations under amendments made in 1972 to the Business Tax Act.

With those legal obligations deducted from the total, there remains $11,729,000 as the result of the overcollections. These funds are not appropriated.

Because of my great concern—and the concern of the legislature—in the areas of child development, penal reform, mental health, economic development and environmental protection, I will ask the 88th General Assemby, which convenes in January to appropriate these funds to non-recurring badly needed projects.

I will recommend that a total of $4,000,000 be appropriated for improvements to U.S. Highway IIW in East Tennessee. There is no need for me to go into the history of this highway and the need for improvements there just as soon as humanly possible. This sum, while not as much as immediately needed, will greatly step-up my program for improvements on that vital highway.

In addition, I will recommend that $500,000 be spent for improvements to facilities in the Department of Corrections; $100,000 as a result of implementation of the Handicapped Children Act; $500,000 for the acquisition of natural areas in the state, with priority on the purchase of Savage Gulf property; $500,000 for solid waste material grants to local governments, and a total of $6,100,000 for improvements to facilities in the Department of Mental Health.

The overcollections reflect, in my judgment, the state's unprecedented economic growth, plus a dedicated effort by George Tidwell and the employes of the Department of Revenue to collect taxes on a fair and impartial basis without regard to any other factor.

This economic growth was strongly pointed up just yesterday when the figures on the state's nonfarm employment were released. Those figures revealed that for the third consecutive month a new record for employment was set during the month of June.

Through last month a total of 1,412,000 Tennesseans held nonfarm jobs, a new record high. That is 10.300 more people on payrolls than in May of this year and 51,100 more than a year ago. Food processing, construction, retail trade, motels and other service industries are largely responsible for the large increase in employment and they contributed greatly to the increase in revenue which came into the state treasury.

Statistics show that more Tennesseans are also making more money than ever before; are taking home more money than ever before, and that their average annual income is increasing at a faster pace than the national average. For example, during the first four months of 1972 the national average for income increase was 8.4 percent. In Tennessee the increase during the same period was 9.8 percent.

The collection of sales taxes has been one of the state's bright spots. We estimated that there would be an 11.5 percent increase during the fiscal year. The actual increase was 13.3 percent and as a result our overcollections in this area amounted to $6,210,000.

And while that percentage increase is substantial, it is not greater than that reported by some of the other states. All of the Southern states, including Tennessee, underestimated their percentage increase, as a matter of fact. For example, Florida estimated an 18.9 percent increase and the increase was actually 22.45 percent; Alabama estimated a 5 percent increase and it actually had a 12.99 percent jump. Virginia, on the other hand, estimated a 13.1 percent increase and had an increase of only 13.41 percent.

The actual percentage increases in the other Southern states are of significance: Kentucky had an increase of 10.8 percent; North Carolina, 13.62 percent; Louisiana, 18.83; Mississippi, 13.8; South Carolina, 14.9; Arkansas, 18.1, and Georgia, 16.7.

This revenue, plus the economies and efficiencies we haxe been able to install in the various departments, has placed Tennessee in a most enviable economic position.

While we have not entirely closed the books on fiscal 1971-72, and therefore do not have final figures, it appears that the state will meet its obligations well within the appropriations recommended by me and approved by the 87th General Assembly.

It will be remembered that this administration, in order to put the state on a more businesslike basis, eliminated the practice of imposing a 5 percent impoundment on the funds of the various departments. With the concurrence of the General Assembly we decided, instead, to create a general reserve fund of $15,000,000 to protect the state against an unexpected loss in anticipated revenue.

With economies and efficiencies it now appears that the state will close its books on fiscal year 1971-72 about even, including the establishment of the $15,000,000 reserve fund.

We were able to establish this reserve fund as the result of the efforts of Commissioner Ted Welch of the Department of Finance and Administration, former Commissioner Russell Hippe, and the other commissioners who operated their departments on less money than had been appropriated. Commissioners Welch and Hippe have had the responsibility of holding a tight rein on expenditures and they have received the full cooperation of the other members of my cabinet. I am indebted to all of them for this excellent record.

My goal is for an even better record in fiscal 1972-73.

WHAT A WEEK

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. JOHNSON of California. Mr. Speaker, Jeanine Bourgeois of Redding, Calif., is a member of the Future Homemakers of America. At the national meeting held in Los Angeles this fine young lady from my congressional district was elected National Reporter and was one of 12 delegates chosen to represent more than 550,000 members of this fine organization.

Miss Bourgeois has shared her experience as a delegate to the 1972 Future Homemakers of America National Meeting with me and I request, at this time, unanimous consent to insert her report of the meeting of July 9-13 in the CONGRESSIONAL RECORD.

The report follows:

WHAT A WEEK

(By Jeanine Bourgeois)

The 1972 Future Homemakers of America National Meeting, held in Los Angeles, California, July 9-13, was both an enriching and challenging experience for me. It was, indeed, an honor to be one of the 1500 youth delegates chosen to represent our total membership of more than 550,000 from throughout the United States, Virgin Islands, and Puerto Rico.

The theme of our meeting—*Explore Roles, Extend Goals*—provided for a most exciting week. The general sessions, workshops, interest sessions, late night gab sessions, meals, and other get-togethers made each and every delegate a vital part of the meeting. We were each given the opportunity to explore the multiple roles we play in family, community and career living. Various leaders in many career fields spoke to small groups. The information we obtained was helpful and fascinating.

The richly embellished walls of the historic, old Biltmore Hotel seemed to come alive as the 1500 happy and eager FHAer's moved in for our weeks activities. The atmosphere was one of total friendliness and genuine involvement. It was very reassuring to see so much enthusiasm and awareness in these future leaders and homemakers of America.

As an officer candidate I was exposed to many different faces and phases of the meeting. It was interesting to see the participation and meaning of the election of officers in the four different regions.

In some of the races for office, there was sound competition and in others there wasn't quite so much. It's really a shame that states don't take the opportunity and run candidates when they are eligible. I sincerely feel that FHA was meant to be an organization of involvement of youth in all states. Something must be missing in the FHA programs in the states which decided not to run officer candidates. I know, from personal experience, that FHA really does broaden ones personal, family and community horizons. As a new National Officer, I feel that it is my duty to try to interpret and make our organization more meaningful to more youth. Hopefully, our new Program of Work (which all officers will be working on this next year) for 1973-77 will provide the needed flame that will spark action in chapters throughout the country.

I begin my year as National Reporter of the Future Homemakers of America with a feeling of deep pride and challenge. I realize that this is a job that requires an extreme dedication and genuine love. FHA is a part of me and with it, I am learning to become a better person. I sincerely want to give of myself to this remarkable organization which has given so very much to me. I can't express in words the extent or entire meaning of my life and activities. I am looking forward to more participation in this organization and I am sure what I gain from these activities will help me throughout life.

I really hope that next year, I can look back upon my year's endeavors and say that this was one of the most meaningful and fantastic years of my life. It will take a lot of work on my part, and lots of understanding and help from my advisors, family and school; but with faith in God and determination I look forward to my year as National Reporter with much enthusiasm.

The 1972 National Future Homemakers of America meeting was a week that I will never forget. My life was changed by this meeting in many ways. I really did grow as a person. My thoughts of this week and the many that will follow could be summed up in the following poem by Helen Lowrie Marshall:

"BRIGHT HORIZONS"

We should be glad for distant things,
For beauty 'round the bend;
For highways that lead on and on
With never any end.
Be glad for goals just out of reach,
The challenge of a star,
The glory of a distant light
That beckons from afar.
For hopes and dreams are built on
That enchanted distant mile,
And far-off bright horizons
Make the road today worthwhile.

LET THOSE WHO PICK LETTUCE PICK THEIR OWN UNIONS

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. VEYSEY. Mr. Speaker, yesterday the Members received a Dear Colleague letter asking them to cosign a letter to Federal agency heads urging them to boycott lettuce that does not carry the seal of the United Farm Workers. It was represented that this would show support for striking crop workers in California and Arizona.

For the Members' information:

First. No lettuce workers in California or Arizona are on strike; and

Second. Ninety percent of all lettuce in California is harvested by union labor. Virtually all California lettuce you buy in the East, and are asked to boycott, is harvested by union labor.

Actually, what the Members are being asked to do is to take sides in a jurisdictional dispute between two different unions: The United Farm Workers and the Teamsters.

The proper way to settle a jurisdictional dispute is by a secret ballot election of the workers themselves, not by a boycott. Let those who pick lettuce pick their own unions.

I am today sending all Members a letter setting the record straight.

SECOND CLASS POSTAL RATES ISSUE—THE OTHER SIDE

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. GROVER. Mr. Speaker, various newspapers and magazines have recently carried a number of alarming comments about new second class postage rates, maintaining that the new rates will be ruinous and that they constitute an attack on freedom of the press.

An editorial from the July issue of Direct Marketing Magazine has recently come to my attention. This editorial views the new rates from a considerably different perspective. It is well documented, and cites some very practical examples showing what a bargain second class rates will be even after the full 5 years of phased implementation has been completed.

I commend this editorial to the attention of my colleagues, since the views expressed may not be widely published, and ask that it be printed in full at the conclusion of my remarks.

The editorial follows:

EDITORIAL

(By Henry R. "Pete" Hoke, Jr.)

The propaganda campaign put on by the newspaper and magazine publisher associations for low 2nd class postage rate is a joke. They put novelist Herman Wouk up to testifying before a House Postal Subcommittee recently. He was asked to say that increases "averaging about 127 per cent over the next five years, pose one of the gravest threats of freedom of communications ever faced by this country." The New York Times reprinted Wouk's testimony on June 22 under a headline—To Save The Magazines.

There were countless other stories following the Postal Rate Commission's decision on June 5. The Washington Post did a ditty on the testimony of Editor Norman Cousins before a Congressional Subcommittee. The new publisher of "World" said he couldn't predict how many magazines will be endangered and perhaps killed by the increase, particularly the small ones who can barely hold their heads above water now. Time Magazine, on June 19, bravely stood up for the little fella in a special Time essay, which tearfully painted a picture without a single fact but warned of the end of a "profound phase of American history." The escalation, as one publisher is quoted, is nothing less than Government repression of freedom of speech and press.

The little fella isn't in grave danger. Neither are the big publishers, although the big boys are being asked for big bucks, and the impact over the next five years is not going to be pleasant. No increase in cost ever is. We are publishers, one of the little fellas they talk about. Our increase over the next five years will be about 70%, not 145%, not 127%. Our postage bill for this magazine is today about $7,000 *per year!* A 70% increase will cost us (and you) about $5,000 a year by the end of five years, or a $1,000 per year increase. At the end of five years, we'll be paying about 13.5 cents *per pound* to deliver our magazine from Concord, N.H. to any hamlet in North America. But our average copy weighs only half a pound, so let's call it 7 cents a copy, or the greatest bargain around.

Reader's Digest with a circulation of 17,750,000 is being asked a whopping $7,000,000 more per year in 2nd class postage by the time five years have passed. They now pay about $5 million. To put it to you another way, it will cost RD another 39 cents per year per subscriber to stay in the game after five, phased steps in five years. The postage cost will be all of 73 cents per mailed subscription . . . 6 cents a copy.

Let's take the middle range, Atlantic Monthly. Postage bill in '71 was $170,000 on a circulation of 325,000. 40% of the book is advertising. The increase being asked will add another $155,000 in cost, not 127% but 90%, or 18% a year for five years. Assuming no newsstand distribution (which they have, which is really expensive), the full increase in 5 years will add 50¢ per year per subscription, to the annual cost of delivering the magazine from Concord, New Hampshire to every hamlet in America, Canada and Mexico. Works out, in five years, to about 8¢ a copy, or .8¢ per ounce compared to 8¢ per ounce for First Class mail. As one executive put it, magazine publishers would do well to keep their mouths shut, pay their way, look to subscribers for the add'l buck a year, and spend their time taking advantage of the great opportunities laying at their doorstep in diversification, new communications products.

You don't hear a peep from controlled circulation publications. They've been paying 15¢ *per pound* for some time. Cost coverage has been 239%. That means they're paying all of their direct costs, plus 139% more as a contribution to overhead. Thus the usual magazine weighing half a pound will continue to be delivered from one point to all points for just 7½ cents a copy.

What about a Second Class publication with no advertising, the so-called poor people of publishing? A flat fee is charged. No concern about zones in figuring the advertising portion. In 1971, that was 3.4¢ a *pound*. The five step increase in five years will bring that up 112% to 7.2¢ *per pound*. A half pound publication will then cost 3.6¢ to deliver anywhere in the U.S., slightly more than .4¢ per ounce. A First Class letter costs 20 times more.

You should know these figures so that you can cut through the propaganda, take a balanced view of all rates. You should ask, why should publishers, most of whom are being asked to pay about 7–8¢ a copy in five years regardless of class, why are they so concerned? Who's doing the shouting? The mass circulation publications have a lot of bucks riding. Regardless of logic, a penny saved is a penny earned. Commendable for the stockholders, but a disservice to the country in terms of fighting for an adequately financed Postal Service. The weekly publications have 52 issues to worry about, so the bucks are substantial, *although relative to income*. The real worry is not stated. Weeklies, dailies receive Red Tag or super First Class treatment: guaranteed delivery with First Class Mail. They're worried that Postal management might get the idea of a super-charge beyond present increases for the deluxe treatment, a charge for value of service. But weeklies and dailies have a good case in that from a practical matter, the publications must be moved, can't back up in storage. So, in the public interest, team work should be encouraged to traffic the mass in the best possible manner at regular rates.

But increased rates are causing stress. To charge the public even a dollar more, means reduced circulation. None really knows how much. In time, not much, some say. Half-price subscription selling is threatened. Some say it should be. It's a mess to handle. But, in a competitive society, who'll be the first to break away? As Norman Cousins has said a dozen times lately on the platform, it's a new ballgame for publishing. The subscriber must shoulder more of the cost. It's healthier anyway, being less dependent on the peaks and valleys of advertising. Higher costs/prices are perhaps in the final analysis in the public interest. It eliminates waste on the fringes for all concerned. We, like Cousins, believe the future of publishing has never been brighter for those who know how to trim the fat and experiment with better ways to serve their constituencies. Those of us who use the mails for direct mail advertising have certainly learned these lessons well.

TRIBUTE TO AMDOC

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. HANNA. Mr. Speaker, with the current wave of institutional criticism which is carried by the few vocal disenchanted, it is my pleasure to bring to the attention of the Congress an organization which is quietly and positively volunteering service to people the world over.

AMDOC, American Doctor, is a nonsectarian, nonprofit and nonpolitical organization which was established by Paul Williamson, M.D., in 1962. It was headquartered in Santa Barbara for several years and in 1970 the international headquarters were moved to Tustin, Calif. The chairman of the board is William VanValin, M.D., who spent considerable time with Tom Dooley, M.D., in Laos and was a volunteer physician with Albert Schweitzer, M.D., at Lambarene, Gabon. The primary thrust of AMDOC is the placement of short- and long-term physicians in volunteer domestic and overseas positions. This work is accomplished by matching physicians and paramedical personnel to institutions that have requested their services.

In addition to the routine medical care as provided by these volunteers, AMDOC was involved in supplying medical volunteers for the Biafran situation, the Peruvian earthquake, and more recently is involved in an ongoing study for the short and long term needs for Bangladesh. During the Peruvian earthquake disaster two teams of paramedic parachute specialists were dispatched to Peru at the request of the Government for service in districts that had been totally isolated.

More recently, AMDOC's Equipment Division has been set up to supply medical equipment as it becomes available through donations from physicians and manufacturers. Some of this equipment is new but most of it is refurbished in the AMDOC warehouse located in Orange, Calif.

AMDOC Pilots, the newest division within the AMDOC organization was organized to coordinate physicians who have their own planes or at least the capability of flying to smaller clinics and medical facilities within the United States especially on or near Indian reservations.

Any physician who volunteers for the AMDOC program completes a short questionnaire and provides copies of his major credentials. Communication with several institutions that can utilize his particular services is then initiated and as a final step the volunteer chooses one of these institutions for his period of service. Most physicians even pay their own transportation. Assignments vary from 1 month to several years. For the longer term assignments some travel and living allowances are available.

Every physician that returns from an assignment is asked to send a rather detailed report to the AMDOC office so that his experience is available to others who might follow him. I take this opportunity to commend the 750 AMDOC alumni who have served selflessly in all types and sizes of hospitals. Their professional dedication deserves the recognition of my colleagues.

JUVENILE SHELTER PLANNED FOR THE COUNTY

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. CARTER. Mr. Speaker, the Harlan County Ministerial Association and the Reverend Earl Bell, who are spearheading a program for a juvenile shelter, are to be congratulated upon their worthwhile work. It is apparent to all of us that juvenile offenders should not be confined with hardened criminals.

Let me also congratulate Judge Hugh Hall and the Harlan County fiscal court for its donation to help with the shelter proposal.

I include an article by Jim Gibson in the Harlan Daily Enterprise explaining the innovative procedures taken by the Harlan County Ministerial Association.

The article follows:

JUVENILE SHELTER PLANNED FOR THE COUNTY

(By Jim Gibson)

A proposal to establish a shelter for juveniles from the time they are taken into custody by police officers until they appear in Juvenile Court has been initiated by the Harlan Ministerial Association.

The Rev. Earl Bell, who is spearheading the planned program, said the main problems facing the development of the shelter program is the need to rent a home to house the juveniles and to find a married couple to serve as house parents at the shelter.

At the present time, most juveniles are lodged in a separate section of the county jail from the time of their arrest until their appearance in court. However, in some instances they are released to the custody of parents or guardians.

The initial cost of the shelter program for one year is $10,900. Seventy-five per cent of this amount can be obtained in the form of federal funds through the Kentucky Crime Commission. For the $2,725 to be obtained on the local level, the sum of $1,500 is being included in the 1972–73 county budget.

Harlan County Fiscal Court voted last week to make this donation to help the shelter proposal be tried in what can be described as a pilot program. The remaining $1,225 is expected to be raised by the Ministerial Association through various means.

Mr. Bell said such a shelter program for juveniles has been developed in several other Kentucky cities, but it is too early to know if they will be successful. He stated the main objectives of the program is to prevent juveniles from having undesirable contact with adult offenders.

According to Mr. Bell, his organization will like to find a house where they could provide sleeping quarters for seven boys plus the house or cottage parents. When a juvenile is picked up by officers, he could be brought to the house to stay from three to 14 days or until his case comes up in court.

The house would not be a "jail" in any sort of the sense with cells and bars, but would be more of a home. While living in the home, the juveniles would be able to have counseling from members of the Department of Child Welfare in determining their problems. They also could receive counseling and talks with members from the Mental Health Center, the Vocational School and other groups able to provide insight into juvenile problems.

Fiscal Court is serving as the applicant for the federal grant and will be the governmental agency implementing the program while the Department of Child Welfare and the Ministerial Association will serve in the capacity of supervisors.

The sum of $1,800 of the total cost will be set aside for personnel and the remaining $9,100 will pay for supplies and cover operating expenses. This first sum will cover costs for house parents, supervision, counseling, guidance and group therapy.

Housing, maintenance, utilities, food, medical needs, recreation, clothing and transportation would be covered by the $9,100. Mr. Bell said the shelter would provide a place for the juvenile when probation back to the home is unwise or where there is no home.

He stated the present local social structure in Harlan County provides a very limited opportunity for emergency shelter care. The only available foster homes in Harlan County are being utilized by the Department of Child Welfare.

According to Mr. Bell, the availability of competent supervision for juveniles is encouraging. These availabilities include persons trained in the field of social work to serve as house parents, a chaplain training program at Harlan Appalachian Regional Hospital offers qualified personnel and a school of Professional Nursing and Surgical Resident program also makes assistance available.

In discussing the need for such a shelter, Mr. Bell made the following statement:

"The average case load, which included old and new cases, is five per week. Fifty per cent of these cases require a period of detention before a decision can be made. This means that they are housed with drunks, homosexuals and other hardened criminals because there is no facility in our county to handle children. There is only the county jail.

"The majority of the juveniles come from homes where the children are beyond parental control and probating the child back to the parents does not solve the problem since the parents are incapable of giving adequate guidance. In some cases, there is no home to which a child can be sent.

"Other cases involve runaways from institutions, homes from other states or homes other than Harlan County and we have no choice but to house them in the local jail. Often there is such hostility and antagonism on the part of siblings that removal from the home environment for a "cooling off period" is the only solution.

"The new legislation passed by the 1972 General Assembly requires two hearings for a juvenile. This has heightened the problem of possible detaining of the juvenile until due process can be achieved.

"The average length of stay varies but the majority of the youngsters are picked up on weekends. If a juvenile is picked up on Friday he must be detained until the following Thursday which is Juvenile Court day, provided someone does not make an appearance bond.

"If for some legal reason, such as the parent refusing to appear in court or witnesses being detained or incomplete information, then the juvenile must be detailed for another week.

"The average length of stay is seven days, but can be as much as 10 to 14. Often the judge is presented with a dilemna in which he does not want to make a hasty decision. He needs time to consult with assisting agencies as well as conduct his own investigation and in particular to work with the local Child Welfare officials.

"Recent legislation has placed juveniles in a different category. Rather than being a labeled delinquent, some of the offenders are given new classification. For example, truancy, beyond parental control and juvenile delinquent is no longer a basis for institutionalizing a child.

"They are now placed in the category as a dependent child. This makes even more critical the need for temporary detention to provide the local officials with adequate time to make a decision about the treatment of the child.

"The legislation has now placed the responsibility upon the community and primarily the courts, rather than the state, for the disposition of this type of child.

"Often first offenders are institutionalized because there is neither time nor facilities to adequately handle their cases. Institutionalization of this type simply exposes to the hard core delinquent. Temporary facilities will give adequate time for the local officials to give the best possible assistance to these cases.

"This type of case represents approximately 50 per cent of the cases that appear in Juvenile Court. We propose to show our determination and willingness by not only providing 25 per cent of the money which would amount to $2,725, but we will seek from interested persons in the community used furniture for the home."

MUTUAL VISITOR

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. BURKE of Florida. Mr. Speaker, on Wednesday, August 2, Dr. David C. Morrell, accompanied by his wife and family, visited the House and Senate

Chambers as my guests. Dr. Morrell is the deputy director of the Social Medicine Research Unit of St. Thomas's Hospital Medical School, London, England.

Dr. Morrell is participating in a mutual visiting scientist exchange program and is working with the National Center for Health Services Research and Development, Health Services and Mental Health Administration, Department of Health, Education, and Welfare.

In the United Kingdom, Dr. Morrell is deeply involved in the quality of health services and is providing our scientists with valuable information concerning this medical care research. Dr. Morrell is currently studying our methods in the area of research and development in assuring the quality of our medical services.

This international exchange program of scientists provides all nations with shared research experiences, knowledge, and insights concerning the problems and opportunities in the health services research area.

We welcome Dr. Morrell and his family to the United States and deeply appreciate his concern in our mutual problems.

USEFULNESS OF A PORT IS REAFFIRMED

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. SHRIVER. Mr. Speaker, as a member of the House Appropriations Committee I was pleased by the favorable action of the committee and Congress in increasing funding in fiscal 1973 for an ongoing study of the Arkansas River, including navigation. This action will enable the Corps of Engineers to accelerate this important investigation which will determine the feasibility of making the Arkansas River navigable from Tulsa, Okla., to Wichita, Kans. The economic benefits of the opening of the port of Catoosa in Oklahoma are now being realized.

A recent editorial in the Wichita, Kans., Eagle emphasized the economic consequences of navigation from the Mississippi to the port of Catoosa, and the urgency of completing the corps study of extending navigation into Kansas. Under leave to extend my remarks in the RECORD, I include this interesting editorial. The editorial follows:

USEFULNESS OF A PORT IS REAFFIRMED

The unquestionable advantages to most of Kansas in making the Arkansas River navigable to Wichita were pointed up once again in an article in The Eagle the other day.

For one thing, $1 billion of industrial investment has developed along the 440 miles of the river from the Mississippi to the Port of Catoosa in Oklahoma because of the system that already has been completed.

And volume of business on the river is growing. The Tulsa district engineer reports more than 4½ times the volume of traffic the first six months of 1972 than in the same period last year, which exceeds all expectations for Catoosa. As the port facilities there improved, it is expected that tonnage will continue to grow and grow. Kansas might expect the same experience.

Barge traffic on the whole Arkansas system carried 4.2 million tons of cargo in 1971—the waterway's third year of operation. By the end of this decade the Corps of Engineers estimates 13.2 million tons will move in the waterway. If it is extended to Kansas this will, of course, up the tonnage considerably.

A study made for the Mid Arkansas Valley Development Association in 1966 showed that $1.18 would be returned for each $1 invested in extending the system, which answers protests that this is costly pork-barrel legislation.

MAVDA's study also predicted that $2.6 billion could be saved over 50 years in reduced costs of shipping various items by barge rather than by other means of transportation.

The Corps of Engineers presently has a multipurpose study of the river from Catoosa to Great Bend under way, and two recent events may accelerate it. One is an extra $90,000 from Congress for the study, and the other is a study by Kansas State University for the engineers on feasibility of shipping wheat down such a navigation system.

Backers of the project have no doubt both studies will prove the feasibility of the waterway. Once that proof is in hand, it will require the continued devoted effort of many people who have worked in its behalf, plus the widespread support and assistance of the other people of this area.

Nearly everybody in a wide area of Kansas and Oklahoma will benefit either directly or indirectly from it.

MORRISON C. HANSBOROUGH RETIRES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. WALDIE. Mr. Speaker, a great friend of mine and most of us in the House of Representatives, Morrison C. Hansborough, recently retired from his long-held position as a barber for the House.

Not only was it always a delight to sit in Morrison's chair because you knew you would get an excellent haircut, but you also knew that you would have stimulating and challenging conversation.

Some of the best moments in the House have been listening to Morrison's comments upon national affairs and the House of Representatives. I was always convinced that Morrison had as deep a love for this institution as any Member, and the respect that he held for the Members is shared and reciprocated.

I am including in my remarks a newspaper article involving his retirement that was published in the Washington Star and News of July 21, 1972.

Morrison also was a great admirer of Speaker McCormack. I was pleased to be shown one day a letter that Morrison had written to the Speaker concerning his feelings about John McCormack. I was sufficiently moved by those remarks that I want to share them with my colleagues and I include Morrison's letter along with these remarks:

[From the Washington Star and News, July 21, 1972]

HILL BARBER RETIRES

The Pennsylvania congressman was tilted back in the chair in the barbershop in the U.S. Capitol when a buzzer signaled a vote on the House floor.

He jumped up, pulled off the striped muslin barber's apron and dashed up to the House chamber.

"One side of his head had been cut neatly and the other side had not," said barber Morrison Hansborough. It was, he reminisced, akin to a lawn which had been cut only on one side.

"That was congressman Daniel Flood of Pennsylvania. He forgot about his half-cut hair until someone mentioned it three days later and he returned," said Hansborough.

Hansborough, 49, a man known to virtually every representative in the House, retired this week after 26 years as a barber. A knee operation has cut short his career as one of two barbers serving the U.S. Congress.

"I used to cut Speaker Sam Rayburn's hair, Speaker McCormack's hair and now Speaker Carl Albert's hair," said Hansborough. During the effort to unseat McCormack as speaker, McCormack seemed even more relaxed and unconcerned than even during his haircuts, which he had regularly every two weeks, Hansborough said.

"It was," said Hansborough, "as if it were just another battle for McCormack—the kind he had been in all of his life."

McCormack, who might have looked like a Scrooge with his stern New England countenance, was "the best tipper in the Congress and seemed very concerned about our welfare," Hansborough said.

The barber came to Capitol Hill about the same time a young man named George S. McGovern arrived as a freshman representative.

"McGovern was so preoccupied with something we were talking about the first time I cut his hair that he left without paying," said Hansborough. "But he later remembered and came back and made a joke about it."

"I have to laugh when I recall how Lyndon Johnson once looked at me and told me to get my own hair cut. He told me my hair was too long. Well, have you seen Johnson's hair lately? His hair has grown very long."

A handful of House members are exceptionally vain men—those who stand before the mirror, fussing over their appearance like movie stars—"But I'm not going to mention names," he said.

"I also used to cut Bobby Kennedy's hair when he was a committee counsel in the Congress," said Hansborough. "He didn't talk or joke much. He was very intense—like he had something important on his mind all the time."

Hansborough said Rep. Richard Bolling of Missouri "has the best sense of humor in the Congress: He's very sharp and he can keep you laughing all the time."

What happens when he nicks a congressman—particularly those few who still like straight razor shaves?

"You just say you're sorry and wipe them with a towel. They're just people like anyone else—they don't get all excited. But I rarely nick anyone."

Over the years, Hansborough said he has learned a few things about the psychology of running for office.

"One of them is that I can tell from the way he walks whether he has stiff opposition for re-election. If he walks real fast, that always means he's in a real battle. If he sort of walks along real casual like, that means he's got it made."

Hansborough, a District native who lives on Sherman Avenue NW, said most congressmen are becoming more and more mod in their hair styles. In 1967, he said, he observed his first congressman using hair spray. Now, he said, the house barbershop stocks it and use of hair spray is growing fast.

Hansborough recalled he always knew well ahead of time before Sen. Robert Dole, R-Kans., walked through the door.

"He was a very good whistler and we recognize his whistling two blocks away," he said.

Hansborough said he and Rep. Thomas M. Rees, D-Calif., being jazz buffs, enjoy discussing their favorite music.

REMARKS OF MORRISON C. HANSBOROUGH ON SPEAKER MCCORMACK, JUNE 7, 1970

It was my pleasure to attend the dinner honoring Speaker John McCormack the other day and to hear the many fine tributes paid to him. I would have liked to say a few words myself. If I had been given the opportunity, I would have said something like this:

Mr. Speaker, having served as your barber for the last 14 years I would like to say on behalf of myself and the other employes that we wish you and Mrs. McCormack the best of everything in your retirement. Knowing you as I do, I realize it will not be an inactive retirement.

My relationship with the Speaker has been enjoyable, educational and stimulating, and I would like to share with you a few of the memories of that relationship that I will always cherish.

Speaker McCormack is a man who can carry the weight and go the distance, like Tom Fool and Kelso. Some people may not understand that analogy—perhaps not even the Speaker—but the man in the ghetto, the working stiff, the people around the barber shop or the pool room, what you might call the little man, he knows exactly what that means. And these are the people the Speaker knows and understands—and loves.

I recall one time while I was cutting his hair a stranger came up. One of these little guys I've just described. He had a problem and he was coming right to the Speaker with it. I gave him the high sign, trying to turn him away so he wouldn't bother a busy, important man like the Speaker, who had a lot on his mind. But the Speaker wouldn't have it that way.

"Come here, son," he said to the stranger. "Tell me your trouble." They talked for a while and when the man left he was smiling.

Then the Speaker turned to me and told me not to do that again. He said he didn't look at people as important or unimportant, but felt every man was a king, to be dealt with in his own right.

"That man feels better now," he said. "I feel better, and you feel better, too, don't you?" I had to agree with him.

It is well known that the Speaker always carries little notes in his pockets. One day after I had finished waiting on him he was standing there, going through his pockets, looking for the money to pay me, but finding nothing but little notes. I was getting a little worried because I couldn't see the money for the notes.

The Speaker noticed me watching him and said, "You know, these little notes mean more to me than all the money in the world. "Because those little notes represent little people who have some problem that I may be able to help them with."

Some House employees may remember Mike Thompson. He worked on the House side for many years and when he got pretty old he used to sit in the barber shop and read the newspapers. Maybe the news wasn't very exciting then, but anyway, Mike had a tendency to fall asleep while he was sitting there. He started snoozing one day when the Speaker was in the shop and I went over to nudge him awake. But the Speaker stopped me. "Don't bother him," he said. "Let him sleep. Mike is a very dear friend of mine. We came through the great depression and F.D.R.'s New Deal together." The Speaker went on to say that Brother Mike was just trying to catch up on some of the sleep he lost during the stockmarket crash of 1929. And I might remark, parenthetically, that it looks as if we all may lose some more sleep.

Speaker McCormack is always faced with the job of making decisions, and there are all sorts of people trying to put pressure on him to decide things their ways—black militants, white militants, business militants, Wall St. militants, labor militants, farmer militants. He listens to them all and then he makes the decision he thinks is right. And then he stands by that decision, tall and solid like the Rock of Gibralter.

In the field of civil rights—or human rights as he likes to say—he yields to no one. He's been in the thick of the fight for all the civil rights legislation that Congress has passed in the last 10 or 15 years. I think the Speaker and his dear friend, Clarence Mitchell of the NAACP, are the greatest one-two punch since Babe Ruth and Lou Gehrig.

Mr. Speaker, if you ever have so much as a tummy ache, please don't forget to call Medicare.

GIRLS NATION

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. ICHORD. Mr. Speaker, during the previous week, from July 22 to 29, 100 young ladies from all over the United States convened in Washington, D.C., in connection with a youth citizenship training program conducted by the American Legion Auxiliary. This convention, known as Girls Nation, has been held annually since 1947. Its purpose is to give high school juniors practical experience in the process of Government and a better understanding of the approaching responsibilities of citizenship.

The 100 delegates to Girls Nation consist of two from each of the States of the Union. They are popularly elected in a comparable State-level convention annually held in each of the States. In the Girls State Convention the two delegates selected to represent their constituents at Girls Nation are elected in the positions of senators.

I am honored that the two Missouri delegates this year are both from the Missouri Eighth Congressional District. They are Jonalee Young, the daughter of Mr. and Mrs. John O. Young of Jefferson City, Mo., and Mary Kay Huber, the daughter of Dr. and Mrs. William C. Huber of Washington, Mo. I had the pleasure and privilege to visit with these two young ladies while they were in the Nation's Capital. They are a credit to the State of Missouri as well as to the Nation. I would judge them to be outstanding representatives of their age groups.

Miss Young is a rising senior in the Jefferson City Senior High School where she has served on the student council and as secretary of the student body. She has been active in the concert choir, the American Field Service, Girl Scouts, art club, Red and Black, Jaycees, and Latin club. She is on the honor roll and a member of the honor society. At Girls State, Miss Young was elected to the position of circuit court clerk and was a nominee of her party for the office of governor.

Miss Huber is a rising senior in the St. Francis Borgia High School. She has been active in the student council, ecology club, pep squad, and has served as class officer and cheerleading captain. She is listed on the honor roll and is a member of the National Honor Society. At Girls State, Miss Huber was elected to the position of mayor, county treasurer, and lieutenant governor.

During the first 3 days of Girls Nation the delegates are organized into political parties, the federalists and nationalists, with the guidance of advisers from the Democratic and Republican National Committees. They then hold national conventions, nominate presidential and vice-presidential candidates, and conduct elections. The winning party's president, this year the federalists, then makes cabinet appointments. Miss Young was appointed to the post of secretary of the treasury, and Miss Huber to the post of secretary of the army. During the remainder of the week these young ladies visited on Capitol Hill, attended briefings at the State Department and Department of Defense, met with key officials of departments to which they were appointed, and were greeted at the White House by Vice President AGNEW.

The American Legion and the American Legion Auxiliary are to be commended for the civic-minded spirit which inaugurated and continues this magnificent program. It is estimated that approximately 438,000 girls have attended Girls State and Girls Nation since their beginning. The program has won on several occasions the George Washington Honor Medal from the Freedoms Foundation at Valley Forge. It is endorsed by the National Association of Secondary School Principals.

I am proud that the State of Missouri has sent such fine representatives to a national assembly. They are to be commended for their scholastic achievements and extracurricular activities. Their selection as delegates both to Girls State and Girls Nation is a high tribute to them, and they are to be congratulated on their achievements within the program. It is reassuring to witness young citizens of such high caliber. Because of them, America's hope for the future rests on much firmer ground.

NEIGHBORS INVESTIGATE

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. CASEY of Texas. Mr. Speaker, I would like to take this opportunity to call to the attention of my fellow Members a small incident which happened in my hometown of Houston.

With all the comments you hear about the detachment and coldness of city dwellers, I would like to share this little vignette of city life in Houston. As you will see, neighbors still care about one another in Houston and I do not believe you will ever read about a murder on the streets where witnesses refused to help the victim.

This article is from the July 26 edition of the Houston Post:

BUSINESSMAN JUST CAN'T GET DAY OFF

Paul Tucker has run his small meat market and grocery at 3623 McIlheny for the past three years.

During that time, he says, he has never had a day off.

Worried neighbors called police Tuesday morning when Tucker failed to open the store. They thought he might be ill or injured somewhere in his living quarters at the rear of the store.

A fire department pumper truck answered the call with the police car, and after trying the doors, they began to break open the front door.

A startled Tucker heard the noise, came to the front and unlocked the damaged door.

He told police he cut his hand badly Monday and decided not to open Tuesday.

He said he'd have the door repaired, with no hard feelings.

DO YOU WANT TO STOP THE WORLD AND GET OFF? JOIN THE CLUB?

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. ARENDS. Mr. Speaker, under leave to revise and extend my remarks I am inserting in the CONGRESSIONAL RECORD an article written by Bob Wright, editor of the editorial page of the Danville, Ill., Commercial News. The article is entitled "Do You Want To Stop the World and Get Off? Join the Club!"

It is an exceptionally well written article. With all the problems and pressures that beset us, the uncertainties, the confusion and the frustrations we have been experiencing, I believe that the article expresses the thoughts of many of us on many an occasion.

All of us have wondered where we are headed. But, as my good friend Bob Wright points out:

Sooner or later, if we try, the picture is bound to come into focus . . ."

This article is worth reading:

DO YOU WANT TO STOP THE WORLD AND GET OFF? JOIN THE CLUB!

(By Bob Wright)

Do you secretly subscribe to the sentiment in the show title, "Stop the World, I Want to Get Off"?

Do you frequently have the impression that you are living in one vast insane asylum?

Don't panic; you are not alone!

In one man's strictly prejudiced opinion, the big trouble with the world we're living in is not oversimplification. It's overcomplication.

Time was when the life picture was sharply etched black and white, clearly in focus. It isn't any more. If it isn't distorted, it has become something without contrasts. Sure, I know that there are shadings between black and white—but all gray?

It makes one wonder if the film is faulty, if the lens is flawed, if the photographer knows enough to hold the camera steady.

Or is it the subject matter?

It used to be that you could tell the good guys from the bad guys, with or without white hats.

The good guys washed, bathed, shaved and refrained from using four-letter words in speaking or writing. The ones who didn't were discouraged at an early age with a liberal application of soapy water in lieu of mouthwash.

The bad guys did not wash, bathe or shave. They were not known as "dissidents" or "rebels" against the establishment or "hippies." They were called, simply and accurately, bums.

If you were fortunate enough and affluent enough to go to college, you considered it a privilege. If you misbehaved, you got bounced. The fear of God and the dean of men—not necessarily in that order—prevented any spontaneous campus protests being organized in your behalf by fellow students.

When you got your sheepskin, you were considered by your elders and all prospective employers as being the rawest of raw material—possessed of some promise, no doubt, but fit only to start on the lowest rung of the ladder and learn the business or profession from your betters.

If you didn't like what your government was doing, you went to the polls to "turn the rascals out" at the next election. A lot of rascals were ousted in this old-fashioned way, surprisingly enough. It might be said that a lot of other rascals were voted into office, too—but 'twas ever thus, and ever will be.

It didn't occur to you that the flag could be equated with an unpopular figure any more than a renegade preacher could be identified with the Bible. If you had spit on the flag or ripped it up you could expect to be (1) beaten up on the spot by any number of irate citizens, and (2) carted off to the looney-bin as some kind of nut.

If you contemplated marriage, it was implicit that you would not start housekeeping on a scale superior to that of your parents after 25 years of scrimping and saving and acquiring.

If you had any ambition, you expected to get ahead in your work by spending more than eight hours on the job (without extra pay, of course) and by studying at night and on weekends to make yourself more valuable to the boss.

In the "good old days," now subject for derision, a husband and father had an image as the head of the household, the dispenser of discipline, the example of rectitude. Dear old dad was determined that he would be respected, even if he was not deeply loved. Not surprisingly, perhaps, he wound up being both.

Square old days, weren't they?

What about the hip, new days?

Dear old dad is not home enough now to be a symbol of anything except money, perhaps. While he is on his way to becoming the most successful executive in the mausoleum, Mom is courting a nervous breakdown by belonging to a dozen organizations with make-work programs or drinking away the lonely hours toward alcoholism. When the two sit down to discuss "the children," it is to commiserate one another over the latter's "difference." Seldom is heard a self-incriminating word—such as parental overpermissiveness, parental breakdown of discipline, parental double standards, etc. And the kids. Spoiled by too much of the wrong things too soon—and too little of the right things too late—they are becoming delinquents in spirit if not in fact.

Overstated? Granted.

But there is a lot to be desired in our wonderful, affluent, automated, enlightened society, with its "sit-ins," "lie-ins," "love-ins," its childish posturing, its undisciplined, cynical youth (the product of undisciplined, hypocritical parents), its pretensions to an intellectualism that bears little resemblance to intelligence. The land is filled with beautiful houses but not enough lovely homes, with accomplished adults but not enough capable grownups, with smart kids but not enough sensible young people.

The majority are not like that, you protest. You are probably correct, but the majority had better shed its apathy; the minority is vocal, the minority is making faces at the camera.

America did not become great by its people being against everything.

America became great because its people were for the basic principles of decency and honor and achievement through effort, for respect for the law and for mechanisms that permitted changing the law when it was bad, for loyalty to family and home and church and associates, whether subordinate or superior, for devotion to country and flag.

On second thought, I don't want the world to stop so I can get off. I think it would be better to stick with the majority, take another light reading.

Sooner or later, if we try, the picture is bound to come into focus . . .

MEAT PRICES TOO HIGH?

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. GRIFFIN. Mr. Speaker, recently many voices of concern have been raised as to the rising cost of food and especially beef. Much of this concern and criticism has been leveled against the American farmer and I believe unjustifiably so. I believe that in some ways many Americans have lost sight of the total situation.

Certainly the cost of food has increased but so has our standard of living and our demand for food. The concern for the increase in the cost of living is justified and we must seek solutions to do what we can. But we must not allow ourselves because of our concern and lack of proper perspective to seek scapegoats upon whom the blame does not lie. It is clear that we must not penalize the Nation's farmers as some have done.

A problem such as this is clearly the concern of all and we must approach it in an informed manner and with the proper perspective. I would hope that the consumers of our Nation could become better informed as to the situation and the true role of agriculture for a much better understanding.

I would commend to my colleagues a recent editorial that appeared in the McComb, Miss., Enterprise Journal, that I believe offers some very interesting insight and contributes to a better understanding of the problem:

WE CANNOT HAVE OUR CAKE AND EAT IT, TOO

Many of our problems today stem from an old adage that, "We can't eat our cake and have it, too."

The chief complaint about food prices is in the area of meats. People complain that meat prices are too high. Yet, this is beef country. Mississippi has more cattle than any state east of the Mississippi River. High beef prices help the economy of our state. Low beef prices hurt it.

Nevertheless we could cut the price of beef by increasing the imports of beef from Argentina. But while lowering the price of beef steaks we would cut the prices of calves and steers sold by the people of Pike, Walthall, Lincoln, Franklin and Amite.

People who receive food stamps from the government choose whatever foods they want because the reduction through governmental subsidies places the best beef steaks in the price reach of millions who otherwise would not buy prime beef.

So the demand for beef goes up. And the supply is limited because so many more people are buying beef and upsetting the supply and demand relationship.

We want all of our people to be well fed. And we want low prices. But no line is drawn in the matter of what constitutes good nutrition and what is luxury.

But we can't have our cake and eat it, too.

We know beef fits into the economy of our state. Jim Buck Ross, in cooperation with other agricultural leaders, is waging a campaign to provide this state with another one million beef cattle by 1975. More beef means a stronger economy locally. More beef means more jobs. Another million cows and steers means more opportunities and more wealth.

So we do not want to cut prices. We want higher beef prices so that our calves will sell for a higher price each year. Everyone is affected by the things which affect our economy.

Again, we can't have our cake and eat it, too.

This kind of a situation exists around the products people produce in each of the 50 U.S. states. And the old adage applies to all 50 of them.

Meanwhile migrant farm workers have caught the sympathy of Americans everywhere in their demand for higher prices for their labor. We want them to get higher wages. But higher wages mean higher food prices. So we must make a choice.

It was announced Monday that Washington had made a decision on this question: The limitation on Argentina beef has been lifted. So it can be expected that the prices the farmers of this area receive for their cattle will be lowered.

This brings two thoughts to mind. The person who eats beef in the United States pays less for it than the people of any other nation.

The way to measure the price of beef internationally is by computing the time in labor that an individual must pay for a pound of beef. The person in the United States must work 24 minutes to earn a pound of good beef. In Japan an individual must work 144 minutes to earn enough money with which to buy a pound of sirloin steak. In Japan the price of beef is six times higher than in the U.S. In some countries the price is much higher than in Japan. In France the price is 110 minutes of labor. In Russia it is 132 minutes.

A second thought: Why is it that beef is the economic whipping boy? Why is, in fact, the emphasis placed upon food generally? Other prices are much higher.

The price of any item should be considered in relationship to the wages paid to the people who buy that item.

The U.S. Secretary of Agriculture, Earl L. Butz, says that our probem is not the high cost of living but rather the cost of high living.

ORDER OF AHEPA CELEBRATES ITS GOLDEN ANNIVERSARY

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. PREYER of North Carolina. Mr. Speaker, I am pleased to join with many of my colleagues in saluting the Order of Ahepa as it celebrates its golden anniversary this year. For half a century the "AHEPA family" has rendered significant service to our country. It has encouraged good citizenship by its own example. The list of good works in which AHEPA has been involved contains most of the worthy causes of the past 50 years. Its continuing commitment to education and good government are recognized as a vital part of the spirit of our country. I am particularly proud of the leadership of AHEPA in my own district and throughout North Carolina.

PAUL-HENRI SPAAK

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. FINDLEY. Mr. Speaker, this week Paul-Henri Spaak of Belgium died. He served the world no less than his own country, and few men in their time have left such a mark upon the world.

A constant champion of a unified and free Western World, Mr. Spaak was one of the architects of the North Atlantic Treaty Organization and the European Economic Community. Never satisfied with the limited unity he had helped to bring about, Mr. Spaak worked until the very end to establish an Atlantic federal government.

I first met Mr. Spaak several years ago while I was attending the meetings of the North Atlantic Assembly in Brussels. Mr. Spaak received me at his home near Brussels and we talked at length about the future of NATO and the Western World. He agreed that institutional changes were necessary in the alliance if it is to effectively serve as the guardian of individual liberty in the world. He again offered his support, as he had so many times in the past, to the effort to call a convention of the nations of the Atlantic community for the purpose of exploring the possibility of agreeing upon an Atlantic union.

Today Mr. Spaak's dream is closer than ever to being realized. The House Foreign Affairs Committee has reported out House Resolution 900, calling for such a convention. Mr. Spaak gave this resolution his strong support. Hopefully, action by the Rules Committee will soon be forthcoming. In the Senate, the bill is equally close to being favorably considered.

Paul-Henri Spaak would have liked to see the day arrive when this life-long dream began to take form.

Mr. Speaker, I include at this point in the RECORD the following account of Mr. Spaak's life from the Washington Post.

The account follows:

PAUL-HENRI SPAAK, "MR. EUROPE," DIES

(By Karlyn Barker)

Paul-Henri Spaak, the former Belgian prime minister and NATO head who served as the first president of the United Nations General Assembly and helped establish the European Common Market, died yesterday at a hospital in his native city of Brussels.

Mr. Spaak, who ranked among Europe's outstanding statesmen, died of kidney failure. He was 73.

Sometimes called the "Gallic Churchill," he began his political career as a firebrand socialist, later mellowing his philosophy to the point where critics referred to him as a socialist in name only.

Mr. Spaak was the son of author and opera director Charles Spaak and Mario Janson. His mother was a daughter of the famed socialist Paul Janson and was the first woman senator in Belgium, serving for 25 years.

Mr. Spaak was educated to be a lawyer, but his legal career took a back seat to politics as he increased his involvement with the socialists. Despite his aristocratic background, he became the leader of a socialist youth group that once raided a conservative Brussels newspaper.

On this raid, Mr. Spaak himself smashed a window with a rock and soon people were calling the young lawyer the "bolshevik in the dinner jacket."

In 1929, 17 years before he was elected the first president of the U.N. General Assembly, his name was thrust into prominence by the act of a would-be assassin who tried to kill Italian crown prince Umberto, during the latter's visit to Brussels.

When a better-known Paris attorney could not take the man's case, Mr. Spaak took up his cause, presenting himself as defending democracy against facism. The defendant received only a light prison sentence, and Mr. Spaak was famous.

He was elected to parliament that same year, serving subsequently as minister of transport and later as foreign minister.

In 1938 Mr. Spaak became Belgium's youngest prime minister at 39. Serving again as foreign minister in a coalition government a year later, he tried unsuccessfully to preserve Belgian neutrality before global warfare broke out.

When the Germans invaded Belgium in 1940, he met the German ambassador with this statement:

"Belgium has decided to defend herself. Her cause is merged with the cause of right. It cannot be defeated."

Mr. Spaak fled to France when Belgium fell to the Nazis, and then to London when France capitulated, setting up a government in exile there.

Mr. Spaak pleaded with Belgian King Leopold III to come with him to London to carry on the fight against the Germans, but the king refused.

"I had to choose between my king and my country," Mr. Spaak later recounted before the Belgian parliament. "I choose my country."

With the war's end, Mr. Spaak returned to Belgium where he led the fight against Leopold's return to the throne in 1950. Mr. Spaak criticized Leopold for cooperating with the Germans and surrendering unconditionally. The king did return to the throne but abdicated after a brief reign in favor of his son.

Mr. Spaak's reputation as "Mr. Europe" developed at the war's end during the continent's reconstruction period. He served as chairman of the Council of the Organization for European Economic Cooperation, the first executive body of the Marshall Plan for United States aid.

In summing up the purpose of the plan Mr. Spaak paraphrased an old French proverb:

"Help yourself and the United States will help you."

He also started a campaign to unify Europe and the Atlantic world. Besides serving as U.N. General Assembly president, he was one of the architects and signers of the North Atlantic Treaty Organization in 1949. He later served NATO as secretary general.

Spaak became NATO's secretary general in the spring of 1957, at a time when the organization was expanding its sphere of influence from military alliances to economic and political international relations.

He accepted the post following the retirement of England's Lord Ismay, but only after the organization's council agreed to give him more authority and prestige than Lord Ismay had.

As Belgian prime minister after the war and just before his election to the U.N. presidency, Mr. Spaak formed Benelux, the trade grouping of Belgium, the Netherlands and Luxembourg.

Laying the groundwork for Benelux helped win enthusiasm for the idea of a European Common Market, of which he was a cofounder.

In order to take the presidency of the General Assembly, Mr. Spaak had to resign his combined post as prime minister-foreign minister of Belgium. During the previous 10 years, except for one eight-month period, there had not been a Belgium cabinet formed that did not include his name. He was twice prime minister and six times foreign minister.

Known as an able orator and a frank, tough statesman, Mr. Spaak openly told the Russians on the floor of the U.N. General Assembly in 1948 that they were feared in the West. He referred to the large standing armies in the Soviet Union saying:

"Next to that, our armies are like a Boy Scout troop. We fear you because in every country represented here you maintain a fifth column, the like of which Hitler never knew."

In London, sources said a message of condolence from British Prime Minister Edward Heath had been sent to Brussels.

French Foreign Minister Maurice Schumann said Mr. Spaak's "memory will be consolidated by time. As I mourn him, I seem to hear him say again, 'I am as French as a good Belgian can be.' "

Mr. Spaak is survived by three children by his first wife, who died in 1964. The children are Fernand, who served with the British Navy during the war and is now a senior official at the European Economic Community Commission, Antoinette and Marie, who is married to Michael Palliser, Britain's ambassador to the Common Market.

THE 20-PERCENT SOCIAL SECURITY INCREASE

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. LENT. Mr. Speaker, for many years the citizens who have been hit hardest by inflation have been our Nation's 20 million senior citizens. These individuals, who have contributed so much to our society, have been burdened with increased prices and taxes while living on relatively fixed incomes. It was for this reason that I was extremely pleased to vote in favor of passage of the social security benefit increase bill which boosted benefits a full 20 percent and provided for automatic cost-of-living adjustments.

The newly passed benefit increase will boost the average Nassau County recipient's monthly check from $134 to $162, a $336 yearly increase. Likewise, the average couple's benefits will increase from $224 to $271 per month.

I firmly believe this action was long overdue, but I am pleased that my fine Nassau County senior citizens will soon be able to live more comfortably and with a greater measure of dignity. It is my earnest desire that the Congress will continue to work to make the social security system even more equitable in the years ahead.

Mr. Speaker, in conjunction with this social security increase, I am proud to announce that I have appointed an outstanding Hicksville resident, Mr. George Miller, to be my senior citizen liaison. In the months ahead, I will be working closely with Mr. Miller to assist senior citizens with personal problems and also with the aim of devising new and improved programs to improve the lot of the senior citizen. This program will soon be expanded to include even more senior citizens in various Fourth Congressional District villages and towns.

For too many years the needs of the elderly have been ignored. I am hopeful that the actions I am taking will help to reverse this trend.

LT. COL. JAMES KASLER—POW, BUT NOT FORGOTTEN

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. BRAY. Mr. Speaker, this Saturday there will be a special ceremony in Indianapolis in honor of a man who has been a POW in North Vietnam for 6 years.

It is the way all participants say they have not forgotten, and will not forget, these men.

The following story from the Indianapolis Star of July 31, 1972, describes the planned ceremonies.

The story follows:

VFW TO PAY UNUSUAL TRIBUTE TO AIR ACE COL. JAMES KASLER

(By Rex Redifer)

Unique tribute will be paid to Indianapolis Air Force ace, Lt. Col. James H. Kasler in special ceremonies Saturday, almost six years after his capture by the North Vietnamese.

Col. Kasler's plane was shot down while on a mission near Hanoi Aug. 10, 1966.

Saturday's ceremony in his honor will be held at Fort Benjamin Harrison Post 7119, Veterans of Foreign Wars, 6525 Lee Road.

The program will start at 9:45 a.m. with a band concert by Fort Harrison's 79th Army Band and will include a "missing man formation" flyover by Indiana National Guard F-100s.

Highlighting the celebration will be the unveiling of an F-86 Saberjet, refurbished as a replica of the one flown by Kasler when he became an Air Force ace, shooting down six enemy MIGs over North Korea.

A group of 15 experts, members of the International Plastic Modelists' Society, have worked since February to duplicate to the last detail the aircraft which Kasler flew to fame in Korea.

The aircraft will remain on permanent display on the VFW post's lawn.

The Tribute is the first of its kind in the United States, according to Army First Sgt. Robert MacArthur, who headed the project.

"It is our way of saying Lt. Col. Kasler has not been forgotten," MacArthur said.

Kasler, a graduate of Shortridge High School in Indianapolis, was considered the top United States pilot in the Vietnam War when he was shot down over Yen Bay, 45 miles northwest of Hanoi.

He had just led a raid on Hanoi oil depots, his 75th mission. After completing the initial mission, he refueled in the air and returned to the area of attack to check on a wingman whose aircraft was downed, when his own F-105 Thunderchief Fighter was hit by enemy fire.

Among the list of dignitaries slated to attend the ceremony will be retired Brig. Gen. Kenneth Keane, who was Kasler's base commander in Korea; Sixth District Congressman William Bray, Former Congressman Richard L. Roudebush, and representatives of Senators Birch E. Bayh and R. Vance Hartke.

Governor Edgar Whitcomb tentatively is scheduled to make the dedication address.

Also in attendance will be Kasler's wife, Martha, whom he met and married while attending Butler University following the Korean War, and the couple's three children, Suzanne and twins, Nanette and James.

Kasler was shot down the day before his oldest daughter, Suzanne's, 16th birthday. The twins then were 13. The family was brought "closer together" because of the imprisonment of the father, according to Mrs. Kasler, who is protocol secretary at the Defense Information School at Fort Harrison. The parents, Mr. and Mrs. Rex Kasler of Waynesville, also will be present, and an invitation has been extended to other families across the state who have members being held as prisoners of war.

The rebuilt F-86 Saberjet, to be unveiled, well may have been flown by Kasler himself, officials said.

Records show that it was in use at Nellis Air Force Base, Arizona, back in 1952, when Kasler served as a gunnery instructor there.

According to serial numbers on the tail of the aircraft, the reconditioned craft was manufactured only 50 planes before the one Kasler flew in Korea. Kasler's plane was 0682, the replica are being changed to duplicate Kasler's aircraft.

Through permission granted by the Air Force, the number and all other details of the replica are being changed to duplicate Kasler's aircraft.

The reconditioned F-86 has an interesting history. It was donated by the Air Force to the Indiana War Memorial Commission in 1962, and has been on public display on War Memorial Plaza in Indianapolis for almost 10 years. The aircraft was turned over to the VFW in 1967.

According to MacArthur, the plane had been badly vandalized over the years and "was in bad shape when we got it."

He said volunteers from all over the United States have sent replacement parts free of charge during the reconditioning project.

MacArthur said that an attempt to rename the post in honor of Kasler ran into procedural trouble. VFW rules presently reserve post names for posthumous honors.

He said that a motion will be made before the forthcoming VFW national convention to change the ruling, and if the motion is approved, the post will be renamed "James H. Kasler" post.

"The tribute," MacArthur said, "is not only to Kasler, but we hope will serve as a small reminder of all the POWs who remain in captivity in North Vietnam."

NEW ENGLAND ECONOMY

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. HARRINGTON. Mr. Speaker, the following is part III of a four-part series done by the Associated Press on the problems of the New England economy.

The segment deals with the new types of industry that are being attracted to New England. Chief among these industries are technological research and manufacturing firms. These industries are being attracted to the region because of New England's outstanding universities and hospitals. In addition, the natural beauty, historical interest, and general livability of the region play a large part in the ability of New England to attract new and rapidly expanding industries.

I commend this article to the attention of my fellow Members:

Northeast Is Increasingly Relying on Brain-Trust Business

(By Daniel Q. Haney)

Boston.—As heavy industry fades from being the dominant factor of New England's economy, the region increasing relies on brain-trust businesses.

The high technology manufacturers—the computer companies, insurance dealers, universities and other enterprises which depend more on levels of IQ than veins of ore—are beng called upon to carry the job load.

These industries are quietly filling the gap in much of New England which has been left hurting by the dissolution of many high-bulk, low-pay manufacturers, among them textile and shoe mills, that once formed New England's economic backbone.

During the past 20 years, hundreds of technological research and manufacturing firms, many in electronics, have sprung up in the Route 128 area around Boston. They've sent feelers across western Massachusetts, into southern New Hampshire, across Connecticut and into the Burlington area of Vermont.

And in many areas of New England, particularly to the north in Vermont, New Hampshrie and Maine, the emphasis of the future is on the land, the open spaced, the beauty of nature and the tourists thereby attracted.

Attracting the new generation of New England business is the goal of the states' development commissions. They pay well, attract well-educated workers, keep handsome buildings and don't pollute.

These brain power businesses are attracted to New England by each other and by one of the region's biggest assets, its intellectual environment .

Many of the nation's most prestigeous schools, Harvard, Yale, Brown and MIT, among others, are located here. With them are the world-famous hospitals of Boston and the social and scientific organizations which cluster around them.

"New England offers a very good climate for companies that are in the high technology areas," says John Sidebottom, vice president of Raytheon Corp., "companies that depend on a high level of research and development from institutions that have research capabilities—the Harvards and the Tufts and the MITs.

"Many companies even use the universities in a consulting capacity," he said. "Many times they have a very deep background to draw upon."

New England's general livability, its natural beauty and historical interest, is another attraction for industry, because corporate leaders want to put their businesses where it will be pleasant for them and their employees to settle.

New England is "a good place to live that has brain power," says Arthur F. Snyder, executive vice president of the New England Merchants National Bank. "We have a beautiful place to live, a marvelous climate, a cultural center, and it's close to New York."

A nice place to live close to New York has been the selling point of Connecticut's Fairfield County, which has attracted dozens of corporate headquarters that want to be able to use the New York City without living in it.

What makes New England a good place to reside also makes it an attraction for tourists, an industry that is full-grown in some parts of southern New England, such as Cape Cod, and is expanding rapidly in New Hampshire, Maine and Vermont. In Maine, for instance, the Department of Commerce and Industry predicts a 9 per cent growth in tourist business this summer.

For much of northern New England, particularly Maine, which has felt little penetration from the high technology businesses, and important resource is the land itself.

In Maine, 87 per cent of the land is covered with trees. There is a beautiful coast and thousands of miles of lake frontage.

"Our biggest asset is the land," says Prof. John Coupe, chairman of the University of Maine's economics department.

"From the point of view of recreation, I think there is tremendous potential. And in terms of breathing space, there are types of firms that could locate here and not suffer a disadvantage in the kind of products they produce.

"Transportation through most of Maine is good," he said, "and certain types of firms, if they are pressed by congestion could come here."

The idea that as other areas fill up, businesses will be drawn toward northern New England's open spaces, is echoed by Edgar Miller, Maine's state economist.

"Maine is relatively unpolluted as far as people go," Miller says. "We've got land here that in comparison to Boston is dirt cheap. It's a place to put businesses."

Over the past 30 years, service industries have expanded rapidly in New England while manufacturing's share of employment declined from 46 per cent to 32 per cent of the work force.

Economists say an area's economic well being depends on its ability to export its products to other regions and bring in outside money. However, services can be exported as well as manufactured products.

"One export service is education," says Frederick Glantz, an economist at the Federal Reserve Bank of Boston.

"A student coming into college here from outside the regions brings in outside dollars and has the same effect on the economy as a person in California buying a New England-made camera.

"Many people come into Boston area hospitals from outside the region," Glantz said. "That provides the same inflow of dollars that somebody in New York buying a product made in New England does."

Other service industries that New England has successfully attracted include the insurance companies of Boston and Hartford, mutual funds plus engineering and management consulting firms.

All the New England states report a continuing shift from manufacturing to export services and their cousins, the beauty parlors, TV repair shops and other services that do business only in their home communities.

Another attraction of New England is its supply of skilled workers.

"One of the continuing strengths over the years has been the skilled craftsman," says Albert J. Kelley, dean of Boston College's School of Management.

"We've had a technological base all along," he says. "Watches, shipbuilding and textiles were the high technology industries of their day. Now it's electronics."

Three small technological industries that seem well suited to New England and could grow rapidly have been pin-pointed by Arthur D. Little, Inc., the Cambridge research firm.

The biggest is the computer peripheral industry, producer of auxiliary machinery that expands the capacity of a big, central computer.

Much of this work is already done by the giants of the computer business, but Massachusetts alone has about 100 smaller firms that make these products. The development and production they perform require more highly skilled professional workers than does construction of central computers.

Another promising industry, according to Little, is biomedical instruments. This industry is attracted to New England by the region's hospital and technological complex.

The third field is development and production of sophisticated pollution control equipment. Although most of this industry is composed of companies that make bulk metal products, and probably would not do well here, there is potential for companies that can refine basic equipment and research pollution problems.

RUTH McKENNEY

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. RYAN. Mr. Speaker, it is with a deep sense of personal sadness that I bring to the attention of the House, the news of the passing of Ruth McKenney on July 25, 1972.

Miss McKenney possessed the rare gift of being able to write about the starkest social problems and also to write, at other times, so as to bring joy to millions of Americans. Her writing leaves a legacy behind her which shall not be forgotten.

Ruth McKenney was born on November 18, 1911, in Mishawaka, Ind. While she was a young child, her family moved to Cleveland, Ohio. She graduated valedictorian from her high school class and went on to Ohio University. At only 19 she left college to tour Europe as chaperone for a 21-year-old contessa. She returned to Ohio the following year to become a reporter for the Akron Beacon Journal where her feature stories brought her statewide awards and local fame. She then came East and went to work for the New York Post.

After a few years with the Post, Miss McKenney quit the paper. During the lean years that followed she began to write some humorous stories about her sister and their life together in New York. These stories first appeared in the New Yorker. They were later collected in the best-selling "My Sister Eileen."

"Eileen" was transformed into a play and then a movie and finally to the Broadway musical—"Wonderful Town." Eileen, the charming and attractive madcap, became one of the great American characters to whom millions felt close. The story of Miss McKenney and her sister setting out to "conquer the Big City" from their Greenwich Village apartment where half the world seemed pass through while the other half looked in, was disarmingly funny while reflecting much of the spirit of New York in the thirties.

Miss McKenney continued to write stories about Eileen and other relatives in the succeeding years. "The McKenneys Carry On" was published in 1940. In 1947 she told the story of her zany grandfather in "Loud Red Patrick." It too became a Broadway show. "All About Eileen" appeared in 1952 with the further misadventures of her sister.

But Ruth McKenney was never satisfied with being a great humorist. Far more important to her was the suffering of her fellowman which she sought in her way to draw attention to and alleviate. To this end she wrote "Industrial Valley," the story of industrial strife and the beginnings of the CIO which appeared in 1939 and "Jake Home," a novel about a labor leader which was published in 1943.

Miss McKenney will be mourned not only by those of us who came to know her as a warm, kind, and generous human being, but also by millions who knew her through her outstanding writing.

I extend my deepest sympathy to her daughter Eileen Bransten and to her sons Thomas and Patrick Bransten.

THE POSTAL SERVICE SHOULD PAY ITS OWN WAY

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. ROBISON of New York. Mr. Speaker, there have been a number of cries of alarm, and for help, from the magazine publishers affected by the recently approved increase in second-class postal rates as requested by the still-new Postal Service.

Some of those alarms—as so eloquently and urgently expressed in a series of magazine editorials on this issue—have translated themselves, inevitably, into a public response that is sympathetic in nature and, now, into a legislative response in the form of bills which have as their purpose making "it abundantly clear that the Postal Service is to provide services at rates which encourage the widest possible dissemination of news, opinion, scientific, cultural, and educational matter," and which are introduced with an explanation stating that the recent second-class increases "contravene a national policy of preferential treatment for newspapers and magazines dating back to 1792 and 1794, respectively," which is something—so we are told—that, if not overturned, "could be disastrous for many small and independent journals of news and opinion."

Well, I have no quarrel, certainly, with any of my colleagues who wish to rise to the challenge supposedly thus presented to certain "journals of news and opinion." Nor do I discount in any way the rather obvious financial problems that the current increase in such mail rates will pose to a number of magazine publishers.

However, before everyone climbs up on that bandwagon, it might be well to look at the other side of the problem. It is certainly true that, ever since 1792 or thereabouts, the old Post Office Department did subsidize mail rates for newspapers and magazines. It would be more accurate, of course, to say that the taxpayers provided that subsidy inasmuch as that was the case; and, in recent years, it has added up to a tidy sum.

But, this is not 1792—or even 1794—and surrounding circumstances have changed. Back in those days, preradio and television as they were—and even prepublic library of the sort we enjoy today, including those library services in rural areas that, with some Federal help, drive right up to your door—newspapers and "journals of opinion" which came to your house through the mail were far more essential, in my judgment, to the educational advancement of our people than they are today.

I did a study of this problem—some years back—in connection with my responsibilities as a member of the Post Office-Treasury Subcommittee of the House Committee on Appropriations, which was quite properly worried about the steady, annual increase in the old "postal deficit," and we discovered that the major culprit in pushing that deficit ever onwards and upwards through new ceilings was the second-class mailer, at least insofar as "revenues foregone" were concerned for, most assuredly, the old Post Office Department had other failings, too.

And I got to thinking about the problem—as one who, like many of us, subscribed through the mails to more magazines than I ever seemed to have time to read. Do you know what my conclusion was? As simply put as I can remember it, it was that it was unfair of me—as a somewhat more affluent American—to want my less-affluent neighbor, who either was not interested or simply could not afford it, to subsidize my desire to receive Fortune or Life or Good Housekeeping, or whatever, through the mail, because, certainly it was he, as a taxpayer, who had to help make up the difference between what the Post Office charged my magazine publishers for postage to my house and whatever the supposed break-even charge was for that same service.

Now, I suggest we all think about this for a while—and, as we do, I also suggest, Mr. Speaker, that we also read and ponder what Columnist James J. Kilpatrick had to say about the same subject in a recent issue of one of the local newspapers. The Kilpatrick column, entitled "The Postal Service Should Pay Its Own Way," now follows:

THE POSTAL SERVICE SHOULD PAY ITS OWN WAY

(By James J. Kilpatrick)

Forgive me if I wander into a column on the U.S. Postal Service by way of an occasion in Montgomery, Ala., on March 11, 1861. That was the day the Confederate States of America, alas, of beloved memory, adopted their Constitution.

It was the finest Constitution ever struck off by the brain and purpose of man. Patterned upon the U.S. version of 1787, it strengthened every weak point of the original model. Among its provisions was a vesting of authority in the Confederate Congress to establish post offices and postal routes with this proviso:

"But the expenses of the Post Office Department, after the first day of March in the year of our Lord 1863, shall be paid out of its own revenues."

That was the old sound doctrine, as Southerners are wont to say, and it remains sound doctrine today. Our contemporary Congress recognized the principle when it created the new U.S. Postal Service with a mandate to pay its own way by 1981. While some few subsidies may be justified beyond that time, perhaps for nonprofit publications and for the smallest rural newspapers, there ought to be no retreat from the basic proposition: The cost of maintaining the Postal Service should be paid in full by those who use it.

Many of my friends in the publishing business do not accept that proposition. They argue the national distribution and wide dissemination of newspapers and magazines are vital to a free society—that subsides for this purpose are not truly subsidies, but rather should be viewed in a class with schools and libraries. They have therefore bitterly resisted the postal rate increases that became effective July 6.

Sen. Gaylord Nelson of Wisconsin has become the chief spokesman for the publishers' point of view. The rate increases, he says, "threaten to stifle the free flow of ideas and information, and effectively silence some of the most important sources of competing independent journalism and opinions in the country."

Life magazine has sounded the same lament. It sees a "potentially ruinous effect." The proposed increases "could literally drive hundreds of marginal magazines and newspapers out of business." If the increases were passed on to subscribers "a chain reaction might get under way in which falling circulation would lead to lower quality, thence to a further drop in circulation."

With deference to my apprehensive colleagues, I wonder if their cries of alarm do not drown out a certain lack of confidence in their ability to sell their own product to their own readers. In a maze of overgrown figures, comparing a magazine's net profit to the gross cost of postal increases, we tend to lose track of what we're talking about.

It now costs, on the average, 1.6 cents to mail each copy of the conservative journal, National Review; it publishes 26 times a year. It costs the same thing for the liberal New Republic, which comes out 48 times a year. A year hence, under the new rates, the average cost will go to roughly 1.9 cents, then to 2.2 cents, by 1976 to 2.96 cents. We are talking about pennies.

It is hard to believe that thousands of subscribers to National Review would abandon my beloved friend, William Buckley, rather than pay 35 cents a year more in postage. If New Republic's liberal subscribers would desert in droves, repelled by an increase of 65 cents a year, do we blame the Postal Service? Or the editors? It now costs, on the average, 3.7 cents to mail Foreign Affairs Quarterly. Four years hence, it would cost 6.8 cents. An increase to the subscriber of 12.4 cents a year is not much.

The disseminator of ideas—the little publisher whose plight concerns us all—depends upon the mail, but he depends upon light, heat, water, and telephones also. These are services. No one has proposed they be subsidized. The Confederates had it just about right. As a general proposition, mail service shouldn't be subsidized either.

STATE LAWS ON BLOOD BANKING

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. VEYSEY. Mr. Speaker, the April issue of Hospital Practice contains a short and useful discussion of the problems that led me to introduce my bill H.R. 11828, the National Blood Bank Act.

This article describes the inadequacies on the part of Government concerning control and restriction of blood donors.

The most important aspect of the article, however, is the list of State laws on blood banking. Last April I submitted a similar list, prepared by the Library of Congress. This is an updated version; a final and complete list is being prepared by the American Association of Blood Banks and should be available in the near future.

The general lack of State law in this area demonstrates the urgent need for uniform Federal supervision and regulation.

The article follows:

[From Hospital Practice, April 1972]

BILLS SEEK TO UPGRADE BLOOD STANDARDS

The season has arrived in which the federal taxpayer shells out the proverbial "blood money." In another year or so, blood money may have more than a proverbial context. Rep. Edward I. Koch (D-N.Y.) recently introduced a bill that would permit a $25 income tax deduction for each pint of blood the taxpayer donates, up to an annual $125 limit. Five pints, his office notes, is the medically recommended upper limit and he would not want to tempt the public further.

The House Ways and Means Committee has held some hearings on the Koch bill, which is one of many on the subject of blood, all of them indications of Capitol Hill concern over transfusion-induced hepatitis. Since the risk of hepatitis is considered much greater when blood from paid donors is used, many of the bills aim at increasing voluntary donations of blood. According to Dr. J. Garrott Allen, Professor of Surgery at Stanford University, 90% of transfusion hepatitis could be eliminated with an all-volunteer system of blood donation.

No hard figures exist for the quantity of blood provided by paid donors. Estimates run from 20% to 40% of the 6 million units supplied annually through the nation's 7,000 blood banks. These estimates suggest that between 1.2 and 2.4 million additional volunteers, giving once a year, would be needed to replace paid donations. Currently, 3 million of the 100 million Americans between ages 18 and 65 are donors. Can the huge number of nondonors somehow be persuaded to join their ranks?

Some medical observers say the nation is in the midst of a hepatitis epidemic. Dr. Allen estimates that hepatitis accounts for at least 455,000 hospital bed days a year. The U.S. Center for Disease Control has estimated there were more than 52,000 serum hepatitis cases in 1970, an estimate many consider conservative. One in 17 hospital patients has a transfusion, and at least 3,000 deaths annually are attributed to transfusion-associated cases. Some studies being quoted on Capitol Hill place the risk of hepatitis from paid donations at from 11 to 70 times greater than the risk from voluntary donations. A study sponsored in New Jersey by the U.S. Division of Biologics Standards, which regulates interstate blood banking, showing more than a three times greater risk of hepatitis when paid blood was transfused. (The incidence of hepatitis in all patients receiving blood transfusions was 1 in 181 in New Jersey, DBS reported.)

Some blood banking systems have banned paid donations. An example is the Irwin Memorial Blood Bank of the San Francisco Medical Society, which, according to a lead item in a weekly news bulletin of the American Hospital Association, uses volunteers only. The bank had to increase its recruitment of volunteers in order to dispense with paid donations that were accounting for 2% of its blood.

Chicago's Michael Reese Hospital banned paid donations after finding overwhelming evidence that paid donors in Chicago had a high hepatitis incidence. A gastroenterologist at the hospital was quoted as saying he gave a patient blood that did not quite match rather than take what he considered the greater risk of using paid donor blood. But at Cook County Hospital, according to the Columbia Broadcasting System, during cardiovascular surgery on a young woman three pints of blood from a commercial blood bank were used. The surgeon was quoted as saying that the risks of not operating were greater than the risks of contracting hepatitis.

STATE LEGISLATION AFFECTING HUMAN BLOOD TRANSACTIONS

State	Have law excluding warranty of fitness	License and inspect blood banks	No statute listed
Alabama			X
Alaska	X		
Arizona	X		
Arkansas	X		
California	X	X	
Colorado	X		
Connecticut	X		
Deleware	X		
Florida	X	X	
Georgia	X	X	
Hawaii	X		
Idaho	X		
Illinois	X	X	
Indiana	X		
Iowa			X
Kansas	X		
Kentucky	X		
Louisiana	X		
Maine	X		
Maryland		X	
Massachusetts	X	X	
Michigan	X		
Minnesota	X		
Mississippi	X		
Missouri	X		
Montana	X		
Nebraska	X		
Nevada	X		
New Hampshire			X
New Jersey		X	
New Mexico	X		
New York	X	X	
North Carolina			X
North Dakota	X		
Ohio	X		
Oklahoma	X		
Oregon	X		
Pennsylvania			X
Rhode Island			X
South Carolina	X		
South Dakota	X		
Tennessee	X		
Texas	X		
Utah	X		
Vermont			X
Virginia	X		
Washington	X		
West Virginia	X		
Wisconsin	X		
Wyoming	X		

As can be seen from the table based on information supplied by the Library of Congress and the American Association of Blood Banks, almost all states have laws that protect blood suppliers against suits by patients for injury associated with transfusion of "unfit" blood ("warranty of fitness"), but only eight license and inspect blood banks.

On Capitol Hill, the transfusion risks taken in the operating suite are considered almost entirely preventable. "Strong action today could virtually stop this disease," declares Rep. Victor V. Veysey (R-Calif.), whose proposed National Blood Bank Act concentrates its fire on the paid donor, commercial banks, and what he considers failures in federal regulation. He says the paid donor is a person with reason to lie about past medical history to get the money, who may be an alcoholic or drug addict or live under conditions that invite or promote hepatitis. "Commercial blood banks that depend on the paid donor," he declares, "move right into his neighborhood and make it easy for him to sell his body." During a speech on the House floor, he held up a $5 voucher used to pay donors in downtown Washington. The voucher can only be redeemed, he said, at a liquor store. "Now this voucher is from a blood bank that is licensed and inspected by the federal government," he continued. The National Institutes of Health (of which the Division of Biologics Standards is a part) "know this is going on, they know how much hepatitis it spreads, but they do nothing about it. [DBS] licenses only 166 of the 7,000 blood banks in this country. They only supervise the blood after it is in the bag, and ignore conditions that put hepatitis into the bag."

The freshman congressman's attack was considered mistaken by DBS, which noted that one license may cover many banks. For example, the American Red Cross—collecting half the nation's supply—has one license for 59 banks. Further, a DBS spokesman asserted that in the District of Columbia liquor stores are neighborhood check-cashing centers, and there is no legal basis for the federal agency's banning or requiring a form of payment. But most important, the agency said, it functions under an old law within which it does the best it can to regulate interstate blood banking. DBS has no power over intrastate banks, and most states either have no law or a law with a single provision that prevents patients infected as the result of blood transfusion from recovering damages.

Although DBS recognizes the higher risk associated with paid blood, the route to banning the paid doner is far from simple. It's hard to define "paid doner," says Dr. John Ashworth, Chief of the DBS Laboratory of Blood and Blood Products. Is a family member who donates blood to avoid a $25 charge for a hospitalized relative a "paid" donor? Is the "volunteer" who gets prizes or free time from his employer "paid"? The New Republic recently raised a similar question concerning the Koch bill, asking whether tax incentives may not put the federal government in the position of purchasing blood and the "volunteer" in the position of selling it.

In any event, legislation that seeks to label blood as coming from "paid" donors—as would measures by Mr. Veysey and Sen. Vance Hartke (D-Ind.)—may find the legal semantics rough going. The Veysey bill defines "paid blood donor" as an individual who receives "monetary compensation or an adjustment in his scheduled period of prison confinement for his donation of blood." A voluntary donor is defined as someone other than a paid donor.

Rep. Veysey says his bill was worked out in collaboration with the American Association of Blood Banks, the American Red Cross, and AFL-CIO, but none of these groups endorse the bill as a whole. Undoubtedly, changes would be suggested if the bill were to undergo hearings by the House Commerce health subcommittee, which has a crowded agenda this year. Nonetheless, as an example of apparent congressional penchant for a tough regulatory approach, the Veysey bill's features may be worth examination.

All blood banks would be registered, inspected, and licensed by a National Blood Bank Program. Regulations would include standards for donor selection, management of blood inventories (to minimize outdating), and limits on the number of paid donors. Blood would be labeled "high risk" if from a paid donor or "low risk" if from a volunteer. There would be penalties for violations. To recruit volunteer donors, a $9 million program would be established; techniques to attract volunteers and to assure adequate supplies of volunteer blood in all areas would be developed.

The Red Cross and AABB would be designated National Blood Bank Systems and could regulate themselves if standards equaled the federal ones. Banks would be accredited in two classes: Class A, having a prescribed percentage (to be raised gradually) of volunteer donors, and Class B, all other banks. No federal agency could buy from a Class B bank. Eventually, few, if any, B banks would be left.

The federal program would keep a national registry of donors coded for cross-checking as to hepatitis history and could seek court injunctions against banks suspected to be imminent health hazards. Fines of $1,000 per violation and a year's imprisonment would be authorized. An advisory council would be set up, including two public relations experts, two representatives each from Red Cross and AABB, and three from such "blood consumer groups" as hospitals, organized labor, and business. The bill expressly forbids DBS from directing the program; Mr. Veysey thinks another unit, such as the U.S. Center for Disease Control, would do a better job.

DBS and Red Cross have been criticized by organized labor for not being more vigorous in expanding the nation's blood supply. Last year, the AFL–CIO called for a single national blood banking system and an end to commercial banks. It said that unpaid donors should have a legal claim on low-risk blood. The AFL–CIO's view of the Veysey bill: "a short step forward."

DBS says that more lives would be lost than saved by a wholesale embargo now on paid blood. There just isn't enough volunteer blood to go around. Moreover, DBS says, citing the New Jersey study, the risk of hepatitis is more closely related to the number of units required than to the use of paid blood as such. The patient's age and other health factors determine whether the disease, if contracted, will be severe or perhaps fatal. Moreover, steps have been taken to decrease the hazards. The current test for hepatitis-associated antigen, considered 25% to 30% effective, was cleared rapidly for marketing and is being widely applied (though Rep. Veysey believes there was avoidable delay). DBS has moved to make the test mandatory in federally licensed banks. The 166 DBS licenses cover about 85% of the nation's blood collections. The remaining 15% is collected in perhaps 5,000 banks, mainly small hospital banks serving their own communities only. The more significant of these banks are in the AABB system, which insists on the test. DBS has no figures on commercial intrastate banks.

The Red Cross recently announced it was "prepared to join with government and voluntary organizations in working toward a national nonprofit blood service which will provide safe, high-quality blood to all patients who need it." Patients should be charged only handling fees, Red Cross said, implying that profits to hospitals, commercial laboratories, and others be eliminated. Moreover, credit systems—in which individuals or groups acquire eligibility for blood—and penalty replacement fees should be eliminated, Red Cross said. It called for all collection facilities to be federally licensed under federal standards and inspection. "Whole blood and components for transfusion should be available to all who need them and preferably should come from voluntary donors," it added.

A large study of blood resources, which may give a clear inventory of blood banks by volume and sponsorship, has been started by the National Heart and Lung Institute. A bird's-eye view of sources of supply, collecting and distribution patterns, flow of credits and dollars, patterns in donation, and relationships to hepatitis transmission is expected in the spring. It could give legislators more to chew on.

TELEPHONE PRIVACY—XXXI

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. ASPIN. Mr. Speaker, I reintroduced the telephone privacy bill on May 10, 1972, with a total of 48 cosponsors.

This bill would give individuals the right to indicate to the telephone company if they do not wish to be commercially solicited over the telephone. Commercial firms wanting to solicit business over the phone would then be required to obtain from the phone company a list of customers who opted for the commercial prohibition. The FCC would also be given the option of requiring the phone company, instead of supplying a list, to put an asterisk by the name of those individuals in the phone book who have chosen to invoke the commercial solicitation ban.

Those not covered by the legislation would be charities and other nonprofit groups, political candidates or organizations, and option polltakers. Also not covered would be debt collection agencies or any other individual or companies with whom the individual has an existing contract or debt.

I have received an enormous amount of correspondence on this legislation from all over the country. Today, I am placing the 29th sampling of these letters into the RECORD, since they describe far more vividly than I possibly could, the need for this legislation.

These letters follow—the names have been omitted:

DES PLAINES, ILL.,
July 18, 1972.

DEAR SIR: Please continue your efforts on the bill you introduced (H.R. 14884) we are so tired of phone solicitors and feel this is so worth while.

Thank you

—— ——.

BENSENVILLE, ILL., *July 29, 1972.*

Representative LES ASPIN,
House Office Building,
Washington, D.C.

DEAR SIR: I earnestly urge you to do all in your power to see that the bill HR–14884 is passed so that we telephone subscribers are not harassed by these telephone salesmen.

I work nights and therefore have to sleep during the day. My friends and relatives know that the best time to phone me is in the evening. These telephone spielers phone anytime during the day trying to sell me retirement property, siding,—you name it—they're selling it. I am weary of having my sleep disturbed. Do all you can so that a hard working gal can get some much needed rest.

Yours truly,

—— ——.

ELMHURST, ILL., *July 18, 1972.*

DEAR SIR: This is a letter of grateful appreciation for your sponsoring of bill HR 14884. I do hope it passes. I can hardly fix dinner in the evening because of the many interruptions from telephone salesmen. I am afraid not to answer the phone as our family is all away from home.

Good luck.

Sincerely,

—— ——.

ELGIN, ILL., *July 19, 1972.*

DEAR SIR: Through the Chicago Tribune We have learned of your H.R. 14884, a bill designed to get rid of nuisance calls. Hurray! The best news we've heard in a long time. We, like everyone else, have felt so helpless to deal with this irritating problem. Hope, hope, hope you succeed.

Yours truly,

—— ——.

WOODRIDGE, ILL., *July 18, 1972.*

Re Pending Bill H.R. 14884.
Representative LES ASPIN,
House Office Building,
Washington, D.C.

GENTLEMEN: Last week, the Chicago Tribune published a letter in its Action Express column regarding the issue of salesmen calling homes selling resort property. I understand you gentlemen are sponsoring a bill to prevent these type of calls. Believe me, we are behind you 100%. We are also tired of being bothered by these solicitors every evening. I certainly hope this is passed because we will be the first to have the phone company put our name on such a list not to receive any more of these calls. We certainly would appreciate knowing the result of this bill. Thank you.

Sincerely,

—— ——.

EVANSTON, ILL., *July 17, 1972.*

Re H.R. 14884.
U.S. Representative LES ASPIN,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE ASPIN: I was elated to read of your sponsorship of the bill, HR-14884. This summer I have received a staggering number of telephone calls soliciting everything from newspapers and lots of land all over the country.

When people solicit by mail, you, the reader, may read it at your leisure. But when the telephone rings, it's a command performance and you feel compelled to answer. Never mind that it's before breakfast or after you've retired for the day or wakes my child or me or calls me from the shower or from outside. The solicitor demands to be heard then and now, at his convenience not mine.

I hope you can convince the other Representatives to pass HR–14884.

Sincerely,

—— ——

PITTSBURGH POSTMASTER RETIRES

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. MOORHEAD. Mr. Speaker, one of the finest public servants I have ever known retired recently in Pittsburgh.

Edward G. Coll was with the postal service for 36 years, the past 11 in the position of postmaster, when he decided that he would retire.

Ed was the ideal boss, as many postal employees in the Pittsburgh area know. He had the respect of the employees and their unions and he was the first man I would go to when there was any problem with the mail or with employee relations.

Ed's ability and dedication won for him several awards and recognitions, including: Postmaster of the Year, Letter Carriers' Man of the Year, Meritorious

Service Award from the U.S. Postmaster General, and the Equal Employment Opportunity Award.

I would like to include in the RECORD at this time an article from the Pittsburgh Post-Gazette telling of Ed Coll's retirement:

POSTMASTER COLL, 58, RETIRING—SETS PACE FOR POSTAL SERVICE

(By Karolyn Schuster)

Pittsburgh Postmaster Edward G. Coll yesterday set the pace in the U.S. Postal Service's big push for early retirement by announcing his own retirement at age 58.

Coll, who started with the nation's postal service as a substitute clerk 36 years ago, will round out his career tomorrow as manager of a postal district containing over 200 separate facilities and employing approximately 10,000 persons.

"We've sure as heck tried to turn this thing around," Coll says, while admitting that he has worked 80-hour weeks the past year to insure a smooth transition from the old Post Office Department to the independent U.S. Postal Service.

But the past year has found the new Postal Service hamstrung by union contracts that prohibit them from firing regular postal employes, despite an increase in mechanized mail processing and a drastic drop in total mail volume, he said.

The service's solution: A 4.8 percent cost-of-living "bonus" for employes who commit themselves to early retirement before tomorrow.

Over 200 regular postal employes have already decided they'll take the offer and a service spokesman said they're expecting "a good many more" to wait until tomorrow's deadline to announce their early retirements.

Other top Pittsburgh postal administrators closely associated with Coll during his 11 years as postmaster are also rumored to be reconsidering the retirement option in the wake of their boss' announcement.

The mass retirements are naturally going to mean a disproportionate cut in the number of supervisors, according to Coll, since they would be the employes who would best qualify for the "55-year-old, 30-years-of-service" plan.

Coll's effectiveness and enthusiasm have won him numerous honors over the years including: Postmaster of the Year, Equal Employment Opportunity Award, chairman of the board of the Eastern Postal Region, letter carriers' Man of the Year, and a Meritorious Service Award from the U.S. Postmaster General.

Coll, of 400 Camelot Court, Scott Township, admits he was "pressured" into retiring by his wife, Alice, and that their immediate travel plans will include visits to their 13 grandchildren "spread from Miami to Chicago." He intends to work until a successor is named—probably within 60 days—and then "our travel agent has a round-the-world tour that sounds like a pretty good deal to us," says Coll.

TO USE AND RECOGNIZE POLICEMEN'S EXPERTISE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. HOGAN. Mr. Speaker, one of this Nation's untapped resources in understanding and combating crime is, ironically, its policemen. In many cases, their experience provides them with knowledge of crime and crime fighting that could only be gained at that level. And yet, they are rarely consulted when overall questions of crime arise.

One of my constituents, George W. Tenley, has written me expressing the need to recognize and use the expertise of local policemen, and for the information of my colleagues, I insert Mr. Tenley's letter into the RECORD.

The letter follows:

OXON HILL, MD., *July 21, 1972.*

HON. LAWRENCE HOGAN,
U.S. Congress,
Washington, D.C.

DEAR CONGRESSMAN HOGAN: Several weeks ago, as part of my job as an attorney at the Bureau of Narcotics and Dangerous Drugs, I had the privilege of lecturing a group of 35 policemen from all over the United States on the Narcotic Addict Rehabilitation Act of 1966; however, for the purpose of this letter, the subject matter of the lecture is unimportant. In addition, before getting down to the subject that has prompted this letter, it is essential that I state that I am not writing in my capacity as an attorney for the Bureau, nor do the views I will express necessarily reflect official positions of the Bureau.

As a result of the rather exciting (and excited) discussion which followed the lecture, I made what I consider two rather startling and important observations: that those of us in this country who make decisions and set policy on one of the most pressing domestic issues of our time, drug abuse control and prevention, have shut ourselves of, either intentionally or inadvertently, from a fertile source of information and education—the policemen who encounter and must deal with all aspects of the problem everyday; and secondly, that these people seem to lose their identity as private citizens as a result of the expectations placed upon them in the performance of their duties. Consequently, they are often estopped from speaking out on issues that affect them, both as private citizens and as policemen.

My discussion with this representative cross-sample of American policemen, clearly indicates to me that much of the criticism aimed at policemen today is grossly unfair, if only because they cannot speak out in their own behalf. Faced with criticism of their performance, there is no effective means for them to present their views without drawing fire from their superiors, who, faced with the usual pressures of the governmental pecking order, must too often select a course of action which in effect leaves the policeman holding the bag. To correct this situation, policemen must have both the right and the opportunity to present their views on criticism directed at them, as well as to educate and inform the public based on their unique experience with, and proximity to, the difficult issues of crime control and crime prevention. Until this is brought about, the image of the policeman will continue to be formed by individuals painfully unaware of the nature of the policeman's work and responsibilities.

As a recognized supporter of sound law enforcement in this country, and as a demonstrated "friend" of policemen through your efforts on behalf of the policemen of the District of Columbia, the undersigned and myself request that you inform the Congress of what we consider an urgent problem. We request that you urge your fellow Congressmen to inform themselves of the problems of the policeman in their respective districts; that they make an effort to open up the decision-making process at the local level with regard to crime control and prevention and allow participation by those most directly aware of the problem; and, that they support the establishment of mechanisms that will protect and support policemen who, acting for the benefit of the community speak out on issues which urgently need their unique expertise.

Your consideration of these matters will be greatly appreciated. Any response you care to make will be forwarded to the following gentlemen.

Thank you.

Sincerely,

GEORGE W. TENLEY, Jr., Esq.

TEN YEARS OF TRANSOCEAN TV

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. MILLER of California. Mr. Speaker, blase Americans have learned to take for granted things that were unheard of 10 years ago.

On July 10, 1962, the first telecast via satellite was made from this country to France and England. The developments since that time have been great, and I include with these remarks a press release from the National Aeronautics and Space Administration outlining what has taken place:

TEN YEARS OF TRANSOCEAN TV

Millions of television viewers in the United States, and a few in France and England, watched a taped black-and-white picture of an American flag flapping in the Maine breeze to the recorded accompaniment of the Star Spangled Banner.

The time was 7:33 p.m. EDT, July 10, 1962. Picture and sound, transmitted skyward over the Atlantic from a huge horn-shaped antenna near Andover, Me., were being retransmitted back to Andover and to Holmdel, N.J., from a glistening new Earth satellite, Telstar 1, built by the American Telephone and Telegraph Company and launched by NASA 15 hours earlier aboard a Thor-Delta rocket from Cape Canaveral, Fla.

Though not intended, the signals were picked up also by stations at Pleumeur-Bodou, Brittany, and Goonhilly Downs, Cornwall.

And so, 10 years ago this month, begun the age of transocean television.

Next day the 77-kilogram (170-pound) Telstar 1, speeding around the globe every 158 minutes in an orbit of 945 by 5600 kilometers (580 by 3500 miles), relayed the first TV pictures westward from Europe, black-and-whites from both France and England, and within a week the first in color.

On July 23 mass audiences on both sides of the Atlantic watched the first international exchange of live TV.

Viewers in Europe saw the Statue of Liberty, a baseball game between the Phillies and the Cubs in Chicago, a Presidential press conference, buffalo roaming the South Dakota plains, the Mormon Tabernacle choir singing at Mount Rushmore.

Americans, in turn, got real-time glimpses of Big Ben from London's Tower Bridge, the

Coliseum in Rome, the Louvre in Paris, the Sistine Chapel in Vatican City, Sicilian fishermen reefing their nets, reindeer near the Arctic Circle in Norway.

And on July 31 the first trans-Atlantic news telecast showed former President Eisenhower being greeted by Swedish Premier Erlander in Stockholm—the picture transmitted from Sweden to England, then up to Telstar and down to Andover.

During the next four months Telstar 1 handled more than 400 transmissions, including 50 television demonstrations, telephone calls and data in both directions, and facsimile material.

But in November the solar-cell powered satellite fell silent, its electronics disabled by extreme radiation in space apparently resulting from high-altitude nuclear tests. It was revived in January 1963, after ground diagnosis, for more weeks of various communications tests.

A near twin, Telstar 2, launched May 7, 1963, showed Europeans President Johnson's inaugural and Americans Winston Churchill's funeral in January 1965 before it was turned off in May after completing all its experiments.

Meantime, the United States launched NASA's Relays 1 and 2, more powerful than the Telstars, and Syncoms 1, 2 and 3, whose speed in circular orbits of 36,800 kilometers (22,300 miles) is the same as that of Earth in rotation, so that three such satellites "parked" at 120-degree intervals around the globe can provide uninterrupted communications service for most of the world.

Among their memorable international telecasts were President Kennedy's European trip in July 1963, the coronation of Pope Paul VI, Kennedy's funeral, the new President Johnson's address to a joint session of Congress, and the 1964 Olympics in Tokyo.

These NASA experimental spacecraft developed the technology for the era of commercial communications satellites.

This opened April 6, 1965, with the launch of Early Bird, or Intelsat I, for the Communications Satellite Corporation (COMSAT) as manager for the International Telecommunications Satellite Consortium, which has since grown to 83 member nations.

While continuing developmental work with its series of five Applications Technology Satellites, NASA has launched 14 more Intelsats, of which five are still operating; and commercial traffic has grown to more than 2,500 hours of television a year and more than 4,000 full-time leased two-way voice circuits.

The latest high-capacity Intelsat IV (F-5), launched June 13, can carry 5,000 to 6,000 two-way telephone conversations and will add 12 TV channels to the 48 now available between the U.S. and other nations when it goes into service over the Indian Ocean late this month. That's 12 to 20 times the capacity of Telstar 1.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

REGULATORY "OVERKILLS"

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. WALDIE. Mr. Speaker, the enclosed editorial from Industry Week of July 10 entitled "Overkill" was forwarded to me by a constituent of mine, Mr. G. D. Simpson of the Western Die Casting Co. in Emeryville, Calif.

In a humorous, but a most effective way, the editorial points out the preposterousness of the extensive promulgation of regulations by governmental agencies that exists today.

Ultimately, we will all smother under these regulations if we are not careful. Perhaps "Overkill" will alert us to that potential demise:

OVERKILL

The *Federal Register*, through which all the government agencies promulgate their regulations governing what you and I and the millions of other Americans must do, must not do, and when and where and how, last year contained 25,497 pages of pretty fine print.

That's about the same number of pages contained in the *Encyclopaedia Britannica*. When the Consumer Product Safety Commission gets rolling, the *Britannica* will be dwarfed by the *Federal Register*.

The question seriously arises: Can our overregulated society and our overregulated economy survive? Or do we really face "Regulation to oblivion?"

Federal regulations, it must be admitted, generally are conceived in high purpose. Some well-intentioned person notes a wrong. He starts a move to correct that wrong. A new statute, or a regulation under an existing statute, results. Then a new bureaucracy is formed, or an existing bureaucracy is enlarged. More bureaucrats are escalated to higher levels of incompetency, and regulation starts.

What happens?

Take the yak fat case, where a Nebraska trucker named Hilt became weary of typing voluminous tariff schedules required by the Interstate Commerce Commission. He solemnly proposed to carry yak fat from Omaha to Chicago at a rate of 45 cents per hundred pounds. The railroads protested the yak fat rate was patently below cost. The ICC upheld the railroads and said the trucker's rates were unreal and unreasonable. All this, despite the fact there never was any yak fat to be hauled from Omaha to Chicago. . . .

Or take the Federal Trade Commission's preparation of a formal charge against a department store for displaying Red Fox brand overalls, which were not made of red fox fur. . . .

Or the OSHA inspector who proposed that a steel forge shop use rubber dies to reduce noise. . . .

Or the bureaucrat who demanded a complete list of the country's brass mines. . . .

Or . . .

There is an encouraging note. Public indignation against overregulation is mounting. New, thoughtful, and documented books attacking overregulation are selling. A rebellion against proliferating bureaucracy and stifling regulation may be in the making.

And we think it is long overdue!

CHILD CONTROL

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. ZION. Mr. Speaker, "We have recognized that the child is a care of the State."

What a statement that is. Consider for a moment the implications of that. "We have recognized"—who is "we"? This statement was made by one of the most liberal Senators. Evidently, he has decided this. But why, then, the royal "we"? The intended implication is apparently that the U.S. Senate has recognized that the State is to be the new parent of American children. What a false impression. I do not think that anyone has decided that, with the exception, perhaps of a few of the more rabid "child developers" and psychiatrists. There is one small school of thought which holds that the family as a social institution is obsolete—it seems I recall an article in Psychology Today sometime last fall with the title "Families Can Be Dangerous for Children and Other Living Things."

Such people as this have an alternative to families, of course. They propose the Federal Government, by means of a series of monstrosities known as child development centers. These will facilitate the creation of the kind of children the utopian social engineers would like to see produced. The children would be sent at an early age to these centers, because, as Reginald Lourie, a prominent advocate of such things says:

> The timing of appropriate interventions is crucial. In the first 18 months of life, the brain is growing faster than it ever will again. This is the time when it is most plastic and most available for appropriate experience and corrective intervention.

The conclusion that the family is incompetent and that children must be raised in carefully controlled artificial environments is to me absurd. I am sure, also, that the great majority of America's citizens find that sort of unfounded, unwarranted casting of judgment as repugnant as I do. And the ludicrous notion that Federal agencies can improve on mothers and fathers is not to be taken seriously, either.

Unfortunately, many of this Chamber and of the other Chamber take such notions seriously. Many seem to have fallen for the specious line of argumentation employed by advocates of this child control. Legislation to effect the transfer of responsibility from parents to Federal agencies has been introduced, and has passed. Last winter the President vetoed one such bill, and now another one is upon us. I am encouraged to see a large popular outcry against such legislation, and hope that my colleagues take heed of the desires of the citizens of America and vote against S. 3617.

One of the leading newspapers of my home State, the Indianapolis News, speaks well on this point:

> Unless we are badly mistaken, the American people don't want big government projecting "corrective interventions" into the psyches of infant children. But if the social engineers continue to have their way, that is exactly what we are going to get.

The American people, like my own people of Indiana, are unalterably opposed to such schemes. I submit the entire News editorial of July 12 into the RECORD at the conclusion of my remarks. Perhaps in reading this sampling of opinion, my colleagues in this Chamber might consider their own principled opposition to this bill, S. 3617:

> CHILD CONTROL
>
> Federal advocates of "child development," repulsed last year by presidential veto, are at it again.
>
> The child developers have introduced a bill in the U.S. Senate, S. 3193, which would enact the major features of the bill that failed to make it last year. Despite some changes in the rhetoric, the point of the legislation remains the same—to intrude the power of the Federal government more deeply than ever into the business of raising youngsters, and to declare the Federal experts and planners to be "partners" with American parents in the upbringing of their children.
>
> Legislation of this type has been promised on the theory that working mothers need day care centers to watch over children while their parents are on the job. But proponents of these bills have made it plain that their objective is something considerably more grandiose. What they want is to have government authorities assume increasing control over the early life of the child, including specific concern for "emotional" and "psychological" needs. S. 3193 would be a major step in this direction.
>
> It is rather chilling, indeed, to scan the statements of some of the "child development" backers. Thus Sen. Jacob Javits, R-N.Y., a principal sponsor of such legislation, asserted on the Senate floor last year: "We have recognized that the child is a care of the state." Child-care advocate Reginald Lourie puts it that "the timing of appropriate intervention is crucial. In the first 18 months of life, the brain is growing faster that it ever will again. This is the time when it is most plastic and most available for appropriate experience and corrective interventions."
>
> Unless we are badly mistaken, the American people don't want big government projecting "corrective interventions" into the psyches of infant children. But if the social engineers continue to have their way, that is exactly what we are going to get. The nation has already seen a major effort to crack open the family unit in the controversy over busing, the major purpose of which is to reduce the influence of the home and increase the influence of the "artificial environment" of the government school.
>
> "Child care" is all too obviously more of the same, and the vast bureaucracy to be created under this title would in fact be used for "child control." For parents who don't like busing, we can only say—you ain't seen nothing yet. Compared to what the child developers have in mind, the busing contingent looks like pikers.

MRS. LUCY ALBRIGHT

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. CARTER. Mr. Speaker, for many years Mrs. William "Lucy" Albright has been a correspondent for the Glasgow Republican. She is an extremely well read and erudite columnist, versed in Kentucky folklore and politics.

From my acquaintance with her, I would say that she is progressive, but yet fiscally responsible. She is certainly sensitive to the attitudes of the people of her area and expresses these feelings in language of enduring charm.

I include her remarks from a recent column:

> LUCY'S LETTER
>
> (By Lucy Albright)
>
> "It certainly seemed 'tacky' of NBC to start using excerpts of McGovern's speech ahead of time". This was said by James Doussard, Courier Journal T.V. and Radio Critic in his column on how the Democrats' prime-time tactics falter. Using the word "tacky" as descriptive, impressed me, as I thought tacky is a country word and we who live in villages and hamlets had cornered the market on its use. When I was growing up, the word "tacky" carried a lot of weight as people in dress, manner, and mode of living, were thought to be either tacky or untacky—and to be tacky, by the young, was almost considered an unpardonable sin. But today, things are so far out in every endeavor that the word tacky has almost been lost. But evidently Doussard thought it the perfect word in his criticism. In fact he used it twice in the same column. The Democratic convention seems to have brought out many expressions, probably the most pronounced was "McGovernmental" and since the convention, the atmosphere has been charged with vociferous heated comments, and opinions are rolling off the tongues of both the old and the young.
>
> A recent day I had a chance ring-side seat at a voluminous discussion on "politics of the day", at the Fountain Run Restaurant where a group were orating their opinions. It was interesting to note that though practically all who were present were registered democrats, ranging in ages from 20 to 75, and from various walks of life, the general consensus was that they were highly displeased with the democratic convention, and thought it was not a democratic convention but rather a McGovern Convention. I would not be so arrogant as to say that "As Fountain Run thinketh, so thinketh the nation", but months before the convention, I have had my ear to the ground trying to catch the general political feeling of people. And I have listened with interest to many from various sections of our country, trying to catch the tempo and the convictions of others. In the group have been business men, students, the "blue collared and the white collared, the farmers, the young and the old. And it seemed to all boil down to the same thing, that they had rather risk Richard Nixon as president in these trying times than any one else. Figuratively speaking, it appears America has been crossing the Red Sea, in deep waters of troubles, and though our president is not a prophet, but as the leader, we are moving toward the shore, slowly, but still moving. Nixon is not infallible, so has made mistakes, but for the best interest in various forms of leadership he has proved himself to be middle of the stream", and while we are moving toward solution to many problems, the multitudes feel safer not to change. Americans by nature are impatient, particularly has this always been true of the youth, and sometimes, we may expect and demand, a magician's instantaneous trick to bring about solutions—but we are admonished not be weary in well doing, for in due season we will reap if we faint not. There is many a slip betwixt the cup and the lip, and many things may transpire between now and the November election but as of today, I think the general feeling is that "I had rather risk Nixon as president than anyone."

COMPREHENSIVE CHILD DEVELOPMENT

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1972

Mr. SCHERLE. Mr. Speaker, much learned debate both pro and con has been heard in this Chamber about the merits of the Comprehensive Child Development Act. Now that the expert testimony has been considered, it is time we listened to the voice of the people. They, after all, stand to benefit or be harmed by the social and educational programs we legislate here, and they have to pay the bill.

An editorial published recently in the Red Oak, Iowa Express summarized concisely the objections of many ordinary citizens to the utopian schemes of Washington bureaucrats for their children. This thoughtful analysis is recommended to the attention of my colleagues in the hope that the concerns of individuals most closely affected by the law will not be forgotten in our deliberations. Following is the text of the editorial:

> CHILD DEVELOPMENT AN ISSUE
>
> Child development is once again an issue in Congress. Despite President Nixon's veto of the Child Development Bill last year, both houses of Congress have again reported identical proposals out of committee and action is imminent.
>
> Child development means the provision by an agency, usually a governmental one, outside the family, of a child's major needs. The bills now in Congress imply that this is an anti-poverty measure, but the Emergency Committee for Children charges that the program is intended by its sponsors eventually to be universally available to all American children.
>
> To provide the kind of comprehensive child care that is envisioned could easily cost $2,600 a year per child. If that sum were paid directly to the mother of two small children, she would have as much income as if she went out to work and could care for her own children's needs.
>
> There are many knowledgeable professional

people who fear that child development centers could easily do more harm than good to the children involved. No replacement for family care has ever been as successful, they say. In fact, it is feared that such centers would encourage parents to transfer the care of their children to state or quasi-public agencies.

While there has been minimal public discussion of the duplicative statutes on day care, many authorities feel that the tax deduction provisions presently on the books more than adequately encourage the development of day care centers for children of working parents.—RLC.